

Fleeing Peace Officer in Motor Vehicle, subd. 3: 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.

FLEEING PEACE OFFICER IN MOTOR VEHICLE, SUBD. 3

Analysis:

- Sentenced 2020-2024
- Fleeing Peace Officer in Motor Vehicle, Minn. Stat. § 609.487, subd. 3

From 2020-2024, 3,461 people were sentenced for Fleeing Police in Motor Vehicle under subd. 3 – 2,890 (83.5%) of which had a presumptive stayed disposition and 571 (16.5%) of which had a presumptive disposition of commit. Ten (0.3%) of the presumptive stayed cases received an aggravated dispositional departure. Of the 571 people who had a presumptive disposition of commit, 179 (31%) received a mitigated dispositional departure. In total, 502 people received prison.¹ Of the 502 people who received prison, 13 (3%) received an aggravated durational departure and 89 (18%) received a mitigated durational departure. 574 cases received a mitigated departure to a misdemeanor/gross misdemeanor sentence. The average pronounced prison term for the 502 people who received prison was 18 months.

Table 1. Departure Rates for Fleeing Police in MV, subd. 3, Sentenced 2020-2024

CHS	Total	Recommended Disposition		Dispositional Departure (presumptive commits)		Durational Departure (prison only)			Received M/GM Sentence	Average Pronounced Prison Term
		Stay	Commit	None	Mitigated	None	Aggrav.	Mitig.		
0	1,427	1,427	0	---	---	8	0	0	437	12.0 months
	100.0%	100.0%	0.0%	---	---	100.0%	0.0%	0.0%	30.6%	
1	375	375	0	---	---	9	2	0	49	12.5 months
	100.0%	100.0%	0.0%	---	---	81.8%	18.2%	0.0%	13.1%	
2	308	308	0	---	---	11	0	0	22	12.0 months
	100.0%	100.0%	0.0%	---	---	100.0%	0.0%	0.0%	7.1%	
3	275	275	0	---	---	13	4	2	15	13.5 months
	100.0%	100.0%	0.0%	---	---	68.4%	21.1%	10.5%	5.5%	
4	277	277	0	---	---	26	2	4	20	14.8 months
	100.0%	100.0%	0.0%	---	---	81.3%	6.3%	12.5%	7.2%	
5	228	228	0	---	---	23	1	7	13	16.3 months
	100.0%	100.0%	0.0%	---	---	74.2%	3.2%	22.6%	5.7%	
6+	571	0	571	392	179	310	4	76	18	18.7 months
	100.0%	0.0%	100.0%	68.7%	31.3%	79.5%	1.0%	19.5%	3.2%	
Total	3,461	2,890	571	392	179	400	13	89	574	17.7 months
	100%	83.5%	16.5%	68.7%	31.3%	79.7%	2.6%	17.7%	16.6%	

The most common reasons cited for mitigated dispositional departures were amenable to probation, amenable to treatment, and shows remorse/accepts responsibility. The prosecutor agreed to/recommended/did not object to the departure in 68% of cases, objected in 12% of cases, and in 21% of cases the position of prosecutor was unknown.

The most common reasons cited for mitigated durational departures were shows remorse/accepts responsibility, and offense less onerous than usual. The prosecutor agreed to/recommended/did not object in 72% of cases, and in 28% of cases the position of the prosecutor was unknown.

¹102 people demanded execution of sentence where it was not considered an aggravated dispositional departure, bringing the total that received prison to 502.