



Aiding and Abetting Felony Murder Task Force

Wednesday, Nov. 29, 2023

10:00 am – 11:30 am

Department of Corrections (DOC), 1450 Energy Park Drive, West Entrance, Afton Room, 1st Floor, St. Paul, MN 55108**

Hybrid In-person and virtual via Webex

Members Present (10 of 11): [Jeremiah Carlson, Greg Egan, Molly Evans, Richard Frase, ~~Zachary Gahn~~, Bobbi Holtberg, Kathy Keena, Pat McDermott, Nate Reitz, Ken Sass, Bill Ward]

DOC Staff Present:

Research Contractors: [~~Julie Atella~~, Chris Bray, Stephanie Nelson-Dusek (Wilder Research)]

Meeting Notes

- I. Welcome – Greg Egan
- II. Minutes from Oct. 25th
 - Motion to approve made by Bill Ward, Second by Richard Frase. Unanimous meeting minute approval.
- III. Timeframes for Task Force Work
 - a. A one-month extension for the final report has been requested. The current deadline of January 15, 2024 would be moved to February 15, 2024 if approved. The legislative session starts February 12, 2024, so the extension would still allow for timely filing of the final report.
 - b. Greg would like to have the draft from Wilder 4 weeks before the deadline to it can be reviewed by the task force and edited.
- IV. Subcommittee Reports
 - a. Outreach Subcommittee (Bobbi Holtberg chair)
 - i. Bobbi is working with Wilder to meet the deadline. They have identified four cases which meet the criteria, three from Hennepin County and one from Ramsey County. These four cases were not

- included in the last report by the task force.
- ii. Virtual listening session are planned for January 4th or 5th, 2024.
- iii. The subcommittee also plans on hearing from victims' families on the loss of a loved one.
- b. Statutes & Caselaw (legal research) Subcommittee (Prof. Frase chair)
 - i. The subcommittee needs to prioritize their research on changes that seem to be most likely to garner support.
 - ii. Prof. Frase is in the process of drafting an initial report.
- c. Data Subcommittee (Nate Reitz chair)
 - i. The subcommittee has identified two research questions:
 - What was the mens rea of accomplices to premeditated murder (1st degree) or intentional murder (2nd degree)?
 - What is the predicate felony supporting the charge of second degree felony murder?
 - ii. Kathy Keena completed the research of the predicate felony supporting the charge of second degree felony murder and will provide it to Wilder.
 - iii. Students from Augsburg College will be assisting in the research related to the first research question and will be encouraged to rely on appellate opinions in determining the facts of the case as they are likely more objective than probable cause statements contained in charging documents.

V. Next Steps and Closing

- a. Subcommittees will continue with their individual tasks.

Motion to adjourn made by Bill Ward, second by Kathy Keena. Motion passes unanimously.

Next meeting Dec. 13, 2023 10-11:30am

***Some members may participate by interactive technology pursuant to Minn. Stat. 13D.015, subd. 5*