

DOMESTIC ASSAULT RELATED CONDUCT PROHIBITED BY MINNESOTA LAW AND POTENTIAL PENALTIES

Criminal Charge	Prohibited Conduct	Type of Charge & Potential Maximum Penalty
Domestic Assault 609.2242	Inflicting bodily harm or attempting to inflict bodily harm on a family or household member OR putting them in fear of immediate bodily harm Examples of family or household members; your spouse, your children, persons you live with, persons whom you are dating or have dated in the past	1 st Offense: Misdemeanor 2 nd Conviction: Gross Misdemeanor 3 rd Conviction: Felony; Up to 5 years in prison & a \$10,000 fine
5 th Degree Assault 609.224	Inflicting bodily harm or attempting to inflict bodily harm on anyone OR putting them in fear of immediate bodily harm	1 st Offense: Misdemeanor 2 nd Conviction: Gross Misdemeanor 3 rd Conviction: Felony; Up to 5 years in prison & a \$10,000 fine
Violation of an Order for Protection 518B.01, subd. 14	Intentionally violating any provision of an Order for Protection (OFP) Examples: talking to, emailing, sending letters, or making telephone calls to someone who has an OFP against you; OR asking someone else to contact them on your behalf; OR going to an address and/or house that the OFP says you can not go to	1 st Offense: Misdemeanor 2 nd Conviction: Gross Misdemeanor 3 rd Conviction: Felony; Up to 5 years in prison & a \$10,000 fine
Violation of a Restraining Order 609.748, subd. 6	Intentionally violating any of the provisions of a Restraining Order (RO) Examples: talking to, emailing, sending letters, or making telephone calls to someone who has an RO against you; OR asking someone else to contact them on your behalf; OR going to an address and/or house that the RO says you can not go to	1 st Offense: Misdemeanor 2 nd Conviction: Gross Misdemeanor 3 rd Conviction: Felony; Up to 5 years in prison & a \$10,000 fine
Violation of a Domestic Abuse No Contact Order 629.75, subd. 2	Intentionally violating a No Contact Order issued by a Judge in a criminal case originating out of a domestic violence incident Formerly 518B.01, subd. 22	1 st Offense: Misdemeanor 2 nd Conviction: Gross Misdemeanor 3 rd Conviction: Felony, Up to 5 years in prison & a \$10,000 fine
Harassing Phone Calls 609.79	Repeatedly making telephone calls with the intent to abuse, disturb or cause distress to another person	Misdemeanor
Interference with an Emergency Call 609.78	Intentionally stopping or interfering when someone is trying to call 911 or for other emergency help	Gross Misdemeanor
Stalking 609.749	Stalking, following or pursuing another, OR repeatedly making phone calls to someone, OR repeatedly mailing letters or objects to someone, OR other actions which show that you intend to injure someone or harm their property	Gross Misdemeanor Felony, if a prior conviction or if a pattern of harassing conduct can be shown Up to 10 years in prison & a \$20,000 fine
Terroristic Threats 609.713	Threatening either by words or action to commit any crime of violence with the intent to terrorize another	Felony Up to 5 years & a \$10,000 fine

A misdemeanor is punishable under Minnesota law to up to 90 days in jail and a \$1,000 fine.

A gross misdemeanor is punishable under Minnesota law to up to 365 days in jail and a \$3,000 fine.

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Malicious Punishment of a Child 609.377	When a parent, legal guardian or caretaker uses unreasonable force or cruel discipline against a child that is more than usual under the circumstances Examples: punishment that causes physical injuries, punishment with physical force that lasts longer than that is reasonable	Gross Misdemeanor Felony, if a prior conviction or if child is under 4, or the child suffers “substantial” or “great” bodily harm Up to 10 years in prison & a \$20,000 fine
Neglect or Endangerment of a Child 609.378	Depriving a child of the necessary food, clothing, shelter, health care or supervision appropriate to the child’s age OR endangering a child by allowing the child to be placed in a situation likely to substantially harm the child’s physical, mental or emotional health; OR allowing the child to be present where anyone is selling or possessing narcotics; OR placing a child in a situation with a loaded firearm that is likely to cause substantial harm	Gross Misdemeanor Felony, if the deprivation results in “substantial harm” Up to 5 years in prison & a \$10,000 fine
3 rd Degree Assault 609.223	Assaulting someone and causing “substantial bodily harm”, Examples: broken or fractured bones, loss of consciousness	Felony Up to 5 years in prison & a \$10,000 fine
2 nd Degree Assault 609.222	Assaulting or threatening someone with a dangerous weapon, such as a gun, knife, or other object used in a way likely to cause “substantial bodily harm”	Felony Up to 10 years in prison & a \$20,000 fine
1 st Degree Assault 609.221	Assaulting someone and causing “great bodily harm” Example: injuries requiring surgery, injuries causing permanent damage	Felony Up to 20 years in prison & a \$30,000 fine
Domestic Assault by Strangulation 609.2247	Intentionally Impeding breathing or circulation of the blood or by blocking the nose or mouth of another Example: placing hands or another object around the neck to “choke” a victim; placing an object such as a pillow over the mouth/nose	Felony Up to 3 years in prison & a \$5,000 fine
False Imprisonment 609.255	Intentionally confining or restraining someone without their consent	Felony Up to 3 years in prison & a \$5,000 fine
Criminal Sexual Conduct 609.342 – 609.345	Engaging in sexual penetration or intimate sexual contact with someone without their consent and/or by the use of force or coercion. It is also against the law to have sexual contact with anyone under the age of 16 even if they consent to the contact	Felony Up to 30 years in prison & a \$40,000 fine
Tampering with a Witness 609.498	Using forces or threats to prevent or to discourage someone from doing any of the following: testifying in court, providing information to law enforcement, or to provide false information to law enforcement or at a trial, OR retaliating against someone for doing any of those things	Felony Up to 5 years in prison & a \$10,000 fine
Burglary 609.582	Entering a building without consent & intending to commit a crime OR entering a building without consent and committing a crime while inside that building	Felony Up to 20 years in prison & a \$35,000 fine

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