

## New Sentencing Chart for Drug Offenses Under Rockefeller Drug Law Reform

Class Felony	Determinate Sentence Term	Post-Release Supervision	Probation Permitted	Alternative Definite Sentence Permitted	Y.O. Permitted	Attempt	Parole Supervision Sentence Permitted	Shock Permitted	CASAT Sentence Permitted
A-I First Offense	8 - 20	5	No	No	No	A-I	No	No	Yes
A-I Prior Non-Violent	12 - 24	5	No	No	No	A-I	No	No	Yes
A-I Prior Violent	15 - 30	5	No	No	No	A-I	No	No	Yes
A-II First Offense	3 - 10	5	Yes/Life <sup>1</sup>	No	No	A-II	No	Yes <sup>3</sup>	Yes
A-II Prior Non-Violent	6 - 14	5	Yes/Life <sup>1</sup>	No	No	A-II	No	No	Yes
A-II Prior Violent	8 - 17	5	No	No	No	A-II	No	No	Yes
B First Offense	1 - 9	1 - 2	Yes/25 <sup>1</sup>	No	Yes	C	No	Yes <sup>3</sup>	Yes
B Sale Near School	2 - 9	1 - 2	Yes/25 <sup>1</sup>	No	Yes	C	No	Yes <sup>3</sup>	Yes
B Prior Non-Violent	3 ½ - 12	1 ½ - 3	Yes/Life <sup>1</sup>	No	No	C	No	No	Yes
B Prior Violent	6 -15	1 ½ - 3	No	No	No	C	No	No	Yes
C First Offense	1 - 5 ½	1 - 2	Yes/5	Yes 1 or less	Yes	D	No	Yes	Yes
C Prior Non-Violent	2 - 8	1 ½ - 3	No	No	No	D	No	Yes <sup>3</sup>	Yes
C Prior Violent	3 ½ - 9	1 ½ - 3	No	No	No	D	No	No	Yes
D First Offense	1 - 2 ½	1	Yes/5	Yes 1 or Less	Yes	E	No	Yes	Yes
D Prior Non-Violent	1 ½ - 4	1 - 2	No	No	No	E	Yes <sup>2</sup>	Yes <sup>3</sup>	Yes
D Prior Violent	2 ½ - 4 ½	1 - 2	No	No	No	E	No	No	Yes
E First Offense	1 - 1 ½	1	Yes/5	Yes 1 or less	Yes	A misd.	No	Yes	Yes
E Prior Non-Violent	1 ½ - 2	1 - 2	No	No	No	A misd.	Yes	Yes <sup>3</sup>	Yes
E Prior Violent	2 - 2 ½	1 - 2	No	No	No	A misd.	No	No	Yes

<sup>1</sup> Requires recommendation of DA and material assistance in prosecution of drug offense.

<sup>2</sup> Requires consent of DA.

<sup>3</sup> Cannot have previously served time in state prison. Cannot be convicted for any offense listed in Correction Law §865(1). Only if within 3 years to conditional release.