SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 5215

(SENATE AUTHORS: CARLSON)

DATE	D-PG	OFFICIAL STATUS
04/27/2026	9173	Introduction and first reading Referred to Judiciary and Public Safety

A bill for an act

relating to corrections; requiring the commissioner of corrections to establish a graduated sanctions grid for technical violations of probation, parole, and supervised release; mandating use of the graduated sanctions grid; limiting revocations for technical violations; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 244.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[244.52] SHORT TITLE.**

Sections 244.52 to 244.57 may be cited as the "Swift and Certain Sanctions Act."

Sec. 2. **[244.53] DEFINITIONS.**

(a) For purposes of sections 244.54 to 244.57, the following terms have the meanings given.

(b) "Commissioner" means the commissioner of corrections.

(c) "Community supervision agencies" means any state, county, or local department, agency, or authority responsible for supervising individuals under court-ordered community supervision, including probation, parole, supervised release, or other post-custody oversight.

(d) "Noncustodial sanction" means a sanction that does not involve confinement in a jail or prison.

(e) "Technical violation" means a violation of a condition of probation, parole, or supervised release that does not constitute a new criminal offense and does not involve conduct that presents an identifiable and immediate threat to public safety.

(f) "Validated risk assessment" means an assessment instrument demonstrated by scientific research to be accurate and reliable in assessing the risks and needs of the specific population on which the assessment was validated.

Sec. 3. **[244.54] GRADUATED SANCTIONS GRID; CREATION.**

Subdivision 1. **Creation.** By February 1, 2027, the commissioner of corrections must establish and maintain a statewide graduated sanctions grid governing responses to technical violations of probation, parole, and supervised release.

Subd. 2. **Consultation.** In developing the grid, the commissioner must consult with:

(1) the Sentencing Guidelines Commission;

(2) community supervision agencies;

(3) the judicial branch; and

(4) justice research entities with expertise in evidence-based supervision practices.

Subd. 3. **General requirements.** The graduated sanctions grid must:

(1) classify technical violations into severity levels according to section 244.55;

(2) incorporate validated risk assessment results;

(3) provide presumptive and proportional sanctions that escalate with repeated violations; and

(4) prioritize noncustodial sanctions unless clearly insufficient to achieve compliance.

Sec. 4. **[244.55] GRADUATED SANCTIONS GRID STRUCTURE; MANDATORY USE.**

Subdivision 1. **Structure.** (a) The graduated sanctions grid must be organized by:

(1) violation levels on the vertical axis ranging from a first minor violation through a third minor violation and a first major violation through a third major violation;

(2) the following risk levels on the horizontal axis:

(i) very high;

(ii) high;

(iii) moderate;

(iv) low; and

(v) administrative; and

(3) sanction response ranges that correspond to an appropriate violation and risk level.

(b) The sanction response ranges are:

(1) range 1, a verbal or written warning, increased reporting, drug testing, and coaching;

(2) range 2, electronic monitoring, increased treatment, and a curfew for up to 60 days;

(3) range 3, a curfew of up to 120 days and 30 to 40 hours of community service; and

(4) range 4, a curfew of up to 180 days, additional community service, additional jail time, and revocation referral.

Subd. 2. **Mandatory use.** (a) Beginning April 1, 2027, when responding to a technical violation, a supervising authority or court must apply the graduated sanctions grid. A departure from the presumptive sanction in the grid must only occur upon written findings by the supervising authority or court that:

(1) the presumptive sanction is insufficient to address continued noncompliance; or

(2) the violation presents an identifiable and immediate risk to public safety.

(b) There is a rebuttable presumption that incarceration is not an appropriate response to a technical violation.

(c) All sanctions imposed for technical violations must be documented and tracked by the supervising authority for purposes of progressive responses.

Sec. 5. **[244.56] LIMITS ON REVOCATION.**

Subdivision 1. **Exhaustion requirement.** Probation, parole, or supervised release must not be revoked for a technical violation unless the supervising authority has:

(1) applied graduated sanctions consistent with the grid; and

(2) documented that noncustodial sanctions have been exhausted or proven ineffective.

Subd. 2. **Threshold for revocation.** Revocation for a technical violation may only be imposed after three or more prior technical violations have occurred, unless the court finds that the violation presents an immediate and substantial threat to public safety.

Sec. 6. **[244.57] DATA COLLECTION AND REPORTING.**

Subdivision 1. **Data collection.** The commissioner must collect data on:

(1) technical violations;

(2) sanctions imposed under the grid;

(3) the use of custodial sanctions;

(4) revocations; and

(5) disparities by race, ethnicity, and geography.

Subd. 2. **Annual report.** The commissioner must submit an annual report to the chairs and ranking minority members of the legislative committees with jurisdiction over public safety summarizing implementation of the graduated sanctions grid and outcomes resulting from use of the graduated sanctions grid.