

Introduction to Structured Sentencing

Jamie Markham

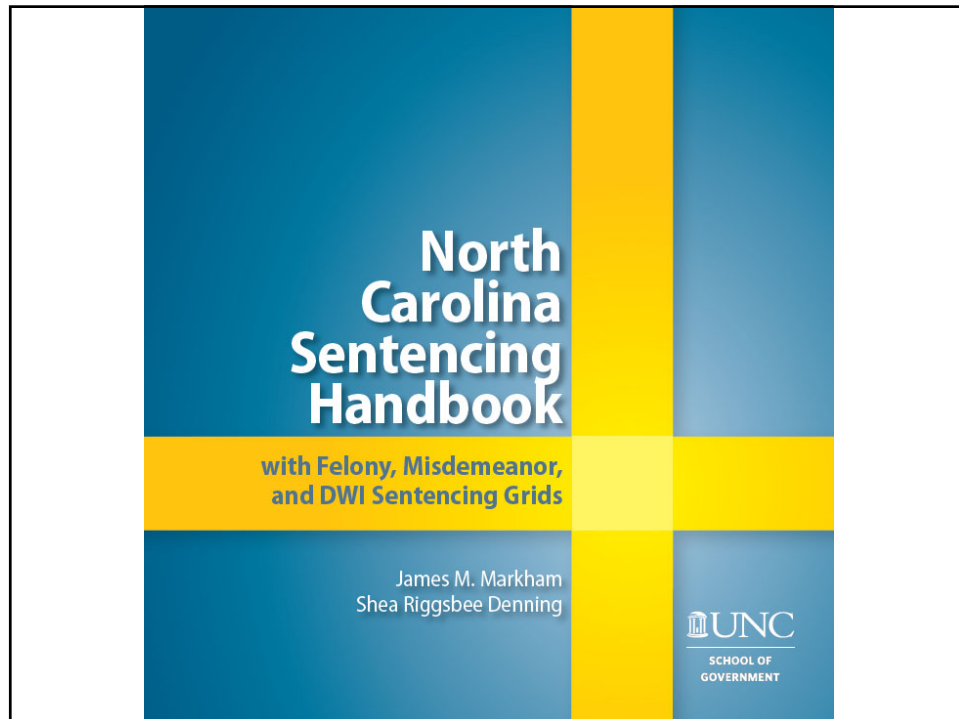
November 2022



UNC
SCHOOL OF GOVERNMENT

www.sog.unc.edu

1



2



UNC
SCHOOL OF GOVERNMENT

Structured Sentencing

- Applies to most felonies and misdemeanors
- Excludes DWI
- Some crimes have special rules
 - E.g., Shoplifting
 - Page 60



3

Misdemeanor Offenses Committed on or after **December 1, 2013**

OFFENSE CLASS	PRIOR CONVICTION LEVEL		
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions
A1	C/I/A 1-60 days	C/I/A 1-75 days	C/I/A 1-150 days
1	C 1-45 days	C/I/A 1-45 days	C/I/A 1-120 days
2	C 1-30 days	C/I 1-45 days	C/I/A 1-60 days
		One to Three Prior Convictions	Four Prior Convictions
3	C Fine Only* 1-10 days	C Fine Only* 1-15 days	C/I 1-15 days
			C/I/A 1-20 days

*Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.
A—Active Punishment I—Intermediate Punishment C—Community Punishment

4

Sentence Types

- Jail
- Supervised probation
- Special probation (probation with split)
- Unsupervised probation
- Fines and restitution
- Multiple convictions
- Diversions

5

Misdemeanor Offenses Committed on or after **December 1, 2013**

OFFENSE CLASS	PRIOR CONVICTION LEVEL		
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions
A1	Assault on a Female		C/I/A 1-150 days
1	Larceny (\$1,000 or less)		C/I/A 1-120 days
2	Resist, delay, obstruct an officer		C/I/A 1-60 days
		One to Three Prior Convictions	Four Prior Convictions
3	Possess marijuana (1/2 oz.)		C/I/A 1-20 days

* Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.
A—Active Punishment I—Intermediate Punishment C—Community Punishment

6

Misdemeanor Offenses Committed on or after December 1, 2013

OFFENSE CLASS	PRIOR CONVICTION LEVEL		
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions
A1	C/I/A 1-60 days	C/I/A 1-75 days	C/I/A 1-150 days
1	C 1-45 days	C/I/A 1-45 days	C/I/A 1-120 days
2	C 1-30 days	C/I 1-45 days	C/I/A 1-60 days
		One to Three Prior Convictions	Four Prior Convictions
3	C Fine Only* 1-10 days	C Fine Only* 1-15 days	C/I 1-15 days
			C/I/A 1-20 days

*Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.
A—Active Punishment I—Intermediate Punishment C—Community Punishment

7

Misdemeanor Offenses Committed on or after December 1, 2013

OFFENSE CLASS	PRIOR CONVICTION LEVEL		
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions
A1	C/I/A 1-60 days	C/I/A 1-75 days	C/I/A 1-150 days
1	C 1-45 days	C/I/A 1-45 days	C/I/A 1-120 days
2	C 1-30 days	C/I 1-45 days	C/I/A 1-60 days
		One to Three Prior Convictions	Four Prior Convictions
3	C Fine Only* 1-10 days	C Fine Only* 1-15 days	C/I 1-15 days
			C/I/A 1-20 days

*Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.
A—Active Punishment I—Intermediate Punishment C—Community Punishment

8

Misdemeanor Offenses Committed on or after **December 1, 2013**

OFFENSE CLASS	PRIOR CONVICTION LEVEL			
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions	IV Six or More Prior Convictions
A1	C/I/A	C/I/A	C/I/A	C/I/A
2	C	C	C/I	C/I/A
3	C Fine Only* 1-10 days	C Fine Only* 1-15 days	C/I 1-15 days	C/I/A 1-20 days

C = Community

- Supervised probation, or
- Unsupervised probation, or
- Fine only

A = Active

- Jail

I = Intermediate

- Supervised probation that may include:
 - Special probation (split)
 - Drug Treatment Court

*Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.

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

9

Misdemeanor Offenses Committed on or after **December 1, 2013**

OFFENSE CLASS	PRIOR CONVICTION LEVEL			
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions	IV Six or More Prior Convictions
A1	C/I/A	C/I/A	C/I/A	C/I/A
2	C	C	C/I	C/I/A
3	C Fine Only* 1-10 days	C Fine Only* 1-15 days	C/I 1-15 days	C/I/A 1-20 days

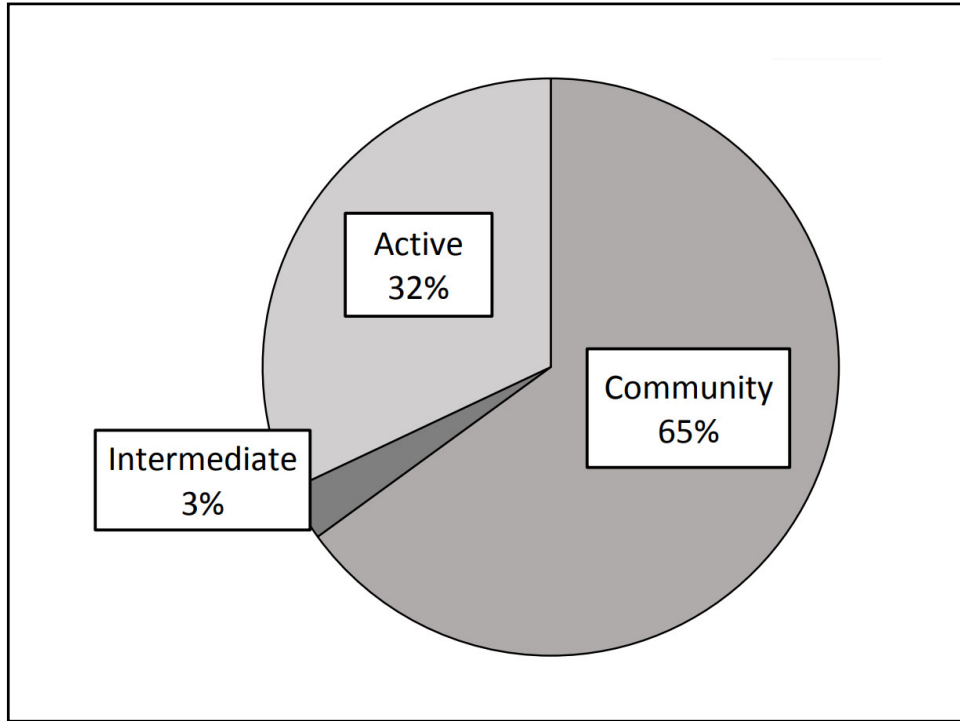
Active punishment "exception"
Judge may always give an "ACTIVE" sentence to time already served

Fine Only

*Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.

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

10



11

Offense Class (p. 11)

- Appendix B


12

Appendix B: Offense Class Table for Misdemeanors	
Class A1	
Assault by Pointing a Gun (G.S. 14-34)	
*Assault in Presence of Minor (G.S. 14-33(d))	
Assault Inflicting Serious Injury (G.S. 14-33(c)(1))	
Assault on Child under 12 Years of Age (G.S. 14-33(c)(3))	
Assault on Female (G.S. 14-33(c)(2))	
Assault on Government Officer or Employee (G.S. 14-33(c)(4))	
Assault on Handicapped Person (G.S. 14-32.1)	
Assault on School Employee or Volunteer (G.S. 14-33(c)(6))	
Assault with Deadly Weapon (G.S. 14-33(c)(1))	
Child Abuse (G.S. 14-318.2)	
First-Degree Trespass, Utility Premises or Agricultural Center (G.S. 14-159.12)	
Food Stamp Fraud, \$100-\$500 (G.S. 108A-53.1)	
Interfering with Emergency Communication (G.S. 14-286.2)	
Misdemeanor Death by Vehicle (G.S. 20-141.1)	Class 1 for offenses before 12/1/2009
Secretly Peeping, Second Offense or with Photo Device (G.S. 14-202)	
Sexual Battery (G.S. 14-27.33)	Was G.S. 14-27.5A for offenses before 12/1/2009
*Stalking, First Offense (G.S. 14-277.3A)	
Violation of a Valid Protective Order (G.S. 50B-4.1(a))	
Class 1	
Aggressive Driving (G.S. 20-141.6)	
Breaking into Coin-Operated Machine, First Offense (G.S. 14-56.1)	
Breaking or Entering Buildings (G.S. 14-54(b))	
Communicating Threats (G.S. 14-277.1)	
Contributing to the Delinquency of a Juvenile (G.S. 14-316.1)	
Cruelty to Animals (G.S. 14-360)	
Cyber-Bullying, Defendant 18 or Older (G.S. 14-458.1)	
Disclosure of Private Images, Defendant under 18, First Offense (G.S. 14-190.5A)	

13

Offense Class (p. 11)

- Appendix B
- Attempt: One class lower
- Conspiracy: One class lower
- Solicitation: Always Class 3



14

Prior Conviction Level (p. 11-12)

- State's burden to prove
 - Preponderance of the evidence
 - Stipulation, court/DMV records, or any other reliable method
- Ethics: No intentional underreporting

Prior Conviction Level (p. 11-12)

- **Count**
 - Any prior conviction, felony or misdemeanor
 - Convictions from other jurisdictions
 - Old convictions
 - Traffic convictions
 - Prayer for judgment continued (PJC)
- **Do Not Count**
 - Infractions
 - Juvenile adjudications
 - Contempt
 - Probation revocations
- Count only one conviction from each session of district court and each week of superior court

Prior Conviction Level

No. Of Prior Convictions	Level
0	I
1 - 4	II
5+	III

PRIOR
CONVICTION
LEVEL 

Exercise 1

Exercise 1

- Communicating Threats
- Prior convictions: 5
- Jail credit: None
- What is the longest permissible active sentence?

Misdemeanor Offenses Committed on or after December 1, 2013

OFFENSE CLASS	PRIOR CONVICTION LEVEL			
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions	
A1	C/I/A 1-60 days	C/I/A	C/I/A	
1	C 1-45 days	C/I/A 1-120 days		
2	C 1-30 days			1-45 days
3	C Fine Only* 1-10 days	One to Three Prior Convictions C Fine Only* 1-15 days	Four Prior Convictions C/I 1-15 days	C/I/A 1-20 days

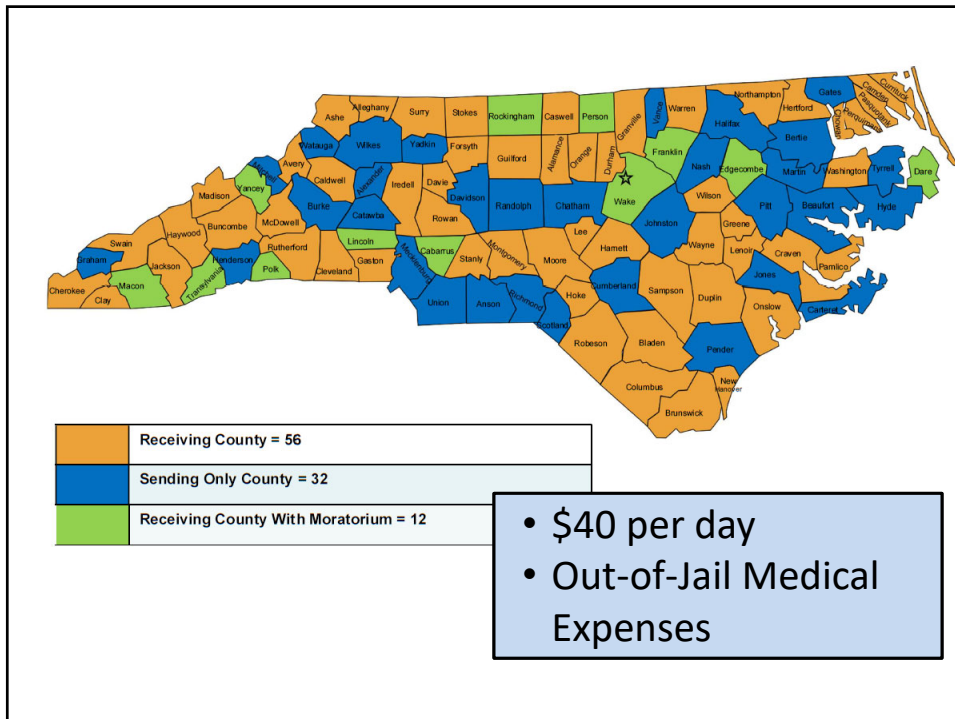
*Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.
A—Active Punishment I—Intermediate Punishment C—Community Punishment

Active Sentences

- Defendant goes directly to jail
- Place of confinement
 - 90 days or less: Local jail
 - Over 90 days: Statewide Misdemeanant Confinement Program



21



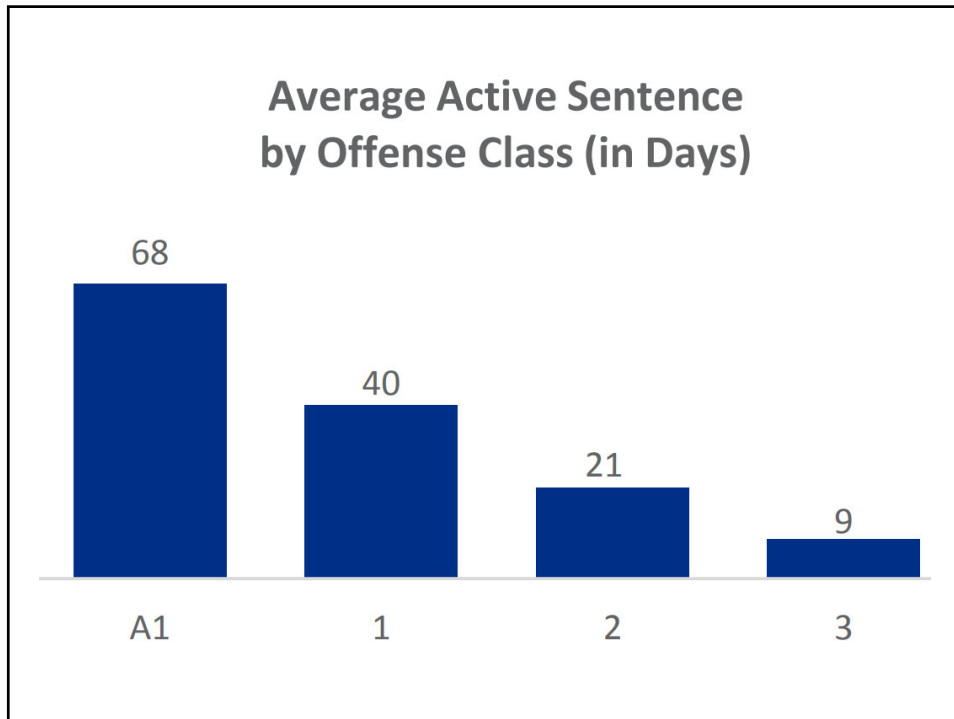
22

Appendix G: Place of Confinement Chart

	Felony G.S. 15A-1352(b)	Misdemeanor G.S. 15A-1352(a)	Driving While Impaired (DWI) G.S. 15A-1352(f)
Active	Division of Adult Correction and Juvenile Justice (DACJJ)	<i>Sentences imposed on/after 10/1/2014:</i> ≤ 90 days: Local jail > 90 days: Statewide Misdemeanant Confinement Program (SMCP) <i>Sentences imposed before 10/1/2014:</i> ≤ 90 days: Local jail 91-180 days: SMCP > 180 days: DACJJ	<i>Sentences imposed on/after 11/2015:</i> SMCP, regardless of <i>Sentences imposed (G.S. 20-176(c1)):</i> • Defendants with no prior DWI or jail imprisonment for a Ch. 20 offense: Local jail • Defendants with a prior DWI or prior jail imprisonment for a Ch. 20 offense: ≤ 90 days: Local jail 91-180 days: Local jail or DACJJ, in court's discretion > 180 days: DACJJ
Split Sentence at Sentencing G.S. 15A-1351(a)	<i>Continuous:</i> Local jail or DACJJ <i>Noncontinuous:</i> Local jail or treatment facility	Local jail or treatment facility	Local jail or treatment facility
Split Sentence as a Modification of Probation G.S. 15A-1344(e)	<i>Continuous:</i> Local jail or DACJJ <i>Noncontinuous:</i> Local jail or treatment facility	<i>Continuous:</i> Local jail or DACJJ <i>Noncontinuous:</i> Local jail or treatment facility	<i>Continuous:</i> Local jail or DACJJ <i>Noncontinuous:</i> Local jail or treatment facility
Confinement in Response to Violation (CRV) G.S. 15A-1344(d2)	DACJJ	Place of confinement indicated in the judgment suspending sentence	Place of confinement indicated in the judgment suspending sentence
Quick Dip G.S. 15A-1343(a)(3) and -1343.2	Local jail	Local jail	N/A
Nonpayment of Fine G.S. 15A-1352	DACJJ	Local jail	N/A
Probation Revocation	Place of confinement indicated in the judgment suspending sentence	Place of confinement indicated in the judgment suspending sentence	Place of confinement indicated in the judgment suspending sentence

p. 59

23



24

Credits

- Jail credit (p. 21)
 - **Concurrent sentences:** All get credit
 - **Consecutive sentences:** One gets credit
- Sentence reduction credit (p. 22)
 - **Earned time:** 4 days/month
 - **Good time (DWI):** Cuts time in half

Probationary Sentences

Probation (p. 26)

- Term of imprisonment
- Type of probation
- Period of probation
- Conditions of probation
- Delegated authority

Probation (p. 26)

- Term of imprisonment
- Type of probation
- Period of probation
- Conditions of probation
- Delegated authority

Misdemeanor Offenses Committed on or after December 1, 2013

OFFENSE CLASS	PRIOR CONVICTION LEVEL		
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions
A1	C/I/A	C/I/A 1-75 days	C/I/A 1-150 days
1	C 1-45 days	C/I/A 1-45 days	C/I/A 1-120 days
2		C/I 1-45 days	C/I/A 1-60 days
3	C Fine Only* 1-10 days	One to Three Prior Convictions C Fine Only* 1-15 days	Four Prior Convictions C/I 1-15 days
			C/I/A 1-20 days

*Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.
A—Active Punishment I—Intermediate Punishment C—Community Punishment

29

Probation (p. 26)

- Term of imprisonment
- Type of probation
- Period of probation
- Conditions of probation
- Delegated authority

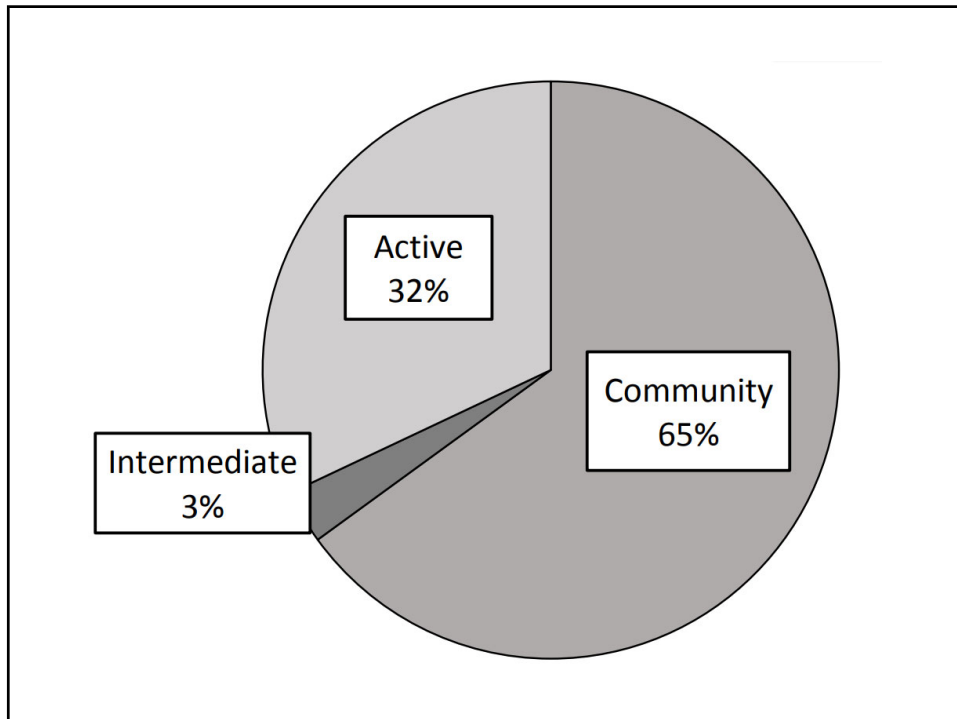
30

Community

- Supervised or unsupervised probation that MAY NOT include
 - Special probation
 - Drug treatment court

Intermediate

- Supervised probation that MAY include
 - Special probation
 - Drug treatment court



Probation (p. 28)

- Term of imprisonment
- Type of probation
- Period of probation
- Conditions of probation
- Delegated authority

Misdemeanor Offenses Committed on or after **December 1, 2013**

OFFENSE CLASS	PRIOR CONVICTION LEVEL		
	I No Prior	II One to Four	III Five or More
1	1-45 days	1-45 days	1-120 days
2	C	C/I	C//A
	1-30 days	1-45 days	1-60 days

Avg. probation period: 16 months

Length of Probation Period

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

- Community—6 to 18 months
- Intermediate—12 to 24 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.

STATE OF NORTH CAROLINA

County: _____ Seat of Court: _____ In The General Court Of Justice
 District Superior Court Division

NOTE: Use AOC-CR-310 for DWI offenses

STATE VERSUS _____ JUDGMENT SUSPENDING SENTENCE - MISDEMEANOR
 PUNISHMENT: COMMUNITY INTERMEDIATE
 (STRUCTURED SENTENCING)
 (For Offenses Committed On Or After Dec. 1, 2016)

Name Of Defendant: _____ Race: _____ Sex: _____ Date Of Birth: _____
 Attorney For State: _____ Attorney For Defendant: _____ Assessor: _____
 CR Rpt Initials: _____

The defendant was found guilty/responsible, pursuant to _____ (of no contest) _____ Trial by judge Trial by jury of _____
 File No. (s) Off. Offense Description Offense Date G.S. No. CL. Pun. Cl.

NOTE: Enter punishment class if different from underlying offense class punishment class represents a status or enhancement.
 The Court has determined, pursuant to G.S. 15A-1342.2(b), the number of prior convictions to be _____ Level: 1 2 3 4 5

1. The Court finds: (a) enhancement for G.S. 80-95(e)(4) (drugs) G.S. 14-3(c) (hate crime) G.S. 14-50
 (b) enhancement from required suspended sentence to Class 2 misdemeanor (G.S. 90-95(a)(7))
 This finding is based on a determination of this issue by the trier of fact beyond a reasonable doubt or on the defendant's admission.
 2. The Court imposes mandatory punishment pursuant to G.S. 14-33(d) (assault in the presence of a minor).
 3. The Court finds the above-designated offense(s) is a reportable conviction under G.S. 14-208.6 and therefore imposes the probation set forth on the attached AOC-CR-6030, Page Two, Side Two, and makes the additional findings and orders on AOC-CR-615, Side Two.
 4. The Court finds the above-captioned offense(s) involved the direct or indirect use of a firearm physical or mental sexual abuse (if no. 2 not found and therefore imposes the special conditions of probation set forth on the attached AOC-CR-6030, Page Two, Side Two, and makes the additional findings and orders on AOC-CR-615, Side Two).
 5. The Court finds this is an offense involving assault, communicating a threat, or an act defined in G.S. 50B-1(a), and the defendant had a personal relationship as defined in G.S. 50B-1(b) with the victim.
 6. The Court finds the above-captioned offense(s) involved street gang activity offense committed Dec. 1, 2016 - Nov. 30, 2017 criminal street gang activity (offense committed on or after Dec. 1, 2017) criminal street gang activity, G.S. 14-62.25.
 7. The Court did not grant a conditional discharge under G.S. 90-96(a) because she/he at that time the defendant refused to consent.
 8. The Court finds, with the agreement of the District Attorney, that the offender is inappropriate for conditional discharge for factors related to this offense.
 9. The Court finds that this was an offense involving child abuse or an offense involving assault or any of the acts as defined in G.S. 50B-1(a) committed against a minor, G.S. 15A-1362.1(a).
 10. The Court finds that the defendant refused to consent to conditional discharge under G.S. 14-204.
 The Court, having considered evidence, arguments of counsel and statement of defendant. Orders that the above offenses, if more than one, be consolidated for judgment and the defendant be imprisoned for a term of _____ days in the custody of the _____ Sheriff of _____ County Other _____

SUSPENSION OF SENTENCE

Subject to the conditions set out below, the execution of this sentence is suspended and the defendant is placed on supervised unsupervised probation for _____ months.

1. The Court finds that a longer shorter period of probation is necessary than that which is specified in G.S. 15A-1343.2(d).

3. This period of probation shall begin: when the defendant is released from incarceration at the expiration of the sentence, in the case below.
 File No. _____ Offense _____ County _____ Court _____ Date _____

4. The defendant shall comply with the conditions set forth in file number _____
 5. The defendant shall provide a DNA sample pursuant to G.S. 15A-205.4. (AOC-CR-310 required)

MONETARY CONDITIONS

The defendant shall pay to the Clerk of Superior Court the "Total Amount Due" shown below, plus the probation supervision fee if placed on supervised probation above, pursuant to a schedule _____ (determined by the probation officer) _____ (set out by the court as follows):

Class	Assessor's Fee	County Serv. Fee	State Fee	State Fee/Mile	Total Amount Due
\$	\$	\$	\$	\$	\$

See attached "Restitution Worksheet, Notice And Order (Initial Sentencing)" AOC-CR-611, which is incorporated by reference.
 The Court finds just cause to waive costs, as ordered on the attached: AOC-CR-618 Other _____
 Upon payment of the "Total Amount Due," the probation officer may transfer the defendant to unsupervised probation.
 Please provide a written report to be designated in worksheet (over)

AOC-CR-6040, Rev. 12/17, © 2017 Administrative Office of the Courts

• Community—6 to 18 months
 • Intermediate—12 to 24 months

35

Probation (p. 28-32)

- Term of imprisonment
- Type of probation
- Period of probation
- Conditions of probation
- Delegated authority

36

Probation (p. 32)

- Term of imprisonment
- Type of probation
- Period of probation
- Conditions of probation
- Delegated authority

Delegated Authority

- Conditions a probation officer may impose without court action
 - Community service
 - Additional reporting
 - Substance abuse assessment/treatment
 - House arrest
 - Curfew with electronic monitoring
 - Educational/vocational programming
 - **2- or 3-day “quick dip” in the jail**

Delegated Authority

- Applies unless the court “un-delegates” it

The Court finds that it is NOT appropriate to delegate...

The screenshot shows a court form titled "STATE OF NORTH CAROLINA" with a "JUDGMENT SUSPENDING SENTENCE" section. A callout box highlights a specific question on the form: "The Court finds that it is NOT appropriate to delegate...". The form includes fields for case number, date, and various checkboxes for sentencing options like probation, community work, or structured sentencing. The callout box is a light blue speech bubble pointing to the relevant question on the form.

41

Exercise 2

42



Exercise 2

- Misdemeanor larceny
- Prior convictions: 0
- Jail credit: None
- What is the longest period of supervised probation the court may order without findings?

Misdemeanor Offenses Committed on or after **December 1, 2013**

OFFENSE CLASS	PRIOR CONVICTION LEVEL		
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions
A1	C/I/A	C/I/A 1-75 days	C/I/A 1-150 days
1	C 1-45 days	C/I/A 1-45 days	C/I/A 1-120 days
2	C/I	C/I	C/I/A 1-60 days
3	C/I/A	C/I/A	C/I/A 1-20 days

Length of Probation Period
 The original period of probation for a misdemeanor sentenced under Structured Sentencing must fall within the following limits:

- Community—6 to 18 months
- Intermediate—12 to 24 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.

Class 3 misdemeanor who has no

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

Special probation (split sentence)

- Intermediate punishment
- Jail confinement as a condition of probation
- Up to $\frac{1}{4}$ the maximum imposed sentence
- May be noncontinuous (e.g., weekends)
- Optional \$40/day jail fee

Exercise 3

Exercise 3

Prior Conviction Level

✓	12/23/1999	Felony larceny (Virginia)
✓	4/22/2006	PJC for disorderly conduct
✗	1/18/2007	Failure to stop at stop sign
✓	6/19/2008	2nd degree trespass
✓	9/12/2014	Intoxicated & disruptive
✗	9/12/2014	2nd degree trespass
✗	7/6/2018	Criminal contempt

Exercise 3

- Assault on a Female
- Prior convictions: 4
- Jail credit: 3 days
- What is the longest permissible split sentence?

Misdemeanor Offenses Committed on or after December 1, 2013

OFFENSE CLASS	PRIOR CONVICTION LEVEL		
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions
A1	C/I/A 1-60 days	C/I/A 1-75 days	C/I/A 1-150 days
1	C 1-45 days	C/I/A 1-45 days	C/I/A 1-120 days
2	C 1-30 days	C/I 1-45 days	C/I/A 1-60 days
3	C Fine Only* 1-10 days	One to Three Prior Convictions C Fine Only* 1-15 days	Four Prior Convictions C/I 1-15 days
		C/I/A 1-20 days	

*Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.

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

18 days

49

Special probation (split sentence)

- Intermediate punishment
- Jail confinement as a condition of probation
- Up to ¼ the maximum imposed sentence
- May be noncontinuous (e.g., weekends)
- Optional \$40/day jail fee
- Judge's discretion whether to apply jail credit to the split sentence or to the suspended term



50

Sentence Types

- ✓ Jail
- ✓ Supervised probation
- ✓ Special probation (probation with split)
 - Unsupervised probation
 - Fines and restitution
 - Multiple convictions
 - Diversions

51

Sentence Types

- ✓ Jail
- ✓ Supervised probation
- ✓ Special probation (probation with split)
 - Unsupervised probation  Intermediate
 - Fines and restitution  Sex offenders
 - Multiple convictions
 - Diversions

52

Sentence Types

- ✓ Jail
 - ✓ Supervised probation
 - ✓ Special probation (probation with split)
 - ✓ Unsupervised probation
 - Fines and restitution
 - Multiple convictions
 - Diversions
- Class A1—Court discretion
 - Class 1—Court discretion
 - Class 2—\$1,000
 - Class 3—\$200

53

Misdemeanor Offenses Committed on or after December 1, 2013

**Response to nonpayment:
G.S. 15A-1364 (imprisonment up to 30 days)**

OFFENSE CLASSIFICATION	Convictions	Prior Convictions	Prior Convictions	Prior Convictions
A1	C/I/A	C/I/A	C/I/A	C/I/A
	1-60 days	1-75 days	1-150 days	
1	C	C/I/A	C/I/A	C/I/A
	1-45 days	1-45 days	1-120 days	
2	C	C/I	C/I/A	C/I/A
	1-30 days	1-45 days	1-60 days	
		One to Three Prior Convictions	Four Prior Convictions	
3	C	C	C/I	C/I/A
	Fine Only* 1-10 days	Fine Only* 1-15 days	1-15 days	1-20 days

*Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.
A—Active Punishment I—Intermediate Punishment C—Community Punishment

54

Restitution (p. 19)

- Compensation to victim
 - **Limited to crimes of conviction (State v. Murphy)**
- Must have proof or stipulation
- Court must consider defendant's ability to pay

Costs and Other Fees

- Attorney fees (IDS rules; \$75 appointment)
- Probation supervision fees (\$40/month)
 - May be “exempted” (no findings required)
- Jail fees (\$10/day pretrial; \$40/day probationary)
 - \$40 fee is optional (no findings required)
- EHA fee (\$90 + \$4.48 per day)
 - May be “exempted” (no findings required)
- Community service fee (\$250 per transaction)

GENERAL RULES OF PRACTICE FOR THE SUPERIOR AND DISTRICT COURTS

Rule 28. Equitable Imposition of Monetary Obligations in Criminal Cases and Infraction Cases Based on the Defendant's Ability to Pay

(a) **Scope.** This rule applies only in criminal cases and infraction cases in which the court has discretion to impose costs, fees, fines, restitution, or other monetary obligations equitably based on the defendant's ability to pay.

(b) **Motion for Relief.** A defendant convicted of a crime or found responsible for an infraction may use [AOC-CR-415, Request for Relief from Fines, Fees, and Other Monetary Obligations](#), to move the court to impose costs, fees, fines, restitution, or other monetary obligations equitably based on the defendant's ability to pay.

(c) **Determination by Court.** The court must consider the defendant's motion and, if necessary, conduct a hearing. The court must rule on the motion prior to imposing costs, fees, fines, restitution, or other monetary obligations and may grant the defendant any relief permitted by law.

Effective January 1, 2022

Sentence Types

- ✓ Jail
- ✓ Supervised probation
- ✓ Special probation (probation with split)
- ✓ Unsupervised probation
- ✓ Fines and restitution
 - Multiple convictions
 - Diversions

Sentencing Multiple Convictions

- Page 20-21
 - Consolidation
 - Concurrent sentences
 - Consecutive sentences
 - Multiple probationary sentences

Limit on Consecutive Sentences

- The cumulative term of imprisonment may not exceed twice the maximum authorized sentence for the class and prior conviction level of the most serious offense
- If all convictions are for Class 3 misdemeanors, they may not run consecutively

Exercise 4

61

Exercise 4

- Convictions
 - Sexual battery (Class A1)
 - Larceny (Class 1)
 - Injury to personal property (Class 1)
- Prior Conviction Level II
- What is the longest permissible consecutive sentence?

62

Misdemeanor Offenses Committed on or after **December 1, 2013**

OFFENSE CLASS	PRIOR CONVICTION LEVEL			
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions	
A1	C/I/A 1-60 days	C/I/A 1-75 days	C/I/A 1-150 days	
1	C 1-45 days	C/I/A 1-45 days	C/I/A 1-120 days	
2	C 1-30 days	C/I 1-45 days	C/I/A 1-60 days	
3	C Fine Only* 1-10 days	One to Three Prior Convictions	Four Prior Convictions	C/I/A
		C Fine Only* 1-15 days	C/I 1-15 days	C/I/A 1-20 days

*Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.
 A—Active Punishment I—Intermediate Punishment C—Community Punishment

75 x 2 = 150


C/I/A 1-75 days **75**

C/I/A 1-45 days **45**

C/I/A 1-45 days **45**

~~165?~~


“[T]he cumulative length of the sentences of imprisonment shall not exceed twice the maximum sentence authorized for the class and prior conviction level of the most serious offense.”



63

Sex Offenders

- Reportable sex crimes (p. 19; p. 58)
 - Sex offender registration (30 years or lifetime)
 - Satellite-based monitoring (SBM)
 - Additional probation conditions (p. 32)
 - No unsupervised probation
 - Optional: Permanent no-contact order



64

Probationary Sentences

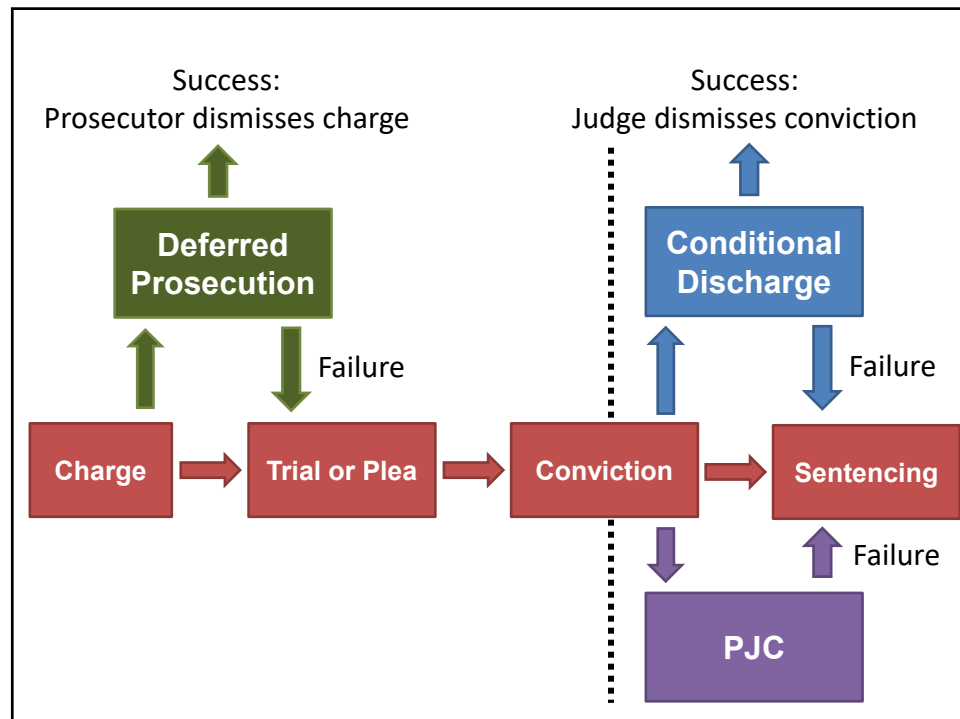
- Probation periods must run concurrently
- Suspended sentences may be set to run consecutively or concurrently in event of revocation
- A probation period may be run consecutively to a term of imprisonment (“contingent”)

Sentence Types

- ✓ Jail
- ✓ Supervised probation
- ✓ Special probation (probation with split)
- ✓ Unsupervised probation
- ✓ Fine only
- ✓ Multiple convictions
 - Diversions

Diversions (p. 23-24)

- Deferred prosecution
- Conditional discharge
- Prayer for Judgment Continued (PJC)



Deferred Prosecution

- Statutory deferred. G.S. 15A-1341(a1)
 - Misdemeanors, Class H/I felonies
 - No prior probation
 - 2-year probation maximum
 - Should not include acceptance of plea
- Informal deferred

Concurrence

Mandatory for consenting defendants unless both State and judge oppose (State v. Dail)

- **G.S. 90-96(a)** Drug possession/paraphernalia
- G.S. 90-96(a1) Drug possession/paraphernalia
- G.S. 90-113.14 Toxic Vapor offenses
- **G.S. 15A-1341(a4)** Any Class H/I felony or misdemeanor
- G.S. 15A-1341(a5) Drug Treatment Court
- G.S. 15A-1341(a) Requires joint motion of State and defendant
- G.S. 14-50.29 Under 19 years old

Requires joint motion of State and defendant

PJC

- After adjudication of guilt, continuation without entry of judgment
- Permissible in any case, except:
 - DWI
 - Solicitation of prostitution
 - Speeding in excess of 25 mph over limit
 - Passing a stopped school bus
- May not include conditions beyond obeying the law and paying costs
- No subsequent authority to “dismiss”

Sentence Types

- ✓ Jail
- ✓ Supervised probation
- ✓ Special probation (probation with split)
- ✓ Unsupervised probation
- ✓ Fine only
- ✓ Multiple convictions
- ✓ Diversions



Questions?

73

FELONY OFFENSES COMMITTED ON OR AFTER OCTOBER 1, 2013						
OFFENSE CLASS	MINIMUM SENTENCES AND DISPOSITIVE OPTIONS					
	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. 200/120/100 Life with Parole	First-degree murder					
	A	A	A	A	A	A
B1 Max. Life with Parole	Rape/sexual offense					
	A	A	A	A	A	A
B2 Max. 600/120/120	Second-degree murder					
	A	A	A	A	A	A
C Max. 210/120/140	Habitual felon					
	A	A	A	A	A	A
D Max. 200/120/120	Armed robbery					
	A	A	A	A	A	A
E Max. 60/170/140	AWDWSI					
	A	A	A	A	A	A
F Max. 30	Indecent liberties with children					
	A	A	A	A	A	A
G Max. 47	Possession of firearm by felon					
	A	A	A	A	A	A
H Max. 39	Breaking or entering					
	A	A	A	A	A	A
I Max. 24	Cocaine possession					
	A	A	A	A	A	A

MAXIMUM SENTENCES		
FOR OFFENSE CLASSES I THROUGH E (Minimum Sentence)	Corresponding Maximum (See Crimes)	Corresponding Maximum (See Crimes)
15-16 (170)	60-60 (120)	100-170 (200)
16-17 (180)	60-60 (120)	100-170 (200)
17-18 (190)	60-60 (120)	100-170 (200)
18-19 (200)	60-60 (120)	100-170 (200)
19-20 (210)	60-60 (120)	100-170 (200)
20-21 (220)	60-60 (120)	100-170 (200)
21-22 (230)	60-60 (120)	100-170 (200)
22-23 (240)	60-60 (120)	100-170 (200)
23-24 (250)	60-60 (120)	100-170 (200)
24-25 (260)	60-60 (120)	100-170 (200)
25-26 (270)	60-60 (120)	100-170 (200)
26-27 (280)	60-60 (120)	100-170 (200)
27-28 (290)	60-60 (120)	100-170 (200)
28-29 (300)	60-60 (120)	100-170 (200)
29-30 (310)	60-60 (120)	100-170 (200)
30-31 (320)	60-60 (120)	100-170 (200)
31-32 (330)	60-60 (120)	100-170 (200)
32-33 (340)	60-60 (120)	100-170 (200)
33-34 (350)	60-60 (120)	100-170 (200)
34-35 (360)	60-60 (120)	100-170 (200)
35-36 (370)	60-60 (120)	100-170 (200)
36-37 (380)	60-60 (120)	100-170 (200)
37-38 (390)	60-60 (120)	100-170 (200)
38-39 (400)	60-60 (120)	100-170 (200)
39-40 (410)	60-60 (120)	100-170 (200)
40-41 (420)	60-60 (120)	100-170 (200)
41-42 (430)	60-60 (120)	100-170 (200)
42-43 (440)	60-60 (120)	100-170 (200)
43-44 (450)	60-60 (120)	100-170 (200)
44-45 (460)	60-60 (120)	100-170 (200)
45-46 (470)	60-60 (120)	100-170 (200)
46-47 (480)	60-60 (120)	100-170 (200)
47-48 (490)	60-60 (120)	100-170 (200)
48-49 (500)	60-60 (120)	100-170 (200)
49-50 (510)	60-60 (120)	100-170 (200)
50-51 (520)	60-60 (120)	100-170 (200)
51-52 (530)	60-60 (120)	100-170 (200)
52-53 (540)	60-60 (120)	100-170 (200)
53-54 (550)	60-60 (120)	100-170 (200)
54-55 (560)	60-60 (120)	100-170 (200)
55-56 (570)	60-60 (120)	100-170 (200)
56-57 (580)	60-60 (120)	100-170 (200)
57-58 (590)	60-60 (120)	100-170 (200)
58-59 (600)	60-60 (120)	100-170 (200)
59-60 (610)	60-60 (120)	100-170 (200)
60-61 (620)	60-60 (120)	100-170 (200)
61-62 (630)	60-60 (120)	100-170 (200)
62-63 (640)	60-60 (120)	100-170 (200)
63-64 (650)	60-60 (120)	100-170 (200)
64-65 (660)	60-60 (120)	100-170 (200)
65-66 (670)	60-60 (120)	100-170 (200)
66-67 (680)	60-60 (120)	100-170 (200)
67-68 (690)	60-60 (120)	100-170 (200)
68-69 (700)	60-60 (120)	100-170 (200)
69-70 (710)	60-60 (120)	100-170 (200)
70-71 (720)	60-60 (120)	100-170 (200)
71-72 (730)	60-60 (120)	100-170 (200)
72-73 (740)	60-60 (120)	100-170 (200)
73-74 (750)	60-60 (120)	100-170 (200)
74-75 (760)	60-60 (120)	100-170 (200)
75-76 (770)	60-60 (120)	100-170 (200)
76-77 (780)	60-60 (120)	100-170 (200)
77-78 (790)	60-60 (120)	100-170 (200)
78-79 (800)	60-60 (120)	100-170 (200)
79-80 (810)	60-60 (120)	100-170 (200)
80-81 (820)	60-60 (120)	100-170 (200)
81-82 (830)	60-60 (120)	100-170 (200)
82-83 (840)	60-60 (120)	100-170 (200)
83-84 (850)	60-60 (120)	100-170 (200)
84-85 (860)	60-60 (120)	100-170 (200)
85-86 (870)	60-60 (120)	100-170 (200)
86-87 (880)	60-60 (120)	100-170 (200)
87-88 (890)	60-60 (120)	100-170 (200)
88-89 (900)	60-60 (120)	100-170 (200)
89-90 (910)	60-60 (120)	100-170 (200)
90-91 (920)	60-60 (120)	100-170 (200)
91-92 (930)	60-60 (120)	100-170 (200)
92-93 (940)	60-60 (120)	100-170 (200)
93-94 (950)	60-60 (120)	100-170 (200)
94-95 (960)	60-60 (120)	100-170 (200)
95-96 (970)	60-60 (120)	100-170 (200)
96-97 (980)	60-60 (120)	100-170 (200)
97-98 (990)	60-60 (120)	100-170 (200)
98-99 (1000)	60-60 (120)	100-170 (200)
99-100 (1010)	60-60 (120)	100-170 (200)
100-101 (1020)	60-60 (120)	100-170 (200)
101-102 (1030)	60-60 (120)	100-170 (200)
102-103 (1040)	60-60 (120)	100-170 (200)
103-104 (1050)	60-60 (120)	100-170 (200)
104-105 (1060)	60-60 (120)	100-170 (200)
105-106 (1070)	60-60 (120)	100-170 (200)
106-107 (1080)	60-60 (120)	100-170 (200)
107-108 (1090)	60-60 (120)	100-170 (200)
108-109 (1100)	60-60 (120)	100-170 (200)
109-110 (1110)	60-60 (120)	100-170 (200)
110-111 (1120)	60-60 (120)	100-170 (200)
111-112 (1130)	60-60 (120)	100-170 (200)
112-113 (1140)	60-60 (120)	100-170 (200)
113-114 (1150)	60-60 (120)	100-170 (200)
114-115 (1160)	60-60 (120)	100-170 (200)
115-116 (1170)	60-60 (120)	100-170 (200)
116-117 (1180)	60-60 (120)	100-170 (200)
117-118 (1190)	60-60 (120)	100-170 (200)
118-119 (1200)	60-60 (120)	100-170 (200)
119-120 (1210)	60-60 (120)	100-170 (200)
120-121 (1220)	60-60 (120)	100-170 (200)
121-122 (1230)	60-60 (120)	100-170 (200)
122-123 (1240)	60-60 (120)	100-170 (200)
123-124 (1250)	60-60 (120)	100-170 (200)
124-125 (1260)	60-60 (120)	100-170 (200)
125-126 (1270)	60-60 (120)	100-170 (200)
126-127 (1280)	60-60 (120)	100-170 (200)
127-128 (1290)	60-60 (120)	100-170 (200)
128-129 (1300)	60-60 (120)	100-170 (200)
129-130 (1310)	60-60 (120)	100-170 (200)
130-131 (1320)	60-60 (120)	100-170 (200)
131-132 (1330)	60-60 (120)	100-170 (200)
132-133 (1340)	60-60 (120)	100-170 (200)
133-134 (1350)	60-60 (120)	100-170 (200)
134-135 (1360)	60-60 (120)	100-170 (200)
135-136 (1370)	60-60 (120)	100-170 (200)
136-137 (1380)	60-60 (120)	100-170 (200)
137-138 (1390)	60-60 (120)	100-170 (200)
138-139 (1400)	60-60 (120)	100-170 (200)
139-140 (1410)	60-60 (120)	100-170 (200)
140-141 (1420)	60-60 (120)	100-170 (200)
141-142 (1430)	60-60 (120)	100-170 (200)
142-143 (1440)	60-60 (120)	100-170 (200)
143-144 (1450)	60-60 (120)	100-170 (200)
144-145 (1460)	60-60 (120)	100-170 (200)
145-146 (1470)	60-60 (120)	100-170 (200)
146-147 (1480)	60-60 (120)	100-170 (200)
147-148 (1490)	60-60 (120)	100-170 (200)
148-149 (1500)	60-60 (120)	100-170 (200)
149-150 (1510)	60-60 (120)	100-170 (200)
150-151 (1520)	60-60 (120)	100-170 (200)
151-152 (1530)	60-60 (120)	100-170 (200)
152-153 (1540)	60-60 (120)	100-170 (200)
153-154 (1550)	60-60 (120)	100-170 (200)
154-155 (1560)	60-60 (120)	100-170 (200)
155-156 (1570)	60-60 (120)	100-170 (200)
156-157 (1580)	60-60 (120)	100-170 (200)
157-158 (1590)	60-60 (120)	100-170 (200)
158-159 (1600)	60-60 (120)	100-170 (200)
159-160 (1610)	60-60 (120)	100-170 (200)
160-161 (1620)	60-60 (120)	100-170 (200)
161-162 (1630)	60-60 (120)	100-170 (200)
162-163 (1640)	60-60 (120)	100-170 (200)
163-164 (1650)	60-60 (120)	100-170 (200)
164-165 (1660)	60-60 (120)	100-170 (200)
165-166 (1670)	60-60 (120)	100-170 (200)
166-167 (1680)	60-60 (120)	100-170 (200)
167-168 (1690)	60-60 (120)	100-170 (200)
168-169 (1700)	60-60 (120)	100-170 (200)
169-170 (1710)	60-60 (120)	100-170 (200)
170-171 (1720)	60-60 (120)	100-170 (200)
171-172 (1730)	60-60 (120)	100-170 (200)
172-173 (1740)	60-60 (120)	100-170 (200)
173-174 (1750)	60-60 (120)	100-170 (200)
174-175 (1760)	60-60 (120)	100-170 (200)
175-176 (1770)	60-60 (120)	100-170 (200)
176-177 (1780)	60-60 (120)	100-170 (200)
177-178 (1790)	60-60 (120)	100-170 (200)
178-179 (1800)	60-60 (120)	100-170 (200)
179-180 (1810)	60-60 (120)	100-170 (200)
180-181 (1820)	60-60 (120)	100-170 (200)
181-182 (1830)	60-60 (120)	100-170 (200)
182-183 (1840)	60-60 (120)	100-170 (200)
183-184 (1850)	60-60 (120)	100-170 (200)
184-185 (1860)	60-60 (120)	100-170 (200)
185-186 (1870)	60-60 (120)	100-170 (200)
186-187 (1880)	60-60 (120)	100-170 (200)
187-188 (1890)	60-60 (120)	100-170 (200)
188-189 (1900)	60-60 (120)	100-170 (200)
189-190 (1910)	60-60 (120)	100-170 (200)
190-191 (1920)	60-60 (120)	100-170 (200)
191-192 (1930)	60-60 (120)	100-170 (200)
192-193 (1940)	60-60 (120)	100-170 (200)
193-194 (1950)	60-60 (120)	100-170 (200)
194-195 (1960)	60-60 (120)	100-170 (200)
195-196 (1970)	60-60 (120)	100-170 (200)
196-197 (1980)	60-60 (120)	100-170 (200)
197-198 (1990)	60-60 (120)	100-170 (200)
198-199 (2000)	60-60 (120)	100-170 (200)
199-200 (2010)	60-60 (120)	100-170 (200)
200-201 (2020)	60-60 (120)	100-170 (200)
201-202 (2030)	60-60 (120)	100-170 (200)
202-203 (2040)	60-60 (120)	100-170 (200)
203-204 (2050)	60-60 (120)	100-170 (200)
204-205 (2060)	60-60 (120)	100-170 (200)
205-206 (2070)	60-60 (120)	100-170 (200)
206-207 (2080)	60-60 (120)	100-170 (200)
207-208 (2090)	60-60 (120)	100-170 (200)
208-209 (2100)	60-60 (120)	100-170 (200)
209-210 (2110)	60-60 (120)	100-170 (200)
210-211 (2120)	60-60 (120)	100-170 (200)
211-212 (2130)	60-60 (120)	100-170 (200)
212-213 (2140)	60-60 (120)	

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 with Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole						A
B1 Max Life with Parole	240-300 190-240 140-200	236-345 221-276 166-221	197-307 254-317 200-254	354-456 292-360 239-292	Life with Parole 336-430 230-336	Life with Parole 386-483 290-386	Aggravated PRESUMPTIVE Mitigated
B2 Max 204 (20)	107-166 125-157 84-125	105-225 144-180 108-144	105-228 165-207 124-165	238-297 190-238 141-190	273-342 219-273 164-219	314-393 251-314 209-251	
C Max 120 (20)	79-92 58-73 44-58	83-104 67-83 50-67	95-120 77-96 58-77	104-138 88-110 68-88	127-159 101-127 81-101	146-182 117-146 87-117	
D Max 204 (20)	44-60 51-64 38-51	48-64 59-73 46-59	64-80 67-84 51-67	84-105 87-101 69-87	101-130 101-119 81-101	128-160 103-128 77-103	
E Max 103 (20)	35-50 20-25 17-20	39-56 23-29 19-23	51-67 26-33 20-26	69-87 30-38 23-30	89-111 38-48 23-30	103-128 60-80 40-60	
F Max 39	19-36 13-16 10-13	19-23 15-19 10-12	27-42 17-21 13-17	35-51 20-25 15-20	44-60 23-28 17-23	51-67 30-36 20-25	
G Max 47	19-36 10-13 8-10	14-18 10-14 9-12	17-21 13-17 10-13	19-24 15-20 11-15	22-27 17-22 13-17	25-31 10-13 10-12	
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	13-15 10-12 7-12	20-25 16-20 12-16	
I Max 24	4-6 4-6 3-4	6-8 4-6 4-5	8-10 5-6 4-5	10-12 6-8 4-6	11-14 7-9 5-8	20-25 10-12 8-10	

MAXIMUM SENTENCES

The tables below show the maximum sentence that corresponds to each minimum sentence. For minimum sentences of 30 months or more, the maximum sentence is 100 percent of the minimum sentence, rounded to the next higher month, plus 12 additional months. G.S. 15A-1301.7(b). See General. The maximum sentence for a Class B1 through E felony subject to the registration requirements of G.S. Chapter 15A, 150 percent of the minimum sentence, rounded to the next higher month, plus 60 additional months, as indicated in parentheses below. G.S. 15A-1303.7(b).

FOR OFFENSE CLASSES B1 THROUGH E (Minimum Sentence - Corresponding Maximum (See Crimes))

Minimum Sentence	Maximum Sentence
15-30 (70)	54-90 (120)
16-12 (80)	57-85 (120)
17-13 (87)	58-87 (120)
18-14 (94)	61-90 (120)
19-15 (101)	64-96 (120)
20-16 (108)	67-102 (120)
21-17 (115)	70-108 (120)
22-18 (122)	73-114 (120)
23-19 (129)	76-120 (120)
24-20 (136)	79-126 (120)
25-21 (143)	82-132 (120)
26-22 (150)	85-138 (120)
27-23 (157)	88-144 (120)
28-24 (164)	91-150 (120)
29-25 (171)	94-156 (120)
30-26 (178)	97-162 (120)
31-27 (185)	100-168 (120)
32-28 (192)	103-174 (120)
33-29 (199)	106-180 (120)
34-30 (206)	109-186 (120)
35-31 (213)	112-192 (120)
36-32 (220)	115-198 (120)
37-33 (227)	118-204 (120)
38-34 (234)	121-210 (120)
39-35 (241)	124-216 (120)
40-36 (248)	127-222 (120)
41-37 (255)	130-228 (120)
42-38 (262)	133-234 (120)
43-39 (269)	136-240 (120)
44-40 (276)	139-246 (120)
45-41 (283)	142-252 (120)
46-42 (290)	145-258 (120)
47-43 (297)	148-264 (120)
48-44 (304)	151-270 (120)
49-45 (311)	154-276 (120)
50-46 (318)	157-282 (120)
51-47 (325)	160-288 (120)
52-48 (332)	163-294 (120)
53-49 (339)	166-300 (120)
54-50 (346)	169-306 (120)
55-51 (353)	172-312 (120)
56-52 (360)	175-318 (120)
57-53 (367)	178-324 (120)
58-54 (374)	181-330 (120)
59-55 (381)	184-336 (120)
60-56 (388)	187-342 (120)
61-57 (395)	190-348 (120)
62-58 (402)	193-354 (120)
63-59 (409)	196-360 (120)
64-60 (416)	199-366 (120)
65-61 (423)	202-372 (120)
66-62 (430)	205-378 (120)
67-63 (437)	208-384 (120)
68-64 (444)	211-390 (120)
69-65 (451)	214-396 (120)
70-66 (458)	217-402 (120)
71-67 (465)	220-408 (120)
72-68 (472)	223-414 (120)
73-69 (479)	226-420 (120)
74-70 (486)	229-426 (120)
75-71 (493)	232-432 (120)
76-72 (500)	235-438 (120)
77-73 (507)	238-444 (120)
78-74 (514)	241-450 (120)
79-75 (521)	244-456 (120)
80-76 (528)	247-462 (120)
81-77 (535)	250-468 (120)
82-78 (542)	253-474 (120)
83-79 (549)	256-480 (120)
84-80 (556)	259-486 (120)
85-81 (563)	262-492 (120)
86-82 (570)	265-498 (120)
87-83 (577)	268-504 (120)
88-84 (584)	271-510 (120)
89-85 (591)	274-516 (120)
90-86 (598)	277-522 (120)
91-87 (605)	280-528 (120)
92-88 (612)	283-534 (120)
93-89 (619)	286-540 (120)
94-90 (626)	289-546 (120)
95-91 (633)	292-552 (120)
96-92 (640)	295-558 (120)
97-93 (647)	298-564 (120)
98-94 (654)	301-570 (120)
99-95 (661)	304-576 (120)
100-96 (668)	307-582 (120)

FOR OFFENSE CLASSES B1 THROUGH I (Minimum Sentence - Corresponding Maximum)

Minimum Sentence	Maximum Sentence
1-13	10-20
1-14	10-21
1-15	10-22
1-16	10-23
1-17	10-24
1-18	10-25
1-19	10-26
1-20	10-27
1-21	10-28
1-22	10-29
1-23	10-30
1-24	10-31
1-25	11-1
1-26	11-2
1-27	11-3
1-28	11-4
1-29	11-5
1-30	11-6
1-31	11-7
1-32	11-8
1-33	11-9
1-34	11-10
1-35	11-11
1-36	11-12
1-37	11-13
1-38	11-14
1-39	11-15
1-40	11-16
1-41	11-17
1-42	11-18
1-43	11-19
1-44	11-20
1-45	11-21
1-46	11-22
1-47	11-23
1-48	11-24
1-49	11-25
1-50	11-26
1-51	11-27
1-52	11-28
1-53	11-29
1-54	11-30
1-55	11-31
1-56	12-1
1-57	12-2
1-58	12-3
1-59	12-4
1-60	12-5
1-61	12-6
1-62	12-7
1-63	12-8
1-64	12-9
1-65	12-10
1-66	12-11
1-67	12-12
1-68	12-13
1-69	12-14
1-70	12-15
1-71	12-16
1-72	12-17
1-73	12-18
1-74	12-19
1-75	12-20
1-76	12-21
1-77	12-22
1-78	12-23
1-79	12-24
1-80	12-25
1-81	12-26
1-82	12-27
1-83	12-28
1-84	12-29
1-85	12-30
1-86	12-31
1-87	1-1
1-88	1-2
1-89	1-3
1-90	1-4
1-91	1-5
1-92	1-6
1-93	1-7
1-94	1-8
1-95	1-9
1-96	1-10
1-97	1-11
1-98	1-12
1-99	1-13
1-100	1-14

Length of Probation Period
The original period of probation for a felony sentenced under Structured Sentencing shall be within the following:
-Community - 12 to 36 months.
-Intermediate - 12 to 36 months.
-House Arrest - 12 to 36 months.

Post-Release Supervision
Class B1 through E felonies:
Class B1 - 60 days
Class B2 - 60 days
Class B3 - 60 days
Class B4 - 60 days
Class B5 - 60 days
Class B6 - 60 days
Class B7 - 60 days
Class B8 - 60 days
Class B9 - 60 days
Class B10 - 60 days
Class B11 - 60 days
Class B12 - 60 days
Class B13 - 60 days
Class B14 - 60 days
Class B15 - 60 days
Class B16 - 60 days
Class B17 - 60 days
Class B18 - 60 days
Class B19 - 60 days
Class B20 - 60 days
Class B21 - 60 days
Class B22 - 60 days
Class B23 - 60 days
Class B24 - 60 days
Class B25 - 60 days
Class B26 - 60 days
Class B27 - 60 days
Class B28 - 60 days
Class B29 - 60 days
Class B30 - 60 days
Class B31 - 60 days
Class B32 - 60 days
Class B33 - 60 days
Class B34 - 60 days
Class B35 - 60 days
Class B36 - 60 days
Class B37 - 60 days
Class B38 - 60 days
Class B39 - 60 days
Class B40 - 60 days
Class B41 - 60 days
Class B42 - 60 days
Class B43 - 60 days
Class B44 - 60 days
Class B45 - 60 days
Class B46 - 60 days
Class B47 - 60 days
Class B48 - 60 days
Class B49 - 60 days
Class B50 - 60 days
Class B51 - 60 days
Class B52 - 60 days
Class B53 - 60 days
Class B54 - 60 days
Class B55 - 60 days
Class B56 - 60 days
Class B57 - 60 days
Class B58 - 60 days
Class B59 - 60 days
Class B60 - 60 days
Class B61 - 60 days
Class B62 - 60 days
Class B63 - 60 days
Class B64 - 60 days
Class B65 - 60 days
Class B66 - 60 days
Class B67 - 60 days
Class B68 - 60 days
Class B69 - 60 days
Class B70 - 60 days
Class B71 - 60 days
Class B72 - 60 days
Class B73 - 60 days
Class B74 - 60 days
Class B75 - 60 days
Class B76 - 60 days
Class B77 - 60 days
Class B78 - 60 days
Class B79 - 60 days
Class B80 - 60 days
Class B81 - 60 days
Class B82 - 60 days
Class B83 - 60 days
Class B84 - 60 days
Class B85 - 60 days
Class B86 - 60 days
Class B87 - 60 days
Class B88 - 60 days
Class B89 - 60 days
Class B90 - 60 days
Class B91 - 60 days
Class B92 - 60 days
Class B93 - 60 days
Class B94 - 60 days
Class B95 - 60 days
Class B96 - 60 days
Class B97 - 60 days
Class B98 - 60 days
Class B99 - 60 days
Class B100 - 60 days

75

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 with Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole						A
B1 Max Life with Parole	240-300 190-240 140-200	236-345 221-276 166-221	197-307 254-317 200-254	354-456 292-360 239-292	Life with Parole 336-430 230-336	Life with Parole 386-483 290-386	Aggravated PRESUMPTIVE Mitigated
B2 Max 204 (20)	107-166 125-157 84-125	105-225 144-180 108-144	105-228 165-207 124-165	238-297 190-238 141-190	273-342 219-273 164-219	314-393 251-314 209-251	
C Max 120 (20)	79-92 58-73 44-58	83-104 67-83 50-67	95-120 77-96 58-77	104-138 88-110 68-88	127-159 101-127 81-101	146-182 117-146 87-117	
D Max 204 (20)	44-60 51-64 38-51	48-64 59-73 46-59	64-80 67-84 51-67	84-105 87-101 69-87	101-130 101-119 81-101	128-160 103-128 77-103	
E Max 103 (20)	35-50 20-25 17-20	39-56 23-29 19-23	51-67 26-33 20-26	69-87 30-38 23-30	89-111 38-48 23-30	103-128 60-80 40-60	
F Max 39	19-36 13-16 10-13	19-23 15-19 10-12	27-42 17-21 13-17	35-51 20-25 15-20	44-60 23-28 17-23	51-67 30-36 20-25	
G Max 47	19-36 10-13 8-10	14-18 10-14 9-12	17-21 13-17 10-13	19-24 15-20 11-15	22-27 17-22 13-17	25-31 10-13 10-12	
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	13-15 10-12 7-12	20-25 16-20 12-16	
I Max 24	4-6 4-6 3-4	6-8 4-6 4-5	8-10 5-6 4-5	10-12 6-8 4-6	11-14 7-9 5-8	20-25 10-12 8-10	

MAXIMUM SENTENCES

The tables below show the maximum sentence that corresponds to each minimum sentence. For minimum sentences of 30 months or more, the maximum sentence is 100 percent of the minimum sentence, rounded to the next higher month, plus 12 additional months. G.S. 15A-1301.7(b). See General. The maximum sentence for a Class B1 through E felony subject to the registration requirements of G.S. Chapter 15A, 150 percent of the minimum sentence, rounded to the next higher month, plus 60 additional months, as indicated in parentheses below. G.S. 15A-1303.7(b).

FOR OFFENSE CLASSES B1 THROUGH E (Minimum Sentence - Corresponding Maximum (See Crimes))

Minimum Sentence	Maximum Sentence
15-30 (70)	54-90 (120)
16-12 (80)	57-85 (120)
17-13 (87)	58-87 (120)
18-14 (94)	61-90 (120)
19-15 (101)	64-96 (120)
20-16 (108)	67-102 (120)
21-17 (115)	70-108 (120)
22-18 (122)	73-114 (120)
23-19 (129)	76-120 (120)
24-20 (136)	79-126 (120)
25-21 (143)	82-132 (120)
26-22 (150)	85-138 (120)
27-23 (157)	88-144 (120)
28-24 (164)	91-150 (120)
29-25 (171)	94-156 (120)
30-26 (178)	97-162 (120)
31-27 (185)	100-168 (120)
32-28 (192)	103-174 (120)
33-29 (199)	106-180 (120)
34-30 (206)	109-186 (120)
35-31 (213)	112-192 (120)
36-32 (220)	115-198 (120)
37-33 (227)	118-204 (120)
38-34 (234)	121-210 (120)
39-35 (241)	124-216 (120)
40-36 (248)	127-222 (120)
41-37 (255)	130-228 (120)
42-38 (262)	133-234 (120)
43-39 (269)	136-240 (120)
44-40 (276)	139-246 (120)
45-41 (283)	142-252 (120)
46-42 (290)	145-258 (120)
47-43 (297)	148-264 (120)
48-44 (304)	151-270 (120)
49-45 (311)	154-276 (120)
50-46 (318)	157-282 (120)
51-47 (325)	160-288 (120)
52-48 (332)	163-294 (120)
53-49 (339)	166-300 (120)
54-50 (346)	169-306 (120)
55-51 (353)	172-312 (120)
56-52 (360)	175-318 (120)
57-53 (367)	178-324 (120)
58-54 (374)	181-33

Felonies Offenses Committed on or after October 1, 2013						
MINIMUM SENTENCES AND DISPOSITIVE OPTIONS						
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/Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole					
B1 Max Life w/Parole	A	A	A	A	A	A
B2 Max 100 Yrs	A	A	A	A	A	A
C Max 120 Yrs	A	A	A	A	A	A
D Max 200 Yrs	A	A	A	A	A	A
E Max 10 Yrs	A	A	A	A	A	A

C/I/A	
6-8	5-6
4-5	ASR

Advanced Supervised Release	
18-20	21-25
26-33	34-41
42-50	51-60
61-70	71-80
81-90	91-100
101-110	111-120
121-130	131-140
141-150	151-160
161-170	171-180
181-190	191-200
201-210	211-220
221-230	231-240
241-250	251-260
261-270	271-280
281-290	291-300
301-310	311-320
321-330	331-340
341-350	351-360
361-370	371-380
381-390	391-400
401-410	411-420
421-430	431-440
441-450	451-460
461-470	471-480
481-490	491-500
501-510	511-520
521-530	531-540
541-550	551-560
561-570	571-580
581-590	591-600
601-610	611-620
621-630	631-640
641-650	651-660
661-670	671-680
681-690	691-700
701-710	711-720
721-730	731-740
741-750	751-760
761-770	771-780
781-790	791-800
801-810	811-820
821-830	831-840
841-850	851-860
861-870	871-880
881-890	891-900
901-910	911-920
921-930	931-940
941-950	951-960
961-970	971-980
981-990	991-1000

MAXIMUM SENTENCES	
FOR OFFENSE CLASSES B1 THROUGH E (Minimum Sentence) - Corresponding Maximum (See Crimes)	FOR OFFENSE CLASSES F THROUGH I (Minimum Sentence) - Corresponding Maximum
15-30 (70)	1-13 (10)
16-31 (80)	14-20 (15)
17-32 (90)	21-27 (20)
18-33 (100)	28-34 (25)
19-34 (110)	35-41 (30)
20-35 (120)	42-48 (35)
21-36 (130)	49-55 (40)
22-37 (140)	56-62 (45)
23-38 (150)	63-69 (50)
24-39 (160)	70-76 (55)
25-40 (170)	77-83 (60)
26-41 (180)	84-90 (65)
27-42 (190)	91-97 (70)
28-43 (200)	98-104 (75)
29-44 (210)	105-111 (80)
30-45 (220)	112-118 (85)
31-46 (230)	119-125 (90)
32-47 (240)	126-132 (95)
33-48 (250)	133-139 (100)
34-49 (260)	140-146 (105)
35-50 (270)	147-153 (110)
36-51 (280)	154-160 (115)
37-52 (290)	161-167 (120)
38-53 (300)	168-174 (125)
39-54 (310)	175-181 (130)
40-55 (320)	182-188 (135)
41-56 (330)	189-195 (140)
42-57 (340)	196-202 (145)
43-58 (350)	203-209 (150)
44-59 (360)	210-216 (155)
45-60 (370)	217-223 (160)
46-61 (380)	224-230 (165)
47-62 (390)	231-237 (170)
48-63 (400)	238-244 (175)
49-64 (410)	245-251 (180)
50-65 (420)	252-258 (185)
51-66 (430)	259-265 (190)
52-67 (440)	266-272 (195)
53-68 (450)	273-279 (200)
54-69 (460)	280-286 (205)
55-70 (470)	287-293 (210)
56-71 (480)	294-300 (215)
57-72 (490)	301-307 (220)
58-73 (500)	308-314 (225)
59-74 (510)	315-321 (230)
60-75 (520)	322-328 (235)
61-76 (530)	329-335 (240)
62-77 (540)	336-342 (245)
63-78 (550)	343-349 (250)
64-79 (560)	350-356 (255)
65-80 (570)	357-363 (260)
66-81 (580)	364-370 (265)
67-82 (590)	371-377 (270)
68-83 (600)	378-384 (275)
69-84 (610)	385-391 (280)
70-85 (620)	392-398 (285)
71-86 (630)	399-405 (290)
72-87 (640)	406-412 (295)
73-88 (650)	413-419 (300)
74-89 (660)	420-426 (305)
75-90 (670)	427-433 (310)
76-91 (680)	434-440 (315)
77-92 (690)	441-447 (320)
78-93 (700)	448-454 (325)
79-94 (710)	455-461 (330)
80-95 (720)	462-468 (335)
81-96 (730)	469-475 (340)
82-97 (740)	476-482 (345)
83-98 (750)	483-489 (350)
84-99 (760)	490-496 (355)
85-100 (770)	497-503 (360)
86-101 (780)	504-510 (365)
87-102 (790)	511-517 (370)
88-103 (800)	518-524 (375)
89-104 (810)	525-531 (380)
90-105 (820)	532-538 (385)
91-106 (830)	539-545 (390)
92-107 (840)	546-552 (395)
93-108 (850)	553-559 (400)
94-109 (860)	560-566 (405)
95-110 (870)	567-573 (410)
96-111 (880)	574-580 (415)
97-112 (890)	581-587 (420)
98-113 (900)	588-594 (425)
99-114 (910)	595-601 (430)
100-115 (920)	602-608 (435)
101-116 (930)	609-615 (440)
102-117 (940)	616-622 (445)
103-118 (950)	623-629 (450)
104-119 (960)	630-636 (455)
105-120 (970)	637-643 (460)
106-121 (980)	644-650 (465)
107-122 (990)	651-657 (470)
108-123 (1000)	658-664 (475)
109-124 (1010)	665-671 (480)
110-125 (1020)	672-678 (485)
111-126 (1030)	679-685 (490)
112-127 (1040)	686-692 (495)
113-128 (1050)	693-699 (500)
114-129 (1060)	700-706 (505)
115-130 (1070)	707-713 (510)
116-131 (1080)	714-720 (515)
117-132 (1090)	721-727 (520)
118-133 (1100)	728-734 (525)
119-134 (1110)	735-741 (530)
120-135 (1120)	742-748 (535)
121-136 (1130)	749-755 (540)
122-137 (1140)	756-762 (545)
123-138 (1150)	763-769 (550)
124-139 (1160)	770-776 (555)
125-140 (1170)	777-783 (560)
126-141 (1180)	784-790 (565)
127-142 (1190)	791-797 (570)
128-143 (1200)	798-804 (575)
129-144 (1210)	805-811 (580)
130-145 (1220)	812-818 (585)
131-146 (1230)	819-825 (590)
132-147 (1240)	826-832 (595)
133-148 (1250)	833-839 (600)
134-149 (1260)	840-846 (605)
135-150 (1270)	847-853 (610)
136-151 (1280)	854-860 (615)
137-152 (1290)	861-867 (620)
138-153 (1300)	868-874 (625)
139-154 (1310)	875-881 (630)
140-155 (1320)	882-888 (635)
141-156 (1330)	889-895 (640)
142-157 (1340)	896-902 (645)
143-158 (1350)	903-909 (650)
144-159 (1360)	910-916 (655)
145-160 (1370)	917-923 (660)
146-161 (1380)	924-930 (665)
147-162 (1390)	931-937 (670)
148-163 (1400)	938-944 (675)
149-164 (1410)	945-951 (680)
150-165 (1420)	952-958 (685)
151-166 (1430)	959-965 (690)
152-167 (1440)	966-972 (695)
153-168 (1450)	973-979 (700)
154-169 (1460)	980-986 (705)
155-170 (1470)	987-993 (710)
156-171 (1480)	994-1000 (715)
157-172 (1490)	1001-1007 (720)
158-173 (1500)	1008-1014 (725)
159-174 (1510)	1015-1021 (730)
160-175 (1520)	1022-1028 (735)
161-176 (1530)	1029-1035 (740)
162-177 (1540)	1036-1042 (745)
163-178 (1550)	1043-1049 (750)
164-179 (1560)	1050-1056 (755)
165-180 (1570)	1057-1063 (760)
166-181 (1580)	1064-1070 (765)
167-182 (1590)	1071-1077 (770)
168-183 (1600)	1078-1084 (775)
169-184 (1610)	1085-1091 (780)
170-185 (1620)	1092-1098 (785)
171-186 (1630)	1099-1105 (790)
172-187 (1640)	1106-1112 (795)
173-188 (1650)	1113-1119 (800)
174-189 (1660)	1120-1126 (805)
175-190 (1670)	1127-1133 (810)
176-191 (1680)	1134-1140 (815)
177-192 (1690)	1141-1147 (820)
178-193 (1700)	1148-1154 (825)
179-194 (1710)	1155-1161 (830)
180-195 (1720)	1162-1168 (835)
181-196 (1730)	1169-1175 (840)
182-197 (1740)	1176-1182 (845)
183-198 (1750)	1183-1189 (850)
184-199 (1760)	1190-1196 (855)
185-200 (1770)	1197-1203 (860)
186-201 (1780)	1204-1210 (865)
187-202 (1790)	1211-1217 (870)
188-203 (1800)	1218-1224 (875)
189-204 (1810)	1225-1231 (880)
190-205 (1820)	1232-1238 (885)
191-206 (1830)	1239-1245 (890)
192-207 (1840)	1246-1252 (895)
193-208 (1850)	1253-1259 (900)
194-209 (1860)	1260-1266 (905)
195-210 (1870)	1267-1273 (910)
196-211 (1880)	1274-1280 (915)
197-212 (1890)	1281-1287 (920)
198-213 (1900)	1288-1294 (925)
199-214 (1910)	1295-1301 (930)
200-215 (1920)	1302-1308 (935)
201-216 (1930)	1309-1315 (940)
202-217 (1940)	1316-1322 (945)
203-218 (1950)	1323-1329 (950)
204-219 (1960)	1330-1336 (955)
205-220 (1970)	1337-1343 (960)
206-221 (1980)	1344-1350 (965)
207-222 (1990)	1351-1357 (970)
208-223 (2000)	1358-1364 (975)
209-224 (2010)	1365-1371 (980)
210-225 (2020)	1372-1378 (985)
211-226 (2030)	1379-1385 (990)
212-227 (2040)	1386-1392 (995)
213-228 (2050)	1393-1399 (1000)
214-229 (2060)	1396-1402 (1005)
215-230 (2070)	1403-1409 (1010)
216-231 (2080)	1410-1416 (1015)
217-232 (2090)	1417-1423 (1020)
218-233 (2100)	1424-1430 (1025)
219-234 (2110)	1431-1437 (1030)
220-235 (2120)	1438-1444 (1035)
221-236 (2130)	1445-1451 (1040)
222-237 (2140)	1452-1458 (1045)
223-238 (2150)	1459-1465 (1050)
224-239 (2160)	1466-1472 (1055)
225-240 (2170)	1473-1479 (1060)
226-241 (2180)	1480-1486 (1065)
227-242 (2190)	1487-1493 (1070)
228-243 (2200)	1494-1500 (1075)
229-244 (2210)	1501-1507 (1080)
230-245 (2220)	1508-1514 (1085)
231-246 (2230)	1515-1521 (1090)
232-247 (2240)	1522-1528 (1095)
233-248 (2250)	1529-1535 (1100)
234-249 (2260)	1536-1542 (1105)
235-250 (2270)	1543-1549 (1110)
236-251 (2280)	1550-1556 (1115)
237-252 (2290)	1557-1563 (1120)
238-253 (2300)	1564-1570 (1125)
239-254 (2310)	1571-1577 (1130)
240-255 (2320)	1578-1584 (1135)
241-256 (2330)	1585-1591 (1140)
242-257 (2340)	1592-1598 (1145)
243-258 (2350)	1599-1605 (1150)
244-259 (2360)	1606-1612 (1155)
245-260 (2370)	1613-1619 (1160)
246-261 (2380)	1620-1626 (1165)
247-262 (2390)	1627-1633 (1170)
248-263 (2400)	1634-1640 (1175)
249-264 (2410)	1641-1647 (1180)
250-265 (2420)	1648-1654 (1185)
251-266 (2430)	1655-1661 (1190)

C/VA

6-8

5-6

4-5

ASR

Minimum Maximum?

79

Permissible MINIMUM Sentences

OFFENSE CLASS	PRIOR RECORD LEVEL					
	I 0-1 Pts	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts
A Max. 600 (120)	240-300	276-345	327-387	364-424	401-461	438-498
B1 Max. Life w/ Parole	192-240	221-276	254-317	292-365	336-420	386-483
B2 Max. 600 (120)	126-157	144-180	165-207	190-238	219-273	251-314
C Max. 210 (210)	71-92	83-104	96-120	110-139	127-166	146-192
D Max. 204 (120)	51-64	59-73	67-84	76-97	89-111	103-128
E Max. 80 (70)	25-31	23-29	26-33	30-38	35-44	40-50
F Max. 30 (30)	16-20	19-23	21-27	23-31	26-36	31-41
G Max. 47 (47)	10-13	12-14	13-17	15-19	17-22	20-25
H Max. 24 (24)	6-8	6-8	8-10	9-11	12-15	16-20
I Max. 7 (7)	3-4	3-4	4-5	4-6	5-6	6-8

Corresponding MAXIMUM Sentences

The tables below show the maximum sentence in 120 months for each offense class. See General Provisions for details.

70 months or more, the maximum sentence is 120 months, plus 60 additional months, as indicated in parentheses below (i.e., 180 months).

Class B1-E Maximums (120% + 12)

Sex offenders: (120% + 60)

Class F-I Maximums (120% + 9)

80

40

Felonies Committed on or after October 1, 2013						
OFFENSE CLASS	MINIMUM SENTENCES AND DISPOSITIONAL OPTIONS					
	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/ Parole	Death or Life without Parole					
	Defendant under 18 at Time of Offense: Life with or without Parole					
B1 Max Life w/ Parole	A	A	A	A	A	A
	240-300	276-345	312-397	351-456	Life w/ Parole	Life w/ Parole
B2 Max 240 Days	A	A	A	A	A	A
	182-240	221-276	254-317	292-365	331-430	366-483
C Max 120 Days	A	A	A	A	A	A
	121-157	144-180	165-207	190-238	219-273	251-314
D Max 240 Days	A	A	A	A	A	A
	84-102	102-125	125-157	157-199	199-251	251-314
E Max 120 Days	A	A	A	A	A	A
	25-30	29-36	33-41	38-48	44-55	50-63

C/I/A	
6-8	5-6
5-6	4-5

ASR	
20-25	25-30
17-22	20-25
15-17	17-22
12-15	15-17
9-12	12-15
7-9	9-12
5-7	7-9

Advanced Supervised Release	
10-15	15-20
8-10	10-15
6-8	8-10

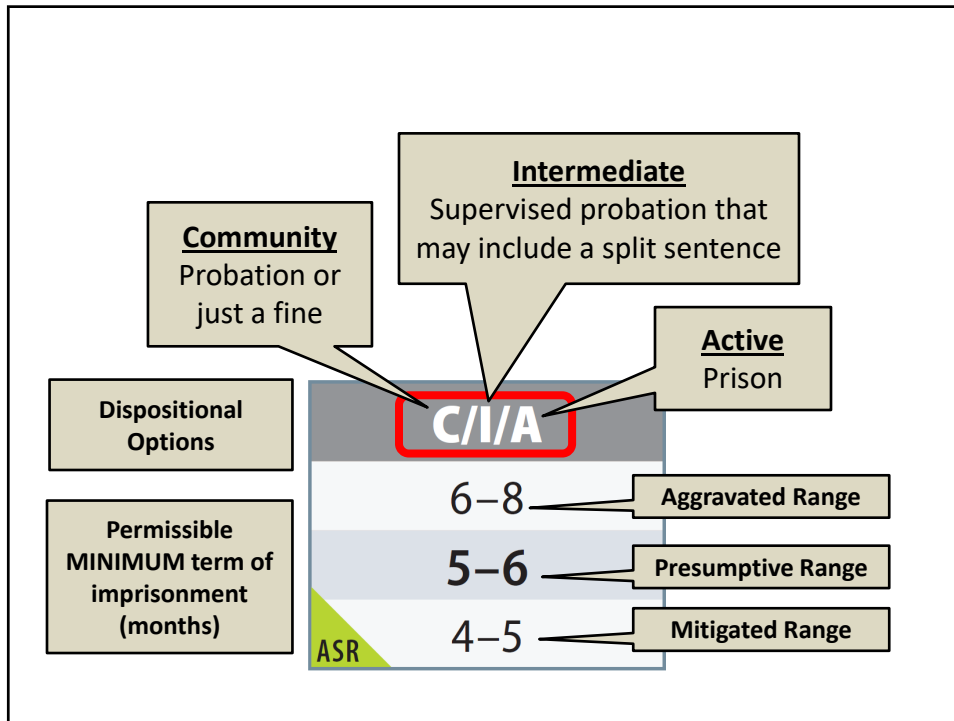
Retardation Mitigation	
10-15	15-20
8-10	10-15
6-8	8-10

Maximum Sentences	
15-30	30-45
12-18	18-27
9-12	12-18
6-8	8-12
5-6	6-8
4-5	5-6

FOR OFFENSE CLASSES B1 THROUGH E (Minimum Sentence - Corresponding Maximum (See Crimes))	
15-30	30-45
12-18	18-27
9-12	12-18
6-8	8-12
5-6	6-8
4-5	5-6

CLASSES F THROUGH I (Minimum Sentence - Corresponding Maximum)	
15-27	33-49
18-29	40-57
17-28	40-57
18-31	42-60
19-32	43-64
20-33	44-66

81



82

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/Parole	Death or Life without Parole Dependent under 18 at Time of Offense: Life with or without Parole					
B1 Max. Life w/Parole	A	A	A	A	Life with Parole	Life with Parole
B2 Max. 99(1)(2)	A	A	A	A	A	A
C	A	A	A	A	A	A
D	A	A	A	A	A	A
E	A	A	A	A	A	A
F	A	A	A	A	A	A
G	A	A	A	A	A	A
H	A	A	A	A	A	A
I	A	A	A	A	A	A

Judge's discretion (points to cell B1, I)

Mandatory Active (points to cell B1, VI)

Mandatory Non-Active (points to cell F, I)

83

Prison Population

Total population: 29,476

- Murder 17 %
- Sexual assaults 12 %
- Robbery 9 %
- Drug trafficking 8 %
- Non-trafficking drug 7 %

84

Example

- Felony Larceny (Class H)
- Prior Record Level I
- No aggravating or mitigating factors

85

Felony Offenses Committed on or after October 1, 2013

MINIMUM SENTENCES AND DISPOSITIVE OPTIONS

OFFENSE CLASS	PRIOR RECORD LEVEL						DISPOSITION
	I 0-1 Pts	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/ Parole	Death or Life without Parole Defendant under 18 at Time of Offense: Life with or without Parole						
B1 Max. Life w/ Parole	200-300 190-240 16-12	216-345 221-276 18-12	197-317 254-317 19-15	364-454 292-365 219-292	Life w/ Parole 336-420 252-336	Life w/ Parole 386-483 290-366	Aggravated PRESUMPTIVE Mitigated
B2 Max. 60 Months	137-199 115-157 8-12	165-225 144-180 10-14	207-258 165-207 12-16	238-297 190-238 14-18	273-340 219-273 16-20	314-393 251-314 18-22	
C Max. 24 Months	75-92 58-73 4-6	83-104 67-83 5-7	96-120 77-96 6-8	110-139 88-110 6-8	127-159 103-127 7-10	146-182 112-146 8-11	
D Max. 24 Months	61-80 51-64 3-5	70-82 59-73 4-6	84-105 67-84 5-7	97-121 78-97 6-8	111-139 89-111 7-10	130-160 103-128 8-11	
E Max. 60 Months	35-50 20-25	39-56 23-29	44-62 26-33	48-66 30-38	53-71 34-44	58-80 40-50	

MAXIMUM SENTENCES

The tables below show the maximum sentence that corresponds to the minimum sentence. The maximum sentence is 100 percent of the minimum sentence, rounded to the next higher month, plus 12 additional months. (S.S. 16A.194(1)(a)). See General: The maximum sentence for a Class B1 through E felony subject to the registration requirements of G.S. Chapter 16, Article 27A is 75 percent of the minimum sentence, rounded to the next higher month, plus 60 additional months, as indicated in parentheses below. (S.S. 16A.194(1)(b)).

FOR OFFENSE CLASSES B1 THROUGH E (Minimum Sentence - Corresponding Maximum [in Months])

15-16 (17)	56-60 (58)	67-72 (70)	78-84 (86)	87-96 (96)	96-108 (108)	117-126 (126)	126-144 (144)	156-168 (168)	186-204 (204)	216-234 (234)	234-270 (270)	270-324 (324)	324-378 (378)	378-450 (450)
16-12 (8)	57-61 (59)	68-73 (70)	79-84 (81)	88-96 (92)	96-108 (102)	117-126 (121)	126-144 (138)	156-168 (162)	186-204 (198)	216-234 (228)	234-270 (264)	270-324 (306)	324-378 (366)	378-450 (450)
17-13 (8)	58-62 (60)	69-74 (71)	80-85 (77)	89-97 (93)	97-109 (103)	118-127 (122)	127-145 (140)	157-169 (163)	187-205 (196)	217-235 (226)	235-271 (253)	271-325 (303)	325-379 (354)	379-451 (451)
18-14 (8)	59-63 (61)	70-75 (72)	81-86 (78)	90-98 (94)	98-110 (104)	119-128 (122)	128-146 (140)	158-170 (167)	188-206 (197)	218-236 (227)	236-272 (254)	272-326 (304)	326-380 (354)	380-452 (452)
19-15 (8)	60-64 (62)	71-76 (73)	82-87 (79)	91-99 (95)	99-111 (105)	120-129 (123)	129-147 (141)	159-171 (168)	189-207 (198)	219-237 (228)	237-273 (255)	273-327 (305)	327-381 (355)	381-453 (453)
20-16 (8)	61-65 (63)	72-77 (74)	83-88 (80)	92-100 (96)	100-112 (106)	121-130 (124)	130-148 (142)	160-172 (169)	190-208 (199)	220-238 (229)	238-274 (256)	274-328 (306)	328-382 (356)	382-454 (454)
21-18 (8)	62-66 (64)	73-78 (75)	84-89 (81)	93-101 (97)	101-113 (107)	122-131 (125)	131-149 (143)	161-173 (170)	191-209 (200)	221-239 (230)	239-275 (257)	275-329 (307)	329-383 (357)	383-455 (455)
22-19 (8)	63-67 (65)	74-79 (76)	85-90 (82)	94-102 (98)	102-114 (108)	123-132 (126)	132-150 (144)	162-174 (171)	192-210 (201)	222-240 (231)	240-276 (258)	276-330 (308)	330-384 (358)	384-456 (456)
23-20 (8)	64-68 (66)	75-80 (77)	86-91 (83)	95-103 (99)	103-115 (109)	124-133 (127)	133-151 (145)	163-175 (172)	193-211 (202)	223-241 (232)	241-277 (259)	277-331 (309)	331-385 (359)	385-457 (457)
24-21 (8)	65-69 (67)	76-81 (78)	87-92 (84)	96-104 (100)	104-116 (110)	125-134 (128)	134-152 (146)	164-176 (173)	194-212 (203)	224-242 (233)	242-278 (260)	278-332 (310)	332-386 (360)	386-458 (458)
25-22 (8)	66-70 (68)	77-82 (79)	88-93 (85)	97-105 (101)	105-117 (111)	126-135 (129)	135-153 (147)	165-177 (174)	195-213 (204)	225-243 (234)	243-279 (261)	279-333 (311)	333-387 (361)	387-459 (459)
26-23 (8)	67-71 (69)	78-83 (80)	89-94 (86)	98-106 (102)	106-118 (112)	127-136 (130)	136-154 (148)	166-178 (175)	196-214 (205)	226-244 (235)	244-280 (262)	280-334 (312)	334-388 (362)	388-460 (460)
27-24 (8)	68-72 (70)	79-84 (81)	90-95 (87)	99-107 (103)	107-119 (113)	128-137 (131)	137-155 (149)	167-179 (176)	197-215 (206)	227-245 (236)	245-281 (263)	281-335 (313)	335-389 (363)	389-461 (461)
28-25 (8)	69-73 (71)	80-85 (82)	91-96 (88)	100-108 (104)	108-120 (114)	129-138 (132)	138-156 (150)	168-180 (177)	198-216 (207)	228-246 (237)	246-282 (264)	282-336 (314)	336-390 (364)	390-462 (462)
29-26 (8)	70-74 (72)	81-86 (83)	92-97 (89)	101-109 (105)	109-121 (115)	130-139 (133)	139-157 (151)	169-181 (178)	199-217 (208)	229-247 (238)	247-283 (265)	283-337 (315)	337-391 (365)	391-463 (463)
30-27 (8)	71-75 (73)	82-87 (84)	93-98 (90)	102-110 (106)	110-122 (116)	131-140 (134)	140-158 (152)	170-182 (179)	200-218 (209)	230-248 (239)	248-284 (266)	284-338 (316)	338-392 (366)	392-464 (464)
31-28 (8)	72-76 (74)	83-88 (85)	94-99 (91)	103-111 (107)	111-123 (117)	132-141 (135)	141-159 (153)	171-183 (180)	201-219 (210)	231-249 (240)	249-285 (267)	285-339 (317)	339-393 (367)	393-465 (465)
32-29 (8)	73-77 (75)	84-89 (86)	95-100 (92)	104-112 (108)	112-124 (118)	133-142 (136)	142-160 (154)	172-184 (181)	202-220 (211)	232-250 (241)	250-286 (268)	286-340 (318)	340-394 (368)	394-466 (466)
33-30 (8)	74-78 (76)	85-90 (87)	96-101 (93)	105-113 (109)	113-125 (119)	134-143 (137)	143-161 (155)	173-185 (182)	203-221 (212)	233-251 (242)	251-287 (269)	287-341 (319)	341-395 (369)	395-467 (467)
34-31 (8)	75-79 (77)	86-91 (88)	97-102 (94)	106-114 (110)	114-126 (120)	135-144 (138)	144-162 (156)	174-186 (183)	204-222 (213)	234-252 (243)	252-288 (270)	288-342 (320)	342-396 (370)	396-468 (468)
35-32 (8)	76-80 (78)	87-92 (89)	98-103 (95)	107-115 (111)	115-127 (121)	136-145 (139)	145-163 (157)	175-187 (184)	205-223 (214)	235-253 (244)	253-289 (271)	289-343 (321)	343-397 (371)	397-469 (469)
36-33 (8)	77-81 (79)	88-93 (90)	99-104 (96)	108-116 (112)	116-128 (122)	137-146 (140)	146-164 (158)	176-188 (185)	206-224 (215)	236-254 (245)	254-290 (272)	290-344 (322)	344-398 (372)	398-470 (470)
37-34 (8)	78-82 (80)	89-94 (91)	100-105 (97)	109-117 (113)	117-129 (123)	138-147 (141)	147-165 (159)	177-189 (186)	207-225 (216)	237-255 (246)	255-291 (273)	291-345 (323)	345-399 (373)	399-471 (471)
38-35 (8)	79-83 (81)	90-95 (92)	101-106 (98)	110-118 (114)	118-130 (124)	139-148 (142)	148-166 (160)	178-190 (187)	208-226 (217)	238-256 (247)	256-292 (274)	292-346 (324)	346-400 (374)	400-472 (472)
39-36 (8)	80-84 (82)	91-96 (93)	102-107 (99)	111-119 (115)	119-131 (125)	140-149 (143)	149-167 (161)	179-191 (188)	209-227 (218)	239-257 (248)	257-293 (275)	293-347 (325)	347-401 (375)	401-473 (473)
40-37 (8)	81-85 (83)	92-97 (94)	103-108 (100)	112-120 (116)	120-132 (126)	141-150 (144)	150-168 (162)	180-192 (189)	210-228 (219)	240-258 (249)	258-294 (276)	294-348 (326)	348-402 (376)	402-474 (474)
41-38 (8)	82-86 (84)	93-98 (95)	104-109 (101)	113-121 (117)	121-133 (127)	142-151 (145)	151-169 (163)	181-193 (190)	211-229 (220)	241-259 (250)	259-295 (277)	295-349 (327)	349-403 (377)	403-475 (475)
42-39 (8)	83-87 (85)	94-99 (96)	105-110 (102)	114-122 (118)	122-134 (128)	143-152 (146)	152-170 (164)	182-194 (191)	212-230 (221)	242-260 (251)	260-296 (278)	296-350 (328)	350-404 (378)	404-476 (476)
43-40 (8)	84-88 (86)	95-100 (97)	106-111 (103)	115-123 (119)	123-135 (129)	144-153 (147)	153-171 (165)	183-195 (192)	213-231 (222)	243-261 (252)	261-297 (279)	297-351 (329)	351-405 (379)	405-477 (477)
44-41 (8)	85-89 (87)	96-101 (98)	107-112 (104)	116-124 (120)	124-136 (130)	145-154 (148)	154-172 (166)	184-196 (193)	214-232 (223)	244-262 (253)	262-298 (280)	298-352 (330)	352-406 (380)	406-478 (478)
45-42 (8)	86-90 (88)	97-102 (99)	108-113 (105)	117-125 (121)	125-137 (131)	146-155 (149)	155-173 (167)	185-197 (194)	215-233 (224)	245-263 (254)	263-299 (281)	299-353 (331)	353-407 (381)	407-479 (479)
46-43 (8)	87-91 (89)	98-103 (100)	109-114 (106)	118-126 (122)	126-138 (132)	147-156 (150)	156-174 (168)	186-198 (195)	216-234 (225)	246-264 (255)	264-300 (282)	300-354 (332)	354-408 (382)	408-480 (480)
47-44 (8)	88-92 (90)	99-104 (101)	110-115 (107)	119-127 (123)	127-139 (133)	148-157 (151)	157-175 (169)	187-199 (196)	217-235 (226)	247-265 (256)	265-301 (283)	301-355 (333)	355-409 (383)	409-481 (481)
48-45 (8)	89-93 (91)	100-105 (102)	111-116 (108)	120-128 (124)	128-140 (134)	149-158 (152)	158-176 (170)	188-200 (197)	218-236 (227)	248-266 (257)	266-302 (284)	302-356 (334)	356-410 (384)	410-482 (482)
49-46 (8)	90-94 (92)	101-106 (103)	112-117 (109)	121-129 (125)	129-141 (135)	150-159 (153)	159-177 (171)	189-201 (198)	219-237 (228)	249-267 (258)	267-303 (285)	303-357 (335)	357-411 (385)	411-483 (483)
50-47 (8)	91-95 (93)	102-107 (104)	113-118 (110)	122-130 (126)	130-142 (136)	151-160 (154)	160-178 (172)	190-202 (199)	220-238 (229)	250-268 (259)	268-304 (286)	304-358 (336)	358-412 (386)	412-484 (484)
51-48 (8)	92-96 (94)	103-108 (105)	114-119 (111)	123-131 (127)	131-143 (137)	152-161 (155)	161-179 (173)	191-203 (200)	221-239 (230)	251-269 (260)	269-305 (287)	305-359 (337)	359-413 (387)	413-485 (485)
52-49 (8)	93-97 (95)	104-109 (106)	115-120 (112)	124-132 (128)	132-144 (138)	153-162 (156)	162-180 (174)	192-204 (201)	222-240 (231)	252-270 (261)	270-306 (288)	306-360 (338)	360-414 (388)	414-486 (486)
53-50 (8)	94-98 (96)	105-110 (107)	116-121 (113)	125-133 (129)	133-145 (139)	154-163 (157)	163-181 (175)	193-205 (202)	223-241 (232)	253-271 (262)	271-307 (289)	307-361 (339)	361-415 (389)	415-487 (487)
54-51 (8)	95-99 (97)	106-111 (108)	117-122 (114)	126-134 (130)	134-146 (140)	155-164 (158)	164-182 (176)	194-206 (203)	224-242 (233)	254-272 (263)	272-308 (290)	308-362 (340)	362-416 (390)	416-488 (488)
55-52 (8)	96-100 (98)	107-112 (109)	118-123 (115)	127-135 (131)	135-147 (141)	156-165 (159)	165-183 (177)	195-207 (204)	225-243 (234)	255-273 (264)	273-309 (291)	309-363 (341)	363-417 (391)	417-489 (489)
56-53 (8)	97-101 (99)	108-113 (110)	119-124 (116)	128-136 (132)	136-148 (142)	157-166 (160)	166-184 (178)	196-208 (205)	226-244 (235)	256-274 (265)	274-310 (292)	310-364 (342)	364-418 (392)	418-490 (490)

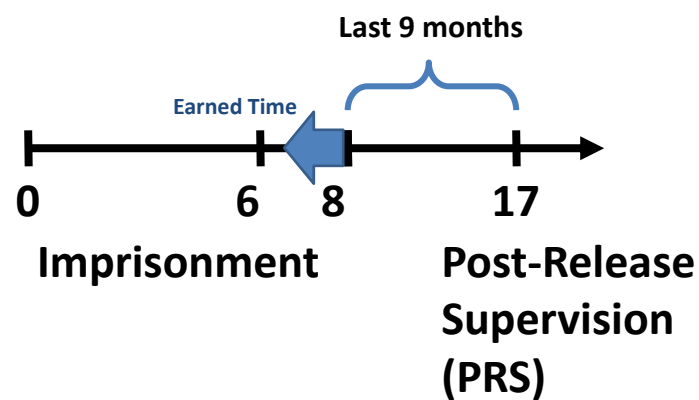
FOR OFFENSE CLASSES F THROUGH I (Minimum Sentence - Corresponding Maximum)

15-17	17-19	21-23	27-29	31-33	33-35	35-37	37-39	39-41	41-43	43-45	45-47	47-49	49-51	51-53	53-55	55-57	57-59	59-61	61-63	63-65	65-67	67-69	69-71	71-73	73-75	75-77	77-79	79-81	81-83	83-85	85-87	87-89	89-91	91-93	93-95	95-97	97-99	99-101	101-103	103-105	105-107	107-109	109-111	111-113	113-115	115-117	117-119	119-121	121-123	123-125	125-127	127-129	129-131	131-133	133-135	135-137	137-139	139-141	141-143	143-145	145-147	147-149	149-151	151-153	153-155	155-157	157-159	159-161	161-163	163-165	165-167	167-169	169-171	171-173	173-175	175-177	177-179	179-181	181-183	183-185
-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	--------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------

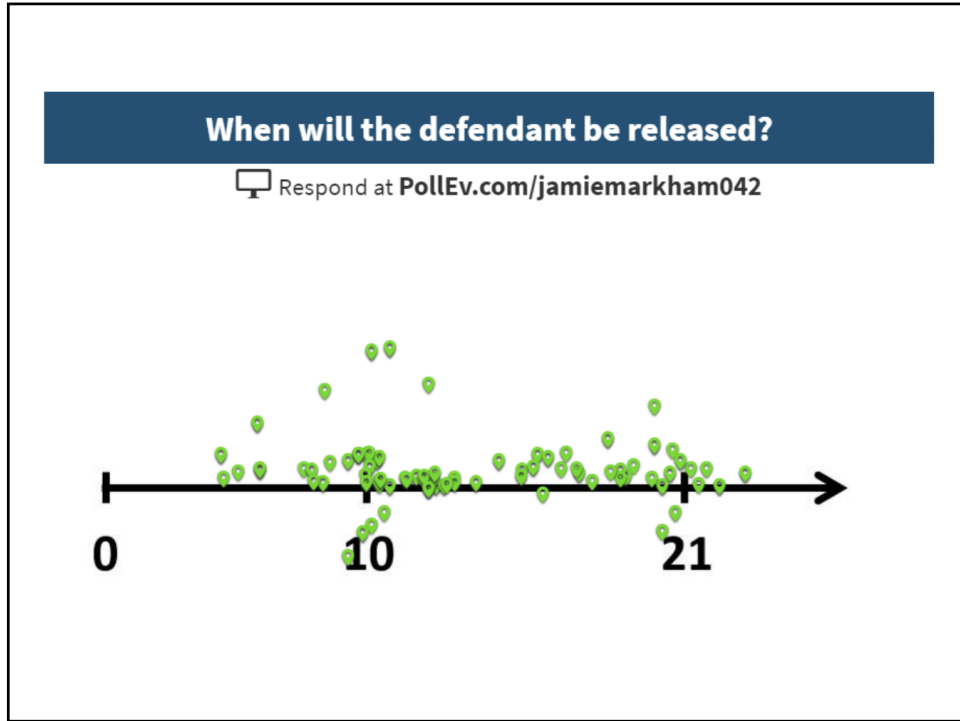
What does it mean?

87

- About 7 months in prison
- 9 months of PRS



88



89



90