

# Form 5 – Jail as Initial Condition of Probation Matrices

This form should only be used to determine jail time when jail is being considered 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 downward from presumptive prison or upward from presumptive probation only. This form should not be used to calculate jail time-to-close a case. All numbers listed are in days, not months. Each box includes both a standard number of jail days for corresponding offense and a range of jail days that may be appropriate for the offense in parentheses below. As with any sentence, the purposes of incarceration should be carefully considered, and incarceration should be paired with risk reduction programming. **Jail days listed should not be considered mandatory sentences.**

CRIMINAL HISTORY ROW

Rev. 5/2026

## GENERAL MATRIX

	2nd Death	1st Person	3rd Death	1st Other	2nd Person	3rd Person	2nd Other	2nd Poss.	3rd Other*	3rd Poss. / Class A**
V	364 (270 - 364)	364 (270 - 364)	364 (270 - 364)	364 (270 - 364)	364 (270 - 364)	300 (180 - 365)	200 (120 - 365)	150 (120 - 300)	135 (90 - 270)	75 (60 - 150)
IV	364 (270 - 364)	364 (270 - 364)	320 (200 - 364)	320 (200 - 365)	320 (200 - 364)	270 (120 - 364)	150 (75 - 300)	135 (90 - 270)	105 (60 - 210)	60 (45 - 120)
III	364 (270 - 364)	300 (180 - 364)	270 (120 - 364)	210 (105 - 364)	210 (105 - 264)	135 (90 - 270)	90 (60-180)	90 (60 - 180)	75 (45-150)	45 (10 - 90)
II	364 (270 - 364)	270 (120 - 364)	180 (90 - 364)	150 (75 - 300)	150 (75 - 300)	90 (60 - 180)	60 (45 - 120)	60 (45 - 120)	45 (10 - 90)	30 (5 - 60)
I	364 (270 - 364)	120 (90 - 240)	105 (75 - 210)	105 (60 - 210)	105 (60 - 210)	60 (45 - 120)	45 (10 - 90)	30 (5 - 60)	30 (5 - 60)	15 (2 - 30)

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

	1st Degree Felony	2nd Degree Felony	3rd Degree Felony	Class A Misdemeanor**
III	364 (270 - 364)	364 (270 - 364)	270 (120 - 365)	180 (90 - 364)
II	364 (270 - 364)	270 (120 - 364)	120 (90 - 240)	90 (60 - 180)
I	320 (200 - 364)	210 (45 - 364)	60 (30 - 180)	45 (30 - 90)

## Financial Offense w/ Serious Loss Matrix (To be used with Form 4)

	2nd Degree - > \$1 Million financial loss	2nd Degree - \$200,000 - \$999,999 financial loss	2nd Degree - \$50,000 - \$199,999 financial loss
III	364 (270 - 364)	364 (270 - 364)	270 (120 - 364)
II	364 (270 - 364)	270 (120 - 364)	180 (90 - 364)
I	320 (200 - 364)	105 (45 - 210)	90 (60 - 180)

\*While the General Matrix in Form 1 was revised to include a category of specific 3rd and 2nd degree felonies, this should not be viewed as changing the categorization in Form 5. Therefore, what is now categorized as a “Specific 3rd” and “Specific 2nd” in Form 1, i.e., DUI, Possession of Firearm by Restricted Person, should still be categorized as a “3rd Other” or “2nd Other,” respectively 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)