

SERIOUSNESS LEVEL 4
Effective date January 1, 1994

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	CCC AS	ADC 18 CCC AS	ADC 30 CCC AS	ADC 54 CCC AS	ADC 72 CCC AS	ADC 96
Minimum Time Served Prior to Transfer Eligibility		ADC 3	ADC 5	ADC 9	ADC 12	ADC 16
Presumptive Range (Prior to July 1, 2005)		ADC 17.10- 18.90	ADC 28.50- 31.50	ADC 51.30- 56.70	ADC 68.40- 75.60	ADC 91.20- 100.80

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

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

5-10-105	C	Negligent Homicide
5-11-103	C	False Imprisonment I
5-13-202	D	Battery II
5-14-126	C	Sexual Assault (Third Degree)
5-26-304	C	Domestic Battering II
5-36-103(b)(2)(A)	C	Theft of Property > \$5,000 < \$25,000
5-36-106(e)(2)	C	Theft by Receiving Value > \$5,000 < \$25,000
5-37-216 (b) & (c)(1)	B	Defrauding a Prospective Adoptive Parent
5-37-302(b)(3)	C	Arkansas Hot Check Law - Value => \$5,000 < \$25,000
5-53-102	C	Perjury
5-54-110	C	Escape I
5-64-419(b)(1)(B)	C	Possession of Controlled Substance – Schedule I or II Methamphetamine/Cocaine => 2g < 10g
5-64-426(c)(1)	C	Delivery of Schedule I or II Controlled Substance not Methamphetamine/Cocaine < 2g
5-64-436(b)(3)	C	Possession of Schedule VI Controlled Substance with Purpose to Deliver => 4 oz. < 25 lbs
5-64-438(b)(3)	C	Delivery of Schedule VI Controlled Substance => 4 oz. < 25 lbs
5-65-111(e)(1)	U	DWI/BWI 5 [See statute for penalty range – CCC by judicial transfer only]

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

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

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	n/a	25-40
D	0-6	0-12	0-15	n/a	20-40

See A.C.A. §§ 5-4-401 and 5-4-501.