

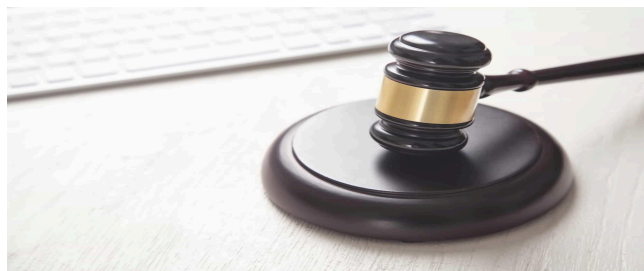
# Is It A Felony Or A Misdemeanor?



**Learn about  
different types  
of criminal  
charges,  
examples of  
charges, and  
their  
meanings**

Most state criminal justice systems divide crimes into different categories, depending on the seriousness of the crime. The major categories include:

- Infractions
- Misdemeanors
- Felonies



**Infractions** are the least serious types of crime. An infraction involves a violation of a rule, law, or ordinance. Most jurisdictions do not allocate jail time associated with an infraction, and it does not appear on a criminal record.

Examples of infractions include traffic tickets, trespassing, littering, and disorderly conduct. Typical outcomes of infractions are issuing community service orders or imposing fines. Be aware that infractions can turn into more serious crimes if left unaddressed, or imposed fines are unpaid.

**Misdemeanors** are criminal offenses that carry potential jail terms of less than one year. They are usually non-violent crimes such as reckless driving, simple assault, shoplifting, and drug possession for first time offenders.

Misdemeanors are divided into classes:

- Class A Misdemeanor - One year or less, but more than six months

- Class B Misdemeanor - Six months or less, but more than thirty days
- Class C Misdemeanor - Thirty days or less, but more than five days



**Felonies** are the most serious types of crime. The federal government defines a felony as a crime with a punishment of more than one year, but states are less strict about this definition.

Examples of felonies include aggravated assault, domestic violence with bodily injury, sexual assault, and murder. A sentence of more than one year, to be served in a state or federal prison, will be considered a felony.

As with misdemeanors, federal law breaks charges down into classifications. Sentencing guidelines are used to determine the amount of prison time:

- **Class A** - Life imprisonment or the death penalty
- **Class B** - Twenty-five or more years
- **Class C** - Less than twenty-five years, but more than ten years
- **Class D** - Less than ten years, but more than five years
- **Class E** - Less than five years, but more than one year



Serious felonies include crimes such as murder, rape, burglary, kidnapping, or arson. However, felonies can also be punished in a

range of ways so that the punishment matches the severity of the crime.

Here in Arkansas, the misdemeanor and felony punishments include the following:

**Misdemeanors:**

**Class A** - Up to one year in jail, and up to a \$2500 fine

**Class B** - Up to 90 days in jail, and up to a \$1000 fine

**Class C** - Up to 30 days in jail, and up to a \$500 fine

**Felonies:**

**Class Y** - 10 years to 40 years in prison, or life imprisonment and no fine

**Class A** - 6 years to 30 years in prison, and up to a \$15,000 fine

**Class B** - 5 years to 20 years in prison, and up to a \$15,000 fine

**Class C** - 3 years to 10 years in prison, and up to a \$10,000 fine

**Class D** - Up to 6 years in prison, and up to a \$10,000 fine



## **Other Considerations**

Some crimes, whether charged as a felony or a misdemeanor, may have additional consequences to consider. For example, many states require those convicted of certain crimes with a sexual element to register as sex offenders. An offense that was prosecuted as a felony may also be downgraded to a misdemeanor classification at the time of sentencing. This occurs when statutes authorize judges to punish offenders as either misdemeanants or felony offenders.

Certain types of crimes may disqualify you from obtaining or maintaining licenses. Additionally, some states have enacted civil

penalties for criminal acts, such as Florida's Jimmy Ryce act, which allows for the involuntary civil commitment of a violent sexual offender (i.e., if someone commits a sexually violent offense like rape, they can be sentenced to a mental institution for the rest of their life).

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