



Agenda: Task Force on Mandatory Minimum Sentences

Date: July 2, 2026, 10am-2pm

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 (9): Shane Baker, Jeremiah Carlson, Mark Haase, Dale Harris, Amber Johnson, Kenneth Sass, Nick Sassor, Robert Stewart, Ashley Sturz-Griffith.

Members absent (1): Mark Osler

Also present (in person or virtually): Wilder Research: Julie Atella, Jennifer McCleary, and Sophak Mom

1. Roll call (Don Klick)

Chair Reitz called the special meeting to order at 10:03AM.

A quorum was established with the following members present: Shane Baker, Jeremiah Carlson. John Donovan, Mark Haase, Dale Harris, Amber Johnson, Kelly Mitchell, Nathaniel Reitz, Kenneth Sass, Nick Sassor, Robert Stewart, Ashley Sturz-Griffith.

2. Approval of June 12 minutes and today's agenda (All)

Corrections to the June 12 meeting minutes were identified, including the correction of misspelled member names and the revision of attendance records to reflect that Jeremiah Carlson was absent.

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

Chair Reitz opened the discussion by reflecting on the task force's remaining timeline and emphasizing the importance of developing sufficiently detailed recommendations to support legislative action. Members discussed whether the task force should focus on broad policy principles or develop more specific recommendations and draft legislative concepts. Several members noted that detailed recommendations would be more useful to policymakers and could increase the likelihood of implementation. Members also discussed how recommendations should be documented when consensus is not unanimous.

Members then discussed whether recommendations related to Minn. Stat. § 609.11 should direct the Minnesota Sentencing Guidelines Commission to develop a replacement sentencing enhancement framework. Discussion focused on the Commission's expertise in sentencing policy, its ability to consider

multiple sentencing approaches, and the appropriate balance between legislative direction and Commission flexibility.

Several members expressed support for providing legislative guidance regarding levels of weapon involvement while allowing the Sentencing Guidelines Commission to determine how sentencing enhancements should be incorporated into the sentencing structure. Members discussed the possibility of repealing and replacing the current mandatory minimum framework with a future effective date tied to the development of a Commission-recommended replacement. Further discussion and development of draft language were deferred to a future meeting.

The task force then used the updated Decision Point document and PowerPoint to continue discussion of the following policy questions.

Decision Point 1-8: Should we trust the Sentencing Guidelines Commission to convert the increased statutory maximum penalty into a durational increase? (Weapon Enhancement Reform)

- Members discussed whether responsibility for developing a replacement framework for firearm-related mandatory minimum sentences should be assigned to the Minnesota Sentencing Guidelines Commission (MSGC).
- Discussion focused on the Commission's expertise in sentencing policy, its ability to evaluate sentencing impacts, and whether it would be better positioned to develop the technical details of a replacement framework.
- Members generally expressed support for exploring a recommendation that would direct the MSGC to develop a replacement sentencing enhancement framework that accounts for criminal history, offense severity, and levels of weapon involvement.
- Chair Reitz indicated that draft language reflecting this approach would be prepared for review at the July 10 meeting.

Decision Point 1-5: How should additional punishment be structured across escalating levels of weapon involvement under the Sentencing Guidelines framework? (Weapon Enhancement Reform)

- The task force revisited the proposed weapon involvement tiers and discussed whether the framework appropriately ranked conduct from least serious to most serious.
- Members generally agreed with the conceptual progression from firearm possession to firearm use, prohibited possession, firearm discharge, and repeat firearm-related conduct.
- Discussion focused on the meaning of "immediate reach," legally possessed firearms, prohibited possessors, and whether firearm possession during a violent offense should receive greater penalties even when the firearm is not used.
- Members expressed general agreement with the structure of the proposed tiers, while noting that specific penalties and implementation details require further development.

Background: Minnesota's controlled-substances chapter 152 defines drug offenses, establishes penalties, and includes mandatory minimum sentences for certain drug crimes.

Decision Point 1–9: Should the designated crime list (now in § 609.11, subd. 9) exclude nonviolent drug offenses?

Decision Point 2-1: Should nonviolent drug offenses be excluded from the crime of violence list?

Reminder: Which Drug Offenses Should Remain Eligible applies to both:

DP 1-9: Designated Crime List (§609.11) and DP 2-1: Crime of Violence List (§624.712)

- Members discussed whether Chapter 152 controlled substance offenses should remain on firearm-related designated crime and crime-of-violence lists. Discussion included several approaches for narrowing the current lists, including retaining higher-level drug sale, manufacturing, importation, and more serious possession offenses while removing lower-level possession offenses.
- Members discussed consistency with other Minnesota statutes, including stay of adjudication and expungement provisions, and considered whether lower-level possession offenses should continue to be treated as crimes of violence. Discussion generally supported removing lower-level possession offenses while retaining more serious controlled substance offenses.

Decision Point 2-2: Should there be an automatic off-ramp from the lifetime firearms & ammunition ban?

- Members discussed whether individuals prohibited from possessing firearms following a crime-of-violence conviction should be eligible for automatic restoration of firearm rights after a lengthy crime-free period. Discussion included recidivism research presented at prior meetings, equity concerns regarding access to judicial restoration proceedings, and public safety considerations.
- Members expressed differing views regarding automatic restoration of rights following a lengthy crime-free period versus maintaining the current judicial restoration process. A preliminary vote showed a narrowly divided task force, with seven members supporting an automatic restoration after 10 years for juvenile adjudications, or after restoration of civil rights plus 10 years with no convictions or confinement for adult convictions and five members supporting retention of the current process of no automatic off-ramp. No consensus was reached.

Decision Point 3-1: Should the mandatory minimum for first offenses be changed? (POR)

- Members discussed whether the current mandatory minimum sentence for a first violation of predatory offender registration requirements should be retained. Discussion focused on high departure rates, housing instability among registrants, and distinctions between technical registration violations and deliberate attempts to evade registration requirements.
- Eleven members favored eliminating the mandatory minimum sentence for first offenses and allowing sentencing decisions to follow existing sentencing guidelines and judicial discretion. One member supported keeping the waivable year-and-a-day mandatory minimum.

Decision Point 3-2: Should the mandatory minimum for second offenses be changed? (POR)

- Members discussed whether the mandatory minimum sentence for second predatory offender registration violations should be reduced, eliminated, retained, or modified to better align with sentencing guidelines principles. Discussion focused on proportionality, criminal history, and the relationship between mandatory minimum penalties and Sentencing Guidelines recommendations.

- Preliminary discussion reflected the greatest support for reducing the mandatory minimum sentence to one year and one day (8 members). Three members supported retaining a mandatory minimum sentence with durations tied to the Sentencing Guidelines, and one member supported retaining the current mandatory minimum sentence.

Decision Point 3-3: Should the defendant be permitted to petition for waiver of the mandatory minimum? (POR)

- Members discussed whether defendants should be permitted to petition directly for waiver of mandatory minimum sentences in the same manner as prosecutors. Discussion focused on fairness, judicial discretion, plea negotiations, and consistency with other sentencing departure procedures.
- Eleven members generally agreed that either party should be permitted to seek waiver of a mandatory minimum sentence, allowing courts to consider all relevant circumstances when evaluating departure requests. One member disagreed, preferring to only let the prosecutor petition for waiver (current rule).

Discussion of Draft Recommendations and Legislative Language

- Members discussed next steps for developing recommendations related to Minn. Stat. § 609.11 and the potential role of the Minnesota Sentencing Guidelines Commission in developing a replacement sentencing enhancement framework. Discussion included how recommendations could be presented to the Legislature and whether some form of mandatory penalty should be retained for the most serious firearm-related conduct.
- Members discussed the distinction between mandatory minimum sentences and presumptive commit sentences under the Sentencing Guidelines, as well as the potential policy and political implications of recommending repeal and replacement of existing mandatory minimum provisions.
- Several members suggested exploring options that would retain enhanced penalties for the most serious tiers of weapon involvement while still allowing a revised framework to account for criminal history and offense severity. Members also discussed whether any retained mandatory penalties should be waivable and how such provisions would interact with the Sentencing Guidelines.
- Chair Reitz indicated that draft language reflecting the discussion would be prepared for review at the July 10 meeting. Members agreed that multiple draft approaches could be presented for consideration, including alternatives addressing the treatment of the highest levels of weapon involvement. Draft legislative language from the Revisor's Office is expected to be available later in the task force process.

4. Discuss timeline for report (Wilder)

- Julie Atella (Wilder Research) provided an update on development of the task force report. She reported that a working draft has been developed and currently includes material reviewed by the task force over the previous several months, including written reports and draft executive summary content. Wilder Research noted that portions of the report remain in draft form with placeholders for recommendations, legislative language, and other materials still under development.
- Members discussed the report review and approval process, including timelines for drafting, copyediting, accessibility review, and formatting. Chair Reitz emphasized the importance of having the full task force review and approve the final report rather than limiting review to a smaller group.

Members agreed that the Chair and Vice Chair could work with Wilder Research on editing and report development between meetings, with final approval occurring at a public meeting of the full task force.

- Wilder Research indicated that a draft report would be available for review prior to the August 4 meeting, although some sections may contain placeholders pending final recommendations and draft legislative language. Members discussed reviewing a preliminary draft at the July 10 meeting and finalizing substantive report changes at the August 4 meeting.

5. Discuss July and August agenda items (All)

- Members discussed priorities for the July 10 and August 4 meetings. Chair Reitz indicated that the July meeting would focus on reviewing draft recommendation language, considering impact information, and conducting preliminary votes on task force recommendations. Members discussed using the July meeting to identify areas of consensus and distinguish issues where opinions remained divided.
- Members also discussed the role of committee chairs in reviewing recommendations using the task force's evaluation criteria and providing feedback to support final report development. Given the limited time before the July meeting, members agreed that committee chairs would likely rely on individual review and informal input rather than reconvening subcommittees
- Wilder Research agreed to provide an outline of planned impact and implementation information before the July meeting and to present additional details during the meeting to support task force discussion.

6. Public comment – 5 min

No members of the public were present, and no public comments were received.

7. Next Meeting Dates

- **July 10, 2026, 9-12 (Wilder Foundation, Room 2510, Saint Paul)**

Members were advised that a previous email incorrectly listed the July 10 meeting time as 9:30 a.m.–12:30 p.m. The correct meeting time is 9:00 a.m.–12:00 p.m.

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

Chair Reitz thanked members for their participation and noted that the July 10 meeting would focus on voting and refining recommendations for inclusion in the final report. The meeting was adjourned at 1:55PM.