

MEMORANDUM

DATE: February 24, 2020
FROM: Nate Reitz, Executive Director
TO: The Leadership of the Senate Judiciary and Public Safety Finance & Policy Committee, the House Public Safety and Criminal Justice Reform Finance & Policy Division, and the House Corrections Division; and Rep. Jamie Long
SUBJECT: Recommendation to Give MSGC Probation-Data Collection Authority and Resources

Pursuant to its mandate to make recommendations to the Legislature regarding changes to criminal law, criminal procedure, and sentencing, the Minnesota Sentencing Guidelines Commission respectfully recommends that the Legislature give the Commission the authority and resources to collect probation data.

Although the Commission now serves as a clearinghouse and information center for sentencing data, it does not currently acquire probation data beyond what term was pronounced at sentencing. On December 19, 2019, Representative Jamie Long asked the Commission to consider asking the Legislature to expand the Commission's authority and resources to collect additional probation data, a result intended by language in House File 997/Senate File 2477.

At its meeting on February 13, 2020, the Commission considered this request. The Commission's discussion included a number of ideas on how policymakers might benefit from more detailed information on probation terms and outcomes. For example, the Commission may be able to obtain data that would provide information about how long people actually serve on probation, the reasons for probation revocation, what types of recidivism occur, and when recidivism occurs.

The Commission, consistent with Rep. Long's request, voted unanimously, on a 10-0 vote, to recommend legislative action to authorize and resource its collection of probation data.

Please contact me if you have any questions.

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FROM: Nate Reitz, Executive Director
TO: The Leadership of the Senate Judiciary and Public Safety Finance & Policy Committee, the House Public Safety and Criminal Justice Reform Finance & Policy Division, and the House Corrections Division
SUBJECT: Recommendation to Limit Some Gross Misdemeanor Probation Lengths to Five Years

Pursuant to its mandate to make recommendations to the Legislature regarding changes to criminal law, criminal procedure, and sentencing, the Minnesota Sentencing Guidelines Commission respectfully recommends that the Legislature enact the statutory change to maximum probation lengths for certain gross misdemeanors that is reflected in [House File 689, 1st Engrossment](#).

If the Legislature permits the Commission's proposed 2020 modifications to the Sentencing Guidelines to take effect, permissible probation lengths for these select gross misdemeanors, now capped at six years, would exceed the presumptive maximum five-year probation lengths established for their felony counterparts. Because this bill would eliminate that anomaly by capping those gross-misdemeanor probation lengths at five years, the Commission supports this statutory change.

The Commission adopted this recommendation on February 13, 2020, with six votes in favor and four opposed.

Please contact me if you have any questions.