



Offense Group 1: Ranking Exercise Feedback

April 10, 2025

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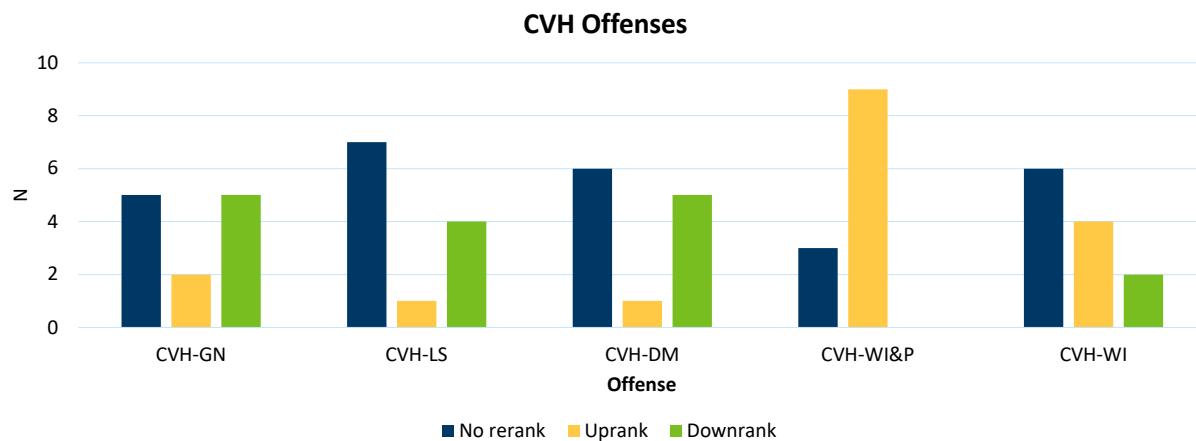
Before we begin...

Explanation of process

- Commissioners completed ranking forms for 18 offenses in the Offense Group 1 packet.
- Completed packets were submitted to MSGC staff by March 31.
- Staff organized Commissioner responses by offense, determined the total number of selections for each ranking idea, and summarized any notes Commissioners provided.

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CVH Summarized



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CVH: Some Highlights

- Should Guidelines True Zero (GTZ) cases be treated differently? Allow for presumptive stays at low criminal history scores?
- Public desire for higher ranking of CVH related offenses.
- Incorporate restorative justice component to the sentence to account for victim/community impact.
- Proportionality issues between CVH offenses (those with prior convictions and to DWI offense).
- Defective Maintenance offense seems punitive towards people who are under resourced.

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CVH – Gross Negligence				Current SL 8
Reranking option	N	New SL	Notes	
Do not rerank	5	—	<ul style="list-style-type: none"> • Equitable. • Within Stat Max. • Departure data not indicative of requiring reranking. • Should not be ranked lower because SL 7 and lower have no offenses resulting in death. 	
Uprank	2	SL 9	<ul style="list-style-type: none"> • Public desire for higher rank. • Great public safety risk. • Proportionality compared to felony DWI SL ranking. 	
	1	Int. SL 8-9		
Downrank	3	SL 7	<ul style="list-style-type: none"> • High number of GTZ cases (probation seems appropriate for these convictions). • Dispositional line at SL 7 fits high dispositional departure rate data. • Restorative practices included in probation sentence are effective for this offense. 	
	1	SL 6	<ul style="list-style-type: none"> • Offenses with a mens rea of gross negligence were not committed knowingly: <ul style="list-style-type: none"> • Long prison sentences not applicable to deter offenses committed with this mens rea; • Proportionality compared to assault offenses (i.e., assault 2 is SL6). 	
	1	Int. SL 7-8	<ul style="list-style-type: none"> • High departure rates. • Solution: keep the same durations but create presumptive stays for those with low CHS. 	

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CVH – Gross Negligence				Current SL 8
Reranking option	N	New SL	Notes	
Dispositional line	1	—	<ul style="list-style-type: none"> • Allow for presumptive stays at low CHS due to high departure rate. 	
Legislative	0	—		
Other	3	—	<ul style="list-style-type: none"> • Add special rule for GTZ. • Restorative justice/practice requirement. • More data on departures (i.e., correlation between departures and CHS) would help determine appropriate ranking decision and dispositional line. • Increase rate of change of durations between each CHS (i.e., from 6 to 10 mos). 	
Additional Notes				
<ul style="list-style-type: none"> • Data on the correlation between departures and CHS would help determine appropriate ranking decision and dispositional line. • A GTZ rule for all offenses, not just this one. 				

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CVH – Leaving Scene**Current SL 8**

Reranking option	N	New SL	Notes
Do not rerank	7	—	<ul style="list-style-type: none"> Departure rates and GTZ cases do not warrant reranking. Less culpable offenders can be addressed with downward dispositional departures. Within stat max. More severe than CVH-Gross Negligence (reranked to 7 by this Commissioner).
Uprank	1	SL 9	<ul style="list-style-type: none"> Public desire for higher rank. Great public safety risk. Proportionality compared to felony DWI SL ranking.
Downrank	3	SL 7	<ul style="list-style-type: none"> Less culpable than CVH – Gross Negligence. Allows for presumptive stays for low CHS cases. Presumptive stays can incorporate restorative justice/practices to address severity of offense. Reducing SL has no impact on deterrence.
	1	Int. SL 7-8	<ul style="list-style-type: none"> New intermediate SL keeps durations of 8 but allows for presumptive stay sentences at low CHS.
Dispositional line	0	—	
Legislative	0	—	
Other	2	—	<ul style="list-style-type: none"> Add restorative justice/practices to sentence requirements. More data on departures (i.e., correlation between departures and CHS) would help determine appropriate ranking decision and dispositional line.

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CVH – Defective Maintenance**Current SL 8**

Reranking option	N	New SL	Notes
Do not rerank	6	—	<ul style="list-style-type: none"> Not enough information, no cases from 2014-2023. Low culpability; mentality equivalent to civil negligence at most. No offenses resulting in death below SL 8. Within stat max. Apt comparison to 2nd degree Manslaughter.
Uprank	1	SL 9	<ul style="list-style-type: none"> Public desire for higher rank. Great public safety risk. Proportionality compared to felony DWI offense ranking.
Downrank	4	SL 7	<ul style="list-style-type: none"> Especially punitive towards people affected by poverty. Reduced culpability compared to other CVH offenses.
	1	Int. SL 7-8	<ul style="list-style-type: none"> Move with other CVH offenses if they move; otherwise, do not rerank.
Dispositional line	0	—	
Legislative	0	—	
Other	1	—	<ul style="list-style-type: none"> Include management/employment/financial literacy in sentence if individual is under-resourced. Increased punishment for commercial vehicle accidents over non-commercial vehicle accidents. Move to unranked list due to lack of cases.

8

CVH – While Impaired & Prior Conviction				Current SL 8
Reranking option	N	New SL	Notes	
Do not rerank	3	–	<ul style="list-style-type: none"> • No enough information due to so few cases. • Low culpability standards. • No offenses resulting in death below SL 8. 	
Uprank	8	SL 9	<ul style="list-style-type: none"> • Public desire for higher rank. • Great public safety risk. • Greater culpability than other CVH offenses. • Higher stat max than other CVH offenses. • Should run along side 3rd degree drug murder. • Cannot reach stat max at SL 8, average prison length at top of box. 	
	1	Int. SL 8-9		
Downrank	0	–		
Dispositional line	0	–		
Legislative	1	–	<ul style="list-style-type: none"> • Review collateral consequences for Felony DWI to ensure consistency with this offense. 	
Other	0	–		

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CVH – While Impaired				Current SL 8
Reranking option	N	Rerank SL	Notes	
Do not rerank	6	–	<ul style="list-style-type: none"> • Relatively low departure rate. • Low culpability standards. • No offenses resulting in death below SL 8. 	
Uprank	2	9	<ul style="list-style-type: none"> • Public desire for higher rank. • Great public safety risk. • Causing the death of another while impaired should be higher than gross negligence SL 8. 	
	2	Int. 8-9		
Downrank	2	7	<ul style="list-style-type: none"> • No priors and kept CVH – While Impaired & Prior Conviction at SL 8. • Downward departure rates are high. 	
Dispositional line	1	–	<ul style="list-style-type: none"> • Include presumptive stay boxes for the Court's discretion. 	
Legislative	1	–	<ul style="list-style-type: none"> • Allow presumptive stays at low CHS. 	
Other	1	–	<ul style="list-style-type: none"> • Mandate chemical dependency treatment and restorative justice/practices. 	

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CVH – While Impaired

Current SL 8

Additional Notes

- Curious to know how many blacks/whites/other races actually went to prison in relation to who was charged. Is there a disparity? What about for women?
- It is difficult to argue that more serious punishments here directly correlate to any general deterrence. This offense seeks to punish the effect of this offense, not the factors that result in the offense being committed (e.g. drinking and driving).

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CVI – GBH Summarized

CVI-GBH Offenses

Offense	No rerank	Uprank	Downrank
CVI-GBH-GN	4	8	1
CVI-GBH-LS	6	6	0
CVI-GBH-DM	5	5	2
CVI-GBH-WI	2	8	2

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CVI-GBH: Some Highlights

- These are serious person injury offenses. The seriousness of harm needs to be taken into consideration.
- Public desire for higher ranking of CVH related offenses.
- Incorporate restorative justice practices to the sentence to account for victim/community impact.
- Should the stat maxes be increased?
- Defective Maintenance offense appears to penalize those who do not have the resources to make repairs.
- Long sentences do not impact deterrence of some offenses due to mens rea of defendant.
- Should there be a new offense for CVI-GBH While Impaired if the individual had a prior DWI, CHV, or CVO?

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CVI-GBH – Gross Negligence

Current SL 5

Reranking option	N	Rerank SL	Notes
Do not rerank	4	-	<ul style="list-style-type: none"> • Not a high departure rate and very few durational departures.
Uprank	7	6	<ul style="list-style-type: none"> • Public desire for higher ranking. • Serious person injury offense. Other SL 5 offenses involve property crimes that do not involve direct physical personal injury. • Higher culpability than CVI leave scene & defective maintenance. • The maximum sentence is 5 years and you can't even get there with a CH score of 6+. • Cannot reach stat max at SL 5.
	1	Int. SL 5-6	<ul style="list-style-type: none"> • All CVI-GBH offenses should be upranked to SL 6 or an intermediate level between 5 and 6.
Downrank	1	4	<ul style="list-style-type: none"> • Punishes the unintended consequences of the offense, not the culpability or state of mind of the offender. Long sentences do not seem to serve any deterrent purpose given the mens rea of gross negligence.
Dispositional line	0	-	
Legislative	1	-	<ul style="list-style-type: none"> • Increase stat max to 7 years.
Other	1	-	<ul style="list-style-type: none"> • Use restorative justice/practices to account for victim/community impact.

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CVI-GBH – Leaving Scene				Current SL 5
Reranking option	N	Rerank SL	Notes	
Do not rerank	6	-	<ul style="list-style-type: none"> Not a high departure rate and very few dispositional departures. Fits rank and departure rate is relatively low. 	
Uprank	4	6	<ul style="list-style-type: none"> Serious person injury offense. Other SL 5 offenses involve property crimes that do not involve direct physical personal injury. Public desire for higher rank. Seriousness of harm involved justifies a higher ranking. Cannot reach stat max at SL 5. High average prison length. 	
	2	Int. SL 5-6	<ul style="list-style-type: none"> This offense doesn't seem to fit well at SL 5 given the other offenses at this level. Recommend reranking this offense along with the other GBH offenses at SL 6 or an intermediate SL 5-6. 	
Downrank	0			
Dispositional line	0	-		
Legislative	1	-	<ul style="list-style-type: none"> Increase stat max to 7 years. Five year stat max consideration. 	
Other	2	-	<ul style="list-style-type: none"> Use restorative justice/practices to account for victim/community impact. 	

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CVI-GBH – Defective Maintenance				Current SL 5
Reranking option	N	Rerank SL	Notes	
Do not rerank	5	-	<ul style="list-style-type: none"> With no cases in 2014-2023, there is not enough information to re-rank. No cases; ranking fits. Rarely committed. 	
Uprank	4	6	<ul style="list-style-type: none"> Serious person injury offense. Other SL 5 offenses involve property crimes that do not involve direct physical personal injury. Public desire for higher rank. Seriousness of harm justifies a higher ranking. Cannot meet stat max at SL 5. 	
	1	Int. SL 5-6	<ul style="list-style-type: none"> If consistency with other GBH offenses is desired, move to SL 6 or an intermediate severity level between 5 and 6. 	
Downrank	2	4	<ul style="list-style-type: none"> It appears to penalize specific groups of people who may not have resources to make repairs. Crime has more to do with poverty than maliciousness. 	
Dispositional line	0	-		
Legislative	1	-	<ul style="list-style-type: none"> Increase stat max to 7 years. 5 year stat max considerations. 	
Other	2	-	<ul style="list-style-type: none"> Include case management/employment/financial literacy in sentence if individual is under resourced. Should this offense be moved to the unranked list? 	

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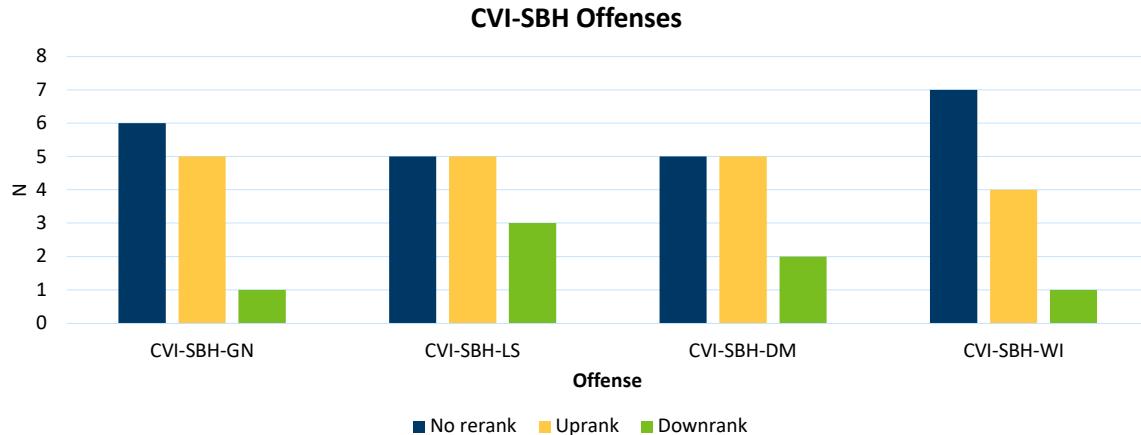
CVI-GBH – While Impaired				Current SL 3
Reranking option	N	Rerank SL	Notes	
Do not rerank	2	-	<ul style="list-style-type: none"> Not a high dispositional departure rate and very few durational departures. 	
Uprank	7	6	<ul style="list-style-type: none"> Serious person injury offense. Heard from public that CVO's are not treated seriously enough. Greater harm to victim; impaired driving is higher culpability than other CVI-GBH. Seriousness of harm justifies a higher ranking. Cannot meet stat max at SL 3. Average prison length near top. GBH while impaired should have a higher SL than GBH – Leaving Scene. 	
	1	5-6	<ul style="list-style-type: none"> This offense doesn't seem to fit well at severity 5. Move to SL 6 or create an intermediate level between 5 and 6. 	
Downrank	2	4	<ul style="list-style-type: none"> General perspective that incarceration will not resolve the problem. Rather getting individual access to substance use to and undergo restorative/transformative justice to account for harm. Does not focus on the culpability and mens rea of the offender, therefore longer sentences are not likely to impact deterrence. 	
Dispositional line	0	-		
Legislative	1	-	<ul style="list-style-type: none"> Increase stat max to 7 years; review collateral consequences for parity with DWI laws. 	
Other	2	-	<ul style="list-style-type: none"> Maximum sentence is 5 years. Should be changed to meet the SL maximum. 	

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CVI-GBH – While Impaired		Current SL 3
Additional Notes		
<ul style="list-style-type: none"> It might be worth considering recommending that the Legislature create a new offense with a higher stat max if person commits this offense and has a prior DWI, CVH, or CVO. If that offense existed, it would rank it higher than this one. Also recommending a review of the laws imposing collateral consequences for felony DWI to make sure the same requirements are imposed for CVO resulting from impaired driving. I don't think there is a conditional release term for people convicted of CVO. Need to look up the related laws on the licensing impacts for these individuals, but if they can still drive, they should be monitored the same way a person with felony DWI is monitored (i.e., conditional release term, ignition interlock, etc.). 		

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CVI – SBH Summarized



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CVI-SBH: Some Highlights

- These are serious person injury offenses.
- Use restorative/transformative process to allow for accountability for harm caused to the victim/community.
- Have heard from the public that CVO offenses are not treated severely enough.
- Consider increasing the stat max.
- Should a new offense be created with a higher stat max if a person commits CVI-SBH-While Impaired and has a prior DWI, CVH, or CVO?
- Review laws imposing collateral consequences for felony DWI to make sure the same requirements are imposed for CVO resulting from impaired driving.

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CVI-SBH – Gross Negligence				Current SL 3
Reranking option	N	Rerank SL	Notes	
Do not rerank	6	-	<ul style="list-style-type: none"> No dispositional departures and very few durational departures but the sample size is small. Current rank fits, no departures. Current ranking appears appropriate. The departure and imprisonment statistics do not seem to justify lowering the severity level. 	
Uprank	4	4	<ul style="list-style-type: none"> This is a serious person injury offense. We have heard from the public that CVO's are not treated seriously enough. All other SBH offenses are ranked SL 4 or higher. Better reflects the offense and group it with other SBH related offenses. Cannot meet stat max at SL 3. More information needed on departures. 	
	1	Int. 3-4	<ul style="list-style-type: none"> The seriousness of the harm justifies increasing the ranking. 	
Downrank	1	2	<ul style="list-style-type: none"> General perspective that incarceration will not resolve problem. Rather undergoing restorative/transformative process will allow for accountability for harm caused. 	
Dispositional line	0	-		
Legislative	1	-	<ul style="list-style-type: none"> Move state max from 3 years to 4 years. 	
Other	2	-	<ul style="list-style-type: none"> Use restorative justice/practices to account for harm to victim/community. Consider changing the maximum sentence to match the severity level. 	

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CVI-SBH – Leave Scene				Current SL 3
Reranking option	N	Rerank SL	Notes	
Do not rerank	5	-	<ul style="list-style-type: none"> With only 15 presumptive-commit cases in 10 years, do we know enough to rerank? Ranking fits. 	
Uprank	4	4	<ul style="list-style-type: none"> This is a serious person injury offense. We have heard from the public that CVO's are not treated seriously enough. This crime should be placed with other SBH offenses. This crime should be placed with other SBH offenses at SL 4. Cannot meet stat max at SL 3. 	
	1	Int. 3-4	<ul style="list-style-type: none"> The seriousness of the harm justifies reranking. 	
Downrank	3	2	<ul style="list-style-type: none"> High downward departure rates do suggest this offense should be downranked. High dispositional departure rates. General perspective that incarceration will not resolve problem. Undergoing a restorative/transformative justice process will allow for accountability for harm caused to the victim/community. High mitigated dispositional departure rate with low presumptive prison rate. 	
Dispositional line	0	-		
Legislative	1	-	<ul style="list-style-type: none"> Move stat max from 3 years to 4 years. 	
Other	2	-	<ul style="list-style-type: none"> Use restorative justice/practices to account for harm to victim/community. Consider changing the maximum sentence to match the severity level. 	

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Current SL 3

CVI-SBH – Leave Scene

Additional Notes

- Some (maybe most?) defendants flee for culpable reasons – they know they are under the influence, and/or have an arrest warrant or are possessing drugs or other contraband. Still, some may flee simply because of sudden panic, perhaps not even thinking about the danger to themselves or others. Panic cases could continue to be handled by downward departures or prosecutorial discretion (avoiding the problem of having to meet Blakely requirements for culpable defendants, which would apply if the offense were down-ranked).

23

Current SL 3

CVI-SBH – Defective Maintenance

Reranking option	N	Rerank SL	Notes
Do not rerank	5	-	<ul style="list-style-type: none"> • With no cases in 2014-2023, there isn't enough information to re-rank. Should this be moved to the unranked list? • Current ranking appears to fit, but no cases. • Absence of data indicate there is not a compelling reason to change it.
Uprank	5	4	<ul style="list-style-type: none"> • Serious person injury offense. Have heard from the public that CVO's are not treated seriously enough. All offenses involving substantial bodily harm are ranked at SL 4 or higher. • If consistency with other SBH offenses is important, consider moving this offense to SL 4. • Cannot meet stat max at current severity level (SL 3).
Downrank	2	2	<ul style="list-style-type: none"> • It appears to penalize lower income people who don't have the resources to make timely repairs. • This is more than likely something that happens because of lack of money to make repairs.
Dispositional line	0	-	
Legislative	1	-	<ul style="list-style-type: none"> • Move stat max from 3 years to 4 years.
Other	2	-	<ul style="list-style-type: none"> • Probation including case management/employment/financial literacy support if individual is under resourced. Restorative practices/justice for victim/community impact.

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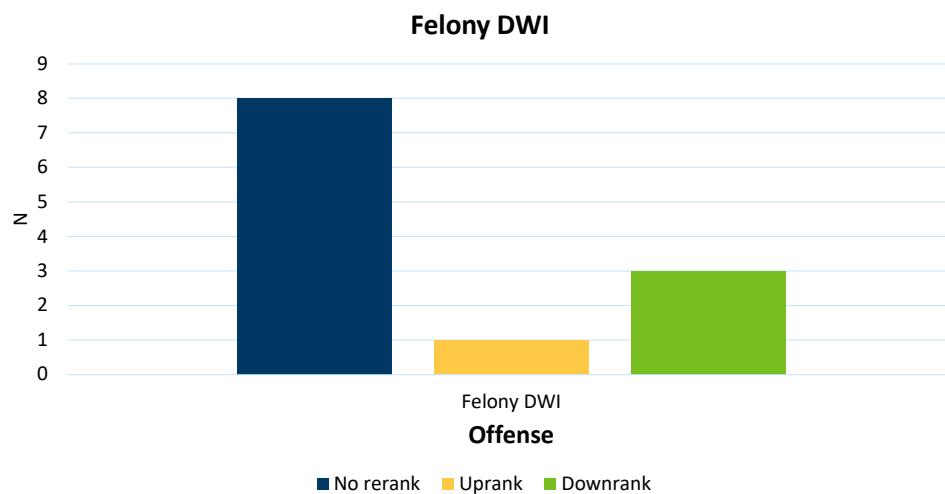
CVI-SBH – While Impaired				Current SL 3
Reranking option	N	Rerank SL	Notes	
Do not rerank	7	-	<ul style="list-style-type: none"> Not a high dispositional departure rate and few durational departures. Current ranking fits. Departure rates are low. Moving to SL 4 does not change the CHS to probation significantly enough to have it changed. 	
Uprank	3	4	<ul style="list-style-type: none"> Serious person injury offense and have heard from public that CVO's are not treated seriously enough. Seriousness of harm justifies increasing the ranking. This offense is more appropriately ranked with other SBH offenses. This crime covers dangerous behavior that has a direct impact on public safety. 	Int. 3-4
Downrank	1	2	<ul style="list-style-type: none"> General perspective is that incarceration will not resolve problem. Rather gaining access to substance use treatment and if needed, the victim has the opportunity to face their harm doer to share impact of crime. 	
Dispositional line	0	-		
Legislative	1	-	<ul style="list-style-type: none"> Increase stat max from 3 years to 4 years. 	
Other	1	-	<ul style="list-style-type: none"> CD treatment and restorative practices/justice for victim/community impact. 	

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CVI-SBH – While Impaired		Current SL 3
Additional Notes		
<ul style="list-style-type: none"> It appears that if a person came back with a second offense like this, it would be charged as a DWI, which seems wonky because it doesn't take into account the harm involved. It might be worth considering recommending that the Legislature create a new offense with a higher stat max if person commits this offense and has a prior DWI, CVH, or CVO. If that offense existed, I would rank it higher than this one. Also recommending a review of the laws imposing collateral consequences for felony DWI to make sure the same requirements are imposed for CVO resulting from impaired driving. Consider changing the maximum sentence to match the severity level or change the 6 plus box to match. 		

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Felony DWI Summarized



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Felony DWI: Some Highlights

- Should there be a special rule for Guidelines True Zero (GTZ) cases?
- Incarceration doesn't address the dependency issue. Need to provide access to and incentivize CD treatment.
- Does the stat max of 7 years make sense? Is it in line with other SL 7 offenses?
- High departure rates might be expected/desirable if the goal of giving alcohol-dependent offenders a strong incentive to enter and stay in treatment for those individuals particularly amenable to community-based treatment.
- DWI is a serious offense and is a public safety risk.

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Felony DWI

Current SL 7

Reranking option	N	Rerank SL	Notes
Do not rerank	8	-	<ul style="list-style-type: none"> High departure rates are arguably expected and desirable for this offense – goal of incentivizing treatment for those who are alcohol-dependent. Those who qualify for a felony DWI have had 3 opportunities to change their lives.
Uprank	1	8	<ul style="list-style-type: none"> Significant public safety risk.
Downrank	3	6	<ul style="list-style-type: none"> Incarceration will not resolve the problem while access to CD treatment and undergoing restorative/transformative justice will allow for accountability for harm caused. Time is severe for addiction. High dispositional departure rate suggests imprisonment range is too high.
Dispositional line	1	-	<ul style="list-style-type: none"> Consider changes to allow courts to stay imposition for those who enter/complete treatment, get ignition interlock, and complete supervised probation.
Legislative	4	-	<ul style="list-style-type: none"> DWI stat max should move from 7 to 10 years. Needs to be a mandatory prison sentence for 4 in 10 years. Should reflect
Other	3	-	<ul style="list-style-type: none"> Add a special rule for GTZ's and possibly for the within 10-year cases. CD treatment and restorative practices/transformative justice for victim/community impact. Would like more data about departures and CH scores. Could consider ranking first-time felony DWI differently. Allow court to stay imposition of sentence for first time felony DWI who have GTZ.

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Felony DWI

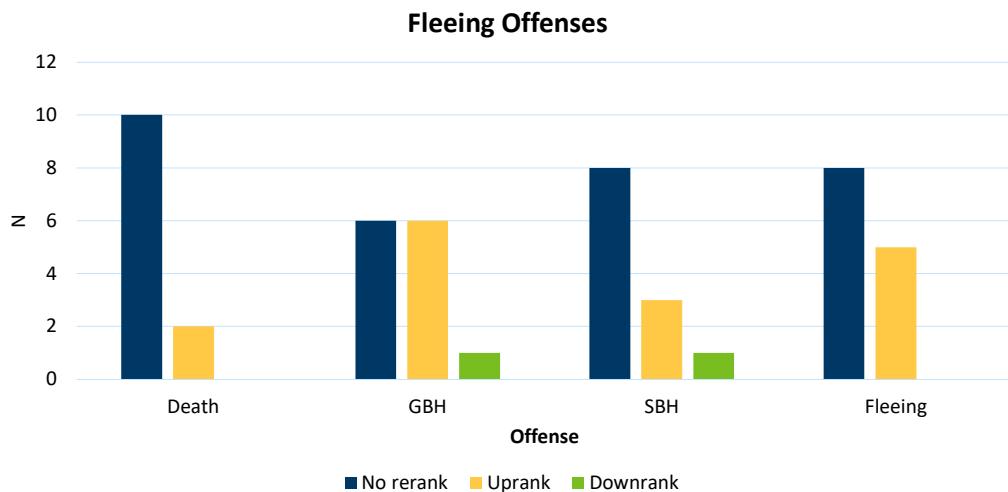
Current SL 3

Additional Notes

- This felony is based on previous offense, not the act of driving intoxicated itself. It is the result of the priors.

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Fleeing Summarized



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Fleeing: Some Highlights

- Significant public safety risks that vary depending upon location – urban, suburban, and rural.
- Examine stat maxes. Do they need to be adjusted?
- Demographics indicate Black and Latino men are more likely to be in prison for some fleeing offenses.
- Consider using restorative practices and transformative justice to account for the harm to the victim/community.
- Can we learn more about the most common means of eluding police such as how common "sheer panic" cases are. Fleeing covers a lot of dissimilar driving behavior in terms of public safety.
- Defer ranking until after 2025 legislative session.

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Fleeing Peace Officer – Death

Current SL 10

Reranking option	N	Rerank SL	Notes
Do not rerank	10	-	<ul style="list-style-type: none"> No dispositional departures and very few durational departures. High statutory max and no departures. Current rating is appropriate and reflects the seriousness of the offense. This offense often causes danger to the public, the suspect, and the police. It is fairly ranked at level 10. Appropriate sentences as recommended, high culpability. No departures.
Uprank	2	11	<ul style="list-style-type: none"> Uprank to 11. Creates significant public safety risk for urban, suburban, and rural areas. Intentionality differs from other offenses that are ranked at SL 10. Uprank to 11. No mitigated departures, average prison length at the top of box. Stat max is 480 months and at SL 10, it cannot meet that threshold.
Downrank	0	-	
Dispositional line	0	-	
Legislative	0	-	
Other	1	-	<ul style="list-style-type: none"> Use restorative justice/practices to account for harm to victim/community.

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Fleeing Peace Officer – GBH

Current SL 6

Reranking option	N	Rerank SL	Notes
Do not rerank	6	-	<ul style="list-style-type: none"> The dispositional departure rate is relatively low and there are very few durational departures, but sample size is small. Seems appropriate step up from SBH given the harm to the individual. Not enough evidence to suggest a change in SL.
Uprank	3	7	<ul style="list-style-type: none"> Creates significant public safety risk.
	2	Int. SL 7-8	<ul style="list-style-type: none"> Better reflects great bodily harm result. This offense seems more serious than a number of other SL 6 offenses such as theft (>35K) in terms of public safety. SL 7 is maybe not a perfect fit but SL 8 is too high. Cannot hit stat max at SL 6. Average prison length at top of SL 6.
	1	8	
Downrank	1	5	<ul style="list-style-type: none"> Demographics show that Black men are the only ethnic group that are currently in prison for this crime.
Dispositional line	0	-	
Legislative	1	-	<ul style="list-style-type: none"> Increase stat max from 7 to 10 years.
Other	1	-	<ul style="list-style-type: none"> Use restorative justice/practices to account for harm to victim/community. Stat max fits either SL 6 or 7.

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Current SL 3

Fleeing Peace Officer - GBH

Additional Notes

- Would be useful to know more about the most common means of eluding police and, also how common "sheer-panic" cases there are.
- This offense has a mens rea requirement in that the offender chooses not to abide by and/or otherwise comply with the requirement to stop their vehicle.

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Current SL 4

Fleeing Peace Officer – SBH

Reranking option	N	Rerank SL	Notes
Do not rerank	8	-	<ul style="list-style-type: none">• The dispositional departure rate is very low and there are very few durational departures, but sample size is very small.• Seems like an appropriate step up from standard fleeing given the seriousness of the harm to the individual.• Other SBH offenses are ranked at SL 4, plus the departure rate is low.
Uprank	1	5	<ul style="list-style-type: none">• Creates significant public safety risk.
	2	6	<ul style="list-style-type: none">• Cannot reach stat max at SL 4, nonresidential burglary is the same, average prison length at the top of the box.
Downrank	1		<ul style="list-style-type: none">• Downrank to a 3. Black and Latino men are over-represented in prison beds.
Dispositional line	0	-	
Legislative	0	-	<ul style="list-style-type: none">• Stat max range for SL 4 offenses range from 3 to 20 years. An examination of these offenses is needed given the disparity in the stat maxes.
Other	1	-	<ul style="list-style-type: none">• Use restorative justice/practices to account for harm to victim/community.

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Fleeing Peace Officer				Current SL 1
Reranking option	N	Rerank SL	Notes	
Do not rerank	7	-	<ul style="list-style-type: none"> Defer ranking until after legislative session. Dispositional and durational departures are relatively low. Defer ranking until after 2025 legislative session. See what happens with the legislative session before changing. Needs discussion. 	
Uprank	1	Int. SL 1-2	<ul style="list-style-type: none"> Uprank to level consolidating SL 1 and 2. Effect of potentially slightly increasing the sentence lengths at each CHS but should not substantially increase departures. 	
	1	3	<ul style="list-style-type: none"> Creates significant public safety risk. 	
	2	4	<ul style="list-style-type: none"> Cannot reach stat max at SL 1. Open to higher level for dangerous conditions as is mentioned at the Legislature. 	
Downrank	0	-		
Dispositional line	0	-		
Legislative	3	-	<ul style="list-style-type: none"> Move stat max from 3 to 4 years. 	
Other	1	-	<ul style="list-style-type: none"> Would like more information about why departure rate is so significant. 	

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Fleeing Peace Officer		Current SL 3
Additional Notes		
<ul style="list-style-type: none"> Would be useful to know more about the most common "means" of eluding the police, and how common "sheer-panic" cases are. Concern that fleeing charges cover a lot of driving behavior that is dissimilar in terms of the effect on public safety. 		

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