HF3404 - 0 - Crime of Impersonating a Peace Officer Modified

Chief Author: **Ginny Klevorn**
Commitee: **Public Safety Finance And Policy**
Date Completed: **2/20/2026 4:09:41 PM**
Lead Agency: Supreme Court
Other Agencies:
Corrections Dept
Public Defense Board
Sentencing Guidelines Comm

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X

Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
Reductions shown in the parentheses.

State Cost (Savings)		Biennium		Biennium	
Dollars in Thousands	**FY2025**	**FY2026**	**FY2027**	**FY2028**	**FY2029**
Corrections Dept					
General Fund	-	-	-	13	21
State Total					
General Fund	-	-	-	13	21
Total	**-**	**-**	**-**	**13**	**21**
Biennial Total			**-**		**34**

Full Time Equivalent Positions (FTE)		Biennium		Biennium	
	FY2025	**FY2026**	**FY2027**	**FY2028**	**FY2029**
Corrections Dept					
General Fund	-	-	-	.1	.1
Total	**-**	**-**	**-**	**.1**	**.1**

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 2/20/2026 4:09:41 PM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details
This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
Reductions are shown in parentheses.
*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium		Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Corrections Dept					
General Fund	-	-	-	13	21
Total	**-**	**-**	**-**	**13**	**21**
Biennial Total			**-**		**34**
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Corrections Dept					
General Fund	-	-	-	13	21
Total	**-**	**-**	**-**	**13**	**21**
Biennial Total			**-**		**34**
2 - Revenues, Transfers In*					
Corrections Dept					
General Fund	-	-	-	-	-
Total	**-**	**-**	**-**	**-**	**-**
Biennial Total			**-**		**-**

HF3404 - 0 - Crime of Impersonating a Peace Officer Modified

Chief Author:	**Ginny Klevorn**
Commitee:	**Public Safety Finance And Policy**
Date Completed:	**2/20/2026 4:09:41 PM**
Agency:	Supreme Court

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X

Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
Reductions shown in the parentheses.

State Cost (Savings)		Biennium		Biennium	
Dollars in Thousands	**FY2025**	**FY2026**	**FY2027**	**FY2028**	**FY2029**
Total	-	-	-	-	-
Biennial Total			-		-

Full Time Equivalent Positions (FTE)		Biennium		Biennium	
	FY2025	**FY2026**	**FY2027**	**FY2028**	**FY2029**
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 2/18/2026 7:59:55 AM
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State Cost (Savings) Calculation Details
This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
Reductions are shown in parentheses.
*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium		Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-
Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Total	-	-	-	-	-
Biennial Total			-		-
2 - Revenues, Transfers In*					
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

HF3404 ("the Bill") amends section 609.4751, Impersonating a Peace Officer, to make the current misdemeanor offenses at subdivision 1 felony offenses punishable by up to 2 years and/or payment of a $4,000 fine; to expand the definition of the current gross misdemeanor offenses at subdivision 2 and make them felony offenses punishable by up to 5 years and/or payment of a $10,000 fine; and to increase the felony penalty for subsequent violations at subdivision 3 from 2 years and/or a $4,000 fine to 10 years and/or 10 years and/or a $20,000 fine and impose that same penalty for violations committed while in possession of a firearm. The bill adds a new subdivision 4 which imposes enhanced penalties for other crimes committed while falsely impersonating a peace officer with intent to mislead; under those provisions a misdemeanor crime becomes a gross misdemeanor, a gross misdemeanor becomes a felony punishable by up to 3 years and/or payment of a $15,000 fine, and the statutory maximum for any felony is increased by 5 years.

The bill adds a new subdivision 5 requiring that any individual identifying as a peace officer or exercising powers or duties commonly associated with peace officers must identify the agency or entity employing the individual, the individual's name, and the identification number, which can be satisfied by wearing a clearly identifying uniform, name patch, and badge number or by providing this information on request. The bill makes a violation of these requirements a misdemeanor unless the individual is licensed by the Board of Peace Officer Standards and Training, a tribal officer, a peace officer of an adjoining statute exercising lawful authority, or an officer providing mutual assistance under a compact or mutual aid arrangement or cooperative agreement.

The bill also prohibits individuals exercising powers or duties commonly associated with peace officers from wearing a uniform or equipment marked with the word "police" unless the individual is licensed by the Board of Peace Officer Standards and Training, a tribal officer, a peace officer of an adjoining statute exercising lawful authority, or an officer providing mutual assistance under a compact or mutual aid arrangement or cooperative agreement.

Assumptions

It is assumed that the provisions in subdivisions 1-4 of this bill will not increase case filings because impersonating a peace officer under subdivisions 1-3, and all other crimes with enhanced penalties under subdivision 4, are already crimes that can be charged under existing law. Rather, it is assumed these provisions of the bill will require more judicial branch resources to process these existing cases; judicial branch data shows felony offenses require more judicial branch resources than misdemeanor and gross misdemeanor offenses.

The impact of the provisions in subdivision 5 requiring peace officer identification is unknown as it does not apply to Minnesota peace officers. Additionally, the impact of the prohibitions in subdivision 5 on of the use of the word "police" is unknown as there is no penalty specified.

Expenditure and/or Revenue Formula

Based on 5 years of judicial branch data, on average 18 charges are filed statewide per year under section 609.4751. Even if each charge represented a separate case, and if all of those cases were processed as felony cases rather than misdemeanor or gross misdemeanor cases, an additional 16 felony cases statewide offset by 18 fewer misdemeanor/gross misdemeanor cases would not have a measurable impact on the judicial branch.

Given the relatively low case filing rate under section 609.4751 it is also assumed that the enhanced penalty provisions under subdivision 4 will not result in a significant number of gross misdemeanor cases being enhanced to felony cases.

The bill is not anticipated to have a significant fiscal impact on the judicial branch.

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Anna Borgerding **Date:** 2/17/2026 3:19:42 PM

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HF3404 - 0 - Crime of Impersonating a Peace Officer Modified

Chief Author: **Ginny Klevorn**
Commitee: **Public Safety Finance And Policy**
Date Completed: **2/20/2026 4:09:41 PM**
Agency: Corrections Dept

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X

Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
Reductions shown in the parentheses.

State Cost (Savings)		Biennium		Biennium	
Dollars in Thousands	**FY2025**	**FY2026**	**FY2027**	**FY2028**	**FY2029**
General Fund	-	-	-	13	21
Total	**-**	**-**	**-**	**13**	**21**
Biennial Total			**-**		**34**

Full Time Equivalent Positions (FTE)		Biennium		Biennium	
	FY2025	**FY2026**	**FY2027**	**FY2028**	**FY2029**
General Fund	-	-	-	.1	.1
Total	**-**	**-**	**-**	**.1**	**.1**

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Jim Carlson **Date:** 2/20/2026 4:01:27 PM
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State Cost (Savings) Calculation Details
This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
Reductions are shown in parentheses.
*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium		Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	-	-	13	21
Total	**-**	**-**	**-**	**13**	**21**
Biennial Total			**-**		**34**
1 - Expenditures, Absorbed Costs*, Transfers Out*					
General Fund	-	-	-	13	21
Total	**-**	**-**	**-**	**13**	**21**
Biennial Total			**-**		**34**
2 - Revenues, Transfers In*					
General Fund	-	-	-	-	-
Total	**-**	**-**	**-**	**-**	**-**
Biennial Total			**-**		**-**

Bill Description

This bill strengthens Minnesota law against impersonating a peace officer by increasing criminal penalties and creating new offenses and enhancements. It establishes a felony for impersonating a peace officer while possessing a firearm, increases penalties for repeat offenders, and provides enhanced sentencing when any crime is committed while impersonating an officer. The bill also requires individuals who present themselves as peace officers or exercise police-like authority to clearly identify themselves and their employing agency, with misdemeanor penalties for violations, while preserving exceptions for licensed, tribal, out-of-state, and undercover officers.

Assumptions

Prison bed costs are based on a marginal cost per diem of $53.93 for FY26, $55.64 for FY27, $58.43 for FY 2028, and $58.14 for FY 2029. This includes marginal costs for all facility, private and public bed rental, health care, and support costs.

The annual cost is estimated by multiplying the number of prison beds needed by the subsequent annual per diem. Unless otherwise noted, prison beds are phased in on a quarterly basis.

Prison bed impact for the increase in the offender population assumes 80 percent of the ongoing bed impact is personnel-related and the average salary per FTE is $132,000 per year, including benefits.

Expenditure and/or Revenue Formula

The Minnesota Sentencing Guidelines Commission (MSGC) projects that one additional prison bed will be needed each fiscal year, beginning in Fiscal Year 2028, as a result of this legislation.

Cost of Prison Beds

Fiscal year	2026	2027	2028	2029
Number of Prison Beds	0	0	1	1
Cost of Prison Beds (in 000s)	$0	$0	$13	$21
FTE	0	0	0.1	0.1

Long-Term Fiscal Considerations

MSGC projects that this budget impact will continue beyond the current budget horizon.

Local Fiscal Impact

MSGC projects that there will be roughly two cases per fiscal year that would result in probationary sentences that include local confinement as part of their probation terms, and that part of these sentences would be served in a local jail or correctional facility.

References/Sources

MSGC

Department of Corrections staff

Agency Contact:

Agency Fiscal Note Coordinator Signature: Mark Besonen **Date:** 2/20/2026 9:51:52 AM

Phone: 651-361-7200 **Email:** mark.besonen@state.mn.us

HF3404 - 0 - Crime of Impersonating a Peace Officer Modified

Chief Author: **Ginny Klevorn**
Commitee: **Public Safety Finance And Policy**
Date Completed: **2/20/2026 4:09:41 PM**
Agency: Public Defense Board

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X

Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
Reductions shown in the parentheses.

State Cost (Savings)		Biennium		Biennium	
Dollars in Thousands	**FY2025**	**FY2026**	**FY2027**	**FY2028**	**FY2029**
Total	-	-	-	-	-
Biennial Total			-		-

Full Time Equivalent Positions (FTE)		Biennium		Biennium	
	FY2025	**FY2026**	**FY2027**	**FY2028**	**FY2029**
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 2/18/2026 7:59:42 AM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details
This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
Reductions are shown in parentheses.
*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium		Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-
Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Total	-	-	-	-	-
Biennial Total			-		-
2 - Revenues, Transfers In*					
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

The bill would increase the penalty for impersonating a peace officer, establish the crime of impersonating a peace officer while possessing a firearm, increase penaties for committing an offense while impersonating a peace officer, and requires individuals who present themselves as peace officers to identify themselves as such.

Assumptions

There are not enough cases for there to be an impact on caseloads or workloads.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Kevin Kajer **Date:** 2/17/2026 12:15:28 PM

Phone: 612-279-3508 **Email:** Kevin.kajer@pubdef.state.mn.us

HF3404 - 0 - Crime of Impersonating a Peace Officer Modified

Chief Author:	**Ginny Klevorn**
Commitee:	**Public Safety Finance And Policy**
Date Completed:	**2/20/2026 4:09:41 PM**
Agency:	Sentencing Guidelines Comm

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X

Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
Reductions shown in the parentheses.

State Cost (Savings)				Biennium	Biennium
Dollars in Thousands	**FY2025**	**FY2026**	**FY2027**	**FY2028**	**FY2029**
Total	**-**	**-**	**-**	**-**	**-**
Biennial Total			**-**		**-**

Full Time Equivalent Positions (FTE)				Biennium	Biennium
	FY2025	**FY2026**	**FY2027**	**FY2028**	**FY2029**
Total	**-**	**-**	**-**	**-**	**-**

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Jim Carlson **Date:** 2/18/2026 8:37:57 PM
Phone: 651-284-6540 **Email:** jim.carlson@lbo.mn.gov

State Cost (Savings) Calculation Details
This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
Reductions are shown in parentheses.
*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium		Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-
Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Total	-	-	-	-	-
Biennial Total			-		-
2 - Revenues, Transfers In*					
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

This bill amends Minn. Stat. § 609.4751 (Impersonating a Peace Officer). The bill increases the penalty for violating subdivision 1, which prohibits falsely impersonating a peace officer with intent to mislead, from a misdemeanor to a felony with a two-year/$4,000 maximum penalty.

The bill increases the penalty for violating subdivision 2, which provides higher penalties for violating subdivision 1 under certain aggravating circumstances, from a gross misdemeanor to a felony with a five-year/$10,000 maximum penalty. The bill also expands the list of those aggravating circumstances to include displaying equipment commonly attached to law enforcement vehicles.

Subdivision 3 now provides a felony penalty for repeat violations of § 609.4751 within five years. The bill restyles subdivision 3 as 3(a) and increases the maximum penalty from two years/$4,000 to ten years/$20,000. The bill creates a new felony in new subd. 3(b), also with a ten-year/$20,000 maximum penalty, for violating § 609.4751 while in possession of a firearm.

The bill creates a new subdivision 4, which enhances the penalty for crimes (other than violations of § 609.4751) committed while falsely impersonating a peace officer with intent to mislead. If such a crime is a misdemeanor, it becomes a gross misdemeanor. If such a crime is a gross misdemeanor, it becomes a felony with a three-year/$15,000 maximum penalty. If such a crime is a felony, the statutory maximum penalty is increased by five years. Application of an enhanced penalty to another crime does not bar prosecution under § 609.4751.

The bill creates a new subdivision 5, which requires those identifying as peace officers or exercising powers or duties commonly associated with peace officers to identify their names, their identification numbers, and their law enforcement agencies or employers. This requirement can be met by, for example, wearing a police uniform and badge. Failure to comply with this requirement is a misdemeanor, although misdemeanor penalties do not apply to those licensed by the Minnesota POST Board, to officers employed by a federally recognized tribes, to peace officers of adjoining states exercising authority pursuant to § 626.77, or to officers from other jurisdictions providing mutual assistance under the terms of an emergency management assistance compact or a mutual aid arrangement or cooperative agreement. A peace officer's failure to comply with this requirement neither makes an arrest unlawful nor serves as a basis to suppress evidence identified or seized following an arrest.

The bill is effective August 1, 2026, and applies to crimes committed on or after that date.

Assumptions

It is assumed that due to the COVID-19 health pandemic, the cases sentenced in 2020 and 2021 are not necessarily fair approximations of cases sentenced in the future.

According to Minn. Judicial Branch (MJB) data, from 2020 to 2024, there were 10 misdemeanor convictions (an average 2 convictions annually) for violations under subd. 1; and 8 convictions (an average 1.6 convictions annually) for violations under subd. 2. According to MSGC sentencing data, from 2020 to 2024, there were no felony convictions under subd. 3.

While there were no felony convictions from 2020 to 2024, according to 2025 MJB filing data, there was one felony case filed in Hennepin County for impersonating a peace officer within 5 years of a previous violation. This is corroborated by recent news articles which indicate at least three incidents of impersonating a peace officer that would appear to qualify as felonies under this bill.

In July of 2025, a 57-year-old man was “indicted on six federal charges in connection with the stalking and murders of Minnesota House of Representatives Speaker Emerita Melissa Hortman and her husband Mark Hortman, the stalking and shooting of Minnesota State Senator John Hoffman and his wife Yvette Hoffman, and the attempted shooting of their daughter Hope Hoffman.”

In July of 2025, a 27-year-old man was charged in Hennepin County with four counts of impersonating a peace officer after using a silver unmarked SUV with red, blue, and amber lights to stop a driver on I-94. He was previously charged in Dakota County in August 2024 for a similar incident on I-35W, where he was wearing tactical gear and carrying a handgun without a permit.

In September of 2025, a 47-year-old man was charged with felony assault in the second degree in Hennepin County after tailgating and following an undercover Maple Grove officer across several highways, activating a red light, and attempting to conduct a fake traffic stop. When confronted, he claimed the officer was impersonating police, then fled. He was later found with multiple police-style lights and equipment in his vehicle.

The Minnesota Sentencing Guidelines Commission assigns severity-level (SL) rankings to new felonies. Among its considerations are statutory maximum penalty and harm to the victim in a typical case. For purposes of this fiscal note, MSGC staff assumes SL rankings. A reasonable Commission may disagree with these rankings.

The amended impersonating a peace officer related to intent to mislead (subd. 1), has a two-year statutory maximum, which is the same statutory maximum as the existing offense under subd. 3. Therefore, it is assumed that subd. 1, will be assigned SL 2. At SL 2, offenses with a criminal history score (CHS) 6 or more are recommended to a prison sentence with presumptive durations that range from 18 to 25 months.

The new felony related to buildings and vehicles (subd. 2), has a five-year statutory maximum. It is assumed that this will be ranked at SL 4. This is where such offenses as assault in the third degree; violation of restraining order, falsely impersonating another; and aggravated harassment, falsely impersonating another are ranked. These offenses have five-year statutory maximums. At SL 4, offenses with a criminal history score (CHS) 4 or more are recommended to a prison sentence with presumptive durations that range from 21 to 28 months.

The amended felony, for previous violations (subd. 3(a)), currently ranked at SL 2, will have a ten-year statutory maximum. It is assumed that this offense will be ranked at least as high as SL 5, which is the SL for a subsequent violation of harassment (a 10-year statutory maximum). At SL 5, offenses with a criminal history score (CHS) 3 or more are recommended to a prison sentence with presumptive durations that range from 29 to 39 months.

The new felony, for possession of a firearm (subd. 3(b)), with a ten-year statutory maximum is assumed to be ranked at least SL 6, which is the SL for assault in the second degree with a dangerous weapon (a 10-year statutory maximum). At SL 6, offenses with a criminal history score (CHS) 3 or more are recommended to a prison sentence with presumptive durations that range from 34 to 46 months.

The new enhanced felony (subd. 4(2)), with a three-year statutory maximum if the crime committed is a gross misdemeanor is assumed to be ranked at SL 3. It is unclear what the Commission may do with the new enhanced felony (subd. 4(3)), with a statutory maximum increase of five years longer than the statutory maximum for the underlying crime. Following the pattern of crimes committed for the benefit of a gang (Minn. Stat. § 609.229, subd. 3(a), which also increases the statutory maximum penalty of the underlying crime by five years), it is assumed that the Commission will treat the five-year enhancement as a “modifier” under Guidelines section 2.G, adding 12 months to the presumptive duration.

Based on the conviction data from the MJB, it is assumed that there will be four new felony cases sentenced annually (two under subd. 1; and two under subd. 2). These four new cases are assumed to have imprisonment rates and average pronounced prison durations consistent with offenses ranked at SL 2 and SL 4, respectively.

From 2020 to 2024, the average imprisonment rate for SL 2 cases was 13.5 percent with an average duration of 19 months (serve 2/3 term of imprisonment = 12.6 mos.); an average of 65.5 percent of the SL 2 offenses that received probation sentences received local confinement as a condition of probation. The average pronounced confinement time was 75 days (serve 2/3 = 50 days).

From 2020 to 2024, the average imprisonment rate for SL 4 cases was 19 percent with an average duration of 25 months (serve 2/3 term of imprisonment = 16.6 mos.); an average of 69 percent of the SL 4 offenses that received probation sentences received local confinement as a condition of probation. The average pronounced confinement time was 76 days (serve 2/3 = 50.6 days).

Based on 2021 to 2025 filing data from MJB and recent 2025 news reports, the estimate below may be conservative. According to MJB data, between 2021 and 2025, there were 90 cases filed involving charges of violations of 609.4751. It is possible that some of those cases resulted in convictions for non-609.4751 felonies where the defendant was falsely impersonating a peace officer; under the bill, such cases would be subject to the felony-enhancement provisions of subd. 4. The number of such enhanceable felonies is not known, and it is not feasible to identify them within the fiscal note's time constraints. If one-fourth resulted in successful prosecution and convictions for non-609.4751 felonies, those cases would be subject to enhanced felony sentences (assuming 12 months longer). Assuming one-fourth of the 90 cases resulted in enhancement, there would be an additional 22.5 felony cases (4.5 annually) that would be subject to additional 12-month sentences, which would result in additional long-term fiscal considerations and local government fiscal impact.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Based on the above assumptions, it is estimated that this bill will result in the eventual need for one additional prison bed. Allowing six months for implementation, the one bed will be needed in FY2028, and every year after.

Because it is assumed there will be an additional two cases sentenced at SL 2, because the imprisonment rate is assumed to be 13.5 percent, and because it assumed that the average duration will be 19 months, it is estimated that there will be an eventual need for 0.28 additional prison beds (2 cases × 13.5% imprisonment rate = 0.27 prison cases per year; 0.27 cases × 19 months per case × 2/3 term of imprisonment ÷ 12 months per year = 0.28 estimated prison beds).

Because it is assumed there will be an additional two cases sentenced at SL 4, because the imprisonment rate is assumed to be 19 percent, and because it assumed that the average duration will be 25 months, it is estimated that there will be an eventual need for 0.53 additional prison beds (2 cases × 19% imprisonment rate = 0.38 prison cases per year; 0.38 cases × 25 months per case × 2/3 term of imprisonment ÷ 12 months per year = 0.53 estimated prison beds).

(0.28 estimated prison beds + 0.53 estimated prison beds = 0.81 estimated prison beds.)

Local Fiscal Impact

As stated in the "Long-Term Fiscal Considerations," it is estimated that there will be an additional four cases sentenced, and one case (0.65 cases) will receive prison, leaving an estimated three cases that will receive "stayed" probationary sentences. Based on the above assumptions, two of the three cases (76% of cases) will receive probationary sentences that include local confinement as part of their probation terms. It is estimated that each of the two probationers will serve 45 days in a local jail or local correctional facility.

References/Sources

MSGC Sentencing Data, 2020 to 2024.

MJB conviction data, 2020 to 2024; MJB filing data, 2021 to 2025.

Walsh, P. (2025, August 1). “More charges against security provider, ex-cop accused in Minn. of impersonating officer while armed.” The Minnesota Star Tribune (retrieved Feb. 6, 2026 at https://www.startribune.com/private-security-provider-ex-cop-is-arrested-again-in-twin-cities-accused-of-impersonating-officer/601446812).

Miller, A. (2025, Sept. 22). “Man impersonating officer tries to pull over undercover cop in Edina.” The Sun Current (retrieved Feb. 6, 2026 at https://www.hometownsource.com/sun_current/community/man-impersonating-officer-tries-to-pull-over-undercover-cop-in-edina/article_46233703-af5d-495a-92ea-87cbce51ae74.html).

U.S. Attorney’s Office (2025, July 15). “Vance Boelter indicted for the murders of Melissa and Mark Hortman; shootings of John and Yvette, and the Attempted Shooting of Hope Hoffman [Press release]. U.S. Department of Justice (retrieved Feb. 7, 2026 at https://www.justice.gov/usao-mn/pr/vance-boelter-indicted-murders-melissa-and-mark-hortman-shootings-john-and-yvette-0.

Agency Contact:

Agency Fiscal Note Coordinator Signature: Jill Payne **Date:** 2/18/2026 8:14:14 AM

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