

FORM 6 - AGGRAVATING AND MITIGATING CIRCUMSTANCES

(Replaces previously labeled Forms 2 & Form 4)

Note any aggravating or mitigating circumstances that may justify departure from the guidelines by entering the page number of the presentence report where the court can find supporting information. This list of aggravating and mitigating factors is non-exhaustive and illustrative only. The weight given to each factor by the sentencing authority will vary in each case. Any one factor could outweigh some or all other factors. If aggravating circumstances are used to increase the length of stay beyond the guideline range, the sentencing authority should consider all relevant case law.

Aggravating Circumstances

PSI Page #

- ____ 1. Offense caused substantial monetary loss.
- ____ 2. Offense caused substantial physical or psychological injury to the victim.
- ____ 3. Offense characterized by extreme cruelty or depravity.
- ____ 4. Offense involved two or more victims.
- ____ 5. Offense involved activity which continued over a significant period of time.
- ____ 6. Repeat offender has demonstrated previous willful inability to comply in less restrictive setting.
- ____ 7. Offender's validated mental health, psychological, psychosexual, or psychiatric evaluation indicates current treatment needs cannot be met in a community-based setting.
- ____ 8. Offender has demonstrated willful failure to attend or to participate in appropriate educational, vocational, or treatment programs.
- ____ 9. Offender has demonstrated willful failure to obtain and/or maintain verifiable lawful employment.
- ____ 10. Offender has demonstrated regular association with individuals engaged in criminal or unlawful behavior.
- ____ 11. Offender has demonstrated continued exploitive, aggressive or harmful behavior toward others.
- ____ 12. Other (Specify) _____

Mitigating Circumstances

- ____ 1. Offender has engaged in the voluntary screening process in the county jail (LSI:SV, TCUD & MHS).
- ____ 2. Offender has paid restitution and/or made good faith effort to begin repayment of restitution to the victim.
- ____ 3. Offender has demonstrated compliance with all pre-trial conditions.
- ____ 4. Offender is engaged in community-based supervision and/or treatment services consistent with a validated risk and needs assessment.
- ____ 5. Offender's current living environment is stable and supportive of offense-specific interventions which do not enable continued criminal or unlawful conduct.
- ____ 6. Offender is engaged in positive, supportive, pro-social relationships.
- ____ 7. Offender is engaged in positive, supportive, pro-social community activities.
- ____ 8. Offender has implemented positive educational or employment plans.
- ____ 9. Repeat offender has demonstrated ability to remain crime-free, with a gap of 2+ years since termination of previous probation, parole, or completion of sentence of incarceration in jail or prison.
- ____ 10. Other (Specify) _____

Days of Jail Credit _____
Guidelines Placement Recommendation _____
AP&P Recommendations _____
Reason for Departure _____

OFFENDER NAME: _____

SCORER NAME: _____

DATE SCORED: _____

Rev. 10/2016