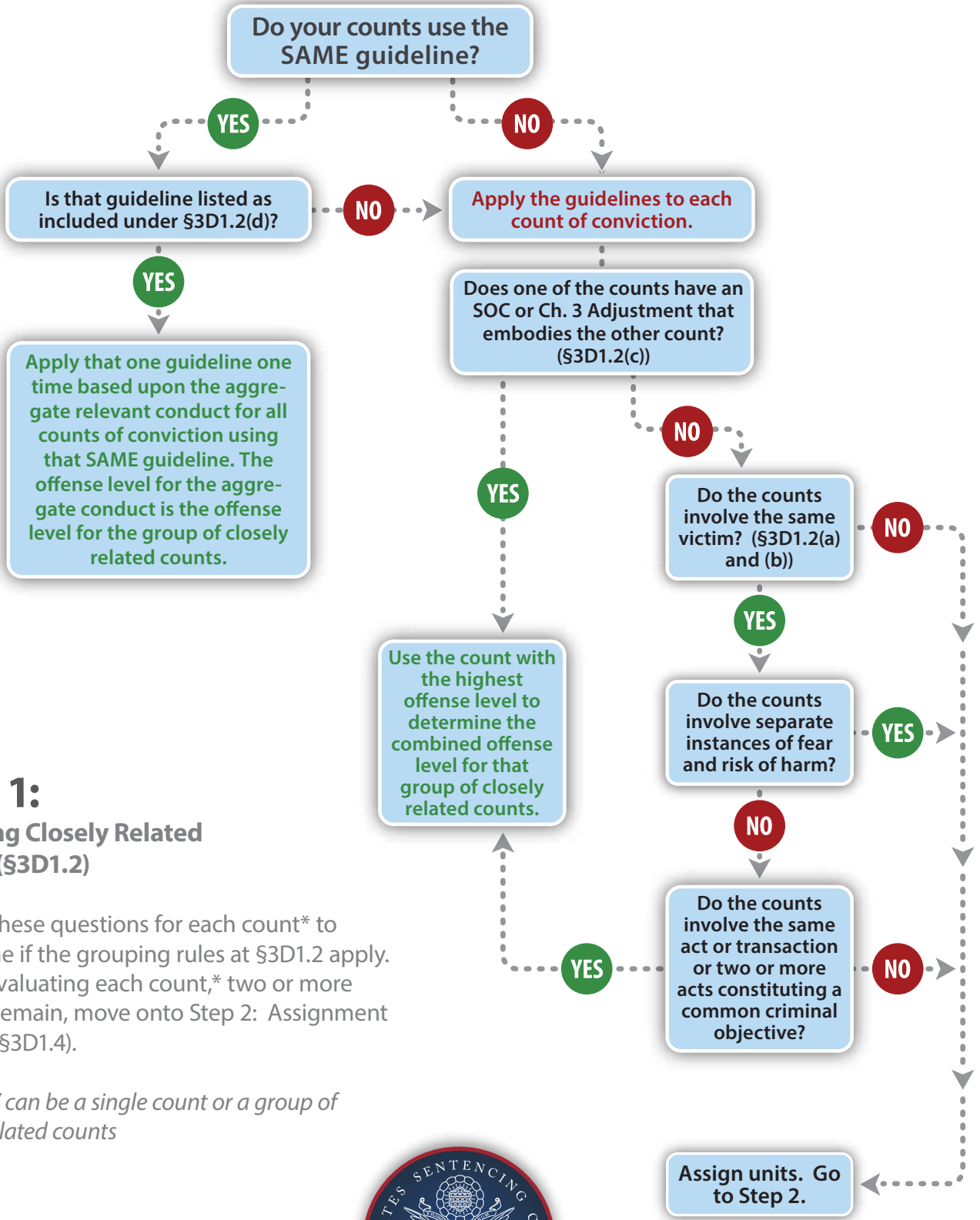


Decision Tree: Grouping Multiple Counts of Conviction

2018 National Seminar



Step 1: Grouping Closely Related Counts (§3D1.2)

Answer these questions for each count* to determine if the grouping rules at §3D1.2 apply. If, after evaluating each count,* two or more counts* remain, move onto Step 2: Assignment of Units (§3D1.4).

* "Count" can be a single count or a group of closely-related counts



Flip over for Step 2:

Decision Tree: Grouping Multiple Counts of Conviction

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Step 2:

Assignment of Units (§3D1.4)

If there are two or more counts* remaining after applying Step 1 to all counts* use this checklist to determine a single combined offense level.

Checklist to Determine a Single Combined Offense Level:

1. Identify the count with the highest offense level. If there are two or more counts with the same highest offense level, just select one.
2. Compare the count with the highest offense level to the other remaining counts.
3. The count with the highest offense level receives one unit.
4. Each remaining count that is equally serious or 1 to 4 levels less serious than the count with the highest offense level receives one unit.
5. Each remaining count that is 5 to 8 levels less serious than the count with the highest offense level receives one-half unit.
6. Any remaining count that is 9 or more levels less serious than the count group with the highest offense level does not receive any units.
7. Add up the total amount of units.
8. Using the table below, based on the total number of units, add the appropriate number of offense levels to the offense level of the count with the highest offense level.

Total Number of Units	Add to Highest Offense Level
1 ½	+1
2	+2
2 ½ - 3	+3
3 ½ - 5	+4
More than 5	+5

A reduction for Acceptance of Responsibility (§3E1.1) is determined only after a single combined offense level is established for the multiple counts of conviction. A reduction for Acceptance of Responsibility is based upon consideration of the relevant conduct for all counts.