

4.C. Drug Offender Grid

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

SEVERITY LEVEL OF CONVICTION OFFENSE (Example offenses listed in <i>italics</i>)		CRIMINAL HISTORY SCORE						
		0	1	2	3	4	5	6 or more
<i>Aggravated Controlled Substance Crime, 1st Degree</i> <i>Manufacture of Any Amt. Meth</i>	D9	86 <i>74*-103</i>	98 <i>84*-117</i>	110 <i>94*-132</i>	122 <i>104*-146</i>	134 <i>114*-160</i>	146 <i>125*-175</i>	158 <i>135*-189</i>
<i>Controlled Substance Crime, 1st Degree</i>	D8	65 <i>56*-78</i>	75 <i>64*-90</i>	85 <i>73*-102</i>	95 <i>81*-114</i>	105 <i>90*-126</i>	115 <i>98*-138</i>	125 <i>107*-150</i>
<i>Controlled Substance Crime, 2nd Degree</i>	D7	48	58	68 <i>58-81</i>	78 <i>67-93</i>	88 <i>75-105</i>	98 <i>84-117</i>	108 <i>92-129</i>
<i>Controlled Substance Crime, 3rd Degree</i> <i>Failure to Affix Stamp</i>	D6	21	27	33	39 <i>34-46</i>	45 <i>39-54</i>	51 <i>44-61</i>	57 <i>49-68</i>
<i>Possess Substances with Intent to Manufacture Meth</i>	D5	18	23	28	33 <i>29-39</i>	38 <i>33-45</i>	43 <i>37-51</i>	48 <i>41-57</i>
<i>Controlled Substance Crime, 4th Degree</i>	D4	12 ¹	15	18	21	24 <i>21-28</i>	27 <i>23-32</i>	30 <i>26-36</i>
<i>Meth Crimes Involving Children and Vulnerable Adults</i>	D3	12 ¹	13	15	17	19 <i>17-22</i>	21 <i>18-25</i>	23 <i>20-27</i>
<i>Controlled Substance Crime, 5th Degree</i>	D2	12 ¹	12 ¹	13	15	17	19	21 <i>18-25</i>
<i>Sale of Simulated Controlled Substance</i>	D1	12 ¹	12 ¹	12 ¹	13	15	17	19 <i>17-22</i>

* Lower range may not apply. See section 2.C.3.c(1) and Minn. Stat. § 152.021, subdivisions 3(c) & 3(d).

¹ 12¹=One year and one day



Presumptive commitment to state imprisonment.



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 offenses in the shaded area of the Grid always carry a presumptive commitment to state prison. See sections 2.C and 2.E.

**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	58	38 $\frac{2}{3}$	19 $\frac{1}{3}$
13	8 $\frac{2}{3}$	4 $\frac{1}{3}$	65	43 $\frac{1}{3}$	21 $\frac{2}{3}$
15	10	5	68	45 $\frac{1}{3}$	22 $\frac{2}{3}$
17	11 $\frac{1}{3}$	5 $\frac{2}{3}$	75	50	25
18	12	6	78	52	26
19	12 $\frac{2}{3}$	6 $\frac{1}{3}$	85	56 $\frac{2}{3}$	28 $\frac{1}{3}$
21	14	7	86	57 $\frac{1}{3}$	28 $\frac{2}{3}$
23	15 $\frac{1}{3}$	7 $\frac{2}{3}$	88	58 $\frac{2}{3}$	29 $\frac{1}{3}$
24	16	8	95	63 $\frac{1}{3}$	31 $\frac{2}{3}$
27	18	9	98	65 $\frac{1}{3}$	32 $\frac{2}{3}$
28	18 $\frac{2}{3}$	9 $\frac{1}{3}$	105	70	35
30	20	10	108	72	36
33	22	11	110	73 $\frac{1}{3}$	36 $\frac{2}{3}$
38	25 $\frac{1}{3}$	12 $\frac{2}{3}$	115	76 $\frac{2}{3}$	38 $\frac{1}{3}$
39	26	13	122	81 $\frac{1}{3}$	40 $\frac{2}{3}$
43	28 $\frac{2}{3}$	14 $\frac{1}{3}$	125	83 $\frac{1}{3}$	41 $\frac{2}{3}$
45	30	15	134	89 $\frac{1}{3}$	44 $\frac{2}{3}$
48	32	16	146	97 $\frac{1}{3}$	48 $\frac{2}{3}$
51	34	17	158	105 $\frac{1}{3}$	52 $\frac{2}{3}$
57	38	19			