

2024 Legislative Report Supervised Release Board

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Supervised Release Board Historical Background

Prior to the establishment of the Supervised Release Board (SRB):

From the early 1980s through June 2024, the Commissioner of Corrections had the sole decision-making authority for granting or denying parole to those sentenced to serve life with the possibility of parole in Minnesota. This process was supported by an advisory panel composed of Department of Corrections (DOC) staff, including deputy commissioners, the warden of the facility where the parole candidate was housed, and the executive officer of the DOC's Hearings and Release Unit (HRU). Over the decades, the frequency of parole releases varied greatly, but the overall number of parole releases has been growing as the number of individuals given life sentences has increased. Parole review is now more robust, bolstered by correctional research and the development of risk assessment tools.

Establishment of the Supervised Release Board (SRB):

Effective July 1, 2024, the Supervised Release Board (SRB) was given the authority to grant certified adults, individuals who are designated Extended Jurisdiction Juvenile(EJJ) and have had their adult stayed sentence revoked and executed, indeterminate/life-sentenced individuals, and certain criminal sexual conduct offenders parole after they have served their minimum term of imprisonment, also known as reaching their Parole Eligibility Date (PED).

Life Sentences in Minnesota:

Under Minnesota law, life sentences are permitted for only a small number of offenses including premeditated murder (*Minn. Stat. § 609.185; 609.2661; 609.109*) and certain egregious sex offenses (*Minn. Stat. § 609.3455*). Individuals sentenced to life without the possibility of release are not eligible for parole. Individuals sentenced to life must serve a minimum term before being eligible for parole. Since 1989, a life sentence in Minnesota has required serving a mandatory minimum term of 30 years in DOC custody, followed by community supervision extending up to the end of the person's natural life. Prior to 1989, the minimum term was 17 years. In 2005, the Minnesota legislature established life sentences for certain repeat sexual offenses with varying mandatory minimum terms before release eligibility.

Individuals Sentenced to Incarceration as Juveniles:

In 2012, the United States Supreme Court ruled that a sentencing scheme that imposes a *mandatory* life sentence without the possibility of parole on a juvenile is unconstitutional. The decision recognizes the differences in brain development between juveniles and adults and has led many states to revise their laws to require individuals who were sentenced to life as juveniles to be eligible for periodic review. A Minnesota law passed during the 2023 legislative session takes brain development into consideration. The law requires the SRB to review cases of those sentenced as juveniles to 15 years or more, including those sentenced to life, and consider the person for possible release. (In Minnesota, juveniles can receive sentences of incarceration after being certified as adults, or after being designated EJJ and having their adult stayed sentence revoked and imposed.) The law also allows the SRB to collapse court-imposed consecutive sentences under certain conditions. Consecutive sentences are multiple sentences that must be served one after the other. This is in contrast to concurrent sentencing which requires that a person serves multiple sentences at the same time.

Supervised Release Board membership:

The SRB consists of five regular members, including the Commissioner of Corrections, who serves as the board chair. These members, who serve staggered terms, are appointed by the Governor after receiving recommendations from the Minnesota House and Senate majority and minority leaders. Additionally,

two members with backgrounds in youth development or psychology are included when the board considers cases involving individuals sentenced to incarceration as juveniles. The two youth specialists are also appointed by the Governor.

Initial Review:

The SRB conducts an initial review of the incarcerated individual’s readiness for release three years before they reach their minimum term of imprisonment and then at intervals determined by the Board. **There is no statutory provision that allows for release prior to the minimum eligibility date, and this review hearing does not include consideration of such an action.**

The SRB considers information collected from facility staff, the community where the individual was sentenced, and any surviving family members of the victim. At the reviews, the SRB either assigns a projected release date or continues the case with directives to be completed prior to the next review. Each review is evaluated individually, with treatment and programming recommendations unique to that individual.

Note: In 2023, the Minnesota legislature created new eligibility criteria for certain individuals who were convicted as juveniles. As such, many of these individuals have already served their minimum terms and are eligible for release at their first appearance. This will continue to be the case until the SRB works through the backlog of cases to which the new eligibility rules have been retroactively applied. The SRB anticipates that it will work through the backlog by early 2026.

Deciding factors:

The SRB considers twelve legislatively designated factors when making parole or supervised release decisions, including community investigation reports completed by a supervision agent in the community where the crime was committed, victim statements, law enforcement and prosecutor input, risk assessments, treatment history and progress, behavior while incarcerated, psychological evaluations, rehabilitation efforts, criminal history, neurological development in cases involving individuals who were juveniles when incarcerated and any other relevant conduct.

While Minnesota law provides the opportunity for release from court-imposed indeterminate sentences, release is not presumed. Supervised release or parole decisions by the SRB are made by a majority vote (or quorum) of the members. If the case being considered is one involving an individual sentenced as a juvenile, at least one of the two members with the required juvenile expertise must be present and voting in the case. In the event of a tie, the vote of the Commissioner of Corrections (Chair) determines the outcome.

If parole or supervised release is denied, the SRB must provide the individual with recommendations for participation in programs and services that would increase the likelihood of future release.

Victim involvement:

It is important to note that victims have a specific statutory role in the process and may provide input in various forms. Victims can provide the SRB with written input, they can request to meet with the members of the SRB in private, or they can attend the public meeting to make their statement.

Supervised Release Board Annual Reporting Requirements

Minnesota Statute § 244.049, subd. 5, requires the SRB to report to the Legislature annually as follows. This section addresses each of the statutory requirements.

Subd. 5.Report.(a) Beginning February 15, 2025, and each February 15 thereafter, the board must submit to the chairs and ranking minority members of the legislative committees with jurisdiction over criminal justice policy a written report that:

- (1) details the number of inmates reviewed;
- (2) identifies inmates granted release or final discharge in the preceding year;
- (3) specifies the length of time served by individuals granted release or final discharge in the preceding year before that release or discharge;
- (4) identifies any individual granted release or final discharge in the preceding year who will remain in custody as the result of a consecutive sentence;
- (5) identifies the number of prior reviews of inmates who were granted release or final discharge and inmates who were denied release or final discharge;
- (6) specifies the underlying offense of inmates who were granted release or final discharge and inmates who were denied release or final discharge; and
- (7) provides demographic data of inmates who were granted release or final discharge and inmates who were denied release or final discharge, including whether any of the individuals were under 18 years of age at the time of committing the offense.

(b) The report must also include the board's recommendations to the commissioner for policy modifications that influence the board's duties.

Number of Individuals Reviewed

In 2024, there were 48 review hearings which were heard by the newly established SRB (Table 1). Twenty-three individuals who were convicted as juveniles had a hearing under the new laws regarding eligibility for release. Of those who were convicted as adults, nine hearings were initial reviews, meaning the individual had not yet reached their parole eligibility date. As explained above, the purpose of these hearings, which occur three years prior to the parole eligibility date, is to check in on the individual to determine how they have progressed during incarceration, and provide guidance on any needed programming, treatment, or activities to prepare for release in the future. An additional 15 hearings stemmed from a prior continuance, and 1 was to address other matters (Table 1).

Figure 1. 2024 Hearings

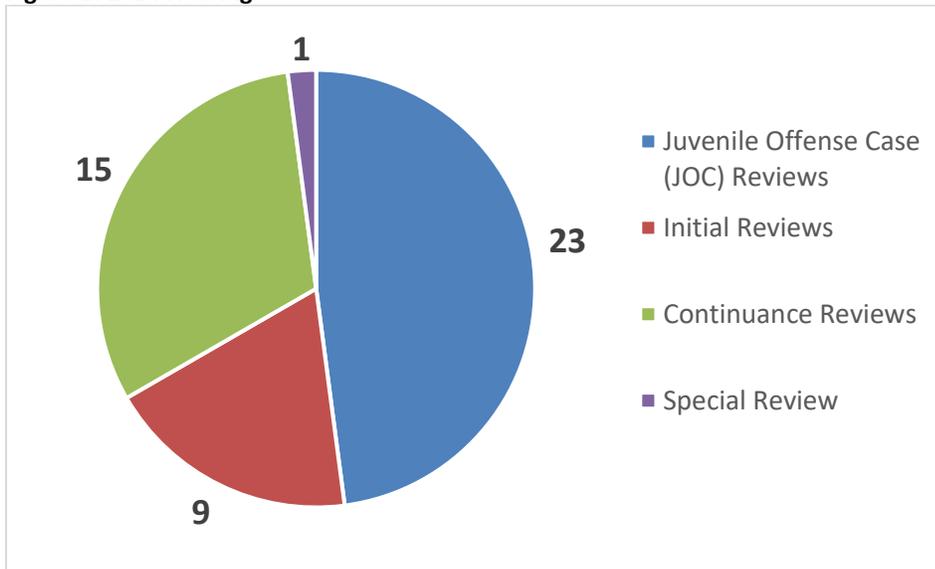


Table 1. 2024 Hearings

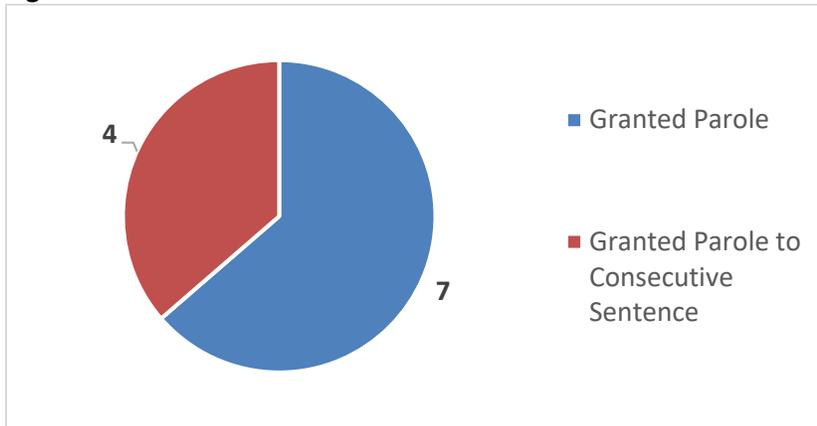
2024 Hearings	July 9	August 6	August 27	September 10	September 24	October 8	October 22	November 13	December 3	Totals
Juvenile Offense Case (JOC)	3	5		1	3	1	4	3	3	23
Initial	1		2	2	2	1		1		9
Continuanance	2	1	3	2		3		1	3	15
Special		1								1
Totals	6	7	5	5	5	5	4	5	6	48

Juvenile Offense Case (JOC) reviews, include initial reviews and continuance reviews. Initial review is for homicide and criminal sexual conduct cases, including pre-1989 case(s) when a life sentence was a 17-year minimum. Continuanance reviews were for both pre-1989 cases and post-1989. A special review is held when unique circumstances arise with an individual’s sentence, such as substantial credit for time served on their sentence or a commutation by the Pardon Board.

Number of Individuals Granted Release or Final Discharge in the Preceding Year

Eleven individuals were granted parole following the hearing (Fig. 2). For four of those granted parole, the parole grant simply meant they could begin serving time on a consecutive sentence; therefore, these individuals remain in DOC custody. Thus, a total of seven individuals were released to the community on parole. All of the individuals granted parole were originally incarcerated for a homicide offense (Appendix A).

Figure 2. Individuals Granted Parole in 2024



Once an individual is released on parole, the SRB must continue to maintain contact and monitor their progress. The SRB has the authority to grant final discharge if:

- (1) the person on parole has complied with the conditions of parole for a period of time sufficient to satisfy the board that the parolee is reliable and trustworthy;
- (2) the board is satisfied the person on parole will remain at liberty without violating the law; and
- (3) final discharge is not incompatible with the welfare of society.

Minn. Stat. 243.05, subd. 3. Currently, the SRB requires that a person be on supervision for a minimum of 10 years and that they have been violation free for at least seven years before it will consider final discharge. In 2024, three individuals were granted final discharge.

Individuals Granted Release or Final Discharge Who Will Remain in Custody for a Consecutive Sentence

Some individuals have additional sentences that must be served consecutively to the sentence for which the SRB granted parole. When that happens, the individuals must remain in DOC custody until they serve the minimum term on the consecutive sentence. In 2024, four individuals were granted parole, but remain in custody to serve the minimum term on a consecutive sentence.

Those individuals are:

- Baron Johnson - Granted presumptive parole to begin consecutive sentence 12/3/2024
- Steven Schreiber – Granted presumptive parole to begin consecutive sentence 11/21/2024
- Jerry Vang - Granted presumptive parole to begin consecutive sentence 8/6/2024
- Carl Johnson - Granted presumptive parole to begin consecutive sentence 12/3/2024

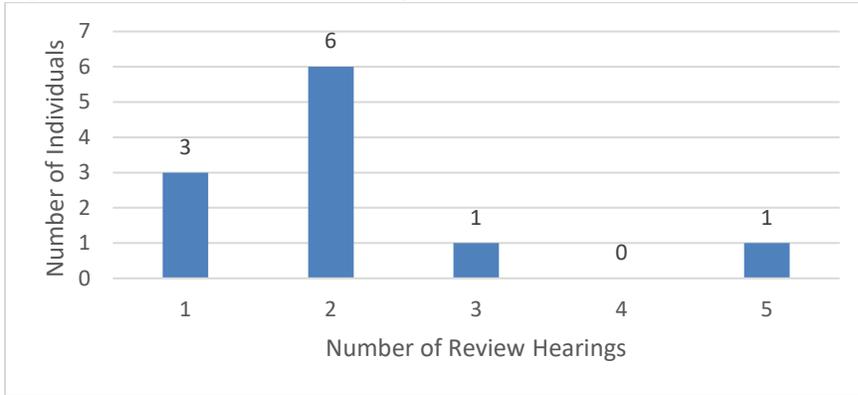
The statute requires DOC to report on the number of individuals granted final discharge that will remain in custody as the result of a consecutive sentence. Individuals are not eligible to be discharged from parole if they have a consecutive sentence to serve, as such no individuals were granted final discharge that would remain in custody.

Number of Prior Reviews and Time Served for those Granted Release or Final Discharge

The majority of people granted parole were attending their second review hearing. An additional three were attending their first hearing, and one was attending their third hearing. One other had experienced

five reviews (Fig. 3). Individuals granted parole served an average of 27 years, with the number of years served ranging from 12 to 39 years (Appendix A).

Figure 3. Number Review Hearings for Individuals Granted Parole



For the people granted final discharge in 2024, one had had two review hearings prior to parole, one had had three review hearings prior to parole, and one had had four review hearings prior to parole. Individuals granted final discharge from parole served an average of 18 years of incarceration and an additional 27 years on supervised release (Appendix B).

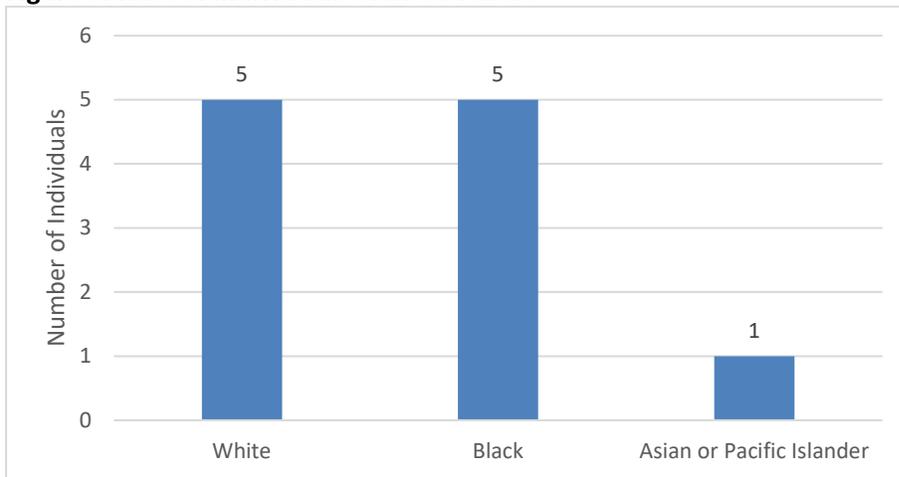
Demographics of Individuals Granted Parole

All of the individuals who were granted parole in 2024 were male. The average age of individuals granted parole was 49, but five individuals were between 35 and 45 years old, while the remaining six ranged in age from 48 to 69. Four of the five individuals in the 35-45 age range were under 18 at the time of the offense. Nearly half of the individuals granted parole were White. Another five individuals identified as Black and one identified as Asian or Pacific Islander (Fig. 5).

Figure 4. Individuals Under 18 at Time of the Offense



Figure 5. Race of Individuals Granted Parole



Demographics of Individuals Granted Final Discharge from Parole

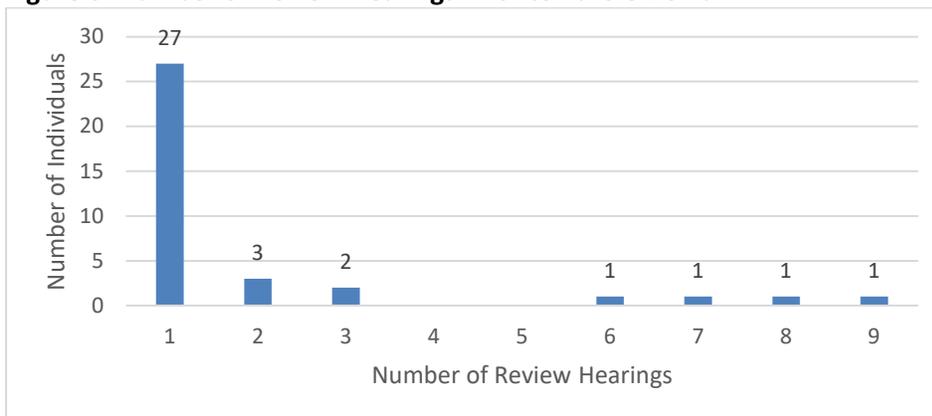
Of the three individuals granted final discharge from parole, two were male, and one was female. The average age was 69, with individuals ranging in age from 65 to 73. Two of the individuals granted final discharge from parole were White and one identified as Black. All had originally been convicted of homicide offenses (Appendix B).

Individuals Denied Release or Final discharge

In 2024, no individuals were denied final discharge from parole. This section therefore focuses on information about individuals denied parole release.

In 2024, thirty-six individuals were denied parole. The majority (27) were appearing for their first review hearing (Fig. 6). Five individuals were appearing for their second or third hearing, and the remainder were appearing for their sixth through ninth hearing (Fig. 6). All but one of the 36 individuals were originally convicted of homicide. The remaining individual was convicted of a criminal sexual conduct offense (Appendix C).

Figure 6. Number of Review Hearings Prior to Parole Denial

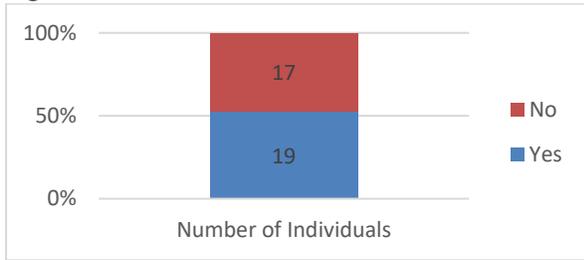


Demographics of Individuals Denied Parole

Of the 36 individuals denied parole, all were male. The average age was 47, with individuals ranging in age from 35 to 86 (Appendix C). Just over half of the individuals denied parole were under the age of 18

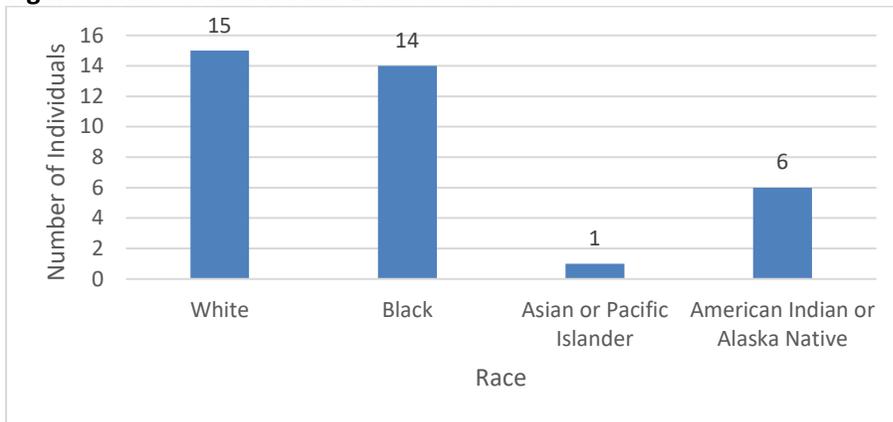
at the time of the offense (Fig. 7).

Figure 7. Number of Individuals Denied Parole Who Were Under 18 at the Time of the Offense



Fifteen individuals denied parole were White. Fourteen identified as Black while one identified as Asian or Pacific Islander and six identified as American Indian or Alaska Native (Fig. 8).

Figure 8. Race of Individuals Denied Parole



Appendix A. Individuals Granted Parole

OID	Full Name	Underlying Offense	Race	Gender	Age at Review	Under 18 at Time of Offense	Outcome of Hearing	Parole Date	Approx. Years Served	# of Review Hearings
180016	Atkins, Tommie	Homicide	Black	Male	55	No	Granted Parole	10/28/2024	30.5	4
226025	Champs, Marcus Deon	Homicide	Black	Male	37	Yes	Granted Parole	9/9/2024	17	1
155815	Johnson, Baron Lee	Homicide	Black	Male	57	No	Granted Parole to consecutive sentence	12/3/2024	30	2
140272	Johnson, Carl Richard	Homicide	White	Male	60	No	Granted Parole to consecutive sentence	12/3/2024	39	10
205064	Johnson, Toby Earl	Homicide	White	Male	43	No	Granted Parole	8/6/2025	24	1
189099	Mitchell, Eric William	Homicide	White	Male	45	Yes	Granted Parole	1/15/2025	30	2
185254	Nunn, Jerome Deon	Homicide	Black	Male	48	No	Granted Parole	7/28/2025	29	2
183846	Schreiber, Steven Allen	Homicide	White	Male	69	No	Granted Parole to consecutive sentence	11/21/2024	30	2
142692	Sullivan, Guy Alan	Homicide	White	Male	58	No	Granted Parole	Pending	33	5
207970	Vang, Jerry	Homicide	Asian or Pacific Islander	Male	37	Yes	Granted Parole to consecutive sentence	8/6/2024	23	1

Appendix B. Individuals Granted Final Discharge from Parole

OID	Name	Underlying Offense	Race	Gender	Age at Discharge	Under 18 at Time of Offense	Discharge Date	Approx. Yrs Served in Custody as of Discharge	Approx. Yrs Served in Community as of Discharge	# of Review Hearings (before parole)
119961	Johnson, Violet	Homicide	White	Female	65	No	7/8/2024	21	14	2
100090	Kilburn, John	Homicide	Black	Male	73	No	7/8/2024	17	34	3
100045	Wickern, Delye	Homicide	White	Male	71	No	9/20/2024	17	34	4

Appendix C. Individuals Denied Parole

OID	Full Name	Underlying Offense	Race	Gender	Age at Review	Under 18 at Time of Offense	Number of Review Hearings
202625	Bradford, Corey Chauncey	Homicide	Black	Male	54	No	1
225927	Chavarria-cruz, Jose Miguel	Homicide	White	Male	35	Yes	1
224766	Cross, Jerome Pablo	Homicide	American Indian or Alaskan Native	Male	34	Yes	1
100105	Dewald, James Albert	Homicide	White	Male	63	No	5 th , 1 st on current sentence
187390	Dodd, Barry Milton	Homicide	White	Male	53	No	2
231012	Edinburgh, Miles David	Homicide	Black	Male	34	Yes	1
186371	Erickson, Steven James	Homicide	White	Male	48	No	1
225957	Escarsega, Noel	Homicide	White	Male	35	Yes	1
175401	Grube, Keith William	Homicide	White	Male	58	No	3
224180	Hanks, Justin James	Homicide	American Indian or Alaskan Native	Male	37	Yes	1
200445	Harris, Krishaun Andrew	Homicide	Black	Male	42	Yes	1
207960	Headbird, Darryl Kent Jr	Homicide	American Indian or Alaskan Native	Male	37	Yes	1
213612	Hernandez, Jaime Tirado	Homicide	White	Male	39	Yes	1
179578	Holt, Clarence Allen	Homicide	Black	Male	50	No	1
221762	Jackson, Prentis Cordell	Homicide	Black	Male	35	Yes	1
217896	Jefferson, Dominique Antione	Homicide	Black	Male	37	Yes	1
222722	Johnson, Billy ray Deshawn	Homicide	Black	Male	35	Yes	1
140272	Johnson, Carl Richard	Homicide	White	Male	60	No	9
219667	Keister, Clayton Ross	Homicide	White	Male	36	Yes	1
226804	Miles, Leonard Roy	Criminal Sexual Conduct	Black	Male	33	Yes	1
224850	Neiss, Raine Cee	Homicide	American Indian or Alaskan Native	Male	34	Yes	1
219668	Niedere, Matthew Jacob	Homicide	White	Male	36	Yes	1
190926	Nystrom, Lyle Joseph	Homicide	White	Male	45	No	1

OID	Full Name	Underlying Offense	Race	Gender	Age at Review	Under 18 at Time of Offense	Number of Review Hearings
224154	Pendleton, Jeffrey Charles Jr	Homicide	American Indian or Alaskan Native	Male	35	Yes	1
213920	Pendleton, Robin Todd Jr	Homicide	American Indian or Alaskan Native	Male	37	Yes	1
184800	Perry, Leon Montalita	Homicide	Black	Male	51	No	2
221540	Ratzlaff, Jeremiah Jacob	Homicide	White	Male	34	Yes	1
134935	Redding, Nico	Homicide	Black	Male	71	No	6
219531	Reed, Ronald Lindsey	Homicide	Black	Male	73	No	3
198764	Risk, Mark Alan	Homicide	White	Male	67	No	1
130089	Robinson, Dameion Edward	Homicide	Black	Male	57	No	1
196380	Schneider, Cletus Eugene	Homicide	White	Male	86	No	1
178964	Townsend, Otha Eric	Homicide	Black	Male	55	No	2
145673	Vanderford, Zhi Kai Hoffman	Homicide	Asian or Pacific Islander	Male	57	No	7
142128	Wayne, Michael	Homicide	White	Male	57	No	8
191447	Williams, Adrian Dion	Homicide	Black	Male	44	Yes	3 rd , 1 st as JOC