

Sentencing Serious Felonies

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**2018
Edition**

North Carolina Sentencing Handbook

**with Felony, Misdemeanor,
and DWI Sentencing Grids**

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 **UNC**
SCHOOL OF
GOVERNMENT

Objectives

- Grid fluency
- Know what the sentence means
- Know enhancement and mitigation options

Felony Offenses Committed on or after October 1, 2013

MINIMUM SENTENCES AND DISPOSITIONAL OPTIONS

OFFENSE CLASS	PRIOR RECORD LEVEL						DISPOSITION
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
A Max. Death or Life w/o Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole						
B1 Max. Life w/o Parole	A 240-300 192-240 144-102	A 276-345 221-276 166-221	A 317-397 254-317 190-254	A 365-456 292-365 219-292	A Life w/o Parole 336-420 252-336	A Life w/o Parole 386-483 290-386	Aggravated PRESUMPTIVE Mitigated
B2 Max. 484 (532)	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 Max. 231 (279)	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 Max. 204 (252)	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 Max. 88 (136)	I/A 25-31 20-25	I/A 29-36 23-29	A 33-41 26-33	A 38-48 30-38	A 44-55 35-44 26-35	A 50-63 40-50 30-40	

C/I/A

6-8

5-6

4-5

ASR

defendant convicted of a reportable Class B1 through E sex crime is indicated in parentheses.

Extraordinary Mitigation
Sentencing must fall within the following limits:

Advanced Supervised Release
(possible eligibility). See page 10.

34

MAXIMUM SENTENCES

The tables below show the maximum sentence that corresponds to each minimum sentence. For minimum sentences of 340 months or more, the maximum sentence is 120 percent of the minimum sentence, rounded to the next highest month, plus 12 additional months. G.S. 15A-1340.17(e).
Sex Crimes: The maximum sentence for a Class B1 through E felony subject to the registration requirements of G.S. Chapter 14, Article 27A is 120 percent of the minimum sentence, rounded to the next highest month, plus 60 additional months, as indicated in parentheses below. G.S. 15A-1340.17(f).

FOR OFFENSE CLASSES B1 THROUGH E [Minimum Sentence → Corresponding Maximum (Sex Crimes)]

15+30 (78)	56+80 (128)	97+129 (177)	138+178 (236)	179+227 (275)	220+276 (324)	261+326 (374)	302+375 (423)
16+32 (80)	57+81 (129)	98+130 (178)	139+179 (237)	180+228 (276)	221+278 (326)	262+327 (375)	303+376 (424)
17+33 (81)	58+82 (130)	99+131 (179)	140+180 (238)	181+230 (277)	222+279 (327)	263+328 (376)	304+377 (425)
18+34 (82)	59+83 (131)	100+132 (180)	141+182 (239)	182+231 (278)	223+280 (328)	264+329 (377)	305+378 (426)
19+35 (83)	60+84 (132)	101+133 (181)	142+183 (240)	183+232 (279)	224+281 (329)	265+330 (378)	306+380 (428)
20+36 (84)	61+86 (134)	102+135 (183)	143+184 (242)	184+233 (281)	225+282 (330)	266+332 (380)	307+381 (429)
21+38 (86)	62+87 (135)	103+136 (184)	144+185 (243)	185+234 (282)	226+283 (331)	267+333 (381)	308+382 (430)
22+39 (87)	63+88 (136)	104+137 (185)	145+186 (244)	186+235 (283)	227+284 (332)	268+334 (382)	309+383 (431)
23+40 (88)	64+89 (137)	105+138 (186)	146+187 (245)	187+236 (284)	228+285 (333)	269+335 (383)	310+384 (432)
24+41 (89)	65+90 (138)	106+140 (188)	147+189 (247)	188+238 (286)	229+287 (335)	270+336 (384)	311+386 (434)
25+42 (90)	66+92 (140)	107+141 (189)	148+190 (248)	189+239 (287)	230+288 (336)	271+338 (386)	312+387 (435)
26+44 (92)	67+93 (141)	108+142 (190)	149+191 (249)	190+240 (288)	231+290 (338)	272+339 (387)	313+388 (436)
27+45 (93)	68+94 (142)	109+143 (191)	150+192 (240)	191+242 (290)	232+291 (339)	273+340 (388)	314+389 (437)
28+46 (94)	69+95 (143)	110+144 (192)	151+194 (242)	192+243 (291)	233+292 (340)	274+341 (389)	315+390 (438)
29+47 (95)	70+96 (144)	111+146 (194)	152+195 (243)	193+244 (292)	234+293 (341)	275+342 (390)	316+392 (440)
30+48 (96)	71+98 (146)	112+147 (195)	153+196 (244)	194+245 (293)	235+294 (342)	276+343 (391)	317+393 (441)
31+50 (98)	72+99 (147)	113+148 (196)	154+197 (245)	195+246 (294)	236+296 (344)	277+345 (393)	318+394 (442)
32+51 (99)	73+100 (148)	114+149 (197)	155+198 (246)	196+248 (296)	237+297 (345)	278+346 (394)	319+395 (443)
33+52 (100)	74+101 (149)	115+150 (198)	156+200 (248)	197+249 (297)	238+298 (346)	279+347 (395)	320+396 (444)
34+53 (101)	75+102 (150)	116+152 (200)	157+201 (249)	198+250 (298)	239+299 (347)	280+348 (396)	321+398 (446)
35+54 (102)	76+104 (152)	117+153 (201)	158+202 (250)	199+251 (299)	240+300 (348)	281+350 (398)	322+399 (447)
36+56 (104)	77+105 (153)	118+154 (202)	159+203 (251)	200+252 (300)	241+302 (350)	282+351 (399)	323+400 (448)
37+57 (105)	78+106 (154)	119+155 (203)	160+204 (252)	201+254 (302)	242+303 (351)	283+352 (400)	324+401 (449)
38+58 (106)	79+107 (155)	120+156 (204)	161+206 (254)	202+255 (303)	243+304 (352)	284+353 (401)	325+402 (450)
39+59 (107)	80+108 (156)	121+158 (206)	162+207 (255)	203+256 (304)	244+305 (353)	285+354 (402)	326+404 (452)
40+60 (108)	81+110 (158)	122+159 (207)	163+208 (256)	204+257 (305)	245+306 (354)	286+356 (404)	327+405 (453)
41+62 (110)	82+111 (159)	123+160 (208)	164+209 (257)	205+258 (306)	246+308 (356)	287+357 (405)	328+406 (454)
42+63 (111)	83+112 (160)	124+161 (209)	165+210 (258)	206+260 (308)	247+309 (357)	288+358 (406)	329+407 (455)
43+64 (112)	84+113 (161)	125+162 (210)	166+212 (260)	207+261 (309)	248+310 (358)	289+359 (407)	330+408 (456)
44+65 (113)	85+114 (162)	126+164 (212)	167+213 (261)	208+262 (310)	249+311 (359)	290+360 (408)	331+410 (458)
45+66 (114)	86+116 (164)	127+165 (213)	168+214 (262)	209+263 (311)	250+312 (360)	291+362 (410)	332+411 (459)
46+68 (116)	87+117 (165)	128+166 (214)	169+215 (263)	210+264 (312)	251+314 (362)	292+363 (411)	333+412 (460)
47+69 (117)	88+118 (166)	129+167 (215)	170+216 (264)	211+266 (314)	252+315 (363)	293+364 (412)	334+413 (461)
48+70 (118)	89+119 (167)	130+168 (216)	171+218 (266)	212+267 (315)	253+316 (364)	294+365 (413)	335+414 (462)
49+71 (119)	90+120 (168)	131+170 (218)	172+219 (267)	213+268 (316)	254+317 (365)	295+366 (414)	336+416 (464)
50+72 (120)	91+122 (170)	132+171 (219)	173+220 (268)	214+269 (317)	255+318 (366)	296+368 (416)	337+417 (465)
51+74 (122)	92+123 (171)	133+172 (220)	174+221 (269)	215+270 (318)	256+320 (368)	297+369 (417)	338+418 (466)
52+75 (123)	93+124 (172)	134+173 (221)	175+222 (270)	216+272 (320)	257+321 (369)	298+370 (418)	339+419 (467)
53+76 (124)	94+125 (173)	135+174 (222)	176+224 (272)	217+323 (321)	258+322 (370)	299+371 (419)	
54+77 (125)	95+126 (174)	136+176 (224)	177+225 (273)	218+274 (322)	259+323 (371)	300+372 (420)	
55+78 (126)	96+128 (176)	137+177 (225)	178+226 (274)	219+275 (323)	260+324 (372)	301+374 (422)	

FOR OFFENSE CLASSES F THROUGH I [Minimum Sentence → Corresponding Maximum]

3+13	9+20	15+27	21+35	27+42	33+49	39+56	45+63
4+14	10+21	16+29	22+36	28+43	34+50	40+57	46+65
5+15	11+23	17+30	23+37	29+44	35+51	41+59	47+66
6+17	12+24	18+31	24+38	30+45	36+53	42+60	48+67
7+18	13+25	19+32	25+39	31+47	37+54	43+61	49+68
8+19	14+26	20+33	26+41	32+48	38+55	44+62	

Length of Probation Period

The original period of probation for a felony sentenced under Structured Sentencing must fall within the following limits:

- Community—12 to 30 months
- Intermediate—18 to 36 months

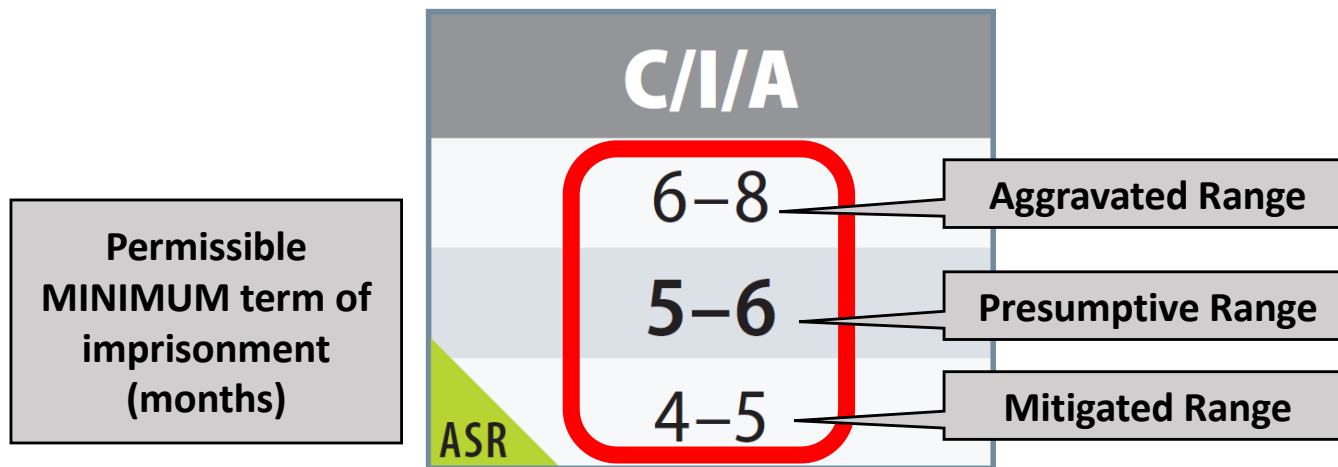
The court may depart from those ranges with a finding that a longer or shorter period is required. The maximum permissible period with a finding is 5 years. G.S. 15A-1343.2.

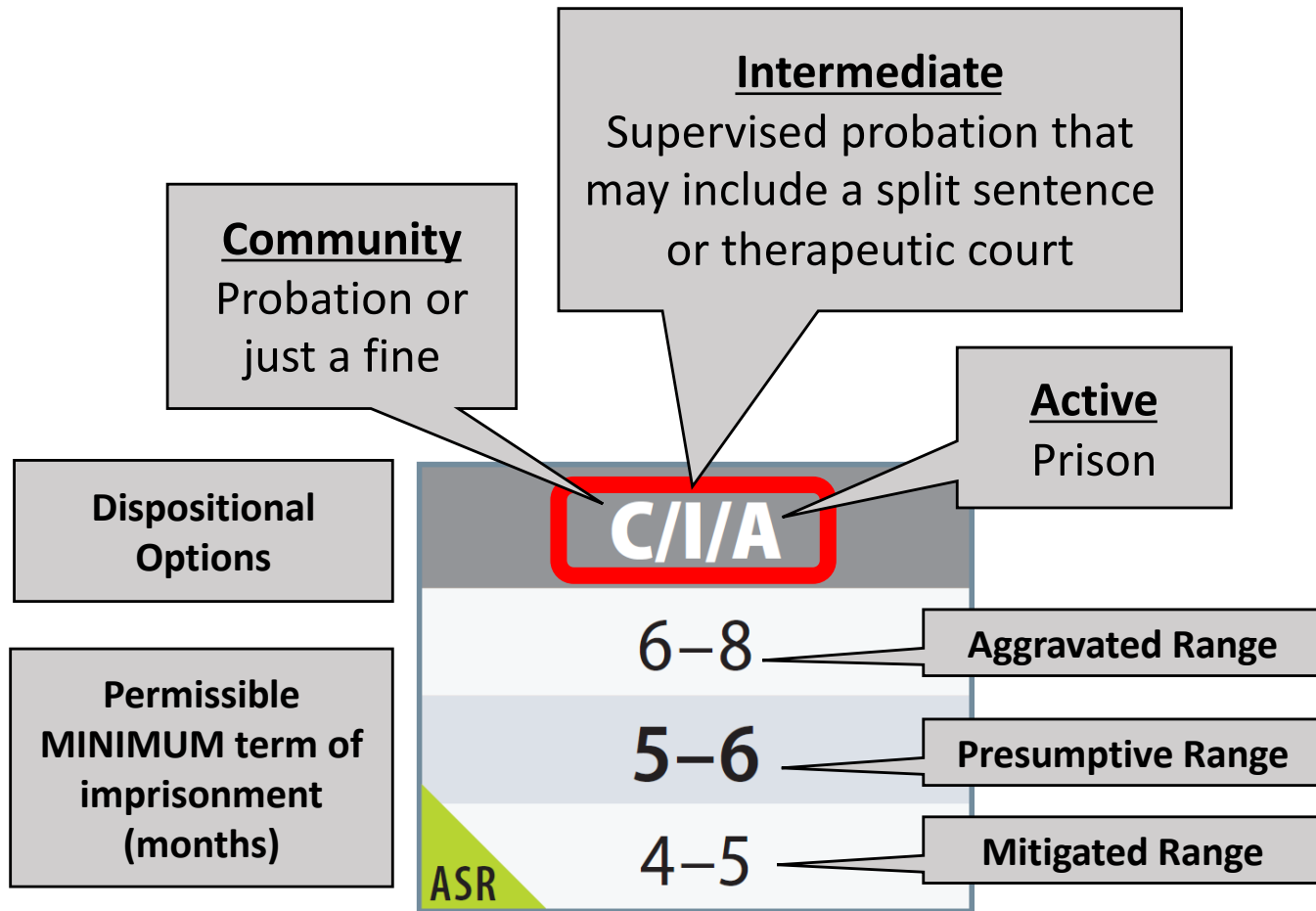
Post-Release Supervision

Class F-I felony—9 months
Class B1-E felony—12 months
Crimes requiring sex offender registration—5 years

Fines

Any felony sentence may include a fine. Unless otherwise provided for a specific offense, the amount of the fine is in the discretion of the court. G.S. 15A-1340.17(b).





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 Max. Death or Life w/o Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole					
B1 Max. Life w/o Parole	A	A	A	A	A	A
	240-300	276-345	317-397	365-456	Life w/o Parole	Life w/o Parole
	192-240	221-276	254-317	292-365	336-420	386-483
B2 Max. 404 (532)	A	A	A	A	A	A
	157-196	180-225	207-258	238-297	273-342	314-393
	125-157	144-180	165-207	190-238	219-273	251-314
C Max. 279	A	A	A	A	A	A
	94-125	108-144	124-165	143-190	164-219	189-251
	73-92	83-104	96-120	110-138	127-159	146-182
D Max. 252	A	A	A	A	A	A
	58-73	67-83	77-96	88-110	101-127	117-146
	44-58	50-67	58-77	66-88	76-101	87-117
E Max. 200	A	A	A	A	A	A
	64-80	73-92	84-105	97-121	111-139	128-160
	51-64	59-73	67-84	78-97	89-111	103-128
F Max. 59	A	A	A	A	A	A
	38-51	44-59	51-67	58-78	67-89	77-103
	I/A	I/A	A	A	A	A
G Max. 47	A	A	A	A	A	A
	25-31	29-36	33-41	38-48	44-55	50-63
	20-25	23-29	26-33	30-38	35-44	40-50
H Max. 39	A	A	A	A	A	A
	15-20	17-23	20-26	23-30	26-35	30-40
	I/A	I/A	I/A	A	A	A
I Max. 24	A	A	A	A	A	A
	10-13	11-15	13-17	15-20	17-23	20-26
	I/A	I/A	I/A	I/A	A	A
J Max. 19	A	A	A	A	A	A
	13-16	14-18	17-21	19-24	22-27	25-31
	10-13	12-14	13-17	15-19	17-22	20-25
K Max. 14	A	A	A	A	A	A
	8-10	9-12	10-13	11-15	13-17	15-20
	C/I/A	I/A	I/A	I/A	I/A	A
L Max. 11	A	A	A	A	A	A
	6-8	8-10	10-12	11-14	15-19	20-25
	5-6	6-8	8-10	9-11	12-15	16-20
M Max. 8	A	A	A	A	A	A
	4-5	4-6	6-8	7-9	9-12	12-16
	C	C/I	I	I/A	I/A	I/A
N Max. 6	A	A	A	A	A	A
	6-8	6-8	6-8	8-10	9-11	10-12
	4-6	4-6	5-6	6-8	7-9	8-10
O Max. 4	A	A	A	A	A	A
	3-4	3-4	4-5	4-6	5-7	6-8
	C	C/I	I	I/A	I/A	I/A

**Mandatory
Active**

**Judge's
discretion**

**Mandatory
Non-Active**

Permissible MINIMUM Sentences

OFFENSE CLASS	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
A Max. Death or Life w/o Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole						
B1 Max. Life w/o Parole	A 240-300 192-240 144-102	A 276-345 221-276 166-221	A 317-397 254-317 190-254	A 365-456 292-365 219-292	A 386-420 336-420 252-336	A Life w/o Parole 386-483 290-386	DISPOSITION Aggravated Presumptive Mitigated
B2 Max. 48 (132)	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 Max. 231 (279)	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 Max. 204 (252)	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 Max. 88 (136)	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 Max. 59	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 Max. 47	I/A 13-16 10-13 8-10	I/A 14-18 12-14 9-12	I/A 17-21 13-17 10-13	A 19-24 15-19 11-15	A 22-27 17-22 13-17	A 25-31 20-25 15-20
H Max. 39	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	A 15-19 12-15 9-12	A 20-25 16-20 12-16
I Max. 24	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	A 9-11 7-9 5-7	A 10-12 8-10 6-8

Note: Numbers shown are in months. The number shown below each offense class reflects the maximum possible sentence for that class of offense (the highest maximum sentence from the aggravated range in prior record level VI). The maximum sentence for a defendant convicted of a reportable Class B1 through E sex crime is indicated in parentheses.

A—Active Punishment
I—Intermediate Punishment
C—Community Punishment

Extraordinary Mitigation
(possible eligibility). See page 10.
Advanced Supervised Release
(possible eligibility). See page 10.

Corresponding MAXIMUM Sentences

The tables below show the minimum sentence is 120 percent of the maximum sentence, rounded to the next highest month, plus 60 additional months, as indicated in parentheses below. G.S. 15A-1340.17(e).
Sex Crimes: The maximum sentence for a sex crime is 120 percent of the maximum sentence, rounded to the next highest month, plus 60 additional months, as indicated in parentheses below. G.S. 15A-1340.17(f).

FOR OFFENSE CLASSES B1 THROUGH E [Minimum Sentence → Corresponding Maximum (Sex Crimes)]

15+30 (78)	56+80 (128)	117+177 (294)	138+178 (236)	179+227 (275)	220+276 (324)	261+326 (374)	302+375 (423)
16+32 (80)	57+81 (129)	118+178 (295)	139+179 (237)	180+228 (276)	221+277 (325)	262+327 (375)	303+376 (424)
17+33 (81)	58+82 (130)	119+179 (296)	140+180 (238)	181+229 (277)	222+278 (326)	263+328 (376)	304+377 (425)
18+34 (82)	59+83 (131)	120+180 (297)	141+181 (239)	182+230 (278)	223+279 (327)	264+329 (377)	305+378 (426)
19+35 (83)	60+84 (132)	121+181 (298)	142+182 (240)	183+231 (279)	224+280 (328)	265+330 (378)	306+380 (428)
20+36 (84)	61+85 (133)	122+182 (299)	143+183 (241)	184+232 (280)	225+281 (329)	266+331 (379)	307+381 (429)
21+37 (85)	62+86 (134)	123+183 (300)	144+184 (242)	185+233 (281)	226+282 (330)	267+332 (380)	308+382 (430)
22+38 (86)	63+87 (135)	124+184 (301)	145+185 (243)	186+234 (282)	227+283 (331)	268+333 (381)	309+383 (431)
23+39 (87)	64+88 (136)	125+185 (302)	146+186 (244)	187+235 (283)	228+284 (332)	269+334 (382)	310+384 (432)
24+40 (88)	65+89 (137)	126+186 (303)	147+187 (245)	188+236 (284)	229+285 (333)	270+335 (383)	311+385 (433)
25+41 (89)	66+90 (138)	127+187 (304)	148+188 (246)	189+237 (285)	230+286 (334)	271+336 (384)	312+386 (434)
26+42 (90)	67+91 (139)	128+188 (305)	149+189 (247)	190+238 (286)	231+287 (335)	272+337 (385)	313+387 (435)
27+43 (91)	68+92 (140)	129+189 (306)	150+190 (248)	191+239 (287)	232+288 (336)	273+338 (386)	314+388 (436)
28+44 (92)	69+93 (141)	130+190 (307)	151+191 (249)	192+240 (288)	233+289 (337)	274+339 (387)	315+389 (437)
29+45 (93)	70+94 (142)	131+191 (308)	152+192 (250)	193+241 (289)	234+290 (338)	275+340 (388)	316+390 (438)
30+46 (94)	71+95 (143)	132+192 (309)	153+193 (251)	194+242 (290)	235+291 (339)	276+341 (389)	317+391 (439)
31+47 (95)	72+96 (144)	133+193 (310)	154+194 (252)	195+243 (291)	236+292 (340)	277+342 (390)	318+392 (440)
32+48 (96)	73+97 (145)	134+194 (311)	155+195 (253)	196+244 (292)	237+293 (341)	278+343 (391)	319+393 (441)
33+49 (97)	74+98 (146)	135+195 (312)	156+196 (254)	197+245 (293)	238+294 (342)	279+344 (392)	320+394 (442)
34+50 (98)	75+99 (147)	136+196 (313)	157+197 (255)	198+246 (294)	239+295 (343)	280+345 (393)	321+395 (443)
35+51 (99)	76+100 (148)	137+197 (314)	158+198 (256)	199+247 (295)	240+296 (344)	281+346 (394)	322+396 (444)
36+52 (100)	77+101 (149)	138+198 (315)	159+199 (257)	200+248 (296)	241+297 (345)	282+347 (395)	323+397 (445)
37+53 (101)	78+102 (150)	139+199 (316)	160+200 (258)	201+249 (297)	242+298 (346)	283+348 (396)	324+398 (446)
38+54 (102)	79+103 (151)	140+200 (317)	161+201 (259)	202+250 (298)	243+299 (347)	284+349 (397)	325+399 (447)
39+55 (103)	80+104 (152)	141+201 (318)	162+202 (260)	203+251 (299)	244+300 (348)	285+350 (398)	326+400 (448)
40+56 (104)	81+105 (153)	142+202 (319)	163+203 (261)	204+252 (300)	245+301 (349)	286+351 (399)	327+401 (449)
41+57 (105)	82+106 (154)	143+203 (320)	164+204 (262)	205+253 (301)	246+302 (350)	287+352 (400)	328+402 (450)
42+58 (106)	83+107 (155)	144+204 (321)	165+205 (263)	206+254 (302)	247+303 (351)	288+353 (401)	329+403 (451)
43+59 (107)	84+108 (156)	145+205 (322)	166+206 (264)	207+255 (303)	248+304 (352)	289+354 (402)	330+404 (452)
44+60 (108)	85+109 (157)	146+206 (323)	167+207 (265)	208+256 (304)	249+305 (353)	290+355 (403)	331+405 (453)
45+61 (109)	86+110 (158)	147+207 (324)	168+208 (266)	209+257 (305)	250+306 (354)	291+356 (404)	332+406 (454)
46+62 (110)	87+111 (159)	148+208 (325)	169+209 (267)	210+258 (306)	251+307 (355)	292+357 (405)	333+407 (455)
47+63 (111)	88+112 (160)	149+209 (326)	170+210 (268)	211+259 (307)	252+308 (356)	293+358 (406)	334+408 (456)
48+64 (112)	89+113 (161)	150+210 (327)	171+211 (269)	212+260 (308)	253+309 (357)	294+359 (407)	335+409 (457)
49+65 (113)	90+114 (162)	151+211 (328)	172+212 (270)	213+261 (309)	254+310 (358)	295+360 (408)	336+410 (458)
50+66 (114)	91+115 (163)	152+212 (329)	173+213 (271)	214+262 (310)	255+311 (359)	296+361 (409)	337+411 (459)
51+67 (115)	92+116 (164)	153+213 (330)	174+214 (272)	215+263 (311)	256+312 (360)	297+362 (410)	338+412 (460)
52+68 (116)	93+117 (165)	154+214 (331)	175+215 (273)	216+264 (312)	257+313 (361)	298+363 (411)	339+413 (461)
53+69 (117)	94+118 (166)	155+215 (332)	176+216 (274)	217+265 (313)	258+314 (362)	299+364 (412)	340+414 (462)
54+70 (118)	95+119 (167)	156+216 (333)	177+217 (275)	218+266 (314)	259+315 (363)	300+365 (413)	341+415 (463)
55+71 (119)	96+120 (168)	157+217 (334)	178+218 (276)	219+267 (315)	260+316 (364)	301+366 (414)	342+416 (464)
56+72 (120)	97+121 (169)	158+218 (335)	179+219 (277)	220+268 (316)	261+317 (365)	302+367 (415)	343+417 (465)
57+73 (121)	98+122 (170)	159+219 (336)	180+220 (278)	221+269 (317)	262+318 (366)	303+368 (416)	344+418 (466)
58+74 (122)	99+123 (171)	160+220 (337)	181+221 (279)	222+270 (318)	263+319 (367)	304+369 (417)	345+419 (467)
59+75 (123)	100+124 (172)	161+221 (338)	182+222 (280)	223+271 (319)	264+320 (368)	305+370 (418)	346+420 (468)
60+76 (124)	101+125 (173)	162+222 (339)	183+223 (281)	224+272 (320)	265+321 (369)	306+371 (419)	347+421 (469)
61+77 (125)	102+126 (174)	163+223 (340)	184+224 (282)	225+273 (321)	266+322 (370)	307+372 (420)	348+422 (470)
62+78 (126)	103+127 (175)	164+224 (341)	185+225 (283)	226+274 (322)	267+323 (371)	308+373 (421)	349+423 (471)
63+79 (127)	104+128 (176)	165+225 (342)	186+226 (284)	227+275 (323)	268+324 (372)	309+374 (422)	350+424 (472)

FOR OFFENSE CLASSES F THROUGH I [Minimum Sentence → Corresponding Maximum]

3+13	9+20	15+27	21+35	27+42	33+49	39+56	45+63
4+14	10+21	16+28	22+36	28+43	34+50	40+57	46+65
5+15	11+23	17+30	23+37	29+44	35+51	41+59	47+66
6+17	12+24	18+31	24+38	30+45	36+53	42+60	48+67
7+18	13+25	19+32	25+39	31+47	37+54	43+61	49+68
8+19	14+26	20+33	26+40	32+48	38+55	44+62	50+69

Length of sentence
The original period of punishment
Sentencing must fall within
Community—12 to 18 months
Intermediate—18 to 24 months
The court may depart from the
shorter period is required
is 5 years. G.S. 15A-1340.17(f).

Class F-I Maximums (120% + 9)

Example

- Discharge Weapon into Occupied Property (Class E)
- Prior Record Level I
- No aggravating or mitigating factors

Discharging a Weapon into Occupied Property

Prior Record Level I

Felony Offenses Committed on or after October 1, 2013

MINIMUM SENTENCES AND DISPOSITIONAL OPTIONS

OFFENSE CLASS	PRIOR RECORD LEVEL						DISPOSITION
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
A Max. Death or Life w/o Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole						
B1 Max. Life w/o Parole	240-300 192-240 144-192	276-345 221-276 166-221	317-397 254-317 190-254	365-456 292-365 219-292	Life w/o Parole 336-420 252-336	Life w/o Parole 386-483 290-386	Aggravated PRESUMPTIVE Mitigated
B2 Max. 404 (312)	157-196 125-157 94-125	180-225 144-180 108-144	207-258 165-207 124-165	238-297 190-238 143-190	273-342 219-273 164-219	314-393 251-314 189-251	
C	73-92	83-104	96-120	110-138	127-159	146-182	
E Max. 88 (136)	I/A 25-31 20-25 15-20 ASR						
G Max. 47	10-13 13-16 12-14 8-10	11-15 14-18 12-14 9-12	13-17 17-21 13-17 10-13	15-20 19-24 15-19 11-15	17-23 22-27 17-22 13-17	20-26 25-31 20-25 15-20	
H Max. 39	6-8 5-6 4-5	8-10 6-8 4-6	10-12 8-10 6-8	11-14 9-11 7-9	15-19 12-15 12-16	20-25 16-20 12-16	
I Max. 24	6-8 4-6 3-4	6-8 4-6 3-4	6-8 5-6 4-5	8-10 6-8 4-6	9-11 7-9 5-7	10-12 8-10 6-8	

Note: Numbers shown are in months. The number shown below each offense class reflects the maximum possible sentence for that class of offense; the highest maximum sentence from the aggravated range in prior record level VI. The maximum sentence for a defendant convicted of a reportable Class B1 through E sex crime is indicated in parentheses.

Legend:
 A—Active Punishment
 I—Intermediate Punishment
 C—Community Punishment
 Extraordinary Mitigation possible eligibility. See page 10.
 Advanced Supervised Release possible eligibility. See page 10.

MAXIMUM SENTENCES

The tables below show the maximum sentence that corresponds to each minimum sentence. For minimum sentences of 340 months or more, the maximum sentence is 120 percent of the minimum sentence, rounded to the next highest month, plus 12 additional months. G.S. 15A-1340.17(e).
 Sex Crimes: The maximum sentence for a Class B1 through E felony subject to the registration requirements of G.S. Chapter 14, Article 27A is 120 percent of the minimum sentence, rounded to the next highest month, plus 60 additional months, as indicated in parentheses below. G.S. 15A-1340.17(f).

FOR OFFENSE CLASSES B1 THROUGH E [Minimum Sentence → Corresponding Maximum (Sex Crimes)]

15+30 (78)	56+80 (128)	97+129 (177)	138+178 (226)	179+227 (275)	220+276 (324)	261+326 (374)	302+375 (423)
16+37 (100)	57+81 (129)	98+130 (179)	139+179 (227)	180+228 (278)	221+278 (326)	262+327 (375)	303+376 (424)
17+38 (101)	58+82 (130)	99+131 (180)	140+180 (228)	181+229 (279)	222+279 (327)	263+328 (376)	304+377 (425)
18+39 (102)	59+83 (131)	100+132 (181)	141+181 (229)	182+230 (280)	223+280 (328)	264+329 (377)	305+378 (426)
19+40 (103)	60+84 (132)	101+133 (182)	142+182 (230)	183+231 (281)	224+281 (329)	265+330 (378)	306+380 (427)
20+41 (104)	61+85 (133)	102+134 (183)	143+183 (231)	184+232 (282)	225+282 (330)	266+332 (380)	307+381 (428)
21+42 (105)	62+86 (134)	103+135 (184)	144+184 (232)	185+233 (283)	226+283 (331)	267+333 (381)	308+382 (429)
22+43 (106)	63+87 (135)	104+136 (185)	145+185 (233)	186+234 (284)	227+284 (332)	268+334 (382)	309+383 (430)
23+44 (107)	64+88 (136)	105+137 (186)	146+186 (234)	187+235 (285)	228+285 (333)	269+335 (383)	310+384 (431)
24+45 (108)	65+89 (137)	106+138 (187)	147+187 (235)	188+236 (286)	229+286 (334)	270+336 (384)	311+385 (432)
25+46 (109)	66+90 (138)	107+139 (188)	148+188 (236)	189+237 (287)	230+287 (335)	271+337 (385)	312+386 (433)
26+47 (110)	67+91 (139)	108+140 (189)	149+189 (237)	190+238 (288)	231+288 (336)	272+338 (386)	313+387 (434)
27+48 (111)	68+92 (140)	109+141 (190)	150+190 (238)	191+239 (289)	232+289 (337)	273+339 (387)	314+388 (435)
28+49 (112)	69+93 (141)	110+142 (191)	151+191 (239)	192+240 (290)	233+290 (338)	274+340 (388)	315+389 (436)
29+50 (113)	70+94 (142)	111+143 (192)	152+192 (240)	193+241 (291)	234+291 (339)	275+341 (389)	316+390 (437)
30+51 (114)	71+95 (143)	112+144 (193)	153+193 (241)	194+242 (292)	235+292 (340)	276+342 (390)	317+391 (438)
31+52 (115)	72+96 (144)	113+145 (194)	154+194 (242)	195+243 (293)	236+293 (341)	277+343 (391)	318+392 (439)
32+53 (116)	73+97 (145)	114+146 (195)	155+195 (243)	196+244 (294)	237+294 (342)	278+344 (392)	319+393 (440)
33+54 (117)	74+98 (146)	115+147 (196)	156+196 (244)	197+245 (295)	238+295 (343)	279+345 (393)	320+394 (441)
34+55 (118)	75+99 (147)	116+148 (197)	157+197 (245)	198+246 (296)	239+296 (344)	280+346 (394)	321+395 (442)
35+56 (119)	76+100 (148)	117+149 (198)	158+198 (246)	199+247 (297)	240+297 (345)	281+347 (395)	322+396 (443)
36+57 (120)	77+101 (149)	118+150 (199)	159+199 (247)	200+248 (298)	241+298 (346)	282+348 (396)	323+397 (444)
37+58 (121)	78+102 (150)	119+151 (200)	160+200 (248)	201+249 (299)	242+299 (347)	283+349 (397)	324+398 (445)
38+59 (122)	79+103 (151)	120+152 (201)	161+201 (249)	202+250 (300)	243+300 (348)	284+350 (398)	325+399 (446)
39+60 (123)	80+104 (152)	121+153 (202)	162+202 (250)	203+251 (301)	244+301 (349)	285+351 (399)	326+400 (447)
40+61 (124)	81+105 (153)	122+154 (203)	163+203 (251)	204+252 (302)	245+302 (350)	286+352 (400)	327+401 (448)
41+62 (125)	82+106 (154)	123+155 (204)	164+204 (252)	205+253 (303)	246+303 (351)	287+353 (401)	328+402 (449)
42+63 (126)	83+107 (155)	124+156 (205)	165+205 (253)	206+254 (304)	247+304 (352)	288+354 (402)	329+403 (450)
43+64 (127)	84+108 (156)	125+157 (206)	166+206 (254)	207+255 (305)	248+305 (353)	289+355 (403)	330+404 (451)
44+65 (128)	85+109 (157)	126+158 (207)	167+207 (255)	208+256 (306)	249+306 (354)	290+356 (404)	331+405 (452)
45+66 (129)	86+110 (158)	127+159 (208)	168+208 (256)	209+257 (307)	250+307 (355)	291+357 (405)	332+406 (453)
46+67 (130)	87+111 (159)	128+160 (209)	169+209 (257)	210+258 (308)	251+308 (356)	292+358 (406)	333+407 (454)
47+68 (131)	88+112 (160)	129+161 (210)	170+210 (258)	211+259 (309)	252+309 (357)	293+359 (407)	334+408 (455)
48+69 (132)	89+113 (161)	130+162 (211)	171+211 (259)	212+260 (310)	253+310 (358)	294+360 (408)	335+409 (456)
49+70 (133)	90+114 (162)	131+163 (212)	172+212 (260)	213+261 (311)	254+311 (359)	295+361 (409)	336+410 (457)
50+71 (134)	91+115 (163)	132+164 (213)	173+213 (261)	214+262 (312)	255+312 (360)	296+362 (410)	337+411 (458)
51+72 (135)	92+116 (164)	133+165 (214)	174+214 (262)	215+263 (313)	256+313 (361)	297+363 (411)	338+412 (459)
52+73 (136)	93+117 (165)	134+166 (215)	175+215 (263)	216+264 (314)	257+314 (362)	298+364 (412)	339+413 (460)
53+74 (137)	94+118 (166)	135+167 (216)	176+216 (264)	217+265 (315)	258+315 (363)	299+365 (413)	340+414 (461)
54+75 (138)	95+119 (167)	136+168 (217)	177+217 (265)	218+266 (316)	259+316 (364)	300+366 (414)	341+415 (462)
55+76 (139)	96+120 (168)	137+169 (218)	178+218 (266)	219+267 (317)	260+317 (365)	301+367 (415)	342+416 (463)
56+77 (140)	97+121 (169)	138+170 (219)	179+219 (267)	220+268 (318)	261+318 (366)	302+368 (416)	343+417 (464)
57+78 (141)	98+122 (170)	139+171 (220)	180+220 (268)	221+269 (319)	262+319 (367)	303+369 (417)	344+418 (465)
58+79 (142)	99+123 (171)	140+172 (221)	181+221 (269)	222+270 (320)	263+320 (368)	304+370 (418)	345+419 (466)
59+80 (143)	100+124 (172)	141+173 (222)	182+222 (270)	223+271 (321)	264+321 (369)	305+371 (419)	346+420 (467)
60+81 (144)	101+125 (173)	142+174 (223)	183+223 (271)	224+272 (322)	265+322 (370)	306+372 (420)	347+421 (468)
61+82 (145)	102+126 (174)	143+175 (224)	184+224 (272)	225+273 (323)	266+323 (371)	307+373 (421)	348+422 (469)
62+83 (146)	103+127 (175)	144+176 (225)	185+225 (273)	226+274 (324)	267+324 (372)	308+374 (422)	349+423 (470)

FOR OFFENSE CLASSES F THROUGH I [Minimum Sentence → Corresponding Maximum]

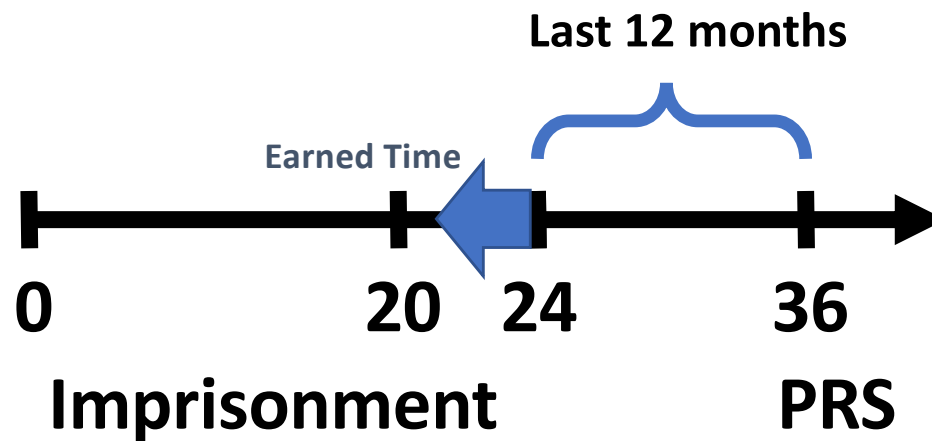
3+13	9+20	15+27	21+35	27+42	33+49	39+56	45+63
4+14	10+21	16+28	22+36	28+43	34+50	40+57	46+64
5+15	11+23	17+30	23+37	29+44	35+51	41+58	47+65
6+17	12+24	18+31	24+38	30+45	36+52	42+59	48+66
7+18	13+25	19+32	25+39	31+46	37+53	43+60	49+67
8+19	14+26	20+33	26+41	32+47	38+54	44+61	50+68

Length of Probation Period
 The original period of probation for a felony sentenced under Structured Sentencing must fall within the following limits:
 •Community—12 to 30 months
 •Intermediate—18 to 36 months
 The court may depart from those ranges with a finding that a longer or shorter period is required. The maximum permissible period with a finding is 5 years. G.S. 15A-1343.2.

Post-Release Supervision
 Class F-I felony—9 months
 Class B1-E felony—12 months
 Crimes requiring sex offender registration—5 years

Fines
 Any felony sentence may include a fine. Unless otherwise provided for a specific offense, the amount of the fine is in the discretion of the court. G.S. 15A-1340.17(b).

Class B1-E Sentence Administration



PRS period is 12 months

Example

- Second-degree kidnapping (Class E)
- Victim is 15 years old
- Prior Record Level I
- No aggravating or mitigating factors

Second-Degree Kidnapping

Prior Record Level I

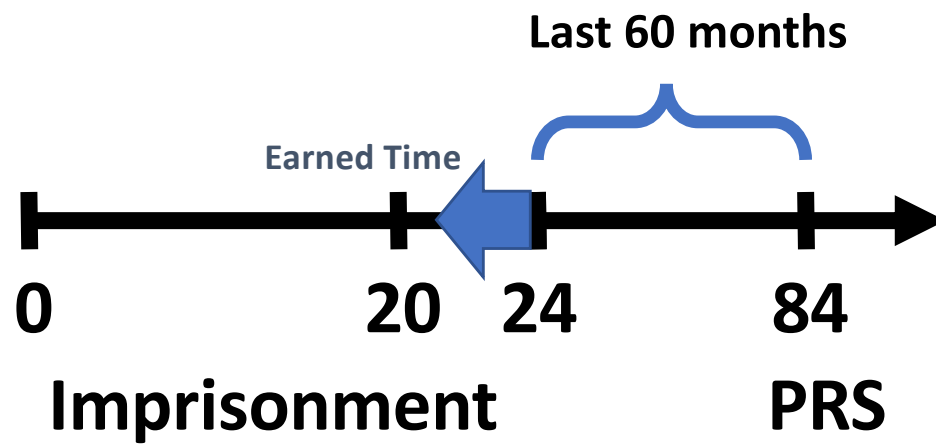
FELONY OFFENSES COMMITTED ON OR AFTER OCTOBER 1, 2013						
MINIMUM SENTENCES AND DISPOSITIONAL OPTIONS						
OFFENSE CLASS	PRIOR RECORD LEVEL					
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts
A Max. Death or Life w/o Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole					
B1 Max. Life w/o Parole	240-300 192-240 144-192	276-345 221-276 166-221	317-397 254-317 190-254	365-456 292-365 219-292	Life w/o Parole 336-420 252-336	Life w/o Parole 386-483 290-386
B2 Max. 404 (312)	157-196 125-157 94-125	180-225 144-180 108-144	207-258 165-207 124-165	238-297 190-238 143-190	273-342 219-273 164-219	314-393 251-314 189-251
C	73-92	83-104	96-120	110-138	127-159	146-182
E Max. 88 (136)	I/A 25-31 20-25 15-20					
G Max. 47	10-13 13-16 10-13 8-10	11-15 14-18 12-14 9-12	13-17 17-21 13-17 10-13	15-20 19-24 15-19 11-15	17-23 22-27 17-22 13-17	20-26 25-31 20-25 15-20
H Max. 39	6-8 5-6 4-5	8-10 6-8 4-6	10-12 8-10 6-8	11-14 9-11 7-9	15-19 12-15 9-12	20-25 16-20 12-16
I Max. 24	6-8 4-6 3-4	6-8 4-6 3-4	6-8 5-6 4-5	8-10 6-8 4-6	9-11 7-9 5-7	10-12 8-10 6-8

Note: Numbers shown are in months. The number shown below each offense class reflects the maximum possible sentence for that class of offense, the highest maximum sentence from the aggravated range in prior record level VI. The maximum sentence for a defendant convicted of a reportable Class B1 through E sex crime is indicated in parentheses.

A—Active Punishment
I—Intermediate Punishment
C—Community Punishment

ASR—Advanced Supervised Release (possible eligibility). See page 10.
EM—Extraordinary Mitigation (possible eligibility). See page 10.

MAXIMUM SENTENCES						
The tables below show the maximum sentence that corresponds to each minimum sentence. For minimum sentences of 340 months or more, the maximum sentence is 120 percent of the minimum sentence, rounded to the next highest month, plus 12 additional months. G.S. 15A-1340.17(e). Sex Crimes: The maximum sentence for a Class B1 through E felony subject to the registration requirements of G.S. Chapter 14, Article 27A is 120 percent of the minimum sentence, rounded to the next highest month, plus 60 additional months, as indicated in parentheses below. G.S. 15A-1340.17(f).						
FOR OFFENSE CLASSES B1 THROUGH E [Minimum Sentence → Corresponding Maximum (Sex Crimes)]						
15 → 30 (78)	56 → 80 (128)	97 → 129 (177)	138 → 178 (226)	179 → 227 (275)	220 → 276 (324)	261 → 326 (374)
16 → 37 (100)	57 → 81 (129)	98 → 130 (178)	139 → 179 (227)	180 → 228 (276)	221 → 278 (325)	262 → 327 (375)
17 → 38 (101)	58 → 82 (130)	99 → 131 (179)	140 → 180 (228)	181 → 229 (277)	222 → 279 (326)	263 → 328 (376)
18 → 39 (102)	59 → 83 (131)	100 → 132 (180)	141 → 181 (229)	182 → 230 (278)	223 → 280 (327)	264 → 329 (377)
19 → 40 (103)	60 → 84 (132)	101 → 133 (181)	142 → 182 (230)	183 → 231 (279)	224 → 281 (328)	265 → 330 (378)
20 → 41 (104)	61 → 85 (133)	102 → 134 (182)	143 → 183 (231)	184 → 232 (280)	225 → 282 (329)	266 → 331 (379)
21 → 42 (105)	62 → 86 (134)	103 → 135 (183)	144 → 184 (232)	185 → 233 (281)	226 → 283 (330)	267 → 332 (380)
22 → 43 (106)	63 → 87 (135)	104 → 136 (184)	145 → 185 (233)	186 → 234 (282)	227 → 284 (331)	268 → 333 (381)
23 → 44 (107)	64 → 88 (136)	105 → 137 (185)	146 → 186 (234)	187 → 235 (283)	228 → 285 (332)	269 → 334 (382)
24 → 45 (108)	65 → 89 (137)	106 → 138 (186)	147 → 187 (235)	188 → 236 (284)	229 → 286 (333)	270 → 335 (383)
25 → 46 (109)	66 → 90 (138)	107 → 139 (187)	148 → 188 (236)	189 → 237 (285)	230 → 287 (334)	271 → 336 (384)
26 → 47 (110)	67 → 91 (139)	108 → 140 (188)	149 → 189 (237)	190 → 238 (286)	231 → 288 (335)	272 → 337 (385)
27 → 48 (111)	68 → 92 (140)	109 → 141 (189)	150 → 190 (238)	191 → 239 (287)	232 → 289 (336)	273 → 338 (386)
28 → 49 (112)	69 → 93 (141)	110 → 142 (190)	151 → 191 (239)	192 → 240 (288)	233 → 290 (337)	274 → 339 (387)
29 → 50 (113)	70 → 94 (142)	111 → 143 (191)	152 → 192 (240)	193 → 241 (289)	234 → 291 (338)	275 → 340 (388)
30 → 51 (114)	71 → 95 (143)	112 → 144 (192)	153 → 193 (241)	194 → 242 (290)	235 → 292 (339)	276 → 341 (389)
31 → 52 (115)	72 → 96 (144)	113 → 145 (193)	154 → 194 (242)	195 → 243 (291)	236 → 293 (340)	277 → 342 (390)
32 → 53 (116)	73 → 97 (145)	114 → 146 (194)	155 → 195 (243)	196 → 244 (292)	237 → 294 (341)	278 → 343 (391)
33 → 54 (117)	74 → 98 (146)	115 → 147 (195)	156 → 196 (244)	197 → 245 (293)	238 → 295 (342)	279 → 344 (392)
34 → 55 (118)	75 → 99 (147)	116 → 148 (196)	157 → 197 (245)	198 → 246 (294)	239 → 296 (343)	280 → 345 (393)
35 → 56 (119)	76 → 100 (148)	117 → 149 (197)	158 → 198 (246)	199 → 247 (295)	240 → 297 (344)	281 → 346 (394)
36 → 57 (120)	77 → 101 (149)	118 → 150 (198)	159 → 199 (247)	200 → 248 (296)	241 → 298 (345)	282 → 347 (395)
37 → 58 (121)	78 → 102 (150)	119 → 151 (199)	160 → 200 (248)	201 → 249 (297)	242 → 299 (346)	283 → 348 (396)
38 → 59 (122)	79 → 103 (151)	120 → 152 (200)	161 → 201 (249)	202 → 250 (298)	243 → 300 (347)	284 → 349 (397)
39 → 60 (123)	80 → 104 (152)	121 → 153 (201)	162 → 202 (250)	203 → 251 (299)	244 → 301 (348)	285 → 350 (398)
40 → 61 (124)	81 → 105 (153)	122 → 154 (202)	163 → 203 (251)	204 → 252 (300)	245 → 302 (349)	286 → 351 (399)
41 → 62 (125)	82 → 106 (154)	123 → 155 (203)	164 → 204 (252)	205 → 253 (301)	246 → 303 (350)	287 → 352 (400)
42 → 63 (126)	83 → 107 (155)	124 → 156 (204)	165 → 205 (253)	206 → 254 (302)	247 → 304 (351)	288 → 353 (401)
43 → 64 (127)	84 → 108 (156)	125 → 157 (205)	166 → 206 (254)	207 → 255 (303)	248 → 305 (352)	289 → 354 (402)
44 → 65 (128)	85 → 109 (157)	126 → 158 (206)	167 → 207 (255)	208 → 256 (304)	249 → 306 (353)	290 → 355 (403)
45 → 66 (129)	86 → 110 (158)	127 → 159 (207)	168 → 208 (256)	209 → 257 (305)	250 → 307 (354)	291 → 356 (404)
46 → 67 (130)	87 → 111 (159)	128 → 160 (208)	169 → 209 (257)	210 → 258 (306)	251 → 308 (355)	292 → 357 (405)
47 → 68 (131)	88 → 112 (160)	129 → 161 (209)	170 → 210 (258)	211 → 259 (307)	252 → 309 (356)	293 → 358 (406)
48 → 69 (132)	89 → 113 (161)	130 → 162 (210)	171 → 211 (259)	212 → 260 (308)	253 → 310 (357)	294 → 359 (407)
49 → 70 (133)	90 → 114 (162)	131 → 163 (211)	172 → 212 (260)	213 → 261 (309)	254 → 311 (358)	295 → 360 (408)
50 → 71 (134)	91 → 115 (163)	132 → 164 (212)	173 → 213 (261)	214 → 262 (310)	255 → 312 (359)	296 → 361 (409)
51 → 72 (135)	92 → 116 (164)	133 → 165 (213)	174 → 214 (262)	215 → 263 (311)	256 → 313 (360)	297 → 362 (410)
52 → 73 (136)	93 → 117 (165)	134 → 166 (214)	175 → 215 (263)	216 → 264 (312)	257 → 314 (361)	298 → 363 (411)
53 → 74 (137)	94 → 118 (166)	135 → 167 (215)	176 → 216 (264)	217 → 265 (313)	258 → 315 (362)	299 → 364 (412)
54 → 75 (138)	95 → 119 (167)	136 → 168 (216)	177 → 217 (265)	218 → 266 (314)	259 → 316 (363)	300 → 365 (413)
55 → 76 (139)	96 → 120 (168)	137 → 169 (217)	178 → 218 (266)	219 → 267 (315)	260 → 317 (364)	301 → 366 (414)
56 → 77 (140)	97 → 121 (169)	138 → 170 (218)	179 → 219 (267)	220 → 268 (316)	261 → 318 (365)	302 → 367 (415)
57 → 78 (141)	98 → 122 (170)	139 → 171 (219)	180 → 220 (268)	221 → 269 (317)	262 → 319 (366)	303 → 368 (416)
58 → 79 (142)	99 → 123 (171)	140 → 172 (220)	181 → 221 (269)	222 → 270 (318)	263 → 320 (367)	304 → 369 (417)
59 → 80 (143)	100 → 124 (172)	141 → 173 (221)	182 → 222 (270)	223 → 271 (319)	264 → 321 (368)	305 → 370 (418)
60 → 81 (144)	101 → 125 (173)	142 → 174 (222)	183 → 223 (271)	224 → 272 (320)	265 → 322 (369)	306 → 371 (419)
61 → 82 (145)	102 → 126 (174)	143 → 175 (223)	184 → 224 (272)	225 → 273 (321)	266 → 323 (370)	307 → 372 (420)
62 → 83 (146)	103 → 127 (175)	144 → 176 (224)	185 → 225 (273)	226 → 274 (322)	267 → 324 (371)	308 → 373 (421)
63 → 84 (147)	104 → 128 (176)	145 → 177 (225)	186 → 226 (274)	227 → 275 (323)	268 → 325 (372)	309 → 374 (422)
64 → 85 (148)	105 → 129 (177)	146 → 178 (226)	187 → 227 (275)	228 → 276 (324)	269 → 326 (373)	310 → 375 (423)
65 → 86 (149)	106 → 130 (178)	147 → 179 (227)	188 → 228 (276)	229 → 277 (325)	270 → 327 (374)	311 → 376 (424)
66 → 87 (150)	107 → 131 (179)	148 → 180 (228)	189 → 229 (277)	230 → 278 (326)	271 → 328 (375)	312 → 377 (425)
67 → 88 (151)	108 → 132 (180)	149 → 181 (229)	190 → 230 (278)	231 → 279 (327)	272 → 329 (376)	313 → 378 (426)
68 → 89 (152)	109 → 133 (181)	150 → 182 (230)	191 → 231 (279)	232 → 280 (328)	273 → 330 (377)	314 → 379 (427)
69 → 90 (153)	110 → 134 (182)	151 → 183 (231)	192 → 232 (280)	233 → 281 (329)	274 → 331 (378)	315 → 380 (428)
70 → 91 (154)	111 → 135 (183)	152 → 184 (232)	193 → 233 (281)	234 → 282 (330)	275 → 332 (379)	316 → 381 (429)
71 → 92 (155)	112 → 136 (184)	153 → 185 (233)	194 → 234 (282)	235 → 283 (331)	276 → 333 (380)	317 → 382 (430)
72 → 93 (156)	113 → 137 (185)	154 → 186 (234)	195 → 235 (283)	236 → 284 (332)	277 → 334 (381)	318 → 383 (431)
73 → 94 (157)	114 → 138 (186)	155 → 187 (235)	196 → 236 (284)	237 → 285 (333)	278 → 335 (382)	319 → 384 (432)
74 → 95 (158)	115 → 139 (187)	156 → 188 (236)	197 → 237 (285)	238 → 286 (334)	279 → 336 (383)	320 → 385 (433)
75 → 96 (159)	116 → 140 (188)	157 → 189 (237)	198 → 238 (286)	239 → 287 (335)	280 → 337 (384)	321 → 386 (434)
76 → 97 (160)	117 → 141 (189)	158 → 190 (238)	199 → 239 (287)	240 → 288 (336)	281 → 338 (385)	322 → 387 (435)
77 → 98 (161)	118 → 142 (190)	159 → 191 (239)	200 → 240 (288)	241 → 289 (337)	282 → 339 (386)	323 → 388 (436)
78 → 99 (162)	119 → 143 (191)	160 → 192 (240)	201 → 241 (289)	242 → 290 (338)	283 → 340 (387)	324 → 389 (437)
79 → 100 (163)	120 → 144 (192)	161 → 193 (241)	202 → 242 (290)	243 → 291 (339)	284 → 341 (388)	325 → 390 (438)
80 → 101 (164)	121 → 145 (193)	162 → 194 (242)	203 → 243 (291)	244 → 292 (340)	285 → 342 (389)	326 → 391 (439)
81 → 102 (165)	122 → 146 (194)	163 → 195 (243)	204 → 244 (292)	245 → 293 (341)	286 → 343 (390)	327 → 392 (440)
82 → 103 (166)	123 → 147 (195)	164 → 196 (244)	205 → 245 (293)	246 → 294 (342)	287 → 344 (391)	328 → 393 (441)
83 → 104 (167)	124 → 148 (196)	165 → 197 (245)	206 → 246 (294)	247 → 295 (343)	288 → 345 (392)	329 → 394 (442)
84 → 105 (168)	125 → 149 (197)	166 → 198 (246)	207 → 247 (295)	248 → 296 (344)	289 → 346 (393)	330 → 395 (443)
85 → 106 (169)	126 → 150 (198)	167 → 199 (247)	208 → 248 (296)	249 → 297 (345)	290 → 347 (394)	331 → 396 (444)
86 → 107 (170)	127 → 151 (199)	168 → 200 (248)	209 → 249 (297)	250 → 298 (346)	291 → 348 (395)	332 → 397 (445)
87 → 108 (171)	128 → 152 (200)	169 → 201 (249)	210 → 250 (298)	251 → 299 (347)	292 → 349 (396)	333 → 398 (446)
88 → 109 (172)	129 → 153 (201)	170 → 202 (250)	211 → 251 (299)	252 → 300 (348)	293 → 350 (397)	334 → 399 (447)
89 → 110 (173)	130 → 154 (202)	171 → 203 (251)	212 → 252 (300)	253 → 301 (349)	294 → 351 (398)	335 → 400 (448)
90 → 111 (174)	131 → 155 (203)	172 → 204 (252)	213 → 253 (301)	254 → 302 (350)	295 → 352 (399)	336 → 401 (449)
91 → 112 (175)	132 → 156 (204)	173 → 205 (253)	214 → 254 (302)	255 → 303 (351)	296 → 353 (400)	337 → 402 (450)
92 → 113 (176)	133 → 157 (205)	174 → 206 (254)	215 → 255 (303)	256 → 304 (352)	297 → 354 (401)	338 → 403 (451)
93 → 114 (177)	134 → 158 (206)	175 → 207 (255)	216 → 256 (304)	257 → 305 (353)	298 → 355 (402)	339 → 404 (452)
94 → 115 (178)	135 → 159 (207)	176 → 208 (256)	217 → 257 (305)	258 → 306 (354)	299 → 356 (403)	340 → 405 (453)
95 → 116 (179)	136 → 160 (208)	177 → 209 (257)	218 → 258 (306)	259 → 307 (355)	300 → 357 (404)	341 → 406 (454)
96 → 117 (180)	137 → 161 (209)	178 → 210 (258)	219 → 259 (307)	260 → 308 (356)	301 → 358 (405)	342 → 407 (455)
97 → 118 (181)	138 → 162 (210)	179 → 211 (259)	220 → 260 (308)	261 → 309 (357)	302 → 359 (406)	343 → 408 (456)



PRS period is 5 years

Class B1 – E
120% + 12

Class F – I
120% + 9

**All felony sex offenders get 5 years
of Post-Release Supervision**

The tables below show the maximum sentence that corresponds to each minimum sentence. For minimum sentences of 340 months or more, the maximum sentence is 120 percent of the minimum sentence, rounded to the next highest month, plus 12 additional months. G.S. 15A-1301.

Sex Crimes: The maximum sentence for a Class B1 through E felony subject to the registration requirements of G.S. Chapter 14, Article 2 is the minimum sentence, rounded to the next highest month, plus 60 additional months, as indicated in parentheses below. G.S. 15A-1301.

FOR OFFENSE CLASSES B1 THROUGH E [Minimum Sentence → Corresponding Maximum]							
15 → 30 (78)	56 → 80 (128)	97 → 129 (177)	138 → 178 (226)	179 → 227 (275)	220 → 276 (324)	261 → 327 (376)	302 → 390 (438)
16 → 32 (80)	57 → 81 (129)	98 → 130 (178)	139 → 179 (227)	180 → 228 (276)	221 → 278 (326)	262 → 328 (376)	303 → 391 (439)
17 → 33 (81)	58 → 82 (130)	99 → 131 (179)	140 → 180 (228)	181 → 230 (278)	222 → 279 (327)	263 → 329 (377)	304 → 392 (440)
18 → 34 (82)	59 → 83 (131)	100 → 132 (180)	141 → 182 (230)	182 → 231 (279)	223 → 280 (328)	264 → 330 (378)	305 → 393 (441)
19 → 35 (83)	60 → 84 (132)	101 → 134 (182)	142 → 183 (231)	183 → 232 (280)	224 → 281 (329)	265 → 331 (379)	306 → 394 (442)
20 → 36 (84)	61 → 86 (134)	102 → 135 (183)	143 → 184 (232)	184 → 233 (281)	225 → 282 (330)	266 → 332 (380)	307 → 395 (443)
21 → 38 (86)	62 → 87 (135)	103 → 136 (184)	144 → 185 (233)	185 → 234 (282)	226 → 284 (332)	267 → 333 (381)	308 → 396 (444)
22 → 39 (87)	63 → 88 (136)	104 → 137 (185)	145 → 186 (234)	186 → 236 (284)	227 → 285 (333)	268 → 334 (382)	309 → 397 (445)
23 → 40 (88)	64 → 89 (137)	105 → 138 (186)	146 → 188 (236)	187 → 237 (285)	228 → 286 (334)	269 → 335 (383)	310 → 398 (446)
24 → 41 (89)	65 → 90 (138)	106 → 140 (188)	147 → 189 (237)	188 → 238 (286)	229 → 287 (335)	270 → 336 (384)	311 → 399 (447)
25 → 42 (90)	66 → 92 (140)	107 → 141 (189)	148 → 190 (238)	189 → 239 (287)	230 → 288 (336)	271 → 338 (386)	312 → 400 (448)
26 → 44 (92)	67 → 93 (141)	108 → 142 (190)	149 → 191 (239)	190 → 240 (288)	231 → 290 (338)	272 → 339 (387)	313 → 401 (449)
27 → 45 (93)	68 → 94 (142)	109 → 143 (191)	150 → 192 (240)	191 → 242 (290)	232 → 291 (339)	273 → 340 (388)	314 → 402 (450)
28 → 46 (94)	69 → 95 (143)	110 → 144 (192)	151 → 194 (242)	192 → 243 (291)	233 → 292 (340)	274 → 341 (389)	315 → 390 (438)
29 → 47 (95)	70 → 96 (144)	111 → 146 (194)	152 → 195 (243)	193 → 244 (292)	234 → 293 (341)	275 → 342 (390)	316 → 392 (440)
30 → 48 (96)	71 → 98 (146)	112 → 147 (195)	153 → 196 (244)	194 → 245 (293)	235 → 294 (342)	276 → 344 (392)	317 → 393 (441)
31 → 50 (98)	72 → 99 (147)	113 → 148 (196)	154 → 197 (245)	195 → 246 (294)	236 → 296 (344)	277 → 345 (393)	318 → 394 (442)
32 → 51 (99)	73 → 100 (148)	114 → 149 (197)	155 → 198 (246)	196 → 248 (296)	237 → 297 (345)	278 → 346 (394)	319 → 395 (443)
33 → 52 (100)	74 → 101 (149)	115 → 150 (198)	156 → 200 (248)	197 → 249 (297)	238 → 298 (346)	279 → 347 (395)	320 → 396 (444)
34 → 53 (101)	75 → 102 (150)	116 → 152 (200)	157 → 201 (249)	198 → 250 (298)	239 → 299 (347)	280 → 348 (396)	321 → 398 (446)
35 → 54 (102)	76 → 104 (152)	117 → 153 (201)	158 → 202 (250)	199 → 251 (299)	240 → 300 (348)	281 → 350 (398)	322 → 399 (447)
36 → 56 (104)	77 → 105 (153)	118 → 154 (202)	159 → 203 (251)	200 → 253 (300)	241 → 302 (350)	282 → 351 (399)	323 → 400 (448)

FOR OFFENSE CLASSES F THROUGH I [Minimum Sentence → Corresponding Maximum]							
3 → 13	9 → 20	15 → 27	21 → 35	27 → 42	33 → 49	39 → 56	45 → 63
4 → 14	10 → 21	16 → 29	22 → 36	28 → 43	34 → 50	40 → 57	46 → 65
5 → 15	11 → 23	17 → 30	23 → 37	29 → 44	35 → 51	41 → 59	47 → 66
6 → 17	12 → 24	18 → 31	24 → 38	30 → 45	36 → 53	42 → 60	48 → 67
7 → 18	13 → 25	19 → 32	25 → 39	31 → 47	37 → 54	43 → 61	49 → 68
8 → 19	14 → 26	20 → 33	26 → 41	32 → 48	38 → 55	44 → 62	

The five years of post-release supervision to which Defendant was subjected, as opposed to the nine months to which he agreed, were a “direct consequence” of his guilty plea, because those additional months had a “definite, immediate and largely automatic effect on the range of the defendant's punishment.” . . . Without being aware of the direct consequences of his guilty plea, Defendant cannot be said to have made his plea “voluntarily, intelligently and understandingly.” For Defendant's plea to be knowing and voluntary, and thus valid, Defendant must have been made aware of “the actual value of any commitments made to him by the court.”

State v. Spry, 2025 WL 395022, at *9 (N.C. Ct. App. Feb. 5, 2025)

Prior Record Level

Prior Record Level

COUNT

- All felonies
- Class 1 and Class A1 non-traffic misdemeanors
- DWI, commercial DWI, and death by vehicle
- Prayer for Judgment (PJC)
- Crimes from other jurisdictions

DON'T COUNT

- Class 2 & 3 misdemeanors
- Traffic misdemeanors (other than DWI, commercial DWI, and death by vehicle)
- Infractions
- Contempt adjudications
- Convictions used to habitualize
- Juvenile adjudications

Count only the most serious conviction from a single calendar week of superior court, or session of district court

Bonus Points

- **Under supervision:** State must give 30-day written notice of its intent to prove this point (unless the defendant waives notice)
- **Same elements:** Defendant cannot validly stipulate to this point; question of law

Out-of-State Convictions

- By default:
 - Prior out-of-state felonies: Class I (2 points)
 - Prior out-of-state misdemeanors: Class 3 (0 points)
- With “substantial similarity” determination:
 - Count like the similar North Carolina offense
 - Proponent must prove by preponderance of evidence
- Court must make findings; stipulations ineffective

LEVEL ▾

- ☐ The Court has determined the number of prior convictions to be and the level to be as shown above.
- ☐ In making this determination, the Court has relied upon the State's evidence of the defendant's prior convictions from a computer printout of DCI-CCH.

18 +	VI
------	----

LEVEL ▾

- ☐ The Court finds the prior convictions, prior record points and the prior record level of the defendant to be as shown herein.
- ☐ In making this determination, the Court has relied upon the State's evidence of the defendant's prior convictions from a computer printout of DCI-CCH.
- ☐ In finding a prior record level point under G.S. 15A-1340.14(b)(7), the Court has relied on the jury's determination of this issue beyond a reasonable doubt or the defendant's admission to this issue.

- ☐ The Court finds that all of the elements of the present offense are included in a prior offense.
- ☒ For each out-of-state conviction listed in Section V on the reverse, the Court finds by a preponderance of the evidence that the offense is substantially similar to a North Carolina offense and that the North Carolina classification assigned to this offense in Section V is correct.
- ☐ The Court finds that the State and the defendant have stipulated in open court to the prior convictions, points, and record level.

Date

Name Of Presiding Judge (type or print)

Signature Of Presiding Judge

AOC-CR-600B, Rev. 2/21

of the Courts

(Over)

For each out-of-state conviction...the court finds by a preponderance of the evidence that the offense is substantially similar to a North Carolina offense and that ...classification assigned to this offense in Section V is correct.

Substantial Similarity

- State v. Fuller, 914 S.E.2d 36 (2025)
 - Virginia identity theft NOT substantially similar to NC offense because can be committed using the identity of a fictitious person
- State v. Davis, 226 N.C. App. 96 (2013)
 - Georgia theft not substantially similar because no intent to permanently deprive

Aggravating Factors

H

Max. 39

C/I/A

6–8

5–6

4–5

ASR

D

Max. 204 (252)

A

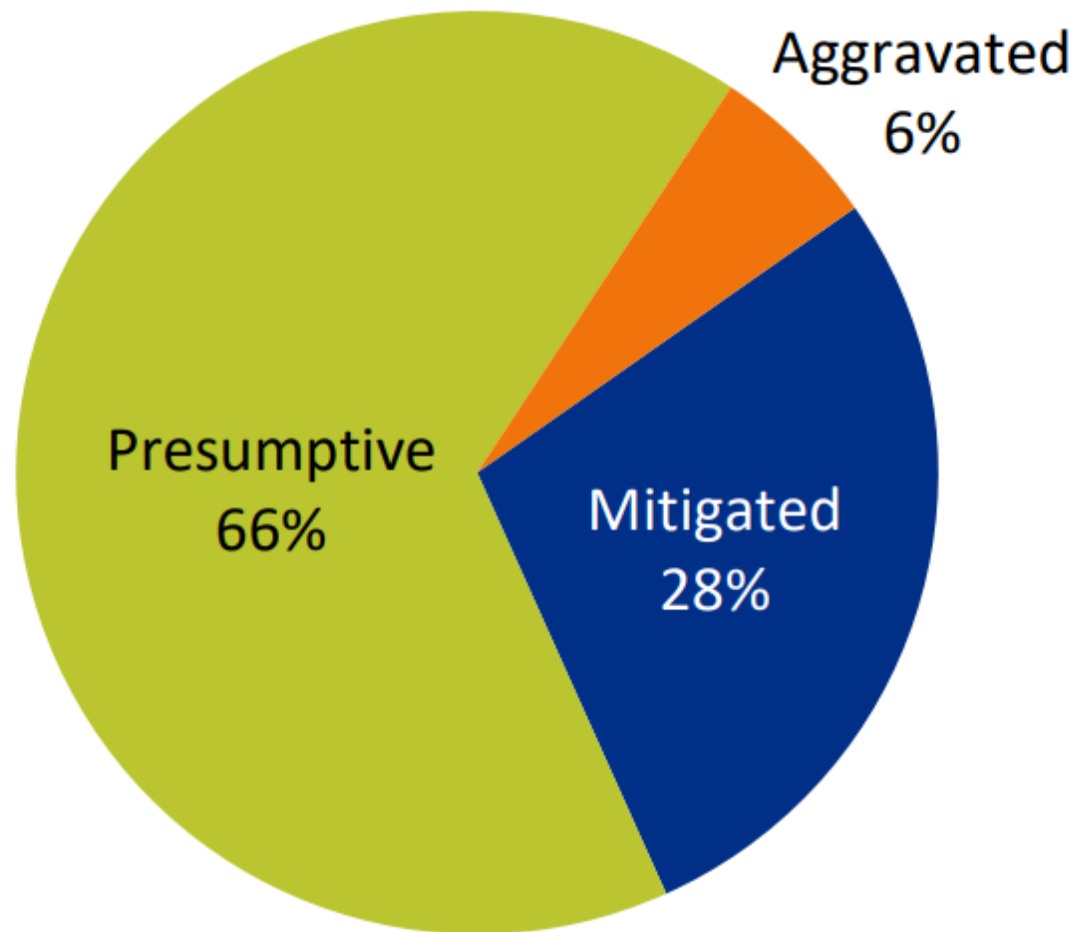
EM

64–80

51–64

38–51

ASR

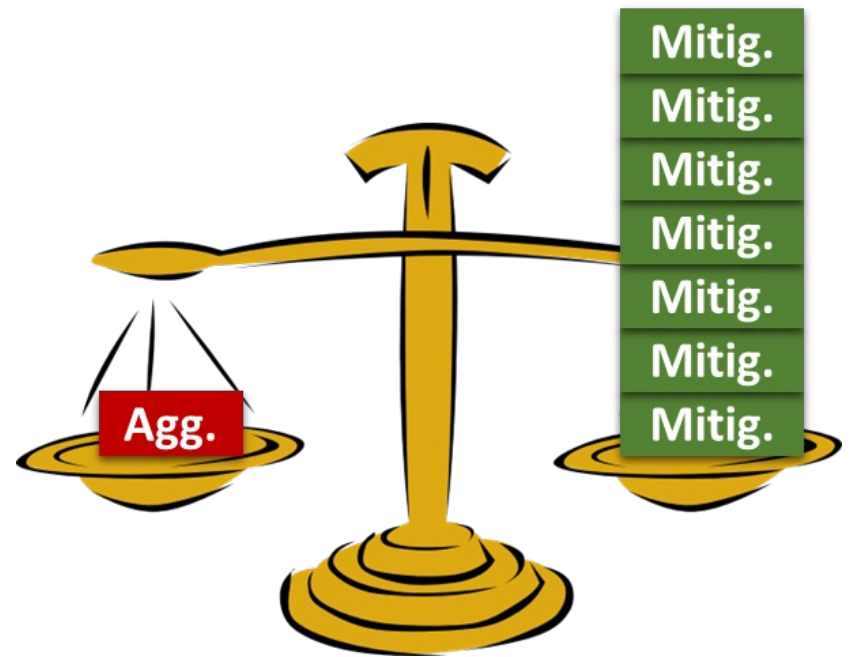


Aggravating Factors: Procedure

- State must give 30-day notice of intent to prove
 - Statutory aggravators need not be pled
 - Non-statutory aggravators must be pled
- Aggravating factors must be proved to jury beyond a reasonable doubt (or pled to)
- Prohibited aggravating factors
 - Evidence necessary to prove an element
 - Same item of evidence may not be used to prove more than one aggravating factor
 - Exercise of right to jury trial cannot be an aggravator

Weighing Factors

- A matter of judicial discretion
- Not a mathematical balance
- Presumptive range always permissible after consideration of offered factors



Extraordinary Mitigation

Extraordinary Mitigation

- Allows an Intermediate sentence in certain “A”-only cells of the sentencing grid based on the presence of extraordinary factor(s)

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 Max. Death or Life w/o Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole					
B1 Max. Life w/o Parole	A	A	A	A	A	A
	240-300	276-345	317-397	365-456	Life w/o Parole	Life w/o Parole
	192-240	221-276	254-317	292-365	336-420	386-483
B2 Max. 404 (532)	A	A	A	A	A	A
	144-192	166-221	190-254	219-292	252-336	290-386
	157-196	180-225	207-258	238-297	273-342	314-393
B3 Max. 279	A	A	A	A	A	A
	125-157	144-180	165-207	190-238	219-273	251-314
	94-125	108-144	124-165	143-190	164-219	189-251
B4 Max. 252	A	A	A	A	A	A
	73-92	83-104	96-120	110-138	127-159	146-182
	58-73	67-83	77-96	88-110	101-127	117-146
B5 Max. 252	A	A	A	A	A	A
	44-58	50-67	58-77	66-88	76-101	87-117
	64-80	73-92	84-105	97-121	111-139	128-160
B6 Max. 252	A	A	A	A	A	A
	51-64	59-73	67-84	78-97	89-111	103-128
	38-51	44-59	51-67	58-78	67-89	77-103
E Max. 30	I/A	I/A	A	A	A	A
	25-31	29-36	33-41	38-48	44-55	50-63
	20-25	23-29	26-33	30-38	35-44	40-50
F Max. 59	I/A	I/A	I/A	A	A	A
	15-20	17-23	20-26	23-30	26-35	30-40
	I/A	I/A	I/A	A	A	A
G Max. 47	I/A	I/A	I/A	I/A	A	A
	13-16	14-18	17-21	19-24	22-27	25-31
	10-13	12-14	13-17	15-19	17-22	20-25
H Max. 39	C/I/A	I/A	I/A	I/A	I/A	A
	8-10	9-12	10-13	11-15	13-17	15-20
	6-8	8-10	10-12	11-14	15-19	20-25
I Max. 24	C	C/I	I	I/A	I/A	I/A
	5-6	6-8	8-10	9-11	12-15	16-20
	4-5	4-6	6-8	7-9	9-12	12-16
J Max. 24	C	C/I	I	I/A	I/A	I/A
	6-8	6-8	6-8	8-10	9-11	10-12
	4-6	4-6	5-6	6-8	7-9	8-10
K Max. 24	C	C/I	I	I/A	I/A	I/A
	3-4	3-4	4-5	4-6	5-7	6-8
	3-4	3-4	4-5	4-6	5-7	6-8

**Mandatory
Active**

**Judge's
discretion**

**Mandatory
Non-Active**

Extraordinary Mitigation

- Exclusions
 - Cannot use with Class A or Class B1 felony
 - Cannot use for drug trafficking/conspiracy
 - Must have fewer than 5 prior record points

EM

Grid cells in which EM might be possible are flagged with this symbol.

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 Max. Death or Life w/o Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole					
B1 Max. Life w/o Parole	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 w/o Parole 252-336	A Life w/o Parole 290-386
B2 Max. 484 (532)	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 Max. 231 (279)	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 Max. 204 (252)	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 Max. 88 (136)	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 Max. 59	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 Max. 47	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 Max. 39	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 Max. 24	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

Extraordinary Mitigation

- Permissible when court finds:
 - Extraordinary mitigating factors of a kind significantly greater than in the normal case;
 - Those factors substantially outweigh any factors in aggravation; and
 - It would be a manifest injustice to impose an active punishment in the case

Extraordinary Mitigation

- Court must find extraordinary mitigating factors “significantly greater than in the normal case”
 - Quality, not quantity, makes mitigation extraordinary
 - Cannot be an ordinary mitigating factor

Example

- 18-year-old defendant has intercourse with a 13-year-old victim
- No prior record

C Max. 231 (279)	A	EM
	73–92	
	58–73	
	44–58	

Advanced Supervised Release (ASR)

Advanced Supervised Release

- Allows early release from prison to post-release supervision for inmates who complete “risk reduction incentives” in prison
- Used 148 times in 2024



ASR Eligibility

- Only certain grid cells
- Only Active sentences
- Only if court ordered
- Never over prosecutor objection

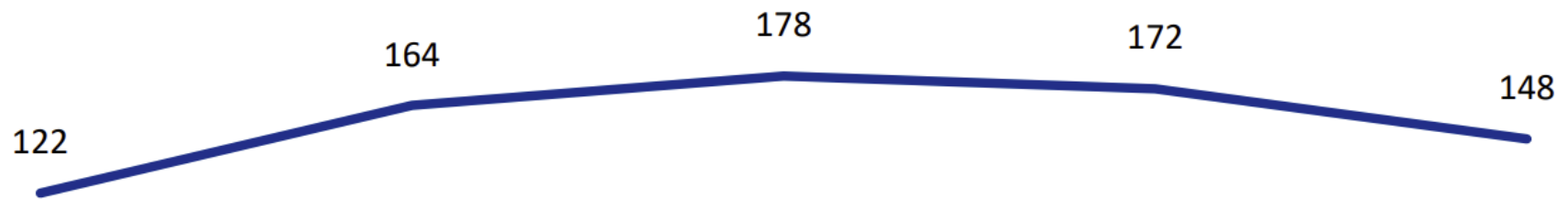
ASR

Grid cells in which ASR might be possible are flagged with this symbol.

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 Max. Death or Life w/o Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole					
B1 Max. Life w/o Parole	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 w/o Parole 336-420 252-336	A Life w/o Parole 386-483 290-386
B2 Max. 484 (532)	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 Max. 231 (279)	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 Max. 204 (252)	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 Max. 88 (136)	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 Max. 59	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 Max. 47	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 Max. 39	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 Max. 24	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

ASR Eligibility

Inmates Receiving ASR Sentences



CY 2020

CY 2021

CY 2022

CY 2023

CY 2024



ASR Process & Date

- Court imposes regular sentence
- ASR date flows from regular sentence
 - If presumptive or aggravated, ASR date is lowest possible mitigated minimum sentence in the grid cell
 - If mitigated, ASR date is 80% of imposed minimum

Any presumptive or aggravated sentence:

C/I/A	
	6–8
	5–6
ASR	4–5

*Mitigated example:
4-14 month sentence
ASR date: 3.2 months*

Example

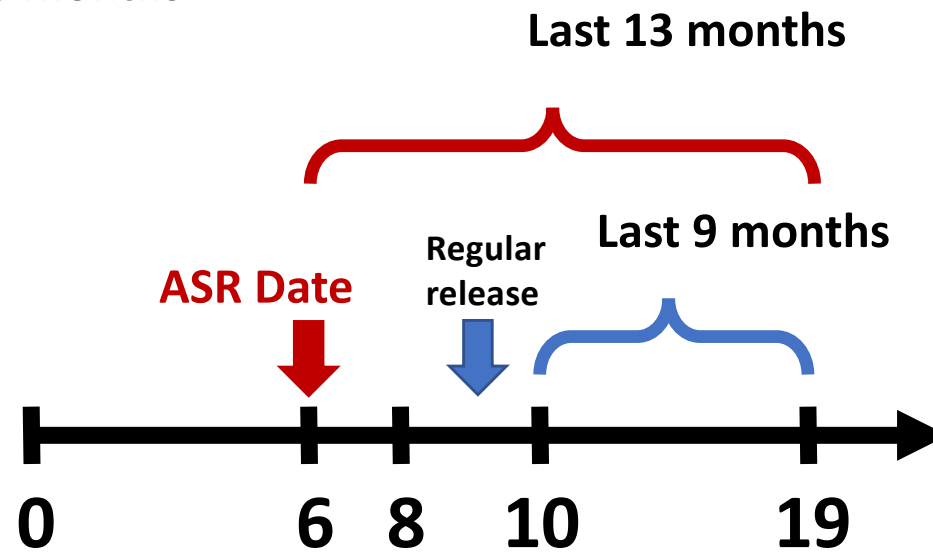
- Obtaining property by false pretenses
- Prior Record Level III
- Regular sentence is presumptive, 8-19 months

H Max. 39	C//A	I/A	I/A
	6-8	8-10	10-12
	5-6	6-8	8-10
	ASR 4-5	ASR 4-6	ASR 6-8

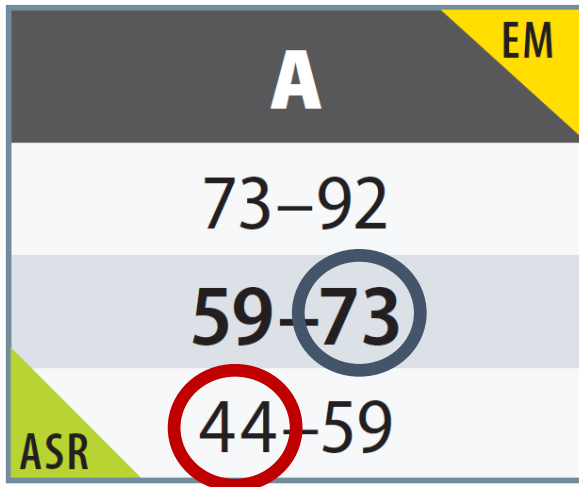
☐ to Life Imprisonment With Parole, pursuant to G.S. Chapter 15A, Article 81B, Part 2A.			☐
for a minimum term of: 8 months	and a maximum term of: 19 months	ASR term (Order No. 4, Side Two) 6 months	☐
The defendant shall be given credit for _____ days spent in confinement prior to the date of this Judgment.			

Regular sentence: 8-19 months

ASR date: 6 months



ASR Date (Class D, Level II)



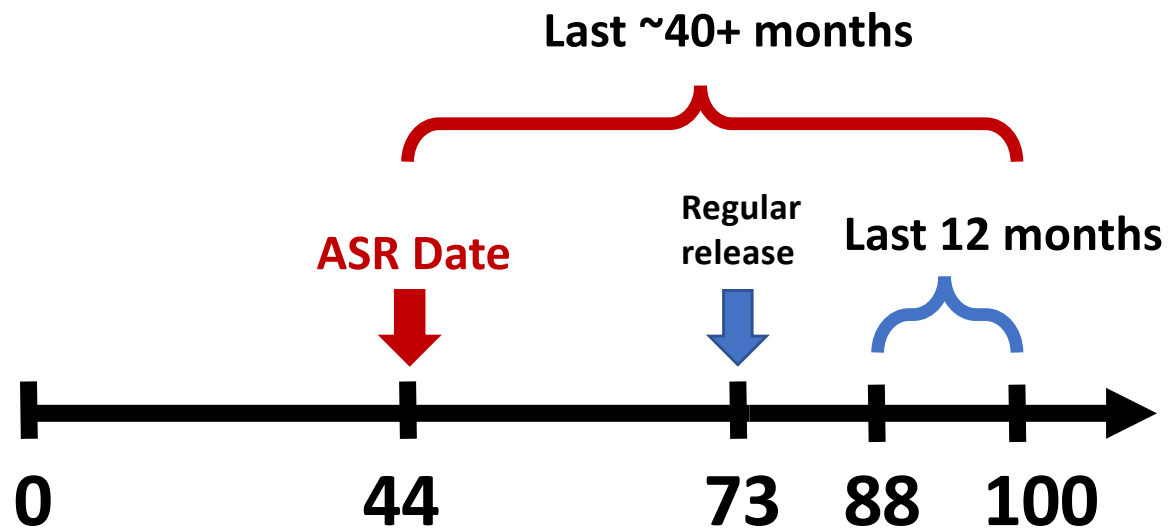
Regular sentence: 73-100 months

Regular release: ~73 months

ASR: 44 months

Regular sentence: 73-100 months

ASR date: 44 months





C .2600 - Advanced Supervised Release



162% ▾



Division of Institutions Policy and Procedure

Chapter: C
Section: .2600
Title: Advanced Supervised Release
Issue Date: May 1, 2023
Supersedes: July 10, 2018

I. PURPOSE

Advanced Supervised Release (hereafter referred to as ASR term) is a program developed and initiated as part of the Justice Reinvestment Act of 2011 and established by NCGS 15A-1340.18. The program allows sentenced offenders in certain felony classes to serve a term lower than their court-imposed sentence required by statute (hereafter referred to as non-ASR term) if agreed upon by appropriate parties prior to the offenders' admission to the North Carolina Department of Adult Correction (DAC). To justify the early release the offender will be required, while incarcerated, to participate in certain risk-reduction programs and maintain a defined level of positive behavior in

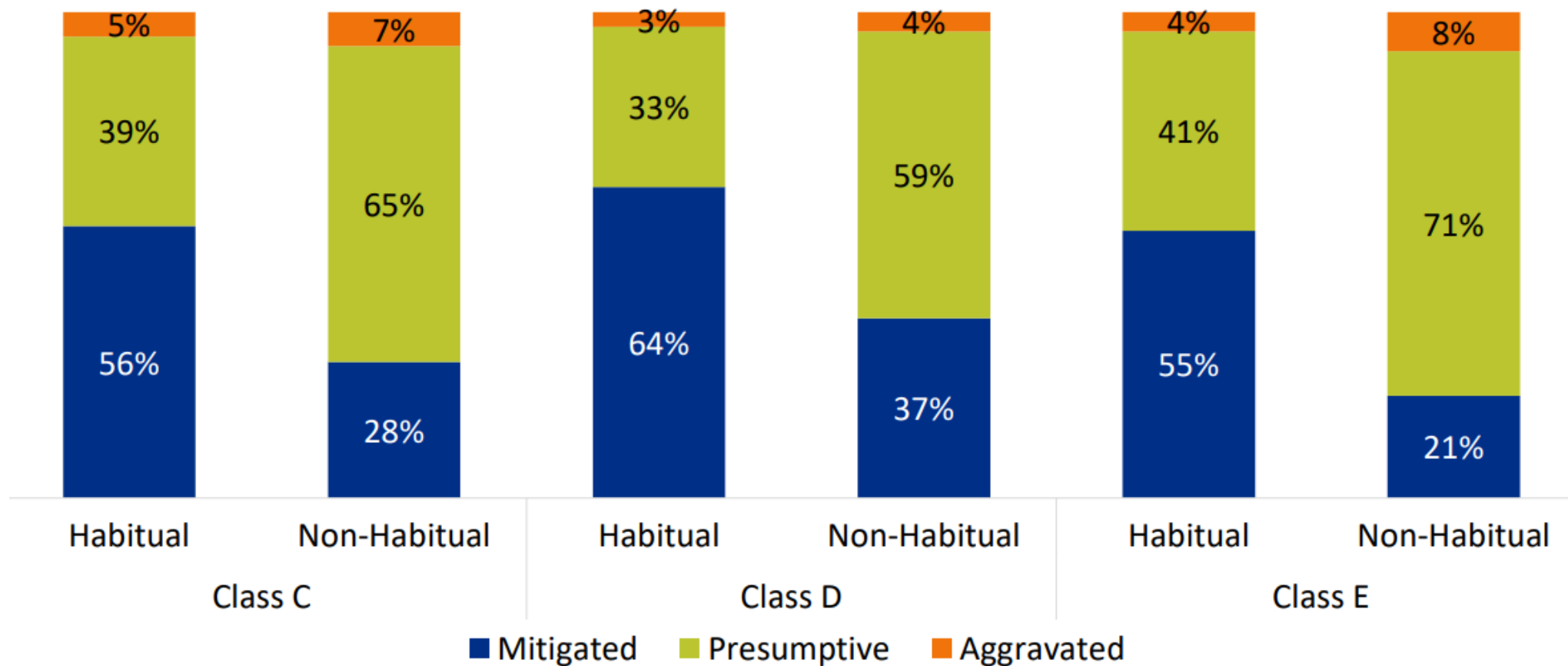
-
- B. Offenders admitted to Institutions to serve ASR terms may or may not have received specific court recommendations for certain programs as a part of their ASR program participation. If the sentencing court has made specific recommendations for program participation, these recommendations will be evaluated by Diagnostic Center staff to determine if it will be necessary, appropriate, and possible for the offender to participate in said programs. From this information and in conjunction with the Case Factor score of the offender, the initial custody classification action will be generated, and appropriate recommendations for custody, assigned unit and program participation will be made by the assigned Diagnostic Case Analyst. In addition to this initial custody classification action, the Diagnostic Case Analyst will document that the offender has an ASR sentence using OPUS Online/OPUS Sig Issue/Case Mgt. Notes screen using code "71" for "ASR Notes".

Habitual Felon

Habitual Felon

- Prior convictions used to habitualize do not count toward prior record level
 - State may choose which convictions to allege

C Max. 231 (279)	A 73–92 58–73 44–58	A 83–104 67–83 50–67	A 96–120 77–96 58–77
	A 64–80 51–64 38–51	A 73–92 59–73 44–59	A 84–105 67–84 51–67
	ASR	ASR	ASR



Drug Trafficking

Drug Trafficking Sentencing (G.S. 90-95(h))

Drug trafficking is not sentenced using the regular Structured Sentencing grid. Instead, a person convicted of drug trafficking must be sentenced as set out below, including the mandatory fine, regardless of his or her prior criminal record.

Offense Class and Minimum Fines for Drug Trafficking			
Drug	Amount	Class	Fine (not less than)
Marijuana	In excess of 10 lbs.–49 lbs.	H	\$ 5,000
	50–1,999 lbs.	G	\$ 25,000
	2,000–9,999	F	\$ 50,000
	10,000 or more	D	\$200,000
Methaqualone	1,000–4,999 dosage units	G	\$ 25,000
	5,000–9,999	F	\$ 50,000
	10,000 or more	D	\$200,000
Cocaine	28–199 grams	G	\$ 50,000
	200–399	F	\$100,000
	400 or more	D	\$250,000
	28–199 grams	F	\$ 50,000
Methamphetamine	200–399	E	\$100,000
	400 or more	C	\$250,000
	28–199 grams	H	\$ 5,000
Amphetamine	200–399	G	\$ 25,000
	400 or more	E	\$100,000
	4–13 grams	F	\$ 50,000
Opium, Opiate, Opioid, or Heroin*	14–27	E	\$100,000
	28 or more	C	\$500,000
	100–499 units	G	\$ 25,000
LSD	500–999	F	\$ 50,000
	1,000 or more	D	\$200,000
	100–499 units/28–199 grams	G	\$ 25,000
MDA/MDMA	500–999 units/200–399 grams	F	\$ 50,000
	1,000 units/400 grams or more	D	\$250,000
	28–199 grams	F	\$ 50,000
Substituted Cathinones*	200–399	E	\$100,000
	400 or more	C	\$250,000
	In excess of 50–249 dosage units**	H	\$ 5,000
Synthetic Cannabinoids	250–1,249	G	\$ 25,000
	1,250–3,749	F	\$ 50,000
	3,750 or more	D	\$200,000

Minimum-Maximum Sentences for Drug Trafficking Crimes, by Offense Class

Class	Offense Committed On/After 12/1/2012		Offense Committed Before 12/1/2012	
	Minimum	Maximum	Minimum	Maximum
Class C	225 mos.	282	225 mos.	279
Class D	175	222	175	219
Class E	90	120	90	117
Class F	70	93	70	84
Class G	35	51	35	42
Class H	25	39	25	30

Drug Trafficking

- Substantial assistance
- Attempted trafficking
- First Step Act

Substantial Assistance

- Drug trafficking only
- “Substantial assistance in the identification, arrest, or conviction of any accomplices, accessories, co-conspirators, or principals.”
 - Not limited to accomplices, etc., in *this* case
- Judge has discretion to give reduced sentence, reduced fine, or probation

Substantial Assistance

2024

638 trafficking convictions

64 probationary sentences

**Many reduced active
sentences**

Attempted Trafficking

- Reverts to regular sentencing grid for that class of offense

Class E	90	120
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E Max. 88 (136)	I/A	I/A
	25–31	29–36
	20–25	23–29
	ASR 15–20	ASR 17–23

- No mandatory fine

First Step Act

- Applicable only to Trafficking by Possession of Lowest Drug Amount
- Allows departure from mandatory sentence if defendant meets 11 conditions, including:
 - No prior felony drug convictions
 - No violence or weapons used in the commission of offense
 - Admission to substance abuse disorder
 - Reasonable assistance in identifying accomplices
- Sentenced according to regular sentencing grid

Consecutive Sentences

- “Sentences imposed under this section shall run consecutively with and shall commence at the expiration of any sentence being served by the person sentenced under this section.”
 - Habitual felon
 - Habitual DWI
 - Habitual B/E
 - Drug trafficking
 - Malicious conduct by prisoner
- Always interpreted to allow consolidated or concurrent sentences for convictions sentenced together

Consecutive Sentences

REMOVE CONCURRENT SENTENCING DEFAULT

SECTION 19.(a) G.S. 15A-1354(a) reads as rewritten:

"(a) Authority of Court. – When multiple sentences of imprisonment are imposed on a person at the same time or when a term of imprisonment is imposed on a person who is already subject to an undischarged term of imprisonment, including a term of imprisonment in another jurisdiction, the sentences may run either concurrently or consecutively, as determined by the court. ~~If not specified or not required by statute to run consecutively, sentences shall run concurrently.~~The court shall make a finding on the record stating the reasoning for the determination of the court."

SECTION 19.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.



Consecutive Sentences

- G.S. 15A-1340.15(a): “Unless otherwise specified by the court, all sentences of imprisonment run concurrently with any other sentences of imprisonment.”
- G.S. 15A-1346: “If a period of probation is being imposed at the same time a period of imprisonment is being imposed or if it is being imposed on a person already subject to an undischarged term of imprisonment, the period of probation may run either concurrently or consecutively with the term of imprisonment, as determined by the court. If not specified, it runs concurrently.”
- G.S. 15A-1344(d): “A sentence activated upon revocation of probation commences on the day probation is revoked and runs concurrently with any other period of probation, parole, or imprisonment . . . unless the revoking judge specifies that it is to run consecutively with the other period.”

Questions?

