



Release Decisions in Utah

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Utah Sentencing Commission

Criminal History Score

- Factors included in Criminal History Score
 - Prior Misdemeanor convictions
 - Prior Juvenile Adjudications
 - Supervision Risk
 - Violence History
 - Weapons use in Current Offense

FORM 1 - GENERAL MATRIX

CRIMINAL HISTORY ASSESSMENT

These are guidelines only. They do not create any right or expectation on behalf of the offender.
 Matrix timeframes refer to imprisonment only. Refer to the categorization of offenses.
 Capital offenses are not considered within the context of the sentencing guidelines.

PRIOR FELONY CONVICTIONS
 (SEPARATE CRIMINAL CONVICTIONS)

0 NONE
 2 ONE
 4 TWO
 6 THREE
 8 MORE THAN THREE

PRIOR MISDEMEANOR CONVICTIONS
 (SEPARATE CRIMINAL CONVICTIONS)
 (INCLUDES DUI & RECKLESS)
 (EXCLUDES OTHER TRAFFIC)

0 NONE
 1 ONE
 2 TWO TO FOUR
 3 FIVE TO SEVEN
 4 MORE THAN SEVEN

PRIOR JUVENILE ADJUDICATIONS
 (ADJUDICATIONS FOR OFFENSES THAT
 WOULD HAVE BEEN FELONIES IF
 COMMITTED BY AN ADULT)(THREE
 MISDEMEANOR ADJUDICATIONS EQUAL
 ONE FELONY ADJUDICATION)

0 NONE
 1 ONE
 2 TWO TO FOUR
 3 MORE THAN FOUR
 4 SECURE PLACEMENT

SUPERVISION HISTORY
 (ADULT OR JUVENILE)

0 NO PRIOR SUPERVISION
 1 PRIOR SUPERVISION
 2 PRIOR RESIDENTIAL PLACEMENT
 3 PRIOR REVOCATION
 4 ACT OCCURRED WHILE UNDER CURRENT
 SUPERVISION OR PRE-TRIAL RELEASE

SUPERVISION RISK
 (ADULT OR JUVENILE)

0 NO ESCAPES OR ABSCONDINGS
 1 FAILURE TO REPORT (ACTIVE OFFENSE) OR
 2 OUTSTANDING WARRANT
 3 ABSCONDED FROM SUPERVISION
 4 ABSCONDED FROM RESIDENTIAL PROGRAM
 ESCAPED FROM CONFINEMENT

VIOLENCE HISTORY
 (PRIOR JUVENILE OR ADULT CONVICTION
 FOR AN OFFENSE WHICH INCLUDES USE
 OF A WEAPON, PHYSICAL FORCE,
 THREAT OF FORCE, OR SEXUAL ABUSE)

0 NONE
 1 MISDEMEANOR
 2 3rd DEGREE FELONY
 3 2nd DEGREE FELONY
 4 1st DEGREE FELONY

WEAPONS USE IN CURRENT OFFENSE
 (ONLY WHEN CURRENT CONVICTION
 DOES NOT REFLECT WEAPON USE OR
 WHEN STATUTORY ENHANCEMENT IS
 NOT INVOLVED)

1 CONSTRUCTIVE POSSESSION
 2 ACTUAL POSSESSION
 3 DISPLAYED OR BRANDISHED
 4 ACTUAL USE
 6 INJURY CAUSED

TOTAL SCORE: _____

CRIMINAL HISTORY ROW	
V	16 +
IV	12 - 15
III	8 - 11
II	4 - 7
I	0 - 3

General Sentencing Matrix

		CRIME CATEGORY										
		A	B	C	D	E	F	G	H	I	J	K
		1st Degree Murder	2nd Degree Death	1st Degree Person	3rd Degree Death	1st Degree Other	2nd Degree Person	3rd Degree Person	2nd Degree Other	2nd Degree Possession	3rd Degree Other	3rd Degree Possession
CRIMINAL HISTORY	V	24 YRS	8 YRS	10 YRS	48 MOS	84 MOS	60 MOS	36 MOS	30 MOS	20 MOS	20 MOS	18 MOS
	IV	22 YRS	7 YRS	9 YRS	42 MOS	78 MOS	48 MOS	30 MOS	24 MOS	18 MOS	18 MOS	16 MOS
	III	20 YRS	6 YRS	8 YRS	36 MOS	72 MOS	36 MOS	24 MOS	20 MOS	16 MOS	12 MOS	12 MOS
	II	18 YRS	5 YRS	7 YRS	24 MOS	66 MOS	30 MOS	20 MOS	18 MOS	14 MOS	10 MOS	10 MOS
	I	16 YRS	4 YRS	6 YRS	20 MOS	60 MOS	24 MOS	18 MOS	16 MOS	12 MOS	9 MOS	8 MOS

Mandatory Imprisonment (Vertical text on the left side of the table)

Imprisonment (Large diagonal text across the middle of the table)

Intermediate Sanctions (Large diagonal text in the lower middle of the table)

Regular Probation (Large diagonal text in the bottom right of the table)

Misdemeanors (Vertical text on the right side of the table)

Sex Offense Sentencing Matrix

		CRIME CATEGORY									
		1st Degree							2nd Degree	3rd Degree	Class A Misd
		A	B	C	D	E	F	G	H	I	J
		Mandatory Prison 15 to Life	Mandatory Prison 10 to Life	Mandatory Prison 6 to Life	Mandatory Prison 5 to Life	Mandatory Prison 3 to Life	5 yrs to Life	3 yrs to Life	1 to 15	0 to 5	0 to 1
CRIMINAL HISTORY	III	21 YRS	14 YRS	100 MOS	75 MOS	75 MOS	75 MOS	75 MOS	64 MOS	42 MOS	
	II	18 YRS	12 YRS	90 MOS	66 MOS	64 MOS	66 MOS	62 MOS	48 MOS	36 MOS	
	I	16 YRS	11 YRS	80 MOS	60 MOS	42 MOS	60 MOS	42 MOS	40 MOS	32 MOS	

IMPRISONMENT

MANDATORY IMPRISONMENT

INTERMEDIATE SANCTION

Form 2
AGGRAVATING AND MITIGATING CIRCUMSTANCES

(Use Form 4 also for Sex Offenses with Three Alternative Minimum Lengths of Stay)

Note any aggravating or mitigating circumstances that may justify departure from the guidelines by entering the page number of the presentence report where the court can find supporting information.

This list of aggravating and mitigating factors is non-exhaustive and illustrative only.

Aggravating Circumstances

Only use aggravating circumstances if they are not an element of the offense.

PSI Page #

- _____ 1. Established instances of repetitive criminal conduct
- _____ 2. Multiple documented incidents of violence not resulting in conviction. (Requires court approved stipulation.)
- _____ 3. Offender presents a serious threat of violent behavior.
- _____ 4. Victim was particularly vulnerable.
- _____ 5. Injury to person or property loss was unusually extensive.
- _____ 6. Offense was characterized by extreme cruelty or depravity.
- _____ 7. There were multiple charges or victims.
- _____ 8. Offender's attitude is not conducive to supervision in a less restrictive setting.
- _____ 9. Offender continued criminal activity subsequent to arrest.
- _____ 10. Sex Offense: Correction's formal assessment procedures classify as a high risk offender.
- _____ 11. Offender was in position of authority over victim(s).
- _____ 12. Financial crime or theft crime involved numerous victims, an exploitation of a position of trust, a substantial amount of money, or receipt of money from sources including, but not limited to, equity in a person's home or a person's retirement fund.
- _____ 13. Offender occupied "position of trust" in relation to murder/homicide victim(s) (U.C.A. 76-3-406.5(2))
- _____ 14. Offense constituted a "hate crime" in that it is likely to incite community unrest, cause community to reasonably fear for physical safety or freely exercise constitutionally secured rights (U.C.A. 76-3-203.4)
- _____ 15. Violence committed in the presence of a child.
- _____ 16. Other (Specify) _____

Mitigating Circumstances

- _____ 1. Offender's criminal conduct neither caused nor threatened serious harm.
- _____ 2. Offender acted under strong provocation.
- _____ 3. There were substantial grounds to excuse or justify criminal behavior, though failing to establish a defense.
- _____ 4. Offender is young.
- _____ 5. Offender assisted law enforcement in the resolution of other crimes.
- _____ 6. Rehabilitation would be severely compromised by incarceration.
- _____ 7. Offender's attitude suggests amenability to supervision.
- _____ 8. Offender has exceptionally good employment and/or family relationships.
- _____ 9. Imprisonment would entail excessive hardship on offender or dependents.
- _____ 10. Offender has extended period of arrest-free street time.
- _____ 11. Offender was less active participant in the crime.
- _____ 12. All offenses were from a single criminal episode.
- _____ 13. Offense(s) was "possession only" drug offense (see "possession only" offenses, Addendum B)
- _____ 14. Offender has completed or has nearly completed payment of restitution.
- _____ 15. Other (Specify) _____

Days of Jail Credit _____
Guidelines Recommendation _____
AMP Recommendations _____
Reason for Departure _____

OFFENDER NAME: _____
SCORER NAME: _____
DATE SCORED: _____

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