

### 3<sup>rd</sup> Degree Murder, § 609.195(a): Sentenced 2019-2023

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.

**Information Requested:** Statewide departures for 3<sup>rd</sup> Degree Murder, § 609.195(a).

**Analysis:**

- Sentenced 2019-2023
- 3<sup>rd</sup> Degree Murder, § 609.195(a)
- Excludes attempts under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175
- Departure rates by Criminal History Score (CHS)

From 2019-2023, eight cases were sentenced for 3<sup>rd</sup> Degree Murder, § 609.195(a). Zero (0.0%) had a presumptive stayed disposition and eight (100.0%) had a presumptive disposition of commit. Zero (0.0%) cases received a mitigated dispositional departure. Of the eight people who received an executed prison sentence, zero (0.0%) received a mitigated durational departure and zero (0.0%) received an aggravated durational departure.

**Table 1. 3<sup>rd</sup> Degree Murder, § 609.195(a): Sentenced 2019-2023**

CHS	Total	Presumptive Disposition		Dispositional Departure			Durational Departure (prison only)		
		Stay	Commit	None	Aggravated	Mitigated	None	Aggravated	Mitigated
0	5	0	5	5	0	0	5	0	0
	100.0%	0.0%	100.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%
1	0	0	0	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2	2	0	2	2	0	0	2	0	0
	100.0%	0.0%	100.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%
3	0	0	0	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
4	0	0	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
5	0	0	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
6+	1	0	1	1	0	0	1	0	0
	100.0%	0.0%	100.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%
Total	8	0	8	8	0	0	8	0	0
	100.0%	0.0%	100.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%