



Advancing Sentencing Policy & Data for Minnesota in Fiscal Years 2024, 2025, and Beyond

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The Commission's Agency Oversight Role

GENERAL RESPONSIBILITIES OF AN AGENCY OVERSIGHT BODY

- Oversee the agency's operations
- Provide constructive criticism to management
- Where appropriate, make oversight decisions so that the agency achieves its objectives in alignment with the agency's integrity and ethical values
- *GAO Green Book 2.03*

MSGC-SPECIFIC RESPONSIBILITY

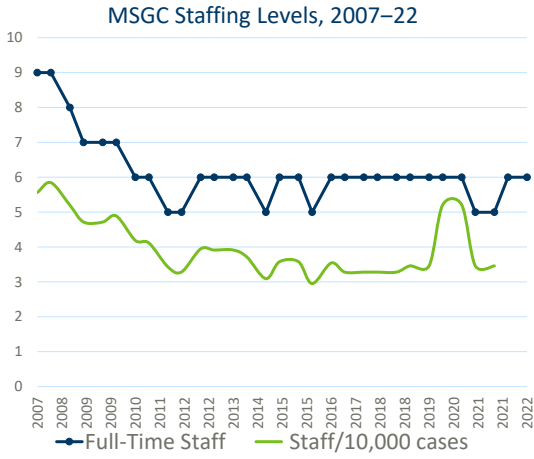
- "The commission may select and employ a research director who shall perform the duties the commission directs, including the hiring of any clerical help and other employees as the commission shall approve."
- *Minn. Stat. § 244.09, subd. 10*

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Agency Staffing Over Past Fifteen Years



- Currently fewer than 4 staff per 10,000 felony cases sentenced annually
- Compared with 2012, in 2022—
 - Same number of positions
 - Positions at static promotion level
 - In 4 of 6 positions: Personnel stability

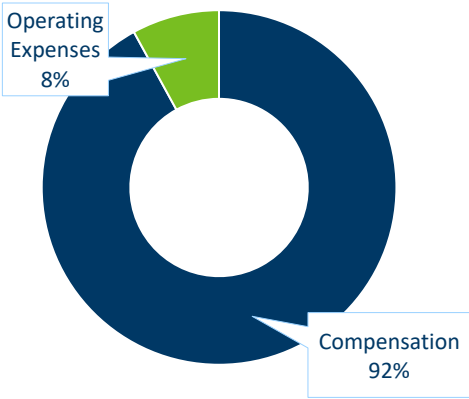
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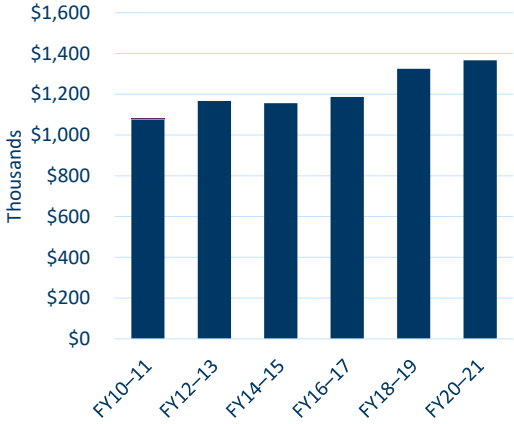
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Agency Budget

Actual Spending by Category, FY21



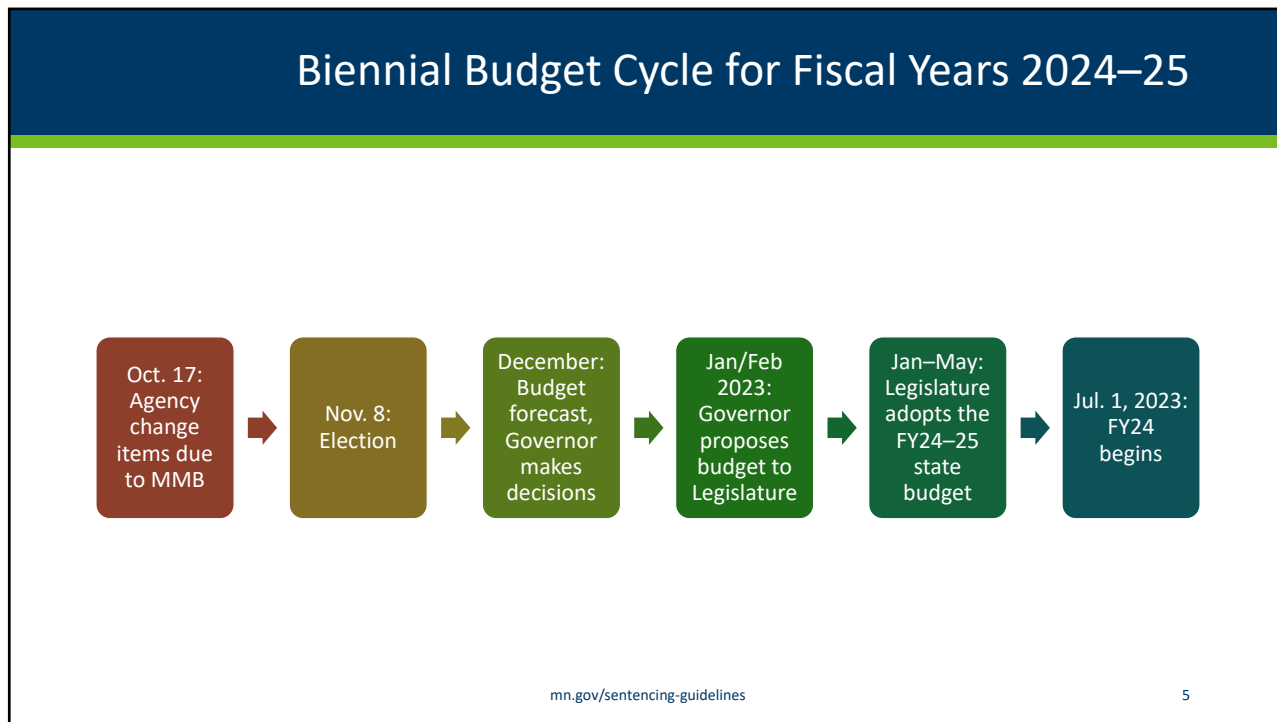
Historical Spending (General Fund)



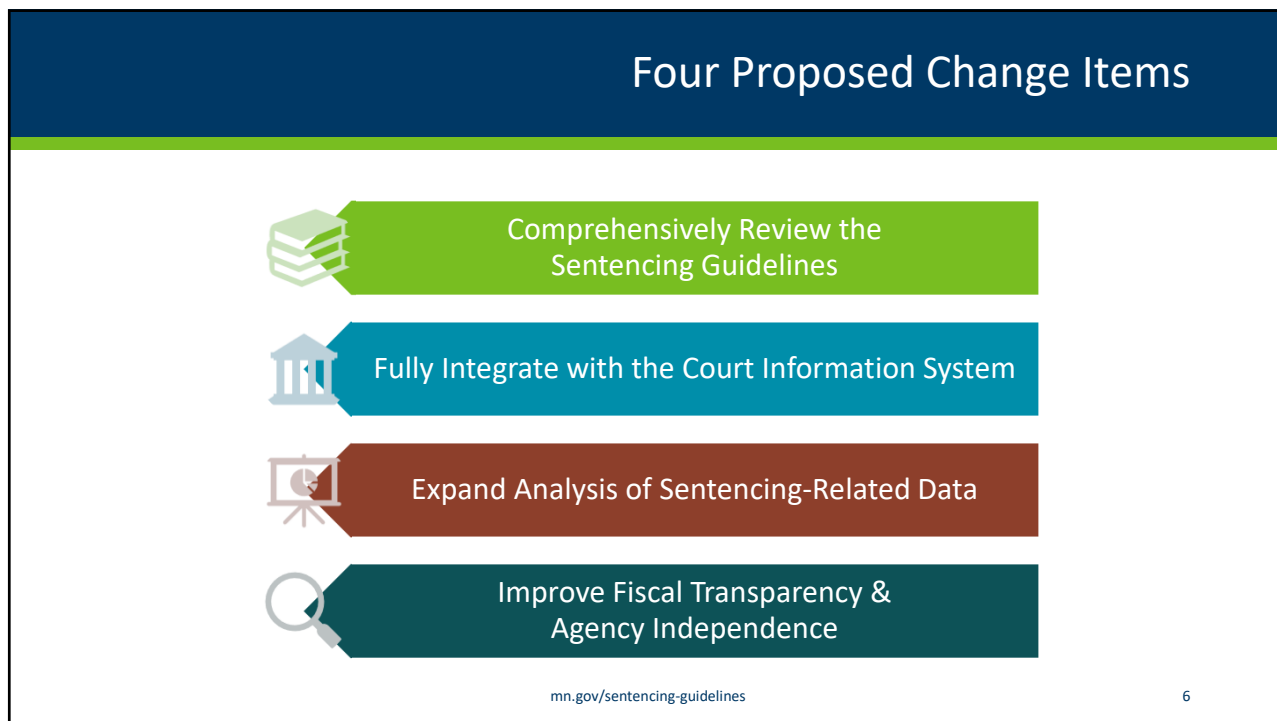
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① Comprehensively Review the Sentencing Guidelines

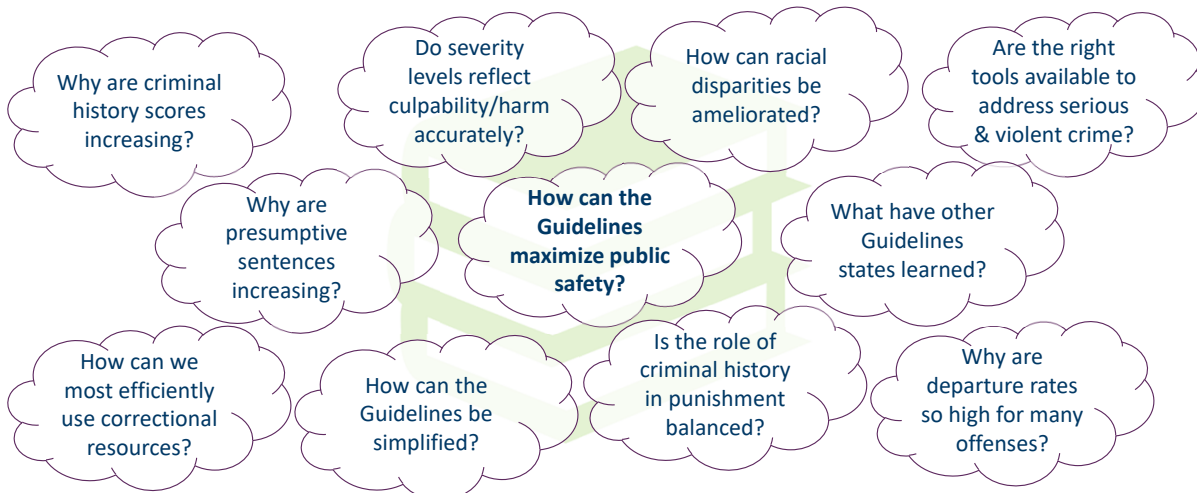
- The Minnesota Sentencing Guidelines—
 - Were the product of an intense but brief effort by the first Sentencing Guidelines Commission (1978–79)
 - Were the first sentencing guidelines in the nation (est. 1980)
 - Structure felony sentences statewide
 - Have been updated many times and reviewed in parts, but never comprehensively
- When the Guidelines were first promulgated, the Commission was not directed, as it is now, to give primary consideration to public safety
- Other sentencing guidelines from the 1980s have recently undergone comprehensive reviews
 - Pennsylvania (est. 1982)
 - Washington (est. 1984)

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Some Questions the Comprehensive Review May Answer



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Comprehensive Review – Time & Resources Needed

TIMELINE

- This is a limited-duration project. Funding would be requested for—
 - FY24–25
 - With a possible extension into FY26–27 (TBD)
- Goal: Report to Legislature no later than January 15, 2027

RESOURCES REQUIRED

- One contracted professor (1/4-time buyout at \$55,000/year)
- Two full-time research staff (temporary state employees)—
 - 1 Research Analysis Specialist (\$91,800/year comp. & info. tech.)
 - 1 Research Analyst, Intermediate (\$85,700/year comp. & info. tech.)

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② Fully Integrate with the Court Information System

- MSGC receives a monthly data dump from the Minnesota Court Information System (MNCIS)
- Documents are not passed to MSGC, and data changes are not updated, resulting in wasted time and potentially missed information
- Full, real-time MNCIS integration—including documents, not just data—would save time and improve accuracy, enabling better sentencing data analysis for the public and policymakers
- Costs are anticipated to be a blend of one-time and ongoing
- Cost estimates should be reportable to you in October

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③ Expand Analysis of Sentencing-Related Data

- MSGC currently collects more data than it has the capacity to analyze (*e.g.*, stay-of-adjudication data)
- Future data integrations will only expand our access to data (*e.g.*, plea-bargaining data through MNCIS integrations; arrest & corrections data through DOC's proposed public safety data infrastructure)
- MSGC has no research staff with time to analyze these data
- Additional research capacity would improve MSGC's fulfillment of its statutory responsibility to be state's clearinghouse and information center for sentencing & related data
 - Possibly: More recidivism research
 - Cost: One permanent, full-time Research Analyst Supervisor, Senior
 - Ongoing annual costs of \$105,800 compensation, \$2,900 info. tech., and \$5,400 office space

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④ Improve Fiscal Transparency & Agency Independence

- Although the law requires MSGC to reimburse DOC for administrative services provided, DOC gives MSGC free accounting and human-resources (HR) services
- Instead of money, there is an unwritten interagency barter arrangement—MSGC provides prison population projection assistance to DOC
- In 2002, the Legislative Auditor recommended documenting this arrangement, but that hasn't happened
- A better practice—both for fiscal transparency and agency independence—would be to contract with the Dep't of Administration's Small Agency Resources Team (SmART) for accounting & HR services
 - SmART specializes in meeting the accounting & HR needs of small agencies
 - Annual cost: \$50,000 ongoing

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Advancing Sentencing Policy & Data for Minnesota



Through these one-time and ongoing expenditures, the Legislature would—

- Update the state's aging felony sentencing structure, ensuring that it is redesigned from the bottom-up to promote public safety
- Broaden and deepen MSGC's data analysis, giving policymakers and the public better tools to make wise decisions in the areas of crime and punishment
- Improve MSGC's fiscal transparency and agency independence

Does the Commission endorse these change items?

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