



# MINNESOTA

## SENTENCING GUIDELINES COMMISSION

### October Lunch & Learn: Criminal History Policies for Felony Priors – 2.B.1



Presented by MSGC Staff  
October 23, 2025



# Sentence Guidelines Policies Effective Date

## Guidelines used for the “current” offense

- Each year on August 1st, a Sentencing Guidelines manual is published for offenses *committed* on or after that date.
- Each Sentencing Guidelines manual remains in effect through July 31st of the following year.
- That means that *technically*, the idea of “the current Guidelines” is not based on the calendar date; rather, it is based on the date the current conviction offense occurred.
- These are the policies that will be used to find everything related to the current offense including the severity level, modifiers or mandatory minimums, and the Grid used to find the presumptive sentence.

## Guidelines used for the “current” offense

- The changes made to criminal history calculation policies that were enacted in 2019 will now apply to all offenses regardless of their offense date.
- If the current offense occurred on or before 7/31/2019, used the 2019 Sentencing Guidelines manual.
- If the offense occurred on or after 8/1/2019, use the manual in effect based on the date the offense occurred.
  - 05/01/1980-07/31/2020 – the 2019 manual
  - 08/01/2020-09/14/2021 – the 2020 manual
  - 09/15/2021-07/31/2022 – the 2021 manual
  - 08/01/2022-07/31/2023 – the 2022 manual
  - 08/01/2023-07/31/2024 – the 2023 manual
  - 08/01/2024-07/31/2025 – the 2024 manual
  - 08/01/2025-07/31/2025 – the 2025 manual

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Previous Years Guidelines and Commentary

The presumptive sentence for any offender convicted of a felony committed on or after May 1, 1980, is determined by the Sentencing Guidelines in effect on the date of the conviction offense. If multiple offenses are an element of the conviction offense, the date of the conviction offense must be determined by the fact finder. If offenses have been aggregated, the date of the earliest offense should be used as the date of the conviction offense. The majority of previous Guidelines have an effective date starting August 1st, and are in effect until the next publication. The effective date can be found on the cover page of every previous Guidelines.

2024 Sentencing Guidelines

The Minnesota Sentencing Guidelines are a set of rules and principles used to determine sentences for felony offenses in Minnesota. They aim to promote fairness and consistency in sentencing by considering both the seriousness of the offense and the offender's criminal history. The guidelines are advisory, meaning judges can deviate from them, but must explain their reasoning for doing so.

2024 Amendments

MSGC periodically amends the sentencing guidelines to ensure they remain relevant, fair, and effective in addressing criminal behavior and promoting public safety. These modifications can involve Legislative amendments to crime laws affecting the guidelines, technical amendments, and changes to the presumptive sentence for various crimes. The MSGC's overarching goal is to reduce sentencing disparities, ensure sanctions are proportional to the offense and offender's history, and maintain public safety.

Sort

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Select "The Guidelines"

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Select the year needed from the list and the Guidelines, Amendments, and Grids in effect will populate the page.

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# Level of Sentence: An Imposed Sentence (Jail, Prison, Stay of Execution)

## Felonies:

Minn. Stat. § 609.02, subd. 2

In MN, the term “imposed sentence” is defined as the duration of the sentence that the court imposes on the offense. Those durations are found in statute.

- The court adjudicates guilt, and a sentence duration is imposed.
- A felony sentence is defined as:
  - ❖ 366 days on/before 6/30/2023
  - ❖ 365 days on/after 7/1/2023
- The disposition can be a stay of execution or a commit (prison).
- Non-MN offenses which equate to a felony must be sentenced to 366 days regardless of the sentencing date.

## Gross Misdemeanors:

Minn. Stat. § 609.02, subd. 4

- The court adjudicates guilt, and a sentence duration is imposed.
- A gross misd. sentence is defined as:
  - ❖ 91-365 days on/before 6/30/2023
  - ❖ 91-364 days on/after 7/1/2023
- The disposition can be a stay of execution or local confinement (jail).
- Non-MN offenses which equate to a gross misd. must be sentenced to 91-365 days regardless of the sentencing date.
- Any equivalent MN or non-MN gross misd. offense that is sentenced to a misd. level must also be a targeted misd. to be included.

## Misdemeanors:

Minn. Stat. § 609.02, subd. 3

- The court adjudicates guilt, and a sentence duration is imposed.
- A misd. sentence is defined as a sentence duration of not more than 90 days regardless of the sentencing date.
- The disposition can be a stay of execution or local confinement (jail).

# Level of Sentence: Stay of Imposition

## Stay of Imposition: Felony

- The court adjudicates guilt, but a sentence duration is **not** imposed; hence, the stay of *imposition*.
- The offense will remain in the felony section of criminal history *even successfully discharged and the offense is deemed a misdemeanor*
- Non-MN offenses may equate to a stay of imposition if there was a conviction or adjudication of guilt and only a probation term pronounced (a guilty plea will not be enough).

## Stay of Imposition: Gross Misdemeanors

- The court adjudicates guilt, but a sentence duration is **not** imposed.
- The offense will remain in the misd./gross misd. section of criminal history *even if successfully discharged and the offense is deemed a misdemeanor*
- Non-MN offenses may which equate to a stay of imposition if there was a conviction or adjudication of guilt and only a probation term pronounced (a guilty plea will not be enough).

## Stay of Imposition: Misdemeanors:

- The court adjudicates guilt, but a sentence duration is **not** imposed.
- The offense will remain in the misd./gross misd. section of criminal history *even if successfully discharged and the offense is deemed a misdemeanor*
- Non-MN offenses may which equate to a stay of imposition if there was a conviction or adjudication of guilt and only a probation term pronounced (a guilty plea will not be enough).

### Sentencing tip

A Stay of *Execution* means staying the jail or prison disposition

A Stay of *Imposition* means staying the statutorily-defined duration that is imposed by the court for the sentence length.

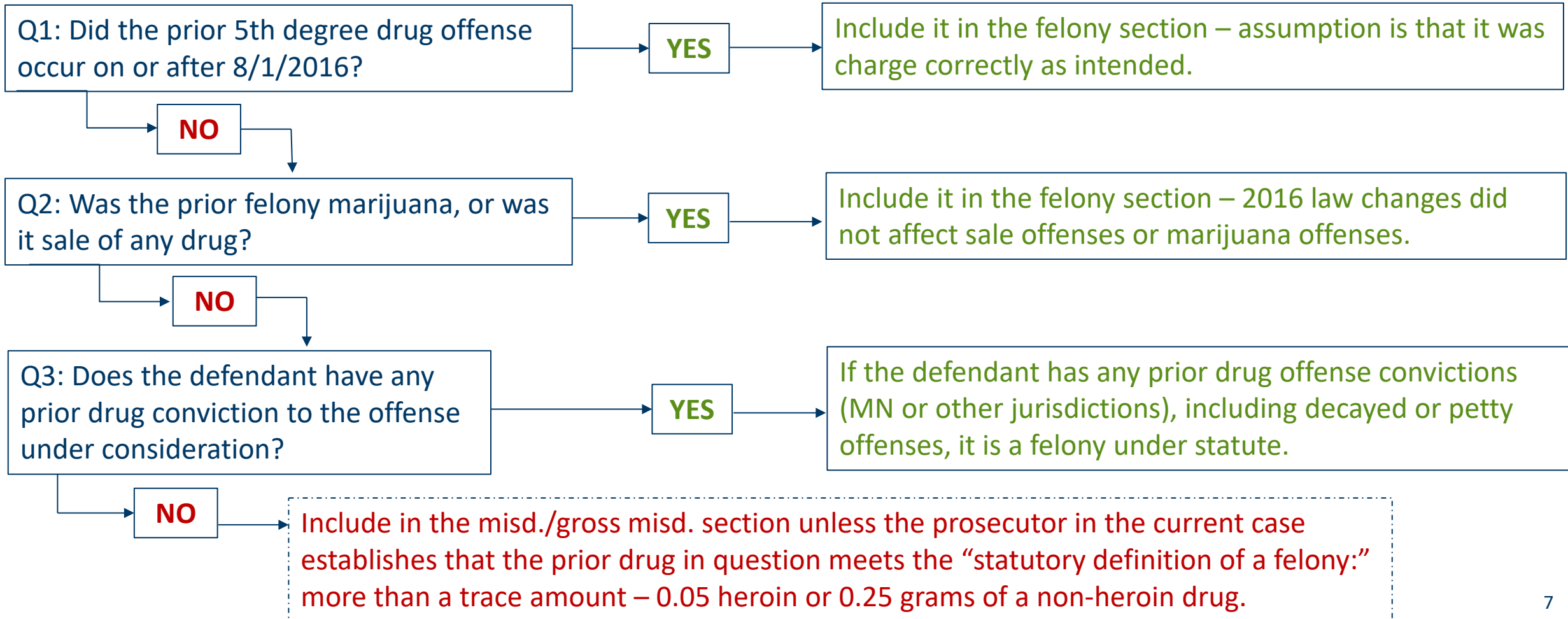
# The Level of Sentence: A Non-conviction\* Disposition

- There may or may not be a guilty plea, but the court will not enter a judgement of guilt.
- Without a final judgement of guilt, there is no conviction.
- With no conviction, there can be no sentence imposed.
- With no sentence imposed, or stay of imposition, a non-conviction\* disposition is not included in felony (or any) criminal history unless it is revoked, and a sentence is imposed (including a stay of imposition).

*\* Non-conviction disposition is an MSGC training term used solely to differentiate between offenses that have a judgement of guilt by the court – a conviction – and those that do not.*

# *State v. Strobel* – using a 5th degree drug offense in felony history

**When the current felony offense occurs on or after 8/1/2016**, three questions must be asked about the first eligible felony 5th degree felony drug offense that will be included in criminal history. This is sometimes referred to as “applying *Strobel*.”



# Felony Criminal History

## What goes in felony criminal history?

1. MN felonies that receive an imposed sentence *before* sentencing on the current offense happens.
  - A felony sentenced before 7/1/2023 had a minimum sentence of 366 days imposed.
  - A felony sentenced after 7/1/2023 will have a minimum sentence of 365 days imposed.
2. Non-MN felonies that receive an imposed sentence of at least 366 days *before* sentencing on the current offense happens.\*
3. A MN or non-MN felony that received a Stay of Imposition (may be referred to in other jurisdictions as “sentence withheld.”)
4. All MN Extended Jurisdiction Juvenile (EJJ) convictions.
  - If there is still a JV case number, it’s an EJJ.
  - A CR case number it’s been revoked so that is the one that should be included, maintaining the original disposition date.

*\*The January session will cover non-MN offenses in depth*

## How long do felonies count in criminal history?

- Felony priors remain in criminal history for 15 years from the determined **starting date** to the date the current offense occurs.
- If the prior offense originally received a probation sentence – a stay of ex or a stay of imp – and was never revoked, the **starting date** is the disposition, or sentencing, date to the date the current offense occurred.
- If the prior offense originally received a prison sentence, whether it’s the original sentence or a probation revocation to prison, the **starting date** is the expiration date of the sentence (Term of Imprisonment, Supervised Release, and Conditional Release if applicable).
- If a prior offense received a stay of adjudication but was later revoked and given an imposed sentence, it will have a new **starting date** for the decay term.
- If an EJJ is used in criminal history, the date they received the EJJ will be the **starting date**.
- Offenses still under custody will not decay.



# Decay Factor: Felony Decay Factor – Electronic Worksheet System (EWS)

## For Never-Executed Probationary Sentences

*Prior decays 15 years after **sentencing**.  
No decay while still under supervision*

\* Prior Offense Type: **Felony**

Jurisdiction State:  Jurisdiction County:

\* Description:

\* Severity Level:

\* Did this prior result in a prison term: ☐ Yes ☒ No

\* Was offender under eligible custody status for the offense on 8/1/2019: ☐ Yes ☒ No

\* Disposition Date:  This prior offense will decay on 1/12/2026.

\* Expiration Date:

## For Executed Prison Sentences

*Prior decays 15 years after prison sentence expires  
No decay while still under supervision*

\* Prior Offense Type: **Felony**

Jurisdiction State:  Jurisdiction County:

\* Description:

\* Severity Level:

\* Did this prior result in a prison term: ☒ Yes ☐ No

\* Was offender under eligible custody status for the offense on 8/1/2019: ☐ Yes ☒ No

\* Disposition Date:

\* Expiration Date:  This prior offense will decay on 1/12/2029.

# Steps for equating a felony severity level to felony points

Step 1: Determine what grid the current offense is being sentenced from: the Standard Grid, the Sex Offender Grid, or the Drug Offender Grid.

Step 2: **Use the Guidelines in effect when the current offense occurred to find the severity level assigned to the offense.** *Do not go back to the Guidelines in effect when the prior occurred.*

Some reminders for finding the severity level when it has changed since it was originally sentenced.

1. All offenses now found on the Sex Offender Grid that were originally sentenced with a numerical severity level, or a roman numeral depending on how old it is, will now have a letter as the severity level if the current offense date is 8/1/2006 or later. (e.g., an 8-9 assigned to a CSC1 will be an A; a 6 for a CSC2 will be a B, etc.)
2. All offenses now found on the Drug Offender Grid that were originally sentenced with a numerical severity level will now have a letter/number combination as the severity level if the current offense date is 8/1/2016 or later. (e.g., an 5th degree drug that was a 2 will now be a D2, a 2nd degree at an 8 will now be a D7, etc.)
3. If a prior Failure to Register was sentenced at a severity level H, it will be an I if the current offense date is 9/15/2021.
4. If an unranked offense has not been assigned a severity level by the Commission, use the severity level assigned by the original sentencing judge.
5. If an unranked offense has been assigned a severity level by the Commission use that severity level, even if it is different than the one previously assigned.
  - ❖ For example, Labor Trafficking will be assigned a 7 if the current offense occurs on/after 8/1/2023.

# Assigning felony weights – current offense found on the Standard or Drug Offender Grid

- If the current offense is found on the Standard Grid or the Drug Offender Grid (so *not* on the Sex Offender Grid), determine the weight assigned to each prior felony according to the chart from 2.B.1.a.

Current Offense on Standard Grid or Drug Offender Grid	SEVERITY LEVEL	POINTS
	1 – 2, D1 – D2	½
	3 – 5, D3 – D5	1
	6 – 8, D6 – D7	1 ½
	9 – 11, D8 – D9	2
	Murder 1st Degree	2
	A	2
	B – E	1 ½
	F – G	1
	H	½
	I	½ (for first offense); 1 (for subsequent offenses)

# Assigning felony weights – current offense found on the Sex Offender Grid

- If the current offense being sentenced from the Sex Offender Grid (so *not* on the Standard or Drug Offender Grid, determine the weight assigned to each prior felony according to the chart from 2.B.1.b.
- It's important to remember that Failure to Register as a Predatory Offender is found on the Sex Offender Grid, so these points will apply to prior CSCs and other offenses found on that grid.

Current Offense on Sex Offender Grid	SEVERITY LEVEL	POINTS
	1 – 2, D1 – D2	1/2
	3 – 5, D3 – D5	1
	6 – 8, D6 – D7	1 1/2
	9 – 11, D8 – D9	2
	Murder 1st Degree	2
	A	3
	B – C	2
	D – E	1 1/2
	F – H	1
	I	1/2 (for first offense); 1 (for subsequent offenses)

# Assigning Felony Weights – Current Multiple Sentences (2.B.1.d and 2.B.1.e)

- “Multiple offenses sentenced at the same time before the same court must be sentenced in the order in which they occurred. As each offense is sentenced, include it in the criminal history on the next offense to the be sentenced (also known as “*Hernandizing*.” (2.B.1.e and 2.B.109)
  - This is from the appellate case *State v. Hernandez*: “All the court was trying to do was avoid mere formalities and, in the interest of judicial economy, do in one day what the Guidelines allow to be done in three or more days.”
  - *Hernandizing*” is the continued application of 2.B.1 which states that all offenses receiving an imposed sentence or Stay of Imposition are included in criminal history if *sentenced before the current offense*.

Offender and Court Case Information			
Name:	Sample, John Q.		County:
DOB:	12/02/1998	Gender: Male	Case #:
Race/Ethnicity:	White/Unknown		MN SID #:
Conv./Plea Date:	10/23/2025	PSI Investigator:	Training, Msgc, (651)757-1728

Conviction Offense			
Sent ord #:	1	Count #:	1
Offense Title:	Aggravated Robbery-1st Degree		
Offense Date:	06/01/2024		
Conviction Statute:	609.245.1	Penalty Statute:	
Addl Statutes:			
Modifiers:			

Criminal History Score			
Custody Status Point	Juv Points	Misd/G.M. Points	Felony Points
1	0	0	
Type:	Probation		

Offenses Included in Criminal History Score					Presumptive Disposition  Presumptive Duration 78 months Lower Range: 60 months Upper Range: 96 months  In the event of mitigated dispositional departure, the length of stay must not exceed 5 years.
Type	Offense Title	Units/Pts	Disp Date	Exp Date	
Juvenile	No Juvenile Priors				
Misd./G.M.	1. Drug 5th Degree GM	1 unit	12/22/2019	12/22/2020	
Felony	1. Theft over \$5,000	1.0 pt.	12/20/2020	12/20/2025	
	2. Threats of Violence	1.0 pt.	01/17/2022	01/17/2027	

Comments

Offender and Court Case Information			
Name:	Sample, John Q.		County:
DOB:	12/02/1998	Gender: Male	Case #:
Race/Ethnicity:	White/Unknown		MN SID #:
Conv./Plea Date:	10/23/2025	PSI Investigator:	Training, Msgc, (651)757-1728

Conviction Offense			
Sent ord #:	2	Count #:	2
Offense Title:	Possess Ammo/Any Firearm - Conviction or Adjudicated Crime of Violence		
Offense Date:	06/14/2024		
Conviction Statute:	624.713.1(2)	Penalty Statute:	
Addl Statutes:			
Modifiers:	Certain Persons Not to Possess Ammunition Only		

Criminal History Score			
Custody Status Point	Juv Points	Misd/G.M. Points	Felony Points
1	0	0	
Type:	Probation		

Offenses Included in Criminal History Score					
Type	Offense Title	Units/Pts	Disp Date	Exp Date	
Juvenile	No Juvenile Priors				
Misd./G.M.	1. Drug 5th Degree GM	1 unit	12/22/2019	12/22/2020	
Felony	1. Theft over \$5,000 *	1.0 pt.	12/20/2020	12/20/2025	
	2. Threats of Violence *	1.0 pt.	01/17/2022	01/17/2027	
	3. Aggravated Robbery-1st Degree	1.5 pts.	10/23/2025		

Comments

Offender and Court Case Information			
Name:	Sample, John Q.		County: AITKIN (1)
DOB:	12/02/1998	Gender: Male	Case #: CR258246
Race/Ethnicity:	White/Unknown		MN SID #:
Conv./Plea Date:	10/23/2025	PSI Investigator:	Training, Msgc, (651)757-1728

Conviction Offense			
Sent ord #:	3	Count #:	1
Offense Title:	Drugs - 5th Degree - Possess Schedule 1,2,3,4 or paraphernalia residual - Not cannabis/hemp		
Offense Date:	07/25/2025		
Conviction Statute:	152.025.2(a)(1)	Penalty Statute:	152.025.4(b)
Addl Statutes:			
Modifiers:			

Criminal History Score				
Custody Status Point	Juv Points	Misd/G.M. Points	Felony Points	Total Criminal History Points
1	0	0	5	6
Type:	Probation			

Offenses Included in Criminal History Score					
Type	Offense Title	Units/Pts	Disp Date	Exp Date	
Juvenile	No Juvenile Priors				
Misd./G.M.	1. Drug 5th Degree GM	1 unit	12/22/2019	12/22/2020	
Felony	1. Theft over \$5,000 *	1.0 pt.	12/20/2020	12/20/2025	
	2. Threats of Violence *	1.0 pt.	01/17/2022	01/17/2027	
	3. Aggravated Robbery-1st Degree	1.5 pts.	10/23/2025		
	4. Felon in Possession of Ammunition	1.5 pts.	10/23/2025		

Presumptive Disposition
Commit to Commissioner
Presumptive Duration
21 months
Lower Range: 18 months
Upper Range: 25 months
In the event of mitigated dispositional departure, the length of stay must not exceed 5 years.
* If custody status were waived, presumptive sentence would be 19-months - stayed disposition.

Comments

# Exception #1 : Single Course of Conduct w/ Multiple Sentences (2.B.1.e(1) for current offenses; 2.B.1.d(1) for prior offenses)

“When multiple current convictions arise from a single course of conduct and multiple sentences are imposed on the same day under Minn. Stat. §§ 152.137, 609.585, or 609.251, the conviction and sentence for the “earlier” offense does not increase the criminal history score for the “later” offense.”

- If, during a single course of conduct, any other offense occurs as a result of a:
  1. meth offense involving a child or vulnerable adult, Minn. Stat. § 152.137
  2. a burglary, Minn. Stat. § 609.585
  3. or kidnapping, Minn. Stat. § 609.251
- then the sentence for the “earlier” offense (first offense sentenced) will not increase the criminal history score for the “later” offense (second offense sentenced). (2.B.1.e(2))
- When this type of event is being considered as criminal history on an unrelated offense, only 1 at the highest severity level is included.
- Calling attention to the comment 2.B.109: *“The Commission has carefully considered the application of the Hernandez method to sentencing in provisions of Minnesota law other than Minn. Stats. §§ 152.137, 609.585, and 609.251. The Commission’s decision not to amend the Sentencing Guidelines is deliberate. See, State v. Williams, 771 N.W.2d 514 (Minn. 2009).”* These are the other offenses found in Minn. Stat. § 609.035, subd. 3-6.
  - **This means that only burglary, kidnapping, and meth involving a child or vulnerable adult are the offenses that are eligible to *not* be *Hernandized* under 2.B.1.e.**

Offender and Court Case Information			
Name:	Sample, John Q.		County:
DOB:	12/02/1998	Gender:	Male
Race/Ethnicity:	White/Unknown		MN SID #:
Conv./Plea Date:	10/23/2025	PSI Investigator:	Training, Msgc, (651)757-1728

Conviction Offense			
Sent ord #:	1	Count #:	1
Offense Title:	Burglary-2nd Deg-Building Contain Pharmacy/Controlled Substan		
Offense Date:	06/01/2024		
Conviction Statute:	609.582.2(a)(3)	Penalty Statute:	
Addl Statutes:			
Modifiers:			

Criminal History Score			
Custody Status Point	Juv Points	Misd/G.M. Points	Felony Points
1	0	0	
Type:	Probation		

Offenses Included in Criminal History Score					Presumptive Disposition Stay
Type	Offense Title	Units/Pts	Disp Date	Exp Date	
Juvenile	No Juvenile Priors				
Misd./G.M.	1. Drug 5th Degree GM *	1 unit	12/22/2019	12/22/2020	
Felony	1. Theft over \$5,000 *	1.0 pt.	12/20/2020	12/20/2025	Presumptive Disposition 21 months
	2. Threats of Violence *	1.0 pt.	01/17/2022	01/17/2027	

The length of stay must not exceed 5 years.  
\* If custody status were waived, presumptive sentence would be 15-months - stayed disposition.

21 months

Comments

Offender and Court Case Information			
Name:	Sample, John Q.		County:
DOB:	12/02/1998	Gender:	Male
Race/Ethnicity:	White/Unknown		MN SID #:
Conv./Plea Date:	10/23/2025	PSI Investigator:	Training, Msgc, (651)757-1728

Conviction Offense			
Sent ord #:	3	Count #:	1
Offense Title:	Drugs - 5th Degree - Possess Schedule 1,2,3,4 or paraphernalia residual - Not cannabis/hemp		
Offense Date:	07/24/2025		
Conviction Statute:	152.025.2(a)(1)	Penalty Statute:	152.025.4(b)
Addl Statutes:			
Modifiers:			

Criminal History Score			
Custody Status Point	Juv Points	Misd/G.M. Points	Felony Points
1	0	0	3
Type:	Probation		

Offenses Included in Criminal History Score					<div>Presumptive Disposition</div> <div>Stay</div> <div>Presumptive Duration</div> <div>17 months</div> <div>The length of stay must not exceed 5 years.</div> <div>* If custody status were waived, presumptive sentence would be 15-months - stayed disposition.</div>
Type	Offense Title	Units/Pts	Disp Date	Exp Date	
Juvenile	No Juvenile Priors				
Misd./G.M.	1. Drug 5th Degree GM	1 unit	12/22/2019	12/22/2020	
Felony	1. Theft over \$5,000 *	1.0 pt.	12/20/2020	12/20/2025	
	2. Threats of Violence *	1.0 pt.	01/17/2022	01/17/2027	
	3. Burglary 2-Pharmacy/Theft of a Controlled Substance	1.0 pt.	10/23/2025		

Comments

	County:	AITKIN (1)
Gender:	Male	Case #:
		CR258765
		MN SID #:
PSI Investigator:	Training, Msgc, (651)757-1728	

Count #:	2
Offense Title:	Ar Movable Prop-No Consent
Penalty Statute:	609.52.3(2)
Severity Level	D2
Severity Level	4

Misd/G.M. Points	Felony Points	Total Criminal History Points
0	2	3

Presumptive Disposition			Presumptive Disposition Stay
Units/Pts	Disp Date	Exp Date	
1 unit	12/22/2019	12/22/2020	
1.0 pt.	12/20/2020	12/20/2025	
1.0 pt.	01/17/2022	01/17/2027	

For stayed sentences pronounced on or after August 1, 2023, refer to Minn. Stat. § 609.135, subd. 2, for the maximum length of stay.  
\* If custody status were waived, presumptive sentence would be 18-months - stayed disposition.

21 months

Comments



## Exception #2 : Single Course of Conduct w/ Multiple Victims (2.B.1.e(2) for current offenses; 2.B.1.d(2) for prior offenses)

- For a single course of conduct with multiple victims, multiple sentences can be imposed.
- These sentences are imposed based on the order the offenses occurred in, which may or may not be the count number order.
- For “*Hernandizing*” count only two of the previously sentenced offenses at the highest severity level on the next offense being sentence. (2.b.1.e(2))
- When these sentencing situations are considered as priors for future criminal history on an unrelated offense, include the two offenses that are the highest severity levels from the entire incident. (2.b.1.d(2))

Offender and Court Case Inform	
Name:	Sample, John
DOB:	12/02/1998
Race/Ethnicity:	White/Unknow
Conv./Plea Date:	10/23/2025

Conviction Offense	
Sent ord #:	1
Offense Title:	Aggravated
Offense Date:	06/01/2024
Conviction Statute:	609.245.1
Addl Statutes:	
Modifiers:	

Criminal History Score	
Custody Status Point	
<div>1</div>	
Type:	Probation

Type	Offense Title
Juvenile	No Juvenile Priors
Misd./G.M.	1. Drug 5th Degree GM
Felony	1. Theft over \$5,000
	2. Threats of Violence


Offender and Court Case Inf	
Name:	Sample, Jo
DOB:	12/02/1998
Race/Ethnicity:	White/Unkr
Conv./Plea Date:	10/23/2025

Conviction Offense	
Sent ord #:	2
Offense Title:	Aggrava
Offense Date:	06/14/20:
Conviction Statute:	609.245:
Addl Statutes:	
Modifiers:	

Criminal History Score	
Custody Status Point	
<div>1</div>	
Type:	Probation

Type	Offense Title
Juvenile	No Juvenile Priors
Misd./G.M.	1. Drug 5th Degree GN
Felony	1. Theft over \$5,000
	2. Threats of Violence
	3. Aggravated Robbery Degree


Offender and Court Case Information	
Name:	Sample, John Q.
DOB:	12/02/1998
Race/Ethnicity:	White/Unknown
Conv./Plea Date:	10/23/2025

Conviction Offense	
Sent ord #:	3
Offense Title:	Aggravated Robbery-1
Offense Date:	06/14/2024
Conviction Statute:	609.245.1
Addl Statutes:	
Modifiers:	

Criminal History Score	
Custody Status Point	Juv Points
<div>1</div>	<div>0</div>
Type:	Probation

Type	Offense Title
Juvenile	No Juvenile Priors
Misd./G.M.	1. Drug 5th Degree GM
Felony	1. Theft over \$5,000
	2. Threats of Violence
	3. Aggravated Robbery-1st Degree
	4. Aggravated Robbery-1st Degree


Offender and Court Case Information	
Name:	Sample, John Q.
DOB:	12/02/1998
Race/Ethnicity:	White/Unknown
Conv./Plea Date:	10/23/2025

Conviction Offense	
Sent ord #:	4
Offense Title:	Aggravated Robbe
Offense Date:	06/14/2024
Conviction Statute:	609.245.1
Addl Statutes:	
Modifiers:	

Criminal History Score	
Custody Status Point	Juv Pc
<div>1</div>	<div></div>
Type:	Probation

Type	Offense Title
Juvenile	No Juvenile Priors
Misd./G.M.	1. Drug 5th Degree GM
Felony	1. Theft over \$5,000
	2. Threats of Violence
	3. Aggravated Robbery-1st Degree
	4. Aggravated Robbery-1st Degree


Offender and Court Case Information			
Name:	Sample, John Q.	County:	AITKIN (1)
DOB:	12/02/1998	Gender:	Male
Race/Ethnicity:	White/Unknown	Case #:	CR258246
Conv./Plea Date:	10/23/2025	MN SID #:	
PSI Investigator:	Training, Msgc, (651)757-1728		

Conviction Offense			
Sent ord #:	5	Count #:	1
Offense Title:	Drugs - 5th Degree - Possess Schedule 1,2,3,4 or paraphernalia residual - Not cannabis/hemp		
Offense Date:	07/25/2025		
Conviction Statute:	152.025.2(a)(1)	Penalty Statute:	152.025.4(b)
Addl Statutes:			
Modifiers:			

Criminal History Score				
Custody Status Point	Juv Points	Misd/G.M. Points	Felony Points	Total Criminal History Points
<div>1</div>	<div>0</div>	<div>0</div>	<div>5</div>	<div>6</div>
Type:	Probation			

Type	Offense Title	Units/Pts	Disp Date	Exp Date
Juvenile	No Juvenile Priors			
Misd./G.M.	1. Drug 5th Degree GM	1 unit	12/22/2019	12/22/2020
Felony	1. Theft over \$5,000 *	1.0 pt.	12/20/2020	12/20/2025
	2. Threats of Violence *	1.0 pt.	01/17/2022	01/17/2027
	3. Aggravated Robbery-1st Degree	1.5 pts.	10/23/2025	
	4. Aggravated Robbery-1st Degree	1.5 pts.	10/23/2025	

Presumptive Disposition
Commit to Commissioner
Presumptive Duration
21 months
Lower Range: 18 months
Upper Range: 25 months
In the event of mitigated dispositional departure, the length of stay must not exceed 5 years.
* If custody status were waived, presumptive sentence would be 19-months - stayed disposition.

Comments

# Additional felony policies – 2.B.1.f thru 2.B.1.i

- 2.B.1.f: When a prior offense was sentenced under a modifier such as an attempt, subsequent, or weapon, the conviction offense will receive the same weight as the completed offense would.
- 2.B.1.g: When an offense received a conviction only, do not include it in criminal history (under 2.B.1 only include offenses that have received an imposed sentence or a stay of imposition).
- 2.B.1.h: When a felony prior is sentenced to a duration less than a felony duration, it will be used in the misd./gross misd. section of criminal history.
  - Sentenced before 7/1/2023 – 365 days or less
  - Sentenced after 7/1/2023 – 364 days or less
  - Reminder: A stay of imposition remains at the conviction offense level – a felony remains a felony.
- 2.B.1.i: If the sum of the felony points results in a partial point, that value will be rounded down to the nearest whole number (e.g., 2.5 points becomes 2.0 points).

*This has been a training presentation by the staff of the Minnesota Sentencing Guidelines Commission. Opinions expressed are not necessarily those of the Commission itself, and information presented is not necessarily authoritative.*

*Please refer to the Commission's web site for the actual policies to the Sentencing Guidelines discussed in this presentation.*

<https://mn.gov/sentencing-guidelines/guidelines/>

For assistance, please e-mail [sentencing.guidelines@state.mn.us](mailto:sentencing.guidelines@state.mn.us)