

Reflections/comments related to MSGC meeting of 3/10/2017

It is disturbing to me, as a victim of violent crime, to read from Dr. Duwe's "Severe Violent Offender Sentencing Proposal," item 11 – in **bold** print – "**Costs of SVO proposal exceed its potential benefits.**" It causes me to wonder if all decisions, sentencing grids, etc. that the Commission has formulated to date were all based on cost. I get why legislators need to consider costs before enacting bills, but when sentencing heinous SVOs, public safety should be the impetus to improve current guidelines.

Item 12 of the report mentions a caveat that increased sentencing may only delay rather than prevent SVC. My understanding of the SVO proposal is that it would decrease SVC, which is a much different from prevent.

Item 13: out of 235 offenders who met the criteria, 21 recidivated with a new SVC within 3 years. Effective interventions statistics didn't make sense to me:

- No effective intervention
 - 33% for the 21 recidivists
- 2 or more effective interventions
 - 14% for the 21 recidivists

What doesn't make sense is that 21 recidivated with a new severe violent crime. If that's what happened, then "effective intervention" data doesn't apply. Whatever intervention they participated in was not effective.

Coincidentally, less than a week after Dr. Duwe presented, local media gave an update on Timothy Michael Eling. You may remember that he was given a life sentence for murder in 1982. Due to good behavior and effective interventions, he was released in 2011 after serving 29 years. But, due to a drug charge and conviction while incarcerated, he wasn't officially released until December of 2015. A few months later, he was re-incarcerated for failing a drug test. I watched an interview of him – he truly presented as a clean/rehabilitated person. Com. Tom Roy was quoted, "This is a sad example of the power of addiction – that even when given this opportunity, some will succumb to using substances again." My point: Eling was involved with effective rehabilitation for 15 years (in the interview, he said he was high for the first 14 of his 29 total years), and he still couldn't stay clean. Obviously, the same result was evident for the 21 severe violent offenders, only they didn't just violate themselves (as Eling did), they caused bodily harm (or death) and psychological trauma to others.

Mr. Duwe's final comment:

Average length of stay = 50 months

- Sufficient time for multiple effective interventions

What I conclude from his presentation is that from 2006 -2011, 21 offenders were incarcerated multiple times for committing severe violent crimes. Data derived from MnSTARR 2.0, and interpreted by the MN DOC determines that a sufficient prison stay for SVOs should be 50 months and include at least two types of effective interventions.

Mr. Duwe's report defines a severe violent crime as:

- Murder and manslaughter
- 1st and 2nd degree assault
- 1st and 2nd degree aggravated robbery
- Drive-by shootings

It's difficult for me to wrap my head around someone receiving only 4 years of imprisonment who has previously been convicted of committing **at least** two of the crimes listed, and now is convicted a third time. ... If an offender went through effective interventions each of the previous times incarcerated, it just doesn't make sense to have that offender be out and about again in 50 months.

When you consider that of "nearly 40,000 releases from prison between 2006 and 2011," only "21 reconvicted for SVC within 36 months," it's a very small percentage BUT those are the offenders that need to be kept off the streets!!! You can't put a price tag on their sentence. Those are 21 deaths or traumatizations that could have been prevented.

Psychiatric examinations should be given to SVOs (only SVO; unnecessary for lesser offenders). The results may indicate a disposition toward recidivism. It wouldn't surprise me if offenders who fell into the category of "psychopath" or "sociopath" would be the ones more likely to be recidivists.

Having worked 17 years with special needs children (heavy into behavioral issues), I'm all for effective (positive) intervention. I've experienced it first-hand. For the very few kids that it had no impact on, they were removed from the public school setting. The same resolve should be considered at the State level: remove the few SVOs from public settings.

There's a song entitled "Generations" sung by Sarah Groves. Lyrics of one line are as follows: "Generations will reap what I sow; I can pass on a curse or a blessing to those I will never know." Think of that, you can curse or bless Minnesota law-abiding citizens' safety by your decisions. I implore you to bless us, and those who come after, by making **serious REPEAT VIOLENT offenders** accountable for their repeated actions of murder, manslaughter, assault, aggravated robbery, and drive-by shootings. If they've already been incarcerated at least twice, and have not been rehabilitated after receiving over 8 years of effective (?) intervention, it's time to increase their sentence!

**Thank you for your attention,
Mariana Schunk**