

SERIOUSNESS LEVEL 8
Effective date January 1, 1994

| Criminal History Score | 0 | 1 | 2 | 3 | 4 | 5+ |
|--|------------------------|-----------------------------------|-----------------------------------|------------------------|-----------------------------------|------------------------|
| Presumptive Sentence | ADC 120 | ADC 168 | ADC 264 | ADC 360 | ADC 432 | ADC 600 |
| Minimum Time Served Prior to Release per 70% Transfer Eligibility | ADC 84 | ADC 117.60 | ADC 184.80 | ADC 252 | ADC 302.40 | ADC 420 |
| Minimum Time Served Prior to Transfer Eligibility | ADC 30 | ADC 42 | ADC 66 | ADC 90 | ADC 108 | ADC 150 |
| 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

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 (A.C.A. § 16-93-618)

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

| | | |
|-------------|---|--|
| 5-39-204 | Y | Aggravated Residential Burglary |
| 5-13-201 | B | Battery I |
| 5-13-310 | Y | Terroristic Act |
| 5-26-303 | B | Domestic Battery I |
| 5-38-301 | Y | Arson (=> \$100,000 Damage) |
| 5-64-440(b) | Y | Trafficking a Controlled Substance, <u>not</u> Methamphetamine |
| 5-74-104 | Y | Engaging in Continuing Gang, Org. or Enterprise (First Degree) |
| 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 | n/a | 40-Life |
| B | 5-20 | 5-30 | 5-40 | 40-80 or Life | 30-60 |

See A.C.A. §§ 5-4-401 and 5-4-501.