



Multiple Prior Sentences

Determining Whether Multiple Prior Sentences Should be Treated as a Single Sentence or as Separate Sentences

If a defendant has multiple prior sentences, a three-part analysis must be performed to make a determination as to whether any of these prior sentences can be counted together as a single sentence. One of the most important aspects of this process is the impact it has on the defendant's criminal history points, and, by extension, their criminal history category.

Step 1 - Intervening Arrest?

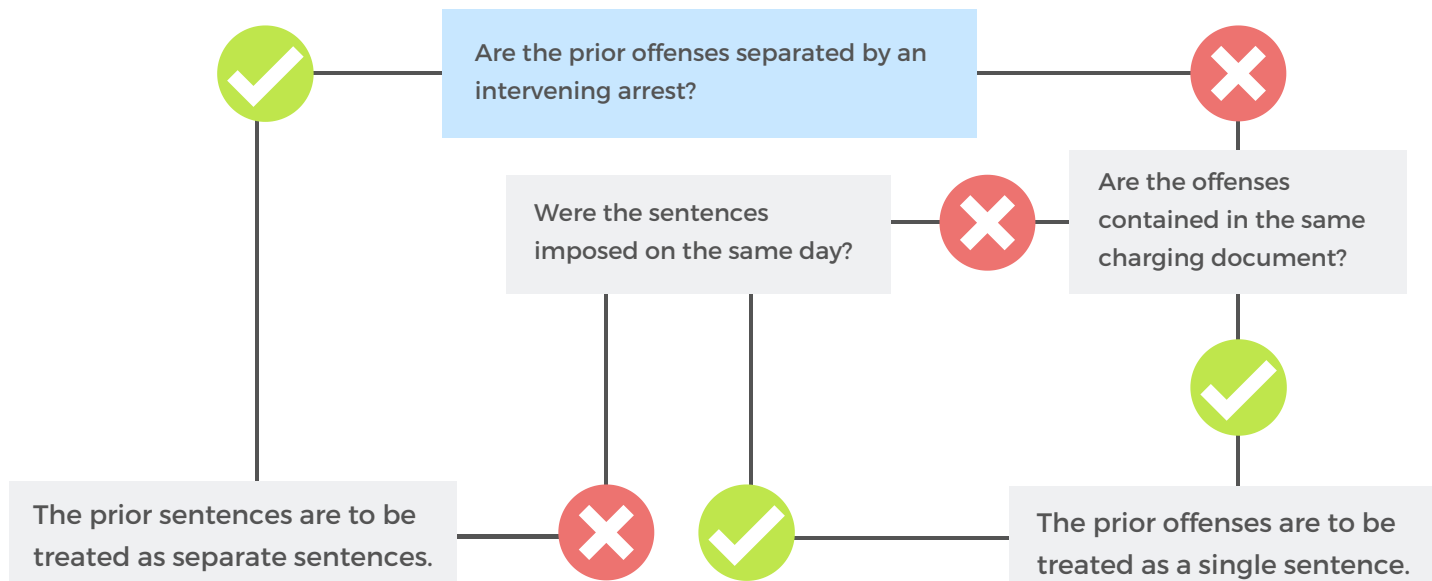
Determine whether the multiple prior offenses are separated by an intervening arrest.

An intervening arrest means that the defendant is arrested for the first offense before committing the second offense:



Step 2 - Single or Separate Sentence? §4A1.2(a)(2)

Determine whether the multiple prior sentences will be treated as a single sentence or separate sentences:



Step 3 - Length of Prior Sentences

Determine the length of the prior sentence to calculate criminal history points under §4A1.1:

Multiple Prior Convictions Treated as Separate Sentences

If the multiple prior sentences are treated as separate sentences, each prior sentence is scored individually under §4A1.1. Use the length of the sentence imposed on each prior conviction to assign criminal history points under §4A1.1(a), (b), or (c) as appropriate.

Arrest Date	Conviction	Date of imposition/Sentence		Guideline	Points
12/05/2023	Theft(Felony)	01/05/2024	30 Days Custody	§4A1.1(c)	1 Point
02/28/2025	Theft(Felony)	03/15/2025	45 Days Custody	§4A1.1(c)	1 Point

Multiple Prior Sentences Treated as a Single Sentence

If the multiple prior sentences are treated as a single sentence, the group of multiple prior sentences that are treated as a single sentence will be assigned one set of criminal history points.

Sentences Imposed Consecutively

If the prior sentences ran consecutively, use the aggregate amount of time imposed to determine the number of criminal history points under §4A1.1.

Sentence 1

30 Days

+

Sentence 2

45 Days

75 Days

Sentences Imposed Concurrently

If the prior sentences ran concurrently, use the longest sentence of imprisonment to determine the number of criminal history points under §4A1.1.

Sentence 1

30 Days

Sentence 2

45 Days

Sentence 1

30 Days

Sentence 2

45 Days

