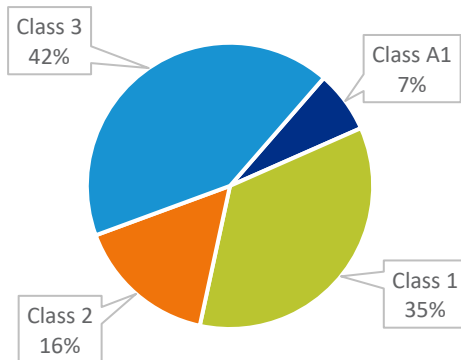# QUICK FACTS:
MISDEMEANOR CONVICTIONS

FEBRUARY 2021

FISCAL YEAR 2020

⇒ During FY 2020, 96,812 (including 31,668 Class 2 and Class 3 traffic offenses) sentences for misdemeanor convictions were imposed under Structured Sentencing. FY 2020 is the first year for which Class 2 and 3 traffic convictions were included.

⇒ Beginning in March 2020, the volume of misdemeanor convictions was impacted by the postponement of certain court proceedings in response to the COVID-19 pandemic.

⇒ The majority (42%) of misdemeanor convictions were for Class 3 offenses.

⇒ Most misdemeanor convictions were for either a traffic offense (38%) or a property offense (20%).

⇒ 28% of convictions resulted in an Active punishment.

Prior Conviction Level Distribution

Offense Class Distribution

Top 5 Misdemeanor Convictions

Offense	Class	N
DWLR Not Impaired Rev	3	15,190
Larceny of Property	1	9,676
Possess Drug Paraphernalia	1	5,775
No Operators License	3	4,244
Possess Marijuana (up to ½ oz.)	3	3,989

Punishment

▪ 28% of misdemeanor convictions resulted in an Active punishment, 3% resulted in an Intermediate punishment, and 69% resulted in a Community punishment.

▪ Convictions for Class 1 and Class 3 misdemeanors accounted for the highest percentages of Active sentences imposed relative to other offense classes (47% and 26% respectively).

▪ The average Active sentence length was 32 days.

▪ 88% of offenders with Active sentences received credit for time served.

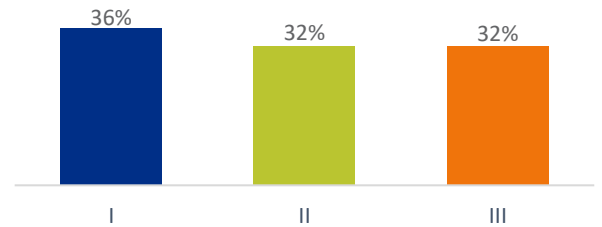**Convictions by Type of Offense**

Type of Offense	N	%
Person	7,851	8
Property	18,355	20
Drug	16,455	17
Public Order	15,991	17
Traffic	36,288	38

Offender Characteristics

▪ The majority of misdemeanor offenders were male (72%).

▪ 48% of offenders were White, 42% were Black, 6% were Hispanic, 2% were Native American, and 2% were Other.

▪ The average age of offenders was 35.

▪ 36% of convictions were for offenders in Prior Conviction Level I (i.e., offenders with no prior convictions).
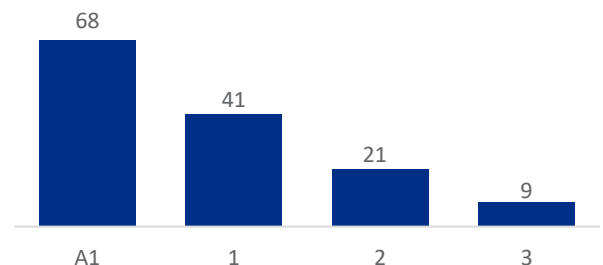
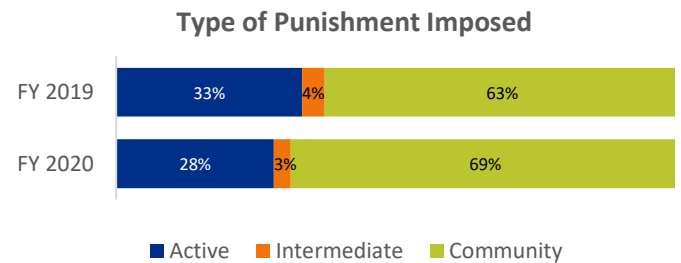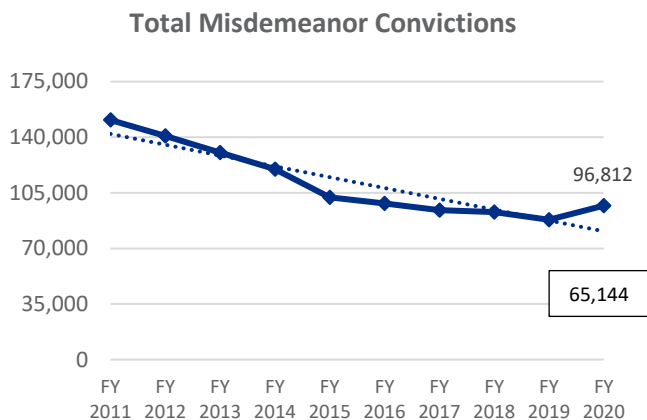**Average Active Sentence by Offense Class (in Days)**

QUICK FACTS: MISDEMEANOR CONVICTIONS
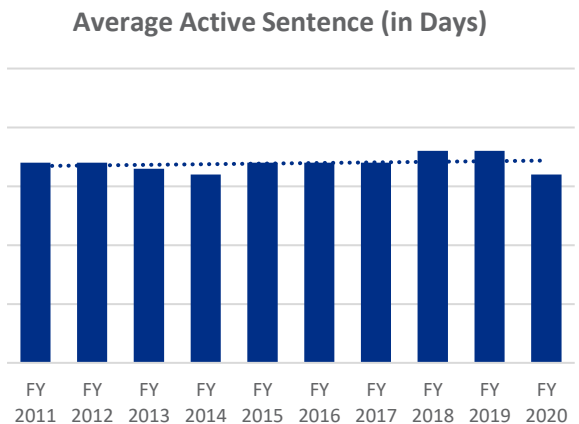
FISCAL YEAR 2011 – FISCAL YEAR 2020

As a result of the expansion of misdemeanor convictions included, there was a 10% net increase in misdemeanor convictions from FY 2019 to FY 2020; otherwise, misdemeanor convictions would have declined 26% over this time period (from 88,048 in FY 2019 to 65,144 in FY 2020) as a result of the postponement of certain court proceedings beginning in March 2020 with the onset of the COVID-19 pandemic.

Total Misdemeanor Convictions

Note: The line chart represents FY 2011 – FY 2019 misdemeanor convictions excluding Class 2 and Class 3 traffic offenses and FY 2020 misdemeanor convictions including Class 2 and Class 3 traffic offenses. The box contains the number of convictions in FY 2020 excluding Class 2 and Class 3 traffic offenses.

The composition of misdemeanor convictions by offense type has changed substantially with the addition of Class 2 and Class 3 traffic offenses. Traffic offenses made up the majority (38%) of convictions in FY 2020. Person offenses have remained the lowest proportion.

Misdemeanor Convictions by Type of Offense

With the addition of Class 2 and Class 3 traffic misdemeanors, the distribution of punishment type has shifted slightly. The percentage of Active punishment imposed decreased from 33% in FY 2019 to 30% in FY 2020, while the percentage of Community punishment imposed increased over this period.
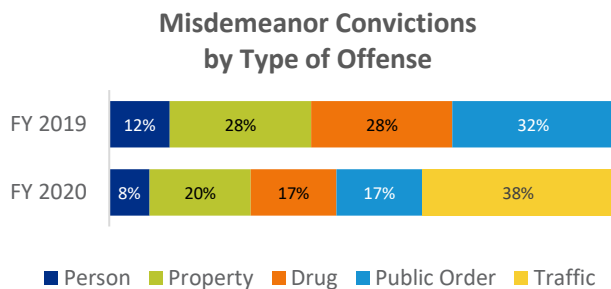
Type of Punishment Imposed

The average Active sentence imposed for all misdemeanor convictions has been relatively stable over the past ten years, ranging from a low of 32 days (FY 2014 and FY 2020) to a high of 36 days (FY 2018 and FY 2019).

Average Active Sentence (in Days)

Active sentences imposed equal to credit for time served increased from FY 2019 (68%) to FY 2020 (73%). For those convictions where an active sentence equaled time served, the average time served increased from 19 days in FY 2011 to 24 days in FY 2020.

Note: The following categories of misdemeanor convictions are excluded: driving while impaired offenses; cases disposed of by a magistrate; and local ordinance offenses. Also, figures in this publication generally exclude misdemeanor convictions that did not fit within the appropriate cell in the Misdemeanor Punishment Chart.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2011 – FY 2020 Statistical Report Data