

First-Degree Criminal Sexual Conduct, Sentenced 2020-2024

Minnesota Sentencing Guidelines Commission (MSGC) monitoring data are person-based, meaning cases represent persons rather than individual charges. Persons sentenced within the same county in a one-month period are generally counted only once, based on their most serious offense. This data request was prepared by the research staff of MSGC 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 request 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.

FIRST-DEGREE CRIMINAL SEXUAL CONDUCT

Analysis:

- Sentenced 2020-2024
- First-Degree Criminal Sexual Conduct under Minn. Stat. § 609.342
- Excludes attempts under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175
- Severity Level A (offenses committed on or after August 1, 2006)

From 2020-2024, 577 people were sentenced for First-Degree Criminal Sexual Conduct. Five of these cases received a life sentence. The following analysis is based on the 572 people who did not receive a life sentence.

127 (22%) of people received a mitigated dispositional departure. Of the 445 people who received an executed prison sentence, 67 (15%) received a mitigated durational departure and 38 (9%) received an aggravated durational departure. 31 cases received the statutory maximum duration of 360 months, and one case received a duration of 432 months. 43 (10%) cases received a consecutive sentence. The average pronounced prison term for all 572 cases was 197.5 months.

Table 1. Sentencing Information for First-Degree Criminal Sexual Conduct, 2020-2024

CHS	Total	Dispositional Departure		Durational Departure (prison only)			Average Pronounced Prison Term
		None	Mitigated	None	Aggravated	Mitigated	
0	334	233	101	172	18	43	150.2 months
	100.0%	69.8%	30.2%	73.8%	7.7%	18.5%	
1	54	46	8	32	7	7	174.3 months
	100.0%	85.2%	14.8%	69.6%	15.2%	15.2%	
2	22	18	4	15	3	0	201.3 months
	100.0%	81.8%	18.2%	83.3%	16.7%	0.0%	
3	78	67	11	54	7	6	230.2 months
	100.0%	85.9%	14.1%	80.6%	10.4%	9.0%	
4	20	20	0	14	2	4	235.9 months
	100.0%	100.0%	0.0%	70.0%	10.0%	20.0%	
5	14	13	1	13	0	0	299.1 months
	100.0%	92.9%	7.1%	100.0%	0.0%	0.0%	
6+	50	48	2	40	1	7	358.2 months
	100.0%	96.0%	4.0%	83.3%	2.1%	14.6%	
Total	572	445	127	340	38	67	197.5 months
	100.0%	77.8%	22.2%	76.4%	8.5%	15.1%	

The most common reasons cited for mitigated dispositional departures were amenable to probation, amenable to treatment, prevent trauma to victim from testifying, victim recommendation/acquiescence victim's family, and shows remorse/accepts responsibility. The prosecutor agreed to/recommended/did not object to the departure in 66% of cases, objected in 18% of cases, and in 16% of cases the position of the prosecutor was unknown.

The most common reasons cited for aggravated durational departures were victim is particularly vulnerable, particular cruelty, multiple victims/multiple incidents per victim, injury sustained by victim(s)/psychological impact.

The most common reasons cited for mitigated durational departures were prevent trauma to victim from testifying, victim recommendation/acquiescence victim's family, offense less onerous, and shows remorse/accepts responsibility. The prosecutor agreed to/recommended/did not object to the departure in 79% of cases, objected in 10% of cases, and in 10% of cases the position of the prosecutor was unknown.