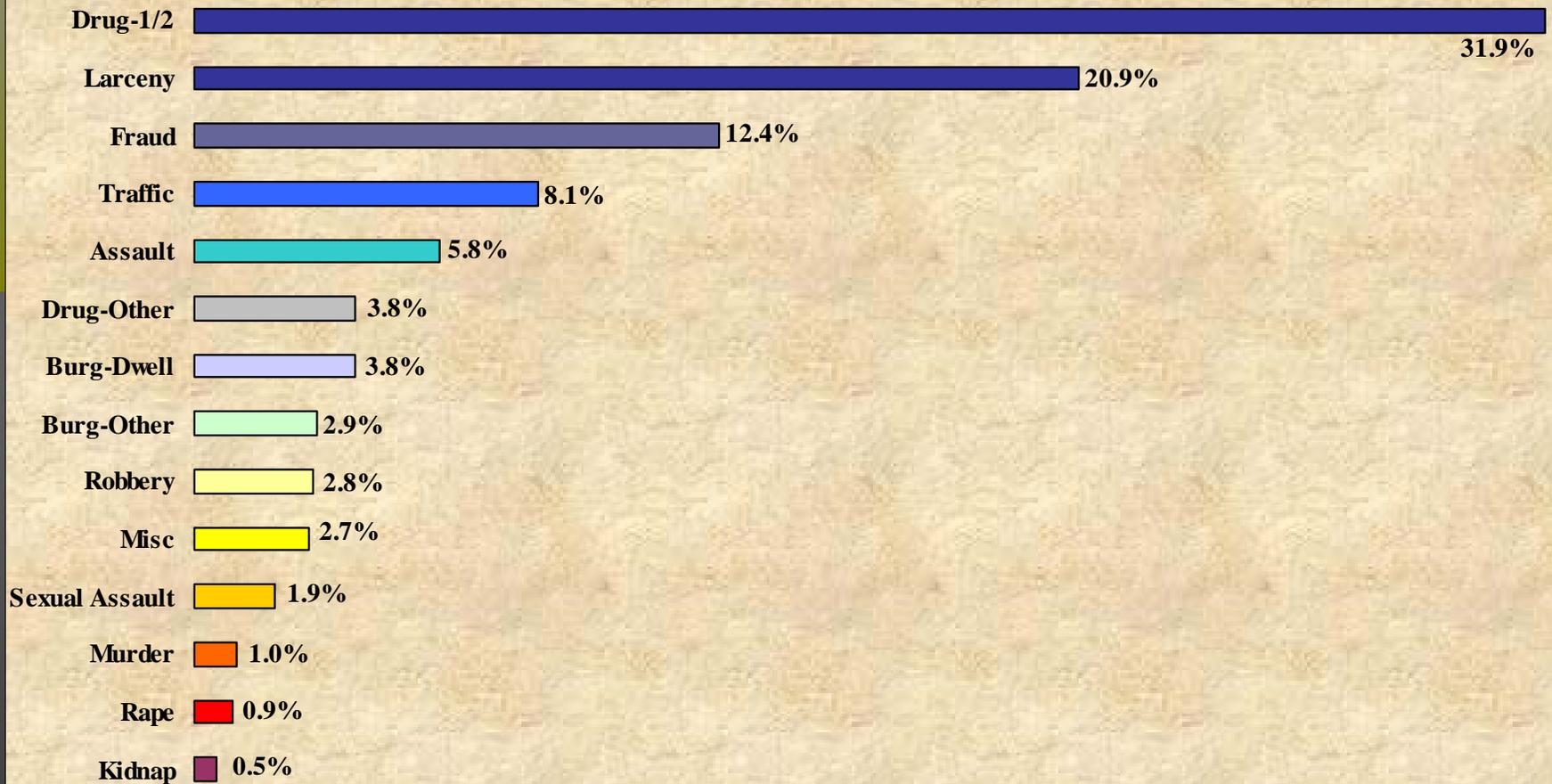


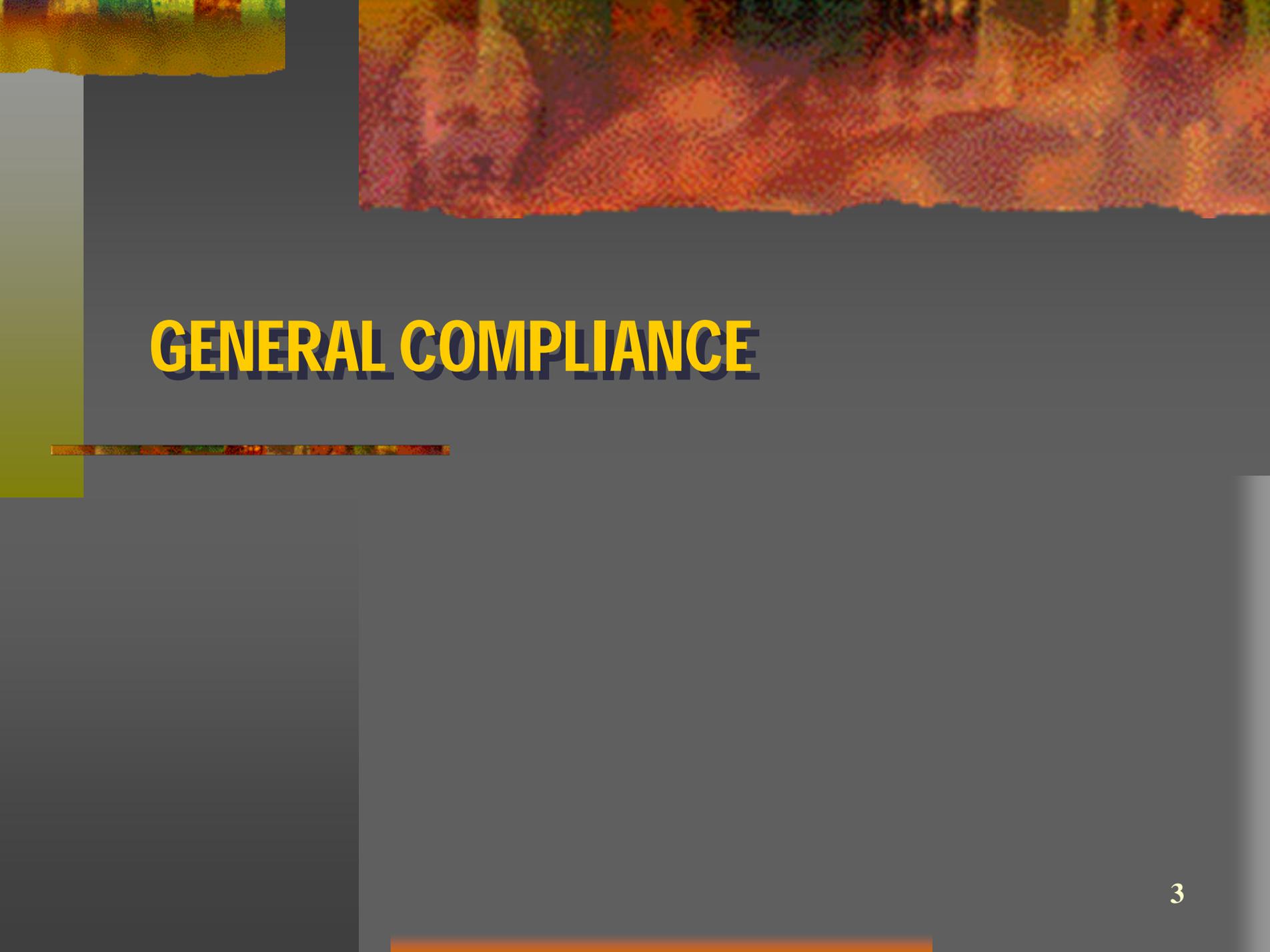
COMPLIANCE

Preliminary FY2006

FY06 Guideline Worksheets

Coded & Keyed as of 8/21/06 (N=14,273)



The background features a dark grey gradient with several abstract, textured elements. At the top left, there is a rectangular area with a yellow-to-green gradient. To its right, a larger area has a complex, multi-colored pattern of reds, oranges, and purples. A thin horizontal line with a similar multi-colored pattern is positioned below the main title. The overall aesthetic is modern and abstract.

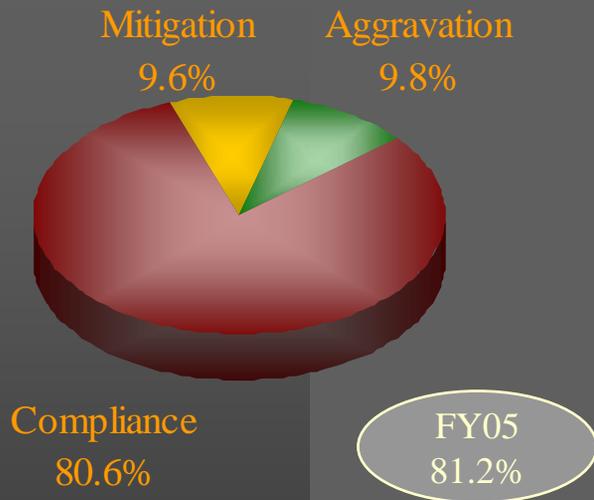
GENERAL COMPLIANCE

FY06 Judicial Agreement with Guideline Recommendations

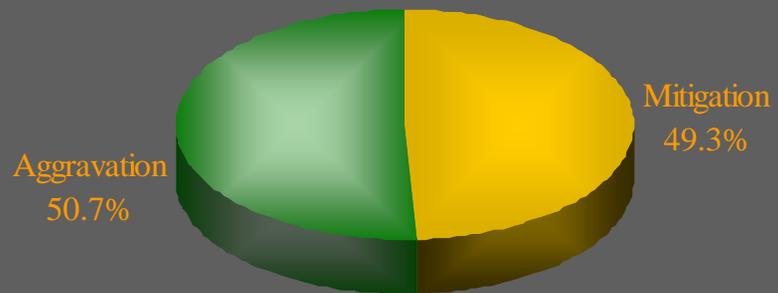
General Compliance:

The degree to which judges agree with the **overall guidelines recommendation**.

Overall Compliance Rate



Direction of Departures



FY06 Recommended vs. Actual Disposition

Dispositional Compliance:

The degree to which judges agree with the **type of sanction** recommended by the guidelines.

Actual Sanction Received

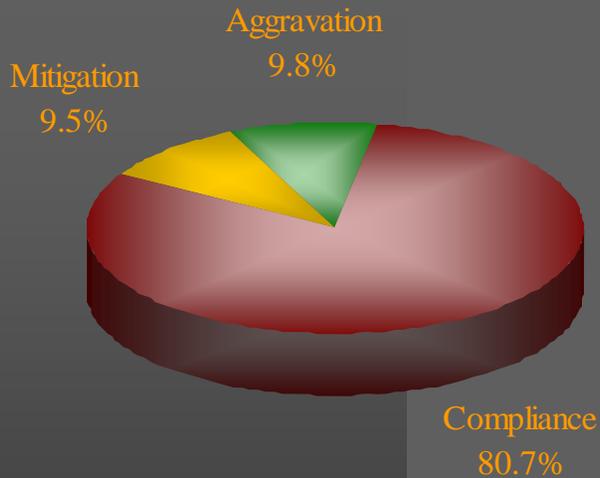
Recommended Sanction	<i>Probation / No Incarceration</i>	<i>Incarceration ≤ 6 months</i>	<i>Incarceration > 6 months</i>
<i>Probation/No Incarceration</i>	73.4%	22.6%	4.0%
<i>Incarceration ≤ 6 mos</i>	10.1%	77.6%	12.3%
<i>Incarceration > 6 mos</i>	4.7%	8.5%	86.8%

FY06 Judicial Agreement with Sentence Length

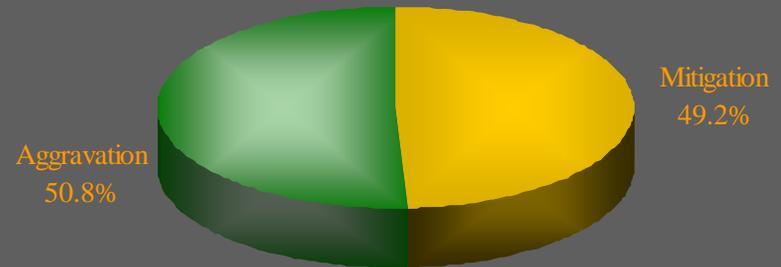
Durational compliance:

The degree to which judges agree with the **sentence length** recommended in jail and prison cases.

Durational Compliance



Direction of Departures





DEPARTURE REASONS

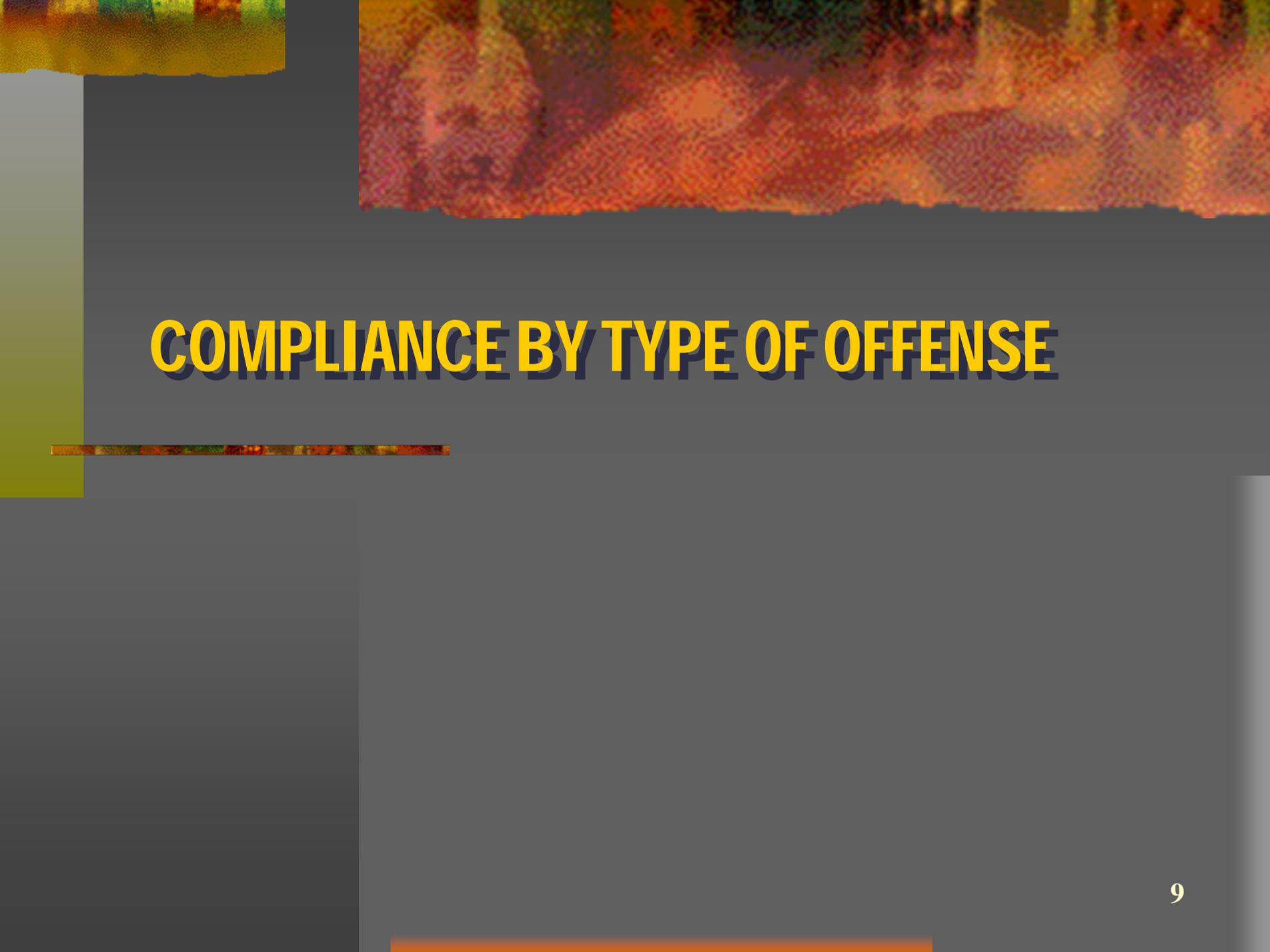
MOST FREQUENTLY CITED DEPARTURE REASONS

■ Mitigating (9.6%)

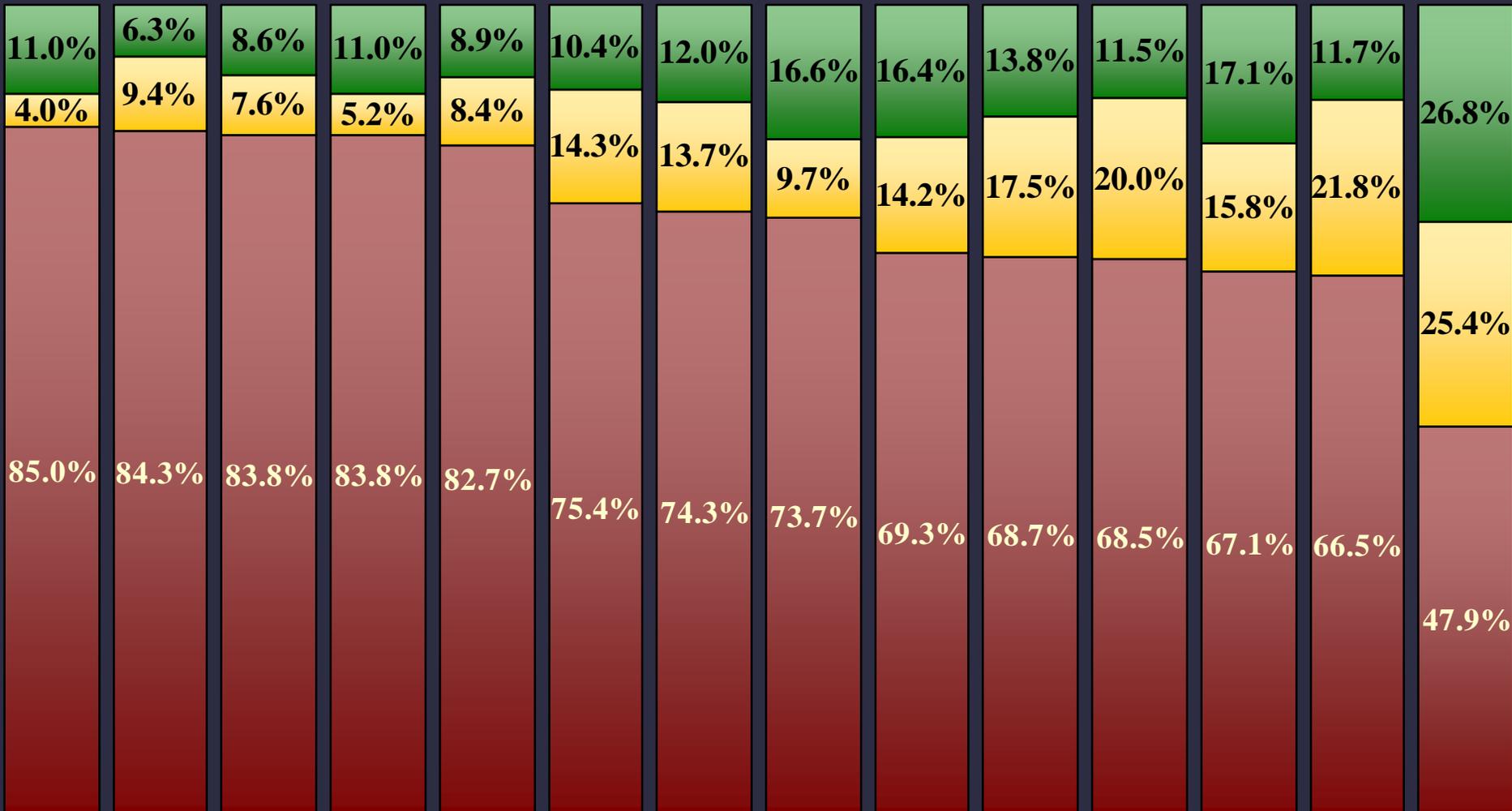
- Plea agreement
- Cooperative with authorities
- Good rehab potential
- Minimal circumstances
- Alternative sanctions
- Recommendation of CA/PO

■ Aggravating (9.8%)

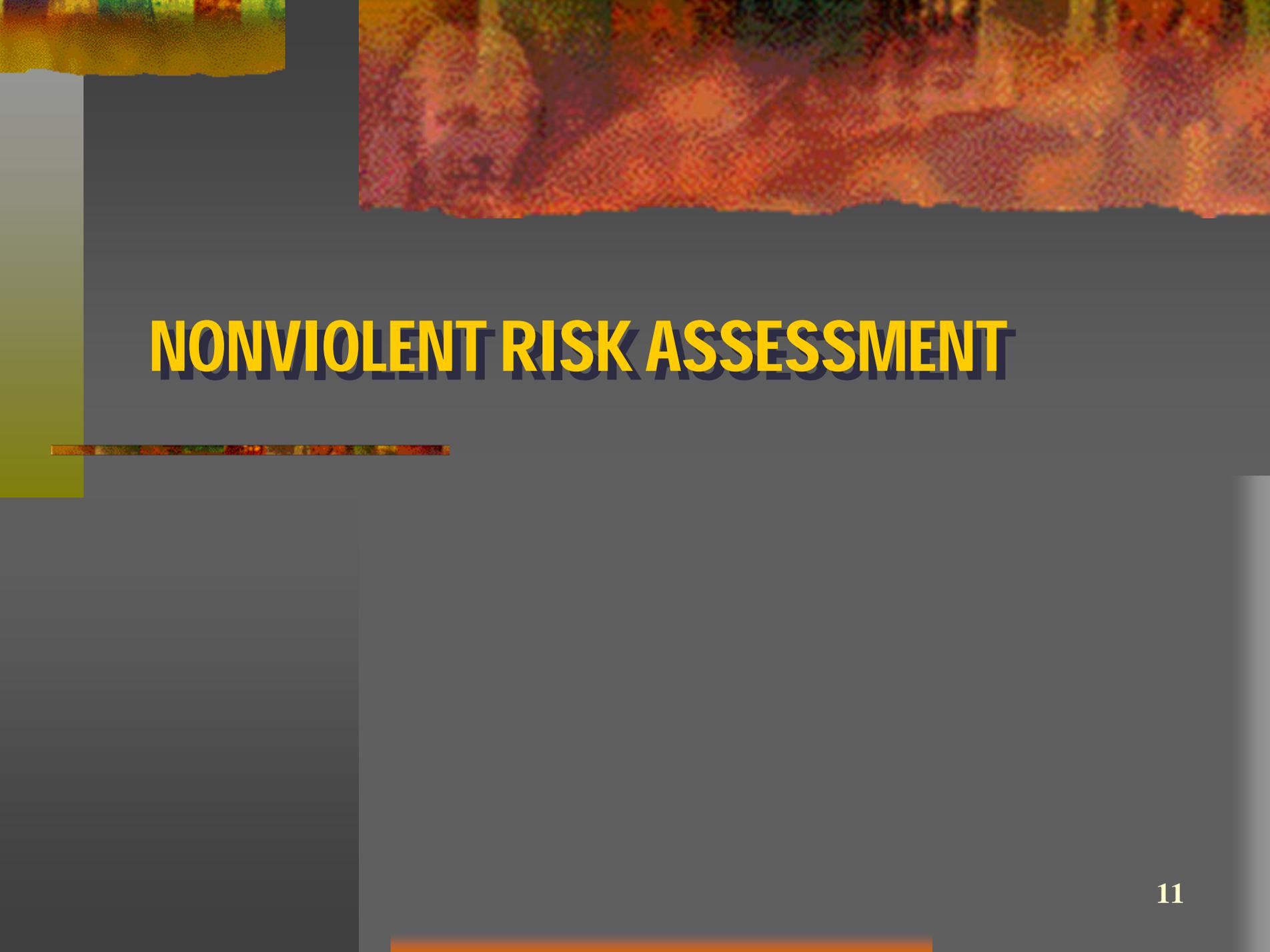
- Plea agreement
- Flagrancy of offense
- Previous conviction for same offense
- Recommendation too low
- Poor rehab potential



COMPLIANCE BY TYPE OF OFFENSE



Compliance
 Mitigation
 Aggravation



NONVIOLENT RISK ASSESSMENT

Nonviolent Risk Assessment

Nonviolent Risk Assessment Section D

Offender Name: _____

◆ Ineligibility Conditions

- A. Was the offender recommended for **Probation/No Incarceration** on Section B? Yes No
- B. Do any of the offenses at sentencing involve the sale, distribution, or possession with intent, etc. of cocaine of a combined quantity of 28.35 grams (1 ounce) or more? Yes No
- C. Are any prior record offenses violent (Category I/II listed in Table A of the Guidelines Manual)? Yes No
- D. Are any of the offenses at sentencing violent (Category I/II listed in Table A of the Guidelines Manual)? Yes No

If answered **YES** to **ANY**, go to "Nonviolent Risk Assessment Recommendations" on cover sheet and check **Not Applicable**. If answered **NO** to **ALL**, complete remainder of Section D worksheet.

◆ Offense Type *Select the type of primary offense* _____

Drug	3	
Fraud	3	
Larceny	11	

◆ **Additional Offense(s)** _____ If YES, add 5 → 0

◆ Offender *Score factors A to D and enter the total score* _____

A. Offender is a male	8	<input type="checkbox"/>	+		
B. Offender's age at time of offense					
Younger than 30 years	13	<input type="checkbox"/>		+	
30 - 40 years	8	<input type="checkbox"/>			
41 - 46 years	1	<input type="checkbox"/>			
Older than 46 years	0	<input type="checkbox"/>			
C. Offender not regularly employed	9	<input type="checkbox"/>		+	
D. Offender at least 26 years of age & never married	6	<input type="checkbox"/>			
				=	Enter A to D Total

◆ **Arrest or Confinement Within Past 18 Months** (prior to instant offenses) _____ If YES, add 6 → 0

◆ Prior Felony Convictions and Adjudications *Select the combination of adult and juvenile felony convictions/adjudications that characterizes the offender's prior record.* _____

Adult felony convictions only	3	
Juvenile felony convictions or adjudications only	6	
Both adult and juvenile felony convictions/adjudications	9	

◆ Prior Adult Incarcerations _____

Number: 1 - 2	3	
3 - 4	6	
5 or more	9	

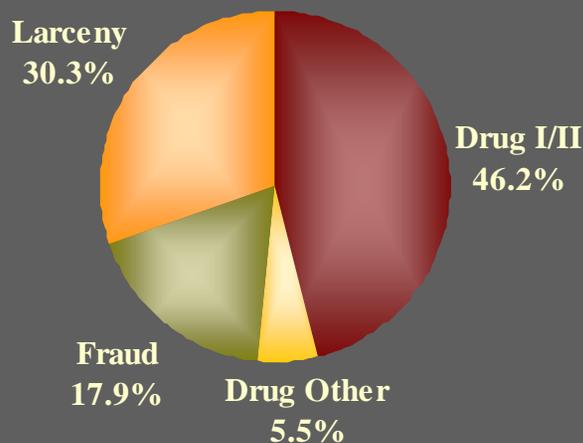
Total Score _____ →

- 35 or less, check Recommended for Alternative Punishment.
 36 or more, check NOT Recommended for Alternative Punishment.

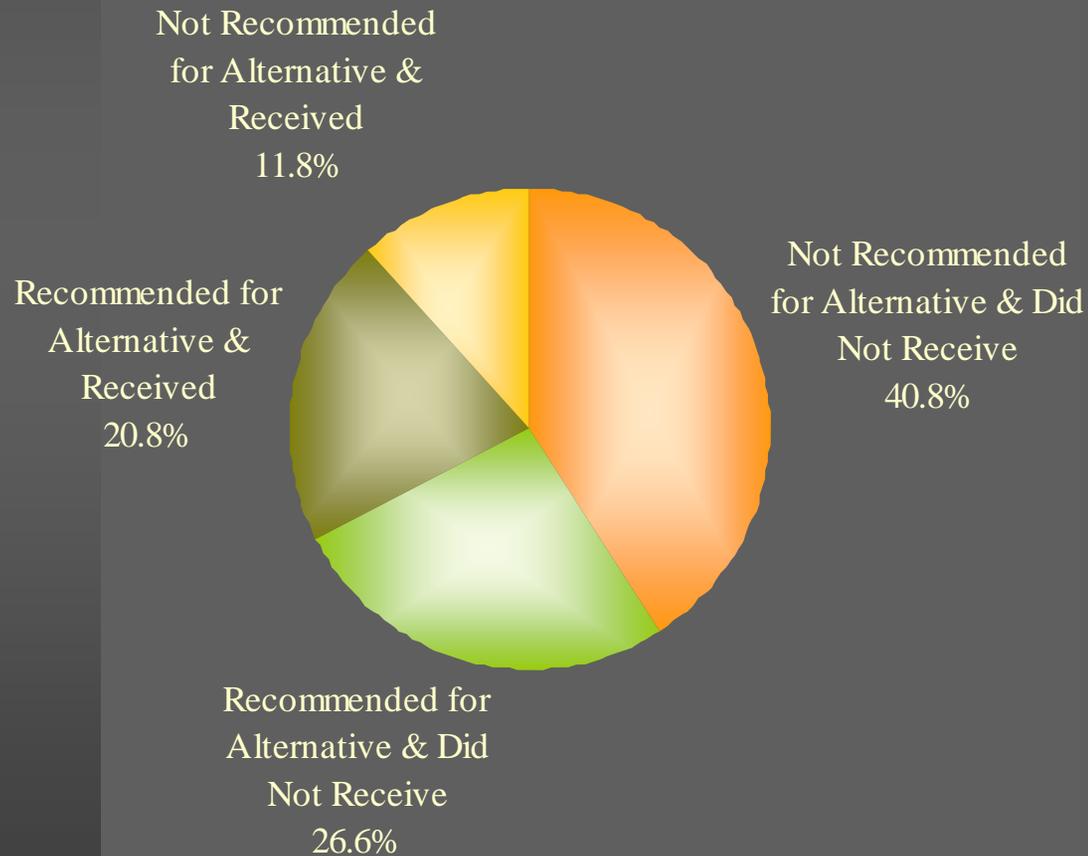
Go to Cover Sheet and fill out Nonviolent Risk Assessment Recommendations.

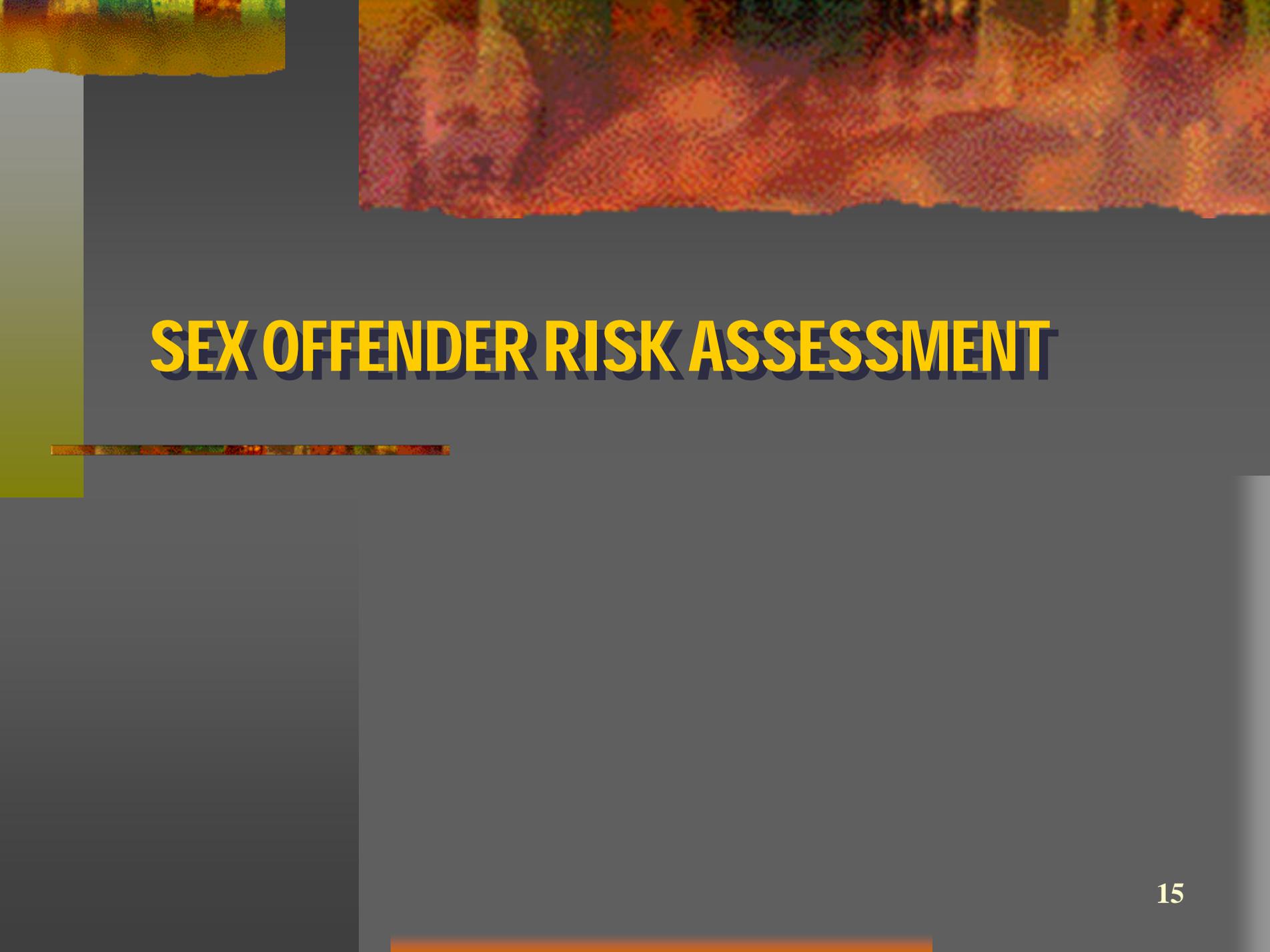
NONVIOLENT RISK ASSESSMENT

- Drug, Fraud, & Larceny
- Purpose: To recommend alternative sanctions for offenders who are statistically less likely to recidivate



ELIGIBLE RISK ASSESSMENT CASES ALTERNATIVE SANCTIONS RECOMMENDED & RECEIVED





SEX OFFENDER RISK ASSESSMENT

Sex Offender Risk Assessment

Other Sexual Assault ~~❖~~ Section A (Part I) Offender Name: _____

Offenses Not Applicable for Risk Assessment:

Risk Assessment is **NOT APPLICABLE** if the primary offense is adultery, bestiality, bigamy, non-forcible sodomy, or prostitution.
(Go to Section A (Part II))

◆ **Offender's Age at Time of Offense** _____

Younger than 35 years	12	<input type="text"/>
35 to 46 years	4	
Older than 46 years	0	

◆ **Less than 9th Grade Education** _____ If YES, add 4 →

◆ **Not Regularly Employed** _____ If YES, add 5 →

◆ **Offender's Relationship with Victim** _____

Victim Under Age 10	Relative	0	<input type="text"/>
	Known to victim (not relative or step-parent)	4	
	Stranger	4	
	Step-parent	9	
Victim Age 10 or more	Relative	2	
	Known to victim (not relative or step-parent)	3	
	Stranger	8	
	Step-parent	2	

◆ **Aggravated Sexual Battery (Primary Offense §18.2-67.3)** _____

No penetration or attempted penetration of victim	0	<input type="text"/>
Penetration or attempted penetration of victim	4	

◆ **Location of Offense** _____

Place of employment	0	<input type="text"/>
Shared victim/offender residence	3	
Outdoors	3	
Motor Vehicle	4	
Victim's residence (not offender's)	5	
Offender's residence or other residence	9	
Location other than listed	3	

◆ **Prior Adult Felony/Misdemeanor Arrests for Crimes Against Person** _____

Number: 0 Felonies	1 - 3 Misdemeanors	1	<input type="text"/>
	4+ Misdemeanors	8	
1 Felony	0 - 2 Misdemeanors	5	
	3+ Misdemeanors	8	
2+ Felonies	0 - 3 Misdemeanors	8	
	4+ Misdemeanors	15	

◆ **Prior Incarcerations/Commitments** _____ If YES, add 3 →

◆ **Prior Treatment** _____

Prior mental health commitment	0	<input type="text"/>
Prior mental health treatment	2	
Prior alcohol or drug treatment	3	
No prior treatment	4	

Risk Score _____ →

Risk Level (Risk Score)	<input type="checkbox"/> 44 or more	Level 1
	<input type="checkbox"/> 34 - 43	Level 2
	<input type="checkbox"/> 28 - 33	Level 3
	<input type="checkbox"/> up to 27	No Adjustment

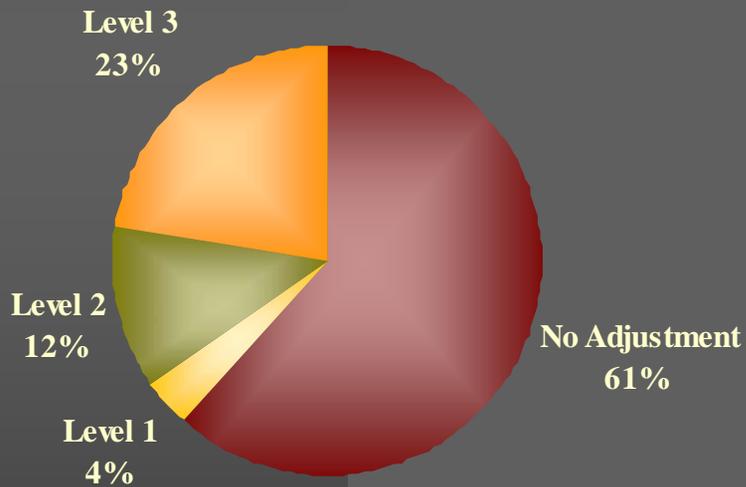


SEX OFFENDER RISK ASSESSMENT

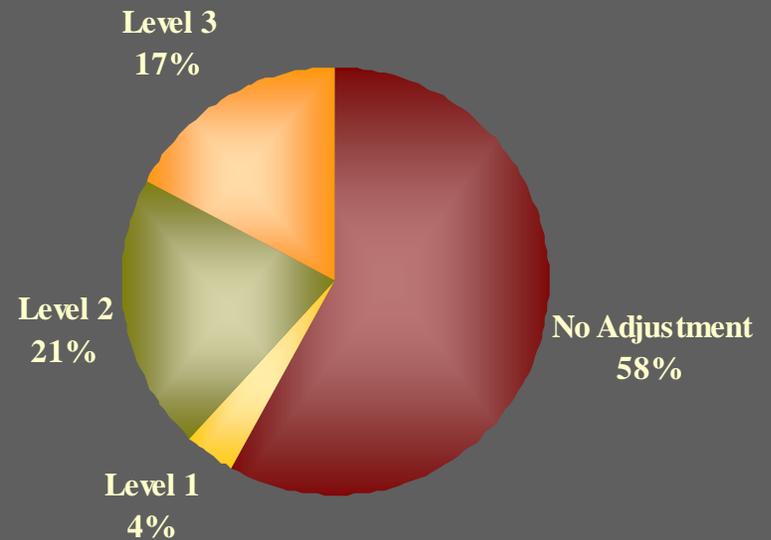
- Rape & Other Sexual Assault
- Purpose:
 - To extend the upper end of the guidelines recommendation for sex offenders who are statistically more likely to recidivate

SEX OFFENDER RISK ASSESSMENT

Other Sexual Assault Risk Levels
(n=274)



Rape Risk Levels
(n=130)



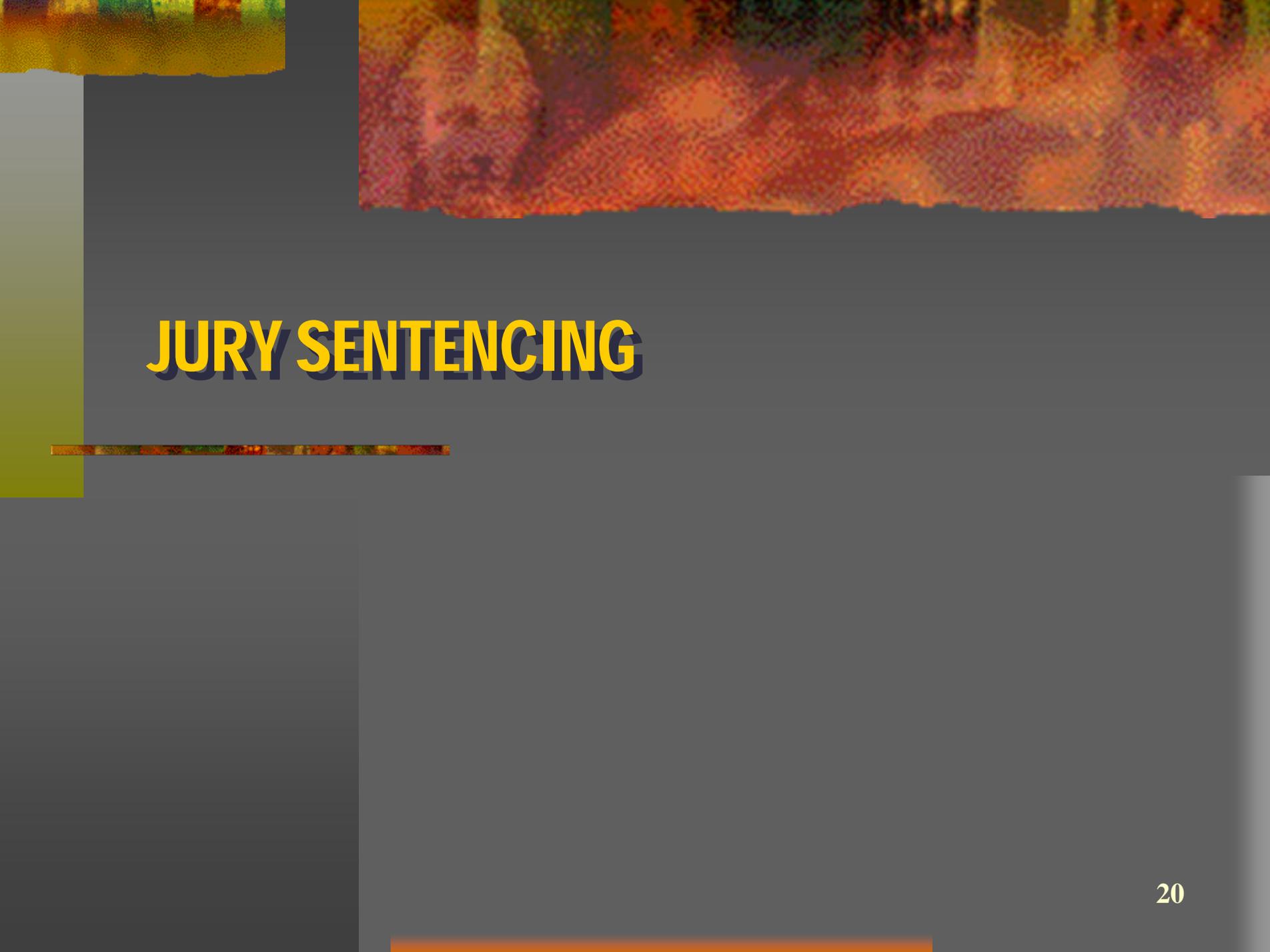
SENTENCING IN SEX OFFENDER CASES

Other Sexual Assault Cases (n=274)



Rape Cases (n=130)

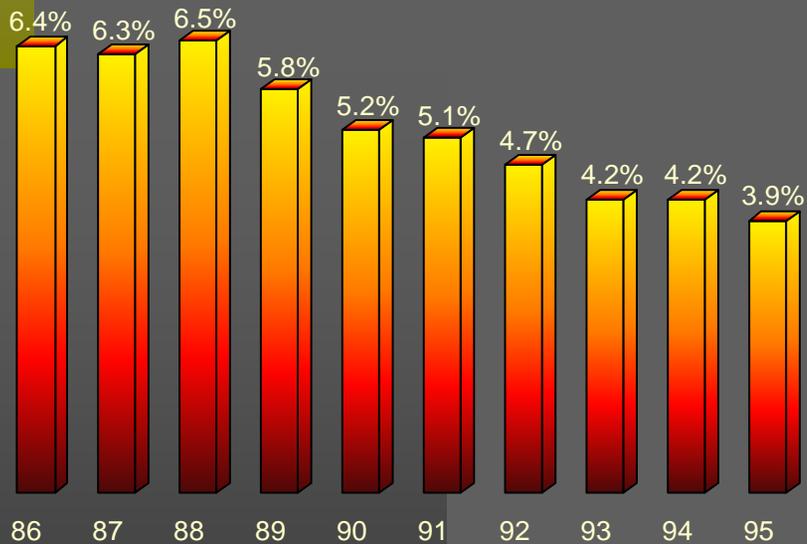




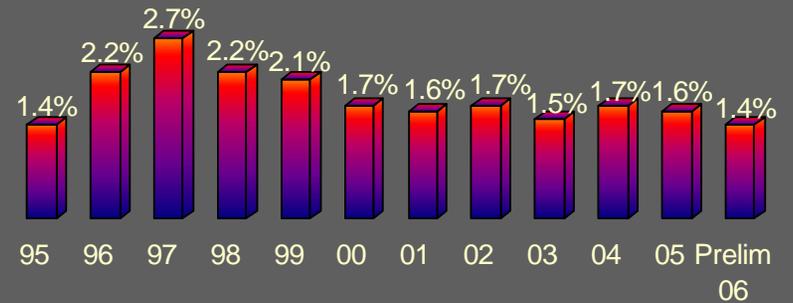
JURY SENTENCING

PAROLE VS. TRUTH-IN-SENTENCING

Parole System

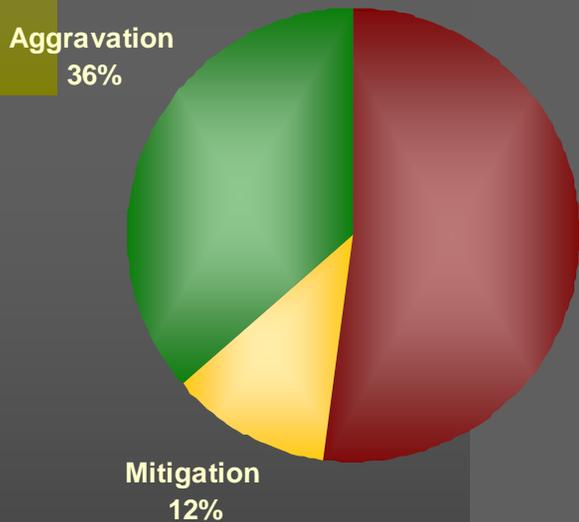


Truth-in-Sentencing

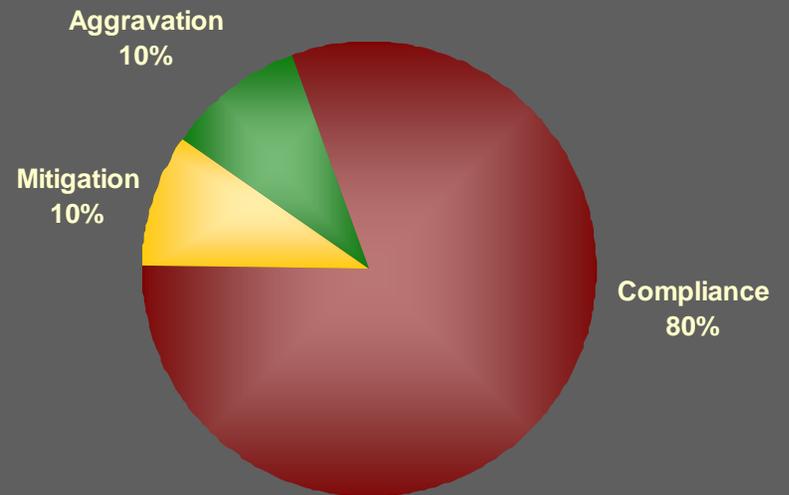


JURY VS. NON-JURY CASES

Jury Cases
(N=190)



Non-Jury Cases
(N=14,156)



SENTENCING REVOCATION REPORTS & PROBATION VIOLATION GUIDELINES

COMPLETE DATA FOR FY2006

Sentencing Revocation Report

For all felony violations:

- Probation
- Good Behavior
- Suspended Sentence



Sentencing Revocation Report

◆ OFFENDER

First: _____ Middle: _____
 Last: _____ Suffix: [][][][]
 Date of Birth: [][] / [][] / [][] Social Security Number: [][][][][][][][][][][][][][][][]
 SID/CCRE: _____

◆ COURT

Judicial Circuit: [][] City/County: _____ FIPS Code: [][][][]
 Judge's Name: _____ [][][][][][]
Office Use Only

◆ MOST SERIOUS ORIGINAL FELONY OFFENSE INFORMATION

Primary Offense _____ VCC _____ Sentencing Date (Original) [][] / [][] / [][]
Month Day Year
 PSI NUMBER: _____

◆ ORIGINAL DISPOSITION INFORMATION

No Incarceration Detention or Diversion Center Incarceration (no active incarceration) Jail or Prison

◆ TYPE OF REVOCATION (check all that apply)

Probation Post-Release Good Behavior Suspended Sentence Community-Based Program

◆ CONDITIONS CITED IN VIOLATION (check all that apply)

- 1. Fail to obey all Federal, State, and local laws and ordinances
- 2. Fail to report any arrests within 3 days to probation officer
- 3. Fail to maintain employment or to report changes in employment
- 4. Fail to report as instructed
- 5. Fail to allow probation officer to visit home or place of employment
- 6. Fail to follow instructions and be truthful and cooperative
- 7. Use alcoholic beverages
- 8. Use, possess, distribute controlled substances or paraphernalia
- 9. Use, own, possess, transport or carry firearm
- 10. Change residence or leave State of Virginia without permission
- 11. Abscond from supervision
- Fail to follow special conditions (specify) _____

*Complete if there are any new law or ordinance violations:
VCCs for most serious conviction*

[][][][][][][][][][][][][][][][]
 [][][][][][][][][][][][][][][][]

Location of Arrest:
 Virginia Out of State or Federal

◆ VIOLATION GUIDELINES RECOMMENDATION

Probation/No Incarceration Probation Violation Guidelines Do Not Apply

Incarceration (Enter Range Below)

Sentence Range [][] Years [][] Months [][] Days to [][] Years [][] Months [][] Days

Recommendation Exceeds Revocable Time of [][] Years [][] Months [][] Days

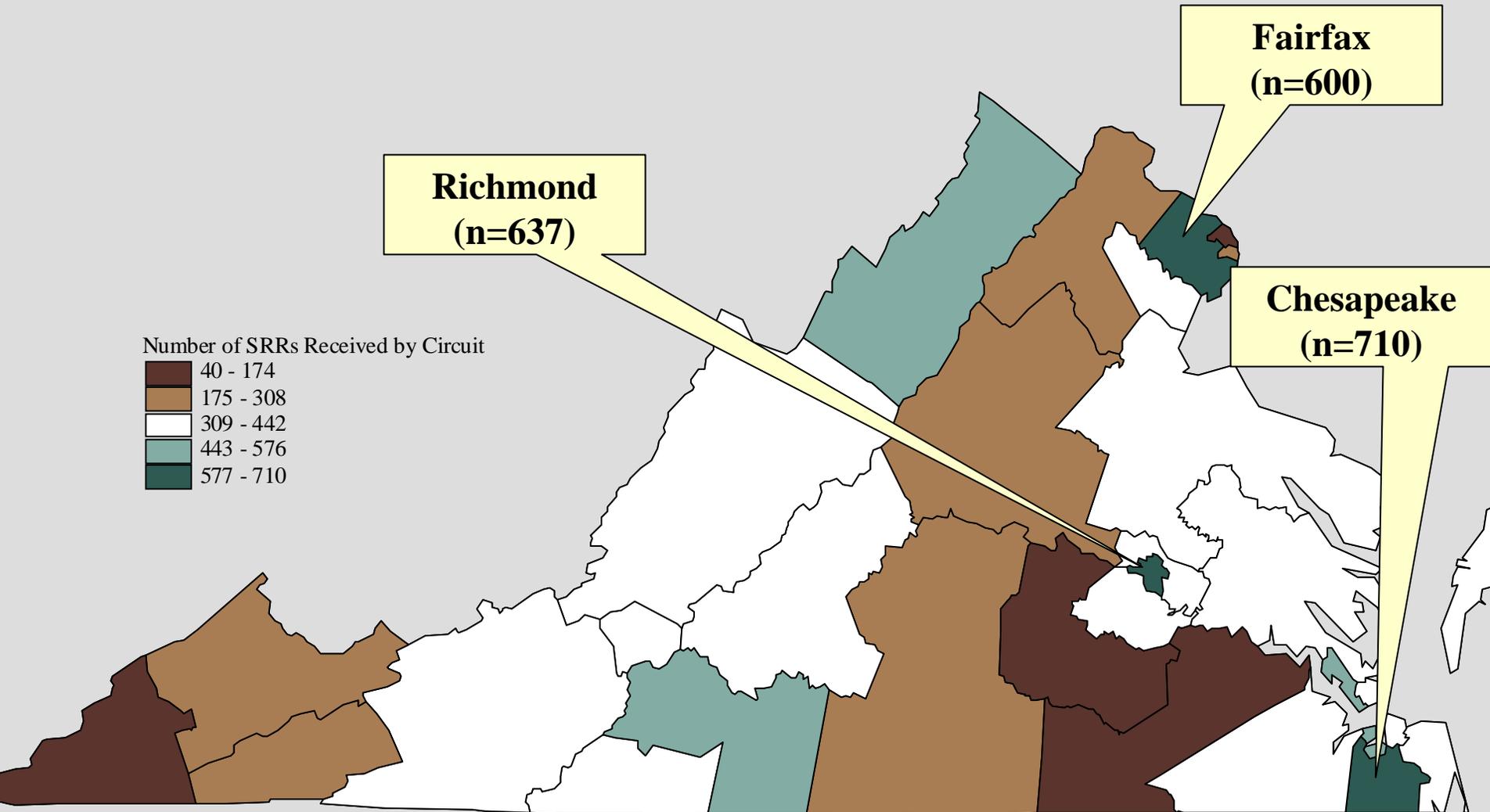
Circuit Number	Circuit Name	Frequency	Percent
1	Chesapeake	710	6.6
2	Virginia Beach	348	3.2
3	Portsmouth	521	4.8
4	Norfolk	396	3.7
5	Suffolk Area	411	3.8
6	Sussex Area	134	1.2
7	Newport News	450	4.2
8	Hampton	334	3.1
9	Williamsburg Area	340	3.2
10	South Boston Area	258	2.4
11	Petersburg Area	69	0.6
12	Chesterfield Area	350	3.2
13	Richmond City	637	5.9
14	Henrico	403	3.7
15	Fredericksburg Area	329	3.0
16	Charlottesville Area	261	2.4
17	Arlington Area	115	1.1
18	Alexandria	226	2.1
19	Fairfax	600	5.6
20	Loudoun Area	234	2.2
21	Martinsville Area	376	3.5
22	Danville Area	483	4.5
23	Roanoke Area	363	3.4
24	Lynchburg Area	328	3.0
25	Staunton Area	331	3.1
26	Harrisonburg Area	509	4.7
27	Radford Area	353	3.3
28	Bristol Area	224	2.1
29	Buchanan Area	237	2.2
30	Lee Area	40	0.4
31	Prince William Area	416	3.9
Total		10786	100.0

Number of Sentencing Revocation Reports (SRRs) Received by Circuit

- Technical & New Law Violations (Condition 1)
- Probation, Suspended Sentence, Good Behavior, etc., Violations
- Current & Old Forms

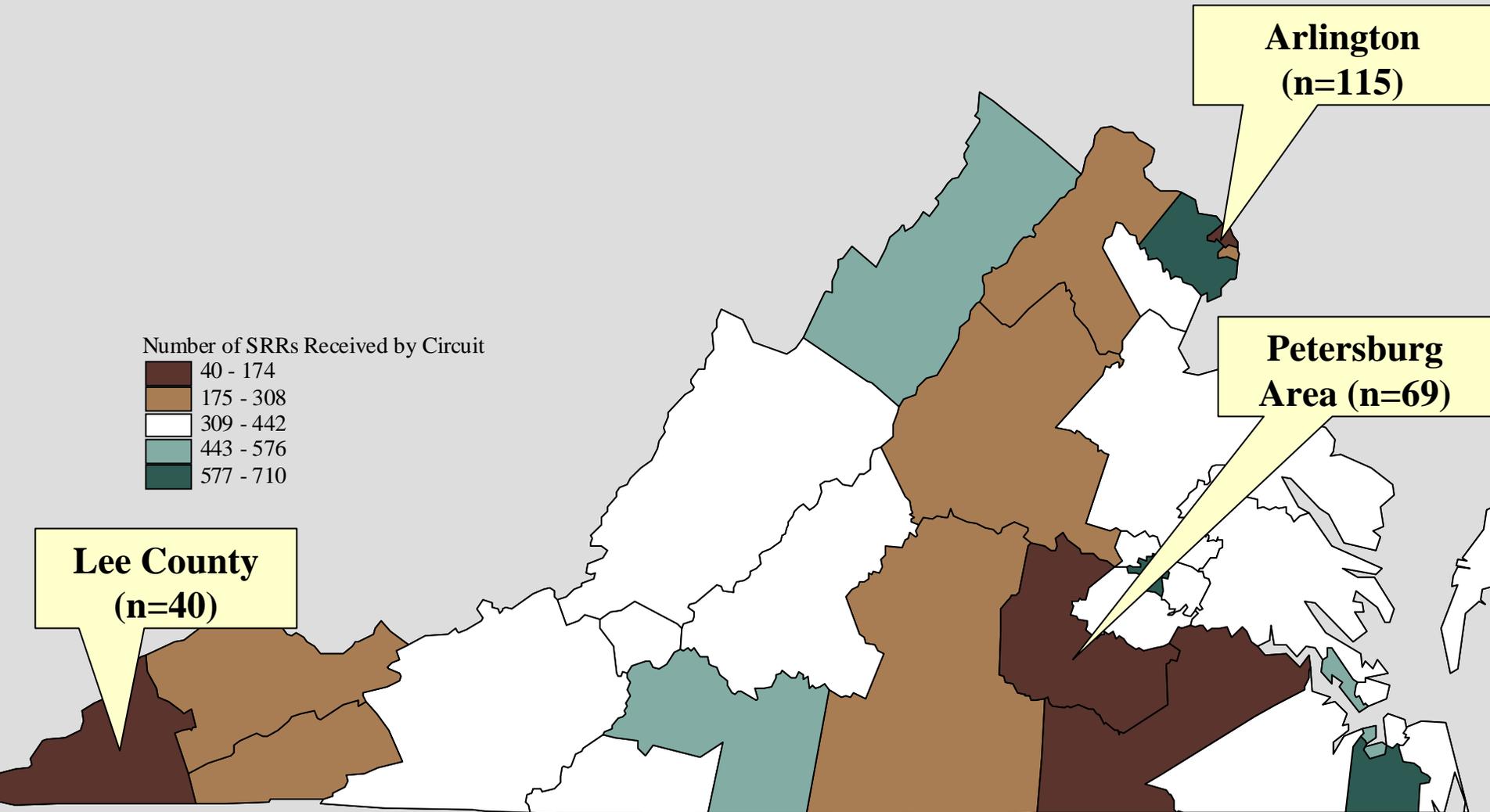
SENTENCING REVOCATION REPORTS (SRRs)

RECEIVED BY CIRCUIT -- FY2006



SENTENCING REVOCATION REPORTS (SRRs)

RECEIVED BY CIRCUIT -- FY2006



Sentencing Revocation Reports

■ Issues

- Number of SRRs & guidelines by Circuit still low
- Number of revocations missing guidelines (6%)
- Number of guidelines received on old forms
 - Overall 13%
 - Some jurisdictions 25-44% using old forms
 - Training Unit has contacted specific jurisdictions reminding them to use new forms

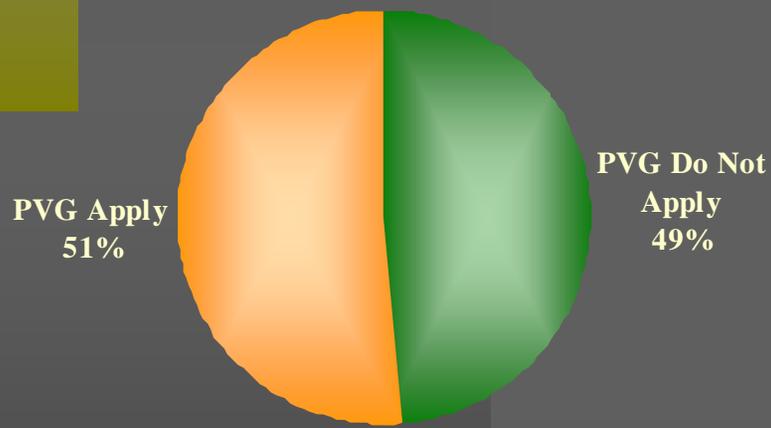


PROBATION VIOLATION GUIDELINES

For Technical Violators

DO PROBATION VIOLATION GUIDELINES APPLY?

PVG Apply
FY2006



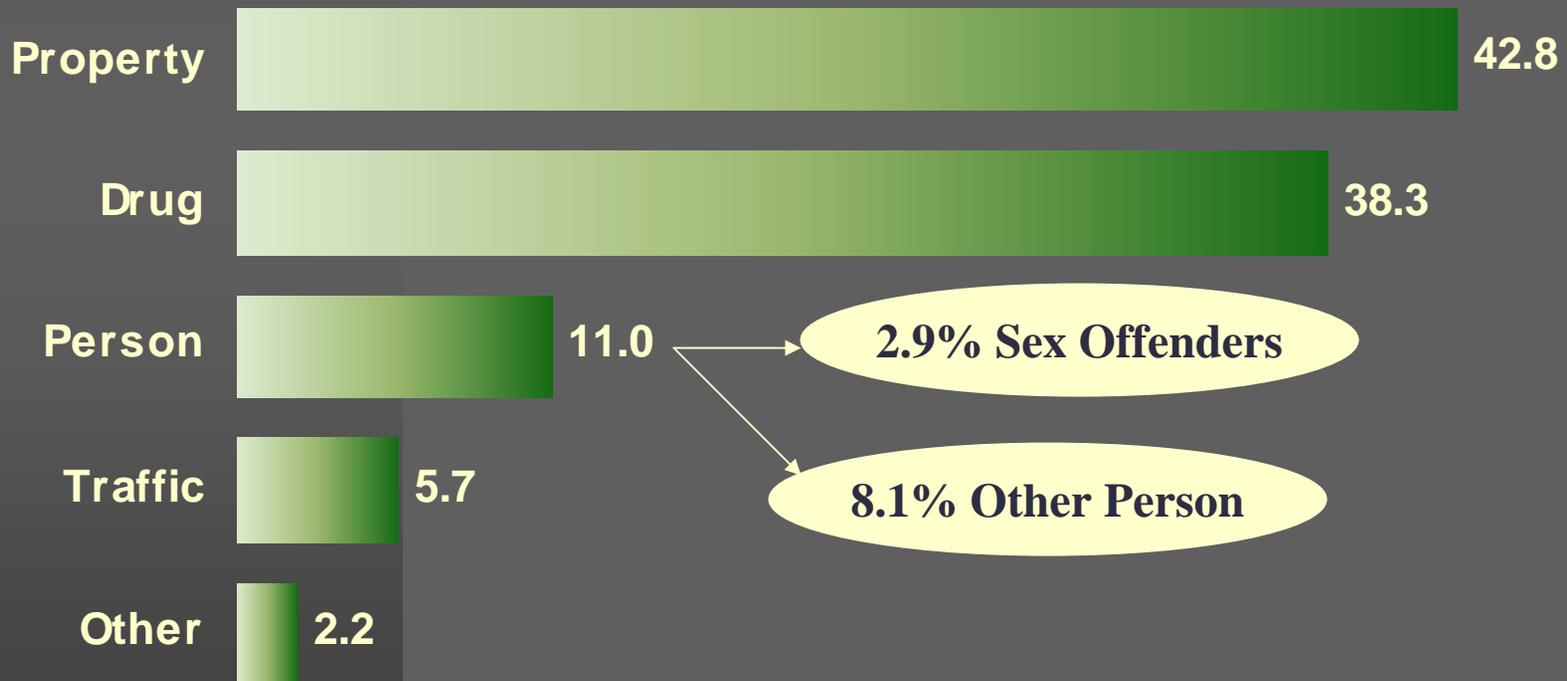
N=10,786

Reasons PVG Do Not Apply

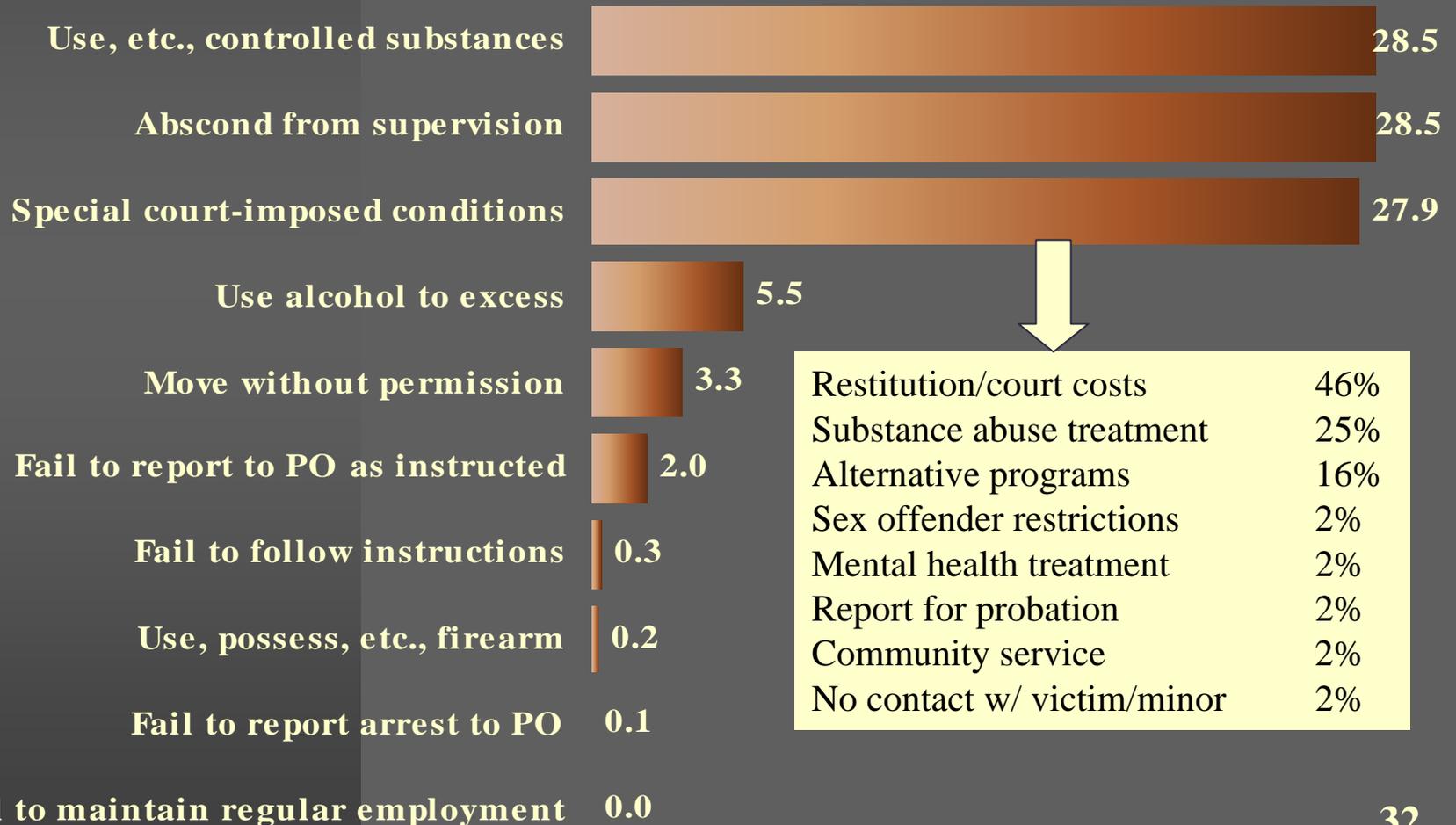


Probation Violation Guidelines FY2006 (n=5,553)

Percentage of Technical Violators by Type of Original Offense

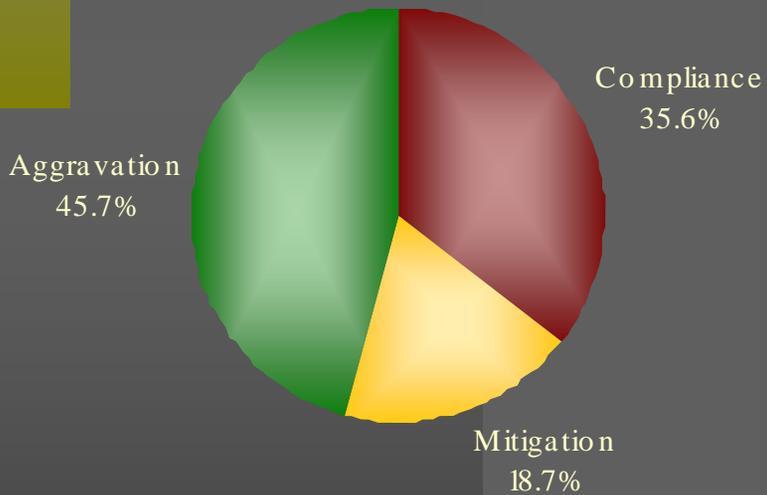


Conditions Cited in Technical Violation Cases FY2006 (n=5,553)

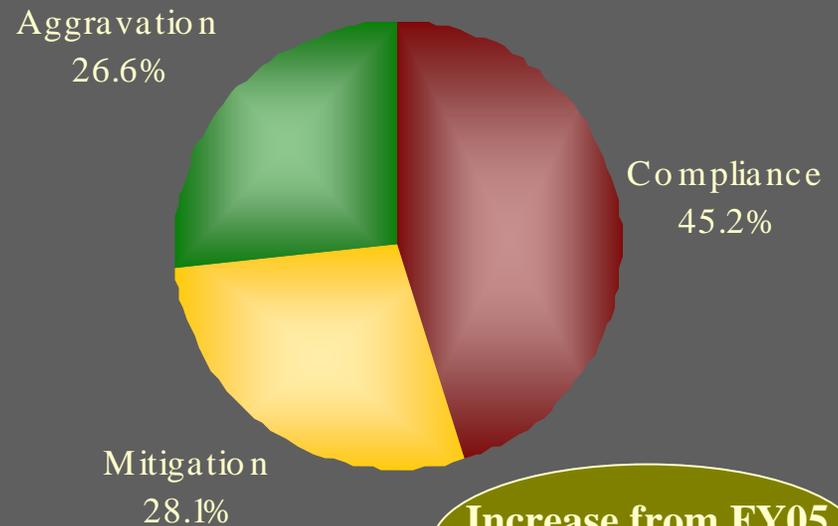


PVG Judicial Concurrence FY2006

FY2005 PVG Compliance



FY2006 PVG Compliance



**Increase from FY05
+ 9.6%**

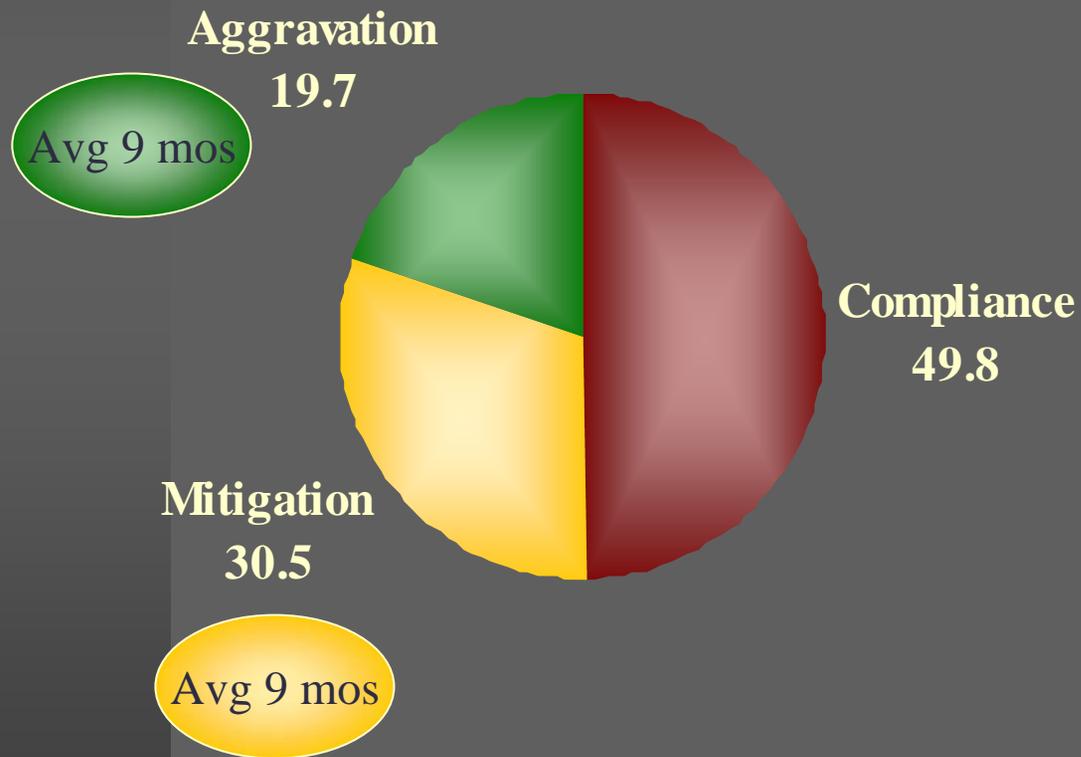
DISPOSITIONAL COMPLIANCE

Recommended Disposition	Actual Disposition		
	Probation (n=1,270)	Jail <= 12m (n=2,519)	Prison >=1y (n=1,623)
Probation (n=1,493)	40.3	43.1	16.6
Jail <= 12m (n=1,707)	20.0	67.1	12.9
Prison >=1y (n=2,212)	14.8	33.0	52.2

**Jail
Median
6 mos**

**Prison
Median
20 mos**

DURATIONAL COMPLIANCE





DEPARTURE REASONS

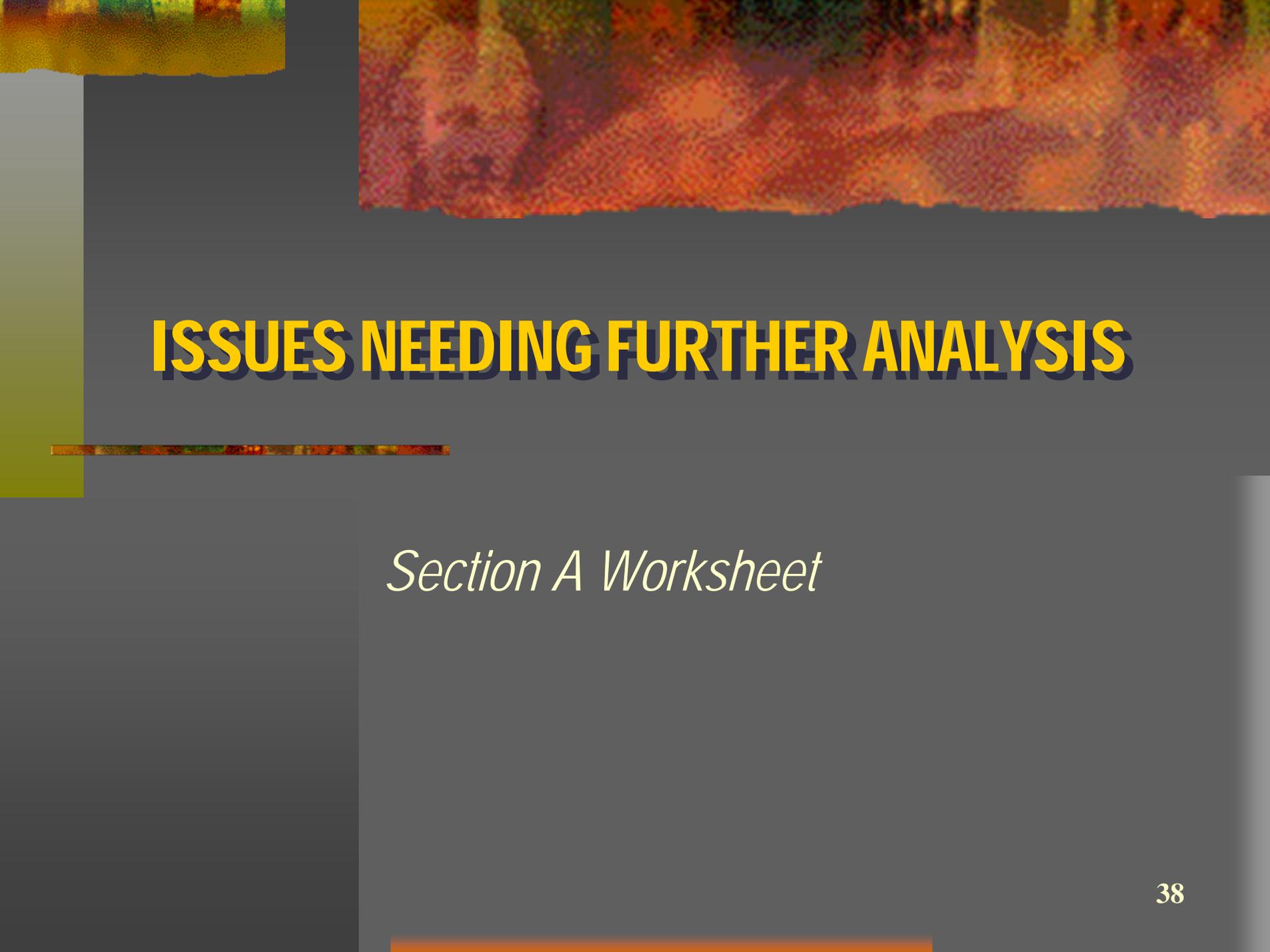
Most Frequently Cited Departure Reasons

Mitigation

- 696 of 1,563 have written departure reasons
- Most frequently cited
 - Progress in rehab
 - Facts of case
 - Mental/physical health
 - Alternative sentence
 - Guidelines too high
 - Substance abuse problem

Aggravation

- 562 of 1,479 have written departure reasons
- Most frequently cited:
 - Poor rehab potential
 - Substance abuse problem
 - 2nd/Subsequent revocation
 - Guidelines too low
 - Fail to follow instructions
 - Fail to cooperate
 - Abscond from supervision



ISSUES NEEDING FURTHER ANALYSIS

Section A Worksheet

Probation Violation Guidelines **Section A** Offender Name: _____

◆ **Original Felony Offense Type** *select the type of most serious original felony offense* _____

A. Drug	10	Score ▼ <input style="width: 30px; height: 30px; border: 1px solid black;" type="text"/>
B. Person	14	
C. Traffic/Weapon	24	
D. Other	0	

◆ **Previous Capias/Revocation Requests** _____

Number: 1	7	<input style="width: 30px; height: 30px; border: 1px solid black;" type="text"/>
2 or more	9	

◆ **New Felony Arrests** _____

Number: 1 - 3	2	<input style="width: 30px; height: 30px; border: 1px solid black;" type="text"/>
4 or more	16	

◆ **Never Reported to following Programs/Unsuccessful Discharge from:** — If YES, add 13 —>

Community service, Day Reporting, Detention and/or Diversion Center, Boot Camp, Employment and/or Residential programs

◆ **Condition(s) Violated:** _____ If YES, add 15 —>

- Fail to report any arrests within 3 days to probation officer
- Fail to maintain employment/report changes in employment
- Fail to report as instructed
- Fail to allow probation officer to visit home or place of employment
- Fail to follow instructions and be truthful and cooperative
- Use alcoholic beverages to excess
- Use, possess, distribute controlled substances or paraphernalia
- Use, own, possess, transport or carry firearm
- Abscond from supervision
- Fail to follow special conditions

◆ **Used, Possessed, Distributed Controlled Substances or Paraphernalia** -If YES, add 15 —>

◆ **Absconded from supervision** _____ If YES, add 16 —>

◆ **Time Absconded** _____

5 months or less	0	<input style="width: 30px; height: 30px; border: 1px solid black;" type="text"/>
6 months to 12 months	11	
13 months	18	

30 or less

Recommended for Probation

=>

ISSUE #1

Higher aggravation rate

Violators sentenced to incarceration for their original offense

Post-incarceration technical violators vs. those not originally incarcerated

If recommended for probation:

- 61% Aggravation
- Median 6-month sentence

Possible revision

- Add factor to Section A
- Assign points for violators whose original disposition was incarceration

Probation Violation Guidelines ~~+~~ Section A Offender Name: _____

◆ **Original Felony Offense Type** *select the type of most serious original felony offense* _____

A. Drug	10	Score ↓ <input style="width: 30px; height: 30px; border: 1px solid black;" type="text"/> <input style="width: 30px; height: 30px; border: 1px solid black;" type="text"/>
B. Person	14	
C. Traffic/Weapon	24	
D. Other	0	

◆ **Previous Capias/Revocation Requests** _____

Number: 1	7	↓ <input style="width: 30px; height: 30px; border: 1px solid black; text-align: center; font-size: 24px;"/> 0 <input style="width: 30px; height: 30px; border: 1px solid black;" type="text"/>
2 or more	9	

◆ **New Felony Arrests** _____

Number: 1 - 3	2	↓ <input style="width: 30px; height: 30px; border: 1px solid black;" type="text"/> <input style="width: 30px; height: 30px; border: 1px solid black;" type="text"/>
4 or more	16	

◆ **Never Reported to following Programs/Unsuccessful Discharge from:** — If YES, add 13 →

Community service, Day Reporting, Detention and/or Diversion Center, Boot Camp, Employment and/or Residential programs

◆ **Condition(s) Violated:** _____ If YES, add 15 →

Fail to report any arrests within 3 days to probation officer
 Fail to maintain employment/report changes in employment
 Fail to report as instructed
 Fail to allow probation officer to visit home or place of employment
 Fail to follow instructions and be truthful and cooperative
 Use alcoholic beverages to excess
 Use, possess, distribute controlled substances or paraphernalia
 Use, own, possess, transport or carry firearm
 Abscond from supervision
 Fail to follow special conditions

◆ **Used, Possessed, Distributed Controlled Substances or Paraphernalia** -If YES, add 15 →

◆ **Absconded from supervision** _____ If YES, add 16 →

◆ **Time Absconded** _____

5 months or less	0	↓ <input style="width: 30px; height: 30px; border: 1px solid black;" type="text"/> <input style="width: 30px; height: 30px; border: 1px solid black;" type="text"/>
6 months to 12 months	11	
13 months or more	18	

Total Score _____ →

If total is 30 or less, the recommendation is Probation/No Incarceration.
 If total is 31 or more, go to **Section C Worksheet**.

Issue #2

Higher aggravation rate

Violators who have prior revocations for other offenses

Judges considering ALL prior revocations

If recommended for probation:

- 91% Aggravation
- Median 6-month sentence

Possible revision

- Add factor to Section A
- Or modify current factor
- To account for ALL prior revocations

Probation Violation Guidelines Section A Offender Name: _____

◆ **Original Felony Offense Type** *select the type of most serious original felony offense* _____

A. Drug	10	Score ▼ <input style="width: 30px; height: 20px;" type="text"/> <input style="width: 30px; height: 20px;" type="text"/>
B. Person	14	
C. Traffic/Weapon	24	
D. Other	0	

◆ **Previous** _____

Number of Capias/Revocation Requests for CURRENT OFFENSE ONLY

▼
 0

◆ **New Felony Arrests** _____

Number: 1 - 3	2	▼ <input style="width: 30px; height: 20px;" type="text"/> <input style="width: 30px; height: 20px;" type="text"/>
4 or more	16	

◆ **Never Reported to following Programs/Unsuccessful Discharge from:** — If YES, add 13 →

Community service, Day Reporting, Detention and/or Diversion Center, Boot Camp, Employment and/or Residential programs

◆ **Condition(s) Violated:** _____ If YES, add 15 →

Fail to report any arrests within 3 days to probation officer
Fail to maintain employment/report changes in employment
Fail to report as instructed
Fail to allow probation officer to visit home or place of employment
Fail to follow instructions and be truthful and cooperative
Use alcoholic beverages to excess
Use, possess, distribute controlled substances or paraphernalia
Use, own, possess, transport or carry firearm
Abscond from supervision
Fail to follow special conditions

◆ **Used, Possessed, Distributed Controlled Substances or Paraphernalia -If YES, add 15** →

◆ **Absconded from supervision** _____ If YES, add 16 →

◆ **Time Absconded** _____

5 months or less	0	▼ <input style="width: 30px; height: 20px;" type="text"/> <input style="width: 30px; height: 20px;" type="text"/>
6 months to 12 months	11	
13 months or more	18	

Total Score _____ →

If total is 30 or less, the recommendation is Probation/No Incarceration.
If total is 31 or more, go to Section C Worksheet.

Issue #3

High aggravation rate

Failing to report to the probation office as instructed (Condition 4)?

If recommended for probation:

- 61% Aggravation
- Median 6-month sentence

Additional analysis necessary

Probation Violation Guidelines Section A Offender Name: _____

◆ **Original Felony Offense Type** *select the type of most serious original felony offense*

A. Drug	10	53% DRUG	Score
B. Person	14		
C. Traffic/Weapon	24		
D. Other	0		

10

◆ **Previous Capias/Revocation Requests**

Number: 1	7	0
2 or more	9	

◆ **New Felony Arrests**

Number: 1 - 3	2	
4 or more	16	

◆ **Never Reported to following Programs/Unsuccessful Discharge from:** — If YES, add 13 →

Community service, Day Reporting, Detention and/or Diversion Center, Boot Camp, Employment and/or Residential programs

◆ **Condition(s) Violated:** _____ If YES, add 15 →

Fail to report any arrests within 3 days to probation officer
Fail to maintain employment/report changes in employment

15

FAIL TO REPORT AS INSTRUCTED

- Use alcoholic beverages to excess
- Use, possess, distribute controlled substances or paraphernalia
- Use, own, possess, transport or carry firearm
- Abscond from supervision
- Fail to follow special conditions

◆ **Used, Possessed, Distributed Controlled Substances or Paraphernalia** -If YES, add 15 →

◆ **Absconded from supervision** _____ If YES, add 16 →

◆ **Time Absconded**

5 months or less	0	
6 months to 12 months	11	
13 months or more	18	

30 or less
Recommended for Probation

25

Issue #4

Higher aggravation rate

Failing to comply with court-ordered participation in Detention/Diversion/Day Reporting Programs

If recommended for probation:

- 71% aggravation
- Median 12-month sentence

Possible revision:

- Increase score for “Unsuccessful Discharge from Detention, Diversion, or Day Reporting”
- Ensure that most defendants go over to Section C

Probation Violation Guidelines Section A Offender Name: _____

◆ Original Felony Offense Type *select the*

A. Drug	10
B. Person	14
C. Traffic/Weapon	24
D. Other	0

Original Offense
76% Property

Score **00**

◆ Previous Capias/Revocation Requests

Number: 1	7
2 or more	9

0

◆ New Felony Arrests

Number: 1 - 3	2
4 or more	16

◆ **Unsuccessful Discharge from Det/Div/DRC** add 13 programs → **13**

◆ Condition(s) Violated: If YES, add 15 → **15**

Fail to follow special conditions

- Fail to allow probation officer to visit home or place of employment
- Fail to follow instructions and be truthful and cooperative
- Use alcoholic beverages to excess
- Use, possess, distribute controlled substances or paraphernalia
- Use, own, possess, transport or carry firearm
- Abscond from supervision
- Fail to follow special conditions

◆ Used, Possessed, Distributed Controlled Substances or Paraphernalia - If YES, add 15 →

◆ Absconded from supervision If YES, add 16 →

◆ Time Absconded

5 months or less	0
6 months to 12 months	11
13 months	18

30 or less
Recommended for Probation → **28**

Issue #5

High aggravation rate

Sex offenders failing to comply with court-ordered sex offender conditons

Treatment

Registry

If recommended for probation:

69% aggravation

Median 12-month sentence

Possible revision

Add points to Section A for sex offenders who violate sex offender conditions or restrictions

Probation Violation Guidelines ~~❖~~ Section A Offender Name: _____

◆ **Original Felony Offense Type** *select the type of most serious original felony offense*

A. Drug	10	Person	Score ↓ 14
B. Person	14		
C. Traffic/Weapon	24		
D. Other	0		

◆ **Previous Capias/Revocation Requests**

Number: 1	7	0
2 or more	9	

◆ **New Felony Arrests**

Number: 1 - 3	2	
4 or more	16	

◆ **Never Reported to following Programs/Unsuccessful Discharge from:** — If YES, add 13 →

Community service, Day Reporting, Detention and/or Diversion Center, Boot Camp, Employment and/or Residential programs

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◆ **Condition(s) Violated:** _____ If YES, add 15 → **15**

Fail to follow special conditions

- Fail to allow probation officer to visit home or place of employment
- Fail to follow instructions and be truthful and cooperative
- Use alcoholic beverages to excess
- Use, possess, distribute controlled substances or paraphernalia
- Use, own, possess, transport or carry firearm
- Abscond from supervision
- Fail to follow special conditions

◆ **Used, Possessed, Distributed Controlled Substances or Paraphernalia** - If YES, add 15 →

--	--

◆ **Absconded from supervision** _____ If YES, add 16 →

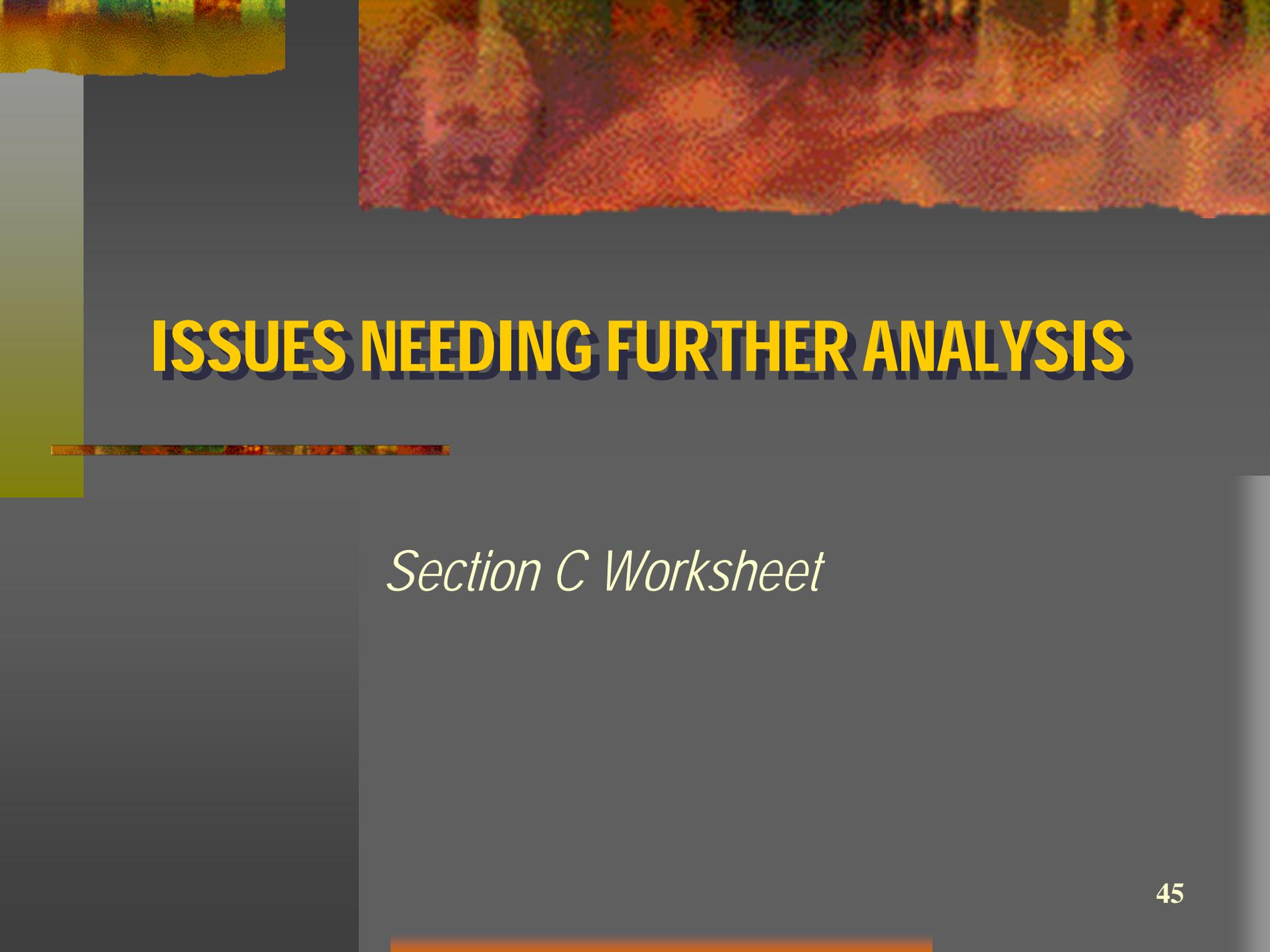
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◆ **Time Absconded**

5 months or less	0	
6 months to 12 months	11	
13 months	18	

30 or less
Recommended for Probation

	29
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ISSUES NEEDING FURTHER ANALYSIS

Section C Worksheet

Issue #6

High mitigation rate

Sex offenders who violate specific sex offender restrictions

If recommended for incarceration:

- 64% mitigation
- Median 9-month sentence
- 36 months below recommended range of incarceration

Possible revision

- Lower score for "Violated Sex Offender Restrictions" on Section C



Probation Violation Guidelines Section C Offender Name: _____

◆ **Original Felony Offense Type** *select the type of most serious original felony offense*

A. DWI or Habitual Offender	3	Score <input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
B. Property	4	
C. Drug	5	
D. Person	13	
E. Weapon	16	
F. Other	1	

◆ **Previous Adult Probation Revocation Events**

Events: 1 - 2	4	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
3 or more	16	

◆ **New Arrests for Crimes Against Person**

Number: 0	0	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
1	4	
2	15	
3 - 4	30	
5 or more	38	

◆ **New Arrests for Nonperson Crimes**

Number: 0 - 1	0	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
2	9	
3 - 4	12	
5 or more	19	

◆ **Months until First Noncompliant Incident**

10 months or less	28	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
11 months to 22 months	22	
23 months or more	0	

◆ **Unsuccessful Discharge from Detention Center Program** If YES, add 30 →

	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
--	--

◆ **Never Reported to Drug Treatment/Drug Education Program**

Number: 1 - 2	9	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
3 or more	16	

◆ **Positive Drug Test or Signed Admission (not marijuana or alcohol)** If YES, add 10 →

	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
--	--

◆ **Violated Sex Offender Restrictions** If YES, add 40 →

	<input style="width: 40px; height: 20px; border: 1px solid black; color: orange; font-size: 24px; font-weight: bold;" type="text"/>
--	---

◆ **Time Absconded**

2 months or less	0	<input style="width: 40px; height: 20px; border: 1px solid black;" type="text"/>
3 months to 24 months	9	
25 months or more	12	

Total Score See Probation Violation Guidelines Section C Recommendation Table for guidelines sentence range.

	<input style="width: 60px; height: 20px; border: 1px solid black;" type="text"/>
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Other Issues Sect C

High mitigation rates

If defendant is recommended for incarceration

Examples:

Probation Violation Guidelines Section C Offender Name: _____

◆ **Original Felony Offense Type** *select the type of most serious original felony offense*

A. DWI or Habitual Offender	3	Score <input type="text"/>
B. Property	4	
C. Drug	5	
D. Person	13	
E. Weapon	16	
F. Other	1	

◆ **Previous Adult Probation Revocation Events**

Events: 1 - 2	4	<input type="text"/>
3 or more	16	

◆ **New Arrests for Person**

Number: 0	0	<input type="text"/>
1	4	
2	15	
3	30	
4 or more	38	

2+ Person Arrests
62% mitigation

◆ **New Arrests for Non-Person**

Number: 0	0	<input type="text"/>
1	9	
2	12	
3 or more	19	

2+ Non-Person Arrests
56% mitigation

◆ **Months until First Noncompliant Incident**

0	0	<input type="text"/>
1	9	

Unsuccessful Discharge from Detention Center
67% mitigation

◆ **Never Reported to Drug Treatment/Drug Education Program**

Number: 1 - 2	9	<input type="text"/>
3 or more	16	

◆ **Positive Drug Test or Signed Admission (not marijuana or alcohol)** — If YES, add 10 →

◆ **Violated Sex Offender Restrictions** — If YES, add 40 →

◆ **Time Absconded**

2 months or less	0	<input type="text"/>
3 months to 24 months	9	
25 months or more	12	

Total Score →

See Probation Violation Guidelines Section C Recommendation Table for guidelines sentence range.



Possible Revisions for FY07

- Staff will conduct further analysis
- Please share any comments or suggestions
- Recommendations for FY07
 - November meeting