North Carolina
Sentencing and Policy Advisory Commission

Structured Sentencing Statistical Report for Felonies and Misdemeanors

Fiscal Year 2014/15
(July 1, 2014 – June 30, 2015)

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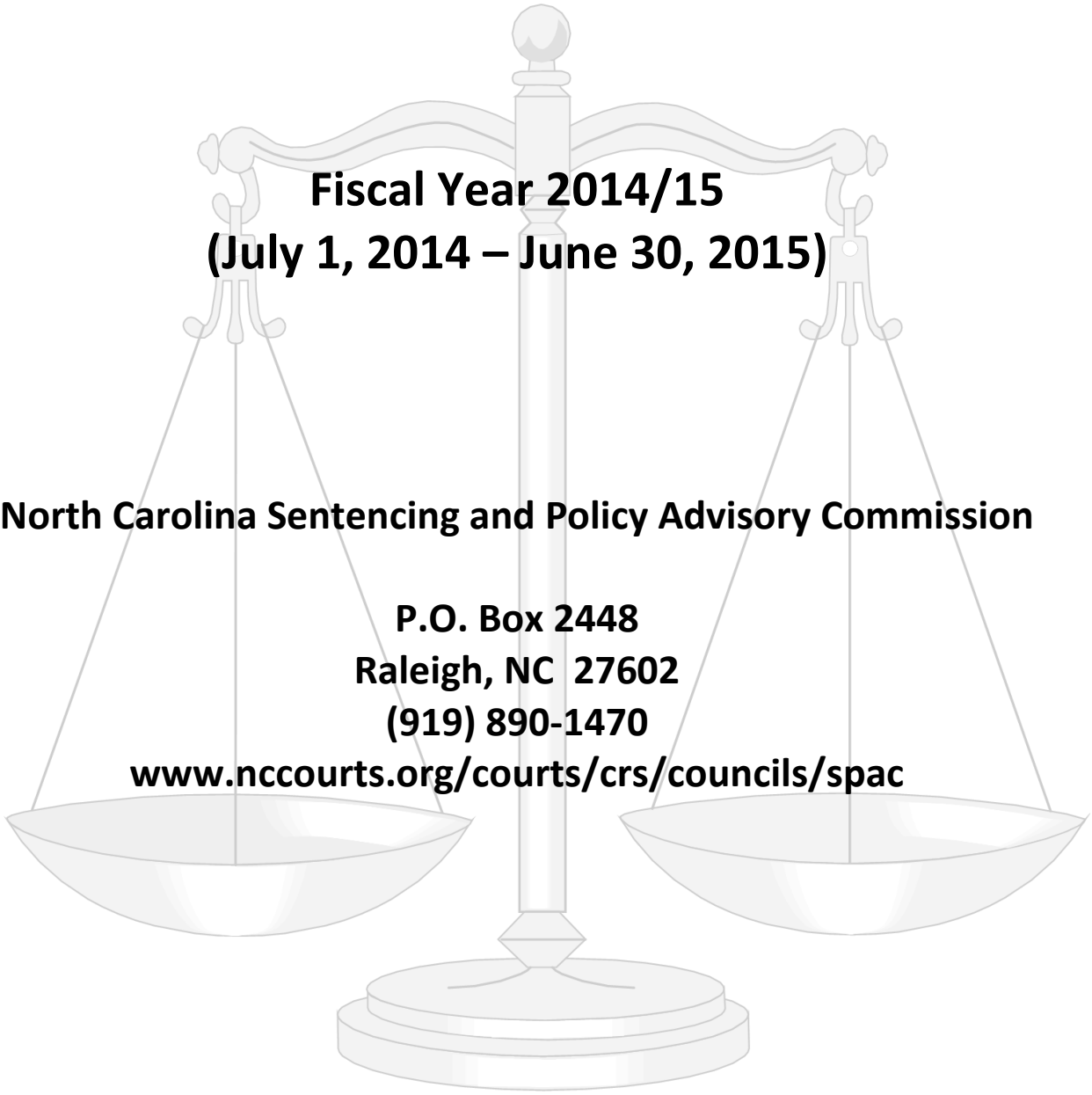
Structured Sentencing Statistical Report for Felonies and Misdemeanors



Fiscal Year 2014/15
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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 2014/15 (July 1, 2014 through June 30, 2015). 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 into 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 2014/15

STRUCTURED SENTENCING STATISTICAL REPORT SUMMARY OF FINDINGS
FY 2014/15 CONVICTIONS

Felony Convictions

- During FY 2014/15, sentences for 29,238 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, 43% fell into Class H, and 21% fell into Class I.

- The majority of felony convictions (58%) were for offenders with Prior Record Levels I and II, including 20% 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-three percent of convictions were for male offenders, and 32% of convictions were for offenders under the age of 26. A similar proportion of felony convictions were for Black and White offenders (48% and 47% respectively).

- Thirty-eight percent of felony convictions resulted in an Active punishment, 32% resulted in an Intermediate punishment, and 30% resulted in a Community punishment.

- Of the four crime types, property offenses (38%) and non-trafficking drug offenses (30%) accounted for the largest percent of felony convictions.

- Sixty-nine percent of all Active sentences fell within the presumptive range, 27% 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, 97% received supervised probation, 3% received unsupervised probation, and less than 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 18% of Community and Intermediate punishment convictions with supervised probation.

- Other information of interest includes: the imposition of 1 death sentence, 54 life without parole sentences, and the imposition of 5 life with the possibility of parole sentence for an offender under 18 years of age at the time of offense; and 3 violent habitual felon convictions, 873 habitual felon convictions, 154 habitual breaking and entering convictions, and 530 convictions for drug trafficking offenses.

Misdemeanor Convictions

- During FY 2014/15, sentences for 102,100 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.)

- Ten percent of misdemeanor convictions fell into Class A1, 54% fell into Class 1, 15% fell into Class 2, and 21% fell into Class 3.

- Thirty percent of misdemeanor convictions fell into Prior Conviction Level I (0 points), 40% fell into Prior Conviction Level II (1-4 points), and 30% fell into Prior Conviction Level III (5 or more points).

- Seventy-four percent of convictions were for male offenders, and 34% of convictions were for offenders under the age of 26. A similar proportion of misdemeanor convictions were for White and Black offenders (48% and 45% respectively).

- Thirty-one percent of misdemeanor convictions resulted in an Active punishment, 3% resulted in an Intermediate punishment, and 66% resulted in a Community punishment.

- Public order and property offenses accounted for the greatest proportion of misdemeanor convictions (32% each), while misdemeanor person offenses accounted for the lowest proportion (12%). Convictions for public order offenses were most likely to result in an Active punishment (36%). Convictions for person offenses resulted in the longest average Active sentences (58 days).

- All offenders with an Intermediate punishment received supervised probation. Overall, 37% of Community punishment convictions received supervised probation, 37% received unsupervised probation, and 26% had no probation sentence ordered. The average probation length for Intermediate and Community punishment convictions was 15 months.

- The most frequent condition imposed for supervised probation was a monetary condition (94%), 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, 7% included community service as a condition of probation, and 93% were ordered to pay monetary obligations (i.e., fine, restitution, or court costs) as a condition of probation.

SECTION I

FELONY CONVICTIONS
IN FY 2014/15

I. FELONY CONVICTIONS IN FY 2014/15

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 2014/15 (July 1, 2014 through June 30, 2015). Overall, sentences for 29,238 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 597 convictions (or 2.0%) 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 2014/15. 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=12,464 or 43.5%). The majority of convictions (58.3%) were for offenders in Prior Record Level I (n=8,135 or 28.4%) and Prior Record Level II (n=8,576 or 29.9%). Relative to other cells in the Felony Punishment Chart, the greatest number of convictions fell into Class H with Prior Record Level II (n=3,768 or 13.2%), followed closely by convictions in Class H with Prior Record Level I (n=3,468 or 12.1%). Sentences imposed for Classes A through E felonies accounted for 13.8% of felony convictions during FY 2014/15; 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 2014/15 Felonies

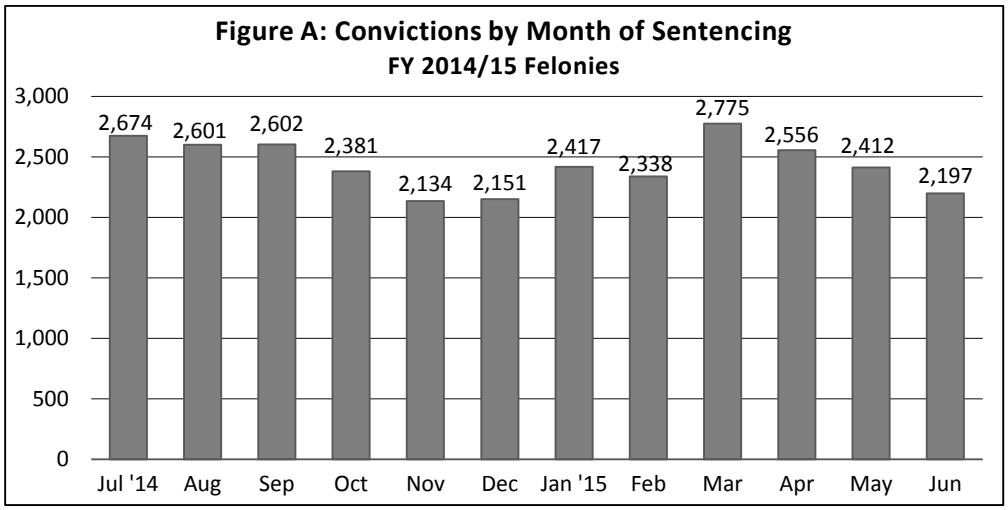
Offense Class	Prior Record Level						Total
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
A	39 0.1%	9 0.0%	5 0.0%	4 0.0%	0 0.0%	2 0.0%	59 0.2%
B1	134 0.5%	65 0.2%	24 0.1%	14 0.1%	8 0.0%	5 0.0%	250 0.9%
B2	77 0.3%	42 0.2%	25 0.1%	15 0.1%	5 0.0%	3 0.0%	167 0.6%
C	173 0.6%	142 0.5%	136 0.5%	117 0.4%	57 0.2%	60 0.2%	685 2.4%
D	281 1.0%	203 0.7%	157 0.6%	100 0.4%	68 0.2%	101 0.4%	910 3.2%
E	662 2.3%	500 1.8%	274 1.0%	172 0.6%	126 0.4%	114 0.4%	1,848 6.5%
F	895 3.1%	753 2.6%	494 1.7%	227 0.8%	133 0.5%	119 0.4%	2,621 9.2%
G	752 2.6%	1,195 4.2%	921 3.2%	461 1.6%	168 0.6%	156 0.5%	3,653 12.8%
H	3,468 12.1%	3,768 13.2%	2,369 8.3%	1,355 4.7%	805 2.8%	699 2.4%	12,464 43.5%
I	1,654 5.8%	1,899 6.6%	1,081 3.8%	629 2.2%	331 1.2%	390 1.4%	5,984 20.9%
Total	8,135 28.4%	8,576 29.9%	5,486 19.2%	3,094 10.8%	1,701 5.9%	1,649 5.8%	28,641 100.0%

Note: Of the 29,238 felony convictions in FY 2014/15, 597 (or 2.0%) 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 2014/15 Statistical Report Data

D. Convictions by Month of Sentencing

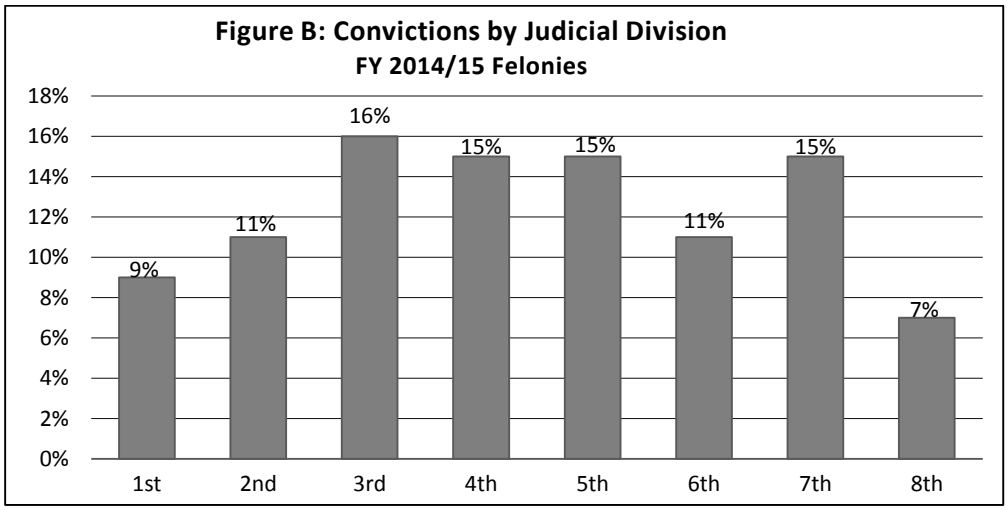
Figure A shows the total number of felony convictions by month of sentencing during FY 2014/15 (N=29,238). Convictions were highest in March and lowest in November.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

E. Convictions by Judicial Division, District, and County

Figure B shows the distribution of convictions ranged from a low of 7% in the eighth judicial division to a high of 16% in the third division. Overall, 2.1% of convictions statewide resulted from jury trials, ranging from a low of 1.1% in the fourth division to a high of 3.2% 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 a jury trial. [1]



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

[1] Effective December 1, 2014, North Carolina amended its Constitution to allow a person accused of any criminal offense for which the State is not seeking a sentence of death in Superior Court to waive their right to a jury trial and receive a bench trial. In FY 2014/15, there were six convictions in Superior Court that were disposed of by bench trial.

Table 2: Convictions by Judicial Division, Judicial District, County, and Mode of Disposition
FY 2014/15 Felonies

Judicial Division, Judicial District, and County		Mode of Disposition		Total
		Guilty Plea	Jury Trial	
First Judicial Division		***2,659***	***45***	***2,704***
District 1	Camden	17	1	18
	Chowan	46	0	46
	Currituck	58	2	60
	Dare	180	1	181
	Gates	16	0	16
	Pasquotank	126	2	128
	Perquimans	37	0	37
	Total	**480**	**6**	**486**
District 2	Beaufort	248	4	252
	Hyde	16	0	16
	Martin	127	3	130
	Tyrrell	15	0	15
	Washington	50	0	50
	Total	**456**	**7**	**463**
District 3A	Pitt	698	16	714
	Total	**698**	**16**	**714**
District 6A	Halifax	112	2	114
	Total	**112**	**2**	**114**
District 6B	Bertie	36	1	37
	Hertford	62	0	62
	Northampton	24	0	24
	Total	**122**	**1**	**123**
District 7A	Nash	319	5	324
	Total	**319**	**5**	**324**
District 7B, C	Edgecombe	216	7	223
	Wilson	256	1	257
	Total	**472**	**8**	**480**
Second Judicial Division		***3,257***	***66***	***3,323***
District 3B	Carteret	311	4	315
	Craven	344	3	347
	Pamlico	35	0	35
	Total	**690**	**7**	**697**
District 4A	Duplin	252	6	258
	Jones	55	1	56
	Sampson	289	3	292
	Total	**596**	**10**	**606**
District 4B	Onslow	383	12	395
	Total	**383**	**12**	**395**

Table 2: Convictions by Judicial Division, Judicial District, County, and Mode of Disposition (continued)
FY 2014/15 Felonies

Judicial Division, Judicial District, and County		Mode of Disposition		Total
		Guilty Plea	Jury Trial	
District 5	New Hanover	889	16	905
	Pender	135	2	137
	Total	**1,024**	**18**	**1,042**
District 8A	Greene	61	4	65
	Lenoir	243	4	247
	Total	**304**	**8**	**312**
District 8B	Wayne	260	11	271
	Total	**260**	**11**	**271**
Third Judicial Division		***4,679***	***112***	***4,791***
District 9	Franklin	121	1	122
	Granville	165	3	168
	Vance	152	4	156
	Warren	51	1	52
	Total	**489**	**9**	**498**
District 9A	Caswell	56	3	59
	Person	241	13	254
	Total	**297**	**16**	**313**
District 10	Wake	2,359	50	2,409
	Total	**2,359**	**50**	**2,409**
District 14	Durham	715	21	736
	Total	**715**	**21**	**736**
District 15A	Alamance	564	10	574
	Total	**564**	**10**	**574**
District 15B	Chatham	98	4	102
	Orange	157	2	159
	Total	**255**	**6**	**261**
Fourth Judicial Division		***4,386***	***50***	***4,436***
District 11A	Harnett	349	0	349
	Lee	211	4	215
	Total	**560**	**4**	**564**
District 11B	Johnston	668	11	679
	Total	**668**	**11**	**679**
District 12	Cumberland	1,092	13	1,105
	Total	**1,092**	**13**	**1,105**
District 13A	Bladen	123	1	124
	Columbus	204	9	213
	Total	**327**	**10**	**337**
District 13B	Brunswick	350	5	355
	Total	**350**	**5**	**355**

Table 2: Convictions by Judicial Division, Judicial District, County, and Mode of Disposition (continued)
FY 2014/15 Felonies

Judicial Division, Judicial District, and County		Mode of Disposition		Total
		Guilty Plea	Jury Trial	
District 16A	Anson	117	1	118
	Hoke	177	1	178
	Richmond	226	0	226
	Scotland	124	1	125
	Total	**644**	**3**	**647**
District 16B	Robeson	384	2	386
	Total	**384**	**2**	**386**
District 19D	Moore	361	2	363
	Total	**361**	**2**	**363**
Fifth Judicial Division		***4,308***	***96***	***4,404***
District 17A	Rockingham	316	4	320
	Total	**316**	**4**	**320**
District 17B	Stokes	114	2	116
	Surry	201	3	204
	Total	**315**	**5**	**320**
District 18	Guilford	1,700	35	1,735
	Total	**1,700**	**35**	**1,735**
District 19B	Montgomery	108	4	112
	Randolph	270	9	279
	Total	**378**	**13**	**391**
District 21	Forsyth	899	37	936
	Total	**899**	**37**	**936**
District 23	Alleghany	56	0	56
	Ashe	56	1	57
	Wilkes	424	1	425
	Yadkin	164	0	164
	Total	**700**	**2**	**702**
Sixth Judicial Division		***3,092***	***61***	***3,153***
District 19A	Cabarrus	796	13	809
	Total	**796**	**13**	**809**
District 19C	Rowan	535	9	544
	Total	**535**	**9**	**544**
District 20A	Stanly	176	1	177
	Total	**176**	**1**	**177**
District 20B	Union	373	16	389
	Total	**373**	**16**	**389**
District 22A	Alexander	102	1	103
	Iredell	543	12	555
	Total	**645**	**13**	**658**

Table 2: Convictions by Judicial Division, Judicial District, County, and Mode of Disposition (continued)
FY 2014/15 Felonies

Judicial Division, Judicial District, and County		Mode of Disposition		Total
		Guilty Plea	Jury Trial	
District 22B	Davidson	501	3	504
	Davie	66	6	72
	Total	**567**	**9**	**576**
Seventh Judicial Division		***4,133***	***136***	***4,269***
District 25A	Burke	340	6	346
	Caldwell	239	3	342
	Total	**579**	**9**	**588**
District 25B	Catawba	448	14	462
	Total	**448**	**14**	**462**
District 26	Mecklenburg	1,623	64	1,687
	Total	**1,623**	**64**	**1,687**
District 27A	Gaston	740	6	746
	Total	**740**	**6**	**746**
District 27B	Cleveland	440	28	468
	Lincoln	303	15	318
	Total	**743**	**43**	**786**
Eighth Judicial Division		***2,103***	***49***	***2,152***
District 24	Avery	73	1	74
	Madison	66	3	69
	Mitchell	55	2	57
	Watauga	107	4	111
	Yancey	81	0	81
	Total	**382**	**10**	**392**
District 28	Buncombe	491	15	506
	Total	**491**	**15**	**506**
District 29A	McDowell	247	2	249
	Rutherford	314	5	319
	Total	**561**	**7**	**568**
District 29B	Henderson	305	5	310
	Polk	32	1	33
	Transylvania	52	1	53
	Total	**389**	**7**	**396**
District 30A	Cherokee	12	1	13
	Clay	9	0	9
	Graham	10	1	11
	Macon	41	2	43
	Swain	24	2	26
	Total	**96**	**6**	**102**

Table 2: Convictions by Judicial Division, Judicial District, County, and Mode of Disposition (continued)
FY 2014/15 Felonies

Judicial Division, Judicial District, and County		Mode of Disposition		Total
		Guilty Plea	Jury Trial	
District 30B	Haywood	128	4	132
	Jackson	56	0	56
	Total	**184**	**4**	**188**
	State Total	***28,617***	***615***	***29,232***

Note: In FY 2014/15, 6 convictions disposed of by bench trial were excluded from the total number of convictions in Table 2 (3 in the fifth division and 3 in the seventh division).

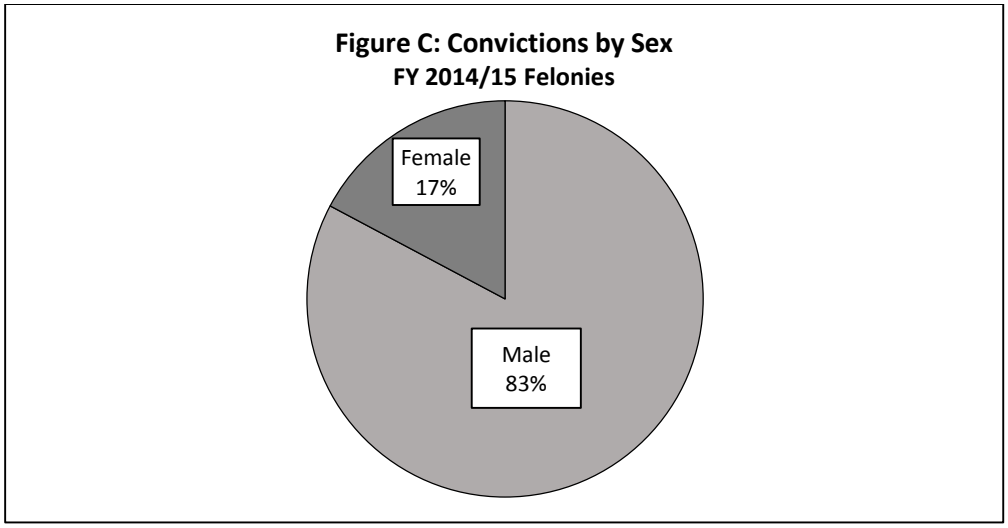
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

F. Felony Pleas in District Court

Under N.C. Gen. Stat (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 2014/15, 4,835 felony pleas (26% of all Class H and Class I felony convictions) were accepted in District Court.

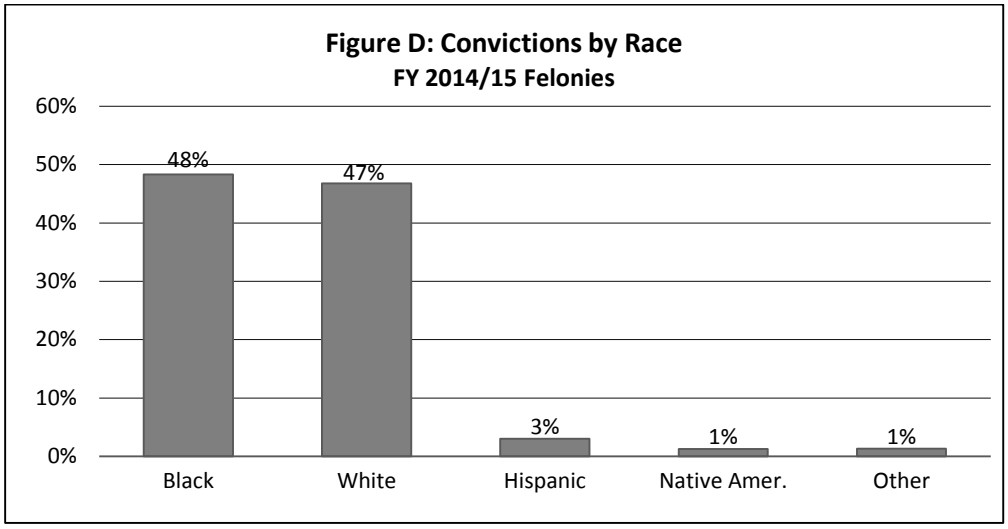
II. CHARACTERISTICS OF OFFENDERS

This section provides a breakdown of convictions by offenders' sex, race, and age. Of the 29,238 felony convictions in FY 2014/15, 83% were for males (see *Figure C*).



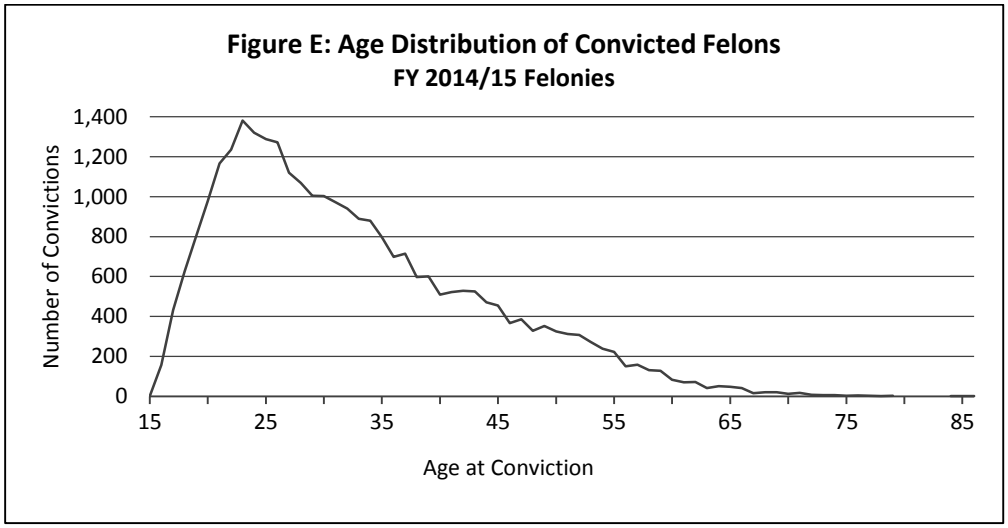
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

Figure D shows that 48% of all felony offenders were Black, 47% were White, and a small percentage were Hispanic (3%), Native American (1%), or Other (1%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

Based on age at conviction, 10% of felony convictions were for offenders under the age of 21, 22% were 21-25 years of age, 19% were 26-30 years of age, 26% 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 33 years. *Figure E* illustrates that the volume of offenders peaks in the late teens and early twenties, and then generally declines as age increases.



Note: Of the 29,238 felony convictions in FY 2014/15, 58 convictions with missing values for offenders' age were excluded from the graph.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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=2,080 or 9%). For females, the lowest percentage of felony convictions was for offenders under the age of 21 (n=260 or 5%). Over half of felony convictions for males (n=12,700 or 53%) were for offenders 30 and under, while nearly half (n=2,152 or 43%) of felony convictions for females were for offenders 30 and under.

Table 3: Convictions by Sex, Race, and Age
FY 2014/15 Felonies

Sex and Race		Age at Conviction						Total
		<21	21-25	26-30	31-40	41-50	>50	
Male	White	765	1,996	2,078	2,927	1,582	958	10,306
	Black	1,775	3,167	2,201	2,780	1,626	1,055	12,604
	Hispanic	112	160	109	152	66	27	626
	Native Amer.	31	58	47	90	50	20	296
	Other	53	79	69	67	38	20	326
	Subtotal	**2,736**	**5,460**	**4,504**	**6,016**	**3,362**	**2,080**	**24,158**
Female	White	114	543	655	1,159	621	250	3,342
	Black	120	347	274	377	247	121	1,486
	Hispanic	12	16	13	16	11	3	71
	Native Amer.	7	14	11	17	11	7	67
	Other	7	9	10	16	10	4	56
	Subtotal	**260**	**929**	**963**	**1,585**	**900**	**385**	**5,022**
Total		**2,996**	**6,389**	**5,467**	**7,601**	**4,262**	**2,465**	**29,180**

Note: Of the 29,238 felony convictions in FY 2014/15, 58 convictions with missing values for offenders' age were excluded from the table.

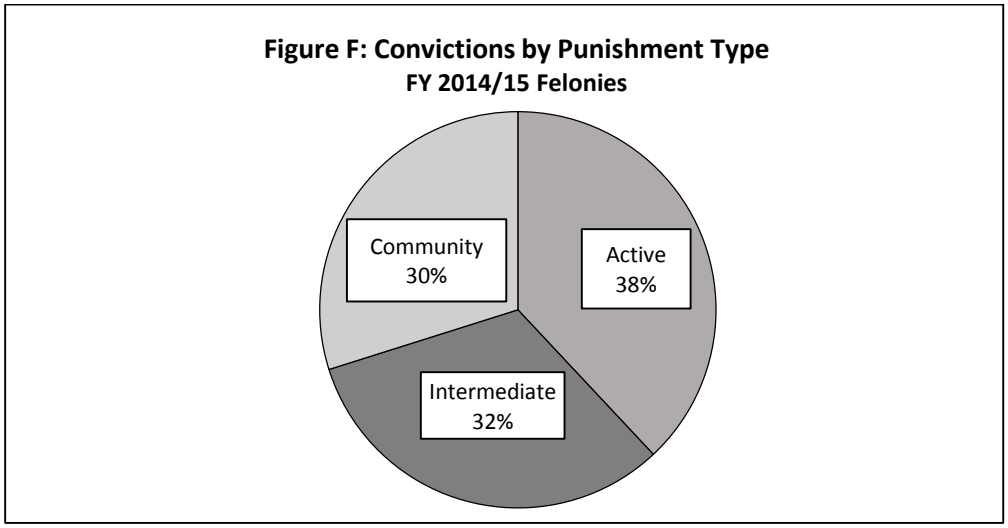
SOURCE: NC Sentencing and Policy and Advisory Commission, FY 2013/2014 Statistical Report Data

III. PUNISHMENT IMPOSED FOR FELONIES

This section details the type of sentence imposed (Active, Intermediate, or Community) for convictions during FY 2014/15. 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=597 or 2.0%). 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

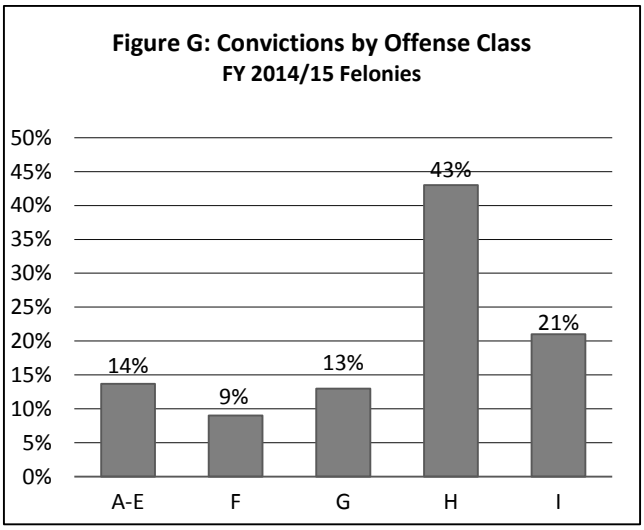
An Active punishment was imposed for 38% of felony convictions, an Intermediate punishment was imposed for 32% of felony convictions, and a Community punishment was imposed for 30% of felony convictions (see *Figure F*).[2]

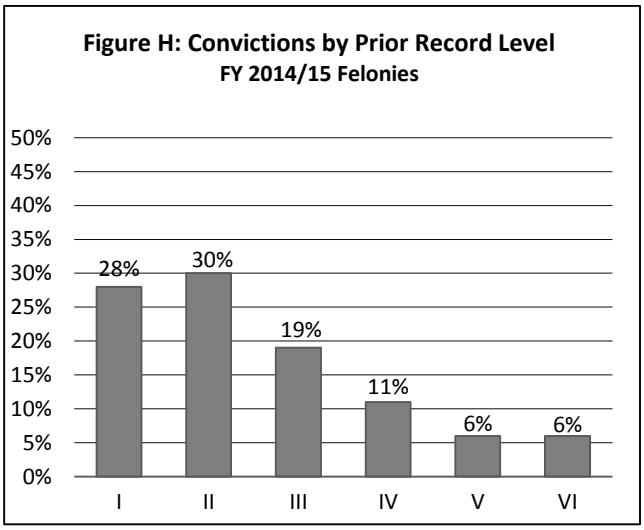


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

B. Punishment Imposed by Offense Class and Prior Record Level

Figure G 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 H*, the majority of felony convictions (58%) were for offenders with Prior Record Levels I and II, including 20% 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

[2] 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.[3]

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 recent changes to Intermediate and Community punishments. 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 2014/15, 5 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= 3,768 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=10,889) 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 (234 months).

As shown in the horizontal "Total" row in *Table 4*, convictions for offenders falling into Prior Record Level I resulted in the highest average minimum sentence (45 months). 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*.

[3] 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 2014/15 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 = 39 (100%) n = 39 Life/Death	**A** A = 9 (100%) n = 9 Life/Death	**A** A = 5 (100%) n = 5 Life/Death	**A** A = 4 (100%) n = 4 Life/Death	**A** A = 0 (0%) n = 0 Life/Death	**A** A = 2 (100%) n = 2 Life/Death	**A** A = 59 (100%) n = 59 Life/Death
B1	**A** A = 134 (100%) n = 134 210 min 287 max	**A** A = 65 (100%) n = 65 237 min 315 max	**A** A = 24 (100%) n = 24 267 min 354 max	**A** A = 14 (100%) n = 14 291 min 371 max	**A** A = 8 (100%) n = 8 319 min 415 max	**A** A = 5 (100%) n = 5 399 min 490 max	**A** A = 250 (100%) n = 250 234 min 313 max
B2	**A** A = 77 (100%) n = 77 128 min 176 max	**A** A = 42 (100%) n = 42 155 min 202 max	**A** A = 25 (100%) n = 25 192 min 246 max	**A** A = 15 (100%) n = 15 215 min 279 max	**A** A = 5 (100%) n = 5 220 min 285 max	**A** A = 3 (100%) n = 3 222 min 279 max	**A** A = 167 (100%) n = 167 157 min 207 max
C	**A** A = 173 (100%) n = 173 59 min 96 max	**A** A = 142 (100%) n = 142 66 min 96 max	**A** A = 136 (100%) n = 136 74 min 105 max	**A** A = 117 (100%) n = 117 86 min 118 max	**A** A = 57 (100%) n = 57 93 min 129 max	**A** A = 60 (100%) n = 60 109 min 144 max	**A** A = 685 (100%) n = 685 75 min 108 max
D	**A** I = 5 (2%) A = 276 (98%) n = 281 50 min 74 max	**A** A = 203 (100%) n = 203 58 min 83 max	**A** A = 157 (100%) n = 157 68 min 94 max	**A** A = 100 (100%) n = 100 73 min 101 max	**A** A = 68 (100%) n = 68 78 min 107 max	**A** A = 101 (100%) n = 101 90 min 121 max	**A** I = 5 (1%) A = 905 (99%) n = 910 64 min 90 max
E	**I/A** C = 89 (13%) I = 365 (55%) A = 208 (32%) n = 662 22 min 46 max	**I/A** C = 51 (10%) I = 213 (43%) A = 236 (47%) n = 500 25 min 43 max	**A** A = 274 (100%) n = 274 27 min 46 max	**A** A = 172 (100%) n = 172 30 min 50 max	**A** A = 126 (100%) n = 126 35 min 55 max	**A** A = 114 (100%) n = 114 41 min 62 max	**I/A** C = 140 (8%) I = 578 (31%) A = 1,130 (61%) n = 1,848 29 min 49 max
F	**I/A** C = 147 (17%) I = 477 (53%) A = 271 (30%) n = 895 14 min 25 max	**I/A** C = 89 (12%) I = 313 (41%) A = 351 (47%) n = 753 16 min 28 max	**I/A** C = 63 (13%) I = 166 (33%) A = 265 (54%) n = 494 17 min 30 max	**A** A = 227 (100%) n = 227 20 min 32 max	**A** A = 133 (100%) n = 133 22 min 35 max	**A** A = 119 (100%) n = 119 27 min 42 max	**I/A** C = 299 (11%) I = 956 (37%) A = 1,366 (52%) n = 2,621 18 min 30 max

Table 4: Convictions and Sentences by Offense Class and Prior Record Level (continued)
FY 2014/15 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 = 169 (23%) I = 414 (55%) A = 169 (22%) n = 752 11 min 22 max	**I/A** C = 265 (22%) I = 590 (49%) A = 340 (29%) n = 1,195 12 min 24 max	**I/A** C = 129 (14%) I = 398 (43%) A = 394 (43%) n = 921 14 min 26 max	**I/A** C = 58 (12%) I = 155 (34%) A = 248 (54%) n = 461 16 min 28 max	**A** A = 168 (100%) n = 168 18 min 31 max	**A** A = 156 (100%) n = 156 22 min 35 max	**I/A** C = 621 (17%) I = 1,557 (43%) A = 1,475 (40%) n = 3,653 15 min 27 max
H	**C/I/A** C = 2,030 (59%) I = 1,079 (31%) A = 359 (10%) n = 3,468 5 min 16 max	**I/A** C = 1,228 (33%) I = 1,656 (44%) A = 884 (23%) n = 3,768 7 min 17 max	**I/A** C = 511 (21%) I = 890 (38%) A = 968 (41%) n = 2,369 9 min 19 max	**I/A** C = 185 (14%) I = 407 (30%) A = 763 (56%) n = 1,355 10 min 21 max	**I/A** C = 81 (10%) I = 206 (26%) A = 518 (64%) n = 805 13 min 24 max	**A** A = 699 (100%) n = 699 17 min 30 max	**C/I/A** C = 4,035 (32%) I = 4,238 (34%) A = 4,191 (34%) n = 12,464 10 min 21 max
I	**C** C = 1,491 (90%) I = 163 (10%) n = 1,654 N/A	**C/I** C = 1,250 (66%) I = 649 (34%) n = 1,899 N/A	**I** C = 465 (43%) I = 616 (57%) n = 1,081 N/A	**I/A** C = 144 (23%) I = 225 (36%) A = 260 (41%) n = 629 7 min 17 max	**I/A** C = 63 (19%) I = 94 (28%) A = 174 (53%) n = 331 8 min 18 max	**I/A** C = 47 (12%) I = 116 (30%) A = 227 (58%) n = 390 9 min 20 max	**C/I/A** C = 3,460 (58%) I = 1,863 (31%) A = 661 (11%) n = 5,984 8 min 18 max
Total	**C/I/A** C = 3,926 (48%) I = 2,503 (31%) A = 1,706 (21%) n = 8,135 45 min 69 max	**C/I/A** C = 2,883 (34%) I = 3,421 (40%) A = 2,272 (26%) n = 8,576 29 min 45 max	**I/A** C = 1,168 (21%) I = 2,070 (38%) A = 2,248 (41%) n = 5,486 26 min 41 max	**I/A** C = 387 (13%) I = 787 (25%) A = 1,920 (62%) n = 3,094 25 min 40 max	**I/A** C = 144 (8%) I = 300 (18%) A = 1,257 (74%) n = 1,701 26 min 41 max	**I/A** C = 47 (3%) I = 116 (7%) A = 1,486 (90%) n = 1,649 29 min 45 max	**C/I/A** C = 8,555 (30%) I = 9,197 (32%) A = 10,889 (38%) n = 28,641 30 min 47 max

Note: Of the 29,238 felony convictions in FY 2014/15, 597 (or 2.0%) 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.

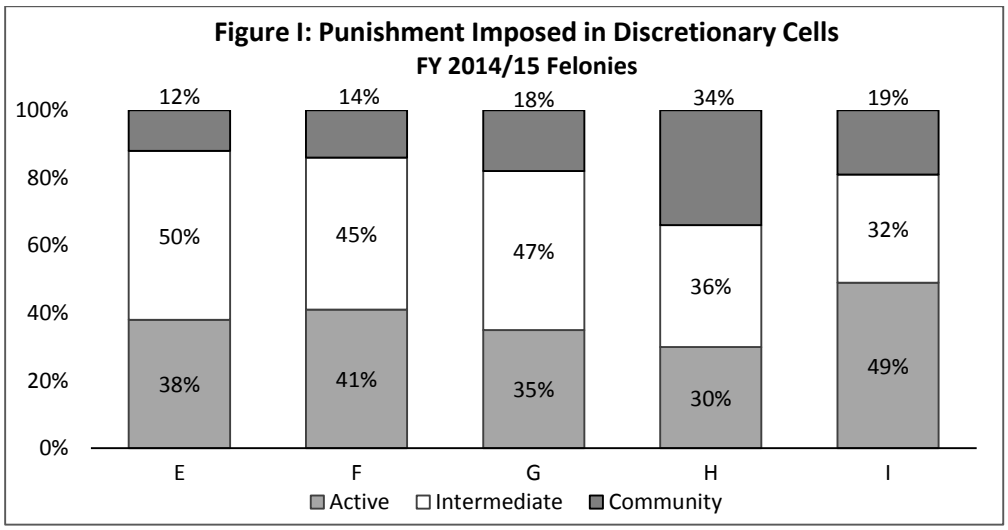
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

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 either within Class E with Prior Record Level I or Class

G with Prior Record Level I (55%), while an Active sentence was most likely to be imposed for convictions falling within Class H with Prior Record Level V (64%).

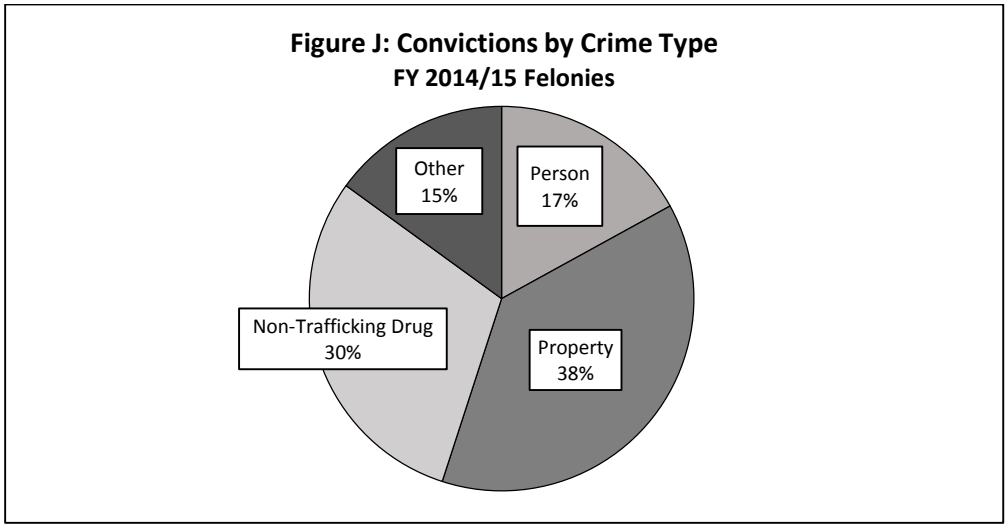
Figure I summarizes sentences imposed by offense class for discretionary cells with an Active punishment option. A Community punishment was most likely to be imposed for a Class H felony (34%), while an Intermediate punishment was most likely to be imposed for a Class E felony (50%). An Active punishment was most likely to be imposed for a Class I felony (49%) and least likely to be imposed for a Class H felony (30%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

D. Punishment Imposed by Crime Type

During FY 2014/15, property offenses accounted for 38% of convictions, while convictions for non-trafficking drug offenses accounted for 30% of convictions (see *Figure J*). For additional data on convictions by crime type, see *Appendix D, Tables 1 and 2*.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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 (63%), while convictions for non-trafficking drug offenses were least likely to result in the imposition of an Active punishment (22%). Of the four crime types, non-trafficking drug and property convictions had the highest percentage of Intermediate punishment sentences (36% and 33% respectively). Non-trafficking drug convictions had the highest percentage of Community punishment sentences (42%). *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 2014/15 Felonies

Crime Type	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Person	3,082	63	1,278	26	520	11	56	82	4,880
Property	3,602	34	3,565	33	3,597	33	13	25	10,764
Non-Trafficking Drug	1,928	22	3,123	36	3,697	42	16	29	8,748
Other Felony	2,277	54	1,231	29	741	17	33	50	4,249
Total	**10,889**	**38**	**9,197**	**32**	**8,555**	**30**	**30**	**47**	**28,641**

Note: Of the 29,238 felony convictions in FY 2014/15, 597 (or 2.0%) 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.

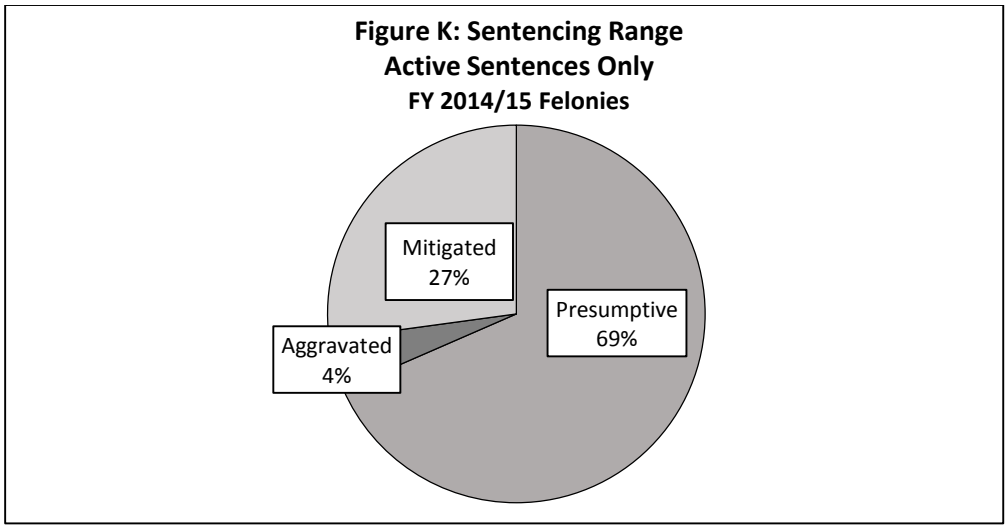
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

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=10,829)*. Class A convictions, which are subject to mandatory life or death sentences (n=59), and Class B1 convictions with life sentences (n=1) were excluded from this section.

A. Sentencing Range

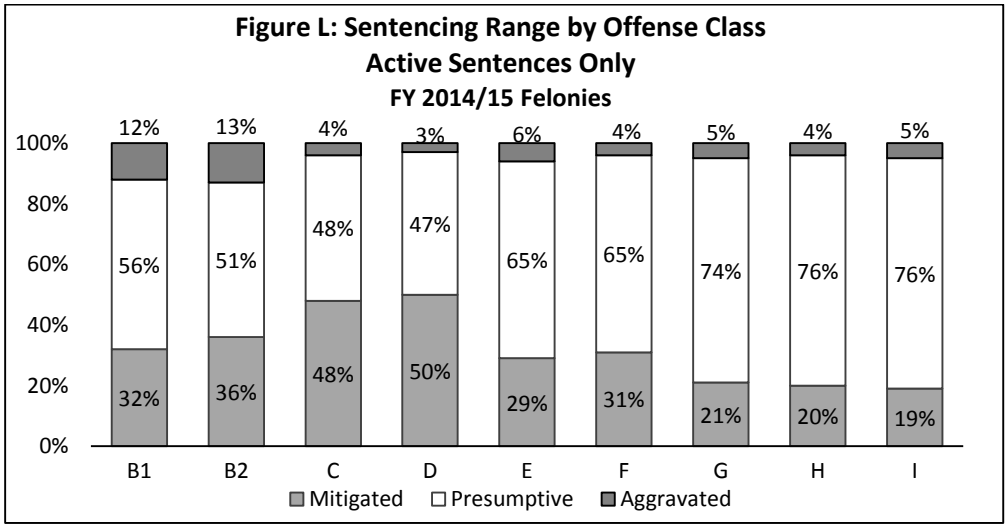
Figure K shows that 69% of all Active sentences fell within the presumptive range, 27% fell within the mitigated range, and 4% fell within the aggravated range.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

B. Sentencing Range by Offense Class and Prior Record Level

Figure L 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 Class B2 felonies accounting for the highest percentage of sentences falling in the aggravated range (12% and 13% respectively). Class C and Class D convictions had the largest percentage of sentences in the mitigated range (48% and 50% respectively) and largely reflects the sentencing of habitual felons (see also *Figure P* in *Section VI*).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

Table 6 includes information regarding sentence location by offense class and prior record level. Convictions for Class H and Class I offenses had the highest percentage of Active sentences in the presumptive range (76% each), while convictions for Class C and Class D offenses had the lowest percentage of Active sentences in the presumptive range (48% and 47% respectively). 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 2014/15 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	41 30%	19 29%	7 29%	7 50%	3 43%	2 40%	79 32%
	Presumptive	72 54%	37 57%	17 71%	6 43%	4 57%	3 60%	139 56%
	Aggravated	21 16%	9 14%	0 0%	1 7%	0 0%	0 0%	31 12%
	Subtotal	**134**	**65**	**24**	**14**	**7**	**5**	**249**
B2	Mitigated	30 39%	16 38%	8 32%	3 20%	2 40%	2 67%	61 36%
	Presumptive	41 53%	23 55%	8 32%	9 60%	3 60%	1 33%	85 51%
	Aggravated	6 8%	3 7%	9 36%	3 20%	0 0%	0 0%	21 13%
	Subtotal	**77**	**42**	**25**	**15**	**5**	**3**	**167**
C	Mitigated	70 41%	65 46%	65 48%	60 51%	36 63%	34 57%	330 48%
	Presumptive	89 51%	68 48%	69 51%	54 46%	21 37%	24 40%	325 48%
	Aggravated	14 8%	9 6%	2 1%	3 3%	0 0%	2 3%	30 4%
	Subtotal	**173**	**142**	**136**	**117**	**57**	**60**	**685**
D	Mitigated	135 49%	79 39%	59 38%	55 55%	46 68%	76 75%	450 50%
	Presumptive	131 47%	117 58%	94 60%	44 44%	22 32%	23 23%	431 47%
	Aggravated	10 4%	7 3%	4 2%	1 1%	0 0%	2 2%	24 3%
	Subtotal	**276**	**203**	**157**	**100**	**68**	**101**	**905**

Table 6: Sentencing Range by Offense Class and Prior Record Level (continued)
Active Sentences Only
FY 2014/15 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	38 18%	52 22%	86 31%	68 40%	44 35%	43 38%	331 29%
	Presumptive	159 77%	170 72%	170 62%	97 56%	79 63%	63 55%	738 65%
	Aggravated	11 5%	14 6%	18 7%	7 4%	3 2%	8 7%	61 6%
	Subtotal	**208**	**236**	**274**	**172**	**126**	**114**	**1,130**
F	Mitigated	65 24%	93 27%	81 31%	89 39%	55 41%	39 33%	422 31%
	Presumptive	189 70%	240 68%	175 66%	135 60%	76 57%	76 64%	891 65%
	Aggravated	17 6%	18 5%	9 3%	3 1%	2 2%	4 3%	53 4%
	Subtotal	**271**	**351**	**265**	**227**	**133**	**119**	**1,366**
G	Mitigated	30 18%	75 22%	79 20%	58 23%	38 23%	25 16%	305 21%
	Presumptive	131 77%	256 75%	299 76%	177 72%	120 71%	118 76%	1,101 74%
	Aggravated	8 5%	9 3%	16 4%	13 5%	10 6%	13 8%	69 5%
	Subtotal	**169**	**340**	**394**	**248**	**168**	**156**	**1,475**
H	Mitigated	62 17%	169 19%	197 20%	133 17%	112 22%	165 24%	838 20%
	Presumptive	285 80%	700 79%	746 77%	591 78%	388 75%	493 70%	3,203 76%
	Aggravated	12 3%	15 2%	25 3%	39 5%	18 3%	41 6%	150 4%
	Subtotal	**359**	**884**	**968**	**763**	**518**	**699**	**4,191**

Table 6: Sentencing Range by Offense Class and Prior Record Level (continued)
Active Sentences Only
FY 2014/15 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	49 19%	33 19%	42 18%	124 19%
	Presumptive	N/A	N/A	N/A	199 76%	132 76%	170 75%	501 76%
	Aggravated	N/A	N/A	N/A	12 5%	9 5%	15 7%	36 5%
	Subtotal	**N/A**	**N/A**	**N/A**	**260**	**174**	**227**	**661**
Total	Mitigated	471 28%	568 25%	582 26%	522 27%	369 30%	428 29%	2,940 27%
	Presumptive	1,097 66%	1,611 71%	1,578 70%	1,312 69%	845 67%	971 65%	7,414 69%
	Aggravated	99 6%	84 4%	83 4%	82 4%	42 3%	85 6%	475 4%
	Total	**1,667**	**2,263**	**2,243**	**1,916**	**1,256**	**1,484**	**10,829**

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=59), and Class B1 convictions with life sentences (n=1) were also excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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 (6%). Convictions for "other felony" offenses accounted for the lowest percentage of presumptive sentences (56%) and the highest percentage of mitigated sentences (40%) relative to the other crime types. Convictions under the habitual felon law, commonly sentenced in the mitigated range,[4] accounted for the largest number of convictions in the "other felony" category, representing 35% of convictions in this category.[5] For additional information regarding convictions by crime type, see *Appendix D, Tables 1 and 2*.

[4] See *Figure P* in *Section VI* for the breakdown of habitual felon convictions by sentencing range.
[5] 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 2014/15 Felonies

Crime Type	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Person	841	28	1,990	66	191	6	3,022
Property	747	21	2,730	76	125	3	3,602
Non-Trafficking Drug	431	22	1,415	74	82	4	1,928
Other Felony	921	41	1,279	56	77	3	2,277
Total	**2,940**	**27**	**7,414**	**69**	**475**	**4**	**10,829**

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=59), and Class B1 convictions with life sentences (n=1) were also excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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*).[6] Of those Active sentences, 18% fell on the lowest spot of the mitigated range, 29% fell on the lowest spot of the presumptive range, 28% 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 (87% and 85% 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 (31% and 30% respectively). The majority of sentences for all other offense classes were located on either the lowest spot of the presumptive range or the highest spot of the presumptive range, with the exception

[6] 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).

of Class B1 and Class B2 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 68% respectively).

Table 8: Sentence Location within the Sentencing Range by Offense Class
Active Sentences Only
FY 2014/15 Felonies

Offense Class	Location in the Sentencing Range				% on the Four Spots
	Mitigated	Presumptive		Aggravated	
	% Lowest Spot	% Lowest Spot	% Highest Spot	% Highest Spot	
B1	22	15	21	7	65
B2	18	14	17	7	56
C	31	16	14	2	63
D	30	19	13	1	63
E	19	26	24	3	72
F	20	29	22	3	74
G	15	32	30	3	80
H	16	33	35	3	87
I	14	34	33	4	85
Total	**18**	**29**	**28**	**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=59), and Class B1 convictions with life sentences (n=1) were also excluded from this table. Percentages may not add to totals due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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 80% 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 2014/15 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	26	25	4	73
Property	15	33	34	3	85
Non-Trafficking Drug	16	31	30	3	80
Other Felony	27	24	19	2	72
Total	**18**	**29**	**28**	**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=59), and Class B1 convictions with life sentences (n=1) were also excluded from this table. Percentages may not add to totals due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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.

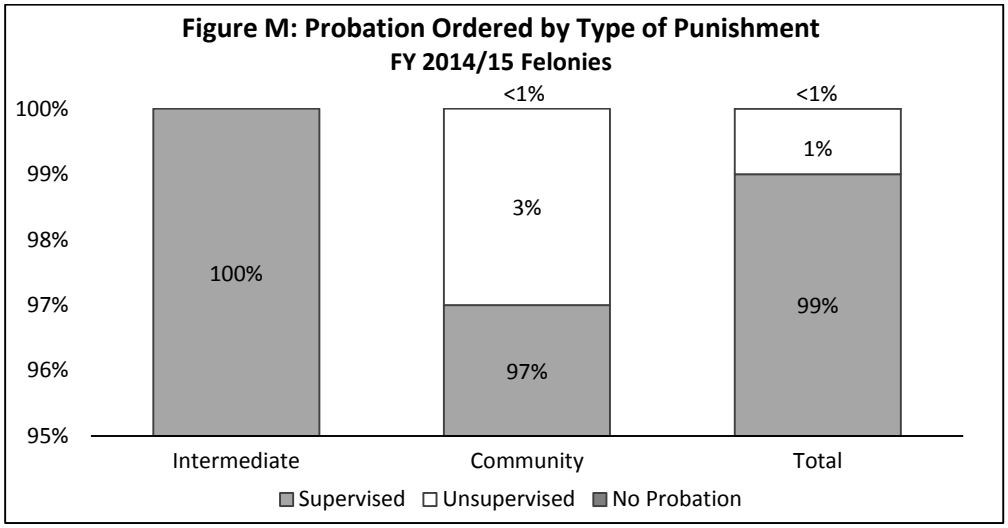
An Intermediate or Community punishment may include one or more of the following probation conditions: house arrest with electronic monitoring; community service; short-term jail confinements; substance abuse assessment, monitoring, or treatment; and education or vocational skills development. An Intermediate 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 2014/15, Intermediate punishments were imposed for 9,197 convictions and Community punishments were imposed for 8,555 convictions for a total of 17,752 non-active sentences. Overall, 17,478 convictions received supervised probation, 225 received unsupervised probation, and 49 did not receive probation. *Figure M* 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 (97%) received supervised probation, with only 3% receiving unsupervised probation and less than 1% having no probation ordered.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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=17,703) in FY 2014/15. Nearly half of all probation sentences fell within Class H (n=8,260 or 47%) and had an average probation length of 27 months. Overall, the average probation length was 27 months.

Table 10: Length of Probation by Offense Class and Type of Punishment
FY 2014/15 Felonies

Offense Class	Type of Punishment	Total	
		Months	#
D	Intermediate	36	5
	Subtotal	**36**	**5**
E	Intermediate	33	578
	Community	34	140
	Subtotal	**33**	**718**
F	Intermediate	32	956
	Community	31	298
	Subtotal	**32**	**1,254**
G	Intermediate	29	1,557
	Community	29	621
	Subtotal	**29**	**2,178**
H	Intermediate	28	4,238
	Community	26	4,022
	Subtotal	**27**	**8,260**
I	Intermediate	24	1,863
	Community	22	3,425
	Subtotal	**23**	**5,288**
	Total	**27**	**17,703**

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 2014/15 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=7,150 or 40%) with an average probation length of 28 months. The lowest number of convictions resulting in probation were person offenses (n=1,795 or 10%). 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 2014/15 Felonies

Crime Type	Type of Punishment	Total	
		Months	#
Person	Intermediate	32	1,278
	Community	30	517
	Subtotal	**31**	**1,795**
Property	Intermediate	29	3,565
	Community	27	3,585
	Subtotal	**28**	**7,150**
Non-Trafficking Drug	Intermediate	26	3,123
	Community	22	3,667
	Subtotal	**24**	**6,790**
Other Felony	Intermediate	28	1,231
	Community	25	737
	Subtotal	**27**	**1,968**
	Total	**27**	**17,703**

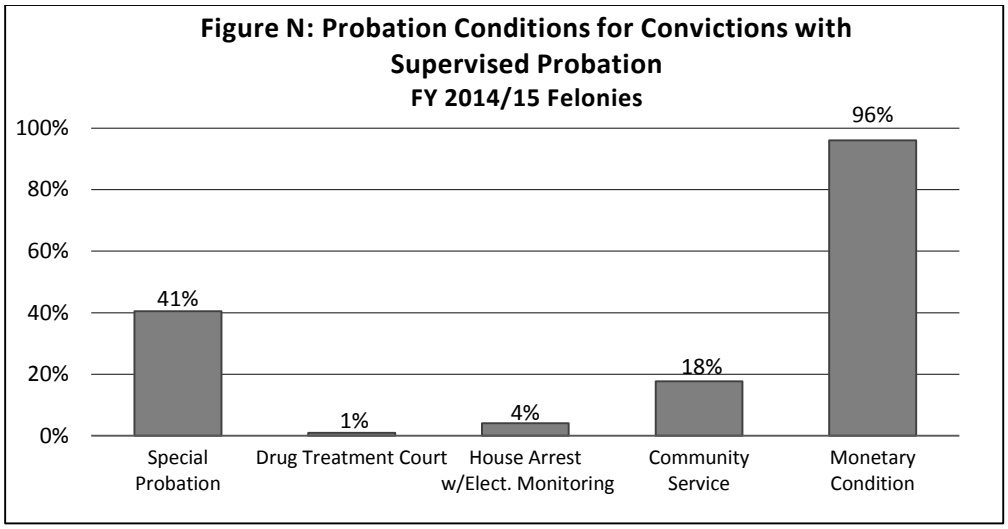
Note: Convictions that did not fit within the appropriate cell in the Felony Punishment Chart due to discrepant offense classes, prior conviction levels, or for other reasons were excluded from this table. This table includes convictions for Intermediate or Community punishments where not authorized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

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

B. Conditions of Probation[7]

In FY 2014/15, supervised probation was imposed for 17,478 convictions with an Intermediate or Community punishment. *Figure N* 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 N* 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 18% 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 (4%).

[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 2014/15 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, 9,197 Intermediate punishment convictions and 8,281 Community punishment convictions resulted in supervised probation sentences. The average length of probation imposed was 28 months for convictions with an Intermediate punishment and 25 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=16,789). Other than a monetary condition, special probation was the condition of probation most frequently ordered for Intermediate punishment convictions (n=6,850), while community service was the condition of probation most frequently ordered for Community punishment convictions (n=1,929). Convictions with house arrest with electronic monitoring had the longest average length of supervision (30 months).

Table 12: Probation Conditions for Convictions with Supervised Probation
FY 2014/15 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	6,850 *28 months*	138 *28 months*	659 *30 months*	1,162 *28 months*	8,813 *28 months*	9,197 *28 months*
Community	236 *27 months*	23 *26 months*	59 *32 months*	1,929 *25 months*	7,976 *25 months*	8,281 *25 months*
Total	**7,086** ***28 months***	**161** ***27 months***	**718** ***30 months***	**3,091** ***27 months***	**16,789** ***27 months***	**17,478** ***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 2014/15 Statistical Report Data

In FY 2014/15, unsupervised probation was imposed for 225 convictions with a Community punishment. Multiple probation conditions may have been ordered for a single conviction. Of these convictions, 4% (n=9) included community service as a condition of probation and 73% (n=165) 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 2014/15, 49 convictions with a Community punishment had no probation sentence ordered. As part of their sentence, 2% (n=1) of these convictions were ordered to perform community service and 80% (n=39) 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 2014/15, 1 death sentence and 54 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.

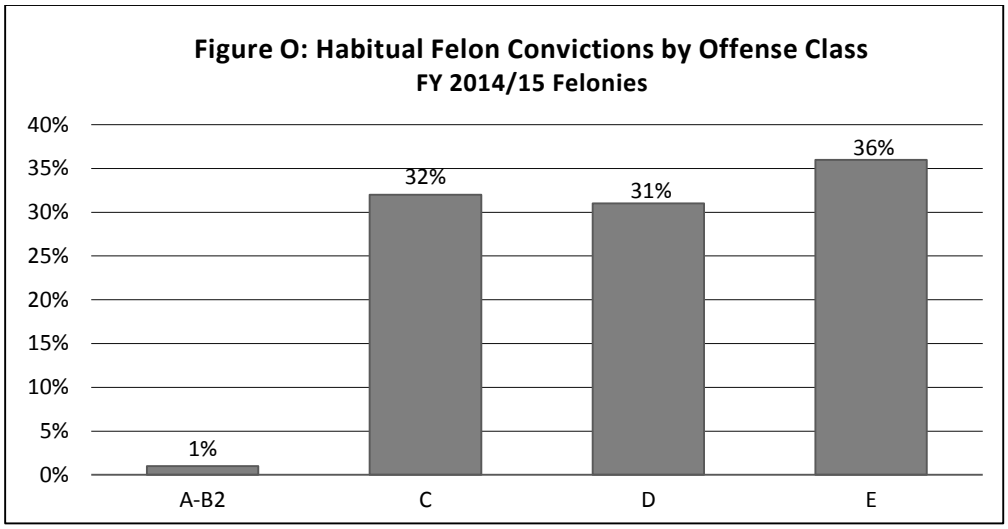
Minors (defined as offenders under the age of 18 at the time of the offense) convicted of first degree murder may receive a sentence of either life with or without parole. There were 5 minors convicted of first degree murder who received a sentence of life with parole in FY 2014/15.

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. (G.S. 14-7.7 to -7.12). During FY 2014/15, there were 3 life without parole sentences imposed for violent habitual felon convictions. The most serious substantive offenses associated with the violent habitual felon convictions were first degree kidnapping, first degree sexual offense, and attempted first degree rape.

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. (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 873 habitual felon convictions in FY 2014/15, 2% (n=21) were for substantive offenses occurring prior to December 1, 2011, while 98% (n=852) were for substantive felony offenses committed on or after December 1, 2011.

Figure O shows the breakdown of habitual felon convictions by offense class. The largest proportion (36%) were sentenced as Class E felons, closely followed by those sentenced as Class C and Class D felons (32% and 31% respectively). Overall, 94% (n=823) were sentenced to an Active punishment, 5% (n=46) were sentenced to an Intermediate punishment, and less than 1% (n=4) were sentenced to a Community punishment.



SOURCE: NC Sentencing and Policy Advisory Commission FY 2014/15 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-four percent of habitual felons had a conviction for a Class I offense as their most serious substantive conviction (n=294). Breaking or Entering Buildings was the most serious substantive conviction that occurred most frequently (n=98).

Table 13: Most Serious Substantive Offense Associated with Habitual Felon Convictions by Offense Class FY 2014/15 Felonies

Class A Felonies			**Total Convictions = 1**
First Degree Murder	1		
Class B1 Felonies			**Total Convictions = 2**
Second Degree Murder	1		
Statutory Rape	1		
Class B2 Felonies			**Total Convictions = 3**
Second Degree Murder	1	Attempted First Degree Rape	1
Attempted First Degree Murder	1		
Class C Felonies			**Total Convictions = 14**
Manufacture Methamphetamine	4	Second Degree Sexual Offense	1
AWDW Intent to Kill Inflicting Serious Injury	3	Other Drug Offense	1
First Degree Kidnapping	2	Other Felony Offense	2
Second Degree Rape	1		

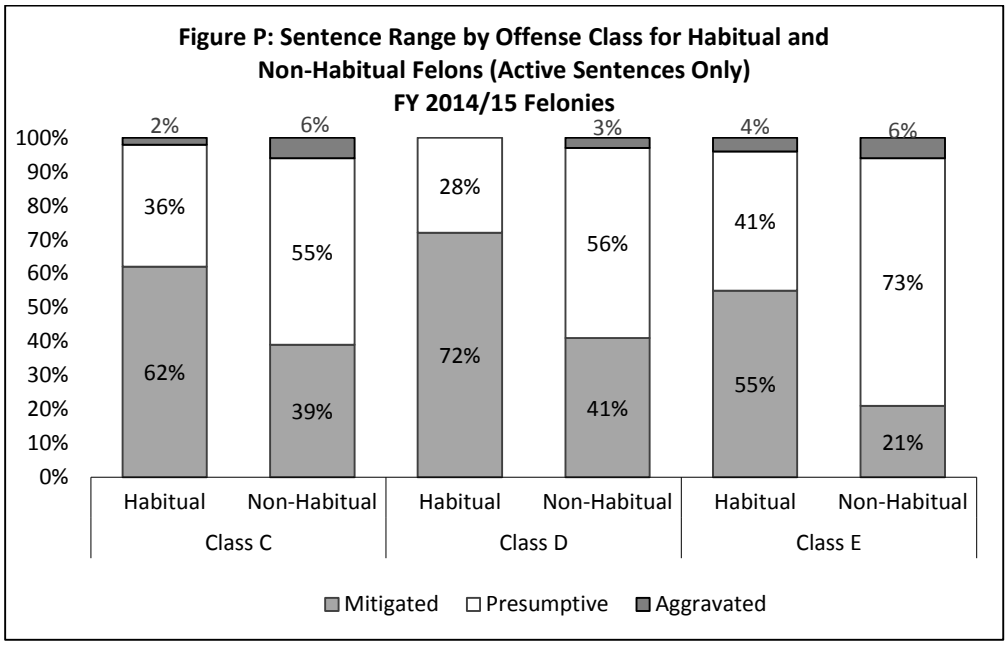
Table 13: Most Serious Substantive Offense Associated with Habitual Felon Convictions by Offense Class (continued) FY 2014/15 Felonies

Class D Felonies			**Total Convictions = 37**
Robbery with a Dangerous Weapon	23	Attempted Robbery with a Dangerous Weapon	1
First Degree Burglary	6	First Degree Arson	1
Discharge Weapon into Occupied Prop./Vehicle	4	Other Felony Offense	1
Voluntary Manslaughter	1		
Class E Felonies			**Total Convictions = 29**
AWDW Inflicting Serious Injury	4	M/S/D/P Controlled Substance Near a Park	3
Habitual Breaking and Entering	3	Other Person Offense	6
Remove/Tamper Sex Offense SBM	3	Other Property Offense	1
M/S/D/P Controlled Substance Near a School	4	Other Drug Offense	5
Class F Felonies			**Total Convictions = 70**
Habitual Impaired Driving	13	Malicious Conduct by a Prisoner	4
Failure to Report New Address – Sex Offender	12	Other Person Offense	9
Failure to Register as a Sex Offender	6	Other Drug Offense	14
Indecent Liberties with a Child	6	Other Felony Offense	6
Class G Felonies			**Total Convictions = 145**
Possession of a Firearm by a Felon	53	Sell/Deliver Cocaine	9
Sell Cocaine	24	Other Property Offense	11
Common Law Robbery	16	Other Drug Offense	16
Identity Theft	9	Other Felony Offense	7
Class H Felonies			**Total Convictions = 277**
Breaking or Entering Buildings	98	Larceny of a Motor Vehicle	8
Felony Larceny	22	Other Person Offense	21
Obtain Property by False Pretense	17	Other Property Offense	35
PWISD Cocaine	13	Other Drug Offense	41
Possess a Stolen Motor Vehicle	10	Other Felony Offense	12
Class I Felonies			**Total Convictions = 294**
Felony Possession of Cocaine	70	Attempted Break or Entering a Building	8
Breaking or Entering a Motor Vehicle	42	Other Person Offense	6
PWISD Marijuana	21	Other Property Offense	40
Possess Methamphetamine	15	Other Drug Offense	58
Felony Possession Sch. II Controlled Substance	14	Other Felony Offense	20
Total Convictions			**872**

Note: One habitual felon conviction was excluded from this table as a result of missing information on the most serious substantive offense. 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. The most serious substantive offense may not be the conviction used to establish habitual felon status.

SOURCE: NC Sentencing and Policy Advisory Commission FY 2014/15 Statistical Report Data

Figure P 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 (72%) compared to Class C (62%) and Class E habitual felons (55%).



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 2014/15 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 2014/15. Ninety-eight percent (n=134) had a conviction for a Class H offense as their most serious substantive conviction. Ninety-two percent (n=142) were sentenced to an Active punishment, 7% (n=10) were sentenced to an Intermediate punishment, and 1% (n=2) were sentenced to a Community punishment. Of the 142 habitual breaking and entering convictions with Active sentences, 33% were sentenced in the mitigated range, 64% were sentenced in the presumptive range, and 3% 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. (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 Class G felony, or 12 months if the offender is convicted of a Class H or Class 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 2 Class A through Class E felony convictions and no Class F through Class I felony convictions in FY 2014/15.

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. (G.S. 90-95(h)(5)).

As shown in *Table 14*, there were 530 convictions for drug trafficking offenses in FY 2014/15.[8] The most frequently occurring drug trafficking convictions were in Class F (n=229), followed by Class G (n=151).

[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
FY 2014/15 Felonies

Offense Class and Trafficking Offense		Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
		Active		Intermediate		Community				
		#	%	#	%	#	%			
C	Traffic Methamphetamine	3	75	1	25	.	.	64	87	4
	Consp. Traffic Heroin	4	57	3	43	.	.	107	141	7
	Other Trafficking	17	63	7	26	3	11	126	162	27
	Subtotal	**24**	**63**	**11**	**29**	**3**	**8**	**116**	**150**	**38**
D	Other Trafficking	4	57	3	43	.	.	127	163	7
	Subtotal	**4**	**57**	**3**	**43**	**.**	**.**	**127**	**163**	**7**
E	Traffic Methamphetamine	8	100	.	.	.	.	86	114	8
	Traffic Heroin	27	84	1	3	4	13	77	104	32
	Consp. Traffic Heroin	2	100	.	.	.	.	80	107	2
	Other Trafficking	16	76	2	10	3	14	69	93	21
	Subtotal	**53**	**84**	**3**	**5**	**7**	**11**	**75**	**102**	**63**
F	Traffic Methamphetamine	16	94	1	6	.	.	67	89	17
	Traffic Cocaine	10	100	.	.	.	.	62	84	10
	Traffic Heroin	103	92	5	4	5	4	66	87	113
	Consp. Traffic Meth.	5	100	.	.	.	.	34	50	5
	Consp. Traffic Heroin	1	20	3	60	1	20	71	92	5
	Consp. Traffic Cocaine	1	100	.	.	.	.	70	84	1
	Other Trafficking	64	82	8	10	6	8	63	83	78
	Subtotal	**200**	**87**	**17**	**7**	**12**	**5**	**64**	**85**	**229**
G	Traffic in MDA/MDMA	1	100	.	.	.	.	35	42	1
	Traffic Cocaine	63	85	6	8	5	7	34	49	74
	Traffic LSD	1	100	.	.	.	.	24	38	1
	Consp. Traffic Meth.	.	.	1	100	.	.	13	25	1
	Consp. Traffic Cocaine	6	76	1	12	1	12	35	45	8
	Other Trafficking	51	77	7	11	8	12	34	47	66
	Subtotal	**122**	**81**	**15**	**10**	**14**	**9**	**34**	**48**	**151**
H	Traffic Marijuana	15	83	2	11	1	6	24	35	18
	Traffic Synth. Cannabinoid	.	.	.	.	1	100	6	8	1
	Consp. Traffic Marijuana	.	.	1	100	.	.	15	27	1
	Other Trafficking	16	74	3	13	3	13	28	41	22
	Subtotal	**31**	**74**	**6**	**14**	**5**	**12**	**25**	**37**	**42**
Total		**434**	**82**	**55**	**10**	**41**	**8**	**58**	**78**	**530**

Note: This table reflects all drug trafficking convictions regardless of whether the offense classes are correct or whether the sentences are consistent with the minimum and maximum sentences set forth in G.S. 90-95(h). Non-active sentences and those shorter than mandatory active sentences may reflect the use of the substantial assistance provision or incorrect offense identification.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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. (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 90 convictions with an ASR sentence in FY 2014/15. Overall, there was 1 ASR sentence imposed in Class C, 23 in Class D, 19 in Class E, 7 in Class F, 14 in Class G, and 26 in Class H. Of these, 1 ASR sentence was imposed in an offense class and/or prior record level in which ASR is not authorized (1 in Class C). In this instance, 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 2014/15

I. MISDEMEANOR CONVICTIONS IN FY 2014/15

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 2014/15 (July 1, 2014 through June 30, 2015).[9] Overall, sentences for 102,100 misdemeanor convictions were imposed. For many of the tables, information on 4,645 convictions (or 4.6%) 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. Overall, 10% of misdemeanor convictions fell into Class A1, 54% fell into Class 1, 15% fell into Class 2, and 21% fell into Class 3.[10] Thirty percent of misdemeanor convictions fell into Prior Conviction Level I, 40% fell into Prior Conviction Level II, and 30% 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=22,226 or 23%).

[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 20,790 Class 3 misdemeanor convictions, 4% (n=820) 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 2014/15 Misdemeanors

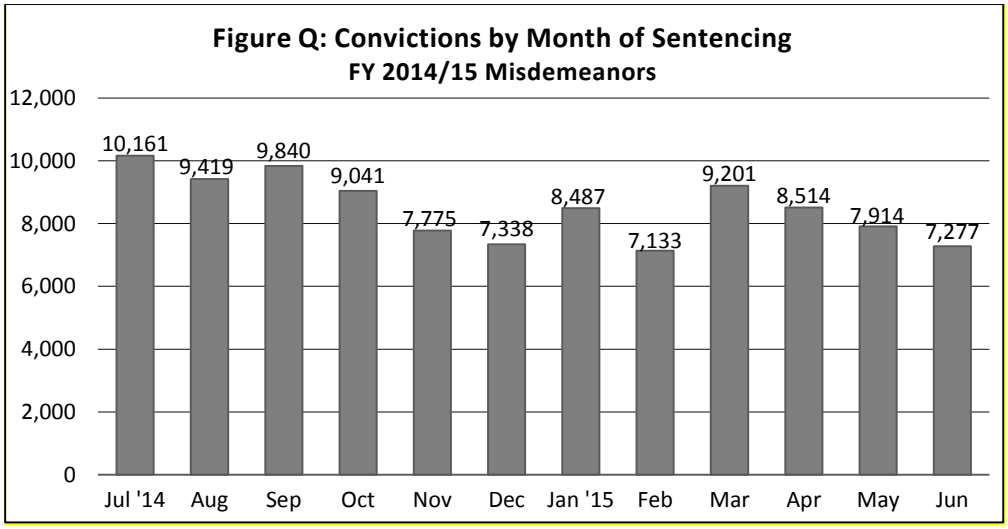
Offense Class	Prior Conviction Level			Total
	I 0 Points	II 1-4 Points	III 5+ Points	
A1	2,290 2.4%	3,865 4.0%	3,980 4.0%	10,135 10.4%
1	13,901 14.3%	22,226 22.8%	16,069 16.5%	52,196 53.6%
2	4,620 4.7%	5,713 5.9%	4,001 4.1%	14,334 14.7%
3	8,029 8.2%	7,057 7.2%	5,704 5.9%	20,790 21.3%
Total	**28,840** **29.6%**	**38,861** **39.9%**	**29,754** **30.5%**	**97,455** **100.0%**

Note: Of the 102,100 misdemeanor convictions in FY 2014/15, 4,645 (or 4.6%) 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 2014/15 Statistical Report Data

D. Convictions by Month of Sentencing

Figure Q shows the number of misdemeanor convictions (N=102,100) by month of sentencing during FY 2014/15. Convictions were highest in July and lowest in February.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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 2014/15, there were 94,907 guilty pleas/bench trials in District Court, and 6,995 guilty pleas and 198 jury trials in Superior Court.

Table 16: Convictions by Judicial District, County, and Mode of Disposition
FY 2014/15 Misdemeanors

Judicial District and County		District Court	Superior Court		Total
		Guilty Plea/ Bench Trial	Guilty Plea	Jury Trial	
District 1	Camden	33	11	0	44
	Chowan	106	24	0	130
	Currituck	177	37	1	215
	Dare	427	67	0	494
	Gates	84	10	0	94
	Pasquotank	457	49	3	509
	Perquimans	99	14	0	113
	Total	**1,383**	**212**	**4**	**1,599**
District 2	Beaufort	604	91	4	699
	Hyde	58	2	1	61
	Martin	315	45	2	362
	Tyrrell	115	7	0	122
	Washington	149	25	1	175
	Total	**1,241**	**170**	**8**	**1,419**
District 3A	Pitt	2,471	268	8	2,747
	Total	**2,471**	**268**	**8**	**2,747**
District 3B	Carteret	733	39	0	772
	Craven	1,292	88	3	1,383
	Pamlico	154	4	0	158
	Total	**2,179**	**131**	**3**	**2,313**
District 4	Duplin	494	68	1	563
	Jones	166	26	0	192
	Onslow	2,015	121	1	2,137
	Sampson	873	19	5	897
	Total	**3,548**	**234**	**7**	**3,789**
District 5	New Hanover	2,589	174	4	2,767
	Pender	354	19	2	375
	Total	**2,943**	**193**	**6**	**3,142**
District 6	Bertie	153	15	0	168
	Halifax	603	99	0	702

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

Table 16: Convictions by Judicial District, County, and Mode of Disposition (continued)
FY 2014/15 Misdemeanors

Judicial District and County		District Court	Superior Court		Total
		Guilty Plea/ Bench Trial	Guilty Plea	Jury Trial	
District 6 (cont.)	Hertford	309	51	0	360
	Northampton	151	25	0	176
	Total	**1,216**	**190**	**0**	**1,406**
District 7	Edgecombe	771	130	1	902
	Nash	1,199	133	5	1,337
	Wilson	863	198	0	1,061
	Total	**2,833**	**461**	**6**	**3,300**
District 8	Greene	149	50	3	202
	Lenoir	1,099	162	2	1,263
	Wayne	1,437	76	3	1,516
	Total	**2,685**	**288**	**8**	**2,981**
District 9	Franklin	436	102	1	539
	Granville	327	84	4	415
	Vance	755	105	0	860
	Warren	128	53	1	182
	Total	**1,646**	**344**	**6**	**1,996**
District 9A	Caswell	138	60	2	200
	Person	418	130	3	551
	Total	**556**	**190**	**5**	**751**
District 10	Wake	8,135	310	11	8,456
	Total	**8,135**	**310**	**11**	**8,456**
District 11	Harnett	687	17	1	705
	Johnston	1,443	27	1	1,471
	Lee	650	29	1	680
	Total	**2,780**	**73**	**3**	**2,856**
District 12	Cumberland	2,011	367	4	2,382
	Total	**2,011**	**367**	**4**	**2,382**
District 13	Bladen	414	55	0	469
	Brunswick	875	72	2	949
	Columbus	546	80	0	626
	Total	**1,835**	**207**	**2**	**2,044**
District 14	Durham	2,127	59	4	2,190
	Total	**2,127**	**59**	**4**	**2,190**
District 15A	Alamance	1,693	105	3	1,801
	Total	**1,693**	**105**	**3**	**1,801**
District 15B	Chatham	375	10	0	385
	Orange	676	35	1	712
	Total	**1,051**	**45**	**1**	**1,097**

Table 16: Convictions by Judicial District, County, and Mode of Disposition (continued)
FY 2014/15 Misdemeanors

Judicial District and County		District Court	Superior Court		Total
		Guilty Plea/ Bench Trial	Guilty Plea	Jury Trial	
District 16A	Anson	327	73	0	400
	Hoke	552	35	0	587
	Richmond	511	76	0	587
	Scotland	822	40	0	862
	Total	**2,212**	**224**	**0**	**2,436**
District 16B	Robeson	2,111	91	2	2,204
	Total	**2,111**	**91**	**2**	**2,204**
District 17A	Rockingham	1,063	59	3	1,125
	Total	**1,063**	**59**	**3**	**1,125**
District 17B	Stokes	335	44	0	379
	Surry	978	44	2	1,024
	Total	**1,313**	**88**	**2**	**1,403**
District 18	Guilford	4,730	482	13	5,225
	Total	**4,730**	**482**	**13**	**5,225**
District 19A	Cabarrus	2,886	140	0	3,026
	Total	**2,886**	**140**	**0**	**3,026**
District 19B	Montgomery	393	33	1	427
	Moore	812	65	4	881
	Randolph	1,281	70	2	1,353
	Total	**2,486**	**168**	**7**	**2,661**
District 19C	Rowan	2,182	61	4	2,247
	Total	**2,182**	**61**	**4**	**2,247**
District 20A	Stanly	458	118	1	577
	Total	**458**	**118**	**1**	**577**
District 20B	Union	1,474	301	1	1,776
	Total	**1,474**	**301**	**1**	**1,776**
District 21	Forsyth	5,098	57	13	5,168
	Total	**5,098**	**57**	**13**	**5,168**
District 22A	Alexander	323	17	0	340
	Iredell	1,839	47	3	1,889
	Total	**2,162**	**64**	**3**	**2,229**
District 22B	Davidson	2,005	80	0	2,085
	Davie	318	14	0	332
	Total	**2,323**	**94**	**0**	**2,417**
District 23	Alleghany	60	1	0	61
	Ashe	210	7	0	217
	Wilkes	869	10	0	879
	Yadkin	406	8	0	414
	Total	**1,545**	**26**	**0**	**1,571**

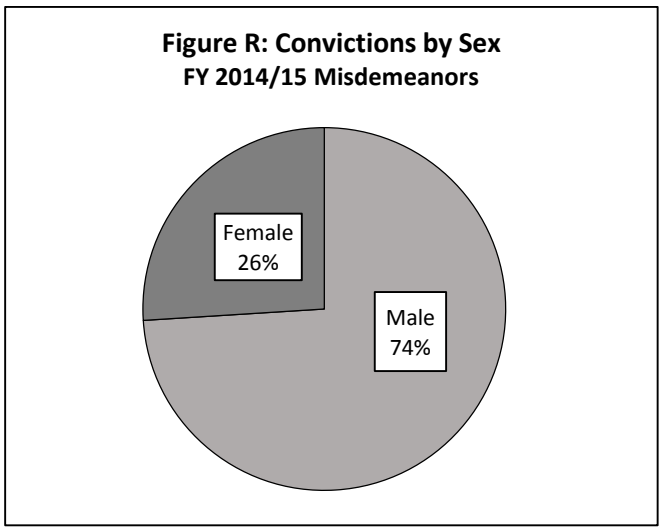
Table 16: Convictions by Judicial District, County, and Mode of Disposition (continued)
FY 2014/15 Misdemeanors

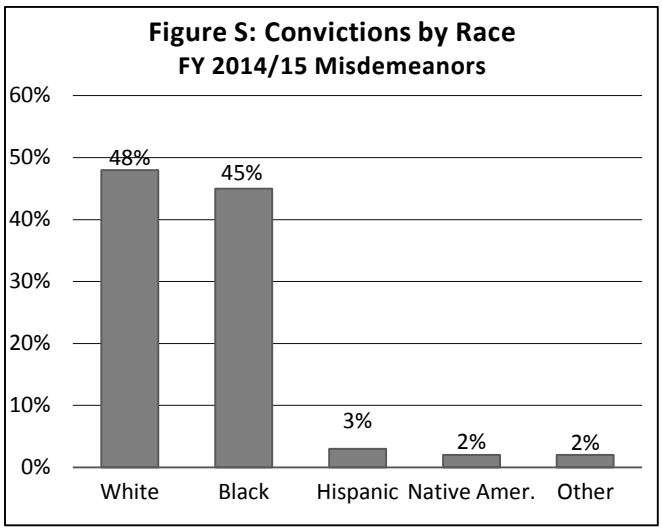
Judicial District and County		District Court	Superior Court		Total
		Guilty Plea/ Bench Trial	Guilty Plea	Jury Trial	
District 24	Avery	108	5	1	114
	Madison	152	8	2	162
	Mitchell	141	6	1	148
	Watauga	297	34	2	333
	Yancey	113	4	2	119
	Total	**811**	**57**	**8**	**876**
District 25	Burke	808	104	1	913
	Caldwell	1,041	93	1	1,135
	Catawba	1,991	70	7	2,068
	Total	**3,840**	**267**	**9**	**4,116**
District 26	Mecklenburg	3,896	305	13	4,214
	Total	**3,896**	**305**	**13**	**4,214**
District 27A	Gaston	1,917	207	10	2,134
	Total	**1,917**	**207**	**10**	**2,134**
District 27B	Cleveland	1,416	50	2	1,468
	Lincoln	638	60	4	702
	Total	**2,054**	**110**	**6**	**2,170**
District 28	Buncombe	2,692	55	5	2,752
	Total	**2,692**	**55**	**5**	**2,752**
District 29A	McDowell	590	22	1	613
	Rutherford	1,086	35	4	1,125
	Total	**1,676**	**57**	**5**	**1,738**
District 29B	Henderson	1,043	22	0	1,065
	Polk	247	5	0	252
	Transylvania	331	11	1	343
	Total	**1,621**	**38**	**1**	**1,660**
District 30	Cherokee	223	5	0	228
	Clay	53	7	0	60
	Graham	73	3	0	76
	Haywood	880	24	1	905
	Jackson	385	22	2	409
	Macon	252	12	0	264
	Swain	158	6	0	164
	Total	**2,024**	**79**	**3**	**2,106**
	State Total	**94,907**	**6,995**	**198**	**102,100**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

II. CHARACTERISTICS OF OFFENDERS

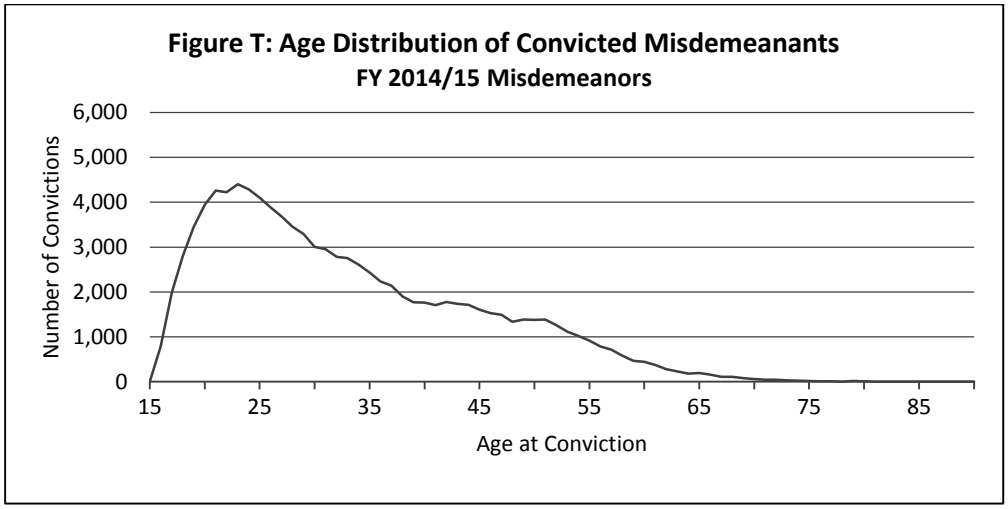
This section provides a summary of misdemeanor convictions by offenders' sex, race, and age. As shown in *Figure R*, the majority of misdemeanor convictions were for males (74%). *Figure S* shows that 48% of all misdemeanor offenders were White and 45% were Black. Only a small percentage were Hispanic (3%), Native American (2%), or Other (2%).





SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

Based on age at conviction, 13% of misdemeanor convictions were for offenders under the age of 21, 21% were 21-25 years of age, 17% were 26-30 years of age, 23% were 31-40 years of age, 15% were 41-50 years of age, and 11% were over 50 years of age. The average age at conviction was 33 years. *Figure T* 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 102,100 misdemeanor convictions in FY 2014/15, 832 convictions with missing values for offenders' age were excluded from this table.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

Table 17: Convictions by Sex, Race, and Age
FY 2014/15 Misdemeanors

Sex and Race		Age at Conviction						Total
		<21	21-25	26-30	31-40	41-50	>50	
Male	White	4,110	6,619	5,735	8,061	5,561	3,886	33,972
	Black	4,902	8,059	5,724	7,193	5,344	4,369	35,591
	Hispanic	604	603	376	536	248	86	2,453
	Native Amer.	158	270	219	315	222	142	1,326
	Other	231	291	214	253	152	122	1,263
	Subtotal	**10,005**	**15,842**	**12,268**	**16,358**	**11,527**	**8,605**	**74,605**
Female	White	1,341	2,728	2,928	4,238	2,448	1,213	14,941
	Black	1,395	2,387	1,898	2,332	1,486	817	10,315
	Hispanic	94	99	56	98	48	17	412
	Native Amer.	66	132	112	182	110	38	640
	Other	66	80	44	89	45	31	355
	Subtotal	**2,962**	**5,426**	**5,038**	**6,984**	**4,137**	**2,116**	**26,663**
Total		**12,967**	**21,268**	**17,306**	**23,342**	**15,664**	**10,721**	**101,268**

Note: Of the 102,100 misdemeanor convictions in FY 2014/15, 832 convictions with missing values for offenders' age were excluded from this table.

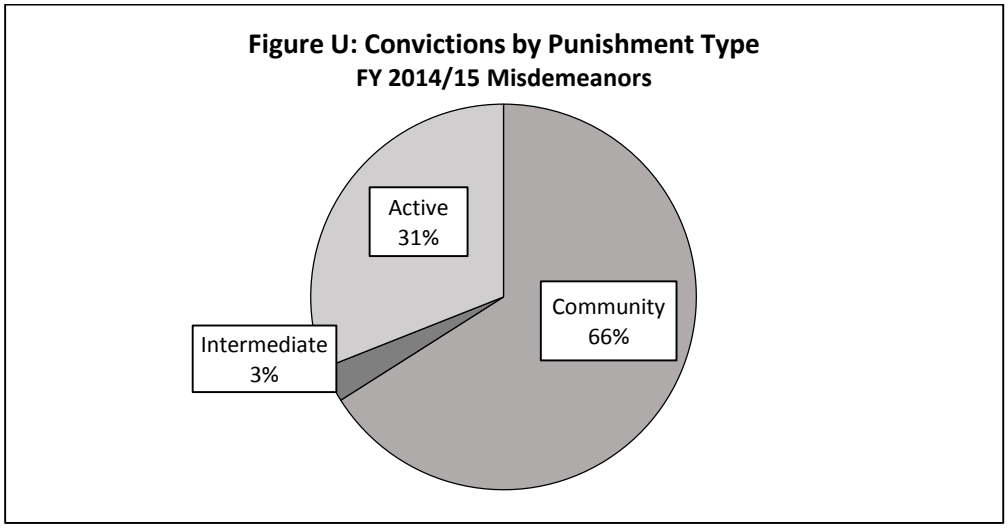
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

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.

A. Overall Punishment

As shown in *Figure U*, an Active punishment was imposed for 31% of misdemeanor convictions, an Intermediate punishment was imposed for 3% of misdemeanor convictions, and a Community punishment was imposed for 66% of misdemeanor convictions. Overall, 7% (n=7,091) of all misdemeanor convictions were sentenced to the Statewide Misdemeanant Confinement Program (SMCP).[12]



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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 (37%). The likelihood of receiving an Active punishment increased as prior conviction level increased.

[12] Under the SMCP, misdemeanants with sentences greater than 90 days or with convictions for impaired driving offenses are housed in in a local confinement facilities. Overall, 6% (n=1,788) of Active sentences, 32% (n=951) of Intermediate sentences, and 7% (n=4,352) of Community sentences were sentenced to the SMCP.

Table 18: Convictions and Sentences by Offense Class and Prior Conviction Level
FY 2014/15 Misdemeanors

Offense Class	Prior Conviction Level			Total
	I 0 Points	II 1-4 Points	III 5+ Points	
A1	**C/I/A** C = 1,640 (72%) I = 135 (6%) A = 515 (22%) n = 2,290 36.2 days	**C/I/A** C = 2,331 (60%) I = 295 (8%) A = 1,239 (32%) n = 3,865 46.0 days	**C/I/A** C = 1,658 (42%) I = 369 (9%) A = 1,953 (49%) n = 3,980 89.8 days	**C/I/A** C = 5,629 (55%) I = 799 (8%) A = 3,707 (37%) n = 10,135 67.7 days
1	**C** C = 11,414 (82%) I = 214 (2%) A = 2,273 (16%) n = 13,901 20.4 days	**C/I/A** C = 14,666 (66%) I = 703 (3%) A = 6,857 (31%) n = 22,226 25.6 days	**C/I/A** C = 7,842 (49%) I = 912 (6%) A = 7,315 (45%) n = 16,069 55.1 days	**C/I/A** C = 33,922 (65%) I = 1,829 (3%) A = 16,445 (32%) n = 52,196 38.0 days
2	**C** C = 3,609 (78%) I = 37 (1%) A = 974 (21%) n = 4,620 14.2 days	**C/I** C = 4,029 (71%) I = 120 (2%) A = 1,564 (27%) n = 5,713 17.2 days	**C/I/A** C = 1,741 (43%) I = 118 (3%) A = 2,142 (54%) n = 4,001 26.0 days	**C/I/A** C = 9,379 (65%) I = 275 (2%) A = 4,680 (33%) n = 14,334 20.6 days
3	**C** C = 7,006 (87%) I = 12 (0%) A = 1,011 (13%) n = 8,029 6.7 days	**C/I** C = 5,678 (81%) I = 18 (0%) A = 1,361 (19%) n = 7,057 7.8 days	**C/I/A** C = 2,674 (47%) I = 45 (1%) A = 2,985 (52%) n = 5,704 10.2 days	**C/I/A** C = 15,358 (74%) I = 75 (0%) A = 5,357 (26%) n = 20,790 8.9 days
Total	**C/I/A** C = 23,669 (82%) I = 398 (1%) A = 4,773 (17%) n = 28,840 17.9 days	**C/I/A** C = 26,704 (69%) I = 1,136 (3%) A = 11,021 (28%) n = 38,861 24.5 days	**C/I/A** C = 13,915 (47%) I = 1,444 (5%) A = 14,395 (48%) n = 29,754 46.2 days	**C/I/A** C = 64,288 (66%) I = 2,978 (3%) A = 30,189 (31%) n = 97,455 33.8 days

Note: Of the 102,100 misdemeanor convictions in FY 2014/15, 4,645 (or 4.6%) 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 2014/15 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 (37.3 days). Overall, the average time to be served for misdemeanor convictions was 16.0 days. Nearly 80% of offenders with Active sentences received credit for time served, with an average credit of 17.8 days.

Table 19: Average Length of Active Sentences by Offense Class and Prior Conviction Level
FY 2014/15 Misdemeanors

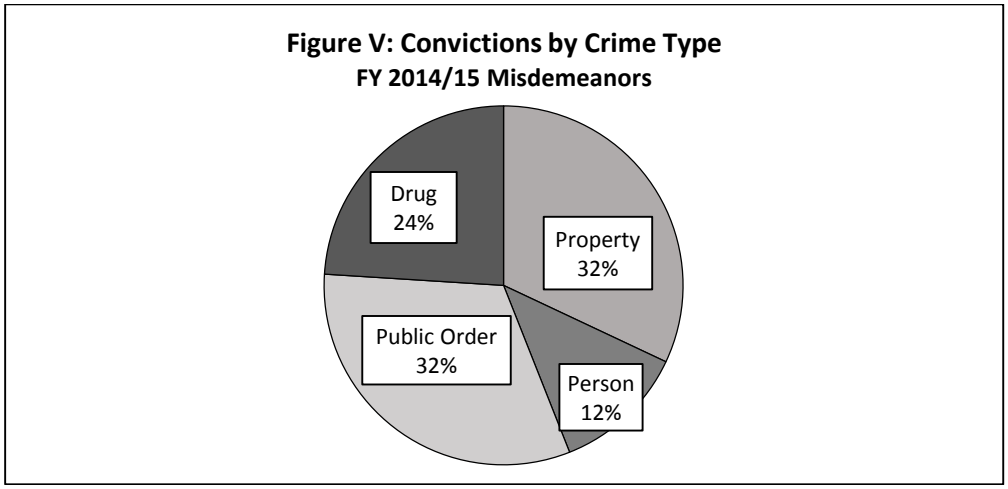
Offense Class		Prior Conviction Level			Total
		I 0 Points	II 1-4 Points	III 5+ Points	
A1	Average Active Sentence (Days)	36.2	46.0	89.8	67.7
	Average Credit for Time Served (Days)	26.0	26.5	33.9	30.3
	Average Time to be Served (Days)	10.2	19.5	55.9	37.3
	Number of Active Sentences	515	1,239	1,953	3,707
1	Average Active Sentence (Days)	20.4	25.6	55.1	38.0
	Average Credit for Time Served (Days)	20.4	16.3	21.8	19.3
	Average Time to be Served (Days)	0.0	9.3	33.3	18.7
	Number of Active Sentences	2,273	6,857	7,315	16,445
2	Average Active Sentence (Days)	14.2	17.2	26.0	20.6
	Average Credit for Time Served (Days)	14.2	17.2	14.6	15.4
	Average Time to be Served (Days)	0.0	0.0	11.5	5.2
	Number of Active Sentences	974	1,564	2,142	4,680
3	Average Active Sentence (Days)	6.7	7.8	10.2	8.9
	Average Credit for Time Served (Days)	6.7	7.8	6.3	6.8
	Average Time to be Served (Days)	0.0	0.0	3.8	2.1
	Number of Active Sentences	1,011	1,361	2,985	5,357
Total	Average Active Sentence (Days)	17.9	24.5	46.2	33.8
	Average Credit for Time Served (Days)	16.8	16.5	19.1	17.8
	Average Time to be Served (Days)	1.1	8.0	27.0	16.0
	Number of Active Sentences	4,773	11,021	14,395	30,189

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 2014/15 Statistical Report Data

D. Punishment Imposed by Crime Type

As shown in *Figure V*, property and public order offenses (32% each) accounted for the largest proportion of misdemeanor convictions, while misdemeanor person offenses accounted for the lowest proportion of misdemeanor offenses (12%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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. Public order offenses were most likely to result in an Active sentence (36%), closely followed by person offenses (34%) and property offenses (31%). Drug offenses were least likely to result in an Active sentence (23%). The average active sentence imposed and average time to be served were longest for convictions for person offenses (58.0 days and 29.9 days respectively).

Table 20: Punishment by Crime Type
FY 2014/15 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	4,066	34	812	7	7,149	59	58.0	28.1	29.9	12,027
Property	9,809	31	1,113	4	20,402	65	39.3	20.6	18.7	31,324
Drug	5,200	23	490	2	17,246	75	28.6	14.7	13.9	22,936
Public Order	11,114	36	563	2	19,491	62	22.4	13.0	9.5	31,168
Total	**30,189**	**31**	**2,978**	**3**	**64,288**	**66**	**33.8**	**17.8**	**16.0**	**97,455**

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 2014/15 Statistical Report Data

IV. INTERMEDIATE AND COMMUNITY PUNISHMENTS

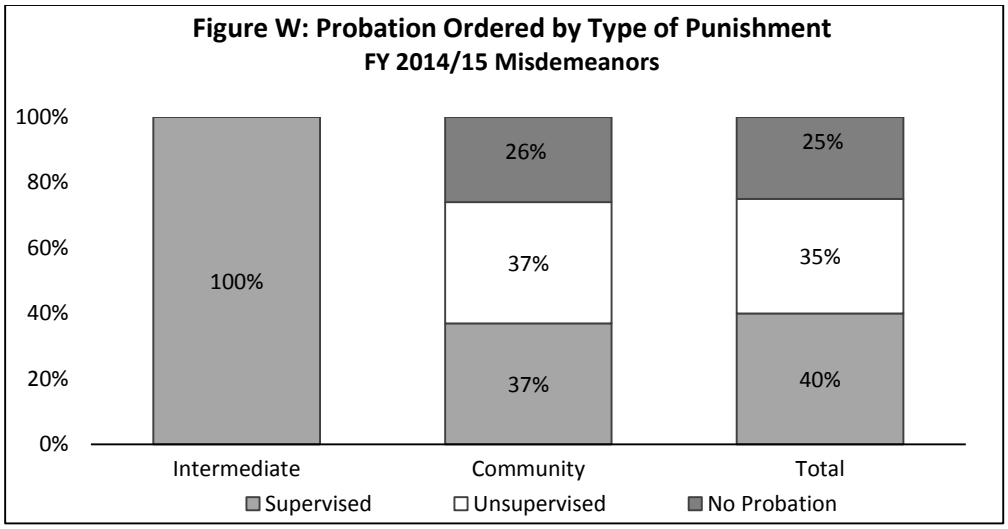
This section summarizes information about Intermediate and Community punishments. Information presented in this section reflects conditions of Intermediate and Community punishment as defined by G.S. 15A-1340.11. An Intermediate punishment requires a sentence of supervised probation, whereas a Community 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.

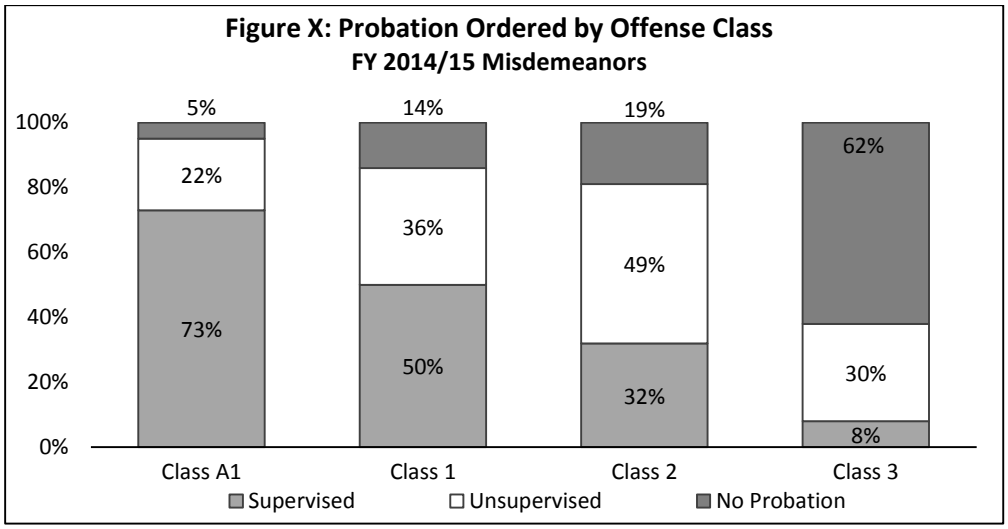
This section only includes information on probation conditions that were imposed for Intermediate or Community punishments at sentencing. A single conviction often results in the imposition of more than one probation condition. Probation conditions that are subsequently imposed as a result of modifications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

During FY 2014/15, Intermediate punishments were imposed for 2,978 convictions and Community punishments were imposed for 64,288 convictions for a total of 67,266 non-active sentences. Overall, 26,722 convictions received supervised probation, 23,632 received unsupervised probation, and 16,912 did not receive probation. *Figure W* 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, 37% Community punishment convictions received supervised probation, 37% received unsupervised probation, and 26% had no probation sentence ordered.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

Figure X 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 (73% and 50% respectively), while the majority of Class 2 misdemeanors received unsupervised probation (49%). Class 3 misdemeanor convictions had the largest percentage with no probation ordered (62%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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=50,354) in FY 2014/15. The greatest number of overall probation sentences fell within Class 1 (n=30,603 or 61%) 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 15 months.

Table 21: Average Length of Probation by Offense Class and Type of Punishment
FY 2014/15 Misdemeanors

Offense Class	Type of Punishment	Average Length of Probation					
		Supervised Probation		Unsupervised Probation		Total	
		Months	#	Months	#	Months	#
A1	Intermediate	19	799	N/A	N/A	19	799
	Community	17	3,879	15	1,424	17	5,303
	Subtotal	**17**	**4,678**	**15**	**1,424**	**17**	**6,102**
1	Intermediate	18	1,829	N/A	N/A	18	1,829
	Community	15	15,921	13	12,853	15	28,774
	Subtotal	**16**	**17,750**	**13**	**12,853**	**15**	**30,603**
2	Intermediate	16	275	N/A	N/A	16	275
	Community	14	2,814	13	4,688	13	7,502
	Subtotal	**14**	**3,089**	**13**	**4,688**	**14**	**7,777**
3	Intermediate	14	75	N/A	N/A	14	75
	Community	13	1,130	13	4,667	13	5,797
	Subtotal	**13**	**1,205**	**13**	**4,667**	**13**	**5,872**
Total		**16**	**26,722**	**13**	**23,632**	**15**	**50,354**

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 2014/15 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, the majority (n=18,500 or 37%) were for property offenses and had an average probation length of 15 months. The greatest number of convictions resulting in supervised probation occurred for property offenses (n=11,087 or 41%) with an average probation length of 16 months, whereas the greatest number of convictions resulting in unsupervised probation were for public order offenses (n=7,931 or 34%). Overall, person offenses resulted in the longest average probation sentence (16 months) and drug and public order offenses resulted in the shortest average probation sentences (14 months each).

Table 22: Average Length of Probation by Crime Type and Type of Punishment
FY 2014/15 Misdemeanors

Crime Type	Type of Punishment	Average Length of Probation					
		Supervised Probation		Unsupervised Probation		Total	
		Months	#	Months	#	Months	#
Person	Intermediate	18	812	N/A	N/A	18	812
	Community	17	4,260	14	2,297	16	6,557
	Subtotal	**17**	**5,072**	**14**	**2,297**	**16**	**7,369**
Property	Intermediate	18	1,113	N/A	N/A	18	1,113
	Community	16	9,974	13	7,413	15	17,387
	Subtotal	**16**	**11,087**	**13**	**7,413**	**15**	**18,500**
Drug	Intermediate	17	490	N/A	N/A	17	490
	Community	14	4,544	13	5,991	13	10,535
	Subtotal	**15**	**5,034**	**13**	**5,991**	**14**	**11,025**
Public Order	Intermediate	16	563	N/A	N/A	16	563
	Community	15	4,966	13	7,931	14	12,897
	Subtotal	**15**	**5,529**	**13**	**7,931**	**14**	**13,460**
Total		**16**	**26,722**	**13**	**23,632**	**15**	**50,354**

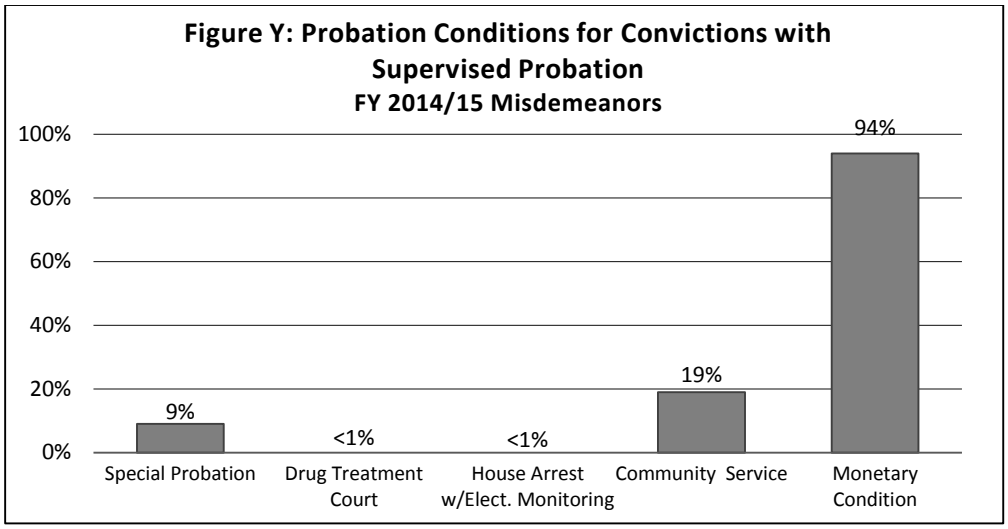
Note: Convictions that did not fit within the appropriate cell in the Misdemeanor Punishment Chart due to discrepant offense classes, prior conviction levels, or for other reasons were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 Statistical Report Data

B. Conditions of Probation[13]

In FY 2014/15, supervised probation was imposed for 26,722 convictions with an Intermediate or Community punishment. *Figure Y* 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 Y* add to more than 100%. The most frequent condition imposed for supervised probation was a monetary condition (94%), 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 and house arrest with electronic monitoring (less than 1% each).

[13] 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 2014/15 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, 2,978 Intermediate punishment convictions and 23,744 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=25,054). Other than a monetary condition, special probation was the condition of probation most frequently ordered for Intermediate punishment convictions (n=1,921), while community service was the condition of probation most frequently ordered for Community punishment convictions (n=4,649). Convictions with house arrest with electronic monitoring as a condition of probation had the longest average length of supervision (21 months).

Table 23: Probation Conditions for Convictions with Supervised Probation
FY 2014/15 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	1,921 *17 months*	97 *21 months*	94 *21 months*	353 *19 months*	2,773 *18 months*	2,978 *18 months*
Community	581 *17 months*	34 *18 months*	32 *20 months*	4,649 *16 months*	22,281 *15 months*	23,744 *15 months*
Total	**2,502** ***17 months***	**131** ***20 months***	**126** ***21 months***	**5,002** ***16 months***	**25,054** ***16 months***	**26,722** ***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 2014/15 Statistical Report Data

In FY 2014/15, unsupervised probation was imposed for 23,632 convictions with a Community punishment. Multiple probation conditions may have been ordered for a single conviction. Of these convictions, 7% (n=1,564) included community service as a condition of probation and 93% (n=22,057) were ordered to pay monetary obligations (i.e., fine, restitution, or court costs) as a condition of probation.

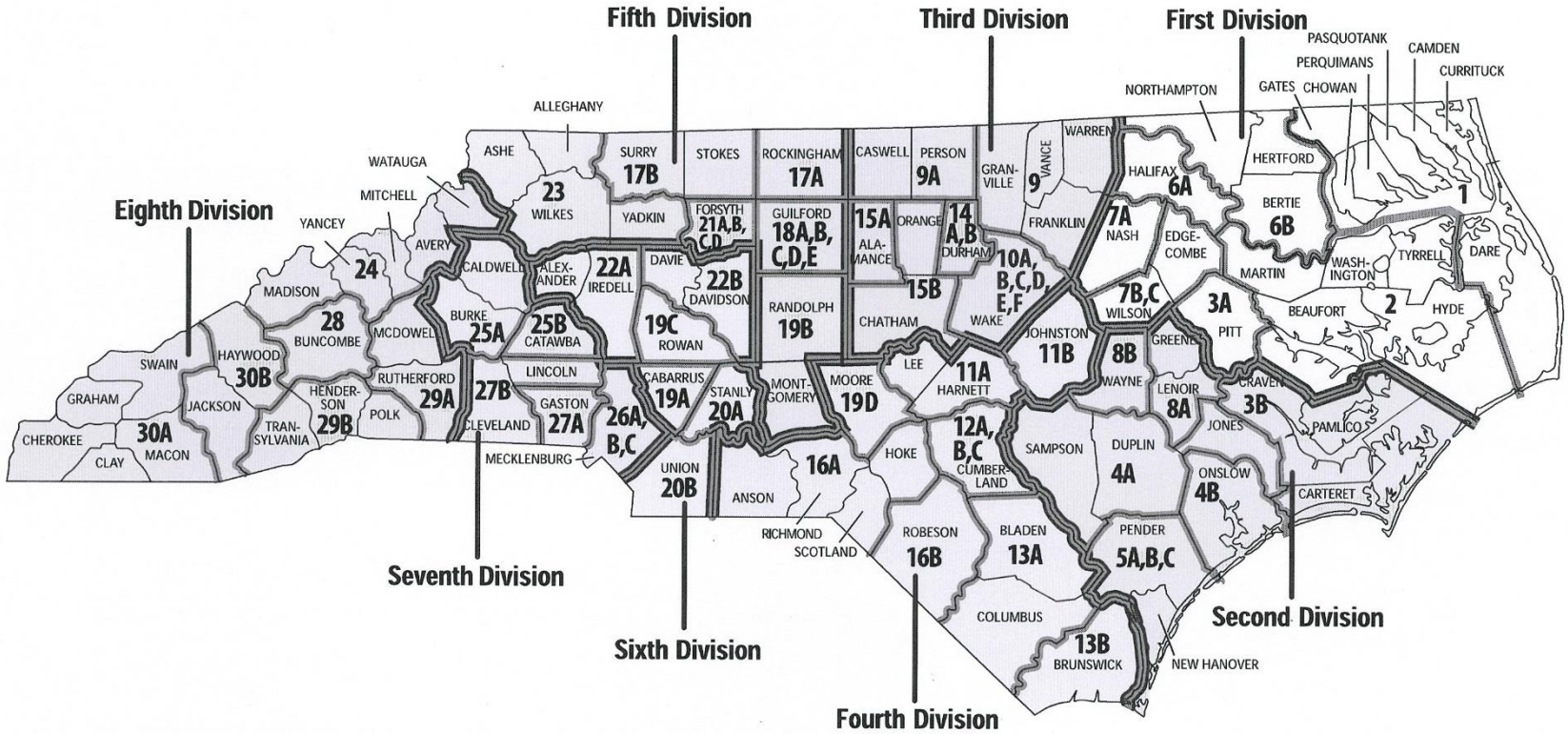
C. No Probation Sentence Ordered

A probation sentence is not required for Community punishment convictions. In FY 2014/15, 16,912 convictions with a Community punishment had no probation sentence ordered. As part of their sentence, 1% (n=217) of these convictions were ordered to perform community service and 83% (n=14,020) 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, 2015



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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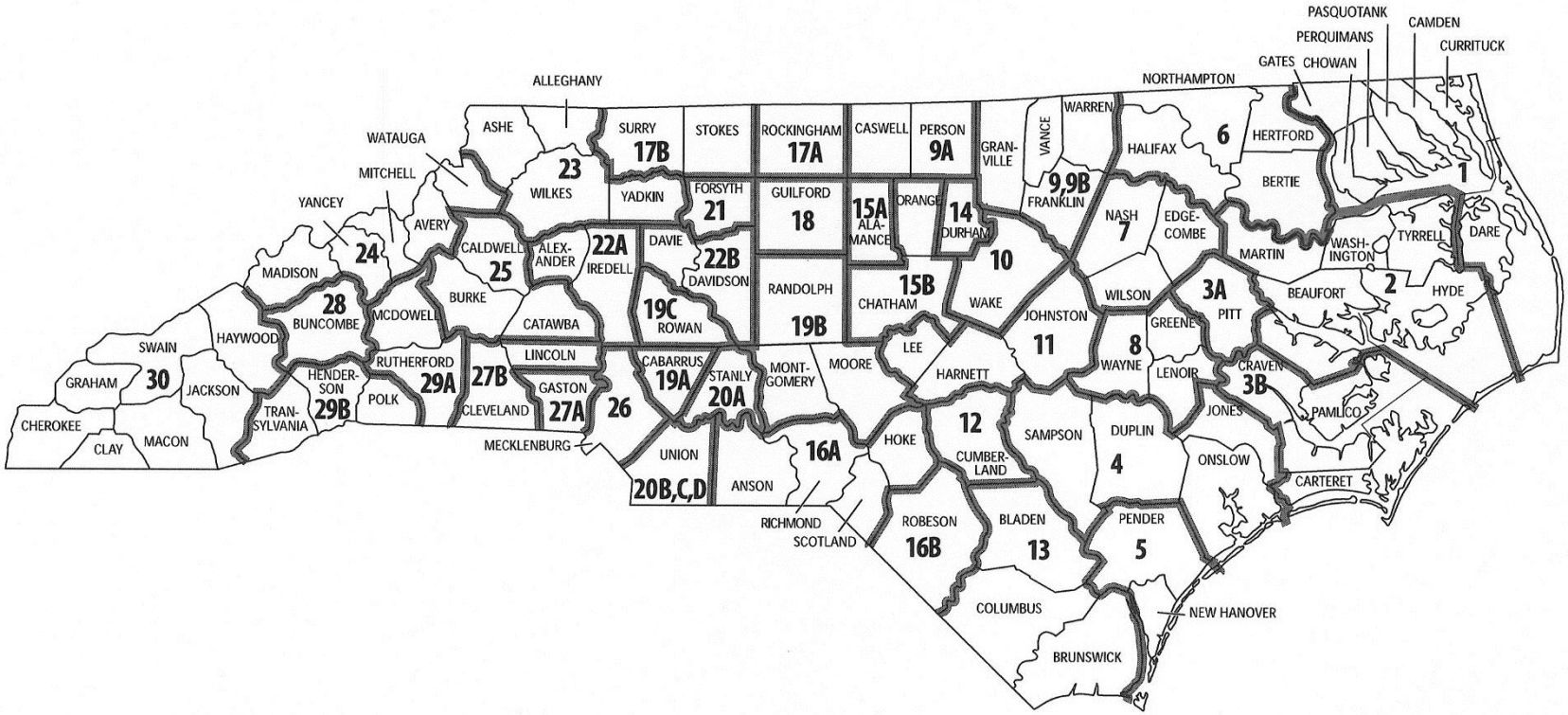
North Carolina District Court Districts

Effective January 1, 2015



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 OFFENSE CLASS

Appendix B, Table 1: Classification of a Sample of Offenses
(Effective 12/1/14)

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 12/1/14)

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))	Possess Marijuana (1/2 ounce or less). (90-95(a)(3))
Second-Degree Trespass. (14-159.13)	Possession of Marijuana Drug Paraphernalia (90-113.22A)
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)	
ACCESSORY AFTER THE FACT punishable as two classes lower than the felony the principal felon committed. (14-7)	

Appendix B, Table 2: Top Five Convictions by Offense Class
FY 2014/15 Felonies and Misdemeanors

Class A Felonies	**Total Convictions = 59**	
	#	%
First Degree Murder	53	89.8
Murder of an Unborn Child	6	10.2
Class B1 Felonies	**Total Convictions = 250**	
	#	%
Second Degree Murder	74	29.6
Statutory Rape	48	19.2
First Degree Sex Offense with a Child	30	12.0
First Degree Rape	23	9.2
Sex Offense with a Child	12	4.8
Class B2 Felonies	**Total Convictions = 167**	
	#	%
Second Degree Murder	86	51.5
Attempted First Degree Sexual Offense	13	7.8
Attempted First Degree Rape	12	7.2
Attempted First Degree Murder	8	4.8
Second Degree Murder without Regard	5	3.0
Class C Felonies	**Total Convictions = 685**	
	#	%
Habitual Felon	271	39.6
Manufacture Methamphetamine	103	15.0
AWDW Intent to Kill Inflicting Serious Injury	76	11.1
Second Degree Rape	52	7.6
First Degree Kidnapping	42	6.1
Class D Felonies	**Total Convictions = 910**	
	#	%
Robbery with a Dangerous Weapon	353	38.8
Habitual Felon	262	28.8
First Degree Burglary	83	9.1
Voluntary Manslaughter	53	5.8
Attempted Robbery with a Dangerous Weapon	47	5.2
Class E Felonies	**Total Convictions = 1,848**	
	#	%
Assault with a Deadly Weapon Inflicting Serious Injury	318	17.2
Habitual Felon	313	16.9
Conspiracy to Commit Robbery with a Dangerous Weapon	235	12.7
Habitual Breaking and Entering	151	8.2
Second Degree Kidnapping	138	7.5

Appendix B, Table 2: Top Five Convictions by Offense Class (continued)
FY 2014/15 Felonies and Misdemeanors

Class F Felonies	**Total Convictions = 2,621**	
	#	%
Taking Indecent Liberties with a Child	466	17.8
Possess or Distribute a Methamphetamine Precursor	312	11.9
Habitual Impaired Driving	254	9.7
Failure to Report New Address as a Sex Offender	246	9.4
Assault Inflicting Serious Injury	148	5.6
Class G Felonies	**Total Convictions = 3,653**	
	#	%
Possession of a Firearm by a Felon	1,292	35.4
Common Law Robbery	569	15.6
Identity Theft	262	7.2
Sell Cocaine	249	6.8
Sell/Deliver Schedule II Controlled Substance	199	5.4
Class H Felonies	**Total Convictions = 12,464**	
	#	%
Breaking or Entering Buildings	2,768	22.2
Obtaining Property by False Pretense (worth less than $100,000)	1,764	14.2
Larceny of Property (worth more than $1,000)	1,160	9.3
PWISD Cocaine	561	4.5
Possessing Stolen Goods	410	3.3
Class I Felonies	**Total Convictions = 5,984**	
	#	%
Possess Cocaine	958	16.0
PWISD Marijuana	606	10.1
Breaking or Entering a Motor Vehicle	443	7.4
Possess Methamphetamine	404	6.8
Possess Heroin	386	6.5
Class A1 Misdemeanors	**Total Convictions = 10,135**	
	#	%
Assault on a Female	5,023	49.6
Assault on a Government Official or Employee	1,135	11.2
Domestic Violence Protective Order Violation	1,120	11.1
Assault with a Deadly Weapon	834	8.2
Assault Inflicting Serious Injury	575	5.7

Appendix B, Table 2: Top Five Convictions by Offense Class (continued)
FY 2014/15 Felonies and Misdemeanors

Class 1 Misdemeanors	**Total Convictions = 52,196**	
	#	%
Larceny of Property (worth $1,000 or less)	17,186	32.9
Possess Drug Paraphernalia	11,208	21.5
Driving While license Revoked	5,459	10.5
Communicating Threats	1,814	3.5
Breaking or Entering Buildings	1,811	3.5
Class 2 Misdemeanors	**Total Convictions = 14,334**	
	#	%
Resisting Public Officers	5,039	35.2
Simple Assault	2,491	17.4
Disorderly Conduct	901	6.3
Simple Worthless Check (for $2,000 or less)	680	4.7
Injury to Personal Property	537	3.7
Class 3 Misdemeanors	**Total Convictions = 20,790**	
	#	%
Possess Marijuana (1/2 ounce or less)	6,347	30.5
Second Degree Trespass	4,769	22.9
Shoplifting/Concealment of Goods	2,723	13.1
Simple Possession of Schedule VI Controlled Substance	1,757	8.5
Intoxicated and Disruptive in Public	1,667	8.0

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 2014/15 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 2014/15 Felonies

Judicial Division and District	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
First Judicial Division	***953***	***36.0***	***695***	***26.2***	***1,000***	***37.8***	***27***	***43***	***2,648***
District 1	119	25.2	66	14.0	288	60.9	34	50	473
District 2	173	37.8	199	43.4	86	18.8	27	43	458
District 3A	249	35.5	157	22.4	296	42.2	22	38	702
District 6A	38	35.5	20	18.7	49	45.8	41	60	107
District 6B	50	42.0	15	12.6	54	45.4	33	49	119
District 7A	144	45.6	115	36.4	57	18.0	23	38	316
District 7B, C	180	38.1	123	26.0	170	35.9	27	43	473
Second Judicial Division	***1,246***	***38.4***	***951***	***29.3***	***1,045***	***32.2***	***30***	***48***	***3,242***
District 3B	232	33.9	89	13.0	363	53.1	26	42	684
District 4A	207	35.0	191	32.3	193	32.7	32	50	591
District 4B	152	39.3	81	20.9	154	39.8	31	47	387
District 5	378	37.4	419	41.4	214	21.2	33	53	1,011
District 8A	163	53.3	98	32.0	45	14.7	21	36	306
District 8B	114	43.3	73	27.8	76	28.9	38	58	263
Third Judicial Division	***2,141***	***45.6***	***1,007***	***21.5***	***1,543***	***32.9***	***26***	***42***	***4,691***
District 9	231	46.9	92	18.7	170	34.5	26	42	493
District 9A	145	46.6	91	29.3	75	24.1	28	44	311
District 10	1,114	47.3	407	17.3	836	35.5	24	40	2,357
District 14	271	38.1	230	32.3	210	29.5	28	47	711
District 15A	258	45.7	128	22.7	178	31.6	28	44	564
District 15B	122	47.8	59	23.1	74	29.0	28	46	255

Appendix C, Table 1: Type of Punishment and Average Length of Active Sentence by Judicial Division and District (continued)
FY 2014/15 Felonies

Judicial Division and District	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Fourth Judicial Division	***1,569***	***36.2***	***1,436***	***33.1***	***1,332***	***30.7***	***30***	***47***	***4,337***
District 11A	152	27.4	210	37.9	192	34.7	28	45	554
District 11B	195	29.2	171	25.6	301	45.1	29	47	667
District 12	461	42.3	433	39.7	196	18.0	31	48	1,090
District 13A	97	30.3	109	34.1	114	35.6	38	54	320
District 13B	122	36.1	114	33.7	102	30.2	24	39	338
District 16A	245	38.9	181	28.7	204	32.4	27	44	630
District 16B	163	43.1	130	34.4	85	22.5	40	59	378
District 19D	134	37.2	88	24.4	138	38.3	24	38	360
Fifth Judicial Division	***1,594***	***37.1***	***1,404***	***32.7***	***1,300***	***30.2***	***30***	***47***	***4,298***
District 17A	112	35.3	145	45.7	60	18.9	28	45	317
District 17B	124	39.6	72	23.0	117	37.4	23	38	313
District 18	687	40.1	607	35.5	418	24.4	29	45	1,712
District 19B	109	28.6	186	48.8	86	22.6	25	40	381
District 21	363	39.6	178	19.4	375	40.9	32	51	916
District 23	199	30.2	216	32.8	244	37.0	40	59	659
Sixth Judicial Division	***999***	***32.0***	***1,246***	***39.9***	***874***	***28.0***	***31***	***48***	***3,119***
District 19A	232	29.0	374	46.7	195	24.3	30	47	801
District 19C	181	33.8	144	26.9	210	39.3	28	44	535
District 20A	63	35.8	65	36.9	48	27.3	26	42	176
District 20B	112	29.0	140	36.3	134	34.7	37	57	386
District 22A	213	32.7	256	39.3	182	28.0	29	46	651
District 22B	198	34.7	267	46.8	105	18.4	33	51	570

Appendix C, Table 1: Type of Punishment and Average Length of Active Sentence by Judicial Division and District (continued)
FY 2014/15 Felonies

Judicial Division and District	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Seventh Judicial Division	***1,590***	***37.8***	***1,730***	***41.1***	***887***	***21.1***	***35***	***54***	***4,207***
District 25A	184	31.7	253	43.5	144	24.8	47	69	581
District 25B	170	37.4	157	34.6	127	28.0	41	62	454
District 26	709	42.6	689	41.4	267	16.0	34	53	1,665
District 27A	285	38.8	219	29.8	230	31.3	26	45	734
District 27B	242	31.3	412	53.3	119	15.4	32	51	773
Eighth Judicial Division	***797***	***38.0***	***728***	***34.7***	***574***	***27.3***	***28***	***44***	***2,099***
District 24	126	33.6	136	36.3	113	30.1	30	49	375
District 28	192	38.4	222	44.4	86	17.2	38	57	500
District 29A	208	37.8	181	32.9	161	29.3	21	38	550
District 29B	151	39.1	68	17.6	167	43.3	23	38	386
District 30A	39	39.0	41	41.0	20	20.0	26	42	100
District 30B	81	43.1	80	42.6	27	14.4	25	40	188
State Total	***10,889***	***38.0***	***9,197***	***32.1***	***8,555***	***29.9***	***30***	***47***	***28,641***

Note: Of the 29,238 felony convictions in FY 2014/15, 597 (or 2.0%) 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 2014/15 Statistical Report Data

Appendix C, Table 2: Sentencing Range by Judicial Division and District
Active Sentences Only
FY 2014/15 Felonies

Judicial Division and District	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
First Judicial Division	***183***	***19.3***	***729***	***77.0***	***35***	***3.7***	***947***
District 1	21	17.9	86	73.5	10	8.5	117
District 2	50	29.1	119	69.2	3	1.7	172
District 3A	67	27.0	176	71.0	5	2.0	248
District 6A	5	13.5	31	83.8	1	2.7	37
District 6B	13	26.0	30	60.0	7	14.0	50
District 7A	10	7.0	131	91.6	2	1.4	143
District 7B, C	17	9.4	156	86.7	7	3.9	180
Second Judicial Division	***273***	***22.1***	***921***	***74.6***	***41***	***3.3***	***1,235***
District 3B	44	19.0	183	79.2	4	1.7	231
District 4A	47	23.0	151	74.0	6	2.9	204
District 4B	18	11.9	128	84.8	5	3.3	151
District 5	92	24.3	277	73.3	9	2.4	378
District 8A	24	14.9	123	76.4	14	8.7	161
District 8B	48	43.6	59	53.6	3	2.7	110
Third Judicial Division	***595***	***27.9***	***1,450***	***67.9***	***91***	***4.3***	***2,136***
District 9	27	11.7	200	86.6	4	1.7	231
District 9A	30	20.7	93	64.1	22	15.2	145
District 10	354	31.9	727	65.4	30	2.7	1,111
District 14	83	30.7	175	64.8	12	4.4	270
District 15A	71	27.5	177	68.6	10	3.9	258
District 15B	30	24.8	78	64.5	13	10.7	121

Appendix C, Table 2: Sentencing Range by Judicial Division and District (continued)
Active Sentences Only
FY 2014/15 Felonies

Judicial Division and District	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Fourth Judicial Division	***503***	***32.3***	***1,008***	***64.8***	***45***	***2.9***	***1,556***
District 11A	36	24.2	109	73.2	4	2.7	149
District 11B	120	61.5	70	35.9	5	2.6	195
District 12	158	34.6	285	62.5	13	2.9	456
District 13A	25	26.3	67	70.5	3	3.2	95
District 13B	25	20.8	91	75.8	4	3.3	120
District 16A	76	31.1	164	67.2	4	1.6	244
District 16B	35	21.5	120	73.6	8	4.9	163
District 19D	28	20.9	102	76.1	4	3.0	134
Fifth Judicial Division	***518***	***32.6***	***990***	***62.2***	***83***	***5.2***	***1,591***
District 17A	28	25.0	76	67.9	8	7.1	112
District 17B	20	16.1	95	76.6	9	7.3	124
District 18	213	31.1	443	64.8	28	4.1	684
District 19B	24	22.0	78	71.6	7	6.4	109
District 21	182	50.1	167	46.0	14	3.9	363
District 23	51	25.6	131	65.8	17	8.5	199
Sixth Judicial Division	***342***	***34.5***	***611***	***61.6***	***39***	***3.9***	***992***
District 19A	96	41.6	126	54.5	9	3.9	231
District 19C	59	33.3	110	62.1	8	4.5	177
District 20A	20	32.3	42	67.7	.	.	62
District 20B	21	18.9	88	79.3	2	1.8	111
District 22A	60	28.2	141	66.2	12	5.6	213
District 22B	86	43.4	104	52.5	8	4.0	198

Appendix C, Table 2: Sentencing Range by Judicial Division and District (continued)
Active Sentences Only
FY 2014/15 Felonies

Judicial Division and District	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Seventh Judicial Division	***364***	***23.0***	***1,098***	***69.4***	***121***	***7.6***	***1,583***
District 25A	56	30.4	125	67.9	3	1.6	184
District 25B	35	20.6	129	75.9	6	3.5	170
District 26	181	25.8	470	67.0	51	7.3	702
District 27A	51	17.9	193	67.7	41	14.4	285
District 27B	41	16.9	181	74.8	20	8.3	242
Eighth Judicial Division	***162***	***20.5***	***607***	***76.9***	***20***	***2.5***	***789***
District 24	16	12.7	107	84.9	3	2.4	126
District 28	67	35.3	121	63.7	2	1.1	190
District 29A	26	12.5	180	86.5	2	1.0	208
District 29B	33	22.3	107	72.3	8	5.4	148
District 30A	4	10.5	31	81.6	3	7.9	38
District 30B	16	20.3	61	77.2	2	2.5	79
State Total	***2,940***	***27.1***	***7,414***	***68.5***	***475***	***4.4***	***10,829***

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=59), and Class B1 convictions with life sentences (n=1) were also excluded from this table. Percentages may not add to 100% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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 2014/15 Felonies

Crime Type and Offense	Type of Punishment						Minimum Active Sentence (Months)	Maximum Active Sentence (Months)	Total
	Active		Intermediate		Community				
	#	%	#	%	#	%			
Person	***3,082***	***63.2***	***1,278***	***26.2***	***520***	***10.7***	***56***	***82***	***4,880***
1st Degree Murder	59	100.0	.	.	.	.	.	.	59
2nd Degree Murder	185	100.0	.	.	.	.	195	246	185
Attempted Murder	8	100.0	.	.	.	.	170	216	8
Voluntary Manslaughter	64	94.1	2	2.9	2	2.9	66	90	68
Involuntary Manslaughter	30	58.8	14	27.5	7	13.7	18	28	51
Felony Death by Vehicle	26	78.8	7	21.2	.	.	55	78	33
Armed Robbery	354	100.0	.	.	.	.	61	85	354
Att./Consp. Armed Robbery	161	54.6	113	38.3	21	7.1	35	54	295
Common Law Robbery	278	48.9	231	40.6	60	10.5	15	27	569
Att. Common Law Robbery	54	51.4	28	26.7	23	21.9	10	21	105
Other Robbery	31	36.5	32	37.6	22	25.9	15	28	85
AWDWIKISI	76	100.0	.	.	.	.	73	100	76
AWDW Intent to Kill	28	57.1	17	34.7	4	8.2	31	49	49
AWDW Serious Injury	183	57.5	113	35.5	22	6.9	29	47	318
Assault Govt. Official	57	72.2	18	22.8	4	5.1	23	37	79
Assault by Strangulation	72	43.1	59	35.3	36	21.6	10	21	167
Other Felony Assaults	109	36.0	132	43.6	62	20.5	21	34	303
1st Degree Rape	92	100.0	.	.	.	.	245	333	92
Attempted 1st Degree Rape	25	100.0	.	.	.	.	138	207	25
2nd Degree Rape	89	100.0	.	.	.	.	77	140	89
Attempted 2nd Degree Rape	20	100.0	.	.	.	.	54	118	20
Statutory Rape/Sex Offense Against 13, 14, 15	58	100.0	.	.	.	.	175	253	58
Indecent Liberties with Child	242	51.9	167	35.8	57	12.2	17	28	466

Appendix D, Table 1: Type of Punishment and Average Length of Active Sentence by Crime Type and Offense (continued)
FY 2014/15 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	10	17.2	8	13.8	40	69.0	41	59	58
Sexual Exploitation of a Minor	46	51.7	28	31.5	15	16.9	25	74	89
Child Abuse	40	54.8	22	30.1	11	15.1	41	64	73
Registered Sex Off. Offenses	266	62.1	110	25.7	52	12.1	20	33	428
Other Sex Crimes	117	62.2	40	21.3	31	16.5	93	141	188
Kidnap/Abduction	141	68.8	53	25.9	11	5.4	44	69	205
Attempted Consp. Kidnapping	2	66.7	1	33.3	.	.	48	68	3
Habitual Misdemeanor Assault	75	63.0	32	26.9	12	10.1	11	23	119
All Other Person Felonies	84	51.5	51	31.3	28	17.2	19	33	163
Property	***3,602***	***33.5***	***3,565***	***33.1***	***3,597***	***33.4***	***13***	***25***	***10,764***
1st Degree Burglary	83	100.0	.	.	.	.	61	85	83
Attempted 1st Degree Burglary	13	50.0	8	30.8	5	19.2	35	54	26
2nd Degree Burglary	66	49.6	53	39.8	14	10.5	15	27	133
Breaking/Entering	1,194	35.5	1,194	35.5	978	29.1	10	21	3,366
Attempted Breaking/Entering	10	11.0	27	29.7	54	59.3	9	20	91
Larceny	869	34.4	842	33.4	812	32.2	10	22	2,523
Attempted Larceny	12	14.5	26	31.3	45	54.2	8	18	83
Possess/Receive Stolen Goods/ Property	242	33.2	238	32.6	249	34.2	9	21	729
1st Degree Arson	6	100.0	.	.	.	.	56	79	6
2nd Degree Arson	18	62.1	9	31.0	2	6.9	15	28	29
Other Arson/Burning	24	28.9	28	33.7	31	37.3	17	31	83
Forgery	48	13.4	119	33.2	191	53.4	9	20	358
Fraud	112	22.4	198	39.6	190	38.0	14	26	500
Embezzlement	21	11.3	45	24.2	120	64.5	24	36	186

Appendix D, Table 1: Type of Punishment and Average Length of Active Sentence by Crime Type and Offense (continued)
FY 2014/15 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	496	28.0	594	33.5	681	38.5	10	22	1,771
Attempt Obtain Property by False Pretenses	60	28.3	73	34.4	79	37.3	10	21	212
Habitual Breaking and Entering	140	92.7	9	6.0	2	1.3	30	48	151
Habitual Misdemeanor Larceny	138	74.6	32	17.3	15	8.1	14	26	185
All Other Property Felonies	50	20.1	70	28.1	129	51.8	12	23	249
Non-Trafficking Drugs	***1,928***	***22.0***	***3,123***	***35.7***	***3,697***	***42.3***	***16***	***29***	***8,748***
Sell/Deliver Drugs	450	27.9	695	43.1	469	29.1	14	26	1,614
Consp. To Sell/Deliver Drugs	38	31.9	45	37.8	36	30.3	13	24	119
Manufacture Drugs	111	49.3	35	15.6	79	35.1	61	85	225
Possession with Intent	438	21.5	680	33.4	917	45.1	9	20	2,035
Drug Possession	259	10.1	872	34.0	1,430	55.8	7	18	2,561
All Other Drug Felonies	632	28.8	796	36.3	766	34.9	18	31	2,194
Other Felony	***2,277***	***53.6***	***1,231***	***29.0***	***741***	***17.4***	***33***	***50***	***4,249***
Weapon Offense	665	40.7	655	40.1	312	19.1	17	30	1,632
Habitual Felon	798	94.3	44	5.2	4	0.5	61	86	846
Habitual Impaired Driving	254	100.0	.	.	.	.	17	29	254
Motor Vehicle Offenses	198	33.7	235	40.0	155	26.4	11	23	588
Crimes Against Admin. Justice	31	39.7	26	33.3	21	26.9	12	24	78
All Other Felonies	331	38.9	271	31.8	249	29.3	26	42	851
Total	***10,889***	***38.0***	***9,197***	***32.1***	***8,555***	***29.9***	***30***	***47***	***28,641***

Note: Of the 29,238 felony convictions in FY 2014/15, 597 (or 2.0%) 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 2014/15 Statistical Report Data

Appendix D, Table 2: Sentencing Range by Crime Type and Offense
Active Sentences Only
FY 2014/15 Felonies

Crime Type and Offense	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Person	***841***	***27.8***	***1,990***	***65.9***	***191***	***6.3***	***3,022***
2nd Degree Murder	55	29.7	103	55.7	27	14.6	185
Attempted Murder	3	37.5	5	62.5	.	.	8
Voluntary Manslaughter	18	28.1	38	59.4	8	12.5	64
Involuntary Manslaughter	3	10.0	21	70.0	6	20.0	30
Felony Death by Vehicle	6	23.1	16	61.5	4	15.4	26
Armed Robbery	153	43.2	193	54.5	8	2.3	354
Att./Consp. Armed Robbery	44	27.3	110	68.3	7	4.3	161
Common Law Robbery	35	12.6	226	81.3	17	6.1	278
Att. Common Law Robbery	5	9.3	45	83.3	4	7.4	54
Other Robbery	9	29.0	22	71.0	.	.	31
AWDWIKISI	23	30.3	50	65.8	3	3.9	76
AWDW Intent to Kill	3	10.7	23	82.1	2	7.1	28
AWDW Serious Injury	43	23.5	127	69.4	13	7.1	183
Assault Govt. Official	10	17.5	43	75.4	4	7.0	57
Assault by Strangulation	9	12.5	59	81.9	4	5.6	72
Other Felony Assaults	31	28.4	76	69.7	2	1.8	109
1st Degree Rape	22	23.9	50	54.3	20	21.7	92
Attempted 1st Degree Rape	13	52.0	12	48.0	.	.	25
2nd Degree Rape	24	27.0	55	61.8	10	11.2	89
Attempted 2nd Degree Rape	13	65.0	7	35.0	.	.	20
Statutory Rape/Sex Offense Against 13, 14, 15	30	52.6	27	47.4	.	.	57
Indecent Liberties with Child	40	16.5	185	76.4	17	7.0	242
Crime Against Nature, Incest, Bigamy	3	30.0	5	50.0	2	20.0	10

Appendix D, Table 2: Sentencing Range by Crime Type and Offense (continued)
Active Sentences Only
FY 2014/15 Felonies

Crime Type and Offense	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Sexual Exploitation of a Minor	4	8.7	41	89.1	1	2.2	46
Child Abuse	6	15.0	30	75.0	4	10.0	40
Registered Sex Off. Offenses	116	43.6	148	55.6	2	0.8	266
Other Sex Crimes	40	34.2	68	58.1	9	7.7	117
Kidnap/Abduction	28	19.9	101	71.6	12	8.5	141
Attempted/Conspiracy Kidnap	2	100.0	.	.	.	.	2
Habitual Misdemeanor Assault	18	24.0	54	72.0	3	4.0	75
All Other Person Felonies	32	38.1	50	59.5	2	2.4	84
Property	***747***	***20.7***	***2,730***	***75.8***	***125***	***3.5***	***3,602***
1st Degree Burglary	25	30.1	55	66.3	3	3.6	83
Attempted 1st Degree Burglary	1	7.7	10	76.9	2	15.4	13
2nd Degree Burglary	11	16.7	49	74.2	6	9.1	66
Breaking/Entering	196	16.4	954	79.9	44	3.7	1,194
Attempted Breaking/Entering	.	.	9	90.0	1	10.0	10
Larceny	196	22.6	653	75.1	20	2.3	869
Attempted Larceny	3	25.0	8	66.7	1	8.3	12
Possess/Receive Stolen Goods/ Property	39	16.1	194	80.2	9	3.7	242
1st Degree Arson	4	66.7	2	33.3	.	.	6
2nd Degree Arson	3	16.7	14	77.8	1	5.6	18
Other Arson/Burning	5	20.8	18	75.0	1	4.2	24
Forgery	10	20.8	35	72.9	3	6.3	48
Fraud	27	24.1	84	75.0	1	0.9	112
Embezzlement	6	28.6	14	66.7	1	4.8	21
Obtain Property by False Pretenses	104	21.0	369	74.4	23	4.6	496

Appendix D, Table 2: Sentencing Range by Crime Type and Offense (continued)
Active Sentences Only
FY 2014/15 Felonies

Crime Type and Offense	Sentencing Range						Total
	Mitigated		Presumptive		Aggravated		
	#	%	#	%	#	%	
Attempt Obtain Property by False Pretenses	19	31.7	41	68.3	.	.	60
Habitual Breaking and Entering	46	32.9	91	65.0	3	2.1	140
Habitual Misdemeanor Larceny	45	32.6	88	63.8	5	3.6	138
All Other Property Felonies	7	14.0	42	84.0	1	2.0	50
Non-Trafficking Drugs	***431***	***22.4***	***1,415***	***73.4***	***82***	***4.3***	***1,928***
Sell/Deliver Drugs	74	16.4	358	79.6	18	4.0	450
Consp. To Sell/Deliver Drugs	7	18.4	31	81.6	.	.	38
Manufacture Drugs	68	61.3	43	38.7	.	.	111
Possession with Intent	79	18.0	335	76.5	24	5.5	438
Drug Possession	54	20.8	193	74.5	12	4.6	259
All Other Drug Felonies	149	23.6	455	72.0	28	4.4	632
Other Felony	***921***	***40.4***	***1,279***	***56.2***	***77***	***3.4***	***2,277***
Weapon Offense	194	29.2	449	67.5	22	3.3	665
Habitual Felon	501	62.8	278	34.8	19	2.4	798
Habitual Impaired Driving	107	42.1	141	55.5	6	2.4	254
Motor Vehicle Offenses	36	18.2	158	79.8	4	2.0	198
Crimes Against Admin. Justice	7	22.6	23	74.2	1	3.2	31
All Other Felonies	76	23.0	230	69.5	25	7.6	331
Total	***2,940***	***27.1***	***7,414***	***68.5***	***475***	***4.4***	***10,829***

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=59), and Class B1 convictions with life sentences (n=1) were also excluded from this table. Percentages may not add to 100% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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 2014/15 Felonies

Offense Class	% Mitigated	% Mitigated and Lowest Spot in Presumptive Range
B1	32%	47%
B2	37%	50%
C	48%	65%
D	50%	68%
E	29%	55%
F	31%	60%
G	21%	52%
H	20%	53%
I	19%	53%
Total	27%	56%

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=59), and Class B1 convictions with life sentences (n=1) were also excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2014/15 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