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↻ Designates that this item is a change item

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.

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, other policy-makers, and – to the extent resources allow – by the public;
- ◆ proposing changes in sentencing for legislative consideration; and,
- ◆ providing education on sentencing law and policy.

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 Supreme Court; the remainder are appointed by the Governor and includes 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 2007, the agency began to provide the legislature with data on the racial impact of proposed criminal laws; Minnesota was the first state in the nation to give lawmakers this information.

In 1981, when the guidelines went into effect, 5,500 felons were sentenced. In 2006, 16,446 felons were sentenced. Sentencing lengths have increased dramatically and the sentencing guidelines have become far more complex, due to statutory enhancements and mandatory minimums. First-degree criminal sexual conduct is one offense for which sentence lengths have increased greatly over time. Since the Guidelines went into effect, the presumptive sentence has increased by over 100 months for an offender with no criminal history. In 1981, the presumptive sentence for this offense was 43 months; in 2000, the Legislature imposed a presumptive sentence of 144 months.

Operations

The Commission employs 7.75 full-time employees to perform the core functions set out above. In fiscal 2007, the staff:

- ◆ reviewed 19,594 electronic worksheets, collecting and processing data on felony sentences;
- ◆ responded to 69 data requests;
- ◆ answered 2,566 telephone questions from practitioners regarding application of the guidelines in specific cases;
- ◆ prepared 36 fiscal notes on proposed bills for the governor and legislature, twice as many are typically prepared in a budget year;
- ◆ provided 130 hours of training throughout Minnesota;
- ◆ prepared and published the annual revision of the sentencing guidelines;
- ◆ prepared materials for public hearings, as well as timely notices of public meetings and hearings.
- ◆ The Commission prepared an annual report for the legislature, summarizing the year's activities and setting out proposed changes in the guidelines. It routinely prepares statistical reports on various sentencing issues.
- ◆ The Commission completed four studies requested by the legislature concerning subjects outside of the agency's core sentencing responsibilities.

Key Goals

The Guidelines Commission supports the Minnesota Milestone goal of cost-efficient government by providing services designed to meet the needs of the people who use them. By providing up-to-date, accurate data for legislators and other policy-makers to use when deciding how to spend public safety dollars and by encouraging measurement of results for programs intended to reduce crime, it also promotes cost-efficiency in other agencies and government sectors.

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 \$1.213 million general fund appropriation for the biennium. There are 7.75 FTEs.

Contact

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

Dollars in Thousands

	Current		Governor Recomm.		Biennium 2010-11
	FY2008	FY2009	FY2010	FY2011	
<u>Direct Appropriations by Fund</u>					
General					
Current Appropriation	704	609	609	609	1,218
Recommended	704	609	579	579	1,158
Change		0	(30)	(30)	(60)
% Biennial Change from 2008-09					-11.8%
<u>Expenditures by Fund</u>					
Carry Forward					
Miscellaneous Special Revenue	3	0	0	0	0
Direct Appropriations					
General	611	672	579	579	1,158
Statutory Appropriations					
Gift	0	36	0	0	0
Total	614	708	579	579	1,158
<u>Expenditures by Category</u>					
Total Compensation	519	547	492	492	984
Other Operating Expenses	95	161	87	87	174
Total	614	708	579	579	1,158
<u>Expenditures by Program</u>					
Mn Sentencing Guideline Com	614	708	579	579	1,158
Total	614	708	579	579	1,158
Full-Time Equivalentents (FTE)	8.3	6.9	6.5	6.5	

<i>Dollars in Thousands</i>				
	FY2009	Governor's Recomm.		Biennium
		FY2010	FY2011	2010-11
Fund: GENERAL				
FY 2009 Appropriations	609	609	609	1,218
Subtotal - Forecast Base	609	609	609	1,218
Change Items				
Operating Budget Reduction	0	(30)	(30)	(60)
Total Governor's Recommendations	609	579	579	1,158
Fund: GIFT				
Planned Statutory Spending	36	0	0	0
Total Governor's Recommendations	36	0	0	0

SENTENCING GUIDELINES COMM

Change Item: Operating Budget Reduction

Fiscal Impact (\$000s)	FY 2010	FY 2011	FY 2012	FY 2013
General Fund				
Expenditures	\$(30)	\$(30)	\$(30)	\$(30)
Revenues	0	0	0	0
Other Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact	\$(30)	\$(30)	\$(30)	\$(30)

Recommendation

The Governor recommends a reduction of \$30,000 in FY 2010 and \$30,000 in FY 2011 to the Minnesota Sentencing Guidelines Commission's general fund operating budget. The Governor intends that the agency should focus its funding on maintaining its highest priority services. In addition, the Governor intends to provide as much flexibility as possible to the agency for implementation of these reductions.

Background

The operating budget of \$1.158 million recommended for the biennium includes funding for activities such as maintaining the sentencing guidelines to reflect changes in the law, compiling accurate data on felony sentencing, and providing fiscal impact analysis on proposed and enacted changes in criminal law. Other activities, such as doing research and reports on criminal justice issues may be affected by this reduction.

Relationship to Base Budget

This proposal represents a 5% base level reduction to the general fund budget.

Key Goals and Measures

This change item may affect the following agency goals and performance measures:

- ◆ Timeliness of reporting accurate, up-to-date information to decision-makers; and
- ◆ Scope of research and reports provided to the legislature and others.

The budget submitted for this agency seeks to safeguard core activities and reduce administrative overhead. The agency will manage budget reductions through various service level reductions or eliminations, staffing decreases, and/or operating expense reductions.

Statutory Change: None

Dollars in Thousands

	Actual FY2008	Budgeted FY2009	Governor's Recomm. FY2010 FY2011		Biennium 2010-11
<u>Non Dedicated Revenue:</u>					
Other Revenues:					
General	6	0	0	0	0
Total Non-Dedicated Receipts	6	0	0	0	0
<u>Dedicated Receipts:</u>					
Other Revenues:					
Gift	26	0	0	0	0
Total Dedicated Receipts	26	0	0	0	0
Agency Total Revenue	32	0	0	0	0