

Threats of Violence, subd. 1: 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.

THREATS OF VIOLENCE, SUBD. 1

Analysis:

- Sentenced 2020-2024
- Threats of Violence under Minn. Stat. § 609.713, subd. 1
- Excludes attempts under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175

From 2020-2024, 3,579 people were sentenced for Threats of Violence under subd. 1 – 2,998 (84%) cases had a presumptive stayed disposition and 581 (16%) had a presumptive disposition of commit. Of the 581 people who were presumptive commits, 260 (45%) received a mitigated dispositional departure. Two people received an aggravated dispositional departure. In total, 363 people received prison.¹ Of the 363 people who received prison, 73 (20%) received a mitigated durational departure and 8 (2%) received an aggravated durational departure. 691 (19%) cases received a departure to a misdemeanor/gross misdemeanor sentence. The average pronounced prison term was 25 months.

Table 1. Sentencing Information for Threats of Violence, subd. 1, 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	Aggravated	Mitigated		
0	1,870	1,870	0	---	---	3	2	0	532	13.8 months
	100.0%	100.0%	0.0%	---	---	60.0%	40.0%	0.0%	28.4%	
1	480	480	0	---	---	8	0	2	63	14.5 months
	100.0%	100.0%	0.0%	---	---	80.0%	0.0%	20.0%	13.1%	
2	352	352	0	---	---	10	0	1	38	17.7 months
	100.0%	100.0%	0.0%	---	---	90.9%	0.0%	9.1%	10.8%	
3	296	296	0	---	---	13	0	4	21	19.8 months
	100.0%	100.0%	0.0%	---	---	76.5%	0.0%	23.5%	7.1%	
4	182	0	182	72	110	61	1	9	14	22.2 months
	100.0%	0.0%	100.0%	39.6%	60.4%	85.9%	1.4%	12.7%	7.7%	
5	146	0	146	72	74	59	1	12	9	23.8 months
	100.0%	0.0%	100.0%	49.3%	50.7%	81.9%	1.4%	16.7%	6.2%	
6+	253	0	253	177	76	128	4	45	14	27.7 months
	100.0%	0.0%	100.0%	70.0%	30.0%	72.3%	2.3%	25.4%	5.5%	
Total	3,579	2,998	581	321	260	282	8	73	691	24.6 months
	100.0%	83.8%	16.2%	55.2%	44.8%	77.7%	2.2%	20.1%	19.3%	

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 77% of cases, objected in 8% of cases, and in 15% 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 in 84% of cases, objected in 7% of cases, and in 10% of cases the position was unknown.

The most common reasons cited for a departure to a mis/gm sentence were shows remorse/accepts responsibility, amenable to probation, and offense less onerous than usual. The prosecutor agreed to/recommended/did not object in 78% of cases, objected in 6% of cases, and in 16% of cases the position was unknown.

¹41 people demanded execution of sentence, which is not considered an aggravated dispositional departure, bringing the total prison cases to 363.