

# Public Safety Assessment

## New Jersey Risk Factor Definitions - March 2018

The Public Safety Assessment (PSA) is a pretrial risk assessment developed by the Laura and John Arnold Foundation (LJAF). The PSA uses nine risk factors to assess the risk of new criminal activity (NCA), including new violent criminal activity (NVCA), and failure to appear (FTA) pending case disposition. The assessment is intended to be used to assess the risk of NCA, NVCA, and FTA for defendants who have been arrested and are pending the disposition of their cases. Each risk factor is defined based on LJAF's original PSA development and follow-up validation research. The definitions have been modified to reflect New Jersey terminology and practices, while maintaining consistency with the underlying research. This document sets forth the risk factor definitions to be applied in New Jersey.<sup>1</sup>

All pretrial risk factors are determined by the defendant's adult criminal and criminal court appearance history. Juvenile records and domestic violence restraining orders are not considered when completing the assessment. In addition, all criminal history and failure to appear related factors are based only on Indictable and Disorderly Persons offenses. Petty Disorderly Persons, local ordinance offenses, and traffic offenses are not included when calculating the PSA. Specifically, pending charges, convictions, failures to appear, and sentences to incarceration related to Petty Disorderly Persons, local ordinance offenses, and traffic offenses are not counted.

### RISK FACTORS

#### 1. AGE AT CURRENT ARREST

Age is calculated based on the defendant's age in years at the time of the current arrest. Age is used to determine if the defendant is 20 or younger, 21 or 22, or 23 or older.

#### 2. CURRENT VIOLENT OFFENSE

An offense is categorized as violent when a person causes or attempts to cause physical injury through use of force or violence against another person. The most common violent offenses include the following: Murder, Homicide, Manslaughter, Assault Involving Physical Injury (including domestic assault), Kidnapping, Abduction, Human Trafficking, Person-To-Person Sex Offenses (such as rape and sexual assault), Robbery, Carjacking, and Terrorism. A charge of attempt (e.g., Attempted Murder, Attempted Sexual Assault), solicitation, or conspiracy to commit any of these offenses is considered a violent offense. An offense is not categorized as violent when the crime involves recklessness or negligence, unless it is charged at the level of manslaughter or homicide. In addition, an offense involving threats, intimidation, harassment, and similar behavior is not categorized as violent, with the exception of stalking, which is categorized as violent. See Appendix for the complete list of New Jersey Code of Criminal Justice statutes that are categorized as violent for the purpose of completing the PSA. If any of the current offenses are violent, the answer to this risk factor is yes. Otherwise, the answer is no.

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<sup>1</sup> An earlier version of this document was provided to the Attorney General and Public Defender in March 2017.

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#### 2a. CURRENT VIOLENT OFFENSE & 20 YEARS OLD OR YOUNGER

If one or more of the current offenses is violent as defined in risk factor 2 above and the defendant is 20 or younger at the time of the arrest as defined in risk factor 1 above, the answer to this risk factor is yes. Otherwise, the answer is no.

#### 3. PENDING CHARGE AT THE TIME OF THE OFFENSE

A pending charge is a charge that has a future pre-disposition related court date or is pending presentation to the grand jury, or has not been disposed of due to the defendant's failure to appear pending trial or sentencing, or that is in some form of deferred status (e.g., conditional discharge, conditional dismissal, pretrial intervention program). Charges include any Indictable or Disorderly Persons offense. A pre-disposition court appearance is any court appearance after arrest and prior to and including sentencing.

The pending charge must have been pending at the time of the alleged offense for the current arrest while the defendant was on some form of pretrial release pending case disposition. If the current arrest includes a bench warrant for failure to appear for a pre- disposition related court appearance, the underlying charge for the failure to appear is counted as a pending charge. If the defendant had an Indictable or Disorderly Persons charge pending at the time the current offense allegedly occurred, the answer to this risk factor is yes. Otherwise, the answer is no.

#### 4. PRIOR DISORDERLY PERSONS CONVICTION

A Disorderly Persons offense includes any offense defined by New Jersey statute as Disorderly Persons (excludes Petty Disorderly Persons) or any offense defined as a misdemeanor by another state. A conviction includes any guilty plea or finding of guilt to a charge that is not currently in some form of deferred status (e.g., conditional discharge, conditional dismissal, and pretrial intervention program) or pending sentencing. A charge that is in some form of deferred status or is pending sentencing is not considered a conviction (see risk factor 3 – Pending Charge at the Time of the Offense). If the defendant has pled guilty or been found guilty as an adult of one or more Disorderly Persons or misdemeanor offenses and the charge is not in deferred status or pending sentencing, the answer to this risk factor is yes. Otherwise, the answer is no.

#### 5. PRIOR INDICTABLE CONVICTION

An Indictable offense includes any offense defined by New Jersey statute as Indictable (includes all degrees 1 through 4) or any offense defined as a felony by another state. A conviction includes any guilty plea or finding of guilt to a charge that is not currently in some form of deferred status (e.g., pretrial intervention program) or pending sentencing. A charge that is in some form of deferred status or is pending sentencing is not considered a conviction (see risk factor 3 – Pending Charge at the Time of the Offense). If the defendant has pled guilty or been found guilty as an adult of one or more Indictable or felony offenses and the charge is not in deferred status or pending sentencing, the answer to this risk factor is yes. Otherwise, the answer is no.

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#### 5a. PRIOR CONVICTION

If the defendant has a prior Disorderly Persons conviction as defined in risk factor 4 above or the defendant has a prior Indictable conviction as defined in risk factor 5 above, the answer to this risk factor is yes. Otherwise, the answer is no.

#### 6. PRIOR VIOLENT CONVICTION

An offense is categorized as violent in all states when a person causes or attempts to cause physical injury through use of force or violence against another person. The most common violent offenses include the following: Murder, Homicide, Manslaughter, Assault Involving Physical Injury (including domestic assault), Kidnapping, Abduction, Human Trafficking, Person-To-Person Sex Offenses (such as rape and sexual assault), Robbery, Carjacking, and Terrorism. A charge of attempt (e.g., Attempted Murder, Attempted Sexual Assault), solicitation, or conspiracy to commit any of these offenses is considered a violent offense. An offense is not categorized as violent when the crime involves recklessness or negligence, unless it is charged at the level of manslaughter or homicide. In addition, an offense involving threats, intimidation, harassment, and similar behavior is not categorized as violent, with the exception of stalking, which is categorized as violent. See Appendix for the complete list of New Jersey Code of Criminal Justice statutes that are categorized as violent for the purpose of completing the PSA.

A conviction includes any guilty plea or finding of guilt to a charge that is not currently in some form of deferred status (e.g., conditional discharge, conditional dismissal, pretrial intervention program) or pending sentencing. A charge that is in some form of deferred status or pending sentencing is not considered a conviction (see risk factor 3 – Pending Charge at the Time of the Offense). Each prior violent charge resulting in a guilty disposition is counted separately even if multiple charges were related to the same incident, were disposed of on the same day, or under the same charging document or case. The number of guilty dispositions for a prior violent charge is used to determine if the defendant has none, 1 or 2, or 3 or more prior violent convictions.

#### 7. PRIOR FAILURE TO APPEAR PRETRIAL IN PAST 2 YEARS

A failure to appear pretrial includes any pre-disposition court appearance for which the defendant failed to appear and the Court took an action such as issuing an FTA notice or a bench warrant for arrest. A pre-disposition court appearance is any court appearance after arrest and prior to and including sentencing. The court appearance must have been for a pending (pre-disposition) Indictable or Disorderly Persons offense. Post-disposition court appearances such as hearings for non-payment/failure to pay, violations of supervision and violations of other court-ordered obligations are not counted. A failure to appear for a single court appearance is counted once, regardless of the number of charges or FTA notices/bench warrants issued related to the single court appearance.

A failure to appear pretrial is not counted if there is confirmation that the defendant was in custody (jail or prison) when the failure to appear occurred. In addition, a failure to appear pretrial is not counted if the FTA notice/bench warrant was issued and vacated the same day. The two-year time

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frame includes the two year period prior to the date of the current arrest. The number of failures to appear pretrial in the past two years is used to determine if the defendant had none, 1, or 2 or more prior failures to appear.

#### **8. PRIOR FAILURE TO APPEAR PRETRIAL OLDER THAN 2 YEARS**

A failure to appear pretrial includes any pre-disposition court appearance for which the defendant failed to appear and the Court took an action such as issuing an FTA notice or a bench warrant for arrest. A pre-disposition court appearance is any court appearance after arrest and prior to and including sentencing. The court appearance must have been for a pending (pre-disposition) Indictable or Disorderly Persons offense. Post-disposition court appearances such as hearings for non-payment/failure to pay, violations of supervision, and violations of other court-ordered obligations are not counted. A failure to appear for a single court appearance is counted once, regardless of the number of charges or FTA notices/bench warrants issued related to the single court appearance.

A failure to appear pretrial is not counted if there is confirmation that the defendant was in custody (jail or prison) when the failure to appear occurred. In addition, a failure to appear pretrial is not counted if the FTA notice/bench warrant was issued and vacated on the same day. If the defendant failed to appear for court pretrial and an FTA notice/bench warrant for arrest was issued more than two years from the date of the current arrest, the answer to this risk factor is yes. Otherwise, the answer is no.

#### **9. PRIOR SENTENCE TO INCARCERATION**

A sentence to incarceration includes any sentence to jail or prison of 14 days or more for an Indictable or Disorderly Persons offense imposed by a judge at the time of sentencing or re-sentencing (e.g., supervision violation hearing, revocation of suspended sentence). A sentence of 14 days or more that is "credit for time served" is counted. A sentence of 14 days or more is included only if it is imposed as a single sentence and not a combination of multiple lesser sentences. If the Court suspends the imposition of the sentence it is not considered a sentence to incarceration. Incarceration in lieu of payment of fines or costs and a sanction imposed by non-judges (e.g., probation officers) are also not considered sentences to incarceration. If the defendant previously received a sentence of incarceration to jail or prison of 14 days or more as a single sentence imposed by a judge, the answer to this risk factor is yes. Otherwise, the answer is no.

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APPENDIX –VIOLENT OFFENSE LIST (INCLUDES ONLY CURRENT STATUTES)

| <b>NEW JERSEY CODE OF CRIMINAL JUSTICE</b> |   |               |
|--|---|---------------|
| <b>TITLE 2C</b>                            |   |               |
| <b>STATUTES</b>                            | <b>DESCRIPTION</b>  | <b>DEGREE</b> |
| <b>MURDER</b>                              |   |               |
| <b>2C:11-3A(1)</b>                         | MURDER-PURPOSELY  | 1             |
| <b>2C:11-3A(2)</b>                         | MURDER-KNOWINGLY  | 1             |
| <b>2C:11-3A(3)</b>                         | MURDER-DURING COMMISSION OF A CRIME   | 1             |
| <b>MANSLAUGHTER</b>                        |   |               |
| <b>2C:11-4A(1)</b>                         | AGGRAVATED MANSLAUGHTER-EXTREME INDIFFERENCE HUMAN LIFE   | 1             |
| <b>2C:11-4A(2)</b>                         | AGGRAVATED MANSLAUGHTER-CAUSE DEATH WHILE FLEE/ELUDE LAW ENFORCEMENT OFFICER                      | 1             |
| <b>2C:11-4B(1)</b>                         | MANSLAUGHTER-COMMITTED RECKLESSLY   | 2             |
| <b>2C:11-4B(2)</b>                         | MANSLAUGHTER-PASSION/PROVOCATION  | 2             |
| <b>DEATH BY AUTO OR VESSEL</b>             |   |               |
| <b>2C:11-5.1</b>                           | KNOWING LEAVING SCENE OF MV ACCIDENT RESULTING IN DEATH   | 2             |
| <b>2C:11-5A</b>                            | DEATH BY AUTO OR VESSEL (VEHICULAR HOMICIDE)  | 2             |
| <b>2C:11-5B(3)A</b>                        | VEHICULAR HOMICIDE-DWI/BREATH TEST REFUSAL-ON OR WITHIN 1000 FEET OF SCHOOL PROPERTY              | 1             |
| <b>2C:11-5B(3)B</b>                        | VEHICULAR HOMICIDE-DWI/REFUSAL-THROUGH SCHOOL CROSSING  | 1             |
| <b>2C:11-5B(3)C</b>                        | VEHICULAR HOMICIDE-DWI/BREATH TEST REFUSAL-DRIVING THRU SCHOOL CROSSING-KNOWING JUVENILES PRESENT | 1             |
| <b>ASSAULT</b>                             |   |               |
| <b>2C:12-1A(1)</b>                         | SIMPLE ASSAULT-PURPOSELY/KNOWINGLY CAUSE BODILY INJURY  | D             |
| <b>2C:12-1A(2)</b>                         | SIMPLE ASSAULT W/ DEADLY WEAPON BODILY INJURY   | D             |
| <b>2C:12-1B(1)</b>                         | AGGRAVATED ASSAULT-ATTEMPT/CAUSE SERIOUS BODILY INJURY PURPOSELY/KNOWINGLY/RECKLESSLY             | 2             |
| <b>2C:12-1B(2)</b>                         | AGGRAVATED ASSAULT-ATTEMPT/CAUSE BODILY INJURY W/DEADLY WEAPON                                    | 3             |
| <b>2C:12-1B(3)</b>                         | AGGRAVATED ASSAULT-RECKLESSLY CAUSE INJURY W/ DEADLY WEAPON                                       | 4             |
| <b>2C:12-1B(4)</b>                         | AGGRAVATED ASSAULT-KNOWINGLY POINT FIREARM AT/IN DIRECTION OF ANOTHER                             | 4             |
| <b>2C:12-1B(5)(A)</b>                      | AGGRAVATED ASSAULT-ON LAW ENFORCEMENT OFFICER   | 3, 4          |
| <b>2C:12-1B(5)(B)</b>                      | AGGRAVATED ASSAULT-ON PAID/VOLUNTEER FIREMAN  | 3, 4          |
| <b>2C:12-1B(5)(C)</b>                      | AGGRAVATED ASSAULT-ON EMERGENCY FIRST AID/MEDICAL SERVICES PERSON                                 | 3, 4          |
| <b>2C:12-1B(5)(D)</b>                      | AGGRAVATED ASSAULT-ON SCHOOL EMPLOYEE   | 3, 4          |
| <b>2C:12-1B(5)(E)</b>                      | AGGRAVATED ASSAULT-ON DCPD/DYFS EMPLOYEE  | 3, 4          |
| <b>2C:12-1B(5)(F)</b>                      | AGGRAVATED ASSAULT-ON JUSTICE OR JUDGE  | 3, 4          |
| <b>2C:12-1B(5)(G)</b>                      | AGGRAVATED ASSAULT-ON BUS DRIVER/SUPERVISOR/EMPLOYEE OF RAIL PASSENGER SERVICE                    | 3, 4          |
| <b>2C:12-1B(5)(H)</b>                      | AGGRAVATED ASSAULT-ON DEPT. OF CORRECTIONS EMPLOYEE/PROBATION OFFICER/SHERIFF ETC.                | 3, 4          |
| <b>2C:12-1B(5)(I)</b>                      | AGGRAVATED ASSAULT-ON UTILITY COMPANY/CABLE TV EMPLOYEE   | 3, 4          |
| <b>2C:12-1B(5)(J)</b>                      | AGGRAVATED ASSAULT-ON HEALTH CARE WORKER  | 3, 4          |
| <b>2C:12-1B(5)(K)</b>                      | AGGRAVATED ASSAULT-ON DIRECT CARE WORKER AT PSYCHIATRIC HOSPITAL/DEVELOPMENTAL CENTER/VETS HOME   | 3, 4          |
| <b>2C:12-1B(6)</b>                         | AGGRAVATED ASSAULT-CAUSE BODILY INJURY WHILE FLEEING LAW ENFORCEMENT OFFICER                      | 2             |
| <b>2C:12-1B(7)</b>                         | AGGRAVATED ASSAULT-ATTEMPT/CAUSE SIGNIFICANT BODILY INJURY TO ANOTHER                             | 3             |
| <b>2C:12-1B(8)</b>                         | AGGRAVATED ASSAULT-CAUSE/START FIRE/EXPLOSION RESULTING IN INJURY TO EMERGENCY SERVICES PERSONNEL | 2, 3          |

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|--------------------------------------|--|---------------|
| 2C:12-1B(9)                          | AGGRAVATED ASSAULT-POINT FIREARM AT/IN DIRECTION OF LEO  | 3             |
| 2C:12-1B(10)                         | AGGRAVATED ASSAULT-POINT/DISPLAY/USE IMITATION FIREARM AGAINST LAW ENFORCEMENT OFFICER                   | 3             |
| 2C:12-1B(11)                         | AGGRAVATED ASSAULT-USE/ACTIVATE LASER SIGHTING SYSTEM OR DEVICE AGAINST LAW ENFORCEMENT OFFICER          | 3             |
| 2C:12-1B(12)                         | AGGRAVATED ASSAULT-ON DOMESTIC VIOLENCE VICTIM   | 3             |
| 2C:12-1C(1)                          | ASSAULT BY AUTO/VESSEL RECKLESSLY-SBI/BI   | 4, D          |
| 2C:12-1C(2)                          | ASSAULT BY AUTO/VESSEL VIOLATION OF 39:4-50 OR 4-50.4a   | 3, 4          |
| 2C:12-1C(3)(A)                       | ASSAULT BY AUTO/VESSEL SCHOOL/SBI  | 2, 3          |
| 2C:12-1C(3)(B)                       | ASSAULT BY AUTO/VESSEL SCHOOL CROSSING   | 2, 3          |
| 2C:12-1C(3)(C)                       | ASSAULT AUTO/VESSEL SCHOOL CROSSING JUVENILE PRESENT   | 2, 3          |
| 2C:12-1C(4)                          | ASSAULT BY/AUTO/VESSEL-DRIVE AGGRESSIVELY AT VEHICLE   | 3, 4          |
| 2C:12-1D                             | ASSAULT INSTITUTE ELDERLY PERSON   | 4             |
| 2C:12-1F                             | SIMPLE ASSAULT AT YOUTH SPORTING EVENT   | 4             |
| 2C:12-10B                            | STALKING-ENGAGE CONDUCT REASONABLE PERSON PUT IN FEAR  | 4             |
| 2C:12-10C                            | STALKING-STALKING IN VIOLATION OF COURT ORDER  | 3             |
| 2C:12-10D                            | STALKING-REPEAT OFFENDER AND SAME VICTIM   | 3             |
| 2C:12-10E                            | STALKING WHILE ON PAROLE OR PROBATION OR IMPRISONMENT  | 3             |
| 2C:12-11B(1)                         | DISARMING LAW OFFICER-FIRES/DISCHARGES FIREARM   | 1             |
| 2C:12-11B(2)                         | DISARMING LAW OFFICER-DISCHARGE/THREAT USE FIREARM/SBI   | 1             |
| 2C:12-11B(3)                         | DISARM LAW OFFICER-OFFICER OR ANOTHER PERSON SUFFERS SERIOUS BODILY INJURY                               | 1             |
| 2C:12-13                             | THROWING BODILY FLUID AT DOC EMPLOYEES   | 3, 4          |
| <b>KIDNAPPING, HUMAN TRAFFICKING</b> |  |               |
| 2C:13-1A                             | KIDNAP-FOR RANSOM OR TO HOLD AS SHIELD/HOSTAGE   | 1, 2          |
| 2C:13-1B(1)                          | KIDNAP-FACILITATE CRIME/FLIGHT   | 1, 2          |
| 2C:13-1B(2)                          | KIDNAP-BODILY INJURY/TERRORIZE VICTIM/ANOTHER  | 1, 2          |
| 2C:13-1B(3)                          | KIDNAP-INTERFERE W/ GOVERNMENTAL/POLITICAL FUNCTION  | 1, 2          |
| 2C:13-1B(4)                          | KIDNAP-DEPRIVE PARENT, ETC. OF CUSTODY   | 1, 2          |
| 2C:13-8A(1)(A)                       | HUMAN TRAFFICKING-HOLD, ETC. VICTIM FOR SEX-BY CAUSING/THREATENING SEVERE BODILY HARM OR RESTRAINT       | 1             |
| 2C:13-8A(1)(B)                       | HUMAN TRAFFICKING-HOLD, ETC. VICTIM FOR SEX-BY SCHEME, PLAN, ETC. TO CAUSE VICTIM TO FEAR HARM/RESTRAINT | 1             |
| 2C:13-8A(1)(C)                       | HUMAN TRAFFICKING-HOLD, RECRUIT, LURE, ENTICE, HARBOR ETC. VICTIM FOR SEX BY CRIM. COERCION              | 1             |
| 2C:13-8A(1)(D)                       | HUMAN TRAFFICKING-HOLD, ETC. VICTIM FOR SEX BY DESTROYING PASSPORT, ETC.                                 | 1             |
| 2C:13-8A(1)(E)                       | HUMAN TRAFFICKING-HOLD VICTIM FOR SEX BY ABUSE OR THREATENED ABUSE OF LAW/LEGAL PROCESS                  | 1             |
| 2C:13-8A(1)(F)                       | HUMAN TRAFFICKING-HOLD VICTIM FOR SEX BY FRAUD, DECEIT OR MISREPRESENTATION                              | 1             |
| 2C:13-8A(1)(G)                       | HUMAN TRAFFICKING-HOLD, RECRUIT, LURE, ETC. VICTIM FOR SEX BY FACILITATING ACCESS TO CDS/ANALOG          | 1             |
| 2C:13-8A(2)                          | HUMAN TRAFFICKING-RECEIVES VALUE AS ORGANIZER, SUPERVISOR, FINANCIER OR MANAGER                          | 1             |
| 2C:13-8A(3)                          | HUMAN TRAFFICKING-HOLDS, ETC. CHILD <18 FOR SEX  | 1             |
| 2C:13-9A(2)                          | PROCURE/ATTEMPT TO PROCURE VICTIM FOR HUMAN TRAFFICKING  | 2             |
| <b>SEXUAL ASSAULT</b>                |  |               |
| 2C:14-2A(1)                          | AGGRAVATED SEXUAL ASSAULT-VICTIM < 13  | 1             |
| 2C:14-2A(2)(A)                       | AGG. SEX ASSAULT-VICTIM >=13 & <16-DEFENDANT & VICTIM RELATED  | 1             |
| 2C:14-2A(2)(B)                       | AGG. SEX ASSAULT-V >=13 & < 16-D W/ SUPERV/DISC POWER  | 1             |
| 2C:14-2A(2)(C)                       | AGG. SEX ASSAULT-V>=13 & <16-D RESOURCE PARENT/GUARDIAN  | 1             |
| 2C:14-2A(3)                          | AGG. SEX ASSAULT-DURING ROBBERY/KIDNAP/HOMICIDE/ETC.   | 1             |
| 2C:14-2A(4)                          | AGG. SEX ASSAULT-D ARMED W/ & THREATENS USE OF WEAPON  | 1             |

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|-------------------------------|--|---------------|
| <b>2C:14-2A(5)</b>            | AGG. SEX ASSAULT-DEFENDANT AIDED BY >=1 PERSONS-USES FORCE/COERCION                                  | 1             |
| <b>2C:14-2A(6)</b>            | AGG. SEX ASSAULT-FORCE/COERCION & SEVERE INJURY TO VICTIM  | 1             |
| <b>2C:14-2A(7)</b>            | AGG. SEX ASSAULT-V HELPLESS, INCAPACITATED, ETC.   | 1             |
| <b>2C:14-2B</b>               | SEXUAL ASSAULT-VICTIM < 13 & DEF 4+ YEARS OLDER  | 2             |
| <b>2C:14-2C(1)</b>            | SEXUAL ASSAULT-FORCE/COERCION NO SEVERE PERSONAL INJURY  | 2             |
| <b>2C:14-2C(2)</b>            | SEXUAL ASSAULT-VICTIM ON PROBATION/PAROLE & DEFENDANT HAS SUPERVISORY/DISCIPLINARY POWER OVER VICTIM | 2             |
| <b>2C:14-2C(3)(A)</b>         | SEXUAL ASSAULT-VICTIM 16-18-RELATIVE   | 2             |
| <b>2C:14-2C(3)(B)</b>         | SEXUAL ASSAULT-VICTIM 16-18 SUPERVISOR   | 2             |
| <b>2C:14-2C(3)(C)</b>         | SEXUAL ASSAULT BY GUARDIAN ON CHILD  | 2             |
| <b>2C:14-2C(4)</b>            | SEXUAL ASSAULT-VICTIM 13-16, ACTOR 4YRS+   | 2             |
| <b>2C:14-3A</b>               | AGGRAVATED CRIMINAL SEXUAL CONTACT   | 3             |
| <b>2C:14-3B</b>               | CRIMINAL SEXUAL CONTACT  | 4             |
| <b>ROBBERY, CARJACKING</b>    |  |               |
| <b>2C:15-1A(1)</b>            | ROBBERY-INFLICTS BI OR USES FORCE  | 1, 2          |
| <b>2C:15-1A(2)</b>            | ROBBERY-THREAT OR PUTS IN FEAR OF BI   | 1, 2          |
| <b>2C:15-1A(3)</b>            | ROBBERY-THREAT OR COMMITS A 1ST OR 2ND DEGREE CRIME  | 1, 2          |
| <b>2C:15-2A(1)</b>            | CARJACKING-INFLICT BI OR USES FORCE UPON OCCUPANT  | 1             |
| <b>2C:15-2A(2)</b>            | CARJACKING BY THREAT OF INJURY   | 1             |
| <b>2C:15-2A(3)</b>            | CARJACKING-THREATENS/COMMITTS 1ST-2ND DEGREE CRIME   | 1             |
| <b>2C:15-2A(4)</b>            | CARJACKING AND RETAIN DRIVER OR OCCUPANT   | 1             |
| <b>ARSON</b>                  |  |               |
| <b>2C:17-1A(1)</b>            | AGG. ARSON PURPOSEFULLY OR KNOWINGLY PUTTING ANOTHER PERSON IN DANGER OF DEATH OR BI                 | 1, 2          |
| <b>BURGLARY, THEFT</b>        |  |               |
| <b>2C:18-2A(1)</b>            | BURGLARY BY ENTERING STRUCTURE   | 2             |
| <b>2C:18-2A(2)</b>            | BURGLARY-REMAIN IN STRUCTURE ETC-INFLICT/ATMPT BI/ARMED  | 2             |
| <b>2C:18-2A(3)</b>            | BURGLARY-TRESPSS UTILITY CO PROP-INFLCT/ATMPT BI/ARMED   | 2             |
| <b>ENDANGERING, HINDERING</b> |  |               |
| <b>2C:24-4B(3)</b>            | ENDANGERING-PERMIT CHILD TO ENGAGE IN SEX FOR PORN   | 1             |
| <b>2C:24-4B(4)</b>            | ENDANGERING-PHOTOGRAPH/FILM CHILD IN SEX ACT   | 2             |
| <b>2C:29-3A(5)</b>            | HINDER APPREHENSION ANOTHER-FORCE, INTIMIDATION  | 2, 4          |
| <b>2C:29-3B(2)</b>            | HINDER APPREHENSION ONESELF-PREVENT BY FORCE   | 3, 4, D       |
| <b>2C:29-3B(3)</b>            | HINDER APPREHENSION-ONESELF-THRU FORCE AGAINST WITNESS   | 2             |
| <b>TERRORISM</b>              |  |               |
| <b>2C:35-4.1B</b>             | BOOBY TRAPS IN CDS MANUFACTURING/DISTRIBUTION FACILITY   | 1, 2          |
| <b>2C:38-2A(1)</b>            | PROMOTING AN ACT OF TERROR   | 1             |
| <b>2C:38-2A(2)</b>            | TERRORIZE 5 OR MORE PERSONS  | 1             |
| <b>2C:38-2A(3)</b>            | INFLUENCE POLICY OR AFFECT CONDUCT OF GOV'T BY TERROR  | 1             |
| <b>2C:38-2A(4)</b>            | TERROR ACT-IMPAIR/INTERRUPT PUBLIC COMMUNICATION   | 1             |
| <b>2C:38-3A</b>               | PRODUCE/ACQUIRE/POSSESS CHEMICAL WEAPONS, BIOLOGICAL AGENT, TOXIN, ETC.                              | 1             |
| <b>2C:38-5B(1)</b>            | SOLICIT/TRANSPORT/PROVIDE MATERIAL SUPPORT/RESOURCES FOR TERRORISM                                   | 1, 2          |
| <b>2C:38-5B(2)</b>            | SOLICIT/TRANSPORT/PROVIDE MATERIAL SUPPORT TO/ON BEHALF OF TERROR ORGANIZATION                       | 1, 2          |
| <b>2C:38-5C</b>               | SOLICIT/TRANSPORT/PROVIDE MATERIAL SUPPORT FOR TERRORISM   | 1, 2          |
| <b>HAZING</b>                 |  |               |
| <b>2C:40-3B</b>               | AGGRAVATED HAZING  | 4             |