

Subject Making presentencing investigation reports optional in some felony cases

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Overview

Presentence investigation reports are prepared by probation agents and provided to a judge, prosecutor, and the defendant before sentencing in most felony cases, and in some gross misdemeanor cases. The report includes a description of the offense, the social history of the defendant, statements by witnesses, the sentencing worksheet showing the presumptive sentence, and, when required by law, additional assessments relating to substance use and gambling. Current statute makes a presentencing investigation report mandatory for all felony offenses and optional for other offenses. Rule 27.03 of the Rules of Criminal Procedure makes the report optional in all cases. This bill makes it optional for a court to order a presentence investigation report in felony cases unless the offense involved domestic violence or criminal sexual conduct, the court will consider departing from the sentencing guidelines, or the prosecutor or defendant request a report.

Summary

Section	Description
1	Sentencing hearing. Makes a conforming change.
2	Presentence investigation. Makes it optional for a court to order a presentence investigation report in felony cases unless the offense involved domestic violence or criminal sexual conduct, the court will consider departing from the sentencing guidelines, or the prosecutor or defendant request a report.
3	Life imprisonment report. Makes a conforming change.

Section	Description
4	Chemical use assessment required. Makes a conforming change.



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