

STATE OF MINNESOTA
IN SUPREME COURT

SUPREME COURT

FILED

DEC 31 1981

JOHN McCARTHY
CLERK

Rule Establishing Form and
Contents of Sentencing Worksheets

51095

WHEREAS Minn. Stat. § 609.115, subd. 1(a) provides:

"The supreme court shall promulgate rules uniformly applicable to all district courts for the form and contents of sentencing worksheets. These rules shall be promulgated by and effective on January 2, 1982."


And WHEREAS The Minnesota Sentencing Guidelines Commission has, after experimentation and experience with various forms, adopted form SG-00001-02 as fulfilling the requirements of a sentencing worksheet for sentencing purposes under the Minnesota Sentencing Guidelines and recommends that the form and contents of SG-00001-02 be adopted as uniformly applicable to all district courts of the state and

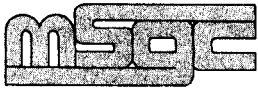
WHEREAS the Supreme Court has considered form SG-00001-02,

IT IS ORDERED that sentencing worksheet form No. SG-00001-02 in the form attached hereto be used by all district courts as a proper form for sentencing worksheet purposes for sentences under Minnesota Guidelines requirements.

DATED: Dec 24, 1981

BY THE COURT


Chief Justice



SENTENCING WORKSHEET

SJIS COMPLAINT # (1-11)

 (24) Modified Worksheet(12-13)
01

District Court Case # (14-23)

Offender Name (Last, First, Middle) (25-49) Date of Birth (50-55) Sex (56) Male Female PSI Investigator (Last, First, Middle) (57-76)Race/Ethnicity (77) White Black Am. Indian Hispanic Asian Other Date of Worksheet (78-83) Date of Offense (84-89)

SEVERITY	<input type="checkbox"/> Supplement attached to report additional current convictions (90)		
	Title most severe offense (12-51) (property value/drug type)	Minnesota Statute (52-60)	Date of Conv/Plea (61-66)
	Conviction Offense Modifiers		SEVERITY LEVEL (70-71)
	<input type="checkbox"/> Attempt 609.17 cited (67) <input type="checkbox"/> Conspiracy 609.175 cited (68) <input type="checkbox"/> Determined that firearm used; or <input type="checkbox"/> Other dangerous weapon used/firearm possessed (69)		
Title second most severe offense (12-51)	Minnesota Statute (52-60)	Date of Conv/Plea (61-66)	
Conviction Offense Modifiers		SEVERITY LEVEL (70-71)	
<input type="checkbox"/> Attempt 609.17 cited (67) <input type="checkbox"/> Conspiracy 609.175 cited (68) <input type="checkbox"/> Determined that firearm used; or <input type="checkbox"/> Other dangerous weapon used/firearm possessed (69)			

CRIMINAL HISTORY	<input type="checkbox"/> Supplement attached to report additional prior offenses (72)		
	Was offender under custody supervision at time of current offense? (73)	If yes, type of supervision (74)	Cust. Stat. Point (75)
	<input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Probation <input type="checkbox"/> Confined <input type="checkbox"/> Escape <input type="checkbox"/> Parole or Supervised Release <input type="checkbox"/> Released Pending Sentence <input type="checkbox"/> Other		
	Juvenile Adjudications (12-13) (14-15)	OFFENSE TITLE (16-55)	Disp. Date (56-59)
	<input type="checkbox"/> Offender 21 or older when current offense committed		mo. yr.
			Units (60)
	Prior Misdemeanor and Gross Misdemeanor Sentences		Misd./G.M. Point (77)
	Prior Felony Sentences and Stays		Felony Points (78-79)

Total Criminal History Points (80-81)

Minnesota Sentencing Guidelines Commission
 284 Metro Square Building
 7th & Robert Streets
 St. Paul, Minnesota 55101
 612-296-0144

Presumptive Guideline Sentence (82)	
<input type="checkbox"/> Stay	<input type="checkbox"/> Commit to Commissioner
Length of Presumptive Sentence (83-86)	Months

SENTENCING WORKSHEET

The following are brief instructions for filling out the Sentencing Worksheet on the reverse side of this form. For more detailed and complete explanation, please refer to the "Minnesota Sentencing Guidelines and Commentary".

WHEN TO COMPLETE: This form should be completed following a felony conviction for offenses which occurred on or after May 1, 1980, and submitted as part of the presentence investigation report (PSI). Complete one Sentencing Worksheet form per complaint form; multiple offenses included on a single complaint should be included on one Sentencing Worksheet, and if more space is needed, use a Supplement to Sentencing Worksheet. At the time the PSI which includes the Sentencing Worksheet is submitted to the judge, distribute the remaining copies of the Worksheet to those on the distribution list. If prior to or after sentencing, information contained on the Sentencing Worksheet is modified, complete another Sentencing Worksheet, place an "X" in the "Modified Worksheet" box, and distribute according to the distribution list.

SIIS Complaint #: The eleven digit pre-coded number on the complaint form.

District Court Case #: The number used for filing cases in district court.

Offender Name: Use the name the offender is generally known by, which will usually be the first name noted on the complaint. If a different name surfaced during the adjudication or investigation process that appears to more generally or accurately identify the offender, use the latter name.

Date of Birth: Month, Day, Year (e.g., 12/22/47).

Sex: Self-explanatory

PSI Investigator: The name of the probation officer or investigator who completed the form.

Race/Ethnicity: Check the box which corresponds to the predominant race/ethnicity. If predominance cannot be determined, check "Other".

Date of Worksheet: The date the PSI, including the Sentencing Worksheet, is completed (Month, Day, Year - 6/18/80). If the Sentencing Worksheet is modified after initial submission of the PSI, use the date that the Modified Worksheet is completed.

Date of Offense: The date the offense occurred (Month, Day, Year - 5/15/80). In cases of multiple convictions included on a single complaint: (a) use the date of the most severe offense if the offenses occurred on different dates, or (b) if there is more than one offense in the most severe level and they occurred at different times, use the date of the earliest offense in that severity level. *The date of the offense, however, must not be prior to May 1, 1980.*

SEVERITY

There is space for two conviction offenses on the Sentencing Worksheet. If there were more than two convictions for offenses from a single complaint, report the additional conviction offenses on the Supplement to Sentencing Worksheet and check the box marked "Supplement attached to report additional current convictions".

Severity is determined by the Offense Severity Reference Table in the Minnesota Sentencing Guidelines and Commentary. The reporting order of conviction offenses when of equal severity is left to the discretion of the PSI investigator.

Title most (and second most) severe offense: The dollar value of the conviction offense should be included in the Title when the offense is Forgery, Theft, Theft Related, or Receiving Stolen Goods (e.g., Theft \$150-\$2500). Include common name of drug in the Title for drug offenses (e.g., Sale of Schedule I Narcotic - Heroin).

Minnesota Statute: Cite chapter, section, subdivision, and clause of the charging statute, e.g., Theft \$150-\$2500 might be 609.52, subd. 2(1).

Date of Conviction/Plea: The date of the conviction (Month, Day, Year) or entry of plea preceding the order for the preparation of a presentence investigation report.

Conviction Offense Modifiers: Check "Attempt 609.17" or "Conspiracy 609.175" if the offender was found guilty of an attempt to commit the crime or conspiring with another to commit the crime. Check "Determined that firearm used" when the court, at plea or conviction, determined that a firearm was used; check "other dangerous weapon used" when the court, at plea or conviction, determined that an other dangerous weapon was used or a firearm was possessed by offender.

Severity Level: Use the number that corresponds with the Roman Numeral designation of severity from Offense Severity Reference Table, e.g., Aggravated Robbery, Minn. Stat. 609.245, which is noted as Roman Numeral VII, should be entered into "Severity Level" as number 7.

CRIMINAL HISTORY

There are spaces on the Sentencing Worksheet for two prior juvenile adjudications, four prior misdemeanors or gross misdemeanors, and six prior felonies. Additional prior offenses in any or all of these offense types should be reported on the Supplement to Sentencing Worksheet, and the box "Supplement attached to report additional prior offenses" checked. A single Supplement form can be used for both additional current offenses and additional criminal history items.

Offense title for prior offenses should be brief and descriptive. **Disposition date for priors** includes only Month and Year, and should serve as a guide for identifying specific priors and as a guide to check for decayed priors. *Priors that have been decayed should not be reported on the Sentencing Worksheet or Supplement.*

Custody Supervision at time of offense: The custody supervision must result from a prior felony or gross misdemeanor for a "Yes" response to this item.

Type of Supervision: Unsupervised probation should be coded as "Probation". Work release should be coded as "Confined".

Custody Status Point: If "Yes" is coded under "custody supervision at time of current offense", enter Custody Status Point of 1; if "No" is coded, enter Custody Status Point of 0.

Juvenile Adjudications: (a) If offender was 21 or older at "Date of Offense", check the box under Juvenile Adjudications and do not report information on juvenile adjudications; (b) If offender was under 21 at "Date of Offense", report juvenile adjudications for offenses which would have been a felony if committed by an adult, and which were committed between the offender's 16th and 18th birthdays. If more than two juvenile adjudications, report additional adjudications on the Supplement.

Juvenile Point: (a) If you check the box marked "offender was 21 or older", enter Juvenile Point of 0; (b) If offender was under 21 at time of current offense and had fewer than two juvenile adjudications, enter Juvenile Point of 0; (c) If offender was under 21 at time of current offense and had two or more juvenile adjudications, enter Juvenile Point of 1.

Prior Misdemeanor and Gross Misdemeanor Sentences: List prior offenses which resulted in: (a) prior misdemeanor sentences, and (b) prior gross misdemeanor sentences. Do not report decayed offenses. If there are more than four non-decayed prior misdemeanor or gross misdemeanor sentences, report them on the Supplement.

Units: (a) One unit is given for each prior misdemeanor sentence; (b) two units are given for each prior gross misdemeanor sentence.

Misdemeanor/Gross Misdemeanor Point: (a) If total units are less than four, enter Misd./G.M. Point of 0; (b) If total units are four or more, enter Misd./G.M. Point of 1.

Prior Felony Sentences and Stays: List prior offenses which resulted in: (a) prior felony sentences; or (b) a stay of imposition, if less than five years has elapsed since discharge from that stay (if more than five years has elapsed since discharge from that stay, the offense should be reported as a misdemeanor, unless it has decayed as a misdemeanor). Do not report decayed felony sentences. Report additional felony sentences and stays on the Supplement.

Felony Points: Felony points equal the total number of prior felony sentences and stays, including any prior felony sentences and stays reported on the Supplement.

Total Criminal History Points: The sum of Custody Status Point, Juvenile Point, Misdemeanor/Gross Misdemeanor Point, and Felony Points.

PRESUMPTIVE GUIDELINE SENTENCE

The presumptive guideline sentence is determined by locating the cell in the Sentencing Guidelines Grid intersected by the Severity Level of the current conviction offense and the Criminal History Score (0 through 6 or more).

The presumptive guideline sentence for cases which fall in cells above and to the left of the solid line is a Stay; in cells below and to the right of the solid line, the presumptive guideline sentence is to commit to the Commissioner of Corrections. When a commitment sentence is mandated by law (e.g., 609.11) the presumptive guideline sentence is to commit, even if the case falls in a cell above and to the left of the line.

The length of the presumptive sentence is the single durational figure in cells above the line and the single durational figure shown above the durational range in cells below the line.

In attempts and conspiracies to commit crimes, the presumptive guideline sentence length is half that shown in the appropriate cell of the guidelines grid; e.g., a presumptive duration of 25 months for a completed crime would be 12.5 months for an attempt to commit that crime. The dotted extension of the box is to be used for fractions, e.g., "5" of 12.5 months; thus, the presumptive sentence would be entered as 0125.

DISTRIBUTION:

Agent
Sentencing Commission
Judge

Prosecutor
Defense
Court Services/DOC