

RISK-BASED CATEGORIZATION OF PROHIBITED PERSONS & ASSOCIATED STATE OFFER RANGES

Defendant: _____ SA Number: _____

Category 1: High Risk PFCF Offenders

A PFCF offender qualifies as a **Category 1 Offender** if s/he has been convicted of one of the enumerated underlying felonies, and s/he was released from incarceration within three years of the PFCF offense date. Such qualifying prior felonies are:

- | | |
|--|---|
| <input type="checkbox"/> Murder | <input type="checkbox"/> Aggravated assault with a firearm |
| <input type="checkbox"/> Manslaughter | <input type="checkbox"/> Aggravated battery |
| <input type="checkbox"/> Sexual battery | <input type="checkbox"/> Aggravated stalking |
| <input type="checkbox"/> Carjacking | <input type="checkbox"/> Shooting or throwing deadly missiles |
| <input type="checkbox"/> Home-invasion robbery | <input type="checkbox"/> Armed burglary |
| <input type="checkbox"/> Robbery | <input type="checkbox"/> BOLEO |
| <input type="checkbox"/> Arson | <input type="checkbox"/> Resisting with Violence |
| <input type="checkbox"/> Kidnapping | <input type="checkbox"/> Burglary to a Dwelling |

Likewise, a PFCF offender qualifies as a **Category 1 Offender** if s/he has been convicted of one of the above-enumerated underlying felonies and another prior felony, and s/he was convicted or released from incarceration pertaining to either prior felony within five years of the commission of the PFCF offense.

Category 1 Offender State Offer Range: 10 years + incarceration

Category 2: Moderate-Risk PFCF/PFJD Offenders

A PFCF offender qualifies as a **Category 2 Offender** if s/he would have qualified as a Category 1 Offender, but for the conviction or release date was outside five years.

A PFCF offender qualifies as a **Category 2 Offender** if s/he has been convicted of a PFCF or PFJD within the past five years.

A PFCF offender qualifies as a **Category 2 Offender** if s/he has been convicted of at least two prior felony convictions, and the last prior felony conviction or release from incarceration was within five years of the PFCF offense.

A PFJD offender qualifies as a Category 2 Offender if s/he would have qualified as a Category 1 Offender had his/her qualifying juvenile convictions been adult convictions.

Category 2 Offender State offer range: 5 to 10 years of incarceration

Category 3: All Other PFCF/PFJD Offenders

All PFCF/PFJD offenders who do not qualify under Categories 1 or 2 are **Category 3 Offenders**.

Category 3 Offender State offer range: Guidelines minimum or three years minimum mandatory to five years incarceration. No PFCF/PFJD State offer will be less than an AG and 6 months DCJ absent significant mitigation.

This checklist is intended to be used as guidance to guarantee the identification of aggravating indicators and ensure the consistent and uniform resolution of offenses involving persons prohibited from having a firearm.

Assistant State Attorney

Date

Division Chief

Date