



# NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

## CLASSIFICATION OF A SAMPLE OF OFFENSES (Effective 12/1/17)

<b>CLASS A FELONIES</b>	<b>Maximum Punishment of Death or Life Without Parole</b>
First-Degree Murder. (14-17)	
<b>CLASS B1 FELONIES</b>	<b>Maximum Punishment of Life Without Parole</b>
Second-Degree Murder. (14-17(b))	First-Degree Forcible Sexual Offense. (14-27.26)/First-Degree Statutory Sexual Offense. (14-27.29)
First-Degree Forcible Rape. (14-27.21)/First-Degree Statutory Rape (14-27.24)	
<b>CLASS B2 FELONIES</b>	<b>Maximum Punishment of 484* Months</b>
Second-Degree Murder. (14-17(b)(1) and (2))	
<b>CLASS C FELONIES</b>	<b>Maximum Punishment of 231* Months</b>
Second-Degree Forcible Rape. (14-27.22)	First-Degree Kidnapping. (14-39)
Second-Degree Forcible Sexual Offense. (14-27.27)	Embezzlement (amount involved \$100,000 or more). (14-90)
Assault W/D/W/I/K/I/S/I. (14-32(a))	
<b>CLASS D FELONIES</b>	<b>Maximum Punishment of 204* Months</b>
Voluntary Manslaughter. (14-18)	Child Abuse Inflicting Serious Physical Injury. (14-318.4(a))
First-Degree Burglary. (14-51)	Death by Vehicle. (20-141.4(a)(1))
First-Degree Arson. (14-58)	Sell or Deliver a Controlled Substance to a Person Under 16 But More than 13 Years of Age. (90-95(e)(5))
Armed Robbery. (14-87)	
<b>CLASS E FELONIES</b>	<b>Maximum Punishment of 88* Months</b>
Sexual Activity by a Substitute Parent or Custodian. (14-27.31)	Assault with a Firearm on a Law Enforcement Officer. (14-34.5)
Assault W/D/W/I/S/I. (14-32(b))	Second-Degree Kidnapping. (14-39)
Assault W/D/W/I/K. (14-32(c))	Sell or Deliver a Controlled Substance Within 1,000 Feet of a School. (90-95(e)(8))
Discharging Weapon Into Occupied Property. (14-34.1(a))	
<b>CLASS F FELONIES</b>	<b>Maximum Punishment of 59 Months</b>
Involuntary Manslaughter. (14-18)	Burning of Certain Other Buildings. (14-62)
Assault Inflicting Serious Bodily Injury. (14-32.4)	Taking Indecent Liberties with Children. (14-202.1)
Assault W/D/W on Governmental Officer or Employee. (14-34.2)	Patronizing a Prostitute (minor). (14-205.2(a))
Assault I/S/B/I on a Law Enforcement Officer. (14-34.7)	Possess Weapon of Mass Destruction. (14-288.8)
Felonious Restraint. (14-43.3)	Habitual Impaired Driving. (20-138.5)
<b>CLASS G FELONIES</b>	<b>Maximum Punishment of 47 Months</b>
Second-Degree Burglary. (14-51)	Identity Theft. (14-113.20)
Second-Degree Arson. (14-58)	Possession of Firearms, etc., by Felon. (14-415.1)
Common Law Robbery. (14-87.1)	Sale of a Schedule I or II Controlled Substance. (90-95(a)(1))

\* For a Class B1 through E felony that is subject to the registration requirements of G.S. Chapter 14, Article 27A, add 48 months.

<b>CLASS H FELONIES</b>	<b>Maximum Punishment of 39 Months</b>
Assault by Strangulation. (14-32.4(b)) Habitual Misdemeanor Assault. (14-33.2)	Embezzlement (amount involved less than \$100,000). (14-90) Obtaining Property by False Pretenses (amount involved less than \$100,000). (14-100)
Breaking or Entering Buildings (w/felonious intent). (14-54(a)) Fraudulently Setting Fire to Dwelling Houses. (14-65)	Hit and Run (resulted in injury). (20-166(a1)) Sale of a Schedule III, IV, V, or VI Controlled Substance. (90-95(a)(1))
Possessing Stolen Goods. (14-71.1) Larceny of Property (worth more than \$1,000). (14-72)	Possession W/I/M/S/D Cocaine. (90-95(a)(1)) Escaping From State Prison System (felon). (148-45(b))
<b>CLASS I FELONIES</b>	<b>Maximum Punishment of 24 Months</b>
Breaking or Entering Motor Vehicles. (14-56) Financial Transaction Card Theft. (14-113.9) Forgery of Notes, Checks, Securities. (14-119(a))	Possession W/I/M/S/D Marijuana. (90-95(a)(1)) Possess Cocaine. (90-95(a)(3)) Maintain Dwelling or Motor Vehicle for Keeping or Selling a Controlled Substance. (90-108(a)(7), (b))
Uttering Forged Paper or Instrument. (14-120)	Obtain a Controlled Substance by Fraud. (90-108(a)(10), (b))
<b>CLASS A1 MISDEMEANORS</b>	<b>Maximum Punishment of 150 Days</b>
Assault Inflicting Serious Injury or Using a Deadly Weapon. (14-33(c)(1)) Assault on a Female. (14-33(c)(2)) Assault on a Child Under 12 Years of Age. (14-33(c)(3))	Assault on a State Officer or Employee. (14-33(c)(4)) Assault by Pointing a Gun. (14-34) Violation of a Valid Protective Order. (50B-4.1(a))
<b>CLASS 1 MISDEMEANORS</b>	<b>Maximum Punishment of 120 Days</b>
Breaking or Entering Buildings. (14-54(b)) Larceny of Property (worth \$1,000 or less). (14-72) Unauthorized Use of a Motor Vehicle. (14-72.2) Worthless Checks for \$2,000 or Less (closed account). (14-107(d)(4))	Willful and Wanton Injury to Real Property. (14-127) Communicating Threats. (14-277.1) Possession of Drug Paraphernalia. (90-113.22) Misrepresentation to Obtain Employment Security Benefits (worth \$400 or less). (96-18(a))
<b>CLASS 2 MISDEMEANORS</b>	<b>Maximum Punishment of 60 Days</b>
Simple Assault/Assault and Battery. (14-33(a)) Financial Transaction Card Fraud. (14-113.13) First-Degree Trespass. (14-159.12) Willful and Wanton Injury to Personal Property (damage of \$200 or less). (14-160(a)) Indecent Exposure. (14-190.9)	Using Profane, Indecent or Threatening Language to Any Person Over Telephone. (14-196) Cyberstalking. (14-196.3) Resisting Officers. (14-223) Carrying Concealed Weapons. (14-269(a), (a1)/first offense) Disorderly Conduct. (14-288.4)
<b>CLASS 3 MISDEMEANORS</b>	<b>Maximum Punishment of 20 Days</b>
Concealment of merchandise in mercantile establishments (first conviction). (14-72.1) Worthless Check for \$2,000 or Less. (14-107(d)(1)) Second-Degree Trespass. (14-159.13) Failure to Return Rental Property. (14-167) Intoxicated and Disruptive in Public. (14-444)	Unsealed Wine/Liquor in Passenger Area. (18B-401) Possess Marijuana (1/2 ounce or less). (90-95(a)(3)) Possession of Marijuana Drug Paraphernalia (90-113.22A) Hunting Without a License (first offense). (113-270.2) Fishing Without a License (first offense). (113-271)
<b>CONSPIRACY</b> to commit an offense is classified as one class lower than the offense the person conspired to commit. (14-2.4)	
<b>ATTEMPT</b> to commit an offense is classified as one class lower than the offense the person attempted to commit. (14-2.5)	
<b>SOLICITATION</b> to commit an offense is classified as two classes lower than the offense the person solicited the other person to commit. (14-2.6)	
<b>ACCESSORY BEFORE THE FACT</b> punishable as the principal felon. (14-5.2)	
<b>ACCESSORY AFTER THE FACT</b> punishable as two classes lower than the felony the principal felon committed. (14-7)	