

Receiving Stolen Property, Value under \$5,000: 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.

RECEIVING STOLEN PROPERTY, UNDER \$5,000

Analysis:

- Sentenced 2020-2024
- Receiving Stolen Property (RSP) under Minn. Stat. § 609.53
- Value under \$5,000 (Severity Level 2 offense)
- Excludes attempts under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175

From 2020-2024, 1,501 people were sentenced for RSP at Severity Level 2 – 1,172 (78%) people had a presumptive stayed disposition and 329 (22%) had a presumptive disposition of commit. Of the 329 people who were presumptive commits, 120 (36.5%) received a mitigated dispositional departure. Two of the presumptive stay cases received an aggravated dispositional departure. In total, 263 people received prison.¹ Of the 263 people who received prison, 46 (18%) received a mitigated durational departure and 10 (4%) received an aggravated durational departure. 103 cases received a mitigated departure to a misd./GM sentence. The average pronounced prison term was 19 months.

Table 1. Sentencing Information for RSP under \$5,000, 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	346	346	0	---	---	1	0	0	50	12.0 months
	100.0%	100.0%	0.0%	---	---	100.0%	0.0%	0.0%	14.5%	
1	202	202	0	---	---	4	1	0	14	12.2 months
	100.0%	100.0%	0.0%	---	---	80.0%	20.0%	0.0%	6.9%	
2	154	154	0	---	---	2	0	1	6	12.7 months
	100.0%	100.0%	0.0%	---	---	66.7%	0.0%	33.3%	3.9%	
3	185	185	0	---	---	9	0	0	13	15.0 months
	100.0%	100.0%	0.0%	---	---	100.0%	0.0%	0.0%	7.0%	
4	146	146	0	---	---	12	2	2	5	17.3 months
	100.0%	100.0%	0.0%	---	---	75.0%	12.5%	12.5%	3.4%	
5	139	139	0	---	---	10	2	10	7	17.9 months
	100.0%	100.0%	0.0%	---	---	45.5%	9.1%	45.5%	5.0%	
6+	329	0	329	209	120	169	5	33	8	20.0 months
	100.0%	0.0%	100.0%	63.5%	36.5%	81.6%	2.4%	15.9%	2.4%	
Total	1,501	1,172	329	209	120	207	10	46	103	19.3 months
	100.0%	78.1%	21.9%	63.5%	36.5%	78.7%	3.8%	17.5%	6.9%	

The most common reasons cited for mitigated dispositional departures were amenable to probation, amenable to treatment, recommended by court services, and shows remorse/accepts responsibility. The prosecutor agreed to/recommended/did not object to the departure in 78% of cases, objected in 10% of cases, and in 13% 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 74% of cases and in 26% of cases the position of the prosecutor was unknown.

¹54 people demanded execution of sentence where it was not considered an aggravated dispositional departure, bringing the total of people who received prison to 263.