

Table of Contents
Sentencing Guidelines Commission

<i>Agency Profile</i>	1
Agency Expenditure Overview	4
Agency Financing by Fund	5
Agency Change Summary	6
<u>Change Item(s)</u>	7
<i>Operating Adjustment</i>	7

<http://mn.gov/sentencing-guidelines/>

AT A GLANCE

- 13 Minnesota Sentencing Guidelines Commission (MSGC) members represent key criminal justice stakeholders and the public
- MSGC creates and improves sentencing guidelines
- Guidelines give judges uniform standards to apply when sentencing over 14,000 felony cases annually
- MSGC staff help criminal justice professionals in all 87 counties correctly use the guidelines
- MSGC staff publish reports and conduct research on felony sentencing for the commission, legislature, and the public

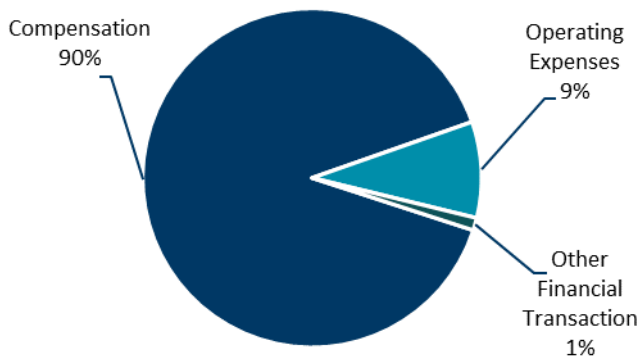
PURPOSE

The MSGC exists to establish rational and consistent sentencing standards that:

- Promote public safety
- Reduce sentencing disparity
- Recommend felony sanctions that are proportional to the crime’s severity and the offender’s criminal history
- Support the appropriate use of finite correctional resources
- The MSGC supports the statewide outcome that people in Minnesota are safe
- The MSGC supports the statewide outcome of efficient and accountable government services

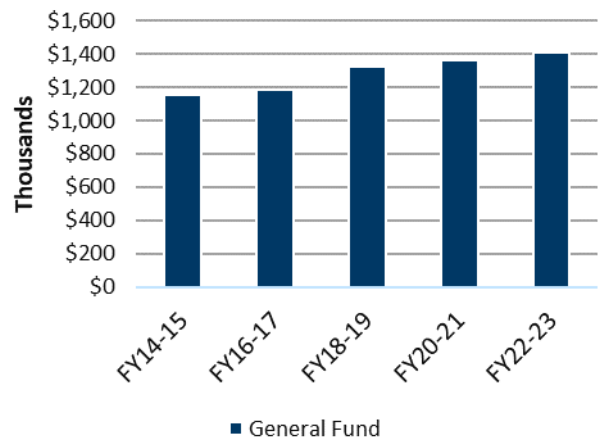
BUDGET

**Spending by Category
FY 2023 Actual**



Source: Budget Planning & Analysis System (BPAS)

Historical Spending



Source: Consolidated Fund Statement

The MSGC’s activities are financed entirely through the general fund. Its payroll budget consists of one executive director, four research analysts, and one management analyst. Operating expenses include leased space, technology costs, education delivery costs, and office expenses.

STRATEGIES

The Minnesota Sentencing Guidelines Commission utilizes the following strategies to accomplish its mission:

- The MSGC meets monthly to work on improving the sentencing guidelines.
- The MSGC makes recommendations to the legislature regarding changes to criminal law, criminal procedure, and other aspects of sentencing.
- MSGC staff create and maintain a comprehensive and accurate database on felony sentences.
- MSGC staff publish reports on sentencing practices and related criminal justice issues. These reports help policymakers, criminal justice officials, and the public evaluate felony sentencing policy and proposed legislation.
- A sentencing worksheet is required whenever a judge sentences a felony, and MSGC staff review every worksheet to ensure the accurate and consistent application of the sentencing guidelines.
- MSGC staff provide in-person and web-based educational opportunities to help practitioners understand and correctly apply sentencing guidelines policies.
- The MSGC and its staff respond to changes in case law, legislation, and issues raised by interested parties by making changes to the sentencing guidelines and the electronic worksheet system.
- Annually, MSGC staff work with the Department of Corrections to generate prison bed projections.
- MSGC members and staff serve on committees and task forces to further the goals of the criminal justice system.

RESULTS

Measure name	Measure type	Measure data source	Historical trend	Most recent data
Monitoring sentencing data	Quantity	The monitoring system is designed to maintain data on felony sentences under the guidelines. A case is defined when a sentencing worksheet is received from a probation officer and matched with sentencing data from the district courts.	In 2020, MSGC staff collected and analyzed 11,517 felony cases, representing a record 33.6 percent decrease from 2019. MSGC assumes this sharp drop is attributable, in whole or in large part, to the COVID-19 pandemic.	In 2021, MSGC staff collected and analyzed 14,429 felony cases sentenced in 2021. That is a 25.3 percent increase from 2020 and the largest single-year increase in MSGC history.
Data requests	Quantity	Data reports are prepared by MSGC by researching and compiling statistical data in response to information requests.	In 2022, MSGC responded to 500 data requests.	In 2023, MSGC responded to 500 data requests.

Measure name	Measure type	Measure data source	Historical trend	Most recent data
Fiscal impact statement responses	Quality	MSGC staff assists the Legislative Budget Office in preparing fiscal impact statements that include long-term fiscal consideration for projected felony populations.	In 2022, MSGC prepared 51 fiscal impact statements with a 100 percent on-time response.	In 2023, MSGC prepared 66 fiscal impact statements with a 100 percent on-time response.
Application of sentencing guidelines in felony sentencing	Results	By collecting data from the district courts on the individual imposed sentences and comparing that to the worksheet submitted by probation, MSGC is able to determine the effectiveness of sentencing policies in comparison to departures imposed by the district courts from the presumptive disposition and duration indicated on the appropriate sentencing guidelines grid.	In 2020, 72.1 percent of cases sentenced were within the disposition and duration indicated on the appropriate sentencing guidelines grid. This is a 1.6 percent decrease from 2019.	In 2021, 69.9 percent of cases sentenced were within the disposition and duration indicated on the appropriate sentencing guidelines grid. This is a 2.2 percent decrease from 2020.

Minn. Stat. sec. 244.09 (<https://www.revisor.mn.gov/statutes/cite/244.09>) provides the legal authority for the MSGC.

Sentencing Guidelines Commission

Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY22	Actual FY23	Actual FY24	Estimate FY25	Forecast Base FY26 FY27		Governor's Recommendation FY26 FY27	
<u>Expenditures by Fund</u>								
1000 - General	683	728	1,214	1,823	1,072	1,072	1,092	1,112
Total	683	728	1,214	1,823	1,072	1,072	1,092	1,112
Biennial Change				1,625		(893)		(833)
Biennial % Change				115		(29)		(27)
Governor's Change from Base								60
Governor's % Change from Base								3

Expenditures by Program

Mn Sentencing Guideline Com	683	728	1,214	1,823	1,072	1,072	1,092	1,112
Total	683	728	1,214	1,823	1,072	1,072	1,092	1,112

Expenditures by Category

Compensation	643	653	729	957	867	867	887	907
Operating Expenses	41	67	484	866	205	205	205	205
Other Financial Transaction		9	1					
Total	683	728	1,214	1,823	1,072	1,072	1,092	1,112

Full-Time Equivalent

	5.56	5.79	5.40	8.00	6.50	6.50	6.50	6.50
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(Dollars in Thousands)

	Actual FY22	Actual FY23	Actual FY24	Estimate FY25	Forecast Base FY26 FY27		Governor's Recommendation FY26 FY27	
1000 - General								
Balance Forward In		57		335				
Direct Appropriation	740	765	1,549	1,488	1,072	1,072	1,092	1,112
Cancellations		93						
Balance Forward Out	57		335					
Expenditures	683	728	1,214	1,823	1,072	1,072	1,092	1,112
Biennial Change in Expenditures				1,625		(893)		(833)
Biennial % Change in Expenditures				115		(29)		(27)
Governor's Change from Base								60
Governor's % Change from Base								3
Full-Time Equivalents	5.56	5.79	5.40	8.00	6.50	6.50	6.50	6.50

Sentencing Guidelines Commission

Agency Change Summary

(Dollars in Thousands)

	FY25	FY26	FY27	Biennium 2026-27
Direct				
Fund: 1000 - General				
FY2025 Appropriations	1,488	1,488	1,488	2,976
Base Adjustments				
All Other One-Time Appropriations		(147)	(147)	(294)
Current Law Base Change		(270)	(270)	(540)
Minnesota Paid Leave Allocation		1	1	2
Forecast Base	1,488	1,072	1,072	2,144
Change Items				
Operating Adjustment		20	40	60
Total Governor's Recommendations	1,488	1,092	1,112	2,204

Sentencing Guidelines Commission

FY 2026-27 Biennial Budget Change Item

Change Item Title: Operating Adjustment

Fiscal Impact (\$000s)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund				
Expenditures	20	40	40	40
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	20	40	40	40
FTEs	0	0	0	0

Recommendation:

The Governor recommends additional funding of \$20 thousand in FY 2026 and \$40 thousand in each subsequent year from the general fund to help address operating cost increases at the Sentencing Guidelines Commission.

Rationale/Background:

The cost of operations rises each year due to increases in employer-paid health care contributions, FICA and Medicare, along with other salary and compensation-related costs. Other operating costs, like rent and lease, fuel and utilities, and IT and legal services also grow. This cost growth puts pressure on agency operating budgets that remain flat year to year. This recommendation provides additional resources to help address these cost pressures and pay for agency operations.

Agencies face challenging decisions to manage these rising costs within existing budgets, while maintaining the services Minnesotans expect. From year to year, agencies find ways to become more efficient with existing resources. For FY 2026-27, agencies will need to continue to find additional efficiencies and leverage management tools to help address budget pressures. Holding open vacancies in certain programs or delaying hiring in other programs are examples of ways agencies manage through constrained operating budgets. Such decisions are difficult and must be weighed against a program’s ability to conduct business with less staffing and its impact to service delivery.

Proposal:

The Governor recommends increasing agency operating budgets to support current services. For the Sentencing Guidelines Commission, this funding will help cover expected growth in employee compensation and insurance, and other operating costs.

Dollars in Thousands

Net Impact by Fund	FY 26	FY 27	FY 26-27	FY 28	FY 29	FY 28-29
General Fund	20	40	60	40	40	80
Total All Funds						

Results:

This recommendation is intended to help the Sentencing Guidelines Commission address rising cost pressures and mitigate impacts to current levels of service and information to the public.