

609.495 AIDING AN OFFENDER.

Subdivision 1. **Definition of crime.** (a) Whoever harbors, conceals, aids, or assists by word or acts another whom the actor knows or has reason to know has committed a crime under the laws of this or another state or of the United States with intent that such offender shall avoid or escape from arrest, trial, conviction, or punishment, may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$5,000, or both if the crime committed or attempted by the other person is a felony.

(b) Whoever knowingly harbors, conceals, or aids a person who is on probation, parole, or supervised release because of a felony level conviction and for whom an arrest and detention order has been issued, with intent that the person evade or escape being taken into custody under the order, may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$5,000, or both. As used in this paragraph, "arrest and detention order" means a written order to take and detain a probationer, parolee, or supervised releasee that is issued under section 243.05, subdivision 1; 244.195; or 401.025.

Subd. 2. [Repealed, 1996 c 408 art 3 s 40]

Subd. 3. **Obstructing investigation.** Whoever intentionally aids another person whom the actor knows or has reason to know has committed a criminal act, by destroying or concealing evidence of that crime, providing false or misleading information about that crime, receiving the proceeds of that crime, or otherwise obstructing the investigation or prosecution of that crime is an accomplice after the fact and may be sentenced to not more than one-half of the statutory maximum sentence of imprisonment or to payment of a fine of not more than one-half of the maximum fine that could be imposed on the principal offender for the crime of violence. For purposes of this subdivision, "criminal act" means an act that is a crime listed in section 609.11, subdivision 9, under the laws of this or another state, or of the United States, and also includes an act that would be a criminal act if committed by an adult.

Subd. 4. **Taking responsibility for criminal acts.** (a) Unless the person is convicted of the underlying crime, a person who assumes responsibility for a criminal act with the intent to obstruct, impede, or prevent a criminal investigation may be sentenced to not more than one-half of the statutory maximum sentence of imprisonment or to payment of a fine of not more than one-half of the maximum fine that could be imposed on the principal offender for the criminal act.

(b) Nothing in this subdivision shall be construed to impair the right of any individual or group to engage in speech protected by the United States Constitution or the Minnesota Constitution.

Subd. 5. **Venue.** An offense committed under subdivision 1 or 3 may be prosecuted in:

- (1) the county where the aiding or obstructing behavior occurred; or
- (2) the county where the underlying criminal act occurred.

History: 1963 c 753 art 1 s 609.495; 1984 c 628 art 3 s 11; 1986 c 444; 1993 c 326 art 4 s 25; 1997 c 239 art 3 s 14; art 9 s 51; 1Sp2001 c 8 art 8 s 24,25; 2002 c 348 s 2; 2006 c 260 art 1 s 26; 2016 c 158 art 1 s 204

EXCERPT

2017 Unranked Offenses

Frequency and Severity of Unranked Offenses
Sentenced 1981–2017

Published February 12, 2019

Introduction

In determining how, or whether, offenses should be assigned a severity level, the Commission will consider how district courts have generally sentenced the offenses, along with the maximum penalty established by the Legislature, rankings for similar crimes, and other relevant information. The Commission has intentionally left a number of felony offenses unranked.

When crimes are unranked, it may be because they are so seldom charged that no sentencing patterns are discernible, because they are new crimes that are not easily comparable to existing offenses, or because the offense encompasses such a wide range of behavior that it is best to allow the sentencing court discretion in determining the severity level.

When an offense is unranked, the court must assign an appropriate severity level for the offense and specify on the record why that particular level was assigned. This ranking process is described in greater detail in Appendix 1, “Unranked Offenses,” on page 22.

The following section describes the sentencing practices for unranked offenses in general, detailing the frequency of each unranked offense and the severity level(s) assigned to it by sentencing courts. Due to the offense’s unique nature, the sentencing practices for Aiding an Offender, Accomplice After the Fact—one of the most commonly occurring unranked offenses—are detailed in a separate section that begins on page 8.

General Sentencing Practices for Unranked Offenses

In 75 cases in 2017, an unranked offense was the most serious offense sentenced. This number represents 0.4 percent of all felony cases sentenced that year.¹ Two unranked offenses accounted for 59 percent of that volume: Counterfeiting Currency (Minn. Stat. § [609.632](#)) (23 cases) and Aiding an Offender, Accomplice after the Fact (Minn. Stat. § [609.495](#), subd. 3) (21 cases).

The data below represent a summary of all unranked offenses sentenced between 1981 and 2017. If the severity level of an offense is listed as “N/A,” then no case has ever been sentenced under the Guidelines in which that offense was the most serious offense sentenced. Currently ranked, but formerly unranked, offenses are not reported here.²

¹ Minnesota courts sentenced 18,288 felony offenders in 2017.

² Effective August 1, 2006, third-degree criminal sexual conduct (Minn. Stat. § [609.344](#), subd. 1(a)), fourth-degree criminal sexual conduct (Minn. Stat. § [609.345](#), subd. 1(a)), use of minors in a sexual performance (Minn. Stat. § [617.246](#)), and possession or dissemination of child pornography (Minn. Stat. § [617.247](#)) are no longer unranked offenses. These offenses are now ranked on the Sex Offender Grid. Information on the ranking of these offenses committed prior to August 1, 2006, can be obtained by submitting a data request to the MSGC office at mn.gov/sentencing-guidelines/contact/data-requests.

OFFENSE AND MINN. STAT. §	SEVERITY LEVEL ASSIGNED	2012	2013	2014	2015	2016	2017	1981–2017 TOTAL CASES
Bigamy, 609.355 <i>cont'd</i>	4	1						6
	6							2
Incest 609.365	4							1
	5					1		19
	6	1						17
	7*			1	1			4
	8*							8
	9*							6
	F	1					2	3
	D				1			1
Treason, 609.385	N/A							0
Misprision of Treason, 609.39	N/A							0
Obstructing Military Forces, 609.395	N/A							0
Corrupting Legislator, 609.425	N/A							0
Escape with Violence from Misd. or Gross Misd. 609.485 , subd. 4(a)(3)	1							1
Escape from Electronic Home Monitoring (EHM) 609.485 , subd. 4(f) (<i>Effective 8/1/2002</i>)	3	2	1	4	2	6	9	26
Aiding an Offender – Accomplice After Fact** 609.495 , subd. 3	1	2	2		1	2		48
	2	2	6	2	2	1	1	47
	3		2	1		2	1	35
	4	3	1	2	5	5		56
	5	1	1	3	2	1	1	47
	6	2	1	5	2	1	6	56

* These rankings represent the severity levels in effect on/after August 1, 2002. On that date, a new Severity Level 7 was inserted in the Sentencing Guidelines Grid, with old severity levels 7, 8, 9, and 10 becoming 8, 9, 10, and 11.

** For details and case-level information regarding this offense, refer to the section that begins on page 8.

OFFENSE AND MINN. STAT. §	SEVERITY LEVEL ASSIGNED	2012	2013	2014	2015	2016	2017	1981-2017 TOTAL CASES
Aiding an Offender – Accomplice After Fact** 609.495 , subd. 3 <i>cont'd</i>	7*		3	3	4	6	2	32
	8*	3	9	4	7	4	7	94
	9*	1	3	2	1	5	3	40
	10*				1	3		11
	11*							3
	E							1
Concealing Criminal Proceedings 609.496 or 497	1							2
	3					1		3
	5			1				1
	6				1			2
Warning Subject – Investigation/Surveillance 609.4971 or 4975	2							1
Damage to Property: Critical Public Service 609.594 , subd.2 (Effective 7/1/2002)	1			1				2
	3							2
	4							1
Killing or Harming a Public Safety Dog, 609.596 , subd. 1	N/A							0
Assaulting or Harming a Police Horse 609.597 , subd. 3(1) or subd. 3(2)	N/A							0
Insurance Fraud: Employment of Runners 609.612 , subd. 2 (Effective 8/1/2002)	N/A							0
Counterfeiting Currency 609.632 (Effective 8/1/2006)	1		2	3	1		1	11
	2	5	9	8	5	5	15	78
	3		3	3		2	6	24
	4	1						4
	5						1	3

* These rankings represent the severity levels in effect on/after August 1, 2002. On that date, a new Severity Level 7 was inserted in the Sentencing Guidelines Grid, with old severity levels 7, 8, 9, and 10 becoming 8, 9, 10, and 11.

** For details and case-level information regarding this offense, refer to the section that begins on page 8.

Sentencing Practices for Aiding an Offender, Accomplice After the Fact

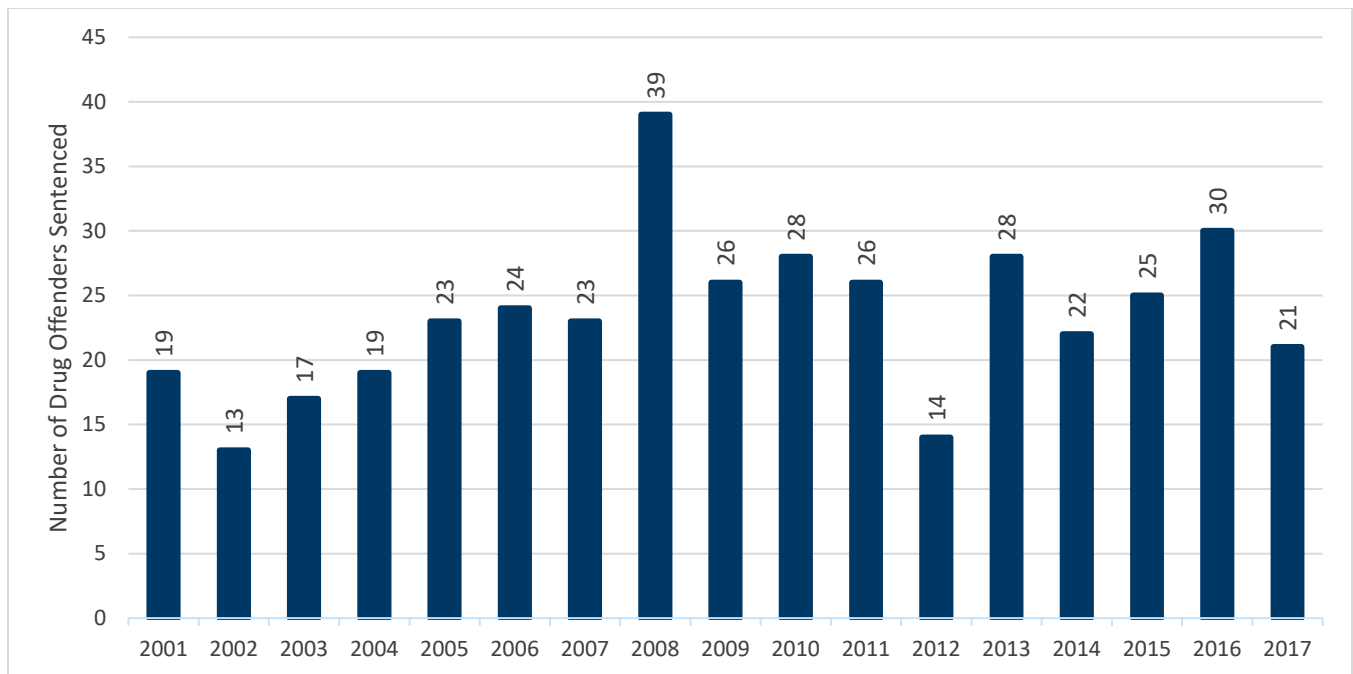
This section gives statistics concerning 2001–2017 sentencing practices for the unranked offense of Aiding an Offender, Accomplice After the Fact under Minn. Stat. § [609.495](#), subd. 3.

The penalty for Aiding an Offender, Accomplice after the Fact, is dependent on the crime the offender has alleged to have aided. According to the statute, the accomplice may be sentenced to not more than one-half of the statutory maximum sentence that could be imposed on the principal offender for the crime of violence listed under Minn. Stat. § [609.11](#), subd. 9. (See Table 4 for a complete list of possible underlying criminal acts). Because this is an unranked offense, the sentencing court must assign a severity level prior to pronouncing the sentence. (See Appendix 1, “Unranked Offenses,” on page 22).

Case Volume

Figure 1 displays the number of offenders who were sentenced between 2001 and 2017 with Aiding an Offender, Accomplice after the Fact, as the most serious offense sentenced.³ There were 21 cases sentenced under this statute in 2017. There have been, on average, 23 cases per year since 2001.

Figure 1. Number of Offenders Sentenced for Aiding an Offender, Accomplice after the Fact, 2001–2017



³ Minnesota Sentencing Guidelines Commission (MSGC) monitoring data are offender-based, meaning cases represent offenders rather than individual charges. Offenders sentenced within the same county in a one-month period are generally counted only once, based on their most serious offense.

Case-Level Information

Table 2 and Table 3 list detailed case-level information for aiding an offender, accomplice after the fact offenders. Table 2, which contains data for cases sentenced in 2015 through 2017, records the underlying criminal act and its severity level, but only if those facts are apparent on the face of the criminal complaint, plea petition, or other court record. When those facts are not apparent, details of the underlying offense are left blank. In Table 3, which contains data for cases sentenced from 2001 through 2014, details of the underlying offense are not recorded; instead, district court case numbers are provided for those who wish to obtain more information from court records. In Table 2 and Table 3, “12¹” equals 12 months and one day. Underlying criminal acts are abbreviated; refer to Table 4 for full offense names.

Table 2. Aiding an Offender, Accomplice after the Fact, 2015–2017

Year	County	District Court Case Number	Underlying Criminal Act (see Table 4)	Underlying Offense Severity Level	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
							Disposition	Duration (months)
2017	*				8	1	Commit	58
	*				6	1	Stay	27
	Dakota	HACR164528			3	0	Stay	12 ¹
	Hennepin	CR1517668	Murder 2	11	8	0	Commit	48
	Hennepin	CR1533506	Assault 2	6	6	0	Stay	21
	Hennepin	CR1533507	Assault 1	9	6	0	Stay	21
	Hennepin	CR1610172	Att. Murder 2	11	7	0	Stay	36
	Hennepin	CR1610173	Att. Murder 2	11	7	0	Stay	36
	Hennepin	CR1610410	Felon w/Gun	6	8	2	Commit	68
	Hennepin	CR1621354	Att. Murder 1	N/A	9	1	Commit	98
	Hennepin	CR1628407			6	3	Commit	39
	Hennepin	CR1628974	Murder 2	11	8	3	Commit	78
	Hennepin	CR1713015	Assault 2	6	5	0	Stay	18
	Hennepin	CR17664			6	1	Stay	27
	Ramsey	CR158498	“Homicide”		8	6	Commit	111
	Ramsey	CR159638	Assault 2	6	2	0	Stay	12 ¹
	Ramsey	CR163751	Murder 2	11	8	2	Commit	68
	Ramsey	CR164650	Murder 2	11	9	0	Commit	86
	Ramsey	CR17293	Murder 2	10	9	3	Commit	122
	St. Louis	VICR16823	Murder 2	11	8	0	Commit	48
Wabasha	CR16924			6	6	Commit	60	
2016	*				1	1	Stay	12 ¹
	*				3	2	Stay	15

* Sentencing records containing juvenile history have been redacted.

Year	County	District Court Case Number	Underlying Criminal Act (see Table 4)	Underlying Offense Severity Level	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
							Disposition	Duration (months)
2016, cont.	*				7	3	Commit	54
	Anoka	CR161821	Agg. Rob. 1	8	4	0	Stay	12 ¹
	Anoka	CR161822	Agg. Rob. 1	8	4	0	Stay	12 ¹
	Beltrami	CR153927	Murder 2	11	9	0	Commit	86
	Beltrami	CR161912			4	3	Stay	21
	Beltrami	CR153928	Murder 2	11	9	4	Commit	134
	Dakota	HACR142259	"Homicide"		10	0	Commit	150
	Hennepin	CR1434787			9	1	Commit	98
	Hennepin	CR1522568			9	0	Commit	86
	Hennepin	CR1523345			10	0	Commit	150
	Hennepin	CR1512667	"Homicide"		9	0	Commit	86
	Hennepin	CR1527937	Agg. Rob. 1	8	5	4	Commit	38
	Hennepin	CR1517995	Drive-by Shooting	8	8	0	Commit	48
	Hennepin	CR1510846			7	1	Stay	42
	Hennepin	CR1418399			7	0	Stay	36
	Hennepin	CR1523949			8	0	Commit	48
	Lyon	CR15490	Murder 2	11	8	0	Commit	48
	Martin	CR16775	Burglary 3	4	4	1	Stay	15
	Mower	CR151911	Assault 2	6	1	0	Stay	12 ¹
	Olmsted	CR164460	Drive-by Shooting	8	6	3	Commit	39
	Olmsted	CR158284			2	0	Stay	12 ¹
	Pennington	CR16340	"Burglary"		3	6	Commit	23
	Ramsey	CR149114	Agg. Rob. 1	8	4	0	Stay	12 ¹
	Ramsey	CR155478	Burglary 1	8	7	0	Stay	36
St. Louis	VICR14633	Murder 2	11	8	3	Commit	78	
Winona	CR152846			7	0	Stay	36	
Winona	CR152848	Murder 2	11	7	1	Stay	42	
Wright	CR144872			10	0	Commit	150	
2015	Benton	CR14882			10	2	Commit	180
	Dakota	HACR142105	Agg. Rob. 1	8	5	2	Stay	28
	Hennepin	CR1410253	Felon w/Gun	6	6	3	Commit	39
	Hennepin	CR145026	Murder 2	11	9	4	Commit	134
	Hennepin	CR152031			2	0	Stay	12 ¹
	Hennepin	CR1425127	Murder 2	10 or 11	8	1	Commit	58
	Hennepin	CR1427585			4	1	Stay	15
	Hennepin	CR1424703	Att. Murder 2	11	8	4	Commit	88
	Hennepin	CR1511750	Drugs 2	8	8	0	Commit	48
	Hennepin	CR1330860	Murder 2	10 or 11	8	0	Commit	48
	Hennepin	CR1330861	Murder 2	10 or 11	8	1	Commit	58

Year	County	District Court Case Number	Underlying Criminal Act (see Table 4)	Underlying Offense Severity Level	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
							Disposition	Duration (months)
2015, cont.	Hennepin	CR148288	Felon w/Gun	6	8	9	Commit	111*
	Hennepin	CR14316			4	3	Stay	21
	Olmsted	CR145425	Agg. Rob. 1	8	7	0	Stay	36
	Olmsted	CR145265			6	3	Commit	39
	Polk	CR15239	Drugs 2 or 3	8 or 6	2	0	Stay	12 ¹
	Ramsey	CR149665			4	0	Stay	12 ¹
	Ramsey	CR153693			1	0	Stay	12 ¹
	Ramsey	CR156885			7	1	Stay	42
	Ramsey	CR147881	"Homicide"		8	2	Commit	68
	Ramsey	CR145626	Agg. Rob. 1	8	4	1	Stay	15
	Ramsey	CR146228			5	0	Stay	18
	Redwood	CR15294	Felon w/Gun	6	4	1	Stay	15
	Scott	CR1414947	Murder 1	N/A	7	1	Stay	42
	Scott	CR155904	Crim. Sex. 1	A	7	0	Stay	36

Table 3. Aiding an Offender, Accomplice after the Fact, 2001–2014

Year	County	District Court Case Number	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
					Disposition	Duration (months)
2014	**		7	0	Stay	36
	Becker	CR14484	2	9	Commit	24
	Becker	CR14530	6	5	Commit	51
	Becker	CR14486	4	2	Stay	18
	Clearwater	CR1034	5	1	Stay	23
	Dakota	HACR132141	2	4	Stay	17
	Hennepin	CR1335229	6	0	Stay	21
	Hennepin	CR1334579	8	0	Commit	48
	Hennepin	CR1324588	8	2	Commit	68
	Hennepin	CR1330858	8	0	Commit	48
	Hennepin	CR1339166	6	1	Stay	27
	Hennepin	CR1327073	6	5	Commit	51
	Hennepin	CR1331433	9	0	Commit	86
	Hennepin	CR1318611	5	5	Commit	43
	Hennepin	CR1320832	9	1	Commit	98

* This calculation appears to have been erroneous. Cf. Minn. Sentencing Guidelines § 2.C.2 (presumptive sentence cannot exceed statutory maximum) *with State v. Wilson*, No. A15-1001, 2016 WL 1396803 (Minn. App. Apr. 11, 2016) (unpublished) (statutory maximum in this case was 90 months).

** Sentencing records containing juvenile history have been redacted.

Year	County	District Court Case Number	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
					Disposition	Duration (months)
2001, cont.	Nobles	K30000504	4	0	Stay	12 ¹
	Olmsted	K199003833	4	0	Stay	12 ¹
	Ramsey	K300001451	8	0	Commit	48
	St. Louis	KX99601096	2	1	Stay	12 ¹
	Winona	K201001073	3	0	Stay	12 ¹

Table 4. Felony Criminal Acts Listed in Minn. Stat. § 609.11, Subd. 9

Offense Name	Offense Abbreviation (used in Table 2)	Offense Severity Level (as of August 1, 2017)
Murder 1st Degree	Murder 1	N/A
Murder 2nd Degree (Intentional Murder or Drive-By Shootings)	Murder 2	11
Murder 2nd Degree (Unintentional Murder)	Murder 2	10
Murder 3rd Degree – 609.195(a)	Murder 3	10
Murder 3rd Degree – 609.195(b)	Murder 3	9
Assault 1st Degree (Great Bodily Harm)	Assault 1	9
Assault 2nd Degree (Dangerous Weapon)	Assault 2	6
Assault 3rd Degree	Assault 3	4
Burglary 1st Degree (with Weapon or Assault)	Burglary 1	8
Burglary 1st Degree (Occupied Dwelling)	Burglary 1	6
Burglary 2nd Degree (Dwelling/Bank) (Government Building, Religious Est., Historic Property, or School Building)	Burglary 2	5
Burglary 2nd Degree (Pharmacy/Tool)	Burglary 2	4
Burglary 3rd Degree (Non Residential)	Burglary 3	4
Kidnapping (Great Bodily Harm)	Kidnapping	9
Kidnapping (Unsafe Release) (Victim Under 16)	Kidnapping	8
Kidnapping (Safe Release/No Great Bodily Harm)	Kidnapping	6
False Imprisonment (Substantial Bodily Harm)	False Imp.	4
False Imprisonment (Restraint) (Demonstrable Bodily Harm)	False Imp.	3
Manslaughter 1st Degree – 609.20(1), (2) & (5)	Mansl. 1	9
Manslaughter 1st Degree – 609.20(3) & (4)	Mansl. 1	8
Manslaughter 2nd Degree – Culpable Negligence	Mansl. 2	8
Manslaughter 2nd Degree – Hunting Accident	Mansl. 2	5
Aggravated Robbery 1st Degree	Agg. Rob. 1	8
Aggravated Robbery 2nd Degree	Agg. Rob. 2	6
Simple Robbery	Robbery	5
Tampering with a Witness Aggravated 1st Degree	Agg. Wit. Tmp.	9
Tampering with a Witness 1st Degree	Wit. Tmp. 1	5
Criminal Sexual Conduct 1st Degree – subd.1(a)(b)(c)(d)(e)(f)	Crim. Sex. 1	A
Criminal Sexual Conduct 2nd Degree – subd.1(c)(d)(e)(f)	Crim. Sex. 2	B

Offense Name	Offense Abbreviation (used in Table 2)	Offense Severity Level (as of August 1, 2017)
Criminal Sexual Conduct 2nd Degree – subd.1(a)(b)	Crim. Sex. 2	D
Criminal Sexual Conduct 3rd Degree – subd. 1(c)(d)(h)(i)(j)	Crim. Sex. 3	C
Criminal Sexual Conduct 3rd Degree – subd. 1(a)(b)(e), 2(1)	Crim. Sex. 3	D
Criminal Sexual Conduct 3rd Degree – subd. 1(b), 2(2)	Crim. Sex. 3	G
Escape with Violence from Felony Offense	Escape	8
Escape from Felony Offense/Civil Commitment, Sexually Dangerous Persons	Escape	3
Escape, Mental Illness/from Civil Commitment	Escape	1
Escape w/ Violence from Gross Misdemeanor/Misdemeanor Offense	Escape	Unranked
Arson 1st Degree	Arson 1	8
Arson 2nd Degree	Arson 2	5
Arson 3rd Degree	Arson 3	3
Drive-By Shooting (Toward Person, Occupied Motor Vehicle/Building)	Drive-By	8
Drive-By Shooting (Unoccupied Motor Vehicle or Building)	Drive-By	3
Stalking (Aggravated – Weapon) – subd. 3(a)(3)	Stalking	4
Certain Persons Not to Have Firearms or Ammunition	Felon w/Gun	6
Importing Controlled Substances Across State Borders	Importation	9
Manufacture Any Amount of Methamphetamine	Meth. Mfg.	9
Controlled Substance Crime 1st Degree	Drugs 1	9
Controlled Substance Crime 2nd Degree	Drugs 2	8
Controlled Substance Crime 3rd Degree	Drugs 3	6
Possession of Substances with Intent to Manufacture Methamphetamine	Precursors	5
Controlled Substance Crime 4th Degree	Drugs 4	4
Anhydrous Ammonia (Tamper/Theft/Transport)	Anhydrous	3
Methamphetamine Crimes Involving Children and Vulnerable Adults	Meth/Kids	3
Controlled Substance Crime 5th Degree	Drugs 5	2
Medical Cannabis Violations (Submission of False Records)	Cannabis	2
Medical Cannabis Violations (Diversion by patient, registered Designated Caregiver, or Parent) (Intentional Diversion)	Cannabis	1
Sale of Simulated Controlled Substance	Simulated	1

Staff Information Paper

Existing Offense Modifiers

February 28, 2019

The following tables summarize statutory offense modifiers and their treatment under the Minnesota Sentencing Guidelines. Most of these are addressed in Sentencing Guidelines Section 2.G (“Convictions for Attempts, Conspiracies, and Other Sentence Modifiers”).

Table 1 summarizes three offense modifiers that are not addressed in Section 2.G; among those is Aiding an Offender, Accomplice After the Fact.

Table 1. Summary of Selected Offense Modifiers Not Addressed in Sentencing Guidelines § 2.G

Modifier	Minn. Stat. §	Statutory Maximum Prison	Guidelines §	Presumptive Duration
Aiding/Abetting	609.05	Accomplice is equally liable for crime	--	Same as underlying crime’s
Aiding an Offender to Avoid Arrest	609.495, subd. 1	3 years, regardless of severity of underlying felony	--	Assigned Severity Level 1
Accomplice After the Fact	609.495, subd. 3	Half of the underlying crime’s	2.A.4	Unranked offense; court assigns severity

Table 2 summarizes those offenses that are addressed in Guidelines Section 2.G, except that attempt or conspiracy to commit first-degree murder is omitted. For that offense, presumptive sentences, graduated by severity level, are prescribed in Section 2.G.13.

As a general rule, Section 2.G. reflects a statutory modification to a maximum prison sentence in a corresponding modification to the Guidelines presumptive duration. Unless otherwise stated, the Guidelines’ presumptive disposition is not altered by the sentence modifiers. When a modification is made to the presumptive sentence, that modification is likewise applied to the presumptive range. As a general limitation on all modifiers, the presumptive sentence may not be less than one year and one day, nor less than any applicable mandatory minimum.

Table 2. Summary of Statutory Offense Modifiers Addressed in Sentencing Guidelines § 2.G

Modifier	Minn. Stat. §	Statutory Maximum Prison	Guidelines §	Presumptive Duration
Attempt	609.17	Half of the underlying crime's	2.G.2	Half of the underlying crime's
Conspiracy	609.175			
Soliciting a Juvenile	609.494, subd. 2(b)		2.G.3	
Soliciting a Mentally Impaired Person	609.493, subd. 2(b)			
Conspiracy to Commit Controlled Substance Offense	152.096	Same as underlying crime's	2.G.4	Same as underlying crime's
Attempt/Conspiracy to Commit Criminal Sexual Conduct, First/Second Degree	609.342, subd. 2(b) 609.343, subd. 2(b)	Presumptive minimum: 144/90 months	2.G.5	Duration is halved notwithstanding statutory presumptive minimum duration
Taking Responsibility for Criminal Acts	609.495, subd. 4	Half of the underlying crime's	2.G.6	Half of the underlying crime's
Offense in Furtherance of Terrorism	609.714	50 percent more than underlying crime's	2.G.7	50 percent more than underlying crime's
Criminal Sexual Predatory Conduct	609.3453	25 percent more than underlying crime's; if subsequent, 50 percent more than underlying crime's	2.G.8	25 percent more than underlying crime's; if subsequent, 50 percent more than underlying crime's
Sex Trafficking, 1st Degree, Aggravating Factor Present	609.322, subd. 1(b)	25 years (vs. 20 years for underlying crime)	2.G.9	Additional 48 months (halved for attempt/conspiracy)
Offense for Benefit of Gang	609.229, subd. 3(a)	5-year increase (10-year if child victim); mandatory year-and-day commit	2.G.10	Additional 12 months (halved for attempt/conspiracy, doubled for child victim); presumptive commit
Felony Assault Motivated by Bias	609.2233	25 percent more than underlying crime's	2.G.11	25 percent more than underlying crime's
Criminal Vehicular Homicide, with Qualified Prior	609.2112, subd. 1(b) 609.2114, subd. 1(b)	15 years (vs. 10 years for underlying crime)	2.G.12	50 percent more than underlying crime's