

DRAFT * Proposal for Consideration by the Sentencing Guidelines Commission *** DRAFT**

Offender Score											
	0	1	2	3	4	5	6	7	8	9+	
S e r i o u s n e s s l e v e l	LEVEL XVI	Life sentence without parole/death penalty for offenders at or over the age of eighteen. For offenders under the age of eighteen, a term of twenty-five years to life. *									
	LEVEL XV	192 - 384	200 - 400	209 - 416	217 - 433	225 - 449	233 - 466	250 - 499	270 - 540	296 - 592	329 - 658
	LEVEL XIV	123 - 220	134 - 234	144 - 244	154 - 254	165 - 265	175 - 275	195 - 295	216 - 316	257 - 357	298 - 397
	LEVEL XIII	98 - 197	107 - 214	115 - 230	123 - 246	132 - 263	140 - 280	156 - 312	173 - 346	206 - 410	238 - 476
	LEVEL XII	74 - 148	82 - 163	89 - 176	96 - 192	103 - 205	110 - 221	130 - 259	142 - 283	167 - 332	192 - 382
	LEVEL XI	62 - 122	69 - 137	76 - 150	82 - 163	89 - 176	96 - 190	117 - 233	127 - 253	148 - 294	168 - 336
	LEVEL X	41 - 82	46 - 90	50 - 98	54 - 107	58 - 115	62 - 122	78 - 156	86 - 173	103 - 205	119 - 238
	LEVEL IX	25 - 49	29 - 58	33 - 65	37 - 73	41 - 82	46 - 90	62 - 122	70 - 139	86 - 173	103 - 205
	LEVEL VIII	17 - 32	21 - 41	25 - 49	29 - 58	33 - 65	37 - 73	54 - 107	62 - 122	70 - 139	86 - 173
	LEVEL VII	12+ - 24	17 - 32	21 - 41	25 - 49	29 - 58	33 - 65	46 - 90	54 - 107	62 - 122	70 - 139
	LEVEL VI	12+ - 17	12 - 24	17 - 32	21 - 41	25 - 49	29 - 58	37 - 73	46 - 90	54 - 107	62 - 122
	LEVEL V	6 - 12	12+ - 17	12+ - 20	12+ - 24	18 - 35	26 - 52	33 - 65	41 - 82	50 - 98	58 - 115
	LEVEL IV	0 - 12	0 - 12	12+ - 17	12+ - 20	12+ - 24	18 - 35	26 - 52	34 - 68	42 - 84	50 - 101
	LEVEL III	0 - 12	0 - 12	0 - 12	0 - 12	12+ - 17	14 - 26	18 - 35	26 - 52	34 - 68	41 - 82
	LEVEL II	0 - 12	0 - 12	0 - 12	0 - 12	12+ - 17	12+ - 22	14 - 26	18 - 35	26 - 52	34 - 68
LEVEL I	0 - 12	0 - 12	0 - 12	0 - 12	0 - 12	0 - 12	12+ - 17	12+ - 22	14 - 26	18 - 35	

This proposal attempts to create an option that would strike a balance between the interest in increasing judicial discretion and the purpose of the SRA – To ensure that offenders who commit similar crimes and have similar criminal histories receive equivalent sentences.

The attached proposal would increase judicial discretion significantly by expanding the sentencing ranges within the current sentencing grid. The proposal contemplates no changes to scoring, enhancements, mandatory minimum sentences or mandatory consecutive terms.

In the attached proposal, the jail / prison line remains the same (the crimes in the lower left corner of the existing grid are still local sentences and the crimes that score as prison crimes remain as prison terms). Thus, no change in jail vs prison divide on the grid.

The increase in judicial discretion comes in two ways.

First, local sentences go to 0-364 days regardless of offender score. There is an exception at level 5 with zero points in this proposal. This cell remains at 6-12 instead of 0-364. I left this cell as in the original grid due to the seriousness level of crimes in this level, Rape 3 in particular.

Second, in the prison term cells, the high end of each cell is increased by 20% and the low end of each cell is decreased by 20%. There is an exception at level 14. The ranges in this proposal remain the same at level 14 as in the existing grid because level 14 is already expanded in the existing grid.