



Minnesota Criminal History Score and Recidivism

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Intro and Purpose

Role of Criminal History Score

Along with offense severity, the CHS is used to recommend a sentence based on an offender's prior record.

Two Purposes:

1. Punish repeat offenders based on increased culpability.
2. Assign more punishment to offenders more likely to recidivate.



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Research Questions and Methodology

Predictive Validity of CHS

Is the CHS effective in predicting recidivism?

Component Analysis

Does each part of the CHS contribute to identifying high-risk offenders?

Methodology

Cohort study of 2003 felony offenders (N=13,190) tracked for 3 years for felony reconviction.



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2003 Standard Grid

- Each move up in the CH score increases the presumptive sentence range – or pushes an individual over the disposition line.
- If the score effectively served its purpose of assigning greater punishment to offenders at higher risk of reoffending, we would expect recidivism rates to increase consistently with each successive CHS category.

IV. SENTENCING GUIDELINES GRID
Presumptive Sentence Lengths in Months

Italicized numbers within the grid denote the range within which a judge may sentence without the sentence being deemed a departure. Offenders with nonprepayment felony sentences are subject to jail time according to law.

SEVERITY LEVEL OF CONVICTION OFFENSE (Common offenses listed in italics)	0	1	2	3	4	5	6 or more
<i>Murder, 2nd Degree (intentional murder, drive-by shooting)</i>	XI 306 290-313	326 319-333	346 339-363	366 359-373	386 379-393	406 399-413	426 419-433
<i>Murder, 3rd Degree (unintentional murder)</i>	X 150 144-156	165 159-171	180 174-186	195 189-201	210 204-216	225 219-231	240 234-246
<i>Criminal Sexual Conduct, 1st Degree*</i>	IX 86 81-91	98 93-103	113 105-115	122 117-127	134 129-139	149 141-151	158 153-163
<i>Aggravated Robbery 1st Degree (Criminal Sexual Conduct, 2nd Degree (s), (d), (e), (f), (g))</i>	VIII 48 44-52	58 54-62	68 64-72	78 74-82	88 84-92	98 94-102	108 104-112
<i>Felony DWI</i>	VII 36 32-40	42 38-48	48 44-52	54 50-57	60 56-63	66 62-69	72 68-75
<i>Criminal Sexual Conduct, 2nd Degree (s), (d), (e), (f), (g)</i>	VI 21 17-27	27 23-33	33 29-37	39 35-43	45 41-49	51 47-53	57 53-59
<i>Residential Burglary (Simple Burglary)</i>	V 18 14-22	23 19-28	28 24-33	33 29-35	38 34-40	43 39-45	48 44-50
<i>Nonresidential Burglary</i>	IV 12 ¹ 9-15	15 12-18	18 15-21	21 18-24	24 20-25	27 23-28	30 26-31
<i>Theft Crimes (Over \$2,500)</i>	III 12 ¹ 9-13	13 10-15	15 12-17	17 14-19	19 16-20	21 18-22	23 20-24
<i>Theft Crimes (\$2,500 or less) (Check Forgery (\$200-\$2,500))</i>	II 12 ¹ 9-13	12 ¹ 10-13	13 11-15	15 13-17	17 15-19	19 17-21	21 19-22
<i>State of Minnesota Controlled Substance</i>	I 12 ¹ 9-13	12 ¹ 10-13	12 ¹ 11-13	13 12-15	15 13-17	17 15-19	19 18-20

¹ One year and one day.
² Pursuant to S.C.S. § 5B.02, sub. 2 and 600.343, sub. 2, the presumptive sentence for Criminal Sexual Conduct in the First Degree is a minimum of 18 months and the presumptive sentence for Criminal Sexual Conduct in the Second Degree is 12 months. Offense C.S. § 15A.01, sub. 1, minimum of 30 months (see S.C. Presumptive Sentence and S.C. Guidelines for Attempts, Compulsions, and Other Sentence Modifiers).
Effective January 1, 2003.

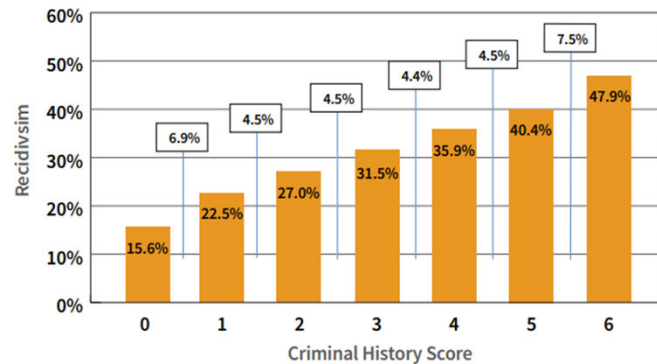


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Recidivism Rates by Criminal History Score

- CHS levels correlate with higher recidivism, especially from CHS 0 to 1 (16%-23%) and CHS 5 to 6+ (40% to 48%).
- On average, out of 100 individuals who have a score of 3, 32 will recidivate and 36 will recidivate with a score of 4.
- Do certain group differences in recidivism warrant greater punishment and how much more?

Figure 1: Reconviction Rates by Criminal History Score
N=13,190



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Disaggregate CHS Zero

Table 1: Rate of Recidivism for Offender with Criminal History Score Zero

n=5,732 (offenders with a CHS 0)

Type of Offender	Rate of Recidivism
No prior offenses (n=4,000)	12%
Any prior offense (n=1,732)	24%

Disaggregate CHS 6

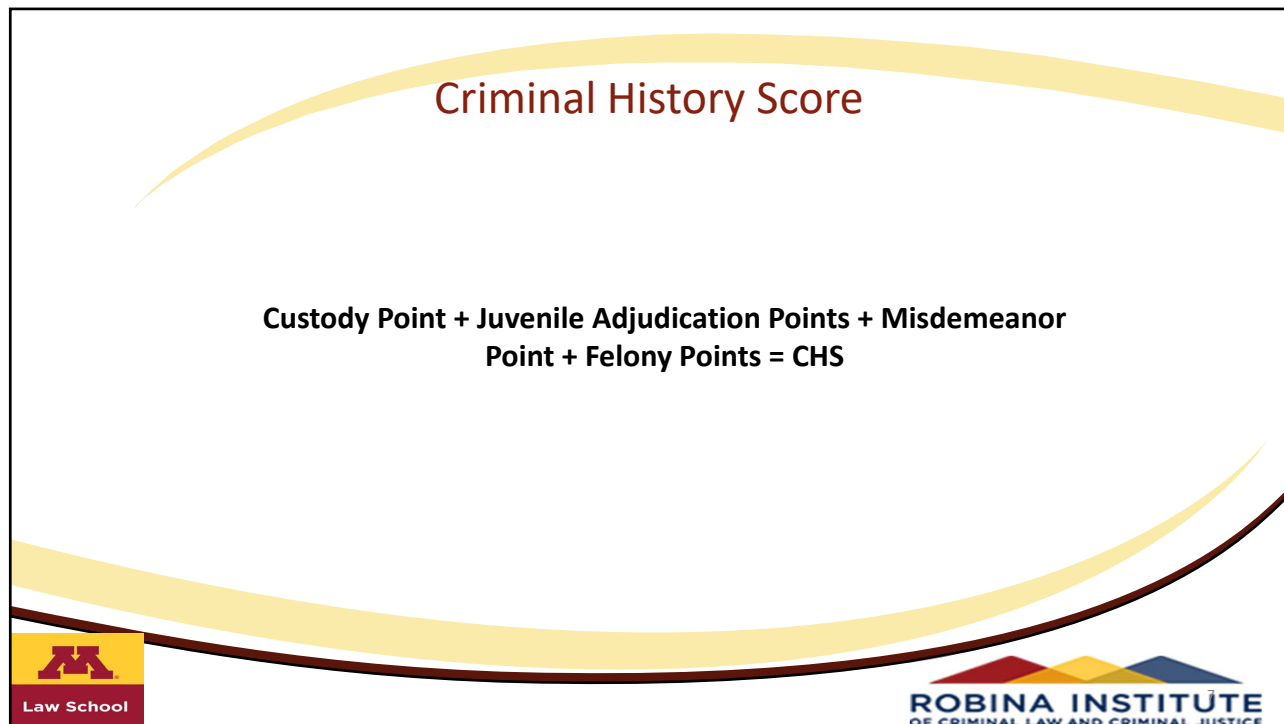
Table 2: Rate of Recidivism for Offender with Criminal History Score Six

n=933 (offenders with a CHS 6)

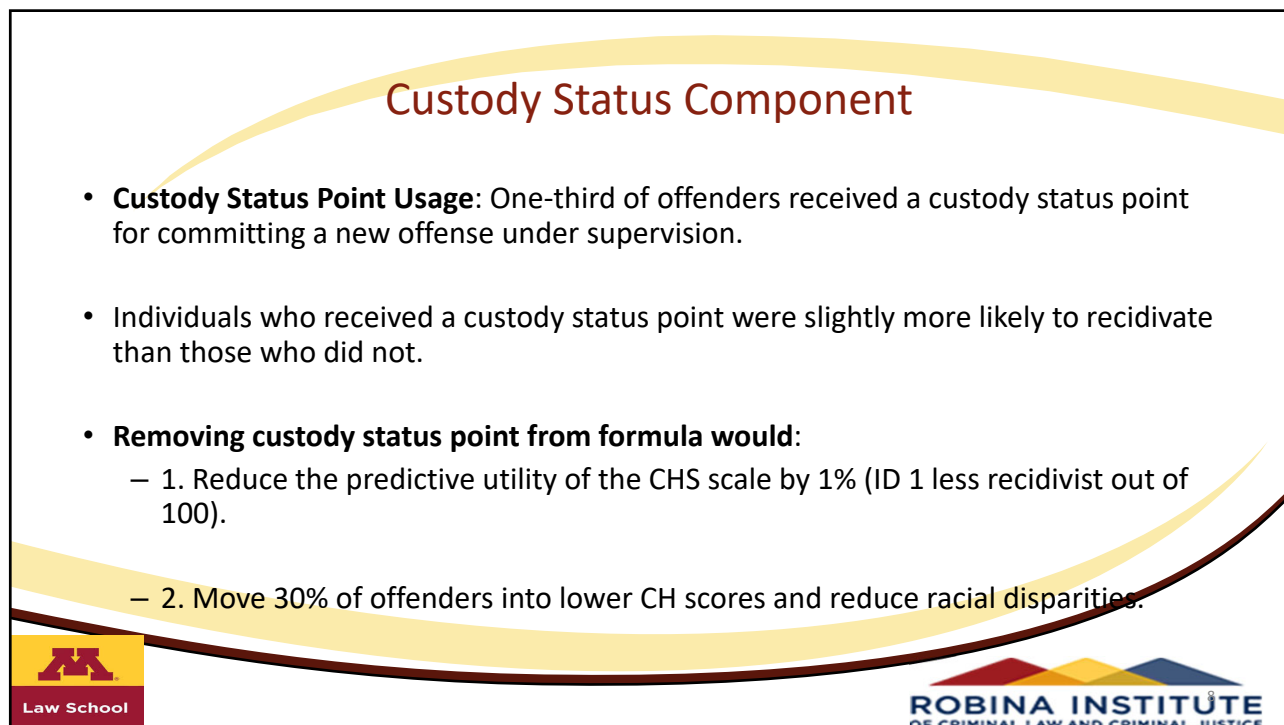
Type of Offender	Rate of Recidivism
CHS 6 (n=343)	41%
CHS 7 and above (n=590)	52%

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Juvenile Adjudications Component

- **Juvenile Adjudication Points Usage:** Up to two points can be added to an offender's score for juvenile adjudications. Only 5% of the sample received any juvenile adjudication points.
- Individuals who received a juvenile adjudication point(s) were slightly less likely to recidivate.
- **Removing juvenile adjudication point would:**
 - 1. Have no effect on the ability of the score to correctly categorize high risk offenders.
 - 2. Would move 5% of the sample into lower criminal history categories and reduce racial disparities.



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Misdemeanor Convictions Component

- **Misdemeanor Point Usage** – For every four gross or serious misdemeanors, offenders receive 1 point. Only 8% of offenders received at least one misdemeanor point.
- Misdemeanor Points: Offenders with a misdemeanor points have substantially higher recidivism rate than those who don't.
- **Removing the misdemeanor point would:**
 - 1. Reduce the predictive utility of the CHS scale by 1% (ID 1 less recidivist out of 100).
 - 2. Lower CHS for 7% of offenders and reduce racial disparities.



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Felony Conviction Component

- **Felony Point Usage:** Offenders are given half a point to two points depending on the severity of the offense.
- Felony convictions are predictive of recidivism.
- Simplifying the CHS – giving 1 point for each felony, getting rid of the other components.
- **Simplifying the score would :**
 - 1. Have no effect on the ability of the score to identify recidivists.
 - 2. Would move 25% of offenders into a lower CHS and 11% into a higher CHS.
- Reduce racial disparities in sentencing.
- Send more property offender to prison and for longer.

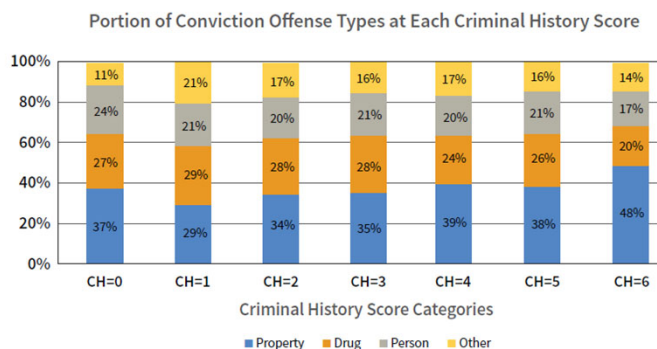


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Property Offenders and CHS

1. As the CHS goes up, property offenders begin to make up a larger portion of the total group of offenders.
2. Property offenders are more likely to recidivate with another property offense.
3. The CHS is particularly good at targeting repeat property offenders for the largest sentencing enhancement.

Figure 4: Offender Types by Criminal History Score¹⁴
N=13,190



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Alternative Scoring Formulations

- Simplify the CHS: Streamline by removing low-performing components (e.g., custody status, juvenile adjudications).
- Remove felony upweighting: Given one point for every felony offense, regardless of seriousness.
- Combine criminal history categories (e.g., combining category 4 and 5) to reflect more substantive differences in recidivism risk.
- Create a first-time offender discount for individuals with a CHS 0 who have no priors.
- Disaggregate CHS 6+ into smaller categories.
- These change would increase prison bed space without substantively reducing the ability of the score to assign more punishment to high-risk offenders.



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- Julia Laskorunsky
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- Full Report:
- Minnesota Criminal History Score Recidivism Project (2018)
<https://robinainstitute.umn.edu/publications/minnesota-criminal-history-score-recidivism-report>



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