

# MINNESOTA SENTENCING GUIDELINES COMMISSION

## 2014 Sentencing Practices:

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### Annual Summary Statistics for Felony Offenders



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**Minnesota Sentencing Guidelines Commission**

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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 offender, given the offender's conviction offense and criminal record.

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

### *Goals of the Minnesota Sentencing Guidelines*

The goals of the Minnesota Sentencing Guidelines are:

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

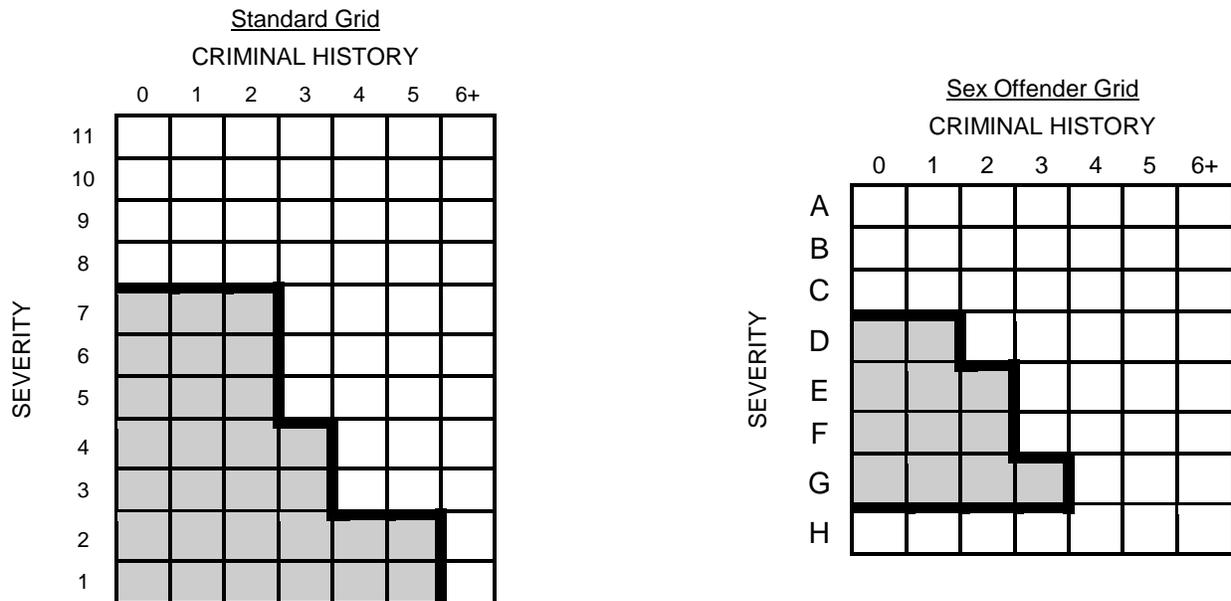
### *How the Sentencing Guidelines Work*

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

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

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

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



**Presumptive Sentence**

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

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

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

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

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

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

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

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

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

#### *2006*

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

#### *2005*

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

#### *2002*

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

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

#### *1997*

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

#### *1989*

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

## *Felony Crime Legislation in 2014\**

In 2014, legislation impacting felony sentencing was as follows:

- Felony fifth-degree criminal sexual conduct (CSC) was expanded to include offenders with two previous convictions for gross misdemeanor CSC, a felony provision of indecent exposure, any first-thru fourth-degree CSC, and possession or dissemination of child pornography. The statutory maximum was increased from five to seven years.
- The crimes of violence list was expanded to include felony fifth-degree assault, felony domestic assault, and domestic assault by strangulation. A person convicted of a crime of violence is prohibited from possessing a firearm.
- The statute requiring predatory offenders to register was amended to clarify that offenders must register if they commit any prostitution offense involving a minor.

## *MSGC Monitoring Data*

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

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

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

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

\* For more details, see [MN Felony Sentencing Enhancements: 1987 to 2014](#) under “Special Topics.”

## Data for Cases Sentenced in 2014

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

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

### **Case Volume**

There were 16,145 felony offenders sentenced in 2014, an increase of 5.4 percent from the number sentenced in 2013. Figures 1 and 2 illustrate a large growth in the number of offenders sentenced for felony convictions between 2001 and 2006. This growth can be attributed to the implementation of the felony driving while impaired (DWI) law and increases in the number of drug crimes sentenced, particularly methamphetamine cases. Significant growth also occurred from 2010 to 2014, when the overall volume of felony offenders sentenced increased by 13 percent. This is attributable to the growth in drug offenders at 31 percent, non-CSC sex offenders<sup>2</sup> at 17 percent, and "other"<sup>3</sup> offenders at 18 percent. The specific offense that contributed to the growth in the "other" category the most was possession of a firearm by a felon convicted of a crime of violence which went from 234 offenders in 2010 to 371 offenders in 2014; a 59 percent growth rate.

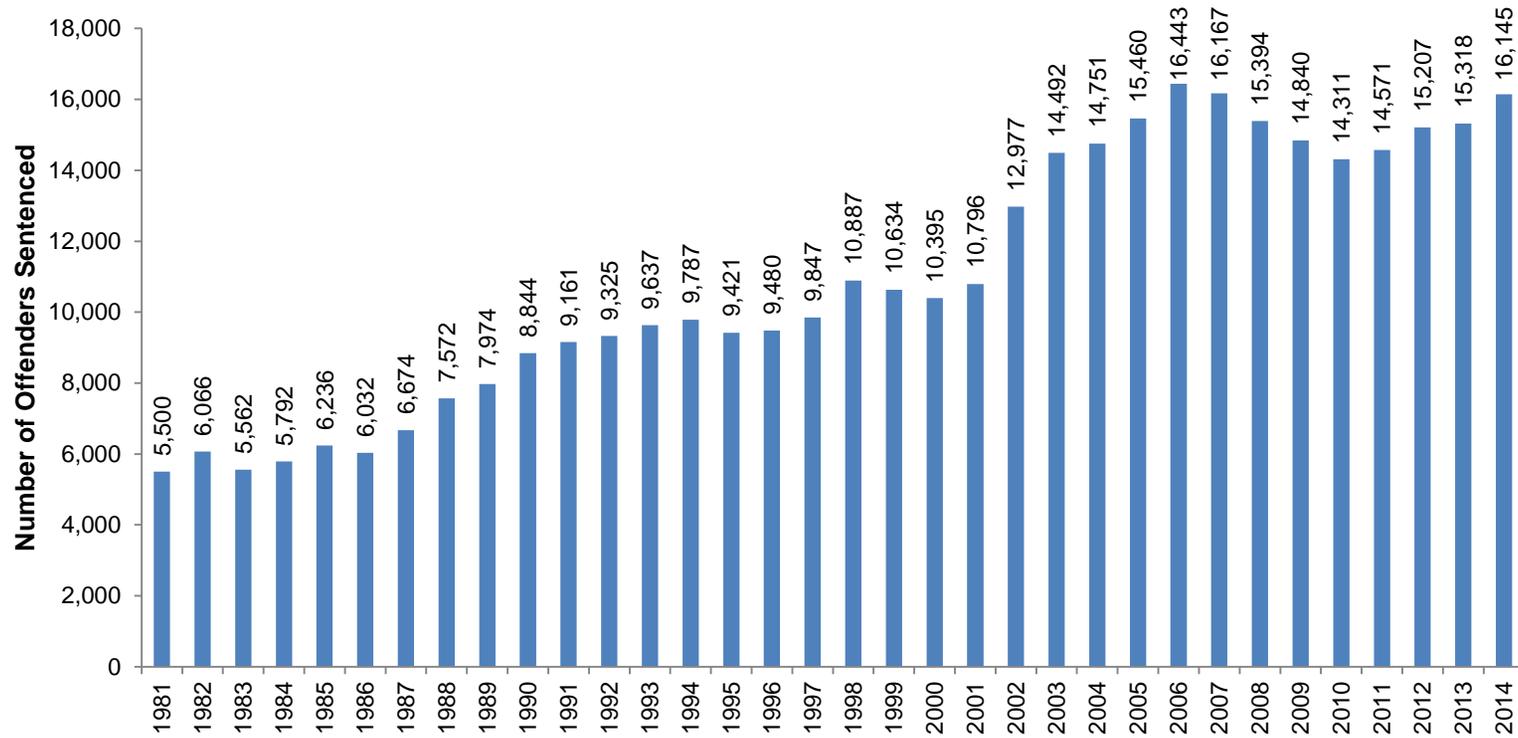
The overall crime rate for "index crimes"<sup>4</sup> has fluctuated over time. It had declined in the five years prior to 2012, then went up by 0.7 percent. The rates in both 2013 and 2014 represented declines. (The 2014 rate of 2,531 crimes per 100,000 in population represents a decrease of 4.6 percent from the 2013 rate.) In 2014 there were 12,352 reported violent crimes in Minnesota, a decrease of 0.1 percent from the 12,469 violent crimes reported in 2013.

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<sup>2</sup> "Non-CSC sex offenses" are offenses on the sex offender grid other than criminal sexual conduct (chiefly failure to register as a predatory offender and possession and dissemination of child pornography).

<sup>3</sup> "Other" category: Possession of a firearm by a felon convicted of a crime of violence, fleeing police, escape, discharge of a firearm, and other offenses of less frequency.

<sup>4</sup> "Index Crimes" are Murder, Forcible Rape, Robbery, Aggravated Assault, Burglary, Larceny, Motor Vehicle Theft, and Arson. "Violent Crimes" are Murder, Forcible Rape, Robbery, and Aggravated Assault. *1995 to 2014 Uniform Crime Reports*, State of Minnesota, Department of Public Safety, obtained July 2015, at <https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Pages/uniform-crime-reports.aspx>.

*Case Volume and Distribution***Figure 1. Number of Offenders Sentenced for Felony Convictions, 1981-2014**

**Figure 2. Percent Change in Number of Offenders Sentenced for Felony Convictions, 1982-2014**



Figure 3. Year-by-Year Percent Change by Offense Type, 2001-2014

Year Sentenced	Total (All Offenses)	Person	Property	Drug	Felony DWI	Non-CSC Sex Offense <sup>5</sup>	Other <sup>6,7</sup>
2001	3.9%	3.8%	4.2%	0.0%			13.3%
2002	20.2%	10.4%	17.9%	31.9%			16.3%
2003	11.7%	6.2%	2.4%	13.8%			2.2%
2004	1.8%	1.1%	-0.8%	3.6%	6.2%		6.2%
2005	4.8%	6.4%	2.0%	8.1%	-3.0%		7.6%
2006	6.4%	13.7%	7.9%	2.7%	-5.5%		1.1%
2007	-1.7%	7.3%	-4.0%	-7.1%	-6.7%		3.7%
2008	-4.8%	2.9%	-11.5%	-6.9%	6.0%		-0.1%
2009	-3.6%	6.6%	-7.0%	-7.7%	-9.6%		-7.0%
2010	-3.6%	2.0%	-6.8%	-7.0%	-5.3%	3.1%	-2.7%
2011	1.8%	1.7%	-2.4%	2.5%	-1.0%	9.9%	17.1%
2012	4.4%	3.5%	8.8%	4.2%	-4.4%	4.0%	-2.8%
2013	0.7%	-0.1%	-1.7%	7.6%	-19.2%	4.6%	2.0%
2014	5.4%	1.4%	1.3%	14.2%	28.6%	-2.1%	1.8%

<sup>5</sup> "Non-CSC sex offenses" are offenses on the sex offender grid other than criminal sexual conduct (chiefly failure to register as a predatory offender and possession and dissemination of child pornography).

<sup>6</sup> "Other" category includes: Possession of a firearm by a felon convicted of a crime of violence, fleeing police, escape, discharge of a firearm, and other offenses of less frequency.

<sup>7</sup> "Other" includes DWI before 2004 and non-CSC sex offenses before 2010.

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

Figure 3 shows the percent change, by offense type, in the number of offenders sentenced between 2001 and 2014. Between 2013 and 2014, the number of offenders sentenced decreased slightly for non-CSC sex offenses, while the number of offenders sentenced increased for all other categories. Felony DWI offenses grew the most, with an increase of 28.6 percent.

### *Person Offenses*

Sentencing for person offenses increased every year between 2001 and 2012 until it decreased slightly in 2013. In 2014, the number increase by 1.4 percent. Person offenses accounted for approximately 30 percent of total felony crimes sentenced, a decrease from the percentage observed from 2010 to 2013 (32%), which had been the category's highest percentage since the Guidelines went into effect (Figure 5).

- *Criminal Sexual Conduct (CSC)*

There were 491 offenders sentenced for CSC in 2014, which was down 2.4 percent from 2013 (503 offenders sentenced) and is the lowest number of CSC offenders sentenced since 1983. The number has fluctuated since 1981, peaking at 880 offenders in 1994 (44% greater than the number sentenced in 2014). Almost all of the growth since 1981 has been in the CSC child provisions (intra-familial sex abuse and provisions specifying the age of the victim). For a more detailed discussion of CSC offenses, see MSGC's criminal sexual conduct data report at <http://mn.gov/sentencing-guidelines/reports>.

- *Domestic Assault-Related Offenses*

Much of the recent growth in person offenses can be attributed to an increase in certain domestic assault-related offenses, including domestic assault, domestic assault by strangulation, and violations of restraining orders (Figure 4). This may be, in part, due to legislative changes in 2006 that removed the requirement that a prior offense had to be against the same victim, expanded the look-back period to 10 years, and also expanded the list of qualified priors.<sup>8</sup> The number of offenders sentenced for domestic assault has grown dramatically since the 2006 changes (from 100 in 2006 to 612 in 2014). Compared to 2013, there was an increase in the number sentenced for domestic assault and domestic assault by strangulation; each increased by 7 percent in 2014 (Figure 4).

The felony crime of violation of a domestic abuse no contact order (VDANCO) was created in 2007.<sup>9</sup> The number sentenced grew rapidly until 2011, but declined in 2012 and 2013. From 2013 to 2014, the number of offenders sentenced for violations of VDANCO increased by 17 percent. The number of offenders sentenced for violations of harassment restraining orders (VHRO)<sup>10</sup> increased from 50 to 54, and there was a decrease of 9 percent in the number sentenced for violations of orders for protection (VOFP). For a more detailed discussion of the growth in domestic assault-related offenses, see MSGC's assaults and violations of harassment restraining orders report at <http://mn.gov/sentencing-guidelines/reports>.

<sup>8</sup> 2006 Minn. Laws ch. 260, Art. 1, §§ 12 & 19.

<sup>9</sup> 2007 Minn. Laws ch. 54, Art. 2, § 1 (enhancing DANCO violations by repeat offenders to felony level).

<sup>10</sup> This offense is not necessarily related to domestic assault, as the victim need not be a relative of the perpetrator.

- *Assault Offenses*

Other than the domestic assault-related offenses, the assault offenses that grew the most in 2014 were fourth- and fifth-degree assault, each with a five percent increase. The number of offenders sentenced for first- through third-degree assault decreased, with third-degree assault decreasing the most, by 10.5 percent. Overall, the number of offenders sentenced for assault offenses decreased slightly, by 0.6 percent, and the number sentenced for violations of restraining order offenses increased by 8.2 percent.

*Drug Offenses*

With a 14 percent increase over the previous year, drug offenses showed the second highest percent change of the offense categories (Figure 3). In 2013, drug offenses rose to make up 25 percent of felony offenses sentenced. In 2014, that percent rose again to 27 percent (Figure 5).

*Property Offenses*

The number of offenders sentenced for property offenses increased by 1.3 percent. Other than years 2012 (where it increased by 9%) and 2014, the number sentenced for property offenses had declined in every year since 2006 (Figure 3). The proportion of total crimes sentenced that were property offenses decreased from 30 percent in 2013 to 28 percent in 2014, which is the lowest level observed in the past fourteen years (Figure 5). This proportion is much lower than that seen in 2001 and earlier years when property offenses made up over 40 percent of the cases sentenced.

*Felony DWI*

The number of offenders sentenced for felony DWI peaked in 2004 at 860 and has declined in most years since. In 2013, the number of offenders sentenced for felony DWIs was 510, a decrease of 19 percent from the previous year (Figure 3). This was the largest decrease ever seen. In 2014, felony DWI increased, up to 656 offenders, an increase of 29 percent.

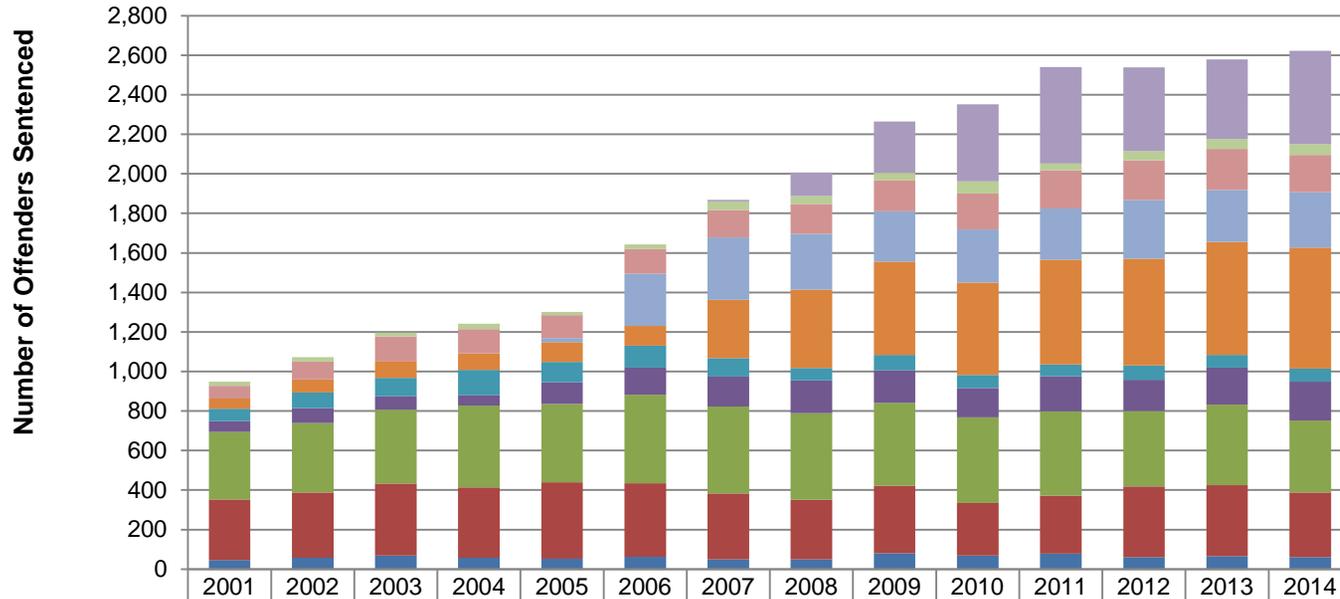
*Non-CSC Sex Offenses*

Overall, there was a two percent decrease in the number of offenders in the non-CSC sex offense category (Figure 3). Failure to register increased by three offenders (from 411 to 414) and child pornography sentences decreased by 17 offenders (from 107 to 90).

*Other Offenses*

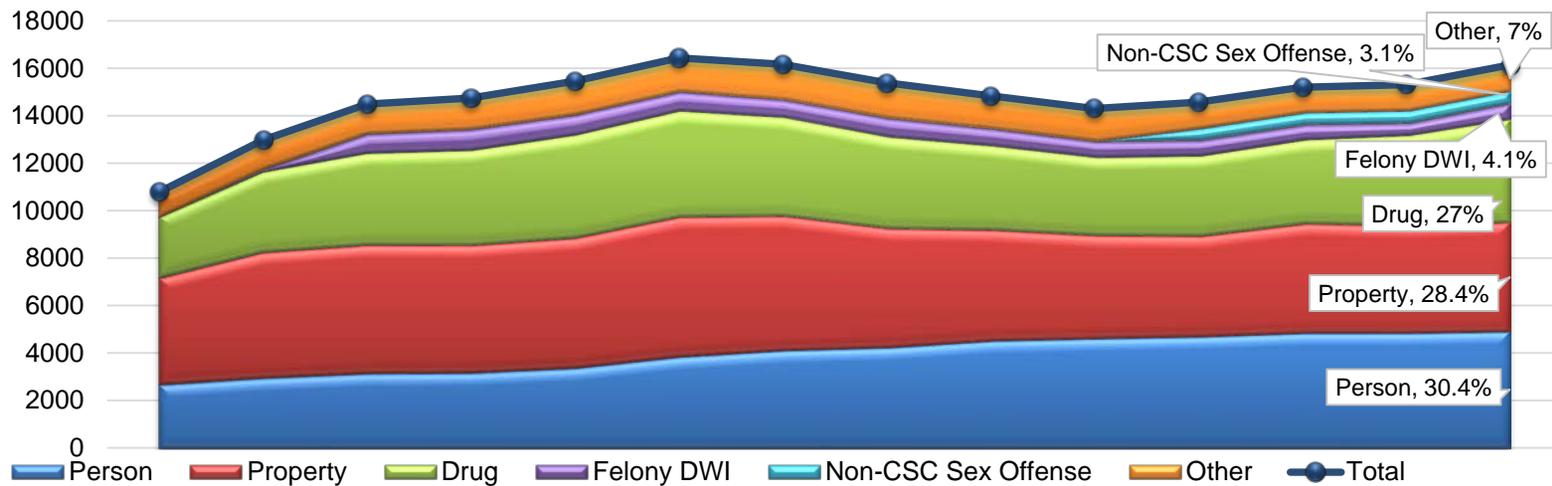
The number sentenced for the remaining offenses in this category increased by two percent. Ineligible felon in possession of a firearm remained steady (from 372 to 371). Fleeing police also remained steady at 404 offenders. Sentences for voting violations increased from 16 in 2013 to 23 in 2014.

Figure 4. Frequency of Assault and Restraining Order Offenses, 2001-2014



	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
VDANCO							9	119	259	390	488	423	403	472
VHRO	20	22	19	26	17	22	43	41	37	61	34	47	50	54
VOFP	65	91	125	123	116	126	139	151	159	183	193	199	208	189
Dom. Assault by Strang.					20	264	315	282	255	268	260	298	263	281
Domestic Assault	52	65	85	84	100	100	295	396	471	467	529	541	572	612
Assault 5	63	79	94	129	104	112	93	63	78	66	60	72	63	66
Assault 4	54	76	68	52	110	137	152	166	165	149	178	157	187	196
Assault 3	341	351	373	413	395	447	440	438	420	433	426	382	408	365
Assault 2	307	330	365	356	388	373	333	302	341	267	293	359	359	326
Assault 1	46	58	68	58	52	62	50	49	80	68	79	60	66	61

**Figure 5. Total Number of Offenders Sentenced and Volume of Offenders Sentenced by Offense Type, 2001-2014**



Offense Type		2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Person	#	2,679	2,957	3,141	3,174	3,376	3,839	4,117	4,238	4,517	4,605	4,685	4,841	4,836	4,905
	%	24.8%	22.8%	21.7%	21.5%	21.8%	23.3%	25.5%	27.5%	30.4%	32.2%	32.2%	31.8%	31.6%	30.4%
Property	#	4,470	5,271	5,395	5,350	5,455	5,886	5,650	5,003	4,651	4,334	4,232	4,604	4,528	4,589
	%	41.4%	40.6%	37.2%	36.3%	35.3%	35.8%	34.9%	32.5%	31.3%	30.3%	29.0%	30.3%	29.6%	28.4%
Drug	#	2,596	3,423	3,896	4,038	4,364	4,484	4,166	3,878	3,578	3,326	3,409	3,552	3,821	4,363
	%	24.0%	26.4%	26.9%	27.4%	28.2%	27.3%	25.8%	25.2%	24.1%	23.2%	23.4%	23.4%	24.9%	27.0%
Felony DWI	#	0	102	810	860	834	788	735	779	704	667	660	631	510	656
	%	0.0%	0.8%	5.6%	5.8%	5.4%	4.8%	4.5%	5.1%	4.7%	4.7%	4.5%	4.1%	3.3%	4.1%
Non-CSC Sex Offense	#	0	0	0	0	0	0	0	0	0	0	476	495	518	507
	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	3.3%	3.3%	3.4%	3.1%
Other	#	1,051	1,224	1,250	1,329	1,431	1,446	1,499	1,496	1,390	1,379	1,109	1,084	1,105	1,125
	%	9.7%	9.4%	8.6%	9.0%	9.3%	8.8%	9.3%	9.7%	9.4%	9.6%	7.6%	7.1%	7.2%	7.0%
<b>Total</b>	<b>#</b>	<b>10,796</b>	<b>12,977</b>	<b>14,492</b>	<b>14,751</b>	<b>15,460</b>	<b>16,443</b>	<b>16,167</b>	<b>15,394</b>	<b>14,840</b>	<b>14,311</b>	<b>14,571</b>	<b>15,207</b>	<b>15,318</b>	<b>16,145</b>

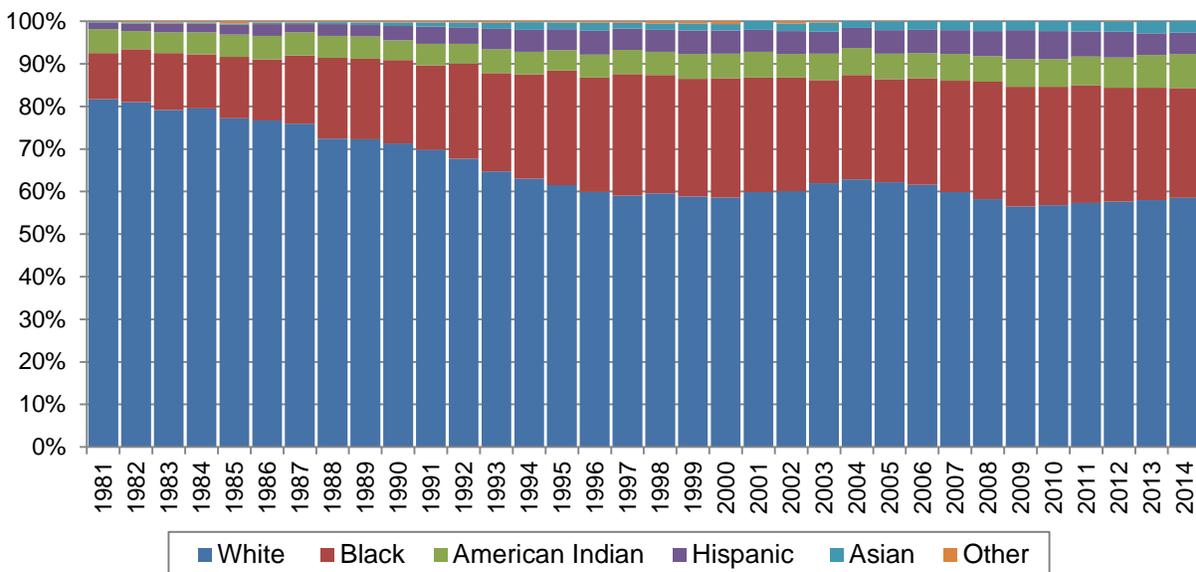
### Distribution of Offenders by Gender, Race/Ethnicity and Judicial District

Males have always accounted for more than 80 percent of the felony offenders in Minnesota (Table 5). In 2014, 82 percent of the offenders sentenced were male and 18 percent were female, a slight increase from 2013 (16.5%). Figure 6 shows the racial and ethnic composition of the felony offender population from 1981 through 2014. The percentage of offenders who are white has decreased by roughly 25 percent since 1981. This is largely due to an increase in the percentage of black offenders, though the percentage of other non-white offenders (particularly Hispanic offenders) has also increased over time.

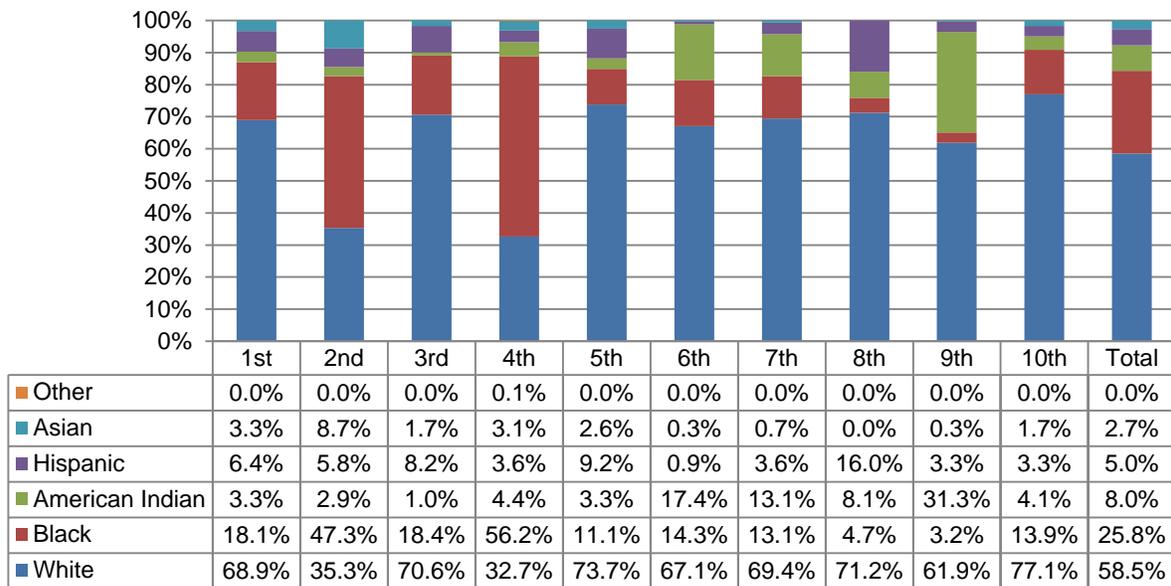
The percent of offenders who are black decreased slightly from 26.4 percent in 2013 to 25.8 percent in 2014. The percent who are white increased slightly from 58 percent to 58.5 percent. The percent who are American Indians increased, while the percent who are Hispanic or Asian remained similar to that seen in 2013.

Figure 7 displays the 2014 distribution of the racial and ethnic composition by Minnesota Judicial District. The largest populations of black offenders are in the Second Judicial District (Ramsey County) and the Fourth Judicial District (Hennepin County). These districts include the cities of St. Paul and Minneapolis. Additional information on case volume and distribution can be found in Tables 5 to 11. County-level information can be found in Table 23 to 25.

**Figure 6. Distribution of Felony Offenders by Race/Ethnicity, 1981-2014**



**Figure 7. Distribution of Felony Offenders by Race and Judicial District, 2014**



## Incarceration Rates

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

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

There are no specific guidelines to the court regarding the imposition of these intermediate sanctions.<sup>11</sup> MSGC's monitoring system, which provided the information used in this report, includes only limited information regarding these sanctions. This monitoring system contains information on whether the court pronounced local confinement time as a condition of the offender's probation and for how long, but does not contain information regarding other sanctions imposed. The local incarceration rate reported in this data summary represents the percentage of all offenders convicted of felonies for whom the court pronounced local confinement time as a condition of a stayed sentence or whose crimes were sentenced as misdemeanors or gross misdemeanors.

The total incarceration rate describes the percentage of offenders who received a sentence that included incarceration in a state prison or local facility, such as a jail or workhouse, following conviction. Figure 8 shows the total incarceration rate, as well as the separate rates for prison and local confinement from 1978 to 2014. The total incarceration rate has grown steadily over the last 26 years, from 61 percent in 1981, to 85 percent or more since 1991. Except for 2010, the total incarceration rate has remained above 90 percent since 2003. In 2014, 92.2 percent of offenders received a sentence that included incarceration in a state prison or a local facility.

The 2012-14 imprisonment rates were the highest rates observed since the Guidelines were implemented. In 2014, the imprisonment rate was 26.1 percent, slightly below the record 2013 rate. The overall conditional confinement rate was 66.1 percent. Of the 11,927 who did not receive an executed prison sentence<sup>12</sup>, 89.5 percent<sup>13</sup> received either confinement time as a condition of probation or a non-felony local confinement sentence.

More offenders are recommended imprisonment under the Guidelines than actually receive a prison sentence. In 2014, 34.4 percent of offenders were recommended a prison sentence compared to the actual imprisonment rate of 26.1 percent. See Tables 12-14 for presumptive imprisonment rates over time by race, gender, and Judicial District.

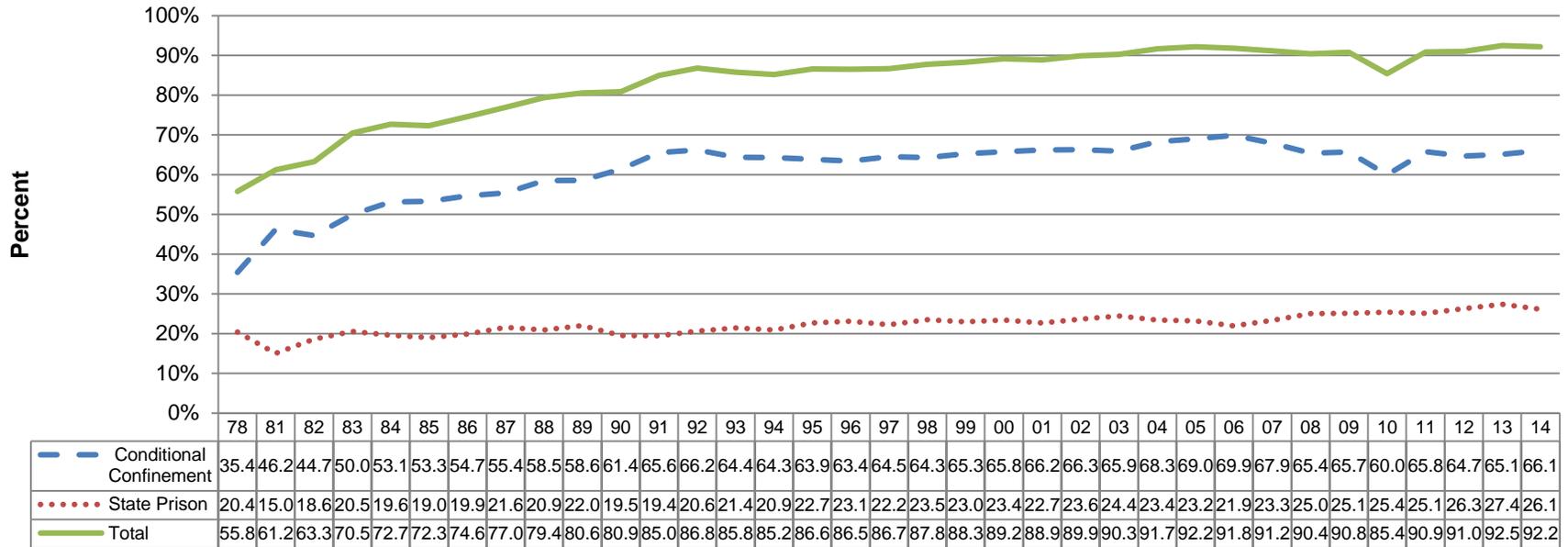
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<sup>11</sup> For general guidance, see Minnesota Sentencing Guidelines § 3.A.2.

<sup>12</sup> See Table 1. Total cases (16,145) – total receiving prison (4,218) = 11,927.

<sup>13</sup> See Table 1. Total receiving conditional confinement (10,678) / # offenders not receiving prison (11,927) = .895.

Figure 8. Overall Incarceration Rates: 1978, 1981-2014



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

Below, Table 1 provides total incarceration information for offenders sentenced in 2014. Total Incarceration includes all offenders receiving prison sentences or receiving local confinement time as a condition of a stayed sentence. When comparing imprisonment rates across various groups (sex, race, or judicial district) it is important to note that much of the variation is directly related to the proportion of offenders in any particular group who are recommended a prison sentence by the Guidelines. Tables 12-14 display presumptive imprisonment rates.

### *Race/Ethnicity*

The total incarceration rate varies somewhat across racial groups (ranging from 91% for white offenders to 94.5% for black offenders). Greater variation by race exists in the separate rates for prison and local confinement. White offenders were imprisoned at the lowest rate (22.7%) whereas black offenders were imprisoned at the highest rate (31.9%).

### *Judicial District*

Variation was also observed in incarceration rates by Judicial District. The Second Judicial District (Ramsey County) had the highest total incarceration rate (99.3%) and the Third Judicial District (southeast Minnesota) had the lowest total incarceration rate (81.1%). This variation continues with respect to the separate rates for prison and local confinement. The Fourth Judicial District (Hennepin County) had the highest imprisonment rate (31%), and the First Judicial District (south metro) had the lowest imprisonment rate (20.8%). With regard to use of local confinement, the Tenth Judicial District (north metro) had the highest rate (72.7%), and the Third Judicial District had the lowest rate (55.5%).

Historical information for incarceration rates can be found in Tables 12-17. Additionally, Table 23 illustrates incarceration rates by county.

Table 1. Total Incarceration Rates by Gender, Race/Ethnicity, and Judicial District, 2014

		Total	Total Incarceration		Prison		Conditional Confinement	
		Cases	#	%	#	%	#	%
<b>Gender</b>	Male	13,219	12,352	93.4%	3,839	29.0%	8,517	64.4%
	Female	2,926	2,540	86.8%	379	13.0%	2,161	73.9%
<b>Race/ Ethnicity</b>	White	9,443	8,592	91.0%	2,140	22.7%	6,455	68.4%
	Black	4,163	3,933	94.5%	1,328	31.9%	2,606	62.6%
	American Indian	1,296	1,198	92.4%	401	30.9%	797	61.5%
	Hispanic	802	754	94.0%	241	30.0%	513	64.0%
	Asian	439	413	94.1%	108	24.6%	305	69.5%
	Other/Unknown	2	2	100.0%	0	0.0%	2	100.0%
<b>Judicial District</b>	First	1,864	1,688	90.6%	388	20.8%	1,300	69.7%
	Second	2,008	1,994	99.3%	538	26.8%	1,456	72.5%
	Third	1,264	1,025	81.1%	324	25.6%	701	55.5%
	Fourth	3,192	2,975	93.2%	988	31.0%	1,988	62.3%
	Fifth	871	807	92.7%	198	22.7%	609	69.9%
	Sixth	967	820	84.8%	224	23.2%	596	61.6%
	Seventh	1,708	1,657	97.0%	500	29.3%	1,158	67.8%
	Eighth	430	403	93.7%	107	24.9%	298	69.3%
	Ninth	1,510	1,286	85.2%	408	27.0%	878	58.1%
	Tenth	2,331	2,237	96.0%	543	23.3%	1,694	72.7%
<b>Overall</b>		<b>16,145</b>	<b>14,892</b>	<b>92.2%</b>	<b>4,218</b>	<b>26.1%</b>	<b>10,678</b>	<b>66.1%</b>

## Average Pronounced Sentences (Durations)

### State Prison

The average pronounced prison sentence in 2014 was 45.5 months, a slight increase over 2013 (Table 2). The average varied by applicable Grid: 42.2 months for offenders with presumptive sentences on the Standard Grid and 73.6 months for offenders with presumptive sentences on the Sex Offender Grid.<sup>14</sup>

The average has fluctuated over time. Overall, sentence lengths have increased since 1989. From 1981 to 1989, the average was 37.5 months, increasing to 46.7 months from 1990 to 2014. Numerous changes in sentencing practices and policies, as well as changes in the distribution of cases affected the average. Increases after 1989 were due to both the increased presumptive sentences adopted by the Commission in 1989 and, until recent years, an increase in the number of upward durational departures.

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

### *Life Sentences*

In 2014, 19 offenders received life sentences, 18 for first-degree murder, and one for third-degree criminal sexual conduct. Six of those life sentences were with possible release and 13 were life sentences with no release possible. Those offenders are excluded from the averaged pronounced prison sentence reported here.

**Table 2. Average Pronounced Prison Sentence**

Executed Prison Sentences  
(in months)

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

<sup>14</sup> In 2014, 89 offenders (0.6%) had an offense committed before August 1, 2005; therefore, the "Pre-2005" Grid was used to determine the presumptive sentence. The average pronounced sentence was 80.9 months.

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

The average amount of local confinement pronounced as a condition of probation was 107 days in 2014, compared to 106 days in 2013. The average has remained largely constant since 1988.

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

**Table 3. Average Local Confinement**

Local Confinement (in days)

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

## Departures from the Sentencing Guidelines

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

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

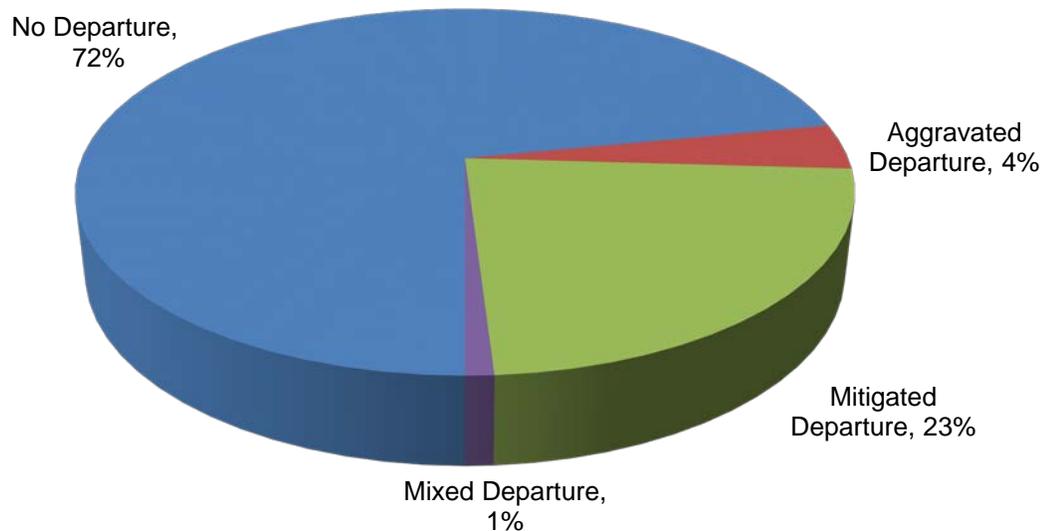
When there is departure from the presumptive sentence, the court is required to submit reasons for the departure to the Commission.<sup>15</sup> Along with reasons for departure, the court may supply information about the position of the prosecutor regarding the departure. In 2014, the Commission received departure reasons or information about the position of the prosecutor 95 percent of the time. In 2014, 97 percent of felony convictions were settled without a trial. The Commission recognizes the importance of plea agreements:

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

In 2014, 72 percent of all felony offenders sentenced received the presumptive Guidelines sentence. The remaining 28 percent received some type of departure (Figure 9).

Additional departure information can be found in Tables 18-22. Departure information by county can be found in Tables 24-25.

<sup>15</sup> Minn. R. Crim. P. [27.03](#), subd. 4(C).

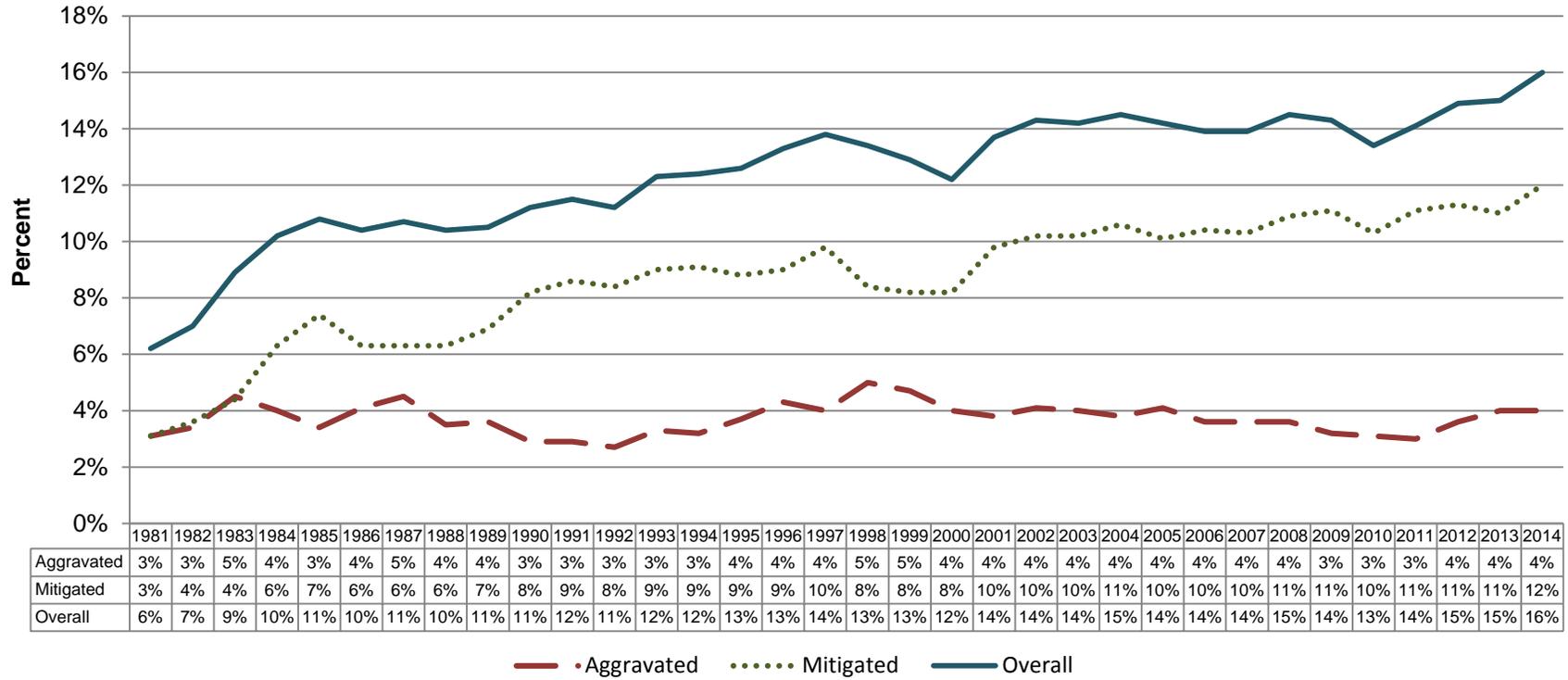
**Figure 9. Overall Departure Rates, 2014**

### *Dispositional Departures*

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

Overall, 2,544 offenders (15.8%) received a dispositional departure from the Guidelines. In 605 cases (3.7%), the offenders received prison when the Guidelines recommended probation (“Aggravated”). In 1,939 cases (12.0%), the offenders received probation when the Guidelines recommended prison (“Mitigated”). The majority of the increase in the overall departure rate since 1981 has resulted from increases in the mitigated dispositional departure rate (Figure 10).

Figure 10. Dispositional Departure Rates, 1981-2014

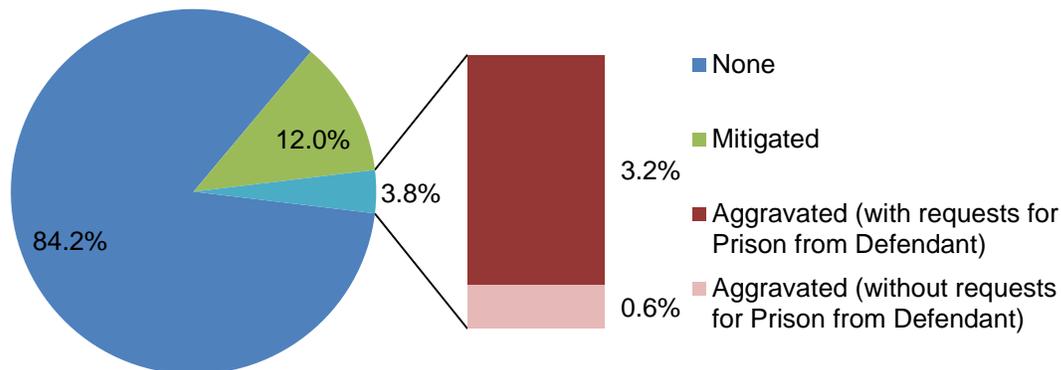


## Types of Dispositional Departures

**Aggravated dispositional departures:** While approximately four percent of all cases sentenced in 2014 had aggravated dispositional departures (Figure 10), the aggravated dispositional departure rate for offenders who were recommended a stayed sentence was 5.7 percent (Table 19).

Most aggravated dispositional departures (87% in 2014) occur when an offender with a presumptive stayed sentence requests an executed prison sentence or agrees to the departure as part of a plea agreement. This request is usually made in order for the offender to serve the sentence concurrently with another prison sentence. The Commission has historically included these cases in the departure figures because, for the given offense, the sentence is not the presumptive Guidelines sentence.<sup>16</sup> If requests for prison are not included in the analysis, the aggravated dispositional departure rate—as a measure of judicial compliance—is less than one percent (Figure 11-inset). The inclusion of these cases inflates the aggravated dispositional departure rate to four percent and the overall dispositional departure rate to 16 percent (Figure 10). Because aggravated dispositional departures represent such a small percentage of cases, the remainder of this analysis of departures will focus on mitigated dispositional departures.

**Figure 11. Dispositional Departure Rates with and without Requests for Prison from Defendant, 2014**



**Mitigated dispositional departures:** Twelve percent of all offenders sentenced in 2014 had mitigated dispositional departures (Figure 10). This next section focuses on departures for presumptive commitment cases (those offenders who were recommended prison). As a result of having fewer cases, the departure rates are significantly higher than those overall.

<sup>16</sup> Effective with the 2015 amendments to Minnesota Sentencing Guidelines § 2.D.1, a sentence that is executed pursuant to an offender's right to demand execution will no longer be considered an aggravated dispositional departure. None of the cases in this report fell within the scope of the amended rule.

### Mitigated Dispositional Departure Rate for Presumptive Commitments

In 2014, the mitigated dispositional departure rate for offenders recommended prison under the Guidelines was just under 35 percent (1,939 of the 5,552 offenders recommended prison), which is higher than the rate observed in 2013 (Figure 12). The highest rate was 36.2 percent in 2006.

**Figure 12. Mitigated Dispositional Departure Rates, 1981-2014  
(Presumptive Commitments Only)**



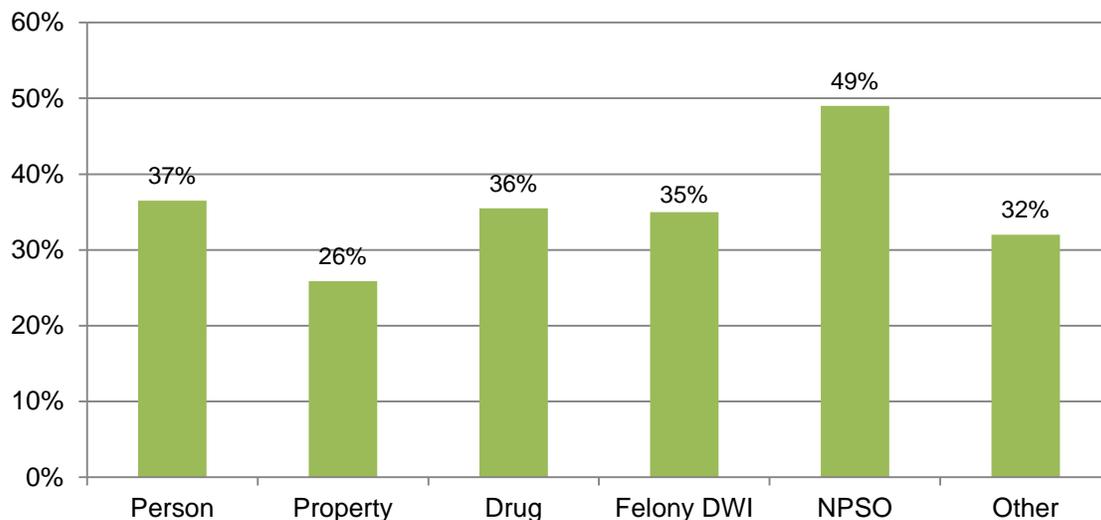
### **Mitigated Dispositional Departure Rates by Gender, Race/Ethnicity, and Judicial District**

Table 19 illustrates dispositional departure rates by gender, race/ethnicity, and judicial district for presumptive commitment offenses. The mitigated dispositional departure rate is higher for women (54%) than men (32.9%). When examined by racial and ethnic composition, the mitigated dispositional departure rate ranged from a low of 27.9 percent for American Indian offenders to a high of 38.5 percent for white offenders. There was also variation in the rate by Minnesota Judicial District, ranging from lows of 28.8 percent in the Eight District (includes the City of Willmar) and 29.2 percent in the Seventh District (includes the cities of Moorhead and St. Cloud) to a high of 42.7 percent in the Sixth Judicial District (includes the cities of Duluth, Hibbing, and Virginia).

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

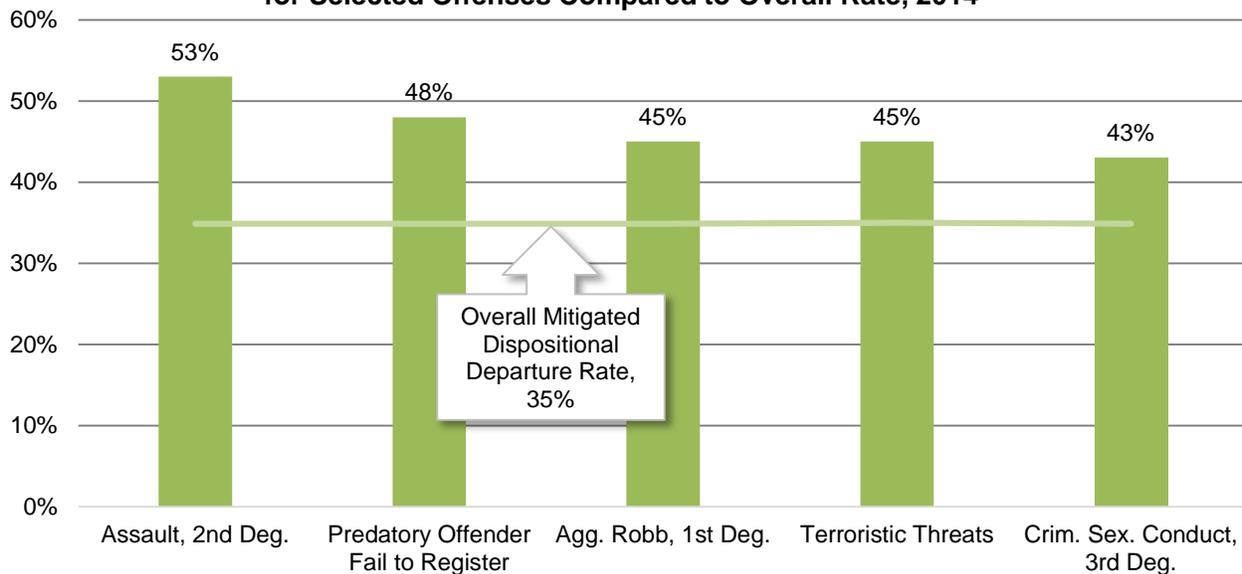
Figure 13 displays the mitigated dispositional departure rate by offense type. The rate is lowest for property offenses. Except for felony DWI, the mitigated dispositional departure rate exceeded the 2013 rates in every category.

**Figure 13. Mitigated Dispositional Departure Rates  
by Offense Type, 2014  
(Presumptive Commitments Only)**



Even within offense types, departure rates vary by offense. Figure 14 displays the highest rates of mitigated dispositional departure compared to the overall rate of 35 percent. The selected offenses were those with 50 or more presumptive commitment cases and a mitigated dispositional departure rate of over 40 percent.

**Figure 14. High Mitigated Dispositional Departure Rates for Selected Offenses Compared to Overall Rate, 2014\***



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

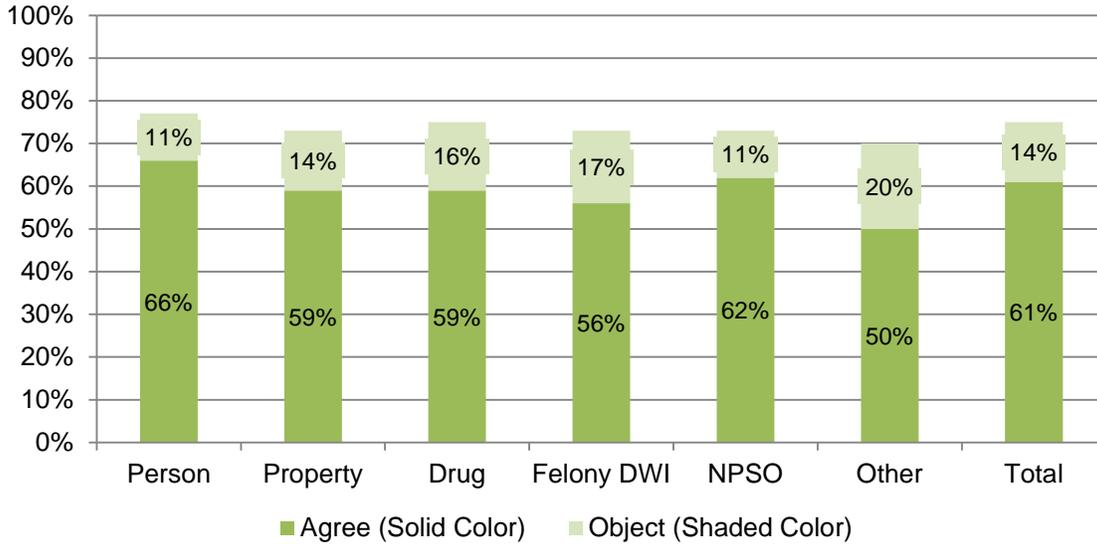
Assault in the second degree, by definition, involves the use of a dangerous weapon and therefore carries a mandatory minimum prison sentence (Minn. Stat. § [609.11](#), subds. 4, 5 & 9). The second-degree assault statute proscribes a broad range of misbehavior: Injury to the victim may or may not occur,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

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

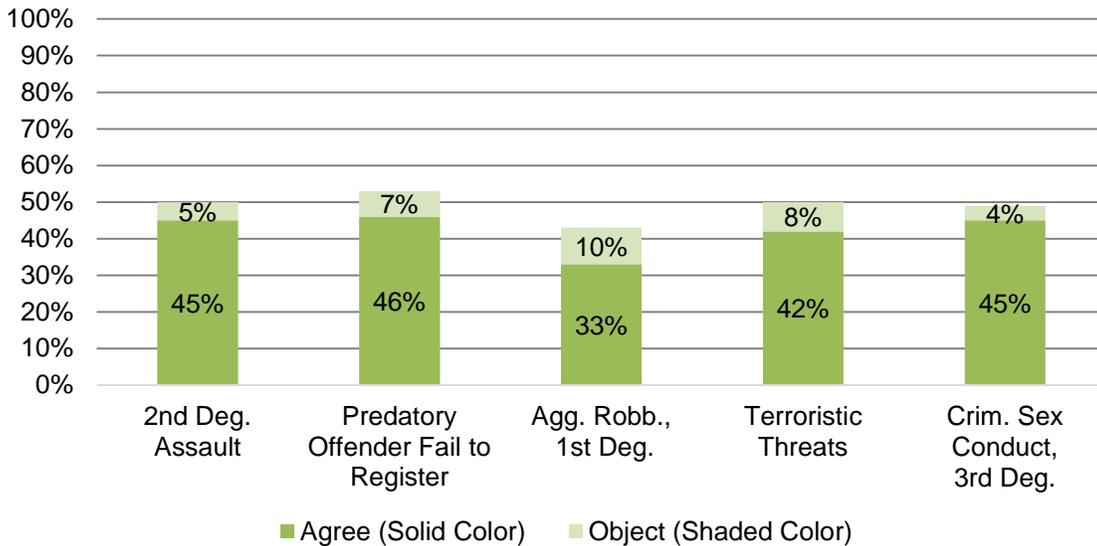
In 61 percent of the mitigated dispositional departures, the court stated that the prosecutor agreed to the departure, recommended the departure, or did not object to the departure. In 14 percent of these cases, the court stated that the prosecutor objected to the departure (Figure 15). The court did not supply information on the prosecutor's position in 25 percent of these departures. Prosecutor agreement can vary by offense type and offense (Figure 16). In all offense categories, amenability to probation and amenability to treatment were the most frequently cited substantial and compelling reasons for departure recorded.

\* The offenses were selected based on criteria that there were 50 or more "presumptive commitment" cases and the mitigated dispositional departure rate was over 40 percent.

**Figure 15. Mitigated Dispositional Departure Rates, Court-Cited Position of Prosecutor by Offense Type, 2014**



**Figure 16. Mitigated Dispositional Departure Rates, Court-Cited Position of Prosecutor for Selected Offenses, 2014\***



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

\* The offenses were selected based on criteria that there were 50 or more “presumptive commitment” cases and the mitigated dispositional departure rate was over 40 percent.

## Durational Departures

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

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

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

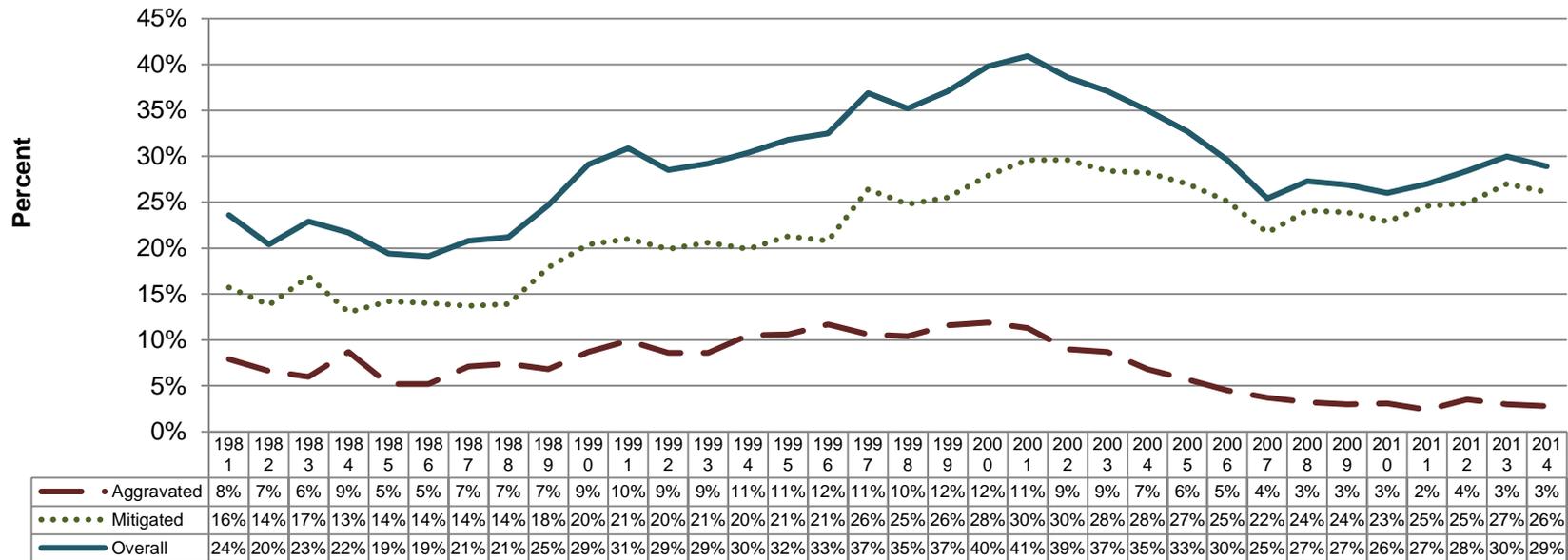
In 2014, the mitigated durational departure rate was lower than observed in 2013, at approximately 26 percent (26.1% compared to 27.3%). The aggravated durational departure rate increased slightly from 2.5 percent in 2013 to 2.8 percent. The trend in lower aggravated durational departure rates since the mid-2000s likely reflects the impact of increased presumptive sentences over the past years and issues related to the U.S. Supreme Court ruling in *Blakely v. Washington*, 542 U.S. 296 (2004), which required a jury to find all facts—other than the fact of a prior conviction or those facts agreed to by the defendant—used to enhance a sentence under mandatory sentencing guidelines.<sup>17</sup>

In response to the *Blakely* decision, the 2005 Legislature widened the ranges on the Standard Grid to 15 percent below and 20 percent above the presumptive fixed sentence, within which the court may sentence without departure. In 2006, a Sex Offender Grid was adopted. The Sex Offender Grid introduced higher presumptive sentences for repeat offenders and offenders with prior criminal history records.<sup>18</sup>

<sup>17</sup> The Minnesota Supreme Court determined that *Blakely's* jury requirements applied to aggravated departures under the Minnesota Sentencing Guidelines. *State v. Shattuck*, 704 N.W.2d 131 (Minn. 2005).

<sup>18</sup> For a deeper examination of the effect of the *Blakely* decision on sentencing practices, see the MSGC special report: *Impact of Blakely and Expanded Ranges on Sentencing Grid*, at: <http://mn.gov/sentencing-guidelines/reports/>

**Figure 17. Durational Departure Rates, 1981-2014  
Executed Prison Sentences Only**



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

Table 22 illustrates durational departure rates for executed prison sentences by gender, race/ethnicity, and Minnesota Judicial District. The mitigated durational departure rate for males sentenced in 2014 was higher than for females (26.7% vs. 20.3%). When the departure rate is examined by racial and ethnic composition, the rate varies from a low of 17.7 percent for American Indian offenders to a high of 38.0 percent for Asian offenders. There is also considerable variation in mitigated durational departure rates by Minnesota Judicial District, ranging from a low of 6.5 percent in the Eighth Judicial District to a high of 51.1 percent in the Fourth Judicial District.

### Durational Departures by Offense Type

As with dispositional departures, it can be useful to look at durational departures by offense type. As Figure 18 demonstrates, offenses in the drug and other categories have higher mitigated durational departure rates and lower aggravated durational departure rates than other offense types. The offenses in the “other” category with the highest mitigated durational departures are failure to register as a predatory offender and possession of a firearm by an ineligible felon. Property offenses had the highest aggravated durational departure rate at five percent.

**Figure 18. Durational Departure Rates by Offense Type, 2014  
(Executed Prison Sentences Only)**

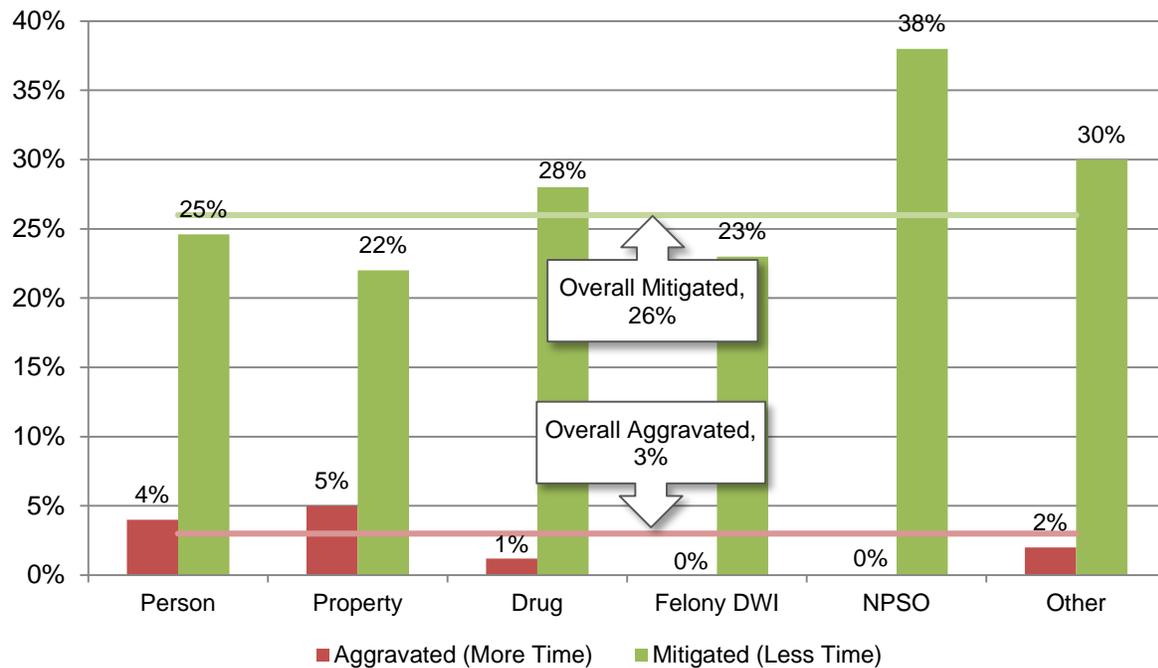
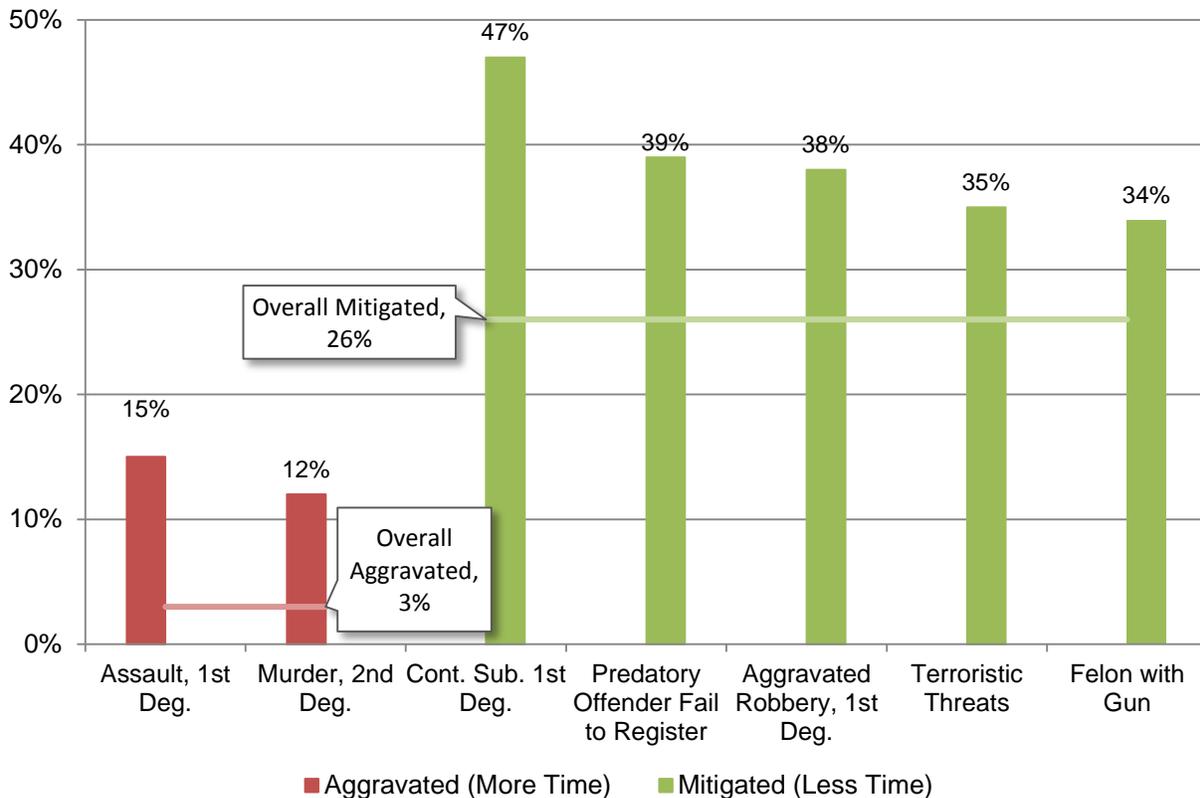


Figure 19 displays offenses with the highest durational departure rates among offenses with at least 40 executed prison cases. Included in this graph are offenses with mitigated durational departure rates above 34 percent, or aggravated durational departure rates above 10 percent.

Aggravated durational departure rates were highest for assault in the first degree and murder in the second degree. Mitigated durational departure rates were highest for controlled substance crime in the first degree, failure to register as a predatory offender, aggravated robbery in the first degree, terroristic threats, and certain persons prohibited from possessing a firearm (“Felon with Gun”).

**Figure 19. High Durational Departure Rates for Selected Offenses\*  
Compared to the Overall Rate, 2014  
(Executed Prison Sentences Only)**



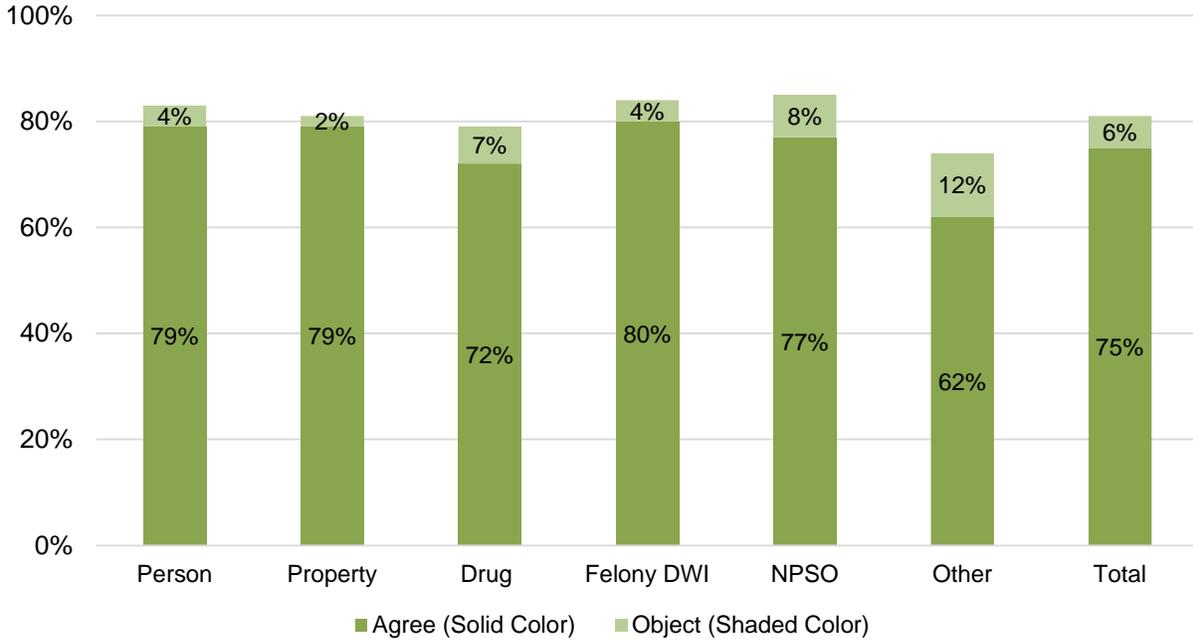
\* Selected based on criteria that there were 40 or more presumptive commitment cases and the aggravated durational departure rate was 10 percent or more or the mitigated durational departure rate was 33 percent or more.

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

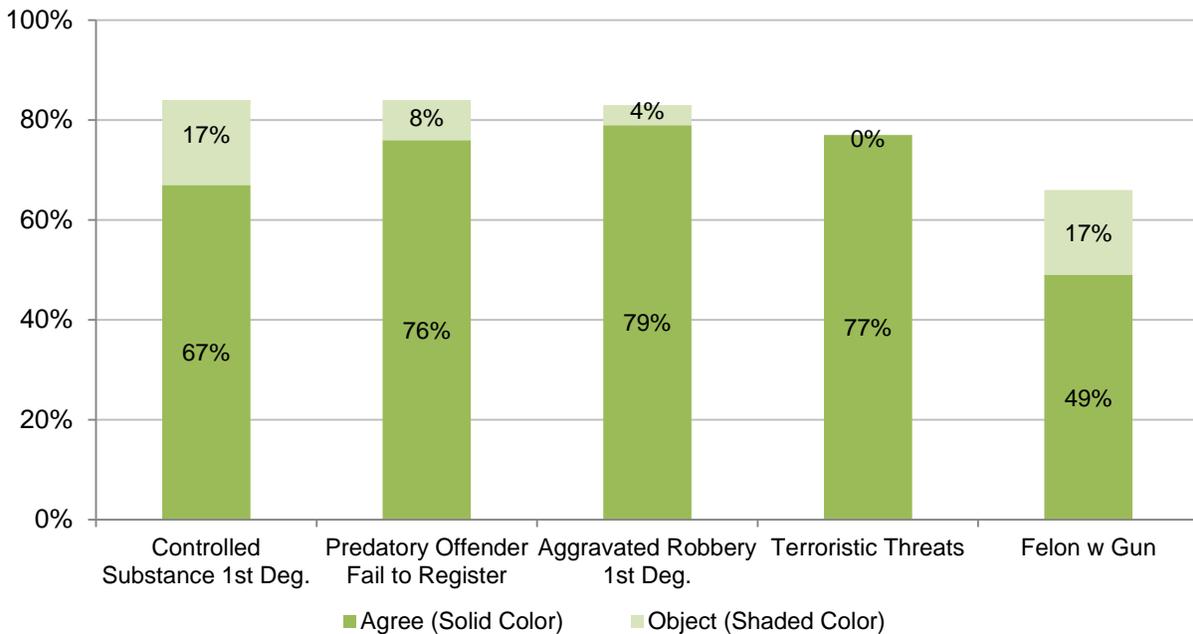
In 75 percent of the mitigated durational departures, the court stated that the prosecutor agreed to the departure, recommended the departure, or did not object to the departure (Figure 20). In six percent of these cases, the court stated that the prosecutor objected to the departure. In 19 percent of the mitigated durational departures, the court did not provide information on the position of the prosecutor. These rates varied somewhat by offense (Figure 21).

In 64 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 36 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 22).

**Figure 20. Mitigated Durational Departures, Court-Cited Position of Prosecutor by Offense Type, 2014**

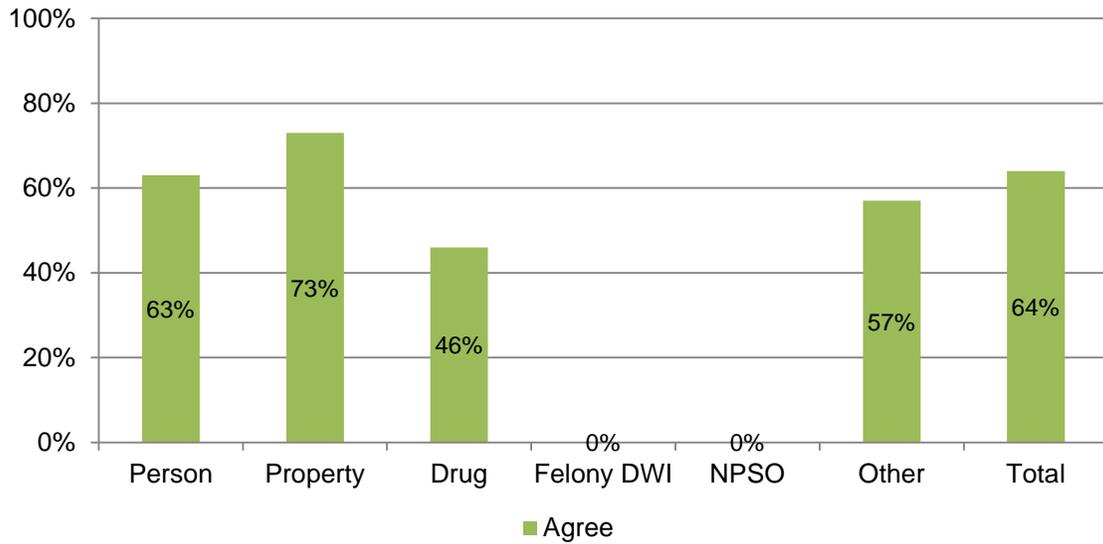


**Figure 21. Mitigated Durational Departures, Court-Cited Position of Prosecutor for Selected Offenses, 2014**



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

**Figure 22. Aggravated Durational Departures:  
Court-Cited Position of Prosecutor by Offense Type, 2014**



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

## Data Tables

### Felony Convictions Receiving Misdemeanor or Gross Misdemeanor Sentences

Under Minn. Stat. § [609.13](#), if the court pronounces a misdemeanor or gross misdemeanor sentence for a felony conviction, that conviction is deemed a gross misdemeanor or misdemeanor. The sentence is a mitigated durational departure from the Guidelines because it is below the appropriate range on the applicable Grid (i.e., a duration of less than one year and one day). Although there are relatively few of these departures each year, the rate for this type of departure grew significantly during the 2000s. In 2014, as in 2013, five percent of felony offenders received a misdemeanor or gross misdemeanor sentence.

**Table 4. Felony-Level Convictions Receiving Misdemeanor or Gross Misdemeanor Sentences, 1981-2014**

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

## Case Volume and Distribution

Table 5. Volume of Offenders by Gender, 1981-2014

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

Table 6. Volume of Offenders by Offense Type, 1981-2014

Year	Person		Property		Drug		Felony DWI		Non-CSC Sex Offense <sup>19</sup>		Other <sup>20,21</sup>		Total
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	
2014	4,905	30.4%	4,589	28.4%	4,363	27.0%	656	4.1%	507	3.1%	1,125	7.0%	16,145
2013	4,836	31.6%	4,528	29.6%	3,821	24.9%	510	3.3%	518	3.4%	1,105	7.2%	15,318
2012	4,841	31.8%	4,604	30.3%	3,552	23.4%	631	4.1%	495	3.3%	1,084	7.1%	15,207
2011	4,685	32.2%	4,232	29.0%	3,409	23.4%	660	4.5%	476	3.3%	1,109	7.6%	14,571
2010	4,605	32.2%	4,334	30.3%	3,326	23.2%	667	4.7%	---	---	1,379	9.6%	14,311
2009	4,517	30.4%	4,651	31.3%	3,578	24.1%	704	4.7%	---	---	1,390	9.4%	14,840
2008	4,238	27.5%	5,003	32.5%	3,878	25.2%	779	5.1%	---	---	1,496	9.7%	15,394
2007	4,117	25.5%	5,650	34.9%	4,166	25.8%	735	4.5%	---	---	1,499	9.3%	16,167
2006	3,839	23.3%	5,886	35.8%	4,484	27.3%	788	4.8%	---	---	1,446	8.8%	16,443
2005	3,376	21.8%	5,455	35.3%	4,364	28.2%	834	5.4%	---	---	1,431	9.3%	15,460
2004	3,174	21.5%	5,350	36.3%	4,038	27.4%	860	5.8%	---	---	1,329	9.0%	14,751
2003	3,141	21.7%	5,395	37.2%	3,896	26.9%	810	5.6%	---	---	1,250	8.6%	14,492
2002	2,957	22.8%	5,271	40.6%	3,423	26.4%	102	0.8%	---	---	1,224	9.4%	12,977
2001	2,679	24.8%	4,470	41.4%	2,596	24.0%	0	0.0%	---	---	1,051	9.7%	10,796
2000	2,575	24.8%	4,291	41.3%	2,596	25.0%	---	---	---	---	933	9.0%	10,395
1999	2,714	25.5%	4,634	43.6%	2,391	22.5%	---	---	---	---	895	8.4%	10,634
1998	2,783	25.6%	4,732	43.5%	2,542	23.3%	---	---	---	---	830	7.6%	10,887
1997	2,543	25.8%	4,651	47.2%	2,127	21.6%	---	---	---	---	526	5.3%	9,847
1996	2,620	27.6%	4,731	49.9%	1,695	17.9%	---	---	---	---	434	4.6%	9,480
1995	2,726	28.9%	4,527	48.1%	1,719	18.2%	---	---	---	---	449	4.8%	9,421
1994	2,881	29.4%	4,777	48.8%	1,692	17.3%	---	---	---	---	437	4.5%	9,787

<sup>19</sup> "Non-CSC sex offenses" are offenses on the sex offender grid other than criminal sexual conduct (chiefly failure to register as a predatory offender and possession and dissemination of child pornography).

<sup>20</sup> "Other" category includes: Possession of a firearm by a felon convicted of a crime of violence, fleeing police, escape, discharge of a firearm, and other offenses of less frequency.

<sup>21</sup> "Other" includes DWI before 2004 and non-CSC sex offenses before 2010.

Year	Person		Property		Drug		Felony DWI		Non-CSC Sex Offense <sup>19</sup>		Other <sup>20,21</sup>		Total
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	Total
1993	2,602	27.0%	4,932	51.2%	1,800	18.7%	---	---	---	---	303	3.1%	9,637
1992	2,438	26.1%	4,742	50.9%	1,830	19.6%	---	---	---	---	315	3.4%	9,325
1991	2,305	25.2%	4,897	53.5%	1,693	18.5%	---	---	---	---	266	2.9%	9,161
1990	2,246	25.4%	4,589	51.9%	1,811	20.5%	---	---	---	---	198	2.2%	8,844
1989	1,862	23.4%	4,296	53.9%	1,602	20.1%	---	---	---	---	214	2.7%	7,974
1988	1,881	24.8%	4,310	56.9%	1,180	15.6%	---	---	---	---	201	2.7%	7,572
1987	1,577	23.6%	4,145	62.1%	766	11.5%	---	---	---	---	186	2.8%	6,674
1986	1,377	22.8%	3,867	64.1%	651	10.8%	---	---	---	---	137	2.3%	6,032
1985	1,590	25.5%	3,841	61.6%	651	10.4%	---	---	---	---	154	2.5%	6,236
1984	1,484	25.6%	3,561	61.5%	620	10.7%	---	---	---	---	127	2.2%	5,792
1983	1,204	21.6%	3,664	65.9%	585	10.5%	---	---	---	---	109	2.0%	5,562
1982	1,267	20.9%	3,965	65.4%	689	11.4%	---	---	---	---	145	2.4%	6,066
1981	1,145	20.8%	3,438	62.5%	808	14.7%	---	---	---	---	109	2.0%	5,500

Table 7. Volume of Offenders by Race/Ethnicity, 1981-2014

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

**Table 8. Offense Type by Race, 2014**

<b>Category/ Offense Title</b>	<b>Total Number*</b>	<b>White</b>	<b>Black</b>	<b>American Indian</b>	<b>Hispanic</b>	<b>Asian</b>	<b>Other</b>
<b>Person Offenses</b>	<b>4,905</b>	<b>47.9%</b>	<b>34.7%</b>	<b>8.9%</b>	<b>5.9%</b>	<b>2.6%</b>	<b>0.0%</b>
<i>Accidents</i>	2	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<i>Aggravated Robbery 1</i>	229	19.7%	67.2%	7.0%	4.8%	1.3%	0.0%
<i>Aggravated Robbery 2</i>	31	25.8%	64.5%	3.2%	6.5%	0.0%	0.0%
<i>Assault 1</i>	61	34.4%	37.7%	16.4%	6.6%	4.9%	0.0%
<i>Assault 2</i>	326	42.3%	35.9%	12.6%	5.2%	4.0%	0.0%
<i>Assault 3</i>	365	50.7%	29.3%	12.6%	6.0%	1.4%	0.0%
<i>Assault 4</i>	196	44.4%	34.2%	15.8%	5.1%	0.5%	0.0%
<i>Assault 5</i>	66	39.4%	36.4%	18.2%	6.1%	0.0%	0.0%
<i>Coercion</i>	3	66.7%	0.0%	0.0%	33.3%	0.0%	0.0%
<i>Burglary 1 (severity=8)</i>	118	47.5%	32.2%	11.0%	6.8%	2.5%	0.0%
<i>Criminal Sexual Conduct (CSC) 1</i>	122	54.9%	24.6%	6.6%	13.9%	0.0%	0.0%
<i>CSC 2</i>	112	66.1%	10.7%	6.3%	12.5%	4.5%	0.0%
<i>CSC 3</i>	188	60.1%	19.1%	4.3%	13.3%	3.2%	0.0%
<i>CSC 4</i>	68	69.1%	11.8%	8.8%	5.9%	4.4%	0.0%
<i>CSC 5</i>	1	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
<i>Criminal Vehicular Homicide</i>	24	75.0%	4.2%	4.2%	16.7%	0.0%	0.0%
<i>Crim. Vehicular Injury (severity=3)</i>	73	79.5%	2.7%	8.2%	4.1%	5.5%	0.0%
<i>Crim. Vehicular Injury (severity=5)</i>	20	90.0%	10.0%	0.0%	0.0%	0.0%	0.0%
<i>Domestic Assault</i>	612	45.8%	36.8%	11.8%	4.2%	1.5%	0.0%
<i>Domestic Assault by Strangulation</i>	281	46.3%	39.1%	5.0%	6.8%	2.8%	0.0%
<i>Drive-by Shooting</i>	15	33.3%	60.0%	0.0%	6.7%	0.0%	0.0%
<i>False Imprisonment</i>	11	54.5%	36.4%	9.1%	0.0%	0.0%	0.0%
<i>Kidnapping(severity=8/9)</i>	12	50.0%	41.7%	0.0%	0.0%	8.3%	0.0%
<i>Kidnapping (severity=6)</i>	11	54.5%	0.0%	36.4%	9.1%	0.0%	0.0%
<i>Malicious Punishment of a Child</i>	26	42.3%	34.6%	3.8%	7.7%	11.5%	0.0%
<i>Manslaughter 1 (severity=9)</i>	4	25.0%	50.0%	25.0%	0.0%	0.0%	0.0%
<i>Manslaughter 1 (severity=8)</i>	0						
<i>Manslaughter 2 (severity=8)</i>	10	60.0%	20.0%	10.0%	10.0%	0.0%	0.0%
<i>Murder 1</i>	20	35.0%	50.0%	5.0%	0.0%	10.0%	0.0%

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

<b>Category/ Offense Title</b>	<b>Total Number*</b>	<b>White</b>	<b>Black</b>	<b>American Indian</b>	<b>Hispanic</b>	<b>Asian</b>	<b>Other</b>
<i>Murder 2/3 (severity=10)</i>	25	24.0%	52.0%	8.0%	8.0%	8.0%	0.0%
<i>Murder 2 (severity=11)</i>	44	25.0%	56.8%	9.1%	4.5%	4.5%	0.0%
<i>Murder 3 (severity=9)</i>	5	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<i>Parental Rights</i>	7	85.7%	14.3%	0.0%	0.0%	0.0%	0.0%
<i>Prostitution</i>	17	29.4%	47.1%	5.9%	5.9%	11.8%	0.0%
<i>Simple Robbery</i>	163	25.8%	61.3%	7.4%	4.9%	0.6%	0.0%
<i>Solicit Minor for Sex</i>	33	75.8%	9.1%	6.1%	9.1%	0.0%	0.0%
<i>Stalking (severity=4)</i>	24	66.7%	25.0%	4.2%	4.2%	0.0%	0.0%
<i>Stalking (severity=5)</i>	57	68.4%	26.3%	1.8%	3.5%	0.0%	0.0%
<i>Terroristic Threats (severity=1, 2)</i>	19	73.7%	15.8%	5.3%	0.0%	5.3%	0.0%
<i>Terroristic Threats (severity=4)</i>	738	55.4%	26.6%	8.3%	5.3%	4.5%	0.0%
<i>Violate Restraining Order</i>	715	45.7%	40.8%	6.9%	4.6%	2.0%	0.0%
<i>Other Person Offenses**</i>	41	34.1%	46.3%	7.3%	4.9%	7.3%	0.0%
<b>Property Offenses</b>	<b>4,589</b>	<b>63.4%</b>	<b>22.4%</b>	<b>7.5%</b>	<b>3.6%</b>	<b>3.0%</b>	<b>0.0%</b>
<i>Arson 1</i>	17	58.8%	35.3%	5.9%	0.0%	0.0%	0.0%
<i>Arson 2</i>	12	75.0%	8.3%	16.7%	0.0%	0.0%	0.0%
<i>Arson 3</i>	5	80.0%	20.0%	0.0%	0.0%	0.0%	0.0%
<i>Burglary 1 (severity=6)</i>	179	50.8%	35.8%	4.5%	6.1%	2.8%	0.0%
<i>Burglary 2 (severity=4)</i>	68	72.1%	22.1%	2.9%	2.9%	0.0%	0.0%
<i>Burglary 2 (severity=5)</i>	419	65.2%	21.5%	8.8%	3.6%	1.0%	0.0%
<i>Burglary 3</i>	484	68.8%	19.2%	6.6%	4.1%	1.2%	0.0%
<i>Check Forgery (severity=1)</i>	15	60.0%	20.0%	20.0%	0.0%	0.0%	0.0%
<i>Check Forgery (severity=2)</i>	290	54.1%	29.0%	9.0%	2.4%	5.5%	0.0%
<i>Check Forgery (severity=3)</i>	72	72.2%	15.3%	6.9%	2.8%	1.4%	1.4%
<i>Check Forgery (severity=5)</i>	3	66.7%	33.3%	0.0%	0.0%	0.0%	0.0%
<i>Counterfeit Check</i>	35	34.3%	48.6%	8.6%	0.0%	8.6%	0.0%
<i>Criminal Damage to Property</i>	164	73.2%	14.0%	6.7%	4.9%	1.2%	0.0%
<i>Financial Transaction Card Fraud</i>	295	68.1%	23.4%	6.4%	1.4%	0.7%	0.0%
<i>Identity Theft</i>	54	50.0%	24.1%	1.9%	7.4%	16.7%	0.0%
<i>Issue Dishonored Check</i>	92	83.7%	13.0%	1.1%	1.1%	1.1%	0.0%
<i>Mail Theft</i>	15	80.0%	6.7%	0.0%	6.7%	6.7%	0.0%

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

<b>Category/ Offense Title</b>	<b>Total Number*</b>	<b>White</b>	<b>Black</b>	<b>American Indian</b>	<b>Hispanic</b>	<b>Asian</b>	<b>Other</b>
<i>MV Use w/o Consent (severity=3)</i>	377	54.9%	16.7%	13.3%	4.0%	11.1%	0.0%
<i>Other Forgery</i>	34	41.2%	26.5%	2.9%	26.5%	2.9%	0.0%
<i>Poss. Shoplifting Gear</i>	34	58.8%	29.4%	8.8%	2.9%	0.0%	0.0%
<i>Possess Burglary Tools</i>	162	66.0%	19.8%	6.2%	1.9%	6.2%	0.0%
<i>Receiving Stolen Property</i>	383	73.1%	15.7%	6.3%	3.1%	1.8%	0.0%
<i>Theft</i>	1,053	63.3%	23.6%	8.1%	2.9%	2.1%	0.0%
<i>Theft from Person</i>	76	13.2%	68.4%	9.2%	7.9%	1.3%	0.0%
<i>Theft of a Firearm</i>	23	56.5%	26.1%	17.4%	0.0%	0.0%	0.0%
<i>Theft of MV (severity=4)</i>	53	50.9%	18.9%	13.2%	11.3%	5.7%	0.0%
<i>Theft Over \$35,000</i>	39	97.4%	2.6%	0.0%	0.0%	0.0%	0.0%
<i>Wrongfully Obtaining Assistance</i>	63	55.6%	30.2%	1.6%	9.5%	3.2%	0.0%
<i>Other Property Offenses**</i>	73	75.3%	20.5%	2.7%	1.4%	0.0%	0.0%
<b>Drug Offenses</b>	<b>4,363</b>	<b>65.5%</b>	<b>19.0%</b>	<b>7.2%</b>	<b>5.4%</b>	<b>2.9%</b>	<b>0.0%</b>
<i>Con Sub Intent to Manufacture</i>	8	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<i>Controlled Substance 1</i>	278	53.2%	22.7%	2.2%	19.4%	2.5%	0.0%
<i>Controlled Substance 2</i>	427	64.4%	20.8%	4.7%	7.5%	2.6%	0.0%
<i>Controlled Substance 3</i>	603	57.5%	27.4%	7.3%	5.6%	2.2%	0.0%
<i>Controlled Substance 4</i>	135	65.2%	17.0%	7.4%	8.1%	2.2%	0.0%
<i>Controlled Substance 5</i>	2,849	68.6%	16.8%	8.1%	3.4%	3.1%	0.0%
<i>Other Drug Offenses**</i>	63	60.3%	15.9%	7.9%	11.1%	4.8%	0.0%
<b>Felony DWI</b>	<b>656</b>	<b>68.9%</b>	<b>15.7%</b>	<b>6.9%</b>	<b>6.6%</b>	<b>2.0%</b>	<b>0.0%</b>
<b>Non-CSC Sex Offense</b>	<b>507</b>	<b>60.9%</b>	<b>25.4</b>	<b>7.3</b>	<b>4.3</b>	<b>1.8</b>	<b>0.2%</b>
<i>Child Porn</i>	90	88.9%	2.2%	2.2%	4.4%	1.1%	1.1%
<i>Predatory Offender Fail to Register</i>	414	54.8%	30.4%	8.5%	4.3%	1.9%	0.0%
<b>Other Offenses</b>	<b>1,125</b>	<b>50.0%</b>	<b>33.1%</b>	<b>10.3%</b>	<b>4.2%</b>	<b>2.4%</b>	<b>0.0%</b>
<i>Accomplice After the Fact</i>	22	31.8%	54.5%	13.6%	0.0%	0.0%	0.0%
<i>Aid Offender</i>	20	58.8%	23.1%	11.8%	5.9%	0.0%	0.0%
<i>Bribery</i>	2	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
<i>Discharge Firearm</i>	38	57.9%	23.7%	2.6%	5.3%	10.5%	0.0%
<i>Escape (severity=3)</i>	79	43.0%	22.8%	27.8%	6.3%	0.0%	0.0%
<i>Failure to Appear</i>	14	42.9%	14.3%	35.7%	7.1%	0.0%	0.0%
<i>Felon with Gun</i>	371	36.7%	46.9%	9.2%	4.6%	2.7%	0.0%

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

<b>Category/ Offense Title</b>	<b>Total Number*</b>	<b>White</b>	<b>Black</b>	<b>American Indian</b>	<b>Hispanic</b>	<b>Asian</b>	<b>Other</b>
<i>Flee Police in MV</i>	404	60.4%	24.5%	8.9%	4.0%	2.2%	0.0%
<i>Lottery Fraud</i>	5	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<i>Obstruct Legal Process</i>	10	50.0%	40.0%	10.0%	0.0%	0.0%	0.0%
<i>Other Weapon Related</i>	40	47.5%	35.0%	10.0%	5.0%	2.5%	0.0%
<i>Perjury</i>	9	66.7%	33.3%	0.0%	33.3%	0.0%	0.0%
<i>Tamper with Witness</i>	10	70.0%	20.0%	0.0%	10.0%	0.0%	0.0%
<i>Offenses Not Listed Elsewhere**</i>	97	60.8%	27.8%	6.2%	2.1%	3.1%	0.0%
<b>Total</b>	<b>16,145</b>	<b>58.5%</b>	<b>25.8%</b>	<b>8.0%</b>	<b>5.0%</b>	<b>2.7%</b>	<b>0.0%</b>

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

**Table 9. Volume of Offenders by Judicial District, 1981-2014**

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

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

**Table 10. Volume of Offenders by Severity-Level Group and Criminal-History Group, 1978, 1981-2014**

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

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

For example, of offenders sentenced in 2014, 329 had a Criminal History Score of 0 and were sentenced for a Severity Level 1 offense. Of the offenders sentenced for Severity Level 1 offenses, 39.0 percent had a Criminal History Score of 0 (the row percent). Of the offenders who had a Criminal History Score of 0, 6.7 percent were sentenced for a Severity Level 1 offense (the column percent).

The Sex Offender Grid went into effect August 1, 2006. In 2014, 1,004 offenders were sentenced using the Sex Offender Grid. Those offenders are excluded from Table 11a and are displayed on Table 11b.

Table 11a. Distribution of Offenders by Severity and History, 2014

Grid Cell Count Row Percent Column Percent	Criminal History Score							Row Total
	0	1	2	3	4	5	6+	
<i>Murder 1</i>	9 45.0% 0.2%	2 10.0% 0.1%	3 15.0% 0.1%	3 15.0% 0.2%	2 10.0% 0.2%	0 0.0% 0.0%	1 5.0% 0.1%	20 100% 0.1%
<b>Sev. Level 11</b>	12 27.3% 0.2%	6 13.6% 0.2%	8 18.2% 0.4%	6 13.6% 0.4%	5 11.4% 0.4%	2 4.5% 0.2%	5 11.4% 0.3%	44 100% 0.3%
<b>Sev. Level 10</b>	13 50.0% 0.3%	3 11.5% 0.1%	3 11.5% 0.1%	2 7.7% 0.1%	0 0.0% 0.0%	2 7.7% 0.2%	3 11.5% 0.2%	26 100% 0.2%
<b>Sev. Level 9</b>	158 41.9% 3.2%	45 11.9% 1.7%	46 12.2% 2.1%	43 11.4% 2.7%	23 6.1% 1.8%	14 3.7% 1.6%	48 12.7% 3.1%	377 100% 2.5%
<b>Sev. Level 8</b>	323 36.7% 6.5%	145 16.5% 5.4%	122 13.9% 5.4%	92 10.5% 5.8%	73 8.3% 5.8%	44 5.0% 5.0%	80 9.1% 5.2%	879 100% 5.8%
<b>Sev. Level 7</b>	125 18.8% 2.5%	201 30.3% 7.5%	128 19.3% 5.7%	61 9.2% 3.8%	57 8.6% 4.6%	45 6.8% 5.1%	47 7.1% 3.1%	664 100% 4.4%
<b>Sev. Level 6</b>	497 31.4% 10.1%	281 17.8% 10.4%	227 14.3% 10.1%	155 9.8% 9.7%	149 9.4% 11.9%	88 5.6% 10.0%	185 11.7% 12.0%	1,582 100% 10.4%
<b>Sev. Level 5</b>	248 34.8% 5.0%	135 19.0% 5.0%	111 15.6% 4.9%	56 7.9% 3.5%	52 7.3% 4.2%	34 4.8% 3.9%	76 10.7% 4.9%	712 100% 4.7%
<b>Sev. Level 4</b>	1,036 27.7% 21.0%	636 17.0% 23.6%	565 15.1% 25.2%	504 13.5% 31.5%	354 9.5% 28.3%	249 6.7% 28.3%	400 10.7% 26.0%	3,744 100% 24.7%
<b>Sev. Level 3</b>	508 36.4% 10.3%	219 15.7% 8.1%	166 11.9% 7.4%	155 11.1% 9.7%	102 7.3% 8.1%	63 4.5% 7.2%	182 13.0% 11.8%	1,395 100% 9.2%
<b>Sev. Level 2</b>	1,680 34.6% 34.0%	891 18.4% 33.1%	760 15.7% 33.9%	443 9.1% 27.7%	373 7.7% 29.8%	279 5.7% 31.7%	428 8.8% 27.8%	4,854 100% 32.1%
<b>Sev. Level 1</b>	329 39.0% 6.7%	128 15.2% 4.8%	104 12.3% 4.6%	79 9.4% 4.9%	62 7.3% 5.0%	60 7.1% 6.8%	82 9.7% 5.3%	844 100% 5.6%
<b>Column Total</b>	4,938 32.6% 100%	2,692 17.8% 100%	2,243 14.8% 100%	1,599 10.6% 100%	1,252 8.3% 100%	880 5.8% 100%	1,537 10.2% 100%	15,141 100% 100%

**Table 11b. Distribution of Offenders by Severity and Criminal History, Sex Offender Grid, 2014**

Grid Cell Count Row Percent Column Percent	Criminal History Score							Row Total
	0	1	2	3	4	5	6+	
<b>Sev. Level A</b>	54	11	5	5	4	6	16	101
	53.5%	10.9%	5.0%	5.0%	4.0%	5.9%	15.8%	100%
	14.2%	7.7%	4.9%	4.9%	4.5%	8.7%	13.4%	10.1%
<b>Sev. Level B</b>	16	3	1	1	2	1	4	28
	57.1%	10.7%	3.6%	3.6%	7.1%	3.6%	14.3%	100%
	4.2%	2.1%	1.0%	1.0%	2.3%	1.4%	3.4%	2.8%
<b>Sev. Level C</b>	39	7	7	3	5	2	5	68
	57.4%	10.3%	10.3%	4.4%	7.4%	2.9%	7.4%	100%
	10.3%	4.9%	6.8%	2.9%	5.7%	2.9%	4.2%	6.8%
<b>Sev. Level D</b>	132	35	6	9	6	7	6	201
	65.7%	17.4%	3.0%	4.5%	3.0%	3.5%	3.0%	100%
	34.7%	24.5%	5.8%	8.8%	6.8%	10.1%	5.0%	20.0%
<b>Sev. Level E</b>	18	9	5	3	1	1	3	40
	45.0%	22.5%	12.5%	7.5%	2.5%	2.5%	7.5%	100%
	4.7%	6.3%	4.9%	2.9%	1.1%	1.4%	2.5%	4.0%
<b>Sev. Level F</b>	23	8	2	2	3	3	1	42
	54.8%	19.0%	4.8%	4.8%	7.1%	7.1%	2.4%	100%
	6.1%	5.6%	1.9%	2.0%	3.4%	4.3%	0.8%	4.2%
<b>Sev. Level G</b>	49	17	14	10	9	4	9	112
	43.8%	15.2%	12.5%	8.9%	8.0%	3.6%	8.0%	100%
	12.9%	11.9%	13.6%	9.8%	10.2%	5.8%	7.6%	11.2%
<b>Sev. Level H Failure to Register</b>	49	53	63	69	58	45	75	412
	11.9%	12.9%	15.3%	16.7%	14.1%	10.9%	18.2%	100%
	12.9%	37.1%	61.2%	67.6%	65.9%	65.2%	63.0%	41.0%
<b>Column Total</b>	380	143	103	102	88	69	119	1,004
	37.8%	14.2%	10.3%	10.2%	8.8%	6.9%	11.9%	100%
	100%	100%	100%	100%	100%	100%	100%	100%

## Incarceration Rates

**How to read Table 12:** The following table shows the percentage of offenders by gender whom the Guidelines presumed should receive an executed prison sentence (“presumptive”) and who actually received an executed prison sentence (“actual”). For example, of the 13,219 male offenders sentenced in 2014 (Table 5), 37.9 percent had a presumptive prison disposition and 29 percent received a sentence of imprisonment. The actual imprisonment rates in this table and the local incarceration rates in Table 15 can be added together to derive the total incarceration rates.

**Table 12. Imprisonment Rate by Gender, 1978, 1981-2014**

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

**How to read Table 13:** The following table shows the percentage of offenders for each race/ethnicity for whom the Guidelines presumed should receive an executed prison sentence (“presumptive”) and who actually received an executed prison sentence (“actual”). For example, of the 9,443 white offenders sentenced in 2014 (Table 7), 30.3 percent had a presumptive prison disposition and 22.7 percent received a sentence of imprisonment. The actual imprisonment rates in this table and the local incarceration rates in Table 16 can be added together to derive the total incarceration rate.

**Table 13. Imprisonment Rate by Race/Ethnicity, 1978, 1981-2014**

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

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

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

**How to read Table 14:** The following table shows the percentage of offenders sentenced in each MN Judicial District for whom the Guidelines presumed should receive an executed prison sentence (“Pres.”) and who actually received an executed prison sentence (“Act.”). For example, of the 3,192 offenders sentenced in the Fourth Judicial District in 2014 (Table 9), 42.2 percent had a recommended prison disposition and 31 percent received a sentence of incarceration in a state prison. The actual imprisonment rates in this table and the local incarceration rates in Table 17 can be added together to derive the total incarceration rate.

**Table 14. Imprisonment Rates by MN Judicial District, 1978, 1981-2014**

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

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

**How to read Table 15:** The following table shows the percentage of offenders by gender who received incarceration in a local correctional facility as a condition of a stayed sentence. For example, of the 13,219 male offenders sentenced in 2014 (Table 5), 64.4 percent received incarceration in a local as a condition of a stayed sentence.

**Table 15. Incarceration in Local Facilities as Condition of a Stayed Sentence by Gender, 1978, 1981-2014**

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

**How to read Table 16:** The following table shows the percentage of offenders for each race/ethnicity who received incarceration in a local facility as a condition of a stayed sentence. For example, of the 9,443 white offenders sentenced in 2014 (Table 7), 68.4 percent received incarceration in a local facility as a condition of a stayed sentence.

**Table 16. Incarceration in Local Facilities by Race/Ethnicity, 1978, 1981-2014**

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

**How to read Table 17:** The following table shows the percentage of offenders sentenced in each Minnesota Judicial District who received confinement time as a condition of a stayed prison sentence. For example, of the 3,192 offenders sentenced in the Fourth Judicial District in 2014 (Table 1), 62.3 percent received a sentence including incarceration in a local correctional facility.

**Table 17. Incarceration Rates in Local Correctional Facilities by Judicial District, 1978, 1981-2014**

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

## Departure Rates

**Table 18. Dispositional Departures by Gender, Race, and Judicial District, 2014**

		All Cases							
		Total Cases	Total Disp. Dep. Rate	No Departure		Aggravated		Mitigated	
				No.	Rate	No.	Rate	No.	Rate
<b>Gender</b>	Male	13,219	16.1%	11,097	83.9%	473	3.6%	1,649	12.5%
	Female	2,926	14.4%	2,504	85.6%	132	4.5%	290	9.9%
<b>Race/ Ethnicity</b>	White	9,443	15.7%	7,959	84.3%	383	4.1%	1,101	11.7%
	Black	4,163	16.6%	3,472	83.4%	112	2.7%	579	13.9%
	American Indian	1,296	15.2%	1,099	84.8%	68	5.2%	129	10.0%
	Hispanic	802	15.0%	682	85.0%	26	3.2%	94	11.7%
	Asian	439	11.8%	387	88.2%	16	3.6%	36	8.2%
	Other/ Unknown	2	0.0%	0	0.0%	0	0.0%	0	0/0%
	<b>Judicial District</b>	First	1,864	15.6%	1,574	84.4%	72	3.9%	218
Second		2,008	16.3%	1,681	83.7%	51	2.5%	276	13.7%
Third		1,264	15.3%	1,071	84.7%	58	4.6%	135	10.7%
Fourth		3,192	17.3%	2,639	82.7%	97	3.0%	456	14.3%
Fifth		871	17.1%	722	82.9%	44	5.1%	105	12.1%
Sixth		967	18.0%	793	82.0%	27	2.8%	147	15.2%
Seventh		1,708	14.5%	1,461	85.5%	69	4.0%	178	10.4%
Eighth		430	12.6%	376	87.4%	18	4.2%	36	8.4%
Ninth		1,510	16.3%	1,264	83.7%	91	6.0%	155	10.3%
Tenth		2,331	13.3%	2,020	86.7%	78	3.3%	233	10.0%
<b>Overall</b>		<b>16,145</b>	<b>15.8%</b>	<b>13,601</b>	<b>84.2%</b>	<b>605</b>	<b>3.7%</b>	<b>1,939</b>	<b>12.0%</b>

**Table 19. Dispositional Departures for Presumptive Stays and Presumptive Commits  
by Gender, Race/Ethnicity, and Judicial District, 2014**

		Total Cases	Presumptive Stays			Presumptive Commits		
			Total	Aggravated Dispositional Departure		Total	Mitigated Dispositional Departure	
				Number	Rate		Number	Rate
<b>Gender</b>	Male	13,219	8,204	473	5.8%	5,015	1,649	32.9%
	Female	2,926	2,389	132	5.5%	537	290	54.0%
<b>Race/ Ethnicity</b>	White	9,443	6,585	383	5.8%	2,858	1,101	38.5%
	Black	4,163	2,368	112	4.7%	1,795	579	32.3%
	American Indian	1,296	834	68	8.2%	462	129	27.9%
	Hispanic	802	493	26	5.3%	309	94	30.4%
	Asian	439	311	16	5.1%	128	36	28.1%
	Other/Unknown	2	2	0	0.0%	0	0	0.0%
<b>Judicial District</b>	First	1,864	1,330	72	5.4%	534	218	40.8%
	Second	2,008	1,245	51	4.1%	763	276	36.2%
	Third	1,264	863	58	6.7%	401	135	33.7%
	Fourth	3,192	1,845	97	5.3%	1,347	456	33.9%
	Fifth	871	612	44	7.2%	259	105	40.5%
	Sixth	967	623	27	4.3%	344	147	42.7%
	Seventh	1,708	1,099	69	6.3%	609	178	29.2%
	Eighth	430	305	18	5.9%	125	36	28.8%
	Ninth	1,510	1,038	91	8.8%	472	155	32.8%
	Tenth	2,331	1,633	78	4.8%	698	233	33.4%
<b>Overall</b>		<b>16,145</b>	<b>10,593</b>	<b>605</b>	<b>5.7%</b>	<b>5,552</b>	<b>1,939</b>	<b>34.9%</b>

Table 20. Durational Departures, 1981-2014

Year	All Cases							
	Total Cases	Total Dur. Dep. Rate	No Departure		Aggravated		Mitigated	
			No.	Rate	No.	Rate	No.	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%

Table 21. Durational Departures by Gender, Race, and Judicial District, 2014

		All Cases							
		Total Cases	Total Dur. Dep. Rate	No Departure		Aggravated		Mitigated	
				No.	Rate	No.	Rate	No.	Rate
<b>Gender</b>	Male	13,219	15.2%	11,209	84.8%	209	1.6%	1,801	13.6%
	Female	2,926	10.8%	2,611	89.2%	30	1.0%	285	9.7%
<b>Race/ Ethnicity</b>	White	9,443	11.7%	8,338	88.3%	113	1.2%	992	10.5%
	Black	4,163	21.8%	3,257	78.2%	85	2.0%	821	19.7%
	American Indian	1,296	11.0%	1,154	89.0%	23	1.8%	119	9.2%
	Hispanic	802	12.0%	706	88.0%	11	1.4%	85	10.6%
	Asian	439	17.3%	363	82.7%	7	1.6%	69	15.7%
	Other/ Unknown	2	0.0%	2	100%	0	0.0%	0	0.0%
	<b>Judicial District</b>	First	1,864	16.1%	1,563	83.9%	32	1.7%	269
Second		2,008	16.7%	1,673	83.3%	24	1.2%	311	15.5%
Third		1,264	5.6%	1,193	94.4%	7	0.6%	64	5.1%
Fourth		3,192	30.2%	2,227	69.8%	96	3.0%	869	27.2%
Fifth		871	8.3%	799	91.7%	11	1.3%	61	7.0%
Sixth		967	8.3%	887	91.7%	12	1.2%	68	7.0%
Seventh		1,708	10.7%	1,525	89.3%	9	0.5%	174	10.2%
Eighth		430	4.4%	411	95.6%	1	0.2%	18	4.2%
Ninth		1,510	6.8%	1,408	93.2%	17	1.1%	85	5.6%
Tenth		2,331	8.5%	2,134	91.5%	30	1.3%	167	7.2%
<b>Overall</b>		<b>16,145</b>	<b>14.4%</b>	<b>13,820</b>	<b>85.6%</b>	<b>239</b>	<b>1.5%</b>	<b>2,086</b>	<b>12.9%</b>

**Table 22. Durational Departures by Gender, Race, and Judicial District, Executed Prison Sentences Only, 2014**

		Executed Prison Sentences Only							
		Number Executed Prison	Total Dur. Dep. Rate	No Departure		Aggravated		Mitigated	
				No.	Rate	No.	Rate	No.	Rate
<b>Gender</b>	Male	3,839	29.5%	2,705	70.5%	110	2.9%	1,024	26.7%
	Female	379	22.2%	295	77.8%	7	1.8%	77	20.3%
<b>Race/ Ethnicity</b>	White	2,140	22.5%	1,659	77.5%	52	2.4%	429	20.0%
	Black	1,328	41.1%	782	58.9%	43	3.2%	503	37.9%
	American Indian	401	20.9%	317	79.1%	13	3.2%	71	17.7%
	Hispanic	241	26.6%	177	73.4%	7	2.9%	57	23.7%
	Asian	108	39.8%	65	60.2%	2	1.9%	41	38.0%
	Other/ Unknown	0	---	---	---	---	---	---	---
	<b>Judicial District</b>	First	388	20.6%	308	79.4%	14	3.6%	66
Second		538	37.7%	335	62.3%	14	2.6%	189	35.1%
Third		324	11.4%	287	88.6%	4	1.2%	33	10.2%
Fourth		988	55.1%	444	44.9%	39	3.9%	505	51.1%
Fifth		198	20.7%	157	79.3%	5	2.5%	36	18.2%
Sixth		224	25.4%	167	74.6%	10	4.5%	47	21.0%
Seventh		500	22.6%	387	77.4%	3	0.6%	110	22.0%
Eighth		107	7.5%	99	92.5%	1	0.9%	7	6.5%
Ninth		408	11.3%	362	88.7%	6	1.5%	40	9.8%
Tenth		543	16.4%	454	83.6%	21	3.9%	68	12.5%
<b>Overall</b>		<b>4,218</b>	<b>28.9%</b>	<b>3,000</b>	<b>71.1%</b>	<b>117</b>	<b>2.8%</b>	<b>1,101</b>	<b>26.1%</b>

## County Tables

Table 23. Number of Offenders Sentenced and Incarceration Rates by County, 2014

County	Number of Offenders Sentenced			Incarceration Type				Total Incarceration	
				Prison		Local Confinement			
	2013	2014	Percent Change	Number	Rate	Number	Rate	Number	Rate
Aitkin	63	75	19.0%	23	31%	50	67%	73	97%
Anoka	753	821	9.0%	167	20%	607	74%	774	94%
Becker	138	154	11.6%	44	29%	109	71%	153	99%
Beltrami	217	222	2.3%	63	28%	142	64%	205	92%
Benton	135	136	0.7%	31	23%	101	74%	132	97%
Big Stone	8	10	25.0%	1	10%	9	90%	10	100%
Blue Earth	206	260	26.2%	55	21%	178	68%	233	90%
Brown	37	43	16.2%	9	21%	32	74%	41	95%
Carlton	143	147	2.8%	32	22%	111	76%	143	97%
Carver	115	144	25.2%	24	17%	100	69%	124	86%
Cass	128	144	12.5%	41	28%	84	58%	125	87%
Chippewa	35	27	-22.9%	8	30%	18	67%	26	96%
Chisago	138	154	11.6%	41	27%	106	69%	147	95%
Clay	172	180	4.7%	58	32%	115	64%	173	96%
Clearwater	44	35	-20.5%	13	37%	20	57%	33	94%
Cook	9	17	88.9%	4	24%	10	59%	14	82%
Cottonwood	37	42	13.5%	9	21%	22	52%	31	74%
Crow Wing	215	241	12.1%	45	19%	109	45%	154	64%
Dakota	1,022	1031	0.9%	205	20%	745	72%	950	92%
Dodge	32	45	40.6%	17	38%	22	49%	39	87%
Douglas	99	104	5.1%	27	26%	77	74%	104	100%
Faribault	48	47	-2.1%	12	26%	35	74%	47	100%
Fillmore	24	30	25.0%	4	13%	25	83%	29	97%
Freeborn	97	81	-16.5%	28	35%	46	57%	74	91%
Goodhue	128	127	-0.8%	26	20%	99	78%	125	98%
Grant	12	20	66.7%	6	30%	13	65%	19	95%
Hennepin	2,983	3192	7.0%	987	31%	1988	62%	2975	93%
Houston	48	45	-6.3%	8	18%	30	67%	38	84%
Hubbard	92	62	-32.6%	15	24%	45	73%	60	97%
Isanti	111	130	17.1%	30	23%	96	74%	126	97%
Itasca	196	210	7.1%	55	26%	131	62%	186	89%

County	Number of Offenders Sentenced			Incarceration Type				Total Incarceration	
				Prison		Local Confinement			
	2013	2014	Percent Change	Number	Rate	Number	Rate	Number	Rate
Jackson	20	17	-15.0%	3	18%	12	71%	15	88%
Kanabec	88	65	-26.1%	14	22%	48	74%	62	95%
Kandiyohi	137	134	-2.2%	29	22%	99	74%	128	96%
Kittson	2	7	250.0%	1	14%	6	86%	7	100%
Koochiching	48	45	-6.3%	2	4%	21	47%	23	51%
Lac Qui Parle	14	20	42.9%	4	20%	13	65%	17	85%
Lake	27	32	18.5%	5	16%	22	69%	27	84%
Lake of the Woods	10	17	70.0%	4	24%	9	53%	13	76%
Le Sueur	34	37	8.8%	7	19%	26	70%	33	89%
Lincoln	8	8	0.0%	4	50%	4	50%	8	100%
Lyon	73	88	20.5%	22	25%	63	72%	85	97%
McLeod	94	99	5.3%	20	20%	75	76%	95	96%
Mahnomen	68	100	47.1%	30	30%	63	63%	93	93%
Marshall	21	21	0.0%	2	10%	12	57%	14	67%
Martin	79	88	11.4%	23	26%	61	69%	84	95%
Meeker	32	42	31.3%	12	29%	26	62%	38	90%
Mille Lacs	161	173	7.5%	51	29%	119	69%	170	98%
Morrison	110	103	-6.4%	25	24%	78	76%	103	100%
Mower	166	177	6.6%	56	32%	38	21%	94	53%
Murray	22	11	-50.0%	2	18%	9	82%	11	100%
Nicollet	46	59	28.3%	19	32%	33	56%	52	88%
Nobles	43	66	53.5%	15	23%	47	71%	62	94%
Norman	16	11	-31.3%	6	55%	5	45%	11	100%
Olmsted	452	401	-11.3%	108	27%	235	59%	343	86%
Otter Tail	164	148	-9.8%	34	23%	99	67%	133	90%
Pennington	47	51	8.5%	12	24%	21	41%	33	65%
Pine	121	134	10.7%	36	27%	97	72%	133	99%
Pipestone	20	19	-5.0%	3	16%	15	79%	18	95%
Polk	189	210	11.1%	86	41%	116	55%	202	96%
Pope	22	22	0.0%	6	27%	16	73%	22	100%
Ramsey	1,925	2,008	4.3%	538	27%	1456	73%	1994	99%
Red Lake	6	11	83.3%	4	36%	5	45%	9	82%
Redwood	78	78	0.0%	16	21%	61	78%	77	99%
Renville	38	50	31.6%	13	26%	27	54%	40	80%

County	Number of Offenders Sentenced			Incarceration Type				Total Incarceration	
				Prison		Local Confinement			
	2013	2014	Percent Change	Number	Rate	Number	Rate	Number	Rate
Rice	155	134	-13.5%	29	22%	93	69%	122	91%
Rock	6	10	66.7%	1	10%	8	80%	9	90%
Roseau	45	48	6.7%	6	13%	39	81%	45	94%
St. Louis	785	771	-1.8%	183	24%	453	59%	636	82%
Scott	381	387	1.6%	97	25%	225	58%	322	83%
Sherburne	242	222	-8.3%	68	31%	150	68%	218	98%
Sibley	32	39	21.9%	9	23%	30	77%	39	100%
Stearns	482	600	24.5%	194	32%	387	65%	581	97%
Steele	124	127	2.4%	29	23%	90	71%	119	94%
Stevens	7	16	128.6%	6	38%	10	63%	16	100%
Swift	22	28	27.3%	5	18%	23	82%	28	100%
Todd	37	66	78.4%	20	30%	46	70%	66	100%
Traverse	14	14	0.0%	3	21%	11	79%	14	100%
Wabasha	52	41	-21.2%	9	22%	30	73%	39	95%
Wadena	45	44	-2.2%	15	34%	27	61%	42	95%
Waseca	51	46	-9.8%	8	17%	22	48%	30	65%
Washington	445	481	8.1%	107	22%	356	74%	463	96%
Watonwan	40	35	-12.5%	5	14%	29	83%	34	97%
Wilkin	19	16	-15.8%	3	19%	13	81%	16	100%
Winona	132	137	3.8%	28	20%	70	51%	98	72%
Wright	312	324	3.8%	80	25%	234	72%	314	97%
Yellow Medicine	24	31	29.2%	9	29%	20	65%	29	94%
<b>Total</b>	<b>15,318</b>	<b>16,145</b>	<b>5.4%</b>	<b>4,214</b>	<b>26%</b>	<b>10,678</b>	<b>66%</b>	<b>14,892</b>	<b>92%</b>

**Table 24. Dispositional Departure Rates by County,  
All Cases, Presumptive Stays, and Presumptive Commits, 2014**

County	All Cases			Presumptive Stays			Presumptive Commits		
	Total	No Departure		Total	Aggravated Departure		Total	Mitigated Departure	
		Number	Rate		Number	Rate		Number	Rate
Aitkin	75	66	88.0%	45	1	2.20%	30	8	26.7%
Anoka	821	708	86.2%	589	24	4.10%	232	89	38.4%
Becker	154	139	90.3%	101	3	3.00%	53	12	22.6%
Beltrami	222	193	86.9%	148	9	6.10%	74	20	27.0%
Benton	136	123	90.4%	96	2	2.10%	40	11	27.5%
Big Stone	10	7	70.0%	8	1	12.50%	2	2	100.0%
Blue Earth	260	205	78.8%	180	15	8.30%	80	40	50.0%
Brown	43	39	90.7%	34	2	5.90%	9	2	22.2%
Carlton	147	118	80.3%	92	3	3.30%	55	26	47.3%
Carver	144	121	84.0%	105	4	3.80%	39	19	48.7%
Cass	144	124	86.1%	101	9	8.90%	43	11	25.6%
Chippewa	27	27	100.0%	19	0	0.00%	8	0	0.0%
Chisago	154	140	90.9%	109	5	4.60%	45	9	20.0%
Clay	180	160	88.9%	124	11	8.90%	56	9	16.1%
Clearwater	35	33	94.3%	24	2	8.30%	11	0	0.0%
Cook	17	12	70.6%	12	2	16.70%	5	3	60.0%
Cottonwood	42	34	81.0%	27	1	3.70%	15	7	46.7%
Crow Wing	241	212	88.0%	189	11	5.80%	52	18	34.6%
Dakota	1,031	887	86.0%	732	25	3.40%	299	119	39.8%
Dodge	45	35	77.8%	30	6	20.00%	15	4	26.7%
Douglas	104	100	96.2%	75	1	1.30%	29	3	10.3%
Faribault	47	41	87.2%	35	3	8.60%	12	3	25.0%
Fillmore	30	26	86.7%	22	0	0.00%	8	4	50.0%
Freeborn	81	65	80.2%	51	7	13.70%	30	9	30.0%

County	All Cases			Presumptive Stays			Presumptive Commits		
	Total	No Departure		Total	Aggravated Departure		Total	Mitigated Departure	
		Number	Rate		Number	Rate		Number	Rate
Goodhue	127	99	78.0%	87	7	8.00%	40	21	52.5%
Grant	20	17	85.0%	13	1	7.70%	7	2	28.6%
Hennepin	3,192	2,639	82.7%	1845	97	5.30%	1347	456	33.9%
Houston	45	39	86.7%	31	0	0.00%	14	6	42.9%
Hubbard	62	59	95.2%	46	1	2.20%	16	2	12.5%
Isanti	130	110	84.6%	92	6	6.50%	38	14	36.8%
Itasca	210	141	67.1%	124	19	15.30%	86	50	58.1%
Jackson	17	15	88.2%	12	0	0.00%	5	2	40.0%
Kanabec	65	56	86.2%	44	1	2.30%	21	8	38.1%
Kandiyohi	134	118	88.1%	101	6	5.90%	33	10	30.3%
Kittson	7	6	85.7%	5	0	0.00%	2	1	50.0%
Koochiching	45	40	88.9%	38	0	0.00%	7	5	71.4%
Lac Qui Parle	20	17	85.0%	15	1	6.70%	5	2	40.0%
Lake	32	26	81.3%	25	2	8.00%	7	4	57.1%
Lake of the Woods	17	12	70.6%	10	1	10.00%	7	4	57.1%
Le Sueur	37	32	86.5%	31	3	9.70%	6	2	33.3%
Lincoln	8	7	87.5%	3	0	0.00%	5	1	20.0%
Lyon	88	71	80.7%	53	2	3.80%	35	15	42.9%
McLeod	99	87	87.9%	77	5	6.50%	22	7	31.8%
Mahnomen	100	89	89.0%	71	6	8.50%	29	5	17.2%
Marshall	21	16	76.2%	16	1	6.30%	5	4	80.0%
Martin	88	68	77.3%	61	8	13.10%	27	12	44.4%
Meeker	42	38	90.5%	28	1	3.60%	14	3	21.4%
Mille Lacs	173	145	83.8%	114	10	8.80%	59	18	30.5%
Morrison	103	90	87.4%	77	6	7.80%	26	7	26.9%
Mower	177	156	88.1%	124	12	9.70%	53	9	17.0%

County	All Cases			Presumptive Stays			Presumptive Commits		
	Total	No Departure		Total	Aggravated Departure		Total	Mitigated Departure	
		Number	Rate		Number	Rate		Number	Rate
Murray	11	10	90.9%	10	1	10.00%	1	0	0.0%
Nicollet	59	50	84.7%	37	3	8.10%	22	6	27.3%
Nobles	66	56	84.8%	51	5	9.80%	15	5	33.3%
Norman	11	9	81.8%	7	2	28.60%	4	0	0.0%
Olmsted	401	349	87.0%	271	15	5.50%	130	37	28.5%
Otter Tail	148	124	83.8%	98	4	4.10%	50	20	40.0%
Pennington	51	43	84.3%	37	3	8.10%	14	5	35.7%
Pine	134	122	91.0%	94	4	4.30%	40	8	20.0%
Pipestone	19	16	84.2%	17	2	11.80%	2	1	50.0%
Polk	210	169	80.5%	129	23	17.80%	81	18	22.2%
Pope	22	18	81.8%	14	1	7.10%	8	3	37.5%
Ramsey	2,008	1,681	83.7%	1245	51	4.10%	763	276	36.2%
Red Lake	11	9	81.8%	7	1	14.30%	4	1	25.0%
Redwood	78	71	91.0%	57	1	1.80%	21	6	28.6%
Renville	50	40	80.0%	33	4	12.10%	17	6	35.3%
Rice	134	112	83.6%	91	4	4.40%	43	18	41.9%
Rock	10	8	80.0%	9	1	11.10%	1	1	100.0%
Roseau	48	43	89.6%	41	2	4.90%	7	3	42.9%
St. Louis	771	637	82.6%	494	20	4.00%	277	114	41.2%
Scott	387	319	82.4%	278	28	10.10%	109	40	36.7%
Sherburne	222	204	91.9%	146	5	3.40%	76	13	17.1%
Sibley	39	29	74.4%	20	0	0.00%	19	10	52.6%
Stearns	600	486	81.0%	341	25	7.30%	259	89	34.4%
Steele	127	113	89.0%	88	2	2.30%	39	12	30.8%
Stevens	16	11	68.8%	9	2	22.20%	7	3	42.9%
Swift	28	27	96.4%	22	0	0.00%	6	1	16.7%

County	All Cases			Presumptive Stays			Presumptive Commits		
	Total	No Departure		Total	Aggravated Departure		Total	Mitigated Departure	
		Number	Rate		Number	Rate		Number	Rate
Todd	66	56	84.8%	48	6	12.50%	18	4	22.2%
Traverse	14	14	100.0%	11	0	0.00%	3	0	0.0%
Wabasha	41	37	90.2%	34	3	8.80%	7	1	14.3%
Wadena	44	38	86.4%	25	1	4.00%	19	5	26.3%
Waseca	46	38	82.6%	34	2	5.90%	12	6	50.0%
Washington	481	419	87.1%	336	12	3.60%	145	50	34.5%
Watonwan	35	31	88.6%	26	0	0.00%	9	4	44.4%
Wilkin	16	13	81.3%	10	0	0.00%	6	3	50.0%
Winona	137	101	73.7%	87	7	8.00%	50	29	58.0%
Wright	324	261	80.6%	223	21	9.40%	101	42	41.6%
Yellow Medicine	31	29	93.5%	22	1	4.50%	9	1	11.1%
<b>Total</b>	<b>16,145</b>	<b>13,601</b>	<b>84.2%</b>	<b>10,593</b>	<b>605</b>	<b>5.70%</b>	<b>5,552</b>	<b>1,939</b>	<b>34.9%</b>

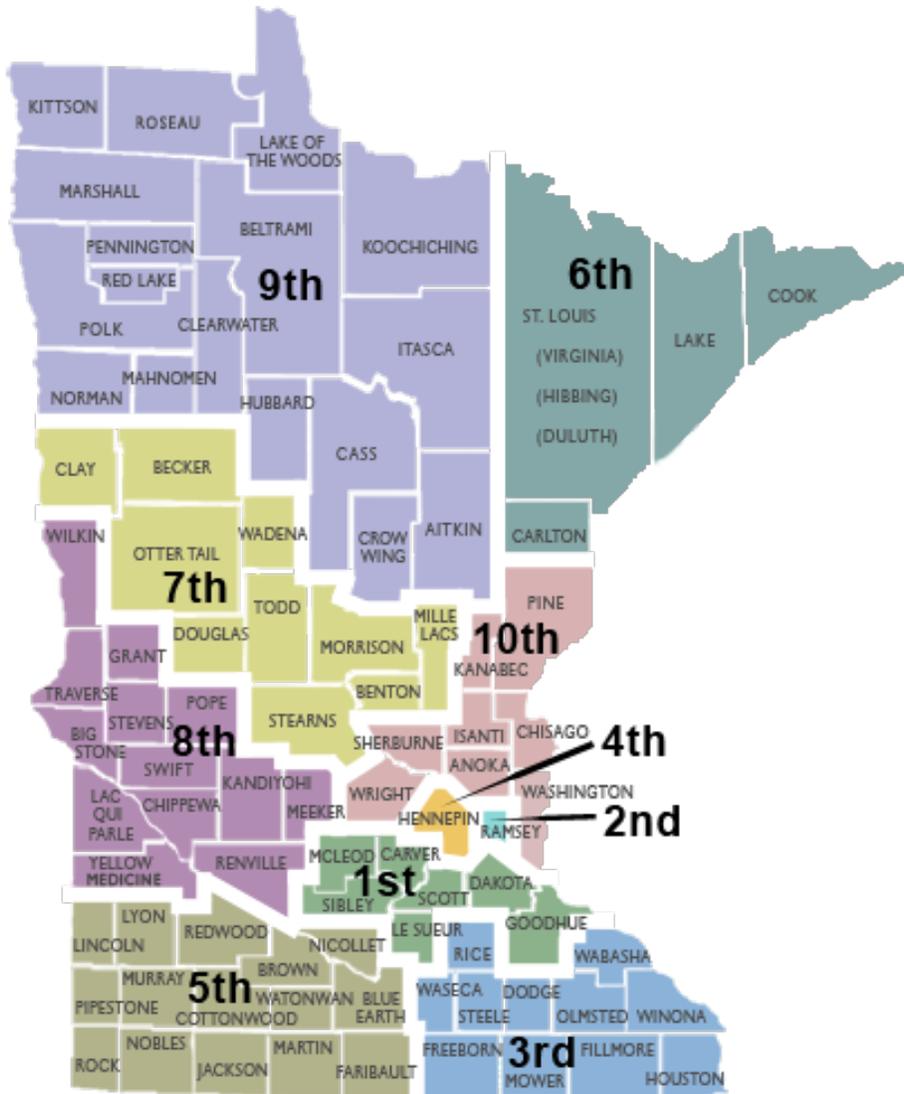
Table 25. Durational Departures by County, Executed Prison Sentences Only, 2014

County	Number of Executed Prison Sentences	No Departure		Aggravated Departure		Mitigated Departure	
		Number	Rate	Number	Rate	Number	Rate
Aitkin	23	22	96%	0	0%	1	4%
Anoka	167	141	84%	8	5%	18	11%
Becker	44	41	93%	1	2%	2	5%
Beltrami	63	60	95%	2	3%	1	2%
Benton	31	28	90%	0	0%	3	10%
Big Stone	1	1	100%	0	0%	0	0%
Blue Earth	55	45	82%	2	4%	8	15%
Brown	9	9	100%	0	0%	0	0%
Carlton	32	15	47%	0	0%	17	53%
Carver	24	18	75%	2	8%	4	17%
Cass	41	38	93%	0	0%	3	7%
Chippewa	8	8	100%	0	0%	0	0%
Chisago	41	31	76%	5	12%	5	12%
Clay	58	53	91%	2	3%	3	5%
Clearwater	13	11	85%	0	0%	2	15%
Cook	4	3	75%	0	0%	1	25%
Cottonwood	9	5	56%	0	0%	4	44%
Crow Wing	45	41	91%	1	2%	3	7%
Dakota	205	170	83%	3	1%	32	16%
Dodge	17	16	94%	0	0%	1	6%
Douglas	27	26	96%	0	0%	1	4%
Faribault	12	10	83%	0	0%	2	17%
Fillmore	4	4	100%	0	0%	0	0%
Freeborn	28	26	93%	0	0%	2	7%
Goodhue	26	18	69%	2	8%	6	23%
Grant	6	5	83%	0	0%	1	17%
Hennepin	988	444	45%	39	4%	505	51%
Houston	8	7	88%	0	0%	1	13%
Hubbard	15	15	100%	0	0%	0	0%
Isanti	30	28	93%	0	0%	2	7%
Itasca	55	43	78%	0	0%	12	22%
Jackson	3	2	67%	0	0%	1	33%
Kanabec	14	13	93%	1	7%	0	0%
Kandiyohi	29	29	100%	0	0%	0	0%
Kittson	1	1	100%	0	0%	0	0%
Koochiching	2	1	50%	0	0%	1	50%

County	Number of Executed Prison Sentences	No Departure		Aggravated Departure		Mitigated Departure	
		Number	Rate	Number	Rate	Number	Rate
Lac Qui Parle	4	3	75%	1	25%	0	0%
Lake	5	5	100%	0	0%	0	0%
Lake of the Woods	4	2	50%	0	0%	2	50%
Le Sueur	7	4	57%	2	29%	1	14%
Lincoln	4	3	75%	0	0%	1	25%
Lyon	22	20	91%	0	0%	2	9%
McLeod	20	16	80%	0	0%	4	20%
Mahnomen	30	27	90%	0	0%	3	10%
Marshall	2	2	100%	0	0%	0	0%
Martin	23	12	52%	1	4%	10	43%
Meeker	12	11	92%	0	0%	1	8%
Mille Lacs	51	42	82%	0	0%	9	18%
Morrison	25	17	68%	0	0%	8	32%
Mower	56	53	95%	0	0%	3	5%
Murray	2	2	100%	0	0%	0	0%
Nicollet	19	16	84%	0	0%	3	16%
Nobles	15	9	60%	2	13%	4	27%
Norman	6	5	83%	0	0%	1	17%
Olmsted	108	88	81%	2	2%	18	17%
Otter Tail	34	29	85%	0	0%	5	15%
Pennington	12	10	83%	1	8%	1	8%
Pine	36	32	89%	0	0%	4	11%
Pipestone	3	3	100%	0	0%	0	0%
Polk	86	75	87%	2	2%	9	10%
Pope	6	5	83%	0	0%	1	17%
Ramsey	538	335	62%	14	3%	189	35%
Red Lake	4	3	75%	0	0%	1	25%
Redwood	16	15	94%	0	0%	1	6%
Renville	15	12	80%	0	0%	3	20%
Rice	29	25	86%	1	3%	3	10%
Rock	1	1	100%	0	0%	0	0%
Roseau	6	6	100%	0	0%	0	0%
St. Louis	183	144	79%	10	5%	29	16%
Scott	97	76	78%	5	5%	16	16%
Sherburne	68	59	87%	3	4%	6	9%
Sibley	9	6	67%	0	0%	3	33%

County	Number of Executed Prison Sentences	No Departure		Aggravated Departure		Mitigated Departure	
		Number	Rate	Number	Rate	Number	Rate
Stearns	195	121	62%	0	0%	74	38%
Steele	29	29	100%	0	0%	0	0%
Stevens	6	6	100%	0	0%	0	0%
Swift	5	5	100%	0	0%	0	0%
Todd	20	20	100%	0	0%	0	0%
Traverse	3	3	100%	0	0%	0	0%
Wabasha	9	7	78%	1	11%	1	11%
Wadena	15	10	67%	0	0%	5	33%
Waseca	8	8	100%	0	0%	0	0%
Washington	107	84	79%	3	3%	20	19%
Watonwan	5	5	100%	0	0%	0	0%
Wilkin	3	3	100%	0	0%	0	0%
Winona	28	24	86%	0	0%	4	14%
Wright	80	66	83%	1	1%	13	16%
Yellow Medicine	9	8	89%	0	0%	1	11%
<b>Total</b>	<b>4,218</b>	<b>3,000</b>	<b>71%</b>	<b>117</b>	<b>3%</b>	<b>1,101</b>	<b>26%</b>

# Minnesota Judicial District Map



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

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

## Sentencing Guidelines Grid

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

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

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



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



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

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

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

## Sex Offender Grid

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

### CRIMINAL HISTORY SCORE

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

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



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



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

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

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