

57 O.S. Section 138, Subsection E. List of Ineligible Offenses

1. Assault, battery, or assault and battery with a dangerous or deadly weapon as defined by Section 645, or subsection C of Section 652 of Title 21 or Section 2-219 of Title 43A;
2. Aggravated assault and battery on a police officer, sheriff, highway patrolman, or any other officer of the law as defined by Section 650, subsection C of Section 650.2, 650.5, subsection B of Section 650.6, or subsection C of Section 650.7 of Title 21;
3. Poisoning with intent to kill as defined by Section 651 of Title 21;
4. Shooting with intent to kill as defined by Section 652 of Title 21;
5. Assault with intent to kill as defined by Section 653 of Title 21;
6. Assault with intent to commit a felony as defined by Section 681 of Title 21;
7. Assaults while masked or disguised as defined by Section 1303 of Title 21;
8. Entering premises of another while masked as defined by Section 1302 of Title 21;
9. Murder in the first degree as defined by Section 701.7 of Title 21;
10. Solicitation for Murder in the first degree as defined by Section 701.16 of Title 21;
11. Murder in the second degree as defined by Section 701.8 of Title 21;
12. Manslaughter in the first degree as defined by Section 711, 712, 713 or 714 of Title 21;
13. Manslaughter in the second degree as defined by Section 716 or 717 of Title 21;
14. Kidnapping as defined by Section 741 of Title 21;
15. Burglary in the first degree as defined by Section 1431 of Title 21;
16. Burglary with explosives as defined by Section 1441 of Title 21;
17. Kidnapping for extortion as defined by Section 745 of Title 21;
18. Maiming as defined by Section 751 of Title 21;
19. Robbery as defined by Section 791 of Title 21;
20. Robbery in the first degree as defined by Section 797 of Title 21;
21. Robbery in the second degree as defined by Section 797 of Title 21;
22. Armed robbery as defined by Section 801 of Title 21;
23. Robbery by two (2) or more persons as defined by Section 800 of Title 21;
24. Robbery with dangerous weapon or imitation firearm as defined by Section 801 of Title 21;
25. Any crime against a child provided for in Section 7115 of Title 10;

26. Wiring equipment, vehicle or structure with explosives as defined by Section 849 of Title 21;
27. Forcible sodomy as defined by Section 888 of Title 21;
28. Rape in the first degree as defined by Sections 1111 and 1114 of Title 21;
29. Rape in the second degree as defined by Sections 1111 and 1114 of Title 21;
30. Rape by instrumentation as defined by Section 1111.1 of Title 21;
31. Lewd or indecent proposition or lewd or indecent act with a child as defined by Section 1123 of Title 21;
32. Sexual battery of a person over 16 as defined by Section 1123 of Title 21;
33. Use of a firearm or offensive weapon to commit or attempt to commit a felony as defined by Section 1287 of Title 21;
34. Pointing firearms as defined by Section 1289.16 of Title 21;
35. Rioting as defined by Section 1311 or 1321.8 of Title 21;
36. Inciting to riot as defined by Section 1320.2 of Title 21;
37. Arson in the first degree as defined by Section 1401 of Title 21;
38. Endangering human life during arson as defined by Section 1405 of Title 21;
39. Injuring or burning public buildings as defined by Section 349 of Title 21;
40. Sabotage as defined by Sections 1262, 1265.4 or 1265.5 of Title 21;
41. Extortion as defined by Section 1481 or 1486 of Title 21;
42. Obtaining signature by extortion as defined by Section 1485 of Title 21;
43. Seizure of a bus, discharging firearm or hurling missile at bus as defined by Section 1903 of Title 21;
44. Mistreatment of a vulnerable adult as defined by Section 843.1 of Title 21;
45. Sex offender providing services to a child as defined by Section 404.1 of Title 10;
46. A felony offense of domestic abuse as defined by subsection C of Section 644 of Title 21;
47. Prisoner placing body fluid on government employee as defined by Section 650.9 of Title 21;
48. Poisoning food or water supply as defined by Section 832 of Title 21;
49. Trafficking in children as defined by Section 866 of Title 21;
50. Incest as defined by Section 885 of Title 21;
51. Procure, produce, distribute, or possess juvenile pornography as defined by Section 1021.2 of Title 21;
52. Parental consent to juvenile pornography as defined by Section 1021.3 of Title 21;

53. Soliciting minor for indecent exposure as defined by Section 1021 of Title 21;
54. Distributing obscene material or child pornography as defined by Section 1040.13 of Title 21;
55. Child prostitution as defined by Section 1030 of Title 21;
56. Procuring a minor for prostitution or other lewd acts as defined by Section 1087 of Title 21;
57. Transporting a child under 18 for purposes of prostitution as defined by Section 1087 of Title 21;
58. Inducing a minor to engage in prostitution as defined by Section 1088 of Title 21;
59. A felony offense of stalking as defined by subsection D of Section 1173 of Title 21;
60. Spread of infectious diseases as defined by Section 1192 of Title 21;
61. Advocate overthrow of government by force, commit or attempt to commit acts to overthrow the government, organize or provide assistance to groups to overthrow the government as defined by Section 1266, 1266.4 or 1267.1 of Title 21;
62. Feloniously discharging a firearm as defined by Section 1289.17A of Title 21;
63. Possession, use, manufacture, or telephone threat of incendiary device as defined by Section 1767.1 of Title 21;
64. Causing a personal injury accident while driving under the influence as defined by Section 11-904 of Title 47;
65. Using a motor vehicle to facilitate the discharge of a firearm as defined by Section 652 of Title 21.