# Michigan • Sentencing Guidelines

1988

**Second Edition** 

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Instructions

#### **BASIC INFORMATION AND GENERAL INSTRUCTIONS**

- A. There are a number of terms, used repeatedly throughout the Michigan Sentencing Guidelines, that have precise definitions in the guideline context. Please consult the Definitions section prior to using the guidelines.
- B. Which offenses are included in the sentencing guidelines and hence require completion of the sentencing information report (SIR)?
  - 1. The Michigan Sentencing Guidelines do <u>not</u> cover all criminal offenses in Michigan.
  - 2. The <u>Crime List</u> section of the Michigan Sentencing Guidelines Manual contains all offenses that meet the above criteria. If the offense is not listed in the <u>Crime List</u>, the Sentencing Guidelines are not applicable.
  - 3. Even though the Sentencing Guidelines do not apply where an offender is to be sentenced as an habitual offender, the judge must complete the SIR on the underlying offense. This information will aid in the development of guidelines to cover habitual offenders.
  - 4. In instances when there are multiple convictions for a single offender, the judge must complete the SIR for the conviction that carries the highest statutory maximum. In instances in which the multiple convictions have the same statutory maximum, the judge may choose the conviction offense upon which to score the offender.

#### C. Who is responsible for the SIR?

- 1. The scoring of each prior record and offense variable is the responsibility of the sentencing judge.
- 2. The accuracy of the information on the SIR is the responsibility of the sentencing judge.

#### **IDENTIFICATION INFORMATION**

A. Judge: Indicate the sentencing judge's complete name.

B. Offender: Indicate the offender's complete name.

**C. P.O.:** Indicate the probation officer's complete name.

D. Circuit #: Indicate the assigned circuit court number.

E. Docket #: Indicate the complete docket number.

#### **CURRENT OFFENSE DATA**

A. Original Charge: Record complete statutory title for original charge.

B. MCLA Original Charge: Record complete MCLA citation for original charge.

C. Conviction Offense: Record complete statutory title for conviction charge.

**D. MCLA Conviction Offense:** Record complete MCLA citation for conviction charge.

#### **GUIDELINES INFORMATION**

#### A. Crime Group

- 1. The felonies covered by the Sentencing Guidelines have been categorized into the following crimes groups:
  - Assault
  - Burglary
  - Criminal Sexual Conduct
  - Drug
  - Fraud
  - Homicide
  - Larceny
  - Property Destruction
  - Robbery
  - Weapons Possession

2. Offenses have been classified into crime groups based on their underlying similarity. For example, Assault w/intent to Rob Armed is to be scored as a Robbery even though Assault appears in the offense title. The Crime List is cross-referenced to reflect all such changes.

#### **B. Statutory Maximum Conviction Offense**

The judge should determine the statutory maximum of the conviction offense and record it on the SIR.

#### PRIOR RECORD SCORE

#### A. Evaluating the Prior Record Variables

- 1. Several important terms (e.g., prior conviction, felony) are defined in the **Definition** section.
- 2. Turn to the Prior Record Variable pages in the appropriate crime group. (NOTE: the prior record variables are listed separately in each crime group.)
- 3. For purposes of scoring, Prior Record Variables 1 through 6 refer only to prior convictions. Concurrent and Subsequent convictions should not be used for Prior Record Variables 1 through 6.
- 4. Concurrent and Subsequent convictions are to be used in Prior Record Variable 7 only.
- 5. Probation violations do not count as prior, concurrent, or subsequent convictions.
- 6. Do not score any prior felony convictions, misdemeanors, or juvenile delinquency adjudications that precede conviction-free periods of 10 years or more. A conviction-free period exists if more than 10 years have elapsed between the <u>discharge date</u> from any conviction or adjudication and the <u>commission</u> of the next offense that results in a conviction. When discharge date is not available, add (a) the amount of time the offender is sentenced to probation, or (b) the amount of time of the minimum incarceration term, to the conviction date to determine an approximate discharge date. To determine whether the decay factor is applicable complete the following steps.

- a. Start from the date of the instant offense and go back in time to the most recent prior conviction and determine the discharge date. If there is less than 10 years between the two dates, the most recent prior conviction is to be scored. If the gap is more than 10 years, that prior conviction and any previous convictions are not to be scored.
- b. If there is a prior conviction within the most recent 10 year period, start from the offense date of the most recent prior conviction and go back in time to the discharge date of the next prior conviction. If there is less than 10 years between the two dates, the next prior conviction is to be scored. If there is more than a 10 year gap, that prior conviction and all previous convictions are not be scored.
- c. Continue in a similar fashion until there is a 10 year gap or until there are no further prior convictions.
- 7. Evaluate each of the Prior Record Variables and record the appropriate point total on the SIR. The judge should record a "0" if there is no score for an individual offense variable.

#### B. Prior Record Level

- 1. Once the Prior Record Variables have been scored, the point values should be added together. The total of the prior record points is the Prior Record Score. The judge should record the Prior Record Score on the SIR.
- 2. An offender's Prior Record Score is used to determine the Prior Record Level. To determine whether the offender is to be placed in Prior Record Level A, B, C, or D, the judge should consult the "Prior Record Levels" box at the end of each prior record section in this manual. The judge should record the appropriate letter on the SIR.

#### OFFENSE SCORE

#### A. Evaluating the Offense Variables

- 1. Several important terms (e.g., transaction) are defined in the Definitions section.
- 2. Turn to the pages that cover the crime group of the conviction offense. This listing contains a description of each of the offense variables that are to be evaluated in the crime group. Offense variables 20, 21, and 22 are reserved for use in the Driving Offense crime group which will be added at a later date.
- 3. Determine the offender's score on each variable by determining the single applicable category with the highest point score.
- 4. Where the facts are proven or acknowledged and are not consistent with the conviction offense (e.g., aggravated use of a weapon with a conviction offense of Unarmed Robbery), the actual facts are to be applied when scoring the appropriate variables.
- 5. Evaluate each of the Offense Variables and record the appropriate point total on the SIR. The judge should record a "0" if there is no score for an individual offense variable.

#### B. Offense Variable Levels

- 1. Once the Offense Variables have been scored, the point values should be added together. The total of the Offense Variable points is the Offense Score. The judge should record the Offense Score on the SIR.
- 2. An offender's Offense Score is used to determine the Offense Variable Level. To determine whether the offender is to be placed in Offense Variable Level I, II, III, or IV, the judge should consult the "Offense Variable Levels" box at the end of each offense variable section in this manual. The judge should record the appropriate Roman numeral on the SIR.

#### **GUIDELINE SENTENCE RANGE**

- A. Locate the sentencing grid that refers to the same crime group and statutory maximum as the conviction offense.
- B. The Guideline Sentence Range is found in the cell that lies at the intersection of the row and column that match the Offense Level and the Prior Record Level.
- C. All Guideline Sentence Ranges are in months. Except for jail sentences, the ranges refer to the <u>minimum</u> sentence. Where jail sentences are within the guideline range, the sentence refers to the jail term.
- D. The judge should record Guideline Sentence Range on the SIR.

#### HABITUAL INFORMATION

The Sentencing Guidelines do not apply to Habitual Offender Convictions. In order to develop guidelines for Habitual Offenders, the judge must record, on the SIR, when an offender is convicted as an habitual offender, the level of conviction, and the new statutory maximum.

#### **ACTUAL SENTENCE**

- A. The judge should specify the actual sentence by placing the length of the sentence (in months) on the SIR. For example, if the sentence is a split between jail and probation, the judge should place the length of probation after "Probation:" and the length of jail incarceration after "Jail:".
- B. In the event of a delayed sentence, the judge should record the delayed sentence on the SIR and send the SIR to the Guidelines office. A second SIR should be sent to the Guidelines office when a sentence is actually imposed.
- C. In the event of a Habitual Offender conviction, the judge should record the sentence that results from the Habitual Offender conviction on the SIR.
- D. The judge should indicate on the SIR whether the actual sentence is the result of a Sentence Agreement/Prosecutor Recommendation.

#### DEPARTURE

- A. Whenever the judge determines that a minimum sentence outside the recommended minimum range should be imposed, the judge may do so.
- B. When such a sentence is imposed, the judge must explain on the sentencing information report and on the record the aspects of the case that have persuaded the judge to impose a sentence outside the recommended minimum range.
- C. To explain a departure on the sentencing information report, the judge must complete the Departure Reason section on the SIR.
- D. If the actual sentence is outside the Guideline Sentence Range and no reason is given for the departure, the SIR will be returned to the judge.

#### **FINISHING THE SIR**

- A. Each SIR is to be signed and dated by the sentencing judge.
- B. The judge should attach the Basic Information Report from the Department of Corrections (BIR) to the SIR and send it to the State Court Administrative Office.
- C. The judge should be sure to complete the departure reason section of the SIR.

# **Definitions**

Conviction: A "conviction" is an adjudication of guilt in an adult criminal matter.

**Prior Conviction:** "Prior convictions" are convictions that occur prior to the commission of the instant offense.

Concurrent Conviction: "Concurrent convictions" are convictions that anse out of the same set of activities as the instant offense.

**Subsequent Conviction:** "Subsequent convictions" are convictions that occur after the commission of the instant offense and are unrelated to the activities that lead to the instant offense.

**Crime Group:** The offenses covered by the Michigan Sentencing Guidelines have been divided into separate crime groups. The groups, listed alphabetically, are as follows: Assault, Burglary, Criminal Sexual Conduct, Drug, Fraud, Homicide, Larceny, Property Destruction, Robbery, and Weapons Possession. To determine whether an offense falls into a particular crime group, please consult the <u>Crime List</u> section of the manual.

**Departure:** A departure occurs whenever the judge sentences an offender to a minimum sentence that is not within the recommended range as determined by the intersection of the Prior Record and Offense Levels.

Felony: For purposes of Michigan Sentencing Guidelines, a "felony" is an offense punishable by more than one year of incarceration. Convictions from states other than Michigan or the federal government are to be considered felony convictions if the offense was punishable by more than one year of incarceration or, when the statutory penalty is not available, if the crime was described as a felony in the convicting jurisdiction at the time of the prior conviction.

**Grid:** Each grid provides a recommended minimum sentence range for combinations of the Offense and Prior Record Levels for each statutory maximum. Within each crime group there is a sentencing guidelines grid for crimes carrying the identical statutory maximum penalty. (NOTE: The one exception to the above rule concerns CSC-2nd Degree and CSC-3rd Degree.)

**Cell:** A "cell" is the intersection of an Offense Level and a Prior Record Level. There is one cell for each combination of Offense and Prior Record Levels.

Guideline Sentence Range: The "guideline sentence range" is the set of recommended minimum sentences for offenders falling into a specific cell in a grid.

**Misdemeanor:** A "misdemeanor" is an offense punishable by one year or less of incarceration and falling into one of the following crime groups--Assault, Burglary, Criminal Sexual Conduct, Drug, Fraud, Larceny, Property Destruction, Robbery, and Weapons Possession. Convictions from states other than Michigan or the federal government are to be considered misdemeanor convictions if the offense was punishable by one year or less of incarceration or, when the statutory penalty is not available, if the crime was described as a misdemeanor in the convicting jurisdiction at the time of the prior conviction.

Offender: The Michigan Sentencing Guidelines use the term "offender" rather than "defendant" to underscore the fact that the sentencing guidelines evaluation is taking place after the person has been convicted of a felony.

Offense Variable (OV): The factors (called variables) that are used to evaluate the seriousness of the offense. There is a different set of offense variables for each crime group.

Offense Score: The weights for each of the OVs are added together to determine the offender's offense score.

Offense Variable Level (OV LEVEL): The offender's offense score is divided into four similarity classifications. These are denoted by Roman numerals I through IV.

**Prior Record Variable (PRV):** The factors (called variables) that are used to evaluate the offender's criminal history. The same PRVs are used in each of the crime groups.

**Prior Record Score:** The weights for each of the PRVs are added together to determine the offender's prior record score.

**Prior Record Level:** The offender's prior record score is divided into four similarity classifications. These are denoted by the letters A through D.

**Sentencing Information Report (SIR):** The SIR is the form which records all information pertinent to the sentencing of the offender. This form should be sent into the State Court Administrative Office monthly.

Basic information Report (BIR): The Basic Information Report is a Department of Corrections form that contains data concerning the offender and the offense. The BIR should be attached to each SIR.

**Statutory Maximum:** This is the legislatively-mandated <u>maximum</u> sentence for a specific felony conviction.

**Transaction:** The acts occured in a continuous time sequence and displayed a single intent or goal.

# **Crime List**

# CRIME LIST - ASSAULT

STATUTORY MAXIMUM	MCLA	OFFENSES
	•	
LIFE OR TERM OF YEARS	750.83	Assault w/intent to commit murder
	750.89 ·	Assault w/intent to rob armed (See ROBBERY)
	750.349	Kidnapping
180 MONTHS	750.88	Assault w/intent to rob unarmed (See ROBBERY)
120 MONTHS	750.84	Assault w/intent to do great bodily harm
	750.86	Assault w/intent to maim
	750.87	Assault w/intent to commit felony
	750.136a	Torture children
	750.520g(1)	Assault w/intent sexual penetration (See CSC)
60 MONTHS	750.83	Assault w/intent to commit murder (ATT)
	750.84	Assault w/intent to do great bodily harm (ATT)
	750.86	Assault w/intent to maim (ATT)
	750.87	Assault w/intent to commit felony (ATT)
	750.88	Assault w/intent to rob unarmed (ATT)
		(See ROBBERY)
	750.89	Assault w/intent to rob armed (ATT)
	•	(See ROBBERY)
	750.136a	Torture children (ATT)
	750.349	Kidnapping (ATT)
	750.520g(1)	Assault w/intent sexual penetration (ATT) (See CSC)
A L	750.520g(2)	Assault w/intent CSC, 2nd degree (See CSC)
48 MONTHS	750.82	Felonious Assault
	750.136	Cruelty to children
	750.197c	Assault on a jail custodian or corrections officer
30 MONTHS	750.520g(2)	Assault w/intent CSC, 2nd degree (ATT)
	700.020g(L)	(See CSC)
24 MONTHS	750.82	Felonious Assault (ATT)
	750.136	Cruelty to children (ATT)
	750.197c	Assault on a jail custodian or corrections officer (ATT)
	750.479	Resisting officer
	750.479a	Assault upon Police Officer
	752.861	Kill or injure, negligerit use of firearm
I Variation		

# **CRIME LIST - BURGLARY**

STATUTORY MAXIMUM	MCLA	OFFENSES
180 MONTHS	750.110	Breaking & Entering occupied dwelling
120 MONTHS	750.110 750.116	Breaking & Entering unoccupied dwelling Possession of burglar's tools
60 MONTHS	750.110 750.110 750.111 750.116	Breaking & Entering occupied dwelling (ATT) Breaking & Entering unoccupied dwelling (ATT) Entering without breaking Possession of burglar's tools (ATT)
36 MONTHS	752.811	Breaking & Entering coin operated device
30 MONTHS	750.111	Entering without breaking (ATT)

# CRIME LIST - CRIMINAL SEXUAL CONDUCT

STATUTORY MAXIMUM	MCLA	OFFENSES
LIFE OR TERM OF YEARS	750.520b	Criminal sexual conduct, 1st
180 MONTHS	750.158	Sodomy/sex delinquent
	750.520c	Criminal sexual conduct, 2nd
	750.520d	Criminal sexual conduct, 3rd
120 MONTHS	750.520g(1)	Assault w/intent sexual penetration
60 MONTHS	750 150	Cadamy/say delinguent (ATT)
OU MICH I FIG	750.158 750.338	Sodomy/sex delinquent (ATT)
	750.338 750.338a	Gross indecency/males
	750.338b	Gross indecency/females
	750.338b 750.520b	Gross indecency/male, female
7 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	750.520b 750.520c	Criminal sexual conduct, 1st (ATT) Criminal sexual conduct, 2nd (ATT)
	750.520d 750.520d	Criminal sexual conduct, 2nd (ATT)  Criminal sexual conduct, 3rd (ATT)
4. x.	750.520d 750.520g(1)	Assault w/intent sexual penetration (ATT)
	750.520g(1) 750.520g(2)	Assault w/intent CSC, 2nd degree
	/50.520g(2)	Assault Williant Oco, End Codies
30 MONTHS	750.338	Gross indecency/males (ATT)
	750.338a	Gross indecency/females (ATT)
	750.338b	Gross indecency/male, female (ATT)
	750.520g(2)	Assault w/intent CSC, 2nd degree (ATT)
24 MONTHS	750.451	Prostitution, 3rd offense
	750.520e	Criminal sexual conduct, 4th

# CRIME LIST - DRUG

STATUTORY MAXIMUM	MCLA	OFFENSES
240 MONTHS	333.7401 (2)(a)(iv)	Manufacture, deliver, or possess w/intent to manufacture or deliver, a controlled substance classified in schedule 1 or 2 which is either a narcotic drug or described in 333.7214 (a)(iv) and which is an amount less than 50 grams or any mixture containing that substance.
120 MONTHS	333.7402 (2)(a)	Create, deliver, or possess w/intent to deliver, a counterfeit substance classified in schedule 1 or 2 which is either a narcotic drug or described in 333.7214 (a)(iv).
84 MONTHS	333.7401 (2)(b)	Manufacture, deliver, or possess w/intent to manufacture or deliver, any other controlled substance classified in schedule 1, 2, or 3, except marijuana.
60 MONTHS	333.7401 (2)(a)(iv)	Manufacturenarcoticless than 50 grams,- etc. (ATT) (Does not apply to delivery: <u>People</u> v <u>Wright</u> , 74 Mich App 297, 301-302 (1977)).
	333.7402 (2)(a)	Createcounterfeit substancein schedule 1 or 2, etc. (ATT).
	333.7402 (2)(b)	Create, deliver, or possess wintent to deliver any other counterfeit substance classified in schedule 1, 2, or 3.
	800.281	Furnishing controlled substance to prisoners.
48 MONTHS	333.7401 (2)(c)	Manufacture, deliver, or possess w/intent to manufacture or deliver, a controlled substance classified in schedule 4 or marijuana.
	333.7402 (2)(c)	Create, deliver, or possess w/intent to deliver any other counterfeit substance classified in schedule 4.
	333.7403 (2)(a)(iv)	Knowingly or intentionally possess a controlled substance classified in schedule 1 or 2 which is either a narcotic drug or described in 333.7214 (a)(iv), which is in an amount of 25 grams or more, but less than 50 grams of any mixture containing that substance.
	333.7403 (2)(a)(v)	Knowingly or intentionally possess a controlled substance classified in schedule 1 or 2 which is either a narcotic drug or described in 333.7214 (a)(iv), which is in an amount of less than 25 grams of any mixture containing that substance.
		그리고 그리고 하는 연습이다.

# CRIME LIST - DRUG

STATUTORY MAXIMUM	MCLA	OFFENSES
		and the control of th
48 MONTHS	333.7407 (1)	Violations of 333.7407(1)(a) unlawful distribution of schedule 1 or 2 substances, (b) use illegal controlled substance license number, (c) acquire controlled substance by fraud etc., (d) furnish false information, etc., (e) make a punch, etc., to print or reproduce the trademark of another upon a drug or container so as to render the drug a counterfeit substance.
42 MONTHS	333.7401 (2)(b)	Manufactureany other controlled substance, etc. (ATT)
30 MONTHS	333.7402 (2)(b)	Create, deliver, or possess w/intent to deliver any other counterfeit substance classified in schedule 1, 2, or 3. (ATT)
	800.281	Furnishing controlled substance to prisoners. (ATT)
24 MONTHS	333.7401 (2)(c)	Manufacturea controlled substance classified in schedule 4 or marijuana. (ATT)
	333.7401 (2)(d)	Manufacture, deliver, or possess w/intent to manufacture or deliver, a controlled substance classified in schedule 5.
	333.7402 (2)(c)	Createa counterfeit substance classified in schedule 4. (ATT)
	333.7402 (2)(d)	Create, deliver, or possess w/intent to deliver a counterfeit substance classified in schedule 5.
	333.7403 (2)(a)(iv)	Knowinglypossess a controlled substance classified in schedule 1 of 2, etc. (ATT)
	333.7403 (2)(a)(v)	- Knowinglypossess a controlled substance classified in schedule 1 or 2, etc. (ATT)

CRIME LIST - DRUG			
STATUTOBY MAXIMUM	MCLA	OFFENSES	
24 MONTHS	333.7403 (2)(b)	Knowingly or intentionally possess a controlled substance classified in schedule 1, 2, 3, or 4, except a controlled substance classified in schedule 1 for which a penalty is prescribed in subdivision (a), (c), or (d).	
	333.7405	Violations of 333.7405(a) illegal distribution by licensee, (b) illegal manufacture by licensee, (c) failure to keep required records, (d) refusal to allow lawful inspections, (e) keeping structure for violation of controlled substance law.	
	333.7407 (1)	Violations of 333.7407 (1)(a) unlawful distribution of schedule 1 or 2 substances, (b) use illegal controlled substance license number, (c) acquire controlled substance by fraud, etc., (d) furnish false information, etc., (e) make a punch, etc., to print or reproduce the trademark of another upon a drug or container so as to render the drug a counterfeit substance. (ATT)	

#### CRIME LIST - FRAUD

STATUTORY MAXIMUM	MCLA	OFFENSES
The state of the s		
168 MONTHS	750.248	Forge public records
	750.249	Utter and publish forged instruments
120 MONTHS	257.254	Possess title stolen motor vehicle
	750.174	Embezzle over \$100
	750.218	False pretenses over \$100
	750.280	Gross frauds
84 MONTHS	750.250	Forge treasury notes
OT MOITING	750.251	Forge bank bills
	750.252	Possess counterfeit notes
	445.1538	Franchise law violation
		Transmissian Violanesia
60 MONTHS	257.254	Possess title stolen motor vehicle (ATT)
and the second second	257.257	Forge motor vehicle title
	432.30	Forgery of State Lottery ticket
	438.41	Criminal usury
ting the state of	750.174	Embezzie over \$100 (ATT)
	750.218	False pretenses over \$100 (ATT)
	750.248	Forge public records (ATT)
	750.249	Utter and publish forged instruments (ATT)
	750.253	Utter counterfeit note
	750.254	Possess counterfeit bank notes
	750.280	Gross frauds (ATT)
	750.362 750.363	Larceny by conversion over \$100
	750.363	Larceny by false personation
48 MONTHS	400.60	Welfare fraud over \$500
	750.157p	Possess credit card
	750.157q	Deliver credit card
	750.157u	Forge signature credit card
42 MONTHS	445.1538	Franchise law violation (ATT)
	750.250	Forge treasury notes (ATT)
	750.251	Forge bank bills (ATT)
	750.252	Possess counterfeit notes (ATT)
30 MONTHS	257.257	Forge motor vehicle title (ATT)
	432.30	Forgery of State Lottery ticket (ATT)
	438.41	Criminal usury (ATT)
	750.253	Utter counterfeit note (ATT)
	750.254	Possess counterfeit bank notes (ATT)
	750.362	Larceny by conversion over \$100 (ATT)
	750.363	Larceny by false personation (ATT)
24 MONTHS	400.60	Welfare fraud over \$500 (ATT)
	750.131a	Checks, non-sufficient funds, 3 or more
	750.157a 750.157p	Possess credit card (ATT)
	750.157p	Deliver credit card (ATT)
	750.157q 750.157u	Forge signature credit card (ATT)
	750.362a	Larceny, rented motor vehicle over \$100

# CRIME LIST - HOMICIDE

STATUTORY MAXIMUM	MCLA	OFFENSES
LIFE OR TERM OF YEARS	750.317	Murder second degree
180 MONTHS	750.321	Manslaughter
	750.329	Manslaughter, death from wound

# CRIME LIST - LARCENY

STATUTORY MAXIMUM	MCLA	OFFENSES
120 MONTHS	750.357	Larceny from a person (See ROBBERY)
60 MONTHS	750.356	Larceny over \$100
	750.356a	Larceny, motor vehicle
	750.357	Larceny from a person (ATT) (See ROBBERY)
	750.362	Larceny by conversion over \$100 (See FRAUD)
	750.363	Larceny by false personation (See FRAUD)
	750.413	Unlawfully driving away automobile
	750.535	Receive stolen property over \$100
48 MONTHS	750.157n	Steal credit card
	750.357a	Larceny livestock
	750.360	Larceny; place of abode, work, storage, conveyance, workshop, and other places (Larceny in a Building)
		(Laiceny in a building)
30 MONTHS	750.356	Larceny over \$100 (ATT)
	750.356a	Larceny, motor vehicle (ATT)
	750.362	Larceny by conversion over \$100 (ATT) (See FRAUD)
	750.363	Larceny by false personation (ATT) (See FRAUD)
	750.413	Unlawfully driving away automobile (ATT)
	750.535	Receive stolen property over \$100 (ATT)
24 MONTHS	322.131	Removal of timber over \$200 without approval
	750.157n	Steal credit card (ATT)
	750.357a	Larceny livestock (ATT)
	750.360	Larceny; place of abode, work, storage, conveyance, workshop, and other places
		(Larceny in a Building)(ATT)
	750.362a	Larceny, rental property
	750.414	Use auto without authority

# CRIME LIST - PROPERTY DESTRUCTION

10.00		the country of the co
STATUTORY MAXIMUM	MCLA	OFFENSES
240 MONTHS	750.72	Arson, dwelling
400 1400 1710	750 70	
120 MONTHS	750.73	Burn real property
	750.75	Burn insured property
60 MONTHS	750.72	Arson, dwelling (ATT)
and the second s	750.73	Burn real property (ATT)
	750.75	Burn insured property (ATT)
	730.73	Built insured property (A117)
48 MONTHS	750.74	Burn personal property over \$50
	750.77	Prepare to burn over \$50
	750.377a	Malicious injury to personal property over \$100
The state of the s	750.377b	Malicious injury to property of police
	750.380	Malicious injury to house over \$100
	750.383a	Malicious destruction of Utility Equipment (ATT)
24 MONTHS	750.74	Burn personal property over \$50 (ATT)
	750.77	Prepare to burn over \$50 (ATT)
	750.377a	Malicious injury to personal property over \$100 (ATT)
	750.377b	Malicious injury to property of police (ATT)
	750.380	Malicious injury to house over \$100 (ATT)
	750.383a	Malicious destruction of utility-equipment (ATT)

# CRIME LIST - ROBBERY

STATUTORY MAXIMUM	MCLA	OFFENSES	
LIFE OR TERM OF YEARS	750.89 750.529 750.531	Assault w/intent to rob armed Robbery armed Bank robbery	
180 MONTHS	750.88 750.530	Assault w/intent to rob unarmed Robbery unarmed	
120 MONTHS	750.357	Larceny from a person	
60 MONTHS	750.88 750.89 750.529 750.530 750.531 750.357	Assault w/intent to rob unarmed (ATT) Assault w/intent to rob armed (ATT) Robbery armed (ATT) Robbery unarmed (ATT) Bank robbery (ATT) Larceny from a person (ATT)	

# CRIME LIST - WEAPONS POSSESSION

STATUTORY MAXIMUM	MCLA	OFFENSES
60 MONTHS	750.224	Sell illegal weapon
	750.224b	Short-barreled shotgun, short-barreled rifle; manufacture or sale
	750.226	Carry weapon with unlawful intent
	750.227	Carry concealed weapon
30 MONTHS	750.224	Sell illegal weapon (ATT)
	750.224b	Short-barreled shotgun, short-barreled rifle; manufacture or sale (ATT)
	750.226	Carry weapon with unlawful intent (ATT)
	750.227	Carry concealed weapon (ATT)

**Assault** 

# PRIOR RECORD VARIABLES - ASSAULT

PRV	Points	Variable Name And Categories	Instructions
PRV 1	50 25 0	PRIOR HIGH SEVERITY FELONY CONVICTIONS  2 or more prior high severity felony convictions  1 prior high severity felony conviction  No prior high severity felony convictions	A. A high severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:   - Assault (life, 120, 50, 48 month maxima)  - Burglary (180 month maximum)  - CSC (life, 180, 120, 60 month maxima)  - Homicide (life, 180 month maximum)  - Larceny (120 month maximum)  - Robbery (All)
			All other felony convictions included in the crime groups covered by the guidelines are low severity felony convictions.
			B. If a prior felony conviction falls outside of the crime groups covered by the guidelines and the judge determines that it is similar to a high severity felony conviction [e.g., Conspiracy to Commit Murder 750.157b(2)], it should be included in scoring this variable.
PRV 2		PRIOR LOW SEVERITY FELONY CONVICTIONS	A. A low severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:
	40 25 10 0	3 or more prior low severity felony convictions 2 prior low severity felony convictions 1 prior low severity felony conviction No prior low severity felony convictions	Assault (24 month maximum) Burglary (126, 60, 48, 30, 24 month maxima) CSC (30, 24 month maxima) Drug (Ali) Fraud (Ali) Larceny (60, 48, 30, 24 month maxima) Property Destruction (Ali) Weapons Possession (Ali)
·•			All other felony convictions included in the crime groups covered by the guidelines are high severity convictions.
			B. If a prior felony conviction falls outside of the crime groups covered by the guidelines and the judge determines it is similar to a low severity felony conviction (e.g., Estape 750.193), it should be included in according this variable.
· · · · · · · · · · · · · · · · · · ·			
PRV 3		JUVENILE-HIGH SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13th birthday and before the offender's 17th birthday to be scored.
	25	2 or more prior high severity juvenile adjudications	B. A high severity juvenile adjudication refers to an adjudication involving conduct included in the following crime groups and statutor maxima:
	10 0	1 prior high severity juvenile adjudication No prior high severity juvenile adjudications	Assauk (life; 120, 60, 48 month maxima)     Burglary (180 month maximum)     CSC (life, 180, 120, 50 month maxima)     Homicide (life, 180 month maxima)     Larceny (120 month maximum)     Robbery (All)
			All other juvenile adjudications instuded in the crime groups covered by the guidelines are low severity.
			C. If a prior juvenile adjudication falls outside of the crime groups covered by the guidelines and the judge determines it is similar to a high severity juvenile adjudication, it should be included in scoring this variable.

# PRIOR RECORD VARIABLES - ASSAULT

PRV Points	Variable Name And Categories	Instructions
PRV 4	JUVENILE-LOW SEVERITY ADJUDICATIONS	A. The adjudicated offence must occur after the offender's 13th birthda and before the offender's 17th birthday to be accred.
10	4 or more prior low severity juvenile adjudications	B. A low severity juvenile adjudication refere to an adjudication involving conduct included in the following crime groups and statuto maxima:
5		Assault (24 month maximum)
0	0 or 1 prior low severity juvenile adjudications	<ul> <li>Burglary (120, 60, 48, 30, 24 month maxima)</li> <li>CSC (30, 24 month maxima)</li> <li>Drug (All)</li> </ul>
		<ul> <li>Fraud (All)</li> <li>Larceny (60, 48, 30, 24 month maxima)</li> <li>Property Destruction (All)</li> <li>Weapons Possession (All)</li> </ul>
		All other juvenile adjudications included in the crime groups covered the guidelines are high severity.
		C. If a prior juvenile adjudication falls outside of the crime group covered by the guidelines and the judge determines it is similar to a ke severity juvenile adjudication, it should be included in scoring the variable.
		D. Currew and status offenses are not to be counted as low severity
PRV 5	PRIOR MISDEMEANOR CONVICTIONS	Score a misdemeanor only if it is related to one of the following crim groups: Assault, Burglary, Criminal Sexual Conduct, Drug, Frau Larceny, Property Destruction, Robbery, or Weapons Possession.
10	4 or more prior misdemeanor convictions	
5	2 or 3 prior misdemeanor convictions	
	O or 1 prior misdemeanor convictions	
PRV 6	PRIOR RELATIONSHIP TO CRIMINAL JUSTICE SYSTEM	A. A post-conviction relationship exists if, at the time of the instr- offense, the offender was:
		<ul> <li>Incarcerated by the Michigan Department of Correction (includes escapes)</li> </ul>
15	Post-conviction relationship exists or	<ul> <li>Incarcerated in juli (Includes escapee)</li> </ul>
	the offender committed the instant offense	<ul> <li>on parcie or probation</li> <li>swaiting sentence on a probation violation, guilty verdi</li> </ul>
	within six months of termination of	or guilty pies
	probation or parole	• on delayed sentence status • on 333.7411
5	1 - 11 : 맛있는데 11 : 1 : 1 : 1 : 1 : 1 : 1 : 1 : 1 : 1	B. An other relationship exists it, at the time of the instant offense, t
		b. An other relationship exists it, at the time of the instant offense, to offender was:
	And telegrous mit exists	on bond and/or ball     on pre-trial diversion     on Holmes Youthful Traines status
		C. Score the appropriate point value if the offender was involved with criminal justice system of another state or the Federal Government specified by the relationships mentioned above.
		D. Relationship to the Criminal Justice System, applies to relationship determined by felony, juvenile and/or misdemeanor convictions charges.

# PRIOR RECORD VARIABLES - ASSAULT

PRV	Points	Variable Name And Categories	Instructions
PRV	7	SUBSEQUENT/CONCURRENT FELONY CONVICTIONS	A. Score the appropriate point value when the offender is convicted of multiple felony counts or is convicted of a felony subsequent to the commission of the instant offense.
		2 or more subsequent/concurrent convictions 1 subsequent/concurrent conviction	B. A felony firearm conviction should not be used when scoring this variable.
	0	No subsequent/concurrent convictions	

#### PRIOR RECORD LEVELS

SCORE	LEVEL
. 0	A
1-24	<b>B</b> (4.)
25-49	C
50+	D

# **OFFENSE VARIABLES - ASSAULT**

OV F	oints	Variable Name And Categories	Instructions
OV 1		AGGRAVATED USE OF WEAPON	A. In multiple offender cases, when one offender is assessed points for the presence, type, and/or use of a weapon, all offenders shall be assessed the same number of points.
	25	A firearm is discharged by offender during commission of the offense	B. A firearm referato an operational or non-operational firearm, or any instrument fashioned to appear to be a firearm.
	15	A firearm pointed toward victim or touching with another weapon	C. Score "5" if an offender uses an object in his or her pocket to suggest the presence of a firearm.
*)	5*	A firearm displayed, implied, or possessed; any other weapon displayed	* Do not score "5" If the conviction offense is Robbery Armed of Felonious Asseult.
	0	No firearm discharged, displayed, implied, or	10g.
		possessed; no other weapon	· · · · · · · · · · · · · · · · · · ·
OV 2		PHYSICAL ATTACK AND/OR INJURY	A. In multiple offender cases when one offender is assessed points for physical attack and/or injury, all offenders shall be assessed the same number of points.
	100	Victim killed	B. Score "100" when death results from the commission of a crime and
	50	Victim treated with excessive brutality	homicide is not the conviction offense.
	25	Bodily injury and/or subjected to terrorism	C. Terrorism is conduct that in designed to incresse substantially the
	0	No injury	fear and anxiety that the victim suffers during the offense.
			D. Score "0" If a victim is struck in an assaultive crime and there is no bodily injury.
OV 5		VICTIM WAS CARRIED AWAY OR HELD CAPTIVE	Score "0" If the conviction offense is kidnepping.
OV 5		VICTIM WAS CARRIED AWAY OR HELD CAPTIVE	Score "0" If the conviction offense is kidnepping.
OV 5	15	VICTIM WAS CARRIED AWAY OR HELD CAPTIVE  Victim was moved to another place of greater	Score "0" if the conviction offense is kidnapping.
OV 5	15		Score "0" if the conviction offense is kidnepping.
OV 5	15	Victim was moved to another place of greater	Score "0" if the conviction offense is kidnepping.
OV 5	15	Victim was moved to another place of greater danger or to a situation of greater danger, or was	Score "0" If the conviction offense is kidnepping.
OV 5	15	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was	Score "0" If the conviction offense is kidnepping.
OV 5		Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense	Score "0" If the conviction offense is kidnepping.
		Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense	
•		Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense	Score "0" if the conviction offense is kidnepping.  Count each person who was placed in danger of injury or loss of life a victim.
•	0	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive	Count each person who was placed in danger of injury or loss of life
OV 6	100*	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive  MULTIPLE VICTIMS	Count each person who was placed in danger of injury or loss of life a victim.
•	0 100* 10	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive  MULTIPLE VICTIMS  Multiple deaths 2 or more victims	Count each person who was placed in danger of injury or loss of life a victim.
•	100*	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive  MULTIPLE VICTIMS	Count each person who was placed in danger of injury or loss of life a victim.
•	0 100* 10	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive  MULTIPLE VICTIMS  Multiple deaths 2 or more victims	Count each person who was placed in danger of injury or loss of life a victim.
•	0 100* 10	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive  MULTIPLE VICTIMS  Multiple deaths 2 or more victims	Count each person who was placed in danger of injury or loss of life a victim.

# OFFENSE VARIABLES - ASSAULT

OV Po	ints	Variable Name And Categories	Instructions
	***		
)V 7		OFFENDER EXPLOITATION OF VICTIM VULNERABILITY	A. The mere existence of one or more of these factors should no automatically be equated with victim vulnerability.
	4-		Exploitation refers to the manipulation of the victim for selfish of unethical purposes.
	15	Offender exploits the victim due to a physical disability, mental disability, youth, agedness, or	C. Vulnerability refers to the readily apparent susceptibility of th victim to injury, physical restraint, persuasion, or temptation.
	5	an abuse of authority status  Offender exploits the victim through a difference in size/strength, or because the victim was	D. Abuse of authority status refers to situations where a victim is exploited out of fear or deference to an authority figure (e.g., parenthild, doctor-patient).
		intoxicated, under the influence of drugs, asleep,	
	0	No exploitation	
OV 9		OFFENDER'S ROLE	The entire criminal episode or altituation should be taken into accour in determining whether an offender is a leader.
	10	Leader in multiple offender situation	
	0	Not a leader	
OV 13		PSYCHOLOGICAL INJURY TO VICTIM	
	5	Serious psychological injury to victim or victim's family necessitating professional treatment	A THE COMMENT OF THE
	0	No psychological injury	
·····	· · · · · · · · · · · · · · · · · · ·		
OV 25		CONTEMPORANEOUS CRIMINAL ACTS	A. A criminal act is contemporaneous it: (1) it occurs within twent four hours of the offense upon which the offender is being sentence or within six months if it is identical to or similar in nature and (2) it he not and will not result in a separate conviction.
	15 5	3 or more contemporaneous criminal acts 2 contemporaneous criminal acts	B. A felony firearm charge should not be used when scoring th variable.
	0	0 or 1 contemporaneous criminal acts	

#### **OFFENSE VARIABLES - ASSAULT**

# ASSAULT OFFENSE VARIABLE LEVELS

SCORE LEVEL 0-9 I 10-24 II 25-49 III 50+ IV

# LIFE

#### **Prior Record Level**

ffense	
Level	1
	11
	- 11
	IV

A	В	C D		
0-36	12-36	24-60	60-120	
12-48	24-60	48-96	96-240	
60-144	72-180	96-240	120-300	
84-180	96-180	120-300	180-300 or life	

750.83 750.89

Assault w/intent to commit murder Kidnapplng

# 120 MONTHS

#### **Prior Record Level**

04	
Offense	ı
Level	li.
	II
ja.	I,

A	В	C	D
.0-9	0-12	0-24	12-60
0-12	0-24	12-36	24-72
0-24	12-36	24-60	36-80
12-48	24-60	36-80	48-80

Assault w/intent to do great bodily harm Assault w/intent to maint 750.84

750.86

750.87 Assault w/intent to commit felony

750.131a Torture children

# Prior Record Level

Offense	
Level	1
	11
	111
	١٧

A	В	C	D.
0-6	0-12	0-12	12-36
0-12	0-12	0-12	18-40
0-12	0-12	12-36	24-40
12-40	18-40	24-40	30-40

750.83	Assault w/intent to commit murder (ATT)
750.84	Assault w/intent to do great bodily harm (ATT)
750.86	Assault w/intent to maim (ATT)
750.87	Assault w/intent to commit felony (ATT)
750.136a	Torture children (ATT)
750.349	Kidnapping (ATT)

# **48 MONTHS**

### Prior Record Level

0#1	
Offense	i
Level	II
in the second se	Ш
	IV

	A	В	C	D
ſ	0-6	0-9	0-12	12-32
	0-9	0-12	0-12	12-32
	0-12	0-12	6-24	12-32
	0-12	12-24	12-32	24-32

750.82	Felonious Assault
750.136	Cruelty to children
750.197c	Assault on a jail custodian or corrections officer

### Prior Record Level

Offense		
Level	ı	
	11	
No. 1. 1. de la companya de	11	
	IV	

A	В	C	D
0-6	0-9	0-12	6-12
0-9	0-12	0-12	6-12
0-12	0-12	0-12	9-16
6-12	6-12	12-16	12-16

750.82 750.136

Felonious Assault (ATT)
Cruelty to children (ATT)
Assault on a jail custodian or corrections officer (ATT)
Resisting officer
Assault upon Police Officer
Kill or injure, negligent use of firearm 750.197c

750.479

750.479a

752.861

Burglary

### PRIOR RECORD VARIABLES - BURGLARY

PRV Points	Variable Name And Categories	Instructions
PRV 1 50 25 0	PRIOR HIGH SEVERITY FELONY CONVICTIONS  2 or more prior high severity felony convictions  1 prior high severity felony conviction  No prior high severity felony convictions	A. A high severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:  - Assauk (life, 120, 60, 48 month maxima) - Burglary (180 month maximum) - CSC (life, 180, 128, 50 month maxima) - Homicide (life, 180 month maxima) - Larceny (120 month maximum) - Robbery (All)  All other felony convictions included in the crime groups covered by
		the guidelines are low severity felony convictions.  B. If a prior felony conviction falls outside of the crime groups covered by the guidelines and the judge determines that it is similar to a high severity felony conviction [e.g., Conspiracy to Commit Murder 750.157b(2)], it should be included in scoring this variable.
PRV 2	PRIOR LOW SEVERITY FELONY CONVICTIONS	A. A low severity felony conviction refers to a conviction for any felon
40 25 10 0	3 or more prior low severity felony convictions 2 prior low severity felony convictions 1 prior low severity felony conviction No prior low severity felony convictions	Included in the following crime groups and statutory maxima:  - Assault (24 month maximum).  - Burglary (120, 50, 48, 30, 24 month maxima).  - CSC (30, 24 month maxima).  - Drug (All).  - Fraud (All).  - Larceny (60, 48, 30, 24 month maxima).  - Property Destruction (All).  - Weapons Possession (All).
		All other felony convictions included in the crime groups covered to the guidelines are high severity convictions.  B. If a prior felony conviction fails outside of the crime groups cover by the guidelines and the judge determines it is similar to a low severifelony conviction (e.g., Escape 750.193), it should be included scoring this variable.
· · · · · · · · · · · · · · · · · · ·		
PRV 3	JUVENILE-HIGH SEVERITY ADJUDICATIONS	A. The adjudicated offence must occur after the offender's 13th birthday and before the offender's 17th birthday to be scored.
25	2 or more prior high severity juvenile adjudications	B. A high severity juvenile adjudication refers to an adjudication involving conduct included in the following crime groups and statutor maxima:
10 0	1 prior high severity juvenile adjudication No prior high severity juvenile adjudications	Assault (life, 120, 60, 48 month maxima)     Burglary (180 month maximum)     CSC (life, 180, 120, 60 month maxima)     Homicide (life, 180 month maxima)     Larceny (120 month maximum)     Robbery (All)
		All other juvenile adjudications included in the crime groups covered by the guidelines are low severity.
		C. If a prior juvenile adjudication falls autaide of the crime group covered by the guidelines and the judge determines it is similar to a high saverity juvenile adjudication, it should be included in scoring this variable.

# PRIOR RECORD VARIABLES - BURGLARY

PRV Poir	าไร	Variable Name And Categories	Instructions
PRV 4		JUVENILE-LOW SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13th birthda and before the offender's 17th birthday to be scored.
1	10	4 or more prior low severity juvenile adjudications	B. A low severity juvenile adjudication refers to an adjudication involving conduct included in the following crime groups and statutor maxima:
	5	2 or 3 prior low severity juvenile adjudications	Assault (24 month maximum)
	0	0 or 1 prior low severity juvenile adjudications	<ul> <li>Burglary (120, 60, 48, 30, 24 month maxima)</li> <li>CSC (30, 24 month maxima)</li> <li>Drug (All)</li> <li>Fraud (All)</li> </ul>
			Larceny (60, 48, 30, 24 month mexima)     Property Destruction (All)     Weapons Possession (All)
			All other juvenile adjudications included in the crime groups covered the guidelines are high severity.
			C. If a prior juvenile adjudication falle outside of the crime grou covered by the guidelines and the judge determines it is similar to a le severity juvenile adjudication, it should be included in scoring to variable.
			D. Curiew and status offenses are not to be counted as low severity adjudications.
PRV 5		PRIOR MISDEMEANOR CONVICTIONS	Score a misdemeanor only if it is related to one of the following critical groups: Assault, Burglary, Criminal Sexual Conduct, Drug, Frat Larceny, Property Destruction, Robbery, or Wespons Possession.
	10	4 or more prior misdemeanor convictions	
	5	2 or 3 prior misdemeanor convictions	
	0	0 or 1 prior misdemeanor convictions	
PRV 6		PRIOR RELATIONSHIP TO CRIMINAL JUSTICE SYSTEM	A. A post-conviction relationship exists if, at the time of the instructions, the offender was:
			<ul> <li>incarcerated by the Michigan Department of Correction</li> </ul>
	15	Post-conviction relationship exists or	(includes escapes) - incarcerated in jali (includes escapes)
		the offender committed the Instant offense	<ul> <li>on parole or probation</li> <li>awaiting sentence on a probation violation, guilty verd</li> </ul>
		within six months of termination of	or guilty plea • on delayed sentence status
		probation or parole	• on 333.7411
,	5	Other relationship exists	B. An other relationship exists if, at the time of the instant offense,
	0	No relationship exists	offender was:
			<ul> <li>on bond and/or ball</li> <li>on pre-trial diversion</li> <li>on Holmes Youthful Trainee status</li> </ul>
			C. Score the appropriate point value if the offender was involved with criminal justice system of another state or the Federal Government specified by the relationships mentioned above.
			D. Relationship to the Criminal Justice System, applies to relationship determined by felony, juvenile and/or misdemeanor convictions
			charges.

### PRIOR RECORD VARIABLES - BURGLARY

PRV	Points	Variable Name And Categories	Instructions
		*	
PRV	<b>7</b>	SUBSEQUENT/CONCURRENT FELONY CONVICTIONS	A. Score the appropriate point value when the offender is convicted of multiple felony counts or is convicted of a felony subsequent to the commission of the instant offense.
	20	2 or more subsequent/concurrent convictions	B. A felony firearm conviction should not be used when scoring this variable.
	10	1 subsequent/concurrent conviction	
	.0	No subsequent/concurrent convictions	
		·	

### PRIOR RECORD LEVELS

SCORE	LEVEL
0	A
1-24	B
25-49	C
50+	D
1-24	B
25-49	C

# **OFFENSE VARIABLES - BURGLARY**

VO	Points	Variable Name And Categories	Instructions
OV 1		AGGRAVATED USE OF WEAPON	A. In multiple offender cases, when one offender is assessed points for the presence, type, and/or use of a weapon, all offenders shall be assessed the same number of points.
	25	A firearm is discharged by offender during commission of the offense	B. A firearm refers to an operational or non-operational firearm, or any instrument fashioned to appear to be a firearm.
	15	A firearm pointed toward victim or touching with another weapon	C. Score "5" if an offender uses an object in his or her pocket to suggest the presence of a firearm.
	<b>5*</b>	A firearm displayed, implied, or possessed; any other weapon displayed	* Do not score "5" if the conviction offense is Robbery Armed of Felonious Assault.
	0	No firearm discharged, displayed, implied, or	
		possessed; no other weapon	
		The state of the s	
OV 2		PHYSICAL ATTACK AND/OR INJURY	A. In multiple offender cases when one offender is assessed points for physical attack and/or injury, all offenders shall be assessed the same number of points.
	100	Victim killed	B. Score "100" when death results from the commission of a crime and
	50	Victim treated with excessive brutality	homicide is not the conviction offense.
	25 0	Bodily injury and/or subjected to terrorism No injury	C. Terrorism is conduct that is designed to increase substantially the fear and anxiety that the victim suffers during the offense.
		HTMT 「MTT ) HTML TO THE WINE TO THE TOTAL TO	D. Score "0" If a victim is struck in an assaultive crime and there is no bodily injury.
OV 5		VICTIM WAS CARRIED AWAY OR HELD CAPTIVE	
O V 3		VICTIM WAS CARRIED AWAY OR RELD CAPTIVE	Score "0" if the conviction offense is kidnapping.
	15	Victim was moved to another place of greater	
		danger or to a situation of greater danger, or was	
	ent de la companya d	held captive significantly beyond that which was	
**.		necessary to commit the offense	
	0	Victim was not carried away or held captive	
	•		
******			
OV 8		CONTINUING PATTERN OF CRIMINAL	A. Presence of multiple offenders should not automatically be define as constituting an organized criminal group.
		BEHAVIOR	B. Score "10" if the instant offense is directly related to membership an organized criminal group.
	10	The offense is a part of a pattern of criminal	C. This may include a juvenile gang.
		activities over a period of time from which the	D. The degree of sophistication of the group is not so important as t
		offender derives a substantial portion of his or	fact of existence, which can in part be inferred from the length of tim the organization has been in operation.
		her income and/or the offense is directly related	
		to membership in an organized criminal group	
	0	No continuing criminal behavior and/or member- ship in an organized criminal group	

### **OFFENSE VARIABLES - BURGLARY**

OV Points	Variable Name And Categories	Instructions
OV 9	OFFENDER'S ROLE	The entire criminal epicode or situation should be taken into accou in determining whether an offender is a leader.
10	Leader in multiple offender situation	
0	Not a leader	
	TANK & TOURIST	
OV 10	POSSESSION OF BURGLAR'S TOOLS	A. In multiple offender cases, when one offender is assessed points for the possession of burglar's tools all offenders shall be assessed the same number of points.
5	Possession of burglar's tools	D. Cana HET where the leasurement would amount to a hupping
0	No burgiar's tools	B. Score "5" where the instrument would amount to a burglar tool within the meaning of MCLA 750.116. For example, burglar's
		tools may include: nitroglycerine, or other explosives, thermite, engine, machine, tool or implement, device, chemical or
		substance, adapted and designed for cutting or burning through,
		forcing or breaking open any building, room, vault, safe or other depository.
		•
	가득하다. 1908년 - 1948년	<ul> <li>C. Score "0" where the offender is convicted of possession of burglar's tools.</li> </ul>
	And the second s	
OV 11	BEBOOMS/ BDESENT DUDING COMMISSION OF	A. Score "10" only where a person other than the offender(s) is
OVII	PERSON(S) PRESENT DURING COMMISSION OF OFFENSE	present on premises during the commission of a burglary.
	e gradini in the second of the	<ul> <li>B. It is not necessary that the offender(s) be aware of the presence of another person.</li> </ul>
10	One or more persons present on premises	
0	No persons present	
OV 13	PSYCHOLOGICAL INJURY TO VICTIM	
5	Serious psychological injury to victim or victim's	
<b>.</b>		
•	family necessitating professional treatment	
0	No psychological injury	
OV 17	AGGREGATE VALUE OF PROPERTY OBTAINED,	A. Trial court may consider the total amount of money involved in admitted but uncharged offenses or in charges which have been
	DAMAGED, OR DESTROYED	dismissed pursuant to a piez agreement.
		B. In multiple offender sases, the aggregate value of proper
10	More than \$5,000 or property having significant	obtained, damaged, or destroyed is determined by adding togethe the aggregate value of property obtained, damaged, or destroyed b
	historical, social, or sentimental value	each offender.
5	\$1,000 to \$5,000	State of the state
1	\$200 to \$999	
0	Less than \$200	- 1 (1) (1) (1) (1) (1) (1) (1) (1) (1) (
	(1985년) - 12 - 12 - 12 - 12 - 12 - 12 - 12 - 1	

# **OFFENSE VARIABLES - BURGLARY**

OV Points	Variable Name And Categories	Instructions
,	• • • • • • • • • • • • • • • • • • •	and the second s
OV 24	WANTON OR MALICIOUS DAMAGE	
10	Wanton or malicious damage incurred above and	
	beyond that necessary to commit the crime, and	
	not formally charged	
0	No wanton or maliclous damage	
	•	
OV 25	CONTEMPORANEOUS CRIMINAL ACTS	A. A criminal act is contemporaneous if: (1) it occurs within twenty four hours of the offense upon which the defendant is being sentenced or within six months if it is identical to or similar in nature and (2) it has no
15	3 or more contemporaneous criminal acts	and will not result in a separate conviction.
5	2 contemporaneous criminal acts	B. A felony firearm charge should not be used when scoring this variable.
• •	0 or 1 contemporaneous criminal acts	
	$r^{-1}$	

# BURGLARY OFFENSE VARIABLE LEVELS SCORE LEVEL 0 | 1-10 || 11-25 ||| 26+ ||V

**Prior Record Level** 

Offense Level II Ш ١٧

A	В	C D	
0-6	0-12	6-24	12-48
0-12	0-12	6-36	18-60
0-12	0-18	12-48	30-84
12-36	12-48	24-72	60-120

750.110

Breaking & Entering occupied dwelling

# **120 MONTHS**

Prior Record Level

Offense Level 11 Ш

I۷

A	В	C	D
· 0-6	0-12	0-12	12-36
0-12	0-12	0-24	18-42
0-12	0-12	12-36	24-60
12-24	12-36	24-60	36-80

750.110

Breaking & Entering unoccupied dwelling Possession of burglar's tools

750.116

### **Prior Record Level**

Offense		
		1
	Level	11
		Ħ
		ſ\

В	C	D
0-9	0-12	6-30
0-9	0-12	12-36
0-12	0-24	12-40
0-12	12-24	24-40
	0-9 0-9 0-12	0-9 0-12 0-9 0-12 0-12 0-24

750.110 Breaking & Entering occupied dwelling (ATT)
750.110 Breaking & Entering unoccupied dwelling (ATT)
750.111 Entering without breaking

750.116 Possession of burglar's tools (ATT)

# **36 MONTHS**

### **Prior Record Level**

Offense		
	Level	ı
	LCVCI	II
		III
		١٧

A	В	C	D
0-3	0-3	0-6	6-12
0-3	0-6	0-9	6-12
0-9	0-9	0-12	12-20
0-12	0-12	12-20	12-24

752.811 Breaking & Entering coin operated device

### **Prior Record Level**

Honoo	
ffense Level	l
	H
	11
	I۱

	A	В	C	D
	0-3	0-3	0-6 .	3-12
	0-3	0-6	0-9	6-12
Ī	0-6	0-9	0-12	12-20
Ī	0-12	0-12	12-20	12-20

750.111 Entering without breaking (ATT)

# **Criminal Sexual Conduct**

### PRIOR RECORD VARIABLES - CRIMINAL SEXUAL CONDUCT

PRV	Points	Variable Name And Categories	Instructions
	•		
PRV 1		PRIOR HIGH SEVERITY FELONY CONVICTIONS	A. A high severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:
	50	2 or more prior high severity felony convictions	
	25	1 prior high severity felony conviction	<ul> <li>Assault (Iffe, 12©, 60, 48 month mexima)</li> <li>Burglary (180 month meximum)</li> </ul>
	0	No prior high severity felony convictions	CSC (life, 180, 120, 60 month maxima)     Homicide (life, 180 month maxima)
			Larceny (120 month maximum)
			• Robbery (All)
			All other felony convictions included in the crime groups covered by the guidelines are low severity felony convictions.
			B. If a prior felony conviction falls outside of the crime groups covered by the guidelines and the judge determines that it is similar
			to a high severity felony conviction [e.g., Conspiracy to Commi Murder 750.157b(2)], it should be included in scoring this variable.
		<mark>Annuller et de la commune de </mark>	and the second
	- :		
PRV 2		PRIOR LOW SEVERITY FELONY CONVICTIONS	<ul> <li>A. A low severity felony conviction refers to a conviction for any felon included in the following crime groups and statutory maxima:</li> </ul>
	40	3 or more prior low severity felony convictions	Assault (24 month maximum)
	25	2 prior low severity felony convictions	<ul> <li>Burglary (120, 60, 48, 30, 24 month maxima)</li> <li>CSC (30, 24 month maxima)</li> </ul>
	10	1 prior low severity felony conviction	• Drug (All) • Fraud (All)
	0	No prior low severity felony convictions	<ul> <li>Larceny (60, 48, 30, 24 month maxima)</li> </ul>
			Property Destruction (All)     Weapons Possession (All)
			All other felony convictions included in the crime groups covered by
		선생님	the guidelines are high severity convictions.
			B. If a prior felony conviction falls outside of the crime groups covere
		The Late of the Control of the Contr	by the guidelines and the judge determines it is similar to a low severi felony conviction (e.g., Escape 750.193), it should be included
			ecoring this variable.
PRV 3		JUVENILEHIGH SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13 birthday and before the offender's 17th birthday to be scored.
	25	2 or more prior high severity juvenile	B. A high severity juvenile adjudication refers to an adjudication involving conduct included in the following crime groups and statuto
		adjudications	maxima:
	10	1 prior high severity juvenile adjudication	- Assault (IHe, 120, 66, 48 month maxima)
	0	No prior high severity juvenile adjudications	Burglary (150 month maximum)
			<ul> <li>CSC (He, 180, 120, 60 month maxima)</li> <li>Homicide (life, 180 month maxima)</li> </ul>
			Larceny (120 month maximum)     Robbery (Aff)
			All other juvenile adjudications included in the crime groups covere by the guidelines are low severity.
			C. If a prior juvenile adjudication falls outside of the crime group
			covered by the guidelines and the judge determines it is similar to a hig severity juvenile adjudication, it should be included in scoring th
	1		variable.

# PRIOR RECORD VARIABLES - CRIMINAL SEXUAL CONDUCT

RV Points	Variable Name And Categories	Instructions
PRV 4	JUVENILE-LOW SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13th birthd and before the offender's 17th birthday to be accred.
10	4 or more prior low severity juvenile adjudications	B. A low severity juvenile adjudication refers to an adjudication involing conduct included in the following crime groups and statute maxima:
5 -	2 or 3 prior low severity juvenile adjudications	Assault (24 month maximum)
0	0 or 1 prior low severity juvenile adjudications	Assault (24 month maximum)     Burglary (120, 60, 48, 30, 24 month maxima)     CSC (30, 24 month maxima)     Drug (All)
		Fraud (All)     Larceny (60, 48, 30, 24 month maxima)     Property Destruction (All)     Weapons Possession (All)
		All other juvenile adjudications included in the crime groups covered the guidelines are high severity.
		C. If a prior juvenile adjudication fails outside of the crime group covered by the guidelines and the judge determines it is similar to a severity juvenile adjudication, it should be included in scoring to variable.
		<ul> <li>Curiew and status offenses are not to be counted as low severit adjudications.</li> </ul>
PRV 5	PRIOR MISDEMEANOR CONVICTIONS	Score a misdemeanor only if it is related to one of the following cri groups: Assault, Burgiary, Criminal Sexual Conduct, Drug, Fra Larceny, Property Destruction, Robbery, or Weapons Possession.
10	4 or more prior misdemeanor convictions	
5	2 or 3 prior misdemeanor convictions	
0	0 or 1 prior misdemeanor convictions	
PRV 6	PRIOR RELATIONSHIP TO CRIMINAL JUSTICE SYSTEM	A. A post-conviction relationship exists II, at the time of the inst offense, the offender was:
		<ul> <li>Incarcerated by the Michigan Department of Correction (includes escapes)</li> </ul>
15	Post-conviction relationship exists or	<ul> <li>incarcerated in jall (includes escapee)</li> </ul>
	the offender committed the instant offense	<ul> <li>on parole or probation</li> <li>awaiting sentence on a probation violation, guilty verd</li> </ul>
	within six months of termination of	or guilty plea
	probation or parole	<ul> <li>on delayed sentence status</li> <li>on 333.7411</li> </ul>
5	Other relationship exists	B. An other relationship exists if, at the time of the instant offense,
0	No relationship exists	offender was:
. •	and a second representation of the second se	• on bond and/or ball
		<ul> <li>on pre-trial diversion</li> <li>on Holmes Youthful Trainse status</li> </ul>
		C. Score the appropriate point value if the offender was involved with criminal justice system of another state or the Federal Governmen specified by the relationships mentioned above.

### PRIOR RECORD VARIABLES - CRIMINAL SEXUAL CONDUCT

PRV	Points	Variable Name And Categories	Instructions
			•
PRV	7	SUBSEQUENT/CONCURRENT FELONY CONVICTIONS	A. Score the appropriate point value when the offender is convicted of multiple felony counts or is convicted of a felony subsequent to the commission of the instant offense.
	20 10 0	2 or more subsequent/concurrent convictions 1 subsequent/concurrent conviction No subsequent/concurrent convictions	B. A felony firearm conviction should not be used when scoring this variable.

### PRIOR RECORD LEVELS

SCORE	LEVEL
0	A
1-24	В
25-49	C
50+	D

# OFFENSE VARIABLES - CRIMINAL SEXUAL CONDUCT

V P	oints	Variable Name And Categories	Instructions
<b>)V</b> 1		AGGRAVATED USE OF WEAPON	A. In multiple offender cases, when one offender is assessed points for the presence, type, and/or use of a wespon, all offenders shall be assessed the same number of points.
	25	A firearm is discharged by offender during commission of the offense	B. A firearm refers to an operational or non-operational firearm, or any instrument fachloned to appear to be a firearm.
	15	A firearm pointed toward victim or touching with another weapon	C. Score "5" if an offender uses an object in his or her pocket to suggest he presence of a firearm.
	5*	A firearm displayed, implied, or possessed; any other weapon displayed	* Do not score "5" if the conviction offense is Robbery Armed of Felonious Assault.
	0	No firearm discharged, displayed, implied, or possessed; no other weapon	
)V 2		PHYSICAL ATTACK AND/OR INJURY	A. In multiple offender cases when one offender is assessed points for physical attack and/or injury, sil offenders shall be assessed the sam number of points.
	100 50	Victim killed Victim treated with excessive brutality	B. Score "100" when death results from the commission of a crime an homicide is not the conviction offense.
	25 0	Bodily injury and/or subjected to terrorism No injury	C. Terrorism is conduct that is designed to increase substantially triesr and anxiety that the victim suffers during the offense.
			D. Score "0" if a victim is struck in an assaultive crime and there is n bodily injury.
DV 5		VICTIM WAS CARRIED AWAY OR HELD CAPTIVE	Score "0" If the conviction offense is kidnapping.
	15	Victim was moved to another place of greater	
		danger or to a situation of greater danger, or was held captive significantly beyond that which was	
		necessary to commit the offense	
	0	Victim was not carried away or held captive	
)V 6		MULTIPLE VICTIMS	Count each person who was placed in danger of injury or loss of life a victim.
	100*	Multiple deaths	* Score "100" points only in Homicide crime group.
	10	2 or more victims	
	0	Not a multiple victim situation	

### **OFFENSE VARIABLES - CRIMINAL SEXUAL CONDUCT**

OV	Points	Variable Name And Categories	Instructions
			The state of the s
<b>OV</b> 7		OFFENDER EXPLOITATION OF VICTIM VULNERABILITY	A. The mere existence of one or more of these factors should no automatically be equated with victim vulnerability.
	4-		B. Exploitation refers to the manipulation of the victim for selfish o unethical purposes.
	15	Offender exploits the victim due to a physical disability, mental disability, youth, agedness, or	C. Vulnerability refers to the readily apparent susceptibility of th victim to injury, physical restraint, persuasion, or temptation.
	5	an abuse of authority status  Offender exploits the victim through a difference in size/strength, or because the victim was	D. Abuse of authority status refers to altuations where a victim is exploited out of fear or deference to an authority figure (e.g., parenichild, doctor-patient).
	•	intoxicated, under the influence of drugs, asleep, or unconscious	
	0	No exploitation	
V 9		OFFENDER'S ROLE	The entire criminal episode or situation abould be taken into account in determining whether an offender is a leader.
	10	Leader in multiple offender situation	
	0	Not a leader	
OV 12	2	CRIMINAL SEXUAL PENETRATION(S)	Score all penetrations involving the offender arising out of the sar criminal transaction.
	50* 25*	2 or more criminal sexual penetrations 1 criminal sexual penetration	* In CSC1st and CSC3rd do not score the one penetration that forms to basis of the conviction offense.
	0	No criminal sexual penetrations	
OV 13	3	PSYCHOLOGICAL INJURY TO VICTIM	
	5	Serious psychological injury to victim or victim's family necessitating professional treatment	
	0	No psychological injury	

### **OFFENSE VARIABLES - CRIMINAL SEXUAL CONDUCT**

٥v	Points	Variable Name And Categories	Instructions
•			
OV 25	5	CONTEMPORANEOUS CRIMINAL ACTS	A. A criminal act is contemporaneous if: (1) it occurs within twenty-four hours of the offense upon which the offender is being sentenced or within six months if it is identical to or similar in nature and (2) it has not
	15	3 or more contemporaneous criminal acts	and will not result in a separate conviction.
	5	2 contemporaneous criminal acts	B. A follony firearm charge should not be used when scoring this variable.
İ	0	0 or 1 contemporaneous criminal acts	
1			And the second s

# CRIMINAL SEXUAL CONDUCT OFFENSE VARIABLE LEVELS SCORE LEVEL 0-9 | 10-24 || 25-49 ||| 50+ ||V

# LIFE

### **Prior Record Level**

Offense				
	Level	I		
		11		
		- 11		

A	В	C	D
12-72	24-84	60-120	72-180
24-96	36-96	96-240	120-300
60-120	96-180	120-300	180-360 or life
96-240	120-300	180-360 or life	240-480 or life

750.520b

Criminal sexual conduct, 1st

# 180 MONTHS CSC 2ND

### Prior Record Level

040000	
Offense	1
Level	11
	111
	١٧

A	В	C	D
0-24	0-36	12-48	24-96
0-36	12-36	36-96	48-120
12-48	24-60	48-120	60-120
24-60	36-84	60-120	72-120

750.520c

Criminal sexual conduct, 2nd

# 180 MONTHS CSC 3RD

### **Prior Record Level**

<b>^</b> 4	landa	
	ense	I
1	Level	11
		111
		I۷

A	В	С	, D
· 1-36	12-48	24-60	36-96
12-48	24-60	36-96	60-120
24-60	30-72	48-120	72-120
36-72	60-120	72-120	84-120

750.520d 750.158 Criminal sexual conduct, 3rd Sodomy/sex delinquent

# **120 MONTHS**

**Prior Record Level** 

Offense			
Leve	. 1		
E010	. 11		
	111		
	IV		

A	В	С	D
0-12	0-24	12-48	24-60
0-18	12-36	18-48	36-80
0-24	12-48	24-60	36-80
12-48	24-60	36-80	60-80

750.520g(1)

Assault w/intent sexual penetration

### Prior Record Level

Of	fense	
	laval	

I II III IV

· A	В	C	D
0-12	0-12	6-24	12-36
0-12	0-18	12-24	18-40
0-24	6-24	12-30	24-40
12-30	18-36	24-40	24-40

750.158	Sodomy/sex delinquent (ATT)
750.338	Gross indecency/males
750.338a	Gross indecency/females
750.338b	Gross indecency/male, female
750.520b	Criminal sexual conduct, 1st (ATT)
750.520c	Criminal sexual conduct, 2nd (ATT)
750.520d	Criminal sexual conduct, 3rd (ATT)
750.520g(1)	Assault w/ intent sexual penetration (ATT)
750.520g(2)	Assault w/ Intent CSC, 2nd degree

# 30 MONTHS

### **Prior Record Level**

Offense	
Level	ı
	11
	ill
	IV

<b>A</b>	В	C	D
. 0-6	0-9	0-12	6-12
0-9	0-12	0-12	6-12
0-12	0-12	3-12	12-20
12-20	12-20	16-20	16-20

750.338	Gross indecency/males (ATT)
750.338a	Gross Indecency/females (ATT)
750.338b	Gross indecency/male, female (ATT)
750.520g(2)	Assault w/ Intent CSC, 2nd degree (ATT)

### **Prior Record Level**

Offense I
Level II
III

A	В	C	D
0-6	0-9	0-12	6-12
0-9	0-12	0-12	6-12
0-12	0-12	0-12	12-16
6-12	6-12	12-16	12-16

750.451 750.520e Prostitution, 3rd offense Criminal sexual conduct, 4th Drug

### **PRIOR RECORD VARIABLES - DRUG**

PRV	Points	Variable Name And Categories	Instructions
PRV 1	<b>50</b>	PRIOR HIGH SEVERITY FELONY CONVICTIONS	A. A high severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:
	50 25 0	2 or more prior high severity felony convictions 1 prior high severity felony conviction No prior high severity felony convictions	Assault (life, 120, 60, 48 month maxima) Burglary (180 month maximum) CSC (life, 180, 120, 60 month maxima) Homicide (life, 180 month maxima)
			Larceny (120 month maximum)     Robbery (All)  All other felony convictions included in the crime groups covered by
			the guidelines are low severity felony convictions.
			B. If a prior felony conviction falls outside of the crime groups covered by the guidelines and the judge determines that it is similar to a high severity felony conviction [e.g., Conspiracy to Commit Murder 750.157b(2)], it should be included in scoring this variable.
			motor root of state as motor in soming and variable
***************************************		A CONTRACTOR OF THE CONTRACTOR	
PRV 2		PRIOR LOW SEVERITY FELONY CONVICTIONS	A. A low severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:
	40	3 or more prior low severity felony convictions	<ul> <li>Assault (24 month maximum)</li> <li>Burglery (120, 60, 48, 30, 24 month maxima)</li> </ul>
	25	2 prior low severity felony convictions	• CSC (30, 24 month maxima)
	10	1 prior low severity felony conviction	• Drug (AH) • Fraud (AH)
	0	No prior low severity felony convictions	Larceny (60, 48, 30, 24 month maxima)     Property Destruction (All)     Weapons Possession (All)
			All other felony convictions included in the crime groups covered by
			the guidelines are high severity convictions.
			B. If a prior felony conviction falls outside of the crime groups covered
			by the guidelines and the judge determines it is similar to a low severit felony conviction (e.g., Escape 750.193), it should be included in scoring this variable.
			scoring uns various.
		American Commence	
		경기 경기 1988년 - 1987년 - 1988년	
PRV 3		JUVENILE-HIGH SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13th birthday and before the offender's 17th birthday to be scored.
	25	2 or more prior high severity juvenile adjudications	B. A high severity juvenile adjudication refers to an adjudication involving conduct included in the fellowing crime groups and statutor maxima:
	10	1 prior high severity juvenile adjudication	Assault (life, 129, 50, 48 month maxims)
	0	No prior high severity juvenile adjudications	Burglary (180 month maximum)
		The state of the second second adjustication	- CSC (life, 180, 120, 50 month mexima) - Homicide (life, 180 menth mexima)
			Larceny (120 month maximum)     Robbery (Ail)
		시구() 기술: 기술: 1	All other juvenils adjudications included in the crime groups covered by the guidelines are low severity.
		ing the second of the second o	C. If a prior juvenile adjudication falls outside of the crime groups covered by the guidelines and the judge determines it is similar to a high severity juvenile adjudication, it should be included in scoring this
		and the second s	variable.

# PRIOR RECORD VARIABLES - DRUG

10 4 or more pri adjudications 5 2 or 3 prior lo		A. The adjudicated offense must occur after the offender's 13th birthdo and before the offender's 17th birthday to be scored.      B. A low severity juvenile adjudication refers to an adjudication involved to the following refers to a second refers to a second refers to a second refers to the following refers to the fol
10 4 or more pri adjudications 5 2 or 3 prior lo	or low severity juvenile	and before the offender's 17th birthday to be scored.  B. A low severity juvenile adjudication refers to an adjudication invol
adjudications 5 2 or 3 prior id		
		ing conduct included in the following crime groups and statuto maxima:
	w severity juvenile adjudications w severity juvenile adjudications	Assault (24 month maximum) Burgiary (120, 60, 48, 30, 24 month maxima) CSC (30, 24 month maxima) Drug (Ali) Fraud (Ali) Larceny (60, 48, 30, 24 month maxima) Property Destruction (Ali) Weapons Possession (Ali)
		All other juvenile adjudications included in the crime groups covered the guidelines are high severity.
		C. If a prior juvenile adjudication falls outside of the crime group covered by the guidelines and the judge determines it is similar to a lot severity juvenile adjudication, it should be included in scoring the variable.
		<ul> <li>Curiew and status offenses are not to be counted as low severity adjudications.</li> </ul>
PRV 5 PRIOR MIS	DEMEANOR CONVICTIONS	Score a miedemeanor only if it is related to one of the following crim groups: Assault, Burglary, Criminal Sexual Conduct, Drug, Frau Larceny, Property Destruction, Robbery, or Weapons Possession.
10 4 or more	arior misdemeanor convictions	
5 2 or 3 prior	misdemeanor convictions	
	misdemeanor convictions	
PRV 6 PRIOR REI	ATIONSHIP TO CRIMINAL JUSTICE	A. A post-conviction relationship exists if, at the time of the insta offense, the offender was:
the offende	ction relationship exists or r committed the instant offense nonths of termination of or parole	<ul> <li>incarcerated by the Michigan Department of Correction (includes escapes)</li> <li>incarcerated in jali (includes escapes)</li> <li>on parole or probation</li> <li>awaiting sentence on a probation violation, guilty verdior guilty plea</li> <li>on delayed sentence status</li> <li>on 333,7411</li> </ul>
5 Other relation O No relation	onship exists	B. An other relationship exists if, at the time of the instant offense, toffender was:
J No relation	oult avigra	<ul> <li>on bond and/or ball</li> <li>on pre-trial diversion</li> <li>on Holmes Youthful Trainee status</li> </ul>
		C. Score the appropriate point value if the offender was involved with a criminal justice system of another state or the Federal Government specified by the relationships mentioned above.
		D. Relationship to the Criminal Justice System, applies to relationship determined by felony, juvenile and/or misdemeanor convictions charges.

# PRIOR RECORD VARIABLES - DRUG

PRV	Points	Variable Name And Categories	Instructions
PRV	7	SUBSEQUENT/CONCURRENT FELONY CONVICTIONS	A. Score the appropriate point value when the offender is convicted of multiple felony counts or isconvicted of a felony subsequent to the commission of the instant offense.
	20	2 or more subsequent/concurrent convictions	B. A felony firearm conviction should not be used when scoring this variable.
	10	1 subsequent/concurrent conviction	
	0	No subsequent/concurrent convictions	
	,		

PRIOR RECO	ORD LEVELS
SCORE	LEVEL
0	A
1-24	B
25-49	C
50+	D

# **OFFENSE VARIABLES - DRUG**

OV Po	ints	Variable Name And Categories	Instructions
OV 8		CONTINUING PATTERN OF CRIMINAL BEHAVIOR	A. Presence of multiple offenders should not automatically be defined as constituting an organized criminal group.
			B. Score "10" if the instant offense is directly related to membership is an organized criminal group.
	10	The offense is a part of a pattern of criminal	C. This may include a juvenile gang.
		activities over a period of time from which the	e and the second
		offender derives a substantial portion of his or	D. The degree of sophistication of the group is not so important as the fact of existence, which can in part be inferred from the length of time
		her income and/or the offense is directly related	the organization has been in operation.
		to membership in an organized criminal group	
	0	No continuing criminal behavior and/or member-	
		ship in an organized criminal group	
		any at an organized orininal group	
OV 9		OFFENDER'S ROLE	The entire criminal episode or situation should be taken into account in determining whether an offender is a leader.
	10	Leader in multiple offender situation	
	0	Not a leader	
		, Milas III	
OV 15		NATURE OF CONTROLLED SUBSTANCE	
0110		MATORIE OF CONTROLLED SUBSTANCE	
	10	Cocaine, heroin, and Schedule 1 and 2 narcotics	
	5	Other controlled substances (except heroin,	
		cocaine, Schedule 1 and 2 narcotics, and	
		marijuana)	
	0	Marijuana	
OV 16		AGGRAVATED CONTROLLED SUBSTANCE OFFENSE	A. A commercial seller is a wholesaler who customarily sells quantities too large for personal use to persons who will resell the drugs.
	25	Situations involving the sale or delivery of a controlled substance by a commercial seller or sale or delivery of any substance from an adult to	B. Trafficking is selling drugs on a continuing basis to the ultimate consumer; it does not include merely being reimbursed for sharing a portion of one's personal supply.
		a minor who is 3 or more years younger than the	C. A minor is someone who is 17 years old or younger.
	15	adult Situations involving the sale or delivery of 11	
		grams or more of a compound containing heroin	
		or cocaine, or possession of substances having	
		such dollar value, or under such circumstances as to indicate trafficking	
	5	Other situations involving the delivery of any	
		controlled substance other than marijuana	
	0	Marijuana	- 17 (1975年) - 1975年
			A STATE OF THE STA

# **OFFENSE VARIABLES - DRUG**

٥٧	Points	Variable Name And Categories	Instructions
ov 2	25	CONTEMPORANEOUS CRIMINAL ACTS	A. A criminal act is contemporaneous if: (1) it occurs within twenty four hours of the offense upon which the defendant is being sentenced or within six months if it is identical or similar in nature and (2) it has
	15	3 or more contemporaneous criminal acts	not and will not result in a separate conviction.
	5	2 contemporaneous criminal acts	B. A felony firearm charge should not be used when scoring this
	0	0 or 1 contemporaneous criminal acts	variable.
		新 () 	

DRI OFFENSE VARI		
SCORE 0 1-10 11-25 26+	LEVEL I II III IV	

**Prior Record Level** 

Offense I Level II III

A	В	С	D
12-24	12-24	12-36	12-48
12-24	12-30	12-48	18-60
12-30	12-36	12-60	24-96
12-48	18-60	24-96	60-160

333.7401 (2)(a)(iv) Manufacture, deliver, or possess with Intent to manufacture or deliver, a controlled substance classified in schedule 1 or 2 which is either a narcotic drug or described in 333.7214 (a) (iv) and which is in an amount less than 50 grams of any mixture containing that substance.

"The judge may depart below any mandatory minimum "If the court finds on the record that there are substantial and compelling reasons to do so."

### **120 MONTHS**

**Prior Record Level** 

Offense I Level II

IV

A	В	С	D
0-6	0-9	0-12	12-36
0-9	0-12	0-18	18-42
0-12	0-12	12-36	24-60
12-24	12-36	24-60	36-80

333.7402 (2)(a) Create, deliver, or possess wintent to deliver, a counterfeit substance classified in schedule 1 or 2 which is either a narcotic drug or described in 333.7214 (a) (iv).

### **Prior Record Level**

Offense I Level II III

Α	В	C	D
0-3	0-6	0-12	12-30
0-6	0-9	0-12	12-36
0-9	0-12	6-24	18-48
0-12	6-18	18-48	24-56

333.7401 (2)(b) Manufacture, deliver, or possess with intent to manufacture or deliver, any other controlled substance classified in schedule 1, 2, or 3, except marijuana.

# Prior Record Level

Offense	
Level	I
	II
	III
	IV

· <b>A</b>	В	C	D
0-3	0-6	0-12	6-30
0-6	0-6	0-12	12-36
0-9	0-12	0-24	12-40
0-12	0-12	12-24	24-40
		1	1

333.7401 (2)(a)(iv)	Manufacturenarcoticless than 50 grams, etc. (ATT)
333.7402 (2)(a)	Createcounterfeit substancein schedule 1 or 2, etc. (ATT)
333.7402 (2)(b)	Create, deliver, or possess w/intent to deliver, any other counterfelt substance classified in schedule 1, 2, or 3.
800.281	Furnishing controlled substance to prisoners.

### **Prior Record Level**

Offense			
Level	i		
	11		
	111		
	1\		

Α	В	С	D
12-18	12-18	12-24	12-24
12-18	12-24	12-24	18-32
12-24	12-30	12-30	24-32
12-30	18-32	24-32	24-32

333.7403 (2)(a)(iv) Knowingly or intentionally possess a controlled substance classified in schedule 1 or 2 which is either a narcotic drug or described in 333.7214 (a)(iv), which is in an amount of 25 grams or more, but less than 50 gramsof any mixture containing that substance.

"The judge may depart below any mandatory minimum "if the court finds on the record that there are substantial and compelling reasons to do so."

### **Prior Record Level**

Offense			
	Level	I	
		li	
		Ш	
		ı۱	

0-9	6-24
0-12	6-30
2 0-12	12-32
2 12-24	18-32
	2 0-12

333,7401 (2)(c)

Manufacture, deliver, or possessw/intent to manufacture or deliver, a controlled substance classified in schedule 4 or marijuana.

333.7402 (2)(c)

Create, deliver, or possess w/intent to deliver any other counterfeit substance classified in schedule 4.

333.7403 (2)(a)(v)

Knowingly or Intentionally possess a controlled substance classified in schedule 1 or 2 which is either a narcotic drug or described in 333.7214 (a)(iv), which is in an amount less than 25 grams of any

mixture containing that substance.

substance.

333.7407

Violations of 333.7407 (1) (a) unlawful distribution of schedule 1 or 2 substances, (b) use illegal controlled substance license number, (c) acquire controlled substance by fraud, etc., (d) furnish false Information etc., make a punch, etc. to print or reproduce the trademark of another upon a drug or container so as to render the drug a counterfeit

### **Prior Record Level**

Offense	ı
Level	II
	III
	١٧

Ä	В	<b>c</b>	<b>D</b>
0-3	0-3	0-6	6-12
0-3	0-6	0-9	6-12
0-9	0-9	0-12	12-20
0-12	0-12	12-20	12-28

333.7401 (2)(b) Manufacture...any other controlled substance, etc. (ATT)

# 30 MONTHS

### **Prior Record Level**

0	ff€	'n	86	
_		ev	-	1
				11
				II
				11

A	В	C	D
0-3	0-3	0-6	3-12
0-3	0-6	0-9	6-12
0-6	0-9	0-12	12-20
0-12	0-12	12-20	12-20

333.7402 (2) (b) Create, deliver, or possess w/ intent to deliver any other counterfeit substance classified in schedule 1, 2, 3. (ATT)

800.281

Furnishing controlled substances to prisoners. (ATT)

### **Prior Record Level**

Offense	
Level	1
	I
	1

A	В	C	D
0-3	0-3	0-6	0-12
0-3	0-6	0-6	0-12
0-6	0-6	0-9	6-12
0-6	0-9	6-12	12-16

0-0	0-9 0-12 12-10		
333.7401 (2)(c)	Manufacturea controlled substance classified in schedule 4 or marijuana. (ATT)		
333.7401 (2)(d)	Manufacture, deliver, or possess w/intent to manufacture or deliver, a controlled substance classified in schedule 5.		
333.7402 (2)(c)	Createa counterfelt substance classified in schedule 4. (ATT)		
333.7402 (2)(d)	Create, deliver, or possess w/intent to deliver a counterfeit substance classified in schedule 5.		
333.7403 (2)(a)(iv)	Knowinglypossess a controlled substance classified in schedule 1 or 2, etc. (ATT)		
333.7403 (2)(a)(v)	Knowinglypossess a controlled substance classified in schedule 1 or 2, etc. (ATT)		
333.7403 (2)(b)	Knowingly or Intentionally possess a controlled substance classified in schedule 1, 2, 3, or 4, except a controlled substance classified in schedule 1 for which a penalty is prescribed in subdivision (a), (c), or (d).		
333.7405	Violations of 333.7405 (a) illegal distribution by licensee, (b) illegal manufacture by licensee, (c) failure to keep required records, (d) refusal to allow lawful inspections, (e) keeping structure for violation of controlled substance law.		
333.7407 (1)	Violations of 333.7407 (a) unlawful distribution of schedule 1 or 2 substances, (b) use of illegal controlled substance license number, (c) acquire controlled substance by fraud, etc., (d) furnish false information, etc., make a punch, etc., to print or reproduce the trade mark of another upon a drug or container so as to render the drug a counterfeit substance. (ATT)		

Fraud

# PRIOR RECORD VARIABLES - FRAUD

PRV F	Points	Variable Name And Categories	Instructions
	•		
PRV 1		PRIOR HIGH SEVERITY FELONY CONVICTIONS	A. A high severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:
	50	2 or more prior high severity felony convictions	Assault (life, 129, 60, 48 month maxima)
	25	1 prior high severity felony conviction	Burglary (180 month maximum)
	0	No prior high severity felony convictions	CSC (life, 180, 120, 60 month maxima)     Homicide (life, 180 month maxima)
		inskrije Programski Pakis	Larceny (120 month maximum)     Robbery (Aif)
			All other felony convictions included in the crime groups covered by the guidelines are low severity felony convictions.
			B. If a prior felony conviction falls outside of the crime groups
			covered by the guidelines and the judge determines that it is similar to a high severity felony conviction [e.g., Conspiracy to Commi
		A CAMPANA CANADA CA Canada Canada	Murder 750.157b(2)], it should be included in scoring this variable.
PRV 2		PRIOR LOW SEVERITY FELONY CONVICTIONS	A. A low severity felony conviction refers to a conviction for any felon included in the following crime groups and statutory maxima:
	40	3 or more prior low severity felony convictions	Assault (24 month maximum)
	25	2 prior low severity felony convictions	<ul> <li>Burglary (120, 60, 48, 30, 24 month maxima)</li> <li>CSC (30, 24 month maxima)</li> </ul>
	10	1 prior low severity felony conviction	• Drug (All)
	0		<ul> <li>Fraud (Alf)</li> <li>Larceny (60, 48, 30, 24 month maxima)</li> </ul>
	U,	No prior low severity felony convictions	Property Destruction (All)
			Wespons Possession (All)
			All other felony convictions included in the crime groups covered be the guidelines are high severity convictions.
			B. If a prior felony conviction fails eutaide of the crime groups covere by the guidelines and the judge determines it is similar to a low severii
			felony conviction (e.g., Escape 750.193), it should be included i
			scoring this veriable.
		Party S	
	•.	- Challengia makeur (d	na ang managan na ma Tang managan na ang
PRV 3		JUVENILEHIGH SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13t birthday and before the offender's 17th birthday to be scored.
	25	2 or more prior high severity juvenile	B. A high severity juvenile adjudication refers to an adjudication involv
	25	adjudications	ing conduct included in the following crime groups and statutor maxima:
	40		
	10	1 prior high severity juvenile adjudication	Assault (ilie, 120, 60, 46 month maxims)     Burglary (180 month maximum)
	0	No prior high severity juvenile adjudications	· CSC (life, 180, 129, 60 month maxima)
			Homicide (life, 180 month maxima)     Larceny (120 month maximum)
			• Robbery (All)
			All other juvenile adjudications included in the crime groups covere by the guidelines are lost severity.
			C. If a prior juvenile adjudication falls outside of the crime group
			covered by the guidelines and the judge determines it is similar to a hig
	,		severity juvenile adjudication, it should be included in scoring this variable.

#### PRIOR RECORD VARIABLES - FRAUD

PRV Points	Variable Name And Categories	Instructions
PRV 4	JUVENILE-LOW SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13th birthds and before the offender's 17th birthdsy to be scored.
10	4 or more prior low severity juvenile adjudications	B. A low severity juvenile adjudication refers to an adjudication involing conduct included in the following crime groups and statuto maxima:
5	2 or 3 prior low severity juvenile adjudications	Assault (24 month maximum)
0	0 or 1 prior low severity juvenile adjudications	<ul> <li>Burgiary (120, 60, 48, 30, 24 month maxima)</li> <li>CSC (30, 24 month maxima)</li> <li>Drug (All)</li> <li>Fraud (All)</li> </ul>
	·····································	<ul> <li>Larceny (60, 48, 30, 24 month maxima)</li> <li>Property Destruction (All)</li> <li>Weapons Pessession (All)</li> </ul>
		All other juvenile adjudications included in the crime groups covered the guidelines are high severity.
		C. If a prior juvenile adjudication falls outside of the crime group covered by the guidelines and the judge determines it is similar to a leaverity juvenile adjudication, it should be included in according to variable.
		<ul> <li>Curriew and status offenses are not to be counted as low severit adjudications.</li> </ul>
PRV 5	PRIOR MISDEMEANOR CONVICTIONS	Score a misdemeanor only if it is related to one of the following cri- groups: Assault, Burglary, Criminal Sexual Conduct, Drug, Fra Larceny, Property Destruction, Robbery, or Weapons Possession.
10	4 or more prior misdemeanor convictions	
5	2 or 3 prior misdemeanor convictions	
0	0 or 1 prior misdemeanor convictions	
PRV 6	PRIOR RELATIONSHIP TO CRIMINAL JUSTICE SYSTEM	A. A post-conviction relationship exists if, at the time of the inst offense, the offender was:
	O TO TAIN	<ul> <li>Incarcerated by the Michigan Department of Correction (Includes escapes)</li> </ul>
15	Post-conviction relationship exists or	<ul> <li>Incarcerated in jail (includes escapee)</li> </ul>
	the offender committed the instant offense	<ul> <li>on parole or probation</li> <li>awaiting sentence on a probation violation, guilty verd</li> </ul>
	within six months of termination of	or guilty plea • on delayed sentence status
	probation or parole	• on 333,7411
5		B. An other relationship exists if, at the time of the instant offense,
0		offender was:
	iso resembliship exists	on bond and/or bell     on pre-trial diversion     on Holmes Youthful Trainee status
		C. Score the appropriate point value if the offender was involved with oriminal justice system of another state or the Federal Governmen specified by the relationships mentioned above.
		D. Relationship to the Criminal Justice System, applies to relationsh determined by felony, juvenile and/or misdemeanor convictions charges.

#### **PRIOR RECORD VARIABLES - FRAUD**

PRV	Points	Variable Name And Categories	Instructions
PRV	7	SUBSEQUENT/CONCURRENT FELONY CONVICTIONS	A. Score the appropriate point value when the offender is convicted of multiple felony counts or is convicted of a felony subsequent to the commission of the instant offense.
	20	2 or more subsequent/concurrent convictions	B. A felony firearm conviction should not be used when scoring this variable.
	10	1 subsequent/concurrent conviction	
	0	No subsequent/concurrent convictions	

# PRIOR RECORD LEVELS

SCORE	LEVEL
0	A
1-24	В
25-49	С
50+	D

# **OFFENSE VARIABLES - FRAUD**

OV Points	Variable Name And Categories	Instructions
8 VO	CONTINUING PATTERN OF CRIMINAL BEHAVIOR	A. Presence of multiple offenders should not automatically be define as constituting an organized criminal group.
		B. Score "10" if the instant offense is directly related to membership an organized criminal group.
1	지수는 원리물은 사람들이 가장 아니는 사람들이 가장 하는 것이 되었다.	C. This may include a juvenile gang.
	activities over a period of time from which the offender derives a substantial portion of his or	D. The degree of sophistication of the group is not so important set
	her income and/or the offense is directly related	fact of existence, which can in part be inferred from the length of tim the organization has been in operation.
	to membership in an organized criminal group	
	No continuing criminal behavior and/or member-	
	ship in an organized criminal group	
OV 9	OFFENDER'S ROLE	The entire criminal episode or situation should be taken into accour in determining whether an offender is a leader.
10	D Leader in multiple offender situation	
	Not a leader	
		그 그는 그 옷 여름에서 그 그 모든 그
OV 17	AGGREGATE VALUE OF PROPERTY OBTAINED, DAMAGED, OR DESTROYED	A. Trial court may consider the total amount of money involved in admitted but uncharged offences or in charges which have been dlemiesed pursuant to a plea agreement.
10	More than \$5,000 or property having significant historical, social, or sentimental value	B. In multiple offender cases, the aggregate value of property obtained, damaged, or destroyed is determined by adding together the aggregate value of property obtained, damaged, or destroyed by each offender.
	\$1,000 to \$5,000	
\$ 1	\$200 to \$999	A Company of the Comp
(	Less than \$200	
,		
		- Company of the Comp
OV 25	CONTEMPORANEOUS CRIMINAL ACTS	A. A criminal act is contemporaneous if: (1) it occurs within twenty-fo hours of the offense upon which the offender is being sentenced within six months if it is identical to or similar in nature and (2) it has n
15	3 or more contemporaneous criminal acts	and will not result in a separate conviction.
5	2 contemporaneous criminal acts	<ul> <li>B. A felony firearm charge should not be used when scoring the variable.</li> </ul>
0	0 or 1 contemporaneous criminal acts	

#### **OFFENSE VARIABLES - FRAUD**

#### FRAUD OFFENSE VARIABLE LEVELS

SCORE LEVEL
0 I
1-10 II
11-25 III
26+ IV

#### **Prior Record Level**

Offense	
Level	1
	11
	111
	١٧

A	В	C	D
0-6	0-12	0-12	12-48
0-12	0-12	3-24	18-60
0-12	0-12	12-48	24-84
12-24	12-36	24-72	60-112

750.248 Forge public records 750.249 Utter and publish forged instrument

# **120 MONTHS**

#### **Prior Record Level**

Offense	1
Level	11
	Ш
	١٧

A	В.	C	D
0-6	0-9	0-12	12-36
0-9	0-12	0-18	18-42
0-12	0-12	12-36	24-60
12-24	12-36	24-60	36-80

750.174	Embezzie over \$100
750.218	False pretenses over \$100
257.254	Possess title stolen motor vehicle
750.280	Gross frauds

#### Prior Record Level

^	lf <b>e</b> nse	
	: * *	ı
4	Level	II
		Ш
	5 54 -	١٧

A	В	C	D
0-3	0-6	0-12	12-30
0-6	0-9	0-12	12-36
0-9	0-12	6-24	18-48
0-12	6-18	18-48	24-56

750.250 Forge treasury notes 750.251 Forge bank bills 750.252 Possess counterfelt notes 445.1538 Franchise law violation

# Prior Record Level

Offense
Level

II

IV

A	В	С	D D
0-3	0-6	0-12	6-30
0-6	0-6	0-12	12-36
0-9	0-12	0-24	12-40
0-12	0-12	12-24	24-40

257,254	Possess title stolen motor vehicle (ATT)
257.257	Forge motor vehicle title
432.30	Forgery of State Lottery ticket
438.41	Criminal usury
750.174	Embezzie over \$100 (ATT)
750.218	False pretenses over \$100 (ATT)
750.248	Forge public records (ATT)
750.249	Utter and publish forged instruments (ATT)
750.253	Utter counterfeit note
750.254	Possess counterfeit bank notes
750.280	Gross frauds (ATT)
750.362	Larceny by conversion over \$100
750.363	Larceny false personation

#### **Prior Record Level**

offense	
	ł
Level	#1
	Ш
	1\

A	В	C	D
0-3	0-6	0-9	6-24
0-6	0-6	0-12	6-30
0-9	0-12	0-12	12-32
0-12	0-12	12-24	18-32

400.60 750.157p 750.157q 750.157u

Welfare fraud over \$500
Possess credit card
Deliver credit card
Forge signature credit card

# **42 MONTHS**

#### **Prior Record Level**

C	)ffense	ı
	Level	II
		III
		IV

Α	В	C	D
0-3	0-3	0-6	6-12
0-3	0-6	0-9	6-12
0- <u>9</u>	0-9	0-12	12-20
0-12	0-12	12-20	12-28

445.1538 750.250 750.251 Franchise law violation (ATT)
Forge treasury notes (ATT)
Forge bank bills (ATT)

750.251 Forge bank bills (ATT) 750.252 Possess counterfeit notes (ATT)

# Prior Record Level

		A	В	C	D
Offense	i	0-3	0-3	0-6	3-12
Level	11	0-3	0-6	0-9	6-12
%.	III	0-6	0-9	0-12	12-20
	IV	0-12	0-12	12-20	12-20
		<i>i</i> 1	.7		

257.257	Forge motor vehicle title (ATT)
438.41	Criminal usury (ATT)
750.253	Utter counterfeit note (ATT)
750.254	Possess counterfeit bank notes (ATT)
750.362	Larceny by conversion over \$100 (ATT)
750.363	Larceny by false personation (ATT)

#### Prior Record Level

Offense i Level li

I۷

Α	В	C	D
0-3	0-3	0-6	0-12
0-3	0-3	0-6	6-12
0-6	0-6	0-9	6-12
0-6	0-9	6-12	12-16

400.60 750.131a 750.157p 750.157q 750.157u Welfare fraud over \$500 (ATT)
Checks, non-sufficient funds, 3 or more
Possess credit card (ATT)
Deliver credit card (ATT)
Forge signature credit card (ATT)

# Homicide

# PRIOR RECORD VARIABLES - HOMICIDE

PRV P	oints	Variable Name And Categories	Instructions
PRV 1		PRIOR HIGH SEVERITY FELONY CONVICTIONS	A. A high severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:
	50	2 or more prior high severity felony convictions	
	25	1 prior high severity felony conviction	<ul> <li>Assauk (life, 120, 60, 46 month maxima)</li> <li>Burglary (180 month maximum)</li> </ul>
	0	No prior high severity felony convictions	CSC (life, 180, 120, 60 month maxima)     Homicide (life, 180 month maxima)
			Larceny (120 month maximum)
1.5			• Robbery (Aif)
			All other felony convictions included in the crime groups covered by the guidelines are low severity felony convictions.
			B. If a prior felony conviction falls outside of the crime groups covered by the guidelines and the judge determines that it is similar
	*.		to a high severity felony conviction (e.g., Conspiracy to Commi Murder 750.157b(2)], it should be included in scoring this variable.
			mulder 700.1371424, it associate de ricolateu in acounty una variable.
·			
PRV 2		PRIOR LOW SEVERITY FELONY CONVICTIONS	A. A low severity felony conviction refere to a conviction for any felon included in the following crime groups and statutory maxima:
	40	3 or more prior low severity felony convictions	Asseult (24 month maximum)
	25	2 prior low severity felony convictions	<ul> <li>Burglary (120, 60, 48, 30, 24 month maxima)</li> <li>CSC (30, 24 month maxima)</li> </ul>
	10	1 prior low severity felony conviction	• Drug (AH) • Fraud (AH)
	0	No prior low severity felony convictions	<ul> <li>Larceny (60, 48, 30, 24 month maxima)</li> </ul>
	•		Property Destruction (All)     Weapons Possession (All)
			All other felony convictions included in the crime groups covered to
			the guidelines are high severity convictions.
		마다 경향 실하는 1	B. If a prior felony conviction falls outside of the crime groups covere
			by the guidelines and the judge determines it is similar to a low severi felony conviction (e.g., Escape 750.193), it should be included
			scoring this variable.
<del></del>		African Committee Committe	
PRV 3		JUVENILEHIGH SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13t birthday and before the offender's 17th birthday to be scored.
	25	2 or more prior high severity juvenile	B. A high severity juvenile adjudication refers to an adjudication involved
		adjudications	Ing conduct included in the following crime groups and statutor maxima:
	10	1 prior high severity juvenile adjudication	Assault (IHe, 120, 60, 48 month maxima)
	0	No prior high severity juvenile adjudications	Burglary (180 month maximum)
	U	Take of the second leading adjudications	CSC (life, 180, 120, 60 month maxima)     Homicide (life, 180 month maxima)
		ragination of the control of the con	Larceny (120 month maximum)
			• Robbery (All)
			All other juvenile adjudications included in the crime groups covere by the guidalines are low severity.
			C. If a prior juvenile adjudication falls outside of the crime group
			covered by the guidelines and the judge determines it is similar to a hig severity juvenile adjudication, it should be included in scoring thi
		A CASA	PRABILIA INACUIS GONGLERIOUS IN PLENING LES HIGHIGING IN PERSONAL CIL

# PRIOR RECORD VARIABLES - HOMICIDE

PRV Points	Variable Name And Categories	Instructions
PRV 4	JUVENILELOW SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13th birthda and before the offender's 17th birthday to be scored.
10	4 or more prior low severity juvenile adjudications	B. A low severity juvenile adjudication refers to an adjudication involving conduct included in the following crime groups and statutor maxima:
5 0	2 or 3 prior low severity juvenile adjudications 0 or 1 prior low severity juvenile adjudications	Asseutt (24 month maximum)     Burglary (120, 50, 48, 30, 24 month maxima)     CSC (30, 24 month maxima)     Drug (All)     Larceny (60, 48, 30, 24 month maxima)     Property Destruction (All)
		Wespons Possession (All)  All other juvenile adjudications included in the crime groups covered by the guidelines are high severity.
		C. If a prior juvenile adjudication falls outside of the crime group covered by the guidelines and the judge determines it is similar to a los severity juvenile adjudication, it should be included in scoring this variable.
		D. Curiew and status offenses are not to be counted as low severity adjudications.
PRV 5	PRIOR MISDEMEANOR CONVICTIONS	Score a misdemeanor only if it is related to one of the following crim groups: Assault, Burglary, Griminal Sexual Conduct, Drug, Fraud Larceny, Property Destruction, Robbery, or Weapons Possession.
10	4 or more prior misdemeanor convictions	
5	2 or 3 prior misdemeanor convictions	
0	0 or 1 prior misdemeanor convictions	
· · · · · · · · · · · · · · · · · · ·		
PRV 6	PRIOR RELATIONSHIP TO CRIMINAL JUSTICE SYSTEM	A. A post-conviction relationship exists if, at the time of the insta offense, the offender was:
15		Incarcerated by the Michigan Department of Corrections (includes escapee) Incarcerated in jail (includes escapee) On parole or probation  awaiting sentence on a probation violation, guilty verdice or guilty pies  on delayed sentence status  on 333,7411
5 0		B. An other relationship exists $\mu$ , at the time of the instant offense, the offender was:
		<ul> <li>on bond and/or bell</li> <li>on pre-trial diversion</li> <li>on Holmes Youthitul Trainee status</li> </ul>
		C. Score the appropriate point value if the offender was involved with the criminal justice system of another state or the Federal Government aspecified by the relationships mentioned above.
		D. Relationship to the Criminal Justice System, applies to relationship determined by felony, juvenile and/or misdemeanor convictions charges.
1		

# PRIOR RECORD VARIABLES - HOMICIDE

PRV	Points	Variable Name And Categories	Instructions
PRV	7	SUBSEQUENT/CONCURRENT FELONY CONVICTIONS	A. Score the appropriate point value when the offender is convicted of multiple felony counts or is convicted of a felony subsequent to the commission of the instant offense.
	20	2 or more subsequent/concurrent convictions	B. A felony firearm conviction should not be used when scoring this variable.
	10	1 subsequent/concurrent conviction	
	0	No subsequent/concurrent convictions	
			4

#### PRIOR RECORD LEVELS

SCORE 0 1-24	LEVEL A B
25-49	С
50+	D

# OFFENSE VARIABLES - HOMICIDE

V Points	Variable Name And Categories	Instructions
A STATE OF THE PARTY OF THE PAR		
OV 3	INTENT TO KILL OR INJURE	A. The sentencing judge must score this variable consistent with a jur- verdict unless the judge has information that was not presented to th jury.
50	Premeditated Intent to kill; or homicide commit-	B. Score "10" where a killing is intentional within the definitions of
	ted during the perpetration or attempt to perpe-	murder second degree or voluntary manslaughter but the death of
	trate arson, criminal sexual penetration in the first	curred in a combative situation or in response to victimization of the offender by the decedent.
	or third degree, robbery, breaking and entering of	
	a dwelling, larceny of any kind, extortion, or	
	kidnapping	
25	Unpremeditated intent to kill; or intent to do great	
	bodily harm; or creation of a very high risk of	
	death or great bodily harm with knowledge that	
	death or great bodily harm was the probable	
	result	
10		
10		
	extreme emotional state caused by an adequate	
	provocation and before a reasonable amount of	
	time has elapsed for the offender to calm; or	
	gross negligence amounting to an unreasonable	
	disregard for life	
0	Other homicides	
	사용 <b>용</b> 에 즐겁게 되었다. 	
OV 4	AGGRAVATED PHYSICAL ABUSE	A. Torture or sadism occurs whenever the offender subjected the vict
		to extreme or prolonged pain or humiliation, apparently inflicted produce suffering or for the gratification of the offender.
40	Torture or sadism involved	
25	Aggravated physical injury or criminal sexual	<ul> <li>B. Criminal sexual penetration includes vaginal or non-vaginal penetrition of any kind, with sexual organ, with other parts of the body or with other parts.</li> </ul>
	penetration	any other objects.
0	None	
	MULTIPLE VICTIMS	Count each person who was placed in danger of injury or loss of life a victim.
OV 6		# Troubling
		t Cases 14007 pajuin anhi in Massielde sulma sassum
100*	Multiple deaths	* Score "100" points only in Hemicide crime group.
100* 10	2 or more victims	* Score *100" points only in Homicide crime group.
100*	2 or more victims	* Score "100" points only in Hemicide arime group.
10	2 or more victims	* Score "100" points only in Homiside arime group.

# OFFENSE VARIABLES - HOMICIDE

OV Poi	ints	Variable Name And Categories	Instructions
OV 7		OFFENDER EXPLOITATION OF VICTIM VULNERABILITY	A. The mere existence of one or more of these factors should no automatically be equated with victim vulnerability.
		사회 (*) 구경 (*)	<ol> <li>Exploitation refers to the manipulation of the victim for selfish of unethical purposes.</li> </ol>
	15	Offender exploits the victim due to a physical	C. Vulnerability refers to the readily apparent susceptibility of th
		disability, mental disability, youth, agedness, or	victim to injury, physical restraint, persuasion, or temptation.
	_	an abuse of authority status	D. Abuse of authority status refers to situations where a victim is
	5	Offender exploits the victim through a difference	<ul> <li>exploited out of fear or deference to an authority figure (e.g., parent child, doctor-patient).</li> </ul>
		in size/strength, or because the victim was	
		intoxicated, under the influence of drugs, asleep, or unconscious	
	0	No exploitation	
	U	The exploitation	
OV 9		OFFENDER'S ROLE	The entire criminal epigode or altuation should be taken into accoun
<b>OV</b> 3		OF ENDERO HOLL	in determining whether an offender is a leader.
	10	Leader in multiple offender situation	
	0	Not a leader	
	•		
	,		
OV 13		PSYCHOLOGICAL INJURY TO VICTIM	
	_		
	5	Serious psychological injury to victim or victim's	
	^	family necessitating professional treatment	
	0	No psychological injury	
* . · · · · · · · · · · · · · · · · · ·	<del></del>	Hillings	
OV 25	.*·.	CONTEMPORANEOUS CRIMINAL ACTS	A. Acriminal act is contemporaneous if: (1) it occurs within twenty-fou hours of the offense upon which the offender is being sentenced o within six months if it is identical to or similar in nature and (2) it has no
	15	3 or more contemporaneous criminal acts	and will not result in a separate conviction.
	5	2 contemporaneous criminal acts	B. A felony firearm charge should not be used when scoring this
	0	0 or 1 contemporaneous criminal acts	variable.
	•		

#### **OFFENSE VARIABLES - HOMICIDE**

#### • HOMICIDE OFFENSE VARIABLE LEVELS

SCORE LEVEL 0-9 I 10-24 II 25-49 III 50+ IV

# LIFE

#### **Prior Record Level**

Offense	
Level	1
	II
	111
	IV

A	В	C	D
12-84	36-120	60-144	120-180
48-180	60-180	120-300	144-300
96-300	120-300	120-300	180-360 or life
120-300 or life	144-300 or life	180-360 or life	240-480 or life

750.317

**Murder Second Degree** 

# **180 MONTHS**

#### Prior Record Level

Offense	ı
Level	II
	11
	IV

A	В	C	D
0-36	12-60	24-72	36-96
12-60	24-84	36 <b>-96</b>	48-120
24-84	36-96	48-120	72-120
36-96	48-120	72-120	84-120

750.321 750.329

Manslaughter Manslaughter, death from wound

Larceny

# PRIOR RECORD VARIABLES - LARCENY

PRV P	oints	Variable Name And Categories	Instructions
PRV 1		PRIOR HIGH SEVERITY FELONY CONVICTIONS	<ul> <li>A high severity felony conviction refers to a conviction for an felony included in the following crime groups and statutory maxima</li> </ul>
	<b>50</b>	2 or more prior high severity felony convictions	• Assault (life, 120, 60, 48 month maxima)
	25	1 prior high severity felony conviction	Burglary (180 month maximum)
	0		<ul> <li>CSC (life, 180, 120, 60 month maxima)</li> </ul>
	Ų a	No prior high severity felony convictions	Homicide (Ris, 180 month maxima)     Larceny (120 month maximum)
		andra de la companya br>La companya de la co	- Robbery (Ail)
			All other felony convictions included in the crime groups covered b
			the guidelines are low severity felony convictions.
		To the second of the second o	
			B. If a prior felony conviction falls outside of the crime group covered by the guidelines and the judge determines that it is similar
1 4			to a high severity felony conviction [e.g., Conspiracy to Comm
			Murder 750.157b(2)], it should be included in scoring this variable
-			
PRV 2		PRIOR LOW SEVERITY FELONY CONVICTIONS	A. A low severity felony conviction refers to a conviction for any felo
		This is a second	Included in the following crime groups and statutory maxima:
	40	3 or more prior low severity felony convictions	Assault (24 month maximum)
	25	2 prior low severity felony convictions	<ul> <li>Burglary (120, 60, 48, 30, 24 month maxima)</li> <li>CSC (30, 24 month maxima)</li> </ul>
	_	그 회장에 하면 아이들은 사람들은 그 집에 가장 하는 것이 되었다.	• Drug (All)
	10	1 prior low severity felony conviction	• Fraud (All)
	0	No prior low severity felony convictions	<ul> <li>Larceny (60, 48, 30, 24 month maxima)</li> <li>Property Destruction (All)</li> </ul>
2.			Weapons Possession (All)
			All other felony convictions included in the crime groups covered
			the guidelines are high severity convictions.
		Historian (1965) Talan San San San San San San San San San S	
			B. If a prior felony conviction falls outside of the crime groups cover by the guidelines and the judge determines it is similar to a low sever
	. Z		felony conviction (e.g., Escape 750.193), it should be included
			scoring this variable.
PRV 3		JUVENILE-HIGH SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13
		기를 받는 것이다. 기를 보고 있는 것이 없는 것이다.	birthday and before the offender's 17th birthday to be scored.
	25	2 or more prior high severity juvenile	B. A high severity juvenile adjudication refers to an adjudication invo
	25	adjudications	Ing conduct included in the following crime groups and statuto maxima:
	10	1 prior high severity juvenile adjudication	Assault (IIIa, 129, 60, 48 month maxima)
		회장 경우 전 시간 이 사람들은 사람들이 되었다.	Burglary (180 month maximum)
	0	No prior high severity juvenile adjudications	<ul> <li>CSC (IIIe, 180, 129, 80 month maxime)</li> </ul>
		일본 생활자 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	Homicide (life, 188 month maxima)     Larceny (120 month maximum)
			- Robbery (All)
			All other juvenile adjudications included in the crime groups cover by the guidelines are low severity.
		And the second s	
			C. If a prior juvenile adjudication falls outside of the crime grou covered by the guidelines and the judge determines it is similar to a hi severity juvenile adjudication, it should be included in scoring ti

# PRIOR RECORD VARIABLES - LARCENY

PRV Points	Variable Name And Categories	Instructions
PRV 4	JUVENILELOW SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13th birthids and before the offender's 17th birthday to be scored.
10	4 or more prior low severity juvenile adjudications	B. A low severity juvenile adjudication refers to an adjudication involving conduct included in the following crime groups and statutor maxima:
<b>5</b>	2 or 3 prior low severity juvenile adjudications 0 or 1 prior low severity juvenile adjudications	- Assault (24 month maximum) - Burglary (120, 60, 48, 30, 24 month maxima) - CSC (30, 24 month maxima) - Drug (All) - Fraud (All) - Larceny (60, 48, 30, 24 month maxima) - Property Destruction (All)
		Weapons Possession (Ail)  All other juvenile adjudications included in the crime groups covered to the guidelines are high severity.
		C. If a prior juvenile adjudication falls outside of the crime group covered by the guidelines and the judge determines it is similar to a loseverity juvenile adjudication, it should be included in scoring the variable.
	(A)	<ul> <li>Curriew and status offences are not to be counted as low severil adjudications.</li> </ul>
PRV 5	PRIOR MISDEMEANOR CONVICTIONS	Score a misdemeanor only if it is related to one of the following crim groups: Assault, Burglary, Oriminal Sexual Conduct, Drug, Frau Larceny, Property Destruction, Robbery, or Weapons Possession.
10	4 or more prior misdemeanor convictions	
5	2 or 3 prior misdemeanor convictions	
0	하면 보면 다른 사람들이 있다. 100mg - 100mg	
PRV 6	PRIOR RELATIONSHIP TO CRIMINAL JUSTICE SYSTEM	A. A post-conviction relationship exists if, at the time of the insta offense, the offender was:
		<ul> <li>incarcerated by the Michigan Department of Corrections (includes escapes)</li> </ul>
15	Post-conviction relationship exists or	<ul> <li>Incarcerated in juli (Includes escapee)</li> </ul>
	the offender committed the instant offense	<ul> <li>on parole or probation</li> <li>awaiting sentence on a probation violation, guilty verdi</li> </ul>
	within six months of termination of	or guilty plea • on delayed santence status • on 333.7411
	probation or parole	
5		B. An other relationship exists if, at the time of the instant offense, t offender was:
0	Mo relationship exists	
		<ul> <li>on bond and/or beil</li> <li>on pre-trial diversion</li> <li>on Holmes Youthful Trainee status</li> </ul>
		C. Score the appropriate point value if the offender was involved with to criminal justice system of another state or the Federal Government specified by the relationships maintioned above.
		D. Relationship to the Criminal Justice System, applies to relationship determined by felony, juvenile and/or misdemeanor convictions

# PRIOR RECORD VARIABLES - LARCENY

PRV	<b>Points</b>	Variable Name And Categories	Instructions
	· · · · · · · · · · · · · · · · · · ·		
PRV 7	7	SUBSEQUENT/CONCURRENT FELONY CONVICTIONS	A. Score the appropriate point value when the offender is convicted of multiple felony counts or is convicted of a felony subsequent to the commission of the instant offense.
į.	20	2 or more subsequent/concurrent convictions	B. A felony firearm conviction should not be used when scoring this variable.
	10	1 subsequent/concurrent conviction	
	0.	No subsequent/concurrent convictions	

# PRIOR RECORD LEVELS

SCORE 0 1-24 25-49	LEVEL A B C	
50+	D	

# **OFFENSE VARIABLES - LARCENY**

OV Points	5	Variable Name And Categories	Instructions
OV 8		CONTINUING PATTERN OF CRIMINAL BEHAVIOR	A. Presence of multiple offenders should not automatically be define as constituting an organized criminal group.
			B. Score "10" if the instant offense is directly related to membership an organized criminal group.
	10	The offense is a part of a pattern of criminal activities over a period of time from which the	C. This may include a juvenile gang.
		offender derives a substantial portion of his or her income and/or the offense is directly related	D. The degree of sophistication of the group is not so important as it fact of existence, which can in part be inferred from the length of time the organization has been in operation.
		to membership in an organized criminal group	
	0	No continuing criminal behavior and/or member-	
		ship in an organized criminal group	
OV 9		OFFENDER'S ROLE	The entire criminal episode or situation should be taken into account in determining whether an offender is a leader.
	10	Leader in multiple offender situation	III determining wheater an orient is a lower.
	0	Not a leader	
OV 14		MOTOR VEHICLE THEFT	A. Score "10" where motor vehicle is stripped; i.e., major part(s) take
	40		B. "True Joy-riding" refers to cases where there is no intent to permanently deprive the owner.
	10	Motor vehicle was taken or major parts removed  Joy-riding or no motor vehicle theft	
OV 17		AGGREGATE VALUE OF PROPERTY OBTAINED, DAMAGED, OR DESTROYED	A. Trial court may consider the total amount of money involved in admitted but uncharged effenses or in charges which have been dismissed pursuant to a plea agreement.
	10	More than \$5,000 or property having significant historical, social, or sentimental value	B. In multiple offender cases, the aggregate value of property obtained, damaged, or destroyed is determined by adding together the aggregate value of property obtained, damaged, or destroyed by
	5	\$1,000 to \$5,000	esch offender.
	1	\$200 to \$999	
	0	Less than \$200	

# **OFFENSE VARIABLES - LARCENY**

OV Points	Variable Name And Categories	Instructions
OV 25	CONTEMPORANEOUS CRIMINAL ACTS	A. A criminal act is contemporaneous if: (1) it occurs within twenty four hours of the offense upon which the defendant is being sentenced or within six months if it is identical to or similar in nature and (2) it has not and will not result in a separate conviction.
15	3 or more contemporaneous criminal acts	
. 5	2 contemporaneous criminal acts	<ul> <li>B. A felony firearm charge should not be used when scoring this variable.</li> </ul>
0	0 or 1 contemporaneous criminal acts	Vollado.

# LARCENY OFFENSE VARIABLE LEVELS SCORE LEVEL 0 I 1-10 II 11-25 III 26+ IV

#### **Prior Record Level**

Offense I Level II III

A	В	C	D
0-3	0-6	0-12	6-30
0-6	0-6	0-12	12-36
0-9	0-12	0-24	12-40
0-12	0-12	12-24	24-40

750.356 750.356a 750.413 750.535

Larceny over \$100 Larceny, motor vehicle

Unlawfully driving away automobile Receive stolen property over \$100

# **48 MONTHS**

#### **Prior Record Level**

Offense I
Level II
III

Α	В	C	D
0-3	0-6	0-9	6-24
0-6	0-6	0-12	6-30
0-9	0-12	0-12	12-32
0-12	0-12	12-24	18-32

750.157n 750.357a Steal credit card Larceny livestock

750.360

Larceny; place of abode, work, storage,

conveyance, worship & other places (Larceny in a building)

#### **Prior Record Level**

0	ffense	
	Level	1
	LOVOI	11
		111
		١٧

Α	В	С	D
0-3	0-3	0-6	3-12
0-3	0-6	0-9	6-12
0-6	0-9	0-12	12-20
0-12	0-12	12-20	12-20

750.356 750.356a

Larceny over \$100 (ATT) Larceny, motor vehicle (ATT)

750.413 750.535 Unlawfully driving away automobile (ATT)

Receive stolen property over \$100 (ATT)

#### 24 MONTHS

#### **Prior Record Level**

ı	ffense	C
11	Level	
		٠,
11		
••		
1		

В	C	D
0-3	0-6	0-12
0-6	0-6	6-12
0-6	0-9	6-12
0-9	6-12	12-16
	0-3 0-6 0-6	0-3

322.131 750.414 Removal of timber without approval Use auto without authority

750.157n

Steal credit card (ATT)

750.357a

Larceny livestock (ATT)

750.360

Larceny; place of abode, work, storage, conveyance, worship, & other places (Larceny in a building) (ATT)

750.362a

Larceny, rental property

# **Property Destruction**

#### PRIOR RECORD VARIABLES - PROPERTY DESTRUCTION

PRV Points	Variable Name And Categories	Instructions
PRV 1 50 25 0	PRIOR HIGH SEVERITY FELONY CONVICTIONS 2 or more prior high severity felony convictions 1 prior high severity felony conviction No prior high severity felony convictions	A. A high severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:  - Assault (life, 120, 60, 48 month maxima)  - Burglary (180 month maximum)  - CSC (life, 180, 120, 60 month maxima)  - Homicide (life, 180 month maxima)  - Larceny (120 month maximum)  - Robbery (All)
		All other felony convictions included in the crime groups covered by the guidelines are low exertly felony convictions.  B. If a prior felony conviction falls outside of the crime groups covered by the guidelines and the judge determines that it is similar to a high severity felony conviction [e.g., Conspiracy to Commit Murder 750.157b(2)], it should be included in scoring this variable.
PRV 2	PRIOR LOW SEVERITY FELONY CONVICTIONS	A. A low severity felony conviction refers to a conviction for any felon
40 25 10 0	3 or more prior low severity felony convictions 2 prior low severity felony convictions 1 prior low severity felony conviction No prior low severity felony convictions	included in the following crime groups and statutory maxima:  - Assault (24 month maximum)  - Burglary (120, 60, 46, 30, 24 month maxima)  - CSC (30, 24 month maxima)  - Drug (All)  - Fraud (All)  - Larceny (60, 48, 38, 24 month maxima)  - Property Destruction (All)  - Weapons Possession (All)
		All other felony convictions included in the crime groups covered to the guidelines are high severity convictions.  B. If a prior felony conviction falls outside of the crime groups covere by the guidelines and the judge determines it is similar to a low severit felony conviction (e.g., Escape 750.193), it should be included a scoring this variable.
PRV 3	JUVENILE-HIGH SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13 birthday and before the offender's 17th birthday to be scored.
25	2 or more prior high severity juvenile adjudications	B. A high severity juvenile adjudication refers to an adjudication involing conduct included in the following crime groups and statuto maxima:
10 0	1 prior high severity juvenile adjudication No prior high severity juvenile adjudications	Assault (life, 129, 60, 48 month maxima) Burglary (180 month maximum) CSC (life, 180, 120, 60 month maxima) Homicide (life, 180 month maxima) Larceny (120 month maximum) Robbery (All)
		All other juvenile adjudications included in the crime groups covered by the guidelines are low severity.  C. If a prior juvenile adjudication falls outside of the crime group covered by the guidelines and the judge determines it is similar to a high

#### PRIOR RECORD VARIABLES - PROPERTY DESTRUCTION

		and the second s
PRV Points	Variable Name And Categories	Instructions
PRV 4	JUVENILE-LOW SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13th birthda and before the offender's 17th birthday to be scored.
10	4 or more prior low severity juvenile adjudications	B. A low severity juvenile adjudication refers to an adjudication involing conduct included in the following crime groups and statuto maxima:
5	2 or 3 prior low severity juvenile adjudications	Assault (24 month maximum)
Ō	0 or 1 prior low severity juvenile adjudications	Burglary (120, 66, 48, 30, 24 month maxima) CSC (30, 24 month maxima) Drug (All) Fraud (All) Larceny (60, 48, 30, 24 month maxima) Property Destruction (All)
		Weapons Possession (All)
		All other juvenile adjudications included in the crime groups covered the guidelines are high severity.
		C. If a prior juvenile adjudication fails outside of the crime group covered by the guidelines and the judge determines it is similar to a le severity juvenile adjudication, it should be included in scoring the variable.
		<ul> <li>D. Curiew end status offenses are not to be counted as low sever adjudications.</li> </ul>
PRV 5	PRIOR MISDEMEANOR CONVICTIONS	Score a misdemeanor only if it is related to one of the following cri groups: Assault, Burglary, Criminal Sexual Conduct, Drug, Fra Larceny, Property Destruction, Robbery, or Weapone Possession.
10	4 or more prior misdemeanor convictions	
	2 or 3 prior misdemeanor convictions	
	0 or 1 prior misdemeanor convictions	
PRV 6	PRIOR RELATIONSHIP TO CRIMINAL JUSTICE SYSTEM	A. A post-conviction relationship exists II, at the time of the instructions, the offender was:
		Incarcerated by the Michigan Department of Correction     (hely december)
15	5 Post-conviction relationship exists or	(includes escapee) - incarcerated in jail (includes escapee)
	the offender committed the instant offense	<ul> <li>on parole or probation</li> <li>awaiting sentence on a probation violation, guilty verd</li> </ul>
	within six months of termination of	or guilty pies
		• on delayed sentence status • on 333,7411
	probation or parole	
	Other relationship exists	B. An other relationship exists if, at the time of the instant offense, offender was:
1 1	No relationship exists	• on bond and/or ball
		on pre-trial diversion     on Holmes Youthful Trainee status
		C. Score the appropriate point value if the offender was involved with criminal justice system of another state or the Federal Governmen specified by the relationships mentioned above.
		D. Relationship to the Criminal Justice System, applies to relationed determined by felony, juvenile and/or misdemeanor convictions charges.
	1	

#### PRIOR RECORD VARIABLES - PROPERTY DESTRUCTION

PRV Points	Variable Name And Categories	Instructions
	하는 회사를	
PRV 7	SUBSEQUENT/CONCURRENT FELONY CONVICTIONS	A. Score the appropriate point value when the offender is convicted of multiple felony counts or is convicted of a felony subsequent to the commission of the instant offense.
20	2 or more subsequent/concurrent convictions	<ul> <li>B. A felony firearm conviction should not be used when scoring this variable.</li> </ul>
10	1 subsequent/concurrent conviction	
0	No subsequent/concurrent convictions	
		•

#### PRIOR RECORD LEVELS

SCORE	LEVEL
0 1-24	A B
25-49	C
50+	D

# **OFFENSE VARIABLES - PROPERTY DESTRUCTION**

OV Points	Variable Name And Categories	Instructions
OV 8	CONTINUING PATTERN OF CRIMINAL	A. Presence of multiple offenders should not automatically be defined
OVO	BEHAVIOR	as constituting an organized criminal group.
		<ol> <li>Score "10" if the instant offense is directly related to membership is an organized criminal group.</li> </ol>
10	The offense is a part of a pattern of criminal activities over a period of time from which the	C. This may include a juvenile gang.
	offender derives a substantial portion of his or her income and/or the offense is directly related	D. The degree of sophistication of the group is not so important as the fact of existence, which can in part be inferred from the length of time the organization has been in operation.
	to membership in an organized criminal group	
. 0	No continuing criminal behavior and/or member-	
	ship in an organized criminal group	
	eterioris. Sign	
OV 9	OFFENDER'S ROLE	The entire criminal episode or situation should be taken into account in determining whether an offender is a leader.
10	Leader in multiple offender situation	
0.1	Not a leader	
		The state of the s
OV 17	AGGREGATE VALUE OF PROPERTY OBTAINED, DAMAGED, OR DESTROYED	A. Trial court may consider the total amount of money involved in admitted but uncharged offenses or in charges which have been dismissed pursuant to a plea agreement.
10	More than \$5,000 or property having significant historical, social, or sentimental value	B. In multiple offender cases, the aggregate value of property obtained, damaged, or destroyed is determined by adding together the aggregate value of property obtained, damaged, or destroyed by
5	\$1,000 to \$5,000	each offender.
1	\$200 to \$999	
0	Less than \$200	
	60 (1991) 2011 사람이 :	
OV 18	INJURY OR THREAT TO LIFE	
100	Acts resulted in loss of human life	
15	Acts resulted in injury to person	
- 5	Acts created threat to human life	
0	No loss, injury, or threat	

#### **OFFENSE VARIABLES - PROPERTY DESTRUCTION**

	- Charles and the control of the con	
OV Points	Variable Name And Categories	Instructions
OV 19	POSSESSION OF INCENDIARY DEVICE OR EXPLOSIVES	A. Score "0" where the offender is convicted of "preparation to burn" or "possession of incendiary device."
14 · 15		B. Matches are not "Incendiary devices."
10	Offender possesses incendiary device or explosives	C. Incendiary device does refer to the use of gasoline or other flammable substances, blow torches, fire bombe, Molotov cocktails, etc.
0	No such possession	
OV 25	CONTEMPORANEOUS CRIMINAL ACTS	A. A criminal act is contemporaneous if: (1) it occurs within twenty four hours of the offense upon which the defendant is being sentenced or within six months if it is identical to or similar in nature and (2) it
15	3 or more contemporaneous criminal acts	has not and will not result in a separate conviction.
5	2 contemporaneous criminal acts	<ul> <li>B. A felony firearm charge should not be used when scoring this variable.</li> </ul>
0.	0 or 1 contemporaneous criminal acts	valuation
L	and the state of t	

# PROPERTY DESTRUCTION OFFENSE VARIABLE LEVELS

SCORE	LEVEL
0	1
1-10	11
11-25	111
26+	IV

#### **Prior Record Level**

Offense I Level II III

Α	В	С	D
0-9	0-12	6-36	12-48
0-12	0-12	12-48	18-60
0-24	6-36	12-60	24-96
12-48	18-60	24-96	60-160

750.72 Arson, dwelling

# **120 MONTHS**

**Prior Record Level** 

Offense I Level II

I۷

Α	В	С	D ·
0-6	0-9	0-12	12-36
0-9	0-12	0-18	18-42
0-12	0-12	12-36	24-60
12-24	12-36	24-60	36-80

750.73 Burn real property 750.75 Burn insured property

#### **Prior Record Level**

Offense	:
Level	1
	11
	Ш
residente de la companya de la comp La companya de la co	١٧

Α	В	С	D
0-3	0-6	0-12	6-30
0-6	0-6	0-12	12-36
0-9	0-12	0-24	12-40
0-12	0-12	12-24	24-40

750.72 Arson, dwelling (ATT) 750.73 Burn real property (ATT) 750.75 Burn insured property (ATT)

# **48 MONTHS**

#### Prior Record Level

Offense	
Level	l
Tage	11
	111

IV

Α	В	C	D
0-3	0-6	0-9	6-24
0-6	0-6	0-12	6-30
0-9	0-12	0-12	12-32
0-12	0-12	12-24	18-32
		La Company of the Company	•

750.74 Burn personal property over \$50
750.77 Prepare to burn over \$50
750.377a Malicious injury to personal property over \$100
750.377b Malicious injury to property of police
750.380 Malicious injury to house over \$100
750.383a Malicious destruction of Utility Equipment

#### 24 MONTHS

#### **Prior Record Level**

Offense I Level II

IV

A	B ~	С	D
0-3	0-3	0-6	0-12
0-3	0-3	0-6	6-12
0-6	0-6	0-9	6-12
0-6	0-9	6-12	12-16

750.74 Burn personal property over \$50 (ATT)
750.77 Prepare to burn over \$50 (ATT)
750.377a Malicious injury to personal property over \$100 (ATT)
750.377b Malicious injury to property of police (ATT)
750.380 Malicious injury to house over \$100 (ATT)
750.383a Malicious destruction of utility equipment (ATT)

Robbery

#### PRIOR RECORD VARIABLES - ROBBERY

PRV	Points	Variable Name And Categories	Instructions
PRV 1	50 25 0	PRIOR HIGH SEVERITY FELONY CONVICTIONS  2 or more prior high severity felony convictions  1 prior high severity felony conviction  No prior high severity felony convictions	A. A high severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:  - Assault (life, 120, 60, 48 month maxima) - Burglary (180 month maximum) - CSC (life, 180, 120, 80 month maxima) - Homicide (life, 180 month maxima) - Larceny (120 month maximum) - Robbery (All)  All other felony convictions included in the crime groups covered by the guidelines are low severity felony convictions.
			B. If a prior felony conviction falls outside of the crime groups covered by the guidelines and the judge determines that it is similar to a high severity felony conviction [e.g., Conspiracy to Commit Murder 750.157b(2)], it should be included in scoring this variable.
PRV 2		PRIOR LOW SEVERITY FELONY CONVICTIONS	A. A low severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:
	40 25 10 0	3 or more prior low severity felony convictions 2 prior low severity felony convictions 1 prior low severity felony conviction No prior low severity felony convictions	<ul> <li>Assault (24 month maximum)</li> <li>Burglary (120, 80, 48, 30, 24 month maxima)</li> <li>CSC (30, 24 month maxima)</li> <li>Drug (All)</li> <li>Fraud (All)</li> <li>Larceny (60, 48, 30, 24 month maxima)</li> <li>Property Destruction (All)</li> <li>Weapons Possession (All)</li> </ul>
			All other felony convictions included in the crime groups covered by the guidelines are high severity convictions.  B. If a prior felony conviction fails outside of the crime groups covered by the guidelines and the judge determines it is similar to a low severity felony conviction (e.g., Escape 750.193), it should be included in scoring this variable.
PRV 3	in de la companya de La companya de la co La companya de la compan	JUVENILEHIGH SEVERITY ADJUDICATIONS	A. The adjudicated offence must occur after the offender's 13th birthday and before the offender's 17th birthday to be scored.
	25	2 or more prior high severity juvenile adjudications	B. A high severity juvenile adjudication refers to an adjudication involv- ing conduct included in the following crime groups and statutory maxims:
	10 0	1 prior high severity juvenile adjudication No prior high severity juvenile adjudications	Assault (life, 129, 66, 46 month maxima) Burglary (180 month maximum) CSC (life, 180, 120, 60 month maxima) Homicide (life, 180 month maxima) Larceny (120 month maximum) Robbery (All)
			All other juvenile adjudications included in the crime groups covered by the guidelines are low severity.
Tanan are with	in the case		C. If a prior juvenile adjudication falls outside of the crime groups covered by the guidelines and the judge determines it is similar to a high severity juvenile adjudication, it should be included in according this variable.

## PRIOR RECORD VARIABLES - ROBBERY

PRV Points	Variable Name And Categories	Instructions
PRV 4	JUVENILE-LOW SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13th birthda and before the offender's 17th birthday to be accred.
10	4 or more prior low severity juvenile adjudications	B. A low severity juvenile adjudication refers to an adjudication involving conduct included in the following crime groups and statuto maxima:
5.0	2 or 3 prior low severity juvenile adjudications 0 or 1 prior low severity juvenile adjudications	Assault (24 month maximum)     Burglary (120, 60, 48, 30, 24 month maxima)     CSC (30, 24 month maxima)     Drug (All)     Fraud (All)     Larceny (60, 48, 30, 24 month maxima)     Property Destruction (All)
		Wespone Possession (All)  All other juvenile adjudications included in the crime groups covered the guidelines are high severity.
		C. If a prior juvenile adjudication falls outside of the crime group covered by the guidelines and the judge determines it is similar to a loseverity juvenile adjudication, it should be included in scoring the variable.
		D. Curiew and status offenses are not to be counted as low sever adjudications.
PRV 5	PRIOR MISDEMEANOR CONVICTIONS	Score a misdemeanor only if it is related to one of the following crit groups: Assault, Burglary, Criminal Sexual Conduct, Drug, Frac Larceny, Property Destruction, Robbery, or Weapons Possession.
10	4 or more prior misdemeanor convictions	
5	2 or 3 prior misdemeanor convictions	
0	0 or 1 prior misdemeanor convictions	
PRV 6	PRIOR RELATIONSHIP TO CRIMINAL JUSTICE SYSTEM	A. A post-conviction relationship exists if, at the time of the inst offense, the offender was:
15	Post-conviction relationship exists or the offender committed the instant offense within six months of termination of probation or parole	Incarcerated by the Michigan Department of Correction (includes escapee) Incarcerated in jail (includes escapee) Incarcerated includes escapee) Incarcerated includes escapee) Incarcerated includes escapee) Incarcerated by the Michigan Department of Correction Incarcerated by the Michigan Department of Correction Includes escapee) Incarcerated by the Michigan Department of Correction Includes escapee) Incarcerated in jail (includes escapee) I
5 0		B. An other relationship exists $\hat{H}_i$ at the time of the instant offense, offender was:
		<ul> <li>on bond and/or ball</li> <li>on pre-trial diversion</li> <li>on Holmes Youthful Trainee status</li> </ul>
		C. Score the appropriate point value if the offender was involved with criminal justice system of another state or the Federal Government specified by the relationships mentioned above.
		D. Relationship to the Criminal Justice System, applies to relationsh determined by felony, juvenile and/or misdemeanor convictions charges.

#### PRIOR RECORD VARIABLES - ROBBERY

PRV	Points	Variable Name And Categories	Instructions
PRV	7	SUBSEQUENT/CONCURRENT FELONY CONVICTIONS	A. Score the appropriate point value when the offender is convicted of multiple felony counts or is convicted of a felony subsequent to the commission of the instant offense.
	20 10 0	2 or more subsequent/concurrent convictions  1 subsequent/concurrent conviction  No subsequent/concurrent convictions	B. A felony firearm conviction should not be used when scoring this variable.

# SCORE LEVEL O A 1-24 B 25-49 C 50+ D

#### OFFENSE VARIABLES - ROBBERY

	oints	Variable Name And Categories	Instructions
	· ·	All Marketines (All Control of the C	
OV 1		AGGRAVATED USE OF WEAPON	A. In multiple offender cases, when one offender is assessed points to the presence, type, and/or use of a weapon, all offenders shall be assessed the same number of points.
	25	A firearm is discharged by offender during commission of the offense	B. A firearm refers to an operational or non-operational firearm, or an instrument fashioned to appear to be a firearm.
	15	A firearm pointed toward victim or touching with another weapon	C. Score "5" if an offender uses an object in his or her pocket to suggest the presence of a firearm.
	5*	A firearm displayed, implied, or possessed; any other weapon displayed	* Do not score "5" if the conviction offense is Robbery Armed of Felonious Assault.
	0	No firearm discharged, displayed, implied, or	
		possessed; no other weapon	
		현실 : 교회 :	
		and the second of the second o	
OV 2		PHYSICAL ATTACK AND/OR INJURY	A: In multiple offender cases when one offender is assessed points for physical attack and/or injury, all offenders shall be assessed the sam number of points.
	100	Victim killed	B. Score "100" when death regults from the commission of a crime an
	50	Victim treated with excessive brutality	homicide is not the conviction offense.
*	25	Bodily injury and/or subjected to terrorism	C. Terrorism is conduct that is designed to increase substantially th
	0	No injury	fear and anxiety that the victim suffers during the offense.
			D. Score "0" if a victim is struck in an assaultive crime and there is no odlly injury.
	· ·		fire the second
OV 5		VICTIM WAS CARRIED AWAY OR HELD CAPTIVE	Score "0" If the conviction offence is kidnapping.
OV 5	15	VICTIM WAS CARRIED AWAY OR HELD CAPTIVE  Victim was moved to another place of greater	Score "0" If the conviction offense is kidnapping.
OV 5	15		Score "0" If the conviction offence is kidnapping.
OV 5	15	Victim was moved to another place of greater	Score "0" If the conviction offense is kidnapping.
OV 5	15	Victim was moved to another place of greater danger or to a situation of greater danger, or was	Score "0" If the conviction offence is kidnapping.
OV 5	15	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was	Score "0" If the conviction offense is kidnapping.
OV 5		Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense	Score "0" If the conviction offence is kidnapping.
OV 5		Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense	Score "0" If the conviction attence is kidnapping.
		Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive	
		Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense	
	0	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive  MULTIPLE VICTIMS	Count each person who was placed in danger of injury or loss of life a victim.
OV 5	0	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive  MULTIPLE VICTIMS  Multiple deaths	Count each person who was placed in danger of injury or loss of life
	0 100* 10	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive  MULTIPLE VICTIMS  Multiple deaths 2 or more victims	Count each person who was placed in danger of injury or loss of life a victim.
	0	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive  MULTIPLE VICTIMS  Multiple deaths	Count each person who was placed in danger of injury or loss of life a victim.
	0 100* 10	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive  MULTIPLE VICTIMS  Multiple deaths 2 or more victims	Count each person who was placed in danger of injury or loss of life a victim.
	0 100* 10	Victim was moved to another place of greater danger or to a situation of greater danger, or was held captive significantly beyond that which was necessary to commit the offense Victim was not carried away or held captive  MULTIPLE VICTIMS  Multiple deaths 2 or more victims	Count each person who was placed in danger of injury or loss of life a victim.

# OFFENSE VARIABLES - ROBBERY

OV Po	oints	Variable Name And Categories	Instructions
	*		A STATE OF THE STA
OV 7		OFFENDER EXPLOITATION OF VICTIM VULNERABILITY	A. The mere existence of one or more of these factors should no automatically be equated with victim vulnerability.
	4=		B. Exploitation refere to the manipulation of the victim for selfish o unethical purposes.
	15	Offender exploits the victim due to a physical disability, mental disability, youth, agedness, or	C. Vulnerability refers to the readily apparent susceptibility of the victim to injury, physical restraint, persuasion, or temptation.
	5	an abuse of authority status  Offender exploits the victim through a difference	D. Abuse of authority status refers to situations where a victim is exploited out of fear or deference to an authority figure (e.g., parent child, doctor-patient).
		in size/strength, or because the victim was	
		intoxicated, under the influence of drugs, asleep,	
		or unconscious	
	0	No exploitation	
OV 9		OFFENDER'S ROLE	The entire criminal episode or altuation should be taken into account in determining whether an offender is a leader.
	10	Leader in multiple offender situation	
	0	and the second s	
	U.	Not a leader	
-	his en finis		
OV 13		* BOYOUGI GOIGAL IN HIDY TO MOTHE	
JV 10		PSYCHOLOGICAL INJURY TO VICTIM	
	_	n. Magazini, Ali	
	5	Serious psychological injury to victim or victim's	
		family necessitating professional treatment	
	0	No psychological injury	
		(2013년 - 1) 1912년 - 1	
OV 17		AGGREGATE VALUE OF PROPERTY OBTAINED,	A. Trial court may consider the total amount of money involved in admitted but uncharged offenses or in charges which have been
		DAMAGED, OR DESTROYED	dismissed pursuant to a plea agreement.
			B. In multiple offender cases, the aggregate value of property
· .	10	More than \$5,000 or property having significant historical, social, or sentimental value	obtained, damaged, or destroyed is determined by adding together the aggregate value of property obtained, damaged, or destroyed by each offender.
	5	\$1,000 to \$5,000	
	1	\$200 to \$999	
	_		
	0	Less than \$200	

## OFFENSE VARIABLES - ROBBERY

٥٧	Points	Variable Name And Categories	Instructions
OV 25		CONTEMPORANEOUS CRIMINAL ACTS	A. A criminal act is contemporaneous if: (1) it occurs within twenty- four hours of the offense upon which the offender is being sentenced or within six months if it is identical to or similar in nature and (2) it has
	15	3 or more contemporaneous criminal acts	not and will not result in a separate conviction.
	5	2 contemporaneous criminal acts	B. A felony firearm charge should not be used when scoring this variable.
1 4	O+ +	0 or 1 contemporaneous criminal acts	

# ROBBERY OFFENSE VARIABLE LEVELS

SCORE	LEVEL
0-9	1
10-24	11 '
25-49	111
50+	IV

# LIFE

#### **Prior Record Level**

Offense	
Level	
	I
	I

IV

A	В	C	D
0-36	12-48	18-60	36-120
12-48	18-60	24-72	48-240
18-60	24-72	36-96	60-300
36-96	60-180	96-240	120-300 or life

750.89 750.529 750.531 Assault w/intent to rob armed

Robbery armed Bank robbery

# 180 MONTHS

#### **Prior Record Level**

Offense	ı
Level	H
	III
	IV

A	В	C	D
0-12	0-24	12-48	24-72
0-24	0-36	12-48	36-96
0-36	12-48	24-72	48-120
24-60	36-72	60-120	60-120

750.88 750.530

Assault w/intent to rob unarmed Robbery unarmed

# 120 MONTHS

**Prior Record Level** 

Offense			
Level	I		
	11		
•	111		

IV

A	В	C	D
0-9	0-12	0-24	12-60
0-12	0-24	12-36	24-72
0-24	12-36	12-36	36-80
12-48	24-60	36-80	48-80

750.357

Larceny from a person

# **60 MONTHS**

**Prior Record Level** 

_	·	
	Offense	1
	Level	II
		ill
		11

<b>A</b> •	В	C	D
0-6	0-9	0-12	12-40
0-9	0-12	0-12	18-40
0-12	0-12	12-30	24-40
12-40	18-40	24-40	24-40

750.88	Assault w/intent to rob unarmed (ATT)
750.89	Assault w/intent to rob armed (ATT)
750.529	Robbery armed (ATT)
750.530	Robbery unarmed (ATT)
750.531	Bank robbery (ATT)
750.357	Larceny from a person (ATT)

# Weapons Possession

# PRIOR RECORD VARIABLES - WEAPONS POSSESSION

PRV	Points	Variable Name And Categories	Instructions
PRV 1	50 25 0	PRIOR HIGH SEVERITY FELONY CONVICTIONS  2 or more prior high severity felony convictions  1 prior high severity felony conviction No prior high severity felony convictions	A. A high severity felony conviction refers to a conviction for any felony included in the following crime groups and statutory maxima:  - Assault (life, 120, 60, 48 month maxima) - Burglary (180 month maximum) - CSC (life, 180, 120, 60 month maxima) - Homicolde (life, 180 month maxima) - Larceny (120 month maximum) - Robbery (Ail)  All other felony convictions included in the crime groups covered by
			the guidelines are low severity fellony convictions.  B. If a prior felony conviction falls outside of the crime groups covered by the guidelines and the judge determines that it is similar to a high severity felony conviction [e.g., Conspiracy to Commit Murder 750.157b(2)], it should be included in scoring this variable.
-		, 강하는 하다 	
PRV 2	2	PRIOR LOW SEVERITY FELONY CONVICTIONS	A. A low severity felony conviction refers to a conviction for any felony included in the following crime groups and atatutory maxima:
	40 25 10 0	3 or more prior low severity felony convictions 2 prior low severity felony convictions 1 prior low severity felony conviction No prior low severity felony convictions	Assault (24 month maximum) Burgiary (120, 60, 48, 30, 24 month maxima) CSC (30, 24 month maxima) Drug (All) Fraud (All) Larceny (60, 48, 30, 24 month maxima) Property Destruction (All) Weapons Possession (All)
			All other felony convictions included in the crime groups covered by the guidelines are high severity convictions.
			B. If a prior felony conviction falls outside of the crime groups covered by the guidelines and the judge determines it is similar to a low severity felony conviction (e.g., Escape 750.193), it should be included in scoring this variable.
:			
PRV 3		JUVENILE-HIGH SEVERITY ADJUDICATIONS	A. The adjudicated offence must occur after the offender's 13th birthday and before the offender's 17th birthday to be accred.
	25	2 or more prior high severity juvenile adjudications	B. A high severity juvenile adjudication refers to an adjudication involv- ing conduct included in the following crime groups and statutory maxima:
	10 0	1 prior high severity juvenile adjudication No prior high severity juvenile adjudications	Assault (life, 120, 60, 48 month maxima) Burglary (189 month maximum) CSC (life, 180, 120, 60 month maxima) Homicide (life, 180 month maxima) Larceny (120 month maximum) Robbery (All)
			All other juvenile adjudications included in the crime groups covered by the guidelines are low severity.
V Sets 3	<i>1</i> 00		C. If a prior juvenile adjudication fails outside of the crime groups covered by the guidelines and the judge determines it is similar to a high severity juvenile adjudication, it should be included in scoring this variable.

#### PRIOR RECORD VARIABLES - WEAPONS POSSESSION

PRV Poin	its	Variable Name And Categories	Instructions
		다. 1987년 - 1일 - 1	
PRV 4		JUVENILE-LOW SEVERITY ADJUDICATIONS	A. The adjudicated offense must occur after the offender's 13th birthday and before the offender's 17th birthday to be scored.
1	10	4 or more prior low severity juvenile adjudications	B. A low severity juvenile adjudication refers to an adjudication involving conduct included in the following crime groups and statutory maxima:
	5	2 or 3 prior low severity juvenile adjudications 0 or 1 prior low severity juvenile adjudications	- Assault (24 month maximum) - Burglary (120, 60, 48, 30, 24 month maxima) - CSC (30, 24 month maxima) - Drug (Ali) - Fraud (Ali) - Larceny (60, 48, 30, 24 month maxima) - Property Destruction (Ali) - Weapons Possession (Ali)
			All other juvenile adjudications included in the crime groups covered by the guidelines are high severity.
			C. If a prior juvenile adjudication falls outside of the crime groups covered by the guidelines and the judge determines it is similar to a low severity juvenile adjudication, it should be included in scoring this variable.
		사용 (1995년 1997년 199 - 1997년	<ul> <li>Curriew and status offenses are not to be counted as low severity adjudications.</li> </ul>
PRV 5		PRIOR MISDEMEANOR CONVICTIONS	Score a misdemeanor only if it is related to one of the following crim groupe: Assault, Burglary, Criminal Sexual Conduct, Drug, Fraud Larceny, Property Destruction, Rebbery, or Wespons Possession.
	10	4 or more prior misdemeanor convictions	
	5	2 or 3 prior misdemeanor convictions	
	0	0 or 1 prior misdemeanor convictions	
PRV 6		PRIOR RELATIONSHIP TO CRIMINAL JUSTICE SYSTEM	A. A post-conviction relationship exists if, at the time of the instar offense, the offender was:
			<ul> <li>Incarcerated by the Michigan Department of Corrections (Includes escapee)</li> </ul>
	15	Post-conviction relationship exists or	<ul> <li>incarcerated in juli (includes escapes)</li> </ul>
	. •	the offender committed the instant offense	<ul> <li>on parole or probation</li> <li>awaiting sentence on a probation violation, guilty verdices</li> </ul>
		within six months of termination of	or guilty plea
	,	probation or parole	• on delayed sentence status • on 333.7411
			B. An other relationship exists if, at the time of the instant offense, ti
	5	Other relationship exists	offender was:
	0	No relationship exists	on bond and/or ball     on pre-trial diversion.
			• on Holmes Youthful Trainee status
			C. Score the appropriate point value if the offender was involved with the criminal justice system of another state or the Federal Government specified by the relationships mentioned above.
			D. Relationship to the Criminal Justice System, applies to relationship determined by felony, juvenile and/or misdemeanor convictions charges.

## PRIOR RECORD VARIABLES - WEAPONS POSSESSION

PRV	Points	Variable Name And Categories	Instructions
	•		
PRV 7		SUBSEQUENT/CONCURRENT FELONY CONVICTIONS	A. Score the appropriate point value when the offender is convicted of multiple felony counts or is convicted of a felony subsequent to the commission of the instant offense.
	20	2 or more subsequent/concurrent convictions	B. A felony firearm conviction should not be used when scoring this variable.
	10	1 subsequent/concurrent conviction	
	0	No subsequent/concurrent convictions	

#### PRIOR RECORD LEVELS

,	SCORE	LEVEL	
	0	A	4.5
	1-24	В	
	25-49	С	
	50+	D	

#### OFFENSE VARIABLES - WEAPONS POSSESSION

OV F	oints	Variable Name And Categories	Instructions
8 VO		CONTINUING PATTERN OF CRIMINAL BEHAVIOR	A. Presence of multiple offenders should not automatically be defined as constituting an organized criminal group.
			B. Score "10" if the instant offense is directly related to membership in an organized criminal group.
	10	The offense is a part of a pattern of criminal activities over a period of time from which the	C. This may include a juvenile gang.
		offender derives a substantial portion of his or her income and/or the offense is directly related	D. The degree of sophistication of the group is not so important as the fact of existence, which can in part be inferred from the length of time the organization has been in operation.
		to membership in an organized criminal group	
	0	No continuing criminal behavior and/or member-	
		ship in an organized criminal group	
	topic and in the same	Harris Control of the	
OV 9		OFFENDER'S ROLE	The entire criminal episode or situation should be taken into account in determining whether an offender is a leader.
	10	Leader in multiple offender situation	
	0	Not a leader	
		선생. 	
OV 18	}	INJURY OR THREAT TO LIFE	
	100	Acts resulted in loss of human life	
	15	Acts resulted in Injury to person	
	5	Acts created threat to human life	
	0	No loss, injury, or threat	
OV 23		WEAPON: LETHAL POTENTIAL	
	10	Explosives, automatic rifles, sawed-off shotguns,	
	10	machine guns	
	5	Ordinary pistol, rifle, shotgun, cutting weapon	
	0	Other potential weapons	

#### **OFFENSE VARIABLES - WEAPONS POSSESSION**

ov	Points	Variable Name And Categories	Instructions
	A CONTRACTOR OF THE PROPERTY O		
OV 2		CONTEMPORANEOUS CRIMINAL ACTS	A. A criminal act is contemporaneous if: (1) it occurs within twenty four hours of the offense upon which the defendant is being sentenced or within six months if it is identical or similar in nature and (2) it has
1	15	3 or more contemporaneous criminal acts	not and will not result in a separate conviction.
	5	2 contemporaneous criminal acts	B. A felony firearm charge should <u>not</u> be used when scoring this
	. 0	0 or 1 contemporaneous criminal acts	variable.
			•
	·		

#### WEAPONS POSSESSION OFFENSE VARIABLE LEVELS

SCORE	LEVEL
0	1
1-10	11
11-25	111 .
26+	IV