

**5.B. Severity Level By Statutory Citation**

Offenses subject to a mandatory life sentence, including first-degree murder and certain sex offenses under Minnesota Statutes, section 609.3455, subdivision 2, are excluded from the Guidelines by law.

<b>Statute Number</b>	<b>Offense Title</b>	<b>Severity Level</b>
3.191	Altering Engrossed Bill	Unranked
6.53	Refusal to Assist	Unranked
35.824	Altering Livestock Certificate	1
53B.66	Money Transmitter Regulations	1
62A.41	Insurance Regulations	1
80A.68 or 80B.10 subd. 1 or 80C.16 subd. 3(a)(b)	Securities Violation (Over \$2,500)	4
80A.68 or 80B.10 subd. 1 or 80C.16 subd. 3(a)(b)	Securities Violation (\$2,500 or Less)	3
82A.13 or 82A.25	Sale of Membership Camping Contracts	Unranked
83.43	Subdivided Land Fraud	Unranked
86B.865 subd. 1	Certification for Title on Watercraft	1
90.41 subd. 1	Bribery (State Appraiser and Scaler)	4
116C.835	Midwest Interstate Low-Level Radioactive Waste Compact; Enforcement of Compact and Laws	Unranked
145.412	Abortion	Unranked
145B.105	Forced Execution of a Declaration	Unranked
152.021 subd. 1 or 2	Controlled Substance Crime 1st Degree	D8
152.021 subd. 2a	Manufacture any Amount of Methamphetamine	D9
152.021 subd. 2b	Aggravated Controlled Substance Crime 1st Degree	D9
152.022	Controlled Substance Crime 2nd Degree	D7*
152.023	Controlled Substance Crime 3rd Degree	D6
152.024	Controlled Substance Crime 4th Degree	D4
152.025 subd. 4(b)	Controlled Substance Crime 5th Degree	D2
152.0261	Importing Controlled Substances Across State Borders	D9
152.0262	Possession of Substances with Intent to Manufacture Methamphetamine	D5
152.0263 subd. 1	Cannabis Possession 1st Degree	D2
152.0264 subd. 1	Cannabis Sale 1st Degree	D2

**MINNESOTA COURT RULES**

**SENTENCING GUIDELINES**

152.0265 subd. 1	Cannabis Cultivation 1st Degree	D2
152.027 subd. 6(c)	Sale of Synthetic Cannabinoids	D2
152.097	Sale of Simulated Controlled Substance	D1
152.136	Anhydrous Ammonia (Tamper/Theft/Transport)	D3
152.137	Methamphetamine Crimes Involving Children and Vulnerable Adults	D3
152.33 subd. 1	Medical Cannabis Violations (Intentional Diversion)	D1
152.33 subd. 2	Medical Cannabis Violations (Diversion by patient, registered Designated Caregiver, or Parent)	D1
152.33 subd. 4	Medical Cannabis Violations (Submission of False Records)	D2
168A.30 subd. 1	False Information - Certificate of Title Application	1
169.09 subd. 14(a)(1)	Accidents (Death)	2
169.09 subd. 14(a)(2)	Accidents (Great Bodily Harm)	1
169A.24	Felony Driving While Impaired 1st Degree	7*
176.178	Workers Compensation Fraud (Over \$5,000)	3
176.178	Workers Compensation Fraud (\$5,000 or Less)	2
201, 203B, 204C (Chapters)	Voting Violations	1
211B.13	Bribery, Advancing Money, and Treating Prohibited	4
211B.15	Corporate Political Contribution Violations	Unranked
227.50	Issuing a Receipt for Goods One Does Not Have	Unranked
227.52	Issuing a Second Receipt without "Duplicate" on it	Unranked
228.45, 228.47, 228.49, 228.50, 228.51	False Bill of Lading	1
240.25	Horse Racing (Prohibited Act)	Unranked
243.161	Interstate Compact Violation	Unranked
243.166 subd. 5(b)	Registration of Predatory Offenders	I
243.166 subd. 5(c)	Registration of Predatory Offenders (2nd or Subsequent Violations)	I
243.55	Bringing Contraband into State Prison	4
256.98	Welfare Fraud (Over \$5,000)	3
256.98	Welfare Fraud (\$5,000 or Less)	2
256.984	False Declaration	1

MINNESOTA COURT RULES

260E.08(c)	Failure to Report Danger to Child's Health (Death)	Unranked
268.182	Unemployment Benefit Fraud (Over \$5,000)	3
268.182	Unemployment Benefit Fraud (\$5,000 or Less)	2
268B.185 subd. 3(a)	Family and Medical Benefit Fraud (Over \$5,000)	3
268B.185 subd. 3(b)	Family and Medical Benefit Fraud (\$5,000 or Less)	2
289A.63	Tax Evasion Laws	3
296A.23 subd. 2	Tax on Petroleum and Other Fuels (Willful Evasion)	1
297B.10	Motor Vehicle Excise Tax	Unranked
297D.09 subd. 1a	Failure to Affix Stamp on Cocaine	D6
297D.09 subd. 1a	Failure to Affix Stamp on Hallucinogens or PCP (Angel Dust), Incl. LSD	D6
297D.09 subd. 1a	Failure to Affix Stamp on Heroin	D6
297D.09 subd. 1a	Failure to Affix Stamp on Remaining Schedule I and II Narcotics	D6
297D.09 subd. 1a	Failure to Affix Stamp on Remaining Schedule I, II, & III Non-Narcotics	D2
297D.09 subd. 1a	Failure to Affix Stamp on Illegal Cannabis	D1
297D.09 subd. 1a	Failure to Affix Stamp on Schedule IV Substance	D1
297E.13 subd. 1-4	Gambling Taxes	3
297F.20	Cigarette Tax and Regulation Violations	Unranked
297G.19 subd. 3, 4(c), 5(c)	Liquor Taxation (Criminal Penalties)	1
297I.90 subd. 1& 2	Insurance Tax	3
299F.79	Intent to Manufacture Explosives	5
299F.80 subd. 1	Possession of Explosives Without Permit	5
299F.82 subd. 1	Transfer of Explosives	5
299F.83	Negligent Discharge of Explosive	5
299J	Pipeline Safety	Unranked
307.08 subd. 2(a)	Damages; Illegal Molestation of Human Remains; Burials; Cemeteries	3
325D.53 subd. 1(2)(a)	Price Fixing/Collusive Bidding	6
325D.53 subd. 1(1), subd. 1(2)(b)(c)	Price Fixing/Collusive Bidding	5
325D.53 subd. 1(3), subd. 2 & 3	Price Fixing/Collusive Bidding	Unranked

**MINNESOTA COURT RULES**

**SENTENCING GUIDELINES**

325E.201	Unlawful Transfers or Sales of Recordings	Unranked
325E.21 subd. 6(b)(3)	Catalytic Converter Crime (3-10 Converters)	2
325E.21 subd. 6(b)(4)	Catalytic Converter Crime (11-70 Converters)	3
325E.21 subd. 6(b)(5)	Catalytic Converter Crime (Over 70 Converters)	6
325F.743	Precious Metal Dealers, Regulatory Provisions	2
325F.755 subd. 7	Prize Notices and Solicitations	1
340A.701	Unlawful Acts Involving Liquor	1
343.21 subd. 9(c)(d)(g)(i)	Torture or Cruelty to Pet or Companion Animal	Unranked
343.21 subd. 9(f)(h)	Service Animal Providing Service	Unranked
343.31 subd. 1(a)	Animal Fighting	Unranked
346.155	Failure to Control a Regulated Animal (Great Bodily Harm or Death)	2
349.2127 subd. 1-6; 349.22 subd. 4	Gambling Regulations	2
393.07 subd. 10	Federal Food Stamp Program (Over \$5,000)	3
393.07 subd. 10	Federal Food Stamp Program (\$5,000 or Less)	2
471.392	False Declaration of Claim (Over \$5,000)	3
471.392	False Declaration of Claim (\$5,000 or Less)	2
508.80	Fraudulent Instrument or Entry for Procuring a Certificate of Title	1
514.02 subd. 1(b)	Non-payment for Improvement (Over \$5,000; Proceeds of Payments; Acts Constituting Theft)	3
514.02 subd. 1(b)	Non-payment for Improvement (\$5,000 or Less; Proceeds of Payments; Acts Constituting Theft)	2
518B.01 subd. 14(d)	Violation of an Order for Protection	4
588.20 subd. 1	Failure to Appear in Court	1
609.165 subd. 1b	Certain Persons Not to Have Firearms or Ammunition	6
609.19 subd. 1	Murder 2nd Degree (Intentional Murder; Unintentional Drive-By-Shootings)	11
609.19 subd. 2	Murder 2nd Degree (Unintentional Murder)	10
609.195(a)	Murder 3rd Degree	10
609.195(b)	Murder 3rd Degree	9
609.20(1), (2) & (5)	Manslaughter 1st Degree	9
609.20(3) & (4)	Manslaughter 1st Degree	8

MINNESOTA COURT RULES

609.205(1) & (5)	Manslaughter 2nd Degree - Culpable Negligence	8
609.205(2), (3) & (4)	Manslaughter 2nd Degree - Hunting Accident	5
609.2112 subd. 1(a)	Criminal Vehicular Homicide (Death)	8
609.2112 subd. 1(b)	Criminal Vehicular Homicide (Death, and Qualified Prior Conviction)	8 <sup>1</sup>
609.2113 subd. 1	Criminal Vehicular Operation (Great Bodily Harm)	5
609.2113 subd. 2	Criminal Vehicular Operation (Substantial Bodily Harm)	3
609.2114 subd. 1(a)	Criminal Vehicular Operation (Death to an Unborn Child)	8
609.2114 subd. 1(b)	Criminal Vehicular Operation (Death to an Unborn Child, and Qualified Prior Conviction)	8 <sup>1</sup>
609.2114 subd. 2	Criminal Vehicular Operation (Injury to an Unborn Child)	5
609.215	Aiding Suicide	Unranked
609.221 subd. 1	Assault 1st Degree (Great Bodily Harm)	9
609.221 subd. 2	Assault 1st Degree (Deadly Force Against Official)	9
609.221 subd. 3	Assault 1st Degree (Great Bodily Harm Upon Official)	10
609.221 subd. 4	Assault 1st Degree (Great Bodily Harm Upon Official by Dangerous Weapon or Deadly Force)	11 <sup>***</sup>
609.222	Assault 2nd Degree (Dangerous Weapon)	6
609.223 subd. 1	Assault 3rd Degree (Substantial Bodily Harm)	4 <sup>**</sup>
609.223 subd. 2	Assault 3rd Degree (Bodily Harm, Pattern of Child Abuse)	4
609.223 subd. 3	Assault 3rd Degree (Bodily Harm, Victim under 4)	4
609.2231 subd. 1	Assault 4th Degree (Peace Officer)	1
609.2231 subd. 2	Assault 4th Degree (Firefighters and Emergency Medical Personnel)	1
609.2231 subd. 3	Assault 4th Degree (Corrections Employee, Prosecutor, Judge, Probation Officer)	1 <sup>**</sup>
609.2231 subd. 3a	Assault 4th Degree (Secure Treatment Facility Personnel)	1 <sup>**</sup>
609.2231 subd. 4(b)	Assault 4th Degree Motivated by Bias	1 <sup>***</sup>
609.2233	Felony Assault Motivated by Bias	See Note <sup>2</sup>
609.224 subd. 4	Assault 5th Degree (3rd or Subsequent Violation)	4
609.2241	Knowing Transfer of Communicable Disease	See Note <sup>3</sup>
609.2242 subd. 4	Domestic Assault	4

**MINNESOTA COURT RULES**

**SENTENCING GUIDELINES**

609.2245	Female Genital Mutilation	Unranked
609.2247	Domestic Assault by Strangulation	4
609.228	Great Bodily Harm Caused by Distribution of Drugs	8
609.229 subd. 3(a)	Crime Committed for Benefit of Gang	See Note <sup>4</sup>
609.229 subd. 3(c)	Crime Committed for Benefit of Gang	1
609.2325 subd. 3(1)	Criminal Abuse of Vulnerable Adult (Death)	9
609.2325 subd. 3(2)	Criminal Abuse of Vulnerable Adult (Great Bodily Harm)	8
609.2325 subd. 3(3)	Criminal Abuse of Vulnerable Adult (Substantial Bodily Harm)	4
609.233 subd. 3(1)	Deprivation of Vulnerable Adult (Great Bodily Harm)	8
609.233 subd. 3(2)	Deprivation of Vulnerable Adult (Substantial Bodily Harm)	5
609.2335	Financial Exploitation of Vulnerable Adult (Over \$35,000)	7
609.2335	Financial Exploitation of Vulnerable Adult (Over \$5,000)	5
609.2335	Financial Exploitation of Vulnerable Adult (\$5,000 or Less)	4
609.235	Use of Drugs to Injure or Facilitate Crime	4
609.24	Simple Robbery	5
609.245 subd. 1	Aggravated Robbery 1st Degree	8
609.245 subd. 2	Aggravated Robbery 2nd Degree	6
609.247 subd. 2	Carjacking 1st Degree	9
609.247 subd. 3	Carjacking 2nd Degree	7
609.247 subd. 4	Carjacking 3rd Degree	6
609.25 subd. 2(1)	Kidnapping (Safe Release/No Great Bodily Harm)	6
609.25 subd. 2(2)(i)	Kidnapping (Not Released in Safe Place)	8
609.25 subd. 2(2)(ii)	Kidnapping (Great Bodily Harm)	9
609.25 subd. 2(2)(iii)	Kidnapping (Victim under 16)	8
609.255 subd. 2	False Imprisonment (Restraint)	3
609.255 subd. 3(b)	False Imprisonment (Demonstrable Bodily Harm)	3
609.255 subd. 3(c)	False Imprisonment (Substantial Bodily Harm)	4
609.26 subd. 6(a)-(1)	Depriving Another of Cust. or Parental Rights	1
609.26 subd. 6(a)-(2)	Depriving Another of Cust. or Parental Rights	3
609.2662(1)	Murder of an Unborn Child 2nd Degree	11

MINNESOTA COURT RULES

609.2662(2)	Murder of an Unborn Child 2nd Degree	10
609.2663	Murder of an Unborn Child 3rd Degree	10
609.2664(1) & (2)	Manslaughter of an Unborn Child 1st Degree	9
609.2664-(3)	Manslaughter of an Unborn Child 1st Degree	8
609.2665-(1)	Manslaughter of an Unborn Child 2nd Degree	8
609.2665-(2), (3), & (4)	Manslaughter of an Unborn Child 2nd Degree	5
609.267	Assault of an Unborn Child 1st Degree	9
609.2671	Assault of an Unborn Child 2nd Degree	4
609.268 subd. 1	Death of an Unborn Child in Commission of Crime	9
609.268 subd. 2	Injury of an Unborn Child in Commission of Crime	4
609.27 subd. 1(1)	Coercion (Threat Bodily Harm)	3
609.27 subd. 1(2), (3), (4), (5), & (6)	Coercion (Property Value \$2,500 or more)	3
609.27 subd. 1(2), (3), (4), (5), & (6)	Coercion (Property Value \$301 - \$2,500)	2
609.282 subd. 1	Labor Trafficking (Death)	9
609.282 subd. 1a(1)	Labor Trafficking (Minor Victim)	8
609.282 subd. 1a(2)	Labor Trafficking (Extended Period of Time)	7
609.282 subd. 1a(3)	Labor Trafficking (Great Bodily Harm)	8
609.282 subd. 2	Labor Trafficking	6
609.283	Unlawful Conduct with Documents in Furtherance of Labor or Sex Trafficking	Unranked
609.31	Leaving State to Evade Paternity	1
609.322 subd. 1(a)	Sex Trafficking 1st Degree	B <sup>***</sup>
609.322 subd. 1(a) with ref. to subd 1(b)	Aggravated Sex Trafficking 1st Degree	A
609.322 subd. 1a	Sex Trafficking 2nd Degree	C
609.322 subd. 1a with ref. to subd. 1(b)	Aggravated Sex Trafficking 2nd Degree	B
609.324 subd. 1(a)	Engage or Hire a Minor to Engage in Prostitution	9
609.324 subd. 1(b)	Engage or Hire a Minor to Engage in Prostitution	5
609.324 subd. 1(c)	Engage or Hire a Minor to Engage in Prostitution	3
609.324 subd. 2(b)	Patrons of Prostitution (2nd or Subsequent Violation)	3

MINNESOTA COURT RULES

SENTENCING GUIDELINES

609.3242 subd. 2(2)	Prostitution Crimes (Gross Misd. Level) Committed in School or Park Zones	1
609.342	Criminal Sexual Conduct 1st Degree	A
609.343 subd. 1(a)(b)(c)(d)(e) & 1a(a)(b)(c)(d)(h)(i)	Criminal Sexual Conduct 2nd Degree	B <sup>***</sup>
609.343 subd. 1a(e)(f)(g)	Criminal Sexual Conduct 2nd Degree	D
609.344 subd. 1(a)(b)(c)(d) & 1a(c)(d)(g)(h)(i)	Criminal Sexual Conduct 3rd Degree	C <sup>***</sup>
609.344 subd. 1a(a)	Criminal Sexual Conduct 3rd Degree (By Definition Perpetrator Must be a Juvenile)	D
609.344 subd. 1a(e)(f) or subd. 1a(b) with ref. to subd. 2(1)	Criminal Sexual Conduct 3rd Degree	D
609.344 subd. 1a(b) with ref. to subd. 2(2)	Criminal Sexual Conduct 3rd Degree (Actor between 24 mos. and 36 mos. older than Complainant)	G
609.345 subd. 1(a)(b)(c)(d) & 1a(c)(d)(g)(h)(i)	Criminal Sexual Conduct 4th Degree	E
609.345 subd. 1a(a)	Criminal Sexual Conduct 4th Degree (By Definition Perpetrator Must be a Juvenile)	F
609.345 subd. 1a(b)(e)(f)	Criminal Sexual Conduct 4th Degree	F
609.3451 subd. 3(a)	Criminal Sexual Conduct 5th Degree (Nonconsensual Penetration)	H
609.3451 subd. 3(b)	Criminal Sexual Conduct 5th Degree (2nd or Subsequent Violation)	F
609.3453	Criminal Sexual Predatory Conduct	See Note <sup>6</sup>
609.3458 subd. 1(a)	Sexual Extortion (Contact)	E
609.3458 subd. 1(b)	Sexual Extortion (Penetration)	C
609.352 subd. 2	Solicitation of Children to Engage in Sexual Conduct	G
609.352 subd. 2a	Solicitation of Children to Engage in Sexual Conduct (Electronic)	G
609.355	Bigamy	Unranked
609.365	Incest	Unranked
609.375 subd. 2a	Nonsupport of Spouse or Child	1
609.377 subd. 3	Malicious Punishment of Child (2nd or Subsequent Violation)	4
609.377 subd. 4	Malicious Punishment of Child (Bodily Harm)	4
609.377 subd. 5	Malicious Punishment of Child (Substantial Bodily Harm)	4

MINNESOTA COURT RULES

609.377 subd. 6	Malicious Punishment of Child (Great Bodily Harm)	8
609.3775	Child Torture	8
609.378	Child Neglect/Endangerment	5
609.385	Treason	Unranked
609.39	Misprision of Treason	Unranked
609.395	Obstructing Military Forces	Unranked
609.396 subd. 2	Unauthorized Presence in Hazardous Military Area	3
609.42 subd. 1 all sections	Bribery	4
609.425	Corrupting Legislator	Unranked
609.445	Failure to Pay Over State Funds (Over \$5,000)	3
609.445	Failure to Pay Over State Funds (\$5,000 or Less)	2
609.455	Permitting False Claims Against Government (Over \$5,000)	3
609.455	Permitting False Claims Against Government (\$5,000 or Less)	2
609.465	Presenting False Claims to Public Officer (Over \$5,000)	3
609.465	Presenting False Claims to Public Officer (\$5,000, or Less)	2
609.466	Medical Assistance Fraud (Over \$35,000)	6
609.466	Medical Assistance Fraud (Over \$5,000)	3
609.466	Medical Assistance Fraud (\$5,000 or Less)	2
609.4751 subd. 3	Impersonating a Peace Officer	2 <sup>***</sup>
609.476 subd. 3	Publishing Personal Information of Judicial Official (Bodily Harm)	4
609.48 subd. 4(1)	Perjury (Felony Trial)	5
609.48 subd. 4(2)	Perjury (Other Trial)	4
609.485 subd. 4(a)(1)	Escape from Felony Offense	3 <sup>7</sup>
609.485 subd. 4(a)(2)	Escape, Mental Illness	1 <sup>***</sup>
609.485 subd. 4(a)(3)	Escape with Violence from Gross Misdemeanor or Misdemeanor Offense	Unranked
609.485 subd. 4(a)(4)	Escape from Civil Commitment	1 <sup>***</sup>
609.485 subd. 4(a)(5)	Escape from Civil Commitment, Sexually Dangerous Persons	3
609.485 subd. 4(b)	Escape with Violence from Felony Offense	8

**MINNESOTA COURT RULES**

**SENTENCING GUIDELINES**

10

609.485 subd. 4(f)	Escape from Electronic Monitoring	3
609.486	Bullet-Resistant Vest During Crime	1
609.487 subd. 3	Fleeing Peace Officer	1
609.487 subd. 4(a)	Fleeing Peace Officer (Death)	10
609.487 subd. 4(b)	Fleeing Peace Officer (Great Bodily Harm)	6
609.487 subd. 4(c)	Fleeing Peace Officer (Substantial Bodily Harm)	4
609.49	Failure to Appear in Court	1
609.493	Solicitation of Mentally Impaired Persons	See Note <sup>8</sup>
609.494 subd. 2(b)	Solicitation of Juveniles	See Note <sup>8</sup>
609.495 subd. 1	Aiding an Offender to Avoid Arrest	1
609.495 subd. 3	Accomplice after the Fact	Unranked
609.495 subd. 4	Taking Responsibility for Criminal Acts	See Note <sup>9</sup>
609.496; 609.497	Concealing Criminal Proceeds; Engaging in Business	Unranked
609.4971	Warning Subject of Investigation	Unranked
609.4975	Warning Subject of Surveillance or Search	Unranked
609.498 subd. 1a	Tampering with a Witness 1st Degree	5
609.498 subd. 1b	Tampering with a Witness Aggravated 1st Degree	9
609.50 subd. 2	Obstructing Legal Process, Arrest, Firefighting, or Ambulance Service Personnel Crew	3
609.502 subd. 1(1)	Interference with a Dead Body or Scene of Death	4
609.504	Disarming a Peace Officer	3
609.52, all sections <sup>10</sup>	Theft of Public Funds (Over \$5,000)	3
609.52, all sections <sup>10</sup>	Theft of Public Funds (\$5,000 or Less)	2
609.52, all sections <sup>10</sup>	Theft from Person	4
609.52, all sections <sup>10</sup>	Theft of Public Records	3
609.52, all sections <sup>10</sup>	Theft (Looting)	2
609.52 subd. 2(a)(1)	Theft (Over \$5,000)	3
609.52 subd. 2(a)(1)	Theft (\$5,000 or Less)	2
609.52 subd. 2(a)(1)	Theft of a Motor Vehicle	4 <sup>11</sup>
609.52 subd. 2(a)(2)	Taking Pledged Property (Over \$5,000)	3
609.52 subd. 2(a)(2)	Taking Pledged Property (\$5,000 or Less)	2
609.52 subd. 2(a)(3) with subd. 3(1)	Theft by Check/False Representation (Over \$35,000)	6

MINNESOTA COURT RULES

609.52 subd. 2(a)(3)(i)	Theft by Check (\$5,001 - \$35,000)	3
609.52 subd. 2(a)(3)(i)	Theft by Check (\$5,000 or Less)	2
609.52 subd. 2(a)(3)(ii-v)	Theft by False Representation (\$5,001 - \$35,000)	3
609.52 subd. 2(a)(3)(ii-v)	Theft by False Representation (\$5,000 or Less)	2
609.52 subd. 2(a)(4) with subd. 3(1)	Theft by Trick (Over \$35,000)	6
609.52 subd. 2(a)(4)	Theft by Trick (\$5,001 - \$35,000)	3
609.52 subd. 2(a)(4)	Theft by Trick (\$5,000 or Less)	2
609.52 subd. 2(a)(5)	Temporary Theft (Over \$5,000)	3
609.52 subd. 2(a)(5)	Temporary Theft (\$5,000 or Less)	2
609.52 subd. 2(a)(6)	Refusing to Return Lost Property (Over \$5,000)	3
609.52 subd. 2(a)(6)	Refusing to Return Lost Property (\$5,000 or Less)	2
609.52 subd. 2(a)(7)	Theft from Coin Operated Machine (Over \$5,000)	3
609.52 subd. 2(a)(7)	Theft from Coin Operated Machine (\$5,000 or Less)	2
609.52 subd. 2(a)(8)	Theft of Trade Secret	3
609.52 subd. 2(a)(9)	Theft of Leased Property (Over \$5,000)	3
609.52 subd. 2(a)(9)	Theft of Leased Property (\$5,000 or Less)	2
609.52 subd. 2(a)(10) & (11)	Altering Serial Number (Over \$5,000)	3
609.52 subd. 2(a)(10) & (11)	Altering Serial Number (\$5,000 or Less)	2
609.52 subd. 2(a)(12)	Theft of Cable TV Services (Over \$5,000)	3
609.52 subd. 2(a)(13)	Theft of Cable TV Services (\$5,000 or Less)	2
609.52 subd. 2(a)(13)	Theft of Services (Over \$5,000)	3
609.52 subd. 2(a)(13)	Theft of Services (\$5,000 or Less)	2
609.52 subd. 2(a)(14)	Theft of Telecommunication Services (Over \$5,000)	3
609.52 subd. 2(a)(14)	Theft of Telecommunication Services (\$5,000 or Less)	2
609.52 subd. 2(a)(15)(16) with subd. 3(1)	Diversion of Corporate Property (Over \$35,000)	6
609.52 subd. 2(a)(15)(16)	Diversion of Corporate Property (\$5,001 - \$35,000)	3
609.52 subd. 2(a)(15)(16)	Diversion of Corporate Property (\$5,000 or Less)	2
609.52 subd. 2(a)(17) <sup>10</sup>	Motor Vehicle Use Without Consent	3 <sup>11</sup>
609.52 subd. 2(a)(18)	Theft of Motor Fuel from Retailer (Over \$5,000)	3
609.52 subd. 2(a)(18)	Theft of Motor Fuel from Retailer (\$5,000 or Less)	2

**MINNESOTA COURT RULES**

**SENTENCING GUIDELINES**

12

609.52 subd. 2(a)(19) with subd. 3(1)	Wage Theft (Over \$35,000)	6
609.52 subd. 2(a)(19)	Wage Theft (\$5,001-\$35,000)	3
609.52 subd. 2(a)(19)	Wage Theft (\$5,000 or Less)	2
609.52 subd. 3a(1)	Theft (\$1,000 or Less; Risk of Bodily Harm)	2
609.52 subd. 3a(2)	Theft (Over \$1,000; Risk of Bodily Harm)	See Note <sup>12</sup>
609.52 subd. 3a(2)	Theft (\$501-\$1,000, and Prior Conviction; Risk of Bodily Harm)	See Note <sup>12</sup>
609.52 subd. 3(1)	Theft of Firearm	4
609.52 subd. 3(2)	Theft of Incendiary Device	4
609.52 subd. 3(2)	Theft of Controlled Substances	4
609.52 subd. 3(3)(b)	Theft of Controlled Substances	3
609.52 subd. 3(3)(d)(iii)	Theft from an Abandoned or Vacant Building (\$1,000 or Less)	1
609.521	Possession of Shoplifting Gear	3
609.522 subd. 3(1)	Organized Retail Theft (Over \$5,000)	4
609.522 subd. 3(2)	Organized Retail Theft (\$1,001-\$5,000, or \$501-\$1,000 and Prior Convictions)	3
609.522 subd. 3(3)	Organized Retail Theft (\$501-\$1,000, or \$500 or Less and Prior Convictions)	1
609.525, all sections	Bringing Stolen Goods into State (Over \$5,000)	3
609.525, all sections	Bringing Stolen Goods into State (\$1,001 - \$5,000)	2
609.525, all sections	Bringing Stolen Goods into State (\$501 - \$1,000, w/Previous Conviction)	2
609.526	Precious Metal and Scrap Metal Dealers, Receiving Stolen Goods (2nd or Subsequent Violations)	4
609.526 subd. 2(1)	Precious Metal and Scrap Metal Dealers, Receiving Stolen Goods (\$1,000 or More)	3
609.526 subd. 2(2)	Precious Metal and Scrap Metal Dealers, Receiving Stolen Goods (Less than \$1,000)	2
609.527 subd. 3(3)	Identity Theft (2-3 Direct Victims or \$501-\$2,500 Loss)	2
609.527 subd. 3(4)	Identity Theft (4-7 Direct Victims or Loss Over \$2,500)	3
609.527 subd. 3(5)	Identity Theft (8 or More Direct Victims or Loss Over \$35,000)	8
609.527 subd. 3(6)	Identity Theft (Related to Child Pornography)	8
609.527 subd. 5a	Electronic Use of False Pretense to Obtain Identity	2

MINNESOTA COURT RULES

609.527 subd. 5b	Unlawful Possession or Use of Scanning Device or Reencoder	2
609.528 subd. 3(3)	Possession or Sale of Stolen or Counterfeit Check	2
609.528 subd. 3(4)	Possession or Sale of Stolen or Counterfeit Check	3
609.529	Mail Theft	2
609.53	Receiving Stolen Goods (Over \$5,000)	3
609.53	Receiving Stolen Goods (\$5,000 or Less)	2
609.53	Receiving Stolen Property (Firearm)	4
609.535 subd. 2a(a)(1)	Dishonored Check (Over \$500)	2
609.54, all sections	Embezzlement of Public Funds (Over \$2,500)	3
609.54, all sections	Embezzlement of Public Funds (\$2,500 or Less)	2
609.551, all sections	Rustling of Livestock (Over \$2,500)	3
609.551, all sections	Rustling of Livestock (\$2,500 or Less)	2
609.561, all sections	Arson 1st Degree	8
609.562	Arson 2nd Degree	5
609.563, all sections	Arson 3rd Degree	3
609.5641 subd. 1a(a)	Wildfire Arson	2
609.5641 subd. 1a(b)	Wildfire Arson (Damage over Five Dwellings, Burns 500 Acres or More, or Crops in Excess of \$100,000)	7
609.5641 subd. 1a(c)	Wildfire Arson (Damage over 100 Dwellings, Burns 1,500 Acres or More, or Crops in Excess of \$250,000)	8
609.5641 subd. 1a(d)	Wildfire Arson (Demonstrable Bodily Harm)	5
609.576 subd. 1(1)	Negligent Fires (Great Bodily Harm)	4
609.576 subd. 1(3)(iii)	Negligent Fires (Damage \$2,500 or More)	2
609.576 subd. 2	Dangerous Smoking	3
609.582 subd. 1(a)	Burglary 1st Degree (Occupied Dwelling)	6 <sup>13</sup>
609.582 subd. 1(b) (c)	Burglary 1st Degree (w/Weapon or Assault)	8
609.582 subd. 2(a)(1) (2)	Burglary 2nd Degree (Dwelling/Bank)	5
609.582 subd. 2(a)(3) (4)	Burglary 2nd Degree (Pharmacy/Tool)	4
609.582 subd. 2(b)	Burglary 2nd Degree (Government Building, Religious Est., Historic Property, or School Building)	5
609.582 subd. 3(a)	Burglary 3rd Degree (Nonresidential)	4
609.582 subd. 3(b)	Burglary 3rd Degree (Shoplifting Contrary to Trespass Notice, 2nd or Subsequent)	3

MINNESOTA COURT RULES

SENTENCING GUIDELINES

609.586 subd. 2	Possession of Code Grabbing Devices	3
609.59	Possession of Burglary Tools	3
609.591 subd. 3(1)	Hinder Logging (Great Bodily Harm)	3
609.593	Damage or Theft (Energy Transmission or Telecommunications)	3
609.594	Damage to Property (Critical Service Facilities, Utilities, Unranked and Pipelines)	
609.595 subd. 1(1) & (2)	Damage to Property (Risk Bodily Harm, Public Safety Motor Vehicle)	3
609.595 subd. 1(3), (4) & (5)	Damage to Property (Service to Public, Over \$1,000, Over \$500 and Subsequent)	2
609.595 subd. 1a(a)	Damage to Property (Motivated by Bias)	1 <sup>***</sup>
609.596 subd. 1	Killing or Harming a Public Safety Dog	Unranked
609.597 subd. 3(3)	Assaulting or Harming a Police Horse	1 <sup>***</sup>
609.597 subd. 3(1) & (2)	Assaulting or Harming a Police Horse	Unranked
609.611, all sections	Defrauding Insurer (Over \$5,000)	3
609.611, all sections	Defrauding Insurer (\$5,000 or Less)	2
609.612	Insurance Fraud (Employment of Runners)	Unranked
609.615, all sections	Defeating Security on Realty (Over \$5,000)	3
609.615, all sections	Defeating Security on Realty (\$5,000 or Less)	2
609.62, all sections	Defeating Security on Personalty (Over \$5,000)	3
609.62, all sections	Defeating Security on Personalty (\$5,000 or Less)	2
609.625, all sections	Aggravated Forgery (Non-Check)	2
609.63, all sections	Forgery	1
609.631 subd. 4(1)	Check Forgery (Over \$35,000)	5
609.631 subd. 4(2)	Check Forgery (Over \$2,500)	3
609.631 subd. 4(3)(a)	Check Forgery (\$251 - \$2,500)	2
609.631 subd. 4(3)(b)	Check Forgery (\$250 or Less)	1
609.632 subd. 3 with subd. 4(b)(1)	Offering Counterfeit Currency (Over \$35,000)	6
609.632 subd. 3 with subd. 4(b)(2)	Offering Counterfeit Currency (\$5,001-\$35,000)	3
609.632 subd. 3 with subd. 4(b)(3)	Offering Counterfeit Currency (\$5,000 or Less)	2

MINNESOTA COURT RULES

609.632 subd. 1 & 2 with subd. 4(a)	Counterfeiting Currency (Manufacturing or Printing/Means for False Reproduction)	Unranked
609.635	Obtaining Signature by False Pretense	2
609.64	Recording, Filing of Forged Instrument	2
609.645	Fraudulent Statements	1
609.65(1)	False Certification by Notary Public	1
609.651 subd. 1 with 4(a)	State Lottery Fraud	1
609.651 subd. 1 with 4(b) and subd. 2 & 3	State Lottery Fraud	Unranked
609.652	Fraudulent Drivers' Licenses and Identification Cards	1
609.66 subd. 1a(a)(1)	Firearm Suppressor	2
609.66 subd. 1a(a)(1)	Firearm Suppressor (Public Housing, School or Park Zone)	3
609.66 subd. 1a(a)(2) & (3)	Discharge of Firearm (Public Housing, School or Park Zone)	2
609.66 subd. 1a(a)(2)	Discharge of Firearm (Intentional)	2
609.66 subd. 1a(a)(3)	Discharge of Firearm (Reckless)	1
609.66 subd. 1b	Furnishing Firearm to a Minor	2
609.66 subd. 1c	Furnishing a Dangerous Weapon	2
609.66 subd. 1d(a)	Dangerous Weapons on School Property	4
609.66 subd. 1e(a)(1)	Drive-By Shooting (Unoccupied Motor Vehicle or Building)	3
609.66 subd. 1e(a)(2) & (3)	Drive-By Shooting (Toward a Person or Occupied Motor Vehicle or Building)	8
609.66 subd. 1g	Weapon in Courthouse/Certain State Buildings	4
609.662 subd. 2(b)(1)	Duty to Render Aid (Death or Great Bodily Harm)	2
609.662 subd. 2(b)(2)	Duty to Render Aid (Substantial Bodily Harm)	1 <sup>***</sup>
609.667	Remove or Alter Serial Number on Firearm	1
609.668 subd. 6	Explosive Devices/Incendiary Devices	6
609.67 subd. 2(a)	Machine Gun, Trigger Activator, or Conversion Kit	8
609.67 subd. 2(b)	Short-Barreled Shotgun	3
609.671	Hazardous Wastes	Unranked
609.686 subd. 2	Tampering w/Fire Alarm System (Results in Bodily Harm)	3

MINNESOTA COURT RULES

SENTENCING GUIDELINES

609.686 subd. 2	Tampering w/Fire Alarm System (Potential for Bodily Harm)	1
609.687 subd. 3(1)	Adulteration Resulting in Death	11
609.687 subd. 3(2)	Adulteration Resulting in Bodily Harm	4
609.687 subd. 3(3)	Adulteration	Unranked
609.71 subd. 1	Riot 1st Degree	8
609.71 subd. 2	Riot 2nd Degree	2
609.712	Real/Simulated Weapons of Mass Destruction	Unranked
609.713 subd. 1	Threats of Violence (Terror/Evacuation)	4
609.713 subd. 2	Threats of Violence (Bomb Threat)	2
609.713 subd. 3(a)	Threats of Violence (Replica Firearm)	1 <sup>***</sup>
609.714	Offense in Furtherance of Terrorism	See Note <sup>14</sup>
609.746 subd. 1(g)	Interference with Privacy (2nd or Subsequent Violation or Minor Victim)	1
609.746 subd. 1(h)	Surreptitious Observation Device (Minor Victim and Sexual Intent)	G <sup>***</sup>
609.746 subd. 1(j)	Surreptitious Photography Under or Around Clothing (3rd or Subsequent Violation)	3
609.7475	Fraudulent or Improper Financing Statements	Unranked
609.748 subd. 6(d)	Violation of Harassment Restraining Order	4
609.749 subd. 3(a)(b)	Harassment (Aggravated Violations)	4
609.749 subd. 4(a)	Harassment (2nd Violation)	4
609.749 subd. 4(b)	Harassment (3rd or Subsequent Violations)	5
609.749 subd. 5	Stalking	5
609.76 subd. 2	Sports Bookmaking	4
609.76 subd. 3, 4, 5, 6, & 7	Gambling Acts (Cheating, Certain Devices Prohibited; Counterfeit Chips; Manufacture, Sale, Modification of Devices; Instruction)	Unranked
609.763	Lawful Gambling Fraud	Unranked
609.771 subd. 3(1)	Using Deep Fake Technology to Influence an Election (2nd or Subsequent Violation)	Unranked
609.776	Interference with Emergency Communications	5 <sup>***</sup>
609.78 subd. 2a(1)	Fictitious Emergency Call (Great Bodily Harm or Death)	8
609.78 subd. 2a(2)	Fictitious Emergency Call (Substantial Bodily Harm)	3

MINNESOTA COURT RULES

609.78 subd. 2b(1)	Emergency Telephone Calls and Communications (3rd or Subsequent, Making Calls When No Emergency Exists)	4
609.78 subd. 2b(2)	Emergency Telephone Calls and Communications (Blocks, Interferes, Prevents Using Multiple Communication Devices or Electronic Means)	5
609.78 subd. 2c	Fictitious Emergency Call (Response to Home of Official)	1*
609.80 subd. 2	Cable Communication Systems Interference	1
609.816	Wrongful Employment at a Child Care Center (Over \$5,000)	3
609.816	Wrongful Employment at a Child Care Center (\$5,000 or Less)	2
609.82, all sections	Fraud in Obtaining Credit (Over \$5,000)	3
609.82, all sections	Fraud in Obtaining Credit (\$5,000 or Less)	2
609.821 subd. 2(1) (2) (5) (6) (7) (8)	Financial Transaction Card Fraud (Over \$2,500)	3
609.821 subd. 2(1) (2) (5) (6) (7) (8)	Financial Transaction Card Fraud (\$2,500 or Less)	2
609.821 subd. 2(3) (4)	Financial Transaction Card Fraud	1
609.821 subd. 3(a)(1)(i)	Financial Transaction Card Fraud (Over \$35,000)	5
609.822	Residential Mortgage Fraud	2
609.825 subd. 2	Bribery of Participant or Official in Contest	2
609.83	Falsely Impersonating Another	Unranked
609.84	Sale of Human Remains	3
609.85(1)	Dangerous Trespass, Railroad Tracks	3
609.851 subd. 2	False Traffic Signal	3
609.855 subd 2(c)(1)	Interference with Transit Operator	1
609.855 subd. 5	Discharge Firearm at Occupied Transit Vehicle/Facility	6
609.855 subd. 5	Discharge Firearm at Unoccupied Transit Vehicle/Facility	1
609.856	Police Radios During Commission of Crime	Unranked
609.86	Commercial Bribery	4
609.88	Computer Damage (Over \$2,500)	3
609.88	Computer Damage (\$2,500 or Less)	2
609.89	Computer Theft (Over \$2,500)	3

**MINNESOTA COURT RULES**

SENTENCING GUIDELINES

609.89	Computer Theft (\$2,500 or Less)	2
609.891 subd. 2(a) & (b)	Unauthorized Computer Access (Grave Risk or Subsequent)	Unranked
609.891 subd. 2(c)	Unauthorized Computer Access (Electronic Terminal)	2
609.8912	Computer Encryption	Unranked
609.893 subd. 1	Telecommunications and Information Services; Obtaining Services by Fraud (Over \$2,500)	3
609.893 subd. 1	Telecommunications and Information Services; Obtaining Services by Fraud (\$2,500 or Less)	2
609.893 subd. 2	Telecommunications and Information Services; Facilitation of Telecommunications Fraud	2
609.894 subd. 3	Cellular Counterfeiting 2nd Degree	1
609.894 subd. 4	Cellular Counterfeiting 1st Degree	2
609.895 subd. 3(a)	Counterfeited Intellectual Property	2
609.895 subd. 3(b)	Counterfeited Intellectual Property	1
609.896	Criminal Use of Real Property (Movie Pirating)	1
609.904	Racketeering (RICO)	Unranked
617.20	Abortion	Unranked
617.22	Abortion	Unranked
617.23 subd. 3	Indecent Exposure	G
617.241 subd. 4	Obscene Materials - Distribution	Unranked
617.246 subd. 2(a); 3(a); 4(a)	Use of Minors in Sexual Performance	D
617.246 subd. 2(b); 3(b); 4(b)	Use of Minors in Sexual Performance (Subsequent, by Predatory Offender, or Child Under 14)	C <sup>***</sup>
617.247 subd. 3(a)	Dissemination of Child Pornography	E <sup>***</sup>
617.247 subd. 3(b)	Dissemination of Child Pornography (Subsequent, by Predatory Offender, or Child Under 14)	C <sup>***</sup>
617.247 subd. 4(a)	Possession of Child Pornography	G
617.247 subd. 4(b)	Possession of Child Pornography (Subsequent, by Predatory Offender, or Child Under 14)	E
617.261 subd. 2(b)	Nonconsensual Dissemination of Private Sexual Images	3
617.262 subd. 3(b)	Nonconsensual Dissemination of a Deep Fake Depicting Intimate Parts or Sexual Acts	3
624.713 subd. 2(a)	Certain Persons Not to Have Firearms or Ammunition	3
624.713 subd. 2(b)	Certain Persons Not to Have Firearms or Ammunition	6

624.7131 subd. 11	False Statement to Obtain Firearm Transferee Permit	1
624.7132 subd. 15(b)	Transfer Pistol to Minor	2
624.714 subd. 1a	Pistol Without Permit (Subsequent Violations)	1
624.7141 subd. 1	Transferring Firearm to Ineligible Person	2 <sup>***</sup>
624.7141 subd. 2	Transferring Firearm to Ineligible Person (Aggravated)	5
624.7181 subd. 2	Assault Weapon in Public (Under 21)	1
624.731 subd. 8(a)	Tear Gas and Tear Gas Compounds; Electronic Incapacitation Devices	3
624.732 subd. 2	Intentional Release of Harmful Substance	3
624.7191	Metal Penetrating Bullets	Unranked
626A.02 subd. 4; 626A.03 subd. 1(b)(ii); 626A.26 subd. 2(1)(ii)	Wire Communications Violations	Unranked
629.75 subd. 2(d)	Violation of a Domestic Abuse No Contact Order	4
641.165 subd. 2(b)	Bring Dangerous Weapon into County Jail	4

\* See section 2.C. and Appendix 1 to determine the presumptive disposition.

\*\* See section 2.C. and Appendix 1 to determine the presumptive disposition for assault committed by a State prison inmate or for assault on secure treatment facility personnel by persons committed to the Minnesota Sex Offender Program.

\*\*\* See section 2.C.2 and Appendix 3 to determine the presumptive duration. Depending on the offender's criminal history score, the presumptive duration may exceed the statutory maximum.

<sup>1</sup> See section 2.G.11 to determine the presumptive sentence.

<sup>2</sup> See section 2.G.10 to determine the presumptive sentence.

<sup>3</sup> See section 2.A.5 to determine the presumptive sentence.

<sup>4</sup> See section 2.G.9 to determine the presumptive sentence.

<sup>5</sup> See section 2.G. to determine the presumptive sentence.

<sup>6</sup> See section 2.G.8 to determine the presumptive sentence.

<sup>7</sup> See section 2.C. and Appendix 1 to determine the presumptive disposition for an escape from an executed sentence.

<sup>8</sup> See section 2.G.3 to determine the presumptive sentence.

<sup>9</sup> See section 2.G.6 to determine the presumptive sentence.

<sup>10</sup> Includes offenses sentenced according to Minnesota Statutes, section 609.52, subdivision 3(3)(d).

<sup>11</sup> See *Comment 2.A.05* for commentary on motor vehicle offense severity levels.

<sup>12</sup> See section 2.A.2.a-b to determine the severity level.

<sup>13</sup> See section 2.C.3.b and Appendix 1 to determine the presumptive disposition.

<sup>14</sup> See section 2.G.7 to determine the presumptive sentence.