Structuring Criminal Sentences: The Evolution Of Minnesota's Sentencing Guidelines

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One axis of the sentencing guidelines grid shows criminal history scores, from zero to six. A criminal history score is based on a perpetrator’s previous offenses and is calculated by the Minnesota Department of Corrections during a pre-sentence investigation, required before all felony-level sentencings. The other axis lists the severity level of different crimes, from crimes such as fourth-degree assault, which has a severity level of one, to second-degree intentional murder, which is listed as severity level 11. Minnesota’s sentencing guidelines have never been very rational. I recall back in the 70’s under Commissioner David Fogel the guidelines for sentencing were always ‘zero to ____’. Murder might get you zero to life.