


**Sentencing in Perspective**

Jamie Markham  
April 1, 2009




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**Objectives**

- Think about why and how you sentence
- Examine the state of North Carolina's correctional system
- Compare North Carolina to other states




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**What purpose of sentencing is most important to you?**

1. Punishment (retribution)
2. Restraint (incapacitation)
3. General deterrence
4. Rehabilitation

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How often do you use Intermediate punishment?

1. Frequently
2. Occasionally
3. Rarely
4. Never

UNC

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I might use Intermediate punishments more if...

1. I knew more about them
2. They were available in my district
3. Suspended sentences were longer
4. I knew more about defendants

UNC

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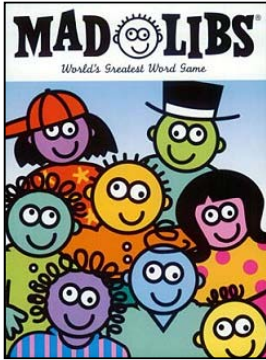
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Let's fill in the blanks!

(all data from FY 2007/08)



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**164,442 convictions**



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**5,084 Felony Pleas**  
23% of all Class H  
25% of all Class I



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**76% Male**  
**36% Under age 26**  
**46% Black**



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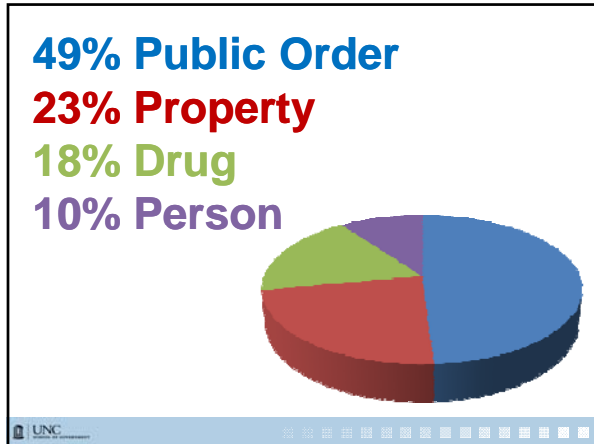
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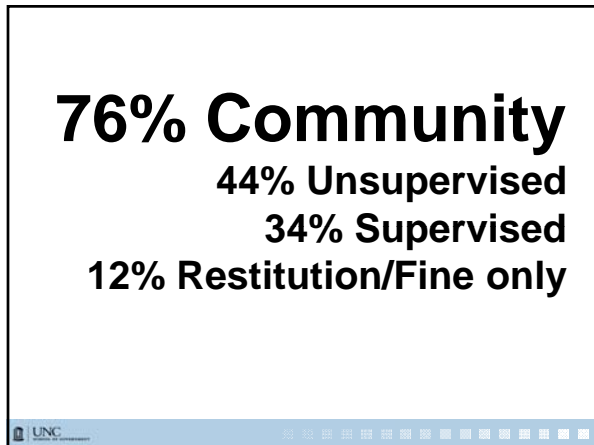
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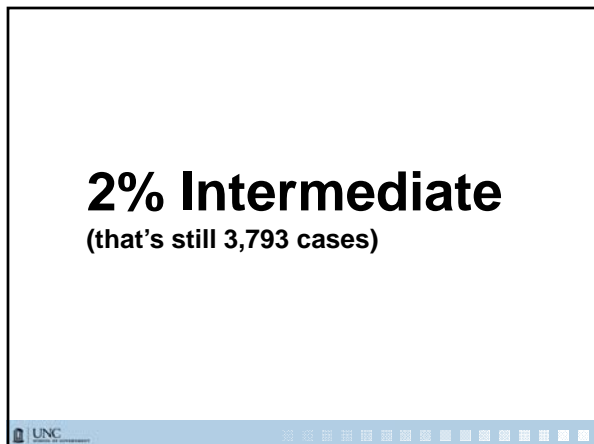
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# Special Probation

Condition of choice 60% of the time

(Intensive is next at 33%)



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## 22% Active



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## 34% revocation rate for misdemeanors

(47% of misdemeanor prison admissions)



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Comments (40) | Recommend (0)

**Crowded prisons may force lighter sentences**

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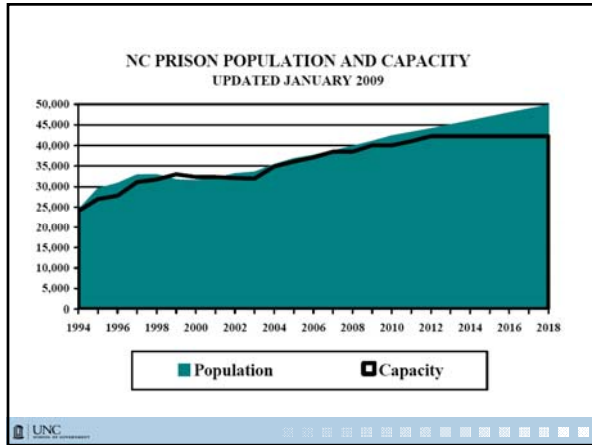
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Average daily cost of . . .

Prison	\$75
Jail	\$55-\$100
Intensive Probation	\$16.71
Electronic House Arrest	\$8.43
Supervised Probation	\$2.37
Community Service	\$0.83

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I should consider the financial impact my sentences have on the county and/or state.

- 1. Agree
- 2. Neutral
- 3. Disagree

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**North Carolina Criminal Law**  
# UNC School of Government Blog

• **Stared to Death: Careful Questioning in Child Sexual Abuse Cases**  
• **New Report on Incarceration and Community Corrections**

The Pew Center on the States just released a new report (one in 33): *The Long Reach of American Corrections*. It's long, and a couple of news stories about it are here and here.

The title reflects the proportion of American adults that some form of "correctional control," i.e., in prison, in probation, or on parole. The proportion is much higher for men (33) and African-Americans (31 in 12), and the report argues that this increase cannot be explained by crime, but rather, is the result of changes in sentencing and controls that we have passed the point of returns, i.e., that continued increases in correctional provide scant returns in terms of crime prevention, or legitimate issue to raise in tight budgetary times.

I'm not a criminologist, and I don't know whether the arguments are correct, though the raw statistics are impressive. It is worth noting, though, that the trends in the report are much less pronounced in North Carolina than other states. The numbers in North Carolina are still larger: in every 122 adults in North Carolina is in prison, and 1 in 16 in probation. Furthermore, our correctional control grows over the past 25 years has been slower than the national dramatically so with respect to incarceration. I suspect it is partly a result of structured sentencing, which provides some consistency to judges' sentencing decisions and limits any upward creep in sentencing.

**“The trends identified in the report are much less pronounced in North Carolina than in many other states. . . . Our correctional control growth rate over the past 20 years has been slower than the national average, dramatically so with respect to incarceration.”**

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**One Response to “New Report on Incarceration and Community Corrections”**

[...] at the UNC School of Government’s excellent new North Carolina Criminal Law blog, they’ve noted that the Tar Heel state actually comes across rather well in the important new report on U.S. [...]




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to imprisoning their citizens, dictators

NC

Scholar, Woman/Deney



150 is on probation. But we rank 29th in the 30th in probation rate, and 31st in overall total rate, all below average. Furthermore, our 2007 growth rate over the past 20 years has been national average, dramatically so with respect to

are, but how good is it really? For some quick and dirty data to see to the Pew Center's report from 2007, on U.S. 620 people incarcerated per 100,000 residents, the 2008 rate has the lowest incarceration rate in the South. Louisiana had the highest rate nationally at 1,138 per 100,000, followed by Georgia (1,021) and Texas (916). The states with the lowest rates nationally were Maine (27) per 100,000 residents, Minnesota (100) and Rhode Island (113). So North Carolina falls near

more or less in the middle of the pack on its rate of incarceration when compared with other U.S. states. What's the big deal?



“That’s good news, but how good is it really? So North Carolina finds itself in the middle of the pack when compared with other U.S. states. What’s the big deal? Only one nation, Russia, locks more of its citizens up than North Carolina. Maybe there’s hope, though. The [study] couldn’t get reliable data on North Korea. It could be that Kim Jong-il is running a bigger prison state than Bev Perdue.”

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**Sentencing in Perspective**

- You are busy
- A system under pressure
- NC still a model nationally, but . . .
- Expect changes this legislative session




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