

Criminal Vehicular Homicide (CVH): 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.

CRIMINAL VEHICULAR HOMICIDE

Analysis:

- Sentenced 2020-2024
- Criminal Vehicular Homicide (CVH), Minn. Stat. § 609.2112

From 2020-2024, 177 people were sentenced for a CVH offense. Of the 177 people sentenced, 81 (46%) received a mitigated dispositional departure. Of the 96 people who received prison, 8 (8%) received a mitigated durational departure and 3 (3%) received an aggravated durational departure. The average pronounced prison term for the 96 people who received prison was

Table 1. Sentencing Information for CVH, Sentenced 2020-2024

CHS	Total	Dispositional Departure		Durational Departure (prison only)			Average Pronounced Prison Term
		None	Mitigated	None	Aggravated	Mitigated	
0	125	56	69	52	1	3	48.0 months
	100.0%	44.8%	55.2%	92.9%	1.8%	5.4%	
1	16	11	5	9	2	0	64.5 months
	100.0%	68.8%	31.3%	81.8%	18.2%	0.0%	
2	11	7	4	5	0	2	60.6 months
	100.0%	63.6%	36.4%	71.4%	0.0%	28.6%	
3	8	8	0	7	0	1	70.4 months
	100.0%	100.0%	0.0%	87.5%	0.0%	12.5%	
4	5	5	0	4	0	1	84.0 months
	100.0%	100.0%	0.0%	80.0%	0.0%	20.0%	
5	5	3	2	3	0	0	91.0 months
	100.0%	60.0%	40.0%	100.0%	0.0%	0.0%	
6+	7	6	1	5	0	1	104.5 months
	100.0%	85.7%	14.3%	83.3%	0.0%	16.7%	
Total	177	96	81	85	3	8	59.4 months
	100.0%	54.2%	45.8%	88.5%	3.1%	8.3%	

The most common reasons cited for mitigated dispositional departures were victim recommendation/acquiescence victim’s family, amenable to probation, amenable to treatment, compliance with probation/extended supervision, recommended by court services, and shows remorse/accepts responsibility. The prosecutor agreed to/recommended/did not object to the departure in 52% of cases, objected to the departure in 27% of cases, and in 21% of cases the position of the prosecutor was unknown.

The most common reasons cited for mitigated durational departures were offense less onerous and shows remorse/accepts responsibility.

The reasons cited for aggravated durational departures were crime more onerous than usual offense, public protection, and victim recommendation/acquiescence victim’s family.