

Agency Purpose

With public safety as its first priority, the Minnesota Sentencing Guidelines Commission maintains and modifies the sentencing guidelines that govern all felony sentences in the state, in order to support the development of policy and practice in keeping with Minnesota's sentencing goals: public safety, proportionality, avoidance of unfair disparity, rational use of correctional resources, and transparency.

In doing its work, the Commission gathers input from a variety of sources:

- ◆ the Minnesota legislature and governor, who make changes in penal statutes that must be incorporated into the guidelines;
- ◆ trial judges, who implement the guidelines when they impose felony sentences;
- ◆ appellate courts, whose decisions concerning sentencing may necessitate guidelines changes;
- ◆ corrections officers and administrators who carry out sentences;
- ◆ prosecutors and defense attorneys, who seek just outcomes for their respective clients;
- ◆ law enforcement officers, who are most aware of trends in criminal conduct and enforcement strategies; and
- ◆ citizens, including crime victims, who provide input from those who do not work within the criminal justice system.

At A Glance

The Sentencing Guidelines Commission is an 11 - member body created by the legislature to develop Minnesota's Guidelines, a set of rules that judges must apply in felony sentencing. Three of the members are judges appointed by the Chief Justice of the Supreme Court; the remainder are appointed by the governor and include the commissioner of Corrections, a peace officer, a prosecutor, a defense attorney, a probation officer and public citizens, one of whom must be a crime victim. The Commission employs a full-time staff to maintain the guidelines, train criminal justice professionals, collect and analyze data, and respond to the public's questions regarding sentencing.

In 1981, when the guidelines went into effect, 5,500 felons were sentenced. In 2004, 14,751 were sentenced. Sentence lengths have increased dramatically and the sentencing guidelines have become far more complex, due to statutory enhancements and mandatory minimums. The Commission strives to maintain a sentencing system that balances public safety concerns with consistent and proportional sentences.

Core Functions

The Commission maintains the guidelines and processes data needed as a foundation for sentencing policy and practice by performing the following tasks:

- ◆ annually revising the sentencing guidelines to capture changes in the law;
- ◆ collecting, cleaning, and storing data on all felony sentences;
- ◆ training practitioners to use the guidelines in their daily work;
- ◆ answering practitioners' questions on how to apply the guidelines in specific cases;
- ◆ providing legislators with fiscal impact notes on proposed and enacted criminal laws;
- ◆ evaluating outcomes of changes in sentencing policy;
- ◆ working on CriMNet and other integrated statewide criminal justice data systems;
- ◆ doing research and providing reports, as requested by the legislature, to other policymakers, and – to the extent resources allow – by the public;
- ◆ proposing changes in sentencing for legislative consideration; and
- ◆ providing education on sentencing law and policy.

Operations

⇒ The Commission employs 5.75 full-time equivalent employees to perform the core functions set out above. In FY 2006, the staff reviewed 19,736 electronic worksheets, collecting and processing data on felony sentences. They responded to 58 data requests and answered 2,399 telephone questions from practitioners regarding application of the guidelines in specific cases. They prepared 38 fiscal notes on proposed bills for

the governor and legislature; twice as many are typically prepared in a budget year. Staff provided 12 full-day and half-day training sessions throughout Minnesota.

- ⇒ Staff prepared and published the annual revision of the sentencing guidelines; they prepared materials for public hearings, as well as timely notices of public meetings and hearings.
- ⇒ The Commission created a new Sex Offender Sentencing Grid, which the legislature approved for implementation beginning August 1, 2006. The Grid is an example of the Commission's work in promoting sound sentencing policy.
- ⇒ The Commission prepared an annual report for the legislature, summarizing the year's activities and setting out proposed changes in the guidelines. It routinely prepared statistical reports on various sentencing issues.

Key Measures

- ⇒ The Commission delivers its annual report to the legislature at the beginning of each session.
- ⇒ The Commission delivers research/reports requested by the legislature in a timely manner.
- ⇒ All fiscal notes are delivered to legislative decision-makers within the specified time limits.
- ⇒ Guidelines questions from practitioners are answered immediately.
- ⇒ Each year's guidelines are published electronically and on paper, so as to be available for use on August 1.

Budget

The Commission is funded through a \$926,000 General Fund appropriation for the biennium. There are 5.75 FTEs.

Contact

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Further information, including meeting dates and times, information on public hearings, e-mail address, and previously issued reports, may be found at:
<http://www.msgc.state.mn.us>

Dollars in Thousands

	Current		Forecast Base		Biennium 2008-09
	FY2006	FY2007	FY2008	FY2009	
<u>Direct Appropriations by Fund</u>					
General					
Current Appropriation	463	463	463	463	926
Forecast Base	463	463	463	463	926
Change		0	0	0	0
% Biennial Change from 2006-07					0%
 <u>Expenditures by Fund</u>					
Direct Appropriations					
General	402	570	463	463	926
Total	402	570	463	463	926
 <u>Expenditures by Category</u>					
Total Compensation	334	436	385	390	775
Other Operating Expenses	68	134	78	73	151
Total	402	570	463	463	926
 <u>Expenditures by Program</u>					
Mn Sentencing Guideline Com	402	570	463	463	926
Total	402	570	463	463	926
Full-Time Equivalent (FTE)	5.2	5.8	5.5	5.5	