

Class A1

Assault by Pointing Gun (14-34)
Assault Inflicting Serious Injury (14-33(c)(1))
Assault on a Child Under 12 (14-33(c)(3))
Assault on a Female (14-33(c)(2))
Assault on Firefighter / EMS (14-34.6) F
Assault on a Govt Official (14-33(c)(4)) F
*Assault on Handicapped Person (14-32.1)
Assault on School Personnel (14-33(c)(6)) F
Assault with a Deadly Weapon (14-33(c)(1))
Assault and pers rel in presence of minor (14-33(d))
Child Abuse (14-318.2) F
Food Stamp Fraud \$100-\$500 (108A-53.1)
Ind Lib by School Personnel, not Teacher (14-202.4)
Interfering with Emergency Comm (14-286.2)
Patient Abuse (14-32.2) F
@Secret Peeping #2 or w/photo device (14-202) F
Sex with Student by School, not Teacher (14-27.7)
*Sexual Battery (14-27.5A)
*Stalking *(14-277.3) Felony if prior or while 50B/C
Unfair Trade of Cigarettes (14-401.18)
Violation of 50B Order (50B-4.1)

Class 1

Alcohol offense, not otherwise specified (18B-102(b))
Altering Serial Number (14-160.1)
Assault on Sports Official (14-33)
Blackmail (14-118)
Breaking or Entering (14-54) F
B&E Coin Operated Machine (14-56.1) F
Communicating Threats (14-277.1)
Contrib to Delinq of Juvenile (14-316.1)
Criminal Domestic Trespass (14-134.3) F
Damaging Computers < \$100 (14-455) F
Death by Vehicle (20-141.4) F
Disorderly Conduct #2 (14-288.4) F
DWLR (20-28)
Escape by Misdemeanor (148-45) F
Ethnic Intimidation (14-401.14)
Failure to File State Tax Return (105-236) F
Failure to Stop for School Bus (20-217)
Failure to Yield Emerg Vehicle w/ Dam (20-156-57) F
False Imprisonment (CL)
Food Stamp Fraud < \$100 (108A-53) F
Forgery (CL)
Going Armed to the Terror (CL)
Hit and Run w/ Prop Dam (20-166) F

Conspiracy – 1 class lower Attempt – 1 class lower

Multiple Prior Convictions §15A-1340.21(d) If an offender is convicted of more than one offense in a single session of District Court, or in a single week of Superior Court or of a court in another jurisdiction, only one of the convictions may be used to determine prior conviction level.

Multiple Convictions §15A-1340.22(a) If the court elects to impose consecutive sentences for two or more misdemeanors and the most serious misdemeanor is classified in Class A1, Class 1 or Class 2, the cumulative length of the sentences of imprisonment shall not exceed twice the maximum sentence authorized for the class and prior conviction level of the most serious offense. Consecutive sentences shall not be imposed if all convictions are for Class 3 misdemeanors.

Concurrent and consecutive terms of imprisonment §15A-1354(a) If not specified or not required by statute to run consecutively, sentences shall run concurrently.

Prior Record Level for Felony Sentencing §15A-1340.14(b)(5) For each prior misdemeanor conviction as defined in this subsection, one point. For purposes of this subsection, misdemeanor is defined as any Class A1 and Class 1 nontraffic misdemeanor offense, impaired driving (GS 20-138.1), impaired driving in a commercial vehicle (GS 20-138.2) and misdemeanor death by MV (GS 20-141.4(a2)) but not any other misdemeanor traffic offense under Chapter 20 of the General Statutes.

Sentences of Imprisonment §15A-1351(a) Split sentence may not exceed ¼ of the maximum sentence of imprisonment imposed for the offense. The judge may credit any time spent committed or confined, as a result of the charge, to either the suspended sentence or to the imprisonment required for special probation.

Standard Probation Lengths §15A-1343.2 Community Punishment 6-18months / Intermediate Punishment 12-24 months

CLASS	I – No Priors	II – One to Four Priors	III – 5+ Priors
A1	1-60 days C//A	1-75 days C//A	1-150 days C//A
1	1-45 days C	1-45 days C//A	1-120 days C//A
2	1-30 days C	1-45 days C/I	1-60 days C//A
3	1-10 days C	1-15 days C/I	1-20 days C//A

Revised 3/11

Inciting a Riot (14-288.2) F
Injury to Personal Prop > \$200 (14-160)
Injury to Real Prop (14-127)
Injury to Trees, Crops, Lands (14-128)
Larceny \$1000 or Less (14-72) F
Loitering for Prostitution (14-204.1)
Obstruction of Justice (CL)
Passing a Stopped School Bus (20-217) F
Picketing Courthouse (14-225.1)
Poss Weapon on School Grounds (14-269.2) F
Possession of Drug Paraphernalia (90-113.22)
Possession of M/J > ½ oz. (90-95) F
Possession of Stolen Goods (14-72) F
Prearranged Racing (20-141.3)
Prostitution / Maintaining Place (14-204 & 208)
Receiving Stolen Goods (14-72) F
Secret Peeping (14-202) F
Shoplifting #3 w/in 5 yrs (14-72.1) F
Speeding to Elude (20-141.5) F
Soliciting for Prostitution (14-204-208) F
Toxic Fumes Violations (90-113.10-.13)
Unauthorized Use of MV (14-72.2) F
Unlawful Assembly (CL)
Welfare Fraud (108A-39) F
Worthless Check \$2000 or Less 4th Conv (14-107) F
Worthless Check with Closed Acct (14-107(d)(4)) F

Class 2

Adult Establishment #2 (14-202.11-.12)
Carrying Concealed Weapon (14-269) F
Cyberstalking (14-196.3)
Defacing Public Property (14-132)
Defrauding Innkeeper (14-110)
Disorderly Conduct (14-288.4) F
Driving After Consuming <21 (20-138.3)
Driving w/ Open Cont Alcohol in System #2 (20-138.7)
Failure to Disperse (14-288.5)
Failure to Notify DMV of Address Change (20-7.1)
Failure to Work After Being Pd (14-104)
Failure to Return Rental Prop (14-167) F
Fail to Yield / Stop Emerg Vehicle (20-156-57) F
Filing False Police Report (14-225)
Fornication / Adultery (14-184)
Furnishing False Information (20-29)
Gambling (14-291-292)
Harassing Phone Calls (14-196)

Hit and Run Failure to Notify (20-166.1)
Indecent Exposure (14-190.9) F
Injury to Personal Prop \$200 or Less (14-160)
Littering #2 (14-399) F
Lottery Viol (14-289-291)
MV Law, not otherwise specified (20-176)
NOL (20-35)
Obtaining Prop by WC (14-106)
Possession of Handgun by Minor (14-269.7)
Reckless Driving (20-140)
RDO (14-223)
Scalping (14-344)
Setting Fire to Woods (14-137)
Shoplifting #2 w/in 3 yrs (14-72.1) F
Simple Assault / Battery / Affray (14-33)
Soliciting for CAN (CL)
Tampering with MV (20-107)
Trespass, 1st degree (14-159.12)
Willful Racing (20-141)
Worthless Check \$2000 or Less (14-107) F

Class 3

Adult Establishment Viol (14-202.11-.12)
Driving Comm Vehicle after Cons (20-138.2A)
Driving w/ OC Alcohol in System (20-138.7)
Fishing w/o License (133-271)
Hunting w/o License (133-270.2)
Intoxicated and Disruptive (14-444)
Littering (14-399) F
Permitting Bitch at Large (67-2)
Possession of M/J < ½ oz. (90-95) F
Shoplifting (14-72.1) F
Solicitation to Commit Mis Assault (CL)
Solicitation to Commit Obst of Justice (CL)
Trespass, 2d degree (14-159.13)
Unsealed Wn / Lqr in Pass Area (18B-401(a))
Using Profane Lang on Rdwy (14-197)
Violation of City or County Ord (14-4)

Infraction

Violation of Ord re: operation of vehicles (14-4(b))

KEY

*Subject to DNA Sample (15A-266.4)
@ Potential Sex Offender Registry (14-202)
F = possible felony enhancement
DV / Knowing female is pregnant is 1 class higher. If A1, becomes class I felony (14-18.2)
50B viol w/3 prior = Class H felony

INTERMEDIATE PUNISHMENTS

§15A-1340.11
Special Probation / Split Sentence
Residential Program
Electronic House Arrest
Intensive Supervised Probation
Day Reporting Center
Drug Treatment Court Program
FINES §15A-1340.23(b)
Unless otherwise specified:
Class A1 = discretion of court
Class 1 – discretion of court
Class 2 - \$1000