



Minutes: Task Force on Mandatory Minimum Sentences

Date: July 10, 2026, 9am-12pm

Location: Wilder Center, 451 N Lexington Parkway, St. Paul, MN 55104 (Room 2510 on second floor) and via Webex

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

Members attending virtually (8): Shane Baker, Mark Haase, Amber Johnson, Kenneth Sass, Nick Sassor, Robert Stewart, Ashley Sturz-Griffith, Mark Osler

Members absent (2): Jeremiah Carlson, Dale Harris

Also present (in person or virtually):

Minnesota Sentencing Guidelines Commission: Matthew Hlina

Wilder Research: Julie Atella, Jennifer McCleary, and Sophak Mom

1. Roll call (Don Klick)

Chair Reitz called the special meeting to order at 9:03AM.

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

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

The July 2, 2026 special meeting minutes were distributed shortly before the meeting. To allow more time for members to review, approval of the July 2 special meeting minutes was tabled until the August meeting.

3. Review MSGC impact estimates (Nate)

Chair Reitz reviewed the Minnesota Sentencing Guidelines Commission (MSGC) staff prison-bed impact analysis that had been distributed to the task force the previous evening. He emphasized that all fiscal and prison-bed impact estimates are based on assumptions, including the assumption that future cases will generally resemble the cases reviewed from the 2023 sentencing data sample. He also noted that recent Sentencing Guidelines amendments and the ongoing implementation of the Minnesota Rehabilitation and Reinvestment Act (MRRRA) were not incorporated into the analysis and may result in the estimates overstating future prison-bed reductions.

The task force discussed the assumptions used to estimate the impact of Policy Recommendation 1 (replacement of Minn. Stat. § 609.11 with a Sentencing Guidelines enhancement framework). Chair Reitz explained that because the task force's proposal directs the Sentencing Guidelines Commission to develop the enhancement structure, MSGC staff had to make assumptions regarding the length and severity of future sentencing enhancements solely for the purpose of estimating prison-bed impacts. Members noted that the actual sentencing structure ultimately adopted by the Sentencing Guidelines Commission could differ considerably from the assumptions used in the estimate.

Members noted that any future enhancement structure should draw a larger distinction between firearm possession and the discharge of a firearm during a violent crime, emphasizing public safety concerns associated with individuals who are willing to shoot at others.

Members also discussed whether prison-bed impact estimates that rely heavily on assumptions should be included in the final report. Chair Reitz noted that providing a transparent estimate with clearly stated assumptions was preferable to reporting no impact estimate at all, while some members expressed concern that readers may interpret the estimates as predictions rather than illustrations of potential impacts.

Chair Reitz then reviewed the overall prison-bed impact estimates prepared by MSGC staff. The analysis estimated reductions associated with several of the preliminary recommendations, including:

- approximately 409 prison beds avoided by replacing the current § 609.11 mandatory minimum framework with a Sentencing Guidelines enhancement framework;
- approximately 123 prison beds avoided by removing specified drug possession offenses from the crime-of-violence list;
- no estimated prison-bed impact from the proposed firearm-rights restoration off-ramp; and
- approximately 53 prison beds avoided with changes to mandatory minimum penalties for predatory offender registration violations.

Chair Reitz and Matthew Hlina also reviewed the firearm-specific analysis underlying Policy Recommendation 1. The discussion highlighted that the proposed framework would reduce incarceration for some lower-severity offenders currently subject to mandatory minimum prison sentences while increasing sentence lengths for offenders with more serious offenses or higher criminal-history scores. Members noted that the analysis reflected the task force's earlier discussions about ensuring that weapon involvement has meaningful sentencing consequences for repeat and high-risk offenders.

Vice-Chair Mitchell noted that different enhancement structures adopted by the Sentencing Guidelines Commission could result in different prison-bed impacts than those reflected in the estimates and suggested returning to the question of whether and how to present the estimates in the final report after policy recommendations were finalized.

4. Evaluate preliminary policy recommendations (see recommendations grid) (All)

The committee chairs led discussions of the preliminary policy recommendations using a structured framework to assess the policy recommendations across seven evaluation domains: 1. public safety, 2. fairness & proportionality, 3. equity & disparities, 4. impact on victims/survivors, 5. system functioning &

feasibility, 6. fiscal & resource impact, and 7. unintended consequences & risks. A summary of the discussion for each evaluation domain is provided below.

Policy Recommendation 1: “Require the Sentencing Guidelines Commission to create, subject to legislative guidance, a penalty-enhancement scheme in the Sentencing Guidelines for committing violent felonies with firearms or while using dangerous weapons. The new penalty-enhancement scheme would replace the existing mandatory-minimum scheme for crimes committed on or after August 1, 2029. Sections 20 & 21, with conforming amendments in sections 4–8, 11, & 14–16.”

- 1. Public safety:** Members generally agreed the proposal could improve public safety by creating a more proportionate and targeted response to weapon involvement in violent crime, with stronger consequences for the most serious firearm-related conduct, particularly firearm discharge.
- 2. Fairness & proportionality:** Members generally agreed that the proposal could improve fairness and proportionality by accounting for offense severity, criminal history, and the degree of weapon involvement, rather than applying the same mandatory minimum consequences to offenders with substantially different levels of culpability.
- 3. Equity & disparities:** Members discussed that the proposal could reduce geographic disparities and that any reduction in incarceration may help lessen racial disparities given existing disproportionalities in the prison population, though members acknowledged insufficient data to determine the proposal's specific impact on racial disparities.
- 4. Impact on victims/survivors:** Members generally viewed the proposal as neutral to positive for victims and survivors, noting that most reduced incarceration would involve drug possession and firearm-possession offenses with limited direct victim impacts, while increased penalties would be concentrated among more serious violent offenses involving weapons, potentially enhancing victim safety through greater incapacitation of higher-risk offenders.
- 5. System functioning & feasibility:** Members generally viewed that the proposal could be feasible and the Sentencing Guidelines Commission is well-positioned to develop and administer a more nuanced framework.
- 6. Fiscal & resource impact:** Members discussed MSGC estimates showing substantial prison-bed reductions by decreasing incarceration for lower-risk offenders while maintaining or increasing penalties for individuals involved in more serious firearm-related conduct. This allows correctional resources and programming efforts to be more strategically focused on higher-risk offenders.
- 7. Unintended consequences & risks:** Members acknowledged some uncertainty regarding how the Sentencing Guidelines Commission would ultimately implement the legislative direction but generally agreed that the proposed statutory framework provided sufficient guidance.

Policy Recommendation 2: “Remove from the “crime of violence” list—a conviction or juvenile adjudication of which will trigger a ban on possessing a firearm or ammunition—the following drug offenses: Minn. Stat. §§ 152.023, subd. 2 (third-degree controlled substance possession); 152.024, subd. 2 (fourth-degree controlled substance possession), 152.025, subd. 2 (fifth-degree controlled substance possession), 152.097 (sale of a simulated controlled substance), 152.0263 (first-degree cannabis possession), 152.0265 (first-degree cannabis cultivation), 152.136 (tamper, steal, or transport anhydrous ammonia), & 152.137 (exposing a child or vulnerable adult to methamphetamine or related chemicals, or exposing a child to fentanyl). Effective: August 1, 2027. Section 17, with conforming amendments in section 18 (part).”

1. **Public safety:** Members generally agreed that removing specified lower-level drug possession offenses from the crime-of-violence list would have little impact on public safety because the offenses are not inherently violent, while more serious drug sale and distribution offenses would remain subject to firearm prohibitions.
2. **Fairness & proportionality:** Members noted that removal of lower-level possession offenses from the crime-of-violence list as a fairer alignment between the label "crime of violence" and offenses that actually involve violence.
3. **Equity & disparities:** Members noted that this proposal would likely reduce disparities. Discussion highlighted that lower-level drug-possession offenses are among the most commonly charged felonies and may disproportionately affect urban communities and communities of color.
4. **Impact on victims/survivors:** Members noted that the proposal would have minimal impact on victims because the offenses being removed are largely possession-based offenses without direct individual victims.
5. **System functioning & feasibility:** Members noted that the proposal would simplify downstream legal consequences and reduce system burdens associated with firearm-prohibition cases.
6. **Fiscal & resource impact:** Members noted that the proposal would likely reduce prison-bed usage and related correctional-system costs. Additional discussion highlighted possible reductions in intensive supervision and incarceration associated with felon-in-possession cases.
7. **Unintended consequences & risks:** Members discussed the potential for changes in charging and plea negotiation practices, particularly increased focus on distinctions between possession and sale offenses, but members did not anticipate widespread impact.

Policy Recommendation 3: "Establish a ten-year, crime-free and post-conviction-incarceration-free off-ramp for automatic restoration of firearm/ammunition rights for someone previously convicted of a "crime of violence." The off-ramp would be simply ten years if there was merely a juvenile adjudication of a "crime of violence," with no EJJ conviction. Effective: August 1, 2027. Sections 13 & 18, with conforming amendments in sections 2, 12, & 19."

1. **Public safety:** Discussion revealed differing views on the proposal's impact on public safety; some members cited research indicating that recidivism risk declines after extended periods of crime-free behavior and supported focusing resources on higher-risk individuals, while others expressed concerns about automatic restoration of firearm rights, particularly for individuals with histories of domestic violence, sexual violence, or other serious offenses.
2. **Fairness & proportionality:** Members expressed differing views on whether a lifetime firearm prohibition remains proportionate after a lengthy period of crime-free behavior, with some supporting an automatic restoration pathway and others favoring a case-by-case review process requiring individuals to demonstrate rehabilitation.
3. **Equity & disparities:** Concerns were raised that the current petition-based firearm-rights restoration process may produce uneven outcomes depending on geography and judicial discretion.
4. **Impact on victims/survivors:** Concerns were raised regarding victim safety, particularly for survivors of domestic violence. Some members emphasized that victimization can continue outside of the criminal justice system and questioned whether automatic restoration adequately accounts for ongoing risk and undocumented criminal conduct.

5. **System functioning & feasibility:** Several members noted that more information was needed regarding how the current firearm-rights restoration petition process functions before evaluating whether an automatic off-ramp is preferable.
6. **Fiscal & resource impact:** Little discussion occurred.
7. **Unintended consequences & risks:** Discussion focused on whether automatic restoration could create unforeseen public-safety risks in certain categories of offenders. Members also noted uncertainty about how often the current restoration petition process is granted or denied and whether additional data would be useful before recommending policy changes.

Policy Recommendations 4 and 5

Policy Recommendations 4. “Repeal the year-and-a-day mandatory minimum penalty for first-time violations of predatory offender registration requirements. Replace the two-year mandatory minimum penalty for second-time violations with a year-and-a-day mandatory minimum penalty. Effective: August 1, 2027. Section 3.”

Policy Recommendations 5. “For all waivable mandatory minimum penalties where the prosecutor is the only party permitted to make a waiver motion, permit either party to make a waiver motion. Effective: August 1, 2027. Sections 1, 3 (part), & 10.”

Due to time constraints, the Task Force was unable to complete its evaluation discussion of Policy Recommendations 4 and 5 and these remaining were deferred. To ensure the final report reflects a complete evaluation of all recommendations, subcommittee chairs were asked to complete written assessments for their assigned evaluation domains following the meeting. Wilder Research will distribute an evaluation worksheet to collect these comments for inclusion in the draft report.

5. Adopt policy recommendations (All)

Chair Reitz introduced the adoption process for the preliminary policy recommendations, noting that the recommendations had been developed through the task force’s prior discussions and would be treated as coming from a committee of the whole. To streamline the process, each recommendation would be considered separately, without requiring an initial motion and second to place it before the task force. Members were invited to offer amendments to individual recommendations before final votes were taken. Chair Reitz also noted that the draft statutory language had not yet been reviewed by the Revisor’s Office and that revisions may be available for the August meeting. Members who were absent from the July 10 meeting would be given an opportunity at the August meeting to register their concurrence with or opposition to any recommendations adopted during the meeting so the final task force position could be accurately reflected in the report.

The task force then proceeded through the five preliminary policy recommendations, considering amendments where offered and voting on each proposal as follows:

- **Proposal 1:** Members adopted an amendment creating a separate enhancement tier for offenses involving the actual discharge of a firearm before approving the recommendation as amended (11-0).
- **Proposal 2:** Adopted (11-0) regarding the removal of specific drug offenses from the crime of violence list.

- **Proposal 3:** Rather than adopting the recommendation, the task force unanimously approved a motion (11-0) to table the proposal and discuss the issue and associated concerns in the final report.
- **Proposal 4:** Adopted (10-1) to repeal/replace certain mandatory minimums for predatory offender registration violations.
- **Proposal 5:** Adopted unanimously (11-0) to permit either party to make a waiver motion for all waivable mandatory minimums.

6. Confirm report review process and timing (Wilder)

Julie Atella of Wilder Research reviewed the timeline and process for developing the final report. A draft report will be shared with the editing committee in late July for review, with revisions incorporated before the task force's final meeting on August 4 and final submission by the statutory deadline. Wilder Research also provided an overview of the report structure, noting that several sections remain in development pending final recommendations and supporting materials.

Chair Reitz reported that updated policy recommendations and draft statutory language would be forwarded to the Revisor's Office for review. Committee chairs were asked to provide brief written assessments of Policy Recommendations 4 and 5 to support completion of the report's evaluation framework. Members discussed the importance of documenting both the rationale for the task force's recommendations and the concerns identified with the current mandatory minimum sentencing framework.

7. Discuss August agenda items (All)

Chair Reitz reviewed the anticipated agenda for the August 4 meeting. The primary focus will be review and approval of the draft final report, ensuring it reflects the views and recommendations of the full task force. Members who were absent from the July 10 meeting will have an opportunity to ratify or register opposition to actions taken at the meeting, and any requested vote changes may also be considered. The task force will also review and approve the July 2 and July 10 meeting minutes. Members were encouraged to review the draft report and meeting minutes in advance, and Chair Reitz emphasized the importance of having a quorum present for the final meeting.

8. Public comment – 5 min

No members of the public were present.

9. Next Meeting Dates

- **Final meeting Aug 4, 2026, 1-4**

The meeting was adjourned at 12:03PM.