



# *Arkansas Sentencing Commission*

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## *Report on Compliance with Sentencing Guidelines 2015 Court Data*

## **PART I. METHODOLOGY**

The report that follows was prepared from a database created with the Arkansas Sentencing Commission. Following the passage of Act 570, in 2011 the Arkansas Sentencing Commission (ASC) embarked on a statewide project to create an electronic data entry tool, called the ASC Database, to collect information provided on the Sentencing Order Form. The ASC Database was created by JFA Associates, an outside contractor, and statewide installation began in January of 2012. The ASC standalone program allows prosecutors to create and print a Sentencing Order via an easy-to-use Windows based interface. It was built with mandatory fields and safeguards to ensure appropriate sentencing and departure information is provided for collection and reporting purposes. Users are also able to recall and amend previously entered orders with updated sentencing information. Information is stored in a Microsoft Access database and submitted to the ASC for use within this report.

Installation of the ASC Database was provided by the Prosecutor Coordinator’s Office (PCO) and was offered to each county. PCO provided further assistance and resources by creating a “bridge” program, called the PCO Bridge, which would allow prosecutors working on the PCO Case Management System to auto-fill information into the ASC standalone program. This provides ease of use and removes redundancy of data entry. Once installation was offered, counties fell into three categories: 1. Counties using the PCO Bridge to generate the information entered into the ASC Database; 2. Counties solely using the ASC standalone program, and; 3. Counties not using the ASC Database and sending paper forms to the ASC. Table A shows each county and their data submission category.

TABLE A

County	PCO Bridge	ASC Standalone Program	Paper Forms
Arkansas	X		
Ashley			X
Baxter			X
Benton			X
Boone			X
Bradley			X
Calhoun	X		X
Carroll	X		X
Chicot			X
Clark	X		
Clay			X
Cleburne			X
Cleveland	X		X
Columbia	X		X

County	PCO Bridge	ASC Standalone Program	Paper Forms
Conway	X	X	
Craighead	X		X
Crawford			X
Crittenden			X
Cross			X
Dallas	X		X
Desha	X		X
Drew			X
Faulkner	X		
Franklin	X		
Fulton			X
Garland	X		
Grant	X		
Greene	X		
Hempstead	X		X
Hot Spring	X		
Howard			X
Independence			X
Izard			X
Jackson	X		X
Jefferson		X	
Johnson			X
Lafayette	X		X
Lawrence	X		X
Lee			X
Lincoln		X	
Little River			X
Logan			X
Lonoke	X		X
Madison			X
Marion			X
Miller	X	X	X
Mississippi	X		X
Monroe			X
Montgomery			X
Nevada			X
Newton			X
Ouachita	X		
Perry			X
Phillips			X
Pike			X
Poinsett	X		X
Polk			X
Pope	X		X
Prairie			X
Pulaski	X		X

County	PCO Bridge	ASC Standalone Program	Paper Forms
Randolph	X		X
Saline	X		
Scott	X		X
Searcy	X		X
Sebastian			X
Sevier			X
Sharp			X
St. Francis			X
Stone			X
Union			X
Van Buren			X
Washington			X
White			X
Woodruff			X
Yell	X		X

As seen in Table A, 32 counties are using the PCO Bridge, 4 counties are using the Standalone Program, and 62 counties are using paper forms. Some counties use more than one method to disseminate information. Every paper form not created using the PCO Bridge or the Standalone Program was hand entered by the staff at the ASC. It should be noted this was a large, time-consuming task for the ASC that can hopefully be avoided in future years.

Once all of the data was collected, a data cleaning and merging process was conducted. First and foremost, data was limited to Sentencing Orders with a CY 2015 court date received by the ASC that were submitted to the circuit judge for signature and filed in the Office of the Circuit Clerk. District court cases, including those originally charged as a felony and disposed of as a misdemeanor, are NOT included in this report. Therefore, this report should not be used in determining overall caseload for any specific county. Table B summarizes the additional cleaning process of the data analyzed in this report.

TABLE B

Total Number of Offenses	60,697
Average Number of Offenses Per Case	2.4
Total Number of Cases	29,486
Total Nolle Prossed/Dismissed/Acquitted	1,990
Total Misdemeanors	2,969
Total County Jail	291
Total Cases Eliminated	5,250
Total Number of Most Serious Offenses Per Case	24,236
No Case Number and/or Name	93
Court date not in 2015	0
Missing Criminal History Score	1,271

Cannot Determine Imposed Location	101
No Offender Sentence	75
Total Number of Case-Offenders Included in Analysis	22,696

The data that comprises this report was extracted from all Sentencing Order forms submitted. The total number of offenses submitted was 60,697 with an average number of offenses per case per offender of 2.4. From this universe of cases and offenses per offender, 1,990 nolle prossed/dismissed/acquitted cases were eliminated first. From the remainder, 2,969 misdemeanor cases and 291 county jail cases were eliminated.

From there an offense hierarchy was applied to determine the most serious offense per case per offender (case-offender). Thereby, each felony sentencing event, per case and per offender, is recorded in the data presented. For example, if an offender had multiple cases in the year, the offender was recorded multiple times in the data presented – once for each case. Similarly, if one case has multiple offenders, each offender’s felony sentencing event was identified and reported.

**Hierarchy of Most Serious Offense Determination (Ranked highest to lowest)**

- I. Capital Murder, § A.C.A. 5-10-101, which is not an attempt, solicitation, or conspiracy. This offense is excluded from the guidelines and will not have a seriousness level. Sort by the following sentence order:
  - A. Death
  - B. Life without parole
- II. Seriousness level as determined by the guidelines (10 – 1)
- III. Felony Class – Y, A, B, C, D, and U
- IV. The most serious sentence type in the following order:
  - A. ADC – use the offense with the longest imposed sentence,
  - B. Judicial Transfer – use the offense with the longest imposed sentence,
  - C. Probation – use the offense with the longest sentence, and
  - D. Suspended Imposition of Sentence (SIS) – use the offense with the longest sentence.
- V. If there are still duplicates, choose the first offense listed for the case which meets the above criteria.

Following the application of the most serious offense hierarchy, a total of 24,236 felony sentencing events was established as the N of cases for CY 2015. Of these, 1,271 cases were missing a criminal history score, 93 had no case number or name, and 75 did not have a sentence. Additionally, 101 cases were eliminated from further analysis because the imposed location could not be determined.

At the conclusion of the data analysis and editing process, a total of 22,696 cases were available for analysis for this report.

## **PART II: STATEWIDE ANALYSIS**

### **STATEWIDE DEPARTURES**

Table 1 provides the number of cases for all counties, including information regarding departures. Specifically, this table provides the number of cases with a “Yes” departure, the number of cases with a “No” departure, and the number of cases to which the guidelines are not applicable (“N/A”) such as jury trials and probation revocations. This information was gathered from all Sentencing Orders with a court date in CY 2015 which were entered into the ASC Database by a prosecutor’s office or by Sentencing Commission staff. Departure status is determined by the criminal history score and seriousness level of the offense reported on the Sentencing Order. Statewide totals at the bottom of the table serve as the baseline by which county statistics are compared. The overall departure rate is calculated by dividing the “Yes” departures (6,419) by the total number of cases minus the number of “Not Applicable” cases (22,696 – 4,571). To assist persons who are reading this report for the first time in gleaning information from the data provided, an example of how to read each table will be provided.

#### *Example for Table 1:*

In Table 144 cases from Arkansas County were examined. These cases represent the most serious offense for each offender per case. These 144 cases represent approximately 1 percent of all cases examined statewide. 15 (or 11 percent) of these 144 cases had a “Yes” departure, 107 (or 74 percent) of these 144 cases had “No” departure, and 22 (or 15 percent) of these 144 cases were not applicable to departure analysis.

#### *Significant Statistics:*

- Excluding non-applicable cases, the statewide departure rate in 2015 was 35 percent (8% of which consisted of downward departures). This is on-par with the rate in 2012 of 36 percent, of 37 percent in 2013 and 36 percent in 2014.
- 20 percent of cases in 2015 had offenses not applicable to departure parameters.

TABLE 1  
STATEWIDE CASE DEPARTURES BY COUNTY 2015

County	Number of Cases	Percent Total Cases	Departures					
			Yes Departure	Percent County	No Departure	Percent County	Not Applicable	Percent County
Arkansas	144	1%	15	11%	107	74%	22	15%
Ashley	221	1%	77	35%	109	49%	35	16%
Baxter	266	1%	105	39%	140	53%	21	8%
Benton	1,481	7%	298	21%	1,043	70%	140	9%
Boone	228	1%	47	20%	104	46%	77	34%
Bradley	54	0%	18	34%	25	46%	11	20%
Calhoun	22	0%	4	18%	14	64%	4	18%
Carroll	128	1%	23	18%	95	74%	10	8%

County	Number of Cases	Percent Total Cases	Departures					
			Yes Departure	Percent County	No Departure	Percent County	Not Applicable	Percent County
Chicot	90	0%	25	28%	46	51%	19	21%
Clark	130	1%	44	34%	51	39%	35	27%
Clay	166	1%	13	8%	130	78%	23	14%
Cleburne	195	1%	40	20%	107	55%	48	25%
Cleveland	39	0%	15	39%	22	56%	2	5%
Columbia	191	1%	28	15%	122	64%	41	21%
Conway	275	1%	73	26%	153	56%	49	18%
Craighead	760	3%	96	13%	555	73%	109	14%
Crawford	479	2%	102	22%	303	63%	74	15%
Crittenden	369	2%	71	19%	243	66%	55	15%
Cross	11	0%	10	91%	0	0%	1	9%
Dallas	35	0%	7	20%	26	74%	2	6%
Desha	92	1%	36	39%	35	38%	21	23%
Drew	137	1%	49	36%	55	40%	33	24%
Faulkner	664	3%	188	29%	360	54%	116	17%
Franklin	219	1%	64	30%	108	49%	47	21%
Fulton	91	1%	18	20%	51	56%	22	24%
Garland	489	2%	194	40%	194	40%	101	20%
Grant	120	1%	46	38%	39	33%	35	29%
Greene	535	2%	138	26%	231	43%	166	31%
Hempstead	189	1%	39	21%	89	47%	61	32%
Hot Spring	167	1%	60	36%	82	49%	25	15%
Howard	128	1%	71	55%	47	37%	10	8%
Independence	251	1%	86	35%	114	45%	51	20%
Izard	89	0%	16	18%	43	48%	30	34%
Jackson	248	1%	84	34%	82	33%	82	33%
Jefferson	701	3%	220	31%	238	34%	243	35%
Johnson	130	1%	63	49%	64	49%	3	2%
Lafayette	56	0%	13	23%	30	54%	13	23%
Lawrence	235	1%	63	27%	129	55%	43	18%
Lee	31	0%	7	23%	24	77%	0	0%
Lincoln	42	0%	7	17%	30	71%	5	12%
Little River	175	1%	89	51%	54	31%	32	18%
Logan	27	0%	13	48%	8	30%	6	22%
Lonoke	679	3%	181	26%	330	49%	168	25%
Madison	172	1%	26	15%	127	74%	19	11%
Marion	90	0%	13	15%	67	74%	10	11%
Miller	473	2%	138	29%	277	59%	58	12%
Mississippi	291	1%	50	17%	206	71%	35	12%
Monroe	105	0%	49	47%	54	51%	2	2%

County	Number of Cases	Percent Total Cases	Departures					
			Yes Departure	Percent County	No Departure	Percent County	Not Applicable	Percent County
Montgomery	83	0%	21	25%	48	58%	14	17%
Nevada	43	0%	14	32%	20	47%	9	21%
Newton	20	0%	12	60%	4	20%	4	20%
Ouachita	247	1%	77	32%	142	57%	28	11%
Perry	24	0%	4	17%	18	75%	2	8%
Phillips	93	1%	17	18%	63	68%	13	14%
Pike	83	0%	41	49%	34	41%	8	10%
Poinsett	328	1%	44	13%	243	74%	41	13%
Polk	206	1%	66	32%	96	47%	44	21%
Pope	491	2%	154	32%	271	55%	66	13%
Prairie	60	0%	28	47%	26	43%	6	10%
Pulaski	3,787	17%	1,127	30%	1,430	38%	1,230	32%
Randolph	105	0%	13	12%	66	63%	26	25%
Saline	622	3%	157	25%	336	54%	129	21%
Scott	95	1%	16	17%	58	61%	21	22%
Searcy	27	0%	10	37%	15	56%	2	7%
Sebastian	1,458	6%	655	45%	653	45%	150	10%
Sevier	133	1%	92	69%	17	13%	24	18%
Sharp	164	1%	32	20%	89	54%	43	26%
St. Francis	42	0%	23	55%	17	40%	2	5%
Stone	101	0%	19	19%	52	51%	30	30%
Union	294	1%	96	32%	96	33%	102	35%
Van Buren	47	0%	25	53%	16	34%	6	13%
Washington	1,573	7%	369	24%	951	60%	253	16%
White	515	2%	125	24%	308	60%	82	16%
Woodruff	12	0%	12	100%	0	0%	0	0%
Yell	133	1%	38	28%	74	56%	21	16%
Total	22,696	100%	6,419	28%	11,706	52%	4,571	20%

Source: Arkansas Sentencing Order Form



## DEPARTURE TYPE

Table 2 provides the number of cases for all counties by departure type. This information was gathered from all Sentencing Orders with a court date in CY 2015 which were entered into the ASC Database by a prosecutor's office or by Sentencing Commission staff. Departure status is determined by the criminal history score and seriousness level of the offense reported on the Sentencing Order.

A durational departure occurs when the sentence an offender receives for a case's most serious offense is higher or lower than the presumptive sentence established in the Arkansas sentencing guidelines. Specifically, this is when an offender is sentenced to a greater or lesser amount of months to the Arkansas Department of Correction (ADC).

A dispositional departure occurs when the location of an offender's sentence differs from the presumptive sentence established in the Arkansas sentencing guidelines. "Location" refers to one of the following options for placement of the offender after sentencing: prison, judicial transfer to a community corrections center (CCC), probation, suspended imposition of sentence (SIS) or other alternative sanctions (AS).

If both a durational and dispositional departure occurs, the offender's departure is classified as "both."

"No" indicates that no departure occurred.

To read Table 2: Statewide totals at the bottom of the table are a baseline by which county statistics can be compared. Table 2 presents departures as either "Upward" or "Downward." Upward departures include all durational departures with months above the presumptive sentence, dispositional departures with a presumptive sentence of CCC/AS and an imposed sentence of ADC, a dispositional departure with a presumptive sentence of AS and an imposed sentence of ADC or a Judicial transfer to CCC, and all both departures with a sentence above the presumptive sentence. Downward departures include all durational departures with months below the presumptive sentence, dispositional departures with a presumptive sentence of ADC only and any other imposed sentence, and all both departures with imposed sentence below the presumptive sentence. "No" still indicates that there was no departure from the Arkansas Sentencing Guidelines.

### *Example from Table 2:*

In Benton County 1,043 cases (or 78 percent) of the total Benton County applicable cases had "No" departure, 240 cases (or 18 percent of the total Benton County applicable cases) had an upward departure, 58 cases (or 4 percent of the total Benton County applicable cases) had a downward departure.

### *Significant Statistics:*

- Excluding non-applicable cases, 27 percent of all cases statewide in 2015 received an upward departure. This is on-par with the 2014 rate of 29 percent, the 2013 rate of 30 percent and the 2012 rate of 28 percent.

- Excluding non-applicable cases, 8 percent of all cases in 2015 received a downward departure. This is similar to the rate in 2013 and 2014 of 7 percent of all cases and the same as the rate in 2012 of 8 percent of all cases.

TABLE 2  
STATEWIDE CASES BY DEPARTURE TYPE BY COUNTY 2015

County	Number of Applicable Cases	Departure Type					
		No Departure	Percent County Applicable Cases	Upward Departure	Percent County Applicable Cases	Downward Departure	Percent County Applicable Cases
Arkansas	122	107	88%	6	5%	9	7%
Ashley	186	109	59%	67	36%	10	5%
Baxter	245	140	57%	93	38%	12	5%
Benton	1,341	1,043	78%	240	18%	58	4%
Boone	151	104	69%	40	26%	7	5%
Bradley	43	25	58%	16	37%	2	5%
Calhoun	18	14	78%	4	22%	0	0%
Carroll	118	95	81%	19	16%	4	3%
Chicot	71	46	65%	22	31%	3	4%
Clark	95	51	54%	35	37%	9	9%
Clay	143	130	91%	12	8%	1	1%
Cleburne	147	107	73%	38	26%	2	1%
Cleveland	37	22	59%	14	38%	1	3%
Columbia	150	122	81%	26	17%	2	1%
Conway	226	153	68%	62	27%	11	5%
Craighead	651	555	85%	48	7%	48	7%
Crawford	405	303	75%	66	16%	36	9%
Crittenden	314	243	77%	35	11%	36	11%
Cross	10	0	0%	7	70%	3	30%
Dallas	33	26	79%	4	12%	3	9%
Desha	71	35	49%	28	39%	8	11%
Drew	104	55	53%	43	41%	6	6%
Faulkner	548	360	66%	167	30%	21	4%
Franklin	172	108	63%	34	20%	30	17%
Fulton	69	51	74%	14	20%	4	6%
Garland	388	194	50%	153	39%	41	11%
Grant	85	39	46%	42	49%	4	5%
Greene	369	231	63%	107	29%	31	8%
Hempstead	128	89	70%	35	27%	4	3%
Hot Spring	142	82	58%	53	37%	7	5%
Howard	118	47	40%	58	49%	13	11%
Independence	200	114	57%	69	35%	17	9%

County	Number of Applicable Cases	Departure Type					
		No Departure	Percent County Applicable Cases	Upward Departure	Percent County Applicable Cases	Downward Departure	Percent County Applicable Cases
Izard	59	43	73%	16	27%	0	0%
Jackson	166	82	49%	76	46%	8	5%
Jefferson	458	238	52%	154	34%	66	14%
Johnson	127	64	50%	35	28%	28	22%
Lafayette	43	30	70%	10	23%	3	7%
Lawrence	192	129	67%	53	28%	10	5%
Lee	31	24	77%	6	19%	1	3%
Lincoln	37	30	81%	4	11%	3	8%
Little River	143	54	38%	81	57%	8	6%
Logan	21	8	38%	12	57%	1	5%
Lonoke	511	330	65%	131	26%	50	10%
Madison	153	127	83%	19	12%	7	5%
Marion	80	67	84%	10	13%	3	4%
Miller	415	277	67%	106	26%	32	8%
Mississippi	256	206	80%	27	11%	23	9%
Monroe	103	54	52%	22	21%	27	26%
Montgomery	69	48	70%	16	23%	5	7%
Nevada	34	20	59%	12	35%	2	6%
Newton	16	4	25%	11	69%	1	6%
Ouachita	219	142	65%	59	27%	18	8%
Perry	22	18	82%	3	14%	1	5%
Phillips	80	63	79%	4	5%	13	16%
Pike	75	34	45%	34	45%	7	9%
Poinsett	287	243	85%	35	12%	9	3%
Polk	162	96	59%	61	38%	5	3%
Pope	425	271	64%	98	23%	56	13%
Prairie	54	26	48%	23	43%	5	9%
Pulaski	2,557	1,430	56%	789	31%	338	13%
Randolph	79	66	84%	8	10%	5	6%
Saline	493	336	68%	137	28%	20	4%
Scott	74	58	78%	13	18%	3	4%
Searcy	25	15	60%	9	36%	1	4%
Sebastian	1,308	653	50%	438	33%	217	17%
Sevier	109	17	16%	82	75%	10	9%
Sharp	121	89	74%	29	24%	3	2%
St. Francis	40	17	43%	20	50%	3	8%
Stone	71	52	73%	17	24%	2	3%
Union	192	96	50%	90	47%	6	3%
Van Buren	41	16	39%	22	54%	3	7%

County	Number of Applicable Cases	Departure Type					
		No Departure	Percent County Applicable Cases	Upward Departure	Percent County Applicable Cases	Downward Departure	Percent County Applicable Cases
Washington	1,320	951	72%	314	24%	55	4%
White	433	308	71%	122	28%	3	1%
Woodruff	12	0	0%	10	83%	2	17%
Yell	112	74	66%	34	30%	4	4%
Total	18,125	11,706	65%	4,909	27%	1,510	8%

*Source: Arkansas Sentencing Order Form*

## DURATIONAL DEPARTURES

Table 3 provides the number of cases for all counties by type of durational departure and the average number of months the imposed sentence was above or below the presumptive sentence. This information was gathered from all Sentencing Orders with a court date in CY 2015 which were entered into the ASC Database by a prosecutor's office or by Sentencing Commission staff. Departure status is determined by the criminal history score and seriousness level of the offense reported on the Sentencing Order.

To read Table 3: Statewide totals at the bottom of the table serve as a baseline by which county statistics are compared. County names are listed in the first column. The second column lists the number of cases with a durational departure below the presumptive sentence. The third column lists the percentage of the county's total cases with a durational departure below the presumptive sentence. These percentages are calculated based on the total number of applicable cases. The fourth column lists the average number of months below the presumptive sentence. The following three columns list the same information for durational departures above the presumptive sentence.

### *Example from Table 3:*

In Monroe County 27 cases (or 26 percent) of the total Monroe County applicable cases had a downward durational departure. Of these 27 cases, the average months below the presumptive sentence was 44 months. In Monroe County 8 cases (or 8 percent) of the total Monroe County applicable cases had an upward durational departure. Of these 8 cases, the average months above the presumptive sentence was 15 months.

### *Significant Statistics:*

- 7 percent of statewide applicable cases in 2015 had a durational departure below the presumptive sentence. This is on-par with the 8 percent of statewide applicable cases in 2013 and 2014 and the 6 percent of statewide applicable cases in 2012.
- Of the cases with a sentence below the presumptive in CY 2015, the average number of months below the presumptive was 56 months.
- 19 percent of statewide applicable cases in 2015 had a durational departure above the presumptive sentence. This is on-par with the 20 percent of statewide applicable cases in 2013 and 2012 and the 19 percent of cases in 2014.
- Of the cases with a sentence above the presumptive in CY 2015, the average number of months above the presumptive was 54 months.

TABLE 3  
STATEWIDE DURATIONAL DEPARTURES BY COUNTY 2015

County	Durational v. Presumptive Sentence					
	Number of Cases Below	Percent County Applicable Cases	Average Months Below	Number of Cases Above	Percent County Applicable Cases	Average Months Above
Arkansas	7	6%	28	5	4%	32
Ashley	9	5%	36	51	27%	65
Baxter	9	4%	19	53	22%	48
Benton	48	4%	87	189	14%	61
Boone	7	5%	56	21	14%	38
Bradley	2	5%	108	14	33%	43
Calhoun	0	0%	-	3	17%	52
Carroll	3	3%	56	10	8%	77
Chicot	3	4%	46	17	24%	63
Clark	8	8%	39	25	26%	68
Clay	0	0%	-	8	6%	37
Cleburne	2	1%	63	27	18%	78
Cleveland	1	3%	144	13	35%	89
Columbia	0	0%	-	15	10%	104
Conway	9	4%	71	37	16%	53
Craighead	46	7%	43	38	6%	47
Crawford	27	7%	57	53	13%	51
Crittenden	30	10%	43	25	8%	36
Cross	3	30%	72	2	20%	29
Dallas	3	9%	12	3	9%	76
Desha	8	11%	67	18	25%	84
Drew	5	5%	68	30	29%	59
Faulkner	19	3%	66	102	19%	67
Franklin	30	17%	35	23	13%	23
Fulton	2	3%	39	12	17%	62
Garland	38	10%	62	92	24%	49
Grant	4	5%	56	36	42%	66
Greene	29	8%	34	69	19%	36
Hempstead	1	1%	36	28	22%	100
Hot Spring	6	4%	83	33	23%	58
Howard	13	11%	70	42	36%	50
Independence	15	8%	77	51	26%	60
Izard	0	0%	-	7	12%	115
Jackson	8	5%	90	65	39%	78
Jefferson	55	12%	96	132	29%	58
Johnson	28	22%	51	21	17%	17

County	Durational v. Presumptive Sentence					
	Number of Cases Below	Percent County Applicable Cases	Average Months Below	Number of Cases Above	Percent County Applicable Cases	Average Months Above
Lafayette	3	7%	112	8	19%	47
Lawrence	9	5%	47	26	14%	75
Lee	0	0%	-	2	6%	42
Lincoln	3	8%	20	1	3%	6
Little River	8	6%	40	44	31%	50
Logan	1	5%	24	7	33%	70
Lonoke	49	10%	52	82	16%	37
Madison	7	5%	28	12	8%	33
Marion	2	3%	9	9	11%	28
Miller	30	7%	47	80	19%	51
Mississippi	23	9%	41	22	9%	22
Monroe	27	26%	44	8	8%	15
Montgomery	5	7%	77	13	19%	44
Nevada	2	6%	150	6	18%	69
Newton	1	6%	12	7	44%	22
Ouachita	13	6%	65	39	18%	66
Perry	1	5%	60	3	14%	20
Phillips	4	5%	69	3	4%	6
Pike	7	9%	37	23	31%	57
Poinsett	5	2%	78	14	5%	28
Polk	3	2%	12	40	25%	65
Pope	56	13%	31	49	12%	41
Prairie	5	9%	68	8	15%	34
Pulaski	308	12%	67	596	23%	56
Randolph	2	3%	24	4	5%	77
Saline	19	4%	62	100	20%	53
Scott	2	3%	108	1	1%	48
Searcy	1	4%	6	6	24%	76
Sebastian	206	16%	51	303	23%	42
Sevier	10	9%	37	49	45%	43
Sharp	1	1%	24	22	18%	54
St. Francis	1	3%	84	9	23%	55
Stone	0	0%	-	14	20%	55
Union	6	3%	31	58	30%	74
Van Buren	3	7%	18	16	39%	28
Washington	46	3%	42	223	17%	52
White	2	0%	21	92	21%	41
Woodruff	2	17%	63	9	75%	53
Yell	4	4%	59	21	19%	51

County	Durational v. Presumptive Sentence					
	Number of Cases Below	Percent County Applicable Cases	Average Months Below	Number of Cases Above	Percent County Applicable Cases	Average Months Above
Total	1,355	7%	56	3,399	19%	54

*Source: Arkansas Sentencing Order Form*

## DEPARTURE BY ASSIGNED LOCATION

Table 4 provides a comparison of statewide departure types by initial assigned location after sentencing for offenders. Assigned location is the initial assignment after sentencing of the offender within the Arkansas criminal justice system. Initial assignment after sentencing can be: prison or ADC, a Community Corrections Center (CCC) via judicial transfer, probation or SIS (PROB/SIS), or special conditions. “Special conditions” refers to all other sentencing options including but not limited to: fines, court costs, and community service.

Departure types have been separated into groups to present greater detail. Cases not applicable to the guidelines have been excluded from this table. “No” still indicates that there was no departure from the Arkansas sentencing guidelines. “Yes” indicates that there was a departure from the Arkansas sentencing guidelines.

“Durational Up” refers to a durational departure where the imposed sentence was higher than the presumptive sentence. “Durational Down” refers to a durational departure where the imposed sentence was lower than the presumptive sentence.

“Dispositional Up” refers to a dispositional departure where the initial assigned location for an offender to serve his or her sentence is considered of higher security than the location prescribed by the presumptive sentence. “Dispositional Down” refers to a dispositional departure where the initial assigned location for an offender to serve his or her sentence is considered of lower security than the location prescribed by the presumptive sentence. The order of location from highest security to lowest is as follows:

1. ADC
2. CCC via judicial transfer
3. PROB/SIS
4. SPECIAL CONDITIONS

“Both Dispositional & Durational” refers to a departure that is both durational and dispositional. This occurs when ADC time is the only recommended sentence, but the offender is sentenced to more or less ADC time than what is recommended in addition to a period of suspended imposition of sentence. For example, if the presumptive sentence is 120 months ADC, a dispositional and durational departure occurs if the offender is sentenced to 60 months ADC time followed by 60 months of suspended imposition of sentence.



*Example from Table 4:*

Of the total 18,125 applicable cases examined statewide, 7,119 cases had an assigned location after sentencing to the ADC. Of these 7,119 cases, 13 percent had a “No” departure while 87 percent had a “Yes” departure. Of these 7,119 cases, 46 percent had a durational up departure, 15 percent had a durational down departure, 21 percent had a dispositional up departure, 0 percent had a dispositional down departure and 5 percent had both a dispositional and durational departure.

*Significant Statistics for CY 2015:*

- 98 percent of cases with an assignment of probation/SIS had no departures.
- 13 percent of cases with an assignment of prison (ADC) had no departures.
- 46 percent of cases with an assignment of prison (ADC) had a durational up departure.
- 15 percent of cases with an assignment of prison (ADC) had a durational downward departure.
- 3 percent of cases with an assignment of a Community Corrections Center (CCC) had a departure.

TABLE 4  
STATEWIDE COMPARISON OF DEPARTURES WITH OFFENDER’S ASSIGNED LOCATION  
2015

Departure	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
APPLICABLE CASES EXAMINED	7,119	889	10,113	4
NO	13%	97%	98%	100%
YES	88%	3%	2%	0%
DURATIONAL UP <sup>▲</sup>	46%	1%	0%	0%
DURATIONAL DOWN <sup>▲</sup>	15%	0%	1%	0%
DISPOSITIONAL UP <sup>■</sup>	21%	1%	0%	0%
DISPOSITIONAL DOWN <sup>■</sup>	0%	1%	1%	0%
DISPOSITIONAL & DURATIONAL	5%	0%	0%	0%

*Source: Arkansas Sentencing Order Form*

▲ Durational = Length of Sentence

■ Dispositional = Assigned Location

## DEPARTURES BY SERIOUSNESS LEVEL

Table 5 provides statewide departure types (excluding non-applicable cases) for each possible outcome of the Arkansas Sentencing Standards Grid (the Grid) adopted by the Arkansas Sentencing Commission (ASC). The Grid is used to determine the presumptive sentence for an offender.

“Criminal History Score” refers to an offender’s criminal history score which is determined for each offender by filling out the Criminal History Worksheet. The worksheet itself and instructions for completing it are available at <http://www.arkansas.gov/asc/forms.html>.

“Offense Seriousness Level” refers to the seriousness ranking for an offense as determined by the ASC. Seriousness level is determined by the ASC after careful consideration of the statutory definition and felony class of the offense. Detailed listings of offense seriousness levels can be found at [www.arkansas.gov/asc](http://www.arkansas.gov/asc).

To read Table 5: The numbers listed on the left hand side of the table indicate the offense seriousness level. Within each seriousness level, each departure type (including “No” departure) is provided. Each cell indicates the percentage of cases by departure type, seriousness level, and criminal history score. Also, for each seriousness level and criminal history score, the average durational departure is indicated in terms of the number of months above and below the presumptive sentence.

### *Example from Table 5:*

For all applicable cases statewide with an offense seriousness level of 9 and a criminal history score of 0, 18 percent had “No Departure”; 40 percent had a durational up departure; 17 percent had a durational down departure; 0 percent had a dispositional up departure; 3 percent had a dispositional down departure; and 22 percent had both a dispositional and durational departure. For all cases statewide with an offense seriousness level of 9 and a criminal history score of 0, the average durational departure below the presumptive sentence was 86 months and the average durational departure above the presumptive sentence was 100 months.

### *Significant Statistics:*

- Cases with a criminal history score of 0 had the highest rate of non-departures across the grid.
- Most cases with an offense at seriousness level 9 and 10 and a criminal history score above 0 received a departure.
- The average length of durational departures, both upward and downward, increases with higher seriousness levels and criminal history scores.

TABLE 5  
STATEWIDE DEPARTURES BY SENTENCING COMMISSION GRID 2015  
(NOT APPLICABLE EXCLUDED)

Offense Seriousness Level	Departure Type	Criminal History Score					
		0	1	2	3	4	5+
10	% No Departure	31%	17%				
	% Durational Up	41%	66%	62%	100%		
	% Durational Down	28%	17%	25%		33%	100%
	% Dispositional Up						
	% Dispositional Down						
	% Both			13%		67%	
	Average Below	63	84	128		276	420
Average Above	100	87	66	72			
9	% No Departure	18%		7%	10%		
	% Durational Up	40%	36%	21%	10%		
	% Durational Down	17%	36%	51%	70%		100%
	% Dispositional Up						
	% Dispositional Down	3%					
	% Both	22%	28%	21%	10%		
	Average Below	86	77	189	234		600
Average Above	100	96	124	240			
8	% No Departure	23%	7%	5%	7%	6%	14%
	% Durational Up	20%	35%	12%	2%		
	% Durational Down	4%	15%	26%	37%	59%	43%
	% Dispositional Up						
	% Dispositional Down	22%	14%	9%	13%	6%	
	% Both	31%	29%	48%	41%	29%	43%
	Average Below	47	60	120	197	270	368
Average Above	90	100	152	160			
7	% None	50%	43%	28%	20%	4%	10%
	% Durational Up	47%	49%	53%	20%	14%	13%
	% Durational Down	3%	8%	19%	4%	20%	24%
	% Dispositional Up						
	% Dispositional Down				15%	14%	3%
	% Both				41%	48%	50%
	Average Below	14	17	29	53	68	158
Average Above	90	90	77	79	94	99	
6	% No Departure	75%	46%	35%	25%	10%	13%
	% Durational Up	23%	46%	38%	36%	7%	4%
	% Durational Down	1%	8%	27%	39%	23%	23%
	% Dispositional Up						
	% Dispositional Down	1%				15%	17%
	% Both					45%	43%
	Average Below	10	10	18	49	72	135
Average Above	77	59	54	63	50	108	
5	% No Departure	82%	64%	45%	39%	21%	12%
	% Durational Up		29%	38%	25%	6%	10%
	% Durational Down		7%	17%	36%	18%	35%
	% Dispositional Up	18%					
	% Dispositional Down					18%	17%
	% Both					37%	26%
	Average Below		18	22	27	57	93
Average Above		47	48	74	150	107	

Offense Seriousness Level	Departure Type	Criminal History Score					
		0	1	2	3	4	5+
4	% No Departure	85%	58%	38%	33%	34%	10%
	% Durational Up		41%	53%	39%	25%	11%
	% Durational Down		1%	9%	28%	41%	38%
	% Dispositional Up	15%					
	% Dispositional Down						17%
	% Both						24%
	Average Below		8	10	15	26	41
Average Above		41	40	42	51	43	
3	% No Departure	92%	67%	49%	40%	29%	35%
	% Durational Up			49%	50%	42%	31%
	% Durational Down			2%	10%	29%	34%
	% Dispositional Up	8%	33%				
	% Dispositional Down						
	% Both						
	Average Below			6	9	10	26
Average Above			31	33	32	45	
2	% No Departure	93%	68%	50%	34%	52%	32%
	% Durational Up				65%	46%	41%
	% Durational Down				1%	2%	27%
	% Dispositional Up	7%	32%	50%			
	% Dispositional Down						
	% Both						
	Average Below				6	12	13
Average Above				31	40	33	
1	% No Departure	100%	38%	67%			
	% Durational Up				100%	100%	
	% Durational Down						100%
	% Dispositional Up		62%	33%			
	% Dispositional Down						
	% Both						
	Average Below						12
Average Above				45	96		

Source: Arkansas Sentencing Order Form

## **AVERAGE SENTENCE LENGTH BY CRIME**

Table 6 provides the average length of incarceration statewide by offense. The “imposed average” is the average length of commitment to the Department of Corrections or a Department of Community Corrections facility via judicial transfer. All criminal history scores are represented within these averages. This “imposed average” does not include any consecutive suspended sentence (SIS) which may accompany the imposed portion of the sentence. Further, this “imposed average” is for *all occurrences* of the crime which are both subject to the guidelines and received a term of incarceration, not just the most serious offenses for a case, as are considered for other tables in this report. For example: if a defendant was sentenced to ADC for 60 months with a consecutive 48 months suspended, the imposed average on Tables D and 7 would include only the 60 month ADC sentence.

The crimes included in Table 6 are the “common offenses” listed for each seriousness level in the Arkansas Sentencing Commission, Sentencing Standards Grid, Offense Seriousness Rankings and Related Material Manual (November 2015). The selected offenses are intended to represent the most common offenses for each seriousness level.

To read Table 6: The numbers listed above each crime grouping indicate the offense seriousness level. The statute number is listed in column one, the offense classification is listed in column two and the crime name is listed in column three. Column four provides the average imposed sentence for the most common crimes within that seriousness level for which a conviction was handed down in 2015.

### *Example from Table 6:*

For all applicable crimes statewide with an classification of B and a statute number of § 5-39-201 (Residential Burglary, a common crime in seriousness level 6), the average imposed sentence was 99.2 months.

TABLE 6  
STATEWIDE AVERAGE SENTENCE LENGTH BY MOST COMMON CRIMES 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	300.3
Seriousness Level 9			
5-14-103	Y	Rape	288.9
5-10-101	Y	Capital Murder - Attempt	376.0
5-10-103	A	Murder II	277.1
5-13-201	Y	Battery I, Victim under 4 years old	212.0
5-13-210	Y	Introduction of C/S into Body to Commit Sexual Offense	300.0
5-13-310	Y	Terroristic Act	90.0
Seriousness Level 8			
5-11-102	Y	Kidnapping	237.2
5-12-103	Y	Aggravated Robbery	222.0
5-64-440(b)(1)	Y	Trafficking Methamphetamine	180.0
5-13-201	B	Battery I	143.3
5-26-303	B	Domestic Battery I	92.4
5-38-301	Y	Arson (=>\$100,000 Damage)	108.0
5-64-440(b)	Y	Trafficking a Controlled Substance, not Methamphetamine	117.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	203.0
Seriousness Level 7			
5-64-423(a)	A	Manufacture Methamphetamine	24.0
5-12-102	B	Robbery	149.3
5-13-210	Y	Intro C/S into Body (Schedule I-II)	160.0
5-14-124	A	Sexual Assault, 1st Degree	205.1
5-38-301	A	Arson (=>\$15,000 <\$100,000 Damage)	140.6
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (>10g <200g)	134.8
5-64-402	B	Failure to keep Records - Drug Free Zone	154.4
5-74-107	B	Discharge of a Firearm From Car (2nd Degree)	149.1
Seriousness Level 6			
5-64-403	B	Use of Paraphernalia to Manufacture Methamphetamine	240.0
5-64-423(a)	C	Manufacture of Methamphetamine	51.7
5-10-104	C	Manslaughter	113.1
5-11-102	B	Kidnapping	139.1
5-14-125	B	Sexual Assault, 2nd Degree	140.0
5-27-303	B	Engaging Child in Sex Explicit	36.0
5-36-103(b)(1)(A)	B	Theft of Property >\$25,000	111.2
5-39-201	B	Burglary - Residential	99.2

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 5			
5-26-202	C	Incest	132.0
5-37-201	B	Forgery I	85.5
5-38-301	B	Arson (=>\$5,000 <\$15,000 Damage)	92.0
5-39-201	C	Burglary - Commercial	78.8
5-54-105	B	Hindering Apprehension or Prosecution	172.5
5-54-120	C	Failure to Appear	52.3
5-64-436(b)(4)	B	Possession of Controlled Substance Schedule IV with Purpose to Deliver (>25 lbs. <100 lbs.)	57.6
Seriousness Level 4			
5-11-103	C	False Imprisonment I	85.9
5-13-202	D	Battery II	64.9
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 =<\$25,000	77.6
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 =<\$25,000	62.5
5-53-102	C	Perjury	36.0
5-54-110	C	Escape I	120.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (>4 oz. <25 lbs.)	79.5
5-64-438(b)(3)	C	Delivery of Schedule VI Controlled Substance with Purpose to Deliver (>4 oz. <25 lbs.)	82.8
Seriousness Level 3			
5-13-204	D	Aggravated Assault	57.2
5-26-401	D	Non-Support	57.0
5-37-201	C	Forgery II	61.8
5-37-207	C	Fraudulent Use of a Credit Card	36.0
5-38-203	C	Criminal Mischief I	70.8
5-39-202	D	Breaking or Entering	56.7
5-64-419(b)(5)(B)	D	Possession of Controlled Substance - Schedule VI (>1 oz. <4 oz.; 2 previous convictions)	21.0
5-64-419(b)(5)(C)	D	Possession of Controlled Substance - Schedule VI (>4 oz. <10 lbs.)	18.0
5-65-111(d)(1)	U	DWI 4	36.0
12-12-904	C	Sex Offender Failing to Register	50.1
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	54.5
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000 =<\$5,000	55.8
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000 =<\$5,000	54.2
5-54-111	D	Escape II	28.0
5-54-122	D	Filing False Report of Crime	43.2
5-73-103	D	Possession Firearm by Certain Persons	55.5

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 1			
5-37-203	D	Defrauding Second Creditors	72.0
5-41-103	D	Computer Fraud	48.0
27-53-103	D	Duty to Give Information or Render Aid	24.0

*Source: Arkansas Sentencing Order Form*



## DEPARTURE REASONS

Table 7 provides a brief summary of aggravating and mitigating departure reasons provided on the Sentencing Order form. These departure reasons serve as standardized reasons for departing from the presumptive sentence established both by statute and the Arkansas Sentencing Commission. Note: Multiple departure reasons may be used per offense and per case.

*Example from Table 7:*

The number of applicable cases statewide with an aggravating reason required was 4,909. Of those 4,909 cases, 5,437 aggravating reasons were given. Therefore, the average number of aggravating reasons given was 1.1.

*Significant Statistics:*

- 27 percent of cases required an aggravating departure reason while 8 percent of cases required a mitigating departure reason.

TABLE 7  
STATEWIDE AGGRAVATING AND MITIGATING DEPARTURE REASONS 2015

Cases examined	18,125	100%
Cases without a Departure	11,706	65%
Cases with Aggravating Reasons Required	4,909	27%
Total Aggravating Reasons Given	5,437	
Average Aggravating Reasons per Case	1.1	
Cases with Mitigating Reasons Required	1,510	8%
Total Mitigating Reasons Given	1,515	
Average Mitigating Reasons per Case	1.0	

*Source: Arkansas Sentencing Order Form*

## AGGRAVATING DEPARTURE REASONS

Tables 8 and 9 provide a summary of aggravating reasons given for the statewide cohort used for analyzing 2015 sentencing practices in Arkansas. Reasons 1 through 15 are standardized. Reason 16 requires additional explanation.

The aggravating departure reasons are as follows:

1. Offender's conduct manifested extreme cruelty during commission of current offense.
2. Offender knew victim vulnerable due to extreme youth, advanced age, disability or ill health.
3. Offense was major economic offense established by one of the following criteria: (a) multiple victims/incidents, (b) monetary loss substantially greater than typical, (c) degree of sophistication or time, (d) misuse of fiduciary duty, or (e) other similar conduct.
4. Offense was major controlled substance offense if two or more of the following are present: (a) Three or more separate transactions involve sale, transfer or possession with intent; (b) Amounts substantially larger than the statutory minimums which define the offense; (c) Offense involved a high degree of planning or lengthy period or broad geographic area; (d) Offender occupied a high position in the drug distribution hierarchy; (e) Offender misused position of trust or status or fiduciary duty to facilitate commission; (f) Offender has received substantial income or resources from drug trafficking.
5. Offender employed firearm in furtherance or flight unless such use is element of offense.
6. Offense was sexual offense and part of pattern with the same or different victims under eighteen.
7. Policy on multiple offenses in a single course of conduct in offender's prior criminal history results in a sentence that is clearly too lenient.
8. Offense was committed in manner that exposed risk of injury to others.
9. Offense was a violent or sexual offense committed in victim's zone of privacy.
10. Offender attempted to cover offense by intimidation of witnesses, tampering of evidence, or misleading authorities.
11. Offense committed to avoid arrest or effect escape.
12. Offender lacks minimum insurance in a vehicular homicide.
13. Statutory minimum sentence overrides the presumptive sentence.
14. Multiple concurrent sentences being entered at this time require a higher sentence.
15. Sentence is higher as a result of other charges being dropped or merged.
16. Other

*Example from Table 8:*

The number of aggravating reasons given for all applicable cases examined in 2015 was 5,437. Of these 5,437 aggravating reasons, 306 (or 6 percent of all aggravating reasons given) were aggravating reason number 7: Policy on multiple offenses in a single course of conduct in offender's prior criminal history results in a sentence that is clearly too lenient.

TABLE 8  
STATEWIDE AGGRAVATING DEPARTURE REASONS GIVEN 2015

Aggravating Departure Reason	Number	Percent of Total
1	17	0%
2	89	2%
3	31	1%
4	17	0%
5	20	0%
6	43	1%
7	306	6%
8	99	2%
9	60	1%
10	19	0%
11	14	0%
12	9	0%
13	53	1%
14	1,228	23%
15	739	14%
Other	1,915	35%
No Reason Given	778	14%
Total	5,437	100%

*Source: Arkansas Sentencing Order Form*

Table 9 provides a summary of the top explanations for aggravating departure reason “Other” which requires additional information. This data was gleaned from the Sentencing Order forms for the statewide cohort used for analyzing 2015 sentencing practices in Arkansas.

*Example from Table 9:*

Statewide, the number of cases where an aggravating factor of “Other” was required numbered 1,915. Of these 1,915 cases, 1,213 (or 63 percent) had an explanation of “Negotiated Plea” provided to explain the use of “Other.” This was the most common explanation for the aggravating reason of “Other.”

TABLE 9  
STATEWIDE AGGRAVATING DEPARTURE REASONS REQUIRING EXPLANATION 2015

Top Explanations for "Other" Aggravating Departure	Number	Percent
Instances where an explanation is required	1,915	100%
Negotiated Plea	1,213	63%
Prior criminal history	147	8%
On supervision	112	6%
Nature of offense	48	2%
Habitual offender	41	2%
No explanation provided	261	14%
All other	93	5%

*Source: Arkansas Sentencing Order Form*

## MITIGATING DEPARTURE REASONS

Tables 10 and 11 provide a summary of mitigating reasons given for the statewide cohort used for analyzing 2015 sentencing practices in Arkansas. Reasons 1 through 9 are standardized. Reason 10 requires additional explanation.

The mitigating departure reasons are as follows:

1. Victim played an aggressive role or provoked the incident or was a willing participant.
2. Offender lacked capacity of judgment due to mental or physical impairment.
3. Offender played a minor or passive role in crime.
4. Offender compensated/made effort to compensate for damage or injury before detection.
5. Offender was lesser participant showing caution/concern for safety or well-being of victim.
6. Offender acted in response to continuing physical/sexual abuse by victim.
7. Policy on multiple offenses in single course of conduct in offender's prior criminal history results in sentence which is excessive for this offense.
8. Offender voluntarily admitted sexual offense and sought treatment before detection.
9. Offender made effort to provide assistance in investigation or prosecution of another as indicated by motion of state (can weigh timeliness of assistance, nature and extent of assistance, and truthfulness, completeness, and demonstrable reliability of info or testimony).
10. Other

*Example from Table 10:*

The number of mitigating reasons given for all cases examined in 2015 was 1,515. Of these 1,515 mitigating reasons, 16 (or 1 percent of all mitigating reasons) were mitigating reason number 1: Victim played an aggressive role or provoked the incident or was a willing participant.

TABLE 10  
STATEWIDE MITIGATING DEPARTURE REASONS GIVEN 2015

Mitigating Departure Reason	Number	Percent of Total
1	16	1%
2	11	1%
3	9	1%
4	3	0%
5	1	0%
6	0	0%
7	172	11%
8	1	0%
9	15	1%
Other	467	31%
No Reason Given	820	54%
Total	1,515	100%

*Source: Arkansas Sentencing Order Form*

Table 11 provides a summary of the top explanations for mitigating departure reason “Other” which requires additional information. This data was gleaned from the Sentencing Order forms for the statewide cohort used for analyzing 2015 sentencing practices in Arkansas.

*Example from Table 11:*

The number of cases statewide where a mitigating reason of “Other” was required numbered 467. Of these 467 cases, 216 (or 47 percent) had an explanation of “Negotiated Plea” provided to explain the use of “Other.” This was the most common explanation for the mitigating reason of “Other.”

TABLE 11  
MITIGATING DEPARTURE REASONS REQUIRING EXPLANATION 2015

Top Explanations for "Other" Mitigating Departure	Number	Percent
Instances where an explanation is required	467	100%
Negotiated Plea	216	47%
Prior criminal history	16	3%
Concurrent/consecutive sentences	15	3%
Defendant cooperative	15	3%
Restitution/victim related	9	2%
No explanation provided	96	21%
All other	100	21%

*Source: Arkansas Sentencing Order Form*

## MOST COMMON EXPLANATIONS FOR “OTHER” DEPARTURE REASON 2015

This is a list of the most common explanations given when the departure reason indicated is “Other” and additional information is required. This data was gleaned from the Sentencing Order forms for the statewide cohort used for analyzing 2015 sentencing in Arkansas. This list includes both aggravating and mitigating reasons. These have been compressed into groups of similar explanations to ease analysis.

1. “Drug related” - The explanation indicated that a departure was necessary due to the offense involving a high level of drug activity.
2. “On supervision” - The explanation indicated that a departure was necessary because the defendant was on some sort of supervision (parole, probation, SIS) when the current offense was committed.
3. “Restitution/victim related” - The explanation indicated that the victim requested clemency and/or the defendant had performed some form of restitution.
4. “Admission of guilt” - The explanation indicated the defendant had admitted guilt for the offense.
5. “Age of offender” - The explanation indicated that the offender’s age influenced the reason to depart from the presumptive sentence.
6. “Habitual offender” - The explanation indicated the departure was based on the fact that the defendant has been classified as a habitual offender.
7. “Sex offender” - The explanation indicated the departure was based on the offender’s history as a sex offender.
8. “Negotiated plea” - The explanation indicated the departure was arrived at due to a Negotiated plea with the defendant.
9. “70%er” - The explanation indicated the departure was arrived at based on the offense being classified as one sentenced under Acts 1326, 1135 or 1268.
10. “Prior criminal history” - The explanation indicated that the defendant’s prior criminal history was severe enough to warrant a departure.
11. “Court imposed” - The explanation indicated the sentence was imposed by the court.
12. “Nature of offense” - The explanation indicated the nature of the current offense was heinous enough to warrant a departure.
13. “Concurrent/Consecutive” - The explanation indicated that concurrent and/or consecutive sentencing for multiple offenses warrants a departure from the most serious offense sentencing.
14. “Defendant cooperative” - The explanation indicated that due to the defendant’s cooperation with law enforcement and/or the prosecution a departure was warranted.
15. “Failed drug court” - The explanation indicated that the defendant had failed drug court supervision and thus a departure was warranted.
16. “FTA” - The explanation indicated that the defendant had a failure to appear in court.
17. “Docket congestion” - The explanation indicated that due to docket congestion a departure was warranted.
18. “Prior criminal history – good” - The explanation indicated that the defendant’s prior criminal history was favorable and thus a departure was warranted.
19. “In treatment/program” – The explanation indicated that the defendant’s sentence was mitigated due to a participation in drug treatment or other program.

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### **PART III. COMPARISON OF DATA BY YEAR: 2013 - 2015**

This section of the report compares key indicators of sentencing in the state of Arkansas and draws some conclusions on the two year stability or emerging trends in these areas.

TABLE I  
STATEWIDE DATA COMPARISON BY YEAR

Year by Year Comparison of Section I Table B	Year		
	2015	2014	2013
Total Number of Offenses	60,697	63,691	60,752
Average Number of Offenses Per Case	2.4	3.0	5.0
Total Number of Cases	29,486	29,609	29,868
Total Nolle Prossed/Dismissed/Acquitted	1,990	2,851	2,739
Total Misdemeanors	2,969	2,063	2,384
Total County Jail	291	151	198
Total Cases Eliminated	5,250	5,065	5,321
Total Number of Most Serious Offenses Per Case	24,236	24,544	24,547
No Case Number and/or Name	93	52	92
Court Date not Within Current Year	0	0	1,177
Missing Criminal History Score	1,271	1,083	771
Cannot determine imposed location	101	62	58
No Offender Sentence	75	82	147
Total Number of Case-Offenders Included in Analysis	22,696	23,265	22,302

Comparing keys statistics in Table I shows a slight increase in case-offenders analyzed from 2013 to 2014 and a subsequent slight decrease from 2014 to 2015.

TABLE II  
STATEWIDE CASES BY DEPARTURE TYPE BY YEAR

Year by Year Comparison of Totals from Section II Table 2							
Year	Number of Applicable Cases	Departure Type					
		No Departure	Percent County Applicable Cases	Upward Departure	Percent County Applicable Cases	Downward Departure	Percent County Applicable Cases
2013	17,326	10,870	63%	5,164	30%	1,292	7%
2014	18,460	11,876	64%	5,256	29%	1,328	7%
2015	18,125	11,706	65%	4,909	27%	1,510	8%

*Source: Arkansas Sentencing Order Form*

Similar to the overall departure rate yearly comparison, departures by type are also consistent over the three year time period.

TABLE III-A  
STATEWIDE COMPARISON OF NO DEPARTURE BY COUNTY BY YEAR

Year by Year Comparison from Section II Table 2			
County	No Departure 2013	No Departure 2014	No Departure 2015
Arkansas	74%	80%	88%
Ashley	10%	48%	59%
Baxter	59%	55%	57%
Benton	71%	75%	78%
Boone	25%	58%	69%
Bradley	60%	62%	58%
Calhoun	37%	53%	78%
Carroll	39%	59%	81%
Chicot	50%	64%	65%
Clark	45%	63%	54%
Clay	93%	83%	91%
Cleburne	62%	70%	73%
Cleveland	59%	49%	59%
Columbia	72%	70%	81%

<b>Year by Year Comparison from Section II Table 2</b>			
County	No Departure 2013	No Departure 2014	No Departure 2015
Conway	68%	59%	68%
Craighead	79%	86%	85%
Crawford	74%	73%	75%
Crittenden	71%	79%	77%
Cross	25%	88%	0%
Dallas	53%	52%	79%
Desha	48%	65%	49%
Drew	62%	65%	53%
Faulkner	70%	68%	66%
Franklin	72%	52%	63%
Fulton	67%	60%	74%
Garland	42%	53%	50%
Grant	66%	46%	46%
Greene	70%	68%	63%
Hempstead	61%	68%	70%
Hot Spring	57%	63%	58%
Howard	45%	27%	40%
Independence	55%	58%	57%
Izard	72%	71%	73%
Jackson	62%	65%	49%
Jefferson	61%	58%	52%
Johnson	65%	54%	50%
Lafayette	43%	32%	70%
Lawrence	74%	75%	67%
Lee	86%	75%	77%
Lincoln	85%	61%	81%
Little River	50%	39%	38%
Logan	50%	76%	38%
Lonoke	65%	70%	65%
Madison	67%	71%	83%
Marion	86%	81%	84%
Miller	63%	65%	67%

<b>Year by Year Comparison from Section II Table 2</b>			
County	No Departure 2013	No Departure 2014	No Departure 2015
Mississippi	68%	77%	80%
Monroe	62%	58%	52%
Montgomery	76%	54%	70%
Nevada	15%	0%	59%
Newton	75%	81%	25%
Ouachita	62%	72%	65%
Perry	46%	68%	82%
Phillips	82%	75%	79%
Pike	44%	50%	45%
Poinsett	87%	91%	85%
Polk	65%	67%	59%
Pope	67%	60%	64%
Prairie	29%	47%	48%
Pulaski	62%	60%	56%
Randolph	81%	85%	84%
Saline	64%	63%	68%
Scott	61%	62%	78%
Searcy	72%	70%	60%
Sebastian	48%	50%	50%
Sevier	4%	12%	16%
Sharp	56%	83%	74%
St. Francis	75%	78%	43%
Stone	77%	81%	73%
Union	18%	24%	50%
Van Buren	65%	55%	39%
Washington	59%	66%	72%
White	73%	72%	71%
Woodruff	43%	55%	0%
Yell	42%	51%	66%
Total	63%	64%	65%

*Source: Arkansas Sentencing Order Form*

Table III-A provides the percentage of applicable cases with no departures rates for individual counties from 2013 - 2015. Note that, in 2013, the Sentencing Commission did not receive all Sentencing Orders from Ashley County in time for inclusion of the data in this report.

**TABLE III-B  
STATEWIDE COMPARISON BY DEPARTURE TYPE BY COUNTY BY YEAR**

<b>Year by Year Comparison By County from Section II Table 2</b>						
County	Departure Type					
	Upward Departure 2013	Upward Departure 2014	Upward Departure 2015	Downward Departure 2013	Downward Departure 2014	Downward Departure 2015
Arkansas	19%	12%	5%	7%	8%	7%
Ashley	70%	46%	36%	20%	6%	5%
Baxter	39%	42%	38%	2%	3%	5%
Benton	26%	22%	18%	3%	3%	4%
Boone	67%	31%	26%	8%	11%	5%
Bradley	33%	25%	37%	7%	13%	5%
Calhoun	50%	47%	22%	13%	0%	0%
Carroll	50%	38%	16%	11%	3%	3%
Chicot	42%	33%	31%	8%	3%	4%
Clark	30%	28%	37%	25%	9%	9%
Clay	5%	17%	8%	2%	0%	1%
Cleburne	28%	25%	26%	10%	5%	1%
Cleveland	39%	46%	38%	2%	5%	3%
Columbia	25%	25%	17%	3%	5%	1%
Conway	29%	35%	27%	3%	6%	5%
Craighead	14%	9%	7%	7%	5%	7%
Crawford	20%	21%	16%	6%	6%	9%
Crittenden	21%	14%	11%	8%	7%	11%

**Year by Year Comparison By County from Section II Table 2**

County	Departure Type					
	Upward Departure 2013	Upward Departure 2014	Upward Departure 2015	Downward Departure 2013	Downward Departure 2014	Downward Departure 2015
Cross	31%	6%	70%	44%	6%	30%
Dallas	41%	45%	12%	6%	3%	9%
Desha	45%	31%	39%	7%	4%	11%
Drew	31%	32%	41%	7%	3%	6%
Faulkner	26%	29%	30%	4%	3%	4%
Franklin	23%	33%	20%	5%	15%	17%
Fulton	26%	25%	20%	7%	15%	6%
Garland	51%	40%	39%	7%	7%	11%
Grant	31%	44%	49%	3%	10%	5%
Greene	21%	24%	29%	9%	8%	8%
Hempstead	35%	28%	27%	4%	4%	3%
Hot Spring	37%	32%	37%	6%	5%	5%
Howard	40%	64%	49%	15%	9%	11%
Independence	37%	35%	35%	8%	7%	9%
Izard	24%	19%	27%	4%	10%	0%
Jackson	32%	30%	46%	6%	5%	5%
Jefferson	28%	30%	34%	11%	12%	14%
Johnson	24%	32%	28%	11%	14%	22%
Lafayette	32%	58%	23%	25%	10%	7%
Lawrence	20%	21%	28%	6%	4%	5%
Lee	14%	17%	19%	0%	8%	3%
Lincoln	5%	22%	11%	10%	17%	8%
Little River	49%	53%	57%	1%	8%	6%
Logan	47%	20%	57%	3%	4%	5%
Lonoke	30%	24%	26%	5%	6%	10%
Madison	31%	22%	12%	2%	7%	5%
Marion	6%	16%	13%	8%	3%	4%
Miller	27%	27%	26%	10%	8%	8%
Mississippi	27%	17%	11%	5%	6%	9%

**Year by Year Comparison By County from Section II Table 2**

County	Departure Type					
	Upward Departure 2013	Upward Departure 2014	Upward Departure 2015	Downward Departure 2013	Downward Departure 2014	Downward Departure 2015
Monroe	19%	27%	21%	19%	15%	26%
Montgomery	20%	34%	23%	74%	12%	7%
Nevada	73%	92%	35%	12%	8%	6%
Newton	25%	19%	69%	0%	0%	6%
Ouachita	30%	20%	27%	8%	8%	8%
Perry	51%	26%	14%	3%	6%	5%
Phillips	9%	10%	5%	9%	15%	16%
Pike	50%	45%	45%	6%	5%	9%
Poinsett	8%	7%	12%	5%	2%	3%
Polk	33%	32%	38%	2%	1%	3%
Pope	23%	30%	23%	10%	10%	13%
Prairie	48%	40%	43%	23%	13%	9%
Pulaski	27%	28%	31%	11%	12%	13%
Randolph	14%	13%	10%	5%	2%	6%
Saline	31%	32%	28%	5%	5%	4%
Scott	34%	30%	18%	5%	8%	4%
Searcy	22%	23%	36%	6%	7%	4%
Sebastian	40%	38%	33%	12%	12%	17%
Sevier	85%	78%	75%	11%	10%	9%
Sharp	38%	15%	24%	6%	2%	2%
St. Francis	22%	11%	50%	3%	11%	8%
Stone	16%	18%	24%	7%	1%	3%
Union	75%	72%	47%	7%	4%	3%
Van Buren	25%	41%	54%	10%	4%	7%
Washington	38%	30%	24%	3%	4%	4%
White	27%	27%	28%	0%	1%	1%
Woodruff	43%	36%	83%	14%	9%	17%
Yell	51%	44%	30%	7%	5%	4%
Total	30%	29%	27%	7%	7%	8%

TABLE IV  
STATEWIDE DURATIONAL DEPARTURES BY YEAR

<b>Year by Year Comparison of Totals from Section II Table 3</b>						
	Durational v. Presumptive Sentence					
Year	Number of Cases Below	Percent County Applicable Cases	Avg. Months Below	Number of Cases Above	Percent County Applicable Cases	Avg. Months Above
2013	1,319	8%	61	3,536	20%	59
2014	1,394	8%	56	3,487	19%	58
2015	1,355	7%	56	3,399	19%	54

*Source: Arkansas Sentencing Order Form*

Table III-B provides both the upward and downward departure rates for individual counties from 2013 - 2015. Note that, in 2013, the Sentencing Commission did not receive all Sentencing Orders from Ashley County in time for inclusion of the data in this report. Although the volume of both upward and downward departures has changed from the first year of analysis, the rate of upward and downward, durational departure remains stable. Also, the amount of time (months) over and under the presumptive sentence also remains stable.



TABLE V-A  
STATEWIDE COMPARISON OF DEPARTURES  
WITH OFFENDER'S ASSIGNED LOCATION TO ADC & CCC BY YEAR

<b>Year by Year Comparison of Section II Table 4</b>						
Departure	Assigned Location					
	ADC			CCC		
	2015	2014	2013	2015	2014	2013
APPLICABLE CASES EXAMINED	7,119	7,563	7,367	889	947	842
NO	13%	16%	16%	97%	96%	95%
YES	87%	84%	84%	3%	4%	5%
DURATIONAL UP <sup>▲</sup>	46%	45%	46%	1%	1%	0%
DURATIONAL DOWN <sup>▲</sup>	15%	14%	13%	0%	1%	0%
DISPOSITIONAL UP <sup>■</sup>	21%	20%	18%	1%	0%	1%
DISPOSITIONAL DOWN <sup>■</sup>	0%	0%	0%	1%	2%	4%
BOTH DISPOSITIONAL & DURATIONAL	5%	5%	5%	0%	0%	0%

*Source: Arkansas Sentencing Order Form*

▲ Durational = Length of Sentence

■ Dispositional = Assigned Location

TABLE V-B  
STATEWIDE COMPARISON OF DEPARTURES  
WITH OFFENDER'S ASSIGNED LOCATION TO PROB/SIS & SPECIAL CONDITIONS BY YEAR

<b>Year by Year Comparison of Section II Table 4</b>						
Departure	Assigned Location					
	PROB/SIS			SPECIAL CONDITIONS		
	2015	2014	2013	2015	2014	2013
APPLICABLE CASES EXAMINED	10,113	9,944	8,980	4	6	137
NO	98%	98%	98%	100%	100%	75%
YES	2%	2%	2%	0%	0%	25%
DURATIONAL UP <sup>▲</sup>	0%	0%	0%	0%	0%	10%
DURATIONAL DOWN <sup>▲</sup>	1%	1%	0%	0%	0%	7%
DISPOSITIONAL UP <sup>■</sup>	0%	0%	0%	0%	0%	0%
DISPOSITIONAL DOWN <sup>■</sup>	1%	1%	2%	0%	0%	7%
BOTH DISPOSITIONAL & DURATIONAL	0%	0%	0%	0%	0%	1%

*Source: Arkansas Sentencing Order Form*

▲ Durational = Length of Sentence

■ Dispositional = Assigned Location

When looking at departure rates by type and offender placement over the three year period, a similar picture of consistency emerges. Very little to no variance exists when examining upward and downward durational and dispositional departures when examined by final assigned location.

TABLE VI  
STATEWIDE AGGRAVATING AND MITIGATING DEPARTURE REASONS BY YEAR

<b>Year by Year Comparison of Section II Table 7</b>						
	2015		2014		2013	
Cases examined	18,125	100%	18,460	100%	17,326	100%
Cases without a Departure	11,706	65%	11,876	64%	10,870	63%
Cases w/ Aggravating Reason Required	4,909	27%	5,256	29%	5,164	30%
Total Aggravating Reason	5,437		6,087		6,130	
Average Aggravating Reason per form	1.1		1.2		1.2	
Cases w/ Mitigating Reason Required	1,510	8%	1,328	7%	1,292	7%
Total Mitigating Reasons	1,515		1,338		1,300	
Average Mitigating Reason per form	1		1		1	

*Source: Arkansas Sentencing Order Form*

Aggravating and mitigating rates of departure remain constant over the three year period. Looking more closely at the aggravating and mitigating reasons for departure, the most common aggravating reasons is “multiple concurrent sentences require a higher sentence” while most mitigating departures have no reason given.

TABLE VII  
STATEWIDE AGGRAVATING DEPARTURE REASONS GIVEN BY YEAR

<b>Year by Year Comparison of Section II Table 8</b>			
Aggravating Departure Reason	2015 % of Total	2014 % of Total	2013 % of Total
1	0%	0%	0%
2	2%	2%	2%
3	1%	1%	1%
4	0%	1%	1%
5	0%	1%	0%
6	1%	1%	1%
7	6%	5%	5%
8	2%	3%	2%
9	1%	1%	1%
10	0%	0%	1%
11	0%	1%	1%
12	0%	0%	0%
13	1%	1%	2%
14	23%	25%	26%
15	14%	13%	14%
Other	35%	28%	26%
No Reason Given	14%	17%	17%
Total	100%	100%	100%

*Source: Arkansas Sentencing Order Form*

TABLE VIII  
STATEWIDE MITIGATING DEPARTURE REASONS GIVEN BY YEAR

<b>Year by Year Comparison of Section II Table 10</b>			
Mitigating Departure Reason	2015 % of Total	2014 % of Total	2013 % of Total
1	1%	1%	1%
2	1%	1%	0%
3	1%	1%	2%
4	0%	0%	0%
5	0%	0%	0%
6	0%	0%	0%
7	11%	12%	10%
8	0%	0%	0%
9	1%	1%	3%
Other	31%	28%	29%
No Reason Given	54%	56%	55%
Total	100%	100%	100%

*Source: Arkansas Sentencing Order Form*

## **PART IV: COUNTY BY COUNTY ANALYSIS**

Part IV of this report provides a county-by-county analysis of the results of sentences to the Department of Correction and the Department of Community Correction. The data that comprises this report was extracted from all Sentencing Order forms with a CY 2015 court date received by the ASC that were submitted to the circuit judge for signature and filed in the Office of the Circuit Clerk. District court cases, including those originally charged as a felony and disposed of as a misdemeanor, are NOT included in this report. Therefore, this report should not be used in determining overall caseload for any specific county.

The total number of offenses submitted in 2015 was 60,697 with an average number of offenses per case per offender of 2.4. From this universe of cases the following cases were eliminated: 1,990 nolle prossed/dismissed/acquitted cases; 2,969 misdemeanor cases; 291 county jail cases; 1,271 cases with no criminal history score; 93 with no case number and/or name; 75 cases with no offender sentence; 101 cases in which the imposed location could not be determined; and 4,571 cases that were not applicable to the guidelines, such as jury trials and probation revocations. The total number of applicable cases included in Part IV is 18,125. The total number of cases applicable to the guidelines for each county appears under the name of the county on the following pages.

Table A provides a comparison of departure types by initial assigned location after sentencing for offenders. Assigned location is the initial assignment after sentencing of the offender within the Arkansas criminal justice system. A durational departure occurs when an offender is sentenced to the Arkansas Department of Correction (ADC) for a greater or lesser amount of months than the presumptive sentence. A dispositional departure occurs when the assigned location of an offender's sentence differs from the presumptive sentence established in the Arkansas sentencing guidelines.

Table B provides the average sentence length statewide by offense. The "imposed average" is the average length of commitment to the Department of Corrections or a Department of Community Corrections facility via judicial transfer. This "imposed average" does not include any consecutive suspended sentence (SIS) which may accompany the imposed portion of the sentence. Further, this "imposed average" is for *all occurrences* of the crime that are subject to the guidelines, not just the most serious offenses for a case, as are considered for other tables in this report. For example: if a defendant was sentenced to ADC for 60 months with a consecutive 48 months suspended, the imposed average on Tables B and 6 would include only the 60 month ADC sentence. The averages also include all criminal history scores. The crimes included in Table B are the "common offenses" listed for each seriousness level in the Arkansas Sentencing Commission, Sentencing Standards Grid, Offense Seriousness Rankings and Related Material Report (November 2015). The selected offenses are intended to represent the most common offenses for each seriousness level.

**ARKANSAS COUNTY**

Total Number of Applicable Cases: 122

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	74%	71%	100%	
DURATIONAL UP	10%			
DURATIONAL DOWN	14%			
DISPOSTIONAL UP	2%			
DISPOSITIONAL DOWN		29%		
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	300.0
Seriousness Level 8			
5-13-201	B	Battery I	120.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	120.0
Seriousness Level 6			
5-64-403	B	Use of Paraphernalia to Manufacture Methamphetamine	240.0
5-39-201	B	Burglary - Residential	198.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	86.0
5-54-120	C	Failure to Appear	66.0
Seriousness Level 4			
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	69.0
5-53-102	C	Perjury	36.0
5-13-202	D	Battery II	24.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	18.0
5-39-202	D	Breaking or Entering	18.0
12-12-904	C	Sex Offender Failing to Register	30.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	36.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	26.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	18.0
5-73-103	D	Possession Firearm by Certain Persons	18.0



**ASHLEY COUNTY**

Total Number of Applicable Case: 186

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDER'S ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	5%	100%	99%	100%
DURATIONAL UP	59%			
DURATIONAL DOWN	7%			
DISPOSTIONAL UP	20%			
DISPOSITIONAL DOWN			1%	
DISPOSITIONAL & DURATIONAL	9%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	232.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	360.0
Seriousness Level 6			
5-10-104	C	Manslaughter	120.0
5-39-201	B	Burglary - Residential	129.0
Seriousness Level 5			
5-37-201	B	Forgery I	36.0
Seriousness Level 4			
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	84.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000=<\$25,000	48.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	24.0
5-13-202	D	Battery II	126.0
Seriousness Level 3			
5-37-201	C	Forgery II	96.0
5-38-203	C	Criminal Mischief I	120.0
5-39-202	D	Breaking or Entering	33.0
12-12-904	C	Sex Offender Failing to Register	36.0
Seriousness Level 2			
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	60.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	30.0
5-73-103	D	Possession Firearm by Certain Persons	55.3
Seriousness Level 1			
5-41-103	D	Computer Fraud	72.0

**BAXTER COUNTY**

Total Number of Applicable Cases: 245

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	4%	94%	94%	
DURATIONAL UP	53%			
DURATIONAL DOWN	8%		1%	
DISPOSTIONAL UP	35%		4%	
DISPOSITIONAL DOWN		6%	1%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	300.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	84.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	240.0
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	144.0
5-39-201	B	Burglary - Residential	48.0
Seriousness Level 5			
5-37-201	B	Forgery I	96.0
5-39-201	C	Burglary - Commercial	57.0
5-54-105	B	Hindering Apprehension or Prosecution	144.0
5-54-120	C	Failure to Appear	60.0
Seriousness Level 4			
5-13-202	D	Battery II	30.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	100.0
Seriousness Level 3			
12-12-904	C	Sex Offender Failing to Register	24.0
5-13-204	D	Aggravated Assault	36.0
5-37-201	C	Forgery II	51.4
5-39-202	D	Breaking or Entering	40.0
Seriousness Level 2			
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	36.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	56.0
5-73-103	D	Possession Firearm by Certain Persons	57.0
Seriousness Level 1			
5-37-203	D	Defrauding Second Creditors	72.0

**BENTON COUNTY**

Total Number of Applicable Cases: 1,341

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	18%	99%	99%	
DURATIONAL UP	51%			
DURATIONAL DOWN	9%			
DISPOSTIONAL UP	14%			
DISPOSITIONAL DOWN		1%	1%	
DISPOSITIONAL & DURATIONAL	8%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	360.0
Seriousness Level 9			
5-14-103	Y	Rape	207.4
Seriousness Level 8			
5-11-102	Y	Kidnapping	240.0
5-12-103	Y	Aggravated Robbery	176.8
5-13-201	B	Battery I	172.0
5-38-301	Y	Arson (=> \$100,000 Damage)	120.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	220.0
Seriousness Level 7			
5-12-102	B	Robbery	169.9
5-14-124	A	Sexual Assault, 1st Degree	171.6
5-38-301	A	Arson (=>\$15,000 <\$100,000 Damage)	120.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	144.0
Seriousness Level 6			
5-11-102	B	Kidnapping, victim voluntarily released alive	180.0
5-14-125	B	Sexual Assault, 2nd Degree	127.2
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	132.0
5-39-201	B	Burglary - Residential	108.0
5-64-423(a)	C	Manufacture of Methamphetamine	54.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	105.0
5-54-120	C	Failure to Appear	50.0
Seriousness Level 4			
5-13-202	D	Battery II	72.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	68.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	36.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	52.8
5-64-438(b)(3)	C	Delivery of Schedule VI Controlled Substance (=>4 oz. <25 lbs)	120.0

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 3			
12-12-904	C	Sex Offender Failing to Register	94.9
5-13-204	D	Aggravated Assault	38.0
5-37-201	C	Forgery II	78.7
5-37-207	C	Fraudulent Use of a Credit Card	48.0
5-38-203	C	Criminal Mischief I	36.0
5-39-202	D	Breaking or Entering	54.4
Seriousness Level 2			
27-53-101	D	Failure to Stop After Accident With Injury or Death	60.0
5-13-301	D	Terroristic Threatening I	54.6
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	54.6
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	62.4
5-54-122	D	Filing False Report of Crime	60.0
5-73-103	D	Possession Firearm by Certain Persons	61.5

**BOONE COUNTY**

Total Number of Applicable Cases: 151

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	6%	100%	100%	
DURATIONAL UP	42%			
DURATIONAL DOWN	14%			
DISPOSTIONAL UP	38%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				



TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	180.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	108.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	72.0
5-39-201	B	Burglary - Residential	88.7
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	96.0
Seriousness Level 4			
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	60.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	27.0
5-37-201	C	Forgery II	42.0
5-39-202	D	Breaking or Entering	36.0
12-12-904	C	Sex Offender Failing to Register	96.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	30.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	44.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	36.0

**BRADLEY COUNTY**

Total Number of Applicable Cases: 43

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	4%	100%	100%	
DURATIONAL UP	74%			
DURATIONAL DOWN				
DISPOSTIONAL UP	11%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	11%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	120.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	99.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	102.0
Seriousness Level 4			
5-13-202	D	Battery II	78.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	126.0
Seriousness Level 3			
5-37-201	C	Forgery II	24.0
5-39-202	D	Breaking or Entering	124.8
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	72.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	102.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	120.0

**CALHOUN COUNTY**

Total Number of Applicable Cases: 19

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	20%		100%	
DURATIONAL UP	60%			
DURATIONAL DOWN				
DISPOSTIONAL UP	20%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 6			
5-39-201	B	Burglary - Residential	96.0
Seriousness Level 4			
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	60.0
Seriousness Level 2			
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	120.0

**CARROLL COUNTY**

Total Number of Applicable Cases: 119

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	5%	100%	98%	
DURATIONAL UP	41%			
DURATIONAL DOWN	9%			
DISPOSTIONAL UP	36%		1%	
DISPOSITIONAL DOWN			1%	
DISPOSITIONAL & DURATIONAL	9%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	240.0
Seriousness Level 8			
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	180.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	132.0
5-64-402	B	Failure to keep Records - Drug Free Zone	180.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	168.0
Seriousness Level 5			
5-38-301	B	Arson (=>\$5,000 <\$15,000 Damage)	96.0
5-39-201	C	Burglary - Commercial	78.0
Seriousness Level 4			
5-11-103	C	False Imprisonment I	72.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	96.0
Seriousness Level 3			
5-37-201	C	Forgery II	72.0
5-39-202	D	Breaking or Entering	66.0
12-12-904	C	Sex Offender Failing to Register	54.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	43.2
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	72.0

**CHICOT COUNTY**

Total Number of Applicable Cases: 71

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	11%	100%	100%	
DURATIONAL UP	61%			
DURATIONAL DOWN	6%			
DISPOSTIONAL UP	18%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	4%			



TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-10-103	A	Murder II	240.0
Seriousness Level 7			
5-12-102	B	Robbery	240.0
5-64-402	B	Failure to keep Records - Drug Free Zone	96.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	96.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	60.0
Seriousness Level 4			
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	138.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	132.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	120.0
5-26-401	D	Non-Support	72.0
5-39-202	D	Breaking or Entering	81.0
Seriousness Level 2			
27-53-101	D	Possession Firearm by Certain Persons	36.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	37.7

**CLARK COUNTY**

Total Number of Applicable Cases: 96

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	6%	100%	94%	
DURATIONAL UP	55%			
DURATIONAL DOWN	9%		4%	
DISPOSTIONAL UP	23%			
DISPOSITIONAL DOWN			2%	
DISPOSITIONAL & DURATIONAL	7%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 7			
5-12-102	B	Robbery	156.0
5-14-124	A	Sexual Assault, 1st Degree	300.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	174.0
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	300.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	84.0
Seriousness Level 4			
5-11-103	C	False Imprisonment I	80.0
5-13-202	D	Battery II	72.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	60.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	55.6
5-39-202	D	Breaking or Entering	96.0
12-12-904	C	Sex Offender Failing to Register	72.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	72.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	36.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	36.0

**CLAY COUNTY**

Total Number of Applicable Cases: 143

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	68%	100%	99%	
DURATIONAL UP	22%			
DURATIONAL DOWN				
DISPOSTIONAL UP	10%			
DISPOSITIONAL DOWN			1%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	360.0
Seriousness Level 7			
5-12-102	B	Robbery	240.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	60.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	60.0
5-39-201	B	Burglary - Residential	138.0
Seriousness Level 4			
5-13-202	D	Battery II	66.0

**CLEBURNE COUNTY**

Total Number of Applicable Cases: 149

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	15%	100%	100%	
DURATIONAL UP	57%			
DURATIONAL DOWN	5%			
DISPOSTIONAL UP	23%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	480.0
Seriousness Level 9			
5-14-103	Y	Rape	120.0
Seriousness Level 8			
5-13-201	B	Battery I	120.0
Seriousness Level 7			
5-12-102	B	Robbery	240.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	108.0
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	96.0
Seriousness Level 5			
5-37-201	B	Forgery I	72.0
5-54-105	B	Hindering Apprehension or Prosecution	240.0
Seriousness Level 4			
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs.)	120.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	94.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	39.0
5-37-201	C	Forgery II	216.0
5-39-202	D	Breaking or Entering	51.0
12-12-904	C	Sex Offender Failing to Register	84.0
Seriousness Level 2			
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	68.0

**CLEVELAND COUNTY**

Total Number of Applicable Cases: 37

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	7%	100%	100%	
DURATIONAL UP	81%			
DURATIONAL DOWN				
DISPOSTIONAL UP	6%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	6%			



TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-13-201	B	Battery I	120.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	240.0
5-39-201	B	Burglary - Residential	145.2
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	60.0
Seriousness Level 4			
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	108.0
Seriousness Level 3			
5-37-201	C	Forgery II	36.0
5-39-202	D	Breaking or Entering	63.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	60.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	60.0

**COLUMBIA COUNTY**

Total Number of Applicable Cases: 150

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	10%	100%	98%	100%
DURATIONAL UP	45%			
DURATIONAL DOWN				
DISPOSTIONAL UP	38%			
DISPOSITIONAL DOWN			2%	
DISPOSITIONAL & DURATIONAL	7%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 7			
5-12-102	B	Robbery	180.0
5-38-301	A	Arson (=>\$15,000 <\$100,000 Damage)	180.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	55.2
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	81.0
Seriousness Level 4			
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	48.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	72.0
5-37-201	C	Forgery II	72.0
5-39-202	D	Breaking or Entering	40.0
12-12-904	C	Sex Offender Failing to Register	72.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	60.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	44.0

**CONWAY COUNTY**

Total Number of Applicable Cases: 226

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	24%	94%	96%	
DURATIONAL UP	40%	3%		
DURATIONAL DOWN	2%	3%		
DISPOSTIONAL UP	27%		1%	
DISPOSITIONAL DOWN			2%	
DISPOSITIONAL & DURATIONAL	7%		1%	

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	240.0
5-10-103	A	Murder II	300.0
5-13-201	Y	Battery I, Victim under 4 years old or LEO on duty	300.0
Seriousness Level 7			
5-12-102	B	Robbery	60.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	168.0
5-39-201	B	Burglary - Residential	128.0
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	80.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	88.0
Seriousness Level 4			
5-11-103	C	False Imprisonment I	56.0
5-13-202	D	Battery II	66.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	88.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	120.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	60.0
Seriousness Level 3			
5-37-201	C	Forgery II	96.0
5-38-203	C	Criminal Mischief I	90.0
5-39-202	D	Breaking or Entering	45.0
12-12-904	C	Sex Offender Failing to Register	90.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	60.0
5-54-111	D	Escape II	24.0
5-73-103	D	Possession Firearm by Certain Persons	49.1
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	52.8
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	72.0

**CRAIGHEAD COUNTY**

Total Number of Applicable Cases: 651

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	41%	100%	100%	
DURATIONAL UP	22%			
DURATIONAL DOWN	20%			
DISPOSTIONAL UP	6%			
DISPOSITIONAL DOWN			0%	
DISPOSITIONAL & DURATIONAL	11%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	260.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	200.6
5-13-201	B	Battery I	120.0
Seriousness Level 7			
5-12-102	B	Robbery	128.0
5-14-124	A	Sexual Assault, 1st Degree	48.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	147.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	141.6
5-39-201	B	Burglary - Residential	80.6
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	144.5
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	96.9
5-54-120	C	Failure to Appear	33.4
Seriousness Level 4			
5-13-202	D	Battery II	36.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	64.5
Seriousness Level 3			
5-13-204	D	Aggravated Assault	30.0
5-37-201	C	Forgery II	27.0
5-39-202	D	Breaking or Entering	51.7
5-64-419(b)(5)(C)	D	Possession of Controlled Substance - Schedule VI (=>4 oz <10 lbs)	18.0
12-12-904	C	Sex Offender Failing to Register	60.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	21.0
5-73-103	D	Possession Firearm by Certain Persons	26.4
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	36.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	180.0

**CRAWFORD COUNTY**

Total Number of Applicable Cases: 411

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	24%	100%	96%	
DURATIONAL UP	42%			
DURATIONAL DOWN	14%			
DISPOSTIONAL UP	11%			
DISPOSITIONAL DOWN			4%	
DISPOSITIONAL & DURATIONAL	9%			



TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	480.0
Seriousness Level 9			
5-10-103	A	Murder II	240.0
Seriousness Level 8			
5-13-201	B	Battery I	48.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	114.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	164.4
5-39-201	B	Burglary - Residential	81.8
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	60.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	54.0
5-54-120	C	Failure to Appear	39.2
5-64-436(b)(4)	B	Possession of Controlled Substance Schedule IV with Purpose to Deliver (=>25 lbs <100 lbs)	54.0
Seriousness Level 4			
5-13-202	D	Battery II	72.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	48.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	144.0
Seriousness Level 3			
5-37-201	C	Forgery II	66.0
5-38-203	C	Criminal Mischief I	12.0
5-39-202	D	Breaking or Entering	50.0
12-12-904	C	Sex Offender Failing to Register	36.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	24.0
5-73-103	D	Possession Firearm by Certain Persons	36.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	42.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	44.0

**CRITTENDEN COUNTY**

Total Number of Applicable Cases: 315

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	17%	93%	98%	
DURATIONAL UP	32%			
DURATIONAL DOWN	26%			
DISPOSTIONAL UP	12%			
DISPOSITIONAL DOWN		7%	2%	
DISPOSITIONAL & DURATIONAL	13%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	360.0
Seriousness Level 9			
5-10-103	A	Murder II	96.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	90.0
5-13-201	B	Battery I	78.0
5-26-303	B	Domestic Battery I	60.0
Seriousness Level 7			
5-12-102	B	Robbery	84.0
5-14-124	A	Sexual Assault, 1st Degree	240.0
Seriousness Level 6			
5-64-423(a)	C	Manufacture of Methamphetamine	60.0
5-10-104	C	Manslaughter	120.0
5-14-125	B	Sexual Assault, 2nd Degree	48.0
5-39-201	B	Burglary - Residential	36.0
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	42.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	120.0
Seriousness Level 4			
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	60.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	36.0
5-39-202	D	Breaking or Entering	45.0
12-12-904	C	Sex Offender Failing to Register	41.3
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	36.0
5-54-122	D	Filing False Report of Crime	48.0
5-73-103	D	Possession Firearm by Certain Persons	72.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	48.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	48.0

**CROSS COUNTY**

Total Number of Applicable Cases: 10

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO				
DURATIONAL UP	20%			
DURATIONAL DOWN	30%			
DISPOSTIONAL UP	50%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-10-103	A	Murder II	210.0
Seriousness Level 8			
5-13-201	B	Battery I	96.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	44.0

**DALLAS COUNTY**

Total Number of Applicable Cases: 33

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO		100%	100%	
DURATIONAL UP	43%			
DURATIONAL DOWN	29%			
DISPOSTIONAL UP	14%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	14%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-13-201	B	Battery I	96.0
Seriousness Level 7			
5-12-102	B	Robbery	240.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	60.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	24.0
Seriousness Level 4			
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	60.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	72.0
Seriousness Level 2			
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	48.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	60.0

**DESHA COUNTY**

Total Number of Applicable Cases: 71

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	6%	100%	100%	
DURATIONAL UP	47%			
DURATIONAL DOWN				
DISPOSTIONAL UP	26%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	21%			



TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	180.0
Seriousness Level 8			
5-13-201	B	Battery I	120.0
Seriousness Level 7			
5-12-102	B	Robbery	96.0
5-64-402	B	Failure to keep Records - Drug Free Zone	144.0
5-74-107	B	Discharge of a Firearm from Car (2nd Degree)	168.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	144.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	120.0
Seriousness Level 4			
5-13-202	D	Battery II	144.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	96.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	108.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	60.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	136.0
5-37-201	C	Forgery II	38.4
5-39-202	D	Breaking or Entering	114.7
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	12.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	92.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	72.0

**DREW COUNTY**

Total Number of Applicable Cases: 104

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	3%	93%	98%	
DURATIONAL UP	60%			
DURATIONAL DOWN	8%			
DISPOSTIONAL UP	25%	7%		
DISPOSITIONAL DOWN			2%	
DISPOSITIONAL & DURATIONAL	4%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-13-201	B	Battery I	126.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	360.0
5-64-402	B	Failure to keep Records - Drug Free Zone	360.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	36.0
Seriousness Level 5			
5-38-301	B	Arson (=>\$5,000 <\$15,000 Damage)	120.0
5-39-201	C	Burglary - Commercial	180.0
Seriousness Level 4			
5-13-202	D	Battery II	56.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	72.0
5-26-401	D	Non-Support	72.0
5-37-201	C	Forgery II	50.2
5-39-202	D	Breaking or Entering	57.6
12-12-904	C	Sex Offender Failing to Register	36.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	126.0
5-73-103	D	Possession Firearm by Certain Persons	44.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	78.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	72.0
Seriousness Level 1			
5-41-103	D	Computer Fraud	24.0

**FAULKNER COUNTY**

Total Number of Applicable Cases: 549

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	10%	100%	99%	
DURATIONAL UP	47%			
DURATIONAL DOWN	6%			
DISPOSTIONAL UP	31%			
DISPOSITIONAL DOWN			1%	
DISPOSITIONAL & DURATIONAL	6%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	600.0
Seriousness Level 9			
5-14-103	Y	Rape	216.0
5-10-103	A	Murder II	360.0
5-13-201	Y	Battery I, Victim under 4 years old or LEO on duty	120.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	214.5
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	160.0
Seriousness Level 7			
5-12-102	B	Robbery	121.7
5-14-124	A	Sexual Assault, 1st Degree	240.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	114.7
5-64-402	B	Failure to keep Records - Drug Free Zone	42.0
5-74-107	B	Discharge of a Firearm from Car (2nd Degree)	144.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	160.8
5-39-201	B	Burglary - Residential	79.6
Seriousness Level 5			
5-26-202	C	Incest	96.0
5-37-201	B	Forgery I	42.0
5-39-201	C	Burglary - Commercial	72.0
5-54-105	B	Hindering Apprehension or Prosecution	204.0
5-54-120	C	Failure to Appear	120.0
Seriousness Level 4			
5-13-202	D	Battery II	156.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	74.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	82.3
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	52.5

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 3			
5-13-204	D	Aggravated Assault	50.7
5-37-201	C	Forgery II	102.5
5-39-202	D	Breaking or Entering	42.8
12-12-904	C	Sex Offender Failing to Register	68.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	54.0
5-73-103	D	Possession Firearm by Certain Persons	51.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	54.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	64.0

**FRANKLIN COUNTY**

Total Number of Applicable Cases: 172

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	7%		100%	
DURATIONAL UP	33%			
DURATIONAL DOWN	35%			
DISPOSTIONAL UP	16%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	9%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-26-303	B	Domestic Battery I	180.0
Seriousness Level 7			
5-12-102	B	Robbery	60.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	54.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	76.0
5-39-201	B	Burglary - Residential	36.0
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	48.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	51.0
5-54-120	C	Failure to Appear	16.2
Seriousness Level 4			
5-11-103	C	False Imprisonment I	36.0
5-13-202	D	Battery II	66.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	49.2
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	24.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	30.0
5-37-201	C	Forgery II	60.0
5-39-202	D	Breaking or Entering	36.0
12-12-904	C	Sex Offender Failing to Register	18.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	30.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	33.6



**FULTON COUNTY**

Total Number of Applicable Cases: 70

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO		100%	96%	
DURATIONAL UP	75%			
DURATIONAL DOWN	12%			
DISPOSTIONAL UP	13%			
DISPOSITIONAL DOWN			4%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	180.0
5-39-201	B	Burglary - Residential	84.0
Seriousness Level 4			
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	84.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	24.0
Seriousness Level 3			
5-37-201	C	Forgery II	24.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	56.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	48.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	72.0

**GARLAND COUNTY**

Total Number of Applicable Cases: 388

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	5%	100%	98%	
DURATIONAL UP	45%		1%	
DURATIONAL DOWN	18%			
DISPOSTIONAL UP	31%			
DISPOSITIONAL DOWN			1%	
DISPOSITIONAL & DURATIONAL	1%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	390.0
Seriousness Level 9			
5-14-103	Y	Rape	300.0
5-10-103	A	Murder II	240.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	240.0
5-13-201	B	Battery I	210.0
5-26-303	B	Domestic Battery I	156.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	140.0
Seriousness Level 7			
5-12-102	B	Robbery	127.5
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	160.0
Seriousness Level 6			
5-10-104	C	Manslaughter	180.0
5-14-125	B	Sexual Assault, 2nd Degree	240.0
5-39-201	B	Burglary - Residential	96.5
Seriousness Level 5			
5-37-201	B	Forgery I	108.0
5-39-201	C	Burglary - Commercial	89.1
5-54-120	C	Failure to Appear	58.4
Seriousness Level 4			
5-11-103	C	False Imprisonment I	36.0
5-13-202	D	Battery II	54.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	61.7
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	60.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	44.6
5-37-201	C	Forgery II	46.0
5-39-202	D	Breaking or Entering	67.5
12-12-904	C	Sex Offender Failing to Register	60.0

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	36.0
5-73-103	D	Possession Firearm by Certain Persons	70.5
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	47.6
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	34.0

**GRANT COUNTY**

Total Number of Applicable Cases: 85

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	4%	100%	100%	
DURATIONAL UP	73%			
DURATIONAL DOWN	6%			
DISPOSTIONAL UP	13%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	4%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	480.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	180.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	132.0
Seriousness Level 7			
5-64-402	B	Failure to keep Records - Drug Free Zone	216.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	150.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	36.0
Seriousness Level 4			
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	63.0
Seriousness Level 3			
5-39-202	D	Breaking or Entering	36.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	76.0

**GREENE COUNTY**

Total Number of Applicable Cases: 380

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	12%	100%	96%	
DURATIONAL UP	45%		1%	
DURATIONAL DOWN	16%		1%	
DISPOSTIONAL UP	25%		1%	
DISPOSITIONAL DOWN			1%	
DISPOSITIONAL & DURATIONAL	2%			



TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	338.0
Seriousness Level 8			
5-13-201	B	Battery I	180.0
Seriousness Level 7			
5-64-423(a)	A	Manufacture Methamphetamine	24.0
5-12-102	B	Robbery	240.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	84.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	156.0
5-39-201	B	Burglary - Residential	61.5
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	42.0
5-54-120	C	Failure to Appear	58.2
Seriousness Level 4			
5-13-202	D	Battery II	31.5
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	51.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	36.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	44.0
5-37-201	C	Forgery II	46.5
5-39-202	D	Breaking or Entering	50.0
12-12-904	C	Sex Offender Failing to Register	36.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	44.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	60.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	30.0

**HEMPSTEAD COUNTY**

Total Number of Applicable Cases: 128

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	5%	75%	97%	
DURATIONAL UP	73%	25%		
DURATIONAL DOWN	3%			
DISPOSTIONAL UP	19%			
DISPOSITIONAL DOWN			3%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	480.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	120.0
Seriousness Level 7			
5-12-102	B	Robbery	180.0
5-14-124	A	Sexual Assault, 1st Degree	201.0
5-64-402	B	Failure to keep Records - Drug Free Zone	360.0
5-74-107	B	Discharge of a Firearm from Car (2nd Degree)	120.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	176.4
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	180.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	24.0
5-54-120	C	Failure to Appear	120.0
Seriousness Level 4			
5-13-202	D	Battery II	134.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	120.0
Seriousness Level 3			
5-39-202	D	Breaking or Entering	74.4
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	72.0
27-53-101	D	Failure to Stop After Accident with Injury or Death	120.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	96.0

**HOT SPRING COUNTY**

Total Number of Applicable Cases: 142

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	11%	100%	99%	100%
DURATIONAL UP	50%			
DURATIONAL DOWN	9%			
DISPOSTIONAL UP	30%			
DISPOSITIONAL DOWN			1%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	300.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	138.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	60.0
Seriousness Level 7			
5-12-102	B	Robbery	42.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	240.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	103.2
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	126.0
5-64-436(b)(4)	B	Possession of Controlled Substance Schedule IV with Purpose to Deliver (=>25 lbs <100 lbs)	76.0
Seriousness Level 4			
5-11-103	C	False Imprisonment I	48.0
5-13-202	D	Battery II	60.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	84.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	96.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	60.0
5-37-201	C	Forgery II	51.0
5-39-202	D	Breaking or Entering	51.6
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	60.0
5-73-103	D	Possession Firearm by Certain Persons	57.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	60.0

**HOWARD COUNTY**

Total Number of Applicable Cases: 118

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	3%	100%	98%	
DURATIONAL UP	56%			
DURATIONAL DOWN	14%			
DISPOSTIONAL UP	21%		2%	
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	6%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	480.0
Seriousness Level 9			
5-14-103	Y	Rape	180.0
5-13-310	Y	Terroristic Act	60.0
Seriousness Level 8			
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	144.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	144.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	156.0
5-39-201	B	Burglary - Residential	91.7
Seriousness Level 5			
5-38-301	B	Arson (=>\$5,000 <\$15,000 Damage)	60.0
5-39-201	C	Burglary - Commercial	74.4
Seriousness Level 4			
5-13-202	D	Battery II	36.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	48.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	92.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	48.0
5-37-201	C	Forgery II	50.4
5-39-202	D	Breaking or Entering	72.0
12-12-904	C	Sex Offender Failing to Register	12.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	72.0
5-73-103	D	Possession Firearm by Certain Persons	24.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	60.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	60.0

**INDEPENDENCE COUNTY**

Total Number of Applicable Cases: 200

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	2%	100%	98%	
DURATIONAL UP	56%			
DURATIONAL DOWN	14%			
DISPOSTIONAL UP	21%			
DISPOSITIONAL DOWN			2%	
DISPOSITIONAL & DURATIONAL	7%			



TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	360.0
Seriousness Level 9			
5-14-103	Y	Rape	372.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	161.3
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	208.0
5-39-201	B	Burglary - Residential	144.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	108.0
5-54-120	C	Failure to Appear	96.8
Seriousness Level 4			
5-13-202	D	Battery II	36.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	120.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	78.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	60.0
5-37-201	C	Forgery II	78.0
5-39-202	D	Breaking or Entering	72.0
12-12-904	C	Sex Offender Failing to Register	60.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	53.1
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	52.8
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	48.0

**IZARD COUNTY**

Total Number of Applicable Cases: 59

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO		100%	100%	
DURATIONAL UP	44%			
DURATIONAL DOWN				
DISPOSTIONAL UP	56%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	240.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	120.0
Seriousness Level 4			
5-13-202	D	Battery II	144.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	36.0
Seriousness Level 3			
5-37-201	C	Forgery II	90.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	36.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	36.0

**JACKSON COUNTY**

Total Number of Applicable Cases: 166

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	11%	100%	100%	
DURATIONAL UP	65%			
DURATIONAL DOWN	2%			
DISPOSTIONAL UP	12%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	10%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	444.0
Seriousness Level 9			
5-14-103	Y	Rape	408.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	120.0
5-13-201	B	Battery I	120.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	288.0
Seriousness Level 7			
5-12-102	B	Robbery	120.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	320.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	173.5
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	112.8
Seriousness Level 4			
5-13-202	D	Battery II	96.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	120.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	162.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	288.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	72.0
5-37-201	C	Forgery II	66.0
5-39-202	D	Breaking or Entering	96.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	66.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	60.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	72.0

**JEFFERSON COUNTY**

Total Number of Applicable Cases: 459

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	11%	80%	95%	
DURATIONAL UP	57%			
DURATIONAL DOWN	22%			
DISPOSTIONAL UP	9%	20%		
DISPOSITIONAL DOWN			5%	
DISPOSITIONAL & DURATIONAL	1%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	331.9
Seriousness Level 9			
5-14-103	Y	Rape	192.0
5-10-103	A	Murder II	261.6
Seriousness Level 8			
5-11-102	Y	Kidnapping	216.0
5-12-103	Y	Aggravated Robbery	249.2
5-13-201	B	Battery I	137.0
5-64-440(b)	Y	Trafficking a Controlled Substance, not Methamphetamine	240.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	192.0
Seriousness Level 7			
5-12-102	B	Robbery	121.5
5-38-301	A	Arson (=>\$15,000 <\$100,000 Damage)	96.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	190.0
Seriousness Level 6			
5-10-104	C	Manslaughter	112.0
5-11-102	B	Kidnapping, Victim Voluntarily Released Alive	60.0
5-14-125	B	Sexual Assault, 2nd Degree	60.0
5-39-201	B	Burglary - Residential	119.3
Seriousness Level 5			
5-37-201	B	Forgery I	60.0
5-39-201	C	Burglary - Commercial	163.3
Seriousness Level 4			
5-13-202	D	Battery II	62.0
5-54-110	C	Escape I	120.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	90.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	156.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	63.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	64.3
5-37-201	C	Forgery II	44.3
5-39-202	D	Breaking or Entering	102.9
12-12-904	C	Sex Offender Failing to Register	46.8

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	53.4
5-73-103	D	Possession Firearm by Certain Persons	64.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	73.8
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	36.0



**JOHNSON COUNTY**

Total Number of Applicable Cases: 127

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	6%	100%	100%	
DURATIONAL UP	31%			
DURATIONAL DOWN	27%			
DISPOSTIONAL UP	21%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	15%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	120.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	129.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	42.0
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	60.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	60.0
5-54-120	C	Failure to Appear	40.0
Seriousness Level 4			
5-13-202	D	Battery II	52.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	60.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	48.0
5-26-401	D	Non-Support	60.0
5-37-201	C	Forgery II	48.0
5-39-202	D	Breaking or Entering	57.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	54.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	42.0

**LAFAYETTE COUNTY**

Total Number of Applicable Cases: 43

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	8%	100%	100%	
DURATIONAL UP	57%			
DURATIONAL DOWN	21%			
DISPOSTIONAL UP	14%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-10-103	A	Murder II	360.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	72.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	72.0

**LAWRENCE COUNTY**

Total Number of Applicable Cases: 195

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	20%	100%	98%	
DURATIONAL UP	34%			
DURATIONAL DOWN	8%			
DISPOSTIONAL UP	34%		1%	
DISPOSITIONAL DOWN			1%	
DISPOSITIONAL & DURATIONAL	4%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-13-201	B	Battery I	84.0
5-26-303	B	Domestic Battery I	180.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver ( $\Rightarrow 10g < 200g$ )	60.0
Seriousness Level 6			
5-10-104	C	Manslaughter	96.0
5-14-125	B	Sexual Assault, 2nd Degree	134.2
5-39-201	B	Burglary - Residential	44.4
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	60.0
5-54-105	B	Hindering Apprehension or Prosecution	24.0
Seriousness Level 4			
5-13-202	D	Battery II	60.0
5-36-103(b)(2)(A)	C	Theft of Property $> \$5,000 < \$25,000$	36.0
5-36-106(e)(2)	C	Theft by Receiving $> \$5,000 < \$25,000$	24.0
Seriousness Level 3			
5-37-201	C	Forgery II	50.0
5-39-202	D	Breaking or Entering	23.0
12-12-904	C	Sex Offender Failing to Register	48.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	24.0
5-73-103	D	Possession Firearm by Certain Persons	34.0
5-36-103(b)(3)(A)	D	Theft of Property $> \$1,000 = < \$5,000$	63.0

**LEE COUNTY**

Total Number of Applicable Cases: 32

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO			96%	
DURATIONAL UP	33%			
DURATIONAL DOWN				
DISPOSTIONAL UP	67%			
DISPOSITIONAL DOWN			4%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	96.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	60.0
5-39-202	D	Breaking or Entering	72.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	60.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	72.0



**LINCOLN COUNTY**

Total Number of Applicable Cases: 37

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	50%	100%	100%	
DURATIONAL UP	7%			
DURATIONAL DOWN	21%			
DISPOSTIONAL UP	21%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-13-201	B	Battery I	168.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	72.0
Seriousness Level 4			
5-13-202	D	Battery II	42.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	48.0
Seriousness Level 3			
5-37-201	C	Forgery II	24.0
Seriousness Level 2			
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	24.0

**LITTLE RIVER COUNTY**

Total Number of Applicable Cases: 143

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	4%		100%	
DURATIONAL UP	47%			
DURATIONAL DOWN	8%			
DISPOSTIONAL UP	40%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	1%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	360.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	180.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	222.0
Seriousness Level 7			
5-14-124	A	Sexual Assault, 1st Degree	198.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	174.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	180.0
5-39-201	B	Burglary - Residential	84.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	72.0
Seriousness Level 4			
5-13-202	D	Battery II	30.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	60.0
5-64-438(b)(3)	C	Delivery of Schedule VI Controlled (=>4 oz. <25 lbs)	36.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	50.4
Seriousness Level 3			
5-13-204	D	Aggravated Assault	28.0
5-39-202	D	Breaking or Entering	36.0
12-12-904	C	Sex Offender Failing to Register	36.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	36.0
5-73-103	D	Possession Firearm by Certain Persons	32.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	39.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	36.0

**LOGAN COUNTY**

Total Number of Applicable Cases: 21

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	7%	100%	100%	
DURATIONAL UP	50%			
DURATIONAL DOWN				
DISPOSTIONAL UP	36%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	7%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-13-201	B	Battery I	96.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	120.0
Seriousness Level 5			
5-54-105	B	Hindering Apprehension or Prosecution	180.0
Seriousness Level 2			
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	48.0

**LONOKE COUNTY**

Total Number of Applicable Cases: 511

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	13%	100%	99%	
DURATIONAL UP	40%			
DURATIONAL DOWN	15%			
DISPOSTIONAL UP	23%		0.5%	
DISPOSITIONAL DOWN			0.5%	
DISPOSITIONAL & DURATIONAL	9%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	336.0
Seriousness Level 9			
5-14-103	Y	Rape	324.0
5-13-201	Y	Battery I, Victim under 4 years old or LEO on duty	216.0
Seriousness Level 8			
5-13-201	B	Battery I	48.0
5-38-301	Y	Arson (=> \$100,000 Damage)	96.0
5-64-440(b)	Y	Trafficking a Controlled Substance, not Methamphetamine	78.0
Seriousness Level 7			
5-12-102	B	Robbery	120.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	80.0
5-64-402	B	Failure to keep Records - Drug Free Zone	48.0
5-74-107	B	Discharge of a Firearm From Car (2nd Degree)	36.0
Seriousness Level 6			
5-10-104	C	Manslaughter	48.0
5-14-125	B	Sexual Assault, 2nd Degree	185.3
5-27-303	B	Engaging Child in Sex Explicit (Subsequent Offense)	36.0
5-39-201	B	Burglary - Residential	60.9
Seriousness Level 5			
5-54-120	C	Failure to Appear	24.0
5-64-436(b)(4)	B	Possession of Controlled Substance Schedule IV with Purpose to Deliver (=>25 lbs <100 lbs)	54.0
Seriousness Level 4			
5-11-103	C	False Imprisonment I	46.8
5-13-202	D	Battery II	63.6
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	18.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	31.5
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	49.2



Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 3			
5-13-204	D	Aggravated Assault	36.5
5-37-201	C	Forgery II	29.1
5-39-202	D	Breaking or Entering	43.7
12-12-904	C	Sex Offender Failing to Register	28.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	60.0
5-54-122	D	Filing False Report of Crime	24.0
5-73-103	D	Possession Firearm by Certain Persons	48.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	34.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	51.6

**MADISON COUNTY**

Total Number of Applicable Cases: 153

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	10%	100%	100%	
DURATIONAL UP	41%			
DURATIONAL DOWN	21%			
DISPOSTIONAL UP	24%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	4%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-10-103	A	Murder II	120.0
5-13-210	Y	Introduction of C/S into Body to Commit Sexual Offense	300.0
Seriousness Level 6			
5-64-423(a)	C	Manufacture of Methamphetamine	48.0
5-14-125	B	Sexual Assault, 2nd Degree	48.0
5-39-201	B	Burglary - Residential	58.5
Seriousness Level 5			
5-54-120	C	Failure to Appear	24.0
Seriousness Level 4			
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (>=4 oz. <25 lbs)	96.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	120.0
Seriousness Level 3			
5-37-201	C	Forgery II	60.0
5-39-202	D	Breaking or Entering	54.0
Seriousness Level 2			
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	60.0

**MARION COUNTY**

Total Number of Applicable Cases: 80

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	20%	100%	98%	
DURATIONAL UP	60%			
DURATIONAL DOWN	13%			
DISPOSTIONAL UP	7%			
DISPOSITIONAL DOWN			2%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	150.0
5-26-303	B	Domestic Battery I	120.0
Seriousness Level 4			
5-13-202	D	Battery II	60.0
Seriousness Level 3			
5-39-202	D	Breaking or Entering	48.0
12-12-904	C	Sex Offender Failing to Register	24.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	48.0
5-73-103	D	Possession Firearm by Certain Persons	24.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	42.0

**MILLER COUNTY**

Total Number of Applicable Cases: 415

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	9%	92%	99%	
DURATIONAL UP	52%			
DURATIONAL DOWN	16%			
DISPOSTIONAL UP	17%			
DISPOSITIONAL DOWN		8%	1%	
DISPOSITIONAL & DURATIONAL	6%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	436.0
Seriousness Level 9			
5-14-103	Y	Rape	342.0
5-10-101	Y	Capital Murder - Attempt	240.0
5-10-103	A	Murder II	360.0
Seriousness Level 8			
5-11-102	Y	Kidnapping	240.0
5-13-201	B	Battery I	219.0
5-64-440(b)	Y	Trafficking a Controlled Substance, not Methamphetamine	120.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	232.0
Seriousness Level 7			
5-12-102	B	Robbery	161.1
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	156.0
Seriousness Level 6			
5-11-102	B	Kidnapping, victim voluntarily released alive	72.0
5-39-201	B	Burglary - Residential	93.0
Seriousness Level 5			
5-37-201	B	Forgery I	84.0
5-39-201	C	Burglary - Commercial	54.0
Seriousness Level 4			
5-11-103	C	False Imprisonment I	120.0
5-13-202	D	Battery II	57.6
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	48.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	78.6
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	70.0

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 3			
5-13-204	D	Aggravated Assault	72.0
5-37-201	C	Forgery II	127.2
5-37-207	C	Fraudulent Use of a Credit Card	48.0
5-39-202	D	Breaking or Entering	67.4
12-12-904	C	Sex Offender Failing to Register	40.8
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	60.0
5-54-111	D	Escape II	24.0
5-73-103	D	Possession Firearm by Certain Persons	60.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	58.8
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	56.0



**MISSISSIPPI COUNTY**

Total Number of Applicable Cases: 257

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	12%	100%	100%	
DURATIONAL UP	39%			
DURATIONAL DOWN	32%			
DISPOSTIONAL UP	8%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	9%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	240.0
Seriousness Level 8			
5-13-201	B	Battery I	96.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	120.0
Seriousness Level 7			
5-12-102	B	Robbery	63.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	36.0
5-39-201	B	Burglary - Residential	57.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	64.0
Seriousness Level 4			
5-13-202	D	Battery II	54.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	42.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	60.0
Seriousness Level 3			
5-39-202	D	Breaking or Entering	48.0
12-12-904	C	Sex Offender Failing to Register	30.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	36.0
5-73-103	D	Possession Firearm by Certain Persons	30.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	54.0

**MONROE COUNTY**

Total Number of Applicable Cases: 103

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	16%	100%	100%	
DURATIONAL UP	13%			
DURATIONAL DOWN	47%			
DISPOSTIONAL UP	24%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-10-103	A	Murder II	120.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	108.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	54.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	27.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	30.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	29.0
5-36-106(e)(2)	C	Theft by Receiving	24.0
5-37-201	C	Forgery II	27.0
12-12-904	C	Sex Offender Failing to Register	18.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	24.0
5-73-103	D	Possession Firearm by Certain Persons	18.0

**MONTGOMERY COUNTY**

Total Number of Applicable Cases: 69

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	8%	100%	100%	
DURATIONAL UP	57%			
DURATIONAL DOWN	22%			
DISPOSTIONAL UP	13%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	282.0
Seriousness Level 7			
5-14-124	A	Sexual Assault, 1st Degree	180.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	420.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	106.3
Seriousness Level 5			
5-54-120	C	Failure to Appear	48.0
Seriousness Level 4			
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	120.0
Seriousness Level 3			
5-39-202	D	Breaking or Entering	30.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	56.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	72.0

**NEVADA COUNTY**

Total Number of Applicable Cases: 34

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	22%		100%	
DURATIONAL UP	33%			
DURATIONAL DOWN	6%			
DISPOSTIONAL UP	33%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	6%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	264.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	84.0
5-64-402	B	Failure to keep Records - Drug Free Zone	160.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	48.0
Seriousness Level 4			
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	240.0
Seriousness Level 3			
5-39-202	D	Breaking or Entering	108.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	64.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	72.0



**NEWTON COUNTY**

Total Number of Applicable Cases: 17

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO		100%	100%	
DURATIONAL UP	58%			
DURATIONAL DOWN	9%			
DISPOSTIONAL UP	33%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 6			
5-39-201	B	Burglary - Residential	144.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	96.0
Seriousness Level 3			
5-39-202	D	Breaking or Entering	56.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	40.5
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	72.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	48.0

**OUACHITA COUNTY**

Total Number of Applicable Cases: 219

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	7%	100%	96%	
DURATIONAL UP	51%			
DURATIONAL DOWN	14%			
DISPOSTIONAL UP	26%			
DISPOSITIONAL DOWN			4%	
DISPOSITIONAL & DURATIONAL	2%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-10-103	A	Murder II	180.0
Seriousness Level 8			
5-13-201	B	Battery I	240.0
Seriousness Level 7			
5-12-102	B	Robbery	132.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	216.0
5-64-402	B	Failure to keep Records - Drug Free Zone	120.0
Seriousness Level 6			
5-11-102	B	Kidnapping, victim voluntarily released alive	240.0
5-39-201	B	Burglary - Residential	76.0
Seriousness Level 5			
5-37-201	B	Forgery I	84.0
5-38-301	B	Arson (=>\$5,000 <\$15,000 Damage)	96.0
5-39-201	C	Burglary - Commercial	80.2
Seriousness Level 4			
5-11-103	C	False Imprisonment I	96.0
5-13-202	D	Battery II	72.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	96.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	64.0
5-39-202	D	Breaking or Entering	66.9
12-12-904	C	Sex Offender Failing to Register	76.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	66.0
5-73-103	D	Possession Firearm by Certain Persons	24.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	36.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	66.0

**PERRY COUNTY**

Total Number of Applicable Cases: 22

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

	ADC	CCC	PROB/SIS	Special Conditions
NO	43%	100%	100%	
DURATIONAL UP	43%			
DURATIONAL DOWN	14%			
DISPOSTIONAL UP				
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	330.0
Seriousness Level 9			
5-10-103	A	Murder II	240.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	60.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	36.0

**PHILLIPS COUNTY**

Total Number of Applicable Cases: 80

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO		100%	87%	
DURATIONAL UP	38%			
DURATIONAL DOWN	50%			
DISPOSTIONAL UP	12%			
DISPOSITIONAL DOWN			13%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-10-103	A	Murder II	144.0
Seriousness Level 8			
5-13-201	B	Battery I	60.0
Seriousness Level 2			
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	24.0



**PIKE COUNTY**

Total Number of Applicable Cases: 75

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO		100%	100%	
DURATIONAL UP	56%			
DURATIONAL DOWN	15%			
DISPOSTIONAL UP	27%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	2%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	120.0
5-39-201	B	Burglary - Residential	96.0
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	72.0
Seriousness Level 4			
5-13-202	D	Battery II	24.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	120.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	72.0
5-39-202	D	Breaking or Entering	60.0
Seriousness Level 2			
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	72.0

**POINSETT COUNTY**

Total Number of Applicable Cases: 287

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	17%	50%	98%	100%
DURATIONAL UP	33%	7%		
DURATIONAL DOWN	10%			
DISPOSTIONAL UP	38%	43%		
DISPOSITIONAL DOWN			2%	
DISPOSITIONAL & DURATIONAL	2%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-13-201	B	Battery I	60.0
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	120.0
Seriousness Level 6			
5-64-423(a)	C	Manufacture of Methamphetamine	36.0
5-14-125	B	Sexual Assault, 2nd Degree	75.0
Seriousness Level 4			
5-13-202	D	Battery II	66.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	56.0
5-37-201	C	Forgery II	30.0
5-39-202	D	Breaking or Entering	56.0
12-12-904	C	Sex Offender Failing to Register	24.0
Seriousness Level 2			
5-54-111	D	Escape II	24.0

**POLK COUNTY**

Total Number of Applicable Cases: 162

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	6%	100%	98%	
DURATIONAL UP	59%			
DURATIONAL DOWN	4%			
DISPOSTIONAL UP	31%			
DISPOSITIONAL DOWN			2%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	240.0
Seriousness Level 7			
5-13-210	Y	Intro C/S into Body (Schedule I-II)	240.0
5-14-124	A	Sexual Assault, 1st Degree	60.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	82.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	240.0
5-39-201	B	Burglary - Residential	92.6
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	180.0
Seriousness Level 5			
5-37-201	B	Forgery I	240.0
5-54-120	C	Failure to Appear	63.6
Seriousness Level 4			
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	120.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	120.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	120.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	60.0
5-37-201	C	Forgery II	40.0
12-12-904	C	Sex Offender Failing to Register	34.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	50.4
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	66.0

**POPE COUNTY**

Total Number of Applicable Cases: 426

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	26%	100%	100%	
DURATIONAL UP	24%			
DURATIONAL DOWN	23%			
DISPOSTIONAL UP	24%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	3%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	480.0
Seriousness Level 9			
5-10-103	A	Murder II	280.0
Seriousness Level 8			
5-64-440(b)	Y	Trafficking a Controlled Substance, not Methamphetamine	105.0
Seriousness Level 7			
5-12-201	B	Robbery	93.0
5-74-107	B	Discharge of a Firearm From Car (2nd Degree)	36.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	130.5
5-39-201	B	Burglary - Residential	79.2
Seriousness Level 5			
5-37-201	B	Forgery I	76.0
5-39-201	C	Burglary - Commercial	45.0
5-54-105	B	Hindering Apprehension or Prosecution	240.0
5-54-120	C	Failure to Appear	24.8
Seriousness Level 4			
5-13-202	D	Battery II	30.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	60.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	33.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	24.0
5-37-201	C	Forgery II	40.8
5-37-207	C	Fraudulent Use of a Credit Card	12.0
5-39-202	D	Breaking or Entering	22.5
12-12-904	C	Sex Offender Failing to Register	23.1



Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	72.0
5-54-111	D	Escape II	24.0
5-73-103	D	Possession Firearm by Certain Persons	42.4
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	30.5
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	54.0

**PRAIRIE COUNTY**

Total Number of Applicable Cases: 54

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	18%	100%	100%	
DURATIONAL UP	24%			
DURATIONAL DOWN	14%			
DISPOSTIONAL UP	44%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 6			
5-39-201	B	Burglary - Residential	60.0
Seriousness Level 5			
5-54-120	C	Failure to Appear	54.0
Seriousness Level 4			
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	78.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	48.0
5-37-201	C	Forgery II	36.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	18.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	27.0

**PULASKI COUNTY**

Total Number of Applicable Cases: 2,561

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	8%	92%	97%	
DURATIONAL UP	49%	3%		
DURATIONAL DOWN	21%	3%		
DISPOSTIONAL UP	16%			
DISPOSITIONAL DOWN			2%	
DISPOSITIONAL & DURATIONAL	6%	2%		

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	406.0
Seriousness Level 9			
5-14-103	Y	Rape	300.7
5-10-103	A	Murder II	382.5
5-13-310	Y	Terroristic Act	100.0
Seriousness Level 8			
5-11-102	Y	Kidnapping	304.0
5-12-103	Y	Aggravated Robbery	250.2
5-64-440(b)(1)	Y	Trafficking Meth	168.0
5-13-201	B	Battery I	171.5
5-26-303	B	Domestic Battery I	96.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	170.6
Seriousness Level 7			
5-12-102	B	Robbery	155.5
5-38-301	A	Arson (=>\$15,000 <\$100,000 Damage)	240.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	114.2
5-64-402	B	Failure to keep Records - Drug Free Zone	96.0
5-74-107	B	Discharge of a Firearm from Car (2nd Degree)	193.5
Seriousness Level 6			
5-10-104	C	Manslaughter	120.0
5-11-102	B	Kidnapping, Victim voluntarily released alive	240.0
5-14-125	B	Sexual Assault, 2nd Degree	163.2
5-39-201	B	Burglary - Residential	116.5
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	141.6
Seriousness Level 5			
5-37-201	B	Forgery I	102.6
5-39-201	C	Burglary - Commercial	93.4
5-54-120	C	Failure to Appear	59.5

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 4			
5-11-103	C	False Imprisonment I	128.0
5-13-202	D	Battery II	77.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	75.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	61.9
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	63.3
Seriousness Level 3			
5-13-204	D	Aggravated Assault	63.3
5-37-201	C	Forgery II	65.1
5-38-203	C	Criminal Mischief I	60.0
5-39-202	D	Breaking or Entering	64.4
5-64-419(b)(5)(B)	D	Possession of Controlled Substance - Schedule VI (=>1 oz. <4 oz.; 2 previous convictions)	21.0
12-12-904	C	Sex Offender Failing to Register	46.2
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	61.8
5-54-111	D	Escape II	36.0
5-54-122	D	Filing False Report of Crime	12.0
27-53-101	D	Failure to Stop After Accident with Injury or Death	88.8
5-73-103	D	Possession Firearm by Certain Persons	81.1
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	70.5
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	54.6

**RANDOLPH COUNTY**

Total Number of Applicable Cases: 79

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	58%	100%	94%	
DURATIONAL UP	17%			
DURATIONAL DOWN	8%			
DISPOSTIONAL UP	17%			
DISPOSITIONAL DOWN			6%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-13-201	B	Battery I	120.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	48.0
Seriousness Level 4			
5-13-202	D	Battery II	48.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	78.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	72.0



**SALINE COUNTY**

Total Number of Applicable Cases: 493

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	16%	93%	99%	
DURATIONAL UP	54%			
DURATIONAL DOWN	8%			
DISPOSTIONAL UP	19%		1%	
DISPOSITIONAL DOWN		7%		
DISPOSITIONAL & DURATIONAL	4%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	420.0
Seriousness Level 9			
5-10-103	A	Murder II	264.0
Seriousness Level 8			
5-11-102	Y	Kidnapping	48.0
5-12-103	Y	Aggravated Robbery	124.0
5-13-201	B	Battery I	120.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	200.0
Seriousness Level 7			
5-12-102	B	Robbery	182.0
5-13-210	Y	Intro C/S into Body (Schedule I-II)	120.0
5-14-124	A	Sexual Assault, 1st Degree	252.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	42.0
5-74-107	B	Discharge of a Firearm From Car (2nd Degree)	36.0
Seriousness Level 6			
5-10-104	C	Manslaughter	72.0
5-11-102	B	Kidnapping, victim voluntarily released alive	76.8
5-14-125	B	Sexual Assault, 2nd Degree	144.0
5-39-201	B	Burglary - Residential	95.1
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	42.0
Seriousness Level 5			
5-37-201	B	Forgery I	36.0
5-39-201	C	Burglary - Commercial	75.8
5-54-105	B	Hindering Apprehension or Prosecution	144.0
5-54-120	C	Failure to Appear	88.0
Seriousness Level 4			
5-11-103	C	False Imprisonment I	157.5
5-13-202	D	Battery II	54.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	141.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	64.8

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 3			
5-13-204	D	Aggravated Assault	76.3
5-37-201	C	Forgery II	48.0
5-37-207	C	Fraudulent Use of a Credit Card	36.0
5-39-202	D	Breaking or Entering	61.9
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	53.0
5-73-103	D	Possession Firearm by Certain Persons	43.2
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	45.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	58.5

**SCOTT COUNTY**

Total Number of Applicable Cases: 73

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	12%	100%	98%	
DURATIONAL UP	5%			
DURATIONAL DOWN				
DISPOSTIONAL UP	71%			
DISPOSITIONAL DOWN			2%	
DISPOSITIONAL & DURATIONAL	12%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-10-103	A	Murder II	120.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	72.0
5-39-201	B	Burglary - Residential	48.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	66.0
Seriousness Level 4			
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	78.0
Seriousness Level 3			
5-37-201	C	Forgery II	48.0
5-39-202	D	Breaking or Entering	72.0
12-12-904	C	Sex Offender Failing to Register	72.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	76.8
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	52.0

**SEARCY COUNTY**

Total Number of Applicable Cases: 25

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	9%		100%	
DURATIONAL UP	55%			
DURATIONAL DOWN	9%			
DISPOSTIONAL UP	27%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 6			
5-39-201	B	Burglary - Residential	300.0
Seriousness Level 4			
5-11-103	C	False Imprisonment I	72.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	360.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	54.0

**SEBASTIAN COUNTY**

Total Number of Applicable Cases: 1,308

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	8%	100%	98%	
DURATIONAL UP	41%			
DURATIONAL DOWN	22%			
DISPOSTIONAL UP	19%			
DISPOSITIONAL DOWN			2%	
DISPOSITIONAL & DURATIONAL	10%			



TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	480.0
Seriousness Level 9			
5-14-103	Y	Rape	288.0
5-10-103	A	Murder II	240.0
Seriousness Level 8			
5-11-102	Y	Kidnapping	60.0
5-12-103	Y	Aggravated Robbery	296.7
5-13-201	B	Battery I	120.0
5-26-303	B	Domestic Battery I	49.6
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	440.0
Seriousness Level 7			
5-12-102	B	Robbery	114.3
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	155.4
5-64-402	B	Failure to keep Records - Drug Free Zone	78.0
Seriousness Level 6			
5-10-104	C	Manslaughter	120.0
5-11-102	B	Kidnapping, victim voluntarily released alive	84.0
5-14-125	B	Sexual Assault, 2nd Degree	106.0
5-39-201	B	Burglary - Residential	57.3
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	76.0
Seriousness Level 5			
5-26-202	C	Incest	168.0
5-37-201	B	Forgery I	160.0
5-39-201	C	Burglary - Commercial	58.8
5-54-120	C	Failure to Appear	33.6
Seriousness Level 4			
5-11-103	C	False Imprisonment I	72.0
5-13-202	D	Battery II	58.7
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	72.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	50.4
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	48.0

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 3			
5-13-204	D	Aggravated Assault	46.3
5-26-401	D	Non-Support	24.0
5-37-201	C	Forgery II	53.3
5-39-202	D	Breaking or Entering	35.6
12-12-904	C	Sex Offender Failing to Register	30.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	39.2
5-73-103	D	Possession Firearm by Certain Persons	37.9
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	41.1
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	47.1

**SEVIER COUNTY**

Total Number of Applicable Cases: 109

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	4%		100%	
DURATIONAL UP	51%			
DURATIONAL DOWN	8%			
DISPOSTIONAL UP	34%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	3%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	120.0
Seriousness Level 7			
5-13-210	Y	Intro C/S into Body (Schedule I-II)	120.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	102.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	110.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	87.0
Seriousness Level 4			
5-13-202	D	Battery II	72.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	88.8
Seriousness Level 3			
5-37-201	C	Forgery II	55.2
5-39-202	D	Breaking or Entering	52.8
12-12-904	C	Sex Offender Failing to Register	20.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	50.4
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	46.8
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	60.0

**SHARP COUNTY**

Total Number of Applicable Cases: 121

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	21%	100%	97%	
DURATIONAL UP	58%			
DURATIONAL DOWN	3%			
DISPOSTIONAL UP	18%			
DISPOSITIONAL DOWN			3%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 7			
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	48.0
Seriousness Level 6			
5-10-104	C	Manslaughter	36.0
5-14-125	B	Sexual Assault, 2nd Degree	42.0
5-39-201	B	Burglary - Residential	129.6
Seriousness Level 4			
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	120.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	48.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	120.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	72.0
5-37-201	C	Forgery II	36.0
5-39-202	D	Breaking or Entering	54.0
12-12-904	C	Sex Offender Failing to Register	60.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	42.0
5-73-103	D	Possession Firearm by Certain Persons	50.4
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	60.0

**ST. FRANCIS COUNTY**

Total Number of Applicable Cases: 40

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO			85%	
DURATIONAL UP	40%		5%	
DURATIONAL DOWN	5%			
DISPOSTIONAL UP	55%			
DISPOSITIONAL DOWN			10%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	300.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	135.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	48.0
Seriousness Level 3			
5-38-203	C	Criminal Mischief I	72.0
5-39-202	D	Breaking or Entering	60.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	64.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	72.0



**STONE COUNTY**

Total Number of Applicable Cases: 73

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	5%		96%	
DURATIONAL UP	78%			
DURATIONAL DOWN				
DISPOSTIONAL UP	17%			
DISPOSITIONAL DOWN			4%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 8			
5-38-301	Y	Arson (=> \$100,000 Damage)	120.0
Seriousness Level 6			
5-39-201	B	Burglary - Residential	102.0
Seriousness Level 4			
5-13-202	D	Battery II	72.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	120.0
5-64-438(b)(3)	C	Delivery of Schedule VI Controlled Substance (=>4 oz. <25 lbs)	120.0
Seriousness Level 3			
5-37-201	C	Forgery II	48.0
Seriousness Level 2			
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	72.0

**UNION COUNTY**

Total Number of Applicable Cases: 192

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	9%	100%	100%	
DURATIONAL UP	47%			
DURATIONAL DOWN	5%			
DISPOSTIONAL UP	30%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	9%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	480.0
Seriousness Level 9			
5-10-103	A	Murder II	306.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	183.4
5-13-201	B	Battery I	210.0
5-26-303	B	Domestic Battery I	120.0
5-74-106	Y	Simultaneous Possession of Drugs and Firearms	240.0
Seriousness Level 7			
5-12-102	B	Robbery	150.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	101.0
Seriousness Level 6			
5-10-104	C	Manslaughter	72.0
5-14-125	B	Sexual Assault, 2nd Degree	60.0
5-39-201	B	Burglary - Residential	78.0
Seriousness Level 5			
5-37-201	B	Forgery I	72.0
5-39-201	C	Burglary - Commercial	80.0
Seriousness Level 4			
5-13-202	D	Battery II	66.0
5-64-438(b)(3)	C	Delivery of Schedule VI Controlled Substance (=>4 oz. <25 lbs)	90.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	48.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	62.7
5-37-201	C	Forgery II	99.0
5-39-202	D	Breaking or Entering	61.5
12-12-904	C	Sex Offender Failing to Register	48.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	58.0
5-73-103	D	Possession Firearm by Certain Persons	53.1
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	48.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	72.0

**VAN BUREN COUNTY**

Total Number of Applicable Cases: 41

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	3%	100%	100%	
DURATIONAL UP	62%			
DURATIONAL DOWN	12%			
DISPOSTIONAL UP	23%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 7			
5-12-102	B	Robbery	72.0
5-64-402	B	Failure to keep Records - Drug Free Zone	60.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	66.0
5-39-201	B	Burglary - Residential	56.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	78.0
Seriousness Level 4			
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	72.0
Seriousness Level 3			
5-13-204	D	Aggravated Assault	48.0
5-37-201	C	Forgery II	26.0
5-39-202	D	Breaking or Entering	24.0
Seriousness Level 2			
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	24.0
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	72.0

**WASHINGTON COUNTY**

Total Number of Applicable Cases: 1,320

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	15%	99%	99%	
DURATIONAL UP	52%			
DURATIONAL DOWN	8%			
DISPOSTIONAL UP	22%			
DISPOSITIONAL DOWN		1%	1%	
DISPOSITIONAL & DURATIONAL	3%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	297.0
5-10-101	Y	Capital Murder - Attempt	444.0
Seriousness Level 8			
5-12-103	Y	Aggravated Robbery	300.0
5-64-440(b)(1)	Y	Trafficking Meth	192.0
5-13-201	B	Battery I	126.0
Seriousness Level 7			
5-12-102	B	Robbery	234.6
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	117.6
Seriousness Level 6			
5-10-104	C	Manslaughter	240.0
5-14-125	B	Sexual Assault, 2nd Degree	172.9
5-39-201	B	Burglary - Residential	94.1
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	33.0
Seriousness Level 5			
5-37-201	B	Forgery I	57.6
5-39-201	C	Burglary - Commercial	93.3
5-54-120	C	Failure to Appear	53.1
5-64-436(b)(4)	B	Possession of Controlled Substance Schedule IV with Purpose to Deliver (=>25 lbs <100 lbs)	24.0
Seriousness Level 4			
5-11-103	C	False Imprisonment I	120.0
5-13-202	D	Battery II	58.3
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	58.5
5-64-438(b)(3)	C	Delivery of Schedule VI Controlled Substance (=>4 oz. <25 lbs)	48.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	88.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	81.6



Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 3			
5-13-204	D	Aggravated Assault	73.7
5-37-201	C	Forgery II	45.8
5-38-203	C	Criminal Mischief I	86.0
5-39-202	D	Breaking or Entering	34.7
12-12-904	C	Sex Offender Failing to Register	42.0
Seriousness Level 2			
5-13-301	D	Terroristic Threatening I	62.1
5-54-122	D	Filing False Report of Crime	72.0
5-73-103	D	Possession Firearm by Certain Persons	54.9
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	42.5
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	63.0
Seriousness Level 1			
27-53-103	D	Duty to Give Information or Render Aid	24.0

**WHITE COUNTY**

Total Number of Applicable Cases: 433

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO	28%	100%	100%	
DURATIONAL UP	54%			
DURATIONAL DOWN	1%			
DISPOSTIONAL UP	17%			
DISPOSITIONAL DOWN			0%	
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 10			
5-10-102	Y	Murder I	450.0
Seriousness Level 9			
5-14-103	Y	Rape	240.0
Seriousness Level 8			
5-13-201	B	Battery I	180.0
Seriousness Level 7			
5-12-102	B	Robbery	180.0
5-14-124	A	Sexual Assault, 1st Degree	235.0
5-38-301	A	Arson (=>\$15,000 <\$100,000 Damage)	72.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	96.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	66.0
5-39-201	B	Burglary - Residential	62.3
5-36-103(b)(1)(A)	B	Theft of Property =>\$25,000	64.0
Seriousness Level 5			
5-37-201	B	Forgery I	60.0
5-39-201	C	Burglary - Commercial	55.5
5-54-120	C	Failure to Appear	75.0
Seriousness Level 4			
5-11-103	C	False Imprisonment I	120.0
5-13-202	D	Battery II	18.0
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver (=>4 oz. <25 lbs)	72.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	74.0
5-36-106(e)(2)	C	Theft by Receiving >\$5,000 <\$25,000	31.2
Seriousness Level 3			
5-13-204	D	Aggravated Assault	54.0
5-37-201	C	Forgery II	91.5
5-39-202	D	Breaking or Entering	48.9
12-12-904	C	Sex Offender Failing to Register	39.8
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	38.7
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	44.6
5-36-106(e)(3)(A)	D	Theft by Receiving >\$1,000=<\$5,000	56.0

**WOODRUFF COUNTY**

Total Number of Applicable Cases: 12

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO				
DURATIONAL UP	75%			
DURATIONAL DOWN	17%			
DISPOSTIONAL UP	8%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL				

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 6			
5-39-201	B	Burglary - Residential	72.0
Seriousness Level 3			
5-39-202	D	Breaking or Entering	72.0

**YELL COUNTY**

Total Number of Applicable Cases: 112

TABLE A  
COUNTY COMPARISON OF DEPARTURES WITH OFFENDERS' ASSIGNED LOCATION 2015

Departure Type	Assigned Location			
	ADC	CCC	PROB/SIS	Special Conditions
NO		100%	100%	
DURATIONAL UP	55%			
DURATIONAL DOWN	6%			
DISPOSTIONAL UP	34%			
DISPOSITIONAL DOWN				
DISPOSITIONAL & DURATIONAL	5%			

TABLE B  
COUNTY AVERAGE SENTENCE LENGTH BY MOST COMMON CRIME 2015

Statute Number	Class	Name of Crime	Average Imposed Sentence (mos.)
Seriousness Level 9			
5-14-103	Y	Rape	96.0
Seriousness Level 7			
5-14-124	A	Sexual Assault, 1st Degree	240.0
5-64-420(b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver (=>10g<200g)	114.0
Seriousness Level 6			
5-14-125	B	Sexual Assault, 2nd Degree	132.0
5-39-201	B	Burglary - Residential	72.0
Seriousness Level 5			
5-39-201	C	Burglary - Commercial	48.0
Seriousness Level 4			
5-11-103	C	False Imprisonment I	48.0
5-13-202	D	Battery II	60.0
5-36-103(b)(2)(A)	C	Theft of Property >\$5,000 <\$25,000	60.0
Seriousness Level 3			
5-37-201	C	Forgery II	80.0
5-39-202	D	Breaking or Entering	28.0
Seriousness Level 2			
5-73-103	D	Possession Firearm by Certain Persons	36.0
5-36-103(b)(3)(A)	D	Theft of Property >\$1,000=<\$5,000	40.0