

### Check Forgery, subd. 4(3)(a): Sentenced 2020-2024

Minnesota Sentencing Guidelines Commission (MSGC) monitoring data are person-based, meaning cases represent a person 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.

#### CHECK FORGERY, \$251 - \$2,500, SUBD. 4(3)(A)

##### Analysis:

- Sentenced 2020-2024
- Check Forgery under Minn. Stat. § 609.631, subd. 4(3)(a)
- Excludes attempts under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175

From 2020-2024, 891 people were sentenced for felony check forgery under subd. 4(3)(a) – 695 (78%) were presumptive stays and 196 (22%) were presumptive commitments. No cases received an aggravated dispositional. Of the 196 people who were presumptive commits, 80 (41%) received a mitigated dispositional departure. Of the 141 people who received prison, 36 (18%) received a mitigated durational departure and three received an aggravated durational departure. 96 (11%) cases received a mitigated departure to a misdemeanor/gross misdemeanor sentence. The average pronounced prison term for the 141 cases that received prison was 19.2 months.

**Table 1. Sentencing Information for Check Forgery, subd. 4(3)(a): Sentenced 2020-2024**

CHS	Total	Recommended Disposition		Dispositional Departure (presumptive commit)		Durational Departure (prison only)			Average Pronounced Prison Term
		Stay	Commit	None	Mitigated	None	Aggravated	Mitigated	
0	216	216	0	---	---	1	0	0	12.0 months
	100.0%	100.0%	0.0%	---	---	100.0%	0.0%	0.0%	
1	116	116	0	---	---	2	0	0	12.0 months
	100.0%	100.0%	0.0%	---	---	100.0%	0.0%	0.0%	
2	108	108	0	---	---	0	1	1	14.8 months
	100.0%	100.0%	0.0%	---	---	0.0%	50.0%	50.0%	
3	96	96	0	---	---	3	0	0	15.0 months
	100.0%	100.0%	0.0%	---	---	100.0%	0.0%	0.0%	
4	88	88	0	---	---	7	0	1	16.8 months
	100.0%	100.0%	0.0%	---	---	87.5%	0.0%	12.5%	
5	71	71	0	---	---	6	0	3	17.1 months
	100.0%	100.0%	0.0%	---	---	66.7%	0.0%	33.3%	
6+	196	0	196	116	80	97	0	19	19.9 months
	100.0%	0.0%	100.0%	59.2%	40.8%	83.6%	0.0%	16.4%	
Total	891	695	196	116	80	162	3	36	19.2 months
	100.0%	78.0%	22.0%	59.2%	40.8%	80.6%	1.5%	17.9%	

The most common reasons cited for mitigated dispositional departures were amenable to treatment, amenable to probation, and shows remorse/accepts responsibility. The prosecutor agreed to/recommended/did not object to the departure in 66% of cases, objected to the departure in 8% of cases and in 26% 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 prosecutor agreed to/recommended/did not object to the departure in 67% of cases and in 33% of cases the position of the prosecutor was unknown.