

4.B. Sex Offender Grid

Presumptive sentence lengths are in months. Italicized numbers within the grid denote the discretionary range within which a court may sentence without the sentence being deemed a departure. Offenders with stayed felony sentences may be subject to local confinement.

| SEVERITY LEVEL OF CONVICTION OFFENSE (Example offenses listed in italics) | | CRIMINAL HISTORY SCORE | | | | | | |
|---|----------|---|--------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|------------------------------------|
| | | 0 | 1 | 2 | 3 | 4 | 5 | 6 or more |
| <i>Criminal Sexual Conduct (CSC) 1st Degree</i> | A | 144 <i>144-172</i> | 156 <i>144-187</i> | 168 <i>144-201</i> | 180 <i>153-216</i> | 234 <i>199-280</i> | 306 <i>261-360</i> | 360 <i>306-360</i> ² |
| <i>CSC 2nd Degree–1(c)(d)(e)(f)(h) (e.g., contact, force, & injury)</i> | B | 90 <i>90</i> ³ -108 | 110 <i>94-132</i> | 130 <i>111-156</i> | 150 <i>128-180</i> | 195 <i>166-234</i> | 255 <i>217-300</i> | 300 <i>255-300</i> ² |
| <i>CSC 3rd Degree–1(c)(d)(g)(h)(i)(j)(k)(l)(m)(n)(o)(p) (e.g., penetration & force/occupation)</i> | C | 48 <i>41-57</i> | 62 <i>53-74</i> | 76 <i>65-91</i> | 90 <i>77-108</i> | 117 <i>100-140</i> | 153 <i>131-180</i> | 180 <i>153-180</i> ² |
| <i>CSC 2nd Degree–1(a)(b)(g) (e.g., contact & victim under 13)</i> <i>CSC 3rd Degree–1(a)(e)(f) or 1(b) with 2(1) (e.g., penetration & child victim)</i> | D | 36 | 48 | 60 <i>51-72</i> | 70 <i>60-84</i> | 91 <i>78-109</i> | 119 <i>102-142</i> | 140 <i>119-168</i> |
| <i>CSC 4th Degree–1(c)(d)(g)(h)(i)(j)(k)(l)(m)(n)(o)(p) (e.g., contact & force/occupation)</i> <i>Dissemination of Child Pornography</i> ² | E | 24 | 36 | 48 | 60 <i>51-72</i> | 78 <i>67-93</i> | 102 <i>87-120</i> | 120 <i>102-120</i> ² |
| <i>CSC 4th Degree–1(a)(b)(e)(f) (e.g., contact & child victim)</i> <i>CSC 5th Degree</i> <i>Possession of Child Pornography (Subseq./Pred. Off./Under 13)</i> | F | 18 | 27 | 36 | 45 <i>39-54</i> | 59 <i>51-70</i> | 77 <i>66-92</i> | 84 <i>72-100</i> |
| <i>CSC 3rd Degree–1(b) with 2(2) (i.e., penetration & child victim 24–48 mo. younger)</i> <i>Possession of Child Pornography</i> <i>Solicit Child for Sexual Conduct</i> ² | G | 15 | 20 | 25 | 30 | 39 <i>34-46</i> | 51 <i>44-60</i> | 60 <i>51-60</i> ² |
| <i>Failure to Register as a Predatory Offender</i> | H | 12 ¹ <i>12¹-14</i> | 14 <i>12¹-16</i> | 16 <i>14-19</i> | 18 <i>16-21</i> | 24 <i>21-28</i> | 30 <i>26-36</i> | 36 <i>31-43</i> |

¹ 12¹=One year and one day



Presumptive commitment to state imprisonment. Sex offenses under Minn. Stat. § 609.3455, subd. 2, have mandatory life sentences and are excluded from the Guidelines. See section 2.E, for policies regarding those sentences controlled by law, including conditional release terms for sex offenders.



Presumptive stayed sentence; at the discretion of the court, up to one year of confinement and other non-jail sanctions can be imposed as conditions of probation. However, certain offenders in the shaded area of the Grid may qualify for a mandatory life sentence under Minn. Stat. § 609.3455, subd. 4. See sections 2.C and 2.E.

² Minn. Stat. § 244.09 requires that the Guidelines provide a range for sentences that are presumptive commitment to state imprisonment of 15% lower and 20% higher than the fixed duration displayed, provided that the minimum sentence is not less than one year and one day and the maximum sentence is not more than the statutory maximum. See section 2.C.1–2.

³ Solicits, Promotes, or Receives Profit Derived from Prostitution; Sex Trafficking 1st Degree is not subject to a 90-month minimum statutory presumptive sentence so the standard range of 15% lower and 20% higher than the fixed duration applies. (The range is 77–108.)

**Examples of Executed Sentences (Length in Months) Broken Down by:
Term of Imprisonment and Supervised Release Term**

Under Minn. Stat. § 244.101, offenders committed to the Commissioner of Corrections for crimes committed on or after August 1, 1993 will receive an executed sentence pronounced by the court consisting of two parts: a specified minimum term of imprisonment equal to two-thirds of the total executed sentence and a supervised release term equal to the remaining one-third. The court is required to pronounce the total executed sentence and explain the amount of time the offender will serve in prison and the amount of time the offender will serve on supervised release, assuming the offender commits no disciplinary offense in prison that results in the imposition of a disciplinary confinement period. The court must also explain that the amount of time the offender actually serves in prison may be extended by the Commissioner if the offender violates disciplinary rules while in prison or violates conditions of supervised release. This extension period could result in the offender's serving the entire executed sentence in prison.

| Executed Sentence | Term of Imprisonment | Supervised Release Term | Executed Sentence | Term of Imprisonment | Supervised Release Term |
|--------------------------|--------------------------------|--------------------------------|--------------------------|--------------------------------|--------------------------------|
| 12 and 1 day | 8 and 1 day | 4 | 84 | 56 | 28 |
| 14 | 9 ¹ / ₃ | 4 ² / ₃ | 90 | 60 | 30 |
| 15 | 10 | 5 | 91 | 60 ² / ₃ | 30 ¹ / ₃ |
| 16 | 10 ² / ₃ | 5 ¹ / ₃ | 102 | 68 | 34 |
| 18 | 12 | 6 | 110 | 73 ¹ / ₃ | 36 ² / ₃ |
| 20 | 13 ¹ / ₃ | 6 ² / ₃ | 117 | 78 | 39 |
| 24 | 16 | 8 | 119 | 79 ¹ / ₃ | 39 ² / ₃ |
| 25 | 16 ² / ₃ | 8 ¹ / ₃ | 120 | 80 | 40 |
| 27 | 18 | 9 | 130 | 86 ² / ₃ | 43 ¹ / ₃ |
| 30 | 20 | 10 | 140 | 93 ¹ / ₃ | 46 ² / ₃ |
| 36 | 24 | 12 | 144 | 96 | 48 |
| 39 | 26 | 13 | 150 | 100 | 50 |
| 40 | 26 ² / ₃ | 13 ¹ / ₃ | 153 | 102 | 51 |
| 45 | 30 | 15 | 156 | 104 | 52 |
| 48 | 32 | 16 | 168 | 112 | 56 |
| 51 | 34 | 17 | 180 | 120 | 60 |
| 59 | 39 ¹ / ₃ | 19 ² / ₃ | 195 | 130 | 65 |
| 60 | 40 | 20 | 234 | 156 | 78 |
| 62 | 41 ¹ / ₃ | 20 ² / ₃ | 255 | 170 | 85 |
| 70 | 46 ² / ₃ | 23 ¹ / ₃ | 300 | 200 | 100 |
| 76 | 50 ² / ₃ | 25 ¹ / ₃ | 306 | 204 | 102 |
| 77 | 51 ¹ / ₃ | 25 ² / ₃ | 360 | 240 | 120 |
| 78 | 52 | 26 | | | |