

Subject Probation guidelines
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Overview

In 1978, the legislature established the Minnesota Sentencing Guidelines Commission (MSGC) and, in 1980, Minnesota implemented a sentencing guidelines structure for felony offenses. The enacting statute stated that a primary goal of the sentencing guidelines is to maintain uniformity, proportionality, rationality, and predictability in sentencing. The legislature directed the MSGC to establish both the circumstances under which imprisonment of an offender is proper, and the presumptive sentence for those offenders based on the characteristics of the offense and the offender. In addition, the MSGC was given the authority, but not the duty, to establish appropriate sanctions for offenders for whom imprisonment was not proper. The MSGC has not exercised this authority.

This bill requires the MSGC to establish a presumptive probation term for offenders based on the characteristics of the offense and the offender.

Summary

Section	Description
1	<p>Promulgation of sentencing guidelines.</p> <p>Requires the Minnesota Sentencing Guidelines Commission to establish a presumptive, fixed term of probation based on reasonable offense and offender characteristics. Clarifies that district court judges retain the power to impose sentences for felony offenses that are within the limits for misdemeanor and gross misdemeanor offenses. Requires the MSGC to consider current probation practices when establishing or modifying the guidelines.</p>
2	<p>Clearinghouse and information center.</p> <p>Expands the topics for which the MSGC must serve as a clearinghouse and information center to include probation terms, conditions of probation, probation revocations, and recidivism in addition to the topics of use of imprisonment and alternatives to imprisonment, plea bargaining, and other matters relating to the improvement of the criminal justice system which the MSGC currently collects, prepares, and disseminates.</p>

Section	Description
3	Administrative services. Permits the MSGC to establish data integrations with any agency of the state for the collection of data so long as law authorizes the sharing of that data.



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