

District of Columbia Voluntary Sentencing Guidelines

Issue Paper: Mandatory Minimum Sentencing in the District of Columbia

August 24, 2021 (Updated October 22, 2024 – Section III Was Not Updated)

I. District of Columbia Voluntary Sentencing Guidelines

The District of Columbia (“the District”) Voluntary Sentencing Guidelines (“the Guidelines”) were developed by the D.C. Sentencing Commission (“the Commission”) to promote certainty, consistency, and adequacy of punishment when sentencing felony offenses. Superior Court of the District of Columbia (“Superior Court”) judges utilize the Guidelines when making a sentencing decision; the Guidelines determine the recommended sentence type and length for each felony offense to be sentenced. The recommended sentence is based on a defendant’s criminal history and the severity of the offense for which they are convicted. When judges follow the Guidelines and impose the recommended sentence (both type and length), that sentence is deemed “Guidelines Compliant”. The District’s Guidelines are voluntary; thus, judges are not required to follow them.

To determine the recommended sentence, judges will reference one of two Grids: the Drug Grid or the Master (non-drug) Grid.¹ These Grids provide a list of offenses on the left side (vertical axis) of the Grid, ranking them into one of nine offense severity groups (“OSG”), with the most serious offenses at the top. Across the top of the Grid (horizontal axis) the five criminal history (“CH”) categories are presented. The intersection (“Grid Box”) of a defendant’s CH category and the OSG of their offense of conviction is used as the proxy to measure the seriousness of the offense, the dangerousness of the defendant, the need to protect the safety of the community from the defendant, and the defendant’s potential for rehabilitation. The Grid Box identifies the Guidelines recommended sentence: The color of the box indicates the recommended sentence type(s); the numbers in each box represent the recommended range of sentence length, in months. The more serious the offense of conviction and the higher the CH category, the more severe the Guidelines recommended sentence will be.

By imposing the legally mandated minimum prison terms for specific offenses, mandatory minimum sentencing policies supersede the Guidelines’ recommended sentences and constrain judges’ discretion. With the goal of increasing awareness among residents of felony sentencing practices in the District, this paper will briefly examine the District’s mandatory minimum sentences.

II. Mandatory Minimum Sentences

A mandatory minimum penalty is a minimum prison term prescribed by the legislature that a judge must impose and cannot suspend.² In the US, mandatory minimums originated as a late 18th and early 19th century effort to reduce serious offenses that were punishable by death. It gained further prominence during the Civil War era as punishment against allies of the Confederacy and slavery. The contemporary proliferation of mandatory minimum sentencing policies followed the Civil Rights Movement, with the passage of the Comprehensive Crime Control Act of 1984 and the Anti-Drug Abuse Act of 1986, in a political shift from rehabilitative to punitive sentencing attitudes during the so-called War on Drugs. Subsequently, the broad provisions and high penalties prescribed in mandatory minimum statutes for lower-level offenses have been viewed by many as contributing to racially disparate sentencing practices, severe collateral consequences, and mass incarceration.³

In the District, except when a defendant is sentenced under the Youth Rehabilitation Act (*D.C. Code § 24-901 et seq.*), the judge has no discretion to impose a sentence below the mandatory minimum. Even if lower sentences and alternative sentencing options may otherwise be available in the appropriate Guidelines Grid Box, an imposed sentence cannot be lower than the mandatory minimum. The Guidelines do not change mandatory minimums.

¹ See Appendix B or <https://sdc.dc.gov/page/sentencing-guideline-grid-charts> for the Master and Drug Grids.

² A statutory minimum is also a minimum term of imprisonment that a judge must impose, as prescribed by statute. However, in contrast to a mandatory minimum, a statutory minimum sentence may be suspended.

³ United States Sentencing Commission. *2011 Report to the Congress: Mandatory Minimum Penalties in the Federal Criminal Justice System*, pp. 7-36 and 345-369. <https://www.ussc.gov/research/congressional-reports/2011-report-congress-mandatory-minimum-penalties-federal-criminal-justice-system>. Accessed: 8/17/2021; Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press. 2010, pp. 53-54 and 87-93.

For example, the mandatory minimum set by the legislature for Unlawful Possession of a Firearm by a Person with a Prior Felony Conviction (“FIP”), [D.C. Code § 22-4503\(a\)\(1\)](#), is one year. The Guidelines recommended sentence range for a person convicted of FIP with 0.5 criminal history points, in Grid Box 8A, is six to 24 months. The Grid Box 8A is yellow, indicating that prison, short split, and probation are recommended sentences. In this case, a suspended sentence of six months (probation) would be Guidelines compliant. However, it would not be a legal sentence. Regardless of the facts of the offense, of the defendant, and of the effect of the offense on any victims and the community, the judge is required to impose the mandatory minimum prison term of one year. Note that the judge could also impose a Guidelines compliant sentence of up to 24 months, suspending the execution of all but at least 12 months.

At times, the Guidelines may recommend a sentence that is harsher than the mandatory minimum. In the above hypothetical case, if the defendant were to have a CH score of two, this conviction would have been sentenced in Grid Box 8C, with a Guidelines recommended sentence of 14 to 32 months, short split permissible. In such a case, to impose a Guidelines compliant sentence, the judge would have needed to sentence the defendant to at least 14 months incarceration. On the other hand, a long split sentence of 12 months incarceration or more, but less than 14 months, would have been a legal, but would result in Guidelines non-compliant, sentence.

Offenses such as Sexual Abuse, Aggravated Assault, and Robbery are categorized in D.C. as Crimes of Violence, [D.C. Code § 23-1331\(4\)](#). Additionally, Distribution or Possession with Intent to Distribute Controlled Substances, are categorized as Dangerous Crimes, [D.C. Code § 22-4501\(2\)](#). In the District, convictions for any of these offenses (Crimes of Violence under [D.C. Code § 23-1331\(4\)](#) and Dangerous Crimes under [D.C. Code § 22-4501\(2\)](#)) while armed carry mandatory minimum penalties of five or 10 years ([D.C. Code § 22-4502](#)). Mandatory minimum penalties also apply to convictions for offenses such as First Degree Murder, Carjacking, Possession of a Firearm during a Crime of Violence or Dangerous Crime (“PFCOV”), and Unlawful Possession of a Firearm by a Person with a prior Felony conviction (“FIP”), a prior Crime of Violence conviction or a prior Dangerous Crime conviction (“FIP-COV”). A detailed list of offenses for which mandatory minimums apply for defendants sentenced in Superior Court for felony offenses is provided in Appendix A below.⁴

III. Trends in Mandatory Minimum Sentences⁵

According to the data that the Commission received from the Superior Court for felony sentences imposed between 2015 and 2020, mandatory minimum sentences appeared to:

- Constitute one in five sentences imposed (n=2,270).
- Result more often from jury trials (30%) compared to other sentences (8%).
- Almost always receive a prison sentence (94%), which was substantively higher compared to other prison sentences imposed (44%). Median sentence lengths imposed were also higher for mandatory minimums (38 months vs. 18 months).
- Have a slightly lower rate of Compliance in the Box with the Guidelines versus other sentences (84% vs 90%, respectively), though the overall rate of Guidelines compliance was 96% for both sentences that involved a mandatory minimum and those that did not.

Among mandatory minimum sentences,

- Counts sentenced for Weapon offenses were the most common, constituting more than half (58%) of mandatory minimum sentences, compared to counts sentenced for Violent offenses (23%).
- The most frequently sentenced offense involving a mandatory minimum was FIP (39% of counts sentenced), followed by PFCOV (14%), both of which are weapon possession offenses. FIP sentences were disposed commonly

⁴ In the Commission’s Voluntary Sentencing Guidelines Manuals, the lengths of mandatory minimums are indicated by the letter “M” in Appendices C and C-I for each applicable felony offense under the “Minimum” column. See <https://scdc.dc.gov/page/sentencing-guidelines-manual-sccrc>.

⁵ Source: D.C. Sentencing Commission 2020 Snapshot data file. Data included felony sentences that were imposed initially between 2015 and 2020 and received from the Superior Court, current as of January 4, 2021. Non-Guideline and indeterminate sentences and sentences resulting from a probation revocation or remand are excluded from the data. Offenses of conviction received electronically from the Superior Court are used for mandatory minimum analyses. Data on whether a mandatory minimum was applicable at sentencing is not available to the Commission electronically.

through plea agreements (89% of FIP counts sentenced), had a median sentence of 24 months imposed, and resulted almost always in a Prison sentence (96%).

- Less than one percent of mandatory minimum sentences involved Drug offenses while armed.

IV. Conclusion

Determined by the legislative rather than the judicial branch of government, a mandatory minimum penalty is the shortest prison term that a judge is legally allowed to impose, and cannot be suspended, for a defendant convicted of an offense involving the mandatory minimum, regardless of the facts of the offense, of the defendant's characteristics, and the impact of the offense on victims and the community. The District's Guidelines cannot change mandatory minimum policies, which supersede sentencing recommendations provided by the Guidelines.

Mandatory minimum penalties apply to a variety of offenses, including not only such heinous crimes as Murder I, Murder II While Armed, Sexual Abuse While Armed, and Cruelty to Children While Armed, but also for certain weapon offenses such as FIP and FIP-COV and for all armed drug offenses. Data indicated that mandatory minimum sentences constituted a fifth of sentences imposed between 2015 and 2020, resulted almost always in a prison sentence, and had a high Guidelines compliance rate. Weapon and Violent counts constituted the vast majority of offenses sentenced involving mandatory minimum penalties, with FIP the most frequently sentenced mandatory minimum offense.

Appendix A: List of Mandatory Minimum Penalties and Applicable Offenses of Conviction

Offense	D.C. Code	OSG	Mandatory Minimum
Aggravated Assault While Armed	22-404.01(b); 22-4502	M4	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Armor Piercing Ammunition	7-2507.06(3)	M7	1 year
Assault on Police Officer (APO) While Armed	22-405(c); 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Assault with Intent to Kill or Poison While Armed	22-401; 22-4502	M3	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Assault with Intent to Rob While Armed	22-401; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Assault with Intent to 1° or 2° Sexual Abuse or Child Sexual Abuse While Armed	22-401; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Assault with Intent to Commit any other Felony While Armed	22-403; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Assault with Intent to Commit Mayhem While Armed	22-402; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Assault with Significant Injury While Armed	22-404(a)(2); 22-4502	M6	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Attempted or Completed Crime of Violence While Armed	22-1803; 22-4502; 22-4503		1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Attempted or Completed Dangerous Crime While Armed	22-1803; 22-4502; 22-4503		1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Blackmail with threats of violence While Armed	22-3252; 22-4502	M8	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Burglary I While Armed	22-801(a); 22-4502	M3	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Burglary II While Armed	22-801(b); 22-4502	M6	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Carjacking While Armed	22-2803(b); 24-403.01(b-2); 22-4502	M3	15 years
Carjacking	22-2803(a)	M5	7 years
Child Sexual Abuse - 1° While Armed	22-3008; 24-403.01(b-2); 22-4502	M2	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Child Sexual Abuse - Attempt 1° While Armed	22-3008; 22-3018; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Child Sexual Abuse - 2° While Armed	22-3009; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Child Sexual Abuse - Attempt 2° While Armed	22-3009; 22-3018; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Cruelty to Children - 1° While Armed	22-1101(a), (c)(1); 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Drugs - Distribution, or PWID While Armed (any drug)	48-904.01(a), (b); 22-4502	D1	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Extortion with Threats of Violence While Armed	22-3251; 22-4502	M8	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Gang Recruitment While Armed	22-951(c); 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Kidnapping While Armed	22-2001; 22-4502	M3	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Malicious Disfigurement While Armed	22-406; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Manslaughter - Voluntary - While Armed	22-2105; 22-4502	M3	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Manslaughter - Involuntary - While Armed	22-2105; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Mayhem While Armed	22-406; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Murder I While Armed	22-2101; 22-2104; 22-4502	M1	30 years
Murder I	22-2101; 24-403.01(b-2); 22-2104	M1	30 years
Murder I - Obstruction of Railway	22-2102; 22-2104; 24-403.01(b-2)	M1	30 years
Murder II While Armed	22-2103; 22-2104; 22-4502	M2	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Murder of Police Officer	22-2106	M1	Life Without Release

Possession of a Firearm During a Crime of Violence or Dangerous Crime (PFCOV)	22-4504(b)	M5	5 years
Robbery - While Armed	22-2801; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Robbery - Attempt While Armed	22-2802; 22-4502	M6	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Sexual Abuse - 1° While Armed	22-3002; 22-4502	M2	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Sexual Abuse - Attempt 1° While Armed	22-3002; 22-3018; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Sexual Abuse - 2° While Armed	22-3003; 22-4502	M4	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Sexual Abuse - Attempt 2° While Armed	22-3003; 22-3018; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Sexual Abuse - 3° While Armed	22-3004; 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Strangulation While Armed	22-404.05 22-4502	M 6	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Murder I	22-3153(a)	M 1	Life Without Release
Terrorism - Murder I While Armed	22-3153(a); 22-4502	M 1	Life Without Release
Terrorism - Murder I While Armed - Attempt/Conspire	22-3153(j); 22-4502	M3	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Murder I - LEO	22-3153(b)	M 1	Life Without Release
Terrorism - Murder I While Armed - LEO	22-3153(b); 22-4502	M 1	Life Without Release
Terrorism - Murder I While Armed - LEO - Attempt/Conspire	22-3153(j); 22-4502	M2	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Murder II While Armed	22-3153(c); 22-4502	M2	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Manslaughter While Armed	22-3153(d); 22-4502	M3	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Kidnapping While Armed	22-3153(e); 22-4502	M3	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Kidnapping While Armed - Attempt/Conspire	22-3153(j); 22-4502	M4	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - AWIK While Armed	22-3153(f); 22-4502	M3	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Mayhem/Malicious Disfig. While Armed	22-3153(g); 22-4502	M4	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Mayhem/Malicious Disfig. While Armed Attempt/Conspire	22-3153(l); 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Arson While Armed	22-3153(h); 22-4502	M4	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Arson While Armed - Attempt/Conspire	22-3153(l); 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Destruction of Prop. While Armed	22-3153(i); 22-4502	M4	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Destruction of Prop. While Armed - Attempt/Conspire	22-3153(l); 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Material Support While Armed	22-3153(m); 22-4502	M4	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Terrorism - Soliciting While Armed	22-3153(n); 22-4502	M5	1st offense w/ firearm: 5 years; 2nd and subsequent offense w/ firearm: 10 years; 2nd and subsequent offense w/ other weapon: 5 years
Theft - 1° if two or more theft convictions	22-3211; 22-3212(c)	M8	1 year
Theft - 2° if two or more theft convictions	22-3211; 22-3212(c)	M9	1 year
Unlawful Possession of a Firearm: prior COV conviction other than Conspiracy (FIP-COV)	22-4503(a)(1)	M7	3 years
Unlawful Possession of a Firearm: prior felony conviction (FIP)	22-4503(a)(1)	M8	1 year

Appendix B: Master and Drug Grids

Master Grid

Drug Grid

	Severity Group (OSG) Most Common Offenses	Criminal History Score / Group				
		0 to 1/2 A	1/4 to 1 1/4 B	2 to 3 3/4 C	4 to 5 1/2 D	6 + E
3 Points*	Group 1 1st degree murder w/armed 1st degree murder	360-720	360-720	360-720	360-720	360 +
	Group 2 2nd degree murder w/armed 2nd degree murder 1st degree sex abuse 1st degree sex abuse w/armed	144-288	156-300	168-312	180-324	192 +
	Group 3 Voluntary manslaughter w/armed 1st degree child sex abuse Carjacking while armed Assault with intent to kill w/armed Armed burglary I	90-180	102-192	114-204	126-216	138 +
	Group 4 Aggravated assault w/armed Voluntary manslaughter	48-120	60-132	72-144	84-156	96 +
	Group 5 PFCOV Armed robbery Burglary I Obstruction of justice Assault with intent to kill	36-84	48-96	60-108	72-120	84 +
2 Points*	Group 6 ADW Robbery Aggravated assault 2nd degree child sex abuse Assault with intent to rob	18-60	24-66	30-72	36-78	42 +
	Group 7 Burglary II 3rd degree sex abuse FIP-COV Negligent homicide Attempt 2nd degree sex abuse	12-36	18-42	24-48	30-54	36 +
1 Point*	Group 8 CPWL UUV Attempt robbery/burglary FIP 1st degree theft Assault w/significant bodily injury	6-24	10-28	14-32	18-36	22 +
	Group 9 Escape/prison breach BRA Receiving stolen property Forgery/uttering Fraud	1-12	3-16	5-20	7-24	9 +

*Criminal History Points for prior convictions in these groups.
 White/unshaded boxes – prison or compliant long split only.
 Green shaded boxes – prison, compliant long split, or short split permissible.
 Yellow shaded boxes – prison, compliant long split, short split, or probation permissible.

	Severity Group (OSG) Most common offenses	Criminal History Score / Group				
		0 to 1/2 A	1/4 to 1 1/4 B	2 to 3 3/4 C	4 to 5 1/2 D	6 + E
2 Points*	Group 1 Distribution w/a (any drug) PWID w/a (any drug)	30-72	36-78	42-84	48-90	54+
1 Point*	Group 2 Distribution or PWID (schedule I or II narcotic/ abusive drugs)	12-30	16-36	20-42	24-48	28+
	Group 3 Distribution or PWID (except schedule I or II narcotic or abusive drugs) Attempt distribution or attempt PWID (schedule I or II narcotic/ abusive drugs) Possession of Liquid PCP	6-18	10-24	14-30	18-36	22+
3/4 Point*	Group 4 Attempt distribution or attempt PWID (except schedule I or II narcotic or abusive drugs) Attempt possession of liquid PCP	3-12	5-16	7-20	9-24	11+

*Criminal History Points for prior convictions in these groups.
 White/unshaded boxes – prison or compliant long split only.
 Green shaded boxes – prison, compliant long split, or short split permissible.
 Yellow shaded boxes – prison, compliant long split, short split, or probation permissible.