THE MINNESOTA

C O U N T Y A T T O R N E Y S

ASSOCIATION

March 15, 2023

Representative Sandra Feist 409 State Office Building St. Paul, MN 55155

Re: HF 1300

Dear Representative Feist:

On behalf of the Minnesota County Attorneys Association (MCAA), I write to express our concerns about HF 1300 which will be heard in the Public Safety Finance and Policy Committee on Friday, March 17, 2023.

As you know, MCAA supports codifying in statute the *Miller* factorsⁱ and the review of a life sentence after serving a term of 25 years. We remain very open to discussing a release authority structure that moves the term of years down for a first look from the 25 years.

More specifically, while we appreciate Sections 9, 10 and 11 which precludes the automatic sentence of life without parole, we do think that codifying the *Miller* factors would allow the Court the flexibility to impose such a sentence in those rare but most egregious cases.

Rather than the administrative process as outlined in Section 5 of HF 1300, MCAA supports implementing a judicial process that takes place in the community of the original offense; which provides for transparency and a robust opportunity for the victim(s) to be heard; which allows for substantive and procedural due process; and enables judicial review of the decision.

Lastly, we attach a list of individuals who are serving a prison sentence of 15 years or more for offenses committed while under the age of 18. Included in the list is the offense committed and a brief comment as to the circumstances of the case. These are the individuals who would be impacted by Sections 2 and 3 of the HF 1300 and who have committed horrendous crimes. Because of the very serious nature of these offenses, we think that these two sections of HF 1300 need further discussion.

We look forward to participating in these additional discussions.

Sincerely,

Robert M. Small Executive Director

¹ The U.S. Supreme Court in <u>Miller v. Alabama</u>, 132 S.Ct. 2455, 183 L.E.2d 407 (2002), identified five factors to be considered in determining whether (with discretion) to impose a sentence of life without parole on a juvenile: the juvenile's age and immaturity; family home environment; circumstances of the offense, including the role the juvenile had in the offense and any influence of peer pressure; the incapacities of youth that may have disadvantaged the juvenile in dealing with the justice system (e.g., challenges dealing with police or participation in court); and the juvenile's potential for rehabilitation

Individuals Serving Prison Sentences of 15 Years or More for Offenses Committed While Under Age 18 (as of Oct 2021)

Hernandez, Jaime Tirado	Moeller, Matthew Raymond	Maclennan, Jason Alexander	Conger, Kenneth Conrad	White, Shaun Emery	Moua, Kou	Vang, Jerry	Headbird, Jr. Darryl Kent	Roman Nose, Tony Allen	Yang, Steven	Lapez-rios, Roberto		Holt, Shea Caolin	Pederson, Ryan Michael	stariin, kenneth kay	winding, Andri Ordi	Williams Adrian Dion	Mitchell, Eric William	Johnson, Lavon Antione	Chambers, Timothy Patrick	Enoch, Shawn	Koskela, Eric William	Baasi, Clayton James	Williams, Jason Ryan	Out, Nim Indi	Out Win That	Brom, David Francis	Name
2nd Deg Murder - Benefit of Gang	Aid and Abet 1st Deg Murder	1st Deg Murder	Aid & Abet 2nd deg Murder	Aid and Abet 2nd Murder (EJJ revk'ed)	1st Deg Murder	1st Deg Murder Drive By	1st Deg Murder	1st Deg Murder while commting CSC	1st Deg Murder	1st Deg Murder-Bbenefit of Gang		Aid and Abet Murder & Kidnapping	2nd Deg Murder; 2 Cts	2nd Deg Murder	Tot Deg with del	Tet Dog Maria	1st Deg Murder - Intentional	1st Deg Murder	1st Deg Murder w/ MV (killed peace officer)	8 Counts 1st Deg CSC	Murder and Burglary	1st Deg Murder, 3 Counts	2 counts of murder	1st Deg Murder; 2 Counts		1st Deg Murder, 4 Counts	Offens
Hennepin	Stearns	Stearns	Cass	Hennepin	Ramsey	Ramsey	Beltrami	Wash'ton	Ramsey	Hennepin		Hennepin	Hennepin	Hennepin	nemepin		McLeod	Ramsey	Rice	Hennepin	Hennepin	St. Louis	Hennepin	Ramsey	,	Olmsted	
17	17	17	16	16	16	14	14	17	15	16		17					15	17	17	16	17	17	16	15		16	Age at Time of
1/8/2026 Defendant shot victim who tried to get out of a gang	1/17/2023 Provided the rifle that Maclennan used to kill his father (see above)	Life Shot and killed his father	7/10/2024 Victim beat to death with a bat and conflict as to who swung the bat, defendant helped put victim is trunk and hid body	5/29/2031 EJJ revoked due to federal charge of aggravated assault. Def was initially charged as 1st Deg Murder; resolved with plea & agreement for EJJ on Ct 2-2nd Deg Murder	Life Shot victim multiple times with handgun killing victim; Found guilty after trial on Cts 1 (premeditated) & 2 (with intent while committing felony)	Life Shot and killed one person and seriously injuring another in a drive by shooting	5/22/2028 Beat father to death with a Baseball Bat; Initially charged with 1st Dee Homicide: resolved as second degree	Life Defendant beat and stabed victim with screwdriver while committing criminal sexual conduct (rape)	Life Killed estranged wife (married in Hmong tradition) with sawed off shotgun in front of her new husband and young children	Life Defendant committed gang-related drive-by shooting in retaliation for an earlier shooting incident purportedly committed by a rival	stabbling, choking, then suffocating victim. Charged with 1st Deg A/A Homicide & kidnapping	10/20/2022 Defendant and Aighter to defendants charged with case than	11/23/2043 Two murders committed with particular cruelty	7/31/2023 Stabbed and cut the throat of a homeless 19 yr-old victim; 2nd Deg Murder & Agg Robbery	Lire ** tentered lies Brooklyn Park, killed a mother & her 3 yr old daughter, and severely injured 4 yr old son. (resentenced re Miller v. Alabama)		Life Defendant committed convenience store robbery in Hutchinson, Minnesota during which he shot and killed the 19-year-old store	Life Defendant fired into a car of youths, paralyzing one victim & killing his 17-vear-old pirifriend.	Life ** First-degree murder conviction resulting from Defendant crashing his vehicle, while fleeing police, into Rice County Sheriff's Deputy squad, killing the peace officer. (resentenced re Miller v. Alabama)	1/15/2034 5 separate incidents	Life Stabbed ex-girlfriend to death in her apartment	Te <u>winter tr. Anadonind</u> Life Charged with 3 Cts A/A 1st Deg Murder, Found guilty after JT and sentenced on Ct. 2	Life "Entered residence in Brooklyn Park, killed a mother and her 3-year. 175608 old daughter, and severely injured her 4-year-old son. (resentenced	Life **Armed robbery of two Saint Paul gas stations; Filed as 2 Cts 1st Deg Murder and 2 Cts Att 1st Deg Murder; convicted after trial on all 4 Cts. (resentenced re Miller v. Alabama)	1985; Rochester, Minnesota.	e forense Lomments	Date of
213612	212961	212791	212228	211698	210504	207970	207960	207167	207037	206983	200000	20802	200445	199983	191447		189099	187406	187051	182247	176527	176444	175608	169915	146854	7000	
27-CR-04-036221	73-KX-03-000658	73-K3-03-000260	11-K9-02-001238	27-CR-01-036331	62-K2-01-003864	62-K7-01-003973	04-K8-01-001747	82-K3-00-004298	62-K6-01-000238	27-CR-01-012848	27-CN-98-103189	02-K9-98-004367	27-CR-98-066209	27-CR-97-080122	27-CR-95-090827		43-K8-95-000157	62-K8-96-000080	66-K0-96-000643	27-CR-93-27323 &	27-CR-93-078088	69-KX-93-100938	27-CR-93-021301	62-K4-92-002075	55-K2-89-000034	Court File Number	
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yes	9	yes	Yes	yes for Pi	yes	yes	по	yes	yes	yes	8	yes	yes for P	8	yes		yes	yes	yes	Yes	Yes	no	Yes	Yes	Yes	Appeal	
State v. Hernandez		State v. MacLennan	State v. Conger	yes for Pi White v. State	State v. Moua	State v. Vang	state v. numan nose (diter remain)	State v. Roman Nose (II)	State v. Yang	State v. Lopez-Rios		State v. Pederson	yes for Pi Harris v. State		State w. Williams		State v. Mitchell	State v. Johnson	State v. Chambers	State v. Enoch	State v. Koskela		State v. Williams	State v. Ouk	State v. Brom	Westlaw links Additional links	

Thompson, Stafon Edward	Smith, Joshua Lamar	Miles, Leonard Roy Lema, Edisson Daniel	Escarsega, Noel	Fardan, Amani Jamalludin	Neiss, Raine Cee	Gresham, Tarius Orrin	Cross, Jerome Pablo	Hanks, Justin James	Jacobs, Donte Lamar	Martin, Lamonte Rydell	Johnson, Billy ray Deshawn	Alford, Luis Jimlee	Jackson, Prentis Cordell	Metoxen, Jordan Michael	Ratzlaff, Jeremiah Jacob	Bowie, Danny Aleck	Brewer, Micah Leroy	Robles, Julio	Graves, Randall Glenn	Niedere, Matthew Jacob	Keister, Clayton Ross	Hudson, Johntaye Debarr	Havnes, Marvin	Mclaughlin, John Jason	Jefferson, Dominique Antione		Bowie, Martise Anthony	Vang, Fong	Coleman, Rashade Deshon	Tapio, Jesse Royal
1st Deg Murder (2 counts)	1st Deg CSC (two counts)	CSC, Kidnapping, Agg Robbery Aid & Abet 2d Deg Murder-Benefit of Gang	2d Degree Murder - A/A; Benefit of Gang	1st Deg Felony Murder	2d Degree Murder-Benefit of Gang	1st Deg Murder & Attempt 1st Deg	2d Deg Murder	2nd Deg Murder; 2 Cts	2d Deg Intentional Murder	Aid & Abet 1st Deg Premeditated Murder	2nd Deg Intentional Murder	Aid & Abet Homicide	1st Degree Murder - Benefit of Gang	Aid & Abet 2d Deg Murder	Int'l 2d Deg Murder of Dad	2nd Deg Murder & Agg Robbery	Aid & Abet Murder	Attempt 1st Deg Murder - Benefit of Gang Ramsey	Aid and Abet Murder	1st Deg Murder during Burg	1st Deg Murder during Burg	2nd Deg Murder	1st Deg Murder	1st Deg Murder -Premeditated	2nd Deg Murder	C	Aid & Abet Murder Benefit of Gang	A/A 2nd Deg Murder - Benefit of Gang A/A Anoka	Multiple CSC Ramsey & Dakota	2nd Deg Murder
Hennepin	Ramsey	Hennepin Hennepin	Hennepin	Hennepin	Hennepin	Hennepin	Ramsey	Hennepin	Hennepin	Hennepin	Hennepin	Ramsey	Hennepin	St. Louis	St. Louis	Hennepin	Hennepin	g Ramsey	Hennepin	Dakota	Dakota	Hennepin	Hennenin	Steams	Hennepin		Hennepin	/A Anoka	Ramsey	Cass
17	17	17 17	16	16	16	٠.	17	16	17	17	17	17	16	17	16	17		17	16	17	17	17		17	17		16	17	16	16
Life Defendant committed a complex homicidal violence stabbing mother 193 times and also killing her 10 year old son. (Co-Def 16 yr old Brian Flowers)	cally handicapped girl	4/23/2043 Two separate rapes, kidnapping and aggravated robbery 10/11/2022 In gang fight between Vatos Locos gang members and South Size Raza gang Defendant told shooter to "Kill him"	4)13/2026 Murder as a Result of gang dispute between 3 rival gangs 8/17/2026 Our for revenge, Co-Def shot and killed rival gang member; charged as 1st Deg; plea entered to 2nd Deg Intentional Murder-Ben of Gang	nooter	3/6/2029 Shot and killed victim over a dispute about whether the victim really was a member of the gang that defendant was in; found guilty following Jury Trial	lowing the murder				in an ongoing gang	4/4/2036 Defendant shot mugging victim, an engineering student, in the head in the presence of victim's mother and sister	3/30/2026 Defendant and brother kill victim who was then found in burning trailer	Life Victim died from a gunshot to the head fired at "intermediate range." by defendant	7/26/2034 kicked and stomped on the victimwhile the victim was on the	9/7/2026 Murdered father	3/31/2031 Admitted during plea that Murder done within Victim's Zone of	7/6/2022 Passenger in car with others (See Graves above)	1/6/2025 Attempted first degree murder and one count of second degree	10/31/2022 Passenger in a car with others that were looking for someone to rob. One of the persons in the car shot a killed writin	Life Killed his parents	of the defendant Life Involed with Niedere in the killing of his parents	11/3/2031 Broke into apartment and killed victim who allegedly beat up a friend	If the shot and blied a clock disting a soft-board the formation.	Life Cold Spring School Shootings; Shot and killed two students	7/15/2030 During robbery of a convenience store, Defendant shot and killed clerk with AK 47 [Now charged as of 3/10/2023 aslt on DOC Officer]	Blood member that was used in a homicide	Gang at age 17	9/21/2034 Felony A/A 2nd Degree murder & Felony A/A Atmp for benefit of	11/4/2026 Defendant raped a woman in her dorm room while committing burglary; raped a woman in front of her child while committing burglary	: 12/27/2028 Defendant and another chased and beat a blind man to death with an ax handle
228920	228066	226804 227880	225927 225957	224929	224850	224843	224766	224180	223198	222805	222722	222620	221762	221599	221540	221097	220151	220108	220105	219668	219667	218454	880817	218041	217896	21/338		216763	216716	215057
27-CR-08-29634	62-K9-07-002191	27-CR-08-1863 27-CR-09-29239	27-CR-06-074222 27-CR-06-074367	27-CR-06-005997	27-CR-07-023388	27-CR-14-6770	62-K5-07-002351	27-CR-04-014461	27-CR-06-029577	27-CR-06-035067	27-CR-06-029576	62-K0-06-000318	27-CR-06-021141	69DU-CR-06-5541	69VI-CR-06-1468	27-CR-06-005391	27-CR-05-076687	62-K4-05-004085	27-CR-05-076691	19-KX-05-003116	19-K6-05-003114	27-CR-05-008349	27-CR-05-018292	73-K4-04-000567	27-CR-04-078833	27-CR-03-070789		02-K6-06-011114	62-KX-04-003674 & 19-K2-04-3360	11-K1-03-000238
8	8	8 8	8 8	yes	8	no	8	yes	70	8	70	no	no	no	ņo	yes	no	yes	П	9	8	2 2	по	yes	8	no		0	ge no	no
yes State v. Thompson	yes State v Smith	yes State v. Lema	yes <u>State v. Chavarria-C</u> no	yes State v. Fardan	yes State v. Nerss		yes State v. Cross	no	no	yes State v. Martin	no	yes State v. Alford	yes State v. Jackson	yes Metoxen v. State	no	yes Bowie v State	no	yes for Pi Robies v. State	no	no i	nn N	yes State v. Hudson			70	no		00	Yes (dakı State v. Coleman	no

Klitzke, Anthony Dale	basal, onire Awais	Root, Patrick James	Stewart, Choncey Milan	Brown, Jamar Alexander	Webster, Montrell Maurice	and the state of t	Earl Marcel Turone	Feran-Baum, Cody Samuel	Ford, Joshua Davis	warwick, Robert Innocencio	Wassisk Bahart Isaasasia	Bullet Cindarios Do'Assolo	Copeland, Donquarius Davon 2d Deg Murder 2 Counts	Giner, Enrique Robert	Mitchell, Anthony Joseph	Anderson, Julian Kijuan	Ibrahim, Nazeer Khil	Shannon, Stephon Terrell		Catchings, Derrick Deangelo	Jackson, Malcolm Maghundi	Osgood, Courtney Lamont	Moore, Ishmael Rashad	Grillin, Gary Lyrone	Carry Carry	Ali, Mahdi Hassan	Mcinnis, Jquan Leearthur	Johnson, Kenneth Lee	Baker, Leonard Bernard	Myles, Emmanuel	Jones-adams, Ryan Daniel	Muniz-perez, Erick Gerardo	Garcia, Giovanni Sergio		Cooper Steven Albert	Edinburgh, Miles David	Flowers, Brian Lee
2d Deg Murder	za Deg Muraer	2d Deg Murder	1st Deg CSC 2 counts	Homicide	1st Deg Murder	so ore monact (place of)	2d Dea Minder (Drive hy)	2d Deg Murder of 2 year old	2d Deg Intentional Murder	LSI Deg Murder	The Control of the Co	1st Dog Assault 9 Assault Dokton	2d Deg Murder 2 Counts	2d Deg Intentional Murder	2d Deg Intentional Murder	2d Degree Intentional Murder Gang	Aid & Abet Homicide	2d deg Murder	0	2d Dee Murder	2d Deg Murder	1St Deg CSC 2 Counts	Aid & Abet 2nd degree Murder	Ald & Abet 20 Deg Midroer		1st Deg Murder 4 Counts	1st Degree Murder; 2 Counts	1st Deg Murder Benefit of Gang	Aid & Abet 2d Deg Murder	2d Deg Murder 2 Counts	2d Deg Intentional Murder	Attempted 2nd Deg Murder	2nd Degree Murder	Outempled 131 Deg Mandet, 2 coding	Attorney 1st Dog Marshay 2 course	2d Deg Murder	1st Deg Murder (2 counts)
Hennepin	Hannepin	Pine	Ramsey	Ramsey	Hennepin	i cinic	E	Hennepin	Hennepin	Kandiyoni	Kanalisey	P	Hennepin	St. Louis	Ramsey	Hennepin	Hennepin	Hennepin		Hennenin	Hennepin	Kamsey	Hennepin	Hennepin	6	Hennepin	Hennepin	Hennepin	Hennepin	Hennepin	Hennepin	Hennepin	Hennepin	Sr. Follis	2	Kandiyohi	Hennepin
17	16	17	17	17	17	ţ	17	17	16	,	; ;	17	17	17	17	15	17	17		16	16	16	17	<u>+</u> /	;	17	17	16	16	16	16	16	15	t	ń	17	16
1/24/2039 Defendant gets into an argument with victim at a party; takes out a gun and shoots victim several times	5/10/2035 Detendant has a run in with victim a month earlier. Sees him in a parking lot and shoots him.	Defendant shot and killed a man during a drug deal gone bad	10/20/2038 Defendant was part of a group that raped and robbed two teens on Harriet Island		om victim during robbery, execution-	allegedly once been part of a gang Defendant didn't like		harassing his son on a bus 2/9/2032 Defendant brutally beats 2 year old daughter of his girlfriend who he	a father who wanted the defendant t stop	ure Detendant planned to do grandmottner with aid of 19 yr old co-det. During the robbery, the victim was strangled, stabbed and thrown in			3/5/2035 See Derrick Catchings above	4/1/2030 Defendant stabbed and bludgoened companion to death while	9/7/2027 Defendant killed girlfriend in DV related death	home	10/11/2022 Filed ast 2 Cts 2nd Deg Murder (1-With Intent/not premeditated/dismissed): 1-While Committing Solfconicted)	3/24/2031 Defendant's home was shot up. He retaliated by shooting into a home killing 5 year old child		6/21/2034 Defendant has a gun; snoots to year old in back	meet up in an	11/1// 2031 Rape of 13 year old girl as juvenile then rapes his ex-girfriend when he was an adult		9/28/2037 Victim shot and killed during a drug related robbery. I wo detendants each clained the other was the shooter	market	~	Life Shoots 20 year old and his 7 month old child in a targeted attack	3/22/2033 Shoots rival gang member in the back	2/17/2026 See Emanuel Myles above	9/13/2032 Defendant beat victim to death as part of a gang initiation	5/24/2033 Defendant shot and kills a rival gang member	4/15/2024 Filed as Att 2nd Deg Murder (x3) for Benefit of Gang; and 1st Deg Astrand Att Murder by plea agreement sent Conser	4/30/2035 Initially charged with 1st Deg Murder-premeditated; resolved through plea agreement	a) 3/2422. Determant snot two convenience store cierts in the back during robbery (now currently charged with Inel in Poss 69DU-CR-22-1969)	was not an invited guest and was asked to leave.	station inompsion above) 11/13/2028 Defendant stabbed victim to death at a party defendant went to but	Life Defendant committed a complex homicidal violence stabbing mother 193 times and also killing her 10 year old son. (Co-Def 17 yr old
261075	259553	259114	258640	255654	249345	248818		248794	245309	244329	/10042		243219	241965	241319	241041	240240	240124	00000	330006	238534	238392	237548	23/06/		736437	235357	234466	234444	234286	233834	233808	233092	231852		231012	229257
27-CR-18-28231	27-CR-19-4687	58-CR-18-147	62-CR-18-336	62-CR-17-8591	27-CR-15-7221	27-CR-16-241/6		27-CR-15-25934	27-CR-14-28281	34-CR-13-741	0Z-CR-13-/94/		27-CR-12-9635	69DU-CR-13-2998	62-CR-13-3262	27-CR-12-34632	27-CR-13-38556	27-CR-12-20750	F1 - CV. 15-2-0001	27-09-12-20867	27-CR-12-18942	62-CR-11-9051 & 62- no CR-11-10149	27-CR-11-15385	27-CR-11-2394		27-CR-10-2076	27-CR-16-26839	27-CR-10-34590	27-CR-10-52300	27-CR-10-49745	27-CR-10-3559	27-CR-09-35215	27-CR-10-3066	69DU-CR-07-2508		34-CR-08-1539	27-CR-08-29636
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State v. Klitzke					State v. Webster						State v. Butter		Copeland v. State				State v. N.K.I	Dismissed by Appellant						State v. Griffin	2000	2000	State v. Mclinnis			State v. Myles	Jones-Adams v. State			Cooper v. State		State v. Edinburgh	State v. Flowers

Kohene, Javeon Norbor- Mayon	omun, Dequan Lamar	Mcgraw, Arthur Antonio	Mencil, balley bodell	Conces posterin	Ohsman, Jared Andrew
2d Deg Intentional Murder	20 Deg Unintentional Murder	Aid & Abet 2d Deg Murder	Ald & Abet Murder	20 Deß Winder	2d Deg Murder
Ramsey	Hennepin 17	Ramsey	St. Louis	Ramsey	Hennepin
17	17	16	17	17	16
12/18/2030 Defendant shoots another teen as they were riding in a stolen vehicle	11/15/2032 Defendant demanded victim pay his mother money for a storage unit. She didn't and he shot her.		3/8/2044 In retaliation for bad treatment of friend, defendant shot and killed victim who was blindfolded and killed in the woods	5/11/2022 During a marijuana deal that went bad, defendant shot an killed victim	12/12/2033 Defendant murders man during a robbery - then hijacks car to get away
263081		262710	261874	261742	261721
62-CR-21-2349	27-CR-21-6468	62-CR-21-182	69HI-CR-19-151	62-CR-20-3399	27-CR-20-666
8	по	no O	no	OU	по
70	no	no	yes	по	no
			State v. French		