

North Carolina Penalties for Common Substance Abuse, Drug Trafficking, & Other Offenses
Drug Trafficking Penalties [NC G.S § 90-95](#)

Drug	Weight	Mandatory Minimum (Felony Class)	Mandatory Fine
Marijuana	- 10lbs to < 50lbs	- 25 months (Class H)	- \$5,000
	- 50lbs to < 2,000lbs	- 35 months (Class G)	- \$25,000
	- 2,000lbs to < 10,000lbs	- 70 Months (Class F)	- \$50,000
	- 10,000lbs or more	- 175 Months (Class D)	- \$200,000
Synthetic Cannabinoid*	- 50 to < 250 units	- 25 months (Class H)	- \$5,000
	- 250 to < 1,250 units	- 35 months (Class G)	- \$25,000
	- 1,250 to < 3,750 units	- 70 Months (Class F)	- \$50,000
	- 3,750 units or more	- 175 Months (Class D)	- \$200,000
Methaqualone	- 1000 to < 5,000 units	- 35 months (Class G)	- \$25,000
	- 5,000 to < 10,000 units	- 70 Months (Class F)	- \$50,000
	-10,000 units or more	- 175 Months (Class D)	- \$200,000
Cocaine	- 28 to < 200 grams	- 35 months (Class G)	- \$50,000
	- 200 to < 400 grams	- 70 Months (Class F)	- \$100,00
	- 400 grams or more	- 175 Months (Class D)	- \$250,000
Methamphetamine	- 28 to < 200 grams	- 70 Months (Class F)	- \$50,000
	- 200 to < 400 grams	- 90 Months (Class E)	- \$100,00
	- 400 grams or more	- 225 Months (Class C)	- \$250,000
Amphetamine	- 28 to < 200 grams	- 25 Months (Class H)	- \$5,000
	- 200 to < 400 grams	- 35 Months (Class G)	- \$25,000
	- 400 grams or more	- 90 Months (Class E)	- \$100,000
MDPV	- 28 to < 200 grams	- 70 Months (Class F)	- \$50,000
	- 200 to < 400 grams	- 90 Months (Class E)	- \$100,00
	- 400 grams or more	- 225 Months (Class C)	- \$250,000
Mephedrone	- 28 to < 200 grams	- 70 Months (Class F)	- \$50,000
	- 200 to < 400 grams	- 90 Months (Class E)	- \$100,00
	- 400 grams or more	- 225 Months (Class C)	- \$250,000
Opium, Opiates, and Heroin	- 4 to < 14 grams	- 70 Months (Class F)	- \$50,000
	- 14 to < 28 grams	- 90 Months (Class E)	- \$100,00
	- 28 grams or more	- 225 Months (Class C)	- \$500,000
LSD	- 100 to < 500 units	- 35 months (Class G)	- \$25,000
	- 500 to < 1,000 units	- 70 Months (Class F)	- \$50,000
	- 1,000 units or more	- 175 Months (Class D)	- \$200,000

MDMA	- 100 to < 500 units or 28 to < 20 grams	- 35 months (Class G)	- \$25,000
	- 500 to 1,000 units or 200 to < 400 grams	- 70 Months (Class F)	- \$50,000
	-1,000 units or more or 400 gras or more	- 175 Months (Class D)	- \$250,000

**** Note - A dosage unit for synthetic cannabinoid is defined as 3 grams of synthetic cannabinoid or any mixture containing such substance.**

- **Conspiracy:** Conspiracies to commit trafficking offenses are punishable the same as the target offense. – [N.C. G.S. 90-95\(i\)](#)
- **Attempted Trafficking:** Attempts to commit trafficking are the same offense class as the target offense, but they are sentenced under the ordinary Structured Sentencing grid, not the special mandatory sentences for completed trafficking offenses. [N.C.G.S.90-98](#)
- **Substantial assistance:** The judge sentencing a defendant for trafficking may reduce the fine, or impose a prison term less than the applicable minimum, or suspend the prison term and place the defendant on probation when the defendant has provided substantial assistance in the identification, arrest, or conviction of any accomplices, accessories, co-conspirators, or principals, if the sentencing judge enters in the record a finding that the defendant has rendered such substantial assistance. [N.C.G.S. 90-95\(h\)\(5\)](#)

Alcohol Offenses

- **Purchase, possession, or consumption by a minor who is 19 or 20:** [N.C. G. S. § 18B-302\(i\)](#)
 - **Class 3 misdemeanor**
 - **Class 1:** up to 45 days of "community punishment" (probation), plus the possibility of a fine, to be determined by the judge
 - **Class 2:** up to 30 days of community punishment, plus the possibility of a fine of up to \$1,000
 - **Class 3:** up to 10 days of community punishment, plus the possibility of a fine of up to \$200. (North Carolina Gen. Stat. Ann. Section 15A-1340.23.)
- **DWI Punishment Levels in North Carolina:** [N.C.G.S. §20-179](#)
 - **Level 5 DWI Punishment:** This is the least severe punishment where there are no aggravating or mitigating factors, or the mitigating factors substantially outweigh any aggravating factors.
 - **minimum of 24 hours in jail or 24 hours community service, with a maximum sentence of 120 days**
 - **Level 4 DWI Punishment:** imposed if there are no aggravating or mitigating factors present, or the aggravating factors are substantially counterbalanced by any mitigating factors.
 - minimum of 48 hours in jail to a maximum of 120 days in jail
 - fine up to \$500
 - active sentence may be suspended if the defendant serves a term of 48 hours in jail as a condition of probation or completes at least 48 hours of community service.
 - **Level 3 DWI Punishment:** imposed if there are no grossly aggravating factors present and the aggravating factors substantially outweigh any mitigating factors
 - minimum of 72 hours in jail to a maximum of 6 months in jail

- fine up to \$1,000
- active sentence may be suspended if the defendant serves a term of 72 hours in jail as a condition of probation or completes at least 72 hours of community service.
- **Level 2 DWI Punishment:** imposed if there are no minor children (under 18) in the vehicle and grossly aggravating factors present and the aggravating factors substantially outweigh any mitigating factors.
 - minimum of 7 days in jail to a maximum of 12 months in jail
 - fine up to \$2,000
 - active sentence may be suspended only if the defendant serves a minimum term of 7 days of imprisonment as a condition of probation or if the individual is ordered to abstain from consuming alcohol for at least 90 consecutive days, as verified by a continuous alcohol monitoring system
- **Level 1 DWI Punishment:** Level 1 DWI sentence is imposed if either the defendant was accompanied by a minor child (under 18) at the time of the offense, or any 2 of the grossly aggravating factors are present.
 - minimum of 30 days in jail to a maximum of 24 months in jail
 - fine up to \$4,000
 - The active sentence may be suspended only if the defendant serves a minimum term of 30 days of imprisonment as a condition of probation
- **Aggravated Level 1 (A1) DWI Punishment:** An Aggravated Level 1 (A1) DWI sentence is imposed if 3 or more grossly aggravating factors are present
 - minimum of 12 months in jail to a maximum of 36 months with no eligibility for parole
 - fine up to \$10,000 and court costs
 - active sentence may be suspended if the defendant serves a term of at least 120 in jail as a special condition of probation
 - If probation is imposed, it must include the condition that the defendant abstain from alcohol for at least 120 days and undergo a substance abuse assessment and comply with any related treatment or education