

N.C. Office of Indigent Defense Services

FY11 Reclassification Impact Study

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Office of Indigent Defense Services
123 West Main Street, Suite 400
Durham, NC 27701
919-354-7200
www.ncids.org



North Carolina Office of Indigent Defense Services FY11 Reclassification Impact Study

Purpose

The North Carolina General Assembly directed the Office of Indigent Defense Services (IDS) to consult with other court system actors and formulate proposals aimed at reducing future costs, including the possible reclassification of some minor misdemeanor offenses that rarely or never result in jail sentences. See Session Law 2009-451, § 15.17.

The State is currently facing a fiscal crisis and is exploring ways to create a more efficient criminal justice system without compromising public safety. The North Carolina criminal justice system expends significant time and resources on a relatively small number of minor misdemeanor offenses, some of which may be appropriate to reclassify as infractions. This study examined the sentence outcomes and potential cost savings from reclassification of 31 misdemeanor statutes.

IDS Reclassification Study Statutes					
# of Charges	Code	Type	Class	Offense Description	NC General Statute
5,856	5470	T	2	ALLOW UNLICENSED TO DRIVE	20-34
194,566	5441	T	2	NO OPERATORS LICENSE	20-7(A)
18,425	5493	T	2	LICENSE NOT IN POSSESSION	20-7(A)
7,307	5455	T	2	FAIL COMPLY LIC RESTRICTIONS	20-7(E)
2,152	5469	T	2	EXPIRED OPERATORS LICENSE	20-7(F)
3,194	6207	M	ranges	FISHING WITHOUT A LICENSE	113-270.1B(A)
600	6202	M	ranges	FISHING WITHOUT A LICENSE-NR	113-270.1B(A)
816	6343	M	ranges	RECREATIONAL FISH W/O LICENSE	113-174.1(A)
216,908	5418	T	1	DWLR	20-28(A)
50,646	2666	M	2	SIMPLE WORTHLESS CHECK	14-107(D)(1)
74	2650	M	2	OBTAIN PROPERTY WORTHLESS CHK	14-106
287,435	5450	T	2	SPEEDING	20-141(J1)
4,827	5407	T	2	NO REGISTRATION CARD	20-57(C)
187,320	5461	T	2	EXPIRED REGISTRATION CARD/TAG	20-111(2)
3,760	5485	T	2	DR/ALLOW REG PLATE NOT DISPLAY	20-111(1)
25,600	5491	T	2	DRIVE/ALLOW MV NO REGISTRATION	20-111(1)
48,281	5556	T	2	FICT/CNCL/REV REG CARD/TAG	20-111(2)
5,672	5569	T	2	FAIL TO SIGN REGISTRATION CARD	20-57(C)
7,321	4721	T	2	CANCL/REVOK/SUSP CERTIF/TAG	20-111(2)
8,820	4722	T	2	FICT/ALT TITLE/REG CARD/TAG	20-111(2)
630	5558	T	2	ALTERED REG CARD/TAG	20-111(2)
4,275	5538	T	3	GIVE/LEND/BORROW LIC PLATE	20-111(3)
1477	2649	M	2	FAIL RETN PROP RENTD PUR OPT	14-168.4
1851	2646	M	2	FAIL TO RETURN RENTAL PROPERTY	14-167
79	2302	M	1	MISDEMEANOR CONVERSION	14-168.1
13,016	5421	T	2	FAIL TO NOTIFY DMV ADDR CHANGE	20-7.1
510	5503	T	2	REG/TITLE ADDRESS CHANGE VIO	20-67
82,895	5494	T	1	OPERATE VEH NO INS	20-313(A)
1,714	5489	T	2	NO LIABILITY INSURANCE	20-309
1,798	5565	T	1	PERMIT OPERATION VEH NO INS	20-313
18,085	5596	T	2	WINDOW TINTING VIOL	20-127(D)

In addition to the misdemeanor statutes identified by IDS as potential candidates for reclassification, the study also examined the sentence outcomes and potential cost savings from reclassification of 13 misdemeanor offenses that the Sentencing and Policy Advisory Commission recommended be reclassified as infractions after reviewing all Class 3 misdemeanors pursuant to Session Law 2010-31, § 19.5.

Introduction

Analyzing criminal justice system data is a challenging endeavor. The North Carolina court system operates on a case-basis. A prosecutor or defense attorney is appointed to a case, which consists of the collection of offenses or charges facing a defendant resulting from a criminal incident. Typically, the offenses involved in a case are investigated, prosecuted, and resolved together as a unit and defendants often plead to groups of offenses together, i.e., a defendant may plead guilty to one offense in exchange for the dismissal of another offense. Thus, to measure workload and quantify the impact of policy changes, court system caseloads or the number of cases processed by a court or individual court system actors is the desired unit of measure. However, the North Carolina Automated Criminal Infraction System (ACIS) was designed as a charge-based data-collection system. It provides a record of charges and charge outcomes and cannot be used as is to measure caseloads. The challenge facing a researcher is to convert ACIS offense data into “case” units that can be used to measure caseloads and quantify policy impacts. For the reclassification study, analyzing court data by “case” units was especially essential for two primary reasons:

1. One purpose of the study was to identify misdemeanor statutes that could be reclassified as infractions without negatively impacting public safety. The simplest criteria currently available for evaluating whether a statute might be reclassified as an infraction without negatively impacting public safety is if the statute rarely or never results in imprisonment. But if defendants often plead guilty to one offense in exchange for the dismissal of another offense, then looking at the raw number of offenses that end in a dismissal would be misleading.
2. The other primary purpose of the study was to quantify potential cost-savings to indigent defense that would result from reclassifying a statute. Cost-savings would be generated because the state does not need to provide legal representation to a defendant when there is no possibility that jail time could be imposed. The cost of these “avoided cases” would equal cost savings for indigent defense. But not all cases involving a reclassified offense would generate cost savings. For example, if a defense attorney handles a case where the client is charged with 3 offenses and only 1 of those offenses was reclassified, IDS would still need to appoint and pay an attorney to represent the defendant on the other charges. The case would not be “avoided” and cost savings would not be generated.

This study analyzed ACIS offense data by “case” units to account for the factors described above. IDS used the case definition developed by prosecutors, AOC staff, and the National Center of State Courts (NCSC) in the study *North Carolina Assistant District Attorney/Victim Witness Legal Assistant Workload Assessment Final Report* with one adjustment. The NCSC study defined a case as:

*All charges being prosecuted together against a single defendant. For felonies, all charges filed against a defendant within a 21-day period are counted as single filing. For misdemeanors, all charges filed against a defendant within a 24-hour period are counted as a single filing.*¹

IDS research staff grouped offenses in “case” units based on the above definition. A felony case unit included all charges filed against a defendant within a 21-day-window of the felony charge. For all non-felony cases, a case unit included all charges filed against a defendant on the same day. IDS made one enhancement to NCSC’s case definition. NCSC’s case definition includes probation violation offenses and other similar offenses that are the result of a defendant failing to meet the conditions of a prior sentence within the original felony and misdemeanor case. Since probation violation offenses are essentially new cases involving a new appointment of an attorney and resulting in separate disposition and sentences, IDS research staff defined probation violation and similar offenses as a separate case unit.

Selection of Reclassification Study Statutes

IDS reviewed raw offense data for all misdemeanor statutes disposed in FY08 and identified 17 statutes as potential candidates for reclassification based on three criteria (see Appendix A for a list of the 17 statutes):

1. A high number of offenses were charged against defendants
2. A large percentage of offenses ended in a dismissal rather than an active or intermediate sentence, and
3. The likelihood that reclassification would be received favorably based on other grounds, such as the offense was a victimless crime.

IDS then reviewed North Carolina criminal statutes to identify related statutes that could be candidates for “charge-shifting.” The North Carolina criminal code frequently includes multiple statutes that deal with the same subject matter. For example,

14-107(D)(1)	Simple Worthless Check
14-106	Obtaining Property in Return for Worthless Check, Draft or Order

If only one of the above statutes was reclassified, defendants could be charged with the other offense, which would negate any anticipated cost savings.

Finally, IDS tried to identify charges that were closely associated with the 17 selected statutes. Criminal incidents may involve multiple charges almost by definition. For example, simple possession of marijuana and possession of drug paraphernalia are commonly charged at the same time. Again, if only one of these offenses was reclassified, anticipated cost savings could be negated.

As a result, the study was expanded to include 31 misdemeanor statutes or “Statutes of Interest” as potential candidates for reclassification (See Appendix B for the full list of statutes considered for the study).

¹ National Center of State Courts, Research Division, March 2010, *North Carolina Assistant District Attorney/Victim Witness Legal Assistant Workload Assessment Final Report*, p. 7.

Key Findings

The reclassification study analyzed offense data from ACIS for offenses disposed in FY09.² The study had two primary purposes: 1) identify misdemeanor statutes that could be reclassified as infractions without negatively impacting public safety, and 2) estimate potential cost-savings to indigent defense from reclassification.

High Volume of Low Level Misdemeanor Cases

The court system is contending with a high volume of minor misdemeanor cases, especially misdemeanor traffic cases. In FY09, the North Carolina court system disposed of 1.498 million cases and over half or 55.2% were cases where the highest charge the defendant faced was either a Class 2 or 3 misdemeanor. Combined, cases that involved at least one of the 31 statutes selected for this study comprised 65.2% of the court system’s caseload in FY09 or 977,750 cases. Half or 489,136 were cases where the defendant was charged with only a statute of interest and an additional 20% or 199,873 were cases where the defendant was charged with multiple statutes of interest.

In FY09, 1.03 million individuals or 11% of the state’s population had criminal matters before the court.³

Case Outcomes

The simplest criteria available for evaluating whether a statute might be reclassified as an infraction without negatively impacting public safety is if the statute rarely or never results in imprisonment.

The reclassification study looked at case outcomes for all cases where at least one statute of interest was involved. Case outcomes were determined by the most

NC Court System: Number of Cases Disposed in FY09 By Highest Charge		
Highest Charge	No. Cases	% of All Cases
Felony Class A	617	0.04%
Felony - Class Unkown - Free Text, Depends on Chg.	6,817	0.45%
Felony Class A - Violent Habitual Felon	10	0.00%
Felony Class B1	1,190	0.08%
Felony Class B2	440	0.03%
Felony Class C - Habitual Felon	2,666	0.18%
Felony Class C	3,971	0.26%
Felony Class D	5,909	0.39%
Felony Class E	3,205	0.21%
Felony Class F	5,773	0.39%
Felony Class G	7,659	0.51%
Felony Class H	41,176	2.75%
Felony Class I	23,354	1.56%
DWI and DWI Related Offenses	56,006	3.74%
Misdemeanor Class A1	50,217	3.35%
Misdemeanor Class Unknown - Free Text	13,588	0.91%
Traffic Class Unkown - Free Text, Depends on Chg./Def.	2,090	0.14%
Misdemeanor Class 1	138,904	9.27%
Traffic Class 1	258,759	17.27%
Misdemeanor Class 2	102,356	6.83%
Traffic Class 2	652,795	43.56%
Misdemeanor Class 3	69,795	4.66%
Traffic Class 3	2,854	0.19%
Infraction	143	0.01%
Felony Probation Violation	13,131	0.88%
Felony Fail to Pay	2	0.00%
Felony Petition to Terminate Sex Offender	31	0.00%
Felony Motion for Appropriate Relief	13	0.00%
Misdemeanor Probation Violation	24,246	1.62%
Misdemeanor Community Service Violation	314	0.02%
Misdemeanor Fail to Pay	704	0.05%
Misdemeanor Show Cause	23	0.00%
Misdemeanor Contempt	6,721	0.45%
Misdemeanor Motion for Appropriate Relief	103	0.01%
Drug Court / Review	31	0.00%
Administrative Procedure - Not an Offense	3,076	0.21%
Total	1,498,689	100.00%
No. Cases with at Least 1 Statute of Interest	977,750	65.2%

² IDS worked with a data extract from ACIS that was provided by the Administrative Office of the Courts (AOC) Technical Services Division. IDS would like to thank the AOC for their assistance.

³ U.S. Census Bureau, *State & County Quick Facts*, (<http://quickfacts.census.gov/qfd/states/37000.html>)

severe penalty imposed on a defendant and were grouped into the following disposition categories:

- Active Punishment
- Intermediate Punishment
- Probation
- Financial and/or Civil Penalties Only (Court Costs, Fines, Restitution, Driver's License Suspension)
- Prayer for Judgment Continued
- Dismissal with Leave
- Dismissal with No True Bill or No Probable Cause
- Dismissal without Leave
- Never to be Served

The spreadsheet on the following page displays a breakdown by statute of case outcomes for cases disposed in FY09 for defendants with no other pending charges. The study excluded cases where defendants had other pending charges to avoid situations where the defendant pled guilty to the selected statute as part of a plea agreement that included other charges the defendant faced. The study found the majority of selected statutes rarely or never resulted in active, intermediate or probation dispositions. Most often, cases for selected statutes resulted in either a financial penalty or dismissal without leave.

- ▶ 12 of the selected statutes resulted in dismissal without leave at least 75% of the time.
- ▶ 21 statutes resulted in dismissal without leave at least 50% of the time.
- ▶ For all but 2 statutes, DWLR and Misdemeanor Conversion, the percent of cases that resulted in active time was less than 1%.

Estimated Cost Savings from Reclassification

The study estimated the cost savings to indigent defense from reclassifying selected statutes as infractions. The study looked at all cases disposed in FY09 that included at least one statute of interest and identified the highest charge for each case and whether additional charges were involved. Cases were then categorized by their potential impact on indigent defense costs.

Reclassifying a statute could impact cost savings in one of three ways:

1. Cases where defendants were charged with only the statute of interest would definitely generate savings.
2. Cases where defendants were charged with the statute of interest plus other statutes of interest could generate savings if all selected statutes were reclassified.
3. Cases where defendants were charged with other offenses not selected for reclassification would have no impact and generate no savings.

A detailed breakdown of the cost impact for each statute was compiled (See Appendix C for an example). The spreadsheet on the following page summarizes the impact that reclassifying a statute would have on cost savings for each statute. Please note that the table provides the number of cases disposed by the North Carolina court system in FY09 rather than the number of cases handled by indigent defense services. In fact, IDS paid no attorney fee awards for three of the selected statutes of interest. IDS wanted to provide the court system with caseload data for the selected statutes so that

IDS Reclassification Study: Case Outcomes for Defendants with No Other Charges for Cases Disposed in FY09 By Most Severe Outcome																													
AOC Crim Code	Offense Description	Total No. Cases	Active Punishment		Intermediate Punishment		Probation				Financial and/or Civil Penalties Only (Ct Costs, Fines, Restitution, Driver's License Suspension)		PJC		Deferred Prosecution		Dismissal w/ Leave		Dismissal with No True Bill or No Probable Cause		Dismissal w/o Leave		Never To Be Served		Unknown				
			No. of Cases	% of Cases	No. of Cases	% of Cases	No. of Cases	% of Cases	No. of Cases	% of Cases	Supervised	Unsupervised	Mixed	No. of Cases	% of Cases	No. of Cases	% of Cases	No. of Cases	% of Cases	No. of Cases	% of Cases	No. of Cases	% of Cases	No. of Cases	% of Cases	No. of Cases	% of Cases	No. of Cases	% of Cases
5470	ALLOW UNLICENSED TO DRIVE	3,209	1	0.03%	0	0.00%	92	2.87%	3	89	0	1,123	35.00%	95	2.96%	0	0.00%	211	6.58%	1,644	51.23%	1	0.03%	15	75.00%	0	0.00%	41	1.28%
5558	ALTERED REG CARD/TAG	20	0	0.00%	0	0.00%	0	0.00%	0	0	0	3	15.00%	0	0.00%	0	0.00%	2	10.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
4721	CANCL/REVOK/SUSP CERTIF/TAG	784	0	0.00%	0	0.00%	2	0.26%	0	2	0	99	12.63%	5	0.64%	0	0.00%	17	2.17%	654	83.42%	0	0.00%	0	0.00%	0	0.00%	7	0.89%
5485	DR/ALLOW REG PLATE NOT DISPLAY	552	0	0.00%	0	0.00%	0	0.00%	0	0	0	146	26.45%	0	0.00%	0	0.00%	18	3.26%	372	67.33%	0	0.00%	0	0.00%	0	0.00%	16	2.90%
5491	DRIVE/ALLOW MV NO REGISTRATION	2,227	0	0.00%	0	0.00%	4	0.18%	0	4	0	452	20.30%	2	0.09%	0	0.00%	108	4.85%	1,634	73.37%	0	0.00%	0	0.00%	0	0.00%	27	1.21%
5418	DWLR	37,395	812	2.17%	128	0.34%	5,111	13.67%	1,541	3,570	0	5,008	13.39%	5,170	13.83%	4	0.01%	8,207	21.95%	12,721	34.02%	5	0.01%	390	51.86%	11	0.03%	218	0.58%
5469	EXPIRED OPERATORS LICENSE	752	0	0.00%	0	0.00%	3	0.40%	0	3	0	318	42.29%	12	1.60%	0	0.00%	28	3.72%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.13%
5461	EXPIRED REGISTRATION CARD/TAG	77,854	1	0.00%	0	0.00%	20	0.03%	2	18	0	8,890	11.42%	9	0.01%	0	0.00%	871	1.12%	1	0.00%	0	0.00%	67,727	86.99%	0	0.00%	335	0.43%
5455	FAIL COMPLY LIC RESTRICTIONS	1,405	0	0.00%	0	0.00%	11	0.78%	1	10	0	451	32.10%	29	2.06%	0	0.00%	44	3.13%	0	0.00%	0	0.00%	855	60.85%	0	0.00%	15	1.07%
2649	FAIL RETN PROP RENTD PUR OPT	874	3	0.34%	0	0.00%	57	6.52%	38	19	0	1	0.11%	3	0.34%	0	0.00%	94	10.76%	470	53.78%	0	0.00%	0	0.00%	245	28.03%	1	0.11%
5421	FAIL TO NOTIFY DMV ADDR CHANGE	1,342	0	0.00%	0	0.00%	1	0.07%	0	1	0	178	13.26%	2	0.15%	0	0.00%	38	2.83%	0	0.00%	0	0.00%	1,121	83.53%	0	0.00%	2	0.15%
2646	FAIL TO RETURN RENTAL PROPERTY	1,058	2	0.19%	0	0.00%	86	8.13%	53	33	0	9	0.85%	12	1.13%	5	0.47%	69	6.52%	0	0.00%	0	0.00%	513	48.49%	360	34.03%	2	0.19%
5569	FAIL TO SIGN REGISTRATION CARD	142	0	0.00%	0	0.00%	0	0.00%	0	0	0	30	21.13%	0	0.00%	0	0.00%	5	3.52%	0	0.00%	0	0.00%	106	74.65%	0	0.00%	1	0.70%
4722	FICT/ALT TITLE/REG CARD/TAG	1,156	0	0.00%	0	0.00%	10	0.87%	0	10	0	47	4.07%	5	0.43%	0	0.00%	17	1.47%	0	0.00%	0	0.00%	1,076	93.08%	0	0.00%	1	0.09%
5556	FICT/CNCL/REV REG CARD/TAG	2,849	3	0.11%	0	0.00%	22	0.77%	0	22	0	398	13.97%	17	0.60%	0	0.00%	242	8.49%	0	0.00%	0	0.00%	2,140	75.11%	1	0.04%	26	0.91%
6207	FISHING WITHOUT A LICENSE	2,388	9	0.38%	0	0.00%	25	1.05%	0	25	0	840	35.18%	40	1.68%	0	0.00%	411	17.21%	0	0.00%	0	0.00%	1,044	43.72%	0	0.00%	19	0.80%
6202	FISHING WITHOUT A LICENSE-NR	474	1	0.21%	0	0.00%	1	0.21%	0	1	0	211	44.51%	7	1.48%	0	0.00%	67	14.14%	0	0.00%	0	0.00%	175	36.92%	0	0.00%	12	2.53%
5538	GIVE/LEND/BORROW LIC PLATE	231	0	0.00%	0	0.00%	2	0.87%	0	2	0	43	18.61%	3	1.30%	0	0.00%	10	4.33%	0	0.00%	0	0.00%	172	74.46%	0	0.00%	1	0.43%
5493	LICENSE NOT IN POSSESSION	2,846	0	0.00%	0	0.00%	1	0.04%	0	1	0	316	11.10%	5	0.18%	0	0.00%	123	4.32%	2,383	83.73%	2	0.07%	0	0.00%	0	0.00%	16	0.56%
2302	MISDEMEANOR CONVERSION	21	2	9.52%	0	0.00%	5	23.81%	3	1	1	0	0.00%	1	4.76%	1	4.76%	1	4.76%	0	0.00%	0	0.00%	10	47.62%	1	4.76%	0	0.00%
5489	NO LIABILITY INSURANCE	97	0	0.00%	0	0.00%	0	0.00%	0	0	0	2	2.06%	2	2.06%	0	0.00%	2	2.06%	0	0.00%	0	0.00%	87	89.69%	4	4.12%	0	0.00%
5441	NO OPERATORS LICENSE	73,812	236	0.32%	0	0.00%	1,283	1.74%	41	1,242	0	39,483	53.49%	3,121	4.23%	2	0.00%	11,557	15.66%	6	0.01%	0	0.00%	17,335	23.49%	7	0.01%	782	1.06%
5407	NO REGISTRATION CARD	194	0	0.00%	0	0.00%	0	0.00%	0	0	0	40	20.62%	0	0.00%	0	0.00%	8	4.12%	0	0.00%	0	0.00%	145	74.74%	0	0.00%	1	0.52%
2650	OBTAIN PROPERTY WORTHLESS CHK	11	0	0.00%	0	0.00%	4	36.36%	3	1	0	0	0.00%	0	0.00%	0	0.00%	2	18.18%	3	27.27%	0	0.00%	0	0.00%	2	18.18%	0	0.00%
5494	OPERATE VEH NO INS	9,595	8	0.08%	0	0.00%	168	1.75%	9	159	0	478	4.98%	304	3.17%	0	0.00%	448	4.67%	0	0.00%	0	0.00%	8,162	85.07%	3	0.03%	24	0.25%
5565	PERMIT OPERATION VEH NO INS	459	0	0.00%	0	0.00%	12	2.61%	0	12	0	35	7.63%	22	4.79%	0	0.00%	33	7.19%	0	0.00%	0	0.00%	353	76.91%	1	0.22%	3	0.65%
6343	RECREATIONAL FISH W/O LICENSE	706	1	0.14%	0	0.00%	3	0.42%	0	3	0	222	31.44%	47	6.66%	0	0.00%	74	10.48%	0	0.00%	0	0.00%	336	47.59%	0	0.00%	23	3.26%
5503	REG/TITLE ADDRESS CHANGE VIO	17	0	0.00%	0	0.00%	0	0.00%	0	0	0	4	23.53%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	12	70.59%	0	0.00%	1	5.88%
2666	SIMPLE WORTHLESS CHECK	22,710	137	0.60%	1	0.00%	1,139	5.02%	330	807	2	7,213	31.76%	88	0.39%	53	0.23%	1,118	4.92%	3,934	17.32%	0	0.00%	0	0.00%	8,867	39.04%	160	0.70%
5450	SPEEDING	189,449	6	0.00%	1	0.00%	498	0.26%	9	489	0	152,739	80.62%	17,777	9.38%	8	0.00%	4,922	2.60%	1	0.00%	1	0.00%	8,300	4.38%	0	0.00%	5,197	2.74%
5596	WINDOW TINTING VIOL	7,587	2	0.03%	0	0.00%	11	0.14%	1	10	0	1,907	25.14%	4	0.05%	0	0.00%	120	1.58%	5,451	71.85%	0	0.00%	0	0.00%	0	0.00%	92	1.21%
Total		442,216	1,224	0.28%	130	0.03%	8,571	1.94%	2,034	6,534	3	220,686	49.90%	26,782	6.06%	73	0.02%	28,867	6.53%	16	0.00%	139,340	31.51%	9,503	2.15%	7,024	1.59%	7,024	1.59%

Note: Shaded statutes indicate statutes the Sentencing and Policy Advisory Commission has recommended become infractions pursuant to Session Law 2010-31, Section 19.5 Report.

Total Indigent Defense Expenditures on Statutes of Interest Cases by Reclassification Impact

(Fee Awards Adjusted for Rate Change)

Charge	Private Appointed Counsel (PAC)						Public Defender Offices**						PAC & PD								
	Only SOI Offense Involved - Definite Impact			Multiple SOI Offenses Involved - Possible Impact			Non-SOI Offense Involved - No Impact			Total			Definite Impact PD			Possible Impact PD			Total Estimated PD & PAC Savings		
	Total FY09 Court Cases	Total PAC Fees	Total PAC Court Cases	Total FY09 Court Cases	Total PAC Fees	Total PAC Court Cases	Total FY09 Court Cases	Total PAC Fees	Total PAC Court Cases	Total FY09 Court Cases	Total PAC Fees	Total PAC Court Cases	PD Cases as % of PAC	Definite	Possible	PD Cases as % of PAC	Definite	Possible	Total	Total	
Note: Shaded statutes indicate statutes the Sentencing and Policy Advisory Commission has recommended become infractions pursuant to Session Law 2010-31, Section 19.5 Report.																					
Allow Unlicensed To Drive	4,268	\$17,531	661	8,230	\$30,369	900	\$30,369	5,829	\$56,130	31.4%	\$5,505	27.7%	\$2,280	\$10,509	\$33,545						
Altered Registration Card/Tag	38	\$0	261	\$1,906	\$6,444	322	\$6,444	621	\$8,350	0.0%	\$0	100.0%	\$1,906	\$3,812	\$3,812						
Cancel/Revoked/Suspended Certificate/Tag	1,042	\$938	4,324	\$6,439	\$12,287	1,904	\$12,287	7,270	\$19,663	0.0%	\$0	100.0%	\$6,439	\$938	\$13,815						
Drive/Allow MV No Registration	3,224	\$1,190	9,591	\$65,885	\$268,386	12,371	\$268,386	25,186	\$335,461	100.0%	\$1,190	69.6%	\$45,856	\$111,742	\$114,122						
Drive/Allow Registration Plate Not Display	754	\$113	1,242	\$8,845	\$30,538	1,714	\$30,538	3,710	\$39,496	120.0%	\$135	39.3%	\$3,480	\$12,325	\$12,572						
DWLR*	4,645	\$1,046,745	2,120	\$483,164	\$2,989,763	9,827	\$2,989,763	16,592	\$4,519,671	82.4%	\$862,973	90.9%	\$439,078	\$922,242	\$2,831,960						
Expired Operators License	984	\$150	424	\$806	\$2,708	733	\$2,708	2,151	\$3,664	33.3%	\$50	0.0%	\$0	\$806	\$1,006						
Expired Registration Card/Tag	90,443	\$13,320	34,475	\$135,839	\$300,969	61,453	\$300,969	186,371	\$450,128	53.3%	\$7,104	74.8%	\$101,591	\$237,431	\$257,854						
Fail to Comply with License Restriction	1,914	\$1,920	1,307	\$2,236	\$43,046	3,976	\$43,046	7,197	\$47,202	61.1%	\$1,173	46.2%	\$1,032	\$3,093	\$6,361						
Fail To Notify DMV of Address Change	1,703	\$398	4,423	\$7,868	\$39,968	6,793	\$39,968	12,919	\$48,233	83.3%	\$331	35.6%	\$2,801	\$729	\$11,397						
Fail To Return Property Rented With Purchase Option	1,310	\$12,629	46	\$488	\$5,452	53	\$5,452	1,409	\$18,569	66.3%	\$8,373	166.7%	\$813	\$21,002	\$22,302						
Fail To Return Rental Property	1,638	\$23,200	46	\$713	\$8,408	88	\$8,408	1,772	\$32,320	60.0%	\$13,920	50.0%	\$356	\$37,119	\$38,188						
Fail To Sign Registration Card	187	\$0	2,520	\$2,936	\$12,179	2,943	\$12,179	5,650	\$15,115	0.0%	\$0	62.3%	\$1,829	\$4,766	\$4,766						
Fictitious Or Altered Title, Registration Card, Or License Tag	1,837	\$338	4,134	\$16,223	\$41,052	2,716	\$41,052	8,687	\$57,613	142.9%	\$482	98.4%	\$15,964	\$820	\$33,007						
Fictitious/Cancelled/Revised Registration Card/Tag	4,783	\$5,844	21,114	\$181,080	\$452,006	19,871	\$452,006	45,768	\$638,930	67.5%	\$3,945	76.5%	\$138,549	\$9,788	\$329,417						
Fishing Without A License	2,695	\$1,865	8	\$0	\$2,119	485	\$2,119	3,188	\$3,984	783.3%	\$14,609	0.0%	\$0	\$16,474	\$16,474						
Fishing Without A License - NR	525	\$0	4	\$0	\$713	68	\$713	597	\$713	100.0%	unknown	0.0%	\$0	unknown	unknown						
Give, Lend, Or Borrow License Plate License Not in Possession	423	\$188	1,693	\$4,775	\$20,386	2,128	\$20,386	4,244	\$25,348	100.0%	\$188	250.0%	\$11,938	\$375	\$17,088						
Misdemeanor Or Conversion No Liability Insurance	4,182	\$1,823	4,825	\$9,534	\$53,634	9,321	\$53,634	18,328	\$64,991	83.3%	\$1,519	34.4%	\$3,284	\$3,342	\$16,160						
No Operators License	48	\$2,510	1	\$0	\$3,518	22	\$3,518	71	\$6,028	72.7%	\$1,825	0.0%	\$0	\$4,335	\$4,335						
No Registration Card	167	\$263	633	\$8,734	\$48,935	834	\$48,935	1,634	\$57,931	433.3%	\$1,137	346.4%	\$30,254	\$1,400	\$40,388						
Obtain Property With Worthless	94,626	\$114,213	29,624	\$59,678	\$827,075	68,668	\$827,075	192,918	\$1,000,966	58.0%	\$66,247	50.9%	\$30,383	\$180,459	\$270,520						
Operate Vehicle No Insurance	283	\$645	2,051	\$7,943	\$12,729	2,456	\$12,729	4,790	\$21,317	100.0%	\$645	103.6%	\$8,228	\$1,290	\$17,461						
Permit Operation No Vehicle Insurance	27	\$1,046	1	\$0	\$2,375	15	\$2,375	43	\$3,421	66.7%	\$698	0.0%	\$0	\$1,744	\$1,744						
Recreational Fishing Without A License	15,102	\$22,699	36,130	\$210,568	\$583,564	30,640	\$583,564	81,872	\$816,832	52.9%	\$12,012	59.5%	\$125,321	\$34,711	\$370,600						
Registration/Title Address Change Violation	693	\$2,004	703	\$3,923	\$11,732	391	\$11,732	1,787	\$17,658	28.6%	\$573	58.3%	\$2,288	\$2,576	\$8,787						
Speeding	771	\$169	3	\$0	\$113	42	\$113	816	\$281	0.0%	\$0	0.0%	\$0	\$169	\$169						
Simple Worthless Check	24	\$0	230	\$0	\$2,063	251	\$2,063	505	\$2,063	0.0%	\$0	100.0%	unknown	\$0	unknown						
Window Tinting Violation	209,855	\$48,915	33,256	\$138,545	\$464,882	42,823	\$464,882	285,934	\$652,343	10.0%	\$4,906	60.3%	\$83,589	\$53,821	\$275,955						
Total Fiscal Impact	30,752	\$207,721	209	\$3,079	\$73,089	949	\$73,089	31,910	\$283,895	45.6%	\$94,669	110.0%	\$3,387	\$302,390	\$308,856						
Misdemeanor Non-Traffic Total	10,182	\$938	3,814	\$10,717	\$32,489	3,985	\$32,489	17,981	\$44,143	187.5%	\$1,758	98.9%	\$10,594	\$2,695	\$24,006						
Misdemeanor Traffic Total	489,135	\$1,529,311	199,873	\$1,380,151	\$6,362,994	288,742	\$6,362,994	977,750	\$9,292,456	30	\$1,105,965	23	\$1,071,238	\$2,635,276	\$5,086,665						
	37,766	\$249,140	318	\$4,279	\$95,791	1,722	\$95,791	39,806	\$349,210	12	\$134,083	3	\$4,556	\$383,233	\$392,068						
	451,369	\$1,280,171	199,555	\$1,375,872	\$6,287,203	287,020	\$6,287,203	937,944	\$8,943,247	18	\$971,872	20	\$1,066,683	\$2,252,043	\$4,694,597						

* Not All DWLR cases would be reclassified. Waiting on DMV data to identify motor-vehicle-related non-DWLR cases.

** Expenditures on cases handled by Public Defender office was estimated using Private Appointed fee expenditures per statute.

other court system actors, such as prosecutors, judges, clerks, corrections and probation personnel could estimate potential cost savings if these selected statutes were reclassified. Also note that shaded statutes indicate statutes the Sentencing and Policy Advisory Commission has recommended for reclassification as an infraction pursuant to Session Law 2010-31, § 19.5.

Excluding DWLR cases, the study estimates indigent defense would save approximately \$2.25 million⁴ in attorney fees if all selected statutes were reclassified as infractions. Cost savings drop dramatically if only some selected statutes are reclassified. Excluding DWLR cases, the cost savings generated by a single statute ranged from \$0 (indigent defense did not handle any of these cases) to \$302,390 for simple worthless checks.

DWLR cases have been excluded from cost saving estimates at this time. There are currently more than 70 ways in which a defendant's license can be revoked. These underlying offenses vary widely—from speeding, to DWI, child support contempt, to bomb threats—and consequently will need to be treated differently. IDS's preliminary recommendation is to reclassify as infractions motor vehicle-related DWLR offenses that are not DWI-related. In order to differentiate among DWLRs, IDS needs to know the license revocation event that underlies each DWLR charge in our study. The North Carolina Department of Motor Vehicles is the only source that can provide this data. IDS has requested this data from the DMV and it now appears that the DMV will provide this data to IDS by mid-to-late April 2011. Once IDS has obtained this data, we will analyze it and update the reclassification study with DWLR results.

Sentencing and Policy Advisory Commission Selected Statutes

The Sentencing and Policy Advisory Commission was asked to review all Class 3 misdemeanors and recommend that they be reclassified as either an infraction or Class 2 misdemeanor. The Commission asked the Office of Indigent Defense Services to estimate potential cost savings if all misdemeanor Class 3 cases were reclassified as infractions. Seven of the statutes the Commission selected overlapped IDS study selections. IDS also analyzed data for 7 additional statutes that the Commission recommended for reclassification. We selected the Class 3 misdemeanor statutes with highest number of sentencing episodes from the Advisory Commission Report and performed the same analysis. The spreadsheets on the following two pages show case outcomes and potential cost savings for the 14 statutes.

When IDS examined the Commission's recommendations, we made a change to the cost-saving methodology used for IDS's selected statutes of interest. Two statutes involve minor drug use—Possession of Marijuana (Up to ½ Ounce) and Simple Possession of a Schedule VI Controlled Substance. Because these two offenses are often charged in conjunction with the offense of Possession of Drug Paraphernalia, the potential for charge-shifting, which could negate potential cost savings, was strong. To adjust for the impact Possession of Drug Paraphernalia would have on cost savings, IDS added a fourth impact category—cases that involve Possession of Drug Paraphernalia, which would have no impact and generate no savings.

If all 13 offenses were reclassified, IDS would save approximately \$997,026 in attorney fees and \$1.73 million in attorney fees if Possession of Drug Paraphernalia was reclassified as well.

⁴ Total cost savings if all 31 statutes were reclassified was estimated to be \$5.08 million. However, not all DWLR's would be reclassified. If we back out DWLR cost savings (\$2.83 million), \$2.25 million in cost savings remains.

Case Outcomes for Defendants with No Other Charges for Cases Disposed in FY09 by Most Severe Outcome

AOC Crim Code	Offense Description	Total Cases		Active Punishment		Intermediate Punishment		Community Punishment (Probation and/or Financial or Civil Penalties)		Financial and/or Civil Penalties Only		PJC		Deferred Prosecution		Dismissal w/ Leave		Dismissal with No True Bill or NPC		Dismissal w/o Leave		Never to Be Served		Unknown	
		No. Cases	% of Cases	No. Cases	% of Cases	No. Cases	% of Cases	No. Cases	% of Cases	No. Cases	% of Cases	No. Cases	% of Cases	No. Cases	% of Cases	No. Cases	% of Cases	No. Cases	% of Cases	No. Cases	% of Cases	No. Cases	% of Cases	No. Cases	% of Cases
3401	Possess Drug Paraphernalia	9,586	11.48%	1,100	11.48%	89	0.93%	2,324	24.24%	20	0.21%	256	2.67%	250	2.61%	789	8.23%	1	0.01%	4,490	46.84%	8	0.08%	259	2.70%
3540	Simple Possess SCH VI CS (M)	2,086	5.03%	105	5.03%	1	0.05%	565	27.09%	92	4.41%	71	3.40%	37	1.77%	180	8.63%	0	0.00%	986	47.27%	1	0.05%	48	2.30%
3550	Possess Marijuana Up to 1/2 Oz	13,518	7.71%	771	5.70%	22	0.16%	3,733	27.62%	49	0.36%	763	5.64%	771	5.70%	934	6.91%	0	0.00%	6,250	46.23%	6	0.04%	219	1.62%
4117	Consume Alc By 19/20	2,874	3.30%	39	1.36%	1	0.03%	343	11.93%	921	32.05%	115	4.00%	113	3.93%	142	4.94%	0	0.00%	1,104	38.41%	0	0.00%	96	3.34%
4180	Pur MTBY/U-WN By 19/20	91	3.30%	3	3.30%	0	0.00%	9	9.89%	3	3.30%	8	8.79%	10	10.99%	5	5.49%	0	0.00%	52	57.14%	0	0.00%	1	1.10%
4181	Att Pur MTBY/U-WN by 19/20	32	3.13%	1	3.13%	0	0.00%	4	12.50%	3	9.38%	2	6.25%	6	18.75%	3	9.38%	0	0.00%	13	40.63%	0	0.00%	0	0.00%
4182	Poss MTBY/U-WN by 19/20	3,128	4.77%	24	0.77%	3	0.10%	245	7.83%	824	26.34%	122	3.90%	405	12.95%	157	5.02%	0	0.00%	1,296	41.43%	0	0.00%	52	1.66%
4195	Intoxicated and Disruptive	3,483	32.24%	1,123	32.24%	7	0.20%	759	21.79%	0	0.00%	130	3.73%	48	1.38%	146	4.19%	1	0.03%	1,127	32.36%	0	0.00%	142	4.08%
Total		34,798	3,166	9.10%	123	0.35%	7,982	22.94%	1,912	5.49%	1,467	4.22%	1,640	4.71%	2,356	6.77%	2	0.01%	15,318	44.02%	15	0.04%	817	2.35%	

Indigent Defense Expenditures on Selected Statutes that the Sentencing and Policy Advisory Commission Has Recommended Be Reclassified as Infractions Pursuant to Session Law 2010-31

(Fee Awards Adjusted for Rate Change)

Charge	Private Appointed Counsel (PAC)										Public Defenders					PAC & PD			
	Only SPAC Offense Involved - Definite Impact		Multiple SPAC Offenses Involved - Possible Impact		Possession Drug Paraphernalia Involved - No Impact (Code 3401)		Non-SPAC Offense Involved - No Impact		Definite Impact PD		Possible Impact PD		Possession Drug Paraphernalia PD		Total Estimated PD & PAC Savings				
	Total FY09 Court Cases	Total PAC Fees	Total FY09 Court Cases	Total PAC Fees	Total FY09 Court Cases	Total PAC Fees	Total FY09 Court Cases	Total PAC Fees	PD Cases as % of PAC	Definite	PD Cases as % of PAC	Possible	PD Cases as % of PAC	No Impact	Definite	Possible	Drug Paraphernalia	Total	
Attempt to Purchase a Malt Beverage at 19 or 20 Years Old	32	\$0	6	\$0	1	\$0	8	\$225	100.0%	\$0	0.0%	\$0	0.0%	\$0	\$0	\$0	\$0	\$0	
Consumption of Alcohol at 19 or 20 Years Old	2,874	\$14,262	447	\$7,490	96	\$3,605	199	\$3,978	55.4%	\$7,897	42.1%	\$3,153	22.2%	\$800	\$22,159	\$10,644	\$4,405	\$37,207	
Expired Operators License	994	\$150	424	\$806	unknown	unknown	733	\$2,708	33.3%	\$50	0.0%	\$0	unknown	unknown	\$200	\$806	unknown	\$1,006	
Fail To Notify DMV of Address Change	1,703	\$398	4,423	\$7,868	unknown	unknown	6,793	\$39,968	83.3%	\$331	35.6%	\$2,801	unknown	unknown	\$729	\$10,668	unknown	\$11,397	
Fishing Without A License	2,695	\$1,865	8	\$0	unknown	unknown	485	\$2,119	783.3%	\$14,609	0.0%	\$0	unknown	unknown	\$16,474	\$0	unknown	\$16,474	
Fishing Without A License - NR	525	\$0	4	\$0	unknown	unknown	68	\$713	100.0%	unknown	0.0%	\$0	unknown	unknown	\$0	\$0	unknown	\$0	
Give, Lend, Or Borrow License Plate	423	\$188	1,693	\$4,775	unknown	unknown	2,128	\$20,386	100.0%	\$188	250.0%	\$11,938	unknown	unknown	\$975	\$16,713	unknown	\$17,088	
Intoxicated and Disruptive in Public	3,483	\$51,410	710	\$13,989	113	\$2,815	704	\$25,964	86.1%	\$44,242	116.9%	\$16,353	160.0%	\$4,505	\$95,652	\$30,343	\$7,320	\$133,315	
License Not in Possession	4,182	\$1,823	4,825	\$9,534	unknown	unknown	9,321	\$53,634	83.3%	\$1,519	34.4%	\$3,284	unknown	unknown	\$3,342	\$12,818	unknown	\$16,160	
Possession of Malt Beverage at 19 or 20 Years Old	3,128	\$12,826	476	\$6,597	126	\$2,240	286	\$2,480	0.0%	\$0	40.4%	\$2,665	83.3%	\$1,866	\$12,826	\$9,262	\$4,106	\$26,194	
Possession of Marijuana (Up to 1/2 Ounce)	13,518	\$258,178	1,543	\$36,051	12,299	\$377,439	969	\$38,995	133.2%	\$343,893	97.7%	\$35,222	60.6%	\$228,728	\$602,070	\$71,274	\$606,167	\$1,279,511	
Purchase of Malt Beverage at 19 or 20 Years Old	91	\$825	30	\$0	8	\$225	40	\$150	75.0%	\$619	300.0%	\$0	0.0%	\$0	\$1,444	\$0	\$225	\$1,669	
Recreational Fishing Without A License	771	\$169	3	\$0	unknown	unknown	42	\$113	0.0%	\$0	0.0%	\$0	unknown	unknown	\$169	\$0	unknown	\$169	
Simple Possession of a Schedule VI Controlled Substance	2,086	\$40,889	281	\$7,301	2,131	\$81,936	260	\$11,233	65.3%	\$26,701	57.1%	\$4,169	44.6%	\$36,544	\$67,590	\$11,470	\$118,480	\$197,541	
Total Fiscal Impact	36,505	\$382,982	14,873	\$94,411	14,774	\$468,261	22,036	\$202,665		\$440,047		\$79,585		\$272,443	\$823,029	\$173,997	\$740,704	\$1,737,729	
Misdemeanor Non-Traffic Total	30,379	\$366,855	14,408	\$86,921	14,677	\$464,656	21,276	\$195,630		\$417,542		\$76,432		\$271,642	\$784,397	\$163,353	\$736,298	\$1,684,048	
Misdemeanor Traffic Total	6,126	\$16,127	465	\$7,490	97	\$3,605	760	\$7,035		\$22,505		\$3,153		\$800	\$38,632	\$10,644	\$4,405	\$53,681	

Note: Data based on ACIS data entries associated with a criminal code and does not include criminal offenses with the criminal code 9999 or "Free Text".

Conclusion

The data shows that the North Carolina court system is handling a high volume of low level misdemeanor cases and suggests that the North Carolina court system could save significant money and relieve over-burdened courts by reclassifying many minor misdemeanor offenses as infractions. In addition, the fact that approximately 1.03 million individuals or 11% of North Carolina's population had criminal matters before a court in FY09 suggests that North Carolina may be treating too much as criminal.

The study illustrates that offenses are often closely interrelated and costs savings would be maximized if groups of offenses were reclassified at the same time.

Indigent defense could save approximately \$2.25 million in attorney fees if all 31 IDS selected statutes are reclassified as infractions. However, indigent defense costs represent only a small portion of the cost of these cases to the court system. There are additional prosecution, court, jail, corrections, and probation costs.

IDS is waiting to receive data from the North Carolina Department of Motor Vehicles that would allow IDS to identify non-DWI motor-vehicle-related DWLR cases. Once this data is received, IDS will estimate the additional cost savings to indigent defense if non-DWI motor-vehicle-related DWLR offenses are reclassified as infractions. IDS believes these cost savings could be significant.

Appendix A: Original 17 Study Statutes

Misdemeanor Statutes of Interest				
Code	Description	Statute	Type	Class
5470	ALLOW UNLICENSED TO DRIVE	20-34	T	2
5491	DRIVE/ALLOW MV NO REGISTRATION	20-111(1)	T	2
5418	DWLR (Not Based on DWI)	20-28(A)	T	1
5461	EXPIRED REGISTRATION CARD/TAG	20-111(2)	T	2
5455	FAIL COMPLY LIC RESTRICTIONS	20-7(E)	T	2
2649	FAIL RETN PROP RENTD PUR OPT	14-168.4	M	2
5421	FAIL TO NOTIFY DMV ADDR CHANGE	20-7.1	T	2
5569	FAIL TO SIGN REGISTRATION CARD	20-57(C)	T	2
5556	FICT/CNCL/REV REG CARD/TAG	20-111(2)	T	2
6207	FISHING WITHOUT A LICENSE	113-270.1B(A)	M	2 or 3*
5493	LICENSE NOT IN POSSESSION	20-7(A)	T	2
5441	NO OPERATORS LICENSE	20-7(A)	T	2
5407	NO REGISTRATION CARD	20-57(C)	T	2
5494	OPERATE VEH NO INS	20-313(A)	T	1
2666	SIMPLE WORTHLESS CHECK	14-107(D)(1)	M	2
5450	SPEEDING	20-141(J1)	T	2
5596	WINDOW TINTING VIOL	20-127(D)	T	2
* Class 3 first offense, class 2 subsequent offenses.				

Appendix B: Statute Investigation

IDS Reclassification Study Statute Investigation: Identify Potential Charge Shifting (Shaded Offenses = Included in IDS Reclassification Study)					
# of Charges	Code	Type	Class	Offense Description	NC General Statute
5,856	5470	T	2	ALLOW UNLICENSED TO DRIVE	20-34
56	5409	T	2	ALLOW USE OF LICENSE OR PERMIT	20-30(2)
346	5410	T	2	ALLOW UNLICENSE MINOR TO DRIVE	20-32
194,566	5441	T	2	NO OPERATORS LICENSE	20-7(A)
18,425	5493	T	2	LICENSE NOT IN POSSESSION	20-7(A)
7,307	5455	T	2	FAIL COMPLY LIC RESTRICTIONS	20-7(E)
2,152	5469	T	2	EXPIRED OPERATORS LICENSE	20-7(F)
9,079	5400	T	2	POSS/DISP ALT/FICT/REVD DR LIC	20-30(1)
230	5535	T	2	DISPLAY ANOTHERS LIC AS OWN	20-30(3)
313	5564	T	1	OBTAIN DR LICENSE BY FRAUD	20-30(5)
151	5434	T	1	FICTITIOUS DRIVERS LICENSE	20-30(5)
385	5655	T	2	NO DRIVERS LIC COMM VEHICLE	20-7(A)
3,194	6207	M	??	FISHING WITHOUT A LICENSE	113-270.1B(A)
600	6202	M	??	FISHING WITHOUT A LICENSE-NR	113-270.1B(A)
816	6343	M	??	RECREATIONAL FISH W/O LICENSE	113-174.1(A)
105	6217	M	3	HUNT/FISH/TRAP-NO GAME LICENSE	113-270.3
25	6345	M	??	FISH W/O HAVE LIC/ASSIGN/ENDOR	113-168.1
2	6346	M	??	REFUSE EXHIBIT LIC/ASSGN/ENDOR	113-168.1
25	6347	M	??	REC FISH COM EQUIP WO GEAR LIC	113-173(A)
12	6375	M	??	FISH W/SPECIAL DEVICE W/O LIC	113-272.2
2	6376	M	??	FISH W/SPECIAL DEV W/O LIC-NR	113-272.2
21	6370	M	??	ENGAGE WRC ACT NO LIC/PERMIT	113-274
216,908	5418	T	1	DWLR	20-28(A)
46	4704	T	1	DWLR AFT IMPAIRED REV NOTICE	20-28(A2)(1)
71	5474	T	1	DWLR PERMANENT	20-28(B)
403	5531	T	1	AID AND ABET DWLR	20-28
235	5553	T	1	DWLR VIOL RESTORED LIC	20-17.8(F)
29	5559	T	1	DWLR VIOL .16 AC LMTD DRV PRV	20-179.3(J)
275	5560	T	1	DWLR VIOL LIMITED DRIVE PRIV	20-28(A)
0	5635	T	2	DWLR LICENSE NOT RECLAIMED	20-28(A1)
86	5657	T	1	DRIVE CVEH CLIC DISQUALIFIED	20-28(D)
1	5660	T	??	DRIVE CVEH W/C LIC SUS/REV/DQD	20-37.12
50,646	2666	M	2	SIMPLE WORTHLESS CHECK	14-107(D)(1)
74	2650	M	2	OBTAIN PROPERTY WORTHLESS CHK	14-106
43	2610	M	1	WORTHLESS CHECK NO ACCOUNT	14-107(D)(3)
1,322	2655	M	1	WORTHLESS CHECK CLOSED ACCOUNT	14-107(D)(4)
752	2656	M	1	WORTHLESS CHK 4TH SUB OFFENSE	14-107(D)(1)
287,435	5450	T	2	SPEEDING	20-141(J1)
1,213	5644	T	1	AGGRESSIVE DRIVING	20-141.6
4,827	5407	T	2	NO REGISTRATION CARD	20-57(C)
187,320	5461	T	2	EXPIRED REGISTRATION CARD/TAG	20-111(2)
3,760	5485	T	2	DR/ALLOW REG PLATE NOT DISPLAY	20-111(1)
25,600	5491	T	2	DRIVE/ALLOW MV NO REGISTRATION	20-111(1)
48,281	5556	T	2	FICT/CNCL/REV REG CARD/TAG	20-111(2)
5,672	5569	T	2	FAIL TO SIGN REGISTRATION CARD	20-57(C)
7,321	4721	T	2	CANCL/REVOK/SUSP CERTIF/TAG	20-111(2)
8,820	4722	T	2	FICT/ALT TITLE/REG CARD/TAG	20-111(2)
630	5558	T	2	ALTERED REG CARD/TAG	20-111(2)
4,275	5538	T	3	GIVE/LEND/BORROW LIC PLATE	20-111(3)
123	5536	T	2	FAIL SURR TITLE/REG CARD/TAG	20-111(4)
1,477	2649	M	2	FAIL RETN PROP RENTD PUR OPT	14-168.4
1,851	2646	M	2	FAIL TO RETURN RENTAL PROPERTY	14-167
79	2302	M	1	MISDEMEANOR CONVERSION	14-168.1
13,016	5421	T	2	FAIL TO NOTIFY DMV ADDR CHANGE	20-7.1
510	5503	T	2	REG/TITLE ADDRESS CHANGE VIO	20-67
82,895	5494	T	1	OPERATE VEH NO INS	20-313(A)
1,714	5489	T	2	NO LIABILITY INSURANCE	20-309
1,798	5565	T	1	PERMIT OPERATION VEH NO INS	20-313
18,085	5596	T	2	WINDOW TINTING VIOL	20-127(D)

Appendix C: Detailed Breakdown of Cost Impact Example

Total PAC Expenditures on Speeding-Related Cases by Reclassification Impact (Fee Awards Adjusted for Rate Change)								
	Involved - Definite		Involved - Possible Impact		Involved - No Impact		Total	
	FeeAwardAdjPAC		FeeAwardAdjPAC		FeeAwardAdjPAC		FeeAwardAdjPAC	
	Total FY09 Court Cases	Total PAC Fees	Total FY09 Court Cases	Total PAC Fees	Total FY09 Court Cases	Total PAC Fees	Total FY09 Court Cases	Total PAC Fees
Felony - Class Unknown - Free Text					42	\$5,370	42	\$5,370
Felony Class A or B2					1	\$0	1	\$0
Felony Class B1					3	\$0	3	\$0
Felony Class B2					1	\$0	1	\$0
Felony Class C - Habitual Felon					11	\$5,355	11	\$5,355
Felony Class C					9	\$1,119	9	\$1,119
Felony Class C, E, F					9	\$1,736	9	\$1,736
Felony Class C or H					2	\$1,230	2	\$1,230
Felony Class D					16	\$8,175	16	\$8,175
Felony Class D, F, G					11	\$5,738	11	\$5,738
Felony Class D, F, G, H					1	\$0	1	\$0
Felony Class D, I					1	\$1,725	1	\$1,725
Felony Class E					14	\$7,201	14	\$7,201
Felony Class F					83	\$29,038	83	\$29,038
Felony Class F to H					1	\$443	1	\$443
Felony Class F, G					24	\$2,063	24	\$2,063
Felony Class G					50	\$4,669	50	\$4,669
Felony Class G, H					4	\$1,658	4	\$1,658
Felony Class H					663	\$102,162	663	\$102,162
Felony Class H, I					2	\$938	2	\$938
Felony Class I					209	\$15,592	209	\$15,592
Felony - Dependent - Charge					3	\$938	3	\$938
DWI and DWI Related Offenses					4,300	\$135,858	4,300	\$135,858
Misdemeanor Class A1					39	\$1,260	39	\$1,260
Misdemeanor Class Unknown - Free Text					49	\$0	49	\$0
Traffic Class Unknown - Free Text					66	\$668	66	\$668
Misdemeanor Class 1					540	\$13,805	540	\$13,805
Traffic Class 1			11,698	\$118,719	4,514	\$59,777	16,212	\$178,495
Misdemeanor Class 1,2					4	\$0	4	\$0
Misdemeanor Class 2			6	\$0	294	\$3,650	300	\$3,650
Traffic Class 2	209,855	\$48,915	21,552	\$19,827	31,857	\$54,719	263,264	\$123,461
Total	209,855	\$48,915	33,256	\$138,545	42,823	\$464,882	285,934	\$652,343