

Subject Making presentencing investigation reports optional in some felony cases

Authors Stephenson

Analyst Ben Johnson (ben.johnson@house.mn)

Date March 2, 2021

Overview

Presentence investigation reports are prepared by probation agents and provided to a judge, prosecutor, and the defendant before sentencing in most felony cases, and in some gross misdemeanor cases. The report includes a description of the offense, the social history of the defendant, statements by witnesses, the sentencing worksheet showing the presumptive sentence, and, when required by law, additional assessments relating to substance use and gambling. Current statute makes a presentencing investigation report mandatory for all felony offenses and optional for other offenses. Rule 27.03 of the Rules of Criminal Procedure makes the report optional in all cases. This bill makes it optional for a court to order a presentence investigation report in felony cases.

Summary

Section	Description
1	Sentencing hearing. Makes a conforming change.
2	Presentence investigation. Makes it optional for a court to order a presentence investigation report in felony cases.
3	Life imprisonment report. Makes a conforming change.
4	Chemical use assessment required. Makes a conforming change.



**MN HOUSE
RESEARCH**

Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.

www.house.mn/hrd | 651-296-6753 | 155 State Office Building | St. Paul, MN 55155