

**Appendix 3. Presumptive Sentence Durations that Exceed the  
Statutory Maximum Sentence Reference Table**

This table is for convenience when determining if a presumptive duration exceeds the statutory maximum sentence as described in section 2.C.2. Offenses identified in the table below have presumptive durations that exceed the statutory maximums at the Criminal History Score (CHS) indicated on the table. These are offenses for which the applicable grid does not adjust the duration or range to be at or below the statutory maximum. The table may not be exhaustive.

<b>Statute</b>	<b>Offense</b>	<b>Severity Level</b>	<b>Statutory Maximum (Months)</b>	<b>Exceeds Statutory Maximum At:</b>
609.221, subd. 4	Assault 1st Degree (Great Bodily Harm Upon Official by Dangerous Weapon or Deadly Force)	11	360	CHS 0 (upper-range)
609.2231, subd. 4(b)	Assault 4th Degree Motivated by Bias	1	12, and 1 Day	CHS 3
609.322, subd. 1(a)	Sex Trafficking 1st Degree	B	300	CHS 5 (upper-range)
609.343, subd. 1(a)(b)(c)(d)(e) & 1a(a)(b)(c)(d)(h)(i)	Criminal Sexual Conduct 2nd Degree	B	300	CHS 5 (upper-range)
609.344, subd. 1(a)(b)(c)(d) & 1a(c)(d)(g)(h)(i)	Criminal Sexual Conduct 3rd Degree	C	180	CHS 5 (upper-range)
609.4751, subd. 3	Impersonating a Peace Officer	2	24	CHS 6 (upper-range)
609.485, subd. 4(a)(2)	Escape, Mental Illness	1	12, and 1 Day	CHS 3
609.485, subd. 4(a)(4)	Escape from Civil Commitment	1	12, and 1 Day	CHS 3
609.595, subd. 1a(a)	Damage to Prop Motivated by Bias	1	12, and 1 Day	CHS 3
609.597, subd. 3(3)	Assaulting or Harming Police Horse	1	12, and 1 Day	CHS 3
609.662, subd. 2(b)(2)	Duty to Render Aid (Substantial Bodily Harm)	1	12, and 1 Day	CHS 3
609.713, subd. 3(a)	Threats of Violence (Replica Firearm)	1	12, and 1 Day	CHS 3

**MINNESOTA COURT RULES**

**SENTENCING GUIDELINES**

609.746, subd. 1(h)	Surreptitious Observation Device (Minor Victim and Sexual Intent)	G	48	CHS 5
609.776	Interference with Emergency Comm.	5	36	CHS 4
609.78, subd. 2c	Fictitious Emergency Call (Response to Home of Official)	1	12	CHS 3
617.246, subd. 2(b), 3(b), & 4(b)	Use of Minors in Sexual Performance (Subsequent, by Predatory Offender, or Child Under 14)	C	180	CHS 5 (upper-range)
617.247, subd. 3(a)	Dissemination of Child Pornography	E	84	CHS 5
617.247, subd. 3(b)	Dissemination of Child Pornography (Subsequent, by Predatory Offender, or Child Under 14)	C	180	CHS 5 (upper-range)
624.7141, subd. 1	Transferring Firearm to Ineligible Person	2	24	CHS 6 (upper-range)