

How Do North Carolina Criminal Charges Get Resolved?

Ethan Rex, Jessica Smith & Jamie Vaske¹

December 2023

We previously looked at criminal charging in North Carolina and found that non-violent, misdemeanor offenses make up the bulk of the system. In 2021, for example, non-violent misdemeanor charges accounted for 81% of all charged offenses. By contrast, violent misdemeanors and violent felonies accounted for only 5% and 2% respectively.² In this paper, we report on how North Carolina criminal charges get resolved.

Most charges do not result in a finding of guilt.

Only one in three felony charges result in a finding of guilt. From 2014 to 2020, the percentage of felony charges that resulted in a finding of guilt hit a high of 36% in 2014. It then decreased yearly, to 31% in 2020.

Results were similar for violent and non-violent felony charges. The percentage of violent felony charges that resulted in a finding of guilt ranged from 32% (2020) to 38% (2014). For non-violent felonies it ranged from 31% (2020) to 35% (2014).

For misdemeanor charges, guilt is even less common. In the same seven-year period, the percentage of misdemeanor charges that resulted in a finding of guilt hit a high of 20% in 2014. As with felony charges, it then decreased yearly, to 13% in 2020.

How many charges result in a finding of guilt?

2020 data



Only one in three felony charges result in a finding of guilt



Only one in seven misdemeanor charges result in a finding of guilt

With one exception, a minority of charges resulted in a finding of guilt across all misdemeanor charge categories. For violent misdemeanors, the percentage of charges that resulted in a finding of guilt never exceeded 18%; for non-impaired driving traffic misdemeanors it was 13%; and for other non-violent misdemeanors it was 30%. Impaired driving charges were the exception: they were the

Is 2020 a reliable year?

While the onset of the COVID-19 pandemic impacted the criminal justice system in 2020, we found consistent trends for all years in the 2014 to 2020 time period.

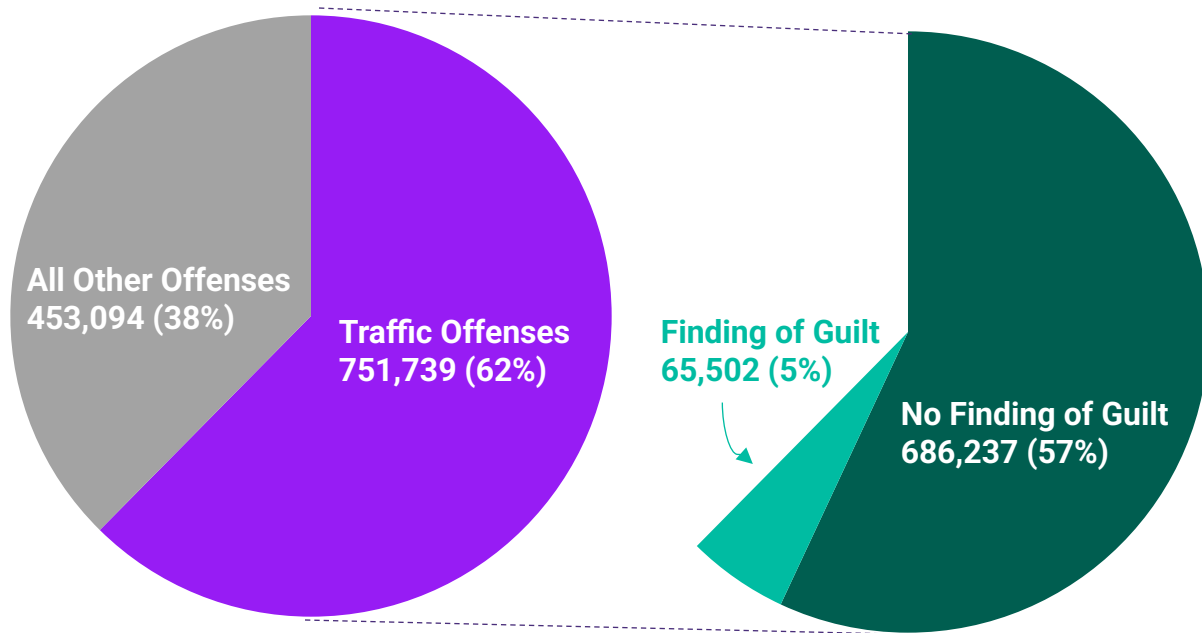
¹ Ethan Rex, Data Manager, Criminal Justice Innovation Lab; Jessica Smith, William R. Kenan, Jr. Distinguished Professor of Public Law and Government & Lab Director; Jamie Vaske, Professor, Western Carolina University & Lab Senior Research Associate. Lab Research Director Alexander J. Cowell also contributed to this paper.

² For our prior analyses on charging generally, see our [Measuring Justice Dashboard](#) (Criminal Charging Metric) and our briefing paper [here](#).

only offense category where a majority of charges resulted in a finding of guilt (from a high of 64% in 2014 to a low of 62% in 2020).

Significantly, for non-impaired driving traffic misdemeanors—the largest offense category in the system—more charges resulted in civil liability than in criminal guilt. For example, in 2020, 9% (65,502) of these charges resulted in criminal guilt while 25% (185,324) resulted in civil liability.

**Traffic misdemeanors make up the bulk of criminal charging.
How do they get resolved?**
Disposed charges, 2020 data



We also looked at this issue at the incident level, where an incident includes all charges against the same person on the same day in the same county. Compared to the charge level, guilt was more common for highest charge felony incidents: the percentage of highest charge felony incidents where at least one charge had a finding of guilt ranged from a high of 61% in 2014 to a low of 52% in 2020. However, most of these incidents had a mixture of guilt and non-guilt charge outcomes, and felony incidents where every charge had a finding of guilt were less common (ranging from a high of 22% in 2014 to a low of 16% in 2020).

For highest charge misdemeanor incidents, there was less of a difference between the charge and incident level: findings of guilt ranged from a high of 22% for highest charge misdemeanor incidents in 2014 to a low of 15% in 2020.

Most charges were dismissed.

In every year for the 2014 to 2020 period, a majority of charges were dismissed. In fact, the annual percentage of felony charges resolved by dismissal never dropped below 62%. For misdemeanor charges, that percentage never dropped below 63%. Dismissals were less common for impaired driving charges; the annual percentage resolved by dismissal for those charges never dropped below 26%.

Most felonies and misdemeanors end in dismissal.

2020 data, showing the percent of charges that end in dismissal

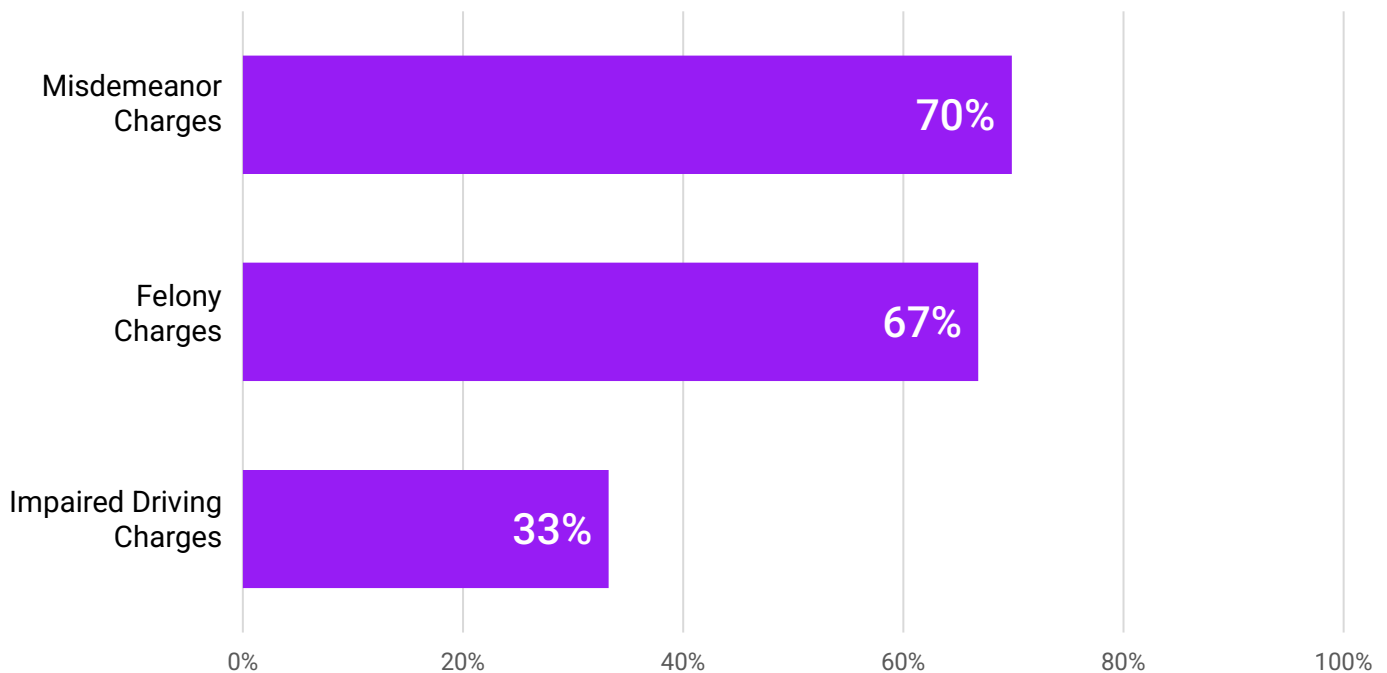


Figure Note: Impaired driving charges have been separated from misdemeanor charges.

Nearly all guilt determinations come from pleas, not trials.

At the charge level, almost all findings of guilt come from guilty pleas, not trials. From 2014 to 2020, the percentage of guilt determinations that came from pleas never dropped below 98%. This number was the same for felonies and misdemeanors, for charges and incidents, and for each year from 2014 to 2020.

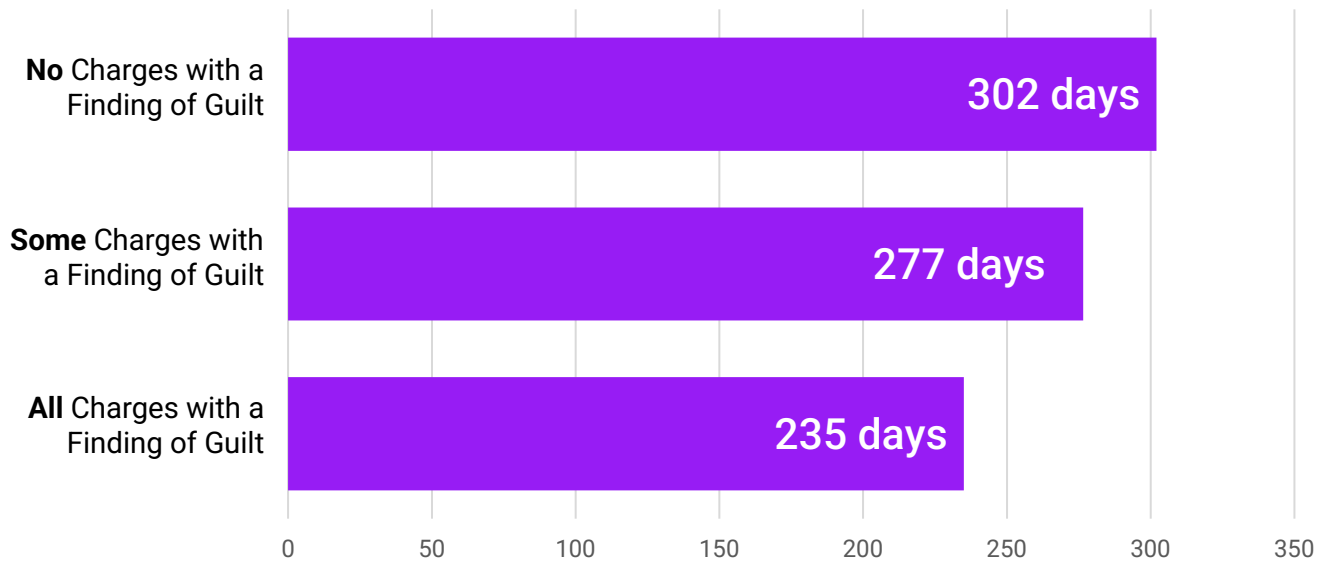
98%

of guilt determinations come from pleas.

It takes longer to get a not guilty determination.

Felony and misdemeanor incidents that ended without a determination of guilt on any charges took longer to resolve than those where all charges ended with a guilt determination. In 2020, it took 67 days longer to resolve a felony incident with no findings of guilt than to resolve such an incident when all charges ended in guilt. In 2019, it took 167 days longer.

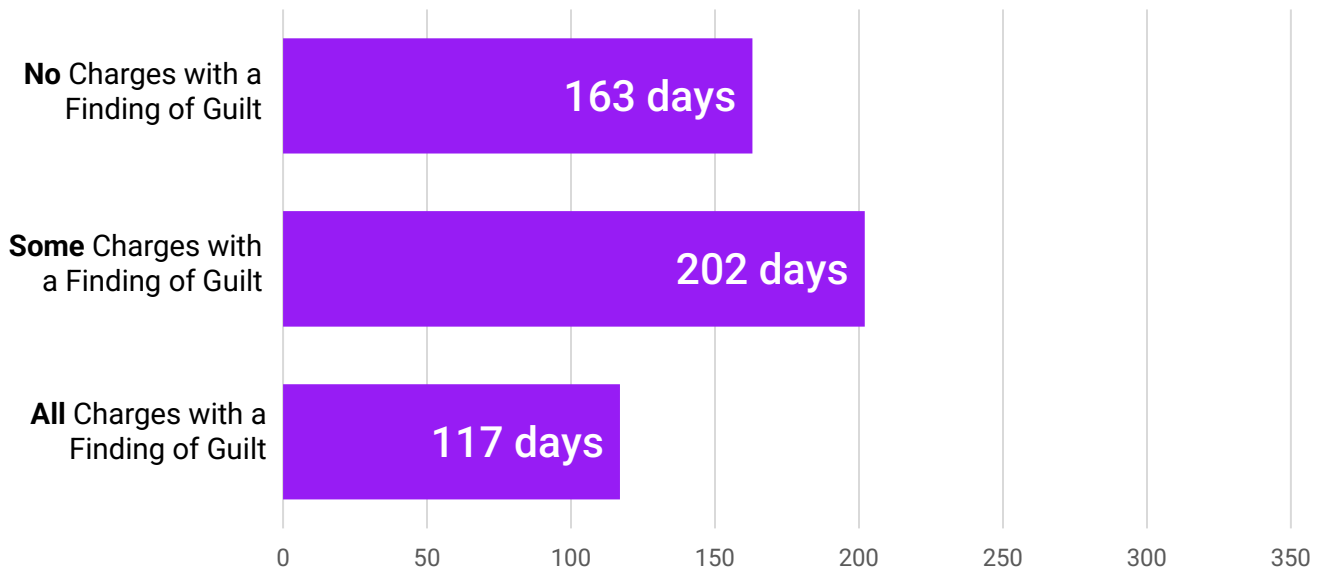
Felony incidents without a finding of guilt take longer to resolve. 2020 data for superior court, showing median days to disposition



For misdemeanors—as with felonies—incidents without a finding of guilt took longer to resolve than those where all charges result in guilt. This was true in both district and superior court. However, disposition times were longest for misdemeanor incidents with mixed guilt/non-guilt determinations.

Misdemeanor incidents with mixed findings take longest to resolve, but no guilt outcomes take longer than all guilt outcomes.

2020 data for district court, showing median days to disposition



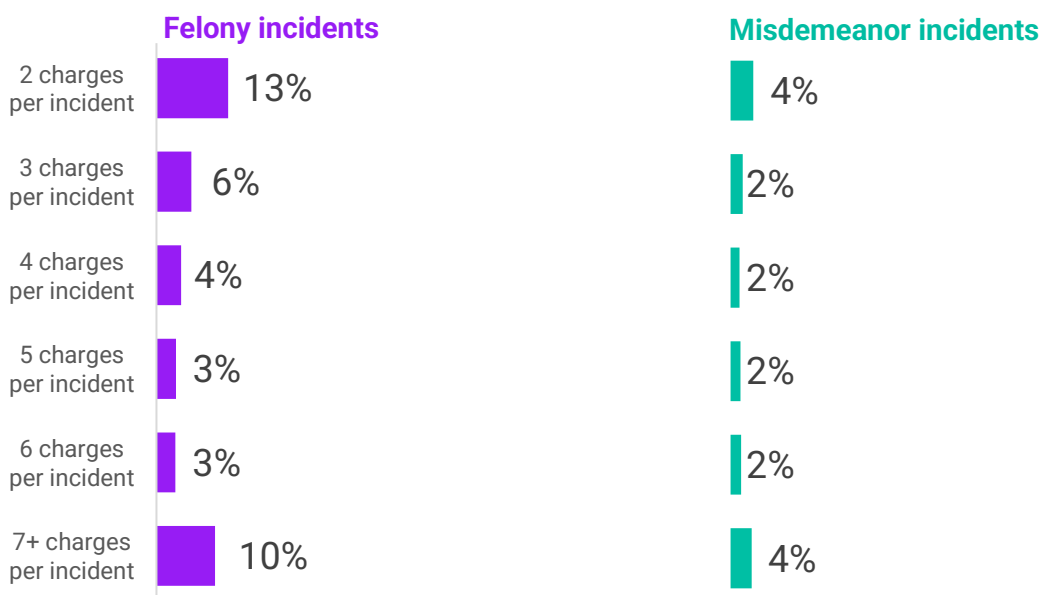
More charges per incident generally doesn't result in more guilt.

In multi-charge incidents, the state rarely obtains a guilt determination on all charges. Only 13% of 2020 felony incidents involving two charges resulted in a determination of guilt on both charges. As the number of charges increased, the percentage of felony incidents that resulted in a guilt determination on all charges decreased. That percentage rose (to 10%) for incidents involving seven or more charges, but still represents a small minority of incidents. This trend was consistent across all years.

For misdemeanor incidents, the numbers were even smaller. In 2020, the percentage of misdemeanor incidents that resulted in a guilt determination on all charges never exceed 4%, regardless of the number of charges. Across all years, this number never exceeded 10%.

For multi-charge incidents, guilt on all charges rarely occurs.

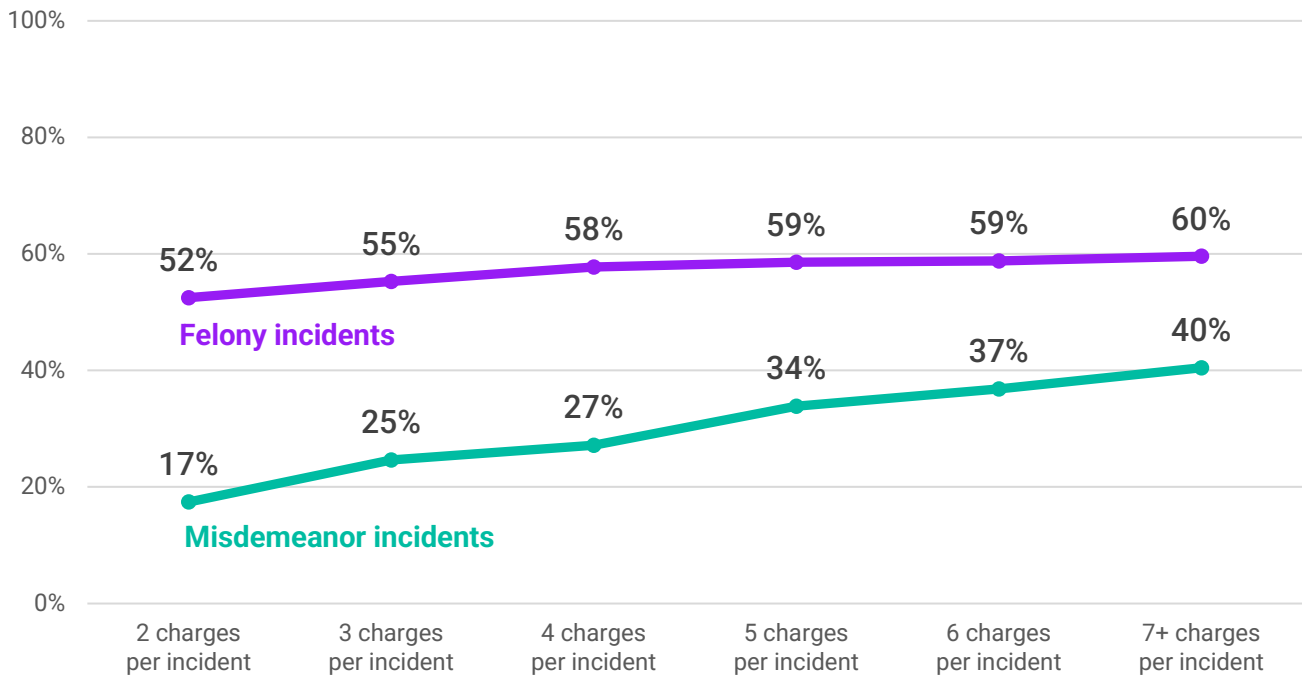
Percentage of multi-charge incidents with a finding of guilt for all charges, 2020 data



As shown below, for misdemeanor incidents, the likelihood of obtaining at least one determination of guilt increases as the number of charges increases, from a low of 17% for incidents with two charges to a high of 40% for incidents with seven or more. For felony incidents, much smaller changes are observed as the number of charges increases. Both trends are consistent across all years.

For misdemeanor incidents, the likelihood of having at least one charge result in a determination of guilt increases as the number of charges increases; smaller changes occur for felony incidents.

Percentage of incidents with at least one finding of guilt, 2020 data



Methods

The relevant data come from the Lab’s database of North Carolina Administrative Office of the Courts (NC AOC) Automated Criminal/Infraction System (ACIS) records. ACIS data includes variables for method of disposition and verdict for each charged offense.

As used here, the term “guilt” refers to those records with a guilty verdict code in ACIS; it does not include civil liability. The term “dismissal” includes voluntary dismissals by the prosecutor, dismissals with leave, and dismissals by the court.

An incident includes all charges against a person on the same date and in the same county. A misdemeanor incident includes only misdemeanor charges; a felony incident includes at least one felony charge.

We excluded from our analyses cases that were pending or that had an intermediate disposition.

To avoid skewing results by charges or incidents that resolved quickly, we included in our data set only those charges and incidents that had a full year to resolve; the data set thus ends with 2020 charges and includes dispositions through December 31, 2021.

The UNC School of Government is non-partisan, non-advocacy and responsive to the needs of public officials. We do not advocate for any political ideology or policy outcome or allow our personal beliefs or those of our audiences to influence our work.

This paper may not be copied or posted online, nor transmitted, in printed or electronic form, without the written permission of the School of Government, except as allowed by fair use under United States copyright law. For questions about use of the document and permission for copying, contact the School of Government.

© 2023 School of Government. The University of North Carolina at Chapel Hill