

DRAFT Meeting Minutes

November 20, 2025

A special meeting of the Minnesota Sentencing Guidelines Commission (MSGC) was held on November 20, 2025, in the Minnesota Senate Building (MSB) – Room 1100, 95 University Avenue West, St. Paul, Minnesota, 55155; and by telephone and/or electronically.

Present in person were Kelly Lyn Mitchell, Chair and Designee of the Commissioner of Corrections, and Commissioner members Richard Frase, Professor Emeritus, University of Minnesota Law School; Marlin Meszaros, Director of Housing & Support Services, Partners Behavioral Healthcare; Cathryn Middlebrook, Chief Appellate Public Defender. Also present in person were MSGC Executive Director Nate Reitz; MSGC staff members Matthew Hlina, Jill Payne, and Devonte Roache; and members of the public 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; Kyra Ladd, Wadena County Attorney; Surya Saxena, Public Member; Tim Morin, Public Member; the notice required by Minn. Stat. § 13D.015 having been posted on the MSGC website on October 10, 2025. Also present by telephone and/or electronically were staff members Kathleen Madland and Linda McBryer; and member of the public Ben Johnson, Traci Greene, Elizabeth Ruhland, Nola Seidl, and Julia Laskorunsky.

1. Call to Order & Roll Call

Chair Mitchell called the meeting to order at 1:04 p.m.

Director Reitz called the roll. Present were Chair Mitchell, and members Frase, Keefe, Ladd, Meszaros, Middlebrook, Morin, and Saxena. Eight members were present. Five members were absent. A quorum was present.

2. Adoption of Draft Meeting Agenda

This was on the agenda as an action item.

Motion by Commissioner Middlebrook and seconded by Commissioner Keefe to approve the draft meeting agenda for October 9, 2025.

Motion carried on an 8–0 roll-call vote.

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

3. Refining the Commission’s 2026 Recommendations to the Legislature

This was on the agenda as a discussion item.

The meeting focused on the recommendations that will be included in the Commission’s 2026 Report to the Legislature. Recommended changes will be made to the Report and presented to the Commission for additional discussion at the December meeting, with final approval made in January.

Staff noted that the recommendations had been reorganized to place the more complicated driving offense to be at the end of the recommendations.

First, the Commission first discussed the recommendation to complete the “mandatory life sentence” list in the presentence investigation statute to include a reference to Minn. Stat. § 609.266.

Second, the Commission discussed the recommendation to reinstate the offense of intentionally inflicting great bodily harm as a type of first-degree assault, which would be ranked at severity level 9. Discussion centered around including a case citations to aid the Legislature in the interpretation of intent to cause harm.

Third, the Commission discussed the recommendations to increase the statutory maximum penalty for domestic assault by strangulation and to assign a uniform three-year statutory maximum penalty for felony fourth-degree assault.

Discussion centered around whether it was appropriate for the Commission to recommend a new statutory maximum for a higher severity level for an offense, as opposed to informing the Legislature that a higher severity level is being proposed for an offense and alerting them to consider an adjustment to the statutory maximum to accommodate the constraints on the grid that the new severity level presents. Accordingly, staff agreed to adjust the language in the Report to the Legislature surrounding all of the statutory maximum durations identified in all of the recommendations. This will be presented to the Commission in December.

Fourth, the Commission discussed the recommendation to define “demonstrable bodily harm.”

Fifth, the Commission discussed the recommendation to add a higher penalty tier for recurrent impaired drivers who commit criminal vehicular operation resulting in great bodily harm.

Sixth, the Commission discussed applying DWI sentencing and release requirements to criminal vehicular operation and homicide committed by impaired drivers.

Discussion centered around whether this recommendation should be included. It was discussed that perhaps the recommended action from the Commission to the Legislature on this issue would be to seek review of the sentencing and release requirement disparities between DWI and criminal vehicular operation and homicide, perhaps using conditional release as an example in the Report.

4. Adjournment

Chair Mitchell adjourned the meeting at 1:53 p.m., without objection.