

2. Determining Presumptive Sentences

B. Criminal History

1. Prior Felonies.

- c. **Current Offense on Severe Violent Offender Grid.** If the current offense is on the Severe Offender Grid, determine the weight assigned to each prior felony sentence according to its severity level, as follows:

<u>SEVERITY LEVEL</u>	<u>POINTS</u>
1-2	1/2
3-5, F-G	1
6-8, D-E	1 ½
9-11	2
B-C	2
A	3
All Severe Violent Offenses	3

Severe Violent Crimes

(See attached)

Severe Violent Crimes

609.185 Murder First Degree (Premeditation)
609.2661 Murder First Degree (Unborn Child)
609.2662(1) Murder of Unborn Child Second Degree (Intent)
609.2662(2) Murder of Unborn Child Second Degree
(Felony Murder)
609.2663 Murder of Unborn Child Without Intent by
Perpetrating Act Eminently Dangerous to Others
and Evincing Depraved Mind
609.2664(1) Manslaughter of Unborn Child First Degree
(Crime of Passion)
609.2664(3) Manslaughter of Unborn Child First Degree
(Intent Coerced by Threats)
609.19, subd. 1, Murder Second Degree (Intent)
609.19, subd. 2, Murder Second Degree (Felony)
609.195 Murder Third Degree
609.20 Manslaughter First Degree (Crime of Passion)
609.221, subd. 1, Assault First Degree
(Great Bodily Harm)
609.221, subd. 2 Assault First Degree
(Peace Officer, Prosecutor, Judge, Corr. Officer)
609.222 Assault Second Degree (Dangerous Weapon)
609.2325, subd. 3(a)(1) Criminal Abuse of
Vulnerable Adult (Death) (Intent)
609.245, subd. 1, Agg. Robbery First Degree
(With Dangerous Weapon)
609.25, subd. 2(2) Kidnapping (Great Bodily Harm)
609.25, subd. 2(2) Kidnapping (Unsafe Release)
609.25, subd. 2(2) Kidnapping (Victim Under 16)
609.267 Assault of Unborn Child First Degree (Intent)
609.377, subd. 6 Malicious Punishment of Child (Great
Bodily Harm)
609.561 Arson First Degree
609.582, subd. 1(b), (c) Burglary First Degree
(With Weapon or Assault)
609.66, subd. 1(e)(a) Drive-By Shooting
(Toward a Person or
or Occupied Motor Vehicle or Building)
609.687, subd. 3(1) Adulteration Resulting in
Death

Severe Violent Crimes

	Severity Level	Violent Crime § 609.1095	Heinous Crime § 609.106
609.185 Murder First Degree (Premeditation)	Mandatory Life	yes	yes
609.2661 Murder First Degree (Unborn Child)	Mandatory Life	yes	no
609.2662(1) Murder of Unborn Child Second Degree (Intent)	11	yes	no
609.2662(2) Murder of Unborn Child Second Degree (Felony Murder)	10	yes	no
609.2663 Murder of Unborn Child Without Intent by Perpetrating Act Eminently Dangerous to Others and Evincing Depraved Mind	10	yes	no
609.2664(1) Manslaughter of Unborn Child First Degree (Crime of Passion)	9	yes	no
609.2664(3) Manslaughter of Unborn Child First Degree (Intent Coerced by Threats)	8	yes	no
609.19, subd. 1, Murder Second Degree (Intent)	10	yes	yes
609.19, subd. 2, Murder Second Degree (Felony)	10	yes	yes
609.195 Murder Third Degree	10	yes	yes
609.20 Manslaughter First Degree (Crime of Passion)	9	yes	no
609.221, subd. 1, Assault First Degree (Great Bodily Harm)	9	yes	yes
609.221, subd. 2 Assault First Degree (Peace Officer, Prosecutor, Judge, Corr. Officer)	9	yes	yes
609.222 Assault Second Degree (Dangerous Weapon)	6	yes	no
609.2325, subd. 3(a)(1) Criminal Abuse of Vulnerable Adult (Death) (Intent)	9	no	no
609.245, subd. 1, Agg. Robbery First Degree (With Dangerous Weapon)	8	yes	no
609.25, subd. 2(2) Kidnapping (Great Bodily Harm)	9	yes	no
609.25, subd. 2(2) Kidnapping (Unsafe Release)	8	yes	no
609.25, subd. 2(2) Kidnapping (Victim Under 16)	8	yes	no
609.267 Assault of Unborn Child First Degree (Intent)	9	yes	no
609.377, subd. 6 Malicious Punishment of Child (Great Bodily Harm)	8	yes	no
609.561 Arson First Degree	8	yes	no

Severe Violent Crimes

Severity Level Violent Crime Heinous Crime
§ 609.1095 § 609.106

609.582, subd. 1(b), (c) Burglary First Degree (With Weapon or Assault)	8	yes	no
609.66, subd. 1(e)(a) Drive-By Shooting (Toward a Person or or Occupied Motor Vehicle or Building)	8	yes	no
609.687, subd. 3(1) Adulteration Resulting Death	11	yes	no