

SENTENCING ORDER

IN THE CIRCUIT COURT OF _____ COUNTY, ARKANSAS,
_____ JUDICIAL DISTRICT _____ DIVISION

On _____ the Defendant appeared before the Court, was advised of the nature of the charge(s), of Constitutional and legal rights, of the effect of a guilty plea upon those rights, and of the right to make a statement before sentencing.

Offender	Defendant [Last, First, MI]		DOB	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Total Number of Counts
	SID #	Race & Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Unknown <input type="checkbox"/> Other <input type="checkbox"/> Hispanic			
Court Info	Supervision Status at Time of Offense				
	Judge				File Stamp
	Prosecuting Attorney/Deputy				
	Defendant's Attorney <input type="checkbox"/> Private <input type="checkbox"/> Public Defender <input type="checkbox"/> Pro Se <input type="checkbox"/> Appointed				
Change of Venue <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, from:					
Legal Statement	<input type="checkbox"/> Pursuant to A.C.A. §§16-93-301 et seq., or <input type="checkbox"/> §§_____ this Court, without making a finding of guilt or entering a judgment of guilt and with the consent of the Defendant defers further proceedings and places the Defendant on probation.				
	There being no legal cause shown by the Defendant, as requested, why judgment should not be pronounced, a judgment: is hereby entered against the Defendant on each charge enumerated, fines levied, and court costs assessed. Defendant was advised of the conditions of the sentence and/or placement on probation and understands the consequences of violating those conditions. The Court retains jurisdiction during the period of probation/suspension and may change or set aside the conditions of probation/suspension for violations or failure to satisfy Department of Community Correction (D.C.C) rules and regulations.				
	<input type="checkbox"/> of conviction is hereby entered against the Defendant on each charge enumerated, fines levied, and court costs assessed. The Defendant is sentenced to the Arkansas Department of Correction (A.D.C.) for the term specified on each offense shown below.				
Offense #1	Defendant made a voluntary, knowing, and intelligent waiver of the right to counsel. <input type="checkbox"/> Yes <input type="checkbox"/> No				Case #
	A.C.A. # of Offense/ Name of Offense+				
	A.C.A. # of Original Charged Offense		ATN	Offense was <input type="checkbox"/> Nolle Prossed <input type="checkbox"/> Dismissed <input type="checkbox"/> Acquitted	
			Appeal from District Court <input type="checkbox"/> Yes <input type="checkbox"/> No	Probation/SIS Revocation+ <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Offense Date		Offense is <input type="checkbox"/> Felony <input type="checkbox"/> Misd. <input type="checkbox"/> Viol.	Offense Classification <input type="checkbox"/> Y <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> U	
	Number of Counts:	Criminal History Score	Seriousness Level	Defendant <input type="checkbox"/> Attempted <input type="checkbox"/> Solicited <input type="checkbox"/> Conspired to commit the offense	
	Presumptive Sentence <input type="checkbox"/> Prison Sentence of _____ months <input type="checkbox"/> Community Corrections Center <input type="checkbox"/> Alternative Sanction				
	Defendant Sentence* (see Page 2) Imposed <input type="checkbox"/> ADC <input type="checkbox"/> Jud. Tran. <input type="checkbox"/> County Jail _____ months Probation _____ months SIS _____ months Other <input type="checkbox"/> Life <input type="checkbox"/> LWOP <input type="checkbox"/> Death		If probation or SIS accompanied by period of confinement, state time: _____ days or _____ months. Sentence was enhanced _____ months, pursuant to A.C.A. §§_____ Enhancement(s) is to run: <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive. Defendant was sentenced as a habitual offender, pursuant to A.C.A. §5-4-501, subsection <input type="checkbox"/> (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> (d)		
	Victim Info# (See page 2) <input type="checkbox"/> N/A [Multiple Victims <input type="checkbox"/> Yes <input type="checkbox"/> No]	Age	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Race & Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Hispanic	
	Defendant voluntarily, intelligently, and knowingly entered a <input type="checkbox"/> negotiated plea of <input type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere. <input type="checkbox"/> plea directly to the court of <input type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere.		Defendant: <input type="checkbox"/> was sentenced pursuant to <input type="checkbox"/> §§16-93-301 et seq., or <input type="checkbox"/> other §§_____ <input type="checkbox"/> entered a plea and was sentenced by a jury. <input type="checkbox"/> was found guilty by the court & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury. <input type="checkbox"/> was found guilty at a jury trial & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury. <input type="checkbox"/> was found guilty of lesser included offense by <input type="checkbox"/> court <input type="checkbox"/> jury.		
Sentence is a Departure <input type="checkbox"/> Yes <input type="checkbox"/> No	Sentence Departure is <input type="checkbox"/> Durational or <input type="checkbox"/> Dispositional. If durational, state how many months above/below the presumptive sentence:				
Departure Reason (See page 2 for a list of reasons) Aggravating # _____ or Mitigating # _____. For Agg. #16 or Mit. #10, or if departing from guidelines, please explain: _____			Sentence will run: <input type="checkbox"/> Consecutive <input type="checkbox"/> Concurrent to Offense # _____ or Case # _____		

Reasons for Departure (Please see complete list of departure criteria found at A.C.A. §16-90-804)	
Aggravating	Mitigating
1. Offender's conduct manifested extreme cruelty during commission of current offense.	1. Victim played an aggressive role or provoked the incident or was a willing participant.
2. Offender knew victim vulnerable due to extreme youth, advanced age, disability or ill health.	2. Offender lacked capacity of judgment due to mental or physical impairment.
3. Offense was major economic offense established by one of the following criteria: (a) multiple victims/incidents, (b) monetary loss substantially greater than typical, (c) degree of sophistication or time, (d) misuse of fiduciary duty, or (e) other similar conduct.	3. Offender played a minor or passive role in crime.
	4. Offender compensated/made effort to compensate for damage or injury before detection.
4. Offense was major controlled substance offense if two or more of the following are present: (a) Three or more separate transactions involve sale, transfer or possession with intent; (b) Amounts substantially larger than the statutory minimums which define the offense; (c) Offense involved a high degree of planning or lengthy period or broad geographic area; (d) Offender occupied a high position in the drug distribution hierarchy; (e) Offender misused position of trust or status or fiduciary duty to facilitate commission; (f) Offender has received substantial income or resources from drug trafficking.	5. Offender was lesser participant showing caution/concern for safety or well-being of victim.
	6. Offender acted in response to continuing physical/sexual abuse by victim.
	7. Policy on multiple offenses in single course of conduct in offender's prior criminal history results in sentence which is excessive for this offense.
5. Offender employed firearm in furtherance or flight unless such use is element of offense	8. Offender voluntarily admitted sexual offense and sought treatment before detection.
6. Offense was sexual offense and part of pattern with the same or different victims under eighteen	
7. Policy on multiple offenses in a single course of conduct in offender's prior criminal history results in a sentence that is clearly too lenient.	9. Offender made effort to provide assistance in investigation or prosecution of another as indicated by motion of state (can weigh timeliness of assistance, nature and extent of assistance, and truthfulness, completeness, and demonstrable reliability of info or testimony).
8. Offense was committed in manner that exposed risk of injury to others.	10. Other
9. Offense was a violent or sexual offense committed in victim's zone of privacy.	
10. Offender attempted to cover offense by intimidation of witnesses, tampering of evidence, or misleading authorities.	
11. Offense committed to avoid arrest or effect escape.	
12. Offender lacks minimum insurance in a vehicular homicide.	
13. Statutory minimum sentence overrides the presumptive sentence.	
14. Multiple concurrent sentences being entered at this time require a higher sentence.	
15. Sentence is higher as a result of other charges being dropped or merged.	
16. Other	

NOTE:

* **Defendant Sentence.** "Imposed ADC" means incarceration in an Arkansas Department of Correction facility. "Imposed Judicial Transfer" means incarceration in a Department of Community Correction Center. "Imposed County Jail" means incarceration in a county jail facility. Indicate in months the total time the Defendant was sentenced to a term of incarceration. DO NOT INCLUDE TIME FOR SIS.

Victim Info. For more than one victim, please use the "Additional Victim Information" page to disclose additional victim demographics. If there is no victim, check not applicable.

+ **A.C.A. # of Offense/Name of Offense & Probation/SIS Revocation.** If an offender is being sentenced as a result of a revocation of probation or SIS, check the box indicating this is a "Probation/SIS Revocation", and enter the A.C.A. number and name of the offense for which the defendant was originally convicted. Do not enter the code provision for revocation or the cause of the revocation.

Defendant's Full Name: _____

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		Appeal from District Court <input type="checkbox"/> Yes <input type="checkbox"/> No		Probation/SIS Revocation+ <input type="checkbox"/> Yes <input type="checkbox"/> No	
Offense Date		Offense is <input type="checkbox"/> Felony <input type="checkbox"/> Misd. <input type="checkbox"/> Viol.		Offense Classification <input type="checkbox"/> Y <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> U	
Number of Counts:	Criminal History Score	Seriousness Level		Defendant <input type="checkbox"/> Attempted <input type="checkbox"/> Solicited <input type="checkbox"/> Conspired to commit the offense	
Presumptive Sentence <input type="checkbox"/> Prison Sentence of _____ months <input type="checkbox"/> Community Corrections Center <input type="checkbox"/> Alternative Sanction					
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Defendant's Full Name: _____

Special Conditions	Sex Offenses	Domestic Violence Offenses
	Defendant has been adjudicated guilty of an offense requiring sex offender registration and must complete the Sex Offender Registration Form. <input type="checkbox"/> Yes <input type="checkbox"/> No	Defendant has been adjudicated guilty of a domestic-violence related offense. <input type="checkbox"/> Yes <input type="checkbox"/> No
	Defendant has committed an aggravated sex offense as defined in A.C.A. §12-12-903. <input type="checkbox"/> Yes <input type="checkbox"/> No	If no, was defendant originally charged with a domestic-violence related offense? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, state the A.C.A. # of the offense: _____
	Defendant is alleged to be a sexually violent predator and is ordered to undergo an evaluation at a facility designated by A.D.C. pursuant to A.C.A. §12-12-918. <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes to either question, identify the relationship of the victim to the defendant. _____
Defendant, who has been adjudicated guilty of an offense requiring registration, has been adjudicated guilty of a prior sex offense under a separate case number. <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list prior case numbers: _____		
DNA Sample/Qualifying Offense		Drug Crime
Defendant has been adjudicated guilty of a qualifying offense or repeat offense (as defined in A.C.A. §12-12-1103). <input type="checkbox"/> Yes <input type="checkbox"/> No		Defendant has been convicted of a drug crime, as defined in §12-17-101. <input type="checkbox"/> Yes <input type="checkbox"/> No
Defendant is ordered to have a DNA sample drawn at <input type="checkbox"/> a A.C.C. facility <input type="checkbox"/> the A.D.C. or <input type="checkbox"/> other _____		

Fines, Fees, Restitution	Court Costs	\$	Restitution \$ _____ Payable to [If multiple beneficiaries, give names and payment priority] _____ Terms <input type="checkbox"/> Due Immediately <input type="checkbox"/> Installments of: _____ <input type="checkbox"/> Payments must be made within _____ days of release from A.D.C. <input type="checkbox"/> Upon release from confinement, Defendant must return to court to establish payment of restitution <input type="checkbox"/> Restitution is joint and several with co-defendant(s) who was found guilty – List name(s) and case number(s) _____
	Fines	\$	
	Booking/Admin Fees (\$20)	\$	
	Drug Crime Assessment Fee (\$125)	\$	
	DNA Sample Fee (\$250)	\$	
	Mandatory Sex Offender Fee (\$250)	\$	
	Public Defender User Fee	\$	
	Public Defender Attorney Fee	\$	
	Other (explain)	\$	

Sentence Options	Defendant was convicted of a target offense(s) and is sentenced pursuant to provisions of the Community Punishment Act. <input type="checkbox"/> Yes <input type="checkbox"/> No		Extended Juvenile Jurisdiction Applied <input type="checkbox"/> Yes <input type="checkbox"/> No	
	The Court hereby orders a judicial transfer to the Department of Community Correction. <input type="checkbox"/> Yes <input type="checkbox"/> No			
	Pursuant to the Community Punishment Act, the Defendant shall be eligible to have his/her records sealed. <input type="checkbox"/> Yes <input type="checkbox"/> No			
	JAIL TIME CREDIT	TOTAL TIME TO BE SERVED FOR ALL OFFENSES In months: _____ <input type="checkbox"/> Life <input type="checkbox"/> LWOP	Death Penalty <input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, State Execution Date: _____
	DEFENDANT IS ASSIGNED TO: <input type="checkbox"/> ADC <input type="checkbox"/> CCC <input type="checkbox"/> COUNTY JAIL <input type="checkbox"/> PROBATION <input type="checkbox"/> SIS <input type="checkbox"/> SPECIAL CONDITIONS			
	Conditions of disposition or probation are attached. <input type="checkbox"/> Yes <input type="checkbox"/> No			
	A copy of the pre-sentence investigation on sentencing information is attached <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Defendant has previously failed a drug court program.	
	DEFENDANT WAS INFORMED OF APPELLATE RIGHTS <input type="checkbox"/> Yes <input type="checkbox"/> No		Appeal Bond \$ _____	
The County Sheriff is hereby ordered to: <input type="checkbox"/> transport the defendant to county jail <input type="checkbox"/> take custody for referral to CCC <input type="checkbox"/> transport to ADC				
Defendant shall report to ACC probation officer for report date to CCC <input type="checkbox"/> Yes <input type="checkbox"/> No				

Signature	Prosecuting Attorney/Deputy (Print Name): _____
	Signature: _____ Date: _____
	Circuit Judge (Print Name): _____
	Signature: _____ Date: _____

Additional Info	Additional Info: _____

