

Simple Robbery: 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 Simple Robbery.

Analysis:

- Sentenced 2019-2023
- Simple Robbery, §609.24
- Excludes attempts under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175
- Departure rates by Criminal History Score (CHS)

From 2019-2023, 633 cases were sentenced for Simple Robbery, §609.24. 423 (66.8%) had a presumptive stayed disposition and 210 (33.2%) had a presumptive disposition of commit. 79 cases (12.5%) received a mitigated dispositional departure, while one case (0.2%) received an aggravated dispositional departure. Of the 137 people who received an executed prison sentence¹, 33 (24.1%) received a mitigated durational departure and one (0.7%) received an aggravated durational departure.

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CHS	Total	Presumptive Disposition		Dispositional Departure			Durational Departure (prison only)		
		Stay	Commit	None	Aggravated	Mitigated	None	Aggravated	Mitigated
0	243	242	1	241	1	1	2	1	0
	100.0%	99.6%	0.4%	99.2%	0.4%	0.4%	66.7%	33.3%	0.0%
1	92	92	0	92	0	0	3	0	0
	100.0%	100.0%	0.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%
2	90	89	1	90	0	0	1	0	2
	100.0%	98.9%	1.1%	100.0%	0.0%	0.0%	33.3%	0.0%	66.7%
3	53	0	53	27	0	26	21	0	4
	100.0%	0.0%	100.0%	50.9%	0.0%	49.1%	84.0%	0.0%	16.0%
4	44	0	44	27	0	17	21	0	6
	100.0%	0.0%	100.0%	61.4%	0.0%	38.6%	77.8%	0.0%	22.2%
5	31	0	31	20	0	11	12	0	8
	100.0%	0.0%	100.0%	64.5%	0.0%	35.5%	60.0%	0.0%	40.0%
6+	80	0	80	56	0	24	43	0	13
	100.0%	0.0%	100.0%	70.0%	0.0%	30.0%	76.8%	0.0%	23.2%
Total	633	423	210	553	1	79	103	1	33
	100.0%	66.8%	33.2%	87.4%	0.2%	12.5%	75.2%	0.7%	24.1%

The most common reasons cited for mitigated dispositional departures were amenable to probation, amenable to chemical dependency treatment, and shows remorse/accepts responsibility. The prosecutor agreed to/recommended/did not object to the departure in 57 cases, objected to the departure in five cases, and in 17 cases the position of the prosecutor was unknown.

The most common reasons cited for mitigated durational departures were shows remorse/accepts responsibility and crime less onerous/serious than typical. The prosecutor agreed to/recommended/did not object to the departure 23 cases, objected to the departure in two cases, and in eight cases the position of the prosecutor was unknown.

¹ Effective with the August 1, 2015, amendments to MSG § 2.D.1, a sentence that is executed pursuant to a person's right to demand execution is no longer considered an aggravated dispositional departure. One person demanded execution of sentence where it was not considered an aggravated dispositional departure, bringing the total of people that received prison to 51.