

**Subject** Establishing mandatory minimum sentences for malicious punishment of a child

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## Overview

For most felony offenses, Minnesota statutes establish a maximum prison sentence that a court can impose and the Sentencing Guidelines Commission assigns the offense a severity ranking. That ranking is part of the sentencing guidelines grid which identifies an offender's presumptive sentence. Currently, malicious punishment of a child that does not result in great bodily harm is ranked at severity level 4. An offender's presumptive sentence would involve being placed on probation unless the person had four or more criminal history points. If the offense causes great bodily harm to a child, the offense is ranked at severity level 8 and the guidelines presume that the person would be sent to prison regardless of the person's criminal history. Under current law, a judge could depart from the presumptive sentence.

This bill establishes mandatory minimum sentences for the offense of malicious punishment of a child. If the offense does not cause great bodily harm, a judge would be required to impose a prison sentence of at least one year. If the offense resulted in great bodily harm, the judge would be required to impose a prison sentence of at least two years.

## Summary

Section	Description
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1	<b>Malicious punishment of a child.</b>
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	Establishes a mandatory minimum prison sentence for the offense of malicious punishment of a child. Requires a court to sentence an offender for imprisonment of not less than one year for most offenses and not less than two years if the malicious punishment results in great bodily harm.
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