
2020 & 2021 Unranked Offenses

Frequency and Severity of Unranked Offenses
Sentenced 1981–2021

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MINNESOTA

SENTENCING GUIDELINES COMMISSION

658 Cedar Street, Suite G-58

Saint Paul, MN 55155

Website: <http://mn.gov/sentencing-guidelines>

Email: sentencing.guidelines@state.mn.us

Voice: (651) 296-0144 • Minnesota Relay: 711

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ABOUT THIS REPORT

This data report has been prepared by the research staff of the Minnesota Sentencing Guidelines Commission in fulfillment of the Commission's statutory role as a clearinghouse and information center for information on sentencing practices. This is not a policy document. Nothing in this report should be construed as a statement of existing policy or recommendation of future policy on behalf of the Commission itself, or as an authoritative interpretation of the Minnesota Sentencing Guidelines, Minnesota statutes, or case law.

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Introduction

The Sentencing Guidelines Commission assigns severity-level rankings to felony offenses to indicate offense seriousness. 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.

A crime may be unranked because it is so seldom charged that no sentencing pattern is discernible, because it is new and not easily comparable to existing offenses, or because it encompasses such a wide range of behavior that it is best to allow the sentencing court discretion in determining the severity level. When sentencing an unranked offense, 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 2, “How Severity Levels Are Assigned to Unranked Offenses” (p. 27).

The following section describes general sentencing practices for unranked offenses, 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 common unranked offenses—are detailed in a separate section that begins on page 8.

General Sentencing Practices for Unranked Offenses

In 43 cases in 2020 and in 49 cases in 2021, an unranked offense was the most serious offense sentenced. This number represents 0.4 percent of all felony cases sentenced those years.¹ Two offenses accounted for 65 percent of the combined 2020 and 2021 volume of unranked offenses:

- Aiding an Offender, Accomplice after the Fact (Minn. Stat. § [609.495](#), subd. 3) accounted for 35 cases. This offense is discussed at length beginning on page 8.
- Counterfeiting Currency (Minn. Stat. § [609.632](#)) accounted for 28 cases. Although the Commission, in 2019, assigned severity levels to several forms of Counterfeiting Currency, those rankings did not take effect until August 1, 2020.² Of the 28 unranked Counterfeiting Currency cases in 2020 and 2021, 26 were unranked because they were committed before August 1, 2020, and two were Counterfeiting of Currency (Manufacturing or Printing/Means for False Reproduction), which remains unranked.

¹ Minnesota courts sentenced 11,517 felony cases in 2020 and 14,429 in 2021. Due to the COVID-19 health pandemic, the cases sentenced in 2020 and 2021 may not be fair approximations of cases sentenced in the past or future.

² See “Minn. Sentencing Guidelines & Commentary August 2020 Amendments” (retrieved May 10, 2023, at <https://mn.gov/msgc-stat/documents/Guidelines/2020/Aug2020AdoptedAmendmentsMinnSentencingGuidelines.pdf>). The Commission left Counterfeiting of Currency (Manufacturing or Printing/Means for False Reproduction) unranked, but ranked Offering Counterfeit Currency (Over \$35,000) at Severity Level 6; ranked Offering Counterfeit Currency (\$5,001–\$35,000) at Severity Level 3; and ranked Offering Counterfeit Currency (\$5,000 or Less) at Severity Level 2. At the same time, the Commission also ranked Escape from Electronic Monitoring at Severity Level 3.

Table 1 summarizes the severity levels courts have assigned to unranked offenses sentenced between 1981 and 2021. 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.^{3, 4} Because 594 of the 1,927 unranked offenses sentenced between 1981 and 2021 were no longer unranked as of 2019, Table 1 displays a total of 1,333 cases.

In addition to the 1981–2021 totals, Table 1 displays the severity levels assigned to unranked offenses for each of the past six years. Data for other years, and more detailed data, may be obtained by submitting a [data request](#) to MSGC staff.

Table 1. Frequency & Severity of Unranked Offenses, Sentenced 2016–2021 (by Year) & 1981–2021 (in Total)

OFFENSE AND MINN. STAT. §	SEVERITY LEVEL ASSIGNED	2016	2017	2018	2019	2020	2021	1981–2021 TOTAL CASES
Altering Engrossed Bill, 3.191	N/A							0
Refusal to Assist, 6.53	1							1
Membership Camping Contract Sale, 82A.13 , 82A.25	N/A							0
Subdivided Land Fraud, 83.43	1							2
Midwest Compact Violation, 116C.835	N/A							0
Abortion-Related Offenses, 145.412 , 617.20 , or 617.22	N/A							0
Forced Execution of Declaration, 145B.105	N/A							0
Corporate Political Contribution Violations, 211B.15	N/A							0
Offenses Related to Issuing Receipts, 227.50 or 227.52	N/A							0
Horse Racing (Prohibited Act), 240.25	1			1			1	2
Interstate Compact Violation 243.161	1							4
	2							4

³ Although Offering Counterfeit Currency was ranked in 2020 (see footnote 2), many Offering Counterfeit Currency offenses sentenced in 2020 and 2021 were committed before the change’s effective date. For this reason, unranked Offering Counterfeit Currency cases continue to be reported in this edition of the report.

⁴ 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 MSGC staff.

OFFENSE AND MINN. STAT. §	SEVERITY LEVEL ASSIGNED	2016	2017	2018	2019	2020	2021	1981–2021 TOTAL CASES
Motor Vehicle Excise Tax 297B.10	1							10
	2		1	1	3		2	17
	3		1		1			17
	4							3
Cigarette Tax and Regulation Violations, 297F.20	1						1	3
	2	4			2			12
	3	2	4	1	2			15
Pipeline Safety, 299J.07 , subd. 2	N/A							0
Price Fixing/Collusive Bidding 325D.53 , subd. 1(3), 2, & 3	N/A							0
Unlawful Transfers or Sales of Recordings 325E.201	1	1						1
	2							1
Torture or Cruelty to Pet or Companion Animal 343.21 , subd. 9(c)(d)(g)(i)	1		3	5	5	5		49
	2	2	3	2	5	1	2	44
	3			1	1	1		24
	4	1		1		1		14
Service Animal Providing Service, 343.21 , subd. 9(f)(h)	N/A							0
Animal Fighting 343.31	1					2		4
	2				1	1		10
	3							1
	4							6
Aiding Suicide 609.215	6				1		1	8
	7*							1
	8*							1

* 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.

OFFENSE AND MINN. STAT. §	SEVERITY LEVEL ASSIGNED	2016	2017	2018	2019	2020	2021	1981-2021 TOTAL CASES
Aiding Suicide, 609.215 , <i>cont'd</i>	9*							1
Female Genital Mutilation, 609.2245	N/A							0
Labor Trafficking, 609.282 (Effective 8/1/2005)	6					1		1
	C		1					1
Unlawful Conduct with Documents in the Furtherance of Labor/Sex Trafficking, 609.283 (Effective 8/1/2005)	N/A							0
Bigamy 609.355	1					1		5
	2							3
	3							2
	4							6
	6							2
Incest 609.365	4							1
	5	1						19
	6							17
	7*							4
	8*							8
	9*							6
	F		2			2		5
	D							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
Violent Escape, Misd./G. Misd., 609.485 , subd. 4(a)(3)	1							1

* 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.

OFFENSE AND MINN. STAT. §	SEVERITY LEVEL ASSIGNED	2016	2017	2018	2019	2020	2021	1981–2021 TOTAL CASES
Aiding an Offender – Accomplice After Fact** 609.495 , subd. 3	1	2				1	2	64
	2	1	1					47
	3	2	1	2	3	1		41
	4	5			4		1	61
	5	1	1	1	3	1		52
	6	1	6	2	7	2	2	69
	7*	6	2	2	6	2	6	48
	8*	4	7	6	3	4	5	111
	9*	5	3	2	2	1	6	52
	10*	3		3	1		1	16
	11*			1				4
	E							1
	D8			1				1
Concealing Criminal Proceeds; Engaging in Business 609.496 or 609.497	1							2
	3	1					2	5
	5							1
	6							2
Warning Subject of Investigation/Surveillance 609.4971 or 609.4975	2							1
Damage to Property (Critical Service Facilities, Utilities, and Pipelines) 609.594 , subd. 2 (Effective 7/1/2002)	1							2
	2				1			1
	3							2
	4							1
Killing or Harming Public Safety Dog, 609.596 , subd. 1	N/A							0

** For details and case-level information regarding this offense, refer to the section that begins on page 9.

* 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.

OFFENSE AND MINN. STAT. §	SEVERITY LEVEL ASSIGNED	2016	2017	2018	2019	2020	2021	1981–2021 TOTAL CASES
Assaulting or Harming a Police Horse 609.597 , subd. 3(1) & (2)	N/A							0
Insurance Fraud (Employment of Runners) 609.612 , subd. 2 (Effective 8/1/2002)	N/A							0
Counterfeiting Currency 609.632 , subd. 1 & 2 (Effective 8/1/2006) 609.632 , subd. 3 (Unranked 8/1/2006 – 8/1/2020)	1		1	5	5	3	1	25
	2	5	15	25	13	10	8	134
	3	2	6	2	4	2	3	35
	4						1	5
	5		1					3
	8							1
State Lottery Fraud, 609.651 , subd. 1, with 4(b) and subd. 2 & 3	1		1					1
Hazardous Wastes 609.671	1							7
	2							3
	3			1				5
	4							7
	5							2
	6							7
Adulteration (without death or bodily harm) 609.687 , subd. 3(3)	3							1
Real/Simulated Weapons of Mass Destruction 609.712 (Effective 7/1/2002)	N/A							0
Fraudulent or Improper Financing Statements 609.7475 (Effective 8/1/2006)	2		2			1		3
	3		1					4
	4	1		1	1			4
Gambling Acts 609.76 , subd. 3, 4, 5, 6, or 7	1			1				1
	2						1	5
	3							4

OFFENSE AND MINN. STAT. §	SEVERITY LEVEL ASSIGNED	2016	2017	2018	2019	2020	2021	1981–2021 TOTAL CASES
Lawful Gambling Fraud 609.763	1							2
	2							4
	3	1						7
	4							2
Falsely Impersonating Another, 609.83	1	1						12
	2							16
	3							2
	4						1	1
	5							1
Police Radios During Commission of Crime 609.856	1							1
	2				1			12
	3							3
	5							1
Unauthorized Computer Access, 609.891 , subd. 2(a)(b)	N/A							0
Computer Encryption, 609.8912 (Effective 8/1/2006)	N/A							0
Racketeering (RICO) 609.904	2							2
	4							3
	5							2
	6							19
	7*		2	1	1			5
	8*							11
	9*	1	1	3	2		2	38
	10*							5
Obscene Materials Distribution, 617.241 , subd. 4	4							1
Metal Penetrating Bullets, 624.74	N/A							0

* 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.

OFFENSE AND MINN. STAT. §	SEVERITY LEVEL ASSIGNED	2016	2017	2018	2019	2020	2021	1981–2021 TOTAL CASES
Wire Communications Violations 626A.02 , 626A.03 , or 626A.26	1	1						3
	3							1
	4				1			1
Failure to Report, 626.556 , subd. 6	N/A							0
Total		52	66	71	79	43	49	1,333**

Sentencing Practices for Aiding an Offender, Accomplice After the Fact

This section details the various severity levels assigned, from 2001 through 2021, to the unranked offense of Aiding an Offender, Accomplice After the Fact under Minn. Stat. § [609.495, subd. 3](#).

An accomplice after the fact intentionally aids someone who committed a criminal act listed in Minn. Stat. § [609.11, subd. 9](#). The statutory list of possible underlying criminal acts is reproduced in Table 4 (p. 24). Being one-half the statutory maximum penalty of the underlying criminal act, the statutory maximum penalty for Aiding an Offender, Accomplice After the Fact, varies by case.

Because this offense is unranked, the sentencing court must assign a severity level prior to pronouncing the sentence. See Appendix 2, “How Severity Levels Are Assigned to Unranked Offenses” (p. 27).

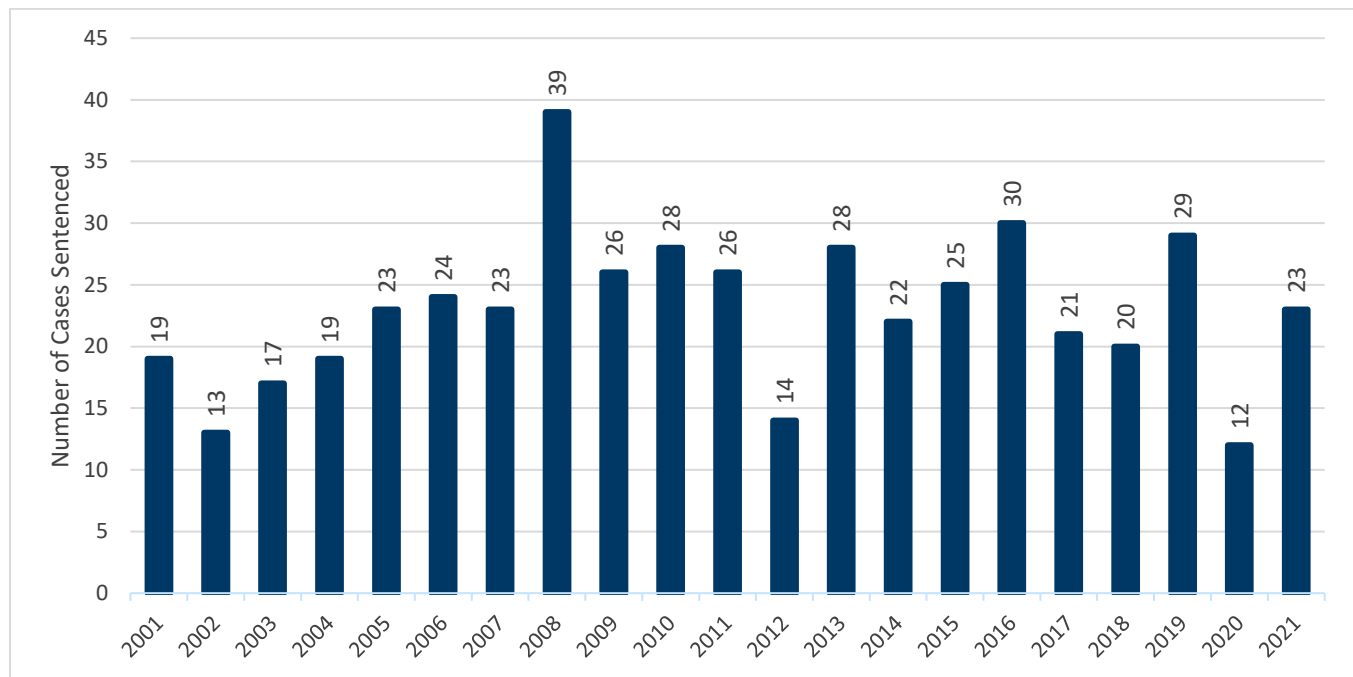
Case Volume

Figure 1 displays the volume of cases sentenced between 2001 and 2021 in which Aiding an Offender, Accomplice After the Fact, was the most serious offense sentenced.⁵ There were 12 cases sentenced under this statute in 2020 and 23 cases in 2021. There have been, on average, 23 cases per year since 2001.

** Between 1981 and 2021, there were 1,927 unranked offenses. Because 594 are no longer unranked, the “1981–2021 TOTAL CASES” totals 1,333.

⁵ Minnesota Sentencing Guidelines Commission (MSGC) monitoring data are person-based, meaning cases represent people sentenced rather than individual charges. Cases sentenced within the same county in a one-month period are generally counted only once, based on the most serious offense.

Figure 1. Case Volume for Aiding an Offender, Accomplice After the Fact, 2001–2021



Case-Level Information

The following two tables (tables 2 and 3) detail case-level information for Aiding an Offender, Accomplice After the Fact sentences. For cases sentenced from 2015 through 2021, Table 2 records the underlying criminal act and its severity level if those facts are apparent on the face of the criminal complaint, plea petition, or other court record.⁶ 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, but district court case numbers are provided for those who wish to obtain more information from court records.

In both tables, a single asterisk indicates a redacted record with juvenile criminal history, and “12¹” equals 12 months and one day.

⁶ Underlying criminal acts are abbreviated; refer to Table 4 for full offense names.

Table 2. Case-Level Information, Aiding an Offender, Accomplice after the Fact, 2015–2021

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)
2021	Anoka	CR205143	Murder 2	11	8	0	Commit	48
	Chisago	CR20338	Murder 2	10	8	1	Commit	58
	Clay	CR201405	Murder 2	11	7	0	Stay	36
	Clay	CR201407	Murder 2	11	7	0	Stay	36
	Freeborn	CR191230	Agg. Robbery 1	8	1	0	Stay	12 ¹
	Goodhue	CR192837	Murder 2		7	0	Commit	36
	Hennepin	CR202407	Murder 1	12	8	0	Commit	48
	Hennepin	CR1915300			7	0	Stay	36
	Hennepin	CR201305	Assault 2	6	1	0	Stay	12 ¹
	Hennepin	CR208214	Murder 2	11	8	0	Commit	48
	Hennepin	CR2025964			9	2	Commit	110
	Hennepin	CR1931321	Murder 2	11	9	0	Commit	86
	Hennepin	CR1928487	Murder 2	11	9	0	Commit	86
	Hennepin	CR1930870	Assault 2	6	6	1	Stay	27
	Hennepin	CR2113195	Murder 2	11	9	0	Commit	86
	Hennepin	CR2015967			9	0	Commit	86
	Meeker	CR21184	Murder 2	10	10	0	Commit	150
	Olmsted	CR202971			6	2	Stay	33
	Ramsey	CR198404	Murder 2	11	9	0	Commit	86
	Ramsey	CR204021			4	0	Stay	12 ¹
	St. Louis	DUCR193577			7	0	Stay	36
	St. Louis	DUCR193672			7	0	Stay	36
	Stearns	CR1910716	Murder 2	11	8	0	Commit	48
2020	Anoka	CR19359	Manslaughter 1	9	8	1	Commit	58
	Carver	CR19333	Theft of Firearm	4	3	0	Stay	12 ¹
	Hennepin	CR1912023			6	0	Commit	21
	Hennepin	CR1921738	Agg. Robbery 1	8	8	0	Commit	48
	Hennepin	CR1928779			6	4	Commit	45
	Hennepin	CR20918	Murder 2	11	9	2	Commit	110
	Kandiyohi	CR19783	Simple Robbery	5	5	0	Stay	18
	Olmsted	CR186737	Murder 2		8	2	Commit	68
	Olmsted	CR185686	Agg. Robbery 2	6	1	1	Stay	12 ¹
	Olmsted	CR186735	Murder 1	12	7	3	Commit	54
	St. Louis	VICR191529	Agg. Robbery 1	8	7	0	Stay	36
	Scott	CR19359	Murder 1	12	8	0	Commit	48

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)
2019	*				9	1	Commit	98
	*		Agg. Robbery 1	8	6	2	Stay	33
	Anoka	CR18120	Murder 2	10	7	1	Stay	42
	Benton	CR18618			9	6	Commit	158
	Dakota	HACR181455	Agg. Robbery 2	6	3	1	Stay	13
	Dakota	HACR181453	Agg. Robbery 2	6	6	6	Commit	57
	Hennepin	CR1916841	Drive-By Shooting	8	4	5	Commit	27
	Hennepin	CR1829434			8	1	Commit	58
	Hennepin	CR1627482			4	0	Stay	12 ¹
	Hennepin	CR1714815	Assault 2	6	7	0	Stay	36
	Hennepin	CR1712628			8	4	Commit	88
	Hennepin	CR1826736			6	2	Stay	33
	Hennepin	CR1726990	Agg. Robbery 1	8	7	0	Stay	36
	Hennepin	CR1822952			6	0	Stay	21
	Hennepin	CR1828655	Agg. Robbery 1	8	5	1	Stay	23
	Hennepin	CR184618	Assault 2	6	7	2	Stay	48
	Martin	CR18950	Manslaughter 2	8	6	2	Stay	33
	Olmsted	CR184213	Agg. Robbery 1	8	5	0	Stay	18
	Otter Tail	CR173537			7	0	Stay	36
	Otter Tail	CR192049			3	0	Stay	12 ¹
	Pine	CR181221	Agg. Robbery 1	8	4	0	Stay	12 ¹
	Ramsey	CR188266	Agg. Robbery 1	8	6	6	Commit	60
	Ramsey	CR184723	Murder 2	10	9	0	Commit	86
	Redwood	CR16536			3	1	Stay	13
	St. Louis	DUCR184169			4	3	Stay	21
	St. Louis	HICR18331	Simple Robbery	5	6	6	Commit	57
	St. Louis	DUCR17824	Murder 1	12	10	3	Commit	195
	St. Louis	HICR19431			7	0	Stay	36
	Winona	CR197	Simple Robbery	5	5	0	Stay	18

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)
2018	Anoka	CR167310			11	0	Commit	240
	Anoka	CR173291	Murder 2	10	10	1	Commit	165
	Hennepin	CR1715166			8	0	Commit	24
	Hennepin	CR1633348	Att. Murder 2	11	6	6	Commit	57
	Hennepin	CR1723465	Murder 2	11	9	0	Commit	86
	Hennepin	CR1633308			10	0	Commit	150
	Hennepin	CR1624277	Att. Murder 2	11	7	7	Commit	75
	Hennepin	CR1719203	Murder 2	11	8	0	Commit	48
	Hennepin	CR172062			8	0	Commit	48
	Hennepin	CR177047			3	0	Stay	12 ¹
	Hennepin	CR1633294			9	0	Commit	86
	Hennepin	CR1711978			10	0	Commit	150
	Hennepin	CR1713709			8	8	Commit	108
	Itasca	CR181178	Drug 1	D8	D8	1	Commit	75
	Mille Lacs	CR17359	Murder 2	11	7	0	Stay	36
	Nicollet	CR17379			5	3	Commit	33
	Olmsted	CR181866			3	2	Stay	15
	Ramsey	CR173265	Murder 2	11	8	1	Commit	58
	Ramsey	CR175939	Assault 1	9	6	1	Stay	27
	St. Louis	DUCR17825	"Homicide"		8	0	Commit	48

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

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	*				1	1	Stay	12 ¹
	*				3	2	Stay	15
	*				7	3	Commit	54
	Anoka	CR161821	Agg. Robbery 1	8	4	0	Stay	12 ¹
	Anoka	CR161822	Agg. Robbery 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. Robbery 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. Robbery 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

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	Benton	CR14882			10	2	Commit	180
	Dakota	HACR142105	Agg. Robbery 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
	Hennepin	CR148288	Felon w/Gun	6	8	9	Commit	111**
	Hennepin	CR14316			4	3	Stay	21
	Olmsted	CR145425	Agg. Robbery 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. Robbery 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

*Sentencing records containing juvenile history have been redacted.

12¹ = twelve months and one day.

** 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).

Table 3. Case-Level Information, 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
	Otter Tail	CR132162	7	0	Stay	36
	Ramsey	CR136445	4	0	Stay	12
	Ramsey	CR128245	8	5	Commit	98
	Ramsey	CR127897	6	0	Stay	21
	Rice	CR131690	3	5	Commit	21
	Scott	CR1317505	7	0	Stay	36
	St. Louis	DUCR131849	5	4	Commit	38
2013	*		8	3	Commit	78
	*		9	1	Commit	98
	Carlton	CR122458	8	1	Commit	58
	Carver	CR12569	2	2	Stay	13
	Dakota	HACR123046	1	0	Stay	12 ¹
	Hennepin	CR1242029	7	5	Commit	66
	Hennepin	CR127010	7	0	Commit	36
	Hennepin	CR1235882	8	3	Commit	78
	Hennepin	CR1317051	8	0	Commit	48
	Hennepin	CR131608	2	0	Stay	12 ¹
	Hennepin	CR1234948	4	1	Stay	15
	Hennepin	CR1135956	8	0	Commit	48
	Hennepin	CR1235106	6	0	Stay	21
	Hennepin	CR1230383	5	1	Stay	23
	Nobles	CR11392	3	1	Stay	13
	Pine	CR11493	2	0	Stay	12 ¹
	Ramsey	CR129073	8	2	Commit	68

Year	County	District Court Case Number	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
					Disposition	Duration (months)
2013, cont'd	Ramsey	CR137117	7	0	Stay	36
	Ramsey	CR122424	9	2	Commit	110
	Ramsey	CR132978	2	0	Stay	12 ¹
	Ramsey	CR132128	9	1	Commit	98
	Redwood	CR121072	2	4	Stay	17
	St. Louis	DUCR131217	8	0	Commit	48
	St. Louis	DUCR124021	8	3	Commit	78
	Scott	CR1210503	1	0	Stay	12 ¹
	Scott	CR1220586	8	1	Commit	58
	Washington	CR123160	3	0	Stay	12 ¹
	Wright	CR121845	2	4	Stay	17
2012	Crow Wing	CR122361	4	3	Stay	21
	Crow Wing	CR112654	4	2	Stay	18
	Dakota	HACR1250	1	0	Stay	12 ¹
	Hennepin	CR1217805	8	0	Commit	48
	Hennepin	CR1127861	6	3	Commit	39
	Hennepin	CR1130538	5	3	Commit	33
	Polk	CR112370	2	3	Stay	15
	Ramsey	CR112711	9	8	Commit	161
	Ramsey	CR117824	8	0	Commit	24
	Ramsey	CR117473	6	0	Stay	21
	Ramsey	CR112707	2	4	Stay	17
	Stevens	CR11226	8	3	Commit	78
	Stevens	CR11223	4	0	Stay	12 ¹
	Yellow Medicine	CR12315	1	0	Stay	12 ¹
2011	*		6	6	Commit	57
	*		4	3	Stay	21
	*		1	1	Stay	12 ¹
	Blue Earth	CR104803	4	0	Stay	12 ¹
	Dakota	HACR103431	2	0	Stay	12 ¹
	Hennepin	CR11480	8	3	Commit	78
	Hennepin	CR0945933	8	0	Commit	48
	Hennepin	CR1034306	7	3	Commit	54
	Hennepin	CR1045967	8	0	Commit	48
	Hennepin	CR1034113	8	3	Commit	78
	Hennepin	CR106610	8	0	Commit	48
	Hennepin	CR1036227	4	5	Commit	13.5
	Hennepin	CR111358	8	0	Commit	48
	Itasca	CR101803	3	4	Commit	19

Year	County	District Court Case Number	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
					Disposition	Duration (months)
2011, cont'd	Kandiyohi	CR10796	2	2	Stay	13
	Mower	CR111920	5	2	Stay	28
	Mower	CR11255	2	6	Commit	21
	Olmsted	CR094414	3	0	Stay	12 ¹
	Polk	CR101617	4	0	Stay	12 ¹
	Polk	CR101758	3	2	Stay	15
	Polk	CR101636	4	0	Stay	12 ¹
	St. Louis	VICR101022	9	4	Commit	134
	Traverse	CR10154	1	0	Stay	12 ¹
	Traverse	CR10227	1	0	Stay	12 ¹
	Wadena	CR10777	6	0	Stay	21
	Winona	CR111077	6	2	Stay	33
2010	*		8	1	Commit	58
	*		2	3	Stay	15
	*		5	3	Commit	33
	*		8	2	Commit	68
	Anoka	02CR0812045	9	0	Commit	86
	Beltrami	04CR093770	2	1	Stay	12 ¹
	Big Stone	06CR09290	5	0	Stay	18
	Dakota	19HACR10260	1	1	Stay	12 ¹
	Dodge	20CR08174	6	0	Stay	21
	Dodge	20CR08173	6	0	Stay	21
	Dodge	20CR08731	6	0	Stay	21
	Hennepin	27CR1051162	4	2	Stay	18
	Hennepin	27CR1011880	8	0	Commit	48
	Hennepin	27CR1026155	8	0	Commit	48
	Hennepin	27CR0841584	9	2	Commit	110
	Hennepin	27CR1037290	8	0	Commit	48
	Hennepin	27CR0949618	9	0	Commit	86
	Hennepin	27CR105285	9	0	Commit	86
	Polk	60CR09250	2	0	Stay	12 ¹
	Ramsey	62CR0818267	6	8	Commit	57
	Ramsey	62CR0915767	5	3	Commit	33
	Rice	66CR09969	5	0	Stay	18
	Rice	66CR094062	5	0	Stay	18
	St. Louis	69DUCR101224	4	3	Stay	21
	Scott	70CR0922265	4	0	Stay	12 ¹
	Winona	85CR081887	5	6	Commit	54
	Winona	85CR092793	4	4	Commit	24
	Winona	85CR092122	4	0	Stay	12 ¹

Year	County	District Court Case Number	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
					Disposition	Duration (months)
2009	*		2	5	Stay	19
	*		8	1	Commit	58
	*		5	1	Stay	23
	*		2	3	Stay	15
	*		2	1	Stay	12 ¹
	Anoka	CR082117	1	0	Stay	12 ¹
	Dakota	HACR082458	9	0	Commit	86
	Hennepin	CR089508	5	2	Stay	28
	Hennepin	CR0821311	7	0	Stay	36
	Hennepin	CR0821808	8	0	Commit	48
	Hennepin	CR0860556	2	1	Stay	12 ¹
	Hennepin	CR0934142	4	0	Stay	12 ¹
	Hennepin	CR0816466	5	0	Stay	18
	Hennepin	CR092780	8	0	Commit	48
	Hennepin	CR0930815	10	0	Commit	150
	Hennepin	CR0826831	10	2	Commit	180
	Hennepin	CR0949065	8	0	Commit	72 ^{**}
	Mille Lacs	CR072101	9	0	Commit	86
	Pine	CR094	4	2	Stay	18
	Polk	CR073084	3	6	Commit	23
	Ramsey	CR092333	5	1	Stay	23
	Ramsey	CR092337	5	0	Stay	18
	Ramsey	CR0917407	5	0	Stay	18
	Ramsey	CR08752	6	3	Commit	39
	Ramsey	CR098779	8	4	Commit	88
	Stearns	CR0816714	5	1	Stay	23
2008	*		4	4	Commit	24
	*		4	2	Stay	18
	*		6	1	Stay	27
	Anoka	CR08756	4	0	Stay	12 ¹
	Anoka	K605007330	12	6	Commit	252
	Beltrami	CR082541	2	4	Stay	17
	Cass	CR072486	7	0	Stay	36
	Cottonwood	CR07736	E	0	Stay	24
	Dakota	K807003975	4	0	Stay	12 ¹
	Dakota	HACR08314	6	0	Stay	21
	Dakota	K307003267	4	0	Stay	12 ¹

^{**} Crime Committed for the Benefit of a Gang, under Minn. Stat. § 609.229, adds 24 months to the presumptive sentence due to the victim being under age 18.

Year	County	District Court Case Number	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
					Disposition	Duration (months)
2008, cont'd	Dakota	K906004302	8	2	Commit	68
	Goodhue	CR08894	8	0	Commit	48
	Goodhue	CR08880	8	0	Commit	48
	Hennepin	CR089199	3	1	Stay	13
	Hennepin	7123062	10	0	Commit	162
	Hennepin	CR0834959	2	0	Stay	12 ¹
	Hennepin	CR07014772	7	0	Stay	36
	Hennepin	7004418	6	2	Stay	33
	Hennepin	CR0831895	1	0	Stay	12 ¹
2007	Hennepin	CR07125563	6	0	Stay	21
	Hennepin	7019353	8	0	Commit	48
	Hennepin	CR06074377	10	4	Commit	222
	Hennepin	7010749	9	4	Commit	134
	Hennepin	CR07102486	8	0	Commit	48
	Hennepin	CR07033717	8	3	Commit	78
	Hennepin	CR06064264	9	0	Commit	86
	Itasca	CR072289	1	0	Stay	121
	Kanabec	CR07533	6	4	Commit	45
	Lyon	CR07788	3	0	Stay	12 ¹
	Olmsted	CR071134	3	2	Stay	15
	Polk	CR073085	3	0	Stay	12 ¹
	Ramsey	K007003293	5	1	Stay	23
	Ramsey	K708000689	6	3	Commit	39
	Stearns	CR0711542	2	0	Stay	12 ¹
	Steele	CR061148	1	0	Stay	12 ¹
	Winona	CR07922	3	0	Stay	12 ¹
	Winona	CR063371	8	1	Commit	58
	Wright	CR074739	6	2	Stay	33
	*		5	3	Commit	33
	*		8	3	Commit	78
	Chisago	CR051105	3	2	Stay	15
	Hennepin	6042372	1	0	Stay	12 ¹
	Hennepin	6016095	5	0	Stay	18
	Hennepin	6036447	8	0	Commit	48
	Hennepin	6085789	4	0	Stay	12 ¹
	Hennepin	CR06038354	8	2	Commit	68
	Hennepin	6016084	8	0	Commit	48
	Hennepin	6023217	8	5	Commit	98
	Hennepin	6014694	8	6	Commit	108
	Hennepin	CR06062407	8	0	Commit	48

Year	County	District Court Case Number	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
					Disposition	Duration (months)
2007, cont'd	Hennepin	CR06030056	5	4	Commit	38
	Itasca	CR055032	4	0	Stay	12 ¹
	Itasca	CR061384	2	3	Stay	15
	Lyon	CR07847	1	0	Stay	12 ¹
	Olmsted	CR064239	5	0	Stay	18
	Olmsted	CR061026	5	0	Stay	18
	Ramsey	K306004377	8	2	Commit	68
	Redwood	K204000589	9	0	Commit	86
	St. Louis	DUCR065316	3	0	Stay	12 ¹
	St. Louis	K703101290	1	0	Stay	12 ¹
	Wright	K205003794	8	0	Commit	48
2006	*		7	2	Stay	48
	Anoka	K406011273	10	1	Commit	165
	Anoka	K306012348	9	0	Commit	98
	Carlton	CR066	4	2	Stay	18
	Chippewa	CR0613	7	0	Stay	36
	Chisago	CR051106	3	2	Stay	15
	Dakota	K906001271	1	0	Stay	12 ¹
	Hennepin	6054131	6	3	Commit	39
	Hennepin	6044305	6	0	Stay	21
	Hennepin	5076718	6	0	Stay	21
	Hennepin	6022593	8	0	Commit	48
	Hennepin	6037253	1	0	Stay	12 ¹
	Hennepin	5045183	6	0	Stay	21
	Hennepin	6024960	3	0	Stay	12 ¹
	Hennepin	4057652	8	0	Commit	48
	Hennepin	4070571	7	6	Commit	72
	Hennepin	6015968	9	0	Commit	86
	Hennepin	6025458	6	0	Commit	33
	Polk	K705001695	3	2	Stay	15
	Ramsey	K806001443	5	0	Stay	18
	Ramsey	K105002178	7	0	Stay	36
	Ramsey	K805002338	1	0	Stay	12 ¹
	St. Louis	K104101845	7	4	Commit	60
	Winona	K105000182	5	0	Stay	18
2005	*		9	9	Commit	158
	Anoka	K405001204	8	0	Commit	48
	Anoka	K104009279	11	15	Commit	180
	Anoka	K204000106	9	0	Commit	86
	Hennepin	5051239	7	0	Stay	36

Year	County	District Court Case Number	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
					Disposition	Duration (months)
2005, cont'd	Hennepin	5024539	6	0	Stay	21
	Hennepin	4077487	8	1	Commit	58
	Hennepin	4077481	4	0	Stay	121
	Mahnomen	K203000520	3	3	Stay	17
	Mower	KX04001082	7	1	Stay	42
	Mower	K605000635	5	0	Stay	18
	Olmsted	K604003469	1	1	Stay	12 ¹
	Olmsted	K604004556	3	0	Stay	12 ¹
	Otter Tail	K304001817	3	0	Stay	12 ¹
	Ramsey	K504003288	6	0	Stay	21
	Ramsey	K004003831	7	0	Commit	36
	Ramsey	K304003287	6	0	Stay	21
	Ramsey	K704004233	9	0	Commit	86
	Ramsey	K604003896	9	0	Commit	86
	St. Louis	K004600751	1	0	Stay	12 ¹
	St. Louis	K204600752	1	0	Stay	12 ¹
	St. Louis	K504600440	5	6	Commit	48
	Stearns	K605001648	6	0	Stay	21
2004	*		8	4	Commit	88
	Clearwater	K204000228	2	2	Stay	13
	Crow Wing	K504001092	1	0	Stay	12 ¹
	Dakota	K004000814	2	0	Stay	12 ¹
	Freeborn	K703000609	1	0	Stay	12 ¹
	Hennepin	3082660	1	0	Stay	12 ¹
	Hennepin	3074259	2	0	Stay	12 ¹
	Hennepin	3058941	4	3	Stay	21
	Hennepin	3070906	8	0	Commit	48
	Hennepin	3049845	9	3	Commit	122
	McLeod	KX03001177	3	0	Stay	12 ¹
	Olmsted	K604001897	3	5	Commit	21
	Olmsted	K404001896	8	1	Commit	58
	Polk	K303001169	2	0	Stay	12 ¹
	Ramsey	K304004116	5	0	Stay	18
	Redwood	K903000580	8	0	Commit	48
	Redwood	KX03000670	9	1	Commit	98
	St. Louis	K703102116	2	0	Stay	12 ¹
	Stearns	K503003287	4	0	Stay	12 ¹
2003	*		9	5	Commit	146
	*		5	3	Commit	33
	Anoka	K903007723	7	0	Stay	36

Year	County	District Court Case Number	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
					Disposition	Duration (months)
2003, cont'd	Dakota	K802002516	3	0	Stay	12 ¹
	Hennepin	2093292	2	0	Stay	12 ¹
	Hennepin	2041933	3	0	Stay	12 ¹
	Hennepin	2097406	6	0	Stay	21
	Hennepin	3042603	8	0	Commit	48
	Hennepin	3016014	12	0	Commit	180
	Olmsted	KX02001106	4	0	Stay	12 ¹
	Otter Tail	KX03000475	1	0	Stay	12 ¹
	Pope	K403000105	7	0	Stay	36
	Ramsey	K603002382	4	0	Stay	12 ¹
	Roseau	K802000451	8	0	Commit	48
	St. Louis	K201600428	10	0	Commit	150
	Waseca	KX01000458	6	3	Commit	39
	Washington	K302003088	6	2	Stay	33
2002	Anoka	K401001632	4	0	Stay	12 ¹
	Beltrami	KX01001555	3	3	Stay	17
	Carver	K201001157	5	0	Stay	18
	Carver	K401001077	5	0	Commit	18
	Carver	K201001076	8	0	Commit	48
	Faribault	K701000460	4	0	Stay	12 ¹
	Hennepin	1064513	5	0	Stay	18
	Hennepin	2031355	6	2	Stay	33
	Hennepin	1090641	6	0	Stay	21
	Hennepin	1061440	9	1	Commit	98
	Jackson	K401001081	8	0	Commit	48
	St. Louis	K702300555	2	0	Stay	12 ¹
	St. Louis	K402100071	6	8	Commit	57
2001	*		1	3	Stay	13
	Anoka	K400007629	5	0	Stay	18
	Beltrami	K801001344	9	2	Commit	110
	Dakota	K201002520	1	0	Stay	12 ¹
	Dakota	K400002573	2	0	Stay	12 ¹
	Dakota	K500002582	2	0	Stay	12 ¹
	Hennepin	101106	1	0	Stay	12 ¹
	Hennepin	100520	3	2	Stay	15
	Hennepin	99076184	4	0	Stay	12 ¹
	Hennepin	84772	5	1	Stay	23
	Hennepin	1022600	6	0	Stay	21
	Hennepin	91753	6	1	Stay	27
	Hennepin	77128	6	0	Stay	21

Year	County	District Court Case Number	Assigned Severity Level	Criminal History Score	Presumptive Sentence	
					Disposition	Duration (months)
2001, cont'd	McLeod	K301000478	6	3	Commit	39
	Nobles	K300000504	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

Notes: 12¹ = twelve months and one day.

*Sentencing records containing juvenile history have been redacted.

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

Offense Name	Offense Abbreviation (used in Table 2)	Offense Severity Level (as of Sept. 15, 2021)
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)	Manslaughter 1	9
Manslaughter 1st Degree – 609.20(3) & (4)	Manslaughter 1	8
Manslaughter 2nd Degree – Culpable Negligence	Manslaughter 2	8
Manslaughter 2nd Degree – Hunting Accident	Manslaughter 2	5
Aggravated Robbery 1st Degree	Agg. Robbery 1	8
Aggravated Robbery 2nd Degree	Agg. Robbery 2	6
Simple Robbery	Simple Robbery	5

Offense Name	Offense Abbreviation (used in Table 2)	Offense Severity Level (as of Sept. 15, 2021)
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
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	D9
Manufacture Any Amount of Methamphetamine	Meth. Mfg.	D9
Controlled Substance Crime 1st Degree	Drugs 1	D8
Controlled Substance Crime 2nd Degree	Drugs 2	D7
Controlled Substance Crime 3rd Degree	Drugs 3	D6
Possession of Substances with Intent to Manufacture Methamphetamine	Precursors	D5
Controlled Substance Crime 4th Degree	Drugs 4	D4
Anhydrous Ammonia (Tamper/Theft/Transport)	Anhydrous	D3
Methamphetamine Crimes Involving Children and Vulnerable Adults	Meth/Kids	D3
Controlled Substance Crime 5th Degree	Drugs 5	D2
Medical Cannabis Violations (Submission of False Records)	Cannabis	D2
Medical Cannabis Violations (Diversion by patient, registered Designated Caregiver, or Parent) (Intentional Diversion)	Cannabis	D1
Sale of Simulated Controlled Substance	Simulated	D1

Appendices

Appendix 1. How the Guidelines Work

Minnesota’s guidelines are based on a grid structure. The vertical axis of the Grid represents the **severity** of the conviction offense. The horizontal axis represents a measure of the defendant’s **criminal history**. The Commission has ranked felony-level offenses into eleven severity levels. Offenses for which a life sentence is mandated by statute (first-degree murder and certain criminal sexual conduct offenses) are excluded from the Guidelines. A separate Sex Offender Grid, with severity levels from H to A (most serious), is used for sentencing sex offenses. A separate Drug Offender Grid, with severity levels from D1 to D9 (most serious), was implemented for drug offenses committed after July 31, 2016. Offenses included in each severity level are listed in the **Severity Reference Table** in the *Minnesota Sentencing Guidelines and Commentary*.

The criminal history index measures the defendant’s prior record and includes points for: (variously weighted prior felony sentences; some prior misdemeanor/gross misdemeanor sentences; limited prior serious juvenile offenses; and “custody status”—if the current offense was committed while confined or under community supervision.

The recommended (presumptive) guideline sentence is found in the cell of the sentencing grid in which the defendant’s criminal history score and severity level intersect. The Guidelines recommend imprisonment in a state prison in the non-shaded cells of the grid. The Guidelines generally recommend a stayed sentence for cells in the shaded area of the applicable Grid. When a sentence is stayed, the court typically places the defendant on probation and may require up to a year of local confinement (i.e., local correctional facility, county jail or workhouse) as a condition of probation. Other conditions such as fines, restitution, community work service, treatment, house arrest, etc. may also be applied. There are, however, a number of offenses that carry a presumptive prison sentence regardless of where the defendant is on the applicable Guidelines Grid (e.g., offenses involving dangerous weapons which carry mandatory minimum prison terms, and some drug and burglary offenses).

The number in the cell is the recommended length of the prison sentence in months. As explained above, sentences in shaded boxes are generally stayed probationary sentences. For cases in the non-shaded cells of the applicable Grid, the Guidelines also provide a narrow range of months around the presumptive duration that a judge may pronounce and still be within the Guidelines.

It is not possible to fully explain all of the policies in this brief summary. Additional information on the Guidelines is available by contacting the Commission’s office. *The Minnesota Sentencing Guidelines and Commentary* is available online at <http://mn.gov/sentencing-guidelines>.

Appendix 2. How Severity Levels Are Assigned to Unranked Offenses

Some felony offenses are designated as unranked offenses. An unranked offense typically has one or more of the following characteristics: (1) the offense is rarely prosecuted; (2) the offense covers a wide range of underlying conduct; or (3) the offense is new, and the severity of a typical offense cannot yet be determined.

Minn. Sentencing Guidelines section 2.A.4 contains the Sentencing Guidelines' policy for unranked offenses. When sentencing an unranked offense, the court must assign an appropriate severity level for the offense and specify on the record why that particular level was assigned. The court may consider, but is not limited to, the following factors:

- a. The gravity of the specific conduct underlying the unranked offense;
- b. The severity level assigned to any ranked offense with elements that are similar to the elements of the unranked offense;
- c. The conduct of and severity level assigned to other offenders for the same unranked offense; and
- d. The severity level assigned to other offenders engaged in similar conduct.

Appendix 3. Standard Sentencing Guidelines Grid, Effective Sept. 15, 2021

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 <i>italics</i>)		CRIMINAL HISTORY SCORE						
		0	1	2	3	4	5	6 or more
<i>Murder, 2nd Degree (Intentional; Drive-By-Shootings)</i>	11	306 <i>261-367</i>	326 <i>278-391</i>	346 <i>295-415</i>	366 <i>312-439</i>	386 <i>329-463</i>	406 <i>346-480</i> ²	426 <i>363-480</i> ²
<i>Murder, 2nd Degree (Unintentional)</i> <i>Murder, 3rd Degree (Depraved Mind)</i>	10	150 <i>128-180</i>	165 <i>141-198</i>	180 <i>153-216</i>	195 <i>166-234</i>	210 <i>179-252</i>	225 <i>192-270</i>	240 <i>204-288</i>
<i>Murder, 3rd Degree (Drugs)</i> <i>Assault, 1st Degree (Great Bodily Harm)</i>	9	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>Agg. Robbery, 1st Degree</i> <i>Burglary, 1st Degree (w/ Weapon or Assault)</i>	8	48 <i>41-57</i>	58 <i>50-69</i>	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>Felony DWI</i> <i>Financial Exploitation of a Vulnerable Adult</i>	7	36	42	48	54 <i>46-64</i>	60 <i>51-72</i>	66 <i>57-79</i>	72 <i>62-84</i> ^{2, 3}
<i>Assault, 2nd Degree</i> <i>Burglary, 1st Degree (Occupied Dwelling)</i>	6	21	27	33	39 <i>34-46</i>	45 <i>39-54</i>	51 <i>44-61</i>	57 <i>49-68</i>
<i>Residential Burglary</i> <i>Simple Robbery</i>	5	18	23	28	33 <i>29-39</i>	38 <i>33-45</i>	43 <i>37-51</i>	48 <i>41-57</i>
<i>Nonresidential Burglary</i>	4	12 ¹	15	18	21	24 <i>21-28</i>	27 <i>23-32</i>	30 <i>26-36</i>
<i>Theft Crimes (Over \$5,000)</i>	3	12 ¹	13	15	17	19 <i>17-22</i>	21 <i>18-25</i>	23 <i>20-27</i>
<i>Theft Crimes (\$5,000 or less)</i> <i>Check Forgery (\$251-\$2,500)</i>	2	12 ¹	12 ¹	13	15	17	19	21 <i>18-25</i>
<i>Assault, 4th Degree</i> <i>Fleeing a Peace Officer</i>	1	12 ¹	12 ¹	12 ¹	13	15	17	19 <i>17-22</i>

¹ 12¹=One year and one day



Presumptive commitment to state imprisonment. First-degree murder has a mandatory life sentence and is excluded from the Guidelines under Minn. Stat. § 609.185. See section 2.E, for policies regarding those sentences controlled by law.



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.

Appendix 4. Sex Offender Grid, Effective September 15, 2021

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 <i>italics</i>)		CRIMINAL HISTORY SCORE						
		0	1	2	3	4	5	6 or more
<i>Criminal Sexual Conduct (CSC) 1st Degree</i>	A	144 144-172	156 144-187	168 144-201	180 153-216	234 199-280	306 261-360	360 306-360 ²
<i>CSC 2nd Degree–1(a)(b)(c)(d)(e) 1a(a)(b)(c)(d)(h)(i) (e.g., contact & force with bodily harm)</i>	B	90 90 ³ -108	110 94-132	130 111-156	150 128-180	195 166-234	255 217-300	300 255-300 ²
<i>CSC 3rd Degree–1(a)(b)(c)(d) 1a(c)(d)(g)(h)(i) (e.g., penetration & coercion/occupation)</i>	C	48 41-57	62 53-74	76 65-91	90 77-108	117 100-140	153 131-183	180 153-216
<i>CSC 2nd Degree–1a(e)(f)(g) (age) CSC 3rd Degree–1a(a)(e)(f) or 1a(b) with 2(1) (age)</i>	D	36	48	60 51-72	70 60-84	91 78-109	119 102-142	140 119-168
<i>CSC 4th Degree–1(a)(b)(c)(d) 1a(c)(d)(g)(h)(i) (e.g., contact & coercion/occupation)</i>	E	24	36	48	60 51-72	78 67-93	102 87-120	120 102-120 ²
<i>CSC 4th Degree–1a(a)(b)(e)(f) (age) CSC 5th Degree–3(b) (subsequent)</i>	F	18	27	36	45 39-54	59 51-70	77 66-92	84 72-100
<i>CSC 3rd Degree–1a(b) with 2(2) Possession of Child Pornography Solicit Child for Sexual Conduct</i>	G	15	20	25	30	39 34-46	51 44-60	60 51-60 ²
<i>CSC 5th Degree–3(a) (nonconsensual penetration)</i>	H	12 ¹	14	16	18	24	24 ² 24-24	24 ² 24-24
<i>Failure to Register as a Predatory Offender</i>	I	12 ¹ 12 ¹ -14	14 12 ¹ -16	16 14-19	18 16-21	24 21-28	30 26-36	36 31-43

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 Prostitution; Sex Trafficking 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.)

Appendix 5. Drug Offender Grid, Effective September 15, 2021

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.

CRIMINAL HISTORY SCORE

SEVERITY LEVEL OF CONVICTION OFFENSE (Example offenses listed in <i>italics</i>)		0	1	2	3	4	5	6 or more
<i>Aggravated Controlled Substance Crime, 1st Degree 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 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.2.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.