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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1792

03/01/2021 Authored by Moller
The bill was read for the first time and referred to the Committee on State Government Finance and Elections

1.1 A bill for an act
1.2 relating to public safety; establishing a Task Force on the Collection of Prosecutorial
1.3 Data; requiring a report; appropriating money.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. TASK FORCE ON THE COLLECTION OF PROSECUTORIAL DATA.

1.6 Subdivision 1. Establishment. The Task Force on the Collection of Prosecutorial Data
1.7 is established to identify data that should be collected and analyzed to determine the ways
1.8 in which individuals are charged and prosecuted in Minnesota.

1.9 Subd. 2. Membership. (a) The task force consists of the following members:

1.10 (1) the attorney general or a designee;

1.11 (2) the chief justice of the supreme court or a designee;

1.12 (3) the state public defender or a designee;

1.13 (4) the superintendent of the Bureau of Criminal Apprehension or a designee;

1.14 (5) the executive director of the Minnesota Sentencing Guidelines Commission;

1.15 (6) one probation officer appointed by the commissioner of corrections;

1.16 (7) one probation officer appointed by the Minnesota Association of Community
1.17 Corrections Act Counties;

1.18 (8) three county attorneys appointed by the board of directors of the Minnesota County
1.19 Attorneys Association, of whom at least one must be from a county other than a metropolitan

2.1 county as defined in Minnesota Statutes, section 473.121, subdivision 4, and one must  
2.2 practice primarily in juvenile delinquency proceedings; and

2.3 (9) one city attorney appointed by the attorney general.

2.4 (b) Members of the task force serve without compensation.

2.5 (c) Members of the task force serve at the pleasure of the appointing authority or until  
2.6 the task force expires. Vacancies shall be filled by the appointing authority consistent with  
2.7 the qualifications of the vacating member required by this subdivision.

2.8 Subd. 3. **Officers; meetings.** (a) The task force shall elect a chair and vice-chair and  
2.9 may elect other officers as necessary.

2.10 (b) The attorney general shall convene the first meeting of the task force no later than  
2.11 September 1, 2021.

2.12 (c) The task force shall meet at least quarterly or upon the call of its chair. The task force  
2.13 shall meet sufficiently enough to accomplish the tasks identified in this section. Meetings  
2.14 of the task force are subject to Minnesota Statutes, chapter 13D.

2.15 Subd. 4. **Staff.** The attorney general shall provide meeting space and administrative  
2.16 assistance as necessary for the task force to conduct its work.

2.17 Subd. 5. **Duties.** (a) The duties of the task force shall, at a minimum, include:

2.18 (1) determining what data are generated when prosecutors make decisions on initial  
2.19 criminal charges and amended criminal charges;

2.20 (2) assessing what factors prosecutorial offices use to make decisions about what criminal  
2.21 charges to bring, dismiss, or amend;

2.22 (3) determining what data are generated when a defendant is referred for pretrial  
2.23 diversion;

2.24 (4) assessing what factors prosecutorial offices use to recommend or support referring  
2.25 a defendant for pretrial services;

2.26 (5) determining what additional information should be collected to accurately track  
2.27 decisions made by prosecutorial offices regarding bringing and amending criminal charges  
2.28 and offering pretrial diversion;

2.29 (6) examining how data could be best collected and reported, including whether the data  
2.30 should be reported to a central location and, if so, what location; and

3.1 (7) assessing whether data should be collected in cases where the highest charge is a  
3.2 gross misdemeanor or misdemeanor and in cases involving delinquency petitions.

3.3 (b) At its discretion, the task force may examine other related issues consistent with this  
3.4 section.

3.5 Subd. 6. **Report.** By January 15, 2023, the task force shall report to the chairs and ranking  
3.6 minority members of the legislative committees and divisions with jurisdiction over public  
3.7 safety finance and policy on the work of the task force. The report shall include  
3.8 recommendations for legislative action, if needed.

3.9 Subd. 7. **Expiration.** The task force expires upon submission of the report required by  
3.10 subdivision 6.

3.11 **EFFECTIVE DATE.** This section is effective July 1, 2021.

3.12 Sec. 2. **TASK FORCE ON THE COLLECTION OF PROSECUTORIAL DATA;**  
3.13 **APPROPRIATION.**

3.14 \$..... in fiscal year 2022 and \$..... in fiscal year 2023 are appropriated from the general  
3.15 fund to the attorney general to provide meeting space and administrative support to the Task  
3.16 Force on the Collection of Prosecutorial Data.