

## Approved Meeting Minutes

**September 11, 2025**

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A meeting of the Minnesota Sentencing Guidelines Commission (MSGC) was held on September 11, 2025, in the Itasca Room at the Department of Corrections, 1450 Energy Park Drive, Saint Paul, MN 55108; and by telephone and/or electronically.

Present in person were Chair Kelly Lyn Mitchell, Chair and Designee of the Commissioner of Corrections, Vice-Chair Michelle A. Larkin, Minnesota Court of Appeals Judge, and Commissioners Richard Frase, Professor Emeritus, University of Minnesota Law School; Kyra Ladd, Wadena County Attorney; Cathryn Middlebrook, Chief Appellate Public Defender; Gordon L. Moore, III, Minnesota Supreme Court Justice; Chief Brian Mueller, Stillwater Police Department; and Latonya Reeves, Hennepin County Career Probation Officer. Also present in person were MSGC Executive Director Nate Reitz; MSGC staff members Leah Bower, Matthew Hlina, Jill Payne, and Devonte Roache; and members of the public Professor Kevin Reitz, University of Minnesota; and Professor Christopher Uggen, University of Minnesota.

Commission members present by telephone and/or electronically were Amirthini Keefe, Public Member and Executive Director, Domestic Abuse Project; Tim Morin, Public Member; and Surya Saxena, Public Member, the notice required by Minn. Stat. § 13D.015 having been posted on the MSGC website on August 14, 2025. Also present by telephone and/or electronically were staff members Kathleen Madland and Linda McBrayer; and member of the public Michelle Hipsig.

### 1. Call to Order & Roll Call

Chair Mitchell called the meeting to order at 1:01 p.m.

Director Reitz called the roll. Present were Chair Mitchell, Vice-Chair Larkin, and members Frase, Keefe, Ladd, Meszaros, Middlebrook, Morin, Mueller, Reeves, and Saxena. Eleven members were present. A quorum was present.

### 2. Adoption of Draft Meeting Agenda

This was on the agenda as an action item.

**Motion** by Commissioner Reeves and second by Commissioner Middlebrook to approve the draft meeting agenda for September 11, 2025.

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

Voting “Yes” were Chair Mitchell, Vice-Chair Larkin, and members Frase, Keefe, Ladd, Meszaros, Middlebrook, Morin, Mueller, Reeves, and Saxena.

### 3. Approval of Draft Meeting Minutes

Commissioner Gordon Moore, Supreme Court Justice, joined the meeting at 1:05 p.m.

This was on the agenda as an action item.

The motion pertained to agenda items 3.A & 3.B, with a single motion to approve both the July 24, 2025, and August 13, 2025, draft meeting minutes.

**Motion** by Commissioner Reeves and second by Commissioner Middlebrook to approve the draft meeting minutes from July 24, 2025, and August 13, 2025.

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

Voting “Yes” were Chair Mitchell, Vice-Chair Larkin, and members Frase, Keefe, Ladd, Meszaros, Middlebrook, Moore, Morin, Mueller, Reeves, and Saxena.

### 4. Comprehensive Review Package

This was on the agenda as a discussion item.

#### A. Capacity as a Consideration

Chair Mitchell presented the Commission’s enabling legislation from 1978 Minn. Laws ch. 723, art. 1, s. 9, and 2024 Minn. Stat. § 244.09.

- The Commission discussed MSGC’s 1978 charter statute included language that policy changes should take into consideration the limited capacity of state and local facilities.

#### B. Fiscal Note Walkthrough

Chair Mitchell called on Director Reitz who presented the staff paper entitled, “Prison Impact of August Consensus Policy Package,” dated September 9, 2025.

Director Reitz reviewed the Consensus Policy Package, included in the meeting materials (4.B).

- Prison-bed impact of policies analyzed: staff determined that the policies that will require additional prison beds will be offset by the policy changes that will not require additional prison beds. The Commission may request further analysis by examining how the policies interact with one another to further examine the prison-bed impact.
- Criminal Background Quadrants: in addition to MSGC’s standard demographic analysis of prison beds by gender, race/ethnicity, and geography, staff also used a criminal background quadrant, which placed people in prison in four quadrants: Current Person Offense/Person-Offense History; Current Person Offense/No Person-Offense History; Non-Person Current Offense/Person-Offense History; and, Non-Person Current Offense/No Person-Offense History.

### **C. Commission Comments on the Policy Package**

MSGC staff presented 2023 data that compared the state population to the felony population, and showed what impact the policy changes would be to the different demographic groups. The Commission then discussed the policy package, covering the topics of jail credit and its impact on prison bed capacity, the need for effective community supervision alongside incarceration, and the impact of probation revocation on prison sentence.

### **D. Purpose and Principles Language**

Director Reitz presented the staff paper entitled, “Draft Purpose and Principles Statement,” dated September 8, 2025, which offered revised language defining public safety and stating the purpose of the criminal history score. Suggestions from the Commission’s August meeting, along with staff edits, were taken into account when drafting the staff paper. These included: removing the term “offender” and “defendant,” and replacing it with more person-centered language, and, adding effective community supervision as an additional sentencing tool to reduce future crime. Additional grammatical edits have been suggested as well.

## **5. List of Discussed Legislative Recommendations**

This was on the agenda as a discussion item.

Chair Mitchell called on Director Reitz who presented the staff paper entitled, “Discussed Legislative Recommendations,” dated September 4, 2025.

Those recommendations may include increasing the statutory maximum and other collateral consequences for some offenses, creating a new crime for first-degree assault with the intentional infliction of great bodily harm, and the removal of mandatory minimums for certain offenses.

The Commission commented on ensuring that the recommendations align with ongoing legislative efforts, and to avoid making any preemptive changes until the Task Force on Mandatory Minimum Sentences submits its report in August of 2026.

## **6. 2026 Meeting Calendar**

This was on the agenda as a discussion item.

The Commission reviewed a draft meeting calendar for 2026. No future action will be required since the calendar follows a standard set in place by a previous Commission.

## **7. Executive Director’s Report**

This was on the agenda as a discussion item. Director Reitz reminded the Commission that, with the Commission’s public-hearing requirements and first-reading rule, the October meeting is the last opportunity to bring forward any new proposal in time for its adoption and submission to the Legislature in 2026.

## **8. Public Input**

Chair Mitchell asked if any member of the public wished to speak. Michelle Hipsag, who was present remotely, spoke about her experience as a crime victim. Her grandson was killed by an impaired driver.

## **9. Adjournment**

Chair Mitchell adjourned the meeting at 3:05 p.m., without objection.