

SERIOUSNESS LEVEL 3
Effective date January 1, 1994

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	CCC AS	CCC AS	ADC 18 CCC AS	ADC 30 CCC AS	ADC 42 CCC AS	ADC 60 CCC AS
Minimum Time Served Prior to Transfer Eligibility			ADC 3	ADC 5	ADC 7	ADC 10
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)	C	Theft by Receiving – Credit/Debit Card or Account Number
5-37-201	C	Forgery II
5-37-207	C	Fraudulent Use of a Credit Card
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 or II Methamphetamine or Cocaine < 2g
5-64-419(b)(2)(A)	D	Possession of Controlled Substance – Schedule I or II not Methamphetamine or Cocaine <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 to Ingest, Inhale, etc.
5-64-443(c)	D	Use or Possession of Paraphernalia to Manufacture a Controlled Substance not Methamphetamine or Cocaine.
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):

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