

Approved Meeting Minutes

December 14, 2023

A meeting of the Minnesota Sentencing Guidelines Commission (MSGC) was held on December 14, 2023, 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 Vice-Chair Michelle A. Larkin and Commission members Prof. Richard S. Frase, Cathryn Middlebrook, Brooke Morath, Justice Gordon L. Moore, III, 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 member of the public Kevin Reitz.

Present by telephone and/or electronically were Commission members Chair Kelly Lyn Mitchell, Christopher E. Crutchfield, Kyra Ladd, and Surya Saxena, the notice required by Minn. Stat. § 13D.015 having been posted on the MSGC website on November 9, 2023. Also present by telephone and/or electronically were MSGC staff members Kathleen Madland and Linda McBrayer; and members of the public Kelly Janssen, Julia Laskorunsky, John Riddell, Elizabeth Ruhland, and Chris Uggen.

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 Frase, Ladd, Middlebrook, Moore, Morath, Mueller, and Saxena. Nine members were present. Three members were absent. A quorum was present.

Chair Mitchell called on Vice-Chair Larkin to chair the remainder of the meeting as Chair Mitchell was attending remotely.

2. Approval of Draft Meeting Agenda (Action)

This was on the agenda as an action item.

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

Motion carried unanimously on a 9–0 roll-call vote.

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

3. Approval of Draft Meeting Minutes from November 8, 2023 (Action)

This was on the agenda as an action item.

Motion by Commissioner Middlebrook and second by Commissioner Frase to approve the November 8, 2023, draft meeting minutes.

Motion carried unanimously on a 9–0 roll-call vote.

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

4. Review Draft 2024 Report to the Legislature (Discussion)

This was on the agenda as a discussion item.

Commissioner Crutchfield joined the meeting at 1:13 p.m.

Director Reitz walked the Commission through each section of the staff-drafted 2024 Report to the Legislature. Of note, Minnesota’s 2022 imprisonment rate placed it seventh-lowest among all states, which was the state’s highest ranking on record.

The Commission asked questions and made comments to incorporate into the 2024 Report to the Legislature.

Commissioner Reeves joined the meeting at 1:45 p.m.

5. Comprehensive Review of the Sentencing Guidelines (Discussion)

This was on the agenda as a discussion item.

A. Refining the Commission’s Guiding Principles and Objectives for the Comprehensive Review

Stacy Sjogren, Charlie Sellev, and Shamsa Dhayow with Management Analysis and Development (MAD), appearing in person, led the Commission members’ discussion on refining objectives and guiding principles for the comprehensive review. The discussion included the need to better define the five principal outcomes drafted by MAD as a result of the November meeting. Members discussed the comprehensive review’s desired objectives.

Near the beginning of this discussion, from 2:02 p.m. to 2:09 p.m., Vice-Chair Larkin called a break, during which time the recording was stopped.

MAD agreed to synthesize the results of the discussion and provide them to the Commission.

B. Refining the Commission’s Direction on Public Engagement

MAD led the Commission in a discussion regarding the implications for, categories of, and topics of the public engagement that will occur in the course of the comprehensive review.

6. Executive Director’s Report (Discussion)

This was on the agenda as a discussion item.

Director Reitz informed members that Campaign Finance and Public Disclosure Board would be reaching out to them by the end of December for reporting requirements due by January 31, 2024. The information required to be reported will be changing.

Director Reitz reminded members that the next Commission meeting, which will require a quorum for the final approval of the Report to the Legislature, will be at the Department of Corrections on Energy Park Drive in Saint Paul, on Thursday, January 11, 2024, at 1:00 p.m.

7. Public Input

Vice-Chair Larkin asked if there were members of the public who wished to speak.

Kelly Janssen addressed the Commission regarding the public outreach portion of the comprehensive review, reminding commissioners to keep in mind the trauma faced by crime victims.

8. Adjournment

Vice-Chair Larkin adjourned the meeting at 3:29 p.m., without objection.