

# DRIVING WHILE IMPAIRED CONVICTIONS STATISTICAL REPORT

FISCAL YEAR  
**2020**

# DRIVING WHILE IMPAIRED CONVICTIONS AND SENTENCES IMPOSED

## STATISTICAL REPORT

FISCAL YEAR  
**2020**

AUGUST 2021



THE HONORABLE CHARLIE BROWN  
CHAIRMAN

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EXECUTIVE DIRECTOR

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## TABLE OF CONTENTS

INTRODUCTION .....	i
--------------------	---

SUMMARY OF FINDINGS .....	ii
---------------------------	----

### DWI CONVICTIONS IN FY 2020

I. DWI CONVICTIONS IN FY 2020.....	2
A. DWI Convictions .....	2
B. Definition of the Unit of Analysis .....	2
C. Data Limitations .....	2
D. Convictions by Punishment Level.....	2
Figure A: Convictions by Punishment Level .....	3
E. Convictions by Month of Sentencing .....	3
Figure B: Convictions by Month of Sentencing.....	3
F. Convictions by Judicial District .....	3
Figure C: Convictions by Judicial District.....	4
II. CHARACTERISTICS OF OFFENDERS.....	5
A. Convictions by Sex, Race, and Age at Offense .....	5
Figure D: Convictions by Sex and Race .....	5
Table 1: Convictions by Age at Offense and Punishment Level.....	6
Figure E: Distribution of Convictions by Age at Offense.....	6
B. Convictions by Blood Alcohol Concentration (BAC) .....	7
Figure F: Convictions by BAC.....	7
Figure G: Distribution of BAC.....	7
Figure H: Convictions by Mitigating and Aggravating BAC Levels and Punishment Level..	8
III. SENTENCES IMPOSED AND METHOD OF DISPOSITION .....	8
A. Convictions by Type of Sentence Imposed and Punishment Level .....	8
Figure I: Convictions by Type of Sentence Imposed and Punishment Level.....	9
Table 2: Convictions by Type of Sentence Imposed and Punishment Level.....	9
B. Convictions by Method of Disposition .....	9
Figure J: Convictions by Method of Disposition.....	10
Figure K: Rate of Active Sentences by Method of Disposition and Punishment Level.....	10
C. Average Sentence Length.....	10
Table 3: Average Length of Active Sentences (Months) by Punishment Level.....	11
Figure L: Average Length of Active Sentences (Months) by Method of Disposition and Punishment Level.....	11
Figure M: Average Sentence Length (Months) by Punishment Level.....	12
D. Probation Sentences .....	12
Figure N: Probation Sentences by Type of Probation and Punishment Level .....	13
Figure O: Average Length of Probation (Months) by Type of Probation and Punishment Level.....	13
Table 4: Most Frequently Imposed Probation Length (Months) by Type of Probation and Punishment Level.....	14
Figure P: Mandatory Probation Conditions by Punishment Level.....	14

Table 5: Probation Sentences with Special Probation by Punishment Level.....	15
Table 6: Probation Sentences with a Fine Imposed by Punishment Level .....	15
<b>IV. SPECIAL ISSUES.....</b>	<b>16</b>
A. Time to Sentencing.....	16
Figure Q: Median Time to Sentencing (Months) by Punishment Level and Method of Disposition for District Court and Superior Court .....	16
Figure R: Distribution of Time to Sentencing by Punishment Level .....	17
B. Sentence Length Relative to the Statutory Minimum and Maximum Sentences.....	17
Figure S: Sentence Length Relative to Statutory Minimum and Maximum Sentences....	18
C. Use of Minimum and Maximum Sentences .....	18
Figure T: Use of Minimum and Maximum Sentences.....	19
D. Credit for Time Served.....	19
Table 7: Convictions with Credit for Time Served (Days) by Punishment Level .....	20

**APPENDICES**

**APPENDIX A: MAPS OF JUDICIAL DIVISIONS AND DISTRICTS**

North Carolina Superior Court Districts.....	22
North Carolina District Court Districts .....	23

**APPENDIX B: DWI PUNISHMENT TABLE**

Sentencing for Impaired Driving Offenses.....	25
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**APPENDIX C: ADDITIONAL CONVICTION DATA BY JUDICIAL DISTRICT AND COUNTY**

Appendix C, Table 1: Convictions by Judicial District and County .....	28
Appendix C, Figure 1: Convictions by Judicial District and Punishment Level.....	30
Appendix C, Figure 2: Convictions by Judicial District and Type of Punishment .....	31

**APPENDIX D: ADDITIONAL CONVICTION DATA BY PUNISHMENT LEVEL**

Appendix D, Table 1: Offender Characteristics and Punishment Imposed by Punishment Level.....	33
Appendix D, Table 2: Conditions of Probation for Probation Sentences by Punishment Level.....	34

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## INTRODUCTION

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This report provides detailed information about driving while impaired (DWI) convictions sentenced under North Carolina General Statute (hereinafter G.S.) 20-179 during Fiscal Year 2020 (July 1, 2019 through June 30, 2020). These data reflect the laws and practices that were in place during this time period.

G.S. 20-179 prescribes sentencing for convictions for impaired driving (G.S. 20-138.1), impaired driving in a commercial vehicle (G.S. 20-138.2), a second or subsequent conviction for operating a commercial vehicle after consuming alcohol (G.S. 20-138.2A), and a second or subsequent conviction for operating a school bus, school activity bus, child care vehicle, ambulance, other EMS vehicle, firefighting vehicle, or law enforcement vehicle after consuming alcohol (G.S. 20-138.2B). Under G.S. 20-179, offenders convicted of any of the above offenses are subject to punishment in one of six punishment levels (Aggravated Level 1, Level 1 through Level 5).

The following impaired driving offenses are excluded from this report:

- Aiding and abetting DWI (G.S. 20-179(f1))
- Habitual Impaired Driving (G.S. 20-138.5(b))

The report presents information on the number of DWI convictions, the distribution of DWI convictions across the six punishment levels, and the types of sentences imposed, as well as data about several other issues. The Appendix includes data on DWI convictions by district and county, as well as additional analyses by punishment level.

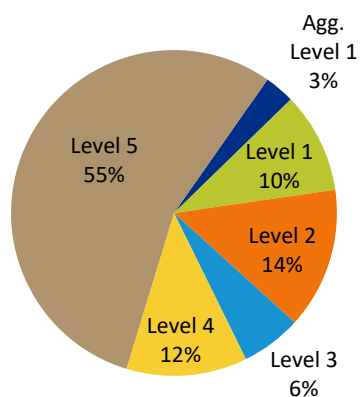
In FY 2020, the volume of DWI convictions was impacted by the postponement of certain court proceedings following emergency directives from the Chief Justice of the North Carolina Supreme Court in response to the COVID-19 pandemic, which began in March 2020.

# SUMMARY OF FINDINGS

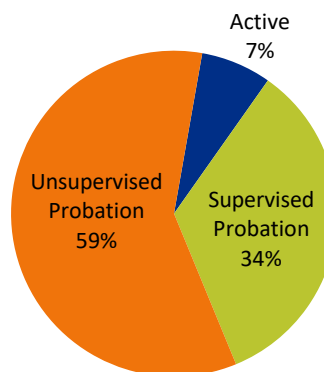
## FY 2020 DWI CONVICTIONS

During FY 2020, sentences for 20,414 DWI convictions were imposed.<sup>1</sup> Under G.S. 20-179, offenders convicted of DWI are subject to punishment in one of six punishment levels (Aggravated Level 1, Level 1 through Level 5). As shown in the figures below, a majority of DWI offenders were sentenced in Level 5 (55%) and a majority of offenders received unsupervised probation (59%).

**Convictions by Punishment Level**

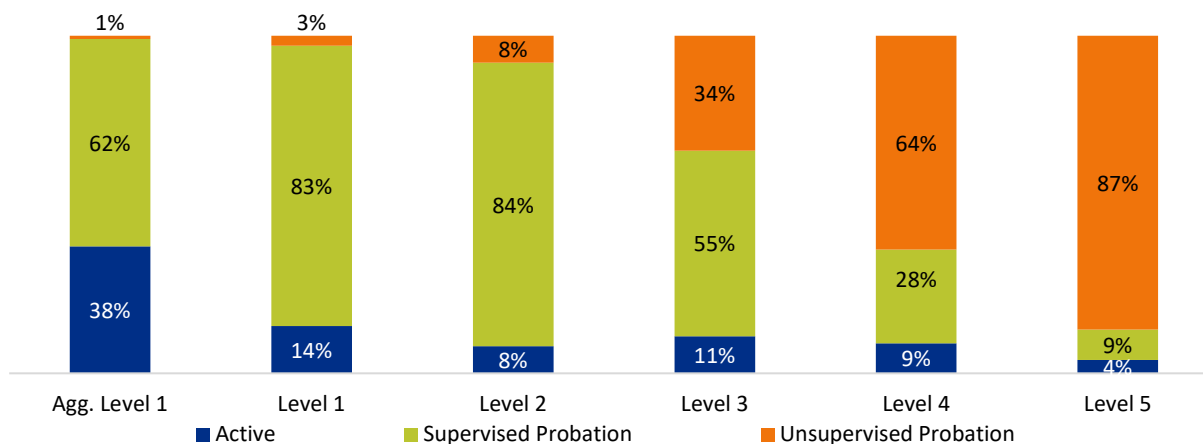


**Convictions by Type of Sentence**



The type of sentence imposed by punishment level is shown in the figure below. Thirty-eight percent (38%) of all offenders with an Aggravated Level 1 punishment received an active sentence. Supervised probation was the most frequent sentence imposed among Aggravated Level 1 (62%), Level 1 (83%), Level 2 (84%), and Level 3 (55%) convictions. Unsupervised probation was most frequently imposed among Level 4 (64%) and Level 5 (87%) convictions.

**Type of Sentence Imposed by Punishment Level**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

<sup>1</sup> For many of the tables and figures in this report, 13 of the 20,414 DWI convictions were excluded because the type of sentence imposed could not be determined.



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DWI CONVICTIONS  
FY 2020

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# I. DWI CONVICTIONS IN FY 2020

## A. DWI Convictions

This report contains information on DWI convictions sentenced under G.S. 20-179<sup>2</sup> during Fiscal Year 2020 (July 1, 2019 through June 30, 2020) and reflects the laws and practices that were in place during this time period. Overall, sentences for 20,414 DWI convictions were imposed.<sup>3</sup> (This number excludes sentences imposed for aiding and abetting DWI, even though convictions for this offense are sentenced at Level 5 (G.S. 20-179(f1)).

The offense of Habitual Impaired Driving is sentenced under Structured Sentencing as a Class F felony. Information on convictions for this offense is also excluded from this report.

## B. Definition of the Unit of Analysis

The report is based on data entered into the Administrative Office of the Courts' (AOC's) management information system by the court clerk following the imposition of the sentence. The report covers all North Carolina counties. The unit of analysis is convictions disposed of in a *sentencing episode*.<sup>4</sup>

While a sentencing episode involves one offender, in this reporting time frame an offender may be represented by more than one sentencing episode (meaning that within the fiscal year the number of offenders will be the same as or less than the number of sentencing episodes reported). For the sake of simplicity, throughout the report the unit of analysis is referred to as "conviction."

A *SENTENCING EPISODE* IS IDENTIFIED FROM COURT RECORDS AS THE SENTENCE IMPOSED FOR THE *MOST SERIOUS CONVICTION* ON A GIVEN DAY OF COURT.

## C. Data Limitations

The report is based on data entered into the Administrative Office of the Courts' (AOC's) management information system by the court clerk following the imposition of the sentence. AOC data do not contain information on the factors (grossly aggravating, aggravating, and mitigating) that determine offenders' punishment levels.

## D. Convictions by Punishment Level

Figure A shows the distribution of DWI convictions across punishment levels. The majority of convictions were in Level 5 (n=11,158 or 55%). The percentage of convictions increased from Aggravated Level 1 (3%)

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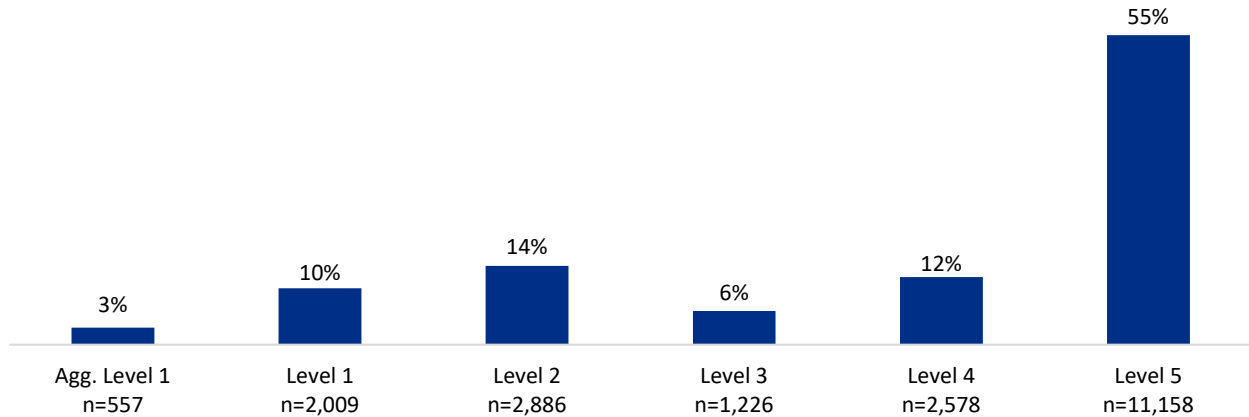
<sup>2</sup> In addition to convictions for impaired driving (G.S. 20-138.1), G.S. 20-179 also prescribes sentencing for impaired driving in a commercial vehicle (G.S. 20-138.2), a second or subsequent conviction for operating a commercial vehicle after consuming alcohol (G.S. 20-138.2A), and a second or subsequent conviction for operating a school bus, school activity bus, child care vehicle, ambulance, other EMS vehicle, firefighting vehicle, or law enforcement vehicle after consuming alcohol (G.S. 20-138.2B). Convictions for these offenses are included in this report.

<sup>3</sup> The volume of DWI convictions declined in FY 2020 following the postponement of certain court proceedings in response to the COVID-19 pandemic.

<sup>4</sup> The report's unit of analysis differs from the unit of analysis used in the AOC's Trial Court Caseload Statistics. See *A Comparison of Trial Court Caseload Statistics and the Structured Sentencing Statistical Report* available at [www.NCSPAC.org](http://www.NCSPAC.org) for detail.

through Level 2 (14%), and then again from Level 3 (6%) through Level 5 (55%). Aggravated Level 1 through Level 2 punishments are based on the presence of grossly aggravating factors while Levels 3 through 5 are not.<sup>5</sup>

**Figure A: Convictions by Punishment Level**

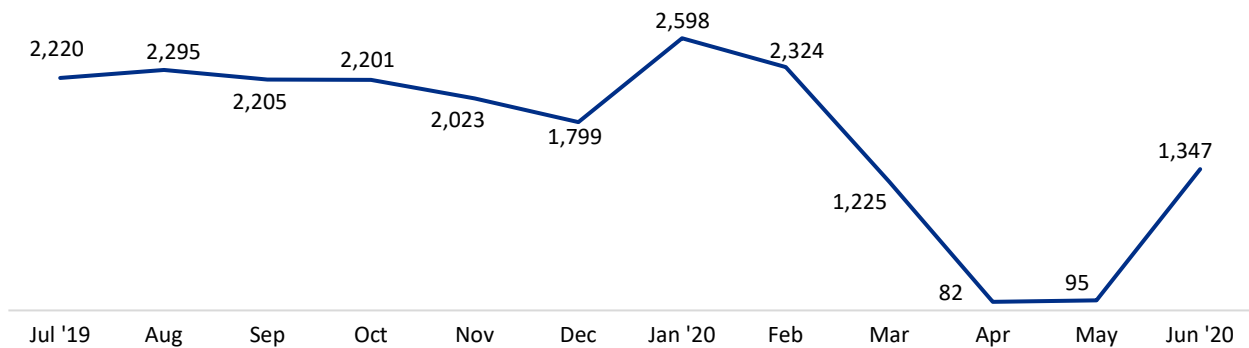


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

**E. Convictions by Month of Sentencing**

Figure B shows the number of convictions by month of sentencing during FY 2020. Convictions were highest in January and dropped substantially during the last quarter of the FY due to the onset of the COVID-19 pandemic in March and the resulting postponement of certain court proceedings.

**Figure B: Convictions by Month of Sentencing**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

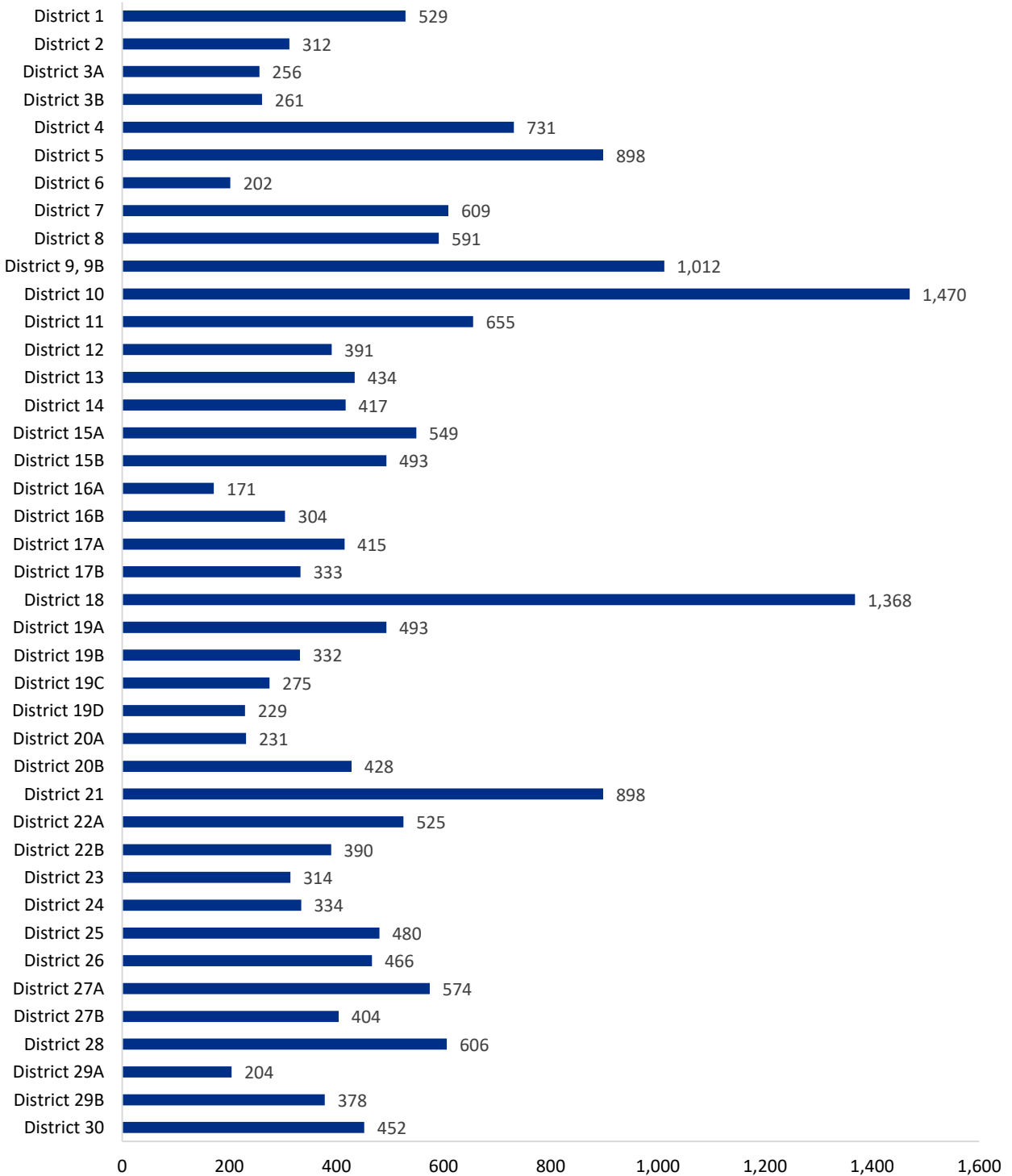
**F. Convictions by Judicial District**

Figure C shows the total number of convictions by judicial district (N=20,414). The districts with the most DWI convictions were District 10 (Wake County, n=1,470) and District 18 (Guilford County, n=1,368),

<sup>5</sup> For a list of the four grossly aggravating factors, see G.S. 20-179(c).

accounting for a combined 14% of convictions in FY 2020. Additional information about DWI convictions by district and county can be found in Appendix C.

**Figure C: Convictions by Judicial District**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

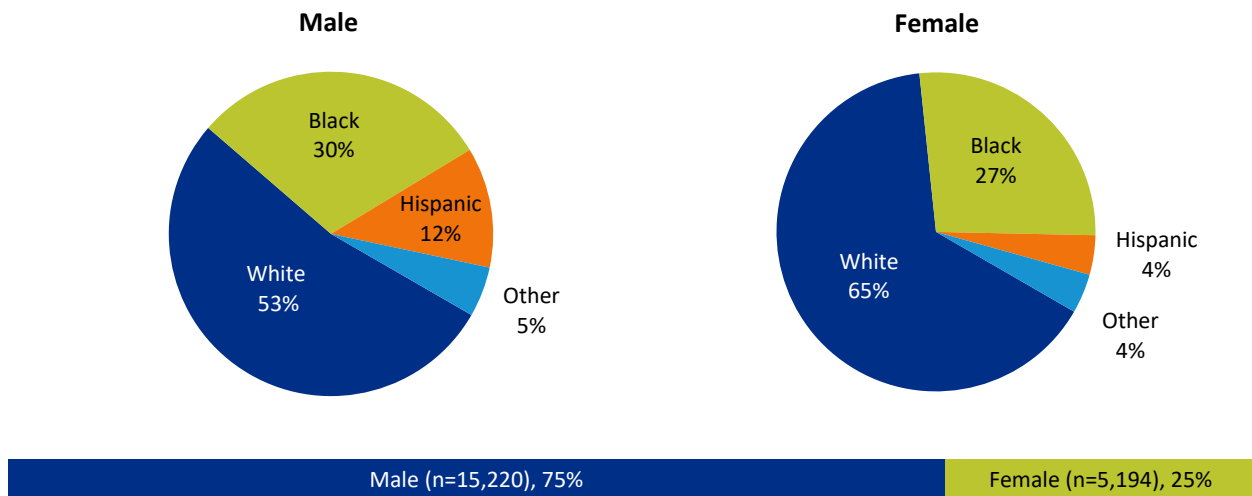
## II. CHARACTERISTICS OF OFFENDERS

This section provides information about convictions by offenders' sex, race, age at offense, and blood alcohol concentration (BAC).

### A. Convictions by Sex, Race, and Age at Offense

Of the 20,414 DWI convictions in FY 2020, 75% were for males (see Figure D). Overall, the majority of DWI offenders were white (56%). White females comprised a larger percentage of female convictions (65%) than white males did for male convictions (53%). Black males and females comprised the second largest racial category for each sex (30% and 27% respectively, and 29% overall).

**Figure D: Convictions by Sex and Race**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

Table 1 shows convictions by offenders' age at offense and punishment level. Overall, the average age of DWI offenders was 37, with Level 5 offenders being slightly younger on average (36) than offenders sentenced in the other punishment levels. Except for Level 3, at least 60% of convictions were accounted for by offenders aged 21-40 at the time of offense. Almost half (45%) of all Level 5 convictions were for offenders aged 30 and younger.

**Table 1: Convictions by Age at Offense and Punishment Level**

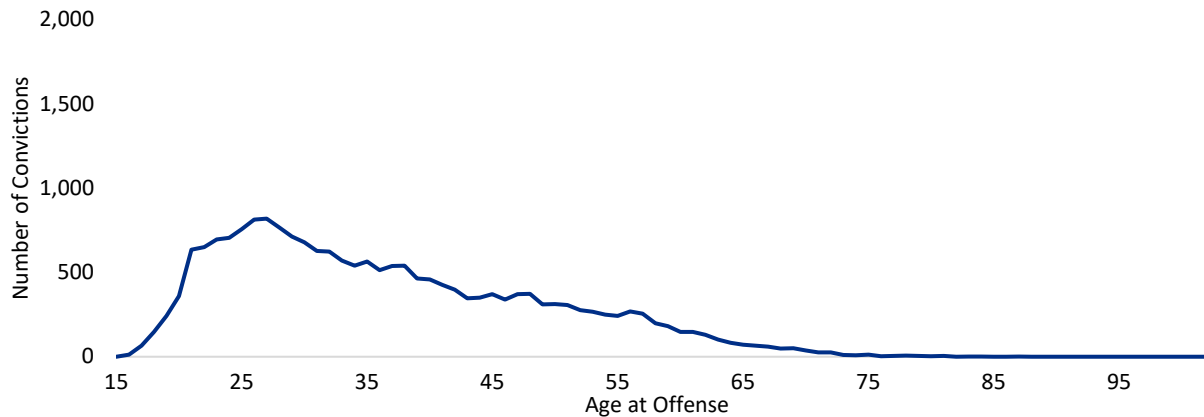
Punishment Level	#	Average Age	Age at Offense				
			<21	21-30	31-40	41-50	>50
			%	%	%	%	%
<b>Agg. Level 1</b>	557	38	1	30	33	18	18
<b>Level 1</b>	2,006	37	2	32	33	20	13
<b>Level 2</b>	2,884	38	2	32	28	19	19
<b>Level 3</b>	1,226	39	3	26	30	21	20
<b>Level 4</b>	2,574	38	4	31	28	19	18
<b>Level 5</b>	11,146	36	6	39	24	16	15
<b>Total</b>	<b>20,393</b>	<b>37</b>	<b>4</b>	<b>35</b>	<b>27</b>	<b>18</b>	<b>16</b>

Note: Of the 20,414 DWI convictions in FY 2020, 21 convictions with missing values for offender’s age were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

The volume of offenders peaked at age 27, and then generally declined as age increased (see Figure E).

**Figure E: Distribution of Convictions by Age at Offense**



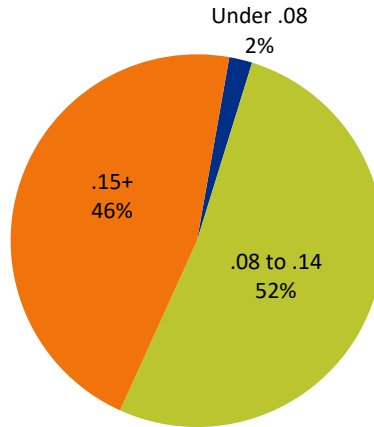
Note: Of the 20,414 DWI convictions in FY 2020, 21 convictions with missing values for offender’s age were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

## B. Convictions by Blood Alcohol Concentration (BAC)

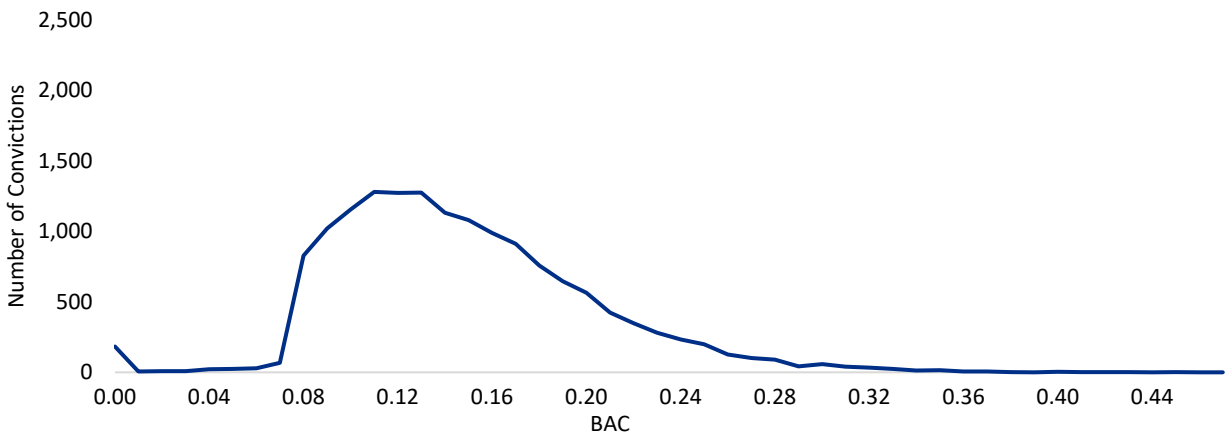
BAC levels were recorded for 75% of the 20,414 convictions.<sup>6</sup> Figure F shows the percentage of convictions by BAC. The greatest percentage of convictions were in the .08 to .14 category (52%), followed closely by the .15+ category (46%). Figure G illustrates the distribution of BAC for offenders convicted of DWI in FY 2020. A BAC of .11 was the most frequent (n=1,281), followed by .13 (n=1,276) and .12 (n=1,274), accounting for a combined total of 25%.

**Figure F: Convictions by BAC**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

**Figure G: Distribution of BAC**



Note: Of the 20,414 DWI convictions in FY 2020, 5,084 convictions without BAC levels were excluded from these figures.

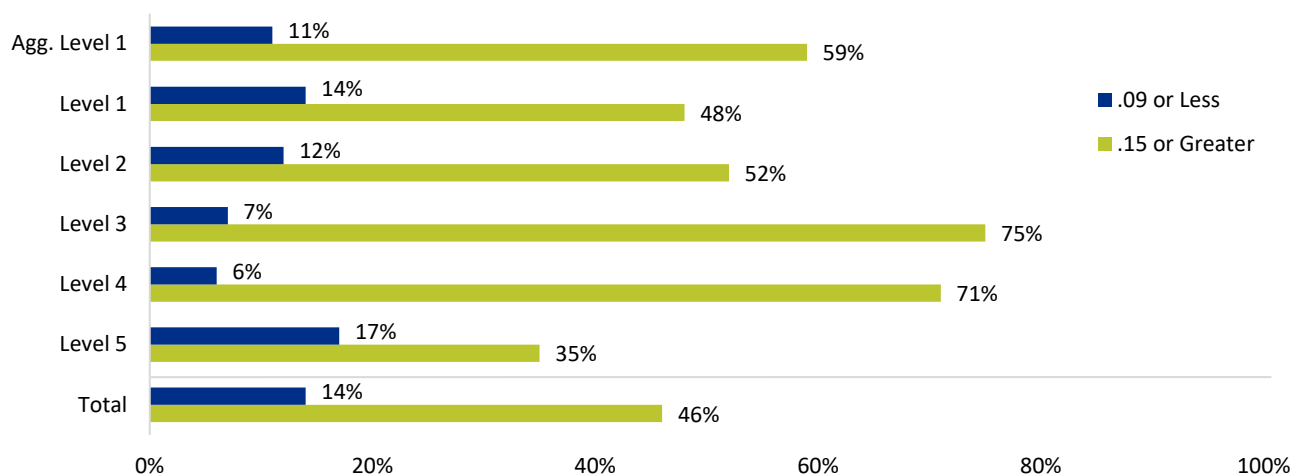
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

<sup>6</sup> This section examines data contained in the AOC's BAC field at sentencing. The AOC's BAC data include information beyond numeric BAC values. Clerks use the same field to record refusals, blood tests, and whether the DWI charge stemmed from drugs or controlled substances other than alcohol. Data on these occurrences were incomplete, however, because clerks may overwrite initial data (e.g., blood test) with information that becomes available later (e.g., the BAC result of the blood test). The FY 2020 data showed refusals occurred in 11% of convictions, blood tests occurred in 6% of convictions, DWI under controlled substances other than alcohol occurred in 3% of convictions, and BAC was unknown in 6% of convictions. However, given the possibility of overwriting, the actual percentages of convictions involving refusals and blood tests were not known.

G.S. 20-179(e)(1) defines an alcohol concentration that does not exceed .09 as a mitigating factor in terms of sentencing; likewise, G.S. 20-179(d)(1) establishes alcohol concentrations of .15 or more as an aggravating factor. A weighing of aggravating and mitigating factors determines whether offenders, who do not have any grossly aggravating factors, will be sentenced in Levels 3, 4, or 5.<sup>7</sup> Aggravating and mitigating factors may also be used in determining the type and length of sentences of offenders receiving Aggravated Level 1, Level 1, and Level 2 punishments.<sup>8</sup>

Figure H shows the percentage of convictions by punishment level with a BAC of .09 or less and those with a BAC of .15 or more. Level 3 and Level 4 convictions had the highest percentage of convictions with BACs greater than .15 (75% and 71% respectively). Correspondingly, these same punishment levels also had the lowest percentage of convictions with BACs .09 or less (7% and 6% respectively).

**Figure H: Convictions by Mitigating and Aggravating BAC Levels and Punishment Level**



Note: Of the 20,414 DWI convictions in FY 2020, 5,084 convictions without BAC levels were excluded from this figure. SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

### III. SENTENCES IMPOSED AND METHOD OF DISPOSITION

This section provides information on DWI convictions by the type of sentence imposed (active sentence, supervised probation, or unsupervised probation) and the method of disposition (guilty plea, bench trial, or jury trial).<sup>9</sup>

#### A. Convictions by Type of Sentence Imposed and Punishment Level

Figure I and Table 2 show that 7% of DWI convictions in FY 2020 resulted in an active sentence, 34% resulted in supervised probation, and 59% resulted in unsupervised probation. Thirty-eight (38%) of all offenders sentenced to an Aggravated Level 1 punishment received an active sentence. Supervised probation was the most frequent sentence imposed among Aggravated Level 1 (62%), Level 1 (83%), Level 2 (84%), and Level 3 (55%) convictions. Unsupervised probation was most frequently imposed among

<sup>7</sup> G.S. 20-179(f)(1)-(3)

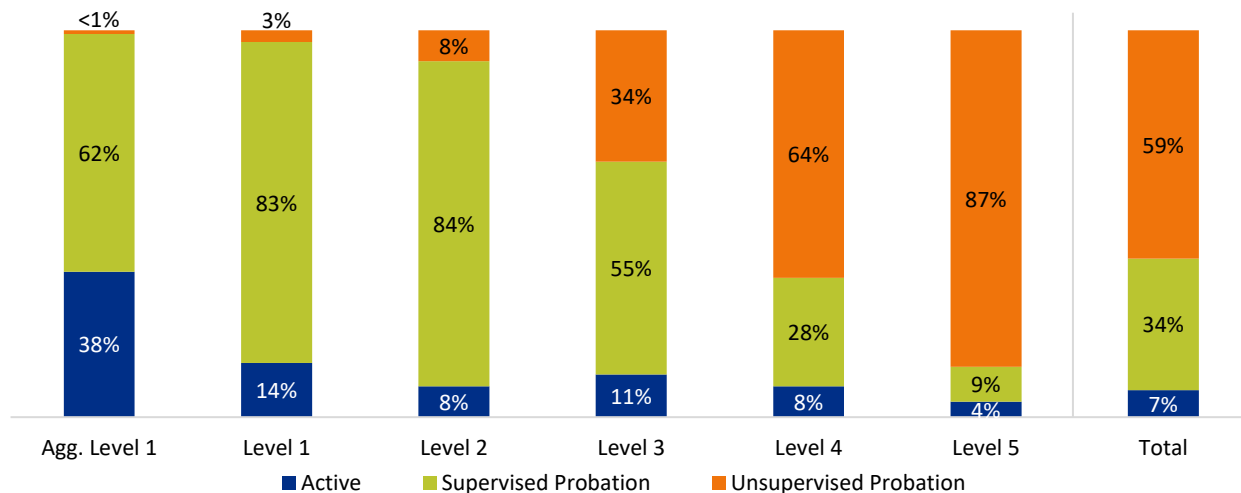
<sup>8</sup> G.S. 20-179(c)

<sup>9</sup> Section III excludes 13 of the 20,414 DWI convictions in FY 2020 for which the type of sentence imposed could not be determined.



Level 4 (64%) and Level 5 (87%) convictions. Despite being a lower punishment level, the percentage of convictions that resulted in an active sentence for Level 3 punishments was higher (11%) than for Level 2 punishments (8%). As noted previously, Aggravated Level 1 through Level 2 punishments are based on the presence of grossly aggravating factors while Levels 3 through 5 are not.

**Figure I: Convictions by Type of Sentence Imposed and Punishment Level**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

**Table 2: Convictions by Type of Sentence Imposed and Punishment Level**

Punishment Level	Type of Sentence Imposed						Total
	Active		Supervised Probation		Unsupervised Probation		
	#	%	#	%	#	%	
<b>Agg. Level 1</b>	212	38	343	62	2	<1	557
<b>Level 1</b>	269	14	1,674	83	66	3	2,009
<b>Level 2</b>	214	8	2,434	84	238	8	2,886
<b>Level 3</b>	139	11	669	55	418	34	1,226
<b>Level 4</b>	217	8	723	28	1,638	64	2,578
<b>Level 5</b>	422	4	998	9	9,725	87	11,145
<b>Total</b>	<b>1,473</b>	<b>7</b>	<b>6,841</b>	<b>34</b>	<b>12,087</b>	<b>59</b>	<b>20,401</b>

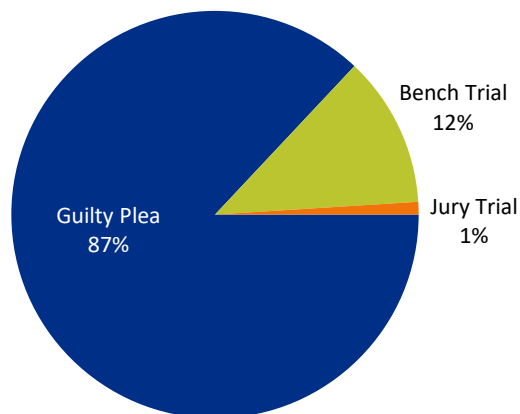
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

## B. Convictions by Method of Disposition

Figure J shows that 87% of DWI convictions in FY 2020 were disposed by guilty plea and 12% by bench trial. Jury trials occurred in 1% of convictions (n=78). Across all punishment levels, Aggravated Level 1 convictions had the highest percentage of guilty pleas (91%) and Level 5 convictions had the lowest

percentage (86%). Conversely, Level 5 convictions had the highest percentage of bench trials (14%) and Aggravated Level 1 had the lowest percentage (8%).

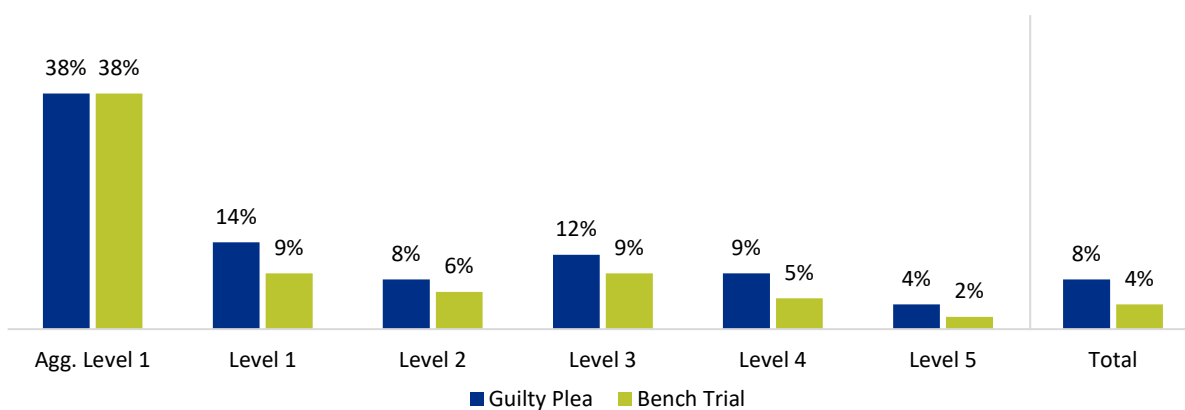
**Figure J: Convictions by Method of Disposition**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

Figure K shows the percentage of convictions that resulted in an active sentence for each punishment level by method of disposition. In FY 2020, 8% of all convictions obtained by guilty plea resulted in an active sentence compared to 4% of all convictions disposed by bench trial. Higher rates of active sentences for guilty plea convictions than for bench trials were found across all punishment levels except Aggravated Level 1. The overall rate of active sentences for jury trials (n=78) was 18% and is not depicted in this figure due to the limited number of observations.

**Figure K: Rate of Active Sentences by Method of Disposition and Punishment Level**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

### C. Average Sentence Length

Under G.S. 15A-1351(b), judges must impose a maximum term of imprisonment and may impose a minimum term. For the purpose of this analysis, sentence length refers to the maximum term imposed.<sup>10</sup>

<sup>10</sup> For more information on the use of minimum and maximum terms, see Figure T in Section IV.

Table 3 examines active sentences only and shows the average active sentence within the context of the statutory minimum and statutory maximum possible sentences. When an active sentence was imposed (n=1,473), the average length was 7 months. Among convictions in Level 2 through Level 5, the average active sentence length was about half of the statutory maximum.

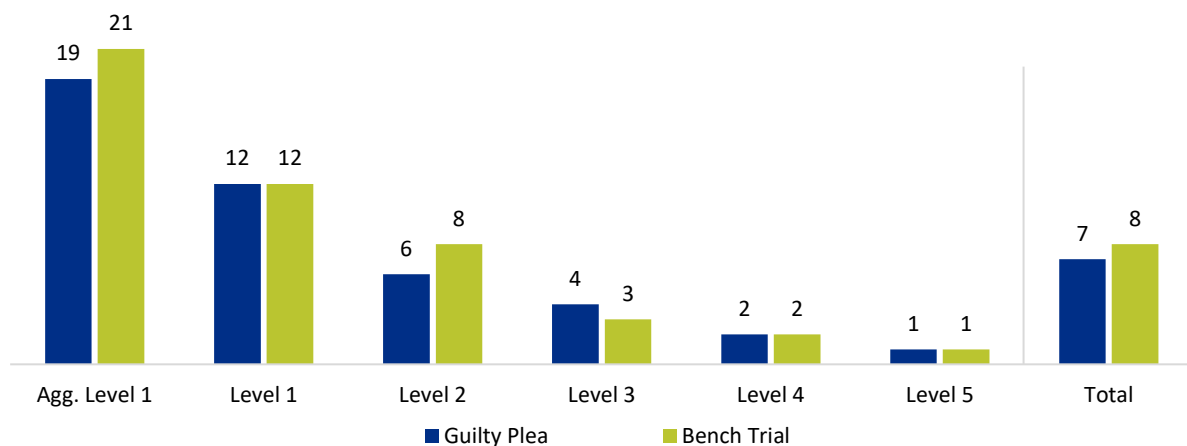
**Table 3: Average Length of Active Sentences (Months) by Punishment Level**

Punishment Level	Statutory Minimum	Average Active Sentence	Statutory Maximum
<b>Agg. Level 1</b>	12 months	19 months	36 months
<b>Level 1</b>	30 days	12 months	24 months
<b>Level 2</b>	7 days	6 months	12 months
<b>Level 3</b>	72 hours	4 months	6 months
<b>Level 4</b>	48 hours	2 months	120 days
<b>Level 5</b>	24 hours	1 month	60 days
<b>Total</b>		<b>7 months</b>	

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

Among active sentences, there was little variation in average active sentence length by method of disposition overall, as well as by punishment level (see Figure L).

**Figure L: Average Length of Active Sentences (Months) by Method of Disposition and Punishment Level**

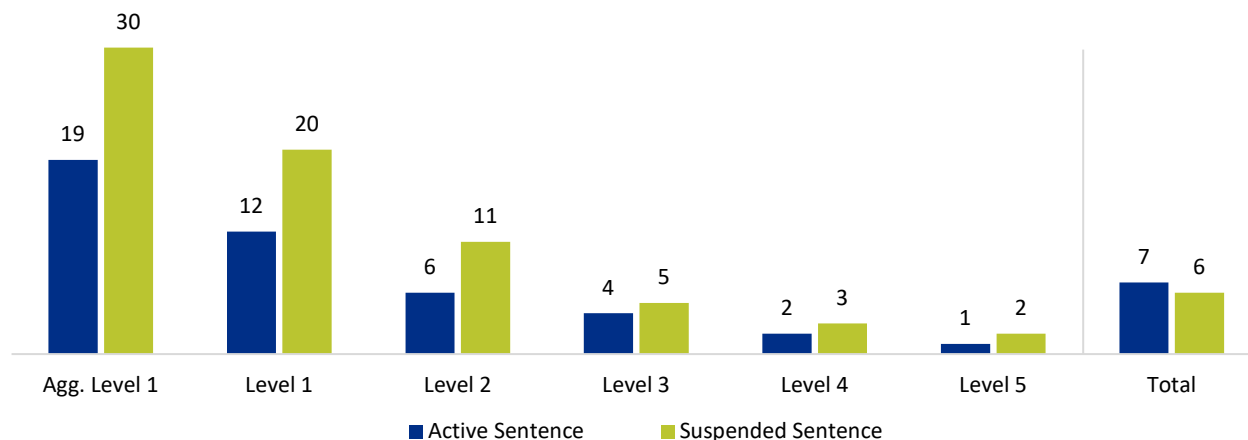


Note: The average active sentence length for jury trial convictions (n=14) was 9 months and is not depicted in this figure due to the limited number of observations. The average active sentence length for bench trials in Levels 3 and 4 were each based on fewer than 25 observations.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

Figure M provides a comparison of the average sentence imposed for active sentences and suspended sentences. As the punishment level decreased, the average sentence length decreased. Aggravated Level 1 DWIs had the longest average sentence imposed. For each punishment level, the average sentence for offenders who received a suspended sentence was longer than the average sentence for those who received an active sentence. However, the overall average sentence for active sentences was longer than the average sentence imposed for suspended sentences due to the large volume of Level 5 suspended sentences (n=10,723).

**Figure M: Average Sentence Length (Months) by Punishment Level**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

#### D. Probation Sentences

This section summarizes information about suspended (i.e., probationary) sentences. Pursuant to G.S. 20-179, a suspended sentence may be imposed in each of the six levels of DWI punishment if the sentence contains certain conditions of probation (e.g., special probation). For all punishment levels receiving a suspended sentence, the defendant must obtain a substance abuse assessment and complete any recommended treatment or education. Unless a judge determines that supervised probation is necessary, an offender who receives a suspended sentence for DWI and meets certain conditions<sup>11</sup> must be placed on unsupervised probation. The precise length of a probation term for a DWI conviction is not prescribed by statute. The court may place a convicted offender on probation for a period not to exceed five years.<sup>12</sup>

Probation was imposed for all 18,928 DWI convictions in FY 2020 with a suspended sentence. Figure N summarizes the type of probation – supervised or unsupervised – for probation sentences. Overall, unsupervised probation was imposed for almost two-thirds (64%) of all probation sentences. Of those with probation, nearly all Aggravated Level 1 and Level 1 offenders (99% and 96% respectively) received supervised probation. Level 5 offenders accounted for over half of all probation sentences imposed (i.e.,

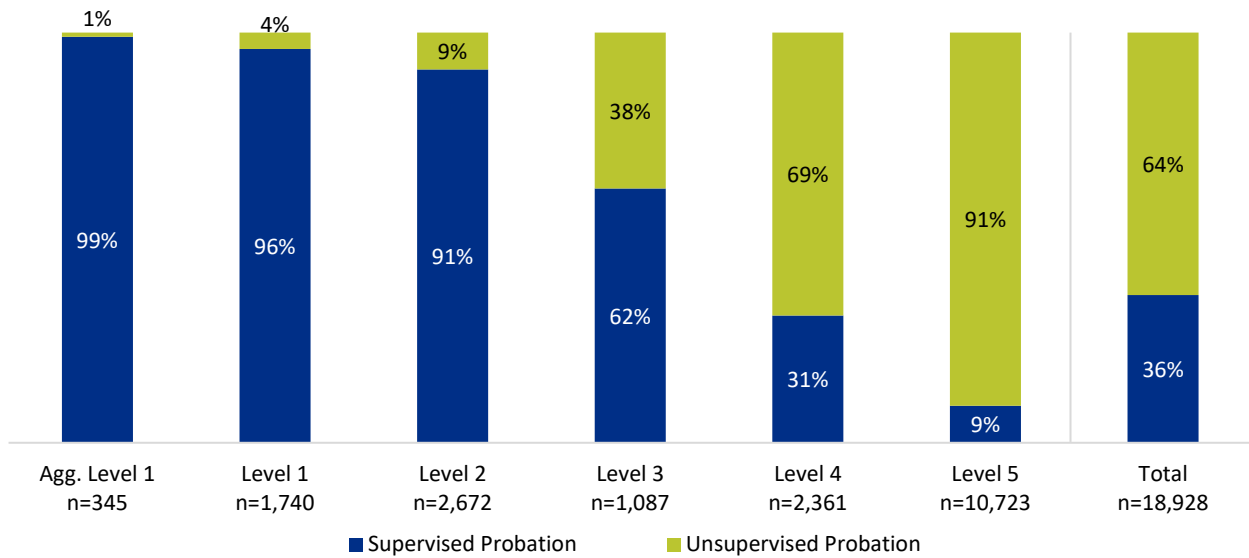
<sup>11</sup> Absent a judge’s determination that supervised probation is necessary, unsupervised probation must be imposed if the following conditions are met: 1) if the person has not been convicted of an offense of impaired driving within the seven years preceding the date of the offense for which the defendant is being sentenced, 2) if Level Three, Four, or Five punishment is imposed, and 3) if the defendant has obtained a substance abuse assessment and completed any recommended treatment or education.

<sup>12</sup> Pursuant to G.S. 15A-1342.

10,723 of 18,928 probation sentences). As the punishment level decreased, a greater percentage of offenders received unsupervised probation.<sup>13</sup>

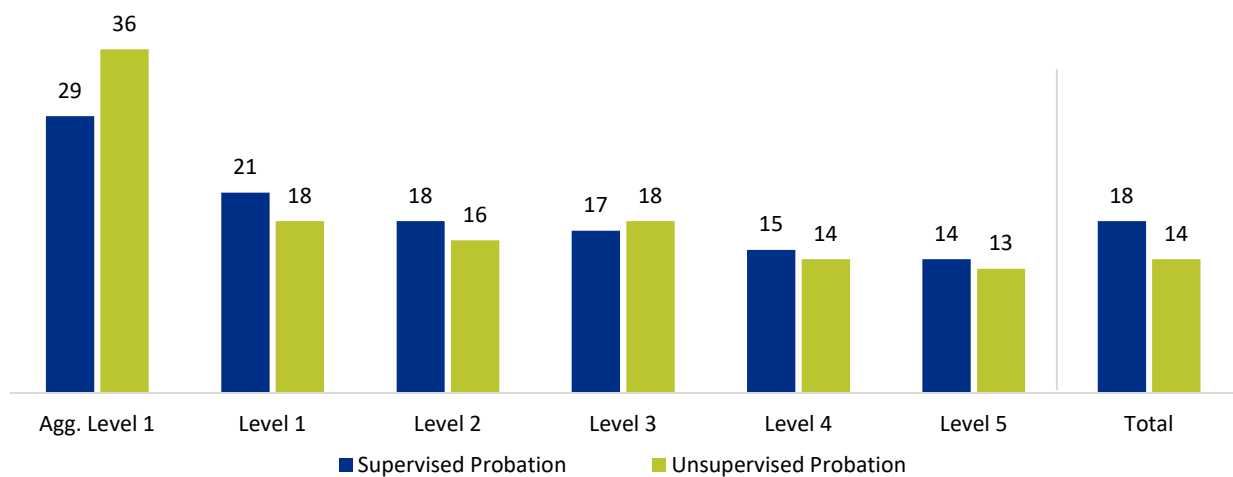
Figure O provides the average length of probation by punishment level and type of probation. The average length of probation was 18 months for supervised and 13 months for unsupervised probation. Offenders with supervised probation received longer probation terms than offenders with unsupervised probation. Generally, as the punishment level decreased, the average length of probation supervision decreased.

**Figure N: Probation Sentences by Type of Probation and Punishment Level**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

**Figure O: Average Length of Probation (Months) by Type of Probation and Punishment Level**



Note: The average length of probation for unsupervised probation in Aggravated Level 1 was based on fewer than 10 observations.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

<sup>13</sup> G.S. 20-179(r) outlines the circumstances in which offenders sentenced to Levels 3, 4, and 5 should receive unsupervised probation.

Table 4 explores the most frequently imposed probation length (mode) for each punishment level by type of probation. Except for Aggravated Level 1 convictions, among offenders who received unsupervised probation, 12 months of probation was the most frequently imposed probation length. More variation in probation length occurred among offenders who received supervised probation.

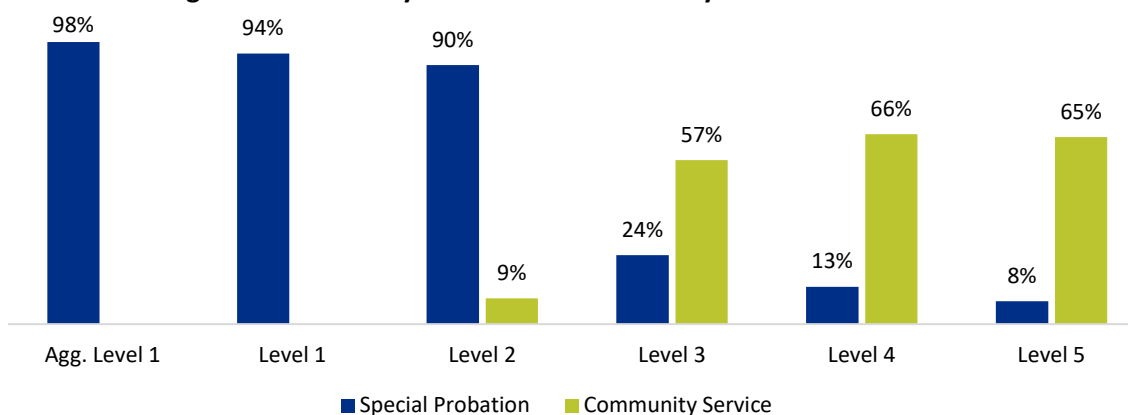
**Table 4: Most Frequently Imposed Probation Length (Months) by Type of Probation and Punishment Level**

Punishment Level	Total	Type of Probation					
		Supervised Probation			Unsupervised Probation		
		#	Mode	%	#	Mode	%
<b>Agg. Level 1</b>	345	343	36	42	2	36	100
<b>Level 1</b>	1,740	1,674	24	47	66	12	41
<b>Level 2</b>	2,672	2,434	18	44	238	12	51
<b>Level 3</b>	1,087	669	18	42	418	12	47
<b>Level 4</b>	2,361	723	12	62	1,638	12	81
<b>Level 5</b>	10,723	998	12	76	9,725	12	87
<b>Total</b>	<b>18,928</b>	<b>6,841</b>	<b>12</b>	<b>38</b>	<b>12,087</b>	<b>12</b>	<b>84</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

Special probation is required for Aggravated Level 1 through Level 2 offenders sentenced to probation,<sup>14</sup> while either special probation or community service is required for Level 3 through 5 offenders sentenced to probation.<sup>15</sup> Mandatory probation conditions by punishment level are shown in Figure P.

**Figure P: Mandatory Probation Conditions by Punishment Level**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

<sup>14</sup> Offenders sentenced in Aggravated Level 1 through Level 2 may receive community service as part of their sentence; it is required for some Level 2 offenders. Five percent (5%) of Aggravated Level 1 and 8% of Level 1 sentences had community service.

<sup>15</sup> Special probation and community service may be imposed together in Levels 3 through 5; this occurred in less than 1% of the convictions.

Table 5 shows the number, percent, and average days of special probation ordered within the context of the statutory requirements for the duration of special probation. Of all probation sentences, 31% (n=5,831) had special probation ordered (see Table 5). The average number of special probation days was highest for Aggravated Level 1 DWI offenders and decreased as the punishment level decreased.

**Table 5: Probation Sentences with Special Probation by Punishment Level**

<b>Punishment Level</b>	<b>Probation Sentences #</b>	<b>Special Probation Ordered %</b>	<b>Average Special Probation Days</b>	<b>Statutory Length Days</b>
<b>Agg. Level 1</b>	345	98	130	At least 120
<b>Level 1</b>	1,740	94	33	At least 30 or at least 10 (if CAM)
<b>Level 2</b>	2,672	90	10	At least 7
<b>Level 3</b>	1,087	24	7	At least 3
<b>Level 4</b>	2,361	13	3	2
<b>Level 5</b>	10,723	8	2	1
<b>Total</b>	<b>18,928</b>	<b>31</b>	<b>22</b>	<b>N/A</b>

Note: All probation sentences with special probation ordered are shown regardless of whether the lengths of special probation are consistent with the terms in G.S. 20-179(f3), (g)-(k). CAM stands for continuous alcohol monitoring. SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

Table 6 provides information on fines imposed for probation sentences by punishment level. Fines were imposed for the majority of DWI convictions (86%), ranging from a low of 68% for Aggravated Level 1 offenders to a high of 88% for Level 4 offenders. For each punishment level, the average fine amounts were much lower than the statutory maximum. Nearly all fines imposed (95%) were \$500 or less. The average fine amount decreased as the punishment level decreased.

**Table 6: Probation Sentences with a Fine Imposed by Punishment Level**

<b>Punishment Level</b>	<b>#</b>	<b>Fine Imposed %</b>	<b>Statutory Maximum</b>	<b>Average</b>	<b>Most Frequent Amount</b>
<b>Agg. Level 1</b>	345	68	\$10,000	\$831	\$500
<b>Level 1</b>	1,740	82	\$4,000	\$538	\$500
<b>Level 2</b>	2,672	84	\$2,000	\$388	\$300
<b>Level 3</b>	1,087	86	\$1,000	\$283	\$200
<b>Level 4</b>	2,361	88	\$500	\$179	\$100
<b>Level 5</b>	10,723	87	\$200	\$111	\$100
<b>Total</b>	<b>18,928</b>	<b>86</b>	<b>N/A</b>	<b>\$215</b>	<b>\$100</b>

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

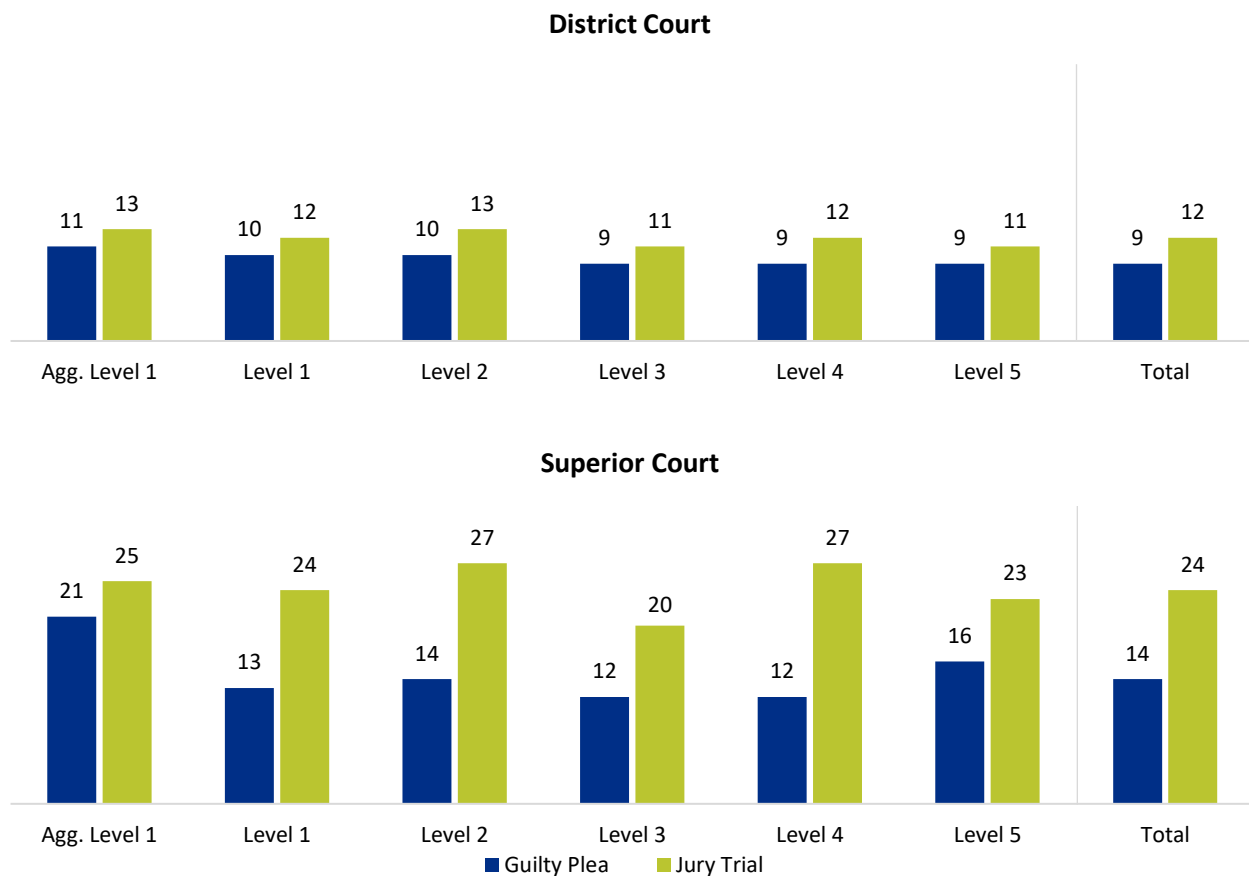
## IV. SPECIAL ISSUES

This section reviews issues of special interest including time to sentencing, sentence lengths imposed relative to the statutory minimum and maximum sentences, and credit for time served.

### A. Time to Sentencing

Time to sentencing refers to the amount of time between the date the offender was charged with DWI and the date the sentence was imposed. Figure Q examines the median time to sentencing by punishment level and method of disposition for District Court and Superior Court. The median time to sentencing for DWI convictions disposed in District Court was 9 months. District Court bench trials took 3 months longer to dispose of than guilty pleas (12 months compared to 9 months). The median time to sentencing for DWI convictions disposed in Superior Court was 15 months. Guilty pleas entered in Superior Court took 10 months less time to sentencing than jury trials (14 months compared to 24 months). No distinct pattern emerged when examining time to sentencing by punishment level.

**Figure Q: Median Time to Sentencing (Months) by Punishment Level and Method of Disposition for District Court and Superior Court**



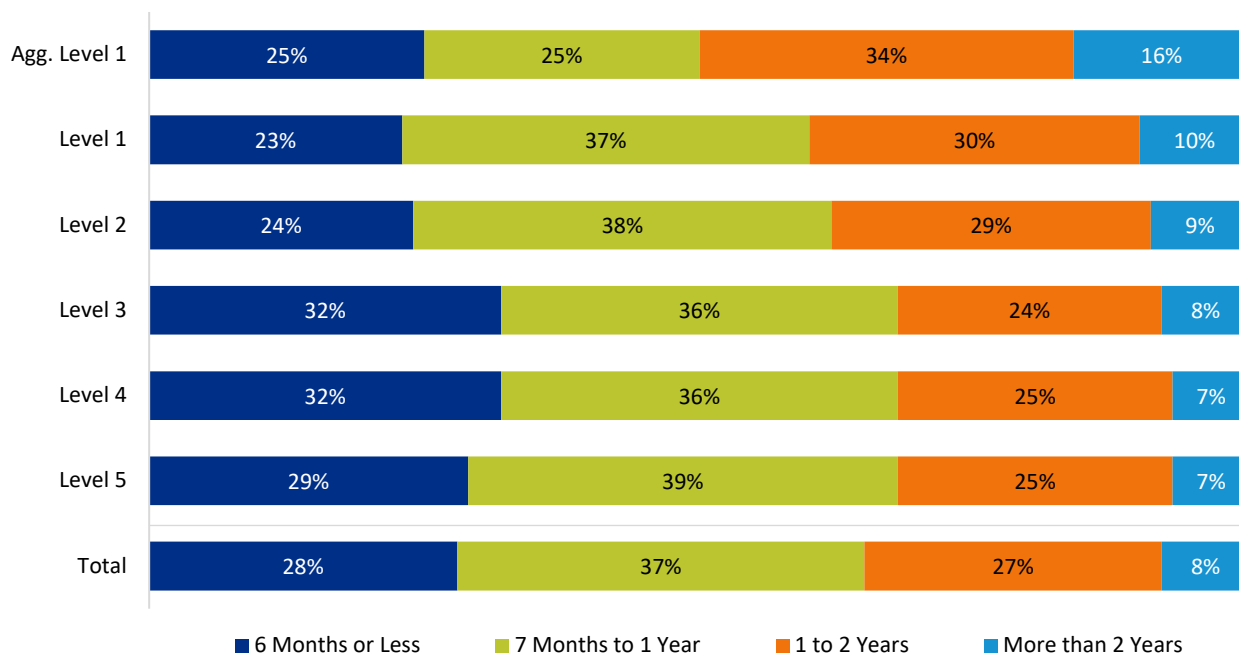
Note: Of the 20,414 DWI convictions in FY 2020, 6 Superior Court bench trials were excluded from this figure, as well as 14 convictions with discrepant date values. The median time to sentencing for Superior Court jury trials in Aggravated Level 1 through Level 5 were each based on fewer than 50 observations.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data



Figure R illustrates the distribution of time to sentencing for convictions by punishment level. Overall, 28% of convictions occurred within 6 months or less, 37% occurred within 7 months to 1 year, 27% occurred within 1 to 2 years, and 8% occurred in more than 2 years. Overall, nearly two-thirds of convictions were disposed within a year or less (65%). Fewer Aggravated Level 1 through Level 2 convictions were disposed within one year compared to Level 3 through Level 5 convictions.

**Figure R: Distribution of Time to Sentencing by Punishment Level**



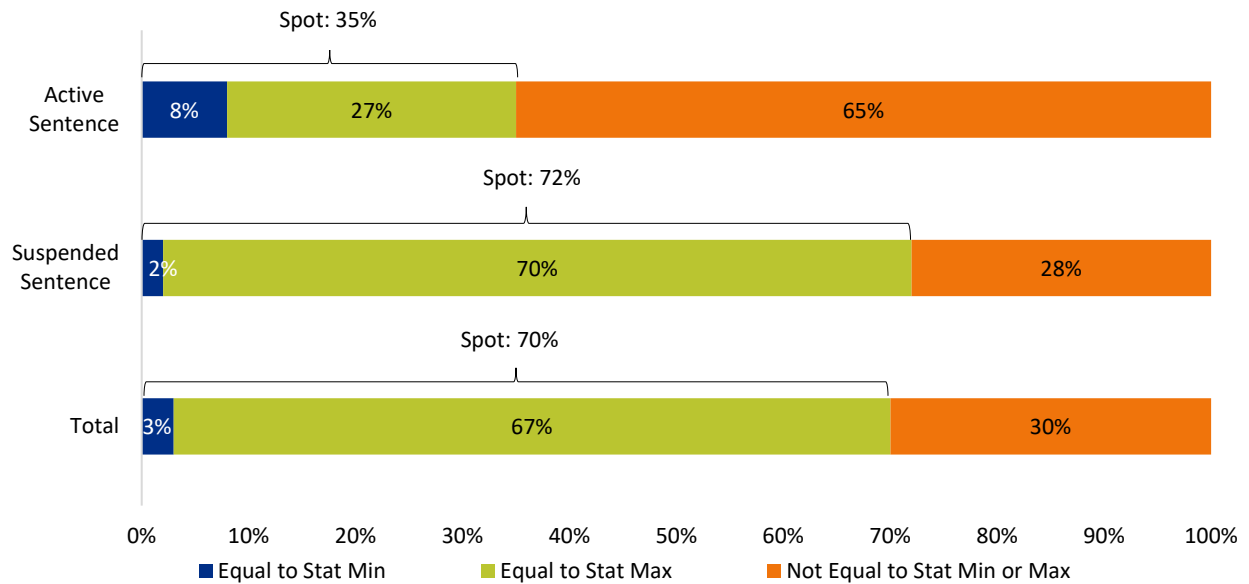
Note: Of the 20,414 DWI convictions in FY 2020, 14 convictions with discrepant date values were excluded.  
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

## B. Sentence Length Relative to the Statutory Minimum and Maximum Sentences

Figure S examines how often the minimum sentence imposed is equal to the statutory minimum or statutory maximum sentence length. Overall, the majority of minimum sentences imposed were equal to the statutory maximum (67%) and only 3% were equal to the statutory minimum – for a total of 70% on one of these two “spots.” However, active sentences were only imposed on a spot 35% of the time compared to 72% of suspended sentences. The statutory minimum sentence was imposed very infrequently regardless of whether the sentence was active or suspended (with the exception of Aggravated Level 1 convictions).<sup>16</sup>

<sup>16</sup> Overall, 25% of Aggravated Level 1 offenders were sentenced to the statutory minimum (12 months), 44% were sentenced to the statutory maximum (36 months), and 31% were sentenced to a different amount of time, for a total of 69% sentenced on either the statutory minimum or statutory maximum.

**Figure S: Sentence Length Relative to the Statutory Minimum and Maximum Sentences**



Note: Of the 20,414 DWI convictions in FY 2020, 13 convictions with missing values for type of sentence imposed were excluded from this figure.

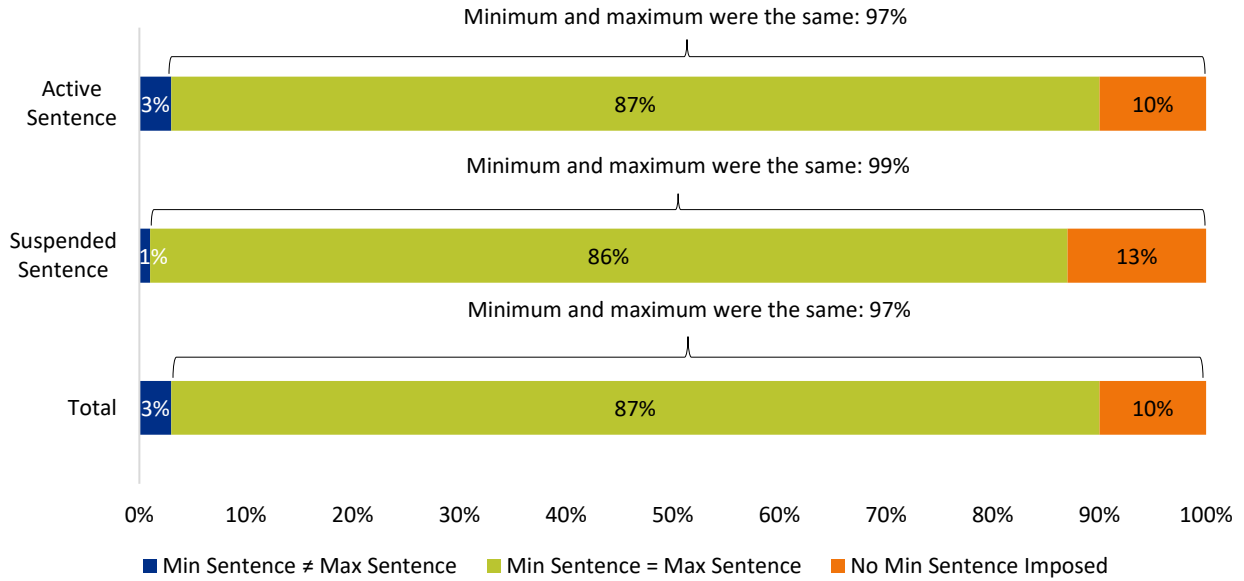
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

### C. Use of Minimum and Maximum Sentences

Judges must impose a maximum term of imprisonment and may impose a minimum term.<sup>17</sup> Figure T examines whether a minimum term was imposed and whether the minimum term equaled the maximum term. Overall, 87% of sentences imposed included a minimum term that was equal to the maximum term (e.g., 12 months minimum and 12 months maximum). In an additional 10% of the sentences, no minimum term was indicated and only a maximum term was imposed. In the remaining 3% of sentences imposed, the minimum and maximum terms differed, indicating a range of months (e.g., 12 months minimum and 36 months maximum). The use of a sentencing range occurred infrequently regardless of whether an active or a suspended sentence was imposed.

<sup>17</sup> G.S. 15A-1351(b)

**Figure T: Use of Minimum and Maximum Sentences**



Note: Of the 20,414 DWI convictions in FY 2020, 13 convictions with missing values for type of sentence imposed were excluded from this figure.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

#### D. Credit for Time Served

Credit for time served refers to the amount of time an offender has spent committed to or confined in a State or local correctional, mental, or other institution prior to sentencing. Twenty percent (20%) of all DWI offenders received credit for time served (see Table 7). Two-thirds (66%) of offenders who received active sentences also received credit for time served compared to only 16% of those who received suspended sentences. Offenders who received an active sentence averaged a greater amount of credit for time served than those who received a suspended sentence (66 and 17 days respectively).

**Table 7: Convictions with Credit for Time Served (Days) by Punishment Level**

Punishment Level	Sentence Type	#	Convictions with Credit for Time Served		
			%	Average	Median
Agg. Level 1	Active	212	58	83	32
	Suspended	345	44	59	30
	<b>Subtotal</b>	<b>557</b>	<b>49</b>	<b>69</b>	<b>30</b>
Level 1	Active	269	56	83	57
	Suspended	1,740	35	26	20
	<b>Subtotal</b>	<b>2,009</b>	<b>38</b>	<b>38</b>	<b>25</b>
Level 2	Active	214	60	72	52
	Suspended	2,672	27	16	7
	<b>Subtotal</b>	<b>2,886</b>	<b>30</b>	<b>24</b>	<b>7</b>
Level 3	Active	139	71	70	55
	Suspended	1,087	23	19	5
	<b>Subtotal</b>	<b>1,226</b>	<b>28</b>	<b>34</b>	<b>13</b>
Level 4	Active	217	73	55	42
	Suspended	2,361	13	13	2
	<b>Subtotal</b>	<b>2,578</b>	<b>19</b>	<b>27</b>	<b>10</b>
Level 5	Active	422	75	52	34
	Suspended	10,723	9	6	1
	<b>Subtotal</b>	<b>11,145</b>	<b>11</b>	<b>18</b>	<b>2</b>
<b>Total</b>	<b>Active</b>	<b>1,473</b>	<b>66</b>	<b>66</b>	<b>42</b>
	<b>Suspended</b>	<b>18,928</b>	<b>16</b>	<b>17</b>	<b>5</b>
	<b>Total</b>	<b>20,401</b>	<b>20</b>	<b>29</b>	<b>8</b>

Note: Of the 20,414 DWI convictions in FY 2020, 13 convictions with missing values for type of sentence imposed were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

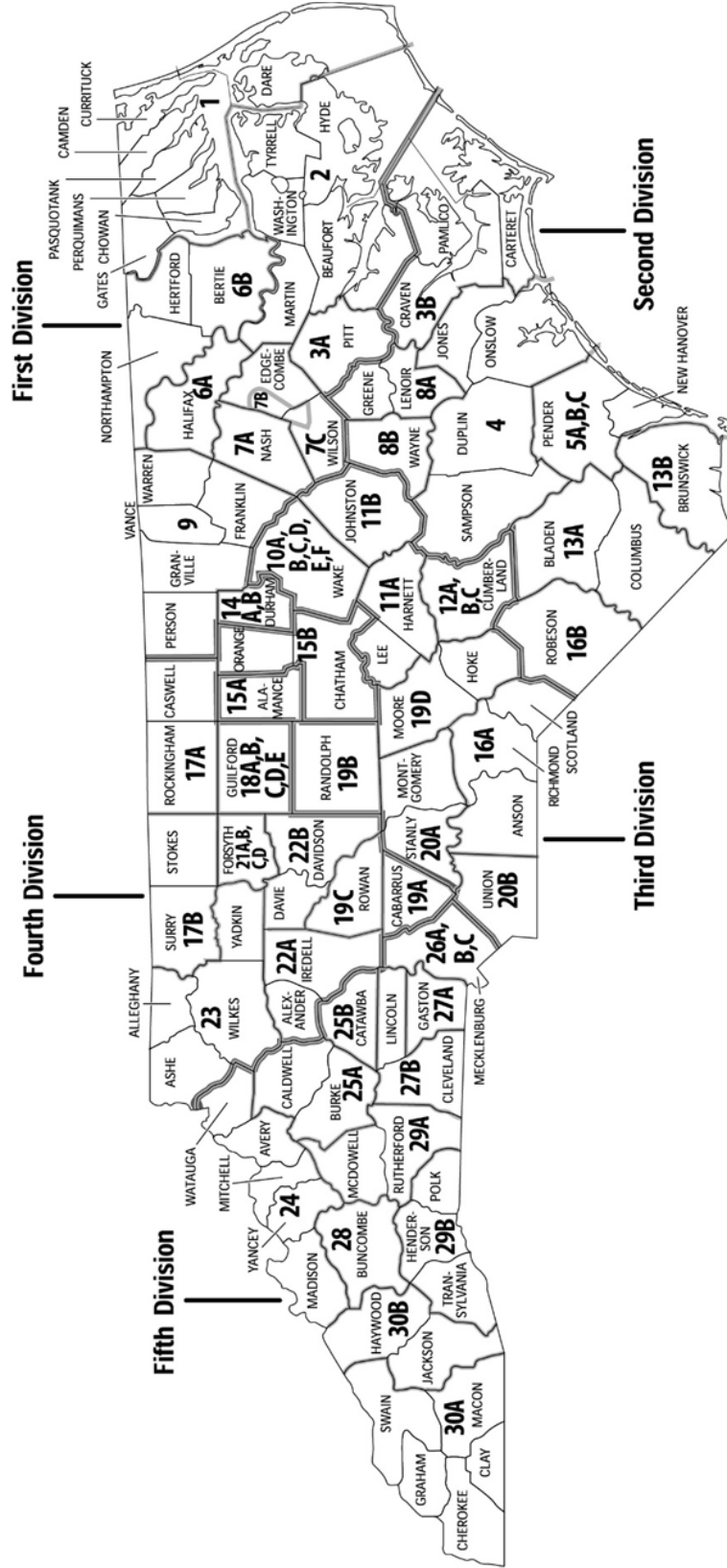
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APPENDIX A  
MAPS OF JUDICIAL DIVISIONS AND DISTRICTS

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# North Carolina Superior Court Districts

## Effective January 1, 2019

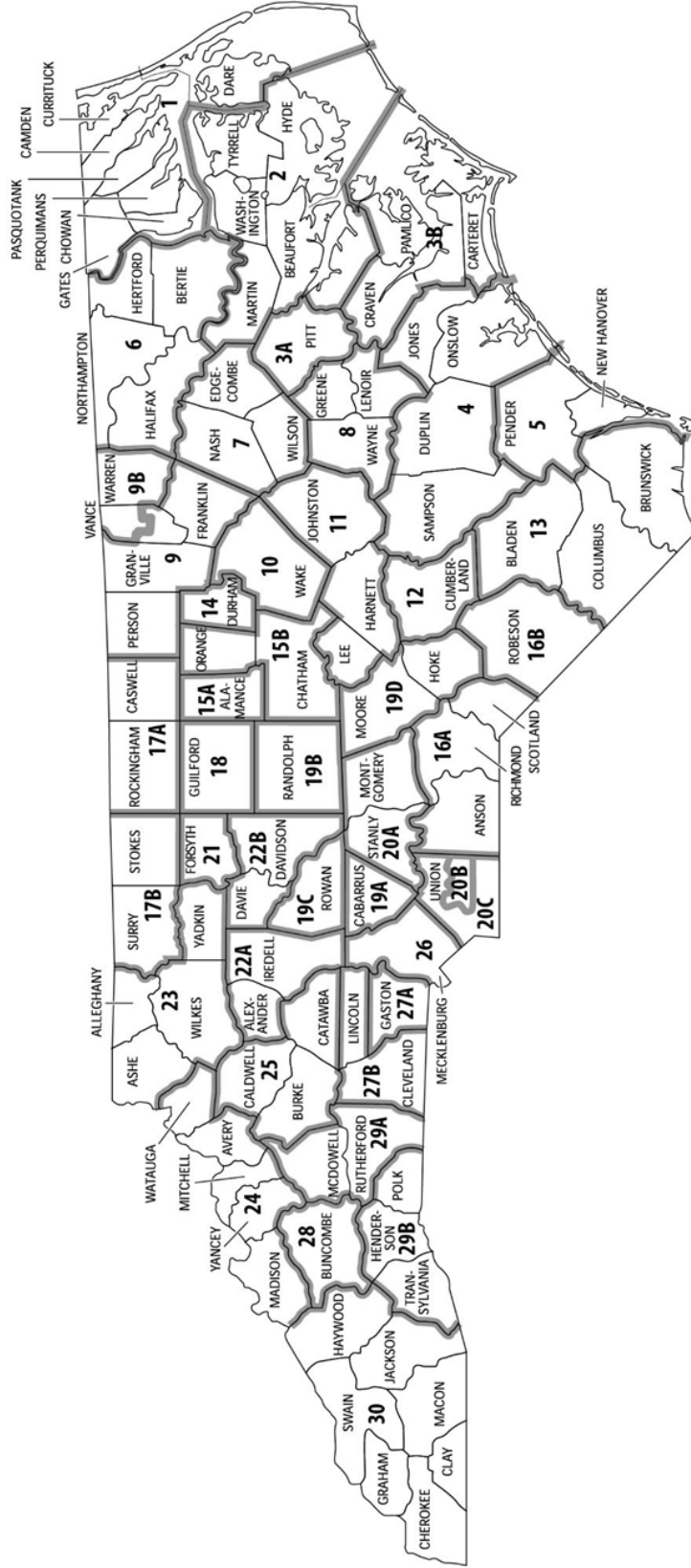


Note: Districts that have more than one letter associated with the district number (i.e., 10A, B, C, D) are divided into separate districts for electoral purposes. For administrative purposes, they are combined into a single district.

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# North Carolina District Court Districts

## Effective January 1, 2019



Note: Districts 9 and 9B, and districts 20B and 20C are districts for electoral purposes only. They are combined for administrative purposes.

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APPENDIX B  
DWI PUNISHMENT TABLE

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NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

**SENTENCING FOR IMPAIRED DRIVING OFFENSES**

<b>PUNISHMENT LEVELS</b>	<b>FACTORS</b>	<b>PUNISHMENT</b>	<b>FINE</b>
<b>Aggravated Level One</b> (20-179(f3))	3 grossly aggravating factors apply. (20-179(c))	<b>Active sentence range:</b> Min: 12 months Max: 36 months <b>Or split sentence:</b> at least 120 days	Maximum of \$10,000
<b>Level One</b> (20-179(g))	Grossly aggravating factor #4 <sup>a</sup> or 2 other grossly aggravating factors apply.	<b>Active sentence range:</b> Min: 30 days Max: 24 months <b>Or split sentence:</b> at least 30 days <sup>b</sup>	Maximum of \$4,000
<b>Level Two</b> (20-179(h))	1 grossly aggravating factor (other than #4 <sup>a</sup> ) applies.	<b>Active sentence range:</b> Min: 7 days Max: 12 months <b>Or split sentence:</b> at least 7 days <sup>c</sup>	Maximum of \$2,000
<b>Level Three</b> (20-179(i))	Aggravating factors substantially outweigh mitigating factors. (20-179(d) and (e))	<b>Active sentence range:</b> Min: 72 hours Max: 6 months <b>Or split sentence:</b> at least 72 hours <b>Or community service:</b> 72 hours	Maximum of \$1,000
<b>Level Four</b> (20-179(j))	No aggravating or mitigating factors or factors substantially counterbalance each other.	<b>Active sentence range:</b> Min: 48 hours Max: 120 days <b>Or split sentence:</b> 48 hours <b>Or community service:</b> 48 hours	Maximum of \$500
<b>Level Five</b> (20-179(k))	Mitigating factors substantially outweigh aggravating factors.	<b>Active sentence range:</b> Min: 24 hours Max: 60 days <b>Or split sentence:</b> 24 hours <b>Or community service:</b> 24 hours	Maximum of \$200

<sup>a</sup> Child under 18 or person with mental or physical disability in the vehicle at the time of the offense.

<sup>b</sup> Not less than 10 days if a condition of special probation is imposed to require that a defendant abstain from alcohol consumption and be monitored by a continuous alcohol monitoring system, of a type approved by the Division of Adult Correction of the Department of Public Safety, for a period of not less than 120 days.

<sup>c</sup> Abstain from consuming alcohol for at least 90 consecutive days, as verified by a continuous alcohol monitoring system.

## NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

### **Offenses**

- Impaired driving. (G.S. 20-138.1)
- Impaired driving in a commercial vehicle. (G.S. 20-138.2)
- Operating a commercial vehicle after consuming alcohol. (Second or subsequent) (G.S. 20-138.2A)
- Operating a school bus, school activity bus, child care vehicle, ambulance, other EMS vehicle, firefighting vehicle, or law enforcement vehicle after consuming alcohol. (Second or subsequent) (G.S. 20-138.2B)

### **Sentence**

A sentence to imprisonment must impose a maximum term and may impose a minimum term. The impaired driving judgment may state the minimum term or may state that a term constitutes both the minimum and maximum terms. (G.S. 15A-1351(b))

### **Place of confinement for active sentences**

*For convictions on or after January 1, 2015:*

- DWI defendants must be sentenced to the Statewide Misdemeanant Confinement Program. (G.S. 15A-1352(f))

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APPENDIX C  
ADDITIONAL CONVICTION DATA BY  
JUDICIAL DISTRICT AND COUNTY

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Appendix C, Table 1: Convictions by Judicial District and County

Judicial District and County		DWI Convictions	Convictions per 1,000 Adults (16+)
<b>District 1</b>	Camden	15	2
	Chowan	23	2
	Currituck	110	5
	Dare	269	9
	Gates	9	1
	Pasquotank	64	2
	Perquimans	39	3
	<b>Total</b>	<b>529</b>	<b>4</b>
<b>District 2</b>	Beaufort	195	5
	Hyde	10	2
	Martin	64	3
	Tyrrell	20	6
	Washington	23	2
<b>Total</b>	<b>312</b>	<b>4</b>	
<b>District 3A</b>	Pitt	256	2
	<b>Total</b>	<b>256</b>	<b>2</b>
<b>District 3B</b>	Carteret	144	2
	Craven	102	1
	Pamlico	15	1
<b>Total</b>	<b>261</b>	<b>2</b>	
<b>District 4</b>	Duplin	149	3
	Jones	30	4
	Onslow	337	2
	Sampson	215	4
<b>Total</b>	<b>731</b>	<b>3</b>	
<b>District 5</b>	New Hanover	720	4
	Pender	178	3
<b>Total</b>	<b>898</b>	<b>4</b>	
<b>District 6</b>	Bertie	32	2
	Halifax	111	3
	Hertford	40	2
	Northampton	19	1
	<b>Total</b>	<b>202</b>	<b>2</b>
<b>District 7</b>	Edgecombe	169	4
	Nash	259	3
	Wilson	181	3
<b>Total</b>	<b>609</b>	<b>3</b>	
<b>District 8</b>	Greene	56	3
	Lenoir	93	2
	Wayne	442	5
<b>Total</b>	<b>591</b>	<b>4</b>	

Judicial District and County		DWI Convictions	Convictions per 1,000 Adults (16+)
<b>District 9,9B</b>	Franklin	249	4
	Granville	241	5
	Person	170	5
	Vance	288	8
	Warren	64	4
	<b>Total</b>	<b>1,012</b>	<b>5</b>
<b>District 10</b>	Wake	1,470	2
	<b>Total</b>	<b>1,470</b>	<b>2</b>
<b>District 11</b>	Harnett	133	1
	Johnston	454	3
	Lee	68	1
<b>Total</b>	<b>655</b>	<b>2</b>	
<b>District 12</b>	Cumberland	391	2
	<b>Total</b>	<b>391</b>	<b>2</b>
<b>District 13</b>	Bladen	73	3
	Brunswick	281	2
	Columbus	80	2
<b>Total</b>	<b>434</b>	<b>2</b>	
<b>District 14</b>	Durham	417	2
	<b>Total</b>	<b>417</b>	<b>2</b>
<b>District 15A</b>	Alamance	549	4
	<b>Total</b>	<b>549</b>	<b>4</b>
<b>District 15B</b>	Chatham	104	2
	Orange	389	3
	<b>Total</b>	<b>493</b>	<b>3</b>
<b>District 16A</b>	Anson	33	2
	Richmond	63	2
	Scotland	75	3
<b>Total</b>	<b>171</b>	<b>2</b>	
<b>District 16B</b>	Robeson	304	3
	<b>Total</b>	<b>304</b>	<b>3</b>
<b>District 17A</b>	Caswell	71	4
	Rockingham	344	5
<b>Total</b>	<b>415</b>	<b>4</b>	
<b>District 17B</b>	Stokes	149	4
	Surry	184	3
<b>Total</b>	<b>333</b>	<b>3</b>	
<b>District 18</b>	Guilford	1,368	3
	<b>Total</b>	<b>1,368</b>	<b>3</b>
<b>District 19A</b>	Cabarrus	493	3
	<b>Total</b>	<b>493</b>	<b>3</b>

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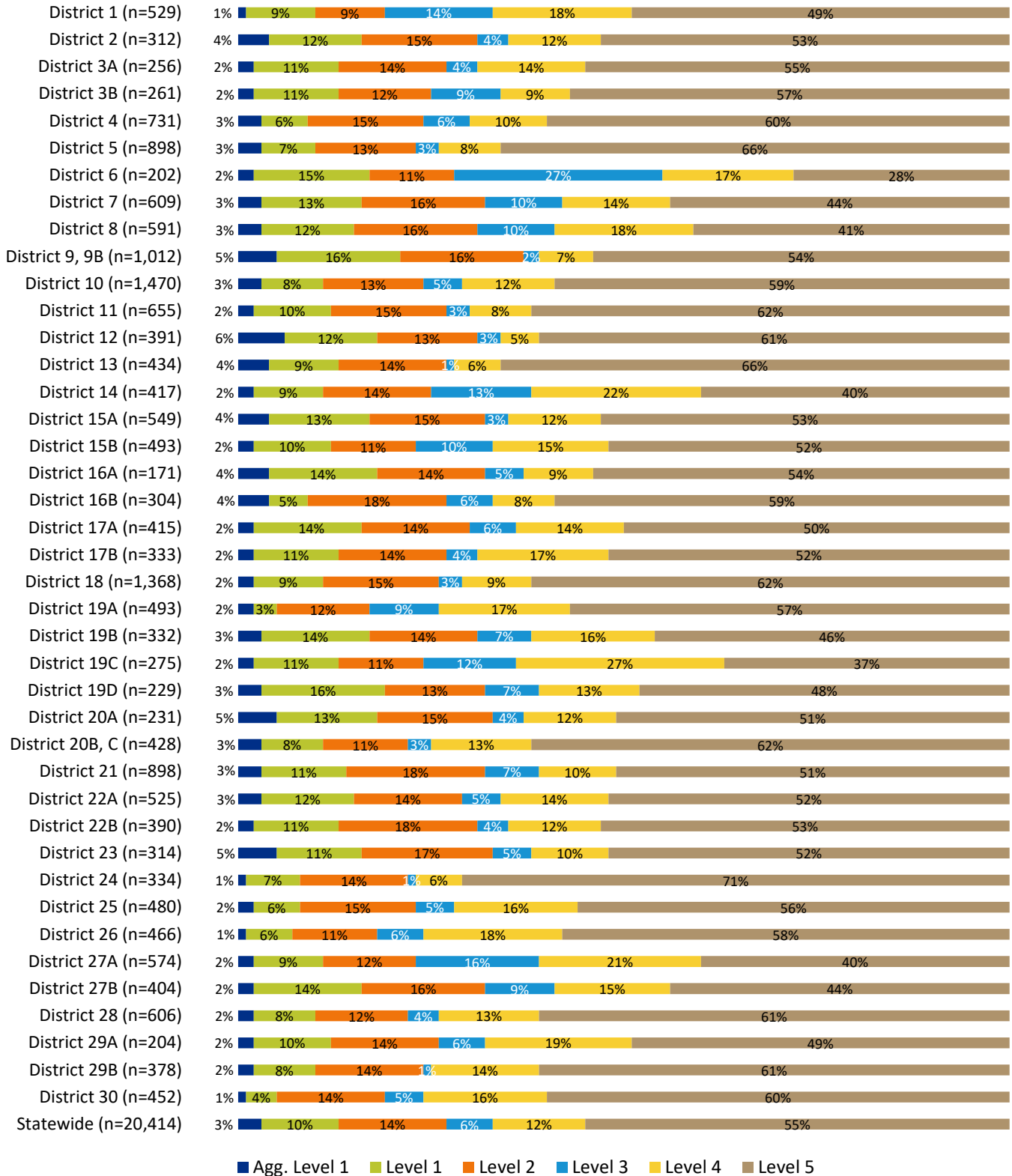
Appendix C, Table 1: Convictions by Judicial District and County

Judicial District and County		DWI Convictions	Convictions per 1,000 Adults (16+)
<b>District 19B</b>	Randolph	332	3
	<b>Total</b>	<b>332</b>	<b>3</b>
<b>District 19C</b>	Rowan	275	2
	<b>Total</b>	<b>275</b>	<b>2</b>
<b>District 19D</b>	Hoke	68	2
	Moore	161	2
	<b>Total</b>	<b>229</b>	<b>2</b>
<b>District 20A</b>	Montgomery	78	4
	Stanly	153	3
	<b>Total</b>	<b>231</b>	<b>3</b>
<b>District 20B,C</b>	Union	428	2
	<b>Total</b>	<b>428</b>	<b>2</b>
<b>District 21</b>	Forsyth	898	3
	<b>Total</b>	<b>898</b>	<b>3</b>
<b>District 22A</b>	Alexander	69	2
	Iredell	456	3
	<b>Total</b>	<b>525</b>	<b>3</b>
<b>District 22B</b>	Davidson	280	2
	Davie	110	3
	<b>Total</b>	<b>390</b>	<b>2</b>
<b>District 23</b>	Alleghany	26	3
	Ashe	65	3
	Wilkes	115	2
	Yadkin	108	3
	<b>Total</b>	<b>314</b>	<b>3</b>
<b>District 24</b>	Avery	42	3
	Madison	53	3
	Mitchell	46	4
	Watauga	154	3
	Yancey	39	2
	<b>Total</b>	<b>334</b>	<b>3</b>

Judicial District and County		DWI Convictions	Convictions per 1,000 Adults (16+)
<b>District 25</b>	Burke	156	2
	Caldwell	57	1
	Catawba	267	2
	<b>Total</b>	<b>480</b>	<b>2</b>
<b>District 26</b>	Mecklenburg	466	1
	<b>Total</b>	<b>466</b>	<b>1</b>
<b>District 27A</b>	Gaston	574	5
	<b>Total</b>	<b>574</b>	<b>5</b>
<b>District 27B</b>	Cleveland	217	3
	Lincoln	187	3
	<b>Total</b>	<b>404</b>	<b>3</b>
<b>District 28</b>	Buncombe	606	3
	<b>Total</b>	<b>606</b>	<b>3</b>
<b>District 29A</b>	McDowell	120	3
	Rutherford	84	1
	<b>Total</b>	<b>204</b>	<b>2</b>
<b>District 29B</b>	Henderson	255	3
	Polk	48	3
	Transylvania	75	2
	<b>Total</b>	<b>378</b>	<b>3</b>
<b>District 30</b>	Cherokee	46	2
	Clay	33	3
	Graham	13	2
	Haywood	114	2
	Jackson	114	3
	Macon	83	3
	Swain	49	4
	<b>Total</b>	<b>452</b>	<b>3</b>
<b>State Total</b>		<b>20,414</b>	<b>2</b>

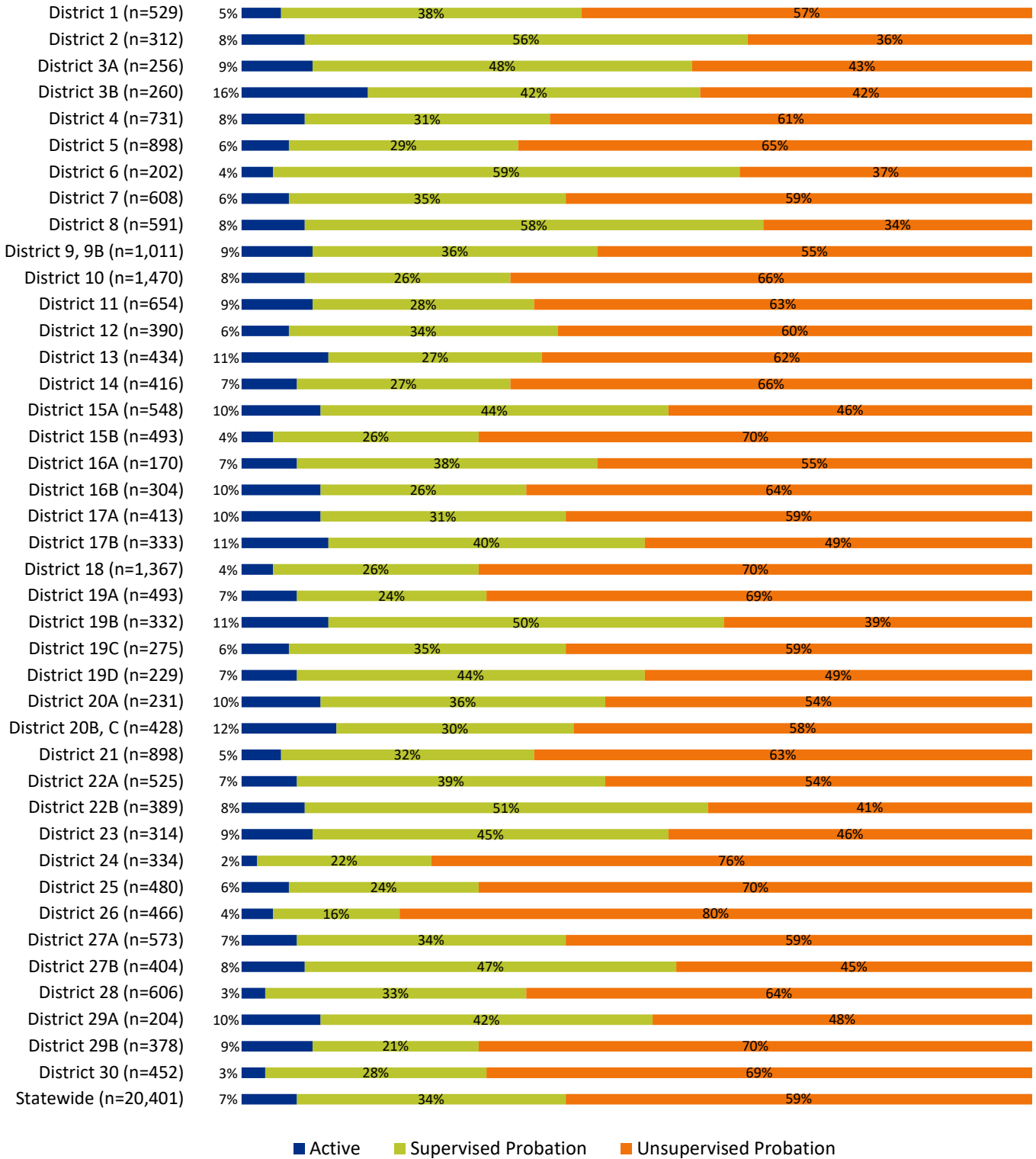
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data and NC Office of State Management and Budget, 2020 Population Estimates from <https://demography.osbm.nc.gov/explore/> (see Population Projections).

### Appendix C, Figure 1: Convictions by Judicial District and Punishment Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

**Appendix C, Figure 2: Convictions by Judicial District and Type of Punishment**



Note: Of the 20,414 DWI convictions in FY 2020, 13 convictions with missing values for type of sentence imposed were excluded from this figure.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

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APPENDIX D  
ADDITIONAL CONVICTION DATA  
BY PUNISHMENT LEVEL

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**Appendix D, Table 1: Offender Characteristics and Punishment Imposed by Punishment Level  
N=20,414**

	<b>Agg. Level 1</b> n=557	<b>Level 1</b> n=2,009	<b>Level 2</b> n=2,886	<b>Level 3</b> n=1,226	<b>Level 4</b> n=2,578	<b>Level 5</b> n=11,158
<b>Offender Characteristics</b>						
<b>Gender</b>						
Male	81%	74%	78%	81%	77%	72%
Female	19%	26%	22%	19%	23%	28%
<b>Race</b>						
White	42%	48%	53%	51%	56%	60%
Black	44%	38%	34%	36%	29%	25%
Hispanic	8%	10%	8%	9%	11%	10%
Other	6%	4%	5%	4%	4%	5%
<b>Age at Offense</b>						
Less than 21 Years	1%	2%	2%	3%	4%	6%
21-30 Years	30%	32%	32%	26%	31%	39%
31-40 Years	33%	33%	28%	30%	28%	24%
41-50 Years	18%	20%	19%	21%	19%	16%
Over 50 Years	18%	13%	19%	20%	18%	15%
Average Age	38	37	38	39	38	36
Median Age	36	35	36	37	35	32
<b>Blood Alcohol Concentration</b>						
Less than .08	2%	3%	2%	3%	2%	2%
.08 to .14	39%	49%	46%	22%	27%	62%
.15 or More	59%	48%	52%	75%	71%	36%
<b>Punishment Imposed</b>						
<b>Method of Disposition</b>						
Guilty Plea	91%	90%	87%	89%	90%	86%
Bench Trial	8%	9%	13%	10%	10%	14%
Jury Trial	1%	1%	<1%	1%	<1%	<1%
<b>Sentence Type</b>						
Active Sentence	38%	14%	8%	11%	8%	4%
Supervised Probation	62%	83%	84%	55%	28%	9%
Unsupervised Probation	<1%	3%	8%	34%	64%	87%
<b>Sentence Length/Location</b>						
Active						
Average Length (Months)	19	12	6	4	2	1
Sentenced at Stat. Minimum	42%	3%	3%	2%	2%	1%
Sentenced at Stat. Maximum	13%	16%	26%	37%	24%	38%
Sentence Other than Stat. Min/Max	45%	81%	71%	61%	74%	61%
Suspended						
Average Length (Months)	30	20	11	5	3	2
Sentenced at Stat. Minimum	14%	2%	2%	1%	1%	2%
Sentenced at Stat. Maximum	63%	67%	80%	68%	61%	71%
Sentence Other than Stat. Min/Max	22%	31%	18%	31%	38%	27%

Note: Convictions with missing data were excluded.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

**Appendix D, Table 2: Conditions of Probation for Probation Sentences by Punishment Level  
N=26,272**

	<b>Agg. Level 1</b> n=345	<b>Level 1</b> n=1,740	<b>Level 2</b> n=2,672	<b>Level 3</b> n=1,087	<b>Level 4</b> n=2,361	<b>Level 5</b> n=10,723
<b>Supervised Probation</b>	99%	96%	91%	62%	31%	9%
Length						
1 Year or Less	5%	19%	34%	39%	63%	77%
13-18 Months	14%	26%	45%	43%	26%	15%
19-24 Months	34%	47%	18%	15%	10%	7%
More than 2 Years	47%	8%	3%	3%	1%	1%
Average Length (Months)	28	21	18	17	15	14
<b>Unsupervised Probation</b>	1%	4%	9%	38%	69%	91%
Length						
1 Year or Less	0%	41%	51%	47%	82%	89%
13-18 Months	0%	29%	35%	35%	12%	7%
19-24 Months	0%	27%	10%	11%	4%	3%
More than 2 Years	100%	3%	4%	7%	2%	1%
Average Length (Months)	36	18	16	18	14	13
<b>Mandatory Conditions</b>						
Special Probation	98%	94%	90%	24%	13%	8%
Community Service	5%	8%	9%	57%	66%	65%
Both	5%	7%	7%	1%	1%	<1%
<b>Fines</b>						
Convictions with Fine Imposed	68%	82%	84%	86%	88%	87%
Fine Amount						
Less than \$100	1%	2%	2%	3%	4%	7%
\$100 to \$199	10%	13%	17%	23%	52%	84%
\$200 to \$299	10%	18%	22%	34%	32%	8%
\$300 to \$499	14%	24%	29%	22%	9%	1%
\$500 or More	65%	43%	30%	18%	3%	<1%
Average Fine Imposed	\$831	\$538	\$388	\$283	\$179	\$111
Median Fine Imposed	\$500	\$400	\$300	\$200	\$150	\$100

Note: Convictions with missing data were excluded. The average length of probation for unsupervised probation in Aggravated Level 1 was based on fewer than 10 observations.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2020 DWI Statistical Report Data

#### Disclaimer for AOC Data

These data are from the Administrative Office of the Courts' (AOC) Automated Criminal Infraction System (ACIS). These data are a snapshot in time and are subject to change from such factors as the sealing or expungement of records, corrections made to data entry, motions, appeals, or other legal actions that may change the nature, status or outcome of a case, and other factors. Data maintained in ACIS are intended for management of caseloads, basic record-keeping, and general statistics. These data reveal nothing about evidence presented or its weight or credibility, the reasons or validity of factual or legal arguments or conclusions presented or made, or any other of the myriad circumstances relevant to the results of any particular case. Therefore, the data should not be used or represented to reflect on the merits of the facts or the outcomes of cases. For that and many analytic purposes, it would be inappropriate and misleading to use these data as a substitute for a review of actual case files and/or transcripts. No analysis of or conclusions drawn from these data may be attributed to the AOC. Neither the analysis nor any conclusions in this report are accepted as accurate or endorsed by the AOC.