

## North Carolina Mandatory Minimums

**Mandatory Minimums:** Under NC G.S. 90-95 (h), people convicted of drug trafficking offenses are subject to mandatory minimum sentences ranging from 25 months to 225 months depending on drug type and drug weight. These mandatory minimums cannot be run concurrently with other sentences and are not eligible for parole, probation, or suspension of sentence. The table below lists the current mandatory minimums under NC G.S. 90-90(h) by weight and drug. Sentences apply to anyone who sells, manufactures, delivers, or possess the specified weight and drug and anyone who is convicted of a conspiracy to commit these acts.

Drug	Weight	Mandatory Minimum (Felony Class)
Marijuana	10 pounds to < 50 pounds	25 months (Class H)
	50 pounds to < 2,000 pounds	35 months (Class G)
	2,000 pounds to < 10,000 pounds	70 months (Class F)
	10,000 pounds or more	175 months (Class D)
Synthetic Cannabanoid	50 to < 250 dosage units <sup>1</sup>	25 months (Class H)
	250 to < 1,250 dosage units	35 months (Class G)
	1,250 to < 3,750 dosage units	70 months (Class F)
	3,750 dosage units or more	175 months (Class D)
Methaqualone	1,000 to < 5,000 dosage units	35 months (Class G)
	5,000 to < 10,000 dosage units	70 months (Class F)
	10,000 dosage units or more	175 months (Class D)
Cocaine	28 to < 200 grams	35 months (Class G)
	200 to < 400 grams	70 months (Class F)
	400 grams or more	175 months (Class D)
Methamphetamine	28 to < 200 grams	70 months (Class F)
	200 to < 400 grams	90 months (Class E)
	400 grams or more	225 months (Class C)

<sup>1</sup> A dosage unit for synthetic canabanoid is defined as 3 grams of synthetic canabanoid or any mixture containing such substance.

Drug	Weight	Mandatory Minimum (Felony Class)
Amphetamine	28 to < 200 grams	25 months (Class H)
	200 to < 400 grams	35 months (Class G)
	400 grams or more	90 months (Class E)
MDPV	28 to < 200 grams	70 months (Class F)
	200 to < 400 grams	90 months (Class E)
	400 grams or more	225 months (Class C)
Mephedrone	28 to < 200 grams	70 months (Class F)
	200 to < 400 grams	90 months (Class E)
	400 grams or more	225 months (Class C)
Opium, Opiates, and Heroin	4 to < 14 grams	70 months (Class F)
	14 to < 28 grams	90 months (Class E)
	28 grams or more	225 months (Class C)
LSD	100 to < 500 dosage units	35 months (Class G)
	500 to < 1,000 dosage units	70 months (Class F)
	1,000 dosage units or more	175 months (Class D)
MDMA	100 to < 500 dosage units or 28 to < 200 grams	35 months (Class G)
	500 to < 1,000 dosage units or 200 to < 400 grams	70 months (Class F)
	1,000 dosage units or more or 400 grams or more	175 months (Class D)

**Substantial Assistance:** The sentencing judge may impose a prison term less than the applicable mandatory minimum or suspend the sentence and place the defendant on probation if a defendant has provided substantial assistance in the identification, arrest, or conviction of any accomplices, accessories, coconspirators, or principals. The sentencing judge must find that the defendant provided substantial assistance on the record and is not required to provide sentencing relief.

**Violent Habitual Felons Mandatory Minimum:** Under N.C. Gen Stat 14-7.7-7.12, individuals with two prior violent felony convictions in either federal or state court (not limited to North Carolina), upon conviction of a third violent felony must be sentenced to life in prison without parole. A violent felony is defined as:

- All North Carolina Class A through E felonies;
- Any repealed or superseded offense substantially equivalent to any Class A through E felony;
- Any offense committed in another jurisdiction substantially similar to the above to cases.