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Minnesota Board of Pardons

Annual Report to the Legislature -- 2000 Activity

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2000 LEGISLATIVE REPORT
MINNESOTA BOARD OF PARDONS

Pursuant to Minn. Stat. §638.075 (1996), the Board of Pardons is required to file a written report with the legislature by February 1 each year summarizing actions it took during the previous year.

The Minnesota Board of Pardons is made up of the Governor, the Chief Justice of the Supreme Court and the Attorney General. The board is authorized to grant the following types of extraordinary relief to persons who have been convicted of crimes:

- ◆ **pardon** - an act of forgiveness which exempts the convicted person from the punishment imposed by the law.
- ◆ **commutation** - the substitution of a lesser or different type of punishment for the original sentence.
- ◆ **pardon extraordinary**- statutorily-created relief granted after the applicant has served the sentence. When a pardon extraordinary is granted, the court issues an order to set aside the conviction and the person is no longer required to report the conviction; however, the conviction remains in the criminal history record.

Applications Requested

During 2000, staff of the Board of Pardons sent out 120 applications for pardon extraordinary and 20 for pardon/commutation. When anyone calls to request an application, staff explain the eligibility requirements and make every effort to determine whether the interested individual is eligible before an application is sent. This careful screening appears to be accomplishing its purpose because the number of applications returned due to ineligibility remains very low.

Decisions

The Board granted seven pardons extraordinary during 2000. The Board resolved to hear misdemeanor convictions if they had an impact on an individual's economic position. Due to a POST Board requirement for licensing police officers, the Board heard and granted its first pardon to a sole misdemeanor conviction. Four applications for pardon and commutations were submitted to the Board for consideration. The Board accepted the recommendations of staff on all applicants for pardon and commutation and denied all of them.

Other Activities

The database for information on applicants, which was completed in 1996, has enabled staff to do automated record checks for local law enforcement agencies. In 2000 staff checked for records on 279 police academy and gun permit applicants. Staff also responded to 248 requests for written correspondence sent directly to the Board of Pardons or referred by the Governor's office or the commissioner of corrections and responded to over 413 phone calls.

For additional information about the Board of Pardons, contact the Board of Pardons at (651) 642-0284.

APPLICATIONS RECEIVED AND ACTION TAKEN IN 2000

	<u>Number of Applications Considered</u>	<u>Number of Applications Not Eligible/Denied</u>	<u>Number Granted</u>
Pardons/Commutations	10	6 Not Eligible/4 Denied	0
Pardons Extraordinary	10	0 Not Eligible/3 Denied	7

PARDONS EXTRAORDINARY GRANTED IN 2000

<u>Applicant</u> (Age At Time Of Conviction)	<u>Yr. Of Conviction</u>	<u>Crime(s)</u>
Boesch, Dawn Christine 32	1987 1988	Theft by False Representation Prohibited Acts/Drugs
Ellering, Holli Anne 22	1987	Misdemeanor/Petty Theft
Gautsch, William Michael 20 - 24	1978 1979 1980	Simple Robbery Simple Robbery Simple Robbery
Logue, Thomas Patrick 27	1985	Negligent Fires
McLaughlin, Wallace 28	1964	Attempted Burglary
O'Donnell, James D. 24 -31	1962 1966 1972	Issuing dishonored checks Aggravated forgery Theft by Check
Smith, Robert Harrison 38	1955	Forgery 2 nd Degree