

## FELONY SENTENCING TABLE

Felony Level	Sentencing Guidance §2929.13(B)-(E)	Prison Terms §2929.14(A)	Maximum Fine* §2929.18(A)(2) & (3)	Repeat Violent Offender Enhancement §2929.14(D)(2)	Is Post-Release Control Required? §2967.28(B) & (C)	PRC Period §2967.28(B) & (D)(2)
<b>F-1</b>	Presumption for prison (also applies to "in favor" drug offenses)	3, 4, 5, 6, 7, 8, 9, or 10 years	\$20,000	1, 2, 3, 4, 5, 6, 7, 8, 9, or 10 years	Yes	5 years, no reduction
<b>F-2</b>		2, 3, 4, 5, 6, 7, or 8 years	\$15,000			
<b>F-3</b>	No guidance other than purposes & principles (also applies to "Div.(C)" drug offenses)	1, 2, 3, 4, or 5 years	\$10,000	For F-2 involving attempted serious harm or for invol. manslaughter: 1, 2, 3, 4, 5, 6, 7, 8, 9, or 10 years; otherwise none	Yes if sex or violent offense; otherwise optional	If sex offense, 5 years, no reduction;
<b>F-4</b>	If any of 9 factors & not amenable to other sanction(s), guidance for prison. If none of 9 factors, guidance against prison. (Also applies to "Div.(B)" drug offenses)	6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, or 18 months	\$5,000	None	Yes if sex offense; otherwise optional	Otherwise, 3 years, reducible by Parole Board
<b>F-5</b>		6, 7, 8, 9, 10, 11, or 12 months	\$2,500			

**Judicial Release** (§2929.20)--**Eligibility**-Any non-mandatory term ≤ 10 years. (If serving such a non-mandatory term consecutive to a mandatory term, eligible after serving mandatory.) **Filing**-If F-4 & F-5, file in 30 to 90 days; if F-1, F-2, & F-3 serving < 5 years, file after 180 days; if serving 5 years, file after 4 years; if serving 5+ to 10 years, file after 5 years. **Hearing**-May deny without hearing. Must hold hearing before granting. **Presumption**-Against granting to F-1 or F-2.

**Repeat Violent Offenders** are (§2929.01(DD)): (1) Being sentenced for: agg. murder, murder, involuntary manslaughter, any non-drug F-1, or any drug F-1 or any F-2 resulting in death or physical harm, including complicity or attempt (prior may be as juvenile); (2) Previously served, or is serving, a prison term for agg. murder, murder, involuntary manslaughter, rape, FSP, or another F-1 or F-2 resulting in death or physical harm, including complicity or attempt.

**Drug Offenses**--Note penalties track degree of offense, but the sentencing guidance may be different than for other offenses at that level.

\***Maximum Fines**--Cover conventional and day fines. There are possible exceptions in drug trafficking cases (§2929.18(B)(4)-(7)). And, if a superfine is available, the maximum is \$1 million (§2929.25). (For the fine when the offender is an organization, see §2929.31.)

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