NORTH CAROLINA
**SENTENCING AND
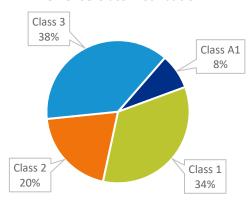POLICY ADVISORY**
COMMISSION

QUICK FACTS:
MISDEMEANOR CONVICTIONS
MARCH 2023

FISCAL YEAR 2022

⇒ During FY 2022, 102,709 sentences for misdemeanor convictions (including 37,845 for Class 2 and Class 3 traffic offenses) were imposed under Structured Sentencing. FY 2022 is the third year in which Class 2 and 3 traffic convictions were included in the report.

⇒ Misdemeanor convictions increased 26% in FY 2022, reflecting the recovery of court system operations following the COVID-19 pandemic.

⇒ The majority (38%) of misdemeanor convictions were for Class 3 offenses.

⇒ Most misdemeanor convictions were for a traffic offense (43%), while the fewest were for a person offense (9%).

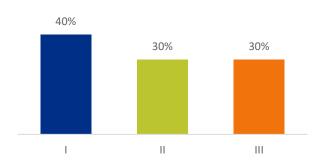⇒ 25% of convictions resulted in an Active punishment.

Offense Class Distribution

Convictions by Type of Offense

Type of Offense	N	%
Person	8,813	9
Property	16,501	16
Drug	15,593	16
Public Order	16,299	16
Traffic	43,780	43

Offender Characteristics

▪ The majority of misdemeanor offenders were male (73%).

▪ 50% of offenders were White, 40% were Black, 6% were Hispanic, 1% were Native American, and 3% were Other.

▪ The average age of offenders was 35.

▪ 40% of convictions were for offenders in Prior Conviction Level I (i.e., offenders with no prior convictions).
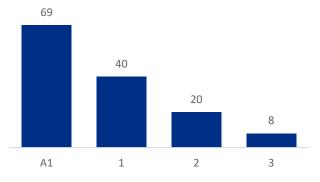
Prior Conviction Level Distribution

Top 5 Misdemeanor Convictions

DWLR Non-DWI Revocation	3	15,037
Larceny of Property (<$1,000)	1	8,331
Possess Drug Paraphernalia	1	6,819
Speeding	3	5,747
Reckless Driving to Endanger	2	5,705

Punishment

▪ 25% of misdemeanor convictions resulted in an Active punishment, 3% resulted in an Intermediate punishment, and 72% resulted in a Community punishment.

▪ Convictions for Class A1 and Class 1 misdemeanors accounted for the highest percentages of active sentences imposed relative to other offense classes (36% each).

▪ The average active sentence length was 33 days.

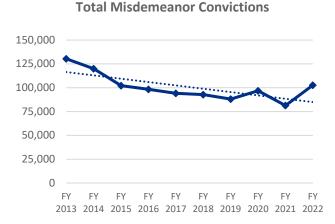▪ 87% of offenders with active sentences received credit for time served.

Average Active Sentence by Offense Class (in Days)

QUICK FACTS: MISDEMEANOR CONVICTIONS
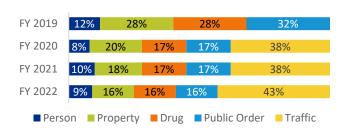## FISCAL YEAR 2013 – FISCAL YEAR 2022

From FY 2019 to FY 2020, the inclusion of Class 2 and 3 traffic convictions resulted in a 10% net increase in misdemeanor convictions. However, as a result of the continued impact of the COVID-19 pandemic on the court system, misdemeanor convictions declined 16% from FY 2020 to FY 2021. From FY 2021 to FY 2022, misdemeanor convictions increased by 26% to 102,709.

Total Misdemeanor Convictions

Note: Misdemeanor convictions in FY 2013 – FY 2019 exclude Class 2 and 3 traffic offenses, while FY 2020 - FY 2022 misdemeanor convictions include Class 2 and Class 3 traffic offenses.
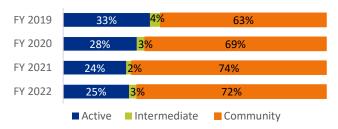
The composition of misdemeanor convictions by offense type has changed substantially with the addition of Class 2 and Class 3 traffic offenses in FY 2020, with traffic offenses now making up the majority (43%). Previously, public order offenses comprised most of the misdemeanor convictions.

Type of Offense

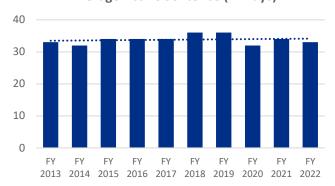|	Person	Property	Drug	Public Order	Traffic
FY 2019	12%	28%	28%	32%	
FY 2020	8%	20%	17%	17%	38%
FY 2021	10%	18%	17%	17%	38%
FY 2022	9%	16%	16%	16%	43%

With the addition of Class 2 and Class 3 traffic misdemeanors in FY 2020, the distribution of punishment type has shifted. The percentage of Active punishments imposed decreased from 33% in FY 2019 to 25% in FY 2022, while the percentage of Community punishments imposed increased over this period.

Type of Punishment Imposed

	Active	Intermediate	Community
FY 2019	33%	4%	63%
FY 2020	28%	3%	69%
FY 2021	24%	2%	74%
FY 2022	25%	3%	72%

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)

The percentage of active sentences with a sentence length imposed equal to credit for time served was similar for FY 2021 and FY 2022 (73% and 74%). For convictions where active sentence length equaled time served, the average time served (33 days) was the same in FY 2022 as in FY 2013, with slight variation over the ten-year period.

Note: 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 2013 – FY 2022 Statistical Report Data