What Pennsylvania Residents Should Know About Misdemeanor and Felony Charges

Understanding the Two Main Categories of Criminal Charges in Pennsylvania

When someone faces criminal charges in Pennsylvania, the first thing they usually hear is whether the charge is a misdemeanor or a felony. These two categories determine how serious the case is, what penalties are possible, and how the legal process works. For a person who has never been through the system, the difference can be confusing. This article explains what each type means, how the court process unfolds, and what someone facing charges should consider.

Pennsylvania law divides crimes into two broad groups: felonies and misdemeanors. A third, less serious category called summary offenses covers things like traffic tickets and disorderly conduct, but those are not the focus here. Felonies are the most serious charges. They carry potential prison sentences of more than one year, and in some cases life in prison. Misdemeanors are less severe, with maximum jail time of up to five years depending on the grade. Both types can have lasting consequences beyond any sentence, including loss of certain rights, difficulty finding jobs or housing, and damage to reputation.

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How Misdemeanors Are Graded in Pennsylvania

Pennsylvania law breaks misdemeanors into three grades: first-degree, second-degree, and third-degree. A first-degree misdemeanor is the most serious within this category. It carries a maximum jail sentence of up to five years and a fine of up to $10,000. Examples include simple assault, indecent assault without force, and some thefts where the value is between $2,000 and $100,000. A second-degree misdemeanor carries a maximum of two years in jail and a fine of up to $5,000. Third-degree misdemeanors carry a maximum of one year in jail and a fine of up to $2,500. Less serious thefts or drug possession charges often fall into these lower grades.

The grade matters because it affects the possible sentence, but it also influences how the case moves through court. A first-degree misdemeanor will typically go through the same preliminary hearing process as a felony. Lower-grade misdemeanors may be handled more quickly, sometimes through a summons rather than an arrest warrant. A summons is a written order to appear in court, while an arrest warrant allows police to take a person into custody. The decision depends on the nature of the charge and the person's criminal history.

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Felony Charges and Their Grading

Felonies in Pennsylvania are also graded into three levels: first-degree, second-degree, and third-degree. A first-degree felony is the most serious, with a maximum sentence of 20 years to life in prison. Murder in the first degree carries life imprisonment or the death penalty. Second-degree felonies carry up to 10 years, and third-degree felonies carry up to 7 years. Certain crimes, like drug trafficking involving large quantities, can be graded as felonies regardless of the specific degree. The grading depends on the statute that defines the crime, the amount of harm done, and sometimes the defendant's prior record.



Felony charges almost always involve a criminal complaint filed by law enforcement, followed by a preliminary hearing. At that hearing, the prosecution must present enough evidence to show that a crime likely occurred and that the defendant likely committed it. If the judge finds probable cause, the case moves forward to the Court of Common Pleas for trial. Bail may be set at the preliminary hearing, and the amount is often higher for felonies than for

misdemeanors. A judge considers the severity of the charge, the defendant's ties to the community, and the risk of flight or danger to others.

What Happens After a Charge Is Filed

Once charges are filed, the process begins with a preliminary arraignment. At that hearing, the defendant learns the charges, their bail conditions, and their next court date. For a misdemeanor or felony, the next step is usually a preliminary hearing. This is not a trial. No jury is present, and the judge does not decide guilt or innocence. The purpose is to make sure there is enough evidence to proceed. If the judge finds probable cause, the case is bound over to the trial court. If not, the charges may be dismissed or reduced.

After the preliminary hearing, the case enters the pretrial phase. The prosecution must share evidence with the defense through a process called discovery. This can include police reports, witness statements, video footage, and forensic reports. The defense can file motions to suppress evidence that was obtained illegally, or to dismiss charges if the evidence is too weak. Many cases resolve through a plea agreement before trial. A plea agreement can reduce a felony to a misdemeanor or lower the grade of a misdemeanor, which often results in a shorter sentence or probation instead of jail time.

Consequences Beyond the Sentence

The immediate penalty for a conviction - jail time, fines, probation - is only part of the picture. A felony conviction can mean losing the right to vote while incarcerated, the right to own a firearm, and the ability to hold certain professional licenses. Misdemeanor convictions can also have long-term effects. They show up on background checks, which can make it harder to get a job, rent an apartment, or gain admission to certain schools. Even a first-time, low-grade misdemeanor can cause problems years later.

For this reason, anyone facing charges should take them seriously from the start. The choices made early in the case - whether to speak to police, whether to accept a plea offer, whether to hire a lawyer - can shape the outcome. A lawyer who understands Pennsylvania's court system and local procedures can explain the risks and options. That is why many people look for a **misdemeanor defense lawyer** who has experience in the county where the charges were filed. Local knowledge matters. Each county has its own judges, prosecutors, and court customs that can affect how a case is handled.

Finding the Right Legal Help

When someone searches for a **misdemeanor defense lawyer** in Pennsylvania, they are often looking for someone who will take the time to understand their situation. The Law Office of

Steven F. O'Meara is a criminal defense firm in Media, Pennsylvania, serving clients in Delaware County, Chester County, and surrounding areas. The firm provides criminal defense for DUI, traffic violations, license suspension issues, and other criminal charges. They also handle personal injury claims, including car accidents, motorcycle accidents, slip and fall accidents, and workers' compensation. For anyone facing a misdemeanor or felony charge, speaking with a lawyer early can make a real difference.



An attorney can review the evidence, explain the likely outcomes, and help the client decide whether to fight the charge or negotiate a plea. They can also represent the client at every court appearance, from the preliminary hearing through trial or sentencing. The goal is to protect the client's rights and minimize the long-term impact of the charge. Even when the

evidence seems strong, a lawyer may find weaknesses in the prosecution's case or negotiate a more favorable resolution than the client could get alone.

The Law Office of Steven F. O'Meara offers consultations for people facing criminal charges or personal injury matters. The firm is located at 14 S Orange St, Media, PA 19063, USA, and can be reached at +1 610-557-3907.