

North Carolina Statewide & County-Level Criminal Charging Data in 2020

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In this report and its accompanying spreadsheet ([here](#)), we provide detailed information about criminal charging in North Carolina in 2020. For felony offenses, we provide data at the state and county level on, among other things, the number and percent of nonviolent and violent felony charges, separating out drug charges. At the misdemeanor level, we parse the data into still more categories, including breakdowns for, among other things, impaired driving and related charges (DWI), non-DWI traffic charges, ordinance violations, other nonviolent misdemeanor charges, and violent misdemeanor charges. We also explore how criminal charging changed during the pandemic. There is a lot to unpack in the new spreadsheet. In this report, we present some of the top line results.

Statewide Data—All Charges

Consistent with 2019 data, the vast bulk of 2020 criminal charging in North Carolina was for nonviolent misdemeanor offenses. In 2020, 1,498,715 criminal offenses were charged statewide. Of those charges, the vast majority (87.3%) were for misdemeanor offenses (1,308,742 misdemeanor charges versus 189,973 felony charges; see Figure 1 below). 91.8% of all charges were for nonviolent crimes (1,375,743 nonviolent offenses versus 122,972 violent offenses; see Figure 2 below). As in 2019, non-impaired driving traffic offenses were the largest block of charges in 2020, constituting 67.1% (878,505 charges) of all misdemeanor charges and 58.6% of all charges (misdemeanors and felonies).

Figure 1: All 2020 Charges: Percent Misdemeanors & Felonies

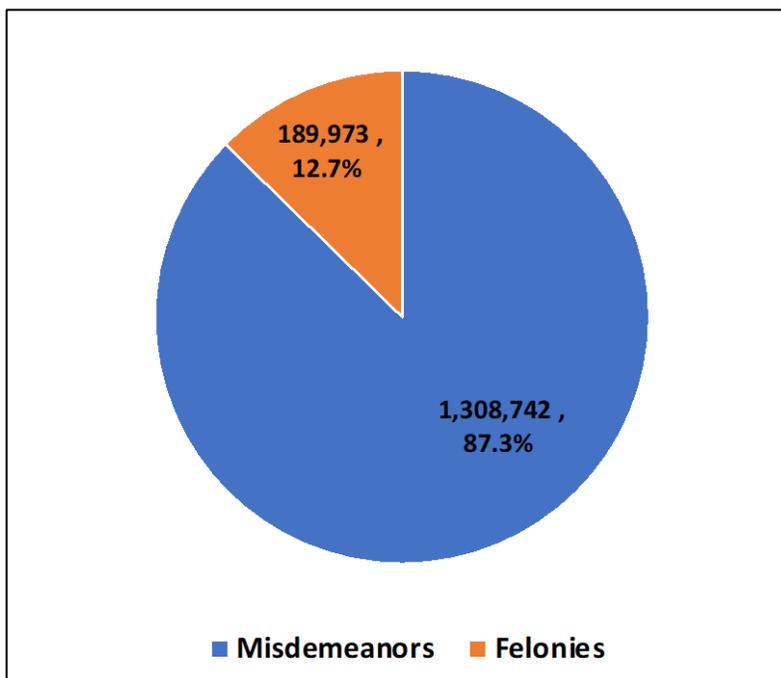
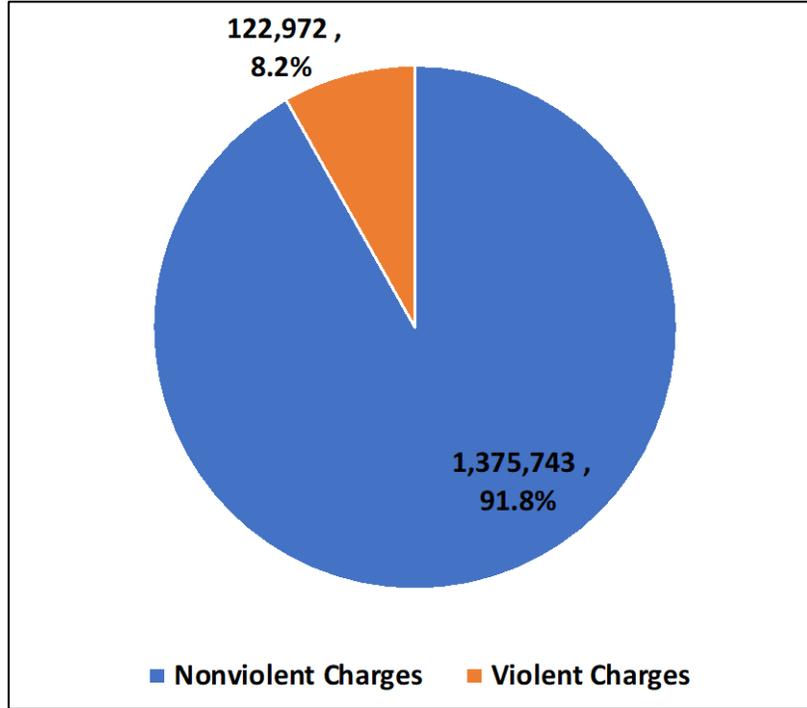


Figure 2. All 2020 Charges: Percent Nonviolent & Violent



Statewide Data—Felonies

Consistent with 2019 data, most 2020 felony charges were for nonviolent offenses. In 2020, there were 189,973 felony charges statewide (10.4% decline from 2019). Only 15.5% of those charges were for violent crimes; 84.5% were for nonviolent offenses (Figure 3). Chapter 90 felony drug crimes¹ make up 35.1% (66,599 charges) of total felony charges (Figure 4). Even when felony drug charges are removed from the analysis, violent offenses constitute only 23.9% of the remaining felony charges. As described below, we took a liberal approach to categorizing offenses as violent or nonviolent. For example, even though burglary does not include an element of violence, we categorized it as violent on the reasoning that such a categorization best aligns with the seriousness that judicial system stakeholders and citizens attach to that offense. We took a similar approach with other felony offenses, and we describe our categorization rules below.



¹ North Carolina General Statutes, Chapter 90 (Medicine and Allied Occupations) contains the North Carolina Controlled Substances Act.

Figure 3: 2020 Felony Charges: Percent Nonviolent & Violent

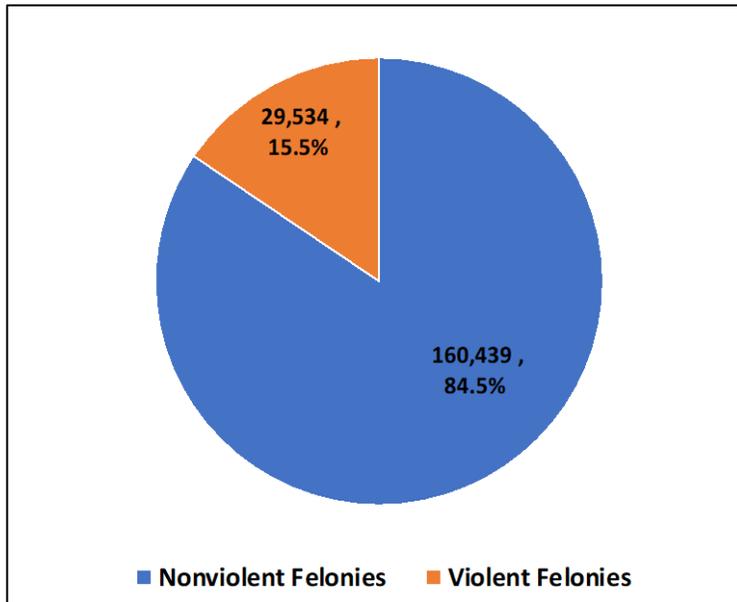
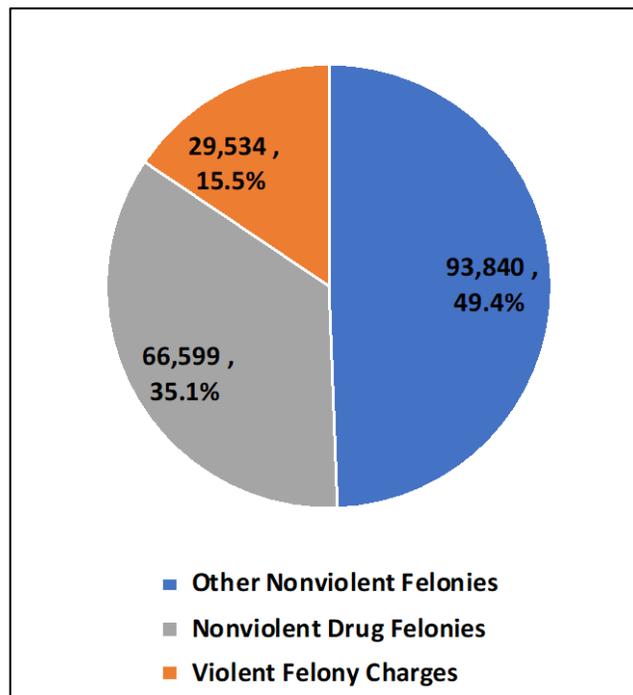


Figure 4. 2020 Felony Charges: Percent Violent, Nonviolent Drug & Nonviolent Other



In 2020, only nine violent felony charges had over 1,000 charges statewide (Table 1). Assault by strangulation tops that list, with 2,235 charges, followed by armed robbery with 2,199 charges. Table 2 below presents the most commonly charged nonviolent felony charges. Obtaining property by false pretenses tops that list. It is followed by possession of methamphetamine (8,377 charges) and two

breaking or entering offenses—breaking or entering a motor vehicle and felony breaking or entering a building—with 8,214 and 7,727 charges respectively. We categorized drug offenses as nonviolent felonies, and several of those crimes show up in Table 2. Because Chapter 90 drug felonies constitute so many of the charged felonies in 2020, we include Table 3 below, showing the most commonly charged felony drug offenses. As shown there, possession of methamphetamine was the most charged drug felony (8,377 charges), followed by maintaining a dwelling (6,812 charges).

Table 1. Most commonly charged violent felonies—2020

Violent Felony Charge	Number
Assault by Strangulation	2,235
Armed robbery	2,199
Indecent Liberties	2,060
Breaking or entering, terrorize or injure	1,230
Assault with deadly weapon inflicting serious injury	1,218
Common law robbery	1,156
Second degree kidnapping	1,082
Assault with deadly weapon, intent to kill	1,051
Armed robbery, conspiracy	1,005

Table 2. Most commonly charged nonviolent felonies—2020

Nonviolent Felony Charge	Number
Obtaining property by false pretenses	10,418
Possession of methamphetamine	8,377
Breaking or entering motor vehicle	8,214
Breaking or entering	7,727
Possession of firearm by felon	6,853
Maintaining dwelling, etc. CS	6,812
Larceny after breaking or entering	5,910
Larceny	4,814
Possession of stolen good or property	4,200
Possession with intent, marijuana	3,979
Possession of cocaine	3,895
Possession schedule II CS	3,822
Possession heroin	3,579
Larceny of motor vehicle	3,567
Possession with intent, schedule II CS	3,373

Table 3. Most commonly charged Chapter 90 drug felonies—2020

Chapter 90 Felony Charge	Number
Possession of methamphetamine	8,377
Maintaining dwelling, etc., CS	6,812
Possession with intent, marijuana	3,979
Possession of cocaine	3,895
Possession of schedule II CS	3,822
Possession of heroin	3,579
Possession with intent, schedule II CS	3,373
Trafficking, opium or heroin	3,222
Possession of schedule I CS	2,667
Possession with intent, cocaine	1,908
Possession of marijuana	1,720
Trafficking in methamphetamine	1,700
Possession of CS, prison/jail	1,668
Possession with intent, methamphetamine	1,393
Possession with intent, heroin	1,378

Statewide Data—Misdemeanors

In 2020 there were 1,308,742 total misdemeanor charges statewide (18.3% decline from 2019). Of those charges, only 7.1% (93,438 charges) were for violent misdemeanor offenses (Figure 5). The remaining charges were for DWI and related offenses (4.8%; 63,314 charges) and nonviolent misdemeanor charges (88.0%; 1,151,990 charges) (Figure 5). Within nonviolent misdemeanors, non-DWI related traffic misdemeanors constitute the lion’s share of that total (67.1%; 878,505 charges) (Figure 6). The remaining nonviolent charges are for ordinance crimes (0.6%; 8,447 charges) and other nonviolent misdemeanors (20.3%; 265,038 charges) (Figure 6). The most common specifically designated ordinance charges were for open container of alcohol, begging, and discharging a firearm in a city.



Figure 5. 2020 Misdemeanor Charges: Percent Violent, Nonviolent & DWI

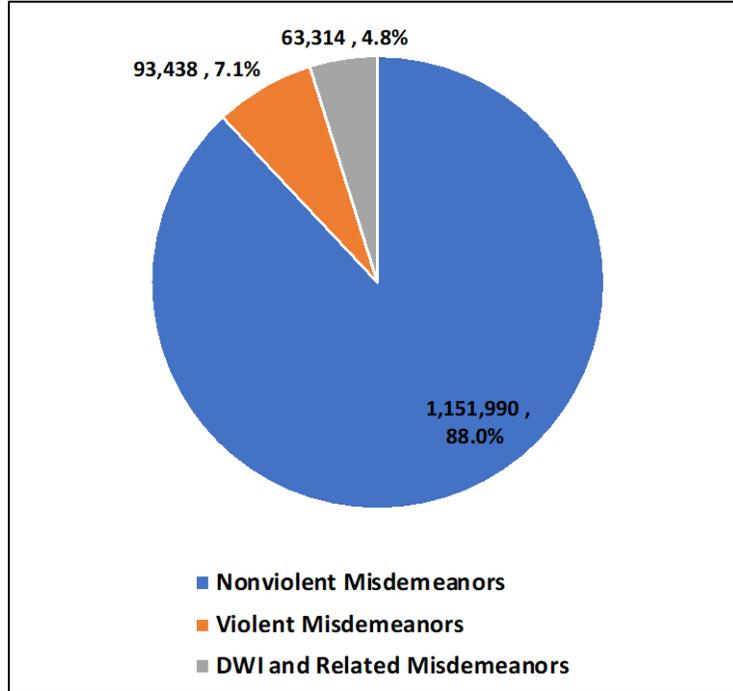
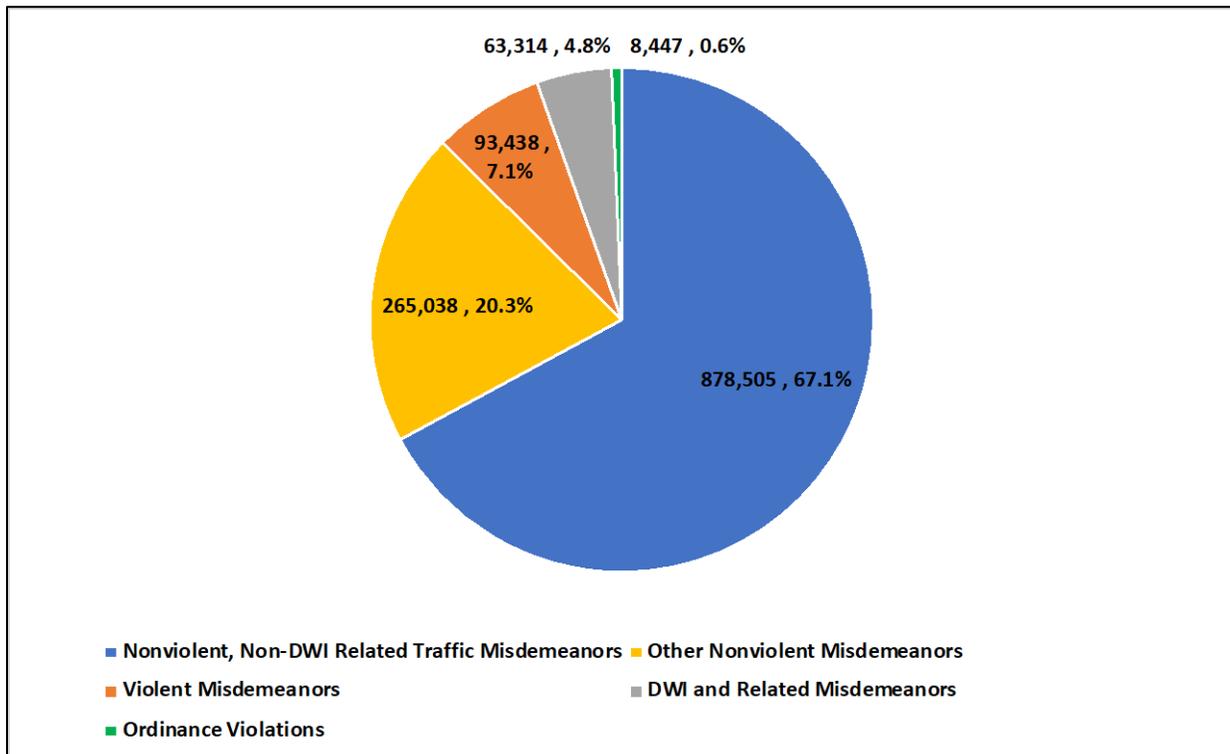


Figure 6. 2020 Misdemeanor Charges: Percent Violent, DWI, & Nonviolent Sub-Categories



Tables 4, 5, and 6 below show the most commonly charged violent misdemeanors, nonviolent non-traffic misdemeanors, and non-DWI traffic misdemeanors. Assault on a female tops the violent misdemeanor list (Table 4), with nearly 25,000 charges. Misdemeanor larceny tops the nonviolent, non-traffic misdemeanor list (Table 5), with over 34,000 charges statewide. In the next three spots on that list are misdemeanor drug paraphernalia, marijuana possession charges, and marijuana paraphernalia charges; together these three offenses account for 70,579 charges. Speeding is the most common non-DWI traffic offense with over 272,000 charges (Table 6). As with felony offenses, we took a liberal approach to categorizing misdemeanors as violent crimes. For example, although communicating threats does not include an element of physical violence, we categorized it as violent on the reasoning that that approach was in line with how judicial system stakeholders and community members view that offense. More detail on our categorization rules is provided below.

Table 4. Most commonly charged violent misdemeanor offenses—2020

Violent Misdemeanor Charge	Number
Assault on female	24,919
Simple assault	16,350
Communicating threats	16,085
DV protective order violation	6,550
Assault with deadly weapon	5,071
Assault and battery	3,791
Child abuse	3,623
Assault on government official	3,040
Assault by pointing a gun	2,814
Cyberstalking	1,887
Harassing phone call	1,228
Assault inflicting serious injury	1,082
Stalking	1,072
Simple affray	1,072
Domestic criminal trespassing	943

Table 5. Most commonly charged nonviolent, non-traffic misdemeanor offenses—2020

Nonviolent Misdemeanor Charge	Number
Larceny	34,576
Possession drug paraphernalia	27,321
Possession marijuana up to 1/2 oz.	21,796
Possession marijuana paraphernalia	21,462
Resisting public officer	20,708
Second degree trespass	20,455
Injury to personal property	13,467
Simple possession schedule VI CS	10,069
Possession stolen goods or property	6,882
Carrying concealed gun	5,634
Injury to real property	5,467
Shoplifting or concealment of goods	5,109
Simple possession schedule IV CS	4,166
Breaking or entering	3,999
Unauthorized use of motor vehicle	2,979

Table 6. Most commonly charged nonviolent, non-DWI misdemeanor traffic offenses—2020

Non-DWI Misdemeanor Traffic Charge	Number
Speeding	272,845
DWLR non-impaired	139,364
Expired registration card/tag	110,124
No operator's license	93,932
Operating vehicle with no insurance	42,691
Reckless driving to endanger	34,174
Fictitious/altered title/registration	33,564
Reckless driving - wanton disregard	26,631
Drive or allow driving no registration	22,225
Canceled, revoked, suspicious certificate or tag	19,774
DWLR impaired	14,710
Window tinting violation	10,523
No liability insurance	9,450
Drive or allow driving , plate not displayed	5,226
Hit/run leaving scene of property damage	4,945

County Level Data

As is often the case with criminal justice data, statewide numbers can disguise significant variability at the county level. As noted above, violent felonies constituted 15.5% of all felony charges statewide. At the county level, however, the range for that percentage was significant. At the low end, only 3.8% of all felony charges in Madison County were for violent offenses; at the high-end, that number was 50% for Hyde County. Similar variability is seen with misdemeanor charging. At the state level, violent misdemeanors constituted 7.1% of all charged misdemeanors. But again, the range for that percentage is significant at the county level. At the low end, only 1.7% of all misdemeanor charges in Tyrrell County were for violent offenses; at the high-end, that percentage was 15.4% in Hoke County.

Our county level data also includes per capita rates² for charging of violent offenses. The 10 counties with the highest per capita violent felony charging rates are shown in Table 7 below. Interestingly, these are not predominantly metropolitan counties. In fact, only one county that is in the top 10 most populous counties is on that list (Cumberland), which is consistent with 2019 data. Table 8 below shows the per capita violent felony charging rate for North Carolina's 10 most populous counties. The 10 counties with the lowest per capita violent felony rates are shown in Table 9 below. The spreadsheet accompanying this report provides this information for all counties and provides per capita charging rates for violent misdemeanor offenses.

Table 7. Counties with the highest per capita violent felony charging rate—2020

County	2020 Violent Felony Charging Per 100,000 Population
Wilkes	688
Lenoir	683
Graham	640
Edgecombe	608
Cumberland	562
Hertford	549
Vance	548
Chowan	531
Halifax	528
Richmond	522

² County population estimates are not yet available from the Census Bureau. As such, these per capita rates are based upon 2019 county population estimates.

Table 8. Per capita violent felony charging rate for North Carolina’s 10 largest counties (by population)—2020

County	2020 Violent Felony Charging Per 100,000 Population
Cumberland	562
Mecklenburg	415
Guilford	397
New Hanover	299
Gaston	276
Durham	260
Buncombe	218
Forsyth	183
Wake	175
Union	155

Table 9. Counties with the lowest per capita violent felony charging rate—2020

County	2020 Violent Felony Charging Per 100,000 Population
Currituck	32
Madison	64
Camden	74
Caldwell	77
Burke	84
Pamlico	86
Yancey	89
Perquimans	97
Watauga	103
Ashe	107

COVID-19 & Criminal Charging

In other work, we have seen indicators that COVID-19 changed criminal charging in 2020. Overall, North Carolina charged 1,498,715 offenses in 2020 as compared to 1,814,861 charges in 2019, a 17.4% decrease. Felony charging decreased from 212,048 to 189,973 charges, a 10.4% percent decrease. Misdemeanor charging decreased from 1,602,813 to 1,308,742 charges, a 18.3% decrease. To explore which offenses were primarily driving these decreases, we first calculated which offenses had increases,

decreases, or no change in charging between 2019 and 2020. We then looked only at offenses that had at least 1,000 charges in 2019 or 2020.³

Of the 499 felony offenses included in both the 2019 and 2020 Tally Reports,⁴ 297 (59.5%) had a decrease in the charging volume from 2019 to 2020. For thirty-three offenses (6.6%), there was no change in charging and for 169 offenses (33.9%) total charges increased. Tables 10 and 11 show the 10 felony offenses that saw the largest decreases and increases from 2019 to 2020, for offenses with at least 1,000 charges in either year.

Table 10. Felony offenses with the largest percentage decrease in charges—2019 to 2020

Offense	Percentage Change	Absolute Change
Embezzlement	-45.4%	(499)
Larceny by removing anti-shoplifting device	-40.7%	(665)
Identity Theft	-33.6%	(1,509)
Larceny by Employee	-33.3%	(1,026)
Possession with intent, cocaine	-29.7%	(805)
Obtaining property by false pretenses	-29.4%	(4,341)
Forgery of instrument	-27.0%	(441)
Conspiracy, armed robbery	-27.0%	(371)
Uttering forged instrument	-25.1%	(572)
Possession of cocaine	-23.7%	(1,213)

Table 11. Felony offenses with largest percentage increase in charges—2019 to 2020

Offense	Percentage Change	Absolute Change
Second degree exploitation of minor	44.3%	448
Third degree exploitation of minor	40.3%	406
Possession of schedule I CS	21.7%	476
Flee/elude arrest with motor vehicle	21.3%	525
Assault with deadly weapon, intent to kill	18.8%	166
Possession with intent, schedule I CS	13.4%	140
Breaking or entering, intent to terrorize/injure	12.5%	137
Possession of firearm by felon	9.2%	576
Possession of marijuana	6.4%	103
Trafficking methamphetamine	5.5%	89

³ Because offenses with low charge volume are subject to large swings in percentage change, we excluded any felony or misdemeanor offenses with <1000 charges in both 2019 and 2020 from this portion of the analysis.

⁴ Some offenses appear on the 2019 Tally Report but not on the 2020 Report and vice-versa. Charging numbers for these offenses are very low, with all but two in the single digits.

Of the 543 misdemeanor offenses charged in both 2019 and 2020, total charges fell for 365 offenses (67.2%); 37 offenses (6.8%) experienced no change; and 141 offenses (26.0%) experienced an increase in total charges. Tables 12 and 13 show the 10 offenses that saw the greatest percentage increases or decreases in charging.

Table 12. Misdemeanor offenses with the largest percentage decrease in charges—2019 to 2020

Offense	Percentage Change	Absolute Change
Fail to stop for stopped bus	-71.6%	(1,012)
Fail to provide proof of fare	-59.8%	(901)
Public order - free text	-58.8%	(3,875)
Consumption of alcohol, under age 19	-57.6%	(769)
School attendance law violation	-52.3%	(1,419)
Simple affray	-50.0%	(1,074)
Possession of malt beverage/unfortified wine, age 19/20	-47.7%	(513)
Expired registration card/tag	-47.3%	(98,666)
Consumption of alcohol, age 19/20	-43.9%	(854)
Simple worthless check	-43.5%	(1,266)

Table 13. Misdemeanor offenses with the largest percentage increase in charges—2019 to 2020

Offense	Percentage Change	Absolute Change
Public peace - free text	61.2%	387
Reckless driving - wanton disregard	28.6%	5,923
Reckless driving to endanger	17.3%	5,044
Assault by pointing a gun	17.0%	409
Carrying concealed gun	6.1%	326
Contributing to delinquency of juvenile	4.8%	83
Wildlife - free text	3.7%	73
Fail to heed light or siren	1.1%	21
Driving/allowing driving, no plate displayed	1.0%	51
Maintaining dwelling, etc. CS	0.2%	2

Methodology

This analysis was conducted using the North Carolina Administrative Office of the Courts (NC AOC) “Tally Report.” Detailed notes of how we processed the data in that report are contained in our spreadsheet’s “Read Me” tab. For purposes of categorizing offenses as violent and nonviolent, we categorized general crimes the same as the main offense. For example, we categorized attempted robbery as violent, like robbery. Some offenses are obviously violent, such as first-degree murder, or nonviolent, such as food stamp fraud. A table showing how we categorized other offenses is included in the “Read Me” tab in our spreadsheet. It clarifies, for example, that we categorized gang offenses as violent and disorderly conduct as nonviolent.

Our identification of most commonly charged offenses in the tables above uses NC AOC offense code categories included in the Tally Report. In some cases, most often with drug offenses, that report includes potentially overlapping offense codes. For example, there is an offense code for manufacturing a Schedule VI controlled substance and one for manufacturing marijuana, which is a Schedule VI controlled substance. The Tally Report includes a number of variations of potentially overlapping offense codes. For this report, we used offense codes as presented in the Tally Report.

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