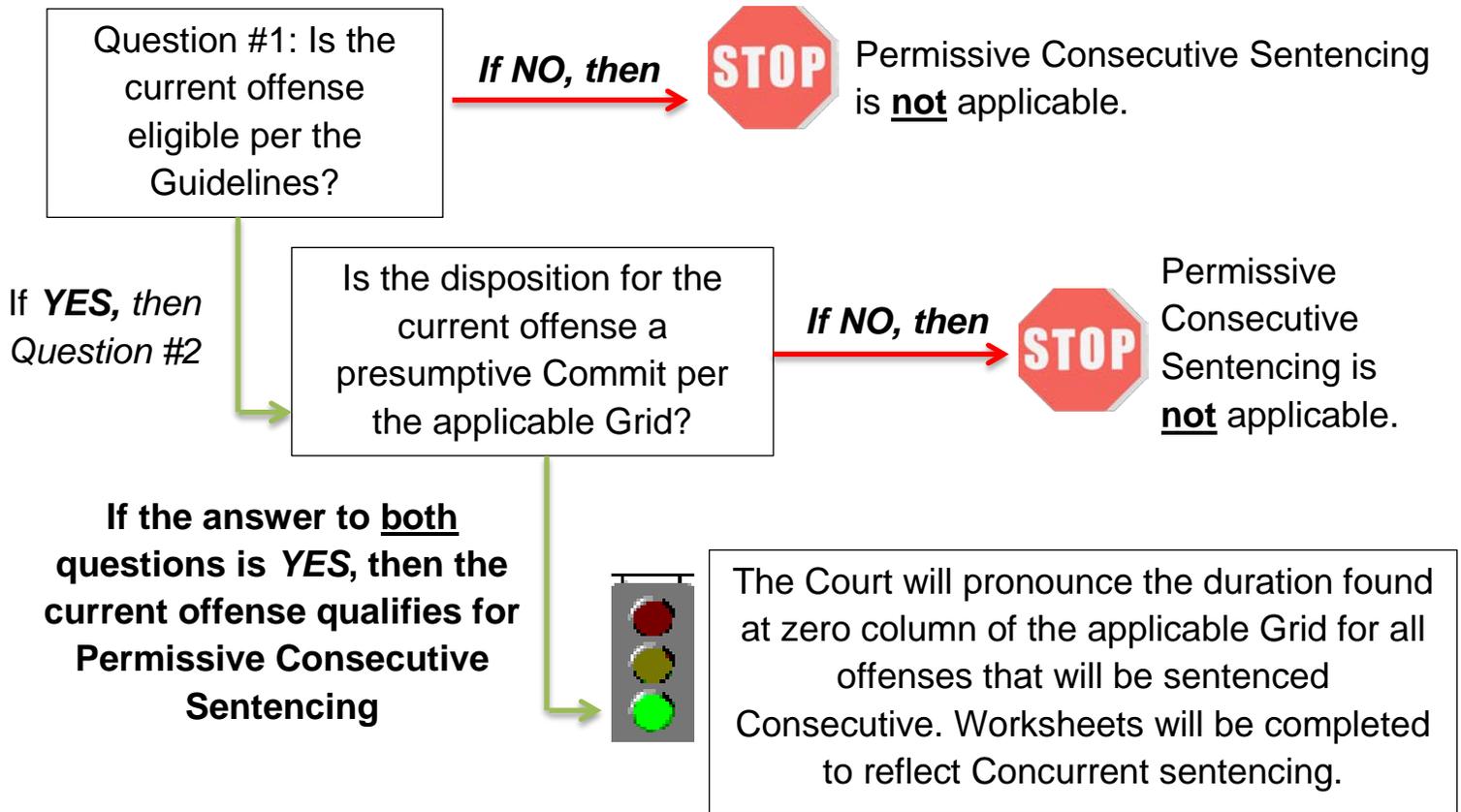


# Permissive Consecutive Sentencing



When determining if Permissive Consecutive Sentencing will be applicable, you must answer YES to both of the following questions:

1. **Is the current offense eligible per the Guidelines?** This is determined by looking at the "Offenses Eligible for Permissive Consecutive Sentences" list in section 6 of the Guidelines. Remember, the Guidelines can be found on our website at [www.msgc.state.mn.us](http://www.msgc.state.mn.us); be sure to use the Guidelines in effect based on the date of the current offense.
2. **Is the disposition for the current offense a presumptive commit per the applicable Guidelines Grid based on the Severity Level and criminal history?** This question is answered by completing a worksheet for the current offense. Completing the worksheet will do two things: 1) it will determine if the disposition is a commit; and, 2) the worksheet needs to be submitted to the Guidelines to reflect concurrent sentencing.

Once you have determined that the offense qualifies for Permissive Consecutive sentencing based on the type of offense and its disposition, submit a worksheet reflecting concurrent sentencing (the grid time reflected for the criminal history score), and inform the court that the offense is eligible for Permissive Consecutive sentencing. The duration that the court will pronounce for each offense being sentence consecutive will be found in the zero column of the applicable Grid.

*Please see the example on the next page.*

# Permissive Consecutive Sentencing Example

Worksheets will be presented to the Court to reflect all applicable criminal history and Concurrent sentencing:

Count 1	
<b><u>Current Offense</u></b>	
Agg. Robb. 1	8
<b><u>Criminal History</u></b>	
NONE	
<b><u>Sentence</u></b>	
Commit for 48 mo.	

**For Permissive Consecutive, the court pronounces the full sentence reflected on the applicable Grid for count 1.**

**Here the duration is 48 months.**

Count 2	
<b><u>Current Offense</u></b>	
Agg. Robb. 1	8
<b><u>Criminal History</u></b>	
Agg. Robb. 1	1.5
<b><u>Sentence</u></b>	
Commit for 58 mo.	

**For Permissive Consecutive, the court pronounces the duration found at the zero column of the appropriate Grid for count 2.**

**Here that duration is 48 months.**

**Total Sentence: 48 + 48 = 96 months**

- Term of Imprisonment: 64 months
- Supervised Release: 32 months