

Roache, Devonte (MSGC)

From: Marlys Bickett <[REDACTED]>
Sent: Tuesday, October 6, 2026 1:59 PM
To: Guidelines, Sentencing (MSGC)
Subject: changing Hernandizing

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I oppose proposal to change longstanding practice known as Hernandizing.
Sent from my iPad

Roache, Devonte (MSGC)

From: Mary Berg <[REDACTED]>
Sent: Tuesday, October 6, 2026 1:45 PM
To: Guidelines, Sentencing (MSGC)
Subject: Opposition to Proposal

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Dear Sentencing commission,

I am opposed to the proposal to change sentencing guidelines by removing the Hernandizing method. Please read the article on the Opinion page on Oct. 6th MN Star Tribune, p. A7.

Mary E. Berg
Apple Valley, MN 55124

Roache, Devonte (MSGC)

From: Keli Trautman <[REDACTED]>
Sent: Tuesday, October 6, 2026 1:36 PM
To: Guidelines, Sentencing (MSGC)
Subject: Serious Concerns Regarding Sentencing Guideline Changes

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Commissioners,

I am writing to you in disbelief and to express my profound disappointment and outrage over the direction and changes to Minnesota's sentencing guidelines. At what point do we stop sending the message that criminal conduct has serious consequences? Time and time again, it seems that the pendulum continues to swing further toward reducing consequences for offenders while disregarding the impact of crime on victims, families and communities.

Sentencing is not simply about numbers on a page. It is about accountability. It is about recognizing the harm that has been caused and affirming to victims that what happened to them matters. When sentences are continually reduced or the consequences for criminal behavior are diminished, it becomes increasingly difficult to explain to victims why the system appears to place greater emphasis on the offender than on the people who were harmed.

Those of us who work directly with victims see the consequences of crime firsthand. We see the fear, trauma, financial hardship, disruption of families and lasting emotional impact that can follow a criminal offense long after a case is closed. It seems none of you have ever experienced something so painful happen to you or a loved one. It is incredibly frustrating to watch sentencing policies evolve in a direction that can make victims feel as though their suffering is secondary.

There must be a balance between rehabilitation and accountability. Compassion for offenders cannot come at the expense of justice for victims. Criminal justice reform should not mean continually minimizing the seriousness of criminal conduct or reducing meaningful consequences for those who choose to commit crimes.

Quite frankly, the direction of these changes is deeply concerning. If we continue down this path, it can feel as though we will eventually be apologizing for prosecuting people who have committed crimes in the first place.

Minnesotans deserve a criminal justice system that values rehabilitation when appropriate, but also firmly recognizes accountability, deterrence, public safety and the rights and dignity of victims. I strongly urge the Commission to reconsider these changes and to listen carefully to the voices of those who work with victims and see the consequences of crime every day.

Please do not lose sight of the people who are left picking up the pieces after a crime occurs.

Respectfully,
Keli Trautman

Roache, Devonte (MSGC)

From: David Lick <[REDACTED]>
Sent: Tuesday, October 6, 2026 1:34 PM
To: Guidelines, Sentencing (MSGC)
Subject: lenient sentences for multiple felony individuals

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Please reject the idea of not accumulating criminal offenses for repeat offenders. Leave the current system in place and do not vote to be more lenient on offenders who continue to violate the laws of Mn. Granted my knowledge is limited but considering the current climate of law and repeat offenders I wince to think that sentencing could be less severe. Thanks.

David Lick
36514 Birch Trl.
Grand Rapids, Mn. 55744

Roache, Devonte (MSGC)

From: [REDACTED]
Sent: Tuesday, October 6, 2026 1:07 PM
To: Guidelines, Sentencing (MSGC)
Subject: Sentencing Guidelines

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Gentlemen and Mesdames:

I am writing to you to express my feelings about reforming the justice system to reducing sentences for repeat felony offenders. I wholeheartedly **disagree** with the proposal and believe that repeat offenders need to have more time sentenced. I am a victim of one such felony sex offender. I am afraid that he will repeat this behavior again with me or with another victim or victims. He received too light of a sentence and he is now skirting his probation rules and they are not being enforced by his probation officer. I don't believe his therapy/treatment helped him as I am suspecting that his provider did/does not know the extent of the actions taken by the offender. I had hoped his sentencing to jail and his therapy would set him on the right track, but after having been released from jail, he has resumed some of his activities, not necessarily felonious, but inappropriate and against the Court's Order. It is my gut feeling that he will re-offend. Thus, I think he needs to know that his sentence will be increased should he decide to reoffend. I am but one victim. Thank you for asking for the public's response.

Obviously, I believe that the sentencing guidelines for other types of repeat offenders, in addition to sexual offenders, should remain in place.

Again, I oppose the proposal of reducing felony offenders' sentences.

Should you have any questions or wish to discuss this matter with me, please feel free to contact me.

Sandra J. Langsdorf
952-944-[REDACTED]

Roache, Devonte (MSGC)

From: Rich <[REDACTED]>
Sent: Tuesday, October 6, 2026 1:05 PM
To: Guidelines, Sentencing (MSGC)
Subject: Sentencing Repeat Felony Offenders

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I write to express strong support for "Hernandizing". Repeat felony offenders should face increasing penalties for their actions. Reducing the sentences ta repeat offenders does no good for the public - repeat offenders are simply that ... r e p e a t ... offenders. Giving then lighter sentences is not going to do the public any good at all.

Please do not change the guidelines to eliminate "Hernandizing".

Rich Irvine

--

Time is linear, Memory's a stranger
History's for fools, Man is a tool in the hands Of the great God Almighty" -- Roger Waters

Roache, Devonte (MSGC)

From: Cindy Smith <[REDACTED]>
Sent: Tuesday, October 6, 2026 12:58 PM
To: Guidelines, Sentencing (MSGC)
Subject: Opposition to proposal

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To Whom it May Concern:

I was shocked and appalled to read about the terrible proposal before the Minnesota Sentencing Guidelines Commission that would fail to recognize the cumulative history of multiple felony convictions when sentencing for subsequent crimes. This so obviously has the potential to cause harm to future victims and negatively impact public safety, as patterns of criminal behavior are so often repeated. As a physician, this would be akin to my inability to consider a patient's past medical history when treating a new or ongoing problem—which would clearly result in worse outcomes and would actually be considered malpractice...as this should be as well. I would urge you not to make this change that would almost certainly disproportionately affect victims of domestic violence and child abuse. We should not be making the job of law enforcement, prosecutors, and judges more difficult, but rather should continue to use guidelines that help to keep all of us safer from criminals who continue to repeatedly make antisocial and dangerous choices.

Sincerely,

Cynthia Smith

Sent from my iPhone

Roache, Devonte (MSGC)

From: Christian Fisher <[REDACTED]>
Sent: Tuesday, October 6, 2026 12:57 PM
To: Guidelines, Sentencing (MSGC)
Subject: I am against ending Hernandizing

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Greetings! Please consider this e-mail prior to your meeting on October 8, 2026 to change the Sentencing Guidelines in MN. I think allowing judges to consider previous felony convictions is necessary to maintain order and justice. Thank you in advance for your consideration.

Sincerely,

Christine Fisher
2451 Lake George Dr. N.W.
Cedar, MN 55011
763-528-[REDACTED]

Roache, Devonte (MSGC)

From: Barbara Hendricks <[REDACTED]>
Sent: Tuesday, October 6, 2026 12:48 PM
To: Guidelines, Sentencing (MSGC)
Subject: Proposed Sentencing Changes

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Please be advised that I am opposed to ending the Hernandizing. Stand firm on holding repeat offenders accountable to stricter sentencing guidelines and give judges the discretion they have come to know and appreciate.

Thank you.
Barb Hendricks, Edina

Roache, Devonte (MSGC)

From: Tom Barrett <[REDACTED]>
Sent: Tuesday, October 6, 2026 12:06 PM
To: Guidelines, Sentencing (MSGC)
Subject: Hernandizing

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Have u all lost ur minds or are u plain left liberals? Wake the hell up.

Mary Morarity is literally being run out of office.(not soon enough) Her left liberal attitude is too much to take lead by her sexuality in the forefront.

Her diversion program is a prime example leading to a large increase in auto thefts by the same age groups she puts in this fraud program

Each and everyone one of u have totally forgotten the victims and costs to same for all these crimes committed.

The " point system" u propose is a joke a real joke. In essence giving lower sentences to those with higher point scores! Rewarded for bad behavior! Leave it to u liberals to decide which is why were are here today with "no bail".

We are the Trans capital of the country. We are the abortion capital of the country. We are the laughing stock of the country even by Newsom, for the immense fraud of billions still going on perpetrated by Illegals and refugees who refuse to assimilate but want to take us over. U see it in courts everyday by the fraud programs of East African interpreters and transportation fraudulent groups. And u allow it to continue in the court system!

This is a joke by any definition all at my cost and the victims.

Sentences should be for crimes committed! We plea bargain way too much which is a travesty of justice!

Thanks

Tom Barrett

Roache, Devonte (MSGC)

From: Jerry Nye <[REDACTED]>
Sent: Tuesday, October 6, 2026 12:19 PM
To: Guidelines, Sentencing (MSGC)
Subject: Repeat Felons

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I read the editorial from the MN County Attorneys Association Executive Committee in the Strib Oct 6th edition related to reduced sentences. Their argument and concern make perfect sense to me. Their examples were frightening to say the least.

I encourage you to rethink the idea of allowing felons with multiple convictions to have ways to reduce their sentences by bundling their convictions. This makes no sense whatsoever.

Respectfully,

Jerry Nye
4808 West 96th Street
Bloomington, MN 55437

Roache, Devonte (MSGC)

From: Kyle <[REDACTED]>
Sent: Tuesday, October 6, 2026 12:02 PM
To: Guidelines, Sentencing (MSGC)
Subject: Proposal Opposition

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To whom it may concern,

As a lifelong resident of Minnesota, I strongly oppose your proposition to reducing sentences for repeat felony offenders. My question to you is, who does this benefit? Does the benefit the every day hard working citizens of this state? Or does this solely benefit those that continue to re-offend? The answer seems clear. As a state, we can not continue with our already soft sentencing guidelines and reduce them even further. It is not the people who maybe make a mistake and learn from it that are the problem. It is the repeat offenders who do not learn from their "mistake" that cause the majority of the problems in this state. We should not encourage their behavior by reducing their sentences. They have already proven they did not learn the first, or maybe even the fourth time. I often find myself wondering already how someone who is continuously in and out of jails does not go to prison or spend more time in jail. Our system is far from perfect and does need correcting. The correct way is absolutely not to go easier on repeat offenders. It is exactly the opposite. Please consider the safety of not only Minnesotan's, but everybody who visits our great state when you are proposing this change in sentencing guidelines.

Roache, Devonte (MSGC)

From: cityhall roundlk.net <[REDACTED]>
Sent: Tuesday, October 6, 2026 11:44 AM
To: Guidelines, Sentencing (MSGC)
Subject: Reduced sentence for repeat felons

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It makes me angry to even have to send this email.

Our safety is at risk daily and to even fathom that our legislators are considering yet another vote to weaken our broken judicial system is just plain frustrating!

Please start thinking of ways to strengthen our law enforcement and give everyone in our judicial system the ability to truly make repeat felons or anybody for that matter, accountable for their actions.

I should not feel unsafe in my job and be told that there is nothing that can be done when a felon is threatening my life or that of my family because there just isn't anything in our judicial system that supports holding people accountable for threatening and creating fear in others that are in a position to enforce rules in a community.

I have personal experience with a repeat felon doing just that and he has threatened others in a position of public safety.

I just don't understand what this line of thinking is about!

What public service does it accomplish? Do we want to live in an unsafe environment? NO!!

Do we want to work in an unsafe environment? NO!!

PLEASE look at passing legislation that will protect our law enforcement and allow the judicial system to protect society with the laws they put into place.

Elaine Walker
Clerk/Treasurer, City of Round Lake
098 Main Street
PO Box 72
Round Lake, MN
Population 367

507-945-[REDACTED] P
507-945-[REDACTED] F

Monday – Friday 7:00 am – Noon and 1:00 – 4:00 pm

Roache, Devonte (MSGC)

From: Kathleen Beauchamp <[REDACTED]>
Sent: Tuesday, October 6, 2026 11:42 AM
To: Guidelines, Sentencing (MSGC)
Subject: "Hernandezing" sentencing changes

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I am asking that you, the Minnesota Sentencing Guidelines Commission, keep in place the current longstanding sentencing practice known as Hernandezing. This is a just and practical sentencing system that takes into account the felon's actual criminal history. Thank you.
Kathleen Beauchamp.

Sent from my Galaxy

Roache, Devonte (MSGC)

From: Beth Cornish <[REDACTED]>
Sent: Tuesday, October 6, 2026 11:38 AM
To: Guidelines, Sentencing (MSGC)
Subject: proposed changes to Hernadezing policy

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I saw a recent press release from some of the county attorneys' offices regarding the possibility of reducing the sentencing guidelines that penalize repeat felony offenders. I am vehemently opposed to this proposal. If you commit a crime you should be punished for each and every time you commit the crime or even separate crimes.

Beth Cornish
Henderson, MN

Roache, Devonte (MSGC)

From: [REDACTED]
Sent: Tuesday, October 6, 2026 11:29 AM
To: Guidelines, Sentencing (MSGC)
Subject: Proposal

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I support your position against the proposal as noted in your StarTrib editorial of 10/06/2026. I have lived in Scott County for over 46 years, and I appreciate our County Attorney coming forward on this issue. Time after time I see articles about a crime and see the perpetrator has a history of crimes and they are back on the street committing another crime. I see politicians claiming that crime is down, but every day I see news of crime, more frequently in areas that used to be considered safe. I feel less safe in all areas of the metro area. We see more reports of how the supposed diversion programs are ineffective and even involve fraud, but more money keeps being directed away from enforcement and toward these ineffective programs.

Again, thank you for coming forward on this issue.

C. Borchard
Scott County

Roache, Devonte (MSGC)

From: Pat Warner <[REDACTED]>
Sent: Tuesday, October 6, 2026 11:21 AM
To: Guidelines, Sentencing (MSGC)
Subject: Proposed changes

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I disagree with the alteration, keep it the way it is. Multiple offenses should have a harsher punishment.
Sent from Pat's iPad

Roache, Devonte (MSGC)

From: Jill Lyon <[REDACTED]>
Sent: Tuesday, October 6, 2026 11:20 AM
To: Guidelines, Sentencing (MSGC)
Subject: I oppose the repeal of Hernandizing

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Criminals need to fully pay for their crimes. No minimizing of their sentences that is disrespectful and tone deaf to their victims.

Jill Lyon
15237 Lynn Terrace
Minnetonka, MN 55345

Roache, Devonte (MSGC)

From: Paul Barduson <[REDACTED]>
Sent: Tuesday, October 6, 2026 11:17 AM
To: Guidelines, Sentencing (MSGC)
Subject: repeat felony offenders

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Hello,

Please do not move forward with reducing sentences for repeat felony offenders. The justice system is meant to create safety for the public and this would greatly weaken the ability to hold repeat offenders accountable. This is scary being a family of 5 that wants to live in a safe state. This would greatly change my opinion of the state we all love.

Thank you for the consideration to keep Minnesota safer than before!

Paul Barduson

Roache, Devonte (MSGC)

From: maria thiel <[REDACTED]>
Sent: Tuesday, October 6, 2026 10:52 AM
To: Guidelines, Sentencing (MSGC)
Subject: Proposed Guideline changes

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Dear Sirs--

I think that the proposed changes to the sentencing guidelines are entirely wrong and ultimately will reward repeat offenders with lighter sentences. While their victims are left in fear at the early release of the person that harmed them.

Felons already only have to serve 2/3 of their sentences because of the time off for "good behavior". Treating the felons with kid gloves because their horrible home life when they were kids, or that they used drugs or were alcoholic or whatever reason the felons can use to gain sympathy from the courts.

I think that these felons don't deserve to have their choices used as a reason to mitigate what they did to someone else. I don't think they should get time off for good behavior. If they are sentenced to 10 years they serve 10 years. The time that they are in jail before trial, after trial and before sentencing does not count towards the sentence reduction. There should be no reduction.

Why do you insist on making life easier for felons and punishing the survivors? Leave the guidelines as is.

Maria Thiel

Roache, Devonte (MSGC)

From: [REDACTED]
Sent: Tuesday, October 6, 2026 10:52 AM
To: Guidelines, Sentencing (MSGC)
Subject: Re: MN sentencing guidelines

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It is your responsibility to protect the young, innocent, and elderly people who are being abused.

The guilty party should do the time and not get a slap on the wrist which is what the new proposed policy would be!!

Criminals deserve to be locked away for a very long time! They also do not deserve t.v./ internet privileges either.

As far as meals they should be allowed only the basics, like toast, pb & j sandwiches, and tuna hotdish for meals! Save our tax dollars for those in need!!!

Our tax dollars are wasted on criminals, even those in our government seats!!!

Respectfully submitted,
Lori Kopischke
Morgan, MN

Roache, Devonte (MSGC)

From: Tim Leslie <[REDACTED]>
Sent: Tuesday, October 6, 2026 10:36 AM
To: Guidelines, Sentencing (MSGC)
Cc: Kathy Keena; Joseph Leko
Subject: Proposal could reduce sentences for repeat felons

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To whom It may concern:

I'm writing to let you know that I am opposed to any repeal of "Hernandizing" as described in the attached opinion piece that appeared in today's Star Tribune.

In fact it's offensive that you would even consider it. The examples provided make my stomach turn. Children abused and offenders not held to account. What are you thinking?

For the sake of my children's children please do not so this.

Sincerely;

Timothy Leslie - Sheriff Dakota County (Retired)

https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Freplica.startribune.com%2Finfinity%2Farticle_popover_share.aspx%3Fguid%3D2c4e8dcd-75de-4f9b-9a00-0ffa37ea497%26share%3Dtrue&data=05%7C02%7Csentencing.guidelines%40state.mn.us%7C1a6a788f405341f1015a08df23bf8783%7Ceb14b04624c445198f26b89c2159828c%7C0%7C0%7C639268977657496908%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIlwLjAuMDAwMCIsIlAiOiJXaW4zMlslkFOlJoiTWpbcIsldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=Rqo2td9ajRasO%2BtrdnSsC7LZt5PHuB8HVGHC3Fv6eeE%3D&reserved=0

Roache, Devonte (MSGC)

From: Steve Sether <[REDACTED]> on behalf of Steve Sether
<[REDACTED]>
Sent: Tuesday, October 6, 2026 10:26 AM
To: Guidelines, Sentencing (MSGC)
Subject: I oppose the de-Hernandizing proposal.

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This has to be one of the most reckless ideas I've ever heard of. It encourages crime sprees, and rewards people who commit multiple crimes and only get caught later.

Severity of crime isn't related to getting caught, or when you get sentenced. This proposal does both of those things.

Creating a proposal where the timing of the sentences lets two people who did the same thing get different sentences based on procedure alone. You're violating the spirit, if not the letter of the 14th amendment. It also allows people with good lawyers to game the system.

Stop this proposal. It's damaging to victims of crimes, it's soft on crime, and it endangers the public.

Roache, Devonte (MSGC)

From: Jeannine Emery <[REDACTED]>
Sent: Tuesday, October 6, 2026 10:22 AM
To: Guidelines, Sentencing (MSGC)
Subject: Hernandizing Sentencing

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I am opposed to eliminating the current system of Hernanadizing criminal sentencing in Minnesota. Please do not approve this bill.

Jeannine Emery
1046 Portland Avenue
Saint Paul, MN. 55104

Sent from my iPad

Roache, Devonte (MSGC)

From: Greg Linden <[REDACTED]>
Sent: Tuesday, October 6, 2026 10:20 AM
To: Guidelines, Sentencing (MSGC)
Subject: Do NOT change sentencing practice by eliminating Hernandizing

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I agree fully with the MN County Attorneys Association and am vehemently against the Commission's consideration of eliminating Hernandizing.

This would be outragesly offensive to victims of crime and the citizens who depend on the courts to apply justice.

It's vital that you don't make this mistake.

Greg Linden

Roache, Devonte (MSGC)

From: SUZIN ANNEN <[REDACTED]>
Sent: Tuesday, October 6, 2026 10:18 AM
To: Guidelines, Sentencing (MSGC)
Subject: Hernandizing

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Do not eliminate Hernandizing. I am opposed to any changes to sentencing guidelines. Criminals need to be held accountable for multiple crimes. Repeat offenders should have longer sentences.

Suzin Annen
6340 Red Fox Lane
Edina, MN 55436
Sent from my iPhone

Roache, Devonte (MSGC)

From: [REDACTED]
Sent: Tuesday, October 6, 2026 10:16 AM
To: Guidelines, Sentencing (MSGC)
Subject: Sentencing Guidelines: Contact Us

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Formstack Submission For: **Sentencing Guidelines: Contact Us**
Submitted at 10/06/26 10:15 AM

Name:	
Email:	[REDACTED]
Phone:	
Address:	
I am a(n)::	
I am a(n) other::	
Short description of your question or the reason you are contacting us today.:	Please retain Hernandizing as standard for determining sentence length for those who are judged guilty.



Roache, Devonte (MSGC)

From: Richelle Sherman <[REDACTED]>
Sent: Tuesday, October 6, 2026 10:15 AM
To: Guidelines, Sentencing (MSGC)
Subject: Proposal Reducing Sentences for Repeat Felony Offenders

Importance: High

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Hello,

My name is Richelle Sherman. I am a Legal Assistant for the Child Support Division with the Olmsted County Attorney's Office. Now even though I work with more civil than criminal matters in my current position, I do have a college degree in Criminal Justice and have had a passionate interest in that realm for years. I am fortunate enough to have not been a victim in any sort of criminal matter, however I know those who have and the effect it can have on a person – especially when they don't feel their offender received proper sentencing.

I am writing to you because our County Attorney, Michael Walters, sent our team a letter from the Executive Committee of the Minnesota County Attorneys Association regarding your proposal to end the longstanding sentencing practice known as "Hernandizing". I'm sure I don't need to explain what that is to you, but I do feel the need to voice as to why eliminating that practice would be wrong.

I believe in the age old saying that if you do the crime, you do the time. I do not believe it is right to "discount" the proper sentencing for someone who has committed multiple felonies just because all offenses were able to be heard/resolved in a single Court proceeding. What sort of image would that be displaying to felons, or to all criminals for that matter? That they can commit as many felony level crimes as they want so long as they are all addressed in the same hearing because they won't receive the worst punishment? That's asinine.

Think about the victims in these cases. How would you feel if you let's say your offender abused, assaulted, stalked, maybe even tried to kill you at one point, for months, maybe years, but when they finally got caught for their crimes, they only get 90 days in prison and 5 years probation, simply because all of those heinous crimes were able to be heard in one proceeding? Does that really seem fair to you? I feel as though the whole basis of the justice system is that if you commit a crime(s), you receive sentencing based off the severity of said crime(s), and an even higher sentencing if you are a repeat offender who didn't learn their lesson the first time. That is the most generic/broadest process of the justice system. Why would there ever been a need to change that? Especially when the reason of wanting that change is essentially because it is saving time. At least that is what it sounds like to me. You would be reducing proper sentencing for felony level crimes because it saved you time. It sounds like a store that's running a deal – if you buy 2 right now, you get 1 free, instead of coming back another day and

buying them individually at full price. The justice system isn't a store running a sale. It's about accountability.

You also must think about public safety. You aren't really keeping the public safe if you're letting felons run around in the streets instead of serving the time they deserve (again, simply because their multiple felonies were resolved in one proceeding). Not to mention that removing "Hernandizing" would also remove the accrual of criminal history points, so what's stopping that felon from committing more, maybe worse, offenses because they know they aren't racking up points to be used against them and they know that if their offenses are all heard in one proceeding, they'll just get let off easy again?

Are you seeing what I am getting at here? It makes absolutely no sense. It is not bringing justice to anybody, it's not keeping the public safe, and it's not doing what the justice system is designed to do to those who commit crimes, especially felony level crimes.

I really hope you are able to read this message before your October 8th meeting and take it into consideration when discussing this issue.

Thank you.

Richelle Sherman
Legal Assistant – Child Support Division
Olmsted County Attorney's Office


Roache, Devonte (MSGC)

From: Shari Albers <[REDACTED]>
Sent: Tuesday, October 6, 2026 9:52 AM
To: Guidelines, Sentencing (MSGC)
Subject: Appropriate sentencing

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Hello,

This email addresses new sentencing guidelines that lessen what State vs. Hernandez accomplished in 1981. I DO NOT SUPPORT eliminated the point system that determines sentencing for multiple felonies. As a close friend of a victim, I know the devastation and helplessness accrued when a perpetrator does not pay for the suffering he caused. Please do not change the guidelines.

Sharon F Albers
Sent from my iPhone

Roache, Devonte (MSGC)

From: Pat Jung <[REDACTED]>
Sent: Tuesday, October 6, 2026 9:45 AM
To: Guidelines, Sentencing (MSGC)
Subject: Vote NO to change Hernandizing

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Please vote against proposal to change Hernandizing.

Patricia Jung
Mendota MN

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Roache, Devonte (MSGC)

From: [REDACTED]
Sent: Tuesday, October 6, 2026 9:39 AM
To: Guidelines, Sentencing (MSGC)
Subject: Please do not change the penalty for multiple offenses

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I am writing to express my concern that changes to sentencing guidelines would eliminate the penalties for multiple offenses. As a professional with background in education and social work, I know that people with multiple offenses are the most difficult to rehabilitate and that society needs protection from such individual.

Please DO NOT change the guidelines - we need you to protect our society from those who repeatedly prey on others!

Marilyn Baeker
Oakdale, MN

Roache, Devonte (MSGC)

From: GM <[REDACTED]>
Sent: Tuesday, October 6, 2026 9:39 AM
To: Guidelines, Sentencing (MSGC)
Subject: Hernandizing proposal changes

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To the commissioners,
I'm writing in support of the position articulated in today's STRIB. We shouldn't limit the use of this technique for properly sentencing people with multiple convictions. It seems to me we already are very light on sentences and this proposal would reduce the ability to properly account for repeat felons.
What is the reason for making changes to this policy?

Thank you for your time,
Gary Muellenberg

Roache, Devonte (MSGC)

From: Bob Lyman <[REDACTED]>
Sent: Tuesday, October 6, 2026 9:34 AM
To: Guidelines, Sentencing (MSGC)
Subject: guidelines issue related to Hernandez case

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Commission,

Even as a defense oriented retired lawyer, I strongly urge you not to change the protocols that arose from the Hernandez case.

Multiple convictions merit longer time. And, hopefully that prospect is at least somewhat of a disincentive to potential criminals.

robert lyman
Minneapolis

Roache, Devonte (MSGC)

From: Tamara Halonen <[REDACTED]>
Sent: Tuesday, October 6, 2026 9:33 AM
To: Guidelines, Sentencing (MSGC)
Subject: State v. Hernandez

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Good morning --

I write in strong opposition to the proposal that criminal history points be eliminated. It seems only a matter of common sense that a person's history should be taken into consideration, and having criminal history points is essential in access to justice for the victims, and holding defendants accountable considering their past actions.

While I could go on in greater detail, I don't know that it will matter to anyone reading these emails. Suffice it to say that I oppose this proposal.

Thank you for your consideration.

Tamara Halonen

Roache, Devonte (MSGC)

From: Braden Hoefert <[REDACTED]>
Sent: Tuesday, October 6, 2026 9:30 AM
To: Guidelines, Sentencing (MSGC)
Subject: Opposition to proposed changes to Hernandizing

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Good morning,

Please pass this email on to the members of the Sentencing Guidelines Commission.

I have read with great concern the several proposals being discussed by the Sentencing Guidelines Commission to weaken or eliminate Hernandizing, lessening sentences for repeat felony offenders.

These proposals would weaken public safety, and importantly, would not actually accomplish what the proponents of these proposals seek to accomplish.

Hernandizing takes place when multiple felonies are sentenced at the same hearing. The proponents of these changes seek to allow a defendant a chance at probation by preventing prosecutors from 'stacking' felony counts together to make it so the sentence is a presumptive commitment to prison.

Many times, Hernandizing occurs as a result of a plea offer. This would not be changed by any of the proposed changes. Instead, the prosecutor could simply request six separate hearings to sentence six separate counts, wasting judicial economy but accomplishing the same result. The prosecutor could require the defense to agree in order to accept the plea offer. If the prosecutor and the defense do not agree on sentencing, the battle then becomes one over scheduling rather than the facts of the case. Sentence lengths then become largely based on the court's calendar. Disparities between similarly-situated defendants increase, in contradiction to the intent of the Sentencing Guidelines themselves.

I cannot help but come to the conclusion that this proposal is being rammed through before the election, without consideration as to the effects of such a radical departure from current practice, or whether any of the proposals would actually accomplish the intended result.

Please give more thought to this issue.

Sincerely,

Braden M. Hoefert
Nobles County Attorney



1530 Airport Road, Suite 400

Worthington, MN 56187

Phone 507.295. [REDACTED]

Fax 507.372. [REDACTED]

Roache, Devonte (MSGC)

From: Sue Grue <[REDACTED]>
Sent: Tuesday, October 6, 2026 9:24 AM
To: Guidelines, Sentencing (MSGC)
Subject: Repeat offenders

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We urge you to NOT change the guidelines for sentencing repeat offenders who opt to be sentenced for multiple felonies in a combined sentence.

It would reduce sentences for people who have multiple events and these are exactly the criminals that deserve more time in jail.

Tom & Sue Grue

Roache, Devonte (MSGC)

From: Tona Willand <[REDACTED]>
Sent: Tuesday, October 6, 2026 9:22 AM
To: Guidelines, Sentencing (MSGC)
Subject: Hernandez

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Please do not get rid of hernandizing and things that hold convicted criminals accountable for their behavior with more severe penalties. It's not doing Society any favors. I'm a crime victim and I'm horrified by this idea that people have less consequences for egregious behavior that they've been convicted of. This is not the solution to any other systemic problems in the correction system having to do with space or anything else. There's no justice in this, I don't see why we need to think about reducing criminal consequences for criminals. How is this fair to victims of crime? It's not. It's also a harm to society. Why would you even think this is it a good idea for communities? Our needs to take priority over offenders who have criminal histories. That is their fault.

Roache, Devonte (MSGC)

From: Bailey <[REDACTED]>
Sent: Tuesday, October 6, 2026 9:20 AM
To: Guidelines, Sentencing (MSGC)
Subject: Proposed Changes to the Sentencing Guidelines

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Good morning,

I am writing to voice my opposition to the proposed changes to the sentencing guidelines. The proposed changes will absolutely negatively affect public safety and the integrity of our already highly scrutinized justice system. Please continue to work towards keeping offenders accountable- not giving them more leniency while they continue to commit crimes.

Respectfully,

Bailey Peterson

Cell: (507) 358-[REDACTED]
[REDACTED]

Roache, Devonte (MSGC)

From: William Wallace <[REDACTED]>
Sent: Tuesday, October 6, 2026 9:13 AM
To: Guidelines, Sentencing (MSGC)
Subject: Proposed revision to sentencing guidelines

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To Whom It May Concern,

I am writing to you to express my concern about the proposed revision to the sentencing guidelines that would eliminate the "Hernandizing" options in the current sentencing practices. This concern is sparked by the letter written by the Minnesota County Attorneys Association executive committee that appeared in today's Star Tribune.

The letter makes a clear case for the advantages in maintaining the current system and the series of options and reviews that can prevent abuse or judicial error. I cannot think of a reason, and have not been able to locate any public documents from the Sentencing Commission, that explains why a proposed change is necessary. I would think that in an important issue like this that the reasoning of the Commission would be public and available without the need to review past minutes or to follow monthly hearing meetings. The fair administration of justice is a public concern and the position of the Commission on this issue should be better disseminated prior to any changes to the current rules.

Thank you,

Bill Wallace
Saint Paul, MN

Roache, Devonte (MSGC)

From: [REDACTED]
Sent: Tuesday, October 6, 2026 9:02 AM
To: Guidelines, Sentencing (MSGC)
Subject: Sentencing Guidelines: Contact Us

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Formstack Submission For: Sentencing Guidelines: Contact Us
Submitted at 10/06/26 9:01 AM

Name:	Terri Hoy
Email:	[REDACTED]
Phone:	(612) 522-[REDACTED]
Address:	3400 XERXES AVE N Minneapolis , MN 55412
I am a(n)::	Public
I am a(n) other::	
Short description of your question or the reason you are contacting us today.:	Listen to the County Attorneys. Do not change Hernandizing. Changing this would be a disservice to the public.



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Roache, Devonte (MSGC)

From: MCHSI <[REDACTED]>
Sent: Tuesday, October 6, 2026 9:00 AM
To: Guidelines, Sentencing (MSGC)
Subject: New sentencing guidelines

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I would like to voice my opposition to the proposal to change sentencing guidelines. Under these changes, many repeat felons would have much lighter sentences. A person who has committed several felonies is a much graver risk to our society and should be sentenced as such.

M. Nicholas Burke, M.D.
Orono, MN

Roache, Devonte (MSGC)

From: Jim Kelso <[REDACTED]>
Sent: Tuesday, October 6, 2026 8:56 AM
To: Guidelines, Sentencing (MSGC)
Subject: Your proposal to make changes to Hernandizing - Please vote against it!

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Dear S-G Committee,

I'm writing to urge you to carefully read or re-read this op-ed from today's StarTribune (copy below).

Please do not make any changes which could reduce sentences for repeat offenders. Hernandizing is a fair and longstanding practice which makes good sense.

Thank you for your consideration.

James P. Kelso
248 Basswood St N
Annanadale, MN 55302

Proposal could reduce sentences for repeat felons

The Minnesota Sentencing Guidelines Commission is considering changes to a longstanding practice known as "Hernandizing."

This article was submitted by the executive committee of the Minnesota County Attorneys Association. Their names are listed below.

When someone commits multiple felony offenses, those crimes should matter when determining the appropriate sentence. That principle seems straightforward. Yet the Minnesota Sentencing Guidelines Commission is considering changes to a longstanding sentencing practice known as "Hernandizing," which recognizes the cumulative seriousness of multiple felony convictions resolved at the same time.

In Minnesota, sentencing is based on a grid. Every offense is ranked by severity, and an offender is sentenced based on the amount of criminal history points they acquire. Points are generally given if an offender has been convicted of a felony. If an offender is convicted of multiple felonies, they will have more criminal history points. For instance, if John Doe has four criminal history points and commits an armed robbery with John Smith, who has zero criminal history points, John Doe would face a more severe sentence than would John Smith.

This practice comes from a 1981 Minnesota Supreme Court case, State v. Hernandez, which allows a

district court to sentence an offender for multiple offenses at one time while accruing criminal history points for each offense. So the court can sentence each next offense with each new criminal history score. In essence, the court is allowed to sentence multiple crimes in one hearing instead of setting it for different hearings, and if an offender commits multiple felonies in a short amount of time, they will face more time.

If one of the most radical proposals before the commission is successful, Hernandizing would end. And in doing so, criminal history points would no longer accrue for each pending offense. Eliminating this practice would fundamentally change how Minnesota courts account for multiple offenses at sentencing. It would risk treating defendants with multiple convictions more leniently simply because their cases happen to be resolved in a single proceeding.

Without Hernandizing, an offender facing multiple unrelated charges — arising, for example, from a spree of burglaries, a pattern of domestic violence against different victims, or a series of drug transactions — would receive an artificial discount simply because the cases happened to be consolidated for sentencing on a single day. That is not a technicality. It is the difference between proportional accountability and a loophole that rewards defendants who would arrange to have multiple cases resolved together.

For instance, and as an actual case example, a person sexually abused his daughter's 8-year-old and 10-year-old friends on several separate occasions over a 15-month period. This offender had hundreds of videos of the abuse that he filmed while he assaulted them. He was found guilty and received a 30-year prison sentence. However, under the new proposed policy, he would only receive a 12-year prison sentence.

In another actual example, a person possessed child abuse material of five girls under the age of 14 that he downloaded on separate occasions. He was found guilty and sentenced to a 102-month prison term. However, under the new proposed policy, he would not go to prison but would, instead, be placed on probation and have a 24-month stayed sentence.

As county attorneys, we believe this would be at odds with our pursuit of justice and the protection of public safety. Hernandizing is one of our best tools to prosecute repeat offenders of crimes such as domestic abuse, possession and manufacturing of child sexual abuse material, and dealing drugs. Our offices are swamped with repeat felony offenders whose consequences for their actions will be lessened if the commission goes forward with this change. This change would frustrate victims, police and the judiciary as it would allow repeat felony offenders to continue committing crimes with impunity while their cases are pending.

It would also take away one of the most important aspects of the criminal justice system: discretion. Prosecutors have discretion to use Hernandizing as a method to get multiple cases resolved. However, prosecutors do not have the final say.

A judge's discretion is a check on overaggressive prosecutions. The sentences of those judges are reviewed by the Court of Appeals. The Court of Appeals' opinions are reviewed by the Minnesota Supreme Court. And at every level — the county attorneys as well as the judges at district court, the Court of Appeals and the Supreme Court — these are elected positions which are subject to re-election and the approval of voters.

We ask you to reach out to the commission by emailing sentencing.guidelines@state.mn.us to voice your opposition to this proposal before its next meeting on Oct. 8.

It's rare that the Minnesota County Attorneys Association writes directly to the public to inform it of an issue. However, on an issue that could negatively affect victims' rights, public safety and the integrity of our justice system, we cannot stand silent. While reforms are sometimes necessary, they must make sense. And to us, reducing sentences for repeat felony offenders doesn't make any sense at all.

The authors are members of the Minnesota County Attorneys Association's executive committee: Brandi L. Schiefelbein, Meeker County attorney; Kyra Ladd, Wadena County attorney; Kevin Magnuson, Washington County attorney; Michelle Eldien, Otter Tail County attorney; Ron Hocesvar, Scott County attorney; Karin Sonneman, Winona County attorney; and Robert Small, executive director of the association.

Roache, Devonte (MSGC)

From: Elise MacKenzie <[REDACTED]>
Sent: Tuesday, October 6, 2026 8:41 AM
To: Guidelines, Sentencing (MSGC)
Subject: Hernandizing

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Hello,

I am writing because of the editorial regarding the proposal before the commission of the possible ending of the Hernandizing practice. If the Minnesota County Attorneys Association feels it is a bad idea, I feel the ending of this practice should not be considered. It seems like there is a check and balance system in place to prevent over aggressive prosecutions. If an offender has multiple charges of crime there should be proportional accountability.

What is the possible reasoning behind ending this practice?

Thank you for considering,

Elise MacKenzie

Fridley MN resident

Sent from my iPhone

Roache, Devonte (MSGC)

From: [REDACTED]
Sent: Tuesday, October 6, 2026 8:41 AM
To: Guidelines, Sentencing (MSGC)
Subject: Past Felonies Impacting Current Sentences

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To: Minnesota Sentencing Guidelines Commission

If a person commits multiple felony offenses, I support the principle that those crimes should matter when determining the appropriate sentence for a current conviction. Thus, **no changes should be made from the current practices** presently being used.

Warren Myhre
4048 Bryant Ave NE
Buffalo MN 55313

Roache, Devonte (MSGC)

From: Christine Soderling <[REDACTED]>
Sent: Tuesday, October 6, 2026 8:20 AM
To: Guidelines, Sentencing (MSGC)
Subject: Proposed Hernandez changes

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Please, please, please continue to consider repeat offenses when sentencing. Absent any other intervention, past history is critical in future expectations, and sentencing not only punishes the transgressor , but protects the public and should continue to do so.

Christine Soderling
Eagan

Roache, Devonte (MSGC)

From: Yvonne Foss <[REDACTED]>
Sent: Tuesday, October 6, 2026 8:17 AM
To: Guidelines, Sentencing (MSGC)
Subject: Hernandizing

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Please DO NOT change the longstanding sentencing practice of "Hernandizing".

Yvonne Foss
Brooklyn Park, Mn

Sent from my iPhone

Roache, Devonte (MSGC)

From: Henry Hanten <[REDACTED]>
Sent: Tuesday, October 6, 2026 8:09 AM
To: Guidelines, Sentencing (MSGC)
Subject: Hernaandez

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Repealing this would be a travesty for the law abiding citizens of the State.
Listen to the people in the frontline who oppose this poorly thought out change.

Thank you.

Henry M Hanten
HMH of St. Paul Inc.
612 961 [REDACTED]

Roache, Devonte (MSGC)

From: Michael Gomez <[REDACTED]>
Sent: Tuesday, October 6, 2026 8:05 AM
To: Guidelines, Sentencing (MSGC)
Subject: Hernandizing

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Good Morning:

I could not believe what was in the Minnesota Star Tribune this morning. For you to consider changing a long standing policy that makes perfectly good sense. We hear all the time about repeat offenders who are out on bail or early release re-offending. There is no doubt in my mind that past actions are a good way of predicting what individuals will do.

Changing this practice would take away one of the most important aspects of the criminal justice system, discretion.

For once lets think of the victims who have suffered at the hands of repeat offenders who have received minor sentences by liberal judges who think more about the criminal than they do about victim rights.

Michael & Nanette Gomez
7789 18th Street N
Oakdale, MN 55128

Roache, Devonte (MSGC)

From: Joel Stai <[REDACTED]>
Sent: Tuesday, October 6, 2026 7:58 AM
To: Guidelines, Sentencing (MSGC)
Subject: Proposal to end Hernandizing - Please Vote NO

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As a resident of MN, I urge the MN Sentencing Guidelines Commission to reject the proposal to end Hernandizing when recommending sentences to convicted felons. I feel it would not only be unjust to stop considering other past offences but would create a less safe MN.

Regards,
Joel Stai

Roache, Devonte (MSGC)

From: Mark Gebhart <[REDACTED]>
Sent: Tuesday, October 6, 2026 7:48 AM
To: Guidelines, Sentencing (MSGC)
Subject: Opposition to Eliminating Hernandezizing in Minnesota Sentencing

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Dear Members of the Minnesota Sentencing Guidelines Commission,

I am writing to express my strong opposition to the proposed change that would eliminate the practice commonly known as “Hernandezizing” from Minnesota’s sentencing guidelines.

I believe our criminal justice system should recognize the full seriousness of multiple felony offenses. When a person commits multiple crimes against multiple victims, those offenses should not effectively receive a discount simply because the cases happen to be resolved at the same time.

The examples described in the recent Star Tribune article are particularly concerning. An offender who repeatedly sexually abused children over an extended period, and another who possessed child sexual abuse material involving multiple young victims, could receive dramatically reduced sentences under the proposed change. That raises a fundamental question of fairness: **Why should the timing or consolidation of court proceedings determine how seriously multiple criminal acts are treated?**

Victims do not experience separate crimes as a single offense simply because the courts eventually handle the cases together. Each victim, each act, and each criminal decision has consequences. The sentencing system should be capable of recognizing that.

I am also concerned about the broader effect of eliminating Hernandezizing. A defendant who commits multiple felony offenses should not be placed in a more favorable sentencing position merely because those offenses are resolved in one proceeding. Doing so could create an unintended incentive to consolidate cases and could weaken accountability for repeat or continuing criminal conduct.

I understand that sentencing policy must balance many considerations, including proportionality, rehabilitation, consistency, and judicial discretion. However, eliminating a mechanism that allows multiple convictions to be reflected in a sentence seems likely to move Minnesota away from proportional accountability rather than toward it.

At a minimum, I urge the Commission to carefully examine the real-world consequences of this proposal before making such a significant change. The potential effect on victims, public safety, prosecutors, judges, and future offenders deserves serious consideration.

I respectfully ask the Minnesota Sentencing Guidelines Commission to reject the proposal to eliminate Hernandezizing and preserve the ability of Minnesota courts to appropriately account for multiple felony convictions when imposing sentence.

Thank you for your service and for considering the concerns of Minnesota citizens.

Sincerely,

[Your Name]
[City, Minnesota]
[Optional phone/email]

Email: [REDACTED]

Mark Gebhart
Technical Director/Video Specialist

Roache, Devonte (MSGC)

From: Lynne Leavens <[REDACTED]>
Sent: Tuesday, October 6, 2026 7:34 AM
To: Guidelines, Sentencing (MSGC)
Subject: Hernandizing

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Do not end it, please! Do not give more leniency to serial offenders!

Lynne Leavens
Dakota County

Sent from my iPhone

Roache, Devonte (MSGC)

From: Patricia Moore <[REDACTED]>
Sent: Tuesday, October 6, 2026 7:33 AM
To: Guidelines, Sentencing (MSGC); [REDACTED]
Subject: Current sentencing standards must stand for now

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Hello,

I am writing as a concerned citizen and professional who provides treatment for repeat criminal offenders in Minnesota.

I just read today's article in the Star Tribune about potential changes that will allow significant reductions in sentencing for repeat offenders. Without additional resources for the Department of Corrections to build robust programming, we will simply be providing repeat offenders more time in the community to commit more offenses. We do not have the necessary amount and type of programming to adequately address public safety concerns for these individuals if released early into the community.

Individuals who repeatedly violate the rights of others are the most difficult to treat. There are recent improvements in treatment based on advances in the neurosciences in Europe, particularly in the UK and Northern Europe. However, those models are only being taught in a handful of cities and academic institutions stateside (Harvard & UCLA provide training opportunities).

Last year, the commissioner and state legislature dismantled important resources available to incarcerated repeat offender. I was baffled by the decision to eliminate many positions for professionals who provide rehabilitation programming and mental health treatment. We had so few resources to begin with compared to community standards.

I wish that giving people the benefit of the doubt and returning them to the community sooner than later effected behavioral change. In my professional experience, the underlying issues that lead a person to repeatedly offend against others cannot be remediated by reducing the cost to them for causing harm.

Thank you for your consideration.

Patty Moore, Saint Paul resident

Roache, Devonte (MSGC)

From: michael favero <[REDACTED]>
Sent: Tuesday, October 6, 2026 7:27 AM
To: Guidelines, Sentencing (MSGC)
Subject: Read before October 8 meeting

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I just found out that you are considering changing the sentencing guidelines to eliminate Hernandizing. This would cause prosecuting attorneys to ask for far less prison time for repeat offenders and this would cause far less incentive for repeat criminals to stop committing their crimes. This is absolutely the wrong direction for our criminal justice system. Please do not change these guidelines.

Sincerely, Michael F Favero
Sent from my iPad

Roache, Devonte (MSGC)

From: Mark Butala <[REDACTED]>
Sent: Tuesday, October 6, 2026 7:16 AM
To: Guidelines, Sentencing (MSGC)
Subject: Hermandizing Rule

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Hello,
After learning about a pending decision regarding the Hermandizing rule in today's Star Tribune I am asking that you not make the referenced changes to this process. Repeat offenders should continue to be punished for their crimes.
Thank you
Mark Butala

Roache, Devonte (MSGC)

From: Bob L <[REDACTED]>
Sent: Tuesday, October 6, 2026 7:07 AM
To: Guidelines, Sentencing (MSGC)
Subject: Hernandizing

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I don't know any of the reasons why you would be considering elimination of this for sentencing purposes. It seems to me to be more than fair that repeat offenders or multiple offenses settled at one time should be treated on a tougher basis than first time or single offenders. Please do not repeat do not remove "hernandizing" for sentencing purposes.

Robert Lommel

Roache, Devonte (MSGC)

From: Susan Jambor <[REDACTED]>
Sent: Tuesday, October 6, 2026 6:38 AM
To: Guidelines, Sentencing (MSGC)
Subject: Opposition to 'Hernandez' sentencing changes

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Just read an article in Strib regarding proposed changes. As a 40 yr HR professional, repeated behavior does make a difference. If you aren't learning from mistakes, interventions, then you are statistically more prone to repeat. Please keep the current guidelines in place.

Respectfully,
Susan Jambor
St. Paul