

Statutory Max

Maximum Minimum for Sentence

Guideline Ranges

| RANK | OFFENSE | MCLA § | GROUP | CLASS | MAX YEARS | MAX MOS | 1-A | 6-A | 1-F | 6-F | M CJI2d | RANK |
|------|---|-------------------------------------|-----------------------|-------|-----------|---------|-----|-----|-----|-----|----------------------|------|
| 1 | Posses c/s coke/narcotic (C/N) < 25g | 333.7403(2)(a)(v) | C/S | G(F) | 4 | 48 | 3 | 9 | 17* | 23 | 12.5 | 1 |
| 2 | Manuf/Deliver or Proofs of Service w/intent to deliver marijuana <5kg | 333.7401(2)(d)(iii) | C/S | F | 4 | 48 | 3 | 17* | 23 | 30 | 12.1+ | 2 |
| 3 | OWI/impaired or with C/S, 3 rd offense | 257.625(9)(c) | P/S | E | 5 | 60 | 3 | 17* | 23 | 38 | 15.1+ | 3 |
| 4 | Manuf/Deliver or Poss w/intent to deliver C/N < 50 gm | 333.7401(2)(a)(iv) | C/S | D (B) | 20 | 240 | 6 | 23 | 23 | 76 | 12.1+ | 4 |
| 5 | Assault/resist/obstruct police officer etc | 750.81d(1) | Pers | G (F) | 2 | 24 | 3 | 9 | 17* | 23* | 13.1 | 5 |
| 6 | Larceny in a building | 750.360 | Prop | G (F) | 4 | 48 | 3 | 9 | 17* | 23 | 23.4 | 6 |
| 7 | Home invasion, 2nd degree | 750.110(a)(3) | Pers | C | 15 | 180 | 11 | 57 | 57 | 114 | 25.2b | 7 |
| 8 | Uttering & publishing a forgery | 750.249 | Prop | E (C) | 14 | 168 | 3 | 17* | 23 | 38 | 28.2 | 8 |
| 9 | Breaking & entering building w/intent | 750.110 | Prop | D (B) | 10 | 120 | 6 | 23 | 23 | 76 | 25.1 | 9 |
| 10 | Carrying a concealed weapon (CCW) | 750.227 | P/S | E | 5 | 60 | 3 | 17+ | 23 | 38 | 11.1+ | 10 |
| 11 | Assault w/dangerous weapon (felonious assault) | 750.82 | Pers | F | 4 | 48 | 3 | 17+ | 23 | 30 | 17.9 | 11 |
| 12 | Refusal to support spouse or children | 750.165 | P/Ord | F | 4 | 48 | 3 | 17* | 23 | 30 | 34.4 | 12 |
| 13 | Possess C/S analogues or certain C/S | 333.7403(2)(b)(ii) | C/S | G | 2 | 24 | 3 | 9 | 17* | 23* | 12.5 | 13 |
| 14 | Retail fraud, 1st degree > \$1,000 | 750.356c | Prop | E | 5 | 60 | 3 | 17* | 23 | 38 | 23.13 | 14 |
| 15 | Poss finan trans device (credit card) w/o consent | 750.157n(1) | Prop | H (G) | 4 | 48 | 1 | 6 | 17* | 17* | 30.3 | 15 |
| 16 | Fleeing/eluding police officer, 3rd degree or 750.49a | 257.602a(3)** | P/S | E | 5 | 60 | 3 | 17* | 23 | 38 | 13.6c | 16 |
| 17 | Receive/conceal stolen vehicle | 750.535(7) | Prop | E | 5 | 60 | 3 | 17* | 23 | 38 | 26.1+ | 17 |
| 18 | Larceny from a vehicle | 750.356a(1) | Prop | G (E) | 5 | 60 | 3 | 9 | 17* | 23 | 23.5 | 18 |
| 19 | Armed robbery | 750.529 | Pers | A | L | | 35 | 180 | 180 | L | 18.1 | 19 |
| 20 | Felon possessing a firearm | 750.224f | P/S | E | 5 | 60 | 3 | 17* | 23 | 38 | 11.38+ | 20 |
| 21 | Possession of methamphetamine | 333.7403(2)(b)(i) | C/S | D | 10 | 120 | 6 | 23 | 23 | 76 | 12.5 | 21 |
| 22 | Home invasion, 1st degree | 750.110a(2) | Pers | B | 20 | 240 | 18* | 60 | 120 | 160 | 25.2a | 22 |

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|----|---|------------------------------------|-----------------------|-------|----|-----|-----|-----|-----|------|--------|----|
| 23 | Unlawfully driving away automobile (UDAA) | 750.413 | Prop | E | 5 | 60 | 3 | 17* | 23 | 38 | 24.1 | 23 |
| 24 | Keeping a drug house (use) | 333.7405(d) | C/S | G | 2 | 24 | 3 | 9 | 17* | 23* | 12.8 | 24 |
| 25 | Unarmed robbery | 750.530 | Pers | C | 15 | 180 | 11 | 57 | 57 | 114 | 18.2 | 25 |
| 26 | Assault w/intent to do great bodily harm | 750.84 | Pers | D | 10 | 120 | 6 | 23 | 23 | 76 | 17.7 | 26 |
| 27 | Domestic Violence, 3rd offense | 750.81(4) | Pers | G | 2 | 24 | 3 | 9 | 17* | 23* | 17.2a | 27 |
| 28 | Sex offender failing to register | 28.729(a)(a) | P/Ord | F | 4 | 48 | 3 | 17* | 23 | 30 | None | 28 |
| 29 | Receive/conceal stolen property > \$1,000 - < \$20,000 | 750.535(3)(a) | Prop | E | 5 | 60 | 3 | 17* | 23 | 38 | 26.1 | 29 |
| 30 | Home invasion, 3rd degree | 750.110a(4) | Pers | E | 5 | 60 | 3 | 17* | 23 | 38 | 25.2e+ | 30 |
| 31 | Embezzlement > \$1,000 | 750.174(4)(a) | Prop | E | 5 | 60 | 3 | 17* | 23 | 38 | 27.1 | 31 |
| 32 | Criminal sexual conduct, 3rd degree T3 | 750.520d | Pers | B (C) | 15 | 180 | 18* | 60 | 120 | 160^ | 20.12 | 32 |
| 33 | Felony-firearm | 750.227b | - | - | 2 | 24 | 24 | 24 | 24 | 24 | 11.34 | 33 |
| 34 | Criminal sexual conduct, 2nd degree T3 | 750.520c | Pers | C | 15 | 180 | 11 | 57 | 57 | 114 | 20.2 | 34 |
| 35 | Deliver/manuf C/S sched 1-3 (not marijuana) | 333.7401(2)(b)(ii) | C/S | E (D) | 7 | 84 | 3 | 17* | 23 | 38 | 12.2 | 35 |
| 36 | Fleeing/eluding police officer, 4th degree or 750.479a(3) | 257.602a(2)** | P/S | G | 2 | 24 | 3 | 9 | 17* | 23* | 13.6d | 36 |
| 37 | Larceny from a person | 750.357 | Pers | D | 10 | 120 | 6 | 23 | 23 | 76 | 23.3 | 37 |
| 38 | Criminal sexual conduct, 4th degree T1/3 | 750.520e | Pers | G | 2 | 24 | 3 | 9 | 17* | 23* | 20.13 | 38 |
| 39 | Identity theft | 445.65 | P/Ord | E | 5 | 60 | 3 | 17* | 23 | 38 | None | 39 |
| 40 | Unlawful use of a vehicle | 750.414 | Prop | H (G) | 2 | 24 | 1 | 6 | 17* | 17* | 24.2 | 40 |
| 41 | Larceny > \$1,000 - < \$20,000 | 750.356(3) | Prop | E | 5 | 60 | 3 | 17* | 23 | 38 | 23.1 | 41 |
| 42 | Obtaining controlled substance by fraud | 333.7407(1)(c) | C/S | G (F) | 4 | 48 | 3 | 9 | 17* | 23 | None | 42 |
| 43 | Illegal sale/use of fin trans dev (credit card, etc.) | 750.157g | Prop | H (F) | 4 | 48 | 1 | 6 | 17* | 17* | 30.5 | 43 |
| 44 | B & E motor vehicle w/damage | 750.356a(3) | Prop | G (E) | 5 | 60 | 3 | 9 | 17* | 23 | 23.6a | 44 |
| 45 | Criminal sexual conduct, 1st degree T3 | 750.520b | Pers | A | L | L | 35 | 180 | 180 | L | 20.1+ | 45 |
| 46 | Malicious destruction of property > \$1,000 - < \$20,000 | 750.377a(1)(b)(i) | Prop | E | 5 | 60 | 3 | 17* | 23 | 38 | 32.2 | 46 |
| 47 | False report of a felony | 750.411a(1)(b) | P/Ord | F | 4 | 48 | 3 | 17* | 23 | 30 | 13.19 | 47 |
| 48 | No-account checks | 750.131a(1) | Prop | H (G) | 2 | 24 | 1 | 6 | 17* | 17* | 29.7 | 48 |

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|----|--------------------------------------|-------------------------|----------------------|----|---|----|-----|-----|----|----|------|----|
| 49 | Murder, 2d degree | 750.317 | Pers | M2 | L | | 150 | L | L | L | 16.5 | 49 |
| 50 | Entering w/out breaking but w/intent | 750.111 | Prop | E | 5 | 60 | 3 | 17* | 23 | 30 | 25.3 | 50 |

17* = 12 months 23* = 12 months 6* = 3, 4, or 6 Bold indicates an aberrant class, i.e., not based on the statutory maximum.

18* = 12 months 160^ = 120 months L = Life

T1 or T3 indicates a tier I or tier III offense, for which registration as a sex offender is required under the Sex Offenders Registration Act, MCLA § 28.721 et seq., as amended by 2011 PA 17 and 18. There are many more offenses for which registration is required. MCLA § 28.722(s), (u), and (w) list most tier I, II, and III offenses. MCLA § 28.722(s)(vi) includes a catchall provision for other offenses against minors.

**Indicates offenses that cannot be expunged under 1965 PA 213, MCLA § 780.621 et seq.

Determination of Minimum Sentence Range, [MCLA §777.21](#)

Based on compilations by Hon. John Hammond, 2002, 2012, published in Michigan Bar Journal.