North Carolina
Sentencing and Policy Advisory Commission

Structured Sentencing Statistical Report for Felonies and Misdemeanors

Fiscal Year 2013/14
(July 1, 2013 – June 30, 2014)

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North Carolina Sentencing and Policy Advisory Commission

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INTRODUCTION

INTRODUCTION

This report provides detailed information about felony and misdemeanor convictions under Structured Sentencing during Fiscal Year 2013/14 (July 1, 2013 through June 30, 2014). The data reflect the laws and practices that were in place during this time period, including changes to the sentencing grids and substantive legislation to incorporate Justice Reinvestment to North Carolina's criminal justice system. The report only includes 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. The report presents information on the number of felony and misdemeanor convictions, the distribution of felony and misdemeanor convictions within their respective punishment charts, and the types of punishments 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*. Details regarding the substance and application of the sentencing laws under Structured Sentencing are provided in the North Carolina Sentencing and Policy Advisory Commission's *Structured Sentencing Training and Reference Manual*.

REPORTING OF CONVICTIONS AND SENTENCES

The report is based on data entered into the Administrative Office of the Courts' (AOC's) Automated Criminal Infraction System (ACIS) 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*.

Definition of a Sentencing Episode:

A *sentencing episode* is identified from court records as the sentence imposed for the *most serious conviction* on a given day of court. While a sentencing episode involves one offender, in our 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."

SUMMARY OF FINDINGS
FELONY AND MISDEMEANOR CONVICTIONS
IN FY 2013/14

STRUCTURED SENTENCING STATISTICAL REPORT SUMMARY OF FINDINGS
FY 2013/14 CONVICTIONS

Felony Convictions

- During FY 2013/14, sentences for 28,130 felony convictions were imposed under Structured Sentencing. (Note: This number excludes sentences imposed for drug trafficking and violent habitual felon convictions, which are subject to mandatory penalties.)

- Fourteen percent of felony convictions fell into Classes A-E, 9% fell into Class F, 13% fell into Class G, 44% fell into Class H, and 20% fell into Class I.

- The majority of felony convictions (59%) were for offenders with Prior Record Levels I and II, including 21% for offenders with no prior record points. Twelve percent of convictions were for offenders with serious prior criminal histories (Prior Record Levels V and VI).

- Eighty-four percent of convictions were for male offenders, 34% of convictions were for offenders under the age of 26, and 49% of convictions were for Black offenders.

- Thirty-nine percent of felony convictions resulted in an Active punishment, 31% resulted in an Intermediate punishment, and 30% resulted in a Community punishment.

- Of the four crime types, property offenses (39%) and non-trafficking drug offenses (28%) accounted for the largest groups of felony convictions.

- Sixty-eight percent of all Active sentences fell within the presumptive range, 28% fell within the mitigated range, and 4% fell within the aggravated range.

- All offenders with an Intermediate punishment received supervised probation. Of all felony offenders who received a Community punishment, 96% received supervised probation, 3% received unsupervised probation, and 1% had no probation sentence ordered. Overall, the average probation length was 27 months.

- The most frequent condition imposed for supervised probation was a monetary condition (96%), which includes payment of fines, restitution, and/or court costs. Forty-one percent received special probation as a condition of supervised probation. Community service was imposed for 23% of Community and Intermediate punishment convictions with supervised probation.

- Other information of interest includes: the imposition of four (4) death sentences, 71 life without parole sentences, and the imposition of one (1) life with the possibility of parole sentence for an offender under 18 years of age at the time of offense; and two (2) violent habitual felon convictions, 851 habitual felon convictions, 154 habitual breaking and entering convictions, and 474 convictions for drug trafficking offenses.

Misdemeanor Convictions

- During FY 2013/14, sentences for 119,960 misdemeanor convictions were imposed under Structured Sentencing. (Note: This number excludes Driving While Impaired convictions, cases disposed of by magistrates, Class 2 and Class 3 criminal traffic offenses, and local ordinance offenses.)

- Nine percent of misdemeanor convictions fell into Class A1, 59% fell into Class 1, 14% fell into Class 2, and 18% fell into Class 3.

- Thirty-two percent of misdemeanor convictions fell into Prior Conviction Level I (0 points), 40% fell into Prior Conviction Level II (1-4 points), and 28% fell into Prior Conviction Level III (5 or more points).

- Seventy-five percent of convictions were for male offenders, 32% of convictions were for offenders under the age of 26, and 47% of convictions were for White offenders.

- Thirty-one percent of misdemeanor convictions resulted in an Active punishment, 2% resulted in an Intermediate punishment, and 67% resulted in a Community punishment.

- Public order offenses accounted for the greatest proportion of misdemeanor convictions (41%), while misdemeanor person offenses accounted for the lowest proportion (11%). Convictions for person offenses were most likely to result in an Active punishment (34%) and resulted in the longest average Active sentences (55 days).

- All offenders with an Intermediate punishment (100%) received supervised probation. Overall, 44% of Community punishment convictions received unsupervised probation, 37% received supervised probation, and 19% had no probation sentence ordered. The average probation length for Intermediate and Community punishment convictions was 14 months.

- The most frequent condition imposed for supervised probation was a monetary condition (95%), which includes payment of fines, restitution, and/or court costs. Community service was imposed for 19% of Community and Intermediate punishment convictions with supervised probation.

- Of unsupervised probation convictions, 8% included community service as a condition of probation, and 95% were ordered to pay monetary obligations (*i.e.,* fine, restitution, or court costs) as a condition of probation.

SECTION I

FELONY CONVICTIONS
IN FY 2013/14

I. FELONY CONVICTIONS IN FY 2013/14

A. Definition of the Unit of Analysis

The unit of analysis for this report is convictions disposed of in a *sentencing episode*.

Definition of a Sentencing Episode:

A *sentencing episode* is identified from court records as the sentence imposed for the *most serious conviction* on a given day of court. While a sentencing episode involves one offender, in our 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."

B. Felony Convictions

This section contains information on felony convictions and sentences imposed under Structured Sentencing during FY 2013/14 (July 1, 2013 through June 30, 2014). Overall, sentences for 28,130 felony convictions were imposed. (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 *Section VI: Special Issues*.) For many of the tables, information on 667 convictions (or 2.4%) was excluded due to data discrepancies. Such exclusions are noted at the end of each table. Efforts are ongoing to understand the nature of the data discrepancies and to resolve reporting problems.

The information in this report reflects the laws and practices that were in place during FY 2013/14. The felony punishment chart for offenses committed on or after October 1, 2013 is printed on the back cover of the report. The table of maximum sentences (for offenses committed on or after October 1, 2013) can be found on the Commission's website. Current and previous felony punishment charts can also be found on the Commission's website.

C. Distribution of Convictions within the Felony Punishment Chart

Table 1 shows the distribution of felony convictions within the Felony Punishment Chart. Overall, the greatest number of convictions fell into Class H (n=12,026 or 43.8%). The majority of convictions (59.5%) were for offenders in Prior Record Level I (n=8,054 or 29.3%) and Prior Record Level II (n=8,286 or 30.2%). Relative to other cells in the Felony Punishment Chart, the greatest number of convictions fell into Class H with Prior Record Level II (n=3,705 or 13.5%), followed closely by convictions in Class H with Prior Record Level I (n=3,512 or 12.8%). Sentences imposed for Classes A through E felonies accounted for 13.7% of felony convictions during FY 2013/14; 64.4% of sentences imposed were for Class H and Class I felony convictions.

Table 1: Distribution of Convictions within the Felony Punishment Chart
FY 2013/14 Felonies

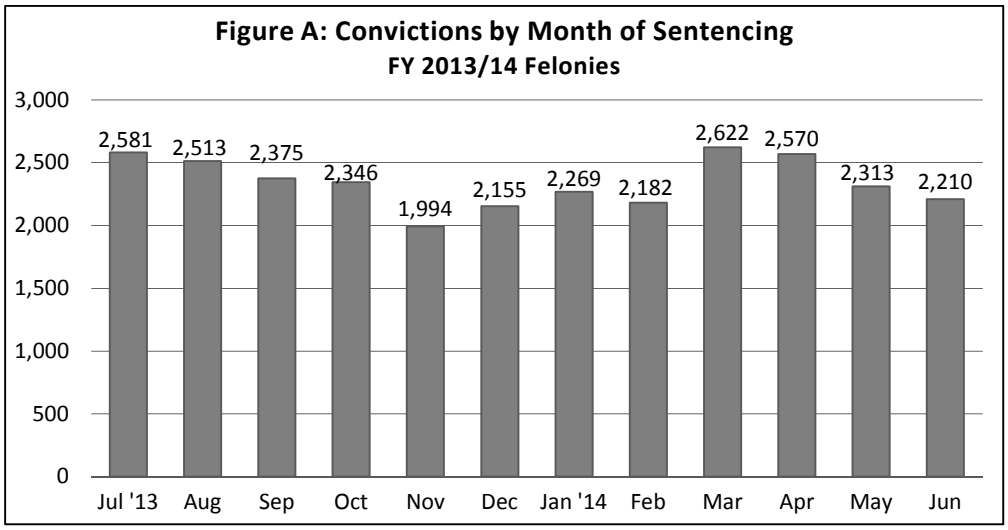
Offense Class	Prior Record Level						Total
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
A	30 0.1%	17 0.1%	16 0.1%	7 0.0%	3 0.0%	1 0.0%	74 0.3%
B1	101 0.4%	29 0.1%	19 0.1%	7 0.0%	4 0.0%	5 0.0%	165 0.6%
B2	118 0.4%	70 0.3%	39 0.2%	23 0.1%	11 0.0%	5 0.0%	266 1.0%
C	165 0.6%	124 0.4%	119 0.4%	108 0.4%	71 0.3%	87 0.3%	674 2.4%
D	292 1.1%	208 0.8%	168 0.6%	120 0.4%	76 0.3%	91 0.3%	955 3.5%
E	567 2.1%	448 1.6%	249 0.9%	153 0.6%	91 0.3%	109 0.4%	1,617 5.9%
F	900 3.3%	679 2.5%	456 1.6%	247 0.9%	119 0.4%	115 0.4%	2,516 9.1%
G	717 2.6%	1,252 4.6%	817 3.0%	441 1.6%	146 0.5%	136 0.5%	3,509 12.8%
H	3,512 12.8%	3,705 13.5%	2,208 8.0%	1,208 4.4%	730 2.7%	663 2.4%	12,026 43.8%
I	1,652 6.0%	1,754 6.4%	947 3.5%	602 2.2%	313 1.1%	393 1.4%	5,661 20.6%
Total	8,054 29.3%	8,286 30.2%	5,038 18.4%	2,916 10.6%	1,564 5.7%	1,605 5.8%	27,463 100.0%

Note: Of the 28,130 felony convictions in FY 2013/14, 667 (or 2.4%) were excluded from this table. 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). Percentages may not add to totals due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

D. Convictions by Month of Sentencing

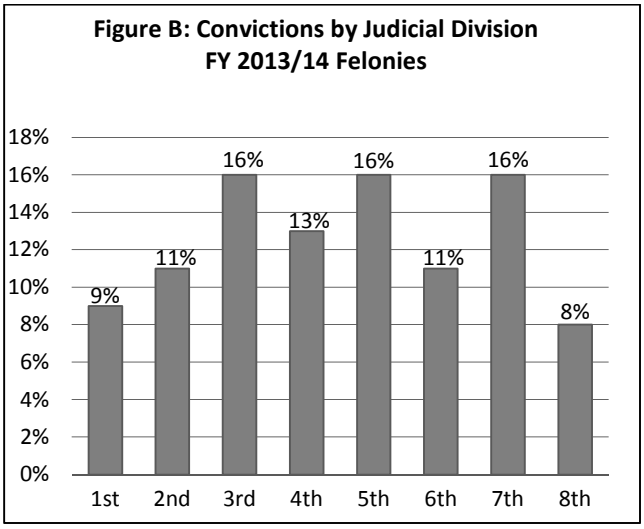
Figure A shows the total number of felony convictions by month of sentencing during FY 2013/14 (N=28,130). Convictions were highest in March and lowest in November.

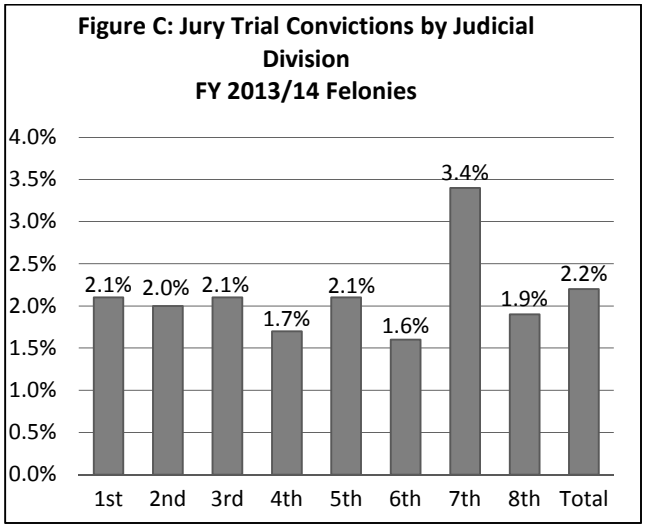


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

E. Convictions by Judicial Division, District, and County

Figure B shows the distribution of convictions ranged from a low of 8% in the eighth judicial division to a high of 16% in the third, fifth, and seventh judicial divisions. Overall, 2.2% of convictions statewide resulted from jury trials (see *Figure C*), ranging from a low of 1.6% in the sixth division to a high of 3.4% in the seventh division. *Table 2* provides the total number of convictions by judicial division, judicial district, and county. (See *Appendix A* for a map of judicial divisions and districts.) This table also specifies whether the conviction resulted from a guilty plea or jury trial.





SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Table 2: Convictions by Judicial Division, Judicial District, County, and Mode of Disposition
FY 2013/14 Felonies

Judicial Division, Judicial District, and County		Mode of Disposition		Total
		Guilty Plea	Jury Trial	
First Judicial Division		***2,466***	***52***	***2,518***
District 1	Camden	6	0	6
	Chowan	17	0	17
	Currituck	76	0	76
	Dare	125	0	125
	Gates	11	0	11
	Pasquotank	152	3	155
	Perquimans	23	0	23
	Total	**410**	**3**	**413**
District 2	Beaufort	275	5	280
	Hyde	21	0	21
	Martin	109	4	113
	Tyrrell	11	1	12
	Washington	57	0	57
	Total	**473**	**10**	**483**
District 3A	Pitt	612	9	621
	Total	**612**	**9**	**621**
District 6A	Halifax	143	4	147
	Total	**143**	**4**	**147**
District 6B	Bertie	32	0	32
	Hertford	40	1	41
	Northampton	33	0	33
	Total	**105**	**1**	**106**
District 7A	Nash	287	9	296
	Total	**287**	**9**	**296**
District 7B, C	Edgecombe	222	11	233
	Wilson	214	5	219
	Total	**436**	**16**	**452**
Second Judicial Division		***2,944***	***61***	***3,005***
District 3B	Carteret	192	4	196
	Craven	341	7	348
	Pamlico	37	0	37
	Total	**570**	**11**	**581**
District 4A	Duplin	192	1	193
	Jones	43	1	44
	Sampson	257	4	261
	Total	**492**	**6**	**498**
District 4B	Onslow	396	16	412
	Total	**396**	**16**	**412**

Table 2: Convictions by Judicial Division, Judicial District, County, and Mode of Disposition (continued)
FY 2013/14 Felonies

Judicial Division, Judicial District, and County		Mode of Disposition		Total
		Guilty Plea	Jury Trial	
District 5	New Hanover	826	15	841
	Pender	170	0	170
	Total	**996**	**15**	**1,011**
District 8A	Greene	36	0	36
	Lenoir	181	1	182
	Total	**217**	**1**	**218**
District 8B	Wayne	273	12	285
	Total	**273**	**12**	**285**
Third Judicial Division		***4,443***	***96***	***4,539***
District 9	Franklin	128	2	130
	Granville	138	2	140
	Vance	124	2	126
	Warren	35	0	35
	Total	**425**	**6**	**431**
District 9A	Caswell	43	1	44
	Person	113	9	122
	Total	**156**	**10**	**166**
District 10	Wake	2,229	49	2,348
	Total	**2,229**	**49**	**2,348**
District 14	Durham	683	19	702
	Total	**683**	**19**	**702**
District 15A	Alamance	558	7	565
	Total	**558**	**7**	**565**
District 15B	Chatham	132	0	132
	Orange	190	5	195
	Total	**322**	**5**	**327**
Fourth Judicial Division		***3,562***	***60***	***3,622***
District 11A	Harnett	278	2	280
	Lee	213	0	213
	Total	**491**	**2**	**493**
District 11B	Johnston	604	13	617
	Total	**604**	**13**	**617**
District 12	Cumberland	1,121	13	1,134
	Total	**1,121**	**13**	**1,134**
District 13A	Bladen	139	2	141
	Columbus	186	9	195
	Total	**325**	**11**	**336**
District 13B	Brunswick	368	7	375
	Total	**368**	**7**	**375**

Table 2: Convictions by Judicial Division, Judicial District, County, and Mode of Disposition (continued)
FY 2013/14 Felonies

Judicial Division, Judicial District, and County		Mode of Disposition		Total
		Guilty Plea	Jury Trial	
District 16A	Hoke	141	3	144
	Scotland	132	5	137
	Total	**273**	**8**	**281**
District 16B	Robeson	380	6	386
	Total	**380**	**6**	**386**
Fifth Judicial Division		***4,539***	***97***	***4,636***
District 17A	Rockingham	283	11	294
	Total	**283**	**11**	**294**
District 17B	Stokes	144	0	144
	Surry	187	3	190
	Total	**331**	**3**	**334**
District 18	Guilford	1,627	31	1,658
	Total	**1,627**	**31**	**1,658**
District 19B	Montgomery	101	4	105
	Randolph	254	6	260
	Total	**355**	**10**	**365**
District 19D	Moore	385	2	387
	Total	**385**	**2**	**387**
District 21	Forsyth	925	35	960
	Total	**925**	**35**	**960**
District 23	Alleghany	36	0	36
	Ashe	75	1	76
	Wilkes	383	3	386
	Yadkin	139	1	140
	Total	**633**	**5**	**638**
Sixth Judicial Division		***3,151***	***52***	***3,203***
District 19A	Cabarrus	647	12	659
	Total	**647**	**12**	**659**
District 19C	Rowan	549	6	555
	Total	**549**	**6**	**555**
District 20A	Anson	70	1	71
	Richmond	204	2	206
	Stanly	156	4	160
	Total	**430**	**7**	**437**
District 20B	Union	419	12	431
	Total	**419**	**12**	**431**

Table 2: Convictions by Judicial Division, Judicial District, County, and Mode of Disposition (continued)
FY 2013/14 Felonies

Judicial Division, Judicial District, and County		Mode of Disposition		Total
		Guilty Plea	Jury Trial	
District 22A	Alexander	97	2	99
	Iredell	432	6	438
	Total	**529**	**8**	**537**
District 22B	Davidson	483	5	488
	Davie	94	2	96
	Total	**577**	**7**	**584**
Seventh Judicial Division		***4,247***	***147***	***4,394***
District 25A	Burke	290	4	294
	Caldwell	191	3	194
	Total	**481**	**7**	**488**
District 25B	Catawba	416	13	429
	Total	**416**	**13**	**429**
District 26	Mecklenburg	1,753	73	1,826
	Total	**1,753**	**73**	**1,826**
District 27A	Gaston	774	17	791
	Total	**774**	**17**	**791**
District 27B	Cleveland	434	24	458
	Lincoln	389	13	402
	Total	**823**	**37**	**860**
Eighth Judicial Division		***2,172***	***41***	***2,213***
District 24	Avery	44	2	46
	Madison	87	0	87
	Mitchell	86	0	86
	Watauga	135	2	137
	Yancey	67	2	69
	Total	**419**	**6**	**425**
District 28	Buncombe	578	9	587
	Total	**578**	**9**	**587**
District 29A	McDowell	197	0	197
	Rutherford	285	3	288
	Total	**482**	**3**	**485**
District 29B	Henderson	277	7	284
	Polk	45	1	46
	Transylvania	45	4	49
	Total	**367**	**12**	**379**

Table 2: Convictions by Judicial Division, Judicial District, County, and Mode of Disposition (continued)
FY 2013/14 Felonies

Judicial Division, Judicial District, and County		Mode of Disposition		Total
		Guilty Plea	Jury Trial	
District 30A	Cherokee	46	2	48
	Clay	10	0	10
	Graham	5	2	7
	Macon	71	0	71
	Swain	15	0	15
	Total	**147**	**4**	**151**
District 30B	Haywood	128	6	134
	Jackson	51	1	52
	Total	**179**	**7**	**186**
	State Total	***27,524***	***606***	***28,130***

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

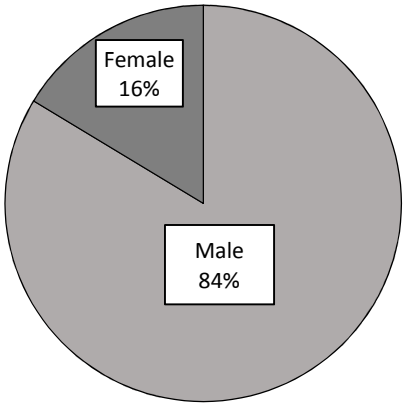
F. Felony Pleas in District Court

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 2013/14, 4,785 (26% of all Class H and Class I felony convictions) felony pleas were accepted in District Court.

II. CHARACTERISTICS OF OFFENDERS

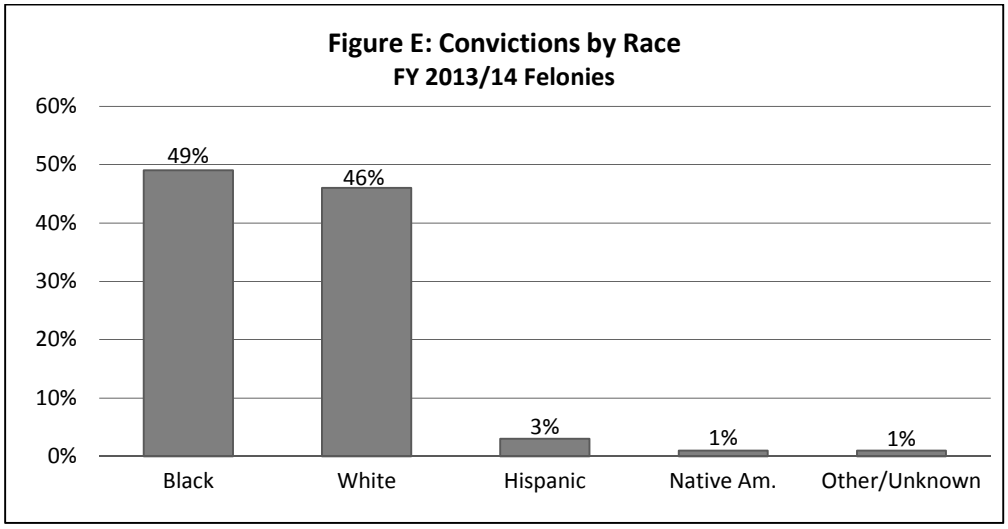
This section provides a breakdown of convictions by offenders' sex, race, and age. Of the 28,130 felony convictions in FY 2013/14, 84% were for males (see *Figure D*).

Figure D: Convictions by Sex
FY 2013/14 Felonies



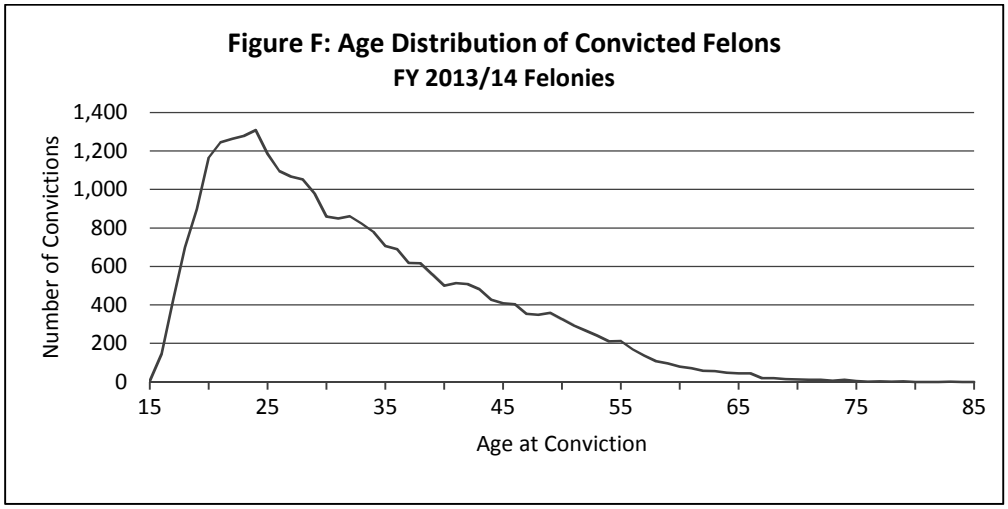
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Figure E shows that 49% of all felony offenders were Black, 46% were White, and a small percentage were Hispanic (3%), Native American (1%), or Other/Unknown (1%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Based on age at conviction, 12% of felony convictions were for offenders under the age of 21, 22% were 21-25 years of age, 18% were 26-30 years of age, 25% were 31-40 years of age, 15% were 41-50 years of age, and 8% were 51 years of age or older. The average age at conviction was 32 years. *Figure F* illustrates that the volume of offenders peaks in the late teens and early twenties, and then generally declines as age increases.



Note: Of the 28,130 felony convictions in FY 2013/14, 61 convictions with missing values for offenders' age were excluded from the graph.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Table 3 provides a summary of convictions by sex, race, and age of offenders. The lowest percentage of felony convictions for males was for offenders older than 50 (n=1,943 or 8%). For females, the lowest percentage of felony convictions was for offenders under the age of 21 (n=289 or 6%). Over half of felony convictions for males (n=12,614 or 54%) were for offenders 30 and under, while nearly half (n=2,065 or 45%) of felony convictions for females were for offenders 30 and under.

Table 3: Convictions by Sex, Race, and Age
FY 2013/14 Felonies

Sex and Race		Age at Conviction						Total
		<21	21-25	26-30	31-40	41-50	>50	
Male	White	874	2,014	1,909	2,692	1,561	896	9,946
	Black	1,947	3,126	2,011	2,654	1,616	984	12,338
	Hispanic	145	145	110	156	42	19	617
	Native Amer.	35	79	60	82	34	22	312
	Other	56	56	47	60	23	22	264
	Subtotal	**3,057**	**5,420**	**4,137**	**5,644**	**3,276**	**1,943**	**23,477**
Female	White	137	508	646	928	571	206	2,996
	Black	133	319	234	383	260	101	1,430
	Hispanic	12	7	11	20	3	1	54
	Native Amer.	2	12	14	17	11	1	57
	Other	5	15	10	10	9	6	55
	Subtotal	**289**	**861**	**915**	**1,358**	**854**	**315**	**4,592**
Total		**3,346**	**6,281**	**5,052**	**7,002**	**4,130**	**2,258**	**28,069**

Note: Of the 28,130 felony convictions in FY 2013/14, 61 convictions with missing values for offenders' age were excluded from the table.

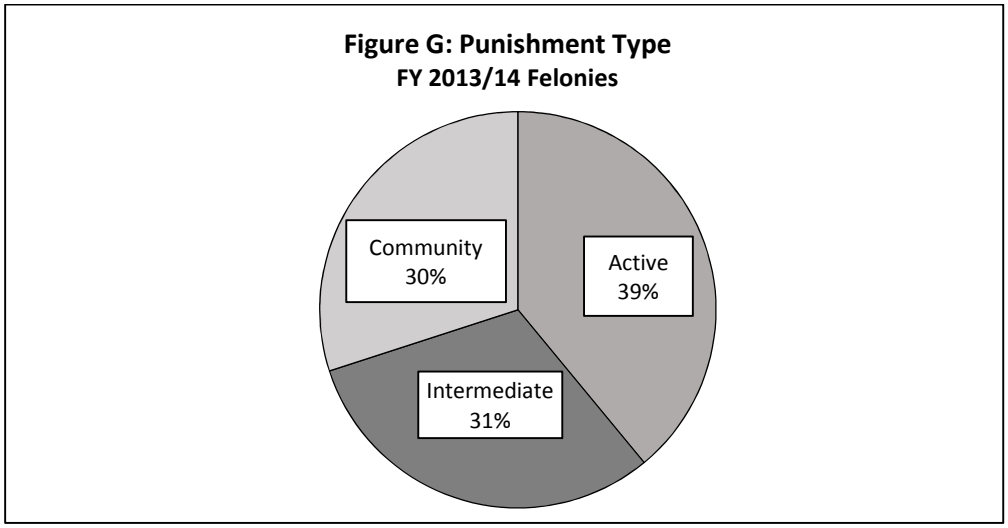
SOURCE: NC Sentencing and Policy and Advisory Commission, FY 2013/2014 Statistical Report Data

III. PUNISHMENT IMPOSED FOR FELONIES

This section details the type of sentence imposed (Active, Intermediate, or Community) for convictions during FY 2013/14. 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*. Convictions that did not fit within the Felony Punishment Chart were excluded from this section (n=667 or 2.4%). 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).

A. Overall Punishment

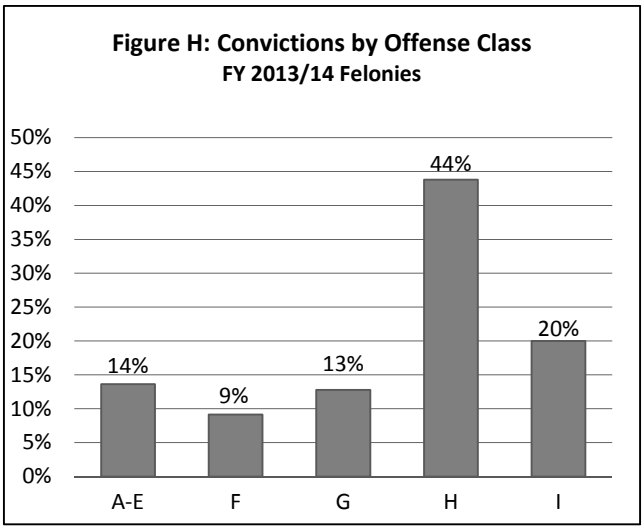
An Active punishment was imposed for 39% of felony convictions, an Intermediate punishment was imposed for 31% of felony convictions, and a Community punishment was imposed for 30% of felony convictions (see *Figure G*).[1]

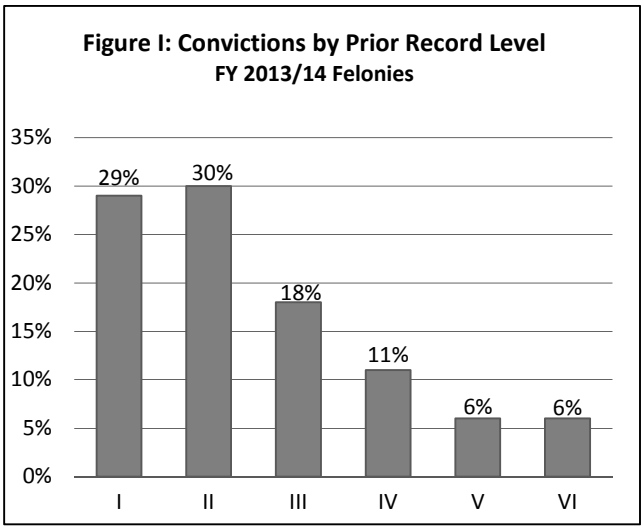


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

B. Punishment Imposed by Offense Class and Prior Record Level

Figure H shows the percentage of convictions by offense class. The majority of felony convictions (64%) were for Class H and Class I offenses. (See *Appendix B* for sample offenses in each offense class and for the top five convictions in each offense class.) As shown in *Figure I*, the majority of felony convictions (59%) were for offenders with Prior Record Levels I and II, including 21% for offenders with no prior record points. Twelve percent of convictions were for offenders with serious prior criminal histories (Prior Record Levels V and VI).





SOURCE: NC Sentencing and Policy and Advisory Commission, FY 2013/2014 Statistical Report Data

[1] The type of punishment (Active, Intermediate, or Community) is reported in this section regardless of possible discrepancies in ACIS.

Table 4 presents felony convictions and sentences imposed within the context of the Felony Punishment Chart (see also *Table 1*). 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.[2]

It is important to note that type of punishment (Active, Intermediate, or Community) is reported in *Table 4* regardless of possible discrepancies in ACIS. Data provided in *Table 4* indicate instances in which an Intermediate or Community punishment was imposed where it is 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). These discrepancies are possibly a result of the changes to Intermediate and Community punishments under the JRA. It is not clear whether the data reflect actual sentencing practices or how information was initially captured in ACIS. Efforts are ongoing to understand and to resolve these discrepancies.

With the exception of extraordinary mitigation for Class B2 through Class D convictions in Prior Record Levels I and II, 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 falls within Prior Record Level I through Prior Record Level III. In FY 2013/14, eight (8) Class D convictions for Felony Death by Motor Vehicle resulted in the imposition of an Intermediate punishment.

Overall, the greatest number of convictions fell within Class H with Prior Record Level II (n= 3,705 or 13%). 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 increase as offense seriousness increases. The average minimum sentence for all convictions resulting in an Active punishment (n=10,665) was 30 months. The lowest average minimum sentence was imposed for Class I convictions (8 months). Excluding life and death sentences, the highest average minimum sentence was imposed for Class B1 convictions (233 months).

As shown in the horizontal "Total" row in *Table 4*, convictions for offenders falling into Prior Record Levels I and VI resulted in the highest average minimum sentences (45 months and 31 months respectively). The higher minimum sentences for Prior Record Level I can be attributed to the fact that a little 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). For information on punishment imposed by judicial division and district, see *Appendix C, Tables 1 and 2*.

[2] Death and life sentences were excluded from the calculation of the average minimum and maximum sentences.

Table 4: Convictions and Sentences by Offense Class and Prior Record Level
FY 2013/14 Felonies

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 = 30 (100%) n = 30 Life/Death	**A** A = 17 (100%) n = 17 Life/Death	**A** A = 16 (100%) n = 16 Life/Death	**A** A = 7 (100%) n = 7 Life/Death	**A** A = 3 (100%) n = 3 Life/Death	**A** A = 1 (100%) n = 1 Life/Death	**A** A = 74 (100%) n = 74 Life/Death
B1	**A** A = 101 (100%) n = 101 205 min 278 max	**A** A = 29 (100%) n = 29 245 min 319 max	**A** A = 19 (100%) n = 19 282 min 357 max	**A** A = 7 (100%) n = 7 290 min 366 max	**A** A = 4 (100%) n = 4 395 min 502 max	**A** A = 5 (100%) n = 5 390 min 474 max	**A** A = 165 (100%) n = 165 233 min 306 max
B2	**A** A = 118 (100%) n = 118 133 min 177 max	**A** A = 70 (100%) n = 70 166 min 213 max	**A** A = 39 (100%) n = 39 197 min 250 max	**A** A = 23 (100%) n = 23 215 min 267 max	**A** A = 11 (100%) n = 11 218 min 277 max	**A** A = 5 (100%) n = 5 247 min 318 max	**A** A = 266 (100%) n = 266 163 min 212 max
C	**A** A = 165 (100%) n = 165 60 min 91 max	**A** A = 124 (100%) n = 124 66 min 95 max	**A** A = 119 (100%) n = 119 74 min 102 max	**A** A = 108 (100%) n = 108 85 min 114 max	**A** A = 71 (100%) n = 71 98 min 129 max	**A** A = 87 (100%) n = 87 110 min 145 max	**A** A = 674 (100%) n = 674 78 min 108 max
D	**A** I = 8 (3%) A = 284 (97%) n = 292 49 min 73 max	**A** A = 208 (100%) n = 208 57 min 81 max	**A** A = 168 (100%) n = 168 67 min 93 max	**A** A = 120 (100%) n = 120 73 min 100 max	**A** A = 76 (100%) n = 76 81 min 110 max	**A** A = 91 (100%) n = 91 92 min 123 max	**A** I = 8 (1%) A = 947 (99%) n = 955 64 min 90 max
E	**I/A** C = 71 (13%) I = 297 (52%) A = 199 (35%) n = 567 22 min 40 max	**I/A** C = 32 (7%) I = 197 (44%) A = 219 (49%) n = 448 24 min 42 max	**A** A = 249 (100%) n = 249 27 min 44 max	**A** A = 153 (100%) n = 153 30 min 49 max	**A** A = 91 (100%) n = 91 36 min 56 max	**A** A = 109 (100%) n = 109 41 min 60 max	**I/A** C = 103 (6%) I = 494 (31%) A = 1,020 (63%) n = 1,617 28 min 46 max
F	**I/A** C = 185 (21%) I = 451 (50%) A = 264 (29%) n = 900 14 min 24 max	**I/A** C = 114 (17%) I = 283 (42%) A = 282 (41%) n = 679 16 min 26 max	**I/A** C = 48 (10%) I = 155 (34%) A = 253 (56%) n = 456 18 min 29 max	**A** A = 247 (100%) n = 247 20 min 31 max	**A** A = 119 (100%) n = 119 24 min 37 max	**A** A = 115 (100%) n = 115 27 min 41 max	**I/A** C = 347 (14%) I = 889 (35%) A = 1,280 (51%) n = 2,516 18 min 30 max

Table 4: Convictions and Sentences by Offense Class and Prior Record Level (continued)
FY 2013/14 Felonies

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 = 166 (23%) I = 433 (60%) A = 118 (17%) n = 717 11 min 21 max	**I/A** C = 270 (22%) I = 630 (50%) A = 352 (28%) n = 1,252 12 min 23 max	**I/A** C = 120 (14%) I = 324 (40%) A = 373 (46%) n = 817 14 min 26 max	**I/A** C = 32 (7%) I = 138 (31%) A = 271 (62%) n = 441 16 min 27 max	**A** A = 146 (100%) n = 146 19 min 30 max	**A** A = 136 (100%) n = 136 22 min 35 max	**I/A** C = 588 (17%) I = 1,525 (43%) A = 1,396 (40%) n = 3,509 15 min 26 max
H	**C/I/A** C = 2,072 (59%) I = 1,097 (31%) A = 343 (10%) n = 3,512 5 min 15 max	**I/A** C = 1,193 (32%) I = 1,494 (40%) A = 1,018 (28%) n = 3,705 7 min 17 max	**I/A** C = 466 (21%) I = 824 (37%) A = 918 (42%) n = 2,208 8 min 19 max	**I/A** C = 177 (15%) I = 341 (28%) A = 690 (57%) n = 1,208 10 min 20 max	**I/A** C = 62 (8%) I = 172 (24%) A = 496 (68%) n = 730 13 min 24 max	**A** A = 663 (100%) n = 663 17 min 29 max	**C/I/A** C = 3,970 (33%) I = 3,928 (33%) A = 4,128 (34%) n = 12,026 10 min 21 max
I	**C** C = 1,507 (91%) I = 145 (9%) n = 1,652 N/A	**C/I** C = 1,164 (66%) I = 590 (34%) n = 1,754 N/A	**I** C = 425 (45%) I = 522 (55%) n = 947 N/A	**I/A** C = 113 (19%) I = 206 (34%) A = 283 (47%) n = 602 7 min 17 max	**I/A** C = 53 (17%) I = 76 (24%) A = 184 (59%) n = 313 7 min 17 max	**I/A** C = 45 (12%) I = 100 (25%) A = 248 (63%) n = 393 9 min 19 max	**C/I/A** C = 3,307 (58%) I = 1,639 (29%) A = 715 (13%) n = 5,661 8 min 18 max
Total	**C/I/A** C = 4,001 (50%) I = 2,431 (30%) A = 1,622 (20%) n = 8,054 45 min 67 max	**C/I/A** C = 2,773 (33%) I = 3,194 (39%) A = 2,319 (28%) n = 8,286 26 min 41 max	**I/A** C = 1,059 (21%) I = 1,825 (36%) A = 2,154 (43%) n = 5,038 27 min 42 max	**I/A** C = 322 (11%) I = 685 (23%) A = 1,909 (66%) n = 2,916 25 min 39 max	**I/A** C = 115 (7%) I = 248 (16%) A = 1,201 (77%) n = 1,564 28 min 43 max	**I/A** C = 45 (3%) I = 100 (6%) A = 1,460 (91%) n = 1,605 31 min 46 max	**C/I/A** C = 8,315 (30%) I = 8,483 (31%) A = 10,665 (39%) n = 27,463 30 min 46 max

Note: Of the 28,130 felony convictions in FY 2013/14, 667 (or 2.4%) were excluded from this table. 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). Death and life sentences were excluded from the calculation of the average minimum and maximum sentences. This table includes convictions for Intermediate or Community punishments in cells in which those dispositions are not authorized within the Felony Punishment Chart.

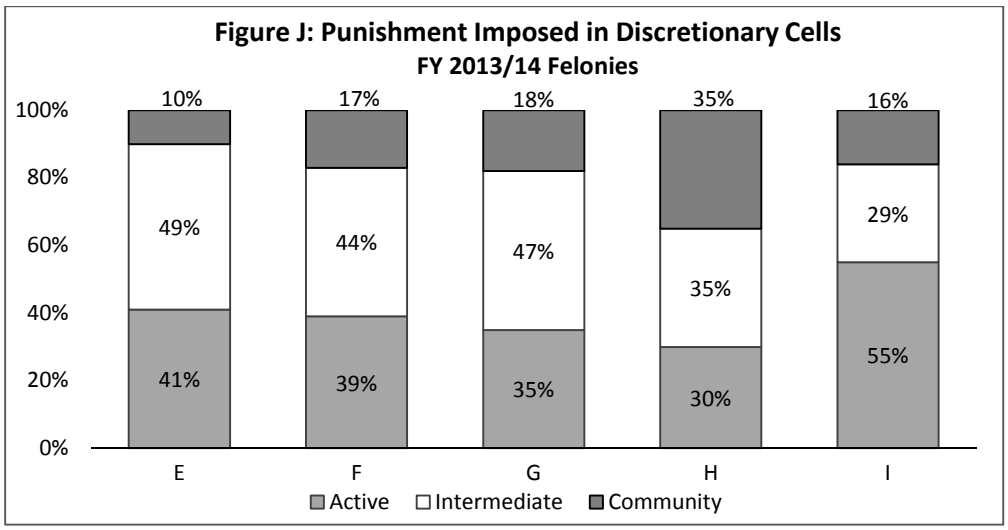
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

C. Punishment Imposed in Discretionary Cells

As shown in *Table 4*, where the judge had the option of imposing either an Active or Community-based punishment (*i.e.*, Intermediate or Community punishment), the type of punishment imposed varied based on offense class and prior record level. For example, a Community punishment was most likely to be imposed for a conviction falling within Class H with Prior Record Level I (59%), an Intermediate punishment was most likely to be imposed for convictions falling within Class G with Prior Record Level I (60%), while

an Active sentence was most likely to be imposed for convictions falling within Class H with Prior Record Level V (68%).

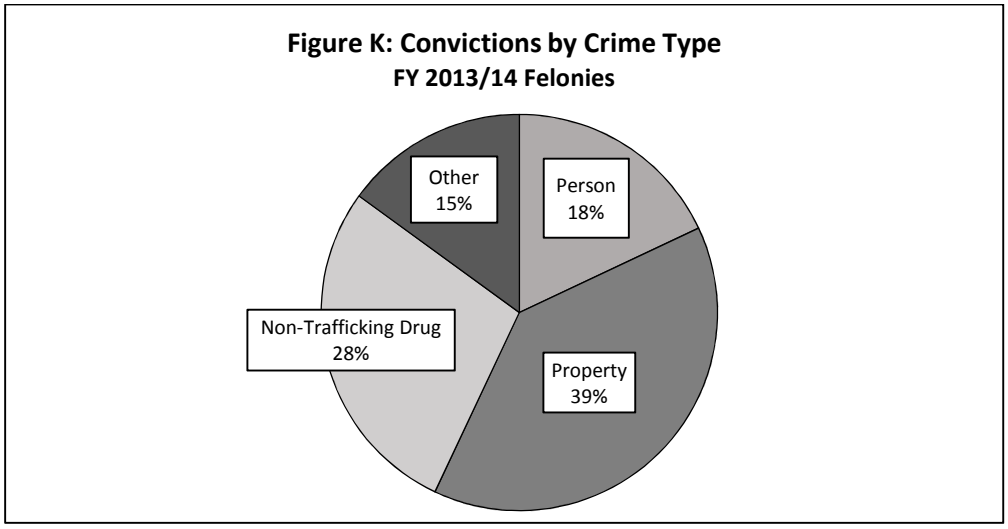
Figure J summarizes sentences imposed by offense class for discretionary cells with an Active punishment option. A Community punishment was most likely to be imposed for a Class H felony (35%), while an Intermediate punishment was most likely to be imposed for a Class E felony (49%). An Active punishment was most likely to be imposed for a Class I felony (55%) and least likely to be imposed for a Class H felony (30%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

D. Punishment Imposed by Crime Type

During FY 2013/14, property offenses accounted for 39% of convictions, while convictions for non-trafficking drug offenses accounted for 28% of convictions (see *Figure K*). For additional data on convictions by crime type, see *Appendix D, Tables 1 and 2*.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

The type of punishment imposed by crime type is shown in *Table 5*. Relative to other crime types, convictions for person offenses were most likely to result in the imposition of an Active punishment (61%), while convictions for non-trafficking drug offenses were least likely to result in the imposition of an Active punishment (23%). Of the four crime types, non-trafficking drug and property convictions had the highest percentage of Intermediate punishment sentences (34% and 32% respectively). Non-trafficking drug convictions had the highest percentage of Community punishment sentences (43%). *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.

Table 5: Convictions and Sentences by Crime Type
FY 2013/14 Felonies

Crime Type	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Person	3,005	61	1,353	28	555	11	56	80	4,913
Property	3,628	34	3,407	32	3,719	34	13	24	10,754
Non-Trafficking Drug	1,827	23	2,661	34	3,334	43	15	27	7,822
Other Felony	2,205	55	1,062	27	707	18	35	52	3,974
Total	**10,665**	**39**	**8,483**	**31**	**8,315**	**30**	**30**	**46**	**27,463**

Note: Of the 28,130 felony convictions in FY 2013/14, 667 (or 2.4%) were excluded from this table. 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). Death and life sentences were excluded from the calculation of the average minimum and maximum sentences.

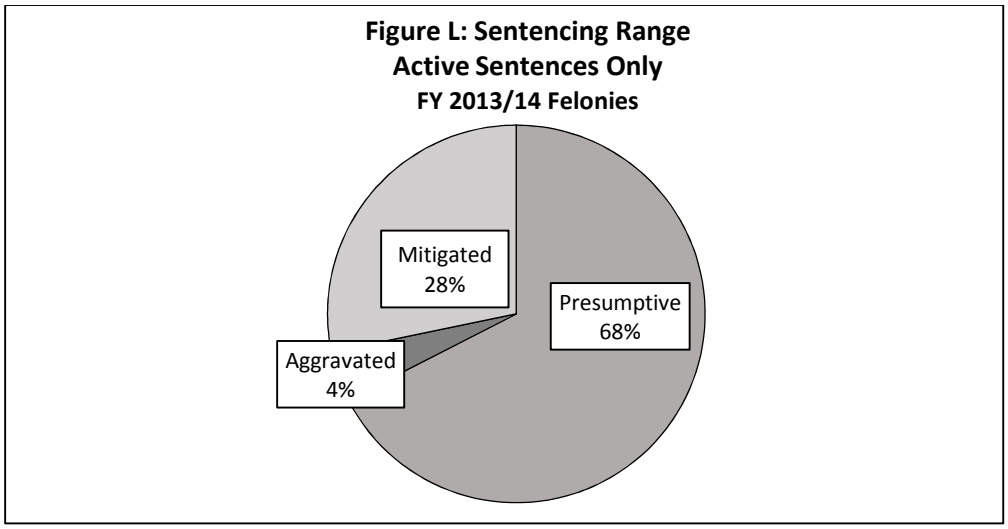
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

IV. SENTENCE LOCATION IN THE SENTENCING RANGES (ACTIVE SENTENCES ONLY)

This section presents information regarding the location of sentences imposed in the sentencing ranges and *deals only with convictions for which an Active sentence was imposed (n=10,589)*. Class A convictions, which are subject to mandatory life or death sentences (n=74), and Class B1 convictions with life sentences (n=2) were excluded from this section.

A. Sentencing Range

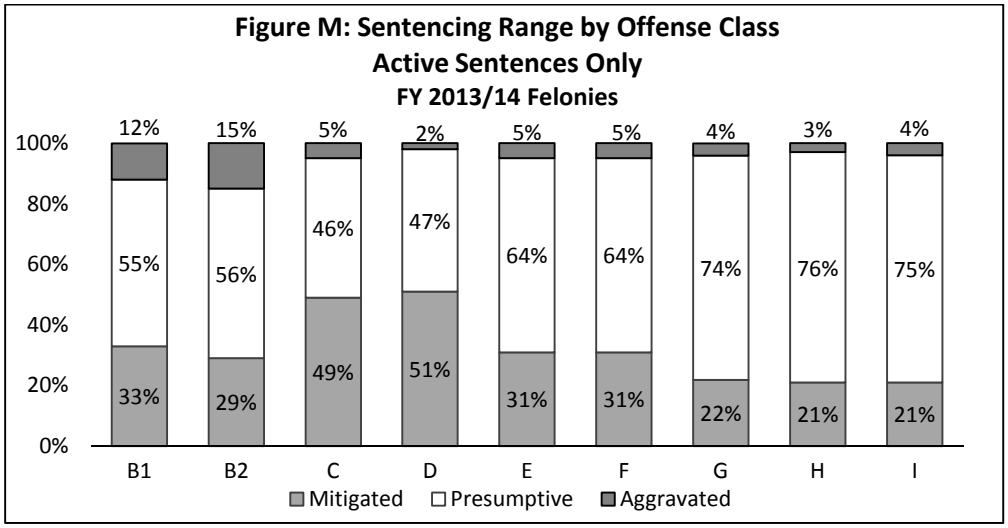
Figure L shows that 68% of all Active sentences fell within the presumptive range, 28% fell within the mitigated range, and 4% fell within the aggravated range.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

B. Sentencing Range by Offense Class and Prior Record Level

Figure M displays the percentage of convictions for Active sentences by offense class and sentencing range. The majority of sentences for all felonies, except Class C and Class D felonies, fell within the presumptive range. Overall, fewer sentences fell within the aggravated range, with Class B1 and B2 felonies accounting for the highest percentage of sentences falling in the aggravated range (12% and 15% respectively). Class C and Class D convictions had the largest percentage of sentences in the mitigated range (49% and 51% respectively) and largely reflects the sentencing of habitual felons (see also *Figure Q* in *Section VI*).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Table 6 includes information regarding sentence location by offense class and prior record level. Convictions for Class H offenses had the highest percentage of Active sentences in the presumptive range (76%), while convictions for Class C offenses had the lowest percentage of Active sentences in the presumptive range (46%). There was little variation in the overall percentage of convictions by sentencing ranges across prior record levels.

Table 6: Sentencing Range by Offense Class and Prior Record Level
Active Sentences Only
FY 2013/14 Felonies

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	38 38%	6 21%	5 26%	3 43%	0 0%	1 25%	53 33%
	Presumptive	47 46%	20 69%	13 69%	4 57%	3 100%	3 75%	90 55%
	Aggravated	16 16%	3 10%	1 5%	0 0%	0 0%	0 0%	20 12%
	Subtotal	**101**	**29**	**19**	**7**	**3**	**4**	**163**
B2	Mitigated	42 36%	15 21%	8 20%	5 22%	6 55%	2 40%	78 29%
	Presumptive	64 54%	44 63%	19 49%	15 65%	4 36%	2 40%	148 56%
	Aggravated	12 10%	11 16%	12 31%	3 13%	1 9%	1 20%	40 15%
	Subtotal	**118**	**70**	**39**	**23**	**11**	**5**	**266**
C	Mitigated	60 36%	62 50%	60 51%	58 54%	41 58%	51 59%	332 49%
	Presumptive	94 57%	55 44%	54 45%	47 43%	24 34%	32 37%	306 46%
	Aggravated	11 7%	7 6%	5 4%	3 3%	6 8%	4 4%	36 5%
	Subtotal	**165**	**124**	**119**	**108**	**71**	**87**	**674**
D	Mitigated	133 47%	93 45%	74 44%	70 58%	51 67%	62 68%	483 51%
	Presumptive	147 52%	111 53%	86 51%	47 39%	24 32%	28 31%	443 47%
	Aggravated	4 1%	4 2%	8 5%	3 3%	1 1%	1 1%	21 2%
	Subtotal	**284**	**208**	**168**	**120**	**76**	**91**	**947**

Table 6: Sentencing Range by Offense Class and Prior Record Level (continued)
Active Sentences Only
FY 2013/14 Felonies

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	
E	Mitigated	35 18%	62 28%	86 34%	58 38%	32 35%	46 42%	319 31%
	Presumptive	158 79%	147 67%	146 59%	91 59%	51 56%	57 52%	650 64%
	Aggravated	6 3%	10 5%	17 7%	4 3%	8 9%	6 6%	51 5%
	Subtotal	**199**	**219**	**249**	**153**	**91**	**109**	**1,020**
F	Mitigated	60 23%	98 35%	75 30%	100 40%	30 25%	40 35%	403 31%
	Presumptive	191 72%	169 60%	163 64%	143 58%	80 67%	67 58%	813 64%
	Aggravated	13 5%	15 5%	15 6%	4 2%	9 8%	8 7%	64 5%
	Subtotal	**264**	**282**	**253**	**247**	**119**	**115**	**1,280**
G	Mitigated	24 20%	83 24%	67 18%	64 23%	37 25%	31 23%	306 22%
	Presumptive	89 76%	262 74%	289 77%	197 73%	103 71%	93 68%	1,033 74%
	Aggravated	5 4%	7 2%	17 5%	10 4%	6 4%	12 9%	57 4%
	Subtotal	**118**	**352**	**373**	**271**	**146**	**136**	**1,396**
H	Mitigated	69 20%	203 20%	212 23%	141 20%	99 20%	144 22%	868 21%
	Presumptive	257 75%	798 78%	684 75%	516 75%	379 76%	491 74%	3,125 76%
	Aggravated	17 5%	17 2%	22 2%	33 5%	18 4%	28 4%	135 3%
	Subtotal	**343**	**1,018**	**918**	**690**	**496**	**663**	**4,128**

Table 6: Sentencing Range by Offense Class and Prior Record Level (continued)
Active Sentences Only
FY 2013/14 Felonies

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	
I	Mitigated	N/A	N/A	N/A	55 19%	44 24%	49 20%	148 21%
	Presumptive	N/A	N/A	N/A	218 77%	130 71%	189 76%	537 75%
	Aggravated	N/A	N/A	N/A	10 4%	10 5%	10 4%	30 4%
	Subtotal	**N/A**	**N/A**	**N/A**	**283**	**184**	**248**	**715**
Total	Mitigated	461 29%	622 27%	587 28%	554 29%	340 28%	426 29%	2,990 28%
	Presumptive	1,047 66%	1,606 70%	1,454 68%	1,278 67%	798 67%	962 66%	7,145 68%
	Aggravated	84 5%	74 3%	97 4%	70 4%	59 5%	70 5%	454 4%
	Total	**1,592**	**2,302**	**2,138**	**1,902**	**1,197**	**1,458**	**10,589**

Note: Convictions that 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) were excluded from this table. Class A convictions, which are subject to mandatory life or death sentences (n=74), and Class B1 convictions with life sentences (n=2) were also excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

C. Sentencing Range by Crime Type

The sentence location 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 (7%). Convictions for "other felony" offenses accounted for the lowest percentage of presumptive sentences (54%) and the highest percentage of mitigated sentences (43%) relative to the other crime types. Convictions under the habitual felon law, commonly sentenced in the mitigated range,[3] accounted for the largest number of convictions in the "other felony" category, representing 36% of convictions in this category.[4] For additional information regarding convictions by crime type, see *Appendix D, Tables 1 and 2*.

[3] See *Figure Q* in *Section VI* for the breakdown of habitual felon convictions by sentencing range.
[4] This category does not reflect the substantive offense associated with a habitual felon conviction. *Table 13* presents detailed information on substantive offenses associated with habitual felon convictions.

Table 7: Sentencing Range by Crime Type
Active Sentences Only
FY 2013/14 Felonies

Crime Type	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Person	826	28	1,909	65	194	7	2,929
Property	755	21	2,749	76	124	3	3,628
Non-Trafficking Drug	467	26	1,284	70	76	4	1,827
Other Felony	942	43	1,203	54	60	3	2,205
Total	**2,990**	**28**	**7,145**	**68**	**454**	**4**	**10,589**

Note: Convictions that 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) were excluded from this table. Class A convictions, which are subject to mandatory life or death sentences (n=74), and Class B1 convictions with life sentences (n=2) were also excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

D. Sentence Location within the Sentencing Range

Although the felony punishment chart contains a range of sentences for each combination of offense class and prior record level, over three-quarters (78%) of all Active 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 8 and Table 9*).[5] Of those Active sentences, 19% fell on the lowest spot of the mitigated range, 29% fell on the lowest spot of the presumptive range, 27% fell on the highest spot of the presumptive range, and 3% fell on the highest spot of the aggravated range.

Table 8 provides information regarding sentences imposed on one of the four specific spots of the sentencing range by offense class. 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 (86% and 87% respectively). Convictions for Class B2 offenses had the lowest percentage of Active sentences located on one of the four specific spots of the sentencing range (56%). A large percentage of Class C and Class D convictions (which includes habitual felon convictions) were sentenced on the lowest spot of the mitigated range (32% and 35% respectively). The majority of sentences for all other offense classes were located on either

[5] As an example, for Class E with PRL 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).

the lowest spot of the presumptive range or the highest spot of the presumptive range, with the exception of Class B1 convictions. *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. Class C and Class D convictions accounted for the highest percentage of sentences falling within the mitigated range or at the lowest spot of the presumptive range (65% and 69% respectively).

Table 8: Sentence Location within the Sentencing Range by Offense Class
Active Sentences Only
FY 2013/14 Felonies

Offense Class	Location in the Sentencing Range				% on the Four Spots
	Mitigated	Presumptive		Aggravated	
	% Lowest Spot	% Lowest Spot	% Highest Spot	% Highest Spot	
B1	20	17	22	8	67
B2	10	18	20	8	56
C	32	15	14	2	63
D	35	18	13	2	68
E	21	28	21	3	73
F	20	27	23	4	74
G	15	31	29	3	78
H	16	33	35	2	86
I	17	32	35	3	87
Total	**19**	**29**	**27**	**3**	**78**

Note: Convictions that 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) were excluded from this table. Class A convictions, which are subject to mandatory life or death sentences (n=74), and Class B1 convictions with life sentences (n=2) were also excluded from this table. Percentages may not add to totals due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 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 largest percentage of sentences on the four spots of the range (85% and 81% respectively). Sentences for person, property, and non-trafficking drug offenses were most likely to be located on either the lowest spot of the presumptive range or the highest spot of the presumptive range, while sentences for “other felony” offenses, which includes sentences for habitual felons, were most likely to be located on the lowest spot of the mitigated range.

Table 9: Sentence Location within the Sentencing Range by Crime Type
Active Sentences Only
FY 2013/14 Felonies

Crime Type	Location in the Sentencing Range				% on the Four Spots
	Mitigated	Presumptive		Aggravated	
	% Lowest Spot	% Lowest Spot	% Highest Spot	% Highest Spot	
Person	18	25	25	5	73
Property	16	33	34	2	85
Non-Trafficking Drug	18	30	30	3	81
Other Felony	29	25	17	1	72
Total	**19**	**29**	**27**	**3**	**78**

Note: Convictions that 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) were excluded from this table. Class A convictions, which are subject to mandatory life or death sentences (n=74), and Class B1 convictions with life sentences (n=2) were also excluded from this table. Percentages may not add to totals due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

V. INTERMEDIATE AND COMMUNITY PUNISHMENTS

This section summarizes information about 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.

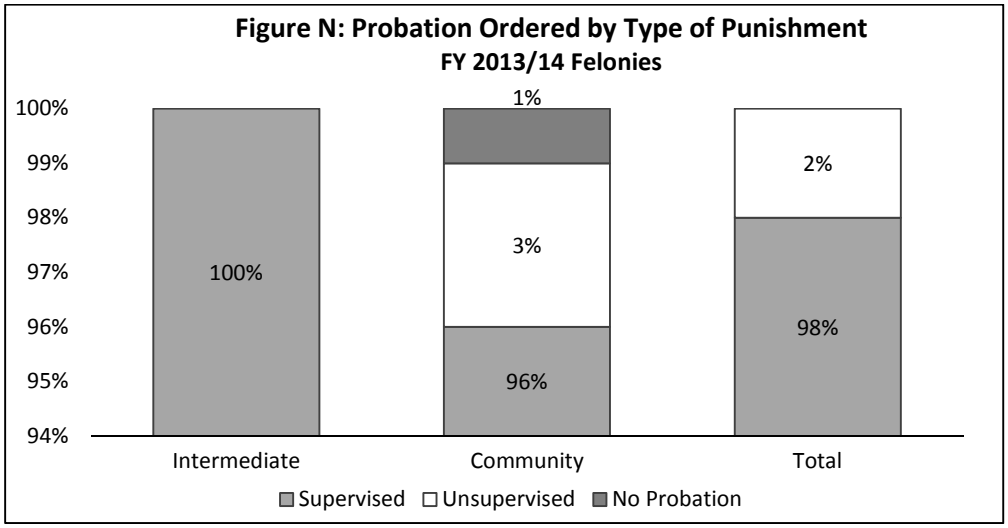
An Intermediate or Community punishment may include one or more of the following probation conditions: house arrest with electronic monitoring; community service; short-term jail confinements; substance abuse assessment, monitoring, or treatment; and education or vocational skills development. An Intermediate 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 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. It should be noted that some conditions (*e.g.*, drug treatment court) are not equally available across the state.

AOC only collects information on the following probation conditions within its current data management system: special probation, drug treatment court, house arrest with electronic monitoring, community service, restitution, fines, and court costs. As a result, data reported in this section include information on those conditions only and do not reflect the full scope of available conditions for offenders sentenced to

Intermediate or Community punishment. As automated data about other conditions become available, they will be included in future reports.

This section only includes information on probation conditions that were imposed for Intermediate or Community punishments at sentencing. A single conviction often results in the imposition of more than one probation condition. Probation conditions that are subsequently imposed as a result of modifications to probation are not included.

During FY 2013/14, Intermediate punishments were imposed for 8,483 convictions and Community punishments were imposed for 8,315 convictions for a total of 16,798 non-active sentences.[6] Overall, 16,484 convictions received supervised probation, 253 received unsupervised probation, and 61 did not receive probation. *Figure N* provides information regarding the type of probation imposed for Intermediate and Community punishment convictions. All offenders with an Intermediate punishment (100%) received supervised probation. Nearly all Community punishment convictions (96%) received supervised probation, with only 3% receiving unsupervised probation and 1% having no probation ordered.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

A. Probation Length by Type of Punishment

Table 10 provides the average length of probation by offense class and type of punishment for offenders sentenced to probation (n=16,737) in FY 2013/14. Nearly half of all probation sentences fell within Class H (n=7,886 or 47%) and had an average probation length of 28 months. Overall, the average probation length was 27 months.

[6] Of the 16,798 convictions where an Intermediate or Community punishment was imposed, 90% (n=15,079) were for offenses committed on or after December 1, 2011.

Table 10: Length of Probation by Offense Class and Type of Punishment
FY 2013/14 Felonies

Offense Class	Type of Punishment	Total	
		Months	#
D	Intermediate	37	8
	Subtotal	**37**	**8**
E	Intermediate	35	494
	Community	32	102
	Subtotal	**34**	**596**
F	Intermediate	33	889
	Community	31	347
	Subtotal	**32**	**1,236**
G	Intermediate	30	1,525
	Community	28	588
	Subtotal	**29**	**2,113**
H	Intermediate	29	3,928
	Community	27	3,958
	Subtotal	**28**	**7,886**
I	Intermediate	25	1,639
	Community	23	3,259
	Subtotal	**23**	**4,898**
	Total	**27**	**16,737**

Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart due to discrepant offense classes, prior conviction levels, or for other reasons 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 2013/14 Statistical Report Data

Table 11 shows the average probation sentence length for Intermediate and Community punishment convictions by crime type. The greatest number of convictions resulting in probation occurred for property offenses (n=7,114 or 42%) with an average probation length of 29 months. The lowest number of convictions resulting in probation were "other felony" offenses (n=1,763 or 11%), which included habitual felon convictions. Overall, person offenses resulted in the longest average probation sentence (31 months) and non-trafficking drug offenses resulted in the shortest average probation sentence (24 months).

Table 11: Length of Probation by Crime Type and Type of Punishment
FY 2013/14 Felonies

Crime Type	Type of Punishment	Total	
		Months	#
Person	Intermediate	32	1,353
	Community	29	555
	Subtotal	**31**	**1,908**
Property	Intermediate	30	3,407
	Community	27	3,707
	Subtotal	**29**	**7,114**
Non-trafficking Drugs	Intermediate	27	2,661
	Community	23	3,291
	Subtotal	**24**	**5,952**
Other Felony	Intermediate	29	1,062
	Community	25	701
	Subtotal	**27**	**1,763**
	Total	**27**	**16,737**

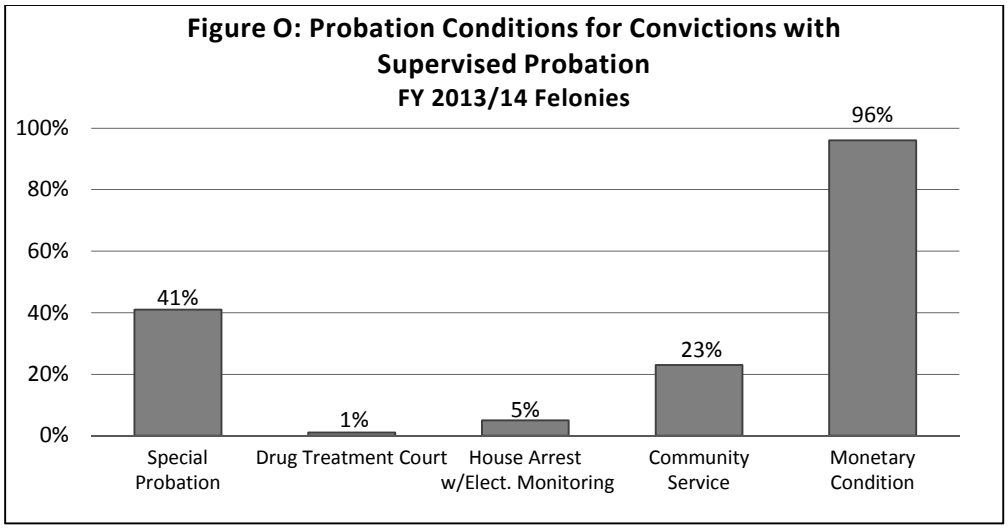
Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart due to discrepant offense classes, prior conviction levels, or for other reasons were excluded from this table. This table includes convictions for Intermediate or Community punishments where not authorized under the Felony Punishment Chart.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

B. Conditions of Probation[7]

In FY 2013/14, supervised probation was imposed for 16,484 convictions with an Intermediate or Community punishment. *Figure O* 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. As a result, the percentages provided in *Figure O* add to more than 100%. The most frequent condition imposed for supervised probation was a monetary condition (96%), which includes payment of fines, restitution, and/or court costs. Forty-one percent received special probation as a condition of supervised probation. Community service was imposed for 23% of Community and Intermediate punishment convictions with supervised probation. The least frequent conditions imposed were drug treatment court (1%) and house arrest with electronic monitoring (5%).

[7] Information reported in this section includes data only on probation conditions captured in ACIS and does not reflect the full scope of available conditions for offenders sentenced to Intermediate or Community punishment.



Note: This figure includes information on probation conditions that are captured in AOC's ACIS. Conditions ordered are reported regardless of possible errors in ACIS (*e.g.,* 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. As a result, the percentages reported add to more than 100%.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Table 12 provides detailed information about the conditions ordered at sentencing for Intermediate and Community punishment convictions with supervised probation, including the average length of probation. Conditions ordered are reported regardless of possible errors in ACIS (*i.e.*, special probation or drug treatment court are not authorized conditions for a Community punishment). Overall, 8,483 Intermediate punishment convictions and 8,001 Community punishment convictions resulted in supervised probation sentences. The average length of probation imposed was 29 months for convictions with an Intermediate punishment and 26 months for convictions with a Community punishment. Overall, a monetary condition (*i.e.,* fine, restitution, court costs) was the condition of probation most frequently ordered (n=15,886). Other than a monetary condition, special probation was the condition of probation most frequently ordered for Intermediate punishment convictions (n=6,470), while community service was the condition of probation most frequently ordered for Community punishment convictions (n=2,036). Convictions with house arrest with electronic monitoring had the longest average length of supervision (31 months).

Table 12: Probation Conditions for Convictions with Supervised Probation
FY 2013/14 Felonies

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	6,470 *29 months*	153 *28 months*	801 *31 months*	1,713 *29 months*	8,169 *29 months*	8,483 *29 months*
Community	247 *28 months*	11 *29 months*	51 *31 months*	2,036 *25 months*	7,717 *26 months*	8,001 *26 months*
Total	**6,717** ***29 months***	**164** ***28 months***	**852** ***31 months***	**3,749** ***27 months***	**15,886** ***28 months***	**16,484** ***27 months***

Note: This table includes information on probation conditions that are captured in AOC's ACIS. Conditions ordered are reported regardless of possible errors in ACIS (*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 2013/14 Statistical Report Data

C. No Probation Sentence Ordered

A probation sentence is not required for Community punishment convictions. In FY 2013/14, 61 convictions with a Community punishment had no probation sentence ordered. As part of their sentence, 8% (n=5) of these convictions were ordered to perform community service and 56% (n=34) were ordered to pay monetary obligations (*i.e.*, fine, restitution, or court costs).

VI. SPECIAL ISSUES

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

A. Death and Life Sentences

Offenders convicted of first degree murder may receive a sentence of either death or life without parole. The sentence of life without parole is also required for offenders convicted of Class B1 felonies who are sentenced from 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 also, Habitual Status Offenders). During FY 2013/14, four (4) death sentences and 71 life without parole sentences were imposed for felons convicted of first degree murder, murder of an unborn child, first degree rape, and first degree sex offense with a child.

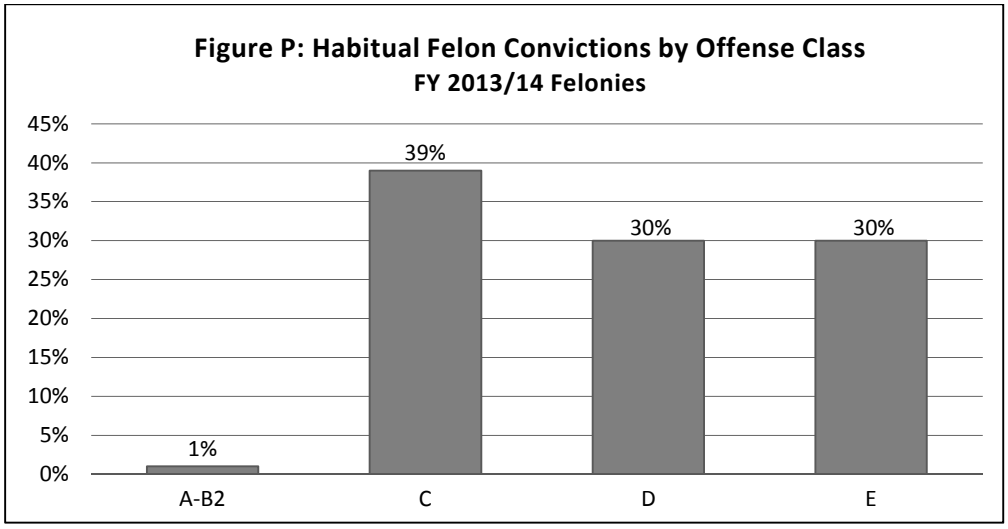
Minors (defined as offenders under the age of 18 at the time of the offense) convicted of first degree murder may receive a sentence of either life with or without parole. Of the 71 life without parole sentences described above, two (2) were for a minor convicted of first degree murder. In addition, one (1) minor convicted of first degree murder received a sentence of life with parole.

B. 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 he or she 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. (N.C.G.S. §§ 14-7.7 to -7.12). During FY 2013/14, two (2) life without parole sentences were imposed for violent habitual felon convictions. The most serious substantive offenses associated with the violent habitual felon convictions were robbery with a dangerous weapon and aiding and abetting robbery with a dangerous weapon.

A habitual felon is an offender with at least three prior felony convictions (each conviction having occurred before he or she committed the next offense) who has currently been convicted of a felony offense and who has been found by a jury to be a habitual felon. (N.C.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. Of the 851 habitual felon convictions in FY 2013/14, 9% (n=76) were for substantive offenses occurring prior to December 1, 2011, while 91% (n=775) were for substantive felony offenses committed on or after December 1, 2011.

Figure P shows the breakdown of habitual felon convictions by offense class. A large proportion (n=336 or 39%) were sentenced as Class C felons, closely followed by those sentenced as Class D and Class E felons (30% each). Overall, 98% (n=832) were sentenced to an Active punishment, 2% (n=16) were sentenced to an Intermediate punishment, and less than 1% (n=3) were sentenced to a Community punishment.



SOURCE: NC Sentencing and Policy Advisory Commission FY 2013/14 Statistical Report Data

Table 13 shows the breakdown by offense class and crime type 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. 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 ACIS. Thirty-six percent of habitual felons had a conviction for a Class H offense as their most serious substantive conviction (n=303). Breaking or Entering Buildings was the most serious substantive conviction that occurred most frequently (n=105).

Table 13: Most Serious Substantive Offense Associated with Habitual Felon Convictions by Offense Class FY 2013/14 Felonies

Class A Felonies			**Total Convictions = 1**
First Degree Murder	1		
Class B1 Felonies			**Total Convictions = 3**
First Degree Rape	1	Sexual Offense with a Child, Adult Offender	1
First Degree Sexual Offense	1		
Class B2 Felonies			**Total Convictions = 3**
Second Degree Murder	2		
Attempted First Degree Sexual Offense	1		
Class C Felonies			**Total Convictions = 9**
First Degree Kidnapping	2	Manufacture Methamphetamine	1
Second Degree Sexual Offense	1	Att. to Manufacture Methamphetamine	1
Failure to Report Change of Address	1	Consp. to Manufacture Methamphetamine	1
AWDW Intent to Kill Inflicting Serious Injury	1	Sale of Marijuana	1
Class D Felonies			**Total Convictions = 48**
Robbery with a Dangerous Weapon	24	Attempt to Possess a Firearm by a Felon	1
First Degree Burglary	10	Other Person Offenses	2
Voluntary Manslaughter	4	Other Drug Offenses	2
Attempted Robbery with a Dangerous Weapon	3	Other Felony Offenses	2
Class E Felonies			**Total Convictions = 27**
AWDW Inflicting Serious Injury	11	Discharge Weapon into Occupied Property	1
Consp. Robbery with a Dangerous Weapon	3	Other Drug Offenses	6
Second Degree Kidnapping	2	Other Felony Offenses	2
Habitual Breaking and Entering	2		
Class F Felonies			**Total Convictions = 67**
Habitual Impaired Driving	16	Malicious Conduct by a Prisoner	3
Failure to Register as a Sex Offender	11	Other Person Offenses	12
Failure to Report New Address – Sex Offender	9	Other Drug Offenses	7
Indecent Liberties with a Child	7	Other Felony Offenses	2

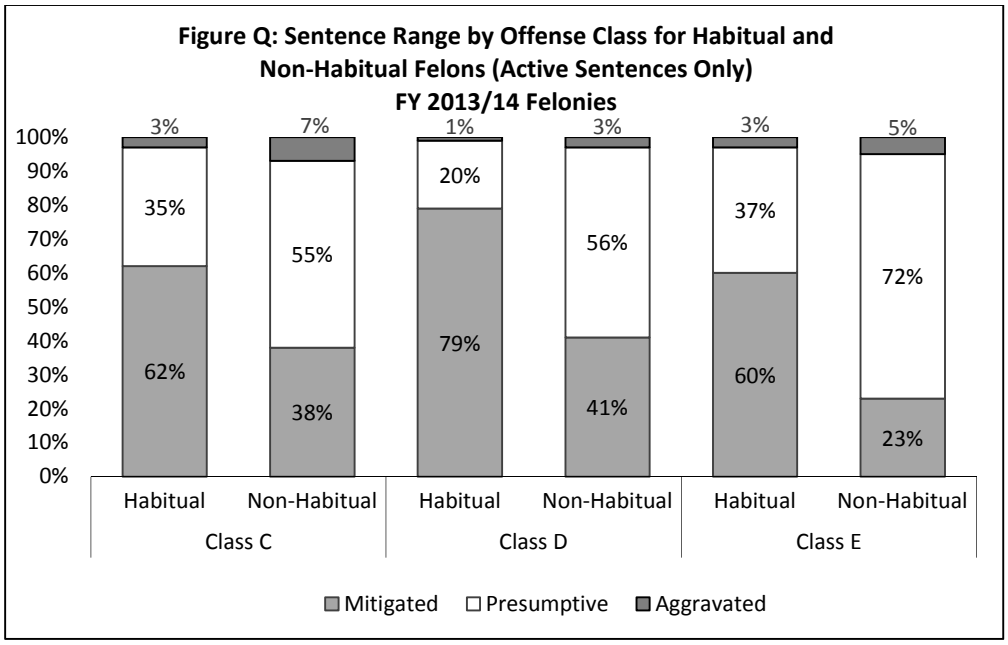
Table 13: Most Serious Substantive Offense Associated with Habitual Felon Convictions by Offense Class (continued) FY 2013/14 Felonies

Class G Felonies			**Total Convictions = 143**
Possession of a Firearm by a Felon	52	Other Property Offenses	18
Common Law Robbery	12	Other Drug Offenses	58
Attempted Abduction of a Child	1	Other Felony Offenses	2
Class H Felonies			**Total Convictions = 303**
Breaking or Entering Buildings	105	Habitual Misdemeanor Assault	4
Felony Larceny	29	Other Person Offenses	8
Obtain Property by False Pretense	23	Other Property Offenses	49
PWISD Cocaine	26	Other Drug Offenses	31
Larceny of a Motor Vehicle	9	Other Felony Offenses	19
Class I Felonies			**Total Convictions = 247**
Breaking or Entering a Motor Vehicle	33	PWISD Marijuana	19
Attempted Larceny	12	Other Person Offenses	5
Attempted Breaking or Entering	10	Other Property Offenses	36
Felony Possession of Cocaine	72	Other Drug Offenses	39
Felony Possession Sch. II Controlled Substance	11	Other Felony Offenses	10
Total Convictions			**851**

Note: The most serious substantive offense may not be the conviction used to establish habitual felon status. The offense class to which a habitual felon is sentenced depends on whether the substantive offense occurred prior to or on or after December 1, 2011.

SOURCE: NC Sentencing and Policy Advisory Commission FY 2013/14 Statistical Report Data

Figure Q shows the breakdown of 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 than non-habitual felons, 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 (79%) compared to Class C (62%) and Class E habitual felons (60%).



Note: Convictions that 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) were excluded from this figure.

SOURCE: NC Sentencing and Policy Advisory Commission FY 2013/14 Statistical Report Data

A habitual breaking and entering status offender is an offender with at least one prior felony breaking and entering conviction (the conviction having occurred before he or she committed the next offense) who has currently been convicted of a felony breaking and entering offense (first degree burglary, second degree burglary, breaking out of a dwelling, breaking or entering buildings generally, breaking or entering a place of worship), who has also been found to be a habitual breaking and entering status offender. Offenders who are convicted as habitual breaking and entering status offenders are sentenced in Class E according to the Felony Punishment Chart.

There were 154 habitual breaking and entering status offense convictions during FY 2013/14. Ninety-two percent (n=128) had a conviction for a Class H offense as their most serious substantive conviction. Ninety-five percent (n=146) were sentenced to an Active punishment, 4% (n=7) were sentenced to an Intermediate punishment, and 1% (n=1) were sentenced to a Community punishment. Of the 146 habitual breaking and entering convictions with Active sentences, 26% were sentenced in the mitigated range, 67% were sentenced in the presumptive range, and 8% were sentenced in the aggravated range.

C. 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 he or she 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. (N.C.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 seventy-two months if the offender is convicted of a Class A, B1, B2, C, D or E felony, thirty-six months if the offender is convicted of a Class F or G felony, or

12 months if the offender is convicted of a Class H or I felony. Previously, the firearm enhancement was for sixty months and only applied to Class A, B1, B2, C, D or E felonies. The firearm enhancement was applied to seven (7) Class A through Class E felony convictions and no Class F through Class I felony convictions in FY 2013/14.

D. Drug Trafficking Convictions

Drug trafficking 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.

Drug Trafficking	Minimum	Maximum
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 his or her discretion. (N.C.G.S. § 90-95(h)(5)).

As shown in *Table 14*, there were 474 convictions for drug trafficking offenses in FY 2013/14.[8] The most frequently occurring drug trafficking convictions were in Class F (n=220), followed by Class G (n=135).

Table 14: Drug Trafficking Convictions
FY 2013/14 Felonies

Offense Class and Trafficking Offense		Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
		Active		Intermediate		Community				
		#	%	#	%	#	%			
C	Traffic Heroin	3	100	0	0	0	0	108	139	3
	Traffic Cocaine	1	100	0	0	0	0	175	219	1
	Consp. Traffic Heroin	1	100	0	0	0	0	225	279	1
	Other Trafficking	16	89	2	11	0	0	154	193	18
	Subtotal	**21**	**91**	**2**	**9**	**0**	**0**	**152**	**191**	**23**
D	Traffic Cocaine	1	100	0	0	0	0	70	84	1
	Other Trafficking	9	82	1	9	1	9	96	125	11
	Subtotal	**10**	**84**	**1**	**8**	**1**	**8**	**94**	**122**	**12**

[8] Information presented in *Table 14* includes drug trafficking and conspiracy convictions only. Other drug trafficking offenses, such as attempts, are sentenced under the Felony Punishment Chart and are not included in *Table 14.*

Table 14: Drug Trafficking Convictions (continued)
FY 2013/14 Felonies

Offense Class and Trafficking Offense		Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
		Active		Intermediate		Community				
		#	%	#	%	#	%			
E	Traffic Heroin	19	86	0	0	3	14	80	105	22
	Traffic Methamphetamine	5	100	0	0	0	0	90	119	5
	Consp. Traffic Meth.	3	100	0	0	0	0	70	93	3
	Other Trafficking	13	81	2	13	1	6	81	107	16
	Subtotal	**40**	**87**	**2**	**4**	**4**	**9**	**81**	**107**	**46**
F	Traffic Methamphetamine	15	100	0	0	0	0	67	86	15
	Traffic Cocaine	11	92	1	8	0	0	60	75	12
	Traffic Heroin	93	89	9	8	3	3	64	83	105
	Consp. Traffic Meth.	7	100	0	0	0	0	55	75	7
	Consp. Traffic Heroin	6	100	0	0	0	0	55	71	6
	Other Trafficking	61	81	8	11	6	8	61	78	75
	Subtotal	**193**	**88**	**18**	**8**	**9**	**4**	**63**	**80**	**220**
G	Traffic in MDA/MDMA	3	100	0	0	0	0	35	45	3
	Traffic Marijuana	2	100	0	0	0	0	35	47	2
	Traffic Cocaine	53	95	1	2	2	3	34	46	56
	Traffic LSD	0	0	1	100	0	0	13	25	1
	Consp. Traffic Cocaine	5	83	0	0	1	17	32	41	6
	Other Trafficking	61	91	0	0	6	9	31	42	67
	Subtotal	**124**	**92**	**2**	**1**	**9**	**7**	**33**	**44**	**135**
H	Traffic Marijuana	12	86	0	0	2	14	20	30	14
	Consp. Traffic Marijuana	3	100	0	0	0	0	25	30	3
	Other Trafficking	16	76	1	5	4	19	22	49	21
	Subtotal	**31**	**82**	**1**	**2**	**6**	**16**	**21**	**41**	**38**
	Total	**419**	**88**	**26**	**6**	**29**	**6**	**58**	**76**	**474**

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 N.C.G.S. §90-95(h). For example, according to statute, an offender can only be convicted of trafficking cocaine in Classes D, F, and G. However, in the table, there is a Class C conviction for trafficking cocaine. Non-active sentences and those shorter than mandatory active sentences may reflect the use of the substantial assistance provision or incorrect offense identification.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

E. Advanced Supervised Release

Advanced Supervised Release (ASR) is a sentencing option available for certain offenders (those convicted of offenses in certain offense classes and prior record levels set by statute) receiving active sentences. (N.C.G.S. § 15A-1340.18). Unless there is objection from the prosecutor, judges may decide at sentencing to order eligible offenders to the ASR program. 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 71 convictions with an ASR sentence in FY 2013/14. Overall, there were 18 ASR sentences imposed in Class D, 16 in Class E, 11 in Class F, 14 in Class G, 11 in Class H, and one (1) in Class I. Of these, three (3) ASR sentences were imposed in offense classes and/or prior record levels in which ASR is not authorized (two in Class D and one in Class I). In these instances, the ASR sentence may have been imposed for a less serious conviction and not the offender's most serious conviction.

SECTION II

MISDEMEANOR CONVICTIONS
IN FY 2013/14

I. MISDEMEANOR CONVICTIONS IN FY 2013/14

A. Definition of the Unit of Analysis

The unit of analysis for this report is convictions disposed of in a *sentencing episode*.

Definition of a Sentencing Episode:

A *sentencing episode* is identified from court records as the sentence imposed for the *most serious conviction* on a given day of court. While a sentencing episode involves one offender, in our 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."

B. Misdemeanor Convictions

This section contains detailed information about misdemeanor convictions and sentences imposed under Structured Sentencing during FY 2013/14 (July 1, 2013 through June 30, 2014).[9] Overall, sentences for 119,960 misdemeanor convictions were imposed. For many of the tables, information on 3,007 convictions (or 2.5%) was excluded due to data discrepancies. Such exclusions are noted at the end of each table. The misdemeanor punishment chart for offenses committed on or after December 1, 2013 is printed on the inside back cover of the report. Current and previous misdemeanor punishment charts can also be found on the Commission's website.

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);
2) Cases disposed of by a magistrate;
3) Class 2 and 3 criminal traffic offenses; and
4) Local ordinance offenses.

C. Distribution of Convictions within the Misdemeanor Punishment Chart

Table 15 shows the distribution of convictions within the Misdemeanor Punishment Chart. Of the 116,953 misdemeanor convictions, 9% fell into Class A1, 59% fell into Class 1, 14% fell into Class 2, and 18% fell into Class 3.[10] Thirty-two percent of misdemeanor convictions fell into Prior Conviction Level I, 40% fell into Prior Conviction Level II, and 28% fell into Prior Conviction Level III. Relative to other cells within the Misdemeanor Punishment Chart, the greatest number of convictions fell into Class 1 with Prior Conviction Level II (n=29,096 or 24.9%).

[9] Effective for offenses committed on or after December 1, 2013, the North Carolina General Assembly reclassified a number of misdemeanor offenses to lower classes or infractions.

[10] Class 3 misdemeanor offenses committed on or after December 1, 2013 for offenders with three or fewer convictions are punishable by a fine only. Of the 20,765 Class 3 misdemeanor convictions, less than 1% (n=28) were identified as receiving a fine only, with no probation or additional sanctions ordered.

Table 15: Distribution of Convictions within the Misdemeanor Punishment Chart
FY 2013/14 Misdemeanors

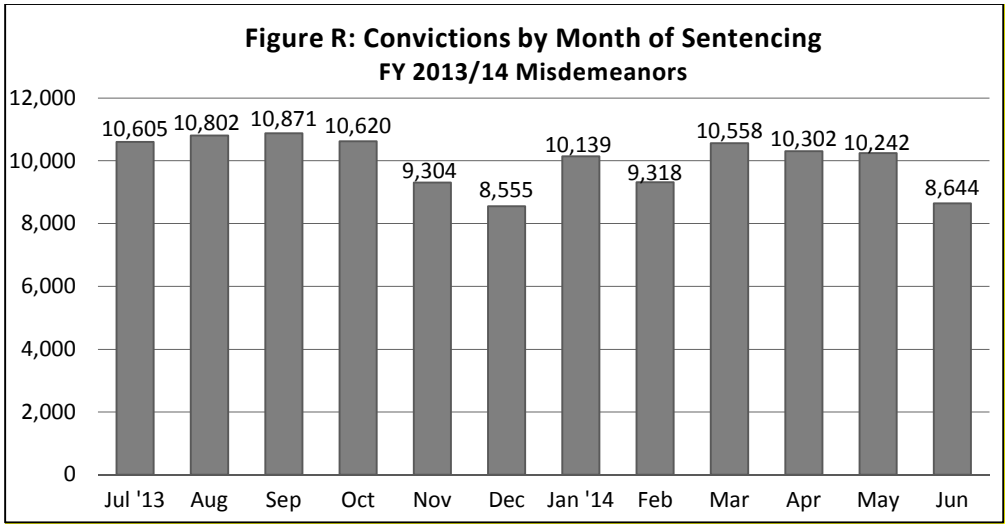
Offense Class	Prior Conviction Level			Total
	I 0 Points	II 1-4 Points	III 5+ Points	
A1	2,671 2.3%	3,945 3.4%	3,700 3.1%	10,316 8.8%
1	19,410 16.6%	29,096 24.9%	20,397 17.4%	68,903 58.9%
2	6,272 5.4%	6,726 5.7%	3,971 3.4%	16,969 14.5%
3	8,679 7.4%	7,241 6.2%	4,845 4.2%	20,765 17.8%
Total	**37,032** **31.7%**	**47,008** **40.2%**	**32,913** **28.1%**	**116,953** **100.0%**

Note: Of the 119,960 misdemeanor convictions in FY 2013/14, 3,007 (or 2.5%) were excluded from this table. These convictions did not fit within the appropriate cell in the Misdemeanor Punishment Chart due to discrepant offense classes, prior conviction levels, or for other reasons.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

D. Convictions by Month of Sentencing

Figure R shows the number of misdemeanor convictions (N=119,960) by month of sentencing during FY 2013/14. Convictions were highest in September and lowest in December.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

E. Convictions by Judicial District and County

Table 16 shows the number of convictions by judicial district and county. The table indicates whether a conviction occurred in District or Superior Court and whether it resulted from a guilty plea, bench trial, or jury trial.[11] See *Appendix A* for a map of judicial districts. In FY 2013/14, there were 112,586 guilty pleas/bench trials in District Court, and 7,204 guilty pleas and 170 jury trials in Superior Court.

Table 16: Convictions by Judicial District, County, and Mode of Disposition
FY 2013/14 Misdemeanors

Judicial District and County		District Court	Superior Court		Total
		Guilty Plea/ Bench Trial	Guilty Plea	Jury Trial	
District 1	Camden	42	18	0	60
	Chowan	166	22	0	188
	Currituck	230	37	0	267
	Dare	483	49	0	532
	Gates	87	16	1	104
	Pasquotank	617	78	1	696
	Perquimans	152	14	0	166
	Total	**1,777**	**234**	**2**	**2,013**
District 2	Beaufort	901	82	0	983
	Hyde	75	2	4	81
	Martin	458	26	1	485
	Tyrrell	131	7	1	139
	Washington	162	22	0	184
	Total	**1,727**	**139**	**6**	**1,872**
District 3A	Pitt	2,357	266	6	2,629
	Total	**2,357**	**266**	**6**	**2,629**
District 3B	Carteret	812	36	0	848
	Craven	1,776	77	2	1,855
	Pamlico	178	4	0	182
	Total	**2,766**	**117**	**2**	**2,885**
District 4	Duplin	785	65	1	851
	Jones	196	18	2	216
	Onslow	2,150	123	5	2,278
	Sampson	1,238	16	2	1,256
	Total	**4,369**	**222**	**10**	**4,601**
District 5	New Hanover	2,904	141	1	3,046
	Pender	487	21	0	508
	Total	**3,391**	**162**	**1**	**3,554**
District 6A	Halifax	821	102	0	923
	Total	**821**	**102**	**0**	**923**

[11] For misdemeanor convictions in Superior Court, see N.C.G.S § 7A-271(a).

Table 16: Convictions by Judicial District, County, and Mode of Disposition (continued)
FY 2013/14 Misdemeanors

Judicial District and County		District Court	Superior Court		Total
		Guilty Plea/ Bench Trial	Guilty Plea	Jury Trial	
District 6B	Bertie	202	27	0	229
	Hertford	389	54	0	443
	Northampton	299	22	0	321
	Total	**890**	**103**	**0**	**993**
District 7	Edgecombe	902	168	5	1,075
	Nash	1,378	146	5	1,529
	Wilson	1,125	154	1	1,280
	Total	**3,405**	**468**	**11**	**3,884**
District 8	Greene	185	47	1	233
	Lenoir	1,248	216	1	1,465
	Wayne	1,585	119	7	1,711
	Total	**3,018**	**382**	**9**	**3,409**
District 9	Franklin	378	102	0	480
	Granville	483	100	0	583
	Vance	961	110	0	1,071
	Warren	149	58	0	207
	Total	**1,971**	**370**	**0**	**2,341**
District 9A	Caswell	166	44	2	212
	Person	505	71	1	577
	Total	**671**	**115**	**3**	**789**
District 10	Wake	9,703	216	12	9,931
	Total	**9,703**	**216**	**12**	**9,931**
District 11	Harnett	767	5	0	772
	Johnston	1,298	29	1	1,328
	Lee	651	45	0	696
	Total	**2,716**	**79**	**1**	2,796
District 12	Cumberland	2,241	365	2	2,608
	Total	**2,241**	**365**	**2**	**2,608**
District 13	Bladen	446	71	0	517
	Brunswick	1,425	102	0	1,527
	Columbus	543	105	0	648
	Total	**2,414**	**278**	**0**	**2,692**
District 14	Durham	2,680	62	5	2,747
	Total	**2,680**	**62**	**5**	**2,747**
District 15A	Alamance	2,317	135	6	2,458
	Total	**2,317**	**135**	**6**	**2,458**
District 15B	Chatham	491	19	0	510
	Orange	770	13	1	784
	Total	**1,261**	**32**	**1**	**1,294**

Table 16: Convictions by Judicial District, County, and Mode of Disposition (continued)
FY 2013/14 Misdemeanors

Judicial District and County		District Court	Superior Court		Total
		Guilty Plea/ Bench Trial	Guilty Plea	Jury Trial	
District 16A	Hoke	666	23	0	689
	Scotland	1,100	49	1	1,150
	Total	**1,766**	**72**	**1**	**1,839**
District 16B	Robeson	2,477	81	5	2,563
	Total	**2,477**	**81**	**5**	**2,563**
District 17A	Rockingham	1,344	45	3	1,392
	Total	**1,344**	**45**	**3**	**1,392**
District 17B	Stokes	508	72	0	580
	Surry	983	87	2	1,072
	Total	**1,491**	**159**	**2**	**1,652**
District 18	Guilford	5,355	541	6	5,902
	Total	**5,355**	**541**	**6**	**5,902**
District 19A	Cabarrus	3,619	132	2	3,753
	Total	**3,619**	**132**	**2**	**3,753**
District 19B	Montgomery	495	31	0	526
	Moore	884	62	3	949
	Randolph	1,707	76	0	1,783
	Total	**3,086**	**169**	**3**	**3,258**
District 19C	Rowan	2,861	101	6	2,968
	Total	**2,861**	**101**	**6**	**2,968**
District 20A	Anson	357	87	1	445
	Richmond	559	105	0	664
	Stanly	441	84	0	525
	Total	**1,357**	**276**	**1**	**1,634**
District 20B	Union	1,216	262	2	1,480
	Total	**1,216**	**262**	**2**	**1,480**
District 21	Forsyth	4,994	47	11	5,052
	Total	**4,994**	**47**	**11**	**5,052**
District 22A	Alexander	419	18	1	438
	Iredell	1,890	41	1	1,932
	Total	**2,309**	**59**	**2**	**2,370**
District 22B	Davidson	2,387	74	1	2,462
	Davie	379	20	1	400
	Total	**2,766**	**94**	**2**	**2,862**
District 23	Alleghany	102	2	0	104
	Ashe	239	1	0	240
	Wilkes	897	8	0	905
	Yadkin	497	3	0	500
	Total	**1,735**	**14**	**0**	**1,749**

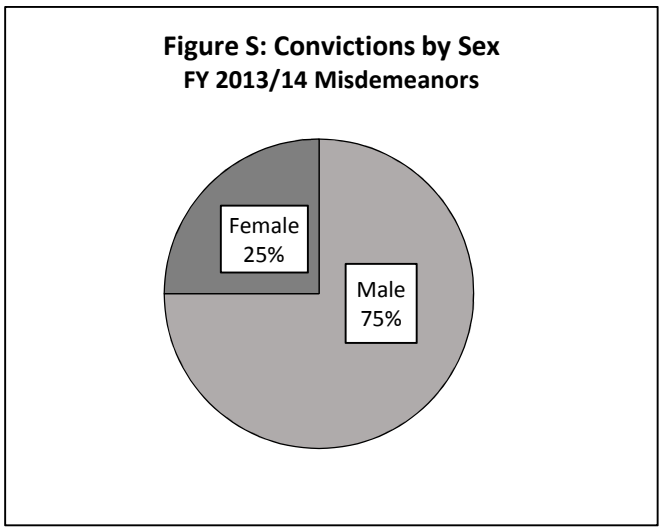
Table 16: Convictions by Judicial District, County, and Mode of Disposition (continued)
FY 2013/14 Misdemeanors

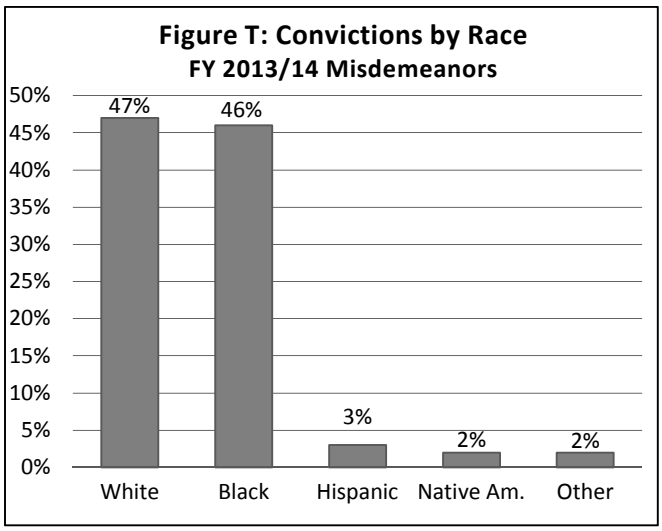
Judicial District and County		District Court	Superior Court		Total
		Guilty Plea/ Bench Trial	Guilty Plea	Jury Trial	
District 24	Avery	189	7	1	197
	Madison	179	21	0	200
	Mitchell	182	12	0	194
	Watauga	421	45	0	466
	Yancey	170	16	0	186
	Total	**1,141**	**101**	**1**	**1,243**
District 25	Burke	1,120	72	1	1,193
	Caldwell	1,468	49	2	1,519
	Catawba	2,038	98	5	2,141
	Total	**4,626**	**219**	**8**	**4,853**
District 26	Mecklenburg	5,045	442	20	5,507
	Total	**5,045**	**442**	**20**	**5,507**
District 27A	Gaston	2,361	219	0	2,580
	Total	**2,361**	**219**	**0**	**2,580**
District 27B	Cleveland	1,957	53	0	2,010
	Lincoln	971	60	2	1,033
	Total	**2,928**	**113**	**2**	**3,043**
District 28	Buncombe	3,636	54	6	3,696
	Total	**3,636**	**54**	**6**	**3,696**
District 29A	McDowell	632	30	2	664
	Rutherford	1,408	30	3	1,441
	Total	**2,040**	**60**	**5**	**2,105**
District 29B	Henderson	1,235	10	1	1,246
	Polk	273	5	1	279
	Transylvania	422	9	0	431
	Total	**1,930**	**24**	**2**	**1,956**
District 30	Cherokee	243	12	0	255
	Clay	65	0	0	65
	Graham	74	5	0	79
	Haywood	854	14	1	869
	Jackson	353	24	0	377
	Macon	243	9	2	254
	Swain	176	9	0	185
	Total	**2,008**	**73**	**3**	**2,084**
	State Total	**112,586**	**7,204**	**170**	**119,960**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

II. CHARACTERISTICS OF OFFENDERS

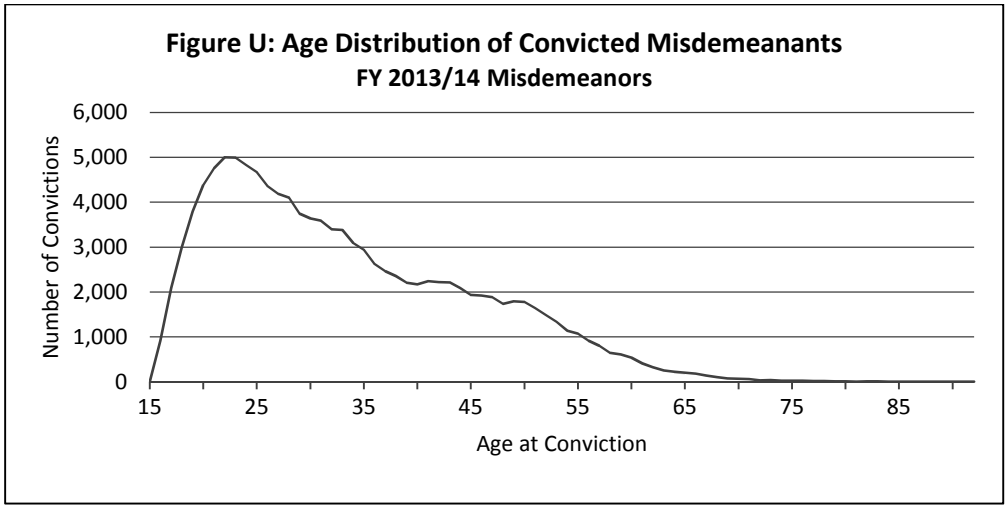
This section provides a summary of misdemeanor convictions by offenders' sex, race, and age. As shown in *Figure S*, the majority of misdemeanor convictions were for males (75%). *Figure T* shows that 47% of all misdemeanor offenders were White and 46% were Black. Only a small percentage were Hispanic (3%), Native American (2%), or Other (2%).





SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Based on age at conviction, 12% of misdemeanor convictions were for offenders under the age of 21, 20% were 21-25 years of age, 17% were 26-30 years of age, 24% were 31-40 years of age, 17% were 41-50 years of age, and 10% were over 50 years of age. The average age at conviction was 33 years. *Figure U* illustrates the age distribution of misdemeanor offenders at conviction. As with felons, the volume of offenders peaks in the late teens and early twenties and then generally declines. *Table 17* provides a summary of misdemeanor convictions by sex, race, and age of offenders.



Note: Of the 119,960 misdemeanor convictions in FY 2013/14, 1,019 convictions with missing values for offenders' age were excluded from this table.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Table 17: Convictions by Sex, Race, and Age
FY 2013/14 Misdemeanors

Sex and Race		Age at Conviction						Total
		<21	21-25	26-30	31-40	41-50	>50	
Male	White	4,579	7,539	6,560	9,443	6,840	4,410	39,371
	Black	5,480	9,179	6,815	9,047	7,143	5,239	42,903
	Hispanic	641	698	624	990	402	139	3,494
	Native Amer.	173	265	231	393	285	161	1,508
	Other	256	326	233	332	219	115	1,481
	Subtotal	**11,129**	**18,007**	**14,463**	**20,205**	**14,889**	**10,064**	**88,757**
Female	White	1,464	3,058	3,159	4,728	2,810	1,297	16,516
	Black	1,394	2,865	2,122	2,817	1,844	1,001	12,043
	Hispanic	103	113	86	136	67	20	525
	Native Amer.	40	122	125	218	145	42	692
	Other	59	87	77	109	40	36	408
	Subtotal	**3,060**	**6,245**	**5,569**	**8,008**	**4,906**	**2,396**	**30,184**
Total		**14,189**	**24,252**	**20,032**	**28,213**	**19,795**	**12,460**	**118,941**

Note: Of the 119,960 misdemeanor convictions in FY 2013/14, 1,019 convictions with missing values for offenders' age were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

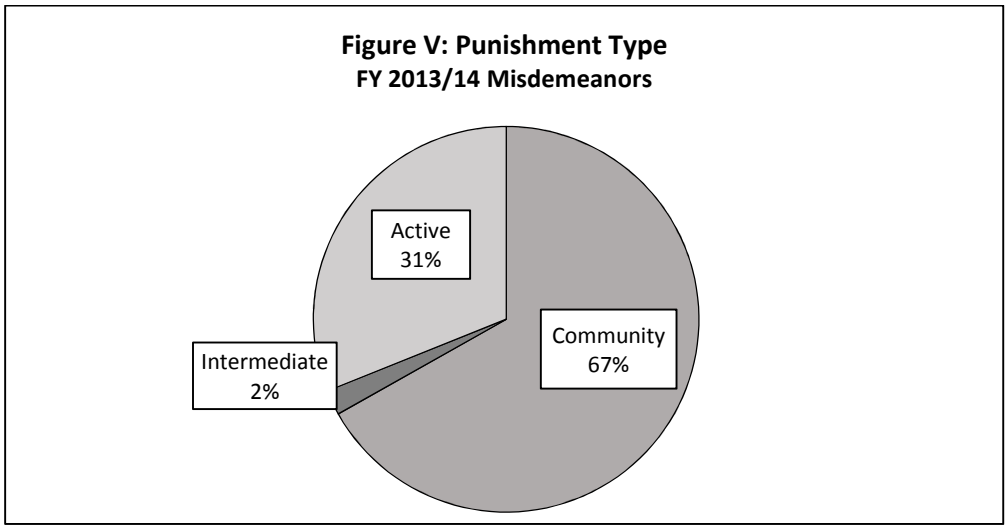
III. PUNISHMENT IMPOSED FOR MISDEMEANORS

This section summarizes information about the types 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.[12]

[12] The JRA created the Statewide Misdemeanant Confinement Program (SMCP) for certain misdemeanants, effective for sentences imposed on or after January 1, 2012. Under the SMCP, a misdemeanant who receives an active sentence of between 91 and 180 days (and is not convicted of impaired driving offenses) shall be incarcerated in a local confinement facility, rather than prison. It is important to note the maximum sentence length allowed by the Misdemeanor Punishment Chart is 150 days. In order for a misdemeanant to receive a sentence of 180 days, the judge must order consecutive sentences.

A. Overall Punishment

As shown in *Figure V*, an Active punishment was imposed for 31% of misdemeanor convictions, an Intermediate punishment was imposed for 2% of misdemeanor convictions, and a Community punishment was imposed for 67% of misdemeanor convictions. Overall, 2% (n=2,273) of all misdemeanor convictions were sentenced to the Statewide Misdemeanant Confinement Program (SMCP).[13]



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

B. Punishment Imposed by Offense Class and Prior Conviction Level

Misdemeanor convictions and sentences imposed are presented within the context of the Misdemeanor Punishment Chart in *Table 18*. Most convictions – regardless of the offense class or prior conviction level – resulted in the imposition of a Community punishment. The detailed information provided allows for 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 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 misdemeanors accounted for the largest percentage of Active sentences imposed relative to all other offense classes (35%). The likelihood of receiving an Active punishment increased as prior conviction level increased.

[13] Overall, 2% (n=601) of Active sentences, 15% (n=355) of Intermediate sentences, and 2% (n=1,317) of Community sentences were sentenced to the SMCP.

Table 18: Convictions and Sentences by Offense Class and Prior Conviction Level
FY 2013/14 Misdemeanors

Offense Class	Prior Conviction Level			Total
	I 0 Points	II 1-4 Points	III 5+ Points	
A1	**C/I/A** C = 2,026 (76%) I = 76 (3%) A = 569 (21%) n = 2,671 33.8 days	**C/I/A** C = 2,479 (63%) I = 235 (6%) A = 1,231 (31%) n = 3,945 44.8 days	**C/I/A** C = 1,657 (45%) I = 257 (7%) A = 1,786 (48%) n = 3,700 92.7 days	**C/I/A** C = 6,162 (60%) I = 568 (5%) A = 3,586 (35%) n = 10,316 66.9 days
1	**C** C = 15,473 (80%) I = 122 (0%) A = 3,815 (20%) n = 19,410 20.5 days	**C/I/A** C = 20,443 (70%) I = 643 (2%) A = 8,010 (28%) n = 29,096 23.7 days	**C/I/A** C = 10,631 (52%) I = 868 (4%) A = 8,898 (44%) n = 20,397 56.3 days	**C/I/A** C = 46,547 (68%) I = 1,633 (2%) A = 20,723 (30%) n = 68,903 37.1 days
2	**C** C = 4,907 (78%) I = 12 (0%) A = 1,353 (22%) n = 6,272 14.4 days	**C/I** C = 4,565 (68%) I = 70 (1%) A = 2,091 (31%) n = 6,726 18.3 days	**C/I/A** C = 1,784 (45%) I = 61 (1%) A = 2,126 (54%) n = 3,971 27.7 days	**C/I/A** C = 11,256 (66%) I = 143 (1%) A = 5,570 (33%) n = 16,969 20.9 days
3	**C** C = 6,818 (79%) I = 8 (0%) A = 1,853 (21%) n = 8,679 6.1 days	**C/I** C = 5,285 (73%) I = 27 (0%) A = 1,929 (27%) n = 7,241 8.0 days	**C/I/A** C = 2,112 (44%) I = 25 (0%) A = 2,708 (56%) n = 4,845 9.0 days	**C/I/A** C = 14,215 (69%) I = 60 (0%) A = 6,490 (31%) n = 20,765 7.9 days
Total	**C/I/A** C = 29,224 (79%) I = 218 (1%) A = 7,590 (20%) n = 37,032 16.9 days	**C/I/A** C = 32,772 (70%) I = 975 (2%) A = 13,261 (28%) n = 47,008 22.5 days	**C/I/A** C = 16,184 (49%) I = 1,211 (4%) A = 15,518 (47%) n = 32,913 48.3 days	**C/I/A** C = 78,180 (67%) I = 2,404 (2%) A = 36,369 (31%) n = 116,953 32.3 days

Note: Of the 119,960 misdemeanor convictions in FY 2013/14, 3,007 (or 2.5%) were excluded from this table. These convictions did not fit within the appropriate cell in the Misdemeanor Punishment Chart due to discrepant offense classes, prior conviction levels, or for other reasons. 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 2013/14 Statistical Report Data

C. Average Length of Active Sentences

Table 19 shows the average sentence imposed, average credit for time served, and average time to be served for misdemeanor convictions resulting in an Active punishment. Time to be served is calculated by subtracting credit for time served from the Active sentence imposed. The length of Active sentences imposed and time to be served were found to increase as offense class and prior conviction level increased. The longest average time to be served was for Class A1 misdemeanors (37.8 days). Overall, the average time to be served for misdemeanor convictions was 17.1 days. Seventy-two percent of offenders with Active sentences received credit for time served, with an average credit of 15.3 days.

Table 19: Average Length of Active Sentences by Offense Class and Prior Conviction Level
FY 2013/14 Misdemeanors

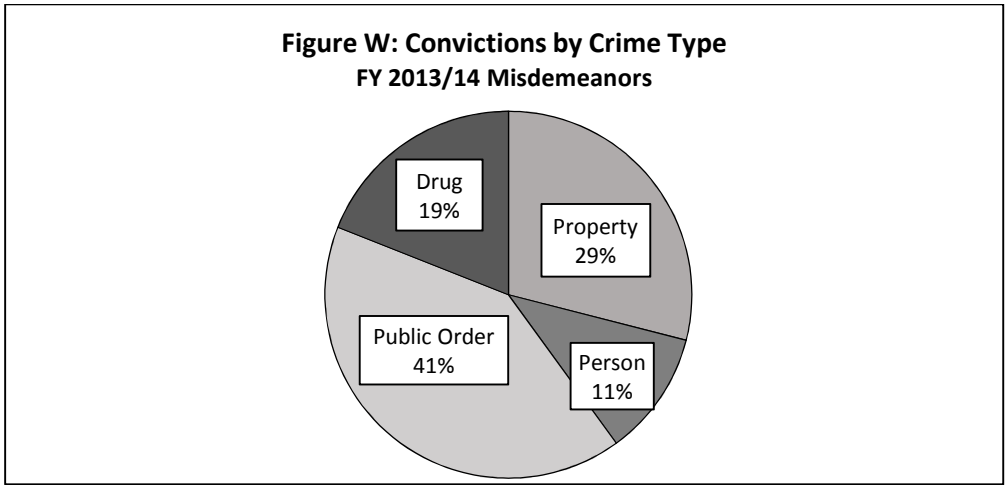
Offense Class		Prior Conviction Level			Total
		I 0 Points	II 1-4 Points	III 5+ Points	
A1	Average Active Sentence (Days)	33.8	44.8	92.7	66.9
	Average Credit for Time Served (Days)	23.9	25.0	33.6	29.1
	Average Time to be Served (Days)	9.9	19.8	59.1	37.8
	Number of Active Sentences	569	1,231	1,786	3,586
1	Average Active Sentence (Days)	20.5	23.7	56.3	37.1
	Average Credit for Time Served (Days)	14.8	13.3	20.1	16.5
	Average Time to be Served (Days)	5.7	10.3	36.2	20.6
	Number of Active Sentences	3,815	8,010	8,898	20,723
2	Average Active Sentence (Days)	14.4	18.3	27.7	20.9
	Average Credit for Time Served (Days)	11.6	12.9	15.0	13.4
	Average Time to be Served (Days)	2.8	5.4	12.7	7.6
	Number of Active Sentences	1,353	2,091	2,126	5,570
3	Average Active Sentence (Days)	6.1	8.0	9.0	7.9
	Average Credit for Time Served (Days)	5.1	6.2	5.0	5.4
	Average Time to be Served (Days)	1.0	1.8	4.1	2.5
	Number of Active Sentences	1,853	1,929	2,708	6,490
Total	Average Active Sentence (Days)	16.9	22.5	48.3	32.3
	Average Credit for Time Served (Days)	12.5	13.3	18.3	15.3
	Average Time to be Served (Days)	4.4	9.2	30.0	17.1
	Number of Active Sentences	7,590	13,261	15,518	36,369

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 2013/14 Statistical Report Data

D. Punishment Imposed by Crime Type

As shown in *Figure W*, public order offenses (41%) accounted for the largest proportion of misdemeanor convictions, while misdemeanor person offenses accounted for the lowest proportion of misdemeanor offenses (11%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 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. Person offenses were most likely to result in an Active sentence (34%), closely followed by public order offenses (33%) and property offenses (31%). Drug offenses were least likely to result in an Active sentence (26%). The average active sentence imposed and average time to be served were longest for convictions for person offenses (55.4 days and 25.7 days respectively).

Table 20: Punishment by Crime Type
2013/14 Misdemeanors

Crime Type	Type of Punishment						Average Active Sentence (Days)	Credit for Time Served (Days)	Time to be Served (Days)	Total
	Active		Intermediate		Community					
	#	%	#	%	#	%				
Person	4,248	34	545	4	7,873	62	55.4	25.7	29.7	12,666
Property	10,667	31	850	3	22,406	66	38.8	19.0	19.7	33,923
Drug	5,870	26	352	2	16,019	72	26.9	12.7	14.2	22,241
Public Order	15,584	33	657	1	31,882	66	23.7	10.9	12.8	48,123
Total	**36,369**	**31**	**2,404**	**2**	**78,180**	**67**	**32.3**	**15.3**	**17.1**	**116,953**

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. 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 2013/14 Statistical Report Data

IV. INTERMEDIATE AND COMMUNITY PUNISHMENTS

This section summarizes information about 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.

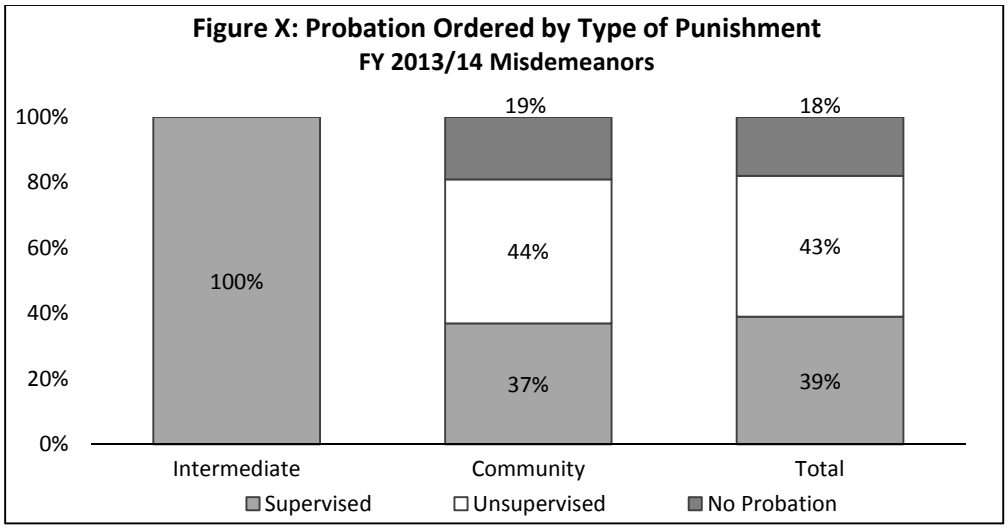
An Intermediate or Community punishment may include one or more of the following probation conditions: house arrest with electronic monitoring; community service; short-term jail confinements; substance abuse assessment, monitoring, or treatment; and education or vocational skills development. An Intermediate 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 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. It should be noted that some conditions (*e.g.*, drug treatment court) are not equally available across the state.

AOC only collects information on the following probation conditions within its current data management system: special probation, drug treatment court, house arrest with electronic monitoring, community service, restitution, fines, and court costs. As a result, data reported in this section include information on those conditions only and do not reflect the full scope of available conditions for offenders sentenced to Intermediate or Community punishment. As automated data about other conditions become available, they will be included in future reports.

This section only includes information on probation conditions that were imposed for Intermediate or Community punishments at sentencing. A single conviction often results in the imposition of more than one probation condition. Probation conditions that are subsequently imposed as a result of modifications to probation are not included.

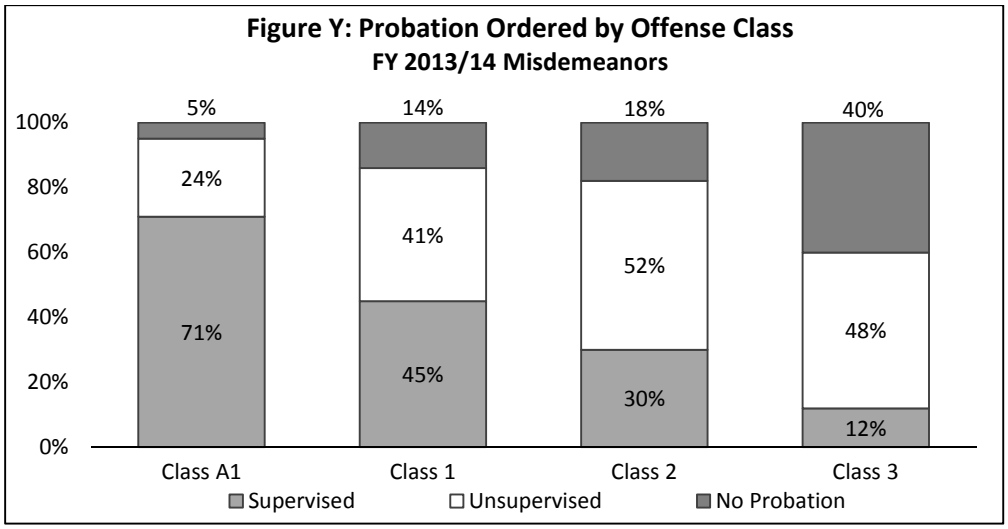
During FY 2013/14, Intermediate punishments were imposed for 2,404 convictions and Community punishments were imposed for 78,180 convictions for a total of 80,584 non-active sentences.[14] Overall, 31,654 convictions received supervised probation, 34,214 received unsupervised probation, and 14,716 did not receive probation. *Figure X* provides information regarding the type of probation imposed for Intermediate and Community punishment convictions. All offenders with an Intermediate punishment (100%) received supervised probation. Overall, 44% of Community punishment convictions received unsupervised probation, 37% received supervised probation, and 19% had no probation sentence ordered.

[14] Of the 80,584 convictions where an Intermediate or Community punishment was imposed, 94% (n=75,484) were for offenses committed on or after December 1, 2011.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Figure Y examines type of probation ordered by offense class for convictions resulting in an Intermediate or Community punishment. The majority of Class A1 and Class 1 misdemeanor convictions received supervised probation (71% and 45% respectively), while the majority of Class 2 and Class 3 misdemeanors received unsupervised probation (52% and 48% respectively). Class 3 misdemeanor convictions had the largest percentage with no probation ordered (40%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

A. Probation Length by Type of Punishment

Table 21 provides the average length of probation by offense class and type of punishment for offenders sentenced to probation (n=65,868) in FY 2013/14. The greatest number of overall probation sentences fell within Class 1 (n=41,598 or 63%) and had an average probation length of 15 months. Convictions for which supervised probation was imposed resulted in an average probation length of 16 months, while convictions for which unsupervised probation was imposed resulted in an average probation length of 13 months. Overall, the average probation length for Intermediate and Community punishment convictions was 14 months.

Table 21: Length of Probation by Offense Class and Type of Punishment
FY 2013/14 Misdemeanors

Offense Class	Type of Punishment	Average Length of Probation					
		Supervised Probation		Unsupervised Probation		Total	
		Months	#	Months	#	Months	#
A1	Intermediate	19	568	N/A	N/A	19	568
	Community	17	4,203	15	1,602	17	5,805
	Subtotal	**17**	**4,771**	**15**	**1,602**	**17**	**6,373**
1	Intermediate	18	1,633	N/A	N/A	18	1,633
	Community	15	20,121	13	19,844	14	39,965
	Subtotal	**16**	**21,754**	**13**	**19,844**	**15**	**41,598**
2	Intermediate	15	143	N/A	N/A	15	143
	Community	14	3,289	13	5,894	13	9,183
	Subtotal	**14**	**3,432**	**13**	**5,894**	**13**	**9,326**
3	Intermediate	14	60	N/A	N/A	14	60
	Community	13	1,637	12	6,874	12	8,511
	Subtotal	**13**	**1,697**	**12**	**6,874**	**12**	**8,571**
Total		**16**	**31,654**	**13**	**34,214**	**14**	**65,868**

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 2013/14 Statistical Report Data

Table 22 shows the average length of probation for Intermediate and Community punishment convictions by crime type. Of convictions in which probation sentences were imposed, 38% (n=24,894) were for public order offenses and had an average probation length of 14 months. The greatest number of convictions resulting in supervised probation occurred for property offenses (n=11,714 or 37%) with an average probation length of 16 months, whereas the greatest number of convictions resulting in unsupervised probation were for public order offenses (n=15,097 or 44%). Overall, person offenses resulted in the longest average probation sentence (16 months) and drug offenses resulted in the shortest average probation sentence (13 months).

Table 22: Length of Probation by Crime Type and Type of Punishment
FY 2013/14 Misdemeanors

Crime Type	Type of Punishment	Average Length of Probation					
		Supervised Probation		Unsupervised Probation		Total	
		Months	#	Months	#	Months	#
Person	Intermediate	19	545	N/A	N/A	19	545
	Community	17	4,630	14	2,676	16	7,306
	Subtotal	**17**	**5,175**	**14**	**2,676**	**16**	**7,851**
Property	Intermediate	18	850	N/A	N/A	18	850
	Community	16	10,864	13	9,031	15	19,895
	Subtotal	**16**	**11,714**	**13**	**9,031**	**15**	**20,745**
Drug	Intermediate	17	352	N/A	N/A	17	352
	Community	14	4,616	12	7,410	13	12,026
	Subtotal	**14**	**4,968**	**12**	**7,410**	**13**	**12,378**
Public Order	Intermediate	16	657	N/A	N/A	16	657
	Community	15	9,140	13	15,097	14	24,237
	Subtotal	**15**	**9,797**	**13**	**15,097**	**14**	**24,894**
Total		**16**	**31,654**	**13**	**34,214**	**14**	**65,686**

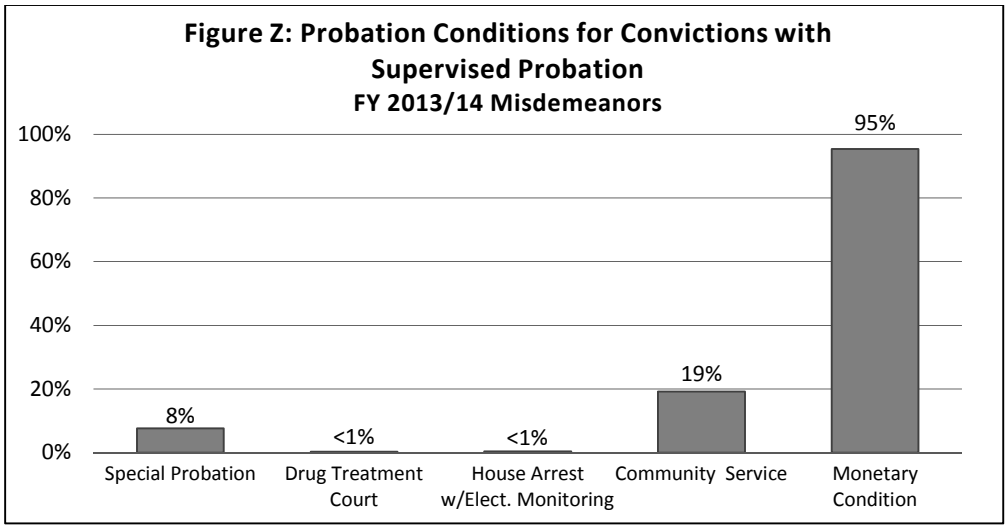
Note: Convictions that did not fit within the appropriate cell in the Misdemeanor Punishment Chart due to discrepant offense classes, prior conviction levels, or for other reasons were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

B. Conditions of Probation[15]

In FY 2013/14, supervised probation was imposed for 31,654 convictions with an Intermediate or Community punishment. *Figure Z* 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. As a result, the percentages provided in *Figure Z* add to more than 100%. The most frequent condition imposed for supervised probation was a monetary condition (95%), which includes payment of fines, restitution, and/or court costs. Community service was imposed for 19% of Community and Intermediate punishment convictions with supervised probation. The least frequent conditions imposed were drug treatment court (less than 1%) and house arrest with electronic monitoring (less than 1%).

[15] Information reported in this section includes information only on probation conditions captured in ACIS and does not reflect the full scope of available conditions for offenders sentenced to Intermediate or Community punishment.



Note: This figure includes information on probation conditions that are captured in AOC's ACIS. Conditions ordered are reported regardless of possible errors in ACIS (*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. As a result, the percentages reported add to more than 100%.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Table 23 provides detailed information about the conditions ordered at sentencing for Intermediate and Community punishment convictions with supervised probation, including the average length of probation. Conditions ordered are reported regardless of possible errors in ACIS (*i.e.*, special probation or drug treatment court are not authorized conditions for a Community punishment). Overall, 2,404 Intermediate punishment convictions and 29,250 Community punishment convictions resulted in supervised probation sentences. The average length of probation imposed was 18 months for convictions with an Intermediate punishment and 15 months for convictions with a Community punishment. Overall, a monetary condition (*i.e.,* fine, restitution, court costs) was the condition of probation most frequently ordered (n=30,200). Other than a monetary condition, special probation was the condition of probation most frequently ordered for Intermediate punishment convictions (n=1,791), while community service was the condition of probation most frequently ordered for Community punishment convictions (n=5,753). Convictions with house arrest with electronic monitoring and drug treatment court as conditions of probation had the longest average length of supervision (22 months).

Table 23: Probation Conditions for Convictions with Supervised Probation
FY 2013/14 Misdemeanors

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	1,791 *17 months*	75 *22 months*	107 *23 months*	329 *20 months*	2,280 *18 months*	2,404 *18 months*
Community	613 *17 months*	14 *21 months*	21 *19 months*	5,753 *16 months*	27,920 *15 months*	29,250 *15 months*
Total	**2,404** ***17 months***	**89** ***22 months***	**128** ***22 months***	**6,082** ***16 months***	**30,200** ***16 months***	**31,654** ***16 months***

Note: This table includes information on probation conditions that are captured in AOC's ACIS. Conditions ordered are reported regardless of possible errors in ACIS (*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 the total number of conditions.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

In FY 2013/14, unsupervised probation was imposed for 34,214 convictions with a Community punishment. Multiple probation conditions may have been ordered for a single conviction. Of these convictions, 8% (n=2,774) included community service as a condition of probation and 95% (n=32,578) were ordered to pay monetary obligations (*i.e.*, fine, restitution, or court costs) as a condition of probation.

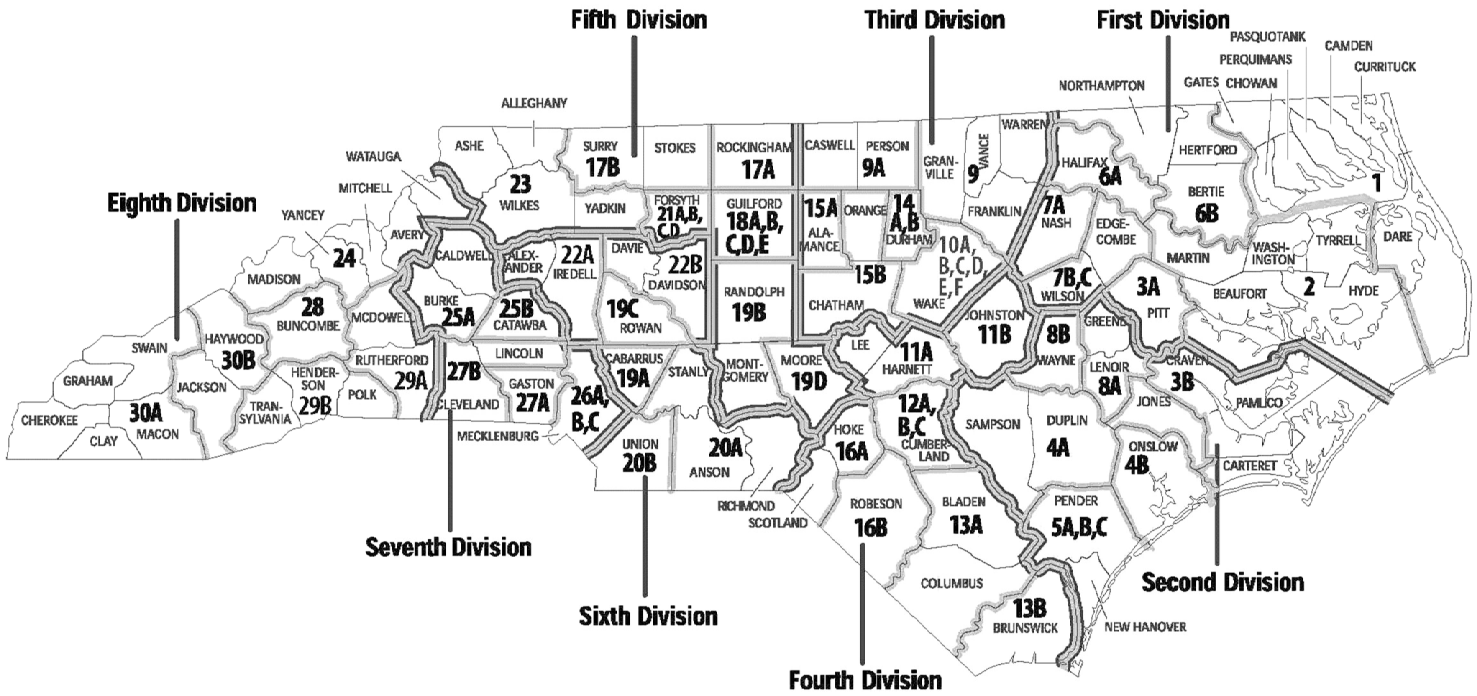
C. No Probation Sentence Ordered

A probation sentence is not required for Community punishment convictions. In FY 2013/14, 14,716 convictions with a Community punishment had no probation sentence ordered. As part of their sentence, 1% (n=164) of these convictions were ordered to perform community service and 75% (n=11,013) were ordered to pay monetary obligations (*i.e.*, fine, restitution, or court costs).

APPENDIX A
MAP OF JUDICIAL DIVISIONS AND DISTRICTS

North Carolina Superior Court

Effective January 1, 2014



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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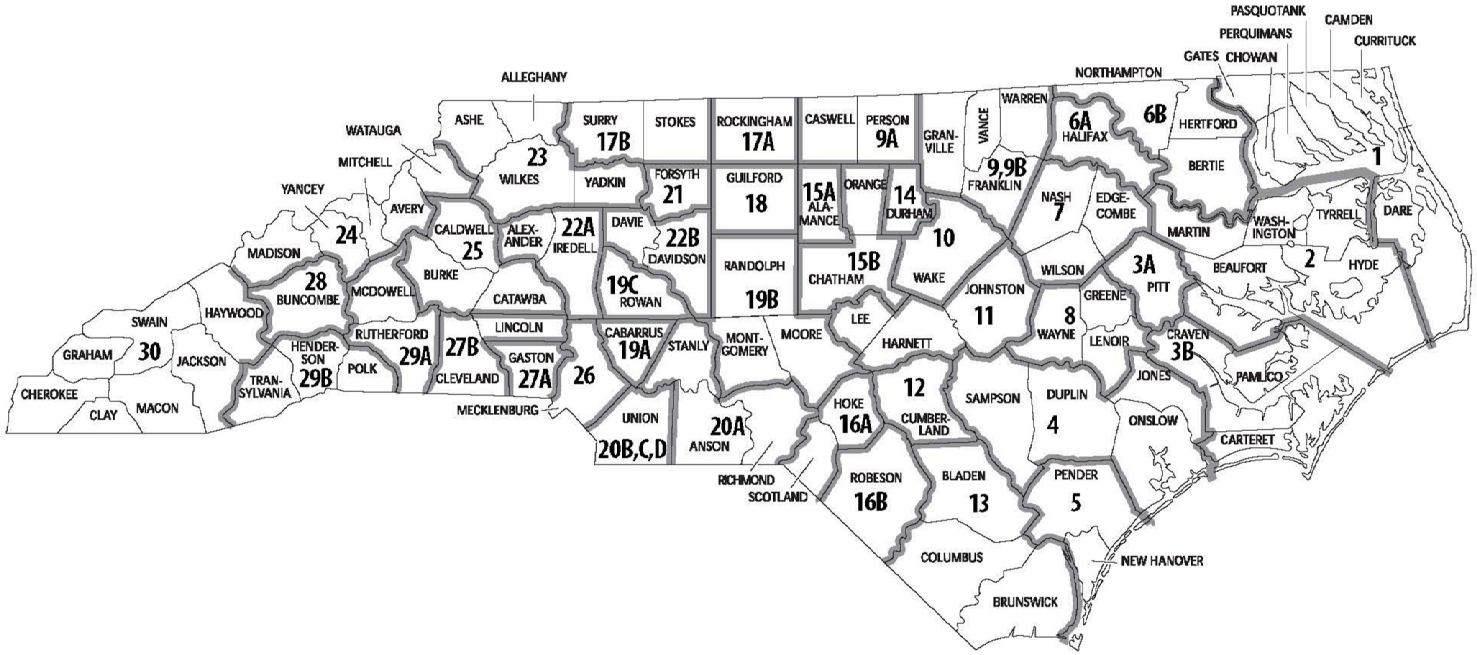
North Carolina District Court Districts

Effective January 1, 2014



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

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APPENDIX B
SAMPLE OFFENSES AND
TOP 5 CONVICTIONS BY CLASS

Appendix B, Table 1: Classification of a Sample of Offenses
(Effective 12/1/13)

CLASS A FELONIES	Maximum Punishment of Death or Life Without Parole
First-Degree Murder. (14-17)	
CLASS B1 FELONIES	**Maximum Punishment of Life Without Parole**
Second-Degree Murder. (14-17(b))	First-Degree Sexual Offense. (14-27.4)
First-Degree Rape. (14-27.2)	
CLASS B2 FELONIES	**Maximum Punishment of 484* Months**
Second-Degree Murder. (14-17(b)(1) and (2))	
CLASS C FELONIES	**Maximum Punishment of 231* Months**
Second-Degree Rape. (14-27.3)	First-Degree Kidnapping. (14-39)
Second-Degree Sexual Offense. (14-27.5)	Embezzlement (amount involved $100,000 or more). (14-90)
Assault W/D/W/I/K/I/S/I. (14-32(a))	
CLASS D FELONIES	**Maximum Punishment of 204* Months**
Voluntary Manslaughter. (14-18)	Child Abuse Inflicting Serious Physical Injury. (14-318.4(a))
First-Degree Burglary. (14-51)	Death by Vehicle. (20-141.4(a)(1))
First-Degree Arson. (14-58)	Sell or Deliver a Controlled Substance to a Person Under 16 But More than 13 Years of Age. (90-95(e)(5))
Armed Robbery. (14-87)	
CLASS E FELONIES	**Maximum Punishment of 88* Months**
Intercourse and Sexual Offenses with Certain Victims (Substitute Parent/Custodian). (14-27.7)	Assault with a Firearm on a Law Enforcement Officer. (14-34.5)
Assault W/D/W/I/S/I. (14-32(b))	Second-Degree Kidnapping. (14-39)
Assault W/D/W/I/K. (14-32(c))	Sell or Deliver a Controlled Substance Within 1,000 Feet of a School. (90-95(e)(8))
Discharging Weapon Into Occupied Property. (14-34.1(a))	
CLASS F FELONIES	**Maximum Punishment of 59 Months**
Involuntary Manslaughter. (14-18)	Burning of Certain Other Buildings. (14-62)
Assault Inflicting Serious Bodily Injury. (14-32.4)	Taking Indecent Liberties with Children. (14-202.1)
Assault W/D/W on Governmental Officer or Employee. (14-34.2)	Patronizing a Prostitute (minor). (14-205.2(a))
Assault I/S/I on a Law Enforcement Officer. (14-34.7)	Possess Weapon of Mass Destruction. (14-288.8)
Felonious Restraint. (14-43.3)	Habitual Impaired Driving. (20-138.5)
CLASS G FELONIES	**Maximum Punishment of 47 Months**
Second-Degree Burglary. (14-51)	Identity Theft. (14-113.20)
Second-Degree Arson. (14-58)	Possession of Firearms, etc., by Felon. (14-415.1)
Common Law Robbery. (14-87.1)	Sale of a Schedule I or II Controlled Substance. (90-95(a)(1))
CLASS H FELONIES	**Maximum Punishment of 39 Months**
Assault by Strangulation. (14-32.4(b))	Embezzlement (amount involved less than $100,000). (14-90)
Habitual Misdemeanor Assault. (14-33.2)	Obtaining Property by False Pretenses (amount involved less than $100,000). (14-100)
Breaking or Entering Buildings (w/felonious intent). (14-54(a))	Hit and Run (resulted in injury). (20-166(a1))
Fraudulently Setting Fire to Dwelling Houses. (14-65)	Sale of a Schedule III, IV, V, or VI Controlled Substance. (90-95(a)(1))
Possessing Stolen Goods. (14-71.1)	Possession W/I/M/S/D Cocaine. (90-95(a)(1))
Larceny of Property (worth more than $1,000). (14-72)	Escaping From State Prison System (felon). (148-45(b))

*For a Class B1 through E felony that is subject to the registration requirements of G.S. Chapter 14, Article 27A, add 48 months.

Appendix B, Table 1: Classification of a Sample of Offenses (continued)
(Effective 12/1/13)

CLASS I FELONIES	**Maximum Punishment of 24 Months**
Breaking or Entering Motor Vehicles. (14-56)	Possession W/I/M/S/D Marijuana. (90-95(a)(1))
Financial Transaction Card Theft. (14-113.9)	Possess Cocaine. (90-95(a)(3))
Forgery of Notes, Checks, Securities. (14-119(a))	Maintain Dwelling or Motor Vehicle for Keeping or Selling a Controlled Substance. (90-108(a)(7), (b))
Uttering Forged Paper or Instrument. (14-120)	Obtain a Controlled Substance by Fraud. (90-108(a)(10), (b))
CLASS A1 MISDEMEANORS	**Maximum Punishment of 150 Days**
Assault Inflicting Serious Injury or Using a Deadly Weapon. (14-33(c)(1))	Assault on a State Officer or Employee. (14-33(c)(4))
Assault on a Female. (14-33(c)(2))	Assault by Pointing a Gun. (14-34)
Assault on a Child Under 12 Years of Age. (14-33(c)(3))	Violation of a Valid Protective Order. (50B-4.1(a))
CLASS 1 MISDEMEANORS	**Maximum Punishment of 120 Days**
Breaking or Entering Buildings. (14-54(b))	Willful and Wanton Injury to Real Property. (14-127)
Larceny of Property (worth $1,000 or less). (14-72)	Communicating Threats. (14-277.1)
Unauthorized Use of a Motor Vehicle. (14-72.2)	Possession of Drug Paraphernalia. (90-113.22)
Worthless Checks for $2,000 or Less (closed account). (14-107(d)(4))	Misrepresentation to Obtain Employment Security Benefits (worth $400 or less). (96-18(a))
CLASS 2 MISDEMEANORS	**Maximum Punishment of 60 Days**
Simple Assault/Assault and Battery. (14-33(a))	Using Profane, Indecent or Threatening Language to Any Person Over Telephone. (14-196)
Financial Transaction Card Fraud. (14-113.13)	Cyberstalking. (14-196.3)
First-Degree Trespass. (14-159.12)	Resisting Officers. (14-223)
Willful and Wanton Injury to Personal Property. (14-160(a))	Carrying Concealed Weapons. (14-269(a), (a1)/first offense)
Indecent Exposure. (14-190.9)	Disorderly Conduct. (14-288.4)
CLASS 3 MISDEMEANORS	**Maximum Punishment of 20 Days**
Concealment of merchandise in mercantile establishments (first conviction). (14-72.1)	Unsealed Wine/Liquor in Passenger Area. (18B-401)
Worthless Check for $2,000 or Less. (14-107(d)(1))	Operate Motorboat Without Lifesaving Device. (75A-6)
Second-Degree Trespass. (14-159.13)	Possess Marijuana (1/2 ounce or less). (90-95(a)(3))
Failure to Return Rental Property. (14-167)	Hunting Without a License. (113-270.2)
Intoxicated and Disruptive in Public. (14-444)	Fishing Without a License. (113-271)
CONSPIRACY to commit an offense is classified as one class lower than the offense the person conspired to commit. (14-2.4)	
ATTEMPT to commit an offense is classified as one class lower than the offense the person attempted to commit. (14-2.5)	
SOLICITATION to commit an offense is classified as two classes lower than the offense the person solicited the other person to commit. (14-2.6)	
ACCESSORY BEFORE THE FACT punishable as the principal felon. (14-5.2)	

Appendix B, Table 2: Top Five Convictions by Offense Class
FY 2013/14 Felonies and Misdemeanors

Class A Felonies	**Total Convictions = 74**	
	#	%
First Degree Murder	73	98.6
Murder of an Unborn Child	1	1.4
Class B1 Felonies	**Total Convictions = 165**	
	#	%
First Degree Sex Offense with a Child	40	24.2
Statutory Rape	39	23.6
First Degree Rape	23	13.9
First Degree Sexual Offense	15	9.1
Second Degree Murder	14	8.5
Class B2 Felonies	**Total Convictions = 266**	
	#	%
Second Degree Murder	165	62.0
Attempted First Degree Sexual Offense	18	6.8
Attempted First Degree Murder	13	4.9
Attempted First Degree Rape	5	1.9
Class C Felonies	**Total Convictions = 674**	
	#	%
Habitual Felon	319	51.8
Manufacture Methamphetamine	75	11.1
AWDW Intent to Kill Inflicting Serious Injury	72	10.7
Second Degree Rape	50	7.4
First Degree Kidnapping	36	5.3
Class D Felonies	**Total Convictions = 955**	
	#	%
Robbery with a Dangerous Weapon	408	42.7
Habitual Felon	244	25.5
First Degree Burglary	76	8.0
Voluntary Manslaughter	61	6.4
Attempted Robbery with a Dangerous Weapon	52	5.4
Class E Felonies	**Total Convictions = 1,617**	
	#	%
Assault with a Deadly Weapon Inflicting Serious Injury	304	18.8
Habitual Felon	252	15.6
Conspiracy to Commit Robbery with a Dangerous Weapon	200	12.4
Habitual Breaking and Entering	150	9.3
Second Degree Kidnapping	142	8.8

Appendix B, Table 2: Top Five Convictions by Offense Class (continued)
FY 2013/14 Felonies and Misdemeanors

Class F Felonies	**Total Convictions = 2,516**	
	#	%
Taking Indecent Liberties with a Child	439	17.4
Habitual Impaired Driving	274	10.9
Possess or Distribute a Methamphetamine Precursor	257	10.2
Assault Inflicting Serious Bodily Injury	183	7.3
Failure to Report New Address as a Sex Offender	164	6.5
Class G Felonies	**Total Convictions = 3,509**	
	#	%
Possession of a Firearm by a Felon	1,253	35.7
Common Law Robbery	585	16.7
Sell Cocaine	280	8.0
Identity Theft	232	6.6
Second Degree Burglary	164	4.7
Class H Felonies	**Total Convictions = 12,026**	
	#	%
Breaking or Entering Buildings	3,050	25.4
Obtaining Property by False Pretense (worth less than $100,000)	1,636	13.6
Larceny of Property (worth more than $1,000)	1,140	9.5
PWISD Cocaine	543	4.5
Possessing Stolen Goods	442	3.7
Class I Felonies	**Total Convictions = 5,661**	
	#	%
Possess Cocaine	960	17.0
PWISD Marijuana	643	11.4
Breaking or Entering a Motor Vehicle	452	8.0
Possess Marijuana	302	5.3
Possess Schedule II Controlled Substance	286	5.1
Class A1 Misdemeanors	**Total Convictions = 10,316**	
	#	%
Assault on a Female	5,027	48.7
Assault on a Government Official or Employee	1,115	10.8
Domestic Violence Protective Order Violation	1,033	10.0
Assault with a Deadly Weapon	936	9.1
Assault Inflicting Serious Injury	599	5.8

Appendix B, Table 2: Top Five Convictions by Offense Class (continued)
FY 2013/14 Felonies and Misdemeanors

Class 1 Misdemeanors	**Total Convictions = 68,903**	
	#	%
Driving While License Revoked	20,203	29.3
Larceny of Property (worth $1,000 or less)	17,684	25.7
Possess Drug Paraphernalia	12,360	17.9
Breaking or Entering Buildings	2,048	3.0
Communicating Threats	1,891	2.7
Class 2 Misdemeanors	**Total Convictions = 16,969**	
	#	%
Resisting Public Officers	5,418	31.9
Simple Assault	2,770	16.3
Simple Worthless Check (for $2,000 or less)	1,480	8.7
Disorderly Conduct	1,173	6.9
Injury to Personal Property	553	3.3
Class 3 Misdemeanors	**Total Convictions = 20,765**	
	#	%
Possess Marijuana (1/2 ounce or less)	5,794	27.9
Second Degree Trespass	5,259	25.3
Shoplifting/Concealment of Goods	3,330	16.0
Intoxicated and Disruptive in Public	1,892	9.1
Simple Possession of Schedule VI Controlled Substance	1,468	7.1

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 2013/14 Statistical Report Data

APPENDIX C
ADDITIONAL FELONY DATA
BY JUDICIAL DIVISION AND DISTRICT

Appendix C, Table 1: Type of Punishment and Average Length of Active Sentence by Judicial Division and District FY 2013/14 Felonies

Judicial Division and District	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
First Judicial Division	***878***	***36.0***	***710***	***29.1***	***855***	***35.0***	***23.8***	***38.0***	***2,443***
District 1	94	23.7	39	9.8	264	66.5	25.0	38.9	397
District 2	174	36.9	211	44.7	87	18.4	24.1	38.1	472
District 3A	200	32.8	177	29.0	233	38.2	25.7	40.1	610
District 6A	58	40.3	33	22.9	53	36.8	19.2	31.6	144
District 6B	40	42.1	21	22.1	34	35.8	16.6	28.4	95
District 7A	140	48.8	110	38.3	37	12.9	24.4	39.2	287
District 7B, C	172	39.3	119	27.2	147	33.6	23.6	38.4	438
Second Judicial Division	***1,132***	***38.9***	***759***	***26.1***	***1,019***	***35.0***	***28.0***	***43.5***	***2,910***
District 3B	205	35.7	101	17.6	268	46.7	31.0	47.3	574
District 4A	181	38.3	126	26.6	166	35.1	26.8	41.7	473
District 4B	146	36.5	114	28.5	140	35.0	36.5	53.9	400
District 5	365	37.3	309	31.6	305	31.2	24.9	39.7	979
District 8A	97	47.1	58	28.2	51	24.8	22.0	36.7	206
District 8B	138	49.6	51	18.3	89	32.0	28.7	44.0	278
Third Judicial Division	***1,989***	***44.7***	***1,138***	***25.6***	***1,324***	***29.7***	***24.9***	***40.2***	***4,451***
District 9	186	44.4	102	24.3	131	31.3	21.6	35.6	419
District 9A	60	37.0	62	38.3	40	24.7	30.8	47.2	162
District 10	1,113	48.0	421	18.2	785	33.9	22.1	36.9	2,319
District 14	278	41.4	251	37.4	143	21.3	29.2	45.6	672
District 15A	207	37.2	213	38.3	136	24.5	33.2	50.1	556
District 15B	145	44.9	89	27.6	89	27.6	28.2	43.6	323

Appendix C, Table 1: Type of Punishment and Average Length of Active Sentence by Judicial Division and District (continued)
FY 2013/14 Felonies

Judicial Division and District	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Fourth Judicial Division	***1,307***	***36.9***	***1,093***	***30.9***	***1,140***	***32.2***	***32.2***	***48.3***	***3,540***
District 11A	146	30.2	169	35.0	168	34.8	25.7	40.4	483
District 11B	187	31.3	108	18.1	303	50.7	26.1	42.2	598
District 12	487	43.7	360	32.3	268	24.0	31.3	48.2	1,115
District 13A	100	30.7	100	30.7	126	38.7	37.3	53.9	326
District 13B	108	29.7	127	34.9	129	35.4	23.1	38.5	364
District 16A	118	42.4	79	28.4	81	29.1	38.8	50.4	278
District 16B	161	42.8	150	39.9	65	17.3	46.3	65.0	376
Fifth Judicial Division	***1,743***	***38.5***	***1,354***	***29.9***	***1,426***	***31.5***	***30.4***	***46.9***	***4,523***
District 17A	109	37.3	129	44.2	54	18.5	36.1	54.1	292
District 17B	109	33.5	110	33.8	106	32.6	28.0	44.2	325
District 18	683	41.5	604	36.7	358	21.8	29.2	45.3	1,645
District 19B	116	32.5	156	43.7	85	23.8	27.5	42.5	357
District 19D	129	33.8	89	23.3	164	42.9	24.5	38.9	382
District 21	389	41.9	122	13.1	417	44.9	33.9	51.8	928
District 23	208	35.0	144	24.2	242	40.7	31.7	47.9	594
Sixth Judicial Division	***1,090***	***34.7***	***972***	***31.0***	***1,076***	***34.3***	***32.0***	***48.6***	***3,138***
District 19A	196	30.6	175	27.3	269	42.0	36.2	53.9	640
District 19C	207	38.0	150	27.5	188	34.5	33.9	50.6	545
District 20A	141	33.3	128	30.3	154	36.4	23.3	38.2	423
District 20B	116	27.0	112	26.0	202	47.0	39.1	57.0	430
District 22A	203	38.2	231	43.5	97	18.3	32.7	48.8	531
District 22B	227	39.9	176	30.9	166	29.2	27.8	44.0	569

Appendix C, Table 1: Type of Punishment and Average Length of Active Sentence by Judicial Division and District (continued)
FY 2013/14 Felonies

Judicial Division and District	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Seventh Judicial Division	***1,683***	***39.1***	***1,783***	***41.5***	***833***	***19.4***	***34.7***	***52.6***	***4,299***
District 25A	191	40.0	208	43.5	79	16.5	33.5	50.0	478
District 25B	180	43.3	131	31.5	105	25.2	39.1	57.9	416
District 26	750	42.0	739	41.4	298	16.7	34.0	51.6	1,787
District 27A	292	38.0	255	33.2	222	28.9	32.1	49.9	769
District 27B	270	31.8	450	53.0	129	15.2	37.6	56.5	849
Eighth Judicial Division	***843***	***39.0***	***674***	***31.2***	***642***	***29.7***	***29.1***	***44.9***	***2,159***
District 24	130	31.1	96	23.0	192	45.9	30.0	46.2	418
District 28	275	48.2	221	38.8	74	13.0	32.1	48.2	570
District 29A	159	33.6	159	33.6	155	32.8	19.5	32.7	473
District 29B	131	35.0	74	19.8	169	45.2	32.5	49.5	374
District 30A	74	49.3	49	32.7	27	18.0	29.1	44.0	150
District 30B	74	42.5	75	43.1	25	14.4	31.1	50.0	174
State Total	***10,665***	***38.8***	***8,483***	***30.9***	***8,315***	***30.3***	***29.5***	***45.6***	***27,463***

Note: Of the 28,130 felony convictions in FY 2013/14, 667 (or 2.4%) were excluded from this table. 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). Percentages may not add to 100% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Appendix C, Table 2: Sentencing Range by Judicial Division and District
Active Sentences Only
FY 2013/14 Felonies

Judicial Division and District	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
First Judicial Division	***174***	***19.9***	***670***	***76.6***	***31***	***3.5***	***875***
District 1	16	17.4	69	75.0	7	7.6	92
District 2	43	24.9	127	73.4	3	1.7	173
District 3A	61	30.5	129	64.5	10	5.0	200
District 6A	16	27.6	42	72.4	.	.	58
District 6B	14	35.0	26	65.0	.	.	40
District 7A	8	5.7	124	88.6	8	5.7	140
District 7B, C	16	9.3	153	89.0	3	1.7	172
Second Judicial Division	***283***	***25.1***	***801***	***71.1***	***43***	***3.8***	***1,127***
District 3B	72	35.3	131	64.2	1	0.5	204
District 4A	46	25.4	117	64.6	18	9.9	181
District 4B	28	19.2	114	78.1	4	2.7	146
District 5	57	15.7	294	81.2	11	3.0	362
District 8A	25	25.8	64	66.0	8	8.2	97
District 8B	55	40.1	81	59.1	1	0.7	137
Third Judicial Division	***567***	***28.7***	***1,334***	***67.5***	***75***	***3.8***	***1,976***
District 9	19	10.3	166	89.7	.	.	185
District 9A	10	16.7	47	78.3	3	5.0	60
District 10	318	28.7	750	67.8	39	3.5	1,107
District 14	99	35.9	169	61.2	8	2.9	276
District 15A	92	44.9	108	52.7	5	2.4	205
District 15B	29	20.3	94	65.7	20	14.0	143

Appendix C, Table 2: Sentencing Range by Judicial Division and District (continued)
Active Sentences Only
FY 2013/14 Felonies

Judicial Division and District	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Fourth Judicial Division	***420***	***32.4***	***834***	***64.4***	***41***	***3.2***	***1,295***
District 11A	48	32.9	94	64.4	4	2.7	146
District 11B	105	56.8	73	39.5	7	3.8	185
District 12	156	32.3	315	65.2	12	2.5	483
District 13A	23	24.0	71	74.0	2	2.1	96
District 13B	22	20.6	82	76.6	3	2.8	107
District 16A	38	32.2	79	66.9	1	0.8	118
District 16B	28	17.5	120	75.0	12	7.5	160
Fifth Judicial Division	***593***	***34.3***	***1,038***	***60.1***	***96***	***5.6***	***1,727***
District 17A	27	24.8	73	67.0	9	8.3	109
District 17B	31	28.7	73	67.6	4	3.7	108
District 18	213	31.5	432	63.8	32	4.7	677
District 19B	31	26.7	80	69.0	5	4.3	116
District 19D	23	17.8	96	74.4	10	7.8	129
District 21	205	53.7	166	43.5	11	2.9	382
District 23	63	30.6	118	57.3	25	12.1	206
Sixth Judicial Division	***382***	***35.3***	***661***	***61.0***	***40***	***3.7***	***1,083***
District 19A	93	47.7	95	48.7	7	3.6	195
District 19C	65	31.4	135	65.2	7	3.4	207
District 20A	42	30.2	97	69.8	.	.	139
District 20B	24	21.1	88	77.2	2	1.8	114
District 22A	54	26.7	130	64.4	18	8.9	202
District 22B	104	46.0	116	51.3	6	2.7	226

Appendix C, Table 2: Sentencing Range by Judicial Division and District (continued)
Active Sentences Only
FY 2013/14 Felonies

Judicial Division and District	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Seventh Judicial Division	***382***	***22.9***	***1,180***	***70.8***	***105***	***6.3***	***1,667***
District 25A	53	27.7	137	71.7	1	0.5	191
District 25B	52	29.4	118	66.7	7	4.0	177
District 26	175	23.6	528	71.3	38	5.1	741
District 27A	50	17.3	203	70.2	36	12.5	289
District 27B	52	19.3	194	72.1	23	8.6	269
Eighth Judicial Division	***189***	***22.5***	***627***	***74.7***	***23***	***2.7***	***839***
District 24	17	13.1	109	83.8	4	3.1	130
District 28	87	31.8	184	67.2	3	1.1	274
District 29A	31	19.5	123	77.4	5	3.1	159
District 29B	25	19.4	100	77.5	4	3.1	129
District 30A	10	13.5	60	81.1	4	5.4	74
District 30B	19	26.0	51	69.9	3	4.1	73
State Total	***2,990***	***28.2***	***7,145***	***67.5***	***454***	***4.3***	***10,589***

Note: Convictions that 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) were excluded from this table. Class A convictions, which are subject to mandatory life or death sentences (n=74), and Class B1 convictions with life sentences (n=2) were also excluded from this table. Percentages may not add to 100% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

APPENDIX D
ADDITIONAL FELONY DATA
BY CRIME TYPE AND OFFENSE

Appendix D, Table 1: Type of Punishment and Average Length of Active Sentence by Crime Type and Offense FY 2013/14 Felonies

Crime Type and Offense	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Person	***3,005***	***61.2***	***1,353***	***27.5***	***555***	***11.3***	***55.9***	***79.7***	***4,913***
1st Degree Murder	74	100.0	.	.	.	.	.	.	74
2nd Degree Murder	209	100.0	.	.	.	.	175.1	220.7	209
Attempted Murder	13	100.0	.	.	.	.	188.1	236.8	13
Voluntary Manslaughter	67	98.5	1	1.5	.	.	78.2	104.8	68
Involuntary Manslaughter	29	55.8	17	32.7	6	11.5	18.3	28.3	52
Felony Death by Vehicle	24	57.1	17	40.5	1	2.4	46.5	67.4	42
Armed Robbery	409	100.0	.	.	.	.	61.3	85.6	409
Att./Consp. Armed Robbery	154	59.7	99	38.4	5	1.9	37.8	57.2	258
Common Law Robbery	268	45.8	257	43.9	60	10.3	14.4	25.9	585
Att. Common Law Robbery	38	42.7	29	32.6	22	24.7	8.9	19.7	89
Other Robbery	38	39.6	33	34.4	25	26.0	13.9	25.7	96
AWDWIKISI	72	100.0	.	.	.	.	74.5	101.2	72
AWDW Intent to Kill	32	69.6	10	21.7	4	8.7	26.8	44.3	46
AWDW Serious Injury	180	59.2	110	36.2	14	4.6	28.8	46.5	304
Assault Govt. Official	28	36.8	30	39.5	18	23.7	23.4	37.0	76
Assault by Strangulation	66	45.2	54	37.0	26	17.8	9.9	21.2	146
Other Felony Assaults	137	38.4	131	36.7	89	24.9	20.1	32.8	357
1st Degree Rape	94	100.0	.	.	.	.	233.4	306.7	94
Attempted 1st Degree Rape	23	100.0	.	.	.	.	151.3	215.3	23
2nd Degree Rape	69	100.0	.	.	.	.	75.8	125.6	69
Attempted 2nd Degree Rape	24	100.0	.	.	.	.	58.1	109.2	24
Statutory Rape/Sex Offense Against 13, 14, 15	46	100.0	.	.	.	.	191.9	260.1	46
Indecent Liberties with Child	210	47.8	179	40.8	50	11.4	17.2	26.7	439

Appendix D, Table 1: Type of Punishment and Average Length of Active Sentence by Crime Type and Offense (continued)
FY 2013/14 Felonies

Crime Type and Offense	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Crime Against Nature, Incest, Bigamy	7	10.0	14	20.0	49	70.0	34.1	53.9	70
Sexual Exploitation of a Minor	28	35.9	31	39.7	19	24.4	22.7	61.8	78
Child Abuse	35	45.5	26	33.8	16	20.8	39.6	60.1	77
Registered Sex Off. Offenses	228	56.7	115	28.6	59	14.7	19.8	32.5	402
Other Sex Crimes	115	55.6	52	25.1	40	19.3	72.2	107.7	207
Kidnap/Abduction	125	64.1	54	27.7	16	8.2	42.5	65.2	195
Attempted Consp. Kidnapping	.	.	1	100.0	.	.	.	.	1
Habitual Misdemeanor Assault	84	60.9	43	31.2	11	8.0	11.1	22.5	138
All Other Person Felonies	79	51.3	50	32.5	25	16.2	19.4	31.9	154
Property	***3,628***	***33.7***	***3,407***	***31.7***	***3,719***	***34.6***	***12.5***	***24.0***	***10,754***
1st Degree Burglary	76	100.0	.	.	.	.	63.4	88.0	76
Attempted 1st Degree Burglary	16	59.3	9	33.3	2	7.4	31.4	49.7	27
2nd Degree Burglary	78	47.6	64	39.0	22	13.4	15.4	27.8	164
Breaking/Entering	1,290	35.5	1,234	34.0	1,106	30.5	9.6	20.3	3,630
Attempted Breaking/Entering	19	20.9	29	31.9	43	47.3	7.4	17.8	91
Larceny	861	34.9	766	31.0	842	34.1	10.2	21.1	2,469
Attempted Larceny	19	23.8	21	26.3	40	50.0	6.9	17.7	80
Possess/Receive Stolen Goods/ Property	230	31.1	243	32.8	267	36.1	9.9	20.6	740
1st Degree Arson	7	100.0	.	.	.	.	62.4	86.7	7
2nd Degree Arson	14	42.4	13	39.4	6	18.2	14.6	25.6	33
Other Arson/Burning	27	29.3	39	42.4	26	28.3	14.1	25.1	92
Forgery	61	15.2	114	28.4	226	56.4	8.7	18.8	401
Fraud	105	23.9	177	40.3	157	35.8	14.8	25.7	439
Embezzlement	26	12.7	39	19.1	139	68.1	18.3	28.7	204

Appendix D, Table 1: Type of Punishment and Average Length of Active Sentence by Crime Type and Offense (continued)
FY 2013/14 Felonies

Crime Type and Offense	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Obtain Property by False Pretenses	463	28.2	518	31.5	662	40.3	10.1	20.8	1,643
Attempt Obtain Property by False Pretenses	44	31.9	43	31.2	51	37.0	9.7	20.3	138
Habitual Breaking and Entering	143	95.3	6	4.0	1	0.7	30.8	49.2	150
Habitual Misdemeanor Larceny	93	69.4	29	21.6	12	9.0	13.6	25.7	134
All Other Property Felonies	56	23.7	63	26.7	117	49.6	12.2	23.5	236
Non-Trafficking Drugs	***1,827***	***23.4***	***2,661***	***34.0***	***3,334***	***42.6***	***14.9***	***26.5***	***7,822***
Sell/Deliver Drugs	410	28.8	613	43.1	400	28.1	13.7	24.6	1,423
Consp. To Sell/Deliver Drugs	38	29.5	46	35.7	45	34.9	12.5	23.5	129
Manufacture Drugs	85	47.0	26	14.4	70	38.7	57.6	80.5	181
Possession with Intent	478	24.4	626	31.9	858	43.7	9.2	19.7	1,962
Drug Possession	273	12.0	696	30.7	1,297	57.2	7.4	17.7	2,266
Other Drug Felonies	543	29.2	654	35.1	664	35.7	17.9	30.2	1,861
Other Felony	***2,205***	***55.5***	***1,062***	***26.7***	***707***	***17.8***	***34.7***	***51.9***	***3,974***
Weapon Offense	637	41.6	582	38.0	312	20.4	16.5	28.8	1,531
Habitual Felon	797	97.8	15	1.8	3	0.4	63.2	87.9	815
Habitual Impaired Driving	275	99.6	1	0.4	.	.	16.7	28.0	276
Motor Vehicle Offenses	172	33.7	194	38.0	145	28.4	10.7	21.5	511
Crimes Against Admin. Justice	27	35.5	24	31.6	25	32.9	11.4	22.2	76
All Other Felonies	297	38.8	246	32.2	222	29.0	29.7	46.9	765
State Total	***10,665***	***38.8***	***8,483***	***30.9***	***8,315***	***30.3***	***29.5***	***45.6***	***27,463***

Note: Of the 28,130 felony convictions in FY 2013/14, 667 (or 2.4%) were excluded from this table. 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).

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Appendix D, Table 2: Sentencing Range by Crime Type and Offense
Active Sentences Only
FY 2013/14 Felonies

Crime Type and Offense	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Person	***826***	***28.2***	***1,909***	***65.2***	***194***	***6.6***	***2,929***
2nd Degree Murder	53	25.4	117	56.0	39	18.7	209
Attempted Murder	3	23.1	8	61.5	2	15.4	13
Voluntary Manslaughter	14	20.9	40	59.7	13	19.4	67
Involuntary Manslaughter	4	13.8	21	72.4	4	13.8	29
Felony Death by Vehicle	6	25.0	15	62.5	3	12.5	24
Armed Robbery	164	40.1	240	58.7	5	1.2	409
Att./Consp. Armed Robbery	46	29.9	102	66.2	6	3.9	154
Common Law Robbery	61	22.8	193	72.0	14	5.2	268
Att. Common Law Robbery	7	18.4	30	78.9	1	2.6	38
Other Robbery	6	15.8	31	81.6	1	2.6	38
AWDWIKISI	21	29.2	45	62.5	6	8.3	72
AWDW Intent to Kill	6	18.8	25	78.1	1	3.1	32
AWDW Serious Injury	35	19.4	130	72.2	15	8.3	180
Assault Govt. Official	2	7.1	22	78.6	4	14.3	28
Assault by Strangulation	12	18.2	49	74.2	5	7.6	66
Other Felony Assaults	37	27.0	90	65.7	10	7.3	137
1st Degree Rape	31	33.7	50	54.3	11	12.0	92
Attempted 1st Degree Rape	9	39.1	13	56.5	1	4.3	23
2nd Degree Rape	22	31.9	40	58.0	7	10.1	69
Attempted 2nd Degree Rape	10	41.7	14	58.3	.	.	24
Statutory Rape/Sex Offense Against 13, 14, 15	18	39.1	26	56.5	2	4.3	46
Indecent Liberties with Child	25	11.9	170	81.0	15	7.1	210
Crime Against Nature, Incest, Bigamy	1	14.3	5	71.4	1	14.3	7

Appendix D, Table 2: Sentencing Range by Crime Type and Offense (continued)
Active Sentences Only
FY 2013/14 Felonies

Crime Type and Offense	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Sexual Exploitation of a Minor	3	10.7	23	82.1	2	7.1	28
Child Abuse	5	14.3	28	80.0	2	5.7	35
Registered Sex Off. Offenses	102	44.7	119	52.2	7	3.1	228
Other Sex Crimes	44	38.3	62	53.9	9	7.8	115
Kidnap/Abduction	26	20.8	94	75.2	5	4.0	125
Habitual Misdemeanor Assault	22	26.2	60	71.4	2	2.4	84
All Other Person Felonies	31	39.2	47	59.5	1	1.3	79
Property	***755***	***20.8***	***2,749***	***75.8***	***124***	***3.4***	***3,628***
1st Degree Burglary	34	44.7	42	55.3	.	.	76
Attempted 1st Degree Burglary	3	18.8	13	81.3	.	.	16
2nd Degree Burglary	7	9.0	65	83.3	6	7.7	78
Breaking/Entering	205	15.9	1,039	80.5	46	3.6	1,290
Attempted Breaking/Entering	4	21.1	14	73.7	1	5.3	19
Larceny	190	22.1	639	74.2	32	3.7	861
Attempted Larceny	6	31.6	13	68.4	.	.	19
Possess/Receive Stolen Goods/ Property	50	21.7	171	74.3	9	3.9	230
1st Degree Arson	2	28.6	5	71.4	.	.	7
2nd Degree Arson	.	.	13	92.9	1	7.1	14
Other Arson/Burning	8	29.6	17	63.0	2	7.4	27
Forgery	13	21.3	48	78.7	.	.	61
Fraud	27	25.7	74	70.5	4	3.8	105
Embezzlement	8	30.8	18	69.2	.	.	26
Obtain Property by False Pretenses	112	24.2	345	74.5	6	1.3	463
Attempt Obtain Property by False Pretenses	12	27.3	32	72.7	.	.	44

Appendix D, Table 2: Sentencing Range by Crime Type and Offense (continued)
Active Sentences Only
FY 2013/14 Felonies

Crime Type and Offense	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Habitual Breaking and Entering	38	26.6	97	67.8	8	5.6	143
Habitual Misdemeanor Larceny	30	32.3	59	63.4	4	4.3	93
All Other Property Felonies	6	10.7	45	80.4	5	8.9	56
Non-Trafficking Drugs	***467***	***25.6***	***1,284***	***70.3***	***76***	***4.2***	***1,827***
Sell/Deliver Drugs	83	20.2	311	75.9	16	3.9	410
Consp. To Sell/Deliver Drugs	11	28.9	25	65.8	2	5.3	38
Manufacture Drugs	51	60.0	33	38.8	1	1.2	85
Possession with Intent	111	23.2	347	72.6	20	4.2	478
Drug Possession	63	23.1	201	73.6	9	3.3	273
Other Drug Felonies	148	27.3	367	67.6	28	5.2	543
Other Felony	***942***	***42.7***	***1,203***	***54.6***	***60***	***2.7***	***2,205***
Weapon Offense	165	25.9	452	71.0	20	3.1	637
Habitual Felon	530	66.5	246	30.9	21	2.6	797
Habitual Impaired Driving	127	46.2	146	53.1	2	0.7	275
Motor Vehicle Offenses	32	18.6	136	79.1	4	2.3	172
Crimes Against Admin. Justice	5	18.5	22	81.5	.	.	27
All Other Felonies	83	27.9	201	67.7	13	4.4	297
State Total	***2,990***	***28.2***	***7,145***	***67.5***	***454***	***4.3***	***10,589***

Note: Convictions that 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) were excluded from this table. Class A convictions, which are subject to mandatory life or death sentences (n=74), and Class B1 convictions with life sentences (n=2) were also excluded from this table. Percentages may not add to 100% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 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
FY 2013/14 Felonies

Offense Class	% Mitigated	% Mitigated and Lowest Spot in Presumptive Range
B1	33%	49%
B2	29%	47%
C	49%	65%
D	51%	69%
E	31%	59%
F	31%	59%
G	22%	54%
H	21%	54%
I	21%	53%
Total	28%	57%

Note: Convictions that 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 extraordinary mitigation) were excluded from this table. Class A convictions, which are subject to mandatory life or death sentences (n=74), and Class B1 convictions with life sentences (n=2) were also excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013/14 Statistical Report Data

Disclaimer for AOC Data

These data are from the Administrative Office of the Courts' (AOC) Automated Criminal Infraction System (ACIS). 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 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 December 1, 2013

Misdemeanor Sentences and Dispositions

<table>
<tr><th rowspan="2">Offense Class</th><th colspan="4">Prior Conviction Level</th></tr>
<tr><th>I
No Prior Convictions</th><th colspan="2">II
One to Four Prior Convictions</th><th>III
Five or More Prior Convictions</th></tr>
<tr><td>A1</td><td>C/I/A
1 - 60 days</td><td colspan="2">C/I/A
1 - 75 days</td><td>C/I/A
1 - 150 days</td></tr>
<tr><td>1</td><td>C
1 - 45 days</td><td colspan="2">C/I/A
1 - 45 days</td><td>C/I/A
1 - 120 days</td></tr>
<tr><td>2</td><td>C
1 - 30 days</td><td colspan="2">C/I
1 - 45 days</td><td>C/I/A
1 - 60 days</td></tr>
<tr><td rowspan="2">3</td><td rowspan="2">C
Fine Only*
1 - 10 days</td><td>One to Three Prior Convictions</td><td>Four Prior Convictions</td><td rowspan="2">C/I/A
1 - 20 days</td></tr>
<tr><td>C
Fine Only*
1-15 days</td><td>C/I
1 - 15 days</td></tr>
</table>

DISPOSITION
C – Community
I – Intermediate
A – Active

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

RANGE
Aggravated
PRESUMPTIVE
Mitigated

DISPOSITION
C – Community
I – Intermediate
A – Active