

Public Hearing Summary

July 16, 2026

The Minnesota Sentencing Guidelines Commission (MSGC) held a public hearing on July 16, 2026, at 1:30 p.m., in the Afton Room at the Department of Corrections headquarters, 1450 Energy Park Drive, Saint Paul, MN 55108; and by telephone and/or electronically. This document is an MSGC staff summary of that public hearing.

[Minn. R. 3000.0500](#) provides that the record of a public hearing on proposed amendments to the Sentencing Guidelines will include the names of all persons who testified with respect to the proposed amendments, as well as the audio recording of the hearing. The audio and video recording of the hearing is available at the following link: https://www.youtube.com/watch?v=-YClznE_qQU.

Present in person were Cathryn Middlebrook, Vice-Chair and Chief Appellate Public Defender, and Commission members Leonardo Castro, Second Judicial District Court Judge and Gordon L. Moore, III, Minnesota Supreme Court Justice. Also present in person were MSGC Executive Director Nate Reitz and staff member Matt Hlina, Jill Payne, and Devonte Roache.

Commission members present by telephone and/or electronically were Commission members Richard Frase, Professor Emeritus, University of Minnesota Law School; Amirthini Keefe, Public Member and Executive Director, Domestic Abuse Project; Kyra Ladd, Wadena County Attorney; Tim Morin, Public Member; and Chief Brian Mueller, Stillwater Police Department; the notice required by Minn. Stat. § 13D.015 having been posted on the MSGC website on June 15, 2026. Also present by telephone and/or electronically were MSGC staff Leah Bower, Kathleen Madland, and Linda McBrayer; and members of the public Calista Maxey and Elizabeth Ruhland.

A. Call to Order

At 1:34 p.m., Vice-Chair Middlebrook called the public hearing to order.

B. Purpose of the Hearing

Vice-Chair Middlebrook stated that the public hearing is being held to consider proposed modifications to the 2025 Minnesota Sentencing Guidelines and Commentary resulting from the Commission's review of the 2026 Regular Session Laws and technical modifications to improve the Sentencing Guidelines: (A) Legislative amendments to crime laws affecting the Sentencing Guidelines – 2026 Regular Session – Eff. Aug. 1, 2026; (B) Technical amendments to the Sentencing Guidelines – Effective August 1, 2026.

A complete copy of the proposed modifications was on the Commission's website at mn.gov/sentencing-guidelines/commission/meetings/upcoming/, and they were available on the website since June 15, 2026, the same day the notice of the hearing was published in the State Register. Vice-Chair Middlebrook further explained that there were some public-inspection copies available in the room, together with website access information.

C. Public Hearing Procedures

Vice-Chair Middlebrook explained the procedures for the public hearing, as follows:

- Members of the public may make oral or written statements regarding the proposed modifications, and that they may address questions about the proposed modifications to the Commission, its staff, or witnesses, and, if members of the public make an oral statement, the Commission or its staff may ask questions of them.
- Member of the public who wished to testify about the proposed modifications must first register their name, address, telephone number, and the names of any individuals or associations that they represent in connection with the hearing.
- After public testimony, the public hearing will end. The Commission will hold the record open for five calendar days to accept additional written comments. The Commission will give due consideration to all written comments received within the five-day comment period, as well as all written comments received up until the public hearing.
- The Commission will meet on Thursday, July 23, 2026, at 1:30 p.m., to finally adopt or reject its proposals. That meeting will take place in the Afton Room at the Department of Corrections, 1450 Energy Park Drive, Saint Paul, MN 55108; and with remote participation optional.

D. Public Testimony

Two written comments were received prior to the public hearing: One from MSGC Director Nate Reitz and one from Attorney General Keith Ellison.

Director Reitz shared that Attorney General Ellison's written comment, which is part of the public record, recommended ranking Medical Assistance Fraud (over 1,000,000) at Severity Level 8 rather than Severity Level 7, as proposed by the Commission.

Next, Director Reitz testified in person. Director Reitz recommended changes to the Commission's proposed modifications for Theft from a Vulnerable Adult.

Director Reitz explained the issue with the Commission's original proposal was that the severity-level (SL) 7 ranking for Theft From a Vulnerable Adult (Over \$35,000) gives no notice that the over-\$35,000 threshold applies only to certain types of theft. Director Reitz said that this may create a risk of confusion and misapplication of the over-\$35,000 threshold in this context.

Director Reitz recommended specifying both the original penalty clause and the new penalty-enhancing clause; and, for Theft from a Vulnerable Adult (Over \$35,000), further specifying the select theft-offense clauses to which the SL 7 ranking may apply.

Vice-Chair Middlebrook asked Director Reitz a question about the technical changes in his written submission. Director Reitz explained that the technical changes were to correct statutes that had been listed out of order in Guidelines section 5.B. Vice-Chair Middlebrook thanked Director Reitz for his testimony. No other members of the Commission had questions for Director Reitz.

Next, Vice-Chair Middlebrook asked if anyone else wished to testify. It was noted that there were no members of the public present in person. Vice-Chair Middlebrook reminded remote spectators that if anyone wished to testify they should contact MSGC staff immediately by phone or email. The Commission waited approximately five minutes to allow time for any remote spectators who wished to testify to register remotely.

E. Adjournment

After determining that there were no other testifiers, Vice-Chair Middlebrook stated that the record would remain open for five calendar days, through July 21, 2026, to receive additional written comments at sentencing.guidelines@state.mn.us.

The Vice-Chair adjourned the public hearing at 1:55 p.m., without objection.