

**SERIOUSNESS LEVEL 9**  
**Effective January 1, 1994**

<b>Criminal History Score</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5+</b>
<b>Presumptive Sentence</b>	<b>ADC 240</b>	<b>ADC 312</b>	<b>ADC 396</b>	<b>ADC 480</b>	<b>ADC 600</b>	<b>ADC 720</b>
<b>Minimum Time Served Prior to Release per 70% Transfer Eligibility</b>	<b>ADC 168</b>	<b>ADC 218.40</b>	<b>ADC 277.20</b>	<b>ADC 336</b>	<b>ADC 420</b>	<b>ADC 504</b>
<b>Minimum Time Served Prior to Transfer Eligibility</b>	<b>ADC 60</b>	<b>ADC 78</b>	<b>ADC 99</b>	<b>ADC 120</b>	<b>ADC 150</b>	<b>ADC 180</b>
<b>Presumptive Range (Prior to July 1, 2005)</b>	<b>ADC 228-252</b>	<b>ADC 296.40- 327.60</b>	<b>ADC 376.20- 415.80</b>	<b>ADC 456-504</b>	<b>ADC 570-630</b>	<b>ADC 684-756</b>

**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)

5-14-103	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.

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

5-10-101	Y	Capital Murder - Attempt
5-10-101	A	Capital Murder - Conspiracy/Solicitation
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
5-13-210	Y	Introduction of C/S into Body to Commit Sexual Offense
5-13-310	Y	Terroristic Act (Serious Physical Injury or Death)
5-54-202	Y	Providing Material Support for a Terroristic Act
5-64-405	Y	Continuing Criminal Enterprise
5-74-107	Y	Discharge of a Firearm from Car (First Degree)
5-74-108	Y	Violent Group Activity, Enhanced

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):**

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

See A.C.A. §§ 5-4-401 and 5-4-501.