

## Approved Meeting Minutes

**February 8, 2024**

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A meeting of the Minnesota Sentencing Guidelines Commission (MSGC) was held on February 8, 2024, in the Afton Room at the Department of Corrections headquarters, 1450 Energy Park Drive, Saint Paul, MN 55108; and by telephone and/or electronically.

Present in person were Chair Kelly Lyn Mitchell, and Commission members Christopher E. Crutchfield, Prof. Richard S. Frase, Kyra Ladd, Cathryn Middlebrook, Brooke Morath, Tim Morin, and Stillwater Police Chief Brian Mueller. Also present in person were MSGC Executive Director Nate Reitz; MSGC staff members Leah Bower and Jill Payne; and members of the public Nick Dickens, Julia Laskorunsky, Kevin Reitz, Aaron Sojourner, and Chris Uggen.

Present by telephone and/or electronically were Vice-Chair Michelle A. Larkin, and Commission members Judge David Knutson and Surya Saxena, the notice required by Minn. Stat. § 13D.015 having been posted on the MSGC website on January 12, 2024. Also present by telephone and/or electronically were MSGC staff members Kathleen Madland and Linda McBrayer; and members of the public Kelly Janssen, Matt Majovski, and Elizabeth Ruhland.

### 1. Call to Order and Roll Call

Chair Mitchell called the meeting to order at 1:02 p.m.

Director Reitz called the roll. Present were Chair Mitchell, Vice-Chair Larkin, and commissioners Crutchfield, Frase, Knutson, Ladd, Middlebrook, Morath, Morin, Mueller, and Saxena. Twelve members were present. Two members were absent. A quorum was present.

### 2. Approval of Draft Meeting Agenda (Action)

This was on the agenda as an action item.

**Motion** by Commissioner Middlebrook and second by Commissioner Ladd to approve the meeting agenda.

**Motion carried** unanimously on a 11–0 roll-call vote.

Voting “Yes” were Chair Mitchell, Vice-Chair Larkin, and commissioners Crutchfield, Frase, Knutson, Ladd, Middlebrook, Morath, Morin, Mueller, and Saxena.

### 3. Approval of Draft Meeting Minutes from January 11, 2024 (Action)

This was on the agenda as an action item.

Commissioner Moore joined the meeting at 1:12 p.m.

**Motion** by Commissioner Middlebrook and second by Vice-Chair Larkin to approve the January 11, 2023, draft meeting minutes.

**Motion carried** unanimously on a 12–0 roll-call vote.

Voting “Yes” were Chair Mitchell, Vice-Chair Larkin, and commissioners Crutchfield, Frase, Knutson, Ladd, Middlebrook, Moore, Morath, Morin, Mueller, and Saxena.

### 4. Comprehensive Review of the Sentencing Guidelines – Principles (Action)

This was on the agenda as an action item.

Chair Mitchell presented the proposed changes to the Comprehensive Review Principles, as discussed at the January 11, 2024, meeting.

**Motion** by Commissioner Crutchfield and second by Commissioner Moore to approve the Comprehensive Review Principles as revised.

**Motion carried** unanimously on a 12-0 roll-call vote.

Voting “Yes” were Chair Mitchell, Vice-Chair Larkin, and commissioners Crutchfield, Frase, Knutson, Ladd, Middlebrook, Moore, Morath, Morin, Mueller, and Saxena.

### 5. Comprehensive Review Public Engagement Planning (Discussion)

This was on the agenda as a discussion item.

Charlie Sellew and Shamsa Dhayow with Management Analysis and Development (MAD), appearing in electronically, led the Commission members’ discussion in the planning process for public engagement for the Comprehensive Review. The plan is to present findings to the Commission public engagement in September. MAD led the Commission in a discussion on topics and methods of engagement for people with lived experience interacting with the criminal justice system, and for people without direct interactions with the criminal justice system. MAD will return in March to present the Commission with a final plan for public engagement.

Chair Mitchell called for a recess at 2:08 p.m. and reconvened the meeting at 2:13 p.m.

### 6. University of Minnesota Research Team Introduction (Discussion)

This was on the agenda as a discussion item.

Julia Laskorunsky, Kevin Reitz, Chris Uggen, and Aaron Sojourner with the University of Minnesota presented an overview of the MSGC and University of Minnesota research partnership for the Comprehensive Review, and to seek feedback from the Commission on the direction of their research. The research partnership will consist of the Commission directing the focus of the research while the academic research team will provide deliverables for Commission feedback.

The academic research team then led a discussion with the Commission that included several preliminary data points created for other agencies that the Commission can use to aid in considerations for further research.

## **7. Administrative Rules Subcommittee Report (Discussion)**

Administrative Rules Subcommittee Chair Commissioner Knutson reported that the subcommittee met January 23, 2024. The committee discussed updates to the rules that govern changes to the Guidelines, both through a calendar update for the committee and what is involved in presenting changes to the Legislature.

The subcommittee will meet again March 26, 2024.

## **8. Executive Director's Report (Discussion)**

Director Reitz reported that, after initial publication of the Report to the Legislature, a member of the media identified a numerical inconsistency. Staff concluded that the inconsistency was caused by an error in a figure, corrected the figure, and redistributed the corrected report. This error did not affect any of the statutory responsibilities of the Commission in submitting the report by January 15, 2024.

Director Reitz then gave an overview of the upcoming Legislative session and anticipated criminal law changes.

Director Reitz asked all Commission members who wished to give input on MSGC's Demographic Impact Statements to inform staff of their interest.

## **9. Public Input**

Chair Mitchell asked if there were members of the public who wished to speak.

No public members wished to speak.

## **10. Adjournment**

Chair Mitchell adjourned the meeting at 3:27 p.m., without objection.