

Sentence Calculation

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1 years and 3 months

This sentence is rounded to the nearest 3 months for sentences under 2 years, 6 months for sentences between 2 and 10 years, and to the nearest year for sentences over 10 years.

This sentence was calculated in the following manner:

Initial Sentence Frame:

Simple robbery, as defined in Art. 140 ciph. 1 StGB provides a sentence length with a minimum 6 months and maximum of 10 years. The maximum may be increased by later developments, but may never exceed 20 years.

Modified Sentence Frame

The modifications listed below lead to an updated sentence frame of 0.3 to 6.4 years.

- Additional crimes with lesser base sentences were included in this sentencing. This leads to an increase of 50% in the sentence length, in accordance with Art. 49 ciph. 1 StGB.
- The motives for the crime were deemed to be honourable. As such, a 20% deduction to the sentence frame is implemented.
- The perpetrator committed the crime whilst seriously distressed. As such a 10% deduction to the sentence frame is implemented.
- The perpetrator committed the crime whilst under serious threat. As such a 10% deduction to the sentence frame is implemented.
- The perpetrator committed the crime at the behest of someone to whom they were dependent or duty bound. A 3% deduction to the sentence frame is implemented.
- The offender was seriously provoked by the conduct of the person suffering injury. A 4% deduction to the sentence frame is implemented.
- The perpetrator committed the crime whilst in a state of extreme emotion or psychological stress. A 15% deduction to the sentence frame is implemented.
- The perpetrator has shown genuine remorse for the crime, and has made reparations. A 10% deduction to the sentence frame is implemented.
- The need for punishment has been substantially reduced due to the elapsed time since the offence. A 7% deduction to the sentence frame is implemented.

Segment of Sentence Frame

From the following questions the perpetrators actions placed them at 19% of the sentence frame. This is a measure of the severity of the violation or endangerment of the legal interest concerned.

This leads to an unweighted sentence of 1.5 years within the frame 0.3 to 6.4 years.

This calculation is based off constant jurisprudence.

- Due to the value of the items being between CHF 300 and CHF 10000, the sentence is skewed towards the middle.
- Due to the medium level of danger posed by the perpetrator, the sentence frame is skewed towards the middle of the range.
- Due to the medium likelihood of the potential danger happening, the sentence is skewed towards the lower middle.
- Due to the medium amount of psychological damage to natural people resulting from the robbery, the sentence is skewed towards the lower middle.
- Due to the medium level of brutality (defined as a disrespect for the victims lives) displayed, the sentence is skewed towards the lower middle.
- The perpetrators motives fall under the category of "Mental Impairment" and the perpetrator is believed to have been lucid during the crime. This does not give reason to suspect high criminal intent, and as such the sentence is skewed towards the minimum.

Increases and/or Decreases to Sentence:

- Whilst the offender did not cooperate with the authorities, they did this through passive behaviour and as such no addition is made to the sentence. This is in accordance to Art. 113 ciph. 1 StPO
- Due to the offenders past record, the sentence is increased by 10%. This is estimated in accordance to constant jurisprudence.
- The offender has people dependent on their care, this leads to a 20% reduction in the sentence. This is estimated in accordance to constant jurisprudence.
- Due to the perceived impact of the punishment having normal, or below average impact on the offender, no reduction is made to the sentence.

[Art. 140 ciph. 1 StGB](#)

[Art. 49 ciph. 1 StGB](#)

[Art. 113 ciph. 1 StPO](#)