

## BASIC CRIMINAL HISTORY EXERCISES

### Example #1

Defendant was convicted in federal court of 5 Counts of Distribution of Heroin, each occurring on a separate date. The defendant was convicted by the State of MN on the first sale. The defendant served a sentence of 1 year in jail. Upon his release, he continued to sell heroin and was subsequently arrested by the DEA.

Will the state conviction receive criminal history points?

### Example #2

Defendant has two prior convictions for crimes of violence. He was arrested with a sawed off-shotgun.

What is the base offense level?

### Example #3

The defendant was convicted of Conspiracy to Distribute Cocaine from March 1, 2014 through March 1, 2015.

<u>Arrest Date</u>	<u>Charge/Docket#</u>	<u>Date/Sent.</u>
<b>05/14/2014 (Age 47)</b>	<b>Possession of a Firearm St. Louis County District Court Duluth, MN</b>	<b><u>Imposed</u> 01/11/15: Pled guilty, 1 day jail time served followed by 24 months' probation</b>

Will the defendant be assessed 2 additional criminal history points pursuant to 4A1.1(d)?

## BASIC CRIMINAL HISTORY EXERCISES

For the following exercises, assume that the instant federal offense is being sentenced today, and that the earliest date of relevant conduct is January 1<sup>st</sup> 2016. Determine the number of criminal history points assessed.

### Criminal History Exercise #1

<u>Arrest Date</u>	<u>Charge/Docket #</u>	<u>Date/Sent. Imposed</u>
7/13/10 (Age 23)	Possession of Class D Substance/Marijuana District Court Worcester, MA	10/25/10: Guilty 1 year DOC Sentence Suspended with probation to 10/27/12

### Criminal History Exercise #2

<u>Arrest Date*</u>	<u>Charge/Docket #</u>	<u>Date/Sent. Imposed</u>
04/06/11 (Age 47)	Possession of Firearm in the Commission of a Felony, Orange County Circuit Court Orlando, Florida	09/21/11: Pled nolo contendere, 1 day jail time served followed by 24 months' probation

### Criminal History Exercise #3

<u>Arrest Date</u>	<u>Charge/Docket #</u>	<u>Date/Sent. Imposed</u>
01/27/03 (Age 16)	Assault Causing Bodily Injury to a Family Member Wichita Falls County Court, Wichita Falls, TX	02/26/03: 6 months' probation

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### Criminal History Exercise #4

<u>Arrest Date</u>	<u>Charge/Docket #</u>	<u>Date/Sent. Imposed</u>
12/30/08 (Age 27)	Attempt Burning Other Real Property 3 <sup>rd</sup> Cir. Court Detroit, MI	08/18/09: 18 months to five years' custody

### Criminal History Exercise #5

<u>Arrest Date</u>	<u>Charge/Docket #</u>	<u>Date/Sent. Imposed</u>
01/19/12 (Age 21)	Criminal Possession of Firearm Shawnee County District Court, Topeka KS	06/07/12: 10 months' custody

### Criminal History Exercise #6

<u>Arrest Date</u>	<u>Charge/Docket #</u>	<u>Date/Sent. Imposed</u>
03/24/11 (Age 36)	Obstructing Legal Process Topeka Municipal Court, Topeka KS	02/23/12: 179 days' custody, suspended; 24 months' probation

### Criminal History Exercise #7

<u>Arrest Date</u>	<u>Charge/Docket #</u>	<u>Date/Sent. Imposed</u>
07/30/06 (Age 15)	Manslaughter I Lincoln Co. Cir. Court Lincoln City, OR	04/20/07: 10 years imprisonment, w/3 years post-prison supervision  Juvenile convicted in adult court

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### Criminal History Exercise #8

<u>Arrest Date</u>	<u>Charge/Docket #</u>	<u>Date/Sent. Imposed</u>
10/05/11 (Age 29)	Possession of Cocaine Volusia Co. Cir. Court Deland, FL	02/28/12: Guilty, time served (338 days' county jail)

### Criminal History Exercise #9

<u>Arrest Date</u>	<u>Charge/Docket #</u>	<u>Date/Sent. Imposed</u>
08/10/12 (Age 22)	Unlicensed Driver Los Angeles Co. Municipal Court Los Angeles, CA	12/22/12: Fine imposed

### Criminal History Exercise #10

<u>Arrest Date</u>	<u>Charge/Docket #</u>	<u>Date/Sent. Imposed</u>
11/21/13 (Age 21)	Driving While Intoxicated Wichita County 30 <sup>th</sup> Judicial District Court Wichita Falls, TX	07/20/14: 1 day's imprisonment

### Criminal History Exercise #11

<u>Arrest Date</u>	<u>Charge/Docket #</u>	<u>Date/Sent. Imposed</u>
12/22/11 (Age 36)	Possession of a Prohibited Weapon: Bear Spray Winnipeg Provincial Court Winnipeg, Manitoba, Canada	02/10/12: 30 months' imprisonment