

# Form 5 – Jail as Initial Condition of Probation of Felony Probation Matrices

This form should only be used to determine jail time as part of a probation sentence, either because an earlier behavior management form directed to “Jail as Condition of Probation” or because jail is being considered as a deviation from the sentence recommended by an earlier form. This form should not be used to calculate jail time-to-close a case. As with any sentence, the purposes of incarceration should be carefully considered, and incarceration should be paired with risk reduction programming. The mid-point is listed above the time range available is listed as an initial period of confinement in the county jail. All numbers listed are in days, not months. Jail days listed should not be considered mandatory sentences.

CRIMINAL HISTORY ROW

Rev. 10/2022

## GENERAL MATRIX

	2nd Death	1st Person	3rd Death	1st Other	2nd Person	3rd Person	2nd Other	2nd Poss.	3rd Other*	3rd Poss.
V	180 (0-365)	180 (0-365)	180 (0-365)	180 (0-365)	180 (0-365)	150 (0-300)	150 (0-300)	150 (0-300)	135 (0-270)	75 (0-150)
IV	180 (0-365)	180 (0-365)	160 (0-320)	160 (0-320)	160 (0-320)	150 (0-300)	150 (0-300)	135 (0-270)	105 (0-210)	60 (0-120)
III	180 (0-365)	150 (0-300)	135 (0-270)	135 (0-270)	135 (0-270)	90 (0-180)	90 (0-180)	90 (0-180)	75 (0-150)	45 (0-90)
II	180 (0-365)	135 (0-270)	120 (0-240)	120 (0-240)	120 (0-240)	75 (0-150)	60 (0-120)	60 (0-120)	45 (0-90)	30 (0-60)
I	180 (0-365)	120 (0-240)	105 (0-210)	105 (0-210)	105 (0-210)	60 (0-120)	45 (0-90)	30 (0-60)	30 (0-60)	15 (0-30)

## SEX & KIDNAP OFFENSE MATRIX (To be used with Form 3)

	1st	2nd	3rd
III	180 (0-365)	160 (0-320)	90 (0-180)
II	180 (0-365)	125 (0-250)	90 (0-180)
I	160 (0-320)	105 (0-210)	60 (0-120)

\*While the General Matrix in Form 1 was revised to include a category of specific 3rd degree felonies, this should not be viewed as changing the categorization in Form 5. Therefore, what is now categorized as a “Specific 3rd” in Form 1, i.e., DUI, Possession of Firearm by Restricted Person, and Failure to Respond to Officer’s Signal to Stop, should still be categorized as a “3rd Other” in Form 5.

\*\*Form 5 only applies to sex offenses where the prison sentence has been suspended. Form 6 applies to sentencing of misdemeanor offenses under § 76-3-208 (1)(c).