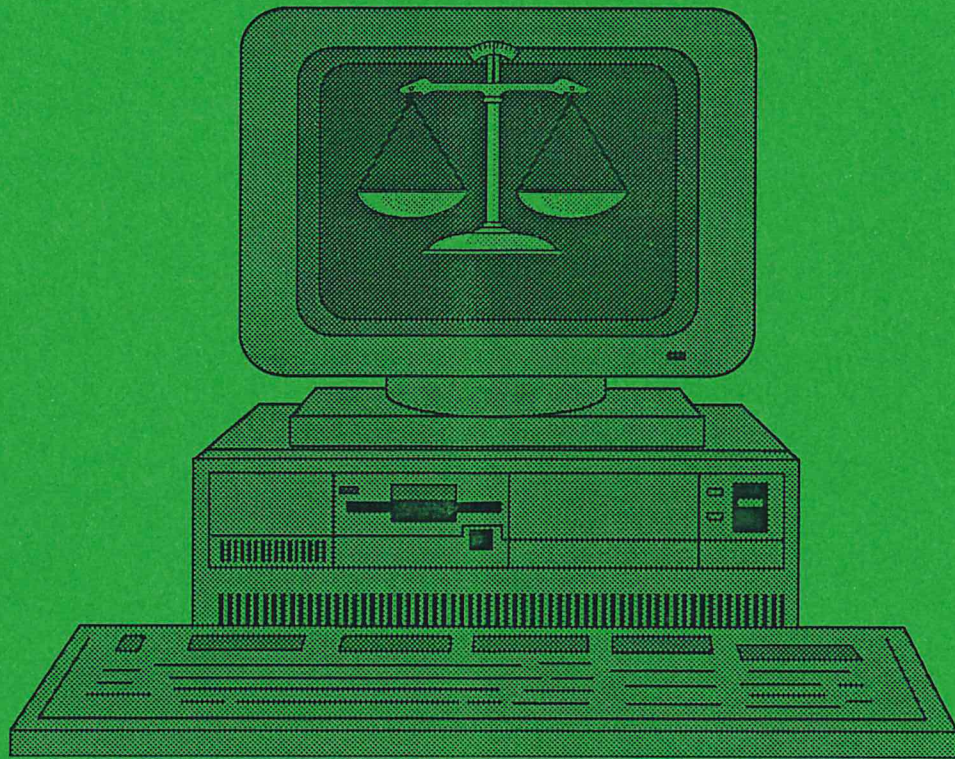


**NORTH CAROLINA SENTENCING
AND
POLICY ADVISORY
COMMISSION**



STRUCTURED SENTENCING MONITORING SYSTEM

***REPORT FOR FELONS:
JANUARY THROUGH JUNE 1995***

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REVISED FEBRUARY 1996

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COMMISSION**

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**REPORT ON FELONS:
JANUARY THROUGH JUNE 1995**

EXECUTIVE SUMMARY

This report examines data on offenders convicted of felonies under Structured Sentencing during the first six months of 1995. This report summarizes topics such as the number of felony convictions by month, offense class and prior record level, demographic characteristics of offenders, types of punishment imposed, conformity of sentences, types of intermediate punishments imposed and several special issues. Important findings include:

- A total of 5,254 offenders were convicted of felonies under Structured Sentencing during the first six months of 1995.
- The greatest number of convictions fell into Offense Classes H and I and into Prior Record Levels I and II.
- Demographic characteristics show that 88% of all offenders were male; 61% were under the age of 30; and about 63% were Black and about 33% were White.
- Overall, approximately 32% of all offenders received Active Punishments; about 46% received Intermediate Punishments; and about 22% received Community Punishments. In addition, all offenders in Offense Class A through D received an Active Punishment.
- Crimes of violence were most likely to receive active sentences while property crimes and public order crimes were least likely to receive active sentences.
- Data indicate that 81% of all active sentences fell within the presumptive range; over 11% fell within the aggravated range; and about 8% fell within the mitigated range.
- Of those cases reporting, the greatest number of Intermediate Punishments were imposed for Class H felonies. The most frequently invoked Intermediate Punishment was Special Probation which accounted for nearly 10% of all sentences.
- Data for several special issues indicate that felons that received habitual felon status made up less than 1.5% of all sentences; only one sentence occurred that had a deadly weapon enhancement; only two sentences occurred in which the offender received an active sentence of life without parole; and sentences for drug trafficking made up less than 1% of all sentences.

INTRODUCTION

This report covers felony offenders sentenced under Structured Sentencing during the first half of 1995 (from January 1 through June 30). The report only covers cases where an offender was convicted and sentenced for a felony crime which was committed on or after October 1, 1994 (the effective date of Structured Sentencing).¹

The information presented is based on data entered into the AOC Criminal Information System by the court clerk following the imposition of the sentence. Currently, this report covers all North Carolina Counties except Mecklenburg. Information for Mecklenburg County will be included in later reports.

This report is based on the number of offenders sentenced, not the number of offenses sentenced. If a single offender was sentenced for more than one offense during a single session of court, only the most serious offense (the one with the highest class) and the most severe sentence imposed are reflected in this report.

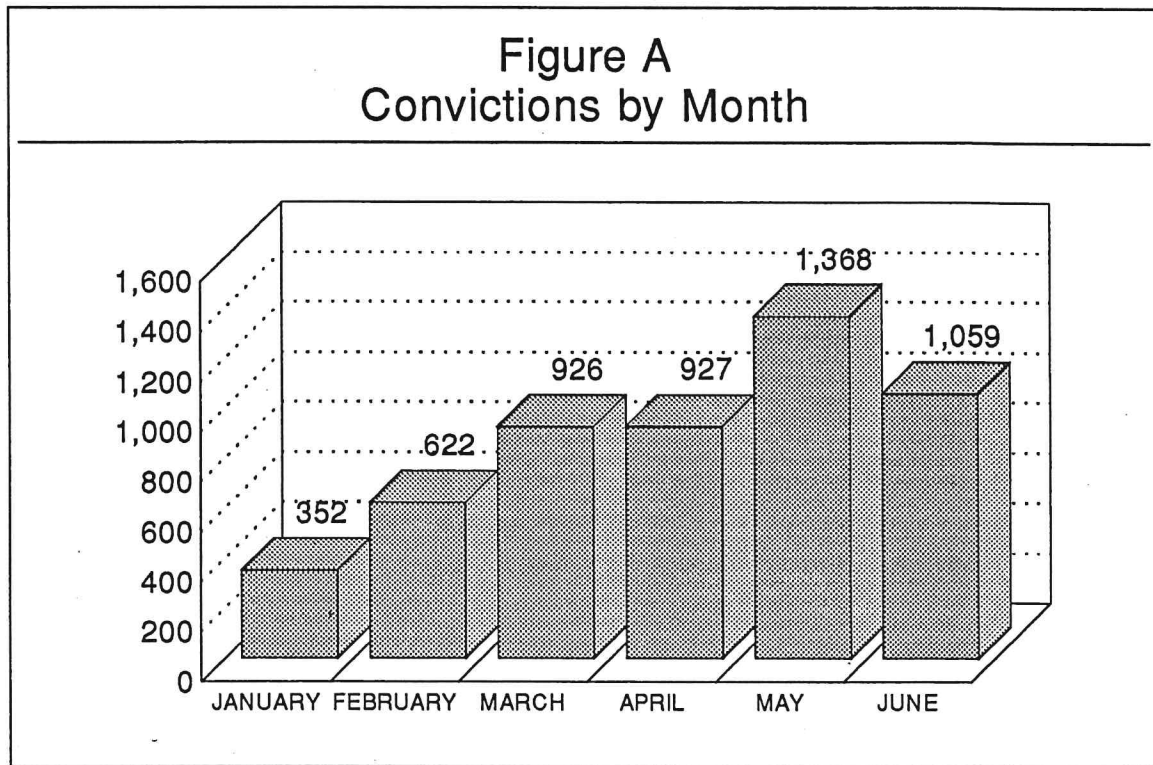
IMPORTANT NOTE: Caution is strongly advised about drawing conclusions from the data included in this report. Sentences most likely to be included in this report are those processed the fastest through the criminal justice system. These are generally less serious and less complicated cases and are more likely to result from guilty pleas than from trials. In addition, during the reporting period the system was in a learning and adjustment phase with both the old Fair Sentencing Act and the Structured Sentencing Act operating side by side. Consequently, short term sentencing patterns observed during this transitional period may not be indicative of future long term sentencing trends.

I. REPORTING OF SENTENCES

This section details the number of offenders sentenced for felony crimes under Structured Sentencing during the first half of 1995. Overall, 5,254 offenders were reported. All of these offenders are included in this section (except in Table 3) and also in **Section II**. However, information on 734 offenders was eliminated due to problems and errors with the data reported. Efforts continue to correct these errors and to resolve initial reporting problems. In addition, sentences imposed for drug trafficking offenses, which are subject to mandatory penalties, were excluded from the body of this report but are summarized in **Section VI**.

A. Convictions by Month

Figure A shows the number of offenders convicted under Structured Sentencing for the first six months of 1995. Further breakdowns of convictions by demographic variables are included in Appendix A.²



B. Convictions by County, Division and District

Table 1 displays the number of offenders convicted in each county and Table 2 shows the number of offenders convicted in each judicial district and division (excluding Mecklenburg County). See Appendix B for a map of judicial divisions and districts.

These tables also show whether the conviction resulted from a guilty plea or jury trial. Overall, only about 1.4% of the convictions resulted from jury trials. However, since this data only reflects the first cases to be processed through the system, this percentage is expected to increase over time.

Table 1: Convictions by County and Mode of Disposition

COUNTY AND MODE OF DISPOSITION	Mode Of Disposition		TOTAL
	Guilty Plea	Jury Trial	
	NUMBER	NUMBER	
COUNTY NAME			
ALAMANCE	370	7	377
ALEXANDER	9	.	9
ALLEGHANY	3	.	3
ANSON	18	.	18
ASHE	3	.	3
AVERY	1	.	1
BEAUFORT	28	1	29
BERTIE	31	.	31
BLADEN	27	.	27
BRUNSWICK	24	1	25
BUNCOMBE	130	2	132
BURKE	4	.	4
CABARRUS	117	1	118
CALDWELL	7	.	7
CARTERET	39	.	39
CASWELL	30	1	31
CATAWBA	18	.	18
CHATHAM	24	.	24
CHEROKEE	3	.	3
CHOWAN	3	.	3
CLAY	2	.	2
CLEVELAND	35	2	37
COLUMBUS	21	.	21
CRAVEN	72	.	72
CUMBERLAND	197	1	198
CURRITUCK	10	.	10
DARE	18	.	18
DAVIDSON	99	1	100
DAVIE	9	.	9
DUPLIN	65	1	66
DURHAM	157	.	157
EDGECOMBE	85	3	88
FORSYTH	306	6	312
FRANKLIN	45	.	45
GASTON	62	.	62
GATES	2	.	2
GRAHAM	1	.	1
GRANVILLE	57	.	57
GREENE	7	.	7
GUILFORD	482	9	491
HALIFAX	41	1	42
HARNETT	76	1	77
HAYWOOD	16	.	16
HENDERSON	8	.	8
HERTFORD	30	2	32
HOKE	31	.	31
HYDE	2	.	2
IREDELL	57	.	57

COUNTY AND MODE OF DISPOSITION	Mode Of Disposition		TOTAL
	Guilty Plea	Jury Trial	
	NUMBER	NUMBER	
COUNTY NAME			
JACKSON	5	.	5
JOHNSTON	63	.	63
JONES	4	.	4
LEE	78	1	79
LENOIR	105	.	105
LINCOLN	35	1	36
MACON	10	.	10
MARTIN	31	1	32
MCDOWELL	7	.	7
MITCHELL	2	.	2
MONTGOMERY	6	.	6
MOORE	52	.	52
NASH	24	.	24
NEW HANOVER	220	2	222
NORTHAMPTON	29	1	30
ONSLow	77	1	78
ORANGE	31	.	31
PAMLICO	8	.	8
PASQUOTANK	39	1	40
PENDER	37	.	37
PERSON	40	.	40
PITT	127	5	132
POLK	2	.	2
RANDOLPH	27	.	27
RICHMOND	29	.	29
ROBESON	54	1	55
ROCKINGHAM	80	.	80
ROWAN	63	1	64
RUTHERFORD	15	.	15
SAMPSON	96	.	96
SCOTLAND	44	.	44
STANLY	37	.	37
STOKES	25	.	25
SURRY	57	.	57
SWAIN	1	.	1
TRANSYLVANIA	3	.	3
UNION	84	2	86
VANCE	87	1	88
WAKE	319	10	329
WARREN	23	.	23
WASHINGTON	24	1	25
WATAUGA	13	.	13
WAYNE	70	3	73
WILKES	15	.	15
WILSON	84	4	88
YADKIN	13	.	13
YANCEY	1	.	1
TOTAL	5178	76	5254

Table 2: Convictions by Judicial Division/District

JUDICIAL DIVISION/DISTRICT AND MODE OF DISPOSITION		Mode Of Disposition		TOTAL	
		Guilty Plea	Jury Trial		
		NUMBER	NUMBER		
JUDICIAL DIVISION	JUDICIAL DISTRICT				
FIRST	1	72	1	73	
	2	85	3	88	
	3A	127	5	132	
	3B	119	.	119	
	4A	165	1	166	
	4B	77	1	78	
	5	257	2	259	
	6A	41	1	42	
	6B	90	3	93	
	7A	24	.	24	
	7B	169	7	176	
	8A	112	.	112	
	8B	70	3	73	
	SUB-TOTAL	1408	27	1435	
	SECOND	JUDICIAL DISTRICT			
		9	212	1	213
9A		70	1	71	
10		319	10	329	
11		217	2	219	
12		197	1	198	
13		72	1	73	
14		157	.	157	
15A		370	7	377	
15B		55	.	55	
16A		75	.	75	
16B		54	1	55	
SUB-TOTAL		1798	24	1822	

JUDICIAL DIVISION/DISTRICT AND MODE OF DISPOSITION		Mode Of Disposition		TOTAL	
		Guilty Plea	Jury Trial		
		NUMBER	NUMBER		
JUDICIAL DIVISION	JUDICIAL DISTRICT				
THIRD	17A	80	.	80	
	17B	82	.	82	
	18	482	9	491	
	19A	117	1	118	
	19B	33	.	33	
	19C	63	1	64	
	20A	99	.	99	
	20B	121	2	123	
	21	306	6	312	
	22	174	1	175	
	23	34	.	34	
	SUB-TOTAL	1591	20	1611	
	FOURTH	JUDICIAL DISTRICT			
		24	17	.	17
25A		11	.	11	
25B		18	.	18	
27A		62	.	62	
27B		70	3	73	
28		130	2	132	
29		35	.	35	
30A		17	.	17	
30B		21	.	21	
SUB-TOTAL	381	5	386		
TOTAL		5178	76	5254	

C. Convictions by Offense Class and Prior Record Level

Table 3 shows the distribution of convictions by Offense Class and Prior Record Level. As expected, the greatest number of convictions fell into Offense Classes H and I and into Prior Record Levels I and II. Convictions containing incorrect Offense Classes, Prior Record Levels, or other errors were excluded from this table.

Table 3: Convictions by Offense Class and Prior Record Level

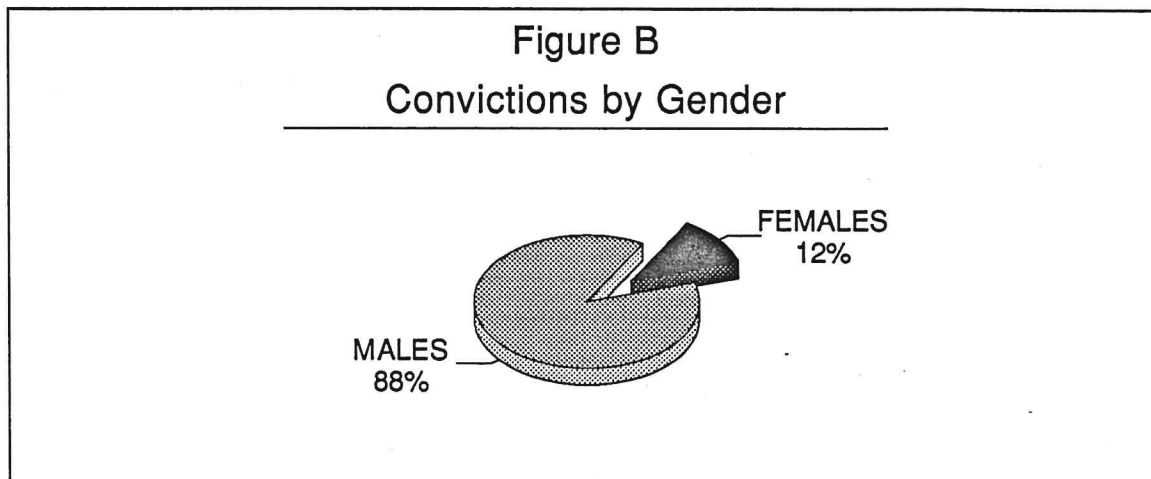
SENTENCE CLASS AND PRIOR RECORD LEVEL	PRIOR RECORD LEVEL						TOTAL NUMBER
	I	II	III	IV	V	VI	
	NUMBER	NUMBER	NUMBER	NUMBER	NUMBER	NUMBER	
FELONY CLASSES:							
A	2	.	.	.	.	.	2
B1	2	4	2	.	.	.	8
B2	20	12	9	1	1	.	43
C	24	42	27	15	.	.	108
D	42	47	37	16	3	2	147
E	72	83	26	17	4	.	202
F	50	54	17	5	.	.	126
G	87	123	90	48	9	6	363
H	650	675	493	265	44	31	2158
I	389	574	237	146	16	14	1376
TOTAL	1338	1614	938	513	77	53	4533

II. CHARACTERISTICS OF OFFENDERS

This section provides a breakdown of offenders by gender, race and age. Additional breakdowns of offenders by demographic characteristics are included in *Appendix A*.

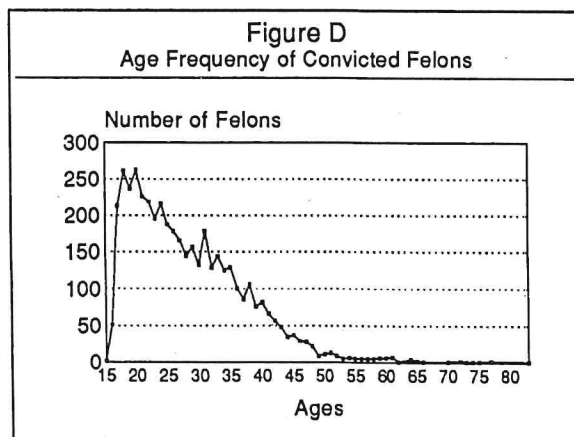
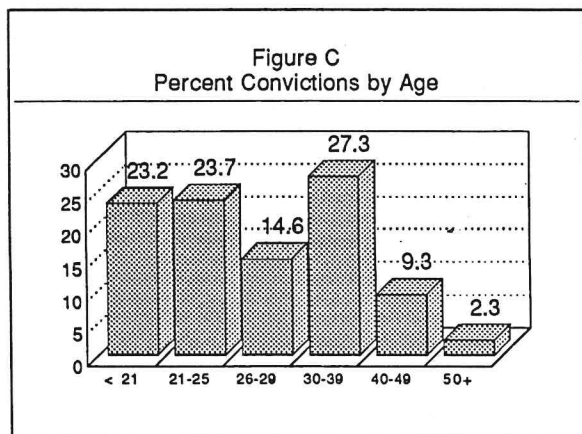
A. Convictions by Gender

Figure B shows that the majority of felony offenders were male (88%). *Table 4* shows further details of the breakdown by gender, age and race.



B. Convictions by Age

Figure C shows that nearly two thirds of the offenders were under the age of 30 (61%) and nearly one-fourth were under the age of 21 (23%). Slightly more than 11% of the convicted felons were 40 years of age or older. *Figure D* graphs the distribution of felony offenders by age. The volume of offenders peaks in the late teens and early twenties and then declines as age increases. *Table 4* shows further details of the breakdown by age, gender and race.



C. Convictions by Race

Figure E shows that nearly two-thirds of felony offenders were Black (62.9%) and about one-third were White (33.1%). Only a very small percentage of offenders were Indian (1.6%), Hispanic (0.6%), or Unknown (1.8%). Table 4 shows further details of the breakdown by race, age and gender.

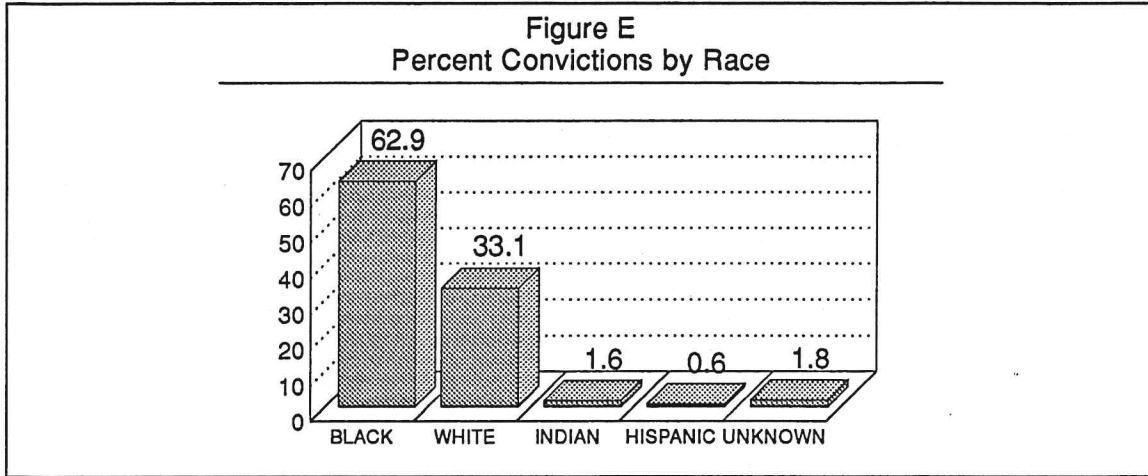


Table 4: Convictions by Gender, Race, and Age

GENDER AND RACE BY AGE		AGE						TOTAL
		<21	21-25	26-29	30-39	40-49	>49	
		NUMBER	NUMBER	NUMBER	NUMBER	NUMBER	NUMBER	
Male	RACE							
	Asian	1	.	.	1	.	.	2
	Black	858	540	406	805	272	66	2947
	Hispanic	6	5	8	10	1	.	30
	American Indian	34	10	17	8	3	2	74
	Unknown	20	12	13	13	5	.	63
	White	431	293	188	347	139	38	1436
SUB-TOTAL	1350	860	632	1184	420	106	4552	
Female	RACE							
	Black	40	47	75	106	39	6	313
	Hispanic	.	.	.	1	.	.	1
	American Indian	2	3	1	3	.	.	9
	Unknown	4	.	1	1	.	.	6
	White	57	48	41	93	20	7	266
	SUB-TOTAL	103	98	118	204	59	13	595
TOTAL		1453	958	750	1388	479	119	5147

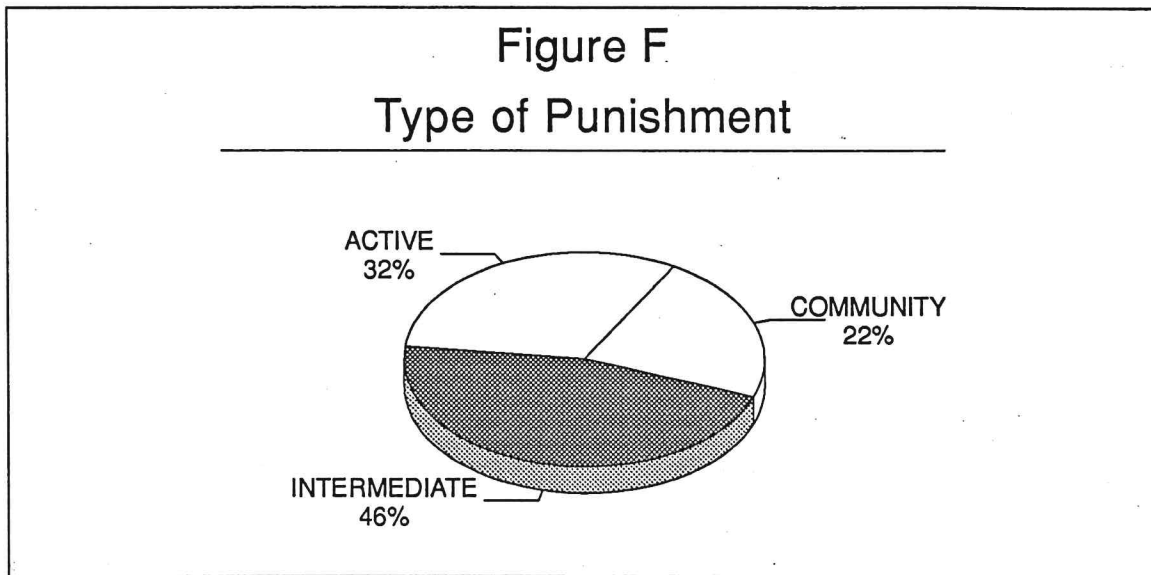
Note: There are missing values for age.

III. THE PUNISHMENT IMPOSED

This section details the type of punishment imposed (Active Punishment, Intermediate Punishment, or Community Punishment). It also shows the average minimum and maximum sentences imposed for those offenders who received an Active Punishment. Additional breakdowns of punishments by demographic characteristics are shown in *Appendix A*. This section excludes convictions with reporting errors.

A. Overall Punishment

Figure F shows that approximately 32% of all felony offenders received Active Punishments, about 46% received Intermediate Punishments, and about 22% received Community Punishments.



B. Punishment by Offense Class

Table 5 shows the punishment received by Felony Offense Class. The table shows that all offenders in Offense Classes A through D received an Active punishment.³ As expected, the percentage of offenders receiving an active sentence increases as the Offense Class increases. However, Offense Class G has a higher Active punishment rate than Offense Class F and approximately the same Active punishment rate as Offense Class E.

The table further shows the average minimum and maximum sentence by Offense Class for those offenders who received an active sentence.⁴ As expected, the average minimum and maximum sentence imposed increases as the Offense Class increases.⁵

Table 5: Punishment by Offense Class

SENTENCE CLASS AND AVERAGE LENGTH OF ACTIVE SENTENCES	DISPOSITION						MINIMUM ACTIVE SENTENCE (MONTHS)	MAXIMUM ACTIVE SENTENCE (MONTHS)	TOTAL
	ACTIVE		INTERMEDIATE		COMMUNITY				
	NUMBER	%	NUMBER	%	NUMBER	%	MEAN	MEAN	NUMBER
FELONY CLASSES:									
A	2	100.0	.	.	.	.	.	.	2
B1	8	100.0	.	.	.	.	274.8	338.9	8
B2	43	100.0	.	.	.	.	148.8	187.8	43
C	108	100.0	.	.	.	.	76.8	100.9	108
D	147	100.0	.	.	.	.	66.1	88.3	147
E	122	60.4	80	39.6	.	.	30.4	45.1	202
F	51	40.5	75	59.5	.	.	18.8	23.1	126
G	221	60.9	142	39.1	.	.	15.5	19.1	363
H	593	27.5	1215	56.3	350	16.2	10.5	12.9	2158
I	133	9.7	579	42.1	664	48.3	7.5	9.5	1376
TOTAL	1428	31.5	2091	46.1	1014	22.4	29.4	38.2	4533

C. Punishment by Offense Class and Prior Record Level

Table 6 shows the punishment received by Offense Class and Prior Record Level. Also shown is the average minimum and maximum sentence for each combination of Offense Class and Prior Record.⁶ As expected, Offense Classes A through D all received an active sentence. Where the judge had the option of giving an active or an intermediate sentence, offenders convicted of Offense Class F with a Prior Record Level I were most likely to receive an intermediate sentence (70 percent) while offenders convicted of Offense Class H with a Prior Record Level V received the highest percent of active sentences (over 95 percent).

D. Punishment by Crime Category

Table 7 displays the punishment received by crime category. Of the four crime types, Person Offenses had the highest percent receiving an Active Punishment and the lowest percent receiving either an Intermediate or a Community Punishment. Drug Offenses had the lowest percent receiving an Active Punishment and the highest percent receiving a Community Punishment. Crimes of violence (murder, armed robbery, rape, etc.) were most likely to receive active sentences while property crimes and public order crimes (larceny, forgery, embezzlement, drug possession, etc.) were least likely to receive active sentences. This table also shows the average minimum and maximum sentence imposed for offenders who received an Active Punishment. The longest average sentences were found for violent crimes while the shortest average active sentences were found for property crimes and public order crimes.⁷

Table 6: Punishment by Offense Class and Prior Record Level

SENTENCE CLASS AND AVERAGE LENGTH OF ACTIVE SENTENCES		DISPOSITION						MINIMUM ACTIVE SENTENCE (MONTHS)	MAXIMUM ACTIVE SENTENCE (MONTHS)	TOTAL
		ACTIVE		INTERMEDIATE		COMMUNITY				
		NUMBER	%	NUMBER	%	NUMBER	%			
FELONY CLASSES:	PRIOR RECORD									
A	I	2	100.0	.	.	.	.	.	.	2
B1	I	2	100.0	.	.	.	.	192.0	239.5	2
	II	4	100.0	.	.	.	.	297.5	366.0	4
	III	2	100.0	.	.	.	.	312.0	384.0	2
B2	I	20	100.0	.	.	.	.	131.5	167.2	20
	II	12	100.0	.	.	.	.	147.4	186.2	12
	III	9	100.0	.	.	.	.	179.4	224.4	9
	IV	1	100.0	.	.	.	.	204.0	254.0	1
	V	1	100.0	.	.	.	.	180.0	225.0	1
C	I	24	100.0	.	.	.	.	56.8	77.1	24
	II	42	100.0	.	.	.	.	71.6	95.1	42
	III	27	100.0	.	.	.	.	89.6	115.4	27
	IV	15	100.0	.	.	.	.	100.3	129.5	15
D	I	42	100.0	.	.	.	.	46.6	65.0	42
	II	47	100.0	.	.	.	.	59.0	79.7	47
	III	37	100.0	.	.	.	.	77.2	101.9	37
	IV	16	100.0	.	.	.	.	96.3	124.8	16
	V	3	100.0	.	.	.	.	109.0	140.0	3
	VI	2	100.0	.	.	.	.	129.5	162.5	2
E	I	29	40.3	43	59.7	.	.	23.9	36.8	72
	II	46	55.4	37	44.6	.	.	27.0	41.0	83
	III	26	100.0	.	.	.	.	31.7	46.8	26
	IV	17	100.0	.	.	.	.	41.5	58.4	17
	V	4	100.0	.	.	.	.	61.5	83.5	4
F	I	15	30.0	35	70.0	.	.	15.1	18.7	50
	II	18	33.3	36	66.7	.	.	18.2	21.9	54
	III	13	76.5	4	23.5	.	.	20.9	26.4	17
	IV	5	100.0	.	.	.	.	26.2	31.6	5
G	I	29	33.3	58	66.7	.	.	11.9	14.5	87
	II	62	50.4	61	49.6	.	.	13.6	16.7	123
	III	75	83.3	15	16.7	.	.	15.1	18.6	90
	IV	40	83.3	8	16.7	.	.	18.7	22.9	48
	V	9	100.0	.	.	.	.	20.9	25.8	9
	VI	6	100.0	.	.	.	.	29.5	37.0	6
H	I	.	.	300	46.2	350	53.8	.	.	650
	II	.	.	675	100.0	.	.	.	.	675
	III	309	62.7	184	37.3	.	.	9.1	11.2	493
	IV	211	79.6	54	20.4	.	.	10.5	13.0	265
	V	42	95.5	2	4.5	.	.	13.7	16.7	44
	VI	31	100.0	.	.	.	.	19.7	24.3	31
I	I	.	.	.	.	389	100.0	.	.	389
	II	.	.	299	52.1	275	47.9	.	.	574
	III	.	.	237	100.0	.	.	.	.	237
	IV	106	72.6	40	27.4	.	.	7.2	9.2	146
	V	15	93.8	1	6.3	.	.	8.5	10.7	16
	VI	12	85.7	2	14.3	.	.	8.8	10.9	14
TOTAL		1428	31.5	2091	46.1	1014	22.4	29.4	38.2	4533

Table 7: Punishment by Crime Category

TYPE OF SENTENCE AND AVERAGE LENGTH OF ACTIVE SENTENCES		DISPOSITION						MINIMUM ACTIVE SENTENCE (MONTHS)	MAXIMUM ACTIVE SENTENCE (MONTHS)	TOTAL
		ACTIVE		INTERMEDIATE		COMMUNITY				
		NUMBER	%	NUMBER	%	NUMBER	%	MEAN	MEAN	NUMBER
CRIME TYPE	OFFENSES:									
PERSON	MURDER, 1ST DEGREE	2	100.0	.	.	.	.	.	.	2
	MURDER, 2ND DEGREE.	43	100.0	.	.	.	.	148.8	187.8	43
	MANSLAUGHTER, - VOLUNTARY	14	100.0	.	.	.	.	35.6	51.6	14
	MANSLAUGHTER, - INVOLUNTARY	8	66.7	4	33.3	.	.	17.5	21.5	12
	ARMED ROBBERY	128	99.2	1	0.8	.	.	65.6	87.7	129
	COMMON LAW ROBBERY	119	55.1	93	43.1	4	1.9	15.7	19.4	216
	AWDWIKISI	23	100.0	.	.	.	.	81.0	106.6	23
	AWDW INTENT TO KILL	5	45.5	6	54.5	.	.	32.6	45.4	11
	AWDW SERIOUS INJURY	74	56.5	57	43.5	.	.	30.1	44.8	131
	AWDW OFFCL, GOVRNNT OFFCL, EMRGNCY PERSNL	11	55.0	9	45.0	.	.	20.0	25.4	20
	RAPE, SEX OFFENSE 1ST	8	100.0	.	.	.	.	274.8	338.9	8
	RAPE, SEX OFF 2ND	19	100.0	.	.	.	.	76.0	98.3	19
	RAPE, S.O. #2 ,ATT	3	100.0	.	.	.	.	63.0	85.0	3
	INDECENT LIBERTIES W/ CHILD	24	43.6	31	56.4	.	.	18.7	22.8	55
	CHILD ABUSE	2	40.0	3	60.0	.	.	25.0	34.0	5
	OTHER SEX CRIMES	.	.	1	100.0	.	.	.	.	1
	KIDNAP, ABDUCT-ION	23	85.2	4	14.8	.	.	42.3	59.7	27
	ALL OTHER PERSON	4	66.7	2	33.3	.	.	47.3	58.0	6
	SUB-TOTAL		510	70.3	211	29.1	4	0.6	53.7	70.5	725

(CONTINUED)

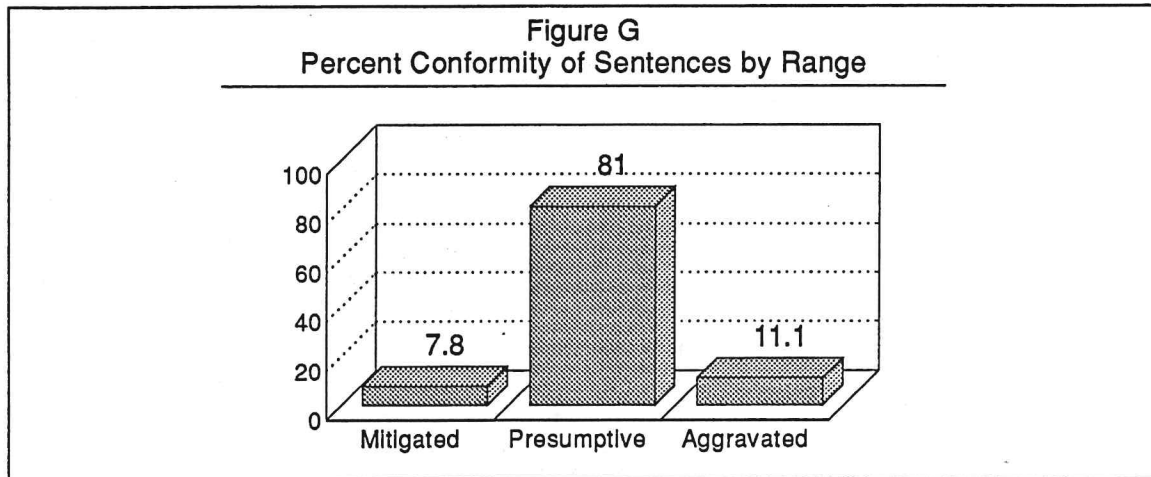
TYPE OF SENTENCE AND AVERAGE LENGTH OF ACTIVE SENTENCES		DISPOSITION						MINIMUM ACTIVE SENTENCE (MONTHS)	MAXIMUM ACTIVE SENTENCE (MONTHS)	TOTAL
		ACTIVE		INTERMEDIATE		COMMUNITY				
		NUMBER	%	NUMBER	%	NUMBER	%	MEAN	MEAN	NUMBER
PROPERTY	OFFENSES:									
	BURGLARY, 1ST DEG	17	100.0	.	.	.	.	66.2	88.7	17
	BURGLARY, 2ND DEG	32	58.2	23	41.8	.	.	16.3	20.2	55
	BREAKING/ENTERING	276	30.3	469	51.5	165	18.1	10.8	13.3	910
	LARCENY	89	25.7	199	57.5	58	16.8	10.1	12.4	346
	1ST DEGREE ARSON	1	100.0	.	.	.	.	33.0	49.0	1
	2ND DEGREE ARSON	5	71.4	2	28.6	.	.	15.6	19.2	7
	OTHER ARSON	.	.	6	100.0	.	.	.	.	6
	FORGERY	22	10.0	96	43.8	101	46.1	7.9	9.9	219
	FRAUD	1	5.6	14	77.8	3	16.7	7.0	9.0	18
	EMBEZZLEMENT	4	8.9	18	40.0	23	51.1	9.3	11.5	45
	ALL OTHER PROPTY	87	23.5	205	55.3	79	21.3	10.2	12.5	371
	DRUGS	OFFENSES:								
DRUG POSSESSION		63	8.9	304	43.1	339	48.0	7.6	9.6	706
OTHER DRUG FELONIES		136	17.2	439	55.4	217	27.4	10.3	12.7	792
SUB-TOTAL		199	13.3	743	49.6	556	37.1	9.4	11.8	1498
OTHER FELONY	OFFENSES:									
	WEAPON OFFENSE	34	36.2	45	47.9	15	16.0	14.7	19.8	94
	HABITUAL FELON	58	100.0	.	.	.	.	73.9	97.7	58
	ALL OTHER FELONY	93	57.1	60	36.8	10	6.1	13.4	16.6	163
	SUB-TOTAL	185	58.7	105	33.3	25	7.9	32.6	42.6	315
TOTAL		1428	31.5	2091	46.1	1014	22.4	29.4	38.2	4533

IV. CONFORMITY TO THE STRUCTURED SENTENCING RANGES

This section only includes offenders who received an active sentence. It details the percentage of sentences imposed from the presumptive, mitigated or aggravated range. Additional breakdowns of conformity by demographic characteristics are shown in *Appendix A*.

A. Overall Conformity

Figure G shows that 81% of all active sentences fell within the presumptive range, about 8% fell within the mitigated range, and over 11% fell within the aggravated range.



B. Conformity by Offense Class

Table 8 details conformity to the sentence ranges by the Offense Class. At least sixty-two percent of the sentences were in the presumptive range for each offense class. Generally, the lower the offense class the higher the percent of sentences in the presumptive range.

Table 8: Conformity by Offense Class

NUMBER AND PERCENT OF ACTIVE CASES FALLING WITHIN SPECIFIED SENTENCE RANGE	RANGES						TOTAL NUMBER
	MITIGATED RANGE		PRESUMPTIVE RANGE		AGGRAVATED RANGE		
	NUMBER	%	NUMBER	%	NUMBER	%	
CLASSIFICATION FROM OFFENSE CODE:							
A	.	.	2	100.0	.	.	2
B1	1	12.5	5	62.5	2	25.0	8
B2	7	16.3	30	69.8	6	14.0	43
C	25	23.1	71	65.7	12	11.1	108
D	27	18.4	104	70.7	16	10.9	147
E	10	8.2	91	74.6	21	17.2	122
F	4	7.8	37	72.5	10	19.6	51
G	12	5.4	185	83.7	24	10.9	221
H	18	3.0	523	88.2	52	8.8	593
I	8	6.0	109	82.0	16	12.0	133
TOTAL	112	7.8	1157	81.0	159	11.1	1428

C. Conformity by Offense Class and Prior Record Level

Table 9 shows conformity to the sentence ranges by both Offense Class and Prior Record Level.

Table 9: Conformity by Offense Class and Prior Record Level

NUMBER AND PERCENT OF ACTIVE CASES FALLING WITHIN SPECIFIED SENTENCE RANGE		RANGES						TOTAL NUMBER
		MITIGATED RANGE		PRESUMPTIVE RANGE		AGGRAVATED RANGE		
		NUMBER	%	NUMBER	%	NUMBER	%	
CLASSIFICATION FROM OFFENSE CODE:	PRIOR RECORD							
A	I	.	.	2	100.0	.	.	2
B1	I	1	50.0	1	50.0	.	.	2
	II	.	.	2	50.0	2	50.0	4
	III	.	.	2	100.0	.	.	2
B2	I	3	15.0	13	65.0	4	20.0	20
	II	2	16.7	9	75.0	1	8.3	12
	III	1	11.1	7	77.8	1	11.1	9
	IV	.	.	1	100.0	.	.	1
	V	1	100.0	.	.	.	.	1
C	I	2	8.3	19	79.2	3	12.5	24
	II	9	21.4	31	73.8	2	4.8	42
	III	8	29.6	14	51.9	5	18.5	27
	IV	6	40.0	7	46.7	2	13.3	15
D	I	11	26.2	27	64.3	4	9.5	42
	II	8	17.0	35	74.5	4	8.5	47
	III	6	16.2	28	75.7	3	8.1	37
	IV	2	12.5	11	68.8	3	18.8	16
	V	.	.	2	66.7	1	33.3	3
	VI	.	.	1	50.0	1	50.0	2
E	I	3	10.3	23	79.3	3	10.3	29
	II	4	8.7	34	73.9	8	17.4	46
	III	2	7.7	20	76.9	4	15.4	26
	IV	1	5.9	13	76.5	3	17.6	17
	V	.	.	1	25.0	3	75.0	4
F	I	1	6.7	13	86.7	1	6.7	15
	II	2	11.1	13	72.2	3	16.7	18
	III	1	7.7	8	61.5	4	30.8	13
	IV	.	.	3	60.0	2	40.0	5
G	I	2	6.9	25	86.2	2	6.9	29
	II	4	6.5	53	85.5	5	8.1	62
	III	3	4.0	65	86.7	7	9.3	75
	IV	3	7.5	31	77.5	6	15.0	40
	V	.	.	7	77.8	2	22.2	9
	VI	.	.	4	66.7	2	33.3	6
H	III	10	3.2	279	90.3	20	6.5	309
	IV	5	2.4	182	86.3	24	11.4	211
	V	3	7.1	36	85.7	3	7.1	42
	VI	.	.	26	83.9	5	16.1	31
I	IV	6	5.7	88	83.0	12	11.3	106
	V	1	6.7	11	73.3	3	20.0	15
	VI	1	8.3	10	83.3	1	8.3	12
TOTAL		112	7.8	1157	81.0	159	11.1	1428

D. Conformity by Crime Category

Table 10 shows conformity to the sentence ranges for selected crimes categories. Of the four crime types, Person Offenses had the highest percent receiving an aggravated sentence (almost 15 percent), while "Other" Offenses had the lowest aggravated sentences (over 5 percent). "Other" Offenses also had the highest percent receiving a mitigated sentence (almost 16 percent), while Drug Offenses had the lowest percent receiving a mitigated sentence (4 percent).

Table 10: Conformity by Crime Category

NUMBER AND PERCENT OF ACTIVE CASES FALLING WITHIN SPECIFIED SENTENCE RANGE		RANGES						TOTAL	
		MITIGATED RANGE		PRESUMPTIVE RANGE		AGGRAVATED RANGE			
		NUMBER	%	NUMBER	%	NUMBER	%		
CRIME TYPE	OFFENSES:								
PERSON	MURDER, 1ST DEGREE	.	.	2	100.0	.	.	2	
	MURDER, 2ND DEGREE.	7	16.3	30	69.8	6	14.0	43	
	MANSLAUGHTER, -VOLUNTARY	.	.	11	78.6	3	21.4	14	
	MANSLAUGHTER, -INVOLUNTARY	2	25.0	4	50.0	2	25.0	8	
	ARMED ROBBERY	22	17.2	95	74.2	11	8.6	128	
	COMMON LAW ROBBERY	5	4.2	99	83.2	15	12.6	119	
	AWDWIKISI	2	8.7	16	69.6	5	21.7	23	
	AWDW INTENT TO KILL	.	.	5	100.0	.	.	5	
	AWDW SERIOUS INJURY	8	10.8	52	70.3	14	18.9	74	
	AWDW OFFCL, GOVRNNT OFFCL, EMRGNCY PERSNL	.	.	8	72.7	3	27.3	11	
	RAPE, SEX OFFENSE 1ST	1	12.5	5	62.5	2	25.0	8	
	RAPE, SEX OFF 2ND	4	21.1	11	57.9	4	21.1	19	
	RAPE, S.O. #2, ATT	.	.	2	66.7	1	33.3	3	
	INDECENT LIBERTIES W/ CHILD	1	4.2	20	83.3	3	12.5	24	
	CHILD ABUSE	.	.	2	100.0	.	.	2	
	KIDNAP, ABDUCTION	.	.	19	82.6	4	17.4	23	
	ALL OTHER PERSON	.	.	1	25.0	3	75.0	4	
	SUB-TOTAL		52	10.2	382	74.9	76	14.9	510

NUMBER AND PERCENT OF ACTIVE CASES FALLING WITHIN SPECIFIED SENTENCE RANGE		RANGES						TOTAL	
		MITIGATED RANGE		PRESUMPTIVE RANGE		AGGRAVATED RANGE			
		NUMBER	%	NUMBER	%	NUMBER	%		
PROPERTY	OFFENSES:								
PROPERTY	BURGLARY, 1ST DEG	4	23.5	9	52.9	4	23.5	17	
	BURGLARY, 2ND DEG	1	3.1	26	81.3	5	15.6	32	
	BREAKING/ENTR- RNC	8	2.9	238	86.2	30	10.9	276	
	LARCENY	3	3.4	79	88.8	7	7.9	89	
	1ST DEGREE ARSON	1	100.0	.	.	.	.	1
	2ND DEGREE ARSON	.	.	5	100.0	.	.	5	
	FORGERY	1	4.5	19	86.4	2	9.1	22	
	FRAUD	.	.	1	100.0	.	.	1	
	EMBEZZLEMENT	.	.	4	100.0	.	.	4	
	ALL OTHER PROPTY	5	5.7	74	85.1	8	9.2	87	
	SUB-TOTAL	23	4.3	455	85.2	56	10.5	53	
	DRUGS	DRUG POSSESSION	5	7.9	52	82.5	6	9.5	63
		OTHER DRUG FELONIES	3	2.2	122	89.7	11	8.1	136
		SUB-TOTAL	8	4.0	174	87.4	17	8.5	199
OTHER FELONY	OFFENSES:								
OTHER FELONY	WEAPON OFFENSE	4	11.8	27	79.4	3	8.8	34	
	HABITUAL FELON	19	32.8	37	63.8	2	3.4	58	
	ALL OTHER FELONY	6	6.5	82	88.2	5	5.4	93	
	SUB-TOTAL	29	15.7	146	78.9	10	5.4	185	
TOTAL		112	7.8	1157	81.0	159	11.1	1428	

V. IMPOSITION OF INTERMEDIATE PUNISHMENTS

This section summarizes the type of Intermediate Punishment imposed. It only includes offenders who received an Intermediate Punishment. The specified Intermediate Punishments are Special Probation (SP), Intensive Motivational Program of Alternative Correctional Treatment (IMPACT), Intensive Supervision Probation (ISP), Electronic House Arrest (EHA), Residential Treatment Facility (RESFAC), Day Reporting Center (DAY), or Community Penalties Program (COMMPN). See *Appendix C* for a brief description of each type of Intermediate Punishment.

During the first half of 1995, 2091 offenders received Intermediate Punishments. However, the specific type of Intermediate Punishment imposed was only reported for 709 of these offenders.⁸ It is further possible that a single offender could receive more than one type of Intermediate Punishment. Consequently, the following tables reflect total Intermediate Punishments imposed rather than the total number of offenders receiving Intermediate Punishments.

A. Type of Intermediate Punishment Imposed

Figure H shows the number of offenders receiving each type of Intermediate Punishment. Of those cases reporting, the most frequently invoked Intermediate Punishment was Special Probation. During this time period, there were no reports of sentences to Day Reporting Centers.

B. Type of Intermediate Punishment by Offense Class

Table 11 shows the frequency of Intermediate Punishments by Offense Class. Of those cases reporting, the greatest number of Intermediate Punishments were imposed for Class H felonies.

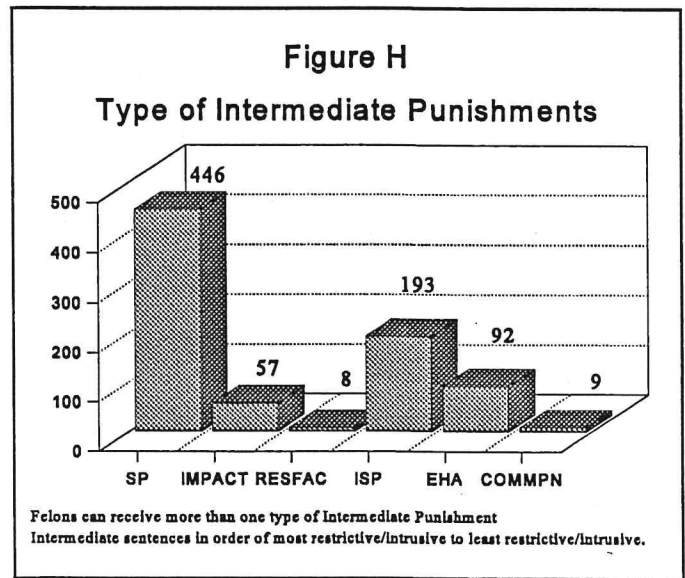


Table 11: Type of Intermediate Punishment by Offense Class

NUMBER OF INTERMEDIATE CASES FALLING WITHIN FELONY CLASS	SPECIAL PROBATION	IMPACT	RESIDENTIAL FACILITY	INTENSIVE SUPERVISION PROBATION	ELECTRONIC MONITORING	COMMUNITY PENALTY PLAN	TOTAL
FELONY CLASSES:							
E	16	4	.	2	7	.	29
F	21	.	.	2	2	.	25
G	35	5	1	16	12	1	70
H	244	43	6	125	46	4	468
I	130	5	1	48	25	4	213
TOTAL	446	57	8	193	92	9	805

C. Type of Intermediate Punishment by Offense Class and Prior Record Level

Table 12 shows the frequency of Intermediate Punishments by Offense Class and Prior Record Level. As expected, most of the Intermediate Punishments originate in the lower offense classes and lower prior record levels.

Table 12: Type of Intermediate Punishment by Offense Class and Prior Record

NUMBER OF INTERMEDIATE CASES FALLING WITHIN FELONY CLASS AND PRIOR RECORD		SPECIAL PROBATION	IMPACT	RESIDENTIAL FACILITY	INTENSIVE SUPERVISION PROBATION	ELECTRONIC MONITORING	COMMUNITY PENALTY PLAN	TOTAL
FELONY CLASSES:	PRIOR RECORD							
E	I	6	2	.	1	3	.	12
	II	10	2	.	1	4	.	17
F	I	10	.	.	.	1	.	11
	II	9	.	.	2	1	.	12
	III	2	.	.	.	.	.	2
G	I	10	3	.	5	2	.	20
	II	17	1	1	7	5	.	31
	III	4	1	.	2	4	1	12
	IV	4	.	.	2	1	.	7
H	I	42	19	.	18	16	1	96
	II	131	22	4	82	23	2	264
	III	54	2	2	19	5	1	83
	IV	16	.	.	6	2	.	24
	V	1	.	.	.	.	.	1
I	II	61	4	.	20	12	1	98
	III	62	1	1	23	12	3	102
	IV	6	.	.	5	1	.	12
	VI	1	.	.	.	.	.	1
TOTAL		446	57	8	193	92	9	805

D. Type of Intermediate Punishment by Crime Category

Table 13 shows the frequency of Intermediate Punishments by selected crime categories. Of those cases reporting, Property Offenses had the greatest number receiving one or more types of Intermediate Punishment. Other Felony Offenses (includes weapons and all other felonies) received the least number of Intermediate Punishments. The most frequent use of Intermediate Punishments was for felony breaking and entering and for non-trafficking drug crimes.

B. Habitual Felons

Table 15 shows felons that received habitual felon status made up less than 1.5 percent of all sentences. The majority of habitual felons were found in Offense Class H. Felony Breaking and Entering was the most frequently occurring serious crime associated with habitual felon convictions.

Table 15: Breakdown by Offense Class and Crime Category of Most Serious Crime Associated with Habitual Felon Convictions

Felony Class	Offenses	Total of Offenses	Total by Felony Class
Class D			4
	Att Robbery - Dang. Weapon	1	
	Robbery with Dang. Weapon	1	
	First Degree Burglary	1	
	Traffic Cocaine	1	
Class E			4
	Second Degree Kidnapping	1	
	Voluntary Manslaughter	1	
	AWDW Intent to Kill	1	
	AWDW Serious Injury	1	
Class G			10
	Common Law Robbery	7	
	Second Degree Burglary	2	
	Habitual Impaired Driving	1	
Class H			36
	Breaking and/or Entering	12	
	Felony Larceny	7	
	Larceny from the Person	1	
	Felony Possession of Stolen Goods	5	
	Obtain Property False Pretense	2	
	Sell/Delivery Cocaine	1	
	P/W/I/S/D Cocaine	7	
	P/W/I/M/S/D Cocaine	1	
Class I			8
	Breaking or Entering a Motor Vehicle	1	
	Forgery of Instrument	1	
	Uttering Forged Instrument	1	
	Felony Financial Card Fraud	1	
	Possess Cocaine	4	
Total			62

C. Deadly Weapon Enhancements

One sentence occurred that had a deadly weapon enhancement. The offense committed was First Degree Kidnapping (Offense Class C). The felon was given an active sentence with a minimum of 63 months and a maximum of 85 months plus 60 months for deadly weapon enhancement.

D. Death and Life without Parole

Only two sentences occurred in which the offender received an active sentence of life without parole. In both cases, the offense committed was Murder (Class A).

E. Drug Trafficking Sentences

With only 37 cases during this time period, drug trafficking offenders made up less than 1 percent of all sentences. Trafficking Cocaine (Offense Class G) was the most frequently occurring drug trafficking offense.

Table 16: Drug Trafficking Sentences

TYPE OF SENTENCE AND AVERAGE LENGTH OF ACTIVE SENTENCES		DISPOSITION				MINIMUM ACTIVE SENTENCE (MONTHS)	MAXIMUM ACTIVE SENTENCE (MONTHS)	TOTAL
		ACTIVE		INTERMEDIATE				
		NUMBER	%	NUMBER	%	MEAN	MEAN	NUMBER
OFFENSE CLASS	OFFENSES:							
D	TRAFFIC COCAINE	1	100.0	.	.	175.0	219.0	1
	SUB-TOTAL	1	100.0	.	.	175.0	219.0	1
E	OFFENSES:							
	TRAFFIC HEROIN	1	100.0	.	.	90.0	117.0	1
	SUB-TOTAL	1	100.0	.	.	90.0	117.0	1
F	OFFENSES:							
	TRAFFIC COCAINE	2	100.0	.	.	70.0	84.0	2
	TRAFFIC HEROIN	1	100.0	.	.	70.0	84.0	1
	SUB-TOTAL	3	100.0	.	.	70.0	84.0	3
G	OFFENSES:							
	TRAFFIC COCAINE	25	92.6	2	7.4	34.3	41.6	27
	CONSP TRAF COCAINE	4	100.0	.	.	35.0	42.0	4
	SUB-TOTAL	29	93.5	2	6.5	34.4	41.6	31
H	OFFENSES:							
	CONSP TRAF COCAINE	.	.	1	100.0	.	.	1
	SUB-TOTAL	.	.	1	100.0	.	.	1
TOTAL		34	91.9	3	8.1	43.3	52.8	37

F. Special Probation

Sentences in which the offender received special probation made up almost 10 percent of all sentences. Offense Class H had the highest number of offenders receiving special probation. This class also had the highest number sentenced to jail and prison.

Table 17: Special Probation by Offense Class and Location

JAIL AND PRISON AVERAGE ACTIVE SENTENCE LENGTH	JAIL NUMBER	PRISON NUMBER	JAIL	PRISON	TOTAL SPECIAL PROBATION LENGTH (DAYS) MEAN	TOTAL NUMBER
			SPECIAL PROBATION LENGTH (DAYS) MEAN	SPECIAL PROBATION LENGTH (DAYS) MEAN		
			OFFENSE CLASS			
E	11	5	51.7	145.7	81.1	16
F	14	7	68.3	160.7	99.1	21
G	31	5	87.4	116.0	91.4	36
H	200	44	59.0	80.4	62.8	244
I	106	24	45.7	69.9	50.2	130
TOTAL	362	85	57.7	90.0	63.8	447

Table 18 shows that offenders convicted of Property Offenses were the most likely to receive special probation. "Other Drug Felonies" was the single crime category with the highest number (108) receiving special probation. It was followed by breaking and entering (90).

Table 18: Special Probation by Crime Category and Location

TOTAL JAIL AND PRISON AVERAGE ACTIVE SENTENCE LENGTH		JAIL NUMBER	PRISON NUMBER	JAIL	PRISON	TOTAL SPECIAL PROBATION LENGTH (DAYS)	TOTAL
				SPECIAL PROBATION LENGTH (DAYS)	SPECIAL PROBATION LENGTH (DAYS)		
				MEAN	MEAN			MEAN	NUMBER
CRIME TYPE	OFFENSE CATEGORY						
PERSON	ARMED ROBBERY	1	.	90.0	.	90.0	1
	COMMON LAW ROBBERY	18	3	92.2	122.9	96.6	21
	AWDW SERIOUS INJURY	8	3	54.9	151.6	81.3	11
	AWDW OFFCL, GOVRNNT OFFCL, EMRGNCY PERSNL	2	1	75.8	182.4	111.3	3
	INDECENT LIBERTIES W/ CHILD	8	5	82.9	152.0	109.5	13
	KIDNAP, ABDUCT- ION	.	1	.	182.4	182.4	1
	ALL OTHER PERSON	1	.	60.0	.	60.0	1
	PROPERTY	BURGLARY, 2ND DEG	1	1	98.0	91.2	94.6	2
BREAKING/ENTE- RING		64	26	55.8	86.7	64.7	90
LARCENY		25	6	51.1	70.1	54.7	31
OTHER ARSON		1	.	33.0	.	33.0	1
FORGERY		17	3	51.5	65.3	53.6	20
FRAUD		2	3	45.0	70.9	60.6	5
EMBEZZLEMENT		5	.	28.0	.	28.0	5
ALL OTHER PROPTY		30	3	91.5	60.0	88.6	33
DRUGS	DRUG TRAFFICKING	1	.	45.0	.	45.0	1
	DRUG POSSESSION	57	9	43.4	63.6	46.2	66
	OTHER DRUG FELONIES	94	14	51.0	78.9	54.6	108
OTHER FELONY	WEAPON OFFENSE	6	3	30.3	81.1	47.2	9
	ALL OTHER FELONY	21	4	70.7	105.8	76.3	25
TOTAL		362	85	57.7	90.0	63.8	447

G. Community Service

Twenty percent of all offenders received community service as a sentence. *Table 19* provides information on community service hours received by Offense Class. Offenders in Offense Class H received the highest number of community service sentences. Offense Class G had the most community service hours, on average. *Table 20* shows that, overall, Property offenders received the most number of community service sentences. Breaking and Entering was the crime category with the largest number sentenced to community service. Offenders convicted of Common Law Robbery received the most number of community service hours, on average.

Table 19: Community Service by Offense Class

FELONY CLASS AND AVERAGE NUMBER OF COMMUNITY SERVICE HOURS ORDERED	COMMUNITY SERVICE HOURS	
	MEAN	TOTAL NUMBER
OFFENSE CLASS		
E	84.0	20
F	78.7	27
G	96.3	47
H	79.4	495
I	75.0	345
TOTAL	78.7	934

Table 20: Community Service by Crime Category

FELONY CATEGORY AND AVERAGE NUMBER OF COMMUNITY SERVICE HOURS ORDERED		COMMUNITY SERVICE HOURS		
		MEAN	TOTAL NUMBER	
CRIME TYPE	OFFENSE CATEGORY			
PERSON	MANSLAUGHTER, - INVOLUNTARY	72.0	1	
	COMMON LAW ROBBERY	101.5	34	
	AWDW INTENT TO KILL	72.0	1	
	AWDW SERIOUS INJURY	91.3	11	
	AWDW OFFCL, GOVRNNT OFFCL, EMRGNCY PERSNL	83.5	4	
	INDECENT LIBERTIES W/ CHILD	72.0	6	
	CHILD ABUSE	100.0	1	
	OTHER SEX CRIMES	72.0	1	
	KIDNAP, ABDUCTION	72.0	3	
	ALL OTHER PERSON	87.5	2	
	PROPERTY	BURGLARY, 2ND DEG	89.7	9
		BREAKING/ENTERING	82.0	227
LARCENY		82.5	70	
2ND DEGREE ARSON		100.0	1	
OTHER ARSON		98.0	4	
FORGERY		73.6	45	
FRAUD		72.6	5	
EMBEZZLEMENT		100.2	10	
ALL OTHER PROPTY		77.6	74	
DRUGS	DRUG TRAFFICKING	72.0	1	
	DRUG POSSESSION	72.9	172	
	OTHER DRUG FELONIES	75.2	215	
OTHER FELONY	WEAPON OFFENSE	72.3	25	
	ALL OTHER FELONY	70.1	12	
TOTAL		78.7	934	

APPENDIX A

DEMOGRAPHICS

Appendix Table I: Class/Gender by Range (Active)

NUMBER AND PERCENT OF ACTIVE CASES FALLING WITHIN SPECIFIED SENTENCE RANGE		RANGES						TOTAL NUMBER
		MITIGATED RANGE		PRESUMPTIVE RANGE		AGGRAVATED RANGE		
		NUMBER	%	NUMBER	%	NUMBER	%	
CLASSIFICATION FROM OFFENSE CODE:	GENDER							
A	Male	.	.	2	100.0	.	.	2
B1	Male	1	12.5	5	62.5	2	25.0	8
B2	Male	5	12.8	28	71.8	6	15.4	39
	Female	2	50.0	2	50.0	.	.	4
C	Male	24	22.6	70	66.0	12	11.3	106
	Female	1	50.0	1	50.0	.	.	2
D	Male	25	18.0	98	70.5	16	11.5	139
	Female	2	25.0	6	75.0	.	.	8
E	Male	8	7.3	83	75.5	19	17.3	110
	Female	2	16.7	8	66.7	2	16.7	12
F	Male	3	6.0	37	74.0	10	20.0	50
	Female	1	100.0	.	.	.	.	1
G	Male	11	5.1	180	84.1	23	10.7	214
	Female	1	14.3	5	71.4	1	14.3	7
H	Male	18	3.1	510	87.9	52	9.0	580
	Female	.	.	13	100.0	.	.	13
I	Male	7	5.8	99	81.8	15	12.4	121
	Female	1	8.3	10	83.3	1	8.3	12
TOTAL		112	7.8	1157	81.0	159	11.1	1428

Appendix Table II: Class/Race by Range (Active)

NUMBER AND PERCENT OF ACTIVE CASES FALLING WITHIN SPECIFIED SENTENCE RANGE		RANGES						TOTAL NUMBER
		MITIGATED RANGE		PRESUMPTIVE RANGE		AGGRAVATED RANGE		
		NUMBER	%	NUMBER	%	NUMBER	%	
CLASSIFICATION FROM OFFENSE CODE:	RACE							
A	Black	.	.	1	100.0	.	.	1
	White	.	.	1	100.0	.	.	1
B1	Black	.	.	1	33.3	2	66.7	3
	Hispanic	1	100.0	.	.	.	.	1
	Unknown	.	.	1	100.0	.	.	1
	White	.	.	3	100.0	.	.	3
B2	Black	4	15.4	16	61.5	6	23.1	26
	Unknown	.	.	2	100.0	.	.	2
	White	3	20.0	12	80.0	.	.	15
C	Black	21	27.3	49	63.6	7	9.1	77
	American Indian	.	.	1	100.0	.	.	1
	Unknown	.	.	2	100.0	.	.	2
	White	4	14.3	19	67.9	5	17.9	28
D	Asian	.	.	1	100.0	.	.	1
	Black	17	15.6	77	70.6	15	13.8	109
	American Indian	1	50.0	1	50.0	.	.	2
	Unknown	.	.	3	100.0	.	.	3
	White	9	28.1	22	68.8	1	3.1	32
E	Black	6	7.5	60	75.0	14	17.5	80
	Hispanic	.	.	1	100.0	.	.	1
	American Indian	.	.	1	100.0	.	.	1
	Unknown	1	8.3	8	66.7	3	25.0	12
	White	3	10.7	21	75.0	4	14.3	28
F	Black	3	11.5	20	76.9	3	11.5	26
	American Indian	1	100.0	.	.	.	.	1
	Unknown	.	.	1	100.0	.	.	1
	White	.	.	16	69.6	7	30.4	23
G	Asian	.	.	1	100.0	.	.	1
	Black	2	1.6	104	84.6	17	13.8	123
	Hispanic	.	.	2	100.0	.	.	2
	American Indian	1	25.0	1	25.0	2	50.0	4
	White	9	9.9	77	84.6	5	5.5	91
H	Black	12	2.9	361	87.8	38	9.2	411
	Hispanic	.	.	2	100.0	.	.	2
	American Indian	.	.	18	100.0	.	.	18
	Unknown	.	.	2	100.0	.	.	2
	White	6	3.8	140	87.5	14	8.8	160
I	Black	7	6.9	82	81.2	12	11.9	101
	American Indian	.	.	.	.	1	100.0	1
	Unknown	1	25.0	3	75.0	.	.	4
	White	.	.	24	88.9	3	11.1	27
TOTAL		112	7.8	1157	81.0	159	11.1	1428

Appendix Table III: Offense Class/Age by Range

OFFENSE CLASS, AGE AND RANGE		RANGE						TOTAL NUMBER
		MITIGATED RANGE		PRESUMPTIVE RANGE		AGGRAVATED RANGE		
		NUMBER	%	NUMBER	%	NUMBER	%	
FELONY CLASSES:	AGE							
A	30-39	.	.	.	.	1	100.0	1
	40-49	.	.	.	.	1	100.0	1
B1	26-29	.	.	1	100.0	.	.	1
	30-39	1	25.0	3	75.0	.	.	4
	40-49	.	.	1	100.0	.	.	1
	>49	.	.	.	.	2	100.0	2
B2	<21	1	5.9	11	64.7	5	29.4	17
	21-25	.	.	5	100.0	.	.	5
	26-29	1	33.3	1	33.3	1	33.3	3
	30-39	4	44.4	5	55.6	.	.	9
	40-49	.	.	4	100.0	.	.	4
	>49	.	.	3	100.0	.	.	3
C	<21	2	15.4	9	69.2	2	15.4	13
	21-25	3	16.7	12	66.7	3	16.7	18
	26-29	6	25.0	17	70.8	1	4.2	24
	30-39	7	20.0	25	71.4	3	8.6	35
	40-49	6	37.5	7	43.8	3	18.8	16
	>49	1	100.0	.	.	.	.	1
D	<21	15	25.0	41	68.3	4	6.7	60
	21-25	3	11.1	20	74.1	4	14.8	27
	26-29	2	10.5	12	63.2	5	26.3	19
	30-39	5	16.7	23	76.7	2	6.7	30
	40-49	1	14.3	5	71.4	1	14.3	7
	>49	1	100.0	.	.	.	.	1
E	<21	1	3.7	21	77.8	5	18.5	27
	21-25	3	13.0	16	69.6	4	17.4	23
	26-29	1	5.0	16	80.0	3	15.0	20
	30-39	3	11.1	19	70.4	5	18.5	27
	40-49	1	7.1	12	85.7	1	7.1	14
	>49	1	20.0	3	60.0	1	20.0	5

(CONTINUED)

OFFENSE CLASS, AGE AND RANGE		RANGE						TOTAL
		MITIGATED RANGE		PRESUMPTIVE RANGE		AGGRAVATED RANGE		
		NUMBER	%	NUMBER	%	NUMBER	%	
FELONY CLASSES:	AGE							
F	<21	.	.	10	100.0	.	.	10
	21-25	2	15.4	8	61.5	3	23.1	13
	26-29	.	.	1	33.3	2	66.7	3
	30-39	2	14.3	8	57.1	4	28.6	14
	40-49	.	.	7	87.5	1	12.5	8
	>49	.	.	2	100.0	.	.	2
G	<21	2	4.9	35	85.4	4	9.8	41
	21-25	2	6.5	27	87.1	2	6.5	31
	26-29	5	11.9	30	71.4	7	16.7	42
	30-39	2	2.7	62	84.9	9	12.3	73
	40-49	1	3.4	26	89.7	2	6.9	29
	>49	.	.	4	100.0	.	.	4
H	<21	3	4.3	59	84.3	8	11.4	70
	21-25	3	2.5	108	88.5	11	9.0	122
	26-29	4	3.7	95	88.8	8	7.5	107
	30-39	5	2.2	208	92.0	13	5.8	226
	40-49	2	3.8	40	75.5	11	20.8	53
	>49	.	.	7	87.5	1	12.5	8
I	<21	1	33.3	1	33.3	1	33.3	3
	21-25	2	10.5	14	73.7	3	15.8	19
	26-29	3	13.0	19	82.6	1	4.3	23
	30-39	1	1.5	56	86.2	8	12.3	65
	40-49	.	.	14	82.4	3	17.6	17
	>49	.	.	1	100.0	.	.	1
TOTAL		109	7.8	1134	80.9	159	11.3	1402

Appendix Table IV: Division/District by Range

NUMBER AND PERCENT OF ACTIVE CASES FALLING WITHIN SPECIFIED SENTENCE RANGE		RANGES						TOTAL NUMBER
		MITIGATED RANGE		PRESUMPTIVE RANGE		AGGRAVATED RANGE		
		NUMBER	%	NUMBER	%	NUMBER	%	
JUDICIAL DIVISION	JUDICIAL DISTRICT							
FIRST	1	1	8.3	11	91.7	.	.	12
	2	1	4.2	23	95.8	.	.	24
	3A	5	12.2	29	70.7	7	17.1	41
	3B	2	10.0	15	75.0	3	15.0	20
	4A	8	17.0	35	74.5	4	8.5	47
	4B	.	.	15	100.0	.	.	15
	5	3	5.8	44	84.6	5	9.6	52
	6A	.	.	10	66.7	5	33.3	15
	6B	1	5.0	17	85.0	2	10.0	20
	7A	2	15.4	11	84.6	.	.	13
	7B	2	3.8	46	88.5	4	7.7	52
	8A	.	.	19	86.4	3	13.6	22
	8B	2	14.3	11	78.6	1	7.1	14
		SUB-TOTAL	27	7.8	286	82.4	34	9.8	347
SECOND	JUDICIAL DISTRICT							
	9	2	4.5	32	72.7	10	22.7	44
	9A	1	10.0	9	90.0	.	.	10
	10	6	6.0	92	92.0	2	2.0	100
	11	2	5.0	28	70.0	10	25.0	40
	12	8	15.1	38	71.7	7	13.2	53
	13	2	7.1	22	78.6	4	14.3	28
	14	9	28.1	19	59.4	4	12.5	32
	15A	3	2.4	120	95.2	3	2.4	126
	15B	2	11.8	13	76.5	2	11.8	17
	16A	.	.	8	72.7	3	27.3	11
	16B	1	4.8	17	81.0	3	14.3	21
		SUB-TOTAL	36	7.5	398	82.6	48	10.0	482

NUMBER AND PERCENT OF ACTIVE CASES FALLING WITHIN SPECIFIED SENTENCE RANGE		RANGES						TOTAL	
		MITIGATED RANGE		PRESUMPTIVE RANGE		AGGRAVATED RANGE			
		NUMBER	%	NUMBER	%	NUMBER	%		NUMBER
JUDICIAL DIVISION	JUDICIAL DISTRICT								
THIRD	17A	2	8.7	19	82.6	2	8.7	23	
	17B	.	.	12	92.3	1	7.7	13	
	18	20	15.2	97	73.5	15	11.4	132	
	19A	1	2.9	29	82.9	5	14.3	35	
	19B	1	12.5	4	50.0	3	37.5	8	
	19C	1	3.6	27	96.4	.	.	28	
	20A	.	.	15	71.4	6	28.6	21	
	20B	.	.	21	84.0	4	16.0	25	
	21	8	8.6	74	79.6	11	11.8	93	
	22	2	3.1	56	86.2	7	10.8	65	
	23	.	.	13	81.3	3	18.8	16	
	SUB-TOTAL		35	7.6	367	80.0	57	12.4	459
	FOURTH	JUDICIAL DISTRICT							
24		.	.	2	50.0	2	50.0	4	
25A		1	33.3	2	66.7	.	.	3	
25B		1	10.0	6	60.0	3	30.0	10	
26		.	.	4	80.0	1	20.0	5	
27A		3	15.8	13	68.4	3	15.8	19	
27B		2	6.1	31	93.9	.	.	33	
28		5	10.2	35	71.4	9	18.4	49	
29		.	.	5	100.0	.	.	5	
30A		1	50.0	1	50.0	.	.	2	
30B		.	.	5	71.4	2	28.6	7	
SUB-TOTAL			13	9.5	104	75.9	20	14.6	137
TOTAL		111	7.8	1155	81.1	159	11.2	1425	

Appendix Table V: Class/Gender by Sentence

SENTENCE CLASS AND AVERAGE LENGTH OF ACTIVE SENTENCES		DISPOSITION						MINIMUM ACTIVE SENTENCE (MONTHS)	MAXIMUM ACTIVE SENTENCE (MONTHS)	TOTAL
		ACTIVE		INTERMEDIATE		COMMUNITY				
		NUMBER	%	NUMBER	%	NUMBER	%	MEAN	MEAN	NUMBER
FELONY CLASSES:	GENDER									
A	Male	2	100.0	.	.	.	.	.	.	2
B1	Male	8	100.0	.	.	.	.	274.8	338.9	8
B2	Male	39	100.0	.	.	.	.	149.2	188.4	39
	Female	4	100.0	.	.	.	.	144.5	182.5	4
C	Male	106	100.0	.	.	.	.	77.2	101.5	106
	Female	2	100.0	.	.	.	.	53.5	73.5	2
D	Male	139	100.0	.	.	.	.	66.7	89.1	139
	Female	8	100.0	.	.	.	.	55.6	74.9	8
E	Male	110	61.8	68	38.2	.	.	30.6	45.3	178
	Female	12	50.0	12	50.0	.	.	28.3	42.7	24
F	Male	50	41.3	71	58.7	.	.	18.9	23.2	121
	Female	1	20.0	4	80.0	.	.	12.0	15.0	5
G	Male	214	62.6	128	37.4	.	.	15.6	19.2	342
	Female	7	33.3	14	66.7	.	.	13.7	16.0	21
H	Male	580	29.8	1088	55.9	279	14.3	10.5	12.9	1947
	Female	13	6.2	127	60.2	71	33.6	9.0	11.2	211
I	Male	121	10.7	489	43.2	523	46.2	7.5	9.5	1133
	Female	12	4.9	90	37.0	141	58.0	7.7	9.6	243
TOTAL		1428	31.5	2091	46.1	1014	22.4	29.4	38.2	4533

Appendix Table VI: Class/Race by Sentence

SENTENCE CLASS AND AVERAGE LENGTH OF ACTIVE SENTENCES		DISPOSITION						MINIMUM ACTIVE SENTENCE (MONTHS)	MAXIMUM ACTIVE SENTENCE (MONTHS)	TOTAL
		ACTIVE		INTERMEDIATE		COMMUNITY				
		NUMBER	%	NUMBER	%	NUMBER	%			
FELONY CLASSES:	RACE									
A	Black	1	100.0	.	.	.	.	.	.	1
	White	1	100.0	.	.	.	.	.	.	1
B1	Black	3	100.0	.	.	.	.	316.7	389.0	3
	Hispanic	1	100.0	.	.	.	.	144.0	182.0	1
	Unknown	1	100.0	.	.	.	.	240.0	297.0	1
	White	3	100.0	.	.	.	.	288.0	355.0	3
B2	Black	26	100.0	.	.	.	.	151.3	190.8	26
	Unknown	2	100.0	.	.	.	.	114.0	146.0	2
	White	15	100.0	.	.	.	.	149.1	188.2	15
C	Black	77	100.0	.	.	.	.	78.0	102.2	77
	American Indian	1	100.0	.	.	.	.	104.0	134.0	1
	Unknown	2	100.0	.	.	.	.	78.0	103.0	2
	White	28	100.0	.	.	.	.	72.5	96.0	28
D	Asian	1	100.0	.	.	.	.	44.0	62.0	1
	Black	109	100.0	.	.	.	.	69.5	92.5	109
	American Indian	2	100.0	.	.	.	.	56.0	76.5	2
	Unknown	3	100.0	.	.	.	.	51.3	71.0	3
	White	32	100.0	.	.	.	.	56.9	77.2	32
E	Black	80	58.4	57	41.6	.	.	29.8	44.1	137
	Hispanic	1	50.0	1	50.0	.	.	25.0	39.0	2
	American Indian	1	50.0	1	50.0	.	.	31.0	47.0	2
	Unknown	12	75.0	4	25.0	.	.	32.4	48.2	16
	White	28	62.2	17	37.8	.	.	31.6	46.7	45
F	Black	26	44.1	33	55.9	.	.	18.2	22.7	59
	Hispanic	.	.	2	100.0	.	.	.	.	2
	American Indian	1	100.0	.	.	.	.	12.0	15.0	1
	Unknown	1	33.3	2	66.7	.	.	21.0	26.0	3
	White	23	37.7	38	62.3	.	.	19.6	23.7	61
G	Asian	1	100.0	.	.	.	.	12.0	15.0	1
	Black	123	59.7	83	40.3	.	.	16.2	20.0	206
	Hispanic	2	100.0	.	.	.	.	12.5	15.5	2
	American Indian	4	80.0	1	20.0	.	.	15.5	18.8	5
	Unknown	.	.	2	100.0	.	.	.	.	2
	White	91	61.9	56	38.1	.	.	14.7	18.0	147
H	Black	411	30.8	746	55.9	178	13.3	10.5	12.9	1335
	Hispanic	2	22.2	4	44.4	3	33.3	8.0	10.0	9
	American Indian	18	33.3	30	55.6	6	11.1	10.4	12.7	54
	Unknown	2	8.3	14	58.3	8	33.3	8.5	10.5	24
	White	160	21.7	421	57.2	155	21.1	10.5	12.9	736
I	Black	101	11.2	391	43.4	408	45.3	7.6	9.6	900
	Hispanic	.	.	7	58.3	5	41.7	.	.	12
	American Indian	1	6.7	10	66.7	4	26.7	12.0	15.0	15
	Unknown	4	14.3	1	3.6	23	82.1	6.8	8.5	28
	White	27	6.4	170	40.4	224	53.2	7.2	9.2	421
TOTAL		1428	31.5	2091	46.1	1014	22.4	29.4	38.2	4533

Appendix Table VII: Class/Age by Sentence

SENTENCE CLASS AND AVERAGE LENGTH OF SENTENCES		DISPOSITION						MINIMUM ACTIVE SENTENCE (MONTHS)	MAXIMUM ACTIVE SENTENCE (MONTHS)	TOTAL
		ACTIVE		INTERMEDIATE		COMMUNITY				
		NUMBER	%	NUMBER	%	NUMBER	%	MEAN	MEAN	NUMBER
FELONY CLASSES:	AGE									
A	30-39	1	100.0	.	.	.	.	.	.	1
	40-49	1	100.0	.	.	.	.	.	.	1
B1	26-29	1	100.0	.	.	.	.	336.0	413.0	1
	30-39	4	100.0	.	.	.	.	225.5	279.8	4
	40-49	1	100.0	.	.	.	.	240.0	297.0	1
	>49	2	100.0	.	.	.	.	360.0	441.0	2
B2	<21	17	100.0	.	.	.	.	155.9	196.4	17
	21-25	5	100.0	.	.	.	.	154.6	195.6	5
	26-29	3	100.0	.	.	.	.	144.3	182.3	3
	30-39	9	100.0	.	.	.	.	133.0	168.7	9
	40-49	4	100.0	.	.	.	.	143.8	181.5	4
	>49	3	100.0	.	.	.	.	188.3	235.0	3
C	<21	13	100.0	.	.	.	.	70.0	93.4	13
	21-25	18	100.0	.	.	.	.	75.6	100.1	18
	26-29	24	100.0	.	.	.	.	73.5	95.8	24
	30-39	35	100.0	.	.	.	.	76.9	101.2	35
	40-49	16	100.0	.	.	.	.	89.0	115.9	16
	>49	1	100.0	.	.	.	.	66.0	89.0	1
D	<21	60	100.0	.	.	.	.	54.9	75.0	60
	21-25	27	100.0	.	.	.	.	73.6	97.1	27
	26-29	19	100.0	.	.	.	.	81.1	106.6	19
	30-39	30	100.0	.	.	.	.	74.1	97.7	30
	40-49	7	100.0	.	.	.	.	66.0	88.4	7
	>49	1	100.0	.	.	.	.	53.0	73.0	1
E	<21	27	54.0	23	46.0	.	.	26.1	40.0	50
	21-25	23	62.2	14	37.8	.	.	32.1	47.2	37
	26-29	20	87.0	3	13.0	.	.	30.2	45.1	23
	30-39	27	58.7	19	41.3	.	.	34.2	49.3	46
	40-49	14	58.3	10	41.7	.	.	30.1	44.7	24
	>49	5	55.6	4	44.4	.	.	28.8	42.4	9

(CONTINUED)

SENTENCE LENGTH AND AVERAGE LENGTH OF SENTENCES		DISPOSITION						MINIMUM ACTIVE SENTENCE (MONTHS)	MAXIMUM ACTIVE SENTENCE (MONTHS)	TOTAL
		ACTIVE		INTERMEDIATE		COMMUNITY				
		NUMBER	%	NUMBER	%	NUMBER	%	MEAN	MEAN	NUMBER
FELONY CLASSES:	AGE									
F	<21	10	29.4	24	70.6	.	.	16.7	21.5	34
	21-25	13	56.5	10	43.5	.	.	19.1	23.4	23
	26-29	3	25.0	9	75.0	.	.	23.3	26.7	12
	30-39	14	56.0	11	44.0	.	.	20.3	24.8	25
	40-49	8	42.1	11	57.9	.	.	17.6	21.5	19
	>49	2	16.7	10	83.3	.	.	15.5	19.0	12
G	<21	41	43.2	54	56.8	.	.	14.7	17.9	95
	21-25	31	57.4	23	42.6	.	.	15.5	19.3	54
	26-29	42	71.2	17	28.8	.	.	15.3	18.6	59
	30-39	73	69.5	32	30.5	.	.	15.4	19.1	105
	40-49	29	76.3	9	23.7	.	.	16.9	20.7	38
	>49	4	44.4	5	55.6	.	.	18.3	22.3	9
H	<21	70	10.0	457	65.4	172	24.6	9.3	11.3	699
	21-25	122	30.8	217	54.8	57	14.4	9.8	12.0	396
	26-29	107	35.5	165	54.8	29	9.6	10.0	12.3	301
	30-39	226	43.5	244	46.9	50	9.6	11.1	13.7	520
	40-49	53	33.3	83	52.2	23	14.5	11.9	14.9	159
	>49	8	22.9	15	42.9	12	34.3	11.5	14.3	35
I	<21	3	1.1	100	35.2	181	63.7	7.3	9.3	284
	21-25	19	7.4	133	51.6	106	41.1	7.3	9.3	258
	26-29	23	11.4	87	43.3	91	45.3	6.8	8.7	201
	30-39	65	15.0	183	42.4	184	42.6	7.8	9.9	432
	40-49	17	11.8	54	37.5	73	50.7	7.8	9.8	144
	>49	1	3.6	10	35.7	17	60.7	6.0	8.0	28
TOTAL		1402	31.6	2036	45.9	995	22.4	29.4	38.2	4433

SENTENCE TYPE AND A
LENGTH OF ACTIVE SE

JUDICIAL DIVISION	JUDIC DISTR
FIRST	1
	2
	3A
	3B
	4A
	4B
	5
	6A
	6B
	7A
	7B
	8A
	8B
	SUB-1
SECOND	JUDIC DISTR
	9
	9A
	10
	11
	12
	13
	14
	15A
	15B
	16A
	16B
SUB-1	

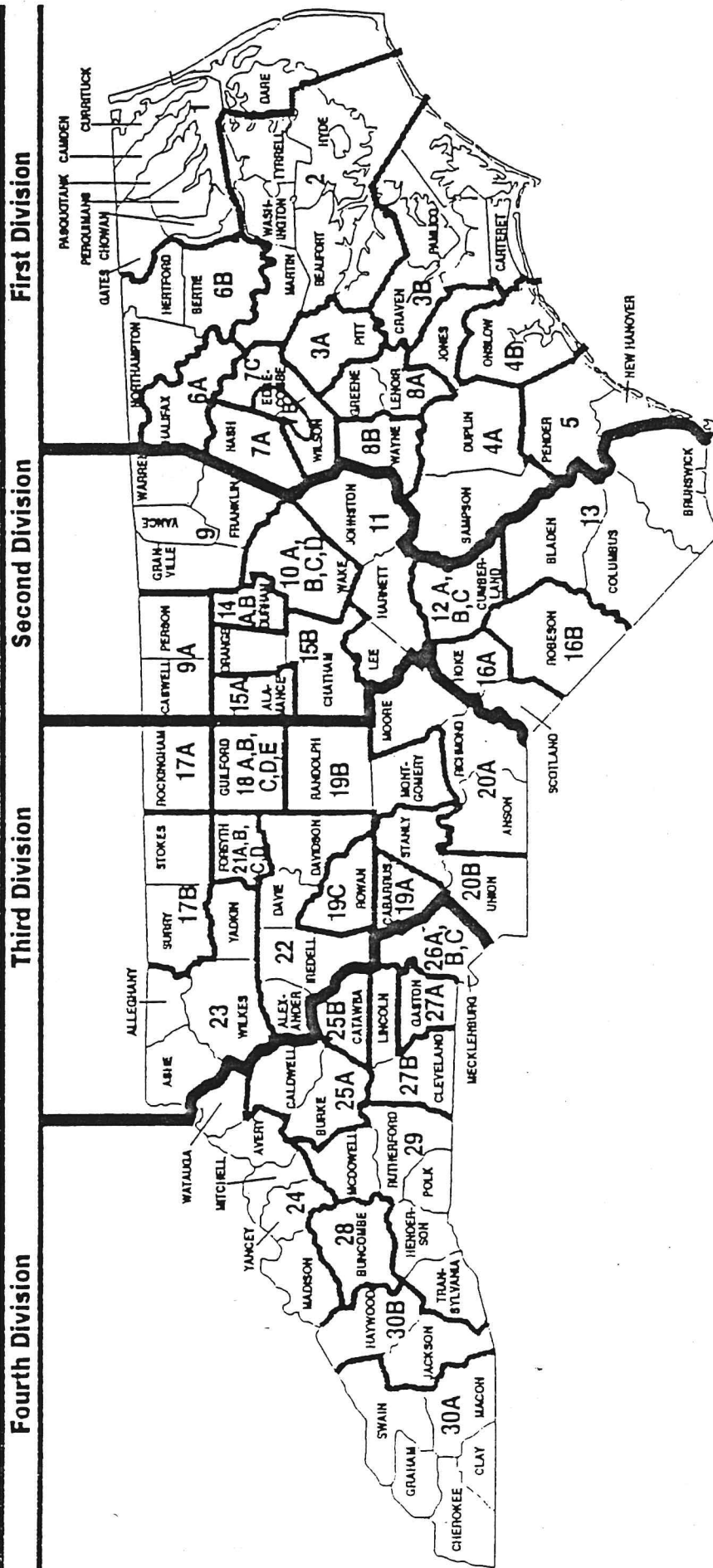
APPENDIX B

MAP OF

JUDICIAL DIVISIONS

AND DISTRICTS

North Carolina Superior Court Districts and Divisions as of June 30, 1994



APPENDIX C

INTERMEDIATE AND COMMUNITY

PUNISHMENTS

APPENDIX C

INTERMEDIATE PUNISHMENTS

An intermediate punishment requires a sentence of supervised probation with at least one of the following conditions:

1. **Split Sentence/Special Probation:** Requires the offender to submit to a specified period of imprisonment in a prison or jail (total imprisonment may not exceed 25% of maximum sentence or 6 months, whichever is less) followed by a term of probation. It may include special conditions such as recommendation for work release or serving the active term in an inpatient facility. The IMPACT program (boot camp) is a form of special probation.
2. **Residential Facility:** Requires the offender to reside in a facility for a specified continuous period of time in order to participate in activities such as substance abuse counseling, social skills training, or employment training, conducted at the residence or at other specified locations.
3. **Day Reporting Center:** Requires mandatory attendance at a facility on a daily or otherwise regular basis at specified times for a specific length of time in order to participate in activities such as substance abuse counseling, social skills training, or employment training.
4. **Intensive Supervision Probation:** Requires close supervision by a probation officer in order to control and assist the offender to remain in the community pursuant to a community penalties plan, community work plan, community restitution plan, or other plan of rehabilitation.
5. **Electronic Monitoring:** Requires the offender to remain in one or more specified places for a specified period or periods each day to wear a device which permits the supervising agency to monitor the offender's compliance with the conditions electronically.
6. **Community Penalties Plan Accepted by the Sentencing Judge:** Requires the offender to comply with conditions specified in the plan.

COMMUNITY PUNISHMENTS

A community punishment is any authorized sentence that does not include an active punishment or an intermediate punishment. Community punishments can include, but are not limited to, one of the following: unsupervised or supervised probation (basic supervision not intensive supervision probation), outpatient drug/alcohol treatment, community service, restitution, fines, T.A.S.C. (Treatment Alternatives to Street Crime).

Endnotes

1. In some instances, a conviction under structured sentencing has been consolidated within another conviction under the Fair Sentencing Act. In such instances, the sentence is not reflected in this report.
2. The month of June has fewer convictions than the previous months due in part to a week long Judges conference held in June. Thus, judges had fewer days in June to process cases.
3. Under Structured Sentencing, all offenders in Offense Classes A through D are required to receive an active punishment unless the court makes a finding of "extraordinary mitigation".
4. The minimum and maximum sentences reflected are those which were officially entered in the AOC computer system. In some instances, these sentences do not appear to fully conform to the Structured Sentencing Act.
5. Sentences resulting in life without parole or death were excluded from the calculation of the average minimum and maximum sentence.
6. See footnote #5.
7. See footnote #5.
8. It is not clear why the intermediate punishments have not always been reported. In some cases, the court may not have specified a specific type of intermediate punishment. It is more likely, however, that the type of intermediate punishment imposed by the court has not been entered into the AOC Criminal Information System. Efforts are now underway to determine the source of this problem and to take corrective action.

NC Sentencing and Policy Advisory Commission

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