

# Minnesota Sentencing Guidelines Commission

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## Frequency and Severity of Unranked Offenses: Sentenced 1981-2016

There are a number of felony offenses that are intentionally left unranked by the Commission. In determining how, and if, 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.

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. Minn. Sentencing Guidelines § 2.A.4.

The data below represent a summary of all unranked offenses sentenced between 1981 and 2016. 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.\*

For those seeking additional information on offenders sentenced for Aiding an Offender, Accomplice after the Fact (Minn. Stat. § [609.495](#), subd. 3), a separate report is available on our website at [mn.gov/sentencing-guidelines/reports](http://mn.gov/sentencing-guidelines/reports).

To obtain any of the data below for specific years or for additional details not provided in this document, please contact the Sentencing Guidelines Commission at 651-296-0144 or submit a data request at [mn.gov/sentencing-guidelines/contact/data-requests](http://mn.gov/sentencing-guidelines/contact/data-requests).

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\* 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](http://mn.gov/sentencing-guidelines/contact/data-requests).

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OFFENSE AND MINN. STAT. §	SEVERITY LEVEL ASSIGNED	2011	2012	2013	2014	2015	2016	1981-2016 TOTAL CASES
Altering Engrossed Bill <a href="#">3.191</a>	N/A							0
Refusal to Assist <a href="#">6.53</a>	1							1
Membership Camping Practices <a href="#">82A.03</a> , <a href="#">13</a> , <a href="#">25</a>	N/A							0
Subdivided Land Fraud <a href="#">83.43</a>	1							2
Violation of Compact (2nd or subsequent) <a href="#">116C.835</a>	N/A							0
Abortion-Related Offenses <a href="#">145.412</a> , <a href="#">617.20</a> , or <a href="#">617.22</a>	N/A							0
Forced Execution of Declaration: Bodily Harm <a href="#">145B.105</a> , subd.2	N/A							0
Issuing a Receipt-Related Offenses <a href="#">227.50</a> or <a href="#">52</a>	N/A							0
Horse Racing: Prohibited Act <a href="#">240.25</a>	N/A							0
Interstate Compact Violation <a href="#">243.161</a>	1	1						4
	2	1						4
Sales Tax Violations <a href="#">297A.39</a> <i>Repealed</i>	3							2
	4							2
Motor Vehicle Excise Tax <a href="#">297B.10</a>	1		1	2				10
	2					5		10
	3	1				2		15
	4							3

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OFFENSE AND MINN. STAT. §	SEVERITY LEVEL ASSIGNED	2011	2012	2013	2014	2015	2016	1981-2016 TOTAL CASES
Cigarette Tax and Regulation Violations <a href="#">297F.20</a>	1							2
	2	1		1	1		4	10
	3				2	1	2	8
Pipeline Safety <a href="#">299J.07</a> , subd.2	N/A							0
Price Fixing / Collusive Bidding <a href="#">325D.53</a> , subd.1(3), subd.2, or subd.3	N/A							0
Unlawful Transfer of Sounds <a href="#">325E.201</a>	1						1	1
	2							1
Torture / Cruelty to Companion Animal <a href="#">343.21</a> , subd.9(c)(d)(g)(i)	1	3	3	4	3	1		31
	2	1	5	1	2	4	2	31
	3	1	2	2	4	3		21
	4			1	1	3	1	12
Harm to Service Animal Providing Service <a href="#">343.21</a> , subd.9(f)(h)	N/A							0
Animal Fighting <a href="#">343.31</a>	1							2
	2	2			1			8
	3					1		1
	4							6
Aiding Suicide <a href="#">609.215</a>	6					1		6
	7*	1						1
	8*							1
	9*							1
Female Genital Mutilation <a href="#">609.2245</a>	N/A							0
Labor Trafficking <a href="#">609.282</a> (Effective 8/1/2005)	N/A							0

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Unlawful Conduct with Documents in the Furtherance of Labor or Sex Trafficking; <a href="#">609.283</a> (Effective 8/1/2005)	N/A							0
Bigamy <a href="#">609.355</a>	1				1			4
	2							3
	3							2
	4	1	1					6
	6							2
Incest <a href="#">609.365</a>	4							1
	5						1	19
	6		1					17
	7*				1	1		4
	8*							8
	9*							6
	F		1					1
D						1	1	
Treason <a href="#">609.385</a>	N/A							0
Misprision of Treason <a href="#">609.39</a>	N/A							0
Obstructing Military Forces <a href="#">609.395</a>	N/A							0
Corrupting Legislator <a href="#">609.425</a>	N/A							0
Escape with Violence from Misd. or Gross Misd. <a href="#">609.485</a> , subd.4(a)(3)	1							1

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Aiding an Offender – Accomplice After the Fact <a href="#">609.495</a> , subd.3	1	3	2	2		1	2	48
	2	3	2	6	2	2	1	46
	3	3		2	1		2	34
	4	5	3	1	2	5	5	56
	5	1	1	1	3	2	1	46
	6	3	2	1	5	2	1	50
	7*	1		3	3	4	6	30
	8*	6	3	9	4	7	4	87
	9*	1	1	3	2	1	5	37
	10*					1	3	11
	11*							3
Concealing Criminal Proceedings <a href="#">609.496</a> or <a href="#">497</a>	E							1
	1							2
	3						1	3
	5				1			1
Warning Subject of Investigation/Surveillance <a href="#">609.4971</a> or <a href="#">4975</a>	6					1		2
	2							1
Damage to Property: Critical Public Service <a href="#">609.594</a> , subd.2 (Effective 7/1/2002)	1				1			2
	3							2
	4							1
Killing or Harming a Public Safety Dog <a href="#">609.596</a> , subd.1	N/A							0
Assaulting or Harming a Police Horse <a href="#">609.597</a> , subd.3(1) or subd.3(2)	N/A							0

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Insurance Fraud: Employment of Runners <a href="#">609.612</a> , subd.2 (Effective 8/1/2002)	N/A							0
Counterfeiting Currency <a href="#">609.632</a> (Effective 8/1/2006)	1	1		2	3	1		10
	2	14	5	9	8	5	5	63
	3	4		3	3		2	18
	4	2	1					4
	5							2
8							1	
State Lottery Fraud <a href="#">609.651</a> , subd.1, with 4(b)	N/A							0
Hazardous Wastes <a href="#">609.671</a>	1			2				7
	2							3
	3		1					4
	4							7
	5							2
	6							7
Adulteration (not resulting in illness, pain, or bodily harm) <a href="#">609.687</a> , subd.3(3)	3							1
Real / Simulated Weapons of Mass Destruction <a href="#">609.712</a> (Effective 7/1/2002)	N/A							0
Fraudulent / Improper Financing <a href="#">609.7475</a> (Effective 8/1/2006)	3			2	1			3
	4					1	1	2
Gambling Acts <a href="#">609.76</a> , subd.3, 4, 5, 6, or subd.7	2			1		2		4
	3		1		1			4
Lawful Gambling Fraud <a href="#">609.763</a>	1							2
	2							4
Lawful Gambling Fraud <a href="#">609.763</a>	3						1	7
	4							2

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Falsely Impersonating Another <a href="#">609.83</a>	1						1	10
	2	1						16
	3	1						2
	5							1
Police Radios During Commission of Crime <a href="#">609.856</a>	2		1					11
	3							2
	5							1
Unauthorized Computer Access <a href="#">609.891</a>	N/A							0
Computer Encryption <a href="#">609.8912</a> (Effective 8/1/2006)	N/A							0
Racketeering <a href="#">609.904</a>	2							2
	4	1						3
	5							2
	6							19
	7*							1
	8*		1					11
	9*	8	5	1			1	30
10*		2					5	
Obscene Materials Distribution <a href="#">617.241</a> , subd.4	4							1
Metal Penetrating Bullets <a href="#">624.74</a>	N/A							0
Wire Communications Violations <a href="#">626A.02</a> , <a href="#">03</a> , or <a href="#">26</a>	1						1	3
	3							1
Failure to Report <a href="#">626.556</a> , subd.6	N/A							0

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