



Uniform Charge Table “UCT”



Uniform Charge Table

- A comprehensive list of every criminal offense and violation defined in the NH Statutes

Why do we need the UCT?



- J-One Network - an integrated network for criminal justice information
 - Police will be able to file complaints electronically
 - Courts will send dispositions electronically
 - E-ticketing
- Common language to identify criminal offenses and violations is essential
- UCT is that language

Why do we need the UCT?



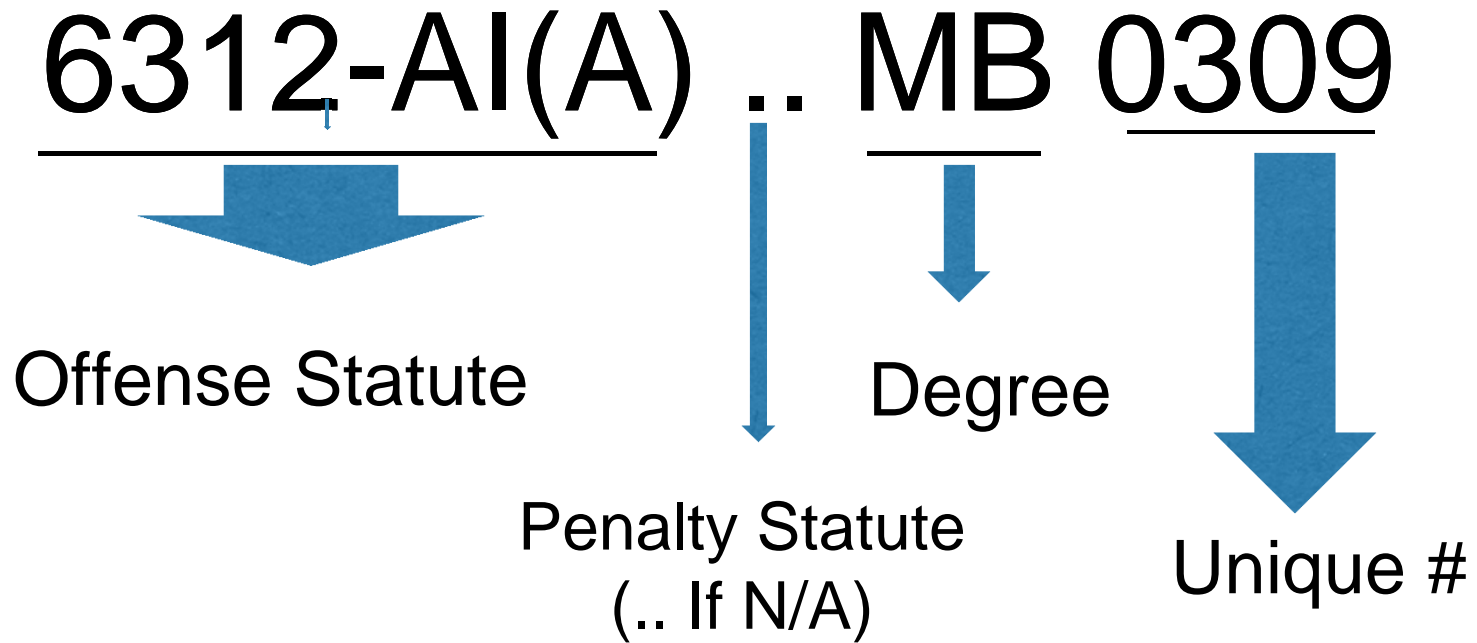
- Your department's record management system has incorporated the UCT.
- When a complaint is generated, you will need to use the UCT to find the right charge.



What does the UCT entail?

- Every criminal charge has been given a unique code called a “Smart Code”
- Smart Code contains:
 - Offense statute – ex. RSA 632-a, I(a)
 - Penalty statute (if applicable)
 - Degree of offense
 - Unique number

Example of Smart Code



Simple Assault, RSA 631:2-a, I(a),
Misdemeanor B



Smart Codes

- no need to memorize Smart Codes
- each code starts with a statute #
- You may use that to search



RSA 631:2-a

Simple Assault

- I. A person is guilty of simple assault if he:
 - (a) Purposely or knowingly causes bodily injury or unprivileged physical contact to another; or
 - (b) Recklessly causes bodily injury to another; or
 - (c) Negligently causes bodily injury to another by means of a deadly weapon.
- II. Simple assault is a misdemeanor unless committed in a fight entered into by mutual consent, in which case it is a violation.



RSA 631:2-a, 1 *Simple Assault*

- 3 different offenses
 - RSA 631:2-a, 1(a), 1(b) and 1(c)
- For each offense, 3 possible degrees
 - Class B misdemeanor
 - Class A misdemeanor (must file notice)
 - Violation
- For each offense, UCT has 3 unique entries, 1 for each possible degree



Spreadsheet View of RSA 631:2-a

Smart Code	Offense Statute	Descriptor	Statute Title	Degree	Inchoate	Sentence Enhancer
6312-AI(A)..V03093	631:2-A,I(A)	Simple Assault; Physical Contact or BI	Simple Assault	V	Y	Y
6312-AI(A)..MA03099	631:2-A,I(A)	Simple Assault; Physical Contact or BI	Simple Assault	MA	Y	Y
6312-AI(A)..MB03102	631:2-A,I(A)	Simple Assault; Physical Contact or BI	Simple Assault	MB	Y	Y
6312-AI(B)..MA03094	631:2-A,I(B)	Simple Assault; BI	Simple Assault	MA	Y	Y
6312-AI(B)..MB03095	631:2-A,I(B)	Simple Assault; BI	Simple Assault	MB	Y	Y
6312-AI(B)..V03096	631:2-A,I(B)	Simple Assault; BI	Simple Assault	V	Y	Y
6312-AI(C)..MA03097	631:2-A,I(C)	Simple Assault; Deadly Weapon & BI	Simple Assault	MA	Y	Y
6312-AI(C)..V03098	631:2-A,I(C)	Simple Assault; Deadly Weapon & BI	Simple Assault	V	Y	Y
6312-AI(C)..MB03100	631:2-A,I(C)	Simple Assault; Deadly Weapon & BI	Simple Assault	MB	Y	Y



UCT Charge

- Attached to each smart code is:
 - Name of Statute
 - Descriptor
 - Sentence Enhancement Flag
 - Inchoate Flag:
 - Accomplice
 - Solicitation
 - Conspiracy
 - Attempt

Descriptor



- Short name for the offense
- Can be used to search for an offense
- Often includes abbreviations
 - Subsq – Subsequent offense
 - SBI = serious bodily injury
 - BI = bodily injury
 - V < 13 = Victim is less than 13 y.o.
 - Heroin > = heroin in amount greater than. . .
 - Minor > .02 = minor w/ BAC more than .02



Examples of Descriptors

- **Recv Stolen Prop; \$1501+**
 - RSA 637:7
- **Crim Threat – Graffiti**
 - RSA 631:4, I(b)
- **Disobey Offcr; mv accdt, death**
 - RSA 265:4
- **DUI Aggrvtd; >.08/.02%; 30+mph**
 - RSA 265-A:3,II(a)
- **Bail Jumping on Misd / Matl Witness**
 - RSA 642:8
- **DV; Obstruct Rprt of Crime/Inj; Deadly Wea**
 - RSA 631:2-b, I(k)



Degree of Offense

- Violation
- Misdemeanor
 - Class A
 - Class B
 - Unclassified – only for “non-persons”
- Felony
 - Class A
 - Class B
 - Unclassified – only for “non-persons”
 - Special – sentence provided by statute is more than 7 ½ - 15 years
 - Ex: AFSA is 10 – 20 years



Inchoates

- Attempt, solicitation, conspiracy will no longer be charged using RSA 629:1, :2, or :3 respectively
- Accomplice will no longer be charged using 626:8
- Use the statute for the completed offense, click on inchoate flag and pick
- Ex: Attempted first degree assault = RSA 631:2 plus inchoate flag of attempt



Sentence Enhancers

- Deadly weapon = Firearm under RSA 651:2
- All enhancements under RSA 651:6, such as:
 - Exceptional cruelty
 - Hate crime
 - Offense against law enforcement officer
 - Taking advantage of victim's age or disability
 - Crime = major source of livelihood

RSA 631:2-B

Domestic Violence



631:2-b Domestic Violence

I. A person is guilty of domestic violence if the person commits any of the following against a family or household member or intimate partner:

(a) Purposely or knowingly causes bodily injury or unprivileged physical contact against another by use of physical force;

(b) Recklessly causes bodily injury to another by use of physical force;

(c) Negligently causes bodily injury to another by means of a deadly weapon;

(d) Uses or attempts to use physical force, or by physical conduct threatens to use a deadly weapon for the purpose of placing another in fear of imminent bodily injury;

(e) Threatens to use a deadly weapon against another person for the purpose to terrorize that person;

(f) Coerces or forces another to submit to sexual contact by using physical force or physical violence;

II. Domestic violence is a class A misdemeanor unless the person uses or threatens to use a deadly weapon as defined in RSA 625:11, V, in the commission of an offense, in which case it is a class B felony

Spreadsheet View of RSA 631:2-b



SMART CODE	OFFENSE STATUTE	DESCRIPTOR	STATUTE TITLE	DEGREE	INCHOATE	SENTENCE ENHANCER
6312-b1(a)..MA03135	631:2-b,1(a)	DV; Simple Assault; Physical Contact	Domestic Violence	MA	N	N
6312-b1(a)..FB03136	631:2-b,1(a)	DV; Simple Assault; Physical Contact	Domestic Violence	FB	N	N
6312-b1(b)..MA03137	631:2-b,1(b)	DV; Simple Assault - BI	Domestic Violence	MA	N	N
6312-b1(b)..FB03138	631:2-b,1(b)	DV; Simple Assault-BI & Deadly Weapon	Domestic Violence	FB	N	N
6312-b1(c)..FB03139	631:2-b,1(c)	DV; Simple Assault; BI & Deadly Weapon	Domestic Violence	FB	N	N
6312-b1(d)..MA03172	631:2-b,1(d)	DV; Crim Threat; Fear of Bodily Injury	Domestic Violence	MA	N	N
6312-b1(d)..FB03173	631:2-b,1(d)	DV; Crim Threat; Fear of Bodily Injury	Domestic Violence	FB	N	N
6312-b1(e)..FB03140	631:2-b,1(e)	DV; Crim Threat Against Person; Deadly Wea	Domestic Violence	FB	N	N
6312-b1(f)..MA03141	631:2-b,1(f)	DV; Sexual Assault; Contact & Force	Domestic Violence	MA	N	N
6312-b1(f)..FB03142	631:2-b,1(f)	DV; Sexual Assault ; Force & Deadly Weapon	Domestic Violence	FB	Y	N

Why is there no MB or V degree?

DUI



265-A:2 Driving or Operating Under Influence of Drugs or Liquor; Driving or Operating With Excess Alcohol Concentration. –

I. No person shall drive or attempt to drive a vehicle upon any way or operate or attempt to operate an OHRV:

(a) While such person is under the influence of intoxicating liquor or any controlled drug, prescription drug, over-the-counter drug, or any other chemical substance, natural or synthetic, which impairs a person's ability to drive or any combination of intoxicating liquor and controlled drugs, prescription drugs, over-the-counter drugs, or any other chemical substances, natural or synthetic, which impair a person's ability to drive; or

(b) While such person has an alcohol concentration of 0.08 or more or in the case of a person under the age of 21, 0.02 or more.

II. No person shall operate or attempt to operate a boat while under the influence of intoxicating liquor or a controlled drug, prescription drug, over-the-counter drug, or any other chemical substance, natural or synthetic, which impairs a person's ability to drive or any combination of intoxicating liquor and a controlled drug or drugs, prescription drug or drugs, over-the-counter drug or drugs, or any other chemical substance or substances, natural or synthetic, which impair a person's ability to drive or while such person has an alcohol concentration of 0.08 or more or in the case of persons under the age of 21, 0.02 or more.



DUI

DUI can no longer be charged as RSA 265-A:2

- Must be either 265-A:2, I(a) or I(b)

STATUTE	DESCRIPTOR	PENALTY			SENTENCE
		STATUTE	DEGREE	INCHOATE	ENHANCER
265-A:2,I(a)	DUI - impairment	265-A:18,I	MB	N	N
265-A:2,I(a)	DUI 2nd or 3rd; Impairment	265-A:18,IV(a)	MA	N	N
265-A:2,I(a)	DUI 4th; Impairment	265-A:18,IV(c)	FB	N	N
265-A:2,I(b)	DUI; Adult>.08; Minor>.02	265-A:18,I	MB	N	N
265-A:2,I(b)	DUI 4th; Adult>.08; Minor>.02	265-A:18,IV(c)	FB	N	N
265-A:2,II	DUI Boating Under the Influence	265-A:19,IV	MB	N	N



Controlled Drug Offenses

Will no longer be charged as RSA 318-B:2

STATUTE	DESCRIPTOR	PENALTY STATUTE	DEGREE	INCHOATE	SENTENCE ENHANCER
318-B:2,I	Cntrl Drug: Marij/Hash<5 gms, possn	318-B:26,II	MA	Y	N
318-B:2,I	Cntrl Drug: Marij<1 oz. or Hash< 5gms	318-B:26,I(d)(1)	FB	Y	N
318-B:2,I	Cntrl Drug: Marij<1 oz/Hash<5gm, subsqt	318-B:26,I(d)(1)	FS	Y	N
318-B:2,I	Cntrl Drug: Mari >1 oz / Hash>5 gm SZ	318-B:26,I(c)(5)SZ	FS	Y	N
318-B:2,I	Cntrl Drug: Marij>1 oz / Hash>5 gm, subsqt	318-B:26,I(c)(5)	FA	Y	N
318-B:2,I	Cntrl Drug: Sched 1 - 4; Possession	318-B:26,II(a)	FB	Y	N
318-B:2,I	Cntrl Drug: Sched 1 - 4; Possession subsqt	318-B:26,II(a)	FA	Y	N
318-B:2,I	Cntrl Drug: Sched. 1 - 4; Sale etc	318-B:26,I(c)(7)	FB	Y	N
318-B:2,I	Cntrl Drug: Sched. 1 - 4; Sale etc, SZ	318-B:26,I(c)(7)SZ	FA	Y	N
318-B:2,I	Cntrl Drug: Sched 1-4; Sale etc, subsqt	318-B:26,I(c)(7)	FA	Y	N
318-B:2,I	Cntrl Drug: Cocaine < 1/2 oz	318-B:26,I(c)(1)	FB	Y	N
318-B:2,I	Cntrl Drug: Cocaine < 1/2 oz SZ	318-B:26,I(c)(1)SZ	FA	Y	N
318-B:2,I	Cntrl Drug: Cocaine >1/2 oz < 5 oz	318-B:26,I(b)(1)	FS	Y	N



Controlled Drug Offenses

- UCT charge won't reflect whether charge involves sale, possession with intent to sell, distribution, etc...
 - That should be included in the complaint narrative
- “SZ” means school zone
- “Sale etc” means sale, distribution, possession with intent to sell . . .



Fugitive from Justice

- RSA 612:14 – Arrest without a Warrant
 - When arresting based on information from another state
- RSA 612:13 – Arrest Prior to Requisition
 - Arresting a person based on a NH Governor's warrant

New Complaint Form



THE STATE OF NEW HAMPSHIRE COMPLAINT

Case Number: _____ Charge ID: _____

<input type="checkbox"/> VIOLATION	<input type="checkbox"/> MISDEMEANOR	<input type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> UNCLASSIFIED (non-person)
	<input type="checkbox"/> FELONY	<input type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> SPECIAL

You are to appear at the: _____ Court,
Address: _____ County:
Time: _____ Date: _____

Under penalty of law to answer to a complaint charging you with the following offense:
THE UNDERSIGNED COMPLAINS THAT: PLEASE PRINT

Last Name _____ First Name _____ Middle _____

Address _____ City _____ State _____ Zip _____

Sex _____ Race _____ Height _____ Weight _____ Eye Color _____ Hair Color _____

DOB _____ License #: _____ OP License State _____

COMM. VEH. COMM. DR. LIC. HAZ. MAT. 16+PASSENGER

AT: On _____ at _____ in _____

RSA Name: _____

Contrary to RSA: _____

Inchoate: _____

(Sentence Enhancer): _____

And the laws of New Hampshire for which the defendant should be held to answer, in that the defendant did:

Case Number: _____
Charge ID: _____

Complaint Amendment Form



- Court has adopted new form to be used when a criminal charge is amended (e.g. plea bargain)
 - new charge will have new Smart Code
 - court staff will need the UCT statute and descriptor

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>



Court Name: _____
Case Name: _____
Case Number: _____ Charge ID Number: _____

COMPLAINT AMENDMENT FORM

- The offense degree is amended to:
 - Violation Misdemeanor Class A Class B Unclassified (non-person)
 - Felony Class A Class B Special Unclassified (non-person)
- The RSA name and RSA reference are amended as follows in order to make the complaint compliant with the Uniform Charge Table:
RSA name (UCT Descriptor): _____
RSA: _____
- The complaint narrative is unchanged.
- The complaint narrative is amended to read as follows:

If applicable, the inchoate reference is unchanged; amended to read:

If applicable, the sentence enhancer is unchanged; amended to read:

Date

Signature of Prosecutor

Name of Prosecutor

Date

Signature of Defendant/Defense Counsel

Name of Defendant/Defense Counsel