

Level	OGS	Example Offenses	Prior Record Score							RFEL	REVOC	AGG/MIT	Total
			0	1	2	3	4	5					
LEVEL 5 State Incar	14	Murder 3 Inchoate Murder/SBI	72-240	84-240	96-240	120-240	168-240	192-240	204-240	240	+/- 12	0	
	13	Inchoate Murder/no SBI Drug Del. Result in Death PWID Cocaine, etc. (>1,000 gms)	60-78	66-84	72-90	78-96	84-102	96-114	108-126	240	+/- 12	0	
	12	Rape IDS/Robbery (SBI) Robbery/car (SBI)	48-66	54-72	60-78	66-84	72-90	84-102	96-114	120	+/- 12	0	
	11	Agg Asslt (SBI) Voluntary Manslaughter Sexual Assault PWID Cocaine, etc.(100-1,000 gms)	36-54 BC	42-60	48-66	54-72	60-78	72-90	84-102	120	+/- 12	0	
	10	Kidnapping Arson (person inside) Agg Asslt (att. SBI) Robbery (threat. SBI) Agg. Indecent. Asslt Causing Catastrophe(F1) PWIDCocaine,etc.(50-<100 gms)	22-36 BC	30-42 BC	36-48 BC	42-54	48-60	60-72	72-84	120	+/- 12	0	
	9	Robbery/car (no SBI) Robbery (F1/F2) Burglary (home/person) Arson (no person)	12-24 BC	18-30 BC	24-36 BC	30-42 BC	36-48 BC	48-60	60-72	120	+/- 12	0	
LEVEL 4 State Incar/ RIP trade	8 [F1]	Agg Asslt (BI w/DW) Agg Asslt (att. BI w/DW) Invol. Mansl. (when DUI) Hom. by Vehicle (when DUI) Theft (>\$100,000) PWID Cocaine, etc. (10-<50 gms)	<u>3</u> 9-16 BC	12-18 BC	15-21 BC	18-24 BC	21-27 BC	27-33 BC	40-52	NA	+/- 9	3	
LEVEL 3 State/ County Incar RIP trade	7 [F2]	Robbery (inflicts/threatens BI) Burglary (home/ no person) Statutory Sexual Assault Theft (>\$50,000-\$100,000) Sexual Abuse/Child (take photo) PWID Cocaine, etc.(2.5-<10 gms)	<u>7</u> 6-14 BC	<u>4</u> 9-16 BC	<u>1</u> 12-18 BC	15-21 BC	18-24 BC	24-30 BC	35-45 BC	NA	+/- 6	12	
	6	Invol. Mansl.(when no DUI) Hom. by Vehicle (when no DUI) Burglary (not home/person) Theft (>\$25,000-\$50,000) Arson (property) PWID Cocaine, etc.(<2.5 gms)	<u>13</u> 3-12 BC	<u>5</u> 6-14 BC	9-16 BC	12-18 BC	15-21 BC	21-27 BC	27-40 BC	NA	+/- 6	19	
LEVEL 2 County Incar RIP RS	5 [F3]	Burglary (not home/no person) Corruption of Minors Robbery (prop by force) Firearms (loaded) Theft (>\$2000-\$25,000) PWID (1-<10 lb of marij)	<u>27</u> RS-9	<u>11</u> 1-12 BC	<u>5</u> 3-14 BC	<u>2</u> 6-16 BC	<u>1</u> 9-16 BC	<u>1</u> 12-18 BC	24-36 BC	NA	+/- 3	47	
	4	Indecent assault Forgery (money, stock, etc.) Firearms (unloaded) Crim Trespass (breaks in)	<u>10</u> RS-3	<u>1</u> RS-9	<u>1</u> RS-<12	3-14 BC	6-16 BC	9-16 BC	21-30 BC	NA	+/- 3	12	
	3 [M1]	Simple Assault Terr. Threats Theft (\$200-\$2000) Retail Theft (3rd) DUI (M1) Drug Poss.	<u>108</u> RS-1	<u>22</u> RS-6	<u>19</u> RS-9	<u>7</u> RS-<12	<u>12</u> 3-14 BC	<u>16</u> 6-16 BC	<u>4</u> 12-18 BC	NA	+/- 3	188	
LEVEL 1 RS	2 [M2]	Theft (\$50-<\$200) Retail Theft (1st ,2nd) DUI (M2) Bad Checks	<u>227</u> RS	<u>10</u> RS-2	<u>6</u> RS-3	<u>4</u> RS-4	<u>2</u> RS-6	<u>6</u> 1-9	6- <12	NA	+/- 3	255	
1 [M3]	1	Most Misd. 3's;Theft (<\$50) Drug Paraph. Poss. Small Amount Marij.	<u>69</u> RS	<u>3</u> RS-1	<u>1</u> RS-2	RS-3	<u>1</u> RS-4	<u>2</u> RS-6	3-6	NA	+/- 3	76	
											612		

1. Yellow (Level 4) and Blue (Level 3) shaded areas of the matrix indicate restrictive intermediate punishments may be imposed as a substitute for incarcer.
 2. When restrictive intermediate punishments are appropriate, the duration of the restrictive intermediate punishment program shall not exceed the guideline re
 3. When the range is RS through a number of months (e.g. RS-6), RIP may be appropria
 4. All numbers in sentence recommendations suggest months of minimum confinement pursuant to 42 PA.C.S. §9755(b) and §975i

CNTY = county
 INCAR = incarcerator
 PWID = possession with intent to delive
 RIP = restrictive intermediate punishment
 RS = restorative sanctions
 < ; > = less than;greater thar

REVOC = repeat violent offender categor
RFEL = repeat felony 1 and felony 2 offender categor
BC = boot camp
Italics = Three Strikes Offense

§303.16 Basic Sentencing Matrix

2. Number of Offenders Eligible for County IP: Luzerne [2004]

[based on current offense and prior record; N=612]

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