



## DEPARTURE REPORT

JUN 25 2021

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

## 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)

<b>Dispositional:</b> <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).	<b>Durational:</b> <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:

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Minnesota Sentencing Guidelines Commission  
658 Cedar Street, Suite G-58, St. Paul, MN 55155

Email: [sentencing\\_guidelines@state.mn.us](mailto:sentencing_guidelines@state.mn.us) Voice: (651) 296-0144 Website: [mn.gov/sentencing-guidelines](http://mn.gov/sentencing-guidelines)