

## Iowa's Sentencing System — Offenses With Sentencing Enhancements

Offense Category		Def/ Susp	Special Sanctions and Notes	Forcible Felony 702.11 907.3	Max Prison Term in Yrs	Sentencing Enhancements:					Special Sentence 903B	Minimum Prison Terms - Limitation on Parole:							Parole Eligible	Prison Term Ranges w/Earned Time in Yrs
						Poss. Firearm 2x Max 124.401(1)(e)	Poss. Off. Weapon 3x Max 124.401(1)(f)	By Schl 124.401A 124.401B	Presence of Minor 5 Yrs 124.401C	2nd Offense 3x Max 124.411		5 yr 124.406 or 902.7 (waivable)	10 yr 124.401D or 902.8A (waivable)	1/3 Max 124.413 (waivable)	Fel Dom Abuse 1 Yr 708.2A(4)	Hab Off 3 Yr 902.8	Prior Forcible 1/2 Max 902.11	70 Percent Sentence 902.12		
	Enact Yr.																			
Class A Felony:																				
Typical				■	Life															Life
Meth-2nd/124.401D	1999				Life															Life
Sexual Abuse/Lascivious Acts 709.3/709.4/709.8	2005		Upon second conviction for either offense		Life															Life
Sex Predator/901A.2(4)	1996		2nd Sexual Predatory Offense under 901A.2(3)		Life															Life
Sex Predator/901A.2(5)	1996		2nd Sex Abuse Offense under 709.3(2)		Life															Life
Sex Predator/901A.2(6)	2002		If committed under Chapter 229A and subsequent convictions for sexually violent or sexually predatory offenses		Life															
Meth-1st/124.401D	1999	■			99			5 yrs.					■				■		■	42.4 to 104
Commisson By Minor/902.1	2011		See p. 3 of this Guide for minors who commit a class A felony		Life														■	25 to life
Class B Felony:																				
Typical					25												■		■	11.4 to 25
Drug /124.401 (1)(a)	1999-meth and amphet	not if meth- amphe 2nd offense			50	■	■	5 yrs.	■	■				■			■		■	22.8 to 1,080
Drug /124.401(1)(b)	1999-meth and amphet	not if meth- amphe 2nd offense			25	■	■	5 yrs.	■	■				■			■		■	11.4 to 630
Drug Del Minors/124.406	Prior to 1990	■			25					■		■	■				■		■	11.4 to 75
Murder-2nd/707.3	1996			■	50							■						■	■	35 to 50
Veh. Homicide/707.6A(1) when Leaving Scene/ 321.261(3)	1998				25													■	■	17.5 to 25
Att. Murder/707.11	1996			■	25							■						■	■	17.5 to 25
Terrorism/708A.2	2002			■	50							■							■	22.8 to 50
Sex Abuse-2nd/709.3	1996/2005		Lifetime parole	■	25						■	■						■	■	17.5 to life
Kidnapping-2nd/710.3	1996			■	25							■						■	■	17.5 to 25
Robbery-1st/711.2	1996			■	25							■						■	■	17.5 to 25
Arson-1st/712.2	Prior to 1990			■	25							■					■		■	11.4 to 25

■ = column is applicable

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						Poss. Firearm 2x Max 124.401(1)(e)	Poss. Off. Weapon 3x Max 124.401(1)(f)	By Schl 124.401A 124.401B	Presence of Minor 5 Yrs 124.401C	2nd Offense 3x Max 124.411	Special Sentence 903B	5 yr 124.406 or 902.7 (waivable)	10 yr 124.401D or 902.8A (waivable)	1/3 Max 124.413 (waivable)	Fel Dom Abuse 1 Yr 708.2A(4)	Hab Off 3 Yr 902.8	Prior Forcible 1/2 Max 902.11	70 Percent Sentence 902.12		
	Enact Yr.																			
Burglary-1st/713.3	Prior to 1990			■	25							■					■		■	11.4 to 25
Child Endang./726.6A	1994			■	50							■					■		■	22.8 to 50
Sex Predator/901A.2(3)	1996		Add. 2 yrs rel. superv.		50															42.5 to 50
Class C Felony:																				
Typical		■			10												■		■	4.6 to 10
Drug/124.401(1)(c)	Prior to 1990	■			10	■	■	5 yrs.	■	■				■			■		■	4.6 to 360
Drug Del Minors/124.406	Prior to 1990	■			10					■							■		■	4.6 to 30
Veh. Homicide/707.6A(2) when Leaving Scene/ 321.261(3)	1998	■			10														■	7 to 10
Asslt - Part. Fel./708.3	Prior to 1990			■	10							■					■		■	4.6 to 10
Willful Injury/708.4(1)	Prior to 1990			■	10							■					■		■	4.6 to 10
Intimidation/708.6	Prior to 1990			■	10							■					■		■	4.6 to 10
Sex Abuse-3rd/709.4	Prior to 1990/2005		Lifetime parole	■	10 to life - parole						■	■					■		■	4.6 to life - parole
Detention in a Brothel/709.7	2005		Lifetime parole		10 to life - parole						■						■		■	4.6 to life - parole
Lasc Acts/709.8	2005	■	Lifetime parole		10 to life - parole						■						■		■	4.6 to life - parole
Assault w/Intent to Commit Sex Abuse/709.11	2005		Lifetime parole	■	10 to life - parole						■	■					■		■	4.6 to life - parole
Kidnapping-3rd/710.4	Prior to 1990/2005			■	10							■					■		■	4.6 to 10
Robbery-2nd/711.3	1996			■	10							■					■	■	■	7 to 10
Child Endang./726.6A	1994			■	10							■					■		■	4.6 to 10
Sexual Exploitation/728.12	2005		Lifetime parole		10 to life - parole						■						■		■	4.6 to life - parole
Sex Predator/901A.2(3)	1996		Add. 2 yrs rel. superv.		25															21.25 to 25
Habitual Offender/902.8	Prior to 1990				15											■	■		■	6.8 to 15
Class D Felony:																				
Typical		■			5												■		■	2.3 to 5
Optional Determinate Term (limited to certain offenses and offenders)/902.3A	2001		Judge must cite mitigating factors; add. 2 yrs rel. superv.		1 to 4.99														after half of max term	0.46 to 4.99
Drug/124.401(1)(d)	Prior to 1990	■			5	■	■	5 yrs.	■	■				■			■		■	2.3 to 270
Drug Poss-3rd/124.401(5)	1998	■	Probation, drug testing \$1,000 civil penalty if BAC is refused (462A.14)		5			100 hrs. comm. service		■							■		■	2.3 to 15
OWI-3rd/321J.2; OWI Boating-3rd/462A.14	OWI-Prior to 1990; OWI Boating 2000				5														■	2.3 to 5
Serious Injury OWI/ 707.6A(4)	1997				5												■		■	2.3 to 5
Domestic Abuse—Choking 708.2A(5)	2012		If cause bodily injury	■	5							■			■		■		■	2.3 to 5
Domestic Abuse/708.2A(4)	1997			■	5							■			■		■		■	2.3 to 5
Asslt - Part. Fel./708.3	Prior to 1990			■	5							■					■		■	2.3 to 5
Admin. Harmful Sub/708.5	Prior to 1990			■	5							■					■		■	2.3 to 5
Intimidation/708.6	Prior to 1990			■	5							■					■		■	2.3 to 5
Lasc Acts w/Child/709.8	2000/2005	■	Add. 2 yrs rel. superv. if sent to prison. 10 yr. parole		5 to 15						■						■		■	2.3 to 15

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						Poss. Firearm 2x Max 124.401(1)(e)	Poss. Off. Weapon 3x Max 124.401(1)(f)	By Schl 124.401A 124.401B	Presence of Minor 5 Yrs 124.401C	2nd Offense 3x Max 124.411		5 yr 124.406 or 902.7 (waivable)	10 yr 124.401D or 902.8A (waivable)	1/3 Max 124.413 (waivable)	Fel Dom Abuse 1 Yr 708.2A(4)	Hab Off 3 Yr 902.8	Prior Forcible 1/2 Max 902.11				
Assault w/Intent to Commit Sex Abuse/709.11	2005		10 yr. parole	■	5 to 15						■	■						■		■	2.3 to 15
Sexual Exploit by Counselor/709.15(4)(a)	2005		10 yr. parole		5 to 15						■							■		■	2.3 to 15
Sexual Exploit by School Employee/709.15(5)(a)	2005				5 to 15						■							■		■	2.3 to 15
Abuse of corpse/709.18	2005		10 yr. parole		5 to 15						■							■		■	2.3 to 15
Animal Torture-2nd/ 717B.3A	2000	■	Psych. eval. and treat.		5													■		■	2.3 to 5
Sex Predator/901A.2(3)	1996		Add. 2 yrs rel. superv.		25																21.25 to 25
Habitual Offender/902.8	Prior to 1990				15												■	■		■	6.8 to 15
Aggravated Misdemeanor:																					
Typical		■			2														■		0.9 to 2
Drug/124.401(1)(d)	Prior to 1990	■			2	■	■		■	■					■					■	0.9 to 126
Drug Poss-2nd, Drug Poss Mari.-3rd/124.401(5)	Drug Poss- 2nd-1998; Poss. Mari. Prior to 1990	■	Probation, drug testing		2			100 hrs. comm. service		■										■	0.9 to 6
OWI-2nd/321J.2; OWI Boating-2nd/462A.14	2000		\$1,000 civil penalty if BAC is refused (462A.14B)		2															■	0.9 to 2
Domestic Abuse—Choking 708.2A(2)(d)	2012		1st offense punish by AG		2															■	0.9 to 2
Domestic Abuse/708.2A	1991				2															■	0.9 to 2
Assault w/Intent to Commit Sex Abuse/709.11	2005		10 year parole		2 to 12						■									■	0.9 to 12
Indecent Contact w/Child/709.12	2005		10 year parole		2 to 12						■									■	0.9 to 12
Sexual Exploit by Counselor/709.15(4)(b)	2005		10 year parole		2 to 12						■									■	0.9 to 12
Sexual Exploit by School Employee/709.15(5)(b)	2005		10 year parole		2 to 12						■									■	0.9 to 12
Sexual Misconduct with Offenders/709.16(1,3)	2005		10 year parole		2 to 12						■									■	0.9 to 12
Sexual Misconduct with Juveniles/709.16(2)	2005		10 year parole		2 to 12						■									■	0.9 to 12
Animal Torture-1st/717B.3A	2000	■	Psych. eval. and tx; comm. work required		2															■	0.9 to 2
			1 prior misd Sexual Predatory Offense/ add. 2 yrs. rel. superv.																		
Sex Predator/901A.2(1)	1996				4																3.4 to 4
			2 prior misd Sexual Predatory Offense/ add. 2 yrs. rel. superv.																		
Sex Predator/901A.2(2)	1996				10																8.5 to 10 yrs.
Serious Misdemeanor:																					
(May be sentenced to prison if consecutive sentences add up to more than one year)																					
Typical		■																			
Drug Poss-1st, Drug Poss Mari.-2nd/124.401(5)	Prior to 1990	■	Probation, drug testing					100 hrs. comm. service													

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Drug Poss Mari.- 1st/124.401(5)	Prior to 1990	■	Probation, drug testing					100 hrs. comm. service												
OWI-1st/321J.2; OWI Boating-1st/462A.14 Domestic Abuse/708.2A	2000 1991	■	Not deferred if 907.3(1) (g)(1) applies; \$500 civil penalty if BAC is refused (462A.14B)																	
Indecent Exposure/709.9	2005		10 yr. parole								■								■	10 yrs.
Lasc Conduct/709.14	2005		10 yr. parole								■								■	10 yrs.
Sexual Exploit by Counselor/709.15(4)(c)	2005		10 yr. parole								■								■	10 yrs.
Invasion of Privacy/709.21	2005		10 yr. parole								■								■	10 yrs.
Sexual Predator/901A.2(1)	1996		Add. 2 yrs rel. superv.		2															1.7 to 2 yrs.
Sexual Predator/901A.2(2)	1996		Add. 2 yrs rel. superv.		10															8.5 to 10 yrs.

■ = column is applicable