

## Sentencing Guidelines Comprehensive Review

### Discussed Legislative Recommendations

September 4, 2025

This paper lists potential legislative recommendations that Commission members have previously discussed during the Commission's ongoing comprehensive review of the Sentencing Guidelines. No decisions have been made. This list is taken from a [July staff paper](#); a new "staff comment" column has been added.

Offense	Identified Change	Current	New	Staff Comment
CVO-GBH-Gross Negligence & While Impaired	Increase stat. max.	5 years	7 years	7 years would be a nice fit for new SL 6
CVO-GBH-While Impaired (& perhaps others)	Align with DWI's conditional release terms and collateral consequences			Basically, it's a DWI + harm; irrational not to treat it at least as seriously as a DWI
CVO-GBH-While Impaired	Create a high-severity offense if prior conviction			CVH has this already, but not all priors qualify
Fleeing-GBH	Increase stat. max.	7 years	Needs more discussion	7 years fits existing SL 6
Fleeing-SBH	Increase stat. max.	5 years	Needs more discussion	5 years is ample for existing SL 4
Fleeing	Increase stat. max.	3 years	Needs more discussion	3 years is ample for existing SL 1

*This document was prepared by the staff of the Minnesota Sentencing Guidelines Commission for the Commission's review. This document has not been adopted by the Commission and does not necessarily represent its views.*

Offense	Identified Change	Current	New	Staff Comment
Fleeing	Create penalties for non-harm offenses that endanger public safety			Align this to the forfeiture standard? (Currently “endanger life/property”)
Assault 2	Reserve mandatory minimum for firearm and/or second/subs. offenses	1 <sup>1</sup> , 3, or 5 yr. mand. min.		More powerful to wait to endorse recs of Task Force on Mand. Min. Sentences next year?
Assault 4 - Peace Officer	Increase stat. max.	3 years	None given	3 years fits new SL 3
Assault 4 – Fire-fighter, EMS, Corrections, Prosecutors, Judges, Probation, & Secure Treatment Facility	Increase stat. max.	2 years	None given	2 years is a tight fit for new SL 3; 3 years would be better
Assault 4 – Bias (repeat)	Increase stat max	1 <sup>1</sup> year	None given	2 or 3 years would be better fit for new SL 3
Assault 4 generally	Define “demonstrable bodily harm” consistent with case law			
Assault 1	Create new crime for intentional infliction of GBH			Current unintentional-GBH crime is 20 years. If new intentional-GBH crime is to be ranked at SL 9, 20 years would make sense. Maybe decrease stat. max. for current crime?
Failure to Register	Remove mandatory minimum or reserve it for specific behaviors (2nd/subs., avoiding/lying to police, etc.)			More powerful to wait to endorse recs of Task Force on Mand. Min. Sentences next year?

Offense	Identified Change	Current	New	Staff Comment
Felon in Possession	Remove mandatory minimum or reserve it for specific conditions (exclude or differentiate ammo cases, loaded vs unloaded, and first vs subsequent offenses)			More powerful to wait to endorse recs of Task Force on Mand. Min. Sentences next year?