

GENERAL CRIMES SENTENCING RANGES

NON-DANGEROUS OFFENSES

CLASS	FIRST OFFENSE			ONE HISTORICAL PRIOR			TWO HISTORICAL PRIORS		
	MIN	P	MAX	MIN	P	MAX	MIN	P	MAX
2	(3)* 4	5	10 (12.5)†	(4.5)* 6	9.25	18.5 (23.25)†	(10.5)* 14	15.75	28 (35)†
3	(2)* 2.5	3.5	7 (8.75)†	(3.5)* 4.5	6.5	13 (16.25)†	(7.5)* 10	11.25	20 (25)†
4	(1)* 1.5	2.5	3 (3.75)†	(2.25)* 3	4.5	6 (7.5)†	(6)* 8	10	12 (15)†
5	(.5)* .75	1.5	2 (2.5)†	(1)* 1.5	2.25	3 (3.75)†	(3)* 4	5	6 (7.5)†
6	(.33)* .5	1	1.5 (2)†	(.75)* 1	1.75	2.25 (2.75)†	(2.25)* 3	3.75	4.5 (5.75)†

Probation eligible, except for single drug offenses involving manufacture or in which the amount exceeds the statutory threshold. Convictions for first offense sexual assault: minimum of 5.25 years, presumptive of 7 years and a maximum of 14 years with no early release unless the sentence is commuted.

NON-DANGEROUS OFFENSES - MULTIPLE OFFENSES - (§ 13-702.02)

CLASS	SECOND OFFENSE			SUBSEQUENT OFFENSES		
	MIN	P	MAX	MIN	P	MAX
2	(3)* 4	5	10 (12.5)†	(4.5)* 6	9.25	18.5 (23.25)†
3	(2)* 2.5	3.5	7 (8.75)†	(3.5)* 4.5	6.5	13 (16.25)†
4	(1)* 1.5	2.5	3 (3.75)†	(2.25)* 3	4.5	6 (7.5)†
5	(.5)* .75	1.5	2 (2.5)†	(1)* 1.5	2.25	3 (3.75)†
6	(.33)* .5	1	1.5 (2)†	(.75)* 1	1.75	2.25 (2.75)†

DANGEROUS OFFENSES

CLASS	FIRST OFFENSE			ONE HISTORICAL DANGEROUS PRIOR			TWO HISTORICAL DANGEROUS PRIORS		
	MIN	P	MAX	MIN	P	MAX	MIN	P	MAX
2	7	10.5	21	14	15.75	28	21	28	35
3	5	7.5	15	10	11.25	20	15	20	25
4	4	6	8	8	10	12	12	14	16
5	2	3	4	4	5	6	6	7	8
6	1.5	2.25	3	3	3.75	4.5	4.5	5.25	6

DANGEROUS OFFENSES - MULTIPLE OFFENSES - (§ 13-702.02)

CLASS	SECOND DANGEROUS OFFENSE		SUBSEQUENT DANGEROUS OFFENSES	
	MIN/P	MAX	MIN/P	MAX
2	10.5	21 (26.25)†	15.75	28 (35)†
3	7.5	15 (18.75)†	11.25	20 (25)†
4	6	8 (10)†	10	12 (15)†
5	3	4 (5)†	5	6 (7.5)†
6	2.25	3 (3.75)†	3.75	4.5 (5.75)†

* Approximate 25% reduction; 2 or more substantial mitigating factors. A.R.S. §13-702.01
 † Approximate 25% increase; 2 or more substantial aggravating factors. A.R.S. §13-702.01

A defendant may earn release credits of one day for every six days served. Commutation is possible.

A person convicted of a violent crime as defined in A.R.S. §13-604.04 committed while the person is under the influence of marijuana, a dangerous drug or a narcotic drug is not eligible for release or probation until the entire sentence has been served.

The court shall increase by up to two years the maximum sentence for any felony committed against a pregnant victim known by the person to be pregnant.

(3)

DANGEROUS CRIMES AGAINST CHILDREN SENTENCING RANGES

CATEGORY	FIRST			ONE PREDICATE PRIOR			TWO PREDICATE PRIORS		
	MIN	P	MAX	MIN	P	MAX	MIN	P	MAX
CATEGORY A ¹	13	20	27	23	30	37			LIFE
CATEGORY B ²	10	17	24	21	28	35			LIFE
CATEGORY C ³	2.5	5	7.5	8	15	22			N/A
CATEGORY D ⁴	5	10	15	5	10	15			N/A

Probation eligible

¹ Second degree murder, sexual assault, taking a child for the purpose of prostitution, child prostitution, sexual conduct with a minor or continuous sexual abuse of a child, involving or using minors in drug offenses, or attempted first degree murder. This category addresses offenses involving a victim who is 12, 13, or 14 years of age. A.R.S. §13-604.01 (C).

² Aggravated assault, molestation of a child, commercial sexual exploitation of a minor, sexual exploitation of a minor, child abuse or kidnapping. A.R.S. §13-604.01 (D).

³ Sexual abuse. A.R.S. §13-604.01 (E).

⁴ Preparatory offenses. A.R.S. §13-604.01 (I).

Categories A and B: Unless commuted, not eligible for suspension, probation, pardon or release from confinement on any basis until the complete sentence is served.

Categories C and D: A defendant may earn release credits of one day for every six days served. Commutation is possible.

A prison sentence imposed for a conviction of child molestation or sexual abuse may be served concurrently with other sentences if the offense involved only one victim. The sentence imposed for any other dangerous crime against children in the first or second degree shall be consecutive to any other sentence imposed at any time, including child molestation and sexual abuse of the same victim. A.R.S. §13-604.01 (K).

A person who is at least eighteen years of age who is convicted of a dangerous crime against children in the first degree involving sexual assault or sexual conduct with a minor, and the victim is twelve years of age or younger, shall be sentenced to life imprisonment and is not eligible for suspension, probation, pardon or release from confinement on any basis until the person has served thirty-five years. This provision does not apply to masturbatory contact. A.R.S. §13-604.01 (A).

A person convicted of a dangerous crime against children in the first degree involving second degree murder, sexual assault, sexual conduct with a minor or attempted first degree murder, and the victim is under twelve years of age, may be sentenced to life imprisonment and is not eligible for suspension, probation, pardon or release from confinement on any basis until the person has served thirty-five years. If a life sentence is not imposed, the defendant shall be sentenced to a presumptive term of twenty years. A.R.S. §13-604.01 (B).

FIRST AND SECOND DEGREE MURDER

1ST DEGREE MURDER: Death; life sentence without release on any basis for the remainder of the defendant's natural life. (An order sentencing the defendant to natural life is not subject to commutation or parole, work furlough or work release.) If the court does not sentence the defendant to natural life, the defendant shall not be released on any basis until having served 25 calendar years if the victim was 15 years of age or older and 35 calendar years if the victim was under 15 years of age. A.R.S. §13-703.

2ND DEGREE MURDER: Except as provided in A.R.S. §13-604 (S) or A.R.S. §13-604.01, imprisonment for 10 calendar years with a possible increase or decrease of 6 years for aggravating or mitigating circumstances. Except as provided in A.R.S. §13-604 (S) or A.R.S. §13-604.01, a person previously convicted of 2nd degree murder or a class 2 or 3 felony involving the use or exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person shall be imprisoned for 20 calendar years with a possible increase or decrease of 5 years for aggravating or mitigating circumstances. A.R.S. §13-710.

(4)