

# Drug Prison In/Out Worksheet

Eff. 10-1-2016

Defendant \_\_\_\_\_  
 Case No. \_\_\_\_\_  
 Worksheet Preparer \_\_\_\_\_

Judge \_\_\_\_\_  
 Prosecutor \_\_\_\_\_  
 Defense Attorney \_\_\_\_\_

**Most Serious Conviction Offense** Please circle one *offense*

**PRESUMPTIVE**

***Class D offenses***

- Poss of Controlled Substance ..... 1
- A/S/C Poss of Controlled Substance ..... 1
- Poss of Marihuana 1<sup>st</sup> §13A-12-213(a)(2) ..... 1
- A/S/C Poss of Marihuana 1<sup>st</sup> §13A-12-213(a)(2) ..... 1

**PRESUMPTIVE**

***Class C offenses***

- Felony DUI ..... 4
- Poss of Marihuana 1<sup>st</sup> §13A-12-213(a)(1) ..... 2
- A/S/C Poss of Marihuana 1<sup>st</sup> §13A-12-213(a)(1) ..... 2

**PRESUMPTIVE**

***Class B offenses***

- Manufacturing Controlled Substance 2<sup>nd</sup> ..... 5
- A/S/C Manufacturing Controlled Substance 2<sup>nd</sup> ..... 5
- Poss with Intent to Distribute Controlled Sub ..... 5
- A/S/C Poss with Intent to Distribute Controlled Sub ..... 5
- Sale/Distribution of Marihuana (other than to minor) ..... 6
- A/S/C Sale/Distribution of Marihuana (other than to minor) ..... 6
- Sale/Distribution of Schedule I-V (other than to minor) ..... 6
- A/S/C Sale/Distribution of Schedule I-V (other than to minor) ..... 6

**PRESUMPTIVE**

***Class A offenses***

- Manufacturing Controlled Substance 1<sup>st</sup> ..... 8
- A/S/C Manufacturing Controlled Substance 1<sup>st</sup> ..... 8

*\*A/S/C = Attempt/Solicitation/Conspiracy*

Score

**Number of Prior Adult Felony Convictions**

- |              |                   |
|--------------|-------------------|
| None ..... 0 | 3 ..... 5         |
| 1 ..... 2    | 4 ..... 6         |
| 2 ..... 3    | 5 or more ..... 7 |

Score

**Number of Prior Adult Convictions for Misdemeanors or Violations**

- |             |                    |
|-------------|--------------------|
| 0-1 ..... 0 | 6-9 ..... 2        |
| 2-5 ..... 1 | 10 or more ..... 3 |

Score

**Prior Incarceration with *Unuspended* Sentence Imposed of 1 Year or More** ..... 3

Score

**Prior Felony Probation or Parole Revocation** ..... 1

Score

**Number of Prior Juvenile Delinquency or YO Adjudications (Violation/Misd/Felony)**

- |              |                   |
|--------------|-------------------|
| None ..... 0 | 3-4 ..... 2       |
| 1-2 ..... 1  | 5 or more ..... 3 |

Score

**Possession/Use of a Deadly Weapon or Dangerous Instrument** ..... 2

Score

**Total Score**

**Disposition:**     Presumptive

**1-7 points: Non-Prison**

**8 or more points: Prison**

# Drug Sentence Length Worksheet

Eff. 10-1-2016

Defendant \_\_\_\_\_ Case No. \_\_\_\_\_

**Most Serious Conviction Offense** Please circle one *offense*

**PRESUMPTIVE**

***Class D offenses***

Poss of Controlled Substance .....	59
A/S/C Poss of Controlled Substance .....	59
Poss of Marihuana 1 <sup>st</sup> §13A-12-213(a)(2) .....	42
A/S/C Poss of Marihuana 1 <sup>st</sup> §13A-12-213(a)(2) .....	42

**PRESUMPTIVE**

***Class C offenses***

Felony DUI .....	76
Poss of Marihuana 1 <sup>st</sup> §13A-12-213(a)(1) .....	71
A/S/C Poss of Marihuana 1 <sup>st</sup> §13A-12-213(a)(1) .....	71

**PRESUMPTIVE**

***Class B offenses***

Manufacturing Controlled Substance 2 <sup>nd</sup> .....	105
A/S/C Manufacturing Controlled Substance 2 <sup>nd</sup> .....	105
Poss with Intent to Distribute Controlled Sub .....	105
A/S/C Poss with Intent to Distribute Controlled Sub .....	105
Sale/Distribution of Marihuana (other than to minor) .....	84
A/S/C Sale/Distribution of Marihuana (other than to minor) .....	84
Sale/Distribution of Schedule I-V (other than to minor) .....	113
A/S/C Sale/Distribution of Schedule I-V (other than to minor) .....	113

**PRESUMPTIVE**

***Class A offenses***

Manufacturing Controlled Substance 1 <sup>st</sup> .....	286
A/S/C Manufacturing Controlled Substance 1 <sup>st</sup> .....	286

*\*A/S/C = Attempt/Solicitation/Conspiracy*

**Score**

**Number of Additional Felony Convictions (Including Counts)**

None .....	0	3 .....	44
1 .....	15	4 or more .....	58
2 .....	29		

**Score**

**Number of Prior Adult Felony Convictions**

None .....	0	3 .....	30
1 .....	10	4 .....	40
2 .....	20	5 or more .....	50

**Score**

**Number of Prior Adult Felony Class C & Class D Convictions**

None .....	0	4 .....	28
1 .....	7	5 .....	35
2 .....	14	6 .....	43
3 .....	21	7 or more .....	50

**Score**

**Prior Incarceration with *Unuspended* Sentence Imposed of 1 Year or More** ..... 14

**Score**

**See Drug Sentence Length Table**

**Presumptive**

**Total Score**

**Sentence Range** \_\_\_\_\_ to \_\_\_\_\_ (straight) \_\_\_\_\_ to \_\_\_\_\_ (split)

**Judge's Signature/Initial**

\_\_\_\_\_

# Drug Sentence Length Ranges for Worksheet

Time in Months

<u>Score</u>	<u>Total Sentence</u>			<u>Time to Serve On Split</u>		
	<u>Low</u>	<u>Mid</u>	<u>High</u>	<u>Low</u>	<u>Mid</u>	<u>High</u>
42	13	23	32	6	9	12
49	13	23	32	6	10	14
52	13	23	32	6	10	14
56	13	23	32	6	10	14
57	13	23	32	6	10	14
59	13	23	32	6	10	14
62	13	23	32	6	10	14
64	13	23	32	6	10	14
66	13	23	32	6	12	18
67	13	23	32	6	12	18
69	13	23	32	6	12	18
70	13	23	32	6	12	18
71	13	23	32	6	12	18
72	13	23	32	6	12	18
73	13	23	32	6	12	18
74	13	23	32	6	12	18
76	13	39	65	6	12	18
77	13	39	65	6	12	18
78	13	39	65	6	17	27
79	13	39	65	6	17	27
80	13	39	65	8	18	27
81	13	39	65	8	18	27
82	13	39	65	8	18	27
83	13	39	65	8	18	27
84	13	39	65	8	18	27
86	13	39	65	8	18	27
87	13	39	65	8	18	27
88	13	39	65	8	18	27
89	13	39	65	8	18	27
90	13	39	65	8	18	27
91	13	39	65	8	18	27
92	13	39	65	8	18	27
93	13	39	65	8	18	27
94	13	39	65	8	18	27
95	13	39	65	8	18	27
96	13	39	65	8	18	27
97	13	39	65	8	18	27
98	13	39	65	8	18	27
99	13	39	65	8	18	27
100	13	39	65	8	18	27
101	13	39	65	8	18	27
102	13	39	65	8	18	27
103	13	39	65	8	18	27
104	13	55	97	8	18	27
105	15	56	97	8	18	27
106	15	56	97	8	18	27
107	15	56	97	8	18	27
108	15	56	97	8	18	27
109	15	56	97	8	18	27
110	15	56	97	8	18	27
111	15	56	97	8	18	27
112	15	56	97	8	18	27
113	15	56	97	8	18	27
115	15	56	97	8	18	27
116	15	56	97	8	18	27

<b>Score</b>	<b>Total Sentence</b>			<b>Time to Serve On Split</b>		
	<b>Low</b>	<b>Mid</b>	<b>High</b>	<b>Low</b>	<b>Mid</b>	<b>High</b>
117	15	56	97	8	18	27
118	15	56	97	8	18	27
119	15	56	97	8	18	27
120	15	56	97	8	18	27
121	15	56	97	8	18	27
122	15	56	97	8	18	27
123	15	56	97	8	18	27
124	15	56	97	8	18	27
125	15	56	97	8	18	27
126	18	58	97	8	18	27
127	18	58	97	8	18	27
128	18	58	97	8	18	27
130	18	58	97	8	18	27
132	18	58	97	8	18	27
133	18	58	97	8	18	27
134	18	58	97	8	18	27
135	18	58	97	8	18	27
136	18	58	97	8	18	27
137	18	58	97	8	18	27
138	18	58	97	8	18	27
139	18	58	97	8	18	27
140	18	58	97	8	18	27
141	21	62	104	8	18	27
142	21	62	104	8	18	27
143	21	62	104	8	18	27
144	21	62	104	8	18	27
145	21	62	104	8	18	27
146	21	62	104	8	18	27
147	21	62	104	8	18	27
148	24	64	104	8	18	27
149	24	64	104	8	18	27
150	24	64	104	8	18	27
152	24	64	104	8	18	27
154	30	67	104	12	20	27
155	30	67	104	12	20	27
156	30	67	104	12	20	27
157	30	67	104	12	20	27
158	30	67	104	12	20	27
159	30	67	104	12	20	27
160	30	67	104	12	20	27
161	30	67	104	12	20	27
162	30	67	104	12	20	27
163	30	67	104	12	20	27
164	30	67	104	12	20	27
165	30	67	104	12	20	27
166	30	67	104	12	20	27
167	30	67	104	12	20	27
168	30	67	104	12	20	27
169	30	67	104	12	20	27
170	30	67	104	12	20	27
171	30	67	104	12	20	27
172	36	70	104	12	20	27
173	36	70	104	12	20	27
174	36	70	104	12	20	27
176	36	70	104	12	20	27
177	36	70	104	12	24	36
178	36	70	104	12	24	36
181	45	87	130	16	26	36
182	45	87	130	16	26	36

<b>Score</b>	<b>Total Sentence</b>			<b>Time to Serve On Split</b>		
	<b>Low</b>	<b>Mid</b>	<b>High</b>	<b>Low</b>	<b>Mid</b>	<b>High</b>
183	45	87	130	16	26	36
184	45	87	130	16	26	36
185	45	87	130	16	26	36
188	45	87	130	24	30	36
189	45	87	130	24	30	36
191	45	87	130	24	30	36
192	45	87	130	24	30	36
195	45	87	130	24	30	36
196	45	87	130	24	30	36
198	45	87	130	24	30	36
199	45	87	130	24	30	36
200	45	87	130	24	30	36
203	45	87	130	24	30	36
205	45	87	130	24	30	36
206	45	87	130	24	30	36
212	45	87	130	24	30	36
213	45	87	130	24	30	36
214	45	87	130	24	30	36
220	45	87	130	24	30	36
222	45	87	130	24	30	36
227	45	87	130	24	30	36
232	45	87	130	24	30	36
235	45	87	130	24	30	36
242	45	87	130	24	30	36
250	50	90	130	24	30	36
255	50	90	130	24	30	36
258	60	95	130	24	30	36
262	60	95	130	24	30	36
270	60	95	130	24	30	36
276	70	100	130	24	30	36
280	70	100	130	24	30	36
286	120	150	180	24	30	36
300	120	150	180	24	30	36
315	120	150	180	24	30	36
320	180	210	240	36	48	60
345	180	210	240	36	48	60
360	180	210	240	36	48	60
381	180	210	240	36	48	60