

Preventing Low Level Felonies from Becoming High Level Habitual Felonies

Habitual Felon laws: a law that allows for greater punishment for “repeat offenders.”

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No Big Deal!

If..... You just win the primary phase of trial



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A Nationwide Trend

- Persistent offender laws to severely enhance sentences
- NC's habitual felon law is generally a “*fourth Strike*” situation
- “Primary purpose” is to “*deter repeat offenders*” and “*segregate that person from the rest of society for an extended period of time.*”
State v. Aldridge, 76 N.C. App. 638, 640 (1985)

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Habitual Felons vs. Habitual Crimes

Habitual Felon is different from Habitual Crimes:

- Habitual DWI (3+ prior impaired driving) N.C.G.S. §20-138.5
- Habitual Larceny (4+ prior larcenies) N.C.G.S. §14-72
- Habitual Misdemeanor Assault (2+ prior assaults) N.C.G.S. §14-33.2
- Habitual Breaking and/or Entering (1+ prior B&E) N.C.G.S. §§14-7.25-7.31
- Armed Habitual Felon (1+ prior Firearm related felony) N.C.G.S. §§14.7.35-7.41

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Habitual Felon Law in NC



Vanilla: Defendant has three (or more) felony convictions, Federal or State.

- If convicted, defendant will be sentenced at **four** classes higher
- Capped at "C"

Rocky Road: Violent habitual felon.

- Defendant has two previous A-E felony convictions and is convicted of a new A-E felony
- Life sentence

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How Does It Work?

HF is a status, not a crime

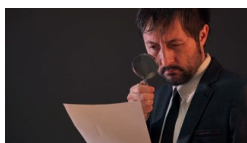
- Three previous **non-overlapping** convictions
 - Felony convictions since 1967 (N.C.G.S. §14-7.1)
- HF status is for **life**
- **Alleged by indictment**
- Convictions do not have to be for similar offenses or similar to the newly charged offense
- The convictions must be felonies in NC or defined as felonies under the laws of any sovereign jurisdiction where the convictions occurred



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Things to Watch For

- "Non-overlapping"
- Pardoned convictions
- NC convictions (prior to July 1, 1975) based on plea of no contest
- Convictions prior to July 6, 1967
- Convictions for habitual misdemeanor assaults (N.C.G.S. §14-33.2)
- Only **one** from before age 18 can be used




7

Non-Overlapping



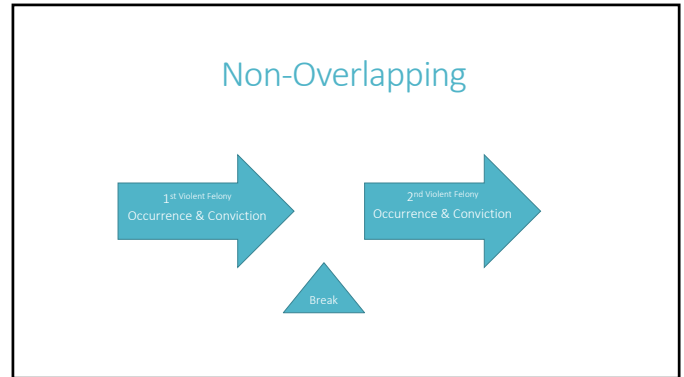
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Eligibility for Violent HF

A defendant who:
Has been *convicted*,
Of two violent felonies,
Commits a third Class A through E felony

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Violent Habitual Felon N.C.G.S. §14.7.7

- Any person with two (2) non-overlapping "violent felony" convictions
 - Any Class A through E felony convictions since 1967 in North Carolina
 - Any repealed or superseded offenses that are the substantial equivalent to a current Class A through E Felony in North Carolina
 - Any offense from another jurisdiction "substantially similar to" an A through E North Carolina offense
 - Need NOT be defined by "foreign sovereign" as felony
- Note:** Excludes some felony offenses that might naturally be considered violent (assaults)

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Punishment for Violent HF

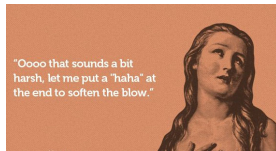


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When is Status Charged?

The decision to charge an individual as a HF or a Violent HF is *entirely within the prosecutor's discretion*

State v. Parks, 146 N.C. App. 568 (2001)



**PROSECUTORIAL
DISCRETION**

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HF Indictment

N.C.G.S. §14-7.3

- Must be separate from the principal felony Indictments
 - Can be listed a Count II to the Principal Felony

State v. Young, 120 N.C. App. 456, 459-60 (1995)
- **Must** include the following (*for each of the 3 felonies*):
 1. Date of the commission;
 2. Date of the conviction;
 3. State or sovereign against which the felony was committed; *and*
 4. Identity of the court in which the conviction took place

State v. Langley, 371 N.C. 389 (2018)

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STATE OF NORTH CAROLINA
County of Mecklenburg

The State of North Carolina
vs.
W/M DOB: January 26, [redacted]
Charlotte, North Carolina 28208
Defendant

File # [redacted]
Film # [redacted]
In The General Court of Justice
Superior Court Division
December 11, 2017

HABITUAL FELON G.S. 14-7.1

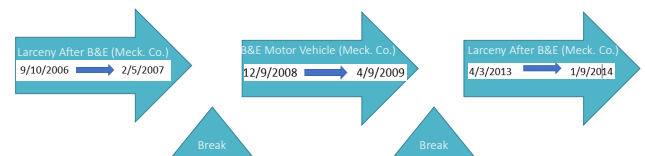
THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that [redacted] is an habitual felon in that on or about September 10, 2006, [redacted] did commit the felony of Larceny after Breaking and or Entering, and that on or about February 5, 2007, [redacted] was convicted of the felony of Larceny after Breaking and or Entering in the Superior Court of Mecklenburg County, North Carolina; and that on or about December 7, 2008, [redacted] did commit the felony of Breaking and or Entering a Motor Vehicle, and that on or about April 9, 2009, [redacted] was convicted of the felony of Breaking and or Entering a Motor Vehicle in the Superior Court of Mecklenburg County, North Carolina; and that on or about April 3, 2013, [redacted] did commit the felony of Larceny after Breaking and or Entering, and that on or about January 9, 2014, [redacted] was convicted of the felony of Larceny after Breaking and or Entering in the Superior Court of Mecklenburg County, North Carolina, against the form of the statute in such case made and provided and against the peace and dignity of the State.

9/10/2006	→	2/5/2007	Larceny After B&E (Meck. Co.)
12/9/2008	→	4/9/2009	B&E Motor Vehicle (Meck. Co.)
4/3/2013	→	1/9/2014	Larceny After B&E (Meck. Co.)

Sample HF Indictment

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Non-Overlapping



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How is HF Status Proven?

Stipulation of both parties (N.C.G.S. §14-7.4)

-OR-

The original or certified copy of the court record of the prior convictions

-OR- EVEN AN ACIS PRINTOUT CERTIFIED BY A CLERK!
(State v. Waycaster, NC Supreme Court, 8/14/20)

Note: The original or certified copy of the court record of conviction is *prima facie* evidence of that prior conviction.



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Late Identification of HF Status by DA

- A client might not be identified as a HF until *after* Bond Hearing or Probable Cause Hearing date in District Court
- You may become aware of your client's HF status before the prosecutor does
 - Perhaps it's time to plead quick?
 - A habitual felon indictment must be part of a prosecution "for which no judgment" has yet been entered.

- Until that happens the State can obtain and prosecute a new habitual felon indictment
- The judge can even continue the case to allow the state time to secure the new indictment

State v. Hodge, NC. App. (Feb, 2020)



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No OFA



HF is a status and not a standalone offense

Therefore, a HF Indictment should not result in a new bond or Order for Arrest

Indictment generally served at Scheduling Conference date in Mecklenburg

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Rapidly Escalating Severity

Misdemeanors can become HF cases!

Example: Client charged with Misd. Larceny in District Court. Prosecutor could indict client for Habitual Larceny, Class H, which could serve as the principal felony for a HF indictment



Note: It is important to analyze the record and interview client to determine exposure to these misdemeanor "bump-up" felonies and to the HF status.

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Key Guilty Plea Considerations

Most HF cases are resolved with non-habitual guilty pleas and sentences

- Ask your DA
- Write a letter of support
- Negotiate!
 - Two class H to run consecutive
 - Class I to E, rather than the offered H to D
 - Programs



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Sample Non-HF Plea Transcript

STATE VERSUS		File No.
Name Of Defendant JOHN DOE		NON-HABITUAL
20. Have you agreed to plead <input checked="" type="checkbox"/> guilty <input type="checkbox"/> guilty pursuant to <i>Alford</i> <input type="checkbox"/> no contest as part of a plea arrangement? (if so, review the terms of the plea arrangement as listed in No. 21 below with the defendant.) (20) YES		
21. The prosecutor, your lawyer and you have informed the Court that these are all the terms and conditions of your plea:		
PLEA ARRANGEMENT		
Defendant enters this plea of guilty to the following:		
(1) Amended Larceny from the Person, 18CRS000010 and		
(2) Amended Misdemeanor Assault Inflicting Serious Injury, 18CRS000011.		
The State will dismiss the charges set out on page two, side two, of this transcript, <u>which includes the habitual felon status</u> . The sentence will be consolidated under the Amended Larceny from the Person charge, (18CRS000010). The defendant will receive 14-26 months, Active.		
Pursuant to mitigating factors in 15A-1340.16(e), the defendant has accepted responsibility for the defendant's criminal conduct, #15.		
<input checked="" type="checkbox"/> The State dismisses the charge(s) set out on Page Two, Side Two, of this transcript.		
<input type="checkbox"/> The defendant stipulates to restitution to the party(ies) in the amounts set out on "Restitution Worksheet, Notice And Order (Initial Sentencing)" (AOC-CR-611).		
22. Is the plea arrangement as set forth within this transcript and as I have just described it to you correct as (22) YES		

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Sample HF Plea Transcript

STATE VERSUS		File No.
Name Of Defendant JOHN DOE		HABITUAL
20. Have you agreed to plead <input checked="" type="checkbox"/> guilty <input type="checkbox"/> guilty pursuant to <i>Alford</i> <input type="checkbox"/> no contest as part of a plea arrangement? (if so, review the terms of the plea arrangement as listed in No. 21 below with the defendant.) (20) YES		
21. The prosecutor, your lawyer and you have informed the Court that these are all the terms and conditions of your plea:		
PLEA ARRANGEMENT		
Defendant enters this plea of guilty to the following:		
(1) PWISD cocaine, 18CRS000010 and <u>admit to habitual Felon Status</u> , 18CRS000074, class "D" offense; and		
(2) Possession of Firearm by Felon, 18CRS000011.		
The State will dismiss the charges set out on page two, side two, of this transcript. The sentence will be consolidated under the PWISD cocaine charge (18CRS000010). The defendant will receive 77-105 months, Active.		
Pursuant to mitigating factors in 15A-1340.16(e), the defendant has accepted responsibility for the defendant's criminal conduct, #15.		
<input checked="" type="checkbox"/> The State dismisses the charge(s) set out on Page Two, Side Two, of this transcript.		
<input type="checkbox"/> The defendant stipulates to restitution to the party(ies) in the amounts set out on "Restitution Worksheet, Notice And Order (Initial Sentencing)" (AOC-CR-611).		
22. Is the plea arrangement as set forth within this transcript and as I have just described it to you correct as (22) YES		

24



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Consecutive Sentence Prospects

If client is serving time already or has multiple pending cases, try to wrap them up

- Work with out of county attorneys
- Work with other units (Especially PV)
- Check pending

If the defendant is not currently serving a term of imprisonment, the trial court may exercise its discretion in determining whether to impose concurrent or consecutive sentences
State v. Duffie, 241 N.C. App. 88 (2015)

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Critique Every HF Indictment

Look for irregularities in HF indictment:

- Overlapping prior felonies
- Court records mistaken or missing
- Priors were not actually felonies. *State v. Moncree*, 188 N.C. App. 221 (2008).
- Different names or date of birth in court records

Suggestion: Make it a habit to obtain copies of the alleged prior judgments and transcripts prior to trial

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Prior Record Level: No Double-Dipping

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STATE OF NORTH CAROLINA		05/27/2018		FILE																																																																																																																																																																		
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NOTE: If sentencing for a felony, complete the report over which conviction is listed in the prior points determined in Section I above.				(Repeat) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>2-4</td> <td>5-9</td> </tr> <tr> <td>10-11</td> <td>12-13</td> </tr> <tr> <td>14-15</td> <td>16-17</td> </tr> <tr> <td>18-19</td> <td>20-21</td> </tr> <tr> <td>22-23</td> <td>24-25</td> </tr> <tr> <td>26-27</td> <td>28-29</td> </tr> <tr> <td>30-31</td> <td>32-33</td> </tr> <tr> <td>34-35</td> <td>36-37</td> </tr> <tr> <td>38-39</td> <td>40-41</td> </tr> <tr> <td>42-43</td> <td>44-45</td> </tr> <tr> <td>46-47</td> <td>48-49</td> </tr> <tr> <td>50-51</td> <td>52-53</td> </tr> <tr> <td>54-55</td> <td>56-57</td> </tr> <tr> <td>58-59</td> <td>60-61</td> </tr> <tr> <td>62-63</td> <td>64-65</td> </tr> <tr> <td>66-67</td> <td>68-69</td> </tr> <tr> <td>70-71</td> <td>72-73</td> </tr> <tr> <td>74-75</td> <td>76-77</td> </tr> <tr> <td>78-79</td> <td>80-81</td> </tr> <tr> <td>82-83</td> <td>84-85</td> </tr> <tr> <td>86-87</td> <td>88-89</td> </tr> <tr> <td>90-91</td> <td>92-93</td> </tr> <tr> <td>94-95</td> <td>96-97</td> </tr> <tr> <td>98-99</td> <td>100-101</td> </tr> <tr> <td>102-103</td> <td>104-105</td> </tr> <tr> <td>106-107</td> <td>108-109</td> </tr> <tr> <td>110-111</td> <td>112-113</td> </tr> <tr> <td>114-115</td> <td>116-117</td> </tr> <tr> <td>118-119</td> <td>120-121</td> </tr> <tr> <td>122-123</td> <td>124-125</td> </tr> <tr> <td>126-127</td> <td>128-129</td> </tr> <tr> <td>130-131</td> <td>132-133</td> </tr> <tr> <td>134-135</td> <td>136-137</td> </tr> <tr> <td>138-139</td> <td>140-141</td> </tr> <tr> <td>142-143</td> <td>144-145</td> </tr> <tr> <td>146-147</td> <td>148-149</td> </tr> <tr> <td>150-151</td> <td>152-153</td> </tr> <tr> <td>154-155</td> <td>156-157</td> </tr> <tr> <td>158-159</td> <td>160-161</td> </tr> <tr> <td>162-163</td> <td>164-165</td> </tr> <tr> <td>166-167</td> <td>168-169</td> </tr> <tr> <td>170-171</td> <td>172-173</td> </tr> <tr> <td>174-175</td> <td>176-177</td> </tr> <tr> <td>178-179</td> <td>180-181</td> </tr> <tr> <td>182-183</td> <td>184-185</td> </tr> <tr> <td>186-187</td> <td>188-189</td> </tr> <tr> <td>190-191</td> <td>192-193</td> </tr> <tr> <td>194-195</td> <td>196-197</td> </tr> <tr> <td>198-199</td> <td>200-201</td> </tr> <tr> <td>202-203</td> <td>204-205</td> </tr> <tr> <td>206-207</td> <td>208-209</td> </tr> <tr> <td>210-211</td> <td>212-213</td> </tr> <tr> <td>214-215</td> <td>216-217</td> </tr> <tr> <td>218-219</td> <td>220-221</td> </tr> <tr> <td>222-223</td> <td>224-225</td> </tr> <tr> <td>226-227</td> <td>228-229</td> </tr> <tr> <td>230-231</td> <td>232-233</td> </tr> <tr> <td>234-235</td> <td>236-237</td> </tr> <tr> <td>238-239</td> <td>240-241</td> </tr> <tr> <td>242-243</td> <td>244-245</td> </tr> <tr> <td>246-247</td> <td>248-249</td> </tr> <tr> <td>250-251</td> <td>252-253</td> </tr> <tr> <td>254-255</td> <td>256-257</td> </tr> <tr> <td>258-259</td> <td>260-261</td> </tr> <tr> <td>262-263</td> <td>264-265</td> </tr> <tr> <td>266-267</td> <td>268-269</td> </tr> <tr> <td>270-271</td> <td>272-273</td> </tr> <tr> <td>274-275</td> <td>276-277</td> </tr> <tr> <td>278-279</td> <td>280-281</td> </tr> <tr> <td>282-283</td> <td>284-285</td> </tr> <tr> <td>286-287</td> <td>288-289</td> </tr> <tr> <td>290-291</td> <td>292-293</td> </tr> <tr> <td>294-295</td> <td>296-297</td> </tr> <tr> <td>298-299</td> <td>300-301</td> </tr> <tr> <td>302-303</td> <td>304-305</td> </tr> <tr> <td>306-307</td> <td>308-309</td> </tr> <tr> <td>310-311</td> <td>312-313</td> </tr> <tr> <td>314-315</td> <td>316-317</td> </tr> <tr> <td>318-319</td> <td>320-321</td> </tr> <tr> <td>322-323</td> <td>324-325</td> </tr> <tr> <td>326-</td></tr></table>		2-4	5-9	10-11	12-13	14-15	16-17	18-19	20-21	22-23	24-25	26-27	28-29	30-31	32-33	34-35	36-37	38-39	40-41	42-43	44-45	46-47	48-49	50-51	52-53	54-55	56-57	58-59	60-61	62-63	64-65	66-67	68-69	70-71	72-73	74-75	76-77	78-79	80-81	82-83	84-85	86-87	88-89	90-91	92-93	94-95	96-97	98-99	100-101	102-103	104-105	106-107	108-109	110-111	112-113	114-115	116-117	118-119	120-121	122-123	124-125	126-127	128-129	130-131	132-133	134-135	136-137	138-139	140-141	142-143	144-145	146-147	148-149	150-151	152-153	154-155	156-157	158-159	160-161	162-163	164-165	166-167	168-169	170-171	172-173	174-175	176-177	178-179	180-181	182-183	184-185	186-187	188-189	190-191	192-193	194-195	196-197	198-199	200-201	202-203	204-205	206-207	208-209	210-211	212-213	214-215	216-217	218-219	220-221	222-223	224-225	226-227	228-229	230-231	232-233	234-235	236-237	238-239	240-241	242-243	244-245	246-247	248-249	250-251	252-253	254-255	256-257	258-259	260-261	262-263	264-265	266-267	268-269	270-271	272-273	274-275	276-277	278-279	280-281	282-283	284-285	286-287	288-289	290-291	292-293	294-295	296-297	298-299	300-301	302-303	304-305	306-307	308-309	310-311	312-313	314-315	316-317	318-319	320-321	322-323	324-325	326-
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NOTE: Federal law prohibits making computer printout of D-C-CH (Info) sheet, part of permanent public court record.

NOTE: The only misdemeanor charges under Chapter 20 that are assigned points for determining prior record level for felony sentencing are:
MISDEMEANOR BY VEHICLE (G.S. 20-147, 4020) and, for sentencing for Felony Offenses committed on or after December 1, 1997, Pleading charged (G.S. 20-138.1) and commercial imported vehicle (G.S. 20-138.2). First Degree Murder, First Degree Sexual Offense committed prior to December 1, 1994, are Class I convictions.

Source Code	Offense	File No.	Date of Conviction	County (Name or State and No.)	Class
	MISDEMEANOR LARCENY	17CKS	04/07/2017	MECKLENBURG	1
	BREAK OR ENTER A MOTOR VEHICLE	17CKS	04/07/2017	MECKLENBURG	1
	BREAK OR ENTER A MOTOR VEHICLE	16CKS	05/06/2016	MECKLENBURG	1
	LARCENY AFTER BREAK/ENTER	09/08/2015	MECKLENBURG	H *	
	BREAKING AND/OR ENTERING (F)	15CKS	09/08/2015	MECKLENBURG	H
	POSS STOLEN GOODS/PROP (M)	14CKS	10/10/2014	MECKLENBURG	1
	ATTEMPT BREAK/ENTER MOTOR VEH	14CKS	10/10/2014	MECKLENBURG	1
	TAMPERING WITH VEHICLE	12CR	12/11/2012	MECKLENBURG	2

1 Prior Felony Class B or C Conviction

2 Prior Felony Class B or C Conviction

3 Prior Felony Class B or C Conviction

4 Prior Felony Class B or C Conviction

5 Prior Felony Class A or 1 Misdemeanor Conviction (per sec 60 statute)

6 No Prior Felony Conviction

7 No Prior Felony Conviction

8 No Prior Felony Conviction

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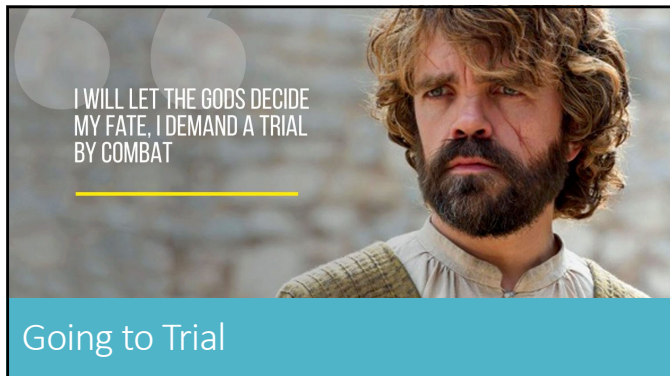
220 No Prior Felony Conviction

221 No Prior Felony Conviction

222 No Prior Felony Conviction

Pre-Trial Issues

Improper Collateral Attacks



33



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PHASE ONE

The guilt/innocence determination of the principal felony

Jury should not hear about HF status during Phase One (N.C.G.S. §14-7.5)

You may refer to the sentence your client might receive for the principal felony but NOT to the sentence as a HF

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PHASE ONE

If jury acquits or principal charge dismissed:

- HF status has no effect and must be dismissed
- Status cannot stand alone
- Winner! Winner! Winner!

NOT GUILTY

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PHASE TWO



If convicted:

- **HF status** is a penalty enhancement
 - HF status will elevate the felony punishment four (4) classes
 - Capped at "C"
- **Violent Habitual Felon** (N.C.G.S. §14-7.12):
 - If defendant is convicted of the principal Class A-E felony, sentence is Life without Parole

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Should You Pass Go?



- If you get a Guilty verdict on the principal felony, don't give up!
- You have leverage:
 - Conference the case with the judge and the prosecutor
 - Ask for a mitigated range sentence or a bottom of the presumptive range sentence in exchange for a stipulation to the HF status
 - **Client must agree and execute a HF plea transcript that admits HF status

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Sample HF Plea Transcript at Phase Two

STATE VERSUS	File No. HABITUAL (PHASE TWO)
Name of Defendant JOHN DOE	
20. Have you agreed to plead <input checked="" type="checkbox"/> guilty <input type="checkbox"/> guilty pursuant to Alford <input type="checkbox"/> no contest as part of a plea arrangement? (if so, review the terms of the plea arrangement as listed in No. 21 below with the defendant.) (20) YES	
21. The prosecutor, your lawyer and you have informed the Court that these are all the terms and conditions of your plea.	
PLEA ARRANGEMENT	
The Defendant will plead guilty to the Habitual Felon status.	
The Defendant is a prior record level IV for Habitual Sentencing, pleading to a Class "C" felony.	
That the sentence will be in the court's discretion.	
<input checked="" type="checkbox"/> The State dismisses the charge(s) set out on Page Two, Side Two, of this transcript. <input type="checkbox"/> The defendant stipulates to restitution to the party(ies) in the amounts set out on "Restitution Worksheet, Notice And Order (Initial Sentencing)" (AOC-CR-611).	
22. Is the plea arrangement as set forth within this transcript and as I have just described it to you correct as (22) YES	

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PHASE TWO

Jury trial for HF Status

- Beyond reasonable doubt
- Three (3) prior non-overlapping felony convictions
- The main evidence typically is a certified court records
- Permissible Closing Arguments in Phase 2:
 - May now refer to the enhanced sentence your HF client is exposed to
 - Watch for different names or dates of birth
 - Exploit sloppy judgments
 - When the stakes are this high, discrepancies like that are unacceptable

40

PHASE 3

If aggravating factors have been alleged, the jury could be asked to deliberate a **third** time on whether aggravating factors have been proven beyond a reasonable doubt.

(ALL CASP)

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Habitual Felon Sentencing

Class of Substantive Felony	Will Be Enhanced to	Habitual Felon Class
Class I	→	Class E
Class H	→	Class D
Class G	→	Class C
Class F	→	Class C
Class E	→	Class C
Class D	→	Class C
Class A, Class B1, Class B2	→	Class A, Class B1, Class B2

***Except pre-2011

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Violent Habitual Felon Sentencing

Class of Substantive Felony	Will Be Enhanced to	Habitual Felon Class
Class I	→	Not Applicable
Class H	→	Not Applicable
Class G	→	Not Applicable
Class F	→	Not Applicable
Class E	→	Life
Class D	→	Life
Class A, Class B1, Class B2	→	Life

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HF & Prior Record Level Points

- Felony convictions used to establish the client's HF status cannot count toward the prior record level point system (N.C.G.S. §14-7.6)
- BUT...
 - If convicted of multiple felonies in one session of court, one of those felony convictions may be used as a predicate conviction toward HF status, and a second one can be used toward the prior record level (N.C.G.S. §14-7.12)
- **Special consideration:** PDP (cocaine vs. marijuana), in Habitual Crimes consider attempts vs. completed crimes (larceny, assault)

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Special Client Concerns

- Unwillingness or inability to process or accept HF sentence
- Myths regarding priors
- Dangerous decision-making
 - Resist any urge to sugarcoat the news
 - Suppression motion? Great! But you are HF for life.
 - Give the worst
 - Visit clients early and often: build trust
 - Communicate offer is better than alternative
 - Should a non-habitual offer be taken?



45

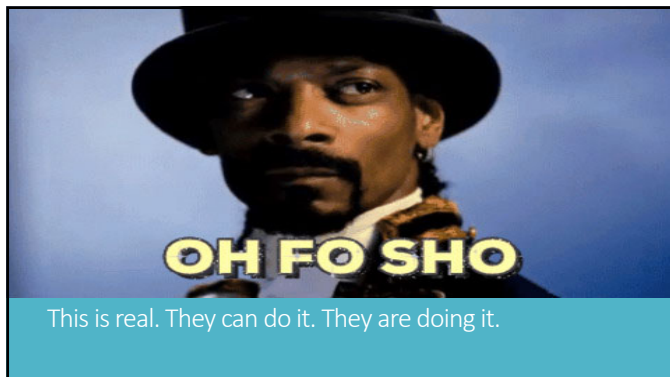
Constitutional Issues

Generally, these claims have been rejected:

- Double Jeopardy
- Equal Protection
- Selective Prosecution
- Separation of Powers
- Gives DA the legislative power to define sentence for crimes
- Cruel and Unusual Punishment



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Can I Get a HF offer?

Sometimes, a HF status client will face more time on a non-habitual plea or conviction

When being sentenced as a HF can benefit your client:

- (1) Defendants with a Class C or a Class D felony
- (2) Drug trafficking offenses

Can I get a reduction in prior record level?



48

N.C.G.S

- § 14-7.1 Persons defined as habitual felons.
- § 14-7.2 Punishment.
- § 14-7.3 Charge of habitual felon
- § 14-7.4 Evidence of prior convictions of felony offenses
- § 14-7.5 Verdict and judgment
- § 14-7.6 Sentencing of habitual felons
- § 14-7.7 Persons defined as violent habitual felons
- § 14-7.8 Punishment
- § 14-7.9 Charge of Violent Habitual Felon
- § 14-7.10 Evidence of prior convictions of violent felonies
- § 14-7.11 Verdict and judgement
- § 14-7.12 Sentencing of violent habitual felons

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"Your Honor, we feel the trial failed to deliver on its pretrial publicity."

HF cases are regular cases with the only difference being the amount of time your client faces.

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