

**Table 9.1 ■ Minnesota Sentencing Guidelines**

#### IV. SENTENCING GUIDELINES GRID

Presumptive Sentence Lengths in Months

Italicized numbers within the grid denote the range within which a judge may sentence without the sentence being deemed a departure. Offenders with non-imprisonment felony sentences are subject to jail time according to law.

#### CRIMINAL HISTORY SCORE

SEVERITY LEVEL OF CONVICTION OFFENSE (Common offenses listed in <i>italics</i> )		0	1	2	3	4	5	6 or more
<i>Murder, 2nd Degree</i> ( <i>intentional murder; drive-by-shootings</i> )	<b>XI</b>	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>	426 <i>363–480</i>
<i>Murder, 3rd Degree Murder, 2nd Degree (unintentional murder)</i>	<b>X</b>	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>Assault, 1st Degree Controlled Substance Crime, 1st Degree</i>	<b>IX</b>	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>Aggravated Robbery, 1st Degree Controlled Substance Crime, 2nd Degree</i>	<b>VIII</b>	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>	<b>VII</b>	36	42	48	54 <i>46–64</i>	60 <i>51–72</i>	66 <i>57–79</i>	72 <i>62–84</i>
<i>Controlled Substance Crime, 3rd Degree</i>	<b>VI</b>	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 Simple Robbery</i>	<b>V</b>	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>	<b>IV</b>	12	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>	<b>III</b>	12	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>	<b>II</b>	12	12	13	15	17	19	21 <i>18–25</i>
<i>Sale of Simulated Controlled Substance</i>	<b>I</b>	12	12	12	13	15	17	19 <i>17–22</i>

☐ Presumptive commitment to state imprisonment. First degree murder has a mandatory life sentence and is excluded from the guidelines by law. See Guidelines Section II.E. Mandatory Sentences, for policy regarding those sentences controlled by law.

☐ Presumptive stayed sentence, at the discretion of the judge, up to a year in jail and other non-jail sanctions can be imposed as conditions of probation. However, certain offenses in the section of the grid always carry a presumptive commitment to state prison. See Guidelines Sections II.C. Presumptive Sentence and II.E. Mandatory Sentences.

Sentencing guidelines are widely used today. What advantages and disadvantages do they offer? If you were a policymaker, would you require them?