

STRUCTURED SENTENCING STATISTICAL REPORT

FISCAL YEAR
2023



North Carolina Sentencing and Policy Advisory Commission

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STRUCTURED SENTENCING STATISTICAL REPORT FOR FELONIES AND MISDEMEANORS

FISCAL YEAR
2023

JUNE 2024

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INTRODUCTION

Structured Sentencing is the method of sentencing offenders in North Carolina. It classifies offenders on the basis of the severity of their offense and on the extent and gravity of their prior criminal record. Based on these two factors, Structured Sentencing provides judges with sentencing options for the type and length of sentences that may be imposed.

Structured Sentencing is based on the following principles:

- **Sentencing policies should be truthful:** Sentence length imposed by the judge should bear a close and consistent relationship to the sentence length actually served.
- **Sentencing policies should be consistent:** Offenders convicted of similar offenses, who have similar prior records, should generally receive similar sentences.
- **Sentencing policies should be certain:** Sentence should be clearly mandated based on the severity of the crime as measured by the harm to the victim and the offender's prior record.
- **Sentencing policies should set priorities for the use of correctional resources:** Prisons and jails should be reserved for violent and repeat offenders, and community-based programs should be used for nonviolent offenders with little or no prior record.
- **Sentencing policies should be balanced with correctional resources:** Sentencing policies should be supported by adequate prison, jail, and community resources.

The North Carolina Sentencing and Policy Advisory Commission has the continuing duty to monitor and review the criminal justice and corrections systems in this State to ensure that sentences remain uniform and consistent, and that the goals and policies established by the State are being implemented through sentencing practices.¹ The Commission produces *The Structured Sentencing Statistical Report* annually to help perform that duty.

Detailed information about felony and misdemeanor convictions and sentences imposed under Structured Sentencing during Fiscal Year 2023 (July 1, 2022 through June 30, 2023) is presented in the report. These data reflect the laws and practices in place during this time. Only cases where an offender was convicted and sentenced for a crime that was committed on or after October 1, 1994 – the effective date of Structured Sentencing – are included. The report presents information on the number of felony and misdemeanor convictions, the distribution of felony and misdemeanor convictions within their respective punishment charts, the type of punishment imposed, as well as data about several other issues.

Information for felony convictions is presented in Section I, while information for misdemeanor convictions is presented in Section II. Section III examines trends for felony and misdemeanor convictions. Details regarding the substance and application of the sentencing laws under Structured Sentencing are provided in the Commission's *Structured Sentencing Training and Reference Manual*.

¹ See N.C. Gen. Stat. (hereinafter G.S.) § 164-43(d)

REPORTING OF CONVICTIONS AND SENTENCES

A *SENTENCING EPISODE* IS IDENTIFIED FROM COURT RECORDS AS THE SENTENCE IMPOSED FOR THE *MOST SERIOUS CONVICTION* ON A GIVEN DAY OF COURT.

The report is based on data entered into the Administrative Office of the Courts' (AOC's) legacy criminal case index and integrated case management systems by the court clerk following the imposition of the sentence. The report covers all North Carolina counties. The unit of analysis is convictions disposed of in a *sentencing episode*.²

While a sentencing episode involves one offender, in the reporting time frame an offender may be represented by more than one sentencing episode (meaning that within the fiscal year the number of offenders will be the same as or less than the number of sentencing episodes reported). For the sake of simplicity, throughout the report, the unit of analysis is referred to as "conviction."

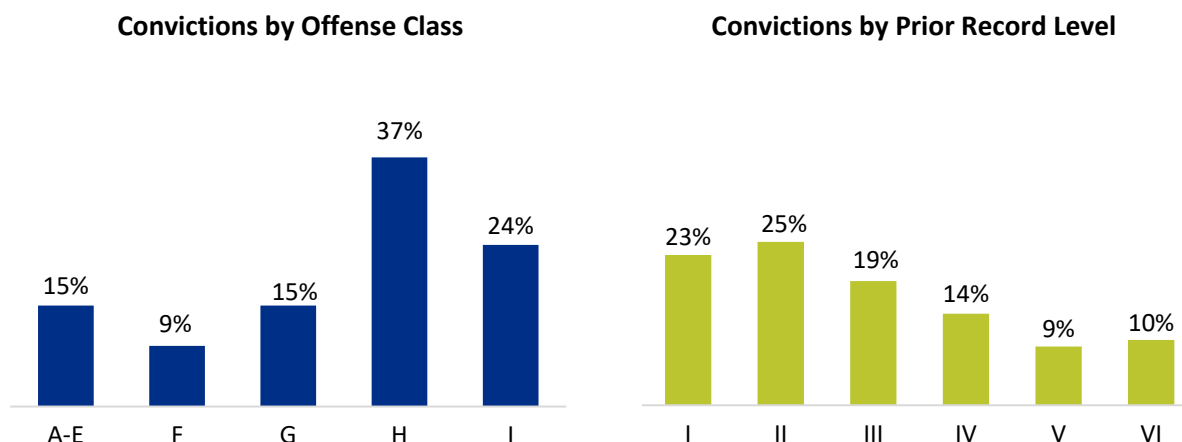
During FY 2023, the AOC began transitioning from its long-standing database, Automated Criminal Infraction System (ACIS), to Enterprise Justice (Odyssey). Enterprise Justice was implemented in four pilot counties – Wake, Johnston, Harnett, and Lee – in February 2023. The data reflected in this report are based on data migrated or entered into Enterprise Justice for the pilot counties and data entered into ACIS for the remaining counties. As implementation continues, more data in this report will be based on information entered into Enterprise Justice.

² The report's unit of analysis differs from convictions reported by the AOC due to the use of different methodologies and purposes for analyses. As a result, direct comparisons between the two measures should be avoided.

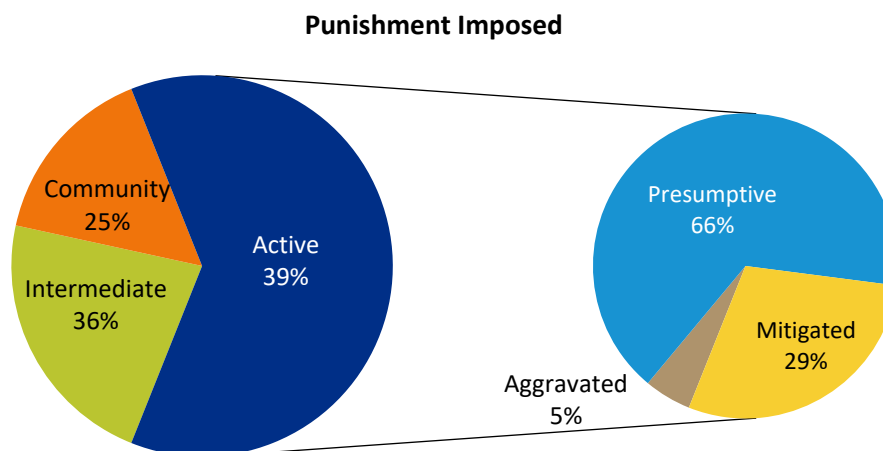
SUMMARY OF FINDINGS

FY 2023 FELONY CONVICTIONS

Sentences imposed for felony convictions are based on the Felony Punishment Chart, which takes into account offense seriousness and the offender's prior criminal record. During FY 2023, sentences for 26,323 felony convictions were imposed.³ The majority of felony convictions were for Class H and Class I offenses (61%); most convictions (48%) were in Prior Record Levels I and II. Of the four crime types, non-trafficking drug offenses (30%) accounted for the largest percentage of felony convictions.



Thirty-nine percent (39%) of felony convictions resulted in an Active punishment, 36% resulted in an Intermediate punishment, and 25% resulted in a Community punishment. Sixty-six percent (66%) of all active sentences were within the presumptive range, 29% were within the mitigated range, and 5% were within the aggravated range. All offenders with an Intermediate punishment and 95% of offenders with a Community punishment received supervised probation. Overall, the average probation length was 24 months and the average minimum suspended sentence was 10 months.



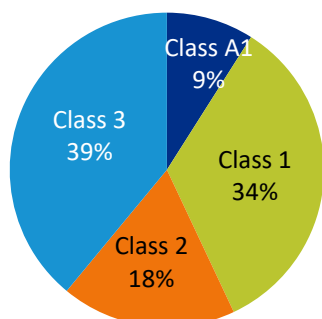
³ This number excludes sentences imposed for drug trafficking and violent habitual felon convictions, which are subject to mandatory penalties.

SUMMARY OF FINDINGS

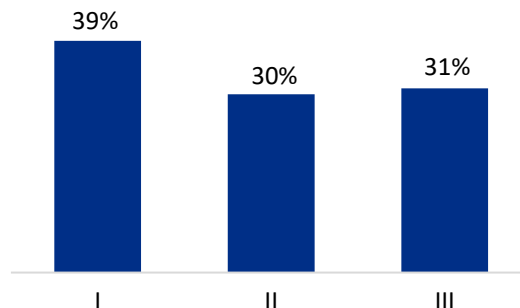
FY 2023 MISDEMEANOR CONVICTIONS

Sentences imposed for misdemeanor convictions are based on the Misdemeanor Punishment Chart, which takes into account offense seriousness and the offender's prior criminal record. During FY 2023, sentences for 103,010 misdemeanor convictions were imposed under Structured Sentencing.⁴ Thirty-nine percent (39%) of convictions were for Class 3 offenses and 39% of convictions were in Prior Conviction Level I. Of the five crime types, traffic offenses (44%) accounted for the largest percentage of misdemeanor convictions and person offenses accounted for the lowest percentage (9%).

Convictions by Offense Class

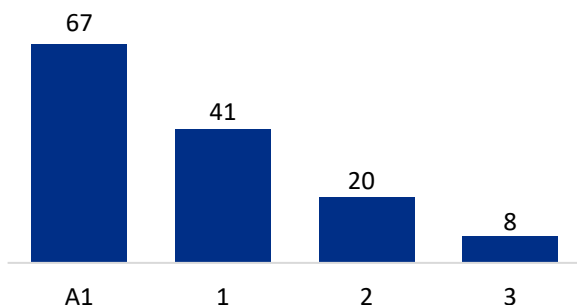


Convictions by Prior Conviction Level

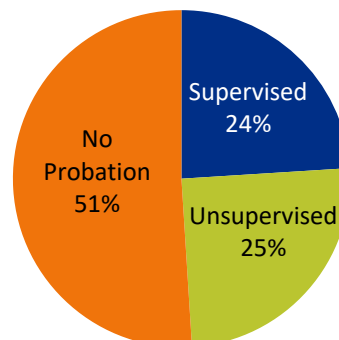


Twenty-six percent (26%) of misdemeanor convictions resulted in an Active punishment, 2% resulted in an Intermediate punishment, and 72% resulted in a Community punishment. The average active sentence imposed was 33 days. Among offenders receiving a Community or Intermediate punishment, 24% received supervised probation, 25% received unsupervised probation, and 51% had no probation ordered. Overall, the average probation length was 15 months for supervised probation and 13 months for unsupervised probation.

Average Active Sentence by Offense Class (Days)



Type of Probation Ordered



⁴ This number excludes Driving While Impaired (DWI) convictions, cases disposed of by magistrates, and local ordinance offenses.

SECTION I: FELONY CONVICTIONS

FELONY CONVICTIONS IN FY 2023

Overall, sentences for 26,323 felony convictions were imposed during FY 2023. (This number excludes sentences imposed for drug trafficking and violent habitual felon convictions, which are subject to mandatory penalties. Information regarding convictions for these offenses is summarized in the Special Issues section.) For many of the tables, information on 465 convictions (or 1.8%) was excluded due to data discrepancies. These convictions did not fit within the appropriate cell in the Felony Punishment Chart due to discrepant offense classes, prior record levels, or for other reasons (such as consecutive sentencing or extraordinary mitigation). Such exclusions are noted at the end of each table.

Sentences imposed for felony convictions are based on the Felony Punishment Chart, which takes into account offense seriousness and the offender's prior criminal record. The current Felony Punishment Chart (for offenses committed on or after October 1, 2013) is printed on the back cover of the report.⁵

Distribution of Convictions within the Felony Punishment Chart

Table 1 shows the distribution of felony convictions within the Felony Punishment Chart. Overall, the highest volume of convictions were in Class H (n=9,692 or 37.5%). Almost one-half of convictions (48.1%) were for offenders in Prior Record Level I (n=5,879 or 22.7%) and Prior Record Level II (n=6,560 or 25.4%). Relative to other cells in the Felony Punishment Chart, the highest volume of convictions were in Class H with Prior Record Level II (n=2,395 or 9.3%), followed by convictions in Class H with Prior Record Level I (n=2,036 or 7.9%). Sentences imposed for Class A through Class E felonies accounted for 15.2% of felony convictions during FY 2023; 61.3% of sentences imposed were for Class H and Class I felony convictions.

Figure 1 shows the distribution of convictions by prior record level. The most violent felony offenses (Class A, Class B1, and Class B2) had the highest percentages in Prior Record Level I (70%, 57%, and 45% respectively). Class C had the highest percentages in Prior Record Levels IV, V, and VI (37%). The total distribution of prior record level most closely resembles that of Class H and Class I because those classes comprise the majority of all felony convictions.

⁵ See <http://www.nccourts.gov/documents/publications/punishment-grids> for the corresponding table of maximum sentences.

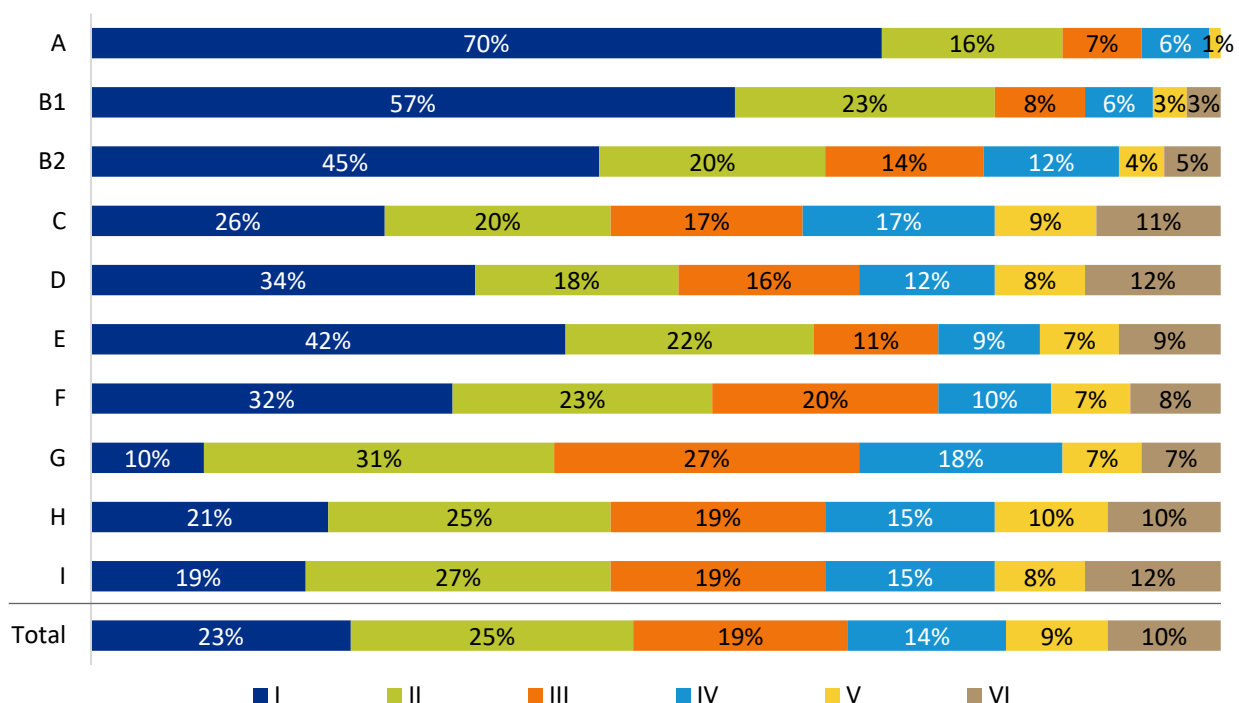
Table 1: Distribution of Convictions within the Felony Punishment Chart

Offense Class	Prior Record Level						Total
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
A	48 0.2%	11 0.0%	5 0.0%	4 0.0%	1 0.0%	0 0.0%	69 0.3%
B1	179 0.7%	70 0.3%	26 0.1%	19 0.1%	10 0.0%	10 0.0%	314 1.2%
B2	88 0.3%	39 0.2%	26 0.1%	24 0.1%	8 0.0%	10 0.0%	195 0.7%
C	158 0.6%	123 0.5%	103 0.4%	104 0.4%	59 0.2%	70 0.3%	617 2.4%
D	280 1.1%	147 0.6%	132 0.5%	104 0.4%	70 0.3%	103 0.4%	836 3.2%
E	801 3.1%	420 1.6%	211 0.8%	168 0.7%	126 0.5%	160 0.6%	1,886 7.3%
F	746 2.9%	528 2.0%	473 1.8%	224 0.9%	152 0.6%	185 0.7%	2,308 8.9%
G	367 1.4%	1,162 4.5%	1,023 4.0%	686 2.7%	279 1.1%	281 1.1%	3,798 14.7%
H	2,036 7.9%	2,395 9.3%	1,862 7.2%	1,426 5.5%	1,018 3.9%	955 3.7%	9,692 37.5%
I	1,176 4.6%	1,665 6.4%	1,171 4.5%	886 3.4%	507 2.0%	738 2.9%	6,143 23.8%
Total	5,879 22.7%	6,560 25.4%	5,032 19.5%	3,645 14.1%	2,230 8.6%	2,512 9.7%	25,858 100.0%

Note: Of the 26,323 felony convictions in FY 2023, 465 (or 1.8%) were excluded from this table. Percentages may not add to totals due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Figure 1: Distribution of Convictions by Offense Class and Prior Record Level

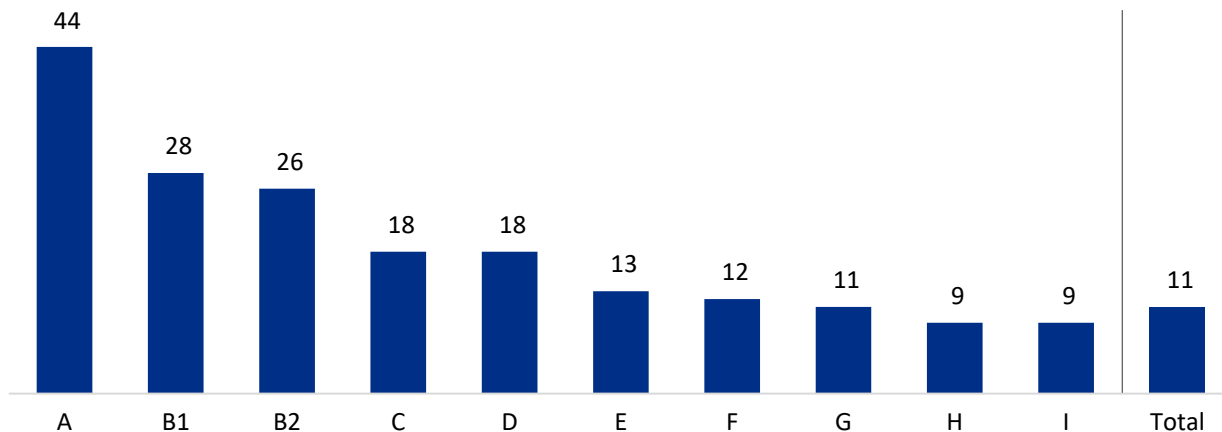


SOURCE: NC Sentencing and Policy and Advisory Commission, FY 2023 Felony Statistical Report Data

Time to Sentencing

Time to sentencing refers to the amount of time between the date the warrant was served for the most serious offense and the date the sentence was imposed. As Figure 2 shows, the median time to sentencing for all felonies was 11 months. Class A convictions had the longest time to sentencing (44 months). Class H and Class I convictions had the shortest time to sentencing at 9 months each.

Figure 2: Median Time to Sentencing (Months)



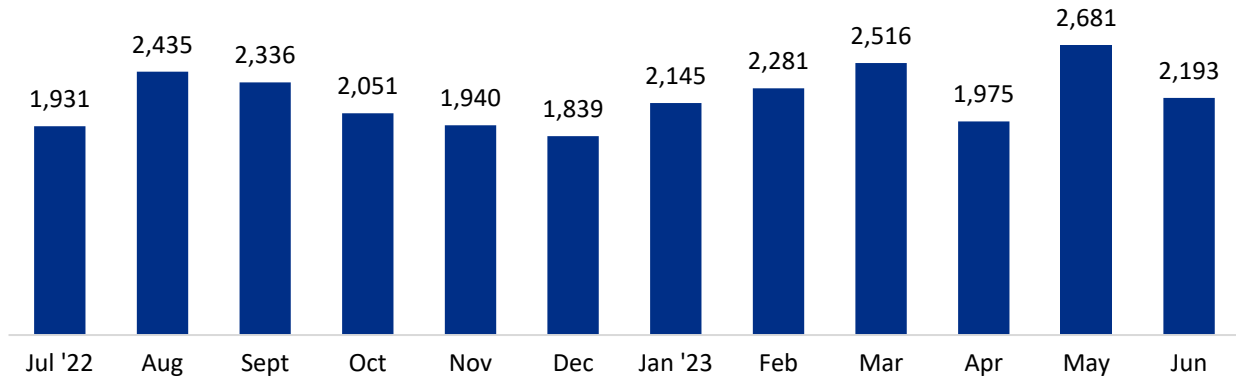
Note: Of the 26,323 felony convictions, 574 were excluded from this figure due to missing data.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Convictions by Month of Sentencing

Figure 3 shows the total number of felony convictions by month of sentencing during FY 2023 (N=26,323). Convictions were highest in May 2023 and lowest in December 2022.

Figure 3: Convictions by Month of Sentencing



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Method of Disposition

Table 2 shows convictions by method of disposition and offense class.⁶ Overall, about 2% of convictions statewide resulted from jury trials. Higher percentages of convictions resulting from jury trials were found in the more serious offense classes than the less serious offense classes. Generally, as offense severity decreased, the percentage of convictions disposed by jury trial also decreased.

Table 2: Convictions by Method of Disposition and Offense Class

Method of Disposition	Offense Class										Total
	A	B1	B2	C	D	E	F	G	H	I	
Guilty Plea	18	266	180	580	806	1,888	2,314	3,783	9,716	6,260	25,811
	26%	81%	91%	90%	93%	98%	98%	99%	99%	99%	98%
Jury Trial	51	63	17	63	63	47	40	48	72	44	508
	74%	19%	9%	10%	7%	2%	2%	1%	1%	1%	2%
Total	69	329	197	643	869	1,935	2,354	3,831	9,788	6,304	26,319

Note: Of the 26,323 felony convictions in FY 2023, 4 bench trials were excluded from this table.

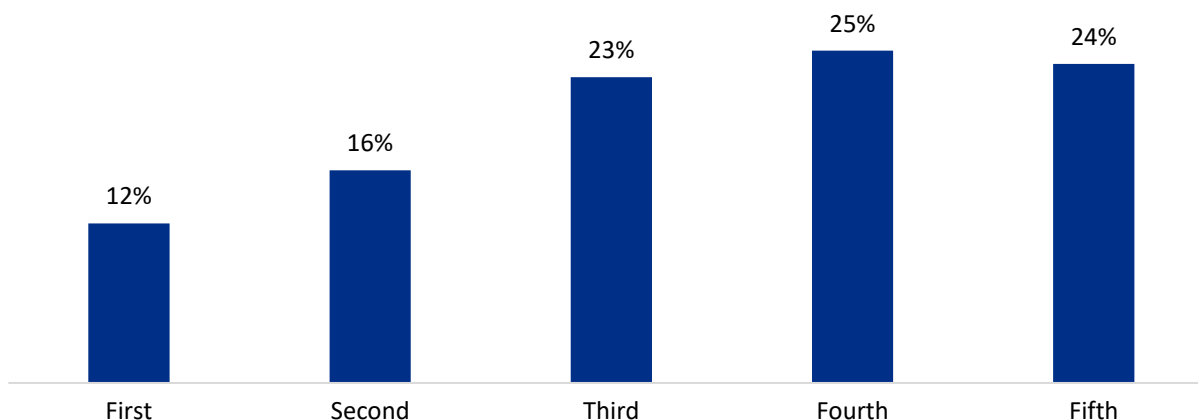
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

⁶ Effective December 1, 2014, North Carolina amended its Constitution to allow a person accused of any criminal offense for which the State is not seeking a sentence of death in Superior Court to waive their right to a jury trial and receive a bench trial. In FY 2023, there were 4 convictions in Superior Court that were disposed of by bench trial.

Convictions by Judicial Division and District

Figure 4 shows the variation in the distribution of convictions across the state. Nearly three-fourths of felony convictions were in the Third, Fourth, and Fifth judicial divisions. The Fourth Judicial Division accounted for the most felony convictions, while the First Judicial Division accounted for the fewest.

Figure 4: Convictions by Judicial Division



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

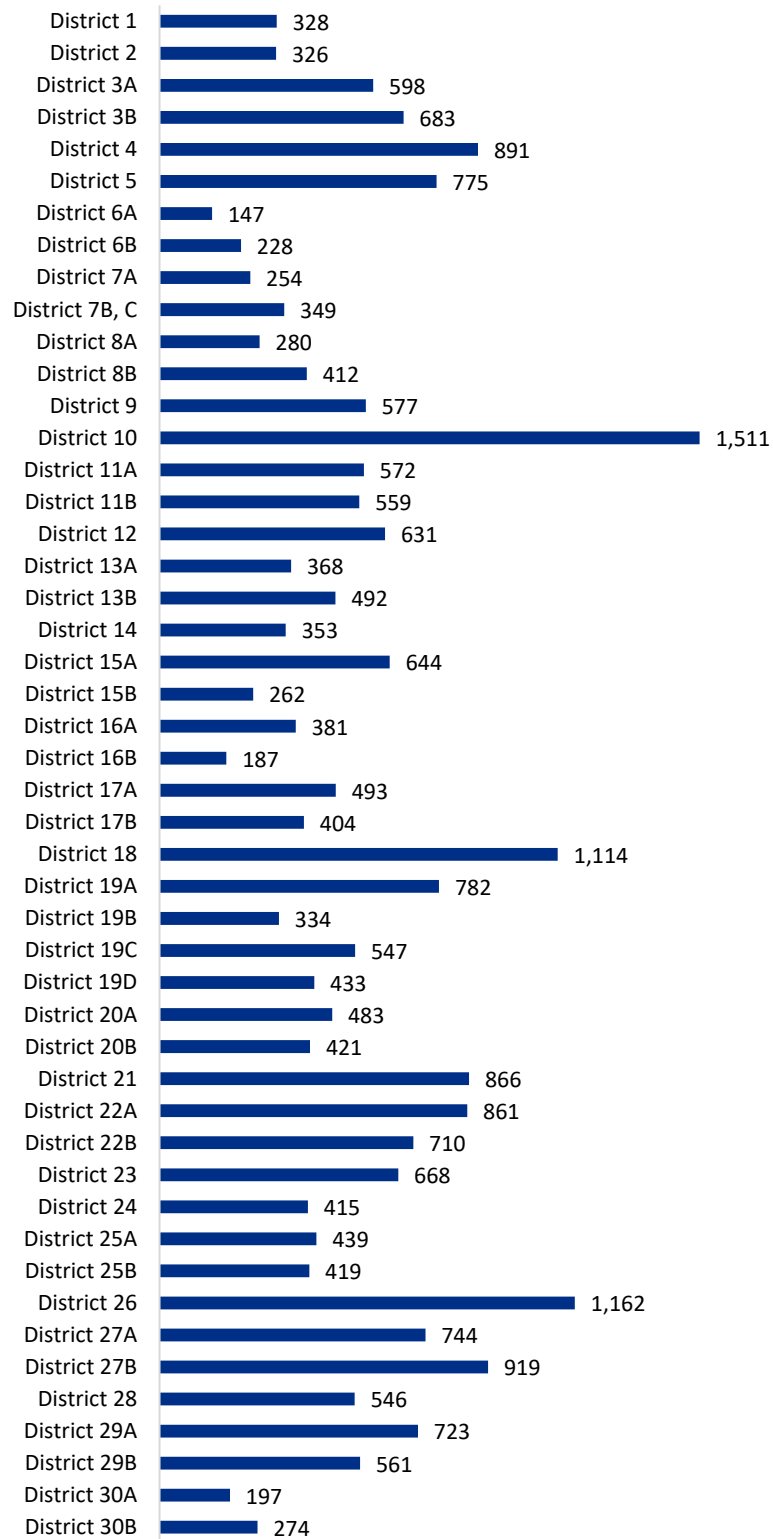
Figure 5 (shown on the next page) provides the total number of felony convictions for each judicial district. The highest volume of felony convictions were in District 10 (Wake County), District 26 (Mecklenburg County), and District 18 (Guilford County); the lowest volume of felony convictions were in District 6A (Halifax County), District 16B (Robeson County), and District 30A (Cherokee, Clay, Graham, Macon, and Swain Counties). Appendix A contains a map of judicial divisions and districts; Appendix B, Table 1 provides information on the total number of felony convictions for each judicial division and district within the context of county population.

Felony Pleas in District Court

Under G.S. 15A-1029.1(a), the Superior Court may transfer a Class H or I felony to District Court for entry of a defendant's plea of guilty (or no contest), with the consent of both parties. In FY 2023, 4,277 felony pleas (27% of all Class H and Class I felony convictions) were accepted in District Court. Not all districts accept felony pleas in district court; ten districts⁷ accounted for 90% of convictions (n=3,848) for which felony pleas were accepted in District Court. See Appendix B, Table 2 for further information on felony pleas in district court by judicial district and county.

⁷ The ten districts were District 5, District 10, District 11, District 13, District 19C, District 21, District 22A, District 23, District 29A, and District 29B.

Figure 5: Convictions by Judicial District

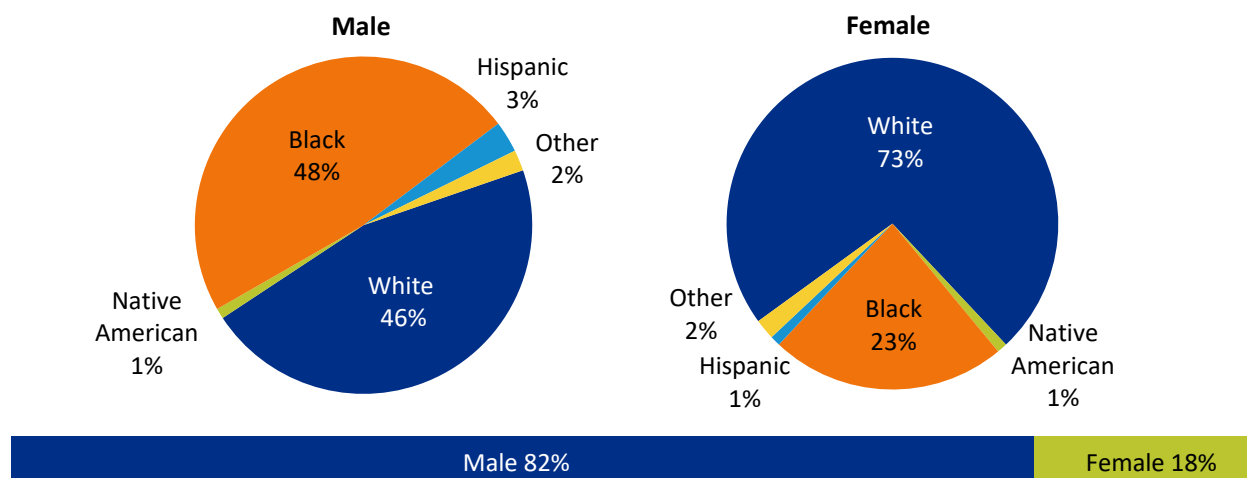


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

OFFENDER CHARACTERISTICS

This section provides a breakdown of convictions by offenders' sex, race, and age. Of the 26,323 felony convictions in FY 2023, 82% were for males (see Figure 6). Fifty-one percent (51%) of offenders were White, 43% were Black, and a small percentage were Hispanic (3%), Native American (1%), or Other (2%). Most male offenders were Black (48%) and the majority of female offenders were White (73%).

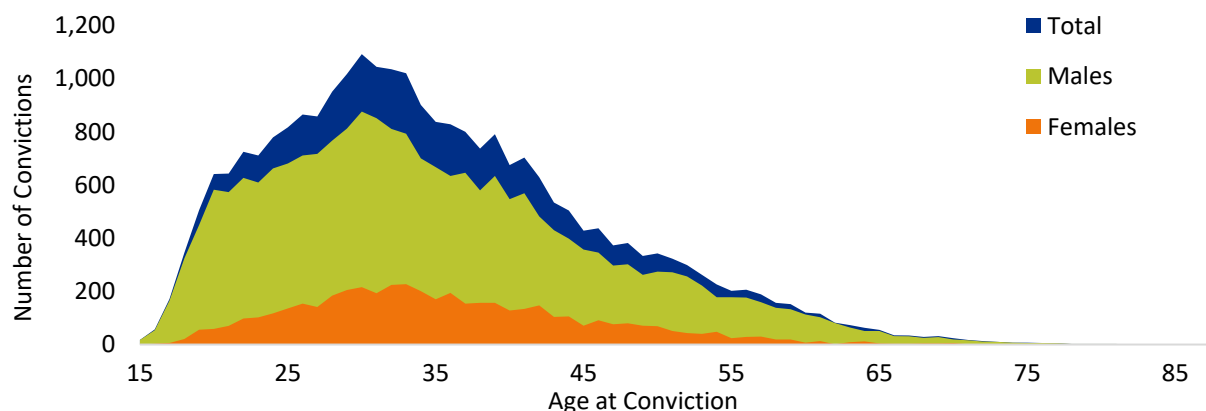
Figure 6: Convictions by Sex and Race



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Based on age at conviction, 4% of felony convictions were for offenders under the age of 21, 13% were 21-25 years of age, 17% were 26-30 years of age, 35% were 31-40 years of age, 19% were 41-50 years of age, and 12% were 51 years of age or older. The average age at conviction was 36 years. Figure 7 shows the volume of male and female offenders by age and illustrates that the volume of offenders peaks in the early-thirties and then generally declines as age increases.

Figure 7: Convictions by Age



Note: Of the 26,323 felony convictions in FY 2023, 39 were excluded from this figure due to missing data.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Table 3 provides a summary of convictions by sex, race, and age of offenders. Most offenders were aged 31-40 years of age (35%). Thirty-six percent (36%) of felony convictions were for males aged 30 or under; 29% of felony convictions were for females aged 30 or under.

Table 3: Convictions by Sex, Race, and Age

Sex and Race		Total	Age at Conviction (%)					
			<21	21-25	26-30	31-40	41-50	>50
Male	White	9,922	2	9	15	37	23	14
	Black	10,296	6	18	19	31	15	11
	Hispanic	626	8	26	19	29	12	6
	Native American	205	5	11	20	29	22	13
	Other	541	9	15	19	32	17	8
	Subtotal	21,590	5	14	17	33	19	12
Female	White	3,451	1	7	17	43	23	9
	Black	1,059	3	17	20	33	17	10
	Hispanic	58	5	14	24	38	19	0
	Native American	38	3	16	24	26	18	13
	Other	88	1	19	21	27	24	8
	Subtotal	4,694	2	9	18	40	22	9
Total		26,284	4	13	17	35	19	12

Note: Of the 26,323 felony convictions in FY 2023, 39 were excluded from this table due to missing data.

SOURCE: NC Sentencing and Policy and Advisory Commission, FY 2023 Felony Statistical Report Data

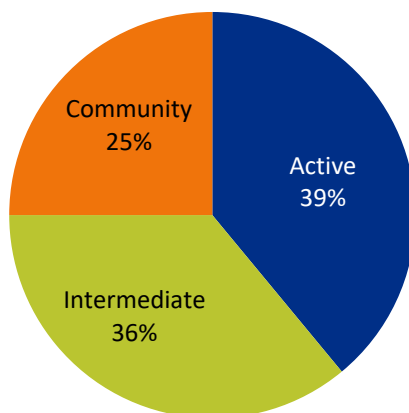
PUNISHMENT IMPOSED

This section details the type of punishment imposed (Active, Intermediate, or Community) for convictions during FY 2023. The tables in this section also show the average minimum and maximum sentences for convictions for which an Active punishment was imposed. *The reader should note that this information is based on the most serious sentence an offender received.*

Overall Punishment

An Active punishment was imposed for 39% of felony convictions, an Intermediate punishment was imposed for 36% of felony convictions, and a Community punishment was imposed for 25% of felony convictions (see Figure 8).⁸

Figure 8: Convictions by Type of Punishment



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Punishment Imposed by Offense Class and Prior Record Level

Figure 9 shows the percentage of convictions by offense class. The majority of felony convictions (61%) were for Class H and Class I offenses. (See Appendix C for the top 5 convictions in each offense class.) As shown in Figure 10, the majority of felony convictions (48%) were for offenders with Prior Record Levels I and II, including 17% for offenders with no prior record points. Nineteen percent (19%) of convictions were for offenders with the most serious prior criminal histories (Prior Record Levels V and VI).

Figure 9: Convictions by Offense Class

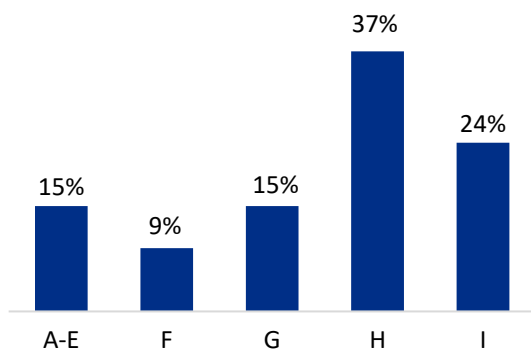
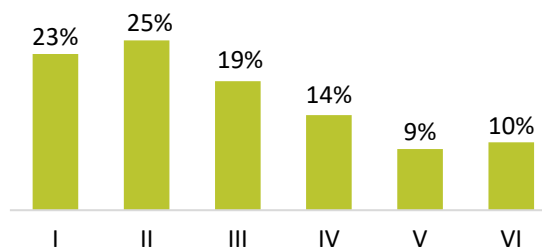


Figure 10: Convictions by Prior Record Level



SOURCE: NC Sentencing and Policy and Advisory Commission, FY 2023 Felony Statistical Report Data

⁸ The type of punishment (Active, Intermediate, or Community) is reported as recorded in the AOC's integrated case management systems and includes convictions for an Intermediate or a Community punishment in cells in which those dispositions are not authorized within the Felony Punishment Chart.

Table 4 presents felony convictions and sentences imposed within the context of the Felony Punishment Chart (see also Table 1).⁹ The detailed information provided allows for an examination of the overall number of convictions and type of punishment imposed (Active, Intermediate, or Community), as well as an examination of these data by offense class, by prior record level, and for each combination of offense class and prior record level (i.e., cell). The table also includes the average minimum and maximum sentences for convictions for which an active sentence was imposed.

Data provided in Table 4 indicate instances in which an Intermediate or Community punishment was imposed where they are not authorized under the Felony Punishment Chart (e.g., a Community punishment is not authorized for felony convictions in Class I with Prior Record Level III through Prior Record Level VI; an Intermediate punishment is not authorized for Class I with Prior Record Level I). It is not clear whether these data reflect actual sentencing practices or how information is captured in the AOC's integrated case management systems.

With the exception of extraordinary mitigation for Class B2 through Class D convictions with 0 to 4 prior record points, a mandatory active sentence is required for Class A through Class D convictions under Structured Sentencing. Class D has an additional exception to the Felony Punishment Chart – an Intermediate punishment can be imposed for Felony Death by Motor Vehicle if the conviction is in Prior Record Level I. In FY 2023, 20 Class D convictions for Felony Death by Motor Vehicle resulted in the imposition of an Intermediate punishment.

As shown in the vertical Total column in Table 4, the percentage of offenders receiving an active sentence and the length of the active sentence imposed both increased as offense seriousness increased. The average minimum sentence for all convictions resulting in an Active punishment (n=10,047) was 33 months. The lowest average minimum sentence was imposed for Class I convictions (7 months). Excluding life and death sentences, the highest average minimum sentence was imposed for Class B1 convictions (234 months).

As shown in the horizontal Total row in Table 4, convictions for offenders in Prior Record Level I resulted in the highest average minimum sentence (58 months). The higher minimum sentences for Prior Record Level I can be attributed to the fact that over one-half of all active sentences in that prior record level were for offenders convicted in the more serious offense classes (i.e., Class B1 through Class E felonies).

⁹ For information on punishment imposed by judicial division and district, see Appendix B, Tables 3 and 4.

Table 4: Convictions and Sentences by Offense Class and Prior Record Level

Offense Class	Prior Record Level						Total
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
A	A A = 48 (100%) n = 48 Life/Death	A A = 11 (100%) n = 11 Life/Death	A A = 5 (100%) n = 5 Life/Death	A A = 4 (100%) n = 4 Life/Death	A A = 1 (100%) n = 1 Life/Death	A A = 0 (0%) n = 0 Life/Death	A A = 69 (100%) n = 69 Life/Death
B1	A A = 179 (100%) n = 179 207 min 284 max	A A = 70 (100%) n = 70 232 min 312 max	A A = 26 (100%) n = 26 271 min 356 max	A A = 19 (100%) n = 19 309 min 401 max	A A = 10 (100%) n = 10 352 min 449 max	A A = 10 (100%) n = 10 412 min 528 max	A A = 314 (100%) n = 314 234 min 315 max
B2	A A = 88 (100%) n = 88 124 min 174 max	A A = 39 (100%) n = 39 147 min 194 max	A A = 26 (100%) n = 26 162 min 217 max	A A = 24 (100%) n = 24 209 min 263 max	A A = 8 (100%) n = 8 231 min 296 max	A A = 10 (100%) n = 10 263 min 332 max	A A = 95 (100%) n = 195 156 min 208 max
C	A A = 158 (100%) n = 158 61 min 104 max	A A = 123 (100%) n = 123 71 min 107 max	A A = 103 (100%) n = 103 76 min 109 max	A A = 104 (100%) n = 104 85 min 120 max	A A = 59 (100%) n = 59 104 min 141 max	A A = 70 (100%) n = 70 110 min 145 max	A A = 617 (100%) n = 617 79 min 116 max
D	A I = 20 (7%) A = 260 (93%) n = 280 52 min 77 max	A A = 147 (100%) n = 147 58 min 82 max	A A = 132 (100%) n = 132 66 min 93 max	A A = 104 (100%) n = 104 75 min 103 max	A A = 70 (100%) n = 70 79 min 107 max	A A = 103 (100%) n = 103 92 min 123 max	A I = 20 (2%) A = 816 (98%) n = 836 66 min 92 max
E	I/A C = 110 (14%) I = 457 (57%) A = 234 (29%) n = 801 22 min 48 max	I/A C = 53 (13%) I = 193 (46%) A = 174 (41%) n = 420 24 min 45 max	A A = 211 (100%) n = 211 28 min 47 max	A A = 168 (100%) n = 168 32 min 52 max	A A = 126 (100%) n = 126 35 min 56 max	A A = 160 (100%) n = 160 41 min 61 max	I/A C = 163 (9%) I = 650 (34%) A = 1,073 (57%) n = 1,886 29 min 51 max
F	I/A C = 113 (15%) I = 397 (53%) A = 236 (32%) n = 746 15 min 27 max	I/A C = 83 (16%) I = 244 (46%) A = 201 (38%) n = 528 16 min 29 max	I/A C = 62 (13%) I = 188 (40%) A = 223 (47%) n = 473 18 min 32 max	A A = 224 (100%) n = 224 21 min 34 max	A A = 152 (100%) n = 152 24 min 38 max	A A = 185 (100%) n = 185 27 min 42 max	I/A C = 258 (11%) I = 829 (36%) A = 1,221 (53%) n = 2,308 20 min 33 max

continued

Table 4: Convictions and Sentences by Offense Class and Prior Record Level

Offense Class	Prior Record Level						Total
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
G	I/A C = 81 (22%) I = 230 (63%) A = 56 (15%) n = 367 11 min 23 max	I/A C = 269 (23%) I = 630 (54%) A = 263 (23%) n = 1,162 12 min 24 max	I/A C = 203 (20%) I = 487 (48%) A = 333 (32%) n = 1,023 14 min 26 max	I/A C = 97 (14%) I = 275 (40%) A = 314 (46%) n = 686 16 min 28 max	A A = 279 (100%) n = 279 18 min 31 max	A A = 281 (100%) n = 281 22 min 35 max	I/A C = 650 (17%) I = 1,622 (43%) A = 1,526 (40%) n = 3,798 16 min 29 max
H	C/I/A C = 1,087 (54%) I = 761 (37%) A = 188 (9%) n = 2,036 5 min 16 max	I/A C = 755 (31%) I = 1,209 (51%) A = 431 (18%) n = 2,395 6 min 17 max	I/A C = 424 (23%) I = 842 (45%) A = 596 (32%) n = 1,862 8 min 19 max	I/A C = 277 (19%) I = 521 (37%) A = 628 (44%) n = 1,426 10 min 21 max	I/A C = 144 (14%) I = 343 (34%) A = 531 (52%) n = 1,018 13 min 25 max	A A = 955 (100%) n = 955 17 min 29 max	C/I/A C = 2,687 (28%) I = 3,676 (38%) A = 3,329 (34%) n = 9,692 11 min 23 max
I	C C = 946 (80%) I = 230 (20%) n = 1,176 N/A	C/I C = 905 (54%) I = 760 (46%) n = 1,665 N/A	I C = 465 (40%) I = 706 (60%) n = 1,171 N/A	I/A C = 205 (23%) I = 369 (42%) A = 312 (35%) n = 886 6 min 17 max	I/A C = 109 (21%) I = 185 (37%) A = 213 (42%) n = 507 7 min 18 max	I/A C = 135 (18%) I = 241 (33%) A = 362 (49%) n = 738 8 min 19 max	C/I/A C = 2,765 (45%) I = 2,491 (41%) A = 887 (14%) n = 6,143 7 min 18 max
Total	C/I/A C = 2,337 (40%) I = 2,095 (36%) A = 1,447 (24%) n = 5,879 58 min 89 max	C/I/A C = 2,065 (32%) I = 3,036 (46%) A = 1,459 (22%) n = 6,560 36 min 57 max	I/A C = 1,154 (23%) I = 2,223 (44%) A = 1,655 (33%) n = 5,032 29 min 46 max	I/A C = 579 (16%) I = 1,165 (32%) A = 1,901 (52%) n = 3,645 27 min 43 max	I/A C = 253 (11%) I = 528 (24%) A = 1,449 (65%) n = 2,230 26 min 42 max	I/A C = 135 (5%) I = 241 (10%) A = 2,136 (85%) n = 2,512 28 min 44 max	C/I/A C = 6,523 (25%) I = 9,288 (36%) A = 10,047 (39%) n = 25,858 33 min 52 max

Note: Of the 26,323 felony convictions in FY 2023, 465 (or 1.8%) were excluded from this table. Death and life sentences were excluded from the calculation of the average minimum and maximum sentences. This table includes convictions for an Intermediate or a Community punishment in cells in which those dispositions are not authorized within the Felony Punishment Chart.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

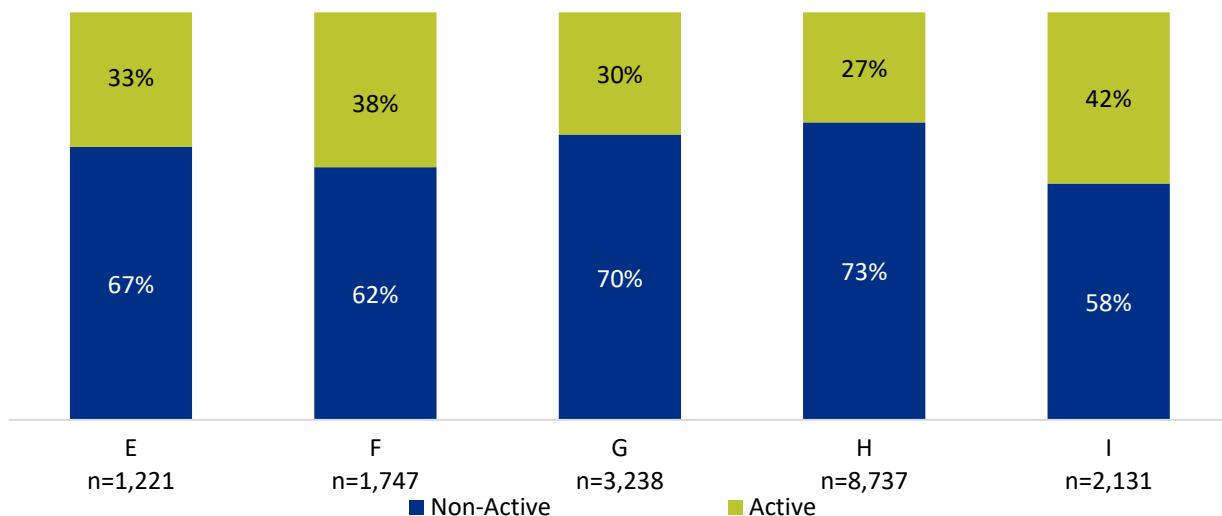
Punishment Imposed in Discretionary Cells

As shown in Table 4, where the judge had the option of imposing either an Active or non-active punishment (i.e., Intermediate or Community punishment), the type of punishment imposed varied based on offense class and prior record level.

Figure 11 summarizes sentences imposed by offense class for discretionary cells with an Active punishment option. Class I convictions had the highest percentage (42%) of an Active punishment imposed in discretionary cells, while Class H convictions had the lowest percentage (27%). The higher percentage of an Active punishment imposed in discretionary cells in Class I compared to other classes

can likely be attributed to prior record level. Cells in Class I, where an Active punishment is an option, are limited to those offenders with the more serious criminal histories (Prior Record Levels IV – VI). While the more serious offense classes (Class E and Class F) have a lower percentage of Active punishments imposed in discretionary cells, the option to impose an Active punishment is limited to the less serious prior record levels.

Figure 11: Punishment Imposed in Discretionary Cells

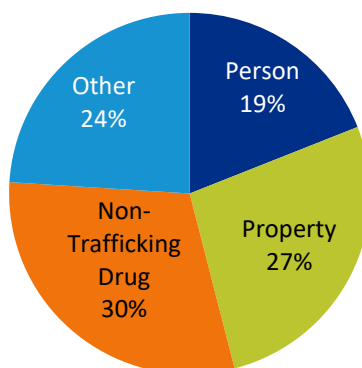


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Punishment Imposed by Crime Type¹⁰

In FY 2023, non-trafficking drug offenses accounted for 30% of convictions, property offenses accounted for 27% of convictions, person offenses account for 19% of convictions, and other offenses accounted for 24% of convictions (see Figure 12).¹¹ For additional data on convictions by crime type, see Appendix D, Tables 1 and 2.

Figure 12: Convictions by Crime Type



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

¹⁰ In the tables and figures in Section I: Felony Convictions, “Drug” refers to non-trafficking drug convictions.

¹¹ The other felony category includes convictions for weapons offenses, motor vehicle offenses, and habitual felons.

The type of punishment imposed by crime type is shown in Table 5. Relative to other crime types, convictions for person offenses had the highest percentage with an Active punishment imposed (61%), while convictions for non-trafficking drug offenses had the lowest percentage with an Active punishment imposed (22%). Of the four crime types, non-trafficking drug convictions had the highest percentage with an Intermediate punishment imposed (40%) and the highest percentage with a Community punishment imposed (38%). Table 5 also displays the average minimum and maximum sentence lengths for convictions in which an Active punishment was imposed. The longest average active sentences were imposed for convictions for person offenses (minimum of 64 months and maximum of 93 months).

Table 5: Convictions and Sentences by Crime Type

Crime Type	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Person	3,020	61	1,424	29	527	10	64	93	4,971
Property	2,435	35	2,604	37	1,949	28	13	26	6,988
Drug	1,728	22	3,099	40	2,879	38	15	27	7,706
Other Felony	2,864	46	2,161	35	1,168	19	30	46	6,193
Total	10,047	39	9,288	36	6,523	25	33	52	25,858

Note: Of the 26,323 felony convictions in FY 2023, 465 (or 1.8%) were excluded from this table. Death and life sentences were excluded from the calculation of the average minimum and maximum sentences.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

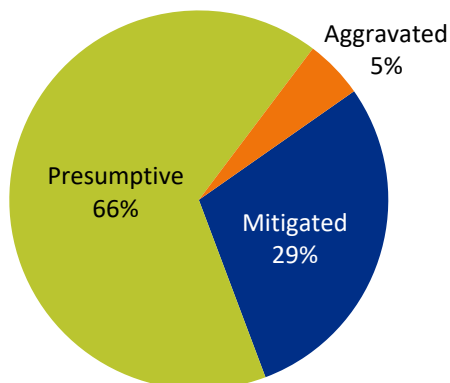
ACTIVE PUNISHMENT

This section summarizes information about Active punishment. During FY 2023, there were 10,047 convictions for which an Active punishment was imposed.

Sentencing Range

Offenders with an Active punishment can be sentenced within the presumptive range, within the mitigated range if mitigating factors are found, or within the aggravated range if aggravating factors are found. Aggravating factors must be found by a jury beyond a reasonable doubt, or admitted by the defendant, while mitigating factors are found by a judge based on a preponderance of the evidence. Class A convictions, which are subject to mandatory life or death sentences (n=69) as well as Class B1 convictions sentenced to a life sentence without parole (n=2), were excluded from this section. Figure 13 shows that 66% of all active sentences were in the presumptive range, 29% were in the mitigated range, and 5% were in the aggravated range. For information on sentencing range for active sentences by judicial division and district, see Appendix B, Table 4.

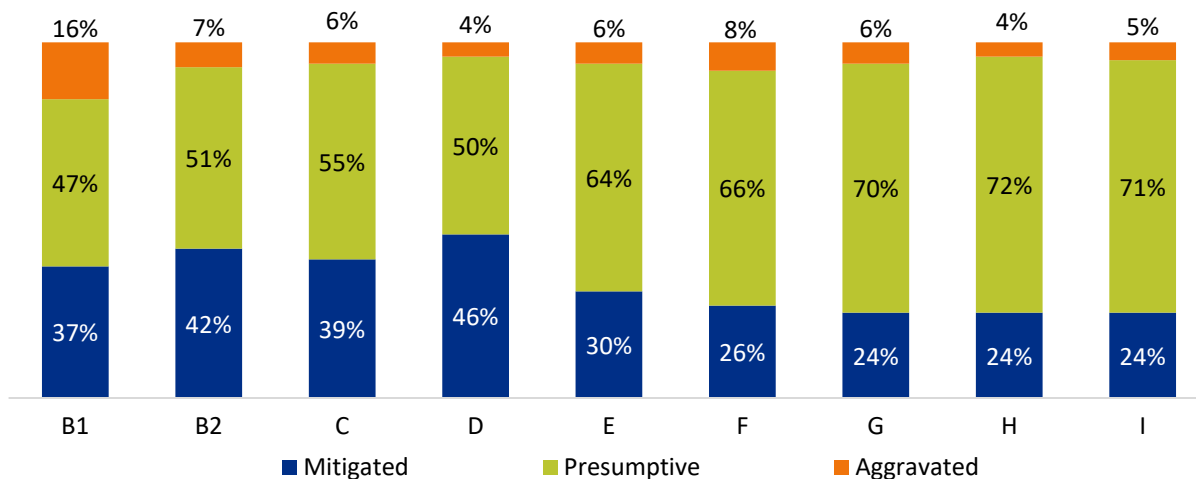
**Figure 13: Sentencing Range
Active Sentences Only**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Figure 14 and Table 6 show the distribution of active sentences by offense class and sentencing range, while Table 6 also includes data by prior record level. Class B1 felonies accounted for the highest percentage of sentences in the aggravated range (16%). Class D convictions had the highest percentage of sentences in the mitigated range (46%), which reflects the sentencing of habitual felons (*see also* Figure 19 in the section on Habitual Status Offenders). Convictions for Class D offenses also had the lowest percentage of active sentences in the presumptive range (50%), followed by convictions for Class B2 offenses (51%). Convictions for Class G, H, and I offenses had the highest percentage of active sentences in the presumptive range (ranging from 70% to 72%).

**Figure 14: Sentencing Range by Offense Class
Active Sentences Only**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Table 6: Sentencing Range by Offense Class and Prior Record Level
Active Sentences Only

Offense Class	Sentencing Range	Prior Record Level						Total
		I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
B1	Mitigated	67	28	11	5	3	2	116
		37%	40%	42%	26%	33%	22%	37%
	Presumptive	79	30	12	14	5	7	147
		45%	43%	46%	74%	56%	78%	47%
	Aggravated	33	12	3	0	1	0	49
		18%	17%	12%	0%	11%	0%	16%
	Subtotal	179	70	26	19	9	9	312
B2	Mitigated	41	15	11	6	3	6	82
		47%	39%	42%	25%	37%	60%	42%
	Presumptive	43	20	14	15	4	3	99
		49%	51%	54%	63%	50%	30%	51%
	Aggravated	4	4	1	3	1	1	14
		4%	10%	4%	12%	13%	10%	7%
	Subtotal	88	39	26	24	8	10	195
C	Mitigated	45	36	48	51	27	37	244
		28%	29%	47%	49%	46%	53%	39%
	Presumptive	104	78	50	49	24	32	337
		66%	64%	48%	47%	41%	46%	55%
	Aggravated	9	9	5	4	8	1	36
		6%	7%	5%	4%	13%	1%	6%
	Subtotal	158	123	103	104	59	70	617
D	Mitigated	95	68	59	50	40	67	379
		37%	46%	45%	48%	57%	65%	46%
	Presumptive	151	71	70	50	30	33	405
		58%	48%	53%	48%	43%	32%	50%
	Aggravated	14	8	3	4	0	3	32
		5%	5%	2%	4%	0%	3%	4%
	Subtotal	260	147	132	104	70	103	816
E	Mitigated	54	44	67	50	45	62	322
		23%	25%	32%	30%	36%	39%	30%
	Presumptive	171	120	129	108	74	84	686
		73%	69%	61%	64%	59%	52%	64%
	Aggravated	9	10	15	10	7	14	65
		4%	6%	7%	6%	5%	9%	6%
	Subtotal	234	174	211	168	126	160	1,073

continued

Table 6: Sentencing Range by Offense Class and Prior Record Level
Active Sentences Only

Offense Class	Sentencing Range	Prior Record Level						Total
		I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
F	Mitigated	39 16%	52 26%	51 23%	64 29%	45 30%	71 38%	322 26%
	Presumptive	176 75%	134 67%	153 69%	148 66%	93 61%	102 55%	806 66%
	Aggravated	21 9%	15 7%	19 8%	12 5%	14 9%	12 7%	93 8%
	Subtotal	236	201	223	224	152	185	1,221
G	Mitigated	1 2%	59 22%	101 30%	65 21%	84 30%	63 22%	373 24%
	Presumptive	53 95%	194 74%	219 66%	230 73%	178 64%	190 68%	1,064 70%
	Aggravated	2 4%	10 4%	13 4%	19 6%	17 6%	28 10%	89 6%
	Subtotal	56	263	333	314	279	281	1,526
H	Mitigated	38 20%	91 21%	136 23%	134 21%	129 24%	270 28%	798 24%
	Presumptive	146 78%	329 76%	448 75%	454 72%	374 71%	653 69%	2,404 72%
	Aggravated	4 2%	11 3%	12 2%	40 7%	28 5%	32 3%	127 4%
	Subtotal	188	431	596	628	531	955	3,329
I	Mitigated	N/A	N/A	N/A	66 21%	51 24%	97 27%	214 24%
	Presumptive	N/A	N/A	N/A	235 75%	147 69%	249 69%	631 71%
	Aggravated	N/A	N/A	N/A	11 4%	15 7%	16 4%	42 5%
	Subtotal	N/A	N/A	N/A	312	213	362	887
Total	Mitigated	380 27%	393 27%	484 29%	491 26%	427 30%	675 32%	2,850 29%
	Presumptive	923 66%	976 67%	1,095 67%	1,303 69%	926 64%	1,353 63%	6,579 66%
	Aggravated	96 7%	79 6%	71 4%	103 5%	91 6%	107 5%	547 5%
	Total	1,399	1,448	1,650	1,897	1,447	2,135	9,976

Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table. Life and death sentences (n=71) were also excluded.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

The sentencing range for active sentences by crime type is presented in Table 7. Of the four crime types, convictions for person offenses accounted for the highest percentage of aggravated sentences (8%). Convictions for the other felony offenses category accounted for the highest percentage of mitigated sentences (36%) relative to other crime types. For additional information regarding convictions by crime type, see Appendix D, Tables 1 and 2.

**Table 7: Sentencing Range by Crime Type
Active Sentences Only**

Crime Type	Sentencing Range (Minimum Sentence)						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Person	877	30	1,824	62	248	8	2,949
Property	569	23	1,780	73	86	4	2,435
Drug	380	22	1,255	73	93	5	1,728
Other Felony	1,024	36	1,720	60	120	4	2,864
Total	28,50	29	6,579	66	547	5	9,976

Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table. Life and death sentences (n=71) were also excluded.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Sentence Location within the Sentencing Range

Although the Felony Punishment Chart contains a range of minimum sentences for each combination of offense class and prior record level, over three-quarters (77%) of all Active minimum sentences were located on one of four specific spots of their respective sentencing ranges – the lowest spot of the mitigated range, the lowest spot of the presumptive range, the highest spot of the presumptive range, and the highest spot of the aggravated range (see Tables 8 and 9).¹² Of all active sentences, 20% were on the lowest spot of the mitigated range, 28% were on the lowest spot of the presumptive range, 25% were on the highest spot of the presumptive range, and 4% were on the highest spot of the aggravated range.

As also shown in Table 8, convictions for Class H and Class I offenses had the highest percentages of active sentences located on one of four specific spots of the range (85% and 87% respectively). Convictions for Class B2 offenses had the lowest percentages of active sentences located on one of the four specific spots of the sentencing range (56%). A large percentage of Class D convictions were sentenced on the lowest spot of the mitigated range (30%). The majority of sentences for Class F through Class I convictions were located on either the lowest spot of the presumptive range or the highest spot of the presumptive range. Appendix D, Table 3 provides further information about the percentage of sentences in the mitigated range and at the lowest spot of the presumptive range by offense class.

¹² As an example, for Class E with Prior Record Level I the mitigated range includes minimum sentences from 15 months to 20 months, the presumptive range includes minimum sentences from 20 months to 25 months, and the aggravated range includes minimum sentences from 25 months to 31 months. In this case, the four specific spots of the minimum sentence range are 15 months (lowest mitigated sentence), 20 months (lowest spot of the presumptive range), 25 months (highest spot of the presumptive range), and 31 months (highest spot of the aggravated range).

Table 8: Sentence Location within the Sentencing Range by Offense Class
Active Sentences Only

Offense Class	Location in the Sentencing Range (Minimum Sentence)				% on the Four Spots
	Mitigated	Presumptive		Aggravated	
	% Lowest Spot	% Lowest Spot	% Highest Spot	% Highest Spot	
B1	23	13	16	11	63
B2	21	18	15	2	56
C	23	15	20	3	60
D	30	19	12	2	63
E	20	23	24	4	71
F	17	25	29	6	77
G	17	33	29	4	76
H	18	33	30	3	85
I	19	34	30	4	87
Total	20	28	25	4	77

Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table. Life and death sentences (n=71) were also excluded.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Table 9 shows the percentage of sentences imposed on each of the four specific spots of the sentencing range by crime type. Property and non-trafficking drug offenses accounted for the highest percentage of sentences on the four spots of the range (84% and 82% respectively). For person offenses, the highest percentage of sentences imposed were located on the highest spot of the presumptive range, while the highest percentage of sentences imposed were located on the lowest spot of the presumptive range for all other crime types. Person offenses had the highest percentage of sentences on the highest spot of the aggravated range (6%); the other felony offense category had the highest percentage of sentences on the lowest spot of the mitigated range.

Table 9: Sentence Location within the Sentencing Range by Crime Type
Active Sentences Only

Crime Type	Location in the Sentencing Range (Minimum Sentence)				% on the Four Spots
	Mitigated	Presumptive		Aggravated	
	% Lowest Spot	% Lowest Spot	% Highest Spot	% Highest Spot	
Person	19	22	25	6	71
Property	17	34	31	3	84
Drug	16	32	30	4	82
Other Felony	24	28	19	3	74
Total	20	28	25	4	77

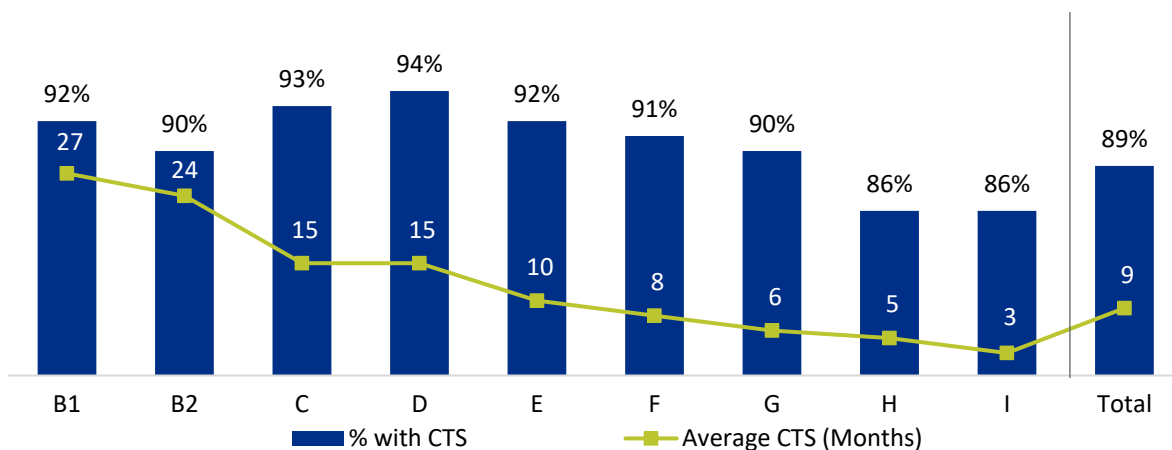
Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table. Life and death sentences (n=71) were also excluded.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Credit for Time Served

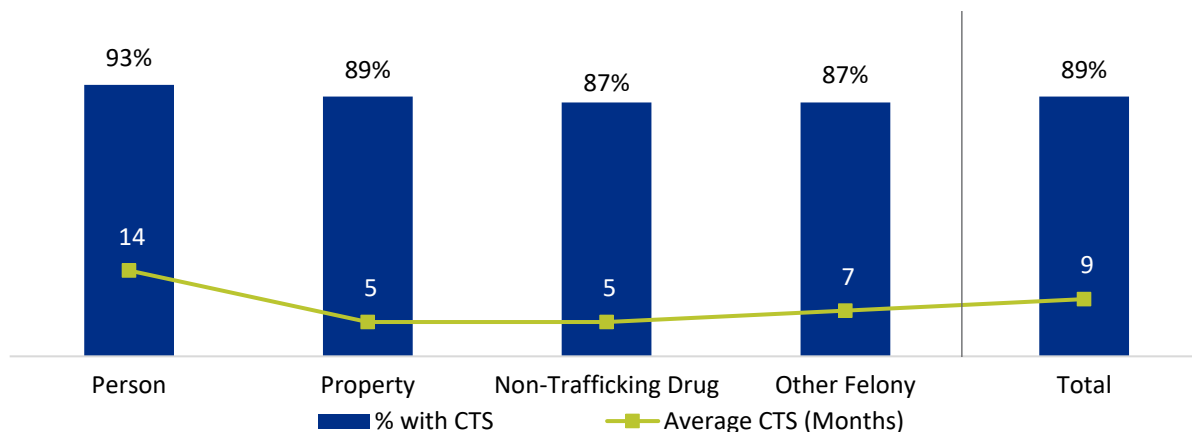
The vast majority (89%) of offenders with an active sentence received credit for time served (CTS), which is the amount of time an offender has spent committed to or confined in a State or local correctional, mental, or another institution prior to sentencing. Figure 15 provides detail on CTS for active sentences by offense class. Class H and Class I convictions had the lowest percentage (86% each) of offenders with CTS; Class D offenses had the highest percentage (94%). For those with CTS, the average amount of credit ranged from 3 months (Class I) to 27 months (Class B1). The length of CTS increased as offense seriousness increased; overall, the average amount was 9 months. There was little difference between crime types in the percentage of offenders with CTS. Offenders convicted of person offenses had the highest amount of CTS (14 months) compared to the other crime types (see Figure 16).

Figure 15: Credit for Time Served by Offense Class
Active Sentences Only



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

**Figure 16: Credit for Time Served by Crime Type
Active Sentences Only**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

INTERMEDIATE AND COMMUNITY PUNISHMENTS

Information presented in this section reflects conditions of Intermediate and Community punishments as defined by G.S. 15A-1340.11. An Intermediate punishment requires supervised probation, whereas a Community punishment may consist of supervised or unsupervised probation but does not require either one. This section only includes information on probation conditions that were imposed for an Intermediate or a Community punishment at sentencing. Probation conditions that are subsequently imposed as a result of modifications to probation are not included. It should be noted that some conditions (e.g., drug treatment court) are not equally available across the state.

An Intermediate or Community punishment may include one or more of the following probation conditions: house arrest with electronic monitoring; community service; short-term jail confinements; substance abuse assessment, monitoring, or treatment; and education or vocational skills development. An Intermediate punishment may also include special probation and/or drug treatment court. Continuous alcohol monitoring (CAM) may be ordered if alcohol dependency has been identified by a substance abuse assessment; satellite-based monitoring (SBM) may be ordered if the probationer is a sex offender (as described by G.S. 14-208.40(a)(2)). In addition, conditions may include payment of restitution, fines, or court costs. A single conviction often results in the imposition of more than one probation condition.

During FY 2023, an Intermediate punishment was imposed for 9,288 felony convictions and a Community punishment was imposed for 6,523 felony convictions for a total of 15,811 non-active sentences (see also Table 4). Overall, 15,460 convictions received supervised probation, 319 received unsupervised probation, and 32 did not receive probation. Based on the statutory requirement, all offenders with an Intermediate punishment (100%) received supervised probation. Nearly all Community punishment convictions (95%) received supervised probation, with only 5% receiving unsupervised probation, and less than 1% having no probation ordered.

Probation Length and Suspended Sentence by Type of Punishment¹³

When a sentence of imprisonment for a felony conviction is suspended, and probation is imposed, the probation length must fall between 18 and 36 months for an Intermediate punishment and between 12 and 30 months for a Community punishment. Departures from these lengths may occur when a finding is made that a different period is required. Thirty-eight percent (38%) of Intermediate probation lengths were for 18 or 36 months; most were for 24 months (41%). Almost one-quarter (24%) of Community probation lengths were for 12 or 30 months; the majority (61%) were for 18 or 24 months.

Table 10 provides the average length of probation and average suspended sentence by offense class and type of punishment for offenders sentenced to probation. Most convictions with Intermediate or Community punishment where probation was imposed were in Class H (n=6,346 or 40%). Overall, the average probation length was 24 months, and the average suspended sentence was 10 months.

Table 10: Average Length of Probation and Average Suspended Sentence by Offense Class and Type of Punishment

Offense Class	Type of Punishment	#	Probation Length (Months)	Suspended Sentence (Months)
E	Intermediate	650	31	24
	Community	163	29	23
	Subtotal	813	31	24
F	Intermediate	829	30	17
	Community	258	30	16
	Subtotal	1,087	30	16
G	Intermediate	1,622	27	14
	Community	649	25	14
	Subtotal	2,271	26	14
H	Intermediate	3,676	25	8
	Community	2,670	24	7
	Subtotal	6,346	25	8
I	Intermediate	2,491	23	6
	Community	2,751	20	6
	Subtotal	5,242	21	6
Total		15,779	24	10

Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table. This table includes convictions for Intermediate or Community punishments where not authorized under the Felony Punishment Chart. Class D convictions (n=20) were excluded from this table; for those convictions, the average probation length was 37 months and the average suspended sentence was 55 months.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

¹³ The suspended sentence refers to the minimum suspended sentence imposed.

Across all offense classes, the average suspended sentence was shorter than the average probation length. Class I felonies resulted in the shortest average probation length (21 months) and average suspended sentence (6 months). Class E felonies resulted in the longest average probation length (31 months) and average suspended sentence (24 months). Probation lengths were slightly shorter for convictions with a Community punishment. Additionally, probation length and suspended sentence length decreased as the severity of the offense class decreased.

Table 11 shows average probation length and average suspended sentence length for Intermediate and Community punishment convictions by crime type. Property and non-trafficking drug offenses comprised 67% of convictions where probation was imposed. Person and other felony offenses accounted for 12% and 21% respectively of convictions with probation. Overall, person offenses resulted in the longest average probation length (29 months) and average suspended sentence (16 months). Non-trafficking drug offenses resulted in the shortest average probation length (22 months) and average suspended sentence (7 months).

**Table 11: Average Length of Probation and Average Suspended Sentence
by Crime Type and Type of Punishment**

Offense Class	Type of Punishment	#	Probation Length (Months)	Suspended Sentence (Months)
Person	Intermediate	1,424	30	17
	Community	525	27	14
	Subtotal	1,949	29	16
Property	Intermediate	2,604	26	9
	Community	1,936	25	7
	Subtotal	4,540	26	8
Drug	Intermediate	3,099	24	8
	Community	2,869	21	6
	Subtotal	5,968	22	7
Other Felony	Intermediate	2,161	25	13
	Community	1,161	22	10
	Subtotal	3,322	24	12
Total		15,779	24	10

Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table. This table includes convictions for Intermediate or Community punishments where not authorized under the Felony Punishment Chart.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Sentence Location within the Sentencing Range

Although the Felony Punishment Chart contains a range of minimum sentences for each combination of offense class and prior record level, the majority (88%) of all suspended sentences were located on one of four specific spots of their respective sentencing ranges – the lowest spot of the mitigated range, the lowest spot of the presumptive range, the highest spot of the presumptive range, and the highest spot of the aggravated range (see Table 12 and Table 13). Suspended sentences were more likely to be located on a spot compared to active sentences (88% and 77% respectively) (see Table 8 and Table 9 for sentence location within the sentencing range for Active punishments). Of all suspended sentences, 6% were on

the lowest spot of the mitigated range, 29% were on the lowest spot of the presumptive range, 52% were on the highest spot of the presumptive range, and 1% were on the highest spot of the aggravated range.

As also shown in Table 12, convictions for Class H and Class I offenses had the highest percentages of suspended sentences located on one of four specific spots of the range (91% and 89% respectively). Convictions for Class E offenses had the lowest percentages of suspended sentences located on one of the spots of the sentencing range (79%). Most suspended sentences located on a spot were within the presumptive range (81%). Only 6% of suspended sentences were on the lowest mitigated spot compared to 20% of active sentences on the lowest mitigated spot (see Table 8 and Table 9).

**Table 12: Sentence Location within the Sentencing Range by Offense Class
Suspended Sentences Only**

Offense Class	Location in the Sentencing Range (Minimum Sentence)				% on the Four Spots
	Mitigated	Presumptive		Aggravated	
	% Lowest Spot	% Lowest Spot	% Highest Spot	% Highest Spot	
E	4	25	48	2	79
F	4	26	51	2	83
G	6	34	43	2	83
H	6	30	54	1	91
I	6	27	54	1	89
Total	6	29	52	1	88

Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table. Due to low numbers, Class D convictions (n=20) were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Table 13 shows the percentage of suspended sentences imposed on each of the four specific spots of the sentencing range by crime type. Little variation was found in the percentage of sentences on the four spots by crime type, ranging from 85% for person offenses to 91% for property offenses. The majority of suspended sentences were in the presumptive range (either the lowest or highest spot), with little difference between most crime types.

**Table 13: Sentence Location within the Sentencing Range by Crime Type
Suspended Sentences Only**

Crime Type	Location in the Sentencing Range (Minimum Sentence)				% on the Four Spots
	Mitigated	Presumptive		Aggravated	
	% Lowest Spot	% Lowest Spot	% Highest Spot	% Highest Spot	
Person	4	25	53	2	85
Property	6	28	55	2	91
Drug	6	28	53	1	88
Other Felony	7	34	43	1	85
Total	6	29	52	1	88

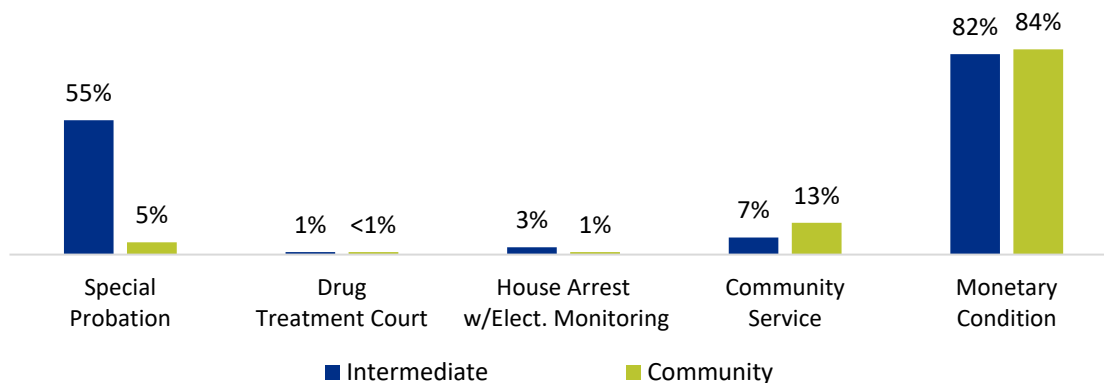
Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Conditions of Probation¹⁴

In FY 2023, supervised probation was imposed for 15,460 convictions with an Intermediate or Community punishment, (9,288 Intermediate and 6,172 Community punishment convictions). Figure 17 provides information on the conditions that were imposed for Community and Intermediate punishment convictions with supervised probation. Multiple probation conditions may have been ordered for a single conviction. For Intermediate punishment convictions, special probation and monetary conditions were the two most frequently imposed conditions of probation (55% and 82% respectively). Community service and monetary conditions were the two most frequently imposed conditions of probation for Community punishment convictions (13% and 84% respectively).

Figure 17: Probation Conditions for Convictions with Supervised Probation



Note: A single conviction may result in the imposition of more than one probation condition. As a result, the percentages reported add to more than 100%.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

¹⁴ Information reported in this section includes data on select probation conditions captured in the AOC's integrated case management systems and does not reflect the full scope of available conditions for offenders sentenced to an Intermediate or a Community punishment.

Table 14 provides detailed information about the conditions ordered at sentencing for Intermediate and Community punishment convictions with supervised probation, including the average length of probation. The average length of probation imposed was 26 months for convictions with an Intermediate punishment and 23 months for convictions with a Community punishment, with minimal differences in average length found between Intermediate and Community punishment convictions for most probation conditions. Convictions with house arrest with electronic monitoring had the longest average length of probation (30 months) relative to other conditions of probation.

Table 14: Probation Conditions for Convictions with Supervised Probation

Type of Punishment	Conditions of Probation (Number and Average Probation Length)					Total
	Special Probation	Drug Treatment Court	House Arrest w/ Elect. Monitoring	Community Service	Monetary Condition	
Intermediate	5,119 <i>26 months</i>	93 <i>26 months</i>	272 <i>30 months</i>	671 <i>27 months</i>	7,614 <i>26 months</i>	9,288 <i>26 months</i>
Community	282 <i>26 months</i>	14 <i>25 months</i>	48 <i>31 months</i>	799 <i>23 months</i>	5,163 <i>23 months</i>	6,172 <i>23 months</i>
Total	5,401 <i>26 months</i>	107 <i>26 months</i>	320 <i>30 months</i>	1,470 <i>25 months</i>	12,777 <i>25 months</i>	15,460 <i>25 months</i>

Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table. This table includes information on probation conditions that are captured in AOC's integrated case management systems and are reported regardless of possible errors (i.e., special probation or drug treatment court are not authorized conditions for a Community punishment). A single conviction may result in the imposition of more than one probation condition. The row totals equal the total number of convictions with supervised probation, rather than total number of conditions.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

In FY 2023, unsupervised probation was imposed for 319 convictions with a Community punishment. Of these convictions, 6% (n=20) included community service as a condition of probation and 56% (n=179) were ordered to pay monetary obligations (i.e., fine, restitution, or court costs) as a condition of probation.

No Probation Ordered

Probation is not required for Community punishment convictions. In FY 2023, 32 convictions with a Community punishment had no probation ordered. As part of the sentence imposed, 9% (n=3) of these convictions included an order to perform community service and 72% (n=23) included payment of monetary obligations (i.e., fine, restitution, or court costs).

SPECIAL ISSUES

This section reviews sentencing issues of interest including death and life sentences, habitual status offenders, firearm enhancements, gang enhancements, Advanced Supervised Release, and drug trafficking convictions.

Death and Life Sentences

Offenders convicted of first-degree murder may receive a sentence of either death or life without parole. A sentence of life without parole is also required for offenders convicted of Class B1 felonies who are sentenced in the aggravated range in Prior Record Levels V and VI, certain offenders convicted of second or subsequent Class B1 felonies, and offenders found to be violent habitual felons (see Habitual Status Offenders). Minors (defined as offenders under the age of 18 at the time of the offense) convicted of first-degree murder may receive a sentence of either life with or without parole.

During FY 2023, 1 death sentence and 68 life without parole sentences were imposed. The 1 death sentence was imposed for a first-degree murder conviction (Class A). Life without parole sentences were imposed for 63 first-degree murder convictions (Class A), 3 murder of an unborn child convictions (Class A), 1 first-degree forcible rape conviction (Class B1), and 1 statutory sex offense with a child less than 15 years old conviction (Class B1). There were 2 minors convicted of first-degree murder who received a sentence of life with parole.

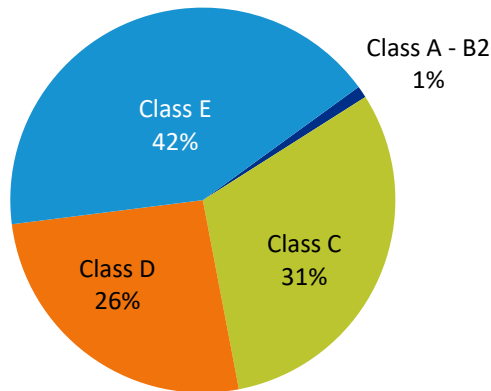
Habitual Status Offenders

A violent habitual felon is an offender with at least two prior Class A, B1, B2, C, D, or E felony convictions (each conviction having occurred before they committed the next offense) who has currently been convicted of a Class A, B1, B2, C, D, or E felony offense and who has been found by a jury to be a violent habitual felon. A violent habitual felon is sentenced to life without parole. (G.S. 14-7.7 to -7.12). During FY 2023, there were no life without parole sentences imposed for violent habitual felon convictions.

A habitual felon is an offender with at least three prior felony convictions (each conviction having occurred before they committed the next offense) who has currently been convicted of a felony offense and who has been found by a jury to be or admitted to being a habitual felon. (G.S. 14-7.1 to -7.6). A habitual felon is sentenced as a Class C felon if the substantive felony offense was committed prior to December 1, 2011. For substantive felony offenses committed on or after December 1, 2011, a habitual felon is sentenced at a felony class that is four classes higher than the substantive felony for which the person was convicted, but under no circumstances higher than Class C.

Figure 18 shows the breakdown of habitual felon convictions by offense class. Overall, there were 762 habitual felon convictions. The highest percentage (42%) were sentenced as Class E felons. Overall, 94% (n=717) were sentenced to an Active punishment, 6% (n=43) were sentenced to an Intermediate punishment, and less than 1% (n=2) were sentenced to a Community punishment.

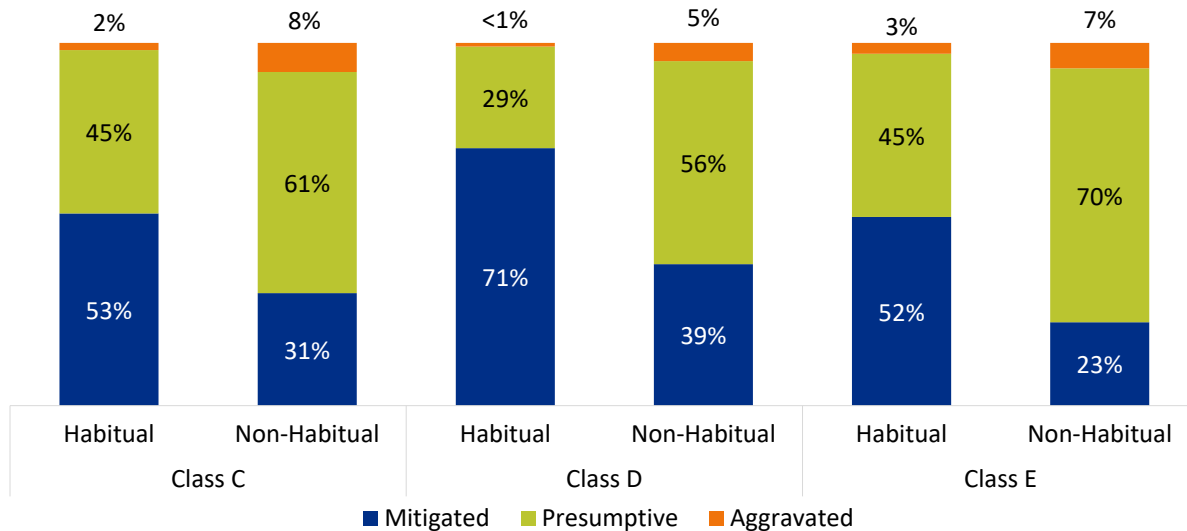
Figure 18: Habitual Felon Convictions by Offense Class



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Figure 19 shows habitual felon convictions by sentencing range (mitigated, presumptive, and aggravated) as compared to non-habitual felons in the same offense classes. Overall, habitual felons were more likely to be sentenced in the mitigated range, whereas non-habitual felons were more likely to be sentenced in the presumptive range. Class D habitual felons received the highest percentage of mitigated sentences (71%).

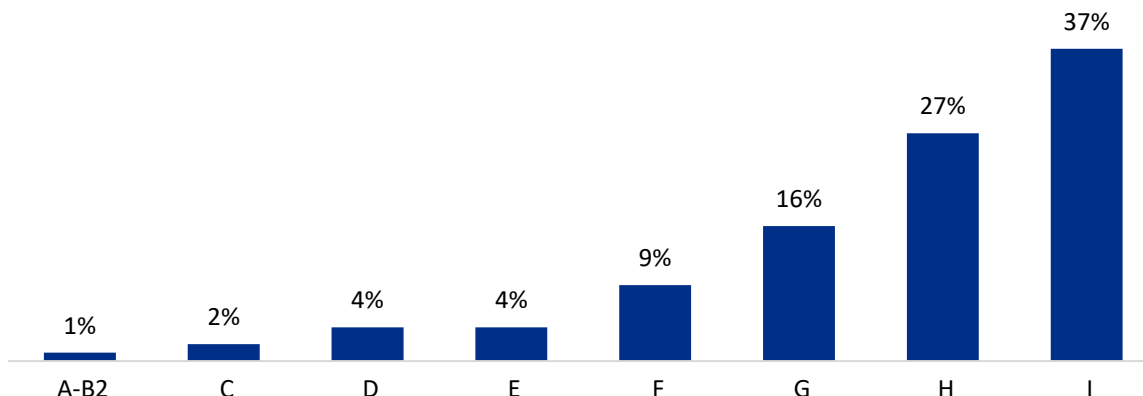
Figure 19: Sentencing Range by Offense Class for Habitual and Non-Habitual Felons
Active Sentences Only



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Figure 20 shows the offense class of the most serious substantive felony offense associated with habitual felon convictions. The most serious substantive offense represents the most serious current conviction for which the offender was sentenced as a habitual felon and does not take into account the offense class of the three previous felony convictions. Two-thirds of habitual felon convictions were for offenders with a Class H (27%) or Class I (37%) felony as their most serious substantive offense. In terms of crime type, over one-third (37%) of habitual felon convictions were for offenders with non-trafficking drug offenses as their most serious substantive offense, while 27% were for property offenses, 20% were for other offenses, and 16% were for person offenses.

Figure 20: Offense Class of the Most Serious Substantive Offense Associated with Habitual Felon Convictions



Note: The most serious substantive offense may not be the conviction used to establish habitual felon status.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Table 15 shows the top 5 most serious substantive offenses associated with habitual felon convictions. It should be noted that the most serious substantive offense may not be the conviction used to establish habitual felon status. It currently is not possible to determine the substantive conviction used to establish habitual felon status using data from the AOC's integrated case management systems. Possession of methamphetamine and possession of a firearm by a felon were the most serious substantive offenses that occurred most frequently (n=96 and n=77 respectively).

Table 15: Top 5 Most Serious Substantive Offenses Associated with Habitual Felon Convictions

Substantive Offense	Offense Class	#	% of Habitual Felon Convictions
Possess Methamphetamine	I	96	13
Possession of a Firearm by a Felon	G	77	10
Breaking or Entering Buildings	H	50	7
Possess Cocaine	I	29	4
Breaking or Entering a Motor Vehicle	I	19	2

Note: The most serious substantive offense may not be the conviction used to establish habitual felon status.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Firearm Enhancement

The firearm enhancement requires the judge to increase an offender's active sentence if the offender is convicted of a felony and the jury finds that they used, displayed, or threatened to use or display a firearm during the commission of the felony. The firearm enhancement cannot be applied if the firearm is used to prove an element of the offense, nor can it be applied to non-active sentences. (G.S. 15A-1340.16A). For offenses committed on or after October 1, 2013, the firearm enhancement requires the judge to increase an offender's active sentence by 72 months if the offender is convicted of a Class A, B1, B2, C, D or E felony, 36 months if the offender is convicted of a Class F or Class G felony, or 12 months if the offender is convicted of a Class H or Class I felony. The firearm enhancement was applied to one felony conviction in FY 2023.

Criminal Gang Activity Enhancements

The gang enhancements require the judge to increase the offense class of the principal felony for which the offender was convicted by one class if the jury finds that the offense was committed as part of criminal gang activity (as defined by statute) and by two classes if the jury also finds that the offender is a criminal gang leader or organizer (as defined by statute). No offender can be sentenced at a class higher than a Class C felony under this enhancement and the enhancement cannot be applied to any gang offense included in article 13A of Chapter 14 of the General Statutes. (G.S. 15A-1340.16E). Neither the criminal gang activity enhancement nor the criminal gang leader/organizer enhancement were applied to any felony convictions in FY 2023.

Advanced Supervised Release

Advanced Supervised Release (ASR) is a sentencing option available for certain offenders receiving active sentences. (G.S. 15A-1340.18). The following offense classes and prior record levels detail eligibility:

<u>Eligible Offense Class</u>	<u>Eligible Prior Record Levels</u>
Class D	I through III
Class E	I through IV
Class F	I through V
Class G	I through V
Class H	I through V

Unless there is objection from the prosecutor, judges may sentence eligible offenders to ASR. Upon completion of certain requirements while in prison, the offender may be released at a reduced minimum sentence (i.e., the lowest mitigated sentence if the sentence imposed was in the presumptive range or 80% of the minimum sentence if the sentence imposed was in the mitigated range). There were 156 convictions with an ASR sentence in FY 2023. Overall, there were 26 ASR sentences imposed in Class D, 16 in Class E, 33 in Class F, 35 in Class G, and 44 in Class H. In addition, 2 ASR sentences were imposed in an offense class in which ASR is not authorized – both for Class I offenses.

Drug Trafficking Convictions

Drug trafficking offenses and conspiracy to traffic offenses are subject to mandatory active sentences with the following minimum and maximum sentence lengths (in months) regardless of the offender's prior record level.

<u>Drug Trafficking Offense Class</u>	<u>Minimum</u>	<u>Maximum</u>
Class C	225	282
Class D	175	222
Class E	90	120
Class F	70	93
Class G	35	51
Class H	25	39

If the judge finds that the offender provided substantial assistance in the identification, arrest, or conviction of any accomplices, accessories, co-conspirators or principals, then the judge may impose any

lesser minimum and corresponding maximum sentence or suspend the sentence and enter any sentence within their discretion. (G.S. 90-95(h)(5)).

As shown in Table 16, there were 510 convictions for drug trafficking offenses in FY 2023. The most frequently occurring drug trafficking convictions were in Class F (n=288), followed by Class E (n=92).

Table 16: Drug Trafficking Convictions

Offense Class and Trafficking Offense		Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
		Active		Intermediate		Community				
		#	%	#	%	#	%			
C	Consp. Traffic Meth.	1	100	.	.	.	.	225	282	1
	Traffic Methamphetamine	5	71	1	14	1	14	134	173	7
	Traffic Opium/Heroin	10	77	2	15	1	8	170	216	13
	Consp. Traffic Op./Heroin	.	.	.	.	1	100	67	93	1
	Other Trafficking	13	76	2	12	2	12	133	171	17
	Subtotal	29	74	5	13	5	13	146	187	39
D	Traffic Cocaine	5	83	.	.	1	17	154	197	6
	Other Trafficking	3	100	.	.	.	.	134	172	3
	Subtotal	8	89	.	.	1	11	147	189	9
E	Traffic Methamphetamine	18	95	1	5	.	.	83	112	19
	Traffic Opium/Heroin	36	95	1	3	1	3	84	113	38
	Consp. Traffic Op./Heroin	1	100	.	.	.	.	90	120	1
	Other Trafficking	33	97	1	3	.	.	88	117	34
	Subtotal	88	96	3	3	1	1	85	114	92
F	Consp. Traffic Meth.	3	100	.	.	.	.	49	68	3
	Traffic Methamphetamine	93	94	4	4	2	2	65	87	99
	Traffic Cocaine	8	73	2	18	1	9	61	83	11
	Traffic Opium/Heroin	92	91	6	6	3	3	64	86	101
	Consp. Traffic Cocaine	2	40	2	40	1	20	39	56	5
	Other Trafficking	65	94	1	1	3	4	63	84	69
	Subtotal	263	91	15	5	10	3	64	85	228
G	Traffic LSD	5	100	.	.	.	.	35	51	5
	Traffic MDA/MDMA	2	67	1	33	.	.	27	41	3
	Traffic Amphetamine	1	100	.	.	.	.	35	51	1
	Traffic Cocaine	40	93	1	2	2	5	32	48	43
	Consp. Traffic Marijuana	.	.	.	.	1	100	35	51	1
	Other Trafficking	23	82	1	4	4	14	32	47	28
	Subtotal	71	88	3	4	7	9	32	47	81
H	Other Trafficking	.	.	.	.	1	100	6	17	1
	Subtotal	.	.	.	.	1	100	6	17	1
Total		459	90	26	5	25	5	70	94	510

Note: This table reflects all drug trafficking convictions regardless of whether the offense classes are correct or whether the sentences are consistent with the minimum and maximum sentences set forth in G.S. 90-95(h). Non-active sentences and those shorter than mandatory active sentences may reflect the use of the substantial assistance provision or incorrect offense identification. Percentages may not add to 100% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

SECTION II: MISDEMEANOR CONVICTIONS

MISDEMEANOR CONVICTIONS IN FY 2023

Overall, sentences for 103,010 misdemeanor convictions were imposed during FY 2023. For many of the tables, information on 7,889 convictions (or 7.7%) was excluded due to missing or discrepant data.¹⁵ Such exclusions are noted at the end of each table.

Sentences imposed for misdemeanor convictions are based on the Misdemeanor Punishment Chart, which takes into account offense seriousness and the offender's prior criminal record. The current Misdemeanor Punishment Chart (for offenses committed on or after December 1, 2013) is printed on the inside back cover of the report.¹⁶

The following categories of misdemeanor convictions are excluded from this report:

- 1) Misdemeanor Driving While Impaired offenses (since they are not governed by Structured Sentencing laws);¹⁷
- 2) Cases disposed of by a magistrate; and
- 3) Local ordinance offenses.

Distribution of Convictions within the Misdemeanor Punishment Chart

Table 17 shows the distribution of convictions within the Misdemeanor Punishment Chart. Overall, 9% of misdemeanor convictions were in Class A1, 34% were in Class 1, 18% were in Class 2, and 39% were in Class 3. Thirty-nine percent (39%) of convictions were in Prior Conviction Level I, 30% were in Prior Conviction Level II, and 31% were in Prior Conviction Level III. Relative to other cells within the Misdemeanor Punishment Chart, the highest volume of convictions were in Class 3 with Prior Conviction Level I (n=19,906 or 21%), followed by Class 1 with Prior Conviction Level III (n=13,554 or 14%).

Figure 21 shows the distribution of convictions by prior conviction level. Class A1 and Class 1 misdemeanor convictions had the highest percentage of offenders in Prior Conviction Level III (39% and 41% respectively). Conversely, Class 3 misdemeanor convictions had the highest percentage of offenders in Prior Conviction Level I (54%).

¹⁵ With the implementation of Enterprise Justice, an increased number of misdemeanor convictions are missing key sentencing information, including offense class, number of prior convictions, and punishment imposed; these convictions were excluded from most of the tables/figures in this section. The four Enterprise Justice pilot counties (Harnett, Johnston, Lee, and Wake Counties) accounted for 84% (or 6,442) of the 7,889 convictions that were excluded, resulting in only 42% of pilot county data being reported overall. Importantly, the AOC has taken steps to improve the collection of this information in Enterprise Justice for FY 2024; it is expected that the number of convictions with missing information will decline as these improvements are incorporated.

¹⁶ Current and previous misdemeanor punishment charts can also be found on the Commission's website:

<https://www.nccourts.gov/documents/publications/punishment-grids>

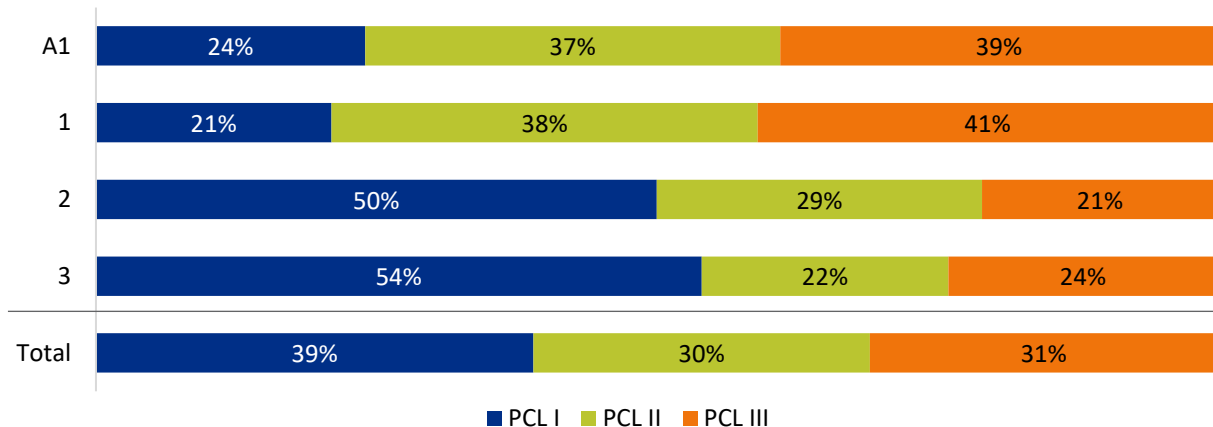
¹⁷ For information on convictions and sentences imposed for DWI offenses, see NC Sentencing and Policy Advisory Commission, DWI Convictions Statistical Reports at: <https://www.nccourts.gov/documents/publications/dwi-convictions-statistical-reports>

Table 17: Distribution of Convictions within the Misdemeanor Punishment Chart

Offense Class	Prior Conviction Level			Total
	I 0 Prior Convictions	II 1-4 Prior Convictions	III 5+ Prior Convictions	
A1	1,913 2%	3,025 3%	3,127 4%	8,065 9%
1	6,770 7%	12,260 13%	13,554 14%	32,584 34%
2	8,680 9%	5,060 5%	3,765 4%	17,505 18%
3	19,906 21%	8,186 9%	8,875 9%	36,967 39%
Total	37,269 39%	28,531 30%	29,321 31%	95,121 100%

Note: Of the 103,010 misdemeanor convictions in FY 2023, 7,889 (or 7.7%) were excluded from this table.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Figure 21: Distribution of Convictions by Prior Conviction Level

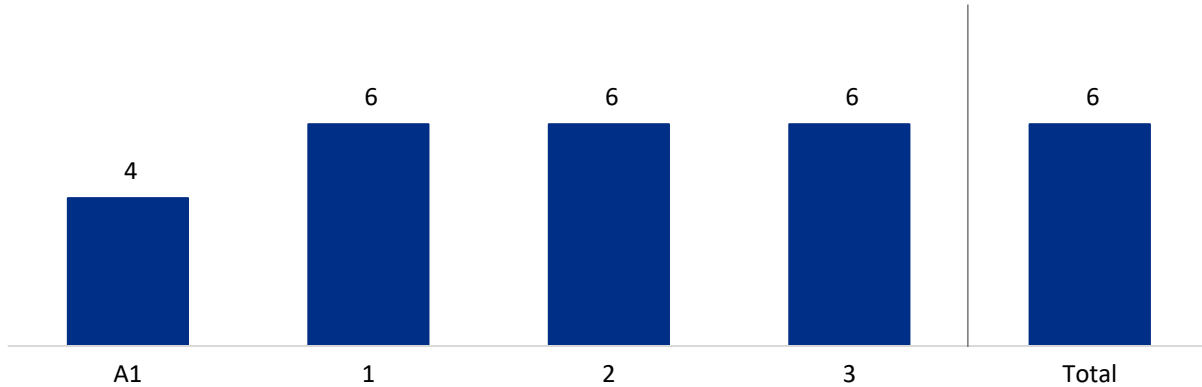


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Time to Sentencing

Time to sentencing refers to the amount of time between the date the warrant was served for the most serious offense and the date the sentence was imposed. As Figure 22 shows, the median time to sentencing for misdemeanor convictions was 6 months. Class A1 misdemeanor convictions had the shortest median time to sentencing (4 months).

Figure 22: Median Time to Sentencing by Class (Months)

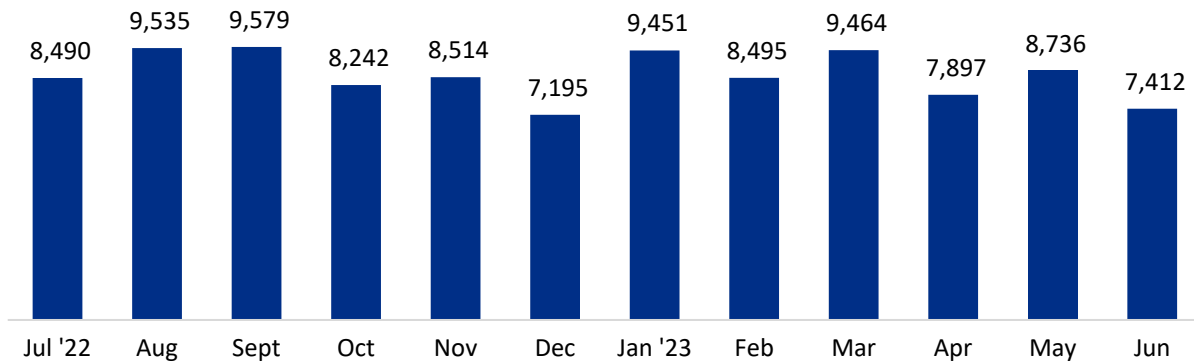


Note: Of the 103,010 misdemeanor convictions, 600 were excluded from this figure due to missing data.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Convictions by Month of Sentencing

Figure 23 shows the number of misdemeanor convictions (N=103,010) by month of sentencing during FY 2023. Convictions were highest in September 2022 and lowest in December 2022.

Figure 23: Convictions by Month of Sentencing



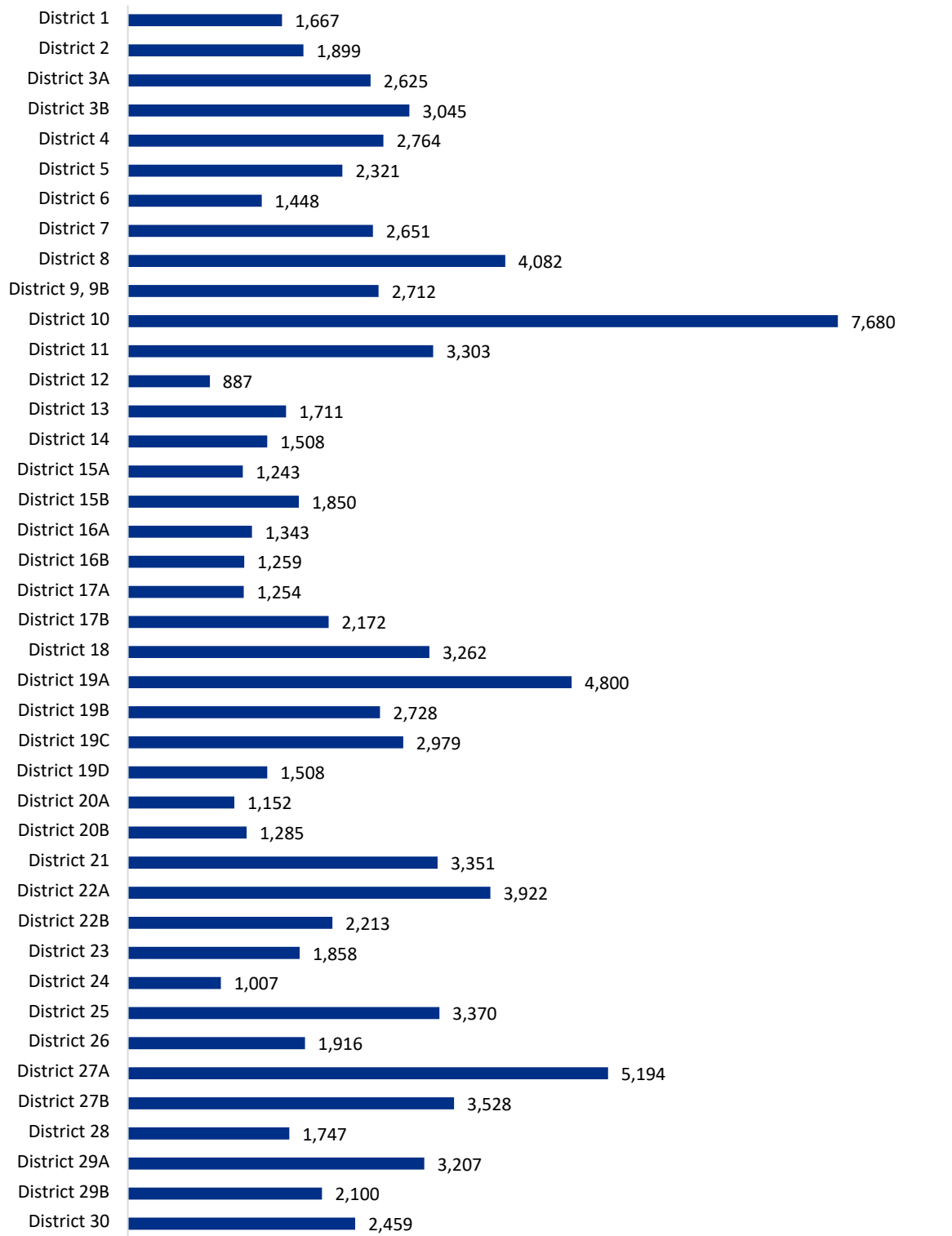
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Convictions by Judicial District

Figure 24 shows the number of misdemeanor convictions for each judicial district. Of the 103,010 misdemeanor convictions, there were 97,753 guilty pleas/bench trials in District Court, and 5,162 guilty pleas and 95 jury trials in Superior Court.¹⁸ (See Appendix E, Table 1 for information on the total number of misdemeanor convictions for each judicial district and county within the context of county population.)

¹⁸ For misdemeanor convictions in Superior Court, see G.S. 7A-271(a).

Figure 24: Convictions by Judicial District

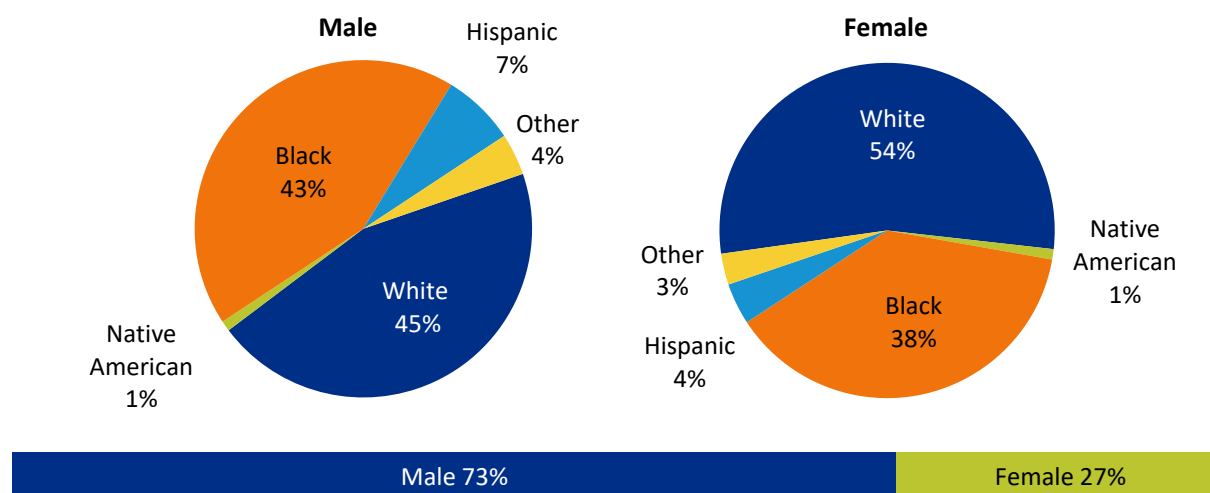


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

OFFENDER CHARACTERISTICS

This section provides a summary of misdemeanor convictions by offenders' sex, race, and age. As shown in Figure 25, the majority of misdemeanor convictions were for males (73%). Almost fifty percent (47%) of all misdemeanor offenders were White and 41% were Black. Only a small percentage were Hispanic (7%), Native American (1%), or Other (4%). Among male offenders, 45% were White and 43% were Black; over one-half (54%) of female offenders were White.

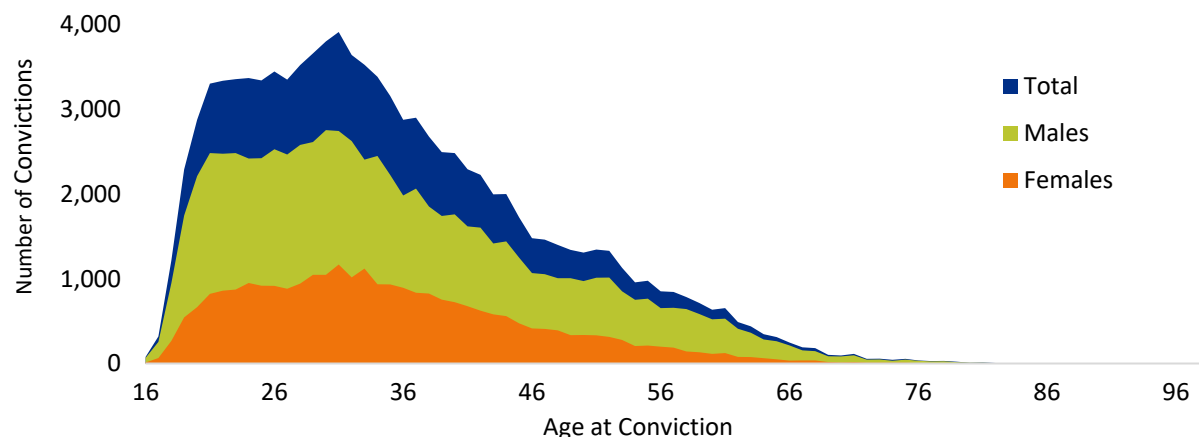
Figure 25: Convictions by Sex and Race



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Based on age at conviction, 7% of misdemeanor convictions were for offenders under the age of 21, 16% were 21-25 years of age, 17% were 26-30 years of age, 30% were 31-40 years of age, 17% were 41-50 years of age, and 13% were over 50 years of age. The average age at conviction was 35 years. Figure 26 shows the volume of male and female offenders by age and illustrates that the volume of offenders peaks in the early thirties and then generally declines as age increases.

Figure 26: Convictions by Age



Note: Of the 103,010 misdemeanor convictions in FY 2023, 325 were excluded from this table due to missing data.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Table 18 provides a summary of misdemeanor convictions by sex, race, and age of offenders. Overall, most offenders were aged 31-40 years old (30%). The lowest percentage of convictions were for offenders under age 21 (7%). Forty percent (40%) of offenders were 30 years old and younger.

Table 18: Convictions by Sex, Race, and Age

Sex and Race		Total	Age at Conviction (%)					
			<21	21-25	26-30	31-40	41-50	>50
Male	White	33,661	6	12	15	31	20	16
	Black	32,050	6	19	20	28	14	13
	Hispanic	5,738	16	25	18	24	12	5
	Native Amer.	638	7	18	16	29	16	14
	Other	3,070	11	24	18	26	14	7
	Subtotal	75,157	7	16	17	29	17	14
Female	White	14,822	4	11	15	37	21	12
	Black	10,449	7	23	21	29	12	8
	Hispanic	1,093	15	22	18	26	15	4
	Native Amer.	259	4	12	16	36	21	11
	Other	905	11	22	17	26	15	9
	Subtotal	27,528	6	16	18	33	17	10
Total		102,685	7	16	17	30	17	13

Note: Of the 103,010 misdemeanor convictions in FY 2023, 325 were excluded from this table due to missing data.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

PUNISHMENT IMPOSED

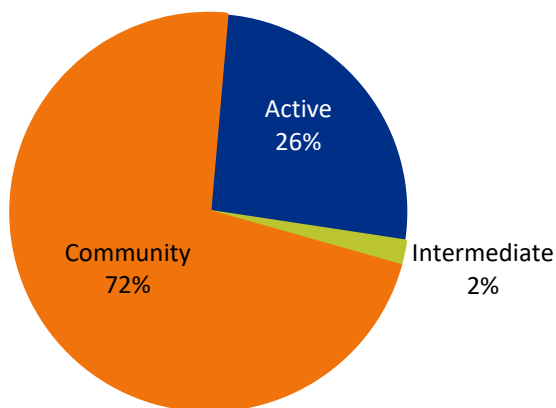
This section summarizes information about the type of punishment imposed (Active, Intermediate, or Community) for misdemeanor convictions. It also shows the average sentence imposed and the average time to be served – adjusting for credit for time served – for misdemeanants who received an Active punishment.

Overall Punishment

As shown in Figure 27, an Active punishment was imposed for 26% of misdemeanor convictions, an Intermediate punishment was imposed for 2% of misdemeanor convictions, and a Community punishment was imposed for 72% of misdemeanor convictions.¹⁹

¹⁹ Class 3 misdemeanor offenses committed on or after December 1, 2013 for offenders with three or fewer prior convictions are punishable as a Community punishment by a fine only. Of the 36,967 Class 3 misdemeanor convictions shown in Table 17 and Table 19, 24% (n=9,055) were identified as receiving a fine only, with no probation or additional sanctions ordered.

Figure 27: Convictions by Type of Punishment



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Punishment Imposed by Offense Class and Prior Conviction Level

Figure 28 shows the percentage of convictions by offense class. Thirty-nine percent (39%) of misdemeanor convictions were for Class 3 offenses. (See Appendix C for the top 5 convictions in each offense class.) As shown in Figure 29, Prior Conviction Level I had the highest percentage of convictions (39%).

Figure 28: Convictions by Offense Class

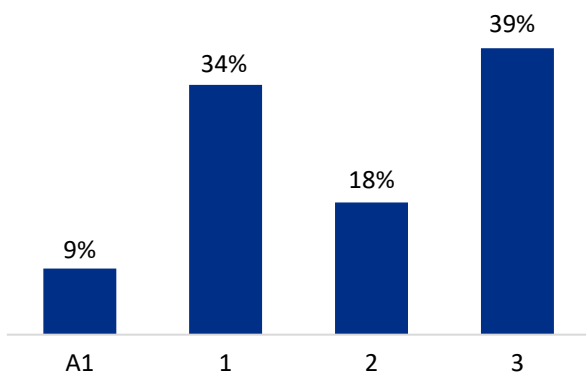
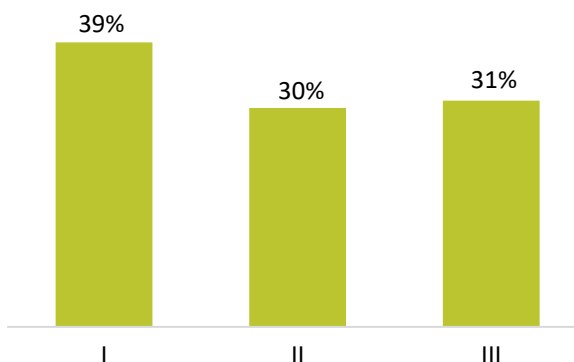


Figure 29: Convictions by Prior Conviction Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Misdemeanor convictions and sentences imposed are presented within the context of the Misdemeanor Punishment Chart in Table 19. Most convictions – regardless of offense class or prior conviction level – resulted in the imposition of a Community punishment (n=68,103 or 72%). The detailed information provided allows for examination of the overall number of convictions and type of punishment imposed as well as an examination of these data by offense class, by prior conviction level, and for each combination of offense class and prior conviction level (i.e., cell). The table also includes the average sentence length for convictions for which an active sentence was imposed. Convictions for Class A1 and Class 1 misdemeanors accounted for the highest percentage of active sentences imposed relative to other offense classes (36% each). The likelihood of receiving an Active punishment increased as offense

class and prior conviction level increased. Active sentences in cells in which an Active punishment is not a sentencing option may be due to the use of credit for time served.

Table 19: Convictions and Sentences by Offense Class and Prior Conviction Level

Offense Class	Prior Conviction Level			Total
	I 0 Prior Convictions	II 1-4 Prior Convictions	III 5+ Prior Convictions	
A1	C/I/A C = 1,237 (65%) I = 216 (11%) A = 460 (24%) n = 1,913 43 days	C/I/A C = 1,735 (58%) I = 367 (12%) A = 923 (30%) n = 3,025 50 days	C/I/A C = 1,244 (40%) I = 404 (13%) A = 1,479 (47%) n = 3,127 85 days	C/I/A C = 4,216 (52%) I = 987 (12%) A = 2,862 (36%) n = 8,065 67 days
1	C C = 4,958 (73%) I = 94 (1%) A = 1,718 (26%) n = 6,770 22 days	C/I/A C = 7,911 (65%) I = 401 (3%) A = 3,948 (32%) n = 12,260 27 days	C/I/A C = 6,643 (49%) I = 754 (6%) A = 6,157 (45%) n = 13,554 55 days	C/I/A C = 19,512 (60%) I = 1,249 (4%) A = 11,823 (36%) n = 32,584 41 days
2	C C = 7,759 (90%) I = 24 (0%) A = 897 (10%) n = 8,680 13 days	C/I C = 3,684 (73%) I = 82 (1%) A = 1,294 (26%) n = 5,060 17 days	C/I/A C = 1,802 (48%) I = 83 (2%) A = 1,880 (50%) n = 3,765 26 days	C/I/A C = 13,245 (76%) I = 189 (1%) A = 4,071 (23%) n = 17,505 20 days
3	C C = 18,559 (93%) I = 7 (0%) A = 1,340 (7%) n = 19,906 6 days	C/I C = 6,808 (83%) I = 6 (0%) A = 1,372 (17%) n = 8,186 7 days	C/I/A C = 5,763 (65%) I = 31 (0%) A = 3,081 (35%) n = 8,875 9 days	C/I/A C = 31,130 (84%) I = 44 (0%) A = 5,793 (16%) n = 36,967 8 days
Total	C/I/A C = 32,513 (87%) I = 341 (1%) A = 4,415 (12%) n = 37,269 18 days	C/I/A C = 20,138 (71%) I = 856 (3%) A = 7,537 (26%) n = 28,531 25 days	C/I/A C = 15,452 (53%) I = 1,272 (4%) A = 12,597 (43%) n = 29,321 43 days	C/I/A C = 68,103 (72%) I = 2,469 (2%) A = 24,549 (26%) n = 95,121 33 days

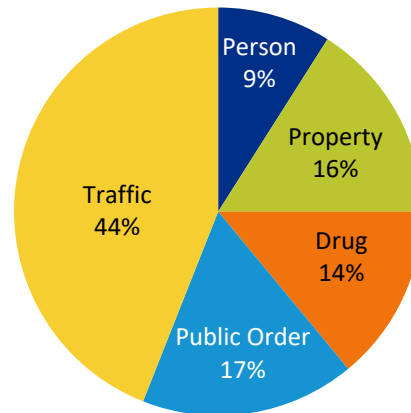
Note: Of the 103,010 misdemeanor convictions in FY 2023, 7,889 (or 7.7%) were excluded from this table. Active sentences in cells in which an Active punishment is not a sentencing option may be attributed to the use of credit for time served.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Punishment Imposed by Crime Type

As shown in Figure 30, traffic offenses accounted for the highest percentage of misdemeanor convictions (44%), while person offenses accounted for the lowest percentage (9%).

Figure 30: Convictions by Crime Type



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Table 20 contains information about the type of punishment imposed by crime type for misdemeanor convictions, as well as the average sentence imposed and average time to be served for offenders who received an Active punishment. The average active sentence imposed and average time to be served were longest for convictions for person offenses (59 days and 22 days respectively). The average active sentence imposed was shortest for traffic offenses (16 days) and the average time to be served was shortest for public order and traffic offenses (7 days each).

Table 20: Convictions and Sentences by Crime Type

Crime Type	Type of Punishment						Average Active Sentence (Days)	Average Credit for Time Served (Days)	Average Time to be Served (Days)	Total
	Active		Intermediate		Community					
	#	%	#	%	#	%				
Person	2,860	34	875	10	4,576	55	59	38	22	8,311
Property	6,227	41	562	4	8,394	55	43	29	14	15,183
Drug	4,325	32	400	3	8,594	65	32	19	13	13,319
Public Order	6,695	41	400	2	9,251	57	23	16	7	16,346
Traffic	4,442	11	232	<1	37,288	89	16	9	7	41,962
Total	24,549	26	2,469	2	68,103	72	33	21	12	95,121

Note: Of the 103,010 misdemeanor convictions in FY 2023, 7,889 (or 7.7%) were excluded from this table. Due to rounding, the average time to be served may not equal the average active sentence minus the average credit for time served.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

ACTIVE PUNISHMENT

An Active punishment was imposed for 24,549 convictions in FY 2023. The likelihood of receiving an Active punishment increased as offense seriousness and prior conviction level increased, as did average active sentence length (*see also* Table 19).

Average Length of Active Sentences

As shown in Table 21, time to be served also increased as offense class and prior conviction level increased. Overall, the average time to be served for misdemeanor convictions was 12 days. The longest average time to be served was for Class A1 misdemeanors (26 days).

Table 21: Average Length of Active Sentences by Offense Class and Prior Conviction Level

Offense Class		Prior Conviction Level			Total
		I 0 Prior Convictions	II 1-4 Prior Convictions	III 5+ Prior Convictions	
A1	Average Active Sentence (Days)	43	50	85	67
	Average Credit for Time Served (Days)	35	36	45	41
	Average Time to be Served (Days)	8	14	39	26
	Number of Active Sentences	460	923	1,479	2,862
1	Average Active Sentence (Days)	22	27	55	41
	Average Credit for Time Served (Days)	22	21	29	25
	Average Time to be Served (Days)	0	6	26	16
	Number of Active Sentences	1,718	3,948	6,157	11,823
2	Average Active Sentence (Days)	13	17	26	20
	Average Credit for Time Served (Days)	13	17	18	17
	Average Time to be Served (Days)	0	0	8	4
	Number of Active Sentences	897	1,294	1,880	4,071
3	Average Active Sentence (Days)	6	7	9	8
	Average Credit for Time Served (Days)	6	7	6	6
	Average Time to be Served (Days)	0	0	3	2
	Number of Active Sentences	1,340	1,372	3,081	5,793
Total	Average Active Sentence (Days)	18	25	43	33
	Average Credit for Time Served (Days)	17	20	23	21
	Average Time to be Served (Days)	1	5	19	12
	Number of Active Sentences	4,415	7,537	12,597	24,549

Note: Convictions that did not fit within the appropriate cell in the Misdemeanor Punishment Chart were excluded from this table. Due to rounding, the average time to be served may not equal the average active sentence minus the average credit for time served.

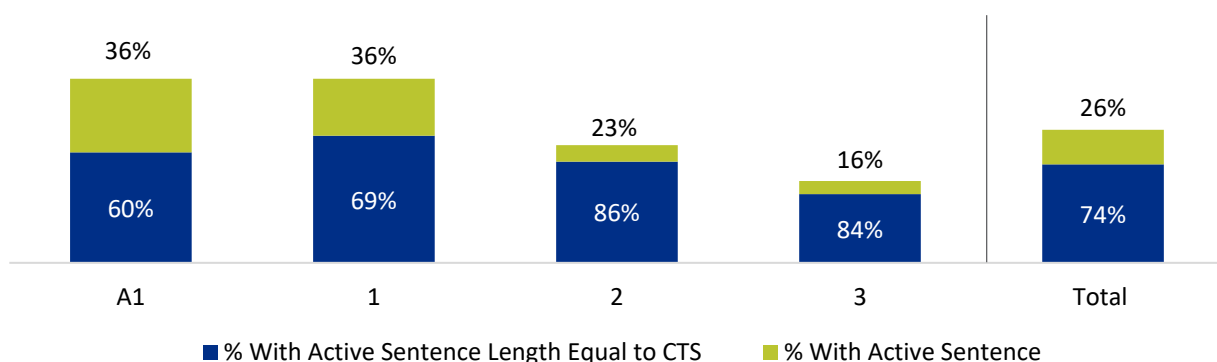
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Credit for Time Served

Credit for time served (CTS) refers to the amount of time an offender spent committed to or confined in a State or local correctional, mental, or other institution prior to trial. A misdemeanor offender can be sentenced to time served when an Active punishment is imposed if the term of imprisonment is equal to or less than the total amount of time the offender has spent in pretrial confinement (i.e., CTS). Most offenders with active sentences (87%) received CTS.

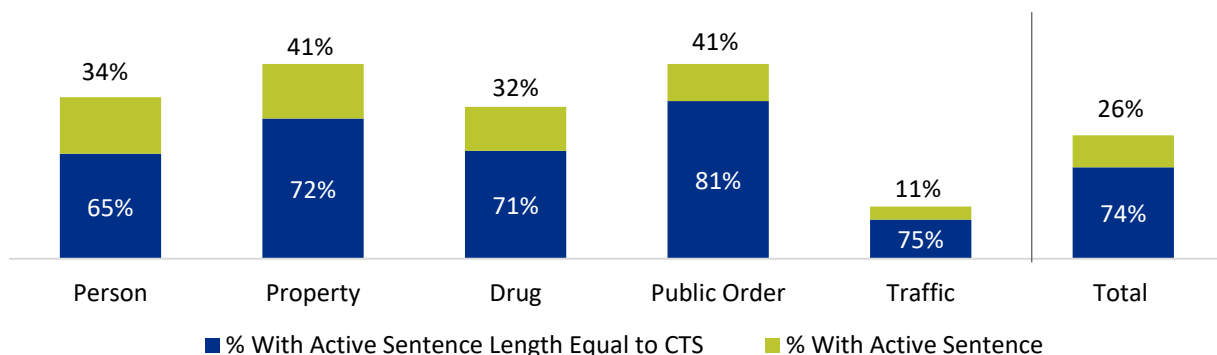
Figure 31 provides detail on CTS for convictions by offense class. Of offenders receiving an Active punishment who had CTS, 74% received a sentence equal to their CTS, potentially indicating a sentence to time served. Class 2 offenses had the highest percentage of active sentences equal to CTS (86%). As shown in Figure 32, public order offenses had the highest percentage of active sentences equal to CTS (81%); person offenses had the lowest (65%). Overall, for convictions where the active sentence length was equal to the credit for time served, the average was 25 days.

**Figure 31: Credit for Time Served by Offense Class
Active Sentences Only**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

**Figure 32: Credit for Time Served by Crime Type
Active Sentences Only**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

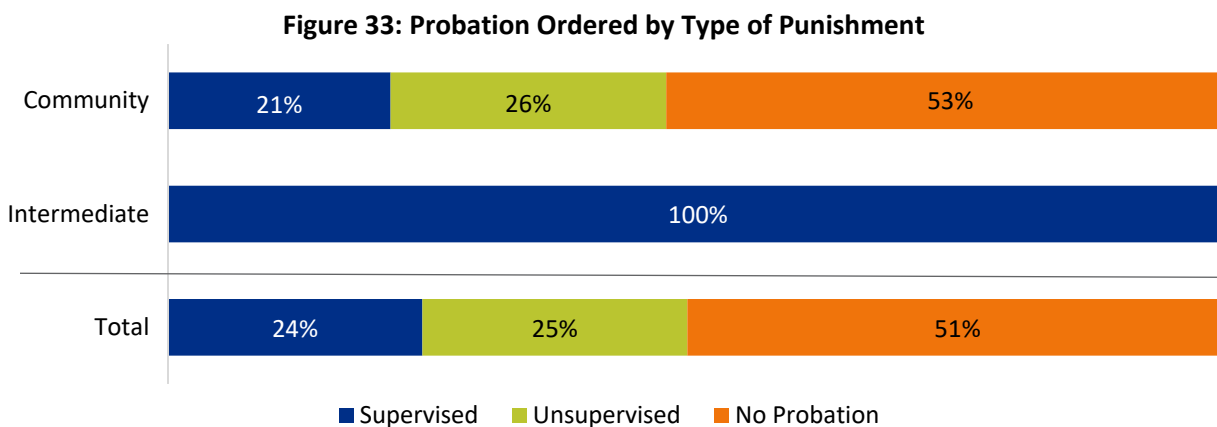
INTERMEDIATE AND COMMUNITY PUNISHMENTS

Information presented in this section reflects conditions of Intermediate and Community punishment as defined by G.S. 15A-1340.11. An Intermediate punishment requires a sentence of supervised probation, whereas a Community punishment may consist of a sentence of supervised or unsupervised probation but does not require it. This section only includes information on probation conditions that were imposed for an Intermediate or a Community punishment at sentencing. Probation conditions that are subsequently imposed as a result of modifications to probation are not included. A single conviction often results in the imposition of more than one probation condition. It should be noted that some conditions (e.g., drug treatment court) are not equally available across the state.

An Intermediate or a Community punishment may include one or more of the following probation conditions: house arrest with electronic monitoring; community service; short-term jail confinements; substance abuse assessment, monitoring, or treatment; and education or vocational skills development. An Intermediate punishment may also include special probation and/or drug treatment court. Continuous alcohol monitoring (CAM) may be ordered if alcohol dependency has been identified by a substance abuse assessment or satellite-based monitoring (SBM) may be ordered if the probationer is a sex offender (as described by G.S. 14-208.40(a)(2)). In addition, conditions may include payment of restitution, fines, or court costs.

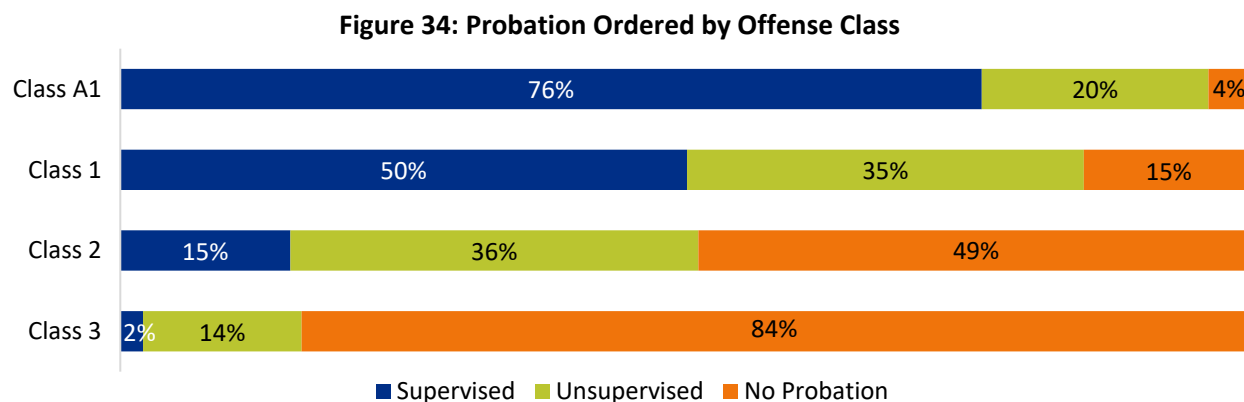
During FY 2023, an Intermediate punishment was imposed for 2,469 misdemeanor convictions and a Community punishment was imposed for 68,103 misdemeanor convictions for a total of 70,572 non-active sentences. Overall, 16,988 convictions received supervised probation, 17,692 received unsupervised probation, and 35,892 did not receive probation.

Figure 33 shows the type of probation imposed for Intermediate and Community punishment convictions. Based on statutory requirements, all offenders with an Intermediate punishment (100%) received supervised probation. Among offenders receiving a Community punishment, 21% received supervised probation, 26% received unsupervised probation, and 53% had no probation ordered.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Figure 34 examines the type of probation ordered by offense class for convictions resulting in an Intermediate or a Community punishment. The majority of Class A1 and Class 1 misdemeanor convictions received supervised probation (76% and 50% respectively). Over one-third of Class 1 and Class 2 misdemeanor convictions (35% and 36% respectively) received unsupervised probation. The vast majority of Class 3 misdemeanor convictions had no probation ordered (84%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Probation Length by Type of Punishment

When a misdemeanor is sentenced to probation, the probation length must fall between 6 and 18 months for a Community punishment and between 18 and 24 months for an Intermediate punishment. Departures from these lengths may occur when a finding is made that a different period is required. About one-fifth (21%) of Community probation lengths were for 6 or 18 months; the majority (72%) were for 12 months. Almost one-half (49%) of Intermediate probation lengths were for 18 or 24 months; the most common probation length was 12 months (48%).

Table 22 provides the average length of probation by offense class and type of punishment for offenders sentenced to probation in FY 2023. Overall, the average probation length for Intermediate and Community punishment convictions was 14 months. Class 2 and Class 3 misdemeanors resulted in the shortest average probation length (13 months each) and Class A1 misdemeanors resulted in the longest (16 months). Probation lengths were slightly shorter for convictions with a Community punishment or with unsupervised probation. The highest volume of overall probation sentences were in Class 1 (n=17,677 or 51%). Class 1 misdemeanors also accounted for the highest percentage of convictions resulting in supervised probation (n=10,301 or 61%) and unsupervised probation (n=7,376 or 42%).

Table 22: Average Length of Probation by Offense Class and Type of Punishment

Offense Class	Type of Punishment	Average Length of Probation					
		Supervised Probation		Unsupervised Probation		Total	
		Months	#	Months	#	Months	#
A1	Intermediate	17	987	N/A	N/A	17	987
	Community	16	2,951	14	1,060	15	4,011
	Subtotal	16	3,938	14	1,060	16	4,998
1	Intermediate	16	1,249	N/A	N/A	16	1,249
	Community	15	9,052	13	7,376	14	16,428
	Subtotal	15	10,301	13	7,376	14	17,677
2	Intermediate	15	189	N/A	N/A	15	189
	Community	13	1,781	13	4,918	13	6,699
	Subtotal	14	1,970	13	4,918	13	6,888
3	Intermediate	13	44	N/A	N/A	13	44
	Community	13	735	12	4,338	12	5,073
	Subtotal	13	779	12	4,338	13	5,117
Total		15	16,988	13	17,692	14	34,680

Note: Convictions that did not fit within the appropriate cell in the Misdemeanor Punishment Chart due to discrepant offense classes, prior conviction levels, or for other reasons were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

In addition to the average probation length, the average suspended sentence length for convictions receiving probation by offense class was examined (see Table 23). Overall, the average suspended sentence length for an Intermediate or a Community punishment was 54 days. As offense severity decreased, suspended sentence length also decreased. Class 3 misdemeanors resulted in the shortest average suspended sentence length (17 days) and, along with Class 2 misdemeanors, the shortest average probation length (13 months each). Class A1 misdemeanors resulted in the longest average suspended sentence length and average probation length (86 days and 16 months respectively). In all classes, the suspended sentences for an Intermediate punishment were longer than the suspended sentences for those receiving a Community punishment.

**Table 23: Average Length of Probation and Average Suspended Sentence
by Offense Class and Type of Punishment**

Offense Class	Type of Punishment	#	Probation Length (Months)	Suspended Sentence (Days)
A1	Intermediate	987	17	97
	Community	4,011	15	84
	Subtotal	4,998	16	86
1	Intermediate	1,249	16	88
	Community	16,428	14	62
	Subtotal	17,677	14	64
2	Intermediate	189	15	49
	Community	6,699	13	34
	Subtotal	6,888	13	35
3	Intermediate	44	13	28
	Community	5,073	12	16
	Subtotal	5,117	13	17
Total		34,680	14	54

Note: Convictions that did not fit within the appropriate cell in the Misdemeanor Punishment Chart due to discrepant offense classes, prior conviction levels, or for other reasons were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Table 24 shows the average length of probation for Intermediate and Community punishment convictions by crime type. While little variation was found in the length of probation overall, person and property offenses resulted in the longest average probation length (15 months each) and traffic offenses resulted in the shortest average probation length (13 months). Consistent with the findings for offense class, probation lengths were slightly shorter for convictions with a Community punishment or with unsupervised probation. Of convictions where probation was imposed, almost one-quarter (n=7,838 or 23%) were for property offenses. The highest volume of convictions resulting in supervised probation occurred for property offenses (n=4,751 or 28%) with an average probation length of 15 months, whereas the highest volume of convictions resulting in unsupervised probation were for traffic offenses (n=6,917 or 39%) with an average probation length of 13 months.

Table 24: Average Length of Probation by Crime Type and Type of Punishment

Crime Type	Type of Punishment	Average Length of Probation					
		Supervised Probation		Unsupervised Probation		Total	
		Months	#	Months	#	Months	#
Person	Intermediate	17	875	N/A	N/A	17	875
	Community	15	2,852	14	1,458	15	4,310
	Subtotal	16	3,727	14	1,458	15	5,185
Property	Intermediate	16	562	N/A	N/A	16	562
	Community	15	4,189	13	3,087	14	7,276
	Subtotal	15	4,751	13	3,087	15	7,838
Drug	Intermediate	15	400	N/A	N/A	15	400
	Community	14	2,772	13	2,309	14	5,081
	Subtotal	14	3,172	13	2,309	14	5,481
Public Order	Intermediate	16	400	N/A	N/A	16	400
	Community	14	2,549	13	3,921	13	6,470
	Subtotal	15	2,949	13	3,921	14	6,870
Traffic	Intermediate	14	232	N/A	N/A	14	232
	Community	13	2,157	13	6,917	13	9,074
	Subtotal	14	2,389	13	6,917	13	9,306
Total		15	16,988	13	17,692	14	34,680

Note: Convictions that did not fit within the appropriate cell in the Misdemeanor Punishment Chart due to discrepant offense classes, prior conviction levels, or for other reasons were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

The average length of probation compared to the average suspended sentence by crime type is shown in Table 25. Person offenses resulted in the longest average suspended sentence (75 days) and, along with property offenses, the longest average probation length (15 months each). Traffic offenses resulted in the shortest average suspended sentence and average probation length (37 days and 13 months respectively). The average suspended sentences and probation sentences for property and drug offenses were similar.

**Table 25: Average Length of Probation and Average Suspended Sentence
by Crime Type and Type of Punishment**

Crime Type	Type of Punishment	#	Probation Length (Months)	Suspended Sentence (Days)
Person	Intermediate	875	17	93
	Community	4,310	15	72
	Subtotal	5,185	15	75
Property	Intermediate	562	16	90
	Community	7,276	14	60
	Subtotal	7,838	15	62
Drugs	Intermediate	400	15	84
	Community	5,081	14	59
	Subtotal	5,481	14	61
Public Order	Intermediate	400	16	82
	Community	6,470	13	46
	Subtotal	6,870	14	48
Traffic	Intermediate	232	14	79
	Community	9,074	13	36
	Subtotal	9,306	13	37
Total		34,680	14	54

Note: Convictions that did not fit within the appropriate cell in the Misdemeanor Punishment Chart due to discrepant offense classes, prior conviction levels, or for other reasons were excluded from this table.

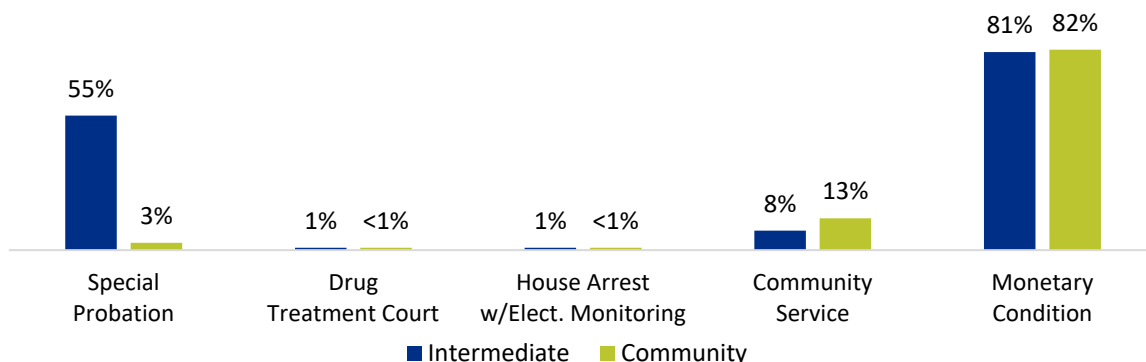
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Conditions of Probation²⁰

In FY 2023, supervised probation was imposed for 16,988 convictions with an Intermediate or a Community punishment. Figure 35 provides information on the conditions that were imposed for convictions with supervised probation. Multiple probation conditions may have been ordered for a single conviction. For Intermediate punishment convictions, special probation and monetary conditions were the two most frequently imposed conditions of probation (55% and 81% respectively). Community service and monetary conditions were the two most frequently imposed conditions of probation for Community punishment convictions (13% and 82% respectively).

²⁰ Information reported in this section includes information on select probation conditions captured in the AOC's integrated case management systems and does not reflect the full scope of available conditions for offenders sentenced to an Intermediate or a Community punishment.

Figure 35: Probation Conditions for Convictions with Supervised Probation



Note: A single conviction may result in the imposition of more than one probation condition. As a result, the percentages reported add to more than 100%.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

Table 26 provides detailed information about the conditions ordered at sentencing for Intermediate and Community punishment convictions with supervised probation, including the average length of probation. The average length of supervised probation imposed was 16 months for convictions with an Intermediate punishment and 15 months for convictions with a Community punishment; there were also minimal differences in average length found between Intermediate and Community punishment convictions for most probation conditions. Convictions with drug treatment court and house arrest with electronic monitoring as conditions of probation had the longest average length of probation (20 months each) relative to other conditions of probation.

Table 26: Probation Conditions for Convictions with Supervised Probation

Type of Punishment	Conditions of Probation (Number and Average Probation Length)					Total
	Special Probation	Drug Treatment Court	House Arrest w/ Elect. Monitoring	Community Service	Monetary Condition	
Intermediate	1,361 <i>16 months</i>	23 <i>20 months</i>	21 <i>20 months</i>	189 <i>17 months</i>	2,006 <i>16 months</i>	2,469 <i>16 months</i>
Community	470 <i>15 months</i>	8 <i>19 months</i>	11 <i>19 months</i>	1,943 <i>14 months</i>	11,875 <i>15 months</i>	14,519 <i>15 months</i>
Total	1,831 <i>16 months</i>	31 <i>20 months</i>	32 <i>20 months</i>	2,132 <i>14 months</i>	13,881 <i>15 months</i>	16,988 <i>15 months</i>

Note: This table includes information on probation conditions that are captured in AOC's integrated case management systems regardless of possible errors. A single conviction may result in the imposition of more than one probation condition. The row totals equal the total number of convictions with supervised probation, rather than the total number of conditions.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Misdemeanor Statistical Report Data

In FY 2023, unsupervised probation was imposed for 17,692 convictions with a Community punishment. Of these convictions, 6% (n=1,027) included community service as a condition of probation and 90% (n=15,924) were ordered to pay monetary obligations (i.e., fine, restitution, or court costs) as a condition of probation.

No Probation Ordered

Probation is not required for Community punishment convictions. In FY 2023, 35,892 convictions with a Community punishment had no probation ordered. As part of the sentence imposed, less than 1% (n=23) of these convictions included an order to perform community service and 92% (n=22,456) included payment of monetary obligations (i.e., fine, restitution, or court costs).

SECTION III: TRENDS FOR FELONY AND MISDEMEANOR CONVICTIONS

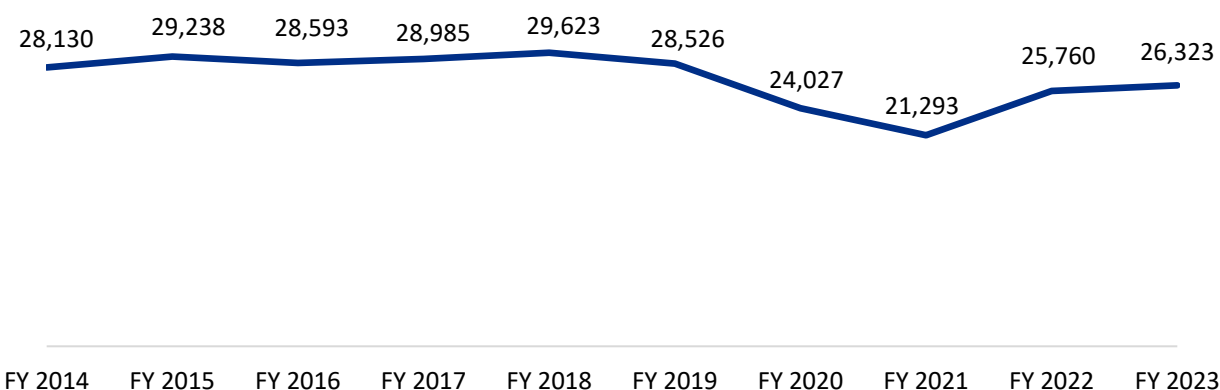
The previous sections focused on a single fiscal year of data (FY 2023); Section III examines trends in felony and misdemeanor convictions. Information is presented on volume, offender characteristics, distribution of convictions by offense class, type of offense, prior record, and punishment imposed.

TEN-YEAR TRENDS FOR FELONY CONVICTIONS

Volume of Felony Convictions

The number of felony convictions was relatively stable prior to the onset of the COVID-19 pandemic in the last quarter of FY 2020 (see Figure 36). Felony convictions declined 25% during the height of the pandemic (FY 2020 and FY 2021). Felony convictions have increased 24% since FY 2021, including a 2% increase this past fiscal year.

Figure 36: Felony Convictions

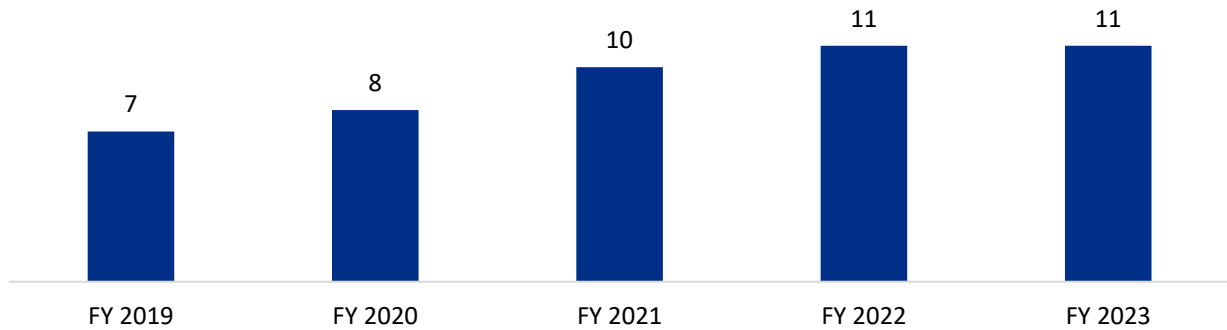


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014 – FY 2023 Statistical Report Data

Time to Sentencing

Figure 37 shows the median time to sentencing over the past five years. The median time to sentencing was 7 months in FY 2019. The median time to sentencing increased following the COVID-19 pandemic and has not returned to pre-pandemic levels (11 months in FY 2022 and FY 2023).

Figure 37: Median Time to Sentencing (Months)

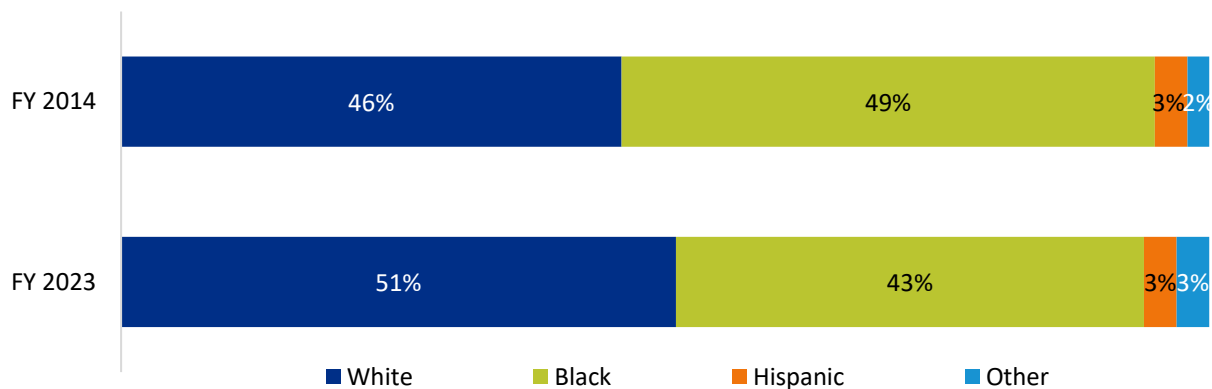


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 – FY 2023 Statistical Report Data

Offender Characteristics

The distribution of offenders by sex has remained stable, with males accounting for more than 80% of convictions over the past ten years. White and Black offenders comprised the vast majority of convictions (see Figure 38), but their proportion has changed over time. In FY 2023, White offenders comprised a larger percentage of convictions than Black offenders (51% and 43% respectively), whereas ten years ago Black offenders were the larger group (49% compared to 46% in FY 2014).

Figure 38: Convictions by Race

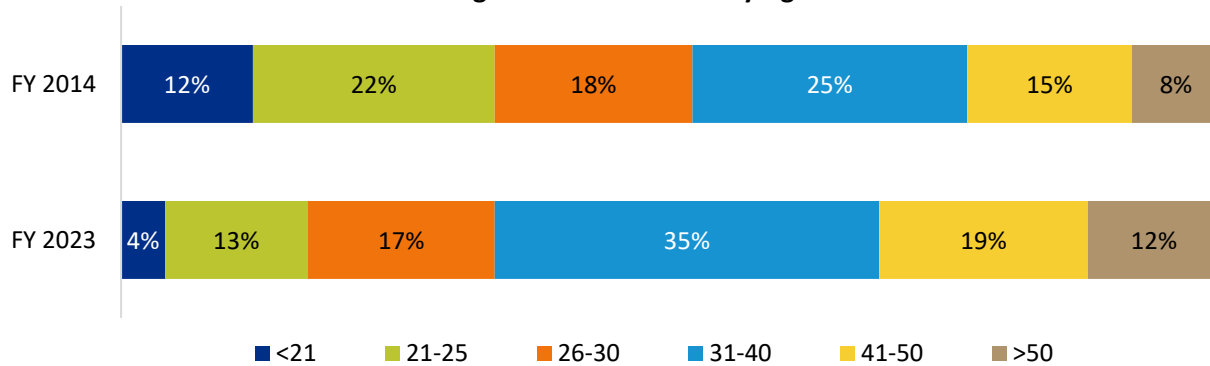


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014 – FY 2023 Statistical Report Data

Over the past ten years, the distribution of offenders by age at conviction has gradually shifted to an older population, with declines in the percentage of offenders under 21 continuing with the implementation of the Juvenile Justice Reinvestment Act (JJRA) in 2019.²¹ As shown in Figure 39, a smaller percentage of offenders (4%) were under age 21 at conviction in FY 2023 than ten years ago (12%). In FY 2014, the majority of offenders were 30 or younger. In FY 2023, the majority of offenders were 31 or older. The average age at conviction increased from 32 years in FY 2014 to 36 years in FY 2023.

²¹ The JJRA raised the age of juvenile jurisdiction to include 16- and 17- year-olds for non-traffic misdemeanors and Class H and I felonies.

Figure 39: Convictions by Age

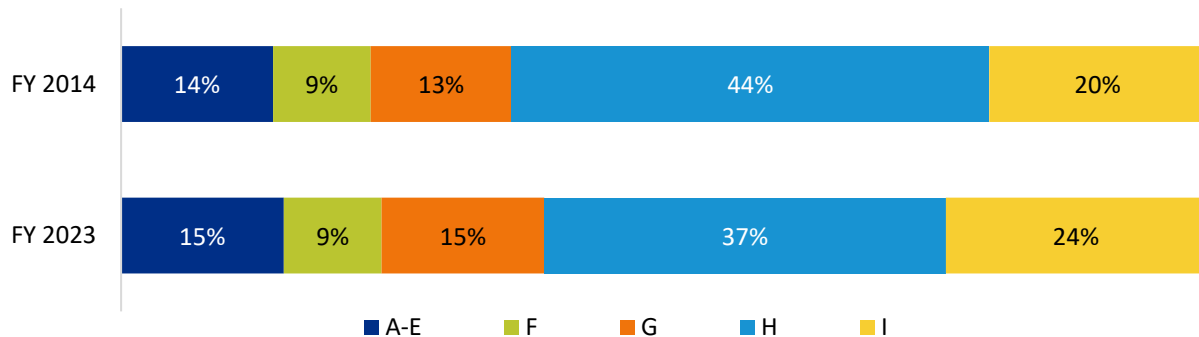


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014 – FY 2023 Statistical Report Data

Offense Class and Crime Type

The offense class distribution has remained consistent for Class A through Class F convictions, while shifts have occurred for the least serious offense classes (see Figure 40). Class H and Class I felonies have comprised the majority of all convictions over each of the past ten years, although the percentage of Class H convictions has decreased and the percentage of Class G and Class I convictions have increased.

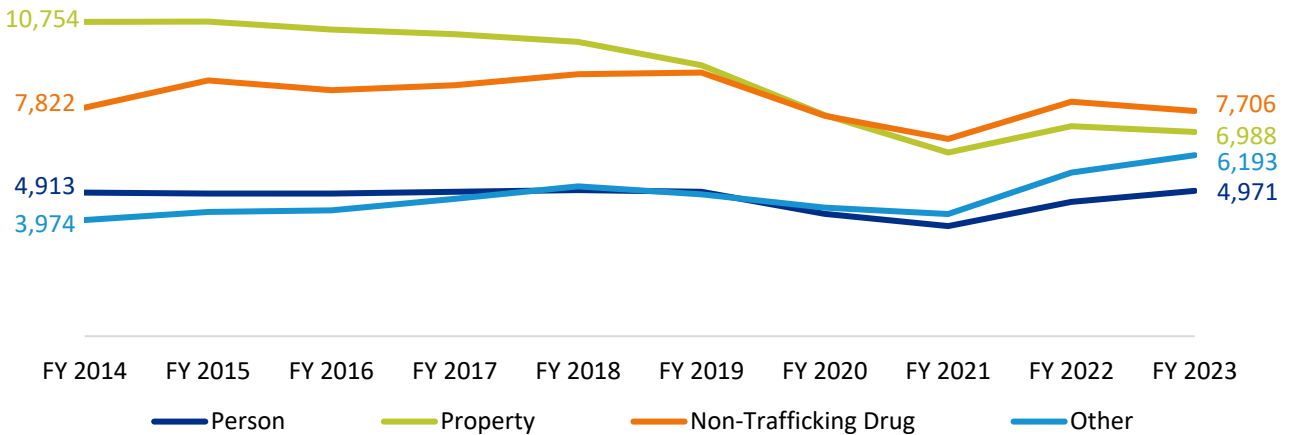
Figure 40: Convictions by Offense Class



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014 – FY 2023 Statistical Report Data

Property and non-trafficking drug offenses have comprised approximately two-thirds of all felony convictions over the past ten years (see Figure 41). The volume of convictions for all offense types declined as a result of the COVID-19 pandemic but have since increased. The volume of non-trafficking drug and person convictions in FY 2023 is similar to the FY 2014 volume, while the volume of property offenses is lower. The volume of convictions in the other offense category has increased over this period, primarily due to an increase in convictions for possession of a firearm by a felon.

Figure 41: Convictions by Crime Type



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014 – FY 2023 Statistical Report Data

The top 5 most frequent felony convictions in FY 2014 and FY 2023 are displayed in Figure 42. There have been shifts in the top five felony convictions. Breaking and entering buildings was the top felony conviction in FY 2014 and possession of a firearm by a felon was the top felony conviction in FY 2023.

Figure 42: Top 5 Felony Convictions

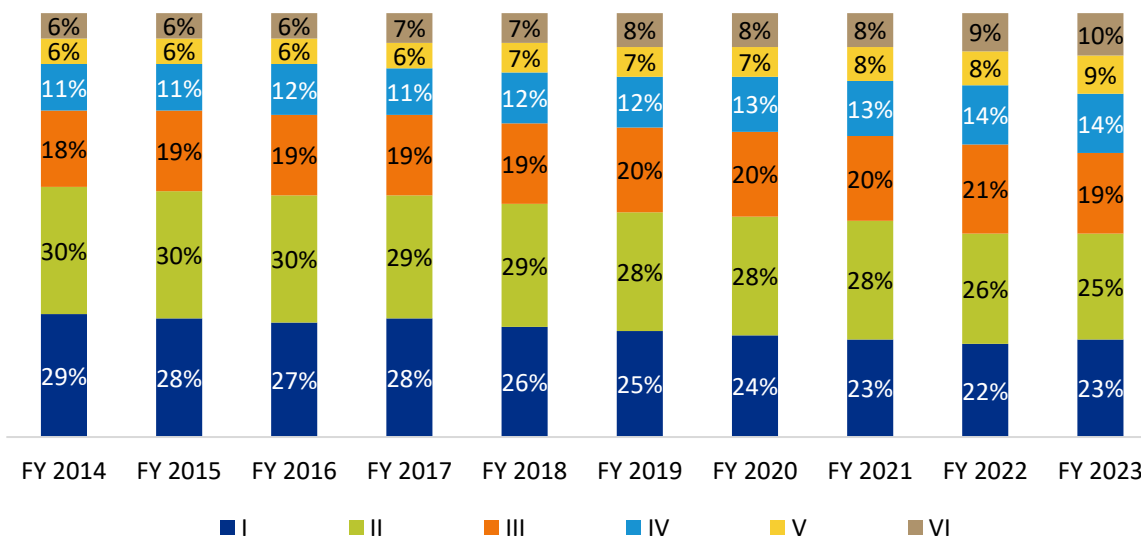
FY 2014	FY 2023
<ul style="list-style-type: none"> • Breaking and Entering Buildings - Class H • Obtain Property by False Pretense (<\$100,000) - Class H • Possession of a Firearm by a Felon - Class G • Larceny of Property (>\$1,000) - Class H • Felony Possession of Cocaine - Class I 	<ul style="list-style-type: none"> • Possession of a Firearm by a Felon - Class G • Possess Methamphetamine - Class I • Breaking and Entering Buildings - Class H • Larceny of Property (>\$1,000) - Class H • Felony Possession of Schedule II Control Substance - Class I

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014 – FY 2023 Statistical Report Data

Prior Record Level

As shown in Figure 43, the percentage of offenders in Prior Record Levels I and II has decreased over the past ten years (from 59% to 48%), while the percentage of offenders in the most serious prior record levels (V and VI) has increased (from 12% in FY 2014 to 19% in FY 2023).

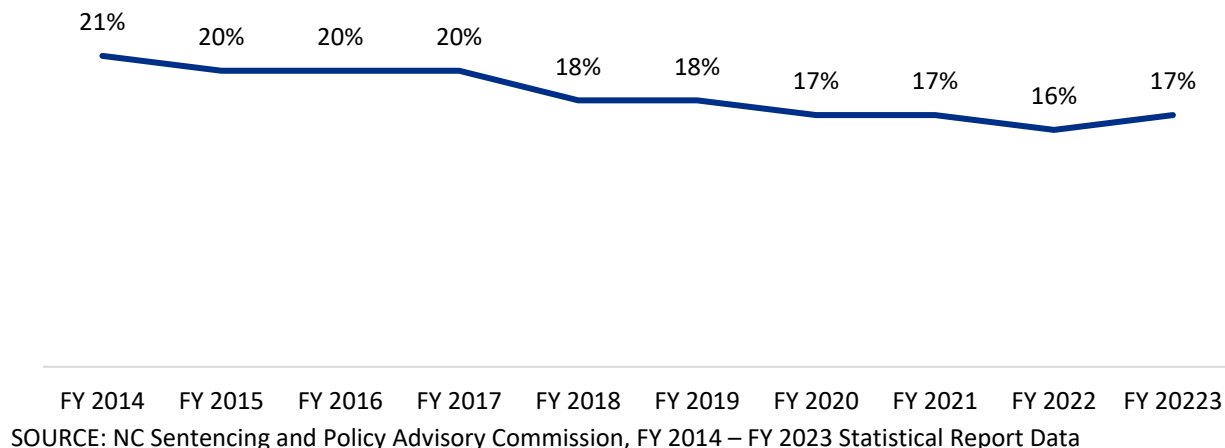
Figure 43: Convictions by Prior Record Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014 – FY 2023 Statistical Report Data

Additionally, as shown in Figure 44, a smaller percentage of offenders have zero prior record points compared to ten years ago (21% in FY 2014 and 17% in FY 2023).

Figure 44: Offenders with Zero Prior Record Points

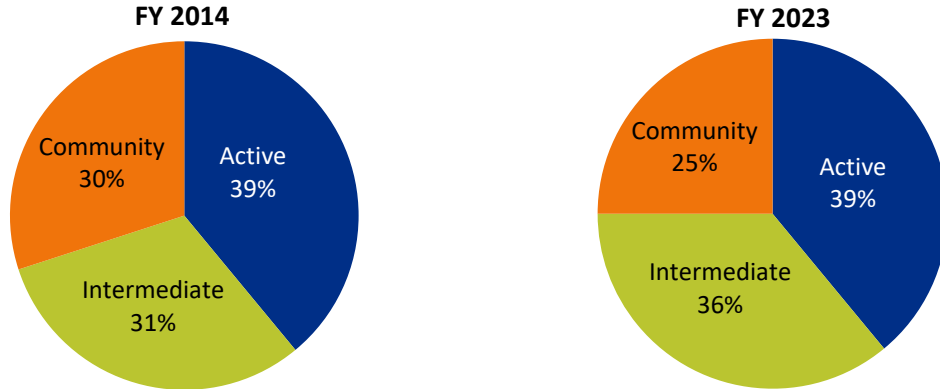


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014 – FY 2023 Statistical Report Data

Punishment Imposed

Figure 45 shows the distribution of type of punishment imposed in FY 2014 and FY 2023. The percentage of Active punishments was the same (39% each), while the imposition of Intermediate punishments increased and Community punishments decreased. The overall average minimum sentence imposed for felony convictions sentenced to an Active punishment has also remained relatively stable (ranging from 30 to 33 months) over the past ten years.

Figure 45: Convictions by Type of Punishment



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014 – FY 2023 Statistical Report Data

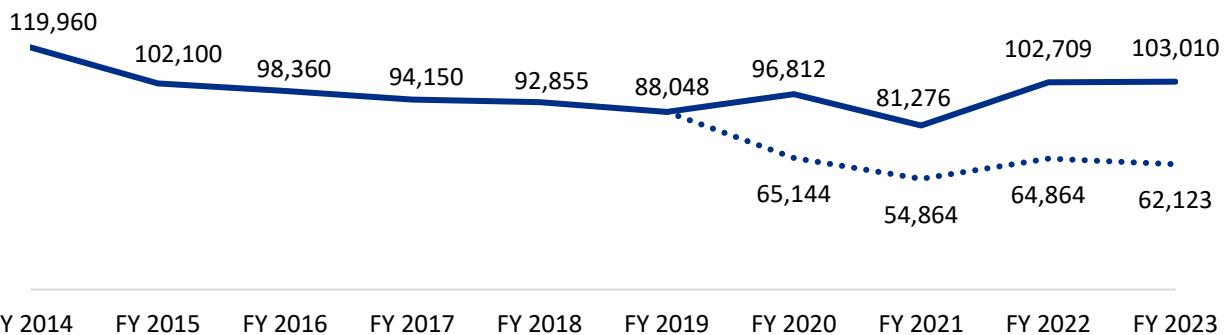
FY 2019 - FY 2023 COMPARISON OF MISDEMEANOR CONVICTIONS

Beginning in FY 2020, a methodological change was made to include Class 2 and Class 3 traffic convictions in the misdemeanor conviction data. This section examines the effect of this change on the volume and composition of misdemeanor convictions, as well as early trends following that change, by comparing misdemeanor convictions from FY 2019 (when Class 2 and Class 3 traffic convictions were not included) with those from FY 2020 through FY 2023 (includes Class 2 and Class 3 traffic convictions).

Volume of Misdemeanor Convictions

In FY 2023, there were 103,010 misdemeanor convictions, including 40,887 for Class 2 and Class 3 traffic offenses (see Figure 46). From FY 2019 to FY 2020, the inclusion of Class 2 and Class 3 traffic convictions resulted in a 10% increase in misdemeanor convictions. Following declines due to the COVID-19 pandemic, misdemeanor convictions have increased 27% since FY 2021. Misdemeanor convictions increased less than 1% from FY 2022 to FY 2023.

Figure 46: Misdemeanor Convictions



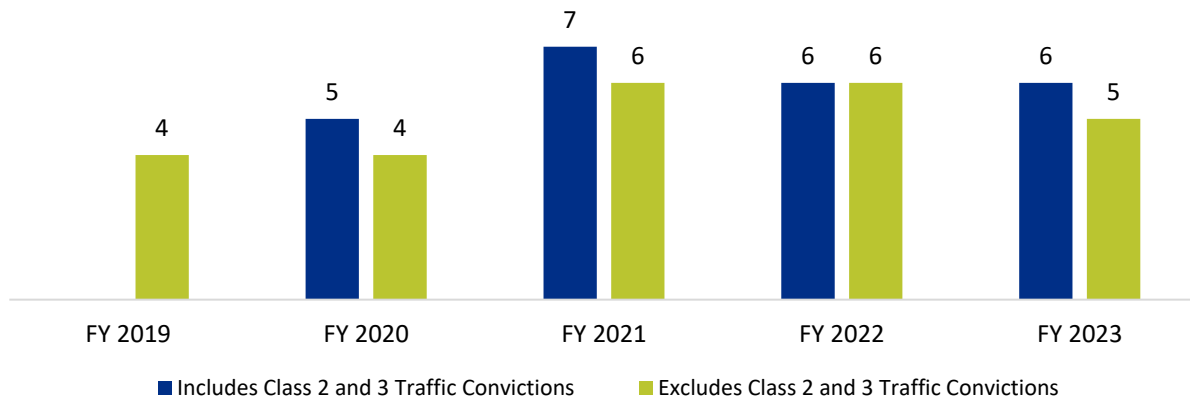
Note: The number under the dotted line represents the number of convictions in FY 2020 – FY 2023 excluding Class 2 and Class 3 traffic offenses.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014 – FY 2023 Statistical Report Data

Time to Sentencing

Figure 47 shows the median time to sentencing over the past five years, accounting for the inclusion of Class 2 and 3 traffic convictions in the later years. The median time to sentencing increased during the COVID-19 pandemic and has since decreased, although not to pre-pandemic levels.

Figure 47: Median Time to Sentencing (Months)

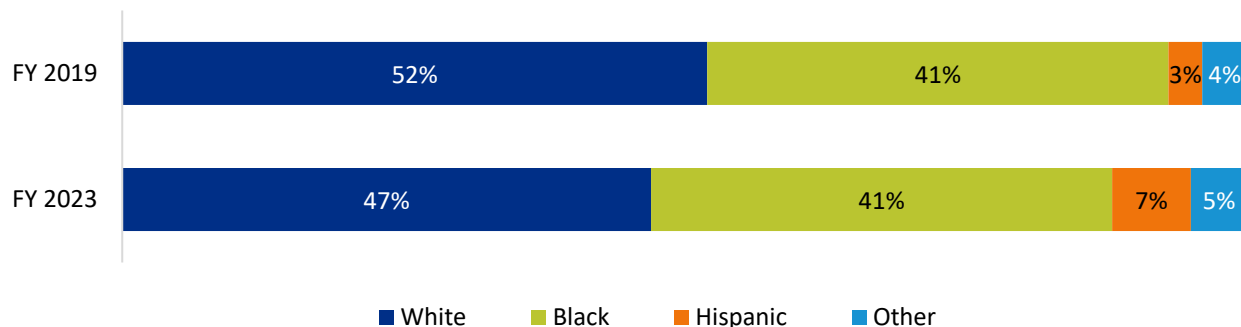


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 – FY 2023 Statistical Report Data

Offender Characteristics

The distribution of offenders by sex was similar from FY 2020 to FY 2023, with males accounting for most convictions (72% to 73%). White and Black offenders comprised the majority of convictions in FY 2019 and FY 2023 (see Figure 48). The percentage of White offenders decreased since FY 2019, while the percentage of Hispanic and Other offenders increased.

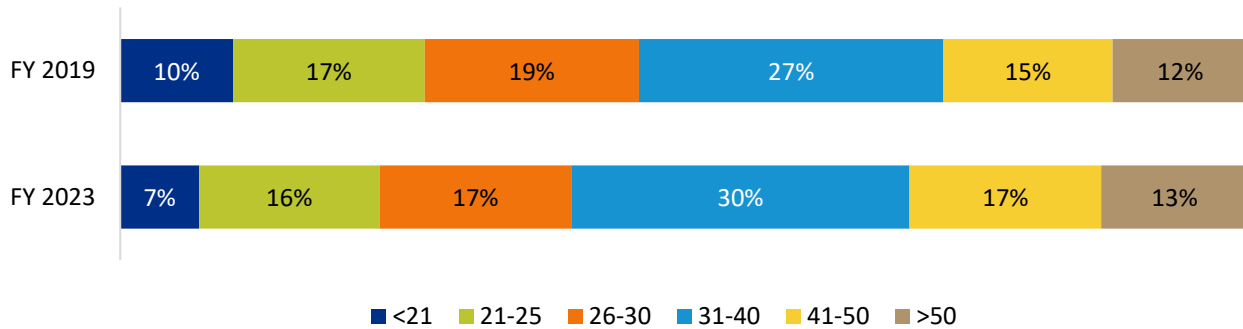
Figure 48: Convictions by Race



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 – FY 2023 Statistical Report Data

The distribution of offenders by age at conviction was fairly stable over the time period examined. The decreases in the percentage of offenders under age 21 may be related to the implementation of the JJRA, which went into effect December 1, 2019, and raised the age of juvenile jurisdiction to include 16- and 17-year-olds for non-traffic misdemeanors. The average age at conviction was 34 in FY 2019; the average age at conviction has remained the same since FY 2020 at 35 years old.

Figure 49: Convictions by Age

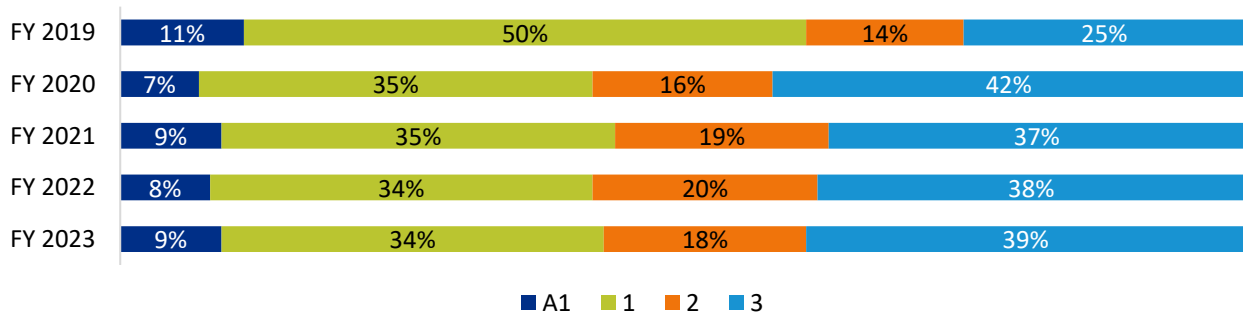


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 – FY 2023 Statistical Report Data

Offense Class and Crime Type

The composition of misdemeanor convictions by offense class and crime type changed with the inclusion of Class 2 and Class 3 traffic convictions in FY 2020 (see Figure 50 and Figure 51 respectively). Due to the high volume of traffic convictions, the percentage of convictions in Class 1 decreased, while the percentage of convictions in Class 2 and Class 3 increased.

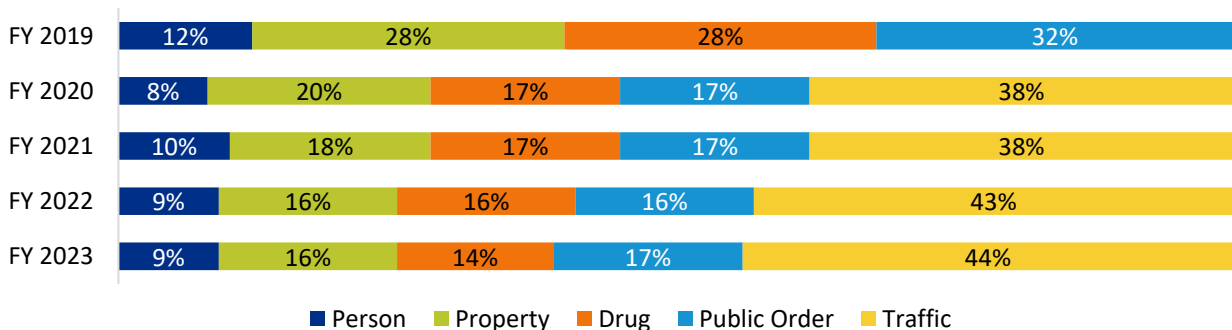
Figure 50: Convictions by Offense Class



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 – FY 2023 Statistical Report Data

In FY 2019, public order offenses comprised the highest percentage of misdemeanor convictions. Traffic offenses accounted for the highest percentage of misdemeanor convictions in FY 2020 through FY 2023.

Figure 51: Convictions by Crime Type



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 – FY 2023 Statistical Report Data

The top 5 most frequent misdemeanor convictions are shown in Figure 52. Following the methodological change, the most frequent offenses shifted; misdemeanor larceny and possess drug paraphernalia were the only two offenses spanning all five years. The top 3 offenses have remained the same since FY 2020 (DWLR non-DWI revocation, misdemeanor larceny, and possess drug paraphernalia).

Figure 52: Top 5 Misdemeanor Convictions

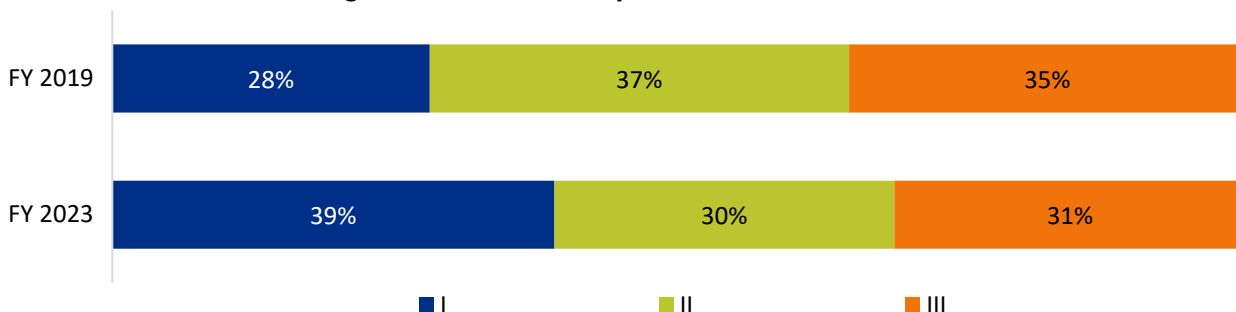
FY 2019	FY 2023
<ul style="list-style-type: none"> •Misdemeanor Larceny - Class 1 •Possess Drug Paraphernalia - Class 1 •Possess Marijuana (up to 1/2 oz.) - Class 3 •DWLR for Impaired Driving - Class 1 •Resisting Public Officer - Class 2 	<ul style="list-style-type: none"> •DWLR non-DWI Rev - Class 3 •Misdemeanor Larceny - Class 1 •Possess Drug Paraphernalia - Class 1 •Speeding - Class 3 •Reckless Driving to Endanger- Class 2

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 – FY 2023 Statistical Report Data

Prior Conviction Level

As shown in Figure 53, the distribution of convictions by prior conviction level has shifted with the inclusion of Class 2 and Class 3 traffic offenses beginning in FY 2020. As compared to FY 2019, the percentage of offenders in Prior Conviction Level I (those with no prior convictions) increased with corresponding decreases in both Prior Convection Level II and Prior Conviction Level III.

Figure 53: Convictions by Prior Conviction Level

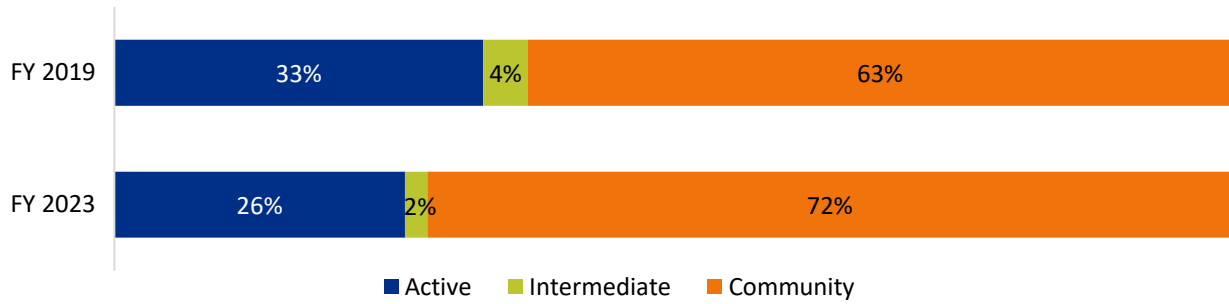


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 – FY 2023 Statistical Report Data

Punishment Imposed

The percentage of convictions with an Active punishment imposed decreased from 33% in FY 2019 to 26% in FY 2023, while the percentage of Community punishments imposed increased over this same time period (*see* Figure 54). This change reflects the sentencing of Class 2 and 3 traffic offenses which are less likely to receive Active punishment and more likely to receive Community punishment. The overall average sentence imposed for misdemeanor convictions sentenced to an Active punishment was 36 days in FY 2019 and 33 days in FY 2023.

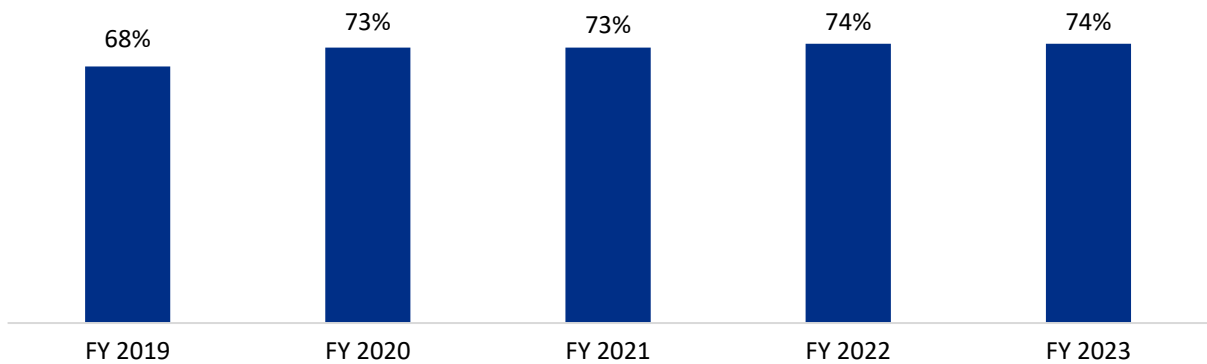
Figure 54: Convictions by Type of Punishment



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 – FY 2023 Statistical Report Data

Across all five years, most offenders with active sentences received CTS (86% to 88%) with the average days of CTS ranging from 21 days to 22 days. Figure 55 shows the percentage of misdemeanor convictions with active sentences where the sentence length equaled CTS, potentially indicating a sentence to time served. In each year since FY 2020, nearly three-fourths of active sentences equaled the amount of CTS.

Figure 55: Percent with Active Sentence where Sentence Length Equaled Credit for Time Served



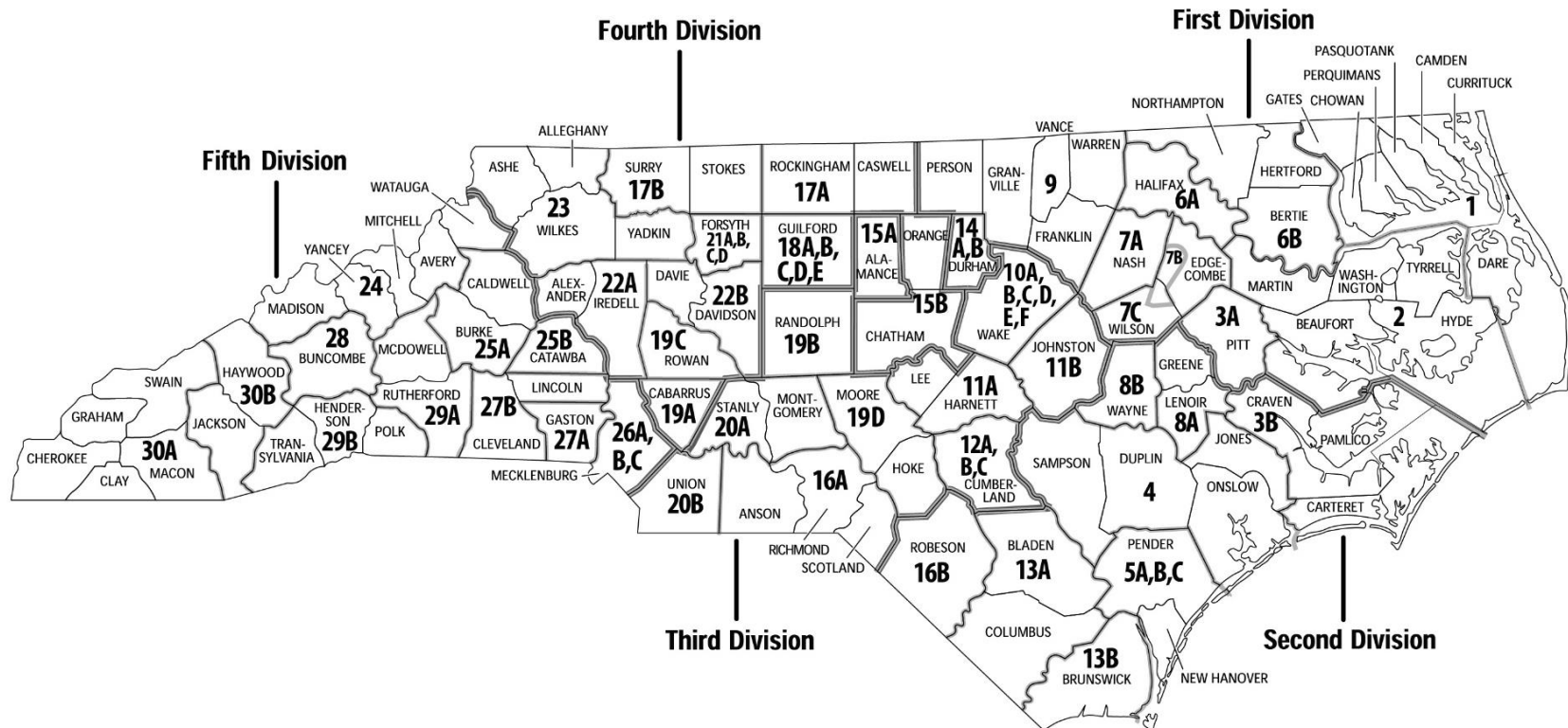
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 – FY 2023 Statistical Report Data

APPENDIX A

MAPS OF JUDICIAL DIVISIONS AND DISTRICTS

North Carolina Superior Court Districts

Effective January 1, 2019

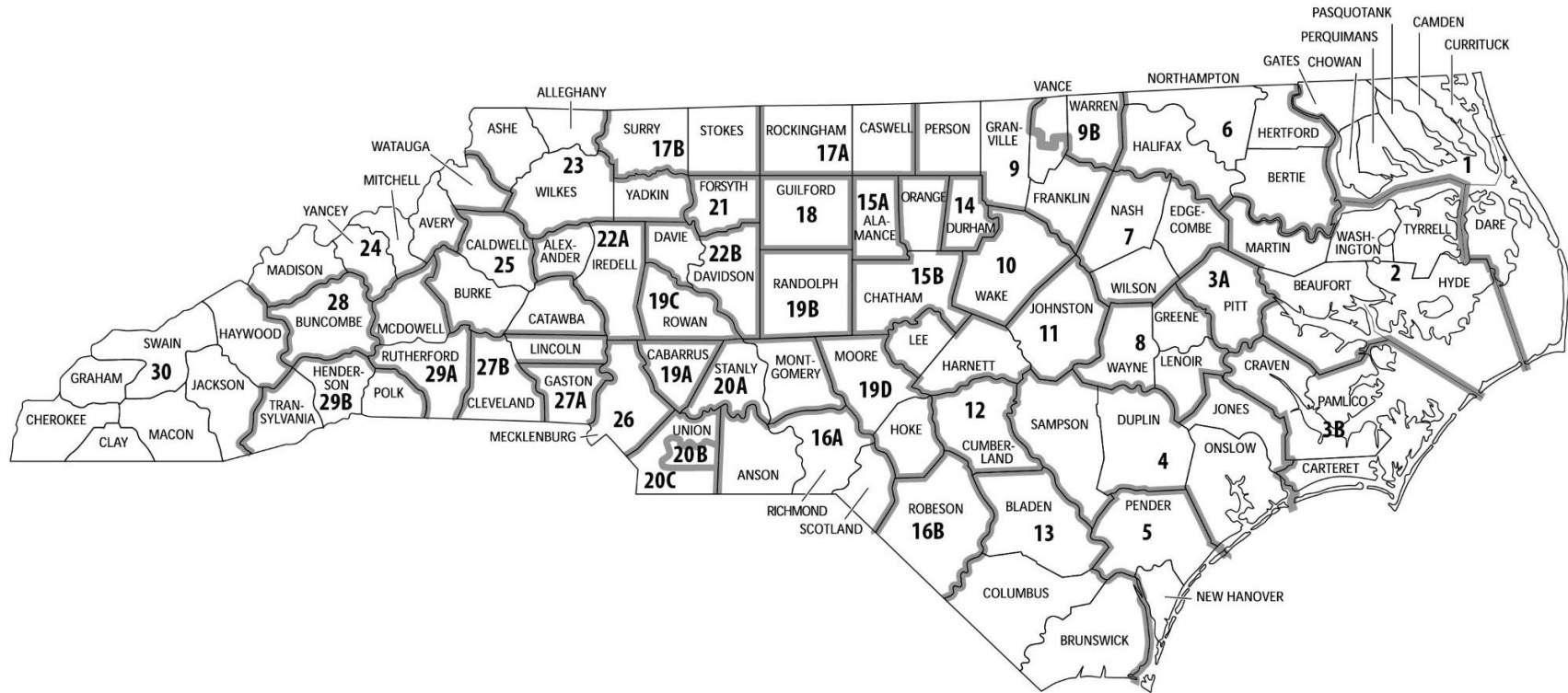


Note: Districts that have more than one letter associated with the district number (i.e., 10A, B, C, D) are divided into separate districts for electoral purposes. For administrative purposes, they are combined into a single district.

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North Carolina District Court Districts

Effective January 1, 2019



Note: Districts 9 and 9B, and districts 20B and 20C are districts for electoral purposes only. They are combined for administrative purposes.

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APPENDIX B

ADDITIONAL FELONY CONVICTION DATA
BY JUDICIAL DIVISION AND DISTRICT

Appendix B, Table 1: Convictions by Judicial Division and District

Judicial Division, Judicial District, and County		Felony Convictions	Convictions per 1,000 Adults (18+)
First Judicial Division		3,160	3
District 1	Camden	12	1
	Chowan	37	3
	Currituck	50	2
	Dare	99	3
	Gates	16	2
	Pasquotank	85	3
	Perquimans	29	3
	Total	328	3
District 2	Beaufort	179	5
	Hyde	11	3
	Martin	85	5
	Tyrrell	24	9
	Washington	27	3
	Total	326	5
District 3A	Pitt	598	4
	Total	598	4
District 6A	Halifax	147	4
	Total	147	4
District 6B	Bertie	75	6
	Hertford	113	7
	Northampton	40	<1
	Total	228	1
District 7A	Nash	254	3
	Total	254	3
District 7B,C	Edgecombe	133	4
	Wilson	216	4
	Total	349	4
District 9	Franklin	130	2
	Granville	132	3
	Person	118	4
	Vance	154	5
	Warren	43	3
	Total	577	3
District 14	Durham	353	1
	Total	353	1
Second Judicial Division		4,008	4
District 3B	Carteret	279	5
	Craven	353	4
	Pamlico	51	5
	Total	683	5

Judicial Division, Judicial District, and County		Felony Convictions	Convictions per 1,000 Adults (18+)
District 4A	Duplin	177	5
	Jones	28	4
	Onslow	439	3
	Sampson	247	5
	Total	891	4
District 5	New Hanover	677	3
	Pender	98	2
	Total	775	3
District 8A	Greene	32	2
	Lenoir	248	6
	Total	280	5
District 8B	Wayne	412	5
	Total	412	5
District 13A	Bladen	121	5
	Columbus	247	5
	Total	368	6
District 13B	Brunswick	492	4
	Total	492	4
District 16B	Robeson	187	2
	Total	187	2
Third Judicial Division		5,969	3
District 10	Wake	1,511	2
	Total	1,511	2
District 11A	Harnett	401	4
	Lee	171	3
	Total	572	4
District 11B	Johnston	559	3
	Total	559	3
District 12	Cumberland	631	2
	Total	631	2
District 15A	Alamance	644	4
	Total	644	4
District 16A	Anson	78	4
	Richmond	178	5
	Scotland	125	5
	Total	381	5
District 19B	Randolph	334	3
	Total	334	3
District 19D	Hoke	152	4
	Moore	281	3
	Total	433	3

continued

Appendix B, Table 1: Convictions by Judicial Division and District

Judicial Division, Judicial District, and County		Felony Convictions	Convictions per 1,000 Adults (18+)
District 20A	Montgomery	153	8
	Stanly	330	6
	Total	483	7
District 20B	Union	421	2
	Total	421	2
Fourth Judicial Division		6,707	3
District 15B	Chatham	95	1
	Orange	167	1
	Total	262	1
District 17A	Caswell	51	3
	Rockingham	442	6
	Total	493	5
District 17B	Stokes	173	5
	Surry	231	4
	Total	404	4
District 18	Guilford	1,114	3
	Total	1,114	3
District 19A	Cabarrus	782	4
	Total	782	4
District 19C	Rowan	547	5
	Total	547	5
District 21	Forsyth	866	3
	Total	866	3
District 22A	Alexander	96	3
	Iredell	765	5
	Total	861	4
District 22B	Davidson	647	5
	Davie	63	2
	Total	710	4
District 23	Alleghany	38	4
	Ashe	119	5
	Wilkes	356	7
	Yadkin	155	5
	Total	668	6

Judicial Division, Judicial District, and County		Felony Convictions	Convictions per 1,000 Adults (18+)
Fifth Judicial Division		6,339	3
District 24	Avery	69	5
	Madison	80	5
	Mitchell	86	7
	Watauga	110	2
	Yancey	70	5
	Total	415	4
District 25A	Burke	229	3
	Caldwell	210	3
Total		439	3
District 25B	Catawba	419	3
Total		419	3
District 26	Mecklenburg	1,162	1
	Total	1,162	1
District 27A	Gaston	744	4
	Total	744	4
District 27B	Cleveland	562	7
	Lincoln	357	5
	Total	919	6
District 28	Buncombe	546	2
	Total	546	2
District 29A	McDowell	255	7
	Rutherford	468	9
	Total	723	8
District 29B	Henderson	402	4
	Polk	80	5
	Transylvania	79	3
	Total	561	4
District 30A	Cherokee	63	3
	Clay	17	2
	Graham	20	3
	Macon	65	2
	Swain	32	3
	Total	197	2
District 30B	Haywood	177	3
	Jackson	94	3
	Total	274	3
State Total		26,323	3

SOURCES: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data and NC Office of State Management and Budget, 2023 Population Projections from <https://www.osbm.nc.gov/demog/county-projections>

Appendix B, Table 2: Class H and Class I Felony Pleas by District, County, and Court

District	Court District and County (Superior Court District)	District Court	Superior Court
District 1	Camden (1)	0	8
	Chowan (1)	0	22
	Currituck (1)	0	32
	Dare (1)	0	79
	Gates (1)	0	11
	Pasquotank (1)	0	44
	Perquimans (1)	0	17
	Total	0	213
District 2	Beaufort (2)	0	123
	Hyde (2)	0	7
	Martin (2)	0	61
	Tyrrell (2)	0	22
	Washington (2)	0	20
	Total	0	233
District 3A	Pitt (3A)	0	380
	Total	0	380
District 3B	Carteret (3B)	0	177
	Craven (3B)	0	206
	Pamlico (3B)	1	33
	Total	1	416
District 4	Duplin (4)	0	129
	Jones (4)	0	25
	Onslow (4)	0	277
	Sampson (4)	0	185
	Total	0	616
District 5	New Hanover (5)	282	147
	Pender (5)	31	23
	Total	313	170
District 6	Bertie (6B)	0	45
	Halifax (6A)	0	102
	Hertford (6B)	1	72
	Northampton (6B)	0	14
	Total	1	233
District 7	Edgecombe (7B,C)	0	76
	Nash (7A)	0	180
	Wilson (7B,C)	0	126
	Total	0	382
District 8	Greene (8A)	0	17
	Lenoir (8A)	1	131
	Wayne (8B)	0	289
	Total	1	437

District	Court District and County (Superior Court District)	District Court	Superior Court
District 9,9B	Franklin (9)	0	81
	Granville (9)	0	73
	Person (9)	0	74
	Vance (9)	0	81
	Warren (9)	0	20
	Total	0	329
District 10	Wake (10)	619	219
	Total	619	219
District 11	Harnett (11A)	141	137
	Johnston (11B)	213	95
	Lee (11A)	15	71
	Total	369	303
District 12	Cumberland (12)	0	323
	Total	0	323
District 13	Bladen (13A)	46	31
	Brunswick (13B)	261	105
	Columbus (13A)	101	59
	Total	408	195
District 14	Durham (14)	0	127
	Total	0	127
District 15A	Alamance (15A)	0	379
	Total	0	379
District 15B	Chatham (15B)	0	48
	Orange (15B)	0	76
	Total	0	124
District 16A	Anson (16A)	3	31
	Richmond (16A)	0	81
	Scotland (16A)	0	60
	Total	3	172
District 16B	Robeson (16B)	8	85
	Total	8	85
District 17A	Caswell (17A)	0	34
	Rockingham (17A)	0	269
	Total	0	303
District 17B	Stokes (17B)	47	95
	Surry (17B)	5	157
	Total	52	252
District 18	Guilford (18)	19	482
	Total	19	482
District 19A	Cabarrus (19A)	100	441
	Total	100	441

continued

Appendix B, Table 2: Class H and Class I Felony Pleas by District, County, and Court

District Court District and County (Superior Court District)	District Court	Superior Court
District 19B Randolph (19B)	29	163
Total	29	163
District 19C Rowan (19C)	301	79
Total	301	79
District 19D Hoke (19D)	0	90
Moore (19D)	45	122
Total	45	212
District 20A Montgomery (20A)	0	103
Stanly (20A)	0	203
Total	0	306
District 20B,C Union (20B)	0	260
Total	0	260
District 21 Forsyth (21)	342	113
Total	342	113
District 22A Alexander (22A)	0	62
Iredell (22A)	274	214
Total	274	276
District 22B Davidson (22B)	40	325
Davie (22B)	1	33
Total	41	358
District 23 Alleghany (23)	16	10
Ashe (23)	68	19
Wilkes (23)	255	21
Yadkin (23)	119	6
Total	458	56
District 24 Avery (24)	18	30
Madison (24)	18	44
Mitchell (24)	31	27
Watauga (24)	11	69
Yancey (24)	11	35
Total	89	205

District Court District and County (Superior Court District)	District Court	Superior Court
District 25 Burke (25A)	0	170
Caldwell (25A)	0	142
Catawba (25B)	26	283
Total	26	595
District 26 Mecklenburg (26)	6	334
Total	6	334
District 27A Gaston (27A)	0	440
Total	0	440
District 27B Cleveland (27B)	7	304
Lincoln (27B)	0	266
Total	7	570
District 28 Buncombe (28)	0	304
Total	0	304
District 29A McDowell (29A)	154	54
Rutherford (29A)	262	126
Total	416	180
District 29B Henderson (29B)	251	76
Polk (29B)	50	15
Transylvania (29B)	47	18
Total	348	109
District 30 Cherokee (30A)	1	39
Clay (30A)	0	12
Graham (30A)	0	15
Haywood (30B)	0	120
Jackson (30B)	0	73
Macon (30A)	0	43
Swain (30A)	0	27
Total	1	329
State Total	4,277	11,703

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

**Appendix B, Table 3: Type of Punishment and Average Length of Active Sentence
by Judicial Division and District**

Judicial Division and District	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
First Judicial Division	1,215	39	642	21	1,235	40	33	52	3,092
District 1	88	28	92	29	140	44	31	52	320
District 2	99	31	98	31	123	38	34	53	320
District 3A	202	34	128	22	261	44	26	42	591
District 6A	46	33	19	13	76	54	26	41	141
District 6B	91	41	7	3	126	56	50	73	224
District 7A	116	47	50	20	80	33	32	50	246
District 7B, C	162	48	71	21	107	31	33	51	340
District 9	263	46	81	14	224	39	28	44	568
District 14	148	43	96	28	98	29	49	71	342
Second Judicial Division	1,510	38	989	25	1,490	37	30	48	3,989
District 3B	288	43	60	9	324	48	28	44	672
District 4	250	29	207	24	415	48	26	42	872
District 5	296	40	104	14	346	46	39	60	746
District 8A	156	57	59	22	59	22	34	51	274
District 8B	108	26	221	54	80	20	29	45	409
District 13A	130	36	119	33	109	30	22	36	358
District 13B	195	41	135	28	144	30	24	43	474
District 16B	87	47	84	46	13	7	44	63	184
Third Judicial Division	2,423	41	1,810	31	1,613	28	34	54	5,846
District 10	786	53	220	15	470	32	32	52	1,476
District 11A	202	36	265	47	95	17	37	57	562
District 11B	207	38	247	45	95	17	36	56	549
District 12	261	42	171	27	191	31	31	49	623
District 15A	265	42	193	30	178	28	37	57	636
District 16A	149	40	80	21	144	39	43	63	373
District 19B	139	42	131	40	60	18	35	55	330
District 19D	144	34	156	37	118	28	43	64	418
District 20A	155	33	192	41	124	26	28	46	471
District 20B	115	28	155	38	138	34	29	46	408

continued

**Appendix B, Table 3: Type of Punishment and Average Length of Active Sentence
by Judicial Division and District**

Judicial Division and District	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Fourth Judicial Division	2,603	39	2,956	45	1,052	16	32	50	6,611
District 15B	119	46	95	37	46	18	29	46	260
District 17A	186	38	258	53	43	9	33	51	487
District 17B	138	35	135	34	124	31	28	44	397
District 18	466	42	594	54	46	4	35	54	1,106
District 19A	213	28	356	46	204	26	28	46	773
District 19C	216	40	231	43	88	16	30	49	535
District 21	424	50	281	33	146	17	33	51	851
District 22A	288	34	471	56	88	10	33	51	847
District 22B	303	44	274	39	117	17	35	55	694
District 23	250	38	261	39	150	23	28	44	661
Fifth Judicial Division	2,296	36	2,891	46	1,133	18	35	54	6,320
District 24	112	27	264	65	33	8	31	50	409
District 25A	132	30	237	54	67	15	33	54	436
District 25B	120	29	250	61	43	10	40	60	413
District 26	522	46	535	47	90	8	47	69	1,147
District 27A	307	42	293	40	135	18	30	49	735
District 27B	313	34	346	38	250	28	30	48	909
District 28	205	38	309	57	26	5	30	49	540
District 29A	271	38	241	34	200	28	29	46	712
District 29B	175	32	160	29	219	40	27	43	554
District 30A	42	22	138	72	13	7	56	84	193
District 30B	97	36	118	43	57	21	30	49	272
State Total	10,047	39	9,288	36	6,523	25	33	52	25,858

Note: Of the 26,323 felony convictions in FY 2023, 465 (or 1.8%) were excluded from this table. Death and life sentences were excluded from the calculation of the average minimum and maximum sentences. Percentages may not add to 100% due to rounding.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

**Appendix B, Table 4: Sentencing Range by Judicial Division and District
Active Sentences Only**

Judicial Division and District	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
First Judicial Division	229	19	910	76	64	5	1,203
District 1	12	14	68	80	5	6	85
District 2	15	15	81	83	2	2	98
District 3A	22	11	171	85	9	4	202
District 6A	9	20	33	73	3	7	45
District 6B	25	28	53	59	12	13	90
District 7A	20	17	89	77	7	6	116
District 7B, C	21	13	133	83	6	4	160
District 9	63	24	189	73	8	3	260
District 14	42	29	93	63	12	8	147
Second Judicial Division	407	27	1,048	70	40	3	1,495
District 3B	75	26	206	72	6	2	287
District 4	55	22	187	76	5	2	247
District 5	76	26	200	68	17	6	293
District 8A	28	18	125	80	3	2	156
District 8B	50	46	57	53	1	1	108
District 13A	50	40	74	59	1	1	125
District 13B	50	26	139	72	4	2	193
District 16B	23	27	60	70	3	3	86
Third Judicial Division	839	35	1,443	60	123	5	2,405
District 10	308	40	412	53	59	8	779
District 11A	49	25	142	71	9	5	200
District 11B	106	52	90	44	9	4	205
District 12	100	39	148	58	9	4	257
District 15A	86	32	169	64	10	4	265
District 16A	48	32	93	62	8	5	149
District 19B	38	27	95	68	6	4	139
District 19D	39	27	97	68	6	4	142
District 20A	43	28	106	68	6	4	155
District 20B	22	19	91	80	1	1	114

continued

**Appendix B, Table 4: Sentencing Range by Judicial Division and District
Active Sentences Only**

Judicial Division and District	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Fourth Judicial Division	820	32	1,621	63	150	6	2,591
District 15B	13	11	102	86	3	3	118
District 17A	49	26	95	51	41	22	185
District 17B	2	1	131	95	5	4	138
District 18	121	26	319	69	19	4	459
District 19A	81	38	111	52	21	10	213
District 19C	61	28	151	70	4	2	216
District 21	272	64	144	34	7	2	423
District 22A	54	19	214	75	19	7	287
District 22B	104	34	184	61	14	5	302
District 23	63	25	170	68	17	7	250
Fifth Judicial Division	555	24	1,557	68	170	7	2,282
District 24	29	26	81	72	2	2	112
District 25A	33	25	96	73	3	2	132
District 25B	22	18	89	74	9	8	120
District 26	122	24	348	67	47	9	517
District 27A	78	26	204	67	22	7	304
District 27B	69	22	192	62	51	16	312
District 28	54	26	139	68	11	5	204
District 29A	86	32	177	66	7	3	270
District 29B	38	22	123	71	13	7	174
District 30A	2	5	38	93	1	2	41
District 30B	22	23	70	73	4	4	96
State Total	2,850	29	6,579	66	547	5	9,976

Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table. Life and death sentences (n=71) were also excluded. Percentages may not add to 100% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

APPENDIX C

TOP 5 CONVICTIONS BY OFFENSE CLASS

Appendix C, Table 1: Top 5 Convictions by Offense Class

Class A Felonies		Total Convictions = 69
	#	%
First-Degree Murder	65	95
Murder of an Unborn Child	3	4
Class B1 Felonies		Total Convictions = 314
	#	%
Second-Degree Murder	156	50
Statutory Rape of a Child 15 or Younger	42	13
Statutory Sex Offense with a Child 15 or Younger	23	7
First-Degree Statutory Rape	14	4
First-Degree Statutory Sex Offense	13	4
Class B2 Felonies		Total Convictions = 195
	#	%
Second-Degree Murder without Regard for Human Life	66	34
Attempted First-Degree Murder	20	10
Child Abuse Inflicting Serious Bodily Injury	7	4
Second-Degree Murder	4	2
Second-Degree Murder by Distribution of Drugs	3	2
Class C Felonies		Total Convictions = 617
	#	%
Habitual Felon	236	38
AWDW Intent to Kill Inflicting Serious Injury	100	16
Second-Degree Forcible Rape	38	6
First-Degree Kidnapping	36	6
Second-Degree Forcible Sex Offense	22	4
Class D Felonies		Total Convictions = 836
	#	%
Robbery with a Dangerous Weapon	224	27
Habitual Felon	195	23
Voluntary Manslaughter	123	15
Felony Death by Vehicle	70	8
Discharging Weapon into Occupied Dwelling/Moving Vehicle	62	7
Class E Felonies		Total Convictions = 1,886
	#	%
AWDW Inflicting Serious Injury	348	18
Habitual Felon	309	16
Discharging Weapon into Occupied Property	179	9
AWDW Intent to Kill	158	8
Second-Degree Kidnapping	144	8

continued

Appendix C, Table 1: Top 5 Convictions by Offense Class

Class F Felonies		Total Convictions = 2,308
	#	%
Taking Indecent Liberties with a Child	394	17
Failure to Report New Address as a Sex Offender	260	11
Assault Inflicting Serious Bodily Injury	138	6
Malicious Conduct by Prisoner/Throw Substance	112	5
Habitual Impaired Driving	108	5
Class G Felonies		Total Convictions = 3,798
	#	%
Possession of a Firearm by a Felon	2,365	62
Common Law Robbery	307	8
Identity Theft	240	6
Second-Degree Burglary	80	2
Sell/Deliver Schedule II Controlled Substance	78	2
Class H Felonies		Total Convictions = 9,692
	#	%
Breaking or Entering Buildings	1,203	12
Larceny of Property (worth more than \$1,000)	865	9
Obtaining Property by False Pretense (worth less than \$100,000)	830	9
Elude Arrest in a Motor Vehicle with Two Aggravating Factors	614	6
Larceny of a Motor Vehicle	448	5
Class I Felonies		Total Convictions = 6,143
	#	%
Possess Methamphetamine	2,073	34
Possess Schedule II Controlled Substance	834	14
Possess Cocaine	527	9
Possess Heroin	360	6
Breaking or Entering a Motor Vehicle	281	5
Class A1 Misdemeanors		Total Convictions = 8,065
	#	%
Assault on a Female	3,115	39
Domestic Violence Protective Order Violation	1,264	16
Assault on a Government Official or Employee	1,125	14
Assault with a Deadly Weapon	678	8
Misdemeanor Child Abuse	434	5

continued

Appendix C, Table 1: Top 5 Convictions by Offense Class

Class 1 Misdemeanors		Total Convictions = 32,584
	#	%
Misdemeanor Larceny	7,907	24
Possess Drug Paraphernalia	6,466	20
Driving while Licensed Revoked – Impaired Rev	4,248	13
Breaking or Entering Buildings	1,401	4
Possess Marijuana (>1/2 to 1-1/2 ounce)	1,288	4
Class 2 Misdemeanors		Total Convictions = 17,505
	#	%
Reckless Driving to Endanger	4,316	25
Resisting Public Officer	3,376	19
Reckless Driving with Willful and Wanton Disregard	1,977	11
Simple Assault	1,484	8
Carrying Concealed Gun	1,448	8
Class 3 Misdemeanors		Total Convictions = 36,967
	#	%
Driving while Licensed Revoked – Not Impaired Rev	15,364	42
Speeding	5,489	15
No Operator's License	3,856	10
Second-Degree Trespass	3,061	8
Possess Marijuana (1/2 ounce or less)	1,783	5

Note: This table includes only the convictions for which an AOC offense-specific offense code was used to record the convicted offense. Convictions that did not fit within the appropriate cell in the Felony or Misdemeanor Punishment Charts due to discrepant offense classes, prior record/convictions levels, or for other reasons were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Statistical Report Data

APPENDIX D

ADDITIONAL FELONY CONVICTION DATA
BY CRIME TYPE AND OFFENSE

**Appendix D, Table 1: Type of Punishment and Average Length of Active Sentence
by Crime Type and Offense**

Crime Type and Offense	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Person	3,020	61	1,424	29	527	11	64	93	4,971
1 st Degree Murder	69	100	.	.	.	.	.	.	69
2 nd Degree Murder	256	100	.	.	.	.	204	257	256
Attempted/Solicited Murder	51	100	.	.	.	.	171	218	51
Voluntary Manslaughter	125	100	.	.	.	.	69	94	125
Involuntary Manslaughter	51	53	35	36	10	10	20	34	96
Felony Death by Vehicle	54	73	20	27	.	.	65	90	74
Death by Distribution	17	100	.	.	.	.	70	97	17
Armed Robbery	225	100	.	.	.	.	63	88	225
Att./Consp. Armed Robbery	93	57	57	35	14	9	37	57	164
Common Law Robbery	179	58	106	35	22	7	16	28	307
Att. Common Law Robbery	22	42	20	38	11	21	11	22	53
Other Robbery	22	44	16	32	12	24	25	42	50
AWDWIKISI	100	100	.	.	.	.	75	103	100
AWDW Intent to Kill	89	56	58	36	12	8	27	45	159
AWDW Serious Injury	177	51	140	40	31	9	31	49	348
Assault Govt. Official with Firearm	43	61	22	31	6	8	28	44	71
Assault Govt. Official	30	26	47	41	38	33	11	22	115
Assault by Strangulation	62	31	104	51	37	18	10	21	203
Other Felony Assaults	183	46	164	41	55	14	21	35	402
1 st Degree Rape/Sex Offense	66	100	.	.	.	.	248	355	66
Attempted 1 st Degree Rape/Sex Offense	5	100	.	.	.	.	121	195	5
2 nd Degree Rape/Sex Offense	69	100	.	.	.	.	74	146	69
Attempted 2nd Degree Rape/Sex Offense	7	100	.	.	.	.	57	106	7
Statutory Rape/Sex Offense Against Child 15 or Younger	77	100	.	.	.	.	198	296	77

**Appendix D, Table 1: Type of Punishment and Average Length of Active Sentence
by Crime Type and Offense**

Crime Type and Offense	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Indecent Liberties with Child	179	45	166	42	49	12	17	31	394
Crime Against Nature, Incest, Bigamy	3	6	14	29	31	65	10	21	48
Sexual Exploitation of a Minor	85	38	101	45	40	18	26	81	226
Child Abuse	46	41	50	44	17	15	56	84	113
Registered Sex Off. Offenses	265	63	98	23	61	14	21	35	424
Other Sex Crimes	141	59	62	26	35	15	79	133	238
Kidnap/Abduction	122	60	66	32	17	8	48	76	205
Habitual Misdemeanor Assault	57	63	25	27	9	10	11	22	91
All Other Person Felonies	50	41	53	43	20	16	19	34	123
Property	2,435	35	2,604	37	1,949	28	13	26	6,988
1 st Degree Burglary	33	100	.	.	.	.	64	90	33
Attempted 1 st Degree Burglary	8	53	5	33	2	13	30	49	15
2 nd Degree Burglary	47	59	26	33	7	9	17	30	80
Breaking/Entering	635	38	642	38	401	24	11	23	1,678
Attempted Breaking/Entering	11	27	18	44	12	29	7	18	41
Larceny	792	36	841	38	588	26	12	23	2,221
Attempted Larceny	17	20	34	39	36	41	7	18	87
Possess/Receive Stolen Goods/ Property	204	31	262	40	197	30	10	22	663
1 st Degree Arson	8	100	.	.	.	.	75	103	8
2 nd Degree Arson	13	34	20	53	5	13	16	28	38
Other Arson/Burning	27	30	39	44	23	26	15	27	89
Forgery	23	13	64	36	90	51	9	20	177
Fraud	114	29	165	42	113	29	15	28	392
Embezzlement	13	15	25	30	46	55	38	56	84
Obtain Property by False Pretenses	204	24	320	38	310	37	12	24	834

continued

**Appendix D, Table 1: Type of Punishment and Average Length of Active Sentence
by Crime Type and Offense**

Crime Type and Offense	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Att./Consp. Obtain Property by False Pretenses	28	30	30	32	35	38	12	23	93
Habitual Breaking and Entering	49	96	1	2	1	2	36	55	51
Habitual Misdemeanor Larceny	159	75	34	16	20	9	13	26	213
All Other Property Felonies	50	26	78	41	63	33	11	23	191
Non-Trafficking Drug	1,728	22	3,099	40	2,879	37	15	27	7,706
Attempted Drug Trafficking	453	51	325	37	102	12	26	41	880
Sell/Deliver Drugs	133	32	178	43	100	24	16	28	411
Consp. To Sell/Deliver Drugs	17	41	13	32	11	27	10	21	41
Manufacture Drugs	5	28	6	33	7	39	32	49	18
Possession with Intent	327	25	489	37	509	38	11	23	1,325
Drug Possession	562	13	1832	42	1953	45	7	18	4,347
All Other Drug Felonies	231	34	256	37	197	29	14	26	684
Other Felony	2,864	46	2,161	35	1,168	19	30	46	6,193
Armed Habitual Felon	2	100	.	.	.	.	120	156	2
Habitual Felon	695	94	43	6	2	>1	62	87	740
Habitual Impaired Driving	108	100	.	.	.	.	18	31	108
Weapon Offenses	1,252	40	1,288	41	594	19	19	32	3,134
Motor Vehicle Offenses	330	31	454	43	281	26	12	24	1,065
Crimes Against Admin. Justice	165	43	110	29	109	28	12	23	384
All Other Felonies	312	41	266	35	182	24	32	50	760
Total	10,047	39	9,288	36	6,523	25	33	52	25,858

Note: Of the 26,323 felony convictions in FY 2023, 465 (or 1.8%) were excluded from this table. Percentages may not add to 100% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

**Appendix D, Table 2: Sentencing Range by Crime Type and Offense
Active Sentences Only**

Crime Type and Offense	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
<i>Person</i>	<i>877</i>	<i>30</i>	<i>1824</i>	<i>62</i>	<i>248</i>	<i>8</i>	<i>2,949</i>
2 nd Degree Murder	93	36	137	54	26	10	256
Attempted/Solicited Murder	15	29	28	55	8	16	51
Voluntary Manslaughter	27	22	78	62	20	16	125
Involuntary Manslaughter	5	10	32	63	14	27	51
Felony Death by Vehicle	9	17	40	74	5	9	54
Death by Distribution	9	53	8	47	.	.	17
Armed Robbery	110	49	112	50	3	1	225
Att./Consp. Armed Robbery	23	25	64	69	6	6	93
Common Law Robbery	25	14	144	80	10	6	179
Att. Common Law Robbery	6	27	13	59	3	14	22
Other Robbery	7	32	11	50	4	18	22
AWDWIKISI	31	31	61	61	8	8	100
AWDW Intent to Kill	27	30	58	65	4	4	89
AWDW Serious Injury	35	20	126	71	16	9	177
Assault Govt. Official with Firearm	10	23	29	67	4	9	43
Assault Govt. Official	6	20	21	70	3	10	30
Assault by Strangulation	12	19	45	73	5	8	62
Other Felony Assaults	59	32	114	62	10	5	183
1 st Degree Rape/Sex Offense	22	34	21	32	22	34	65
Attempted 1 st Degree Rape/Sex Offense	3	60	2	40	.	.	5
2 nd Degree Rape/Sex Offense	12	17	52	75	5	7	69
Attempted 2 nd Degree Rape/Sex Offense	3	43	4	57	.	.	7
Statutory Rape/Sex Offense Against Child 15 or Younger	39	51	35	46	2	3	76

continued

**Appendix D, Table 2: Sentencing Range by Crime Type and Offense
Active Sentences Only**

Crime Type and Offense	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Indecent Liberties with Child	26	15	132	74	21	12	179
Crime Against Nature, Incest, Bigamy	.	.	3	100	.	.	3
Sexual Exploitation of a Minor	24	28	58	68	3	4	85
Child Abuse	15	33	27	59	4	9	46
Registered Sex Off. Offenses	116	44	137	52	12	5	265
Other Sex Crimes	57	40	71	50	13	9	141
Kidnap/Abduction	30	25	80	66	12	10	122
Habitual Misdemeanor Assault	12	21	44	77	1	2	57
All Other Person Felonies	9	18	37	74	4	8	50
Property	569	23	1,780	73	86	4	2,435
1 st Degree Burglary	16	48	17	52	.	.	33
Attempted 1 st Degree Burglary	2	25	5	63	1	13	8
2 nd Degree Burglary	3	6	39	83	5	11	47
Breaking/Entering	134	21	477	75	24	4	635
Attempted Breaking/Entering	4	36	7	64	.	.	11
Larceny	164	21	599	76	29	4	792
Attempted Larceny	1	6	16	94	.	.	17
Possess/Receive Stolen Goods/Property	59	29	141	69	4	2	204
1 st Degree Arson	2	25	5	63	1	13	8
2 nd Degree Arson	3	23	10	77	.	.	13
Other Arson/Burning	7	26	19	70	1	4	27
Forgery	5	22	18	78	.	.	23
Fraud	35	31	76	67	3	3	114
Embezzlement	4	31	9	69	.	.	13

continued

**Appendix D, Table 2: Sentencing Range by Crime Type and Offense
Active Sentences Only**

Crime Type and Offense	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Obtain Property by False Pretenses	46	23	150	74	8	4	204
Att./Consp. Obtain Property by False Pretenses	11	39	16	57	1	4	28
Habitual Breaking and Entering	10	20	37	76	2	4	49
Habitual Misdemeanor Larceny	53	33	102	64	4	3	159
All Other Property Felonies	10	20	37	74	3	6	50
Non-Trafficking Drug	380	22	1,255	73	93	5	1,728
Attempted Drug Trafficking	78	17	339	75	36	8	453
Sell/Deliver Drugs	20	15	108	81	5	4	133
Consp. To Sell/Deliver Drugs	8	47	9	53	.	.	17
Manufacture Drugs	1	20	4	80	.	.	5
Possession with Intent	70	21	244	75	13	4	327
Drug Possession	137	24	395	70	30	5	562
All Other Drug Felonies	66	29	156	68	9	4	231
Other Felony	1,024	36	1,720	60	120	4	2,864
Armed Habitual Felon	.	.	2	100	.	.	2
Habitual Felon	401	58	281	40	13	2	695
Habitual Impaired Driving	45	42	60	56	3	3	108
Weapon Offenses	362	29	826	66	64	5	1,252
Motor Vehicle Offenses	69	21	240	73	21	6	330
Crimes Against Admin. Justice	50	30	110	67	5	3	165
All Other Felonies	97	31	201	64	14	4	312
Total	2,850	29	6,579	66	547	5	9,976

Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table. Life and death sentences (n=71) were also excluded. Percentages may not add to 100% due to rounding. SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

Appendix D, Table 3: Sentencing Range by Offense Class
Percentage in the Mitigated Range and at the Lowest Spot of the Presumptive Range
Active Sentences Only

Offense Class	% Mitigated	% Mitigated and Lowest Spot in Presumptive Range
B1	37	50
B2	42	60
C	40	55
D	46	66
E	30	53
F	26	52
G	24	58
H	24	57
I	24	58
Total	29	57

Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart were excluded from this table. Life and death sentences (n=71) were also excluded.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data

APPENDIX E

ADDITIONAL MISDEMEANOR CONVICTION DATA
BY JUDICIAL DISTRICT AND COUNTY

Appendix E, Table 1: Convictions by Judicial District and County

Judicial District and County		Misd. Convictions	Convictions per 1,000 Adults (18+)
District 1	Camden	92	10
	Chowan	176	16
	Currituck	239	9
	Dare	578	18
	Gates	89	10
	Pasquotank	329	10
	Perquimans	164	15
	Total	1,667	13
District 2	Beaufort	1,105	31
	Hyde	50	13
	Martin	462	27
	Tyrrell	119	44
	Washington	163	20
	Total	1,889	28
District 3A	Pitt	2,625	19
	Total	2,625	19
District 3B	Carteret	1,010	17
	Craven	1,875	24
	Pamlico	160	15
	Total	3,045	21
District 4	Duplin	562	16
	Jones	74	10
	Onslow	1,038	7
	Sampson	1,090	24
	Total	2,764	12
District 5	New Hanover	1,952	10
	Pender	369	7
	Total	2,321	9
District 6	Bertie	177	13
	Halifax	926	25
	Hertford	244	15
	Northampton	101	1
	Total	1,448	7
District 7	Edgecombe	613	17
	Nash	1,012	13
	Wilson	1,026	17
	Total	2,651	15
District 8	Greene	309	19
	Lenoir	1,561	37
	Wayne	2,212	25
	Total	4,082	28

Judicial District and County		Misd. Convictions	Convictions per 1,000 Adults (18+)
District 9,9B	Franklin	560	9
	Granville	471	9
	Person	625	20
	Vance	746	24
	Warren	310	20
	Total	2,712	14
District 10	Wake	7,680	8
	Total	7,680	8
District 11	Harnett	866	8
	Johnston	1,871	10
	Lee	566	11
	Total	3,303	10
District 12	Cumberland	887	3
	Total	887	3
District 13	Bladen	369	16
	Brunswick	715	5
	Columbus	627	16
	Total	1,711	9
District 14	Durham	1,508	6
	Total	1,508	6
District 15A	Alamance	1,243	9
	Total	1,243	9
District 15B	Chatham	731	11
	Orange	1,119	9
	Total	1,850	10
District 16A	Anson	304	17
	Richmond	512	16
	Scotland	527	20
	Total	1,343	18
District 16B	Robeson	1,259	14
	Total	1,259	14
District 17A	Caswell	194	11
	Rockingham	1,060	14
	Total	1,254	14
District 17B	Stokes	691	18
	Surry	1,481	26
	Total	2,172	23
District 18	Guilford	3,262	7
	Total	3,262	7
District 19A	Cabarrus	4,800	25
	Total	4,800	25

continued

Appendix E, Table 1: Convictions by Judicial District and County

Judicial District and County		Misd. Convictions	Convictions per 1,000 Adults (18+)
District 19B	Randolph	2,728	24
	Total	2,728	24
District 19C	Rowan	2,979	25
	Total	2,979	25
District 19D	Hoke	280	7
	Moore	1,228	14
	Total	1,508	12
District 20A	Montgomery	503	25
	Stanly	649	13
	Total	1,152	16
District 20B,C	Union	1,285	6
	Total	1,285	6
District 21	Forsyth	3,351	11
	Total	3,351	11
District 22A	Alexander	772	26
	Iredell	3,150	19
	Total	3,922	20
District 22B	Davidson	1,787	13
	Davie	426	12
	Total	2,213	13
District 23	Alleghany	144	15
	Ashe	335	15
	Wilkes	968	18
	Yadkin	411	14
	Total	1,858	16
District 24	Avery	116	8
	Madison	266	15
	Mitchell	154	13
	Watauga	349	7
	Yancey	122	8
	Total	1,007	9

Judicial District and County		Misd. Convictions	Convictions per 1,000 Adults (18+)
District 25	Burke	828	11
	Caldwell	921	14
	Catawba	1,621	12
	Total	3,370	12
District 26	Mecklenburg	1,916	2
	Total	1,916	2
District 27A	Gaston	5,194	27
	Total	5,194	27
District 27B	Cleveland	2,251	28
	Lincoln	1,277	17
	Total	3,528	22
District 28	Buncombe	1,747	8
	Total	1,747	8
District 29A	McDowell	1,198	33
	Rutherford	2,009	39
	Total	3,207	36
District 29B	Henderson	1,265	13
	Polk	375	22
	Transylvania	460	16
	Total	2,100	15
District 30	Cherokee	310	13
	Clay	107	11
	Graham	93	15
	Haywood	932	18
	Jackson	499	14
	Macon	315	10
	Swain	203	19
	Total	2,459	14
State Total		103,010	12

SOURCES: NC Sentencing and Policy Advisory Commission, FY 2023 Felony Statistical Report Data and NC Office of State Management and Budget, 2023 Population Projections from <https://www.osbm.nc.gov/demog/county-projections>

Disclaimer for AOC Data

These data are from the Administrative Office of the Courts' (AOC) integrated case management systems (Automated Criminal Infraction System, or ACIS, and Enterprise Justice). These data are a snapshot in time and are subject to change from such factors as the sealing or expungement of records, corrections made to data entry, motions, appeals, or other legal actions that may change the nature, status or outcome of a case, and other factors. Data maintained in ACIS and Enterprise Justice are intended for management of caseloads, basic record-keeping, and general statistics. These data reveal nothing about evidence presented or its weight or credibility, the reasons or validity of factual or legal arguments or conclusions presented or made, or any other of the myriad circumstances relevant to the results of any particular case. Therefore, the data should not be used or represented to reflect on the merits of the facts or the outcomes of cases. For that and many analytic purposes, it would be inappropriate and misleading to use these data as a substitute for a review of actual case files and/or transcripts. No analysis of or conclusions drawn from these data may be attributed to the AOC. Neither the analysis nor any conclusions in this report are accepted as accurate or endorsed by the AOC.

Offenses Committed on or after October 1, 2013

Misdemeanor Sentences and Dispositions

Offense Class	Prior Conviction Level			
	I No Prior Convictions	II One to Four Prior Convictions		III Five or More Prior Convictions
A1	C/I/A 1 - 60 days	C/I/A 1 - 75 days		C/I/A 1 - 150 days
1	C 1 - 45 days	C/I/A 1 - 45 days		C/I/A 1 - 120 days
2	C 1 - 30 days	C/I 1 - 45 days		C/I/A 1 - 60 days
3	C Fine Only* 1 - 10 days	One to Three Prior Convictions	Four Prior Convictions	C/I/A 1 - 20 days
		C Fine Only* 1-15 days	C/I 1 - 15 days	

DISPOSITION

C – Community
I – Intermediate
A – Active

*** Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.**

Offenses Committed on or after October 1, 2013

Felony Minimum Sentences (in Months) and Dispositions

Offense Class	Prior Record Level					
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts
A	Death or Life Without Parole					
	Defendant Under 18 at Time of Offense: Life With or Without Parole					
B1	A	A	A	A	A	A
	240 - 300	276 - 345	317 - 397	365 - 456	Life Without Parole	Life Without Parole
	192 - 240	221 - 276	254 - 317	292 - 365	336 - 420	386 - 483
	144 - 192	166 - 221	190 - 254	219 - 292	252 - 336	290 - 386
B2	A	A	A	A	A	A
	157 - 196	180 - 225	207 - 258	238 - 297	273 - 342	314 - 393
	125 - 157	144 - 180	165 - 207	190 - 238	219 - 273	251 - 314
	94 - 125	108 - 144	124 - 165	143 - 190	164 - 219	189 - 251
C	A	A	A	A	A	A
	73 - 92	83 - 104	96 - 120	110 - 138	127 - 159	146 - 182
	58 - 73	67 - 83	77 - 96	88 - 110	101 - 127	117 - 146
	44 - 58	50 - 67	58 - 77	66 - 88	76 - 101	87 - 117
D	A	A	A	A	A	A
	64 - 80	73 - 92	84 - 105	97 - 121	111 - 139	128 - 160
	51 - 64	59 - 73	67 - 84	78 - 97	89 - 111	103 - 128
	38 - 51	44 - 59	51 - 67	58 - 78	67 - 89	77 - 103
E	I/A	I/A	A	A	A	A
	25 - 31	29 - 36	33 - 41	38 - 48	44 - 55	50 - 63
	20 - 25	23 - 29	26 - 33	30 - 38	35 - 44	40 - 50
	15 - 20	17 - 23	20 - 26	23 - 30	26 - 35	30 - 40
F	I/A	I/A	I/A	A	A	A
	16 - 20	19 - 23	21 - 27	25 - 31	28 - 36	33 - 41
	13 - 16	15 - 19	17 - 21	20 - 25	23 - 28	26 - 33
	10 - 13	11 - 15	13 - 17	15 - 20	17 - 23	20 - 26
G	I/A	I/A	I/A	I/A	A	A
	13 - 16	14 - 18	17 - 21	19 - 24	22 - 27	25 - 31
	10 - 13	12 - 14	13 - 17	15 - 19	17 - 22	20 - 25
	8 - 10	9 - 12	10 - 13	11 - 15	13 - 17	15 - 20
H	C/I/A	I/A	I/A	I/A	I/A	A
	6 - 8	8 - 10	10 - 12	11 - 14	15 - 19	20 - 25
	5 - 6	6 - 8	8 - 10	9 - 11	12 - 15	16 - 20
	4 - 5	4 - 6	6 - 8	7 - 9	9 - 12	12 - 16
I	C	C/I	I	I/A	I/A	I/A
	6 - 8	6 - 8	6 - 8	8 - 10	9 - 11	10 - 12
	4 - 6	4 - 6	5 - 6	6 - 8	7 - 9	8 - 10
	3 - 4	3 - 4	4 - 5	4 - 6	5 - 7	6 - 8

RANGE

Aggravated
PRESUMPTIVE
Mitigated

DISPOSITION

C – Community
I – Intermediate
A – Active