

MEMORANDUM

To: Minnesota Sentencing Guidelines Commission
From: Nate Reitz, Executive Director
Date: April 4, 2024
Subject: **MSGC Position on House File 3304**

In 2021, in a bill commonly referred to as the Veterans Restorative Justice Act, the Minnesota Legislature enacted [Minn. Stat. § 609.1056](#). The statute was [amended](#) in 2023. Among its other provisions, the law requires courts to defer prosecution, upon probationary conditions, for veterans whose offense resulted from a qualifying service-related condition. Violation of probation may result in adjudication of guilt and sentencing.

[House File 3304](#), which is currently working through the committee process, would require three reports, two by the court and one by MSGC.

- If the court imposes a deferred sentence under Minn. Stat § 609.1056, subd. “2(d)” (likely “2(b)” was intended—this provides for imposition of a deferred sentence), the court must report seven pieces of data regarding that decision. This deferred sentence report must be forwarded to MSGC.
- If the court violates a condition of probation and adjudicates guilt under § 609.1056, subd. “2(f)” (likely “2(d)” was intended—this allows for such a process), the court must report four pieces of data regarding that decision. This violation report must be forwarded to MSGC.
- MSGC must summarize the data from these reports, disaggregated by county, and report the data in its annual report to the Legislature.

Representative Mark Wiens, the bill’s author, asks the Minnesota Sentencing Guidelines Commission for its position on the bill.