

SERIOUSNESS LEVEL 4
Effective date January 1, 2018

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

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

Offenses Ineligible for Parole (See A.C.A. § 16-93-609)

| | | |
|----------|---|---|
| 5-27-304 | C | Pandering or Possessing Visual or Print Medium Depicting Child- First Offense |
| 5-27-307 | D | Sexually Grooming a Child |

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

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

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

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

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

See A.C.A. §§ 5-4-401 and 5-4-501.