

MRRRA Earned Incentive Release (EIR) Deferred Review Offense List

Any individual who, at the time of their most recent admission to prison, had an active offense for a crime listed below will not be reviewed for Earned Incentive Release (EIR) credit during the initial phases of MRRRA implementation. MRRRA EIR memos will contain updates regarding offense-based criteria for EIRC review.

Convictions for violating any of the following Minnesota statutes, as well as attempt or conspiracy to commit these crimes:

- 152.137 (fentanyl- and meth-related crime);
- 609.165 (possession of firearms or ammunition following a conviction for a crime of violence)
- 609.185 (first-degree murder)
- 609.19 (second-degree murder)
- 609.195 (third-degree murder)
- 609.20 (first-degree manslaughter)
- 609.205 (second-degree manslaughter)
- 609.2112 (criminal vehicular homicide)
- 609.2114 (criminal vehicular operation resulting in injury or death to unborn child)
- 609.221 (first-degree assault)
- 609.222 (second-degree assault)
- 609.223 (third-degree assault)
- 609.2231 (fourth-degree assault)
- 609.224 (fifth-degree assault)
- 609.2242 (domestic assault)
- 609.2247 (domestic assault by strangulation)
- 609.228 (great bodily harm caused by drug distribution)
- 609.229 (crime committed for benefit of a gang)
- 609.235 (use of drugs to injure or facilitate crime)
- 609.24 (simple robbery)

- 609.245 (aggravated robbery)
- 609.247 (carjacking)
- 609.25 (kidnapping)
- 609.255 (false imprisonment)
- 609.2661 (first-degree murder of unborn child)
- 609.2662 (second-degree murder of unborn child)
- 609.2663 (third-degree murder of unborn child)
- 609.2664 (first-degree manslaughter of unborn child)
- 609.2665 (second-degree manslaughter of unborn child)
- 609.267 (first-degree assault of unborn child)
- 609.2671 (second-degree assault of unborn child)
- 609.268 (injury or death of unborn child in commission of a crime)
- 609.322 (sex trafficking)
- 609.342 (first-degree criminal sexual conduct)
- 609.343 (second-degree criminal sexual conduct)
- 609.344 (third-degree criminal sexual conduct)
- 609.345 (fourth-degree criminal sexual conduct)
- 609.377 (malicious punishment of a child)
- 609.378 (child neglect or endangerment)
- 609.486 (commission of crime while wearing or possessing a bullet-resistant vest)
- 609.498, subd. 1 or 1b (first-degree witness tampering)
- 609.561 (first-degree arson)
- 609.562 (second-degree arson)
- 609.582, subd. 1 or 2 (first- or second-degree burglary)
- 609.66, subd. 1e (drive-by shooting)
- 609.67 (unlawfully owning, possessing, or operating a machine gun or short-barreled shotgun)

- 609.687 (adulteration capable of causing bodily harm, illness, or death)
- 609.71 (riot)
- 609.713 (terroristic threats)
- 609.749 (harassment)
- 609.855, subd. 5 (shooting at or in a public transit vehicle or facility)
- 617.23 (indecent exposure)
- 617.246 (use of minors in sexual performance)
- 617.247 (possession of child sexual abuse material)
- 617.261 (nonconsensual dissemination of private sexual images)
- 617.262 (nonconsensual dissemination of a deep fake depicting intimate parts or sexual acts)