

# Sentence Calculation

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## 12 years

*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:

Robbery can be qualified in three main ways. All of these hold a maximum sentence length of 20 years. This cannot be exceeded by any further developments under Art. 40 ciph. 2 StGB. If the robbery was qualified in more than one way, then the highest sentence frame holds.

As described in Art. 140 ciph. 4 StGB, if the offender endangered the life of a victim during the robbery, then the resulting sentence is from 5 to 20 years.

#### - Modified Sentence Frame:

No additional crimes are included in this sentencing, leading to no increase in the penalty frame.

#### - Segment of Sentence Frame

From the following questions the perpetrators' actions placed them at 46% 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 11.9 years within the frame 5.0 to 20.0 years.

This calculation is based on 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 very severe likelihood of the potential danger happening, the sentence is skewed towards the maximum.
- Due to the high amount of psychological damage to natural people resulting from the robbery, the sentence is skewed towards the upper 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 "Personal Gain", this gives reason to suspect high criminal intent, and as such the sentence is skewed towards the maximum.

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### Increases and/or Decreases to Sentence:

- The offender actively hindered or disrupted the authorities, resulting in a 10% increase in the sentence. This is estimated in accordance to constant jurisprudence.
- The offender has no past record, this results in no increase to the sentence.
- As the offender has no one dependent on their care, no reduction is made to the sentence.
- Due to the perceived above average negative impact on the offenders future life, the sentence is reduced by 10%. This is estimated in accordance to constant jurisprudence.

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Art. 40 ciph. 2 StGB

Art. 140 ciph. 4 StGB