

Motor Vehicle Use Without Consent: 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.

MOTOR VEHICLE USE WITHOUT CONSENT

Analysis:

- Sentenced 2020-2024
- Motor Vehicle Use without Consent under Minn. Stat. § 609.52, subd. 2(a)(17)
- Excludes attempts under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175

From 2020-2024, 1,982 people were sentenced for Motor Vehicle Use without Consent under Minn. Stat. § 609.52, subd. 2(a)(17). 1,176 (59%) had a presumptive disposition of stay and 806 (41%) had a presumptive disposition of commit. Two people received an aggravated dispositional departure. 338 (42%) of people with a presumptive commit received a mitigated dispositional departure. In total, 510 people received prison¹. Of the 510 people who received prison, 122 (24%) received a mitigated durational departure and 8 (2%) received an aggravated durational departure. 151 (8%) of all cases received a mitigated departure to a misdemeanor/gross misdemeanor sentence.

Table 1. Sentencing Information for Motor Vehicle Use without Consent, Sentenced 2020-2024

CHS	Total	Recommended Disposition		Dispositional Departure (presumptive commits)		Durational Departure (prison only)			Average Pronounced Prison Term
		Stay	Commit	None	Mitigated	None	Aggravated	Mitigated	
0	486	486	0	---	---	1	1	0	12.5 months
	100.0%	100.0%	0.0%	---	---	50.0%	50.0%	0.0%	
1	239	239	0	---	---	9	1	2	13.0 months
	100.0%	100.0%	0.0%	---	---	75.0%	8.3%	16.7%	
2	223	223	0	---	---	8	1	0	15.9 months
	100.0%	100.0%	0.0%	---	---	88.9%	11.1%	0.0%	
3	228	228	0	---	---	15	0	6	16.0 months
	100.0%	100.0%	0.0%	---	---	71.4%	0.0%	28.6%	
4	163	0	163	73	90	64	1	6	17.8 months
	100.0%	0.0%	100.0%	44.8%	55.2%	90.1%	1.4%	8.5%	
5	174	0	174	90	84	70	0	20	18.3 months
	100.0%	0.0%	100.0%	51.7%	48.3%	77.8%	0.0%	22.2%	
6+	469	0	469	305	164	213	4	88	21.3 months
	100.0%	0.0%	100.0%	65.0%	35.0%	69.8%	1.3%	28.9%	
Total	1,982	1,176	806	468	338	380	8	122	19.8 months
	100.0%	59.3%	40.7%	58.1%	41.9%	74.5%	1.6%	23.9%	

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 78% of cases, objected to the departure in 5% of cases, and in 17% of cases the position of the 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 to the departure in 84% of cases, objected to the departure in 2% of cases, and in 14% of cases the position of the prosecutor was unknown.

¹42 people demanded execution of sentence where it was not considered an aggravated dispositional departure, bringing the total of people who received prison to 510.