

**SERIOUSNESS LEVEL 4**  
Effective date January 1, 2018

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	CCC AS	ADC 18-36 (1.5-3 yrs) CCC AS	ADC 24-60 (2-5 yrs) CCC AS	ADC 36-72 (3-6 yrs) CCC AS	ADC 48-96 (4-8 yrs) CCC AS	ADC 60-120 (5-10 yrs) CCC
Presumptive Sentence (January 1, 1994-December 31, 2017)	CCC AS	ADC 18 CCC AS	ADC 30 CCC AS	ADC 54 CCC AS	ADC 72 CCC AS	ADC 96
Presumptive Range (Prior to July 1, 2005)		ADC 17.10- 18.90	ADC 28.50- 31.50	ADC 51.30- 56.70	ADC 68.40- 75.60	ADC 91.20- 100.80

**AS = Alternative Sanctions, CCC = Community Correction Center, ADC = ADC Facility Only**  
**ALL SENTENCE DURATIONS ARE SHOWN IN MONTHS COMMITTED**

**Common Level 4 Offenses** (See Seriousness Reference Table for additional offenses and effective dates.)

5-11-103	C	False Imprisonment I
5-13-202	D	Battery II
5-13-202 (a)(3)(B) & (b)(1)	C	Battery II – Motor Vehicle or Motor Boat
5-14-126	C	Sexual Assault (Third Degree)
5-26-304	C	Domestic Battering II
5-36-103(b)(2)(A)	C	Theft of Property > \$5,000 < \$25,000
5-36-106(e)(2)	C	Theft by Receiving Value > \$5,000 < \$25,000
5-37-216 (b) & (c)(1)	B	Defrauding a Prospective Adoptive Parent
5-37-302(b)(3)	C	Arkansas Hot Check Law - Value ≥ \$5,000 < \$25,000
5-53-102	C	Perjury
5-54-110	C	Escape I
5-54-120	C	Failure to Appear
5-64-419(b)(1)(B)	C	Possession of Controlled Substance – Schedule I or II Methamphetamine/Cocaine ≥ 2g <10g
5-64-426(c)(1)	C	Delivery of Schedule I or II Controlled Substance not Methamphetamine/Cocaine <2g
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver ≥ 4 oz. < 25 lbs
5-64-438(b)(3)	C	Delivery of Schedule VI Controlled Substance ≥ 4 oz. < 25 lbs
5-65-111(e)(1)	U	DWI/BWI 5 [See statute for penalty range – CCC by judicial transfer only]

Transfer Eligibility - one-third of time imposed minus good time of up to one-half, i.e. one sixth of time imposed if offender earns maximum good time.

**Classification of Level 4 offenses and statutory ranges (shown in years):**

<u>Class</u>	<u>Normal Range</u>	<u>Habitual §(a)</u>	<u>Habitual §(b)</u>	<u>Habitual §(c)</u>	<u>Habitual §(d)</u>
<b>B</b>	<b>5-20</b>	<b>5-30</b>	<b>5-40</b>	<b>40-80 or Life</b>	<b>30-60</b>
<b>C</b>	<b>3-10</b>	<b>3-20</b>	<b>3-30</b>	<b>40-80 or Life</b>	<b>25-40</b>
<b>D</b>	<b>0-6</b>	<b>0-12</b>	<b>0-15</b>	<b>40-80 or Life</b>	<b>20-40</b>

See A.C.A. §§ 5-4-401 and 5-4-501.