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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3330

02/14/2022 Authored by Novotny, Scott and Robbins

The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; requiring the Minnesota Sentencing Guidelines
1.3 Commission to maintain a publicly searchable database; amending Minnesota
1.4 Statutes 2020, section 244.09, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2020, section 244.09, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 6a. Publicly searchable database. (a) The commission shall maintain a public
1.9 website with a searchable database that provides the public with information on criminal
1.10 sentences stayed or imposed by the courts. The website must not include information that
1.11 is not public data, as defined in section 13.02, subdivision 8a.

1.12 (b) The website required under paragraph (a) must contain all the information transmitted
1.13 from the sentencing court to the commission including information in the sentencing
1.14 worksheet transmitted pursuant to section 609.115, subdivision 2a, and the sentencing order
1.15 and departure report, if any, sent pursuant to rule 27.03 of the Rules of Criminal Procedure.
1.16 Data received by the commission must be entered into separate fields in the database.

1.17 (c) The searchable database must allow a user of the website to:

1.18 (1) search by individual fields, including but not limited to:

1.19 (i) case number;

1.20 (ii) defendant name;

1.21 (iii) date of offense;

- 2.1 (iv) the judicial district where the sentence was stayed or imposed;
- 2.2 (v) the county where the sentence was stayed or imposed;
- 2.3 (vi) the year in which the sentence was stayed or imposed;
- 2.4 (vii) the judge who stayed or imposed the sentence;
- 2.5 (viii) the crime for which the sentence was stayed or imposed;
- 2.6 (ix) the defendant's criminal history score;
- 2.7 (x) the severity level of the offense for which a sentence was stayed or imposed;
- 2.8 (xi) executed sentences, including the length of sentence imposed and executed;
- 2.9 (xii) stayed sentences, including the length of probation ordered and, if applicable, the
 2.10 length of sentence imposed but not executed;
- 2.11 (xiii) whether the sentence was a departure from the Sentencing Guidelines and, if so,
 2.12 whether it was an aggravated durational, aggravated dispositional, mitigated durational,
 2.13 mitigated dispositional, or hybrid departure; and
- 2.14 (xiv) whether a departure from the Sentencing Guidelines was ordered with prosecutor
 2.15 agreement;
- 2.16 (2) perform a search using at least two fields;
- 2.17 (3) sort by each field;
- 2.18 (4) obtain information grouped or aggregated by each field, where groups or subtotals
 2.19 are feasible; and
- 2.20 (5) allow the user to download the data into a user-controlled database.

2.21 **Sec. 2. SEARCHABLE PUBLIC DATABASE; APPROPRIATION.**

2.22 \$..... in fiscal year 2022 is appropriated from the general fund to the Minnesota
 2.23 Sentencing Guidelines Commission to develop and maintain a publicly searchable database
 2.24 pursuant to Minnesota Statutes, section 244.09, subdivision 6a. The base for this
 2.25 appropriation is \$..... in fiscal year 2023 and thereafter.