

Form 3 – Sex & Kidnap Offense Matrix

These are guidelines only. They do not create any right or expectation on behalf of the individual convicted of a crime. Matrix time frames refer to imprisonment only. Refer to the categorization of offenses.

CRIMINAL HISTORY SCORING

PRIOR FELONY CONVICTIONS

(Separate adult case numbers)

- 2 One
- 4 Two
- 6 Three
- 8 Four or Five
- 13 Six or more

PRIOR CLASS A

MISDEMEANOR CONVICTIONS

(Separate adult case numbers)

- 1 One or two
- 2 Three to five
- 3 Six or more

SUPERVISION HISTORY (Adult only – Federal, AP&P, private, county, problem solving court removal*)

- 2 Prior revocation
- 3 Current offense on supervision

DEGREE OF PRIOR SEX/KIDNAP

CONVICTION

(offenses listed in addendum C)

- 2 Misd. or 3rd degree
- 4 1st or 2nd degree

PRIOR PERSON OR FIREARM CONVICTIONS

(Adult or juvenile)

- 2 Misdemeanor person offense (AD.B)
- 2 Felony firearm offense (76-10-5)
- 4 Felony person offense (AD.B)
- 6 Homicide offense (76-5-2)

PRIOR JUVENILE ADJUDICATIONS WITHIN PAST 10

YEARS (Offenses that would have been felonies if committed by adult) (3 class A adjud. = 1 Felony)

- 1 One
- 2 Two to four
- 3 Five or more

MOST RECENT POST-CONVICTION CRIME-FREE

GAP Count from date of sentencing or entry of plea in abeyance (if no prison) or date of release from prison. Gap ends at new offense date. (Exclude infr, class C, class B traffic and minor regulatory offenses per § 77-40a-101(17))

- 1 Three to four years
- 2 Five to six years
- 3 Seven to nine years
- 4 Ten or eleven years
- 5 Twelve years or more

TOTAL SCORE

INDIVIDUAL'S NAME		
SCORER'S NAME	DATE SCORED	
ACTIVE CONVICTIONS (MOST SERIOUS FIRST)	CRIME CATEGORY	TIME
		TOTAL

TOTAL SCORE RANGES	CRIMINAL HISTORY ROW
7 or more	III
4 – 6	II
0 – 3	I

CRIME CATEGORY & PRISON MATRIX

	1st Degree Mandatory Prison (15+)	1st Degree Mandatory Prison (10+)	1st Degree Mandatory Prison (6+)	1st Degree Mandatory Prison (5+)	1st Degree Mandatory Prison (3+)	1st Degree (5+)	1st Degree*** (3+)	2nd Degree*** (1-15)	3rd Degree*** (0-5)	Class A Misd. (0-1)
	A	B	C	D	E	F	G	H	I	J
III	252 MOS	168 MOS	100 MOS	75 MOS	75 MOS	75 MOS	75 MOS	64 MOS	42 MOS	12 MOS
	MANDATORY IMPRISONMENT					IMPRISONMENT				
II	216 MOS	144 MOS	90 MOS	66 MOS	64 MOS	66 MOS	62 MOS	48 MOS	36 MOS	10 MOS
						JAIL AS COND.				
I	192 MOS	132 MOS	80 MOS	60 MOS	42 MOS	60 MOS	42 MOS	40 MOS	32 MOS	8 MOS

* A problem-solving court is a specialized court designated by the Utah Administrative Office of the Court. An Order to Show Cause with revocation and actual removal from the problem-solving court is required in order to count as prior revocation of supervised probation or current offense on supervision.

**Time periods only apply to Class A offenses sentenced to prison under § 76-3-208(1)(b). Form 6 applies to sentencing of misdemeanor offenses under § 76-3-208(1)(c).

*** When scoring **Sexual Exploitation of a Child** offenses under this section, refer to **special instructions for aggravation, mitigation, and time calculation**.

Consecutive Enhancements (served one after another): 40% of the shorter sentence added to the full length of the longer sentence.***

Concurrent Enhancements (served at the same time): 10% of the shorter sentence added to full length of the longer sentence.***