

**THE CODE OF CRIMINAL PROCEDURE (EXCERPT)**  
**Act 175 of 1927**

**777.39 Offense variable 9; number of victims; scoring.**

Sec. 39. (1) Offense variable 9 is number of victims. Score offense variable 9 by determining which of the following apply and by assigning the number of points attributable to the one that has the highest number of points:

- (a) Multiple deaths occurred..... 100 points
- (b) There were 10 or more victims who were placed in danger of physical injury or death, or 20 or more victims who were placed in danger of property loss..... 25 points
- (c) There were 2 to 9 victims who were placed in danger of physical injury or death, or 4 to 19 victims who were placed in danger of property loss..... 10 points
- (d) There were fewer than 2 victims who were placed in danger of physical injury or death, or fewer than 4 victims who were placed in danger of property loss..... 0 points

(2) All of the following apply to scoring offense variable 9:

- (a) Count each person who was placed in danger of physical injury or loss of life or property as a victim.
- (b) Score 100 points only in homicide cases.

**History:** Add. 1998, Act 317, Eff. Dec. 15, 1998;—Am. 2006, Act 548, Eff. Mar. 30, 2007.