

# MINNESOTA SENTENCING GUIDELINES COMMISSION

## 2015 Sentencing Practices:

---



Published November 2016

**Minnesota Sentencing Guidelines Commission**

309 Administration Building  
50 Sherburne Avenue  
St. Paul, MN 55155

Voice: 651.296.0144 Fax: 651.297.5757  
TTY: 1-800-627-3529, ask for 651.296.0144

Website: <http://mn.gov/sentencing-guidelines/>

E-mail: [sentencing.guidelines@state.mn.us](mailto:sentencing.guidelines@state.mn.us)

*Persons with hearing or speech disabilities may contact us via their preferred Telecommunications Relay Service.*

*Reports are available in alternative formats upon request.*

**Commission Members**

Christopher Dietzen, Associate Supreme Court Justice (Retired), Chair and Designee of the Chief Justice of the Minnesota Supreme Court  
Heidi Schellhas, Vice-Chair and Minnesota Court of Appeals Judge  
Angela Champagne-From, Public Member  
Valerie Estrada, Career Probation Officer, Hennepin County Community Corrections & Rehabilitation  
Paul Ford, Saint Paul Police Sergeant  
Caroline Lennon, First Judicial District Judge  
Cathryn Middlebrook, Chief Appellate Public Defender  
Peter Orput, Washington County Attorney  
Tom Roy, Commissioner of Corrections  
Yamy Vang, Public Member  
Mark Wernick, Senior Judge, Public Member

**Commission Staff**

Nathaniel J. Reitz, Executive Director  
Kathleen Madland, Research Analyst  
Linda McBrayer, Management Analyst 4  
Brian E. Oliver, Research Analyst  
Jill Payne, Senior Research Analysis Specialist  
Anne Wall, Senior Research Analysis Specialist

## Table of Contents

<b>Background Information</b> .....	1
<i>Goals of the Minnesota Sentencing Guidelines</i> .....	1
<i>How the Sentencing Guidelines Work</i> .....	1
<i>Felony Crime Legislation in 2015</i> .....	4
<i>MSGC Monitoring Data</i> .....	4
<b>Data for Cases Sentenced in 2015</b> .....	5
<i>Case Volume and Distribution</i> .....	6
<i>Incarceration Rates</i> .....	15
<i>Average Pronounced Sentences (Durations)</i> .....	19
<b>Departures from the Sentencing Guidelines</b> .....	21
<i>Dispositional Departures</i> .....	22
<i>Durational Departures</i> .....	29
<b>Data Tables</b> .....	35
<b>Felony Convictions Receiving Misdemeanor or Gross Misdemeanor Sentences</b> .....	35
<b>Case Volume and Distribution</b> .....	36
Table 5. Gender, 1981-2015.....	36
Table 6. Offense Type, 1981-2015 .....	37
Table 7. Race/Ethnicity, 1981-2015.....	39
Table 8. Offense Type by Race, 2015.....	40
Table 9. Judicial District, 1981-2015.....	44
Table 10. Severity-Level Group and Criminal-History Group, 1978, 1981-2015.....	45
Table 11a. Distribution by Severity and History, 2015.....	47
Table 11b. Distribution by Severity and Criminal History, Sex Offender Grid, 2015 .....	48
<b>Incarceration Rates</b> .....	49
Table 12. Imprisonment Rate by Gender, 1978, 1981-2015.....	49
Table 13. Imprisonment Rate by Race/Ethnicity, 1978, 1981-2015.....	50
Table 14. Imprisonment Rates by MN Judicial District, 1978, 1981-2015.....	52
Table 15. Incarceration in Local Facilities as Condition of a Stayed Sentence by Gender, 1978, 1981-2015 .....	54

Table 16. Incarceration in Local Facilities by Race/Ethnicity, 1978, 1981-2015 .....	55
Table 17. Incarceration in Local Facilities by Judicial District, 1978, 1981-2015 .....	56
<b>Departure Rates</b> .....	57
Table 18. Dispositional Departures by Gender, Race, and Judicial District, 2015 .....	57
Table 19. Dispositional Departures for Presumptive Stays and Presumptive Commits by Gender, Race/Ethnicity, and Judicial District, 2015.....	58
Table 20. Durational Departures, 1981-2015 .....	59
Table 21. Durational Departures by Gender, Race, and Judicial District, 2015 .....	60
Table 22. Durational Departures by Gender, Race, and Judicial District, Executed Prison Sentences Only, 2015 .....	61
<b>County Tables</b> .....	62
Table 23. Number of Offenders Sentenced and Incarceration Rates by County, 2015.....	62
Table 24. Dispositional Departure Rates by County,.....	65
Table 25. Durational Departures by County, Executed Prison Sentences Only, 2015.....	69
<b>Minnesota Judicial District Map, Standard Grid, and Sex Offender Grid .....</b>	<b>72</b>

### *About This Report*

This data report has been prepared by the research staff of the Minnesota Sentencing Guidelines Commission in fulfillment of the Commission’s statutory role as a clearinghouse and information center for information on sentencing practices. This is not a policy document. Nothing in this report should be construed as a statement of existing policy or recommendation of future policy on behalf of the Commission itself, or as an authoritative interpretation of the Minnesota Sentencing Guidelines, Minnesota statutes, or case law.

---

## Background Information

Minnesota adopted a sentencing guidelines system effective May 1, 1980, in order to create a more uniform and determinate sentencing system.

A sentencing guidelines system provides the legislature with a structure for determining and maintaining a rational sentencing policy. Through the development of sentencing guidelines, the legislature determines the goals and purposes of the state's sentencing system. The Guidelines represent the general goals of the criminal justice system. They also specifically recommend what the appropriate sentence should be for an individual offender, given the offender's conviction offense and criminal record.

The system is intended to ensure that offenders convicted of serious crimes, particularly crimes against persons, or with lengthy criminal records are sentenced to prison. The Guidelines may be, and often have been, modified to increase penalties for offenders. The system allows these modifications to be implemented uniformly throughout the state. A monitoring system has been developed to provide information on sentencing practices. This information is used to evaluate sentencing policy, identify sentencing trends and to determine how sentencing policy impacts correctional resources.

### *Goals of the Minnesota Sentencing Guidelines*

The goals of the Minnesota Sentencing Guidelines are:

- To better assure **public safety**.
- To promote **uniformity** in sentencing so that offenders who are convicted of similar types of crimes and who have similar types of criminal records are similarly sentenced.
- To provide **truth and certainty** in sentencing.
- To establish **proportionality** in sentencing by emphasizing a "just deserts" philosophy. Offenders convicted of serious violent offenses (even with no prior record), those with repeat violent records, and those with more extensive non-violent criminal records are recommended the most severe penalties.

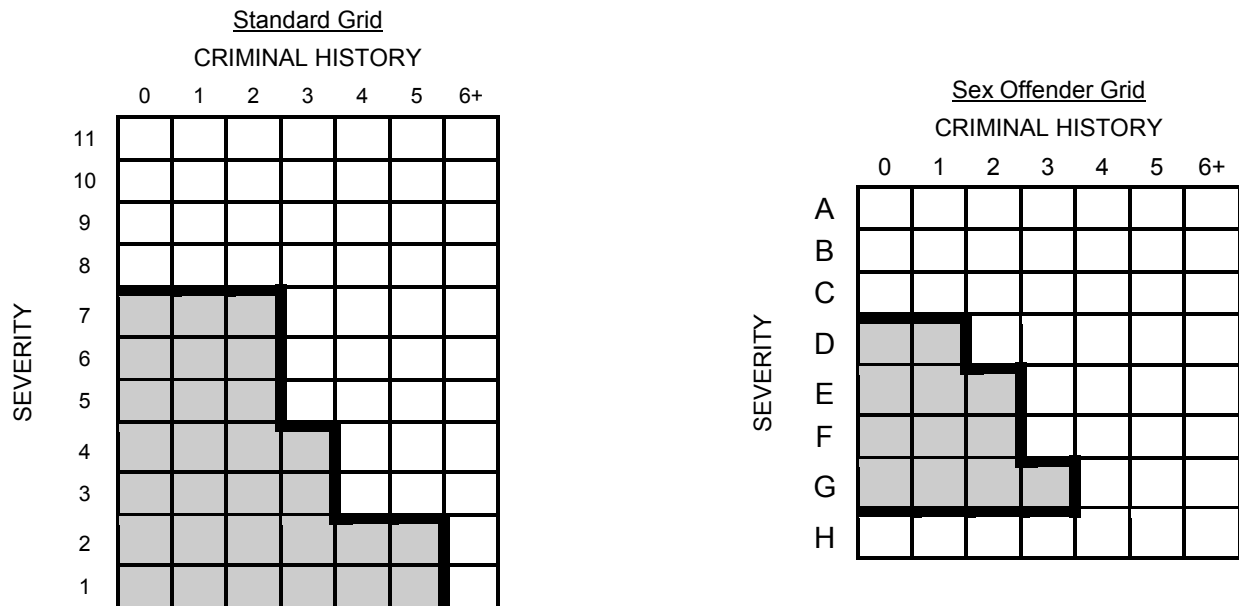
### *How the Sentencing Guidelines Work*

To understand the data on sentencing practices, it is necessary to have a general knowledge of how the Guidelines work and what factors are used to determine the recommended sentence. The following pages provide a brief explanation of how the Minnesota Sentencing Guidelines are applied to individual cases.

Minnesota's Guidelines are based on a grid structure. The vertical axis represents the severity of the offense of conviction. The Commission has ranked offenses that are felonies under Minnesota law into eleven severity levels. Offenses for which a life sentence is mandated by statute (first-degree murder and certain criminal sexual conduct offenses) are excluded from the Guidelines.

A separate Sex Offender Grid is used for sentencing sex offenses with severity levels from A (most serious) to H.<sup>1</sup>

The horizontal axis represents the offender’s criminal history and includes: variously weighted prior felony sentences; some prior misdemeanor/gross misdemeanor sentences; limited prior serious juvenile offenses; and added points for “custody status” if the offender was confined or on community supervision when the current offense was committed.



**Presumptive Sentence**

The recommended Guidelines sentence (presumptive sentence) is generally found in the cell of the Sentencing Guidelines Grid where the offender’s criminal history score and severity level intersect. The numbers in the cells are recommended lengths of prison sentences in months.

For cells within the gray shaded area of the Grids (generally below and to the left of the solid line), the Guidelines recommend a stayed sentence. When a sentence is stayed, the court typically places the offender on probation and may impose up to one year of local confinement (i.e., jail or workhouse). Other conditions such as fines, restitution, community work service, treatment, house arrest, etc., may also be imposed on the offender.

For cells within the white area of the Grids (generally above and to the right of the solid line), the Guidelines recommend incarceration in a state prison. The Guidelines provide a range of 15 percent downward and 20 percent upward from a specified duration. The court may pronounce a sentence within that range without departing from the Guidelines.

<sup>1</sup> Failure to register as a sex offender, which carries a mandatory minimum prison sentence (Minn. Stat. § 243.166), is the only offense ranked at severity level H. Therefore, the recommended disposition according to the Guidelines is commitment.

The court may depart from the presumptive Guidelines sentence for reasons that are substantial and compelling. The court must state the reason(s) for departure on the record, and either the prosecution or the defense has the right to appeal the pronounced sentence. (A deeper discussion of departures begins on page 21.)

Regardless of whether or not the court follows the Guidelines, the sentence pronounced is fixed; there is no parole board to grant early release from prison. According to Minn. Stat. § [244.101](#), when an offender receives an executed prison sentence, the sentence pronounced by the court consists of two parts: a term of imprisonment equal to two-thirds of the total executed sentence and a supervised release term equal to one-third the total executed sentence. The amount of time the offender actually serves in prison may be extended by the Department of Corrections if the offender violates disciplinary rules while in prison or violates conditions of supervised release. This extension period could result in the offender serving the entire executed sentence in prison. Certain offenses (such as criminal sexual conduct and felony DWI) have a period of mandatory conditional release that must be served upon release from prison.

The presumptive sentence cannot always be determined by simply looking at one of the sentencing Grids. The presumptive Guidelines sentence is sometimes more severe than it might appear from the Grids alone, due to mandatory minimum sentences and other enhanced sentences provided by the Legislature. It is not possible to fully explain all of the policies in this brief summary. Additional information on the Sentencing Guidelines is available by contacting the Commission's office. The *Minnesota Sentencing Guidelines and Commentary* is available online at <http://mn.gov/sentencing-guidelines>.

### *Changes to the Sentencing Grids over Time*

These types of changes should be noted when evaluating sentencing information over time.

#### *2006*

A separate Sex Offender Grid was introduced with Severity Level A (the most serious) to Severity Level H. More severe policies were adopted for repeat sex offenders including an enhanced weighting scheme for prior sex offenses and the possibility of a second custody status point.

#### *2005*

Grid ranges were increased to allow the court to pronounce a sentence without departure that is up to 20% greater than, or 15% less than, the presumptive number of months on the Guidelines Grid.

#### *2002*

Felony Driving While Impaired (DWI) took effect. The Commission added an eleventh severity level to the Grid to accommodate it. A new Severity Level 7 was created, with the

old Severity Levels 7 through 10 becoming Severity Level 8 through Severity Level 11. Offenses ranked at these levels were moved up by a severity level, but the presumptive sentences remained the same.

#### *1997*

A package of changes, which increased sentences in some cells and decreased sentences in other cells at Severity Levels 2 through Severity Level 6, went into effect.

#### *1989*

A number of dramatic changes were made. Presumptive durations at Severity Levels 7 through Severity Level 10 were increased significantly and a weighting scheme was implemented for prior felonies. Previously, felony sentences that were included in the criminal history score were given one point, regardless of the severity of the prior offense.

## *Felony Crime Legislation in 2015*

The following 2015 legislation<sup>2</sup> impacted felony sentencing:

- Persons who are not allowed to possess firearms are not allowed to possess ammunition, and felons previously convicted of a crime of violence who do so are subject to the 5-year mandatory minimum under Minn. Stat. § 609.11.
- Fourth-degree assault protections were extended to employees working directly with mentally-ill and dangerous patients and fifth-degree criminal sexual conduct was expanded to include intentionally touching the body or clothing with semen.
- Financial Transaction Card Fraud was amended to include trafficking of Supplemental Nutrition Assistance Program (SNAP) benefits and a new felony for wrongful employment at a child care center was added to the theft penalty provisions.
- The prostitution statute was modified making the hiring of an adult prostitute a felony if the patron reasonably believes the prostitute to be a child.

## *MSGC Monitoring Data*

One of the primary functions of the Sentencing Guidelines Commission is to monitor sentencing practices. The monitoring system is designed to maintain data on all offenders convicted of a felony and sentenced under the Guidelines. A “case” is defined when a sentencing worksheet is received from the probation officer and matched with sentencing data from the District Court. An offender sentenced in the same county on more than one offense within a 30-day period is counted as one case; information on the most serious offense is included in the MSGC monitoring data.

Sentencing Guidelines worksheets, submitted by probation officers to the court and to the Commission, contain demographic information about the offender (e.g., date of birth, gender, race and ethnicity), the offenses for which the offender was convicted, the offender’s criminal history and the presumptive Guidelines sentence. This information is matched with sentencing data from the District Court. The monitoring data sets include information on the sentence pronounced by the court and, if the sentence was a departure, the substantial and compelling reasons cited by the court.

Beginning in 2006, first-degree murder offenses were included in the Commission’s data. Previously, only attempted first-degree murder and conspiracy to commit first-degree murder had been included. First-degree murder has a mandatory life sentence; the presumptive sentence is not determined by the Sentencing Guidelines. It was decided to include first-degree murder in the Commission’s data following the Legislature’s creation of life sentences for some sex offenses in 2005. The MSGC now monitors all life sentences pronounced, by offense type.

Prior to 1988, a “year” of sentencing data contained twelve months of sentences, beginning with the first of November of the previous year and extending to the end of October of the year specified. Beginning in 1988, the twelve-month period was converted to the regular calendar year. The slight shift in the time frames does not significantly interfere with analysis.

<sup>2</sup> For more details, see *MN Felony Sentencing Enhancements: 1987 to 2015* under “Special Topics” at <http://mn.gov/sentencing-guidelines/reports>.



## Data for Cases Sentenced in 2015

The data on the following pages display summary information about sentencing practices and case volume and distribution. As noted in the description of the Guidelines, the recommended sentence is based primarily on the severity of the offense of conviction and secondarily on the offender's criminal record. The majority of offenders receive the recommended sentence.

Sentencing practices are very closely related to the recommended Guidelines sentence. It is very important, therefore, to be aware of the effect of differences in offense severity and criminal history when evaluating sentencing practices. This is particularly important when comparing groups of offenders (e.g., by gender, race/ethnicity and judicial district). For example, if in a particular district the proportion of serious person offenders is fairly high, the imprisonment rate for that district will likely be higher than for districts with predominantly lower severity level offenses.

### **Case Volume**

There were 16,763 felony offenders sentenced in 2015, an increase of 3.8 percent from 2014. This was the highest volume on record, surpassing the previous record set in 2006. Figures 1 and 2 illustrate a 52-percent growth in the number of offenders sentenced for felony convictions between 2001 and 2006. This growth can largely be attributed to the implementation of the felony driving while impaired (DWI) law and increases in the number of drug crimes sentenced, particularly methamphetamine cases. Significant growth also occurred from 2010 to 2015, when the total volume of felony offenders sentenced increased by 17 percent. This is attributable to the growth in drug offenders at 48 percent, non-CSC sex offenders<sup>3</sup> at 9 percent, and "other"<sup>4</sup> offenders at 19 percent.

For this report, offenses involving a weapon were moved from the "other" category into their own "weapon"<sup>5</sup> category in order to provide more information about the category "other." The "weapon" category grew by 51 percent from 2010 to 2015. The specific offense that contributed the most to that growth in the "weapon" category was possession of a firearm by a felon convicted of a crime of violence which went from 234 offenders in 2010 to 364 offenders in 2015; a 56-percent growth rate. Person offenses grew by eight percent from 2010 to 2015 while property offenses had the smallest growth rate at six percent. The only offense category that showed a decline during this time period was felony DWI which declined by 12 percent.

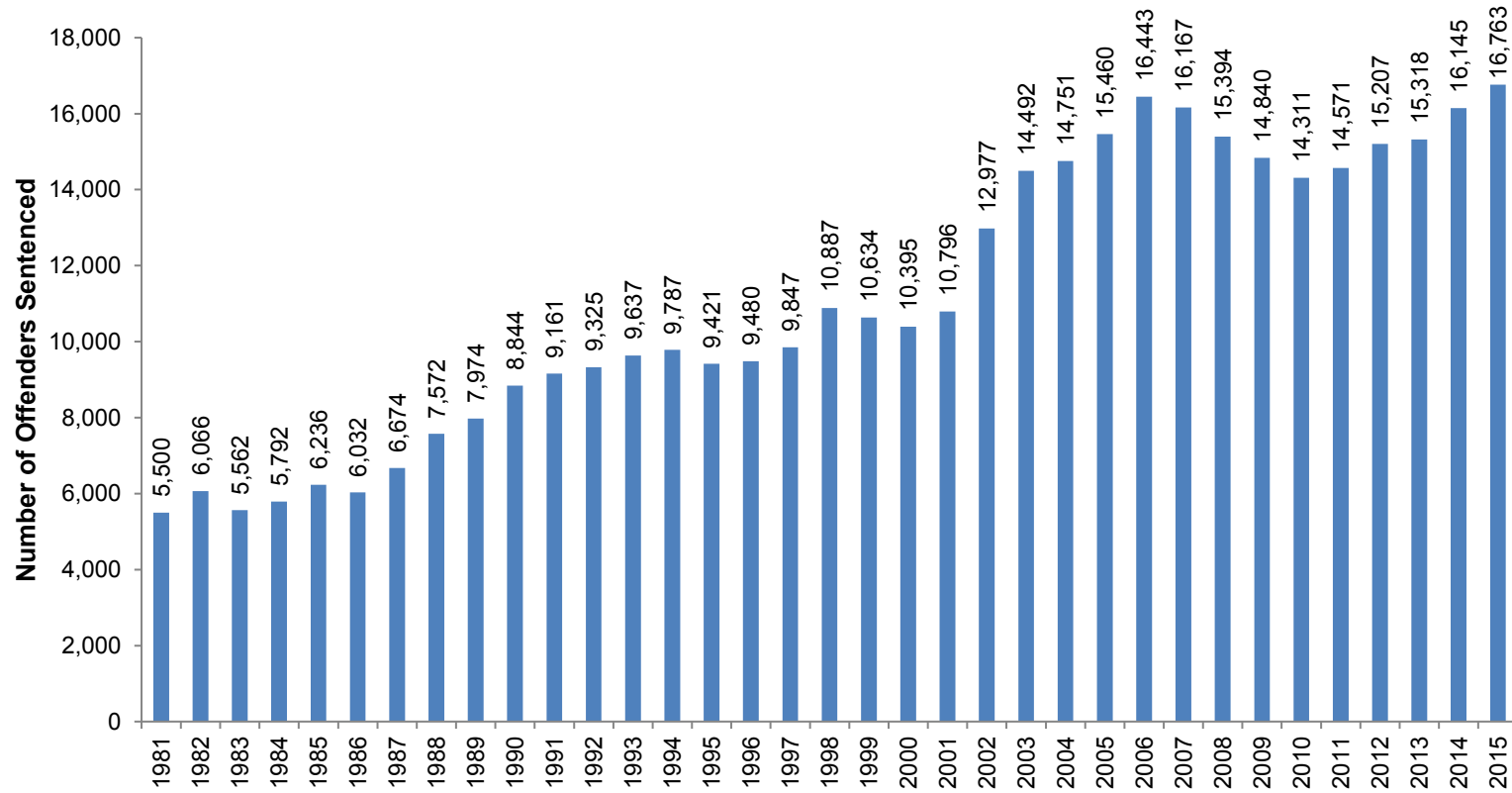
The total crime rate for "index crimes"<sup>6</sup> has fluctuated over time. It had declined in the five years prior to 2012, then went up by 0.7 percent. The crime rates in 2013 through 2015 represented declines. (The 2015 crime rate of 2,368 crimes per 100,000 in population represents a decrease of 6.3 percent from the 2014 rate.) In 2015 there were 13,294 reported violent crimes in Minnesota, an increase of 7.6 percent from the 12,357 violent crimes reported in 2014.

<sup>3</sup> "Non-CSC sex offenses" are offenses on the sex offender grid other than criminal sexual conduct (chiefly failure to register as a predatory offender and possession and dissemination of child pornography).

<sup>4</sup> "Other" category: Fleeing police, escape, and other offenses of less frequency including crimes against the government such as tax offenses, failure to appear in court, and aiding an offender.

<sup>5</sup> "Weapon" offenses include: possession of a firearm by a felon convicted of a crime of violence, firearm discharge, possession of teargas and explosive devices and other weapon related offenses.

<sup>6</sup> "Index Crimes" are Murder, Forcible Rape, Robbery, Aggravated Assault, Burglary, Larceny, Motor Vehicle Theft, and Arson. "Violent Crimes" are Murder, Forcible Rape, Robbery, and Aggravated Assault. *1995 to 2015 Uniform Crime Reports*, State of Minnesota, Department of Public Safety, obtained September 2016, at <https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Pages/uniform-crime-reports.aspx>.

*Case Volume and Distribution***Figure 1. Number of Offenders Sentenced for Felony Convictions, 1981-2015**

**Figure 2. Percent Change in Number of Offenders Sentenced for Felony Convictions, 1982-2015**

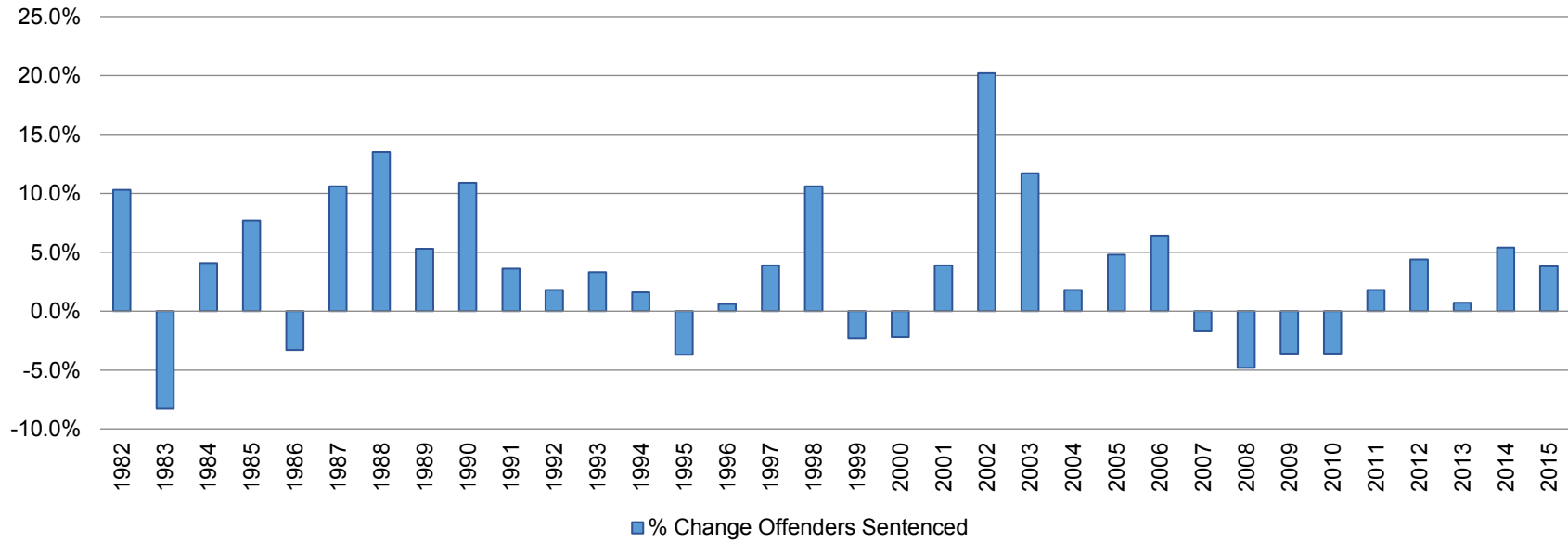


Figure 3. Year-by-Year Percent Change by Offense Type, 2001-2015

Year Sentenced	Total (All Offenses)	Person	Property	Drug	Felony DWI	Non-CSC Sex Offense <sup>7</sup>	Weapon <sup>8</sup>	Other <sup>9 10</sup>
2001	3.9%	3.8%	4.2%	0.0%				13.3%
2002	20.2%	10.4%	17.9%	31.9%				16.3%
2003	11.7%	6.2%	2.4%	13.8%				2.2%
2004	1.8%	1.1%	-0.8%	3.6%	6.2%			6.2%
2005	4.8%	6.4%	2.0%	8.1%	-3.0%			7.6%
2006	6.4%	13.7%	7.9%	2.7%	-5.5%			1.1%
2007	-1.7%	7.3%	-4.0%	-7.1%	-6.7%			3.7%
2008	-4.8%	2.9%	-11.5%	-6.9%	6.0%			-0.1%
2009	-3.6%	6.6%	-7.0%	-7.7%	-9.6%			-7.0%
2010	-3.6%	2.0%	-6.8%	-7.0%	-5.3%	3.1%	-1.3%	-3.0%
2011	1.8%	1.7%	-2.4%	2.5%	-1.0%	9.9%	9.8%	20.3%
2012	4.4%	3.5%	8.8%	4.2%	-4.4%	4.0%	18.8%	-11.5%
2013	0.7%	-0.1%	-1.7%	7.6%	-19.2%	4.6%	13.4%	-5.2%
2014	5.4%	1.4%	1.3%	14.2%	28.6%	-2.1%	0.2%	2.6%
2015	3.8%	1.6%	-0.3%	12.6%	-10.5%	-7.1%	2.1%	15.0%

<sup>7</sup> "Non-CSC sex offenses" are offenses on the Sex Offender Grid other than criminal sexual conduct (chiefly failure to register as a predatory offender and possession and dissemination of child pornography).

<sup>8</sup> "Weapon" category includes: Possession of a firearm by a felon convicted of a crime of violence, discharge of firearm, and other weapon related offenses.

<sup>9</sup> "Other" category includes: Fleeing police, escape, voting violations, tax evasion laws, and other offenses of less frequency.

<sup>10</sup> "Other" category includes DWI before 2004 and non-CSC sex offenses and weapon offenses before 2010.

## **Change in Case Volume by Offense Type**

Figure 3 shows the percent change, by offense type, in the number of offenders sentenced.

### *Person Offenses*

Person offenses increased every year from 2001 to 2012, until decreasing slightly in 2013. In 2014 and 2015, the number increased slightly by 1.4 and 1.6 percent. Person offenses accounted for approximately 30 percent of total felony crimes sentenced, a decrease from 2010 to 2013 (32%), which is the all-time high for the category since the Guidelines went into effect (Figure 5).

- *Criminal Sexual Conduct (CSC)*

There were 537 offenders sentenced for CSC in 2015, which was up nine percent from 2014 (491 offenders sentenced). The 2014 number was the lowest number since 1983. The number has fluctuated since 1981, peaking at 880 offenders in 1994 (39% greater than the number sentenced in 2015). Almost all of the growth since 1981 has been in the CSC child provisions (intra-familial sex abuse and provisions specifying the age of the victim). For a more detailed discussion, see MSGC's criminal sexual conduct data report at <http://mn.gov/sentencing-guidelines/reports>.

- *Domestic Assault-Related Offenses*

Much of the growth in person offenses can be attributed to an increase in domestic assault-related offenses, including domestic assault, domestic assault by strangulation, and violations of restraining orders (Figure 4). This may be, in part, due to legislative changes in 2006 that removed the requirement that a prior offense had to be against the same victim, expanded the look-back period to 10 years, and also expanded the list of qualified priors.<sup>11</sup> The number of offenders sentenced for domestic assault has grown dramatically since 2006 (from 100 in 2006 to 612 in 2014). In 2015, the number fell to 568 (a 7% decrease). There was a slight decrease in the number sentenced for domestic assault by strangulation from 2014 to 2015 (Figure 4).

The felony crime of violation of a domestic abuse no contact order (VDANCO) was created in 2007.<sup>12</sup> The number sentenced grew rapidly until 2011, and declined in 2012 and 2013. From 2013 to 2014, the number increased by 17 percent and by 13 percent in 2015. The number of offenders sentenced for violations of harassment restraining orders (VHRO)<sup>13</sup> went up and the number sentenced for violations of orders for protection (VOFP) went down. The total combined number of offenders sentenced for VDANCO, VHRO, and VOFP grew by 11 percent between 2014 and 2015 (Figure 4). For a more detailed discussion, see MSGC's assaults and violations of harassment restraining orders report at <http://mn.gov/sentencing-guidelines/reports>.

- *Assault Offenses*

The number of offenders sentenced for first- through (felony) fifth-degree assaults remained relatively unchanged at 1,014 in 2014 to 1,021 in 2015; a slight increase of 0.6 percent. First- and third-degree grew by about 11 percent while the other assaults dropped; second- (down 0.3%), fourth- (down 17%), and (felony) fifth-degree (down 8%).

<sup>11</sup> [2006 Minn. Laws ch. 260](#), Art. 1, §§ 12 & 19.

<sup>12</sup> [2007 Minn. Laws ch. 54](#), Art. 2, § 1 (enhancing DANCO violations by repeat offenders to felony level).

<sup>13</sup> This offense is not necessarily related to domestic assault, as the victim need not be a relative of the perpetrator.

### *Drug Offenses*

With a 13 percent increase over the previous year, drug offenses showed the second highest percent change of the offense categories (Figure 3). In 2013, drug offenses rose to make up 25 percent of felony offenses sentenced. In 2014, that percent rose again to 27 percent and in 2015 the proportion of cases composed of drug offenses rose to 29 percent (Figure 5).

### *Property Offenses*

Property offenses sentenced decreased slightly by 0.3 percent. Other than in 2012 (when it increased by 9%) and 2014 (when it increased by 1.3%), the property offenses category has declined in every year since 2006 (Figure 3). The proportion of total crimes sentenced that were property offenses decreased from 30 percent in 2013 to 28 percent in 2014 (the lowest level observed in the past fourteen years), to 27 percent in 2015. This proportion is lower than that seen before 2003 when property offenses made up over 40 percent of the cases sentenced (Figure 5).

### *Felony DWI*

The number of felony DWI offenders sentenced peaked in 2004 at 860 and declined in most years since. In 2013, the number was 510, a decrease of 19 percent from the previous year (Figure 3). This was the largest decrease. In 2014, it increased to 656 offenders (up 29%). In 2015, it decreased to 587 (down 12%). These sharp fluctuations may be due to challenges to procedures for collecting evidence without a warrant.

### *Non-CSC Sex Offenses*

There was a seven percent decrease in the number of offenders in the non-CSC sex offense category (Figure 3). Failure to register as a predatory offender went down (from 414 to 372) and child pornography went up (from 90 to 96).

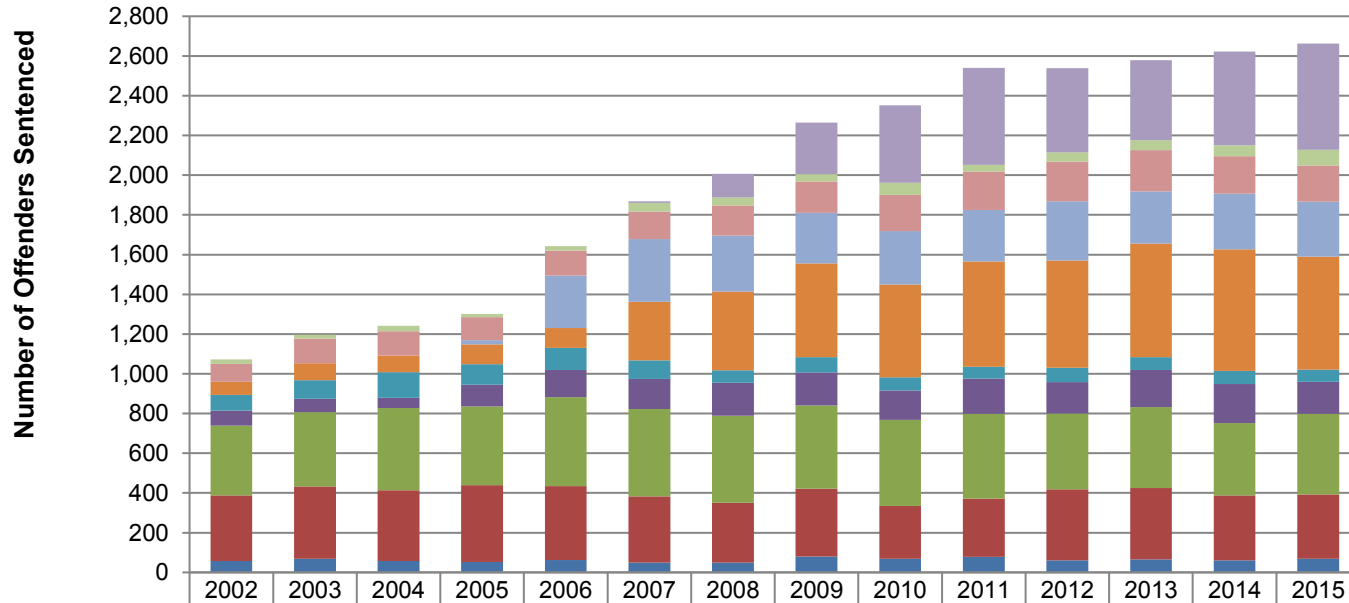
### *Weapon Offenses*

In 2015, weapon offenses were removed from the “other” category and placed in a newly created “weapon” category in order to further limit the number of offenses described as “other.” The number of weapon offenses sentenced increased two percent from 2014 to 2015 (Figure 3). Ineligible felon in possession of a firearm or ammunition decreased by two percent (from 371 to 364) and possession, use, sale or furnishing of tear gas and incapacitation devices doubled from 2014 to 2015 (from 10 cases to 20).

### *Other Offenses*

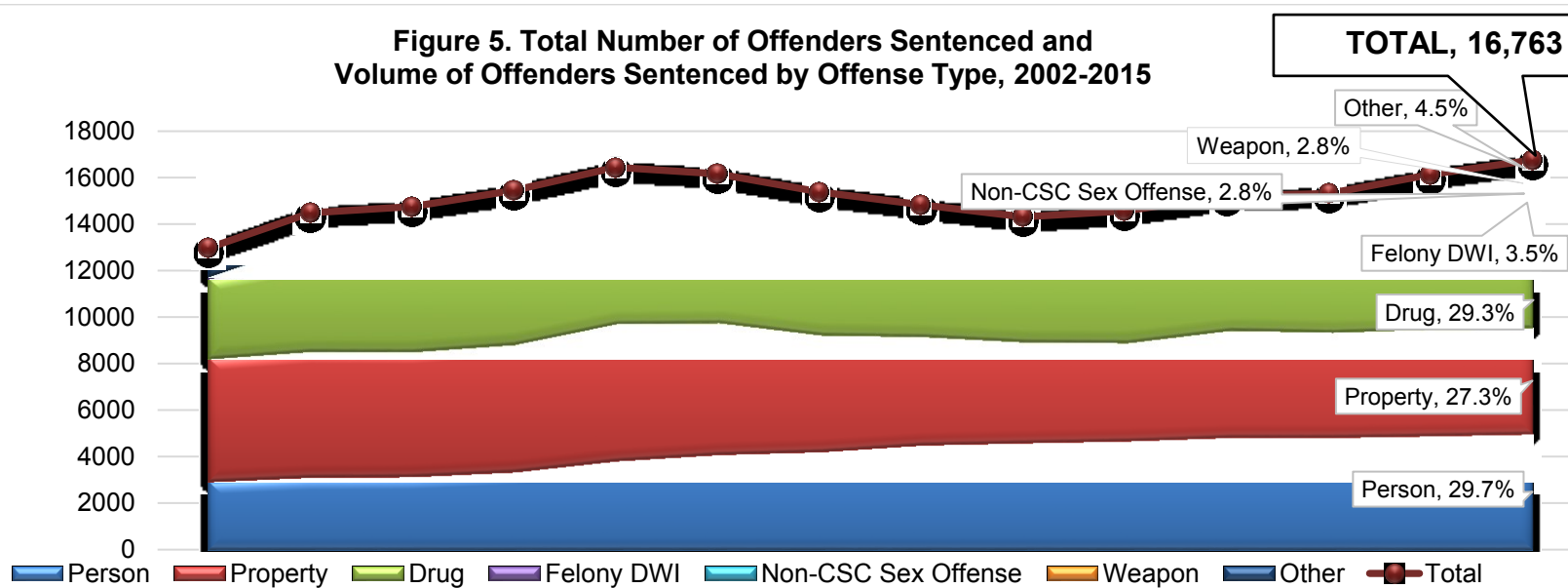
The remaining offenses in the “other” category are largely crimes against the government. The number sentenced for those offenses increased by 19 percent. Fleeing a peace officer is the most frequently occurring offense in this category and increased from 404 in 2014 to 480 in 2015 (by 19%). Tax offenses increased from eight in 2014 to 30 in 2015 (by 83%) and failure to appear in court more than doubled (from 14 to 34 cases). Escape from custody decreased by 19 percent (from 79 to 64).

Figure 4. Frequency of Assault and Restraining Order Offenses, 2002-2015



	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
VDANCO						9	119	259	390	488	423	403	472	534
VHRO	22	19	26	17	22	43	41	37	61	34	47	50	54	80
VOFP	91	125	123	116	126	139	151	159	183	193	199	208	189	181
Dom. Assault by Strang.				20	264	315	282	255	268	260	298	263	281	278
Domestic Assault	65	85	84	100	100	295	396	471	467	529	541	572	612	568
Assault 5	79	94	129	104	112	93	63	78	66	60	72	63	66	61
Assault 4	76	68	52	110	137	152	166	165	149	178	157	187	196	162
Assault 3	351	373	413	395	447	440	438	420	433	426	382	408	365	405
Assault 2	330	365	356	388	373	333	302	341	267	293	359	359	326	325
Assault 1	58	68	58	52	62	50	49	80	68	79	60	66	61	68

**Figure 5. Total Number of Offenders Sentenced and Volume of Offenders Sentenced by Offense Type, 2002-2015**



Offense Type		2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Person	#	2,957	3,141	3,174	3,376	3,839	4,117	4,238	4,517	4,605	4,685	4,841	4,836	4,905	4,982
	%	22.8%	21.7%	21.5%	21.8%	23.3%	25.5%	27.5%	30.4%	32.2%	32.2%	31.8%	31.6%	30.4%	29.7%
Property	#	5,271	5,395	5,350	5,455	5,886	5,650	5,003	4,651	4,334	4,232	4,604	4,528	4,589	4,575
	%	40.6%	37.2%	36.3%	35.3%	35.8%	34.9%	32.5%	31.3%	30.3%	29.0%	30.3%	29.6%	28.4%	27.3%
Drug	#	3,423	3,896	4,038	4,364	4,484	4,166	3,878	3,578	3,326	3,409	3,552	3,821	4,363	4,913
	%	26.4%	26.9%	27.4%	28.2%	27.3%	25.8%	25.2%	24.1%	23.2%	23.4%	23.4%	24.9%	27.0%	29.3%
Felony DWI	#	102	810	860	834	788	735	779	704	667	660	631	510	656	587
	%	0.8%	5.6%	5.8%	5.4%	4.8%	4.5%	5.1%	4.7%	4.7%	4.5%	4.1%	3.3%	4.1%	3.5%
Non-CSC Sex Offense	#	0	0	0	0	0	0	0	0	0	476	495	518	507	471
	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	3.3%	3.3%	3.4%	3.1%	2.8%
Weapon Offense	#	0	0	0	0	0	0	0	0	0	346	411	466	467	477
	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	2.4%	2.7%	3.0%	2.9%	2.8%
Other	#	1,224	1,250	1,329	1,431	1,446	1,499	1,496	1,390	1,379	765	677	642	659	758
	%	9.4%	8.6%	9.0%	9.3%	8.8%	9.3%	9.7%	9.4%	9.6%	5.3%	4.5%	4.2%	4.1%	4.5%
<b>Total</b>	<b>#</b>	<b>12,977</b>	<b>14,492</b>	<b>14,751</b>	<b>15,460</b>	<b>16,443</b>	<b>16,167</b>	<b>15,394</b>	<b>14,840</b>	<b>14,311</b>	<b>14,571</b>	<b>15,207</b>	<b>15,318</b>	<b>16,145</b>	<b>16,763</b>



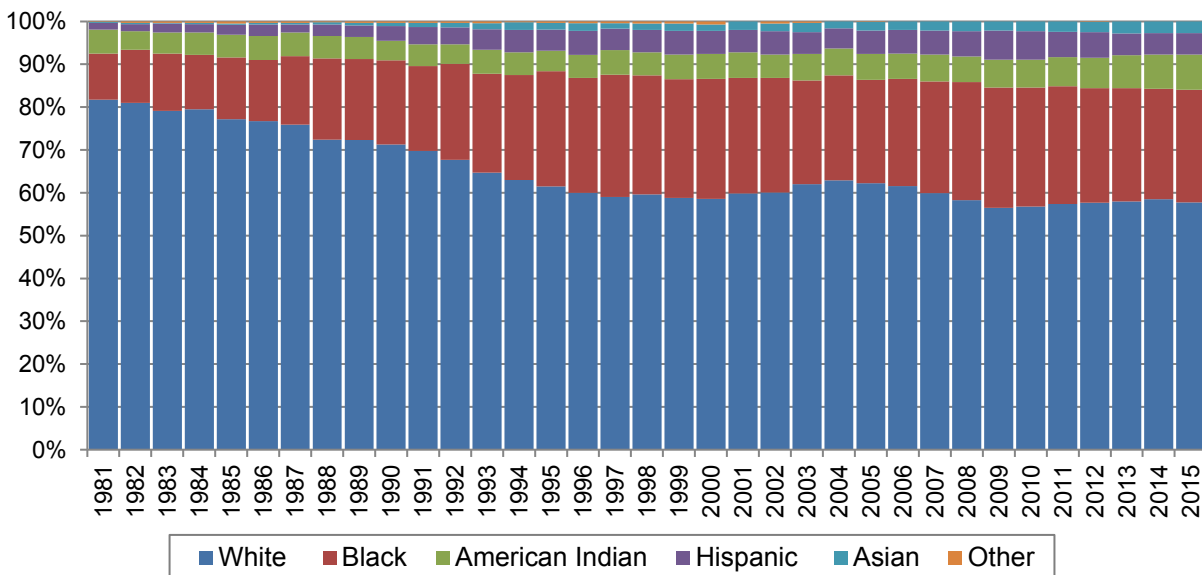
### Distribution of Offenders by Gender, Race/Ethnicity and Judicial District

Males have always accounted for more than 80 percent of the felony offenders in Minnesota (Table 5). In 2015, 81.3 percent of the offenders sentenced were male and 18.7 percent were female. Figure 6 shows the racial and ethnic composition of the felony offender population from 1981 through 2015. The percentage of offenders who are white has decreased by roughly 25 percent since 1981. This is largely due to an increase in the percentage of black offenders, though the percentage of other non-white offenders (particularly Hispanic offenders) has also increased.

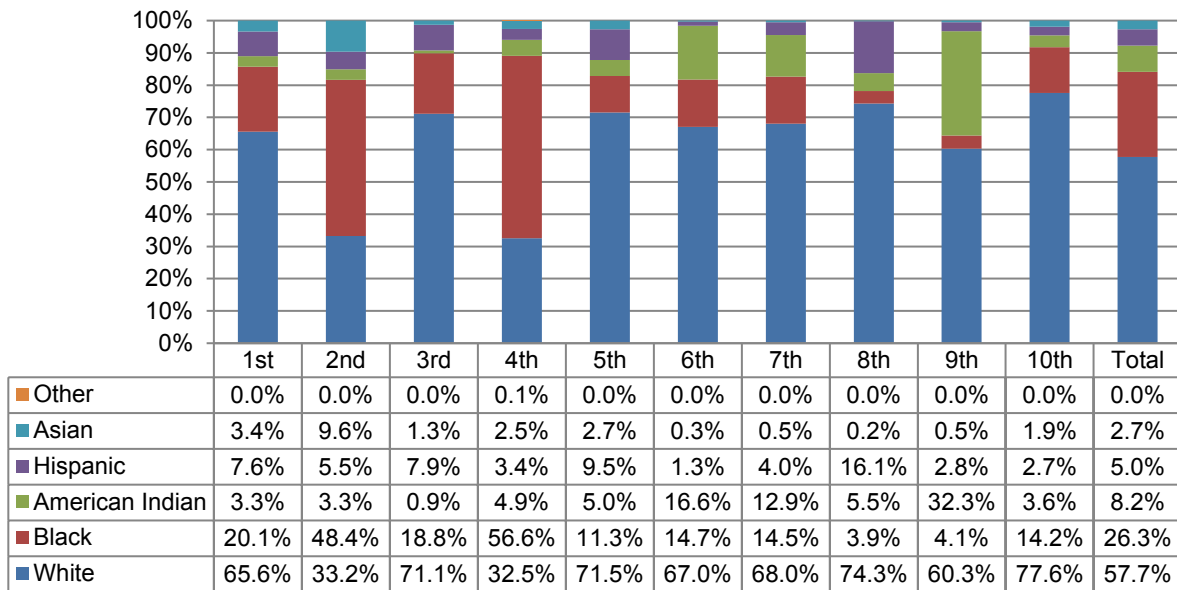
The percent of offenders who are black increased from 25.8 percent in 2014 to 26.3 percent in 2015. The percent who are white decreased slightly from 58.5 percent to 57.7 percent. The percent who are American Indians increased, while the percent who are Hispanic or Asian remained similar to that seen in 2014.

Figure 7 displays the 2015 distribution of the racial and ethnic composition by Minnesota Judicial District. The largest populations of black offenders were in the Second Judicial District (Ramsey County) and the Fourth Judicial District (Hennepin County). These districts include the cities of St. Paul and Minneapolis. More information on case volume and distribution can be found in tables 5, 6, 7, 8, 9, 10, and 11a & 11b. County-level information can be found in tables 23, 24, and 25.

**Figure 6. Distribution of Felony Offenders by Race/Ethnicity, 1981-2015**



**Figure 7. Distribution of Felony Offenders by Race and Judicial District, 2015**



## Incarceration Rates

Under Minn. Stat. § [609.02](#), a felony sentence must be at least 366 days long in Minnesota. Sentences of one year or less are gross misdemeanors or misdemeanors and are served in local correctional facilities.

The Guidelines presume who should go to state correctional institutions (prison) and for how long. Imprisonment rates are related to the Guideline recommendations and are based on the seriousness of the offense and the offender's criminal history score. In cases in which prison sentences are stayed, the court usually places the offender on probation. As a condition of probation, the court can impose up to one year of incarceration in a local correctional facility. Probationers usually serve time in a local facility and are often given intermediate sanctions such as treatment (residential or nonresidential), restitution, and fines.

There are no specific guidelines to the court regarding the imposition of these intermediate sanctions.<sup>14</sup> MSGC's monitoring system, which provided the information used in this report, includes only limited information regarding these sanctions. This monitoring system contains information on whether the court pronounced local confinement time as a condition of the offender's probation and for how long, but does not contain information regarding other sanctions imposed. The local incarceration rate reported in this data summary represents the percentage of all offenders convicted of felonies for whom the court pronounced local confinement time as a condition of a stayed sentence or whose crimes were sentenced as misdemeanors or gross misdemeanors.

The total incarceration rate describes the percentage of offenders who received a sentence that included incarceration in a state prison or local correctional facility, such as a jail or workhouse, following conviction. Figure 8 shows the total incarceration rate, as well as the separate rates for prison and local confinement from 1982 to 2015. The total incarceration rate in 1978 (pre-Guidelines) was 55.8% (20.4% incarcerated in state prison and 35.4% in conditional confinement). In 1981, the total incarceration rate was 61.2% (15% incarcerated in state prison and 46.2% in conditional confinement). The total incarceration rate has grown steadily over the last 33 years, from 61 percent in 1981, to 85 percent or more since 1991. Except for 2010, the total incarceration rate has remained above 90 percent since 2003. In 2015, 91.8 percent of offenders received a sentence that included incarceration in a state prison or a local correctional facility.

The 2012-15 imprisonment rates were the highest rates observed since the Guidelines were implemented. In 2015, the imprisonment rate was 26.2 percent. The total conditional confinement rate was 65.6 percent. Of the 12,371 who did not receive an executed prison sentence<sup>15</sup>, 88.9 percent<sup>16</sup> received either confinement time as a condition of probation or a non-felony local confinement sentence.

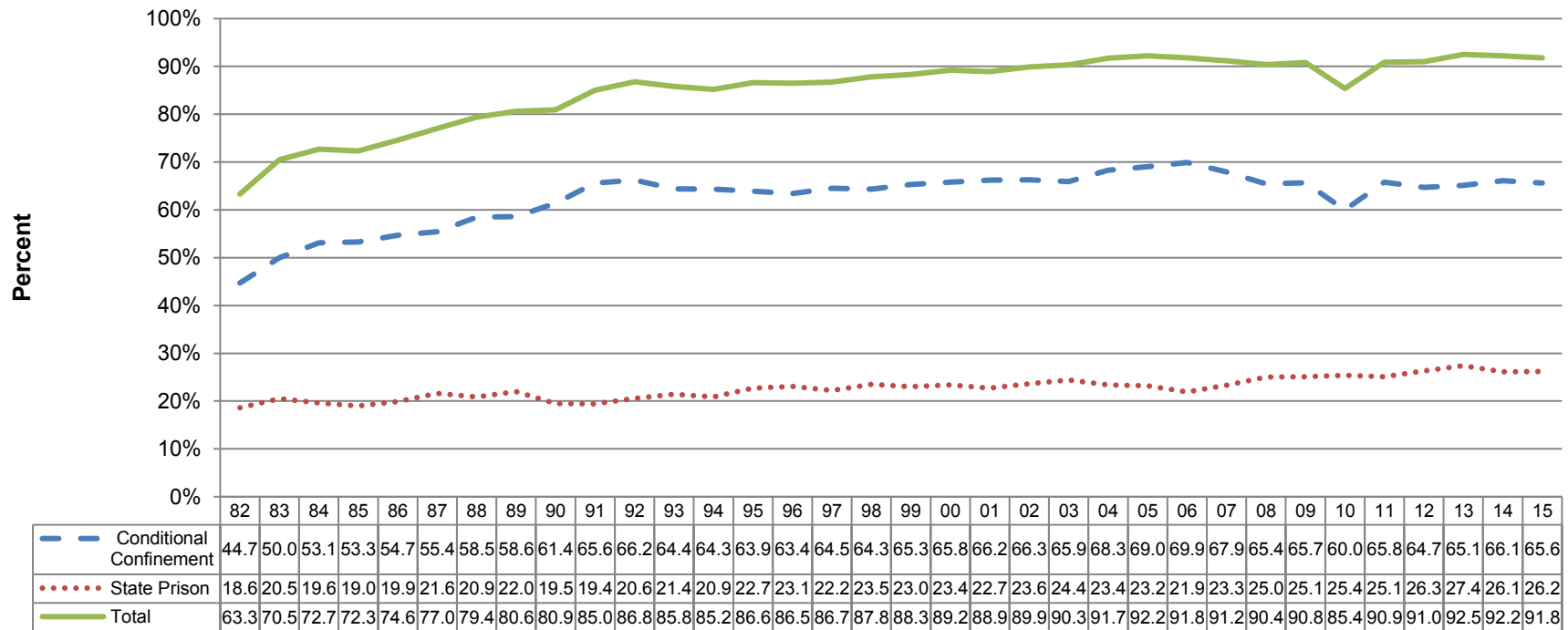
More offenders are recommended imprisonment under the Guidelines than actually receive a prison sentence. In 2015, 33.2 percent of offenders were recommended a prison sentence compared to the actual imprisonment rate of 26.2 percent. See tables 12, 13, and 14 for presumptive imprisonment rates over time by race, gender, and Judicial District.

<sup>14</sup> For general guidance, see Minnesota Sentencing Guidelines § 3.A.2.

<sup>15</sup> See Table 1. Total cases (16,763) – total receiving prison (4,392) = 12,371

<sup>16</sup> See Table 1. Total receiving conditional confinement (10,996) / # offenders not receiving prison (12,371) = .889.

Figure 8. Total Incarceration Rates: 1982-2015



---

## **Incarceration by Race/Ethnicity and Judicial District**

Below, table 1 provides total incarceration information for offenders sentenced in 2015. “Total Incarceration” includes all offenders receiving prison sentences or receiving local confinement time as a condition of a stayed sentence. When comparing imprisonment rates across various groups (sex, race, or Judicial District) it is important to note that much of the variation is directly related to the proportion of offenders in any particular group who are recommended a prison sentence by the Guidelines. Tables 12, 13, and 14 display presumptive imprisonment rates.

### *Race/Ethnicity*

The total incarceration rate varies somewhat across racial groups (ranging from 90.9% for white offenders to 93.4% for black offenders). Greater variation by race exists in the separate rates for prison and local confinement. White offenders were imprisoned at the lowest rate (23.2%) whereas black offenders were imprisoned at the highest rate (32.6%).

### *Judicial District*

Variation was also observed in incarceration rates by Judicial District. The Second Judicial District (Ramsey County) had the highest total incarceration rate (98.1%) and the Third Judicial District (southeast Minnesota) had the lowest total incarceration rate (82.1%). This variation continues with respect to the separate rates for prison and local confinement. The Eighth Judicial District (west-central counties) had the highest imprisonment rate (32%), and the Fifth Judicial District (southwestern counties) had the lowest imprisonment rate (20%). With regard to use of local confinement, the Second Judicial District had the highest rate (71.7%), and the Third Judicial District had the lowest rate (57.6%). See, p. 72, for a map of Minnesota’s ten judicial districts.

Historical information for incarceration rates can be found in tables 12, 13, 14, 15, 16, and 17. Additionally, Table 23 illustrates incarceration rates by county.

Table 1. Total Incarceration Rates by Gender, Race/Ethnicity, and Judicial District, 2015

		Total	Total Incarceration		Prison		Conditional Confinement	
		Cases	Number	Percent	Number	Percent	Number	Percent
<b>Gender</b>	Male	13,621	12,627	92.7	3,995	29.3	8,632	63.4
	Female	3,142	2,761	87.9	397	12.6	2,364	75.2
<b>Race/ Ethnicity</b>	White	9,677	8,792	90.9	2,241	23.2	6,551	67.7
	Black	4,409	4,119	93.4	1,437	32.6	2,682	60.8
	American Indian	1,382	1,277	92.4	364	26.3	913	66.1
	Hispanic	836	773	92.5	236	28.2	537	64.2
	Asian	458	426	93.0	114	24.9	312	68.1
	Other/Unknown	1	1	100.0	0	0.0	1	100.0
<b>Judicial District</b>	First	2,049	1,831	89.4	430	21.0	1,401	68.4
	Second	2,055	2,016	98.1	542	26.4	1,474	71.7
	Third	1,381	1,134	82.1	339	24.5	795	57.6
	Fourth	3,240	2,972	91.7	1,030	31.8	1,942	59.9
	Fifth	918	834	90.8	184	20.0	650	70.8
	Sixth	919	803	87.4	185	20.1	618	67.2
	Seventh	1,691	1,654	97.8	520	30.8	1,134	67.1
	Eighth	435	414	95.2	139	32.0	275	63.2
	Ninth	1,696	1,476	87.0	440	25.9	1,036	61.1
	Tenth	2,379	2,254	94.7	583	24.5	1,671	70.2
<b>Total</b>		<b>16,763</b>	<b>15,388</b>	<b>91.8</b>	<b>4,392</b>	<b>26.2</b>	<b>10,996</b>	<b>65.6</b>

## Average Pronounced Sentences (Durations)

### **State Prison**

The average pronounced prison sentence in 2015 was 45.0 months, a slight decrease over 2014 (Table 2). The average varied by applicable Grid: 41.7 months for offenders with presumptive sentences on the Standard Grid and 71.0 months for offenders with presumptive sentences on the Sex Offender Grid.<sup>17</sup>

The average has fluctuated over time. Sentence lengths have increased since 1989. From 1981 to 1989, the average was 37.5 months, increasing to 46.7 months from 1990 to 2015. Numerous changes in sentencing practices and policies, as well as changes in the distribution of cases affected the average. Increases after 1989 were due to both the increased presumptive sentences adopted by the Commission in 1989 and, until recent years, an increase in the number of upward durational departures.

Fluctuations since 1989 appear to be further impacted by changes to presumptive sentences and changes in the distribution of cases across severity and criminal history. In addition, variations in aggravated and mitigated durational departure rates have contributed to changes in the length of sentences pronounced. In 2005, the Commission widened the ranges on the Standard Grid; and in 2006, a separate Sex Offender Grid was adopted, giving higher presumptive sentences to repeat offenders and offenders with prior criminal history records.

### *Life Sentences*

In 2015, five offenders received life sentences, all for first-degree murder. All of those life sentences were with no release possible. Those offenders are excluded from the averaged pronounced prison sentence reported here. No offenders sentenced for criminal sexual conduct offenses received a life sentence.

**Table 2. Average Pronounced Prison Sentence**

Executed Prison Sentences  
(in months)

2015	45.0
2014	45.5
2013	45.2
2012	47.3
2011	45.6
2010	46.5
2009	42.8
2008	45.0
2007	44.8
2006	44.8
2005	45.7
2004	45.1
2003	51.2
2002	47.2
2001	49.8
2000	49.7
1999	47.9
1998	47.0
1997	44.5
1996	47.4
1995	48.5
1994	51.3
1993	46.9
1992	48.6
1991	45.2
1990	45.7
1989	37.7
1988	38.1
1987	36.3
1986	35.4
1985	38.4
1984	36.2
1983	36.5
1982	41.0
1981	38.3

<sup>17</sup> In 2015, 49 offenders (0.3%) had an offense committed before August 1, 2005; therefore, the "Pre-2005" Grid was used to determine the presumptive sentence. The average pronounced sentence was 101.3 months.

### **Local Confinement (i.e., Local Correctional Facilities and Workhouses)**

The average amount of local confinement pronounced as a condition of probation was 105 days in 2015, compared to 107 days in 2014. The average has remained largely constant since 1988 (Table 3).

Although information is available in the monitoring system regarding the amount of confinement a judge pronounces as a condition of probation, data on the actual amount of time served by the offender are not currently available in Minnesota. The average term pronounced as a condition of probation does not always provide a complete picture of how much time felons are spending on conditional confinement. For a variety of reasons, many offenders will not serve the full amount of time pronounced by the judge. Some offenders who have served time prior to sentencing may receive credit for this time off of the post-sentence time. Other offenders may be released to a treatment program. In addition, some offenders may serve a significant period of time prior to sentencing and additional time may not be pronounced as a condition of their probation.

**Table 3. Average Local Confinement**

Local Confinement (in days)

2015	105
2014	107
2013	106
2012	108
2011	107
2010	110
2009	107
2008	109
2007	109
2006	111
2005	110
2004	112
2003	112
2002	106
2001	105
2000	104
1999	103
1998	107
1997	107
1996	107
1995	108
1994	113
1993	112
1992	109
1991	106
1990	110
1989	110
1988	108
1987	116
1986	113
1985	120
1984	126
1983	132
1982	144
1981	166



## Departures from the Sentencing Guidelines

A “departure” is a pronounced sentence other than that recommended in the appropriate cell of the applicable Grid. There are two types of departures – dispositional and durational – as further explained below. Since the presumptive sentence is based on “the typical case,” the appropriate use of departures by the courts when substantial and compelling circumstances exist can actually enhance proportionality by varying the sanction in an atypical case.

While the court ultimately makes the sentencing decision, other criminal justice professionals and victims participate in the decision-making process. Probation officers make recommendations to the courts regarding whether a departure from the presumptive sentence is appropriate, and prosecutors and defense attorneys arrive at agreements regarding acceptable sentences for which an appeal will not be pursued. Victims are provided an opportunity to comment regarding the appropriate sentence as well. Therefore, these departure statistics should be reviewed with an understanding that, when the court pronounces a particular sentence, there is commonly agreement or acceptance among the other actors that the sentence is appropriate. Only a small percent of cases (1% to 2%) result in an appeal of the sentence pronounced by the court.

When there is departure from the presumptive sentence, the court is required to submit reasons for the departure to the Commission.<sup>18</sup> Along with reasons for departure, the court may supply information about the position of the prosecutor regarding the departure. In 2015, the Commission received departure reasons or information about the position of the prosecutor 95 percent of the time. In 2015, 97 percent of felony convictions were settled without a trial. The Commission recognizes the importance of plea agreements:

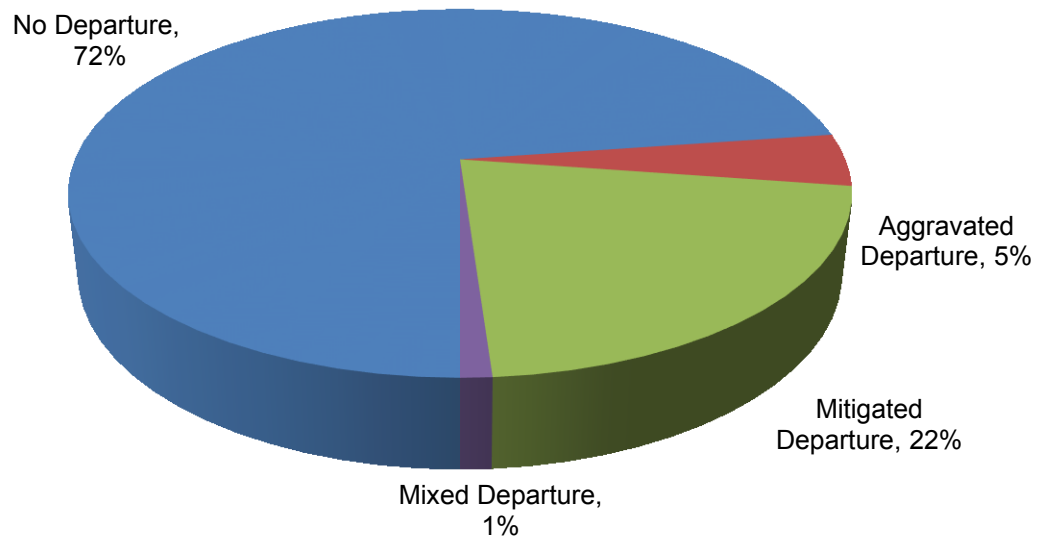
*Plea agreements are important to our criminal justice system because it is not possible to support a system where all cases go to trial. However, it is important to have balance in the criminal justice system where plea agreements are recognized as legitimate and necessary and the goals of the Guidelines are supported. If a plea agreement involves a sentence departure and no other reasons are provided, there is little information available to make informed policy decisions or to ensure consistency, proportionality, and rationality in sentencing. Departures and their reasons highlight both the success and problems of the existing Guidelines. When a plea agreement involves a departure from the presumptive sentence, the court should cite the reasons that underlie the plea agreement or explain its reasons for accepting the negotiation. (Minn. Sentencing Guidelines comment 2.D.104.)*

In 2015, 72 percent of all felony offenders sentenced received the presumptive Guidelines sentence. The remaining 28 percent received some type of departure (Figure 9).

Additional departure information can be found in tables 18, 19, 20, 21, and 22. Departure information by county can be found in tables 24 and 25.

<sup>18</sup> Minn. R. Crim. P. 27.03, subd. 4(C).

**Figure 9. Total Departure Rates, 2015**

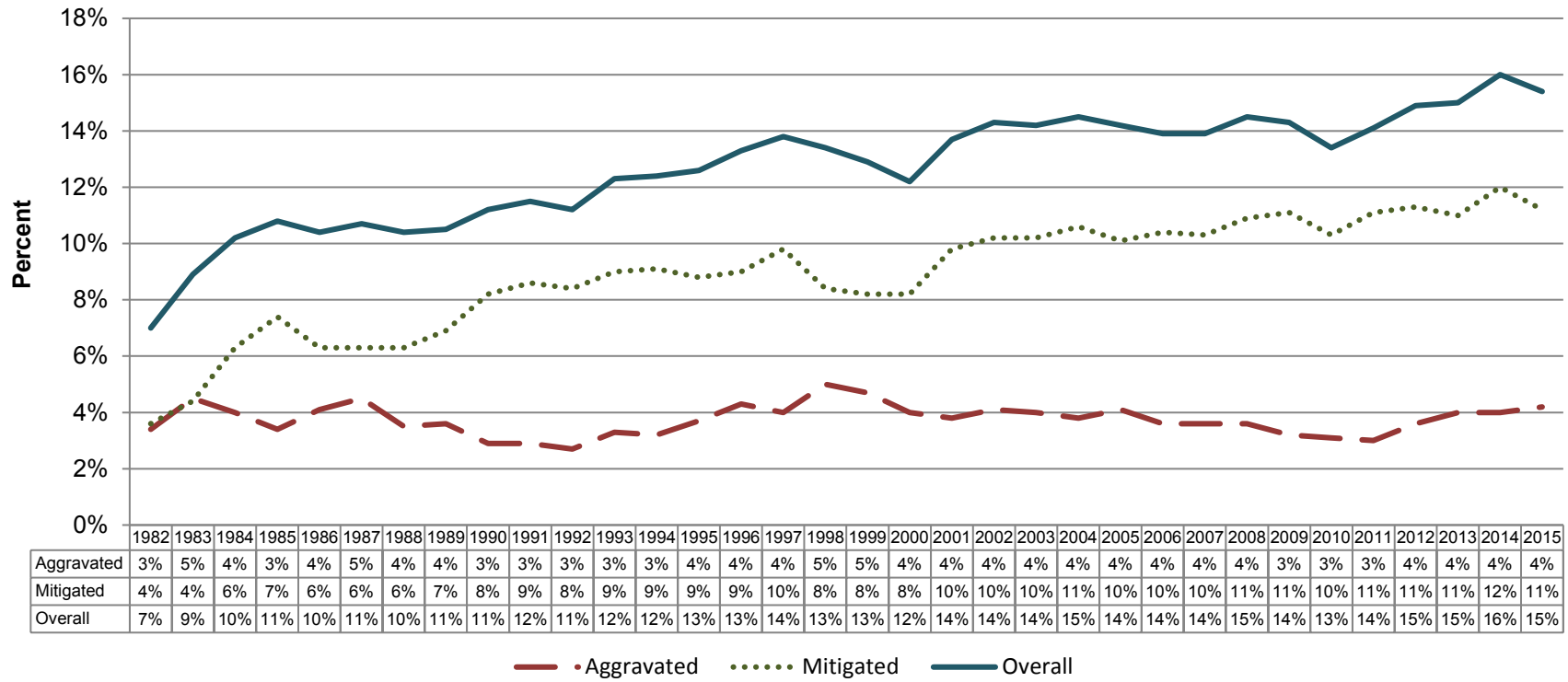


### *Dispositional Departures*

**Dispositional Departures.** A “dispositional departure” occurs when the court orders a disposition other than that recommended in the Guidelines. There are two types of dispositional departures: aggravated dispositional departures and mitigated dispositional departures. An aggravated dispositional departure occurs when the Guidelines recommend a stayed sentence but the court pronounces an executed prison sentence. A mitigated dispositional departure occurs when the Guidelines recommend a prison sentence but the court pronounces a stayed sentence.

A total 2,574 offenders (15.4%) received a dispositional departure from the Guidelines. In 700 cases (4.2%), the offenders received prison when the Guidelines recommended probation (“Aggravated”). In 1,874 cases (11.2%), the offenders received probation when the Guidelines recommended prison (“Mitigated”). The majority of the increase in the total departure rate since 1981 has resulted from increases in the mitigated dispositional departure rate (Figure 10).

Figure 10. Dispositional Departure Rates, 1982-2015

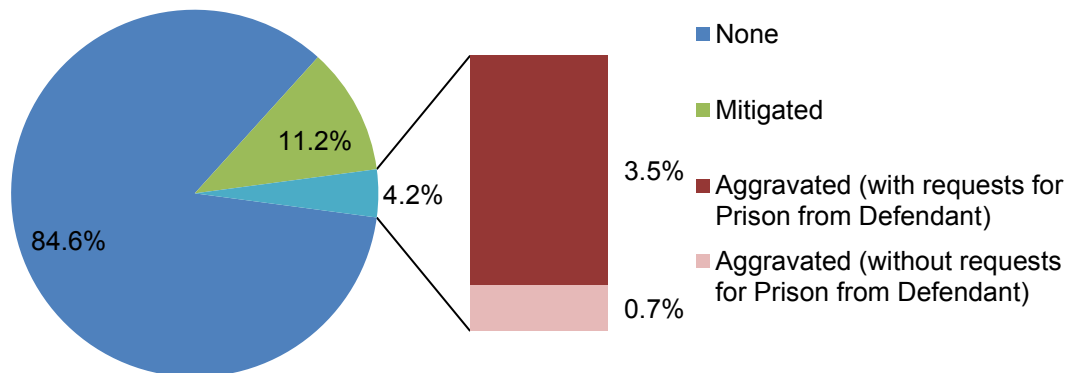


## Types of Dispositional Departures

**Aggravated dispositional departures:** 4.2 percent of all cases sentenced in 2015 were aggravated dispositional departures (Figure 10), the aggravated dispositional departure rate for offenders who were recommended a stayed sentence was 6.2 percent (Table 19).

Most aggravated dispositional departures (84% in 2015) occur when an offender with a presumptive stayed sentence requests an executed prison sentence or agrees to the departure as part of a plea agreement. This request is usually made in order for the offender to serve the sentence concurrently with another prison sentence. The Commission has historically included these cases in the departure figures because, for the given offense, the sentence is not the presumptive Guidelines sentence.<sup>19</sup> If requests for prison are not included in the analysis, the aggravated dispositional departure rate—as a measure of judicial compliance—is less than one percent (Figure 11-inset). The inclusion of these cases inflates the aggravated dispositional departure rate to four percent and the total dispositional departure rate to 16 percent (Figure 10). Because aggravated dispositional departures represent such a small percentage of cases, the remainder of this analysis of departures will focus on mitigated dispositional departures.

**Figure 11. Dispositional Departure Rates with and without Requests for Prison from Defendant, 2015**



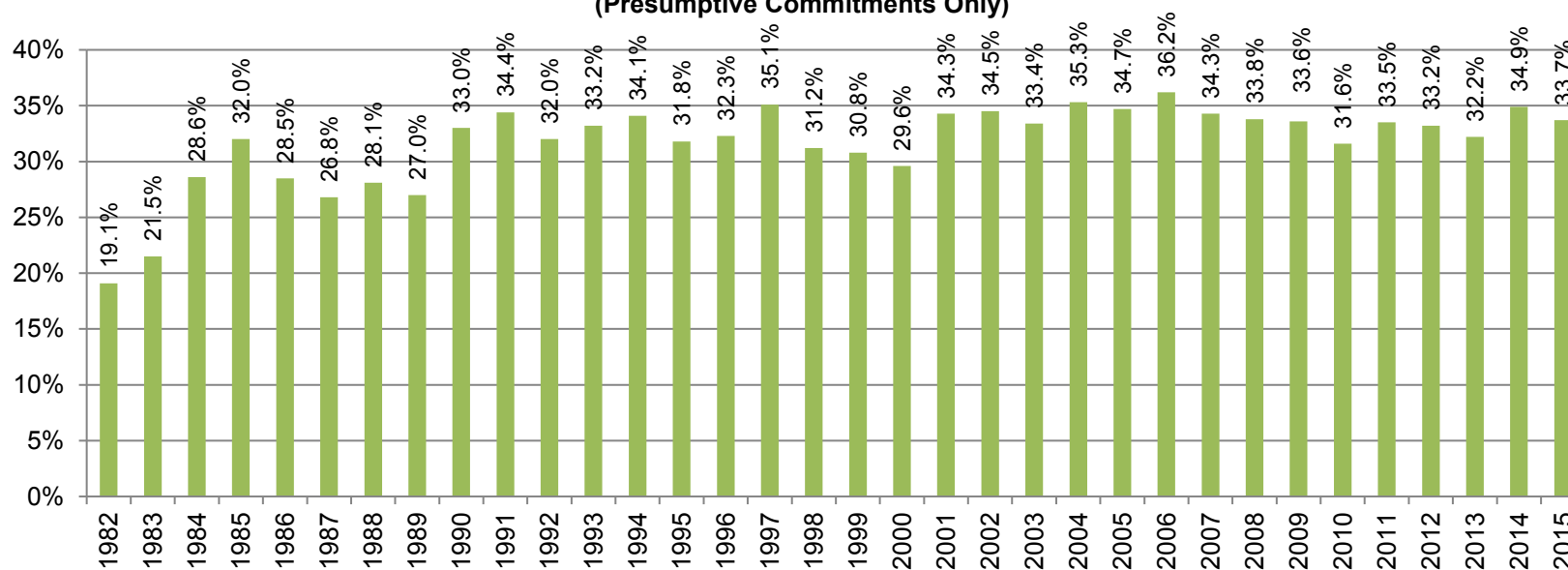
**Mitigated dispositional departures:** 11 percent of all offenders sentenced in 2015 had mitigated dispositional departures (Figure 10). This next section focuses on departures for presumptive commitment cases (those offenders who were recommended prison). As a result of having fewer cases, the departure rates are significantly higher than the total rate.

<sup>19</sup> Effective with the August 1, 2015, amendments to Minnesota Sentencing Guidelines § 2.D.1, a sentence that is executed pursuant to an offender's right to demand execution will no longer be considered an aggravated dispositional departure. Four of the cases in this report fell within the scope of the amended rule.

### Mitigated Dispositional Departure Rate for Presumptive Commitments

In 2015, the mitigated dispositional departure rate for offenders recommended prison under the Guidelines was 33.7 percent (1,874 of the 5,561 offenders recommended prison), which is lower than the rate observed in 2014 (Figure 12). The highest rate was 36.2 percent in 2006.

**Figure 12. Mitigated Dispositional Departure Rates, 1982-2015  
(Presumptive Commitments Only)**



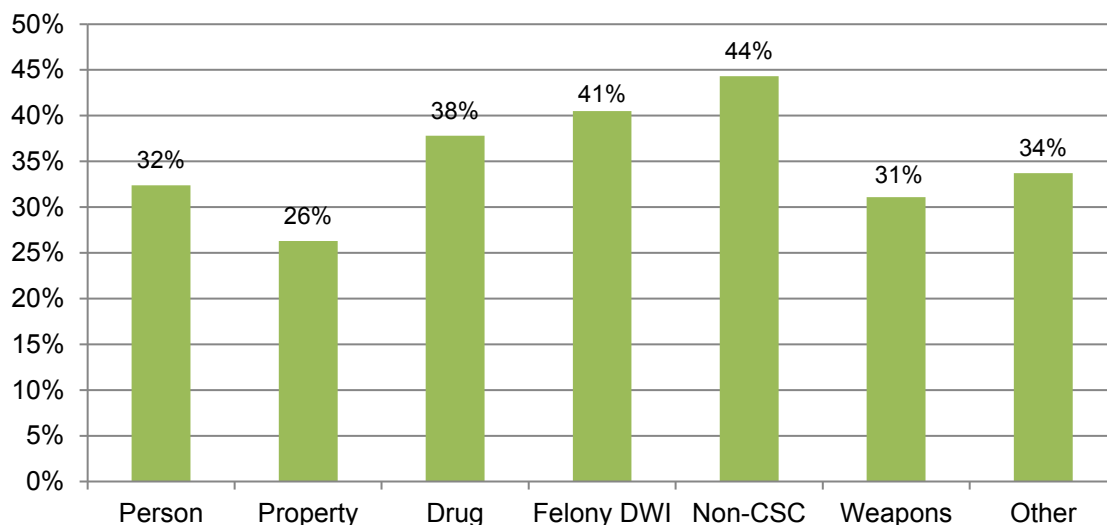
### **Mitigated Dispositional Departure Rates by Gender, Race/Ethnicity, and Judicial District**

Table 19 illustrates dispositional departure rates by gender, race/ethnicity, and judicial district for presumptive commitment offenses. The mitigated dispositional departure rate is higher for women (52.4%) than men (31.8%). When examined by racial and ethnic composition, the mitigated dispositional departure rate ranged from a low of 26.2 percent for Asian offenders to a high of 37.0 percent for white offenders. There was also variation in the rate by Minnesota Judicial District, ranging from lows of 24.6 percent in the Seventh District (includes the cities of Moorhead and St. Cloud) and 27.8 percent in the Eight District (includes the City of Willmar) to a high of 47.4 percent in the Fifth Judicial District (includes the City of Mankato). See, p. 72, for a map of Minnesota's ten judicial districts.

### **Mitigated Dispositional Departure Rate by Offense Type**

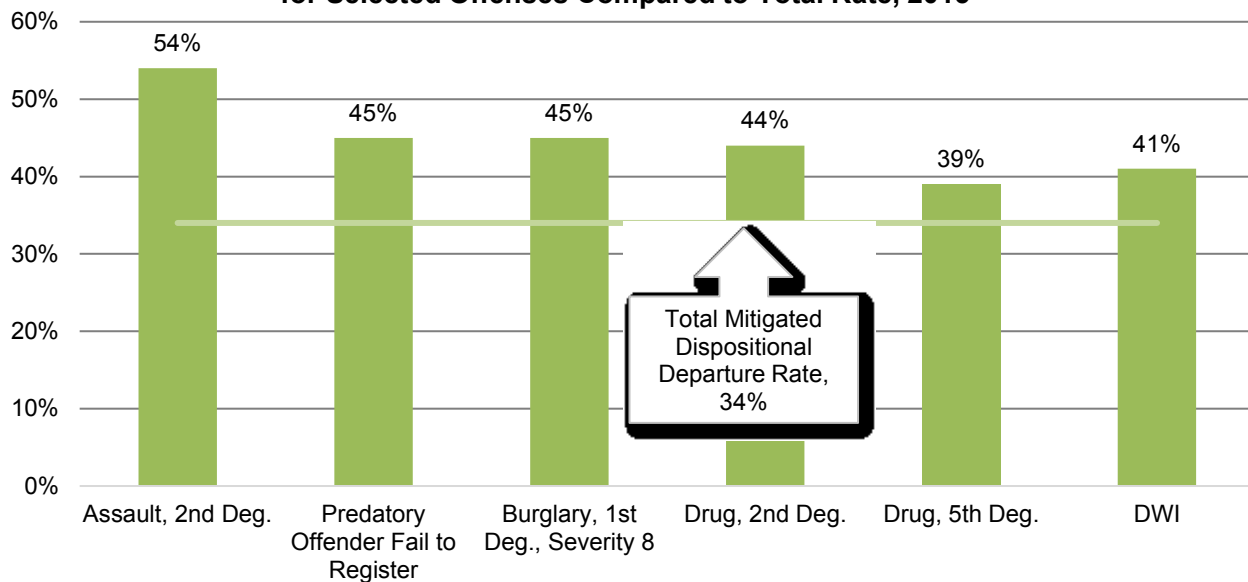
Figure 13 displays the mitigated dispositional departure rate by offense type. The rate is lowest for property offenses. The mitigated dispositional departure rate exceeded the 2014 rates for drug offenses (36% in 2014) and felony DWI (35% in 2014). The rates decreased for person offenses (37% in 2014) and non-CSC sex offenses (49% in 2014).

**Figure 13. Mitigated Dispositional Departure Rates  
by Offense Type, 2015  
(Presumptive Commitments Only)**



Even within offense types, departure rates vary by offense. Figure 14 displays the highest rates of mitigated dispositional departure compared to the total rate of 34 percent. The selected offenses were those with 50 or more presumptive commitment cases and a mitigated dispositional departure rate of 39 percent or more.

**Figure 14. Mitigated Dispositional Departure Rates for Selected Offenses Compared to Total Rate, 2015\***



\* The offenses were selected based on criteria that there were 50 or more “presumptive commitment” cases and the mitigated dispositional departure rate was 39 percent or more.

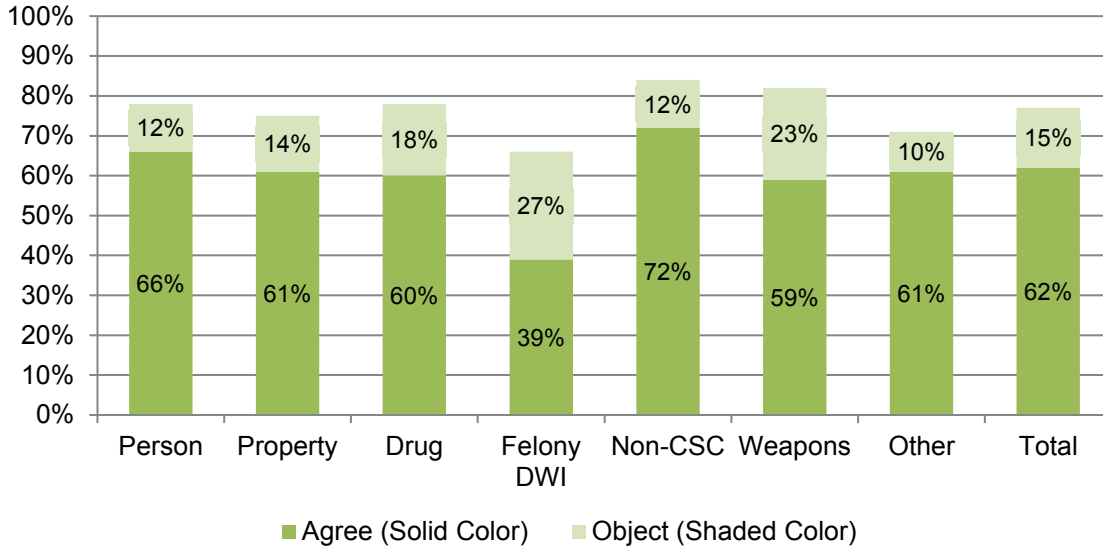
Two of the offenses highlighted in Figure 14, assault in the second degree and failure to register as a predatory offender, have mandatory minimum sentences specified in statute, with provisions allowing for departure from those mandatory minimums.

Assault in the second degree, by definition, involves the use of a dangerous weapon and therefore carries a mandatory minimum prison sentence (Minn. Stat. § [609.11](#), subds. 4, 5, and 9). The second-degree assault statute proscribes a broad range of misbehavior: Injury to the victim may or may not occur, and the type of dangerous weapon involved can vary widely, from a pool cue to a knife to a firearm. Circumstances surrounding the offense can also vary significantly, from barroom brawls to unprovoked confrontations. The mandatory minimum statute specifically permits the court to sentence without regard to the mandatory minimum, provided that substantial and compelling reasons are present (Minn. Stat. § [609.11](#), subd. 8). It is perhaps unsurprising to find many departures in the sentencing of a crime that can be committed in many different ways.

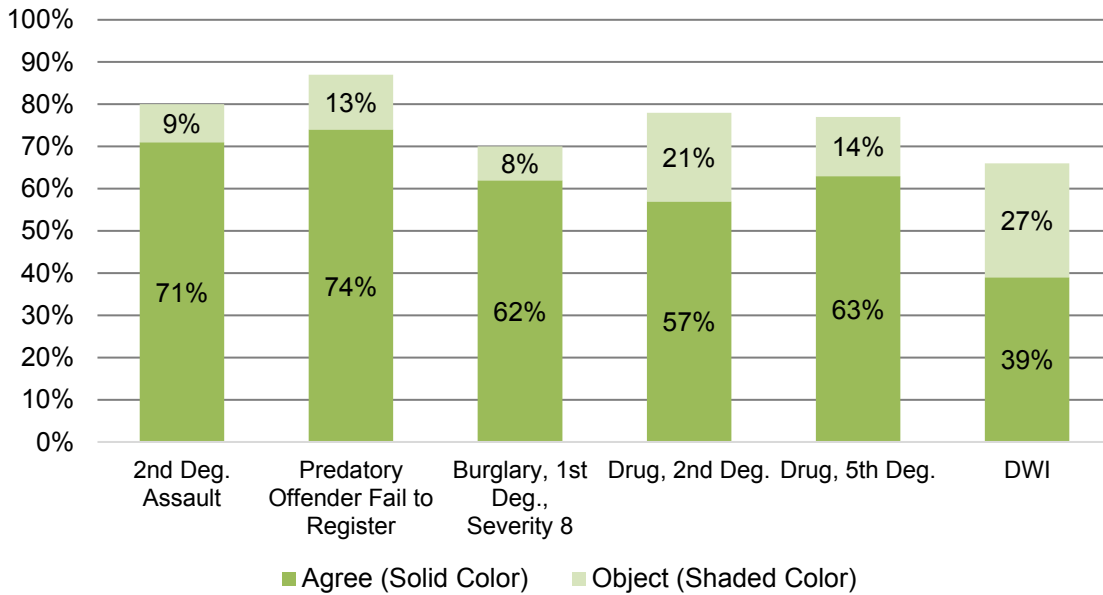
Failure to register as a predatory sex offender also has a statutory mandatory minimum sentence, accompanied by a statutory provision that allows for sentencing without regard to the mandatory minimum (Minn. Stat. § [243.166](#), subd. 5(d)).

In 62 percent of the mitigated dispositional departures, the court stated that the prosecutor agreed to the departure, recommended the departure, or did not object to the departure. In 15 percent of these cases, the court stated that the prosecutor objected to the departure (Figure 15). The court did not supply information on the prosecutor’s position in 23 percent of these departures. Prosecutor agreement can vary by offense type and offense (Figure 16). In all offense categories, amenability to probation and amenability to treatment were the most frequently cited substantial and compelling reasons for departure recorded.

**Figure 15. Mitigated Dispositional Departure Rates, Court-Cited Position of Prosecutor by Offense Type, 2015**



**Figure 16. Mitigated Dispositional Departure Rates, Court-Cited Position of Prosecutor for Selected Offenses, 2015\***



Note: Departure reports do not always include information on the prosecutor’s position, which is why the columns do not add up to 100% for each offense.

\* The offenses were selected based on criteria that there were 50 or more “presumptive commitment” cases and the mitigated dispositional departure rate was 39 percent or more.



## Durational Departures

**Durational Departure.** A “durational departure” occurs when the court orders a sentence with a duration that is other than the presumptive fixed duration or range in the appropriate cell on the applicable Grid. There are two types of durational departures: aggravated durational departures and mitigated durational departures. An aggravated durational departure occurs when the court pronounces a duration that is more than 20 percent higher than the fixed duration displayed in the appropriate cell on the applicable Grid. A mitigated durational departure occurs when the court pronounces a sentence that is more than 15 percent lower than the fixed duration displayed in the appropriate cell on the applicable Grid.

The total durational departure figures are given in tables 20 and 21. This section focuses on departures for executed prison sentences (those offenders for whom a prison sentence was imposed), which are shown in Figure 17. Since the enactment of the Guidelines, the mitigated durational departure rate has consistently been higher than the aggravated durational departure rate.

Both mitigated and aggravated durational departures increased until the early 2000s. The increase in mitigated durational departures was particularly striking in 1997 and in the period immediately following the 1989 changes to sentencing policy. In 2001 and 2002, at almost 30 percent, the mitigated durational departure rate was the highest since the enactment of the Guidelines. Since then, while the rate has fluctuated from year to year, the mitigated durational departure rate has declined and appears to have leveled off at around 25 percent. Likewise, after reaching a high of 12 percent in 2000, the aggravated durational departure rate has been slowly declining, but appears to have leveled off around three percent.

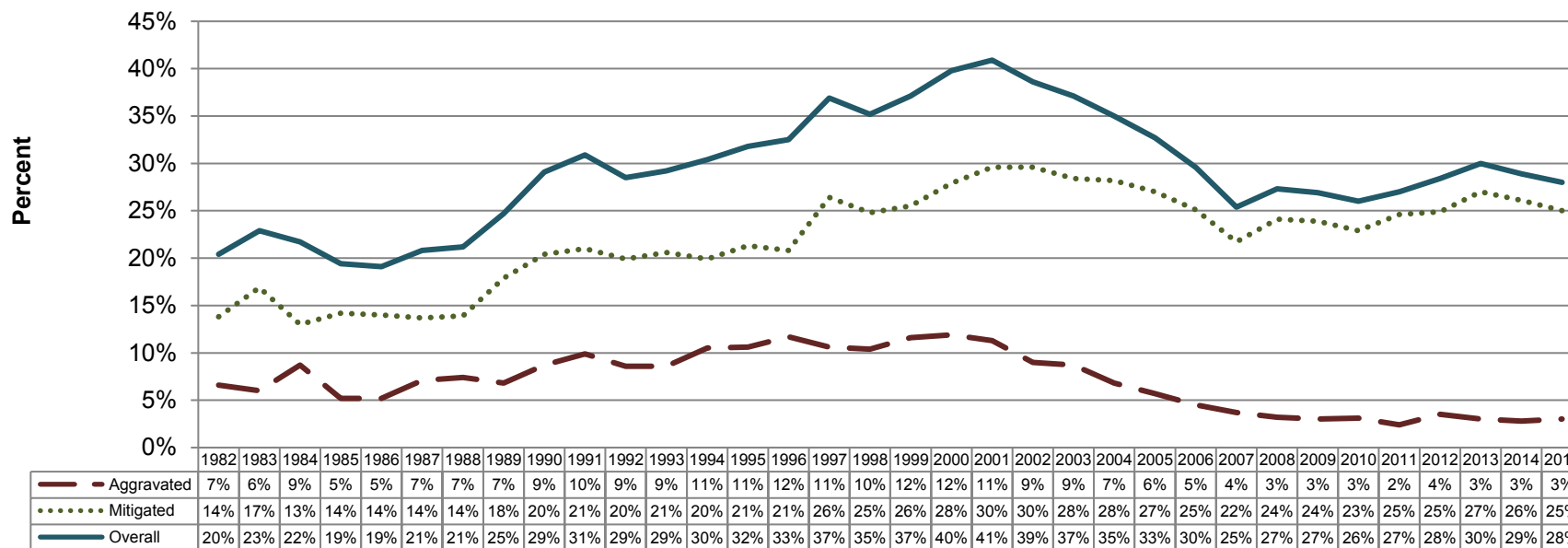
In 2015, the mitigated durational departure rate was lower than observed in 2014, at approximately 25 percent (24.8% compared to 26.1%). The aggravated durational departure rate increased slightly from 2.8 percent in 2014 to 3.3 percent. The trend in lower aggravated durational departure rates since the mid-2000s likely reflects the impact of increased presumptive sentences over the past years and issues related to the U.S. Supreme Court ruling in *Blakely v. Washington*, 542 U.S. 296 (2004), which required a jury to find all facts—other than the fact of a prior conviction or those facts agreed to by the defendant—used to enhance a sentence under mandatory sentencing guidelines.<sup>20</sup>

In response to the *Blakely* decision, the 2005 Legislature widened the ranges on the Standard Grid to 15 percent below and 20 percent above the presumptive fixed sentence, within which the court may sentence without departure. In 2006, a Sex Offender Grid was adopted. The Sex Offender Grid introduced higher presumptive sentences for repeat offenders and offenders with prior criminal history records.<sup>21</sup>

<sup>20</sup> The Minnesota Supreme Court determined that *Blakely's* jury requirements applied to aggravated departures under the Minnesota Sentencing Guidelines. *State v. Shattuck*, 704 N.W.2d 131 (Minn. 2005).

<sup>21</sup> For a deeper examination of the effect of the *Blakely* decision on sentencing practices, see the MSGC special report: *Impact of Blakely and Expanded Ranges on Sentencing Grid*, at <http://mn.gov/sentencing-guidelines/reports>.

**Figure 17. Durational Departure Rates, 1982-2015  
(Executed Prison Sentences Only)**



**Durational Departure Rates by Gender, Race and Judicial District**

Table 22 illustrates durational departure rates for executed prison sentences by gender, race/ethnicity, and Minnesota Judicial District. The mitigated durational departure rate for males sentenced in 2015 was higher than for females (25.3% vs. 19.9%). When the departure rate is examined by racial and ethnic composition, the rate varies from a low of 14.8 percent for American Indian offenders to a high of 38.6 percent for Asian offenders. There is also considerable variation in mitigated durational departure rates by Minnesota Judicial District, ranging from a low of 2.2 percent in the Eighth Judicial District to a high of 48.6 percent in the Fourth Judicial District.

Durational Departures by Offense Type

As with dispositional departures, it can be useful to look at durational departures by offense type. As Figure 18 demonstrates, offenses in the drug, weapon, and non-criminal sexual conduct (non-CSC sex offense) categories have higher mitigated durational departure rates and lower aggravated durational departure rates than other offense types. The offense in the non-CSC sex offense category with the highest mitigated durational departures is failure to register as a predatory offender. Person offenses had the highest aggravated durational departure rate at five percent.

**Figure 18. Durational Departure Rates by Offense Type, 2015  
(Executed Prison Sentences Only)**

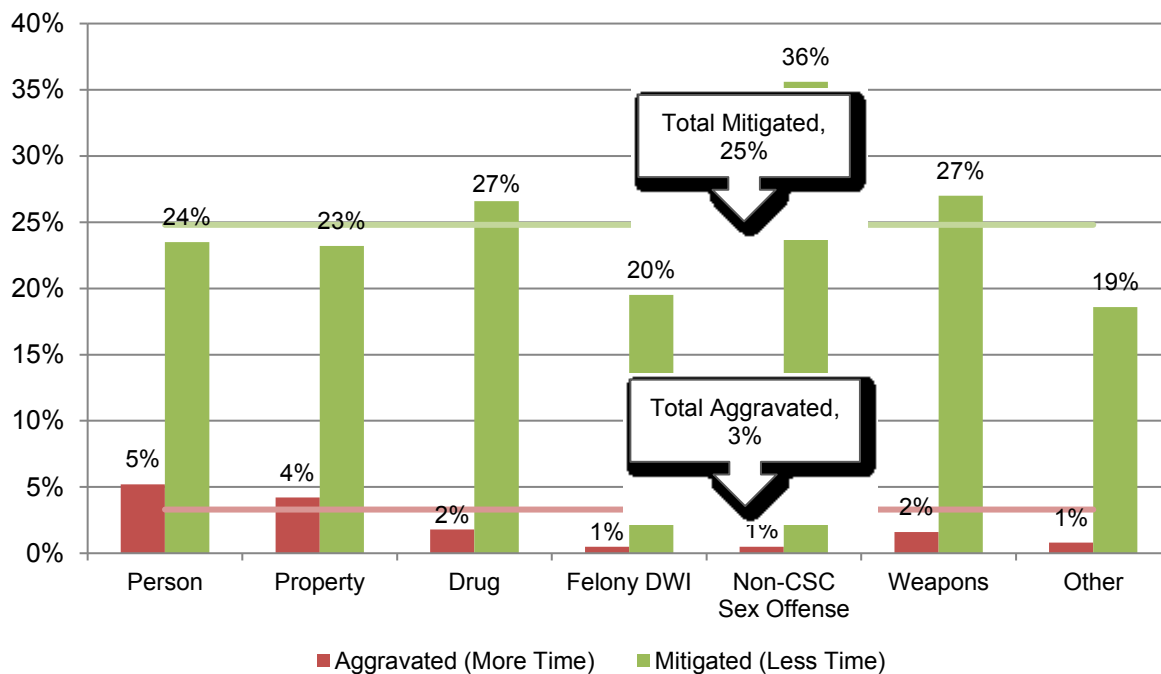
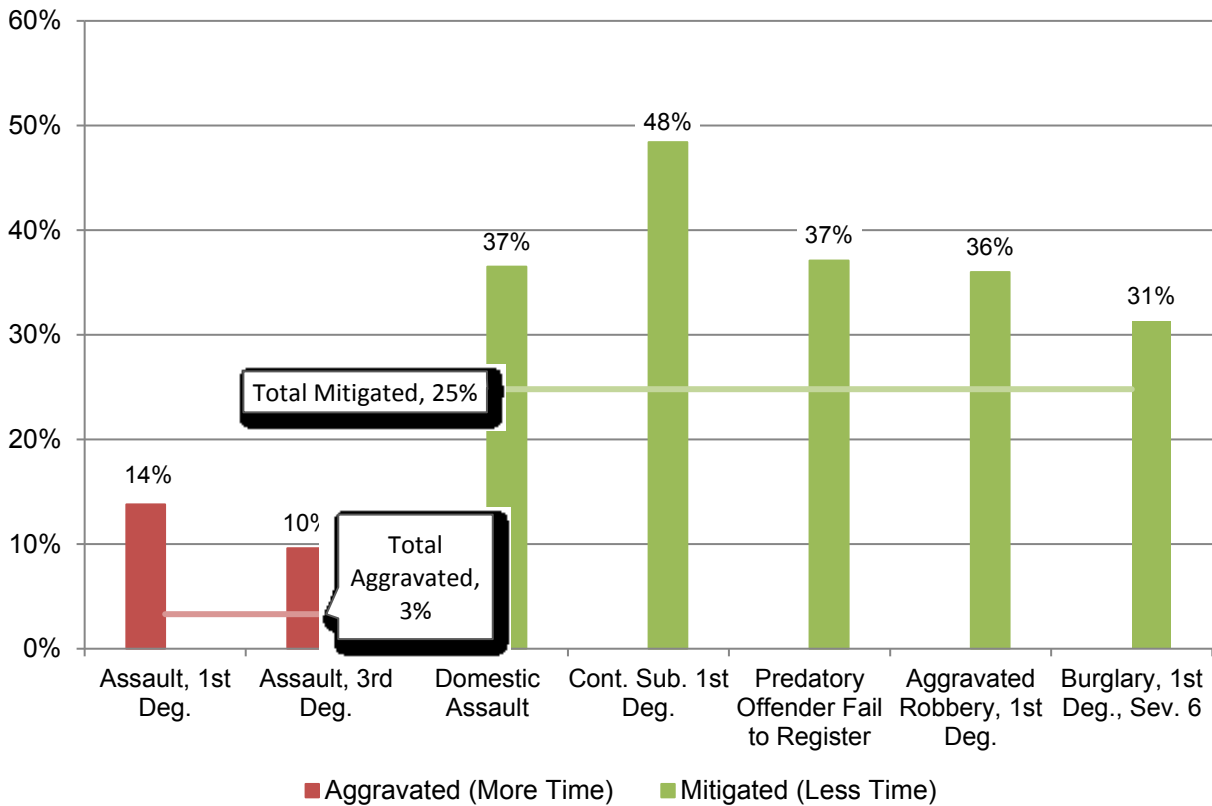


Figure 19 displays offenses with the highest durational departure rates among offenses with at least 40 executed prison cases. Included in this graph are offenses with mitigated durational departure rates above 30 percent, or aggravated durational departure rates of 10 percent or more.

Aggravated durational departure rates were highest for assaults in the first and third degree. Mitigated durational departure rates were highest for domestic assault, controlled substance crime in the first degree, failure to register as a predatory offender, aggravated robbery in the first degree, and burglary in the first degree in which there was no assault nor dangerous weapon involved (ranked at Severity Level 6).

**Figure 19. Durational Departure Rates for Selected Offenses\*  
Compared to the Total Rate, 2015  
(Executed Prison Sentences Only)**



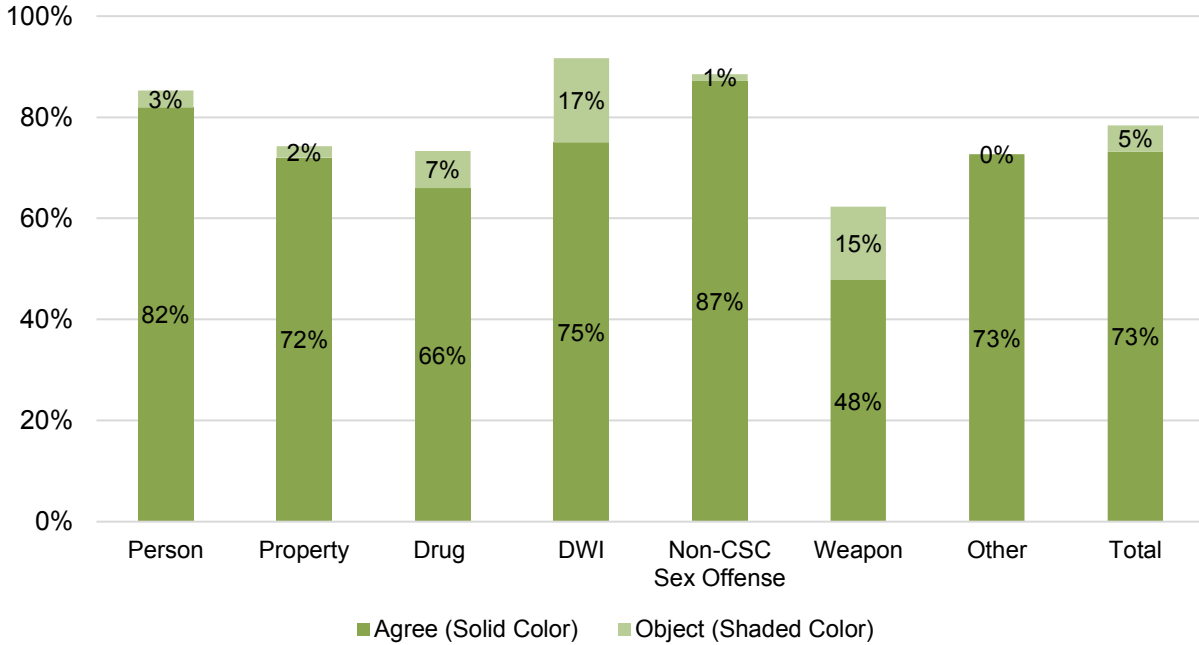
\* Selected based on criteria that there were 40 or more executed prison cases and the aggravated durational departure rate was 10 percent or more or the mitigated durational departure rate was 30 percent or more.

For both mitigated and aggravated durational departures, plea agreement or recommendation of the prosecutor were the most frequently cited reasons for departure for all offense types.

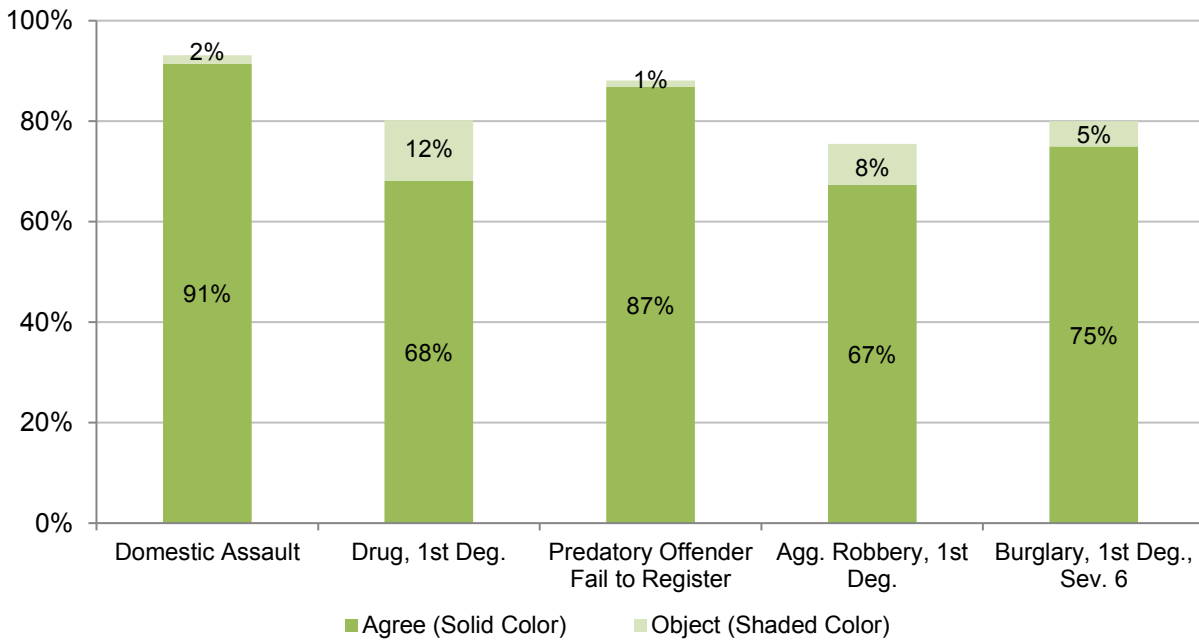
In 73 percent of the mitigated durational departures, the court stated that the prosecutor agreed to the departure, recommended the departure, or did not object to the departure (Figure 20). In five percent of these cases, the court stated that the prosecutor objected to the departure. In 22 percent of the mitigated durational departures, the court did not provide information on the position of the prosecutor. These rates varied somewhat by offense (Figure 21).

In half (50%) of the aggravated durational departures, the court stated that the prosecutor agreed to the departure, recommended the departure, or did not object to the departure. In the other half of the aggravated durational departures, the court did not provide information on the position of the prosecutor. There were no cases in which the court stated that the prosecutor objected to the aggravated durational departure (Figure 22).

**Figure 20. Mitigated Durational Departures, Court-Cited Position of Prosecutor by Offense Type, 2015**

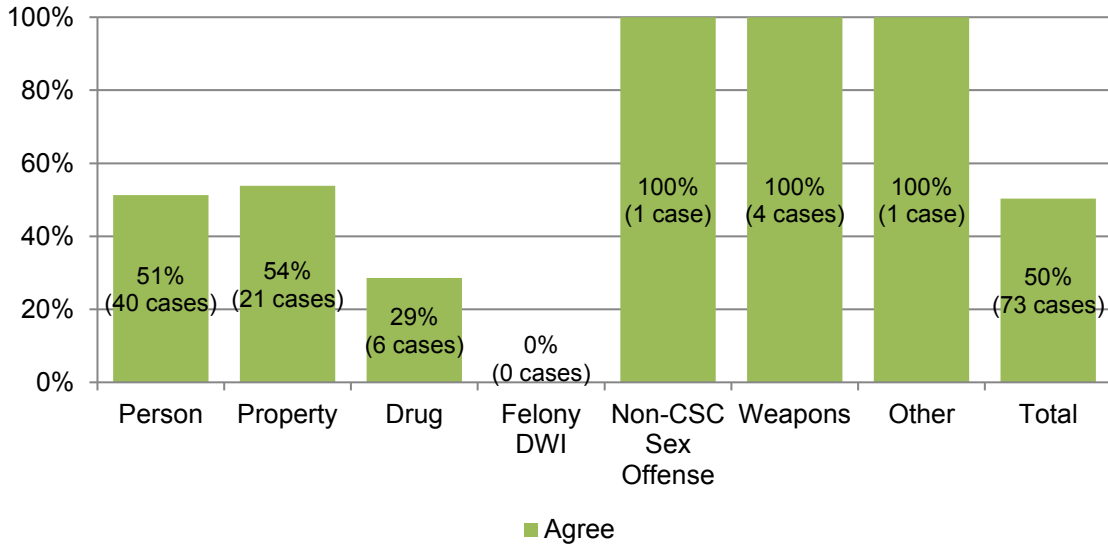


**Figure 21. Mitigated Durational Departures, Court-Cited Position of Prosecutor for Selected Offenses, 2015**



Note: Departure reports do not always include information on the prosecutor's position, which is why the columns do not add up to 100 percent for each offense type.

**Figure 22. Aggravated Durational Departures, Court-Cited Position of Prosecutor by Offense Type, 2015**



Note: Departure reports do not always include information on the prosecutor’s position, which is why the columns do not add up to 100 percent for each offense type. There were no cases in which the court stated that the prosecutor objected to the aggravated durational departure.

## Data Tables

### Felony Convictions Receiving Misdemeanor or Gross Misdemeanor Sentences

Under Minn. Stat. § [609.13](#), if the court pronounces a misdemeanor or gross misdemeanor sentence for a felony conviction, that conviction is deemed a gross misdemeanor or misdemeanor. The sentence is a mitigated durational departure from the Guidelines because it is below the appropriate range on the applicable Grid (i.e., a duration of less than one year and one day). Although there are relatively few of these departures each year, the rate for this type of departure grew significantly during the 2000s. In 2015, 4.7 percent of felony offenders received a misdemeanor or gross misdemeanor sentence.

**Table 4. Felony-Level Convictions Receiving Misdemeanor or Gross Misdemeanor Sentences, 1981-2015**

Year	Total Number of Offenders	Number Receiving Non-Felony Sentences	Rate Receiving Non-Felony Sentences
2015	16,763	783	4.7%
2014	16,145	804	5.0%
2013	15,318	765	5.0%
2012	15,207	865	5.7%
2011	14,571	793	5.4%
2010	14,311	754	5.3%
2009	14,840	584	3.9%
2008	15,394	498	3.2%
2007	16,167	512	3.2%
2006	16,443	439	2.7%
2005	15,460	305	2.0%
2004	14,751	341	2.3%
2003	14,492	365	2.5%
2002	12,977	290	2.3%
2001	10,796	235	2.2%
2000	10,395	215	2.1%
1999	10,634	215	2.0%
1998	10,887	216	2.0%
1997	9,847	137	1.4%
1996	9,480	144	1.5%
1995	9,421	89	0.9%
1994	9,787	110	1.1%
1993	9,637	125	1.3%
1992	9,325	89	1.0%
1991	9,161	87	1.0%
1990	8,844	67	0.8%
1989	7,974	61	0.8%
1988	7,572	52	0.7%
1987	6,674	60	0.9%
1986	6,032	55	0.9%
1985	6,236	62	1.0%
1984	5,792	58	1.0%
1983	5,562	44	0.8%
1982	6,066	66	1.1%
1981	5,500	115	2.1%

## Case Volume and Distribution

Table 5. Volume of Offenders by Gender, 1981-2015

Year	Total Number Offenders	Males		Females	
		Number	Percent	Number	Percent
2015	16,763	13,621	81.3%	3,142	18.7
2014	16,145	13,219	81.9	2,926	18.1
2013	15,318	12,797	83.5	2,521	16.5
2012	15,207	12,699	83.5	2,508	16.5
2011	14,571	12,150	83.4	2,421	16.6
2010	14,311	11,926	83.3	2,385	16.7
2009	14,840	12,293	82.8	2,547	17.2
2008	15,394	12,654	82.2	2,740	17.8
2007	16,167	13,321	82.4	2,846	17.6
2006	16,443	13,547	82.4	2,896	17.6
2005	15,460	12,686	82.1	2,774	17.9
2004	14,751	12,063	81.8	2,688	18.2
2003	14,492	12,027	83.0	2,465	17.0
2002	12,977	10,653	82.1	2,324	17.9
2001	10,796	8,829	81.8	1,967	18.2
2000	10,395	8,565	82.4	1,830	17.6
1999	10,634	8,771	82.5	1,863	17.5
1998	10,887	8,998	82.6	1,889	17.4
1997	9,847	8,073	82.0	1,774	18.0
1996	9,480	7,781	82.1	1,699	17.9
1995	9,421	7,739	82.1	1,682	17.9
1994	9,787	8,067	82.4	1,720	17.6
1993	9,637	8,011	83.1	1,626	16.9
1992	9,325	7,834	84.0	1,491	16.0
1991	9,161	7,727	84.3	1,434	15.7
1990	8,844	7,405	83.7	1,439	16.3
1989	7,974	6,661	83.5	1,313	16.5
1988	7,572	6,358	84.0	1,214	16.0
1987	6,674	5,574	83.5	1,100	16.5
1986	6,032	5,078	84.2	954	15.8
1985	6,236	5,278	84.6	958	15.4
1984	5,792	5,050	87.2	742	12.8
1983	5,562	4,788	86.1	774	13.9
1982	6,066	5,248	86.5	818	13.5
1981	5,500	4,896	89.0	604	11.0



Table 6. Volume of Offenders by Offense Type, 1981-2015

Year	Person		Property		Drug		Felony DWI		Non-CSC Sex Offense <sup>22</sup>		Weapon		Other <sup>23,24</sup>		Total
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	
2015	4,982	29.7%	4,575	27.3%	4,913	29.3%	587	3.5%	471	2.8%	477	2.8%	758	4.5%	16,763
2014	4,905	30.4%	4,589	28.4%	4,363	27.0%	656	4.1%	507	3.1%	467	2.9%	659	4.1%	16,145
2013	4,836	31.6%	4,528	29.6%	3,821	24.9%	510	3.3%	518	3.4%	466	3.0%	642	4.2%	15,318
2012	4,841	31.8%	4,604	30.3%	3,552	23.4%	631	4.1%	495	3.3%	411	2.7%	677	4.5%	15,207
2011	4,685	32.2%	4,232	29.0%	3,409	23.4%	660	4.5%	476	3.3%	346	2.4%	765	5.3%	14,571
2010	4,605	32.2%	4,334	30.3%	3,326	23.2%	667	4.7%	---	---	---	---	1,379	9.6%	14,311
2009	4,517	30.4%	4,651	31.3%	3,578	24.1%	704	4.7%	---	---	---	---	1,390	9.4%	14,840
2008	4,238	27.5%	5,003	32.5%	3,878	25.2%	779	5.1%	---	---	---	---	1,496	9.7%	15,394
2007	4,117	25.5%	5,650	34.9%	4,166	25.8%	735	4.5%	---	---	---	---	1,499	9.3%	16,167
2006	3,839	23.3%	5,886	35.8%	4,484	27.3%	788	4.8%	---	---	---	---	1,446	8.8%	16,443
2005	3,376	21.8%	5,455	35.3%	4,364	28.2%	834	5.4%	---	---	---	---	1,431	9.3%	15,460
2004	3,174	21.5%	5,350	36.3%	4,038	27.4%	860	5.8%	---	---	---	---	1,329	9.0%	14,751
2003	3,141	21.7%	5,395	37.2%	3,896	26.9%	810	5.6%	---	---	---	---	1,250	8.6%	14,492
2002	2,957	22.8%	5,271	40.6%	3,423	26.4%	102	0.8%	---	---	---	---	1,224	9.4%	12,977
2001	2,679	24.8%	4,470	41.4%	2,596	24.0%	0	0.0%	---	---	---	---	1,051	9.7%	10,796
2000	2,575	24.8%	4,291	41.3%	2,596	25.0%	---	---	---	---	---	---	933	9.0%	10,395
1999	2,714	25.5%	4,634	43.6%	2,391	22.5%	---	---	---	---	---	---	895	8.4%	10,634
1998	2,783	25.6%	4,732	43.5%	2,542	23.3%	---	---	---	---	---	---	830	7.6%	10,887
1997	2,543	25.8%	4,651	47.2%	2,127	21.6%	---	---	---	---	---	---	526	5.3%	9,847
1996	2,620	27.6%	4,731	49.9%	1,695	17.9%	---	---	---	---	---	---	434	4.6%	9,480
1995	2,726	28.9%	4,527	48.1%	1,719	18.2%	---	---	---	---	---	---	449	4.8%	9,421

<sup>22</sup> "Non-CSC sex offenses" are offenses on the sex offender grid other than criminal sexual conduct (chiefly failure to register as a predatory offender and possession and dissemination of child pornography).

<sup>23</sup> "Other" category includes: Fleeing police, escape, voting violations, tax evasion laws, and other offenses of less frequency.

<sup>24</sup> "Other" includes non-CSC sex offenses and weapon offenses before 2011.

Year	Person		Property		Drug		Felony DWI		Non-CSC Sex Offense <sup>22</sup>		Weapon		Other <sup>23,24</sup>		Total
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	
1994	2,881	29.4%	4,777	48.8%	1,692	17.3%	---	---	---	---	---	---	437	4.5%	9,787
1993	2,602	27.0%	4,932	51.2%	1,800	18.7%	---	---	---	---	---	---	303	3.1%	9,637
1992	2,438	26.1%	4,742	50.9%	1,830	19.6%	---	---	---	---	---	---	315	3.4%	9,325
1991	2,305	25.2%	4,897	53.5%	1,693	18.5%	---	---	---	---	---	---	266	2.9%	9,161
1990	2,246	25.4%	4,589	51.9%	1,811	20.5%	---	---	---	---	---	---	198	2.2%	8,844
1989	1,862	23.4%	4,296	53.9%	1,602	20.1%	---	---	---	---	---	---	214	2.7%	7,974
1988	1,881	24.8%	4,310	56.9%	1,180	15.6%	---	---	---	---	---	---	201	2.7%	7,572
1987	1,577	23.6%	4,145	62.1%	766	11.5%	---	---	---	---	---	---	186	2.8%	6,674
1986	1,377	22.8%	3,867	64.1%	651	10.8%	---	---	---	---	---	---	137	2.3%	6,032
1985	1,590	25.5%	3,841	61.6%	651	10.4%	---	---	---	---	---	---	154	2.5%	6,236
1984	1,484	25.6%	3,561	61.5%	620	10.7%	---	---	---	---	---	---	127	2.2%	5,792
1983	1,204	21.6%	3,664	65.9%	585	10.5%	---	---	---	---	---	---	109	2.0%	5,562
1982	1,267	20.9%	3,965	65.4%	689	11.4%	---	---	---	---	---	---	145	2.4%	6,066
1981	1,145	20.8%	3,438	62.5%	808	14.7%	---	---	---	---	---	---	109	2.0%	5,500

Table 7. Volume of Offenders by Race/Ethnicity, 1981-2015

Year	Total Number Offenders	White		Black		American Indian		Hispanic		Asian		Other	
		No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
2015	16,763	9,677	57.7	4,409	26.3	1,382	8.2	836	5.0	458	2.7	1	0.0
2014	16,145	9,443	58.5	4,163	25.8	1,296	8.0	802	5.0	439	2.7	2	0.0
2013	15,318	8,884	58.0	4,050	26.4	1,177	7.7	780	5.1	426	2.8	1	0.0
2012	15,207	8,777	57.7	4,073	26.8	1,080	7.1	908	6.0	361	2.4	8	0.1
2011	14,571	8,346	57.3	4,007	27.5	998	6.8	864	5.9	356	2.4	0	0.0
2010	14,311	8,125	56.8	3,975	27.8	934	6.5	946	6.6	331	2.3	0	0.0
2009	14,840	8,384	56.5	4,175	28.1	965	6.5	1005	6.8	311	2.1	0	0.0
2008	15,394	8,970	58.3	4,255	27.6	918	6.0	901	5.9	348	2.3	2	0.0
2007	16,167	9,684	59.9	4,213	26.1	1,020	6.3	912	5.6	333	2.1	5	0.0
2006	16,443	10,133	61.6	4,107	25.0	973	5.9	900	5.5	326	2.0	4	0.0
2005	15,460	9,617	62.2	3,744	24.2	930	6.0	849	5.5	308	2.0	12	0.1
2004	14,751	9,278	62.9	3,620	24.5	922	6.3	691	4.7	240	1.6	0	0.0
2003	14,492	8,983	62.0	3,513	24.2	899	6.2	737	5.1	322	2.2	38	0.3
2002	12,977	7,80	60.1	3,460	26.7	709	5.5	697	5.4	237	1.8	71	0.5
2001	10,796	6,462	59.9	2,910	27.0	651	6.0	558	5.2	211	2.0	4	0.0
2000	10,395	6,096	58.6	2,915	28.0	599	5.8	558	5.4	158	1.5	69	0.7
1999	10,634	6,255	58.8	2,944	27.7	614	5.8	585	5.5	181	1.7	55	0.5
1998	10,887	6,491	59.6	3,027	27.8	588	5.4	565	5.2	162	1.5	54	0.5
1997	9,847	5,813	59.0	2,809	28.5	560	5.7	489	5.0	132	1.3	44	0.4
1996	9,480	5,680	59.9	2,541	26.8	516	5.4	534	5.6	168	1.8	41	0.4
1995	9,421	5,793	61.5	2,537	26.9	455	4.8	457	4.9	152	1.6	27	0.3
1994	9,787	6,166	63.0	2,401	24.5	515	5.3	505	5.2	176	1.8	24	0.2
1993	9,637	6,249	64.8	2,224	23.1	535	5.6	459	4.8	132	1.4	38	0.4
1992	9,325	6,311	67.7	2,085	22.4	432	4.6	360	3.9	105	1.1	32	0.3
1991	9,161	6,392	69.8	1,813	19.8	468	5.1	368	4.0	91	1.0	29	0.3
1990	8,844	6,310	71.3	1,732	19.6	408	4.6	300	3.4	69	0.8	25	0.3
1989	7,974	5,767	72.3	1,510	18.9	412	5.2	215	2.7	46	0.6	24	0.3
1988	7,572	5,483	72.4	1,437	19.0	397	5.2	203	2.7	35	0.5	17	0.2
1987	6,674	5,073	76.0	1,066	16.0	367	5.5	124	1.9	27	0.4	17	0.3
1986	6,032	4,627	76.7	865	14.3	337	5.6	160	2.7	25	0.4	18	0.3
1985	6,236	4,815	77.2	898	14.4	332	5.3	143	2.3	19	0.3	29	0.5
1984	5,792	4,608	79.6	735	12.7	301	5.2	113	2.0	16	0.3	19	0.3
1983	5,562	4,406	79.2	748	13.4	271	4.9	114	2.1	9	0.2	15	0.3
1982	6,066	4,912	81.0	751	12.4	263	4.3	103	1.7	16	0.3	21	0.3
1981	5,500	4,498	81.8	596	10.8	306	5.6	86	1.6	10	0.2	4	0.1

Table 8. Offense Type by Race, 2015

Category/ Offense Title	Total Number*	White	Black	American Indian	Hispanic	Asian	Other
<b>Person Offenses</b>	<b>4,982</b>	<b>47.2%</b>	<b>35.8%</b>	<b>8.4%</b>	<b>6.6%</b>	<b>2.0%</b>	<b>0.0%</b>
<i>Accidents</i>	3	100%	0.0%	0.0%	0.0%	0.0%	0.0%
<i>Aggravated Robbery 1</i>	220	20.0%	68.2%	5.9%	4.1%	1.8%	0.0%
<i>Aggravated Robbery 2</i>	43	38.5%	44.2%	11.6%	2.3%	2.3%	0.0%
<i>Assault 1</i>	68	52.9%	32.4%	11.8%	2.9%	0.0%	0.0%
<i>Assault 2</i>	325	44.9%	37.8%	8.6%	6.5%	2.2%	0.0%
<i>Assault 3</i>	405	44.2%	33.8%	11.4%	9.6%	1.0%	0.0%
<i>Assault 4</i>	162	45.7%	33.3%	13.0%	6.2%	1.9%	0.0%
<i>Assault 5</i>	61	42.6%	32.8%	13.1%	11.5%	0.0%	0.0%
<i>Coercion</i>	5	80.0%	0.0%	0.0%	20.0%	0.0%	0.0%
<i>Burglary 1 (severity=8)</i>	83	45.8%	33.7%	8.4%	7.2%	4.8%	0.0%
<i>Criminal Sexual Conduct (CSC) 1</i>	123	57.7%	22.8%	3.3%	10.6%	5.7%	0.0%
<i>CSC 2</i>	150	62.7%	16.0%	7.3%	12.0%	2.0%	0.0%
<i>CSC 3</i>	193	62.2%	19.7%	3.1%	11.9%	3.1%	0.0%
<i>CSC 4</i>	69	71.0%	14.5%	2.9%	8.7%	2.9%	0.0%
<i>CSC 5</i>	2	50.0%	0.0%	0.0%	50.0%	0.0%	0.0%
<i>Criminal Vehicular Homicide</i>	22	81.8%	4.5%	9.1%	4.5%	0.0%	0.0%
<i>Crim. Vehicular Injury (severity=3)</i>	61	72.1%	14.8%	4.9%	3.3%	4.9%	0.0%
<i>Crim. Vehicular Injury (severity=5)</i>	24	54.2%	33.3%	0.0%	4.2%	8.3%	0.0%
<i>Domestic Assault</i>	568	42.3%	40.1%	10.9%	5.6%	1.1%	0.0%
<i>Domestic Assault by Strangulation</i>	278	47.5%	34.5%	5.8%	10.4%	1.8%	0.0%
<i>Drive-by Shooting</i>	10	0.0%	70.0%	10.0%	10.0%	10.0%	0.0%
<i>False Imprisonment</i>	20	75.0%	15.0%	0.0%	10.0%	0.0%	0.0%
<i>Kidnapping(severity=8/9)</i>	9	44.4%	44.4%	0.0%	11.1%	0.0%	0.0%
<i>Kidnapping (severity=6)</i>	9	55.6%	22.2%	22.2%	0.0%	0.0%	0.0%
<i>Malicious Punishment of a Child</i>	25	48.0%	40.0%	0.0%	12.0%	0.0%	0.0%
<i>Manslaughter 1 (severity=9)</i>	6	33.3%	33.3%	33.3%	0.0%	0.0%	0.0%
<i>Manslaughter 1 (severity=8)</i>	1	0.0%	100%	0.0%	0.0%	0.0%	0.0%
<i>Manslaughter 2 (severity=8)</i>	7	57.1%	42.9%	0.0%	0.0%	0.0%	0.0%
<i>Murder 1</i>	22	45.5%	36.4%	9.1%	9.1%	0.0%	0.0%

\* Includes offenders categorized under the "unknown/other" race type.

<b>Category/ Offense Title</b>	<b>Total Number*</b>	<b>White</b>	<b>Black</b>	<b>American Indian</b>	<b>Hispanic</b>	<b>Asian</b>	<b>Other</b>
<i>Murder 2/3 (severity=10)</i>	12	25.0%	66.7%	0.0%	8.3%	0.0%	0.0%
<i>Murder 2 (severity=11)</i>	38	34.2%	50.0%	5.3%	7.9%	2.6%	0.0%
<i>Murder 3 (severity=9)</i>	7	85.7%	0.0%	14.3%	0.0%	0.0%	0.0%
<i>Parental Rights</i>	15	46.7%	33.3%	20.0%	0.0%	0.0%	0.0%
<i>Prostitution</i>	42	35.7%	59.5%	2.4%	2.4%	0.0%	0.0%
<i>Simple Robbery</i>	146	27.4%	63.0%	6.8%	1.4%	1.4%	0.0%
<i>Solicit Minor for Sex</i>	35	82.9%	8.6%	2.9%	5.7%	0.0%	0.0%
<i>Stalking (severity=4)</i>	31	83.9%	9.7%	3.2%	3.2%	0.0%	0.0%
<i>Stalking (severity=5)</i>	73	65.8%	30.1%	2.7%	1.4%	0.0%	0.0%
<i>Terroristic Threats (severity=1, 2)</i>	28	57.1%	21.4%	14.3%	7.1%	0.0%	0.0%
<i>Terroristic Threats (severity=4)</i>	734	52.3%	29.8%	8.4%	6.0%	3.4%	0.0%
<i>Violate Restraining Order</i>	795	42.8%	41.4%	9.2%	4.8%	1.9%	0.0%
<i>Other Person Offenses**</i>	45	37.8%	37.8%	17.8%	4.4%	2.2%	0.0%
<b>Property Offenses</b>	<b>4,575</b>	<b>59.7%</b>	<b>24.0%</b>	<b>8.4%</b>	<b>3.9%</b>	<b>4.0%</b>	<b>0.0%</b>
<i>Arson 1</i>	19	47.4%	31.6%	5.3%	15.8%	0.0%	0.0%
<i>Arson 2</i>	14	92.9%	0.0%	7.1%	0.0%	0.0%	0.0%
<i>Arson 3</i>	8	75.0%	12.5%	0.0%	12.5%	0.0%	0.0%
<i>Burglary 1 (severity=6)</i>	180	50.0%	33.9%	9.4%	3.3%	3.3%	0.0%
<i>Burglary 2 (severity=4)</i>	50	74.0%	20.0%	4.0%	2.0%	0.0%	0.0%
<i>Burglary 2 (severity=5)</i>	350	62.6%	21.1%	9.1%	5.4%	1.7%	0.0%
<i>Burglary 3</i>	440	63.6%	21.8%	7.7%	3.4%	3.4%	0.0%
<i>Check Forgery (severity=1)</i>	22	40.9%	22.7%	13.6%	4.5%	18.2%	0.0%
<i>Check Forgery (severity=2)</i>	293	58.0%	20.8%	13.7%	2.7%	4.8%	0.0%
<i>Check Forgery (severity=3)</i>	89	61.8%	30.3%	3.4%	2.2%	2.2%	1.4%
<i>Check Forgery (severity=5)</i>	5	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<i>Counterfeit Check</i>	42	54.8%	38.1%	4.8%	0.0%	2.4%	0.0%
<i>Criminal Damage to Property</i>	175	67.4%	21.1%	5.7%	3.4%	2.3%	0.0%
<i>Financial Transaction Card Fraud</i>	321	56.1%	31.2%	5.6%	3.7%	3.4%	0.0%
<i>Identity Theft</i>	74	56.8%	24.3%	5.4%	8.1%	5.4%	0.0%
<i>Issue Dishonored Check</i>	75	70.7%	16.0%	8.0%	2.7%	2.7%	0.0%
<i>Mail Theft</i>	14	64.3%	14.3%	7.1%	0.0%	14.3%	0.0%

\*\*Offenses having low numbers of offenders are grouped in the "other" categories.

<b>Category/ Offense Title</b>	<b>Total Number*</b>	<b>White</b>	<b>Black</b>	<b>American Indian</b>	<b>Hispanic</b>	<b>Asian</b>	<b>Other</b>
<i>MV Use w/o Consent (severity=3)</i>	392	51.3%	17.1%	13.3%	6.1%	12.2%	0.0%
<i>Other Forgery</i>	30	46.7%	26.7%	3.3%	16.7%	6.7%	0.0%
<i>Poss. Shoplifting Gear</i>	33	66.7%	12.1%	18.2%	3.0%	0.0%	0.0%
<i>Possess Burglary Tools</i>	142	69.0%	15.5%	5.6%	1.4%	8.5%	0.0%
<i>Receiving Stolen Property</i>	419	67.5%	15.3%	10.3%	3.3%	3.6%	0.0%
<i>Theft</i>	1,058	58.6%	27.7%	7.7%	3.4%	2.6%	0.1%
<i>Theft from Person</i>	71	8.5%	80.3%	7.0%	4.2%	0.0%	0.0%
<i>Theft of a Firearm</i>	32	62.5%	25.0%	12.5%	0.0%	0.0%	0.0%
<i>Theft of MV (severity=4)</i>	49	51.0%	32.7%	12.2%	0.0%	4.1%	0.0%
<i>Theft Over \$35,000</i>	48	91.7%	8.3%	0.0%	0.0%	0.0%	0.0%
<i>Wrongfully Obtaining Assistance</i>	76	48.7%	25.0%	5.3%	13.2%	7.9%	0.0%
<i>Other Property Offenses**</i>	54	75.9%	16.7%	3.7%	0.0%	3.7%	0.0%
<b>Drug Offenses</b>	<b>4,913</b>	<b>66.9%</b>	<b>18.2%</b>	<b>8.1%</b>	<b>4.4%</b>	<b>2.5%</b>	<b>0.0%</b>
<i>Con Sub Intent to Manufacture</i>	7	85.7%	0.0%	14.3%	0.0%	0.0%	0.0%
<i>Controlled Substance 1</i>	302	57.3%	20.5%	3.3%	15.6%	3.3%	0.0%
<i>Controlled Substance 2</i>	395	62.8%	20.8%	5.8%	8.6%	2.0%	0.0%
<i>Controlled Substance 3</i>	609	59.6%	26.8%	6.4%	3.9%	3.3%	0.0%
<i>Controlled Substance 4</i>	114	65.8%	12.3%	11.4%	9.6%	0.9%	0.0%
<i>Controlled Substance 5</i>	3,433	69.5%	16.4%	8.9%	2.9%	2.4%	0.0%
<i>Other Drug Offenses**</i>	53	66.0%	20.8%	9.4%	1.9%	1.9%	0.0%
<b>Felony DWI</b>	<b>587</b>	<b>63.9%</b>	<b>20.3%</b>	<b>8.7%</b>	<b>5.5%</b>	<b>1.7%</b>	<b>0.0%</b>
<b>Non-CSC Sex Offense</b>	<b>471</b>	<b>61.6%</b>	<b>25.3%</b>	<b>6.8%</b>	<b>4.5%</b>	<b>1.9%</b>	<b>0.0%</b>
<i>Child Porn</i>	96	88.5%	2.1%	2.1%	5.2%	2.1%	1.1%
<i>Predatory Offender Fail to Register</i>	372	54.3%	31.5%	8.1%	4.3%	1.9%	0.0%
<i>Other Sex Grid</i>	3	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<b>Weapons</b>	<b>477</b>	<b>43.0%</b>	<b>45.5%</b>	<b>4.8%</b>	<b>4.2%</b>	<b>2.5%</b>	<b>0.0%</b>
<i>Discharge Firearm</i>	41	63.4%	29.3%	0.0%	2.4%	4.9%	0.0%
<i>Felon with Gun</i>	364	40.1%	48.9%	5.5%	3.6%	1.9%	0.0%
<i>Other Weapon Related</i>	73	46.6%	37.0%	4.1%	8.2%	4.1%	0.0%
<b>Other Offenses</b>	<b>758</b>	<b>58.3%</b>	<b>23.5%</b>	<b>10.2%</b>	<b>5.5%</b>	<b>2.5%</b>	<b>0.0%</b>
<i>Accomplice After the Fact</i>	25	28.0%	60.0%	0.0%	8.0%	4.0%	0.0%
<i>Aid Offender</i>	33	78.8%	15.2%	0.0%	3.0%	3.0%	0.0%

\*\*Offenses having low numbers of offenders are grouped in the "other" categories.

<b>Category/ Offense Title</b>	<b>Total Number*</b>	<b>White</b>	<b>Black</b>	<b>American Indian</b>	<b>Hispanic</b>	<b>Asian</b>	<b>Other</b>
<i>Bribery</i>	7	57.1%	14.3%	14.3%	0.0%	14.3%	0.0%
<i>Escape (severity=3)</i>	64	48.4%	15.6%	29.7%	4.7%	1.6%	0.0%
<i>Failure to Appear</i>	34	38.2%	5.9%	47.1%	8.8%	0.0%	0.0%
<i>Flee Police in MV</i>	480	62.1%	22.9%	7.9%	5.2%	1.9%	0.0%
<i>Lottery Fraud</i>	15	66.7%	33.3%	0.0%	0.0%	0.0%	0.0%
<i>Obstruct Legal Process</i>	3	66.7%	33.3%	0.0%	0.0%	0.0%	0.0%
<i>Perjury</i>	5	60.0%	20.0%	0.0%	20.0%	0.0%	0.0%
<i>Tamper with Witness</i>	7	85.7%	14.3%	0.0%	0.0%	0.0%	0.0%
<i>Tax Offenses</i>	30	63.3%	13.3%	0.0%	13.3%	10.0%	0.0%
<i>Offenses Not Listed Elsewhere**</i>	61	45.9%	39.3%	4.9%	4.9%	4.9%	0.0%
<b>Total</b>	<b>16,763</b>	<b>57.7%</b>	<b>26.3%</b>	<b>8.2%</b>	<b>5.0%</b>	<b>2.7%</b>	<b>0.0%</b>

\*\*Offenses having low numbers of offenders are grouped in the "other" categories.

Table 9. Volume of Offenders by Judicial District, 1981-2015

Year	Judicial District									
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>	8 <sup>th</sup>	9 <sup>th</sup>	10 <sup>th</sup>
2015	2,049	2,055	1,381	3,240	918	919	1,691	435	1,696	2,379
2014	1,864	2,008	1,264	3,192	871	967	1,708	430	1,510	2,331
2013	1,806	1,925	1,333	2,983	763	964	1,543	384	1,407	2,210
2012	1,898	2,099	1,296	2,891	819	930	1,499	417	1,323	2,035
2011	1,756	1,961	1,232	2,936	661	921	1,472	401	1,183	2,048
2010	1,762	1,794	1,346	2,987	700	861	1,393	401	1,098	1,969
2009	1,611	2,010	1,285	3,278	720	835	1,512	402	1,141	2,046
2008	1,634	2,009	1,355	3,337	802	866	1,631	400	1,170	2,190
2007	1,817	2,060	1,440	3,403	818	880	1,706	387	1,202	2,454
2006	1,800	2,057	1,347	3,630	821	1,014	1,646	431	1,220	2,477
2005	1,833	2,032	1,221	3,096	739	930	1,653	389	1,216	2,351
2004	1,648	1,928	1,206	3,177	664	837	1,579	392	1,206	2,114
2003	1,899	1,955	1,173	3,095	660	854	1,483	343	1,100	1,930
2002	1,468	1,901	878	2,984	611	793	1,253	298	1,012	1,779
2001	1,229	1,670	750	2,516	420	672	1,013	238	834	1,454
2000	1,031	1,637	613	2,761	419	604	948	264	833	1,285
1999	1,205	1,590	603	2,739	390	627	985	261	792	1,442
1998	1,043	1,834	588	2,782	498	694	999	274	814	1,361
1997	953	1,647	526	2,449	424	577	897	234	750	1,390
1996	968	1,636	487	2,134	487	543	871	214	860	1,280
1995	975	1,735	516	2,158	447	525	864	192	760	1,249
1994	1,036	1,673	565	2,273	542	547	921	181	762	1,287
1993	865	1,497	673	2,289	529	541	965	234	794	1,250
1992	891	1,499	527	2,370	482	546	810	192	726	1,282
1991	909	1,466	567	2,345	444	535	742	233	698	1,222
1990	811	1,501	562	2,258	385	530	683	209	681	1,224
1989	711	1,212	507	2,183	344	496	620	218	608	1,075
1988	624	1,133	452	2,213	314	424	713	141	605	953
1987	591	984	454	1,551	353	454	674	149	547	917
1986	478	1,038	394	1,324	375	469	595	180	503	676
1985	520	945	431	1,490	310	412	615	173	602	738
1984	477	860	375	1,362	325	417	565	194	522	695
1983	409	965	383	1,248	317	438	514	165	440	683
1982	545	992	411	1,268	391	459	532	203	446	819
1981	413	784	382	1,287	315	551	439	186	503	640



**How to read Table 10:** Due to the addition of a severity level on the Standard Grid for offenses committed on or after August 1, 2002, it was necessary to modify the way this information is reported. The severity levels reflected in this table represent the current ranking of an offense. Offenses formerly ranked at Severity Levels 8, 9, and 10 are reported here as Severity Levels 9, 10, and 11. Since 2006, both completed and attempted first-degree murder offenses have been assigned a Severity Level 12. In August 2006, the Sex Offender Grid went into effect. Those offenders are included in the severity-level groups that most closely correspond to how those offenses were ranked before the implementation of the Sex Offender Grid.

**Table 10. Volume of Offenders by Severity-Level Group and Criminal-History Group, 1978, 1981-2015**

Year	Distribution by Severity-Level Group						Distribution by Criminal History Score Group					
	Sev. Level 1-4/H-F		Sev. Level 5-7/E,D		Sev. Level 8-12/C-A		CHS 0		CHS 1 - 3		CHS 4 or more	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
2015	12,138	72.4	3,108	18.5	1,517	9.0	5,549	33.1	7,202	43.0	4,012	23.9
2014	11,403	70.6	3,199	19.8	1,543	9.6	5,318	32.9	6,882	42.6	3,945	24.4
2013	10,856	70.9	3,073	20.1	1,389	9.1	5,155	33.7	6,461	42.2	3,702	24.2
2012	10,567	69.5	3,299	21.7	1,341	8.8	5,266	34.6	6,369	41.9	3,572	23.5
2011	10,257	70.4	2,976	20.4	1,338	9.2	5,228	35.9	6,072	41.7	3,271	22.4
2010	9,959	69.6	2,998	20.9	1,354	9.5	5,502	38.4	5,731	40.0	3,078	21.5
2009	10,195	68.7	3,116	21.0	1,529	10.3	5,778	38.9	6,003	40.5	3,059	20.6
2008	10,615	69.0	3,167	20.6	1,612	10.5	5,851	38.0	6,354	41.3	3,189	20.7
2007	11,424	70.7	3,145	19.5	1,598	9.9	6,325	39.1	6,744	41.7	3,099	19.2
2006	11,673	71.0	3,188	19.4	1,582	9.6	6,758	41.1	6,600	40.1	3,088	18.8
2005	10,632	68.8	3,231	20.9	1,599	10.3	6,328	40.9	6,295	40.7	2,839	18.4
2004	9,994	67.8	3,111	21.1	1,646	11.2	6,160	41.8	5,933	40.2	2,658	18.0
2003	9,614	66.3	3,041	21.0	1,837	12.7	6,072	41.9	5,865	40.5	2,554	17.6
2002	9,283	71.5	2,180	16.8	1,515	11.7	5,619	43.3	4,955	38.2	2,404	18.5
2001	7,731	71.6	1,880	17.4	1,185	11.0	4,740	43.9	4,187	38.8	1,869	17.3
2000	7,406	71.2	1,892	18.2	1,097	10.6	4,713	45.3	3,897	37.5	1,785	17.2
1999	7,848	73.8	1,715	16.1	1,071	10.1	4,786	45.0	4,090	38.5	1,758	16.5
1998	8,044	73.9	1,744	16.0	1,099	10.1	4,903	45.0	4,183	38.4	1,801	16.5
1997	7,190	73.0	1,694	17.2	963	9.8	4,501	45.7	3,636	36.9	1,710	17.4
1996	6,889	72.7	1,655	17.5	936	9.9	4,401	46.4	3,480	36.7	1,599	16.9
1995	6,716	71.3	1,805	19.2	900	9.6	4,464	47.4	3,373	35.8	1,584	16.8
1994	6,968	71.2	1,854	18.9	965	9.9	4,897	50.0	3,385	34.6	1,505	15.4
1993	6,751	70.1	1,901	19.7	985	10.2	4,845	50.3	3,270	33.9	1,522	15.8
1992	6,554	70.3	1,888	20.2	883	9.5	4,724	50.7	3,164	33.9	1,437	15.4
1991	6,711	73.3	1,671	18.2	779	8.5	4,775	52.1	3,039	33.2	1,347	14.7
1990	6,281	71.0	1,774	20.1	789	8.9	4,594	51.9	3,015	34.1	1,235	14.0
1989	5,612	70.4	1,723	21.6	639	8.0	3,989	50.0	2,704	33.9	1,281	16.1
1988	5,402	71.3	1,611	21.3	559	7.4	3,849	50.8	2,493	32.9	1,230	16.2
1987	4,863	72.9	1,356	20.3	455	6.8	3,372	50.5	2,234	33.5	1,068	16.0
1986	4,502	74.6	1,114	18.5	416	6.9	3,149	52.2	2,025	33.6	858	14.2
1985	4,514	72.4	1,245	20.0	477	7.6	3,243	52.0	2,076	33.4	917	14.7
1984	4,211	72.7	1,122	19.4	459	7.9	3,111	53.7	1,950	33.7	731	12.6
1983	4,413	79.3	757	13.6	392	7.0	2,964	53.3	1,871	33.6	727	13.1
1982	4,896	80.7	735	12.1	435	7.2	3,545	58.4	1,812	29.9	709	11.7
1981	4,487	81.6	644	11.7	369	6.7	3,399	61.8	1,650	30.0	451	8.2
1978	3,406	78.0	609	13.9	355	8.1	2,554	58.5	1,505	34.4	309	7.1

---

**How to read Tables 11a and 11b:** The format of Tables 11a and 11b mirror the formats of the Standard Grid and the Sex Offender Grid. The first number in each cell is the number of offenders sentenced at that severity level and that criminal history score. The second number is the percentage of offenders at that severity level who had that specific criminal history score. The third number is the percent, at that criminal history score, who were also at that severity level.

For example, of offenders sentenced in 2015, 376 had a Criminal History Score of 0 and were sentenced for a Severity Level 1 offense. Of the offenders sentenced for Severity Level 1 offenses, 41.0 percent had a Criminal History Score of 0 (the row percent). Of the offenders who had a Criminal History Score of 0, 7.3 percent were sentenced for a Severity Level 1 offense (the column percent).

The Sex Offender Grid went into effect August 1, 2006. In 2015, 1,041 offenders were sentenced using the Sex Offender Grid. Those offenders are excluded from Table 11a and are displayed on Table 11b.

Table 11a. Distribution of Offenders by Severity and History, 2015

Grid Cell Count Row Percent Column Percent	Criminal History Score							Row Total
	0	1	2	3	4	5	6+	
<b>Murder 1</b>	10 45.5% 0.2%	1 4.5% 0.0%	2 9.1% 0.1%	2 9.1% 0.1%	1 4.5% 0.1%	2 9.1% 0.2%	4 18.2% 0.3%	22 100.0% 0.1%
<b>Sev. Level 11</b>	20 52.6% 0.4%	1 2.6% 0.0%	5 13.2% 0.2%	5 13.2% 0.3%	1 2.6% 0.1%	4 10.5% 0.4%	2 5.3% 0.1%	38 100.0% 0.2%
<b>Sev. Level 10</b>	5 38.5% 0.1%	3 23.1% 0.1%	2 15.4% 0.1%	0 0.0% 0.0%	1 7.7% 0.1%	1 7.7% 0.1%	1 7.7% 0.1%	13 100.0% 0.1%
<b>Sev. Level 9</b>	163 40.8% 3.2%	54 13.5% 1.9%	42 10.5% 1.8%	39 9.8% 2.3%	31 7.8% 2.4%	22 5.5% 2.4%	49 12.3% 3.1%	400 100.0% 2.5%
<b>Sev. Level 8</b>	290 35.6% 5.6%	147 18.1% 5.2%	106 13.0% 4.6%	71 8.7% 4.2%	61 7.5% 4.8%	47 5.8% 5.2%	92 11.3% 5.8%	814 100.0% 5.2%
<b>Sev. Level 7</b>	128 21.2% 2.5%	172 28.5% 6.1%	99 16.4% 4.3%	62 10.3% 3.6%	60 9.9% 4.7%	39 6.5% 4.3%	44 7.3% 2.8%	604 100.0% 3.8%
<b>Sev. Level 6</b>	531 33.2% 10.3%	265 16.6% 9.5%	231 14.5% 10.0%	189 11.8% 11.1%	139 8.7% 10.9%	82 5.1% 9.1%	161 10.1% 10.2%	1,598 100.0% 10.2%
<b>Sev. Level 5</b>	254 39.9% 4.9%	99 15.6% 3.5%	89 14.0% 3.8%	62 9.7% 3.6%	37 5.8% 2.9%	26 4.1% 2.9%	69 10.8% 4.4%	636 100.0% 4.0%
<b>Sev. Level 4</b>	1,061 28.3% 20.7%	625 16.7% 22.3%	577 15.4% 24.9%	486 13.0% 28.6%	356 9.5% 27.9%	251 6.7% 27.7%	389 10.4% 24.5%	3,745 100.0% 23.8%
<b>Sev. Level 3</b>	506 35.6% 9.8%	257 18.1% 9.2%	189 13.3% 8.2%	144 10.1% 8.5%	97 6.8% 7.6%	66 4.6% 7.3%	161 11.3% 10.2%	1,420 100.0% 9.0%
<b>Sev. Level 2</b>	1,794 32.5% 34.9%	1,039 18.8% 37.1%	871 15.8% 37.6%	564 10.2% 33.1%	424 7.7% 33.3%	313 5.7% 34.6%	511 9.3% 32.2%	5,516 100.0% 35.1%
<b>Sev. Level 1</b>	376 41.0% 7.3%	140 15.3% 5.0%	101 11.0% 4.4%	78 8.5% 4.6%	67 7.3% 5.3%	52 5.7% 5.7%	102 11.1% 6.4%	916 100.0% 5.8%
<b>Column Total</b>	5,138 32.7% 100.0%	2,803 17.8% 100.0%	2,314 14.7% 100.0%	1,702 10.8% 100.0%	1,275 8.1% 100.0%	905 5.8% 100.0%	1,585 10.1% 100.0%	15,722 100.0% 100.0%

**Table 11b. Distribution of Offenders by Severity and Criminal History, Sex Offender Grid, 2015**

Grid Cell Count Row Percent Column Percent	Criminal History Score							Row Total
	0	1	2	3	4	5	6+	
<b>Sev. Level A</b>	60	12	9	14	5	4	7	111
	54.1%	10.8%	8.1%	12.6%	4.5%	3.6%	6.3%	100.0%
	14.6%	8.9%	7.3%	11.3%	5.4%	7.0%	7.1%	10.7%
<b>Sev. Level B</b>	25	2	10	3	2	2	4	48
	52.1%	4.2%	20.8%	6.3%	4.2%	4.2%	8.3%	100.0%
	6.1%	1.5%	8.1%	2.4%	2.2%	3.5%	4.1%	4.6%
<b>Sev. Level C</b>	32	11	5	7	10	0	6	71
	45.1%	15.5%	7.0%	9.9%	14.1%	0.0%	8.5%	100.0%
	7.8%	8.1%	4.0%	5.6%	10.9%	0.0%	6.1%	6.8%
<b>Sev. Level D</b>	142	37	16	15	7	2	10	229
	62.0%	16.2%	7.0%	6.6%	3.1%	0.9%	4.4%	100.0%
	34.5%	27.4%	12.9%	12.1%	7.6%	3.5%	10.2%	22.0%
<b>Sev. Level E</b>	26	6	3	3	1	0	2	41
	63.4%	14.6%	7.3%	7.3%	2.4%	0.0%	4.9%	100.0%
	6.3%	4.4%	2.4%	2.4%	1.1%	0.0%	2.0%	3.9%
<b>Sev. Level F</b>	17	6	6	8	4	2	4	47
	36.2%	12.8%	12.8%	17.0%	8.5%	4.3%	8.5%	100.0%
	4.1%	4.4%	4.8%	6.5%	4.3%	3.5%	4.1%	4.5%
<b>Sev. Level G</b>	70	17	13	11	6	1	4	122
	57.4%	13.9%	10.7%	9.0%	4.9%	0.8%	3.3%	100.0%
	17.0%	12.6%	10.5%	8.9%	6.5%	1.8%	4.1%	11.7%
<b>Sev. Level H Failure to Register</b>	39	44	62	63	57	46	61	372
	10.5%	11.8%	16.7%	16.9%	15.3%	12.4%	16.4%	100.0%
	9.5%	32.6%	50.0%	50.8%	62.0%	80.7%	62.2%	35.7%
<b>Column Total</b>	411	135	124	124	92	57	98	1,041
	39.5%	13.0%	11.9%	11.9%	8.8%	5.5%	9.4%	100.0%
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

### Incarceration Rates

**How to read Table 12:** The following table shows the percentage of offenders by gender whom the Guidelines presumed should receive an executed prison sentence (“presumptive”) and who actually received an executed prison sentence (“actual”). For example, of the 13,621 male offenders sentenced in 2015 (Table 5), 37 percent had a presumptive prison disposition and 29.3 percent received a sentence of imprisonment. The actual imprisonment rates in this table and the local incarceration rates in Table 15 can be added together to derive the total incarceration rates.

**Table 12. Imprisonment Rate by Gender, 1978, 1981-2015**

Year	Total Number Sentenced	Total Imprisonment Rate			Male Imprisonment Rate		Female Imprisonment Rate	
		Presumptive	Actual		Presumptive	Actual	Presumptive	Actual
			Number	Rate				
2015	16,763	33.2%	4,392	26.2%	37.0%	29.3%	16.5%	12.6%
2014	16,145	34.4%	4,218	26.1%	37.9%	29.0%	18.4%	13.0%
2013	15,318	34.8%	4,193	27.4%	38.1%	30.3%	18.0%	12.6%
2012	15,207	34.1%	4,004	26.3%	37.4%	29.1%	17.4%	12.4%
2011	14,571	33.3%	3,653	25.1%	36.6%	27.9%	16.4%	10.9%
2010	14,311	32.7%	3,640	25.4%	36.0%	28.3%	15.7%	11.0%
2009	14,840	33.0%	3,723	25.1%	36.4%	27.7%	16.3%	12.2%
2008	15,394	32.4%	3,852	25.0%	35.8%	27.9%	16.4%	11.8%
2007	16,167	30.0%	3,759	23.3%	33.1%	25.8%	15.6%	11.5%
2006	16,443	28.7%	3,593	21.9%	31.8%	24.4%	14.2%	9.8%
2005	15,460	29.2%	3,581	23.2%	32.3%	25.8%	15.1%	11.2%
2004	14,751	30.1%	3,443	23.4%	33.3%	26.1%	16.0%	11.0%
2003	14,492	30.6%	3,536	24.4%	33.8%	27.2%	14.8%	10.9%
2002	12,977	29.6%	3,057	23.6%	32.9%	26.4%	14.5%	10.7%
2001	10,796	28.7%	2,449	22.7%	31.7%	25.6%	15.3%	9.5%
2000	10,395	27.6%	2,428	23.4%	31.0%	26.2%	11.7%	10.1%
1999	10,634	26.6%	2,451	23.0%	29.6%	25.6%	12.4%	11.0%
1998	10,887	27.0%	2,561	23.5%	30.3%	26.4%	11.3%	9.8%
1997	9,847	28.1%	2,189	22.2%	31.6%	25.2%	12.1%	8.7%
1996	9,480	27.7%	2,189	23.1%	31.4%	26.2%	10.8%	8.8%
1995	9,421	27.8%	2,136	22.7%	31.2%	25.6%	12.1%	9.4%
1994	9,787	26.7%	2,043	20.9%	30.0%	23.7%	11.3%	7.6%
1993	9,637	27.1%	2,064	21.4%	30.5%	24.4%	10.3%	6.9%
1992	9,325	26.4%	1,925	20.6%	29.2%	23.1%	11.1%	7.8%
1991	9,161	25.0%	1,777	19.4%	27.8%	21.9%	9.8%	6.0%
1990	8,844	25.0%	1,725	19.5%	27.6%	21.9%	11.4%	7.6%
1989	7,974	25.5%	1,752	22.0%	28.2%	24.2%	11.6%	10.7%
1988	7,572	24.5%	1,586	20.9%	27.4%	23.5%	9.0%	7.4%
1987	6,674	23.5%	1,443	21.6%	26.4%	24.2%	8.5%	8.4%
1986	6,032	22.2%	1,198	19.9%	24.9%	22.3%	7.5%	6.9%
1985	6,236	23.3%	1,186	19.0%	26.0%	21.1%	8.0%	7.6%
1984	5,792	21.9%	1,134	19.6%	24.1%	21.5%	6.9%	6.6%
1983	5,562	20.4%	1,140	20.5%	22.6%	22.3%	7.2%	8.8%
1982	6,066	18.7%	1,128	18.6%	20.8%	20.5%	5.4%	6.4%
1981	5,500	15.0%	825	15.0%	16.2%	16.2%	5.6%	5.5%
1978	4,369	NA	891	20.4%	NA	21.9%	NA	9.2%

**How to read Table 13:** The following table shows the percentage of offenders for each race/ethnicity for whom the Guidelines presumed should receive an executed prison sentence (“presumptive”) and who actually received an executed prison sentence (“actual”). For example, of the 9,677 white offenders sentenced in 2015 (Table 7), 29.5 percent had a presumptive prison disposition and 23.2 percent received a sentence of imprisonment. The actual imprisonment rates in this table and the local incarceration rates in Table 16 can be added together to derive the total incarceration rate.

**Table 13. Imprisonment Rate by Race/Ethnicity, 1978, 1981-2015**

Year	Race											
	White		Black		American Indian		Hispanic		Asian		Other	
	Presump- tive	Actual	Presump- tive	Actual	Presump- tive	Actual	Presump- tive	Actual	Presump- tive	Actual	Presump- tive	Actual
2015	29.5%	23.2%	42.7%	32.6%	28.9%	26.3%	36.4%	28.2%	27.5%	24.9%	0%	0%
2014	30.3%	22.7%	43.1%	31.9%	35.6%	30.9%	38.5%	30.0%	29.2%	24.6%	0%	0%
2013	29.9%	23.5%	44.9%	34.5%	35.1%	28.8%	40.3%	33.3%	29.3%	24.4%	0%	0%
2012	29.7%	22.6%	43.2%	33.6%	35.5%	28.2%	36.3%	28.1%	30.7%	24.7%	25.0%	25.0%
2011	28.3%	21.0%	41.8%	31.4%	37.4%	30.2%	37.5%	31.2%	30.6%	18.8%	--*	--
2010	27.6%	21.2%	41.8%	32.9%	37.8%	30.3%	32.9%	27.0%	31.1%	21.8%	--	--
2009	28.6%	20.9%	40.8%	31.7%	36.8%	30.9%	33.3%	26.5%	32.5%	26.7%	--	--
2008	28.0%	21.5%	40.6%	31.6%	36.8%	29.4%	33.9%	26.3%	29.0%	21.0%	50%	50.0%
2007	26.2%	20.0%	38.4%	30.0%	31.6%	24.8%	31.3%	26.6%	27.9%	18.3%	0%	0%
2006	25.2%	18.9%	35.8%	26.9%	33.2%	28.1%	32.2%	25.9%	26.1%	20.9%	0%	0%
2005	24.6%	19.8%	38.8%	29.4%	34.8%	29.2%	31.3%	26.8%	32.8%	26.0%	41.7%	5.3%
2004	25.9%	19.9%	39.2%	30.2%	33.0%	27.4%	34.6%	28.2%	31.7%	22.9%	--	--
2003	27.2%	22.0%	37.3%	29.3%	29.6%	24.6%	38.5%	30.9%	34.8%	23.3%	31.6%	26.3%
2002	26.1%	20.7%	35.5%	27.7%	33.0%	27.5%	36.3%	31.3%	31.2%	24.9%	23.9%	15.5%
2001	24.7%	19.3%	36.1%	28.6%	31.5%	25.3%	31.4%	27.6%	34.1%	23.7%	0%	0.0%
2000	23.4%	19.7%	34.6%	29.3%	29.7%	26.4%	37.1%	30.5%	22.2%	22.2%	17.4%	15.9%
1999	22.2%	19.2%	33.7%	28.6%	29.6%	27.7%	33.7%	30.6%	30.4%	25.4%	25.5%	21.8%
1998	22.1%	19.9%	35.7%	30.2%	29.6%	26.9%	33.6%	28.3%	29.0%	20.4%	20.4%	11.1%
1997	23.4%	19.1%	36.0%	26.5%	32.5%	30.0%	35.4%	28.2%	24.2%	13.6%	18.2%	15.9%
1996	23.8%	20.2%	36.6%	29.9%	28.3%	25.4%	29.2%	22.3%	21.4%	16.1%	24.4%	14.6%
1995	23.4%	19.5%	35.8%	28.5%	35.4%	29.5%	30.0%	23.6%	30.3%	23.0%	25.9%	18.5%
1994	22.9%	18.1%	36.1%	27.8%	31.1%	25.2%	26.1%	18.8%	23.3%	17.6%	33.3%	20.8%
1993	22.8%	17.9%	37.7%	30.2%	31.0%	25.0%	28.5%	21.4%	33.3%	25.8%	18.4%	18.4%
1992	22.9%	17.8%	35.2%	28.2%	31.3%	24.3%	28.1%	23.1%	29.5%	17.1%	25.0%	25.0%

Year	Race											
	White		Black		American Indian		Hispanic		Asian		Other	
	Presump- tive	Actual	Presump- tive	Actual	Presump- tive	Actual	Presump- tive	Actual	Presump- tive	Actual	Presump- tive	Actual
1991	21.0%	16.5%	35.2%	27.1%	34.2%	27.1%	29.1%	23.6%	36.3%	16.5%	27.6%	10.3%
1990	22.1%	16.8%	32.6%	26.5%	34.1%	28.2%	27.3%	23.3%	36.2%	29.0%	24.0%	16.0%
1989	22.6%	19.4%	34.6%	32.1%	33.7%	26.2%	22.8%	14.0%	26.1%	10.9%	20.8%	25.0%
1988	21.6%	18.3%	32.7%	29.1%	31.5%	28.2%	28.1%	22.2%	22.9%	11.4%	35.3%	11.8%
1987	21.2%	19.4%	33.4%	30.8%	26.2%	26.7%	27.4%	18.5%	18.5%	18.5%	17.6%	17.6%
1986	20.9%	18.6%	29.2%	26.1%	21.4%	22.3%	21.3%	17.5%	24.0%	12.0%	38.9%	38.9%
1985	21.2%	16.8%	33.0%	27.7%	25.0%	25.0%	25.9%	23.1%	26.3%	21.1%	27.6%	20.7%
1984	20.5%	17.5%	29.8%	30.2%	25.2%	26.2%	20.4%	19.5%	6.3%	0.0%	31.6%	15.8%
1983	18.7%	18.1%	29.9%	31.4%	22.1%	29.2%	19.3%	21.9%	11.1%	11.1%	33.3%	26.7%
1982	15.9%	15.6%	32.1%	32.1%	25.5%	28.9%	35.0%	34.0%	18.8%	12.5%	23.8%	23.8%
1981	12.3%	12.2%	28.9%	29.2%	23.2%	26.1%	26.7%	25.6%	20.0%	10.0%	100%	75.0%
1978	NA	19.3%	NA	28.9%	NA	22.7%	NA	17.6%	NA	0.0%	NA	31.4%

\* In this table, "--" means that there were no offenders sentenced in the category.

**How to read Table 14:** The following table shows the percentage of offenders sentenced in each Minnesota Judicial District for whom the Guidelines presumed should receive an executed prison sentence (“Pres.”) and who actually received an executed prison sentence (“Act.”). For example, of the 3,240 offenders sentenced in the Fourth Judicial District in 2015 (Table 9), 41.2 percent had a recommended prison disposition and 31.8 percent received a sentence of incarceration in a state prison. The actual imprisonment rates in this table and the local incarceration rates in Table 17 can be added together to derive the total incarceration rate.

**Table 14. Imprisonment Rates by MN Judicial District, 1978, 1981-2015**

Year	Judicial District																			
	1 <sup>st</sup>		2 <sup>nd</sup>		3 <sup>rd</sup>		4 <sup>th</sup>		5 <sup>th</sup>		6 <sup>th</sup>		7 <sup>th</sup>		8 <sup>th</sup>		9 <sup>th</sup>		10 <sup>th</sup>	
	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.
2015	27.3%	21.0%	34.7%	26.4%	33.2%	24.5%	41.2%	31.8%	27.3%	20.0%	32.0%	20.1%	35.1%	30.8%	36.3%	32.0%	28.1%	25.9%	30.3%	24.5%
2014	28.6%	20.8%	38.0%	26.8%	31.7%	25.6%	42.2%	31.0%	29.7%	22.7%	35.8%	23.2%	35.7%	29.3%	29.1%	24.9%	31.3%	27.0%	29.9%	23.3%
2013	28.0%	20.8%	41.0%	33.3%	32.6%	28.1%	43.6%	31.2%	29.5%	21.4%	34.1%	23.4%	34.5%	30.4%	28.4%	27.1%	31.6%	27.9%	29.8%	23.4%
2012	28.6%	20.8%	37.8%	31.5%	31.3%	25.2%	41.5%	29.7%	30.5%	22.6%	30.9%	20.2%	35.7%	29.9%	32.9%	27.1%	31.6%	26.8%	30.4%	23.2%
2011	28.8%	20.7%	33.7%	28.3%	29.5%	26.5%	43.7%	30.6%	27.1%	19.8%	30.2%	21.1%	32.5%	24.3%	32.2%	28.7%	31.5%	25.3%	29.2%	20.3%
2010	28.0%	19.1%	35.0%	29.5%	27.8%	23.8%	41.8%	31.5%	28.3%	21.0%	29.2%	18.1%	34.4%	30.2%	32.2%	30.9%	31.5%	25.1%	26.8%	19.8%
2009	27.9%	19.8%	33.7%	29.4%	28.5%	24.2%	40.2%	28.8%	26.5%	19.6%	29.3%	19.8%	36.9%	29.9%	28.4%	28.6%	33.0%	23.7%	29.0%	20.3%
2008	30.9%	22.4%	31.7%	27.2%	29.8%	26.5%	39.6%	27.8%	31.4%	20.7%	27.0%	20.2%	33.8%	30.1%	26.5%	26.3%	30.9%	22.3%	27.9%	20.8%
2007	27.7%	19.7%	31.2%	26.2%	27.2%	22.6%	37.3%	26.5%	26.8%	18.1%	25.3%	19.9%	30.8%	28.1%	26.9%	24.0%	28.0%	23.0%	26.0%	18.9%
2006	26.4%	17.7%	29.6%	24.0%	27.2%	25.3%	34.0%	23.3%	26.9%	20.6%	24.4%	16.1%	28.1%	25.2%	30.4%	26.7%	28.0%	21.6%	25.5%	19.0%
2005	26.3%	18.9%	30.5%	24.1%	28.0%	25.4%	37.0%	26.4%	28.3%	21.7%	23.1%	17.8%	28.5%	26.0%	27.0%	26.5%	29.4%	26.2%	24.2%	18.7%
2004	24.8%	15.8%	33.5%	27.9%	28.4%	24.0%	35.9%	25.5%	29.8%	27.3%	24.7%	17.8%	28.8%	24.1%	27.8%	26.8%	32.3%	26.3%	26.1%	19.7%
2003	25.9%	20.0%	32.8%	27.1%	31.0%	25.4%	34.4%	26.1%	34.5%	27.9%	25.1%	18.6%	27.5%	24.9%	31.8%	27.7%	31.5%	26.7%	29.3%	21.7%
2002	26.6%	19.8%	31.2%	25.5%	30.2%	24.7%	34.5%	25.3%	30.9%	25.4%	25.1%	19.5%	25.4%	22.7%	26.8%	26.8%	25.7%	22.5%	29.3%	22.9%
2001	23.4%	17.3%	31.2%	25.4%	30.7%	23.2%	34.9%	26.9%	24.3%	20.5%	22.9%	15.5%	24.6%	23.1%	24.4%	24.8%	27.1%	21.8%	26.8%	20.4%
2000	23.8%	19.6%	28.5%	25.5%	27.4%	22.8%	33.1%	26.7%	26.0%	21.7%	22.7%	18.9%	22.0%	20.2%	26.9%	26.9%	25.9%	23.3%	25.8%	21.2%
1999	22.5%	18.4%	27.2%	22.5%	22.6%	20.1%	34.2%	29.0%	22.6%	25.6%	23.3%	17.9%	22.6%	20.6%	24.1%	30.7%	22.0%	21.2%	24.8%	20.5%
1998	22.3%	18.6%	26.9%	24.3%	27.0%	26.5%	37.1%	29.4%	23.5%	20.9%	19.2%	15.1%	24.0%	21.6%	27.7%	27.0%	22.2%	23.1%	20.0%	19.1%
1997	22.8%	19.6%	27.9%	22.5%	28.1%	21.3%	37.9%	26.5%	20.3%	19.6%	25.1%	17.0%	24.1%	22.4%	24.8%	21.8%	26.0%	25.1%	22.5%	17.8%
1996	25.5%	20.6%	29.9%	25.1%	26.1%	22.2%	36.8%	27.6%	20.5%	19.7%	23.6%	20.1%	20.6%	19.4%	25.7%	22.9%	26.0%	21.7%	23.0%	21.3%
1995	21.6%	18.4%	26.6%	21.4%	25.6%	19.2%	39.5%	29.8%	25.5%	23.5%	27.2%	18.9%	22.5%	17.9%	27.1%	28.6%	21.7%	22.0%	23.3%	20.9%
1994	19.1%	14.5%	25.0%	18.4%	25.0%	15.9%	40.2%	30.1%	18.3%	18.3%	21.9%	16.8%	23.1%	21.5%	28.2%	23.2%	24.4%	20.6%	21.7%	17.2%
1993	22.9%	18.5%	26.8%	23.6%	21.8%	15.6%	41.1%	29.6%	17.0%	15.7%	23.3%	17.7%	21.1%	18.2%	24.8%	20.9%	20.8%	18.0%	22.6%	17.7%
1992	20.4%	15.7%	24.4%	20.7%	23.1%	16.5%	38.4%	27.1%	20.7%	19.9%	21.4%	19.0%	20.7%	18.6%	21.4%	20.8%	22.2%	18.3%	22.4%	17.3%
1991	20.2%	16.3%	22.9%	18.6%	19.9%	11.8%	36.6%	27.6%	19.4%	16.4%	17.8%	15.3%	19.5%	16.3%	19.7%	18.0%	21.8%	17.8%	22.3%	16.4%
1990	23.8%	16.5%	19.6%	18.5%	24.4%	17.3%	33.7%	25.3%	21.3%	18.2%	21.1%	16.0%	20.9%	19.3%	21.1%	24.9%	22.3%	15.1%	23.9%	16.9%



Year	Judicial District																			
	1 <sup>st</sup>		2 <sup>nd</sup>		3 <sup>rd</sup>		4 <sup>th</sup>		5 <sup>th</sup>		6 <sup>th</sup>		7 <sup>th</sup>		8 <sup>th</sup>		9 <sup>th</sup>		10 <sup>th</sup>	
	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.
1989	23.8%	19.1%	23.7%	21.3%	27.2%	22.3%	32.3%	29.4%	27.3%	23.5%	21.8%	19.6%	18.5%	15.2%	20.6%	22.0%	19.9%	16.0%	23.0%	17.4%
1988	21.6%	15.7%	25.1%	24.0%	21.7%	15.7%	30.5%	23.9%	18.5%	19.4%	19.6%	18.4%	20.3%	18.4%	29.8%	23.4%	18.2%	21.8%	23.3%	18.9%
1987	23.4%	17.8%	23.9%	26.1%	20.0%	16.3%	31.0%	27.5%	19.3%	16.1%	15.6%	19.2%	21.1%	18.1%	26.2%	22.1%	18.6%	21.4%	21.8%	18.0%
1986	20.9%	18.0%	18.7%	19.2%	26.1%	18.5%	29.5%	24.5%	18.7%	16.8%	16.2%	18.3%	18.3%	14.5%	20.6%	15.6%	19.1%	22.1%	24.0%	21.0%
1985	19.2%	15.4%	23.4%	21.4%	19.5%	13.2%	29.5%	21.8%	15.2%	13.9%	24.5%	19.7%	20.7%	17.2%	19.7%	17.9%	19.9%	19.8%	24.0%	19.0%
1984	21.2%	15.8%	20.7%	20.6%	17.1%	11.5%	28.0%	25.0%	20.6%	17.2%	21.8%	19.7%	18.1%	14.9%	23.2%	18.0%	18.8%	20.5%	20.4%	19.3%
1983	17.8%	16.9%	20.0%	22.1%	18.3%	19.1%	27.8%	29.3%	18.3%	17.7%	18.7%	18.5%	15.4%	13.6%	21.2%	14.5%	15.5%	19.3%	19.3%	15.4%
1982	16.1%	14.9%	18.5%	20.0%	15.1%	14.1%	29.7%	29.7%	8.7%	10.2%	15.9%	16.1%	16.5%	16.9%	17.2%	15.3%	16.8%	15.9%	14.5%	13.2%
1981	9.9%	6.3%	14.2%	15.7%	12.0%	11.0%	26.3%	24.2%	4.4%	5.1%	10.3%	14.0%	11.2%	11.8%	8.1%	8.1%	13.3%	14.1%	13.4%	14.5%
1978	NA	17.0%	NA	22.7%	NA	25.7%	NA	23.9%	NA	17.4%	NA	13.4%	NA	13.2%	NA	18.5%	NA	17.0%	NA	21.7%

**How to read Table 15:** The following table shows the percentage of offenders by gender who received incarceration time in a local correctional facility as a condition of a stayed sentence. For example, of the 13,621 male offenders sentenced in 2015 (Table 5), 63.4 percent received incarceration in a local correctional facility as a condition of a stayed sentence.

**Table 15. Incarceration in Local Facilities as Condition of a Stayed Sentence by Gender, 1978, 1981-2015**

Year	Total Number Sentenced	Local Incarceration as a Condition of Probation		By Gender	
		Number	Rate	Male	Female
2015	16,763	10,996	65.6%	63.4%	75.2%
2014	16,145	10,678	66.1%	64.4%	73.9%
2013	15,318	9,979	65.1%	63.1%	75.4%
2012	15,207	9,838	64.7%	63.0%	73.3%
2011	14,571	9,583	65.8%	64.2%	73.4%
2010	14,311	8,587	60.0%	58.6%	67.1%
2009	14,840	9,746	65.7%	64.0%	73.6%
2008	15,394	10,062	65.4%	63.8%	72.7%
2007	16,167	10,970	67.9%	66.4%	74.6%
2006	16,443	11,492	69.9%	68.3%	77.4%
2005	15,460	10,672	69.0%	67.6%	75.8%
2004	14,751	10,071	68.3%	66.9%	74.4%
2003	14,492	9,557	66.0%	64.6%	72.3%
2002	12,977	8,599	66.3%	65.2%	71.3%
2001	10,796	7,150	66.2%	65.0%	71.8%
2000	10,395	6,838	65.8%	64.9%	70.1%
1999	10,634	6,946	65.3%	64.9%	67.2%
1998	10,887	6,999	64.3%	64.0%	65.4%
1997	9,847	6,349	64.5%	64.4%	64.8%
1996	9,480	5,911	62.4%	62.5%	61.8%
1995	9,421	6,019	63.9%	65.0%	58.7%
1994	9,787	6,292	64.3%	65.1%	60.7%
1993	9,637	6,205	64.4%	65.1%	60.8%
1992	9,325	6,176	66.2%	66.7%	63.8%
1991	9,161	6,009	65.6%	67.0%	58.2%
1990	8,844	5,428	61.4%	63.3%	51.5%
1989	7,974	4,669	58.6%	60.8%	47.1%
1988	7,572	4,428	58.5%	60.3%	49.0%
1987	6,674	3,700	55.4%	57.6%	44.4%
1986	6,032	3,298	54.7%	57.5%	39.5%
1985	6,236	3,324	53.3%	56.0%	38.5%
1984	5,792	3,074	53.1%	55.4%	37.1%
1983	5,562	2,781	50.0%	52.9%	31.8%
1982	6,066	2,717	44.7%	47.3%	28.2%
1981	5,500	2,539	46.2%	48.2%	29.8%
1978	4,369	1,547	35.4%	37.5%	19.9%

**How to read Table 16:** The following table shows the percentage of offenders for each race/ethnicity who received incarceration time in a local correctional facility as a condition of a stayed sentence. For example, of the 9,677 white offenders sentenced in 2015 (Table 7), 67.7 percent received incarceration in a local facility as a condition of a stayed sentence.

**Table 16. Incarceration in Local Correctional Facilities by Race/Ethnicity, 1978, 1981-2015**

Year	Total Number Sentenced	Local Incarceration as a Condition or Probation		Rate By Race/Ethnicity					
		Number	Rate	White	Black	American Indian	Hispanic	Asian	Other
2015	16,763	10,996	65.6%	67.7%	60.8%	66.1%	64.2%	68.1%	100%
2014	16,145	10,678	66.1%	68.4%	62.6%	61.5%	64.0%	69.5%	100%
2013	15,318	9,979	65.1%	67.7%	60.4%	62.8%	60.4%	71.1%	100%
2012	15,207	9,838	64.7%	67.2%	59.6%	63.7%	63.5%	67.9%	50.0%
2011	14,571	9,583	65.8%	68.4%	61.9%	62.2%	59.5%	73.3%	---
2010	14,311	8,587	60.0%	62.8%	55.9%	57.0%	53.7%	66.2%	---
2009	14,840	9,746	65.7%	69.1%	61.6%	61.8%	57.4%	66.2%	---
2008	15,394	10,062	65.4%	68.1%	61.1%	61.0%	60.9%	70.7%	50.0%
2007	16,167	10,970	67.9%	70.0%	63.2%	67.7%	64.0%	73.3%	100%
2006	16,443	11,492	69.9%	72.0%	66.1%	66.2%	66.2%	73.9%	25.0%
2005	15,460	10,672	69.0%	71.7%	65.0%	62.8%	62.8%	69.5%	75.0%
2004	14,751	10,071	68.3%	71.1%	62.9%	63.9%	64.4%	69.2%	---
2003	14,492	9,557	66.0%	67.5%	62.8%	67.3%	60.2%	67.4%	65.8%
2002	12,977	8,599	66.3%	68.7%	63.0%	62.3%	58.5%	64.1%	76.1%
2001	10,796	7,150	66.2%	68.5%	62.5%	64.8%	61.8%	63.0%	75.0%
2000	10,395	6,838	65.8%	68.7%	61.2%	65.3%	59.0%	65.2%	63.8%
1999	10,634	6,946	65.3%	68.9%	59.7%	64.3%	57.3%	61.9%	65.5%
1998	10,887	6,999	64.3%	67.5%	58.1%	62.8%	62.1%	64.8%	64.8%
1997	9,847	6,349	64.5%	67.8%	58.0%	61.6%	63.2%	70.5%	72.7%
1996	9,480	5,911	62.4%	65.8%	53.1%	64.3%	66.5%	63.7%	75.6%
1995	9,421	6,019	63.9%	66.7%	58.7%	60.7%	63.7%	52.6%	74.1%
1994	9,787	6,292	64.3%	66.7%	57.8%	64.3%	66.7%	61.4%	75.0%
1993	9,637	6,205	64.4%	67.4%	56.3%	64.7%	62.3%	62.9%	68.4%
1992	9,325	6,176	66.2%	68.0%	60.9%	65.7%	66.4%	66.7%	62.5%
1991	9,161	6,009	65.6%	67.7%	58.7%	63.7%	64.1%	68.1%	65.5%
1990	8,844	5,428	61.4%	63.9%	53.5%	56.6%	62.3%	46.4%	68.0%
1989	7,974	4,669	58.6%	60.9%	47.7%	60.0%	66.0%	65.2%	62.5%
1988	7,572	4,428	58.5%	60.8%	49.8%	58.4%	60.6%	60.0%	29.4%
1987	6,674	3,700	55.4%	57.2%	46.6%	56.7%	54.8%	44.4%	76.5%
1986	6,032	3,298	54.7%	56.2%	44.4%	59.1%	57.5%	52.0%	44.4%
1985	6,236	3,324	53.3%	55.2%	45.4%	53.9%	42.7%	36.8%	44.8%
1984	5,792	3,074	53.1%	54.2%	46.1%	51.2%	54.9%	56.3%	68.4%
1983	5,562	2,781	50.0%	50.6%	47.3%	49.1%	45.6%	55.6%	46.7%
1982	6,066	2,717	44.7%	45.4%	40.3%	42.6%	38.8%	37.5%	42.9%
1981	5,500	2,539	46.2%	46.3%	44.5%	50.0%	43.0%	30.0%	0.0%
1978	4,369	1,547	35.4%	35.3%	34.1%	41.7%	58.0%	0.0%	2.9%

**How to read Table 17:** The following table shows the percentage of offenders sentenced in each Minnesota Judicial District who received incarceration time in a local correctional facility as a condition of a stayed sentence. For example, of the 3,240 offenders sentenced in the Fourth Judicial District in 2015 (Table 1), 59.9 percent received a sentence including incarceration in a local correctional facility.

**Table 17. Incarceration Rates in Local Correctional Facilities by Judicial District, 1978, 1981-2015**

Year	Judicial District									
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>	8 <sup>th</sup>	9 <sup>th</sup>	10 <sup>th</sup>
2015	68.4%	71.7%	57.6%	59.9%	70.8%	67.2%	67.1%	63.2%	61.1%	70.2%
2014	69.7%	72.5%	55.5%	62.3%	69.9%	61.6%	67.8%	69.3%	58.1%	72.7%
2013	71.5%	66.2%	55.1%	60.9%	71.3%	62.4%	66.8%	68.5%	58.1%	72.6%
2012	65.4%	67.8%	56.8%	60.5%	67.5%	63.5%	67.2%	66.9%	60.0%	71.9%
2011	65.5%	70.6%	52.3%	60.9%	68.1%	62.3%	71.8%	65.6%	62.4%	74.9%
2010	63.0%	63.2%	48.3%	55.8%	62.1%	60.3%	61.0%	56.1%	57.4%	69.5%
2009	70.0%	69.4%	51.8%	62.4%	71.1%	59.3%	66.2%	66.7%	64.4%	73.4%
2008	67.9%	70.5%	52.9%	64.5%	64.5%	51.6%	65.9%	69.0%	65.0%	72.6%
2007	72.0%	71.5%	59.4%	63.6%	68.7%	59.3%	67.7%	69.3%	67.3%	75.6%
2006	72.4%	74.1%	60.1%	68.5%	68.2%	59.8%	71.1%	70.8%	69.5%	75.8%
2005	71.9%	72.9%	57.3%	67.6%	68.2%	62.0%	70.5%	69.9%	63.8%	75.8%
2004	72.5%	67.3%	61.2%	66.3%	64.5%	65.4%	70.7%	65.6%	66.1%	75.3%
2003	68.7%	66.1%	59.3%	64.9%	62.1%	61.9%	69.7%	63.3%	63.6%	70.8%
2002	68.7%	66.9%	55.2%	64.6%	65.1%	61.2%	72.2%	65.8%	68.1%	69.4%
2001	68.0%	67.1%	61.3%	62.1%	68.1%	60.6%	70.5%	70.6%	67.9%	70.8%
2000	66.8%	63.5%	64.3%	62.8%	64.7%	60.1%	73.8%	69.7%	68.2%	69.6%
1999	68.1%	66.9%	64.0%	57.2%	58.7%	61.6%	73.9%	62.8%	69.2%	75.8%
1998	65.7%	63.7%	57.7%	56.3%	62.7%	61.1%	72.8%	67.2%	69.2%	75.8%
1997	67.9%	62.4%	62.4%	55.0%	64.6%	57.2%	71.3%	72.2%	69.5%	76.7%
1996	63.8%	57.2%	59.3%	52.0%	64.3%	58.7%	75.0%	69.6%	68.5%	73.1%
1995	64.2%	59.8%	65.3%	57.9%	56.8%	57.5%	74.7%	64.6%	72.1%	71.7%
1994	65.0%	60.1%	68.0%	58.0%	60.5%	55.8%	70.0%	64.1%	72.3%	75.1%
1993	64.5%	55.3%	66.7%	56.5%	63.5%	66.5%	74.2%	67.5%	74.1%	73.4%
1992	67.0%	62.3%	69.6%	59.4%	67.2%	63.2%	74.1%	70.3%	72.2%	73.5%
1991	64.5%	61.7%	71.3%	57.4%	71.4%	63.7%	74.3%	75.1%	72.9%	71.8%
1990	63.3%	49.8%	65.3%	56.4%	61.3%	57.0%	71.2%	68.4%	73.3%	70.3%
1989	61.5%	48.6%	62.1%	50.7%	54.9%	52.2%	68.9%	65.1%	72.4%	71.1%
1988	58.0%	45.5%	68.4%	55.9%	56.7%	50.9%	68.7%	65.2%	63.3%	67.7%
1987	47.9%	42.0%	65.2%	50.7%	62.3%	55.3%	61.0%	62.4%	61.1%	66.8%
1986	47.3%	44.8%	63.7%	50.7%	60.8%	51.8%	62.5%	65.6%	59.2%	63.0%
1985	44.0%	46.3%	70.8%	45.8%	56.8%	53.2%	55.0%	55.5%	63.5%	62.1%
1984	41.3%	47.9%	74.9%	49.6%	49.2%	51.8%	51.9%	57.2%	60.9%	59.1%
1983	35.7%	43.1%	67.9%	54.2%	43.8%	48.6%	48.4%	41.2%	59.8%	51.2%
1982	27.5%	42.5%	69.0%	43.7%	48.3%	55.3%	34.0%	30.8%	56.8%	45.0%
1981	29.1%	42.2%	65.2%	49.0%	49.8%	49.0%	29.4%	45.7%	58.4%	42.8%
1978	35.9%	39.3%	38.9%	40.8%	26.0%	45.5%	12.0%	22.3%	47.8%	23.0%

## Departure Rates

**Table 18. Dispositional Departures by Gender, Race, and Judicial District, 2015**

		All Cases							
		Total Cases	Total Disp. Dep. Rate	No Departure		Aggravated		Mitigated	
				No.	Rate	No.	Rate	No.	Rate
<b>Gender</b>	Male	13,621	15.8%	11,467	84.2%	552	4.1%	1,602	11.8%
	Female	3,142	13.4%	2,722	86.6%	148	4.7%	272	8.7%
<b>Race/ Ethnicity</b>	White	9,667	15.5%	8,180	84.5%	443	4.6%	1,054	10.9%
	Black	4,409	16.1%	3,699	83.9%	132	3.0%	578	13.1%
	American Indian	1,382	13.0%	1,203	87.0%	72	5.2%	107	7.7%
	Hispanic	836	16.1%	701	83.9%	33	3.9%	102	12.2%
	Asian	458	11.6%	405	88.4%	20	4.4%	33	7.2%
	Other/ Unknown	1	0.0%	1	100.0%	0	0.0%	0	0.0%
	<b>Judicial District</b>	First	2,049	14.7%	1,748	85.3%	85	4.1%	216
Second		2,055	13.9%	1,770	86.1%	57	2.8%	228	11.1%
Third		1,381	17.6%	1,138	82.4%	61	4.4%	182	13.2%
Fourth		3,240	16.8%	2,697	83.2%	118	3.6%	425	13.1%
Fifth		918	18.6%	747	81.4%	52	5.7%	119	13.0%
Sixth		919	16.0%	772	84.0%	19	2.1%	128	13.9%
Seventh		1,691	12.8%	1,475	87.2%	70	4.1%	146	8.6%
Eighth		435	16.1%	365	83.9%	26	6.0%	44	10.1%
Ninth		1,696	16.2%	1,421	83.8%	119	7.0%	156	9.2%
Tenth		2,379	13.6%	2,056	86.4%	93	3.9%	230	9.7%
<b>Total</b>		<b>16,763</b>	<b>15.4%</b>	<b>14,189</b>	<b>84.6%</b>	<b>700</b>	<b>4.2%</b>	<b>1,874</b>	<b>11.2%</b>

**Table 19. Dispositional Departures for Presumptive Stays and Presumptive Commits  
by Gender, Race/Ethnicity, and Judicial District, 2015**

		Total Cases	Presumptive Stays			Presumptive Commits		
			Total	Aggravated Dispositional Departure		Total	Mitigated Dispositional Departure	
				Number	Rate		Number	Rate
<b>Gender</b>	Male	13,621	8,579	552	6.4%	5,042	1,602	31.8%
	Female	3,142	2,623	148	5.6%	519	272	52.4%
<b>Race/ Ethnicity</b>	White	9,677	6,826	443	6.5%	2,851	1,054	37.0%
	Black	4,409	2,528	132	5.2%	1,881	578	30.7%
	American Indian	1,382	983	72	7.3%	399	107	26.8%
	Hispanic	836	532	33	6.2%	304	102	33.6%
	Asian	458	332	20	6.0%	126	33	26.2%
	Other/Unknown	1	1	0	0.0%	0	---	---
<b>Judicial District</b>	First	2,049	1,489	85	5.7%	560	216	38.6%
	Second	2,055	1,342	57	4.2%	713	228	32.0%
	Third	1,381	922	61	6.6%	459	182	39.7%
	Fourth	3,240	1,904	118	6.2%	1,336	425	31.8%
	Fifth	918	667	52	7.8%	251	119	47.4%
	Sixth	919	625	19	3.0%	294	128	43.5%
	Seventh	1,691	1,097	70	6.4%	594	146	24.6%
	Eighth	435	277	26	9.4%	158	44	27.8%
	Ninth	1,696	1,220	119	9.8%	476	156	32.8%
	Tenth	2,379	1,659	93	5.6%	720	230	31.9%
<b>Total</b>		<b>16,763</b>	<b>11,202</b>	<b>700</b>	<b>6.2%</b>	<b>5,561</b>	<b>1,874</b>	<b>33.7%</b>

Table 20. Durational Departures, 1981-2015

Year	All Cases							
	Total Cases	Total Dur. Dep. Rate	No Departure		Aggravated		Mitigated	
			No.	Rate	No.	Rate	No.	Rate
2015	16,763	13.9%	14,438	86.1%	275	1.6%	2,050	12.2%
2014	16,145	14.4%	13,820	85.6%	239	1.5%	2,086	12.9%
2013	15,318	15.1%	13,008	84.9%	203	1.3%	2,107	13.8%
2012	15,207	15.1%	12,910	84.9%	237	1.6%	2,060	13.5%
2011	14,571	14.1%	12,522	85.9%	196	1.3%	1,853	12.7%
2010	14,311	13.7%	12,355	86.3%	215	1.5%	1,741	12.2%
2009	14,840	12.7%	12,959	87.3%	223	1.5%	1,658	11.2%
2008	15,394	12.2%	13,517	87.8%	252	1.6%	1,625	10.6%
2007	16,167	11.8%	14,262	88.2%	319	2.0%	1,587	9.8%
2006	16,443	12.2%	14,447	87.8%	349	2.1%	1,650	10.0%
2005	15,460	12.3%	13,562	87.7%	381	2.5%	1,519	9.8%
2004	14,751	13.9%	12,701	86.1%	445	3.0%	1,605	10.9%
2003	14,492	15.3%	12,276	84.7%	542	3.7%	1,674	11.6%
2002	12,977	15.4%	10,980	84.6%	522	4.0%	1,476	11.4%
2001	10,796	16.3%	9,035	83.7%	541	5.0%	1,220	11.3%
2000	10,395	15.8%	8,753	84.2%	529	5.1%	1,113	10.7%
1999	10,634	14.9%	9,050	85.1%	516	4.9%	1,068	10.0%
1998	10,887	14.8%	9,294	85.4%	514	4.7%	1,079	9.9%
1997	9,847	13.8%	8,484	86.2%	394	4.0%	969	9.8%
1996	9,480	11.0%	8,437	89.0%	428	4.5%	615	6.5%
1995	9,421	10.1%	8,474	89.9%	383	4.1%	564	6.0%
1994	9,787	9.3%	8,879	90.7%	396	4.0%	512	5.2%
1993	9,637	9.0%	8,768	91.0%	336	3.5%	533	5.5%
1992	9,325	10.3%	8,367	89.7%	359	3.9%	599	6.4%
1991	9,161	9.9%	8,250	90.1%	334	3.6%	577	6.3%
1990	8,844	9.4%	8,012	90.6%	298	3.4%	534	6.0%
1989	7,974	8.5%	7,293	91.5%	221	2.8%	460	5.8%
1988	7,572	7.3%	7,016	92.7%	196	2.6%	360	4.8%
1987	6,674	7.4%	6,180	92.6%	162	2.4%	332	5.0%
1986	6,032	6.5%	5,639	93.5%	114	1.9%	279	4.6%
1985	6,236	6.8%	5,815	93.2%	107	1.7%	314	5.0%
1984	5,792	7.7%	5,347	92.3%	167	2.9%	278	4.8%
1983	5,562	7.7%	5,135	92.3%	109	2.0%	318	5.7%
1982	6,066	7.2%	5,627	92.8%	144	2.4%	295	4.9%
1981	5,500	8.5%	5,030	91.5%	142	2.6%	328	6.0%

Table 21. Durational Departures by Gender, Race, and Judicial District, 2015

		All Cases							
		Total Cases	Total Dur. Dep. Rate	No Departure		Aggravated		Mitigated	
				No.	Rate	No.	Rate	No.	Rate
<b>Gender</b>	Male	13,621	14.4%	11,657	85.6%	237	1.7%	1,727	12.7%
	Female	3,142	11.5%	2,781	88.5%	38	1.2%	323	10.3%
<b>Race/ Ethnicity</b>	White	9,677	11.2%	8,592	88.8%	149	1.5%	936	9.7%
	Black	4,409	21.1%	3,477	78.9%	87	2.0%	845	19.2%
	American Indian	1,382	8.7%	1,262	91.3%	22	1.6%	98	7.1%
	Hispanic	836	13.2%	726	86.8%	11	1.3%	99	11.8%
	Asian	458	17.0%	380	83.0%	6	1.3%	72	15.7%
	Other/ Unknown	1	0.0%	1	100%	0	0.0%	0	0.0%
	<b>Judicial District</b>	First	2,049	16.3%	1,716	83.7%	24	1.2%	309
Second		2,055	16.3%	1,721	83.7%	26	1.3%	308	15.0%
Third		1,381	5.5%	1,305	94.5%	11	0.8%	65	4.7%
Fourth		3,240	29.2%	2,293	70.8%	115	3.5%	832	25.7%
Fifth		918	8.3%	842	91.7%	7	0.8%	69	7.5%
Sixth		919	5.8%	866	94.2%	6	0.7%	47	5.1%
Seventh		1,691	9.8%	1,526	90.2%	22	1.3%	143	8.5%
Eighth		435	4.8%	414	95.2%	6	1.4%	15	3.4%
Ninth		1,696	7.5%	1,569	92.5%	37	2.2%	90	5.3%
Tenth		2,379	8.1%	2,186	91.9%	21	0.9%	172	7.2%
<b>Total</b>		<b>16,763</b>	<b>13.9%</b>	<b>14,438</b>	<b>86.1%</b>	<b>275</b>	<b>1.6%</b>	<b>2,050</b>	<b>12.2%</b>



**Table 22. Durational Departures by Gender, Race/Ethnicity, and Judicial District, Executed Prison Sentences Only, 2015**

		Executed Prison Sentences Only							
		Number Executed Prison	Total Dur. Dep. Rate	No Departure		Aggravated		Mitigated	
				No.	Rate	No.	Rate	No.	Rate
<b>Gender</b>	Male	3,995	28.6%	2,851	71.4%	135	3.4%	1,009	25.3%
	Female	397	22.4%	308	77.6%	10	2.5%	79	19.9%
<b>Race/ Ethnicity</b>	White	2,241	22.5%	1,731	77.2%	78	3.5%	432	19.3%
	Black	1,437	38.3%	887	61.7%	40	2.8%	510	35.5%
	American Indian	364	18.7%	296	81.3%	14	3.8%	54	14.8%
	Hispanic	236	24.6%	178	75.4%	10	4.2%	48	20.3%
	Asian	114	41.2%	67	58.8%	3	2.6%	44	38.6%
	Other/ Unknown	0	---	---	---	---	---	---	---
	<b>Judicial District</b>	First	430	22.8%	332	77.2%	16	3.7%	82
Second		542	39.7%	327	60.3%	14	2.6%	201	37.1%
Third		339	9.7%	306	90.3%	9	2.7%	24	7.1%
Fourth		1,030	53.5%	479	46.5%	50	4.9%	501	48.6%
Fifth		184	25.5%	137	74.5%	5	2.7%	42	22.8%
Sixth		185	14.6%	158	85.4%	2	1.1%	25	13.5%
Seventh		520	20.0%	416	80.0%	11	2.1%	93	17.9%
Eighth		139	6.5%	130	93.5%	6	4.3%	3	2.2%
Ninth		440	14.4%	375	85.2%	18	4.1%	47	10.7%
Tenth		583	14.4%	499	85.6%	14	2.4%	70	12.0%
<b>Total</b>		<b>4,392</b>	<b>28.1%</b>	<b>3,159</b>	<b>71.9%</b>	<b>145</b>	<b>3.3%</b>	<b>1,088</b>	<b>24.8%</b>

## County Tables

Table 23. Number of Offenders Sentenced and Incarceration Rates by County, 2015

County	Number of Offenders Sentenced			Incarceration Type				Total Incarceration	
				Prison		Local Confinement			
	2014	2015	Percent Change	Number	Rate	Number	Rate	Number	Rate
Aitkin	75	95	26.7%	22	23%	71	75%	93	98%
Anoka	821	851	3.7%	180	21%	618	73%	798	94%
Becker	154	176	14.3%	37	21%	137	78%	174	99%
Beltrami	222	253	14.0%	57	23%	178	70%	235	93%
Benton	136	127	-6.6%	50	39%	76	60%	126	99%
Big Stone	10	7	-30.0%	2	29%	5	71%	7	100%
Blue Earth	260	292	12.3%	67	23%	197	67%	264	90%
Brown	43	55	27.9%	8	15%	41	75%	49	89%
Carlton	147	137	-6.8%	23	17%	102	74%	125	91%
Carver	144	135	-6.3%	30	22%	81	60%	111	82%
Cass	144	167	16.0%	39	23%	112	67%	151	90%
Chippewa	27	37	37.0%	12	32%	23	62%	35	95%
Chisago	154	154	0.0%	42	27%	102	66%	144	94%
Clay	180	236	31.1%	65	28%	168	71%	233	99%
Clearwater	35	33	-5.7%	9	27%	18	55%	27	82%
Cook	17	16	-5.9%	2	13%	12	75%	14	88%
Cottonwood	42	49	16.7%	11	22%	27	55%	38	78%
Crow Wing	241	287	19.1%	61	21%	133	46%	194	68%
Dakota	1,031	1,139	10.5%	245	22%	786	69%	1,031	91%
Dodge	45	51	13.3%	16	31%	30	59%	46	90%
Douglas	104	95	-8.7%	28	29%	66	69%	94	99%
Faribault	47	47	0.0%	10	21%	36	77%	46	98%
Fillmore	30	29	-3.3%	9	31%	19	66%	28	97%
Freeborn	81	122	50.6%	27	22%	86	70%	113	93%
Goodhue	127	162	27.6%	26	16%	131	81%	157	97%
Grant	20	10	-50.0%	2	20%	7	70%	9	90%
Hennepin	3,192	3,240	1.5%	1,030	32%	1,942	60%	2,972	92%
Houston	45	42	-6.7%	8	19%	29	69%	37	88%
Hubbard	62	97	56.5%	25	26%	69	71%	94	97%
Isanti	130	135	3.8%	28	21%	103	76%	131	97%
Itasca	210	198	-5.7%	71	36%	116	59%	187	94%

County	Number of Offenders Sentenced			Incarceration Type				Total Incarceration	
				Prison		Local Confinement			
	2014	2015	Percent Change	Number	Rate	Number	Rate	Number	Rate
Jackson	17	31	82.4%	6	19%	22	71%	28	90%
Kanabec	65	62	-4.6%	15	24%	45	73%	60	97%
Kandiyohi	134	144	7.5%	42	29%	97	67%	139	97%
Kittson	7	6	-14.3%	1	17%	5	83%	6	100%
Koochiching	45	50	11.1%	11	22%	27	54%	38	76%
Lac Qui Parle	20	6	-70.0%	2	33%	4	67%	6	100%
Lake	32	32	0.0%	3	9%	22	69%	25	78%
Lake of the Woods	17	10	-41.2%	1	10%	6	60%	7	70%
Le Sueur	37	59	59.5%	19	32%	28	47%	47	80%
Lincoln	8	8	0.0%	2	25%	6	75%	8	100%
Lyon	88	72	-18.2%	11	15%	58	81%	69	96%
McLeod	99	99	0.0%	16	16%	77	78%	93	94%
Mahnomen	100	117	17.0%	31	26%	80	68%	111	95%
Marshall	21	19	-9.5%	7	37%	7	37%	14	74%
Martin	88	83	-5.7%	21	25%	58	70%	79	95%
Meeker	42	56	33.3%	19	34%	35	63%	54	96%
Mille Lacs	173	106	-38.7%	39	37%	63	59%	102	96%
Morrison	103	104	1.0%	24	23%	79	76%	103	99%
Mower	177	171	-3.4%	51	30%	49	29%	100	58%
Murray	11	12	9.1%	3	25%	5	42%	8	67%
Nicollet	59	47	-20.3%	9	19%	34	72%	43	91%
Nobles	66	64	-3.0%	7	11%	45	70%	52	81%
Norman	11	35	218.2%	6	17%	22	63%	28	80%
Olmsted	401	437	9.0%	115	26%	252	58%	367	84%
Otter Tail	148	161	8.8%	41	25%	108	67%	149	93%
Pennington	51	75	47.1%	13	17%	44	59%	57	76%
Pine	134	168	25.4%	45	27%	119	71%	164	98%
Pipestone	19	17	-10.5%	1	6%	13	76%	14	82%
Polk	210	196	-6.7%	75	38%	105	54%	180	92%
Pope	22	17	-22.7%	5	29%	12	71%	17	100%
Ramsey	2,008	2,055	2.3%	542	26%	1,474	72%	2,016	98%
Red Lake	11	13	18.2%	3	23%	9	69%	12	92%
Redwood	78	91	16.7%	16	18%	71	78%	87	96%
Renville	50	48	-4.0%	10	21%	28	58%	38	79%

County	Number of Offenders Sentenced			Incarceration Type				Total Incarceration	
				Prison		Local Confinement			
	2014	2015	Percent Change	Number	Rate	Number	Rate	Number	Rate
Rice	134	130	-3.0%	32	25%	82	63%	114	88%
Rock	10	9	-10.0%	2	22%	7	78%	9	100%
Roseau	48	45	-6.3%	8	18%	34	76%	42	93%
St. Louis	771	734	-4.8%	157	21%	482	66%	639	87%
Scott	387	411	6.2%	89	22%	261	64%	350	85%
Sherburne	222	223	0.5%	65	29%	145	65%	210	94%
Sibley	39	44	12.8%	5	11%	37	84%	42	95%
Stearns	600	583	-2.8%	200	34%	371	64%	571	98%
Steele	127	124	-2.4%	29	23%	87	70%	116	94%
Stevens	16	18	12.5%	8	44%	10	56%	18	100%
Swift	28	21	-25.0%	7	33%	14	67%	21	100%
Todd	66	51	-22.7%	15	29%	36	71%	51	100%
Traverse	14	8	-42.9%	3	38%	4	50%	7	88%
Wabasha	41	59	43.9%	10	17%	36	61%	46	78%
Wadena	44	52	18.2%	21	40%	30	58%	51	98%
Waseca	46	56	21.7%	10	18%	30	54%	40	71%
Washington	481	507	5.4%	141	28%	337	66%	478	94%
Watonwan	35	41	17.1%	10	24%	30	73%	40	98%
Wilkin	16	12	-25.0%	5	42%	7	58%	12	100%
Winona	137	160	16.8%	32	20%	95	59%	127	79%
Wright	324	279	-13.9%	67	24%	202	72%	269	96%
Yellow Medicine	31	51	64.5%	22	43%	29	57%	51	100%
<b>Total</b>	<b>16,145</b>	<b>16,763</b>	<b>3.8%</b>	<b>4,392</b>	<b>26%</b>	<b>10,996</b>	<b>66%</b>	<b>15,388</b>	<b>92%</b>

**Table 24. Dispositional Departure Rates by County,  
All Cases, Presumptive Stays, and Presumptive Commits, 2015**

County	All Cases			Presumptive Stays			Presumptive Commits		
	Total	No Departure		Total	Aggravated Departure		Total	Mitigated Departure	
		Number	Rate		Number	Rate		Number	Rate
Aitkin	95	19	20.0%	69	6	8.7%	26	10	38.5%
Anoka	851	182	21.4%	587	22	3.7%	264	106	40.2%
Becker	176	23	13.1%	130	5	3.8%	46	14	30.4%
Beltrami	253	44	17.4%	191	11	5.8%	62	16	25.8%
Benton	127	16	12.6%	87	12	13.8%	40	2	5.0%
Big Stone	7	3	42.9%	2	0	0.0%	5	3	60.0%
Blue Earth	292	88	30.1%	201	25	12.4%	91	49	53.8%
Brown	55	17	30.9%	41	3	7.3%	14	9	64.3%
Carlton	137	31	22.6%	97	1	1.0%	40	18	45.0%
Carver	135	41	30.4%	95	9	9.5%	40	19	47.5%
Cass	167	27	16.2%	120	8	6.7%	47	16	34.0%
Chippewa	37	5	13.5%	24	2	8.3%	13	3	23.1%
Chisago	154	30	19.5%	104	7	6.7%	50	15	30.0%
Clay	236	22	9.3%	158	3	1.9%	78	17	21.8%
Clearwater	33	2	6.1%	25	1	4.0%	8	0	0.0%
Cook	16	3	18.8%	12	0	0.0%	4	2	50.0%
Cottonwood	49	15	30.6%	30	1	3.3%	19	9	47.4%
Crow Wing	287	73	25.4%	215	25	11.6%	72	37	51.4%
Dakota	1,139	357	31.3%	817	36	4.4%	322	113	35.1%
Dodge	51	10	19.6%	35	5	14.3%	16	5	31.3%
Douglas	95	9	9.5%	67	4	6.0%	28	4	14.3%
Faribault	47	11	23.4%	37	4	10.8%	10	4	40.0%
Fillmore	29	6	20.7%	17	1	5.9%	12	4	33.3%
Freeborn	122	20	16.4%	86	4	4.7%	36	13	36.1%

County	All Cases			Presumptive Stays			Presumptive Commits		
	Total	No Departure		Total	Aggravated Departure		Total	Mitigated Departure	
		Number	Rate		Number	Rate		Number	Rate
Goodhue	162	46	28.4%	121	9	7.4%	41	24	58.5%
Grant	10	3	30.0%	8	0	0.0%	2	0	0.0%
Hennepin	3,240	1,362	42.0%	1,904	118	6.2%	1,336	425	31.8%
Houston	42	7	16.7%	29	1	3.4%	13	6	46.2%
Hubbard	97	11	11.3%	70	3	4.3%	27	5	18.5%
Isanti	135	27	20.0%	106	9	8.5%	29	10	34.5%
Itasca	198	66	33.3%	128	25	19.5%	70	24	34.3%
Jackson	31	5	16.1%	27	3	11.1%	4	1	25.0%
Kanabec	62	15	24.2%	43	4	9.3%	19	8	42.1%
Kandiyohi	144	25	17.4%	101	11	10.9%	43	12	27.9%
Kittson	6	2	33.3%	5	1	20.0%	1	1	100.0%
Koochiching	50	12	24.0%	37	3	8.1%	13	5	38.5%
Lac Qui Parle	6	1	16.7%	3	0	0.0%	3	1	33.3%
Lake	32	4	12.5%	28	1	3.6%	4	2	50.0%
Lake of the Woods	10	6	60.0%	3	0	0.0%	7	6	85.7%
Le Sueur	59	17	28.8%	38	3	7.9%	21	5	23.8%
Lincoln	8	2	25.0%	4	0	0.0%	4	2	50.0%
Lyon	72	15	20.8%	52	1	1.9%	20	10	50.0%
McLeod	99	28	28.3%	79	6	7.6%	20	10	50.0%
Mahnomen	117	26	22.2%	97	14	14.4%	20	3	15.0%
Marshall	19	2	10.5%	12	0	0.0%	7	0	0.0%
Martin	83	29	34.9%	58	6	10.3%	25	10	40.0%
Meeker	56	10	17.9%	37	4	10.8%	19	3	15.8%
Mille Lacs	106	24	22.6%	65	7	10.8%	41	9	22.0%
Morrison	104	26	25.0%	70	4	5.7%	34	14	41.2%
Mower	171	28	16.4%	107	4	3.7%	64	17	26.6%

County	All Cases			Presumptive Stays			Presumptive Commits		
	Total	No Departure		Total	Aggravated Departure		Total	Mitigated Departure	
		Number	Rate		Number	Rate		Number	Rate
Murray	12	3	25.0%	11	2	18.2%	1	0	0.0%
Nicollet	47	11	23.4%	30	1	3.3%	17	9	52.9%
Nobles	64	12	18.8%	53	2	3.8%	11	6	54.5%
Norman	35	5	14.3%	28	2	7.1%	7	3	42.9%
Olmsted	437	106	24.3%	277	18	6.5%	160	63	39.4%
Otter Tail	161	37	23.0%	108	3	2.8%	53	15	28.3%
Pennington	75	11	14.7%	62	5	8.1%	13	5	38.5%
Pine	168	24	14.3%	121	7	5.8%	47	9	19.1%
Pipestone	17	0	0.0%	16	0	0.0%	1	0	0.0%
Polk	196	48	24.5%	114	13	11.4%	82	20	24.4%
Pope	17	2	11.8%	13	1	7.7%	4	0	0.0%
Ramsey	2,055	584	28.4%	1,342	57	4.2%	713	228	32.0%
Red Lake	13	1	7.7%	10	0	0.0%	3	0	0.0%
Redwood	91	12	13.2%	69	1	1.4%	22	7	31.8%
Renville	48	14	29.2%	29	2	6.9%	19	11	57.9%
Rice	130	25	19.2%	86	4	4.7%	44	17	38.6%
Rock	9	2	22.2%	6	0	0.0%	3	1	33.3%
Roseau	45	10	22.2%	34	2	5.9%	11	5	45.5%
St. Louis	734	153	20.8%	488	17	3.5%	246	106	43.1%
Scott	411	90	21.9%	307	21	6.8%	104	37	35.6%
Sherburne	223	47	21.1%	151	10	6.6%	72	17	23.6%
Sibley	44	14	31.8%	32	1	3.1%	12	8	66.7%
Stearns	583	191	32.8%	348	26	7.5%	235	61	26.0%
Steele	124	20	16.1%	84	3	3.6%	40	14	35.0%
Stevens	18	6	33.3%	11	3	27.3%	7	2	28.6%
Swift	21	3	14.3%	11	0	0.0%	10	3	30.0%

County	All Cases			Presumptive Stays			Presumptive Commits		
	Total	No Departure		Total	Aggravated Departure		Total	Mitigated Departure	
		Number	Rate		Number	Rate		Number	Rate
Todd	51	8	15.7%	35	2	5.7%	16	4	25.0%
Traverse	8	4	50.0%	5	1	20.0%	3	1	33.3%
Wabasha	59	8	13.6%	44	1	2.3%	15	6	40.0%
Wadena	52	11	21.2%	29	4	13.8%	23	6	26.1%
Waseca	56	16	28.6%	40	2	5.0%	16	8	50.0%
Washington	507	105	20.7%	340	20	5.9%	167	46	27.5%
Watonwan	41	7	17.1%	32	3	9.4%	9	2	22.2%
Wilkin	12	4	33.3%	5	0	0.0%	7	2	28.6%
Winona	160	53	33.1%	117	18	15.4%	43	29	67.4%
Wright	279	56	20.1%	207	14	6.8%	72	19	26.4%
Yellow Medicine	51	9	17.6%	28	2	7.1%	23	3	13.0%
<b>Total</b>	<b>16,763</b>	<b>4,565</b>	<b>27.2%</b>	<b>11,202</b>	<b>700</b>	<b>6.2%</b>	<b>5,561</b>	<b>1,874</b>	<b>33.7%</b>



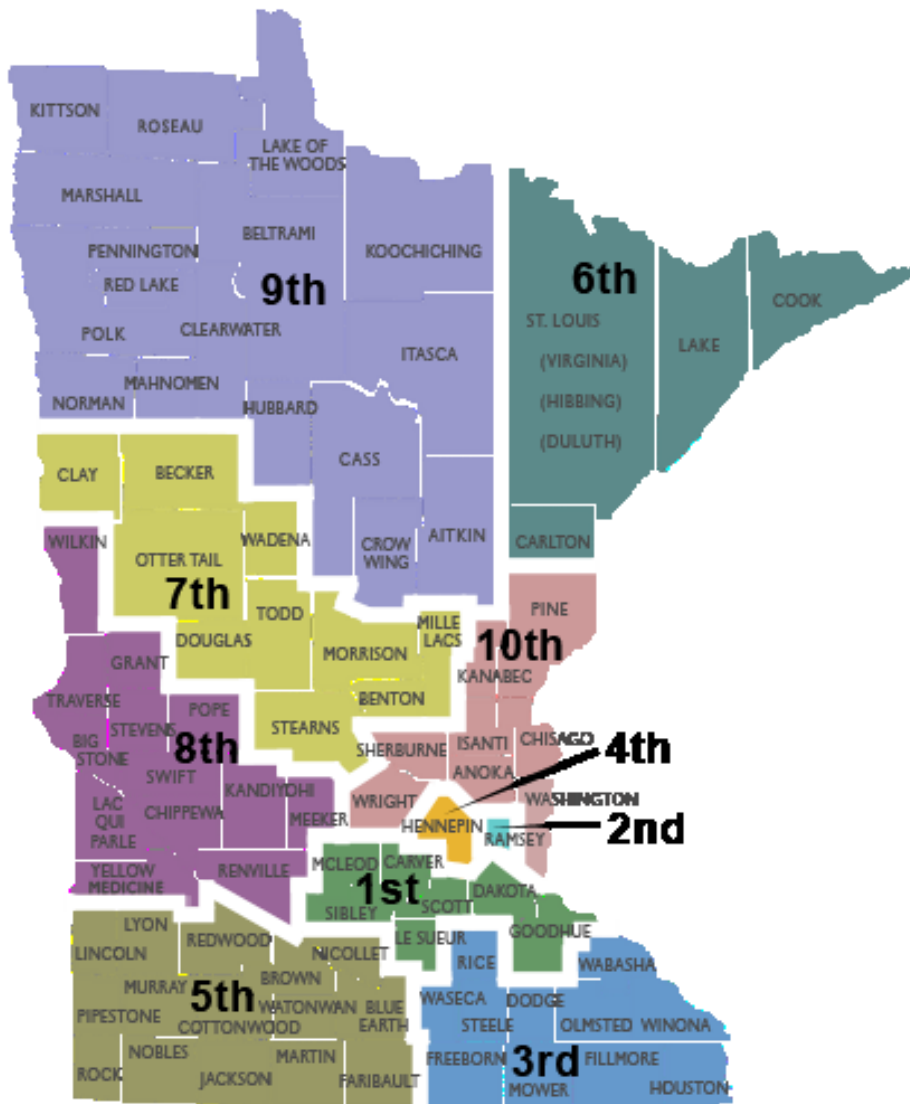
Table 25. Durational Departures by County, Executed Prison Sentences Only, 2015

County	Number of Executed Prison Sentences	No Departure		Aggravated Departure		Mitigated Departure	
		Number	Rate	Number	Rate	Number	Rate
Aitkin	22	21	95%	0	0%	1	5%
Anoka	180	162	90%	6	3%	12	7%
Becker	37	34	92%	0	0%	3	8%
Beltrami	57	53	93%	3	5%	1	2%
Benton	50	49	98%	1	2%	0	0%
Big Stone	2	2	100%	0	0%	0	0%
Blue Earth	67	57	85%	2	3%	8	12%
Brown	8	4	50%	0	0%	4	50%
Carlton	23	17	74%	0	0%	6	26%
Carver	30	26	87%	0	0%	4	13%
Cass	39	34	87%	3	8%	2	5%
Chippewa	12	12	100%	0	0%	0	0%
Chisago	42	37	88%	2	5%	3	7%
Clay	65	64	98%	0	0%	1	2%
Clearwater	9	9	100%	0	0%	0	0%
Cook	2	2	100%	0	0%	0	0%
Cottonwood	11	8	73%	0	0%	3	27%
Crow Wing	61	52	85%	3	5%	6	10%
Dakota	245	192	78%	6	2%	47	19%
Dodge	16	16	100%	0	0%	0	0%
Douglas	28	26	93%	0	0%	2	7%
Faribault	10	7	70%	1	10%	2	20%
Fillmore	9	9	100%	0	0%	0	0%
Freeborn	27	24	89%	1	4%	2	7%
Goodhue	26	20	77%	1	4%	5	19%
Grant	2	1	50%	1	50%	0	0%
Hennepin	1,030	479	47%	50	5%	501	49%
Houston	8	8	100%	0	0%	0	0%
Hubbard	25	23	92%	1	4%	1	4%
Isanti	28	22	79%	0	0%	6	21%
Itasca	71	62	87%	1	1%	8	11%
Jackson	6	5	83%	0	0%	1	17%
Kanabec	15	13	87%	0	0%	2	13%
Kandiyohi	42	41	98%	1	2%	0	0%
Kittson	1	1	100%	0	0%	0	0%
Koochiching	11	7	64%	0	0%	4	36%

County	Number of Executed Prison Sentences	No Departure		Aggravated Departure		Mitigated Departure	
		Number	Rate	Number	Rate	Number	Rate
Lac Qui Parle	2	2	100%	0	0%	0	0%
Lake	3	3	100%	0	0%	0	0%
Lake of the Woods	1	1	100%	0	0%	0	0%
Le Sueur	19	13	68%	0	0%	6	32%
Lincoln	2	2	100%	0	0%	0	0%
Lyon	11	11	100%	0	0%	0	0%
McLeod	16	9	56%	2	13%	5	31%
Mahnomen	31	23	74%	3	10%	5	16%
Marshall	7	5	71%	0	0%	2	29%
Martin	21	5	24%	0	0%	16	76%
Meeker	19	18	95%	1	5%	0	0%
Mille Lacs	39	36	92%	1	3%	2	5%
Morrison	24	17	71%	0	0%	7	29%
Mower	51	45	88%	2	4%	4	8%
Murray	3	2	67%	0	0%	1	33%
Nicollet	9	7	78%	1	11%	1	11%
Nobles	7	6	86%	0	0%	1	14%
Norman	6	5	83%	0	0%	1	17%
Olmsted	115	103	90%	4	3%	8	7%
Otter Tail	41	28	68%	0	0%	13	32%
Pennington	13	9	69%	1	8%	3	23%
Pine	45	37	82%	1	2%	7	16%
Pipestone	1	1	100%	0	0%	0	0%
Polk	75	61	81%	3	4%	11	15%
Pope	5	4	80%	1	20%	0	0%
Ramsey	542	327	60%	14	3%	201	37%
Red Lake	3	2	67%	0	0%	1	33%
Redwood	16	13	81%	1	6%	2	13%
Renville	10	9	90%	0	0%	1	10%
Rice	32	31	97%	0	0%	1	3%
Rock	2	1	50%	0	0%	1	50%
Roseau	8	7	88%	0	0%	1	13%
St. Louis	157	136	87%	2	1%	19	12%
Scott	89	69	78%	7	8%	13	15%
Sherburne	65	55	85%	2	3%	8	12%
Sibley	5	3	60%	0	0%	2	40%

County	Number of Executed Prison Sentences	No Departure		Aggravated Departure		Mitigated Departure	
		Number	Rate	Number	Rate	Number	Rate
Stearns	200	130	65%	7	4%	63	32%
Steele	29	29	100%	0	0%	0	0%
Stevens	8	8	100%	0	0%	0	0%
Swift	7	7	100%	0	0%	0	0%
Todd	15	12	80%	2	13%	1	7%
Traverse	3	2	67%	1	33%	0	0%
Wabasha	10	8	80%	2	20%	0	0%
Wadena	21	20	95%	0	0%	1	5%
Waseca	10	8	80%	0	0%	2	20%
Washington	141	119	84%	1	1%	21	15%
Watonwan	10	8	80%	0	0%	2	20%
Wilkin	5	4	80%	0	0%	1	20%
Winona	32	25	78%	0	0%	7	22%
Wright	67	54	81%	2	3%	11	16%
Yellow Medicine	22	20	91%	1	5%	1	5%
<b>Total</b>	<b>4,392</b>	<b>3,159</b>	<b>72%</b>	<b>145</b>	<b>3%</b>	<b>1,088</b>	<b>25%</b>

# Minnesota Judicial District Map



<u>First</u>	<u>Second</u>	<u>Third</u>	<u>Fourth</u>	<u>Fifth</u>	<u>Sixth</u>	<u>Seventh</u>	<u>Eighth</u>	<u>Ninth</u>	<u>Tenth</u>
Carver	Ramsey	Dodge	Hennepin	Blue Earth	Carlton	Becker	Big Stone	Aitkin	Anoka
Dakota		Fillmore		Brown	Cook	Benton	Chippewa	Beltrami	Chisago
Goodhue		Freeborn		Cottonwood	Lake	Clay	Grant	Cass	Isanti
LeSueur		Houston		Faribault	St. Louis	Douglas	Kandiyohi	Clearwater	Kanabec
McLeod		Mower		Jackson		Mille Lacs	LacQuiParle	Crow Wing	Pine
Scott		Olmsted		Lincoln		Morrison	Meeker	Hubbard	Sherburne
Sibley		Rice		Lyon		Otter Tail	Pope	Itasca	Washington
		Steele		Martin		Stearns	Renville	Kittling	Wright
		Wabasha		Murray		Todd	Stevens	Koochiching	
		Waseca		Nicollet		Wadena	Swift	Lake-Woods	
		Winona		Nobles			Traverse	Mahnomen	
				Pipestone			Wilkin	Marshall	
				Redwood			Yellow Medicine	Norman	
				Rock				Pennington	
				Watonwan				Polk	
								Red Lake	
								Roseau	

Minnesota Judicial Branch at <http://mncourts.gov/?page=238>

## Sentencing Guidelines Grid

Presumptive sentence lengths are in months. Italicized numbers within the grid denote the discretionary range within which a court may sentence without the sentence being deemed a departure. Offenders with stayed felony sentences may be subject to local confinement.

SEVERITY LEVEL OF CONVICTION OFFENSE (Example offenses listed in italics)		CRIMINAL HISTORY SCORE						
		0	1	2	3	4	5	6 or more
<i>Murder, 2nd Degree</i> (intentional murder; drive-by-shootings)	<b>11</b>	306 <i>261-367</i>	326 <i>278-391</i>	346 <i>295-415</i>	366 <i>312-439</i>	386 <i>329-463</i>	406 <i>346-480<sup>2</sup></i>	426 <i>363-480<sup>2</sup></i>
<i>Murder, 3rd Degree</i> <i>Murder, 2nd Degree</i> (unintentional murder)	<b>10</b>	150 <i>128-180</i>	165 <i>141-198</i>	180 <i>153-216</i>	195 <i>166-234</i>	210 <i>179-252</i>	225 <i>192-270</i>	240 <i>204-288</i>
<i>Assault, 1st Degree</i> <i>Controlled Substance Crime,</i> <i>1st Degree</i>	<b>9</b>	86 <i>74-103</i>	98 <i>84-117</i>	110 <i>94-132</i>	122 <i>104-146</i>	134 <i>114-160</i>	146 <i>125-175</i>	158 <i>135-189</i>
<i>Aggravated Robbery, 1st Degree</i> <i>Controlled Substance Crime,</i> <i>2nd Degree</i>	<b>8</b>	48 <i>41-57</i>	58 <i>50-69</i>	68 <i>58-81</i>	78 <i>67-93</i>	88 <i>75-105</i>	98 <i>84-117</i>	108 <i>92-129</i>
<i>Felony DWI; Financial Exploitation</i> <i>of a Vulnerable Adult</i>	<b>7</b>	36	42	48	54 <i>46-64</i>	60 <i>51-72</i>	66 <i>57-79</i>	72 <i>62-84<sup>2,3</sup></i>
<i>Controlled Substance Crime,</i> <i>3rd Degree</i>	<b>6</b>	21	27	33	39 <i>34-46</i>	45 <i>39-54</i>	51 <i>44-61</i>	57 <i>49-68</i>
<i>Residential Burglary</i> <i>Simple Robbery</i>	<b>5</b>	18	23	28	33 <i>29-39</i>	38 <i>33-45</i>	43 <i>37-51</i>	48 <i>41-57</i>
<i>Nonresidential Burglary</i>	<b>4</b>	12 <sup>1</sup>	15	18	21	24 <i>21-28</i>	27 <i>23-32</i>	30 <i>26-36</i>
<i>Theft Crimes (Over \$5,000)</i>	<b>3</b>	12 <sup>1</sup>	13	15	17	19 <i>17-22</i>	21 <i>18-25</i>	23 <i>20-27</i>
<i>Theft Crimes (\$5,000 or less)</i> <i>Check Forgery (\$251-\$2,500)</i>	<b>2</b>	12 <sup>1</sup>	12 <sup>1</sup>	13	15	17	19	21 <i>18-25</i>
<i>Sale of Simulated</i> <i>Controlled Substance</i>	<b>1</b>	12 <sup>1</sup>	12 <sup>1</sup>	12 <sup>1</sup>	13	15	17	19 <i>17-22</i>

<sup>1</sup> 12<sup>1</sup>=One year and one day



Presumptive commitment to state imprisonment. First-degree murder has a mandatory life sentence and is excluded from the Guidelines under Minn. Stat. § 609.185. See section 2.E, for policies regarding those sentences controlled by law.



Presumptive stayed sentence; at the discretion of the court, up to one year of confinement and other non-jail sanctions can be imposed as conditions of probation. However, certain offenses in the shaded area of the Grid always carry a presumptive commitment to state prison. See sections 2.C and 2.E.

<sup>2</sup> Minn. Stat. § 244.09 requires that the Guidelines provide a range for sentences that are presumptive commitment to state imprisonment of 15% lower and 20% higher than the fixed duration displayed, provided that the minimum sentence is not less than one year and one day and the maximum sentence is not more than the statutory maximum. See section 2.C.1-2.

<sup>3</sup> The stat. max. for Financial Exploitation of Vulnerable Adult is 240 months; the standard range of 20% higher than the fixed duration applies at CHS 6 or more. (The range is 62-86.)

## Sex Offender Grid

Presumptive sentence lengths are in months. Italicized numbers within the grid denote the discretionary range within which a court may sentence without the sentence being deemed a departure. Offenders with stayed felony sentences may be subject to local confinement.

### CRIMINAL HISTORY SCORE

SEVERITY LEVEL OF CONVICTION OFFENSE		0	1	2	3	4	5	6 or More
<i>CSC 1<sup>st</sup> Degree</i>	<b>A</b>	144 <i>144-172</i>	156 <i>144-187</i>	168 <i>144-201</i>	180 <i>153-216</i>	234 <i>199-280</i>	306 <i>261-360</i>	360 <i>306-360<sup>2</sup></i>
<i>CSC 2<sup>nd</sup> Degree—(c)(d)(e)(f)(h) Prostitution; Sex Trafficking<sup>3</sup> 1<sup>st</sup> Degree—1(a)</i>	<b>B</b>	90 <i>90<sup>3</sup>-108</i>	110 <i>94-132</i>	130 <i>111-156</i>	150 <i>128-180</i>	195 <i>166-234</i>	255 <i>217-300</i>	300 <i>255-300<sup>2</sup></i>
<i>CSC 3<sup>rd</sup> Degree—(c)(d) (g)(h)(i)(j)(k)(l)(m)(n)(o) Prostitution; Sex Trafficking 2<sup>nd</sup> Degree—1a</i>	<b>C</b>	48 <i>41-57</i>	62 <i>53-74</i>	76 <i>65-91</i>	90 <i>77-108</i>	117 <i>100-140</i>	153 <i>131-180</i>	180 <i>153-180<sup>2</sup></i>
<i>CSC 2<sup>nd</sup> Degree—(a)(b)(g) CSC 3<sup>rd</sup> Degree—(a)(e)(f) or(b)with ref. to subd. 2(1) Dissemination of Child Pornography (Subsequent or by Predatory Offender)</i>	<b>D</b>	36	48	60 <i>51-72</i>	70 <i>60-84</i>	91 <i>78-109</i>	119 <i>102-142</i>	140 <i>119-168</i>
<i>CSC 4<sup>th</sup> Degree—(c)(d) (g)(h)(i)(j)(k)(l)(m)(n)(o) Use Minors in Sexual Performance Dissemination of Child Pornography<sup>2</sup></i>	<b>E</b>	24	36	48	60 <i>51-72</i>	78 <i>67-93</i>	102 <i>87-120</i>	120 <i>102-120<sup>2</sup></i>
<i>CSC 4<sup>th</sup> Degree— (a)(b)(e)(f); CSC 5<sup>th</sup> Degree; Possession of Child Pornography (Subsequent or by Predatory Offender)</i>	<b>F</b>	18	27	36	45 <i>39-54</i>	59 <i>51-70</i>	77 <i>66-92</i>	84 <i>72-100</i>
<i>CSC 3<sup>rd</sup> Degree—(b) with subd. 2(2); Indecent Exposure Possession of Child Pornography; Solicit Child for Sexual Conduct<sup>2</sup></i>	<b>G</b>	15	20	25	30	39 <i>34-46</i>	51 <i>44-60</i>	60 <i>51-60<sup>2</sup></i>
<i>Registration Of Predatory Offenders</i>	<b>H</b>	12 <sup>1</sup> <i>12<sup>1</sup>-14</i>	14 <i>12<sup>1</sup>-16</i>	16 <i>14-19</i>	18 <i>16-21</i>	24 <i>21-28</i>	30 <i>26-36</i>	36 <i>31-43</i>

<sup>1</sup> 12<sup>1</sup>=One year and one day.



Presumptive commitment to state imprisonment. Sex offenses under Minn. Stat. § 609.3455, subd. 2, have mandatory life sentences and are excluded from the Guidelines. See section 2.E, for policies regarding those sentences controlled by law, including conditional release terms for sex offenders.



Presumptive stayed sentence; at the discretion of the court, up to one year of confinement and other non-jail sanctions can be imposed as conditions of probation. However, certain offenders in the shaded area of the Grid may qualify for a mandatory life sentence under Minn. Stat. § 609.3455, subd. 4. See sections 2.C and 2.E.

<sup>2</sup> Minn. Stat. § 244.09 requires that the Guidelines provide a range for sentences that are presumptive commitment to state imprisonment of 15% lower and 20% higher than the fixed duration displayed, provided that the minimum sentence is not less than one year and one day and the maximum sentence is not more than the statutory maximum. See section 2.C.1-2.

<sup>3</sup> Prostitution; Sex Trafficking is not subject to a 90-month minimum statutory presumptive sentence so the standard range of 15% lower and 20% higher than the fixed duration applies. (The range is 77-108.)