

# Form 4 - Financial Offense with Serious Loss Matrix

This matrix applies to specific financial offenses (See Application notes and Addendum B) where a victim sustained over \$50,000 in financial loss. Due to the serious nature of these offenses, the entire matrix is shaded for a presumptive prison sentence. Refer to the Application Notes and Instructions for specific direction on how to apply this form. If this matrix does not apply, use Form 1 or another appropriate form.

## CRIMINAL HISTORY SCORING

<b>PRIOR FELONY CONVICTIONS</b> (Separate adult case numbers)	2	One
	4	Two
	6	Three
	8	Four or Five
	13	Six or More
<b>PRIOR CLASS A MISDEMEANOR / CLASS B PERSON OR DUI CONVICTIONS</b> (Separate adult case numbers)	1	One or two
	2	Three to five
	3	Six or more
<b>SUPERVISION HISTORY</b> (Adult only – Federal, AP&P, private, county, problem solving court removal*)	2	Prior revocation
	3	Current offense on supervision

**PRIOR PERSON OR FIREARM CONVICTIONS / ADJUDICATIONS**  
(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
12 or more	III
6 - 11	II
0 - 5	I

## CRIME CATEGORY & PRISON MATRIX

	2nd Degree - > \$1 Million financial loss	2nd Degree - \$200,000 - \$999,999 financial loss	2nd Degree - \$50,000 - \$199,999 financial loss
III	96 mos	72 mos	40 mos
<b>IMPRISONMENT</b>			
II	84 mos	60 mos	32 mos
I	72 mos	48 mos	24 mos

## Application Notes

- Form 4 applies to certain 2nd Degree Felony financial offenses listed in Addendum B where financial loss (pecuniary damage) to the victim(s) exceed the matrix thresholds. Form 4 does not apply to 1st felony, 3rd degree felony, or misdemeanor offenses; financial offenses with loss amounts that do not exceed the thresholds; or offenses with damages above the thresholds that are not among the listed financial offenses. For those offenses, the standard applicable forms should be used.
- Because loss may be calculated differently at different stages of criminal proceedings, Form 4 should only be applied when the sentence, judgment and commitment record (J&C) reflects damage to a victim for a crime of conviction that exceeds the thresholds. Restitution paid prior to sentencing should be subtracted from the loss amount and reflected on the J&C.
- Supervising agencies preparing presentence investigation reports (PSI's) prior to finalization of a J&C should apply this form where the evidence submitted by the parties clearly indicates a loss amount exceeding the thresholds. If new evidence emerges or restitution is paid before sentencing that results in reduced pecuniary damages below the thresholds, the recommended sentence should be recalculated based on the reduced amount, using a lower threshold category or another Form as applicable.

\*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.