



Offense Gravity Score: Proposed Mitigating Factors

Supplement to PA Sentencing Commission Testimony, February 24, 2022

1. The defendant's conduct neither caused nor threatened serious harm; (-1)
2. The defendant did not contemplate that his conduct would cause or threaten serious harm; (-1)
3. The defendant acted under a strong provocation; (-1)
4. There were substantial grounds tending to excuse or justify the defendant's conduct, though failing to establish a defense;(-2)
5. The victim of the defendant's conduct induced or facilitated its commission; (-2)
6. The defendant has compensated or will compensate the victim of his conduct for the damage or injury that he sustained, or will participate in a program of community service; (-2)
7. The defendant has no history of prior delinquency or criminal activity or has led a law-abiding life for a substantial period of time before the commission of the present offense; (-2)
8. The defendant's conduct was the result of circumstances unlikely to recur; (-1)
9. The character and attitude of the defendant indicate that he is unlikely to commit another offense; (-1)
10. The defendant is particularly likely to respond affirmatively to probationary treatment; (-1)
11. The imprisonment of the defendant would entail excessive hardship to himself or his dependents; (-2)
12. The conduct of a youthful defendant was substantially influenced by another person more mature than the defendant.(-2)