

NEWS RELEASE

Peter S. Gilchrist, III
District Attorney

September 1, 2009

Legislature passes 2 new laws to lessen felony punishment in NC

The North Carolina General Assembly has enacted two pieces of legislation that will weaken the state's sentencing law as it pertains to many felony offenders and many felony offense classes. Both laws were ratified August 28, 2009.

The first, Session Law 2009-555 (Senate Bill 489), changes the point system used to determine an offender's "prior record level." This is one of two things that are used to determine a defendant's sentence on the sentencing grid that was established in 1994 by the legislature.

The second law, Session Law 2009-556 (Senate Bill 488), reduces the possible sentences that an offender can receive for almost all Class B1, B2, C, D, E, F, and G felony offenses. The higher the felony offense class, the more reduction the legislation has made to the potential sentence.

The new laws will apply to all offenses committed on or after December 1, 2009.

To completely understand the sentencing system in North Carolina and how these new changes will affect sentencing, review the DA's webpage on sentencing and compare the new legislation:

To get to the DA's page, [follow this link](#) or go to charmeckda.com, click on "Understanding Criminal Court" and then select "Sentencing in NC" from the top.

Session Law 2009-555, Senate Bill 489 (new law)
<http://www.ncga.state.nc.us/Sessions/2009/Bills/Senate/PDF/S489v3.pdf>

Session Law 2009-556, Senate Bill 488 (new law)
<http://www.ncga.state.nc.us/Sessions/2009/Bills/Senate/PDF/S488v3.pdf>

// End //