
2020 Sentencing Practices

Annual Summary Statistics for Felony Cases
Sentenced in 2020

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MINNESOTA

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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.

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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, given that person's conviction offense and criminal record.

The system is intended to ensure that those 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. 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 those 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. Those 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.

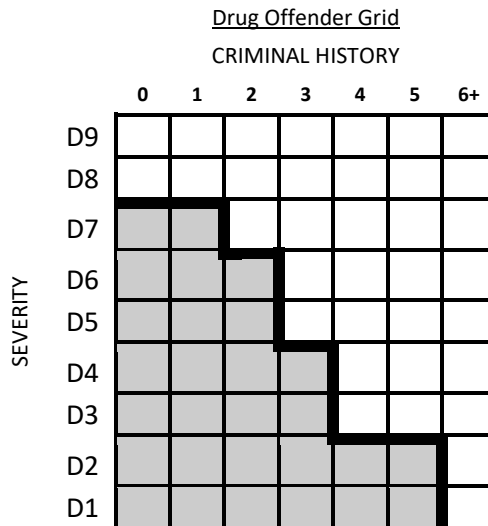
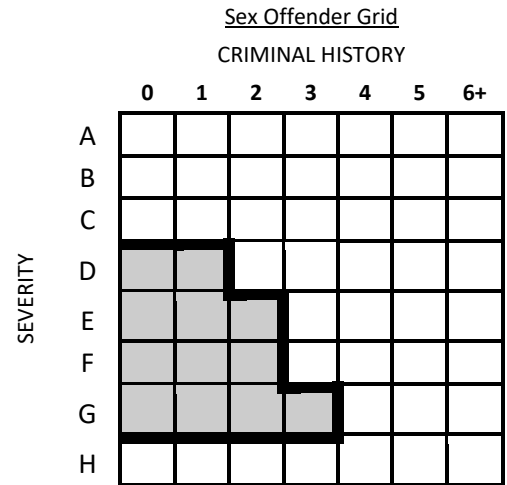
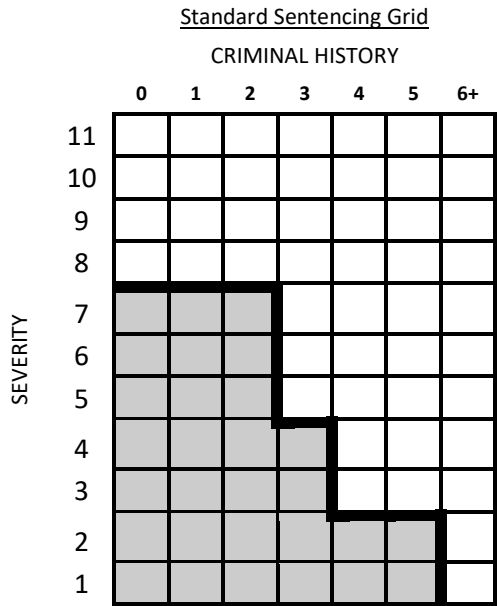
How the Sentencing Guidelines Work

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, with severity levels from H¹ to A (most serious), is used for sentencing sex offenses. A separate Drug Offender Grid, with severity levels from D1 to D9 (most serious), was implemented for drug offenses committed after July 31, 2016.

The horizontal axis represents the defendant’s criminal history and includes points for: variously weighted prior felony sentences; some prior misdemeanor/gross misdemeanor sentences; limited prior serious juvenile offenses; and “custody status”—if the current offense was committed while in confinement or under community supervision.



¹ Failure to register as a predatory offender, which carries a mandatory minimum prison sentence (Minn. Stat. § 243.166), is ranked alone at severity level H. The recommended Guidelines disposition for severity level H is therefore commitment. The renaming of severity level H as severity level I, being effective September 15, 2021, is outside the scope of this report.

Presumptive Sentence

The recommended Guidelines sentence (presumptive sentence) is generally found in the cell of the Sentencing Guidelines Grid where the 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 defendant on probation and may impose up to one year of local confinement (i.e., county jail or workhouse). Other conditions such as fines, restitution, community work service, treatment, house arrest, etc., may also be imposed.

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

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 25.)

Regardless of whether 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](#), an executed prison sentence 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. In addition, certain offenses (such as criminal sexual conduct and felony DWI) require a period of conditional release to be served upon release from prison.

The Department of Corrections may extend imprisonment time for violations of prison disciplinary rules or conditions of supervised release. This extension period could result in service of the entire executed sentence in prison—or more, if conditional release applies.

The presumptive Guidelines 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 sentencing 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 <https://mn.gov/sentencing-guidelines>.

Changes to the Sentencing Grid Over Time

The following types of changes should be noted when evaluating sentencing information over time:

2020

A five-year presumptive probation cap, subject to departure, is established for most felonies.

2019

Changes to the criminal history score, intended to improve fairness and rationality, were made. The custody status point became waivable in certain circumstances. A sentencing enhancement for repeat severe violent offenders was added.

2016

A separate Drug Offender Grid was introduced with severity levels D1–D9. The new grid was similar to the standard grid, but D7—similar to level 8 on the standard grid—had a presumptive stayed disposition at criminal history scores of zero and one, and D8 had new presumptive durations.

2006

A separate Sex Offender Grid was introduced with severity levels H–A. 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

In response to a judicial requirement that a jury find aggravating factors,² 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. A new Severity Level 7 was created, with higher severity levels renumbered accordingly.

1997

A package of changes, which increased sentences in some cells and decreased sentences in other cells at severity levels 2–6, went into effect.

1989

Presumptive durations at severity levels 7–10 were increased significantly—doubled, in some cases—and a weighting scheme was implemented for prior felonies. Previously, prior felonies, regardless of severity, had been given one point in the criminal history score.

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 everyone convicted of a felony in adult court and sentenced under the Guidelines in Minnesota. A “case” is defined when a sentencing worksheet is received from the probation officer and matched with sentencing data from the District Court. A person 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 person sentenced (e.g., date of birth, gender, race or ethnicity), the

² See footnotes 30 & 31 (p. 34) and accompanying text.

person’s criminal history, the conviction offense(s), 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 calendar year. The slight shift in the time frames does not significantly interfere with analysis.

Data for Cases Sentenced in 2020

The following pages display summary data 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 criminal history. In most cases, the recommended sentence is applied.

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

Pandemic Impacts on 2020 Sentencing Data

Due to the ongoing COVID-19 health pandemic,³ case volume data in 2020 are not typical and should be reviewed in that context. The Minnesota Judicial Branch limited in-person judicial proceedings in 2020, and reported a 32-percent increase in its major criminal case backlog due to the pandemic.⁴

Because 2020 appears to have been an atypical year, the data presented below are assumed to be anomalous. The following reports of trends and comparisons with prior years should be viewed in this light.

³ For context, refer to the emergency executive orders Governor Walz issued from March 13, 2020, to June 14, 2021, at <https://www.lrl.mn.gov/execorders/eoresults?gov=44&title=Emergency> (retrieved Dec. 2, 2021).

⁴ Minn. Judicial Branch, *Annual Report 2020* (July 2021), pp. 11–14 (retrieved June 24, 2022, at <https://mncourts.gov/mncourtsgov/media/PublicationReports/MJB-Annual-report-2020.pdf>).

Case Volume and Distribution

In 2020, 11,517 people were sentenced for felony offenses in Minnesota, which is a 33.6 percent decrease from the 17,335 people sentenced in 2019 and easily the largest single-year decline in MSGC history. All seven offense categories decreased from 2019 to 2020. This decrease ranged from more than 22 percent to 39 percent. Property, drug, and non-CSC sex offenses⁵ decreased the most.

By contrast, in the nine years from 2010 to 2019, the number of drug offenses grew by 56 percent, accounting for most of the 21-percent overall growth in people sentenced for felonies over that time. Only the “weapon”⁶ category surpassed the drug category in growth from 2010 to 2019 (77.5% increase). The specific “weapon” offense that contributed the most to that growth was possession of a firearm by a felon convicted of a crime of violence, which increased from 234 cases in 2010 to 473 cases in 2019—a 102 percent increase. Person offenses grew by ten percent during these nine years, while property offenses had the smallest growth rate, at eight percent. Non-CSC sex offenses⁷ grew by 13 percent, and “other”⁸ offenses grew by 32 percent. The only offense category that showed a decline from 2010 to 2019 was felony driving while impaired (DWI), which fell by 20 percent.

The total volume of cases sentenced over time is illustrated in Figure 1 (p. 7), and changes in annual growth rates are illustrated in Figure 2 (p. 8). In addition to the growth from 2010 to 2017, discussed above, significant growth also occurred between 2001 and 2006, when the total volume of cases sentenced rose by 52 percent. That increase was largely attributable to growth in the number of drug cases, particularly involving methamphetamine, as well as the implementation of the felony DWI law.

According to Department of Public Safety data, Minnesota’s index crime rate⁹ has fluctuated over time, but was generally falling between 1996 and 2017. Between 2018 and 2020, however, the index crime rate rose.¹⁰

⁵ See footnote 7.

⁶ “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.

⁷ “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).

⁸ “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.

⁹ “Index crimes” are comprised of “violent crimes” (Murder, Forcible Rape, Robbery, Aggravated Assault, & Human Trafficking) and “property crimes” (Burglary, Larceny, Motor Vehicle Theft, & Arson). The rate is population-adjusted.

¹⁰ From 2019 to 2020, the index crime rate rose by 3.1% (from a population-adjusted rate of 2,311.7 to 2,384.2), still a bit over half the 1990s rates. Minn. Uniform Crime Report – 2020, Minn. Dep’t of Public Safety (retrieved Dec. 1, 2021, at <https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Documents/2020-Minnesota-Uniform-Crime-Report.pdf> & <https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Documents/2020UCR-HistoricalCrimeIndex.xls>).

Figure 1. Number of Cases Sentenced for Felony Convictions, 1981–2020

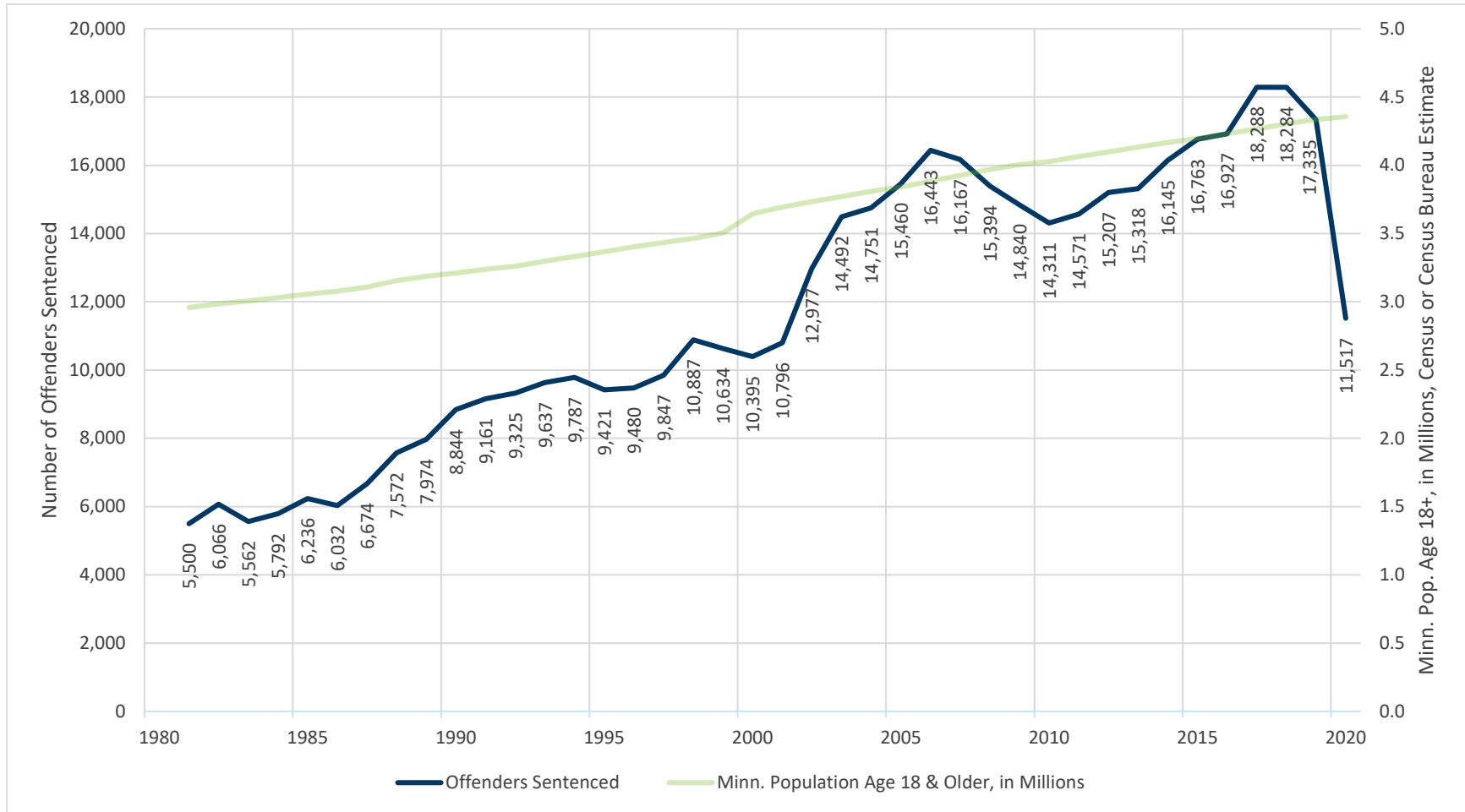
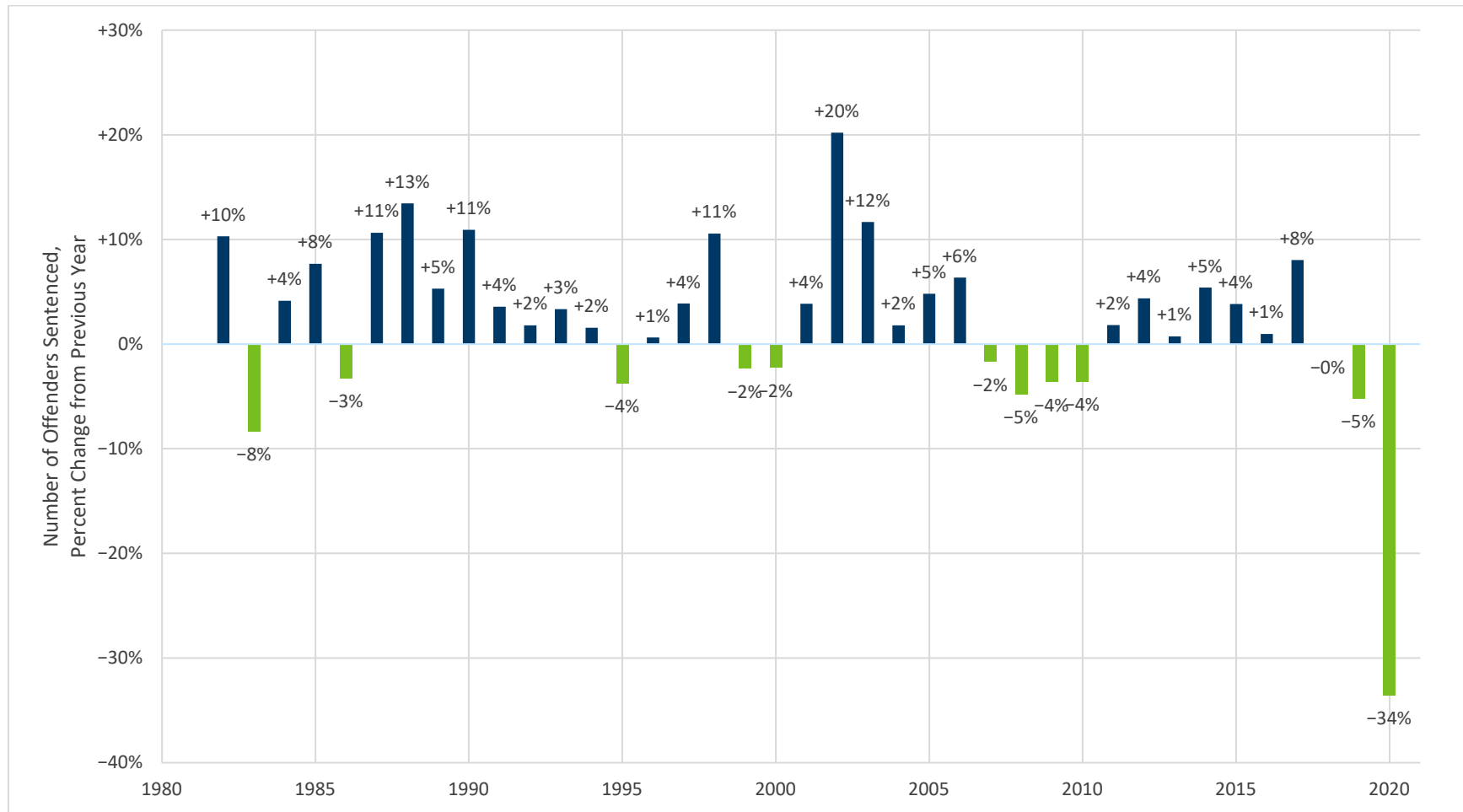


Figure 2. Annual Percent Change in Number of Cases Sentenced for Felony Convictions, 1982–2020



Changes in Case Volume by Offense Type

Figure 3 (p. 12) shows recent trends in felony case volume by offense types. While cases are divided into seven offense types, the first three offense categories (in bold) generally total at least 85 percent of each year's case volume:

- **Person offenses** (including criminal sexual conduct (CSC));
- **Drug offenses;**
- **Property offenses;**
- Felony DWI;
- Non-CSC sex offenses;
- Weapon offenses; and
- Other offenses.¹¹

Figure 4 (p. 13) displays the year-to-year percent change in case volume by offense type.

Person Offenses

Except for a slight decrease in 2013 and a decrease of 2.5 percent in 2016, the number of person offenses increased every year from 2001 to 2018. In 2019, the number decreased by almost five percent, and in 2020, person offenses decreased again, by 27 percent, the largest annual decrease in MSGC history (Figure 4, p. 13). Person offenses accounted for 32 percent of all felony crimes sentenced in 2020, which is the same as in the peak years of 2010 to 2013 (Figure 3, p. 12).

The following discussion details three subcategories of person offenses: criminal sexual conduct, domestic assault-related offenses, and other assault offenses.

- *Criminal Sexual Conduct (CSC)*

In 2020, there were 381 CSC cases, which is down 28 percent from 2019 and is the lowest number since 1983 (the previous lowest number was 481 cases in 2016). The number has fluctuated since 1981, peaking at 880 cases in 1994 (57% more than in 2020). Almost all growth since 1981 has been in the CSC child provisions (intra-familial sex abuse and provisions specifying the age of the victim).

- *Domestic Assault-Related*

Much of the growth in person offenses has been attributable to an increase in domestic assault-related cases, including domestic assault, domestic assault by strangulation, and violations of restraining orders. This was, in part, due to 2006 legislative changes removing the requirement that a prior offense be against the same victim, expanding the look-back period to 10 years, and expanding the list of qualified priors.¹² The number of felony

¹¹ For a description of what offenses are included within the categories "Non-CSC sex offenses," "Weapon," and "Other," refer to footnotes 6–8 (p. 6).

¹² [2006 Minn. Laws ch. 260, art. 1, §§ 12 & 19.](#)

domestic-assault cases grew dramatically from 2006 (100 cases) to its 2014 peak (612 cases). Between 2011 and 2019, the domestic-assault case volume has fluctuated between 521 and 612 cases. The 2020 case volume (411 cases) was a 31-percent decrease from 2019. With respect to domestic assault by strangulation, 172 cases were sentenced in 2020, a 30-percent decrease from 2019, which had been lowest case volume since the crime was established in 2005¹³ (Figure 5, p. 14).

Violations of domestic abuse no contact orders (VDANCO) have increased in all but three of the years following the offense's 2007 creation.¹⁴ In 2020, the number of VDANCO cases decreased to 526 (down 16%), the number of cases in 2019 was the highest number ever observed. Violations of harassment restraining orders (VHRO)¹⁵ declined in 2020 (down 10%), as did violations of orders for protection (VOFP) (down 33%). Combined, the total number of cases for VDANCO, VHRO, and VOFP shrank by 19 percent between 2019 and 2020 (Figure 5, p. 14).

- *Other Assault*

The number of first- through (felony) fifth-degree assault cases has fluctuated in recent years—remaining nearly flat (2014–15), decreasing (2015–16 and 2018–2019), and increasing (2016–17). In 2020, there was a decrease in all five degrees, resulting in a total 29-percent decrease across all five degrees (Figure 5, p. 14).

Drug Offenses

Drug offenses grew for seven consecutive years from 2010 to 2017, making drug offenses the largest offense category from 2016 through 2019 (Figure 3, p. 12). That changed in 2020, when person offenses reclaimed the status of the largest offense category (person offenses accounting for 32% of cases and drug offenses accounting for 28%). The 2020 case volume (3,205 cases) was a 38-percent decrease from 2019 (Figure 4, p. 13).

Property Offenses

The property offense category has declined in most years since 2006 (Figure 4, p. 13). After increasing in 2017 and 2018, and decreasing by five percent in 2019, the volume of property offenses decreased by 39 percent in 2020. As a share of all felony cases, the property offense category fell from 30 percent in 2012 to 25 percent in 2020. Before 2003, property offenses had comprised over 40 percent of the cases sentenced (Table 6, p. 43).

Felony DWI

The number of felony DWI cases peaked in 2004, at 860, and has declined in most years since. The 2020 volume, 407 cases, was 47 percent of that peak volume and 24 percent lower than the 2019 DWI volume. In the five years between 2012 and 2017, the numbers fluctuated sharply (Figure 4, p. 13), possibly in connection with the timing of legal challenges to DWI laws and evidence-collection practices. The decreases in 2018 and 2019 (of 2.6% and 3.8%, respectively) were less dramatic than the changes seen in the previous five years.

¹³ [2005 Minn. Laws ch. 136](#), art. 17, § 13 (establishing felony domestic assault by strangulation).

¹⁴ [2007 Minn. Laws ch. 54, art. 2, § 1](#) (enhancing DANCO violations by repeat offenders to felony level).

¹⁵ This offense is not necessarily related to domestic assault, as the victim need not be a relative of the perpetrator.

Non-CSC Sex Offenses

Case volume in the non-CSC sex offense category decreased by 31 percent in 2020 (Figure 4, p. 13). The most common offense in this category, failure to register as a predatory offender, decreased by 42 percent (from 405 in 2019 to 234 in 2020). The 2020 child pornography case volume was the lowest ever observed (61 cases), a 24-percent decrease from the 2019 volume (80 cases).

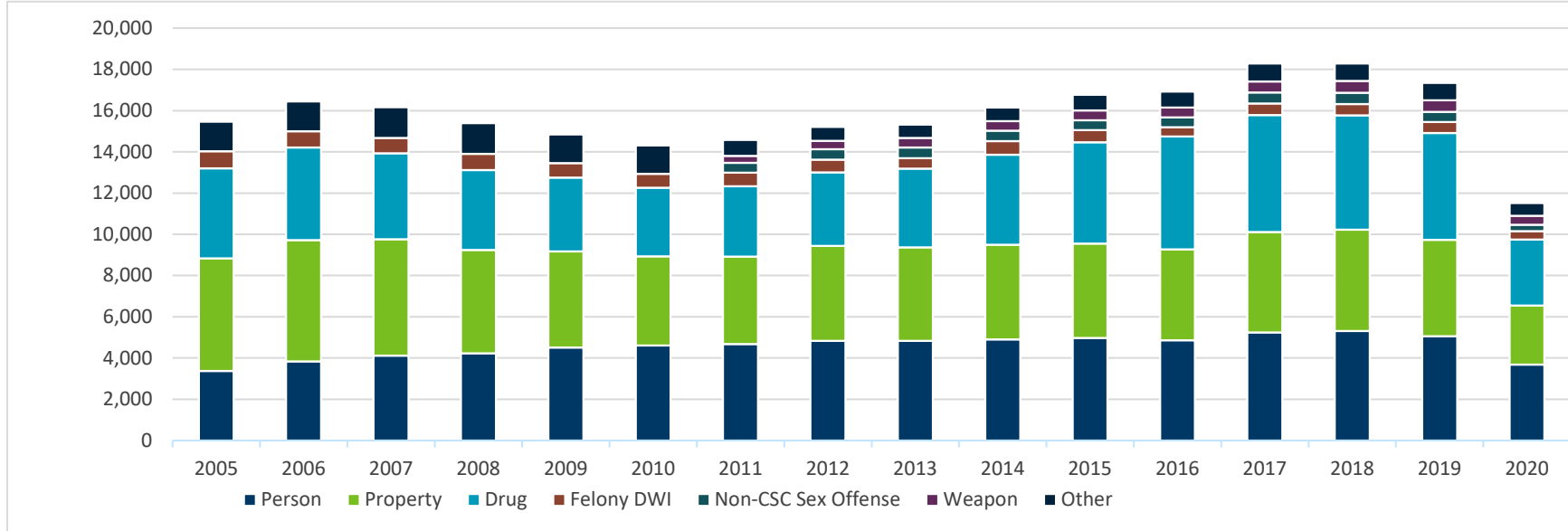
Weapon Offenses

The number of weapon offenses sentenced decreased 22 percent from 2019 to 2020 (Figure 4, p. 13). Ineligible felon in possession of firearm/ammunition decreased by 25 percent (from 473 to 354).

Other Offenses

The number of cases in the “other” offense category—largely crimes against the government—decreased slightly, by 26 percent. Fleeing a peace officer, the most common offense in this category, decreased from 572 cases in 2019 to 476 cases in 2020 (down 17%). Tax offenses saw a decrease to 8 cases from 29 cases in 2019. Change was also seen in failure to appear in court (19 cases in 2019, 15 in 2020). Following an 81 percent increase from 2015 to 2017 (from 64 to 116 cases), the number of escape from custody cases decreased in 2018 and 2019, and again in 2020 by 43 percent (from 91 cases in 2019 to 52 cases in 2020).

Figure 3. Number of Cases Sentenced by Offense Type, 2005–2020



Offense Type		2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
● Person	#	3,376	3,839	4,117	4,238	4,517	4,605	4,685	4,841	4,836	4,905	4,982	4,857	5,237	5,313	5,060	3,687
	%	21.8	23.3	25.5	27.5	30.4	32.2	32.2	31.8	31.6	30.4	29.7	28.7	28.6	29.1	29.2	32.0
● Property	#	5,455	5,886	5,650	5,003	4,651	4,334	4,232	4,604	4,528	4,589	4,575	4,411	4,870	4,918	4,675	2,858
	%	35.3	35.8	34.9	32.5	31.3	30.3	29.0	30.3	29.6	28.4	27.3	26.1	26.6	26.9	27.0	24.8
● Drug	#	4,364	4,484	4,166	3,878	3,578	3,326	3,409	3,552	3,821	4,363	4,913	5,475	5,670	5,536	5,175	3,205
	%	28.2	27.3	25.8	25.2	24.1	23.2	23.4	23.4	24.9	27.0	29.3	32.3	31.0	30.3	29.9	27.8
● Felony DWI	#	834	788	735	779	704	667	660	631	510	656	587	475	570	555	534	407
	%	5.4	4.8	4.5	5.1	4.7	4.7	4.5	4.1	3.3	4.1	3.5	2.8	3.1	3.0	3.1	3.5
● Non-CSC Sex Offense	#							476	495	518	507	471	451	527	539	491	300
	%							3.3	3.3	3.4	3.1	2.8	2.7	2.9	2.9	2.8	2.6
● Weapon Offense	#							346	411	466	467	477	483	537	579	559	435
	%							2.4	2.7	3.0	2.9	2.8	2.9	2.9	3.2	3.2	3.8
● Other	#	1,431	1,446	1,499	1,496	1,390	1,379	765	677	642	659	758	775	877	844	841	625
	%	9.3	8.8	9.3	9.7	9.4	9.6	5.3	4.5	4.2	4.1	4.5	4.6	4.8	4.6	4.9	5.4
Total	#	15,460	16,443	16,167	15,394	14,840	14,311	14,571	15,207	15,318	16,145	16,763	16,927	18,288	18,284	17,335	11,517

Figure 4. Cases Sentenced, Percent Change from Previous Year, by Offense Type, 2000–2020

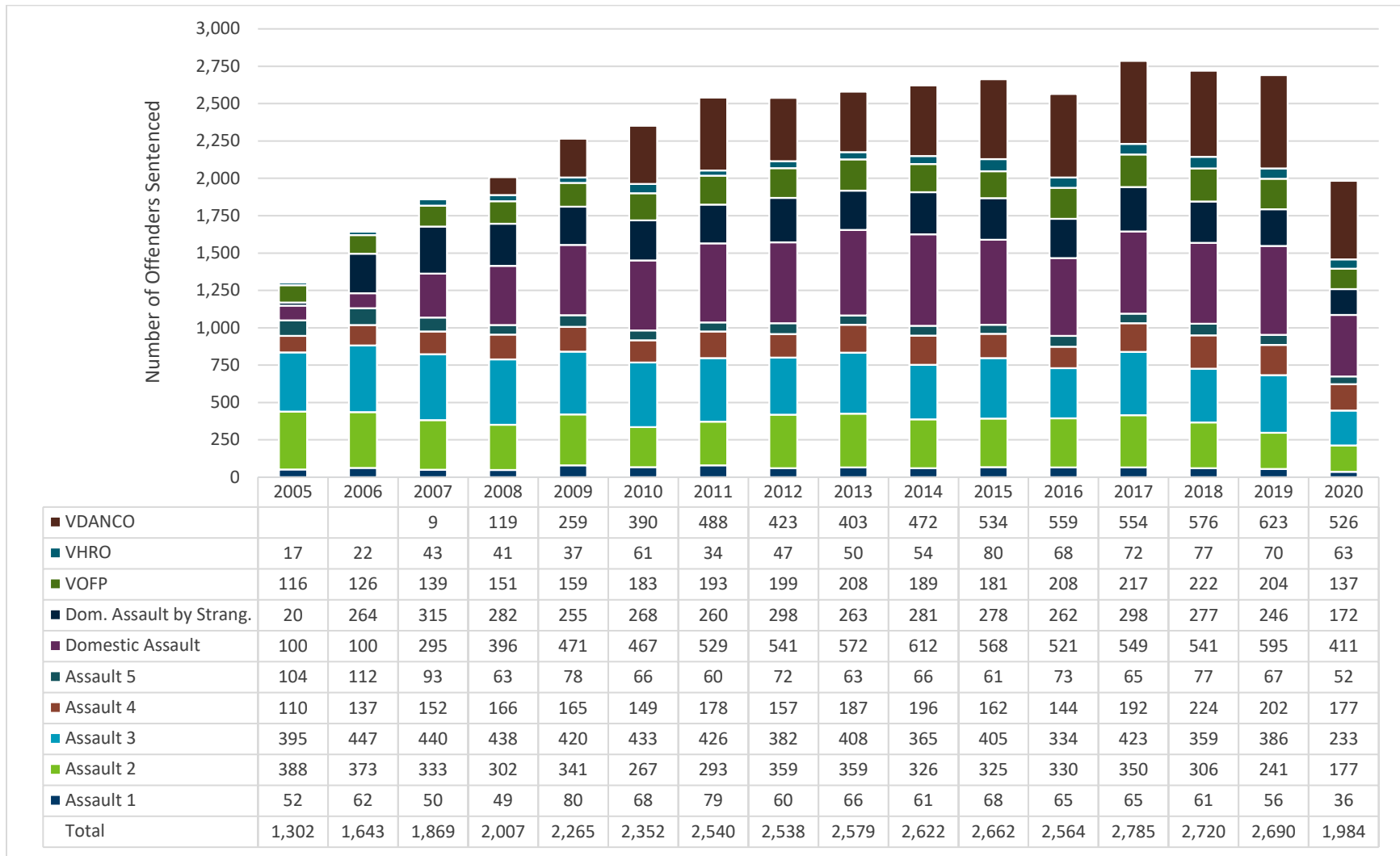
Year Sentenced	All Offenses	Person	Property	Drug	Felony DWI	Non-CSC Sex Offense ¹⁶	Weapon ¹⁷	Other ¹⁸
2000	-2.2%	-5.1%	-7.4%	+8.6%				+4.2%
2001	+3.9%	+3.8%	+4.2%	0.0%				+13.3%
2002	+20.2%	+10.4%	+17.9%	+31.9%				+16.3%
2003	+11.7%	+6.2%	+2.4%	+13.8%				+2.2%
2004	+1.8%	+1.1%	-0.8%	+3.6%	+6.2%			+6.2%
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%
2016	+1.0%	-2.5%	-3.6%	+11.4%	-19.1%	-4.3%	+1.3%	+2.2%
2017	+8.0%	+7.8%	+10.4%	+3.6%	+20.0%	+16.9%	+11.2%	+13.2%
2018	-0.0%	+1.5%	+1.0%	-2.4%	-2.6%	+2.3%	+7.8%	-3.8%
2019	-5.2%	-4.8%	-4.9%	-6.5%	-3.8%	-8.9%	-3.5%	-0.4%
2020	-33.6%	-27.1%	-38.9%	-38.0%	-23.8%	-38.9%	-22.2%	-25.7%

¹⁶ “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).

¹⁷ “Weapon” category includes: Possession of a firearm by a felon convicted of a crime of violence, discharge of firearm, and other weapon related offenses.

¹⁸ “Other” category includes: Fleeing police, escape, voting violations, tax evasion laws, and other offenses of less frequency. “Other” category also includes DWI before 2004 and non-CSC sex offenses and weapon offenses before 2010.

Figure 5. Number of Cases Sentenced, Assault and Restraining Order Offenses, 2005–2020



Distribution of Cases by Gender, Race/Ethnicity and Judicial District

Of those sentenced in 2020, 82.2 percent were male and 17.8 percent were female. The female percentage was lower than in the previous six years, with 2018 being the only year females accounted for more than 20 percent of cases (Table 5, p. 41). Figure 6 shows the gender composition of cases from 1981 through 2020.

Figure 6. Distribution of Cases by Gender, 1981–2020

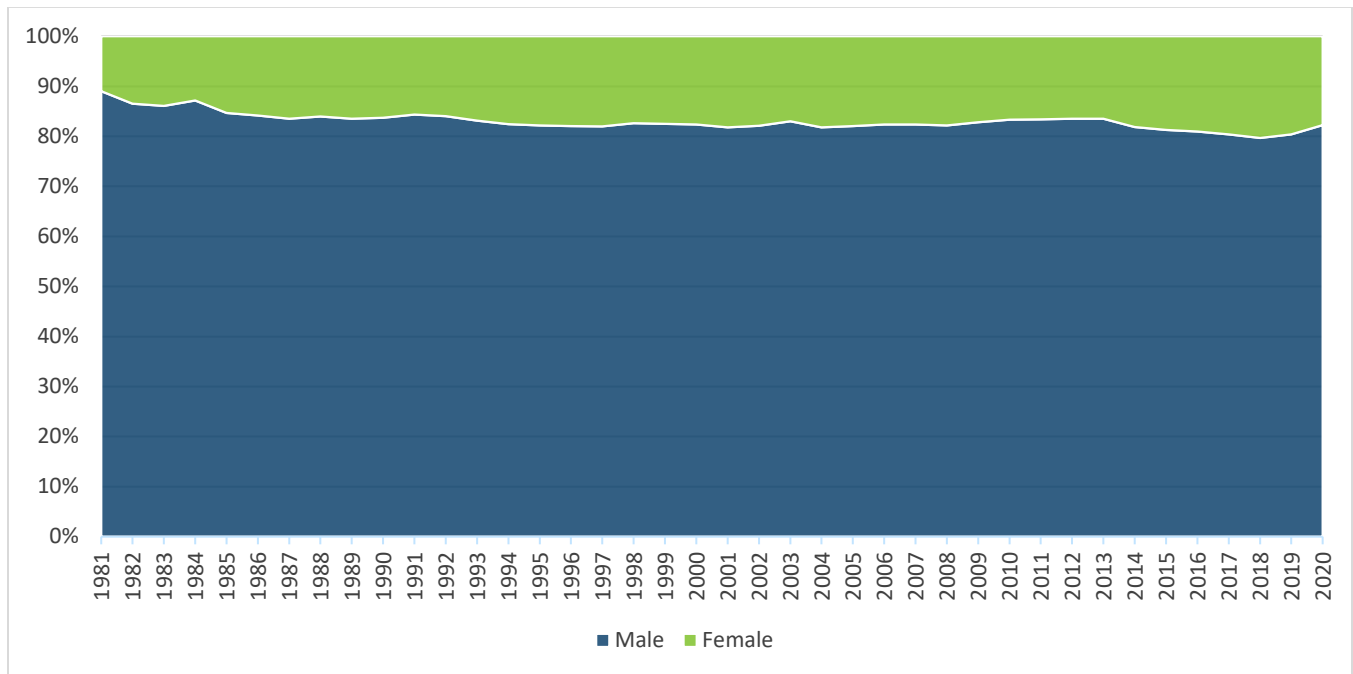


Figure 7 (p. 16) shows the racial or ethnic composition of those sentenced from 1981 through 2020. The white percentage decreased by 25 points between 1981 (81.8%) and 2009 (56.5%). This was largely due to an increase in the black percentage, although the percentages of other races or ethnicities (particularly Hispanic) also increased. From 2019 to 2020, the white percentage decreased from 56.8 percent to 56.6 percent. The black percentage decreased from 26.4 percent in 2019 to 26.0 percent in 2020. The American Indian percentage rose from 8.6 percent in 2019 to 9.2 percent in 2020, a record high percentage. The Hispanic percentage was similar to that in 2019 (5.2% in 2019 and 5.3% in 2020), while the Asian percentage decreased slightly from 2.9 percent to 2.7 percent.

Figure 8 (p. 16) displays the distribution of the racial or ethnic composition of those sentenced in 2020 by Minnesota’s ten judicial districts. In all but two districts, the white percentage exceeded 50 percent. In the Fourth Judicial District (Hennepin County, including Minneapolis), the black percentage was 54 percent, and in the Second Judicial District (Ramsey County, including St. Paul), the black percentage was 49 percent, with no racial or ethnic group comprising a majority. More information on case volume and distribution can be found in Table 5 (p. 41), Table 6 (p. 43), Table 7 (p. 45), Table 8 (p. 47), Table 9 (p. 51), Table 10 (p. 52), Table 11a (p. 54), Table 11b (p. 55), and Table 11c (p. 56). County-level information can be found in Table 23 (p. 72), Table 24 (p. 74), and Table 25 (p. 77). A map of the judicial districts can be found in Appendix 1 (p. 80).

Figure 7. Distribution of Cases by Race/Ethnicity, 1981–2020

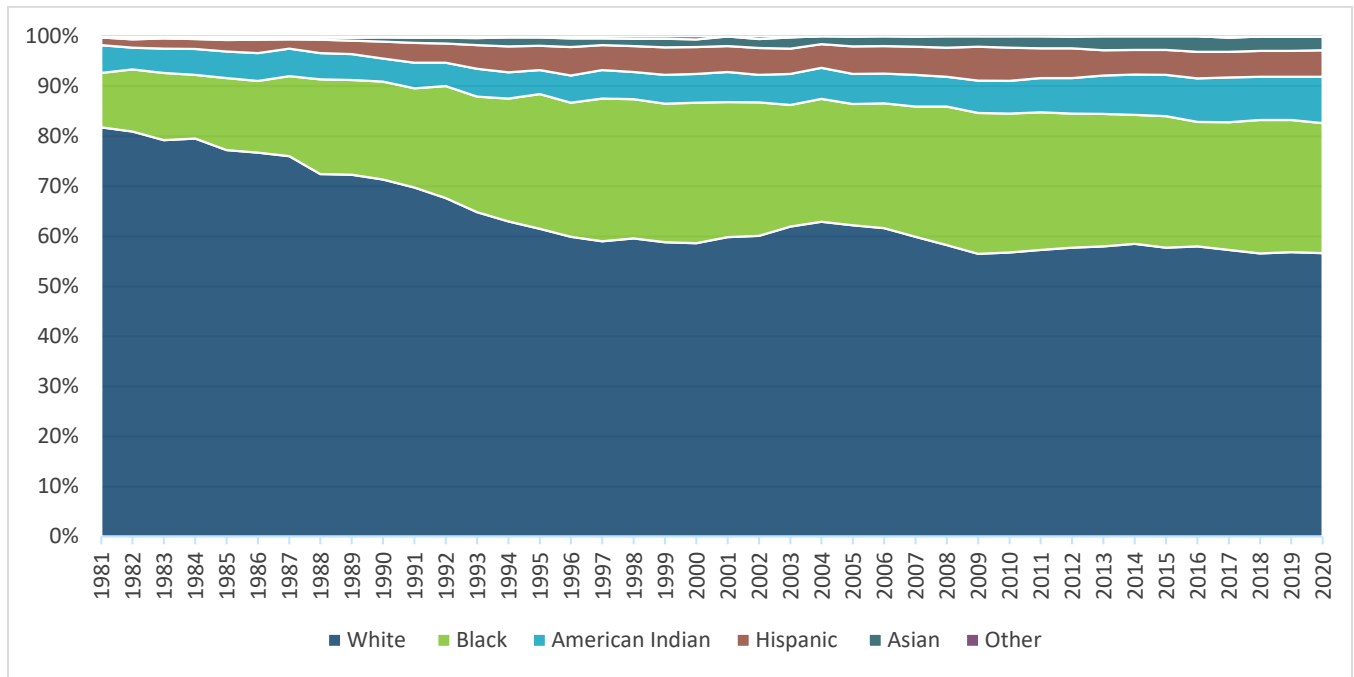
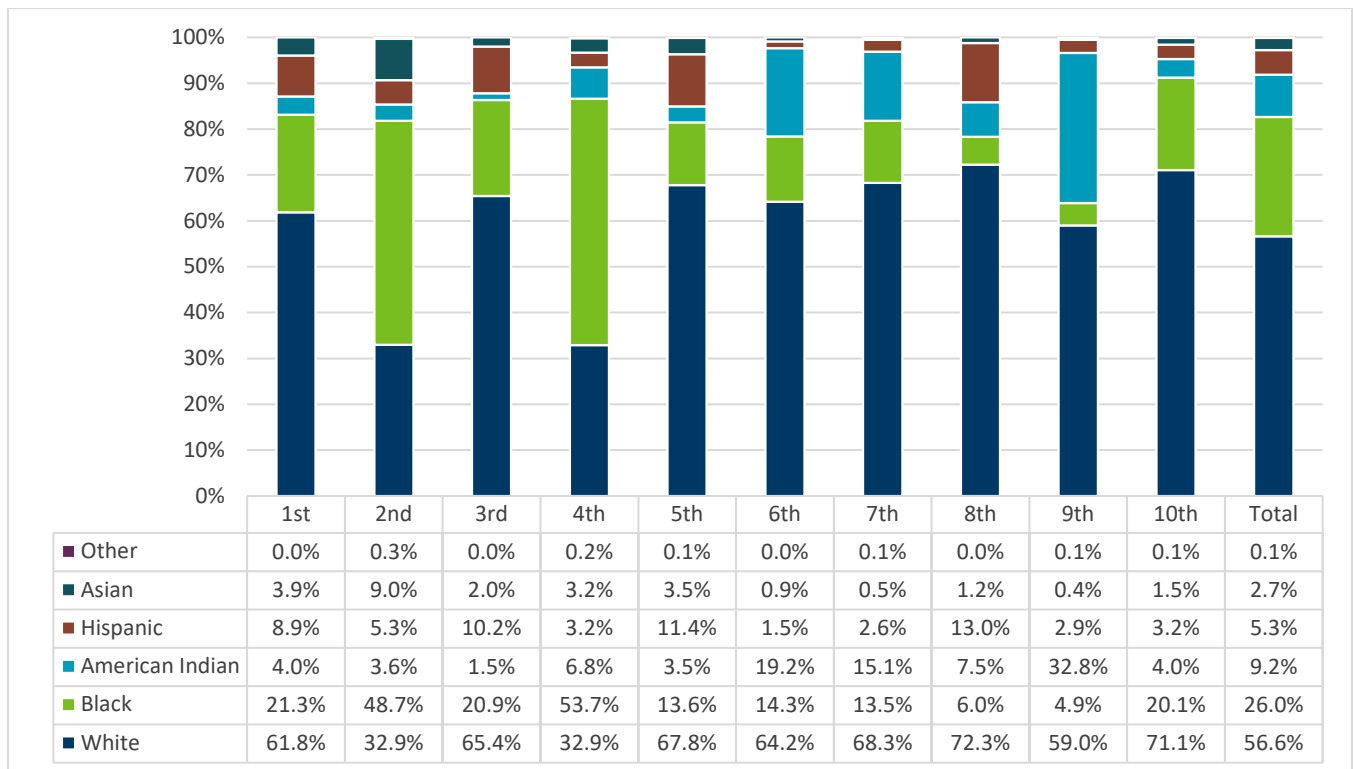


Figure 8. Distribution of Cases by Race and Judicial District, 2020



Incarceration Rates

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

The Guidelines presume who should go to state correctional institutions (prison) and for how long. Imprisonment rates are related to the Guidelines recommendations and are based on the seriousness of the offense and the criminal history score. In cases in which prison sentences are stayed, the court usually places the defendant on probation. As a condition of probation, the court may 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 few specific guidelines to the court regarding the imposition of these intermediate sanctions.¹⁹ MSGC's monitoring system, which provided the information used in this report, includes limited information regarding these sanctions. This monitoring system contains information on whether the court pronounced local confinement time as a condition of probation and for how long, but does not contain information regarding other sanctions imposed. Sanctions for violations of probation conditions, which may ultimately include probation revocation and state imprisonment, are likewise not included in the monitoring data.²⁰ The local incarceration rate reported in this data summary represents the percentage of felony convictions for which the court pronounced local confinement time as a condition of a stayed sentence or for which the felony conviction was sentenced as a misdemeanor or gross misdemeanor.

The total incarceration rate describes the percentage of cases in which the sentence included incarceration in a state prison or local correctional facility, such as a county jail or workhouse. Figure 9 (p. 19) shows the total incarceration rate, as well as the separate rates for prison and local confinement, from 1982 to 2020. The total incarceration rate in 1978 (pre-Guidelines) was 55.8 percent (20.4% incarcerated in state prison and 35.4% in local confinement). In 1981, the total incarceration rate was 61.2 percent (15% incarcerated in state prison and 46.2% in local 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 and 2020, the total incarceration rate has remained above 90 percent since 2003. In 2020, 89.9 percent of sentences for felony convictions included incarceration in a state prison or a local correctional facility.

The 2012–2015 imprisonment rates were the highest rates observed since the Guidelines were implemented. The imprisonment rate declined from 26.2 percent in 2015 to 24 percent in 2019. In 2020, the imprisonment

¹⁹ For general guidance, see 2020 Minn. Sentencing Guidelines § 3.A. The presumptive five-year probation cap mentioned on page 4, above, took effect for offenses committed on or after August 1, 2020.

²⁰ For a discussion of probation revocations, see MSGC's most recent Probation Revocation report under "Special Topics" at <http://mn.gov/sentencing-guidelines/reports>.

rate decreased to 22.6 percent. Of those who did not receive an executed prison sentence, 86.9 percent received local confinement.²¹

For comparison, Figure 9 also displays the Guidelines-recommended (“presumptive”) imprisonment rate over time. More cases are recommended imprisonment than actually receive prison sentences. In 2020, the Sentencing Guidelines recommended imprisonment in 35.5 percent of cases, compared to the actual imprisonment rate of 22.6 percent. The difference between these two rates—of 12.9 percentage points—was easily the largest disparity between presumptive and actual imprisonment rates on record. See Table 12 (p. 57), Table 13 (p. 59), and Table 14 (p. 61) for presumptive imprisonment rates over time by race, gender, and judicial district.

Incarceration by Race/Ethnicity and Judicial District

Table 1 (p. 20) provides total incarceration information for cases sentenced in 2020. “Total Incarceration” includes all sentences that included a prison sentence or local confinement time as a condition of a stayed sentence. When comparing imprisonment rates across various demographic groups (sex, race/ethnicity, or judicial district), it is important to note that much of the variation is directly related to the proportion of cases in any particular group recommended a prison sentence by the Guidelines. Table 12 (p. 57), Table 13 (p. 59), and Table 14 (p. 61) display presumptive imprisonment rates.

Race/Ethnicity

Some variation in the 2020 total incarceration rate was observed across the five racial or ethnic groups, ranging from 88.5 percent (observed in the white group) to 92 percent (observed in the American Indian and Hispanic groups) (Figure 10, p. 21). Greater variation existed in the separate rates for imprisonment and local confinement. The Asian group had the lowest imprisonment rate, at 18.1 percent. This group also had the lowest the “presumptive prison rate”—the rate at which the Sentencing Guidelines recommend prison—at 31.3 percent. The black group had both the highest imprisonment rate, at 27.7 percent, and the highest presumptive prison rate, at 44.8 percent.

Judicial District

Variation in incarceration rates was also observed by judicial district (Figure 11, p. 21). The Second Judicial District (Ramsey County) had the highest total incarceration rate (98.8%) and the Ninth Judicial District (northwest Minnesota) had the lowest total incarceration rate (81.4%). Variation was also seen with respect to the separate rates for prison and local confinement. The Ninth Judicial District (northwest counties) had the highest imprisonment rate (28.1%) and the second-lowest presumptive prison rate (29.6%). The Sixth Judicial District (northeast counties) had the lowest imprisonment rate (18.1%) and the third-highest presumptive prison rate (36.2%). Regarding use of local confinement, the Second District had the highest rate (74.5%), and the Ninth Judicial District had the lowest rate (53.3%). See Appendix 1 (p. 80) for a map of Minnesota’s ten judicial districts.

²¹ This figure includes either confinement time as a condition of probation or a non-felony local confinement sentence. See Table 1. Of the 11,517 cases, 2,602 received prison and 8,915 did not. The 7,749 receiving local confinement totaled 86.9% of the 8,915 not receiving prison.

Figure 9. Actual & Presumptive Incarceration Rates, 1982, 1984, 1986, 1988, 1990, 1992–2020

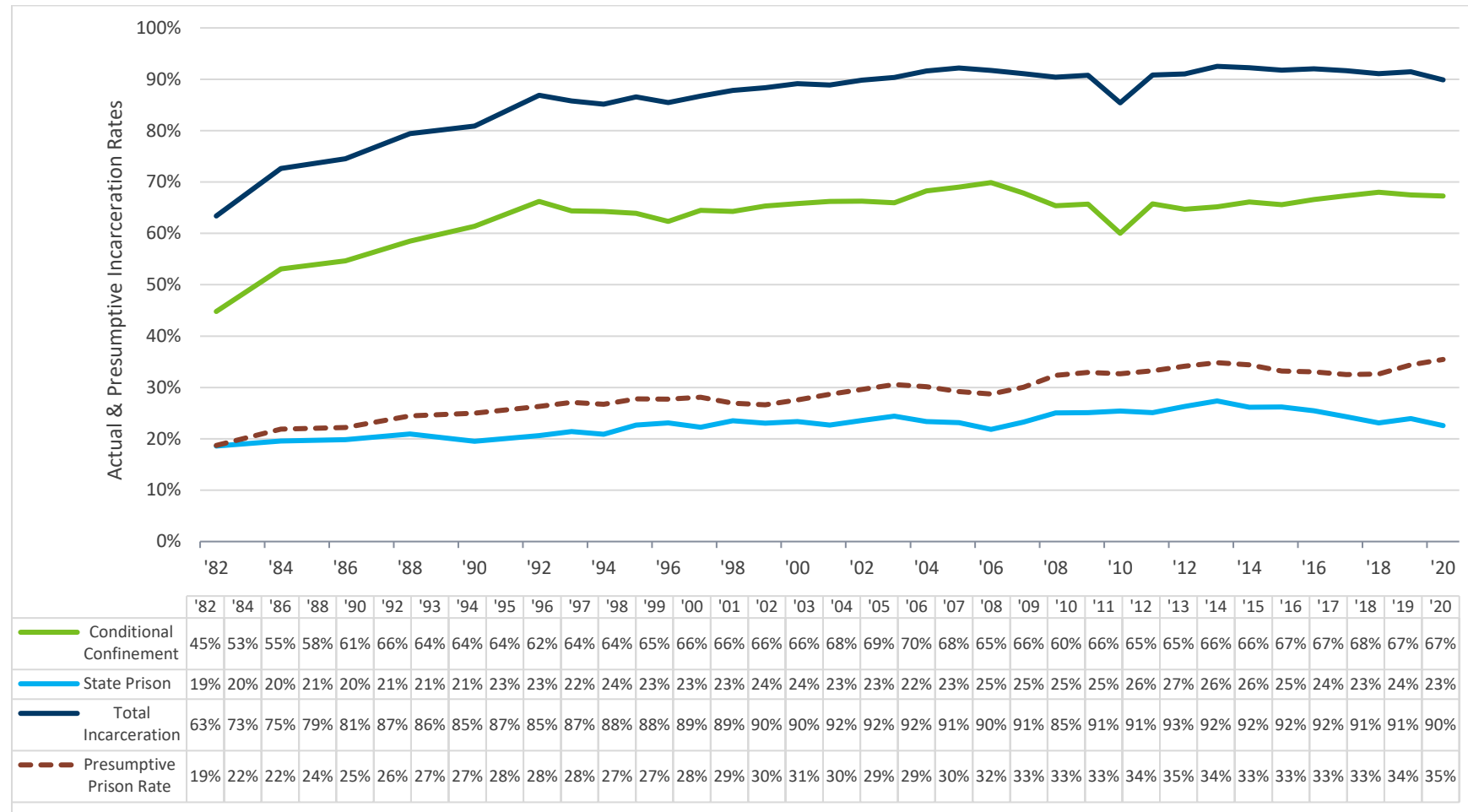


Table 1. Incarceration Rates by Gender, Race/Ethnicity, and Judicial District, 2020

		Total Number	Total Incarceration		Local Confinement		State Prison			
			Number	Rate (%)	Number	Rate (%)	Number	2020 Rate (%)	2015–19 5-Yr. Rate	2016–20 5-Yr. Rate
	Male	9,470	8,587	90.7	6,178	65.2	2,409	25.4	27.8	27.1
	Female	2,046	1,764	86.2	1,571	76.8	193	9.4	11.4	10.9
Race/Ethnicity	White	6,523	5,774	88.5	4,460	68.4	1,314	20.1	21.5	21.0
	Black	2,993	2,748	91.8	1,919	64.1	829	27.7	30.7	29.9
	American Indian	1,064	979	92.0	728	68.4	251	23.6	25.3	24.9
	Hispanic	614	565	92.0	413	67.3	152	24.8	27.9	27.4
	Asian	310	276	89.0	220	71.0	56	18.1	22.7	21.7
	Other/ Unknown	12	9	75.0	9	75.0	0	0.0	12.2	10.5
	Judicial District	First	1,470	1,324	90.1	1,025	69.7	299	20.3	19.6
	Second	956	945	98.8	712	74.5	233	24.4	25.4	25.0
	Third	864	725	83.9	523	60.5	202	23.4	24.6	24.5
	Fourth	2,299	1,987	86.4	1,447	62.9	540	23.5	27.8	26.5
	Fifth	851	778	91.4	607	71.3	171	20.1	20.8	20.8
	Sixth	547	481	87.9	382	69.8	99	18.1	21.8	21.7
	Seventh	1,280	1,225	95.7	915	71.5	310	24.2	28.6	27.5
	Eighth	332	310	93.4	234	70.5	76	22.9	27.8	26.2
	Ninth	1,151	937	81.4	614	53.3	323	28.1	25.4	25.6
	Tenth	1,767	1,639	92.8	1,290	73.0	349	19.8	22.3	21.5
	Total	11,517	10,351	89.9	7,749	67.3	2,602	22.6	24.6	24.0

Figure 10. Actual & Presumptive Incarceration Rates by Gender & Race/Ethnicity, 2020

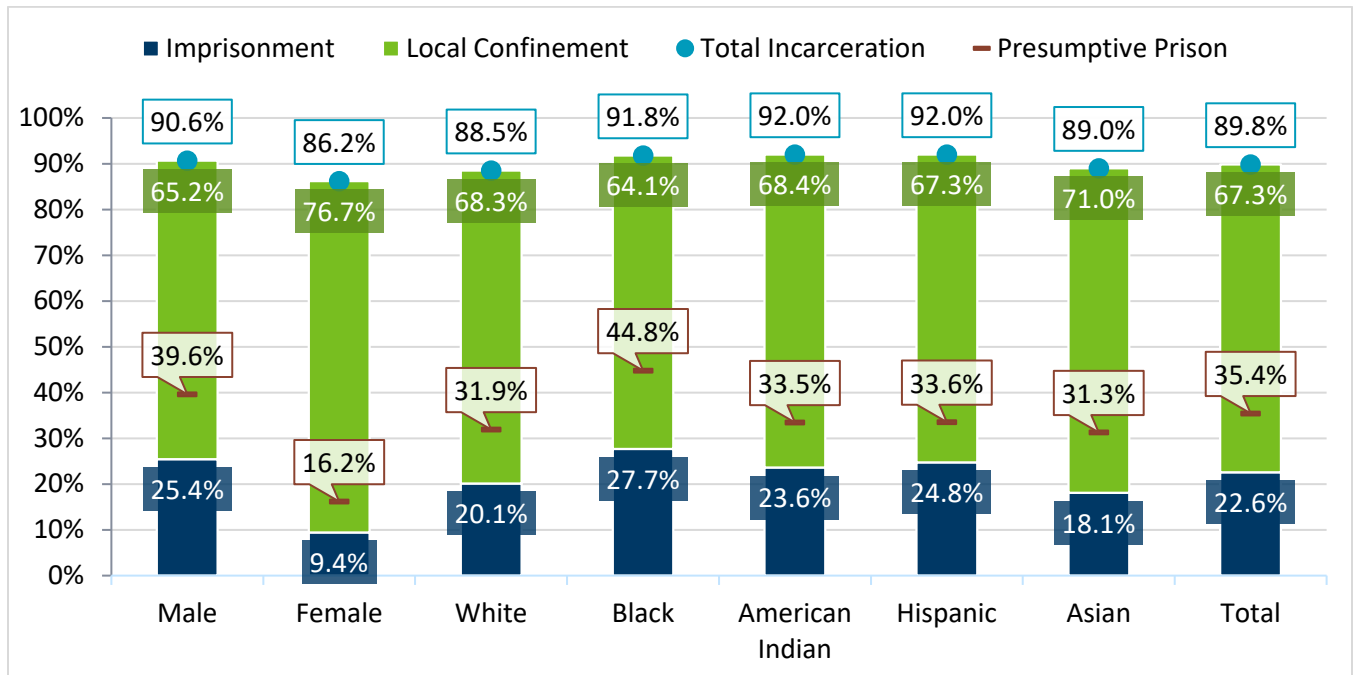
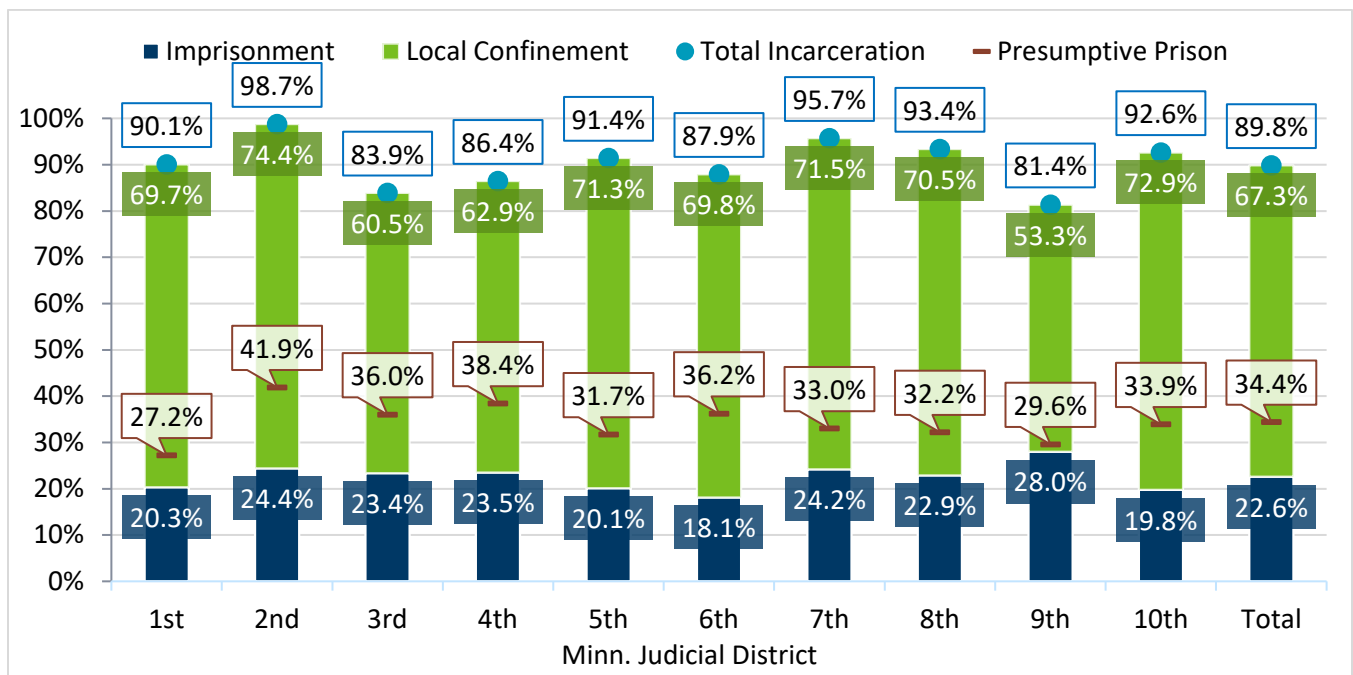


Figure 11. Actual & Presumptive Incarceration Rates by Judicial District, 2020



Historical incarceration-rate data can be found in Table 12 (p. 59), Table 13 (p. 61), Table 14 (p. 63), Table 15 (p. 65), Table 16 (p. 67), and Table 17 (p. 69). Additionally, Table 23 (p. 75) records incarceration rates by county.

Average Pronounced Sentences (Durations)

State Prison

Among executed prison sentences in 2020, the average pronounced prison duration was 50.6 months, an increase from 2019 and the third-longest average duration on record (Table 2, p. 23). The average varied by applicable Grid: 44 months for cases on the Standard Grid; 91 months for cases on the Sex Offender Grid;²² and 49 months for cases on the Drug Offender Grid.

The average has fluctuated over time, but sentence lengths increased after 1989. From 1981 to 1989, the average was 37.5 months, increasing to 47 months from 1992²³ to 2020. 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 1989²⁴ and, for a time, 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. In 2006, a separate Sex Offender Grid was adopted, giving higher presumptive sentences to repeat offenses and people with criminal history.

Life Sentences

Ten people received life sentences in 2020, up from eight in 2019. Of the ten life sentences, eight were for first-degree murder, one was for first-degree criminal sexual conduct, and one was for second-degree criminal sexual conduct. For seven of those life sentences, no release will ever be possible: six because the conviction was premeditated first-degree murder, and one for first-degree murder of an officer or guard.²⁵ The three life sentences with possibility of release resulted from convictions of first-degree premeditated murder by a 17-year-old, one for first-degree criminal sexual conduct under egregious circumstances, and one for second-degree criminal sexual conduct with aggravating factors. Life sentences are excluded from the average pronounced prison sentences reported here.

²² In 2020, nine cases (0.1%) were sentenced in which the offense was committed before August 1, 2005, some of which were sex offenses. The applicable pre-2005 Standard Grid was therefore used to determine the presumptive sentence. Three of these nine cases received prison sentences with an average pronounced sentence of 211 months. This is higher than the average on the Standard Grid and Drug Offender Grid because one of the prison sentences was for second-degree murder (average sentence of 385 months) and one of the prison sentences was for first-degree criminal sexual conduct (average sentence of 204 months).

²³ 1990 & 1991 data are not included because of a mixture of presumptive sentences.

²⁴ See “Changes to the Sentencing Grid Over Time – 1989,” p. 4.

²⁵ Life imprisonment without possibility of release has been the mandatory sentence for premeditated murder and certain sex offenses since 2005. [2005 Minn. Laws ch. 136](#), art. 2, §§ 5 & 21, & art. 17, § 9.

Table 2. Average Pronounced Prison Sentence, 1981–2020

Year	Executed Prison Sentences (in months)	Year	Executed Prison Sentences (in months)	Year	Executed Prison Sentences (in months)
2020	50.6	2006	44.8	1992	48.6
2019	48.4	2005	45.7	1991	45.2
2018	47.1	2004	45.1	1990	45.7
2017	46.0	2003	51.2	1989	37.7
2016	46.3	2002	47.2	1988	38.1
2015	45.0	2001	49.8	1987	36.3
2014	45.5	2000	49.7	1986	35.4
2013	45.2	1999	47.9	1985	38.4
2012	47.3	1998	47.0	1984	36.2
2011	45.6	1997	44.5	1983	36.5
2010	46.5	1996	47.4	1982	41.0
2009	42.8	1995	48.5	1981	38.3
2008	45.0	1994	51.3		
2007	44.8	1993	46.9		

Local Confinement (i.e., County Jails, Local Correctional Facilities and Workhouses)

MSGC monitoring data capture the amount of local confinement a judge pronounces as a condition of probation, but not necessarily the actual amount of time served. For a variety of reasons, many will not serve the full amount of time pronounced by the judge. Some who have served time prior to sentencing may receive credit for this time against the post-sentence time—for some, this credited time will constitute the entire period of local confinement. Others may be released to a treatment program.

The average amount of local confinement pronounced was 90 days in 2020, the lowest average on record. The average amount of local confinement was also less than 100 days in 2019, 2018 and 2017, and had remained in a fairly narrow range—between 103 and 113 days—from 1988 through 2016 (Table 3, p. 24).

Table 3. Average Local Confinement, 1981–2020

Year	Local Confinement (in days)
2020	90
2019	92
2018	95
2017	96
2016	106
2015	105
2014	107
2013	110
2012	107
2011	109
2010	109
2009	111
2008	110
2007	110

Year	Local Confinement (in days)
2006	107
2005	109
2004	112
2003	112
2002	106
2001	105
2000	104
1999	103
1998	107
1997	107
1996	107
1995	108
1994	113
1993	112

Year	Local Confinement (in days)
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 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 may agree on acceptable sentences. 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.²⁶ Along with reasons for departure, the court may supply information about the position of the prosecutor regarding the departure. In 2020, the Commission received departure reasons, information about the position of the prosecutor, or both, in 95.5 percent of departure cases.

In 2020, 98 percent of felony convictions were obtained 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.

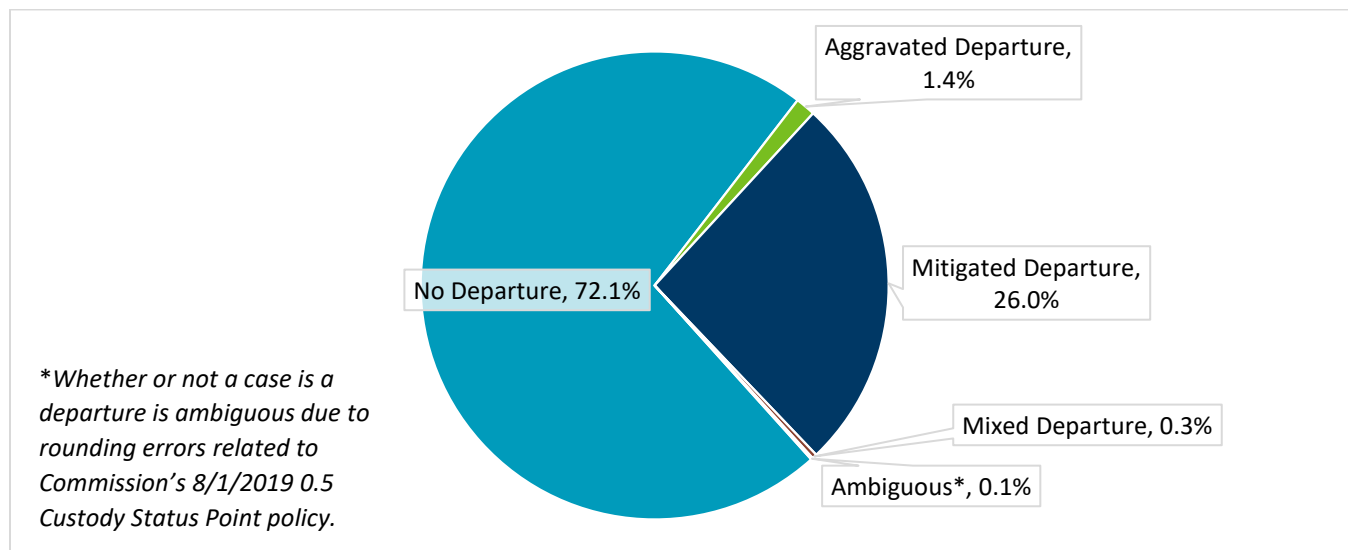
²⁶ Minn. R. Crim. P. [27.03](#), subd. 4(C).

Total Departures

In 72.1 percent of cases in 2020, the sentence imposed was not a departure from the presumptive, Guidelines-recommended sentence (11,517 cases). In the remaining 27.9 percent of cases, there was some type of departure; *i.e.*, aggravated, mitigated, or mixed²⁷ (Figure 12).

Additional departure information can be found in Table 18 (p. 67), Table 19 (p. 68), Table 20 (p. 68), Table 21 (p. 70), and Table 22 (p. 71). Departure information by county can be found in Table 24 (p. 74) and Table 25 (p. 77).

Figure 12. Total Departure Rates, All Cases, 2020



Dispositional Departures

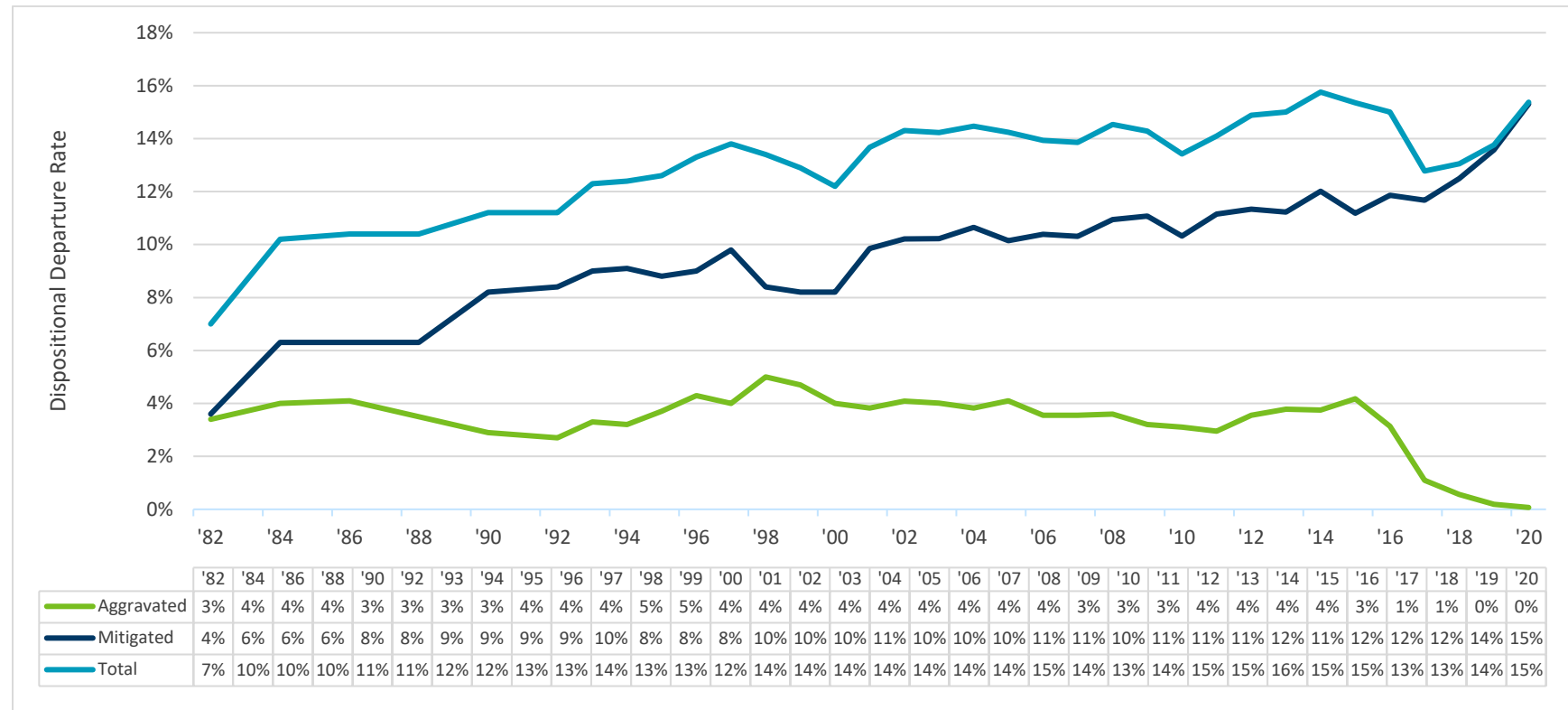
While Figure 12, above, reports both the dispositional and durational departure rates among all cases, this section examines only dispositional departures. A “dispositional departure” occurs when the court orders a disposition other than that recommended in the Guidelines. There are two types: aggravated and mitigated. 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 an executed prison sentence but the court pronounces a stayed sentence.

In 1,773 cases (15%) in 2020, the sentence was a dispositional departure from the Guidelines. In eight cases (0.1%), the sentence was to prison when the Guidelines recommended probation (“aggravated dispositional departure”). In 1,763 cases (15.3%), the sentence was to probation when the Guidelines recommended prison (“mitigated dispositional departure”). Most of the increase in the total departure rate since 1981 has resulted from increases in the mitigated dispositional departure rate (Figure 13, p. 27).

²⁷ A “mixed” departure is a mitigated dispositional departure with an aggravated durational departure, or vice-versa.

Types of Dispositional Departures

Figure 13. Dispositional Departure Rates, 1982, 1984, 1986, 1988, 1990, 1992–2020

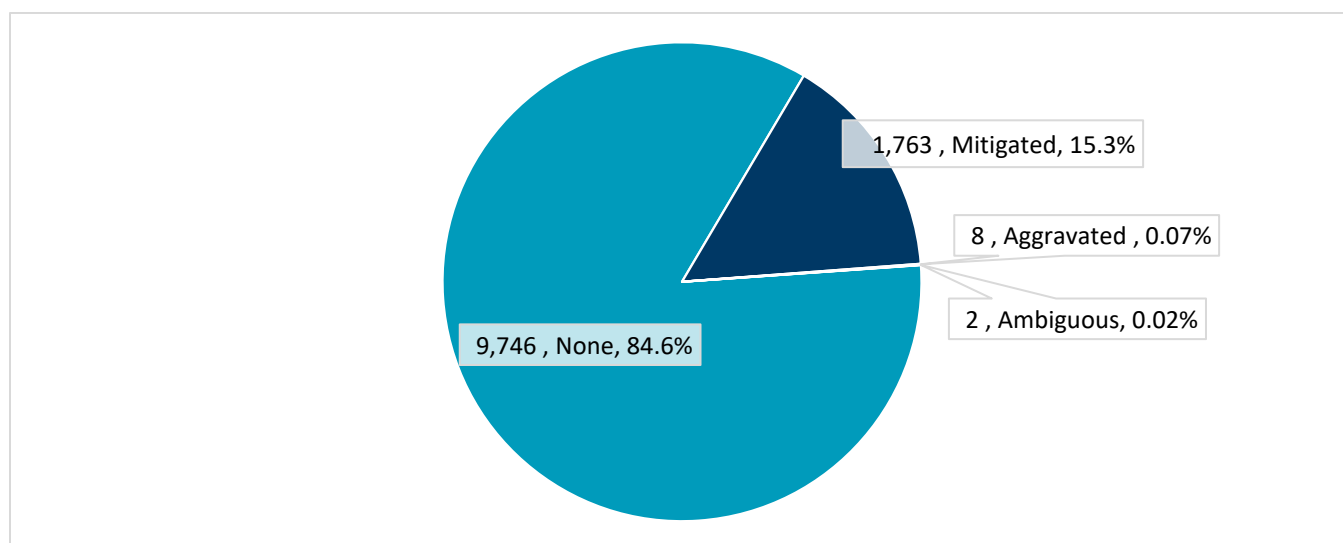


Aggravated Dispositional Departures

Of all cases sentenced in 2020, 0.1 percent were aggravated dispositional departures (Figure 13). Among only those cases at risk to receive an aggravated dispositional departure—*i.e.*, those with a presumptively stayed sentence—the aggravated dispositional departure rate was 0.1 percent (Table 19, p. 68).

Much of the apparent decrease in aggravated dispositional departures in recent years is due to a 2015 policy change: The Commission no longer considers an executed sentence, pursuant to a defendant’s demand, to be an aggravated dispositional departure. In 2019, 18 percent (and 54 percent in 2018) of aggravated dispositional departures occurred because the defendant—with a presumptively stayed sentence—requested an executed prison sentence or agreed to the departure as part of a plea agreement.²⁸ In 2020, none of the aggravated dispositional departures were based on such a request. Because aggravated dispositional departures now represent such a small percentage of cases, the remainder of this analysis will focus on mitigated dispositional departures.²⁹

Figure 14. Dispositional Departure Rates, 2020



Mitigated Dispositional Departures

As discussed above, the sentence was a mitigated dispositional departure in 15 percent of cases sentenced in 2020. This next section focuses only on departures for presumptive commitment cases (those recommended prison). Because the next section’s departures are compared to a much smaller pool of cases, the departure rates shown will be significantly higher than the 15-percent rate shown above.

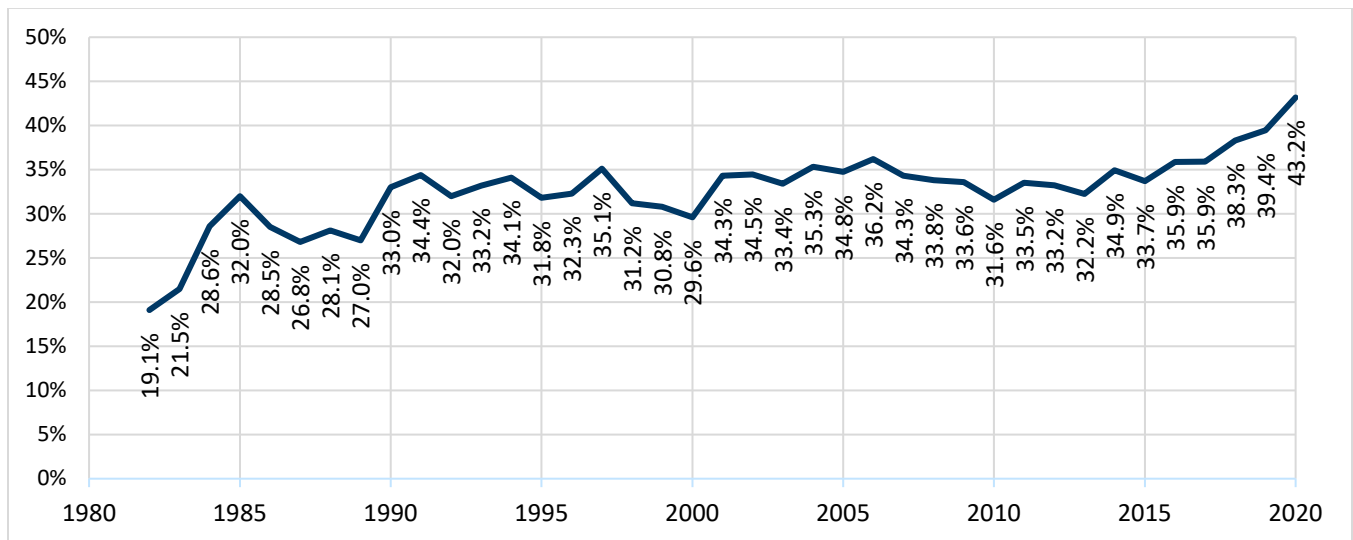
²⁸ This number is not zero because some cases sentenced in 2019 were committed before the policy change took effect on August 1, 2015. In 2019, 496 cases committed on or after August 1, 2015, were presumptive stays where the defendant received a prison sentence pursuant to his or her right to demand execution; these were not counted as aggravated dispositional departures.

²⁹ The small number of aggravated dispositional departures may be related to mid-2000s caselaw requiring that a jury find aggravating factors to support such departures. See footnotes 30 & 31 (p. 34) and accompanying text.

Mitigated Dispositional Departure Rates for Presumptive Commitments

In 2020, the mitigated dispositional departure rate for cases recommended prison under the Guidelines was 43.2 percent (1,763 of the 4,083 cases recommended prison), the highest rate ever observed (Figure 15). The next-highest rates were 39.4 percent (2019) and 38.3 percent (2018).

Figure 15. Mitigated Dispositional Departure Rates, Presumptive Commitments Only, 1982–2020



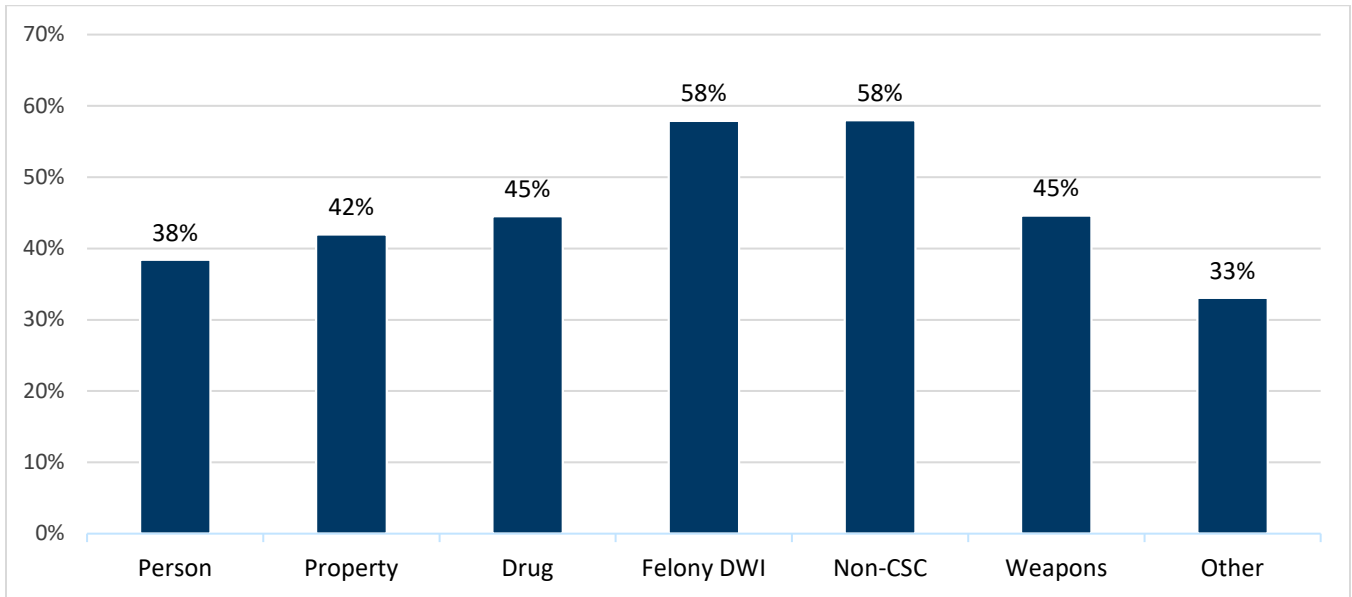
Mitigated Dispositional Departure Rates by Gender, Race/Ethnicity, and Judicial District

Table 19 (p. 68) lists dispositional departure rates by gender, race or ethnicity, and judicial district for presumptive commitment offenses. These rates are illustrated graphically in Figure 26 (p. 39) and Figure 27 (p. 39). The mitigated dispositional departure rate is higher for females (56.8%) than males (42%). When examined by racial or ethnic group, the mitigated dispositional departure rate ranged from lows of 39.8 percent for the Hispanic group and 39.9 percent for the American Indian group to highs of 46.4 percent for the Asian group and 45.4 percent for the white group. There was also variation in the rate by judicial district, ranging from a low of 29.4 percent in the Eighth Judicial District (includes west-central counties) to a high of 51.9 percent in the Sixth Judicial District (includes north-east counties). This is a larger variation than seen in 2019, where the range by judicial district was 29.8 to 50.9 percent. See Appendix 1 (p. 80) for a map of Minnesota’s ten judicial districts.

Mitigated Dispositional Departure Rate by Offense Type

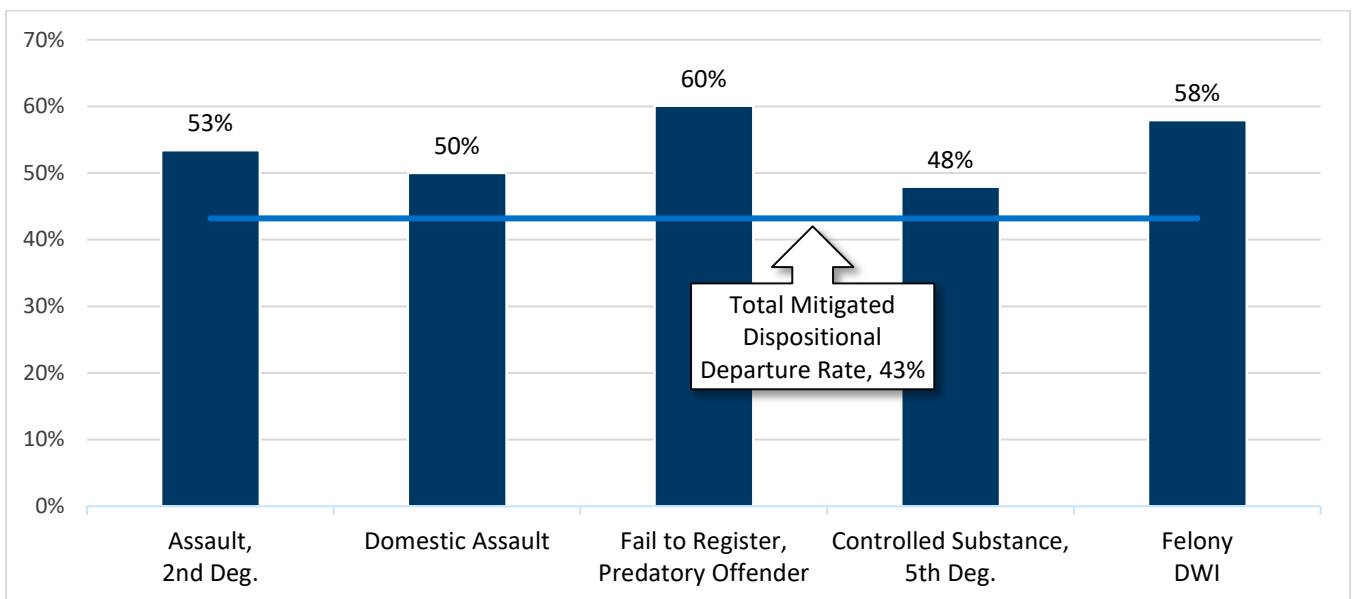
Figure 16 displays the mitigated dispositional departure rate by offense type. The rate is highest for Non-CSC sex offenses and felony DWI and lowest for person and “other” offenses. Compared to 2019 rates, mitigated dispositional departure rates increased in 2020 by at least two percentage point for person offenses (36% in 2019), property offenses (39% in 2019), drug offenses (42% in 2019), and “other” offenses (31% in 2019). The 2020 rate increased by at least eight percentage points for felony DWI offenses (49% in 2019), and weapon offenses (38% in 2019).

Figure 16. Mitigated Dispositional Departure Rates by Offense Type, Presumptive Commitments Only, 2020



Even within offense types, departure rates vary by offense. Figure 17 (p. 30) displays the highest rates of mitigated dispositional departure compared to the total rate of 43 percent. The selected offenses were those with 50 or more presumptive commitment cases and a mitigated dispositional departure rate of 48 percent or more.

Figure 17. Mitigated Dispositional Departure Rates for Selected Offenses Compared to Total Rate, 2020



Note: Offenses were selected based on criteria that there were 50 or more presumptive commitment cases and the mitigated dispositional departure rate was 48 percent or more.

Two of the offenses highlighted in Figure 17, 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](#), subs. 4, 5, and 9). The second-degree assault statute proscribes a broad range of misbehavior: Injury to, or physical contact with, 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 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 65 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 16 percent of these cases, the court stated that the prosecutor objected to the departure (Figure 18). The court did not supply information on the prosecutor’s position in 19 percent of these departures. Prosecutor agreement can vary by offense type (Figure 18) and offense (Figure 19). In all offense categories, amenability to probation and amenability to treatment were the most frequently cited substantial and compelling reasons for departure recorded.

Figure 18. Court-Cited Position of Prosecutor for Mitigated Dispositional Departures, by Offense Type, 2020

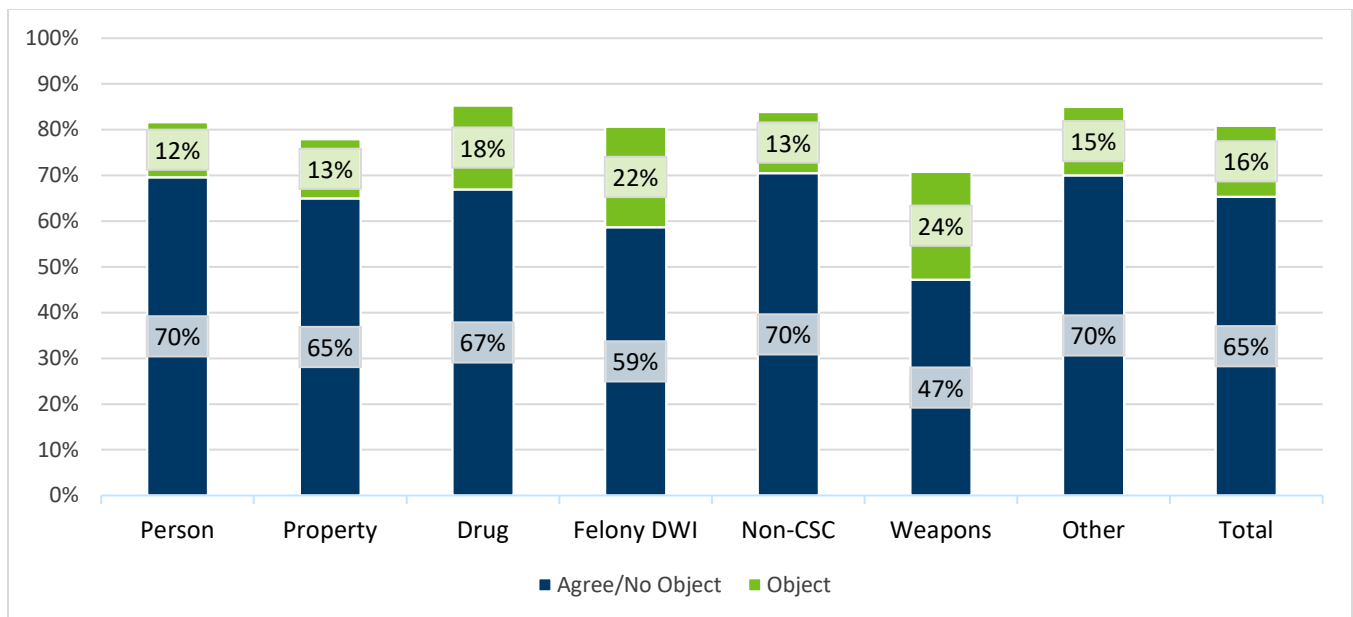
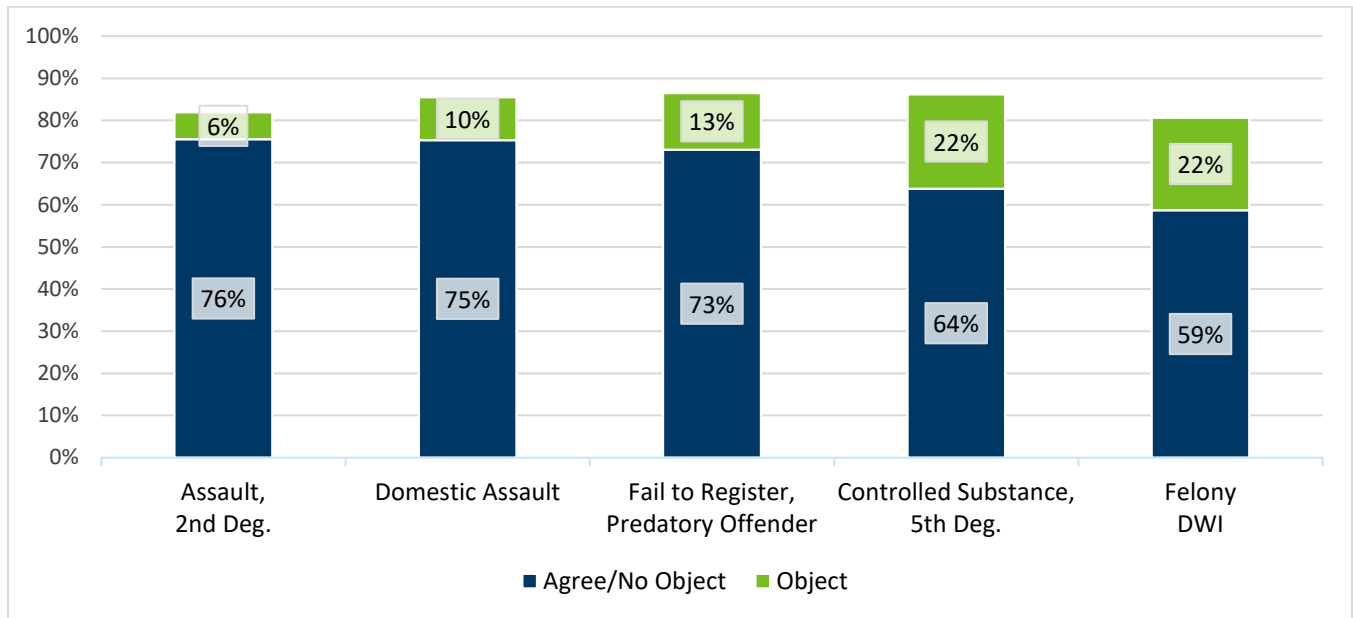


Figure 19. Court-Cited Position of Prosecutor for Mitigated Dispositional Departures, Selected Offenses, 2020



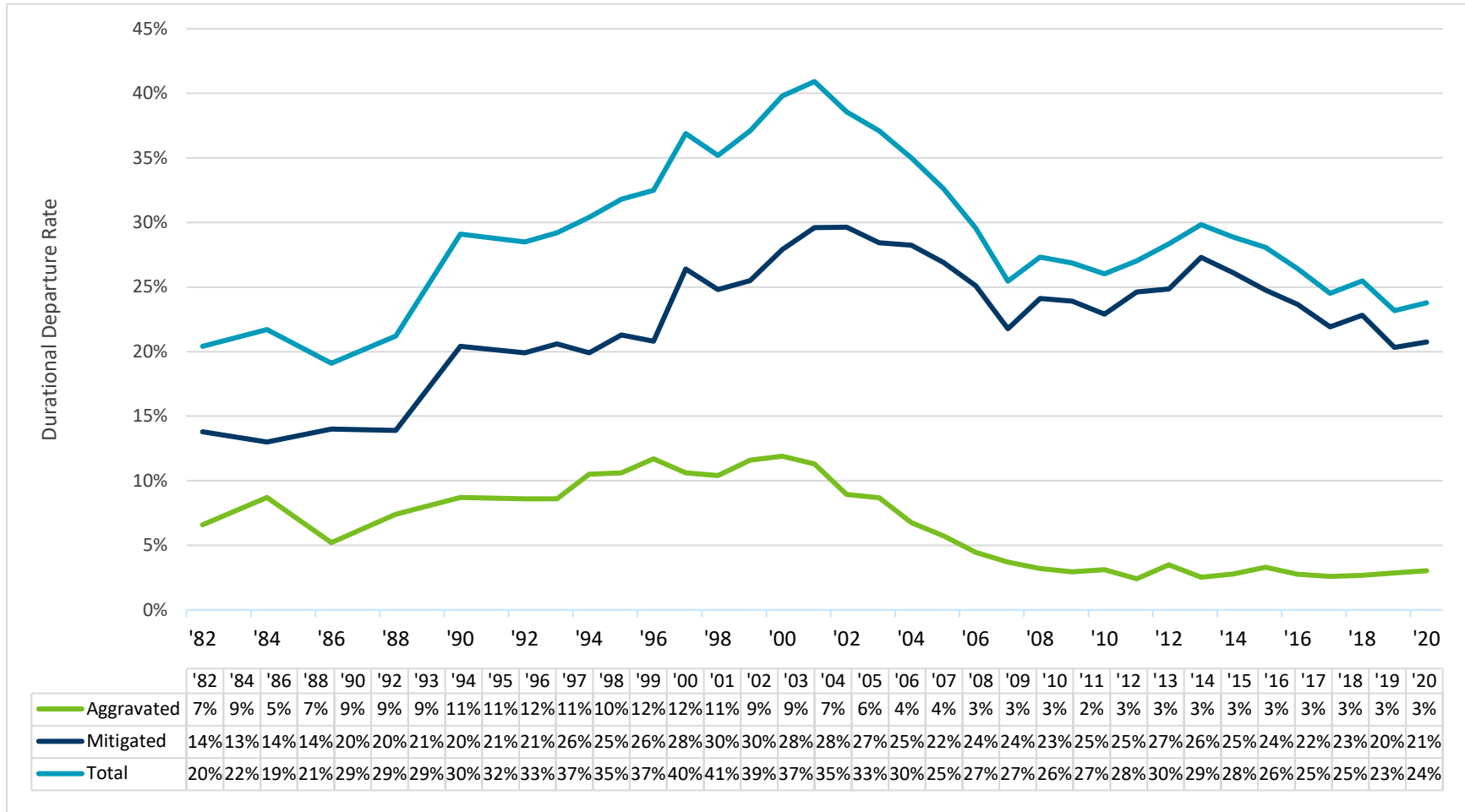
Notes: Departure reports do not always include information on the prosecutor’s position, which is why the columns do not add up to 100% for each offense. Offenses were selected based on criteria that there were 50 or more presumptive commitment cases and the mitigated dispositional departure rate was 48 percent or more.

Durational Departures

While Figure 12 (p. 26) reports both the dispositional and durational departure rates among all cases, this section examines only durational departures. 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 Table 20 (p. 68) and Table 21 (p. 70). This section focuses on departures for executed prison sentences (those for whom a prison sentence was imposed), which are shown in Figure 20 (p. 33). Since the enactment of the Guidelines, the mitigated durational departure rate has consistently been higher than the aggravated durational departure rate.

Figure 20. Durational Departure Rates for Cases Receiving an Executed Prison Sentence, 1982, 1984, 1986, 1988, 1990, 1992–2020



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 increases in presumptive durations. In 2001 and 2002, the mitigated durational departure rate, at almost 30 percent, was the highest since the enactment of the Guidelines. Since then, the rate has generally declined, though fluctuating from year to year. The percentage of mitigated durational departures appears to have settled in the mid-to low-20s, although five of the last seven years have seen declines. Likewise, after reaching a high of 12 percent in 2000, the aggravated durational departure rate slowly declined, but appears to have leveled off around three percent.

From 2019 to 2020, the mitigated durational departure rate rose slightly, from 20.3 percent (the lowest rate since the mid-1990s) to 20.8 percent. The aggravated durational departure rate rose slightly, from 2.9 percent to 3.0 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.³⁰ 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 offenses and those with criminal history.³¹

Durational Departure Rates by Gender, Race/Ethnicity and Judicial District

Table 22 (p. 71) lists durational departure rates for executed prison sentences by gender, race or ethnicity, and Minnesota Judicial District. These rates are illustrated graphically in Figure 26 (p. 39) and Figure 27 (p. 39). The mitigated durational departure rate for males sentenced in 2020 was higher than for females (21% vs. 17%). When examined by racial or ethnic group, the durational departure rate varies from lows of 15.1 percent for the American Indian group and 15.9 percent for the white group to highs of 32.1 percent for the Asian group and 29.8 percent for the black group. Mitigated durational departure rates also vary considerably by Minnesota Judicial District, ranging from a low of 5.3 percent in the Eighth Judicial District to a high of 42.8 percent in the Fourth Judicial District. See Appendix 1 (p. 80) for a map of Minnesota’s ten judicial districts.

Durational Departures by Offense Type

As with dispositional departures, it can be useful to look at durational departures by offense type. As Figure 21 (p. 35) illustrates, offenses in the non-criminal sexual conduct (non-CSC sex offense) category 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 (excluding an offense with very few cases) is failure to register as a predatory offender. Person offenses had the highest aggravated durational departure rate at 4.9 percent.

³⁰ The Minnesota Supreme Court determined that *Blakely*’s jury requirements applied to aggravated departures under the Sentencing Guidelines. *State v. Shattuck*, 689 N.W.2d 785 (Minn. 2004), *modified on reh’g*, 704 N.W.2d 131 (Minn. 2005).

³¹ 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 21. Durational Departure Rates for Cases Receiving Executed Prison Sentences, by Offense Type, 2020

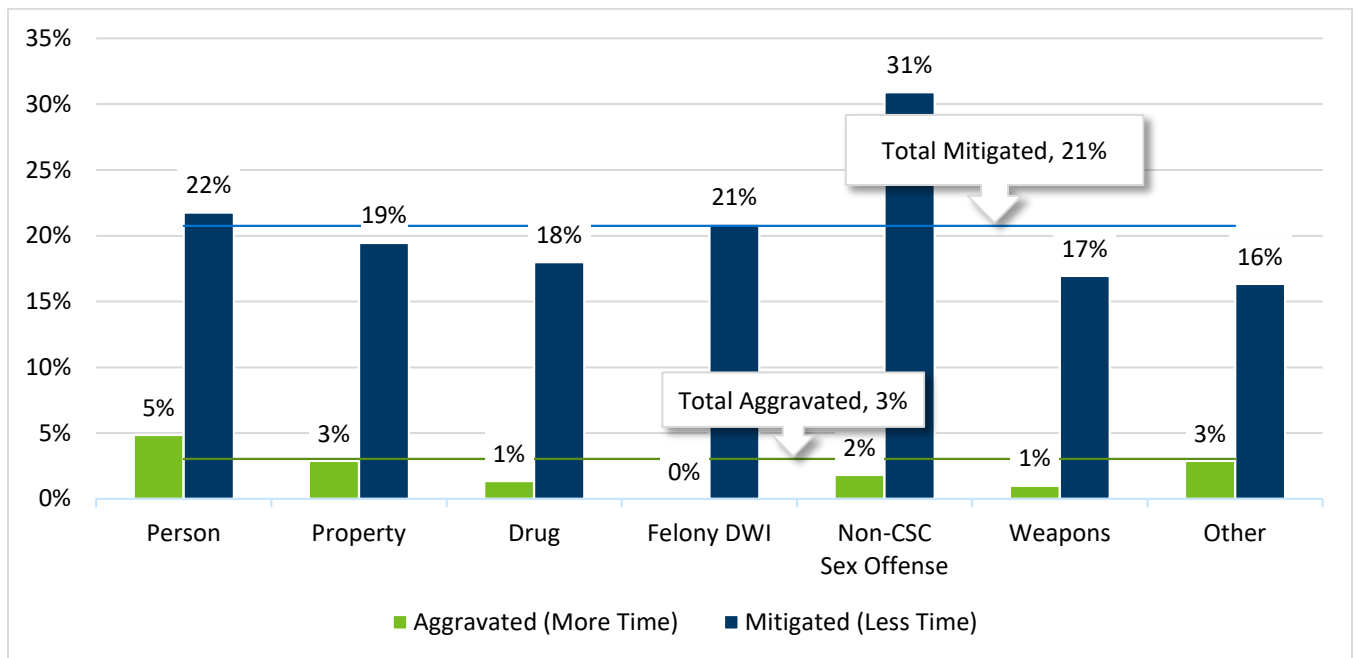


Figure 22 (p. 36) displays offenses with the highest durational departure rates among offenses with at least 40 executed prison cases. Included in this graph are offenses with a mitigated durational departure rate of 26 percent or more; or an aggravated durational departure rate of eight percent or more.

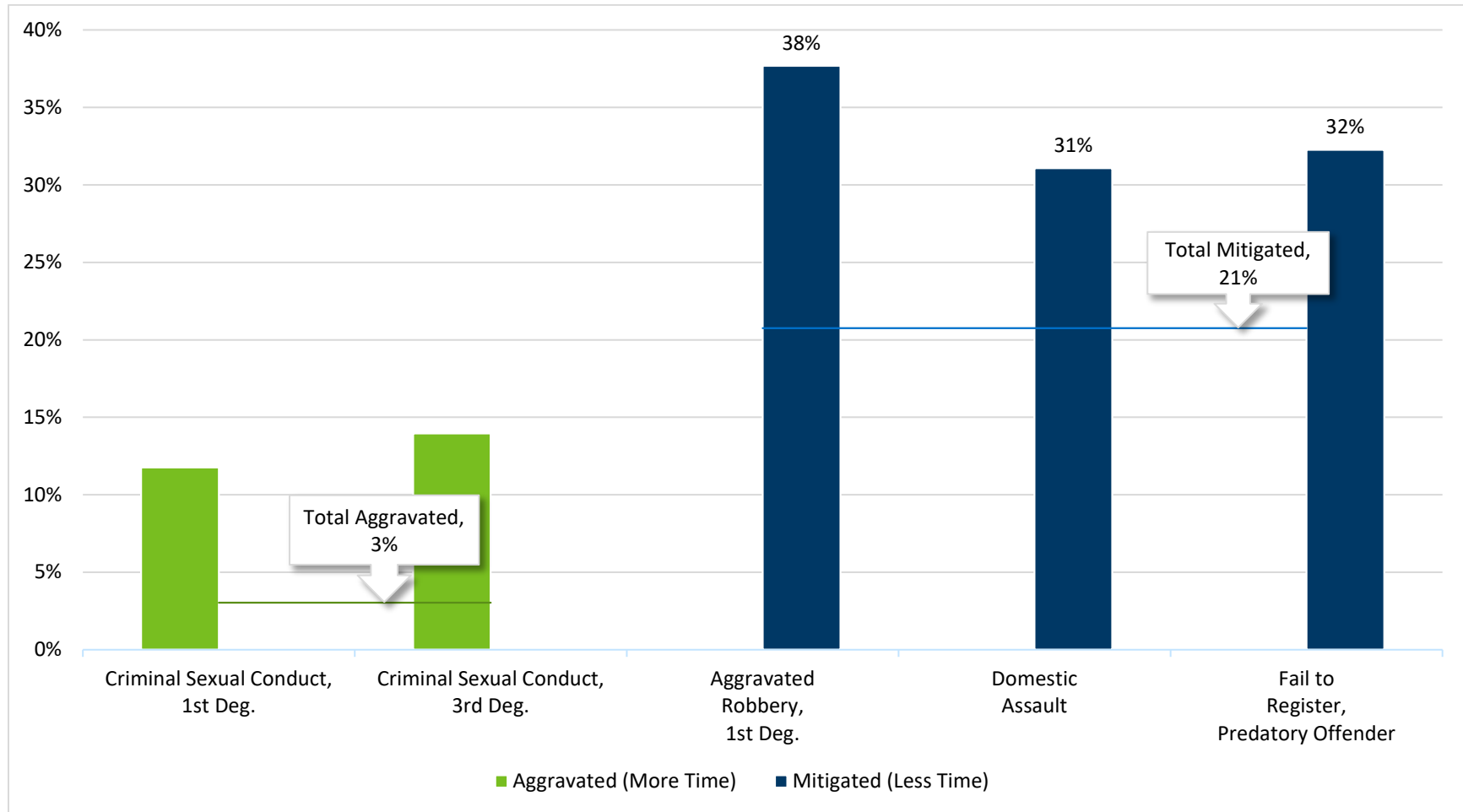
Aggravated durational departure rates were highest for first-degree criminal sexual conduct and second-degree criminal sexual conduct. Mitigated durational departure rates were highest for aggravated robbery in the first degree, felony domestic assault, and failure to register as a predatory offender.

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 74 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 23, p. 37). In six percent of these cases, the court stated that the prosecutor objected to the departure. In 20 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 24, p. 38).

In 67 percent 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 33 percent 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 25, p. 38).

Figure 22. Durational Departure Rates for Cases Receiving Executed Prison Sentences, Selected Offenses, 2020



Note: Offenses were selected based on criteria that there were 40 or more executed prison cases and the aggravated durational departure rate was 8 percent or more or the mitigated durational departure rate was 26 percent or more.

Figure 23. Court-Cited Position of Prosecutor, Mitigated Durational Departures, Executed Prison Sentences by Offense Type, 2020

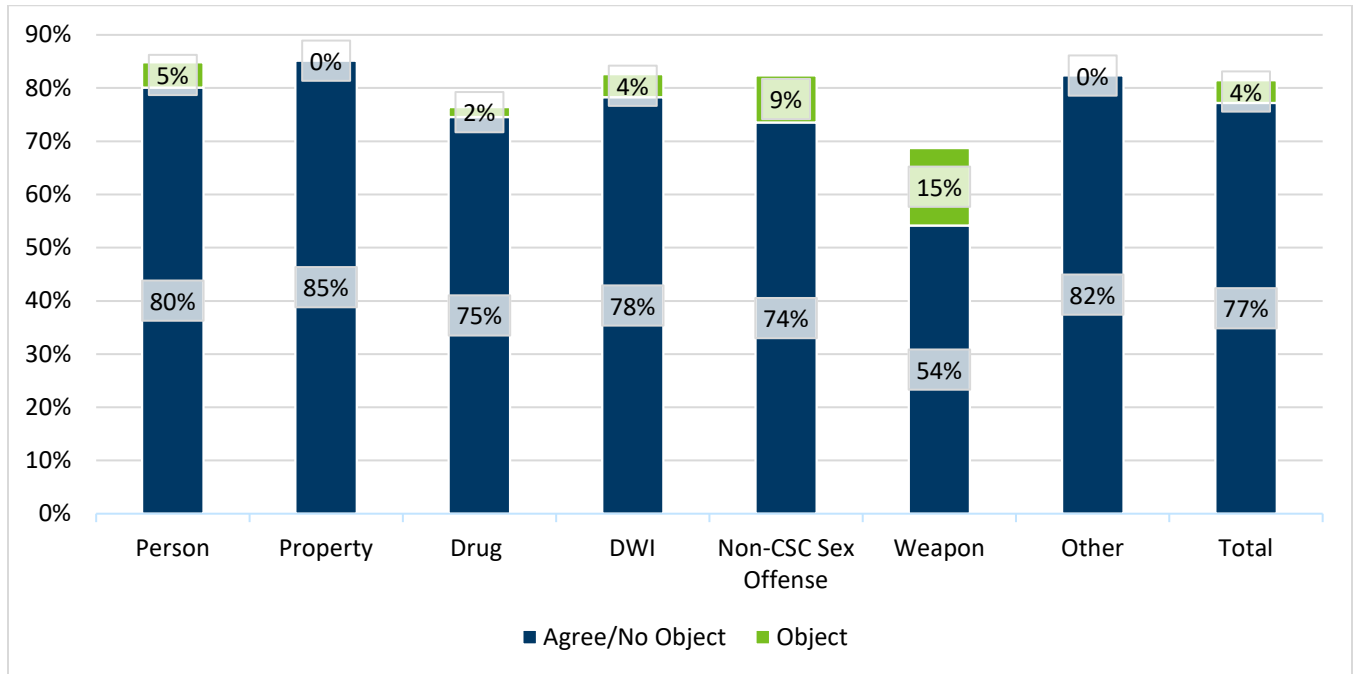
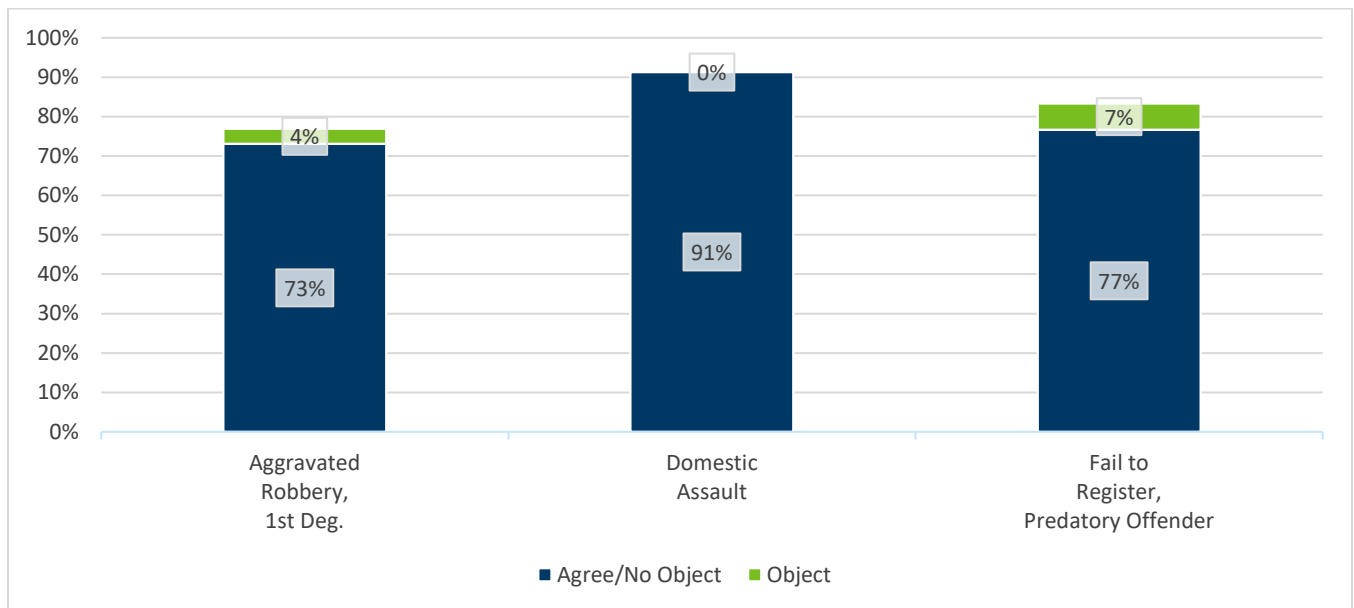
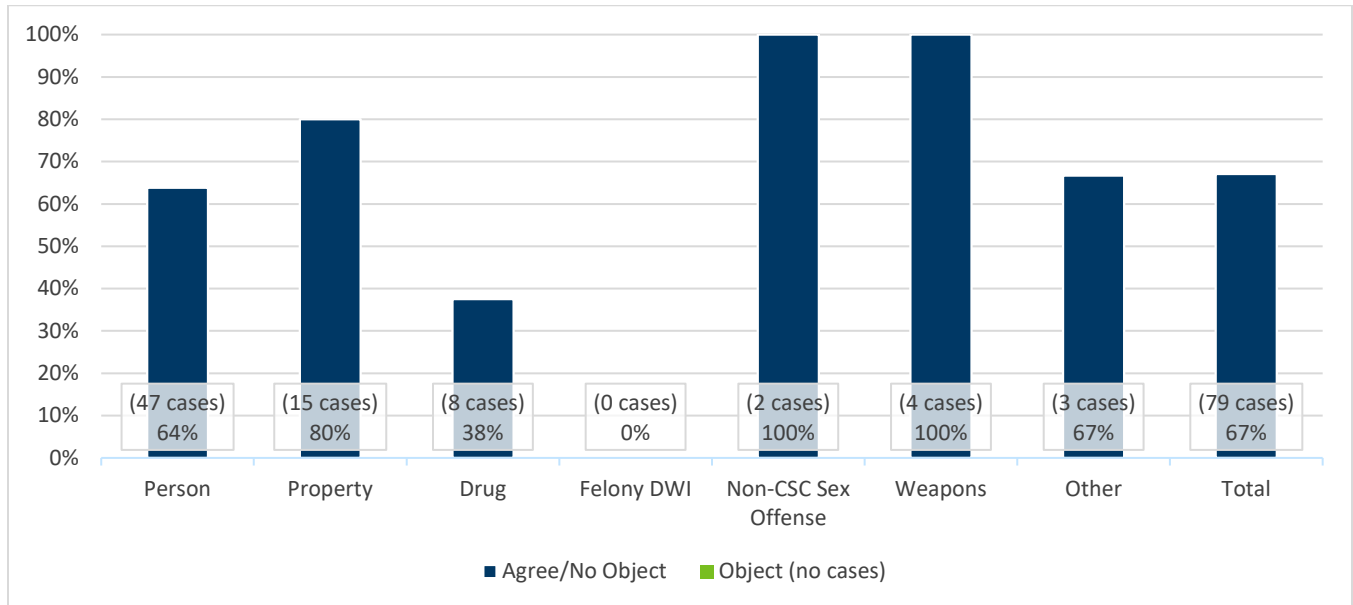


Figure 24. Court-Cited Position of Prosecutor, Mitigated Durational Departures, Executed Prison Sentences, Selected Offenses, 2020



Notes: 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. Offenses were selected based on criteria that there were 40 or more executed prison cases and the mitigated durational departure rate was 26 percent or more.

Figure 25. Court-Cited Position of Prosecutor, Aggravated Durational Departures, Executed Prison Sentences by Offense Type, 2020



Notes: 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. In no case did the court record a prosecutorial objection to an aggravated durational departure.

Mitigated Departures: Gender, Race/Ethnicity, & Judicial Districts

Previous sections of this report discussed variations—by gender, race or ethnicity, and judicial district—in mitigated *dispositional* departure rates for presumptive commitment offenses (p. 29) and in mitigated *durational* departure rates for executed prison sentences (p. 34). Figure 26 and Figure 27, below, present a combined illustration of these variations. Among racial or ethnic groups whose members were sentenced in 2020 (Figure 26)—

- The white group had a higher mitigated dispositional departure rate than the total rate, but a lower durational departure rate;
- The black groups had a higher mitigated durational departure rate than the total rate, but a lower dispositional departure rate;
- The American Indian and Hispanic groups had a lower mitigated durational and dispositional departure rates than the total rate; and
- The Asian group had higher mitigated durational and dispositional departure rates than the total rate.

Recall from Figure 8 (p. 16) that racial or ethnic composition varies by Minnesota judicial district. When reviewing Figure 26, note that the observed variations may be partly explained by regional differences in charging, plea agreement, and sentencing practices, as well as by regional differences in case volume, the types of offenses sentenced, criminal history scores across racial groups, and available local correctional resources. (See p. 80 for a map of Minnesota's ten judicial districts.)

Figure 26. Mitigated Departure Rates by Gender & Race/Ethnicity, 2020

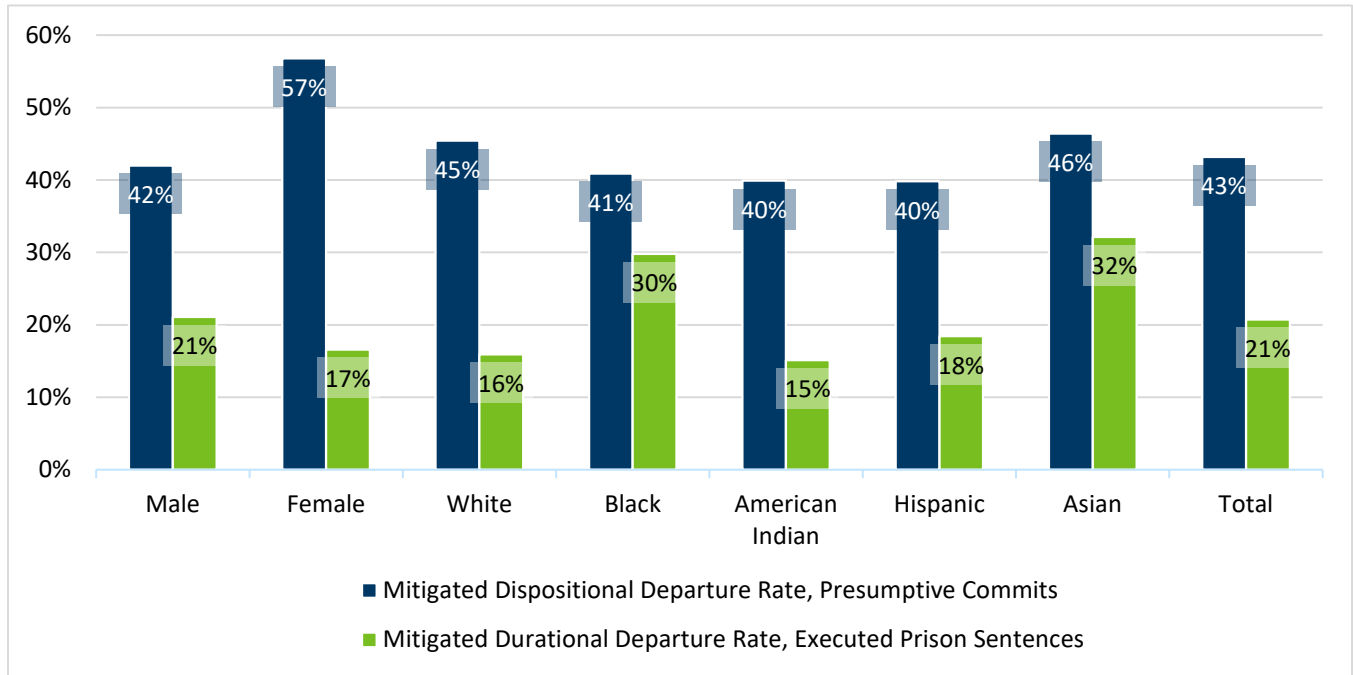
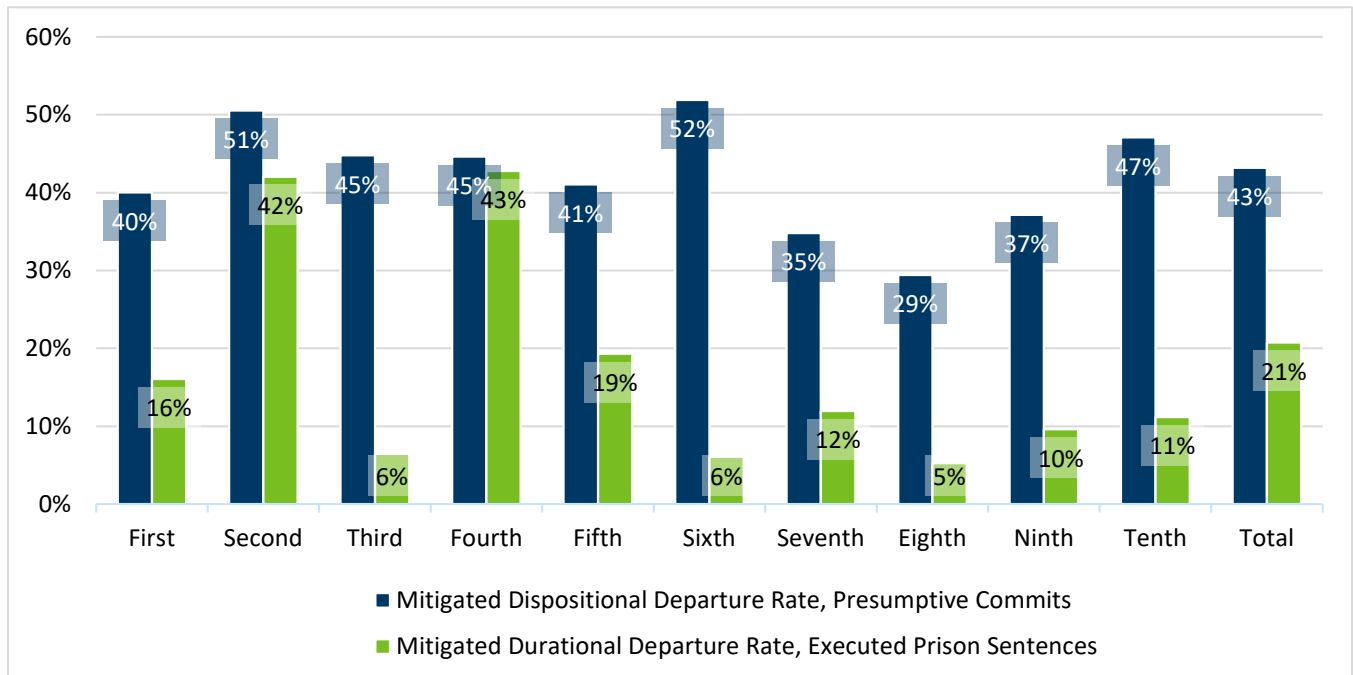


Figure 27. Mitigated Departure Rates by Minnesota Judicial District, 2020



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 still relatively rare, this type of departure has become more common in the past decade. In 2019, it was the highest it has ever been at 6.2 percent.

Table 4. Felony Level Convictions Receiving Misdemeanor or Gross Misdemeanor Sentences, 1981–2020

Year	Total Number of Cases	Number Receiving Non-Felony Sentences	Rate Receiving Non-Felony Sentences (%)
2020	11,517	699	6.1
2019	17,335	1,071	6.2
2018	18,284	1,040	5.7
2017	18,288	944	5.2
2016	16,927	820	4.8
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

Year	Total Number of Cases	Number Receiving Non-Felony Sentences	Rate Receiving Non-Felony Sentences (%)
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 Cases by Gender, 1981–2020

Year	Total Number of Cases	Males		Females	
		Number	Percent	Number	Percent
2020	11,517	9,470	82.2	2,046	17.8
2019	17,335	13,937	80.4	3,398	19.6
2018	18,284 ³²	14,566	79.7	3,717	20.3
2017	18,288 ³³	14,703	80.4	3,584	19.6
2016	16,927	13,702	80.9	3,225	19.1
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

³² “Total Number of Offenders” included one corporation which is not included in “Males” or “Females.”

³³ “Total Number of Offenders” included one corporation which is not included in “Males” or “Females.”

Year	Total Number of Cases	Males		Females	
		Number	Percent	Number	Percent
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 Cases by Offense Type, 1981–2020

Year	Person		Property		Drug		Felony DWI		Non-CSC Sex Offense ³⁴		Weapon		Other ^{35, 36}		Total
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
2020	3,687	32.0	2,858	24.8	3,205	27.8	407	3.5	300	2.6	435	3.8	625	5.4	11,517
2019	5,060	29.2	4,675	27.0	5,175	29.9	534	3.1	491	2.8	559	3.2	841	4.9	17,335
2018	5,313	29.1	4,918	26.9	5,536	30.3	555	3.0	539	2.9	579	3.2	844	4.6	18,284
2017	5,237	28.6	4,870	26.6	5,670	31.0	570	3.1	527	2.9	537	2.9	877	4.8	18,288
2016	4,857	28.7	4,411	26.1	5,475	32.3	475	2.8	451	2.7	483	2.9	775	4.6	16,927
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

³⁴ “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).

³⁵ “Other” category includes: Fleeing police, escape, voting violations, tax evasion laws, and other offenses of less frequency.

³⁶ “Other” includes non-CSC sex offenses and weapon offenses before 2011.

Year	Person		Property		Drug		Felony DWI		Non-CSC Sex Offense ³⁴		Weapon		Other ^{35, 36}		Total
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
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
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 Cases by Race/Ethnicity, 1981–2020

Year	Total Number of Cases	White		Black		American Indian		Hispanic		Asian		Other	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2020	11,517	6,523	56.6	2,993	26.0	1,064	9.2	614	5.3	310	2.7	12	0.2
2019	17,335	9,853	56.8	4,580	26.4	1,492	8.6	903	5.2	499	2.9	8	0.0
2018	18,284	10,343	56.6	4,880	26.7	1,574	8.6	948	5.2	533	2.9	6	0.0
2017	18,288	10,480	57.3	4,656	25.5	1,640	9.0	942	5.2	514	2.8	55	0.3
2016	16,927	9,813	58.0	4,209	24.9	1,472	8.7	903	5.3	525	3.1	5	0.0
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	7,800	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

Year	Total Number of Cases	White		Black		American Indian		Hispanic		Asian		Other	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
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, 2020

Category/ Offense Title	Total Number*	White	Black	American Indian	Hispanic	Asian	Other
Person Offenses	3,687	48.0%	34.3%	8.9%	5.3%	2.7%	0.1%
Accidents	1	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Aggravated Robbery 1	128	18.0%	71.1%	7.8%	2.3%	0.8%	0.0%
Aggravated Robbery 2	31	9.7%	87.1%	3.2%	0.0%	0.0%	0.0%
Assault 1	36	27.8%	55.6%	5.6%	8.3%	2.8%	0.0%
Assault 2	177	36.2%	40.1%	13.6%	6.8%	3.4%	0.0%
Assault 3	233	42.9%	36.9%	13.3%	4.3%	2.6%	0.0%
Assault 4	177	49.7%	32.2%	13.0%	4.5%	0.6%	0.0%
Assault 5	52	46.2%	32.7%	15.4%	5.8%	0.0%	0.0%
Coercion	5	40.0%	60.0%	0.0%	0.0%	0.0%	0.0%
Burglary 1 (severity=8)	38	42.1%	42.1%	7.9%	7.9%	0.0%	0.0%
Criminal Sexual Conduct (CSC) 1 st Degree	93	52.7%	24.7%	5.4%	15.1%	2.2%	0.0%
CSC 2 nd Degree	110	57.3%	12.7%	3.6%	23.6%	2.7%	0.0%
CSC 3 rd Degree	115	63.5%	21.7%	3.5%	8.7%	2.6%	0.0%
CSC 4 th Degree	59	52.5%	27.1%	0.0%	16.9%	3.4%	0.0%
CSC 5 th Degree	4	50.0%	50.0%	0.0%	0.0%	0.0%	0.0%
Criminal Vehicular Homicide	15	73.3%	20.0%	0.0%	0.0%	6.7%	0.0%
Crim. Vehicular Injury (severity=3)	53	66.0%	24.5%	0.0%	3.8%	3.8%	1.9%
Crim. Vehicular Injury (severity=5)	19	68.4%	26.3%	0.0%	0.0%	5.3%	0.0%
Domestic Assault	411	51.8%	29.9%	11.7%	4.9%	1.7%	0.0%
Dom. Aslt. Strangulation	172	44.2%	39.0%	9.3%	5.2%	2.3%	0.0%
Drive-by Shooting	12	16.7%	66.7%	8.3%	8.3%	0.0%	0.0%
False Imprisonment	9	44.4%	22.2%	22.2%	11.1%	0.0%	0.0%
Interference with Privacy	6	33.3%	16.7%	0.0%	33.3%	16.7%	0.0%
Kidnapping(severity=8/9)	2	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
Kidnapping (severity=6)	6	66.7%	16.7%	16.7%	0.0%	0.0%	0.0%
Malicious Punish. of Child	12	75.0%	25.0%	0.0%	0.0%	0.0%	0.0%

* Includes "unknown/other" race type.

Category/ Offense Title	Total Number*	White	Black	American Indian	Hispanic	Asian	Other
Manslaughter 1 (severity=9)	4	25.0%	50.0%	25.0%	0.0%	0.0%	0.0%
Manslaughter 2 (severity=8)	12	50.0%	50.0%	0.0%	0.0%	0.0%	0.0%
Murder 1	10	60.0%	30.0%	10.0%	0.0%	0.0%	0.0%
Murder 2 (severity=10)	26	26.9%	61.5%	7.7%	3.8%	0.0%	0.0%
Murder 2 (severity=11)	33	30.3%	66.7%	3.0%	0.0%	0.0%	0.0%
Murder 3 (severity=9/10)	6	33.3%	66.7%	0.0%	0.0%	0.0%	0.0%
Nonconsensual Dissemination of Private Sexual Images	3	100.0 %	0.0%	0.0%	0.0%	0.0%	0.0%
Parental Rights	7	42.9%	14.3%	42.9%	0.0%	0.0%	0.0%
Prostitution	40	30.0%	40.0%	0.0%	15.0%	15.0%	0.0%
Simple Robbery	120	22.5%	63.3%	10.0%	3.3%	0.8%	0.0%
Solicit Minor for Sex	62	71.0%	11.3%	4.8%	6.5%	6.5%	0.0%
Stalking (severity=4)	13	69.2%	7.7%	0.0%	15.4%	7.7%	0.0%
Stalking (severity=5)	56	69.6%	17.9%	5.4%	5.4%	1.8%	0.0%
Terroristic Threats (severity=1, 2)	21	52.4%	33.3%	9.5%	4.8%	0.0%	0.0%
Terroristic Threats (severity=4)	545	51.9%	30.5%	9.0%	4.4%	3.9%	0.4%
Violate Restraining Order	726	52.2%	30.6%	9.0%	6.2%	2.1%	0.0%
Other Person Offenses**	27	40.7%	37.0%	14.8%	7.4%	0.0%	0.0%

(Table 8 continues on next page)

* Includes "unknown/other" race type. ** Offenses having low numbers of offenders are grouped in the "other" categories.

Category/ Offense Title	Total Number*	White	Black	American Indian	Hispanic	Asian	Other
Property Offenses	2,858	58.9%	25.3	8.4	4.1	3.1	0.2
Arson 1	15	53.3%	26.7%	13.3%	0.0%	6.7%	0.0%
Arson 2	5	80.0%	20.0%	0.0%	0.0%	0.0%	0.0%
Arson 3	4	75.0%	25.0%	0.0%	0.0%	0.0%	0.0%
Burglary 1 (severity=6)	105	54.3%	32.4%	5.7%	5.7%	1.9%	0.0%
Burglary 2 (severity=4)	40	62.5%	22.5%	10.0%	5.0%	0.0%	0.0%
Burglary 2 (severity=5)	192	69.8%	14.6%	8.9%	5.2%	1.6%	0.0%
Burglary 3	313	62.3%	20.1%	10.9%	4.8%	1.9%	0.0%
Check Forgery (severity=1)	5	40.0%	40.0%	0.0%	20.0%	0.0%	0.0%
Check Forgery (severity=2)	162	71.6%	16.0%	3.7%	4.3%	4.3%	0.0%
Check Forgery (severity=3)	59	66.1%	16.9%	5.1%	5.1%	5.1%	1.7%
Check Forgery (severity=5)	2	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Counterfeit Check	10	70.0%	0.0%	20.0%	10.0%	0.0%	0.0%
Counterfeit Currency	16	43.8%	31.3%	6.3%	12.5%	0.0%	6.3%
Criminal Damage Property	135	58.5%	25.2%	8.9%	5.2%	2.2%	0.0%
Financial Transaction Card Fraud	181	51.4%	35.9%	7.7%	3.3%	1.7%	0.0%
Identity Theft	64	32.8%	43.8%	0.0%	14.1%	9.4%	0.0%
Issue Dishonored Check	37	73.0%	18.9%	8.1%	0.0%	0.0%	0.0%
Mail Theft	19	57.9%	21.1%	5.3%	5.3%	10.5%	0.0%
MV Use w/o Consent (severity=3)	329	57.8%	19.8%	13.1%	3.0%	6.4%	0.0%
Other Forgery	10	70.0%	10.0%	0.0%	10.0%	10.0%	0.0%
Poss. Shoplifting Gear	39	51.3%	25.6%	15.4%	5.1%	2.6%	0.0%
Possess Burglary Tools	75	57.3%	28.0%	4.0%	1.3%	9.3%	0.0%
Receiving Stolen Property	278	66.5%	16.2%	11.5%	2.5%	2.9%	0.4%
Theft	568	53.0%	34.5%	6.7%	3.3%	1.9%	0.4%
Theft from Person	62	21.0%	62.9%	9.7%	4.8%	1.6%	0.0%
Theft of a Firearm	10	40.0%	40.0%	10.0%	10.0%	0.0%	0.0%
Theft of MV (severity=4)	44	63.6%	18.2%	13.6%	2.3%	2.3%	0.0%
Theft Over \$35,000	55	58.2%	27.3%	1.8%	1.8%	9.1%	1.8%
Wrongful Obtain. Assist.	28	57.1%	21.4%	10.7%	3.6%	7.1%	0.0%
Other Property Offenses**	49	73.5%	18.4%	6.1%	0.0%	0.0%	2.0%

*Includes "unknown/other" race type. ** Offenses having low numbers of offenders are grouped in the "other" categories.

Category/ Offense Title	Total Number*	White	Black	American Indian	Hispanic	Asian	Other
Drug Offenses	3,205	67.1%	14.7%	10.1%	5.1%	2.9%	0.1%
Con Sub Intent to Manuf.	1	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Controlled Substance 1	241	56.8%	22.8%	9.1%	6.6%	4.6%	0.0%
Controlled Substance 2	258	69.0%	17.4%	4.7%	5.0%	3.9%	0.0%
Controlled Substance 3	404	62.9%	18.3%	10.1%	5.4%	2.7%	0.5%
Controlled Substance 4	46	67.4%	10.9%	15.2%	6.5%	0.0%	0.0%
Controlled Substance 5	2,214	68.6%	13.2%	10.8%	4.7%	2.6%	0.0%
Other Drug Offenses**	41	75.6%	2.4%	4.9%	12.2%	4.9%	0.0%
Felony DWI	407	52.6%	28.7%	11.1%	5.4%	2.2%	0.0%
Non-CSC Sex Offense	300	61.0%	21.3%	9.3%	6.0%	2.3%	0.0%
Child Pornography	61	91.8%	1.6%	1.6%	1.6%	3.3%	0.0%
Fail to Register-Predatory Offender	234	52.1%	26.9%	11.5%	7.3%	2.1%	0.0%
Use Minors Sex. Performance	1	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Indecent Exposure	4	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Weapons	559	36.5%	49.0%	7.2%	4.1%	3.2%	0.0%
Discharge Firearm	39	56.4%	30.8%	2.6%	5.1%	5.1%	0.0%
Felon with Gun	354	35.3%	51.4%	6.5%	4.8%	2.0%	0.0%
Other Weapon Related	41	51.2%	39.0%	7.3%	2.4%	0.0%	0.0%
Other Offenses	841	57.2%	23.4%	13.1%	4.3%	2.0%	0.0%
Accomplice After Fact	12	16.7%	58.3%	0.0%	16.7%	8.3%	0.0%
Aid Offender	17	52.9%	35.3%	11.8%	0.0%	0.0%	0.0%
Bribery	1	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
Escape (severity=3)	52	53.8%	23.1%	11.5%	9.6%	1.9%	0.0%
Failure to Appear	15	53.3%	0.0%	40.0%	6.7%	0.0%	0.0%
Flee Police in MV	476	57.4%	22.9%	10.5%	7.1%	2.1%	0.0%
Lottery Fraud	6	66.7%	0.0%	33.3%	0.0%	0.0%	0.0%
Obstruct Legal Process	7	42.9%	28.6%	28.6%	0.0%	0.0%	0.0%
Perjury	5	60.0%	0.0%	20.0%	20.0%	0.0%	0.0%
Tamper with Witness	2	50.0%	50.0%	0.0%	0.0%	0.0%	0.0%
Tax Offenses	8	87.5%	12.5%	0.0%	0.0%	0.0%	0.0%
Not Listed Elsewhere**	30	56.7%	16.7%	10.0%	6.7%	10.0%	0.0%
Total	11,517	56.6%	26.0%	9.2%	5.3%	2.7%	0.1%

*Includes "unknown/other" race type. **Offenses having low numbers of offenders are grouped in the "other" categories.

Table 9. Volume of Cases by Judicial District, 1981–2020

Year	Judicial District									
	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	9 th	10 th
2020	1,470	956	864	2,299	851	547	1,280	332	1,151	1,767
2019	2,213	1,902	1,254	3,551	1,064	732	1,810	522	1,620	2,667
2018	2,484	1,813	1,361	4,070	1,016	831	1,874	453	1,755	2,627
2017	2,404	1,815	1,426	3,819	1,006	912	1,972	492	1,818	2,624
2016	2,192	1,784	1,344	3,341	1,075	862	1,689	432	1,688	2,520
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. 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 and, in 2016, the Drug Offender Grid went into effect. Those cases are included in the severity-level groups that most closely correspond to how those offenses were ranked before the implementation of those Grids.

Table 10. Volume of Cases by Severity-Level Group & Criminal-History Group, 1978, 1981–2020

Year	Distribution by Severity-Level Group						Distribution by Criminal History Score Group					
	Severity Level 1-4/H-F/D1-4		Severity Level 5-7/E,D/D5,D6		Severity Level 8-12/C-A/D7-9		CHS 0		CHS 1 - 3		CHS 4 or more	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2020	8,307	72.1	2,142	18.6	1,068	9.3	3,519	30.6	4,707	40.9	3,291	28.6
2019	12,741	73.5	3,089	17.8	1,505	8.7	4,800	27.7	7,446	43.0	5,089	29.4
2018	13,488	73.8	3,162	17.3	1,634	8.9	5,505	30.1	7,888	43.1	4,891	26.8
2017	13,513	73.9	3,167	17.3	1,608	8.8	5,796	31.7	7,867	43.0	4,625	25.3
2016	12,334	72.9	2,989	17.7	1,604	9.5	5,345	31.6	7,459	44.1	4,123	24.4
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

Year	Distribution by Severity-Level Group						Distribution by Criminal History Score Group					
	Severity Level 1-4/H-F/D1-4		Severity Level 5-7/E,D/D5,D6		Severity Level 8-12/C-A/D7-9		CHS 0		CHS 1 - 3		CHS 4 or more	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
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, 11b, and 11c: The format of Tables 11a–11c mirror the formats of the Standard Grid, Sex Offender Grid and Drug Offender Grid, respectively. The first number in each cell is the number of cases sentenced at that severity level and that criminal history score. The second number is the percentage of cases 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 cases sentenced in 2020, 334 had a Criminal History Score of 0 and were sentenced for a Severity Level 1 offense. Of the cases sentenced for Severity Level 1 offenses, 41.2 percent had a Criminal History Score of 0 (the row percent). Of the cases at a Criminal History Score of 0, 13.6 percent were sentenced for a Severity Level 1 offense (the column percent).

The Sex Offender Grid went into effect August 1, 2006. In 2020, 761 cases were sentenced using the Sex Offender Grid. Those cases are excluded from Table 11a (p. 54) and are displayed on Table 11b (p. 55).

The Drug Offender Grid went into effect August 1, 2016. In 2020, 3,056 cases were sentenced using the Drug Offender Grid. Those cases are excluded from Table 11a (p. 54) and Table 11b (p. 55) and are displayed on Table 11c (p. 56).

Table 11a. Distribution of Cases by Severity Level & Criminal History Score for Offenses on the Standard Grid, 2020

Grid Cell Count Row Percent Column Percent	Criminal History Score							Row Total
	0	1	2	3	4	5	6+	
Murder 1	1 10.0% 0.0%	0 0.0% 0.0%	4 40.0% 0.4%	1 10.0% 0.1%	2 20.0% 0.3%	0 0.0% 0.0%	2 20.0% 0.2%	10 100.0% 0.1%
Severity Level 11	15 44.1% 0.6%	1 2.9% 0.1%	7 20.6% 0.7%	3 8.8% 0.3%	4 11.8% 0.6%	0 0.0% 0.0%	4 11.8% 0.4%	34 100.0% 0.4%
Severity Level 10	14 53.8% 0.6%	3 11.5% 0.3%	3 11.5% 0.3%	2 7.7% 0.2%	0 0.0% 0.0%	0 0.0% 0.0%	4 15.4% 0.4%	26 100.0% 0.3%
Severity Level 9	27 49.1% 1.1%	5 9.1% 0.5%	9 16.4% 0.9%	3 5.5% 0.3%	4 7.3% 0.6%	3 5.5% 0.6%	4 7.3% 0.4%	55 100.0% 0.7%
Severity Level 8	99 38.1% 4.0%	40 15.4% 3.7%	33 12.7% 3.3%	27 10.4% 2.9%	19 7.3% 2.8%	8 3.1% 1.5%	34 13.1% 3.3%	260 100.0% 3.4%
Severity Level 7	99 23.7% 4.0%	71 17.0% 6.6%	68 16.3% 6.9%	60 14.4% 6.5%	47 11.3% 6.9%	28 6.7% 5.3%	44 10.6% 4.2%	417 100.0% 5.4%
Severity Level 6	171 24.1% 7.0%	126 17.7% 11.6%	93 13.1% 9.4%	88 12.4% 9.5%	75 10.5% 11.0%	59 8.3% 11.2%	99 13.9% 9.6%	711 100.0% 9.2%
Severity Level 5	176 40.5% 7.2%	60 13.8% 5.5%	54 12.4% 5.4%	36 8.3% 3.9%	31 7.1% 4.5%	27 6.2% 5.1%	51 11.7% 4.9%	435 100.0% 5.6%
Severity Level 4	800 29.9% 32.6%	341 12.7% 31.5%	378 14.1% 38.1%	372 13.9% 40.3%	251 9.4% 36.7%	203 7.6% 38.4%	331 12.4% 31.9%	2,676 100.0% 34.8%
Severity Level 3	306 33.2% 12.5%	118 12.8% 10.9%	117 12.7% 11.8%	96 10.4% 10.4%	62 6.7% 9.1%	62 6.7% 11.7%	161 17.5% 15.5%	922 100.0% 12.0%
Severity Level 2	411 30.6% 16.8%	205 15.3% 18.9%	155 11.5% 15.6%	163 12.1% 17.6%	118 8.8% 17.3%	88 6.6% 16.6%	203 15.1% 19.6%	1,343 100.0% 17.4%
Severity Level 1	334 41.2% 13.6%	112 13.8% 10.4%	71 8.8% 7.2%	73 9.0% 7.9%	71 8.8% 10.4%	51 6.3% 9.6%	99 12.2% 9.6%	811 100.0% 10.5%
Column Total	2,453 31.9% 100.0%	1,082 14.1% 100.0%	992 12.9% 100.0%	924 12.0% 100.0%	684 8.9% 100.0%	529 6.9% 100.0%	1,036 13.5% 100.0%	7,700 100.0% 100.0%

Table 11b. Distribution of Cases by Severity Level & Criminal History Score for Offenses on the Sex Offender Grid, 2020

Grid Cell Count Row Percent Column Percent	Criminal History Score							Row Total
	0	1	2	3	4	5	6+	
Severity Level A	48	9	4	13	5	1	10	90
	53.3%	10.0%	4.4%	14.4%	5.6%	1.1%	11.1%	100.0%
	15.6%	10.3%	4.0%	13.5%	9.8%	2.9%	11.8%	11.8%
Severity Level B	27	3	3	2	1	1	3	40
	67.5%	7.5%	7.5%	5.0%	2.5%	2.5%	7.5%	100.0%
	8.8%	3.4%	3.0%	2.1%	2.0%	2.9%	3.5%	5.3%
Severity Level C	31	6	13	2	4	2	9	67
	46.3%	9.0%	19.4%	3.0%	6.0%	3.0%	13.4%	100.0%
	10.1%	6.9%	12.9%	2.1%	7.8%	5.9%	10.6%	8.8%
Severity Level D	84	18	10	8	4	5	5	134
	62.7%	13.4%	7.5%	6.0%	3.0%	3.7%	3.7%	100.0%
	27.4%	20.7%	9.9%	8.3%	7.8%	14.7%	5.9%	17.6%
Severity Level E	24	8	0	4	4	1	4	45
	53.3%	17.8%	0.0%	8.9%	8.9%	2.2%	8.9%	100.0%
	7.8%	9.2%	0.0%	4.2%	7.8%	2.9%	4.7%	5.9%
Severity Level F	15	1	6	3	1	4	5	35
	42.9%	2.9%	17.1%	8.6%	2.9%	11.4%	14.3%	100.0%
	4.9%	1.1%	5.9%	3.1%	2.0%	11.8%	5.9%	4.6%
Severity Level G	60	17	9	14	4	3	9	116
	51.7%	14.7%	7.8%	12.1%	3.4%	2.6%	7.8%	100.0%
	19.5%	19.5%	8.9%	14.6%	7.8%	8.8%	10.6%	15.2%
Severity Level H <i>Failure to Register</i>	18	25	56	50	28	17	40	234
	7.7%	10.7%	23.9%	21.4%	12.0%	7.3%	17.1%	100.0%
	5.9%	28.7%	55.4%	52.1%	54.9%	50.0%	47.1%	30.7%
Column Total	307	87	101	96	51	34	85	761
	40.3%	11.4%	13.3%	12.6%	6.7%	4.5%	11.2%	100.0%
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Table 11c. Distribution of Cases by Severity Level & Criminal History Score for Offenses on the Drug Offender Grid, 2020

Grid Cell Count Row Percent Column Percent	Criminal History Score							Row Total
	0	1	2	3	4	5	6+	
Severity Level D9	5 71.4%	1 14.3%	0 0.0%	0 0.0%	1 14.3%	0 0.0%	0 0.0%	7 100.0%
	0.7%	0.2%	0.0%	0.0%	0.3%	0.0%	0.0%	0.2%
Severity Level D8	54 23.5%	34 14.8%	29 12.6%	32 13.9%	19 8.3%	19 8.3%	43 18.7%	230 100.0%
	7.1%	6.4%	6.1%	7.7%	6.0%	9.7%	11.9%	7.5%
Severity Level D7	81 32.5%	36 14.5%	22 8.8%	29 11.6%	21 8.4%	25 10.0%	35 14.1%	249 100.0%
	10.7%	6.8%	4.6%	7.0%	6.7%	12.8%	9.7%	8.1%
Severity Level D6	122 30.6%	55 13.8%	47 11.8%	45 11.3%	45 11.3%	26 6.5%	59 14.8%	399 100.0%
	16.1%	10.3%	9.8%	10.8%	14.3%	13.3%	16.3%	13.1%
Severity Level D5	1 100.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	1 100.0%
	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Severity Level D4	16 36.4%	5 11.4%	6 13.6%	4 9.1%	4 9.1%	5 11.4%	4 9.1%	44 100.0%
	2.1%	0.9%	1.3%	1.0%	1.3%	2.6%	1.1%	1.4%
Severity Level D3	18 51.4%	6 17.1%	6 17.1%	4 11.4%	0 0.0%	0 0.0%	1 2.9%	35 100.0%
	2.4%	1.1%	1.3%	1.0%	0.0%	0.0%	0.3%	1.1%
Severity Level D2	460 22.0%	394 18.9%	368 17.6%	301 14.4%	225 10.8%	120 5.7%	220 10.5%	2,088 100.0%
	60.6%	74.1%	77.0%	72.5%	71.4%	61.5%	60.8%	68.3%
Severity Level D1	2 66.7%	1 33.3%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	3 100.0%
	0.3%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%
Column Total	759 24.8%	532 17.4%	478 15.6%	415 13.6%	315 10.3%	195 6.4%	362 11.8%	3,056 100.0%
	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 cases by gender for which the Guidelines recommended prison (“Presumptive”) and a prison sentence was pronounced (“Actual”). For example, of the 13,937 males sentenced in 2019 (Table 5, p. 41), 38.8 percent had a presumptive prison disposition and 27.3 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. Presumptive and Actual Imprisonment Rates by Gender, 1978, 1981–2020

Year	Total Number Sentenced	Total Imprisonment Rate			Male Imprisonment Rate (%)		Female Imprisonment Rate (%)	
		Presumptive Rate (%)	Actual		Presumptive	Actual	Presumptive	Actual
			Number	Rate				
2020	11,517	35.5	2,602	22.6	39.6	25.4	16.2	9.4
2019	17,335	34.4	4,154	24.0	38.8	27.3	16.5	10.2
2018	18,284	32.6	4,226	23.1	36.9	26.3	15.8	10.6
2017	18,288	32.5	4,447	24.3	36.6	27.5	16.0	11.2
2016	16,927	33.1	4,308	25.5	36.7	28.4	17.6	12.8
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

Year	Total Number Sentenced	Total Imprisonment Rate			Male Imprisonment Rate (%)		Female Imprisonment Rate (%)	
		Presumptive Rate (%)	Actual		Presumptive	Actual	Presumptive	Actual
			Number	Rate				
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 for each race/ethnicity in which the Guidelines presumed an executed prison sentence (“Presumptive”) and for which actually received an executed prison sentence (“Actual”). For example, of the 6,523 people sentenced in 2020 who are white (Table 7, p. 45), 31.9 percent had a presumptive prison disposition and 20.1 percent received a sentence of imprisonment. The actual imprisonment rates in this table and the local incarceration rates in Table 16 (p. 64) can be added together to derive the total incarceration rate.

Table 13. Presumptive and Actual Imprisonment Rate by Race/Ethnicity, 1978, 1981–2020

Year	Imprisonment Rate (%) by Race/Ethnicity											
	White		Black		American Indian		Hispanic		Asian		Other	
	Presumptive	Actual	Presumptive	Actual	Presumptive	Actual	Presumptive	Actual	Presumptive	Actual	Presumptive	Actual
2020	31.9	20.1	44.8	27.7	33.5	23.6	33.6	24.8	31.3	18.1	0.0	0.0
2019	31.0	21.4	43.3	30.1	29.0	22.4	35.4	25.7	34.3	21.4	0.0	0.0
2018	28.0	19.5	42.8	30.0	28.8	23.7	36.5	27.2	32.6	21.6	0.0	0.0
2017	28.6	21.3	41.2	29.7	32.6	27.4	35.6	27.1	29.4	23.0	30.9	16.4
2016	28.8	22.3	43.8	31.2	29.1	26.8	39.2	31.6	27.8	23.0	20.0	0.0
2015	29.5	23.2	42.7	32.6	28.9	26.3	36.4	28.2	27.5	24.9	0.0	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	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	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	50.0	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	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	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	0.0
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

* In this table, “--” means there were no cases sentenced in the category.

Year	Imprisonment Rate (%) by Race/Ethnicity											
	White		Black		American Indian		Hispanic		Asian		Other	
	Presumptive	Actual	Presumptive	Actual	Presumptive	Actual	Presumptive	Actual	Presumptive	Actual	Presumptive	Actual
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
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	100.0	75.0
1978	NA	19.3	NA	28.9	NA	22.7	NA	17.6	NA	0.0	NA	31.4

How to read Table 14: The following table shows the percentage of cases sentenced in each Minnesota Judicial District in which the Guidelines presumed an executed prison sentence (“Pres.”) and for which an executed prison sentence was received (“Act.”). For example, of the 2,299 cases sentenced in the Fourth Judicial District in 2020 (Table 9, p. 51), 40.8 percent had a recommended prison disposition and 23.5 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 (p. 65) can be added together to derive the total incarceration rate.

Table 14. Presumptive and Actual Imprisonment Rates by Minnesota Judicial District, 1978, 1981–2020

Year	Imprisonment Rate (%) by Judicial District																			
	1st		2nd		3rd		4th		5th		6th		7th		8th		9th		10th	
	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.
2020	30.1	20.3	46.5	24.4	35.6	23.4	40.8	23.5	28.9	20.1	33.8	18.1	33.2	24.2	25.6	22.9	35.5	28.1	34.0	19.8
2019	27.2	18.5	41.9	22.2	36.0	24.2	38.4	26.6	31.7	21.8	36.2	23.4	33.0	27.5	32.2	27.6	29.6	25.9	33.9	22.8
2018	26.3	18.2	41.7	24.5	35.3	24.0	36.5	26.5	28.7	19.3	35.6	19.3	32.9	27.7	27.8	22.3	26.7	23.2	30.0	20.6
2017	27.7	20.3	39.1	25.2	33.0	25.7	36.5	25.9	29.8	20.7	36.1	24.8	33.1	27.9	30.3	27.4	28.2	26.1	29.1	21.0
2016	27.1	20.2	38.8	28.7	31.5	24.6	40.8	29.0	30.1	21.8	31.3	21.7	33.4	29.2	28.0	29.9	29.1	25.7	29.8	22.8
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

Year	Imprisonment Rate (%) by Judicial District																			
	1st		2nd		3rd		4th		5th		6th		7th		8th		9th		10th	
	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.	Pres.	Act.
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
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 cases by gender receiving incarceration time in a local correctional facility as a condition of a stayed sentence. For example, of the 9,470 males sentenced in 2020 (Table 5, p. 41), 65.2 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, 1981–2020

Year	Total Number Sentenced	Local Incarceration as a Condition of Probation		Rate (%) by Gender	
		Number	Rate (%)	Male	Female
2020	11,517	7,749	67.3	65.2	76.8
2019	17,335	11,700	67.5	65.2	77.1
2018	18,284	12,434	68.0	65.7	77.2
2017	18,288	12,317	67.4	65.0	76.9
2016	16,927	11,271	66.6	64.3	76.2
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

Year	Total Number Sentenced	Local Incarceration as a Condition of Probation		Rate (%) by Gender	
		Number	Rate (%)	Male	Female
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 cases by race/ethnicity receiving incarceration time in a local correctional facility as a condition of a stayed sentence. For example, of the 6,523 cases sentenced in 2020 in which the person was white (Table 7, p. 45), 68.4 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, 1981–2020

Year	Total Number Cases	Local Incarceration as a Condition of Probation		Rate (%) By Race/Ethnicity					
		Number	Rate (%)	White	Black	Am. Indian	Hispanic	Asian	Other
2020	11,517	7,749	67.3	68.4	64.1	68.4	67.3	71.0	75.0
2019	17,335	11,700	67.5	69.1	63.4	69.0	66.3	72.1	62.5
2018	18,284	12,434	68.0	70.6	63.0	66.6	65.8	71.9	33.3
2017	18,288	12,317	67.4	69.5	62.9	65.8	65.5	70.6	74.5
2016	16,927	11,271	66.6	68.8	62.4	65.9	61.0	70.3	100.0
2015	16,763	10,996	65.6	67.7	60.8	66.1	64.2	68.1	100.0
2014	16,145	10,678	66.1	68.4	62.6	61.5	64.0	69.5	100.0
2013	15,318	9,979	65.1	67.7	60.4	62.8	60.4	71.1	100.0
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	100.0
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

Year	Total Number Cases	Local Incarceration as a Condition of Probation		Rate (%) By Race/Ethnicity					
		Number	Rate (%)	White	Black	Am. Indian	Hispanic	Asian	Other
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 cases sentenced in each Minnesota Judicial District receiving incarceration time in a local correctional facility as a condition of a stayed sentence. For example, of the 2,299 cases sentenced in the Fourth Judicial District in 2020 (Table 1, p. 20), 62.9 percent received a sentence including incarceration in a local correctional facility.

Table 17. Incarceration Rates in Local Correctional Facilities by Judicial District, 1978, 1981–2020

Year	Incarceration Rate (%) by Judicial District									
	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	9 th	10 th
2020	69.7	74.5	60.5	62.9	71.3	69.8	71.5	70.5	53.3	73.0
2019	73.4	76.5	62.0	63.7	69.1	64.5	68.8	68.4	52.0	72.4
2018	74.7	72.3	62.0	63.9	71.7	66.3	68.8	72.0	55.3	74.5
2017	73.0	73.2	60.7	63.1	70.2	66.0	69.3	66.9	55.7	74.0
2016	71.8	70.5	61.8	60.2	69.7	67.4	67.6	66.9	59.5	72.8
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

Year	Incarceration Rate (%) by Judicial District									
	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	9 th	10 th
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

Departures

Table 18. Dispositional Departures by Gender, Race, & Judicial District, 2020

		Total Number	Total Dispositional Departure Rate (%)	All Cases by Dispositional Departure Type					
				No Departure		Aggravated		Mitigated	
				Number	Rate (%)	Number	Rate (%)	Number	Rate (%)
	Male	9,470	16.7	7,887	83.3	6	0.1	1,575	16.6
	Female	2,046	9.3	1,856	90.7	2	0.1	188	9.2
Race/Ethnicity	White	6,523	14.6	5,573	85.4	3	0.0	946	14.5
	Black	2,993	18.3	2,445	81.7	0	0.0	548	18.3
	American Indian	1,064	13.6	919	86.4	3	0.3	142	13.3
	Hispanic	614	13.8	529	86.2	2	0.3	82	13.4
	Asian	310	14.5	265	85.5	0	0.0	45	14.5
	Other/ Unknown	12	0.0	12	100.0	0	0.0	0	0.0
	Judicial District	First	1,470	12.0	1,293	88.0	0	0.0	177
Second		956	23.5	731	76.5	0	0.0	225	23.5
Third		864	16.2	724	83.8	2	0.2	138	16.0
Fourth		2,299	18.3	1,879	81.7	2	0.1	418	18.2
Fifth		851	12.1	748	87.9	1	0.1	101	11.9
Sixth		547	17.6	451	82.4	0	0.0	96	17.6
Seventh		1,280	11.6	1,131	88.4	1	0.1	148	11.6
Eighth		332	7.5	307	92.5	0	0.0	25	7.5
Ninth		1,151	13.5	996	86.5	2	0.2	152	13.2
Tenth		1,767	16.0	1,484	84.0	0	0.0	283	16.0
	Total*	11,517	15.4	9,744	84.6	8	0.1	1,763	15.3

* Two cases received an ambiguous departure (i.e. rounding error)

Table 19. Dispositional Departures by Presumptive Disposition, by Gender, Race/Ethnicity, & Judicial District, 2020

		Total Number	Presumptive Stays			Presumptive Commitments			
			Total	Aggravated Dispositional Departure		Total	Mitigated Dispositional Departure		
				Number	Rate (%)		Number	2020 Rate (%)	2016–20 5-Yr. Rate
	Male	9,470	5,718	6	0.1	3,752	1,575	42.0	36.4
	Female	2,046	1,715	2	0.1	331	188	56.8	56.0
Race/Ethnicity	White	6,523	4,440	3	0.1	2083	946	45.4	41.2
	Black	2,993	1,652	0	0.0	1,341	548	40.9	35.6
	American Indian	1,064	708	3	0.4	356	142	39.9	32.4
	Hispanic	614	408	2	0.5	206	82	39.8	33.8
	Asian	310	213	0	0.0	97	45	46.4	41.9
	Other/Unknown	12	12	0	---	0	---	---	66.7
Judicial District	First	1,470	1,028	0	0.0	442	177	40.0	40.4
	Second	956	511	0	0.0	445	225	50.6	44.3
	Third	864	556	2	0.4	308	138	44.8	40.4
	Fourth	2,299	1,362	2	0.1	937	418	44.6	36.0
	Fifth	851	605	1	0.2	246	101	41.1	42.2
	Sixth	547	362	0	0.0	185	96	51.9	45.4
	Seventh	1,280	855	1	0.1	425	148	34.8	30.4
	Eighth	332	247	0	0.0	85	25	29.4	29.1
	Ninth	1,151	742	2	0.3	409	152	37.2	33.5
	Tenth	1,767	1,166	0	0.0	601	283	47.1	40.3
	Total	11,517	7,434	8	0.1	4,083	1,763	43.2	38.3

Table 20. Durational Departures, 1981–2020

Year	Total Number Sentenced	Total Durational Departure Rate (%)	All Cases, by Durational Departure Type					
			No Departure		Aggravated		Mitigated	
			Number	Rate (%)	Number	Rate (%)	Number	Rate (%)
2020	11,517*	13.8	9,931	86.2	179	1.6	1,394	12.1
2019	17,335	13.7	12,008	86.2	251	1.4	2,131	12.3
2018	18,284	13.5	15,811	86.5	258	1.4	2,215	12.1
2017	18,288	13.0	15,912	87.0	215	1.2	2,161	11.8
2016	16,927	13.3	14,669	86.7	218	1.3	2,040	12.1
2015	16,763	13.9	14,438	86.1	275	1.6	2,050	12.2

Year	Total Number Sentenced	Total Durational Departure Rate (%)	All Cases, by Durational Departure Type					
			No Departure		Aggravated		Mitigated	
			Number	Rate (%)	Number	Rate (%)	Number	Rate (%)
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

**Subtotals omit thirteen cases receiving an ambiguous departure (i.e. rounding error).*

Table 21. Durational Departures by Gender, Race, & Judicial District, 2020

		Total Number	Total Durational Departure Rate (%)	All Cases, by Durational Departure Type					
				No Departure		Aggravated		Mitigated	
				Number	Rate (%)	Number	Rate (%)	Number	Rate (%)
	Male	9,470	14.1	8,126	85.8	162	1.7	1172	12.4
	Female	2,046	11.7	1,804	88.2	17	0.8	222	10.9
Race/Ethnicity	White	6,523	11.0	5,801	88.9	88	1.3	628	9.6
	Black	2,993	20.5	2,376	79.4	63	2.1	551	18.4
	American Indian	1,064	10.8	946	88.9	15	1.4	100	9.4
	Hispanic	614	11.2	545	88.8	10	1.6	59	9.6
	Asian	310	18.4	252	81.3	3	1.0	54	17.4
	Other/Unknown	12	16.7	10	83.3	0	0.0	2	16.7
Judicial District	First	1,470	14.2	1,259	85.6	26	1.8	183	12.4
	Second	956	26.5	701	73.3	13	1.4	240	25.1
	Third	864	4.4	825	95.5	8	0.9	30	3.5
	Fourth	2,299	26.1	1,695	73.7	58	2.5	543	23.6
	Fifth	851	8.9	774	91.0	9	1.1	67	7.9
	Sixth	547	6.8	509	93.1	4	0.7	33	6.0
	Seventh	1,280	8.0	1,177	92.0	14	1.1	88	6.9
	Eighth	332	2.7	323	97.3	4	1.2	5	1.5
	Ninth	1,151	7.6	1,062	92.3	25	2.2	63	5.5
	Tenth	1,767	9.1	1,606	90.9	18	1.0	142	8.0
	Total*	11,517	13.7	9,931	86.2	179	1.6	1,394	12.1

*Thirteen cases received an ambiguous departure (i.e. rounding error).

Table 22. Durational Departures for Executed Prison Sentences by Gender, Race/Ethnicity, & Judicial District, 2020

		Number Executed Prison	Total Durational Departure Rate (%)	Durational Departures, Executed Prison Sentences Only						
				No Departure		Aggravated		Mitigated		
				Number	Rate	Number	Rate	Number	2020 Rate	2016–20 5-Yr. Rate
	Male	2,409	24.3	1,822	75.6	77	3.2	508	21.1	22.2
	Female	193	17.6	159	82.4	2	1.0	32	16.6	19.7
Race/Ethnicity	White	1,314	18.7	1,067	81.2	37	2.8	209	15.9	17.6
	Black	829	33.1	555	66.9	27	3.3	247	29.8	30.5
	American Indian	251	17.9	205	81.7	7	2.8	38	15.1	17.3
	Hispanic	152	23.0	117	77.0	7	4.6	28	18.4	18.4
	Asian	56	33.9	37	66.1	1	1.8	18	32.1	26.1
	Other/Unknown	0	---	---	---	---	---	---	---	11.1
Judicial District	First	299	18.1	245	81.9	6	2.0	48	16.1	17.1
	Second	233	44.6	129	55.4	6	2.6	98	42.1	38
	Third	202	9.4	183	90.6	6	3.0	13	6.4	8.7
	Fourth	540	47.4	284	52.6	25	4.6	231	42.8	41.2
	Fifth	171	21.1	134	78.4	3	1.8	33	19.3	18.2
	Sixth	99	8.1	91	91.9	2	2.0	6	6.1	11.3
	Seventh	310	14.2	266	85.8	7	2.3	37	11.9	15.6
	Eighth	76	7.9	70	92.1	2	2.6	4	5.3	5.1
	Ninth	323	13.3	280	86.7	12	3.7	31	9.6	10.5
	Tenth	349	14.0	299	85.7	10	2.9	39	11.2	11.5
	Total	2,602	23.8	1,981	76.1	79	3.0	540	20.8	22.0

County Tables

Table 23. Volume of Cases Sentenced & Incarceration Rates by County, 2020

County	Number of Cases Sentenced			Incarceration Type				Total Incarceration	
	2019	2020	Percent Change	Prison		Local Confinement		Number	Rate (%)
				Number	Rate (%)	Number	Rate (%)		
Aitkin	102	57	-44.1%	12	21.1	41	71.9	53	93.0
Anoka	942	550	-41.6%	84	15.3	420	76.4	504	91.6
Becker	187	136	-27.3%	45	33.1	89	65.4	134	98.5
Beltrami	207	174	-15.9%	50	28.7	119	68.4	169	97.1
Benton	142	124	-12.7%	36	29.0	86	69.4	122	98.4
Big Stone	19	19	0.0%	2	10.5	16	84.2	18	94.7
Blue Earth	308	246	-20.1%	54	22.0	179	72.8	233	94.7
Brown	61	37	-39.3%	6	16.2	28	75.7	34	91.9
Carlton	107	93	-13.1%	16	17.2	74	79.6	90	96.8
Carver	151	127	-15.9%	24	18.9	61	48.0	85	66.9
Cass	130	115	-11.5%	32	27.8	69	60.0	101	87.8
Chippewa	46	34	-26.1%	10	29.4	21	61.8	31	91.2
Chisago	140	102	-27.1%	25	24.5	72	70.6	97	95.1
Clay	283	165	-41.7%	39	23.6	125	75.8	164	99.4
Clearwater	24	14	-41.7%	3	21.4	9	64.3	12	85.7
Cook	9	5	-44.4%	0	0.0	4	80.0	4	80.0
Cottonwood	35	36	2.9%	8	22.2	16	44.4	24	66.7
Crow Wing	304	152	-50.0%	36	23.7	39	25.7	75	49.3
Dakota	1,139	761	-33.2%	150	19.7	561	73.7	711	93.4
Dodge	42	23	-45.2%	5	21.7	16	69.6	21	91.3
Douglas	112	69	-38.4%	10	14.5	59	85.5	69	100.0
Faribault	46	35	-23.9%	8	22.9	25	71.4	33	94.3
Fillmore	29	20	-31.0%	5	25.0	12	60.0	17	85.0
Freeborn	90	96	6.7%	20	20.8	69	71.9	89	92.7
Goodhue	224	146	-34.8%	22	15.1	113	77.4	135	92.5
Grant	15	9	-40.0%	1	11.1	7	77.8	8	88.9
Hennepin	3,551	2,299	-35.3%	540	23.5	1447	62.9	1987	86.4
Houston	25	17	-32.0%	4	23.5	10	58.8	14	82.4
Hubbard	81	58	-28.4%	12	20.7	45	77.6	57	98.3
Isanti	152	107	-29.6%	21	19.6	78	72.9	99	92.5
Itasca	206	164	-20.4%	41	25.0	115	70.1	156	95.1
Jackson	31	21	-32.3%	5	23.8	10	47.6	15	71.4
Kanabec	62	58	-6.5%	10	17.2	47	81.0	57	98.3
Kandiyohi	134	83	-38.1%	20	24.1	63	75.9	83	100.0
Kittson	7	3	-57.1%	1	33.3	2	66.7	3	100.0

County	Number of Cases Sentenced			Incarceration Type				Total Incarceration	
	2019	2020	Percent Change	Prison		Local Confinement		Number	Rate (%)
				Number	Rate (%)	Number	Rate (%)		
Koochiching	46	49	6.5%	9	18.4	22	44.9	31	63.3
Lac Qui Parle	14	13	-7.1%	7	53.8	5	38.5	12	92.3
Lake	12	9	-25.0%	0	0.0	3	33.3	3	33.3
Lake of the Woods	9	5	-44.4%	3	60.0	1	20.0	4	80.0
Le Sueur	69	34	-50.7%	8	23.5	19	55.9	27	79.4
Lincoln	9	5	-44.4%	0	0.0	4	80.0	4	80.0
Lyon	109	81	-25.7%	17	21.0	58	71.6	75	92.6
McLeod	141	77	-45.4%	13	16.9	60	77.9	73	94.8
Mahnomen	64	57	-10.9%	14	24.6	31	54.4	45	78.9
Marshall	12	11	-8.3%	1	9.1	4	36.4	5	45.5
Martin	95	91	-4.2%	22	24.2	67	73.6	89	97.8
Meeker	66	31	-53.0%	5	16.1	24	77.4	29	93.5
Mille Lacs	155	115	-25.8%	23	20.0	81	70.4	104	90.4
Morrison	110	77	-30.0%	10	13.0	67	87.0	77	100.0
Mower	193	138	-28.5%	41	29.7	55	39.9	96	69.6
Murray	23	7	-69.6%	0	0.0	5	71.4	5	71.4
Nicollet	54	55	1.9%	10	18.2	38	69.1	48	87.3
Nobles	111	85	-23.4%	16	18.8	55	64.7	71	83.5
Norman	22	12	-45.5%	3	25.0	8	66.7	11	91.7
Olmsted	389	240	-38.3%	58	24.2	147	61.3	205	85.4
Otter Tail	195	189	-3.1%	40	21.2	130	68.8	170	89.9
Pennington	81	45	-44.4%	10	22.2	8	17.8	18	40.0
Pine	181	127	-29.8%	21	16.5	92	72.4	113	89.0
Pipestone	35	34	-2.9%	2	5.9	30	88.2	32	94.1
Polk	264	201	-23.9%	88	43.8	83	41.3	171	85.1
Pope	13	14	7.7%	2	14.3	11	78.6	13	92.9
Ramsey	1,902	956	-49.7%	233	24.4	712	74.5	945	98.8
Red Lake	13	8	-38.5%	2	25.0	1	12.5	3	37.5
Redwood	90	76	-15.6%	15	19.7	60	78.9	75	98.7
Renville	49	29	-40.8%	9	31.0	14	48.3	23	79.3
Rice	143	100	-30.1%	22	22.0	68	68.0	90	90.0
Rock	13	10	-23.1%	0	0.0	9	90.0	9	90.0
Roseau	48	26	-45.8%	6	23.1	17	65.4	23	88.5
St. Louis	604	440	-27.2%	83	18.9	301	68.4	384	87.3
Scott	453	299	-34.0%	75	25.1	197	65.9	272	91.0
Sherburne	304	195	-35.9%	57	29.2	125	64.1	182	93.3
Sibley	36	26	-27.8%	7	26.9	14	53.8	21	80.8
Stearns	541	329	-39.2%	88	26.7	224	68.1	312	94.8

County	Number of Cases Sentenced			Incarceration Type				Total Incarceration	
	2019	2020	Percent Change	Prison		Local Confinement		Number	Rate (%)
				Number	Rate (%)	Number	Rate (%)		
Steele	111	82	-26.1%	21	25.6	60	73.2	81	98.8
Stevens	25	19	-24.0%	2	10.5	15	78.9	17	89.5
Swift	49	15	-69.4%	3	20.0	12	80.0	15	100.0
Todd	45	34	-24.4%	5	14.7	29	85.3	34	100.0
Traverse	14	8	-42.9%	2	25.0	6	75.0	8	100.0
Wabasha	42	31	-26.2%	5	16.1	13	41.9	18	58.1
Wadena	40	42	5.0%	14	33.3	25	59.5	39	92.9
Waseca	59	37	-37.3%	6	16.2	18	48.6	24	64.9
Washington	579	410	-29.2%	85	20.7	298	72.7	383	93.4
Watonwan	44	32	-27.3%	8	25.0	23	71.9	31	96.9
Wilkin	27	26	-3.7%	5	19.2	18	69.2	23	88.5
Winona	131	80	-38.9%	15	18.8	55	68.8	70	87.5
Wright	307	218	-29.0%	46	21.1	158	72.5	204	93.6
Yellow Medicine	51	32	-37.3%	8	25.0	22	68.8	30	93.8
Total	17,335	11,517	-33.6%	2,602	22.6	7,749	67.3	10,351	89.9

Table 24. Dispositional Departure Rates by County, 2020

County	All Cases			Presumptive Stays			Presumptive Commits		
	Total	No Departure		Total	Aggravated Departure		Total	Mitigated Departure	
		Number	Rate (%)		Number	Rate (%)		Number	Rate (%)
Aitkin	57	51	89.5	43	1	2.3	14	5	35.7
Anoka	550	443	80.5	365	0	0.0	185	107	57.8
Becker	136	122	89.7	81	0	0.0	55	14	25.5
Beltrami	174	162	93.1	116	0	0.0	58	12	20.7
Benton	124	118	95.2	84	0	0.0	40	6	15.0
Big Stone	19	18	94.7	16	0	0.0	3	1	33.3
Blue Earth	246	211	85.8	163	0	0.0	83	35	42.2
Brown	37	34	91.9	28	0	0.0	9	3	33.3
Carlton	93	80	86.0	67	0	0.0	26	13	50.0
Carver	127	110	86.6	87	0	0.0	40	17	42.5
Cass	115	107	93.0	79	1	1.3	36	6	16.7
Chippewa	34	33	97.1	25	0	0.0	9	1	11.1
Chisago	102	87	85.3	63	0	0.0	39	15	38.5
Clay	165	160	97.0	123	0	0.0	42	5	11.9
Clearwater	14	14	100.0	12	0	0.0	2	0	0.0
Cook	5	5	100.0	5	0	0.0	0	---	---
Cottonwood	36	32	88.9	26	0	0.0	10	4	40.0
Crow Wing	152	114	75.0	81	0	0.0	71	38	53.5

County	All Cases			Presumptive Stays			Presumptive Commits		
	Total	No Departure		Total	Aggravated Departure		Total	Mitigated Departure	
		Number	Rate (%)		Number	Rate (%)		Number	Rate (%)
Dakota	761	663	87.1	530	0	0.0	231	98	42.4
Dodge	23	16	69.6	11	0	0.0	12	7	58.3
Douglas	69	66	95.7	56	0	0.0	13	3	23.1
Faribault	35	29	82.9	22	0	0.0	13	6	46.2
Fillmore	20	14	70.0	10	0	0.0	10	6	60.0
Freeborn	96	88	91.7	70	0	0.0	26	8	30.8
Goodhue	146	123	84.2	103	0	0.0	43	23	53.5
Grant	9	8	88.9	7	0	0.0	2	1	50.0
Hennepin	2,299	1879	81.7	1362	2	0.1	937	418	44.6
Houston	17	16	94.1	14	0	0.0	3	1	33.3
Hubbard	58	54	93.1	44	0	0.0	14	4	28.6
Isanti	107	94	87.9	75	0	0.0	32	13	40.6
Itasca	164	128	78.0	94	0	0.0	70	36	51.4
Jackson	21	16	76.2	13	0	0.0	8	5	62.5
Kanabec	58	46	79.3	38	0	0.0	20	12	60.0
Kandiyohi	83	79	95.2	64	0	0.0	19	4	21.1
Kittson	3	3	100.0	3	0	0.0	0	---	---
Koochiching	49	36	73.5	30	0	0.0	19	13	68.4
Lac Qui Parle	13	12	92.3	8	0	0.0	5	1	20.0
Lake	9	8	88.9	8	0	0.0	1	1	100.0
Lake of the Woods	5	4	80.0	1	0	0.0	4	1	25.0
Le Sueur	34	27	79.4	24	0	0.0	10	7	70.0
Lincoln	5	5	100.0	5	0	0.0	0	---	---
Lyon	81	70	86.4	55	0	0.0	26	11	42.3
McLeod	77	68	88.3	58	0	0.0	19	9	47.4
Mahnomen	57	49	86.0	37	0	0.0	20	8	40.0
Marshall	11	9	81.8	8	0	0.0	3	2	66.7
Martin	91	82	90.1	66	0	0.0	25	9	36.0
Meeker	31	27	87.1	22	0	0.0	9	4	44.4
Mille Lacs	115	96	83.5	78	0	0.0	37	19	51.4
Morrison	77	66	85.7	57	0	0.0	20	11	55.0
Mower	138	115	83.3	81	1	1.2	57	22	38.6
Murray	7	7	100.0	7	0	0.0	0	---	---
Nicollet	55	45	81.8	36	0	0.0	19	10	52.6
Nobles	85	76	89.4	63	0	0.0	22	8	36.4
Norman	12	11	91.7	9	0	0.0	3	1	33.3
Olmsted	240	191	79.6	139	0	0.0	101	49	48.5

County	All Cases			Presumptive Stays			Presumptive Commits		
	Total	No Departure		Total	Aggravated Departure		Total	Mitigated Departure	
		Number	Rate (%)		Number	Rate (%)		Number	Rate (%)
Otter Tail	189	164	86.8	128	0	0.0	61	25	41.0
Pennington	45	39	86.7	30	0	0.0	15	6	40.0
Pine	127	111	87.4	90	0	0.0	37	16	43.2
Pipestone	34	31	91.2	30	0	0.0	4	3	75.0
Polk	201	186	92.5	130	0	0.0	71	15	21.1
Pope	14	11	78.6	10	0	0.0	4	3	75.0
Ramsey	956	731	76.5	511	0	0.0	445	225	50.6
Red Lake	8	7	87.5	5	0	0.0	3	1	33.3
Redwood	76	70	92.1	58	1	1.7	18	5	27.8
Renville	29	25	86.2	16	0	0.0	13	4	30.8
Rice	100	90	90.0	76	1	1.3	24	9	37.5
Rock	10	10	100.0	10	0	0.0	0	---	---
Roseau	26	22	84.6	20	0	0.0	6	4	66.7
St. Louis	440	358	81.4	282	0	0.0	158	82	51.9
Scott	299	278	93.0	208	0	0.0	91	21	23.1
Sherburne	195	174	89.2	124	0	0.0	71	21	29.6
Sibley	26	24	92.3	18	0	0.0	8	2	25.0
Stearns	329	271	82.4	193	0	0.0	136	58	42.6
Steele	82	72	87.8	52	0	0.0	30	10	33.3
Stevens	19	16	84.2	15	0	0.0	4	3	75.0
Swift	15	15	100.0	12	0	0.0	3	0	0.0
Todd	34	31	91.2	27	0	0.0	7	3	42.9
Traverse	8	8	100.0	6	0	0.0	2	0	0.0
Wabasha	31	26	83.9	23	0	0.0	8	5	62.5
Wadena	42	37	88.1	28	1	3.6	14	4	28.6
Waseca	37	30	81.1	26	0	0.0	11	7	63.6
Washington	410	345	84.1	263	0	0.0	147	65	44.2
Watsonwan	32	30	93.8	23	0	0.0	9	2	22.2
Wilkin	26	25	96.2	22	0	0.0	4	1	25.0
Winona	80	66	82.5	54	0	0.0	26	14	53.8
Wright	218	184	84.4	148	0	0.0	70	34	48.6
Yellow Medicine	32	30	93.8	24	0	0.0	8	2	25.0
Total*	11,517	9,744	84.6	7,434	8	0.1	4,083	1,763	43.2

* Two cases received an ambiguous departure (i.e. rounding error).

Table 25. Durational Departures by County for Cases Receiving an Executed Prison Sentence, 2020

County	Number of Executed Prison Sentences	No Departure		Aggravated Departure		Mitigated Departure	
		Number	Rate (%)	Number	Rate (%)	Number	Rate (%)
Aitkin	12	11	91.7	1	8.3	0	0.0
Anoka	84	68	81.0	4	4.8	12	14.3
Becker	45	41	91.1	0	0.0	4	8.9
Beltrami	50	47	94.0	1	2.0	2	4.0
Benton	36	34	94.4	1	2.8	1	2.8
Big Stone	2	2	100.0	0	0.0	0	0.0
Blue Earth	54	45	83.3	2	3.7	7	13.0
Brown	6	4	66.7	0	0.0	2	33.3
Carlton	16	11	68.8	1	6.3	4	25.0
Carver	24	19	79.2	0	0.0	5	20.8
Cass	32	29	90.6	2	6.3	1	3.1
Chippewa	10	9	90.0	0	0.0	1	10.0
Chisago	25	21	84.0	1	4.0	3	12.0
Clay	39	36	92.3	2	5.1	1	2.6
Clearwater	3	2	66.7	0	0.0	1	33.3
Cook	0	---	---	---	---	---	---
Cottonwood	8	3	37.5	0	0.0	5	62.5
Crow Wing	36	30	83.3	1	2.8	5	13.9
Dakota	150	118	78.7	3	2.0	29	19.3
Dodge	5	5	100.0	0	0.0	0	0.0
Douglas	10	9	90.0	0	0.0	1	10.0
Faribault	8	8	100.0	0	0.0	0	0.0
Fillmore	5	5	100.0	0	0.0	0	0.0
Freeborn	20	19	95.0	0	0.0	1	5.0
Goodhue	22	19	86.4	0	0.0	3	13.6
Grant	1	1	100.0	0	0.0	0	0.0
Hennepin	540	284	52.6	25	4.6	231	42.8
Houston	4	4	100.0	0	0.0	0	0.0
Hubbard	12	11	91.7	0	0.0	1	8.3
Isanti	21	20	95.2	1	4.8	0	0.0
Itasca	41	40	97.6	0	0.0	1	2.4
Jackson	5	4	80.0	0	0.0	1	20.0
Kanabec	10	10	100.0	0	0.0	0	0.0
Kandiyohi	20	20	100.0	0	0.0	0	0.0
Kittson	1	1	100.0	0	0.0	0	0.0
Koochiching	9	7	77.8	0	0.0	2	22.2
Lac Qui Parle	7	7	100.0	0	0.0	0	0.0

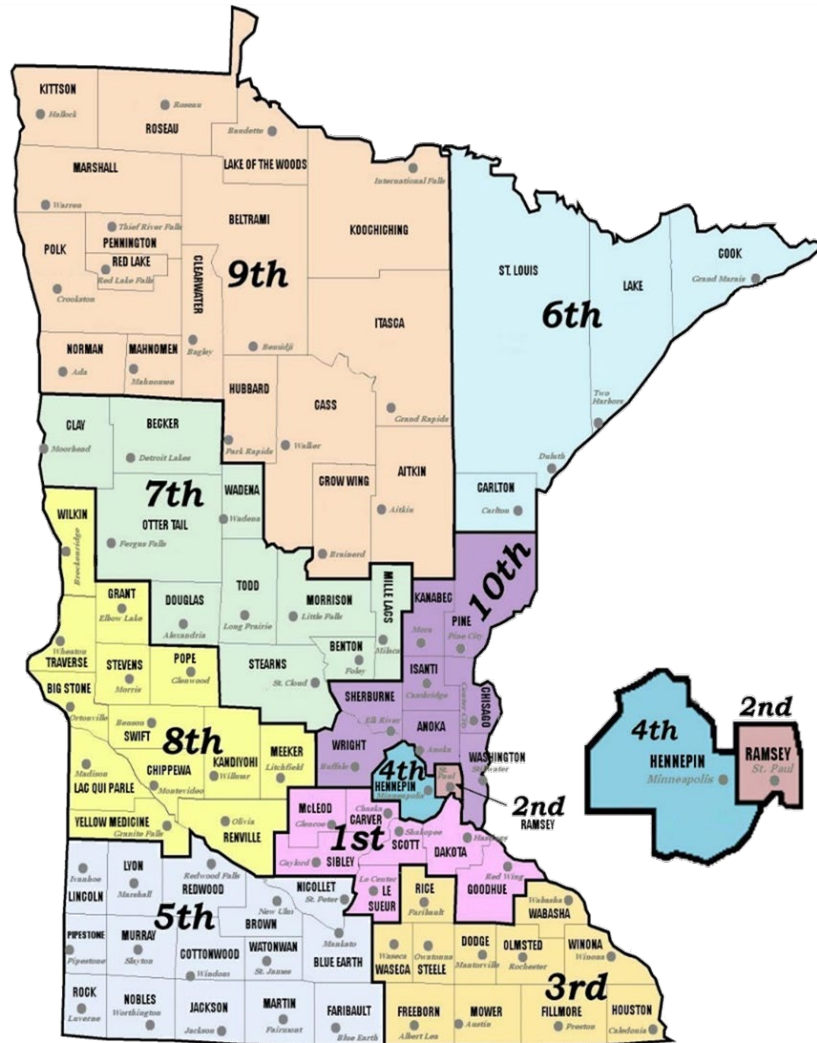
County	Number of Executed Prison Sentences	No Departure		Aggravated Departure		Mitigated Departure	
		Number	Rate (%)	Number	Rate (%)	Number	Rate (%)
Lake	0	---	---	---	---	---	---
Lake of the Woods	3	3	100.0	0	0.0	0	0.0
Le Sueur	8	7	87.5	1	12.5	0	0.0
Lincoln	0	---	---	---	---	---	---
Lyon	17	15	88.2	0	0.0	2	11.8
McLeod	13	11	84.6	0	0.0	2	15.4
Mahnomen	14	10	71.4	0	0.0	4	28.6
Marshall	1	1	100.0	0	0.0	0	0.0
Martin	22	13	59.1	0	0.0	9	40.9
Meeker	5	3	60.0	1	20.0	1	20.0
Mille Lacs	23	19	82.6	1	4.3	3	13.0
Morrison	10	8	80.0	1	10.0	1	10.0
Mower	41	39	95.1	0	0.0	2	4.9
Murray	0	---	---	---	---	---	---
Nicollet	10	7	70.0	1	10.0	2	20.0
Nobles	16	13	81.3	0	0.0	3	18.8
Norman	3	2	66.7	0	0.0	1	33.3
Olmsted	58	51	87.9	1	1.7	6	10.3
Otter Tail	40	35	87.5	1	2.5	4	10.0
Pennington	10	6	60.0	2	20.0	2	20.0
Pine	21	20	95.2	0	0.0	0	0.0
Pipestone	2	2	100.0	0	0.0	0	0.0
Polk	88	73	83.0	4	4.5	11	12.5
Pope	2	2	100.0	0	0.0	0	0.0
Ramsey	233	129	55.4	6	2.6	98	42.1
Red Lake	2	2	100.0	0	0.0	0	0.0
Redwood	15	14	93.3	0	0.0	0	0.0
Renville	9	7	77.8	0	0.0	2	22.2
Rice	22	19	86.4	1	4.5	2	9.1
Rock	0	---	---	---	---	---	---
Roseau	6	5	83.3	1	16.7	0	0.0
St. Louis	83	80	96.4	1	1.2	2	2.4
Scott	75	64	85.3	2	2.7	9	12.0
Sherburne	57	53	93.0	2	3.5	2	3.5
Sibley	7	7	100.0	0	0.0	0	0.0
Stearns	88	66	75.0	1	1.1	21	23.9
Steele	21	19	90.5	2	9.5	0	0.0
Stevens	2	2	100.0	0	0.0	0	0.0

County	Number of Executed Prison Sentences	No Departure		Aggravated Departure		Mitigated Departure	
		Number	Rate (%)	Number	Rate (%)	Number	Rate (%)
Swift	3	3	100.0	0	0.0	0	0.0
Todd	5	5	100.0	0	0.0	0	0.0
Traverse	2	2	100.0	0	0.0	0	0.0
Wabasha	5	4	80.0	0	0.0	1	20.0
Wadena	14	13	92.9	0	0.0	1	7.1
Waseca	6	6	100.0	0	0.0	0	0.0
Washington	85	65	76.5	2	2.4	18	21.2
Watonwan	8	6	75.0	0	0.0	2	25.0
Wilkin	5	4	80.0	1	20.0	0	0.0
Winona	15	12	80.0	2	13.3	1	6.7
Wright	46	42	91.3	0	0.0	4	8.7
Yellow Medicine	8	8	100.0	0	0.0	0	0.0
Total*	2,602	1981	76.1	79	3.0	540	20.8

Two cases received an ambiguous departure (i.e. rounding error).

Appendixes

Appendix 1. 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
Le Sueur		Houston		Faribault	St. Louis	Douglas	Kandiyohi	Clearwater	Kanabec
McLeod		Mower		Jackson		Mille Lacs	Lac qui Parle	Crow Wing	Pine
Scott		Olmsted		Lincoln		Morrison	Meeker	Hubbard	Sherburne
Sibley		Rice		Lyon		Otter Tail	Stearns	Itasca	Washington
		Steele		Martin		Todd	Renville	Kittson	Wright
		Wabasha		Murray		Stevens	Swift	Koochiching	
		Waseca		Nicollet		Traverse	Wilkin	Lake of the Woods	
		Winona		Pipestone		Yellow Medicine		Mahnomen	
				Redwood				Marshall	
				Rock				Norman	
				Watsonwan				Pennington	
								Polk	
								Red Lake	
								Roseau	

Source: Minn. Judicial Branch.

Appendix 2. Standard Sentencing Guidelines Grid – Effective August 1, 2020

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 (Intentional; Drive-By-Shootings)</i>	11	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>346-480²</i>	426 <i>363-480²</i>
<i>Murder, 2nd Degree (Unintentional)</i> <i>Murder, 3rd Degree (Depraved Mind)</i>	10	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>Murder, 3rd Degree (Controlled Substances)</i> <i>Assault, 1st Degree</i>	9	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>Agg. Robbery, 1st Degree</i> <i>Burglary, 1st Degree (w/ Weapon or Assault)</i>	8	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</i> <i>Financial Exploitation of a Vulnerable Adult</i>	7	36	42	48	54 <i>46-64</i>	60 <i>51-72</i>	66 <i>57-79</i>	72 <i>62-84^{2,3}</i>
<i>Assault, 2nd Degree</i> <i>Burglary, 1st Degree (Occupied Dwelling)</i>	6	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>	5	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>	4	12 ¹	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>	3	12 ¹	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>	2	12 ¹	12 ¹	13	15	17	19	21 <i>18-25</i>
<i>Assault, 4th Degree</i> <i>Fleeing a Peace Officer</i>	1	12 ¹	12 ¹	12 ¹	13	15	17	19 <i>17-22</i>

¹ 12¹=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.

² 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.

³ 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.)

Appendix 3. Sex Offender Grid – Effective August 1, 2020

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>Criminal Sexual Conduct (CSC) 1st Degree</i>	A 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</i> ²
<i>CSC 2nd Degree–1(c)(d)(e)(f)(h) (e.g., contact, force, & injury)</i>	B 90 <i>90</i> ³ -108	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</i> ²
<i>CSC 3rd Degree–1(c)(d)(g)(h)(i)(j)(k)(l)(m)(n)(o)(p) (e.g., penetration & force/occupation)</i>	C 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</i> ²
<i>CSC 2nd Degree–1(a)(b)(g) (e.g., contact & victim under 13)</i> <i>CSC 3rd Degree–1(a)(e)(f) or 1(b) with 2(1) (e.g., penetration & child victim)</i>	D 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 4th Degree–1(c)(d)(g)(h)(i)(j)(k)(l)(m)(n)(o)(p) (e.g., contact & force/occupation)</i> <i>Dissemination of Child Pornography</i> ²	E 24	36	48	60 <i>51-72</i>	78 <i>67-93</i>	102 <i>87-120</i>	120 <i>102-120</i> ²
<i>CSC 4th Degree–1(a)(b)(e)(f) (e.g., contact & child victim)</i> <i>CSC 5th Degree</i> <i>Possession of Child Pornography (Subseq./Pred. Off./Under 13)</i>	F 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 3rd Degree–1(b) with 2(2) (i.e., penetration & child victim 24–48 mo. younger)</i> <i>Possession of Child Pornography</i> <i>Solicit Child for Sexual Conduct</i> ²	G 15	20	25	30	39 <i>34-46</i>	51 <i>44-60</i>	60 <i>51-60</i> ²
<i>Failure to Register as a Predatory Offender</i>	H 12 ¹ <i>12</i> ¹ -14	14 <i>12</i> ¹ -16	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>

¹ 12¹=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.

² 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.

³ Solicits, Promotes, or Receives Profit Derived from Prostitution; Sex Trafficking 1st Degree 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.)

Appendix 4. Drug Offender Grid – Effective August 1, 2020

Presumptive sentence lengths are in months. Italicized numbers within the grid denotes range within which a court may sentence without the sentence being deemed a departure. Offenders with stayed felony sentences may be subjected 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>Aggravated Controlled Substance Crime, 1st Degree Manufacture of Any Amt. Meth</i>	D9	86	98	110	122	134	146	158
		<i>74*-103</i>	<i>84*-117</i>	<i>94*-132</i>	<i>104*-146</i>	<i>114*-160</i>	<i>125*-175</i>	<i>135*-189</i>
<i>Controlled Substance Crime, 1st Degree</i>	D8	65	75	85	95	105	115	125
		<i>56*-78</i>	<i>64*-90</i>	<i>73*-102</i>	<i>81*-114</i>	<i>90*-126</i>	<i>98*-138</i>	<i>107*-150</i>
<i>Controlled Substance Crime, 2nd Degree</i>	D7	48	58	68	78	88	98	108
				<i>58-81</i>	<i>67-93</i>	<i>75-105</i>	<i>84-117</i>	<i>92-129</i>
<i>Controlled Substance Crime, 3rd Degree Failure to Affix Stamp</i>	D6	21	27	33	39	45	51	57
					<i>34-46</i>	<i>39-54</i>	<i>44-61</i>	<i>49-68</i>
<i>Possess Substances with Intent to Manufacture Meth</i>	D5	18	23	28	33	38	43	48
					<i>29-39</i>	<i>33-45</i>	<i>37-51</i>	<i>41-57</i>
<i>Controlled Substance Crime, 4th Degree</i>	D4	12 ¹	15	18	21	24	27	30
						<i>21-28</i>	<i>23-32</i>	<i>26-36</i>
<i>Meth Crimes Involving Children and Vulnerable Adults</i>	D3	12 ¹	13	15	17	19	21	23
						<i>17-22</i>	<i>18-25</i>	<i>20-27</i>
<i>Controlled Substance Crime, 5th Degree</i>	D2	12 ¹	12 ¹	13	15	17	19	21
								<i>18-25</i>
<i>Sale of Simulated Controlled Substance</i>	D1	12 ¹	12 ¹	12 ¹	13	15	17	19
								<i>17-22</i>

* Lower range may not apply. See section 2.C.3.c(1) and Minn. Stat. § 152.021, subdivisions 3(c) & 3(d).

¹ 12¹=One year and one day



Presumptive commitment to state imprisonment.



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.