

Minn. Stat. Ann. § 244.09 (West)

Subd. 6. Clearinghouse and information center. The commission, in addition to establishing Sentencing Guidelines, shall serve as a clearinghouse and information center for the collection, preparation, analysis and dissemination of information on state and local sentencing practices, and shall conduct ongoing research regarding Sentencing Guidelines, use of imprisonment and alternatives to imprisonment, plea bargaining, and other matters relating to the improvement of the criminal justice system. The commission shall from time to time make recommendations to the legislature regarding changes in the Criminal Code, criminal procedures, and other aspects of sentencing.

This information shall include information regarding the impact of statutory changes to the state's criminal laws related to controlled substances, including those changes enacted by the legislature in Laws 2016, chapter 160.

MSGC Report to the Legislature, January 1, 1980, page 21

- E. **Ongoing Research, and Other Commission Responsibilities:** In addition, as directed by the legislation, the Commission will continue to serve as an information clearinghouse on sentencing practices and will conduct other research related to sentencing guidelines, use of imprisonment and alternatives to imprisonment, plea negotiations, and other matters related to the improvement of criminal justice. The substance of such research will be defined by the Commission in cooperation with the legislature. Finally, after the implementation of sentencing guidelines, the Commission will review the powers and duties of the Minnesota Corrections Board and make recommendations to the Legislature on the appropriate role, if any, of the Board under the guidelines.

Racial Disparity Calculations

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2010 Census – Minnesota

Total adult population – 4,020,570
White adult population – 86.1% = 3,461,711
Black adult population – 4.3% = 172,885
Hispanic adult population – 3.7% = 148,761
Asian adult population – 3.7% = 148,761
Am. Indian adult population – 1.0% = 40,205
Identifying two or more races – 1.2% = 48,247¹

January 1, 2017, Department of Corrections Data – Adult Prison Population = 9,869²

White adult prison population – 47.3% = 4,668
Black adult prison population – 34.4% = 3,395
Hispanic adult prison population – 6.3% = 622
Asian adult prison population – 2.6% = 257
Am. Indian prison population – 9.2% = 908³

Imprisonment Rates Per 100,000⁴

White – 4,668/3,461,711 x 100,000 = 135	
Black – 3,395/172,885 x 100,000 = 1,964.....	<u>14.5 to 1 disparity</u>
Hispanic – 622/148,761 x 100,000 = 418.....	<u>3.1 to 1 disparity</u>
Asian – 257/148,761 x 100,000 = 172.....	<u>1.3 to 1 disparity</u>
Am. Indian – 908/40,405 x 100,000 = 2,258.....	<u>16.8 to 1 disparity</u>

¹ I obtained the total Minnesota adult population from 2010 census data. I obtained the racial percentages from the MSGC February 6, 2017, Racial Impact Statement for HF34.

² I obtained this number from a DOC website report.

³ I obtained the percentages from the MSGC February 6, 2017, Racial Impact Statement for HF34, which reports that this data is from DOC.

⁴ It is customary for criminologists to report imprisonment rates per a 100,000 population, even if the total relevant population is less than 100,000. The disparity rates would be the same if I had used a 10,000 or 1,000 population number.