

OFFICE OF
APPELLATE COURTS
FILED

DEC 21 1983

STATE OF MINNESOTA
IN SUPREME COURT
No. C4-80-51095

WAYNE TSCHIMPERLE
CLERK

Rule Establishing Form
and Contents of
Sentencing Worksheets


WHEREAS Minn. Stat. § 609.115, subd. 1(a) requires that this Court "promulgate rules uniformly applicable to all district courts for the form and contents of sentencing worksheets," and

WHEREAS The Minnesota Sentencing Guidelines Commission has redrafted and revised prior sentencing worksheet forms and has recommended to this Court that Sentencing Worksheet Form No. SG-00001-03 and Supplement to Sentencing Worksheet Form No. SG-00002-03 be adopted as uniformly applicable to all district courts, replacing prior Sentencing Worksheet and Supplement to Sentencing Worksheet forms,

IT IS ORDERED: that Sentencing Worksheet Form No. SG-00001-03 and Supplement to Sentencing Worksheet No. SG-00002-03 in the forms attached hereto be used by all Minnesota District Courts as proper forms for sentencing worksheet purposes under Minnesota Sentencing Guidelines requirements.

Dated: DEC 21, 1983

BY THE COURT


Douglas K. Amdahl



SENTENCING WORKSHEET

SJIS COMPLAINT # (1-11)

(24)

Modified Worksheet

(12-13)
01

Dist. Ct. Case # (14-23) County Name

Offender Name (Last, First, Middle) (25-49) Date of Birth (50-55) Gender (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 Conv./Plea (84-89)

Supplement attached to report additional current convictions (90)

OFFENSES	Title most severe offense (12-51) (property value/drug type)	Minnesota Statute (52-60)	Date of Offense (61-66)	SEVERITY LEVEL (70-71)
	Conviction Offense Modifiers <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)			
OFFENSES	Title second most severe offense (12-51)	Minnesota Statute (52-60)	Date of Offense (61-66)	SEVERITY LEVEL (70-71)
	Conviction Offense Modifiers <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)			

Supplement attached to report additional prior offenses (72)

Was offender under custody supervision at time of current offense? (73) No Yes If yes, type of supervision (74) Probation Parole or Supervised Release Confined Released Pending Sentence Escape Other

CRIMINAL HISTORY	(12-13)	(14-15)	OFFENSE TITLE (16-55)	Disp. Date (56-59)		Units (60)	Cust. Stat. Point (75)	
				mo.	yr.			
Juvenile Offenses <input type="checkbox"/> Offender 21 or older when current offense committed	02	01					(76)	
		02						
		03						
		04						
Prior Misdemeanor and Gross Misdemeanor Sentences	03	01					(77)	
		02						
		03						
		04						
Prior Felony Sentences and Stays	04	01				<input type="checkbox"/>	(78-79)	
		02				<input type="checkbox"/>		
		03				<input type="checkbox"/>		
		04				<input type="checkbox"/>		
		05				<input type="checkbox"/>		
		06				<input type="checkbox"/>		

Check box to right of Disp. Date if prior is also included in offense section.

Total Criminal History Points (80-81)

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

Presumptive Guideline Sentence (82)

Stay Commit to Commissioner

Length of Presumptive Sentence (83-85) 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. Complete one Sentencing Worksheet form per SJIS number. Multiple offenses with a single SJIS number should be included on one Sentencing Worksheet, and if more space is needed, use the Supplement to Sentencing Worksheet. At the time the Sentencing Worksheet is submitted to the judge, distribute the remaining copies of the Worksheet to those on the distribution list. If, prior to 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.

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

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

County Name: Self explanatory.

Offender Name: Use the name the offender is generally known by, which will 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 (i.e., 12/22/47).

Gender: 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 Conviction/Plea: The date of the conviction (Month, Day, Year) or entry of plea preceding the order for the preparation of the Sentencing Worksheet. In cases of multiple offenses on a single SJIS number, use the date of conviction or plea of the most severe offense.

OFFENSE

There is space for two conviction offenses on the Sentencing Worksheet. If there were more than two convictions for offenses with a single SJIS number, 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. 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 \$250-\$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 \$250-\$2500 might be 609.52, subd. 2(1).

Date of Offense: The date the offense occurred (Month, Day, Year). The date of the offense, however, must not be prior to May 1, 1980.

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 conspires with another to commit the crime. Check "Dangerous Weapon 609.11" only when 609.11 was cited on the complaint and retained through conviction or plea.

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 offenses, 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 be for a prior felony or gross misdemeanor for a "Yes" response to this item.

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

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 Offenses: (a) If offender was 21 or older when the earliest offense in the offense section was committed, check the box under Juvenile Offenses and do not report information on juvenile offenses; (b) If offender was under 21 when the earliest offense was committed, report juvenile 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 offenses, report them 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 offenses, enter Juvenile Point of 0; (c) If offender was under 21 at time of current offense and had two or more juvenile offenses, 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. Do not report misdemeanor offense if a period of ten years has elapsed since the offender was adjudicated guilty for that offense.

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; 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 have 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. Check box to right of Disp. Date if prior is also included in offense section.

Total Criminal History Points: The sum of Custody Status Point, Juvenile Point, Misd./G.M. Point, and Felony Points.

PRESUMPTIVE GUIDELINE SENTENCE

The presumptive guideline sentence is generally 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). For a complete explanation of exceptions to this procedure, please refer to "Minnesota Sentencing Guidelines and Commentary."

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.

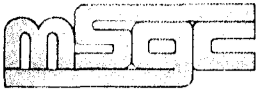
The length of the presumptive sentence is the single durational figure in cells above the line and the single durational figure shown above the durational range in cells below the line.

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



SUPPLEMENT TO SENTENCING WORKSHEET

SJIS COMPLAINT # (1-11)

District Court Case # County Name

 Modified Supplement

Offender Name (Last, First, Middle)	Date of Birth / /	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	PSI Investigator (Last, First, Middle)
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<input type="checkbox"/> Additional Supplement attached to report additional current convictions				
OFFENSES	(12-13) 05 Title third most severe offense (16-55)	Minnesota Statute (56-64)	Date of Offense (65-70) / /	SEVERITY LEVEL (74-75)
	Conviction Offense Modifiers <input type="checkbox"/> Attempt 609.17 cited (71) <input type="checkbox"/> Conspiracy 609.175 cited (72) 1 <input type="checkbox"/> Determined that firearm used; or 2 <input type="checkbox"/> Other dangerous weapon used/firearm possessed (73)			
	(14-15) 01	Minnesota Statute (56-64)	Date of Offense (65-70) / /	SEVERITY LEVEL (74-75)
	Conviction Offense Modifiers <input type="checkbox"/> Attempt 609.17 cited (71) <input type="checkbox"/> Conspiracy 609.175 cited (72) 1 <input type="checkbox"/> Determined that firearm used; or 2 <input type="checkbox"/> Other dangerous weapon used/firearm possessed (73)			
OFFENSES	(14-15) 02 Title fourth most severe offense (16-55)	Minnesota Statute (56-64)	Date of Offense (65-70) / /	SEVERITY LEVEL (74-75)
	Conviction Offense Modifiers <input type="checkbox"/> Attempt 609.17 cited (71) <input type="checkbox"/> Conspiracy 609.175 cited (72) 1 <input type="checkbox"/> Determined that firearm used; or 2 <input type="checkbox"/> Other dangerous weapon used/firearm possessed (73)			
	(14-15) 03 Title fifth most severe offense (16-55)	Minnesota Statute (56-64)	Date of Offense (65-70) / /	SEVERITY LEVEL (74-75)
	Conviction Offense Modifiers <input type="checkbox"/> Attempt 609.17 cited (71) <input type="checkbox"/> Conspiracy 609.175 cited (72) 1 <input type="checkbox"/> Determined that firearm used; or 2 <input type="checkbox"/> Other dangerous weapon used/firearm possessed (73)			

<input type="checkbox"/> Additional Supplement attached to report additional prior offenses						
CRIMINAL HISTORY	(12-13) 02 Juvenile Offenses <input type="checkbox"/> Offender 21 or older when current offense committed	(14-15) 03	OFFENSE TITLE (16-55)	Disp. Date (56-59) mo. yr.		
	Prior Misdemeanor and Gross Misdemeanor Sentences	04		/		Units (60)
		05		/		
		06		/		
		07		/		
	Prior Felony Sentences and Stays	08		/		
		0407		/		<input type="checkbox"/> (60)
		08		/		<input type="checkbox"/>
		09		/		<input type="checkbox"/>
		10		/		<input type="checkbox"/>
	Check box to right of Disp. Date if prior is also included in offense section.	11		/		<input type="checkbox"/>
		12		/		<input type="checkbox"/>

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

SG-00002-03

AGENT

SUPPLEMENT TO SENTENCING WORKSHEET

The following are brief instructions for filling out the Supplement Worksheet on the reverse side of this form. For more detailed and complete explanation, please refer to "Minnesota Sentencing Guidelines and Commentary" and "Sentencing Worksheet" (form SG-00001-03).

WHEN TO COMPLETE: This form should be completed whenever either or both of the following conditions exist: (a) there are more than two current conviction offenses resulting from a single SJIS number; or (b) the criminal record contains more than two juvenile offenses, more than four prior misdemeanor or gross misdemeanor sentences, or more than six prior felony sentences and stays. Attach the Supplement to the Sentencing Worksheet and submit it with the Sentencing Worksheet. At the time the Sentencing Worksheet and Supplement are submitted to the judge, distribute the remaining copies of the Worksheet and Supplement to those on the distribution list. If prior to sentencing, information contained on the Supplement is modified, complete another Supplement, place an "X" in the "Modified Supplement" box, and distribute according to the distribution list.

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

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

County Name: Self explanatory.

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 (i.e., 12/22/47).

Gender: 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 Supplement: The date the PSI, including the Supplement, is completed. If the Supplement is modified after initial submission of the PSI, use the date that the Modified Supplement is completed.

Date of Conviction/Plea: The date of the conviction (Month, Day, Year) or entry of plea preceding the order for the preparation of the sentencing worksheet. In cases of multiple offenses on a single SJIS number, use the date of conviction or plea of the most severe offense.

OFFENSE

The Supplement provides space for three additional felony offenses resulting from a single SJIS number. If there were more than five conviction offenses (three on the Supplement plus two on the Worksheet) complete and attach additional Supplements until all conviction offenses are reported. Place an "X" in the box marked "Additional Supplement attached to report additional current convictions" and disregard the "third," "fourth," and "fifth" descriptions when completing additional Supplements.

Title (third (fourth and fifth) 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 \$250-\$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 \$250-\$2500 might be 609.52, subd. 2(1).

Date of Offense: The date the offense occurred (Month, Day, Year). The date of the offense, however, must not be prior to May 1, 1980.

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 conspires with another to commit the crime. Check "Dangerous Weapon 609.11" only when 609.11 was cited on the complaint and retained through conviction or plea.

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

The Supplement provides space for two additional juvenile offenses, four additional misdemeanor or gross misdemeanor sentences, and six additional felony sentences and stays. If additional space is required to report criminal history, complete and attach additional Supplements as necessary, checking the box titled "Additional Supplement attached to report additional prior offenses."

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. *Prior sentences that have been decayed should not be reported on the Sentencing Worksheet or Supplement.*

Juvenile Offenses: (a) If offender was 21 or older when the earliest offense in the offense section was committed, check the box under Juvenile Offenses and do not report information on juvenile offenses; (b) If offender was under 21 when the earliest offense was committed, report juvenile 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 additional juvenile offenses, report them on an additional Supplement.

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 additional non-decayed prior misdemeanor or gross misdemeanor sentences, report them on an additional Supplement. Do not report misdemeanor offense if a period of ten years has elapsed since the offender was adjudicated for that offense.

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

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 an additional Supplement. Check box to right of Disp. Date if prior is also included in offense section.

DISTRIBUTION:

Agent
Sentencing Commission
Judge

Prosecutor
Defense
Court Services/DOC