

- ➔ 15,318 FELONY-LEVEL OFFENDERS WERE SENTENCED IN MINNESOTA IN 2013.
- ➔ 411 (3%) OF THOSE WERE FAILURE TO REGISTER AS PREDATORY OFFENDER (FRPO) UNDER MINN. STAT. § [243.166](#)

## DEMOGRAPHICS

FRPO has increased every year since 2010. *In 2013, FRPO reached its highest level with 411 offenders; an increase of 5 percent from 2012.* Compared to all offenders sentenced for felony offenses FRPO offenders were:

- Less likely to be white (52% vs. 58%) and more likely to be male (98% vs. 84%);
- Two years older on average (34 vs. 32 yrs.);
- Equally likely to be sentenced in Greater MN (49% vs. 50%).

## INCARCERATION RATES

Of the 411 offenders sentenced for FRPO:

- 223 (54%) were sentenced to prison;
- 158 (38%) received jail as a condition of probation;
- 30 (7%) received other sanctions (e.g., a fine);
- Avg. prison sentence was 20 months;
- Avg. jail term was 137 days.

Taking into account both conditional confinement and prison time, the total incarceration rate was 93%, which was the same rate as in 2012.

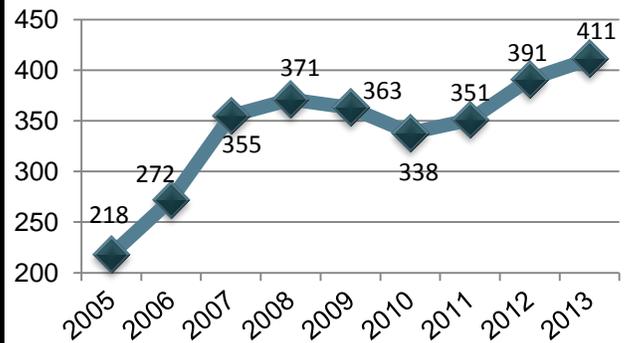
## DEPARTURE RATES

Because FRPO has a statutory mandatory minimum, the presumptive disposition for all offenders is prison.

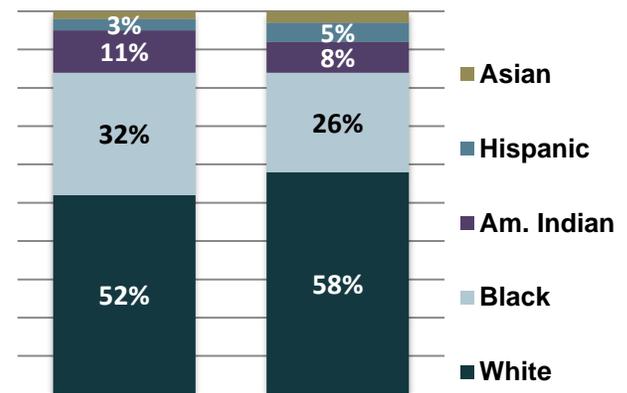
- 46% of offenders received a mitigated dispositional departure;
- 48% of pronounced prison cases received a mitigated durational departure;
- One of the pronounced prison cases received an aggravated durational departure.

The number of dispositional departures decreased from the previous year (50% to 46%), and has gradually trended downward since 2002.

FRPO Offenders Sentenced 2005-2013

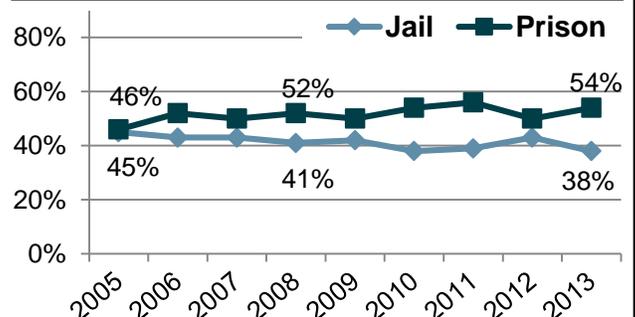


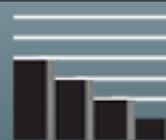
Distribution of Offenders by Race



FRPO Offenders All Offenders

Prison & Jail Rates for FRPO Offenders: Sentenced 2005-2013





## DEPARTURE REASONS

For mitigated dispositional departures, the court most frequently cited “amenability to probation” (57%); and “shows remorse/accepts responsibility” (45%) as its reasons for departure. For mitigated durational departures, the most common reasons cited were “shows remorse/accepts responsibility” (42%); and “offense less onerous” (26%).

- In 64% of mitigated dispositional departures, the prosecutor agreed to, recommended, or did not object to the departure.
- In 72% of mitigated durational departures, the prosecutor agreed to, recommended, or did not object to the departure.

## SUBSEQUENT OFFENSES

The number of offenders sentenced for a **subsequent** FRPO has increased over time. The imprisonment rate for a subsequent FRPO is much higher than for a first-time FRPO.

- 33% of FRPOs were subsequent offenses.
- 70% of subsequent FRPO offenders received prison compared to 46% of first-time offenders.
- The average pronounced prison term for subsequent FRPO was 21 months, which is 3 months less than the mandatory minimum.

Dispositional departure rates for subsequent FRPO are noticeably lower than that for first-time FRPO.

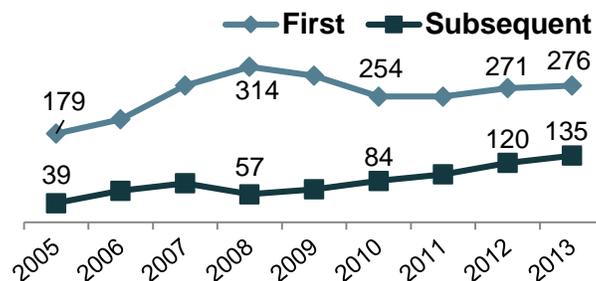
- 30% of subsequent FRPO offenders received a mitigated dispositional departure (versus 54% for first-time FRPO).
- 60% of subsequent FRPO offenders that received prison received a mitigated durational departure (versus 38% for first-time FRPO).

Although first-time felony FRPO offenders are more likely to be given a “stayed” (probation) sentence than to be given an executed prison sentence, subsequent offenders are more likely to receive a mitigated durational departure. The higher imprisonment rate, combined with the gradual increase in the number of subsequent offenders, may result to an increase in the future need for more prison beds for this offense.

### Dispositional Departure Rate by FRPO Type

FRPO	Total	Dispositional Departure	
		None	Mitigated
First-Time	276	128 (46%)	148 (54%)
Subsequent	135	95 (70%)	40 (30%)
Total	411	223 (54%)	188 (46%)

### FRPO Offenders Sentenced 2005-2013



### Dispositional Departure Rate Over Time

