



# STATE OF MINNESOTA

## Office of Governor Tim Pawlenty

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

May 27, 2010

The Honorable Senator James Metzen  
President of the Senate  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
322 State Capitol Building  
Saint Paul, Minnesota 55155

Dear President Metzen:

I have vetoed and am returning Chapter 381, Senate File 560, a bill that would make it easier to obtain an expungement of a criminal conviction. Although return of the bill to the house of origin and a veto message are not required because the Legislature has adjourned *sine die*, I wanted to share my concerns about this bill with the Legislature.

Perhaps the most fundamental obligation of state government is the safeguarding of its citizens, especially against the harm posed by criminal predation. Our criminal justice system rightly imposes punishment on those who wrongfully harm others, while also recognizing the value of individual redemption.

Minnesota's current expungement law correctly weighs these competing interests, allowing expungement only as an "extraordinary remedy" that may be granted only upon "clear and convincing evidence that it would yield a benefit to the petitioner commensurate with the disadvantages to the public and public safety" (Minn. Stat. 609A.03, Subdivision 5).

This bill upsets that appropriate balance and is therefore vetoed.

Sincerely,

A handwritten signature in black ink, appearing to be "T. Pawlenty", written over a horizontal line.

Tim Pawlenty  
Governor

President Metzen/SF 560

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cc: Representative Margaret Anderson Kelliher, Speaker of the House  
Senator Lawrence J. Pogemiller, Majority Leader  
Senator David Senjem, Minority Leader  
Senator Ron Latz  
Representative Kurt Zellers, Minority Leader  
Representative Bobby Joe Champion  
Mr. Peter S. Wattson, Secretary of the Senate (Legislative)  
Mr. Albin Mathiowetz, Chief Clerk of the House of Representatives  
Mr. Mark Ritchie, Secretary of State