

## New Offense Level Calculator

*Automates the manual process of determining the recommended  
Guideline Sentencing Range.*

“Out with the **Old**, in with the **NEW**”



[To Your Sneak Peek](#)

**How many Guideline Presentence Reports were submitted in 2014?**

**Almost 72,000!**

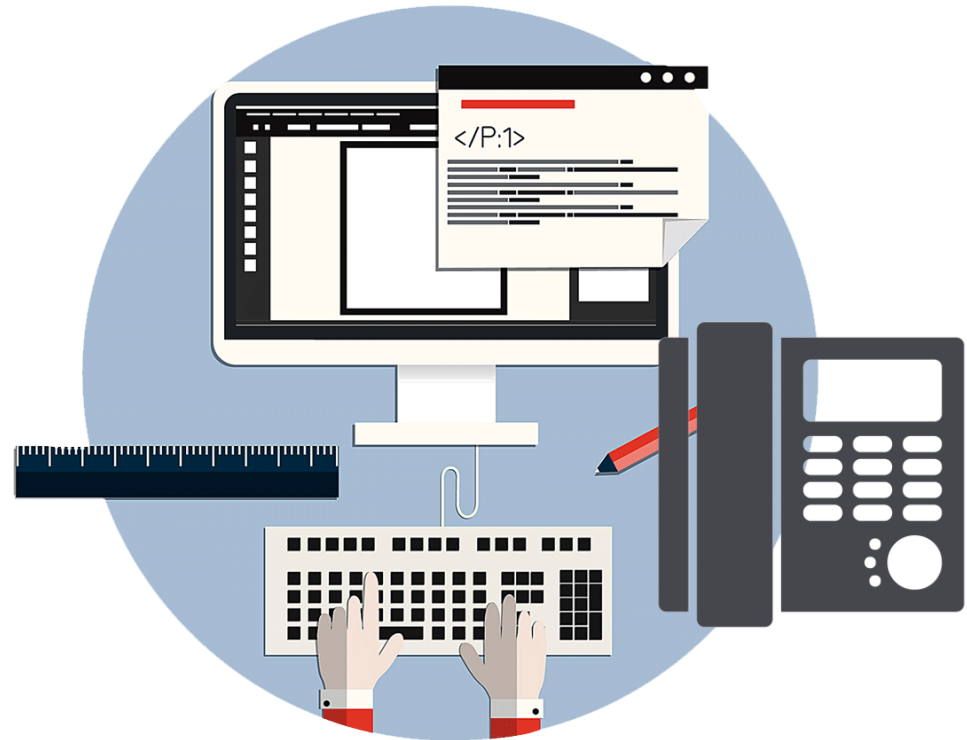


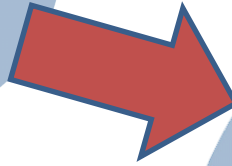
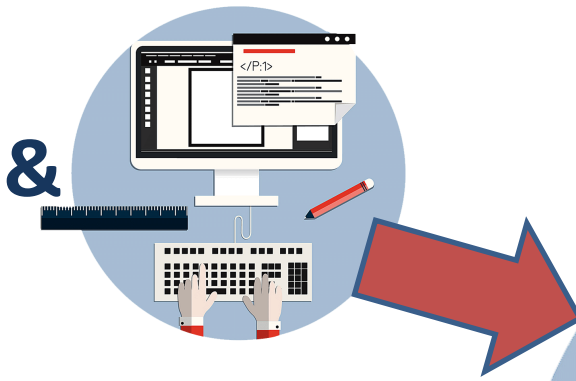
## Why Create a New Calculator?



**Districts:**

- ✓ reported software bugs
- ✓ requested enhancements
- ✓ entered **M**odification **R**equests (**MRs**)





## New Calculator

- ✓ addresses user concerns
- ✓ utilizes updated technology



# When to Expect the New Calculator

**Developers  
Start  
Work  
2014**

**Beta  
Calculator  
Released to  
Train Zones  
May 2015**

**New  
Calculator  
Released  
to Nation  
Feb 2016**



**We ARE  
HERE**





# Get a Sneak Peek at the New Calculator

**PRESENTENCE REPORT**

- Face Sheet
- Part A. The Offense
- Part B. The Defendant's Criminal History
- Part C. Offender Characteristics
- Part D. Sentencing Options
- Part E. Factors That May Warrant Departure
- Recommendation

Charges & Convictions | Plea Agreement | Victim

**GUIDELINES MANUAL SELECTION**

[Launch Offense Level Computation Calculator](#)

**Launch Offense Level Computation Calculator (Beta Version)**

Guidelines Manual  
2013 Guidelines Manual

Insert Ex Post Facto Language?  
 Yes  No

Apply Changes | Continue

**“Beta” calculator available since May 2015 in Train Zones (not live)**

**Beta Calculator Available Now!**

# Feedback from the NEW Calculator User Group



## What we got right...

- ✓ interface
- ✓ color selection/color blocking
- ✓ omnipresent running tally of Offense Level
- ✓ one page navigation
- ✓ easier to read text

# Feedback from the NEW Calculator User Group



## Area we needed to improve:

- Navigation



# New Calculator



## What to Expect in the New Calculator

**February 2016  
Version 1**

- ✓ Multi-device compatible (SmartPhone, Tablet, Laptop)
- ✓ Redesigned User Interface & New Navigation
- ✓ Floating “Save Bar”
- ✓ Chapter 2 On One Screen - no TABS
- ✓ Omnipresent OL Total Displayed on Screen
- ✓ Cross Reference Comparison Screen
- ✓ Chapter 4 E-version of Guidelines Manual
- ✓ Chapter 4 Guideline Language Automatically Populates Output Document
- ✓ User-Centered Dynamic Summary Screen



## Home Screen

The screenshot shows the 'Home' screen of the 'Offense Level Calculator'. At the top, there is a navigation bar with four items: 'Home', 'Counts & Groups', 'Summary', and 'Logout'. The 'Home' item is highlighted with a red box. Below the navigation bar, the user's name 'Bartlett, Wilson J' is displayed along with their 'Client ID: 12' and 'Docket Number: 0311 PH000188011-001'. The main content area is titled 'Home' and features a section for 'Existing Calculations'. This section includes a dropdown menu with '2014 Guideline Manual: Total - 43' selected, a date of '07/28/2015', and an 'Apply to PSR' button. Below this is a 'New Calculation' section with a dropdown menu showing '2014 Guidelines Manual' and a 'Start Calculation' button. A red oval highlights the dropdown menu in the 'New Calculation' section. A red box highlights the 'Home' navigation item. Three yellow callout boxes provide instructions: one pointing to the 'Existing Calculations' section, one pointing to the 'Home' navigation item, and one pointing to the dropdown menu in the 'New Calculation' section.

View/Edit/Delete Existing Calculations

Highlighted Navigation indicates where you are

Start a New Calculation

Select Guidelines Manual: 2008 to 2015 Available

## Chapter Two Calculation

### Count 1 - 21 U.S.C. 841(a)(1)

Guideline 2D1.1 - 2013 Guidelines Manual

Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy

#### (a) Base Offense Level (Apply the greatest):

- (1) 43, if the defendant is convicted under 21 U.S.C. § 841(b)(1)(A), (b)(1)(B), or (b)(1)(C), or 21 U.S.C. § 960(b)(1), (b)(2), or (b)(3), and the offense of conviction establishes that death or serious bodily injury resulted from the use of the substance and that the defendant committed the offense after one or more prior convictions for a similar offense; or 43
- (2) 38, if the defendant is convicted under 21 U.S.C. § 841(b)(1)(A), (b)(1)(B), or (b)(1)(C), or 21 U.S.C. § 960(b)(1), (b)(2), or (b)(3), and the offense of conviction establishes that death or serious bodily injury resulted from the use of the substance; or 38
- (3) 30, if the defendant is convicted under 21 U.S.C. § 841(b)(1)(E) or 21 U.S.C. § 960(b)(5), and the offense of conviction establishes that death or serious bodily injury resulted from the use of the substance and that the defendant committed the offense after one or more prior convictions for a similar offense; or 30
- (4) 26, if the defendant is convicted under 21 U.S.C. § 841(b)(1)(E) or 21 U.S.C. § 960(b)(5), and the offense of conviction establishes that death or serious bodily injury resulted from the use of the substance; or 26
- (5) the offense level specified in the Drug Quantity Table set forth in subsection (c), except that if (A) the defendant is convicted under 21 U.S.C. § 841(b)(1)(A), (b)(1)(B), or (b)(1)(C), or 21 U.S.C. § 960(b)(1), (b)(2), or (b)(3), and the offense of conviction establishes that death or serious bodily injury resulted from the use of the substance, or (B) the defendant is convicted under 21 U.S.C. § 841(b)(1)(E) or 21 U.S.C. § 960(b)(5), and the offense of conviction establishes that death or serious bodily injury resulted from the use of the substance, or 0

Save

Chapter Two Total 0

**Menu Pinned to Top and Left Side**

Ch. 2 Offense Conduct

Cross Reference Comparison

Ch. 3 Adjustments

Ch. 3 Multiple Counts

Ch. 3 Acceptance

Ch. 4 Enhancements

**handy link to the guidelines manual**

**Save Pinned to the Bottom**



Offense Level Calculator
Home
Counts & Groups
Summary
Logout

Bartlett, Wilson J

Client ID: 12

Docket Number:  
0311 PH000188011-001

- Ch. 2 Offense Conduct
- Cross Reference Comparison
- Ch. 3 Adjustments
- Ch. 3 Multiple Counts
- Ch. 3 Acceptance
- Ch. 4 Enhancements

## Cross Reference Comparison

### Count 1 - 21 U.S.C. 841(a)(1)

Primary	Guideline	Chapter 2	Chapter 3 <small>(if applicable)</small>	Adjusted Offense Level
<input type="radio"/>	2D1.1	38	+	38
<input checked="" type="radio"/>	2A1.1 CR	43	+	43

Save





Bartlett, Wilson J

Client ID: 12  
Docket Number:  
0311 PH000188011-001

## Ch. 3 Adjustments

Cancel

### Count 1 - 21 U.S.C. 841(a)(1)

[2014 Guidelines Manual](#)

Ch. 2 Offense Conduct

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Chapter Two Total (2A4.1)

38

#### ■ 3A1.1 Hate Crime Motivation or Vulnerable Victim

**(a)** If the finder of fact at trial or, in the case of a plea of guilty or nolo contendere, the court at sentencing determines beyond a reasonable doubt that the defendant intentionally selected any victim or any property as the object of the offense of conviction because of the actual or perceived race, color, religion, national origin, ethnicity, gender, gender identity, disability, or sexual orientation of any person, increase by 3 levels. **+3**

**(b)(1)** If the defendant knew or should have known that a victim of the offense was a vulnerable victim, increase by 2 levels. **+2**

**(b)(2)** If (A) subdivision (1) applies; and (B) the offense involved a large number of vulnerable victims, increase the offense level determined under subdivision (1) by 2 additional levels. **+2**

**(c)** Special Instruction: (1) Subsection (a) shall not apply if an adjustment from §2H1.1(b)(1) applies.

#### ■ 3A1.2 Official Victim

Save

Adjusted Offense Level 41



Offense Level Calculator

Home Counts & Groups Summary Logout

**Bartlett, Wilson J**  
Client ID: 12  
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**Ch. 2 Offense Conduct**  
Cross Reference Comparison  
Ch. 3 Adjustments  
Ch. 3 Multiple Counts  
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Ch. 4 Enhancements

## Counts and Groups

02-17-15: 2014 Guidelines Manual

<b>Count 2</b>	<b>18 U.S.C. 545</b>	<input type="text" value="Select Guideline"/> 2B1.5 2Q2.1 2T3.1	<input type="button" value="Start"/>
<b>Count 7</b>	<b>18 U.S.C. 1956(h)</b>	<input type="text" value="Select Guideline"/>	<input type="button" value="Start"/>

Smuggling Goods into the United States-Fraudulent  
Conspiracy to Commit Money Laundering

## Summary Page: View Multi-Count Adjustment

Multi-Count Adjustment			
Count/Count Group	Adjusted Offense Level	Units	Level
Count 1-3	43	1.0	-
Count 4	6	0.0	-
Count 5	3	0.0	-
Highest Adjusted Offense Level		-	43
Total Units		1	-
Total Combined Adjusted Offense Level		-	43
Adjusted Offense Level			34



## Summary Page: View and Select Acceptance of Responsibility

Offense Level Calculator

Home | Counts & Groups | **Summary** | Logout

**Bartlett, Wilson J**  
 Client ID: 12  
 Docket Number:  
 0311 PH000188011-001

Ch. 2 Offense Conduct

Cross Reference Comparison

Count No.	Chapter 2	Chapter 3
Count 1	34	0

Multi-Count Adjustment			
Count/Count Group	Adjusted Offense Level	Units	Level
Count 1-3	43	1.0	-
Count 4	6	0.0	-

### Acceptance of Responsibility

- 3E1.1(a) -2
- 3E1.1(b) with motion by Government -1

3E1.1(b) with motion by Government -1

Override

**TOTAL OFFENSE LEVEL**  5C1.2(b) applies (Offense Level 17) 34





Ch. 4 Enhancements

Na Na Na Na . .  
.  
Na Na Na Na . .  
.  
Hey Hey Hey . .  
.  
Goodbye



Ch. 4 Enhancements in the Current  
Offense Level Calculator



Ch. 4 Enhancements in the New  
Offense Level Calculator

## Offense Level Calculator

Home

Counts & Groups

Summary

Logout

Bartlett, Wilson J

Client ID: 12

Docket Number:

0311 PH000188011-001

Ch. 2 Offense Conduct

Cross Reference Comparison

Ch. 3 Adjustments

Ch. 3 Multiple Counts

Ch. 3 Acceptance

Ch. 4 Enhancements

Count No.	Chapter 2	Chapter 3
Count 1	34	0

Multi-Count Adjustment			
Count/Count Group	Adjusted	Level	Units
Count 1-3	43		
Count 4	6		
Count 5	3		0.0
Highest Adjusted Offense Level			-
Total Units			1
Total Combined Adjusted Offense Level			-

**Only Visible When Applicable**

Adjusted Offense Level 34

Ch. 4 Enhancements (Override Applied) #

Acceptance of Responsibility	
<input type="checkbox"/> 3E1.1(a)	-2
<input type="checkbox"/> 3E1.1(b) with motion by Government	-1

Override 0

**TOTAL OFFENSE LEVEL** ■ 5C1.2(b) applies (Offense Level 17) 34

**Work in Progress: Updates to Summary**





## Future Releases

- Show Multi Cross-References in Output Document
- Improved Drug/Chemical Calculator
- FY2016 Guideline Manual
- Pre-population of SOC text
- Link from Ch. 4 Enhancements to Criminal History





# Questions

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