

North Carolina's Criminal Justice System

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Systems map





The big picture



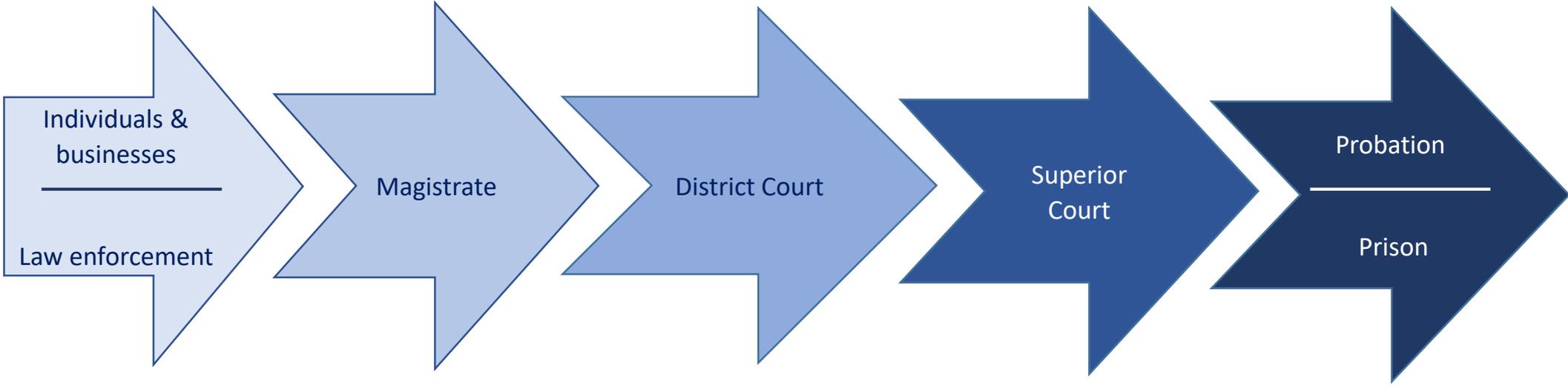


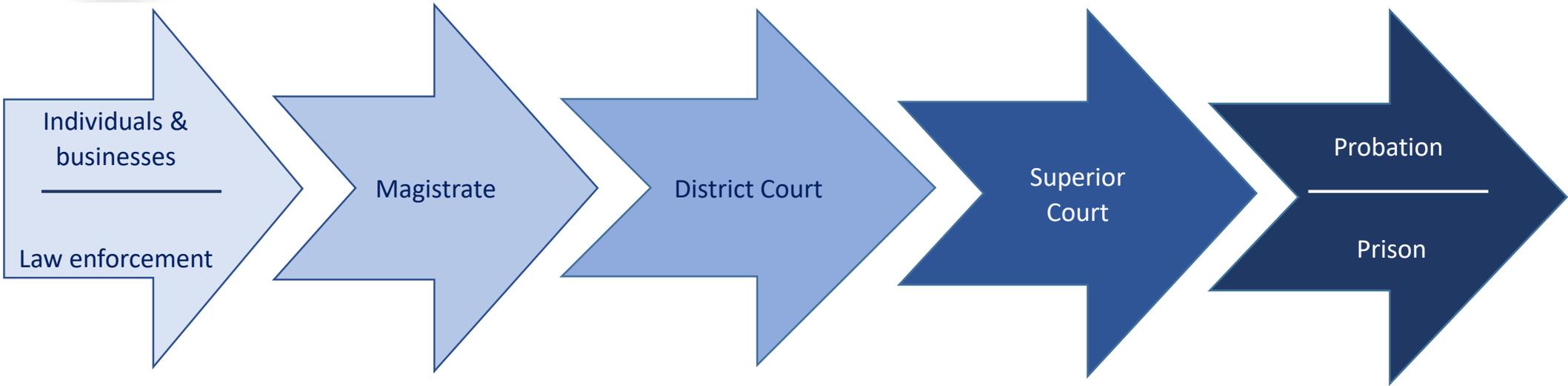
OPTION 1

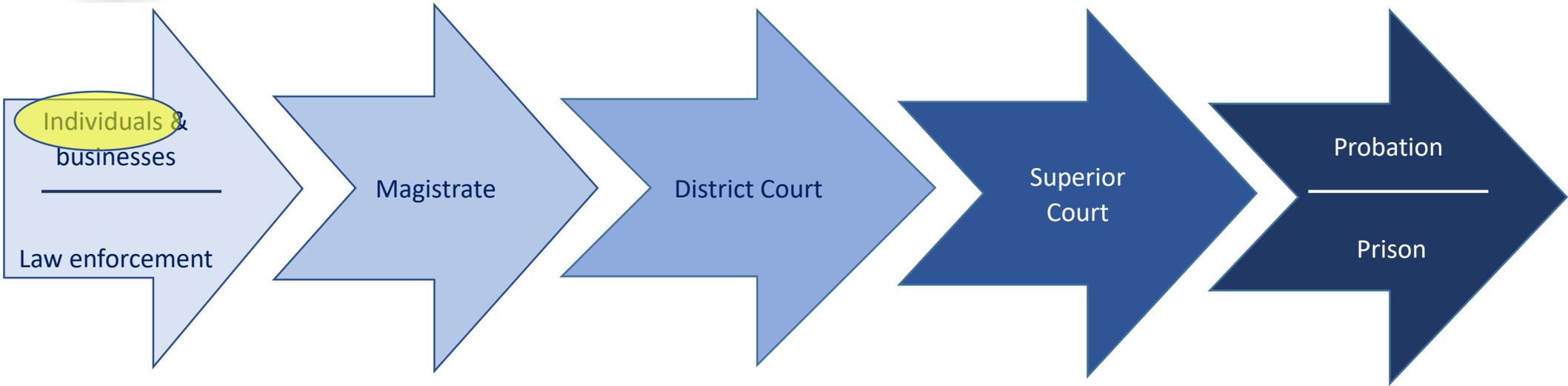
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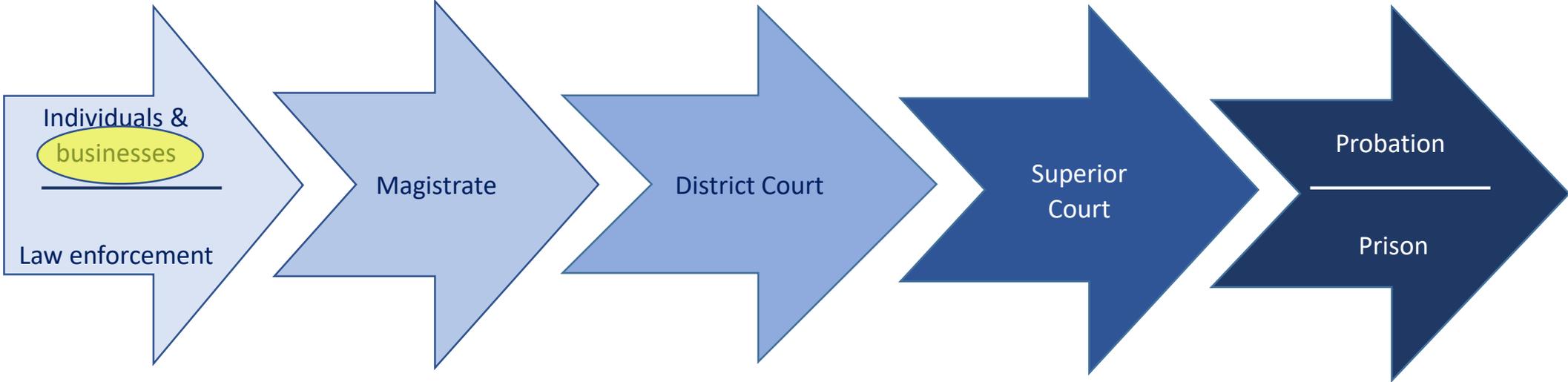
OPTION 3

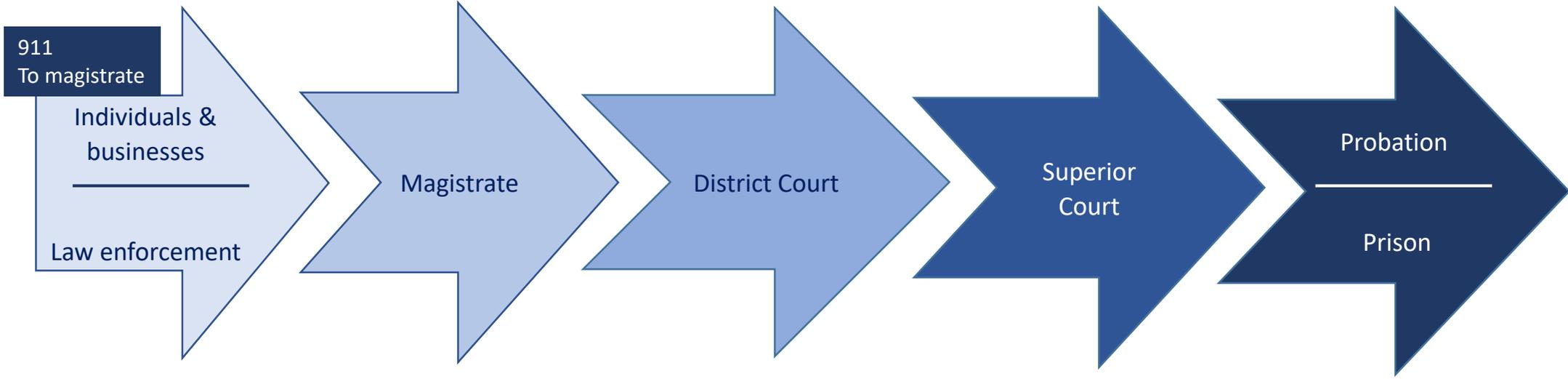
OPTION 4











911
To magistrate

Individuals &
businesses

Law enforcement

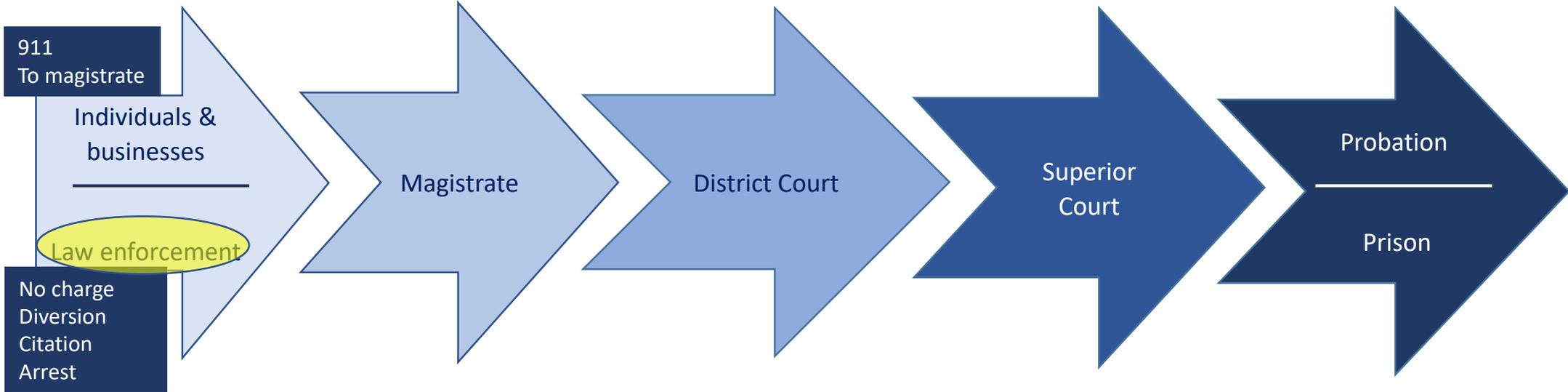
Magistrate

District Court

Superior
Court

Probation

Prison



911
To magistrate

Individuals &
businesses

Law enforcement

No charge
Diversion
Citation
Arrest

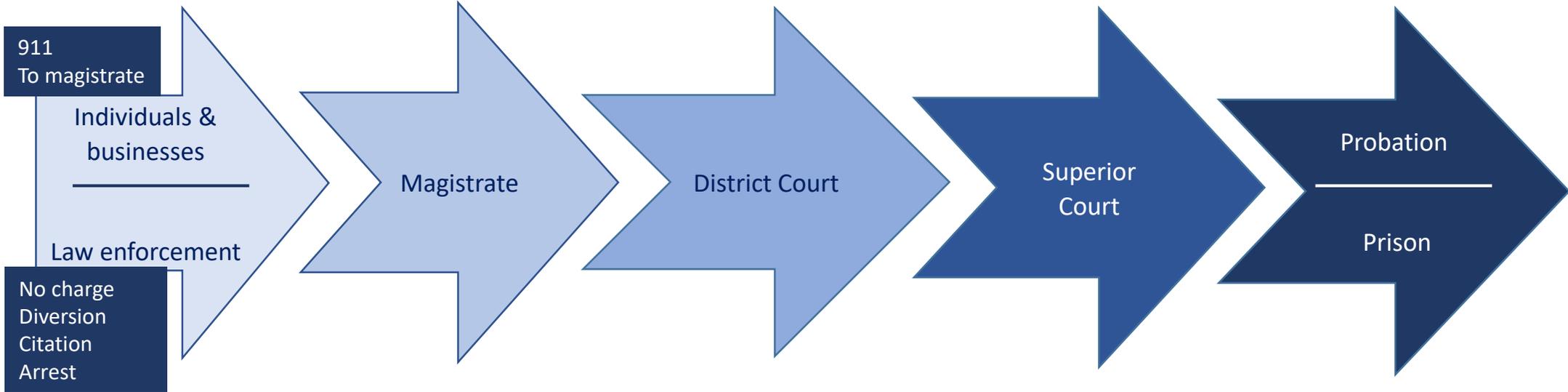
Magistrate

District Court

Superior
Court

Probation

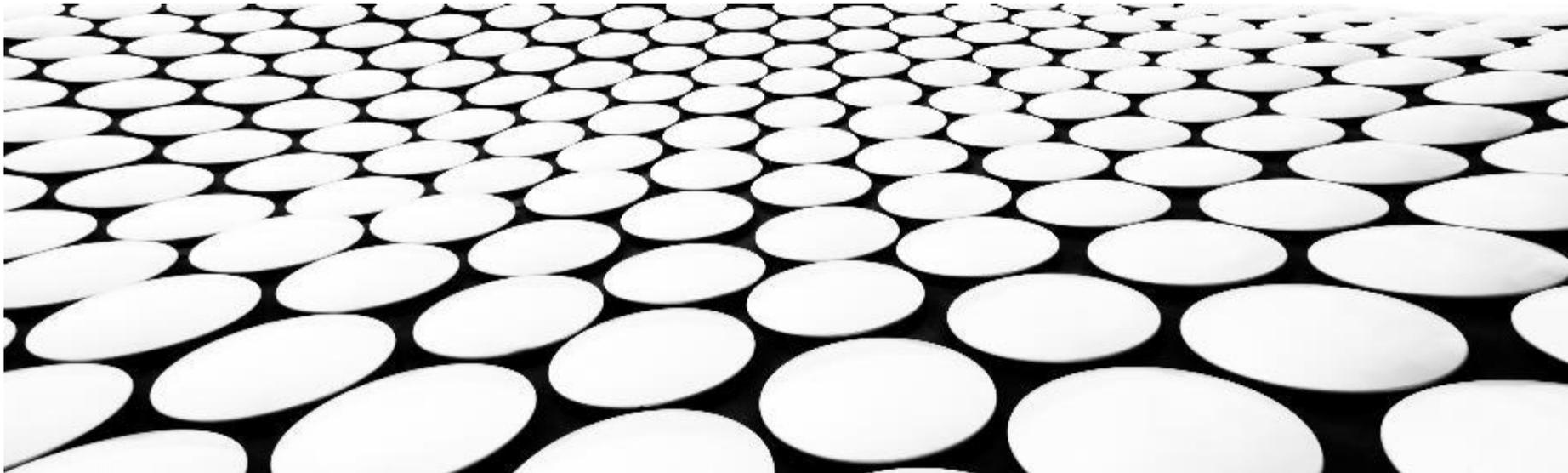
Prison



NC CHARGED 1.9M CRIMES IN 2019

1.6M MISDEMEANOR CHARGES

343K FELONY CHARGES

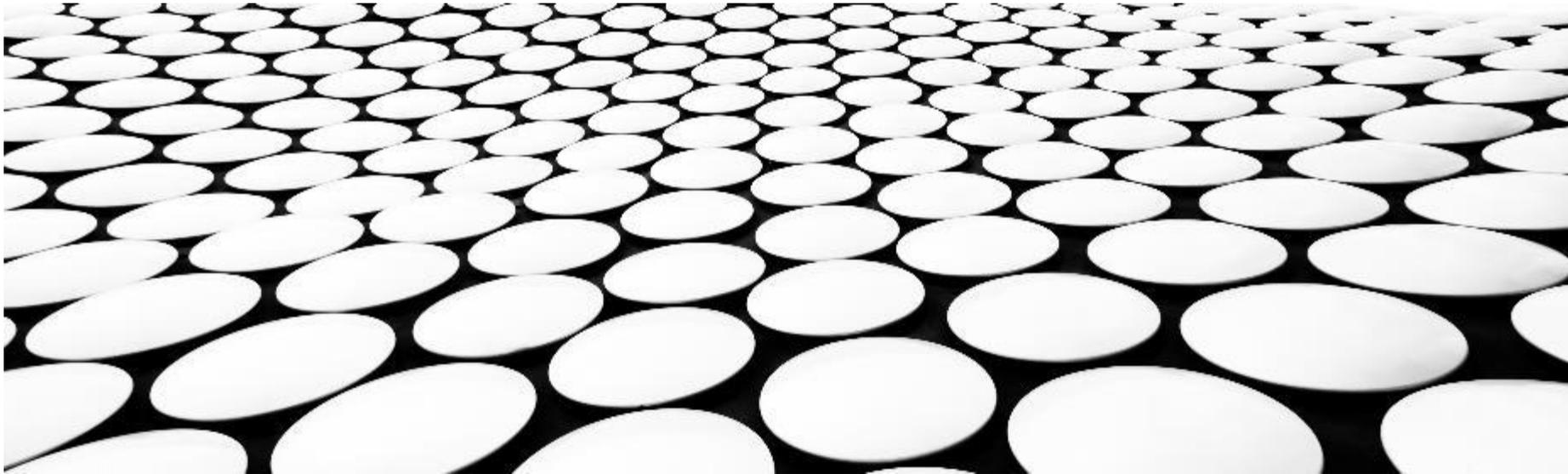


NC CHARGED 1.9M CRIMES IN 2019

1.6M MISDEMEANOR CHARGES

6.66% VIOLENT

93.3% NONVIOLENT



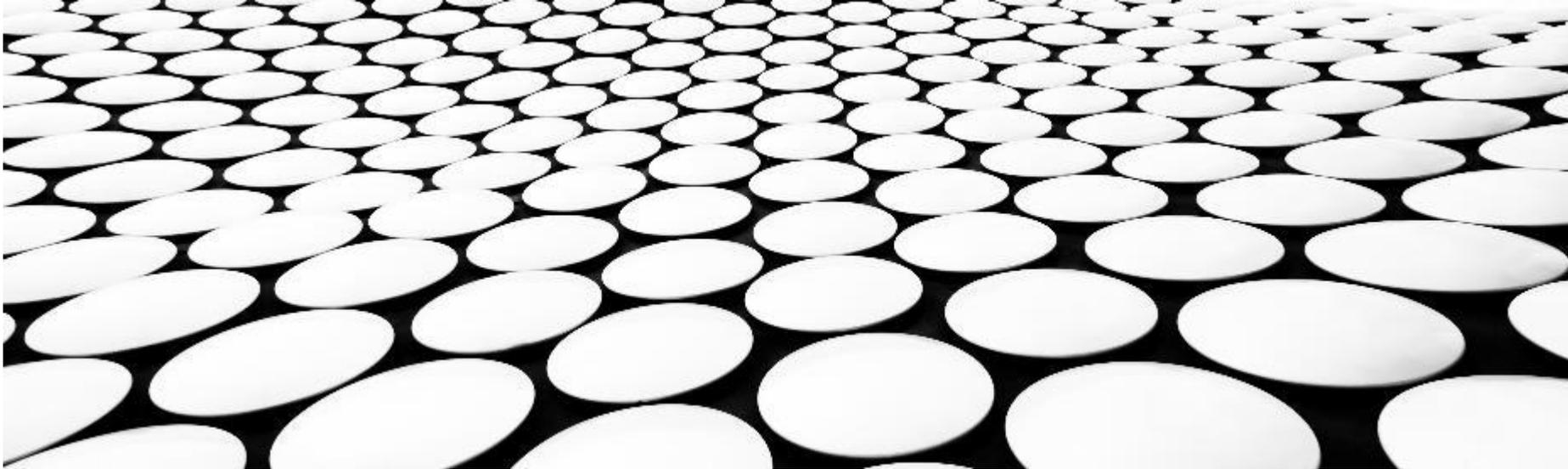
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93.3% NONVIOLENT

1M TRAFFIC OFFENSES





Non-DWI Misdemeanor Traffic Offenses	Number
Speeding	296,281
Expired Registration	208,971
Driving while License Revoked, Not Impaired Revocation	170,663
No Operator's License	117,789
Operating a Vehicle with No Insurance	55,126
Fictitious or Altered Title, Registration, or Plate	39,013
Reckless Driving to Endanger	29,735
Drive or Permit to be Driven Motor Vehicle No Registration	26,717
Canceled, Revoked, or Suspended Certificate or Tag	26,589
Reckless Driving - Wanton Disregard	20,976
Driving while License Revoked, Impaired Revocation	18,576
Window Tinting Violation	12,448
No Liability Insurance	11,442
Possession or Display of Altered, Fictitious, or Revoked Driver's License	5,727

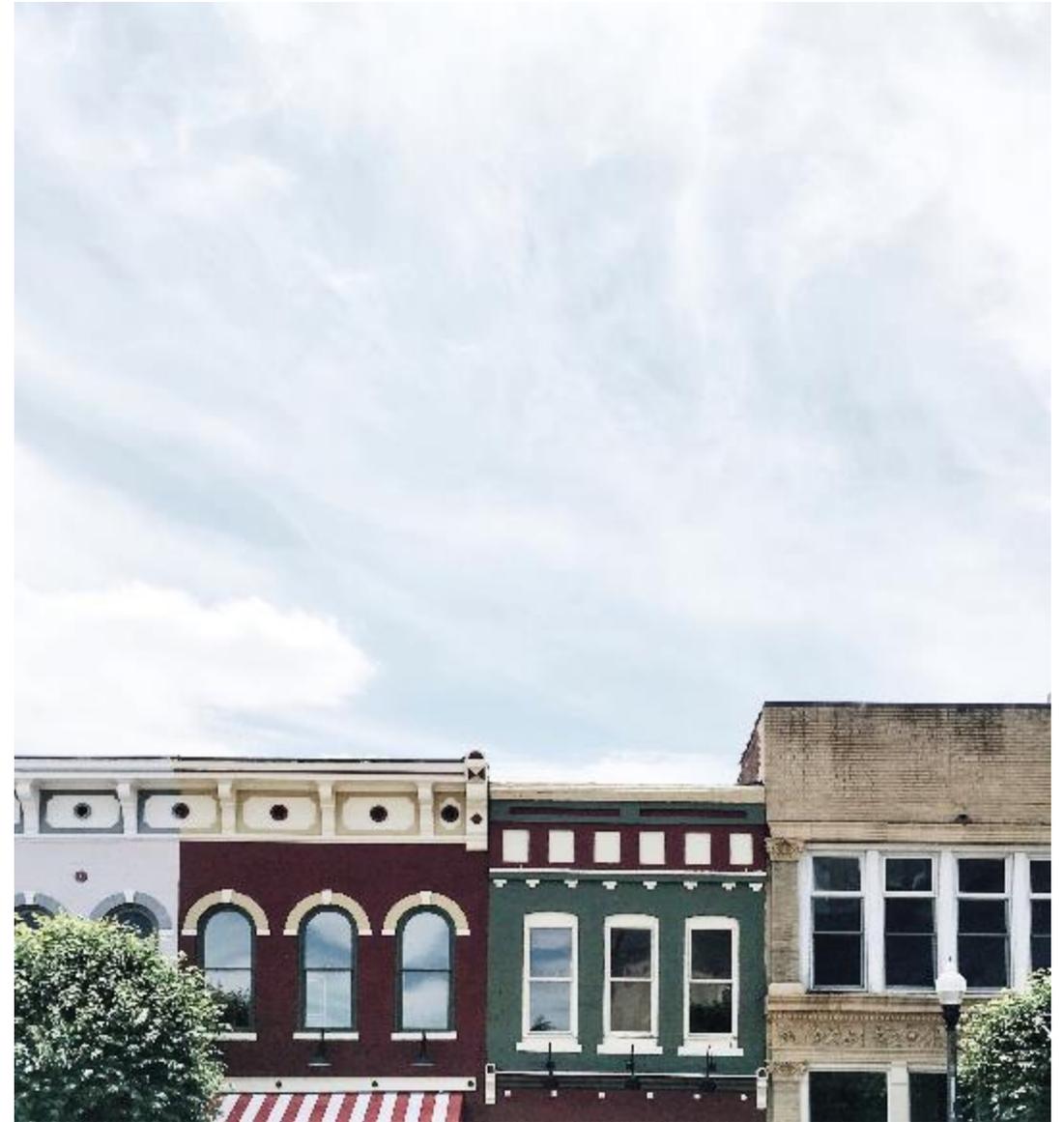
Nonviolent Misdemeanor Charge	Number
Misdemeanor larceny	44,667
Possession of drug paraphernalia	38,688
Possession of up to 1/2 ounce marijuana	31,287
Possession of marijuana paraphernalia	30,623
Resisting an officer	28,016
Second-degree trespass	22,701
Injury to personal property	15,925
Possession of a Schedule VI controlled substance	12,883
Possession of stolen goods	9,027
Public order, free text	8,276
Shoplifting, concealment of goods	6,916
Injury to real property	6,491
Caring concealed gun	6,473
Possession of Schedule IV controlled substance	4,808

Overcriminalization & Ordinance Violations as Crimes

Posted on [Mar. 21, 2019, 2:59 pm](#) by [Jessica Smith](#)

Think you can consult the North Carolina General Statutes to know everything that's criminal in North Carolina? Think again. Under state law, counties, cities, towns, and sewerage districts have authority to create crimes through local ordinances. G.S. 14-4 (providing that, as a general rule, violation of such an ordinance is a Class 3 misdemeanor). Apparently, some local governments don't realize that when they write ordinance violations are creating crimes. What makes me say this? A 2018 law ([S.L. 2018-69](#)) required cities and towns that have enacted an ordinance punishable pursuant to G.S. 14-4(a) to "create applicable ordinances with a description of the conduct subject to criminal punishment and submit it to certain Committees of the General Assembly by December 31 of the year in which the ordinance is enacted." At least one town reported that its ordinances don't create any crimes, but that statement is contradicted by the town's own Code of Ordinances which creates a host of crimes including curfew violations. (Want to check? The submissions are [here](#)).

One argument made in the national conversation about overcriminalization is that too many minor activities are made criminal and that it's not efficient, effective, or fair to address that activity through the criminal justice system. Additionally it is argued that many low-level activities such as panhandling and sleeping in public places—criminalize poverty and homelessness. Those issues should be treated as social needs. There is a lot more to the debate about overcriminalization but I'll stop there. In trying to get a sense as to how big an issue overcriminalization is as crimes in North Carolina, I realized that ordinance violations aren't the only offenses that warrant examination; I'm just starting with ordinance crimes. There may be a better way to do this—and please chime in if you know one—but I looked at the NC Administrative Office of the Courts (NC AOC) 2018 "Tally" report. This report lists all criminal and infraction charges in 2018, along with other information, such as number of convictions obtained. Crime charges clearly based on ordinance violations include:



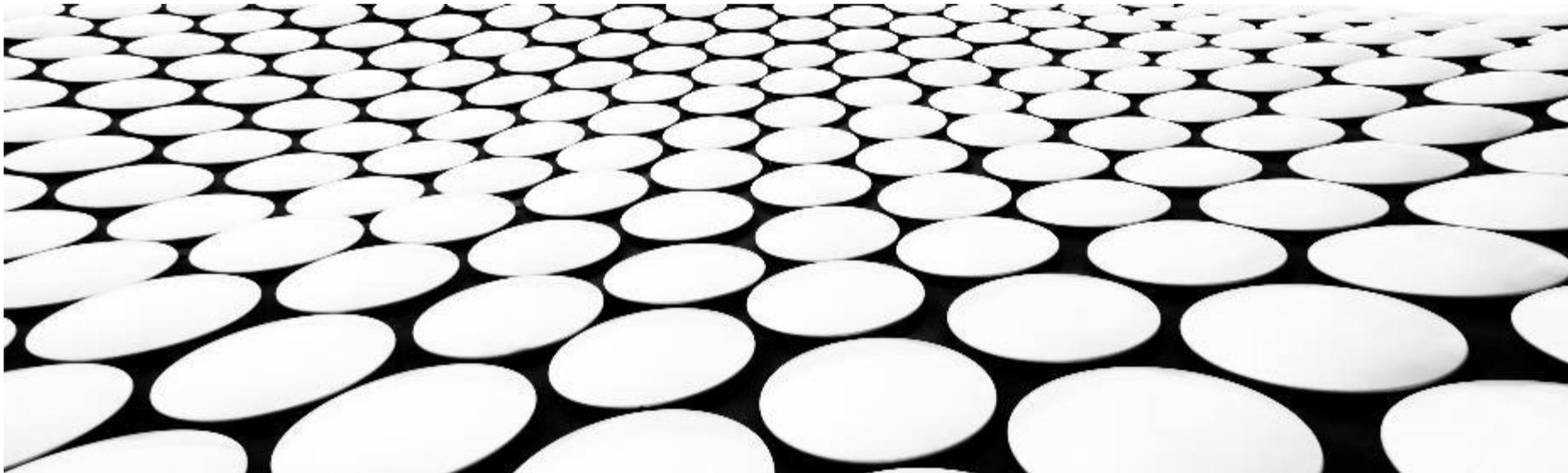


Offense Code	Description	GS Number	Charge Total	Conviction Total
8599	Local Ordinance-Free Text	[Nothing Listed]	2435	602
8521	Solicit Alms/Beg For Money	Local Ordinance	1690	440
4184	Open Container Alcohol Viol	Local Ordinance	1585	325
8517	Fail Provide Proof Fare Pay	Local Ordinance	1066	9
8543	Discharge Firearm in City	Local Ordinance	794	136
8508	City/Town Violation(M)	Local Ordinance	581	468
8506	Urinate in Public	Local Ordinance	529	111
4132	Poss/Cons Beer/Wine Public St	Local Ordinance	411	88
8504	Noise Ordinance Violation	Local Ordinance	370	133
8510	Leash Law Violation	Local Ordinance	208	87
8535	Curfew Violation	Local Ordinance	176	34
8541	Sleep in Public Place	Local Ordinance	161	60
4183	Consume Alc/Malt City/Co Prop	Local Ordinance	111	34

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343K FELONY CHARGES



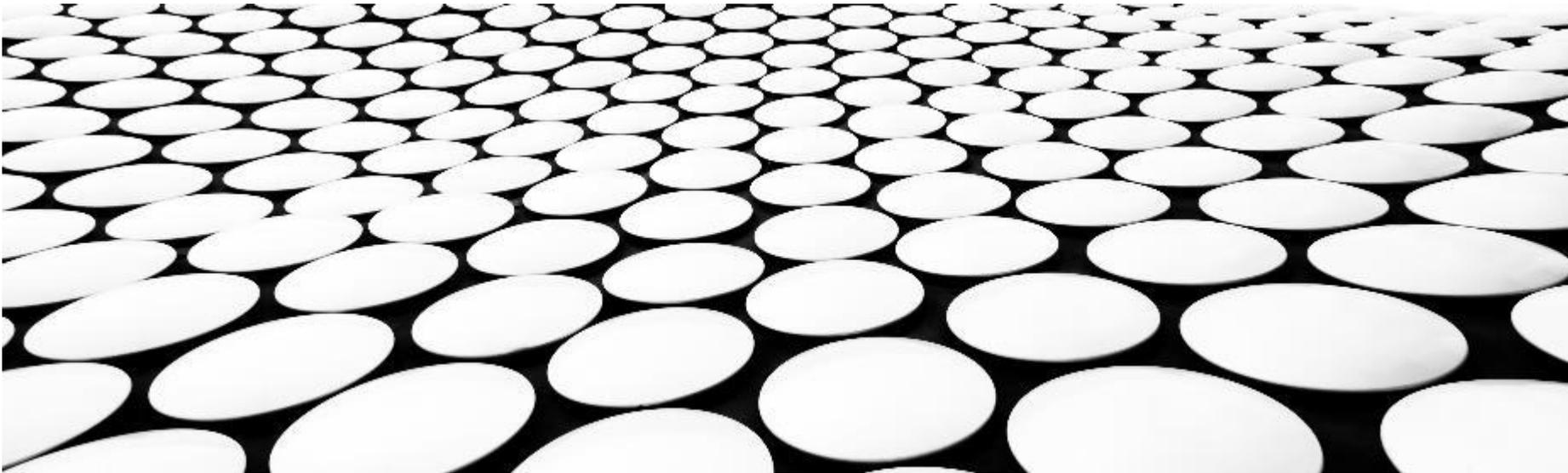
NC CHARGED 1.9M CRIMES IN 2019

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16.4% VIOLENT

83.6% NONVIOLENT



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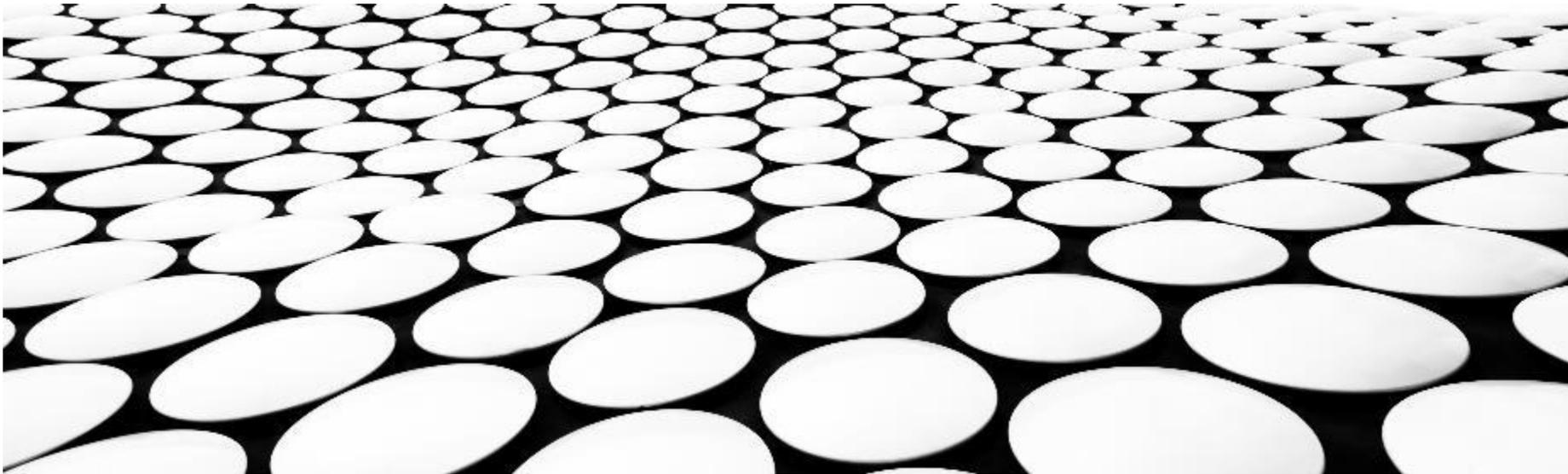
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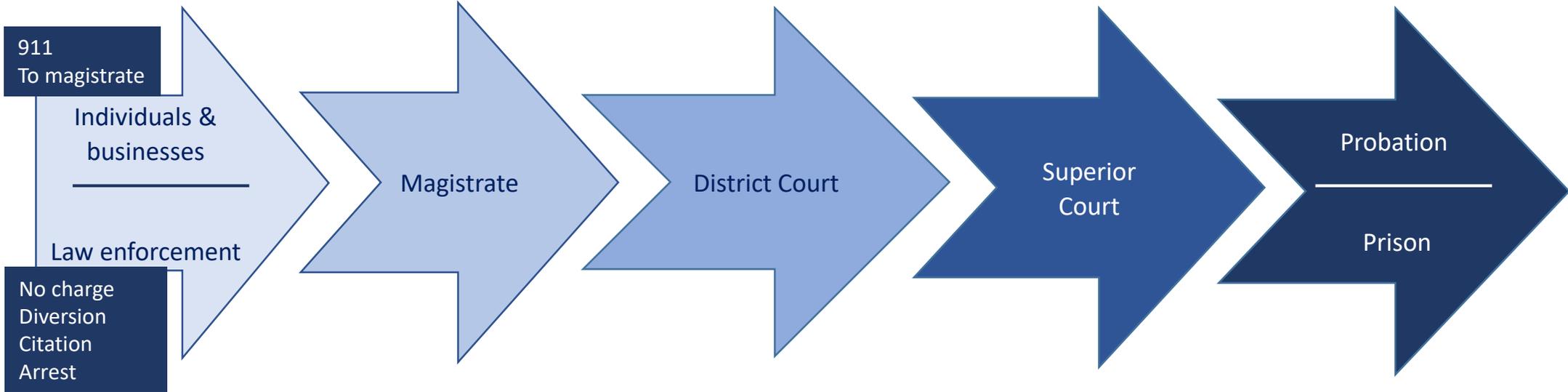
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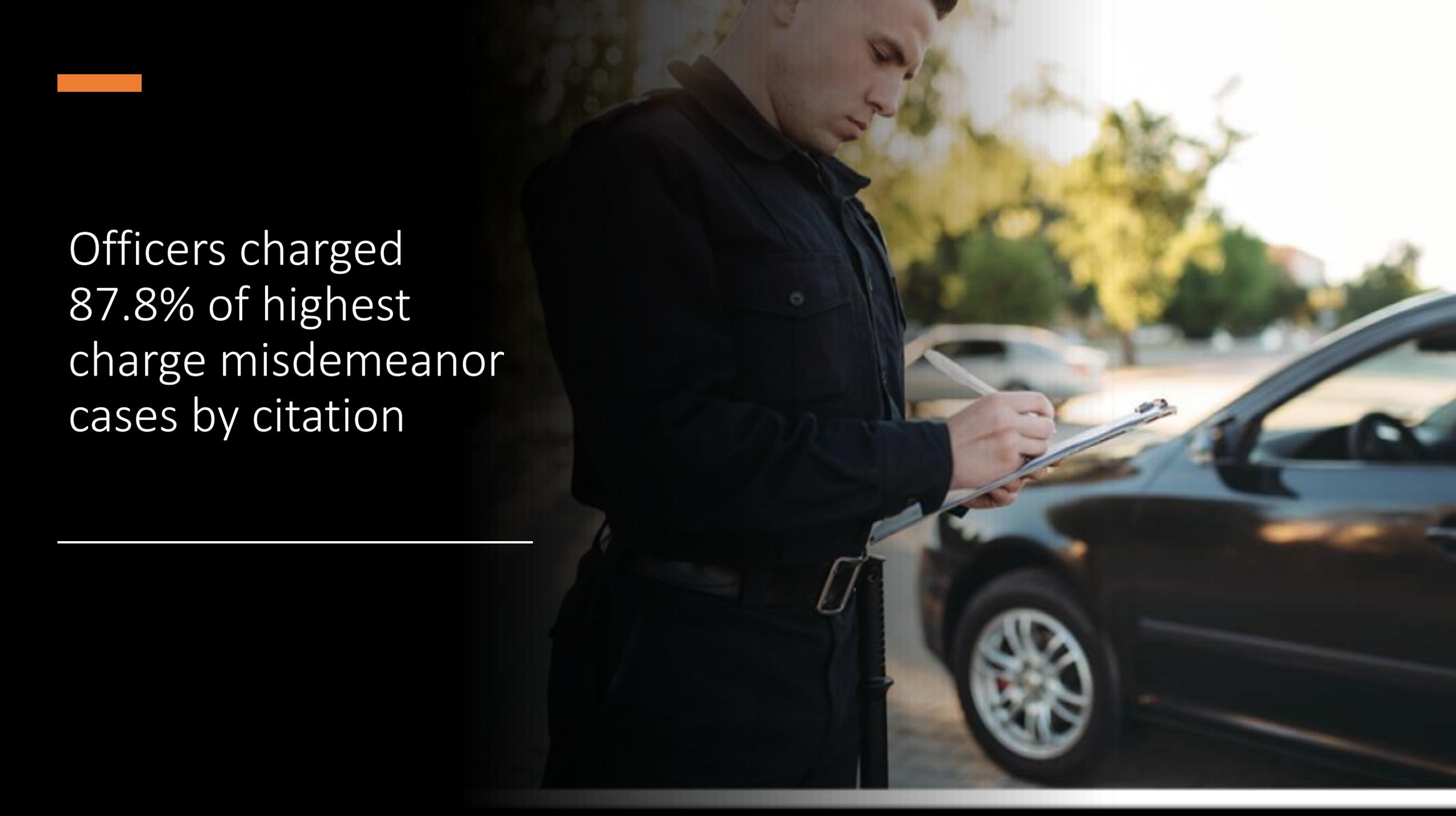
16.4% VIOLENT

83.6% NONVIOLENT

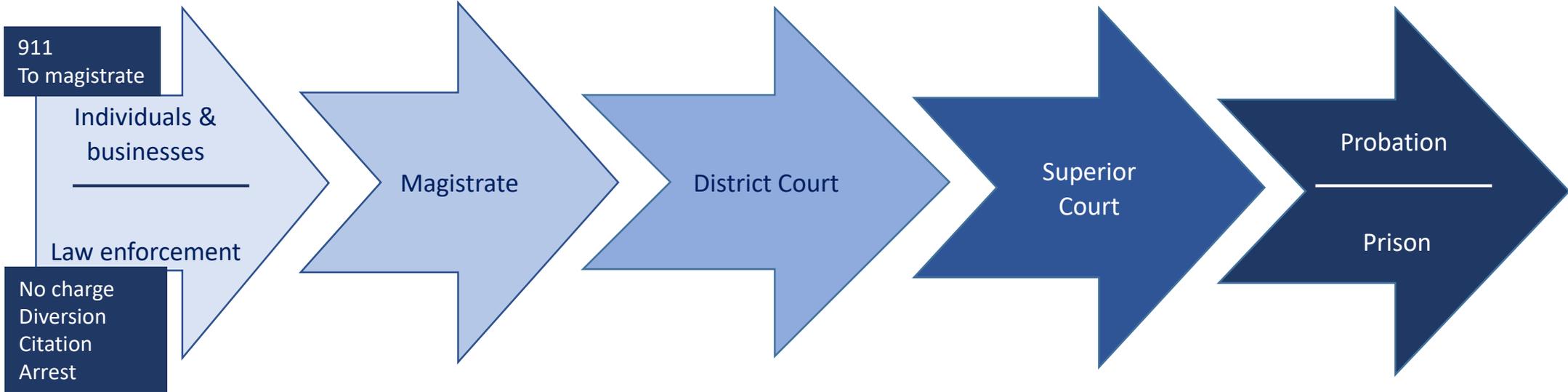
33% (112,648) = DRUG CHARGES

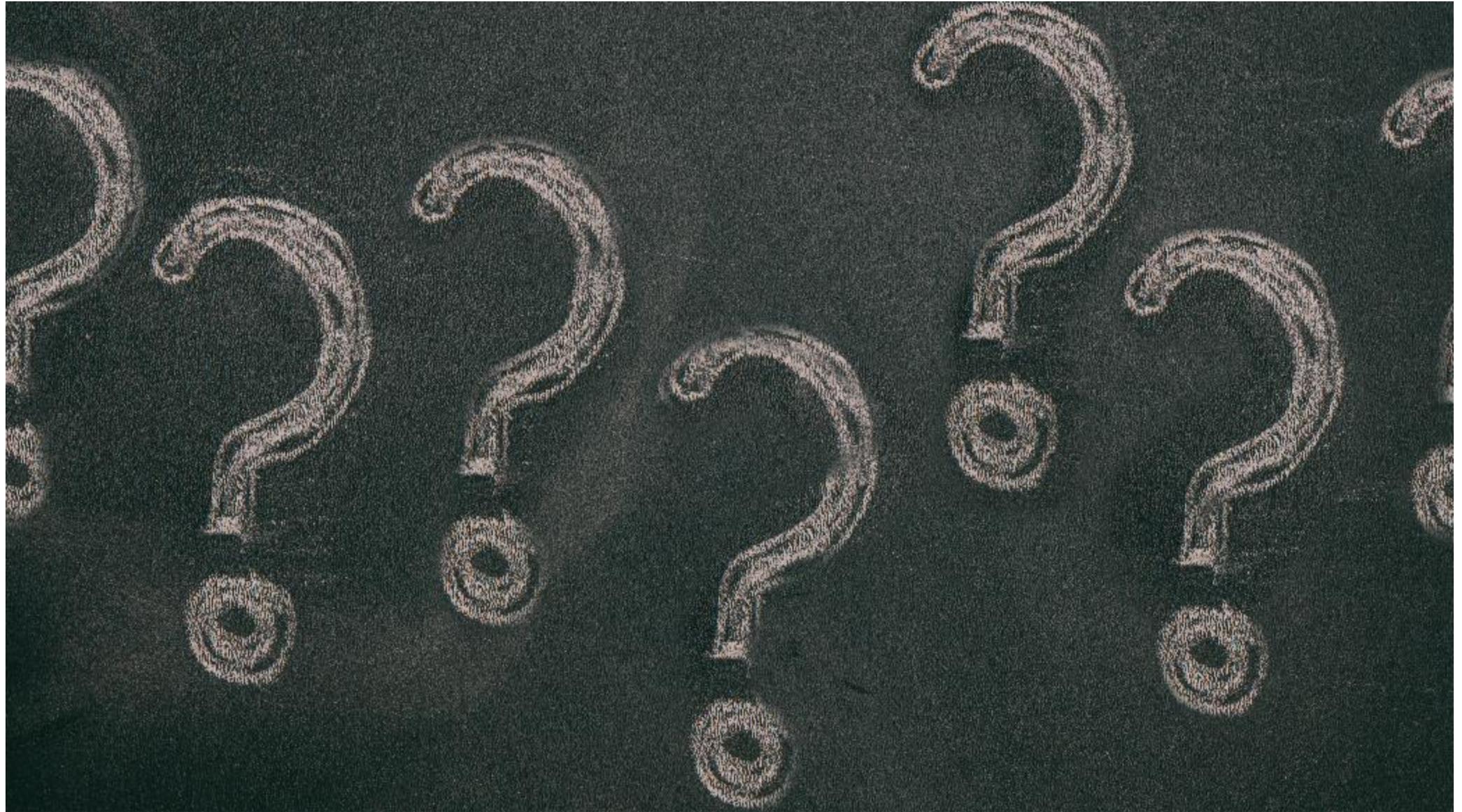




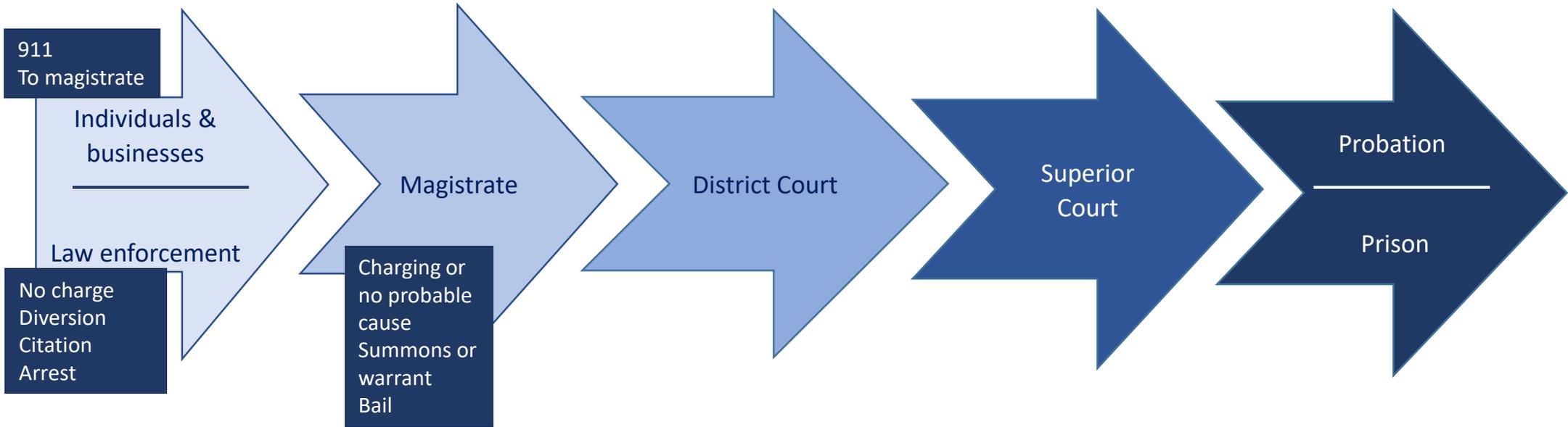
A police officer in a dark uniform is standing next to a dark-colored car, writing on a clipboard. The officer is looking down at the clipboard. The background shows a blurred outdoor setting with trees and a bright sky. An orange horizontal bar is located in the top left corner of the image.

Officers charged
87.8% of highest
charge misdemeanor
cases by citation











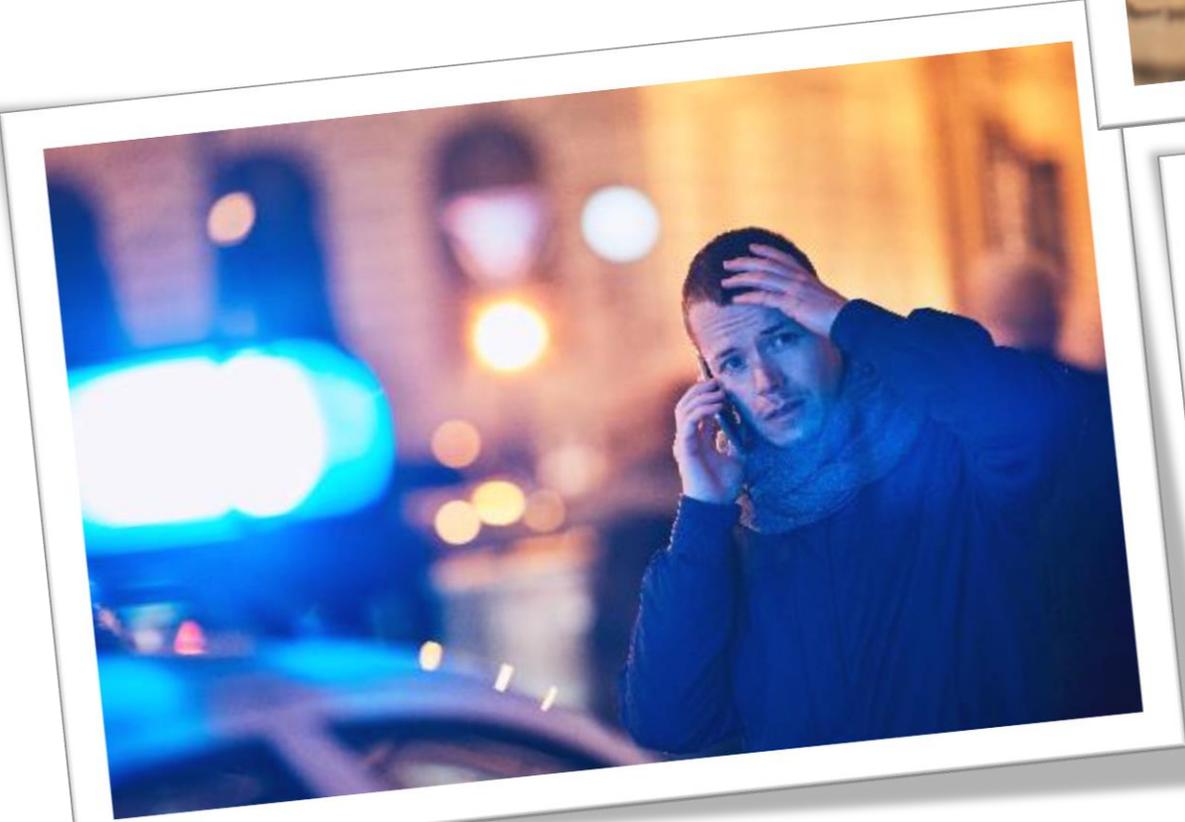
66.2%
of highest charge
misdemeanor cases
got a secured bond



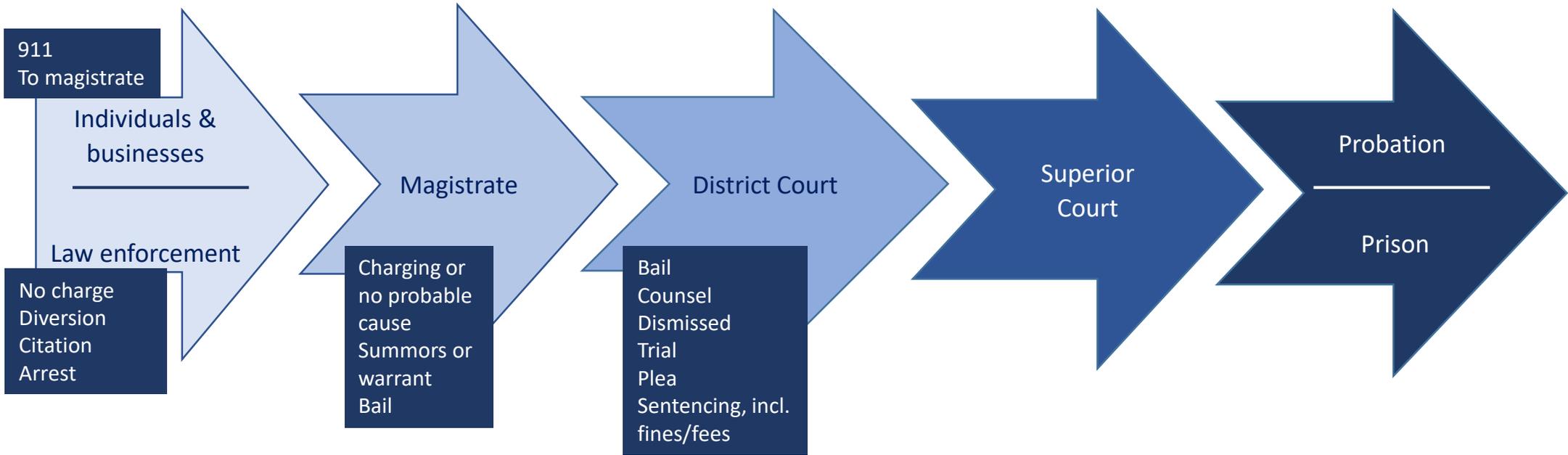












Manner of Disposition

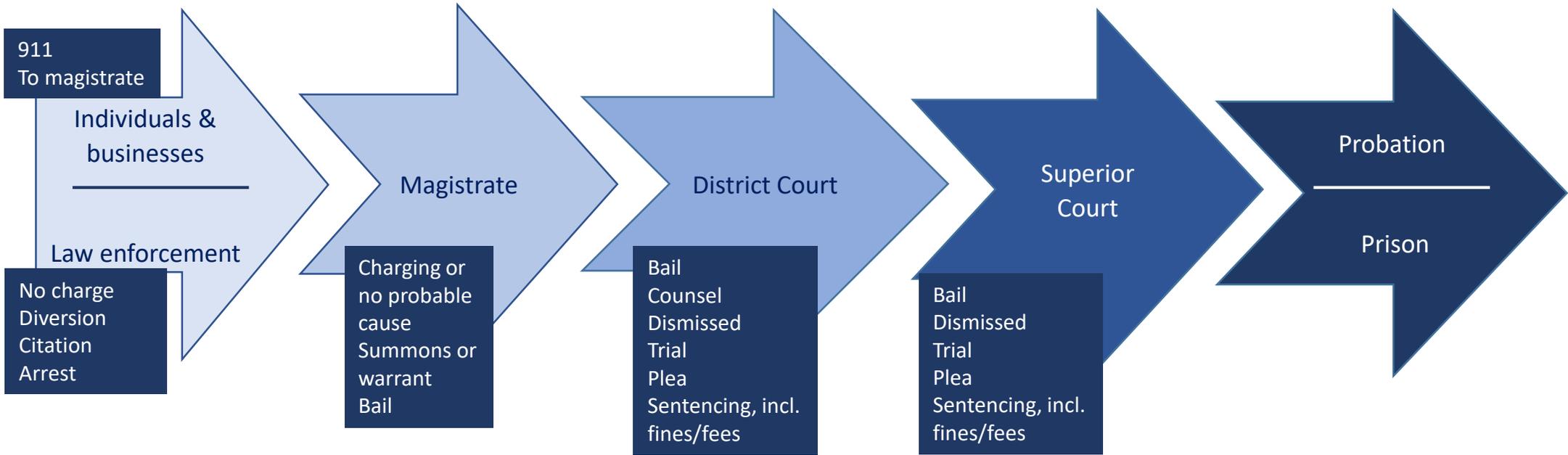
Case Type	Trial – Guilty Verdict	Trial – Not Guilty Verdict	Guilty Plea Before Magistrate	Guilty Plea No Contest	Felony Heard and Bound Over	Probable Cause Not Found	Felony Probable Cause Waived
Criminal cases	15,157	5,874	2,174	233,612	409	3,757	12,253
Felonies	544	26	0	28,234	409	1,886	12,252
Misdemeanors, other than traffic	8,715	3,995	367	109,787	0	172	1
Traffic misdemeanors (includes DWI)	5,898	1,853	1,807	95,591	0	1,699	0

Manner of Disposition

Case Type	Dismissal After Deferred Prosecution	Dismissal With Leave	Worthless Check Waiver	Felony Superseding Indictment	Other*
Criminal cases	9,374	121,720	493	75,372	1,879,456
Felonies	1,376	1,246	0	62,521	50,481
Misdemeanors, other than traffic	7,158	13,062	493	10,151	514,767
Traffic misdemeanors (includes DWI)	840	107,412	0	2,700	1,314,208

* Other includes dismissal without leave in FY 2019.





Superior Court

Manner of Disposition

Case Type	Jury Trial – Guilty Verdict	Jury Trial – Not Guilty Verdict	Jury Trial – Guilty Plea Before Verdict	Guilty Plea No Contest to Lesser	Guilty Plea No Contest
Criminal cases	1,492	533	234	9,243	63,650
Felonies	1,184	352	204	9,065	56,116
Misdemeanors, other than traffic	179	102	18	113	5,651
Traffic misdemeanors (includes DWI)	129	79	12	65	1,883

Manner of Disposition

Case Type	Dismissal After Deferred Prosecution	Dismissal With Leave	Other*
Criminal cases	1,113	1,715	80,277
Felonies	1,058	1,351	51,727
Misdemeanors, other than traffic	52	168	20,200
Traffic misdemeanors (includes DWI)	3	196	8,350

*Other includes speedy trial dismissals, and in FY 2019, dismissal without leave.

Superior Court

Manner of Disposition

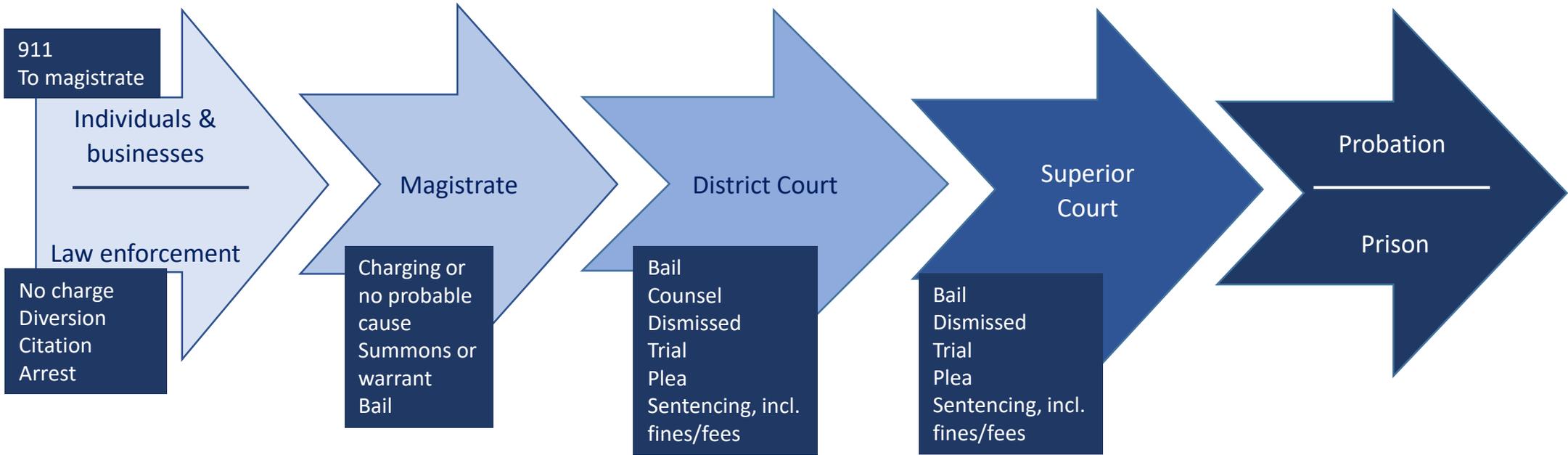
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Traffic misdemeanors (includes DWI)					1,883

Manner of Disposition

Case Type	Other*
Criminal cases	80,277
Felonies	51,727
Misdemeanors, other than traffic	20,200
Traffic misdemeanors (includes DWI)	8,350



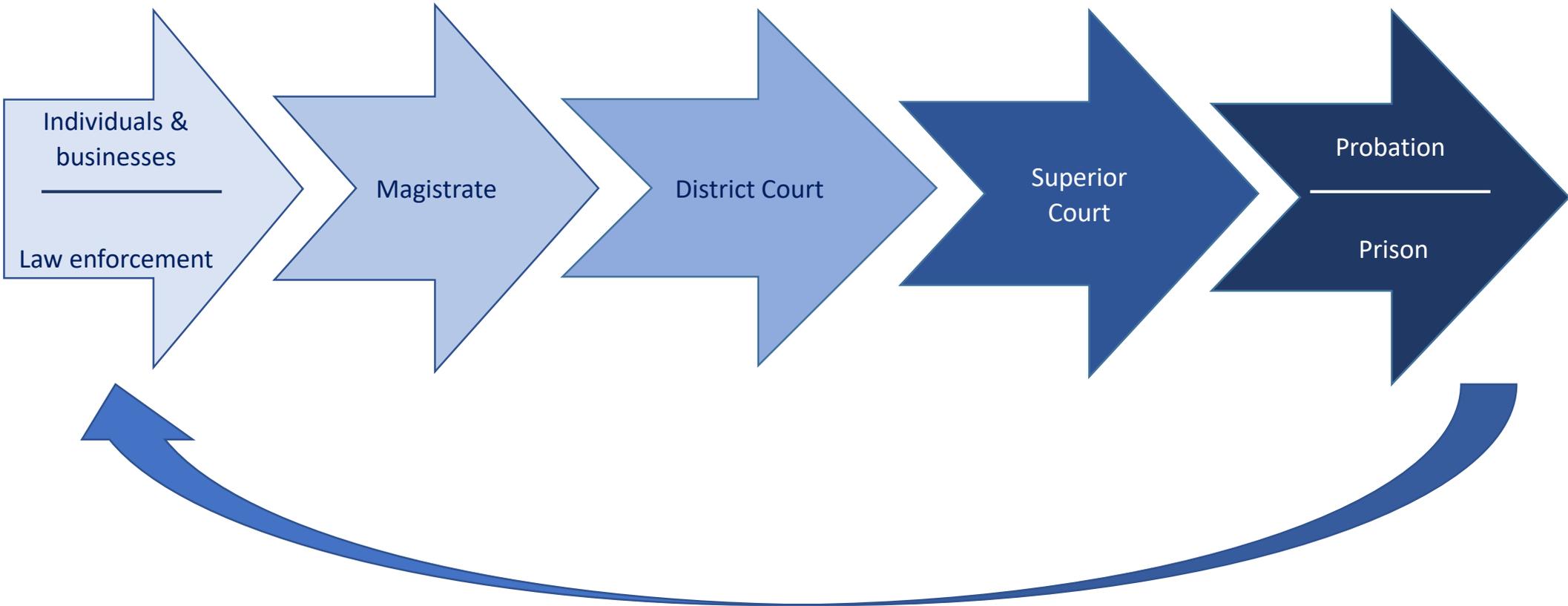
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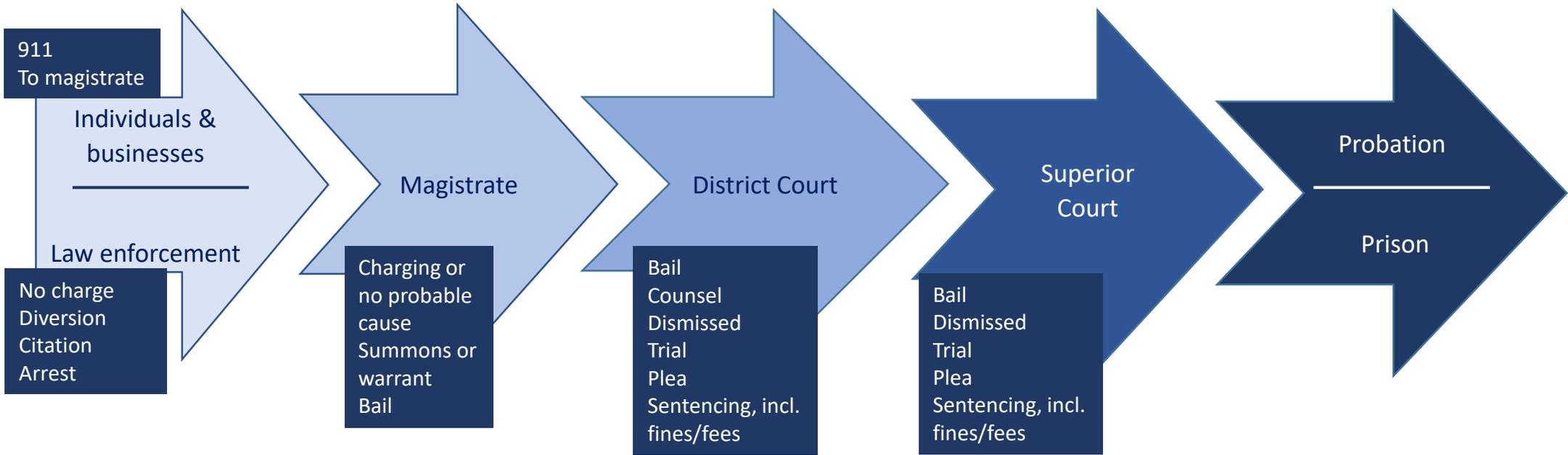


Offender Population

Aug 31, 2020

Group	Number
Prison Inmates	31,778
Probationers	70,416
Post Release/Parole	12,526
Total	114,720
Male Inmates	29,451
Female Inmates	2,327





The background of the image consists of several light-colored wooden puzzle pieces scattered across a white surface. The pieces are interlocking and have various shapes, including some with circular holes and others with semi-circular protrusions. The wood grain is clearly visible on the pieces.

**Factors
influencing who
enters?**

- What is criminalized



- What is criminalized
- Health services



- What is criminalized
- Health services
- Employment
- Education
- Housing
- Criminal record
- Fines and fees
- Collateral consequences
- Drivers license suspensions
- Family stability
- Hope, faith & sense of belonging





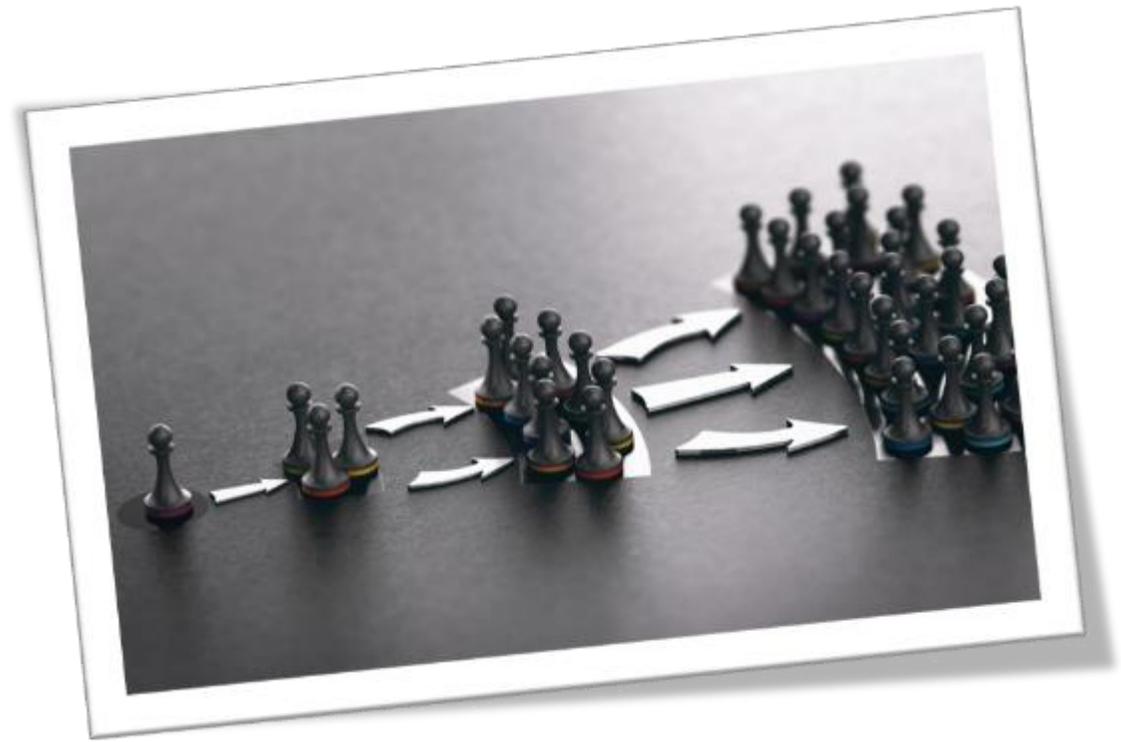
Factors influencing system actors



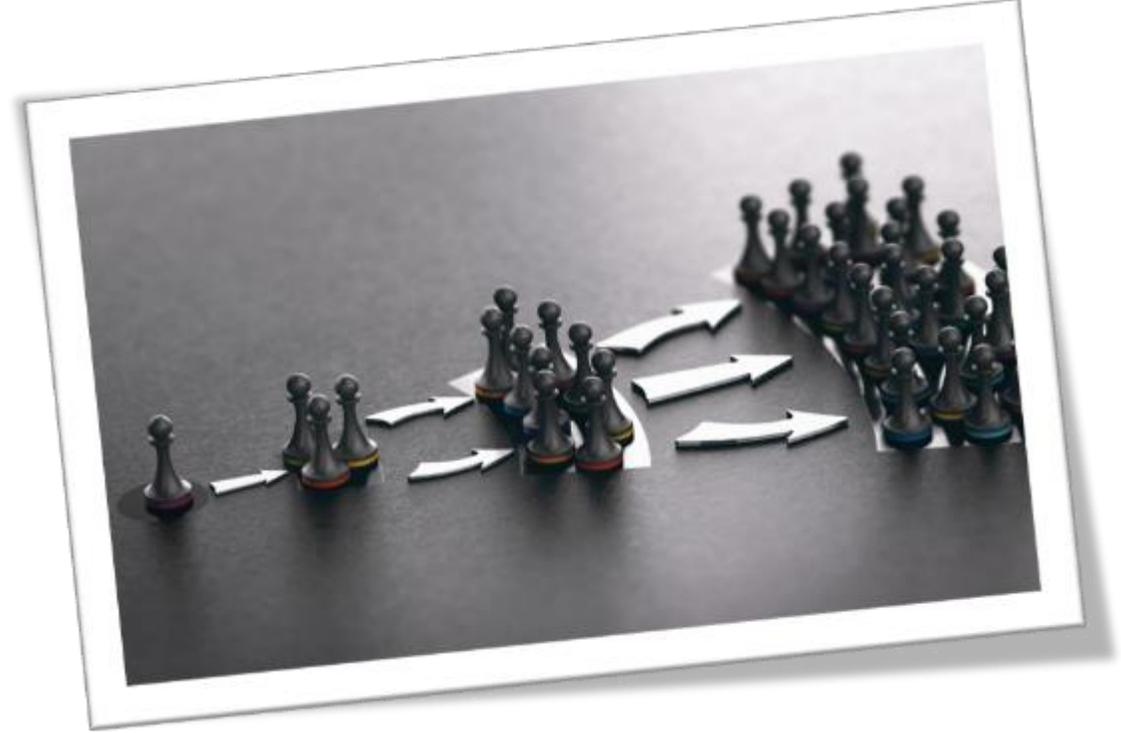
- Legal framework



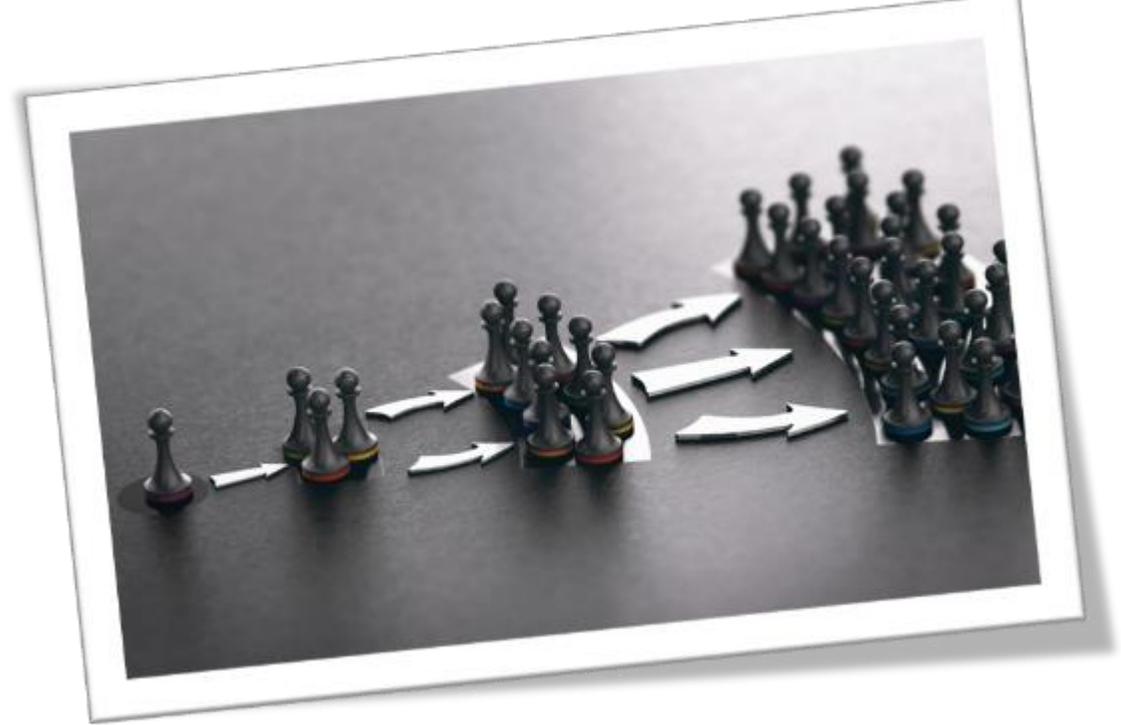
- Legal framework
- Accountability



- Legal framework
- Accountability
- Data



- Legal framework
- Accountability
- Data
- Discretion
- Resources
- Training
- Policy
- Politics
- Culture
- Bias



Reach out or visit us on the web:
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