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Minnesota Sentencing Guidelines Commission

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mn.gov/sentencing-guidelines/

AT A GLANCE

- Eleven 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 18,000 felony cases annually
- MSGC staff help criminal justice professionals in all 87 counties use the Guidelines correctly
- MSGC staff publish reports and conduct research on felony sentencing for Commission, Legislature, and the public

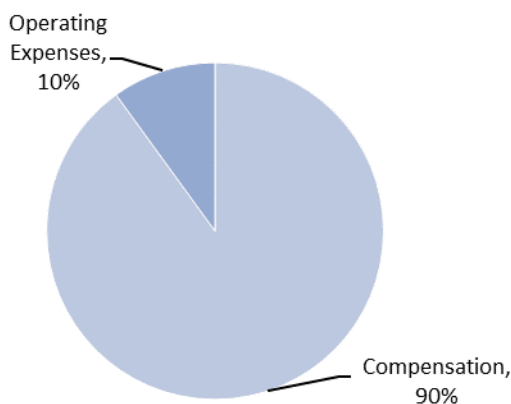
PURPOSE

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

- Promote public safety;
- Reduce sentencing disparity;
- Recommending felony sanctions that are proportional to the crime’s severity and the offender’s criminal history; and
- 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**

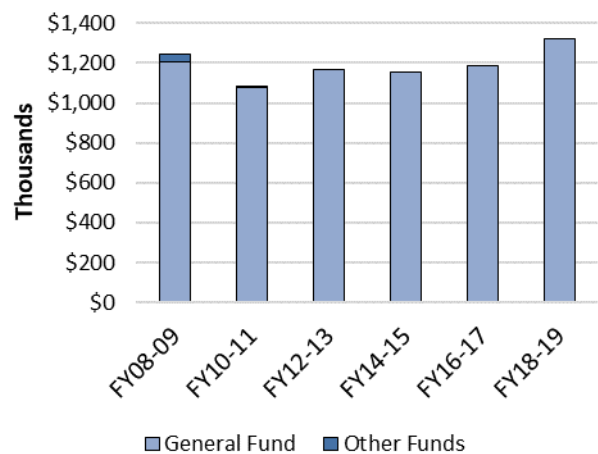
BUDGET

**Spending by Category
FY 2019 Actual**



Source: BPAS

Historical Spending



Source: Consolidated Fund Statement

The MSGC’s activities are financed entirely through the General Fund. Its payroll budget consists of one (1) Executive Director, four (4) Research Analysts, and one (1) Management Analyst. Operating expenses included 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 and, from time to time, making 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 Guidelines.
- MSGC staff provide in-person and web-based educational opportunities to help practitioners understand and correctly apply Guidelines policies.
- As needed, the MSGC and its staff respond to changes in case law, legislation, and issues raised by interested parties.
- 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

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Felony offenders' sentencing worksheets reviewed	18,288	18,284	2017 & 2018
Quantity	Individual data reports prepared for practitioners, media, and the public	375	300	2018 & 2019
Quality	Number of agency fiscal notes completed; timeliness percentage	38; 100%	50; 100%	2018 & 2019
Results	Percentage of felony offenders receiving the recommend Guidelines sentence	75.5%	75%	2017 & 2018

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

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base		Governor's Recommendation	
					FY22	FY23	FY22	FY23

Expenditures by Fund

1000 - General	646	670	673	693	687	687	740	765
Total	646	670	673	693	687	687	740	765
Biennial Change				51		8		139
Biennial % Change				4		1		10
Governor's Change from Base								131
Governor's % Change from Base								10

Expenditures by Program

Mn Sentencing Guideline Com	646	670	673	693	687	687	740	765
Total	646	670	673	693	687	687	740	765

Expenditures by Category

Compensation	569	604	626	650	644	644	687	712
Operating Expenses	76	66	47	43	43	43	53	53
Other Financial Transaction	1							
Total	646	670	673	693	687	687	740	765

Full-Time Equivalent

	5.70	6.00	5.95	5.91	5.78	5.74	6.00	6.00
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(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base FY22 FY23		Governor's Recommendation FY22 FY23	
1000 - General								
Balance Forward In		11		6				
Direct Appropriation	655	670	679	687	687	687	740	765
Transfers Out		10						
Cancellations		1						
Balance Forward Out	9		6					
Expenditures	646	670	673	693	687	687	740	765
Biennial Change in Expenditures				51		8		139
Biennial % Change in Expenditures				4		1		10
Governor's Change from Base								131
Governor's % Change from Base								10
Full-Time Equivalents	5.70	6.00	5.95	5.91	5.78	5.74	6.00	6.00

(Dollars in Thousands)

	FY21	FY22	FY23	Biennium 2022-23
Direct				
Fund: 1000 - General				
FY2021 Appropriations	687	687	687	1,374
Forecast Base	687	687	687	1,374
Change Items				
Operating Costs		53	78	131
Total Governor's Recommendations	687	740	765	1,505

Minnesota Sentencing Guidelines Commission

FY 2022-23 Biennial Budget Change Item

Change Item Title: Operating Adjustment

Fiscal Impact (\$000s)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund				
Expenditures	53	78	78	78
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	0	0	0	0
FTEs	.22	.26	.26	.26

Recommendation:

The Governor recommends additional funding of \$53,000 in FY 2022 and \$78,000 in each subsequent year from the general fund to maintain the current level of service delivery at the Minnesota Sentencing Guidelines Commission. This recommendation includes funding of \$88,000 for existing positions not fully funded in the FY 20-21 biennium and \$33,000 for additional cost increases expected in the FY 22-23 biennium

This represents a 9.5% change to the Commission’s overall general fund appropriation.

Rationale/Background:

The operating increases recommended in FY 2022 and FY 2023 fund a portion of the projected cost increases in the upcoming biennium. Each year, the cost of doing business rises—including growing costs for employer-paid health care contributions and other salary and compensation-related costs. Other operating costs, like rent and lease, fuel and utilities, IT and legal services also grow. This cost growth puts pressure on agency operating budgets that remain flat from year to year without enacted increases.

The funding increase recommended also addresses a structural funding issue that required significant actions in the current biennium to avoid a deficiency. The agency has long been funded for 6 FTEs, but prior increases have not kept up with compensation cost increases. In the current biennium, the Commission eliminated virtually all operating costs other than space rental, actions that still did not balance their budget. Through the temporary reassignment of one employee to another agency in FY 2020, and because of an unexpected staff resignation in FY 2021, the Commission was able to balance their budget without a deficiency request. Without this portion of the increase, the Commission would not be able to fully fund 6 FTEs in FY 2022 and FY 2023.

Agencies face challenging decisions to manage these costs within existing budgets, while maintaining the services Minnesotans expect. To manage costs, most agencies find ways to become more efficient with existing resources.

Efficiencies will continue in the next biennium; however, cost growth will continue to put pressure on budgets and without additional resources, service delivery erodes.

Proposal:

The Governor recommends increasing agency operating budgets to support the delivery of current services. For the Minnesota Sentencing Guidelines Commission, this funding will fully cover current staffing costs, expected and anticipated employee compensation growth, and known cost increases in rent and IT services.

Results:

This proposal is intended to allow the Minnesota Sentencing Guidelines Commission to continue to provide current levels of service and information to the public.