

Minnesota Board of Pardons

Annual Report to the Legislature – 2001 Activity

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2001 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 15 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 that exempts the convicted person from the punishment imposed by 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 2001, staff of the Board of Pardons sent out 131 applications for pardon extraordinary and 28 for pardon/commutation in response to requests made. When an application is requested, 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 2001. The Board resolved that applicants who need pardons extraordinary to be licensed police officers need to wait at least 10 years from their discharge date before they will be heard by the Board. There were five requests to be heard for pardon and commutation; however, investigation revealed that none of the applicants had any new evidence not heard by the Court of Appeals. Therefore, there were no pardon and commutation applicants heard by the board.

Other Activities

The database for information on applicants, which was completed in 1996, has enabled staff to complete automated record checks for local law enforcement agencies. In 2001, staff checked for records on 653 police academy and gun permit applicants. Staff also responded to 123 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 nearly 400 phone calls.

APPLICATIONS RECEIVED AND ACTION TAKEN IN 2001

	<u>Number of Appli- cations Considered</u>	<u>Number of Applications Not Eligible/Denied</u>	<u>Number Granted</u>
Pardons/Commutations	5	5 Not Eligible/0 Denied	0
Pardons Extraordinary	21	8 Not Eligible/6 Denied	7

PARDONS EXTRAORDINARY GRANTED IN 2001

<u>Applicant</u> (age at time of conviction)	<u>Year of Conviction</u>	<u>Crime(s)</u>
Blumer, Dean Earl 16	1951 1952	Grand Larceny 2 nd Degree Grand Larceny 2 nd Degree
Bohs, Michelle Clara 34	1992	Misdemeanor/Prostitution
Dunleavy, Martin Joseph 18	1989	Misdemeanor/Theft
Flynn, Terrence Robert 20	1989	Misdemeanor/Shoplifting
Lindahl, Craig David 20	1981	Burglary Burglary Simple Robbery
Sheppard, Buford Dwayne 22	1980	Burglary
Schultz, Valerie Joy 22	1976 1988	Theft Unlicensed Sale of Controlled Substance