



Arkansas Sentencing Commission

A Division of the
Arkansas Department of Corrections

Sentencing Standards Grid Offense Seriousness Rankings and Related Material

Arkansas Sentencing Commission

Tawnie Rowell, Director
1302 Pike Avenue, Suite E
North Little Rock, AR 72114
Tel: (501)682-5001

<https://doc.arkansas.gov/sentencing-commission/>

IMPORTANT NOTE

From the staff of the Arkansas Sentencing Commission

Supplemental Changes to the Commission's Sentencing Standards Grid, Offense Seriousness Rankings, and Related Material

Please be advised that staff periodically discovers necessary edits in our Benchbook. Between printings, any necessary edits that are discovered will be corrected in the online publication which can be found on our website. Any major corrections will be noted in a supplement, also found on our website.

(This page intentionally left blank)



ARKANSAS SENTENCING COMMISSION

1302 Pike Avenue, Suite E • North Little Rock, AR 72114

Phone: (501) 682-5001 • Fax: (501) 682-5018

MISSION STATEMENT - The purpose of the Arkansas Sentencing Commission is to establish sentencing standards and to monitor and assess the impact of practices, policies, and existing laws on the correctional resources of the State.

Commission Membership

<u>Name</u>	<u>Classification</u>	<u>Judicial Circuit</u>
Gordon "Mack" McCain	Judge, Chair	Fifth
Shannon Blatt	Judge	Twelfth
Carlton Jones	Judge	Eighth
Vacant	Prosecuting Attorney	
Daniel Shue	Prosecuting Attorney	Twelfth
KenDrell Collins	Public Defender	Sixth
Michael Robbins	Public Defender	Fifth
Vacant	Citizen Representative	
Pat Roberts	Citizen Representative	Twenty-Second
Diana Lowe	Advisory Member	Eighth

Staff Contact

ASC.Sentencing.Comm@arkansas.gov

(This page intentionally left blank)

Table of Contents

I.	Introduction to the Sentencing Standards	.....1
II.	Arkansas Sentencing Standards Grid and Policy Statements	.....3
III.	Arkansas Sentencing Standards Grid by Level (1 through 10)	.....5
IV.	Offense Seriousness Ranking Table	.....15
V.	Addendum	.....48
VI.	Related Information and Questions	.....49
VII.	Criminal History Worksheet & Instructions	.....62

(This page intentionally left blank)

Introduction to Sentencing Standards

The Arkansas Sentencing Standards, as defined in Acts 532 and 550 of 1993, serve the purpose of equity in sentencing. They provide similar sentences for similar offenders with similar criminal histories. This allows for proportionality and consistency in sentencing by creating a balanced correctional system with a continuum of sanctions that reserves the most serious sanctions for the most serious offenders. See Arkansas Code Annotated (A.C.A.) § 16-90-801.

HOW THE STANDARDS WORK

The sentencing standards structure adopted in Arkansas is a voluntary procedure for use by those directly involved in sentencing, such as judges, prosecutors, and defense attorneys. The **Arkansas Sentencing Standards Grid** (the Grid) has been adopted by the Arkansas Sentencing Commission (the Commission) pursuant to legislative authority and the Administrative Procedures Act. The Grid is found in Section II of this manual. Act 423 of 2017 made changes to the enabling legislation for the Commission, including the portion relating to the Sentencing Standards. ***This amendment required the Commission to determine a sentencing range for each grid cell containing sentences to the Arkansas Division of Correction for all offenses occurring on or after January 1, 2018, replacing the single month duration found in the original Sentencing Grid.*** A **presumptive sentence** for a **typical case** is determined on a grid with two dimensions: (1) **offense seriousness level** and (2) **offender criminal history**.

Offense seriousness level is determined by reference to a table adopted by the Commission which lists all felony offenses in one of ten levels of seriousness (See Section IV). **Offender criminal history** is determined by reference to the statute, A.C.A. § 16-90-803, which allocates points for different levels of felonies, misdemeanors, certain juvenile adjudications, and custody status at the time that an offense was committed.

A.C.A. § 16-90-803(b)(1)(C) states that “the most frequently occurring offenses within each seriousness level are listed on the vertical axis of the sentencing standards grid.” For further explanation of the seriousness levels, individual grid pages representing each seriousness level of the Grid have been included in Section III of this manual. Each of these pages contains a list of the most frequently occurring offenses within that particular seriousness level. Please note that this list does not always represent a complete list of offenses for that seriousness level, only the most frequently occurring offenses. A complete list of offenses, with their applicable effective dates, may be found in the **Seriousness Rankings** section of this manual. Each individual grid page also contains a chart with the presumptive sentencing range for offenses committed on or after January 1, 2018, the presumptive sentence for offenses committed January 1, 1994 to December 31, 2017, and the presumptive range (5% above or below the presumptive sentence) for offenses committed prior to July 1, 2005. The statutory range for classifications of offenses occurring with each seriousness level is also included on the individual grid pages.

Determining the **presumptive sentence** for a particular offense is a starting point for the sentencing process. If the case is atypical, the procedure is defined for departing from the presumption. *The full statutory range of punishment is available for all cases.*

When there is a departure from the presumptive sentence, written reasons must be listed on the Sentencing Order. Act 423 of 2017 set out additional requirements for when the court departs from the voluntary presumptive sentencing range. Courts are required to provide justification for departing, including a thorough recitation of the facts underlying the departure. Please see A.C.A. § 16-90-804 for further explanation.

Act 1179 of 2001, codified at A.C.A. § 16-90-803(a)(1)(B), clarifies that sentencing guidelines do not apply to probation revocation proceedings. Thus, written departure reasons are not required in revocation proceedings.

SENTENCING STANDARDS CODE REFERENCES

Identical Acts 532 and 550 of 1993 created the Arkansas Sentencing Commission and authorized the creation of the Sentencing Standards Grid and Seriousness Rankings. These acts are codified as follows:

- A.C.A. § 16-90-801 Statement of sentencing policy
 - (a) Purposes of Sentencing
 - (b) Purpose of Sentencing Standards
 - (c) Appropriate Use of Sentencing Sanctions
- A.C.A. § 16-90-802 The Arkansas Sentencing Commission
 - (a) Purpose of Commission
 - (b) Composition
 - (c) Terms
 - (d) Powers, duties, reports and training
 - (e) Meetings and reports
 - (f) Director
 - (g) Staff and services
- A.C.A. § 16-90-803 Voluntary presumptive standards
 - (a) Applicability
 - (b) Offense seriousness and Offender History
 - (c) Effective date of guideline
- A.C.A. § 16-90-804 Departures from the standards
 - (a) Deviation authority in a bench trial
 - (b) Deviation authority when sentenced by a judge
 - (c) Mitigating Departure reasons
 - (d) Aggravating Departure reasons
 - (e) Non-applicability to jury trials

Arkansas Sentencing Standards Grid

Effective Date - For Offenses Committed January 1, 2018 and Thereafter

Criminal History Score

Offense Seriousness	0	1	2	3	4	5+
10	ADC 300-480 (25-40 yrs)	ADC 360-480 (30-40 yrs)	ADC 420-540 (35-45 yrs)	ADC 480-600 (40-50 yrs)	ADC 480-720 (40-60 yrs)	ADC 480-840 (40-70 yrs)
9	ADC 180-300 (15-25 yrs)	ADC 240-360 (20-30 yrs)	ADC 264-420 (22-35 yrs)	ADC 336-540 (28-45 yrs)	ADC 420-600 (35-50 yrs)	ADC 480-720 (40-60 yrs)
8	ADC 96-180 (8-15 yrs)	ADC 120-240 (10-20 yrs)	ADC 120-300 (10-25 yrs)	ADC 180-360 (15-30 yrs)	ADC 180-420 (15-35 yrs)	ADC 240-600 (20-50 yrs)
7	ADC 60-120 (5-10 yrs) CCC AS	ADC 72-144 (6-12 yrs) CCC AS	ADC 84-180 (7-15 yrs) CCC	ADC 96-240 (8-20 yrs)	ADC 120-300 (10-25 yrs)	ADC 180-480 (15-40 yrs)
6	ADC 24-60 (2-5 yrs) CCC AS	ADC 36-84 (3-7 yrs) CCC AS	ADC 48-96 (4-8 yrs) CCC AS	ADC 60-120 (5-10 yrs) CCC	ADC 84-180 (7-15 yrs)	ADC 120-240 (10-20 yrs)
5	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)
4	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
3	CCC AS	CCC AS	ADC 18-36 (1.5-3 yrs) CCC AS	ADC 24-48 (2-4 yrs) CCC AS	ADC 36-60 (3-5 yrs) CCC AS	ADC 48-72 (4-6 yrs) CCC AS
2	CCC AS	CCC AS	CCC AS	ADC 12-24 (1-2 yrs) CCC AS	ADC 18-36 (1.5-3 yrs) CCC AS	ADC 24-48 (2-4 yrs) CCC AS
1	AS	AS	AS	CCC AS	ADC 12-24 (1-2 yrs) CCC AS	ADC 24-36 (2-3 yrs) CCC AS

ALL SENTENCE DURATIONS ARE SHOWN IN MONTHS COMMITTED TO THE ARKANSAS DIVISION OF CORRECTION.

ADC = Penitentiary Only, CCC = Community Correction Center (See Community Correction Center Policy Statement),

AS = Alternative Sanctions

— = Transfer Eligibility Line - Eligibility on sentences above the line is 1/2 of the sentence minus good time. Eligibility on sentences below the line is 1/3 of the sentence minus good time. However, other provisions may impact eligibility. See A.C.A. § 5-4-405, § 5-4-501 (c) and (d), and § 16-93-601, et. seq.

Arkansas Sentencing Standards Grid

POLICY STATEMENTS

Community Correction Centers

Only defendants who have been found guilty of a "target" offense are eligible to be sentenced to a Community Correction Center. Sentences to a Community Correction Center should only be utilized for those who the Court would otherwise sentence to the Division of Correction. The Sentencing Commission strongly encourages local courts to utilize the services of the Community Correction Centers in lieu of penitentiary time in appropriate cases. Offenses designated as "target offenses" are defined in A.C.A. § 16-93-1202(10)(A).

Statutory Override

The Sentencing Commission recognizes that the presumptive sentences recommended in some cells of the grid may fall above or below the statutory range for a given offense. The statutory minimum or maximum ranges for a particular crime shall govern over a presumptive sentence if the presumptive sentence should fall below or above such ranges. A.C.A. § 16-90-803 (b)(3)(C). While this is not considered a departure, please use Aggravating Departure Reason 13 to note that this exception applies.

Offenses/Offenders that are Statutorily Ineligible for CCC

If an ineligible offender is sentenced to the ADC from a grid cell that has CCC as a presumptive sentence, and the length of the ADC sentence is within the statutory parameters for sentences to CCC, the sentence will NOT be considered a departure for purposes of the Sentencing Guidelines. For example, a sentence of six (6) years in the ADC for Battery in the Second Degree, SL 4, CHS 0 is not a departure. While this is not considered a departure, please use Aggravating Departure Reason 16 to note that this exception applies.

DEFINITIONS

ADC - Commitment to the Arkansas Division of Correction.

CCC – Community Correction Center - multipurpose facilities encompassing security, punishment and services such that offenders can be housed therein when necessary but can also be assigned to or access punishment programs and services which are housed there, included therein are revocation centers, restitution centers, work release centers, and Community Correction Centers.

AS - Alternative Sanctions – includes:

- (1) Probation, both supervised and unsupervised;
- (2) Suspended imposition of sentence;
- (3) Work on service programs coupled with or without (1) or (2) above;
- (4) Local jail time up to the maximum authorized by law as a condition of (1) or (2) above;
- (5) Community Correction Programs as defined and provided by the Board of Corrections or by local courts as conditions of (1) or (2) above.

ARKANSAS SENTENCING STANDARDS GRID BY SERIOUSNESS LEVEL

(with presumptive sentence ranges and relevant information)

SERIOUSNESS LEVEL 10 Effective date January 1, 2018

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	ADC 300-480 (25-40 yrs)	ADC 360-480 (30-40 yrs)	ADC 420-540 (35-45 yrs)	ADC 480-600 (40-50 yrs)	ADC 480-720 (40-60 yrs)	ADC 480-840 (40-70 yrs)
Presumptive Sentence (January 1, 1994-December 31, 2017)	ADC 360	ADC 384	ADC 432	ADC 528	ADC 660	ADC 780
Presumptive Range (Prior to July 1, 2005)	ADC 342-378	ADC 364.80- 403.20	ADC 410.40- 453.60	ADC 501.60- 554.40	ADC 627-693	ADC 741-819

ADC = ADC Facility Only

ALL SENTENCE DURATIONS ARE SHOWN IN MONTHS COMMITTED

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

5-10-102	Y	Murder I
5-38-202	Y	Causing a Catastrophe

70% Parole Eligibility (See A.C.A. § 16-93-618, formerly codified at A.C.A. § 16-93-611)

5-10-102	Y	Murder I*
5-38-202	Y	Causing a Catastrophe

Release Eligibility - seventy percent (70%) of time imposed with no credit for good time.

* Eligibility for transfer under the one-half minus good time is only applicable to juveniles under the Extended Juvenile Jurisdiction Act at A.C.A. §§ 9-27-501 et seq., or following a discretionary judicial finding that a minor charged as an adult was an accomplice. See A.C.A. § 16-93-618, formerly codified at A.C.A. § 16-93-611.

Other Level 10 Offenses (See Seriousness Reference Table for effective dates.)

5-54-205	Y	Terrorism
5-54-208	Y	Exposing Public to Toxic Biological, Chemical or Radioactive Substances

Classification of Level 10 offenses and statutory ranges (shown in years):

<u>Class</u>	<u>Normal Range</u>	<u>Habitual §(a)</u>	<u>Habitual §(b)</u>	<u>Habitual §(c)</u>	<u>Habitual §(d)</u>
Y	10-40 or Life	10-60 or Life	10-Life	40-80 or Life	Life

See A.C.A. §§ 5-4-401 and 5-4-501.

SERIOUSNESS LEVEL 9
Effective date January 1, 2018

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	ADC 180-300 (15-25 yrs)	ADC 240-360 (20-30 yrs)	ADC 264-420 (22-35 yrs)	ADC 336-540 (28-45 yrs)	ADC 420-600 (35-50 yrs)	ADC 480-720 (40-60 yrs)
Presumptive Sentence (January 1, 1994-December 31, 2017)	ADC 240	ADC 312	ADC 396	ADC 480	ADC 600	ADC 720
Presumptive Range (Prior to July 1, 2005)	ADC 228-252	ADC 296.40- 327.60	ADC 376.20- 415.80	ADC 456-504	ADC 570-630	ADC 684-756

ADC = ADC Facility Only
ALL SENTENCE DURATIONS ARE SHOWN IN MONTHS COMMITTED

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

5-10-101	Y	Capital Murder - Attempt
5-10-101	A	Capital Murder - Conspiracy/Solicitation
5-14-103	Y	Rape
5-18-103	Y	Trafficking of Persons if the Victim is a Minor
5-27-303 (b)	Y	Engaging Child in Sexually Explicit Conduct- Offender is Parent or Guardian of Victim
5-38-204	Y	Aggravated Residential Burglary

70% Parole Eligibility (See A.C.A. § 16-93-618, formerly codified at A.C.A. § 16-93-611)

5-14-103	Y	Rape
5-18-103(a) & (c)(2)	Y	Trafficking of Persons if the Victim is a Minor

Release Eligibility - seventy percent (70%) of time imposed with no credit for good time.

Common Level 9 Offenses (See Seriousness Reference Table for effective dates.)

5-10-103	A	Murder II
5-13-201	Y	Battery I, Victim 4 Years of Age or Younger or Law Enforcement Officer on Duty
5-13-201(c)(3)	Y	Battery I, Victim is Employee of a Correctional Facility
5-13-201(a)(2) & (c)(2)	Y	Battery I, Purposely Causing Permanent Disfigurement
5-13-210	Y	Introduction of C/S into Body to Commit Sexual Offense
5-13-310	Y	Terroristic Act (Serious Physical Injury or Death)
5-26-303(a)(2) & (b)(2)	Y	Domestic Battering I, Purposely Causing Permanent Disfigurement
5-26-303(a)(7) & (b)(2)	Y	Domestic Battering I, Victim is 4 Years of Age or Younger
5-74-107	Y	Discharge of a Firearm from Car (First Degree)

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

Classification of Level 9 offenses and statutory ranges (shown in years):

Class	Normal Range	Habitual §(a)	Habitual §(b)	Habitual §(c)	Habitual §(d)
Y	10-40 or Life	10-60 or Life	10-Life	40-80 or Life	Life
A	6-30	6-50	6-60	40-80 or Life	40-Life

See A.C.A. §§ 5-4-401 and 5-4-501.

SERIOUSNESS LEVEL 8
Effective date January 1, 2018

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	ADC 96-180 (8-15 yrs)	ADC 120-240 (10-20 yrs)	ADC 120-300 (10-25 yrs)	ADC 180-360 (15-30 yrs)	ADC 180-420 (15-35 yrs)	ADC 240-600 (20-50 yrs)
Presumptive Sentence (January 1, 1994-December 31, 2017)	ADC 120	ADC 168	ADC 264	ADC 360	ADC 432	ADC 600
Presumptive Range (Prior to July 1, 2005)	ADC 114-126	ADC 159.60- 176.40	ADC 250.80- 277.20	ADC 342-378	ADC 401.40- 453.60	ADC 570-630

ADC = ADC Facility Only

ALL SENTENCE DURATIONS ARE SHOWN IN MONTHS COMMITTED

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

5-10-102	Y	Murder I
5-11-102	Y	Kidnapping
5-12-103	Y	Aggravated Robbery
5-18-103	A	Trafficking of Persons
5-27-303 (a)	Y	Engaging Child in Sexually Explicit Conduct- Offender is 18 or older
5-27-305	Y	Transportation of a Minor for Prohibited Sexual Conduct
5-27-306	Y	Internet Stalking of a Child
5-27-403	Y	Producing, Directing, or Promoting a Sexual Performance by a Child
5-27-605 (a)	Y	Computer Exploitation of a Child First Degree

70% Parole Eligibility (See A.C.A. § 16-93-618, formerly codified at A.C.A. § 16-93-611)

*5-11-102	Y	Kidnapping	**5-64-423(a)	Y	Manufacture of Methamphetamine
*5-12-103	Y	Aggravated Robbery	**5-64-440(b)(1)	Y	Trafficking Methamphetamine

* Release Eligibility - seventy percent (70%) of time imposed with no credit for good time.

** Release Eligibility - seventy percent (70%) with credit for good time, not to exceed 50% of original sentence

Common Level 8 Offenses (See Seriousness Reference Table for additional offenses and effective dates.)

5-13-201	B	Battery I
5-14-136 (b)(1) & (c)	C	Unlawful Female Genital Mutilation of a Minor, Knowingly Performing
5-26-204(a)(1) & (a)(2)(A)	A	Unlawful Solicitation for the Relinquishment of Parental Rights in the First Degree - Duress
5-26-303	B	Domestic Battery I
5-64-440(b)	Y	Trafficking a Controlled Substance
5-74-106	Y	Simultaneous Possession of Drugs and Firearms

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

Classification of Level 8 offenses and statutory ranges (shown in years):

Class	Normal Range	Habitual §(a)	Habitual §(b)	Habitual §(c)	Habitual §(d)
Y	10-40 or Life	10-60 or Life	10-Life	40-80 or Life	Life
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.

SERIOUSNESS LEVEL 7
Effective date January 1, 2018

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	ADC 60-120 (5-10 yrs) CCC AS	ADC 72-144 (6-12 yrs) CCC AS	ADC 84-180 (7-15 yrs) CCC	ADC 96-240 (8-20 yrs)	ADC 120-300 (10-25 yrs)	ADC 180-480 (15-40 yrs)
Presumptive Sentence (January 1, 1994-December 31, 2017)	ADC 42 CCC AS	ADC 54 CCC AS	ADC 84 CCC AS	ADC 120	ADC 160	ADC 300
Presumptive Range (Prior to July 1, 2005)	ADC 39.90- 44.10	ADC 51.30- 56.70	ADC 79.80- 88.20	ADC 114-126	ADC 152-168	ADC 285-315

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)
5-27-306 B Internet Stalking of a Child

70% Parole Eligibility (See A.C.A. § 16-93-618, formerly codified at A.C.A. § 16-93-611)
5-64-423(a) A Manufacture of Methamphetamine

** Release Eligibility - seventy percent (70%) with credit for good time, not to exceed 50% of original sentence
(A.C.A. § 16-93-618)

Common Level 7 Offenses (See Seriousness Reference Table for additional offenses and effective dates.)

5-12-102	B	Robbery
5-13-210	Y	Intro C/S into Body (Schedule I-II)
5-14-124	A	Sexual Assault, First Degree
5-14-136(b)(2) & (c)	C	Unlawful Female Genital Mutilation of a Minor, Knowingly Consenting to, Permitting, or Facilitating
5-38-301	A	Arson (≥ \$15,000 < \$100,000 Damage)
5-64-419(b)(5)(F)	A	Possession of Controlled Substance – Schedule VI ≥ 100 lbs < 500 lbs
5-64-420(b)(3)	A	Possession of Methamphetamine, Cocaine or Heroin w/Purpose to Deliver ≥ 10g < 200g
5-64-422(b)(2)	B	Delivery of Methamphetamine, Cocaine, or Heroin ≥ 2g < 10g
5-64-422(b)(3)	Y	Delivery of Methamphetamine, Cocaine, or Heroin ≥ 10g < 200g
5-74-107	B	Discharge of a Firearm From Car (Second Degree)

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

Classification of Level 7 offenses and statutory ranges (shown in years):

Class	Normal Range	Habitual §(a)	Habitual §(b)	Habitual §(c)	Habitual §(d)
Y	10-40 or Life	10-60 or Life	10-Life	40-80 or Life	Life
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.

SERIOUSNESS LEVEL 6
Effective date January 1, 2018

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	ADC 24-60 (2-5 yrs) CCC AS	ADC 36-84 (3-7 yrs) CCC AS	ADC 48-96 (4-8 yrs) CCC AS	ADC 60-120 (5-10 yrs) CCC	ADC 84-180 (7-15 yrs)	ADC 120-240 (10-20 yrs)
Presumptive Sentence (January 1, 1994-December 31, 2017)	ADC 24 CCC AS	ADC 42 CCC AS	ADC 66 CCC AS	ADC 108 CCC AS	ADC 156	ADC 240
Presumptive Range (Prior to July 1, 2005)	ADC 22.80- 25.20	ADC 39.90- 44.40	ADC 62.70- 69.30	ADC 102.60- 113.40	ADC 148.20- 163.80	ADC 228-252

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

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

- 5-51-201 A Treason
- 5-54-125 B Fleeing in a Vehicle or Conveyance with Serious Physical Injury

70% Parole Eligibility (See A.C.A. § 16-93-618, formerly codified at A.C.A. § 16-93-611)

- 5-64-403 B Use of Paraphernalia to Manufacture Methamphetamine
- 5-64-423(a) C Manufacture of Methamphetamine

** Release Eligibility - seventy percent (70%) with credit for good time, not to exceed 50% of original sentence (A.C.A. § 16-93-618)

Common Level 6 Offenses (See Seriousness Reference Table for additional offenses and effective dates.)

- 5-10-104 C Manslaughter
- 5-10-105 B Negligent Homicide
- 5-11-102 B Kidnapping, Victim voluntarily released alive
- 5-14-125 B Sexual Assault, Second Degree
- 5-36-103(b)(1)(A) B Theft of Property ≥ \$25,000
- 5-37-302(b)(2) B Arkansas Hot Check Law - Value ≥ \$25,000
- 5-64-420(b)(1) C Possession of Methamphetamine, Cocaine, or Heroin with Purpose to Deliver < 2g
- 5-64-422(b)(1) C Delivery of Methamphetamine, Cocaine, or Heroin < 2g
- 5-64-443(b) B Use or Possession of Paraphernalia to Manufacture, etc. Methamphetamine, Cocaine, Heroin or Fentanyl

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 6 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.

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.

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.

SERIOUSNESS LEVEL 3
Effective date January 1, 2018

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	CCC AS	CCC AS	ADC 18-36 (1.5-3 yrs) CCC AS	ADC 24-48 (2-4 yrs) CCC AS	ADC 36-60 (3-5 yrs) CCC AS	ADC 48-72 (4-6 yrs) CCC AS
Presumptive Sentence (January 1, 1994-December 31, 2017)	CCC AS	CCC AS	ADC 18 CCC AS	ADC 30 CCC AS	ADC 42 CCC AS	ADC 60 CCC AS
Presumptive Range (Prior to July 1, 2005)			ADC 17.10- 18.90	ADC 28.50- 31.50	ADC 39.90- 44.10	ADC 57-63

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

Common Level 3 Offenses (See Seriousness Reference Table for additional offenses and effective dates.)

5-13-204	D	Aggravated Assault
5-26-401	D	Non-Support
5-36-106(e)(3)(B)	D	Theft by Receiving – Credit/Debit Card or Account Number or Firearm Value > \$2500
5-37-201	C	Forgery II
5-38-203	C	Criminal Mischief I
5-39-202	D	Breaking or Entering
5-60-101	C	Abuse of a Corpse
5-64-419(b)(1)(A)	D	Possession of Controlled Substance – Schedule I/II Meth, Cocaine, or Heroin < 2g
5-64-419(b)(2)(A)	D	Possession of Controlled Substance – Schedule I/II not Meth, Cocaine, Heroin, Fentanyl < 2g
5-64-419(b)(5)(B)	D	Possession of Controlled Substance – Schedule VI ≥ 1 oz. < 4 oz.; 4+ prior convictions
5-64-419(b)(5)(C)	D	Possession of Controlled Substance – Schedule VI ≥ 4 oz. < 10 lbs
5-64-436(b)(2)	D	Possession of Schedule VI Controlled Substance with Purpose to Deliver > 14g < 4 oz
5-64-443(a)(2)	D	Possession of Drug Paraphernalia for Meth, Cocaine, Heroin, or Fentanyl (Sub. Offense)
5-64-443(b)(1)	D	Use or Possession of Paraphernalia to Manufacture a Controlled Substance not Methamphetamine, Cocaine, Heroin, or Fentanyl
5-65-111(d)(1)	U	DWI/BWI 4 [See statute for penalty range – CCC by judicial transfer only]
12-12-904	C	Sex Offender Failing to Register

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 3 offenses and statutory ranges (shown in years):

<u>Class</u>	<u>Normal Range</u>	<u>Habitual §(a)</u>	<u>Habitual §(b)</u>	<u>Habitual §(c)</u>	<u>Habitual §(d)</u>
B	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.

SERIOUSNESS LEVEL 2
Effective date January 1, 2018

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	CCC AS	CCC AS	CCC AS	ADC 12-24 (1-2 yrs) CCC AS	ADC 18-36 (1.5-3 yrs) CCC AS	ADC 24-48 (2-4 yrs) CCC AS
Presumptive Sentence (January 1, 1994-December 31, 2017)	CCC AS	CCC AS	CCC AS	ADC 18 CCC AS	ADC 24 CCC AS	ADC 42 CCC AS
Presumptive Range (Prior to July 1, 2005)				ADC 17.10- 18.90	ADC 22.80- 25.20	ADC 39.90- 44.10

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

Common Level 2 Offenses (See Seriousness Reference Table for additional offenses and effective dates.)

5-13-301	D	Terroristic Threatening I
5-36-103(b)(3)(A)	D	Theft of Property Value > \$1,000 but ≤ \$5,000
5-36-106(e)(3)(A)	D	Theft by Receiving Value > \$1,000 but ≤ \$5,000
5-37-302(b)(4)	D	Arkansas Hot Check Law - Value ≥ \$1,000 < \$5,000
5-38-203(b)(2)	D	Criminal Mischief I – Damage > \$1,000 < \$5,000
5-54-111	D	Escape II
5-54-122	D	Filing False Report of Crime
5-55-501(b) & (c)	D	Lottery Fraud
5-73-103 (c)(2)	D	Possession Firearm by Certain Persons
27-53-101 (c)	D	Failure to Stop After Accident- Physical Injury

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 2 offenses and statutory ranges (shown in years):

Class	Normal Range	Habitual §(a)	Habitual §(b)	Habitual §(c)	Habitual §(d)
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.

SERIOUSNESS LEVEL 1
Effective date January 1, 2018

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	AS	AS	AS	CCC AS	ADC 12-24 (1-2 yrs) CCC AS	ADC 24-36 (2-3 yrs) CCC AS
Presumptive Sentence (January 1, 1994-December 31, 2017)	AS	AS	AS	ADC 9 CCC AS	ADC 24 CCC AS	ADC 30 CCC AS
Presumptive Range (Prior to July 1, 2005)				ADC 8.55- 9.45	ADC 22.80- 25.20	ADC 28.50- 31.50

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

Common Level 1 Offenses (See Seriousness Reference Table for additional offenses and effective dates.)

5-37-203	D	Defrauding Secured Creditors
5-37-211	D	Defrauding Judgment Creditors
5-41-103	D	Computer Fraud
5-66-103	D	Keeping a Gambling House
27-14-307	U	False Evidence Title Registration

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 1 offenses and statutory ranges (shown in years):

<u>Class</u>	<u>Normal Range</u>	<u>Habitual §(a)</u>	<u>Habitual §(b)</u>	<u>Habitual §(c)</u>	<u>Habitual §(d)</u>
D	0-6	0-12	0-15	40-80 or Life	20-40

See A.C.A. §§ 5-4-401 and 5-4-501.

Offense Seriousness Ranking Table for Criminal Offenses

The first column is used to indicate whether an offense meets certain statutory designations. Legend: **A**- 70% offense [§16-93-618] **B**- Possible 70% offense which can earn good time [§16-93-618] **C**- Serious felony involving violence [§5-4-501(c)] **D**- Felony involving violence [§5-4-501(d) & §16-93-609] **E**-100% Felon in Possession. **Shaded cells** indicate offenses for which an offender is not eligible for parole if committed on or after 1/1/2024. Unless otherwise noted as a chaing in ranking, effective dates refer to the effective date of the offense. If an offense has no effective date, the effective date is prior to the creation of the sentencing guidelines on 1/1/1994. If an offense has no end date, the offense is current as of the date of publication of this manual.

	Statute #	Class	Name of Crime	Start	End	Ranking
	2-17-204	D	Violation of Grain Warehouse			1
	2-24-108 (a) & (b)	D	Violation of Arkansas Grain Dealers Act	3/24/2015		2
	2-34-107	C	Branding or Misbranding a Domestic Animal with Intent to Defraud		7/31/2017	2
	2-38-504 (a)	U	Releasing Hogs into the Wild		7/21/2015	1
	3-3-202	D	Furnishing Alcoholic Beverage to Minor - Subq. Offense w/in 3 years	8/12/2005		3
	3-3-202	D	Sale of Alcoholic Beverage to Minor			2
	3-3-202	C	Sale of Alcoholic Beverage to Minor - Subq. Offense w/in 5 years			3
	3-3-219	D	Social Hosts - Criminal Liability - Third or Subq. Offense	7/31/2009		2
	3-3-402	D	Illicit Still			1
	3-8-209	D	Sale or Furnishing Place for Sale in Dry Territory Subq. Offense	8/12/2005		1
	3-8-312	D	Alcoholic Beverage Sale/Possession Trade in Dry County - Subq. Offense	8/12/2005		1
	3-8-312	U	Alcoholic Beverage Sale/Possession Trade in Dry County		8/11/2005	1
	4-56-102	C	Unlawful Acts Relating to Secured Interests on Farm Products	8/12/2005		3
	4-59-301	D	Issuance of Bill for Goods Not Received	8/12/2005		2
	4-59-502	C	Remission to Acquirer of Record of Sale Not Made by Remitter			3
	4-59-503	C	Solicitation of Merchant to Remit Record of Sale Not Made by Merchant			3
	4-72-207	B	Violation of the Arkansas Franchise Practices Act - Misleading & Fraudulent Practices			4
	4-88-1205	D	Counterfeiting Tickets - Subsequent Offense	4/4/2023		2
	4-90-203	U	Odometer Fraud	7/28/1995		2
	4-90-204	U	Preventing Tampering (See penalty at 4-90-203)			-
	4-90-205	U	Service, Repair, and Replacement (See penalty at 4-90-203)			-
	4-90-206	U	Disclosure Reqmts on Transfer of a Motor Vehicle (See penalty at 4-90-203)			-
	4-95-103	D	Violation of the Arkansas Mail & Telephone Consumer Product Promotion Fair Practices Act			2
	4-95-105	D	Offers of Gifts or Prizes (See penalty at 4-95-103)			-
	4-95-106	D	Purchase Agreements Generally (See penalty at 4-95-103)			-
	4-99-110	D	Soliciting Prospective Purchasers on Behalf of Unregistered Telephonic Seller			2
	4-100-102	D	Unlawful Subleasing or Transfer of a Motor Vehicle			2
	4-100-103	D	Unlawful Subleasing or Transfer of a Motor Vehicle (See penalty at 4-100-102)			-
	5-4-617 (i)(1) & (n)	D	Release of Confidential Information Relating to Executions	7/24/2019		3
	5-4-617 (i)(3)	D	Release of Sealed Information Relating to Executions	7/24/2019		3
D	5-10-101	Y	Capital Murder - Attempt to Commit [see 5-3-203 (a)]	8/12/2005		9
D	5-10-101	A	Capital Murder - Conspiracy/Solicitation	8/12/2005		9
D	5-10-101	A	Capital Murder - Attempt/Conspiracy/Solicitation		8/11/2005	9
ACD	5-10-102	Y	Murder 1st Degree			10
CD	5-10-103	A	Murder 2nd Degree	8/12/2005		9
	5-10-103	B	Murder 2nd Degree		8/11/2005	8

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-10-104	C	Manslaughter		12/31/2023	6
	5-10-104 (a)(1) & (c)	B	Manslaughter - extreme emotional disturbance	1/1/2024		7
	5-10-104 (a)(2) & (c)	B	Manslaughter - causes or aids suicide	1/1/2024		7
	5-10-104 (a)(3) & (c)	B	Manslaughter - recklessly causes death	1/1/2024		7
	5-10-104 (a)(4) & (c)	B	Manslaughter - negligence in course of felony	1/1/2024		7
	5-10-105 (a)(1)(A)-(C) & (a)(2)	B	Negligent Homicide	7/31/2009		6
	5-10-105 (a)(1)(D) & (a)(2)	B	Negligent Homicide (While Fatigued)	8/16/2013		6
	5-10-105	C	Negligent Homicide	7/30/1999	7/30/2009	4
	5-10-105	D	Negligent Homicide		7/29/1999	4
	5-10-105 (b)(2)	D	Negligent homicide - deadly weapon	1/1/2024		3
	5-10-106	C	Physician-assisted Suicide	7/30/1999	7/23/2019	5
	5-10-106	B	Physician-assisted Suicide	7/24/2019		6
	5-10-107	D	Encouraging the Suicide of Another Person	7/24/2019		5
	5-10-202 (a)(1) & (b)(1)	U	Aggravated death by delivery - victim is adult	4/11/2023		10
	5-10-202 (a)(2) & (b)(2)(A)	U	Aggravated death by delivery - victim is minor	4/11/2023		10
	5-10-202 (a)(2) & (b)(2)(B)	U	Aggravated death by delivery - victim is minor < 3 years younger than defendant	4/11/2023		10
	5-10-203 (a) & (b)(1)	Y	Death by delivery - first degree	4/11/2023		10
	5-10-203 (a) & (b)(2)	A	Death by delivery - first degree	4/11/2023		9
	5-10-204 (a) & (b)(1)	A	Death by delivery - second degree	4/11/2023		9
	5-10-204 (a) & (b)(2)	B	Death by delivery - second degree	4/11/2023		8
	5-10-204 (a) & (b)(3)	Y	Death by delivery - second degree	4/11/2023		10
ACD	5-11-102	Y	Kidnapping			8
D	5-11-102	B	Kidnapping, Victim Voluntarily Released Alive			6
	5-11-103	C	False Imprisonment 1st Degree			4
	5-11-105	B	Vehicular Piracy of an Aircraft			5
	5-11-105	C	Vehicular Piracy			4
	5-11-106	B	Permanent Detention			5
	5-11-106	D	Permanent Detention of Offender's Child			3
	5-11-108	A	Human Trafficking		8/15/2013	8
	5-12-102	B	Robbery			7
ACD	5-12-103	Y	Aggravated Robbery			8
D	5-13-201	Y	Battery 1st Degree - Victim is 4 Years of Age or Younger	7/31/2007		9
D	5-13-201	Y	Battery 1st Degree - Victim is Law Enforcement in Line of Duty	7/31/2007		9
D	5-13-201 (c)(3)	Y	Battery 1st Degree - Victim is Employee of a Correctional Facility	3/29/2019		9
D	5-13-201 (a)(2) & (c)(2)	Y	Battery 1st Degree - Purposely Causing Permanent Disfigurement	7/24/2019		9
D	5-13-201	B	Battery 1st Degree			8
D	5-13-201 (a)(7)	B	Battery 1st Degree - Victim is 60 Years of Age or Older / 12 Years of Age or Younger	7/24/2019		8
	5-13-202 (a)(1) or (a)(2) & (b)(1)	D	Battery 2nd Degree			4
	5-13-202 (a)(3)(B)	D	Battery 2nd Degree - Motor Vehicle	8/16/2013	7/21/2015	4
	5-13-202 (a)(3)(B)	D	Battery 2nd Degree - Motor Vehicle or Motor Boat	7/22/2015	7/23/2019	4

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-13-202 (a)(3)(B) & (b)(1)	C	Battery 2nd Degree - Motor Vehicle or Motor Boat	7/24/2019		4
	5-13-202 (a)(3)(C)	D	Battery 2nd Degree - Recklessly Injure Victim < 4 years of age	7/28/2021		4
	5-13-202(a)(4)	D	Battery 2nd Degree - Certain Victims	7/27/2011		4
	5-13-204 (a)(1)	D	Aggravated Assault			3
	5-13-204 (a)(2)	D	Aggravated Assault - Purposely Displays Firearm	7/16/2003		3
	5-13-204 (a)(3)	D	Aggravated Assault - Impedes or Prevents Respiration of Another or Circulation of Another Person's Blood (includes pressure on chest 07/24/2019 and thereafter)	7/31/2009		3
	5-13-209 (a)(1) & (b)(1)	B	Abuse of an athletic contest official - purpose to cause serious physical injury	8/1/2023		8
	5-13-209 (a)(2) & (b)(2)	C	Abuse of an athletic contest official - purpose to cause physical injury	8/1/2023		6
	5-13-210	Y	Intro C/S into Body - Schedule I-II, narcotic			7
	5-13-210 (f)	Y	Intro C/S into Body to Commit Sexual Offense	7/30/1999		9
	5-13-210	B	Intro C/S into Body Schedule I-III, non-narcotic			5
	5-13-210	C	Intro C/S into Body Schedule IV-V			3
	5-13-211	D	Aggravated Assault of Corrections Officer	8/1/1997	7/26/2011	3
	5-13-211 (a)(1) & (b)(1)	D	Aggravated Assault upon a Certified Law Enforcement Officer or Employee of a Correctional Facility	7/27/2011		3
CD	5-13-211 (a)(2) & (b)(2)	Y	Aggravated Assault Upon a Law Enforcement Officer or Employee of a Correctional Facility - Discharge of a Firearm	8/1/2017		9
	5-13-212 (b) & (c)	B	Fertility Treatment Abuse	7/28/2021		4
	5-13-213	C	Aggravated Assault Against a First Responder	7/28/2021		3
	5-13-214 (b)(1) & (b)(2)(A)	Y	Knowingly exposing another person to fentanyl in the first degree - certain victims	8/1/2023		10
	5-13-214 (b)(1) & (b)(2)(B)	A	Knowingly exposing another person to fentanyl in the first degree	8/1/2023		9
	5-13-214 (c)(1) & (c)(2)(A)	A	Knowingly exposing another person to fentanyl in the second degree- certain victims	8/1/2023		9
	5-13-214 (c)(1) & (c)(2)(B)	B	Knowingly exposing another person to fentanyl in the second degree	8/1/2023		8
	5-13-301	D	Terroristic Threatening 1st Degree			2
	5-13-302	C	Threatening to Commit an Act of Mass Violence on School Property	7/24/2019		5
CD	5-13-310	Y	Terrorist Act		8/11/2005	8
CD	5-13-310	Y	Terroristic Act - Serious Physical Injury/Death	8/12/2005		9
D	5-13-310	B	Terroristic Act			5
ACD	5-14-103 (a)(1) & (c)(1)	Y	Rape - Forcible Compulsion			9
ACD	5-14-103 (a)(1) & (c)(2)	Y	Rape - Forcible Compulsion - Victim < 14			9
ACD	5-14-103 (a)(2) & (c)(1)	Y	Rape - Incapable of Consent			9
ACD	5-14-103 (a)(2) & (c)(2)	Y	Rape - Incapable of Consent - Victim < 14			9
ACD	5-14-103 (a)(3) & (c)(2)	Y	Rape - Victim < 14			9
ACD	5-14-103 (a)(4) & (c)(1)	Y	Rape - Certain Relationships with Victim			9
ACD	5-14-103 (a)(4) & (c)(2)	Y	Rape - Certain Relationships with Victim - Victim < 14			9
	5-14-104	A	Carnal Abuse 1st Degree		8/12/2001	6
	5-14-104	B	Carnal Abuse 1st Degree		7/28/1995	5
	5-14-105	C	Carnal Abuse 2nd Degree		8/12/2001	5
	5-14-105	D	Carnal Abuse 2nd Degree		7/28/1995	4
	5-14-106	D	Carnal Abuse 3rd Degree		8/12/2001	3
	5-14-108	C	Sexual Abuse 1st Degree		8/12/2001	5

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-14-110	D	Sexual Indecency with a Child	8/12/2005		4
	5-14-110	D	Sexual Indecency with a Child	8/13/2001	8/11/2005	3
	5-14-110	D	Sexual Solicitation of a Child	8/28/1995	8/11/2005	3
	5-14-110 (a)(4)(B)	D	Sexual Indecency with a Child by a Court Ordered Supervision Officer	8/1/2017		4
	5-14-112 (b)(3)	C	Indecent Exposure - Sixth and Subq. Offense	1/30/2007		4
	5-14-112 (b)(2)(A)	D	Indecent Exposure - Fourth and Fifth Offense	1/30/2007		3
	5-14-112	D	Indecent Exposure (Second and Subq. Offense)	8/13/2001	8/11/2005	2
	5-14-112	D	Indecent Exposure to Age 12 and Under	8/1/1997	8/12/2001	2
	5-14-112 (b)(2)(B)	D	Indecent exposure - in custody of correctional of detention facility	1/1/2024		2
	5-14-113 (a)(1) & (b)	B	Sexual Extortion - Coerce to Engage in Sexual Contact	8/1/2017		6
	5-14-113 (a)(2) & (b)	B	Sexual Extortion - Produce or Distribute Recording	8/1/2017		6
	5-14-113 (a)(3) & (b)	B	Sexual Extortion - Knowing Coercion	8/1/2017		6
	5-14-113 (a)(4) & (b)	B	Sexual extortion - demand of payment w/ threat to distribute explicit recording/depiction	1/1/2024		6
	5-14-120	C	Violation of a Minor 1st Degree		8/12/2001	4
	5-14-121	D	Violation of a Minor 2nd Degree		8/12/2001	3
	5-14-123	A	Knowingly Exposing Another to HIV (ranking as of 4/27/2001)			7
	5-14-123	A	Knowingly Exposing Another to HIV (ranking prior to 4/27/2001)			6
CD	5-14-124	A	Sexual Assault 1st Degree	8/13/2001		7
CD	5-14-124 (a)(1)(B)	A	Sexual Assault by a Court Ordered Supervision Officer 1st Degree	8/1/2017		7
CD	5-14-124 (a)(2)	A	Sexual Assault 1st Degree - school employees	8/16/2013		7
D	5-14-125	B	Sexual Assault 2nd Degree	8/13/2001		6
D	5-14-125 (a)(4)(A)(ii)	B	Sexual Assault by a Court Ordered Supervision Officer - 2nd Degree	8/1/2017		6
D	5-14-125 (a)(6) & (b)(1)	B	Sexual Assault - 2nd Degree	7/27/2011	8/15/2013	6
D	5-14-125(a)(6) & (b)(1)	B	Sexual Assault - 2nd Degree	8/16/2013		6
D	5-14-125	D	Sexual Assault - 2nd Degree - Offender is a Minor	7/16/2003		4
	5-14-126	C	Sexual Assault - 3rd Degree	8/13/2001		4
	5-14-126 (a)(1)(A) or (C) & (c)	C	Sexual Assault - 3rd Degree - Actor Must be in a Position of Trust or Authority Over the Victim	8/1/2017		4
	5-14-126 (a)(1)(B) & (c)	C	Sexual Assault - 3rd Degree - Court Ordered Supervision Officer, Actor Must be in a Position of Trust or Authority Over the Victim	8/1/2017		4
	5-14-127	D	Sexual Assault - 4th Degree	7/16/2003		3
	5-14-128	D	Level 3 or 4 Registered Sex Offender Residing w/in 2000' of Certain Facilities	7/16/2003		3
	5-14-128 (a)(2)	D	Level 4 Registered Sex Offender Residing w/in 2000' of a Church or Other Place of Worship	7/22/2015		3
	5-14-129	D	Level 3 or 4 Registered Sex Offender Working w/ Children	8/12/2005		4
	5-14-129 (a)(2)	D	Level 3 or 4 Registered Sex Offender Working w/ Children as Self-employed or an Independent Contractor	7/27/2011		4
	5-14-130	D	Registered Sex Offender Providing Incorrect Address on Identification Card or Driver's License	3/20/2007		3
	5-14-131	D	Level 3 or 4 Registered Sex Offender Living Near Victim	3/21/2007		4
	5-14-132	D	Level 3 or 4 Registered Sex Offender Prohibited from Entering School Campus	7/31/2007		3
	5-14-132 (b) & (e)	D	Level 3 Registered Sex Offender Prohibited from Entering on the Campus of a Public School Without Proper Notice - Event for Which Admission is Charged or Tickets are Sold/Distributed	8/1/2017		3
	5-14-132 (b) & (e)	D	Level 4 Registered Sex Offender Prohibited from Entering on the Campus of a Public School - Event for Which Admission is Charged or Tickets are Sold/Distributed	8/1/2017		4

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-14-132 (f)	D	Level 3 or 4 Registered Sex Offender Prohibited from Entering on the Campus of a Private School Without Permission	8/1/2017		3
	5-14-133 (b) & (c)	D	Level 3 or 4 Registered Sex Offender Prohibited from Entering Water Park	3/30/2011		3
	5-14-134 (b) & (c)	D	Level 3 or 4 Registered Sex Offender Prohibited from Entering Swimming Area or Children's Playground w/in an Arkansas State Park	2/6/2013		3
	5-14-135 (b)(1) & (d)	D	Level 3 or 4 Registered Sex Offender Prohibited from Distributing Candy as Part of a Halloween-related Event	7/24/2019		4
	5-14-135 (b)(2) & (d)	D	Level 3 or 4 Registered Sex Offender Prohibited from Wearing a Mask or Other Costume at Halloween-related Events	7/24/2019		4
	5-14-136 (b)(1) & (c)	C	Unlawful Female Genital Mutilation of a Minor - Knowingly Performing	3/26/2019		8
	5-14-136 (b)(2) & (c)	C	Unlawful Female Genital Mutilation of a Minor - Knowingly Consenting to, Permitting, or Facilitating	3/26/2019		7
	5-14-136 (b)(3) & (c)	C	Unlawful Female Genital Mutilation of a Minor - Knowingly Remove or Cause, Permit, or Facilitate the Removal of a Minor from this State	3/26/2019		7
	5-14-137 (b)(1) & (c)	D	Level 3 or 4 Registered Sex Offender Prohibited from Recording Person Under 14 Years of Age - After Receiving Notice that it is Unlawful to do so	7/24/2019		4
	5-14-137 (b)(2) & (c)	D	Level 3 or 4 Registered Sex Offender Prohibited from Recording Person Under 14 Years of Age - Unlawful Use of Recording Online	7/24/2019		4
	5-14-138 (b) & (d)	D	Registered offender prohibited from purchasing, owning, possessing, using, or operating an unmanned aircraft	8/1/2023		4
	5-15-102	U	Slander - Adultery/Fornication		8/11/2005	1
	5-15-103	U	Slander - False Swearing		8/11/2005	1
	5-15-104	U	Slander - Proclaiming One as a Coward		8/11/2005	1
	5-15-105	U	Slander		8/11/2005	1
	5-16-101	D	Video Voyeurism	7/30/1999	7/23/2019	3
	5-16-101 (a) & (c)(1)(A)	D	Video Voyeurism - 1st or 2nd Offense	7/24/2019		3
	5-16-101 (a) & (c)(1)(B)	C	Video Voyeurism - 3rd or Subq. Offense	7/24/2019		4
	5-16-101 (a) & (c)(1)(C)	C	Video Voyeurism - Victim is < 14 years of age	7/28/2021		4
	5-16-102	D	Voyeurism	8/12/2005	7/23/2019	4
	5-16-102 (b) & (c)(1)(A)	D	Voyeurism - Victim is 17 Years of Age or Younger and Person Holds Position of Trust or Authority over Victim	7/24/2019	7/27/2021	4
	5-16-102 (b) & (c)(1)(B)	D	Voyeurism - Prior Conviction for Voyeurism or Video Voyeurism	7/24/2019	7/27/2021	4
	5-16-102 (b) & (c)(2)(A)	D	Voyeurism - Victim is 17 Years of Age or Younger and Person Holds Position of Trust or Authority over Victim	7/28/2021		4
	5-16-102 (b) & (c)(2)(B)	D	Voyeurism - Prior Conviction for Voyeurism or Video Voyeurism	7/28/2021		4
	5-16-102 (b) & (c)(1)	C	Voyeurism - Victim is < 14 years of age	7/28/2021		4
	5-17-101	D	Death Threat Concerning School Employee or Student	8/13/2001		3
	5-18-103 (a)(1) & (c)(1)	A	Trafficking of Persons	8/16/2013		8
A	5-18-103 (a)(1) & (c)(2)	Y	Trafficking of Persons - Victim is a Minor	8/16/2013		9
	5-18-103 (a)(2) & (c)(1)	A	Trafficking of persons - benefiting from participating in an involuntary servitude venture	8/16/2013		8
A	5-18-103 (a)(2) & (c)(2)	Y	Trafficking of persons - benefiting from participating in an involuntary servitude venture - victim is a minor	8/16/2013		9

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-18-103 (a)(3) & (c)(1)	A	Trafficking of persons - subjects a person to involuntary servitude	8/16/2013		8
A	5-18-103 (a)(3) & (c)(2)	Y	Trafficking of persons - subjects a person to involuntary servitude - victim is a minor	8/16/2013		9
	5-18-103 (a)(4) & (c)(1)	A	Trafficking of persons - recruits etc a minor for commercial sexual activity	8/16/2013		8
A	5-18-103 (a)(4) & (c)(2)	Y	Trafficking of persons - recruits etc a minor for commercial sexual activity - victim is a minor	8/16/2013		9
	5-18-103 (a)(5) & (c)(1)	A	Trafficking of Persons - Selling or Advertising Travel Services	7/22/2015		8
A	5-18-103 (a)(5) & (c)(2)	Y	Trafficking of Persons - Selling or Advertising Travel Services, Victim is a Minor	7/22/2015		9
	5-18-103(a)(6) & (c)(1)	A	Trafficking of Persons - Recruiting a Pregnant Woman to Cause Placement of Baby Who is Not Yet Born	7/24/2019		8
A	5-18-103 (a)(6) & (c)(2)	Y	Trafficking of Persons - Recruiting a Pregnant Woman to Cause Placement of Baby Who is Not Yet Born - Victim is a Minor	7/24/2019		9
	5-18-103 (a)(7) & (c)(1)	A	Trafficking of Persons - Benefitting from Recruiting a Pregnant Woman to Cause Placement of Baby Who is Not Yet Born	7/24/2019		8
A	5-18-103 (a)(7) & (c)(2)	Y	Trafficking of Persons - Benefitting from Recruiting a Pregnant Woman to Cause Placement of Baby Who is Not Yet Born - Victim is a Minor	7/24/2019		9
	5-18-104 (a) & (b)(1)	B	Patronizing a Victim of Human Trafficking	8/16/2013		7
	5-18-104 (a) & (b)(2)	A	Patronizing a Victim of Human Trafficking - Victim is a Minor	8/16/2013		8
	5-18-106 (a) & (b)	B	Grooming a Minor for Future Sex Trafficking	7/28/2021		6
	5-18-107 (b) & (c)	B	Traveling for the Purpose of an Unlawful Sex Act with a Minor	7/28/2021		7
	5-26-202	A	Incest - Victim < 16	8/1/1997	7/15/2003	6
	5-26-202	C	Incest			5
	5-26-203	D	Concealing Birth	8/13/2001		2
	5-26-204 (a)(1) & (a)(2)(A)	A	Unlawful Solicitation for the Relinquishment of Parental Rights in the 1st Degree - Use of Duress, Coercion, etc.	7/24/2019		8
	5-26-204 (a)(1) & (a)(2)(B)	C	Unlawful Solicitation for the Relinquishment of Parental Rights in the 1st Degree	7/24/2019		3
	5-26-204 (b)(1) & (b)(2)(A)	D	Unlawful Solicitation for the Relinquishment of Parental Rights in the 2nd Degree - Use of Duress, Coercion, etc.	7/24/2019		2
	5-26-301	B	Wife Battering 1st Degree		7/28/1995	8
	5-26-302	D	Wife Battering 2nd Degree		7/28/1995	4
D	5-26-303	A	Domestic Battering 1st Degree	7/30/1999	8/15/2013	8
D	5-26-303 (a)(1) & (b)(1)	B	Domestic Battering 1st Degree - serious phys. injury w/deadly weapon	7/28/1995		8
D	5-26-303 (a)(1) & (b)(2)(B)	A	Domestic Battering 1st Degree - serious phys. injury w/deadly weapon - Subq. Offense or to a Pregnant Woman	8/16/2013		8
D	5-26-303 (a)(2) & (b)(2)(A)	Y	Domestic Battering 1st Degree - Purposely Causing Permanent Disfigurement	7/24/2019		9
D	5-26-303 (a)(3) & (b)(1)	B	Domestic Battering 1st Degree - serious phys. injury w/extreme indifference	7/28/1995		8
D	5-26-303 (a)(3) & (b)(2)(B)	A	Domestic Battering 1st Degree - serious phys. injury w/extreme indifference - Subq. Offense or to a Pregnant Woman	8/16/2013		8
D	5-26-303 (a)(4) & (b)(1)	B	Domestic Battering 1st Degree - serious phys. injury victim ≥ 60 or < 4	7/28/1995		8
D	5-26-303 (a)(4) & (b)(2)(B)	A	Domestic Battering 1st Degree - serious phys. injury victim ≥ 60 or < 4 - Subq. Offense or to a Pregnant Woman	8/16/2013		8
D	5-26-303 (a)(5) & (b)(1)	B	Domestic Battering 1st Degree - two or more in past 10 years	7/28/1995		8
D	5-26-303 (a)(5) & (b)(2)(B)	A	Domestic Battering 1st Degree - two or more in past 10 years - Subq. Offense or to a Pregnant Woman	8/16/2013		8

	Statute #	Class	Name of Crime	Start	End	Ranking
D	5-26-303 (a)(6) & (b)(1)	B	Domestic Battering 1st Degree - Use of a Firearm	8/1/2017		8
D	5-26-303 (a)(6) & (b)(2)(B)(i)		Domestic Battering 1st Degree- Use of a Firearm Against a Pregnant Woman	8/1/2017		9
D	5-26-303 (a)(6) & (b)(2)(B)(ii)	A	Domestic Battering 1st Degree - Use of a Firearm - Subq. Offense	8/1/2017		8
D	5-26-303 (a)(7) & (b)(2)(A)	Y	Domestic Battering 1st Degree - Victim is 4 Years of Age or Younger	7/24/2019		9
	5-26-304	B	Domestic Battering 2nd Degree - Subq. Offense or to a Pregnant Woman	7/30/1999	8/15/2013	5
	5-26-304 (a)(1) & (b)(1)	C	Domestic battering in the 2nd degree - serious physical injury	7/30/1999		4
	5-26-304 (a)(1) & (b)(2)	B	Domestic battering in the 2nd degree - serious physical injury - prior conviction within five years or victim is pregnant	8/16/2013		5
	5-26-304 (a)(2) & (b)(1)	C	Domestic battering in the 2nd degree - physical injury w/deadly weapon	7/30/1999		4
	5-26-304 (a)(2) & (b)(2)	B	Domestic battering in the 2nd degree - physical injury w/ deadly weapon - prior conviction within five years or victim is pregnant	8/16/2013		5
	5-26-304 (a)(3) & (b)(1)	C	Domestic Battering 2nd Degree - Recklessly Causes Injury w/deadly weapon or to Victim < 4	7/28/2021		5
	5-26-304 (a)(3) & (b)(2)	B	Domestic Battering 2nd Degree - Recklessly Causes Injury w/deadly weapon or to Victim < 4 - prior conviction within 5 years or victim is pregnant	7/28/2021		5
	5-26-304 (a)(4) & (b)(1)	C	Domestic Battering 2nd degree - physical injury victim ≥ 60 or < 4	7/28/2021		5
	5-26-304 (a)(4) & (b)(2)	B	Domestic Battering 2nd degree - serious injury victim ≥ 60 or < 4 - prior conviction within 5 years or victim is pregnant	8/16/2013		5
	5-26-304	D	Aggravated Assault on Wife 1st Degree		7/28/1995	3
	5-26-304	D	Domestic Battering 2nd Degree	7/28/1995	7/29/1999	4
	5-26-305	D	Domestic Battering 3rd Degree - Second Offense	7/28/1995	7/29/1999	3
	5-26-305	D	Domestic Battering 3rd Degree	7/30/1999	8/15/2013	3
	5-26-305 (b)(2)	D	Domestic Battering 3rd Degree - Subq. Offense or to a Pregnant Woman	8/16/2013		3
	5-26-306 (a)(1) & (b)	D	Aggravated Assault on Family/Household Member	7/28/1995		3
	5-26-306 (a)(2) & (b)	D	Aggravated Assault on Family/Household Member - Firearm	8/16/2013		3
	5-26-306 (a)(3) & (b)	D	Aggravated Assault on Family/Household Member - Impedes or Prevents the Respiration or Circulation (Includes pressure on Chest as of Offense date 7/24/2019 and thereafter)	8/16/2013		3
	5-26-401	B	Non-Support if Owe > \$25,000	8/1/1997		4
	5-26-401	C	Non-Support if Owe > \$10,000 but < \$25,000	7/30/1999		3
	5-26-401	D	Non-Support if Owe > \$2,500 if at least four months of support or leaves the state for 30+ days OR Subq. Offense	7/30/1999		3
	5-26-401	D	Non-Support		7/29/1999	3
	5-26-501	D	Interference with Visitation - Minor Taken or Kept Out of State			2
	5-26-502	C	Interference with Court Ordered Custody	7/28/1995		3
	5-26-502	D	Interference with Court Ordered Custody		7/28/1995	3
	5-26-502	D	Interference with Court Ordered Custody	7/28/1995		3
	5-26-503	C	Interference with Custody	7/31/2007	7/26/2011	3
	5-26-503 (a) & (b)	C	Interference with Custody	7/27/2011		3
	5-27-201	D	Endangering the Welfare of Incompetent 1st Degree			3
	5-27-205	D	Endangering the Welfare of a Minor 1st Degree			3
	5-27-211 (b) & (d)	U	Re-homing of an Adopted Minor	7/22/2015		4

Statute #	Class	Name of Crime	Start	End	Ranking
5-27-221	B	Permitting Child Abuse	8/13/2001		6
5-27-221	C	Permitting Child Abuse		8/12/2001	5
5-27-221	D	Permitting Child Abuse	8/13/2001		4
5-27-229	D	Soliciting Money/Property from Incompetent			3
5-27-230	B	Exposure of Child to Chemical Substance or Meth - Ingest, Inhale with Injury	7/16/2003		6
5-27-230	C	Exposure of Child to Chemical Substance or Meth - Ingest, Inhale, Have Contact with	7/16/2003		4
5-27-303	C	Engaging Child in Sex Explicit - First Offense		7/15/2003	5
5-27-303	B	Engaging Child in Sex Explicit - First Offense	7/16/2003	8/15/2013	6
5-27-303 (a)(1) or (b)(1)	B	Engaging Child in Sex Explicit - Offender is 18 or Older or Parent/Guardian of Victim - First Offense	8/16/2013	7/27/2021	6
5-27-303 (a)	Y	Engaging Child in Sexual Explicit Conduct - Offender is 18 or Older	7/28/2021		8
5-27-303	B	Engaging Child in Sex Explicit - Subq. Offense		7/15/2003	6
5-27-303	A	Engaging Child in Sex Explicit - Subq. Offense	7/16/2003	8/15/2013	8
5-27-303(a)(2) or (b)(2)	A	Engaging Child in Sex Explicit - Offender is 18 or Older or Parent/Guardian of Victim - Subq. Offense	8/16/2013	7/27/2021	8
5-27-303 (b)	Y	Engaging Child in Sexual Explicit Conduct - Offender is Parent/Guardian of Victim	7/28/2021		9
5-27-304	C	Pandering/Possession of Material Depicting Child - First Offense			4
5-27-304	B	Pandering/Possession of Material Depicting Child - Subq. Offense			5
5-27-305 (a) & (b)	Y	Transportation of a Minor for Prohibited Sexual Conduct	7/28/2021		8
5-27-305	A	Transportation of a Minor for Prohibited Sexual Conduct	7/31/2007	7/27/2021	7
5-27-305	C	Transportation of a Minor for Prohibited Sexual Conduct		7/30/2007	5
5-27-306	A	Internet Stalking - Arranges Meeting and Meets w/ Child 15 or Younger	8/24/2007	7/31/2017	8
5-27-306	A	Internet Stalking	8/12/2005	8/23/2007	7
5-27-306	B	Internet Stalking - Arranges Meeting w/ Child 15 or Younger	1/30/2007	7/31/2017	7
5-27-306	C	Internet Stalking	8/12/2005	1/30/2007	6
5-27-306 (a)(1) & (b)(1)(A)	B	Internet Stalking of a Child - Arranges a Meeting w/ a Child 15 or Younger	8/1/2017		7
5-27-306 (a)(1) & (b)(2)	Y	Internet Stalking of a Child - Meeting Actually Occurs w/ a Child 15 or Younger	8/1/2017		8
5-27-306 (a)(2) & (b)(1)(B)	B	Internet Stalking of a Child - Arranges a Meeting w/ Person Held Out to be 15 or Younger	8/1/2017		7
5-27-306 (a)(2) & (b)(2)	Y	Internet Stalking of a Child - Meeting Actually Occurs w/ Person Held out to be 15 or Younger	8/1/2017		8
5-27-306 (a)(3) & (b)(1)(A)	B	Internet Stalking of a Child - Compile Identifying Information on Children 15 or Younger	8/1/2017		7
5-27-306 (a)(4) & (b)(1)(B)	B	Internet Stalking of a Child - Compile Identifying Information on Persons Held out to be 15 or Younger	8/1/2017		7
5-27-306 (a)(5) & (b)(1)(C)	B	Internet Stalking of a Child - Arranging a Meeting w/ a Parent or Guardian	8/1/2017		7
5-27-307 (b) & (c)(1)	D	Sexually Grooming a Child - Offender is 21 or older	8/16/2013		4
5-27-402	C	Employ/Authorize Child < 17 Sexual Performance - First Offense			5
5-27-402	B	Employ/Authorize Child < 17 Sexual Performance - Subq. Offense			6
5-27-403 (a) & (b)	Y	Produce/Direct Sexual Performance of Child < 17	7/28/2021		8
5-27-403	B	Produce/Direct Sexual Performance of Child < 17		7/27/2021	6
5-27-502	B	Fraud ID Unlawful to Manufacture Personal ID Document - Subq. Offense			4
5-27-502	C	Fraud ID Unlawful to Manufacture Personal ID Document - First Offense			3
5-27-602	B	Distributing, Possessing or Viewing Matter Depict Conduct Involve Child - Second or Subq. Offense	8/13/2001		6

Statute #	Class	Name of Crime	Start	End	Ranking
5-27-602	C	Distributing, Possessing or Viewing Matter Depict Conduct Involve Child	8/13/2001		4
5-27-603	B	Computer Child Pornography	8/13/2001		6
5-27-605 (a)	Y	Computer Exploitation of Child 1st Degree	7/28/2021		8
5-27-605	B	Computer Exploitation of a Child 1st Degree - Subq. Offense	8/13/2001	7/15/2003	7
5-27-605	A	Computer Exploitation of a Child 1st Degree - Subq. Offense	7/16/2003	7/27/2021	8
5-27-605	C	Computer Exploitation of a Child 1st Degree - First Offense	8/13/2001	7/15/2003	5
5-27-605	B	Computer Exploitation of a Child 1st Degree - First Offense	7/16/2003	7/27/2021	6
5-27-605	D	Computer Exploitation of a Child 2nd Degree	8/13/2001	7/15/2003	4
5-27-605	C	Computer Exploitation of a Child 2nd Degree	7/16/2003		5
5-27-610 (b) & (c)(1)(A)	B	Unlawful Doxxing of a Minor Resulting in Death or Monetary Loss \geq \$1M	7/28/2021		4
5-27-610(b) & (c)(1)(B)	C	Unlawful Doxxing of a Minor Resulting in Physical Injury or Monetary Loss \geq \$10k but $<$ \$1M	7/28/2021		3
5-27-610(b) & (c)(1)(C)	D	Unlawful Doxxing of a Minor Resulting in Monetary Loss of \geq \$500 but $<$ \$10k	7/28/2021		2
5-28-103	B	Abuse of Adults	8/12/2005		7
5-28-103	B	Abuse of Adults		8/11/2005	6
5-28-103	C	Abuse of Adults			5
5-28-103	D	Abuse of Adults			4
5-28-110	D	Making False Notification of Adult Abuse - Subq. Offense	7/30/1999		2
5-29-203 (b)(1)	B	Abuse of a vulnerable person - serious physical injury or subst. risk death	8/1/2023		6
5-29-203 (b)(2)	D	Abuse of a vulnerable person - physical injury	8/1/2023		4
5-29-204 (b)(1)	D	Neglect of a vulnerable person - serious physical injury or subst. risk death	8/1/2023		4
5-29-205 (b)(1)	B	Exploitation of a vulnerable person - value of assets \geq \$2,500	8/1/2023		6
5-29-205 (b)(2)	C	Exploitation of a vulnerable person - value of assets $>$ \$200 $<$ \$2,500	8/1/2023		4
5-36-103	B	Theft of Property		7/26/2011	5
5-36-103 (b)(1)(A)	B	Theft of Property - Value \geq \$25,000	7/27/2011		6
5-36-103 (b)(1)(B)	B	Theft of Property - Obtained by Threat of Serious Physical Injury or Destruction of Occupiable Structure	7/27/2011		6
5-36-103 (b)(1)(C)	B	Theft of Property - Obtained by Threat of Fiduciary	7/27/2011		6
5-36-103 (b)(1)(D)	B	Theft of Property - Anhydrous Ammonia	8/12/2005		5
5-36-103 (b)(1)(D)(iv)	B	Theft of Property - Oil & Gas Equipment - Value $>$ \$5,000 $<$ \$25,000	7/24/2019		6
5-36-103	B	Theft of Property - Building Materials - Value \geq \$500	7/31/2007	7/26/2011	5
5-36-103	B	Theft of Property - Under a State of Emergency - Value \geq \$500	7/31/2009	7/26/2011	5
5-36-103 (b)(1)(D)(iii)	B	Theft of Property - Utility Property - Value \geq \$500	7/27/2011		5
5-36-103	C	Theft of Property		7/26/2011	3
5-36-103	C	Theft of Property - Value $>$ \$500	7/28/1995	7/26/2011	3
5-36-103 (b)(2)(A)	C	Theft of Property - Value $>$ \$5,000 $<$ \$25,000	7/27/2011		4
5-36-103 (b)(2)(B)	C	Theft of Property Obtained by Threat	7/27/2011		5
5-36-103 (b)(2)(C)	C	Theft of Property - Firearm - Value \geq \$2,500	7/27/2011		3
5-36-103 (b)(2)(D)	C	Theft of Building Materials - Value \geq \$500	7/31/2011		4
5-36-103 (b)(2)(E)	C	Theft of Property Under a State of Emergency - Value \geq \$500	7/27/2011		5
5-36-103 (b)(2)(F)	C	Theft of Oil & Gas Equipment - Value $>$ \$1,000 \leq \$5,000	7/24/2019		5
5-36-103	C	Theft of Property Under a State of Emergency - Value \geq \$100 but $<$ \$500	7/31/2009	7/26/2011	3
5-36-103	D	Theft of Property		7/26/2011	2

Statute #	Class	Name of Crime	Start	End	Ranking
5-36-103 (b)(3)(A)	D	Theft of Property - Value >\$1,000 but ≤ \$5,000	7/27/2011		2
5-36-103 (b)(3)(B)	D	Theft of Property - Firearm - Value < \$2,500	7/27/2011		3
5-36-103 (b)(3)(C)	D	Theft of Property - Credit/Debit Card or Account Number	7/27/2011		3
5-36-103 (b)(3)(D)	D	Theft of Property - Under State of Emergency - Value ≥ \$100 < \$500	7/27/2011		4
5-36-103 (b)(3)(E)	D	Theft of Property - Livestock - Value > \$200	7/27/2011		3
5-36-103 (b)(3)(F)	D	Theft of Property - Power Line, Gas Line, Water Line, Wire or Fiber Insulator, etc.	7/27/2011		3
5-36-103 (b)(3)(G)	D	Theft of Property - Decorative or Memorial Item (Second or Subq. Offense)	7/24/2019		3
5-36-103 (b)(3)(H)	D	Theft of Property - Oil & Gas Equipment - Value ≤ \$1,000	7/24/2019		4
5-36-103 (b)(3)(I)	D	Theft of Property - Postal Package	3/15/2021		3
5-36-103 (b)(3)(J)	D	Theft of property - sub. conviction	1/1/2024		4
5-36-103	D	Theft of Property - During a Period of Emergency	8/13/2001	7/26/2011	3
5-36-103	D	Theft of Property - During a Criminal Episode	8/13/2001	7/26/2011	2
5-36-104	B	Theft of Services		7/26/2011	5
5-36-104 (c)(1)(A)	B	Theft of Services - Value ≥ \$25,000	7/27/2011		6
5-36-104 (c)(1)(B)	B	Theft of Services - Obtained by Threat of Serious Physical Injury or Destruction of Occupiable Structure	7/27/2011		6
5-36-104(c)(1)(C)	B	Theft of Services - Obtained by Threat of Fiduciary	7/27/2011		6
5-36-104 (c)(1)(D)	B	Theft of Services - Utility Service Resulting in Contamination or Release of Hazardous Material into the Environment	7/27/2011		6
5-36-104	C	Theft of Services		7/26/2011	3
5-36-104 (c)(2)(A)	C	Theft of Services - Value > \$5,000 < \$25,000	7/27/2011		4
5-36-104 (c)(2)(B)	C	Theft of Services - Obtained by Threat	7/27/2011		5
5-36-104 (c)(3)	D	Theft of Services - Value > \$1,000 < \$5,000	7/27/2011		2
5-36-105	D	Theft of Property - Lost/Mislaid/Delivered by Mistake - Value ≥ \$1,000			2
5-36-106	B	Theft by Receiving		7/26/2011	5
5-36-106 (e)(1)	B	Theft by Receiving - Value ≥ \$25,000	7/27/2011		6
5-36-106	C	Theft by Receiving		7/26/2011	3
5-36-106 (e)(2)(A)	C	Theft by Receiving - Value > \$5,000 < \$25,000	7/27/2011		4
5-36-106 (e)(2)(B)	C	Theft by Receiving - Firearm - Value ≥ \$2,500 or more	8/16/2013		4
5-36-106 (e)(3)(A)	D	Theft by Receiving - Value > \$1,000 ≤ \$5,000	7/27/2011		2
5-36-106 (e)(3)(B)	D	Theft by Receiving - Credit/Debit Card or Account Number or Firearm - Value < \$2,500	7/27/2011		3
5-36-109 (b)(1)(A) & (b)(2)	C	Operating a Chop Shop - own, operate, conduct	8/1/2023		4
5-36-109 (b)(1)(B) & (b)(2)	C	Operating a Chop Shop - transport to or from chop shop	8/1/2023		4
5-36-109 (b)(1)(C) & (b)(2)	C	Operating a Chop Shop - sell, transfer, etc.	8/1/2023		4
5-36-109 (b)(1)(D) & (b)(2)	C	Operating a Chop Shop - modify or remove VIN	8/1/2023		4
5-36-109 (c)(1) & (c)(2)	D	Dealing in stolen or forged parts	8/1/2023		2
5-36-115	B	Theft of Leased/Rented Property		7/26/2011	4
5-36-115	B	Theft of Leased/Rented Property - Value ≥ \$25,000	7/27/2011	7/21/2015	6
5-36-115 (g)(1)(A)	B	Theft of Leased/Rented Property - Value ≥ \$25,000	7/22/2015		6
5-36-115 (g)(1)(B)	B	Theft of Leased/Rented Property - Obtained by Threat of Serious Physical Injury or Destruction of Occupiable Structure	7/22/2015		6
5-36-115 (g)(1)(C)	B	Theft of Leased/Rented Property - Obtained by Threat of Fiduciary	7/22/2015		6

Statute #	Class	Name of Crime	Start	End	Ranking
5-36-115	C	Theft of Leased/Rented Property		7/26/2011	3
5-36-115	C	Theft of Leased/Rented Property - Value > \$5,000 < \$25,000	7/27/2011	7/21/2015	4
5-36-115 (g)(2)(A)	C	Theft of Leased/Rented Property - Value > \$5,000 < \$25,000	7/22/2015		4
5-36-115 (g)(2)(B)	C	Theft of Leased/Rented Property - Obtained by Threat	7/22/2015		5
5-36-115 (g)(2)(C)	C	Theft of Leased/Rented Property - Firearm - Value ≥ \$2,500	7/22/2015		4
5-36-115 (g)(2)(D)	C	Theft of Leased/Rented Property - Under a State of Emergency - Value ≥ \$500	7/22/2015		4
5-36-115	D	Theft of Leased/Rented Property		7/26/2011	2
5-36-115	D	Theft of Leased/Rented Property - Value > \$1,000 ≤ \$5,000	7/27/2011	7/21/2015	2
5-36-115 (g)(3)(A)	D	Theft of Leased/Rented Property - Value > \$1,000 ≤ \$5,000	7/22/2015		2
5-36-115 (g)(3)(B)	D	Theft of Leased/Rented Property - Firearm - Value < \$2,500	7/22/2015		2
5-36-115(g)(3)(C)	D	Theft of Leased/Rented Property - Under a State of Emergency - Value ≥ \$100 < \$500	7/22/2015		2
5-36-115 (g)(3)(D)	D	Theft of Leased/Rented Property - Livestock - Value > \$200	7/22/2015		2
5-36-123 (g)(3)(E)	D	Theft of Leased/Rented Property - Power Line, Gas Line, Water Line, Wire of Fiber Insulator, etc.	7/22/2015		2
5-36-123	B	Theft of Scrap Metal > \$2,500	7/31/2007	7/26/2011	5
5-36-123	B	Theft of Scrap Metal ≥ \$25,000	7/27/2011	7/21/2015	6
5-36-123 (c)(1)(A)	B	Theft of Scrap Metal - Value ≥ \$25,000	7/22/2015		6
5-36-123 (c)(1)(B)	B	Theft of Scrap Metal - Obtained by Threat of Serious Harm or Destruction of Occupiable Structure	7/22/2015		6
5-36-123 (c)(1)(C)	B	Theft of Scrap Metal - Obtained by Threat of Fiduciary	7/22/2015		6
5-36-123 (c)(1)(D)	B	Theft of Scrap Metal - Utility Property - Value ≥ \$500	7/22/2015		6
5-36-123	C	Theft of Scrap Metal - Value > \$500 < \$2,500	7/31/2007	7/26/2011	3
5-36-123	C	Theft of Scrap Metal - Value ≥ \$5,000 < \$25,000	7/27/2011	7/21/2015	4
5-36-123 (c)(2)(A)	C	Theft of Scrap Metal - Value > \$5,000 < \$25,000	7/22/2015		4
5-36-123 (c)(2)(B)	C	Theft of Scrap Metal - Obtained by Threat	7/22/2015		5
5-36-123 (c)(2)(C)	C	Theft of Scrap Metal - Building Materials - Value ≥ \$500	7/22/2015		4
5-36-123 (c)(2)(D)	C	Theft of Scrap Metal - Under a State of Emergency - Value ≥ \$500	7/22/2015		4
5-36-123	D	Theft of Scrap Metal - Value < \$500	7/31/2007	7/26/2011	2
5-36-123	D	Theft of Scrap Metal - Value > \$1,000 ≤ \$5,000	7/27/2011	7/21/2015	2
5-36-123 (c)(3)(A)	D	Theft of Scrap Metal - Value > \$1,000 ≤ \$5,000	7/22/2015		2
5-36-123 (c)(3)(B)	D	Theft of Scrap Metal - Under a State of Emergency - Value ≥ \$100 < \$500	7/22/2015		2
5-36-123 (c)(3)(C)	D	Theft of Scrap Metal - Farm shop, On-farm grain drying and storage complex, Heating and cooling system, Environmental control system, etc.	7/22/2015		2
5-36-124 (b) & (c)(1)(A)	D	Theft by Receiving of Scrap Metal	7/27/2011	8/15/2013	2
5-36-124 (b) & (c)(2)	D	Theft by Receiving of Scrap Metal - Second or Subq. Offense	7/27/2011	8/15/2013	2
5-36-124 (b) & (c)(2)	D	Theft by Receiving of Scrap Metal - Value > \$1,000 or Subq. Offense	8/16/2013		2
5-36-125 (a) & (b)(2)	D	Unlawful Transfer of Stolen Property to a Pawn Shop or Pawnbroker	8/16/2013		3
5-36-126 (b) & (f)	C	Theft of a catalytic converter - theft of property	8/1/2023		3
5-36-126 (c) & (g)(1)(A)	C	Unauthorized possession of a catalytic converter - subsequent conviction	8/1/2023		3
5-36-126 (c) & (g)(1)(B)	C	Unauthorized possession of a catalytic converter - attempt, conspire, solicit to commit related offense	8/1/2023		3
5-36-126 (c) & (g)(2)	D	Unauthorized possession of a catalytic converter	8/1/2023		3
5-36-202 (c)(1)	B	Theft of Public Benefits - Value ≥ \$2,500			5
5-36-202 (c)(2)	C	Theft of Public Benefits - Value > \$500 < \$2,500			3

Statute #	Class	Name of Crime	Start	End	Ranking
5-36-303	B	Theft of Wireless Service	8/1/1997	7/26/2011	5
5-36-303	C	Theft of Wireless Service	8/1/1997	7/26/2011	3
5-36-303 (b)(2)(A)	D	Theft of Wireless Service - Aggregate Value > \$1,000 ≤ \$5,000	7/27/2011		2
5-36-303 (b)(2)(B)	D	Theft of Wireless Service - Comm Threats of Injury by Bombing, Fire, Etc.	7/27/2011		4
5-36-303 (b)(3)(A)	C	Theft of Wireless Service - Aggregate Value > \$5,000 < \$25,000	7/27/2011		4
5-36-303 (b)(3)(B)	C	Theft of Wireless Service - Subq. Offense	7/27/2011		4
5-36-303 (b)(3)(C)	C	Theft of Wireless Service - Previous Conviction of Any Similar Crime in this or Any Other State or Federal Jurisdiction	7/27/2011		4
5-36-303 (b)(4)	B	Theft of Wireless Service - Aggregate Value ≥ \$25,000	7/27/2011		6
5-36-303	C	Theft of Wireless Service - Comm Threats or Injury by Bombing, Fire, Etc.	7/16/2003	7/26/2011	4
5-36-304	B	Facilitating Theft of Wireless Services	8/1/1997		5
5-36-304	C	Facilitating Theft of Wireless Services	8/1/1997		3
5-36-401	D	Unlawful Use of Theft Detection Shield Device - Subq. Offense	8/13/2001		2
5-36-402	D	Unlawful Possession of Theft Detection Shield Device - Subq. Offense	8/13/2001		2
5-36-403	D	Unlawful Possession of Theft Detection Device Remover - Subq. Offense	8/13/2001		2
5-36-404	D	Unlawful Removal of Theft Detection Device - Subq. Offense	8/13/2001		2
5-37-201	B	Forgery 1st Degree			5
5-37-201 (a)(2) or (a)(3) & (d)	B	Forgery 1st Degree	8/16/2013		5
5-37-201	C	Forgery 2nd Degree			3
5-37-201 (a)(2) or (a)(3) & (e)	C	Forgery 2nd Degree	8/16/2013		3
5-37-203	D	Defrauding a Secured Creditor 1st Degree			1
5-37-204	D	Fraud in Insolvency			1
5-37-207	C	Fraudulent Use of a Credit Card		7/26/2011	3
5-37-207(b)(1)	B	Fraudulent Use of Credit Card or Debit Card - Value ≥ \$25,000 in Six-month Period	7/27/2011		6
5-37-207(b)(2)	C	Fraudulent Use of Credit Card or Debit Card - Value > \$5,000 < \$25,000 in Six-month Period	7/27/2011		4
5-37-207(b)(3)	D	Fraudulent Use of Credit Card or Debit Card - Value > \$1,000 ≤ \$5,000 in Six-month Period	7/27/2011		2
5-37-208	D	Criminal Impersonation 1st Degree	8/1/1997		2
5-37-208 (b)(1)(A)-(E) & (b)(2)(A)	D	Criminal Impersonation 2nd Degree	8/16/2013		2
5-37-208 (b)(1)(F) & (b)(2)(A)	D	Criminal Impersonation 2nd Degree - Impersonating a Member of the US Armed Forces or National Guard	8/1/2017		2
5-37-209	C	Possession of Forgery Device			3
5-37-210	D	Obtaining Signature by Deception			1
5-37-211	D	Defrauding Judgment Creditors			1
5-37-212	C	Using Slugs - Value > \$100			1
5-37-213	D	Criminal Simulation - Value < \$100			1
5-37-215	D	Fraudulently Filing a Uniform Commercial Code Financial Statement - Subq. Offense	7/31/2009		1
5-37-216 (b) & (c)(1)	B	Defrauding a Prospective Adoptive Parent	7/27/2011		4
5-37-216 (b) & (c)(2)	C	Defrauding a Prospective Adoptive Parent	7/27/2011		3
5-37-217 (a) & (b)(2)(A)	D	Healthcare Fraud - \$10,000 or more	7/1/2013	7/31/2017	2

Statute #	Class	Name of Crime	Start	End	Ranking
5-37-217 (a) & (b)(2)(B)	C	Healthcare Fraud - \$25,000 or more	7/1/2013	7/31/2017	3
5-37-217 (a) & (b)(2)(C)	B	Healthcare Fraud - \$50,000 or more	7/1/2013	7/31/2017	5
5-37-217 (a) & (b)(2)(D)	A	Healthcare Fraud - \$1,000,000 or more	7/1/2013	7/31/2017	6
5-37-217 (b) & (c)(2)	C	Healthcare Fraud - Aggregate Amount w/in 1 year \geq \$2,500, < \$5,000	8/1/2017		3
5-37-217 (b) & (c)(3)	B	Healthcare Fraud - Aggregate Amount w/in 1 year \geq \$5,000, < \$25,000	8/1/2017		5
5-37-217 (b) & (c)(4)	A	Healthcare Fraud - Aggregate Amount w/in 1 year \geq \$25,000	8/1/2017		6
5-37-219	C	Unlawful Possession of a Skimmer	8/1/2017		4
5-37-220(b)(1) & (c)	C	Fertility Treatment Fraud - Misrepresent identity of donor	7/28/2021		3
5-37-220(b)(2) & (c)	C	Fertility Treatment Fraud - Misrepresent quality of material	7/28/2021		3
5-37-226 (a) & (b)(1)(B)	D	Filing Instruments Affecting Title or Interest in Real Property - Sub. Offense	3/4/2011		2
5-37-226(a) & (b)(2)	C	Filing Instruments Affecting Title or Interest in Real Property - Official Duties	3/4/2011		2
5-37-227	B	Financial Identity Fraud - Victim is Elderly or Disabled	7/31/2007	7/31/2017	5
5-37-227	C	Financial Identity Fraud	8/12/2005	7/31/2017	4
5-37-227	D	Financial Identity Fraud	7/30/1999	8/11/2005	3
5-37-227	C	Nonfinancial Identity Fraud - Victim is Elderly or Disabled	7/31/2007		4
5-37-227	D	Nonfinancial Identity Fraud	7/31/2007		3
5-37-227 (a)(1) & (e)(1)	C	Financial Identity Fraud - Accessing or Obtaining Records or Submitting them to a Financial Institution	8/1/2017		4
5-37-227 (a)(1) & (e)(2)	B	Financial Identity Fraud - Accessing or Obtaining Records or Submitting them to a Financial Institution - Victim is Elderly or Disabled	8/1/2017		5
5-37-227 (a)(2) & (e)(1)	C	Financial Identity Fraud - Using a Scanning Device or Skimmer	8/1/2017		4
5-37-227 (a)(2) & (e)(2)	B	Financial Identity Fraud - Using a Scanning Device or Skimmer - Victim is Elderly or Disabled	8/1/2017		5
5-37-227 (a)(3) & (e)(1)	C	Financial Identity Fraud - Transferring Financial Information to Another Person	8/1/2017		4
5-37-227 (a)(3) & (e)(2)	B	Financial Identity Fraud - Transferring Financial Information to Another Person - Victim is Elderly or Disabled	8/1/2017		5
5-37-302	B	Hot Check/Personal Services (> \$2,500)		7/26/2011	5
5-37-302	C	Hot Check/Personal Services (> \$200 < \$2,500)		7/26/2011	3
5-37-302 (b)(2)(A)	B	Arkansas Hot Check Law - Value Any One Instrument \geq \$25,000	7/22/2015		6
5-37-302 (b)(2)(B)	B	Arkansas Hot Check Law - More than One Instrument w/in 90 Days, each < \$25,000 and Total \geq \$25,000	7/22/2015		6
5-37-302 (b)(3)(A)	C	Arkansas Hot Check Law - Value Any One Instrument > \$5,000 < \$25,000	7/22/2015		4
5-37-302 (b)(3)(B)	C	Arkansas Hot Check Law - More than One Instrument w/in 90 Days, each \leq \$5,000 and Total > \$5,000	7/22/2015		4
5-37-302 (b)(4)(A)	D	Arkansas Hot Check Law - Value Any One Instrument > \$1,000 \leq \$5,000	7/22/2015		2
5-37-302 (b)(4)(B)	D	Arkansas Hot Check Law - More than One Instrument w/in 90 days, each \leq \$1,000 and Total > \$1,000	7/22/2015		2
5-37-305 (b)(1)(A)	B	Arkansas Hot Check Law Penalties - Value Any One Instrument \geq \$25,000	7/27/2011	7/21/2015	6
5-37-305 (b)(1)(B)	B	Arkansas Hot Check Law Penalties - Value One or More Instrument w/in 90 Days, each < \$25,000 and Total \geq \$25,000	7/27/2011	7/21/2015	6
5-37-305 (b)(2)(A)	C	Arkansas Hot Check Law Penalties - Value Any One Instrument > \$5,000 < \$25,000	7/27/2011	7/21/2015	4
5-37-305 (b)(2)(B)	C	Arkansas Hot Check Law Penalties - One or More Instrument w/in 90 Days, each > \$5,000 < \$25,000 and Total > \$5,000 < \$25,000	7/27/2011	8/15/2013	4

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-37-305 (b)(2)(B)	C	Arkansas Hot Check Law Penalties - One or More Instrument w/in 90 Days, each ≤ \$5,000 and Total > \$5,000	8/16/2013	7/21/2015	4
	5-37-305 (b)(3)(A)	D	Arkansas Hot Check Law Penalties - Value Any One Instrument > \$1,000 ≤ \$5,000	7/27/2011	7/21/2015	2
	5-37-305 (b)(3)(B)	D	Arkansas Hot Check Law Penalties - One or More Instrument w/in 90 days, each > \$1,000 ≤ \$5,000 and Total > \$1,000 ≤ \$5,000	7/27/2011	8/15/2013	2
	5-37-305 (b)(3)(B)	D	Arkansas Hot Check Law Penalties - One or More Instrument w/in 90 days, each ≤ \$1,000 and Total > \$1,000	8/16/2013	7/21/2015	2
	5-37-402(c)(2)	D	Theft of Communications Devices/Manuf. Sale of De-scrambling Devices	7/22/2015		2
	5-37-402(c)(3)	C	Theft of Communications Devices, Two+ Prior Offenses or 50+ Devices	7/22/2015		3
	5-37-403	D	Manufacture/Sale of De-scrambling Devices		7/21/2015	2
	5-37-502	B	Marking/Altering Brand of Animal (See 5-36-103 for values)			3
	5-37-502	C	Marking/Altering Brand of Animal (See 5-36-103 for values)			2
	5-37-502	D	Marking/Altering Brand of Animal (See 5-36-103 for values)			1
	5-37-503	U	False Registration - Pedigree Animal		8/11/2005	1
	5-37-505 (b) & (c)	D	Insurance Fraud by Use of a Procurer	8/16/2013		2
	5-37-506 (a)(1) or (2) & (b)	D	Prohibited Activity by a Procurer	8/16/2013		2
	5-37-506 (a)(1)(C) & (b)	D	Prohibited Activity by a Procurer - Stating or Implying Insurance, Medical Provider, or AG Connections	7/28/2021		2
	5-37-506 (a)(1)(D) & (b)	D	Prohibited Activity by a Procurer - Offering or Giving Something of Value	7/28/2021		2
	5-37-506 (a)(1)(E) & (b)	D	Prohibited Activity by a Procurer - Using False Name or Identity	7/28/2021		2
	5-37-506 (a)(1)(F) & (b)	D	Prohibited Activity by a Procurer - Providing or Promising a Prescription	7/28/2021		2
	5-37-506 (a)(1)(G) & (b)	D	Prohibited Activity by a Procurer - Contacting Unregistered Telephone	7/28/2021		2
	5-37-506 (a)(1)(H) & (b)	D	Prohibited Activity by a Procurer - Other Deceptive Statement	7/28/2021		2
	5-37-507 (a) & (b)(1)	C	Software & Other Devices & Mechanisms Used to Falsify Electronic Records	8/16/2013		3
	5-37-510(e)(2)	D	Unauthorized Copying or Sale of Recordings - Subq. Offense or 100+ sound recordings or 7+ audiovisual recordings			1
	5-37-521 (a)	D	Farm implements - removal or alteration of serial number - conceal or misrepresent identity	8/1/2023		2
	5-37-521 (b)(1) & (b)(4)	D	Farm implements - removal or alteration of serial number - purpose to defraud	8/1/2023		2
	5-37-521 (b)(2) & (b)(4)	D	Farm implements - removal or alteration of serial number - fictitious	8/1/2023		2
	5-37-524	D	Fraud in Acquisition of Authorization to Provide Motor Vehicle Transportation of Property			1
	5-37-525	D	Defrauding Materialman ≥ \$5,000			1
	5-38-202	D	Threatening to Cause a Catastrophe		7/15/2003	2
	5-38-202	D	Threatening to Cause a Catastrophe	7/16/2003		2
	5-38-202	Y	Causing a Catastrophe		7/15/2003	9
AC	5-38-202	Y	Causing a Catastrophe	7/16/2003		10
	5-38-203	C	Criminal Mischief 1st Degree		7/26/2011	3
	5-38-203(b)(2)	D	Criminal Mischief 1st Degree - Damage > \$1,000 ≤ \$5,000	7/27/2011		2
	5-38-203(b)(3)	C	Criminal Mischief 1st Degree - Damage > \$5,000 < \$25,000	7/27/2011		4
	5-38-203 (b)(4)	B	Criminal Mischief 1st Degree - Damage ≥ \$25,000	7/27/2011	7/27/2021	6
	5-38-203 (b)(4)(A)	B	Criminal Mischief 1st Degree - Damage ≥ \$25,000	7/28/2021		6
	5-38-203 (b)(4)(B)	B	Criminal Mischief 1st Degree - Critical Infrastructure	7/28/2021		6

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-38-204	D	Criminal Mischief 2nd Degree		7/26/2011	2
	5-38-204(b)(2)	D	Criminal Mischief 2nd Degree - Damage ≥ \$5,000	7/27/2011		3
	5-38-205	C	Impairing Operation of Vital Public Facility			4
	5-38-206	D	Damaging Wires and Other Fixtures of Telephone, Cable, and Electric Power Companies	7/31/2009		3
	5-38-207	C	Destroying or Taking Cemetery Marker	7/31/2007		3
	5-38-301	Y	Arson (> \$100,000 Damage)		7/31/1997	8
	5-38-301	A	Arson (> \$20,000 < \$100,000 Damage)		7/31/1997	7
	5-38-301	B	Arson (< \$20,000 Damage)		7/31/1997	5
	5-38-301	Y	Arson (≥ \$100,000 Damage)	8/1/1997		8
	5-38-301	A	Arson (≥ \$15,000 < \$100,000 Damage)	8/1/1997		7
	5-38-301	B	Arson (≥ \$5,000 < \$15,000 Damage)	8/1/1997		5
	5-38-301	C	Arson (≥ \$2,500 < \$5,000 Damage)	8/1/1997		4
	5-38-301	D	Arson (≥ \$500 < \$2,500 Damage)	8/1/1997		3
	5-38-301 (a)(1)(G) & (b)(4)(B)	B	Arson - Real Property (Damage > \$5,000)	8/1/2017		5
	5-38-302	D	Reckless Burning			2
	5-38-311	C	Unlawful Burning - Miscellaneous Felonies	8/12/2005		2
	5-38-311	U	Unlawful Burning - Miscellaneous Felonies		8/11/2005	2
	5-39-201 (a)	B	Burglary - Residential (Ranking prior to 1/1/2018)		12/31/2017	6
	5-39-201 (a)	B	Burglary - Residential (Ranking 1/1/2018 through 12/31/2023)	1/1/2018	12/31/2023	7
	5-39-201 (a)	B	Burglary - Residential (Ranking 1/1/2024 and thereafter)	1/1/2024		8
	5-39-201 (b)	C	Burglary - Commercial			5
	5-39-202	D	Breaking or Entering			3
	5-39-203 (a)(1) or (2) & (b)(1)(A)	D	Criminal Trespass - Vehicle or Premises of Another Person and 2+ Prior Convictions	8/1/2017		2
	5-39-203 (a)(3) & (b)(1)(B)	D	Criminal Trespass - Critical Infrastructure	7/28/2021		2
CD	5-39-204	Y	Aggravated Residential Burglary	7/31/2007	12/31/2023	8
CD	5-39-204 (a) & (b)(1)(A)	Y	Aggravated residential burglary - armed with a deadly weapon	1/1/2024		9
CD	5-39-204 (a) & (b)(1)(B)	Y	Aggravated residential burglary - causes or attempts to cause death or serious physical injury	1/1/2024		9
	5-39-204 (a) & (b)(2)	A	Aggravated residential burglary - residential structure occupied	1/1/2024		8
	5-39-211	D	Mining in a Cemetery	8/12/2005		1
	5-39-211	U	Mining in a Cemetery		8/11/2005	1
	5-39-305 (a) & (b)(1)(A)	D	Criminal Trespass on Premises Located in Unincorporated Area - 2+ Prior Convictions	8/1/2017		2
	5-39-305(a) & (b)(1)(B)	D	Criminal Trespass on Premises Located in Unincorporated Area - Critical Infrastructure	7/28/2021		2
	5-39-401	D	Destroying or Taking Cemetery Marker	8/1/1997	7/30/2007	2
	5-41-103	D	Computer Fraud			1
	5-41-104	D	Computer Trespass ≥ \$2,500 Damage			1
	5-41-202	C	Unlawful Acts Regarding Computers - Damage > \$500 or to Obtain Property Illegally or Causing Interruption or Impairment of Public Service			3
	5-41-203	C	Unlawful Interference w/ Access to Computers	8/13/2001		3
	5-41-204	D	Unlawful Use of Encryption	8/13/2001		3
	5-41-205	D	Unlawful Acts Involving Electronic Mail	8/13/2001		3
	5-41-206	D	Computer Password Disclosure	8/13/2001		2

Statute #	Class	Name of Crime	Start	End	Ranking
5-42-204	C	Criminal Use of Property or Laundering Criminal Proceeds			4
5-51-201	A	Treason			6
5-51-202	C	Advocating Assassination or Overthrow of Government	8/12/2005		4
5-51-202	U	Advocating Assassination or Overthrow of Government		8/11/2005	4
5-51-203	D	Usurping Office	8/12/2005		4
5-51-204	B	Usurping, Overturning, or Seizing Government			4
5-51-303	D	Intentional Injury to or Interference w/ Government Property	8/12/2005		2
5-51-303	U	Intentional Injury to or Interference w/ Government Property		8/11/2005	2
5-51-304	D	Intentional Defective Workmanship	8/12/2005		2
5-51-304	U	Intentional Defective Workmanship		8/11/2005	2
5-51-403	U	Communist Party Organization		3/27/2003	1
5-51-404	D	Failure to Register Communist Party Member/Organization - Overthrow Govt		3/27/2003	1
5-52-101	D	Abuse of Public Trust	8/12/2005	7/21/2015	3
5-52-101 (a) & (c)(1)	B	Abuse of Public Trust - Value of Benefit \geq \$25,000 (Includes those not yet occupying office - Offense date - 8/1/2017 and thereafter)	7/22/2015		5
5-52-101 (a) & (c)(2)	C	Abuse of Public Trust - Value of Benefit \geq \$5,000 < \$25,000 (Includes those not yet occupying office - Offense date - 8/1/2017 and thereafter)	7/22/2015		4
5-52-101 (a) & (c)(3)	D	Abuse of Public Trust - Value of Benefit \geq \$500 < \$5,000 (Includes those not yet occupying office - Offense date - 8/1/2017 and thereafter)	7/22/2015		3
5-52-103	D	Public Servant Bribery		8/11/2005	3
5-52-107 (a) & (b)(1)	B	Abuse of Office - Occupying or Not Yet Occupying Office - Value of Benefit \geq \$25,000	8/1/2017		5
5-52-107(a) & (b)(2)	C	Abuse of Office - Occupying or Not Yet Occupying Office - Value of Benefit \geq \$5,000 < \$25,000	8/1/2017		4
5-52-107(a) & (b)(3)	D	Abuse of Office - Occupying or Not Yet Occupying Office- Value of Benefit \geq \$500 < \$5,000	8/1/2017		3
5-53-102 (a)(1) & (c)	C	Perjury - False Material Statement Under Oath			4
5-53-102 (a)(2) & (c)	C	Perjury - Absentee Ballot	7/22/2015		4
5-53-102 (a)(3) & (c)	C	Perjury - Knowingly Making a False Unsworn Declaration under the Uniform Unsworn Foreign Declarations Act	8/1/2017		4
5-53-108	C	Witness Bribery		7/23/2019	4
5-53-108	B	Witness Bribery	7/24/2019		5
5-53-109	C	Intimidating a Witness		7/23/2019	4
5-53-109	B	Intimidating a Witness	7/24/2019		5
5-53-110 (b)(1)	D	Tampering	7/24/2019		4
5-53-111 (a) & (b)(1)	D	Tampering with Physical Evidence - Impairs or Obstructs Prosecution or Defense of a Felony			4
5-53-112	D	Retaliation Against Certain Informants	8/1/1997		4
5-53-112	C	Retaliation Against Certain Informants	7/24/2019		5
5-53-113	C	Juror Bribery			4
5-53-114	C	Intimidating a Juror, a Witness, or an Informant		7/23/2019	4
5-53-114	B	Intimidating a Juror, a Witness, or an Informant	7/24/2019		6
5-53-115	D	Jury Tampering		7/23/2019	4
5-53-115	C	Jury Tampering	7/24/2019		5
5-53-131 (b)	C	Frivolous, Groundless, or Malicious Prosecution - Seeking to Subject a Person to Delayed Release	7/28/2021		2
5-53-133	D	Approaching Jury Commissioner to Influence Juror Selections		7/31/2017	2

Statute #	Class	Name of Crime	Start	End	Ranking
5-53-134 (a)(1) or (a)(2) & (b)(2)	D	Violation of an Order of Protection (w/in 5 yrs of previous violation)	3/10/2009		3
5-53-134(a)(3) & (b)(2)	D	Violation of a Military Order of Protection (w/in 5 yrs of previous violation)	8/1/2017		3
5-53-202	B	Threatening a Judicial Official or Juror	7/16/2003		5
5-53-202	C	Threatening a Judicial Official or Juror	7/16/2003		4
5-54-104	C	Interfering w/ Law Enforcement Officer or Code Enforcement Officer	7/31/2009		4
5-54-105	B	Hindering Apprehension or Prosecution			5
5-54-105	C	Hindering Apprehension or Prosecution			4
5-54-105	D	Hindering Apprehension or Prosecution			3
5-54-106	D	Aiding Consummation of Offense			2
5-54-107	B	Compounding			5
5-54-107	C	Compounding			3
5-54-107	D	Compounding			2
5-54-110	A	Escape 1st Degree - Person in custody of DOC, DCC, or law enfor. agency	7/31/2009		7
5-54-110	C	Escape 1st Degree			4
5-54-111	B	Escape 2nd Degree - Person in custody of DOC, DCC, or law enfor. agency	7/31/2009		6
5-54-111	D	Escape 2nd Degree			2
5-54-112	C	Escape 3rd Degree - Person in custody of DOC, DCC, or law enforcement agency	7/31/2009		4
5-54-113	C	Permitting Escape 1st Degree			4
5-54-116	C	Aiding Unauthorized Departure			3
5-54-117	B	Assisting in or Furnishing Deadly Weapon for Escape	7/31/2009		6
5-54-117	C	Furnishing Implement for Escape		7/30/2009	4
5-54-117	C	Assisting in or Furnishing Implement for Escape	7/31/2009		4
5-54-117	D	Furnishing Implement for Escape		7/30/2009	3
5-54-118	C	Furnishing Implement for Unauthorized Departure - Implement is a Deadly Weapon			3
5-54-119 (b)(1)(A)	B	Furnishing, Possessing, or Using Prohibited Articles - Article Would Facilitate an Escape, Continuing Criminal Enterprise, or Violence w/in the Facility			5
5-54-119 (b)(1)(B)	C	Furnishing, Possessing, or Using Prohibited Articles			4
5-54-119 (c)	B	Furnishing, Possessing, or Using Prohibited Articles	7/31/2009	8/15/2013	5
5-54-119 (c)(1)(A) or (B) & (c)(2)	B	Possessing Prohibited Articles by an Inmate or Person in Custody of a Correctional Facility - Cellular Device	8/16/2013		5
5-54-119 (c)(1)(C) & (c)(2)	B	Possessing a Prohibited Article by an Inmate or Person in Custody of a Correctional Facility - Controlled Substance	7/24/2019		5
5-54-119 (d)	A	Using Prohibited Articles	7/31/2009	8/15/2013	7
5-54-119 (d)	A	Using Prohibited Articles - Inmate Uses to Facilitate Escape, Continuing Criminal Enterprise, or a Violent Felony	8/16/2013		7
5-54-119 (e)(1) & (e)(2)(A)	A	Delivering a Prohibited Article by an Inmate of a Correctional Facility - Controlled Substance - Death or Serious Bodily Injury Results	7/24/2019		6
5-54-119 (e)(1) & (e)(2)(B)	B	Delivering a Prohibited Article by an Inmate of a Correctional Facility - Controlled Substance	7/24/2019		5
5-54-120	C	Failure to Appear (ranking prior to 1/1/2018)			5
5-54-120	C	Failure to Appear (ranking 1/1/2018 and thereafter)			4
5-54-120 (d)(2)	D	Failure to Appear Regarding an Order to Appear Issued Before Revocation Hearing	8/16/2013		4

Statute #	Class	Name of Crime	Start	End	Ranking
5-54-121	B	Tampering with Court Records	7/30/1999		6
5-54-121	C	Tampering with Court Records	7/30/1999		4
5-54-121	D	Tampering with Public Record			2
5-54-122	D	Filing False Report of Crime			2
5-54-122 (c)(1)(F)	D	Filing False Report of Crimes - Alleges Aggravating Circumstance for Delayed Release	7/28/2021		2
5-54-125 (d)(3)	C	Fleeing - Vehicle or Conveyance, with Serious Injury		7/27/2021	5
5-54-125 (d)(2)	D	Fleeing - Vehicle or Conveyance, with Substantial Danger of Causing Death or Serious Injury	7/28/1995	7/27/2021	3
5-54-125 (d)(2)	C	Fleeing in a Vehicle or Conveyance with Substantial Danger of Causing Death or Serious Physical Injury	7/28/2021	7/31/2023	4
5-54-125 (d)(2)	D	Fleeing by means of any vehicle or conveyance	8/1/2023		3
5-54-125 (d)(3)	B	Fleeing in a Vehicle or Conveyance with Serious Physical Injury	7/28/2021	7/31/2023	6
5-54-125 (d)(3)	C	Fleeing in a Vehicle or Conveyance with Substantial Danger of Causing Death or Serious Physical Injury	8/1/2023		4
5-54-125 (d)(4)	B	Fleeing in a Vehicle or Conveyance with Serious Physical Injury	8/1/2023		6
5-54-125 (c)	D	Fleeing - On foot and with Serious Injury			3
5-54-125	D	Fleeing		7/28/1995	2
5-54-126	D	Killing Animal Used by Law Enforcement Agency		7/30/2009	2
5-54-126	D	Killing, Injuring, or Attempting to Injure an Animal Used by Law Enforcement Agency	7/31/2009		3
5-54-127	B	Officer Failing to Execute Process		8/11/2005	4
5-54-127	C	Officer Failing to Execute Process		8/11/2005	3
5-54-127	D	Officer Failing to Execute Process		8/11/2005	2
5-54-131	D	Absconding			2
5-54-131 (a)(3)	D	Absconding - Person Released Pending Bed Space at ADC or ACC	7/24/2019		2
5-54-134	C	Disarming an officer	8/1/2023		4
5-54-202	Y	Soliciting Material Support for Terrorism	7/16/2003		8
5-54-202	Y	Providing Material Support for a Terrorist Act	7/16/2003		9
5-54-203	A	Making a Terrorist Threat	7/16/2003		7
5-54-204	B	Falsely Communicating a Terrorist Threat	7/16/2003		5
5-54-205	Y	Terrorism	7/16/2003		10
5-54-207	B	Hindering Prosecution of Terrorism	7/16/2003		7
5-54-207	D	Hindering Prosecution of Terrorism	7/16/2003		4
5-54-208	Y	Exposing Public to Toxic Biological, Chemical, or Radioactive Substances	7/16/2003		10
5-54-209	C	Use of a Hoax Substance or Bomb	7/28/2021		4
5-54-209	D	Use of a Hoax Substance	7/16/2003	7/27/2021	3
5-55-103	B	Violation of Medicaid Fraud Act - Payments Claimed \geq \$2,500 (in aggregate)		7/31/2017	4
5-55-103	C	Violation of Medicaid Fraud Act - Payments Claimed \geq \$200 < \$2,500		7/31/2017	3
5-55-103	C	Illegal Medicaid Participation - Third and Subq. Offense	7/16/2003	7/31/2017	3
5-55-103	D	Illegal Medicaid Participation - Second Offense	7/16/2003	7/31/2017	2
5-55-103 (b)(1)	C	Violation of Medicaid Fraud Act - Payments Claimed \geq \$2,500 < \$5,000	8/1/2017		3
5-55-103 (b)(2)	B	Violation of Medicaid Fraud Act - Payments Claimed \geq \$5,000 < \$25,000	8/1/2017		4
5-55-103 (b)(3)	A	Violation of Medicaid Fraud Act - Payments Claimed \geq \$25,000	8/1/2017		5
5-55-104	D	Non-Maintenance of Medicaid Records			2

Statute #	Class	Name of Crime	Start	End	Ranking
5-55-104 (g)	B	Non-Maintenance of Medicaid Records - Destroy or Alter Record to Conceal False Claim	8/1/2017		5
5-55-201	D	Traffic in Illegal Food Coupons or Vouchers	8/12/2005		2
5-55-203	D	Illegal Presentation of Food Coupons or Vouchers for Payment - Value ≥ \$100	8/12/2005		2
5-55-301	D	Knowingly Making a Material False Statement or Representation to SSA Disability Determination			3
5-55-501 (b) & (c)	D	Lottery Fraud	3/8/2011		2
5-55-601 (c)	D	Petition Fraud	3/8/2019		2
5-55-602	D	Criminal Impersonation in an Election	7/22/2015		2
5-56-101	D	Traffic in Illegal Food Coupons		8/11/2005	2
5-56-102	D	Illegal Use, etc. of Food Coupons		8/11/2005	1
5-56-103	D	Illegal Use of Food Coupons		8/11/2005	1
5-60-101	D	Abuse of Corpse		7/26/2011	1
5-60-101	C	Abuse of Corpse	7/27/2011		3
5-60-111	D	Communicating False Alarm by Radio		8/11/2005	1
5-60-123 (c)	D	Obstruction or Interference with Emergency Med Personnel or First Responder	8/1/2017		3
5-61-101	D	Willfully Inducing Abortion w/o Medical License		7/31/2017	2
5-61-101	D	Knowingly Inducing Abortion w/o Medical License	8/1/2017		2
5-61-102	D	Unlawful Abortion	8/12/2005		2
5-61-102	U	Unlawful Abortion		8/11/2005	2
5-61-203	D	Performing Partial Birth Abortion		9/19/2009	2
5-61-304	U	Performing abortion in violation of the Arkansas Human Life Protection Act (See Act 180 of 2019 for Effective Date)			3
5-61-404	U	Violation of the Arkansas Unborn Child Protection Act	7/28/2021		2
5-62-103	D	Cruelty to Animals - Fourth or Subq. Offense w/in 5 years	7/31/2009		2
5-62-104	C	Aggravated Cruelty to a Dog, Cat or Horse - Second or Subq. Offense w/in 5 years	7/31/2009	7/31/2017	4
5-62-104	D	Aggravated Cruelty to a Dog, Cat or Horse - First Offense	7/31/2009	7/31/2017	3
5-62-104 (a) & (c)	C	Aggravated Cruelty to a Dog, Cat or Equine - Second or Subq. Offense	8/1/2017		4
5-62-104 (a) & (b)	D	Aggravated Cruelty to a Dog, Cat or Equine - First Offense	8/1/2017		3
5-62-120	D	Unlawful Animal Fighting 1st Degree	7/31/2009		2
5-62-120	D	Dogfighting - First Offense		7/30/2009	1
5-62-124	D	Bear Exploitation			2
5-63-204 (a) & (b)	D	Automated Telephone Solicitation	7/24/2019		2
5-63-205 (a) & (g)	D	Misleading Caller Identification Information - Intent to Defraud	7/24/2019		2
5-63-205 (b) & (g)	D	Misleading Caller Identification Information	7/24/2019		2
5-63-205 (c) & (g)	D	Misleading Caller Identification Information - By a Telecommunications Service	7/24/2019		2
5-63-205 (d) & (g)	D	Misleading Caller Identification Information - Fictitious Name or Number	7/24/2019		2
5-64-401	B	Possession/Etc. Counterfeit Substance w/ Intent Schedule I - II		7/26/2011	6
5-64-401	C	Possession Control/Counterfeit Substance w/o Prescription - Third Offense		7/26/2011	3
5-64-401	D	Possession Control/Counterfeit Substance w/o Prescription Second Offense		7/26/2011	2
5-64-401.1	B	Manufacture, Etc. Controlled Substance Schedule I/II/III < 28 g		7/26/2011	4
5-64-401.1	C	Manufacture, Etc. Controlled Substance Schedule IV/V < 200 g		7/26/2011	3
5-64-401.1	Y	Manufacture/Delivery/Possession Control Substance Schedule I/II < 28 g		7/26/2011	7
5-64-401.2	B	Manufacture/Etc. Controlled Substance Schedule I/II/III > 28 g < 400 g		7/26/2011	5

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-64-401.2	C	Manufacture/Etc. Controlled Substance Schedule IV/V > 200 g < 400 g		7/26/2011	4
	5-64-401.2	Y	Manufacture/Etc. Controlled Substance Schedule I/II > 28 g < 200 g		7/26/2011	7
	5-64-401.3	B	Manufacture/Etc. Controlled Substance Schedule I/II/III > 200 g < 400 g		7/26/2011	5
	5-64-401.3	C	Manufacture/Etc. Controlled Substance Schedule IV/V > 400 g		7/26/2011	4
	5-64-401.3	Y	Manufacture/Etc. Controlled Substance Schedule I/II > 200 g < 400 g		7/26/2011	8
	5-64-401.4	B	Manufacture/Etc. Controlled Substance Schedule I/II/III > 400 g		7/26/2011	6
	5-64-401.4	C	Possession of Controlled Substance - Schedule I/II		7/26/2011	4
	5-64-401.4	Y	Manufacture/Etc. Controlled Substance Schedule I/II > 400 g		7/26/2011	8
	5-64-401.5	B	Manufacture/Delivery/Possession Marijuana > 10 lbs < 100 lbs		7/26/2011	5
	5-64-401.5	C	Manufacture/Delivery/Possession Marijuana > 10 lbs < 100 lbs		7/28/1995	4
	5-64-401.6	Y	Manufacture/Delivery/Possession Marijuana ≥ 500 lbs		7/26/2011	7
	5-64-401.6	A	Manufacture/Delivery/Possession Marijuana > 100 lbs < 500 lbs		7/30/2007	6
	5-64-401.6	C	Manufacture/Delivery/Possession Marijuana > 100 lbs		10/10/1994	4
	5-64-401.7	C	Manufacture/Delivery/Possession Marijuana < 10 lbs		7/26/2011	3
	5-64-401.8	D	Possession/Etc. Counterfeit Substance w/ Intent Unclassified Schedule		7/26/2011	2
	5-64-401.9	C	Possession/Etc. Counterfeit Substance w/ Intent Schedule I-V		7/26/2011	3
	5-64-402	B	Offenses Relating to Records - Drug Free Zone		7/26/2011	7
	5-64-402 (a) & (b)(1)	C	Offenses Relating to Records - Maintaining Premises, Refuse Entry	7/27/2011		5
	5-64-402 (a) & (b)(2)	B	Offenses Relating to Records - Maintaining Premises, etc. - Drug Free Zone	7/27/2011		7
	5-64-402	D	Offenses Relating to Records - Drugs		7/26/2011	2
	5-64-403	B	Delivery Drug Paraphernalia to Anyone < 18		7/26/2011	5
B	5-64-403	B	Paraphernalia to Manufacture Methamphetamine, Use of	4/9/1999	7/26/2011	6
	5-64-403	B	Fraud - Noncontrolled Substance Rep. as Controlled Substance Schedule I or II	8/12/2005	7/26/2011	5
	5-64-403	C	Fraud - Noncontrolled Substance Rep. as Controlled Substance Schedule I/ II/III	8/12/2005	7/26/2011	4
	5-64-403	C	Fraud - Noncontrolled Substance Rep. as Controlled Substance Schedule IV	8/12/2005	7/26/2011	4
	5-64-403	C	Fraud - Noncontrolled Substance Rep. as Controlled Substance Schedule V	8/12/2005	7/26/2011	4
	5-64-403	C	Advertise to Promote Sale of Counterfeit Substances or Objects to Use as Drug Paraphernalia	8/12/2005	7/26/2011	4
	5-64-403	C	Delivery/Possession/Manufacture, Etc. Drugs		7/26/2011	3
	5-64-403	D	Non-Controlled Substance Rep. as Classified Controlled Substance		7/26/2011	2
	5-64-403 (a)(1) -(a)(4) & (b)(1)	D	Controlled Substances - Fraudulent Practices	7/27/2011		3
	5-64-403 (a)(1) - (a)(4) & (c)	D	Controlled Substances - Fraudulent Practices - Second or Subq. Attempt to Violate	8/16/2013		3
	5-64-403 (a)(5)(A) & (b)(2)(A)	C	Controlled Substances - Fraudulent Practices	7/27/2011		4
	5-64-403 (a)(5)(A) & (b)(2)(B)	D	Controlled Substances - Fraudulent Practices	7/27/2011		4
	5-64-404	C	Communication Device, Illegal Use of	8/12/2005		3
	5-64-405	Y	Continuing Criminal Enterprise	8/12/2005		9
	5-64-414	Y	Continuing Criminal Enterprise		8/11/2005	9
	5-64-415	D	Drug Precursors - Unlawful Acts - Licenses - Penalties			3
	5-64-417	C	Communication Facility, Illegal Use of		8/11/2005	3
	5-64-419 (b)(1)(A)	D	Possession of Controlled Substance - Schedule I or II Methamphetamine or Cocaine < 2 g	7/27/2011	7/27/2021	3

Statute #	Class	Name of Crime	Start	End	Ranking
5-64-419 (b)(1)(A)	D	Possession of Controlled Substance - Schedule I or II Methamphetamine, Cocaine, or Heroin < 2 g	7/28/2021		3
5-64-419 (b)(1)(B)	C	Possession of Controlled Substance - Schedule I or II Methamphetamine or Cocaine ≥ 2 g < 10 g	7/27/2011	7/27/2021	4
5-64-419 (b)(1)(B)	C	Possession of Controlled Substance - Schedule I or II Methamphetamine, Cocaine, or Heroin ≥ 2 g < 10 g	7/28/2021		4
5-64-419 (b)(1)(C)	B	Possession of Controlled Substance - Schedule I or II Methamphetamine or Cocaine ≥ 10 g < 200 g	7/27/2011	7/27/2021	5
5-64-419 (b)(1)(C)	B	Possession of Controlled Substance - Schedule I or II Methamphetamine, Cocaine, or Heroin ≥ 10 g < 200 g	7/28/2021		5
5-64-419 (b)(2)(A)	D	Possession of Controlled Substance - Schedule I or II not Methamphetamine or Cocaine <2 g	7/27/2011	7/27/2021	3
5-64-419 (b)(2)(A)	D	Possession of Controlled Substance - Schedule I or II not Methamphetamine, Cocaine, Heroin, or Fentanyl <2 g	7/28/2021		3
5-64-419 (b)(2)(B)	C	Possession of Controlled Substance - Schedule I or II not Methamphetamine or Cocaine ≥ 2 g < 28 g	7/27/2011	7/27/2021	4
5-64-419 (b)(2)(B)	C	Possession of Controlled Substance - Schedule I or II not Methamphetamine, Cocaine, Heroin, or Fentanyl ≥ 2 g < 28 g	7/28/2021		4
5-64-419 (b)(2)(C)	B	Possession of Controlled Substance - Schedule I or II not Methamphetamine or Cocaine ≥ 28 g < 200 g	7/27/2011	7/26/2011	5
5-64-419 (b)(2)(C)	B	Possession of Controlled Substance - Schedule I or II not Methamphetamine, Cocaine, Heroin, or Fentanyl ≥ 28 g < 200 g	7/28/2021		5
5-64-419 (b)(3)(A)(ii)	D	Possession of Controlled Substance - Schedule III < 2 g and Four or More Prior Convictions	8/16/2013		3
5-64-419 (b)(3)(B)	D	Possession of Controlled Substance - Schedule III ≥ 2 g < 28 g	7/27/2011		3
5-64-419 (b)(3)(C)	C	Possession of Controlled Substance - Schedule III ≥ 28 g < 200 g	7/27/2011		4
5-64-419 (b)(3)(D)	B	Possession of Controlled Substance - Schedule III ≥ 200 g < 400 g	7/27/2011		5
5-64-419 (b)(4)(A)(ii)	D	Possession of Controlled Substance - Schedule IV or V < 28g and four or more prior convictions	8/16/2013		3
5-64-419 (b)(4)(B)	D	Possession of Controlled Substance - Schedule IV or V ≥ 28 g < 200 g	7/27/2011		3
5-64-419 (b)(4)(C)	C	Possession of Controlled Substance - Schedule IV or V ≥ 200 g < 400 g	7/27/2011		4
5-64-419 (b)(4)(D)	B	Possession of Controlled Substance - Schedule IV or V ≥ 400 g < 800 g	7/27/2011		5
5-64-419 (b)(5)(ii)	D	Possession of Controlled Substance - Schedule VI ≥ 1 oz < 4 oz and two previous convictions	7/27/2011	8/15/2013	3
5-64-419 (b)(5)(iii)	D	Possession of Controlled Substance - Schedule VI ≥ 4 oz < 10 lbs	7/27/2011	8/15/2013	3
5-64-419 (b)(5)(iv)	C	Possession of Controlled Substance - Schedule VI ≥ 10 lbs < 25 lbs	7/27/2011	8/15/2013	5
5-64-419 (b)(5)(v)	B	Possession of Controlled Substance - Schedule VI ≥ 25 lbs < 100 lbs	7/27/2011	8/15/2013	6
5-64-419 (b)(5)(vi)	A	Possession of Controlled Substance - Schedule VI ≥ 100 lbs < 500 lbs	7/27/2011	8/15/2013	7
5-64-419 (b)(5)(B)	D	Possession of Controlled Substance - Schedule VI ≥ 1 oz < 4 oz and four previous convictions	8/16/2013		3
5-64-419 (b)(5)(C)	D	Possession of Controlled Substance - Schedule VI ≥ 4 oz < 10 lbs	8/16/2013		3
5-64-419 (b)(5)(D)	C	Possession of Controlled Substance - Schedule VI ≥ 10 lbs < 25 lbs (Ranking prior to 6/26/2015)	8/16/2013		5
5-64-419 (b)(5)(D)	C	Possession of Controlled Substance - Schedule VI ≥ 10 lbs < 25 lbs (New Ranking as of 6/26/15)	8/16/2013		3
5-64-419 (b)(5)(E)	B	Possession of Controlled Substance - Schedule VI ≥ 25 lbs <100 lbs (Ranking prior to 6/26/2015)	8/16/2013		6
5-64-419 (b)(5)(E)	B	Possession of Controlled Substance - Schedule VI ≥ 25 lbs < 100 lbs (New Ranking as of 6/26/2015)	8/16/2013		4
5-64-419 (b)(5)(F)	A	Possession of Controlled Substance - Schedule VI ≥ 100 lbs < 500 lbs	8/16/2013		7
5-64-420 (b)(1)	C	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver < 2 g	7/27/2011	7/27/2021	6

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-64-420 (b)(1)	C	Possession of Methamphetamine, Cocaine, or Heroin w/ Purpose to Deliver < 2 g	7/28/2021		6
	5-64-420 (b)(2)	B	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver ≥ 2 g < 10 g	7/27/2011	7/27/2021	6
	5-64-420 (b)(2)	B	Possession of Methamphetamine, Cocaine, or Heroin w/ Purpose to Deliver ≥ 2 g < 10 g	7/28/2021		6
	5-64-420 (b)(3)	A	Possession of Methamphetamine or Cocaine w/ Purpose to Deliver ≥ 10 g < 200g	7/27/2011	7/27/2021	7
	5-64-420 (b)(3)	A	Possession of Methamphetamine, Cocaine, or Heroin w/ Purpose to Deliver ≥ 10 g < 200g	7/28/2021		7
	5-64-421 (a)	C	Possession of Fentanyl	7/28/2021		4
	5-64-421 (b)	A	Possession of Fentanyl w/ Purpose to Deliver	7/28/2021		7
	5-64-421 (c)	Y	Delivery of Fentanyl	7/28/2021		7
	5-64-421 (d)	Y	Manufacture of Fentanyl	7/28/2021		8
	5-64-421 (i)(1)(A) & (i)(2)	U	Possession of Fentanyl - Predatory Marketing	4/11/2023		10
	5-64-422(b)(1)	C	Delivery of Methamphetamine or Cocaine < 2g	7/27/2011	7/27/2021	6
	5-64-422(b)(1)	C	Delivery of Methamphetamine, Cocaine, or Heroin < 2g	7/28/2021		6
	5-64-422(b)(2)	B	Delivery of Methamphetamine or Cocaine ≥ 2 g < 10 g	7/27/2011	7/27/2021	7
	5-64-422(b)(2)	B	Delivery of Methamphetamine, Cocaine, or Heroin ≥ 2 g < 10 g	7/28/2021		7
	5-64-422(b)(3)	Y	Delivery of Methamphetamine or Cocaine ≥ 10 g < 200 g	7/27/2011	7/27/2021	7
	5-64-422(b)(3)	Y	Delivery of Methamphetamine, Cocaine, or Heroin ≥ 10 g < 200 g	7/28/2021		7
B	5-64-423 (a)(2)(A)	C	Manufacture of Methamphetamine < 2 g	7/27/2011		6
B	5-64-423 (a)(2)(B)(i)	Y	Manufacture of Methamphetamine ≥ 2 g	7/27/2011		7
B	5-64-423 (a)(2)(B)(ii)	A	Manufacture of Methamphetamine - Personal Use ≥ 2 g	7/27/2011		7
B	5-64-423(a)(3)	Y	Manufacture of Methamphetamine - One or More Prior Convictions in Any Amount	7/27/2011		8
	5-64-423 (b)(2)(A)	C	Manufacture of Cocaine < 2 g	7/27/2011		6
	5-64-423 (b)(2)(B)	B	Manufacture of Cocaine ≥ 2 g < 10 g	7/27/2011		7
	5-64-423 (b)(2)(C)	Y	Manufacture of Cocaine ≥ 10 g < 200 g	7/27/2011		7
	5-64-423 (c)(2)(A)	C	Manufacture of Heroin < 2 g	7/28/2021		6
	5-64-423 (c)(2)(B)	B	Manufacture of Heroin ≥ 2 g < 10 g	7/28/2021		7
	5-64-423 (c)(2)(C)	Y	Manufacture of Heroin ≥ 10 g < 200 g	7/28/2021		7
	5-64-424(b)(1)	C	Possession of Schedule I or II Controlled Substance not Methamphetamine/Cocaine w/ Purpose to Deliver < 2 g (not Heroin or Fentanyl 07/28/2021 and thereafter)	7/27/2011		4
	5-64-424(b)(2) (A)-(E)	B	Possession of Schedule I or II Controlled Substance not Methamphetamine/Cocaine w/ Purpose to Deliver (not Heroin or Fentanyl 07/28/2021 and thereafter)	7/27/2011		5
	5-64-424(B)(3) (A)-(E)	A	Possession of Schedule I or II Controlled Substance not Methamphetamine/Cocaine w/ Purpose to Deliver (not Heroin or Fentanyl 07/28/2021 and thereafter)	7/27/2011		6
	5-64-426(c)(1)	C	Delivery of Schedule I or II Controlled Substance not Methamphetamine/Cocaine < 2 g (not Heroin or Fentanyl 07/28/2021 and thereafter)	7/27/2011		4
	5-64-426(c)(2) (A)-(E)	B	Delivery of Schedule I or II Controlled Substance not Methamphetamine/Cocaine (not Heroin or Fentanyl 07/28/2021 and thereafter)	7/27/2011		5
	5-64-426(c)(3) (A)-(E)	A	Delivery of Schedule I or II Controlled Substance not Methamphetamine/Cocaine (not Heroin or Fentanyl 07/28/2021 and thereafter)	7/27/2011		6
	5-64-427(c)(1)	C	Manufacture of Schedule I or II Controlled Substance not Methamphetamine/Cocaine < 2 g (not Heroin or Fentanyl 07/28/2021 and thereafter)	7/27/2011		4
	5-64-427(c)(2) (A)-(E)	B	Manufacture of Schedule I or II Controlled Substance not Methamphetamine/Cocaine (not Heroin or Fentanyl 07/28/2021 and thereafter)	7/27/2011		5

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-64-427(c)(3) (A)-(E)	A	Manufacture of Schedule I or II Controlled Substance not Methamphetamine/Cocaine (not Heroin or Fentanyl 07/28/2021 and thereafter)	7/27/2011		6
	5-64-428(b)(1) (A)-(C)	C	Possession of Schedule III Controlled Substance w/ Purpose to Deliver	7/27/2011	8/15/2013	4
	5-64-428(b)(1) (A)-(C)	C	Possession of Schedule III Controlled Substance w/ Purpose to Deliver	8/16/2013		4
	5-64-428(b)(2) (A)-(C)	B	Possession of Schedule III Controlled Substance w/ Purpose to Deliver	7/27/2011		5
	5-64-428(b)(3) (A)-(C)	A	Possession of Schedule III Controlled Substance w/ Purpose to Deliver	7/27/2011		6
	5-64-430(b)(1)	C	Delivery of Schedule III Controlled Substance < 28 g	7/27/2011		4
	5-64-430(b)(2)	B	Delivery of Schedule III Controlled Substance ≥ 28 g < 200 g	7/27/2011		5
	5-64-430(b)(3)	A	Delivery of Schedule III Controlled Substance ≥ 200 g < 400 g	7/27/2011		6
	5-64-431(b)(1)	C	Manufacture of Schedule III Controlled Substance < 28 g	7/27/2011		4
	5-64-431(b)(2)	B	Manufacture of Schedule III Controlled Substance ≥ 28 g < 200 g	7/27/2011		5
	5-64-431(b)(3)	A	Manufacture of Schedule III Controlled Substance ≥ 200 g	7/27/2011		6
	5-64-432(b)(1)(A)-(C)	D	Possession of Schedule IV or V Controlled Substance w/ Purpose to Deliver	7/27/2011	8/15/2013	3
	5-64-432(b)(1)(A)-(C)	D	Possession of Schedule IV or V Controlled Substance w/ Purpose to Deliver	8/16/2013		3
	5-64-432(b)(2)(A)-(C)	C	Possession of Schedule IV or V Controlled Substance w/ Purpose to Deliver	7/27/2011		4
	5-64-432(b)(3)(A)-(C)	B	Possession of Schedule IV or V Controlled Substance w/ Purpose to Deliver	7/27/2011		5
	5-64-434(b)(1)	D	Delivery of Schedule IV or V Controlled Substance < 200 g	7/27/2011		3
	5-64-434(b)(2)	C	Delivery of Schedule IV or V Controlled Substance ≥ 200 g < 400 g	7/27/2011		4
	5-64-434(b)(3)	B	Delivery of Schedule IV or V Controlled Substance ≥ 400 g < 800 g	7/27/2011		5
	5-64-435(b)(1)	D	Manufacture of Schedule IV or V Controlled Substance < 200 g	7/27/2011		3
	5-64-435(b)(2)	C	Manufacture of Schedule IV or V Controlled Substance ≥ 200 g < 400 g	7/27/2011		4
	5-64-435(b)(3)	B	Manufacture of Schedule IV or V Controlled Substance ≥ 400 g	7/27/2011		5
	5-64-436(b)(2)	D	Possession of Schedule VI Controlled Substance w/ Purpose to Deliver > 14 g < 4 oz	7/27/2011		3
	5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance w/ Purpose to Deliver ≥ 4 oz < 25 lbs	7/27/2011		4
	5-64-436(b)(4)	B	Possession of Schedule VI Controlled Substance w/ Purpose to Deliver ≥ 25 lbs < 100 lbs	7/27/2011		5
	5-64-436(b)(5)	A	Possession of Schedule VI Controlled Substance w/ Purpose to Deliver ≥ 100 lbs < 500 lbs	7/27/2011		7
	5-64-438(b)(1)(B)	D	Delivery of Schedule VI Controlled Substance < 14 g and Four or More Prior Convictions	8/16/2013		3
	5-64-438(b)(2)	D	Delivery of Schedule VI Controlled Substance > 14 g < 4 oz	7/27/2011		3
	5-64-438(b)(3)	C	Delivery of Schedule VI Controlled Substance ≥ 4 oz < 25 lbs	7/27/2011		4
	5-64-438(b)(4)	B	Delivery of Schedule VI Controlled Substance ≥ 25 lbs < 100 lbs	7/27/2011		5
	5-64-438(b)(5)	A	Delivery of Schedule VI Controlled Substance ≥ 100 lbs < 500 lbs	7/27/2011		7
	5-64-439(b)(2)	D	Manufacture of Schedule VI Controlled Substance > 14 g < 4 oz	7/27/2011		3
	5-64-439(b)(3)	C	Manufacture of Schedule VI Controlled Substance ≥ 4 oz < 25 lbs	7/27/2011		4
	5-64-439(b)(4)	B	Manufacture of Schedule VI Controlled Substance ≥ 25 lbs < 100 lbs	7/27/2011		5
	5-64-439(b)(5)	A	Manufacture of Schedule VI Controlled Substance ≥ 100 lbs	7/27/2011		7
	5-64-440 (b) & (c)	Y	Trafficking a Controlled Substance - Possession Only	7/27/2011	8/15/2013	8
	5-64-440 (b) & (c)(2)	U	Trafficking a controlled substance - Fentanyl	4/11/2023		9
B	5-64-440 (b) & (c)	Y	Trafficking a Controlled Substance	8/16/2013		8
	5-64-441(b)(1)	D	Possession of Counterfeit Substance w/o Prescription Schedule I or II	7/27/2011		3
	5-64-441(b)(3)	D	Possession of Counterfeit Substance w/o Prescription - Third or Subq. Offense	7/27/2011		3
	5-64-442(b)(1)	C	Delivery or Manufacture of Counterfeit Substance - Schedule I or II	7/27/2011	8/15/2013	3

Statute #	Class	Name of Crime	Start	End	Ranking
5-64-442(b)(1)	C	Possession w/ the Purpose to Deliver, Delivery, or Manufacture of Counterfeit Substance - Schedule I or II	8/16/2013		3
5-64-442(b)(2)	D	Delivery or Manufacture of Counterfeit Substance - Schedule III	7/27/2011	8/15/2013	3
5-64-442(b)(2)	D	Possession w/ the Purpose to Deliver, Delivery, or Manufacture of Counterfeit Substance - Schedule III	8/16/2013		3
5-64-443 (a)(2)	D	Possession of Drug Paraphernalia- Meth./ Cocaine/ Heroin/ Fentanyl (Subq. Conviction)	7/28/2021		3
5-64-443 (b)(1)	D	Possession of Drug Paraphernalia to Manufacture, Etc.	7/28/2021		3
5-64-443 (b)(2)	B	Possession of Drug Paraphernalia to Manufacture, Etc. - Meth/ Cocaine/ Heroin/Fentanyl	7/28/2021		6
5-64-443(a)(2)	D	Possession of Drug Paraphernalia to Ingest, Inhale, etc.	7/27/2011	7/23/2019	3
5-64-443(a)(2)	D	Possession of Drug Paraphernalia to Ingest, Inhale, etc. - Methamphetamine, Cocaine, Heroin, or Fentanyl	7/24/2019	7/27/2021	3
5-64-443(b)	B	Use or Possession of Paraphernalia to Manufacture, etc. Methamphetamine or Cocaine	7/27/2011	7/31/2017	6
5-64-443(b)	B	Use or Possession of Paraphernalia to Manufacture, etc. (but not store, contain or conceal) Methamphetamine or Cocaine	8/1/2017	7/23/2019	6
5-64-443(b)	B	Use or Possession of Paraphernalia to Manufacture, etc. (but not store, contain or conceal) Methamphetamine, Cocaine, Heroin, or Fentanyl	7/24/2019	7/27/2021	6
5-64-443(c)	D	Use or Possession of Paraphernalia to Manufacture, etc. Controlled Substance not Methamphetamine or Cocaine	7/27/2011	7/31/2017	3
5-64-443(c)	D	Use of Possession of Paraphernalia with Purpose to Store, Contain or Conceal a Controlled Substance - Methamphetamine or Cocaine	8/1/2017	7/23/2019	3
5-64-443(c)	D	Use of Possession of Paraphernalia with Purpose to Store, Contain or Conceal a Controlled Substance - Methamphetamine, Cocaine, Heroin, or Fentanyl	7/24/2019	7/27/2021	3
5-64-443(d)	D	Use or Possession of Paraphernalia to Manufacture, etc. (but not store, contain, or conceal) Controlled Substance not Methamphetamine or Cocaine	8/1/2017	7/23/2019	3
5-64-443(d)	D	Use or Possession of Paraphernalia to Manufacture, etc. (but not store, contain, or conceal) Controlled Substance not Methamphetamine, Cocaine, Heroin, or Fentanyl	7/24/2019	7/27/2021	3
5-64-444(a)	B	Drug Paraphernalia - Delivery to a Minor	7/27/2011		5
5-64-445	C	Advertisement of a Counterfeit Substance or Drug Paraphernalia	7/27/2011		3
5-64-802	C	Conduct Illegal Drug Paraphernalia Business - Third or Subq. Offense			3
5-64-802	D	Conduct Illegal Drug Paraphernalia Business - Second Offense			2
5-64-1101	D	Possession of > 5 g Ephedrine or > 9 g Pseudoephedrine	8/1/1997		2
5-64-1102 (a)(1) & (a)(2)(A)	D	Possession of Ephedrine, etc. w/ Purpose to Manufacture, Capable of Producing ≤ 10 g of Methamphetamine	7/27/2011		2
5-64-1102 (a)(1) & (a)(2)(B)	B	Possession of Ephedrine, etc., w/ Purpose to Manufacture, Capable of Producing > 10 g of Methamphetamine	7/27/2011		4
5-64-1102 (b)(1) & (b)(2)	B	Possession of Ephedrine, etc., w/ Purpose to Manufacture Capable of Producing ≥ 28 g of Schedule I or II that is a Narcotic Drug or Methamphetamine w/ Purpose to Manufacture	7/27/2011		5
5-64-1102 (c)(1) & (c)(2)	D	Possession of Any Product Containing Ephedrine, Pseudoephedrine, or Phenylpropanolamine, etc., w/ the Purpose to Manufacture - Unlawful Distribution	7/27/2011		3
5-64-1102	D	Possess w/ Intent to Manufacture	8/1/1997	7/26/2011	2
5-64-1102	D	Sell, Distribute, etc. Ephedrine, Pseudoephedrine, etc. w/ Intent to Manufacture	8/13/2001	7/26/2011	3
5-64-1103	C	Violation of Sales, Purchase, Acquisitions, etc. Limits for Ephedrine - Fourth or Subq. Offense	7/31/2009		4

Statute #	Class	Name of Crime	Start	End	Ranking
5-64-1103	D	Violation of Sales, Purchase, Acquisitions, etc. Limits for Ephedrine - Third Offense	7/31/2009		3
5-64-1301	B	Possession of Anhydrous Ammonia in Unlawful Containers	7/30/1999		5
5-65-103	U	DWI , Violation of Omnibus Act - (See penalties at 5-65-111)	7/22/2015		3
5-65-103	U	DWI, Violation of Omnibus Act - Fourth Offense		7/21/2015	3
5-65-111	U	DWI, Violation of Omnibus Act - Fifth Offense	7/6/2003	7/21/2015	4
5-65-111(d)(1)	U	Driving or Boating While Intoxicated - Fourth Offense	7/22/2015		3
5-65-111 (e)(1)	U	Driving or Boating While Intoxicated - Fifth Offense	7/22/2015		4
5-65-111 (f)(1)	B	Driving or Boating While Intoxicated - Sixth Offense	7/22/2015		6
5-65-122	B	DWI, Violation of Omnibus Act - Sixth Offense		7/21/2015	6
5-66-103	D	Keeping a Gambling House	7/31/2007		2
5-66-103	U	Keeping a Gambling House		7/30/2007	1
5-66-115	D	Bribery of a Sports Participant			2
5-66-117	D	Unlawful Wagering on Horse Racing			1
5-66-118	D	Operation of a Lottery - Second or Subq. Offense			1
5-66-119	D	Promotion of a Lottery			1
5-68-203	D	Sale or Attempt to Distribute Obscene Film	8/12/2005		2
5-68-203	U	Sale or Possession of Obscene Film		8/11/2005	2
5-68-303	D	Promoting Obscene Materials			2
5-68-304	D	Promoting Obscene Performance			2
5-68-305	C	Obscene Performance at Live Public Show			2
5-68-307	D	Public Display of Hardcore Sex Conduct			2
5-68-405	D	Sale/Distribution of Obscene Material	8/12/2005		2
5-68-405	U	Sale/Distribution of Obscene Material		8/11/2005	2
5-69-103(a)(1)	D	Pipelines & Pipeline Facilities - Violation of Notifying Operators of Underground Facilities	8/16/2013		2
5-69-103(a)(2)	D	Pipelines & Pipeline Facilities - Violation of an Order, Safety Standard, Rule or Regulation of the Arkansas Public Service Commission	8/16/2013		2
5-69-103(a)(3)	D	Pipelines & Pipeline Facilities - Violation of Records Requirements	8/16/2013		2
5-69-103(a)(4)	D	Pipelines & Pipeline Facilities - Violation of Records Requirements or Failure to Produce Records for Inspection	8/16/2013		2
5-69-103(a)(5)	D	Pipelines & Pipeline Facilities - Violation of Inspection and Maintenance Requirements	8/16/2013		2
5-69-103(a)(6)	D	Pipelines & Pipeline Facilities - Violation of Compliance Requirements	8/16/2013		2
5-69-103(b)	D	Pipelines & Pipeline Facilities - Serious Physical Injury, Property Damage > \$50,000, Failure to Report, or Release > 50 Barrels of Hazardous Liquid	8/16/2013		2
5-69-103(c)	D	Pipelines & Pipeline Facilities - Unauthorized Disposal of Solid Waste w/in the Right of Way of a Pipeline Facility	8/16/2013		2
5-69-103(d)(2)	D	Pipelines & Pipeline Facilities - Knowingly Damage or Destroy Pipeline Facility - Damage > \$1,000 < \$5,000	8/16/2013		3
5-69-103(d)(3)	C	Pipelines & Pipeline Facilities - Knowingly Damage or Destroy Pipeline Facility - Damage > \$5,000 < \$25,000	8/16/2013		4
5-69-103(d)(4)	B	Pipelines & Pipeline Facilities - Knowingly Damage or Destroy Pipeline Facility - Damage > \$25,000	8/16/2013		6
5-69-103(e)(2)	D	Pipelines & Pipeline Facilities - Knowingly Tamper with Sign - Damage > \$1,000 < \$25,000	8/16/2013		3

Statute #	Class	Name of Crime	Start	End	Ranking
5-69-103(e)(3)	C	Pipelines & Pipeline Facilities - Knowingly Tamper with Sign - Damage > \$5,000 < \$25,000	8/16/2013		4
5-69-103(e)(4)	B	Pipelines & Pipeline Facilities - Knowingly Tamper with Sign - Damage > \$25,000	8/16/2013		6
5-70-104	D	Promoting Prostitution 1st Degree		12/31/2023	3
5-70-104 (a)(1) & (b)(1)	D	Promoting Prostitution 1st Degree	1/1/2024		3
5-70-104 (a)(2) & (b)(2)	B	Promoting prostitution in the first degree - victim is a minor	1/1/2024		5
5-70-107 (a)(1) & (d)	B	Sexual solicitation of a minor - offer/agree to pay a minor	8/1/2023		4
5-70-107 (a)(2) & (d)	B	Sexual solicitation of a minor - offer/agree to pay another person	8/1/2023		4
5-70-107 (a)(3) & (d)	B	Sexual solicitation of a minor - solicit, offer, agree to accept	8/1/2023		4
5-70-107 (a)(4) & (d)	B	Sexual solicitation of a minor - pays to engage	8/1/2023		4
5-71-202	D	Aggravated Riot			3
5-71-203	D	Inciting Riot - Causes Injury to a Person or Damage to Property			3
5-71-204	B	Arming Rioter			4
5-71-210	C	Communicating False Alarm - Physical Injury Results	7/16/2003		3
5-71-210	D	Communicating False Alarm - Damage to Property Results or is a School Bombing Threat, or Second or Subq. Offense (if no injury, property damage, or communication of false alarm)	7/16/2003		2
5-71-210	D	Communicating False Alarm		7/15/2003	2
5-71-210	D	Communicating False Alarm to an Educational Institution	8/13/2001	7/15/2003	3
5-71-211	D	Threatening a Fire or Bombing, if Physical Injury Results			2
5-71-215 (b)(1)(B)	D	Defacing or Damaging a Public Building or Object of Public Respect - Damage ≤ \$500 and Object is a Cemetery or Burial Monument	7/28/2021		2
5-71-215 (b)(2)(A)	D	Defacing or Damaging a Public Building or Object of Public Respect - Damage > \$500 < \$2,500	7/28/2021		2
5-71-215 (b)(2)(B)	C	Defacing or Damaging a Public Building or Object of Public Respect - Damage > \$500 ≤ \$2,500 and Object is a Cemetery or Burial Monument	7/28/2021		3
5-71-215 (b)(3)(A)	C	Defacing or Damaging a Public Building or Object of Public Respect - Damage > \$2,500	7/28/2021		3
5-71-215 (b)(3)(B)	B	Defacing or Damaging a Public Building or Object of Public Respect - Damage > \$2,500 and Object is a Cemetery or Burial Monument	7/28/2021		4
5-71-215 (b)(1)(B)	D	Defacing Objects of Public Respect - Damage ≤ \$500 and Object is a Cemetery or Burial Monument	7/31/2007	7/27/2021	2
5-71-215 (b)(2)(A)	D	Defacing Objects of Public Respect - Damage > \$500 < \$2,500		7/27/2021	2
5-71-215 (b)(2)(B)	C	Defacing Objects of Public Respect - Damage > \$500 ≤ \$2,500 and Object is a Cemetery or Burial Monument	7/31/2007	7/27/2021	3
5-71-215 (b)(3)(A)	C	Defacing Objects of Public Respect - Damage > \$2,500		7/27/2021	3
5-71-215 (b)(3)(B)	B	Defacing Objects of Public Respect - Damage > \$2,500 and Object is a Cemetery or Burial Monument	7/31/2007	7/27/2021	4
5-71-229	B	Stalking 1st Degree		8/15/2013	6
5-71-229(a)	C	Stalking 1st Degree	8/16/2013	7/27/2021	5
5-71-229 (a)	B	Stalking 1st Degree	7/28/2021		6
5-71-229	C	Stalking 2nd Degree		8/15/2013	4
5-71-229(b)	D	Stalking 2nd Degree	8/16/2013	7/27/2021	4
5-71-229 (b)	C	Stalking 2nd Degree	7/28/2021		5
5-71-302	C	Promoting Civil Disorder 1st Degree			3
5-72-109	D	Injuring Levees	8/12/2005		2

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-72-109	U	Injuring Levees		8/11/2005	2
	5-72-111	U	Making Cut-Offs on the River		8/11/2005	1
	5-73-103 (c)(1)	B	Possession of Firearm by Certain Persons (ineligible for parole 4/28/2021 and thereafter)	7/28/1995	12/31/2023	5
	5-73-103 (c)(1)(A)	B	Possession of Firearm by Certain Persons - Prior crime violent	7/28/1995		5
	5-73-103 (c)(1)(B)	B	Possession of Firearm by Certain Persons - Used in commission of crime	7/28/1995		5
	5-73-103 (c)(1)(C)	B	Possession of firearms by certain persons - Prior felony w/ deadly weapon	1/1/2024		5
	5-73-103 (c)(1)(D)	B	Possession of Firearm by Certain Persons - Subq. Offense	8/31/2001		5
	5-73-103	B	Possession of Firearm by Certain Persons	10/10/1994	7/28/1995	3
	5-73-103	D	Possession of Firearm by Certain Persons		10/10/1994	2
	5-73-103 (c)(2)	D	Possession of Firearm by Certain Persons (Prior crime non-violent and present use mere possession)	7/28/1995		2
D	5-73-104	B	Criminal Use of Prohibited Weapons			5
	5-73-104	D	Criminal Use of Prohibited Weapons			3
	5-73-106	D	Defacing a Firearm			2
	5-73-107	D	Possession of Defaced Firearm - Serial Number Irretrievable	7/28/1995		2
	5-73-108	B	Criminal Possession of Explosive Material or Destructive Device		8/11/2005	5
	5-73-108 (a)	B	Criminal Possession of Explosive Material or Destructive Device	8/12/2005		7
	5-73-108 (b)	C	Criminal Distribution of Explosive Material	8/12/2005		5
	5-73-108 (c)	C	Possession of Stolen Explosive Material	8/12/2005		5
	5-73-108 (d)	C	Unlawful Receipt or Possession of Explosive Material	8/12/2005		5
	5-73-108 (f)	B	Theft of Explosive Material w/ Intent to Cause Harm	8/12/2005		7
	5-73-109 (b)(2)	B	Furnishing Illegal Weapon to Minor	8/12/2005		5
	5-73-109 (b)	B	Furnishing Illegal Weapon to Minor	10/10/1994	8/11/2005	4
	5-73-111 (b) & (d)	D	Unlawful Procurement of Firearm/Ammunition	8/15/2013		2
	5-73-119	D	Possession of Handgun on Public or Private School Property or Bus		7/29/1999	3
	5-73-119 (b)	D	Possession of Firearm on Public or Private School Property or Bus	7/30/1999		4
	5-73-119 (a)	D	Possession of Handgun by Juvenile Delinquent	10/10/1994		2
	5-73-122	D	Possessing Handgun in a Courtroom	8/1/1997	7/31/2017	3
	5-73-126	D	Booby Trap Unlawful to Install/Maintain			2
	5-73-129	B	Furnishing Prohibited Weapon to Felon	10/10/1994		5
	5-73-131	D	Possession of Weapon by Incarcerated Person	7/28/1995		3
	5-73-132	B	Sale, Rental or Transfer of Firearm to Prohibited Person	7/30/1999		5
	5-73-133	B	Furnishing a Taser Stun Gun to a Person < 18	8/12/2005		5
	5-73-204	U	Violation of Uniform Machine Gun Act			7
	5-73-211	A	Perpetrating Crime with Machine Gun	8/12/2005		8
	5-73-211	U	Perpetrating Crime with Machine Gun		8/11/2005	8
	5-74-104	Y	Engaging in Continuing Gang Org. or Enterprise 1st Degree			8
	5-74-104	A	Engaging in Continuing Gang Org. or Enterprise 1st Degree			7
	5-74-104	B	Engaging in Continuing Gang Org. or Enterprise 1st Degree			6
	5-74-104	Y	Engaging in Continuing Gang Org. or Enterprise 2nd Degree			7
	5-74-104	A	Engaging in Continuing Gang Org. or Enterprise 2nd Degree			6
	5-74-104	B	Engaging in Continuing Gang Org. or Enterprise 2nd Degree			5

	Statute #	Class	Name of Crime	Start	End	Ranking
	5-74-104	C	Engaging in Continuing Gang Org. or Enterprise 2nd Degree			4
	5-74-105	B	Unauthorized Use of Property to Facilitate Crime			5
	5-74-106	Y	Simultaneous Possession of Drugs and Firearms			8
CD	5-74-107	Y	Discharge of a Firearm From Vehicle 1st Degree			9
CD	5-74-107	B	Discharge of a Firearm From Vehicle 2nd Degree			7
	5-74-108	-	Violent Criminal Group Activity Enhancement (See Enhanced Offense Policy)			-
	5-74-203	C	Soliciting a Minor to Join a Gang - First Offense	10/10/1994		4
	5-74-203	B	Soliciting a Minor to Join a Gang - Second Offense w/in One Year	10/10/1994		6
	5-75-102 (b)(2)	D	Aircraft DWI - Subq. Offense			2
	5-75-102 (b)(3)	D	Aircraft DWI - With a Weapon	7/16/2003		3
	5-77-201	D	Illegal Purchase or Sale of Blue Lights	8/1/1997	7/31/2017	1
	5-77-201	C	Unlawful Possession, Purchase, Sale, or Transfer of a Blue Light or Blue Lens Cap	8/1/2017		2
	5-77-202	D	Law Enforcement Insignia Sales	8/1/2017		1
	5-79-101 (a)(1) or (a)(2) & (c)	D	Criminal Possession of Body Armor	8/16/2013		3
	6-13-701(j)	C	Fraud. Use of Funds by School District Treasurer or School Board Member	8/12/2005		3
	6-18-110 (e)(3)	D	False Report of Threat Against School Safety - Second or Subq. Offense	7/24/2019		3
	6-24-115	U	Knowingly Violating Education Ethical Guidelines	8/13/2001		2
	7-1-104	D	Election Felonies	8/1/1997		2
	7-1-111	U	Destruction of a Ballot or Ballot Materials	8/16/2013		2
	7-5-702	D	Preservation of Election Materials (See penalty at 7-1-104)			-
	7-6-102	D	Falsely Signing Political Pledge			1
	7-6-203(f)(6)(A)	B	Knowingly Taking Campaign Funds as Personal Income - Value \geq \$25,000	7/24/2019		5
	7-6-203(f)(6)(B)	C	Knowingly Taking Campaign Funds as Personal Income - Value \geq \$5,000 but < \$25,000	7/24/2019		4
	7-6-203(f)(6)(C)	D	Knowingly Taking Campaign Funds as Personal Income - Value \geq \$2,500 but < \$5,000	7/24/2019		3
	7-9-109 (d)	D	False Info on Petition Verification	8/1/1997		2
	7-9-109 (e)	D	False Info on Petition Verification - Allowing False Verification Affidavit	4/27/2021		2
	7-9-109 (f)	D	False Info on Petition Verification - Paying for or Submitting Signatures not Verified by Canvasser	4/27/2021		2
	8-4-201	U	Violate Law Regulating Pollution Control Commission			2
	8-7-204 (a)(4)	U	Release of Hazardous Waste w/ Danger of Death/Serious Bodily Injury			6
	8-7-204 (a)(3)	U	Release of Hazardous Waste			5
	8-7-204 (a)(2)	U	Hazardous Waste\Violation of Provisions			3
	8-7-205	U	Leave/Remove Self After Violate Hazardous Waste Management Act			1
	9-9-206	C	Accepting Compensation for Adoption			3
	11-6-103 (i)(2)	C	Child labor violations - subsequent convictions	8/1/2023		4
	11-9-106	D	Workers' Compensation Fraud (Employee Misrepresentation)			2
	11-9-107	D	Workers' Compensation Fraud (Employer Misrepresentation)			2
	11-10-723	C	Knowingly Evading Payment of Unemployment Insurance Tax	8/12/2005		3
	12-6-701 (c)	D	Allowing Unauthorized Access to Records Depicting Death of Law Enforcement Officer	3/21/2017		3
	12-12-212	U	Release or Disclosure to Unauthorized Person		7/26/2011	1
	12-12-212 (b)	D	Release or Disclosure to Unauthorized Person	7/27/2011		1
	12-12-504	D	False Allegation of Child Abuse - Second Offense		7/30/2009	3

Statute #	Class	Name of Crime	Start	End	Ranking
12-12-904	C	Sex Offender Failing to Comply with Registration Requirements	4/7/2006		3
12-12-904 (a)(1)(A)(iv)	C	Sex Offender Failing to Register - Filing False Paperwork or Documentation	8/16/2013		3
12-12-904	D	Sex Offender Failing to Register	8/1/1997	4/6/2006	2
12-12-906 (f)	C	Failing to Register Sex Offender Name Change	4/7/2006		3
12-12-906	D	Failing to Register Sex Offender Name Change	8/13/2001	4/6/2006	2
12-12-923	C	Sex Offender Not Reporting for Electronic Monitoring	4/7/2006		3
12-12-923	C	Altering, Tampering, Damaging or Destroying Electronic Equipment Worn by Sex Offender	4/7/2006		4
12-12-923	D	Sex Offender Filing False Certificate of Indigency	4/7/2006		2
12-12-929	C	Sex Offender Prohibited from Holding a Position of Public Trust (See penalty at 12-12-904)			-
12-12-1002	D	Unauthorized Releasing or Disclosure of Criminal Database Info	7/30/2009	7/26/2011	3
12-12-1002 (c)	D	Unauthorized Release or Disclosure of Criminal Database Info	7/27/2011		1
12-12-1008	D	Unauthorized Use of Criminal History (See penalty at 12-12-1002)			-
12-12-1110	D	Refusal to Provide DNA Sample	7/16/2013		3
12-12-1115	D	Prohibited Disclosure of DNA Information	7/31/2009		2
12-12-1116	D	Disclosure of DNA Information for Pecuniary Gain	7/31/2009		2
12-12-1720	D	False Reporting of Adult Abuse - Subq. Offense	7/31/2009		2
12-18-203	D	Making a False Report Under the Child Maltreatment Act	7/31/2009		3
12-29-110	U	Selling/Trading Position, Working Condition, or Promotion			2
13-2-803 (a) & (b)(1)	B	Unauthorized Removal or Willful Mutilation of Library Materials	7/28/1995		4
13-2-803 (a) & (b)(2)	C	Unauthorized Removal or Willful Mutilation of Library Materials	7/28/1995		3
13-6-306	D	Disturbing State Archeological Landmarks > \$1,000	7/31/2007		2
13-6-306	C	Disturbing State Archeological Landmarks - Subq. Offense > \$1,000	7/31/2007		3
13-6-307	D	Digging Up or Removing Artifacts w/o Permission > \$1,000	7/31/2007		2
13-6-308	D	Vandalism of Archeological Site and Artifacts > \$1,000	7/31/2007		2
13-6-308	C	Vandalism of Archeological Site and Artifacts - Subq. Offense > \$1,000	7/31/2007		3
13-6-406	D	Trading or Collecting Skeletal Remains	7/30/1999		2
13-6-406	C	Trading or Collecting Skeletal Remains - Second Offense	7/30/1999		3
13-6-407	C	Display of Skeletal Remains	7/30/1999		3
13-6-408	D	Desecration of Burial Grounds	7/30/1999		3
13-6-408	C	Desecration of Burial Grounds - Second Offense	7/30/1999		4
14-27-110(a)	D	Failure to Notify Operators of Underground Facilities - Location ID (See penalty at 5-69-103(a)(1))			-
15-32-603	D	Timber Theft	8/13/2001		2
16-22-501	D	Unauthorized Practice of Law - Second Offense	8/1/1997		2
16-84-114	D	Violation of Bail Bond Agent Law	7/30/1999		2
16-87-213	D	False Statement in Certificate of Indigency			2
16-93-302	D	Using First Offender Program a Second Time	8/12/2005		2
16-95-105	U	Escape pursuant to Agreement on Detainers.			2
17-14-411	D	Appraisal Management Companies - Injunctive Relief	1/1/2010		1
17-16-115 (a)	D	Athlete Agents - Prohibited Conduct	7/27/2011		1
17-20-308	D	Violation of Barber Law	8/1/2017		4
17-23-103	U	Precious Metals Violate Buyers Act		8/15/2013	1

Statute #	Class	Name of Crime	Start	End	Ranking
17-23-103	D	Precious Metals Violate Buyers Act - Value of Property is > \$500	8/16/2013		2
17-26-702 (f)	D	Unlawful to Perform Permanent Cosmetics on Person < 18 - Falsely Claiming to be Minor's Parent or Legal Guardian	7/28/2021		2
17-26-702 (g)	D	Unlawful to Perform Permanent Cosmetics on Person < 18 - Unlicensed Facility	7/28/2021		2
17-26-703	D	Permanent Cosmetics Establishment or Institution Owner Operating w/o a Current License	7/28/2021		2
17-27-104	D	Practicing Counseling w/o a License - Subq. Offense	7/31/2009		1
17-29-401	D	Embalming, Cremating, Engaging in Funeral Directing, etc. w/o a License	7/22/2015		2
17-30-102	D	Professional Engineers and Professional Surveyors Licensure Violations - Penalties - Second and Subq. Offenses	7/31/2009		1
17-40-104 (b)	D	Violation of Private Investigator Law - Second Offense w/in 1 year	7/30/1999		2
17-40-301	-	Unlawful Acts- Private Investigators and Private Security Agencies (See penalty at 17-40-104 (b))	7/28/2021		-
17-42-105	D	Acting as Real Estate Broker w/o a License			2
17-44-102 (f)(2)(B)(iii)	D	Violation of Scrap Metal Recycler Law - Concerning Scrap Metal Transactions	8/16/2013		2
17-44-109	D	Violation of Used Catalytic Converter Buyer Law - Third or Subq. Offense	7/28/2021		2
17-82-104	D	Unlawful Practice of Dentistry (See penalty at 17-82-301)			-
17-82-301	D	Practicing Dentistry w/o a License			2
18-11-110 (b) & (d)	U	Land ownership by foreign-party-controlled business prohibited	8/1/2023		2
18-11-704 (e)	U	Interest in agricultural land owned by prohibited foreign parties	8/1/2023		2
18-29-204	D	Violation of "Unused Property" Act - Third Offense	7/30/1999		2
18-44-132	U	Failure to Discharge Lien			1
19-11-270	D	Violation of State Procurement Laws	8/1/2015		2
20-6-310 (a)(1) & (b)	D	Conceal, Cancel, etc. Physician Order for Life-Sustaining Treatment Form	8/1/2017		3
20-6-310 (a)(2) & (b)	D	Fraudulently Inducing to Execute a Physician Order for Life-Sustaining Treatment Form	8/1/2017		3
20-6-310 (a)(3) & (b)	D	Falsifying or Forging a Physician Order for Life-Sustaining Treatment Form	8/1/2017		3
20-7-611 (b)(1) & (b)(2)	D	Prescription Drug Monitoring Program Act - Unlawful Acts & Penalties	7/27/2011		2
20-7-611 (c)(1) & (c)(2)	C	Prescription Drug Monitoring Program Act - Unlawful Acts & Penalties	7/27/2011		3
20-7-611 (d)(1) & (d)(2)	C	Prescription Drug Monitoring Program Act - Unlawful Acts & Penalties	7/27/2011		3
20-7-611 (e)(1) & (e)(2)	C	Prescription Drug Monitoring Program Act - Unlawful Acts & Penalties	7/27/2011		3
20-16-604	D	Infanticide - Using Born-alive Infant for Experimentation	1/1/2018		4
20-16-606	D	Qualifications to Perform an Abortion	7/24/2019		3
20-16-1002	C	Human Cloning	7/16/2003		4
20-16-1203	D	Partial-Birth Abortion	2/20/2009		3
20-16-1405	D	Abortion of Unborn Child 20 or More Weeks Post-Fertilization Age	2/26/2013		3
20-16-1803	D	Performing Dismemberment Abortion - Conduct (See penalty at 20-16-1805)			-
20-16-1805	D	Performing Dismemberment Abortion	8/1/17		3
20-16-2004	D	Performing an Abortion in Violation of the Cherish Act - Conduct (See penalty at 20-16-2006)			-
20-16-2006	D	Performing an Abortion in Violation of the Cherish Act			3
20-16-2103	D	Performing an Abortion in Violation of the Down Syndrome Discrimination by Abortion Prohibition Act - Conduct (See penalty at 20-16-2104)			-
20-16-2104	D	Performing an Abortion in Violation of the Down Syndrome Discrimination by Abortion Prohibition Act	7/24/2019		3
20-17-1018 (a)(1) & (b)	U	Cemeteries - Violations and Criminal Penalties	7/18/2011		1

Statute #	Class	Name of Crime	Start	End	Ranking
20-23-403	U	Failure to Inspect Boilers	7/30/1999		1
20-27-1502	D	Unlawful to Perform Body Art on Person < 18 - Unlicensed Facility	7/31/2009	8/15/2013	2
20-27-1502 (h)(2)	D	Unlawful to Perform Body Art on Person < 18 - Falsely Claiming to be Minor's Parent or Legal Guardian	8/16/2013		2
20-27-1502 (i)(1)	D	Unlawful to Perform Body Art on Person < 18 - Unlicensed Facility	8/16/2013		2
20-27-1503 (e)(6)	D	Body Art Studio or Business Owner Operating w/o a Current License	8/16/2013		2
20-32-103 (a)	U	Disposal of Commercial Medical Waste	7/18/2011		1
20-60-214	U	Sale/Disp Adulterated/Uninspected Meat			1
20-64-210	U	Failure to Label Narcotic (See penalty at 20-64-220)			-
20-64-211	U	Authorized possession of narcotic drug by individuals (See penalty at 20-64-220)			-
20-64-217	U	Fraud/Deceit Procure Narcotic (See penalty at 20-64-220)			-
20-64-220	U	Violation of Uniform Narcotic Drug Act - First Offense	8/16/2013		2
20-64-220	U	Violation of Uniform Narcotic Drug Act - Second Offense	8/16/2013		3
20-64-220	U	Violation of Uniform Narcotic Drug Act - Third or Subq. Offense	8/16/2013		4
20-64-304	U	Fraud Obtaining Depressant or Stimulant Drug - First Offense			2
20-64-304	U	Fraud Obtaining Depressant or Stimulant Drug - Second Offense			3
20-64-304	U	Fraud Obtaining Depressant or Stimulant Drug - Third or Subq. Offense			4
21-1-405	D	Violation of Act Regulating State Employment	7/30/1999		2
21-14-312	D	Wrongful Possession, Concealment, or Destruction of Notary Software or Hardware	4/29/2021		2
22-3-2106	D	Violation of the Arkansas State Capital and Historical Monument Protection Act	4/28/2021		2
23-15-206 (b)	D	Natural Gas Pipeline Safety Act - Reports & Records to be Maintained Violation (See penalty at 5-69-103(a)(3))			-
23-15-206 (c)	D	Natural Gas Pipeline Safety Act - Reports & Records to be Maintained - Failure to provide information (See penalty at 5-69-103(a)(4))			-
23-15-208 (a)	D	Natural Gas Pipeline Safety Act: Inspection & Maintenance Plan Violation (See penalty at 5-69-103(a)(5))			-
23-15-209 (a)	D	Natural Gas Pipeline Safety Act: Compliance & Waiver Violation (See penalty at 5-69-103(a)(6))			-
23-35-801	D	Misleading Conduct or Use of Words "Credit Union"	8/12/2005		2
23-35-805	U	Spread False Report About Credit Union			1
23-38-403	D	Suppressing Evidence/Building and Loan Associations		8/1/2019	2
23-39-104	B	False Security Statement (Repealed 1/1/2004)		1/1/2004	4
23-39-105	B	Violate Mortgage Loan Co/Loan Broker Act		1/1/2004	3
23-39-405	D	Prohibition of Advance Fee Loan Brokerage	8/16/2013		2
23-39-516	B	Violation of Fair Mortgage Lending Act	1/1/2004		5
23-40-106	D	Failure to Deposit Funeral Trust Funds	7/30/1999	7/31/2017	3
23-40-106 (a)(2)(A)(i)	D	Failure to Deposit Proceeds on Cash-Funded Pre-Paid Funeral Contracts	8/1/2017		3
23-40-106 (a)(2)(A)(ii)	D	Failure to Forward Proceeds on Insurance or Annuity-Funded Contracts	8/1/2017		3
23-42-104(a)	B	Securities Fraud			4
23-42-104(b)	D	Knowingly Offering or Selling Unregistered and Nonexempt Securities			2
23-42-104(e)	D	Violation of Arkansas Securities Fraud Act			3
23-42-501	D	Securities Fraud (See penalty at 23-42-104(d))			-
23-42-507	B	Securities Fraud (See penalty at 23-42-104(a))			-

Statute #	Class	Name of Crime	Start	End	Ranking
23-50-105	U	Embezzlement by Officer, Agent, or Employee of Bank or Subsidiary Trust	6/1/1997		7
23-55-806 (a)	B	Intentional Violation of Uniform Money Services Act	1/1/2008		5
23-55-806 (b)	B	Knowing Violation > \$500 w/in 30 Days of Uniform Money Services Act	1/1/2008		5
23-60-109	D	False or Misleading Statements/Arkansas Insurance Code	8/12/2005		2
23-65-101	D	Unauthorized Insurance Transactions	7/16/2003		2
23-66-502	D	Fraudulent Insurance Acts (See penalty at 23-66-512)			-
23-66-512	D	Fraudulent Insurance Acts	8/1/1997		2
23-69-134	D	Removal of Insurance Records	8/12/2005		2
23-69-134	U	Removal of Insurance Records	7/30/1999	8/11/2005	2
23-89-504	D	Operation of an Amusement Attraction w/o Insurance and Inspection			2
23-112-603 (a)(2)	D	Used Motor Vehicle Buyer's Protection - second or subsequent violation			2
23-112-603 (a)(3)	D	Used Motor Vehicle Buyer's Protection - third or subsequent violation			2
23-112-603 (b)	C	Selling a used Motor Vehicle as a dealer or salesperson while license is suspended or revoked			3
23-115-902	D	Lottery Ticket Fraud	3/25/2009	3/7/2011	2
23-115-902	D	Fraudulently Influencing Lottery Winning	3/25/2009	3/7/2011	2
23-115-903	D	False Statement on Lottery License Application	3/25/2009		2
25-16-614	U	Refusal by Treasurer of State to Allow Access to Books			2
26-18-201(a)	C	Attempt to Evade or Defeat Tax - Taxpayer			2
26-18-201(b)	C	Attempt to Evade or Defeat Tax - Assisting Taxpayer			2
26-18-202	D	Failure to Pay or File Tax Return			1
26-18-203	D	False or Fraudulent Tax Reports			2
26-18-204	D	False Answers on Tax Questions or Affidavits			2
26-18-205	D	Failure to Obey Summons			2
26-37-205	D	Submitting Fraudulent Claim for Funds from Sale of Tax Delinquent Lands	8/12/2005		2
26-57-240	D	Unlawful Counterfeiting of Cigarette Stamps	7/31/2009		2
26-57-241	D	Unlawful Reuse of Containers	8/12/2005		2
26-57-245(a)(1)	C	Unstamped Products or Products w/ Unpaid Taxes	7/27/2011		2
26-57-263 (b)(1) & (b)(3)(A)	C	Cigarette Inputs - Cigarette Rolling Machines	7/27/2011		2
27-14-307	U	False Evidence of Title or Registration			1
27-14-2210	D	Vehicles or engines without manufacturer's numbers	8/1/2023		2
27-14-2210	D	Buying or Selling Vehicle w/o Manf. Serial Number - Second or Subq. Offense	7/16/2003	7/31/2023	2
27-14-2211	C	Altering, Changing Engine Numbers	7/16/2003		2
27-14-2212	U	Mutilating Serial Numbers - Vehicles		7/31/2023	2
27-14-2212 (a)(1) & (b)	D	Mutilation of serial numbers - Vehicles	8/1/2023		2
27-22-210 (d)	C	Violation of Arkansas Online Insurance Verification System Act	1/1/2019	7/23/2019	3
27-22-210 (d)	D	Violation of Arkansas Online Insurance Verification System Act	7/24/2019		2
27-50-309 (c)(1)(A)	D	Racing on a Public Highway - Impedes or Stops Flow of Traffic	7/28/2021		2
27-50-309 (c)(1)(B)	D	Racing on a Public Highway - Gathering of ≥ 10 Individuals	7/28/2021		2
27-52-102	D	Interfere with Traffic Control Device			2
27-53-101	D	Failure to Stop After Accident with Injury or Death		7/27/2021	2
27-53-101 (c)	D	Failure to Stop After Accident - Physical Injury	7/28/2021		2

Statute #	Class	Name of Crime	Start	End	Ranking
27-53-101 (d)	B	Failure to Stop After Accident - Serious Physical Injury or Death	7/28/2021		4
27-53-102(d)(2)	D	Failure to Stop After Accident with Property Damage ≥ \$10,000	8/1/2017		2
27-53-103	D	Duty to Give Info or Render Aid			2
27-65-132	U	Unlawful Contracting Between Highway Commission & its Employees			2
27-65-133	U	Corruption in Office by Highway Commission Employee			2
27-101-703	B	Boating equipment without boating equipment identification number	8/1/2023		2
27-101-703	D	Knowingly Buying, Selling, Possessing, etc. Boating Equipment w/o Identification Number - Subq. Offense	8/12/2005		2
27-101-705	D	Possession of Boating Equipment with Mutilated Boating Identification Numbers	8/12/2005		2
27-101-704	C	Fraudulent Use of, Altering Boat Identification Number	8/12/2005		3
27-116-502	C	Operating Aircraft w/o ID Markings			2

Addendum to Seriousness Reference Table

A.C.A. § 16-90-803(b)(2) OFFENDER HISTORY - provides that the criminal history score based upon prior felony criminal records is to be determined by reference to the seriousness level rankings of the prior offenses. Levels – 1-5 are equal to one-half (.5) point and Levels – 6-10 are equal to one (1) point.

CRIMINAL HISTORY: OUT-OF-STATE CONVICTIONS

For the purpose of determining criminal history scores, prior felony convictions from other state jurisdictions shall be ranked at the level of the most comparable offense in this State. The determination of which Arkansas offense is comparable to the out-of-state offense when there is a question of fact or law shall reside in the sound discretion of the court.

CRIMINAL HISTORY: REDEFINED OFFENSES

If an offense has been redefined by the Arkansas General Assembly, a prior felony conviction shall be ranked in the same manner as an out-of-state conviction with consideration of any new or removed elements. For example, the prior definition of burglary in Arkansas did not specify the element of the type of occupiable structure, i.e. residential or commercial; sentencing courts should determine when possible whether a prior conviction for burglary involved a residence in which case one criminal history point should be assigned as the prior offense is comparable to residential burglary (Level 7) or involved a commercial structure in which case one-half point should be assigned as the prior offense is comparable to commercial burglary (Level 5).

OMITTED OFFENSES POLICY

If a felony offense has been inadvertently omitted from the seriousness reference table, the trial court shall exercise its discretion by designating a seriousness level which it believes to be appropriate. Please contact us at ASC.Sentencing.Comm@arkansas.gov if you believe we have omitted an offense.

ENHANCED CLASSIFICATION POLICY

If the felony classification of an offense is increased due to a statutory enhancement, the seriousness level shall also be increased by one seriousness level for each felony class increase. For example, if a person is charged with A.C.A. § 5-64-419, Possession of a controlled substance, Felony Class D, and the person is an inmate in a state, county, city or juvenile criminal detention facility, the felony class of the offense would increase one level to a Felony Class C pursuant to A.C.A. § 5-64-419 (c) . Therefore, the seriousness level would also increase one level.

INCHOATE OFFENSES

Attempt, solicitation, or conspiracy to commit a substantive crime is ranked one seriousness level below the ranking of the substantive offense. See A.C.A. § 16-90-803(b)(1)(E). Therefore, the inchoate offense will have a different (lower) presumptive sentence than the substantive crime. For substantive crimes with a seriousness ranking just above the Transfer Eligibility Line, an offender who commits an inchoate offense will be eligible for release earlier because his or her crime will fall below the Transfer Eligibility Line.

For statutory classification purposes, an inchoate crime is classified one level below the substantive offense, i.e. a Class B felony would become a Class C felony. See A.C.A. §§ 5-3-201, 301, and 404. This reduction in felony class may be significant for eligibility for admission to a Community Correction Center (CCC).

Related Information and Questions

1.	Sentencing Order	.....51
2.	Departure From the Sentencing Standards Grid	.....51
3.	Community Punishment Act	.....53
4.	Probation/SIS	.....54
5.	Judicial Transfer v. Probation/SIS Plus	.....55
6.	Post Prison Transfer Board	.....55
7.	Pardons, Clemency and Firearms	.....56
8.	Release	.....56
9.	Sealing of Records	.....58
10.	Victims' Rights	.....59
11.	Sentencing Changes	.....59
12.	Criminal Justice Related Agencies	.....60

1. SENTENCING ORDER

What is the Sentencing Order and what does it do?

Pursuant to Arkansas Supreme Court Administrative Order Number 8 (Forms for Reporting Case Information in all Arkansas Trial Courts), where the final disposition results in a commitment to ADC, probation, suspended imposition of sentence, commitment to the ACC or to the county jail, a fine, restitution, and/or court costs, the office of the prosecuting attorney shall be responsible for completion of the Sentencing Order (Order), which shall be submitted to the circuit judge for signature, and filed in the Office of the Circuit Clerk. Where the case is dismissed or nolle prossed because of the speedy trial rule, the case is transferred, or the defendant is acquitted, the office of the prosecuting attorney shall be responsible for completion of the Reporting Form for Defense-Related Dispositions which shall be submitted to the circuit judge for signature and filed in the Office of the Circuit Clerk.

A copy of the Order may be downloaded from the Administrative Office of the Courts (AOC) web site at <https://www.arcourts.gov/forms-and-publications/court-forms>. A certified copy of the Order is to be delivered by the sheriff with the Defendant to the proper correctional division.

Instructions for completing the Sentencing Order may be found at: <https://www.arcourts.gov/forms-and-publications/court-forms>.

How are inchoate offenses handled on the Order?

Attempt, solicitation, or conspiracy to commit a substantive crime is ranked one seriousness level below the ranking of the substantive offense. See A.C.A. § 16-90-803(b)(1)(E). Therefore, the inchoate offense will have a different (lower) presumptive sentence than the substantive crime. For substantive crimes with a seriousness ranking just above the Transfer Eligibility Line, an offender who commits an inchoate offense will be eligible for release earlier because his or her crime will fall below the Transfer Eligibility Line.

For statutory classification purposes, an inchoate crime is classified one level below the substantive offense, i.e. a Class B felony would become a Class C felony. See A.C.A. §§ 5-3-201, 301, and 404. This reduction in felony class may be significant for eligibility for admission to a Community Correction Center (CCC).

Please note: With the exception of capital murder, inchoate offenses are not listed on the Seriousness Reference Table. Since capital murder is statutorily exempt from the sentencing guidelines, the related inchoate offenses *are* specifically ranked.

Habitual Offender

Habitual offender status subjects the Defendant to an extended statutory range of punishment. Therefore, this must specifically be noted on the Order to inform ADC of the applicability of the statute. See A.C.A. § 5-4-501.

2. DEPARTURE FROM THE SENTENCING STANDARDS GRID

When do I need a departure reason?

The Order must include information on *any* departure from the sentencing guidelines on placement and sentence length, the number of months above or below the presumptive sentencing range, and justification for the departure. See A.C.A. § 16-90-802(d)(11).

Act 423 of 2017 set out additional requirements for when the court departs from the voluntary presumptive sentence range under A.C.A. § 16-90-803.

- The court must provide a justification on the record of (A) a listing of the charges and sentencing enhancements against the offender as set out in the first charging instrument as well as any additional charges or sentence enhancements subsequently added in the case, if any, and (B) a thorough recitation of the facts underlying the departure from the voluntary presumptive sentence range under A.C.A. § 16-90-803.
- The justification regarding an aggravating factor shall be entered into the sentencing order and the order is required to reflect whether the sentence is the result of an original charge or whether an original charge was Nolle Prosequi.
- If there is an agreed upon departure from the voluntary presumptive sentence, the parties shall supply written reasons to the court to attach to the sentencing order and to report to the Arkansas Sentencing Commission.

The thorough recitation of the facts contemplated by Act 423 of 2017 can be satisfied by selecting a departure reason and including that reason on the Sentencing Order. If the “other” departure reason is selected, a detailed explanation must accompany this designation. Please see A.C.A. § 16-90-804 for further explanation.

Where do I put the departure reason(s) and what information is required?

There is a section located near the end of *each* offense to indicate whether a sentence is a departure. Indicate *either* an Aggravating Departure Reason *or* a Mitigating Departure Reason, but *never both* for the same offense. If the sentence is higher than the presumptive sentencing range, indicate the Aggravating Departure Reason number. If the sentence is lower than the presumptive sentencing range, indicate the Mitigating Departure Reason number. Also, indicate if the sentence departure is durational or dispositional. If the departure is durational, indicate the number of months above or below the presumptive sentencing range. See A.C.A. § 16-90-804 for a list of departure reasons.

What is the difference between a durational and dispositional departure?

A durational departure occurs when the imposed months are higher or lower than the presumptive ADC time. A dispositional departure occurs when the type of sanction given (AS, CCC, or ADC) is not listed as an option for the presumptive sentence.

When is a departure reason unnecessary?

The following are common examples of when a departure reason is unnecessary:

- When the imposed sentence does not depart from the presumptive sentence;
- When the imposed sentence is the result of a probation/SIS revocation proceeding (See A.C.A. § 16-90-803(a)(1)(B));
- When a jury has recommended a sentence to the trial judge (See A.C.A. § 16-90-803(b)(4));
- Capital murder (See A.C.A. § 16-90-803(b)(5)); and
- When the offense is nolle prossed or dismissed.

What happens when there is a statutory override?

The statutory minimum or maximum ranges for a particular crime shall govern over a presumptive sentence if the presumptive sentence should fall below or above such ranges. See A.C.A. § 16-90-803(b)(3)(C). A departure reason should be given for a statutory override that differs from the presumptive sentence. Please note: Aggravating departure reason number thirteen is “Statutory minimum sentence overrides the presumptive sentence.”

What happens when an offender is statutorily ineligible for CCC?

If an ineligible offender is sentenced to the ADC from a grid cell that has CCC as a presumptive sentence, and the length of the ADC sentence is within the statutory parameters for sentences to CCC, the sentence will NOT be considered a departure for purposes of the Sentencing Guidelines. For example, a sentence of six (6) years in the ADC for Battery in the Second Degree, SL 4, CHS 0 is not a departure. Aggravating departure reason number sixteen is the corresponding departure reason for this exception.

3. COMMUNITY PUNISHMENT ACT: ACT 531 OF 1993, A.C.A. §§ 16-93-1201 – 16-93-1210

Applicability

Act 531 created the Arkansas Department of Community Correction (ACC), now known as the Arkansas Division of Community Correction, which oversees three major areas: probation, parole, and the Community Correction Centers. This Act also provides that an offender who has been convicted of a target group offense may have his or her record sealed. For every offender sentenced under Act 531, the sentencing court shall issue a written order. See A.C.A. § 16-93-1207 for further information on contents of the Order.

How many times may a person be sentenced to ACC for a target offense?

In the application of this Act to probation or admission to a CCC, there are no statutory restrictions on the number of times an offender may access one of these provisions.

How many times may a person seal records under Act 531?

For record sealing purposes, A.C.A. § 16-93-1207(b)(1) places the following restrictions on the use of Act 531: the current offense must be a target offense; the offender must successfully complete probation, a commitment to the ADC with judicial transfer to the ACC, or a commitment to a county jail for one of the designated target offenses; and the offender must have no more than one (1) previous felony conviction and the previous felony conviction must not be for one of the specified offenses (i.e., a capital offense, murder in the first or second degree, first degree rape, kidnapping, aggravated robbery, or delivering controlled substances to a minor as prohibited in the former A.C.A. § 5-64-410).

Target group offenses

Offenses designated as “target offenses” are defined in A.C.A. § 16-93-1202(10)(A). Generally, these offenses are non-violent and non-sexual felony offenses. Misdemeanor offenses may also fall within the target group with two exceptions: a misdemeanor offense requiring registration as a sex offender or misdemeanor DWI. For more information on target offenses, including a list of eligible offenses, please visit:

<https://doc.arkansas.gov/community-correction/ccc-eligibility-target-offenses/>

ACC & Community Correction Centers

ACC is responsible for overseeing probation, parole, and the Community Correction Centers (CCC). ACC operates these centers, which were formerly known as Regional Correctional Facilities (RCF). These centers offer structure, supervision, surveillance, drug/alcohol treatment, education and vocational programs, employment counseling, socialization and life skills programs, community work transition and/or forms of treatment and programs. For general information, visit <https://doc.arkansas.gov/community-correction/>

Administrative Transfer

Unless the sentencing court expressly disallows the administrative transfer of an inmate, the DOC has the authority to administratively transfer an inmate from the ADC to a CCC provided there is bed space and the offender meets all CCC eligibility requirements. See A.C.A. §§ 5-4-312 (a)(3) & 12-27-127.

4. PROBATION/SIS

Probation/SIS Plus

Probation/SIS Plus is when an offender is sentenced to probation or SIS with a period of confinement as a condition of the probation. If an offender is confined in an ACC facility, the maximum period of confinement is 12 months. If an offender is confined in a county jail, city jail, or other authorized local detention, correctional, or rehabilitative facility, the maximum period of confinement is 120 days. See A.C.A. § 5-4-304.

ADC & Probation

An offender may not be sentenced to a term of imprisonment to be followed by a period of probation. However, a court has the authority to sentence an offender to a term of imprisonment to be followed by a period of SIS. See commentary to A.C.A. § 5-4-104.

Crimes for which Probation or SIS is prohibited

A.C.A. § 5-4-104(e)(1)(A) states that, except to the extent that a suspension of an additional term of SIS to follow a term of imprisonment is permitted, the court shall not suspend imposition of sentence as to a term of imprisonment nor place the defendant on probation for the following offenses: (i) Capital murder, § 5-10-101; (ii) Treason, § 5-51-201; (iii) a Class Y felony, except to the extent suspension of an additional term of imprisonment is permitted; (iv) Driving or boating while intoxicated, § 5-65-103; (v) Murder in the second degree, § 5-10-103, (vi) Engaging in a continuing criminal enterprise, § 5-64-405, (vii) Furnishing, possessing, using, or delivering a prohibited article, § 5-54-119, or (viii) a felony ineligible to receive earned release credits as defined in A.C.A. § 16-93-1802.

Can SIS or probation run consecutively?

A.C.A. § 5-4-307 states that whether imposed at the same or a different time, multiple periods of suspension or probation run concurrently. The period of a suspension or probation also runs concurrently with any federal or state term of imprisonment or parole to which a defendant is or becomes subject to during the period of the suspension or probation. In addition, terms of supervision begin on the day they are ordered in court.

Can Class Y drug offenders receive probation?

Much confusion has arisen in the interpretation of A.C.A. § 5-4-104(e)(1), Authorized sentences generally, and A.C.A. § 5-4-301(a)(1), Crimes for which suspension or probation is prohibited, as they relate to whether Class Y drug offenders may receive suspension or probation. Act 192 of 1993 amended both provisions to permit suspension and probation as alternative sentences for Class Y drug offenses. See *Vanesch v. State*, 343 Ark.381 (2001), *Buckley v. State*, 341 Ark. 864 (2000), *Elders v. State*, 321 Ark. 60 (1995), *State v. Williams*, 315 Ark. 464 (1994), *State v. Galyean*, 315 Ark. 699 (1994), *State v. Whale*, 314 Ark. 576 (1993). Please note: A habitual Class Y drug offender shall not be placed on probation. See discussion of A.C.A. § 5-4-301(a)(2) and *State v. Joslin*, 364 Ark. 545 (2006) below.

Can a habitual offender receive probation?

A.C.A. § 5-4-301(a)(2) specifically prohibits a habitual offender, as determined by A.C.A. §§ 5-4-501 et seq., from being placed on probation or suspended imposition of sentence. See *State v. Joslin*, 364 Ark. 545 (2006).

5. JUDICIAL TRANSFER V. PROBATION/SIS PLUS: WHAT IS THE DIFFERENCE?

Judicial Transfer

- An offender is sentenced to ADC but transferred via court order (the Sentencing Order) to serve his/her sentence at an ACC center.
- Jurisdiction cedes to ADC upon sentencing.
- If an offender receives a 72-month sentence and receives day for day meritorious good time, he/she will serve 36 months, which is the maximum an offender can serve in an ACC center. See A.C.A. § 5-4-312 (b)(2)(A)(i)
- If an offender becomes ineligible to remain in an ACC facility, he/she is transferred to an ADC facility via an administrative hearing through the Arkansas Post Prison Transfer Board. If the reason for transfer is due to disciplinary reasons, transfer eligibility remains the same as if in ACC (1/2 of the sentence). If the reason for transfer is due to administrative reasons, transfer eligibility is the same as if originally sentenced to ADC.
- The release authority is the Post Prison Transfer Board. Pursuant to A.C.A. § 12-12-127(c), offenders sentenced via judicial transfer are eligible for parole after serving a minimum of 180 days incarceration and successful completion of the therapeutic program.

Probation/SIS Plus

- Probation/SIS Plus is when an offender is sentenced via the Sentencing Order to probation or SIS with a period of confinement as a condition of the probation.
- Jurisdiction remains with the Sentencing Court.
- Maximum time of confinement in an ACC facility is 365 days with no good time credits awarded. See A.C.A. § 5-4-304.
- If an offender becomes ineligible for confinement in an ACC facility, he/she is returned to the Sentencing Court for re-sentencing, which could include possible probation revocation.
- The release authority is the Sentencing Court. ACC regularly reports to the courts on the offender's progress and the court has the option to amend the length of the incarceration time.

6. ARKANSAS POST PRISON TRANSFER BOARD

The Post Prison Transfer Board (the Board) is the release authority for persons convicted of discretionary felony offenses and sentenced to a term of incarceration in the ADC. The Board sets conditions for inmates convicted of non-discretionary offenses sentenced to ACC and ADC. Release eligibility procedures and standards of review are codified at A.C.A. §§ 16-93-615 through 16-93-619.

Victim input is an important part of the parole process. Act 608 of 2015 amended A.C.A. § 16-90-1113, Consideration and release of a victim impact statement during an inmate's parole determination. For information on victim input, call the Board's Victim Input Coordinator at (501) 682-3850 or visit the Frequently Asked Questions Section on the Board's website at: <https://doc.arkansas.gov/parole-board/victim-input/>

Pursuant to A.C.A. § 16-93-204, the Board also has the authority to assist the Governor in exercising his or her authority in granting reprieves, commutations, and pardons, and shall perform such other services as may be required by the Governor in exercising his powers of executive clemency.

7. PARDONS, CLEMENCY, AND FIREARMS

Pardons and Clemency

The granting of a pardon or clemency is a power given to the Governor of the State. Instructions for filing a request for a pardon or clemency may be found on the Post Prison Transfer Board's web site at:

<https://doc.arkansas.gov/parole-board/executive-clemency/>.

Firearms

No person shall possess a firearm who has been convicted of a felony. (A.C.A. § 5-73-103(a)(1)). A sealed record of a conviction may serve as the basis for a conviction under this statute if the offense was committed after March 12, 1995. *See Act 595 of 1995; see also Attorney General's Op. 2002-173.* Act 1491 of 2009 amended A.C.A. § 5-73-103(b)(2) provided that if a person has their record sealed under the First Offender Act or Drug Court Act, the same does not qualify as a conviction for purposes of the felon in possession of a firearm statute.

The Governor may restore the right of a convicted felon or adjudicated delinquent to own and possess a firearm with a pardon expressly restoring the right or without a pardon under certain circumstances. (A.C.A. § 5-73-103(d)). For more information on firearm restoration, please see the last page of the pardon application.

<https://doc.arkansas.gov/parole-board/executive-clemency/executive-clemency-applications/>

8. RELEASE

Levels of Release Eligibility

One of the duties of the Commission is to establish transfer eligibility for offenses. The Commission has set the transfer eligibility line between seriousness levels six and seven. Offenders sentenced to a term of incarceration for offenses *above* the line must serve one-half of their sentence before they are eligible for transfer. Offenders sentenced for offenses *below* the line must serve one-third of their sentence before they are eligible for transfer. Also, there are multiple statutory overrides which affect transfer eligibility. The levels of transfer eligibility are listed below.

- **One-Half:** A person sentenced to ADC for a felony ranked in seriousness levels seven through ten on the Seriousness Reference Table will become eligible for transfer to community supervision after serving one-half (1/2) of his or her sentence with credit for meritorious good time. For example, a person receiving a seventy-two (72) month sentence with optimal meritorious good time credits will be eligible for transfer to community supervision in eighteen (18) months.
- **One-Third:** A person sentenced to ADC for a felony ranked in seriousness levels one through six on the Seriousness Reference Table will become eligible for transfer to community supervision after serving one-third (1/3) of his or her sentence with credit for meritorious good time. For example, a person receiving a seventy-two (72) month sentence with optimal meritorious good time credits will be eligible for transfer to community supervision in twelve (12) months.
- **100% Time Served – Statutory Override:** Any person who commits a violent felony offense or any felony sex offense subsequent to August 13, 2001, and who has previously been found guilty of or

pleaded guilty or nolo contendere to any violent felony offense or any felony sex offense shall not be eligible for release on parole by the Post Prison Transfer Board. For purposes of this section, a violent felony offense or any felony sex offense means those offenses listed in A.C.A. § 5-4-501(d)(2). For example, an inmate sentenced to a five-year sentence must serve five years or a forty-year sentence must serve forty years. See A.C.A. § 16-93-609 (Act 1805 of 2001). When an offender has been committed to the ADC for a violent or sexual felony offense, ADC personnel run a criminal background check. After verifying that he or she has a previous conviction which falls under A.C.A. § 5-4-501(d)(2), ADC will automatically set their time to serve at 100%. Since this is an eligibility issue and not a sentence enhancement, it does not have to be alleged on the Criminal Information or noted on the Order.

Act 895 of 2015, The Criminal Justice Reform Act of 2015, added § 5-39-201, Residential burglary and its inchoate versions, to the offenses listed in A.C.A. § 5-4-501(d)(2) which are applicable to 100% transfer eligibility. For questions relating to this offense and its effect on an offender's transfer eligibility, please contact ADC Centralized Records at (870) 267-6679.

Act 946 of 2021 requires that offenders convicted of Possession of Firearms by Certain Persons, Class B felony, A.C.A. § 5-73-103, serve 100% of their sentence if the offense was committed on or after April 28, 2021.

Act 659 of 2023 requires that offenders convicted of a "parole ineligible felony" as defined by A.C.A. § 16-93-1802 serve 100% of their sentence if the offense was committed on or after January 1, 2024.

- 80% Parole Eligibility- Delayed Release: Pursuant to A.C.A. § 5-4-405, a person who commits a serious felony involving violence is subject to delayed release and must serve 80% of his or her sentence if the state proves beyond a reasonable doubt that he or she committed the serious felony involving violence under an aggravating circumstance. This must be charged and designated on the sentence order.
- 70% Parole Eligibility – Statutory Override: For certain offenses, offenders are required to serve 70% of their sentence before reaching transfer eligibility. These offenses are: Murder in the first degree, § 5-10-102; Kidnapping, Felony Class Y, § 5-11-102; Aggravated robbery, § 5-12-103; Rape, § 5-14-103; Trafficking of Persons, Felony Class Y, § 5-18-103; Causing a catastrophe, § 5-38-202; Manufacturing methamphetamine, § 5-64-423(a) or the former § 5-64-401; Trafficking methamphetamine, § 5-64-440(b)(1); or Possession of drug paraphernalia with the purpose to manufacture methamphetamine, the former § 5-64-403(c)(5). Attempt, conspiracy, or solicitation to commit one of these offenses is *not* subject to 70% parole eligibility.

Please note: Act 570 of 2011 removed Possession of drug paraphernalia with the purpose to manufacture methamphetamine, now codified at A.C.A. § 5-64-443(b), from 70% parole eligibility. Offenders sentenced under the former § 5-64-403(c)(5) are *still* subject to 70% parole eligibility. Only the methamphetamine offenses are subject to meritorious good time credits. However, in no event shall the time served by any person who is found guilty of or pleads guilty or nolo contendere to one of these methamphetamine offenses be reduced to less than 50% of the person's sentence. ADC time computation cards will still reflect 70% transfer eligibility status, but the transfer eligibility date will be calculated on the *projected* earned good time. Offenders sentenced to CCC via judicial transfer for drug related crimes that are target offenses are still subject to 70% parole eligibility with good time that will not reduce time served to less than 50% of their original sentence. See A.C.A. § 16-93-618 and the former A.C.A. § 16-93-611.

When an Offender is a Detriment to the Community

The Post Prison Transfer Board may deny parole to any otherwise eligible person, regardless of the sentence that he or she is serving, if five (5) members of the Board determine that the person upon release would be a "detriment to the

community” into which the person would be released. Detriment to the community is defined in A.C.A. § 16-93-101(12).

Early Release

Offenders are generally kept until their transfer eligibility date. There are some exceptions that may allow for early release, including:

- Emergency Powers Act (EPA): The EPA is codified at A.C.A. §§ 12-28-601 et seq. The Board of Corrections may declare a prison overcrowding state of emergency in two situations. First, they may declare an emergency whenever the population of the prison system exceeds 98% of the rated capacity for thirty (30) consecutive days. In this case, inmates who meet the criteria set out in the statute may have their transfer eligibility date moved up by no more than three months. Second, the Board may declare an emergency whenever the number of inmates on the county jail backlog exceeds 500 inmates. In this case, inmates who have been incarcerated for a nonviolent offense and have served a minimum of six months in an ADC facility may have their transfer eligibility date moved up one year. Criteria for release eligibility may be found at A.C.A. § 12-28-604.
- Parole Alternative for Terminally Ill or Permanently Incapacitated Inmates: Act 570 of 2011 modified A.C.A. § 16-93-708, Parole alternative – Home detention. This provision allows terminally ill or permanently incapacitated inmates to be considered for transfer to parole supervision.
- Parole Alternatives for Electronic Monitoring of Parolees (120 days): A.C.A. § 16-93-711 allows certain inmates to be released on electronic monitoring after serving 120 days in an ADC facility. The Board of Corrections is responsible for promulgating rules that will establish policy and procedures for implementation of the electronic monitoring program.

9. SEALING OF RECORDS

Act 1460 of 2013 established The Comprehensive Criminal Record Sealing Act. The purpose of Act 1460 is to amend, consolidate, clarify, and simplify the process for sealing a person’s criminal record under certain circumstances. See A.C.A. §§ 16-90-1401 – 1419. The effective date of the new law was January 1, 2014.

The practical effect of this Act is that it has repealed many of the current Arkansas Code provisions that deal with Sealing or Expungement and either moved them to the new code provision or deleted them altogether. Other code provisions were amended to either refer to this new Act or eliminate the word “expungement.” All records are now referred to as being “Sealed.”

The law does not apply to the following:

- The Arkansas Drug Court Act A.C.A. §§ 16-98-301, et seq.,
- Extended juvenile jurisdiction records under A.C.A. § 9-27-508 unless the records are considered adult criminal records, or
- The sealing of juvenile records.

The Arkansas Supreme Court, in *Bolin v. Arkansas*, 2015 Ark. 149, ruled that the Act is retroactive as to the sealing of misdemeanors but is prospective only as to the sealing of felonies.

The Community Punishment Act, Act 531, and the First Offender Act, Act 346, were not substantially changed by this law except for deleting references to the word “expungement.” Act 531 is codified at A.C.A. §§ 16-93-1201, et seq. Act 346 is codified at A.C.A. §§ 16-93-301, et seq.

All forms relating to the sealing of criminal records are available on the Arkansas Crime Information Center’s (ACIC) website: <https://www.dps.arkansas.gov/crime-info-support/arkansas-crime-information-center/>. For specific questions concerning the sealing of criminal records, please contact ACIC at (501) 682-2222 or visit their website.

10. VICTIMS’ RIGHTS

The Arkansas Victim Information and Notification Everyday Program (VINE) is administered by the ACIC. VINE was created to allow agencies to notify victims reliably and efficiently with vital information on offenders and inmate custody status changes 24 hours a day, 365 days a year. To register for notification, a victim may call (800) 510-0415 or visit the website at <https://vinelink.vineapps.com/state/AR>.

The Crime Victims Reparation Program is a Division of the Arkansas Department of Public Safety, housed at Arkansas State Police Headquarters. Victims can receive help with medical bills, rehabilitation costs, dental expenses and other expenses they may incur as a result of a crime. For more information contact the Arkansas Crime Victims Reparations Program at (501) 682-1020 or (800) 448-3014, or email Crimevictims@Arkansas.gov.

11. SENTENCING CHANGES

The new seriousness rankings have been incorporated in the Seriousness Reference Table section of this manual. You may also find information concerning sentencing guidelines on our website.

12. CRIMINAL JUSTICE RELATED AGENCIES

Arkansas Department of Corrections (DOC)

Office of the Secretary
1302 Pike Avenue, Suite C
North Little Rock, AR 72114
(501) 682-3309

The Secretary is the administrative head of the Department of Corrections.

Arkansas Sentencing Commission (ASC)

1302 Pike Avenue, Suite E
North Little Rock, AR 72114
(501) 682-5001

Arkansas Division of Correction (ADC)

6814 Princeton Pike
Pine Bluff, AR 71602
(870) 267-6999

Arkansas Division of Community Correction (ACC)

1302 Pike Avenue, Suite B
North Little Rock, AR 72114
(501) 682-9510

Arkansas Post Prison Transfer Board

1302 Pike Avenue, Suite D
North Little Rock, AR 72114
(501) 682-3850

Administrative Office of the Courts (AOC)

Justice Building
625 Marshall St.
Little Rock, AR 72201
(501) 682-9400

Arkansas Crime Information Center (ACIC)

A Division of the Arkansas Department of Public Safety
322 South Main Street, Suite 615
Little Rock, AR 72201
(501) 682-2222

Arkansas Public Defender Commission (PDC)

101 East Capitol, Suite 201
Little Rock, AR 72201
(501) 682-9070

Office of the Prosecutor Coordinator (PCO)

Tower Building, Suite 750
323 Center St.
Little Rock, AR 72201
(501) 682-3671

ARKANSAS SENTENCING COMMISSION

CRIMINAL HISTORY WORKSHEET

Offender Name (Last, First, Middle)		Date of Birth	Sex	SID #	Date of Worksheet
				Circuit Case #	
Offense	Statute #	Date of Offense	Person Completing Form		
<input type="checkbox"/> Criminal History Supplement Attached to Report Additional Prior Offenses		<input type="checkbox"/> Multiple Offense-Circle Prior Convictions w/Multiple Offenses		Modifiers <input type="checkbox"/> Attempt <input type="checkbox"/> Conspiracy <input type="checkbox"/> Solicitation	

Offense Title	Level	Disp. Date	Points	
Adult Felonies Levels 6-10				
1 _____	_____	_____	_____	Felony Points Levels 6-10 _____
2 _____	_____	_____	_____	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
Adult Felonies Levels 1-5				
1 _____	_____	_____	_____	Felony Points Levels 1-5 _____
2 _____	_____	_____	_____	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
Adult Class A Misdemeanors				
		Offense Date		
1 _____	_____	_____	_____	Class A Misdemeanor Points (Maximum of 1) _____
2 _____	_____	_____	_____	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
Juvenile Adjudications				
		Offense Date		
1 _____	_____	_____	_____	Juvenile Points (Maximum of 2) _____
2 _____	_____	_____	_____	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	

Custody Status: If offender was on any type of custody supervision at the time of the current offense, add 1 point.

Custody Status Point (Maximum of 1)

TOTAL CRIMINAL HISTORY POINTS

(Round Down To Nearest Whole Point)

Probation/SIS
 Parole/Post Prison Supervision
 Temp. Release
 Bond
 No CJ Control

CALCULATION OF PRESUMPTIVE SENTENCE

Current Offense	Seriousness Level	History Score	Presumptive Sentence	TO	LOW HIGH Presumptive Sentence Range
_____	_____	_____	_____	_____	_____

CRIMINAL HISTORY WORKSHEET INSTRUCTIONS

Offender Name: Enter the name most commonly used by the Defendant. Name entered should match the name used on Criminal Information.

Date of Birth: Enter numerals to indicate the date of birth. Example: 03/25/1962.

Sex: Enter “M” for male and “F” for female.

SID #: Enter the Defendant’s State Identification Number (SID). It may be obtained from the Criminal Information or from the local law enforcement agency handling the case. If this is the *first* arrest for the defendant, the SID number may not be available.

Date of Worksheet: Enter the date the worksheet was prepared.

Circuit Case #: Enter the circuit court case number.

County: Enter the name of the county in which charges are filed.

Offense: Enter the name of the offense for which the Defendant was charged.

Statute #: Enter the A.C.A. number for which the defendant was charged. Indicate the substantive crime, e.g., rape, theft, murder, etc. *Do not* put the statute code for “conspiracy,” “attempt,” or “solicitation” to commit an offense in this blank.

Date of Offense: Enter the date of the charged offense.

Person Completing Form: Enter the name of the person completing the worksheet.

Modifiers: Indicate if the offense was for “conspiracy,” “attempt,” or “solicitation.” The seriousness level for an inchoate offense is one (1) level below the substantive offense.

Criminal History Supplement: If an offender has more than five (5) prior convictions in any category, list additional convictions on an additional Criminal History Worksheet.

Multiple Offenses: Circle the number of the prior conviction which represents the most serious offense among multiple offenses for a single course of conduct. For example, if a defendant is charged with residential burglary, breaking and entering, and theft of property, circle residential burglary because it is the most serious offense. For departure purposes, multiple offenses for a single course of conduct may be listed and identified as such on the Criminal History Worksheet.

Adult Felonies - Levels 6-10: List the name of the offense for each prior conviction. There are no restrictions on the date of an offense or conviction date at these levels.

Level: Indicate the seriousness level for listed charges. Refer to the Seriousness Reference Table in the *Arkansas Sentencing Commission Sentencing Standards Grid, Offense Seriousness Rankings and Related Material* manual. Out-of-state, redefined, and unranked offenses shall be ranked at the level of the most comparable offense in this State. Refer to the Addendum to the Seriousness Reference Table in the standards manual.

Disposition Date: Enter the date of disposition for listed charges.

Points: One (1) point is given for each prior conviction on Levels 6-10. There are no time limitations on counting prior convictions at this level.

Adult Felonies - Levels 1-5: List the name of the offense for each prior conviction.

Level: See above.

Disposition Date: See above.

Points: One-half (.5) of a point is given for each conviction for offenses on Levels 1-5. Prior felony offenses at these levels will not be counted if a period of fifteen (15) years has elapsed since the date of discharge from or the expiration of the sentence, to the date of the current offense.

Adult Class A Misdemeanors: List prior convictions of Class A misdemeanors where the offender was charged as an Adult. Prior offenses must have occurred within ten (10) years of the current offense.

Level: Adult Class A Misdemeanors do not have seriousness levels. This field is not applicable for these offenses.

Offense Date: Indicate the offense date of the listed Adult Class A Misdemeanor convictions.

Points: One-fourth (.25) of a point is given on each conviction of an Adult Class A misdemeanor. No more than one (1) point may be accrued from Class A misdemeanor convictions.

Juvenile Adjudications: List prior juvenile adjudications. Weight is assigned only to judicial adjudications of delinquency for offenses for which a juvenile could have been tried as an adult and which the trial court deemed relevant to sentencing in the current proceeding.

Level: Compute the seriousness level as if the offense was committed by an adult. See above.

Offense date: See above.

Points: One-fourth of a point (.25) is given for adjudications where the juvenile could have been tried for a felony offense as an adult. However, one (1) point is given for the following more serious offenses: capital murder, murder in the first degree, murder in the second degree, kidnaping in the first degree, aggravated robbery, rape or battery in the first degree. If one of the prior adjudications is one of these more serious offenses, up to two (2) points may be accrued. If not, no more than one (1) point may be accrued. The juvenile offense(s) must have occurred within ten (10) years of the current offense.

Custody Status: Indicate if the defendant was on any type of criminal justice restraint for a felony at the time the current offense was committed. Criminal justice restraints include, but are not limited to incarceration, pretrial bond, suspended imposition of sentence, probation, parole, post-prison supervision, appeal bond, and release pending sentencing for a prior crime. A maximum of one (1) point may be accrued.

Total Points by Classification: Indicate the total points accrued for each classification as follows: total points for Adult Felonies - Levels 6-10; total points for Adult Felonies Levels 1-5; total points for Adult Class A Misdemeanors (maximum of 1); total points for Juvenile Adjudications (maximum of 2); and total points for Custody Status (maximum of 1).

Total Criminal History Points: Enter total points accrued, including a custody status point, if applicable. Round down to the nearest whole number.

Current Offense: Indicate the statute number of the current charge.

Seriousness Level: Indicate the seriousness level of the current offense. See Arkansas Sentencing Commission Seriousness Reference Table.

History Score: Indicate the total criminal history score from above.

Presumptive Sentence (Prior to January 1, 2018): If the offense date is prior to January 1, 2018, indicate the presumptive sentence found on the sentencing grid at the intersecting cell of the seriousness level and the total criminal history score.

Presumptive Sentence Range (Prior to July 1, 2005): If the offense date is prior to July 1, 2005, indicate the range 5% below and 5% above the presumptive sentence. This may be found in Section III of the sentencing standards manual. If the offense date is July 1, 2005, and thereafter, this section is not applicable.

Presumptive Sentence Range (January 1, 2018 and thereafter): If the offense date is January 1, 2018 and thereafter, indicate the presumptive sentence range found on the sentencing grid at the intersecting cell of the seriousness level and total criminal history score.