

# **2022 Criminal Justice Advisory Board Conference**

**Pennsylvania Commission on Crime and Delinquency**

## **Comprehensive Review of Sentencing Guidelines: A Proposed New Edition**

**April 12, 2022**

**Ryan S. Meyers, Manager**

**Pennsylvania Commission on Sentencing**

# Working Draft of Sentencing Guidelines Proposals

## (8<sup>th</sup> Edition)

- Comprehensive Review
  - Concepts & Guiding Principles
  - Draft Matrix
- Preliminary OGS Assignments
- Enhancement & Adjustments
- PRS Development
- Public Hearings & Comments

# Working Draft of Sentencing Guidelines Proposals

## (8<sup>th</sup> Edition)

- Comprehensive Review
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  - Draft Matrix
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# Comprehensive Review

- Basic Concepts of Sentencing Guidelines
  - Common starting point; typical sentence for typical offender
  - Advisory Recommendations (disposition/duration)
- Guiding Principles for 8<sup>th</sup> Edition sentencing guidelines
  - Simplification & automation
  - Consistency & certainty
    - Targeted OGS Assignments (single disposition, narrow range)
    - Enhancement & Adjustments (common sentencing factors)
  - Reduce impact of criminal history (secondary factor -- LE 2x)

# Working Draft of Sentencing Guidelines Proposals

## OGS Categories

1-36; H1-H6 (Murder 1 & 2)

42 Total

## PRS Categories

Zero, Low, Medium, High (RFEL/REVOC)

## Sentencing Levels

Disposition-based

## Step Up/Step Down

Adjustment of OGS (sentencing factors)

Aggravating/Mitigating Ranges

		Prior Record Score				(AGG/MIT)	
		Zero	Low	Medium	High (RFEL, (REVOC))	(*)	
H	(A) Homicide 1	Murder 1 (18+)	LWOP or Death	LWOP or Death	LWOP or Death	LWOP or Death	Level H 24 months
	(A) Homicide 2	Murder 2 (18+)	LWOP	LWOP	LWOP	LWOP	
	(B) Homicide 1	Murder 1 (15 <18)	420	420-480	480-540	540-600 (600-SL)	
	(B) Homicide 2	Murder 2 (15 <18)	360	360-420	420-480	540-600 (600-SL)	
	(C) Homicide 1	Murder 1 (10 <15)	300	300-360	360-420	420-480 (480-SL)	
	(C) Homicide 2	Murder 2 (10 <15)	240	240-300	300-360	360-420 (420-SL)	
F	State Confinement (Max >20 years)	36	162-174	186-198	210-222	234-246 (240-SL)	Level F 12 months
		35	138-150	152-174	185-198	210-222 (222-SL)	
		34	114-126	138-150	162-174	186-198 (198-SL)	
E	State Confinement	33	90-102	114-126	138-150	162-174 (174-SL)	Level E 6 months
		32	84-96	90-102	96-108	102-114 (114-SL)	
		31	78-90	84-96	90-102	96-108 (108-SL)	
		30	72-84	78-90	84-96	90-102 (102-SL)	
		29	66-78	72-84	78-90	84-96 (96-SL)	
		28 (F-1+ OMNI)	60-72	66-78	72-84	78-90 (90-SL)	
		27	54-66	60-72	66-78	72-84 (84-SL)	
		26	48-60	54-66	60-72	66-78 (78-SL)	
		25	42-54	48-60	54-66	60-72 (72-SL)	
		24	36-48	42-54	48-60	54-66 (66-SL)	
D	State Confinement (County Confinement Exception)	23	30-42	36-48	42-54	48-60 (60-SL)	Level D 4 months
		22	24-30	30-42	36-48	42-54 (54-SL)	
		21	20-24	24-30	30-42	36-48 (48-SL)	
		20 (F-1 OMNI)	16-20	20-24	24-30	30-42 (42-SL)	
C	County Confinement	19	12-16	16-20	20-24	24-30 (30-SL)	Level C 2 months
		18	9-12 months RC	12-16	16-20	20-24 (24-SL)	
		17	8-10 months RC	9-12 months RC	12-16	16-20 (20-SL)	
		16 (F-2 OMNI)	7-9 months RC	8-10 months RC	9-12 months RC	12-16 (16-SL)	
		15	6-8 months RC	7-9 months RC	8-10 months RC	9-12 months RC	
		14	5-7 months RC	6-8 months RC	7-9 months RC	8-10 months RC	
		13	4-6 months RC	5-7 months RC	6-8 months RC	7-9 months RC	
		12 (F-3 OMNI)	3-5 months RC	4-6 months RC	5-7 months RC	6-8 months RC	
B	Probation	11	2-4 months RC	3-5 months RC	4-6 months RC	5-7 months RC	Level B 6 months Probation
		10	1-3 months RC	2-4 months RC	3-5 months RC	4-6 months RC	
		9	36 months Probation (225-250)	1-3 months RC	2-4 months RC	3-5 months RC	
		8 (M-1 OMNI)	30 months Probation (200-225)	36 months Probation (225-250)	1-3 months RC	2-4 months RC	
		7	24 months Probation (175-200)	30 months Probation (200-225)	30 months Probation, 1-3 mos. RC (225-250)	1-3 months RC	
		6	18 months Probation (150-175)	24 months Probation (175-200)	24 months Probation, 1-2 mos. RC (200-225)	30 months Probation, 1-3 mos. RC (225-250)	
A	Restorative Sanctions	5	12 months Probation (125-150)	18 months Probation (150-175)	18 months Probation, 1-2 mos. RC (175-200)	24 months Probation, 1-2 mos. RC (200-225)	Level A 25 hours
		4 (M-2 OMNI)	6 months Probation (100-125)	12 months Probation (125-150)	12 months Probation, 1 mo. RC (150-175)	18 months Probation, 1-2 mos. RC (175-200)	
		3	RS (75-100)	6 months Probation (100-125)	6 months Probation, 1 mo. RC (125-150)	12 months Probation, 1 mo. RC (150-175)	
		2 (M-3 OMNI)	RS (50-75)	RS (75-100)	RS - 6 mos. Probation (100-125)	12 months Probation (125-150)	
		1	RS (25-50)	RS (50-75)	RS (75-100)	RS - 6 mos. Probation (100-125)	



# Working Draft of Sentencing Guidelines Proposals (8<sup>th</sup> Edition)

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# Preliminary Offense Gravity Score (OGS) Assignments

- *Starting Point – Current OGS Assignments (15-point scale)*
  - Standard range footprint
  - Factors considered in current assignment:
    - Grade or statutory maximum
    - Elements of the offense
    - Subcategorization based on sentencing factors and enhancements
  - Rank order proportionality (prescriptive/descriptive values)

# Preliminary Offense Gravity Score (OGS) Assignments

- *Next Step – Proposed OGS Assignments (42-point scale)*
  - Rules of the road needed to guide assignments
    - Unique OGS assignments (7<sup>th</sup> Edition) = 2,329 offenses
    - New standard ranges: single disposition, shorter duration
  - Use typical sentence to determine best fit within current range
  - Use disposition and duration of median sentence as anchor
    - 2017-2019 sentencing data (avoids COVID impact)
    - PRS 0 (no inchoates, enhancements, or mandatories)
    - Most serious sanction/most serious offense (criminal incident)



# Preliminary OGS Assignment

Example #1  
Burglary (F2)

# Burglary (18 Pa.C.S.A. § 3502 (a)(4))

Level	OGS	Prior Record Score							RFEL	REVOC	AGG/MIT
		0	1	2	3	4	5				
LEVEL 5	14	72-SL	84-SL	96-SL	120-SL	168-SL	192-SL	204-SL	SL	~/-12	
	13	60-78	66-84	72-90	78-96	84-102	96-114	108-126	240	+/- 12	
	12	48-66	54-72	60-78	66-84	72-90	84-102	96-114	120	+/- 12	
	11	36-54	42-60	48-66	54-72	60-78	72-90	84-102	120	+/- 12	
	10	22-36	30-42	36-48	42-54	48-60	60-72	72-84	120	+/- 12	
	9	12-24	18-30	24-36	30-42	36-48	48-60	60-72	120	+/- 12	
LEVEL 4	8	9-16	12-18	15-21	18-24	21-27	27-33	40-52	NA	+/- 9	
LEVEL 3	7	6-14	9-16	12-18	15-21	18-24	24-30	35-45	NA	+/- 6	
	6	3-12	6-14	9-16	12-18	15-21	21-27	27-40	NA	+/- 6	
LEVEL 2	5	<b>RS-9 P2 (225-250)</b>	1-12	3-14	6-16	9-16	12-18	24-36	NA	+/- 3	
	4	RS-3 P1 (100-125)	RS-9 P2 (225-250)	RS-<12 P2 (300-325)	3-14	6-16	9-16	21-30	NA	+/- 3	
	3	RS-1 P1 (50-75)	RS-6 P1 (150-175)	RS-9 P2 (225-250)	RS-<12 P2 (300-325)	3-14	6-16	12-18	NA	+/- 3	
LEVEL 1	2	RS (25-50)	RS-2 P1 (75-100)	RS-3 P1 (100-125)	RS-4 P1 (125-150)	RS-6 P1 (150-175)	1-9	6- <12	NA	+/- 3	
	1	RS (25-50)	RS-1 P1 (50-75)	RS-2 P1 (75-100)	RS-3 P1 (100-125)	RS-4 P1 (125-150)	RS-6 P1 (150-175)	3-6	NA	+/- 3	

Grade: F2

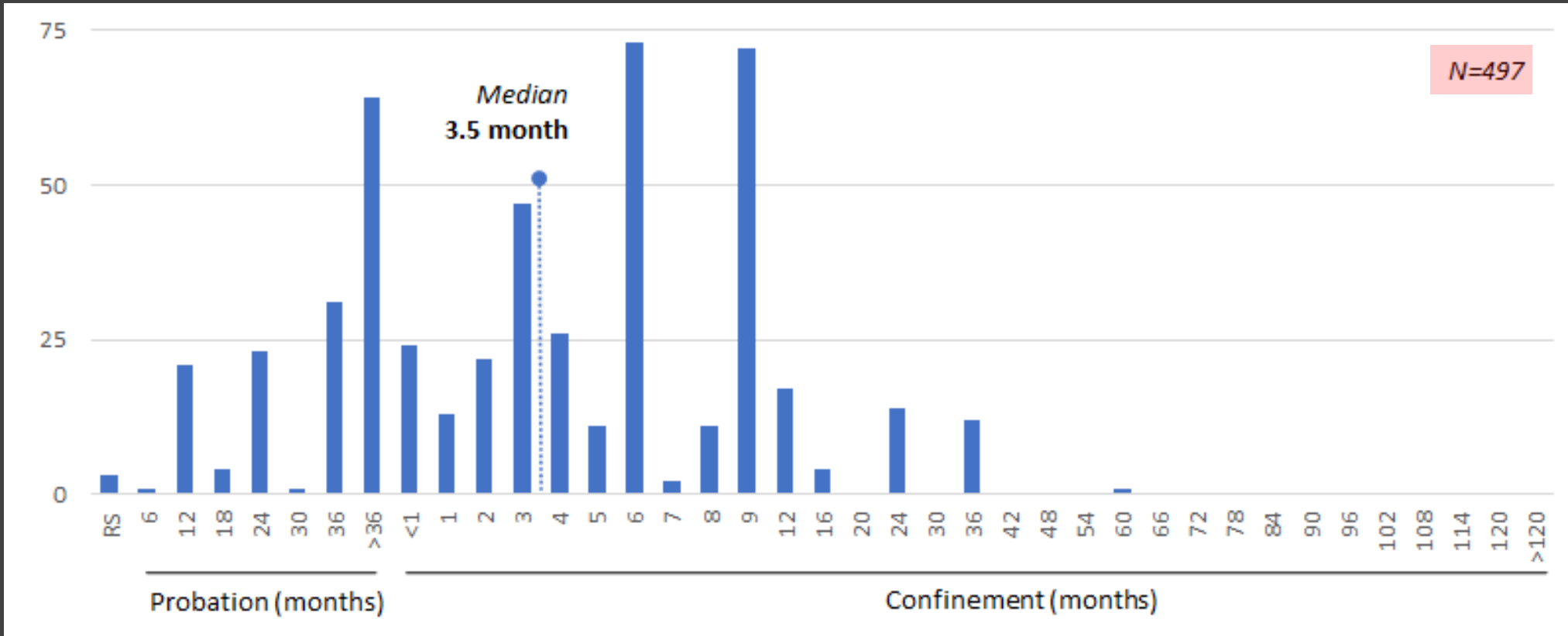
OGS = 5

Stat Limit = 60 mo.

Std Range = RS-9 mo.

# 18 Pa.C.S.A. § 3502 (a)(4)

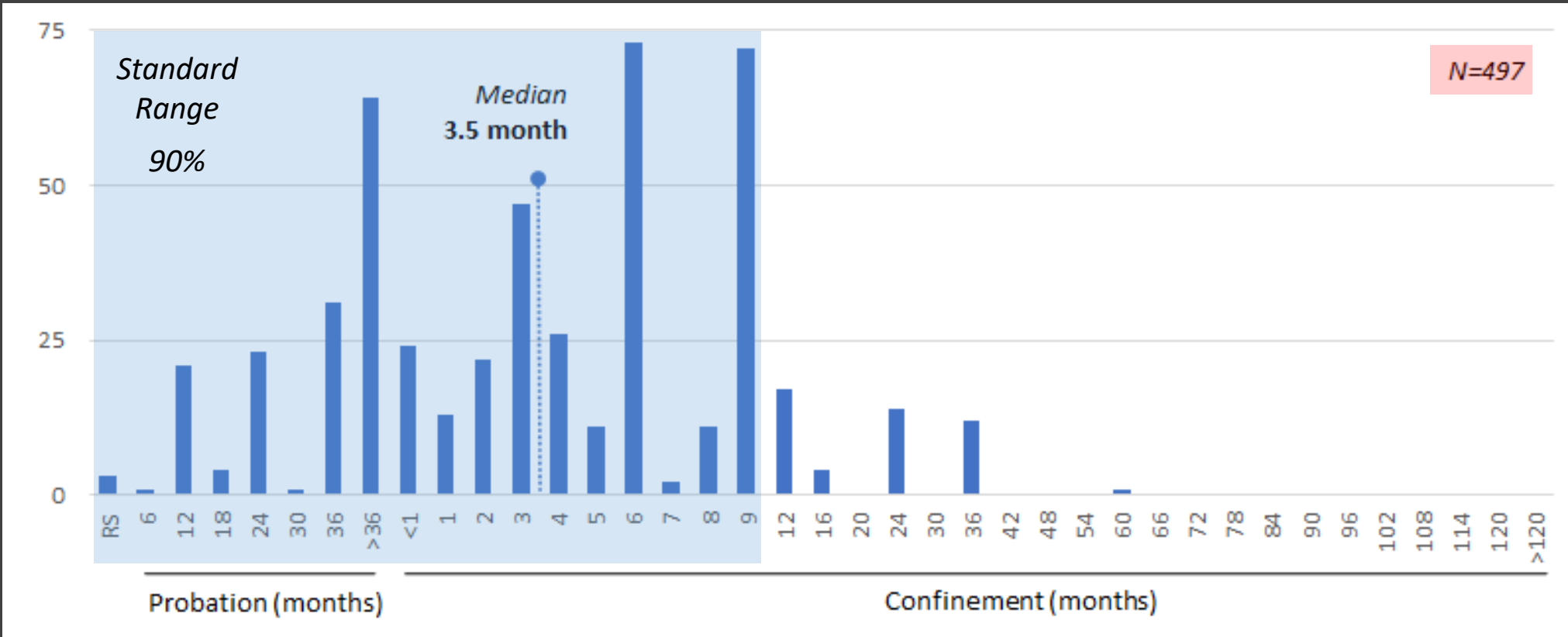
(a) A person commits the offense of burglary if, with the intent to commit a crime therein, the person:  
(4) enters a building or occupied structure, or separately secured or occupied portion thereof that is not adapted for overnight accommodations in which at the time of the offense no person is present.



Grade: F2  
OGS = 5  
Stat Limit = 60 mo.  
Std Range = RS-9 mo.

# 18 Pa.C.S.A. § 3502 (a)(4)

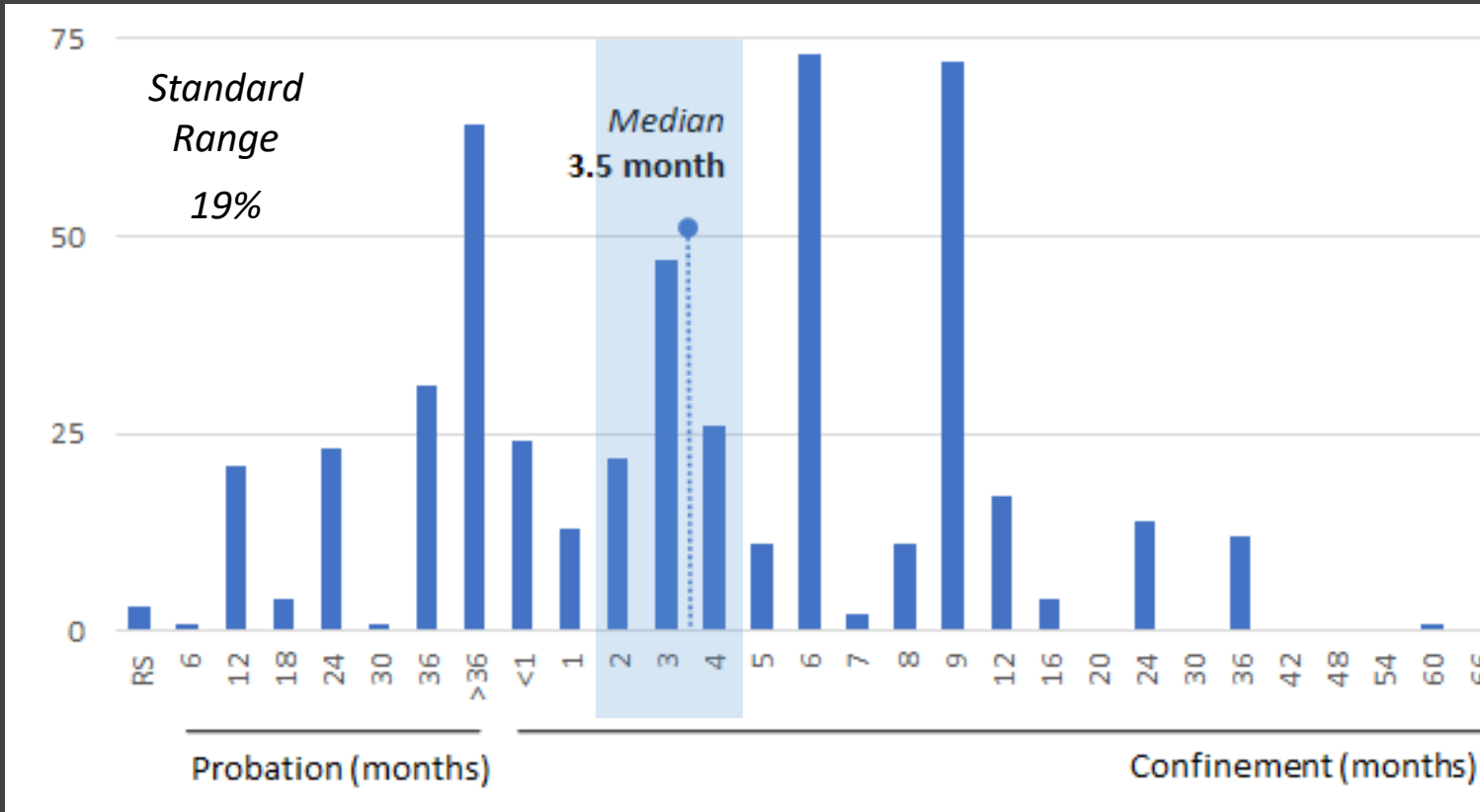
(a) A person commits the offense of burglary if, with the intent to commit a crime therein, the person:  
(4) enters a building or occupied structure, or separately secured or occupied portion thereof that is not adapted for overnight accommodations in which at the time of the offense no person is present.



Grade: F2  
OGS = 5  
Stat Limit = 60 mo.  
Std Range = RS-9 mo.

# 18 Pa.C.S.A. § 3502 (a)(4)

[not a house/no person present]



D	State Confinement (County Confinement Exception)	22	24-<30
		21	20-24
		20 (F-1 OMNI)	16-20
		19	12-16
C	County Confinement	18	9-<12 months RC
		17	8-10 months RC
		16 (F-2 OMNI)	7-9 months RC
		15	6-8 months RC
		14	5-7 months RC
		13	4-6 months RC
		12 (F-3 OMNI)	3-5 months RC
		11	2-4 months RC
		10	1-3 months RC
		B	Probation
8 (M-1 OMNI)	30 months Probation (200-225)		
7	24 months Probation (175-200)		
6	18 months Probation (150-175)		
5	12 months Probation (125-150)		
4 (M-2 OMNI)	6 months Probation (100-125)		
A	Restorative Sanctions		
		2 (M-3 OMNI)	RS (50-75)
		1	RS (25-50)

# Preliminary OGS Assignment

## Example #2

PWID Marijuana (<1 pound)

# PWID (35 Pa.C.S.A. § 780-113(a)(30))

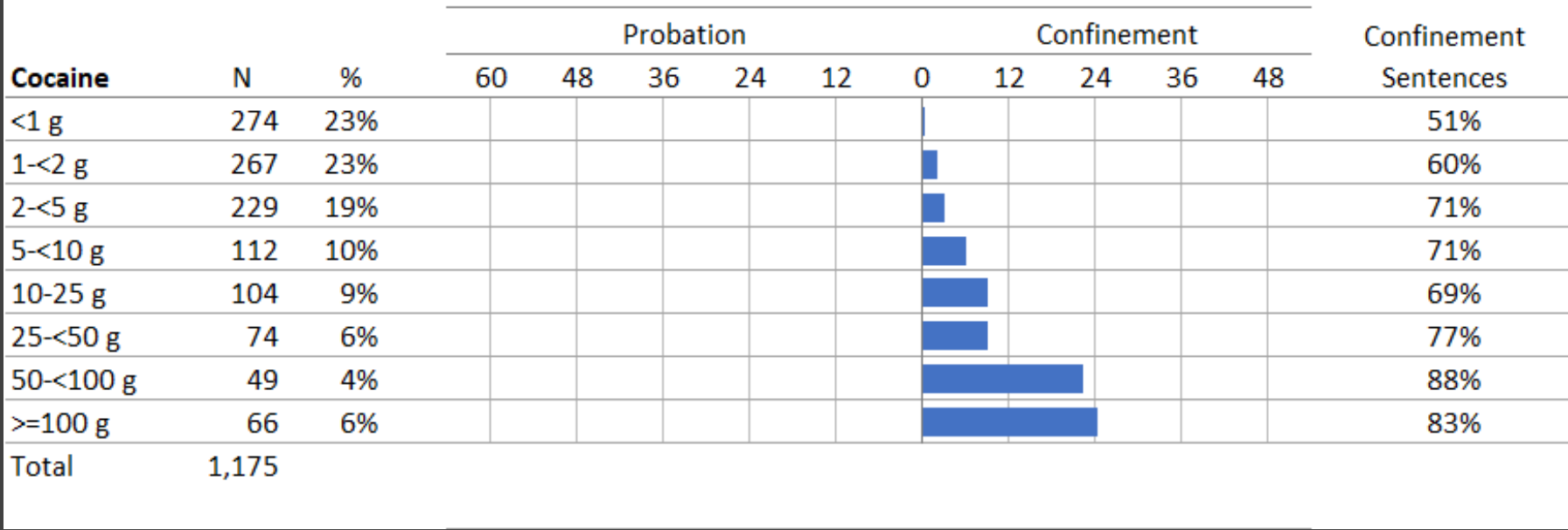
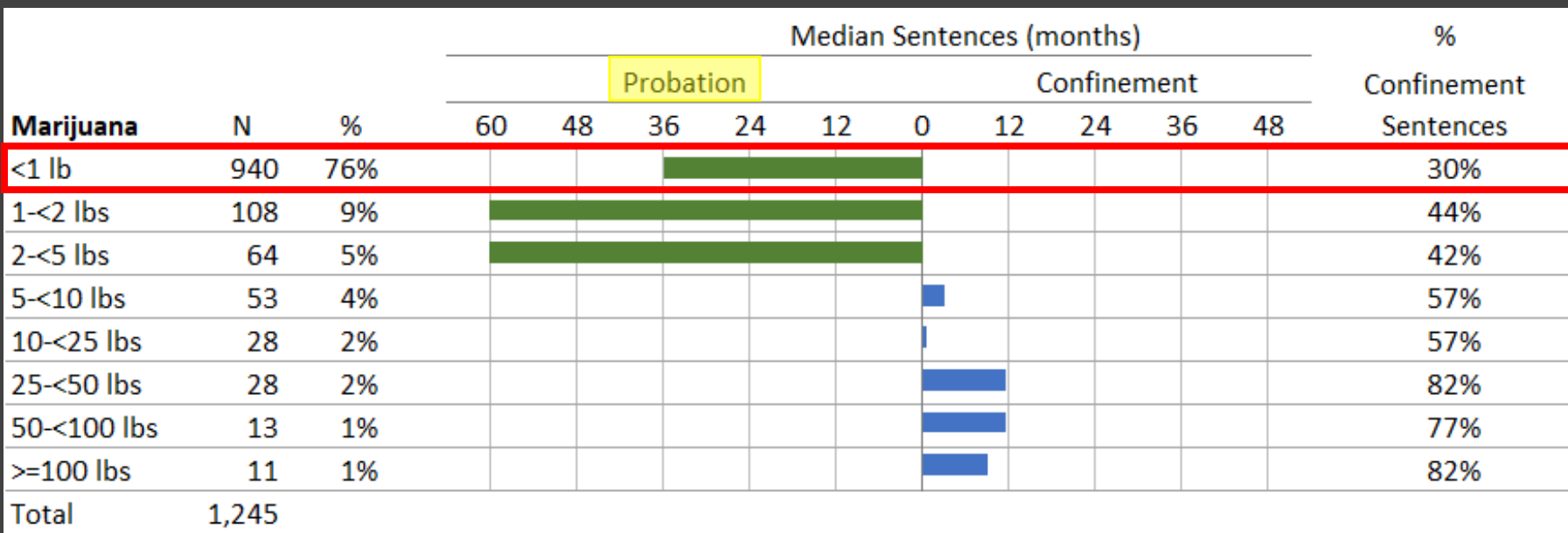
Level	OGS	Prior Record Score						RFEL	REVOC	AGG/MIT
		0	1	2	3	4	5			
LEVEL 5	14	72-SL	84-SL	96-SL	120-SL	168-SL	192-SL	204-SL	SL	~/-12
	13	60-78	66-84	72-90	78-96	84-102	96-114	108-126	240	+/- 12
	12	48-66	54-72	60-78	66-84	72-90	84-102	96-114	120	+/- 12
	11	36-54	42-60	48-66	54-72	60-78	72-90	84-102	120	+/- 12
	10	22-36	30-42	36-48	42-54	48-60	60-72	72-84	120	+/- 12
	9	12-24	18-30	24-36	30-42	36-48	48-60	60-72	120	+/- 12
LEVEL 4	8	9-16	12-18	15-21	18-24	21-27	27-33	40-52	NA	+/- 9
LEVEL 3	7	6-14	9-16	12-18	15-21	18-24	24-30	35-45	NA	+/- 6
	6	3-12	6-14	9-16	12-18	15-21	21-27	27-40	NA	+/- 6
LEVEL 2	5	RS-9 P2 (225-250)	1-12	3-14	6-16	9-16	12-18	24-36	NA	+/- 3
	4	RS-3 P1 (100-125)	RS-9 P2 (225-250)	RS-<12 P2 (300-325)	3-14	6-16	9-16	21-30	NA	+/- 3
	3	<b>RS-1 P1 (50-75)</b>	RS-6 P1 (150-175)	RS-9 P2 (225-250)	RS-<12 P2 (300-325)	3-14	6-16	12-18	NA	+/- 3
LEVEL 1	2	RS (25-50)	RS-2 P1 (75-100)	RS-3 P1 (100-125)	RS-4 P1 (125-150)	RS-6 P1 (150-175)	1-9	6- <12	NA	+/- 3
	1	RS (25-50)	RS-1 P1 (50-75)	RS-2 P1 (75-100)	RS-3 P1 (100-125)	RS-4 P1 (125-150)	RS-6 P1 (150-175)	3-6	NA	+/- 3

**Marijuana (<1 lb.)**

Current assignment

OGS 3 (PRS 0) = RS-1

Stat Limit = 30/60 mo.





			Median Sentences (months)										%
			Probation					Confinement					Confinement Sentences
Marijuana	N	%	60	48	36	24	12	0	12	24	36	48	
<1 lb	940	76%											30%
1-<2 lbs	108	9%											44%
2-<5 lbs	64	5%											42%
5-<10 lbs	53	4%											57%
10-<25 lbs	28	2%											57%
25-<50 lbs	28	2%											82%
50-<100 lbs	13	1%											77%
>=100 lbs	11	1%											82%
Total	1,245												

			Median Sentences (months)										%
			Probation					Confinement					Confinement Sentences
Cocaine	N	%	60	48	36	24	12	0	12	24	36	48	
<1 g	274	23%											51%
1-<2 g	267	23%											60%
2-<5 g	229	19%											71%
5-<10 g	112	10%											71%
10-25 g	104	9%											69%
25-<50 g	74	6%											77%
50-<100 g	49	4%											88%
>=100 g	66	6%											83%
Total	1,175												

# PWID (35 Pa.C.S.A. § 780-113(a)(30))

## Marijuana (<1 lb.)

Current assignment

OGS 3 (PRS 0) = RS-1

Stat Limit = 30/60 months

Preliminary assignments

OGS 7 (PRS 0) = 24P

Stat Limit = 30 months

OGS 10 (PRS 0) = 1-3

Stat Limit = 60 months

D	State Confinement (County Confinement Exception)	22	24-<30
		21	20-24
		20 (F-1 OMNI)	16-20
		19	12-16
C	County Confinement	18	9-<12 months RC
		17	8-10 months RC
		16 (F-2 OMNI)	7-9 months RC
		15	6-8 months RC
		14	5-7 months RC
		13	4-6 months RC
		12 (F-3 OMNI)	3-5 months RC
		11	2-4 months RC
B	Probation	10	1-3 months RC
		9	36 months Probation (225-250)
		8 (M-1 OMNI)	30 months Probation (200-225)
		7	24 months Probation (175-200)
		6	18 months Probation (150-175)
		5	12 months Probation (125-150)
A	Restorative Sanctions	4 (M-2 OMNI)	6 months Probation (100-125)
		3	RS (75-100)
		2 (M-3 OMNI)	RS (50-75)
		1	RS (25-50)

# PWID (35 Pa.C.S.A. § 780-113(a)(30))

D	State Confinement (County Confinement Exception)	22	24-<30
		21	20-24
		20 (F-1 OMNI)	16-20
		19	12-16
C	County Confinement	18	9-<12 months RC
		17	8-10 months RC
		16 (F-2 OMNI)	7-9 months RC
		15	6-8 months RC
		14	5-7 months RC
		13	4-6 months RC
		12 (F-3 OMNI)	3-5 months RC
		11	2-4 months RC
		10	1-3 months RC
B	Probation	9	36 months Probation (225-250)
		8 (M-1 OMNI)	30 months Probation (200-225)
		7	24 months Probation (175-200)
		6	18 months Probation (150-175)
		5	12 months Probation (125-150)
		4 (M-2 OMNI)	6 months Probation (100-125)
A	Restorative Sanctions	3	RS (75-100)
		2 (M-3 OMNI)	RS (50-75)
		1	RS (25-50)

## Marijuana (<1 lb.)

Current assignment

OGS 3 (PRS 0) = RS-1

Stat Limit = 30/60 months

## Preliminary assignments

OGS 7 (PRS 0) = 24P

Stat Limit = 30 months

OGS 10 (PRS 0) = 1-3

Stat Limit = 60 months

# Preliminary OGS Assignment

## Example #3

PWID Cocaine (10-<50 grams)

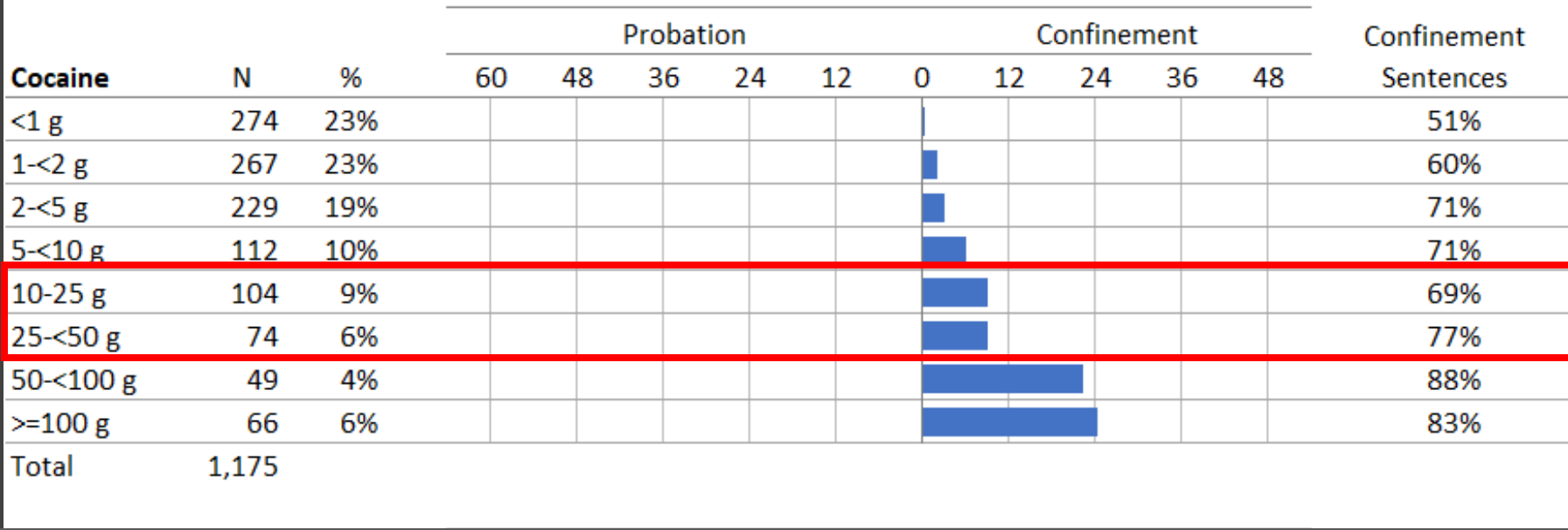
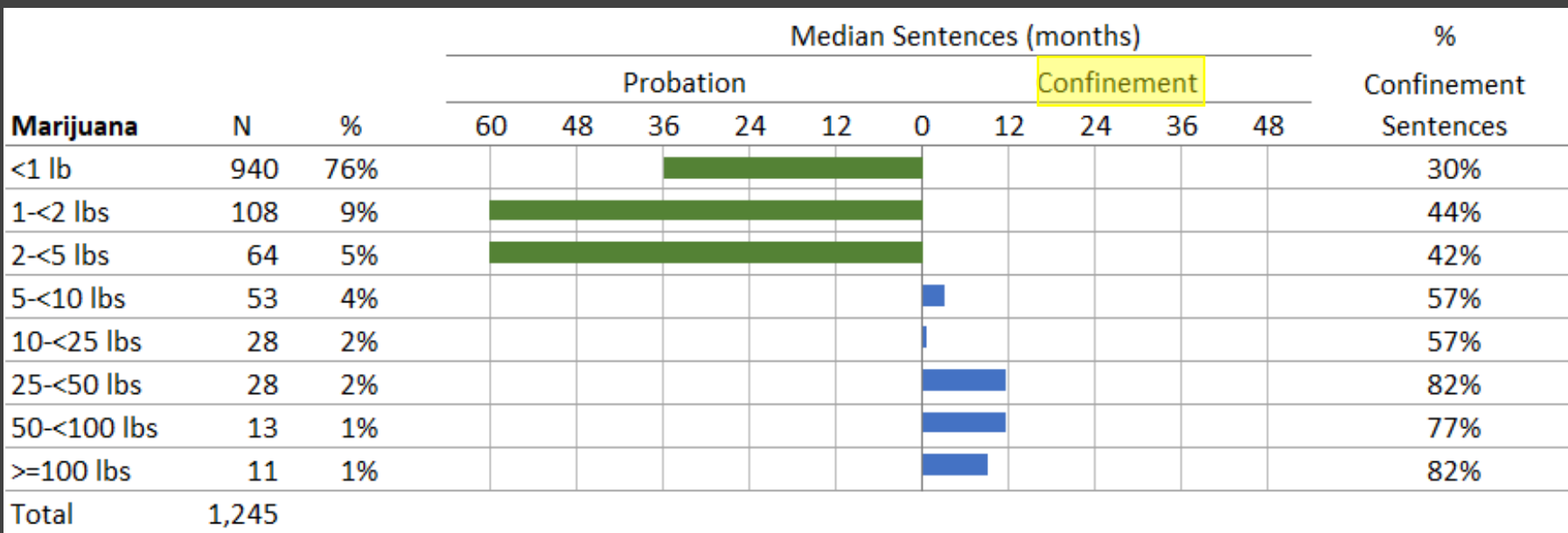
# PWID (35 Pa.C.S.A. § 780-113(a)(30))

Level	OGS	Prior Record Score						RFEL	REVOC	AGG/MIT
		0	1	2	3	4	5			
LEVEL 5	14	72-SL	84-SL	96-SL	120-SL	168-SL	192-SL	204-SL	SL	~-12
	13	60-78	66-84	72-90	78-96	84-102	96-114	108-126	240	+/- 12
	12	48-66	54-72	60-78	66-84	72-90	84-102	96-114	120	+/- 12
	11	36-54	42-60	48-66	54-72	60-78	72-90	84-102	120	+/- 12
	10	22-36	30-42	36-48	42-54	48-60	60-72	72-84	120	+/- 12
	9	12-24	18-30	24-36	30-42	36-48	48-60	60-72	120	+/- 12
LEVEL 4	8	9-16	12-18	15-21	18-24	21-27	27-33	40-52	NA	+/- 9
LEVEL 3	7	6-14	9-16	12-18	15-21	18-24	24-30	35-45	NA	+/- 6
	6	3-12	6-14	9-16	12-18	15-21	21-27	27-40	NA	+/- 6
LEVEL 2	5	RS-9 P2 (225-250)	1-12	3-14	6-16	9-16	12-18	24-36	NA	+/- 3
	4	RS-3 P1 (100-125)	RS-9 P2 (225-250)	RS-<12 P2 (300-325)	3-14	6-16	9-16	21-30	NA	+/- 3
	3	RS-1 P1 (50-75)	RS-6 P1 (150-175)	RS-9 P2 (225-250)	RS-<12 P2 (300-325)	3-14	6-16	12-18	NA	+/- 3
LEVEL 1	2	RS (25-50)	RS-2 P1 (75-100)	RS-3 P1 (100-125)	RS-4 P1 (125-150)	RS-6 P1 (150-175)	1-9	6- <12	NA	+/- 3
	1	RS (25-50)	RS-1 P1 (50-75)	RS-2 P1 (75-100)	RS-3 P1 (100-125)	RS-4 P1 (125-150)	RS-6 P1 (150-175)	3-6	NA	+/- 3

**Cocaine (10-<50 g)**

OGS 8 (PRS 0) = 9-16

Stat Limit = 60/120 mo.



# PWID (35 Pa.C.S.A. § 780-113(a)(30))

## Cocaine (10-<50 g)

Current assignment

OGS 8 (PRS 0) = 9-16

Stat Limit = 60/120 mo.

Preliminary assignments

OGS 18 (PRS 0) = 9-<12

Stat Limit = 60 months

OGS 19 (PRS 0) = 12-18

Stat Limit = 120 months

D	State Confinement (County Confinement Exception)	22	24-<30
		21	20-24
		20 (F-1 OMNI)	16-20
		19	12-16
C	County Confinement	18	9-<12 months RC
		17	8-10 months RC
		16 (F-2 OMNI)	7-9 months RC
		15	6-8 months RC
		14	5-7 months RC
		13	4-6 months RC
		12 (F-3 OMNI)	3-5 months RC
		11	2-4 months RC
		10	1-3 months RC
B	Probation	9	36 months Probation (225-250)
		8 (M-1 OMNI)	30 months Probation (200-225)
		7	24 months Probation (175-200)
		6	18 months Probation (150-175)
		5	12 months Probation (125-150)
		4 (M-2 OMNI)	6 months Probation (100-125)
A	Restorative Sanctions	3	RS (75-100)
		2 (M-3 OMNI)	RS (50-75)
		1	RS (25-50)

# PWID (35 Pa.C.S.A. § 780-113(a)(30))

D	State Confinement (County Confinement Exception)	22	24-<30
		21	20-24
		20 (F-1 OMNI)	16-20
		19	12-16
C	County Confinement	18	9-<12 months RC
		17	8-10 months RC
		16 (F-2 OMNI)	7-9 months RC
		15	6-8 months RC
		14	5-7 months RC
		13	4-6 months RC
		12 (F-3 OMNI)	3-5 months RC
		11	2-4 months RC
B	Probation	10	1-3 months RC
		9	36 months Probation (225-250)
		8 (M-1 OMNI)	30 months Probation (200-225)
		7	24 months Probation (175-200)
		6	18 months Probation (150-175)
		5	12 months Probation (125-150)
A	Restorative Sanctions	4 (M-2 OMNI)	6 months Probation (100-125)
		3	RS (75-100)
		2 (M-3 OMNI)	RS (50-75)
		1	RS (25-50)

## Cocaine (10-<50 g)

Current assignment

OGS 8 (PRS 0) = 9-16

Stat Limit = 60/120 mo.

Preliminary assignments

OGS 18 (PRS 0) = 9-<12

Stat Limit = 60 months

OGS 19 (PRS 0) = 12-18

Stat Limit = 120 months



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# Enhancements & Adjustments

## Enhancements

- General enhancements (deadly weapon, domestic violence)
- Offense-specific enhancements (murder 3, child pornography)
- Subcategorization; step increase

## Adjustments

- Common aggravating/mitigating factors
- Step increases (temporal or offense pattern, repeat victimization)
- Step decreases (acceptance of responsibility, substantial assistance)

# Working Draft of Sentencing Guidelines Proposals (8<sup>th</sup> Edition)

- Comprehensive Review
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  - Draft Matrix
- Preliminary OGS Assignments
- Enhancement & Adjustments
- **PRS Development**
- Public Hearings & Comments

# Prior Record Score (PRS) Development

Simplify, automate, reduce impact...

- Reduce number of prior record score categories from 8 to 4
- Move from point-based to categorical (zero, low, medium, high) based on most serious prior conviction and number of such priors
- Expand criteria of lapsing of juvenile adjudications (decay)
- Include lapsing provision for adult offenders (crime-free gap)
- Reduce impact of prior record score (generally no more than twice Zero category), consistent with policy that OGS is primary driver of sentence recommendation

None  
(base)

No priors

Low

*Low (a)*

Most serious prior is M/M3/M2 (one or more incidents or victims)

*Low (b)*

Most serious prior is M1 (single incident and single victim)

Medium

*Medium (a)*

Most serious prior is M1 (multiple incidents or victims) or F/F3 (one or more incidents or victims)

*Medium (b)*

Most serious prior is F2/F1 (single incident and single victim)

High

(base x 2)

*RFEL*

Most serious prior is F2/F1 (multiple incidents or victims)

*(REVOC)*

Most serious prior is crime of violence (multiple incidents or victims)

Preliminary Counting Rules

- Convictions or adjudications prior to commission of current offense
- None includes those with no convictions but admitted to ARD or court diversion

None  
(base)

Low

Medium

High  
(base x 2)

No priors

*Low (a)*

Most serious prior is M/M3/M2 (one or more incidents or victims)

*Low (b)*

Most serious prior is M1 (single incident and single victim)

*Medium (a)*

Most serious prior is M1 (multiple incidents or victims) or F/F3 (one or more incidents or victims)

*Medium (b)*

Most serious prior is F2/F1 (single incident and single victim)

*RFEL*

Most serious prior is F2/F1 (multiple incidents or victims)

*(REVOC)*

Most serious prior is crime of violence (multiple incidents or victims)

Preliminary Juvenile Adjudications – Lapsing Policy

- M3/M2 juvenile adjudications are not counted
- M1/F/F3 lapse at age 21 [decay]
- F2/F1 lapse at age 25 [decay]; except for crimes of violence
- Crimes of violence – crime free between 18 and 28 years of age [gap]

None  
(base)

Low

Medium

High  
(base x 2)

No priors

*Low (a)*

Most serious prior is M/M3/M2 (one or more incidents or victims)

*Low (b)*

Most serious prior is M1 (single incident and single victim)

*Medium (a)*

Most serious prior is M1 (multiple incidents or victims) or F/F3 (one or more incidents or victims)

*Medium (b)*

Most serious prior is F2/F1 (single incident and single victim)

*RFEL*

Most serious prior is F2/F1 (multiple incidents or victims)

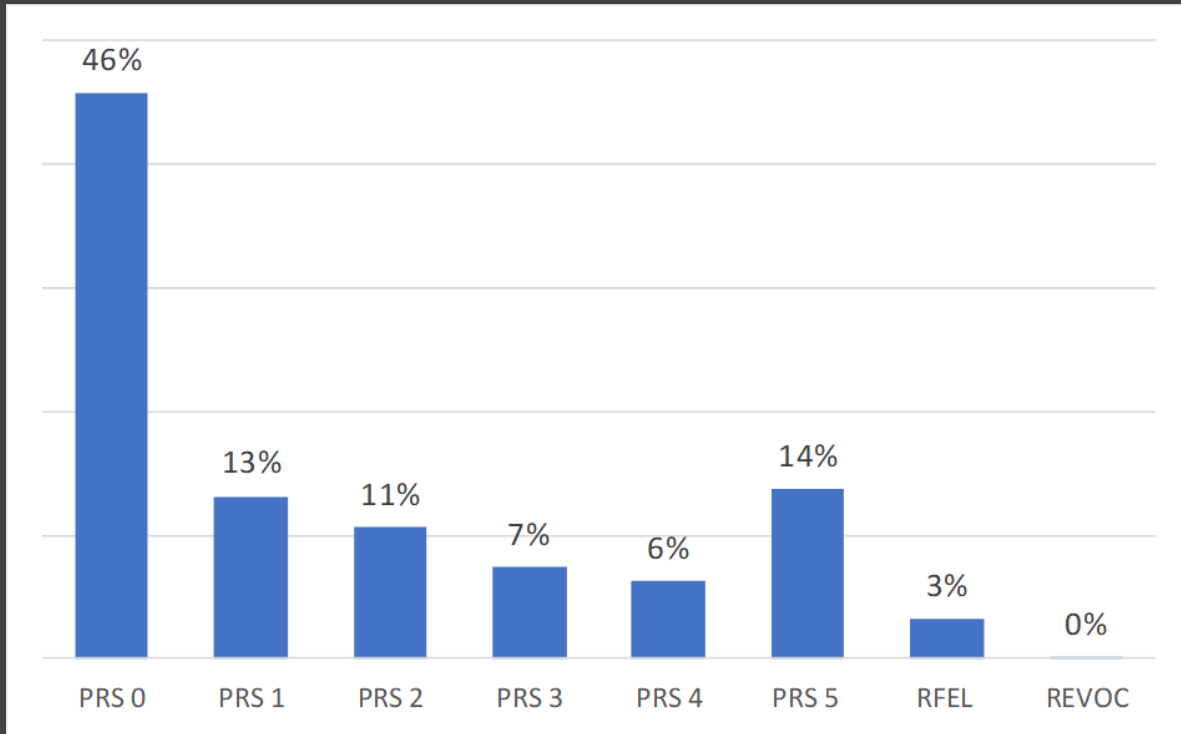
*(REVOC)*

Most serious prior is crime of violence (multiple incidents or victims)

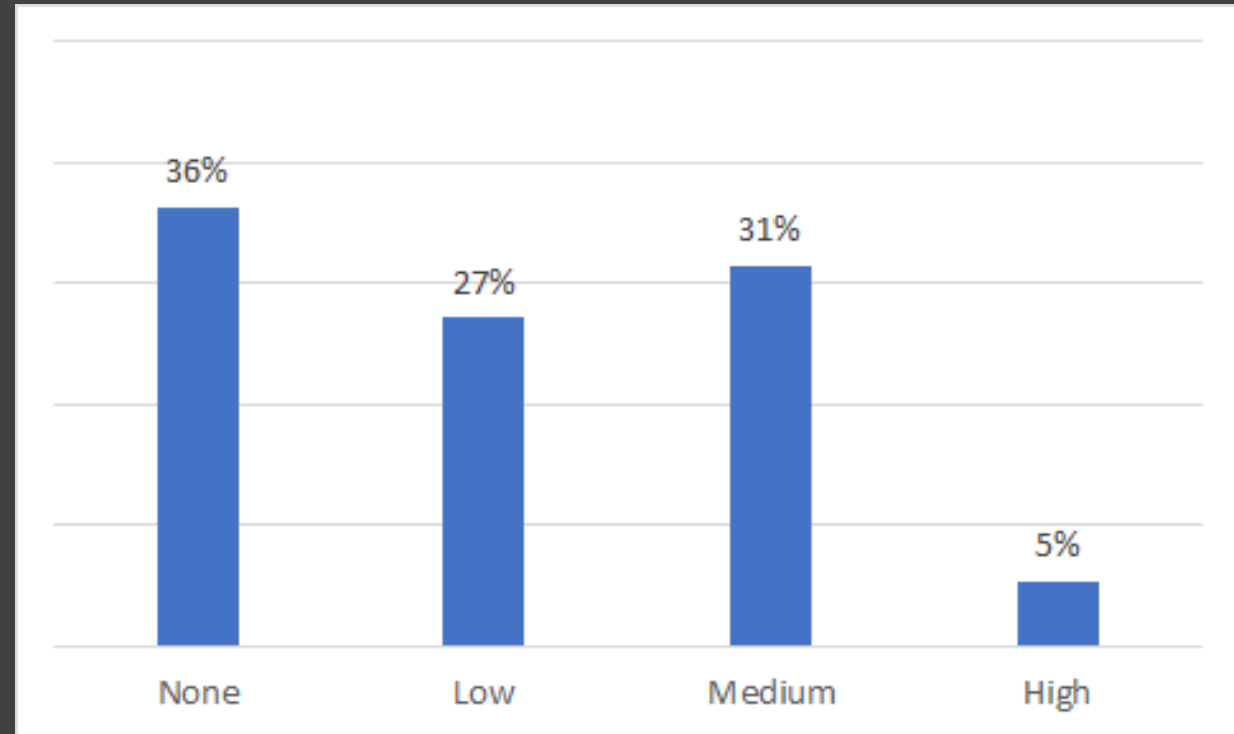
Preliminary Adult Convictions – Lapsing Policy

- M/M3/M2/M1/F/F3 crime free for 10 years (accept Clean Slate as proof) [gap]
- F2/F1 crime free for 15 years [gap]

# Distribution of Offenders Across PRS Categories [2018 data; N=82,718]



Current  
7<sup>th</sup> Edition; Amendment 6



Working Draft  
8<sup>th</sup> Edition

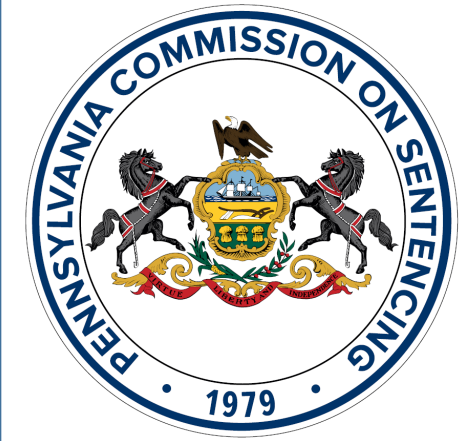


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# Working Draft of Sentencing Guidelines Proposals

- *Public Hearings Held*
  - February 22, 2022, Bucks County Justice Center
  - February 24, 2022, Philadelphia City Hall, Courtroom 654
  - February 28, 2022, Pennsylvania Department of Corrections
  - March 2, 2022, Duquesne University School of Law
  - March 4, 2022, Pennsylvania Commission on Sentencing
  - March 9, 2022, Pennsylvania Capitol Complex
- *Next Steps*
  - Commission Meetings: March 10, 2022 & June 2, 2022
  - Staff to summarize comments received & present revisions for consideration



**Thank You.**

**Ryan S. Meyers**

**Manager, Education and Outreach**

**[rsm208@psu.edu](mailto:rsm208@psu.edu)**

**814-865-0078**