



MINNESOTA SENTENCING GUIDELINES COMMISSION

Child Neglect/Endangerment: Sentenced 2010-2014

Minnesota Sentencing Guidelines Commission (MSGC) monitoring data are offender-based, meaning cases represent offenders rather than individual charges. Offenders sentenced within the same county in a one-month period are generally counted only once, based on their most serious offense.

Information Requested: The number of felony Child Neglect and Child Endangerment dispositions recorded for the last 5 years throughout the state. Requesting information on whether dispositional or durational departures occurred in any of those cases and, if so, if they were upward or downward.

Note: The following information is based on felony offenders who received a pronounced sentence.

Analysis:

- Sentenced 2010-2014
- Child Neglect/Endangerment under Minn. Stat. § 609.378

From 2010-2014, 40 offenders were sentenced for felony Child Neglect/Endangerment, all of whom were presumptive stays. Of the 40 offenders sentenced, 3 (7.5%) received an aggravated dispositional departure. Two of the three offenders that received an aggravated dispositional departure requested execution of sentence. Of the 37 offenders who received a pronounced stayed sentence, 4 (11%) received a misdemeanor/gross misdemeanor sentence. Of the 3 offenders who received prison, 2 (67%) received an aggravated durational departure and none received a mitigated durational departure.

Departure Rates for Child Neglect/Endangerment: Sentenced 2010-2014

Total Sentenced	Dispositional Departure		Durational Departure (received prison)			Durational Departure (received stayed sentence)		
	None	Aggravated	None	Aggravated	Mitigated	None	Aggravated	Mitigated
40	37 (92.5%)	3 (7.5%)	1 (33%)	2 (67%)	0 (0%)	33 (89%)	0 (0%)	4 (11%)

CHILD NEGLECT/ENDANGERMENT THAT RECEIVED ANY TYPE OF DEPARTURE: SENTENCED 2010-2014

Year Sentenced	County	Case Number	Count Number	Last Name	First Name	Middle Name	Offense Date	Severity level	Criminal History Score	Presumptive Disposition
2010	Olmsted	55CR071949	2	James	Valerie	Jean	1/3/2007	1	0	Stay
2010	Dakota	19HACR08492	3	Taniguchi	Shin		12/1/2007	1	0	Stay
2011	Mille Lacs	CR101851	4	Berger	Michele	Lee	4/24/2010	1	1	Stay
2011	St. Louis	DUCR102470	3	Holmes	Robert	Timothy	5/21/2010	1	5	Stay
2011	Hennepin	CR1058379	2	Mitchell	Terrance	Robert	10/18/2011	1	0	Stay
2012	Dakota	HACR104098	2	Puente	Martin	Ezequiel	5/1/2010	1	0	Stay
2014	Hennepin	CR1336195	2	FALK	ALICIA	MICHELLE	1/2/2013	1	0	Stay

Presumptive Duration (months)	Stay of Imposition	Pronounced Confinement (months)	Stay of Execution	Length of Stay	Conditional Confinement	Pronounced Incarceration Type	Dispositional Departure	Durational Departure
12.03	no	12.00	yes	24.00	0	Other Sanctions	none	misd sent
12.03	no	12.00	yes	24.00	20	Cond Jail	none	misd sent
12.03	no	48.00	no	0.00	0	State Prison	aggravated	aggravated
17.00	no	17.00	no	0.00	0	State Prison	aggravated	none
12.03	no	12.00	yes	24.00	0	Other Sanctions	none	misd sent
12.03	no	12.00	yes	24.00	0	Other Sanctions	none	misd sent
12.03	no	24.00	no	0.00	0	State Prison	aggravated	aggravated

Departure Reason 1	Departure Reason 2	Departure Reason 3
020 Offender played minor, lesser, or passive role	0	0
535 Has potential for becoming rehab/amen to pr	530 Needed treat/supervision/amen to treat	710 Shows remorse/accepts responsibility
110 Victim is particularly vulnerable	0	0
410 Revocation and imprisonment/imprisonment	0	0
0	0	0
535 Has potential for becoming rehab/amen to pr	710 Shows remorse/accepts responsibility	0
110 Victim is particularly vulnerable	120 Particular cruelty	220 Crime more onerous than usual offense

Departure Reason 4	Plea Reason 1	Plea Reason 2
0	470 Plea negotiation (on sentence)	0
0	442 Prosecutor does not object to the departure	0
0	440 Acceptable to/recommendation of prosecution	0
0	470 Plea negotiation (on sentence)	0
0	470 Plea negotiation (on sentence)	0
0	442 Prosecutor does not object to the departure	0
252 Committed for hire, a crime against the perso	477 Waived Jury Determination of Aggravating Fa	470 Plea negotiation (on sentence)

Plea Reason 3	
	0
	0
	0
	0
	0
	0
	0
440 Acceptable to/recommendation of prosecution	