North Carolina
Sentencing and Policy Advisory
COMMISSION

Presentation to the Superior Court Equity Committee

Friday, August 21, 2020

Supplemental Information to Powerpoint Presentation

Background

The Superior Court Equity Committee requested data from the North Carolina Sentencing and Policy Advisory Commission staff on felony convictions to inform conversations surrounding sentencing practices and race. Specifically, the Committee was interested in looking at each individual grid cell on the Felony Punishment Chart to determine whether any differences by race exist in sentencing outcomes. This handout packet is intended to supplement the powerpoint presentation presented to the Committee on August 21, 2020 and presents some additional, more detailed information.

Question

What do sentencing practices for felony convictions look like in the context of race?

Data Sources and Description

NC Sentencing and Policy Advisory Commission, FY 2019 Felony Statistical Report Data.[1] These data include information on convictions and sentences imposed for the *most serious conviction* on a given day of court in FY 2019.[2]

Approach

Felony convictions were analyzed to determine the distribution by Offense Class and Prior Record Level (PRL) by race. Each specific combination of class and PRL was examined in the context of race to determine if and to what extent differences existed in the Class/PRL distribution, use of Active punishment, minimum active sentence lengths, and imposition of sentences in the mitigated, presumptive, and aggravated ranges. Nonactive sentences were also examined in the context of race to determine if any differences existed in the lengths of probation, minimum suspended sentence lengths, and/or imposition of special probation. In many instances, race categories were collapsed into two broader categories (white, nonwhite) to mitigate the effect of small numbers.

Limitations

The analysis contained in this document is bivariate. Only one year of data was examined. Analyses with small numbers should be interpreted with caution.

FIGURE 1: Convictions by Race
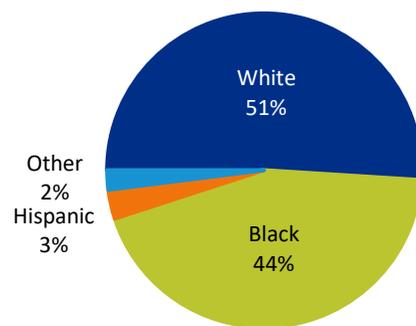
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Felony Statistical Report Data

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[1] Based on data entered into the Administrative Office of the Courts' management information system by the court clerk following the imposition of the sentence. The data include all North Carolina counties. For the full statistical report, please see https://www.nccourts.gov/assets/documents/publications/FY-2019-Statistical-Report-Web_Combined.pdf?H5Ee8hJhBdhzh_BVFmV4L9tcbiQXnmaB

[2] Information on 444 convictions was excluded due to data discrepancies (i.e., did not fit within the appropriate cell in the Felony Punishment Chart).

TABLE 1: Convictions by Offense Class, Prior Record Level, and Race

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	A W: 17 (35%) NW: 32 (65%) n = 49	A W: 6 (67%) NW: 3 (33%) n = 9	A W: 5 (71%) NW: 2 (29%) n = 7	A W: 2 (67%) NW: 1 (33%) n = 3	A W: 1 (33%) NW: 2 (67%) n = 3	A W: 0 (0%) NW: 1 (100%) n = 1
B1	A W: 82 (53%) NW: 74 (47%) n = 156	A W: 30 (45%) NW: 36 (55%) n = 66	A W: 8 (24%) NW: 25 (76%) n = 33	A W: 10 (36%) NW: 18 (64%) n = 28	A W: 7 (39%) NW: 11 (61%) n = 18	A W: 5 (36%) NW: 9 (64%) n = 14
B2	A W: 24 (40%) NW: 36 (60%) n = 60	A W: 18 (53%) NW: 16 (47%) n = 34	A W: 11 (48%) NW: 12 (52%) n = 23	A W: 4 (36%) NW: 7 (64%) n = 11	A W: 1 (20%) NW: 4 (80%) n = 5	A W: 3 (50%) NW: 3 (50%) n = 6
C	A W: 66 (47%) NW: 73 (53%) n = 139	A W: 43 (35%) NW: 78 (65%) n = 121	A W: 37 (32%) NW: 80 (68%) n = 117	A W: 38 (44%) NW: 49 (56%) n = 87	A W: 28 (42%) NW: 38 (58%) n = 66	A W: 31 (41%) NW: 44 (59%) n = 75
D	A W: 75 (29%) NW: 185 (71%) n = 260	A W: 45 (28%) NW: 115 (72%) n = 160	A W: 41 (31%) NW: 93 (69%) n = 134	A W: 44 (36%) NW: 77 (64%) n = 121	A W: 30 (38%) NW: 48 (62%) n = 78	A W: 52 (41%) NW: 74 (59%) n = 126
E	I/A W: 238 (36%) NW: 427 (64%) n = 665	I/A W: 156 (36%) NW: 273 (64%) n = 429	A W: 81 (41%) NW: 114 (59%) n = 195	A W: 62 (39%) NW: 96 (61%) n = 158	A W: 52 (37%) NW: 87 (63%) n = 139	A W: 58 (38%) NW: 95 (62%) n = 153
F	I/A W: 396 (53%) NW: 351 (47%) n = 747	I/A W: 336 (59%) NW: 237 (41%) n = 573	I/A W: 225 (53%) NW: 196 (47%) n = 421	A W: 107 (49%) NW: 111 (51%) n = 218	A W: 70 (48%) NW: 75 (52%) n = 145	A W: 49 (31%) NW: 110 (69%) n = 159
G	I/A W: 244 (41%) NW: 346 (59%) n = 590	I/A W: 400 (36%) NW: 711 (64%) n = 1,111	I/A W: 293 (34%) NW: 570 (66%) n = 863	I/A W: 192 (36%) NW: 343 (64%) n = 535	A W: 75 (38%) NW: 123 (62%) n = 198	A W: 58 (34%) NW: 113 (66%) n = 171
H	C/I/A W: 1,407 (52%) NW: 1,322 (48%) n = 2,729	I/A W: 1,882 (58%) NW: 1,382 (42%) n = 3,264	I/A W: 1,355 (58%) NW: 990 (42%) n = 2,345	I/A W: 737 (52%) NW: 675 (48%) n = 1,412	I/A W: 431 (47%) NW: 489 (53%) n = 920	A W: 370 (42%) NW: 514 (58%) n = 884
I	C W: 1,039 (59%) NW: 727 (41%) n = 1,766	C/I W: 1,393 (66%) NW: 717 (34%) n = 2,110	I W: 830 (61%) NW: 524 (39%) n = 1,354	I/A W: 482 (58%) NW: 344 (42%) n = 826	I/A W: 226 (53%) NW: 199 (47%) n = 425	I/A W: 226 (40%) NW: 341 (60%) n = 567

Note: Shaded cells represent cells in which the majority of convictions were for white offenders.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Felony Statistical Report Data

TABLE 2
Convictions by Offense Class and Race

Offense Class	Race				Total
	White	**Black**	**Hispanic**	**Other**	
A	31 43%	37 51%	2 3%	2 3%	**72**
B1	142 45%	149 47%	15 5%	9 3%	**315**
B2	61 44%	62 45%	10 7%	6 4%	**139**
C	243 40%	323 54%	26 4%	13 2%	**605**
D	287 33%	535 61%	34 4%	23 2%	**879**
E	647 37%	976 56%	66 4%	50 3%	**1,739**
F	1,183 52%	894 40%	123 5%	63 3%	**2,263**
G	1,262 36%	2,046 59%	74 2%	86 3%	**3,468**
H	6,182 54%	4,794 41%	270 2%	308 3%	**11,554**
I	4,196 60%	2,547 36%	134 2%	171 2%	**7,048**
Overall	**14,234** **51%**	**12,363** **44%**	**754** **3%**	**731** **2%**	**28,082** **100%**

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

FIGURE 2
Convictions by Offense Class and Race
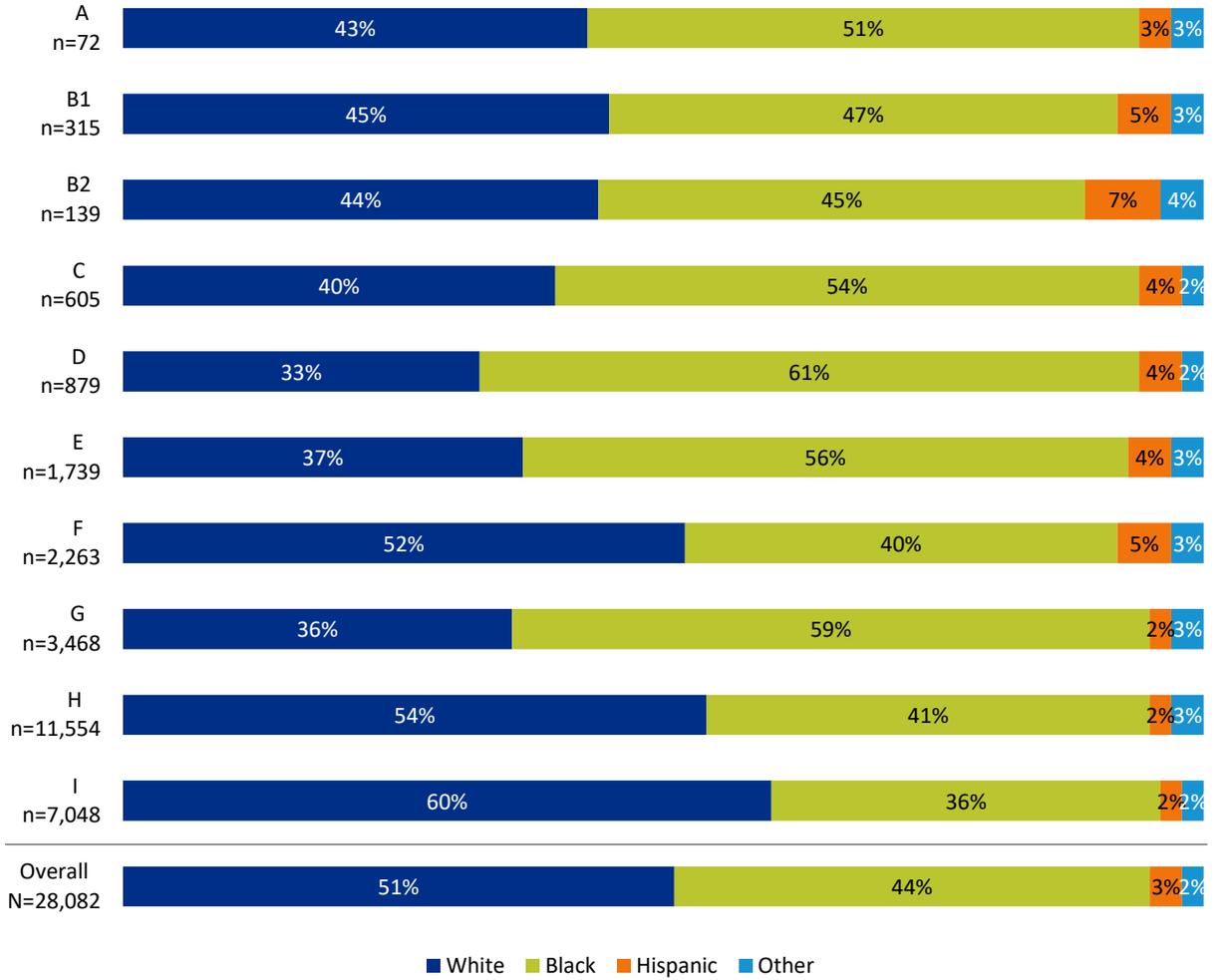
Class	White	Black	Hispanic	Other
A (n=72)	43%	51%	3%	3%
B1 (n=315)	45%	47%	5%	3%
B2 (n=139)	44%	45%	7%	4%
C (n=605)	40%	54%	4%	2%
D (n=879)	33%	61%	4%	2%
E (n=1,739)	37%	56%	4%	3%
F (n=2,263)	52%	40%	5%	3%
G (n=3,468)	36%	59%	2%	3%
H (n=11,554)	54%	41%	2%	3%
I (n=7,048)	60%	36%	2%	2%
Overall (N=28,082)	51%	44%	3%	2%

■ White ■ Black ■ Hispanic ■ Other

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

FIGURE 3
Convictions by Crime Type and Race

Race	Person	Property	Non-Trafficking Drug	Other
White n=14,234	14%	36%	36%	14%
Black n=12,363	21%	30%	28%	21%
Hispanic n=754	31%	23%	28%	18%
Other n=731	20%	38%	27%	15%
Overall N=28,082	18%	33%	32%	17%

■ Person ■ Property ■ Non-Trafficking Drug ■ Other
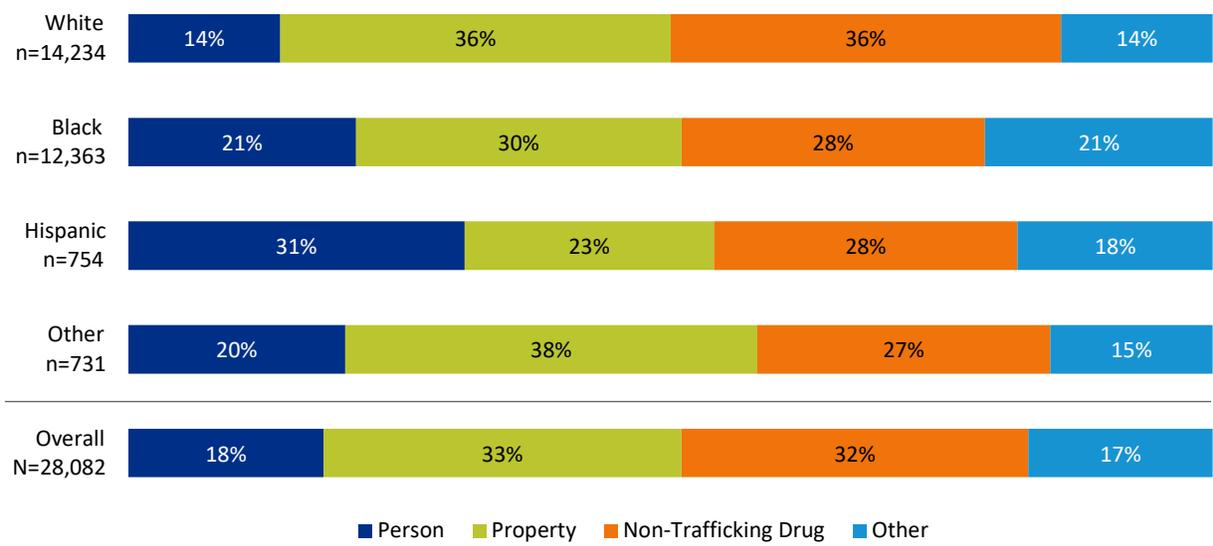
Note: The most common "other" offenses include possession of a firearm by a felon, habitual felon, and speeding to elude arrest with two or more aggravating factors.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Felony Statistical Report Data.

TABLE 3
Top 5 Offenses by Race

White				Black			
Offense	**Class**	**N**	**%**	**Offense**	**Class**	**N**	**%**
Possess Methamphetamine	I	1,387	10	Possession Firearm by Felon	G	955	8
Breaking and or Entering	H	1,088	8	Breaking and or Entering	H	644	5
Obtain Prop False Pretense	H	772	5	Felony Possession of Cocaine	I	555	5
Felony Larceny	H	579	4	Obtain Prop False Pretense	H	495	4
Possess Heroin	I	579	4	PWISD Cocaine	H	413	3
	Subtotal	4,405	31		Subtotal	3,062	25
Total		14,234	100	Total		12,363	100
Hispanic				Other			
Offense	**Class**	**N**	**%**	**Offense**	**Class**	**N**	**%**
Indecent Liberties with Child	F	51	7	Breaking and or Entering	H	73	10
Breaking and or Entering	H	45	6	Possession Firearm by Felon	G	34	5
Possession Firearm by Felon	G	27	4	Felony Larceny	H	34	5
Obtain Prop False Pretense	H	27	4	Possess Methamphetamine	I	34	5
Felony Possession of Cocaine	I	25	3	Obtain Prop False Pretense	H	26	3
	Subtotal	175	24		Subtotal	201	28
Total		754	100	Total		731	100

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

TABLE 4
Top 3 Offenses by Offense Class and Race

Offense Class	Race						
	White	N	%	Nonwhite	N	%
A	First Degree Murder	27	87	First Degree Murder	38	93
	Murder	4	13	Murder	2	5
				Murder of an Unborn Child	1	2
B1	Second Degree Murder	44	31	Second Degree Murder	111	64
	Stat Sex Off with Child <= 15	13	9	Stat Rape/Sex Offense Def >=6yr	7	4
	Statutory Rape of Child <= 15	12	8	First Degree Rape	6	3
B2	2nd Deg Murder w/o Regard	12	20	2nd Deg Murder w/o Regard	15	19
	Int Child Abuse-Ser Bod Injury	7	11	Attempted First Degree Murder	11	14
	Attempted First Degree Murder	5	8	Second Degree Murder	5	6
C	Habitual Felon	106	44	Habitual Felon	177	49
	AWDWIKISI	26	11	AWDWIKISI	55	15
	Manufact. Methamphetamine	21	9	First Degree Kidnapping	30	8
D	Habitual Felon	119	41	Robbery w/ Dangerous Weapon	244	41
	Robbery w/ Dangerous Weapon	59	21	Habitual Felon	140	24
	First Degree Burglary	30	10	Voluntary Manslaughter	53	9
E	Habitual Felon	176	27	AWDW Serious Injury	226	21
	AWDW Serious Injury	89	14	Habitual Felon	196	18
	Second Degree Kidnapping	56	9	Consp Robbery Dangerous Weapon	187	17
F	Indecent Liberties w/ Child	191	16	Indecent Liberties W/ Child	182	17
	Fail Report New Address-Sex Off	144	12	Fail Report New Address-Sex Off	141	13
	Habitual Impaired Driving	84	7	Assault Serious Bodily Injury	101	9
G	Possession Firearm by Felon	482	38	Possession Firearm by Felon	1,016	46
	Identity Theft	147	12	Common Law Robbery	360	16
	Common Law Robbery	129	10	Sell Cocaine	146	7
H	Breaking and or Entering	1,088	18	Breaking and or Entering	762	14
	Obtain Property False Pretense	772	12	Obtain Property False Pretense	548	10
	Felony Larceny	579	9	PWISD Cocaine	441	8
I	Possess Methamphetamine	1,387	33	Felony Possession of Cocaine	598	21
	Possess Heroin	579	14	PWISD Marijuana	294	10
	Felony Possession of Cocaine	327	8	Break/Enter A Motor Vehicle	238	8

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

FIGURE 6
Convictions by Prior Record Level and Race
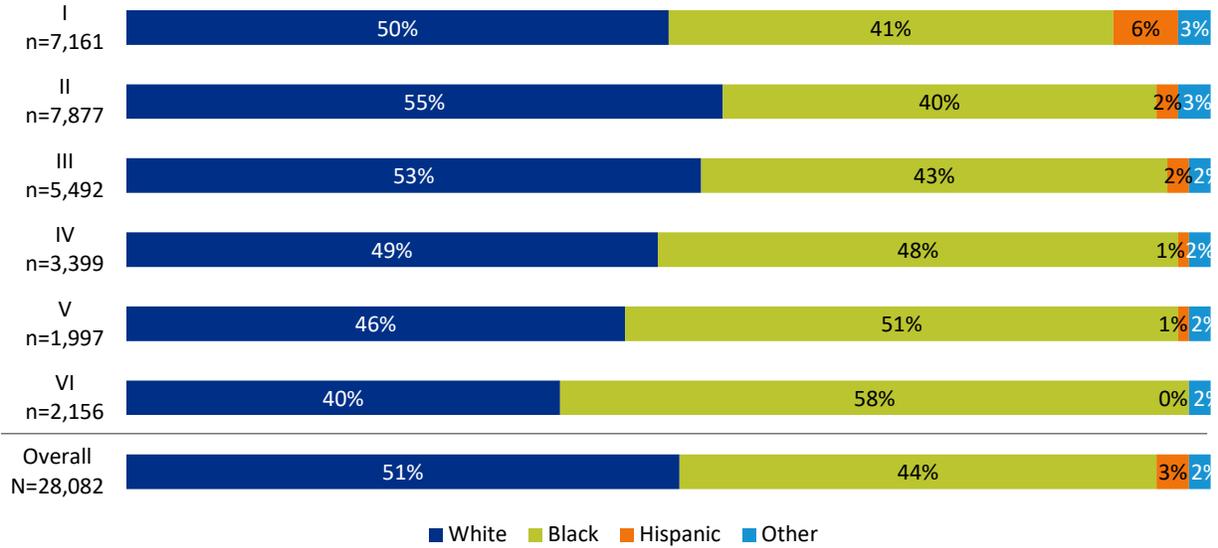
Level	White	Black	Hispanic	Other
I n=7,161	50%	41%	6%	3%
II n=7,877	55%	40%	2%	3%
III n=5,492	53%	43%	2%	2%
IV n=3,399	49%	48%	1%	2%
V n=1,997	46%	51%	1%	2%
VI n=2,156	40%	58%	0%	2%
Overall N=28,082	51%	44%	3%	2%

■ White ■ Black ■ Hispanic ■ Other

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

FIGURE 7
Convictions by Race and Prior Record Level
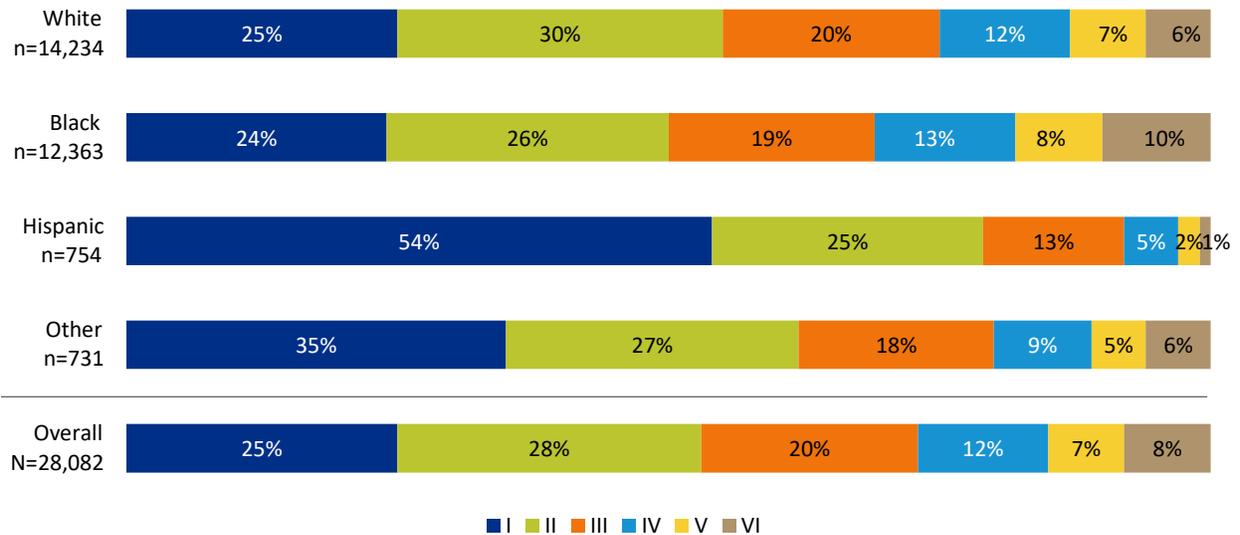
Race	I	II	III	IV	V	VI
White n=14,234	25%	30%	20%	12%	7%	6%
Black n=12,363	24%	26%	19%	13%	8%	10%
Hispanic n=754	54%	25%	13%	5%	2%	1%
Other n=731	35%	27%	18%	9%	5%	6%
Overall N=28,082	25%	28%	20%	12%	7%	8%

■ I ■ II ■ III ■ IV ■ V ■ VI

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

TABLE 5
Sentences Imposed by Offense Class, Prior Record Level, and Race

Offense Class	Race	Prior Record Level						Total
		I	II	III	IV	V	VI	
A	**White**	A	A	A	A	A	A	A
		n = 17 100% Active Life/Death	n = 6 100% Active Life/Death	n = 5 100% Active Life/Death	n = 2 100% Active Life/Death	n = 1 100% Active Life/Death	n = 0 100% Active Life/Death	n = 31 100% Active Life/Death
	Nonwhite	n = 32 100% Active Life/Death	n = 3 100% Active Life/Death	n = 2 100% Active Life/Death	n = 1 100% Active Life/Death	n = 2 100% Active Life/Death	n = 1 100% Active Life/Death	n = 41 100% Active Life/Death
B1	**White**	A	A	A	A	A	A	A
		n = 82 100% Active 217 min	n = 30 100% Active 248 min	n = 8 100% Active 263 min	n = 10 100% Active 307 min	n = 7 100% Active 280 min	n = 5 100% Active 376 min	n = 142 100% Active 240 min
	Nonwhite	n = 74 100% Active 205 min	n = 36 100% Active 230 min	n = 25 100% Active 276 min	n = 18 100% Active 303 min	n = 11 100% Active 306 min	n = 9 100% Active 410 min	n = 173 100% Active 248 min
B2	**White**	A	A	A	A	A	A	A
		n = 24 100% Active 118 min	n = 18 100% Active 131 min	n = 11 100% Active 165 min	n = 4 100% Active 200 min	n = 1 100% Active 273 min	n = 3 100% Active 284 min	n = 61 100% Active 147 min
	Nonwhite	n = 36 100% Active 126 min	n =16 100% Active 145 min	n = 12 100% Active 173 min	n = 7 100% Active 216 min	n = 4 100% Active 202 min	n = 3 100% Active 285 min	n = 78 100% Active 155 min
C	**White**	A	A	A	A	A	A	A
		n = 66 100% Active 61 min	n = 43 100% Active 67 min	n = 37 100% Active 74 min	n = 38 100% Active 80 min	n = 28 100% Active 100 min	n = 31 100% Active 108 min	n = 243 100% Active 77 min
	Nonwhite	n = 73 100% Active 58 min	n = 78 100% Active 66 min	n = 80 100% Active 76 min	n = 49 100% Active 90 min	n = 38 100% Active 99 min	n = 44 100% Active 114 min	n = 362 100% Active 79 min
D	**White**	A	A	A	A	A	A	A
		n = 75 87% Active 49 min	n = 45 100% Active 56 min	n = 41 100% Active 66 min	n = 44 100% Active 69 min	n = 30 100% Active 80 min	n = 52 100% Active 91 min	n = 287 97% Active 67 min
	Nonwhite	n = 185 99% Active 49 min	n = 115 100% Active 59 min	n = 93 100% Active 67 min	n = 77 100% Active 74 min	n = 48 100% Active 82 min	n = 74 100% Active 92 min	n = 592 100% Active 65 min
E	**White**	I/A	I/A	A	A	A	A	I/A
		n = 238 30% Active 22 min	n = 156 42% Active 24 min	n = 81 100% Active 26 min	n = 62 100% Active 30 min	n = 52 100% Active 33 min	n = 58 100% Active 39 min	n = 647 60% Active 28 min
	Nonwhite	n = 427 28% Active 22 min	n = 273 45% Active 24 min	n = 114 100% Active 27 min	n = 96 100% Active 31 min	n = 87 100% Active 35 min	n = 95 100% Active 40 min	n = 1,092 58% Active 29 min
F	**White**	I/A	I/A	I/A	A	A	A	I/A
		n = 396 28% Active 14 min	n = 336 43% Active 15 min	n = 225 49% Active 18 min	n = 107 100% Active 21 min	n = 70 100% Active 24 min	n = 49 100% Active 28 min	n = 1,183 50% Active 19 min
	Nonwhite	n = 351 38% Active 14 min	n = 237 40% Active 16 min	n = 196 50% Active 17 min	n = 111 100% Active 20 min	n = 75 100% Active 23 min	n = 110 100% Active 27 min	n = 1,080 57% Active 19 min

continued

TABLE 5
Sentences Imposed by Offense Class, Prior Record Level, and Race

Offense Class	Race	Prior Record Level						Total
		I	II	III	IV	V	VI	
G	**White**	I/A	I/A	I/A	I/A	A	A	I/A
		n = 244 14% Active 11 min	n = 400 23% Active 12 min	n = 293 41% Active 14 min	n = 192 55% Active 16 min	n = 75 100% Active 18 min	n = 58 100% Active 22 min	n = 1,262 38% Active 16 min
	Nonwhite	n = 346 23% Active 11 min	n = 711 27% Active 12 min	n = 570 40% Active 14 min	n = 343 52% Active 16 min	n = 123 100% Active 18 min	n = 113 100% Active 21 min	n = 2,206 41% Active 15 min
H	**White**	C/I/A	I/A	I/A	I/A	I/A	A	C/I/A
		n = 1,407 9% Active 5 min	n = 1,882 19% Active 6 min	n = 1,355 36% Active 8 min	n = 737 48% Active 10 min	n = 431 63% Active 13 min	n = 370 100% Active 17 min	n = 6,182 32% Active 10 min
	Nonwhite	n = 1,322 9% Active 5 min	n = 1,382 25% Active 6 min	n = 990 40% Active 8 min	n = 675 50% Active 10 min	n = 489 58% Active 12 min	n = 514 100% Active 16 min	n = 5,372 37% Active 11 min
I	**White**	C	C/I	I	I/A	I/A	I/A	C/I/A
		n = 1,039 0% Active n/a min	n = 1,393 0% Active n/a min	n = 830 0% Active n/a min	n = 482 45% Active 6 min	n = 226 53% Active 8 min	n = 226 58% Active 8 min	n = 4,196 11% Active 7 min
	Nonwhite	n = 727 0% Active n/a min	n = 717 0% Active n/a min	n = 524 0% Active n/a min	n = 344 43% Active 6 min	n = 199 50% Active 7 min	n = 341 52% Active 8 min	n = 2,852 15% Active 7 min
Total	**White**	C/I/A	C/I/A	I/A	I/A	I/A	I/A	C/I/A
		n = 3,588 17% Active 56 min	n = 4,309 19% Active 28 min	n = 2,886 31% Active 21 min	n = 1,678 56% Active 22 min	n = 921 71% Active 24 min	n = 852 89% Active 30 min	n = 14,234 33% Active 29 min
	Nonwhite	n = 3,573 24% Active 48 min	n = 3,568 28% Active 32 min	n = 2,606 40% Active 31 min	n = 1,721 59% Active 29 min	n = 1,076 72% Active 30 min	n = 1,304 88% Active 31 min	n = 13,848 42% Active 33 min

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

FIGURE 8
Punishment Imposed in Discretionary Cells by Offense Class and Race
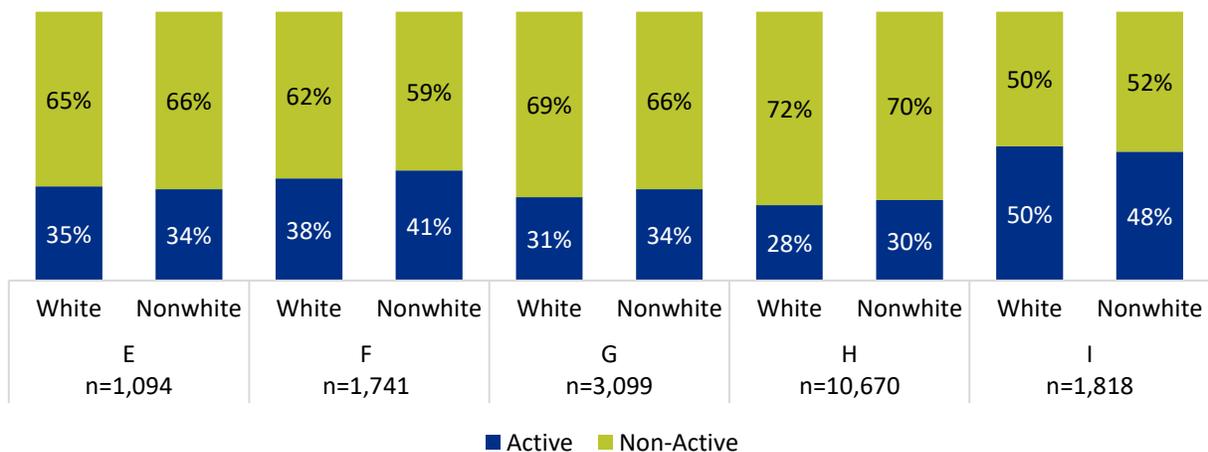
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Felony Statistical Report Data

FIGURE 9
Sentencing Range by Offense Class and Race
Active Sentences Only
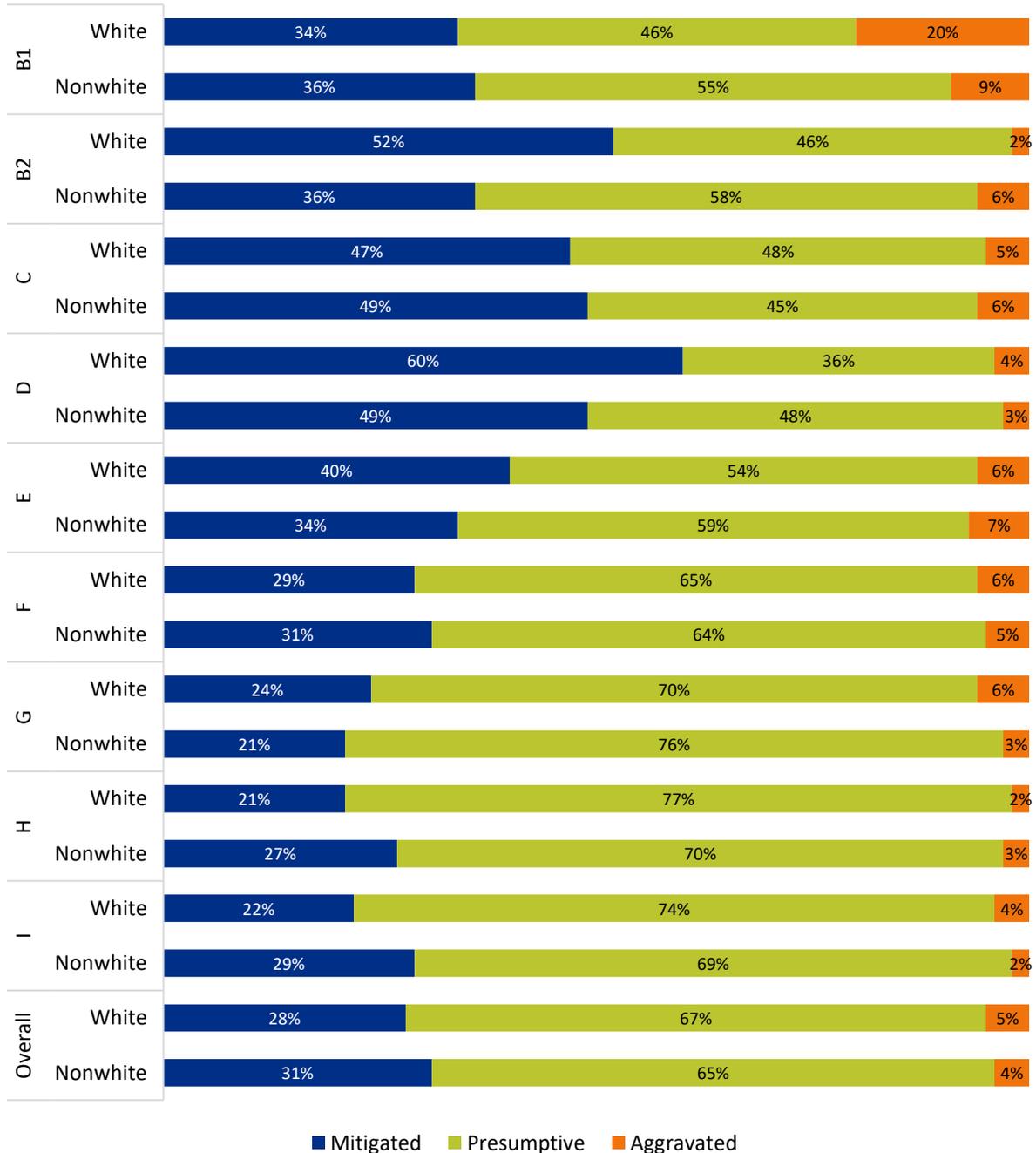
Class	Race	Mitigated	Presumptive	Aggravated
B1	White	34%	46%	20%
B1	Nonwhite	36%	55%	9%
B2	White	52%	46%	2%
B2	Nonwhite	36%	58%	6%
C	White	47%	48%	5%
C	Nonwhite	49%	45%	6%
D	White	60%	36%	4%
D	Nonwhite	49%	48%	3%
E	White	40%	54%	6%
E	Nonwhite	34%	59%	7%
F	White	29%	65%	6%
F	Nonwhite	31%	64%	5%
G	White	24%	70%	6%
G	Nonwhite	21%	76%	3%
H	White	21%	77%	2%
H	Nonwhite	27%	70%	3%
I	White	22%	74%	4%
I	Nonwhite	29%	69%	2%
Overall	White	28%	67%	5%
Overall	Nonwhite	31%	65%	4%

■ Mitigated ■ Presumptive ■ Aggravated

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

FIGURE 10
Special Probation Ordered by Offense Class and Race
Intermediate Punishments Only

	E n=568	F n=771	G n=1,467	H n=4,097	I n=2,292	Total n=9,207
White	76%	77%	73%	68%	60%	67%
Nonwhite	83%	80%	75%	71%	64%	72%
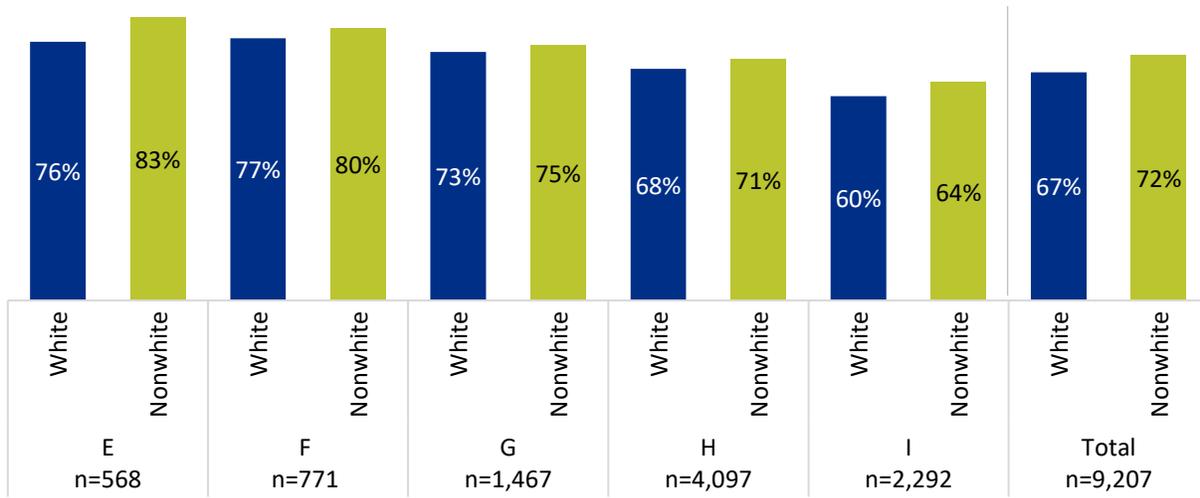
Note: This figure excludes 12 Death by Motor Vehicle convictions (Class D) for which an Intermediate punishment was imposed.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Felony Statistical Report Data

TABLE 6
Average Length of Special Probation and Minimum Sentence by Offense Class and Race
Intermediate Punishments Only

Offense Class	Race	#	Special Probation Length (Days)	Suspended Sentence (Months)
E	White	151	119	24
	Nonwhite	307	104	24
	Subtotal	**458**	**109**	**24**
F	White	339	79	17
	Nonwhite	267	76	17
	Subtotal	**606**	**78**	**17**
G	White	402	65	14
	Nonwhite	683	66	14
	Subtotal	**1,085**	**66**	**14**
H	White	1,620	50	8
	Nonwhite	1,210	51	8
	Subtotal	**2,830**	**50**	**8**
I	White	879	46	6
	Nonwhite	525	38	7
	Subtotal	**1,404**	**43**	**6**
Total	White	3,398	57	10
	Nonwhite	2,994	60	12
	Total	**6,392**	**58**	**11**

Note: This table excludes 12 Death by Motor Vehicle convictions (Class D) for which an Intermediate punishment was imposed.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Felony Statistical Report Data

TABLE 7
Average Length of Probation and Average Suspended Sentence
by Offense Class and Race

Offense Class	Type of Punishment	#		Probation Length (Months)		Suspended Sentence (Months)	
		White	Nonwhite	White	Nonwhite	White	Nonwhite
D	Intermediate	10	2	38	48	57	45
	Subtotal	**10**	**2**	**38**	**48**	**57**	**45**
E	Intermediate	200	368	36	31	24	24
	Community	57	91	36	29	23	24
	Subtotal	**257**	**459**	**36**	**31**	**24**	**24**
F	Intermediate	439	332	31	30	16	16
	Community	154	127	30	28	16	16
	Subtotal	**593**	**459**	**30**	**30**	**16**	**16**
G	Intermediate	552	915	29	28	14	14
	Community	227	376	28	26	13	14
	Subtotal	**779**	**1,291**	**28**	**27**	**14**	**14**
H	Intermediate	2,382	1,715	28	26	8	8
	Community	1,808	1,661	25	24	7	7
	Subtotal	**4,190**	**3,376**	**27**	**25**	**8**	**8**
I	Intermediate	1,468	824	24	23	6	6
	Community	2,242	1,595	21	21	5	5
	Subtotal	**3,710**	**2,419**	**22**	**22**	**6**	**6**
Overall	Intermediate	5,051	4,156	27	27	10	11
	Community	4,488	3,850	24	23	7	8
	Total	**9,539**	**8,006**	**26**	**25**	**8**	**10**

Note: This table includes convictions for an Intermediate or a Community punishment in cells in which those dispositions are not authorized within the Felony Punishment Chart.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Felony Statistical Report Data

TABLE 8
Profile of FY 2019 Convictions (N=28,082)

		White n=14,234	Black n=12,363	Hispanic n=754	Other n=731	Nonwhite n=13,848
Personal Characteristics						
Male	%	74	90	92	82	89
Age at Conviction						
<21 years	%	4	12	15	11	12
21-25 years	%	12	19	24	18	19
26-30 years	%	20	21	19	24	21
31-40 years	%	36	25	24	24	25
41-50 years	%	18	13	14	17	13
>50 years	%	10	10	4	6	10
Average Age at Conviction	Avg.	35	33	31	33	33
Most Serious Conviction						
Offense Class						
Class A – D	%	5	9	11	7	9
Class E – G	%	22	32	35	27	32
Class H – I	%	73	59	54	66	59
Prior Record Level						
Level I	%	25	24	54	35	26
Level II	%	30	26	25	28	26
Level III	%	20	19	13	17	19
Level IV	%	12	13	5	9	12
Level V	%	7	8	2	5	8
Level VI	%	6	10	1	6	9
Offense Type						
Person	%	14	21	31	20	21
Property	%	36	30	23	38	30
Drug (Non-Trafficking)	%	36	28	28	27	28
Other	%	14	21	18	15	21
Punishment Imposed						
Punishment Type						
Active	%	33	42	44	37	42
Intermediate	%	35	30	26	34	30
Community	%	32	28	30	29	28

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

TABLE 9
Profile of FY 2019 Convictions: Active Sentences (n=10,472)

		White n=4,655	Black n=5,217	Hispanic n=331	Other n=269	Nonwhite n=5,817
Male	%	86	95	97	93	95
Age at Conviction						
<21 years	%	3	9	14	9	9
21-25 years	%	9	17	20	14	17
26-30 years	%	18	19	17	21	19
31-40 years	%	38	26	27	29	27
41-50 years	%	20	17	17	20	17
>50 years	%	12	12	5	7	11
Average Age at Conviction	Avg.	37	35	32	34	34
Most Serious Conviction						
Offense Class						
Class A – D	%	16	21	26	19	22
Class E – G	%	32	37	43	32	37
Class H – I	%	52	42	31	49	41
Prior Record Level						
Level I	%	13	12	48	23	15
Level II	%	17	17	21	19	17
Level III	%	20	18	15	16	18
Level IV	%	20	18	9	16	17
Level V	%	14	14	4	10	13
Level VI	%	16	21	3	16	20
Offense Type						
Person	%	24	31	47	36	33
Property	%	35	26	16	37	25
Drug (Non-Trafficking)	%	19	17	18	10	17
Other	%	22	26	19	17	25
Sentence Imposed						
Minimum Active Sentence (Months)						
Class A – D	Avg.	111	102	93	103	102
Class E – G	Avg.	20	21	18	20	20
Class H – I	Avg.	10	10	8	10	10
Overall	Avg.	29	33	34	31	33
Sentence Range						
Mitigated	%	28	31	28	23	31
Presumptive	%	67	65	66	72	65
Aggravated	%	5	4	6	5	4

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

TABLE 10
Profile of FY 2019 Convictions: Nonactive Sentences (n=17,610)

		White n=9,579	Black n=7,146	Hispanic n=423	Other n=462	Nonwhite n=8,031
Male	%	69	86	89	76	85
Age at Conviction						
<21 years	%	5	14	16	12	14
21-25 years	%	14	21	27	20	21
26-30 years	%	21	22	21	25	22
31-40 years	%	35	24	21	22	24
41-50 years	%	16	11	11	14	11
>50 years	%	9	8	4	7	8
Average Age at Conviction	Avg.	35	32	29	32	32
Most Serious Conviction						
Offense Class						
Class A – D	#	10	0	1	1	2
Class E – G	%	17	28	28	25	28
Class H – I	%	83	72	72	75	72
Prior Record Level						
Level I	%	31	32	59	42	34
Level II	%	36	32	27	32	32
Level III	%	21	20	11	17	19
Level IV	%	8	10	2	5	9
Level V	%	3	4	1	3	4
Level VI	%	1	2	.	1	2
Offense Type						
Person	%	9	13	18	11	13
Property	%	37	32	30	39	33
Drug (Non-Trafficking)	%	44	37	35	37	37
Other	%	10	18	17	13	17
Sentence Imposed						
Probation Length (Months)						
Intermediate	Avg.	27	27	27	28	27
Community	Avg.	24	23	22	23	23
Overall	Avg.	26	25	24	25	25
Minimum Suspended Sentence (Months)						
Class A – D	Avg.	57	n/a	38	51	45
Class E – G	Avg.	16	16	17	17	16
Class H – I	Avg.	7	7	6	7	7
Imposition of Special Probation						
Special Probation (Intermediate Only)	%	67	72	74	69	72
Special Probation Length (Days)	Avg.	57	59	68	66	60

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