

SERIOUSNESS LEVEL 5
Effective date January 1, 2018

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	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 60-144 (5-12 yrs) CCC	ADC 84-180 (7-15 yrs)
Presumptive Sentence (January 1, 1994-December 31, 2017)	CCC AS	ADC 36 CCC AS	ADC 54 CCC AS	ADC 72 CCC AS	ADC 120	ADC 180
Presumptive Range (Prior to July 1, 2005)		ADC 34.20- 37.80	ADC 51.30- 56.70	ADC 68.40- 75.60	ADC 114-126	ADC 171-189

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 (c))

5-27-304	B	Pandering or Possessing Visual or Print Medium Depicting Child- Sub. Offense
5-27-605	B	Computer Exploitation of a Child Second Degree
5-73-103(c)(1)	B	Possession of Firearm by Certain Person (offense date 4/28/2021 and thereafter)

Common Level 5 Offenses (See Seriousness Reference Table for additional offenses and effective dates.)

5-26-202	C	Incest
5-37-201	B	Forgery I
5-38-301	B	Arson (≥ \$5,000 < \$15,000 Damage)
5-39-201	C	Burglary - Commercial
5-54-105	B	Hindering Apprehension or Prosecution
5-54-119	B	Furnishing, Possessing or Using Prohibited Articles
5-64-419(b)(1)(C)	B	Possession of Controlled Substance – Schedule I or II Methamphetamine, Cocaine, or Heroin ≥ 10 g < 200 g
5-64-436(b)(4)	B	Possession of Schedule VI Controlled Substance with Purpose to Deliver ≥ 25 lbs < 100 lbs
5-64-438(b)(4)	B	Delivery of Schedule VI Controlled Substance ≥ 25 lbs < 100 lbs
5-64-439(b)(4)	B	Manufacture of Schedule VI Controlled Substance ≥ 25 lbs < 100 lbs

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 5 offenses and statutory ranges (shown in years):

Class	Normal Range	Habitual §(a)	Habitual §(b)	Habitual §(c)	Habitual §(d)
A	6-30	6-50	6-60	40-80 or Life	40-Life
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

See A.C.A. §§ 5-4-401 and 5-4-501.