

Appendix 1. Mandatory and Presumptive Sentences Reference Table

This table is for convenience when applying mandatory sentences (*section 2.E*) and presumptive sentences (*section 2.C*). It is not exhaustive.

Presumptive disposition. Commitment.

Presumptive duration. Mandatory minimum or the duration in the appropriate cell on the applicable Grid, whichever is longer.

Attempts and conspiracies. Mandatory sentences generally apply to attempted offenses under Minnesota Statutes, section 609.17, and conspiracies under Minnesota Statutes, section 609.175. Mandatory minimums are not divided in half. The presumptive duration is the mandatory minimum duration found in statute or one-half of the duration in the appropriate cell on the applicable Grid, whichever is longer. (See *section 2.G* for more information on convictions for attempts, conspiracies and offenses with other sentence modifiers.)

Statute	Offense	Prerequisite or Conditions	Minimum Duration
152.021	Controlled Substance Crime 1st Degree	Prior felony conviction under Minnesota Statutes, section 152.021 or 152.022, or similar non-Minnesota offense	48 months
152.022	Controlled Substance Crime 2nd Degree	Prior felony conviction under Minnesota Statutes, section 152.021 or 152.022, or similar non-Minnesota offense	36 months
169A.24, subd. 1(2)	Driving while Intoxicated	Prior Felony DWI	Grid time
169A.24, subd.1(3)	Driving while Intoxicated	Prior Criminal Vehicular Homicide or Operation under Minnesota Statutes, section 609.2112.1(a)(2) thru (6) 609.2113.1(2) thru (6) 609.2113.2(2) thru (6) 609.2114.1(a)(2) thru (6) 609.2114.2(2) thru (6)	Grid time
243.166, subd. 5(b)	Violation of Predatory Offender Registration		Grid time [*]
243.166, subd. 5(c)	Violation of Predatory Offender Registration - Subsequent offense	Prior felony Violation of Predatory Offender Registration	24 months
609.1095, subd. 3	Dangerous Offender - 3rd Violent Felony	Statute cited	Grid time
609.221, subd. 2	Assault 1st Degree (Deadly Force Against Official)		120 months
609.221, subd. 3	Assault 1st Degree (Great Bodily Harm Upon Official)		180 months

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609.221, subd. 4	Assault 1st Degree (Great Bodily Harm Upon Official by Dangerous Weapon or Deadly Force)		300 months
609.221, 609.222, 609.223, 609.2231, or 609.224	Assault 1st through 5th Degree	Committed by State prison inmate while confined (609.2232(a))	Grid time, Consecutive
609.221, 609.222, 609.223, or 609.2231	Assault 1st through 4th Degree	Committed by an inmate of a local correctional facility against a sheriff or sheriff's deputy (609.2232(b)(1), (b)(2), or (b)(3))	Grid Time; Consecutive sentencing may apply
609.2231, subd. 3a(b)	Assault 4th Degree	Committed by person committed to the Minnesota Sex Offender Program	Grid time
609.3455, subd. 3a	Dangerous (Engrained) Sex Offender	Statute cited	At least double the Grid time
609.485	Escape	Escape from executed sentence	Grid time
609.582, subd. 1(a)	Burglary 1st Degree	Prior felony burglary	Grid time [*]

^{*} Presumptive commitment per Guidelines section 2.C.