

Attached are a couple of draft grids for contemplation. These are only meant as examples to start the flow of ideas.

### **Sentencing Reform Act Review - Sentencing Grid Option #1**

This draft grid is the Option #1 grid from the SGC report. Some of the cells have been merged, like in the drug grid, and some have not. During the Criminal Sentencing Task Force – Sentencing Effectiveness work group meeting, Lauren from WSIPP mentioned a state had a grid that allowed wide discretion on less serious offenses and narrower discretion for the more severe sentences. That is what this draft was supposed to emulate. Where cells stopped merging is entirely arbitrary.

### **Non-Violent Offense Sentencing Grid**

This draft grid is the current standard grid with merged cells like in the drug grid (keeping the separation between jail/prison cells in tact) that could be used as a Non-violent Offense Sentencing Grid. Since the creation of the SRA, the notion of a non-violent offense grid has been floated around. Sentences where a non-violent offense is the most serious offense, which includes property offenses, is the biggest bulk of annual convictions. In FY19, there was a total of 24,257 convictions. Of those, 22,172 were for non-violent offenses. After removing sex offenses and offenses that are on the drug grid, that left 14,425. That's still 60% of all the convictions for that year.

In setting up the non-violent sentencing grid, the standard ranges were not changed, only merged. No changes were made to any cells where an Offender Score = 0 as it was thought that those might be good candidates for confinement alternatives. The red numbers within the cells represent the total number of sentences for FY19 that were in any of the cells that were merged, based on the most serious offense.

Another consideration would be the creation of a 'finding' of a behavioral health issue that is related to the crime that can be used to employ a confinement alternative. This would allow the confinement alternative be based on the cases circumstances and not unilaterally issued to any individual, regardless of the crime or the circumstance, that ends up in a particular grid cell (thinking: Offender Score = 0).

Sentencing Reform Act Review - Sentencing Grid Option #1  
Revised

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

Non-Violent Offense Sentencing Grid

		Offender Score *all ranges are in months									
		0	1	2	3	4	5	6	7	8	9+
<b>Seriousness Level</b>	<b>LEVEL XVI</b>	Life sentence without parole/death penalty for offenders at or over the age of 18. For offenders under the age of 18, a term of 25 years to life.									
	<b>LEVEL XV</b>	240 – 320	250 – 333	261 – 347	271 – 361	281 – 374	291 – 388	312 – 416	338 – 450	370 – 493	411 - 548
	<b>LEVEL XIV</b>	123 - 220	134 – 234	144 – 244	154 – 254	165 – 265	175 – 275	195 – 295	216 – 316	257 – 357	298 – 397
	<b>LEVEL XIII</b>	123 – 164	134 – 178	144 – 192	154 – 205	165 – 219	175 – 233	195 – 260	216 – 288	257 – 342	298 - 397
	<b>LEVEL XII</b>	93 – 123	102 – 136	111 – 147	120 – 160	129 – 171	138 – 184	162 – 216	178 – 236	209 – 277	240 - 318
	<b>LEVEL XI</b>	78 – 102	86 – 114	95 – 125	102 – 136	111 - 147	120 - 158	146 – 194	159 – 211	185 – 245	210 - 280
	<b>LEVEL X</b>	51 – 68 1		57 – 89 0			72 – 130 2			108 – 198 0	
	<b>LEVEL IX</b>	31 – 41 5		36 – 61 2			51 – 102 0			87 – 171 1	
	<b>LEVEL VIII</b>	21 – 27 0		26 – 48 0			41 – 89 1			77 – 144 0	
	<b>LEVEL VII</b>	15 – 20 6		21 – 41 59			36 – 75 65			67 – 116 105	
	<b>LEVEL VI</b>	12+ – 14 10		15 – 34 45			31 – 61 17			57 – 102 23	
	<b>LEVEL V</b>	6 – 12 85		12+ – 20 202			22 – 54 238			51 – 96 318	
	<b>LEVEL IV</b>	3 – 9 199	6 – 12 157	12+ – 17 289			15 – 43 289			43 – 84 352	
<b>LEVEL III</b>	1 – 3 1,195		3 – 12 1,767			12+ – 29 868			33 – 68 874		
<b>LEVEL II</b>	0 – 90d 584		2 – 12 709			12+ – 22 466			22 – 57 779		
<b>LEVEL I</b>	0 – 60d 792			0 – 12 1,623				12+ – 29 1016			

- Consists of Non-violent offenses, including sentencing alternatives and anticipatories
- Excludes sex offenses and offenses sentenced on the drug grid
- Numbers in red are the total number of sentences in FY19 using the most serious offense on the cause.
- There were no sentences for seriousness levels above 10 and thus these were shaded out and could be excluded from future iterations.