



DEPARTURE REPORT

JUN 25 2021

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Defendant Name (Last, First, Middle) Chauvin, Derek Michael	Sentence Date 6/25/21	County Hennepin
Judge Name Peter Cahill	Report Date 6/25/21	District Court Case No. 27-CR-20-12646
Report Completed By (Name/Title): Mary/Greg Clerks	Contact Email/Phone 596-8738	Count No. 1

Instructions

In making decisions about departing from the Guidelines, and in writing reasons for departures, judges should consult section 2.D of the *Minn. Sentencing Guidelines and Commentary*. This report should be completed by the Court when:

- (a) The pronounced disposition (prison/probation) differs from the presumptive disposition under the Guidelines;
- (b) The length of the sentence pronounced by the Court differs from the presumptive sentence length;
- (c) A consecutive sentence is given in a circumstance other than described in section 2.F of the Guidelines;
- (d) A consecutive sentence is not pronounced when consecutive sentencing is presumed under the Guidelines;
- (e) A non-felony sentence is pronounced for an offender convicted of a felony-level offense; or
- (f) The pronounced length of stay exceeds five years or the length of the statutory maximum punishment, whichever is less, in a circumstance other than described in section 3.A.2.d of the Guidelines.

Type of Departure (Check all that apply)

Dispositional: <input type="checkbox"/> Mitigated/Downward (Stay – Guidelines presume prison) <input checked="" type="checkbox"/> Aggravated/Upward (Prison – Guidelines presume stay) <input type="checkbox"/> NOT an aggravated/upward dispositional departure: Sentence was executed pursuant to offender's right to demand execution, offense date after 7/31/2015 (Guidelines section 2.D.1.f).	Durational: <input type="checkbox"/> Mitigated/Downward Prison Duration (Less than Guidelines time) <input checked="" type="checkbox"/> Aggravated/Upward Prison Duration (Greater than Guidelines time) <input type="checkbox"/> Mitigated/Downward Non-Felony Sentence (Misdemeanor or Gross Misd. sentence pronounced for felony-level conviction) <input type="checkbox"/> Aggravated/Upward Length of Stay (Exceeds 5 yrs. or stat. max., whichever is less; Guidelines section 3.A.2.)	<input type="checkbox"/> Consecutive (Departure from Guidelines policy on consecutive sentencing)
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Please indicate how the sentence was imposed if the sentence was an aggravated departure.

- Jury determination of aggravating factors Defendant waived right to jury determination of aggravating factors

Reason(s) for Departure

Please do one or more of the following: 1) Check the appropriate reason(s) for departure on the checklist of frequently cited departure reasons on page 2; 2) Write the reasons in the space below; or 3) Attach the relevant pages from the sentencing order or sentencing transcript.

- [1] Abuse of position of trust + authority.
 [2] Treatment of George Floyd [victim] of particular cruelty.

Please submit by
Email:

Revised 01/2021

Minnesota Sentencing Guidelines Commission
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Email: sentencing_guidelines@state.mn.us Voice: (651) 296-0144 Website: mn.gov/sentencing-guidelines