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Minnesota Board of Pardons

Annual Report to the Legislature -- 1998 Activity

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January 1999

The total cost of salaries, printing and supplies incurred
in the development and preparation of this report was
\$40 (reported as required by Minn. Stat. § 3.197).

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at least 10 percent post-consumer waste.

1998 LEGISLATIVE REPORT
MINNESOTA BOARD OF PARDONS

Pursuant to Minn. Stat. §638.075 (1996), the Board of Pardons is required to file a written report by February 1st each year with the legislature 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 1998, staff of the Board of Pardons sent out 58 applications for pardon extraordinary and 10 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 13 pardons extraordinary during 1998. Although the eligibility requirement for non-violent offenses is five years, the Board did not grant a pardon extraordinary to anyone with less than seven years of law-abiding conduct since the completion of the sentence. 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 record checks for local law enforcement agencies on the computer. In 1998, staff checked for records on 900 police academy and gun permit applicants. Staff also responded to 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 1200 phone calls.

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

APPLICATIONS RECEIVED AND ACTION TAKEN IN 1998

	<u>No. of Appl. Considered</u>	<u>No. of Appl. Not Eligible/Denied</u>	<u>No. Granted</u>
Pardons/Commutations	4	3 Not Eligible/4 Denied	0
Pardons Extraordinary	19	6 Denied	13

PARDONS EXTRAORDINARY GRANTED IN 1998

<u>APPLICANT</u> (AGE AT TIME OF CONVICTION)	<u>YR. OF CONVICTION</u>	<u>CRIME(S)</u>
Cardelli, Theodore J 38	1978	Murder, 3rd Degree
Hultgren, Jimmy Dean 23	1985	Assault, 2nd Degree
Messerschmidt, Jane Marie 24, 30	1981 1987	Theft, Wrongfully Obtaining Public Assistance Theft, Wrongfully Obtaining Public Assistance
Olander, James Merle 23	1954	Grand Larceny, 2nd Degree
Tully, Stephen Randolph 18, 19	1981 1982	Aggravated Robbery Escape from Custody
Buetow, Terry Lee 39	1987	Theft by Swindle
Galloway, Emmett Arthur 21	1962	Burglary, 3rd Degree
Licari, Joseph Michael 19-21	1973-1975	Burglary Burglary Drugs - Prohibited Acts
Nielson-Henning, Kristina M 22	1985	Wrongfully Obtaining Assistance - Theft
Stoltz, Robert John 26	1987	Drugs - Prohibited Acts

Vetrano, John Barry
50

1990

Receiving Stolen Property

Grieger, Robert Eugene
18

7/21/80

Aggravated Robbery

Williams, Arnold R
16

1/15/82

Aggravated Robbery

Y E A R	Total P/C Appl. Sent	PARDONS				COMMUTATIONS				PARDONS EXTRAORDINARY				
		Appl. Submitted	Appl. Ret'n/ Not Elig.	Appl. Accepted	Granted	Appl. Submitted	Appl. Ret'n/ Not Elig.	Appl. Accepted	Granted	Total PE Appl. Sent	Appl. Submitted	Appl. Ret'n/ Not Elig.	Appl. Accepted	Granted
1983	25								1		48			41
1984	27				1						45			35
1985	27								1		27			27
1986	28										37			35
1987	21										29			27
1988	18										45			35
1989	20										41			35
1990	29										51			38
1991	7										53			39
1992	23	8	0	8		15	0	15			114	52	62	24
1993	12	4	0	4		8	0	8			41	11	30	20
1994	20	8	1	7		12	4	8			29	8	21	19
1995	13					13	2	11			38	4	34	22
1996	5 Comm. 8 Pardon	3	0	3	0	1	0	1	0	98	27	5	22	21
1997	5 Comm. 14 Pardon	5	3	2	0	3	2	1	0	104	29	5	24	19
1998	10	7	3	4	0	0	0	0	0	58	23	4	19	13