

Sentence Calculation

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17 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

The modifications listed below lead to an updated sentence frame of 7.0 to 20.0 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 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 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 13.0 years within the frame 7.0 to 20.0 years.

This calculation is based on constant jurisprudence.

- Due to the value of the items being greater than CHF 10000, the sentence is skewed towards the maximum.
- 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 severe likelihood of the potential danger happening, the sentence is skewed towards the upper middle.
- 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 value (between CHF 300 and CHF 10000) of the property damage resulting from the criminal damage that was consumed by this robbery, the sentence is skewed towards the middle.
- Due to the high level of brutality (defined as a disrespect for the victims lives) displayed, the sentence is skewed towards the upper middle.
- Due to the medium possibility of the perpetrator avoiding the danger or injury caused, the sentence is skewed towards the lower middle.
- The perpetrators motives fall under the category of "Emotional Reasons", this does not give reason to suspect high criminal intent, and as such the sentence is skewed towards the middle.

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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
- 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 impact of the punishment having normal, or below average impact on the offender, no reduction is made to the sentence.

[Art. 40 ciph. 2 StGB](#)

[Art. 140 ciph. 4 StGB](#)

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

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