

# Drug (Class D) Prison In/Out Worksheet

Eff. 10-1-2019

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

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

**Score**

**Number of Prior Adult Felony Convictions** \_\_\_\_\_

	None ..... 0	<p><b>2 Class A or B felonies</b> - If previously convicted of any two or more felonies that are Class A or Class B felonies and after such convictions has committed a Class D felony, upon conviction, he or she must be sentenced for a Class C felony but pursuant to the Drug (Class D) Prison Sentence Length Ranges for Worksheet (maximum of 120 months).</p> <p><b>3 felonies</b> - If previously convicted of any three or more felonies and after such convictions has committed a Class D felony, upon conviction, he or she must be sentenced for a Class C felony but pursuant to the Drug (Class D) Prison Sentence Length Ranges for Worksheet (maximum of 120 months).</p>	
<b>2 Class A or B felonies</b> →	1 ..... 2		} <b>Score</b> <input style="width: 40px; height: 20px;" type="text"/>
	2 ..... 3		
<b>3 felonies</b> →	3 ..... 5		
	4 ..... 6		
	5 or more ..... 7		

**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 *Unsuspending* 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 (Class D) Sentence Length Worksheet

Eff. 10-1-2019

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

*\*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 |                    | 1 ..... 10         |
| <b>2 Class A or B felonies</b> → | (            | 2 ..... 20         | 3 ..... 30         |
|                                  |              | 3 ..... 30         | 4 ..... 40         |
| <b>3 felonies</b> →              | (            | 4 ..... 40         | 5 or more ..... 50 |
|                                  |              | 5 or more ..... 50 |                    |

**2 Class A or B felonies** - If previously convicted of any two or more felonies that are Class A or Class B felonies and after such convictions has committed a Class D felony, upon conviction, he or she must be sentenced for a Class C felony but pursuant to the Drug (Class D) Prison Sentence Length Ranges for Worksheet (maximum of 120 months).

**3 felonies** - If previously convicted of any three or more felonies and after such convictions has committed a Class D felony, upon conviction, he or she must be sentenced for a Class C felony but pursuant to the Drug (Class D) Prison Sentence Length Ranges for Worksheet (maximum of 120 months).

**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**