

Receiving Stolen Property, Value over \$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, OVER \$5,000

Analysis:

- Sentenced 2020-2024
- Receiving Stolen Property (RSP) under Minn. Stat. § 609.53
- Value over \$5,000 (Severity Level 3 offense)
- Excludes attempts under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175

From 2020-2024, 355 people were sentenced for RSP at Severity Level 3 – 204 (57.5%) people had a presumptive stayed disposition and 151 (42.5%) had a presumptive disposition of commit. Of the 151 people who were presumptive commits, 59 (39%) received a mitigated dispositional departure. No cases received an aggravated dispositional departure. In total, 98 people received prison.¹ Of the 98 people who received prison, 16 (16%) received a mitigated durational departure and 3 (3%) received an aggravated durational departure. 24 cases received a mitigated departure to a misd./GM sentence. The average pronounced prison term was 20 months.

Table 1. Sentencing Information for RSP over \$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	92	92	0	---	---	---	---	---	14	---
	100.0%	100.0%	0.0%	---	---	---	---	---	15.2%	
1	27	27	0	---	---	---	---	---	0	---
	100.0%	100.0%	0.0%	---	---	---	---	---	0.0%	
2	48	48	0	---	---	4	0	1	4	14.6 months
	100.0%	100.0%	0.0%	---	---	80.0%	0.0%	20.0%	8.3%	
3	37	37	0	---	---	2	0	0	0	17.0 months
	100.0%	100.0%	0.0%	---	---	100.0%	0.0%	0.0%	0.0%	
4	34	0	34	21	13	18	3	0	0	20.5 months
	100.0%	0.0%	100.0%	61.8%	38.2%	85.7%	14.3%	0.0%	0.0%	
5	29	0	29	13	16	9	0	3	3	18.8 months
	100.0%	0.0%	100.0%	44.8%	55.2%	75.0%	0.0%	25.0%	10.3%	
6+	88	0	88	58	30	46	0	12	3	21.1 months
	100.0%	0.0%	100.0%	65.9%	34.1%	79.3%	0.0%	20.7%	3.4%	
Total	355	204	151	92	59	79	3	16	24	20.2 months
	100.0%	57.5%	42.5%	60.9%	39.1%	80.6%	3.1%	16.3%	6.8%	

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 73% of cases, objected in 10% 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 44% of cases and objected in 6% of cases.

¹Seven people demanded execution of sentence where it was not considered an aggravated dispositional departure, bringing the total of people who received prison to 98.