

Minutes: Task Force on Mandatory Minimum Sentences

Date: June 12, 2026, 9-12:20pm

Location: Afton Room, DOC, 1450 Energy Park Drive, St. Paul, MN 55108 and via Webex

Members attending in person (3): John Donovan, Kelly Mitchell, Nathaniel Reitz.

Members attending virtually (6): Shane Baker, Hark Haase, Dale Harris, Robert Stewart.

Members absent (4): Jerimiah Carlson, Mark Osler, Kenneth Sass, Nick Sasser, Ashley Sturtz-Griffith.

Also present (in person or virtually): Minnesota Justice Research Center: Janett Casillas, Justin Terrell, Jana Koonen and Wilder Research: Julie Atella, Jennifer McCleary, and Sophak Mom

1. Roll call (Don Klick)

Chair Reitz called the meeting to order at 9:04AM. A quorum was established with the following members present: Shane Baker, Jeremiah Carlson, Mark Haase, Dale Harris, Robert Stewart, Amber Johnson, John Donovan, Kelly Mitchell, and Nathaniel Reitz

2. Approval of April 2026 minutes and today's agenda (All members)

The Meeting Minutes from the May 2026 were approved as drafted, and the agenda was accepted without objections.

3. Final Findings of Stakeholder Input (MNJRC)

Janett Casillas (Minnesota Justice Research Center, MNJRC) presented final qualitative findings from stakeholder engagement on mandatory minimum sentences. MNJRC collected input from 95 participants, including system actors, justice-impacted individuals, victim survivors, and family members, through surveys, interviews, and focus groups.

Key findings:

- **Limited awareness and understanding:** Many participants, particularly those directly impacted, reported little to no prior knowledge of mandatory minimum sentences before entering the criminal legal system, raising questions about their effectiveness as a deterrent.
- **Perceived lack of fairness and flexibility:** Across stakeholder groups, participants expressed concerns that mandatory minimums do not account for individual circumstances or context, leading to outcomes perceived as unfair.

- **Shift in decision-making authority:** Mandatory minimums were described as shifting discretion away from judges and toward prosecutors through charging and plea negotiations, influencing case outcomes early in the process.
- **Concerns about consistency and equity:** Participants questioned whether mandatory minimums achieve true consistency, noting variability in case circumstances and concerns about disproportionate impacts on Black communities and heavily policed populations.
- **Impacts on individuals and families:** Stakeholders emphasized that incarceration associated with mandatory minimums extends beyond the individual, affecting family stability, caregiving, housing, income, and emotional well-being.
- **Lived experience and rehabilitation:** Justice-impacted participants frequently noted that incarceration alone did not drive behavioral change, instead emphasizing the importance of treatment, support, and personal circumstances.
- **Purpose and effectiveness:** While system actors identified intended purposes such as deterrence, consistency, punishment, and public safety, many participants expressed skepticism that these goals are achieved in practice. Punishment was the only purpose widely viewed as consistently realized.

Overall, MJRC highlighted a disconnect between the intended purposes of mandatory minimum sentencing policies and how they are experienced in practice. Chair Reitz thanked MNJRC for the presentation, noting its value in illustrating the human impacts of policy decisions. MNJRC confirmed that detailed findings and supporting materials will be incorporated into the task force’s final report.

4. Mandatory Minimum Patterns Across Minnesota presentation (Dr. Laskorunsky)

Dr. Julia Laskorunsky (Robina Institute) presented quantitative findings on racial and ethnic patterns in downward departures under Minnesota’s 609.11 firearm mandatory minimum statute, using data from the Minnesota Sentencing Guidelines Commission from 2016–2024.

Scope and methodology:

- Analysis focused on “binding” cases, defined as cases where sentencing guidelines would otherwise recommend probation, but the 609.11 mandatory minimum required a prison sentence.
- Two statutory tracks were examined:
 - **Track A:** Weapon w/crime. A firearm possessed or used, or a non-firearm dangerous weapon used, during a listed offense
 - **Track B:** Felon in possession (crime of violence-based). Possessing a gun or ammunition after a crime-of-violence conviction
- Both raw (unadjusted) and adjusted departure rates were analyzed. Adjusted models controlled for legally relevant factors, including offense type, criminal history, sentencing district, age, sex, plea versus trial, and year of sentencing.

Key findings:

- **Departures are common in binding cases:**
 - Courts granted departures in 67% of Track A cases and 59% of Track B cases where mandatory minimum would otherwise have required prison.
 - Most departures were based on amenability to probation and were often negotiated or unopposed.
- **Racial and ethnic disparities were observed:**
 - Raw data showed lower departure rates for Black, Hispanic, American Indian, and Asian defendants compared to White defendants.
 - After adjustment, disparities remained most pronounced for Track B (felon in possession) cases, where defendants of color were significantly less likely to receive relief from the mandatory minimum than similarly situated White defendants.
 - Hispanic defendants experienced statistically significant gaps in both Track A and Track B.
- **Concentration of impact:**
 - **Geographic concentration:** Track B cases involving Black defendants were disproportionately concentrated in Hennepin and Ramsey Counties, indicating uneven impact statewide.
 - **Role of discretion:** Racial disparities were more pronounced in cases involving gun possession rather than gun use, suggesting that greater discretionary decision-making is associated with less equitable outcomes.
- **Disposition vs. duration:** Racial disparities were most pronounced in decisions about whether a prison sentence was imposed, rather than the length of prison sentences once imposed.
- **Hard mandatory minimums are not always binding:** Even in cases categorized as non-departable mandatory minimums, departures were observed in approximately 10% of cases, reflecting statutory complexity and inconsistent application.
- **What could explain racial gaps in departures:** Dr. Laskorunsky explained that consistent with the data and prior research, several factors may contribute to racial differences in who receives a departure. These include **differential treatment**, where legally similar defendants may be assessed differently by courts or by the parties negotiating pleas; **unevenly distributed circumstances**, such as differences in access to stable housing, employment, or treatment that support findings of amenability to probation; and **decisions made upstream of conviction**, including charging and plea decisions that shape which cases reach sentencing, noting that this analysis begins at conviction.
- **What the analysis does not show:** She emphasized that group-level patterns cannot be used to identify individual discrimination, stating that there is no way to tell from this data whether any specific judge or prosecutor is making racially discriminatory decisions.
- **Overall conclusion on disparities:** Dr. Laskorunsky concluded that **in practice, § 609.11 worsens racial and ethnic disparities** by creating a **default prison sentence** in binding cases where sentencing guidelines would otherwise recommend probation. She explained that **departure discretion then determines who avoids prison**, and that this **relief is not distributed evenly by race or ethnicity**, even among legally similar defendants, with disparities particularly concentrated in gun-possession cases.

5. Presentation from Data Committee (Dr. Robert Stewart)

Dr. Robert Stewart presented data analyses on **recidivism rates for “crimes of violence”** and **first-time predatory registration failures** to provide context for the task force’s consideration of mandatory minimums.

Crime of Violence Recidivism Analysis

- **Methods:** Dr. Stewart presented a descriptive analysis examining recidivism following completion of a sentence for a crime of violence, using Minnesota Sentencing Guidelines Commission data and State Court Administrator’s Office records from 2004–2023. The analysis included 92,804 individuals convicted of a crime of violence during the study period and examined time to any new conviction (felony, gross misdemeanor, or misdemeanor) after release from incarceration.
- **Findings:** recidivism risk is highest in the first several years after release and declines substantially over time.
- At 10 years after sentence completion, approximately 35% of individuals with a single crime of violence conviction had no new conviction. Among those who remained conviction-free at that point, the annual risk of a new conviction was approximately 2%.
- Dr. Stewart emphasized that the analysis is descriptive, that the “clock” begins after release from custody, and that results are affected by data limitations, including right-censoring and the 20-year observation window.
- He noted that the analysis does not distinguish between violent and non-violent reoffending and does not establish a causal relationship between time elapsed and risk.

Discussion and Clarifications

- Task force members discussed how the findings relate to policies such as lifetime firearm prohibitions, including prior standards that allowed reinstatement after a period without convictions.
- Dr. Stewart clarified that the analysis focuses on any new conviction, not solely new crimes of violence, and that individuals serving long prison sentences are not included until released.
- He noted that recidivism rates vary by the type of underlying crime of violence, with some offenses associated with much lower rates of reoffending than others.

First-Time Predatory Offender Registration Failures

- **Methods:** Dr. Stewart conducted a descriptive review of charging documents for 624 first-time predatory offender registration failure cases filed between 2020 and 2023. Cases were identified as first-time offenses based on available court records, and reasons for failure to register were categorized using information contained in charging narratives and police reports. Categories were non-exclusive and reflected how conduct was described in case filings.
- **Findings:** The most common reasons cited for failure to register included:
 - Failure to update registration after moving or relocating (approximately 60%)
 - Failure to update vehicle or other registration information (approximately 12%)
 - Missed weekly check-ins among individuals registered as homeless (approximately 12%)

- Smaller percentages involved absconding, failure to register after release from custody, or providing invalid addresses.
- Dr. Stewart noted that the categories were based on charging narratives and that documentation quality varied across cases.

6. Other subcommittee report outs (Committee Chairs) –

Chair Reitz noted that Dr. Robert Stewart’s presentation would serve as the Data Committee report, and Minnesota Justice Research Center’s presentation would serve as the Stakeholder Committee report. Professor Mark Osler was not present to provide a report from his committee. No additional committee reports were offered.

7. Review and discuss the Decision Points document for all three decision areas (e.g., Section 243.166; Chapter 152; 609.11) (All)

Chair Reitz introduced the second half of the meeting by outlining two background memoranda he circulated to frame the Decision Points discussion, developed with input from an informal, non-quorum policy subcommittee. He summarized options for revising drug offenses included on firearm-related crime lists and reviewed two alternative frameworks for replacing Minn. Stat. § 609.11, emphasizing the need for a tentative policy direction at this meeting to allow impact analysis, draft statutory language, and final decision-making at the July meeting ahead of the August 15 reporting deadline.

Chair Reitz then turned the meeting over to Wilder Research staff to guide the task force through the formal Decision Points discussion.

Decision Points overview: Julie Atella (Wilder Research) introduced the Decision Points presentation, explaining that the slides were adapted from the previously shared Decision Points document to guide discussion. She noted that the task force would review decision points across three policy areas (1. weapon enhancements, 2. firearm possession following a crime of violence, and 3. predatory offender registration) with the goal of gauging where members were aligned, identifying areas needing clarification, and surfacing considerations to inform further analysis and next steps.

Decision Point 1-1: “Should a special penalty framework for committing crimes with dangerous weapons assign the most serious penalties to those with the most serious criminal histories who most seriously involve dangerous weapons in committing the most serious crimes?”

- The task force discussed this core question about a revised penalty framework for crimes committed with dangerous weapons, including firearms. Chair Reitz noted that this principle underlies much of the task force’s work and stated that Minn. Stat. § 609.11 does not currently achieve this goal, as it focuses primarily on weapons involvement and does not adequately scale penalties based on offense severity or criminal history. Members generally agreed with this framing and expressed preliminary alignment around the need for a revised penalty framework that better reflects this principle.

Decision Point 1-2: “Should we incorporate the Sentencing Guidelines’ recommended sentences into this new penalty framework?”

- The task force discussed whether a revised penalty framework should build on the Sentencing Guidelines’ recommended sentences. Members noted that the Guidelines already account for criminal history and offense severity and provide a consistent structure for proportional sentencing. Discussion reflected clear and unanimous agreement that incorporating the Guidelines would be an appropriate foundation for any revised framework.

Decision Point 1-3: “The following types of weapons involvement in committing a designated offense have been ranked by seriousness and grouped into severity tiers. Is this the right ranking/grouping?”

- The task force reviewed multiple presentations of proposed severity tiers ranking different types of weapon involvement, from possession to firearm use, repeat use, and discharge. Members generally agreed that the conduct could be understood as a spectrum from least to most serious, but raised concerns about the number of tiers, potential complexity for practitioners, and whether a simpler structure (e.g., possession, use, discharge, with adjustments for prohibited status or prior conduct) would be preferable. Discussion focused on whether the proposed ordering made sense conceptually rather than on specific penalties, and no final agreement was reached on the number, structure, or grouping of tiers. Members noted that further refinement would be needed before the framework could support impact analysis.

Decision Point 1-4: “Consider how an accomplice’s firearm use or possession fits best.”

- The task force discussed how a defendant’s punishment should account for an accomplice’s firearm use or possession, reviewing the following conceptual approaches:
 - The defendant’s punishment should be the same as if the defendant personally used or possessed the firearm
 - The defendant’s punishment should be the same only if the defendant knew in advance that the accomplice was likely to possess the firearm during the crime
 - The defendant’s punishment should be less severe
 - The defendant should not be punished for an accomplice’s firearm possession or use
 - Other approaches
- Discussion focused on concerns about fairness to unwitting accomplices, the practical and evidentiary challenges of standards such as “likely,” and whether enhanced penalties should depend on advance knowledge, actual use, or be mitigated through judicial discretion. Several members expressed concern about applying non-waivable mandatory minimums in accomplice cases and emphasized the importance of preserving sentencing discretion to account for varying levels of culpability. While members narrowed the range of viable approaches, no final agreement was reached, and further consideration was deferred pending review of the broader penalty framework.

Decision Point 1-5: “What should the additional punishment be at each severity tier?”

- The task force reviewed a tiered framework outlining potential additional penalties for varying levels of firearm involvement, including durational increases and possible changes to disposition.

Members emphasized that the tiers were being used as a conceptual framework, with discussion focused on areas of alignment and unresolved questions rather than selecting penalties for every tier.

- Members reached preliminary agreement that for firearm use without discharge or prior firearm-related convictions (Tier 3), an additional 12-month durational increase built on the Sentencing Guidelines was appropriate. Discussion reflected caution about introducing mandatory prison dispositions at this tier, citing concerns about complexity, judicial discretion, and departure patterns.
- Discussion of higher tiers, including firearm use following a prior crime of violence and firearm discharge, revealed differing views on whether penalties should double, require prison, or be waivable. Several members noted that support for stronger penalties at higher tiers was conditional on narrowing the definition of “crime of violence,” particularly regarding lower-level drug offenses. Final decisions on disposition and higher-tier penalties were deferred pending further refinement and impact analysis.

Discussion extended beyond the scheduled time, and the task force was unable to review all remaining decision points planned for this agenda item. Chair Reitz noted that the discussion clarified areas of preliminary alignment, outstanding questions, and key dependencies that will inform further analysis. Remaining decision points will be addressed at a future meeting, alongside impact analysis and continued refinement of the proposed frameworks.

8. Discuss July agenda items (All)

Following the Decision Points discussion, members discussed the need for additional meeting time to complete remaining Decision Points and support impact analysis. Chair Reitz noted logistical constraints and the time required for Sentencing Guidelines Commission staff to develop estimates, and members discussed the possibility of scheduling an additional meeting in late June or early July. Wilder Research agreed to circulate a scheduling poll to identify feasible dates, with the goal of supporting continued decision-making.

Members also discussed priorities for upcoming meetings. Wilder Research indicated that the July 10 meeting would proceed as scheduled and would include a draft report with placeholders to facilitate review and feedback. Chair Reitz agreed that completing the remaining Decision Points would likely be the primary focus of the July agenda, alongside continued discussion of the report timeline.

9. Discuss timeline for report (Wilder)

Julie Atella (Wilder Research) provided an update on the report development timeline. She noted that Wilder Research is continuing to draft the report in parallel with the task force’s discussions, incorporating feedback and materials as they become available. Wilder Research has met with the Minnesota Justice Research Center (MNJRC), which is expected to provide its final report in the coming weeks for integration into the task force’s report.

Julie noted that the draft report to be shared in July will include placeholders, and that a subsequent copy-editing and revision process will follow based on task force input. She emphasized that holding the

final meeting on August 4, rather than closer to the statutory deadline, allows additional time to incorporate final revisions. Julie acknowledged that the project timeline has shifted from original expectations but stated that work is progressing and that substantial content has already been developed. A draft report will be shared with the task force at the July 10 meeting for review and discussion.

10. Public comment

Chair Reitz asked whether any members of the public wished to provide comment. No public comments were offered.

11. Next Meeting Dates

- **July 2, 2026, 10-2** (scheduled on 6/17 after taskforce members were polled).
- **July 10, 2026, 9-12**

Will be held in-person at the Wilder Center in Saint Paul, MN and a remote attendance option will be available as usual.

- **Aug 4, 2026, 1-4**

The meeting was adjourned at 12:20PM.