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Senate

State of Minnesota

S.F. No. 586 – Prosecutor-Initiated Resentencing

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Section 1 requires the Sentencing Guidelines Commission to annually report on resentencings pursuant to section 2.

Section 2 authorizes prosecutors to initiate proceedings to lower the sentence of a person convicted of a crime that they prosecuted. Authorizes the commissioner of corrections, a supervising agent, or the offender to request a prosecutor to review a case for possible action. Provides for the court to hold a hearing on the matter and authorizes it, if it finds that substantial and compelling reasons exist, to modify the sentence. The court must consider the impact of a sentencing adjustment on public safety, including whether it would promote the rehabilitation of the offender, properly reflect the severity of the underlying offense, or reduce sentencing disparities. Provides for victim notification and input, addresses the service of the petition and what must be included in it, and what factors the court must consider when deciding whether to grant the petition.