

**Appendix I
Alternative Measures
Offence Schedule**

Adult Schedule:

Offence	Criminal Code Section / Legislation	Classification	Restrictions
False Statement for Passport	57(2)	Hybrid	
Unlawful Assembly	66	Summary	
Unauthorized Possession of Firearm	91(1)(a) 91(1)(b)	Hybrid	
Obstructing/Resisting Police Officer	129	Hybrid	Discuss with the Crown; Crown Approval required
Public Mischief	140	Hybrid	Under \$2000/ Over \$2000 discuss and obtain Crown Approval
Indecent Acts	173(1)	Summary	
Causing a Disturbance	175	Summary	
Disturbing Religious Worship	176(2), 176(3)	Summary	
Trespassing at Night	177	Summary	
Offensive/Volatile Substance	178	Summary	
Vagrancy	179	Summary	
Fail to Watch; Water skiing at night	250	Summary	
Uttering Threats	264.1	Hybrid	
Assault	266	Hybrid	Level 1 only: <ul style="list-style-type: none"> • No domestic violence • Consider School Violence
Assault Officer; Resist Arrest	270	Hybrid	Discuss and obtain Crown approval if police feel should be eligible for program
Theft	322 to 332; 334(b)	Hybrid	Under \$2000

Offence	Criminal Code Section/Legislation	Classification	Restrictions
Take Motor vehicle without owners consent	335	Summary	
Theft; Forgery Credit Card	342	Hybrid	Under \$2000
Unauthorized use of Computer	342.1	Hybrid	
Unlawful possession of a device to commit Sec 342.1	342.2	Hybrid	Discuss with Crown, Crown Approval required
Break and Enter	348	Hybrid	<ul style="list-style-type: none"> • Under \$2000 for business • Discuss and Obtain Crown Approval for Private Dwelling House
Unlawfully in Dwelling House	349	Hybrid	Discuss with Crown; Crown Approval Required
Possession of Property Obtained by Crime	354; 355(b)	Hybrid	Under \$2000
False Pretenses	362(2)(b)	Hybrid	Under \$2000
Obtain food; lodging by fraud	364	Summary	
Pretend to Practice witchcraft	365	Summary	
Forgery	366; 367(1)	Hybrid	Under \$2000
Utter Forged Document	368	Hybrid	Under \$2000 if definable or discuss with Crown and obtain approval
Fraud	380(1)(b)	Hybrid	Under \$2000
Indecent/Harassing Telephone Calls	372(2); 372(3)	Summary	Except in Domestic Violence Cases
Obtain transportation by Fraud	393(3)	Summary	Under \$2000
Personation with intent	403	Hybrid	

Offence	Criminal Code Section/Legislation	Classification	Restrictions
Mischief	430(3); 430(4); 430(5)	Hybrid	Under \$2000 if definable otherwise discuss with Crown and obtain approval
False Alarm of Fire	437(b)	Summary	
Injure/endanger animals	445	Summary	
Cause unnecessary suffering to animals or birds	446(2)	Summary	
Attempt/ Accessories	463(c); 463(d)	Summary & Hybrid	Related to offences in this schedule only
Counsel to commit an offence/offence not committed	464(b)	Summary	Related to offences in this schedule only
Conspiracy to commit summary conviction offence	465(1)(d)	Summary	Related to offences in this schedule only
Possession of a Substance	CDSA 4(4)(b)	Summary	
Youth Schedule:			
Offence	Legislation	Restrictions	
Provincial Statutes	Provincial Offences Procedures for Youth Act	Young Person only as defined by YCJA	

All other offences *	YCJA 4(c) and (d)	<p>Applies to Young Person only as defined by YCJA. Note:</p> <ul style="list-style-type: none"> • Extrajudicial measures should be used in all cases where they would be adequate to hold the young person accountable. • Extrajudicial measures are presumed to be adequate to hold first-time, non-violent offenders accountable. • Extrajudicial measures may be used if the young person has previously been dealt with by extrajudicial measures or has been found guilty of an offence. • Extrajudicial measures will not be considered adequate to hold the young person accountable for a Serious Violent Offence in the commission of which a young person causes or attempts to cause serious bodily harm. • Extrajudicial measures will not be considered adequate to hold the young person accountable for an impaired driving offence.
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* Where the “Description of Alternative Measures Programs in New Brunswick” is inconsistent with the provisions of the *Youth Criminal Justice Act*, the provisions of the Act will prevail.