

Winona Sentencing Order Workgroup Meeting Minutes
April 20, 2022

Attendance: Judge Buytendorp, Kalene Engel, Rene Rumpca, Rena Patterson, Michael Kuehn, Michael Flaherty, Kelsie Horst, Christina Galewski, Becky Brandt, and Erin Vieths.

Approval of the minutes

Discussion: Becky requested changes under Process, bullet point 4, Possible Sources of the Problem regarding the Case Processing Team, and Action Plan, bullet point 1.

Decision: Becky will send out updated Meeting Minute from March 10, 2022.

Plea Petitions with Separate document

Discussion: A few attorneys have been attaching a separate attachment to the Plea Petitions outlining the sentence which has been helpful. Habitually, defense attorneys are copying and pasting the offer from an email into the plea petition. Rene has been tracking sentencing errors and there has been significant improvements. Court staff cannot make assumptions or enter any condition not listed on the petition. The Third District Judge Subgroup have made it very clear that staff are not to assume or add anything that is not on the plea petition or ordered by the court. Judges can add notes in Task Manager to communicate with staff on what they want added or not included on the sentencing order.

Decision: Rene will continue to monitor sentencing orders and send any issues to Becky and Lacey. Becky will forward to Judge Buytendorp.

Misdemeanor/Gross Misdemeanor Dispositions – Defendant Lives Out of State

Discussion: Becky received a phone call from All Godfrey, DOC Fields Services Director/Interstate Commissioner. He wanted the judges to be aware and to bring to their attention attorneys trying to circumvent the interstate compact by sentencing defendant for 11 months instead of one year. Interstate Compact requires a year sentence and supervised probation. Neighboring states would be concerned if a defendant charged with person crimes were residing in their state with no supervision. There is a discretionary/voluntary process but according to Rena other states do not like it and usually do not accept it. Defendants would still be supervised and would have to show up for meetings in Minnesota to complete assessments, etc. Rena has noticed a lot of 11-month sentences and the purpose is to circumvent the interstate compact and place defendants on unsupervised probation. Renee shared a few file numbers with Becky and Karin. Rena informed the group that the Director of the State will be more than happy to answer questions.

Decision: Rena will send out the contact information and ask Tracy to set up another training and invite judges.

Next Meeting date: Will not meet unless there is an issue.

Meeting Adjourned: 8:30 a.m.