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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 1775

03/03/2025

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The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy
Adoption of Report: Amended and re-referred to the Committee on Judiciary Finance and Civil Law
Adoption of Report: Amended and re-referred to the Committee on Public Safety Finance and Policy

- 1.1
- A bill for an act
- 1.2
- relating to public safety; requiring the reporting of certain information on criminal
- 1.3
- cases; appropriating money; proposing coding for new law in Minnesota Statutes,
- 1.4
- chapter 609.
- 1.5
- BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6
- Section 1. [609.016] CRIMINAL CASE INFORMATION COLLECTION.
- 1.7
- Subdivision 1. **Collection.** (a) The Department of Corrections and any court associated
- 1.8
- with a criminal case shall report any of the following information the department or court
- 1.9
- currently collects or has in its possession as part of its standard operations:
- 1.10
- (1) for each jail detainee and criminal defendant:
- 1.11
- (i) full name and any known aliases;
- 1.12
- (ii) year of birth;
- 1.13
- (iii) race and ethnicity;
- 1.14
- (iv) sex;
- 1.15
- (v) gender;
- 1.16
- (vi) case number;
- 1.17
- (vii) public defender eligibility status;
- 1.18
- (viii) booking date;
- 1.19
- (ix) release date; and

- 2.1 (x) all pending cases associated with the defendant and all booking dates and charges
2.2 for each case;
- 2.3 (2) for each formal charge, including charges resulting in convictions, filed against a
2.4 defendant:
- 2.5 (i) charge number;
- 2.6 (ii) charge description;
- 2.7 (iii) charge statute;
- 2.8 (iv) charge type;
- 2.9 (v) charge class severity;
- 2.10 (vi) charge disposition;
- 2.11 (vii) method of disposition, including pretrial diversion, plea negotiation, or trial;
- 2.12 (viii) charge disposition date; and
- 2.13 (ix) prosecuting office, agency, or attorney;
- 2.14 (3) for bail or bond pretrial releases:
- 2.15 (i) date of first appearance before the court;
- 2.16 (ii) judge who presided over the defendant's first appearance and set bail;
- 2.17 (iii) pretrial evaluation form or data contained in the form, including but not limited to
2.18 the pretrial risk assessment score;
- 2.19 (iv) amount of bail, if any, set at first appearance, including whether there was a
2.20 percentage of the bail that could be paid directly to the court;
- 2.21 (v) other conditions of release, if any, set at first appearance;
- 2.22 (vi) nonmonetary conditions of release;
- 2.23 (vii) monetary bail or bond amount;
- 2.24 (viii) date of pretrial release, if any;
- 2.25 (ix) release type, including release on own recognizance, release with conditions other
2.26 than exclusively monetary bail or bond, release on monetary bail or bond, release after
2.27 completed sentence, transfer to prison, transfer to jail in another jurisdiction, or transfer to
2.28 other federal agencies;
- 2.29 (x) time served credit length;

3.1 (xi) bail or bond revocation due to a new offense, a failure to appear, or violation of the
3.2 terms of bail or bond; and

3.3 (xii) if revocation occurred, whether there was also a reinstatement of the bail or bond;

3.4 (4) for each criminal case:

3.5 (i) whether the defendant failed to appear at any hearings and whether warrants were
3.6 issued;

3.7 (ii) whether the defendant was public defender eligible; and

3.8 (iii) outcome of the defendant's case, including but not limited to dismissal, acquittal,
3.9 guilty plea, and guilty verdict;

3.10 (5) for each sentencing:

3.11 (i) plea date, if any;

3.12 (ii) sentence date;

3.13 (iii) charge sentenced to, charge number, charge description, statute, type, and charge
3.14 class severity;

3.15 (iv) sentence type;

3.16 (v) sentence length;

3.17 (vi) fine and fees and whether they were waived or stayed due to inability to pay; and

3.18 (vii) restitution amount ordered, amount collected, and amount paid to victim; and

3.19 (6) any other information required by the Sentencing Guidelines Commission.

3.20 (b) The Department of Corrections or court collecting or coming into possession of the
3.21 information required in paragraph (a) shall forward this information to the Sentencing
3.22 Guidelines Commission in a timely manner under a schedule and format directed by the
3.23 commission. The commission shall ensure that each official and agency reports the
3.24 information in a uniform and consistent format.

3.25 (c) Nothing in this subdivision requires the Department of Corrections or court to collect
3.26 any information the department or court is not otherwise required to collect.

3.27 Subd. 2. Sentencing Guidelines Commission; clearinghouse; report. (a) The
3.28 Sentencing Guidelines Commission shall serve as a clearinghouse and information center
3.29 for the information collected pursuant to subdivision 1.

4.1 (b) The commission shall report annually to the chairs, cochairs, and minority leads of
4.2 the legislative committees and divisions with jurisdiction over public safety and the judiciary.
4.3 The report must include a summary of the information received pursuant to subdivision 1,
4.4 as well as an analysis of the impact of pretrial release practices on criminal case outcomes
4.5 and public safety in the state. At a minimum, the report must include disaggregated data on
4.6 the relationship between the type of pretrial release and any conditions imposed by the court,
4.7 including requiring monetary bail or bond, and:

4.8 (1) other factors such as the seriousness of the offense; the defendant's prior record; the
4.9 location of the court handling the case; whether the defendant is eligible for a public defender;
4.10 and the defendant's age, race, and sex;

4.11 (2) rates of pretrial recidivism, including the level of any subsequent charge and number
4.12 of the statute alleged to have been violated;

4.13 (3) the type of disposition of the case such as dismissal, resolution through a plea
4.14 agreement, or trial;

4.15 (4) the length of time between an initial arrest and disposition of the case; and

4.16 (5) the sentence announced by the court, including whether the court stayed adjudication
4.17 or imposition of the sentence, whether the court departed from the presumptive sentence,
4.18 and whether any sentence imposed was consecutive to another sentence.

4.19 (c) The Sentencing Guidelines Commission, in consultation with representatives from
4.20 all major criminal legal agencies, including but not limited to the Department of Corrections,
4.21 jail administrators, the state court administrator's office and the judicial branch, public
4.22 defenders, prosecutors, law enforcement, probation officers, and community nonprofits and
4.23 individual community members with expertise in data systems and pretrial policy must:

4.24 (1) coordinate the sharing of information required to be submitted to the commission
4.25 pursuant to subdivision 1;

4.26 (2) make recommendations to the legislature regarding any statutory or other changes
4.27 needed to facilitate the sharing of information; and

4.28 (3) provide advice and make recommendations to the legislature regarding additional
4.29 information that should be collected or other analysis that should be performed on that
4.30 information to improve the understanding of pretrial release practices.

5.1 Sec. 2. **MINNESOTA SENTENCING GUIDELINES COMMISSION;**
5.2 **APPROPRIATION.**

5.3 \$..... in fiscal year 2026 and \$..... in fiscal year 2027 are appropriated from the general
5.4 fund to the Sentencing Guidelines Commission to receive and store criminal case information,
5.5 analyze and summarize that information, and report to the legislature.