

Charts: Multiple Offender Statutes of Southern States

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ALABAMA				
§ 13A-5-9	Habitual felony offenders -- Additional penalties.			Amendment: Act 2000
Felonies	Sentence Range	Parole	Notes	
<u>If One Prior Felony Conviction</u>				
On Conviction for Class C Felony	2 to 20 years (Punished for Class B Felony)			
On Conviction for Class B Felony	Punished for Class A Felony:			
On Conviction for Class A Felony	LIFE, or 15 - 99 yrs.			
<u>If Two Prior Felony Convictions</u>				
On Conviction for Class C Felony	15 - 99 Years (Punished for Class A Felony)			
On Conviction for Class B Felony	LIFE, or 15 - 99 yrs.			
On Conviction for Class A Felony	99 yrs. - LIFE			
<u>If Three Prior Felony Convictions</u>				
On Conviction for Class C Felony	LIFE, or 15 - 99 yrs.			
On Conviction for Class B Felony	20 yrs. - LIFE			
On Conviction for Class A Felony where Def has no prior Class A Felony Convictions	LIFE or LIFE without possibility of Parole			
On Conviction for Class A Felony where Def has one or more prior Class A Felony Convictions	LIFE	Without possibility of parole		
<u>Felony Classes</u>				
Class A	10 - 99 yrs.			
Class A with deadly weapon (or attempt	20 yrs or more			

Class A criminal sex offense w/ child	20 yrs or more			
Class B = 2 to 20 yrs.	2 - 20 yrs.			
Class C = 1 yr. 1 day to 10 yrs.	1 yr. 1 day - 10 years			
Class B or C with deadly weapon (or attempt)	10 yrs or more			
Class B criminal sex offense	10 yrs or more			



ARKANSAS

§ 5-4-501	Habitual offenders -- Sentencing for felony			Eff: July 27, 2011
Felonies	Sentence Range	Parole	Notes	
(a)(1): If convicted of a felony other than those in (c) and (d) of this section after June 30, 1993, and, previously convicted, or found guilty, of more than 1 but fewer than 4 felonies . OR (2) if convicted of felony in (c) of this section, committed after Aug. 31, 1997 and has previously been convicted, or found guilty, of more than 1 but fewer than 4 felonies not in (c) of this section . OR if convicted of a felony in (d) of this section committed after Aug. 31, 1997 and has previously been convicted, or found guilty, of more than 1 but fewer than 4 felonies not in (d) of this section , the defendant may be sentenced to pay any fine authorized by law and shall be sentenced to an extended term of imprisonment as follows:				
On Conviction for Class Y Felony	10 - 60 Years, or LIFE		May be sentenced to pay any fine authorized by law	
On Conviction for Class A Felony	6 - 50 Years			
On Conviction for Class B Felony	5 - 30 Years			
On Conviction for Class C Felony	3 - 20 Years			
On Conviction for Class D Felony	0 - 12 Years			
On Conviction for an Unclassified felony punishable by less than life imprisonment	0 - Maxium +5 Years			
On Conviction for an Unclassified felony punishable by life imprisonment	10 - 50 Years, of LIFE			

<p>b(1): If convicted of a felony in (c) and (d) of this section after June 30, 1993; and previously convicted, or found guilty, of four (4) or more felonies. OR if convicted of any felony enumerated in (c) of this section after June 30, 1997; and has previously been convicted, or found guilty, of 4 or more felonies not in (c) of this section. OR if convicted of any felony enumerated in (D) of this section committed after June 30, 1997; and has previously been convicted, or found guilty, of 4 or more felonies not enumerated in (d) of this section, the defendant may be sentenced to pay any fine authorized by law and shall be sentenced to an extended term of imprisonment as follows:</p>				
On Conviction for Class Y Felony	10 - LIFE			
On Conviction for Class A Felony	6 - 60 Years			
On Conviction for Class B Felony	5 - 40 Years			
On Conviction for Class C Felony	3 - 30 Years			
On Conviction for Class D Felony	0 -15 Years			
On Conviction for an Unclassified felony punishable by less than life imprisonment	0 - Two Times Max(x2)			
On Conviction for an Unclassified felony punishable by life imprisonment	10 - 50, or Life			
c(1): If convicted of a " serious felony involving violence " and who previously has been convicted of 1 or more of the "serious felonies involving violence" the defendant may be sentenced to pay any fine authorized by law and shall be sentenced to ->	LIFE, or 40 - 80 years	Without eligibility		
<p>*Section (c) = Serious Felony Involving Violence: Murder (1d), Murder (2d), Kidnapping, Aggr Robbery, Terroristic Act, Rape, Sexual Assault (1d), Causing a catastrophe, Aggr Residential burglary, comparable out of state felony</p>				

c(3): If convicted of rape, or sexual assault (1d) involving victim less than 14 , and previously convicted of 1 or more serious felonies involving violence in section (c).	LIFE	Without possibility of Parole		
d(1): IF convicted of " felony involving violence " and who previously has been convicted of 2 or more felonies involving violence in section (d) the def may be sentenced to pay a fine and shall be sentenced as follows:				
On Conviction for Class Y Felony	Not less than LIFE	Without eligibility of parole or community transfer		
On Conviction for Class A Felony	40 - LIFE			
On Conviction for Class B Felony	30 - 60 yrs.			
On Conviction for Class C Felony	25 - 40 yrs.			
On Conviction for Class D Felony	20 - 40 yrs.			
On Conviction for an Unclassified felony punishable by less than life imprisonment	Not More Than Three Times Max Term			
On Conviction for an Unclassified felony punishable by life imprisonment	30 - 60 yrs.			
* <u>Section (d)</u> = Felony Involving Violence : Murder (1d), Murder (2d), Kidnapping, Aggr Robbery, Terroristic Act, Rape, Sexual Assault (1d/2d), Battery (1d), Domestic Battering (1d), Aggr Residential burglary, Unlawful discharge of firearm from vehicle, Crim use of prohibited weapons, or felony				
*Conviction or finding guilt of an offense that was a felony under the law in effect prior to Jan 1, 1976 is considered a previous felony conviction finding guilt				

FLORIDA				
§775.084	Violent career criminals; habitual felony offenders and habitual violent felony offenders, three-time violent felony offenders . . . Enhanced penalties, mandatory minimum prison terms			Amendment: Oct. 1, 2012
Felonies	Sentence Range	Parole	Notes	
<p>Habitual Felony Offenders - (1) if previously convicted of Two or more felonies in this state or other qualified offenses and (2) new felony committed (a) while serving a prison or other sentence or (b) within 5 years of the date of the conviction of the last prior felony, or within 5 years from the def's release from prison, probation, parole, etc., whichever is later; (3) the felony for which the defendant is to be sentenced, and one of the two prior felony convictions, is not a violation of s. 893.13 relating to the purchase or the possession of a controlled substance; (4) def has not received a pardon; (5) prior felony convictions has not been set aside in any post-conviction hearing. Habitual Violent Felony Offenders May Be Sentenced As Follows:</p>				
On Conviction for Life felony or First Degree Felony	LIFE			
On Conviction for Second Degree Felony	0 - 30 yrs.			
On Conviction for Third Degree Felony	0 - 10 yrs.			
<p>Habitual Violent Felony Offenders - (1) Previously convicted for violent felony or attempt to commit a felony and one or more of such convictions was for (see *below); (2) new felony committed (a) while serving a prison or other sentence or (b) within 5 years of the date of the conviction of the last prior felony, or within 5 years from the def's release from prison, probation, parole, etc., whichever is later; (3) def has not received a pardon on ground of innocence; (4) prior felony convictions has not been set aside in any postconviction hearing. Habitual Violent Felony Offenders May Be Sentenced as Follows:</p>				
On Conviction for Life felony or First Degree Felony	LIFE and shall not be eligible for release for 15 years			
On Conviction for Second Degree Felony	Term not more than 30 years and shall not be eligible for release for 10 years			

On Conviction for Third Degree Felony	Term not exceeding 10 years and shall not be eligible for release for 5 years		
<p>*Habitual Violent Felony Offenses: Previous conviction of a felony or an attempt or conspiracy to commit Murder, Manslaughter, aggr manslaughter of child, aggr manslaughter of elderly person or disabled adult, aggr assault with deadly weapon, aggr abuse of an elderly person or disabled adult, aggr child abuse, kidnapping, arson, sexual battery, armed burglary, unlawful throwing, placing or discharging of a destructive device or bomb, aggr stalking, aggr burglary</p>			
<p>Three-Time Violent Felony Offender - Court must impose mandatory minimum term if (1) previously convicted as an adult two or more times of a felony, or an attempt to commit a felony and two or more of such convictions were for committing or attempting to commit, any combination thereof (see *below); (2) New Felony is one that is listed and was committed while (a) while serving a prison or other sentence or (b) within 5 years of the date of the conviction of the last prior felony, or within 5 years from the def's release from prison, probation, parole, etc., whichever is later; (3) Def has not received pardon on ground of innocence; (4) Conviction of a felony has not been set aside for postconviction proceeding. Three-Time Violent Felony Offenders Must Be Sentenced as Follows:</p>			
Felony punishable by Life	LIFE		
On Conviction for First Degree Felony	30 YEARS		
On Conviction for Second Degree Felony	15 YEARS		
On Conviction for Third Degree Felony	5 YEARS		
*Nothing in subsection shall prevent court from imposing a greater sentence of incarceration as authorized by law			
<p>*Three Time Violent Felony Offenses: Murder, Manslaughter, aggr manslaughter of child, aggr manslaughter of elderly person or disabled adult, aggr assault with deadly weapon, aggr abuse of an elderly person or disabled adult, aggr child abuse, kidnapping, arson, sexual battery, armed burglary, unlawful throwing, placing or discharging of a destructive device or bomb, aggr stalking, aggr burglary, home invasion/robbery, carjacking, an out of state offense with elements substantially similar to felony above.</p>			

Violent Career Criminal - (1) the defendant has previously been convicted as an adult **three or more times** for an offense in this state or similar offense that is **(see *below)**; (2) the defendant has been incarcerated in state or fed prison; (3) the primary new felony was committed on or after October 1, 1995 and (a) while serving a prison or other sentence or (b) within 5 years of the date of the conviction of the last prior felony, or within 5 years from the def's release from prison, probation, parole, etc., whichever is later; (4) Def has not received pardon on ground of innocense; and (5) the conviction of a felony has not been set aside for postconviction proceeding. Violent Career Criminals **Shall Be Sentenced** as Follows:

Life Felony or First Degree Felony	LIFE			
On Conviction for Second Degree Felony	30 - 40 yrs.			
On Conviction for Third Degree Felony	10 - 15 yrs.			

Violent Career Offenses: any forcible felony, aggr stalking, aggr abuse of an elderly person or disabled adult, aggr child abuse, lewd or lascivious battery molestation conduct, Escape, a felony involving possession of a firearm

*(e) if it is not necessary for the protection of the public to sentence a defendant who meets the criteria for sentencing as a habitual felony offender, a habitual violent felony offender, or a violent career criminal, with respect to an offense committed on or after October 1, 1995, sentence shall be imposed without regard to this section.

GEORGIA

§17-10-7	Repeat Offenders		Eff: July 1, 2012
Felonies	Sentence Range	Parole	Notes
On Conviction for a Second Felony	Max Term for New Felony	Trial judge may probate or suspend maximum sentence of offense	EXCLUDING:(a) possession of any controlled substance; (i) possession of counterfeit substance; (j) poss. or distribution of marijuana (see section b.1).
On Conviction for a Second Felony (that is a "Serious Violent Felony")	LIFE	Without Parole; not eligible	

Serious Violent Felony = murder or felony murder, armed robbery, aggravated child molestation, kidnapping, aggravated sodomy, aggr sexual battery, . . . (e) aggravated sexual battery = split sentence including mandatory term of imprisonment for 25 years followed by probation for life. (see § 17-10-6.1).				
*No person convicted of a "Serious Violent Felony" shall be punished as a first offender.				
*If facing LIFE upon first conviction, Def must serve 30 years before benefit of Parole				
On Conviction for Fourth Felony	Max time provided in the sentence of the judge based upon fourth or subsequent conviction	Not eligible for parole until the max sentence served		
*Conviction of two or more crimes charged on separate counts of one indictment or accusation, or in two or more indictments or accusations consolidated for trial shall be deemed to be only one conviction.				
§17-10-6.1	Sentencing of persons convicted of serious violent felonies			Eff: May 13, 2011
Felonies	Sentence Range	Parole	Notes	
If convicted of kidnapping victim 14 or older or armed robbery	10 yrs. Minimum	Not eligible		
If convicted of Kidnapping victim under 14, Rape, Aggr child molestation, aggr aodomy, aggr sexual batter, unless sentenced to life	Split sentence w/ mandatory minimum 25 years	Followed by Probabtion for Life		
On First conviction of serious violent felony w/ sentence Life	must serve 30 years before benefit of parole			
On First conviction of serious violent felony w/ sentence to death commuted to Life	must serve 30 years before benefit of parole			

On First Conviction of serious violent felony w/ Life	Not eligible			
*Any sentence for first conviction shall be served in its entirety				



KENTUCKY

§532.080 **Persistent felony offender sentencing** Effective: July 12, 2012

Felonies	Sentence Range	Parole	Notes
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Persistent Felony Offender in the Second Degree - (1) Def is 21 Years or older; (2) First conviction sentence to 1 year or more or death sentence and Def over age of 18 when offense committed; (3) Completed service of sentence imposed on previous felony within 5 years to the date of commission of the new felony; or was on probation, parole, release etc; or (4) was discharged from parole, probation, release, etc. within 5 years prior to date of new felony; or was in custody from prev. felony conviction at time of new felony; or (5) had escaped from custody while serving any previous felony convictions at time of commission of new felony

On Conviction for Second Felony	Next Highest Degree than offense committed		
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Persistent Felony Offender in the First Degree (1) more than 21 years old; (2) two prior felonies convictions, or one or more sex crimes agst. Minor and now stand convicted of one (1) or more felonies. A previous felony conviction is a conviction: (a) where sentence was for 1 year or more or death sentence; (b) Def over age of 18 when offense committed; and (c) the offender (1) Completed service of sentence imposed on previous felony within 5 years to the date of commission of the new felony; or was on probation, parole, release etc; or (4) was discharged from parole, probation, release, etc. within 5 years prior to date of new felony; or was in custody from prev. felony conviction at time of new felony; or (5) had escaped from custody while serving any previous felony convictions at time of commission of new felony

On Conviction for Class A Felony	Max Term (not less than 20 years or more than 50), or LIFE	Not be eligible for probation, shock probation, or conditional discharge, unless all offenses for which the person stands convicted are Class D felony offenses which do not involve a violent act against a person or a sex crime as that term is defined
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On Conviction for Class B Felony	Max Term (not less than 20 years or more than 50), or LIFE	If the offense the person presently stands convicted of is a Class A, B, or C felony, the person shall not be eligible for parole until the person has served a minimum term of incarceration of not less than ten (10) years, unless another sentencing scheme applies.		
Previous and Current Conviction for Sex Crime agst. Minor	LIFE	Without Parole		
On Conviction for Class C Felony	Indeterminate term with Max not less than 10 or more than 20	Not eligible		
On Conviction for Class D Felony	Indeterminate term with Max not less than 10 or more than 20	Probation may be granted		

§ 532.060	Sentence of imprisonment for felony; post incarceration supervision			
Class A Felony	20 - 50 yrs., or LIFE			
Class B Felony	10 - 20 yrs.			
Class C Felony	5 - 10 yrs.			
Class D Felony	1 - 5 yrs.			



LOUISIANA

§529.1	Sentences for second and subsequent offenses ...			Effective: Aug. 15, 2010
Felonies	Sentence Range	Parole	Notes	

<p>One Prior Felony and second felony upon a first conviction has penalty of imprisonment for less than Life</p>	<p>1/2 of Max Term - Two Times Max Term (2x)</p>		<p>SOL = If more than 10 YEARS have elapsed between the date of the commission of the current offense or offenses and the expiration of the maximum sentence or sentences of the previous conviction or convictions, or between the expiration of the maximum sentence or sentences of each preceding conviction or convictions alleged in the multiple offender bill and the date of the commission of the following offense or offenses.</p>	
<p>One Prior Sex Offense Felony and second sex offense felony</p>	<p>2/3 Max Term - Three Times Max Term</p>	<p>Without benefit of Parole.</p>		
<p>One Prior "Sex Offense" Felony and second sex offense felony and victims were under 13.</p>	<p>LIFE</p>	<p>Without benefit of Parole.</p>		
<p>Two Prior Felonies and third felony upon first conviction has penalty of imprisonment for less than Life</p>	<p>2/3 Max Term - Two Times Max Term (2x)</p>			
<p>Two Prior Felonies and third felony are Violent Crimes, Sex Offenses when victim under 18, or violate Uniform Controlled Dangerous Substance Law punishable by 10 years or more, or any crime punishable by 12 years, or any combination of such crimes</p>	<p>LIFE</p>	<p>Without benefit of Parole.</p>		

If 4th punishable by term less than life	Max Term of First Conviction, but in no event less than 20 years - LIFE	Without benefit of Parole.		
If 4th, and two prior felonies are violent crimes, sex offense when victim under 18, violation of Unifrom Drug Law punishable by 10 years or more, or any other crime punishable by 12 years +	LIFE	Without benefit of Parole.		

*Multiple convictions on the same day prior to Oct. 19, 2004 shall be counted as one conviction.

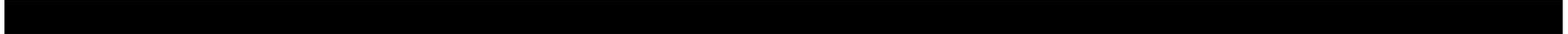
MISSISSIPPI

§ 99-19-81	Habitual Criminals: maximum term		
Felonies	Sentence Range	Parole	Notes
If Two Prior Felonies	Shall be sentenced to the Maximum Term	Not Eligible	Must arise out of separate incidents; Prior felonies out of state must have been for one year sentence
§ 99-19-83	Habitual criminals: life imprisonments		
Felonies	Sentence Range	Parole	Notes
If Two Prior Felonies and one of such felonies shall have been a crime of violence	LIFE	Not Eligible	Must arise out of separate incidents; Prior felonies out of state must have been for one year sentence and defendant must have served both terms separately

NORTH CAROLINA				
§ 15A-1340.14		Prior record level for felony sentencing		Eff: Dec. 1, 2009
Felonies	Sentence Range	Parole	Notes	
Calculating the sum of the points assigned to each prior conviction, the jury, finds to have been proved in accordance with this section:				
<u>Prior Felonies</u>				
Class A	10 points			
Class B1	9 points			
Class B2, C, or D	6 points			
Class E, F, or G	4 points			
Class H or I	2 points			
Prior Misdemeanor	1 point			
*Misdemeanor is any Class A1 and Class 1 nontraffic misdemeanor offense, impaired driving, misdemeanor death by vehicle but not any other traffic offense under Ch.20 of Gen Statutes.				
If all elements of the present offense are included in any prior offenses for which the offender was convicted	1 point			
If offense committed while on probation, parole, or post release supervision, or on escape or while serving sentence of imprisonment	1 point			
Rape (1d) or Sexual Offense (1d) if committed prior to the eff. Date of this subsection	9 points (shall be treated as Class B1 conviction)			
If class B committed prior to eff	6 points (shall be treated as a Class B2 conviction)			

date				
<u>Prior Record Levels for Felony Sentencing</u>				
Level I	Level II	Level III	Level IV	Level V
Not more than 1 point	At least 2, not more than 5	At least 6, not more than 9	At least 10, not more than 13	At least 14, not more than 17
<u>Calculations</u>				
*Multiple prior convictions in one court week - if offender is convicted of more than one offense in a single superior court in one week, only conviction with highest point total used				
*Other Jurisdictions - Class I if Jx where offense occurred classifies the offense as a felony, or is a Class 3 msdmr. If the Jx where offense occurred classifies the off as a msdmr.				
*If offender proves by the prep of evid that an off classified as a felony in other Jx is subst similar to a msdmr in NC, conviction treated as a msdmr.				
If State proves by prep of evid that an off classified as either mdmr or a felony is subst similar to Class I felony or higher in NC then off treated as that class of felony				
If State proves by prep of evid that an off classified as mdmr in the other Jx is subst. similar to an off classified as an A1 or Class 1 mdmr in NC, the conviction is treated as a Class A1 or Class 1 mdmr for assigning prior record level points.				
<u>Proof of Prior Convictions</u> - State has burden to prove prior convictions by preponderance of evidence				
§ 15A-1340.16B	Life imprisonment without parole for a second or subsequent conviction of a Class B1 felony if the victim was 13 years of age or younger and there are no mitigating factors.			
Felonies	Sentence Range	Parole	Notes	
If one or more prior convictions of a Class B1 Felony, and				

If convicted of a Class B1 felony and committed felony agst victim who is 13 years of age or younger at the time of the offense	LIFE	Without Parole	State must prove the issues beyond a reasonable doubt in the same trial in which def is tried for a felony



OKLAHOMA			
21 Okl.St. Ann. § 51.1	Second and subsequent offenses after conviction of offense punishable by imprisonment . . .		Amendment: 2002, Effective June 5, 2002
Felonies	Sentence Range	Parole	Notes
If Def convicted of any offense punishable by imprisonment in State Penitentiary, and Def commits any felony crime after such conviction . . .			
On on Conviction for Felony Offense in § 571 of Title 57 and the offense is punishable in State Pen for term exceeding 5 years,	10 to LIFE		SOL 10 Years (following the completion of the execution of the sentence)
If offense of which convicted is such that upon a first conviction an offender would be punished by imprisonment for any term exceeding 5 years	2x Minimum Term for first offender to LIFE		If offense does not carry a minimum the range is 2 years to LIFE.

If offense of which convicted is such that upon a first conviction an offender would be punished by imprisonment for any term exceeding 5 years, or any less term, then the person convicted of such subsequent offense is punishable by imprisonment	Term not more than 10 years.			
If subsequent offense is for petit larceny	Not exceeding 5 years			
If TWICE CONVICTED of felony offenses commits an offense in §571 of Title 57	20 to Life		SOL 10 Years (following the completion of the execution of the sentence)	
If TWICE CONVICTED of felony offenses, commits subsequent felony offense	3x Minimum Term for first offender to LIFE		SOL 10 Years	
*If offense does not carry a minimum the range is 4 years to LIFE.				
*Nothing affects punishment by death in all crimes punishable by death				

§571 of Title 57 Means any non-violent offenses mean any felony offense except for the following, or any attempts to commit or conspiracy or solicitation o commit the following crimes: assault, battery, assault and batt with a dangerous weapon, aggr assault and batt on police officer or similar, poisoning w/ intent to kill (witk), shooting witk, assault witk, assault w/ intent to commit a felony, assaults while masked, Murder (1d), Murder (2d), Manslaughter (1d), Manslaughter (2d), kidnapping, burglary (1d), burglary w/ explosives, kidnapping for extortion, maiming, robbery, armed robbery, child abuse, wiring any equipment, vehicle, structure with explosives, forcible sodomy, rape (1d), rape (2d), rape by instrumentation, lewd or indecent proposition, use of a firearm or weapon to commit a felony, pointing firearms, rioting, inciting to riot, arson (1d), injuring or burning pub buildings, sabotage, criminal syndacalism, extortion, obtaining signature by extortion, seizure of a bus discharging firearm or hurling missile at bus, mistreatment of mental patient, or using a vehicle to facilitate the discharge of a weapon

SOUTH CAROLINA				
§ 17-25-45	LIFE SENTENCE FOR PERSON CONVICTED OF CERTAIN CRIMES			Amm: June 11, 2010
Felonies	Sentence Range	Parole	Notes	
<u>Upon conviction for a "Most Serious Offense"*</u>				
One or more prior convictions for a most serious offense; or a fed. out of state conviction similar to a most serious offense.		No possibility	> does not apply to death penalty cases	
Two or more prior convictions a "Serious Offense"; or a fed out state conviction similar to a serious offense.				
<u>Upon conviction for a "Serious Offense"</u>		<p>*Eligible for early work release if person is sentenced for voluntary manslaughter, kidnapping, carjacking, burglary (2d), armed robbery, attempted armed robbery, and the crime did not involve crim sex. Conduct or an add'l violent crime, and the person is within 3 years of release.</p> <p>*Except for subsection E, no one shall be eligbile for early release or discharge, whether parole, work release, or otherwise nor shall they be eligible for work credits, good conduct credits, etc.</p>		
Two or more prior convictions for a "serious offense"; a "most serious offense"; or fed out of state offense that would be classified similar to either most serious or serious offense.		(E) A person may be paroled if Dept. of Corrections makes request, Dept. of Parole determines that due to health or age he is no longer threat to society, person has served 30 years or is at least 65 y.o.; or served 20 years and is at least 60 y.o.; person inflicted with terminal illness or extraordinary circumstances		

<p>*Most Serious Offense Means: Accessory or Attempt for any of the following, Murder, Voluntary Manslaughter, Homicide by Child Abuse, Aiding and abetting homicide by child abuse, Lynching (first degree), Assault and batt by mob, Assault and batt w/intent to kill, crim sexual conduct, assault w/intent to commit crim sexual conduct, kidnapping, arson (1d), burglary (1d), armed robbery, destroying building, taking hostage of an inmate, giving info respecting nat'l or state defense, gathering info for an enemy, abuse/neglegt of adult leading to death, damagin airport equipment, interference with traffic signals, obstruction of railroad - death results</p>				
<p>**Serious Offense Means: any offense punishable by a maximum term of imprisonment for (30) thirty years or more that is not mentioned as a "most serios offense"; felonies: lynching (2d), assault and batt by mob (2d), assault and batt of high aggravated nature, engaging child for sexual performance, acceptance of bribes by officers, accepting bribes for purp of procuring pub office, arson (2d), burglary (2d), theft of a person using an ATM, embezzlement, breach of trust with fraudulent intent, obtaining signature or property by false pretenses, insurance fraud, trafficking in controlled substances, trafficking in ice, crank or crack, distribute, sell, mfr or possess w/intent to distrib. controlled substances w/in proximity of school, causing death by operating vehicle while under influence of drugs or alcohol; and (c) accessory before the fact for any of the offenses listed above, attempt to commit any of the offenses listed in subitems</p>				
<p><u>Conviction</u> - any conviction, guilty plea, or nolo.</p>				
<p><u>"Prior or Previous Conviction"</u> - the def has been convicted of a most serious or serious offense on a separate occasion prior to instant adjudication</p>				
<p>Notes: (G) decision to invoke sentencing is in discretion of the solicitor.</p>				
<p>TENNESSEE</p>				
<p>§ 40-35-106</p>		<p>Multiple Offenders</p>		<p>Ammendment: July 1, 2010</p>
<p>Felonies</p>	<p>Sentence Range</p>	<p>Parole</p>	<p>Notes</p>	
<p>A multiple offender - Minimum of 2 but not more than 4 Felonies (within the conviction class, a higher class, or within the next two (2) lower felony classes where applicable, or 1 Class A prior felony conviction if the def's conviction offense is a Class A or Class B felony</p>				

§ 40-35-107		Persistent Offenders		
Persistent offender is:				
(1) Any combination of 5 or more prior felony convictions within the class or higher or within the next two (2) lower felony classes; or				
(2) At least two (2) Class A or any combination of 3 Class A or Class B felony convictions if the def's conviction offense is a Class A or Class B felony				
§ 40-35-108		Career Offenders		
Career offender is:				
(1) Any combination of 6 or more Class A, B, or C prior felony convictions and the def's conviction offense is a Class A, B, or C felony:				
(2) At least 3 Class A or any combination of 4 Class A or Class B felony convictions if def's conviction offense is a Class A or B felony; or				
(3) At least 6 prior felony convictions of any classification if the def's conviction offense is Class D or E felony.				
*All prior convictions including those occurring prior to Nov. 1, 1989 included - NO SOL				
Tennessee §40-35-112		Sentence ranges		1989 Pub.Acts, c. 591, § 6.
RANGE I		RANGE II		
Class A	15-25 Years	Class A	25 - 40 Years	
Class B	8-12 Years	Class B	12 - 20 Years	
Class C	3-6 Years	Class C	6 - 10 Years	
Class D	2-4 Years	Class D	4 - 8 Years	
Class E	1-2 Years	Class E	2 - 4 Years	
RANGE III				
Class A	40 - 60 Years			
Class B	20 - 30 Years			
Class C	10 - 15 Years			
Class D	8 - 12 Years			
Class E	4 - 6 Years			

Tennessee Sentencing Reform Act of 1989				
SENTENCE RANGES				
RELEASE ELIGIBILITY DATES				
FELONY CLASS	STANDARD	MULTIPLE	PERSISTENT	CAREER
	RANGE I	RANGE II	RANGE III	
CLASS A				
15-60 YRS	<i>(15-25 years)</i>	<i>(25-40 years)</i>	<i>(40-60 years)</i>	<i>(60 years)</i>
RED %	<i>-30%</i>	<i>-35%</i>	<i>-45%</i>	<i>-60%</i>
RED YRS	<i>(4.5-7.5 yrs)</i>	<i>(8.8-14 yrs)</i>	<i>(18-27 yrs)</i>	<i>(36 years)</i>
CLASS B				
8-30 YRS	<i>(8-12 years)</i>	<i>(12-20 years)</i>	<i>(20-30 years)</i>	<i>(30 years)</i>
RED %	<i>-30%</i>	<i>-35%</i>	<i>-45%</i>	<i>-60%</i>
RED YRS	<i>(2.4-3.6 yrs)</i>	<i>(4.2-7 yrs)</i>	<i>(9-13.5 yrs)</i>	<i>(18 years)</i>
CLASS C				
3-15 YRS	<u><i>(3-6 years)</i></u>	<i>(6-10 years)</i>	<i>(10-15 years)</i>	<i>(15 years)</i>
RED %	<u><i>-30%</i></u>	<i>-35%</i>	<i>-45%</i>	<i>-60%</i>
RED YRS	<u><i>(.9-1.8 yrs)</i></u>	<i>(2.1-3.5 yrs)</i>	<i>(4.5-6.8 yrs)</i>	<i>(9 years)</i>
CLASS D				
2-12 YRS	<i>(2-4 years)</i>	<u><i>(4-8 years)</i></u>	<i>(8-12 years)</i>	<i>(12 years)</i>
RED %	<i>-30%</i>	<u><i>-35%</i></u>	<i>-45%</i>	<i>-60%</i>
RED YRS	<i>(.6-1.2 yrs)</i>	<u><i>(1.4-2.8 yrs)</i></u>	<i>(3.6-5.4 yrs)</i>	<i>(7.2 yrs)</i>
CLASS E				
1-6 yrs	<i>(1-2 years)</i>	<i>(2-4 years)</i>	<u><i>(4-6 years)</i></u>	<i>(6 years)</i>
RED %	<i>-30%</i>	<i>-35%</i>	<u><i>-45%</i></u>	<i>-60%</i>

RED YRS	(.3-.6 yrs)	(.7-1.4 yrs)	(1.8-2.7 yrs)	(3.6 yrs)
Key:				
CLASS				
Absolute Min - Max				
RED % = percentage of time that each offender must serve prior to parole eligibility or "release eligibility date"				
RED Years = translates percentage into years.				
Presumptive Sentence-minimum sentence in range R E D Release Eligibility Date				
<i>Bold Italic</i> - Mandatory Continuous Confinement with the Department of Correction				
<i>Italic</i> - Confinement with DOC available; alternative sentencing available if sentence 8 years or less				
Underscore - Alternative Forms of Punishment Encouraged				
Bold - Local Incarceration Required if County Contract				
NOTE: First Degree Murder excluded from classification for sentencing purposes and sentenced solely according to First Degree Murder statute				
CLASS A FELONIES				
Attempt -- First degree murder, Conspiracy -- First degree murder, Second degree murder, Aggravated vehicular homicide, Especially aggravated kidnapping, Especially, aggravated robbery, Aggravated rape, Rape of a child, Act of terrorism, Distribution or delivery of substance as act of terrorism, Aggravated arson, Computer crimes violation in connection with act of terrorism, Aggravated child abuse or aggravated child neglect or endangerment where child 8 or less or vulnerable, Manufacture, delivery, sale, possession or conspiracy of certain amounts of drugs listed (fine not greater than \$500,000)				
CLASS B FELONIES				
Solicitation -- First degree murder, 39-12-205 RICO offense, Vehicular homicide involving intoxication, Aggravated kidnapping, Aggravated robbery, Carjacking, Rape, Aggravated sexual battery, Soliciting minor to engage in Class A sexual offense, Induce minor to engage in sexual activity observed by another, Violations involving weapons of mass destruction . . .				
CLASS C FELONIES				

Aggravated assault, Criminal exposure of another to HIV, Voluntary manslaughter, Vehicular homicide, Kidnapping, Robbery, Aggravated prostitution, Sexual battery by authority figure, Soliciting minor to engage in Class B sexual offense, Adult engaging in sexual activity for viewing by minor less than 13, Distribution or delivery of substance as a hoax device, Theft (\$10,000-\$59,999), Forgery (\$10,000-\$59,999), Criminal simulation (\$10,000-\$59,999), Illegal possession or fraudulent use of credit card or debit card (\$10,000-\$59,999), Worthless checks (\$10,000-\$59,999), Destruction of valuable papers (\$10,000-\$59,999 . . . Manufacture, deliver, sale, or possession of Schedule II drug including cocaine less than .5 grams (fine not greater than \$100,000), Manufacture, deliver, sale, or possession of flunitrazepam (fine not greater than \$100,000), Manufacture, deliver, sale, or possession of 20-99 marijuana plants (fine not greater than \$100,000), Attempting to influence lottery (maximum fine of \$100,000), Sexual exploitation of a minor more than 50 images, Aggravated sexual exploitation of a minor

CLASS D FELONIES

Reckless aggravated assault, Vehicular assault, Female genital mutilation, Reckless homicide, Assisted suicide, Soliciting minor to engage in Class C sexual offense, Unlawful wiretapping or electronic surveillance, Theft (\$1,000-\$9,999), Extortion, Forgery (\$1,000-\$9,999), Criminal simulation (\$1,000-\$9,999), Illegal possession or fraudulent use of credit card or debit card (\$1,000-\$9,999), Worthless checks (\$1,000-\$9,999), Destruction of valuable papers (\$1,000-\$9,999), Fraudulent or false insurance claims (\$1,000-\$9,999), Fraudulent qualifying for set aside programs (\$1,000-\$9,999) . . . Parent knowingly providing handgun to juvenile

CLASS E FELONIES

Child neglect or endangerment where child 6 or less, Public servant soliciting unlawful compensation, Impersonation of licensed professional, Official misconduct, Official oppression, Coercion of juror, Retaliation for past action, Compounding a felony, Escape (felony), Correctional employee permitting or facilitating escape, Failure to appear (felony), Perjury on handgun permit application, Perjury on sex offender registration form, Subornation of aggravated perjury, Gifts of adulterated candy or food, Violating airport security with intent to commit a felony, Aggravated riot, Harassment of victim by person convicted of crime, Abuse of corpse, Aggravated Stalking, Manufacture, delivery, sale or possession of Schedule V drug (fine not greater than \$5,000), Manufacture, delivery, sale or possession of not less than 1/2 ounce and not more than 10 pounds of Schedule VI drug marijuana (fine not greater than \$1,000), Manufacture, delivery, sale or possession of Schedule VII drug (fine not greater than \$1,000) . . .

TEXAS				
§12.42	Penalties for Repeat and Habitual Felony Offenders . . .			Effective: Sep. 1, 2011
Felonies	Sentence Range	Parole	Notes	
<u>On Trial For Third Degree Felony</u>				
If Def has a Prior Felony Conviction	Punished for Second Degree Felony: 5 - 20 yrs.		State jail felonies not included in calculation; Subject to fine of not more than \$10,000	
<u>On Trial For Second Degree Felony</u>				
If Def has a Prior Felony Conviction	Punished for First Degree Felony: 5 - 99 yrs.		State jail felonies not included in calculation; Subject to fine of not more than \$10,000	
<u>On Trial For First Degree Felony</u>				
And a Prior Felony Conviction	LIFE, or 15 - 99 yrs.		State jail felonies not included in calculation; Subject to fine of not more than \$10,000	
<u>If Previously Convicted for a "Sexual Offense"</u>				

And Def Commits: Trafficking of Children/Sexual Abuse or Contact with Child/Child Pornography/Aggravated Sexual Assault/Aggr Kidnapping with intent to inflict bodily harm/Burglary with intent to commit a felony other than theft	LIFE			
<u>If Previously Convicted for an Offense under §22.021 against victim younger than 6; or committed agst. Victim younger than 14 and actor uses weapon, causes bodily injury, uses threats, etc.</u>				
And Commits Offense Under § 22.021	Punished for Capitol Felony	Without Parole		
<u>If Previously Convicted for the Continuous Trafficking of Persons or Aggravated Sexual Assault or Continuous Sexual Abuse of Young Child or Children</u>				
And Commits an offense under the same section	LIFE	Without Parole		
If convicted of Two prior felony offenses and the second was subsequent to the first conviction having become final	LIFE, or any term 25 - 99 years			
*First Degree = subj to imprisonment for life or for any term between 5 and 99 years; and may be punished by fine of no more than 10K				
*Second Degree = term of not more than 20 years or less 2; and may be punished by fine of no more than 10K				
*Third Degree = not more than 10 years or less than 2; and may be punished by fine of no more than 10K				
*"Sexual Offense" = Possession or promotion of child porn, obscenity, traffic of child to engage in sex, continuous sexual abuse of child, indecency with child, Incest, aggravated kidnap w/int to harm, burglary, or under the laws of another state containing subst. similar elements				
*§22.021 = Aggravated Sexual Assault				

VIRGINIA

§ 19.2-297.1	Sentence of person twice previously convicted of certain violent felonies		Amendment: Acts 1996, c. 539.
Felonies	Sentence Range	Parole	Notes
Two or more convictions for "Act of Violence"	LIFE	Not eligible if sentenced under this section; however, if not sentenced for crim. sex acts, and person is 65+ and has served at least 5 years; or is 60+ and served at least ten years, he may petition the Parole Board for conditional release.	
<p>"Acts of Violence" - First and Second degree murder, voluntary manslaughter, mob related felonies, kidnapping, malicious felonious assault or bodily wounding, robbery, carjacking, criminal sexual assault, arson when structure burned was occupied; conspiracy to commit any of the above violations, violations as principal in the second degree or accessory before the fact</p>			
<p>*Prior Convictions - include convictions under laws of other states or an offense subst similar to those listed above</p>			