

STATE OF MINNESOTA
IN SUPREME COURT

A19-0389

Court of Appeals

Anderson, J.

Dennis Charles Roberts,

Appellant,

vs.

Filed: July 8, 2020
Office of Appellate Courts

State of Minnesota,

Respondent.

Cathryn Middlebrook, Chief Appellate Public Defender, Jennifer Lauermann, Assistant State Public Defender, Saint Paul, Minnesota, for appellant.

Keith Ellison, Attorney General, Saint Paul, Minnesota; and

Michael O. Freeman, Hennepin County Attorney, Jean Burdorf, Assistant County Attorney, Minneapolis, Minnesota, for respondent.

S Y L L A B U S

Juvenile delinquency adjudications for felony-level offenses listed in Minn. Stat. § 624.712, subd. 5 (2018), may be deemed “felony convictions” for the purpose of the statutory definition of a “crime of violence.”

Affirmed.

Considered and decided by the court without oral argument.

OPINION

ANDERSON, Justice.

Appellant Dennis Charles Roberts was charged with possession of a firearm by an ineligible person, which, among other things, required proof that he “ha[d] been convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing . . . a crime of violence.” Minn. Stat. § 624.713, subd. 1(2) (2018). The term “crime of violence” is defined as “felony convictions of the following offenses: . . . chapter 152 (drugs, controlled substances).” Minn. Stat. § 624.712, subd. 5 (2018). On October 24, 2016, Roberts pleaded guilty to the charged offense. As part of his factual basis, Roberts admitted that, in 2013, he had been adjudicated delinquent for committing fifth-degree possession of a controlled substance in violation of Minn. Stat. § 152.025, subd. 2(a)(1) (2014). The district court accepted his plea, stayed execution of a 60-month sentence, and placed Roberts on probation for 5 years.

Roberts subsequently filed a petition for postconviction relief, arguing that his 2016 guilty plea lacked an adequate factual basis because his admission that he had been adjudicated delinquent for a fifth-degree drug offense, which was for a violation of section 152.025, subdivision 2, failed to satisfy the definition of “a crime of violence.” He argued that his juvenile delinquency adjudication did not qualify as a crime of violence because, under Minn. Stat. § 260B.245 (2018), a delinquency adjudication cannot “be deemed a conviction of crime.” The district court denied Roberts’s petition for postconviction relief, and the court of appeals affirmed. Because section 260B.245 contains an exception for juveniles who have been adjudicated delinquent for a felony-level offense listed in Minn.

Stat. § 624.712, subd. 5, we conclude that such adjudications may be deemed “felony convictions” for the purpose of the statutory definition of a crime of violence. We therefore affirm.

FACTS

In 2013, when Roberts was a juvenile, he was charged with felony fifth-degree possession of a controlled substance under Minn. Stat. § 152.025, subd. 2(a)(1). Roberts pleaded guilty to the charged offense and was adjudicated delinquent. On December 5, 2015, after he had become an adult, Roberts was charged with possession of a firearm by an ineligible person in violation of Minn. Stat. § 624.713, subd. 1(2). Roberts pleaded guilty to the charge and, although he was sentenced to 60 months in prison, he was given a dispositional departure, a stayed execution of the prison sentence, and placed on probation for 5 years. Roberts violated the terms of his probation, and the district court revoked the stay and, on March 23, 2018, executed the 60-month prison sentence.

On January 7, 2019, Roberts petitioned for postconviction relief. The gravamen of his petition was that his guilty plea for possession of a firearm by an ineligible person lacked an adequate factual basis because his admission that he had been adjudicated delinquent for a violation of section 152.025, subdivision 2, failed to satisfy the definition of “a crime of violence,” which requires a felony conviction of certain offenses. *See* Minn. Stat. § 624.712, subd. 5 (2018). Roberts argued that a crime of violence requires a felony conviction for the predicate offense of fifth-degree possession of a controlled substance and that his juvenile delinquency adjudication is not a felony conviction.

The district court denied his petition. It reasoned that if the definition of “a crime of violence” required a felony conviction, the phrase “adjudicated delinquent of . . . a crime of violence,” which is used in several statutes, would be rendered meaningless. Roberts appealed, and the court of appeals affirmed, using an analysis that relied on our decision in *State v. Moon*, 463 N.W.2d 517 (Minn. 1999). See *Roberts v. State*, 933 N.W.2d 418, 422–23 (Minn. App. 2019). We granted review.

ANALYSIS

Roberts argues that the district court and the court of appeals erred by interpreting the phrase “felony convictions,” as used in the statutory definition of “crime of violence,” Minn. Stat. § 624.712, subd. 5, to include his 2013 delinquency adjudication. According to Roberts, his admission that he had been adjudicated delinquent for a violation of section 152.025, subdivision 2, failed to satisfy the “felony convictions” requirement of the statutory definition of a crime of violence. He argues that the language of subdivision 5 is unambiguous and that, even if it were ambiguous, his reading is the correct reading, in part, because Minn. Stat. § 260B.245, subd. 1(a) (2018), states that a delinquency adjudication shall not “be deemed a conviction of crime.”

In light of Roberts’s arguments, we face the question of whether the phrase “felony convictions,” as used in the statutory definition of a crime of violence, includes a juvenile delinquency adjudication for a felony violation of an offense listed in Minn. Stat. § 624.712, subd. 5 (2018). Because the question involves an issue of statutory interpretation, our review is de novo. *State v. Stay*, 935 N.W.2d 428, 430 (Minn. 2019). “Under the de novo standard, we do not defer to the analysis of the courts below, but

instead we exercise independent review.” *Wheeler v. State*, 909 N.W.2d 558, 563 (Minn. 2018).

Our goal in statutory interpretation is to “ascertain and effectuate the intent of the Legislature.” *State v. Henderson*, 907 N.W.2d 623, 625 (Minn. 2018). “The preliminary step in statutory interpretation is to determine whether the language, on its face, is ambiguous.” *State v. Robinson*, 921 N.W.2d 755, 758 (Minn. 2019). A statute is ambiguous when the disputed language is subject to more than one reasonable interpretation. *State v. Riggs*, 865 N.W.2d 679, 682 (Minn. 2015). We read a statute “as a whole and interpret each section in light of the surrounding sections” in an effort “to avoid conflicting interpretations.” *State v. Scovel*, 916 N.W.2d 550, 555 (Minn. 2018) (citations omitted) (internal quotation marks omitted). When possible, we interpret statutes to give effect to all parts and “no word, phrase, or sentence will be held superfluous, void, or insignificant.” *Rushton v. State*, 889 N.W.2d 561, 564 (Minn. 2017) (citation omitted) (internal quotation marks omitted).

We begin our analysis by looking at the language of Minn. Stat. § 260B.245.

Subdivision 1(a) reads:

No adjudication upon the status of any child in the jurisdiction of the juvenile court shall operate to impose any of the civil disabilities imposed by conviction, nor shall any child be deemed a criminal by reason of this adjudication, *nor shall this adjudication be deemed a conviction of crime*, except as otherwise provided in this section or section 260B.255.

(Emphasis added.) An exception to this general rule is found in subdivision 1(b), which states: “A person who was *adjudicated delinquent for*, or convicted as an extended jurisdiction juvenile of, *a crime of violence* as defined in section 624.712, subdivision 5, is

not entitled to ship, transport, possess, or receive a firearm for the remainder of the person's lifetime." Minn. Stat. § 260B.245, subd. 1(b) (2018) (emphasis added).

When the plain language of subdivision 1(a) and 1(b) is viewed as a whole, we conclude that a juvenile delinquency adjudication for felony-level offenses listed in Minn. Stat. § 624.712, subd. 5, may be deemed "felony convictions" and meet the statutory definition of a crime of violence. To hold otherwise would render superfluous the phrase in subdivision 1(b), "adjudicated delinquent for . . . a crime of violence," which also appears in several other statutory provisions. *See* Minn. Stat. § 624.713, subd. 1(2) (2018) (prohibiting possession of certain firearms by a person "adjudicated delinquent . . . of a crime of violence"); *see also* Minn. Stat. §§ 260B.171, subd. 9 (addressing public access to juvenile records where "the juvenile has been adjudicated delinquent of a crime of violence"), 609.165, subd. 1d (allowing a person prohibited "from shipping, transporting, possessing, or receiving a firearm or ammunition because of a conviction or a delinquency adjudication for committing a crime of violence" to petition a court to restore the person's ability to do so), 624.713, subd. 3(a) (stating that a person "convicted of, or *adjudicated delinquent* or convicted as an extended jurisdiction juvenile for committing, a *crime of violence* as defined in section 624.712, subdivision 5," must be informed of the consequences of possessing a prohibited firearm, and the failure to do so "does not affect the applicability of the [firearms] possession prohibition or the felony penalty to that defendant" (emphasis added)) (2018). Consequently, the district court and the court of appeals did not err by concluding that the phrase "felony convictions," as used in the

statutory definition of crime of violence, includes a juvenile delinquency adjudication for felony-level offenses listed in Minn. Stat. § 624.712, subd. 5.

Having resolved the issue of statutory interpretation, we conduct a stepwise progression through the relevant statutes. First, Minn. Stat. § 624.713, subd. 1(2), prohibits a person “adjudicated delinquent . . . of a crime of violence” from possessing certain firearms. Second, Minn. Stat. § 624.712, subd. 5, defines a “crime of violence” as “felony convictions” for, among other things, a felony-level fifth-degree controlled-substance offense. Third, under Minn. Stat. § 260B.245, subd. 1(b), Roberts’s 2013 delinquency adjudication may be deemed a felony conviction for the purpose of the statutory definition of a crime of violence. Based on this stepwise progression through the relevant statutes, we conclude that Roberts provided an adequate factual basis for his guilty plea, and therefore the court of appeals did not err by affirming the district court’s denial of Roberts’s postconviction petition.

CONCLUSION

For the foregoing reasons, we affirm the decision of the court of appeals.

Affirmed.