

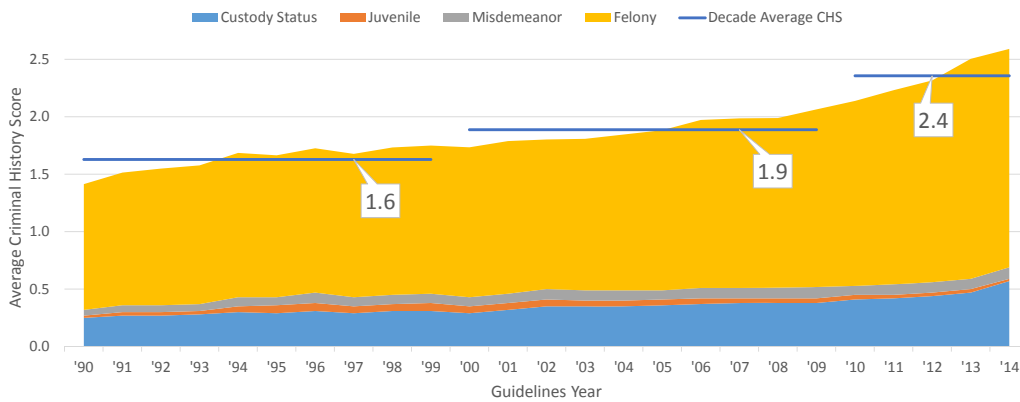
# Criminal History Score Overview

## Part 3: Juvenile Criminal History Policies Over Time

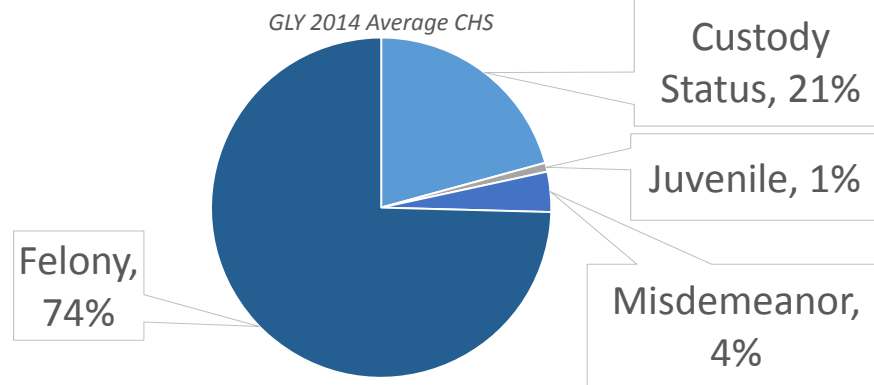
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AUGUST 24, 2016

### Average criminal history scores have grown since 1990



## Four components of Minnesota's criminal history score



## Juvenile Criminal History Policy Prior to 1989

### OFFENSE

- Offense committed and prosecuted as a juvenile that would have been a felony if committed by an adult
- Findings were made by the juvenile court pursuant to admission in court or after trial
- Each offense is a separate behavioral incident or involved separate victims

### POINTS

- Need two juvenile offenses to get 1 point
- A maximum of one juvenile point is allowed in criminal history

### PARAMETERS

- Juvenile offense has to be committed after the offender's 16<sup>th</sup> birthday
- Juvenile offenses/point only applicable until age 21 at time of current offense

## Juvenile Criminal History Policy in 1989

### OFFENSE

- Offense committed and prosecuted as a juvenile that would have been a felony if committed by an adult
- Findings were made by the juvenile court pursuant to admission in court or after trial
- Each offense is a separate behavioral incident or involved separate victims

### POINTS

- Need two juvenile offenses to get 1 point
- A maximum of one juvenile point is allowed in criminal history unless.....
- At least 1 of the juvenile offenses is Murder, Assault 1 or 2, Crim Sex 1-3, or Agg. Robb., then a maximum of 2 points is allowed

### PARAMETERS

- Juvenile offense has to be committed after the offender's 16<sup>th</sup> birthday
- Juvenile offenses/point only applicable until age 21 at time of current offense

## Juvenile Criminal History Policy After 1995

### OFFENSE

- Offense committed and prosecuted as a juvenile that would have been a felony if committed by an adult
- Findings were made by the juvenile court pursuant to admission in court or after trial
- Each offense is a separate behavioral incident or involved separate victims

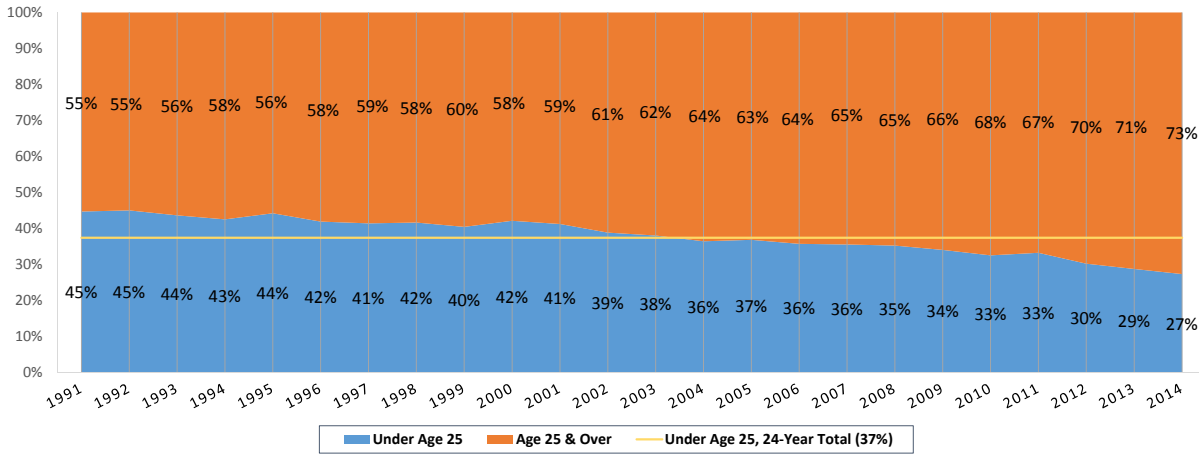
### POINTS

- Need two juvenile offenses to get 1 point
- Generally, one juvenile point is allowed in criminal history
- Point limit does not apply to juvenile offenses that would be considered presumptive commitments under the Guidelines regardless of criminal history

### PARAMETERS

- Juvenile offense has to be committed after the offender's 14<sup>th</sup> birthday
- Juvenile offenses/point only applicable until age 25 at time of current offense

## Percent of Offenders Under Age 25: Guidelines Years 1991-2014

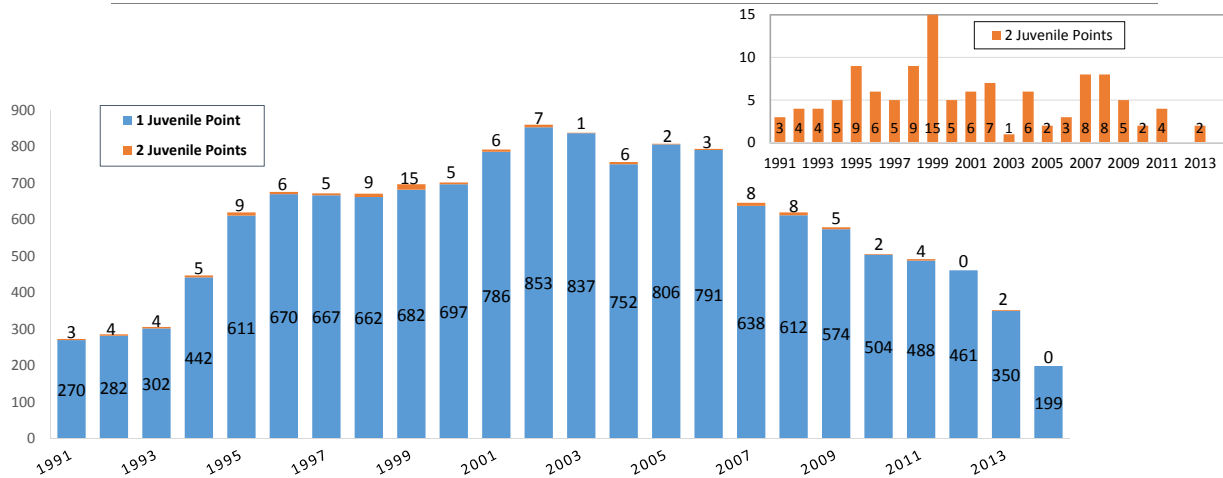


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## Number of Offenders with Juvenile Points: Guidelines Years 1991-2014

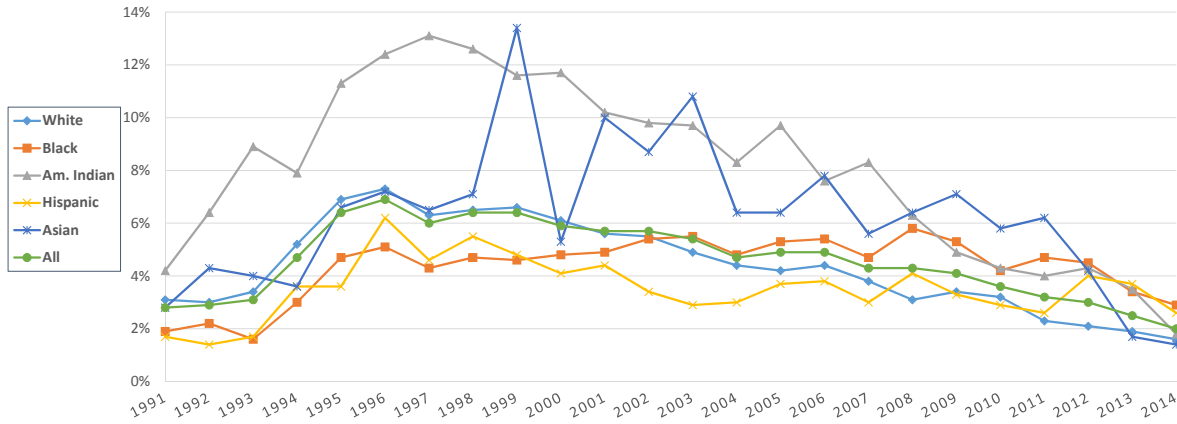


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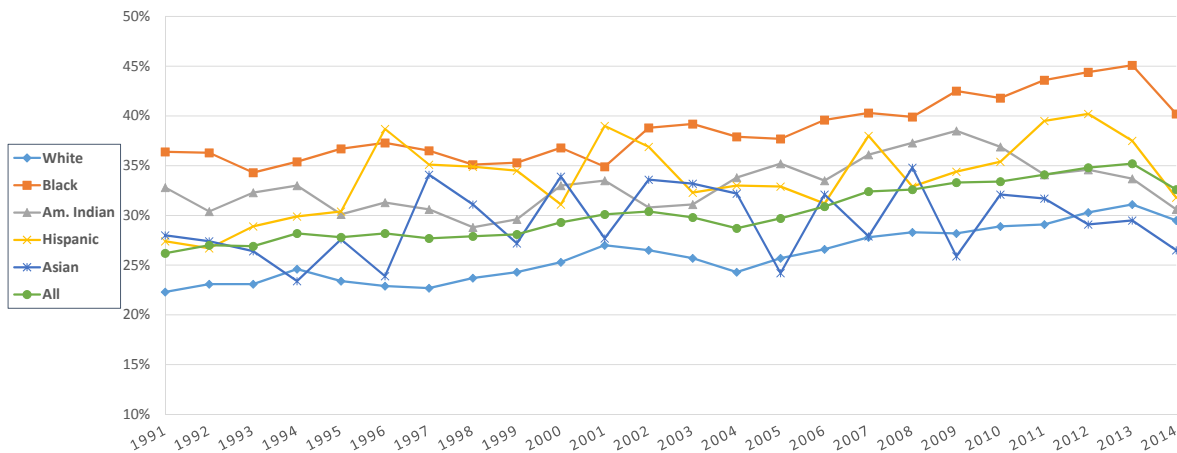
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## Percent of Offenders with Juvenile Point: Guidelines Years 1991-2014

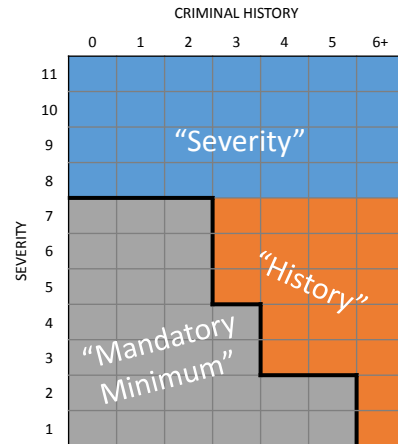
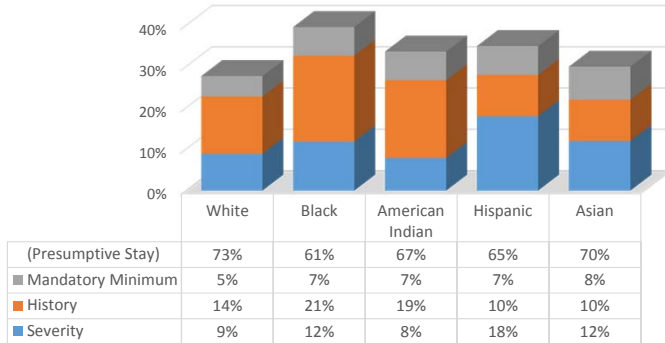


## Percent of Offenders with Presumptive Prison Dispositions by Race: Guidelines Years 1991-2014

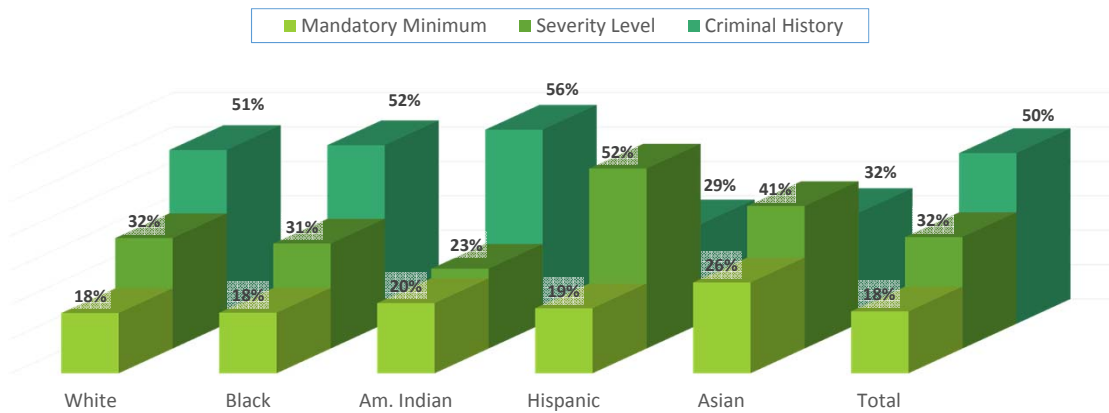


# Reasons for Presumptive Commit Vary

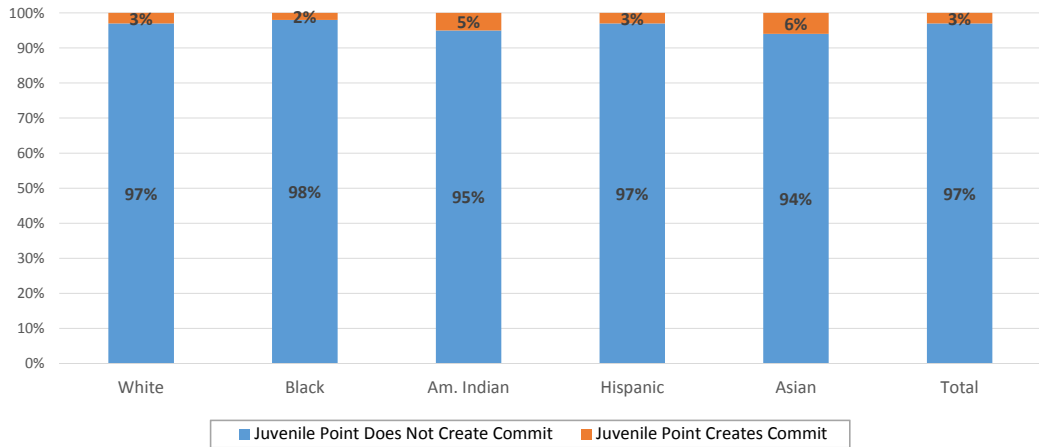
Reasons for Presumptive Commit by Race, Guidelines Years 1995 - 2014



# Presumptive Commitments: Guidelines Years 1995-2014



## Presumptive Commitments due to History What % is Due to Juvenile Point: Guidelines Years 1995-2014

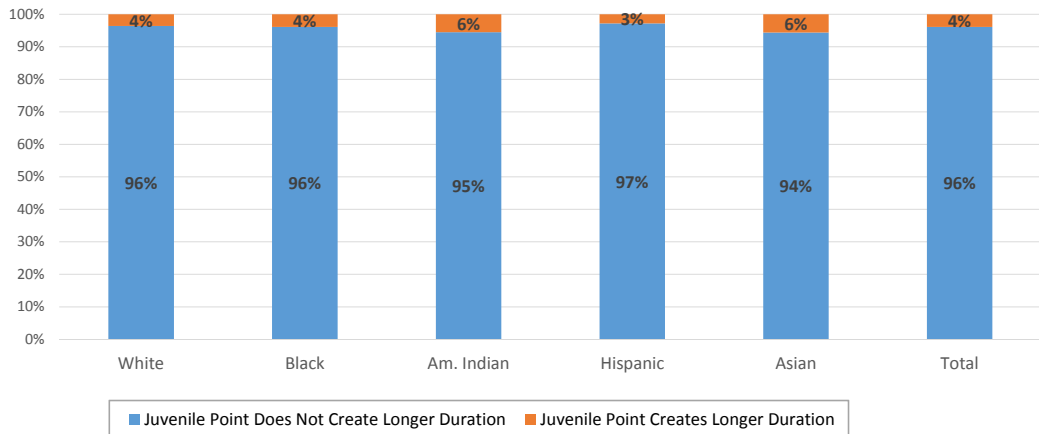


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## Received More Time Due to Juvenile Point: Presumptive Prison Cases that Got Prison Guidelines Years 1995-2014



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# The road ahead

In future meetings, we may have a chance to—

- Unpack other criminal history components

- Review special cases (sex offenses, DWI)

- Look at what other policies have changed over time

- Examine why average criminal history scores have changed over time

# Standard Grid: Effective August 1, 2015

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