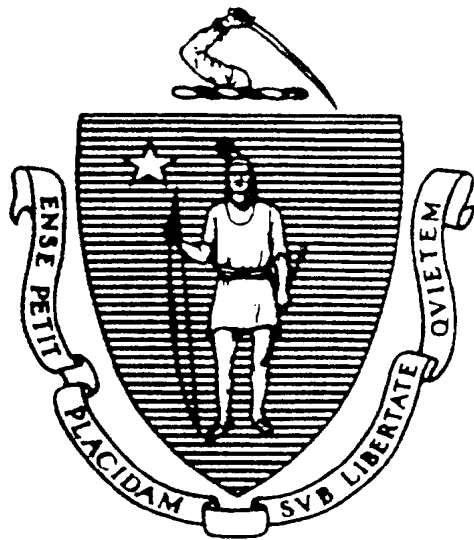


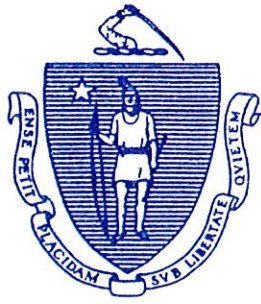
# **Massachusetts Sentencing Commission**

## **Report to the General Court**



**April 10, 1996**





# **Massachusetts Sentencing Commission**

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April 10, 1996

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Chief Justice  
Superior Court

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Governor of the Commonwealth

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President of the Senate

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Massachusetts Sheriffs'  
Association

Honorable John J. Irwin, Jr.  
Chief Justice, Administration and Management

**John F. Flynn, Esq.**  
Executive Office of  
Public Safety

I am pleased to present this report, pursuant to G.L. c. 211E, which has been unanimously adopted by the members of the Massachusetts Sentencing Commission.

**S. Jane Haggerty, Esq.**  
Essex County District  
Attorney's Office

I commend the Legislature and the Governor for the thorough and detailed direction provided to the Commission by G.L. c. 211E. I further commend the Governor for the quality of his appointments to the Commission, each of whom demonstrated knowledge, experience, dedication and flexibility during the process.

**Hon. Margaret R. Hinkle**  
Associate Justice  
Superior Court

Special recognition is extended to those who rendered valuable insight and advice to the Commission, including those who testified at public hearings and those who participated in focus group discussions.

**Sheila A. Hubbard, Esq.**  
Chair, Parole Board

**Pamela L. Hunt, Esq.**  
Assistant Attorney General

**Thomas G. Murray, Esq.**  
Private Attorney, Boston

I thank all the members of the Commission and most especially the Commission staff, Linda K. Holt, Lee M. Kimball and Clare Duffy, for their enthusiasm and hard work. I expressly commend Dr. Francis J. Carney, Executive Director of the Sentencing Commission, for his leadership and superb work on this project.

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**Maria F. Rodriguez, Esq.**  
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**Richard D. Savignano, Esq.**  
Plymouth County  
District Attorney's Office

I believe that the proposals in this report strike the proper balance necessary to meet the competing interests of the criminal justice system and constitute an effective, realistic and comprehensive approach towards sentencing in Massachusetts.

**David Slade, Esq.**  
Department of Correction

**Hon. Mark H. Summerville**  
Associate Justice  
Boston Municipal Court

**Michael J. Traft, Esq.**  
Private Attorney, Boston

## **EXECUTIVE DIRECTOR**

**Francis J. Carney, Jr., Ph.D**

Very truly yours,

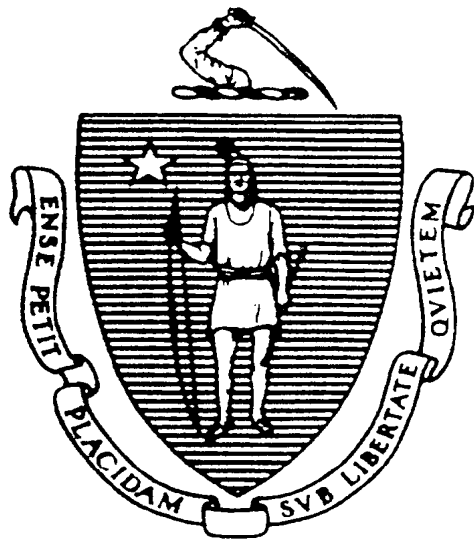
A handwritten signature in blue ink that reads "Robert A. Mulligan".

Robert A. Mulligan  
Chief Justice of the Superior Court  
Chairman, Massachusetts Sentencing Commission



# **Massachusetts Sentencing Commission**

## **Report to the General Court**



**April 10, 1996**



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Chief Justice, Superior Court

Honorable Margaret R. Hinkle  
Associate Justice, Superior Court

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William O'Leary, Commissioner  
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### **Staff**

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Linda K. Holt, Research Director  
Lee M. Kimball, Research Analyst  
Clare Duffy, Executive Assistant





## Acknowledgments

The Massachusetts Sentencing Commission would like to acknowledge the many participants who were instrumental in this project:

Jack Cinquegrana was a member of the Sentencing Commission from its inception through December 1995; Cathleen Campbell was a member of the commission from its inception through June 1995. Both contributed substantially to the development of the guidelines.

Chief Justice John J. Irwin, Jr. and the staff at the Administrative Office of the Trial Court were very helpful in getting the commission off to a good start and continued to provide support to the commission during its development. Particularly helpful were Lynne Reed, who accommodated staff until a permanent office site was located and arranged for administrative support services throughout the commission's process, and Richard Duggan and other Information Service staff who provided valuable technical consultation and support services to the commission. Among others, commission staff worked particularly closely with Michael Alogna, Jack O'Brien, Linda Serino, William Marchant, Robert Stott, Paul Collis, Tim Corcoran, Ed Kelly, Roger Albrecht, and Mary Bradley.

Brckett B. Denniston, III, Chief Legal Counsel for the Governor, assisted the commission in locating a place in which to work. Martha Goldsmith, Steve Needham, and Steve Murphy from the Division of Capital Planning and Operations were instrumental in the design and renovation of the space. The Bureau of State Office Buildings has also provided every accommodation to establishing the commission in its office quarters.

The Boston Bar Association, Francis S. Moran, Executive Director, generously allowed the commission to use its conference room until permanent meeting space was located for the commission's work.

Michael Shea of the District Court Division provided the foundation for the development of the Felony and Misdemeanor Master Crime List through his work on a manual of District Court Complaint Language.

Staff from the Office of the Commissioner of Probation including Deputy Commissioner Mark Pryor and CORI Supervisor Joseph Holmes assisted in gaining access to and interpreting the CARI file which served as the basis of much of the empirical work.

Criminal History Systems Board Executive Director Craig Burlingame and technical staff were most accommodating in making available valuable computer resources and access to the CORI file on CJIS and patiently providing many hours of technical assistance; and, General Counsel Veronica Madden and the legal staff assisted greatly in the reliability portion of the research process.

The Department of Correction Research Unit provided extensive assistance to the research portion of the project, including providing time served data, validation samples, and a cooperative working arrangement to develop the simulation model. In particular, Curt Wood, Director of Inmate Information Services, Lisa Sampson, Acting Director of Research, and Ramon Raagas, Research Analyst are owed a special thanks by the commission.

The Information Services and Research Unit of the Parole Board provided valuable data and technical assistance to the commission staff. Sallyann Sweeney and Richard Lunden deserve particular recognition by the commission for their assistance during the project.

Michael Jones and Wendy Naro of the National Council on Crime and Delinquency guided the development of the simulation model; David Rosenblum and Mary Fran Edge did excellent work as technical consultants during the programming phase of the research process.

Sheriffs' Departments provided access to valuable data for the purpose of validating the method and deriving estimates of time served. Among the many individuals who provided assistance were Wayne Winikainen of Barnstable County; Michael Penna of Berkshire County; David Santos of Bristol County; Paul Courtemanche of Essex County; Thomas Ballard of Franklin County; Stanley Ryczek and Fred Bliss of Hampden County; Frank J. Godek of Hampshire County; Michael Lyzon of Middlesex County; George Klier of Norfolk County; Ann Kelly Norton of Plymouth County; Jeff Vandersipp of Suffolk County; and Crista McLeod of Worcester County.

Judges and probation officers participated in the pilot project and assisted in working through many of the operational issues in application of the guidelines. Donald T. Moran, Supervisor of Superior Court Probation Services coordinated implementation of the pilot project. Special mention is due Nicholas DeAngelis of Hampden County Superior Court, Frank E. Siano of Franklin County Superior Court, Joseph E. Centrella of Middlesex County Superior Court, and John F. Cremens, Jr. of Suffolk County Superior Court for their very active participation in this project.

Sheriff Michael Ashe of Hampden County hosted the intermediate sanctions committee for a most informative day. Crime and Justice Foundation Executive Director John J. Larivee and his colleagues provided an enlightening description of the day reporting program and a tour of the facility for the intermediate sanctions committee chair and commission staff.

The commission learned a great deal from sentencing commission leaders from other states. Dale Parent, former Executive Director from Minnesota, generously donated an evening with the entire commission. Kathleen Bogan, former Executive Director from Oregon and John Kramer, current Executive Director from Pennsylvania spent a day with commission members and staff.

Judy Norton was critical in organizing the initial focus groups conducted with representatives of victims organizations. Heidi Urich was particularly helpful coordinating contacts with victim groups and arranging for public hearings. Lynn E. Bannon was very helpful in consulting with the Education and Outreach Committee of the commission.

Much appreciation is due to the staff at the sites where the public hearings and focus groups were held. All sites were provided at no cost to the commission and site coordinators made every accommodation to ensure that the focus groups and public hearings were held to the benefit of the work of the commission. The staff include Joan Mahoney of Middlesex Community College, Jim McCoubrey of Springfield City Hall, John Gregory of Bristol Community College, Shirley Falvey and Justice Paul S. Waickowski of the Westboro District Court, and Jack Clifford of the State House.

Student interns who worked with the commission during the development of the guidelines included Ryan Hirt, Lisa Mazzotta, and Michael Sullivan from Northeastern University; David Buckner and Sam Liccardo from the Harvard Law School; and Stephen Prendergast from the University of Massachusetts at Lowell.

Finally, the commission expresses its deep appreciation to those public officials, criminal justice practitioners, victims of crime, and interested citizens for their valuable insights and valued recommendations presented in focus groups and at public hearings.

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# **MASSACHUSETTS SENTENCING COMMISSION REPORT TO THE GENERAL COURT**

## **INTRODUCTION**

Today, Massachusetts is presented with an historic opportunity. The momentum for change in sentencing policies and practices has been building. The Governor, the Legislature, criminal justice professionals, victims and their families, and the public at large are calling for reform. This report, a response to the recognized need for sentencing reform, is the culmination of a two year effort to develop a comprehensive new approach to sentencing in the Commonwealth.

The Massachusetts Sentencing Commission is comprised of members with diverse criminal justice perspectives and philosophies. The commission reviewed national reform efforts, listened to those affected by criminal justice practices, and learned from each other. This report, crafted by commission members representing all the different interests of the criminal justice system, has been unanimously adopted as the fairest and most effective reform of criminal sentencing. The enactment of the recommendations in this report will place Massachusetts in the forefront of the national movement for sentencing reform.

The proposed sentencing policies and guidelines contained in this report will promote public safety by providing just punishment for those who commit crime. Violent offenders will face longer periods of incarceration. Less serious and first-time offenders will be held accountable by an array of intermediate sanctions. Building on the reforms of the “truth in sentencing” law, (Chapter 432 of the Acts of 1993), these guidelines will provide greater uniformity, fairness, and certainty in sentencing so that victims and offenders alike will understand the meaning and effect of the sentence imposed. The guidelines will promote fairness and reduce disparity while preserving that degree of judicial discretion necessary to fashion the sentence appropriate for the individual offender and the specific offense.

Over the past twenty-five years there have been significant changes in the laws affecting criminal sentencing. Most states in the early 1970's used indeterminate sentencing, in which the trial judge had wide discretion to decide the sentence, limited by the statutory maximum. Prison authorities could significantly reduce the sentence by awarding good time and parole officials could release an offender after only a fraction of the sentence

had been served. That system has changed dramatically in most states. Mandatory minimum sentences have been enacted for specified crimes; the federal government and fifteen states have established sentencing guidelines to structure judges' discretion; and, several other states have established limitations on parole and other early release policies.<sup>1</sup> Many of these changes were enacted in response to the persistent problem of violent crime, which poses one of the highest rates of health risk for adults in America.<sup>2</sup>

While there is disagreement over the efficacy of some of these changes in sentencing laws, there is widespread agreement that significant reform of past sentencing practices is necessary to achieve greater public safety. The American Bar Association recently revised its proposed standards for criminal sentencing. The new standards call for the creation of an integrated system of sanctions which will reduce unwarranted disparity by guiding sentencing discretion.<sup>3</sup> The Legislature should establish broad policies but create an agency to develop more particular sentencing provisions. The ABA suggests that this function can best be performed by a sentencing commission.<sup>4</sup>

Those who have different perspectives on the types of policies which should be pursued nevertheless agree on three principles: sentencing policy must be balanced between incarceration and non-incarceration alternatives; the system should ensure fairness and the uniformity of application to similar offenders; and, there is a need to devote greater resources to the development of intermediate sanctions.<sup>5</sup>

During the period of change toward more determinate sentencing, correctional jurisdictions across the nation experienced a substantial growth in the population of persons incarcerated. From 1980 to 1994, the number of individuals in federal and state prisons has more than tripled.<sup>6</sup> The Bureau of Justice Statistics, recorded the largest one-year increase in prison population in United States history, during the period ending June 30, 1995.<sup>7</sup> At the end of June, 1995, there were more than 1.5 million adults incarcerated throughout the country.<sup>8</sup> The increase in incarceration has resulted in similar increases in the portion of federal, state, and local budgets devoted to corrections. Corrections spending is now the fastest growing item in state budgets.<sup>9</sup>

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<sup>1</sup> Michael Tonry, *Sentencing Matters* (Oxford University Press, 1996) pp. 4-7.

<sup>2</sup> *The State of Violent Crime in America*, (The Council on Crime in America, 1996), pp. 7-10.

<sup>3</sup> American Bar Association, *ABA Standards for Criminal Justice: Sentencing*, (3rd Edition, 1994) Standards 18-1.3; 18-2.2.

<sup>4</sup> American Bar Association, op. cit., Standards 18-1.3; 18-4.1; 18-4.2.

<sup>5</sup> *The State of Violent Crime in America*, op. cit., pp. 38, 47-49.; *Seeking Justice: Crime and Punishment in America* (Edna McConnell Clark Foundation, 1995), pp. 31, 45; and Tonry, op. cit., pp. 5-7.

<sup>6</sup> *Seeking Justice: Crime And Punishment in America*, op. cit., page 4.

<sup>7</sup> Bureau of Justice Statistics, "Prisoners at Mid-Year 1995", Washington, D.C., 1995.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Seeking Justice: Crime And Punishment in America*, op. cit., p. 8.

Massachusetts has also experienced a steady increase in the number of persons incarcerated in state or county facilities. The incarcerated population has increased from 14,471 inmates in January, 1990, to 21,402 inmates in January, 1996, an increase of 48%.

Much of the impetus for creating a sentencing commission and developing sentencing guidelines in Massachusetts was generated by the Task Force on Justice, a joint enterprise of the Boston Bar Association and the Crime and Justice Foundation, which issued its report on sentencing and corrections in Massachusetts in February, 1991. The Task Force found that:

(S)entencing in Massachusetts is haphazard, confusing, and archaic, with a hodgepodge of options. More importantly, Massachusetts judges are given no guidance on what to consider in sentencing, except for those crimes carrying mandatory penalties. As a result, there is substantial disproportionality in sentences given for various offenses and a lack of uniformity among sentences imposed for the same offense.

The Task Force also noted certain other areas of concern, such as the common law origins of many Massachusetts crimes, with broad sentencing ranges available; the tenuous relationship between the sentence imposed and the time actually served (i.e., the lack of truth in sentencing); the *ad hoc* approach to sentencing reform in recent years; and, the constraints on uniform and proportional sentencing posed by the existence of mandatory sentencing.

In recommending the establishment of a sentencing commission, the Task Force proposed certain principles to be incorporated in the development of sentencing guidelines, such as a consistent theory of sentencing; uniform and proportional penalties; guided judicial discretion; a broad range of sentencing options; and, future monitoring and coordination of sentencing practices and correctional capacity.

These principles were incorporated into the Massachusetts truth-in-sentencing law by the Governor and the Legislature. This legislation has been nationally recognized as a model statute for its comprehensiveness in addressing the issues associated with the establishment of a sentencing commission and the formulation of sentencing guidelines.

## MASSACHUSETTS SENTENCING COMMISSION

The Massachusetts Sentencing Commission was established in April, 1994, by the “truth-in-sentencing” law, Chapter 432 of the Acts of 1993. The provisions creating the commission and establishing its mandates were recently revised and codified as General Law Chapter 211E. The commission consists of fifteen members, including three judges, three prosecutors, and three defense counsel, along with representatives from the Executive Office of Public Safety, the Massachusetts Sheriffs’ Association, the Department of Correction, the Parole Board, the Office of the Commissioner of Probation, and the Victim Witness Assistance Board. This membership group provides broader representation of the interests of the criminal justice community and victims than many other sentencing commissions in the nation. The commission members were appointed in the spring of 1994 and held their first organizational meeting in June, 1994. An executive director and a research director were hired in December, 1994. The Honorable Robert A. Mulligan, Chief Justice of the Superior Court, serves as Chair.

## MISSION

The mission of the Sentencing Commission is to promote truth in sentencing by formulating uniform sentencing policies, developing systematic sentencing guidelines, and integrating intermediate sanctions within the sentencing guidelines. The commission adopted a comprehensive approach in developing these sentencing policies and guidelines with respect to the range of offenses covered and the scope of sanctions included.

## SENTENCING PURPOSE

A clearly articulated perspective on the purpose of sentencing is the necessary foundation for formulating consistent sentencing policies and practices. Over the years, there have been several different sentencing purposes which have emerged as dominant at one period or another. These include punishment, rehabilitation, deterrence, incapacitation, and retribution. Consistent with the truth in sentencing statute, which directs the commission to recommend sentencing policies and practices which “punish the offender justly,” the commission has established **just punishment** as the central purpose of sentencing. Just punishment should be proportional to the gravity of the offense, taking into account the harm done to the victim or to society and the criminal intent of the offender, along with the seriousness of the offender's criminal history. By emphasizing punishment as the primary purpose of sentencing, the commission does not minimize the importance of other purposes such as deterrence, rehabilitation, and incapacitation.

## **GUIDING PRINCIPLES**

In addition to the statement of the purpose of sentencing, the commission also articulated certain principles to guide its deliberations in the development of sentencing policies and guidelines and in the formulation of its recommendations on intermediate sanctions. In setting these guiding principles and a direction for its work, the commission reviewed the experiences with sentencing guidelines in other jurisdictions, sought guidance from national experts, and participated in national conferences on sentencing guidelines and intermediate sanctions. These principles call for an approach to guidelines development which is prescriptive, comprehensive, neutral regarding race and gender, empirical, and which takes into account prison capacity and the integration of intermediate sanctions, as described below.

### **Prescriptive Approach**

There are generally two different ways to develop sentencing guidelines - descriptively or prescriptively. Under the descriptive approach, an effort is made to describe or document existing sentencing practices and to formulate guidelines which will replicate existing practices with respect to sentences imposed and time to serve. Under the prescriptive approach, values and goals associated with sentencing are prescribed and guidelines are developed to achieve these values and goals.

The commission adopted a prescriptive approach to guidelines development and articulated certain values, such as just punishment as the central purpose of sentencing and the integration of intermediate sanctions in the guidelines, and formulated the sentencing guidelines to achieve these values. That is, the sentencing guidelines were not structured in such a manner as to merely reflect existing sentencing practices or to replicate current time served for various offenses. While the commission conducted detailed empirical analyses on existing sentencing patterns and time currently served, the data so derived was used to inform the guidelines development process, not to place constraints on it.

### **Comprehensive Approach**

The commission adopted a comprehensive, system-oriented approach in developing sentencing guidelines. This applied to the range of offenses to be encompassed under the guidelines, as well as to the scope of sanctions, including intermediate sanctions, to be incorporated in the guidelines. The system-oriented approach also reflected the commission's commitment to formulate policies and make decisions in the best interests of the criminal justice system as a whole, rather than any particular component of the system, and, therefore, ultimately in the best interests of society. While it was important for commission members to articulate the perspectives of the

constituencies they represent in commission deliberations, it was also important to balance those particular perspectives with the broader goals and considerations of the justice system in order to best serve the public interest.

### **Prison Capacity**

The commission recognizes that prison space is a scarce and costly resource. Taking direction from the truth in sentencing statute, which directs the commission to recommend policies which "ration correctional capacity," which "afford sufficient correctional capacity to incarcerate violent offenders," and which "prevent the prison population in the commonwealth from exceeding the capacity of the prisons," the commission has taken into account existing and anticipated correctional capacity. This was an important consideration in the commission's deliberations on the length of sentencing ranges.

### **Intermediate Sanctions**

The truth in sentencing statute emphasizes intermediate sanctions as a crucial component of the sentencing guidelines. Accordingly, the commission integrated intermediate sanctions into the sentencing guidelines.

### **Neutrality of Guidelines**

In line with the direction of the truth in sentencing law, the commission established guidelines which are neutral with respect to the race, sex, national origin, creed, religion, and socio-economic status of offenders.

### **Empirical Approach**

The truth in sentencing law also directs that the process of developing the sentencing guidelines and formulating the intermediate sanction recommendations be informed by empirical data. Accordingly, the commission implemented a program of empirical research to generate data on present sentencing practices and time currently being served, and, in conjunction with the National Council on Crime and Delinquency, to develop simulation models to project correctional populations under existing sentencing practices and under the proposed sentencing guidelines. The research information was used to help guide and inform the deliberations of the commission. It was not used merely to emulate existing sentencing practices or replicate current length of time served.

## **DECISION MAKING PROCESS**

### **Committee Structure**

The commission established a committee structure to address the mandates of G.L. c. 211E. While the commission typically met once or twice a month - including several full-day sessions - the committees often met two or three times during a month

between commission meetings. In all, there were twenty-seven meetings of the full commission and seventy meetings of the committees.

The main committees are: Outreach and Education Committee, which coordinated the effort to elicit input from interested parties on the development of the sentencing guidelines and the formulation of intermediate sanctions recommendations; Legislation Committee, which took the lead in the development of the sentencing guidelines and associated sentencing policies; Intermediate Sanctions Committee, which focused on recommendations regarding intermediate sanctions; and, Research Committee, which conducted empirical research on existing sentencing practices and time served and the projections on the impact of the sentencing guidelines on correctional populations.

### **Research Process**

The truth in sentencing legislation mandates that a comprehensive research effort be undertaken in conjunction with the development of the sentencing guidelines so that the commission's decisions and policies will be informed by empirical data within the framework of the prescriptive approach described above.

The research challenges were quite formidable. The study of existing sentencing practices and time currently being served required ground-breaking research utilizing and coordinating diverse databases maintained by the Office of the Commissioner of Probation, the Department of Correction, and Sheriffs' Departments. This research enterprise received excellent cooperation and support from all the relevant criminal justice agencies. The Criminal History Systems Board was particularly helpful in providing computing resources and technical assistance to support the research efforts of the commission.

The commission developed a method to analyze the court disposition data in the automated files of the Office of the Commissioner of Probation. This effort has provided, for the first time, the capability to systematically analyze the rich disposition data in this voluminous database of over 7.5 million records. As a result, the commission was able to construct a database of 97,404 individuals convicted of crimes in the superior and district courts between July 1, 1993, and June 30, 1994. This database served as the basis of the analysis of existing sentencing practices and as the baseline data for the correctional population projections under existing sentencing and under the guidelines.

The commission also worked closely with the Department of Correction and the Massachusetts Sheriffs' Association to compile systematic data on time currently being served for various offenses. This collaboration resulted in the important time served data on 3,452 offenders released from Department of Correction facilities

during 1992 and 1993 and on 5,000 offenders released from four Houses of Correction over the same two-year period.

The commission also collaborated with the Department of Correction, the Parole Board, and consultants from the National Council on Crime and Delinquency (NCCD) on the development of prison population projections utilizing some sophisticated simulation modeling techniques developed by NCCD. This permitted the commission to project the prison population under existing sentencing practices and to project the impact of proposed guidelines on the correctional population. In this way, the commission was able to assess the impact of different sentencing approaches on prison populations in developing the sentencing guidelines.

### **Open Process**

The experience of sentencing commissions in other jurisdictions has indicated that the more open the process, the more successful the guidelines development enterprise. Therefore, in developing sentencing policies and guidelines and in preparing its recommendations on intermediate sanctions, the commission established a process that encouraged as much input as possible from all interested parties.

### **Focus Groups**

As a first step in eliciting input for sentencing guidelines development and intermediate sanctions recommendations, commission members conducted a series of six focus groups with representatives of victims' organizations at various locations in the Commonwealth during November, 1994. Approximately seventy-five victims' organizations were invited to send representatives to these focus group meetings. The victims' insights on sentencing issues proved to be quite valuable for the deliberations of the commission. The notes of these focus groups were compiled into a fifty-page document, with a summary highlighting the major concerns and recommendations of the victim representatives.

Another series of twenty-one focus group sessions was conducted between April and June, 1995, with various constituency groups within and beyond the criminal justice community. Regional focus groups for defense counsel and for prosecutors were held in Boston, Springfield, Worcester, Lowell, and New Bedford. Other focus group sessions were conducted by commission members with such organizations as the Chiefs of Police Association, the Judges' Conference, the Sheriffs' Association, the Department of Correction, the Parole Board and Parole staff, the Chief Probation Officers Association, the Trial Court Domestic Violence Working Group, Inmate Legal Services, the Council for Public Justice, the Crime and Justice Foundation, and the Massachusetts Association of Sentencing Services.



Many valuable insights emerged from these focus groups. The notes from these sessions were compiled for review by commission members. They have proven to be quite helpful for commission deliberations.

### **Presentations at Professional Associations**

In addition to these focus group meetings, commission members have made presentations on commission initiatives during the spring and summer of 1995 at Westfield State College, the Victim Rights Conference in Boston, the International Association of Residential and Community Alternatives (IARCA) Conference at Salve Regina College, the Justice George Lewis Ruffin Society at Northeastern University, and the National Conference of Sentencing Guidelines Commissions in Boston. In the fall of 1995 and the winter of 1996, other presentations were made at the Correctional Association of Massachusetts Conference, the Massachusetts Chiefs of Police Conference, the Council for Public Justice, the Superior Court Judges' Conference, the Superior Court Chief Probation Officers' Meeting, the Victim Witness Assistance Board, the American Society of Criminology, the Massachusetts Office Of Victims Assistance Board Meeting, the Urban Violence Conference, chaired by the Governor and the Attorney General, the Governor's Commission on Domestic Violence, the Massachusetts Bar Association, the Massachusetts District Attorneys' Association Conference, and the Massachusetts Sheriffs' Association Meeting.

### **Public Hearings**

The commission conducted five public hearings across the Commonwealth as follows:

<b>Date</b>	<b>Area</b>	<b>Location</b>
February 27, 1996	Boston	Gardner Auditorium, State House
February 28, 1996	Springfield	Springfield City Hall
February 29, 1996	Worcester	Westboro District Court
March 4, 1996	Lowell	Middlesex Community College
March 6, 1996	Fall River	Bristol Community College

Each public hearing commenced with the commission chair providing a brief overview of the work of the commission in the development of sentencing guidelines and the integration of intermediate sanctions in the guidelines. Then, the floor was open for public testimony.

The public hearings were well attended and the testimony provided many valuable and diverse insights for consideration by the commission.

A total of eighty-nine persons testified, including an Associate Justice of the Supreme Judicial Court, the Governor, the Lieutenant Governor, five District Attorneys, two Sheriffs, two prosecutors, several defense counsel, numerous law enforcement and criminal justice practitioners, victims and victim advocates, ex-offenders, families of inmates, and interested citizens. In addition, considerable written testimony was submitted. The commission reviewed the oral and written recommendations received in the public hearing process and incorporated a number of these recommendations into this final report.

### **Media Outreach**

In conjunction with the public hearings, commission members met with editorial boards of newspapers in the areas where the hearings were held. The purpose was to apprise the editors of the sentencing commission initiatives and to encourage dissemination of information on these initiatives to the public. Also, a concerted effort was made to alert other media outlets of the public hearing schedule.

### **Pilot Project**

A pilot project to test the sentencing guidelines in the superior court was an important part of the guidelines development process. The commission chair introduced the sentencing guidelines as they then existed to superior court judges at their November, 1995 conference. Judges who were interested in participating in the pilot project were asked to refer to the guidelines in the sentencing decision in cases before them. Judges commented on the guidelines and noted any problems encountered in the application of the guidelines. A sentencing form was devised to systematically document the results of the judges' references to the guidelines.

In conjunction with the pilot project, an orientation session on the sentencing guidelines was also conducted by the chair and other commission members for chief probation officers of the superior court. Probation personnel were thereby able to support the pilot project by ranking crimes and compiling criminal history information according to the categories set forth in the guidelines.

Twenty judges participated in the pilot project and submitted sentencing forms on over 200 cases. The judges and probation personnel submitted valuable suggestions on the application of the guidelines - particularly with respect to suggestions for improving the criminal history classification. The commission took these suggestions into account in the process of revising the guidelines.

## SENTENCING GUIDELINES

The development of the sentencing guidelines is at the heart of the mission. The commission began work in this area by formulating a conceptual model as a framework for the guidelines and by articulating a set of values to inform the process of guideline development.

### CONCEPTUAL MODEL

The commission reviewed several guideline models, including the mathematical model presently in use in the Massachusetts Superior Court, the grid-type models used in such states as Minnesota, Washington, Oregon, and North Carolina, and the more intricate model implemented by the U.S. Sentencing Commission. After extensive research and discussion, the commission decided to adopt a grid-type approach as the conceptual model for sentencing guidelines. The sentencing guidelines grid was designed to encompass both felonies and misdemeanors.

### DETERMINING OFFENSE SERIOUSNESS LEVEL

Once the grid model was adopted, a major effort was dedicated to the process of ranking offenses by seriousness. Over 4,000 specific offenses were identified for ranking and were placed into nine levels of seriousness. This was a formidable enterprise, not simply because of the sheer volume of the offenses to be ranked, but also because Massachusetts relies more heavily on the common law in defining crimes than most other states do. The first step was to clarify the values that would guide the ranking process.

#### **Values Underlying Ranking of Offenses**

In line with the prescriptive approach described above, the commission articulated certain values regarding the process of ranking and classifying offenses according to seriousness. First, the commission distinguished between policy-level and case-level considerations in ranking the seriousness of offenses. Policy level considerations refer to such general issues as the behavior and intent of the offender, injury to victim, and vulnerability of victim, while case level considerations refer to more specific aggravating or mitigating factors that would affect sentencing in an individual case. The commission decided to rely more heavily on **policy level considerations** in ranking and classifying offenses. Further articulation of the values relating to degree of harm to victim, vulnerability of victim, and culpability of the offender follows.

*Degree of Harm to Victim.* Three dimensions of the degree of harm to the victim were considered in ranking crimes by seriousness.

(1) Degree of physical harm. A very significant dimension in ranking the seriousness of the offense is the degree of physical harm to the victim.

(2) Degree of risk of physical harm. There are some offenses in which, in the typical case, no physical harm actually occurs, but the risk of such harm can be quite significant - e.g., armed robbery.

(3) Degree of psychological harm. In some cases, the degree of physical harm may not be significant, but the psychological effects may be very serious and long-term.

*Vulnerability of Victim*. For some offenses, the status or vulnerability of the victim was a significant factor in ranking offense seriousness - e.g., offenses against children, elderly, mentally or physically handicapped.

*Culpability of Offender*. The culpability or blameworthiness of the offender was an important consideration in classifying offense seriousness. A key dimension here is the intent of the offender. Certain offenses are characterized by careful planning and premeditation, while others are more spontaneous or "crimes of passion."

Second, in addition to the above policy-level considerations in ranking offenses, the commission also considered the question of whether to use the circumstances of the alleged offense or only the conviction offense in determining offense seriousness for sentencing guidelines purposes. The federal guidelines allow consideration of the circumstances of the alleged offense in determining seriousness - i.e., the practice of so-called "real offense" sentencing. The commission determined to limit consideration to **offense of conviction** in assessing offense seriousness for guideline application purposes.

Third, the commission decided to focus on the "**typical**" offense in an offense category in ranking and classifying seriousness and in setting guideline ranges. Under indeterminate sentencing, the focus has been on the extremes - e.g., the maximum sentence accommodates the "worst case" - with little guidance for sentencing the typical case. The guidelines provide a sentencing range for the typical case, leaving adequate discretion for sentencing beyond the range in atypical cases.

Fourth, the commission determined to strive for **simplicity** in classifying offense seriousness and developing sentencing guidelines, based on the premise that the guidelines should be easy to understand and straightforward to apply, and that

sentencing values and policies should be apparent in the guidelines that are promulgated.

### **Staircasing Certain Crimes**

Because of the common law orientation noted above, Massachusetts tends to have some broadly defined crimes that encompass such a wide range of behavior that it makes it difficult to rank them into a single category on an offense seriousness scale. In contrast, most other states base their crime definitions on the model penal code, which provides for a “staircasing” of offenses according to seriousness. For example, Massachusetts has the broadly defined crime of Assault and Battery by means of a Dangerous Weapon, while the typical penal code state may staircase this offense into three or more specific categories such as Assault and Battery, first degree; Assault and Battery, second degree; Assault and Battery, third degree, etc.

Accordingly, the commission decided to staircase a limited number of crimes into more than one level of seriousness. Again, using Assault and Battery by means of a Dangerous Weapon as an example, the commission has staircased this offense into three offense seriousness levels according to the degree of injury to the victim as follows:

#### *Level 3 - No Injury, Minor Injury*

Minor injury includes: injuries which require some emergency treatment, such as lacerations, contusions, or abrasions, which have no residual effect; concussions without lasting neurological impact; physical injuries that are painful and obvious but not in any way disabling; and minimal, psychological trauma without lasting effect.

#### *Level 4 - Moderate Injury*

Moderate injury includes: injuries which involve extreme physical pain and some discernible disability or loss of function of some body member, organ, or mental faculty, such as fractures, internal injuries or wounds which are serious but not life threatening; and, psychological trauma that results in some temporary or partial disability.

#### *Level 6 - Significant Injury*

Significant injury includes: injuries which are characterized by a protracted period of total disability or long term impairment of function, loss of function of any body members, organ, or mental faculty; injuries, not necessarily permanently disabling, which require

long term medical care or rehabilitative therapy; injuries which involve a gross disfigurement; and, injuries which result in a permanent residual disability or loss of function to a significant degree.

In order to be consistent with the principle of simplicity in guideline development, the commission decided to limit staircasing to those crimes which include a wide range of behavior. Accordingly, in addition to Assault and Battery by means of a Dangerous Weapon, the commission staircased the crimes of Manslaughter (voluntary/involuntary), Armed Robbery (display of gun/no display of gun), property crimes (according to value of property lost), and Breaking and Entering (dwelling/non-dwelling).

### **Ranking Misdemeanors**

In ranking misdemeanors according to offense seriousness, the following procedure was used. First, person misdemeanors - e.g., Assault & Battery - were ranked at level 3. Then, non-person misdemeanors were ranked at level 2 or 1 on the basis of the maximum sentence by statute as follows:

<u><b>Guidelines Level</b></u>	<u><b>Maximum Statutory Penalty</b></u>
Level 2	More than 6 months up to and including 2 1/2 years
Level 1	Incarceration up to and including 6 months

The resulting classification of misdemeanors was then reviewed on a case-by-case basis and adjustments were made as appropriate.

### **Master Crime List**

This process of ranking crimes according to seriousness resulted in a Master Crime List of over 2,200 crimes classified in nine levels of seriousness. Those offenses with penalties other than incarceration were not included on the list. The Master Crime List is presented in Appendix A.

## **DETERMINING CRIMINAL HISTORY**

Two models for measuring criminal history emerged from a review of grid-type sentencing guidelines in other jurisdictions - a "numerical" model and a "type of offender" model.

*"Numerical" model.* Under the "numerical" model, criminal history scores are calculated which measure the number and seriousness of prior convictions. Prior convictions are typically weighted according to their severity, and the weighted scores for each conviction are added to derive the offender's criminal history score. Cut-off

points are used to establish criminal history categories of increasing seriousness - typically ranging from five to ten categories.

*"Type of offender" model.* Under the "type of offender" model, the criminal history categories do not depend so much on numerical scores or mathematical calculations, but, rather, focus on offenders with different types of records - e.g., serious violent record, violent or repetitive record, minor record.

The commission decided upon the **type of offender model** for classifying criminal history. This model is more consistent with the principle of simplicity in developing sentencing guidelines. It also provides more homogeneous criminal history categories with respect to types of offenders, thereby allowing for more "descriptive" categories - e.g., offenders with serious violent records - and for targeting certain offender types for particular sanctions.

With respect to violent and other serious offenders, there was a consensus that the sentencing ranges should escalate more sharply as these offenders reach the more serious criminal history categories on the sentencing grid.

Using the type of offender model, the commission established five criminal history groups on the horizontal axis of the grid as follows:

<b>Group</b>	<b>Description</b>
<b>E</b>	<b>Serious Violent Record</b> Two or more prior convictions for offenses in level 7 through 9.
<b>D</b>	<b>Violent or Repetitive Record</b> One prior conviction for offenses in levels 7 through 9; or, Two or more prior convictions for offenses in levels 5 or 6; or, Six or more prior convictions in levels 3 or 4.
<b>C</b>	<b>Serious Record</b> One prior conviction for offenses at levels 5 or 6; or, Three to five prior convictions for offenses in levels 3 or 4.

**B Moderate Record**

One or two prior convictions for offenses in 3 or 4; or,  
Six or more prior convictions for offenses in levels 1 or 2.

**A No/Minor Record**

One to five prior convictions for offenses in levels 1 or 2; or,  
No prior convictions of any kind.

**Incident-Based Criminal History**

In determining the criminal history placement on the sentencing grid, an incident-based approach was adopted - i.e., multiple prior convictions emanating from the same incident should be counted as one prior conviction, based on the most serious offense. Generally, this means that multiple prior convictions that have the same arraignment date should be counted as one prior conviction, based on the most serious offense. However, since it is possible that an offender may be arraigned for offenses representing separate incidents on the same day, the principle of incident based criminal history includes a rebuttable presumption that multiple prior convictions that have the same arraignment date should be counted as one prior conviction, except that:

- multiple convictions with the same arraignment date may each be counted for purposes of criminal history placement on the sentencing grid where the court is satisfied that each such conviction represents a separate incident; and,
- multiple convictions with different arraignment dates may be counted as a single conviction for purposes of criminal history placement on the sentencing grid where the court is satisfied that each such conviction represents a single incident.

**Juvenile Record**

Adjudications of delinquency for past offenses classified in offense seriousness levels 7 through 9 on the grid shall be considered as convictions of the offenses involved and counted for purposes of criminal history placement on the sentencing grid. Adjudications of delinquency for past offenses classified in levels 7 through 9 on the sentencing grid will not lapse - i.e., they will always be counted for purposes of criminal history placement on the sentencing grid. Adjudications of delinquency for offenses classified below level 7 shall not be counted for purposes of criminal history placement on the grid, but such adjudications may be considered as aggravating factors for departure from the guideline range.



### **Federal and Out-of-State Criminal Records**

Prior convictions in federal and other state jurisdictions shall be counted for criminal history purposes. To the extent possible, the offense of prior conviction should be assigned to the same offense seriousness level as the equivalent Massachusetts offense in the Master Crime List. Where there is not a clear match between the out-of-state offense and the offenses on the Master Crime List, the prior conviction should be assigned to the lower offense seriousness level from the Master Crime List.

### **Second and Subsequent Convictions of Certain Offenses**

There are certain offenses - e.g., Aggravated Rape, Home Invasion - for which the statute sets forth a more severe penalty upon a second or subsequent conviction. In these cases the guidelines call for the offender to be elevated one level on the offense seriousness scale for determining the appropriate guideline range. If the offense is already at level 8 and cannot be elevated one level, the guideline calls for the offender to be moved over one cell to the right - i.e., in the direction of the more serious criminal history - for determining the appropriate guideline range.

## **DETERMINING THE SENTENCE**

### **Identifying the Offense Seriousness Level**

The offense seriousness level for each offense of conviction may be determined from the Master Crime List. Where offenses are staircased (i.e., appearing in more than one level on the grid), the appropriate level may be determined by taking into account such factors as the degree of injury to the victim (Assault and Battery by means of a Dangerous Weapon); the value of property lost (Larceny); or, the display of a gun (Armed Robbery). Where there are convictions of multiple offenses, the most serious offense according to the ranking in the Master Crime List shall represent the governing offense for sentencing purposes. The only exception to this rule may arise in the context of sentencing for a violation of G.L. c. 94C, § 32J (school or park zone) which must run consecutively to the underlying drug offense without regard to the offense seriousness level of that underlying offense.

### **Identifying the Criminal History Group**

Applying the incident-based approach to criminal history, there is a rebuttable presumption to count multiple convictions for offenses that have the same arraignment date as one prior conviction of the most serious offense. For prior convictions of staircased offenses, there is a rebuttable presumption to count the prior conviction in the lower(est) staircased level for that offense in the Master Crime List. Adjudications of delinquency for crimes in levels 7 through 9 shall be counted as prior convictions for determining the criminal history placement on the grid. Based on these considerations, the number and types of prior convictions should be assessed

to determine the appropriate criminal history classification for the offender according to Criminal History Groups A through E, described above.

### **Locating the Appropriate Sentencing Guideline Cell on the Grid**

The appropriate sentencing guideline range for the offense/offender may be determined by identifying that cell on the grid which represents the intersection of the seriousness level of the governing offense (vertical axis) and the classification of the criminal history (horizontal axis). The sentencing range in that cell on the grid represents the range from which the maximum, or Not More Than (NMT), sentence is selected.

### **Sentencing within the Guideline Range**

The sentencing judge imposes a sentence within the guideline range by selecting the maximum (NMT) sentence from within the guideline range of the appropriate cell on the sentencing grid. The minimum, or Not Less Than (NLT), sentence will always be two-thirds of the maximum sentence and establishes the initial parole eligibility date. This applies to sentences to houses of correction and sentences to the state prison. If the maximum (NMT) sentence is selected from the appropriate sentencing range on the grid, the sentence will be within the guidelines and no explanation is necessary.

### **Departing from the Guideline Range**

The sentencing judge may impose a sentence below or above the guideline range by setting forth in writing reasons for departing from that range on a sentencing statement, giving the “facts, circumstances, evidence, opinions and any other matters considered” (G.L. c. 211E, § 3(h)). Any departure must be based on a finding that one or more mitigating or aggravating circumstances exist. In imposing a sentence of incarceration that departs from the guideline range, the NLT sentence shall be two-thirds of the NMT sentence. Also, a sentence that departs below the guideline range may include a sentence to an intermediate sanction.

Departures for offenses with mandatory minimum sentences are discussed in a subsequent section.

The commission has established non-exclusive aggravating and mitigating circumstances to guide the sentencing judge. The presence of any such circumstance may warrant departure in the discretion of the sentencing judge. In determining mitigation or aggravation, the sentencing judge shall consider:

1. any evidence received during the proceedings;
2. any presentence report, when the judge requests one; and,
3. any other information that the court finds trustworthy and reliable.

The sentencing judge is not required to conduct an evidentiary hearing in determining aggravating or mitigating factors.

The non-exclusive list of mitigating and aggravating factors established by the commission is as follows:

*Mitigating Circumstances*

1. The defendant was a minor participant in the criminal conduct.
2. The defendant was suffering from a mental or physical condition that significantly reduced his culpability for the offense.
3. The victim was an initiator, aggressor, or provoker of the offense.
4. The sentence was imposed in accordance with a jointly agreed recommendation.
5. The age of the defendant at the time of the offense.
6. The defendant verifies current involvement in, or successful completion of, a substance abuse or other treatment program that began after the date of the offense.

*Aggravating Circumstances*

The victim was especially vulnerable due to age or physical or mental disability.

The victim was treated with particular cruelty.

The defendant used position or status to facilitate commission of the offense, such as a position of trust, confidence or fiduciary relationship.

The defendant was a leader in the commission of an offense involving two or more criminal actors.

The defendant committed the offense while on probation, on parole, or during escape.

The defendant has committed repeated offenses against the same victim.

**Concurrent or Consecutive Sentencing**

When a defendant is convicted on multiple complaints, indictments, or counts, the governing offense is that crime in the highest level of seriousness pursuant to the guidelines grid and should be considered the offense associated with the base sentence. (The only exception to this rule may arise in the context of sentencing for a violation of G.L. c. 94C, § 32J (school or park zone) which must run consecutively to the underlying drug offense without regard to the offense seriousness level of that underlying offense.) Further, when a defendant is convicted on multiple complaints,

indictments, or counts, the court may impose either concurrent or consecutive sentences. Consecutive sentences from and after the base sentence are permitted and do not constitute a departure subject to the following provision.

A judge may impose consecutive sentences up to twice the upper limit of the guideline range of the governing offense. That is, the aggregate of the consecutive sentences may go up to twice the upper limit of the guideline range in the cell in which the defendant falls for the governing sentence. If the aggregate sentence exceeds twice that upper limit, it is considered a departure and written reasons are required. **The existence of multiple victims is recognized as an appropriate aggravating circumstance which would support such a departure.** This limitation on consecutive sentences applies only to consecutive sentences to the state prison. There is no such limit on consecutive sentences to houses of correction.

The defendant's criminal history may be considered for each consecutive sentence determined by the applicable cell in the Criminal History Column. Where consecutive sentences are imposed at the same time for multiple offenses or for offenses arising from the same incident, the court may impose any consecutive sentence within or below the applicable range including intermediate sanctions. Such a consecutive sentence below the guideline range, including intermediate sanctions, does not constitute a departure.

In imposing a concurrent sentence, a judge may base the sentence upon the guideline range of the applicable criminal history cell for that defendant, or impose any sentence below that guideline range without it being considered a departure.

It is the intention of the commission that this policy should be neutral with respect to the imposition of consecutive sentences. The commission neither encourages nor discourages the imposition of consecutive sentences.

### **Sentencing for Offenses with Mandatory Minimum Sentences**

G. L. c. 211E permits the commission to go below existing mandatory minimum terms (and to go above existing statutory maximum terms) in developing sentencing guideline ranges. Under Chapter 432, the commission was not authorized to propose any guideline ranges that were below existing mandatory minimum terms. However, Chapter 432 did allow a judge to impose a sentence below the mandatory minimum term, once the guidelines went into effect, as long as the judge provided a written reason for doing so. This requirement that a judge provide a written reason for sentencing below a mandatory minimum term remained in G.L. c. 211E. The new feature is the authorization for the commission to incorporate offenses with mandatory sentences into the sentencing guideline grid.

There are three general categories of offenses with mandatory minimum sentences that the commission considered under the new statutory provision - Firearms offenses, OUI offenses, and Drug offenses. The commission took a somewhat different approach to each of these categories.

*Firearms offenses.* The commission has taken the position that no departures below the mandatory minimum sentences for firearms offenses should be permitted. Further, because of the constraints associated with the mandatory sentences, the commission has not integrated the mandatory firearms offenses into the guidelines grid. Rather, the commission has established sentencing guidelines for mandatory firearms offenses which mirror the mandatory sentencing provisions of the existing statute. Accordingly, even though the sentencing judge is required to give a minimum and a maximum sentence, the minimum sentence need not be two-thirds of the maximum, as it must be when sentencing under the guidelines. For purposes of determining criminal history relating to prior mandatory firearms convictions, Table 2 provides the offense level corresponding to the grid for each firearms crime with a mandatory minimum sentence.

*OUI offenses.* The commission reviewed the current mandatory OUI law (G.L. c. 90, § 24) and found that the sentencing provisions of the statute are reasonable and appropriate. Consequently, the commission decided not to establish sentencing ranges for these offenses. Accordingly, even though the sentencing judge is required to give a minimum and a maximum sentence, the minimum sentence need not be two-thirds of the maximum, as it must be when sentencing under the guidelines. Other than the departures enumerated below, the commission decided that no departures from the sentencing provisions of the statute be permitted.

The OUI law provides for a residential alcohol treatment program of not less than 14 days as a condition of probation for the second OUI offender as an alternative to the mandatory sentence under certain circumstances. The commission acknowledged this statutory provision and incorporated an intermediate sanction option into the sentencing guidelines for the second OUI offender to accommodate the use of such a program.

The OUI law also provides for the commission to “promulgate” intermediate sanctions for repeat drunk drivers, including those drunk drivers with four or more prior OUI convictions. While the commission was averse to propose intermediate sanctions for those with several prior OUI convictions, the commission acknowledged that the notion of a long term residential alcohol treatment program geared to the repeat OUI offender may have some merit. Accordingly, the commission determined that long term residential alcohol treatment programs, approved by the Office of Community Corrections, should be available as intermediate sanctions for OUI

offenders up to the third OUI conviction. No other departures below the mandatory minimum sentences for OUI offenses shall be permitted. Accordingly, the sentencing guidelines for mandatory OUI offenses reflect these considerations as follows:

There shall be no departures below the mandatory minimum sentences for OUI offenses, except that:

- pursuant to G.L. c. 90, § 24 a judge may sentence a second OUI offender to a residential alcohol treatment program of not less than 14 days as a condition of probation as an alternative to the mandatory sentence under certain circumstances; and,
- a judge may sentence an OUI offender to a long term residential alcohol treatment program, approved by the Office of Community Corrections, as an intermediate sanction up to the third OUI conviction.

For purposes of determining criminal history relating to prior mandatory OUI convictions, Table 2 provides the offense level corresponding to the grid for each OUI crime with a mandatory minimum sentence.

*Drug offenses.* Unlike its approach to mandatory firearms and OUI offenses, the commission decided to integrate the mandatory drug offenses into the guidelines grid. By integrating these drug crimes into the sentencing guidelines ranges with other crimes, the commission sought to adopt a more comprehensive approach to the development of sentencing guidelines, thereby producing guidelines that will encourage more uniform and more proportional sentencing in the Commonwealth.

The commission began with the most serious drug offenses - i.e., those trafficking crimes with 15 year mandatory minimum sentences - and integrated them into level 8, the highest level of offense seriousness on the grid (short of murder). Drug offenses with mandatory minimum terms of 7 years and 10 years were integrated at level 7. The following table provides a summary of the manner in which the mandatory drug crimes were integrated into the sentencing grid.

**Table 1 Integration of Mandatory Drug Crimes into the Sentencing Grid**

<u>Existing Mandatory Minimum Sentence</u>	<u>Level Integrated on Sentencing Grid</u>
15 years	8
7 & 10 years	7
5 years	6
2 & 3 years*	5
1 year	4

\*There is an exception at this level. School and park zone cases under G.L. c. 94C, § 32J, which have a two year mandatory minimum term and a statutory maximum of 15 years, were integrated at level 4. When sentencing an offender under G.L. c. 94C, § 32J, the sentence shall run consecutively to the underlying violation of the Controlled Substances Act without regard to the offense seriousness level of the underlying offense.

A judge is required to provide written reasons for going below a mandatory minimum term even though the judge may be imposing sentence that is within the guideline range. The commission decided to make the standard for going below the mandatory minimum term more stringent than the ordinary standard for departure from a guideline range. Accordingly, the commission adopted the policy that a departure below a mandatory minimum sentence for drug crimes is not permitted unless the defendant has no prior conviction for a drug trafficking offense at level 7 or 8 and the sentencing judge finds one or more mitigating circumstances that should result in a sentence different from the mandatory minimum sentence.

The commission decided to allow limited departures below the guideline range in exceptional circumstances, where the defendant does not have a serious record and where there are compelling reasons for departing below the guideline range. Specifically, a judge may impose a sentence below the guideline range in this context, provided that:

- the criminal history of the defendant falls in category A or B; and,
- there is a compelling reason beyond the mitigating circumstance(s) that justified the departure below the mandatory minimum sentence that should result in a sentence below the guideline range.

The commission also clarified the drug offender's status regarding parole eligibility, earned good time, work release, and other pre-release programs in those circumstances where a judge departs below the mandatory minimum sentence. The commission decided that if the judge departs below the mandatory minimum sentence

and imposes a sentence within the guideline range, the minimum sentence shall be two-thirds of the maximum sentence selected from within the guideline range, and the defendant shall be eligible for parole at the minimum sentence. Similarly, if the judge departs below the mandatory minimum sentence and imposes a sentence within the guideline range, the defendant shall be eligible for earned good time, work release, and other pre-release programs deemed appropriate by the correctional authority with custody responsibility, notwithstanding G.L. c. 94C, § 32H. These provisions are also applicable in those circumstances where a judge departs below the guideline range.

On the other hand, if the judge does **not** depart from the mandatory minimum sentence and imposes a sentence under the mandatory sentencing provisions, the minimum sentence need not be two-thirds of the maximum, and the defendant shall not be eligible for parole, earned good time, work release, or other pre-release programs until he has served the mandatory minimum sentence, pursuant to G.L. c. 94C, § 32H.

*Other mandatory minimum crimes.* The commission also identified 22 other crimes that carry mandatory minimum sentences - i.e., a mandatory sentence with no option for a sentence to be suspended, placed on file, etc. - e.g., M.V. Homicide, OUI and Reckless. The commission determined that there shall be no departures below the mandatory minimum sentence for these crimes.

*Other statutory minimum crimes.* The commission identified a number of other crimes for which the statute requires a minimum sentence if a sentence to incarceration is imposed. (The sentence to incarceration itself is not mandatory - e.g., Home Invasion, Armed Burglary.) For these types of crimes, the commission determined that it will not be considered a departure for the judge to impose a sentence within the guideline range, even though the sentence may be below the statutory minimum term. On the other hand, if the statutory minimum term exceeds the guideline range, the imposition of the statutory minimum shall not constitute a departure.

*Retaining the maximum term.* As noted above, G.L. c. 211E permits the commission to exceed the statutory maximum in developing sentencing guideline ranges. Notwithstanding this provision, the commission determined that no sentence selected by a judge shall exceed the statutory maximum.

### **Accommodating District Court Jurisdiction**

Occasionally, it may happen that a defendant in the district court falls into a cell on the grid where the guideline range exceeds the district court sentencing jurisdiction. For example, a defendant convicted of Assault & Battery by means of a Dangerous



Weapon (Significant Injury) with no prior record would fall into cell 6A, which has a guideline range of 40 to 60 months - beyond the district court sentencing jurisdiction. In such cases, the commission has determined that the guideline range shall revert to an incarceration zone range of 20 to 30 months and it shall not constitute a departure for a district court judge to impose a sentence of incarceration from within the 20 to 30 month range.

### **Summary of Sentencing Guideline Development**

The grid-type model which the commission adopted is based on a matrix with offenses classified on the vertical axis according to seriousness and criminal history classified on the horizontal axis according to severity. Within each cell in the matrix, the commission established a target sentence. Where the target sentence is two years or greater, as required by G.L. c. 211E, the guideline range is plus and minus 20% of the target sentence. For example, if the target sentence is 10 years, i.e., 120 months, for a particular offense at a given category of criminal history, the sentencing range would be 8 to 12 years, i.e., 96 to 144 months. Although the range appears in the cells on the grid, the target sentence itself is not presented on the grid. Ordinarily, a judge would impose a sentence within the range, but where there are aggravating or mitigating circumstances, the judge may depart from the range with the requirement that the judge set forth in writing the reasons for departure.

The critical process of establishing the target sentences and the sentencing ranges on the grid was guided by the prescriptive approach described above and informed by empirical data. Commission members began by independently indicating what they considered to be the appropriate time to serve for each cell on the offense/criminal history grid. They also indicated which cells were appropriate to encompass intermediate sanctions. Empirical data on existing sentencing practices and time served were available as a frame of reference for setting target sentences. The empirical data not only indicated the anticipated number of convicted offenders in each cell, but also the number and percentages of sentences that would fall within, below, and above the proposed sentencing ranges of the cell if the guideline ranges were applied to sentences presently being imposed. Finally, a projection of the impact of the guideline range for each cell on the correctional population was calculated. Thus, the commission employed a prescriptive approach, informed by empirical data, in developing the sentencing guideline ranges.

As will be discussed more fully in the following section on intermediate sanctions, in order to facilitate the integration of intermediate sanctions into the sentencing guidelines, the commission incorporated three “zones” into the sentencing guidelines grid - an incarceration zone, where the sentencing ranges would call for a period of incarceration; an intermediate sanctions zone, where the sentencing ranges would call for an intermediate sanction; and, a discretionary zone, where the sentencing ranges

would include both a period of incarceration and an intermediate sanction option to be selected at the discretion of the judge. The commission also adopted the notion of a continuum of four levels of intermediate sanctions, based on the constraints on personal liberty associated with the sanction.

# Sentencing Guidelines Grid

Level	Illustrative Offense	Sentence Range				
9	Murder	Life	Life	Life	Life	Life
8	Manslaughter (Voluntary) Rape of Child with Force Aggravated Rape Armed Burglary	96 - 144 Mos.	108 - 162 Mos.	120 - 180 Mos.	144 - 216 Mos.	204 - 306 Mos.
7	Armed Robbery (Gun) Rape Mayhem	60 - 90 Mos.	68 - 102 Mos.	84 - 126 Mos.	108 - 162 Mos.	160 - 240 Mos.
6	Manslaughter (Involuntary) Armed Robbery (No gun) A&B DW (Significant injury)	40 - 60 Mos.	45 - 67 Mos.	50 - 75 Mos.	60 - 90 Mos.	80 - 120 Mos.
5	Unarmed Robbery Stalking In Violation of Order Unarmed Burglary Larceny (\$50,000 and over)	12 - 36 Mos. IS-IV IS-III IS-II	24 - 36 Mos. IS-IV IS-III IS-II	36 - 54 Mos.	48 - 72 Mos.	60 - 90 Mos.
4	Larceny From a Person A&B DW (Moderate injury) B&E (Dwelling) Larceny (\$10,000 to \$50,000)	0 - 24 Mos. IS-IV IS-III IS-II	3 - 30 Mos. IS-IV IS-III IS-II	6 - 30 Mos. IS-IV IS-III IS-II	20 - 30 Mos.	24 - 36 Mos.
3	A&B DW (No or minor injury) B&E (Not dwelling) Larceny (\$250 to \$10,000)	0 - 12 Mos. IS-IV IS-III IS-II IS-I	0 - 15 Mos. IS-IV IS-III IS-II IS-I	0 - 18 Mos. IS-IV IS-III IS-II IS-I	0 - 24 Mos. IS-IV IS-III IS-II	6 - 24 Mos. IS-IV IS-III IS-II
2	Assault Larceny Under \$250	IS-III IS-II IS-I	0 - 6 Mos. IS-III IS-II IS-I	0 - 6 Mos. IS-III IS-II IS-I	0 - 9 Mos. IS-IV IS-III IS-II IS-I	0 - 12 Mos. IS-IV IS-III IS-II IS-I
1	Operating Aft Suspended Lic Disorderly Conduct Vandalism	IS-II IS-I	IS-III IS-II IS-I	IS-III IS-II IS-I	0 - 3 Mos. IS-IV IS-III IS-II IS-I	0 - 6 Mos. IS-IV IS-III IS-II IS-I
Criminal History Scale		A No/Minor Record	B Moderate Record	C Serious Record	D Violent or Repetitive	E Serious Violent

Sentencing Zones

	Incarceration Zone
	Discretionary Zone (incarceration/intermediate sanction)
	Intermediate Sanction Zone

Intermediate Sanctions Levels

IS-IV	24-Hour Restriction
IS-III	Daily Accountability
IS-II	Standard Supervision
IS-I	Financial Accountability

The numbers in each cell represent the range from which the judge selects the maximum sentence (Not More Than);  
The minimum sentence (Not Less Than) is 2/3rds of the maximum sentence and constitutes the initial parole eligibility date.



## **Massachusetts Sentencing Commission**

### **Criminal History Groups**

- E            Serious Violent Record**  
Two or more prior convictions for offenses in level 7 through 9
- D            Violent or Repetitive Record**  
One prior conviction for offenses in levels 7 through 9, or  
Two or more prior convictions for offenses in levels 5 or 6, or  
Six or more prior convictions in levels 3 or 4
- C            Serious Record**  
One prior conviction for offenses at levels 5 or 6, or  
Three to five prior convictions for offenses in levels 3 or 4
- B            Moderate Record**  
One or two prior convictions for offenses in 3 or 4, or  
Six or more prior convictions for offenses in levels 1 or 2
- A            No/Minor Record**  
One to five prior convictions for offenses in levels 1 or 2, or  
No prior convictions of any kind

**Table 2 Firearms and OUI Offenses Not Placed on Grid, Criminal History Equivalencies**

MGL	Offense Literal	Criminal History Equivalency	Penalty Type	Mandatory Time	Minimum H/C	Maximum H/C	Minimum Prison	Maximum Prison
<b>Firearms Related Offenses</b>								
269/10(d)	DANGEROUS WEAPON, CARRY, 4TH OFF. c269 _10 (d)	8	Felony	10 years			10 years	15 years
269/10(d)	FIREARM, CARRY W/O LICENSE, 4TH OFF. c269 _10(d)	8	Felony	10 years			10 years	15 years
269/10(d)	MACHINE GUN, POSSESS, 4TH OFF. c269 _10 (d)	8	Felony	10 years			10 years	15 years
269/10(d)	SHOTGUN, POSSESS SAWED-OFF, 4TH OFF. c269 _10 (d)	8	Felony	10 years			10 years	15 years
269/10E	FIREARMS, TRAFFICKING IN +19 c269 _10E	8	Felony	10 years			10 years	Life
269/10(d)	DANGEROUS WEAPON, CARRY, 3RD OFF. c269 _10 (d)	7	Felony	7 years			7 years	10 years
269/10(d)	FIREARM, CARRY W/O LICENSE, 3RD OFF. c269 _10 (d)	7	Felony	7 years			7 years	10 years
269/10(d)	MACHINE GUN, POSSESS, 3RD OFF. c269 _10 (d)	7	Felony	7 years			7 years	10 years
269/10(d)	SHOTGUN, POSSESS SAWED-OFF, 3RD OFF. c269 _10 (d)	7	Felony	7 years			7 years	10 years
269/10(d)	DANGEROUS WEAPON, CARRY, 2ND OFF. c269 _10 (d)	6	Felony	5 years			5 years	7 years
269/10(d)	FIREARM, CARRY W/O LICENSE, 2ND OFF. c269 _10 (d)	6	Felony	5 years			5 years	7 years
269/10(d)	MACHINE GUN, POSSESS, 2ND OFF. c269 _10 (d)	6	Felony	5 years			5 years	7 years
269/10(d)	SHOTGUN, POSSESS SAWED-OFF, 2ND OFF. c269 _10 (d)	6	Felony	5 years			5 years	7 years
269/10E	FIREARMS, TRAFFICKING IN 10-19 c269 _10E	6	Felony	5 years			5 years	10 years
269/10(c)	MACHINE GUN, POSSESS c269 _10 (c)	5	Felony	1 year	1 year	2 1/2 years		Life
269/10(c)	SHOTGUN, POSSESS SAWED-OFF c269 _10 (c)	5	Felony	1 year	1 year	2 1/2 years		Life
269/10E	FIREARMS, TRAFFICKING IN 3-9 c269 _10E	5	Felony	3 years			3 years	10 years
269/10(a)	FIREARM, CARRY W/O LICENSE c269 _10 (a)	4	Felony	1 year	1 year	2 1/2 years	2 1/2 years	5 years
<b>OUI (Motor Vehicle and Boat) Related Offenses</b>								
90/24	OUI DRUGS, 5TH OFFENSE c90 _24	4	Felony	24 Months	2 1/2 years	2 1/2 years	2 1/2 years	5 years
90/24	OUI LIQUOR, 5TH OFFENSE c90 _24	4	Felony	24 Months	2 1/2 years	2 1/2 years	2 1/2 years	5 years
90B/8	BOAT OUI DRUGS, 5TH OFFENSE c90B _8 (A)	4	Felony	2 years	2 years	2 1/2 years	2 1/2 years	10 years
90B/8	BOAT OUI LIQUOR, 5TH OFFENSE c90B _8 (A)	4	Felony	2 years	2 years	2 1/2 years	2 1/2 years	10 years
90/24	OUI DRUGS, 4TH OFFENSE c90 _24	4	Felony	12 Months	24 months	2 1/2 years	2 1/2 years	5 years
90/24	OUI LIQUOR, 4TH OFFENSE c90 _24	4	Felony	12 Months	24 months	2 1/2 years	2 1/2 years	5 years
90B/8	BOAT OUI DRUGS, 4TH OFFENSE c90B _8 (A)	4	Felony	1 year	1 year	2 1/2 years	2 1/2 years	10 years
90B/8	BOAT OUI LIQUOR, 4TH OFFENSE c90B _8 (A)	4	Felony	1 year	1 year	2 1/2 years	2 1/2 years	10 years
90/24	OUI DRUGS, 3RD OFFENSE c90 _24	3	Felony	150 Days	180 days	2 1/2 years	2 1/2 years	5 years
90/24	OUI LIQUOR, 3RD OFFENSE c90 _24	3	Felony	150 Days	180 days	2 1/2 years	2 1/2 years	5 years
90B/8	BOAT OUI DRUGS, 3RD OFFENSE c90B _8 (A)	3	Misd.	180 days	6 months	2 1/2 years		
90B/8	BOAT OUI LIQUOR, 3RD OFFENSE c90B _8 (A)	3	Misd.	180 days	6 months	2 1/2 years		
90/23	LICENSE SUSPENDED FOR OUI, OPER MV WITH c90 _23	2	Misd.	60 days	60 days	2 1/2 years		
90/24	OUI LIQUOR, 2ND OFFENSE c90 _24	2	Misd.	30 Days	60 days	2 1/2 years		
90/24	OUI DRUGS, 2ND OFFENSE c90 _24	2	Misd.	30 Days	60 days	2 1/2 years		
90B/8	BOAT OUI DRUGS, 2ND OFFENSE c90B _8 (A)	2	Misd.	14 days	14 days	2 1/2 years		
90B/8	BOAT OUI LIQUOR, 2ND OFFENSE c90B _8 (A)	2	Misd.	14 days	14 days	2 1/2 years		
90/24	OUI LIQUOR c90 _24	2	Misd.			2 1/2 years		
90/24	OUI DRUGS c90 _24	2	Misd.			2 1/2 years		
90B/8	BOAT OUI DRUGS c90B _8 (A)	2	Misd.			2 1/2 years		
90B/8	BOAT OUI LIQUOR c90B _8 (A)	2	Misd.			2 1/2 years		

## **FINANCIAL SANCTIONS**

The commission recognizes the importance of restitution to the victim as a means of restoring the victim and of holding the offender accountable. When appropriate, a judge should order fines or restitution or both as part of an offender's sentence. Financial sanctions can be ordered by the court at any level and without regard to whether or not the offender is incarcerated. The guidelines are not intended to supersede the court's ability to issue fines, fees, or restitution when appropriate.

## **RIGHT OF APPEAL**

As provided in G.L. c. 211E, § (4), the defendant and the commonwealth have limited rights to appeal a sentence to the appeals court. It is the recommendation of the commission that, when the sentencing guidelines are enacted, the provisions of G.L. c. 278, § 28B for appeal to the appellate division of the superior court should not apply to sentences under the guidelines. However, for any sentence imposed prior to the effective date of the guidelines, the provisions of G.L. c. 278, § 28A and B, shall apply.

## **RECORDING OF SENTENCE**

### **Sentencing Statements**

G.L. c. 211E directs the Chief Justice for Administration and Management, in consultation with the commission, to promulgate the form for a sentencing statement, conforming to the sentencing guidelines, for use by judges in imposing a sentence under the guidelines. The statute requires this sentencing statement to be submitted by the court to the commission to be used as a basis for an analysis of sentencing patterns under the guidelines. The commission has drafted separate sentencing forms for the superior courts and the district courts for review by the Chief Justice for Administration and Management. The district court form was customized to accommodate the higher volume of cases and the different jurisdictional issues of district courts. The sentencing forms are presented in Appendix C.

### **Court Automation/Information Keeping**

The Chief Justice for Administration and Management has embarked on an ambitious information technology initiative to automate the records of the Trial Court. The commission recommends that the sentencing statement be incorporated into this automation project so that the relevant sentencing information can be transmitted electronically from the courts to the commission. Similarly, the commission recommends that the structure of the CARI file maintained by the Office of the

Commissioner of Probation be modified to include the offense seriousness level and criminal history group of the sentencing guideline grid so that this information will also be available electronically for analysis of sentencing patterns.

## **SPLIT SENTENCES**

Chapter 432 eliminated the split sentence to the state prison, effective July 1, 1994. As provided by G.L. c. 211E, § 3 (a)(2), once the sentencing guidelines have been adopted, the split sentence to houses of correction will also be eliminated. The commission found widespread and consistent support for the split sentence at focus group meetings and public hearings. The split sentence was endorsed by judges, prosecutors, defense counsel, and virtually all other criminal justice practitioners who appeared before the commission. The split sentence has the advantage of allowing a judge to impose a period of incarceration followed by an extended period of probation. It is the type of sentence that is particularly appropriate for the substance abusing offender, and, in this regard, the commission received a strong recommendation from the Supreme Judicial Court Substance Abuse Task Force to retain the split sentence as it is presently being used.

Therefore, the commission recommends that the statute be amended to permit the continued availability of the split sentence for sentences to houses of correction. The commission does not recommend that split sentences be permitted for sentencing to state prison.



## **INTERMEDIATE SANCTIONS**

The General Court has directed the Sentencing Commission to conduct an investigation and study relative to developing a full range of sentencing options consistent with the goals of the Sentencing Commission and G.L. c. 211E, and to submit a report to the Legislature. In addition, G.L. c. 211E requires the commission to recommend sentencing policies and practices which “encourage the development and implementation of intermediate sanctions in appropriate cases as a sentencing option, consistent with protecting public safety,” and to establish the “circumstances, if any, under which the imposition of intermediate sanctions may be proper” for particular offenses.

### **INTERMEDIATE SANCTIONS COMMITTEE**

The commission established an Intermediate Sanctions Committee which included representatives of the Executive Office of Health and Human Services, the Executive Office of Public Safety, and the Office of the Chief Justice for Administration and Management of the Trial Court, in addition to members of the Sentencing Commission. In approaching its task, this committee assessed the input from experts, focus groups, and the testimony at public hearings; conducted a survey of existing intermediate sanctions; conducted site visits; reviewed the literature on intermediate sanctions; attended national conferences; and, made specific recommendations to the Sentencing Commission regarding the development and implementation of intermediate sanction sentences.

### **INTERMEDIATE SANCTION DEFINITION AND GOALS**

#### **Definition of Intermediate Sanction**

General Law Chapter 211F has defined an “intermediate sanction program” as “any program that has been determined to impose an appropriate sanction upon an offender for whom imprisonment may not be necessary or appropriate, including but not limited to standard probation, intensive supervision probation, community service, home confinement, weekend jail sentences, day reporting, residential programming, substance abuse treatment, restitution, means-based fines, continuing education, vocational training, special education and psychological counseling.”

The commission uses the term “intermediate sanctions” to refer to both specific sentencing options or programs and to the overall concept of a graduated range of sentencing choices defined by articulated sentencing policy. As they are commonly defined, intermediate sanctions include both “front-end” sanctions imposed by the courts, which are typically administered through probation, and “back-end” sanctions

which incorporate various degrees of restriction as well as program components, and which are most often administered by corrections officials or parole authorities.

The commission believes that both front-end and back-end intermediate sanctions should be available, but, pursuant to the legislative directive to make its study relative to developing a range of sentencing options, the commission has concentrated its focus on front-end sanctions.

### **Distinction Between Sanctions and Programs**

The commission has distinguished between an intermediate sanction, which refers to the degree of restriction or constraint on personal liberty imposed by the order of the court, and a program, which may be a component of an intermediate sanction. For example, an intermediate sanction - such as day reporting, house arrest and electronic monitoring - may incorporate a program - such as job training, education, and any treatment - but such a program is not the sanction. For example, if a judge requires, as a condition of probation, an offender to report daily to a day reporting center, that is a restriction on personal liberty and is considered a *sanction*. While there, if the offender engages in substance abuse treatment or job training, or attends AA meetings or GED classes, those are *programs*.

The commission has adopted the concept of a continuum of intermediate sanctions, according to the severity of the punishment or constraint on personal liberty associated with the sanction, and has identified four levels of intermediate sanctions, ranging from administrative probation to twenty-four hour restriction. The commission recommends that program components, such as drug and alcohol counseling, education, and job training, should be available at every level of intermediate sanction.

### **Goals of Intermediate Sanctions**

Intermediate sanctions can potentially serve a number of goals. Among the practical goals are punishing the offender, enhancing public safety, reducing prison crowding, rehabilitating the offender, saving money on corrections costs, preventing recidivism, and enhancing the range of punishments available.

As noted earlier in this report, the commission has articulated a policy statement which emphasizes just punishment as the central purpose of sentencing. However, by emphasizing just punishment as the primary purpose of sentencing, the commission does not minimize the importance of other purposes, such as deterrence, rehabilitation, or incapacitation. In the development of its recommendations concerning intermediate sanctions, the commission sought to balance its commitment to promote just punishment with the legislative directive to ensure that persons sentenced to intermediate sanctions are subject to appropriate supervision and control,

commensurate with public safety, and are afforded appropriate treatment opportunities to address their specific needs.

## INTEGRATION OF INTERMEDIATE SANCTIONS INTO THE GUIDELINES

Consistent with the statutory mandate to specify the circumstances under which the imposition of intermediate sanctions may be an appropriate sentence, the commission has established four fundamental principles:

- (i) Integration of intermediate sanctions within the sentencing guidelines grid;
- (ii) The creation of three distinct zones on the grid: one which specifies incarceration only; a second, discretionary zone; and a third, where an intermediate sanction is the presumptive sentence;
- (iii) A continuum of sanctions among four levels according to degree of restriction; and,
- (iv) Flexibility for the sentencing judge to select an appropriate intermediate sanction while defining as a matter of policy some restriction on the availability of some sanctions for certain offenders.

The adoption of these principles is reflected by the three zones on the sentencing grid. For the more serious crimes, including all crimes in offense levels 6 through 9, cells C, D, and E in level 5, and cells D and E in level 4, intermediate sanctions are not within the applicable guideline ranges. In order to impose an intermediate sanction, the sentencing judge must depart from the guidelines in these cells (denoted as the red zone on the grid).

For the least serious crimes, the sentencing guidelines grid contains a zone where only intermediate sanctions are within the guidelines. This zone (denoted as the green zone) includes misdemeanor crimes where the defendant does not have an extensive prior record. To impose a sentence of incarceration upon a defendant whose crime and criminal record fall within the intermediate sanction zone, a judge must depart from the guidelines.

The middle zone (yellow zone) on the proposed grid is discretionary; either incarceration or an intermediate sanction is within the guidelines.

In devising the integration of intermediate sanctions into the sentencing guidelines, the commission was cognizant of the need to avoid the “net-widening” effect of imposing additional sanctions or components upon offenders who would otherwise not require them.

The commission recommends that fines and restitution be available at every level and that restitution be imposed in every appropriate case.

### **Levels of Intermediate Sanctions**

The commission identified four levels of intermediate sanctions which are classified by the degree of restriction on liberty and the intensity of supervision: (iv) 24-hour restriction (residential supervision or its equivalent); (iii) daily accountability; (ii) standard supervision; and, (i) financial accountability (administrative probation). A description of the four levels follows:

#### **Level IV - 24-Hour Restriction**

The offender is *subject to* 24-hour restriction/accountability of his whereabouts. This represents the maximum level of restriction/accountability short of incarceration.

#### **Level III - Daily Accountability**

The offender is *subject to* daily accountability of his whereabouts. This represents the level of restriction/accountability that falls in between 24-hour accountability and standard probation supervision.

#### **Level II - Standard Supervision**

The offender is *subject to* weekly accountability of his whereabouts. This represents the level of restriction/accountability that is typically associated with standard probation supervision.

#### **Level I - Financial Accountability**

This represents the level of restriction/accountability that is typically associated with administrative probation. It is primarily designed to monitor the timely payment of restitution, fines, victim/witness fees, and the like, by the offender.

When imposing an intermediate sanction sentence, the sentencing judge shall specify the particular level of intermediate sanction selected from those available within the appropriate grid cell.

The following illustrates the nature of the levels of intermediate sanctions that were contemplated by the commission.

<b>Intermediate Sanction Level</b>	<b>Examples of Intermediate Sanctions Available at that Level</b>
Level IV	Halfway House Inpatient Alcohol/Drug Facility Electronic Monitoring/Home Confinement Day Reporting Center (Daily)
Level III	Day Reporting Center (Weekly) Electronic Monitoring Special Curfew Supervision Intensive Probation Supervision
Level II	Standard Probation Supervision
Level I	Financial Monitoring and Collection

### **Procedural Recommendations**

*Length of Probation Term.* As under current law, there is no limit on the length of the probation period that may be imposed.

*Intermediate Sanction Level.* The sentencing judge shall specify the intermediate sanction level at which the offender will start serving the term of probation and may also include a minimum period during which the offender would be required to be supervised at that level. The commission recommends that the supervising probation officer should have the discretion to move a probationer down in level(s) in appropriate circumstances, without judicial consultation, consistent with any special conditions or time restrictions that may have been specified by the judge. Such a reduction in the intermediate sanction level by a probation officer may not go below the guideline levels set forth in the grid cell in which the offender was sentenced.

A judge has the exclusive authority to sentence to the initial intermediate sanction level and impose the initial program components. A judge also has the exclusive authority to increase an intermediate sanction level or add program components.

*Probation Revocation.* In imposing an incarceration sentence at a probation revocation hearing, the judge has the discretion to impose any sentence up to the statutory maximum - i.e., the guideline ranges are not applicable. For all other

sentencing decisions in this context, short of incarceration - e.g., increasing the intermediate sanction level, adding program components - the judge retains full discretion.

## IMPLEMENTATION RECOMMENDATIONS

- **Intermediate sanctions should be adequately funded.**  
The commission strongly believes that the success of any system of intermediate sanctions depends in large part on full funding. The integration of intermediate sanctions into the sentencing guidelines will be rendered essentially meaningless if a sentencing judge is unable to impose an appropriate intermediate sanction where the sentencing guidelines authorize it, due to lack of availability of either intermediate sanction programs or components.
- **Intermediate sanction programs and facilities should be accessible at all levels of the criminal justice system and in all parts of the commonwealth.**  
While a sentence to an intermediate sanction will be imposed by the court as a condition of probation pursuant to the provisions of G.L. c. 211F § 3, the commission recommends that facilities and programs also be made available, as appropriate and consistent with the public safety, to defendants awaiting trial, to those serving sentences of incarceration, and to those who are supervised on parole release. The commission further recommends that the Office of Community Corrections ensure that intermediate sanctions and community corrections programs and resources be available throughout the Commonwealth for both male and female offenders so that all qualified individuals may access them.
- **Presentence assessment should be available to inform the sentencing judge of appropriate intermediate sanction needs.**  
Because the imposition of an appropriate intermediate sanction sentence necessarily entails evaluation of the circumstances and needs of a particular defendant, the commission recommends that an assessment be available at the request of the sentencing judge or the parties relevant to determining either the level of intermediate sanctions or the particular components. Such assessment should also be performed as part of any decision to review or modify an intermediate sanction sentence. The commission recognizes the value and need for trained assessment in all cases, but particularly where a substance abuse problem is indicated to be present.

## RESEARCH ON INTERMEDIATE SANCTIONS

### **Review Of The Literature On Intermediate Sanctions**

Among the first tasks of the Intermediate Sanctions Committee was a review of the intermediate sanction literature. In addition to substantial review of the work and studies of experts in the area of intermediate sanctions and community corrections, the commission had the assistance of two law/public policy graduate students from Harvard Law School/Kennedy School of Government. One conducted a comprehensive general review of the literature on intermediate sanctions; the other followed up with a more focused review of intermediate sanctions geared to substance abusers. A third graduate student, from the University of Massachusetts, Lowell, conducted a review of sanctions utilizing electronic monitoring. The committee also concentrated on selected intermediate sanction studies relating to Massachusetts including:

- Report of the Governor's Special Commission on Correction Alternatives (1986);
- The Crisis in Corrections and Sentencing in Massachusetts (1991);
- EOPS Study of Intermediate Sanctions (1992); and,
- A Matter of Just Treatment: Substance Abuse and the Courts (1995).

Report of the Governor's Special Commission on Correction Alternatives. This commission, chaired by the Honorable Paul A. Chernoff, published a report in 1986 which centered on which non-incarceration alternatives might be viable for portions of the then current prison population. The report examined programs that would ensure public safety, and the rehabilitation of the low-risk offender consistent with reserving limited jail space for the high risk offenders, and advocated the expansion and enhancement of these options as a way of relieving jail overcrowding, as well as for reintegrating offenders into society.

The report found that substance abuse plays a major role in the criminal activity of inmate and high-risk probationers, and concluded that strategies for early identification of these individuals must be a priority at every stage of the criminal justice process, and that any community correctional program must have an aggressive regimen of treatment and supervision. The commission recommendations included establishing or expanding structured residential treatment centers across the Commonwealth to serve institutional and court clients, expanding halfway house programs throughout the Commonwealth, utilizing day reporting centers for a variety of services, and expanding intensive probation services for certain probationers, including some probationers facing surrender violations.

The Crisis in Corrections and Sentencing in Massachusetts. In 1991, this report of the Task Force on Justice, a joint project of the Boston Bar Association and the Crime and Justice Foundation, concluded that the system of punishment in Massachusetts was both too lenient and too harsh, with too many individuals receiving little or no sanction, and others receiving sanctions in great disproportion to their offense. The Task Force underscored the need to develop intermediate levels of supervision, as well as treatment programs for offenders, and urged that a graduated scheme of intermediate sanctions be developed to enhance public safety and more efficiently utilize prison space. Such a graduated sanction structure would enable a degree of “customized sentencing,” depending on the risk and needs of the offender, while maintaining public safety, offender accountability, and rehabilitation.

EOPS Study of Intermediate Sanctions. In 1992, the Secretary of Public Safety appointed an Intermediate Sanctions Committee to study the feasibility of developing a range of intermediate sanctions as an alternative for handling short-term, nonviolent, lower risk inmates who were being sent to Houses of Correction. The objective was to maximize correctional resources and to reduce prison overcrowding, specifically to divert 1,100 county inmates to community based programs, thereby making some county correctional beds available for state prison inmates. This intermediate sanctions initiative was a response to prison overcrowding, and the effort was more oriented to “back-end” programs administered by the Sheriffs, the Parole Board, or the Department of Correction for sentenced offenders than to “front-end” programs that might be administered by the courts or by probation.

A Matter of Just Treatment: Substance Abuse and the Courts. Echoing many of the concerns expressed by the preceding publications was the report of the Supreme Judicial Court Substance Abuse Project Task Force. This report, issued in March of 1995, stressed the serious impact that substance abuse has on criminal activity. The Task Force found that substance abuse was a significant factor in 80% to 85% of criminal cases. The Task Force recommendations specifically aimed at the treatment of criminal cases, including assessing defendants, linking them with treatment, and conducting ongoing monitoring of compliance with court orders regarding treatment. The Task Force concluded that “imposing sanctions without treatment is short-sighted, [and] ineffective,” noting that combatting substance abuse improves public safety and is cost-effective in terms of recidivism rates and reduced health care costs.

Several Task Force recommendations are specifically applicable to criminal offenders:

- Each court should have available a substance abuse specialist to work with the probation department. This specialist would provide assessment and



information regarding an offender's substance problem, recommend treatment, and help locate the appropriate resource.

- Drug court diversion programs across the state should be expanded and developed.
- The availability of intermediate sanctions and community-based punishment should be expanded beyond the traditional levels available. The Task Force recognized that while some individuals required incarceration, others could be effectively supervised in the community without threatening public safety if substance abuse treatment and higher levels of supervision and control were available.
- Testing should be available at each courthouse to identify, assess, deter, supervise and treat substance abusers.
- Coordination among the Office of the Commissioner of Probation, the Sheriffs, Department of Correction, and the Parole Board should be improved to ensure the availability of an efficient and effective continuum of substance abuse assessment and treatment throughout the criminal justice process.

The Task Force urged the Sentencing Commission to “pay conscious and sustained attention to the role of substance abuse in the lives of a substantial majority of criminal offenders,” and not to regard the issue of substance abuse as a “peripheral factor in its determinations.” Supreme Judicial Court Associate Justice Francis P. O’Connor, chair of the Task Force, met with the Sentencing Commission to discuss these findings and recommendations, and testified at a public hearing.

### **Site Visits**

Several members of the commission conducted a site visit in March, 1995, to intermediate sanction programs which are presently in operation in Hampden County. These programs include a day reporting center, the Criminal Justice Collaborative, and the Western Massachusetts Correctional Alcohol Center.

The day reporting center was established by the Hampden County Sheriff's Department in October, 1986, as the first of its kind in the nation. Offenders committed to the center must appear at the center on a daily basis and must either work or look for work and participate in counseling or other programs. Important components of the program are frequent drug testing and evening monitoring. Because it is operated by the Sheriff's Department and is considered an incarceration sentence, those who violate the rules can be immediately sanctioned. Of the more than 1,300 offenders committed to the program, only two have been charged with

committing another offense while participating in the program. The annual per capita cost of operating the day reporting center is approximately \$7,000, compared to an annual per capita cost of approximately \$28,000 for incarceration in a jail or house of correction.

The Criminal Justice Collaborative is a joint enterprise of the Hampden County District Attorney's Office, the Hampden County Sheriff's Department, the Trial Court in the Springfield District Court, and area social services. Together, they offer a continuum of five levels of intermediate sanctions aimed at non-violent, substance abusing offenders as a means of diversion and alternative sentencing. The levels utilize both the probation department and the Sheriff's Department as custodial officials and range from standard probation to day reporting and pre-release at the Hampden County House of Correction. Each escalating level of supervision includes appropriate substance abuse treatment options, including regular drug testing and other programs such as anger management, employment and education.

The Correctional Alcohol Center is one of several regional centers established to provide a treatment program for those convicted and incarcerated for driving under the influence of alcohol. The center employs a treatment program which specifically addresses the offender's alcohol abuse.

Committee representatives also visited the Metropolitan Day Reporting Center operated by the Crime and Justice Foundation in Suffolk County, which provides both front-end and back-end supervision of sentenced offenders and probationers.

These programs provided solid evidence that innovative approaches to sentencing can achieve public safety while providing appropriate punishment at a substantially reduced cost.

### **Inventory Of Existing Intermediate Sanctions**

In order to compile an inventory of existing intermediate sanction programs, the commission prepared a survey questionnaire and distributed it to 180 sites - e.g., probation offices, parole offices, Sheriffs' Departments, the Department of Correction, and private vendors - where the commission expected that intermediate sanctions or community correctional programs existed. The survey questionnaire was designed to elicit information about the status of 24 different intermediate sanctions and component programs. Although the Intermediate Sanctions Committee concentrated on "front-end" intermediate sanction programs, the committee recognized that some highly regarded intermediate sanction programs are used at the "back-end" of the system, particularly through the Sheriffs' Departments, the Parole Board and the Department of Correction. In order to be exhaustive in its data

collection effort, the committee covered these “back-end” areas in the survey. The sanction and programs on which information was collected included:

- Probation Supervision: Pre-Trial Probation; Risk Need Probation; DUI Probation; Administrative Probation;
- Economic/Restorative Sanctions: Fines/Sur fines; Probation Fees; Restitution; Victim/Witness Fees; Community Service; Work Release;
- Restrictive Sanctions: Day Reporting; Night Reporting; Home Confinement/House Arrest; Electronic Monitoring; Shock Incarceration; Halfway House/Pre-Release Center; Pre-Trial Supervision; Intensive Parole Supervision; and,
- Programmatic Components: Victim/Offender Reconciliation; Community Outreach; Drug/Alcohol/Substance Abuse; Drug/Alcohol Testing; Mental Health; Violence Prevention/Stress/Anger; Mental Retardation; OUI/DUI; Sex Offender; Certified Batterer; Domestic Abuse; Women’s Programs; Vocational/Job Training; Literacy Training; GED Preparation; English as a Second Language (ESL); and Residential/Housing Services.

The survey respondents were asked five questions: (1) the program funding; (2) the target population; (3) the current capacity; (4) the degree of need for expansion; and, (5) the person to contact for further information. In total, 112 out of 180 surveys (62.2%) were completed and returned. Probation Departments accounted for 66.1% of all responses, followed by Parole (13.4%), Sheriffs (12.5%), private vendors (7.1%), and the Department of Correction (8.9%). In total, survey respondents provided information about more than 2,500 intermediate sanctions and component programs.

Table 26 in Appendix F provides a summary of the responses to the survey. It gives an indication of the availability of selected intermediate sanctions and programs and a sense of the perceived need for expansion of these sanctions and programs. For example, 42% of the respondents indicated that there was some availability to batterers programs for offenders in their jurisdictions. This was an area where the need for expansion was considered to be critical - i.e., on a five-point scale the average need for expansion rating was 4.4, one of the highest on the survey.

A more detailed description, by county, of certified batterers programs, community service programs, day reporting centers, domestic violence programs, electronic monitoring, halfway houses, and sex offender treatment programs is provided in

Table 27 in Appendix F. In addition, an index of program providers by selected service categories is presented in Table 28 in Appendix F.

Survey responses have been a valuable source of information to the Intermediate Sanction Committee. A constant theme among the responses was the need for increased funding for intermediate sanctions. Respondents emphasized that many defendants currently ordered to intermediate sanctions programs cannot afford to use them. In other instances, the programs are simply unavailable. One respondent stated: “Because of limited funding and resources, very little is done by this probation office other than court coverage, office coverage, and supervision of probationers.”

Another individual said, “Money for on-site urine testing must be provided for each probation office in the state. Eighty percent of most probation officers’ caseloads have some sort of substance abuse problem.” The need for on site urine testing, at a reasonable cost, was repeatedly identified by respondents. One person stated bluntly: “Our inability to provide urine screens decreases the effectiveness of probation supervision.”

The need for residential treatment programs for substance abusers was also noted: “Detox beds and halfway houses do not meet the demand. There seems to be a total lack of short term residential treatment for substance abusers, particularly those with alcohol problems.”

The lack of intermediate sanctions for women was recognized as an acute problem. “Courts across the state do not have alternative sentencing options for women.” Respondents also lamented the dearth of vocational training programs: “There is almost a total lack of useful vocational referral or training programs.”

Responses to the survey underscored the need for a more in-depth examination of existing intermediate sanctions and program components. Accordingly, a series of in-depth follow-up interviews concerning the use and effectiveness of particular sanctions or programs in the areas of electronic monitoring and substance abuse treatment have been conducted. The commission believes these efforts should continue and are necessary for an accurate and comprehensive assessment of the current availability of intermediate sanctions.

## THE OFFICE OF COMMUNITY CORRECTIONS

The recent passage of G.L. c. 211F has established the Office of Community Corrections within the Office of the Chief Justice for Administration and Management of the Trial Court. The Sentencing Commission expects to work closely with the Office of Community Corrections in the planning and implementation of a state-wide intermediate sanctions system for the Commonwealth, to be both

compatible with the work of the Sentencing Commission and consistent with the goals of sentencing established by G.L. c. 211E and the commission.

## EMPIRICAL RESEARCH

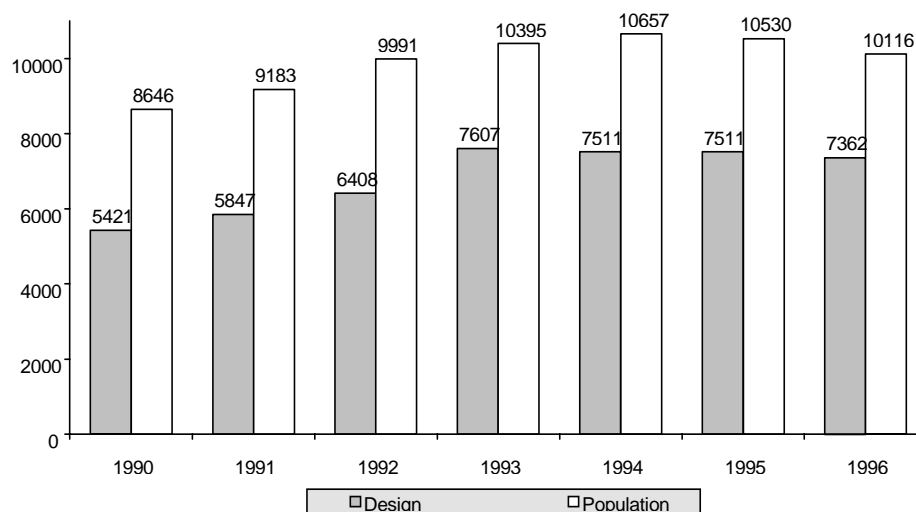
### STATISTICAL OVERVIEW OF THE MASSACHUSETTS CRIMINAL JUSTICE SYSTEM

#### Corrections

Like other states, Massachusetts has experienced a steady increase in the number of people who are incarcerated in state or county facilities. While the construction of new facilities has increased the overall design capacity of prison, jail and house of correction facilities from 9,198 to 15,475 over the last six years, the incarcerated population has likewise increased so that in January, 1996, there was a total of 21,402 inmates, an increase of 6,931 inmates, or 47.9%, since January, 1990. See Figure 1 and Figure 2. A recent NCCD study of projected prison population conducted for the Department of Correction forecasts a continued significant growth in the prison population over the next several years, if current policies remain in place.

**Figure 1**

#### State Corrections Design Capacity versus Population

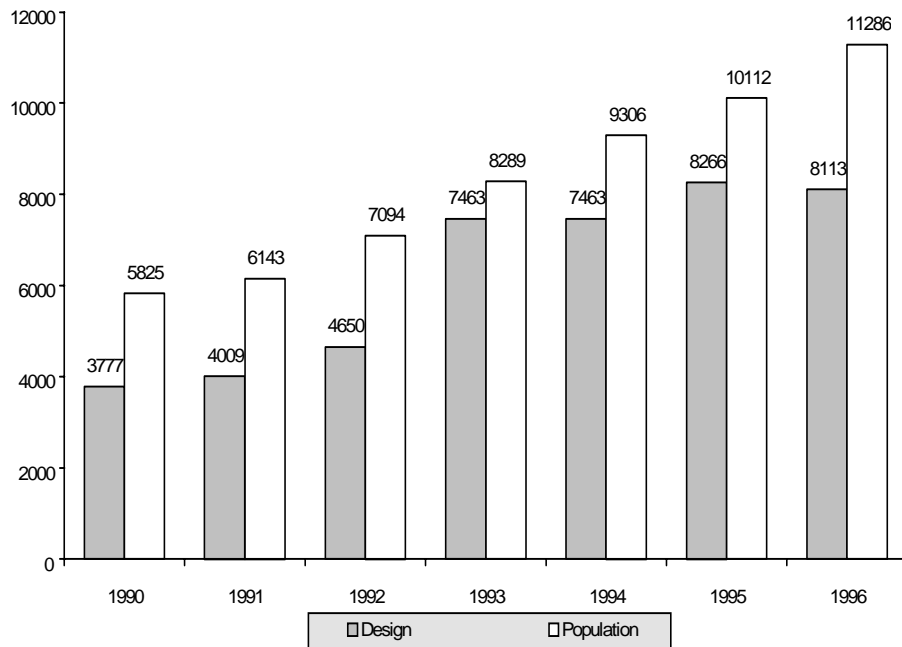


Source: Department of Correction. Population figures (1990 to 1995) include all inmates in DOC facilities except Longwood and the Boot Camp. Figures for 1996 include 140 Boot Camp inmates.

On April 1, 1996, both state and county correctional systems were operating at over 140.0% of design capacity (140.5% and 145.0%, respectively).

**Figure 2**

**County Corrections  
Design Capacity versus Population**

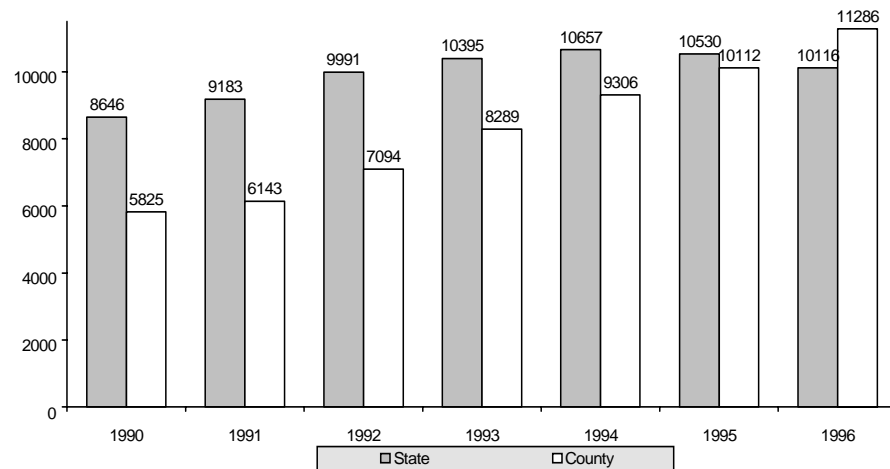


Source: Department of Correction.

The population statistics also demonstrate a dramatic shift in the nature of the incarcerated population. While the number of inmates in state institutions has leveled off and slightly declined in the last three years, county population has continued to steadily rise. In 1990, county facilities held 2,821 fewer inmates than state prisons. In contrast, six years later, county institutions contain 1,170 more inmates than those housed in state facilities. See Figure 3. The capacity of county correctional facilities has likewise increased so that it now exceeds the capacity of the state prison system. See Figure 4.

**Figure 3**

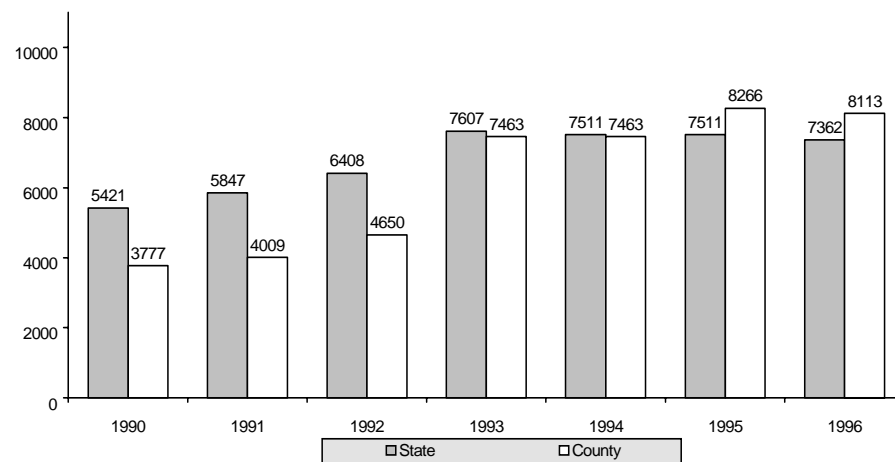
**Inmate Population  
State versus County Corrections**



Source: Department of Correction.

**Figure 4**

**Correctional Capacity  
State versus County Corrections**



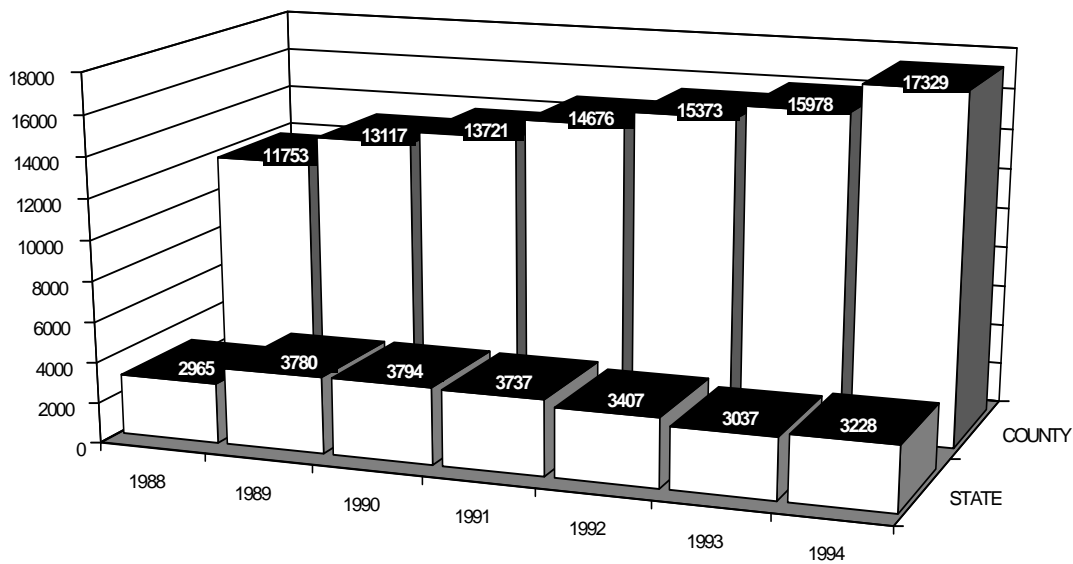
Source: Department of Correction.



This change is explained in part by the changes in the number of annual new commitments to the respective state and county systems. State commitments have declined after reaching a peak in 1990, while county commitments have increased. See Figure 5.

**Figure 5**

**Annual Commitments  
State and County Corrections**

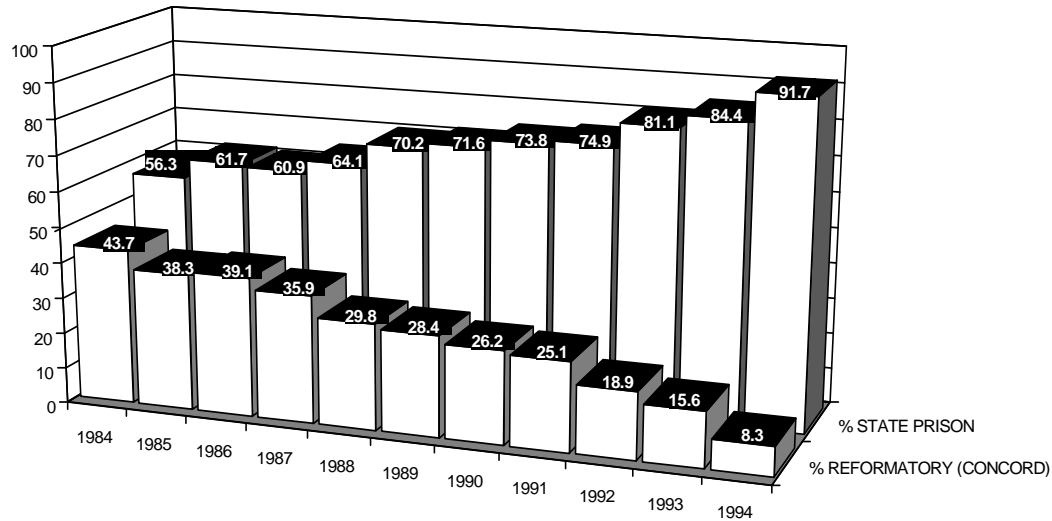


Source: Department of Correction.

The nature of sentences to the Department of Correction has also changed in recent years. In fact, even prior to 1993 and the repeal of G.L. c. 279 § 31 (effective July 1, 1994), reliance on the Concord sentence had already begun to decline, accounting for 43.7% of all admissions to the Department of Correction in 1984, compared to only 8.3% of total admissions in 1994. See Figure 6.

**Figure 6**

**Annual Commitments to DOC  
State and Reformatory Sentences**



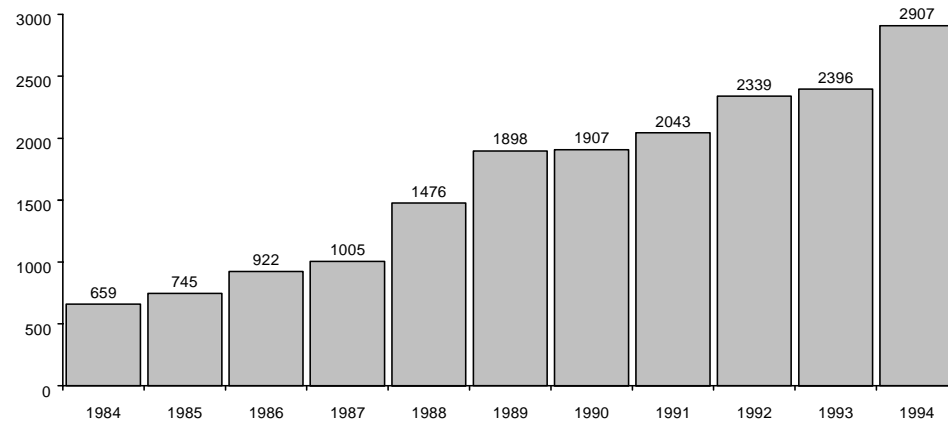
Source: Department of Correction.

There are significant differences in the types of crimes which result in incarceration between the two systems. Drug offense commitments continue to escalate in the counties. In 1994, 2,907 drug offenders were committed to county facilities, 53.2% more than in 1989. See Figure 7. In contrast, after a substantial increase from 1984 to 1990, the number of state commitments for drug offenses has declined over the last six years. See Figure 8.

One area in which there has been a decline among commitments to county facilities has been for OUI charges. From 1990 to 1994, the number of OUI commitments decreased by 26.1% to a total of 1,887 in 1994, the lowest number of commitments for that crime since 1982. See Figure 9.

**Figure 7**

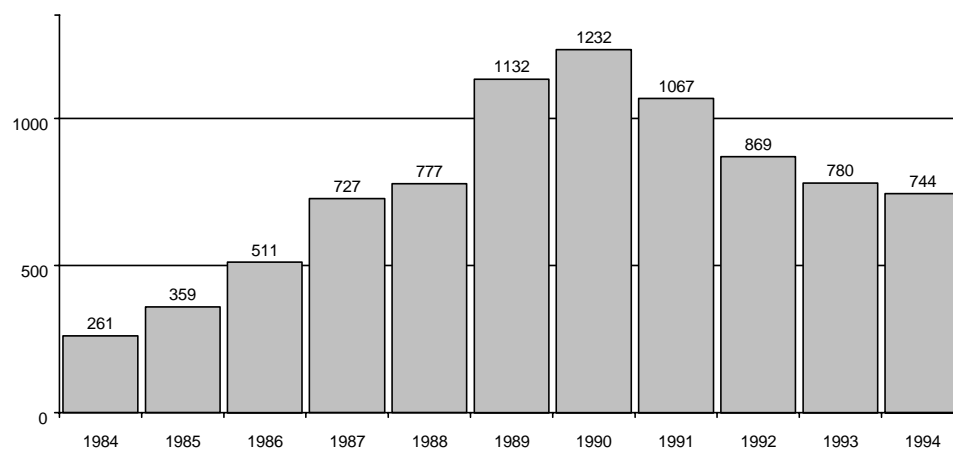
**Drug Offense Commitments to  
County Corrections**



Source: Department of Correction.

**Figure 8**

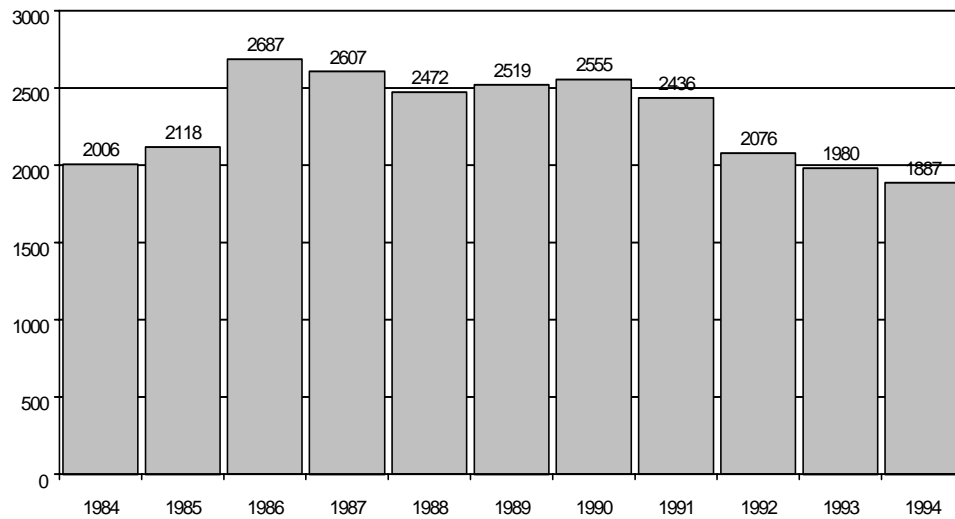
**Drug Offense Commitments to DOC**



Source: Department of Correction.

**Figure 9**

**OUI Commitments to County Corrections**

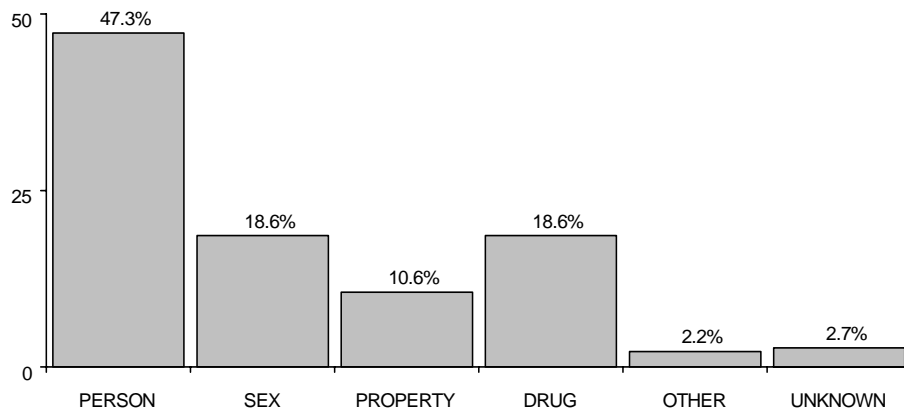


Source: Department of Correction.

There are also significant differences on the basis of gender between the types of crime committed by those incarcerated. Nearly two-thirds (65.9%) of the DOC male population in January, 1995, were imprisoned for the commission of a crime against a person and 18.6% for a drug offense. See Figure 10. In contrast, only 29.1% of sentenced females had committed a person offense. The largest category of offense among females was drugs, encompassing 31.5%. See Figure 11. The total number of committed females has increased by 42.3% between 1989 and 1994. See Figure 12.

**Figure 10**

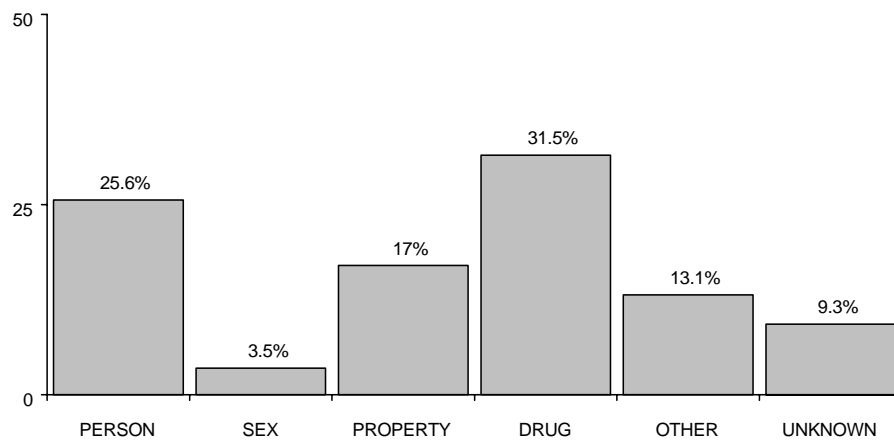
**DOC Sentenced Male Population  
January 1, 1995**



Source: Department of Correction.

**Figure 11**

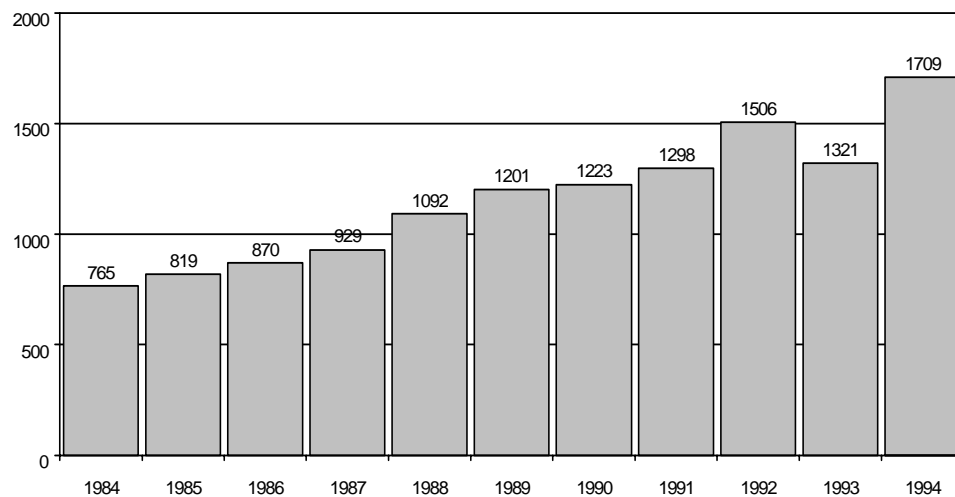
**DOC Sentenced Female Population  
January 1, 1995**



Source: Department of Correction.

**Figure 12**

**Female Court Commitments to State and County Corrections**



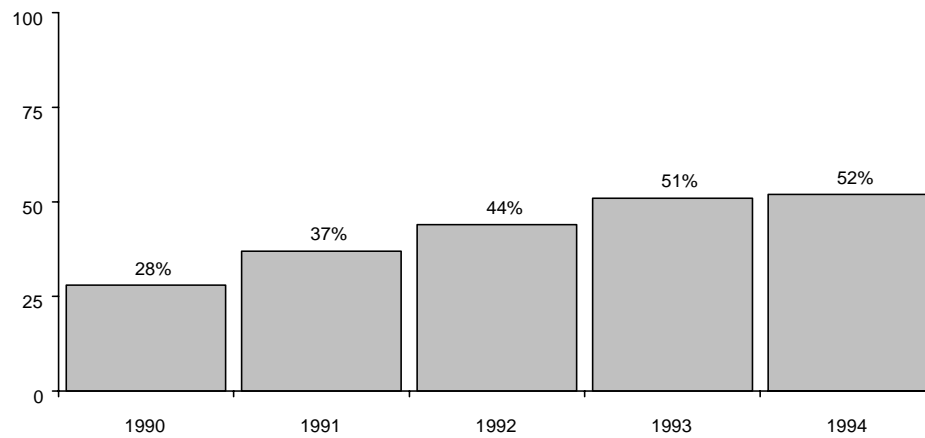
Source: Department of Correction.

**Probation**

Substantial changes have also occurred in the characteristics of those not incarcerated but rather placed under probation supervision. In 1994, over half (52%) of all offenders placed on probation (risk/need) had committed a crime against the person, compared to only 28% of such offenders in 1990. See Figure 13. The probation classification system demonstrates the increasing supervision requirements of those now placed on probation (risk/need); 74% are considered to require maximum supervision, up from 49% in 1990. See Figure 14.

**Figure 13**

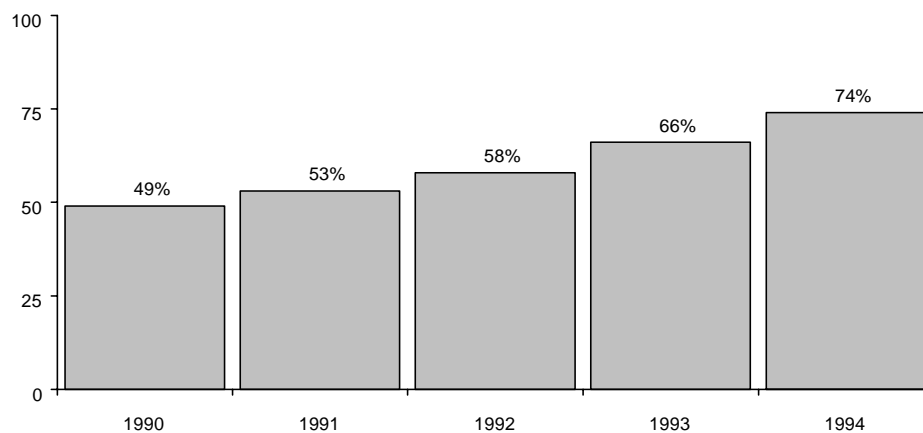
**New (Risk/Need) Probationers  
Proportion Person Offenders**



Source: Office of the Commissioner of Probation.

**Figure 14**

**New (Risk/Need) Probationers  
Proportion Requiring Maximum Supervision**



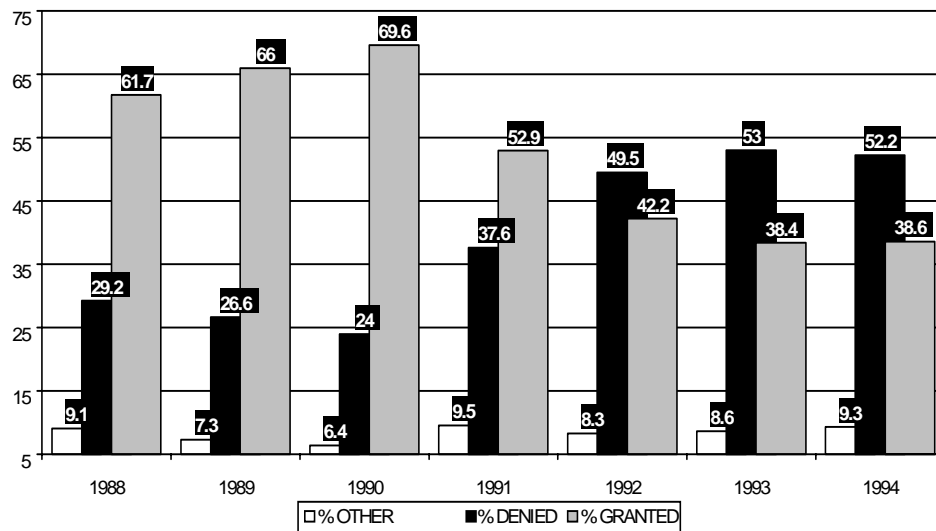
Source: Office of the Commissioner of Probation.

## Parole

Concerns about public safety have also produced significant changes in parole policies in the last four years. In 1990, 69.6% of state inmates who sought parole were granted release. That number has sharply declined so that only 38.6% petitioners are granted parole while more than half of the requests are denied, twice the percentage of those rejected in 1990. See Figure 15.

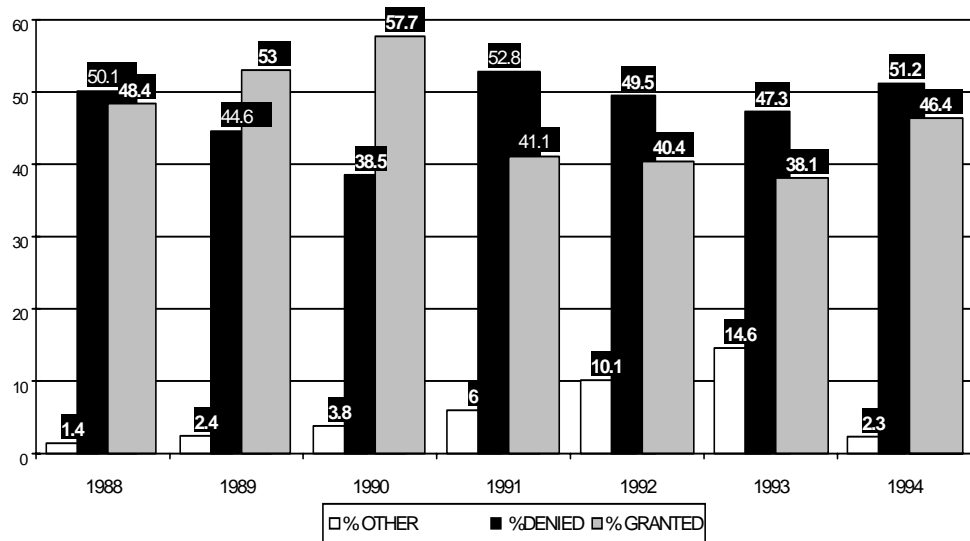
**Figure 15**

### Paroling Rates for State Inmates: All Hearings



Source: Massachusetts Parole Board. Note: "Other Action" includes action pending, no action, refer to full board, postponed and open reserved.



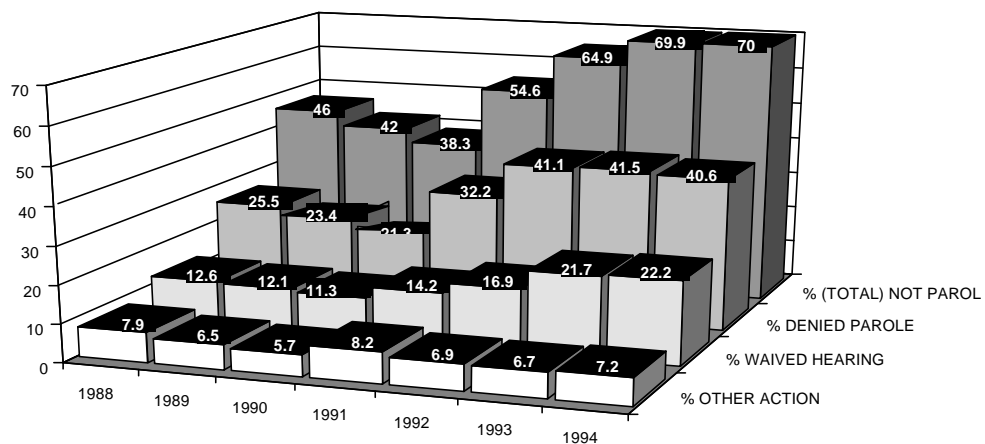
**Figure 16****Paroling Rates for County Inmates:  
All Hearings**

Source: Massachusetts Parole Board. Note: "Other Action" includes action pending, no action, refer to full board, postponed and open reserved.

Similar changes have occurred in county paroling rates. Approvals out-numbered rejections by 57.7% to 38.5% in 1990. Those percentages have reversed in the subsequent four years so that in 1994, 51.2% of petitioners were denied release. See Figure 16. In addition, increasing numbers of both state and county inmates have chosen not to seek parole at all. As a result, 70.0% of eligible state petitioners were not paroled and 67.9% of eligible county inmates were likewise not released. See Figures 17 and 18.

**Figure 17**

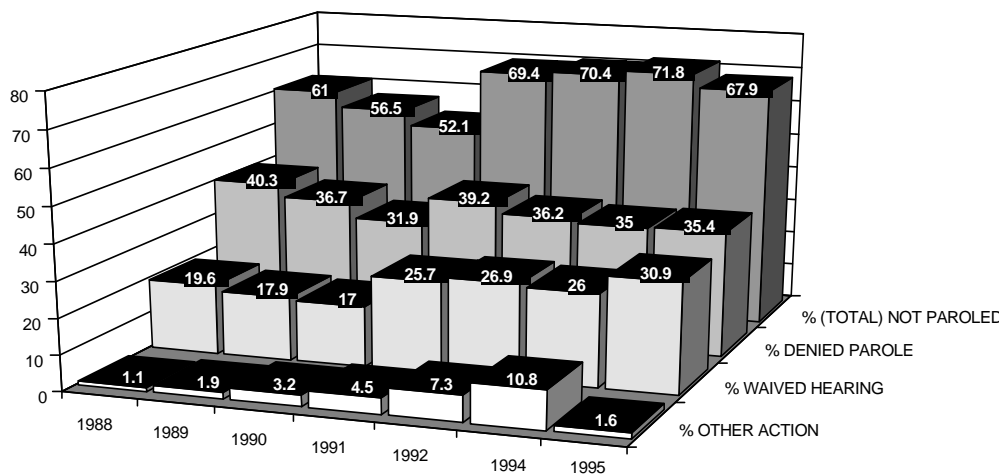
**All Parole Eligible State Commitments  
Not Paroled**



Source: Massachusetts Parole Board.

**Figure 18**

**All Parole Eligible County Commitments  
Not Paroled**



Source: Massachusetts Parole Board.

## SURVEY OF SENTENCING PRACTICES

### **Statutory Mandate**

General Law Chapter 211E directs the commission to conduct a comprehensive survey of sentencing practices:

In its development of the sentencing guidelines, the commission shall conduct an empirical study in order to ascertain, to the extent practical, a survey of those individuals appearing before the commonwealth's criminal courts, and those committed to probation, prison and jail. It should also include the average sentence imposed for all offenses prior to the promulgation by the commission of the sentencing guidelines, and the length of prison terms actually served in those cases.

This section reports on the results of the effort to meet this mandate relative to the survey of individuals coming before the courts, identifying those committed to probation, prison, and jail, and estimating average sentences imposed. The next section discusses the survey of length of time served prepared by the commission.

### **Methodology**

The commission elected to base the survey of sentencing practices on the Court Activity Record Information (CARI) database maintained by the Office of the Commissioner of Probation. The commission completed this analysis using a copy of the database maintained at the Criminal History Systems Board.

The CARI database includes records of all charges arraigned in adult criminal courts throughout the Commonwealth, including all superior courts, district courts, the Boston Municipal Court, and U.S. District Courts located within Massachusetts. The existence of this database afforded the commission with a strategic advantage by providing a comprehensive, centralized source of information regarding current sentencing decisions in combination with a comprehensive set of information regarding a defendant's adult and juvenile criminal history.

The commission developed a method to analyze the disposition field contained within the database, in order to identify those charges that resulted in conviction and the sentences resulting from those convictions.

*Conviction Definition.* The commission developed a consistent definition of conviction that was applied throughout the analysis. A sub-set of "words" was applied to the analysis of the CARI file to indicate convicted charges. Examples of convicted dispositions are: Guilty Filed; Guilty; Probation; Fine; House of

Correction Commitment; State Prison Commitment; Split Sentence; and Suspended Sentence. Examples of dispositions that were not considered convictions are: Continued Without Finding; Filed (absent a finding of guilty); Dismissed; and Not Guilty.

*Sampling Frame.* From the CARI database, the commission selected those charges reaching final disposition and resulting in conviction during Fiscal Year 1994, or the period July 1, 1993, through June 30, 1994. This sampling period was selected in order to ensure the presence of sentencing decisions prior to the enactment of other features of the truth-in-sentencing law. This selection allowed for a more straightforward analysis of sentencing patterns without the complexity of controlling for the impact of the truth-in-sentencing provisions. Further, the commission was statutorily directed to consider sentencing patterns absent one of the key provisions of the truth-in-sentencing law, the repeal of statutory good time.

*Sentence Groups.* As part of the analysis each convicted charge was assigned uniquely to one of nine different sentence groups: Life Sentence; State Prison Sentence; Reformatory Sentence; Split State Prison Sentence; House of Correction Sentence; Split House of Correction Sentence; Probation; Fine; and Other (usually Guilty Filed). Additional detail on the method used to assign charges to a sentence group to select sentence lengths is contained in Appendix C.

*Assigning Defendants to an Offense Seriousness Level.* Offense titles in the CARI data base are assumed to reflect the offense of conviction. For each charge in the defendant's current sentence and criminal history, the offense, court, type of sentence and length of sentence imposed are evaluated in order to ensure consistency with this assumption. In some instances the offense title is adjusted to a more appropriate level. For example, a charge of rape in district court or a charge of rape with a House of Correction sentence, is considered to be Indecent Assault and Battery. These assignments were based on analysis of cases actually appearing in the Department of Correction or Houses of Correction. When considering juvenile charges, no distinction by court or sentence type was made. It was assumed that juvenile court has jurisdiction over all offenses and all dispositions are available for all offenses.

The commission established a policy that the seriousness of the offenses of prior convictions is important for both the application of the sentencing guidelines and in the construction of the defendant's criminal history. The commission developed a table associating the offenses as they appear in the CARI database with levels of seriousness as defined by the commission. In making these assignments, the commission made the following assumptions:

Level 3 misdemeanors are generally person misdemeanors. Most misdemeanors in G.L. c. 265, G.L. c. 209A and selected G.L. c. 272 offenses were assigned to the level 3, person misdemeanor category;

Level 1 and level 2 misdemeanors are all non-person misdemeanors. All other misdemeanors not previously categorized were counted in this lower misdemeanor category;

For offenses where the commission has assigned staircasing factors, the offense was assigned to the lowest level among the various staircasing levels. Exceptions to this rule are detailed in Appendix C;

Where the offense could be categorized in a number of statutory sections, the section associated with the lowest level of ranking was selected.

All offense titles in the database were assigned to a chapter and section in the general laws for purposes of illustrating the offense and penalty structure and were further assigned to an offense level as indicated by the commission. The ranking always assumed the **lowest offense level**, e.g. “larceny” was assumed to be “larceny under \$250”. For those offenses that were staircased, further assumptions were made regarding the offense seriousness level. These assumptions are detailed in Appendix C.

*Selecting a “Lead Charge” per Defendant.* From the sample of convicted charges, the analysis then assigned specific defendants to an offense seriousness level within the grid model. All cases reaching final disposition on a single date constitute a “**sentencing event**”. This event included one to many convicted charges and the initial conviction and sentencing decisions for each charge within that event. The sentencing event charges could have been arraigned on diverse dates. Federal court cases were excluded from the analysis. Individual defendants can appear multiple times in the sample, but were limited to a single sentencing event during any calendar quarter.

From all charges disposed of at a “sentencing event” a single charge was designated the “**lead charge**” in the following manner. The charges were first ranked according to **sentence group** from high to low (Life sentences, other State Prison sentences, Reformatory sentences, state Split sentences, House of Correction Sentences, House of Correction Split Sentence, Probation, Fine, and other dispositions). Within a sentence group, the charge with the **longest sentence** was selected and within a sentence length, the charge with the most serious **offense level** as defined by the commission was elected. Within an offense level, the docket number assigned would have determined the charge selected as the lead charge. The method used to assign

the “lead” charge” is not exactly the same as the method to assign the “governing offense” under guidelines. The governing offense will always be associated with the highest offense level. The assignment of “lead charge” incorporated a great deal of information about past sentencing practices and was not solely based on the offense seriousness level.

*Assigning Defendants to a Criminal History Group.* The commission has articulated the following five level criminal history scale:

- E      Serious Violent Record**  
Two or more prior convictions for offenses in level 7 through 9
- D      Violent or Repetitive Record**  
One prior conviction for offenses in levels 7 through 9, or  
Two or more prior convictions for offenses in levels 5 or 6, or  
Six or more prior convictions in levels 3 or 4
- C      Serious Record**  
One prior conviction for offenses at levels 5 or 6, or  
Three to five prior convictions for offenses in levels 3 or 4
- B      Moderate Record**  
One or two prior convictions for offenses in 3 or 4, or  
Six or more prior convictions for offenses in levels 1 or 2
- A      No/Minor Record**  
One to five prior convictions for offenses in levels 1 or 2, or  
No prior convictions of any kind

Of importance in assigning cases to the correct category in the criminal history scale are classifying both the number of prior convictions and the seriousness of each prior conviction. In articulating the criminal history scale, the commission has adopted a number of principles:

- Criminal history should include convicted behavior only
- Prior sentencing patterns do not impact criminal history
- Prior charging patterns do not impact criminal history

*Convictions.* The commission established a policy that only charges resulting in a finding of conviction are considered in the construction of a criminal history scale. The same conviction definition was used for constructing both the current offense seriousness level as well as setting the appropriate criminal history group.

*Prior Convictions.* The commission established a policy that criminal history will only include those charges which reached a final disposition prior to the disposition date of the current sentencing event. An assumption was made that for both criminal history events and for sentencing events, the date of arraignment for a charge is always on or before the disposition date for the charge. For arraignment events, it was further assumed that charges are substantially disposed of in order of arraignment. Figure 19 graphically depicts the relationship between the sentencing event and those arraignment events included in the criminal history.

*Multiple Prior Convictions.* In addressing the issue of charging patterns, the commission adopted a policy that multiple convictions arising from the same incident should be counted as one prior conviction, based on the most serious offense. The policy is to count multiple convictions resulting from separate charges as a single conviction if those charges have the same **arraignment date**. All cases arraigned on a single date constitute an **arraignment event**. An arraignment event includes only convicted charges, can include charges disposed of on diverse dates, and can include federal court cases that appear in the CARI file.

*Selecting a Lead Charge.* From all charges disposed of at an “arraignment event” a single charge is designated the “lead charge” for purposes of counting criminal history. The charge with the highest **offense seriousness** level as defined by the commission and then within seriousness level, offense with the **earliest disposition** date. Further, in order for an arraignment event to count towards the defendant’s criminal history, the arraignment event must be disposed of prior to the disposition date of the sentencing event. Each arraignment event counts only **once** in the criminal history, regardless of the number of charges disposed of at that event.

There are differences in construction between the sentencing event and the arraignment event that should be noted. In the sentencing event, the longest sentence determines the lead charge, and in the arraignment event, the most serious offense (as defined by the commission) determines the lead charge. For example, a defendant has two charges disposed of in a single date: Aggravated Rape (filed) and Assault and Battery by means of a Dangerous Weapon (2-3 years committed). The sentencing event is defined for the charge with the highest sentence: Assault and Battery by means of a Dangerous Weapon and the arraignment event is defined for the charge with the highest offense seriousness level, Aggravated Rape.

*Juvenile Criminal History Scale.* The commission articulated a policy that juvenile criminal history can be considered in the construction of the criminal history scale in certain circumstances. The commission established a number of principles for considering juvenile criminal history:

- Adjudications of delinquency for offenses classified in levels 7, 8, and 9 on the sentencing grid will not lapse, that is they will always be counted for purposes of criminal history on the sentencing grid regardless of the age of the defendant;
- Other adjudications of delinquency in the juvenile record will not be counted for purposes of criminal history on the sentencing grid regardless of the age of the defendant;
- There is no age limit on the age of the juvenile at the time of conviction, all noted convictions were considered, regardless of the age of the defendant at the time of the juvenile criminal history or the current age of the adult defendant.

In evaluating the juvenile criminal record the commission followed a set of parallel assumptions to the adult model:

- only conduct adjudicated delinquent was considered;
- an incident based approach was applied to counting juvenile adjudications (only one juvenile adjudication per arraignment event);
- the most serious charge for which the juvenile was adjudicated counts towards the juvenile criminal history, regardless of the sentence imposed for that adjudication;

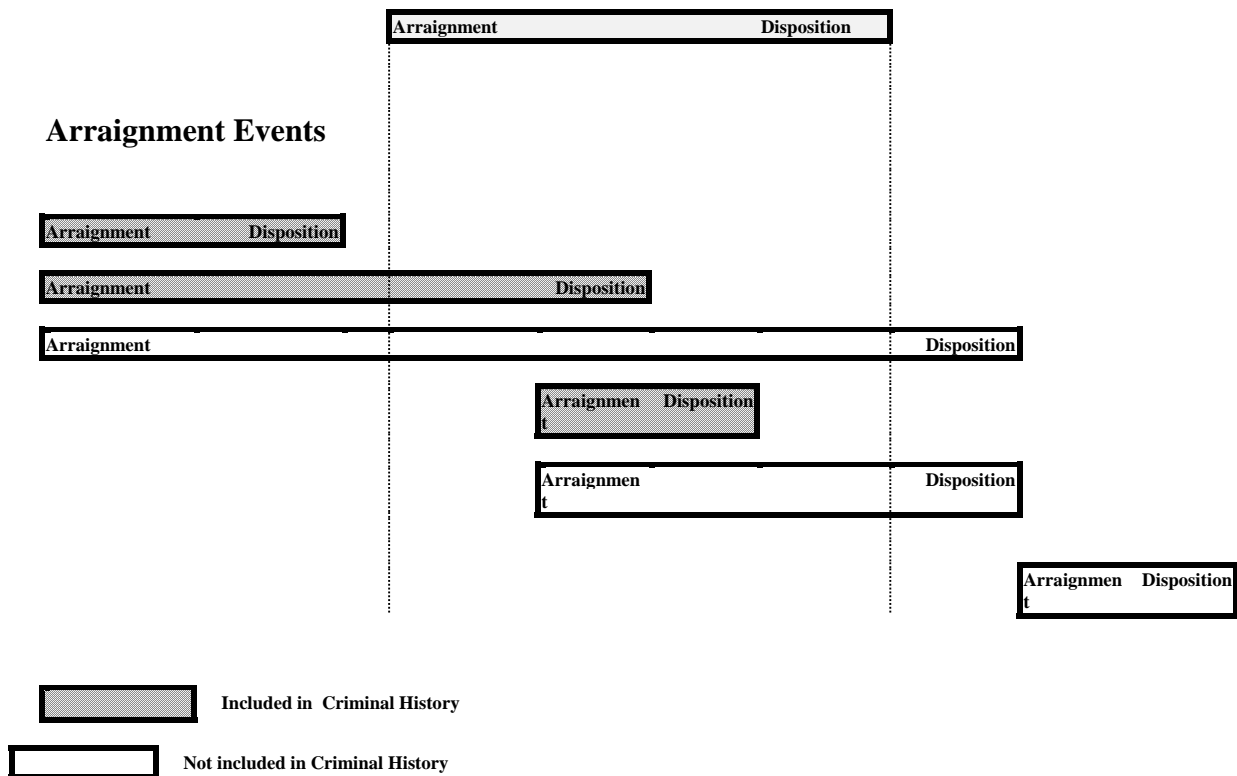
Further assumptions used in the construction of the juvenile criminal history model include: all juvenile criminal history convictions are assumed to precede any adult criminal history convictions; and there is no constraint on the types of offenses that can be charged in juvenile courts.

The following types of adjudications were counted toward the juvenile criminal history: DYS commitments (imposed or suspended), Probation, and Adjudicated Delinquent/Filed. The following types of adjudications were not considered juvenile adjudications: “G Filed” or “Fine” with no specific finding of “Adj Del” with the filing.

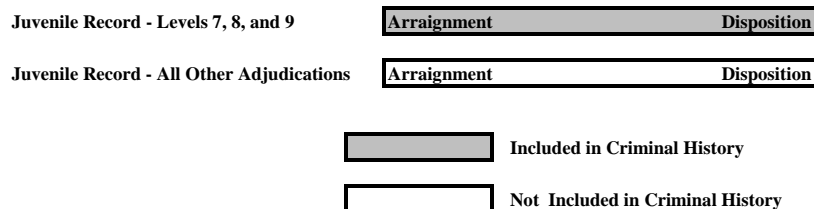
Figure 20 graphically depicts the application of juvenile criminal history records in the construction of the adult criminal record.



## Sentencing Event



## Adult Sentence Event



*Assigning a Case to the Grid.* Cases were assigned to one of two groups:

*Grid.* Includes all cases where the guidelines are expected to be considered, including those offense currently sentenced under the mandatory provisions of G.L. c. 94C.

*Not on Grid.* Includes all cases presumed to be sentenced for OUI and firearms offenses where the sentencing grid will not apply. A number of other different categories of cases are also included: (1) Many cases are disposed of and convicted are those where the charge disposed of carries a maximum penalty is other than a term of imprisonment (e.g. fine or civil penalty). While these cases are disposed of in both district and superior court, the guidelines model will not apply; (2) A number of cases are placed in this category where the offense descriptor is extremely broad (e.g. conspiracies and attempts) and where additional analysis to effect an informed placement into the grid is required; (3) A number of cases where the underlying data did not permit placement onto one of the grids. For example, charges disposed of in district court with no presumed district court jurisdiction, or charges with sentences above or below presumed statutory penalty structures.

## **Findings**

During Fiscal Year 1994 the survey on sentencing practices identified a total of 97,404 criminal defendant cases reached a final disposition that resulted in a conviction. Table 2 shows a statistical summary of the survey of sentencing practices. This table shows the placement of each defendant into one of two principal categories: sentencing grid and not on sentencing grid. It is estimated that over three-fourths of all sentencing decisions will be handled by the sentencing grid, an estimated 73,558 defendant cases. Of those cases not assigned to the grid, a large number of defendants are convicted for OUI offenses. An estimated 16,270 defendant convictions during the sample period, or approximately 17% of all cases were for OUI offenses. An estimated 369 defendants were convicted of mandatory firearms offenses. An estimated 7,207 cases, representing about 7% of the sample during the period, were not assigned to the grid for other reasons. Most of these cases resulted from charges that carry a maximum penalty of a fine. A small number of charges were classified as resulting only in a civil penalty and are excluded from the table and further analysis.

Table 3 shows the distribution of cases by court level: superior and district. The vast majority of all cases are disposed of in district courts. Of the cases convicted in the sample period, 4%, or 4,030, were disposed of in superior court and 96%, or 93,374, were disposed of in district court. The distribution of cases by court level and grid also substantially differs. It is estimated that the sentencing grid will apply to 94% of superior court convictions, in comparison with 75% of district court

convictions. OUI convictions represent 17% of district court convictions compared with less than 1% of superior court convictions.

Table 3 also shows the incarceration rate for cases assigned to the grid or not assigned to the grid by court level. It was estimated that over 21,000 incarceration sentences were imposed during the sample period. The overall incarceration rate was 22%, that is about one in five convictions result in a sentence of incarceration. The superior court incarceration rate was 77 % and the district court incarceration rate was 20%. The incarceration rate was 26% for sentencing grid defendants. For the sentencing grid, the superior court incarceration rate was higher than the district court incarceration rate. It was estimated that 88% of all incarcerated defendants will come from offenses assigned to the grid.

The estimated average sentence lengths for the grid and court level are also included in the summary table. Estimated sentence lengths are expressed for incarcerated defendants only and excludes defendants whose sentence length was missing. The average sentence imposed was 13.6 months. The average sentence in district court was 6.9 months and the average sentence in superior court was 54.9 months.

**Table 3 Summary of Defendants by Grid Assignment, All Courts**

<b>GRID AND SENTENCING CHARACTERISTICS</b>	<b>SUPERIOR COURTS</b>	<b>DISTRICT COURTS</b>	<b>ALL COURTS</b>
<b>CASES ASSIGNED TO SENTENCING GRID</b>			
Number of Convicted Defendants	3,787	69,771	73,558
Number of Incarcerated Defendants	2,944	16,281	19,225
Incarceration Rate	78%	23%	26%
Average Sentence Imposed	55.9 Months	7.1 Months	14.4 Months
<b>CASES NOT ASSIGNED TO SENTENCING GRID</b>			
Number of Convicted Defendants	243	23,603	23,846
Number of Incarcerated Defendants	155	2,445	2,600
Incarceration Rate	64%	10%	11%
Average Sentence Imposed	35.6 Mos.	5.5 Mos.	7.3 Mos.
<b>TOTAL</b>			
Number of Convicted Defendants	4,030	93,374	97,404
Number of Incarcerated Defendants	3,099	18,726	21,825
Incarceration Rate	77%	20%	22%
Average Sentence Imposed	54.9 Mos.	6.9 Mos.	13.6 Mos.

Tables 4, 5, and 6 show additional statistical information for those defendants who were presumed to fall on the sentencing grid. The tables show the number of defendants estimated in each cell in the grid; the number sentenced to incarceration; the incarceration rate; and the average sentence imposed.

Most defendants fall in the lowest levels of the grid. In general, the number of convicted defendants decreases with increasing levels of offense seriousness. For example, there were an estimated 20,789 defendants convicted of level 3 offenses and 941 defendants convicted of level 6 offenses.

Both the incarceration rate and the average sentence increase with the seriousness of the offense and the criminal history of the defendant. For example, for defendants convicted of level 3 offenses the incarceration rate was estimated at 33%. In contrast, for defendants convicted of level 6 offenses, the incarceration rate was estimated at 87%. Similarly, the average sentence imposed for level 3 offenses was estimated to be 8.2 months, while the average sentence imposed for a level 6 offense was 60.6 months.

Very few defendants were classified to the highest criminal history group, repeat/violent records. Of those defendants classified to the highest criminal history group, not all were currently being sentenced for an offense in the highest level of seriousness. For example, a defendant in cell 4E could have two prior convictions for armed robbery and is currently being sentenced for Possession with intent to Distribute Controlled Substances.

The research method may underestimate the number of defendants in the highest criminal history group. For staircased offenses the method calls for assigning the prior convictions to the lower(est) offense seriousness level. For example, all prior convictions for Armed Robbery were assigned to level 6, thereby underestimating those that were at level 7 (display of gun). Further, the method did not take into account the presumption that prior convictions with the same arraignment date represent a single incident (one prior conviction) may be rebutted and some such prior convictions may be counted as separate prior convictions.

Table 5 shows the same set of information for superior court cases. Table 6 shows the same set of information for district court cases (including the Boston Municipal Court).

Table 7 shows a comparative analysis for all defendants of current sentence length with proposed guideline ranges and shows the number of defendants sentenced below the range, within the range, and above the range. For example, in Level 5, Criminal History Group A, 27 defendants had a sentence under the range, 87 within the range,

and 15 above the range. The total numbers in this table may be less than the previous tables due to missing information.

A detailed breakdown of the survey of sentencing practices data is shown in the nine tables appearing in Appendix C. The tables can be divided into three sections comprised of three tables each:

- The first section reports on the total number of defendants, the total number of incarcerated defendants, and the incarceration rate for each level, criminal history group, and specific offense.
- The second section reports the mean and median sentence for each level, criminal history group and specific offense.
- The final section compares the current sentence of defendants with proposed guideline ranges and reports on the number whose sentence is below the range, within the range, or above the range. This information is also presented for each level, criminal history group, and specific offense.

Within each section the first table reports the statistical information for all courts; the second table reports the statistical information for superior courts; and, the third table reports the statistical information for district courts, including the Boston Municipal Court.

**Table 4 Summary of Sentencing Grid Defendants by Cell**

	CRIMINAL HISTORY GROUP					
ESTIMATE	A	B	C	D	E	TOTAL
Level 9						
Number	32	17	10	12	0	71
Incarcerated	32	17	10	12	0	71
Incarceration Rate	100%	100%	100%	100%	N.A.	100%
Average Sentence	Life	Life	Life	Life	N.A.	Life
Level 8						
Number	91	36	24	32	0	183
Incarcerated	79	35	21	30	0	165
Incarceration Rate	87%	97%	88%	94%	N.A.	90%
Average Sentence	117.0 Mos.	127.9 Mos.	127.6 Mos.	173.1 Mos.	N.A.	131.0 Mos.
Level 7						
Number	89	47	44	52	2	234
Incarcerated	76	39	41	50	2	208
Incarceration Rate	85%	83%	93%	96%	100%	89%
Average Sentence	67.7 Mos.	72.3 Mos.	62.4 Mos.	110.6 Mos.	82.5 Mos.	78.3 Mos.
Level 6						
Number	387	202	200	150	2	941
Incarcerated	309	185	181	141	2	818
Incarceration Rate	80%	92%	91%	94%	100%	87%
Average Sentence	58.1 Mos.	57.9 Mos.	58.5 Mos.	71.2 Mos.	114.0 Mos.	60.6 Mos.
Level 5						
Number	260	137	103	84	0	584
Incarcerated	141	97	95	74	0	407
Incarceration Rate	54%	71%	92%	88%	N.A.	70%
Average Sentence	25.6 Mos.	28.7 Mos.	39.8 Mos.	50.8 Mos.	N.A.	34.2 Mos.
Level 4						
Number	2091	1321	976	701	7	5096
Incarcerated	1048	866	790	596	6	3306
Incarceration Rate	50%	66%	81%	85%	86%	65%
Average Sentence	15.7 Mos.	17.7 Mos.	20.1 Mos.	26.0 Mos.	28.4 Mos.	19.2 Mos.
Level 3						
Number	9227	6026	3272	2252	12	20789
Incarcerated	1430	1997	1760	1483	8	6678
Incarceration Rate	15%	33%	54%	66%	67%	32%
Average Sentence	6.5 Mos.	7.2 Mos.	8.7 Mos.	10.4 Mos.	8.8 Mos.	8.2 Mos.
Level 2						
Number	13868	6312	2830	1866	7	24883
Incarcerated	1278	1609	1120	965	2	4974
Incarceration Rate	9%	25%	40%	52%	29%	20%
Average Sentence	5.6 Mos.	5.9 Mos.	7.2 Mos.	8.3 Mos.	4.5 Mos.	6.6 Mos.
Level 1						
Number	11979	5563	2147	1078	10	20777
Incarcerated	679	1056	543	317	3	2598
Incarceration Rate	6%	19%	25%	29%	30%	13%
Average Sentence	1.6 Mos.	2.0 Mos.	2.4 Mos.	2.5 Mos.	9.1 Mos.	2.1 Mos.

**Table 5 Summary of Sentencing Grid Defendants by Cell, Superior Courts**

CRIMINAL HISTORY GROUP						
ESTIMATE	A	B	C	D	E	TOTAL
<b>Level 9</b>						
Number	32	17	10	12	0	71
Incarcerated	32	17	10	12	0	71
Incarceration Rate	100%	100%	100%	100%	N.A.	100%
Average Sentence	Life	Life	Life	Life	Life	Life
<b>Level 8</b>						
Number	91	36	24	32	0	183
Incarcerated	79	35	21	30	0	165
Incarceration Rate	87%	97%	88%	94%	N.A.	90%
Average Sentence	117.0 Mos.	127.9 Mos.	127.6 Mos.	173.1 Mos.	N.A.	131.0 Mos.
<b>Level 7</b>						
Number	89	47	44	52	2	234
Incarcerated	76	39	41	50	2	208
Incarceration Rate	85%	83%	93%	96%	100%	89%
Average Sentence	67.7 Mos.	72.3 Mos.	62.4 Mos.	110.6 Mos.	82.5 Mos.	78.3 Mos.
<b>Level 6</b>						
Number	387	202	200	150	2	941
Incarcerated	309	185	181	141	2	818
Incarceration Rate	80%	92%	91%	94%	100%	87%
Average Sentence	58.1 Mos.	57.9 Mos.	58.5 Mos.	71.2 Mos.	114.0 Mos.	60.6 Mos.
<b>Level 5</b>						
Number	140	83	87	73	0	383
Incarcerated	98	71	81	70	0	320
Incarceration Rate	70%	86%	93%	96%	N.A.	84%
Average Sentence	32.4 Mos.	35.0 Mos.	44.7 Mos.	52.2 Mos.	N.A.	40.3 Mos.
<b>Level 4</b>						
Number	358	234	186	201	2	981
Incarcerated	289	203	173	196	2	863
Incarceration Rate	81%	87%	93%	98%	100%	88%
Average Sentence	26.2 Mos.	33.6 Mos.	43.8 Mos.	51.4 Mos.	54.0 Mos.	37.6 Mos.
<b>Level 3</b>						
Number	277	105	75	65	1	523
Incarcerated	113	67	50	47	1	278
Incarceration Rate	41%	64%	67%	72%	100%	53%
Average Sentence	20.3 Mos.	24.9 Mos.	26.6 Mos.	23.3 Mos.	12.0 Mos.	23.0 Mos.
<b>Level 2</b>						
Number	254	84	43	33	0	414
Incarcerated	93	55	30	25	0	203
Incarceration Rate	37%	65%	70%	76%	N.A.	49%
Average Sentence	19.2 Mos.	24.9 Mos.	29.4 Mos.	33.4 Mos.	N.A.	24.1 Mos.
<b>Level 1</b>						
Number	38	7	6	6	0	57
Incarcerated	9	2	5	2	0	18
Incarceration Rate	24%	29%	83%	33%	N.A.	32%
Average Sentence	8.6 Mos.	33.0 Mos.	19.5 Mos.	6.0 Mos.	N.A.	13.7 Mos.



**Table 6 Summary of Sentencing Grid Defendants by Cell, District Courts**

CRIMINAL HISTORY GROUP						
ESTIMATE	A	B	C	D	E	TOTAL
Level 9						
Number	0	0	0	0	0	0
Incarcerated	0	0	0	0	0	0
Rate	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Average Sentence	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Level 8						
Number	0	0	0	0	0	0
Incarcerated	0	0	0	0	0	0
Rate	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Average Sentence	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Level 7						
Number	0	0	0	0	0	0
Incarcerated	0	0	0	0	0	0
Rate	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Average Sentence	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Level 6						
Number	0	0	0	0	0	0
Incarcerated	0	0	0	0	0	0
Rate	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Average Sentence	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Level 5						
Number	120	54	16	11	0	201
Incarcerated	43	26	14	4	0	87
Rate	36%	48%	88%	36%	N.A.	43%
Average Sentence	10.0 Mos.	12.3 Mos.	15.0 Mos.	28.5 Mos.	N.A.	12.5 Mos.
Level 4						
Number	1733	1087	790	500	5	4115
Incarcerated	759	663	617	400	4	2443
Rate	44%	61%	78%	80%	80%	59%
Average Sentence	12.0 Mos.	13.3 Mos.	13.7 Mos.	13.7 Mos.	11.3 Mos.	13.0 Mos.
Level 3						
Number	8950	5921	3197	2187	11	20266
Incarcerated	1317	1930	1710	1436	7	6400
Rate	15%	33%	53%	66%	64%	32%
Average Sentence	5.2 Mos.	6.6 Mos.	8.3 Mos.	10.0 Mos.	8.3 Mos.	7.5 Mos.
Level 2						
Number	13614	6228	2787	1833	7	24469
Incarcerated	1185	1554	1090	940	2	4771
Rate	9%	25%	39%	51%	29%	19%
Average Sentence	4.5 Mos.	5.3 Mos.	6.6 Mos.	7.7 Mos.	4.5 Mos.	5.9 Mos.
Level 1						
Number	11941	5556	2141	1072	10	20720
Incarcerated	670	1054	538	315	3	2580
Rate	6%	19%	25%	29%	30%	12%
Average Sentence	1.5 Mos.	1.9 Mos.	2.3 Mos.	2.5 Mos.	9.1 Mos.	2.0 Mos.

**Table 7 Comparative Analysis of Current Sentences and Proposed Guideline Ranges , All Courts**

LEVEL	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
9	0	32	0	0	17	0	0	10	0	0	12	0	0	0	0	0	71	0
8	33	14	23	13	6	13	7	9	2	12	7	8	0	0	0	65	36	46
7	35	7	24	21	3	13	30	8	2	28	7	13	2	0	0	116	25	52
6	103	89	83	66	47	54	81	50	42	52	44	36	0	2	0	302	232	215
5	27	87	15	38	33	20	30	41	15	36	19	13	0	0	0	131	180	63
4	0	866	107	101	645	77	113	544	96	294	141	133	3	0	2	511	2196	415
3	0	1194	116	0	1698	197	0	1526	162	0	1347	70	3	4	0	3	5769	545
2	0	0	1135	0	1167	336	0	739	313	0	611	311	0	2	0	0	2519	2095
1	0	0	586	0	0	975	0	0	514	0	240	55	0	2	1	0	242	2131

## **SURVEY OF TIME SERVED IN CORRECTIONAL FACILITIES**

### **Statutory Mandate**

General Law Chapter 211E directs the commission to consider the length of prison terms actually served. Further, in developing guideline sentences, the commission was instructed to ensure that the sentences were not higher only due to the repeal of statutory good time. As stated in G.L. c. 211E:

(c) In its development of the sentencing guidelines, the commission shall conduct an empirical study in order to ascertain, to the extent practical, a survey of those individuals appearing before the commonwealth's criminal courts, and those committed to probation, prison and jail. It should also include the average sentences imposed for all offenses prior to the promulgation by the commission of the sentencing guidelines, and the length of prison terms actually served in such cases.

The commission shall not be bound by such average sentences, and shall independently develop a sentencing range that is consistent with the purposes of sentencing described in section two; provided, however, that the commission shall assure that the target sentences established for each offense shall not be higher than the averages determined herein, solely because of the discontinuation of sentence reductions for good conduct.

This document reports on the results of this effort to meet the legislative mandate relative to surveying the length of prison terms actually served for individuals coming before the courts. The previous section discussed the survey of sentencing practices prepared by the commission.

### **Methodology**

The commission received information from the Department of Correction and Houses of Correction on cases released from correctional facilities during the two year period, 1992 to 1993. Information was provided to the commission in the best available format and included submissions from electronic inmate data bases as well as copies of written reports on admissions and releases from the correctional facilities. To date the commission staff has completed the two-year analysis of four county facilities and the Department of Correction.

*Sample Period.* The commission elected to consider a sample of individuals released from correctional facilities in calendar year 1992 and 1993. The commission selected

this sampling period for a number of reasons: a two-year period was selected to ensure an adequate number of low volume cases for consideration; the sample period was prior to enactment of the provisions of Chapter 432 and thus time served is independent of the elimination of statutory good time; and the availability of data from the Department of Correction was assumed to complete for this sample period.

*Estimating Time Served.*

*First Release.* The analysis developed estimates of time served until first release for those individuals released from state and county correctional facilities. Those individuals who were re-released as a result of a return as a parole violator were excluded from the analysis.

*Release to the “Street”.* The analysis developed estimates of time served until release to the “street” at the end of a sentence. Excluded from the analysis were those individuals who were released from a correctional facility and transferred to other correctional facilities or whose release was otherwise not related to the end of a sentence. For example, releases due to death or escape were excluded from the analysis.

*Application of the Guidelines.* The analysis developed estimates most related to the application of the guidelines. The guidelines will only apply to those individuals sentenced to a term of imprisonment and will not apply to those individuals committed in lieu of payment of a fine. Excluded from the analysis were those individuals committed in lieu of payment of a fine.

The analysis of time served was also used to relate to individuals serving a specific sentence associated with a specific offense. Excluded from the analysis were those individuals who were committed on aggregated sentences. The analysis focused on those individuals who were committed for a single charge or where those charges were running concurrently. For the Department of Correction, inmates serving “split” sentences were identified and excluded from the analysis of time served.

**Findings**

*Department of Correction.* During the two year period under consideration, a total of 3,452 inmates were released from DOC facilities to the street for whom time served estimates were available. This includes 1,832 males or 53.1 % who originally received a State Prison sentence, and 736 males or 21.3% who originally received a Reformatory sentence. The release sample also included 884 or 25.6% females who were originally sentenced to MCI-Framingham. Because female offenders committed to MCI-Framingham are sentenced with a variety of sentence structures, further analysis focused primarily on length of stay for males released from DOC facilities,

and concentrated on males released with MCI-Cedar Junction sentence structures. Additional tables in Appendix D show estimates of time served by specific offense and offense seriousness level for those offenses assigned to the sentencing grid.

**Table 8 Selected Characteristics of Releases from DOC Facilities**

Gender and Sentence Type	Number	Percent	Average Time Served
<b>Males</b>			
MCI-Cedar Junction Sentence	1832	53.1%	54.2 Months
MCI-Concord Sentence	736	21.3%	34.6 Months
Sub-Total	2568	74.4%	48.6 Months
<b>Females</b>	884	25.6%	9.5 Months
<b>Total</b>	3452	100.0%	38.6 Months

*Houses of Correction.* During the two year period under consideration, a total of 5,000 individuals were released from the selected four houses of correction for whom time served was calculated. Of these individuals, 607 or 12.1% were released to parole supervision and 4,393 or 87.9% were discharged. The average time served for the entire cohort was 5.3 months. Additional tables in Appendix D show estimates of time served by specific offense and offense seriousness level for those offenses characterized to the sentencing grid for house of correction releases.

**Table 9 Selected Characteristics of House of Correction Releases, 1992 to 1993**

Release Characteristic	Number	Percent	Average Time Serve
Paroled	607	12.1%	5.7 Months
Discharged	4393	87.9%	5.2 Months
Total	5000	100.0%	5.3 Months

## ESTIMATING THE IMPACT OF GUIDELINES ON CORRECTIONAL RESOURCES

### Statutory Mandate

Among other provisions, G.L. c. 211E directed the commission to:

... ration correctional capacity and other criminal justice resources to sentences imposed, making said rationing explicit, rational and

coherent, in order to: (a) afford sufficient correctional capacity to incarcerate violent offenders consistent with paragraph one;

and to develop guidelines based on :

. . . reasonable offender characteristics taking into account the offender's character, background, amenability to correction, and criminal history and the availability of the commonwealth's criminal justice and public safety resources.. .

In order to measure the impact of the proposed guidelines on required correctional resources, the commission worked cooperatively with the Department of Correction, the Parole Board, and the National Council on Crime and Delinquency to customize a simulation model.

### **Methodology**

The model selected by the commission is the NCCD Prophet Simulation Model, an interactive microcomputer simulation system. This model was developed by NCCD in 1982 and has since been used for the purposes of providing a model of prison and parole systems in a large number of jurisdictions, including: Nevada, Ohio, Michigan, Tennessee, Virginia, and Kansas. The model has been used by the Massachusetts Department of Correction for several years.

During the past year, commission staff, DOC staff, and NCCD consultants provided a significant update and extension of previous applications of the NCCD model to the Massachusetts criminal justice system. Most notable is the extension of the model to the county correctional system. During the development process NCCD staff recommended the development of two distinct modules.

The first is a model that projects DOC and county correctional populations and includes future estimates of the existing stock population, parole population, and new admissions streams. The model does not make any assumptions about the impact of the commission proposal.

The second is a model that allows the commission to measure the impact of the sentencing grid, stated as a net bedspace requirement resulting from the application of the guidelines. The commission model is defined by a series of forty-five "ID" groups, representing the forty-five cells in the sentencing grid. Individual defendants take on a number of different statuses: incarcerated, discharged, and paroled. The model allows the commission to set specific assumptions regarding the number of defendants in each cell, the estimated sentence lengths for each cell, and the estimated length of stay for each defendant.

The data used to generate population estimates for the commission were derived from the survey of sentencing practices, the survey of time served, and several secondary sources of information, including parole board rates, and estimates of earned good time. Information on the specific assumptions used in constructing the estimates of the impact of the commission guidelines are explained in Appendix E.

### **Findings**

Table 10 presents NCCD preliminary estimates of future DOC and county populations, absent the impact of the implementation of guidelines sentencing. The model does however take into account such truth-in-sentencing provisions as elimination of statutory good time and changes in parole eligibility. Current estimates indicate that the next several years will see substantial increases in both the Department of Correction and House of Correction sentenced populations. The figures show projected population levels by jurisdiction rather than physical custody. Thus, state inmates housed out-of-state or in county facilities are included in DOC projections. The noted increases are due to two factors: increasing admissions and increasing lengths of stay.

For the Department of Correction, the lack of sufficient new case information makes the impact of “truth-in-sentencing” sentences as yet known. NCCD has generated a series of three projections, ranging from a projection where truth-in-sentencing sentences generate much longer expected lengths of stay, a middle proposal, and a third proposal where expected lengths of stay are fairly constant with prior practice. For Houses of Correction, two scenarios were generated. The first assumes a modest increase in admissions over the next several years. The second assumes that admissions will continue to increase at the same high rate as has been the case in recent years.

**Table 10 NCCD Estimates of Future DOC and County Populations**

<b>Population at End of Year</b>	<b>Department of Correction</b>			<b>Houses of Correction</b>	
	<b>Scenario 1</b>	<b>Scenario 2</b>	<b>Scenario 3</b>	<b>Scenario 1</b>	<b>Scenario 2</b>
1995	10390	10390	10390	7331	7331
1996	10903	10944	10873	8247	8308
1997	11786	11564	11437	8374	8770
1998	12566	12309	11972	8488	9304
1999	13112	12786	12489	8579	9745
2000	13507	13127	12711	8590	10069
2001	13849	13482	13000	8648	10467
2002	14236	13758	13289	8718	10691
2003	14535	14021	13543	8740	10876
2004	14735	14215	13402	8899	11188

Source: NCCD, Massachusetts DOC Adult Inmate Population Projections, March, 1996.

The following table shows the estimated impact of guidelines on state inmate capacity requirements. The table indicates a comparative number of incarcerated inmates due to new admissions to the correctional population. It assumes that the guidelines are implemented by the beginning of 1997 and impacts all sentencing decisions upon implementation. During the first several years, it is estimated that the guidelines will have a net increase on correctional resource needs, due mainly to increased incarceration rates and moving those offenders currently sentenced below guideline ranges up into guideline ranges. By the year 2004, however, it is projected that guidelines will have almost no impact on overall correctional populations, at least the correctional population due to new admissions. For comparative purposes the net impact of the guidelines is compared with scenario-3 DOC projections, which assume minimal impact on length of stay from current truth-in-sentencing provisions. It is not currently possible to achieve a full integration of the two models. Future work should be done to enhance the projection capabilities of the commission. Additional information is shown in Appendix E for each level and cell within the grid.

**Table 11 Estimated Impact of Guidelines on State Inmate Capacity Requirements**

**All Levels**

<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>	<b>% of DOC Projection</b>
1997	2040	2157	117	1.0%
1998	3640	3998	358	3.0%
1999	4908	5376	468	3.7%
2000	5948	6394	446	3.5%
2001	6757	7097	340	2.6%
2002	7365	7613	248	1.9%
2003	7824	8039	215	1.6%
2004	8287	8251	-36	-0.3%

Table 12 shows the estimated impact on county correctional population due to the impact of guidelines. In each year of the projection, it is assumed that the impact on the county population would be negative, that is fewer beds required due to new admissions and expected length of stay of new admission. The impact was compared on a percentage basis with the scenario-1 projection, because the commission projections are based on a flat admissions assumption for both the DOC and the Houses of Correction. The model currently assumed no impact due to probation violation rates from intermediate sanctions and assumes a substantial impact due to relaxed imposition of mandatory sentencing for drug offenders.



**Table 12 Estimated Impact of Guidelines on House of Correction Inmate Capacity Requirements**

**All Levels**

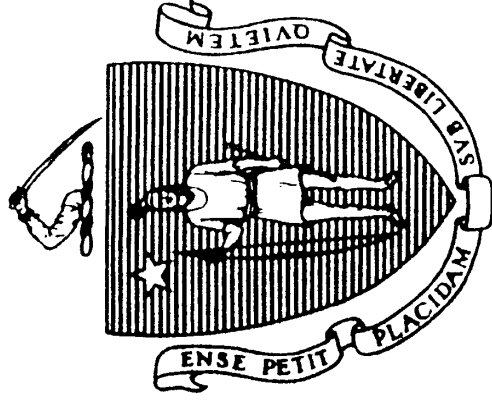
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>	<b>% of HOC Projection</b>
1997	6864	6767	-97	-1.2%
1998	8056	7778	-278	-3.3%
1999	8089	7854	-235	-2.7%
2000	8217	8016	-201	-2.3%
2001	8165	7884	-281	-3.2%
2002	8140	7868	-272	-3.1%
2003	8179	7926	-253	-2.9%
2004	8189	7849	-340	-3.8%

## **SUMMARY**

The commission has recommended a comprehensive set of sentencing policies and guidelines to promote greater fairness, uniformity, and truth in sentencing. The sentencing guidelines were formulated under a prescriptive approach, aimed at enhancing the penalties for violent offenders and developing a system of intermediate sanctions for non-violent offenders. Empirical research on current sentencing patterns, time presently being served, and prison population projections informed the guidelines development process. The different perspectives of commission members and the insights gained from focus groups and public hearings all contributed to the formulation of a balanced and integrated set of sentencing policies and guidelines.

The process of developing these sentencing policies and guidelines was characterized by vigorous debate. Commission members advocated articulately and strenuously for the points of view of their constituencies. As expected, the commission did not reach unanimity on each point of discussion. However, it is significant that the commission members, who are required by statute to vote on the sentencing guidelines, did vote unanimously to adopt the sentencing policies and guidelines and the intermediate sanction policies and recommendations, as a whole, as set forth in this Report to the General Court.

**APPENDIX A.**  
**MASSACHUSETTS SENTENCING COMMISSION**  
**FELONY AND MISDEMEANOR MASTER CRIME LIST**



## Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statutory Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	9			265/1	MURDER c265 §1	Felony						Life
Grid	9			268/1	PERJURY IN TRIAL OF CAPITAL CASE c268 1	Felony						Life
Grid	9			268/2	PERJURY, SUBORN IN TRIAL OF CAPITAL CASE c268 2	Felony						Life
Grid	8		Note C	94C/32E	COCAINE, TRAFFICK IN c94C 32E(b)(4) - 200 or more g	Felony		15 years			15 years	20 years
Grid	8		Note C	94C/32E	HEROIN/MORPHINE/OPIUM, TRAFFICK IN c94C 32E(c)(4) - 200 or more g	Felony		15 years			15 years	20 years
Grid	8		Note C	94C/32E	PHENMETRAZINE, TRAFFICK IN c94C 32E(b)(4) - 200 g or more	Felony		15 years			15 years	20 years
Grid	8			264/2	TREASON c264 §2	Felony						Life
Grid	8		Note A Staircased	265/13	MANSLAUGHTER c265 §13	Felony	Voluntary		2 1/2 years		20 years	
Grid	8			265/13	MANSLAUGHTER INVOLVING EXPLOSIVES c265 §13	Felony					Life	
Grid	8			265/17	ROBBERY, ARMED & MASKED, SUBSQ.OFF. c265 §17	Felony					10 years	Life
Grid	8		Note A	265/18(a)	ASSAULT TO MURDER +65, ARMED, SUBSQ.OFF. c265 §18	Felony					2 years	20 years
Grid	8			265/18A	ASSAULT IN DWELLING, ARMED c265 §18A	Felony					10 years	Life
Grid	8		Note B	265/18C	HOME INVASION c265 §18C	Felony					20 years	Life
Grid	8	Enh. Crim. Hist.	Note B	265/18C	HOME INVASION, SUBSQ.OFF. §c265 §18C	Felony					20 years	Life
Grid	8			265/22(a)	RAPE, AGGRAVATED c265 §22	Felony					Life	
Grid	8	Enh. Crim. Hist.		265/22(a)	RAPE, AGGRAVATED, SUBSQ.OFF. c265 §22	Felony					Life	
Grid	8			265/22(b)	RAPE, SUBSQ.OFF. c265 §22	Felony					Life	
Grid	8			265/22A	RAPE OF CHILD WITH FORCE c265 §22A	Felony					Life	
Grid	8	Enh. Crim. Hist.		265/22A	RAPE OF CHILD WITH FORCE, SUBSQ.OFF. c265 §22A	Felony					5 years	Life
Grid	8			265/24B	ASSAULT TO RAPE CHILD, SUBSQ.OFF. c265 §24B	Felony					5 years	Life
Grid	8			266/14	BURGLARY, ARMED c266 §14	Felony					10 years	Life
Grid	8			266/14	BURGLARY, ARMED & ASSAULT c266 §14	Felony					10 years	Life
Grid	8	Enh. Crim. Hist.		266/14	BURGLARY, ARMED & ASSAULT SUBSQ. OFF. c266 §14	Felony					10 years	Life
Grid	8	Enh. Crim. Hist.		266/14	BURGLARY, ARMED SUBSQ. OFF. c266 §14	Felony					10 years	Life
Grid	8			266/14	BURGLARY, UNARMED & ASSAULT c266 §14	Felony					10 years	Life
Grid	8	Enh. Crim. Hist.		266/14	BURGLARY, UNARMED & ASSAULT SUBSQ. OFF. c266 §14	Felony					10 years	Life
Grid	7		Note C	94C/32E	COCAINE, TRAFFICK IN c94C 32E(b)(3) - 100 to 200 g	Felony		10 years			10 years	20 years
Grid	7		Note C	94C/32E	HEROIN/MORPHINE/OPIUM, TRAFFICK IN c94C 32E(c)(2) - 28 to 100 g	Felony		7 years			7 years	20 years
Grid	7		Note C	94C/32E	HEROIN/MORPHINE/OPIUM, TRAFFICK IN c94C 32E(c)(3) - 100 to 200 g	Felony		10 years			10 years	20 years
Grid	7		Note C	94C/32E	MARIJUANA, TRAFFICK IN c94C 32E(a)(4) - 10,000 or more lbs	Felony		10 years			10 years	15 years
Grid	7		Note C	94C/32E	PHENMETRAZINE, TRAFFICK IN c94C 32E(b)(3) - 100 to 200 g	Felony		10 years			10 years	20 years
Grid	7			127/38A	HOSTAGE-TAKING BY PRISONER c127 §38A	Felony					20 years	
Grid	7		Note A	265/13F	INDECENT A&B ON RETARDED PERSON, SUBSQ. c265 §13F	Felony			2 1/2 years		10 years	
Grid	7		Note A	265/13J	A&B ON CHILD WITH SUBSTANTIAL INJURY c265 §13J	Felony			2 1/2 years		15 years	
Grid	7			265/14	MAYHEM c265 §14	Felony			2 1/2 years		20 years	
Grid	7			265/16	MURDER, ATTEMPTED c265 §16	Felony						Life
Grid	7		Staircased	265/17	ROBBERY, ARMED c265 §17	Felony	Display of Gun					Life
Grid	7		Staircased	265/17	ROBBERY, ARMED & MASKED c265 §17	Felony	Display of Gun					Life
Grid	7			265/18(a)	ASSAULT TO MURDER +65, ARMED c265 §18	Felony					5 years	Life
Grid	7			265/18(a)	ASSAULT TO ROB +65, ARMED, SUBSQ.OFF. c265 §18	Felony					2 years	20 years

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	7			265/18(b)	ASSAULT TO MURDER, ARMED c265 §18	Felony						20 years
Grid	7			265/19(a)	ROBBERY -65, UNARMED, SUBSQ.OFF. c265 §19	Felony					2 years	Life
Grid	7			265/21	CONFINOR PUT IN FEAR TO STEALOR ATTEMPT c265 §21	Felony						Life
Grid	7			265/21A	CARJACKING, ARMED c265 §21A	Felony		1 year	2 1/2 years			20 years
Grid	7			265/22(b)	RAPE c265 §22	Felony						20 years
Grid	7			265/23	RAPE OF CHILD, STATUTORY, SUBSQ.OFF. c265 §23	Felony					5 years	Life
Grid	7			265/24	ASSAULT TO RAPE, SUBSQ.OFF. c265 §24	Felony						Life
Grid	7			265/24B	ASSAULT TO RAPE CHILD c265 §24B	Felony						Life
Grid	7			265/26	KIDNAPPING FOR EXTORTION c265 §26	Felony						Life
Grid	7			265/28	POISONING, ATTEMPTED c265 §28	Felony						Life
Grid	7			266/101	EXPLOSION, MALICIOUS c266 §101	Felony						
Grid	7			266/102	EXPLOSIVES, POSSESS TO INJURE c266 §102	Felony			2 1/2 years			20 years
Grid	7			266/102	EXPLOSIVES, THROW/PLACE/EXPLODE c266 §102	Felony			2 1/2 years			20 years
Grid	7			272/17	INCEST c272 17	Felony						20 years
Grid	6			12/11J	CIVIL RIGHTS ORDER VIOLATION WITH INJURY c12 §11J	Felony						10 years
Grid	6			90/24G	MOTOR VEH HOMICIDE OUI DRUGS & NEGLIGENCE c90 24G	Felony		1 year	2 1/2 years	2 1/2 years	2 1/2 years	15 years
Grid	6			90/24G	MOTOR VEH HOMICIDE OUI DRUGS & RECKLESS c90 24G	Felony		1 year	2 1/2 years	2 1/2 years	2 1/2 years	15 years
Grid	6		Note E	90/24G	MOTOR VEH HOMICIDE OUI LIQUOR & NEGLIGENCE c90 24G	Felony		1 year	2 1/2 years	2 1/2 years	2 1/2 years	15 years
Grid	6		Note E	90/24G	MOTOR VEH HOMICIDE OUI LIQUOR & RECKL c90 24G	Felony		1 year	2 1/2 years	2 1/2 years	2 1/2 years	15 years
Grid	6		Note E	90B/8B	BOAT OUI DRUGS & DEATH, RECKLESS OR NEGLIGENCE c90B §8	Felony		1 year	2 1/2 years	2 1/2 years	2 1/2 years	15 years
Grid	6		Note E	90B/8B	BOAT OUI LIQUOR & DEATH, RECKLESS OR NEGLIGENCE c90B §8	Felony		1 year	2 1/2 years	2 1/2 years	2 1/2 years	15 years
Grid	6		Note C	94C/32	DRUG, DISTRIBUTE CLASS A, SUBSQ.OFF. c94C 32(b)	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32	DRUG, POSSESS TO DISTRIB CLASS A, SUBSQ. c94C 32(b)	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32A	COCAINE, DISTRIBUTE, SUBSQ.OFF. c94C 32A(d)	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32A	COCAINE, POSSESS TO DISTRIBUTE, SUBSQ. c94C 32A(d)	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32A	METHAMPHETAMINE, DISTRIBUTE, SUBSQ.OFF. c94C 32A(d)	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32A	METHAMPHETAMINE, POSSESS TO DISTRIB. 2ND c94C 32A(d)	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32A	PHENCYCLIDINE, DISTRIBUTE, SUBSQ.OFF. c94C 32A(d)	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32A	PHENCYCLIDINE, POSSESS TO DISTRIB, SUBSQ. c94C 32A(d)	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32E	COCAINE, TRAFFICK IN c94C 32E(b)(2) - 28 to 100 g	Felony		5 years			5 years	20 years
Grid	6		Note C	94C/32E	HEROIN/MORPHINE/OPUM, TRAFFICK IN c94C 32E(c)(1) - 14 to 28 g	Felony		5 years			5 years	20 years
Grid	6		Note C	94C/32E	MARIJUANA, TRAFFICK IN §c94C 32E(a)(3) - 2,000 to 10,000 lbs	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32E	PHENMETRAZINE, TRAFFICK IN c94C 32E(b)(2) - 28 to 100 g	Felony		5 years			5 years	20 years
Grid	6		Note C	94C/32F	COCAINE, DISTRIBUTE TO MINOR c94C 32F(d)	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32F	DRUG, DISTRIBUTE TO MINOR CLASS A c94C 32F(a)	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32F	DRUG, POSSESS TO DISTR TO MINOR CLASS A c94C 32F(a)	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32K	DRUG FUNDS, INDUCE MINOR TO POSSESS c94C 32K	Felony		5 years			5 years	15 years
Grid	6		Note C	94C/32K	DRUG, INDUCE MINOR TO DISTRIBUTE c94C 32K	Felony		5 years			5 years	15 years
Grid	6			111H/8	LOW-LEVEL RADIOACTIVE WASTE VIOLATION c111H §8	Felony						20 years
Grid	6			140/128	FIREARM SALE, IMPROPER, SUBSQ.OFF. c140 128	Felony						10 years

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	6			140/128	FIREARM SALE, UNLICENSED, SUBSQ.OFF. c140 128	Felony						10 years
Grid	6			159A/31	BUS DRIVER, INTERFERE WITH c159A §31	Felony						20 years
Grid	6			160/226	RAILROAD, OBSTRUCT/ENDANGER c160 §226	Felony						20 years
Grid	6		Staircased	265/13	MANSLAUGHTER c265 §13	Felony	Involuntary			2 1/2 years		20 years
Grid	6			265/13B	INDECENT A&B ON CHILD UNDER 14, SUBSQ. c265 §13B	Felony						Life
Grid	6		Note A	265/13F	INDECENT A&B ON RETARDED PERSON c265 §13F	Felony					5 years	10 years
Grid	6			265/13K(c)	A&B ON ELDER (60+) /DISABLED PERSON; SERIOUS BODILY INJURY c265 §13K	Felony				2 1/2 years		10 years
Grid	6			265/13K(e)	CARETAKER; PERMITS A&B ON ELDER/DISABLED PERSON; SERIOUS BODILY INJUR	Felony				2 1/2 years		10 years
Grid	6			265/15	ASSAULT TO MURDER OR MAIM c265 §15	Felony				2 1/2 years		10 years
Grid	6		Staircased	265/15A(a)	A&B WITH DANGEROUS WEAPON +65 c265 §15A	Felony	Significant Injury			2 1/2 years		10 years
Grid	6			265/15A(b)	A&B WITH DANGEROUS WEAPON +65, SUBSQ.OFF c265 §15A	Felony			2 years	2 1/2 years		10 years
Grid	6		Staircased	265/17	ROBBERY, ARMED c265 s17	Felony	Significant Injury			2 1/2 years		10 years
Grid	6		Staircased	265/17	ROBBERY, ARMED & MASKED c265 §17	Felony	No Display of Gun			2 1/2 years		10 years
Grid	6		Staircased	265/18(a)	ASSAULT TO ROB +65, ARMED c265 §18	Felony	No Display of Gun				5 years	Life
Grid	6			265/18(b)	ASSAULT TO ROB, ARMED c265 §18	Felony						Life
Grid	6			265/19(a)	ROBBERY +65, UNARMED c265 §19	Felony						20 years
Grid	6			265/21A	CARJACKING c265 §21A	Felony				2 1/2 years		15 years
Grid	6			265/23	RAPE OF CHILD, STATUTORY c265 §23	Felony				2 1/2 years		Life
Grid	6			265/24	ASSAULT TO RAPE c265 §24	Felony				2 1/2 years		Life
Grid	6			265/26	KIDNAPPING c265 §26	Felony						20 years
Grid	6			265/37	CIVIL RIGHTS VIOLATION WITH BODILY INJURY OR ATTEMPT c265 §37	Felony						10 years
Grid	6			266/1	ARSON OF DWELLING HOUSE c266 §1	Felony				2 1/2 years		20 years
Grid	6			266/15	BURGLARY, UNARMED SUBSQ. OFF. c266 §15	Felony					5 years	20 years
Grid	6			266/102A	INFERNAL MACHINE, POSSESS c266 §102A	Felony						10 years
Grid	6		Note E	272/4B	PROSTITUTION, DERIVE SUPPORT FROM CHILD c272 4B	Felony		5 years		2 1/2 years		Life
Grid	6			272/19	MISCARRIAGE, PROCURE IMPROPER WITH DEATH c272 19	Felony						Life
Grid	6			272/29A	CHILD IN NUDE, LASCIVIOUS POSE/EXHIBIT c272 29A	Felony						20 years
Grid	6			272/29A	CHILD IN SEXUAL ACT, POSE/EXHIBIT c272 29A	Felony						20 years
Grid	6			272/29B	CHILD IN NUDE, DISTRIB MATERIAL OF c272 29B	Felony						20 years
Grid	6			272/29B	CHILD IN SEXUAL ACT, DISTRIB MATERIAL OF c272 29B	Felony						20 years
Grid	6		Note A	272/35A	UNNATURAL ACT WITH CHILD - 16, SUBSQ.OFF. c272 35A	Felony						5 years
Grid	5		Note C	94C/32A	DRUG; DISTRIBUTE CLASS B; SUBSQ.OFF. c94C 32A(b)	Felony		3 years			3 years	10 years
Grid	5		Note C	94C/32A	DRUG; POSSESS TO DISTRIB CLASS B; SUBSQ. c94C 32A(b)	Felony		3 years			3 years	10 years
Grid	5		Note C	94C/32B	DRUG; DISTRIBUTE CLASS C; SUBSQ.OFF. c94C 32B(b)	Felony		2 years		2 1/2 years	2 1/2 years	10 years
Grid	5		Note C	94C/32B	DRUG; POSSESS TO DISTRIB CLASS C; SUBSQ. c94C 32B(b)	Felony		2 years		2 1/2 years	2 1/2 years	10 years
Grid	5		Note C	94C/32E	COCAINE, TRAFFICKING IN c94C 32E(b)(1) - 14 to 28 g	Felony		3 years			3 years	15 years
Grid	5		Note C	94C/32E	MARIJUANA, TRAFFICKING IN c94C 32E(a)(2) - 100 to 2,000 lbs	Felony		3 years			3 years	15 years
Grid	5		Note C	94C/32E	PHENMETRAZINE, TRAFFICKING IN c94C 32E(b)(1) - 14 to 28 g	Felony		3 years			3 years	15 years
Grid	5		Note C	94C/32F	DRUG; DISTRIBUTE TO MINOR CLASS B c94C 32F(b)	Felony		3 years			3 years	15 years

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	5		Note C	94C/32F	DRUG; CONTRIBUTE TO MINOR CLASS C -94C 32F(c)	Felony		2 years	2 years	2 1/2 years	2 1/2 years	15 years
Grid	5		Note C	94C/32F	DRUG; POSSESS TO DISTR TO MINOR CLASS B -94C 32F(b)	Felony		3 years			3 years	15 years
Grid	5		Note C	94C/32F	DRUG; POSSESS TO DISTR TO MINOR CLASS C -94C 32F(c)	Felony		2 years	2 years	2 1/2 years	2 1/2 years	15 years
Grid	5			140/131E	FIREARM PURCHASE FOR ANOTHER c140 131E	Felony					2 1/2 years	10 years
Grid	5		Staircased	167B/21	ELECTRONIC FUND TRANSFER VIOL OVER \$100 c167B §21	Felony	\$50,000 and over					10 years
Grid	5			265/13B	INDECENT A&B ON CHILD UNDER 14 c265 §13B	Felony			2 1/2 years			10 years
Grid	5		Note B	265/13C	A&B TO COLLECT LOAN, SUBSQ OFF. c265 §13C	Felony					5 years	10 years
Grid	5			265/13F	A&B ON RETARDED PERSON, SUBSQ OFF. c265 §13F	Felony						10 years
Grid	5		Note A	265/13J	A&B ON CHILD WITH INJURY c265 §13J	Felony			2 1/2 years			5 years
Grid	5		Note A	265/13J	CHILD; PERMIT SUBSTANTIAL INJURY TO c265 §13J	Felony			2 1/2 years			5 years
Grid	5		Note A	265/18B	FIREARM USE IN FELONY, SUBSQ OFF. c265 §18B	Felony					5 years	5 years
Grid	5			265/19(b)	ROBBERY, UNARMED c265 §19	Felony						Life
Grid	5		Note E	265/43(b)	STALKING IN VIOL OF RESTRAINING ORDER c265 §43	Felony		1 year	1 year	2 1/2 years	2 1/2 years	5 years
Grid	5		Note E	265/43(c)	STALKING, SUBSQ OFF. c265 §43	Felony		2 years	2 years	2 1/2 years	2 1/2 years	10 years
Grid	5			266/15	BURGLARY, UNARMED c266 §15	Felony						20 years
Grid	5		Note A/Staircased	266/20	BOAT, LARCENY FROM c266 §20	Felony	\$50,000 and over			2 years		5 years
Grid	5		Note A/Staircased	266/20	LARCENY FROM BUILDING c266 §20	Felony	\$50,000 and over			2 years		5 years
Grid	5		Note A/Staircased	266/20	RAILROAD CAR, LARCENY FROM c266 §20	Felony	\$50,000 and over			2 years		5 years
Grid	5		Note A/Staircased	266/23	FIRE, LARCENY AT c266 §23-§24	Felony	\$50,000 and over			2 years		5 years
Grid	5		Note A	266/25	LARCENY FROM PERSON +65, SUBSQ. OFF. c266 s25	Felony		2 years	2 years	2 1/2 years	2 1/2 years	5 years
Grid	5		Note A/Staircased	266/27A	MOTOR VEH TO DEFRAUD, REMOVE c266 §27A	Felony				2 1/2 years		5 years
Grid	5		Staircased	266/28	MOTOR VEH THIEF, CONCEAL c266 §28	Felony				2 1/2 years		10 years
Grid	5		Staircased	266/28	MOTOR VEH, LARCENY OF c266 §28	Felony				2 1/2 years		15 years
Grid	5		Staircased	266/28	MOTOR VEH, MALICIOUS DAMAGE TO c266 §28	Felony				2 1/2 years		15 years
Grid	5		Staircased	266/28	MOTOR VEH, RECEIVE STOLEN c266 §28	Felony				2 1/2 years		15 years
Grid	5		Staircased	266/28	MOTOR VEH, TAKING & STEALING PARTS c266 §28	Felony				2 1/2 years		15 years
Grid	5		Note A/Staircased	266/30	FIREARM, LARCENY OF c266 §30	Felony	\$50,000 and over			2 years		5 years
Grid	5		Note A/Staircased	266/30	LARCENY OVER \$250 c266 §30	Felony	\$50,000 and over			2 years		5 years
Grid	5		Note A/Staircased	266/30	LARCENY OVER \$250 BY SINGLE SCHEME c266 §30	Felony	\$50,000 and over			2 years		5 years
Grid	5		Note A/Staircased	266/30	TRADE SECRET, LARCENY OF c266 §30	Felony	\$50,000 and over			2 years		5 years
Grid	5		Staircased	266/30/5	LARCENY FROM ELDER/DISABLED PERSON; OVER \$250.00 c266 §30/5	Felony	\$50,000 and over			2 1/2 years		10 years
Grid	5		Note A/Staircased	266/32	LARCENY OVER \$250 BY BOAT CAPTAIN c266 §32	Felony	\$50,000 and over					5 years
Grid	5		Note A/Staircased	266/34	LARCENY OVER \$250 BY FALSE PRETENSE c266 §34	Felony	\$50,000 and over					5 years
Grid	5		Note A/Staircased	266/37	LARCENY BY CHECK OVER \$250 c266 §37	Felony	\$50,000 and over					5 years
Grid	5		Note A/Staircased	266/37C	CREDIT CARD FRAUD OVER \$250 c266 §37C	Felony	\$50,000 and over			2 1/2 years		5 years
Grid	5		Note A/Staircased	266/37C	CREDIT CARD FRAUD OVER \$250 BY MERCHANT c266 §37C	Felony	\$50,000 and over			2 1/2 years		5 years
Grid	5		Note A/Staircased	266/37C	CREDIT CARD, FORGE OR UTTER FORGED c266 §37C	Felony	\$50,000 and over			2 1/2 years		5 years
Grid	5		Note A/Staircased	266/37C	CREDIT CARD, IMPROPER USE OVER \$250 c266 §37C	Felony	\$50,000 and over			2 1/2 years		5 years
Grid	5		Note A/Staircased	266/37C	CREDIT CARD, POSSESS BLANK c266 §37C	Felony	\$50,000 and over			2 1/2 years		5 years
Grid	5		Note A/Staircased	266/37C	CREDIT CARD, POSSESS COUNTERFEIT PRESS c266 §37C	Felony	\$50,000 and over			2 1/2 years		5 years

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	5		Note A/Staircased	266/37C	CREDIT CARD, RECEIVE IMPROP OVER \$250 c266 §37C	Felony	\$50,000 and over		2 1/2 years			5 years
Grid	5		Note A/Staircased	266/37C	CREDIT CARD, RECEIVE IMPROPER c266 §37C	Felony	\$50,000 and over		2 1/2 years			5 years
Grid	5		Note A/Staircased	266/37C	CREDIT CARD, TAKE AS SECURITY c266 §37C	Felony	\$50,000 and over		2 1/2 years			5 years
Grid	5			266/40	THIEF, COMMON & NOTORIOUS c266 §40	Felony			2 1/2 years			20 years
Grid	5		Staircased	266/50	TREASURY EMPLOYEE, FRAUD BY c266 §50 §	Felony	\$50,000 and over					Life
Grid	5		Staircased	266/51	MUNICIPAL/COUNTY OFFCR, EMBEZZLEMENT BY c266 §51	Felony	\$50,000 and over		2 years			10 years
Grid	5		Staircased	266/52	BANK, EMBEZZLEMENT FROM c266 §52	Felony	\$50,000 and over		2 1/2 years			15 years
Grid	5		Note A/Staircased	266/56	BROKER, EMBEZZLEMENT BY c266 §56	Felony	\$50,000 and over		2 1/2 years			5 years
Grid	5		Staircased	266/57	FIDUCIARY, EMBEZZLEMENT/MISAPPLICATN BY c266 §57	Felony	\$50,000 and over		2 years			10 years
Grid	5		Note A/Staircased	266/58	ASSOCIATION OFFICER EMBEZZLE +\$250 c266 §58	Felony	\$50,000 and over		2 years			5 years
Grid	5		Note A/Staircased	266/59	ASSOCIATION MEMBER EMBEZZLE +\$250 c266 §59	Felony	\$50,000 and over		2 years			5 years
Grid	5		Note A/Staircased	266/60	RECEIVE STOLEN PROPERTY +\$250 c266 §60	Felony	\$50,000 and over		2 1/2 years			5 years
Grid	5		Note A/Staircased	266/99A	LIBRARY MATERIALS OVER \$250, LARCENY OF c266 §99A	Felony	\$50,000 and over					5 years
Grid	5		Note A	266/102B	MOLOTOV COCKTAIL, MAKE/SELL/USE/POSSESS c266 §102B	Felony	\$50,000 and over					5 years
Grid	5			267/9	COUNTERFEIT NOTES, POSSESS 10 c267 §9	Felony						Life
Grid	5			267/11	COUNTERFEIT NOTES, COMMON UTTERER OF c267 §11	Felony						10 years
Grid	5			267/13	COUNTERFEITING EQUIPMENT, MANUFACTURE c267 §13	Felony			2 years			10 years
Grid	5			267/13	COUNTERFEITING EQUIPMENT, POSSESS c267 §13	Felony			2 years			10 years
Grid	5			268/1	PERJURY c268 1	Felony			2 1/2 year			20 years
Grid	5			268/2	PERJURY, SUBORN c268 2	Felony			2 1/2 year			20 years
Grid	5		Note A/No IS	268/13	JUROR, ATTEMPT TO BRIBE c268 13	Felony			1 year			5 years
Grid	5		Note A/No IS	268/13	JUROR, BRIBE c268 13	Felony			1 year			5 years
Grid	5		Note A/No IS	268/13	MASTER/ARBITRATOR/REFEREE, ATT TO BRIBE c268 13	Felony			1 year			5 years
Grid	5		Note A/No IS	268/13	MASTER/ARBITRATOR/REFEREE, BRIBE c268 13	Felony			1 year			5 years
Grid	5		Note A	268/13B	JUROR, INTIMIDATE c268 13B	Felony					2 1/2 years	5 years
Grid	5		Note A	268/13B	WITNESS, INTIMIDATE c268 13B	Felony					2 1/2 years	5 years
Grid	5		Note A	268/13B	WITNESS, RETALIATE AGAINST c268 13B	Felony					2 1/2 years	5 years
Grid	5		Note A	268/14	JUROR ACCEPT BRIBE c268 14	Felony			1 year			5 years
Grid	5		Note A/No IS	268/14	MASTER/ARBITRATOR/REFEREE, ACCEPT BRIBE c268 14	Felony			1 year			5 years
Grid	5		Note B/No IS	268/31	PRISONER BRING WEAPON OR DRUG FROM FURLOUGH c268 31	Felony					7 years	10 years
Grid	5		Note B/No IS	268/31	PRISONER BRING WEAPON OR DRUG FROM FURLOUGH, ATT c268 31	Felony					7 years	10 years
Grid	5		Note A	268A/2	PUBLIC EMPLOYEE ACCEPT/SOLICIT BRIBE c268A 2	Felony			2 1/2 years			3 years
Grid	5		Note A	268A/2	PUBLIC EMPLOYEE, BRIBE c268A 2	Felony			2 1/2 years			3 years
Grid	5		Note A	268A/2	WITNESS ACCEPT/SOLICIT BRIBE c268A 2	Felony			2 1/2 years			3 years
Grid	5		Note A	268A/2	WITNESS, BRIBE c268A 2	Felony			2 1/2 years			3 years
Grid	5			271/16A	GAMING ENTERPRISE, MANAGE c271 §16A	Felony						15 years
Grid	5		Note E	272/4A	PROSTITUTION, INDUCE MINOR TO c272 4A	Felony					3 years	5 years
Grid	5		Note A	272/35A	UNNATURAL ACT WITH CHILD -16 c272 35A	Felony			2 1/2 years			5 years
Grid	4			21C/5	HAZARDOUS WASTE, COLLECTION, TRANSPORTATION & STORAGE c21C s5	Felony			2 1/2 years			20 years
Grid	4			21E/7	HAZARDOUS MATERIALS, RELEASE c21E s7	Felony			2 1/2 years			20 years



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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	4			56/51	VOTING MACHINE, ATTEMPT TO TAMPER WITH c56 §51	Felony		1 year	1 year	2 1/2 years	2 1/2 years	5 years
Grid	4			56/51	VOTING MACHINE, TAMPER WITH c56 §51	Felony		1 year	1 year	2 1/2 years	2 1/2 years	5 years
Grid	4			62C/73	TAX, ATTEMPT TO EVADE c62C §73	Felony						5 years
Grid	4			62C/73	TAX, FAIL COLLECT OR PAY OVER c62C §73	Felony						5 years
Grid	4			90/24	LEAVE SCENE OF PERSONAL INJURY & DEATH c90 24	Felony				2 1/2 years		10 years
Grid	4		Note A	90/24G	MOTOR VEH HOMICIDE BY RECKLESS OP c90 24G	Misd.		30 days	30 days	2 1/2 years		
Grid	4		Note A	90/24G	MOTOR VEH HOMICIDE OUI DRUGS c90 24G	Misd.		30 days	30 days	2 1/2 years		
Grid	4		Note A	90/24G	MOTOR VEH HOMICIDE OUI LIQUOR c90 24G	Misd.		30 days	30 days	2 1/2 years		
Grid	4		Note E	90/24L	OUI DRUGS & SERIOUS INJURY & NEGLIGENCE c90 24L	Felony		6 months	6 months	2 1/2 years	2 1/2 years	10 years
Grid	4		Note E	90/24L	OUI DRUGS & SERIOUS INJURY & NEGLIGENCE c90 24L	Felony		6 months	6 months	2 1/2 years	2 1/2 years	10 years
Grid	4		Note E	90/24L	OUI LIQUOR & SERIOUS INJURY & NEGLIGENCE c90 24L	Felony		6 months	6 months	2 1/2 years	2 1/2 years	10 years
Grid	4		Note E	90/24L	OUI LIQUOR & SERIOUS INJURY & NEGLIGENCE c90 24L	Felony		6 months	6 months	2 1/2 years	2 1/2 years	10 years
Grid	4			90B/8	BOAT, USE W/O AUTHORITY, 2ND OFFENSE c90B §8 (B)(e)(1)	Felony		30 days	30 days	2 1/2 years		5 years
Grid	4			90B/8	BOAT, USE W/O AUTHORITY, 3RD OFFENSE c90B §8 (B)(e)(1)	Felony		6 months	6 months	2 1/2 years	2 1/2 years	5 years
Grid	4		Note E	90B/8A	BOAT OUI - DRUGS AND SERIOUS INJURY, RECKLESS/NEGLIGENT c 90B s8A(1)	Felony		6 months	6 months	2 1/2 years	2 1/2 years	10 years
Grid	4		Note E	90B/8A	BOAT OUI - LIQUOR AND SERIOUS INJURY, RECKLESS/NEGLIGENT c 90B s8A(1)	Felony		6 months	6 months	2 1/2 years	2 1/2 years	10 years
Grid	4		Note A	90B/8B	BOAT OUI LIQUOR & DEATH c90B §8	Misd.		30 days	30 days	2 1/2 years		
Grid	4		Note A	90B/8B	BOAT OUI LIQUOR & DEATH c90B §8	Misd.		30 days	30 days	2 1/2 years		
Grid	4			94C/32	DRUG, DISTRIBUTE CLASS A c94C 32(a)	Felony				2 1/2 years		10 years
Grid	4			94C/32	DRUG, POSSESS TO DISTRIB CLASS A c94C 32(a)	Felony				2 1/2 years		10 years
Grid	4		Note C	94C/32A	COCAINE, DISTRIBUTE c94C 32A(c)	Felony		1 year	1 year	2 1/2 years	2 1/2 years	10 years
Grid	4		Note C	94C/32A	COCAINE, POSSESS TO DISTRIBUTE c94C 32A(c)	Felony		1 year	1 year	2 1/2 years	2 1/2 years	10 years
Grid	4			94C/32A	DRUG, DISTRIBUTE CLASS B c94C 32A(a)	Felony				2 1/2 years		10 years
Grid	4		Note C	94C/32A	DRUG, POSSESS TO DISTRIB CLASS B c94C 32A(a)	Felony		1 year	1 year	2 1/2 years	2 1/2 years	10 years
Grid	4		Note C	94C/32A	METHAMPHETAMINE, DISTRIBUTE c94C 32A(c)	Felony		1 year	1 year	2 1/2 years	2 1/2 years	10 years
Grid	4		Note C	94C/32A	METHAMPHETAMINE, POSSESS TO DISTRIB c94C 32A(c)	Felony		1 year	1 year	2 1/2 years	2 1/2 years	10 years
Grid	4		Note C	94C/32A	PHENCYCLIDINE, DISTRIBUTE c94C 32A(c)	Felony		1 year	1 year	2 1/2 years	2 1/2 years	10 years
Grid	4		Note C	94C/32A	PHENCYCLIDINE, POSSESS TO DISTRIB c94C 32A(c)	Felony		1 year	1 year	2 1/2 years	2 1/2 years	10 years
Grid	4		Note C	94C/32E	MARIJUANA, TRAFFICKING IN §c94C 32E(a)(1) - 50 to 100 lbs	Felony		1 year	1 year	2 1/2 years	2 1/2 years	15 years
Grid	4		Note C	94C/32J	DRUG VIOLATION NEAR SCHOOL c94C 32J	Felony		2 years	2 years	2 1/2 years	2 1/2 years	15 years
Grid	4		Note C	94C/32J	DRUG VIOLATION NEAR SCHOOL/PARK c94C 32J	Felony		2 years	2 years	2 1/2 years	2 1/2 years	15 years
Grid	4			94C/34	HEROIN, POSSESS, SUBSQ.OFF. c94C 34	Felony				2 1/2 years		5 years
Grid	4			94C/37	DRUG, LARCENY OF c94C 37	Felony				2 1/2 years		10 years
Grid	4			118E/21A	MEDICAID FRAUD BY PROVIDER c118E §21A	Felony				2 1/2 years		5 years
Grid	4			118E/21B	MEDICAID BRIBE/KICKBACK c118E §21B	Felony				2 1/2 years		5 years
Grid	4			118E/21C	MEDICAID CHARGE, EXCESSIVE c118E §21C	Felony				2 1/2 years		5 years
Grid	4			118E/21D	MEDICAID ADMISSION/STAY, KICKBACK FOR c118E §21D	Felony				2 1/2 years		5 years
Grid	4			118E/40	MEDICAL ASSISTANCE FRAUD BY PROVIDER c118E §40	Felony				2 1/2 years		5 years
Grid	4			118E/41	MEDICAL ASSISTANCE BRIBE/KICKBACK c118E §41	Felony				2 1/2 years		5 years
Grid	4			118E/42	MEDICAL ASSISTANCE CHARGE, EXCESSIVE c118E §42	Felony				2 1/2 years		5 years

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Staircase Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	4			118E/43	MEDICAL ASSISTANCE ADMISSION KICKBACK c118E §43	Felony			2 1/2 years			5 years
Grid	4			127/38B	A&B ON CORRECTION OFFICER c127 §38B	Felony						5 years
Grid	4		Note B	127/49	ESCAPE FROM STATE WORK RELEASE PROGRAM c127 §49	Felony					3 years	5 years
Grid	4			127/83C	ESCAPE FROM PRISON CAMP c127 §83C	Felony				2 1/2 years		10 years
Grid	4			127/83C	ESCAPE FROM PRISON CAMP, ATTEMPT c127 §83C	Felony				2 1/2 years		10 years
Grid	4			139/4	PROSTITUTION NUISANCE, MAINTAIN c139 §4	Felony		3 months		2 1/2 years		3 years
Grid	4			140/129	FIREARM APPLIC. FALSE STATEMENT ON SUBSQ c140 129	Felony					2 1/2 years	5 years
Grid	4			140/131I	FIREARM LICENSE/ID CARD, FALSE c140 131I	Felony				2 years		5 years
Grid	4			151D/6	HEALTH/WELFARE FUND EMPLOYEE VIOLATION c151D §6	Felony				5 years		
Grid	4		Staircased	167B/21	ELECTRONIC FUND TRANSFER VIOL OVER \$100 c167B §21	Felony	\$10,000 to \$50,000					10 years
Grid	4			175H/2	HEALTH CARE CLAIM, FALSE c175H §2	Felony				2 1/2 year		5 years
Grid	4			175H/3	HEALTH CARE KICKBACK c175H §3	Felony				2 1/2 year		5 years
Grid	4			265/13C	A&B TO COLLECT LOAN c265 §13C	Felony				2 1/2 years	3 years	5 years
Grid	4			265/13D1/2	FIREFIGHTER, INJURED c265 §13D1/2	Felony				2 1/2 years		10 years
Grid	4			265/13F	A&B ON RETARDED PERSON c265 §13F	Felony				2 1/2 years		5 years
Grid	4			265/13G	FELONY FOR HIRE c265 §13G	Felony						5 years
Grid	4			265/13H	INDECENT A&B ON PERSON 14 OR OVER c265 §13H	Felony				2 1/2 years		5 years
Grid	4			265/13K(b)	A&B ON ELDER (60+) DISABLED PERSON; BODILY INJURY c265 §13K	Felony				2 1/2 years		5 years
Grid	4			265/13K(d)	CARETAKER; PERMITS A&B ON ELDER/DISABLED PERSON; BODILY INJURY c265 §13K	Felony				2 1/2 years		5 years
Grid	4		Staircased	265/15A(a)	A&B WITH DANGEROUS WEAPON +65 c265 §15A	Felony	Moderate Injury			2 1/2 years		10 years
Grid	4		Staircased	265/15A(b)	A&B WITH DANGEROUS WEAPON §c265 §15A	Felony	Moderate Injury			2 1/2 years		10 years
Grid	4			265/15B(a)	ASSAULT W/DANGEROUS WEAPON +65, SUBSQ c265 §15B	Felony				2 1/2 years		5 years
Grid	4			265/18B	FIREARM USE IN FELONY c265 §18B	Felony		2 years		2 1/2 years	2 1/2 years	5 years
Grid	4			265/20	ASSAULT TO ROB, UNARMED c265 §20	Felony						10 years
Grid	4			265/25	EXTORTION OR ATTEMPTS c265 §25	Felony				2 1/2 years		15 years
Grid	4			265/26A	KIDNAPPING & ENDANGER INCOMPETENT OR CHILD BY RELATIVE c265 §26A	Felony						5 years
Grid	4			265/29	ASSAULT TO COMMIT FELONY c265 §29	Felony						10 years
Grid	4			265/43(a)	STALKING c265 §43	Felony						5 years
Grid	4			266/2	BURN BUILDING c266 §2	Felony				2 1/2 years		5 years
Grid	4			266/2	BURN BUILDING CONTENTS c266 §2	Felony				2 1/2 years		10 years
Grid	4			266/2	BURN PUBLIC BUILDING c266 §2	Felony				2 1/2 years		10 years
Grid	4			266/5A	ARSON OF DWELLING HOUSE, ATTEMPTED c266 §5A	Felony				2 1/2 years		10 years
Grid	4			266/5A	BURN BUILDING, ATTEMPT TO c266 §5A	Felony				2 1/2 years		10 years
Grid	4			266/5A	BURN PUBLIC BUILDING, ATTEMPT TO c266 §5A	Felony				2 1/2 years		10 years
Grid	4			266/5A	BURN PERSONALTY, ATTEMPT TO c266 §5A	Felony				2 1/2 years		10 years
Grid	4			266/5A	BURN BOAT, ATTEMPT TO c266 §5A	Felony				2 1/2 years		10 years
Grid	4			266/5A	BURN MOTOR VEHICLE, ATTEMPT TO c266 §5A	Felony				2 1/2 years		10 years
Grid	4			266/10	BURN BUILDING TO DEFRAUD INSURER c266 §10	Felony				2 1/2 years		5 years
Grid	4			266/10	BURN BUILDING TO DEFRAUD INSURER, ATT c266 §10	Felony				2 1/2 years		5 years
Grid	4			266/10	BURN PERSONALTY TO DEFRAUD INSURER c266 §10	Felony				2 1/2 years		5 years

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	4			266/10	BURN PERSONALTY TO DEFRAUD INSURER, ATT c266 §10	Felony				2 1/2 years		5 years
Grid	4			266/10	BURN MV TO DEFRAUD INSURER c266 §10	Felony				2 1/2 years		5 years
Grid	4			266/10	BURN MV TO DEFRAUD INSURER, ATTEMPT TO c266 §10	Felony				2 1/2 years		5 years
Grid	4			266/12	FIREFIGHTING, OBSTRUCT c266 §12	Felony				2 1/2 years		7 years
Grid	4	Staircased		266/16	B&E NIGHTTIME FOR FELONY c266 §16	Felony	Dwelling			2 1/2 years		20 years
Grid	4	Staircased		266/16	BREAK INTO DEPOSITORY c266 §16	Felony	Dwelling			2 1/2 years		20 years
Grid	4	Staircased		266/16	BREAK INTO DEPOSITORY, ATTEMPT TO c266 §16	Felony	Dwelling			2 1/2 years		20 years
Grid	4	Staircased		266/17	B&E DAYTIME FOR FELONY, PERSON IN FEAR c266 §17	Felony	Dwelling			2 1/2 years		10 years
Grid	4	Staircased		266/17	ENTER AT NIGHT FOR FELONY, PERSON IN FEAR c266 §17	Felony	Dwelling			2 1/2 years		10 years
Grid	4	Staircased		266/18	B&E DAYTIME FOR FELONY c266 §18	Felony	Dwelling			2 years		10 years
Grid	4	Staircased		266/18	ENTER DWELLING AT NIGHT FOR FELONY c266 §18	Felony	Dwelling			2 years		10 years
Grid	4	Staircased		266/20	LARCENY FROM BUILDING c266 §20	Felony	Dwelling			2 years		5 years
Grid	4	Staircased		266/20	BOAT, LARCENY FROM c266 §20	Felony	\$10,000 to \$50,000			2 years		5 years
Grid	4	Staircased		266/20	RAILROAD CAR, LARCENY FROM c266 §20	Felony	\$10,000 to \$50,000			2 years		5 years
Grid	4	Staircased		266/23	FIRE, LARCENY AT c266 §23-§24	Felony	\$10,000 to \$50,000			2 years		5 years
Grid	4	Staircased		266/25	LARCENY FROM PERSON c266 §25	Felony				2 1/2 years		5 years
Grid	4	Staircased		266/25	LARCENY FROM PERSON +65 c266 §25	Felony				2 1/2 years		5 years
Grid	4	Note E		266/27A	MOTOR VEH TO DEFRAUD, REMOVE SUBSQ. OFF. c266 §27A	Felony		1 year		2 1/2 years		5 years
Grid	4	Staircased		266/27A	MOTOR VEH TO DEFRAUD, REMOVE c266 §27A	Felony	\$10,000 to \$50,000			2 1/2 years		5 years
Grid	4	Note E		266/28	MOTOR VEH, LARCENY OF, SUBSQ. OFF. c266 §28	Felony		1 year		2 1/2 years		15 years
Grid	4	Staircased		266/28	MOTOR VEH THIEF, CONCEAL c266 §28	Felony	\$10,000 to \$50,000			2 1/2 years		10 years
Grid	4	Staircased		266/28	MOTOR VEH, LARCENY OF c266 §28	Felony	\$10,000 to \$50,000			2 1/2 years		15 years
Grid	4	Staircased		266/28	MOTOR VEH, MALICIOUS DAMAGE TO c266 §28	Felony	\$10,000 to \$50,000			2 1/2 years		15 years
Grid	4	Note E		266/28	MOTOR VEH, MALICIOUS DAMAGE TO SUBSQ. OFF. c266 §28	Felony		1 year		2 1/2 years		15 years
Grid	4	Staircased		266/28	MOTOR VEH, RECEIVE STOLEN c266 §28	Felony	\$10,000 to \$50,000			2 1/2 years		15 years
Grid	4	Note E		266/28	MOTOR VEH, RECEIVE STOLEN SUBSQ. OFF. c266 §28	Felony		1 year		2 1/2 years		15 years
Grid	4	Staircased		266/28	MOTOR VEH, TAKING & STEALING PARTS c266 §28	Felony	\$10,000 to \$50,000			2 1/2 years		15 years
Grid	4	Note E		266/28	MOTOR VEH, TAKING & STEALING PARTS SUBSQ. OFF. c266 §28	Felony		1 year		2 1/2 years		15 years
Grid	4	Staircased		266/30	FIREARM, LARCENY OF c266 §30	Felony	\$10,000 to \$50,000			2 years		5 years
Grid	4	Staircased		266/30	LARCENY OVER \$250 c266 §30	Felony	\$10,000 to \$50,000			2 years		5 years
Grid	4	Staircased		266/30	TRADE SECRET, LARCENY OF c266 §30	Felony	\$10,000 to \$50,000			2 years		5 years
Grid	4	Staircased		266/30/5	LARCENY FROM ELDER/DISABLED PERSON; OVER \$250.00 c266 §30/5	Felony	\$10,000 to \$50,000			2 1/2 years		10 years
Grid	4	Staircased		266/32	LARCENY OVER \$250 BY BOAT CAPTAIN §c266 §32	Felony	\$10,000 to \$50,000					5 years
Grid	4	Staircased		266/34	LARCENY OVER \$250 BY FALSE PRETENSE c266 §34	Felony	\$10,000 to \$50,000					5 years
Grid	4	Staircased		266/37	LARCENY BY CHECK OVER \$250 c266 §37	Felony	\$10,000 to \$50,000					5 years
Grid	4	Staircased		266/37C	CREDIT CARD FRAUD OVER \$250 c266 §37C	Felony	\$10,000 to \$50,000			2 1/2 years		5 years
Grid	4	Staircased		266/37C	CREDIT CARD FRAUD OVER \$250 BY MERCHANT c266 §37C	Felony	\$10,000 to \$50,000			2 1/2 years		5 years
Grid	4	Staircased		266/37C	CREDIT CARD, FORGE OR UTTER FORGED c266 §37C	Felony	\$10,000 to \$50,000			2 1/2 years		5 years
Grid	4	Staircased		266/37C	CREDIT CARD, IMPROPER USE OVER \$250 c266 §37C	Felony	\$10,000 to \$50,000			2 1/2 years		5 years

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Staircase Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	4		Staircased	266/37C	CREDIT CARD, POSSESS BLANK c266 §37C	Felony	\$10,000 to \$50,000			2 1/2 years		5 years
Grid	4		Staircased	266/37C	CREDIT CARD, POSSESS COUNTERFEIT PRESS c266 §37C	Felony	\$10,000 to \$50,000			2 1/2 years		5 years
Grid	4		Staircased	266/37C	CREDIT CARD, RECEIVE IMPROP OVER \$250 c266 §37C	Felony	\$10,000 to \$50,000			2 1/2 years		5 years
Grid	4		Staircased	266/37C	CREDIT CARD, RECEIVE IMPROPER c266 §37C	Felony	\$10,000 to \$50,000			2 1/2 years		5 years
Grid	4		Staircased	266/37C	CREDIT CARD, TAKE AS SECURITY c266 §37C	Felony	\$10,000 to \$50,000			2 1/2 years		5 years
Grid	4			266/41	BICYCLE, LARCENY OF, SUBSQ. OFF. §c266 §41	Felony				2 years		5 years
Grid	4		Staircased	266/50	TREASURY EMPLOYEE, FRAUD BY c266 §50	Felony	\$10,000 to \$50,000					Life
Grid	4		Staircased	266/51	MUNICIPAL/COUNTY OFFCR, EMBEZZLEMENT BY c266 §51	Felony	\$10,000 to \$50,000			2 years		10 years
Grid	4		Staircased	266/52	BANK, EMBEZZLEMENT FROM c266 §52	Felony	\$10,000 to \$50,000			2 1/2 years		15 years
Grid	4		Staircased	266/56	BROKER, EMBEZZLEMENT BY c266 §56	Felony	\$10,000 to \$50,000			2 1/2 years		5 years
Grid	4		Staircased	266/57	FIDUCIARY, EMBEZZLEMENT/MISAPPLICATN BY c266 §57	Felony	\$10,000 to \$50,000			2 years		10 years
Grid	4		Staircased	266/58	ASSOCIATION OFFICER EMBEZZLE +\$250 c266 §58	Felony	\$10,000 to \$50,000			2 years		5 years
Grid	4		Staircased	266/59	ASSOCIATION MEMBER EMBEZZLE +\$250 c266 §59	Felony	\$10,000 to \$50,000			2 years		5 years
Grid	4		Note A	266/60	RECEIVE PROP IN FALSE TRADE -\$250 SUBSQ. OFF. c266 60	Felony	\$10,000 to \$50,000			2 years		5 years
Grid	4		Note A	266/60	RECEIVE STOLEN PROPERTY -\$250 SUBSQ. OFF. c266 60	Felony				2 1/2 years		
Grid	4		Staircased	266/60	RECEIVE STOLEN PROPERTY +\$250 c266 §60	Felony	\$10,000 to \$50,000			2 1/2 years		5 years
Grid	4		Staircased	266/99A	LIBRARY MATERIALS OVER \$250, LARCENY OF c266 §99A	Felony	\$10,000 to \$50,000					5 years
Grid	4			267/7	NOTE, FORGERY OF COMMONWEALTH c267 §7	Felony						Life
Grid	4			267/8	NOTE, FORGERY OF BANK c267 §8	Felony						Life
Grid	4			267/8	TRAVELLER'S CHECK, FORGERY OF c267 §8	Felony						Life
Grid	4			268/1A	FALSE STATEMENT UNDER PENALTY OF PERJURY c268 1A	Felony				2 1/2 year		20 years
Grid	4		No Inter. Sanctions	268/15	ESCAPE, AID CONVICT TO c268 15	Felony						7 years
Grid	4		No Inter. Sanctions	268/15	ESCAPE, AID FELON OR ACCUSED FELON TO c268 15	Felony						10 years
Grid	4		No Inter. Sanctions	268/16	ESCAPE FROM PENAL INSTITUTION/COURT c268 16	Felony				2 1/2 years		10 years
Grid	4		No Inter. Sanctions	268/16	ESCAPE FROM PENAL INSTITUTION/COURT, ATT c268 16	Felony				2 1/2 years		10 years
Grid	4		No Inter. Sanctions	268/16	ESCAPE FROM S.D.P. TREATMENT CENTER c268 16	Felony				2 1/2 years		10 years
Grid	4		No Inter. Sanctions	268/16	ESCAPE FROM S.D.P. TREATMENT CENTER, ATT c268 16	Felony				2 1/2 years		10 years
Grid	4		No Inter. Sanctions	268/19	ESCAPE FROM PENAL INSTITUTION, PERMIT c268 19	Felony						20 years
Grid	4		No Inter. Sanctions	268/28	PRISONER, DELIVER ARTICLE TO c268 28	Felony				2 years		5 years
Grid	4			268/28	PRISONER, DELIVER DRUGS TO c268 28	Felony				2 years		5 years
Grid	4		Note E	268/36	COMPOUND/CONCEAL LIFE FELONY c268 36	Felony		1 year		1 year		5 years
Grid	4			268/39	MOTOR VEH THEFT, FALSE REPORT OF, SUBSQ. c268 39	Felony				2 1/2 years		5 years
Grid	4			268B/7	PUBLIC EMPLOYEE FIN STATEMENT, FALSE c268B 7	Felony				2 1/2 years		3 years
Grid	4			268B/7	STATE ETHICS COMMISSION, PERJURY TO c268B 7	Felony				2 1/2 years		3 years
Grid	4			269/10C	TEAR GAS/MACE, USE IN CRIME c269 10C	Felony						7 years
Grid	4			269/11B	FIREARM W/DEFACED NO., POSSESS IN FELONY c269 11B	Felony			6 months	2 1/2 years	2 1/2 years	5 years
Grid	4			269/14	BOMB THREAT, FALSE c269 14	Felony				2 1/2 years		20 years
Grid	4			270/8A	HARMFUL SUBSTANCE, DISTRIBUTE FOOD WITH c270 §8A	Felony						5 years
Grid	4			271/36	SECURITY/COMMODITY BUCKETING SUBSQ. c271 §36	Felony						5 years
Grid	4			271/37	SECURITY/COMMODITY PRICES, PUBLISH IMPRO SUBSQ. c271 §37	Felony						5 years

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statutory Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	4			271/39	BRIBE, BUSINESS c271 §39	Felony						5 years
Grid	4			271/49	USURY c271 §49	Felony						10 years
Grid	4			272/3	SEXUAL INTERCOURSE, DRUG FOR c272 3	Felony				2 1/2 years		3 years
Grid	4		Note E	272/6	PROSTITUTION, MAINTAIN HOUSE OF c272 6	Felony		2 years				5 years
Grid	4		Note E	272/7	PROSTITUTION, DERIVE SUPPORT FROM c272 7	Felony		5 years				5 years
Grid	4			272/13	BROTHER, ATTEMPT DETAIN/DRUG PERSON IN c272 13	Felony			1 year	2 1/2 years	5 years	5 years
Grid	4			272/13	BROTHER, DETAIN/DRUG PERSON IN c272 13	Felony			1 year	2 1/2 years		5 years
Grid	4			272/19	MISARRIAGE, PROCURE IMPROPER c272 19	Felony						7 years
Grid	4			272/34	CRIME AGAINST NATURE, BEAST c272 34	Felony						20 years
Grid	4			272/34	CRIME AGAINST NATURE, PERSON c272 34	Felony						20 years
Grid	4			272/71	BODY, DISINTER c272 71	Felony						3 years
Grid	4			272/71	BODY, DISINTER, ACCESSORY AFTER FACT TO c272 71	Felony				2 1/2 years		3 years
Grid	4			272/99A	JURY DELIBERATIONS, OVERHEAR c272 99A	Felony				2 1/2 years		3 years
Grid	4			272/99A	JURY DELIBERATIONS, OVERHEAR, ATTEMPT c272 99A	Felony						5 years
Grid	4			274/4	ACCESSORY AFTER THE FACT c274 4	Felony						7 years
Grid	4			274/6	ATTEMPT TO COMMIT CRIME c274 6-5 year felony or greater	Felony				2 1/2 years		5 years
Grid	3			12/11J	CIVIL RIGHTS ORDER VIOLATION c12 §11J	Misd.				2 1/2 years		
Grid	3		Note A	21/42	WATER POLLUTION, VIOLATION FALSE STATEMENT ON, FALSIFY MONITORING c21	Misd.				1 year		
Grid	3			21C/5	HAZARDOUS WASTE, COLLECTION, TRANSPORTATION & STORAGE c21C s5	Misd.				2 years		
Grid	3			21C/7	HAZARDOUS WASTE FACILITY, UNLICENSED c21C §7	Misd.				2 years		
Grid	3			21C/7	HAZARDOUS WASTE LANDFILL POLLUTE WATER c21C §7	Misd.				2 years		
Grid	3			21E/9	HAZARDOUS WASTE ORDER VIOLATION c21E §9	Misd.				2 years		
Grid	3			21E/11	HAZARDOUS WASTE VIOLATION c21E §11	Misd.				2 years		
Grid	3			33/16	NATIONAL GAURDSMAN, CONFLICT OF INTEREST c33 s16	Felony				2 1/2 years	2 1/2 years	5 years
Grid	3			56/8	VOTER, ATTEMPT FALSE REGISTRATION AS c56 §8	Felony						5 years
Grid	3			56/8	VOTER, FALSE REGISTRATION AS c56 §8	Felony						5 years
Grid	3			56/26	VOTE TWICE c56 §26	Felony						5 years
Grid	3			56/26	VOTE TWICE, ATTEMPT TO c56 §26	Felony						5 years
Grid	3			56/28	VOTE, ABET ATTEMPT AT UNLAWFUL c56 §28	Felony						5 years
Grid	3			56/28	VOTE, ABET UNLAWFUL c56 §28	Felony						5 years
Grid	3			62C/73	TAX COLLECTOR, CORRUPT c62C §73	Felony						5 years
Grid	3			62C/73	TAX COLLECTOR, IMPEDE BY FORCE c62C §73	Felony						3 years
Grid	3			62C/73	TAX DOCUMENT, FALSE SIGNATURE ON c62C §73	Felony						3 year
Grid	3			62C/73	TAX PREPARER, EMBEZZLEMENT BY c62C §73	Felony						3 year
Grid	3			62C/73	TAX RETURN, AID FALSE c62C §73	Felony						3 years
Grid	3			62C/73	TAX RETURN, FALSE VERIFIED (FELONY) c62C §73	Felony						3 years
Grid	3			62C/73	TAX, CONCEAL GOODS TO EVADE c62C §73	Felony						3 years
Grid	3			64C/34	CIGARETTES, SELL +12000 UNSTAMPED c64C §34	Felony						5 years
Grid	3			64C/35	CIGARETTES, POSSESS +12000 UNSTAMPED c64C §35	Felony						5 years
Grid	3			64C/37	CIGARETTE EXCISE STAMP, COUNTERFEIT c64C §37	Felony						5 years

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	3			64C/37	CIGARETTE EXCISE STAMP, REUSE c64C §37	Felony						5 years
Grid	3			64C/37	CIGARETTE EXCISE STAMP, UTTER FALSE c64C §37	Felony						5 years
Grid	3			64C/38	CIGARETTE EXCISE STAMP, SELL c64C §38	Felony						5 years
Grid	3			64K/9	DRUG DEALER FAIL PAY TAX c64K §9	Felony						5 years
Grid	3			90/24	LEAVE SCENE OF PERSONAL INJURY c90 24	Misd.		6 months	2 years			
Grid	3			90/24	LEAVE SCENE OF PROPERTY DAMAGE c90 24	Misd.		2 weeks	2 years			
Grid	3			90/24	USE MV WITHOUT AUTHORITY, 3RD OFF. c90 24	Felony		6 months	2 1/2 years	2 1/2 years	2 1/2 years	5 years
Grid	3			90/24G	MOTOR VEH HOMICIDE BY NEGLIGENCE OF c90 24G	Misd.		30 days	2 1/2 years			
Grid	3			90/24L	OUI DRUGS & SERIOUS INJURY c90 24L	Misd.			2 1/2 years			
Grid	3			90/24L	OUI LIQUOR & SERIOUS INJURY c90 24L	Misd.			2 1/2 years			
Grid	3			90B/8A	BOAT OUI - DRUGS AND SERIOUS INJURY c 90B s8A(2)	Misd.		30 days	2 1/2 years			
Grid	3			90B/8A	BOAT OUI - LIQUOR AND SERIOUS INJURY c 90B s8A(2)	Misd.		30 days	2 1/2 years			
Grid	3			90B/8B	BOAT, NEGLIGENCE OPERATION OF & DEATH c90B §8	Misd.		30 days	2 1/2 years			
Grid	3			94/127	LIVESTOCK INFO, FURNISH DPH WITH FALSE c94 s24	Felony		1 year	2 1/2 years			3 years
Grid	3			94C/24	DRUG, FAIL REPORT DISPENSING, SUBSQ.OFF. c94C 24	Misd.			2 years			
Grid	3			94C/25	DRUG INSPECTION, REFUSE, SUBSQ.OFF. c94C 25	Misd.			2 years			
Grid	3			94C/25	DRUG LABEL, REMOVE/ALTER, SUBSQ.OFF. c94C 25	Misd.			2 years			
Grid	3		Note A	94C/25	DRUG RECORDS, FAIL KEEP, SUBSQ.OFF. c94C 25	Misd.			1 year			
Grid	3			94C/25	DRUG SEAL, BREAK, SUBSQ.OFF. c94C 25	Misd.			2 years			
Grid	3			94C/25	DRUG, DISPENSE W/O PRESCRIPTION, SUBSQ. c94C 25	Misd.			2 years			
Grid	3			94C/25	DRUG, DISTRIB IMPROP TO REGISTRANT, SUBQ c94C 25	Misd.			2 years			
Grid	3			94C/26	DRUG INFO, REGISTRANT GIVE FALSE, SUBSQ. c94C 26	Misd.			2 years			
Grid	3			94C/27	HYPODERMIC SALES RECORD, FL KEEP, SUBSQ. c94C 27	Misd.			2 years			
Grid	3			94C/27	HYPODERMIC, POSSESS, SUBSQ.OFF. c94C 27	Misd.			2 years			
Grid	3			94C/27	HYPODERMIC, STORE IMPROP, SUBSQ. c94C 27	Misd.			2 years			
Grid	3			94C/32B	DRUG, POSSESS TO DISTRIB CLASS C c94C 32B(a)	Felony			2 1/2 years			5 years
Grid	3			94C/32B	DRUG, POSSESS TO DISTRIB CLASS C c94C 32B(a)	Felony			2 1/2 years		3 years	5 years
Grid	3		Note B	94C/32I	DRUG PARAPHERNALIA, SELL TO MINOR c94C 32I(b)	Felony						5 years
Grid	3			94C/33	DRUG, FALSE REGIS NUMBER FOR, SUBSQ.OFF. c94C 33	Felony			2 1/2 years			8 years
Grid	3			94C/33	PRESCRIPTION, UTTER FALSE, SUBSQ.OFF. c94C 33	Felony			2 1/2 years			8 years
Grid	3			94C/33	DRUG, OBTAIN BY FRAUD, SUBSQ.OFF. c94C 33	Felony			2 1/2 years			8 years
Grid	3			94C/34	DRUG, POSSESS CLASS A, SUBSQ.OFF. c94C 34	Misd.			2 years			
Grid	3			94C/34	DRUG, POSSESS CLASS B, SUBSQ.OFF. c94C 34	Misd.			2 years			
Grid	3			94C/34	DRUG, POSSESS CLASS C, SUBSQ.OFF. c94C 34	Misd.			2 years			
Grid	3			94C/34	DRUG, POSSESS CLASS D, SUBSQ.OFF. c94C 34	Misd.			2 years			
Grid	3			105/55	WAREHOUSE RECEIPT FOR UNRECEIVED GOODS c105 §55	Felony			2 1/2 years			5 years
Grid	3			105/57	WAREHOUSE RECEIPT, IMPROPER DUPLICATE c105 §57	Felony			2 1/2 years			5 years
Grid	3			105/61	WAREHOUSE RECEIPT, NEGOTIATE FRAUDULENTLY c105 §61	Felony			2 1/2 years			5 years
Grid	3			105/62	WAREHOUSED GOODS, IMPROPERLY DISPOSE OF c105 §62	Felony						3 years
Grid	3			105/63	WAREHOUSE RECEIPT, FALSE §c105 §63	Felony						3 years

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	3			105/64	WAREHOUSE RECEIPT, NEGOTIATE ENCUMBERED §c105 §64	Felony				1 year		3 years
Grid	3			108/42	BILL OF LADING, FRAUDULENT ISSUE OF c108 §42 §	Felony				2 1/2 years		5 years
Grid	3			108/44	BILL OF LADING, ISSUE IMPROPER DUPLICATE c108 §44	Felony				2 1/2 years		5 years
Grid	3			108/46	BILL OF LADING, NEGOTIATE/TRANSFER FALSE §c108 §46	Felony				2 1/2 years		5 years
Grid	3			108/47	BILL OF LADING, FALSELY OBTAIN c108 §47	Felony				2 1/2 years		5 years
Grid	3			108/48	BILL OF LADING, UNMARKED NON-NEGOTIABLE c108 §48	Felony				2 1/2 years		5 years
Grid	3			110A/409	SECURITIES FILING, FALSE c110A §409	Felony				2 1/2 years		3 years
Grid	3			110A/409	SECURITIES VIOLATION c110A §409	Felony				2 1/2 years		3 years
Grid	3			111/150A	TRASH TREATMENT FACILITY REGULATION VIOL c111 §150A	Misd.				2 years		
Grid	3			111/150A	TRASH TREATMENT FACILITY, IMPROPER c111 §150A	Misd.				2 years		
Grid	3			111B/6	ALCOHOL DETOX PROG DENY INSPECTION, SUBSQ c111B §6	Misd.				2 years		
Grid	3			119/39	CHILD UNDER 10, ABANDON, WITH DEATH c119 §39	Felony				2 1/2 years		5 years
Grid	3			120/26	ESCAPE FROM DYS, AID CHILD TO c120 §26	Misd.				2 years		
Grid	3			128A/13	GAMING ON HORSE/DOG RACE, SUBSQ OFFENSE c128A §13	Misd.				2 years		
Grid	3			130/75	SHELLFISH IN CONTAMINATED AREA c130 §75	Misd.				2 years		
Grid	3			130/75	SHELLFISH IN CONTAMINATED AREA AT NIGHT c130 §75	Felony						3 years
Grid	3			130/75	SHELLFISH IN CONTAMINATED AREA BY DEALER c130 §75	Felony						3 years
Grid	3			130/81	SHELLFISH SALES VIOLATION c130 §81	Felony						3 years
Grid	3			130/82	SHELLFISH LABELING VIOLATION c130 §82	Felony						10 years
Grid	3			140/110	SMALL LOANS, UNLICENSED c140 110	Felony			6 months	2 1/2 years		
Grid	3			140/122	FIREARM DEALER'S LICENSE, IMPROP ISSUE c140 122	Misd.				2 years		
Grid	3			140/128B	FIREARM, FAIL REPORT UNAUTHORIZED, SUBSQ c140 128B	Misd.				2 1/2 years		
Grid	3			140/131	FIREARM LICENSE APPLIC, FALSE c140 131	Misd.			6 months	2 years		
Grid	3			140/131	FIREARM LICENSE, IMPROP ISSUE c140 131	Misd.			6 months	2 years		
Grid	3			140/131A	FIREARM PERMIT, IMPROP ISSUE c140 131A	Misd.			6 months	2 years		
Grid	3			151A/47	UNEMPLOYMENT COMP, FALSE STATEMENT FOR c151A §47	Felony			6 months	2 1/2 years		5 years
Grid	3			152/14	WORKERS COMP CLAIMS, ENCOURAGE c152 §14	Felony			6 months	2 1/2 years		5 years
Grid	3			152/14	WORKERS COMP FRAUD c152 §14	Felony			6 months	2 1/2 years		5 years
Grid	3			166/38	UTILITY CO. PROPERTY, VANDALIZE AT NIGHT c166 §38	Felony						4 years
Grid	3			166/40	UTILITY WIRES, CUT AT NIGHT c166 §40	Felony						4 years
Grid	3			167/12	BANK OFFICER FUNCTION AFTER REMOVAL c167 §12	Felony						5 years
Grid	3		Staircased	167B/21	ELECTRONIC FUND TRANSFER VIOL OVER \$100 c167B §21	Felony	Under \$10,000					10 years
Grid	3			209A/3B	ABUSE PREVENTION ORDER, VIOLATE c209A §3B	Misd.				2 1/2 years		
Grid	3			209A/7	ABUSE PREVENTION ORDER, VIOLATE c209A §7	Misd.				2 1/2 years		
Grid	3			264/11	RIOT, INCITE c264 §11	Felony				2 1/2 years		3 years
Grid	3			265/9	FIGHT BY ARRANGEMENT c265 §9	Felony						10 years
Grid	3			265/10	FIGHT BY ARRANGEMENT, AID/PROMOTE c265 §10	Felony				2 1/2 years		5 years
Grid	3			265/11	FIGHT BY ARRANGEMENT, OUT-OF-STATE c265 §11	Felony				2 1/2 years		5 years
Grid	3			265/13A	A&B c265 §13A	Misd.				2 1/2 years		
Grid	3			265/13D	A&B ON PUBLIC EMPLOYEE c265 §13D	Misd.			90 days	2 1/2 years		

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	3			265/13I	A&B/ASSAULT ON AMBULANCE PERSONNEL c265 §13I	Misd.		90 days	2 1/2 years			
Grid	3			265/13J	CHILD. PERMIT INJURY TO c265 §13J	Misd.			2 1/2 years			
Grid	3	Staircased		265/15A(a)	A&B WITH DANGEROUS WEAPON +c65 c265 §15A	Felony	No Minor Injury		2 1/2 years			10 years
Grid	3	Staircased		265/15A(b)	A&B WITH DANGEROUS WEAPON §c265 §15A	Felony	No Minor Injury		2 1/2 years			10 years
Grid	3			265/15B(a)	ASSAULT W/DANGEROUS WEAPON +c65 c265 §15B	Felony			2 1/2 years			5 years
Grid	3			265/15B(b)	ASSAULT W/DANGEROUS WEAPON c265 §15B	Felony			2 1/2 years			5 years
Grid	3	Note A		265/26A	KIDNAPPING INCOMPETENT OR CHILD BY RELATIVE c265 §26A	Misd.		1 year				
Grid	3	Note A		265/35	PUBLIC WAY, THROW OBJECT ON c265 §35	Misd.		1 year				
Grid	3	Note A		265/36	SPORTING EVENT, THROW OBJECT AT c265 §36	Misd.		1 year				
Grid	3	Note A		265/37	CIVIL RIGHTS VIOLATION OR ATTEMPT c265 §37	Misd.		1 year				
Grid	3			265/38	NURSING HOME PATIENT, ABUSE c265 §38	Misd.		2 years				
Grid	3			265/39	A&B OR PROPERTY DAMAGE TO INTIMIDATE FOR RACE/RELIGION c265 §39	Misd.		2 1/2 years				
Grid	3			265/40	PHYSICAL EXERCISE PROGRAM, INJURY IN c265 §40	Misd.		2 1/2 years				
Grid	3			266/5	BURN PERSONALTY c266 §5	Felony		1 year				3 years
Grid	3			266/5	BURN BOAT c266 §5	Felony		1 year				3 years
Grid	3			266/5	BURN MOTOR VEHICLE c266 §5	Felony		1 year				3 years
Grid	3	Staircased		266/16	B&E NIGHTTIME FOR FELONY c266 §16	Felony	Non-Dwelling		2 1/2 years			20 years
Grid	3	Staircased		266/16	BREAK INTO DEPOSITORY c266 §16	Felony	Non-Dwelling		2 1/2 years			20 years
Grid	3	Staircased		266/16	BREAK INTO DEPOSITORY, ATTEMPT TO c266 §16	Felony	Non-Dwelling		2 1/2 years			20 years
Grid	3	Staircased		266/17	B&E DAYTIME FOR FELONY, PERSON IN FEAR c266 §17	Felony	Non-Dwelling					10 years
Grid	3	Staircased		266/17	ENTER AT NIGHT FOR FELONY, PERSON IN FEAR c266 §17	Felony	Non-Dwelling					10 years
Grid	3	Staircased		266/18	B&E DAYTIME FOR FELONY c266 §18	Felony	Non-Dwelling		2 years			10 years
Grid	3	Staircased		266/18	ENTER DWELLING AT NIGHT FOR FELONY c266 §18	Felony	Non-Dwelling		2 years			10 years
Grid	3			266/19	RAILROAD CAR, B&E FOR FELONY c266 §19	Felony	Non-Dwelling		2 years			10 years
Grid	3			266/19	RAILROAD CAR, ENTER AT NIGHT FOR FELONY c266 §19	Felony			2 years			10 years
Grid	3			266/20	BOAT, LARCENY FROM c266 §20	Felony	Under \$10,000		2 years			5 years
Grid	3	Staircased		266/20	LARCENY FROM BUILDING c266 §20	Felony	Under \$10,000		2 years			5 years
Grid	3	Staircased		266/20	RAILROAD CAR, LARCENY FROM c266 §20	Felony	Under \$10,000		2 years			5 years
Grid	3	Staircased		266/20A	TRUCK, B&E FOR FELONY c266 §20A	Felony	Under \$10,000		2 years			10 years
Grid	3	Staircased		266/20A	TRUCK, ENTER FOR FELONY c266 §20A	Felony	Under \$10,000		2 years			10 years
Grid	3			266/20B	TRUCK, LARCENY FROM c266 §20B	Felony			2 years			5 years
Grid	3	Staircased		266/23	FIRE, LARCENY AT c266 §23-§24	Felony	Under \$10,000		2 years			5 years
Grid	3	Staircased		266/27A	MOTOR VEH TO DEFAUD, REMOVE c266 §27A	Felony	Under \$10,000		2 1/2 years			5 years
Grid	3	Staircased		266/28	MOTOR VEH, LARCENY OF c266 §28	Felony	Under \$10,000		2 1/2 years			15 years
Grid	3	Staircased		266/28	MOTOR VEH THIEF, CONCEAL c266 §28	Felony	Under \$10,000		2 1/2 years			10 years
Grid	3	Staircased		266/28	MOTOR VEH, MALICIOUS DAMAGE TO c266 §28	Felony	Under \$10,000		2 1/2 years			15 years
Grid	3	Staircased		266/28	MOTOR VEH, RECEIVE STOLEN c266 §28	Felony	Under \$10,000		2 1/2 years			15 years
Grid	3	Staircased		266/28	MOTOR VEH, TAKING & STEALING PARTS c266 §28	Felony	Under \$10,000		2 1/2 years			15 years
Grid	3	Staircased		266/30	COMMON CARRIER, LARCENY FROM, SUBSQ.OFF. c266 §30	Misd.		18 months	2 1/2 years			
Grid	3	Staircased		266/30/5	LARCENY FROM ELDER/DISABLED PERSON; OVER \$250.00 c266 §30/5	Felony	Under \$10,000		2 1/2 years			10 years



# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	3		Staircased	266/30	FIREARM, LARCENY OF c266 §30 §	Felony	Under \$10,000			2 years		5 years
Grid	3		Staircased	266/30	LARCENY OVER \$250 c266 §30	Felony	Under \$10,000			2 years		5 years
Grid	3		Staircased	266/30	LARCENY OVER \$250 BY SINGLE SCHEME c266 §30	Felony	Under \$10,000			2 years		5 years
Grid	3		Staircased	266/30	TRADE SECRET, LARCENY OF c266 §30	Felony	Under \$10,000			2 years		5 years
Grid	3			266/31	SIGNATURE, OBTAINING BY FALSE PRETENSE c266 §31	Felony				2 years		10 years
Grid	3		Staircased	266/32	LARCENY OVER \$250 BY BOAT CAPTAIN §c266 §32	Felony	Under \$10,000					5 years
Grid	3			266/33	FALSE PRETENSE IN COMMER TRANSACTN +\$250 c266 §33	Felony						5 years
Grid	3			266/33	CREDIT +\$250 BY FALSE FINANCIAL STATEMENT c266 §33	Felony						5 years
Grid	3		Staircased	266/34	LARCENY OVER \$250 BY FALSE PRETENSE c266 §34	Felony	Under \$10,000					5 years
Grid	3		Staircased	266/37	LARCENY BY CHECK OVER \$250 c266 §37	Felony	Under \$10,000					5 years
Grid	3		Staircased	266/37C	CREDIT CARD FRAUD OVER \$250 c266 §37C	Felony	Under \$10,000			2 1/2 years		5 years
Grid	3		Staircased	266/37C	CREDIT CARD FRAUD OVER \$250 BY MERCHANT c266 §37C	Felony	Under \$10,000			2 1/2 years		5 years
Grid	3		Staircased	266/37C	CREDIT CARD, FORGE OR UTTER FORGED c266 §37C	Felony	Under \$10,000			2 1/2 years		5 years
Grid	3			266/37C	CREDIT CARD, IMPROPER USE OVER \$250 c266 §37C	Felony	Under \$10,000			2 1/2 years		5 years
Grid	3			266/37C	CREDIT CARD, POSSESS BLANK c266 §37C	Felony	Under \$10,000			2 1/2 years		5 years
Grid	3			266/37C	CREDIT CARD, POSSESS COUNTERFEIT PRESS c266 §37C	Felony	Under \$10,000			2 1/2 years		5 years
Grid	3			266/37C	CREDIT CARD, RECEIVE IMPROP OVER \$250 c266 §37C	Felony	Under \$10,000			2 1/2 years		5 years
Grid	3			266/37C	CREDIT CARD, RECEIVE IMPROPER c266 §37C	Felony	Under \$10,000			2 1/2 years		5 years
Grid	3			266/37C	CREDIT CARD, TAKE AS SECURITY c266 §37C	Felony	Under \$10,000			2 1/2 years		5 years
Grid	3			266/38	C.O.D. CARRIER, LARCENY OVER \$250 BY c266 §38	Felony				2 years		5 years
Grid	3			266/39	WILL, STEAL/DESTROY/CONCEAL c266 §39	Felony				2 years		5 years
Grid	3			266/42	BANK BILL PAPER, LARCENY OF c266 §42	Felony						Life
Grid	3			266/43	BANK BILL PAPER, PRINTER RETAIN c266 §43	Felony						Life
Grid	3			266/49	BURGULARIOUS INSTRUMENT, MAKE c266 §49	Felony				2 1/2 years		10 years
Grid	3			266/49	BURGULARIOUS INSTRUMENT, POSSESS c266 §49	Felony				2 1/2 years		10 years
Grid	3			266/49	MOTOR VEH MASTER KEY, POSSESS c266 §49	Felony				2 1/2 years		10 years
Grid	3			266/50	TREASURY EMPLOYEE, FRAUD BY c266 §50	Felony	Under \$10,000					Life
Grid	3		Staircased	266/51	MUNICIPAL/COUNTY OFFCR, EMBEZZLEMENT BY c266 §51	Felony	Under \$10,000			2 years		10 years
Grid	3		Staircased	266/52	BANK, EMBEZZLEMENT FROM c266 §52	Felony	Under \$10,000			2 1/2 years		15 years
Grid	3		Staircased	266/53A	BANK OFFICER/EMPLOYEE, MISCONDUCT BY c266 §53A	Felony	Under \$10,000			2 1/2 years		10 years
Grid	3			266/55	RECEIVER, EMBEZZLEMENT/MISAPPLICATION BY c266 §55	Felony				2 years		10 years
Grid	3		Staircased	266/56	BROKER, EMBEZZLEMENT BY c266 §56	Felony	Under \$10,000			2 1/2 years		5 years
Grid	3		Staircased	266/57	FIDUCIARY, EMBEZZLEMENT/MISAPPLICATION BY c266 §57	Felony	Under \$10,000			2 years		10 years
Grid	3		Staircased	266/58	ASSOCIATION OFFICER EMBEZZLE +\$250 c266 §58	Felony	Under \$10,000			2 years		5 years
Grid	3		Staircased	266/59	ASSOCIATION MEMBER EMBEZZLE +\$250 c266 §59	Felony	Under \$10,000			2 years		5 years
Grid	3		Staircased	266/60	RECEIVE STOLEN PROPERTY +\$250 c266 §60	Felony	Under \$10,000			2 1/2 years		5 years
Grid	3			266/60	RECEIVE FALSE-TRADED PROPERTY +\$250 c266 §60	Felony				2 1/2 years		5 years
Grid	3			266/60A	TRADE SECRET, BUY/SELL/RECEIVE STOLEN c266 §60A	Felony				2 years		5 years
Grid	3			266/62	RECEIVER, COMMON c266 §62	Felony						10 years
Grid	3			266/65	CORPORATE STOCK, UNAUTHORIZED ISSUE OF c266 §65	Felony				1 year		10 years

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	3			266/66	CORPORATE STOCK, FALSE ISSUE/TRANSFER OF c266 §66	Felony			1 year		1 year	10 years
Grid	3			266/67	BOOKS, FALSIFY/OMIT ENTRY IN c266 §67	Felony			1 year		1 year	10 years
Grid	3			266/67A	PURCHASING VIOLATION, GOVERNMENT c266 §67A	Felony						5 years
Grid	3			266/67B	FALSE CLAIM TO GOVERNMENT AGENCY c266 §67B	Felony						5 years
Grid	3			266/67C	CONSTRUCTION RECORD, FALSE ENTRY IN COMM c266 §67C	Felony			2 years		2 years	5 years
Grid	3			266/73	FALSE PRETENSE OF TRADE, OBTAIN GOODS BY c266 §73	Felony			2 years		2 years	5 years
Grid	3			266/74	CORPORATE CREDIT/MONEY/PROPERTY, MISUSE c266 §74	Felony						10 years
Grid	3			266/75	TRICK, OBTAIN PROPERTY OVER \$250 BY c266 §75	Felony			2 years		2 years	5 years
Grid	3			266/76	FRAUD/CHEAT, GROSS c266 §76	Felony						10 years
Grid	3			266/92	FINANCIAL STATEMENT, PUBLISH FALSE c266 §92	Felony						10 years
Grid	3		Staircased	266/99A	LIBRARY MATERIALS OVER \$250, LARCENY OF c266 §99A	Felony	Under \$10,000					5 years
Grid	3			266/104B	RESEARCH ANIMALS, MALICIOUS INTERFERENCE c266 §104B	Felony			2 1/2 years		2 1/2 years	10 years
Grid	3			266/104B	RESEARCH ANIMALS, WILFUL INTERFERENCE c266 §104B	Felony			2 1/2 years		2 1/2 years	5 years
Grid	3			266/107	BRIDGE, INJURE c266 §107	Felony			2 years		2 years	5 years
Grid	3			266/107	CANAL, INJURE c266 §107	Felony			2 years		2 years	5 years
Grid	3			266/108	BOAT, DESTROY c266 §108	Felony						10 years
Grid	3			266/109	BOAT, FIT OUT TO DESTROY c266 §109	Felony			2 1/2 years		2 1/2 years	10 years
Grid	3			266/111B	INSURANCE CLAIM, FALSE MOTOR VEH c266 111B	Misd.		6 months	2 1/2 years		2 1/2 years	20 years
Grid	3			266/112	ANIMAL, KILL/MAIM/POISON c266 §112	Felony			1 year		1 year	5 years
Grid	3			266/127A	CHURCH/SYNAGOGUE, INJURY OVER \$5000 TO c266 §127A	Felony						5 years
Grid	3			266/127	DESTRUCTION OF PROPERTY +\$250, MALICIOUS c266 §127	Felony			2 1/2 years		2 1/2 years	10 years
Grid	3			266/139	MOTOR VEH WITH DEFACED VIN, SELL c266 §139	Felony						3 years
Grid	3			266/143A	RECORDING, UNAUTHORIZED REPRODUCTION OF c266 §143A - Large Quantity	Felony						5 years
Grid	3			266/143B	RECORDING OF LIVE PERFORMANCE, UNAUTH c266 §143B - Large Quantity	Felony						5 years
Grid	3			266/143C	RECORDING W/OUT MFR NAME, MFR/SELL/RENT c266 §143C - Large Quantity	Felony						5 years
Grid	3			267/1	CHECK, FORGERY OF c267 §1	Felony			2 years		2 years	10 years
Grid	3			267/1	FORGERY c267 §1	Felony			2 years		2 years	10 years
Grid	3			267/1	PROMISSORY NOTE ENDORSEMENT, FORGERY OF c267 §1	Felony			2 years		2 years	10 years
Grid	3			267/5	CHECK, UTTER FALSE c267 §5	Felony			2 years		2 years	10 years
Grid	3			267/5	PROMISSORY NOTE FALSELY ENDORSED, UTTER c267 §5	Felony			2 years		2 years	10 years
Grid	3			267/5	UTTER FALSE INSTRUMENT c267 §5	Felony			2 years		2 years	10 years
Grid	3			267/10	COUNTERFEIT NOTE, UTTER c267 §10	Felony			1 year		1 year	5 years
Grid	3			267/10	TRAVELLER'S CHECK, UTTER FALSE c267 §10	Felony			1 year		1 year	5 years
Grid	3			268/3	PERJURY, ATTEMPT TO SUBORN c268 3	Felony			1 year		1 year	5 years
Grid	3			268/31	PRISONER, DELIVER ARTICLE TO c268 31	Felony			2 1/2 years		2 1/2 years	3 years
Grid	3			268/31	PRISONER, RECEIVE ARTICLE FROM c268 31	Felony			2 1/2 years		2 1/2 years	3 years
Grid	3			268/32A	FIREFIGHTER, INTERFERE WITH c268 32A	Felony			2 1/2 years		2 1/2 years	5 years
Grid	3			268A/3	PUBLIC EMPLOYEE ACCEPT/SOLICIT GIFT c268 3	Misd.		30 days				
Grid	3			268A/3	PUBLIC EMPLOYEE, GIFT TO c268 3	Misd.			2 years		2 years	
Grid	3			268A/3	WITNESS ACCEPT/SOLICIT GIFT c268 3	Misd.			2 years		2 years	

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	3			268A/3	WITNESS, GIFT TO c268 3	Misd.				2 years		
Grid	3			268A/4	STATE EMPLOYEE, ACT AS AGENT/ATTY IMPROP c268 4	Misd.				2 years		
Grid	3			268A/4	STATE EMPLOYEE, COMPENSATION IMPROP c268 4	Misd.				2 years		
Grid	3			268A/4	STATE EMPLOYEE, COMPENSATION IMPROP TO c268 4	Misd.				2 years		
Grid	3			268A/5	STATE EMPLOYEE, FORMER, CONFLICT OF INT c268A 5	Misd.				2 years		
Grid	3			268A/5	STATE EMPLOYEE, FORMER, LOBBY IMPROP c268A 5	Misd.				2 years		
Grid	3			268A/5	STATE EMPLOYEE, FORMER, PARTNER CONFLICT c268A 5	Misd.				2 years		
Grid	3			268A/5	STATE EMPLOYEE, PARTNER CONFLICT OF INT c268A 5	Misd.				2 years		
Grid	3			268A/6	STATE EMPLOYEE, CONFLICT OF INTEREST c268A 6	Misd.				2 years		
Grid	3			268A/7	STATE EMPLOYEE, INTEREST IN ST CONTRACT c268A 7	Misd.				2 years		
Grid	3			268A/8	PUBLIC CONSTR, REQUIRE PARTICULAR INSURER c268A 8	Misd.				2 years		
Grid	3			268A/11	COUNTY EMPLOYEE TAKE IMPROP COMPENSATION c268 11	Misd.				2 years		
Grid	3			268A/11	COUNTY EMPLOYEE, ACT AGENT/ATTY IMPROP c268 11	Misd.				2 years		
Grid	3			268A/11	COUNTY EMPLOYEE, IMPROP COMPENSATION TO c268 11	Misd.				2 years		
Grid	3			268A/12	COUNTY EMPLOYEE, FORMER, CONFLICT OF INT c268A 12	Misd.				2 years		
Grid	3			268A/12	COUNTY EMPLOYEE, FORMER, PARTNER CONFLICT c268A 12	Misd.				2 years		
Grid	3			268A/12	COUNTY EMPLOYEE, PARTNER CONFLICT OF INT c268A 12	Misd.				2 years		
Grid	3			268A/13	COUNTY EMPLOYEE, CONFLICT OF INTEREST c268A 13	Misd.				2 years		
Grid	3			268A/14	COUNTY EMPLOYEE, INTEREST IN CITY CONTRACT c268A 14	Misd.				2 years		
Grid	3			268A/17	MUNIC EMPLOYEE TAKE IMPROP COMPENSATION c268 17	Misd.				2 years		
Grid	3			268A/17	MUNIC EMPLOYEE, ACT AS AGENT/ATTY IMPROP c268 17	Misd.				2 years		
Grid	3			268A/17	MUNIC EMPLOYEE, IMPROP COMPENSATION TO c268 17	Misd.				2 years		
Grid	3			268A/18	MUNIC EMPLOYEE, FORMER, CONFLICT OF INT c268A 18	Misd.				2 years		
Grid	3			268A/18	MUNIC EMPLOYEE, FORMER, PARTNER CONFLICT c268A 18	Misd.				2 years		
Grid	3			268A/18	MUNIC EMPLOYEE, PARTNER CONFLICT OF INT c268A 18	Misd.				2 years		
Grid	3			268A/19	MUNIC EMPLOYEE, CONFLICT OF INTEREST c268A 19	Misd.				2 years		
Grid	3			268A/20	MUNIC EMPLOYEE, INTEREST IN MUN CONTRACT c268A 20	Misd.				2 years		
Grid	3			269/10(b)	DANGEROUS WEAPON, CARRY c269 10 (b)	Felony		6 months	2 1/2 years	2 1/2 years	2 1/2 years	5 years
Grid	3		Note A	269/10(b)	FIREARM W/O FID CARD, SUBSQ.OFF. c269 10 (b)	Misd.			2 years	2 years		
Grid	3		Note A	269/10A	SILENCER, SELL/USE/POSSESS FIREARM c269 10A	Felony			2 1/2 years	2 1/2 years	2 1/2 years	5 years
Grid	3			269/10D	BODY ARMOR, USE IN FELONY c269 10D	Felony		1 year	2 1/2 years	2 1/2 years	2 1/2 years	5 years
Grid	3			269/11C	FIREARM SERIAL NO., DEFACE c269 11C	Misd.		1 month	2 1/2 years	2 1/2 years		
Grid	3			269/11C	FIREARM W/DEFACED NO., RECEIVE c269 11C	Misd.		1 month	2 1/2 years	2 1/2 years		
Grid	3			271/6A	PYRAMID SCHEME, SET UP/PROMOTE c271 §6A	Felony			2 1/2 years	2 1/2 years		3 years
Grid	3			271/6B	SKILO, SET UP/PROMOTE c271 §6B	Felony			2 1/2 years	2 1/2 years		3 years
Grid	3			271/7	LOTTERY, SET UP/PROMOTE c271 §7	Felony			2 1/2 years	2 1/2 years		3 years
Grid	3		Note A	271/7	LOTTERY, SET UP/PROMOTE, SUBSQ.OFF. c271 §7	Misd.		3 months	1 year	1 year		
Grid	3		Note A	271/9	LOTTERY, SELL TICKETS FOR, SUBSQ.OFF. c271 §9	Misd.		3 months	1 year	1 year		
Grid	3		Note A	271/15	LOTTERY, AID FOREIGN, SUBSQ.OFF. c271 §15	Misd.		3 months	1 year	1 year		
Grid	3		Note A	271/16	LOTTERY TICKET, DISTRIBUTE FOREIGN, SUBSQ c271 §16	Misd.		3 months	1 year	1 year		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statutory Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	3			271/17	BETTING, TAKE/ALLOW/PRESENT AT c271 §17	Felony			2 1/2 years			3 years
Grid	3		Note A	271/17A	TELEPHONE FOR GAMING, USE, SUBSQ. OFF. c271 §17A	Misd.		3 months		1 year		
Grid	3			271/31A	HORSE/DOG RACE, TRANSMIT RESULTS OF c271 §31A	Felony			2 1/2 years			5 years
Grid	3			271/39	THREAT, BUSINESS c271 §39	Felony			2 years			5 years
Grid	3			272/2	PROSTITUTION/UNLAW SEX, ABDUCT PERSON FOR §c272 2	Felony			1 year			3 years
Grid	3			272/4	SEXUAL INTERCOURSE, INDUCE CHASTE MINOR c272 4	Felony			2 1/2 years			3 years
Grid	3			272/15	POLYGAMY c272 15	Felony			2 1/2 years			5 years
Grid	3			272/28	OBSCENE MATTER TO MINOR, 2ND OFF. c272 28	Felony			2 1/2 years			5 years
Grid	3			272/28	OBSCENE MATTER TO MINOR, 3RD OFF. c272 28	Felony			2 1/2 years			5 years
Grid	3			272/35	UNNATURAL ACT c272 35	Felony			2 1/2 years			5 years
Grid	3			272/73	GRAVE PLANTING, VANDALIZE c272 73	Felony			2 1/2 years			5 years
Grid	3			272/73	GRAVE, DISTURB c272 73	Felony			2 1/2 years			5 years
Grid	3			272/73	GRAVESTONE, VANDALIZE c272 73	Felony			2 1/2 years			5 years
Grid	3			272/99	WIRETAP, TAMPER WITH RECORD OF c272 99	Felony			2 years			5 years
Grid	3			272/99	WIRETAP, TAMPER WITH RECORD OF, ATTEMPT c272 99	Felony			2 years			5 years
Grid	3			272/99	WIRETAP, UNLAWFUL c272 99	Felony			2 1/2 years			5 years
Grid	3			272/99	WIRETAP, UNLAWFUL, ATTEMPT c272 99	Felony			2 1/2 years			5 years
Grid	3			273/1	SUPPORT CHILD, ENTER COMM WITHOUT c273 §1	Felony						5 years
Grid	3			273/1	SUPPORT CHILD, LEAVE COMM WITHOUT c273 §1	Felony						5 years
Grid	3			273/1	SUPPORT ORDER, FAIL COMPLY WITH c273 §1	Felony						5 years
Grid	3			273/1	SUPPORT SPOUSE & CHILD, ENTER COMM W/O c273 §1	Felony						5 years
Grid	3			273/1	SUPPORT SPOUSE & CHILD, LEAVE COMM W/O c273 §1	Felony						5 years
Grid	3			273/1	SUPPORT SPOUSE, ENTER COMM WITHOUT c273 §1	Felony						5 years
Grid	3			273/1	SUPPORT SPOUSE, LEAVE COMM WITHOUT c273 §1	Felony						5 years
Grid	3			273/1	SUPPORT, ABANDON CHILD WITHOUT c273 §1	Felony						5 years
Grid	3			273/1	SUPPORT, ABANDON SPOUSE & CHILD WITHOUT c273 §1	Felony						5 years
Grid	3			273/1	SUPPORT, ABANDON SPOUSE WITHOUT c273 §1	Felony						5 years
Grid	3			273/15	SUPPORT CHILD OUT OF WEDLOCK, ENTER W/O c273 §15	Felony						5 years
Grid	3			273/15	SUPPORT CHILD OUT OF WEDLOCK, FAIL c273 §15	Felony						5 years
Grid	3			273/15	SUPPORT CHILD OUT OF WEDLOCK, LEAVE W/O c273 §15	Felony						10 years
Grid	3			273/15	SUPPORT ORDER, CHILD OUT OF WED, DISOBEY c273 §15	Felony						5 years
Grid	3			Common Law	CONTEMPT, CRIMINAL common law	Common Law						
Grid	3			Common Law	ESCAPE FROM POLICE OFFICER common law	Common Law						
Grid	3			Common Law	POLICE OFFICER, INTERFERE WITH common law	Common Law						
Grid	2			3/28A	WITNESS FAIL TESTIFY BEFORE GENERAL CT c3 §28A	Misd.		30 days		1 year		
Grid	2			6/131F	BLIND AID PROGRAM, FALSE STATEMENT TO c6 §131F	Misd.				1 year		
Grid	2			6/139	BLIND, UNLICENSED SOLICITATION FOR c6 §139	Misd.		3 months		1 year		
Grid	2			6/178	CORI, DISSEMINATE/SEEK UNLAWFULLY c6 §178	Misd.				1 year		
Grid	2			6/178	CORI, FALSIFY c6 §178	Misd.				1 year		
Grid	2			7A/14	COMPTROLLER'S EMPLOYEE, FINANCE VIOL BY c7A §14	Misd.				1 year		

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			10/30	LOTTERY TICKET, ALTER/FORGE/COUNTERFEIT c10 §30	Felony			2 years			3 years
Grid	2			10/30	LOTTERY TICKET, UTTER OR PASS FALSE c10 §30	Felony			2 years			3 years
Grid	2			10/30A	STATE LOTTERY EMPLOYEE, IMPERSONATE c10 §30A	Misd.			1 year			
Grid	2			10/30A	STATE LOTTERY LICENSE/JOB, PROMISE c10 §30A	Felony			2 1/2 years			3 years
Grid	2			10/38	BEANO GAME, UNAUTHORIZED PERSON OPERATE c10 §38	Misd.			1 year			
Grid	2			10/38	BEANO VIOLATION c10 §38-§39	Misd.			1 year			
Grid	2			10/40	BEANO REPORT, FALSE STATEMENT IN c10 §40	Misd.			1 year			
Grid	2			12/8F	CHARITY FILE FALSE ANNUAL REPORT c12 §8F	Misd.			1 year			
Grid	2			18/5B	PUBLIC ASSISTANCE FRAUD c18 §5B	Misd.			1 year			
Grid	2			19/19	MENTALLY ILL, UNLIC FACILITY FOR,2ND OFF c19 §19	Misd.			2 years			
Grid	2			19B/15	MENTALLY RETARDED, UNLIC FACILITY FOR c19B §15	Misd.			2 years			
Grid	2			19C/11	DISABLED ABUSE REPORT, RETALIATE FOR c19C §11	Misd.			1 year			
Grid	2			21/34C	WASTEWATER CERTIF APPLIC, FALSE STATE ON c21 §34C	Misd.			1 year			
Grid	2			21/34C	WASTEWATER TREATMENT REGULATION VIOL c21 §34C	Misd.			1 year			
Grid	2			21/34C	WASTEWATER TREATMENT, UNCERTIFIED c21 §34C	Misd.			1 year			
Grid	2			21/52A	OIL VIOLATION, WASTE c21 §52A	Misd.			1 year			
Grid	2			21A/13	ENVIRONMENTAL CODE, VIOLATE STATE c21A §13	Misd.			1 year			
Grid	2			21A/14	DREDGED MATERIAL DISPOSAL REGUL VIOL c21A §14	Misd.			1 year			
Grid	2			21A/14	DREDGED MATERIAL, DISPOSE WITHOUT PERMIT c21A §14	Misd.			1 year			
Grid	2			21A/19D	HAZARDOUS WASTE CLEANUP, UNLICENSED c21A §19D	Misd.			1 year			
Grid	2			21A/19J	HAZARDOUS WASTE CLEANUP, FALSE STATE RE c21A §19J	Misd.			1 year			
Grid	2			21A/19J	HAZARDOUS WASTE MONITOR/CONTROL, TAMPER c21A §19J	Misd.			1 year			
Grid	2			21A/19J	HAZARDOUS WASTE, ENDANGER WITH c21A §19J	Misd.			1 year			
Grid	2			21B/8	COAL MINING CEASE-WORK ORDER VIOLATION c21B §8	Misd.			1 year			
Grid	2			21H/5	INCINERATOR ASH REGULATION VIOL c21H §5	Misd.			2 years			
Grid	2			21H/5	INCINERATOR FAIL TEST FOR HAZARD WASTE c21H §5	Misd.			2 years			
Grid	2			21H/6	INCINERATOR FAIL FILE ANNUAL REPORT c21H §6	Misd.			2 years			
Grid	2			21H/6	INCINERATOR FAIL SET ASIDE 3% OF FEES c21H §6	Misd.			2 years			
Grid	2			21H/6	INCINERATOR WITHOUT ACID GAS SCRUBBER c21H §6	Misd.			2 years			
Grid	2			21H/8	SOLID WASTE REGULATION VIOLATION c21H §8	Misd.			2 years			
Grid	2			21I/21	TOXICS USE VIOLATION c21I §21	Misd.			1 year			
Grid	2			21I/13	UNDERGROUND OIL STORAGE TANK VIOLATION c21I §13	Misd.			2 years			
Grid	2			29/66	STATE EMPLOYEE, FINANCE VIOLATION BY c29 §66	Misd.			1 year			
Grid	2			31/74	CIVIL SVCE APPOINTMENT, POLITICAL REC IN c31 §74	Misd.			1 year			
Grid	2			31/74	CIVIL SVCE CONFIDENTIALITY VIOLATION c31 §74	Misd.			1 year			
Grid	2			31/74	CIVIL SVCE EXAM PAPER, ALTER c31 §74	Misd.			1 year			
Grid	2			31/74	CIVIL SVCE EXAM RIGHTS, OBSTRUCT c31 §74	Misd.			1 year			
Grid	2			31/74	CIVIL SVCE EXAM, IMPERSONATE ANOTHER FOR c31 §74	Misd.			1 year			
Grid	2			31/74	CIVIL SVCE VIOLATION c31 §74	Misd.			1 year			
Grid	2			32/18	PUBLIC RETIREMENT, FALSE STATEMENT RE: c32 §18	Misd.			1 year			

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			32/24	PUBLIC RETIREMENT SYSTEM VIOLATION c32 §24	Misd.				1 year		
Grid	2			38/15	DEATH-SCENE PROPERTY, FAIL DELIVER c38 §15	Misd.				2 years		
Grid	2			40/39G	WATER SUPPLY PROPERTY, VANDALIZE MUNIC c40 §39G	Misd.				1 year		
Grid	2			40/39G	WATER SUPPLY, POLLUTE MUNICIPAL c40 §39G	Misd.				1 year		
Grid	2			41/97D	SEXUAL ASSAULT CONFIDENTIALITY VIOLATION c41 §97D	Misd.				1 year		
Grid	2			43/27	MUNICIPAL CONTRACT, EMPLOYEE INTEREST IN c43 §27	Misd.				1 year		
Grid	2			44/62	MUNICIPAL OFFICER, FINANCE VIOLATION BY c44 §62	Misd.				1 year		
Grid	2			51/52A	VOTER REGISTRATION OFFICE, CAMPAIGN IN c51 §52A	Misd.				1 year		
Grid	2			51/54	VOTER REGISTRAR, INTERFERE WITH c51 §54	Misd.				1 year		
Grid	2			54/27	VOTING MACHINE/BOX, TAMPER WITH c54 §27	Misd.				1 year		
Grid	2			55/2	CANDIDATE FAIL KEEP CONTRIBUTION LISTS c55 §2	Misd.				1 year		
Grid	2			55/5	POLITICAL COMMITTEE & PERSONAL FUNDS,MIX c55 §5	Misd.				1 year		
Grid	2			55/5	POLITICAL COMMITTEE EXPENDITURE, UNAUTH c55 §5	Misd.				1 year		
Grid	2			55/5	POLITICAL COMMITTEE FAIL FILE REPORTS c55 §5	Misd.				1 year		
Grid	2			55/5	POLITICAL COMMITTEE FAIL KEEP ACCOUNTS c55 §5	Misd.				1 year		
Grid	2			55/5	WARD COMMITTEE MEMBERS, FAIL FILE LIST c55 §5	Misd.				1 year		
Grid	2			55/6	POLITICAL COMMITTEE CONTRIBUTE TO OTHER c55 §6	Misd.				1 year		
Grid	2			55/6	POLITICAL COMMITTEE, PRIVATE EXPENSES BY c55 §6	Misd.				1 year		
Grid	2			55/8	CAMPAIGN CONTRIB, ACCEPT IMPROP CORP c55 §8	Misd.				1 year		
Grid	2			55/8	CAMPAIGN CONTRIB, IMPROP CORPORATE c55 §8	Misd.				1 year		
Grid	2			55/9	CAMPAIGN CONTRIB, ACCEPT +\$50 CASH c55 §9	Misd.				1 year		
Grid	2			55/9	CAMPAIGN EXPENDITURE, +\$50 CASH c55 §9	Misd.				1 year		
Grid	2			55/10	CAMPAIGN CONTRIB BY TRUST/ASSOC, UNLAW c55 §10	Misd.				1 year		
Grid	2			55/10	CAMPAIGN CONTRIB IN FALSE NAME c55 §10	Misd.				1 year		
Grid	2			55/10	CAMPAIGN CONTRIB IN FALSE NAME, ACCEPT c55 §10	Misd.				1 year		
Grid	2			55/11	CANDIDATE MAKE SOLICITED DONATION c55 §11	Misd.				1 year		
Grid	2			55/11	CANDIDATE, SOLICIT DONATION FROM c55 §11	Misd.				1 year		
Grid	2			55/13	PUBLIC EMPLOYEE TAKE POLITICAL DONATION c55 §13	Misd.				1 year		
Grid	2			55/14	PUBLIC BUILDING, POLITICAL DONATION IN c55 §14	Misd.				1 year		
Grid	2			55/18	CAMPAIGN FINANCE REPORT, FAIL FILE c55 §18	Misd.				1 year		
Grid	2			55/22	REFERENDUM REPORT, CORPORATION FAIL FILE c55 §22	Misd.				1 year		
Grid	2			55/22A	REFERENDUM REPORT, MUNICIPALITY FL FILE c55 §22A	Misd.				1 year		
Grid	2			55/23	POLITICAL COMMITTEE RECEIPTS,FL ACCT FOR c55 §23	Misd.				1 year		
Grid	2			55A/9	CAMPAIGN FINANCE REPORT, FAIL FILE c55A §9	Misd.				1 year		
Grid	2			55A/12	PUBLIC CAMPAIGN FINANCING VIOLATION c55A §12	Misd.				1 year		
Grid	2			56/1	VOTER LIST, FALSE c56 §1	Misd.				1 year		
Grid	2			56/2	VOTER REGISTRAR, FRAUD BY c56 §2	Misd.				1 year		
Grid	2			56/2	VOTER REGISTRATION AFFIDAVIT, FL REQUIRE c56 §2	Misd.				1 year		
Grid	2			56/2	VOTER REGISTRATION, BLOCK c56 §2	Misd.				1 year		
Grid	2			56/4	RESIDENT LIST, FAIL FILE ANNUAL c56 §4	Misd.				1 year		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			56/5	RESIDENT LIST, FALSE INFORMATION FOR c56 §5	Felony						5 years
Grid	2			56/6	VOTER QUALIFICATION, PERJURY AS TO c56 §6	Misd.				1 year		1 year
Grid	2			56/7	VOTER QUALIFICATION, ABET PERJURY AS TO c56 §7	Misd.				1 year		1 year
Grid	2			56/11	NOMINATION PAPER/PETITION, FALSE c56 §11	Misd.				1 year		1 year
Grid	2			56/11A	NOMINATION PAPER, ALTER DISTRICT ON c56 §11A	Misd.				1 year		1 year
Grid	2			56/16	ELECTION BALLOT, DISPOSE OF IMPROP c56 §16	Misd.				1 year		1 year
Grid	2			56/19	ELECTION RESULTS, CERTIFY FALSE c56 §19	Misd.				1 year		1 year
Grid	2			56/22	ELECTION OFFICIAL FAIL PERFORM DUTY c56 §22	Misd.			6 months			1 year
Grid	2			56/26	VOTE UNLAWFULLY c56 §26	Misd.			6 months			1 year
Grid	2			56/26	VOTE, ATTEMPT TO UNLAWFUL ABSENTEE c56 §27	Misd.						1 year
Grid	2			56/27	VOTE, UNLAWFUL ABSENTEE c56 §27	Misd.						1 year
Grid	2			56/29	VOTER, INTERFERE WITH c56 §29	Misd.				1 year		1 year
Grid	2			56/32	VOTER, BRIBE c56 §32	Misd.				1 year		1 year
Grid	2			56/33	VOTE, EMPLOYER ATTEMPT TO INFLUENCE c56 §33	Misd.				1 year		1 year
Grid	2			56/33	VOTE, EMPLOYER RETALIATE FOR EMPLOYEES c56 §33	Misd.				1 year		1 year
Grid	2			56/34	CANDIDATE PROMISE PUBLIC POSITION c56 §34	Misd.				1 year		1 year
Grid	2			56/37	STATE EMPLOYEE EMPLOYED FOR REFERENDUM c56 §37	Misd.				1 year		1 year
Grid	2			56/38	POLITICAL EDITORIAL SUPPORT, PURCHASE c56 §38	Misd.				1 year		1 year
Grid	2			56/39	POLITICAL AD WITHOUT SPONSOR'S NAME c56 §39	Misd.				1 year		1 year
Grid	2			56/48	ELECTION OFFICIAL, INTERFERE WITH c56 §48	Misd.				1 year		1 year
Grid	2			56/49	ELECTION BALLOTS, OBSTRUCT DELIVERY OF c56 §49	Misd.				1 year		1 year
Grid	2			56/50	ELECTION BALLOT, MISHANDLE PRIMARY c56 §50	Misd.			2 1/2 years			2 1/2 years
Grid	2			56/52	ELECTION BALLOT, FORGE/DESTROY c56 §52	Misd.			1 year			1 year
Grid	2			56/53	ELECTION BALLOT, MARK IMPROP c56 §53	Misd.			2 1/2 years			2 1/2 years
Grid	2			56/54	ELECTION BALLOT, REMOVE WHILE POLLS OPEN c56 §54	Misd.			1 year			1 year
Grid	2			56/55	ELECTION BALLOT, ALTER/DEPOSIT/REMOVE c56 §55	Misd.			2 1/2 years			2 1/2 years
Grid	2			56/56	VOTER, REVEAL INFORMATION ON CHALLENGED c56 §56	Misd.			1 year			1 year
Grid	2			59/91	TAX LIST, FRAUDULENT PROPERTY c59 §91	Misd.			1 year			1 year
Grid	2			61A/23	TAX, EVADE BY AGRICULTURAL TAX PROCEDURE c61A §23	Misd.			1 year			1 year
Grid	2			62B/7	TAX WITHHOLDING VIOLATION BY EMPLOYER c62B §7	Misd.			1 year			1 year
Grid	2			62C/73	SALES TAX CERTIFICATE, FALSE c62C §73	Misd.			1 year			1 year
Grid	2			62C/73	TAX COLLECTOR, IMPEDE BY THREATS c62C §73	Misd.			1 year			1 year
Grid	2			62C/73	TAX RECORDS/INFO, FAIL PROVIDE c62C §73	Misd.			1 year			1 year
Grid	2			62C/73	TAX RETURN, FAIL FILE c62C §73	Misd.			1 year			1 year
Grid	2			62C/73	TAX RETURN, FALSE (MISDEMEANOR) c62C §73	Misd.			1 year			1 year
Grid	2			62C/73	TAX WITHHOLDING STATEMENT VIOL. BY EMPLOYER c62C §73	Misd.			1 year			1 year
Grid	2			62C/73	TAX WITHHOLDING VIOLATION BY EMPLOYEE c62C §73	Misd.			1 year			1 year
Grid	2			62C/73	TAX, EVADE c62C §73	Misd.			1 year			1 year
Grid	2			64A/11	TAX VIOLATION, GASOLINE c64A §11	Misd.			1 year			1 year

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			64C/2	CIGARETTES, FAIL DISPLAY LICENSE TO SELL c64C §2	Misd.				1 year		
Grid	2			64C/10	CIGARETTE ACQUIRER, UNLICENSED c64C §10	Misd.				1 year		
Grid	2			64C/10	CIGARETTE EXCISE, FALSE STATEMENT ABOUT c64C §10	Misd.				1 year		
Grid	2			64C/10	CIGARETTE VEND MACH NOT SHOW TAX STAMPS c64C §10	Misd.				1 year		
Grid	2			64C/10	CIGARETTES, IMPORT FOR UNLICENSED BUYER c64C §10	Misd.				1 year		
Grid	2			64C/34	CIGARETTES, SELL -12000 UNSTAMPED c64C §34	Misd.				1 year		
Grid	2			64C/35	CIGARETTES, POSSESS -12000 UNSTAMPED c64C §35	Misd.				1 year		
Grid	2			64D/6	DEED EXCISE TAX, FAIL PRODUCE RECORDS OF c64D §6	Misd.		3 months		2 years		
Grid	2			64D/7	DEED EXCISE TAX STAMP, FALSE c64D §7	Misd.				1 year		
Grid	2			64D/8	DEED EXCISE TAX STAMP VIOLATION c64D §8	Misd.				1 year		
Grid	2			64E/2	SPECIAL FUELS, SELL, WITHOUT LICENSE c64D §2	Misd.				1 year		
Grid	2			64F/2	MOTOR CARRIER, UNLICENSED c64F §2	Misd.				1 year		
Grid	2			64F/12	MOTOR CARRIER FUEL EXCISE TAX VIOLATION c64F §12	Misd.				1 year		
Grid	2			64J/7	AIRCRAFT FUEL TAX VIOLATION c64J §7	Misd.				1 year		
Grid	2			65C/26	ESTATE TAX, EVADE c65C §26	Misd.			2 1/2 years			
Grid	2			65C/27	ESTATE TAX RETURN, FAIL FILE c65C §27	Misd.			1 year			
Grid	2			65C/27	ESTATE TAX, FAIL PAY c65C §27	Misd.			1 year			
Grid	2			65C/28	ESTATE TAX, CONCEAL GOODS TO AVOID c65C §28	Misd.			2 years			
Grid	2			66/15	PUBLIC RECORD, TAKE/ALTER/VANDALIZE c66 §15	Misd.			1 year			
Grid	2			66/15	PUBLIC RECORDS VIOLATION c66 §15	Misd.			1 year			
Grid	2			68/32	CHARITY FUNDRAISING REPORT, FALSE c68 §32	Misd.			1 year			
Grid	2			68/32	CHARITY FUNDRAISING VIOLATION c68 §32	Misd.			1 year			
Grid	2			90/2	EMISSIONS, ATT REGISTER MV WITH IMPROPER c90 2	Misd.			1 year			
Grid	2			90/2	EMISSIONS, REGISTER MV WITH IMPROPER c90 2	Misd.			1 year			
Grid	2			90/5	NUMBER PLATE, FALSE APPLIC FOR DEALER c90 5	Misd.		30 days		2 years		
Grid	2			90/19D	ALTER MOTOR VEH TO REDUCE GVW c90 19D	Misd.		2 weeks		2 years		
Grid	2			90/19D	WEIGHT CERTIFICATE, FALSE STATEMENT IN c90 19D	Misd.		2 weeks		2 years		
Grid	2			90/23	LICENSE REVOKED AS HTO, OPERATE MV WITH c90 23	Misd.				2 years		
Grid	2			90/23	LICENSE SUSPENDED, OP MV WITH, SUBSQ.OFF c90 23	Misd.		60 days		1 year		
Grid	2			90/23	LICENSE, EXHIBIT ANOTHER'S, SUBSQ.OFF c90 23	Misd.		60 days		1 year		
Grid	2			90/23	REGISTRATION SUSPENDED, OP MV, SUBSQ.OFF c90 23	Misd.		2 weeks		2 years		
Grid	2			90/24	LICENSE, ALLOW ANOTHER TO USE c90 24	Misd.		2 weeks		2 years		
Grid	2			90/24	LICENSE, FALSE STATEMENT IN APPLIC FOR c90 24	Misd.		2 weeks		2 years		
Grid	2			90/24	NEGLIGENT OPERATION OF MOTOR VEHICLE c90 24	Misd.		2 weeks		2 years		
Grid	2			90/24	RACING MOTOR VEHICLE c90 24	Misd.		2 weeks		2 years		
Grid	2			90/24	RECKLESS OPERATION OF MOTOR VEHICLE c90 24	Misd.		2 weeks		2 years		
Grid	2			90/24	REGISTRATION, FALSE STATEMENT IN APPL FOR c90 24	Misd.		2 weeks		2 years		
Grid	2			90/24	USE MV WITHOUT AUTHORITY c90 24	Misd.		30 days		2 years		
Grid	2			90/24	USE MV WITHOUT AUTHORITY, 2ND OFF c90 24	Felony		30 days		2 1/2 years		5 years
Grid	2			90/24B	LICENSE, FALSE APPLICATION FOR MV c90 24B	Felony				2 years		5 years



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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			90/24B	RMV DOCUMENT, FORGE/MISUSE c90 24B	Felony				2 years		5 years
Grid	2			90/24B	RMV DOCUMENT, POSSESS/USE FALSE/STOLEN c90 24B	Felony				2 years		5 years
Grid	2			90/24B	RMV SIGNATURE, FORGE/MISUSE c90 24B	Felony				2 years		5 years
Grid	2			90/24B	RMV SIGNATURE, POSSESS/USE FALSE/STOLEN c90 24B	Felony				2 years		5 years
Grid	2		Note B	90/24H	ABANDONED/STOLEN MV, IMPROPER REMOVE c90 24H	Misd.		2 years	2 1/2 years			
Grid	2		Note B	90/24H	CRUSHED VEHICLES, TRANSPORT WITHOUT LIST c90 24H	Misd.		2 years	2 1/2 years			
Grid	2		Note B	90/24H	CRUSHING MACHINE, UNREGISTERED MV c90 24H	Misd.		2 years	2 1/2 years			
Grid	2			90/34B	INSURANCE CERTIFICATE, FALSE MOTOR VEH c90 34B	Misd.				1 year		
Grid	2			90/34F	SELF-INSURER FAIL-NOTIFY OF SUIT c90 34F	Misd.				1 year		
Grid	2			90/34J	UNINSURED MOTOR VEHICLE c90 34J	Misd.				1 year		
Grid	2			90/44	AIRCRAFT OUI LIQUOR c90 44	Misd.		1 month		2 years		
Grid	2			90B/4B	MBOAT ID NO., ATT SELL WITH OBLITERATED c90B §4B	Misd.			1 year			
Grid	2			90B/4B	MBOAT ID NO., SELL WITH OBLITERATED c90B §4B	Misd.			1 year			
Grid	2			90B/4B	MBOAT MANUFACTURER ID NO., REMOVE c90B §4B	Misd.			1 year			
Grid	2			90B/8	BOAT, NEGLIGENCE OR RECKLESS OPERATION OF c90B §8	Misd.		30 days		2 years		
Grid	2			90B/8	BOAT, USE W/O AUTHORITY, 1ST OFFENSE c90B §8 (B)(c)(1)	Misd.		30 days		2 years		
Grid	2			90B/8	MBOAT ACCIDENT, LEAVE SCENE OF c90B §8	Misd.		30 days		2 years		
Grid	2			90C/10	CITATION, ATTEMPT TO FALSIFY c90C §10	Misd.			1 year			
Grid	2			93/14F	RETAILER SELL BELOW COST c93 §14F	Misd.		1 month		1 year		
Grid	2			93/14F	WHOLESALE SELL BELOW COST c93 §14F	Misd.		1 month		1 year		
Grid	2			94/54	BUTTER IMITATION MADE OF FAT/OIL c94 §54	Misd.			1 year			
Grid	2			94/119	SLAUGHTER REGULATION/ORDER VIOLATION c94 §119	Misd.			1 year			
Grid	2			94/120	SLAUGHTER/PROCESS MEAT, UNLICENSED c94 §120	Misd.			1 year			
Grid	2			94/125	SLAUGHTER REGULATION/ORDER VIOLATION c94 §125	Misd.			1 year			
Grid	2			94/126	SLAUGHTER REGULATION/ORDER VIOLATION c94 §126	Misd.			1 year			
Grid	2			94/127	ANIMAL PRODUCTS, SELL/BUY IMPROPERLY c94 §127	Misd.			1 year			
Grid	2			94/127	HORSE MEAT, SELL/BUY UNMARKED c94 §127	Misd.			1 year			
Grid	2		Note B	94/127	LIVESTOCK CERTIFICATE, FALSE STATEMENT IN c94 §127	Misd.		1 year	2 1/2 years			3 years
Grid	2			94/127	LIVESTOCK INFO, FAIL FURNISH DPH WITH c94 §127	Misd.			1 year			
Grid	2		Note B	94/127	LIVESTOCK INSPECTED, FALSE CLAIM THAT c94 §127	Misd.		1 year	2 1/2 years			3 years
Grid	2		Note B	94/127	LIVESTOCK MARK, FORGE c94 §127	Misd.		1 year	2 1/2 years			3 years
Grid	2			94/127	LIVESTOCK MARK, MAKE IMPROPER c94 §127	Misd.			1 year			
Grid	2			94/127	LIVESTOCK MARK, POSSESS IMPROPER c94 §127	Misd.			1 year			
Grid	2			94/127	LIVESTOCK MARK, REMOVE/FAIL USE c94 §127	Misd.			1 year			
Grid	2			94/127	LIVESTOCK MARK, USE/ALTER IMPROPER c94 §127	Misd.			1 year			
Grid	2			94/127	MEAT PRODS ADULTERATED/UNINSPECTED c94 §127	Misd.			1 year			
Grid	2		Note B	94/127	MEAT PRODS ADULTERATED/UNISP KNOWINGLY c94 §127	Misd.		1 year	2 1/2 years			3 years
Grid	2			94/127	MEAT PRODS, CAUSE ADULTERATION/MISBRAND c94 §127	Misd.			1 year			
Grid	2			94/127	MEAT, SELL/BUY UNIDENTIFIED INEDIBLE c94 §127	Misd.			1 year			
Grid	2			94/127	POULTRY, SELL/BUY UNCLEANED c94 §127	Misd.			1 year			

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statutory Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			94/127	SLAUGHTER/PREPARE MEAT UNLAWFULLY c94 §127	Misd.				1 year		
Grid	2			94/128	LIVESTOCK INQUIRY, FAIL TESTIFY AT DPH c94 §128	Misd.				1 year		
Grid	2			94/187D	IMPERSONATION TO AVOID FOOD/DRUG INSPCTN c94 §187D	Misd.				2 years		
Grid	2		Note A	94/190	ADULTERATED/MISBRANDED FOOD/DRUG, 3RD c94 §190	Misd.				6 months		
Grid	2			94/248	COAL, FRAUDULENT SALE OF c94 §248	Misd.				1 year		
Grid	2			94/248	FUEL OIL, FRAUDULENT SALE OF c94 §248	Misd.				1 year		
Grid	2			94/249B	COAL INSPECTION, OBSTRUCT c94 §249B	Misd.		1 month		1 year		
Grid	2			94/249C	COAL SELL CONDEMNED c94 §249A	Misd.		1 month		1 year		
Grid	2			94/249D	COAL, SELL UNFIT c94 §249D	Misd.				1 year		
Grid	2			94/249E	COAL, ADULTERATED c94 §249E	Misd.				1 year		
Grid	2			94/295G	GASOLINE/OIL, ADULTERATE/SUBSTITUTE c94 §295G	Misd.				1 year		
Grid	2			94/303F	HEATING OIL DELIVERY TICKET, ALTER c94 §303F	Misd.				1 year		
Grid	2			94/318	APPLIANCE ENERGY USE INFO, FALSIFY c94 §318	Misd.				1 year		
Grid	2			94A/4	MILK DEALER, UNLICENSED c94A §4	Misd.				1 year		
Grid	2			94A/13	MILK DEALER WITHHOLD RECORDS/INSPECTION c94A §13	Misd.				1 year		
Grid	2			94A/14	MILK SALE BELOW MINIMUM PRICE c94A §14	Misd.				1 year		
Grid	2			94A/22	MILK REGULATION/ORDER VIOLATION c94A §22	Misd.				1 year		
Grid	2			94B/3	HAZARDOUS SUBST TRADE SECRET, REVEAL, SUB c94B §3	Misd.				1 year		
Grid	2			94B/3	HAZARDOUS SUBST, MISBRANDED/BANNED, SUBSQ c94B §3	Misd.				1 year		
Grid	2			94C/8	DRUG RESEARCH STUDY VIOLATION c94C 8	Misd.				1 year		
Grid	2			94C/21	DRUG, PHARMACIST FAIL LABEL, SUBSQ.OFF. c94C 21	Misd.				2 years		
Grid	2			94C/22	DRUG, PRACTITIONER FAIL LABEL, SUBSQ.OFF. c94C 22	Misd.				2 years		
Grid	2			94C/22	PRESCRIPTION, WRITE IMPROPER, SUBSQ.OFF. c94C 22	Misd.				2 years		
Grid	2			94C/24	DRUG, FAIL REPORT DISPENSING c94C 24	Misd.				1 year		
Grid	2			94C/25	DRUG INSPECTION, REFUSE c94C 25	Misd.				1 year		
Grid	2			94C/25	DRUG LABEL, REMOVE/ALTER c94C 25	Misd.				1 year		
Grid	2			94C/25	DRUG RECORDS, FAIL KEEP c94C 25	Misd.				1 year		
Grid	2			94C/25	DRUG SEAL, BREAK c94C 25	Misd.				1 year		
Grid	2			94C/25	DRUG, DISPENSE W/O PRESCRIPTION c94C 25	Misd.				1 year		
Grid	2			94C/25	DRUG, DISTRIB IMPROP TO REGISTRANT c94C 25	Misd.				1 year		
Grid	2			94C/25	DRUG, DISTRIBUTE UNAUTHORIZED c94C 25	Misd.				1 year		
Grid	2			94C/25	DRUG, DISTRIBUTE UNAUTHORIZED, SUBSQ.OFF c94C 25	Misd.				2 years		
Grid	2			94C/26	DRUG INFO, REGISTRANT GIVE FALSE c94C 26	Misd.				1 year		
Grid	2			94C/26	DRUG, REGISTRANT DISTRIB W/O ORDER c94C 26	Misd.				1 year		
Grid	2			94C/26	DRUG, REGISTRANT DISTRIB W/O ORDER, 2ND c94C 26	Misd.				2 years		
Grid	2			94C/27	HYPODERMIC SALES RECORD, FL KEEP c94C 27	Misd.				1 year		
Grid	2			94C/27	HYPODERMIC, DISTRIB TO UNAUTH PERSON c94C 27	Misd.				1 year		
Grid	2			94C/27	HYPODERMIC, DISTRIB TO UNAUTH PERSON, 2ND c94C 27	Misd.				2 years		
Grid	2			94C/27	HYPODERMIC, DISTRIB WITHOUT LIC c94C 27	Misd.				1 year		
Grid	2			94C/27	HYPODERMIC, OBTAIN WITHOUT LIC c94C 27	Misd.				1 year		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			94C/27	HYPDERMIC, OBTAIN WITHOUT LIC, SUBSQ. c94C 27	Misd.				2 years		
Grid	2			94C/27	HYPDERMIC, POSSESS c94C 27	Misd.				1 year		
Grid	2			94C/27	HYPDERMIC, STORE IMPROP c94C 27	Misd.				1 year		
Grid	2			94C/27	HYPDERMIC, DISTRIB WITHOUT LIC, SUBSQ. c94C 27	Misd.				2 years		
Grid	2	Note B		94C/32C	DRUG, DISTRIBUTE CLASS D c94C 32C	Misd.		1 year	1 year	2 1/2 years		
Grid	2	Note B		94C/32C	DRUG, DISTRIBUTE CLASS D, SUBSQ OFF. c94C 32C	Misd.		1 year	1 year	2 1/2 years		
Grid	2			94C/32C	DRUG, POSSESS TO DISTRIB CLASS D c94C 32C	Misd.				2 1/2 years		
Grid	2			94C/32C	DRUG, POSSESS TO DISTRIB CLASS D, SUBSQ. c94C 32C	Misd.				2 1/2 years		
Grid	2	Note A		94C/32D	DRUG, DISTRIBUTE CLASS E c94C 32D	Misd.				9 months		
Grid	2	Note A		94C/32D	DRUG, DISTRIBUTE CLASS E, SUBSQ. OFF. c94C 32D	Misd.				1 1/2 years		
Grid	2			94C/32D	DRUG, POSSESS TO DISTRIB CLASS E c94C 32D	Misd.				9 months		
Grid	2			94C/32D	DRUG, POSSESS TO DISTRIB CLASS E, SUBSQ. c94C 32D	Misd.				1 1/2 years		
Grid	2			94C/32G	COUNTERFEIT DRUG, DISTRIBUTE c94C 32G	Misd.				1 year		
Grid	2			94C/32G	COUNTERFEIT DRUG, POSSESS TO DISTRIBUTE c94C 32G	Misd.				1 year		
Grid	2	Note B		94C/32I	DRUG PARAPHERNALIA, DISTRIBUTE c94C 32I	Misd.		1 year	1 year	2 years		
Grid	2	Note B		94C/32I	DRUG PARAPHERNALIA, POSSESS TO DISTRIB c94C 32I	Misd.		1 year	1 year	2 years		
Grid	2			94C/33	DRUG, FALSE REGIS NUMBER FOR c94C 33	Felony				2 1/2 years		4 years
Grid	2			94C/33	DRUG, OBTAIN BY FRAUD c94C 33	Felony				2 1/2 years		4 years
Grid	2			94C/33	PRESCRIPTION, UTTER FALSE c94C 33	Felony				2 1/2 years		4 years
Grid	2			94C/34	DRUG, POSSESS CLASS A c94C 34	Misd.				1 year		
Grid	2			94C/34	DRUG, POSSESS CLASS B c94C 34	Misd.				1 year		
Grid	2			94C/34	DRUG, POSSESS CLASS C c94C 34	Misd.				1 year		
Grid	2			94C/34	DRUG, POSSESS CLASS D c94C 34	Misd.				1 year		
Grid	2			94C/34	HEROIN, POSSESS c94C 34	Misd.				2 years		
Grid	2			94C/34	MARIHUANA, POSSESS, SUBSQ. OFF. c94C 34	Misd.				2 years		
Grid	2			94C/35	HEROIN, BEING PRESENT WHERE KEPT c94C 35	Misd.				1 year		
Grid	2			105/56	WAREHOUSE RECEIPT, FALSE c105 §56	Misd.				1 year		
Grid	2			105/58	WAREHOUSE RECEIPT NOT SHOW ITS OWNERSHIP c105 §58	Misd.				1 year		
Grid	2			105/59	WAREHOUSE DELIVER GOODS WITHOUT RECEIPT c105 §59	Misd.				1 year		
Grid	2			105/60	WAREHOUSE, DEPOSIT ENCUMBERED GOODS IN c105 §60	Misd.				1 year		
Grid	2			107/7	BONDS REDEEMABLE IN NUMERICAL ORDER c107 §7	Misd.				1 year		
Grid	2			108/43	BILL OF LADING, FALSE STATEMENT IN c108 §43	Misd.				1 year		
Grid	2			108/45	BILL OF LADING FOR ENCUMBERED GOODS c108 §45	Misd.				1 year		
Grid	2			110/4A	CORPORATION, FALSELY HOLD OUT AS c110 §4A	Misd.				1 year		
Grid	2			110/4B	GOVERNMENT AGENCY, FALSELY HOLD OUT AS c110 §4B	Misd.				1 year		
Grid	2			110/4B	MASSACHUSETTS STATE FAIR, UNAUTH USE OF c110 §4B	Misd.				1 year		
Grid	2			110/18	CAN/BOTTLE, MISUSE REGISTERED c110 §18	Misd.		10 days	1 year	1 year		
Grid	2			110/18	CAN/BOTTLE, MISUSE REGISTERED, SUBSQ. OFF. c110 §18	Misd.		20 days	1 year	1 year		
Grid	2	Note A		110/23	CAN/BOTTLE, DEFACE REGISTERED, SUBSQ. OFF. c110 §23	Misd.				6 months		
Grid	2			111/56	HOSPITAL/CLINIC VIOLATION, SUBSQ. OFF. c111 §56	Misd.				2 years		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			111/56	HOSPITAL/CLINIC, UNLICENSED, SUBSQ. OFF. c111 §56	Misd.				2 years		
Grid	2			111/72I	NURSING HOME ABUSE REPORTS, DISCLOSE c111 §72I	Misd.				2 1/2 years		
Grid	2			111/72J	NURSING HOME ABUSE REGISTRY, DISCLOSE c111 §72J	Misd.				2 1/2 years		
Grid	2			111/73	NURSING HOME VIOLATION, SUBSEQUENT OFF. c111 §73	Misd.				2 years		
Grid	2			111/73	NURSING HOME, UNLICENSED, SUBSEQUENT OFF. c111 §73	Misd.				2 years		
Grid	2			111/127A	STATE SANITARY CODE MEDICAL WASTE VIOL c111 §127A	Misd.				2 years		
Grid	2			111/127O	CONVEY REALTY TO A VOID CODE ENFORCEMENT c111 §127O	Misd.				1 year		
Grid	2			111/142A	AIR POLLUTION ORDER VIOL c111 §142A	Misd.				1 year		
Grid	2			111/142B	AIR POLLUTION ORDER VIOL IN METRO DIST c111 §142B	Misd.				1 year		
Grid	2			111/142K	EMISSIONS STANDARDS, SELL MV W/NONCOMPLY c111 §142K	Misd.				1 year		
Grid	2			111/150B	HAZARDOUS WASTE TREATMENT REGS ORDER VIOL c111 §150B	Misd.				1 year		
Grid	2			111/150B	HAZARDOUS WASTE TREATMENT VIOLATION c111 §150B	Misd.				1 year		
Grid	2			111/160	WATER SUPPLY REGULATION/ORDER VIOLATION c111 §160	Misd.				1 year		
Grid	2			111/160A	WATER SUPPLY, UNLIC CROSS CONNECTION TO c111 §160A	Misd.				1 year		
Grid	2			111/162	WATER SUPPLY POLLUTION ORDER VIOLATION c111 §162	Misd.				1 year		
Grid	2			111/170	WATER RESERVOIR/SPRING, POLLUTE c111 §170	Misd.				1 year		
Grid	2			111B/6	ALCOHOL DETOX, UNLICENSED, SUBSEQUENT c111B §6	Misd.				2 years		
Grid	2			111D/8	CLINICAL LABORATORY VIOLATION c111D §8	Misd.				2 years		
Grid	2			111D/13	CLINICAL LABORATORY, UNLICENSED c111D §13	Felony				2 1/2 years	5 years	
Grid	2			111F/21	HAZARDOUS SUBST INFO, DISCLOSE c111F §21	Felony				2 1/2 years	5 years	
Grid	2			112/6	MEDICAL LICENSE, FRAUDULENT APPLIC FOR c112 §6	Misd.		1 month	1 year			
Grid	2			112/6	MEDICINE, PRACTICE UNDER FALSE NAME c112 §6	Misd.		1 month	1 year			
Grid	2			112/6	MEDICINE, UNAUTHORIZED PRACTICE OF c112 §6	Misd.		1 month	1 year			
Grid	2			112/11	OSTEOPATH VIOLATION c112 §11	Misd.		1 month	1 year			
Grid	2		Note B	112/12J	FETUS, IMPROPER EXPERIMENT ON HUMAN c112 §12J	Felony		1 year	2 1/2 years		5 years	
Grid	2			112/14	PODIATRIST, UNLICENSED c112 §14	Misd.		3 months	1 year			
Grid	2			112/22	PODIATRY REGISTRATION, FALSE c112 §22	Misd.		3 months	1 year			
Grid	2			112/24B	PHARMACY SCHOOL, UNCERTIFIED c112 §24B	Misd.		30 days	1 year			
Grid	2			112/36D	DRUGGIST, UNLICENSED WHOLESAL c112 §36D	Misd.		1 year	1 year			
Grid	2			112/49	DENTISTRY UNDER FALSE NAME, SUBSEQUENT c112 §49	Misd.		1 year	1 year			
Grid	2			112/52	DENTAL HYGIENIST, UNLICENSED, SUBSQ.OFF. c112 §52	Misd.		1 year	1 year			
Grid	2			112/52	DENTIST FAIL EXHIBIT REGISTRATION, SUBSQ c112 §52	Misd.		1 year	1 year			
Grid	2			112/52	DENTIST, UNLICENSED, SUBSEQUENT OFFENSE c112 §52	Misd.		1 year	1 year			
Grid	2			112/52A	DENTAL ADVERTISING, DECEPTIVE, SUBSQ.OFF c112 §52A	Misd.		1 year	1 year			
Grid	2		Note A	112/73A	EYEGLASSES ADVERTISING VIOLATION, SUBSQ. c112 §73A	Misd.		3 months	6 months			
Grid	2			112/80	NURSING LICENSE APPLIC, FRAUDULENT R.N. c112 §80	Misd.		1 year	1 year			
Grid	2			112/80A	NURSING LICENSE APPLIC, FRAUDULENT L.P.N c112 §80A	Misd.		1 year	1 year			
Grid	2			112/87D	ACCOUNTANT, IMPERSONATE c112 §87D	Misd.		1 year	1 year			
Grid	2			112/87D	ACCOUNTANT, IMPERSONATE CERTIFIED c112 §87D	Misd.		1 year	1 year			
Grid	2			112/87D	ACCOUNTANT, IMPERSONATE CERTIFIED PUBLIC c112 §87D	Misd.		1 year	1 year			

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			112/87D	ACCOUNTANT, IMPERSONATE PUBLIC c112 §87D	Misd.				1 year		
Grid	2			112/87D	ACCOUNTANT, UNLICENSED PUBLIC c112 §87D	Misd.				1 year		
Grid	2			112/87D	ACCOUNTING FIRM WITH MISLEADING NAME c112 §87D	Misd.				1 year		
Grid	2			112/95	CHIROPRACTOR, UNLICENSED c112 §95	Misd.		30 days		1 year		
Grid	2			112/107	LANDSCAPE ARCHITECT VIOLATION c112 §107	Misd.				1 year		
Grid	2			112/107	LANDSCAPE ARCHITECT, UNLICENSED c112 §107	Misd.			1 month	1 year		
Grid	2			112/160	ACUPUNCTURIST, IMPERSONATE c112 §160	Misd.				1 year		
Grid	2			112/194	REAL ESTATE APPRAISER, UNLIC. SUB c112 §194	Misd.				1 year		
Grid	2			114/51	EMBALMING FLUID WITH EXCESS ARSENIC c114 §51	Misd.				1 year		
Grid	2			118E/39	MEDICAL ASSISTANCE, FALSE STATEMENT FOR c118E §39	Misd.				1 year		
Grid	2			118E/40	MEDICAL ASSISTANCE, FRAUD BY NON-PROVIDER c118E §40	Misd.				2 1/2 years		
Grid	2			119/39	CHILD UNDER 10, ABANDON c119 §39	Misd.				2 years		
Grid	2			119/51E	CHILD ABUSE REPORT, IMPROPERLY DISCLOSE c119 §51E	Misd.				2 1/2 years		
Grid	2			119/51F	CHILD ABUSE REGISTRY INFO, DISCLOSE c119 §51F	Misd.				2 1/2 years		
Grid	2			119/63	CONTRIBUTE TO DELINQUENCY OF CHILD c119 §63	Misd.				1 year		
Grid	2			119A/2A	CHILD SUPPORT ENFORCEMENT, OBSTRUCT c119A §2A	Felony				1 year		3 years
Grid	2			126/37	ESCAPE FROM COUNTY PRISON FARM c126 §37	Misd.				1 year		
Grid	2			126/37	ESCAPE FROM COUNTY PRISON FARM, ATTEMPT c126 §37	Misd.				1 year		
Grid	2			127/49	ESCAPE FROM COUNTY WORK RELEASE PROGRAM c127 §49	Misd.				1 year		
Grid	2			127/166	PAROLE/PARDON, COMPENSATION TO OBTAIN c127 §166	Misd.				2 years		
Grid	2			127/167	PAROLE/PARDON, FAIL FILE STATEMENT RE: c127 §167	Misd.				2 years		
Grid	2			128/2B	RIDING SCHOOL VIOLATION, SUBSEQUENT OFF: c128 §2B	Misd.				2 1/2 years		
Grid	2			128/2B	RIDING SCHOOL, UNLICENSED, SUBSQ.OFFENSE c128 §2B	Misd.				2 1/2 years		
Grid	2			128A/9	RACING REGULATION VIOLATION c128A §9	Misd.				1 year		
Grid	2			128A/12	RACING VIOLATION c128A §12	Misd.				1 year		
Grid	2			128A/10B	RACING PARIMUTUEL TICKET, FALSE c128A §10B	Felony				2 years		5 years
Grid	2			128A/11A	RACING OWNER HOLD INTEREST IN FAIR c128A §11A	Misd.				2 years		
Grid	2			128A/13	GAMING ON HORSE/DOG RACE c128A §13	Misd.				1 year		
Grid	2			128A/13B	RACING HORSE/DOG, DRUG c128A §13B	Misd.				1 year		
Grid	2			128A/13C	RACE, THROW c128A §13C	Misd.				1 year		
Grid	2			128A/13C	RACE, THROW, ATTEMPT c128A §13C	Misd.				1 year		
Grid	2			128A/18	MASS HORSE RACING AUTH, CONFLICT OF INT c128A §18	Misd.				1 year		
Grid	2			129/30	ANIMAL QUARANTINE, BREAK c129 §30	Misd.				1 year		
Grid	2			129/33B	CATTLE TUBERCULOSIS QUARANTINE, BREAK c129 §33B	Misd.				1 year		
Grid	2			129/33C	CATTLE BRUCELLOSIS QUARANTINE, BREAK c129 §33C	Misd.				1 year		
Grid	2			129/39	CATTLE/PIGS SALE VIOLATION, SUBSQ.OFF: c129 §39	Misd.				2 1/2 years		
Grid	2			129/39	CATTLE/PIGS, UNLICENSED SALE OF, SUBSQ. c129 §39	Misd.				2 1/2 years		
Grid	2			129/39A	PET SHOP VIOLATION, SUBSEQUENT OFFENSE c129 §39A	Misd.				2 1/2 years		
Grid	2			129/39A	PET SHOP, UNLICENSED, SUBSEQUENT OFF: c129 §39A	Misd.				2 1/2 years		
Grid	2			129/39B	GUARD DOG BUSINESS VIOLATION, SUBSQ.OFF: c129 §39B	Misd.				2 1/2 years		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			129/39B	GUARD DOG BUSINESS, UNLICENSED, SUBSQ. c129 §39B	Misd.				2 1/2 years		
Grid	2			129/39C	HEARING DOG BUSINESS VIOLATION, SUBSQ. c129 §39C	Misd.				2 1/2 years		
Grid	2			129/39C	HEARING DOG BUSINESS, UNLICENSED, SUBSQ. c129 §39C	Misd.				2 1/2 years		
Grid	2			129/40A	HOG CHOLERA VACCINE VIOLATION, SUBSQ.OFF c129 §40A	Misd.				2 1/2 years		
Grid	2			129/41	CATTLE, TRANSPORT W/O BILL OF SALE, SUBQ c129 §41	Misd.				2 1/2 years		
Grid	2			129/42	CATTLE, NON-VETERINARIAN TAG, SUBSQ.OFF. c129 §42	Misd.				2 1/2 years		
Grid	2			129/44	HORSE IMPORTATION VIOLATION, SUBSQ. OFF. c129 §44	Misd.				2 1/2 years		
Grid	2			129/44	HORSE, IMPORT UNCERTIFIED, SUBSQ. OFF. c129 §44	Misd.				2 1/2 years		
Grid	2			129/45	HORSE DEALING VIOLATION, SUBSQ. OFF. c129 §45	Misd.				2 1/2 years		
Grid	2			129/45	HORSE DEALING, UNLICENSED, SUBSQ. OFF. c129 §45	Misd.				2 1/2 years		
Grid	2			129/46	HORSE, TRANSPORT IMPROPERLY, SUBSQ.OFF. c129 §46	Misd.				2 1/2 years		
Grid	2			129/46	HORSE, TRANSPORT WITHOUT LIC, SUBSQ.OFF. c129 §46	Misd.				2 1/2 years		
Grid	2			129/47	HORSE, TRANSPORT W/O BILL OF SALE, SUBSQ c129 §47	Misd.				2 1/2 years		
Grid	2			130/23	POLLUTE/EXPLODE COASTAL WATERS c130 §23	Misd.				2 1/2 years		
Grid	2			130/27	POLLUTE COASTAL WATERS c130 §27	Misd.				1 year		
Grid	2			130/38	LOBSTER/CRAB VIOLATION c130 §38	Misd.				1 year		
Grid	2			130/69	QUAHAUGS/CLAMS, SHORT c130 §69	Misd.				1 year		
Grid	2			130/102	MARINE PLANTS, TAKE IMPROP c130 §102	Misd.				1 year		
Grid	2			130/105	WETLANDS ORDER, VIOLATE D.E.P. c130 §105	Misd.				1 year		
Grid	2			131/40	WETLANDS VIOLATION, COASTAL/TIDAL c131 40	Misd.				2 years		
Grid	2			131/40A	WETLANDS VIOLATION, INLAND c131 40A	Misd.				1 year		
Grid	2			131/42	TRASH DEPOSITED IN INLAND WATERS c131 42	Misd.				2 years		
Grid	2			131/43	POISON MAMMAL/BIRD c131 43	Misd.				2 years		
Grid	2			131/65	HUNTR §VEHICLE/BOAT c131 65	Misd.				1 year		
Grid	2			131/66	SHOTGUN SHELLS IN CLOSED SEASON c131 66	Misd.				1 year		
Grid	2			131/67	AMMUNITION OF UNLAWFUL CALIBER c131 67	Misd.				1 year		
Grid	2			131/86	EXPERIMENT/PROPAGATION, INTERFERE WITH c131 86	Misd.				1 year		
Grid	2		Note A	131A/2	ENDANGERED SPECIES HABITAT, ALTER, 2ND c131A §2	Misd.				180 days		
Grid	2		Note A	131A/2	ENDANGERED SPECIES, POSSESS/SELL/BUY, 2D c131A §2	Misd.				180 days		
Grid	2			132B/6	PESTICIDE, IMPROP DISTRIBUTE c132B §6	Misd.				1 year		
Grid	2			132B/14	PESTICIDE ORDER VIOLATION, 2ND OFF. c132B §14	Misd.				2 years		
Grid	2			138/2	LIQUOR, SELL/MAKE/STORE/TRANSPORT UNLAW c138 §2	Misd.		1 month		1 year		
Grid	2			138/18	LIQUOR, IMPORT UNLAWFULLY c138 §18	Misd.				1 year		
Grid	2			138/18A	LIQUOR AGENT/BROKER VIOLATION c138 §18A	Misd.				1 year		
Grid	2			138/18A	LIQUOR AGENT/BROKER, UNLICENSED c138 §18A	Misd.				1 year		
Grid	2			138/19A	LIQUOR SALESPERSON WITHOUT PERMIT c138 §19A	Misd.				1 year		
Grid	2			138/20A	LIQUOR, STORE/WAREHOUSE WITHOUT PERMIT c138 §20A	Misd.				1 year		
Grid	2			138/33	LIQUOR SALE DURING POLLING HOURS c138 §33	Misd.		1 month		1 year		
Grid	2			138/33	LIQUOR SALE ON SUNDAY/HOLIDAY c138 §33	Misd.		1 month		1 year		
Grid	2			138/61	LIQUOR CLUB, UNLICENSED c138 §61	Misd.		3 months		1 year		

## Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			138/62	LIQUOR VIOLATION c138 §62	Misd.		1 month	1 month	1 year		
Grid	2			138/69	LIQUOR SALE TO INTOXICATED PERSON c138 §69	Misd.		1 month	1 month	1 year		
Grid	2			139/14	GAMBLING NUISANCE, MAINTAIN c139 §14	Misd.		3 months	3 months	1 year		
Grid	2			139/20	NUISANCE, AID/PERMIT c139 §20	Misd.		3 months	3 months	1 year		
Grid	2			140/12	INNKEEPER, DEFRAUD, OVER \$100 c140 12	Misd.				2 years		
Grid	2			140/12	INNKEEPER, DEFRAUD, UNDER \$100 c140 12	Misd.				1 year		
Grid	2			140/26	INNHOLDER PERMIT IMMORAL CONDUCT c140 26	Misd.		6 months		1 year		
Grid	2			140/46B	EMPLOYMENT AGENCY, UNLICENSED c140 46B	Misd.				1 year		
Grid	2			140/46E	EMPLOYMENT AGENCY LICENSE VIOLATION c140 46E	Misd.				1 year		
Grid	2			140/46J	EMPLOYMENT AGENCY RECRUITMENT VIOL c140 46J	Misd.				1 year		
Grid	2			140/46K	EMPLOYMENT AGENCY PROHIBITED PRACTICE c140 46K	Misd.				1 year		
Grid	2			140/46L	EMPLOYMENT AGENCY FEE VIOLATION c140 46L	Misd.				1 year		
Grid	2			140/46M	EMPLOYMENT AGENCY FEE RETURN EXCESS FEE c140 46M	Misd.				1 year		
Grid	2			140/46N	EMPLOYMENT AGENCY CONTRACT VIOLATION c140 46N	Misd.				1 year		
Grid	2			140/46O	EMPLOYMENT AGENCY FEE REFUND VIOLATION c140 46O	Misd.				1 year		
Grid	2			140/58	USED CAR DEALER REPAIR FACILITIES VIOL c140 58	Misd.				1 year		
Grid	2			140/60	USED CAR REGULATIONS VIOLATION c140 60	Misd.				1 year		
Grid	2			140/61	USED CAR DEALER FAIL RETAIN VEH/PARTS c140 61	Misd.				1 year		
Grid	2			140/62	USED CAR DEALER FAIL KEEP REGISTER c140 62	Misd.				1 year		
Grid	2			140/67	USED CAR DEALER OBSTRUCT POLICE c140 67	Misd.				1 year		
Grid	2			140/67A	USED CAR DEALER FAIL REMOVE PLATES c140 67A	Misd.				1 year		
Grid	2			140/68	USED CAR SALES, UNLICENSED c140 68	Misd.				1 year		
Grid	2			140/74	PAWNBROKER OBSTRUCT OFFICER c140 74	Misd.				1 year		
Grid	2			140/89	LOANMAKER OBSTRUCT INSPECTION OF BOOKS c140 89	Misd.				1 year		
Grid	2			140/90A	USURY ON HOME MORTGAGE LOAN c140 90A	Misd.				1 year		
Grid	2			140/103	SMALL LOANS VIOLATION c140 103	Misd.		6 months		1 year		
Grid	2			140/122B	AMMUNITION, UNLICENSED SALE OF c140 122B	Misd.				2 years		
Grid	2			140/129	FIREARM APPLIC, FALSE STATEMENT ON c140 129	Misd.				1 year		
Grid	2			140/131B	LOAN SECURED BY FIREARM c140 131B	Misd.				1 year		
Grid	2			140/131J	ELECTRIC STUN GUN, SELL./POSSESS c141 31J	Misd.		6 months		2 years		
Grid	2			140/147	DOG LICENSE VIOLATION BY OFFICIAL c140 147	Misd.		1 month		1 year		
Grid	2			140/180B	THEATRICAL AGENT, UNLICENSED c140 180B	Misd.				1 year		
Grid	2			140/183C	CABARET ENTERTAINMENT, UNLICENSED c140 183C	Misd.				1 year		
Grid	2			140/184	CABARET ENTERTAINMENT WITH LIQUOR, UNLIC c140 184	Misd.				2 years		
Grid	2			140/185A	TICKET RESALE BY OWNER, 3RD OFF. c140 185A	Misd.				1 year		
Grid	2			140/185A	TICKET RESALE, UNLICENSED, 3RD OFF. c140 185A	Misd.				1 year		
Grid	2			140/185D	TICKET SCALPING, 3RD OFFENSE c140 185D	Misd.				1 year		
Grid	2			140/185E	TICKET RESALE REGUL VIOLATION, 3RD OFF. c140 185E	Misd.				1 year		
Grid	2			140/205A	TRAVELING AMUSEMENT SHOW VIOLATION c140 205A	Misd.				1 year		
Grid	2		Note A	140B/8	JUNKYARD VIOLATION, SUBSQ. OFF. c140B §8	Misd.		30 days		6 months		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			140D/31	CONSUMER CREDIT COST DISCLOSURE VIOL. c140D §31	Misd.				1 year		
Grid	2			142A/19	HOME IMPROVEMENT CONTRACTOR VIOLATION c142A §19	Misd.				1 year		
Grid	2			142A/19	HOME IMPROVEMENT CONTRACTOR, UNLICENSED c142A §19	Misd.				2 years		
Grid	2			143/3V	SAFETY GLASS, FAIL USE c143 §3V	Misd.				1 year		
Grid	2			143/87	SAFETY FILM, SELL/MARK FALSE c143 §87	Misd.		6 months		2 years		
Grid	2			143/94	STATE BUILDING CODE VIOLATION c143 §94	Misd.				1 year		
Grid	2			147/23	PRIVATE DETECTIVE, UNLICENSED c147 §23	Misd.				1 year		
Grid	2			147/28	PRIVATE DETECTIVE IMPROP DISCLOSE INFO c147 §28	Misd.				1 year		
Grid	2			147/28	PRIVATE INVESTIGATIVE REPORT, FALSE c147 §28	Misd.				1 year		
Grid	2			147/30	PRIVATE DETECTIVE LABOR DISPUTE VIOL c147 §30	Misd.				1 year		
Grid	2			147/57	SECURITY SYSTEM BUSINESS, UNLICENSED c147 §57	Misd.		6 months		1 year		
Grid	2			148/27A	SPRINKLER SYSTEM, DISCONNECT c148 §27A	Misd.				1 year		
Grid	2			148/35	BOMB/EXPLOSIVES, POSSESS c148 §35	Misd.				1 year		
Grid	2			148/38C	STORAGE TANK, FAIL NOTIFY DPS OF c148 §38C	Misd.			2 1/2 years	2 years		
Grid	2			148/38H	STORAGE TANK REGULATIONS VIOLATION c148 §38H	Misd.			2 years	2 years		
Grid	2			148/39	FIREWORKS, SELL UNLAWFUL c148 §39	Misd.			1 year	1 year		
Grid	2			148/55	EXPLODING GOLF BALLS, SUBSQ.OFF. c148 §55	Misd.			1 year	1 year		
Grid	2			149/20D	UNION ORGANIZING, IMPROPER PAYMENT RE c149 §20D	Misd.			1 year	1 year		
Grid	2			149/20D	UNION ORGANIZING, SOLICIT PAYMENT RE c149 §20D	Misd.			1 year	1 year		
Grid	2			149/90	CHILD LABOR PERMIT, FORGE ID TO OBTAIN c149 §90	Misd.			1 year	1 year		
Grid	2			149/126	FIRE DOORS LOCKED DURING BUSINESS HOURS c149 §126	Misd.			1 year	1 year		
Grid	2			150A/8	LABOR RELATIONS COMMN, OBSTRUCT c150A §8	Misd.			1 year	1 year		
Grid	2			150E/15	LABOR RELATIONS COMMN, OBSTRUCT c150E §15	Misd.			1 year	1 year		
Grid	2			151A/47	UNEMPLOYMENT COMP VIOLATION, SUBSQ.OFF. c151A §47	Misd.			2 years	2 years		
Grid	2			151A/47	UNEMPLOYMENT COMP, EMPLOYER FAIL PAY c151A §47	Misd.			1 year	1 year		
Grid	2			151A/47A	UNEMPLOYMENT COMP PAYMENT, BAD CHECK FOR c151A §47A	Misd.			2 years	2 years		
Grid	2			151B/4A	RESTRICTIVE COVENANT, CONVEY PROPERTY W/ c151B §4A	Misd.			1 year	1 year		
Grid	2			151B/8	MCAD ORDER, FAIL COMPLY WITH c151B §8	Misd.			1 year	1 year		
Grid	2			151B/8	MCAD, OBSTRUCT c151B §8	Misd.			1 year	1 year		
Grid	2			151D/2	HEALTH/WELFARE FUND, UNAPPROVED c151D §2	Misd.			2 years	2 years		
Grid	2			151D/6	HEALTH/WELFARE FUND FAIL PAY BENEFIT c151D §6	Misd.			1 year	1 year		
Grid	2			152/25C	WORKERS COMP, EMPLOYER FAIL HAVE c152 §25C	Misd.			1 year	1 year		
Grid	2			155/48	CORPORATE STATEMENT, FALSE c155 §48	Felony					3 years	
Grid	2			155/49	CORPORATE STATEMENT, FALSE c155 §49	Felony					3 years	
Grid	2			156B/68	CORPORATE STATEMENT, FALSE c156B §68	Felony					3 years	
Grid	2			156B/69	CORPORATE STATEMENT, FALSE c156B §69	Felony					3 years	
Grid	2			159/103	RAILROAD CAR, OPERATE WITHOUT AUTHORITY c159 §103	Misd.			2 years	2 years		
Grid	2			159/103	RAILROAD CAR/TRACK/SIGNAL, VANDALIZE c159 §103	Misd.			2 years	2 years		
Grid	2			159/104	BUS/RAILROAD CAR, THROWING MISSILE OR ASSAULTING c159 §104	Misd.			1 year	1 year		
Grid	2			160/48	RAILROAD DIRECTOR VIOLATION c150 §48	Misd.			1 year	1 year		



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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			160/74	RAILROAD IMPROV ACQUIRE MASS RR, AID c160 §74	Misd.		6 months		1 year		
Grid	2			160/181	RAILROAD EMPLOY INEXPERIENCED PERSONNEL c160 §181	Misd.				1 year		
Grid	2			160/225	RAILROAD, MALICIOUS INJURY TO c160 §225	Misd.				1 year		
Grid	2			161/31	STREETCAR DIRECTOR VIOLATION c161 §31	Misd.				1 year		
Grid	2			164/17	GAS/ELECTRIC COMPANY DIRECTOR VIOLATION c164 §17	Misd.				1 year		
Grid	2			164/17A	GAS/ELECTRIC COMPANY, IMPROP LOAN BY c164 §17A	Misd.				1 year		
Grid	2			164/56A	MUNICIPAL LIGHT CO CONFLICT OF INTEREST c164 §56A	Misd.				1 year		
Grid	2			164/126	GAS METER, VANDALIZE c164 §126	Misd.				1 year		
Grid	2			164/126	GAS, FRAUDULENT USE OF c164 §126	Misd.				1 year		
Grid	2			164/127	ELECTRICITY, FRAUDULENT USE OF c164 §127	Misd.				1 year		
Grid	2			165/11	WATER/WATER METER, VANDALIZE/FRAUDULENT USE c165 §11	Misd.				1 year		
Grid	2			166/6	TELEPHONE COMPANY DIRECTOR VIOLATION c166 §6	Misd.				1 year		
Grid	2			166/21A	ELECTRIC LINES, OPERATE EQUIPMENT NEAR c166 §21A	Misd.				1 year		
Grid	2			166/21B	ELECTRIC LINES, OPERATE EQUIPMENT NEAR c166 §21B	Misd.				1 year		
Grid	2			166/21C	ELECTRIC LINES WARNING, FAIL POST c166 §21C	Misd.				1 year		
Grid	2			166/21E	ELECTRIC LINES, FAIL NOTIFY OF WORK NEAR c166 §21E	Misd.				1 year		
Grid	2			166/24	LINE, VANDALIZE MUNICIPAL c166 §24	Misd.				2 years		
Grid	2			166/38	UTILITY CO. PROPERTY, VANDALIZE IN DAY c166 §38	Misd.				2 years		
Grid	2			166/40	UTILITY WIRES, CUT IN DAY c166 §40	Misd.				2 years		
Grid	2			167/4	BANK INVESTIGATION, FAIL TESTIFY IN OBSTRUCT c167 §4	Misd.				1 year		
Grid	2			167/8	BANK FAIL MAKE REPORT c167 §8	Misd.				1 year		
Grid	2			167/12	BANK OFFICER FUNCTION WHILE SUSPENDED c167 §12	Misd.				1 year		
Grid	2			167A/6	BANK HOLDING COMPANY REPORT, FALSE c167A §6	Misd.				1 year		
Grid	2			167B/21	ELECTRONIC FUND TRANSFER VIOL UNDER \$100 c167B §21	Misd.				1 year		
Grid	2			167E/13	SAVINGS BANK LOAN/DISCOUNT ON OWN STOCK c167E §13	Misd.				1 year		
Grid	2			168/19	SAVINGS BANK INSIDER LOAN c168 §19	Misd.				1 year		
Grid	2			168/20	SAVINGS BANK FL REPORT INSIDER LOAN c168 §20	Misd.				1 year		
Grid	2			168/22	SAVINGS BANK OFFICER/EMPLOYEE VIOLATION c168 §22	Misd.				1 year		
Grid	2			168/23	SAVINGS BANK CHARGE UNDISCLOSED LOAN FEE, OFFICER ACCEPT FEE c168 §23	Misd.				1 year		
Grid	2			169/16	FOREIGN MONEY DEPOSITS VIOLATION c169 §16	Misd.				1 year		
Grid	2			169A/13	CHECK CASHING VIOLATION c169A §13	Misd.				1 year		
Grid	2			170/16	COOPERATIVE BANK OFFICER/EMPLOYEE VIOL c170 §16	Misd.				1 year		
Grid	2			170/17	COOPERATIVE BANK OFFICER/EMPLOYEE TAKE FEE c170 §17	Misd.				1 year		
Grid	2			170/19	COOPERATIVE BANK INSIDER LOAN c170 §19	Misd.				1 year		
Grid	2			171/23	CREDIT UNION OFFICER/EMPLOYEE VIOLATION c171 §23	Misd.				1 year		
Grid	2			172/18	TRUST COMPANY IMPROPER LOAN TO OFFICER c172 §18	Misd.				1 year		
Grid	2			172/20	TRUST COMPANY OFFICER/EMPLOYEE TAKE FEE c172 §20	Misd.				1 year		
Grid	2			172/21	TRUST COMPANY OFFICER/EMPLOYEE VIOLATION c172 §21	Misd.				1 year		
Grid	2			172/31	TRUST COMPANY FAIL MAINTAIN RESERVES c172 §31	Misd.				1 year		
Grid	2			175/4	INSURANCE EXAMINATION, OBSTRUCT c175 §4	Misd.				1 year		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			175/73	INSURANCE CO ADVANCE PAYMNT VIOL., MUTUAL c175 §73	Misd.		1 month	1 month	2 1/2 years		
Grid	2			175/73	INSURANCE CO VIOLATION, MUTUAL c175 §73	Misd.				1 year		
Grid	2			175/127	INSURANCE, FALSE STATEMENT RE LIFE c175 §127	Misd.		1 month	1 month	1 year		
Grid	2			175/168	INSURANCE SPECIAL BROKER VIOLATION c175 §168	Misd.				1 year		
Grid	2			175/170	INSURANCE AGENT/BROKER, FRAUD BY c175 §170	Misd.				1 year		
Grid	2			175/174	INSURANCE CORP INQUIRY, OBSTRUCT c175 §174	Misd.				1 year		
Grid	2			175/187C	INSURANCE CANCELLATION AFFIDAVIT, FALSE c175 §187C	Misd.				1 year		
Grid	2			175E/12	MOTOR VEH INSURANCE RATING VIOL c175E §12	Misd.				1 year		
Grid	2			175I/22	INSURANCE INFO, GET ON FALSE PRETENSES c175I §22	Misd.				1 year		
Grid	2			176/11	FRATERNAL BENEFIT SOC RECORDS, ALTER c176 §11	Misd.				1 year		
Grid	2			176/47	FRATERNAL BENEFIT SOC INSURANCE VIOL c176 §47	Misd.				1 year		
Grid	2			176/52	FRATERNAL BENEFIT SOC, FALSE APPLIC TO c176 §52	Misd.		30 days	30 days	1 year		
Grid	2			181/13	FOREIGN CORPORATION REPORT, FALSE c181 §13	Misd.		30 days	30 days	1 year		
Grid	2			181/14	FOREIGN CORPORATION REPORT, FALSE c181 §14	Felony					3 years	
Grid	2			193/3	ESTATE PROPERTY, EXPORT TAXABLE c193 §3	Felony					3 years	
Grid	2			207/7	MARRIAGE, PERFORM UNDERAGE c207 §7	Misd.				1 year		
Grid	2			207/26	MARRIAGE NOTICE, UNAUTHORIZED c207 §26	Misd.				1 year		
Grid	2			207/48	MARRIAGE WITHOUT AUTHORITY, PERFORM c207 §48	Misd.				1 year		
Grid	2			207/50	MARRIAGE OF NON-RESIDENT, PERFORM IMPROP c207 §50	Misd.				1 year		
Grid	2			208/34C	ABUSE PREVENTION ORDER, VIOL c208 §34C	Misd.				2 1/2 years		
Grid	2			208/41	DIVORCE CASE, FRAUD IN c208 §41	Misd.				2 years		
Grid	2			210/11A	ADOPTION, PROFIT FROM PLACING CHILD FOR c210 §11A	Felony				2 1/2 years		5 years
Grid	2			221/41	LAW, UNAUTHORIZED PRACTICE OF, SUBSQ.OFF c221 §41	Misd.				1 year		
Grid	2			233/20H	WITNESS FAIL TO TESTIFY, IMMUNIZED c233 §20H	Misd.				1 year		
Grid	2			234/37	JURY LIST, IMPROPERLY ADD NAME TO c234 §37	Misd.				1 year		
Grid	2			234/38	JURY LIST, SOLICIT ADDING NAME TO c234 §38	Misd.				1 year		
Grid	2			234A/71	JUROR PROCESSING, FRAUD IN c234A §71	Misd.				2 years		
Grid	2			241/33	LAND PARTITION PROCEEDS, IMPROP RECEIVE c241 §33	Misd.				1 year		
Grid	2			263/1	ARREST, REFUSE DISCLOSE REASON FOR c263 §1	Misd.				1 year		
Grid	2			263/2	ARREST ON FALSE/NONEXISTENT PROCESS c263 §2	Misd.				1 year		
Grid	2			264/5	FLAG, MISUSE §c264 §5	Misd.				1 year		
Grid	2			264/22	SUBVERSIVE ORGANIZATION USE HALL., ALLOW c264 §22	Misd.				1 year		
Grid	2			265/13A	ASSAULT c265 §13A	Misd.				2 1/2 years		
Grid	2			266/7	BURN WOODS c266 7	Misd.				2 years		
Grid	2			266/8	FIRE ON ANOTHER'S LAND, SET c266 8	Misd.				2 years		
Grid	2			266/8	FIRE ON OWN LAND, SET c266 8	Misd.				2 years		
Grid	2			266/11	FIRE ALARM, DISABLE c266 11	Misd.				2 years		
Grid	2			266/13	FIREFIGHTING APPARATUS, INJURE c266 13	Misd.				2 years		
Grid	2			266/13A	FIRE, HOTEL MANAGER FAIL RESPOND TO c266 13A	Misd.				2 1/2 years		5 years
Grid	2			266/21	STOLEN PROPERTY, REFUSE RETURN c266 §21	Felony				2 years		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			266/22	POULTRY, B&E OR ENTER TO STEAL c266 §22	Felony				2 years		3 years
Grid	2		Note A	266/27	TOOLS, LARCENY OF CONSTRUCTION, SUBSQ. c266 27	Misd.				6 months		
Grid	2			265/30	COMMON CARRIERS GROSS NEGLIGENCE c265 §30	Misd.				2 1/2 years		
Grid	2			266/30	COMMON CARRIER, LARCENY FROM c266 30	Misd.		6 months		2 1/2 years		
Grid	2			266/30	LARCENY UNDER \$250 c266 30	Misd.				1 year		
Grid	2			266/30	LARCENY UNDER \$250 BY SINGLE SCHEME c266 30	Misd.				1 year		
Grid	2			266/30/5	LARCENY FROM ELDER/DISABLED PERSON; \$250.00 OR UNDER c266 §30/5	Misd.				2 1/2 years		
Grid	2			266/30A	SHOPLIFTING BY ASPORATION, 3RD OFF. c266 30A	Misd.				2 years		
Grid	2			266/30A	SHOPLIFTING BY CONCEALING MDSE, 3RD OFF. c266 30A	Misd.				2 years		
Grid	2			266/30A	SHOPLIFTING BY CONTAINER SWITCHING, 3RD c266 30A	Misd.				2 years		
Grid	2			266/30A	SHOPLIFTING BY PRICE TAG TAMPERING, 3RD c266 30A	Misd.				2 years		
Grid	2			266/30A	SHOPLIFTING BY RECORDING FALSE VALUE, 3RD c266 30A	Misd.				2 years		
Grid	2			266/30A	SHOPLIFTING OF SHOPPING CART, 3RD OFF. c266 30A	Misd.				2 years		
Grid	2			266/32	LARCENY UNDER \$250 BY BOAT CAPTAIN c266 32	Misd.				1 year		
Grid	2			266/33	FALSE PRETENSE IN COMMER TRANSACTN - \$250 c266 33	Misd.				1 year		
Grid	2			266/33	CREDIT - \$250 BY FALSE FINANCIAL STATEMENT c266 33	Misd.				1 year		
Grid	2			266/34	LARCENY UNDER \$250 BY FALSE PRETENSE c266 34	Misd.				1 year		
Grid	2			266/37	LARCENY BY CHECK UNDER \$250 c266 37	Misd.				1 year		
Grid	2			266/37B	CREDIT CARD FRAUD UNDER \$250 c266 37B	Misd.				1 year		
Grid	2			266/37B	CREDIT CARD FRAUD UNDER \$250 BY MERCHANT c266 37B	Misd.				1 year		
Grid	2			266/37B	CREDIT CARD, ALLOW IMPROP USE UNDER \$250 c266 37B	Misd.				1 year		
Grid	2			266/37B	CREDIT CARD, FALSE REPORT OF LOST c266 37B	Misd.				1 year		
Grid	2			266/37B	CREDIT CARD, FALSE STATEMENT TO OBTAIN c266 37B	Misd.				1 year		
Grid	2			266/37B	CREDIT CARD, IMPROPER USE UNDER \$250 c266 37B	Misd.				1 year		
Grid	2			266/37B	CREDIT CARD, NON-CARDHOLDER SIGN c266 37B	Misd.				1 year		
Grid	2			266/37B	CREDIT CARD, RECEIVE IMPROP UNDER \$250 c266 37B	Misd.				1 year		
Grid	2			266/37B	CREDIT CARD, RECEIVE LOST c266 37B	Misd.				1 year		
Grid	2			266/37B	CREDIT CARD, RECEIVE STOLEN c266 37B	Misd.				1 year		
Grid	2			266/37B	CREDIT CARD, SELL/BUY c266 37B	Misd.				1 year		
Grid	2			266/37D	TELEPHONE CREDIT CARD SYSTEM, PUBLISH c266 37D	Misd.				12 months		
Grid	2			266/38	C.O.D. CARRIER, LARCENY UNDER \$250 BY c266 38	Misd.				1 year		
Grid	2			266/38A	CONSTRUCTION LOAN, MISAPPLY c266 38A	Misd.				1 year		
Grid	2			266/54	BANK RECEIVE DEPOSIT, INSOLVENT c266 54	Misd.				2 1/2 years		
Grid	2			266/58	ASSOCIATION OFFICER EMBEZZLE - \$250 c266 58	Misd.				1 year		
Grid	2			266/59	ASSOCIATION MEMBER EMBEZZLE - \$250 c266 59	Misd.				1 year		
Grid	2			266/60	RECEIVE PROP IN FALSE TRADE - \$250 c266 60	Misd.				2 1/2 years		
Grid	2			266/60	RECEIVE STOLEN PROPERTY - \$250 c266 60	Misd.				2 1/2 years		
Grid	2			266/71	ASSOCIATION MEMBERSHIP, FALSELY SOLICIT c266 71	Misd.				1 year		
Grid	2			266/71A	ASSOCIATION NAME, FALSELY USE/MIMIC c266 71A	Misd.				1 year		

# **Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List**

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statutory Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			266/72	ASSOCIATION NAME, USE WITHOUT AUTHORITY c266 72	Misd.				1 year		
Grid	2			266/75	TRICK, OBTAIN PROPERTY UNDER \$250 BY c266 75	Misd.				1 year		
Grid	2			266/75B	SLUGS, MANUFACTURE/SELL FOR COIN MACHINES c266 75B	Misd.				1 year		
Grid	2			266/80	ENCUMBERED LAND, CONVEY c266 80	Misd.				1 year		
Grid	2			266/81	ATTACHED LAND, CONVEY c266 81	Felony				1 year		3 years
Grid	2			266/82	LEASED/MORTGAGED PERSONALTY HOLD LIQUOR c266 82	Misd.				1 year		
Grid	2			266/82	MORTGAGED PERSONALTY, CONCEAL c266 82	Misd.				1 year		
Grid	2			266/83	MORTGAGED PERSONALTY, SELL c266 83	Misd.				1 year		
Grid	2			266/84	LEASED PERSONALTY, SELL c266 84	Misd.				1 year		
Grid	2			266/85	COLLATERAL, DISPOSE OF DEPOSITED c266 85	Misd.				2 years		
Grid	2			266/86	LEASED/COLLATERAL PROPERTY, BUY/RECEIVE c266 86	Misd.				1 year		
Grid	2			266/87	LEASED PERSONALTY, CONCEAL/SELL/PLEDGE c266 87	Misd.				1 year		
Grid	2			266/87	LEASED PERSONALTY, FAIL RETURN c266 87	Misd.				1 year		
Grid	2			266/88	CONSIGNEE/FACTOR, CONVERSION BY c266 88	Felony						5 years
Grid	2			266/89	DEGREE, FALSE CLAIM TO CONFER SCHOOL c266 89	Misd.				1 year		
Grid	2			266/89	DEGREE, FALSE CLAIM TO HOLD SCHOOL c266 89	Misd.				1 year		
Grid	2			266/90	COLLEGE ENDORSEMENT, FALSE CLAIM OF c266 90	Misd.				1 year		
Grid	2			266/91A	ADVERTISING UNAVAILABLE PRICE/ITEM c266 91A	Misd.				1 year		
Grid	2			266/93	ANIMAL PEDIGREE, FALSE c266 93	Misd.				2 years		
Grid	2			266/93	ANIMAL REGISTRATION BY FALSE PRETENSE c266 93	Misd.				2 years		
Grid	2			266/95	HISTORIC MARKER/MONUMENT, VANDALIZE c266 95	Misd.				2 years		
Grid	2			266/96	STATE BUILDING, VANDALIZE c266 96	Misd.				2 years		
Grid	2			266/97	COUNTY BUILDING, VANDALIZE c266 97	Misd.				2 years		
Grid	2			266/98	CHURCH, VANDALIZE c266 98	Misd.				2 years		
Grid	2			266/98	SCHOOL, VANDALIZE c266 98	Misd.				2 years		
Grid	2			266/99A	LIBRARY MATERIALS UNDER \$250, LARCENY OF c266 99A	Misd.				1 year		
Grid	2			266/99A	LIBRARY RECORDS, VANDALIZE c266 99A	Felony						5 years
Grid	2			266/100	LIBRARY MATERIALS, VANDALIZE c266 100	Misd.				2 years		
Grid	2			266/103	NOXIOUS/FLTHY SUBSTANCE, VANDALIZE WITH c266 §103	Felony				2 1/2 years		5 years
Grid	2			266/110	BOAT INSURER, FALSE CARGO INVOICE TO c266 §110	Felony				2 years		10 years
Grid	2			266/111	BOAT INSURER, FALSE AFFIDAVIT TO c266 §111	Felony				2 years		10 years
Grid	2			266/111A	INSURANCE CLAIM, PREPARE FALSE c266 §111A	Felony			6 months	2 1/2 years		5 years
Grid	2			266/111A	INSURANCE CLAIM, PRESENT FALSE c266 §111A	Felony			6 months	2 1/2 years		5 years
Grid	2			266/120E	MEDICAL FACILITY, OBSTRUCT, SUBSQ.OFF. c266 120E	Misd.				2 1/2 years		
Grid	2			266/126B	TAGGING PROPERTY c266 126B	Misd.				2 years		
Grid	2			266/127	DESTRUCTION OF PROPERTY +\$250, WANTON c266 127	Misd.				2 1/2 years		
Grid	2			266/127A	CHURCH, THREAT TO INJURE c266 127A	Misd.				1 year		
Grid	2			266/127A	CHURCH/SYNAGOGUE, INJURY UNDER \$5000 TO c266 127A	Misd.				2 1/2 years		
Grid	2		Note A	266/127C	DESTRUCTION OF PROPERTY -\$250, MALICIOUS c266 127	Misd.				2 1/2 months		
Grid	2		Note A	266/127D	DESTRUCTION OF PROPERTY -\$250, WANTON c266 127	Misd.				2 1/2 months		

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			266/129	PRISONER VANDALIZE PRISON PROPERTY c266 §129	Felony						3 years
Grid	2			266/130	PRISONER VANDALIZE JAIL/HC PROPERTY c266 130	Misd.			6 months	2 1/2 years		
Grid	2			266/138	RESERVOIR/DAM/CANAL/MILL, VANDALIZE c266 §138	Felony				2 years		5 years
Grid	2			266/138	RESERVOIR/CANAL WATER, DRAW/OBSTRUCT c266 §138	Felony				2 years		5 years
Grid	2			266/138A	IRRIGATION EQUIPMENT, VANDALIZE c266 §138A	Felony				2 years		5 years
Grid	2			266/139	MOTOR VEH VIN, REMOVE/ALTER c266 §139	Felony						3 years
Grid	2			266/139	MOTOR VEH WITH DEFACED VIN, ATT TO SELL, c266 §139	Felony						3 years
Grid	2			266/139	MOTOR VEH WITH DEFACED VIN, POSSESS/RECV c266 139	Misd.				2 years		
Grid	2			266/139A	MACHINERY ID NO., ATT SELL WITH DEFACED c266 139A	Misd.				1 year		
Grid	2			266/139A	MACHINERY ID NO., REMOVE/ALTER c266 139A	Misd.				1 year		
Grid	2			266/139A	MACHINERY ID NO., SELL WITH DEFACED c266 139A	Misd.				1 year		
Grid	2			266/140	MOTOR VEH MASTER KEY, SELL c266 140	Misd.			30 days	2 years		
Grid	2			266/141A	MOTOR VEH ODOMETER, TAMPER WITH c266 141A	Misd.				1 year		
Grid	2			266/142A	GOLD/SILVER/PLATINUM RECORDS, FAIL KEEP c266 142A	Misd.				1 year		
Grid	2			266/143A	RECORDING, UNAUTHORIZED REPRODUCTION OF c266 §143A - Medium Quantity	Misd.				2 years		
Grid	2			266/143A	RECORDING, UNAUTHORIZED REPRODUCTION OF c266 §143A - Small Quantity	Misd.				1 year		
Grid	2			266/143B	RECORDING OF LIVE PERFORMANCE, UNAUTH c266 §143B - Medium Quantity	Misd.				2 years		
Grid	2			266/143B	RECORDING OF LIVE PERFORMANCE, UNAUTH c266 §143B - Small Quantity	Misd.				1 year		
Grid	2			266/143C	RECORDING W/OUT MFR NAME, MFR/SELL/RENT c266 §143C - Medium Quantity	Misd.				2 years		
Grid	2			266/143C	RECORDING W/OUT MFR NAME, MFR/SELL/RENT c266 §143C - Small Quantity	Misd.				1 year		
Grid	2			267/3	LAND COURT SEAL, FORGERY/MISUSE OF c267 §3	Felony				2 years		10 years
Grid	2			267/12	COUNTERFEIT NOTE, POSSESS c267 §12	Felony				1 year		5 years
Grid	2			267/12	COUNTERFEIT TRAVELLER'S CHECK, POSSESS c267 §12	Felony				1 year		5 years
Grid	2			267/24	NOTES, CONNECT PARTS OF DIFFERENT c267 §24	Felony				2 years		10 years
Grid	2			267/26	NOTES, HOARD c267 §26	Misd.				2 years		
Grid	2			268/6	DEPT OF BANK & INSUR, FALSE STATEMENT TO c268 6	Misd.				1 year		
Grid	2			268/6	DEPT OF HIGHWAYS, FALSE STATEMENT TO c268 6	Misd.				1 year		
Grid	2			268/6	DEPT OF PUB UTILS, FALSE STATEMENT TO c268 6	Misd.				1 year		
Grid	2			268/6	DEPT OF REVENUE, FALSE STATEMENT TO c268 6	Misd.				1 year		
Grid	2			268/6A	PUBLIC EMPLOYEE, FALSE REPORT BY c268 6A	Misd.				1 year		
Grid	2			268/6B	RETURN BY PROCESS SERVER, FALSE §c268 6B	Misd.				1 year		
Grid	2			268/13A	COURT/JUDGE/JUROR, PICKETING c268 13A	Misd.				1 year		
Grid	2			268/13C	COURT PROCEEDINGS, DISRUPT c268 13C	Misd.				1 year		
Grid	2			268/15	ESCAPE, AID ACCUSED MISDEMEANANT TO c268 15	Misd.				2 years		
Grid	2			268/15A	ESCAPE FROM MUNICIPAL LOCKUP c268 15A	Misd.			2 1/2 years			
Grid	2			268/17	ESCAPE FROM OFFICER, AID c268 17	Misd.				2 years		
Grid	2			268/20	ESCAPE, NEGLIGENTLY PERMIT PRISONER TO c268 20	Misd.				2 years		
Grid	2			268/20	PRISONER, REFUSE ACCEPT c268 20	Misd.				2 years		
Grid	2			268/23	WARRANT, FAIL/DELAY SERVICE OF c268 23	Misd.				1 year		
Grid	2			268/32	FALSE ALARM FROM POLICE CALL BOX c268 32	Misd.				2 years		

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			268/32	FIRE CALL BOX, TAMPER WITH c268 32	Misd.				2 years		
Grid	2			268/32	MOTORIST CALL BOX, TAMPER WITH c268 32	Misd.				2 years		
Grid	2			268/32	POLICE CALL BOX, TAMPER WITH c268 32	Misd.				2 years		
Grid	2			268/32B	RESIST, ARREST c268 §32B	Misd.				2 1/2 years		
Grid	2			268/33	POLICE OFFICER, IMPERSONATE c268 33	Misd.				1 year		
Grid	2			268/33	PUBLIC OFFICIAL, IMPERSONATE c268 33	Misd.				1 year		
Grid	2			268/34	DISGUISE TO OBSTRUCT JUSTICE c268 34	Misd.				1 year		
Grid	2			268/36	COMPOUND/CONCEAL FELONY c268 36	Misd.				2 years		
Grid	2			268/39	MOTOR VEH THEFT, FALSE REPORT OF c268 39	Misd.				2 years		
Grid	2			268B/7	STATE ETHICS COMMISSION, DISCLOSE IMPROP c268B 7	Misd.			5 months			
Grid	2			269/2	RIOT, FAIL ASSIST IN DISPERSING c269 2	Misd.				1 year		
Grid	2			269/2	RIOT, FAIL DISPERSER c269 2	Misd.				1 year		
Grid	2			269/7	RIOT, DESTROY BUILDING/BOAT IN c269 7	Misd.				1 year		
Grid	2			269/10(g)	RIFLE/SHOTGUN W/O SERIAL NO., SELL c269 10 (g)	Felony				2 years		5 years
Grid	2			269/10(h)	FIREARM W/O HD CARD, POSSESS c269 10 (h)	Misd.				1 year		
Grid	2			269/10(i)	FIREARMLICENSE/FID CARD, FAIL, SURRENDER c269 10 (i)	Misd.				2 1/2 years		
Grid	2			269/10(j)	DANGEROUS WEAPON ON SCHOOL GROUNDS,CARRY c269 10 (j)	Misd.				1 year		
Grid	2			269/10(j)	FIREARM ON SCHOOL GROUNDS, CARRY c269 10 (j)	Misd.				1 year		
Grid	2			269/13	FIRE ALARM, FALSE c269 13	Misd.				1 year		
Grid	2			269/13A	CRIME REPORT, FALSE c269 13A	Misd.				1 year		
Grid	2			269/16	ARROWHEAD, SELL TO PERSON -15, 3RD OFF c269 15	Misd.			6 months			
Grid	2			269/17	HAZING c269 17	Misd.				1 year		
Grid	2			270/1	LIQUOR, ADULTERATE c270 §1	Felony						3 years
Grid	2			270/4	WOOD ALCOHOL, DISTRIB FOOD/DRINK/DRUG W/ c270 §4	Felony				2 1/2 years		5 years
Grid	2			271/2	GAMING IN PUBLIC/TRESPASSING, ALLOW c271 §2	Misd.			3 months			
Grid	2			271/5	GAMING APPARATUS, KEEP, SUBSQ.OFF. c271 §5	Misd.			3 months			
Grid	2			271/5	GAMING HOUSE, KEEP COMMON, SUBSQ.OFF. c271 §5	Misd.			3 months			
Grid	2			271/5	GAMING, PLAY/PRESENT AT, SUBSQ.OFF. c271 §5	Misd.			3 months			
Grid	2			271/6C	GAS STATION OPERATE GAME OF CHANCE c271 §6C	Misd.				1 year		
Grid	2			271/7A	RAFFLE/BAZAAR VIOLATION c271 §7A	Misd.				1 year		
Grid	2			271/8	GAMING, ALLOW PREMISES FOR c271 §8	Misd.				1 year		
Grid	2			271/8	GAMING, ALLOW PREMISES FOR, SUBSQ.OFF. c271 §8	Misd.			3 months			
Grid	2			271/9	LOTTERY, SELL TICKETS FOR c271 §9	Misd.				1 year		
Grid	2			271/11	LOTTERY, SOLICIT FOR c271 §11	Misd.				1 year		
Grid	2			271/11	LOTTERY, SOLICIT FOR, SUBSQ.OFF. c271 §11	Misd.			3 months			
Grid	2			271/15	LOTTERY, AID FOREIGN c271 §15	Misd.				1 year		
Grid	2			271/16	LOTTERY TICKET, DISTRIBUTE FOREIGN c271 §16	Misd.				1 year		
Grid	2			271/17	BETTING, TAKE/ALLOW/PRESENT AT,SUBSQ.OFF c271 §17	Misd.			3 months			
Grid	2			271/17A	TELEPHONE FOR GAMING, USE c271 §17A	Misd.				1 year		
Grid	2			271/18	POLICY LOTTERY, MANAGE c271 §18	Misd.				1 year		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statutory Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			271/26	GAMING PREMISES, OBSTRUCT, 3RD OFF. c271 §26	Misd.				1 year		
Grid	2			271/31	HORSE RACE, UNLAWFUL c271 §31	Misd.				1 year		
Grid	2			271/34	RACE GROUND, KEEP/USE IMPROPER c271 §34	Misd.				1 year		
Grid	2			271/36	SECURITY/COMMODITY BUCKETING §c271 §36	Misd.				1 year		
Grid	2			271/37	SECURITY/COMMODITY PRICES, PUBLISH IMPRO §c271 §37	Misd.				1 year		
Grid	2			271/39A	BRIBE, ACCEPT/SOLICIT SPORTS c271 §39A	Misd.				2 years		
Grid	2			271/39A	BRIBE, OFFER SPORTS c271 §39A	Misd.				2 years		
Grid	2			272/1	MARRIAGE, ABDUCT PERSON -16 FOR SECRET c272 1	Misd.				1 year		
Grid	2			272/8	PROSTITUTE, SOLICIT FOR c272 8	Misd.				1 year		
Grid	2			272/12	PROSTITUTION, PROCURE PERSON TO PRACTICE c272 12	Misd.				1 year		
Grid	2			272/16	LEWDNESS, OPEN AND GROSS c272 16	Misd.				1 year		
Grid	2			272/22	FETAL DEATH, CONCEAL OUT-OF-WEDLOCK c272 22	Felony		3 months		2 years		3 years
Grid	2			272/24	PROSTITUTION, KEEP HOUSE OF c272 24	Misd.				1 year		
Grid	2			272/26	RESTAURANT/BAR, ALLOW SOLICITATION IN c272 26	Misd.				2 years		
Grid	2			272/26	RESTAURANT/BAR, RESORT TO FOR IMMORALITY c272 26	Misd.				1 year		
Grid	2			272/28	OBSCENE MATTER TO MINOR c272 28	Felony				1 year		
Grid	2			272/29	OBSCENE MATTER, DISTRIBUTE, 2ND OFF. c272 29	Felony				2 1/2 years		5 years
Grid	2			272/29	OBSCENE MATTER, DISTRIBUTE, 3RD OFF. c272 29	Felony				2 1/2 years		5 years
Grid	2			272/38	RELIGIOUS SERVICE, DISTURB c272 38	Misd.				1 year		
Grid	2			272/42A	FUNERAL SERVICE, DISTURB c272 42A	Misd.				1 year		
Grid	2		Note A	272/53	ACCOST/ANNOY PERSON OF OPPOSITE SEX c272 53	Misd.				6 months		
Grid	2			272/53A	SEXUAL CONDUCT FOR FEE c272 53A	Misd.				1 year		
Grid	2			272/53A	SEXUAL CONDUCT, PAY FOR c272 53A	Misd.				1 year		
Grid	2		Note B	272/64	TRAMP, MALICIOUS INJURY IN BUILDING BY c272 64	Misd.			1 year	2 1/2 years		
Grid	2		Note B	272/64	TRAMP, THREATS BY c272 64	Misd.			1 year	2 1/2 years		
Grid	2		Note B	272/64	TRAMP, TRESPASS IN BUILDING BY c272 64	Misd.			1 year	2 1/2 years		
Grid	2			272/72	BODY, SELL/BUY c272 72	Misd.		3 months		2 1/2 years		
Grid	2			272/76	CEMETERY, UNAUTH PUBLIC EASEMENT THRU c272 76	Misd.				1 year		
Grid	2			272/77	ANIMAL, CRUELTY TO c272 77	Misd.				1 year		
Grid	2			272/77	ANIMAL, CRUELTY TO BY CUSTODIAN c272 77	Misd.				1 year		
Grid	2			272/77A	POLICE HORSE/DOG, MISTREAT/INTERFERE c272 77A	Misd.				2 1/2 years		
Grid	2			272/79A	HORSE, CUT TO DOCK TAIL c272 79A	Misd.				1 year		
Grid	2			272/94	ANIMAL FIGHT, KEEP/PROMOTE c272 94	Felony				1 year		5 years
Grid	2			272/98	PUBLIC ACCOMMODATION, DISCRIMINATE IN c272 98	Misd.				1 year		
Grid	2			272/98C	RACIAL HATRED, FALSE WRITING TO INCITE c272 98C	Misd.				1 year		
Grid	2			272/99	WIRETAP, DISCLOSE CONTENTS OF c272 99	Misd.				2 years		
Grid	2			272/99	WIRETAP, DISCLOSE CONTENTS OF, ATTEMPT c272 99	Misd.				2 years		
Grid	2			272/99	WIRETAP, POSSESS DEVICE FOR c272 99	Misd.				2 years		
Grid	2			273/20	SUPPORT PARENT, FAIL TO c273 §20	Misd.				1 year		
Grid	2			273/23	SUPPORT NEEDY DISABLED PERSON, FAIL TO c273 §23	Misd.				2 years		

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Felony and Misdemeanor Master Crime List**

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	2			274/6	ATTEMPT TO COMMIT CRIME c274 6 - < 5 Year Felony or Misdemeanor	Misd.				1 year		
Grid	2			274/6	ATTEMPT TO COMMIT CRIME c274 6 - Larceny	Misd.				2 1/2 years		
Grid	2			276/82A	RECOGNIZANCE, FAIL APPEAR UPON c276 §82A	Misd.				1 year		
Grid	1			1/5	BOUNDARY MARK, VANDALIZE COMMONWEALTH c1 §5	Misd.				6 months		
Grid	1		Note A	5/1	PREVAIL WAGE, PRINTER FAIL PAY, SUBSQ. c5 §1	Misd.				3 months		
Grid	1		Note A	6A/13	INSPECTOR, OBSTRUCT DIV OF STANDARDS c6A §13	Misd.				2 months		
Grid	1		Note A	7/11	A&F INQUIRY, DISTURB c7 §11	Misd.				1 month		
Grid	1		Note A	7/11	WITNESS FAIL TESTIFY AT A&F INQUIRY c7 §11	Misd.				1 month		
Grid	1		Note A	7/22	PREVAIL WAGE, CLOTHES SUPPLIER FL PAY, 2ND c7 §22	Misd.				3 months		
Grid	1		Note A	7/22	PREVAIL WAGE, MEAT SUPPLIER FL PAY, 2ND c7 §22	Misd.				1 month		
Grid	1			9/27C	ARCHEOLOGICAL VIOLATION c9 §27C	Misd.				6 months		
Grid	1			12A/13	INSPECTOR GENERAL CONFIDENTIALITY VIOL. c12A §13	Misd.				6 months		
Grid	1			12A/15	INSPECTOR GENERAL CONFIDENTIALITY VIOL. c12A §15	Misd.				6 months		
Grid	1		Note A	18/5F	PUBLIC ASSISTANCE, FATHER ABANDON FAMILY FOR PURPOSE OF c18 §5F	Misd.				3 months		
Grid	1			21/17B	SCENIC RIVER/STREAM ORDER VIOLATION c21 §17B	Misd.				6 months		
Grid	1			21G/7	WATER, WITHDRAW EXCESS WITHOUT PERMIT c21G §7	Misd.				180 days		
Grid	1			21G/14	WATER MANAGEMENT VIOLATION c21G §14	Misd.				180 days		
Grid	1			21G/17	WATER EMERGENCY VIOLATION c21G §17	Misd.				180 days		
Grid	1			23/9H	EMERGENCY, VIOLATE REGUL. FOR STATE OF c23 §9H	Misd.				6 months		
Grid	1			28A/11	ADOPTION, UNLICENSED c28A §11	Misd.				6 months		
Grid	1			28A/11	DAY CARE, UNLICENSED c28A §11	Misd.				6 months		
Grid	1			28A/11	FOSTER CARE, UNLICENSED c28A §11	Misd.				6 months		
Grid	1			30/39I	PUBLIC BUILDING CONTRACT, FAIL PERFORM c30 §39I	Misd.				6 months		
Grid	1			33/13	NATIONAL GUARDSMAN, DISCRIMINATE AGAINST c33 §13	Misd.				6 months		
Grid	1			33/65	NATIONAL GUARD ENCAMPMENT, TRESPASS ON c33 §65	Misd.				6 months		
Grid	1			33/66	MILITARY RIGHT OF WAY, OBSTRUCT c33 §66	Misd.				6 months		
Grid	1			33/66	NATIONAL GUARDSMAN, OBSTRUCT c33 §66	Misd.				6 months		
Grid	1			33/99	MILITARY UNIFORM, WEAR WITHOUT AUTHORITY c33 §99	Misd.				6 months		
Grid	1			33/123	ARMORY, INTERRUPT/OBSTRUCT OCCUPIED c33 §123	Misd.				6 months		
Grid	1			33/129	ARMORY OR ARMED PARADE, IMPROP. c33 §129	Misd.				6 months		
Grid	1			33/130	ARMED PARADE REGULATION VIOLATION c33 §130	Misd.				6 months		
Grid	1			40/37A	CURFEW, VIOLATE c40 §37A	Misd.				6 months		
Grid	1			41/30	TAX VALUATION, FALSE c41 §30	Misd.				6 months		
Grid	1			42/10	BOUNDARY MARK, VANDALIZE MUNICIPAL c42 §10	Misd.				6 months		
Grid	1			43/92	CITY COUNCILOR GIVE ORDERS TO PERSONNEL c43 §92	Misd.				6 months		
Grid	1			43/92	CITY COUNCILOR INTERFERE HIRING/FIRING c43 §92	Misd.				6 months		
Grid	1			43/92A	POLITICAL CONTRIB. TO/FROM CITY EMPLOYEE c43 §92A	Misd.				6 months		
Grid	1			43/107	CITY COUNCILOR GIVE ORDERS TO PERSONNEL c43 §107	Misd.				6 months		
Grid	1			43/107	CITY COUNCILOR INTERFERE HIRING/FIRING c43 §107	Misd.				6 months		
Grid	1			43/108	POLITICAL CONTRIB. CITY EMPLOYEE SOLICIT c43 §108	Misd.				6 months		



# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1			46/30	BIRTH CERTIFICATE OF ANOTHER, ATT USE c46 §30	Misd.				6 months		
Grid	1			46/30	BIRTH CERTIFICATE OF ANOTHER, USE c46 §30	Misd.				6 months		
Grid	1			46/30	BIRTH CERTIFICATE, FORGED/ALTERED c46 §30	Misd.				6 months		
Grid	1			46/30	DEATH CERTIFICATE, FORGED/ALTERED c46 §30	Misd.				6 months		
Grid	1			46/30	MARRIAGE CERTIFICATE OF ANOTHER, ATT USE c46 §30	Misd.				6 months		
Grid	1			46/30	MARRIAGE CERTIFICATE OF ANOTHER, USE c46 §30	Misd.				6 months		
Grid	1			46/30	MARRIAGE CERTIFICATE, FORGED/ALTERED c46 §30	Misd.				6 months		
Grid	1		Note A	48/11	FOREST WARDEN, FAIL AID c48 §11	Misd.				2 months		
Grid	1		Note A	48/13	FIRE IN OPEN, SET c48 §13	Misd.				1 month		
Grid	1			53/76	CAUCUS OFFICER VIOLATION c53 §76	Misd.				6 months		
Grid	1			53/76	CAUCUS VOTER VIOLATION c53 §76	Misd.				6 months		
Grid	1			53/87	CAUCUS OFFICER VIOLATION c53 §87	Misd.				6 months		
Grid	1			54/23	ELECTION SUPERVISOR VIOLATION c54 §23	Misd.				6 months		
Grid	1			54/23	ELECTION SUPERVISOR, HINDER c54 §23	Misd.				6 months		
Grid	1			54/68	ELECTION RESULTS, PREMATURELY DISCLOSE c54 §68	Misd.				6 months		
Grid	1			55/7	CAMPAIGN CONTRIB, RECEIVE IMPROP c55 §7	Misd.				6 months		
Grid	1			55/7	CAMPAIGN EXPENDITURE, IMPROP c55 §7	Misd.				6 months		
Grid	1			55/19	CAMPAIGN FUNDS DEPOSITORY VIOLATION c55 §19	Misd.				6 months		
Grid	1			56/2	VOTER, REGISTER UNQUALIFIED c56 §2	Misd.				6 months		
Grid	1			56/4	VOTER REGISTRAR, FAIL GIVE INFORMATION TO c56 §4	Misd.				6 months		
Grid	1			56/10	VOTER NOTICE/LIST, VANDALIZE c56 §10	Misd.				6 months		
Grid	1			56/12	ELECTION OFFICIAL VIOLATION c56 §12	Misd.				6 months		
Grid	1			56/13	ELECTION BALLOT, FAIL RECORD CHALLENGED c56 §13	Misd.				6 months		
Grid	1			56/14	ELECTION BALLOT, REVEAL CHALLENGED c56 §14	Misd.				6 months		
Grid	1			56/23	ELECTION NOTICE, VANDALIZE c56 §23	Misd.				6 months		
Grid	1			56/25	ELECTION BALLOT, MARK/DISPLAY c56 §25	Misd.				6 months		
Grid	1			56/25	VOTER, FALSE STATEMENT BY c56 §25	Misd.				6 months		
Grid	1			56/40	POLITICAL PARTY, UNAUTH USE OF NAME OF c56 §40	Misd.				6 months		
Grid	1			56/41	CAMPAIGN MATERIAL WITHOUT SPONSOR'S NAME c56 §41	Misd.				6 months		
Grid	1			56/41A	POLITICAL ENDORSEMENT, FALSE c56 §41A	Misd.				6 months		
Grid	1			56/42	POLITICAL CANDIDATE, FALSE STATEMENT ON c56 §42	Misd.				6 months		
Grid	1			56/42	REFERENDUM, FALSE STATEMENT ABOUT BALLOT c56 §42	Misd.				6 months		
Grid	1			56/44	CANDIDATE SLATE W/O PARTY DESIGNATION c56 §44	Misd.				6 months		
Grid	1			56/45	CANDIDATE PAY NATURALIZATION COSTS c56 §45	Misd.				6 months		
Grid	1		Note A	56/46	DISORDERLY CONDUCT AT POLL c56 §46	Misd.				1 month		
Grid	1		Note A	56/47	ELECTION/CAUCUS OFFICER, DISOBEY c56 §47	Misd.				1 month		
Grid	1		Note A	59/33	WAREHOUSE FAIL IDENTIFY DEPOSITORS c59 §33	Misd.				90 days		
Grid	1			75D/11	BUSINESS SCHOOL, UNLICENSED c75D §11	Misd.				6 months		
Grid	1		Note A	85/9A	FLASHING SIGN IN VIOLATION OF DOH ORDER c85 §9A	Misd.				30 days		
Grid	1			87/10	TREE/SHRUB, CUT/INJURE ON STATE HWAY c87 §10	Misd.				6 months		

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Staterease Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1			87/11	TREE/SHRUB, WILFULLY INJURE ANOTHER'S c87 §11	Misd.				6 months		
Grid	1		Note A	90/7B	SCHOOL BUS, OVERCROWDED c90 7B	Misd.				30 days		
Grid	1		Note A	90/7D	PUPIL TRANSPORT VEHICLE, OVERCROWDED c90 7D	Misd.				30 days		
Grid	1		Note A	90/7K	TIRES, SELL NONCONFORMING c90 7K	Misd.				15 days		
Grid	1		Note A	90/20D	PARKING TICKET, MUTILATE c90 20D	Misd.				1 month		
Grid	1		Note A	90/23	LICENSE SUSPENDED, OP MV WITH c90 23	Misd.				10 days		
Grid	1		Note A	90/23	LICENSE, EXHIBIT ANOTHER'S c90 23	Misd.				10 days		
Grid	1		Note A	90/23	NUMBER PLATE VIOLATION TO CONCEAL ID c90 23	Misd.				10 days		
Grid	1		Note A	90/23	REGISTRATION SUSPENDED, OP MV WITH c90 23	Misd.				10 days		
Grid	1			90/32C	LEASE MV LESSEE FAIL RETURN MV c90 32C	Misd.		30 days		6 months		
Grid	1			90/32C	LEASE MV LESSEE FALSIFY MILEAGE c90 32C	Misd.		30 days		6 months		
Grid	1			90/32C	LEASE MV LESSOR FALSIFY MILEAGE c90 32C	Misd.		30 days		6 months		
Grid	1			90/32C	LEASE MV TO INTOXICATED DRIVER c90 32C	Misd.		30 days		6 months		
Grid	1			90/32C	LEASE MV WITHOUT SEEING DRIVERS LICENSE c90 32C	Misd.		30 days		6 months		
Grid	1			90/32D	LEASE MV LESSOR RECORDKEEPING VIOLATION c90 32D	Misd.		30 days		6 months		
Grid	1			90/32E	LEASE MV LESSEE ALLOW UNAUTH PERSON OP c90 32E	Misd.		30 days		6 months		
Grid	1			90/32E	LEASE MV LESSEE FAIL ID SELF c90 32E	Misd.		30 days		6 months		
Grid	1			90/32E	LEASE MV LESSOR FAIL MAINTAIN INSURANCE c90 32E	Misd.		30 days		6 months		
Grid	1			90/32F	LEASE MV OBTAINED BY FRAUD/BAD CHECK c90 32F	Misd.		30 days		6 months		
Grid	1			90/32H	LEASE MOTORCYCLES WITHOUT LICENSE c90 32H	Misd.		30 days		6 months		
Grid	1			90/35B	AIRPORT RUNWAY, STRUCTURE TOO HIGH NEAR c90 35B	Misd.		1 month		6 months		
Grid	1			90/39B	AIRCRAFT OPERATION IN VIOL MUNC REGUL c90 39B	Misd.		1 month		6 months		
Grid	1			90/40	AIRCRAFT LICENSE/REGIS NOT IN POSSESSION c90 40	Misd.		1 month		6 months		
Grid	1			90/40	AIRCRAFT OPERATION, INTERFERE WITH c90 40	Misd.		1 month		6 months		
Grid	1			90/40	AIRCRAFT, USE WITHOUT AUTHORITY c90 40	Misd.		1 month		6 months		
Grid	1			90/40A	AIRPORT APPROACH REGULATIONS, VIOL MUNC c90 40A	Misd.		1 month		6 months		
Grid	1			90/46	AIRCRAFT OPERATION TOO LOW/TO ENDANGER c90 46	Misd.		1 month		6 months		
Grid	1			90/47	AIRCRAFT OPERATION, UNLICENSED c90 47	Misd.		1 month		6 months		
Grid	1			90/48	AIRCRAFT, UNLICENSED/UNREGISTERED c90 48	Misd.		1 month		6 months		
Grid	1			90/49	AIRCRAFT CERTIFICATE, FAIL REGISTER c90 49	Misd.		1 month		6 months		
Grid	1			90/49	AIRCRAFT DEALERS CERTIFIC, FAIL REGISTER c90 49	Misd.		1 month		6 months		
Grid	1			90/49	ARMAN'S CERTIFICATE, FAIL REGISTER c90 49	Misd.		1 month		6 months		
Grid	1			90/51J	AIRPORT MUNICIPAL REGULATIONS VIOL c90 51J	Misd.		1 month		6 months		
Grid	1			90B 8	MBOAT SKIER OBSERVER/LADDER, NO c90B §8	Misd.				6 months		
Grid	1			90B 8	MBOAT, UNSAFE OPERATION OF c90B §8	Misd.				6 months		
Grid	1			90B 8	WATER SKIS/SURFBOARD AT NIGHT c90B §8	Misd.				6 months		
Grid	1		Note A	90B/25	SNOW/REC VEH,PUBLIC WAY, ON c90B §25	Misd.				6 months		
Grid	1		Note A	94/9A	BAKERY FACILITY VIOLATION, 2ND OFFENSE c94 §9A	Misd.				60 days		
Grid	1		Note A	94/9A	BAKERY FACILITY VIOLATION, 3RD OFFENSE c94 §9A	Misd.				10 days		
Grid	1		Note A	94/9B	BAKERY ALLOW SLEEPING, 2ND OFFENSE c94 §9B	Misd.				1 month		
Grid	1									10 days		

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1		Note A	94/9B	BAKERY ALLOW SLEEPING, 3RD OFFENSE c94 §9B	Misd.				1 month		
Grid	1		Note A	94/9C	BAKERY NOT REPAIRED, 2ND OFFENSE c94 §9C	Misd.				10 days		
Grid	1		Note A	94/9C	BAKERY NOT REPAIRED, 3RD OFFENSE c94 §9C	Misd.				1 month		
Grid	1		Note A	94/9D	BAKERY VIOLATE BOH REGULATION, 2ND OFF. c94 §9D	Misd.				10 days		
Grid	1		Note A	94/9D	BAKERY VIOLATE BOH REGULATION, 3RD OFF. c94 §9D	Misd.				1 month		
Grid	1		Note A	94/10H	BREAD, MAKE/SELL UNENRICHED, SUBSQ. OFF. c94 §10H	Misd.				3 months		
Grid	1		Note A	94/10I	BREAD/FLOUR ENRICHMENT REG VIOL., SUBSQ. c94 §10I	Misd.				3 months		
Grid	1		Note A	94/10J	BREAD/FLOUR LABELING VIOLATION,SUBSQ OFF c94 §10J	Misd.				3 months		
Grid	1		Note A	94/16A	MILK FROM UNREGIS DAIRY, SELL, SUBSQ OFF c94 §16A	Misd.				3 months		
Grid	1		Note A	94/16E	MILK DAIRY FAIL FILE DPH REPORT, SUBSQ. c94 §16E	Misd.				3 months		
Grid	1		Note A	94/16F	MILK DEALER FAIL REGISTER, SUBSQ. OFF. c94 §16F	Misd.				3 months		
Grid	1		Note A	94/16F	MILK FROM UNREGIS BROKER, BUY, SUBSQ.OFF c94 §16F	Misd.				3 months		
Grid	1		Note B	94/16L	MILK FROM UNREGIS PLANT, SELL, 3RD OFF. c94 §16L	Misd.						
Grid	1		Note A	94/20	MILK, SELL SUBSTANDARD, 3RD OFFENSE c94 §20	Misd.						
Grid	1		Note A	94/38	MILK INSPECTOR ABET MILK VIOLATION c94 §38	Misd.						
Grid	1		Note A	94/39	MILK INSPECTION SEAL, COUNTERFEIT c94 §39	Misd.						
Grid	1			94/39	MILK SAMPLE TAMPERING c94 §39	Misd.						
Grid	1		Note A	94/40	DAIRY TRUCK W/O LICENSEE NAME, 3RD OFF. c94 §40	Misd.						
Grid	1		Note A	94/40	DAIRY TRUCK, UNLICENSED, 3RD OFFENSE c94 §40	Misd.						
Grid	1		Note A	94/40	MILK LICENSE NOT POSTED, 3RD OFFENSE c94 §40	Misd.						
Grid	1		Note A	94/40	MILK, UNLICENSED SALE OF, 3RD OFFENSE c94 §40	Misd.						
Grid	1		Note A	94/59	BUTTER, FAIL LABEL RENOVATED, 3RD OFF. c94 §59	Misd.						
Grid	1			94/65H	FROZEN DESSERTS LICENSE VIOL c94 §65H	Misd.						
Grid	1			94/65H	FROZEN DESSERTS LICENSE VIOL, SUBSQ.OFF. c94 §65H	Misd.						
Grid	1			94/65L	FROZEN DESSERTS SALES VIOL c94 §65L	Misd.						
Grid	1			94/65L	FROZEN DESSERTS SALES VIOL., SUBSQ. OFF. c94 §65L	Misd.						
Grid	1			94/65M	FROZEN DESSERTS PASTEURIZATION VIOL c94 §65M	Misd.						
Grid	1			94/65M	FROZEN DESSERTS PASTEURIZATION VIOL, SUB c94 §65M	Misd.						
Grid	1			94/65N	FROZEN DESSERTS SANITARY VIOL c94 §65N	Misd.						
Grid	1			94/65N	FROZEN DESSERTS SANITARY VIOL, SUBSQ.OFF c94 §65N	Misd.						
Grid	1			94/65O	FROZEN DESSERTS, NONCONFORMING c94 §65O	Misd.						
Grid	1			94/65O	FROZEN DESSERTS, NONCONFORMING,SUBSQ OFF c94 §65O	Misd.						
Grid	1			94/65P	FROZEN DESSERTS, MISLABELED c94 §65P	Misd.						
Grid	1			94/65P	FROZEN DESSERTS, MISLABELED, SUBSQ. OFF. c94 §65P	Misd.						
Grid	1		Note A	94/66	COLD STORAGE WAREHOUSE, UNLIC, SUBSQ.OFF c94 §66	Misd.						
Grid	1		Note A	94/67	COLD STORAGE REGULATION VIOL, SUBSQ.OFF. c94 §67	Misd.						
Grid	1		Note A	94/68	COLD STORAGE, REFUSE INSPECTION, SUB.OFF c94 §68	Misd.						
Grid	1		Note A	94/69	COLD STORAGE, RETURN FOOD TO, SUBSQ.OFF. c94 §69	Misd.						
Grid	1		Note A	94/69	COLD STORED FOOD DATE, REMOVE, SUBSQ OFF c94 §69	Misd.						

## Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1		Note A	94/69	COLD STORED FOOD, TAINTED, SUBSQ.OFFENSE c94 §69	Misd.				1 month		
Grid	1		Note A	94/69	COLD STORED FOOD, UNDATED, SUBSQ.OFFENSE c94 §69	Misd.				1 month		
Grid	1		Note A	94/70	COLD STORED FOOD +12 MONTHS, SUBSQ. OFF. c94 §70	Misd.				1 month		
Grid	1		Note A	94/71	COLD STORED FOOD, UNDATED, SUBSQ.OFFENSE c94 §70	Misd.				1 month		
Grid	1		Note A	94/72	COLD STORED FOOD, FAIL DISCLOSE, SUBSQ. c94 §72	Misd.				1 month		
Grid	1			94/77A	FISH, SELL MISNAMED/MISGRADED c94 §77A	Misd.				6 months		
Grid	1			94/77B	COLD STORED FISH, UNDATED c94 §77B	Misd.				6 months		
Grid	1		Note A	94/77C	FROZEN FISH SOLD AS FRESH c94 §77C	Misd.				6 months		
Grid	1			94/77D	SWORDFISH, IMPORT IMPROPERLY PACKED c94 §77D	Misd.				6 months		
Grid	1			94/77E	COLD STORAGE, RETURN IMPORTED FISH TO c94 §77E	Misd.				6 months		
Grid	1			94/77F	FISH NOT SOLD BY WEIGHT c94 §77F	Misd.				6 months		
Grid	1		Note A	94/77G	LOBSTER, SELL/OFFER UNCOOKED DEAD c94 §77G	Misd.		10 days		60 days		
Grid	1			94/77G	LOBSTER-FREEZING REGULATION VIOLATION c94 §77G	Misd.				6 months		
Grid	1			94/77H	LOBSTER/CRAB MEAT, UNSHELLED c94 §77H	Misd.				6 months		
Grid	1			94/87	FISH WEIGHER FAIL KEEP RECORDS c94 §87	Misd.				6 months		
Grid	1			94/88C	FISH PROCESSING REGULATION VIOLATION c94 §88C	Misd.				6 months		
Grid	1			94/88D	FISH INSPECTOR, OBSTRUCT c94 §88D	Misd.				6 months		
Grid	1			94/88D	FISH, SELL TAINTED c94 §88D	Misd.				6 months		
Grid	1		Note A	94/90	EGGS, BREAK/CAN WITHOUT LICENSE c94 §90	Misd.				3 months		
Grid	1		Note A	94/92	COLD STORED EGGS, FAIL DENATURE, SUBSQ. c94 §92	Misd.		3 months		1 month		
Grid	1		Note A	94/92A	EGGS, SELL/USE DECAYED c94 §92A	Misd.				60 days		
Grid	1		Note A	94/139D	SLAUGHTER BY INHUMANE METHOD c94 §139D	Misd.				60 days		
Grid	1		Note A	94/139E	SLAUGHTER IN VIOLATION HUMANE REGULATION c94 §139E	Misd.				60 days		
Grid	1		Note A	94/149	BOARD OF HEALTH INSPECTION, OBSTRUCT c94 §149	Misd.				2 months		
Grid	1			94/150	UNWHOLESOME FOOD, SELL UNDISCLOSED c94 §150	Misd.				6 months		
Grid	1		Note A	94/150A	UNWHOLESOME FOOD, OFFER FOR SALE c94 §150A	Misd.				60 days		
Grid	1		Note A	94/151	VEAL, KILL/SELL UNDERAGE c94 §151	Misd.				2 months		
Grid	1			94/152A	POULTRY REGULATION VIOLATION, SUBSQ.OFF. c94 §152A	Misd.			30 days	6 months		
Grid	1			94/152A	POULTRY SALE, UNLICENSED LIVE, SUBSQ.OFF c94 §152A	Misd.			30 days	6 months		
Grid	1		Note A	94/152B	POULTRY CONTAINERS, IMPROP LIVE, SUBSQ. c94 §152B	Misd.			30 days	6 months		
Grid	1		Note A	94/152B	POULTRY, UNLIC IMPORTATION OF, SUBSQ.OFF c94 §152B	Misd.			30 days	6 months		
Grid	1			94/168	VINEGAR INSPECTION SEAL, COUNTERFEIT c94 §168	Misd.				6 months		
Grid	1			94/168	VINEGAR SAMPLE, TAMPER WITH c94 §168	Misd.				6 months		
Grid	1			94/189A	FOOD/DRUG, REMOVE IMPOUNDED c94 §189A	Misd.				6 months		
Grid	1			94/194B	HALIBUT, SELL FALSE c94 §194B	Misd.				6 months		
Grid	1			94/224	GRAIN WEIGHER, FRAUD BY c94 §224	Misd.				6 months		
Grid	1			94/249H	FUEL OIL REGULATION VIOLATION c94 §249H	Misd.				6 months		
Grid	1			94/271	UPHOLSTERY/BEDDING, UNLICENSED c94 §271	Misd.				6 months		
Grid	1			94/272	UPHOLSTERY/BEDDING CONTENTS, UNLABELLED c94 §272	Misd.				6 months		
Grid	1			94/273	UPHOLSTERY/BEDDING STERILIZATION VIOL c94 §273	Misd.				6 months		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1			94/276A	UPHOLSTERY/BEDDING INSPECTOR, OBSTRUCT c94 §276A	Misd.				6 months		
Grid	1		Note A	94/277B	IMPORTED ITEM, FAIL LABEL, SUBSQ OFFENSE c94 §277B	Misd.				1 month		
Grid	1		Note A	94/289	TURPENTINE, UNMARKED ADULTERATED,3RD OFF c94 §289	Misd.				1 month		
Grid	1		Note A	94/291	PAINT, MISLABELLED c94 §291	Misd.				2 months		
Grid	1			94/303A	METHYL WOOD ALCOHOL, UNLICENSED SALE OF c94 §303A	Misd.				6 months		
Grid	1			94/303D	METHYL WOOD ALCOHOL SALES VIOLATION c94 §303D	Misd.				6 months		
Grid	1		Note A	94/305	PACKING BY WEIGHT, FRAUDULENT, 3RD OFF. c94 §305	Misd.		1 month		3 months		
Grid	1			94/307	TOBACCO PRODUCTS, SELL CONTAMINATED c94 §307	Misd.				6 months		
Grid	1		Note A	94B/3	HAZARDOUS SUBST TRADE SECRET, REVEAL c94B §3	Misd.				90 days		
Grid	1		Note A	94B/3	HAZARDOUS SUBST, MISBRANDED/BANNED c94B §3	Misd.				90 days		
Grid	1			94B/6	HAZARDOUS SUBST, OBSTRUCT SEARCH FOR c94B §6	Misd.				6 months		
Grid	1			94C/21	DRUG, PHARMACIST FAIL LABEL c94C 21	Misd.				6 months		
Grid	1			94C/22	DRUG, PRACTITIONER FAIL LABEL c94C 22	Misd.				6 months		
Grid	1			94C/22	PRESCRIPTION, WRITE IMPROPER c94C 22	Misd.				6 months		
Grid	1			94C/34	DRUG, POSSESS CLASS E c94C 34	Misd.				6 months		
Grid	1			94C/34	MARIHUANA, POSSESS c94C 34	Misd.				6 months		
Grid	1			100/9	AUCTION VIOLATION c100 §9	Misd.				6 months		
Grid	1			100/10	AUCTION WITHOUT PERMIT c100 §10	Misd.				6 months		
Grid	1			100A/7	MOTOR VEH REPAIR SHOP VIOL., UNREGISTERED c100A §7	Misd.				6 months		
Grid	1			100A/8	MV REPAIR SHOP VIOLATIONS c100A §8	Misd.				6 months		
Grid	1			100A/9	MV REPAIR SHOP RECORDS VIOLATION c100A §9	Misd.				6 months		
Grid	1		Note A	101/7	TRANSIENT VENDOR SPECIAL STATEMENT VIOL c101 §7	Misd.				2 months		
Grid	1		Note A	101/8	TRANSIENT VENDOR, UNLICENSED c101 §8	Misd.				2 months		
Grid	1			101/20	PEDDLING BY MINOR, PERMIT UNLAWFUL c101 §20	Misd.				6 months		
Grid	1			101/21	PEDDLING BY MINOR, PERMIT UNLAWFUL c101 §21	Misd.				6 months		
Grid	1			101/31	PEDDLING DOOR-TO-DOOR LICENSE, FALSE c101 §31	Misd.				6 months		
Grid	1			101/34	PEDDLING DOOR-TO-DOOR VIOLATION c101 §34	Misd.				6 months		
Grid	1			110/16	PLAY/MUSIC, UNAUTHORIZED PERFORMANCE OF c110 §16	Misd.				6 months		
Grid	1		Note A	110/23	CAN/BOTTLE, DEFACE REGISTERED c110 §23	Misd.				2 months		
Grid	1		Note A	110/25B	LINEN, MISUSE REGISTERED, SUBSEQUENT OFF. c110 §25B	Misd.				3 months		
Grid	1		Note A	110/25C	LINEN, DEFACE REGISTERED, SUBSEQUENT OFF c110 §25C	Misd.		30 days		3 months		
Grid	1			111/5A	VACCINE EMERGENCY ORDER VIOLATION c111 §5A	Misd.		30 days		3 months		
Grid	1			112/116	NURSING HOME ADMINISTRATOR, UNLICENSED c112 §116	Misd.				6 months		
Grid	1		Note A	111/154	HORSE KILLING/RENDERING, UNLICENSED c111 §154	Misd.				3 months		
Grid	1			111/160A	WATER SUPPLY BACKFLOW TESTING, UNLIC c111 §160A	Misd.				6 months		
Grid	1		Note A	111/171	WATER SUPPLY, BATHE IN c111 §171	Misd.				1 month		
Grid	1		Note A	111/171	WATER SUPPLY, POLLUTE c111 §171	Misd.				1 month		
Grid	1		Note A	111/174	WATER SUPPLY, DRIVE ANIMAL ON FROZEN c111 §174	Misd.				1 month		
Grid	1		Note A	111/186B	CHILD'S SLEEPWEAR, SELL FLAMMABLE, SUBSQ c111 §186B	Misd.				90 days		
Grid	1		Note A	111/196	LEAD PAINT, APPLY WILLFULLY c111 §196	Misd.				3 months		

## Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1			111/196	LEAD PAINT, SELL WILLFULLY c111 §196	Misd.				6 months		
Grid	1			112/2B	MEDICAL LAB TECHNICIAN SCHOOL, UNLIC c112 §2B	Misd.				6 months		
Grid	1			112/2C	MEDICAL X-RAY TECHNICIAN SCHOOL, UNLIC c112 §2C	Misd.				6 months		
Grid	1		Note A	112/30	DISPENSE CONTROLLED SUBSTANCE UNLAW c112 §30	Misd.				3 months		
Grid	1		Note A	112/38	PHARMACY, UNREGISTERED c112 §38	Misd.				1 month		
Grid	1			112/49	DENTISTRY UNDER FALSE NAME c112 §49	Misd.				6 months		
Grid	1			112/52	DENTIST FAIL EXHIBIT REGISTRATION c112 §52	Misd.				6 months		
Grid	1			112/52	DENTIST, UNLICENSED c112 §52	Misd.				6 months		
Grid	1			112/52	DENTAL HYGIENIST, UNLICENSED c112 §52	Misd.				6 months		
Grid	1			112/52A	DENTAL ADVERTISING, DECEPTIVE c112 §52A	Misd.				6 months		
Grid	1		Note A	112/59	VETERINARIAN, EMPLOY UNLICENSED c112 §59	Misd.				3 months		
Grid	1		Note A	112/59	VETERINARIAN, UNLICENSED c112 §59	Misd.				90 days		
Grid	1		Note A	112/59	VETERINARIAN, UNLICENSED, SUBSEQUENT OFF c112 §59	Misd.				6 months		
Grid	1		Note A	112/600	ARCHITECT VIOLATION c112 §600	Misd.				3 months		
Grid	1			112/65	PROFESSIONAL LIC SUSPENDED,PRACTICE WITH c112 §65	Misd.				6 months		
Grid	1		Note A	112/72A	OPTOMETRIST VIOLATION c112 §72A	Misd.				3 months		
Grid	1			112/72A	OPTOMETRIST VIOLATION, SUBSEQUENT OFF. c112 §72A	Misd.		3 months		6 months		
Grid	1		Note A	112/72A	OPTOMETRIST, UNLICENSED c112 §72A	Misd.				3 months		
Grid	1			112/72A	OPTOMETRIST, UNLICENSED, SUBSEQUENT OFF. c112 §72A	Misd.		3 months		6 months		
Grid	1		Note A	112/73A	EYEGASSES ADVERTISING VIOLATION c112 §73A	Misd.				3 months		
Grid	1		Note A	112/73B	OPTOMETRY PRACTICE WITH NON-OPTOMETRIST c112 §73B	Misd.				6 months		
Grid	1		Note A	112/73I	OPTICIAN VIOLATION c112 §73I	Misd.				3 months		
Grid	1		Note A	112/73I	OPTICIAN, UNLICENSED c112 §73I	Misd.				3 months		
Grid	1		Note A	112/81T	ENGINEERING/LAND SURVEYING VIOLATION c112 §81T	Misd.				3 months		
Grid	1		Note A	112/81T	ENGINEERING/LAND SURVEYING, UNLICENSED c112 §81T	Misd.				3 months		
Grid	1			112/84B	FUNERAL COSTS WRITTEN ESTIMATE,FAIL GIVE c112 §84B	Misd.				6 months		
Grid	1		Note A	112/87	FUNERAL DIRECTOR, UNLICENSED c112 §87	Misd.				2 months		
Grid	1			112/87AAA	REAL ESTATE BLOCKBUSTING c112 §87AAA	Misd.				6 months		
Grid	1		Note A	112/87R	BARBER, UNLICENSED c112 §87R	Misd.				90 days		
Grid	1		Note A	112/87R	BARBERING VIOLATION c112 §87R	Misd.				90 days		
Grid	1		Note A	112/87VV	TELEVISION/RADIO REPAIR, UNLICENSED c112 §87VV	Misd.		30 days		3 months		
Grid	1		Note A	112/122	PSYCHOLOGIST, UNLICENSED c112 §122	Misd.				3 months		
Grid	1		Note A	112/133	SOCIAL WORKER, UNLICENSED c112 §133	Misd.				3 months		
Grid	1		Note A	112/159	ACUPUNCTURIST, UNLICENSED c112 §159	Misd.				3 months		
Grid	1			112/194	REAL ESTATE APPRAISER, UNLIC c112 §194	Misd.				6 months		
Grid	1			114/42B	CEMETERY USE FOR MOTION PICTURE, UNAUTH c114 §42B	Misd.				6 months		
Grid	1			114/43M	BODY, IMPROPER DISPOSITION OF HUMAN c114 §43M	Misd.				6 months		
Grid	1			114/43N	CEMETERY VIOLATION c114 §43N	Misd.				6 months		
Grid	1		Note A	119/34	CHILD IN PATROL WAGON, TRANSPORT c119 §34	Misd.				3 months		
Grid	1			119/36	CHILD WITHOUT DSS PERMIT, IMPORT c119 §36	Misd.				6 months		

## Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1			122/23	TEWKSBURY HOSP PATIENT POSSESS LIQUOR c122 §23	Misd.				6 months		
Grid	1			128A/10A	RACE TRACK, TRESPASS AT c128A §10A	Misd.				6 months		
Grid	1		Note A	129/7	ANIMAL INSPECTION, OBSTRUCT DFA c129 §7	Misd.				2 months		
Grid	1		Note A	129/9	ANIMAL INSPECTION, OBSTRUCT MSPCA/ARL c129 §9	Misd.				2 months		
Grid	1		Note A	129/33A	CATTLE VIOLATION, TUBERCULIN-POSITIVE c129 §33A	Misd.				30 days		
Grid	1		Note A	129/36	ANIMAL, FAIL NOTIFY OF CONTAGIOUS DEAD c129 §36	Misd.				2 months		
Grid	1			130/18	FISH PROPAGATION AREA, INTERFERE WITH c130 §18	Misd.				6 months		
Grid	1		Note A	130/19	FISH, OBSTRUCT SPAWNING c130 §19	Misd.				30 days		
Grid	1		Note A	130/31	LOBSTER/CRAB/FISH POT/CATCH, TAKE/INJURE c130 §31	Misd.				2 months		
Grid	1			130/34	SMELTS TAKEN OUT OF SEASON, SUBSQ.OFF. c130 §34	Misd.				6 months		
Grid	1			130/36	SMELTS TAKEN FROM CLOSED AREA c130 §36	Misd.				6 months		
Grid	1	Note A	Note A	130/37	LOBSTER/CRAB WITHOUT LICENSE c130 §37	Misd.				30 days		
Grid	1		Note A	130/38	LOBSTER/CRAB LICENSE, FAIL EXHIBIT c130 §38	Misd.				3 months		
Grid	1		Note A	130/41	LOBSTER, TAKE EGG-BEARING, SUBSQ.OFF. c130 §41	Misd.		1 month	1 month	1 month		
Grid	1		Note A	130/41A	LOBSTER, TAKE EGG-BEARING, SUBSQ.OFF. c130 §41A	Misd.			3 months	3 months		
Grid	1		Note A	130/44	LOBSTER, SHORT, SUBSEQUENT OFFENSE c130 §44	Misd.		1 month	1 month	3 months		
Grid	1		Note A	130/67	SHELLFISH LICENSED GROUNDS VIOL c130 §67	Misd.				1 month		
Grid	1			130/67	SHELLFISH LICENSED GROUNDS VIOL, SUBSQ. c130 §67	Misd.				6 months		
Grid	1			130/68	SHELLFISH LICENSED GROUNDS VIOL c130 §68	Misd.		1 month	1 month	6 months		
Grid	1	Note A	Note A	130/70	SCALLOPS, IMMATURE c130 §70	Misd.		10 days	10 days	6 months		
Grid	1	Note A	Note A	130/71	SCALLOPS IN CLOSED SEASON c130 §71	Misd.				30 days		
Grid	1	Note A	Note A	130/72	SCALLOPS, EXCESS CATCH OF c130 §72	Misd.				30 days		
Grid	1			130/80	FISHING, COMMERCIAL LICENSE VIOL c130 §80	Misd.				30 days		
Grid	1	Note A	Note A	130/100B	STRIPED BASS TAKEN NOT BY ANGLING c130 §100B	Felony						3 years
Grid	1	Note A	Note A	130/100B	STRIPED BASS TAKEN NOT BY ANGLING c130 §100B	Misd.				60 days		
Grid	1	Note A	Note A	130/100B	STRIPED BASS TAKEN NOT BY ANGLING, ATT c130 §100B	Misd.				60 days		
Grid	1	Note A	Note A	130/100D	HEELING VIOLATION c130 §100D	Misd.				30 days		
Grid	1	Note A	Note A	130/100D	HEELING VIOLATION, ATTEMPTED c130 §100D	Misd.				30 days		
Grid	1			131/4	RIFLE OF IMPROPER CALIBER c131 4	Misd.				6 months		
Grid	1	Note A	Note A	131/5C	HUNT/FISH, OBSTRUCT c131 5C	Misd.				14 days		
Grid	1	Note A	Note A	131/13	DEER/WATERFOWL, HUNT WITHOUT STAMP c131 13	Misd.				30 days		
Grid	1	Note A	Note A	131/16	HUNT/FISH DUPLICATE LIC VIOL c131 16	Misd.				60 days		
Grid	1			131/19	FISH, IMPORT/INTRODUCE WITHOUT Lic. c131 19	Misd.				6 months		
Grid	1			131/19A	WILD ANIMAL IMPORT VIOLATION c131 19A	Misd.				6 months		
Grid	1	Note A	Note A	131/23	FISH/WILD ANIMAL, DEAL WITHOUT LIC c131 23	Misd.				6 months		
Grid	1	Note A	Note A	131/25	ANIMAL, POSSESS WITHOUT Lic. c131 25	Misd.				30 days		
Grid	1	Note A	Note A	131/25C	ANIMAL QUARANTINE VIOLATION c131 25C	Misd.				30 days		
Grid	1	Note A	Note A	131/26	ANIMAL, SELL WITHOUT ID TAG c131 26	Misd.				6 months		
Grid	1	Note A	Note A	131/27	TAXIDERMIST VIOLATION c131 27	Misd.				30 days		
Grid	1	Note A	Note A	131/28	ANIMAL FUR VIOLATION c131 28	Misd.				60 days		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1		Note A	131/32	LIC. UNDER c.131 VIOLATION c131 32	Misd.				30 days		
Grid	1		Note A	131/33	LIC. UNDER c.131, ALTER/FORGE c131 33	Misd.				60 days		
Grid	1		Note A	131/35	HUNT/FISH Lc., FAIL SURRENDER c131 35	Misd.				30 days		
Grid	1		Note A	131/44	TRASH DEPOSITED BY HUNTER/FISHER c131 44	Misd.				30 days		
Grid	1		Note A	131/45	GREAT POND, MUNICIPAL REGUL FOR c131 45	Misd.				30 days		
Grid	1		Note A	131/47	POND, ENCLOSE/FISH IMPROP c131 47	Misd.				30 days		
Grid	1		Note A	131/48	POND/RESERVOIR, DRAIN WITHOUT NOTICE c131 48	Misd.				60 days		
Grid	1		Note A	131/50	FISH OTHER THAN BY ANGLING c131 50	Misd.				30 days		
Grid	1		Note A	131/51	TROUT FISH OTHER THAN BY ANGLING c131 51	Misd.				30 days		
Grid	1		Note A	131/52	BAIT FISH VIOLATION, c131 52	Misd.				30 days		
Grid	1		Note A	131/52A	BEELING VIOLATION, COMMERCIAL c131 52A	Misd.				30 days		
Grid	1		Note A	131/53	FISH INLAND WATER WITH FLOATS c131 53	Misd.				30 days		
Grid	1		Note A	131/54	FISH INLAND WATER BY IMPROP METHOD c131 54	Misd.				30 days		
Grid	1		Note A	131/57	HUNT ON SUNDAY VIOLATION c131 57	Misd.				30 days		
Grid	1		Note A	131/58	FIREARM WITHIN 500 FT OF DWELLING c131 58	Misd.				30 days		
Grid	1		Note A	131/58	FIREARM, DISCHARGE NEAR HWAY c131 58	Misd.				30 days		
Grid	1		Note A	131/59	HUNT ON PUBL LAND WITHOUT PERMIT c131 59	Misd.				30 days		
Grid	1		Note A	131/60	HUNTING INJURY, FAIL REPORT c131 60	Misd.				6 months		
Grid	1			131/60	HUNTING WEAPON, PERSONAL INJURY WITH c131 60	Misd.				6 months		
Grid	1		Note A	131/61	HUNTING WEAPON, PROPERTY DAMAGE WITH c131 61	Misd.				60 days		
Grid	1		Note A	131/62	HUNT WHILE UNDER INFLUENCE OF DRUGS c131 62	Misd.				30 days		
Grid	1		Note A	131/62	HUNT WHILE UNDER INFLUENCE OF LIQUOR c131 62	Misd.				30 days		
Grid	1		Note A	131/63	SHOTGUN/RIFLE IN MV/PLANE/BOAT, LOADED c131 63	Misd.				60 days		
Grid	1		Note A	131/64	HUNT WITH AUTOMATIC WEAPON c131 64	Misd.				60 days		
Grid	1			131/68	HUNT BY ARTIFICIAL LIGHT c131 68	Misd.				6 months		
Grid	1		Note A	131/69	BOW & ARROW, HUNT WITH IMPROP c131 69	Misd.				30 days		
Grid	1		Note A	131/70	DEER TAGGING VIOLATION c131 72	Misd.				30 days		
Grid	1		Note A	131/70	HUNT BY IMPROPER MEANS c131 70	Misd.				60 days		
Grid	1		Note A	131/70	HUNT WITH FERRET/FITCH c131 77	Misd.				30 days		
Grid	1		Note A	131/71	HUNTER ORANGE VIOLATION c131 71	Misd.				30 days		
Grid	1			131/73	MOOSE, HUNT c131 73	Misd.				6 months		
Grid	1		Note A	131/74	BIRD NEST/EGGS, DISTURB c131 74	Misd.				30 days		
Grid	1			131/75	TURKEY, HUNT/POSSESS WILD c131 75	Misd.				6 months		
Grid	1			131/75A	BIRD OF PREY, HUNT c131 75A	Misd.				6 months		
Grid	1			131/79	TRAP/NET/SNARE BIRD/MAMMAL c131 79	Misd.				6 months		
Grid	1		Note A	131/80	TRAP, UNREGISTERED c131 80	Misd.				30 days		
Grid	1		Note A	131/80A	TRAP, LEGHOLD c131 80A	Misd.				30 days		
Grid	1		Note A	131/82	DEER, ALLOW DOG TO MOLEST c131 82	Misd.				30 days		
Grid	1		Note A	131/83	SPARROW/STARLING, BLOCK EXTERMINATION OF c131 83	Misd.				30 days		
Grid	1		Note A	131/84	HOMING PIGEON, INTERFERE WITH c131 84	Misd.				30 days		



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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1		Note A	131/76	MAMMAL. REMOVE IMPROP c131 76	Misd.				30 days		
Grid	1		Note A	131A/2	ENDANGERED SPECIES HABITAT. ALTER c131A §2	Misd.				90 days		
Grid	1		Note A	131A/2	ENDANGERED SPECIES. POSSESS/SELL/BUY c131A §2	Misd.				90 days		
Grid	1			132B/6A	PESTICIDE. IMPROP USE. 2ND OFF. c132B §6A	Misd.				6 months		
Grid	1			132B/6B	PESTICIDE USE. UTILITY FL.NOTIFY OF. 2ND c132B §6B	Misd.				6 months		
Grid	1			132B/14	PESTICIDE REGULATION VIOLATION. 2ND OFF. c132B §14	Misd.				6 months		
Grid	1			138/22	LIQUOR. TRANSPORT UNLAWFULLY c138 §22	Misd.				6 months		
Grid	1			138/25D	LIQUOR PRICE. FALSE STATEMENT OF c138 §25D	Misd.				6 months		
Grid	1			138/30G	LIQUOR SALE BY PURPORTED DRUGGIST c138 §30G	Misd.		1 month		6 months		
Grid	1			138/32	LIQUOR. PEDDLE FROM VEHICLE c138 §32	Misd.				6 months		
Grid	1			138/34	LIQUOR TO PERSON UNDER 21. SELL/DELIVER c138 §34	Misd.				6 months		
Grid	1		Note A	138/34B	LIQUOR ID CARD/LICENSE. FALSE/MISUSE c138 §34B	Misd.				3 months		
Grid	1		Note A	138/63A	LIQUOR INSPECTOR. OBSTRUCT c138 §63A	Misd.				2 months		
Grid	1		Note A	140/2	LICENSE IN VIOL.C.140. ISSUE. 3RD OFF. c140 2	Misd.				3 months		
Grid	1		Note A	140/12	RESTAURANT. DEFRAUD c140 12	Misd.				3 months		
Grid	1		Note A	140/18	INNKEEPER FAIL. POST NAME. 3RD OFF. c140 18	Misd.				3 months		
Grid	1		Note A	140/18	RESTAURANT OWNER NOT DISPLAY NAME. 3RD c140 18	Misd.				3 months		
Grid	1		Note A	140/20	INNKEEPER. UNLICENSED. 3RD OFF. c140 20	Misd.				3 months		
Grid	1		Note A	140/20	RESTAURANT. UNLICENSED. 3RD OFF. c140 20	Misd.				3 months		
Grid	1		Note A	140/21F	ORGANIZATION DISPENSE FOOD. UNLIC. 3RD c140 21F	Misd.				3 months		
Grid	1		Note A	140/24	LODGING HOUSE. UNLICENSED c140 24	Misd.				3 months		
Grid	1		Note A	140/27	HOTEL REGISTER. FAIL KEEP c140 27	Misd.				3 months		
Grid	1			140/46R	EMPLOYMENT AGENCY INFORMATION. DISCLOSE c140 46R	Misd.				6 months		
Grid	1			140/51	MASSAGE/BATHS. UNLICENSED c140 51	Misd.				6 months		
Grid	1			140/53	MASSAGE/BATHS BOH REGULATION VIOLATION c140 53	Misd.				6 months		
Grid	1			140/53	MASSAGE/BATHS INSPECTION. OBSTRUCT c140 53	Misd.				6 months		
Grid	1		Note A	140/76	PAWNBROKER. UNLICENSED c140 76	Misd.				2 months		
Grid	1		Note A	140/78	PAWNBROKER USURY VIOLATION c140 78	Misd.				2 months		
Grid	1		Note A	140/79	PAWNBROKER RECORDKEEPING VIOLATION c140 79	Misd.				2 months		
Grid	1		Note A	140/80	PAWNBROKER FAIL GIVE RECEIPT c140 80	Misd.				2 months		
Grid	1		Note A	140/81	PAWNBROKER OBSTRUCT INSPECTION OF BOOKS c140 81	Misd.				2 months		
Grid	1			140/84	PAWN TOOLS UNDER FALSE NAME c140 84	Misd.				6 months		
Grid	1			140/99	SMALL LOANS INVESTIGATION. OBSTRUCT c140 99	Misd.				6 months		
Grid	1			140/131H	FIREARM. ALIEN POSSESS c140 131H	Misd.				6 months		
Grid	1		Note A	140/157	DOG ORDER. DISOBEY c140 157	Misd.				30 days		
Grid	1		Note A	140/157	DOG ORDER. DISOBEY. SUBSQ.OFF. c140 157	Misd.				60 days		
Grid	1		Note A	140B/8	JUNKYARD VIOLATION c140B §8	Misd.		10 days		30 days		
Grid	1			141/5	ELECTRICIAN. UNLICENSED. SUBSQ.OFF. c141 §5	Misd.				6 months		
Grid	1			146/33	BOILER INSPECTION VIOLATION c146 §33	Misd.				6 months		
Grid	1		Note A	146/41	COMPRESSED AIR TANK VIOLATION c146 §41	Misd.				1 month		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1		Note A	146/53	HOISTING MACHINERY, IMPROP OPERATION OF c146 §53	Misd.				3 months		
Grid	1		Note A	146/53	HOISTING MACHINERY, PERMIT UNLIC OPER OF c146 §53	Misd.				3 months		
Grid	1		Note A	146/54	HOISTING MACHINERY LIC ON PERSON, OP W/O c146 §54	Misd.				3 months		
Grid	1		Note A	146/54A	HOISTING MACHINERY LIC INSPEC, OBSTRUCT c146 §54A	Misd.				3 months		
Grid	1		Note A	146/55	ENGINEER/FIREMAN/OPERATOR INSP, OBSTRUCT c146 §55	Misd.				3 months		
Grid	1		Note A	146/55	ENGINEER/FIREMAN/OPERATOR, UNLIC c146 §55	Misd.				3 months		
Grid	1			146/89	PIPEFITTER, UNLICENSED, SUBSQ.OFF. c146 §89	Misd.				6 months		
Grid	1		Note A	147/3	PUBLIC SAFETY INSPECTOR ACCEPT GIFT c147 §3	Misd.				3 months		
Grid	1		Note A	147/32	BOXING MATCH, UNLICENSED c147 §32	Misd.				3 months		
Grid	1		Note A	148/16	EXPLOSIVES/FLAMMABLES, IMPROP MAKE/STORE c148 §16	Misd.				1 month		
Grid	1		Note A	148/30A	FIRE VIOLATION NOTICE, VANDALIZE c148 §30A	Misd.				1 month		
Grid	1			148/40	FIREWORKS, MANUFACTURE WITHOUT BOND c148 §40	Misd.				6 months		
Grid	1			148/40	FIREWORKS, STORE IMPROP c148 §40	Misd.				6 months		
Grid	1			148/42	FIREWORKS, EXPLODE WITHOUT BOND c148 §42	Misd.				6 months		
Grid	1			148/46	STOVE POLISH, EXPLOSIVE c148 §46	Misd.				6 months		
Grid	1		Note A	148/54	CIGARETTE/MATCH, DROP ON FOREST/FIELD c148 §54	Misd.				30 days		
Grid	1		Note A	149/16	DOLI INSPECTOR ACCEPT GIFT c149 §16	Misd.				3 months		
Grid	1		Note A	149/19B	LIE DETECTOR NOTICE, EMPLOY APPL W/O, 2D c149 §19B	Misd.				90 days		
Grid	1		Note A	149/19B	LIE DETECTOR TEST, EMPLOYER USE, SUBSQ. c149 §19B	Misd.				90 days		
Grid	1		Note A	149/21	EMPLOYMENT ADVERTISEMENT, FALSE c149 §21	Misd.				3 months		
Grid	1			149/23A	STRIKE, EMPLOY ARMED GUARDS DURING c149 §23A	Misd.				6 months		
Grid	1		Note A	149/26	PREVAILING WAGE ON PUB WORKS, FL PAY, 2D c149 §26	Misd.				3 months		
Grid	1		Note A	149/26	PUBLIC WORKS, FL PREFER VETS/CITIZENS, 2D c149 §26	Misd.				3 months		
Grid	1		Note A	149/27B	PUBLIC WORKS WAGE RECORDS, FAIL KEEP, 2D c149 §27B	Misd.				3 months		
Grid	1			149/30	PUBLIC WORKS, EXCESS OVERTIME ON c149 §30	Misd.				6 months		
Grid	1			149/31	PUBLIC WORKS, EXCESS OVERTIME ON c149 §31	Misd.				6 months		
Grid	1			149/34	PUBLIC WORKS CONTRACT FAIL BAN EXCESS OT c149 §34	Misd.				6 months		
Grid	1			149/34A	WORKERS COMP ON PUBLIC WORK, FAIL HAVE c149 §34A	Misd.				6 months		
Grid	1		Note A	149/78	CHILD LABOR VIOL c149 §78	Misd.				1 month		
Grid	1		Note A	149/78	CHILD LABOR VIOL AFTER NOTICE c149 §78	Misd.				1 month		
Grid	1		Note A	149/78	CHILD LABOR VIOL AFTER NOTICE, SUBSQ.OFF. c149 §78	Misd.				2 months		
Grid	1		Note A	149/78	CHILD LABOR VIOL., SUBSQ.OFF. c149 §78	Misd.				2 months		
Grid	1		Note A	149/79	SCHOOL ATTENDANCE OFFICER, OBSTRUCT c149 §79	Misd.				2 months		
Grid	1		Note A	149/80	CHILD, ASSIST ILLEGAL STREET SALES BY c149 §80	Misd.				2 months		
Grid	1		Note A	149/81	CHILD LABOR VIOL BY PARENT c149 §81	Misd.				5 days		
Grid	1		Note A	149/81	CHILD LABOR VIOL BY PARENT, SUBSQ.OFF. c149 §81	Misd.				10 days		
Grid	1		Note A	149/82	CHILD LABOR VIOL BY OFFICIAL c149 §82	Misd.				2 months		
Grid	1		Note A	149/90	CHILD UNDER 16, EMPLOY c149 §90	Misd.				1 month		
Grid	1		Note A	149/90	CHILD UNDER 16, EMPLOY AFTER NOTICE c149 §90	Misd.				2 months		
Grid	1			149/104	CHILD ENTERTAINER, EMPLOY c149 §104	Misd.				6 months		

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1		Note A	149/122	EMPLOYER VENTILATION VIOL. SUBSQ.OFF. c149 §122	Misd.				2 months		
Grid	1		Note A	149/147G	EMPLOYER INDUSTRIAL HOMEWORK VIOLATION c149 §147G	Misd.				2 months		
Grid	1		Note A	149/148	EMPLOYER FAIL GIVE PAY STUB c149 §148	Misd.				2 months		
Grid	1		Note A	149/148	EMPLOYER FAIL PAY WAGES TIMELY c149 §148	Misd.				2 months		
Grid	1			149/150C	EMPLOYER FAIL PURCHASE DISABILITY INSUR c149 §150C	Misd.				6 months		
Grid	1		Note A	149/156	EMPLOYER PIECEWORK WEAVING VIOL. 3RD OFF c149 §156	Misd.				1 month		
Grid	1		Note A	149/163	DOLI EMPLOYMENT OFFICE ACCEPT FEE c149 §163	Misd.				1 month		
Grid	1		Note A	149/179B	EMPLOYER FAIL NOTIFY DOLI c149 §179B	Misd.				2 months		
Grid	1		Note A	151/1B	OVERTIME. EMPLOYER FAIL PAY c151 §1B	Misd.		10 days		90 days		
Grid	1		Note A	151/19	MINIMUM WAGE ORDER, EMPLOYER FAIL OBEY c151 §19	Misd.		10 days		90 days		
Grid	1		Note A	151/19	MINIMUM WAGE, EMPLOYER FAIL PAY c151 §19	Misd.		10 days		90 days		
Grid	1		Note A	151/19	MINIMUM WAGE, INTIMIDATE EMPLOYEE RE c151 §19	Misd.		10 days		90 days		
Grid	1		Note A	151A/37	UNEMPLOYMENT COMP REPRESENTATION, IMPROP c151A §37	Misd.				6 months		
Grid	1			151A/46	UNEMPLOYMENT COMP INFORMATION, DISCLOSE c151A §46	Misd.				6 months		
Grid	1			151A/47	UNEMPLOYMENT COMP, FALSE IDENTITY FOR c151A §47	Misd.				6 months		
Grid	1		Note A	152/60D	WORKERS COMP POLICY, ISSUE IMPROP c152 §60D	Misd.				3 months		
Grid	1		Note A	160/198A	RAILROAD TICKET, IMPROP SELL DISCOUNT c160 §198A	Misd.				1 month		
Grid	1		Note A	160/198B	RAILROAD TICKET, SELL/MISUSE DISCOUNT c160 §198B	Misd.				1 month		
Grid	1			160/220	RAILROAD FARE, EVADE c160 §220	Misd.				6 months		
Grid	1		Note A	160/227	RAILROAD, MALICIOUSLY STOP c160 §227	Misd.				1 month		
Grid	1		Note A	160/228	RAILROAD TOOLS, TAMPER WITH c160 §228	Misd.				3 months		
Grid	1		Note A	161/94	STREETCAR, OBSTRUCT c161 §94	Misd.				3 months		
Grid	1		Note A	161/96	STREETCAR OBSTRUCT PUBLIC WAY c161 §96	Misd.				3 months		
Grid	1		Note A	161A/5	MBTA, POSSESS LIQUOR TO CONSUME ON c161A §5	Misd.				30 days		
Grid	1			166/42B	CABLE TV/TELEPHONE SERVICE, UNLAWFUL c166 §42B	Felony					4 years	
Grid	1			166/42A	CABLE TV/TELEPHONE SERVICE BY FRAUD, OBTAIN OR ATT c166 §42A	Felony					3 years	
Grid	1			166A/18	CABLE TV VIOLATION c166A §18	Misd.				6 months		
Grid	1			172/26	TRUST COMPANY STOCK TRANSFER, FAIL REPT c172 §26	Misd.				6 months		
Grid	1			172/26A	TRUST COMPANY ACQUISITION, IMPROPER c172 §26A	Misd.				6 months		
Grid	1			172A/3	BANKING CO VIOLATION c172A §3	Misd.				6 months		
Grid	1			172A/7B	BANKING CO LOAN SECURED BY OWN STOCK c172A §7B	Misd.				6 months		
Grid	1		Note A	172A/8A	BANKING CO LOAN TO OFFICER c172A §8A	Misd.				90 days		
Grid	1			172A/10	BANKING CO FAIL REPORT RESERVES c172A §10	Misd.				6 months		
Grid	1			175/172	INSURANCE FIRE LOSS ADJUSTER, UNLICENSED/IMPROPER ADJUSTMENT c175 §172	Misd.				6 months		
Grid	1		Note A	175/174	INSURANCE CORP IMPROP INSURE STOCKHOLDER c175 §174	Misd.				30 days		
Grid	1		Note A	175/174	INSURANCE CORP STOCK TO INSURED,TRANSFER c175 §174	Misd.				30 days		
Grid	1			175/177B	INSURANCE ADVISER, UNLICENSED c175 §177B	Misd.				6 months		
Grid	1			175/177O	REINSURANCE INTERMEDIARY, UNLICENSED c175 §177O	Misd.				6 months		
Grid	1			175/181	INSURANCE CO/AGENT, MISREPRESENTATION BY c175 §181	Misd.				6 months		
Grid	1			175/187B	INSURANCE PREMIUM, FAIL REFUND, SUBSQ. c175 §187B	Misd.				6 months		

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statutory Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1		Note A	182/2	ASSOCIATION/TRUST FAIL FILE WITH MUNIC c182 §2	Misd.				3 months		
Grid	1		Note A	182/3	UTILITY ASSOC/TRUST FAIL FILE WITH DPU c182 §3	Misd.				3 months		
Grid	1		Note A	182/4	UTILITY ASSOC/TRUST FAIL FILE ANN REPORT c182 §4	Misd.				3 months		
Grid	1			185/118	REGISTERED LAND, CONVEY ENCUMBERED c185 §118	Felony				1 year		3 years
Grid	1			186/14	LANDLORD, WRONGFUL ACTS c186 §14	Misd.				6 months		
Grid	1			208/42	DIVORCE, PROCURE FRAUDULENT c208 §42	Misd.				6 months		
Grid	1			208/43	DIVORCES, ADVERTISE PROCURING c208 §43	Misd.				6 months		3 years
Grid	1			208/44	DIVORCE, ISSUE UNLAWFUL CERTIFICATE OF c208 §44	Felony				6 months		
Grid	1			221/41	LAW, UNAUTHORIZED PRACTICE OF c221 §41	Misd.				6 months		
Grid	1			221/46C	DEBT POOLING PLAN BY NON-ATTORNEY c221 §46C	Misd.				30 days		
Grid	1		Note A	224/18	CONTEMPT IN SUPPLEMENTARY PROCESS c224 §18	Misd.				1 month		
Grid	1		Note A	233/5	WITNESS FAIL TO APPEAR IN CRIMINAL CASE c233 §5	Misd.				1 month		
Grid	1		Note A	233/13A	WITNESS FAIL TO TESTIFY IN OTHER STATE c233 §13A	Misd.				1 month		
Grid	1		Note A	246/20	TRUSTEE PROCESS, EVADE c246 §20	Misd.				3 months		
Grid	1			255/13K	VOCATIONAL SCHOOL CONTRACT, IMPROPER c255 §13K	Misd.				6 months		
Grid	1			255B/4	MOTOR VEH FINANCE CO INQUIRY, OBSTRUCT c255B §4	Misd.				6 months		
Grid	1			255B/21	MOTOR VEH INSTALLMENT SALES VIOLATION c255B §21	Misd.				6 months		
Grid	1			255C/9	INSURANCE FINANCE AGENCY VIOLATION c255C §9	Misd.				6 months		
Grid	1			255D/4	INSTALLMENT SALES CO INQUIRY, OBSTRUCT c255D §4	Misd.				6 months		
Grid	1			255D/30	INSTALLMENT SALES VIOLATION c255D §30	Misd.				6 months		
Grid	1			258A/7A	VICTIM COMPEN CLAIM, FALSE STATEMENT IN c258A §7A	Misd.				6 months		
Grid	1			258C/12	VICTIM COMPEN CLAIM, FALSE STATEMENT IN c258C §12	Misd.				6 months		
Grid	1		Note A	264/10A	MILITARY UNIFORM, FUNDRAISING IN c264 §10A	Misd.				3 months		
Grid	1			264/19	SUBVERSIVE ORGANIZATION, MEMBERSHIP IN c264 §19	Felony				2 1/2 years		3 years
Grid	1			264/21	SUBVERSIVE ORGANIZATION RECORDS, DESTROY c264 §21	Felony				2 1/2 years		3 years
Grid	1			264/23	SUBVERSIVE ORGANIZATION, CONTRIBUTE TO c264 §23	Felony				2 1/2 years		3 years
Grid	1		Note A	265/12	BOXING MATCH, UNLAWFUL c265 §12	Misd.				3 months		
Grid	1		Note A	265/32	GLASS, THROW ON BEACH OR PUBLIC WAY c265 §32	Misd.				1 month		
Grid	1		Note A	265/34	TATTOOING c265 §34	Misd.				1 year		
Grid	1		Note A	265/42	RADIO ON PUBLIC CONVEYANCE c265 §42	Misd.				1 month		
Grid	1		Note A	266/9	FIRE ON ANOTHER'S LAND, FAIL EXTINGUISH c266 9	Misd.				1 month		
Grid	1		Note A	266/9	FIRE ON ANOTHER'S LAND, SET c266 9	Misd.				1 month		
Grid	1		Note A	266/9	FIRE TO ESCAPE OWN LAND, ALLOW c266 9	Misd.				1 month		
Grid	1			266/16A	B&E FOR MISDEMEANOR c266 16A	Misd.				6 months		
Grid	1			266/27	TOOLS, LARCENY OF CONSTRUCTION c266 27	Misd.				6 months		
Grid	1			266/47	DOG COLLAR, REMOVE c266 47	Misd.				6 months		
Grid	1			266/63	BOAT, USE WITHOUT AUTHORITY c266 63	Misd.				6 months		
Grid	1		Note A	266/64	HIRING VEHICLE, FRAUD IN c266 64	Misd.				2 months		
Grid	1		Note A	266/69	ASSOCIATION INSIGNIA, FALSE USE OF c266 69	Misd.				1 month		

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1		Note A	266/70	VETERANS ORG INSIGNIA, FALSE USE OF c266 70	Misd.				1 month		
Grid	1		Note A	266/75A	COIN MACHINE, FAIL DEPOSIT COIN IN c266 75A	Misd.				30 days		
Grid	1		Note A	266/75A	SLUG IN COIN MACHINE, ATTEMPT TO USE c266 75A	Misd.				30 days		
Grid	1		Note A	266/75A	SLUG IN COIN MACHINE, USE c266 75A	Misd.				30 days		
Grid	1			266/94	BOUNDARY MARK, VANDALIZE c266 94	Misd.				6 months		
Grid	1			266/94	BUILDING, VANDALIZE c266 94	Misd.				6 months		
Grid	1			266/94	LIGHT/POST/RAILING, VANDALIZE c266 94	Misd.				6 months		
Grid	1			266/94	SIGN, VANDALIZE c266 94	Misd.				6 months		
Grid	1			266/94	TRAFFIC SIGN/SIGNAL, VANDALIZE c266 94	Misd.				6 months		
Grid	1		Note A	266/104	BUILDING, VANDALIZE c266 104	Misd.				2 months		
Grid	1			266/113	EARTHEN FILL, TAKE c266 113	Misd.				6 months		
Grid	1			266/113	EARTHEN FILL, TAKE SUN/DISGUISE/NIGHT c266 113	Misd.		5 days		6 months		
Grid	1			266/113	PLANT MATERIAL, TAKE c266 113	Misd.				6 months		
Grid	1			266/113	PLANT MATERIAL, TAKE SUN/DISGUISE/NIGHT c266 113	Misd.		5 days		6 months		
Grid	1			266/113	TREES, CUT/DESTROY c266 113	Misd.				6 months		
Grid	1			266/113	TREES, CUT/DESTROY SUNDAY/DISGUISE/NIGHT c266 113	Misd.		5 days		6 months		
Grid	1			266/113	TREES, TAKE CUT c266 113	Misd.				6 months		
Grid	1			266/113	TREES, TAKE CUT SUNDAY/DISGUISE/NIGHT c266 113	Misd.		5 days		6 months		
Grid	1			266/113	WHARF, TAKE GOODS FROM c266 113	Misd.				6 months		
Grid	1			266/113	WHARF, TAKE GOODS FROM, SUN./DISGUISE/NT c266 113	Misd.		5 days		6 months		
Grid	1			266/114	FENCE, VANDALIZE c266 114	Misd.				6 months		
Grid	1			266/114	GATE/FENCE, LEAVE OPEN c266 114	Misd.				6 months		
Grid	1			266/114	GLASS, BREAK IN BUILDING c266 114	Misd.				6 months		
Grid	1			266/114	PRODUCE OR LAND FIXTURE, LARCENY OF c266 114	Misd.				6 months		
Grid	1			266/115	GARDEN/ORCHARD/NURSERY/BOG, LARCENY FROM c266 115	Misd.				6 months		
Grid	1			266/117	TRESPASS FOR TREE/PLANT/FRUIT §c266 117	Misd.				6 months		
Grid	1			266/117	TRESPASS FOR TREE/PLANT/FRUIT SUN./NIGHT c266 117	Misd.		5 days		6 months		
Grid	1		Note A	266/119	PESTS, TRANSPORT UNLAWFULLY c266 119	Misd.				2 months		
Grid	1		Note A	266/120	TRESPASS c266 120	Misd.				30 days		
Grid	1			266/120E	MEDICAL FACILITY, OBSTRUCT c266 120E	Misd.				6 months		
Grid	1		Note A	266/121	TRESPASS WITH FIREARM c266 121	Misd.				2 months		
Grid	1		Note A	266/123	TRESPASS ON STATE/COUNTY PROPERTY c266 123	Misd.				3 months		
Grid	1		Note A	266/132	PIGEONS, KILL/FRIGHTEN c266 132	Misd.				1 month		
Grid	1			266/133	HUMANE SOCIETY, LARCENY/DESTRUCT/TRESPASS c266 133	Misd.				6 months		
Grid	1		Note A	266/135	BEACON/GUIDE, VANDALIZE FEDERAL c266 135	Misd.				3 months		
Grid	1			266/137	MILL, INJURE BY ERECTING DAM c266 137	Misd.				6 months		
Grid	1			267/2	ADMISSION TICKET, FORGE c267 §2	Felony				2 years		3 years
Grid	1			267/2	RAILROAD TICKET, FORGE c267 §2	Felony				2 years		3 years
Grid	1			267/4	RAILROAD STAMP, FORGE/MISUSE c267 §4	Felony				2 years		3 years
Grid	1			267/6	ADMISSION TICKET, UTTER FALSE c267 §6	Felony				2 years		3 years

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1			267/6	RAILROAD TICKET, UTTER FALSE c267 §6	Felony				2 years		3 years
Grid	1		Note A	267/29	ADVERTISING RESEMBLING CURRENCY c267 §29	Misd.				3 months		
Grid	1		Note A	268/8B	CIVIL SVCE APPOINTMENT, COMPEL TO DECLINE c268 8B	Misd.				2 months		
Grid	1		Note A	268/14B	WITNESS, EMPLOYER DISCHARGE c268 14B	Misd.				1 month		
Grid	1		Note A	268/24	POLICE OFFICER, FAIL ASSIST c268 24	Misd.				1 month		
Grid	1		Note A	268/25	JUSTICE OF PEACE, FAIL ASSIST c268 25	Misd.				1 month		
Grid	1		Note A	268/26	PRISONER, DELIVER LIQUOR TO c268 26	Misd.				2 months		
Grid	1		Note A	268/27	PATIENT, DELIVER LIQUOR TO c268 27	Misd.				2 months		
Grid	1		Note A	268/30	CORRECTIONAL INSTITUTION, DISTURB c268 30	Misd.				3 months		
Grid	1			269/12	DANGEROUS WEAPONS, MFR/SELL CERTAIN c269 12	Misd.				6 months		
Grid	1			269/12A	BB GUN/AIR RIFLE, SELL/GIVE TO MINOR c269 12A	Misd.				6 months		
Grid	1		Note A	269/12E	FIREARM, DISCHARGE WITHIN 500 FT OF BLDG c269 12E	Misd.				3 months		
Grid	1		Note A	269/14A	TELEPHONE CALLS, ANNOYING c269 14A	Misd.				3 months		
Grid	1		Note A	269/14A	TELEPHONE CALLS, OBSCENE c269 14A	Misd.				3 months		
Grid	1		Note A	270/5	DRUGS TO HOSPITALIZED ADDICT, DELIVER c270 §5	Misd.				2 months		
Grid	1		Note A	270/5	LIQUOR TO HOSPITALIZED ALCHOLIC, DELIVER c270 §5	Misd.				2 months		
Grid	1		Note A	270/9	GARBAGE TO FOOD ANIMAL, FEED CITY c270 §9	Misd.				1 month		
Grid	1		Note A	270/9	GARBAGE TO MILK COW, FEED TOWN c270 §9	Misd.				2 months		
Grid	1			270/18	GLUE/TOXIC SUBSTANCE, INHALE c270 s 18	Misd.				6 months		
Grid	1			270/19	GLUE TO MINOR, SELL UNLAWFULLY c270 s 19	Misd.				6 months		
Grid	1		Note A	271/2	GAMING IN PUBLIC/TRESPASSING c271 §2	Misd.				3 months		
Grid	1		Note A	271/3	GAMING, ALLOW PREMISES FOR c271 §3	Misd.				3 months		
Grid	1		Note A	271/3	GAMING, ALLOW PREMISES FOR, SUBSQ.OFF. c271 §3	Misd.				3 months		
Grid	1		Note A	271/5	GAMING APPARATUS, KEEP c271 §5	Misd.				3 months		
Grid	1		Note A	271/5	GAMING HOUSE, KEEP COMMON c271 §5	Misd.				3 months		
Grid	1		Note A	271/5	GAMING, PLAY/PRESENT AT c271 §5	Misd.				3 months		
Grid	1			271/32	HORSE, RACE DISGUISED c271 §32	Misd.				6 months		
Grid	1		Note A	271/42	BETTING ON BOXING MATCH c271 §42	Misd.		3 months				
Grid	1			271/50	EXAM, TAKE FOR ANOTHER AT SCHOOL c271 §50	Misd.				6 months		
Grid	1			271/50	RESEARCH PAPER, SELL FOR USE BY ANOTHER c271 §50	Misd.				6 months		
Grid	1		Note A	272/18	FORNICATION c272 18	Misd.				3 months		
Grid	1			272/25	RESTAURANT/BAR, BARRED DOORS IN c272 25	Misd.				6 months		
Grid	1			272/25	RESTAURANT/BAR, UNLICENSED ENCLOSURE IN c272 25	Misd.				6 months		
Grid	1			272/29	OBSCENE MATTER, DISTRIBUTE c272 29	Misd.				6 months		
Grid	1		Note A	272/40	PUBLIC ASSEMBLY, DISTURB c272 40	Felony			2 1/2 years			5 years
Grid	1		Note A	272/40	PUBLIC ASSEMBLY, DISTURB, 3RD/SUBSQ.OFF. c272 40	Misd.			1 month			
Grid	1		Note A	272/40	SCHOOL, DISTURB c272 40	Misd.			1 month			
Grid	1		Note A	272/40	SCHOOL, DISTURB, 3RD OFF. c272 40	Misd.			1 month			
Grid	1		Note A	272/40A	SCHOOL, POSSESS LIQUOR IN c272 40A	Misd.			30 days			
Grid	1		Note A	272/41	LIBRARY, DISTURB c272 41	Misd.			30 days			

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Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	1		Note A	272/42	FUNERAL PROCESSION, DISTURB c272 42	Misd.				1 month		
Grid	1		Note A	272/42	FUNERAL PROCESSION, DISTURB, 3RD OFF. c272 42	Misd.				1 month		
Grid	1		Note A	272/43	DISORDERLY CONDUCT ON PUB CONVEY.3RD OFF c272 43	Misd.				1 month		
Grid	1		Note A	272/43	DISORDERLY CONDUCT ON PUBLIC CONVEYANCE c272 43	Misd.				1 month		
Grid	1		Note A	272/43A	SMOKING ON MBTA c272 43A	Misd.				10 days		
Grid	1			272/53	DISORDERLY CONDUCT c272 53	Misd.				6 months		
Grid	1			272/53	DISTURBING THE PEACE c272 53	Misd.				6 months		
Grid	1			272/53	INDECENT EXPOSURE c272 53	Misd.				6 months		
Grid	1			272/53	LEWD, WANTON & LASCIVIOUS CONDUCT c272 53	Misd.				6 months		
Grid	1			272/53	NIGHTWALKER, COMMON c272 53	Misd.				6 months		
Grid	1			272/53	STREETWALKER, COMMON c272 53	Misd.				6 months		
Grid	1			272/58	CHILD UNDER 15 BEGGING, EMPLOY/PERMIT c272 58	Misd.				6 months		
Grid	1			272/70	BODY, TAKE ON CIVIL PROCESS c272 70	Misd.				6 months		
Grid	1			272/75	GRAVE FLOWERS/FLAG/TOKEN, REMOVE c272 75	Misd.				6 months		
Grid	1		Note A	272/77B	ANIMAL, EXHIBIT WILD c272 77B	Misd.				30 days		
Grid	1			272/78	HORSE, SELL/DRIVE UNFIT c272 78	Misd.				6 months		
Grid	1			272/78A	HORSE FOAL-5 MONTHS SOLD WITHOUT DAM c272 78A	Misd.				6 months		
Grid	1		Note A	272/86	HORSE, STABLE IMPROP IN A TOWN c272 86	Misd.				1 month		
Grid	1		Note A	272/86A	HORSE, STABLE IMPROP IN A CITY c272 86A	Misd.				1 month		
Grid	1		Note A	272/86B	HORSES, STABLE +15 W/O SPRINKER/WATCHMAN c272 86B	Misd.				1 month		
Grid	1		Note A	272/86C	SMOKING IN HORSE STABLE c272 86C	Misd.				1 month		
Grid	1		Note A	272/86D	HORSE STABLE, NO WATER/SAND PAILS IN c272 86D	Misd.				1 month		
Grid	1		Note A	272/87	BIRD, SHOOT/KEEP FOR SHOOTING c272 87	Misd.				1 month		
Grid	1		Note A	272/92A	PUBLIC ACCOMMODATION, ADVERTISE DISCRIM c272 92A	Misd.				30 days		
Grid	1		Note A	272/95	ANIMAL FIGHT, PRESENCE AT c272 95	Misd.				1 month		
Grid	1			275/2	THREAT TO COMMIT CRIME c275 §2	Misd.				6 months		
Grid	1			276/19	FUGITIVE, FAIL BRING BEFORE COURT c276 §19	Misd.				6 months		
Grid	1				Common Law AFFRAY common law	Common Law						
Grid	Contingent		Same as Substantive	94C/40	CONSPIRACY TO VIOLATE DRUG LAW c94C §40	Felony						
Grid	Contingent		Same as Substantive	274/2	ACCESSORY BEFORE THE FACT c274 s2	Felony						
Grid	Contingent		Same as Substantive	274/3	COUNSELING OR PROCURING A FELONY c274 s3	Felony						
Grid	Contingent		Same as Substantive	274/7	CONSPIRACY c274 7 - Death or Life	Felony				2 1/2 years		20 years
Grid	Contingent		Same as Substantive	274/7	CONSPIRACY c274 7 - Felony exceeding 10 years	Felony				2 1/2 years		10 years
Grid	Contingent		Same as Substantive	274/7	CONSPIRACY c274 7 - Felony not more than 10 years	Felony				2 1/2 years		5 years
Grid	Contingent		Same as Substantive	274/7	CONSPIRACY c274 7 - Misdemeanor	Misd.				2 1/2 years		
Grid	None		Note Charging	267/17	COUNTERFEIT COIN c267 §17	Felony						Life
Grid	None		Note Charging	267/17	COUNTERFEIT COINS, POSSESS 10 c267 §17	Felony						Life
Grid	None		Note Charging	267/18	COUNTERFEIT COIN, UTTER c267 §18	Felony				2 years		10 years
Grid	None		Note Charging	267/18	COUNTERFEIT COINS, POSSESS UNDER 10 c267 §18	Felony				2 years		10 years
Grid	None		Note Charging	267/19	COUNTERFEIT COIN, COMMON UTTERER OF c267 §19	Felony						20 years

# Appendix A. Massachusetts Sentencing Commission Felony and Misdemeanor Master Crime List

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
Grid	None		Note Charging	267/20	COUNTERFEITING EQUIPMENT, POSSESS COIN c267 §20	Felony				2 years		10 years
Grid	None		Note Charging	267/27	NOTES, POSSESS WORTHLESS/FALSE c267 §27	Felony				2 1/2 years		5 years
Grid	None		Note Charging	267/28	NOTE, UTTER WORTHLESS/FALSE c267 §28	Felony				2 1/2 years		5 years
Grid	None		Note Charging	272/14	ADULTERY c272 14	Felony				2 years		3 years
Grid	None		Note Charging	272/20	BIRTH CONTROL, ADVERTISE IMPROP c272 20	Felony				2 1/2 years		3 years
Grid	None		Note Charging	272/20	MISCAARRIAGE, ADVERTISE IMPROP c272 20	Felony				2 1/2 years		3 years
Grid	None		Note Charging	272/21	ABORTION, IMPROP INSTRUMENT FOR c272 21	Felony				2 1/2 years		5 years
Grid	None		Note Charging	272/21	BIRTH CONTROL, IMPROP INSTRUMENT FOR c272 21	Felony				2 1/2 years		5 years
Grid	None		Note Charging	272/21	MASTURBATION, INSTRUMENT FOR c272 21	Felony				2 1/2 years		5 years
No Grid		2	Note D	90/23	LICENSE SUSPENDED FOR OUI, OPER MV WITH c90 23	Misd.		60 days	60 days	2 1/2 years		
No Grid		2	Note D	90/24	OUI DRUGS c90 24	Misd.				2 1/2 years		
No Grid		2	Note D	90/24	OUI DRUGS, 2ND OFFENSE c90 24	Misd.		30 Days	60 days	2 1/2 years		
No Grid		3	Note D	90/24	OUI DRUGS, 3RD OFFENSE c90 24	Felony		150 Days	180 days	2 1/2 years	2 1/2 years	5 years
No Grid		4	Note D	90/24	OUI DRUGS, 4TH OFFENSE c90 24	Felony		12 Months	24 months	2 1/2 years	2 1/2 years	5 years
No Grid		4	Note D	90/24	OUI DRUGS, 5TH OFFENSE c90 24	Felony		24 Months	2 1/2 years	2 1/2 years	2 1/2 years	5 years
No Grid		2	Note D	90/24	OUI LIQUOR c90 24	Misd.				2 1/2 years		
No Grid		2	Note D	90/24	OUI LIQUOR, 2ND OFFENSE c90 24	Misd.		30 Days	60 days	2 1/2 years		
No Grid		3	Note D	90/24	OUI LIQUOR, 3RD OFFENSE c90 24	Felony		150 Days	180 days	2 1/2 years	2 1/2 years	5 years
No Grid		4	Note D	90/24	OUI LIQUOR, 4TH OFFENSE c90 24	Felony		12 Months	24 months	2 1/2 years	2 1/2 years	5 years
No Grid		4	Note D	90/24	OUI LIQUOR, 5TH OFFENSE c90 24	Felony		24 Months	2 1/2 years	2 1/2 years	2 1/2 years	5 years
No Grid		2	Note D	90B/8	BOAT OUI DRUGS c90B 8 (A)	Misd.				2 1/2 years		
No Grid		2	Note D	90B/8	BOAT OUI DRUGS, 2ND OFFENSE c90B 8 (A)	Misd.		14 days	14 days	2 1/2 years		
No Grid		3	Note D	90B/8	BOAT OUI DRUGS, 3RD OFFENSE c90B 8 (A)	Misd.		180 days	6 months	2 1/2 years		
No Grid		4	Note D	90B/8	BOAT OUI DRUGS, 4TH OFFENSE c90B 8 (A)	Felony		1 year	1 year	2 1/2 years	2 1/2 years	10 years
No Grid		4	Note D	90B/8	BOAT OUI DRUGS, 5TH OFFENSE c90B 8 (A)	Felony		2 years	2 years	2 1/2 years	2 1/2 years	10 years
No Grid		2	Note D	90B/8	BOAT OUI LIQUOR c90B 8 (A)	Misd.				2 1/2 years		
No Grid		2	Note D	90B/8	BOAT OUI LIQUOR, 2ND OFFENSE c90B 8 (A)	Misd.		14 days	14 days	2 1/2 years		
No Grid		3	Note D	90B/8	BOAT OUI LIQUOR, 3RD OFFENSE c90B 8 (A)	Misd.		180 days	6 months	2 1/2 years		
No Grid		4	Note D	90B/8	BOAT OUI LIQUOR, 4TH OFFENSE c90B 8 (A)	Felony		1 year	1 year	2 1/2 years	2 1/2 years	10 years
No Grid		4	Note D	90B/8	BOAT OUI LIQUOR, 5TH OFFENSE c90B 8 (A)	Felony		2 years	2 years	2 1/2 years	2 1/2 years	10 years
No Grid		5	Note D	269/10E	FIREARMS, TRAFFICKING IN 3-9 c269 10E	Felony		3 years	3 years		3 years	10 years
No Grid		4	Note D	269/10(a)	FIREARM, CARRY W/O LICENSE c269 10(a)	Felony		1 year	1 year	2 1/2 years	2 1/2 years	5 years
No Grid		5	Note D	269/10(c)	MACHINE GUN, POSSESS c269 10(c)	Felony		1 year	1 year	2 1/2 years		Life
No Grid		5	Note D	269/10(c)	SHOTGUN, POSSESS SAWED-OFF c269 10(c)	Felony		1 year	1 year	2 1/2 years		Life
No Grid		6	Note D	269/10(d)	DANGEROUS WEAPON, CARRY, 2ND OFF c269 10(d)	Felony		5 years	5 years		5 years	7 years
No Grid		7	Note D	269/10(d)	DANGEROUS WEAPON, CARRY, 3RD OFF c269 10(d)	Felony		7 years	7 years		7 years	10 years
No Grid		8	Note D	269/10(d)	DANGEROUS WEAPON, CARRY, 4TH OFF c269 10(d)	Felony		10 years	10 years		10 years	15 years
No Grid		6	Note D	269/10(d)	FIREARM, CARRY W/O LICENSE, 2ND OFF c269 10(d)	Felony		5 years	5 years		5 years	7 years
No Grid		7	Note D	269/10(d)	FIREARM, CARRY W/O LICENSE, 3RD OFF c269 10(d)	Felony		7 years	7 years		7 years	10 years
No Grid		8	Note D	269/10(d)	FIREARM, CARRY W/O LICENSE, 4TH OFF c269 10(d)	Felony		10 years	10 years		10 years	15 years



**Appendix A. Massachusetts Sentencing Commission  
Felony and Misdemeanor Master Crime List**

Grid	Sentence Level	Criminal Level	Comment	Chapter	Offense Literal	Penalty Type	Statute Factor	Mand. Time	Min H/C	Max H/C	Min Prison	Max Prison
No Grid		6	Note D	269/10(d)	MACHINE GUN, POSSESS, 2ND OFF, c269	Felony		5 years			5 years	7 years
No Grid		7	Note D	269/10(d)	MACHINE GUN, POSSESS, 3RD OFF, c269	Felony		7 years			7 years	10 years
No Grid		8	Note D	269/10(d)	MACHINE GUN, POSSESS, 4TH OFF, c269	Felony		10 years			10 years	15 years
No Grid		6	Note D	269/10(d)	SHOTGUN, POSSESS SAWED-OFF, 2ND OFF, c269	Felony		5 years			5 years	7 years
No Grid		7	Note D	269/10(d)	SHOTGUN, POSSESS SAWED-OFF, 3RD OFF, c269	Felony		7 years			7 years	10 years
No Grid		8	Note D	269/10(d)	SHOTGUN, POSSESS SAWED-OFF, 4TH OFF, c269	Felony		10 years			10 years	15 years
No Grid		8	Note D	269/10E	FIREARMS, TRAFFICKING IN +19 c269	Felony		10 years			10 years	Life
No Grid		6	Note D	269/10E	FIREARMS, TRAFFICKING IN 10-19 c269	Felony		5 years			5 years	10 years

# GLOSSARY

<b>Grid</b>	Proposed placement of the offense into the grid or no grid.
<b>Sentencing Level</b>	Proposed placement of the offense into a level within the grid.
<b>Criminal History Level</b>	Notations for offenses carrying criminal history enhancements, and criminal history equivalencies for offenses not on the grid.
<b>Comment</b>	Explanatory notes regarding the specific offense or reference to the End Notes section
<b>Chapter</b>	MGL chapter and section
<b>Offense Literal</b>	Descriptive title of offense
<b>Penalty Type</b>	Misdemeanor or Felony
<b>Staircase Factor</b>	The factor that distinguishes the appropriate level for a multi-leveled offense
<b>Mand. Time</b>	This indicates a mandatory minimum term of incarceration for the offense. This is the minimum time to be served by the offender.
<b>Min H/C</b>	Where applicable, the minimum term of imprisonment to a house of correction. The minimum term of imprisonment is not necessarily a mandatory term of incarceration.
<b>Max H/C</b>	For those offenses where a house of correction sentence is permitted, the maximum term of imprisonment allowed to a house of correction.
<b>Min Prison</b>	Where applicable, the minimum term of imprisonment to the state prison. The minimum term of imprisonment is not necessarily a mandatory term of incarceration.
<b>Max Prison</b>	For those offenses where a state prison sentence is permitted, the maximum term of imprisonment allowed to the state prison

## END NOTES

**Note A:**

For this offense the guidelines range may exceed the statutory maximum. Where the statutorily authorized maximum sentence is less than the minimum of the applicable guideline range, the statutorily authorized maximum sentence shall be the guideline sentence. Where the statutorily authorized maximum sentence is less than the maximum of the applicable guideline range, the statutorily authorized maximum sentence shall be the maximum of the guideline range.

**Note B:**

For this offense the statutory minimum term of imprisonment may exceed the guideline range. Where a statutorily required minimum sentence is greater than the maximum of the applicable guideline range, the use of the guideline range shall not constitute a departure. If a crime provides for an option of incarceration which carries a minimum term of imprisonment and the minimum term of imprisonment exceeds the guideline range, the imposition of the statutory minimum shall not constitute a departure.

**Note C:**

A departure below a mandatory minimum sentence for drug crimes is not permitted unless the defendant has no prior conviction for a drug trafficking offense at level 7 or 8 and the sentencing judge finds one or more mitigating circumstances that should result in a sentence different from the mandatory minimum sentence.

If the judge departs below the mandatory minimum sentence, the judge may impose a sentence below the appropriate guideline range, provided that:

- the criminal history of the defendant falls in category A or B; and,
- there is a compelling reason beyond the mitigating circumstance that justified the departure below the mandatory minimum sentence that should result in a sentence below the guideline range.

**Note D:**

The guideline sentence for this offense is not contained in the Sentencing Grid. Rather, the Commission established a sentencing guideline for this offense in line with the statutory provisions, without any departures from those statutory provisions.

**Note E:**

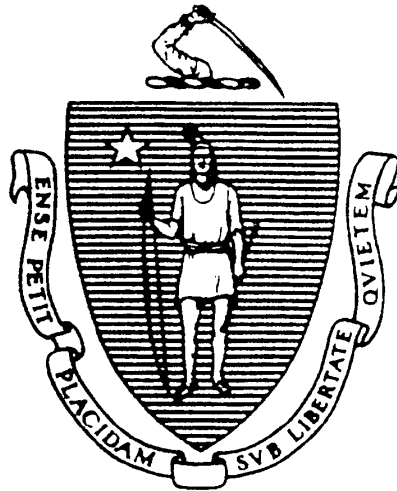
Other mandatory offense. The commission determined that there shall be no departure below the mandatory minimum sentence for these crimes.



# **APPENDIX B.**

## **MASSACHUSETTS SENTENCING COMMISSION**

### **SENTENCING FORMS**



## **I. Identification Section**

Offender's Name	Offender's Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	Offender's Birthdate	Probation Central File Number
Judge's Name	Offender's Race <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Unknown		Offender's Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic
Name of Person Completing Form	Type of Conviction <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Neg. Plea <input type="checkbox"/> Non-neg Plea		
Court	Date of Sentence		

## II. Criminal History

Prior Convictions for Level 7, Level 8 or Level 9 Offenses	<input type="checkbox"/> None			<input type="checkbox"/> One	<input type="checkbox"/> Two or More
Prior Convictions for Level 5 or Level 6 Offenses	<input type="checkbox"/> None		<input type="checkbox"/> One	<input type="checkbox"/> Two or More	
Prior Convictions for Level 3 or Level 4 Offenses	<input type="checkbox"/> None	<input type="checkbox"/> One or Two	<input type="checkbox"/> Three to Five	<input type="checkbox"/> Six or More	
Prior Convictions for Level 1 or Level 2 Offenses	<input type="checkbox"/> Zero to Five	<input type="checkbox"/> Six or More			
<b>Final Criminal History Group</b>	<input type="checkbox"/> <b>Group A</b>	<input type="checkbox"/> <b>Group B</b>	<input type="checkbox"/> <b>Group C</b>	<input type="checkbox"/> <b>Group D</b>	<input type="checkbox"/> <b>Group E</b>

### III. Severity of Instant Offense

Name of Offense No.1				Name of Offense No.2			
Chapter and Section		Guidelines Level		Chapter and Section		Guidelines Level	
Docket Number:		Date of Offense:		Docket Number:		Date of Offense:	
Staircasing Factor				Staircasing Factor			
A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Armed Robbery: <input type="checkbox"/> No Gun <input type="checkbox"/> Display Gun Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Manslaughter: <input type="checkbox"/> Voluntary <input type="checkbox"/> Involuntary Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling				A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Armed Robbery: <input type="checkbox"/> No Gun <input type="checkbox"/> Display Gun Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Manslaughter: <input type="checkbox"/> Voluntary <input type="checkbox"/> Involuntary Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling			
Sentence Imposed: <input type="checkbox"/> State Prison Sentence      _____ NLT Mos.      _____ NMT Mos. <input type="checkbox"/> House of Correction Sentence      _____ NLT Mos.      _____ NMT Mos.				Sentence Imposed: <input type="checkbox"/> State Prison Sentence      _____ NLT Mos.      _____ NMT Mos. <input type="checkbox"/> House of Correction Sentence      _____ NLT Mos.      _____ NMT Mos.			
Intermediate Sanctions		Sentence Imposed:		Intermediate Sanctions		Sentence Imposed:	
<input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV		<input type="checkbox"/> Single Charge      # Charges _____ <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed		<input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV		<input type="checkbox"/> Single Charge      # Charges _____ <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed	

Note: Use additional forms if more than two charges.

#### IV. Aggravating/Mitigating Factors Related to Departure

☐ Departure

Signature of Judge	Date:
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PLEASE RETURN TO HONORABLE ROBERT A. MULLIGAN, C/O MA SENTENCING COMMISSION, 100 CAMBRIDGE STREET, ROOM 902, BOSTON, MA 02202

**Massachusetts Sentencing Commission Guideline Sentence Form (Superior Court)**

**(continued)**

Offender's Name	Judge's Name	Probation Central File Number
Court	Date of Sentence	

**Additional Offense(s)**

<b>Name of Offense No.3</b>		<b>Name of Offense No.4</b>	
Chapter and Section	Guidelines Level	Chapter and Section	Guidelines Level
Docket Number:	Date of Offense:	Docket Number:	Date of Offense:
<b>Staircasing Factor</b> A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Armed Robbery: <input type="checkbox"/> No Gun <input type="checkbox"/> Display Gun Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Manslaughter: <input type="checkbox"/> Voluntary <input type="checkbox"/> Involuntary Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling		<b>Staircasing Factor</b> A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Armed Robbery: <input type="checkbox"/> No Gun <input type="checkbox"/> Display Gun Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Manslaughter: <input type="checkbox"/> Voluntary <input type="checkbox"/> Involuntary Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling	
Sentence Imposed: <input type="checkbox"/> State Prison Sentence _____ NLT Mos. _____ NMT Mos. <input type="checkbox"/> House of Correction Sentence _____ NLT Mos. _____ NMT Mos.		Sentence Imposed: <input type="checkbox"/> State Prison Sentence _____ NLT Mos. _____ NMT Mos. <input type="checkbox"/> House of Correction Sentence _____ NLT Mos. _____ NMT Mos.	
<b>Intermediate Sanctions</b> <input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV	<b>Sentence Imposed:</b> <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  No. of Charges _____ <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed	<b>Intermediate Sanctions</b> <input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV	<b>Sentence Imposed:</b> <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  No. of Charges _____ <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed

<b>Name of Offense No.5</b>		<b>Name of Offense No.6</b>	
Chapter and Section	Guidelines Level	Chapter and Section	Guidelines Level
Docket Number:	Date of Offense:	Docket Number:	Date of Offense:
<b>Staircasing Factor</b> A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Armed Robbery: <input type="checkbox"/> No Gun <input type="checkbox"/> Display Gun Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Manslaughter: <input type="checkbox"/> Voluntary <input type="checkbox"/> Involuntary Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling		<b>Staircasing Factor</b> A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Armed Robbery: <input type="checkbox"/> No Gun <input type="checkbox"/> Display Gun Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Manslaughter: <input type="checkbox"/> Voluntary <input type="checkbox"/> Involuntary Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling	
Sentence Imposed: <input type="checkbox"/> State Prison Sentence _____ NLT Mos. _____ NMT Mos. <input type="checkbox"/> House of Correction Sentence _____ NLT Mos. _____ NMT Mos.		Sentence Imposed: <input type="checkbox"/> State Prison Sentence _____ NLT Mos. _____ NMT Mos. <input type="checkbox"/> House of Correction Sentence _____ NLT Mos. _____ NMT Mos.	
<b>Intermediate Sanctions</b> <input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV	<b>Sentence Imposed:</b> <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  No. of Charges _____ <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed	<b>Intermediate Sanctions</b> <input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV	<b>Sentence Imposed:</b> <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  No. of Charges _____ <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed

<b>Signature of Judge</b>	<b>Date:</b>
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PLEASE RETURN TO HONORABLE ROBERT A. MULLIGAN, C/O MA SENTENCING COMMISSION, 100 CAMBRIDGE STREET, ROOM 902, BOSTON, MA 02202

**Massachusetts Sentencing Commission Guideline Sentence Form (District Court)**

**I. Identification Section**

Offender's Name	Offender's Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	Offender's Birthdate	Probation Central File Number
Judge's Name	Offender's Race <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	Offender's Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic	
Name of Person Completing Form	Type of Conviction <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Neg. Plea <input type="checkbox"/> Non-neg Plea		
Court	Date of Sentence		

**II. Criminal History**

Prior Convictions for Level 7, Level 8 or Level 9 Offenses	<input type="checkbox"/> None		<input type="checkbox"/> One	<input type="checkbox"/> Two or More
Prior Convictions for Level 5 or Level 6 Offenses	<input type="checkbox"/> None	<input type="checkbox"/> One	<input type="checkbox"/> Two or More	
Prior Convictions for Level 3 or Level 4 Offenses	<input type="checkbox"/> None	<input type="checkbox"/> One or Two	<input type="checkbox"/> Three to Five	<input type="checkbox"/> Six or More
Prior Convictions for Level 1 or Level 2 Offenses	<input type="checkbox"/> Zero to Five	<input type="checkbox"/> Six or More		
<b>Final Criminal History Group</b>	<input type="checkbox"/> <b>Group A</b>	<input type="checkbox"/> <b>Group B</b>	<input type="checkbox"/> <b>Group C</b>	<input type="checkbox"/> <b>Group D</b> <input type="checkbox"/> <b>Group E</b>

**III. Severity of Instant Offense**

<b>Name of Offense No.1</b>		<b>Name of Offense No.2</b>	
Chapter and Section	Guidelines Level	Chapter and Section	Guidelines Level
Docket Number:	Date of Offense:	Docket Number:	Date of Offense:
Staircasing Factor  A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling		Staircasing Factor  A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling	
Sentence Imposed:  <input type="checkbox"/> House of Correction Sentence _____ NLT Mos. _____ NMT Mos.		Sentence Imposed:  <input type="checkbox"/> House of Correction Sentence _____ NLT Mos. _____ NMT Mos.	
Intermediate Sanctions  <input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV	Sentence Imposed:  <input type="checkbox"/> Single Charge # Charges _____ <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed	Intermediate Sanctions  <input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV	Sentence Imposed:  <input type="checkbox"/> Single Charge # Charges _____ <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed

Note: Use additional forms if more than two charges.

**IV. Aggravating/Mitigating Factors Related to Departure**

<input type="checkbox"/> Departure
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Signature of Judge	Date:
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PLEASE RETURN TO HONORABLE ROBERT A. MULLIGAN, C/O MA SENTENCING COMMISSION, 100 CAMBRIDGE STREET, ROOM 902, BOSTON, MA 02202



**Massachusetts Sentencing Commission Guideline Sentence Form (District Court)**

**(continued)**

Offender's Name	Judge's Name	Probation Central File Number
Court	Date of Sentence	

**Additional Offense(s)**

<b>Name of Offense No.3</b>		<b>Name of Offense No.4</b>	
Chapter and Section	Guidelines Level	Chapter and Section	Guidelines Level
Docket Number:	Date of Offense:	Docket Number:	Date of Offense:
<b>Staircasing Factor</b> A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling		<b>Staircasing Factor</b> A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling	
<b>Sentence Imposed:</b> <input type="checkbox"/> House of Correction Sentence      _____ NLT Mos.      _____ NMT Mos.		<b>Sentence Imposed:</b> <input type="checkbox"/> House of Correction Sentence      _____ NLT Mos      _____ NMT Mos.	
<b>Intermediate Sanctions</b> <input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV	<b>Sentence Imposed:</b> <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  No. of Charges _____ <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed	<b>Intermediate Sanctions</b> <input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV	<b>Sentence Imposed:</b> <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  No. of Charges _____ <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed

<b>Name of Offense No.5</b>		<b>Name of Offense No.6</b>	
Chapter and Section	Guidelines Level	Chapter and Section	Guidelines Level
Docket Number:	Date of Offense:	Docket Number:	Date of Offense:
<b>Staircasing Factor</b> A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling		<b>Staircasing Factor</b> A&B with DW: <input type="checkbox"/> No/Minor Injury <input type="checkbox"/> Moderate Injury <input type="checkbox"/> Significant Injury Larceny: <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000-\$50,000 <input type="checkbox"/> Over \$50,000 Breaking & Entering: <input type="checkbox"/> Dwelling <input type="checkbox"/> Non-Dwelling	
<b>Sentence Imposed:</b> <input type="checkbox"/> House of Correction Sentence      _____ NLT Mos.      _____ NMT Mos.		<b>Sentence Imposed:</b> <input type="checkbox"/> House of Correction Sentence      _____ NLT Mos      _____ NMT Mos.	
<b>Intermediate Sanctions</b> <input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV	<b>Sentence Imposed:</b> <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  No. of Charges _____ <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed	<b>Intermediate Sanctions</b> <input type="checkbox"/> Probation _____ Mos. <input type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III <input type="checkbox"/> Level IV	<b>Sentence Imposed:</b> <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive  No. of Charges _____ <input type="checkbox"/> Restitution \$ _____ <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Filed

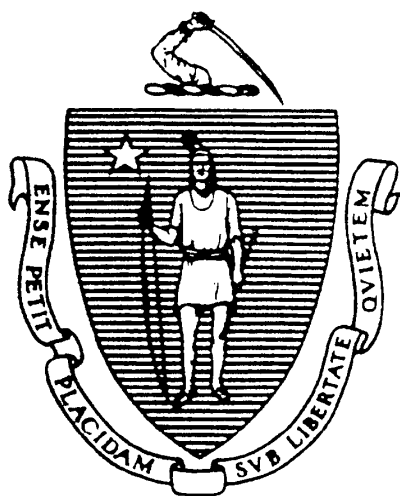
<b>Signature of Judge</b>	<b>Date:</b>
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PLEASE RETURN TO HONORABLE ROBERT A. MULLIGAN, C/O MA SENTENCING COMMISSION, 100 CAMBRIDGE STREET, ROOM 902, BOSTON, MA 02202



**APPENDIX C.**  
**MASSACHUSETTS SENTENCING**  
**COMMISSION**

**SURVEY OF SENTENCING PRACTICES**



## **Additional Methodological Notes**

This section provides some additional details of the methodology utilized by the commission not covered in the body of the report including definitions of terms. The second part of this appendix presents detailed tables of the results of the survey of sentencing practices.

*Cases Selected for Analysis.* The parsing method identified the date of disposition for the individual case record. This is the date preceding the first disposition and conviction for the case. The cases selected for analysis are those cases which reached an initial disposition during a selected time frame.

*Sentencing Hierarchy.* In some instances an individual arraignment may be subject to multiple sentences. For example, a fine may be given in conjunction with a house of correction sentence. For purposes of this analysis, the following hierarchy was applied to developing sentencing groups:

- Split Sentence Department of Correction
- Split Sentence House of Correction
- Department of Correction - State Prison or Reformatory Sentence
- House of Correction Sentence
- Probation Sentence
- Fine Sentence
- No Sentence

*Initial Sentence.* Because the sentencing guidelines will be initially used for initial sentencing decisions, the analysis focuses on the initial sentence given for a particular charge. Therefore, a charge that was originally sentenced to a fine and subsequently resulted in a commitment to a house of correction in lieu of payment of the fine is treated as a fine sentence. Similarly, those individuals who are committed to a state or county correctional facility as a result of a probation violation are considered to be initially sentenced to a term of probation supervision.

*Sentencing Event.* The **sentencing event** represents that event at which a charge, or group of charges, reached final disposition. An individual defendant can have multiple sentencing events during any sampling time period. One or more charges can be included in a sentencing event. One or more courts can be included in a sentencing event. As currently defined, a sentencing event occurs on a single calendar day.

*Sampling Time Period.* The sampling time period is any period of time defined by the particular analysis.

*Disposed Charges.* Only those charges that were disposed of during the sampling time period are included in the sentencing event. The arraignment date of the charge was not used as a basis for selecting cases for analysis of the sentencing event. The date at which a determination of conviction / non-conviction was initially entered for the charge was used and is referred to as the **disposition date**.

*Convicted Dispositions.* Only those charges that were disposed of with a result of conviction during the sampling time period were included in the sentencing event. Charges that were excluded from the analysis are:

- Charges that were disposed of with a result other than conviction during the sampling time period;
- Charges that were pending during the sampling time period; and,
- Charges that were arraigned during the sampling period but which were disposed of after the sampling period.

*Federal Courts.* Federal district courts from Massachusetts are generally included as a part of the database. These dispositions were not included in defining the sentencing event, even if the charge was disposed of and resulted in a conviction during the sampling period.

*Sentence Group.* A unique sentence group was assigned to each convicted charge. It is possible that individual charges could result in more than one condition applied. For example, a sentence of incarceration might also be accompanied by a fine. A “split” sentence includes a term of incarceration along with a term of probation supervision. In all cases, the charge was assigned to a unique sentence group in a hierarchical fashion as outlined below:

- Life sentence
- Split State Sentence
- State Prison Sentence
- Reformatory Sentence
- Split House of Correction Sentence
- House of Correction Sentence
- Probation Sentence
- Fine Sentence
- Other Sentence

*Life Sentences.* Life sentences appear as a separate sentence group from the state prison category. A life sentence was any disposition in which the word “life” appears. There were two charges involving a single defendant where a life sentence was given with a lesser term of years to be served, that is a split sentence. These two

charges were included as life sentences. For purposes of calculating average sentence length, lifers were included in the calculation with an estimated length of sentence of 270 months or 22-1/2 years.

*Split Sentences.* Split sentences are characterized by a sentence that includes both a term of incarceration, the split portion, and a suspended sentence. Split sentences were defined as those dispositions with one or more split sentence words as defined in the vocabulary table (other than life sentences). A further distinction was made between split sentences to be served at the DOC and split sentences to be served at houses of correction.

**State Split Sentences**

- split sentence with a minimum suspended term;
- split sentences with a maximum suspended term of more than 30 months;
- split sentences with no minimum or maximum term but convicted at a superior court.

**County Split Sentences**

- Split sentences with no minimum suspended term
- Split sentences with a maximum suspended term of 30 months or less;
- Split sentences with no minimum or maximum term but convicted in a lower court.

*State Sentences.* State sentences were those sentences with one or more valid incarceration words with the following additional characteristics:

**State prison sentences**

- Minimum term of incarceration of any length or
- Maximum term of incarceration of greater than 30 months
- One or more words specifying a state sentence with no minimum or maximum sentence length

**State Reformatory sentences**

- No minimum term of incarceration and
- Maximum term of incarceration greater than 30 months

*House of Correction Sentences.* House of correction sentences were those sentences with one or more valid incarceration words with the following additional characteristics:

- No minimum term of incarceration and
- Maximum term of incarceration of 30 months or less

*Sentence Length.* For each incarcerative sentence group, a sentence length was selected as shown below:

Life	Life
State Prison	Minimum sentence length
Reformatory	Maximum sentence length
House of Correction	Maximum sentence length
Split Sentence	Split portion of the sentence

In the analysis, sentence length is expressed in months and was derived using the following formula: [sentence-length-years \* 12] + [sentence-length-months] + [sentence-length-days / 30]. The minimum sentence length was selected for state prison sentences because this will most closely resemble the sentence length set under guidelines. During the time period under study (Fiscal Year 1994) parole eligibility was set at one-third or two-thirds of the state prison minimum sentence length and therefore is a valid predictor of expected length of stay. Under guidelines the minimum sentence will be the parole eligibility date and will be automatically set at two-thirds of the maximum sentence length.

When calculating average sentence length, cases with missing information and Reformatory sentences were excluded from the analysis. Very few Reformatory sentences were given during the sample period under analysis. The nominal sentence length of a Reformatory sentence is much longer than expected time to serve and therefore was not considered a valid predictor of expected length of stay for use in constructing guideline sentences. Reformatory sentences are included in the calculation of incarceration rates and are used to establish the lead charge for the purposes of selecting the sentencing event.

*Lead Charge.* Within a unique sentencing event, a single conviction is assigned to the category of “lead” charge using the following conventions:

- Within a given disposition date, the **type of sentence** in which the conviction resulted is ranked according to the following categories:
  - Life Sentences
  - State Prison sentence
  - State Reformatory sentence
  - Split State Prison sentence or Split Reformatory Sentence
  - House of Correction Sentence
  - Split House of Correction Sentence
  - Probation Sentence
  - Fine Sentence
  - Other Sentence

- Within a given sentence category, the charge is further ranked according to **sentence length**;
- Within a given sentence category and sentence length, the docket number is used to rank charges.
- Longest sentence length within group (5 years)

*Estimating Grid Placement for Staircased Offenses.* The analysis employed the following assumptions in placing staircased offenses in the grid:

Manslaughter	Level 8	State Prison and Reformatory Sentences
	Level 6	House of Correction Sentences
Armed Robbery	Level 7	All indicating use of gun Random assignment of remaining cases such that 25% of armed robbery cases are assigned to level 7
	Level 6	75% of all cases
A&B w/DW	Level 6	Superior Court cases sentenced to DOC
	Level 4	Superior Court cases sentenced to HOC
	Level 4	District Court cases - top 25% of sentence length
	Level 3	District Court cases - lower 75% of sentence length
Larceny/RSG	Level 4	Cases sentenced to DOC
	Level 2	Cases sentenced to HOC
Vehicular Homicide	Level 4	Cases sentenced to HOC
	Level 4	Non-OUI cases sentenced to DOC
	Level 6	OUI cases sentenced to DOC

Estimates were made from survey of sentencing practices and should be supplemented with analysis of case histories of sample defendants.

### **Statistical Presentation of Survey Results**

The following nine tables present additional detailed information from the Survey of Sentencing Practices.



**Table 13.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - All Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
9	Sub-Total	32	17	10	12	0	71	32	17	10	12	0	71	100%	100%	100%	100%																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											

**Table 13.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - All Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T			
6	Rape Of Child	103	31	22	8	1	165	73	27	19	6	1	126	71%	87%	86%	75%	100%	76%			
6	Assault To Rape	11	3	2	0	0	16	10	1	1	0	0	12	91%	33%	50%			75%			
6	Indecent A&B Mentally Retarded	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%			
6	Child Pornography	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%			
6	Armed Robbery	103	60	81	68	0	312	72	52	68	63	0	255	70%	87%	84%	93%		82%			
6	Armed Assault To Rob	20	15	12	17	0	64	19	14	11	16	0	60	95%	93%	92%	94%		94%			
6	Carjacking	1	1	1	1	0	4	1	1	1	1	0	4	100%	100%	100%	100%		100%			
6	Kidnapping	14	6	6	7	0	33	8	5	5	7	0	25	57%	83%	83%	100%		76%			
6	Burning Dwelling House	6	2	0	7	0	15	2	2	0	6	0	10	33%	100%		86%		67%			
6	Dist Class A Subsequent	0	2	2	2	0	6	0	2	2	2	0	6		100%	100%	100%		100%			
6	Cocaine 28-100	48	19	16	7	0	90	48	19	16	7	0	90	100%	100%	100%	100%		100%			
6	Heroin 14-28	4	1	1	0	0	6	4	1	1	0	0	6	100%	100%	100%			100%			
6	Marijuana 2000-10000	0	0	1	1	0	2	0	0	1	1	0	2		100%	100%	100%		100%			
6	Hom By MV While Und Infl Liq	3	1	1	0	0	5	3	1	1	0	0	5	100%	100%	100%			100%			
6	Poss Explosive Device	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%			
5	Sub-Total	260	137	103	84	0	584	141	97	95	74	0	407	54%	71%	92%	88%		70%			
5	Indecent A&B On Child	159	65	23	12	0	259	68	33	21	5	0	127	43%	51%	91%	42%		49%			
5	Robbery	41	35	43	45	0	164	21	31	38	43	0	133	51%	89%	88%	96%		81%			
5	Stalk/Following	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%			
5	Stalk In Viol 208,209A/Injunc	5	4	4	4	0	17	5	4	4	4	0	17	100%	100%	100%	100%		100%			
5	Burglary	6	8	10	15	0	39	3	6	9	14	0	32	50%	75%	90%	93%		82%			
5	Dist Class B Subsequent	0	5	1	2	0	8	0	5	1	2	0	8		100%	100%	100%		100%			
5	Cocaine 14-28	37	16	21	4	0	78	37	16	21	4	0	78	100%	100%	100%	100%		100%			
5	Marijuana 100-2000	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%			
5	Conspiracy Trafficking Heroin	7	2	0	2	0	11	6	1	0	2	0	9	86%	50%		100%		82%			
5	Inducing Minor To Sex	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%			
5	Perjury	3	1	1	0	0	5	0	0	1	0	0	1	0%	0%	100%			20%			
4	Sub-Total	2091	1321	976	701	7	5096	1048	866	790	596	6	3306	50%	66%	81%	85%		65%			

**Table 13.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - All Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate									
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T						
4	A&B On Corr Institution Guard	0	2	2	9	0	13	0	2	2	9	0	13		100%	100%	100%			100%	100%				100%
4	A&B Dangerous Weapon	42	57	45	28	0	172	42	57	45	28	0	172	100%	100%	100%	100%								100%
4	A&B To Collect Loan	0	0	1	0	0	1	0	0	0	0	0	0			0%									0%
4	Sodomy	1	0	0	0	0	1	1	0	0	0	0	1	100%											100%
4	Indecent Assault And Battery	179	69	34	16	1	299	62	30	25	13	0	130	35%	43%	74%	81%	0%							43%
4	Armed Assault To Rob	4	1	7	2	0	14	3	0	5	2	0	10	75%	0%	71%	100%								71%
4	Intimidation	44	47	31	22	0	144	14	23	22	18	0	77	32%	49%	71%	82%								53%
4	Stalk/Following	34	11	16	10	0	71	10	5	8	7	0	30	29%	45%	50%	70%								42%
4	Stalk In Viol 208,209A/Injunc	11	8	4	0	0	23	5	2	2	0	0	9	45%	25%	50%									39%
4	2Nd/Subsq After C265 A,B Cvict	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%										0%
4	Larceny	4	2	3	4	0	13	4	2	3	4	0	13	100%	100%	100%	100%								100%
4	Larceny More	7	4	7	4	0	22	7	4	7	4	0	22	100%	100%	100%	100%								100%
4	Larceny From A Building	0	0	0	2	0	2	0	0	0	2	0	2												100%
4	Larceny From A Person	191	143	110	108	1	553	86	90	84	90	1	351	45%	63%	76%	83%	100%							63%
4	Larceny Of A MV	0	1	1	6	1	9	0	1	1	6	1	9		100%	100%	100%	100%							100%
4	Breaking And Entering	10	9	23	69	0	111	10	9	23	69	0	111	100%	100%	100%	100%								100%
4	Attempt Breaking & Entering	8	8	2	10	0	28	0	4	2	9	0	15	0%	50%	100%	90%								54%
4	Receiving Stolen Property	2	5	9	11	1	28	2	5	9	11	1	28	100%	100%	100%	100%	100%							100%
4	Attempt Arson Of MV	1	1	0	0	0	2	1	0	0	0	0	1	100%	0%										50%
4	Burning Building	8	4	1	3	0	16	3	3	1	3	0	10	38%	75%	100%	100%								63%
4	Burning To Defraud	4	0	0	0	0	4	0	0	0	0	0	0	0%											0%
4	Poss Class A Cont Sub w/int or 2nd	12	6	6	6	0	30	6	3	4	5	0	18	50%	50%	67%	83%								60%
4	Poss Class B Cont Sub w/int or 2nd	20	10	7	7	0	44	9	5	7	6	0	27	45%	50%	100%	86%								61%
4	Poss To Distribute Class A	232	166	131	82	0	611	103	92	103	59	0	357	44%	55%	79%	72%								58%
4	Poss To Distribute Class B	715	434	272	125	2	1548	274	249	194	95	2	814	38%	57%	71%	76%	100%							53%
4	Dist Class A Heroin	197	86	68	38	1	390	93	55	61	32	1	242	47%	64%	90%	84%	100%							62%
4	Dist Class B Cocaine	115	64	68	14	0	261	115	64	68	14	0	261	100%	100%	100%	100%								100%
4	Distributing Cont Sub	2	8	3	5	0	18	2	8	3	5	0	18	100%	100%	100%	100%								100%
4	Trafficking Cont Sub	7	0	1	0	0	8	7	0	1	0	0	8	100%	100%	100%									100%
4	Marijuana 50-100	2	0	0	0	0	2	2	0	0	0	0	2	100%											100%

**Table 13.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - All Courts**

LEVEL	OFFENSE	All Defendants										Incarcerated Defendants										Incarceration Rate									
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T						
4	Larceny Cont Sub	6	4	2	1	0	13	3	3	1	1	0	8	50%	75%	50%	100%			62%											
4	Giving Prisoner Cont Sub	13	0	1	2	0	16	1	0	1	2	0	4	8%		100%	100%			25%											
4	Control Substance School	120	101	55	38	0	314	120	101	55	38	0	314	100%	100%	100%	100%			100%											
4	Homicide By MV	28	3	1	1	0	33	28	3	1	1	0	33	100%	100%	100%	100%			100%											
4	Hom By MV While Und Infl Liq	14	1	0	0	0	15	11	1	0	0	0	12	79%	100%					80%											
4	OUI Drug Oper Negl Ser Inj	2	0	0	0	0	2	2	0	0	0	0	2	100%						100%											
4	OUI Serious Inj, Fel	3	6	0	0	0	9	2	5	0	0	0	7	67%	83%					78%											
4	Deriv Support By Prostitution	1	2	0	0	0	3	1	2	0	0	0	3	100%	100%					100%											
4	Accessory After	15	9	5	1	0	30	5	3	3	0	0	11	33%	33%	60%	0%			37%											
4	Escape	23	39	54	71	0	187	10	30	45	58	0	143	43%	77%	83%	82%			76%											
4	Bribery	1	0	0	0	0	1	0	0	0	0	0	0	0%						0%											
4	Extortion	4	2	2	1	0	9	1	2	1	1	0	5	25%	100%	50%	100%			56%											
4	Bomb Hoax	4	1	0	2	0	7	1	1	0	1	0	3	25%	100%	100%	50%			43%											
4	Violation Of Explosives	4	6	4	3	0	17	2	2	3	3	0	10	50%	33%	75%	100%			59%											
3	Sub-Total	9227	6026	3272	2252	12	20789	1430	1997	1760	1483	8	6678	15%	33%	54%	66%	67%	32%												
3	Assault And Battery	3054	2139	1051	556	2	6802	386	591	534	352	2	1865	13%	28%	51%	63%	100%	27%												
3	A&B On Corr Institution Guard	1	2	0	3	0	6	1	1	0	3	0	5	100%	50%		100%		83%												
3	A&B Dangerous Weapon	903	549	273	111	0	1836	158	192	145	69	0	564	17%	35%	53%	62%		31%												
3	Assault Dangerous Weapon	561	366	200	145	1	1273	150	167	121	111	1	550	27%	46%	61%	77%	100%	43%												
3	Unnatural Acts	15	12	3	3	0	33	3	5	1	0	0	9	20%	42%	33%	0%		27%												
3	Violation Of Civil Rights	10	11	4	1	1	27	1	6	3	1	1	12	10%	55%	75%	100%	100%	44%												
3	Restraining Order Violation	854	804	425	250	1	2334	157	280	221	144	1	803	18%	35%	52%	58%	100%	34%												
3	Larceny More	1006	520	314	260	2	2102	100	137	142	161	1	541	10%	26%	45%	62%	50%	26%												
3	Larceny From A Building	34	37	27	28	0	126	5	21	18	19	0	63	15%	57%	67%	68%		50%												
3	Theft Of A Firearm	7	3	1	0	0	11	4	2	0	0	0	6	57%	67%	0%			55%												
3	Larceny Of A MV	142	110	86	83	1	422	42	62	60	71	1	236	30%	56%	70%	86%	100%	56%												
3	Obt Under False Pret	3	9	3	0	0	15	0	3	3	0	0	6	0%	33%	100%			40%												
3	Embezzlement	10	2	0	0	0	12	6	1	0	0	0	7	60%	50%				58%												
3	Fraud	35	11	4	2	0	52	5	1	2	0	0	8	14%	9%	50%	0%		15%												

**Table 13.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - All Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate									
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T						
3	Poss Burglariou Tools	102	72	52	59	0	285	17	29	34	41	0	121	17%	40%	65%	69%			17%	40%	65%	69%		42%
3	Breaking And Entering	1031	704	544	507	2	2788	240	325	366	371	0	1302	23%	46%	67%	73%	0%		23%	46%	67%	73%	0%	47%
3	Forgery And Uttering	232	170	117	125	1	645	31	47	52	80	1	211	13%	28%	44%	64%	100%		13%	28%	44%	64%	100%	33%
3	Burning (Arson)	37	25	8	5	0	75	13	13	3	4	0	33	35%	52%	38%	80%			35%	52%	38%	80%		44%
3	Burning Motor Vehicle	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%					0%	100%			50%
3	Illegal Lottery	5	3	1	0	0	9	0	0	0	0	0	0	0	0%	0%				0%	0%	0%			0%
3	Poss To Distribute Class C	6	4	4	1	0	15	2	3	1	1	0	7	33%	75%	25%	100%			33%	75%	25%	100%		47%
3	Mfg Class C Cont Sub	1	1	1	0	0	3	1	1	0	0	0	2	100%	100%	0%				100%	100%	0%			67%
3	Distribute/Dispense Class C	2	0	0	0	0	2	1	0	0	0	0	1	50%						50%					50%
3	Homicide By MV	17	3	0	0	0	20	0	0	0	0	0	0	0	0%	0%				0%	0%				0%
3	Leaving Scene Property Damage	808	302	85	66	0	1261	43	62	30	29	0	164	5%	21%	35%	44%			5%	21%	35%	44%		13%
3	Leaving Scene:Person Injured	173	66	16	17	0	272	22	21	6	12	0	61	13%	32%	38%	71%			13%	32%	38%	71%		22%
3	OUI Serious Inj. Misd	6	3	1	0	0	10	2	1	0	0	0	3	33%	33%	0%				33%	33%	0%			30%
3	Gun Serial Number	4	0	1	0	0	5	3	0	1	0	0	4	75%		100%				75%		100%			80%
3	Poss Altered Firearm	3	2	0	0	0	5	3	1	0	0	0	4	100%	50%					100%	50%				80%
3	No Support	22	10	5	3	0	40	6	0	0	0	0	6	27%	0%	0%	0%			27%	0%	0%	0%		15%
3	Carrying Dangerous Weapon	136	81	41	25	1	284	27	24	14	13	0	78	20%	30%	34%	52%	0%		20%	30%	34%	52%	0%	27%
3	Obstructing Firefighter	3	1	4	2	0	10	0	0	2	1	0	3	0%	0%	50%	50%			0%	0%	50%	50%		30%
3	Neglect	3	2	0	0	0	5	1	1	0	0	0	2	33%	50%					33%	50%				40%
3	Missile Throwing	1	1	0	0	0	2	0	0	0	0	0	0	0	0%	0%				0%	0%				0%
2	Sub-Total	13868	6312	2830	1866	7	24883	1278	1609	1120	965	2	4974	9%	25%	40%	52%	29%		9%	25%	40%	52%	29%	20%
2	Assault	75	47	27	14	0	163	10	19	8	5	0	42	13%	40%	30%	36%			13%	40%	30%	36%		26%
2	Accosting	13	8	1	0	0	22	0	4	0	0	0	4	0%	50%	0%				0%	50%	0%			18%
2	Threatening	328	268	146	81	1	824	60	93	74	47	1	275	18%	35%	51%	58%	100%		18%	35%	51%	58%	100%	33%
2	Annoy Person Opposite Sex	5	1	1	0	0	7	0	0	0	0	0	0	0	0%	0%	0%			0%	0%	0%			0%
2	Larceny	1605	569	231	179	0	2584	42	67	58	66	0	233	3%	12%	25%	37%			3%	12%	25%	37%		9%
2	Attempt Larceny	10	3	5	5	0	23	0	1	4	3	0	8	0%	33%	80%	60%			0%	33%	80%	60%		35%
2	Larceny Less	398	230	109	108	1	846	27	40	41	62	0	170	7%	17%	38%	57%	0%		7%	17%	38%	57%	0%	20%
2	Credit Card Misuse	29	13	4	5	0	51	5	4	2	2	0	13	17%	31%	50%	40%			17%	31%	50%	40%		25%

**Table 13.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - All Courts**

LEVEL	OFFENSE	All Defendants										Incarcerated Defendants										Incarceration Rate									
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Welfare Violation	19	10	0	1	0	30	2	1	0	1	0	4	11%	10%			100%		13%											
2	Concealing Mortgaged Property	19	9	4	3	0	35	0	1	1	1	0	3	0%	11%	25%	33%		9%												
2	Concealing Stolen Property	0	2	0	1	0	3	0	1	0	1	0	2		50%	100%			67%												
2	Failure To Return Leased Prop	9	15	5	2	0	31	0	2	1	0	0	3	0%	13%	20%	0%		10%												
2	Injuring A Building	4	4	5	3	0	16	0	3	3	1	0	7	0%	75%	60%	33%		44%												
2	Receiving Stolen Property	995	664	436	380	1	2476	181	268	267	270	0	986	18%	40%	61%	71%	0%	40%												
2	Counterfeit	9	7	3	3	0	22	3	4	3	1	0	11	33%	57%	100%	33%		50%												
2	Burning (Arson)	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%												
2	Lottery Ticket Altering	0	0	1	1	0	2	0	0	1	0	0	1			100%	0%		50%												
2	Poss Controlled Substance	338	137	45	29	0	549	103	55	25	17	0	200	30%	40%	56%	59%		36%												
2	Poss Class A Cont Sub	141	135	98	89	1	464	24	47	40	49	0	160	17%	35%	41%	55%	0%	34%												
2	Poss Class B Cont Sub	905	556	266	171	1	1899	120	155	118	82	0	475	13%	28%	44%	48%	0%	25%												
2	Poss Class C Cont Sub	26	11	7	6	0	50	3	3	1	2	0	9	12%	27%	14%	33%		18%												
2	Poss Class D Cont Sub	1047	477	139	70	1	1734	49	71	24	23	0	167	5%	15%	17%	33%	0%	10%												
2	Poss Counterfeit Narcotics	14	8	4	4	0	30	10	5	3	4	0	22	71%	63%	75%	100%		73%												
2	Poss Class A Heroin	172	156	83	58	0	469	25	56	39	28	0	148	15%	36%	47%	48%		32%												
2	Poss Controlled Subs W/I Dist	147	61	28	17	0	253	64	40	16	10	0	130	44%	66%	57%	59%		51%												
2	Poss To Distribute Class D	446	171	63	20	1	701	78	62	32	11	1	184	17%	36%	51%	55%	100%	26%												
2	Poss To Distribute Class E	4	5	3	0	0	12	0	2	1	0	0	3	0%	40%	33%			25%												
2	Distributing Cont Sub	14	12	4	4	0	34	4	8	3	3	0	18	29%	67%	75%	75%		53%												
2	Sale Of CSA	1	0	0	0	0	1	0	0	0	0	0	0	0%	0%				0%												
2	Poss Hypodermic Or Syringe	76	116	85	79	0	356	14	37	36	48	0	135	18%	32%	42%	61%		38%												
2	Knowing Class A Cont Sub Pres	27	14	8	6	0	55	8	5	1	2	0	16	30%	36%	13%	33%		29%												
2	Forg Prescription For Cont Sub	2	0	1	2	0	5	0	0	1	0	0	1	0%		100%	0%		20%												
2	Fraudulently Obt Cont Sub	1	1	0	2	0	4	0	0	0	0	0	0	0%	0%				0%												
2	Oper To End(Live&Safety)	1848	583	217	100	0	2748	103	128	70	50	0	351	6%	22%	32%	50%		13%												
2	Oper Negligently	49	21	6	5	0	81	8	2	0	2	0	12	16%	10%	0%	40%		15%												
2	Operating Recklessly	36	8	7	1	0	52	2	3	3	1	0	9	6%	38%	43%	100%		17%												
2	Use Without Authority	178	84	57	31	0	350	32	27	32	23	0	114	18%	32%	56%	74%		33%												
2	Racing	12	4	1	0	0	17	0	0	0	0	0	0	0%	0%	0%			0%												

**Table 13.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - All Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T			
2	Alt MV License/Registration	18	5	3	1	0	27	0	0	1	1	0	2	0%	0%	33%	100%		7%			
2	Compulsory Insurance Violation	3615	1209	428	195	0	5447	117	155	83	34	0	389	3%	13%	19%	17%		7%			
2	Altering MV Id Number	8	6	2	0	0	16	0	0	2	0	0	2	0%	0%	100%			13%			
2	Counterfeiting MV Document	161	54	22	8	0	245	5	8	3	1	0	17	3%	15%	14%	13%		7%			
2	False Statement On Application	16	7	3	0	0	26	0	0	1	0	0	1	0%	0%	33%			4%			
2	Uninsured Veh Remain Hwy	4	0	1	0	0	5	1	0	1	0	0	2	25%		100%			40%			
2	Prostitution	447	336	121	39	0	943	88	145	57	22	0	312	20%	43%	47%	56%		33%			
2	Keeping A House Of Ill Fame	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%			
2	Open And Gross	119	34	21	17	0	191	14	13	8	9	0	44	12%	38%	38%	53%		23%			
2	Failure To Disperse	6	1	0	0	0	7	0	0	0	0	0	0	0%	0%				0%			
2	Firearm Id Card	16	3	5	1	0	25	5	0	3	1	0	9	31%	0%	60%	100%		36%			
2	Poss Of Mace	4	6	6	0	0	16	1	0	2	0	0	3	25%	0%	33%			19%			
2	Poss Of Ammunition	38	7	4	3	0	52	12	1	2	3	0	18	32%	14%	50%	100%		35%			
2	Attempt To Commit Crime	158	105	66	94	0	423	40	46	28	69	0	183	25%	44%	42%	73%		43%			
2	Aiding An Escape	3	3	2	0	0	8	0	0	1	0	0	1	0%	0%	50%			13%			
2	Interfering Wi Police Officer	11	10	1	1	0	23	0	0	1	0	0	1	0%	0%	100%	0%		4%			
2	Impersonation	8	1	0	1	0	10	0	0	0	1	0	1	0%	0%		100%		10%			
2	False Statement	50	24	9	6	0	89	3	2	3	4	0	12	6%	8%	33%	67%		13%			
2	Fail To Appear On Pers Recog	27	24	11	6	0	68	2	10	5	1	0	18	7%	42%	45%	17%		26%			
2	Poss Dangerous Weapon	17	13	4	6	0	40	3	2	2	0	0	7	18%	15%	50%	0%		18%			
2	False Alarm	22	9	6	2	0	39	2	2	1	1	0	6	9%	22%	17%	50%		15%			
2	Fireworks	26	8	1	0	0	35	1	0	0	0	0	1	4%	0%	0%			3%			
2	Contempt Of Court	4	3	1	0	0	8	1	1	1	0	0	3	25%	33%	100%			38%			
2	Contributing To Delinquency	40	19	4	3	0	66	2	6	3	2	0	13	5%	32%	75%	67%		20%			
2	Cruelty To Animals	17	8	7	1	0	33	2	3	2	1	0	8	12%	38%	29%	100%		24%			
2	Violation Of Bail Law	10	2	2	1	0	15	1	1	2	0	0	4	10%	50%	100%	0%		27%			
2	Curfew	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%			
2	Disguising	1	1	0	1	0	3	0	0	0	0	0	0	0%	0%		0%		0%			
2	False License	15	2	0	0	0	17	0	0	0	0	0	0	0%	0%				0%			

**Table 13.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - All Courts**

LEVEL	OFFENSE	All Defendants										Incarcerated Defendants										Incarceration Rate									
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Sub-Total	11979	5563	2147	1078	10	20777	679	1056	543	317	3	2598	6%	19%	25%	29%	30%	13%												
1	Pornography	5	0	0	0	0	5	3	0	0	0	0	3	60%					60%												
1	Defrauding Victualer	9	7	2	1	0	19	0	0	1	0	0	1	0%	0%	50%	0%		5%												
1	Destruction Of Property	689	339	152	61	1	1242	44	75	60	30	0	209	6%	22%	39%	49%	0%	17%												
1	Vandalism	10	10	3	3	1	27	1	1	1	2	0	5	10%	10%	33%	67%	0%	19%												
1	Trespassing	669	296	152	114	1	1232	30	37	31	32	1	131	4%	13%	20%	28%	100%	11%												
1	Gaming	21	5	4	2	0	32	2	0	1	0	0	3	10%	0%	25%	0%		9%												
1	Property Violation	58	19	14	11	0	102	2	3	7	3	0	15	3%	16%	50%	27%		15%												
1	Poss Class E Cont Sub	12	18	3	2	0	35	0	4	0	2	0	6	0%	22%	0%	100%		17%												
1	Inhaling Toxic Vapors	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%												
1	Violation Cont Sub	9	10	3	4	0	26	4	2	1	2	0	9	44%	20%	33%	50%		35%												
1	Attaching Wrong MV Plates	909	224	87	43	0	1263	8	8	2	2	0	20	1%	4%	2%	5%		2%												
1	Operating After Suspended Lic	6329	3165	1084	495	5	11078	460	755	321	169	1	1706	7%	24%	30%	34%	20%	15%												
1	Operating After Suspended Reg	466	123	29	11	0	629	14	12	3	4	0	33	3%	10%	10%	36%		5%												
1	Operating After	50	47	17	9	0	123	8	11	3	3	0	25	16%	23%	18%	33%		20%												
1	Recreat Vehicle On Public Way	19	8	1	2	0	30	0	0	0	0	0	0	0%	0%	0%	0%		0%												
1	Impersonating (MV Violation)	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%												
1	Indecent Exposure	70	21	11	5	0	107	8	7	3	1	0	19	11%	33%	27%	20%		18%												
1	Lewdness	44	21	3	3	0	71	4	9	2	1	0	16	9%	43%	67%	33%		23%												
1	Obscene Language	1	0	0	0	0	1	0	0	0	0	0	0	0%	0%				0%												
1	Obscene Material	2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%												
1	Peeping Tom	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%												
1	Disorderly Conduct	2330	1154	542	302	2	4330	71	113	99	64	1	348	3%	10%	18%	21%	50%	8%												
1	Disturbing School Assembly	2	0	0	0	0	2	0	0	0	0	0	0	0%	0%				0%												
1	Malicious Mischief	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%												
1	Affray	11	8	5	3	0	27	0	1	1	1	0	3	0%	13%	20%	33%		11%												
1	Discharging A Firearm	25	6	1	0	0	32	2	1	1	0	0	4	8%	17%	100%			13%												
1	Telephone Calls	115	51	24	6	0	196	12	13	6	1	0	32	10%	25%	25%	17%		16%												
1	Failure To Obey Police Officer	37	9	4	1	0	51	0	0	0	0	0	0	0%	0%	0%	0%		0%												
1	Procuring Alcohol For Minor	47	10	3	0	0	60	4	2	0	0	0	6	9%	20%	0%			10%												



**Table 13.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - All Courts**

LEVEL	OFFENSE	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
		14	2	0	0	0	16	0	0	0	0	0	0	0%	0%				0%
1	Transporting Alcohol	9	2	0	0	0	11	0	0	0	0	0	0	0%	0%				0%
1	Glass Throwing	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
1	Operating Aircraft W/O Lic	5	3	1	0	0	9	0	1	0	0	0	1	0%	33%	0%			11%
1	Resisting Arrest																		

**Table 14.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	All Defendants										Incarcerated Defendants										Incarceration Rate																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
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**Table 14.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	All Defendants										Incarcerated Defendants										Incarceration Rate																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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**Table 14.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate						
		A	B	C	D	E	T		A	B	C	D	E	T		A	B	C	D	E	T	
4	A&B On Corr Institution Guard	0	2	2	9	0	13		0	2	2	9	0	13			100%	100%	100%		100%	
4	A&B Dangerous Weapon	21	21	4	5	0	51		21	21	4	5	0	51		100%	100%	100%	100%		100%	
4	A&B To Collect Loan	0	0	0	0	0	0		0	0	0	0	0	0								
4	Sodomy	1	0	0	0	0	1		1	0	0	0	0	1		100%				100%		
4	Indecent Assault And Battery	24	13	8	6	0	51		10	5	5	4	0	24		42%	38%	63%	67%	47%		
4	Armed Assault To Rob	4	1	7	2	0	14		3	0	5	2	0	10		75%	0%	71%	100%	71%		
4	Intimidation	5	4	1	2	0	12		3	2	1	2	0	8		60%	50%	100%	100%	67%		
4	Stalk/Following	1	0	0	0	0	1		1	0	0	0	0	1		100%				100%		
4	Stalk In Viol 208,209A/Injunc	0	0	0	0	0	0		0	0	0	0	0	0								
4	2Nd/Subsq After C265 A,B Cvict	0	0	0	0	0	0		0	0	0	0	0	0								
4	Larceny	4	2	3	4	0	13		4	2	3	4	0	13		100%	100%	100%	100%	100%		
4	Larceny More	7	4	7	4	0	22		7	4	7	4	0	22		100%	100%	100%	100%	100%		
4	Larceny From A Building	0	0	0	2	0	2		0	0	0	2	0	2				100%		100%		
4	Larceny From A Person	12	17	5	4	0	38		9	14	5	4	0	32		75%	82%	100%	100%	84%		
4	Larceny Of A MV	0	1	1	5	1	8		0	1	1	5	1	8			100%	100%	100%	100%		
4	Breaking And Entering	10	9	22	66	0	107		10	9	22	66	0	107		100%	100%	100%	100%	100%		
4	Attempt Breaking & Entering	0	0	0	5	0	5		0	0	0	5	0	5				100%		100%		
4	Receiving Stolen Property	1	5	9	11	1	27		1	5	9	11	1	27		100%	100%	100%	100%	100%		
4	Attempt Arson Of MV	0	0	0	0	0	0		0	0	0	0	0	0								
4	Burning Building	4	2	1	3	0	10		3	1	1	3	0	8		75%	50%	100%	100%	80%		
4	Burning To Defraud	1	0	0	0	0	1		0	0	0	0	0	0		0%				0%		
4	Poss Class A Cont Sub w/int or 2nd	4	0	2	0	0	6		2	0	2	0	0	4		50%		100%		67%		
4	Poss Class B Cont Sub w/int or 2nd	5	0	2	2	0	9		3	0	2	2	0	7		60%		100%	100%	78%		
4	Poss To Distribute Class A	14	17	19	16	0	66		12	12	18	16	0	58		86%	71%	95%	100%	88%		
4	Poss To Distribute Class B	79	37	30	21	0	167		54	29	26	20	0	129		68%	78%	87%	95%	77%		
4	Dist Class A Heroin	29	16	19	8	0	72		21	15	18	7	0	61		72%	94%	95%	88%	85%		
4	Dist Class B Cocaine	63	43	21	8	0	135		63	43	21	8	0	135		100%	100%	100%	100%	100%		
4	Distributing Cont Sub	2	8	3	5	0	18		2	8	3	5	0	18		100%	100%	100%	100%	100%		
4	Trafficking Cont Sub	7	0	0	0	0	7		7	0	0	0	0	7		100%				100%		
4	Marijuana 50-100	2	0	0	0	0	2		2	0	0	0	0	2		100%				100%		

**Table 14.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	All Defendants										Incarcerated Defendants										Incarceration Rate																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
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**Table 14.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate								
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T					
3	Poss Burglarius Tools	4	1	1	1	0	7	1	1	1	1	0	4	25%	100%	100%	100%							57%
3	Breaking And Entering	16	14	14	17	0	61	8	10	7	11	0	36	50%	71%	50%	65%							59%
3	Forgery And Uttering	14	1	3	2	0	20	7	1	2	2	0	12	50%	100%	67%	100%							60%
3	Burning (Arson)	25	13	6	2	0	46	12	9	3	2	0	26	48%	69%	50%	100%							57%
3	Burning Motor Vehicle	0	0	0	0	0	0	0	0	0	0	0	0											
3	Illegal Lottery	0	3	0	0	0	3	0	0	0	0	0	0		0%									0%
3	Poss To Distribute Class C	1	1	0	1	0	3	1	1	0	1	0	3	100%	100%		100%							100%
3	Mfg Class C Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0											
3	Distribute/Dispense Class C	0	0	0	0	0	0	0	0	0	0	0	0											
3	Homicide By MV	4	0	0	0	0	4	0	0	0	0	0	0	0%										0%
3	Leaving Scene Property Damage	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%							100%
3	Leaving Scene:Person Injured	1	1	1	0	0	3	1	1	0	0	0	2	100%	100%	0%								67%
3	OUI Serious Inj, Misd	0	0	0	0	0	0	0	0	0	0	0	0											
3	Gun Serial Number	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%								100%
3	Poss Altered Firearm	0	0	0	0	0	0	0	0	0	0	0	0											
3	No Support	0	0	0	0	0	0	0	0	0	0	0	0											
3	Carrying Dangerous Weapon	13	2	1	1	0	17	12	2	1	1	0	16	92%	100%	100%	100%							94%
3	Obstructing Firefighter	0	0	0	1	0	1	0	0	0	1	0	1				100%							100%
3	Neglect	0	0	0	0	0	0	0	0	0	0	0	0											
3	Missile Throwing	0	0	0	0	0	0	0	0	0	0	0	0											
2	Sub-Total	254	84	43	33	0	414	93	55	30	25	0	203	37%	65%	70%	76%							49%
2	Assault	3	2	0	0	0	5	2	1	0	0	0	3	67%	50%									60%
2	Accosting	0	0	0	0	0	0	0	0	0	0	0	0											
2	Threatening	1	3	3	0	0	7	1	3	1	0	0	5	100%	100%	33%								71%
2	Annoy Person Opposite Sex	1	0	0	0	0	1	0	0	0	0	0	0	0%										0%
2	Larceny	26	5	3	2	0	36	3	5	2	1	0	11	12%	100%	67%	50%							31%
2	Attempt Larceny	2	0	0	0	0	2	0	0	0	0	0	0	0%										0%
2	Larceny Less	3	0	0	0	0	3	0	0	0	0	0	0	0%										0%
2	Credit Card Misuse	0	0	0	0	0	0	0	0	0	0	0	0											

**Table 14.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate						
		A	B	C	D	E	T		A	B	C	D	E	T		A	B	C	D	E	T	
2	Welfare Violation	0	0	0	0	0	0		0	0	0	0	0	0								
2	Concealing Mortgaged Property	0	0	0	0	0	0		0	0	0	0	0	0								
2	Concealing Stolen Property	0	1	0	1	0	2		0	1	0	1	0	2		100%			100%		100%	
2	Failure To Return Leased Prop	0	0	0	0	0	0		0	0	0	0	0	0								
2	Injuring A Building	0	0	0	0	0	0		0	0	0	0	0	0								
2	Receiving Stolen Property	20	3	5	4	0	32		4	1	5	4	0	14		20%	33%	100%	100%		44%	
2	Counterfeit	0	0	0	0	0	0		0	0	0	0	0	0								
2	Burning (Arson)	0	0	0	0	0	0		0	0	0	0	0	0								
2	Lottery Ticket Altering	0	0	0	0	0	0		0	0	0	0	0	0								
2	Poss Controlled Substance	52	17	6	4	0	79		20	9	5	2	0	36		38%	53%	83%	50%		46%	
2	Poss Class A Cont Sub	3	0	1	2	0	6		1	0	1	2	0	4		33%		100%	100%		67%	
2	Poss Class B Cont Sub	15	9	1	1	0	26		6	5	1	1	0	13		40%	56%	100%	100%		50%	
2	Poss Class C Cont Sub	0	0	0	0	0	0		0	0	0	0	0	0								
2	Poss Class D Cont Sub	9	1	0	1	0	11		3	0	0	1	0	4		33%	0%		100%		36%	
2	Poss Counterfeit Narcotics	0	0	0	0	0	0		0	0	0	0	0	0								
2	Poss Class A Heroin	2	1	1	0	0	4		1	1	1	0	0	3		50%	100%	100%			75%	
2	Poss Controlled Subs W/I Dist	69	23	14	6	0	112		38	18	9	6	0	71		55%	78%	64%	100%		63%	
2	Poss To Distribute Class D	23	3	1	0	0	27		6	1	0	0	0	7		26%	33%	0%			26%	
2	Poss To Distribute Class E	0	0	0	0	0	0		0	0	0	0	0	0								
2	Distributing Cont Sub	4	9	2	1	0	16		0	6	2	1	0	9		0%	67%	100%	100%		56%	
2	Sale Of CSA	0	0	0	0	0	0		0	0	0	0	0	0								
2	Poss Hypodermic Or Syringe	0	0	1	1	0	2		0	0	0	0	0	0				0%	0%		0%	
2	Knowing Class A Cont Sub Pres	0	0	0	0	0	0		0	0	0	0	0	0								
2	Forg Prescription For Cont Sub	1	0	0	2	0	3		0	0	0	0	0	0		0%			0%		0%	
2	Fraudulently Obt Cont Sub	0	0	0	0	0	0		0	0	0	0	0	0								
2	Oper To End(Live&Safety)	0	0	1	0	0	1		0	0	0	0	0	0				0%			0%	
2	Oper Negligently	2	0	0	0	0	2		1	0	0	0	0	1		50%					50%	
2	Operating Recklessly	1	0	1	0	0	2		1	0	1	0	0	2		100%		100%			100%	
2	Use Without Authority	1	1	0	0	0	2		0	0	0	0	0	0		0%	0%				0%	
2	Racing	0	0	0	0	0	0		0	0	0	0	0	0								

**Table 14.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Alt MV License/Registration	0	0	0	0	0	0	0	0	0	0	0	0						
2	Compulsory Insurance Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Altering MV Id Number	0	0	0	0	0	0	0	0	0	0	0	0						
2	Counterfeiting MV Document	0	0	0	0	0	0	0	0	0	0	0	0						
2	False Statement On Application	0	0	0	0	0	0	0	0	0	0	0	0						
2	Uninsured Veh Remain Hwy	0	0	0	0	0	0	0	0	0	0	0	0						
2	Prostitution	4	0	1	0	0	5	2	0	1	0	0	3	50%		100%			60%
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	0	0	0	0	0	0						
2	Open And Gross	2	2	1	1	0	6	1	2	1	1	0	5	50%	100%	100%	100%		83%
2	Failure To Disperse	0	0	0	0	0	0	0	0	0	0	0	0						
2	Firearm Id Card	0	0	0	0	0	0	0	0	0	0	0	0						
2	Poss Of Mace	0	0	0	0	0	0	0	0	0	0	0	0						
2	Poss Of Ammunition	5	1	0	0	0	6	3	1	0	0	0	4	60%	100%				67%
2	Attempt To Commit Crime	0	0	0	4	0	4	0	0	0	3	0	3				75%		75%
2	Aiding An Escape	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Interfering W/ Police Officer	0	0	0	0	0	0	0	0	0	0	0	0						
2	Impersonation	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	False Statement	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
2	Fail To Appear On Pers Recog	1	1	1	1	0	4	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Poss Dangerous Weapon	0	0	0	0	0	0	0	0	0	0	0	0						
2	False Alarm	0	0	0	0	0	0	0	0	0	0	0	0						
2	Fireworks	0	0	0	0	0	0	0	0	0	0	0	0						
2	Contempt Of Court	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	Contributing To Delinquency	0	1	0	1	0	2	0	0	0	1	0	1		0%		100%		50%
2	Cruelty To Animals	0	0	0	0	0	0	0	0	0	0	0	0						
2	Violation Of Bail Law	0	0	0	0	0	0	0	0	0	0	0	0						
2	Curfew	0	0	0	0	0	0	0	0	0	0	0	0						
2	Disguising	0	0	0	0	0	0	0	0	0	0	0	0						
2	False License	0	0	0	0	0	0	0	0	0	0	0	0						



**Table 14.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T			
1	Sub-Total	38	7	6	6	0	57	9	2	5	2	0	18	24%	29%	83%	33%		32%			
1	Pornography	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%			
1	Defrauding Victualer	0	0	0	0	0	0	0	0	0	0	0	0									
1	Destruction Of Property	5	2	4	1	0	12	4	2	4	1	0	11	80%	100%	100%	100%		92%			
1	Vandalism	0	0	0	0	0	0	0	0	0	0	0	0									
1	Trespassing	0	0	0	0	0	0	0	0	0	0	0	0									
1	Gaming	8	1	0	1	0	10	0	0	0	0	0	0	0%	0%		0%		0%			
1	Property Violation	2	0	0	3	0	5	0	0	0	1	0	1	0%			33%		20%			
1	Poss Class E Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0									
1	Inhaling Toxic Vapors	0	0	0	0	0	0	0	0	0	0	0	0									
1	Violation Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0									
1	Attaching Wrong MV Plates	0	0	0	0	0	0	0	0	0	0	0	0									
1	Operating After Suspended Lic	0	0	1	1	0	2	0	0	0	0	0	0			0%	0%		0%			
1	Operating After Suspended Reg	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%			
1	Operating After	0	0	0	0	0	0	0	0	0	0	0	0									
1	Recreat Vehicle On Public Way	0	0	0	0	0	0	0	0	0	0	0	0									
1	Impersonating (MV Violation)	0	0	0	0	0	0	0	0	0	0	0	0									
1	Indecent Exposure	0	0	0	0	0	0	0	0	0	0	0	0									
1	Lewdness	0	0	0	0	0	0	0	0	0	0	0	0									
1	Obscene Language	0	0	0	0	0	0	0	0	0	0	0	0									
1	Obscene Material	0	0	0	0	0	0	0	0	0	0	0	0									
1	Peeping Tom	0	0	0	0	0	0	0	0	0	0	0	0									
1	Disorderly Conduct	0	0	0	0	0	0	0	0	0	0	0	0									
1	Disturbing School Assembly	0	0	0	0	0	0	0	0	0	0	0	0									
1	Malicious Mischief	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%			
1	Affray	0	0	0	0	0	0	0	0	0	0	0	0									
1	Discharging A Firearm	0	0	0	0	0	0	0	0	0	0	0	0									
1	Telephone Calls	19	4	1	0	0	24	2	0	1	0	0	3	11%	0%	100%			13%			
1	Failure To Obey Police Officer	0	0	0	0	0	0	0	0	0	0	0	0									
1	Procuring Alcohol For Minor	0	0	0	0	0	0	0	0	0	0	0	0									

**Table 14.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Transporting Alcohol	0	0	0	0	0	0	0	0	0	0	0	0						
1	Glass Throwing	0	0	0	0	0	0	0	0	0	0	0	0						
1	Operating Aircraft W/O Lic	0	0	0	0	0	0	0	0	0	0	0	0						
1	Resisting Arrest	0	0	0	0	0	0	0	0	0	0	0	0						

**Table 15.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - District Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate						
		A	B	C	D	E	T		A	B	C	D	E	T		A	B	C	D	E	T	
9	<b>Sub-Total</b>	0	0	0	0	0	0		0	0	0	0	0	0								
9	Murder	0	0	0	0	0	0		0	0	0	0	0	0								
8	<b>Sub-Total</b>	0	0	0	0	0	0		0	0	0	0	0	0								
8	Manslaughter	0	0	0	0	0	0		0	0	0	0	0	0								
8	Armed Assault In Dwell House	0	0	0	0	0	0		0	0	0	0	0	0								
8	Aggravated Rape	0	0	0	0	0	0		0	0	0	0	0	0								
8	Rape Of Child with Force	0	0	0	0	0	0		0	0	0	0	0	0								
8	Burglary	0	0	0	0	0	0		0	0	0	0	0	0								
8	Cocaine 200+	0	0	0	0	0	0		0	0	0	0	0	0								
7	<b>Sub-Total</b>	0	0	0	0	0	0		0	0	0	0	0	0								
7	Murder Attempt	0	0	0	0	0	0		0	0	0	0	0	0								
7	Mayhem	0	0	0	0	0	0		0	0	0	0	0	0								
7	Rape	0	0	0	0	0	0		0	0	0	0	0	0								
7	Assault Of Child To Rape	0	0	0	0	0	0		0	0	0	0	0	0								
7	Incest	0	0	0	0	0	0		0	0	0	0	0	0								
7	Armed Robbery	0	0	0	0	0	0		0	0	0	0	0	0								
7	Confine And Put In Fear	0	0	0	0	0	0		0	0	0	0	0	0								
7	Heroin 28-100	0	0	0	0	0	0		0	0	0	0	0	0								
7	Cocaine 100-200	0	0	0	0	0	0		0	0	0	0	0	0								
7	Heroin 100-200	0	0	0	0	0	0		0	0	0	0	0	0								
7	Violation Of Explosives	0	0	0	0	0	0		0	0	0	0	0	0								
6	<b>Sub-Total</b>	0	0	0	0	0	0		0	0	0	0	0	0								
6	Manslaughter	0	0	0	0	0	0		0	0	0	0	0	0								
6	A&B Dangerous Weapon	0	0	0	0	0	0		0	0	0	0	0	0								
6	Assault To Maim	0	0	0	0	0	0		0	0	0	0	0	0								
6	Assault To Kill	0	0	0	0	0	0		0	0	0	0	0	0								

**Table 15.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - District Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate						
		A	B	C	D	E	T		A	B	C	D	E	T		A	B	C	D	E	T	
6	Rape Of Child	0	0	0	0	0	0		0	0	0	0	0	0								
6	Assault To Rape	0	0	0	0	0	0		0	0	0	0	0	0								
6	Indecent A&B Mentally Retarded	0	0	0	0	0	0		0	0	0	0	0	0								
6	Child Pornography	0	0	0	0	0	0		0	0	0	0	0	0								
6	Armed Robbery	0	0	0	0	0	0		0	0	0	0	0	0								
6	Armed Assault To Rob	0	0	0	0	0	0		0	0	0	0	0	0								
6	Carjacking	0	0	0	0	0	0		0	0	0	0	0	0								
6	Kidnapping	0	0	0	0	0	0		0	0	0	0	0	0								
6	Burning Dwelling House	0	0	0	0	0	0		0	0	0	0	0	0								
6	Dist Class A Subsequent	0	0	0	0	0	0		0	0	0	0	0	0								
6	Cocaine 28-100	0	0	0	0	0	0		0	0	0	0	0	0								
6	Heroin 14-28	0	0	0	0	0	0		0	0	0	0	0	0								
6	Marijuana 2000-10000	0	0	0	0	0	0		0	0	0	0	0	0								
6	Hom By MV While Und Infl Liq	0	0	0	0	0	0		0	0	0	0	0	0								
6	Poss Explosive Device	0	0	0	0	0	0		0	0	0	0	0	0								
5	<b>Sub-Total</b>	120	54	16	11	0	201		43	26	14	4	0	87		36%	48%	88%	36%		43%	
5	Indecent A&B On Child	113	50	12	8	0	183		38	22	10	1	0	71		34%	44%	83%	13%		39%	
5	Robbery	0	0	0	0	0	0		0	0	0	0	0	0								
5	Stalk/Following	0	0	0	0	0	0		0	0	0	0	0	0								
5	Stalk In Viol 208,209A/Injunc	5	4	4	3	0	16		5	4	4	3	0	16		100%	100%	100%	100%		100%	
5	Burglary	0	0	0	0	0	0		0	0	0	0	0	0								
5	Dist Class B Subsequent	0	0	0	0	0	0		0	0	0	0	0	0								
5	Cocaine 14-28	0	0	0	0	0	0		0	0	0	0	0	0								
5	Marijuana 100-2000	0	0	0	0	0	0		0	0	0	0	0	0								
5	Conspiracy Trafficking Heroin	0	0	0	0	0	0		0	0	0	0	0	0								
5	Inducing Minor To Sex	1	0	0	0	0	1		0	0	0	0	0	0		0%					0%	
5	Perjury	1	0	0	0	0	1		0	0	0	0	0	0		0%					0%	
4	<b>Sub-Total</b>	1733	1087	790	500	5	4115		759	663	617	400	4	2443		44%	61%	78%	80%		59%	

**Table 15.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - District Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T			
4	A&B On Corr Institution Guard	0	0	0	0	0	0	0	0	0	0	0	0	100%	100%	100%	100%					
4	A&B Dangerous Weapon	21	36	41	23	0	121	21	36	41	23	0	121	100%	100%	100%	100%		100%			
4	A&B To Collect Loan	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%			
4	Sodomy	0	0	0	0	0	0	0	0	0	0	0	0									
4	Indecent Assault And Battery	155	56	26	10	1	248	52	25	20	9	0	106	34%	45%	77%	90%	0%	43%			
4	Armed Assault To Rob	0	0	0	0	0	0	0	0	0	0	0	0									
4	Intimidation	39	43	30	20	0	132	11	21	21	16	0	69	28%	49%	70%	80%		52%			
4	Stalk/Following	33	11	16	10	0	70	9	5	8	7	0	29	27%	45%	50%	70%		41%			
4	Stalk In Viol 208,209A/Injunc	11	8	4	0	0	23	5	2	2	0	0	9	45%	25%	50%			39%			
4	2Nd/Subsq After C265 A,B Cvict	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%			
4	Larceny	0	0	0	0	0	0	0	0	0	0	0	0									
4	Larceny More	0	0	0	0	0	0	0	0	0	0	0	0									
4	Larceny From A Building	0	0	0	0	0	0	0	0	0	0	0	0									
4	Larceny From A Person	179	126	105	104	1	515	77	76	79	86	1	319	43%	60%	75%	83%	100%	62%			
4	Larceny Of A MV	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%			
4	Breaking And Entering	0	0	1	3	0	4	0	0	1	3	0	4			100%	100%		100%			
4	Attempt Breaking & Entering	8	8	2	5	0	23	0	4	2	4	0	10	0%	50%	100%	80%		43%			
4	Receiving Stolen Property	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%			
4	Attempt Arson Of MV	1	1	0	0	0	2	1	0	0	0	0	1	100%	0%				50%			
4	Burning Building	4	2	0	0	0	6	0	2	0	0	0	2	0%	100%				33%			
4	Burning To Defraud	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%			
4	Poss Class A Cont Sub w/int or 2nd	8	6	4	6	0	24	4	3	2	5	0	14	50%	50%	50%	83%		58%			
4	Poss Class B Cont Sub w/int or 2nd	15	10	5	5	0	35	6	5	5	4	0	20	40%	50%	100%	80%		57%			
4	Poss To Distribute Class A	218	149	112	66	0	545	91	80	85	43	0	299	42%	54%	76%	65%		55%			
4	Poss To Distribute Class B	636	397	242	104	2	1381	220	220	168	75	2	685	35%	55%	69%	72%	100%	50%			
4	Dist Class A Heroin	168	70	49	30	1	318	72	40	43	25	1	181	43%	57%	88%	83%	100%	57%			
4	Dist Class B Cocaine	52	21	47	6	0	126	52	21	47	6	0	126	100%	100%	100%	100%		100%			
4	Distributing Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0									
4	Trafficking Cont Sub	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%			
4	Marijuana 50-100	0	0	0	0	0	0	0	0	0	0	0	0									

**Table 15.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - District Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T			
4	Larceny Cont Sub	6	2	2	1	0	11	3	2	1	1	0	7	50%	100%	50%	100%		64%			
4	Giving Prisoner Cont Sub	12	0	1	2	0	15	0	0	1	2	0	3	0%		100%	100%		20%			
4	Control Substance School	102	82	45	33	0	262	102	82	45	33	0	262	100%	100%	100%	100%		100%			
4	Homicide By MV	9	1	0	1	0	11	9	1	0	1	0	11	100%	100%		100%		100%			
4	Hom By MV While Und Infl Liq	9	1	0	0	0	10	7	1	0	0	0	8	78%	100%				80%			
4	OUI Drug Oper Negl Ser Inj	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%			
4	OUI Serious Inj, Fel	3	4	0	0	0	7	2	3	0	0	0	5	67%	75%				71%			
4	Deriv Support By Prostitution	1	2	0	0	0	3	1	2	0	0	0	3	100%	100%				100%			
4	Accessory After	5	6	3	0	0	14	0	1	2	0	0	3	0%	17%	67%			21%			
4	Escape	22	37	50	66	0	175	9	28	41	53	0	131	41%	76%	82%	80%		75%			
4	Bribery	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%			
4	Extortion	2	0	0	1	0	3	0	0	0	1	0	1	0%			100%		33%			
4	Bomb Hoax	3	1	0	1	0	5	0	1	0	0	0	1	0%	100%		0%		20%			
4	Violation Of Explosives	3	6	3	2	0	14	2	2	2	2	0	8	67%	33%	67%	100%		57%			
3	Sub-Total	8950	5921	3197	2187	11	20266	1317	1930	1710	1436	7	6400	15%	33%	53%	66%	64%	32%			
3	Assault And Battery	3007	2118	1031	540	1	6697	362	575	519	339	1	1796	12%	27%	50%	63%	100%	27%			
3	A&B On Corr Institution Guard	1	2	0	3	0	6	1	1	0	3	0	5	100%	50%		100%		83%			
3	A&B Dangerous Weapon	856	538	266	105	0	1765	158	191	145	69	0	563	18%	36%	55%	66%		32%			
3	Assault Dangerous Weapon	531	350	183	133	1	1198	128	154	105	101	1	489	24%	44%	57%	76%	100%	41%			
3	Unnatural Acts	15	12	3	3	0	33	3	5	1	0	0	9	20%	42%	33%	0%		27%			
3	Violation Of Civil Rights	10	9	4	0	1	24	1	4	3	0	1	9	10%	44%	75%		100%	38%			
3	Restraining Order Violation	851	802	425	249	1	2328	155	278	221	143	1	798	18%	35%	52%	57%	100%	34%			
3	Larceny More	960	510	312	258	2	2042	89	134	140	159	1	523	9%	26%	45%	62%	50%	26%			
3	Larceny From A Building	33	36	27	28	0	124	5	20	18	19	0	62	15%	56%	67%	68%		50%			
3	Theft Of A Firearm	7	2	1	0	0	10	4	1	0	0	0	5	57%	50%	0%			50%			
3	Larceny Of A MV	140	108	84	83	1	416	42	60	58	71	1	232	30%	56%	69%	86%	100%	56%			
3	Obt Under False Pret	2	9	3	0	0	14	0	3	3	0	0	6	0%	33%	100%			43%			
3	Embezzlement	3	2	0	0	0	5	0	1	0	0	0	1	0%	50%				20%			
3	Fraud	22	8	4	1	0	35	1	0	2	0	0	3	5%	0%	50%	0%		9%			

**Table 15.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - District Courts**

LEVEL	OFFENSE	All Defendants						Incarcerated Defendants						Incarceration Rate											
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T						
3	Poss Burglarius Tools	98	71	51	58	0	278	16	28	33	40	0	117	16%	39%	65%	69%			16%	39%	65%	69%		42%
3	Breaking And Entering	1015	690	530	490	2	2727	232	315	359	360	0	1266	23%	46%	68%	73%	0%		23%	46%	68%	73%	0%	46%
3	Forgery And Uttering	218	169	114	123	1	625	24	46	50	78	1	199	11%	27%	44%	63%	100%		11%	27%	44%	63%	100%	32%
3	Burning (Arson)	12	12	2	3	0	29	1	4	0	2	0	7	8%	33%	0%	67%			8%	33%	0%	67%		24%
3	Burning Motor Vehicle	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%					0%	100%		50%	
3	Illegal Lottery	5	0	1	0	0	6	0	0	0	0	0	0	0%		0%				0%		0%		0%	
3	Poss To Distribute Class C	5	3	4	0	0	12	1	2	1	0	0	4	20%	67%	25%				20%	67%	25%		33%	
3	Mfg Class C Cont Sub	1	1	1	0	0	3	1	1	0	0	0	2	100%	100%	0%				100%	100%	0%		67%	
3	Distribute/Dispense Class C	2	0	0	0	0	2	1	0	0	0	0	1	50%						50%				50%	
3	Homicide By MV	13	3	0	0	0	16	0	0	0	0	0	0	0%	0%					0%	0%			0%	
3	Leaving Scene Property Damage	807	302	85	65	0	1259	42	62	30	28	0	162	5%	21%	35%	43%			5%	21%	35%	43%		13%
3	Leaving Scene:Person Injured	172	65	15	17	0	269	21	20	6	12	0	59	12%	31%	40%	71%			12%	31%	40%	71%		22%
3	OUI Serious Inj. Misd	6	3	1	0	0	10	2	1	0	0	0	3	33%	33%	0%				33%	33%	0%		30%	
3	Gun Serial Number	3	0	0	0	0	3	2	0	0	0	0	2	67%						67%				67%	
3	Poss Altered Firearm	3	2	0	0	0	5	3	1	0	0	0	4	100%	50%					100%	50%			80%	
3	No Support	22	10	5	3	0	40	6	0	0	0	0	6	27%	0%	0%	0%			27%	0%	0%	0%	15%	
3	Carrying Dangerous Weapon	123	79	40	24	1	267	15	22	13	12	0	62	12%	28%	33%	50%	0%		12%	28%	33%	50%	23%	
3	Obstructing Firefighter	3	1	4	1	0	9	0	0	2	0	0	2	0%	0%	50%	0%			0%	0%	50%	0%	22%	
3	Neglect	3	2	0	0	0	5	1	1	0	0	0	2	33%	50%					33%	50%			40%	
3	Missile Throwing	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%					0%	0%			0%	
2	Sub-Total	13614	6228	2787	1833	7	24469	1185	1554	1090	940	2	4771	9%	25%	39%	51%	29%		9%	25%	39%	51%	29%	19%
2	Assault	72	45	27	14	0	158	8	18	8	5	0	39	11%	40%	30%	36%			11%	40%	30%	36%		25%
2	Accosting	13	8	1	0	0	22	0	4	0	0	0	4	0%	50%	0%				0%	50%	0%		18%	
2	Threatening	327	265	143	81	1	817	59	90	73	47	1	270	18%	34%	51%	58%	100%		18%	34%	51%	58%	100%	33%
2	Annoy Person Opposite Sex	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%				0%	0%	0%		0%	
2	Larceny	1579	564	228	177	0	2548	39	62	56	65	0	222	2%	11%	25%	37%			2%	11%	25%	37%		9%
2	Attempt Larceny	8	3	5	5	0	21	0	1	4	3	0	8	0%	33%	80%	60%			0%	33%	80%	60%		38%
2	Larceny Less	395	230	109	108	1	843	27	40	41	62	0	170	7%	17%	38%	57%	0%		7%	17%	38%	57%	0%	20%
2	Credit Card Misuse	29	13	4	5	0	51	5	4	2	2	0	13	17%	31%	50%	40%			17%	31%	50%	40%		25%

**Table 15.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - District Courts**

LEVEL	OFFENSE	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Welfare Violation	19	10	0	1	0	30	2	1	0	1	0	4	11%	10%		100%		13%
2	Concealing Mortgaged Property	19	9	4	3	0	35	0	1	1	1	0	3	0%	11%	25%	33%		9%
2	Concealing Stolen Property	0	1	0	0	0	1	0	0	0	0	0	0		0%			0%	
2	Failure To Return Leased Prop	9	15	5	2	0	31	0	2	1	0	0	3	0%	13%	20%	0%	10%	
2	Injuring A Building	4	4	5	3	0	16	0	3	3	1	0	7	0%	75%	60%	33%	44%	
2	Receiving Stolen Property	975	661	431	376	1	2444	177	267	262	266	0	972	18%	40%	61%	71%	0%	
2	Counterfeit	9	7	3	3	0	22	3	4	3	1	0	11	33%	57%	100%	33%	50%	
2	Burning (Arson)	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%			0%	
2	Lottery Ticket Altering	0	0	1	1	0	2	0	0	1	0	0	1			100%	0%	50%	
2	Poss Controlled Substance	286	120	39	25	0	470	83	46	20	15	0	164	29%	38%	51%	60%	35%	
2	Poss Class A Cont Sub	138	135	97	87	1	458	23	47	39	47	0	156	17%	35%	40%	54%	0%	
2	Poss Class B Cont Sub	890	547	265	170	1	1873	114	150	117	81	0	462	13%	27%	44%	48%	0%	
2	Poss Class C Cont Sub	26	11	7	6	0	50	3	3	1	2	0	9	12%	27%	14%	33%	18%	
2	Poss Class D Cont Sub	1038	476	139	69	1	1723	46	71	24	22	0	163	4%	15%	17%	32%	9%	
2	Poss Counterfeit Narcotics	14	8	4	4	0	30	10	5	3	4	0	22	71%	63%	75%	100%	73%	
2	Poss Class A Heroin	170	155	82	58	0	465	24	55	38	28	0	145	14%	35%	46%	48%	31%	
2	Poss Controlled Subs W/I Dist	78	38	14	11	0	141	26	22	7	4	0	59	33%	58%	50%	36%	42%	
2	Poss To Distribute Class D	423	168	62	20	1	674	72	61	32	11	1	177	17%	36%	52%	55%	26%	
2	Poss To Distribute Class E	4	5	3	0	0	12	0	2	1	0	0	3	0%	40%	33%		25%	
2	Distributing Cont Sub	10	3	2	3	0	18	4	2	1	2	0	9	40%	67%	50%	67%	50%	
2	Sale Of CSA	1	0	0	0	0	1	0	0	0	0	0	0	0%				0%	
2	Poss Hypodermic Or Syringe	76	116	84	78	0	354	14	37	36	48	0	135	18%	32%	43%	62%	38%	
2	Knowing Class A Cont Sub Pres	27	14	8	6	0	55	8	5	1	2	0	16	30%	36%	13%	33%	29%	
2	Forg Prescription For Cont Sub	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%		50%	
2	Fraudulently Obt Cont Sub	1	1	0	2	0	4	0	0	0	0	0	0	0%	0%		0%	0%	
2	Oper To End(Live&Safety)	1848	583	216	100	0	2747	103	128	70	50	0	351	6%	22%	32%	50%	13%	
2	Oper Negligently	47	21	6	5	0	79	7	2	0	2	0	11	15%	10%	0%	40%	14%	
2	Operating Recklessly	35	8	6	1	0	50	1	3	2	1	0	7	3%	38%	33%	100%	14%	
2	Use Without Authority	177	83	57	31	0	348	32	27	32	23	0	114	18%	33%	56%	74%	33%	
2	Racing	12	4	1	0	0	17	0	0	0	0	0	0	0%	0%	0%		0%	



**Table 15.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - District Courts**

LEVEL	OFFENSE	All Defendants							Incarcerated Defendants							Incarceration Rate						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T			
2	Alt MV License/Registration	18	5	3	1	0	27	0	0	1	1	0	2	0%	0%	33%	100%		7%			
2	Compulsory Insurance Violation	3615	1209	428	195	0	5447	117	155	83	34	0	389	3%	13%	19%	17%		7%			
2	Altering MV Id Number	8	6	2	0	0	16	0	0	2	0	0	2	0%	0%	100%			13%			
2	Counterfeiting MV Document	161	54	22	8	0	245	5	8	3	1	0	17	3%	15%	14%	13%		7%			
2	False Statement On Application	16	7	3	0	0	26	0	0	1	0	0	1	0%	0%	33%			4%			
2	Uninsured Veh Remain Hwy	4	0	1	0	0	5	1	0	1	0	0	2	25%		100%			40%			
2	Prostitution	443	336	120	39	0	938	86	145	56	22	0	309	19%	43%	47%	56%		33%			
2	Keeping A House Of Ill Fame	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%			
2	Open And Gross	117	32	20	16	0	185	13	11	7	8	0	39	11%	34%	35%	50%		21%			
2	Failure To Disperse	6	1	0	0	0	7	0	0	0	0	0	0	0%	0%				0%			
2	Firearm Id Card	16	3	5	1	0	25	5	0	3	1	0	9	31%	0%	60%	100%		36%			
2	Poss Of Mace	4	6	6	0	0	16	1	0	2	0	0	3	25%	0%	33%			19%			
2	Poss Of Ammunition	33	6	4	3	0	46	9	0	2	3	0	14	27%	0%	50%	100%		30%			
2	Attempt To Commit Crime	158	105	66	90	0	419	40	46	28	66	0	180	25%	44%	42%	73%		43%			
2	Aiding An Escape	2	3	2	0	0	7	0	0	1	0	0	1	0%	0%	50%			14%			
2	Interfering W/ Police Officer	11	10	1	1	0	23	0	0	1	0	0	1	0%	0%	100%	0%		4%			
2	Impersonation	8	1	0	0	0	9	0	0	0	0	0	0	0%	0%				0%			
2	False Statement	47	24	9	6	0	86	3	2	3	4	0	12	6%	8%	33%	67%		14%			
2	Fail To Appear On Pers Recog	26	23	10	5	0	64	2	10	5	1	0	18	8%	43%	50%	20%		28%			
2	Poss Dangerous Weapon	17	13	4	6	0	40	3	2	2	0	0	7	18%	15%	50%	0%		18%			
2	False Alarm	22	9	6	2	0	39	2	2	1	1	0	6	9%	22%	17%	50%		15%			
2	Fireworks	26	8	1	0	0	35	1	0	0	0	0	1	4%	0%	0%			3%			
2	Contempt Of Court	4	2	1	0	0	7	1	0	1	0	0	2	25%	0%	100%			29%			
2	Contributing To Delinquency	40	18	4	2	0	64	2	6	3	1	0	12	5%	33%	75%	50%		19%			
2	Cruelty To Animals	17	8	7	1	0	33	2	3	2	1	0	8	12%	38%	29%	100%		24%			
2	Violation Of Bail Law	10	2	2	1	0	15	1	1	2	0	0	4	10%	50%	100%	0%		27%			
2	Curfew	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%			
2	Disguising	1	1	0	1	0	3	0	0	0	0	0	0	0%	0%		0%		0%			
2	False License	15	2	0	0	0	17	0	0	0	0	0	0	0%	0%				0%			

**Table 15.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - District Courts**

LEVEL	OFFENSE	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Sub-Total	11941	5556	2141	1072	10	20720	670	1054	538	315	3	2580	6%	19%	25%	29%	30%	12%
1	Pornography	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
1	Defrauding Victular	9	7	2	1	0	19	0	0	1	0	0	1	0%	0%	50%	0%		5%
1	Destruction Of Property	684	337	148	60	1	1230	40	73	56	29	0	198	6%	22%	38%	48%	0%	16%
1	Vandalism	10	10	3	3	1	27	1	1	1	2	0	5	10%	10%	33%	67%	0%	19%
1	Trespassing	669	296	152	114	1	1232	30	37	31	32	1	131	4%	13%	20%	28%	100%	11%
1	Gaming	13	4	4	1	0	22	2	0	1	0	0	3	15%	0%	25%	0%		14%
1	Property Violation	56	19	14	8	0	97	2	3	7	2	0	14	4%	16%	50%	25%		14%
1	Poss Class E Cont Sub	12	18	3	2	0	35	0	4	0	2	0	6	0%	22%	0%	100%		17%
1	Inhaling Toxic Vapors	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
1	Violation Cont Sub	9	10	3	4	0	26	4	2	1	2	0	9	44%	20%	33%	50%		35%
1	Attaching Wrong MV Plates	909	224	87	43	0	1263	8	8	2	2	0	20	1%	4%	2%	5%		2%
1	Operating After Suspended Lic	6329	3165	1083	494	5	11076	460	755	321	169	1	1706	7%	24%	30%	34%	20%	15%
1	Operating After Suspended Reg	465	123	29	11	0	628	13	12	3	4	0	32	3%	10%	10%	36%		5%
1	Operating After	50	47	17	9	0	123	8	11	3	3	0	25	16%	23%	18%	33%		20%
1	Recreat Vehicle On Public Way	19	8	1	2	0	30	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Impersonating (MV Violation)	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
1	Indecent Exposure	70	21	11	5	0	107	8	7	3	1	0	19	11%	33%	27%	20%		18%
1	Lewdness	44	21	3	3	0	71	4	9	2	1	0	16	9%	43%	67%	33%		23%
1	Obscene Language	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Obscene Material	2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%
1	Peeping Tom	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
1	Disorderly Conduct	2330	1154	542	302	2	4330	71	113	99	64	1	348	3%	10%	18%	21%	50%	8%
1	Disturbing School Assembly	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Malicious Mischief	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
1	Affray	11	8	5	3	0	27	0	1	1	1	0	3	0%	13%	20%	33%		11%
1	Discharging A Firearm	25	6	1	0	0	32	2	1	1	0	0	4	8%	17%	100%			13%
1	Telephone Calls	96	47	23	6	0	172	10	13	5	1	0	29	10%	28%	22%	17%		17%
1	Failure To Obey Police Officer	37	9	4	1	0	51	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Procuring Alcohol For Minor	47	10	3	0	0	60	4	2	0	0	0	6	9%	20%	0%			10%

**Table 15.**  
**Convicted and Incarcerated Defendants by Offense Seriousness Level, Criminal History Group,**  
**and Offense of Conviction - District Courts**

LEVEL	OFFENSE	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Transporting Alcohol	14	2	0	0	0	16	0	0	0	0	0	0	0%	0%				0%
1	Glass Throwing	9	2	0	0	0	11	0	0	0	0	0	0	0%	0%				0%
1	Operating Aircraft W/O Lic	2	0	1	0	0	3	0	0	0	0	0	0	0%	0%	0%			0%
1	Resisting Arrest	5	3	1	0	0	9	0	1	0	0	0	1	0%	33%	0%			11%

**Table 16.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction, All Courts**

LEVEL	OFFENSE	Sentenced Defendants										Mean Sentence Length										Median Sentence Length												
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T									
9	Sub-Total	32	17	10	12	0	71	270.0	270.0	270.0	270.0	270.0			270.0	270.0	270.0	270.0	270.0					270.0	270.0	270.0	270.0					270.0		270.0
9	Murder	32	17	10	12	0	71	270.0	270.0	270.0	270.0	270.0			270.0	270.0	270.0	270.0	270.0					270.0	270.0	270.0	270.0					270.0		270.0
8	Sub-Total	70	32	18	27	0	147	117.0	127.9	127.6	173.1			131.0	102.0	120.0	120.0	144.0						131.0	102.0	120.0	120.0	144.0				120.0		120.0
8	Manslaughter	29	14	8	7	0	58	112.9	154.7	138.0	168.0			133.1	96.0	180.0	126.0	168.0						133.1	96.0	180.0	126.0	168.0				120.0		120.0
8	Armed Assault In Dwell House	4	2	0	2	0	8	169.5	120.0		330.0			197.3	144.0	120.0							197.3	144.0	120.0						120.0		120.0	
8	Aggravated Rape	17	6	2	7	0	32	75.9	144.0	89.5	144.9			104.6	48.0	120.0	89.5	96.0					104.6	48.0	120.0	89.5	96.0				72.0		72.0	
8	Rape Of Child with Force	12	8	6	6	0	32	118.5	57.8	115.0	143.0			107.3	78.0	48.0	108.0	120.0					107.3	78.0	48.0	108.0	120.0				84.0		84.0	
8	Burglary	0	0	1	4	0	5			144.0	196.5			186.0			144.0	198.0					186.0			144.0	198.0				180.0		180.0	
8	Cocaine 200+	8	2	1	1	0	12	190.5	180.0	180.0	180.0			187.0	180.0	180.0	180.0	180.0					187.0	180.0	180.0	180.0	180.0				180.0		180.0	
7	Sub-Total	66	37	40	48	2	193	67.7	72.3	62.4	110.6	82.5	78.3	48.0	60.0	51.0	84.0	82.5						78.3	48.0	60.0	51.0	84.0	82.5			60.0		60.0
7	Murder Attempt	0	0	1	0	0	1			36.0			36.0			36.0								36.0			36.0				36.0		36.0	
7	Mayhem	5	4	4	1	0	14	53.2	102.0	57.0	144.0			74.7	48.0	96.0	54.0	144.0					74.7	48.0	96.0	54.0	144.0				60.0		60.0	
7	Rape	22	13	3	10	1	49	46.5	53.4	78.0	91.2	144.0	61.3	36.0	36.0	48.0	66.0	144.0	36.0				61.3	36.0	36.0	48.0	66.0	144.0	36.0		36.0		36.0	
7	Assault Of Child To Rape	0	1	0	0	0	1		60.0				60.0											60.0							60.0		60.0	
7	Incest	1	0	0	0	0	1	27.0					27.0	27.0									27.0	27.0						27.0		27.0		
7	Armed Robbery	20	12	25	32	1	90	48.6	60.1	48.7	111.9	21.0	72.4	36.0	48.0	48.0	78.0	21.0	51.0					72.4	36.0	48.0	48.0	78.0	21.0		51.0		51.0	
7	Confine And Put In Fear	1	3	1	2	0	7	96.0	96.0	36.0	102.0		89.1	96.0	72.0	36.0	102.0		72.0				89.1	96.0	72.0	36.0	102.0				72.0		72.0	
7	Heroin 28-100	2	0	0	0	0	2	108.0					108.0	108.0					108.0					108.0	108.0						108.0		108.0	
7	Cocaine 100-200	15	4	5	2	0	26	124.8	126.0	124.8	120.0		124.6	120.0	120.0	120.0	120.0		120.0				124.6	120.0	120.0	120.0	120.0				120.0		120.0	
7	Heroin 100-200	0	0	1	0	0	1			120.0			120.0											120.0							120.0		120.0	
7	Violation Of Explosives	0	0	0	1	0	1				228.0		228.0				228.0		228.0					228.0				228.0				228.0		228.0
6	Sub-Total	275	167	173	132	2	749	58.1	57.9	58.5	71.2	114.0	60.6	60.0	54.0	60.0	60.0	114.0	60.0					60.6	60.0	54.0	60.0	60.0	114.0	60.0		60.0		60.0
6	Manslaughter	1	0	1	1	0	3	24.0		24.0	3.0		17.0	24.0			24.0	3.0	24.0					17.0	24.0		24.0	3.0			24.0		24.0	
6	A&B Dangerous Weapon	34	38	35	23	1	131	46.8	51.5	52.0	51.5	108.0	50.8	48.0	48.0	48.0	36.0	108.0	48.0					50.8	48.0	48.0	48.0	36.0	108.0	48.0		48.0		48.0
6	Assault To Maim	0	0	0	0	0	0																											
6	Assault To Kill	22	14	14	4	0	54	71.2	56.5	70.3	90.0		68.5	63.0	60.0	66.0	90.0		60.0					68.5	63.0	60.0	66.0	90.0			60.0		60.0	

**Table 16.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction, All Courts**

LEVEL	OFFENSE	Sentenced Defendants										Mean Sentence Length										Median Sentence Length									
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Rape Of Child	68	26	18	6	1	119	53.3	57.3	67.0	68.0	120.0	57.6	45.0	37.5	57.0	48.0	120.0	48.0	45.0	37.5	57.0	48.0	120.0	48.0	45.0	37.5	57.0	48.0	120.0	48.0
6	Assault To Rape	8	1	1	0	0	10	43.9	48.0	72.0	.	.	47.1	37.0	48.0	72.0	.	.	46.0	37.0	48.0	72.0	.	.	46.0	37.0	48.0	72.0	.	.	46.0
6	Indecent A&B Mentally Retarded	2	0	1	0	0	3	36.0	.	18.0	.	.	30.0	36.0	.	18.0	.	.	18.0	36.0	.	18.0	.	.	18.0	36.0	.	18.0	.	.	18.0
6	Child Pornography	0	1	0	0	0	1	.	8.0	.	.	.	8.0	.	8.0	.	.	.	8.0	.	8.0	.	.	.	8.0	.	8.0	.	.	.	8.0
6	Armed Robbery	57	44	67	61	0	229	58.8	44.8	50.3	82.4	.	59.9	48.0	36.0	48.0	60.0	.	48.0	48.0	36.0	48.0	60.0	.	48.0	48.0	36.0	48.0	60.0	.	48.0
6	Armed Assault To Rob	18	14	10	16	0	58	70.7	81.0	70.5	64.1	.	71.3	48.0	72.0	60.0	60.0	.	71.3	48.0	72.0	60.0	60.0	.	63.0	48.0	72.0	60.0	60.0	.	63.0
6	Carjacking	1	0	1	0	0	2	36.0	.	60.0	.	.	48.0	36.0	.	60.0	.	.	48.0	36.0	.	60.0	.	.	48.0	36.0	.	60.0	.	.	48.0
6	Kidnapping	8	5	5	6	0	24	46.0	76.8	62.4	84.0	.	65.3	33.0	66.0	60.0	84.0	.	65.3	33.0	66.0	60.0	84.0	.	69.0	33.0	66.0	60.0	84.0	.	69.0
6	Burning Dwelling House	2	2	0	6	0	10	4.0	27.0	.	46.0	.	33.8	4.0	27.0	.	48.0	.	33.8	4.0	27.0	.	48.0	.	33.0	4.0	27.0	.	48.0	.	33.0
6	Dist Class A Subsequent	0	2	1	1	0	4	.	60.0	108.0	108.0	.	84.0	.	60.0	108.0	108.0	.	84.0	.	60.0	108.0	108.0	.	84.0	.	60.0	108.0	108.0	.	84.0
6	Cocaine 28-100	47	18	16	7	0	88	68.4	89.3	75.0	63.4	.	73.5	60.0	96.0	60.0	60.0	.	73.5	60.0	96.0	60.0	60.0	.	60.0	60.0	96.0	60.0	60.0	.	60.0
6	Heroin 14-28	4	1	1	0	0	6	63.0	60.0	60.0	.	.	62.0	60.0	60.0	60.0	.	.	62.0	60.0	60.0	60.0	.	.	60.0	60.0	60.0	60.0	.	.	60.0
6	Marijuana 2000-10000	0	0	0	1	0	2	.	.	60.0	60.0	.	60.0	.	.	60.0	60.0	.	60.0	.	.	60.0	60.0	.	60.0	.	.	60.0	60.0	.	60.0
6	Hom By MV While Und Infl Liq	3	1	1	0	0	5	80.0	36.0	120.0	.	.	79.2	72.0	36.0	120.0	.	.	79.2	72.0	36.0	120.0	.	.	72.0	72.0	36.0	120.0	.	.	72.0
6	Poss Explosive Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
5	Sub-Total	129	91	86	68	0	374	25.6	28.7	39.8	50.8	.	34.2	24.0	30.0	36.0	36.0	.	34.2	24.0	30.0	36.0	36.0	.	36.0	24.0	30.0	36.0	36.0	.	36.0
5	Indecent A&B On Child	62	32	20	5	0	119	19.6	15.8	24.0	26.0	.	19.6	12.0	12.0	13.5	18.0	.	19.6	12.0	12.0	13.5	18.0	.	12.0	12.0	12.0	13.5	18.0	.	12.0
5	Robbery	19	29	32	41	0	121	28.1	31.5	49.7	52.1	.	42.8	24.0	36.0	36.0	48.0	.	42.8	24.0	36.0	36.0	48.0	.	36.0	24.0	36.0	36.0	48.0	.	36.0
5	Stalk/Following	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
5	Stalk In Viol 208,209A/Injunc	5	4	4	4	0	17	18.0	15.0	19.5	27.0	.	19.8	18.0	12.0	18.0	27.0	.	19.8	18.0	12.0	18.0	27.0	.	24.0	18.0	12.0	18.0	27.0	.	24.0
5	Burglary	3	4	8	12	0	27	8.7	57.0	57.8	67.0	.	56.3	8.0	54.0	51.0	84.0	.	56.3	8.0	54.0	51.0	84.0	.	48.0	8.0	54.0	51.0	84.0	.	48.0
5	Dist Class B Subsequent	0	5	0	1	0	6	.	60.0	.	72.0	.	62.0	.	60.0	.	72.0	.	62.0	.	60.0	.	72.0	.	60.0	.	60.0	.	72.0	.	60.0
5	Cocaine 14-28	33	16	21	3	0	73	36.7	36.8	38.3	36.0	.	37.2	36.0	36.0	36.0	36.0	.	37.2	36.0	36.0	36.0	36.0	.	36.0	36.0	36.0	36.0	36.0	.	36.0
5	Marijuana 100-2000	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
5	Conspiracy Trafficking Heroin	6	1	0	2	0	9	31.8	18.0	.	48.0	.	33.9	36.0	18.0	.	48.0	.	33.9	36.0	18.0	.	48.0	.	36.0	36.0	18.0	.	48.0	.	36.0
5	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
5	Perjury	0	0	1	0	0	1	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0
4	Sub-Total	973	823	753	568	5	3122	15.7	17.7	20.1	26.0	28.4	19.2	12.0	12.0	14.0	18.0	16.0	12.0	12.0	12.0	14.0	18.0	16.0	12.0	12.0	12.0	14.0	18.0	16.0	12.0

**Table 16.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction, All Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length									
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T						
4	A&B On Corr Institution Guard	0	2	2	8	0	12	.	36.0	31.0	29.8	.	31.0	.	36.0	31.0	33.0	.	36.0	.	36.0	31.0	33.0	.	36.0
4	A&B Dangerous Weapon	40	56	45	28	0	169	18.8	19.6	22.8	20.8	.	20.5	.	18.0	18.0	24.0	18.0	.	18.0	18.0	24.0	18.0	.	24.0
4	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
4	Sodomy	1	0	0	0	0	1	216.0	.	.	.	.	216.0	.	216.0	.	.	.	.	216.0	.	.	.	.	216.0
4	Indecent Assault And Battery	55	25	25	12	0	117	10.7	13.2	25.9	19.2	.	15.4	.	6.0	7.0	12.0	21.0	.	6.0	7.0	12.0	21.0	.	9.0
4	Armed Assault To Rob	2	0	4	2	0	8	42.0	.	34.8	96.0	.	51.9	.	42.0	.	30.0	96.0	.	42.0	.	30.0	96.0	.	42.0
4	Intimidation	12	22	20	18	0	72	6.3	8.2	8.1	10.5	.	8.4	.	6.0	7.0	6.0	6.0	.	6.0	7.0	6.0	6.0	.	6.0
4	Stalk/Following	9	5	8	7	0	29	7.5	16.2	9.6	10.1	.	10.2	.	6.0	12.0	9.0	12.0	.	6.0	12.0	9.0	12.0	.	7.0
4	Stalk In Viol 208,209A/Injunc	5	2	2	0	0	9	2.5	2.8	6.0	.	.	3.3	.	2.0	2.5	6.0	.	.	2.0	2.5	6.0	.	3.0	
4	2Nd/Subsq After C265 A,B Cvict	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny	3	2	2	4	0	11	35.0	60.0	42.0	30.0	.	39.0	.	48.0	60.0	42.0	30.0	.	48.0	60.0	42.0	30.0	.	36.0
4	Larceny More	5	3	7	3	0	18	32.4	30.0	39.4	40.0	.	36.0	.	36.0	36.0	36.0	36.0	.	36.0	36.0	36.0	36.0	.	36.0
4	Larceny From A Building	0	0	0	2	0	2	.	.	.	90.0	.	90.0	.	.	.	90.0	.	.	.	.	.	90.0	.	90.0
4	Larceny From A Person	80	85	78	85	1	329	9.2	12.0	13.3	13.4	6.0	12.0	.	6.0	9.0	12.0	12.0	6.0	6.0	9.0	12.0	12.0	6.0	12.0
4	Larceny Of A MV	0	1	1	5	1	8	.	30.0	12.0	75.6	48.0	58.5	.	.	30.0	12.0	48.0	48.0	.	30.0	12.0	48.0	48.0	42.0
4	Breaking And Entering	8	8	19	62	0	97	65.3	52.5	69.5	74.6	.	71.0	.	66.0	36.0	72.0	72.0	.	66.0	36.0	72.0	72.0	.	72.0
4	Attempt Breaking & Entering	0	4	2	9	0	15	.	12.0	15.0	21.5	.	18.1	.	.	12.0	15.0	24.0	.	.	12.0	15.0	24.0	.	12.0
4	Receiving Stolen Property	1	5	9	11	1	27	60.0	31.2	39.3	54.5	60.0	45.6	.	60.0	36.0	36.0	48.0	60.0	60.0	36.0	36.0	48.0	60.0	36.0
4	Attempt Arson Of MV	1	0	0	0	0	1	6.0	.	.	.	.	6.0	.	6.0	.	.	.	.	6.0	.	.	.	.	6.0
4	Burning Building	3	2	1	3	0	9	11.0	30.0	30.0	17.3	.	19.4	.	12.0	30.0	30.0	12.0	.	12.0	30.0	30.0	12.0	.	12.0
4	Burning To Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
4	Poss Class A Cont Sub w/int or 2nd	6	3	4	5	0	18	10.1	8.5	22.5	5.9	.	11.4	.	5.5	1.0	12.0	4.0	.	5.5	1.0	12.0	4.0	.	7.5
4	Poss Class B Cont Sub w/int or 2nd	8	5	7	6	0	26	8.9	11.6	13.2	10.3	.	10.9	.	9.0	12.0	12.0	6.0	.	9.0	12.0	12.0	6.0	.	12.0
4	Poss To Distribute Class A	99	87	102	58	0	346	11.2	15.4	18.3	19.4	.	15.7	.	9.0	12.0	12.0	12.0	.	9.0	12.0	12.0	12.0	.	12.0
4	Poss To Distribute Class B	257	242	182	89	1	771	12.4	12.0	14.1	16.9	16.0	13.2	.	12.0	12.0	12.0	16.0	13.2	12.0	12.0	12.0	16.0	12.0	12.0
4	Dist Class A Heroin	90	54	60	31	1	236	12.3	22.0	22.9	27.8	12.0	19.3	.	10.5	12.0	18.0	24.0	12.0	10.5	12.0	18.0	24.0	12.0	12.0
4	Dist Class B Cocaine	100	54	63	11	0	228	22.1	29.4	24.2	36.7	.	25.1	.	12.0	24.0	18.0	30.0	.	12.0	24.0	18.0	30.0	.	18.0
4	Distributing Cont Sub	2	7	3	5	0	17	24.0	77.1	58.0	55.2	.	61.1	.	24.0	72.0	54.0	60.0	.	24.0	72.0	54.0	60.0	.	60.0
4	Trafficking Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
4	Marijuana 50-100	2	0	0	0	0	2	12.0	.	.	.	.	12.0	.	12.0	.	.	.	.	12.0	.	.	.	.	12.0

**Table 16.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction, All Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length						
		A	B	C	D	E	T		A	B	C	D	E	T		A	B	C	D	E	T	
4	Larceny Cont Sub	3	2	1	1	0	7		7.1	48.0	2.0	24.0	.	20.5		3.0	48.0	2.0	24.0	.	12.0	
4	Giving Prisoner Cont Sub	1	0	1	2	0	4		12.0	.	6.0	9.0	.	9.0		12.0	.	6.0	9.0	.	9.0	
4	Control Substance School	119	100	55	38	0	312		24.5	25.9	26.5	25.3	.	25.4		24.0	24.0	24.0	24.0	.	24.0	
4	Homicide By MV	27	3	1	1	0	32		24.1	23.0	108.0	30.0	.	26.8		12.0	30.0	108.0	30.0	.	12.0	
4	Hom By MV While Und Infl Liq	10	1	0	0	0	11		17.0	12.0	.	.	.	16.5		12.0	12.0	.	.	.	12.0	
4	OUI Drug Oper Negl Ser Inj	2	0	0	0	0	2		9.1	.	.	.	.	9.1		9.0	.	.	.	.	9.0	
4	OUI Serious Inj, Fel	2	5	0	0	0	7		3.5	24.0	.	.	.	18.1		3.5	24.0	.	.	.	12.0	
4	Deriv Support By Prostitution	1	1	0	0	0	2		3.0	0.3	.	.	.	1.7		3.0	0.3	.	.	.	1.5	
4	Accessory After	5	3	3	0	0	11		19.4	26.9	28.3	.	.	23.9		18.0	14.0	24.0	.	.	18.0	
4	Escape	10	29	43	57	0	139		6.4	5.7	9.3	8.6	.	8.1		3.0	3.0	6.0	6.0	.	6.0	
4	Bribery	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.	.	
4	Extortion	1	2	1	1	0	5		24.0	27.0	60.0	12.0	.	30.0		24.0	27.0	60.0	12.0	.	24.0	
4	Bomb Hoax	1	1	0	1	0	3		30.0	3.0	.	15.0	.	16.0		30.0	3.0	.	15.0	.	15.0	
4	Violation Of Explosives	2	2	2	3	0	9		9.5	3.1	12.0	22.3	.	12.9		9.5	3.0	12.0	30.0	.	6.0	
3	Sub-Total	1310	1895	1688	1417	7	6317		6.5	7.2	8.7	10.4	8.8	8.2		3.0	6.0	6.0	8.0	6.0	6.0	
3	Assault And Battery	347	556	508	332	2	1745		5.4	6.0	7.3	8.9	7.5	6.8		3.0	4.0	6.0	6.0	7.5	6.0	
3	A&B On Corr Institution Guard	1	1	0	3	0	5		1.5	3.0	.	8.0	.	5.7		1.5	3.0	.	6.0	.	6.0	
3	A&B Dangerous Weapon	144	182	137	65	0	528		5.1	5.5	6.3	6.1	.	5.7		5.0	6.0	6.0	6.0	.	6.0	
3	Assault Dangerous Weapon	141	164	117	106	0	528		8.8	10.0	13.0	12.6	.	10.9		6.0	6.0	6.0	12.0	.	6.0	
3	Unnatural Acts	3	5	1	0	0	9		6.0	7.0	6.0	.	.	6.5		6.0	3.0	6.0	.	.	6.0	
3	Violation Of Civil Rights	1	6	3	1	1	12		6.0	7.7	3.7	12.0	1.9	6.4		6.0	4.5	3.0	12.0	1.9	4.5	
3	Restraining Order Violation	142	262	210	138	1	753		4.7	6.2	7.6	8.8	24.0	6.8		2.0	3.0	6.0	6.0	24.0	6.0	
3	Larceny More	93	129	140	158	1	521		6.8	6.5	7.3	8.6	12.0	7.4		5.0	3.0	6.0	6.0	12.0	6.0	
3	Larceny From A Building	5	21	18	19	0	63		4.9	7.5	8.2	11.2	.	8.6		4.0	6.0	6.0	9.0	.	6.0	
3	Theft Of A Firearm	4	2	0	0	0	6		8.3	22.0	.	.	.	12.8		9.0	22.0	.	.	.	12.0	
3	Larceny Of A MV	38	57	58	69	1	223		6.0	7.6	11.0	14.0	6.0	10.2		3.0	6.0	12.0	12.0	6.0	8.0	
3	Obt Under False Pret	0	3	3	0	0	6		.	11.0	6.0	.	.	8.5		.	12.0	6.0	.	.	7.5	
3	Embezzlement	6	1	0	0	0	7		17.0	6.0	.	.	.	15.4		15.0	6.0	.	.	.	6.0	
3	Fraud	5	1	1	0	0	7		12.8	0.5	24.0	.	.	12.6		12.0	0.5	24.0	.	.	12.0	

**Table 16.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction, All Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length						
		A	B	C	D	E	T		A	B	C	D	E	T		A	B	C	D	E	T	
3	Poss Burglarious Tools	13	25	33	38	0	109		13.9	9.0	8.7	11.7	.	10.4		6.0	6.0	6.0	12.0	.	6.0	
3	Breaking And Entering	228	313	358	355	0	1254		5.8	8.8	11.0	12.8	.	10.0		3.5	6.0	9.0	12.0	.	6.0	
3	Forgery And Uttering	26	44	51	76	1	198		12.3	6.1	10.0	10.7	3.0	9.7		4.5	5.0	6.0	7.5	3.0	6.0	
3	Burning (Arson)	12	13	2	4	0	31		24.9	27.4	63.0	13.9	.	27.0		19.5	12.0	63.0	15.0	.	18.0	
3	Burning Motor Vehicle	0	0	1	0	0	1		.	.	6.0	.	.	6.0		.	.	6.0	.	.	6.0	
3	Illegal Lottery	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.	.	
3	Poss To Distribute Class C	2	3	1	1	0	7		24.0	21.3	12.0	36.0	.	22.9		24.0	24.0	12.0	36.0	.	24.0	
3	Mfg Class C Cont Sub	0	1	0	0	0	1		.	6.0	.	.	.	6.0		.	6.0	.	.	.	6.0	
3	Distribute/Dispense Class C	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.	.	
3	Homicide By MV	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.	.	
3	Leaving Scene Property Damage	39	61	24	27	0	151		3.5	4.6	6.9	8.9	.	5.5		3.0	3.0	3.0	6.0	.	3.0	
3	Leaving Scene:Person Injured	21	20	6	11	0	58		4.5	9.4	7.6	9.6	.	7.5		3.0	6.0	6.0	12.0	.	6.0	
3	OUI Serious Inj, Misd	2	1	0	0	0	3		4.6	2.0	.	.	.	3.7		4.5	2.0	.	.	.	3.0	
3	Gun Serial Number	3	0	1	0	0	4		12.0	.	36.0	.	.	18.0		12.0	.	36.0	.	.	15.0	
3	Poss Altered Firearm	3	1	0	0	0	4		9.0	6.0	.	.	.	8.3		12.0	6.0	.	.	.	9.0	
3	No Support	6	0	0	0	0	6		11.4	.	.	.	.	11.4		12.0	.	.	.	.	12.0	
3	Carrying Dangerous Weapon	24	22	14	13	0	73		12.0	10.2	7.0	7.3	.	9.7		12.0	6.0	6.0	6.0	.	6.0	
3	Obstructing Firefighter	0	0	1	1	0	2		.	.	1.0	3.0	.	2.0		.	1.0	3.0	.	.	2.0	
3	Neglect	1	1	0	0	0	2		0.3	3.0	.	.	.	1.7		0.3	3.0	.	.	.	1.5	
3	Missile Throwing	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.	.	
2	Sub-Total	1135	1503	1052	922	2	4614		5.6	5.9	7.2	8.3	4.5	6.6		3.0	3.0	6.0	6.0	4.5	4.0	
2	Assault	8	19	8	5	0	40		6.7	9.5	5.4	9.0	.	8.0		4.5	6.0	2.0	6.0	.	6.0	
2	Accosting	0	4	0	0	0	4		.	2.6	.	.	.	2.6		.	2.0	.	.	.	2.0	
2	Threatening	56	89	70	46	1	262		4.4	5.2	5.0	5.0	6.0	5.0		5.5	6.0	6.0	6.0	6.0	6.0	
2	Annoy Person Opposite Sex	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.	.	
2	Larceny	34	58	56	58	0	206		3.9	5.6	10.6	9.3	.	7.7		2.5	3.0	6.0	6.0	.	6.0	
2	Attempt Larceny	0	1	3	3	0	7		.	6.0	12.0	6.3	.	8.7		.	6.0	6.0	6.0	.	6.0	
2	Larceny Less	23	40	40	60	0	163		3.8	4.7	10.8	5.2	.	6.3		1.0	3.0	3.0	4.5	.	3.0	
2	Credit Card Misuse	5	4	2	2	0	13		7.0	9.0	3.5	5.5	.	6.8		4.0	9.0	3.5	5.5	.	6.0	



**Table 16.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction, All Courts**

LEVEL	OFFENSE	Sentenced Defendants						Mean Sentence Length						Median Sentence Length					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Welfare Violation	0	1	0	1	0	2	.	0.3	.	2.5	.	1.4	.	0.3	.	2.5	.	1.0
2	Concealing Mortgaged Property	0	1	0	1	0	2	.	0.2	.	6.0	.	3.1	.	0.2	.	6.0	.	3.0
2	Concealing Stolen Property	0	1	0	1	0	2	.	120.0	.	120.0	.	120.0	.	120.0	.	120.0	.	120.0
2	Failure To Return Leased Prop	0	2	1	0	0	3	.	4.0	1.0	.	.	3.0	.	4.0	1.0	.	.	2.0
2	Injuring A Building	0	3	3	1	0	7	.	4.3	2.8	1.0	.	3.2	.	2.0	2.0	1.0	.	2.0
2	Receiving Stolen Property	168	255	256	264	0	943	5.8	6.8	9.2	10.9	.	8.4	3.0	6.0	6.0	9.0	.	6.0
2	Counterfeit	3	4	2	1	0	10	3.5	4.0	2.1	7.0	.	3.8	1.0	1.5	2.0	7.0	.	1.5
2	Burning (Arson)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Lottery Ticket Altering	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Poss Controlled Substance	101	55	24	17	0	197	5.9	8.0	6.4	7.9	.	6.7	4.0	6.0	6.0	6.0	.	6.0
2	Poss Class A Cont Sub	21	43	34	42	0	140	2.9	4.5	4.9	5.7	.	4.7	1.0	3.0	2.5	6.0	.	3.0
2	Poss Class B Cont Sub	105	140	101	77	0	423	4.4	4.9	5.2	5.0	.	4.9	3.0	4.0	3.0	3.0	.	3.0
2	Poss Class C Cont Sub	3	2	1	1	0	7	8.7	8.5	12.0	3.0	.	8.3	12.0	8.5	12.0	3.0	.	12.0
2	Poss Class D Cont Sub	38	64	23	21	0	146	3.7	4.0	3.8	5.5	.	4.1	2.5	3.0	3.0	3.0	.	3.0
2	Poss Counterfeit Narcotics	10	5	3	4	0	22	0.8	2.9	3.0	1.3	.	1.7	0.0	3.0	2.0	1.0	.	0.5
2	Poss Class A Heroin	24	55	38	27	0	144	4.3	6.3	5.8	6.4	.	5.9	2.5	6.0	3.5	6.0	.	5.5
2	Poss Controlled Subs W/I Dist	59	40	15	10	0	124	19.1	20.7	27.5	34.9	.	21.9	6.0	12.0	24.0	30.0	.	12.0
2	Poss To Distribute Class D	73	55	32	11	1	172	7.0	7.9	9.9	12.4	3.0	8.2	4.0	6.0	6.0	12.0	3.0	6.0
2	Poss To Distribute Class E	0	2	1	0	0	3	.	1.2	12.0	.	.	4.8	.	1.0	12.0	.	.	2.0
2	Distributing Cont Sub	4	7	3	3	0	17	16.1	18.7	16.4	24.0	.	18.6	16.5	18.0	24.0	24.0	.	24.0
2	Sale Of CSA	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Poss Hypodermic Or Syringe	14	36	35	46	0	131	3.0	5.8	5.5	5.3	.	5.2	2.5	3.0	3.0	3.0	.	3.0
2	Knowing Class A Cont Sub Pres	8	3	1	2	0	14	3.1	3.1	6.0	7.5	.	4.0	0.5	3.0	6.0	7.5	.	3.5
2	Forg Prescription For Cont Sub	0	0	1	0	0	1	.	.	3.0	.	.	3.0	.	3.0	.	.	.	3.0
2	Fraudulently Obt Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Oper To End(Live&Safety)	92	121	64	47	0	324	3.3	4.7	6.1	7.7	.	5.0	3.0	3.0	4.0	6.0	.	3.0
2	Oper Negligently	6	2	0	1	0	9	20.0	3.1	.	1.0	.	14.1	2.0	3.0	.	1.0	.	1.0
2	Operating Recklessly	2	3	3	1	0	9	4.5	6.3	8.5	6.0	.	6.6	4.5	6.0	1.0	6.0	.	6.0
2	Use Without Authority	28	26	31	23	0	108	3.6	6.1	9.9	9.0	.	7.1	3.0	3.0	6.0	6.0	.	6.0
2	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

**Table 16.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction, All Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length																
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T													
2	Alt MV License/Registration	0	0	1	1	0	2	.	.	1.0	6.0	.	3.5	.	.	1.0	6.0	.	3.5	.	.	1.0	6.0	.	3.5	.	.	1.0	6.0	.	3.5	
2	Compulsory Insurance Violation	78	135	75	32	0	320	1.1	2.1	1.8	2.2	.	1.8	0.0	1.0	1.0	1.0	.	1.8	0.0	1.0	1.0	1.0	.	1.8	.	.	1.0	1.0	.	1.0	
2	Altering MV Id Number	0	0	2	0	0	2	.	.	4.0	.	.	4.0	.	.	4.0	.	.	4.0	.	.	4.0	.	.	4.0	.	.	4.0	.	.	4.0	
2	Counterfeiting MV Document	5	8	3	1	0	17	1.5	2.9	2.2	2.0	.	2.3	1.0	3.5	0.0	2.0	.	2.3	1.0	3.5	0.0	2.0	.	2.3	1.0	3.5	0.0	2.0	.	2.0	
2	False Statement On Application	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0	
2	Uninsured Veh Remain Hwy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	
2	Prostitution	83	137	57	21	0	298	4.2	4.3	5.1	5.4	.	4.5	2.0	4.0	6.0	6.0	.	4.5	2.0	4.0	6.0	6.0	.	4.5	2.0	4.0	6.0	6.0	.	3.0	
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	
2	Open And Gross	14	12	8	9	0	43	8.4	11.2	7.8	6.6	.	8.7	6.0	6.0	9.0	3.0	.	8.7	6.0	6.0	9.0	3.0	.	8.7	6.0	6.0	9.0	3.0	.	6.0	
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	
2	Firearm Id Card	5	0	3	1	0	9	15.6	.	5.7	12.0	.	11.9	12.0	.	.	3.0	12.0	.	11.9	12.0	.	.	3.0	12.0	.	.	3.0	12.0	.	12.0	
2	Poss Of Mace	1	0	2	0	0	3	12.0	.	3.5	.	.	6.3	12.0	.	.	3.5	.	6.3	12.0	.	.	3.5	.	.	6.3	12.0	.	.	3.5	.	6.0
2	Poss Of Ammunition	12	1	2	3	0	18	9.8	6.0	10.5	2.3	.	8.4	12.0	6.0	10.0	3.0	.	8.4	12.0	6.0	10.0	3.0	.	8.4	12.0	6.0	10.0	3.0	.	10.5	
2	Attempt To Commit Crime	37	43	26	68	0	174	7.3	7.9	9.1	10.8	.	9.1	6.0	6.0	7.0	6.5	.	9.1	6.0	6.0	7.0	6.5	.	9.1	6.0	6.0	7.0	6.5	.	6.0	
2	Aiding An Escape	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0	
2	Interfering W/ Police Officer	0	0	1	0	0	1	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0	
2	Impersonation	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0	
2	False Statement	2	1	3	4	0	10	12.0	2.0	8.7	5.3	.	7.3	12.0	2.0	6.0	5.5	.	7.3	12.0	2.0	6.0	5.5	.	7.3	12.0	2.0	6.0	5.5	.	6.0	
2	Fail To Appear On Pers Recog	2	10	5	1	0	18	0.8	3.1	3.3	1.0	.	2.8	0.5	1.0	1.0	1.0	.	2.8	0.5	1.0	1.0	1.0	.	2.8	0.5	1.0	1.0	1.0	.	1.0	
2	Poss Dangerous Weapon	3	2	2	0	0	7	1.1	0.8	7.0	.	.	2.7	1.0	0.5	7.0	.	.	2.7	1.0	0.5	7.0	.	.	2.7	1.0	0.5	7.0	.	.	1.0	
2	False Alarm	2	2	1	1	0	6	3.5	3.1	1.0	6.0	.	3.4	3.0	3.0	1.0	6.0	.	3.4	3.0	3.0	1.0	6.0	.	3.4	3.0	3.0	1.0	6.0	.	3.5	
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	
2	Contempt Of Court	1	1	1	1	0	3	2.0	2.5	0.9	.	.	1.8	2.0	2.5	0.9	.	.	1.8	2.0	2.5	0.9	.	.	1.8	2.0	2.5	0.9	.	.	2.0	
2	Contributing To Delinquency	2	6	3	2	0	13	3.2	6.3	4.1	10.5	.	6.0	3.0	6.0	6.0	10.5	.	6.0	3.0	6.0	6.0	10.5	.	6.0	3.0	6.0	6.0	10.5	.	6.0	
2	Cruelty To Animals	2	3	2	1	0	8	1.8	6.6	6.0	1.0	.	4.5	1.5	6.0	6.0	1.0	.	4.5	1.5	6.0	6.0	1.0	.	4.5	1.5	6.0	6.0	1.0	.	4.5	
2	Violation Of Bail Law	1	1	2	0	0	4	0.4	1.0	2.2	.	.	1.4	0.4	1.0	2.0	.	.	1.4	0.4	1.0	2.0	.	.	1.4	0.4	1.0	2.0	.	.	0.5	
2	Curfew	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	
2	Disguising	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	
2	False License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	

**Table 16.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction, All Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length						
		A	B	C	D	E	T		A	B	C	D	E	T		A	B	C	D	E	T	
1	Sub-Total	586	975	514	295	3	2373		1.6	2.0	2.4	2.5	9.1	2.1		0.0	1.0	1.0	1.0	3.0	1.0	
1	Pornography	3	0	0	0	0	3		2.7	.	.	.	.	2.7		1.0	.	.	.	1.0		
1	Defrauding Victualer	0	0	1	0	0	1		.	.	0.1	.	.	0.1		.	.	0.1	.	0.1		
1	Destruction Of Property	39	68	54	28	0	189		6.2	5.6	6.6	5.8	.	6.1		3.0	3.0	3.0	3.0	3.0		
1	Vandalism	1	0	1	2	0	4		3.2	.	6.0	3.1	.	3.9		3.2	.	6.0	3.0	4.5		
1	Trespassing	26	33	30	30	1	120		1.9	1.9	1.1	2.8	0.2	1.9		1.0	1.0	0.0	1.0	0.2		
1	Gaming	1	0	1	0	0	2		3.0	.	6.0	.	.	4.5		3.0	.	6.0	.	4.5		
1	Property Violation	2	3	7	3	0	15		6.5	1.7	5.1	12.3	.	6.1		6.5	1.0	2.0	6.0	2.0		
1	Poss Class E Cont Sub	0	3	0	2	0	5		.	4.3	.	3.5	.	4.0		.	6.0	.	3.5	6.0		
1	Inhaling Toxic Vapors	0	1	0	0	0	1		.	1.2	.	.	.	1.2		.	1.2	.	.	1.2		
1	Violation Cont Sub	4	2	1	2	0	9		7.1	6.5	12.0	2.5	.	6.5		1.5	6.5	12.0	2.5	2.0		
1	Attaching Wrong MV Plates	5	5	2	2	0	14		0.7	1.9	0.3	3.2	.	1.4		0.0	1.0	0.0	3.0	0.0		
1	Operating After Suspended Lic	409	706	305	159	1	1580		1.0	1.6	1.6	1.5	24.0	1.5		0.0	0.0	0.0	0.0	24.0		
1	Operating After Suspended Reg	8	11	3	3	0	25		1.6	4.5	4.2	0.8	.	3.1		2.0	0.0	0.0	0.0	1.0		
1	Operating After	7	11	3	3	0	24		0.8	1.1	1.8	1.0	.	1.1		0.0	0.0	2.0	0.0	0.0		
1	Recreat Vehicle On Public Way	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.		
1	Impersonating (MV Violation)	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.		
1	Indecent Exposure	8	7	3	0	0	18		4.7	3.9	4.7	.	.	4.3		3.0	6.0	6.0	.	4.5		
1	Lewdness	2	8	2	1	0	13		3.5	3.5	3.5	6.0	.	3.7		3.5	3.0	3.5	6.0	3.0		
1	Obscene Language	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.		
1	Obscene Material	1	0	0	0	0	1		12.0	.	.	.	.	12.0		12.0	.	.	.	12.0		
1	Peeping Tom	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.		
1	Disorderly Conduct	53	102	95	58	1	309		1.6	2.1	2.4	2.8	3.0	2.2		1.0	1.0	1.0	1.0	3.0		
1	Disturbing School Assembly	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	1.0		
1	Malicious Mischief	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.		
1	Affray	0	1	1	1	0	3		.	0.2	1.0	0.3	.	0.5		.	0.2	1.0	0.3	0.0		
1	Discharging A Firearm	2	1	0	0	0	3		2.0	0.3	.	.	.	1.4		2.0	0.3	.	.	1.0		
1	Telephone Calls	12	11	5	1	0	29		1.3	2.2	5.1	3.0	.	2.4		1.0	3.0	3.0	3.0	2.0		
1	Failure To Obey Police Officer	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.		
1	Procuring Alcohol For Minor	3	2	0	0	0	5		2.2	3.3	.	.	.	2.6		0.0	3.0	.	.	0.0		

**Table 16.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction, All Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length						
		A	B	C	D	E	T		A	B	C	D	E	T		A	B	C	D	E	T	
1	Transporting Alcohol	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.	.	
1	Glass Throwing	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.	.	
1	Operating Aircraft W/O Lic	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.	.	
1	Resisting Arrest	0	0	0	0	0	0		.	.	.	.	.	.		.	.	.	.	.	.	

**Table 17.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length									
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T						
9	Sub-Total	32	17	10	12	0	71	270.0	270.0	270.0	270.0	.	270.0	270.0	270.0	270.0	270.0	.	270.0	270.0	270.0	270.0	.	270.0	
9	Murder	32	17	10	12	0	71	270.0	270.0	270.0	270.0	.	270.0	270.0	270.0	270.0	270.0	.	270.0	270.0	270.0	270.0	.	270.0	
8	Sub-Total	70	32	18	27	0	147	117.0	127.9	127.6	173.1	.	131.0	102.0	120.0	144.0	144.0	.	102.0	120.0	120.0	144.0	.	120.0	
8	Manslaughter	29	14	8	7	0	58	112.9	154.7	138.0	168.0	.	133.1	96.0	180.0	126.0	168.0	.	96.0	180.0	126.0	168.0	.	120.0	
8	Armed Assault In Dwell House	4	2	0	2	0	8	169.5	120.0	.	330.0	.	197.3	144.0	120.0	.	.	.	144.0	120.0	.	.	.	120.0	
8	Aggravated Rape	17	6	2	7	0	32	75.9	144.0	89.5	144.9	.	104.6	48.0	120.0	89.5	96.0	.	48.0	120.0	89.5	96.0	.	72.0	
8	Rape Of Child with Force	12	8	6	6	0	32	118.5	57.8	115.0	143.0	.	107.3	78.0	48.0	108.0	120.0	.	78.0	48.0	108.0	120.0	.	84.0	
8	Burglary	0	0	1	4	0	5	.	.	144.0	196.5	.	186.0	.	.	144.0	198.0	.	186.0	.	.	144.0	198.0	.	180.0
8	Cocaine 200+	8	2	1	1	0	12	190.5	180.0	180.0	180.0	.	187.0	180.0	180.0	180.0	180.0	.	180.0	180.0	180.0	180.0	.	180.0	
7	Sub-Total	66	37	40	48	2	193	67.7	72.3	62.4	110.6	82.5	78.3	48.0	60.0	51.0	84.0	82.5	60.0	48.0	60.0	51.0	84.0	82.5	60.0
7	Murder Attempt	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
7	Mayhem	5	4	4	1	0	14	53.2	102.0	57.0	144.0	.	74.7	48.0	96.0	54.0	144.0	.	48.0	96.0	54.0	144.0	.	60.0	
7	Rape	22	13	3	10	1	49	46.5	53.4	78.0	91.2	144.0	61.3	36.0	36.0	48.0	66.0	144.0	36.0	36.0	48.0	66.0	144.0	36.0	
7	Assault Of Child To Rape	0	1	0	0	0	1	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0
7	Incest	1	0	0	0	0	1	27.0	.	.	.	.	27.0	27.0	.	.	.	.	27.0	27.0	.	.	.	27.0	
7	Armed Robbery	20	12	25	32	1	90	48.6	60.1	48.7	111.9	21.0	72.4	36.0	48.0	48.0	78.0	21.0	36.0	48.0	48.0	78.0	21.0	51.0	
7	Confine And Put In Fear	1	3	1	2	0	7	96.0	96.0	36.0	102.0	.	89.1	96.0	72.0	36.0	102.0	.	96.0	72.0	36.0	102.0	.	72.0	
7	Heroin 28-100	2	0	0	0	0	2	108.0	.	.	.	.	108.0	108.0	.	.	.	.	108.0	108.0	.	.	.	108.0	
7	Cocaine 100-200	15	4	5	2	0	26	124.8	126.0	124.8	120.0	.	124.6	120.0	120.0	120.0	120.0	.	120.0	120.0	120.0	120.0	.	120.0	
7	Heroin 100-200	0	0	1	0	0	1	.	.	120.0	.	.	120.0	.	.	120.0	.	.	120.0	.	.	120.0	.	120.0	
7	Violation Of Explosives	0	0	0	1	0	1	.	.	.	228.0	.	228.0	.	.	.	228.0	.	228.0	.	.	.	228.0	.	228.0
6	Sub-Total	275	167	173	132	2	749	58.1	57.9	58.5	71.2	114.0	60.6	60.0	54.0	60.0	60.0	114.0	60.0	60.0	54.0	60.0	60.0	114.0	60.0
6	Manslaughter	1	0	1	1	0	3	24.0	.	24.0	3.0	.	17.0	24.0	.	24.0	3.0	.	24.0	24.0	.	24.0	3.0	.	24.0
6	A&B Dangerous Weapon	34	38	35	23	1	131	46.8	51.5	52.0	51.5	108.0	50.8	48.0	48.0	48.0	36.0	108.0	48.0	48.0	48.0	36.0	108.0	48.0	48.0
6	Assault To Maim	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
6	Assault To Kill	22	14	14	4	0	54	71.2	56.5	70.3	90.0	.	68.5	63.0	60.0	66.0	90.0	.	63.0	60.0	66.0	90.0	.	60.0	

**Table 17.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T			
6	Rape Of Child	68	26	18	6	1	119	53.3	57.3	67.0	68.0	120.0	57.6	45.0	37.5	57.0	48.0	120.0	48.0			
6	Assault To Rape	8	1	1	0	0	10	43.9	48.0	72.0	.	.	47.1	37.0	48.0	72.0	.	.	46.0			
6	Indecent A&B Mentally Retarded	2	0	1	0	0	3	36.0	.	18.0	.	.	30.0	36.0	.	18.0	.	.	18.0			
6	Child Pornography	0	1	0	0	0	1	.	8.0	.	.	.	8.0	.	8.0	.	.	.	8.0			
6	Armed Robbery	57	44	67	61	0	229	58.8	44.8	50.3	82.4	.	59.9	48.0	36.0	48.0	60.0	.	48.0			
6	Armed Assault To Rob	18	14	10	16	0	58	70.7	81.0	70.5	64.1	.	71.3	48.0	72.0	60.0	60.0	.	63.0			
6	Carjacking	1	0	1	0	0	2	36.0	.	60.0	.	.	48.0	36.0	.	60.0	.	.	48.0			
6	Kidnapping	8	5	5	6	0	24	46.0	76.8	62.4	84.0	.	65.3	33.0	66.0	60.0	84.0	.	69.0			
6	Burning Dwelling House	2	2	0	6	0	10	4.0	27.0	.	46.0	.	33.8	4.0	27.0	.	48.0	.	33.0			
6	Dist Class A Subsequent	0	2	1	1	0	4	.	60.0	108.0	108.0	.	84.0	.	60.0	108.0	108.0	.	84.0			
6	Cocaine 28-100	47	18	16	7	0	88	68.4	89.3	75.0	63.4	.	73.5	60.0	96.0	60.0	60.0	.	60.0			
6	Heroin 14-28	4	1	1	0	0	6	63.0	60.0	60.0	.	.	62.0	60.0	60.0	60.0	.	.	60.0			
6	Marijuana 2000-10000	0	0	1	1	0	2	.	.	60.0	60.0	.	60.0	.	.	60.0	60.0	.	60.0			
6	Hom By MV While Und Infl Liq	3	1	1	0	0	5	80.0	36.0	120.0	.	.	79.2	72.0	36.0	120.0	.	.	72.0			
6	Poss Explosive Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
5	Sub-Total	90	66	72	64	0	292	32.4	35.0	44.7	52.2	.	40.3	36.0	36.0	36.0	42.0	.	36.0			
5	Indecent A&B On Child	28	11	10	4	0	53	32.7	23.5	34.9	25.0	.	30.6	30.0	18.0	32.0	17.0	.	24.0			
5	Robbery	19	29	32	41	0	121	28.1	31.5	49.7	52.1	.	42.8	24.0	36.0	36.0	48.0	.	36.0			
5	Stalk/Following	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
5	Stalk In Viol 208,209A/Injunc	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0			
5	Burglary	3	4	8	12	0	27	8.7	57.0	57.8	67.0	.	56.3	8.0	54.0	51.0	84.0	.	48.0			
5	Dist Class B Subsequent	0	5	0	1	0	6	.	60.0	.	72.0	.	62.0	.	60.0	.	72.0	.	60.0			
5	Cocaine 14-28	33	16	21	3	0	73	36.7	36.8	38.3	36.0	.	37.2	36.0	36.0	36.0	36.0	.	36.0			
5	Marijuana 100-2000	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0			
5	Conspiracy Trafficking Heroin	6	1	0	2	0	9	31.8	18.0	.	48.0	.	33.9	36.0	18.0	.	48.0	.	36.0			
5	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
5	Perjury	0	0	1	0	0	1	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0			
4	Sub-Total	255	178	159	186	2	780	26.2	33.6	43.8	51.4	54.0	37.6	18.0	30.0	36.0	45.0	54.0	30.0			

**Table 17.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	Sentenced Defendants						Mean Sentence Length						Median Sentence Length					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B On Corr Institution Guard	0	2	2	8	0	12	.	36.0	31.0	29.8	.	31.0	.	36.0	31.0	33.0	.	36.0
4	A&B Dangerous Weapon	19	20	4	5	0	48	14.0	16.0	15.0	16.8	.	15.2	12.0	12.0	12.0	18.0	.	12.0
4	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Sodomy	1	0	0	0	0	1	216.0	.	.	.	.	216.0	216.0	.	.	.	.	216.0
4	Indecent Assault And Battery	9	4	5	4	0	22	21.4	31.8	84.0	24.0	.	38.0	24.0	30.0	36.0	21.0	.	30.0
4	Armed Assault To Rob	2	0	4	2	0	8	42.0	.	34.8	96.0	.	51.9	42.0	.	30.0	96.0	.	42.0
4	Intimidation	2	2	0	2	0	6	9.0	9.0	.	32.5	.	16.8	9.0	9.0	.	32.5	.	12.0
4	Stalk/Following	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
4	Stalk In Viol 208.209A/Injunc	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	2Nd/Subsq After C265 A,B Cvict	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny	3	2	2	4	0	11	35.0	60.0	42.0	30.0	.	39.0	48.0	60.0	42.0	30.0	.	36.0
4	Larceny More	5	3	7	3	0	18	32.4	30.0	39.4	40.0	.	36.0	36.0	36.0	36.0	36.0	.	36.0
4	Larceny From A Building	0	0	0	2	0	2	.	.	.	90.0	.	90.0	.	.	.	90.0	.	90.0
4	Larceny From A Person	8	10	3	3	0	24	16.6	16.9	19.7	11.2	.	16.4	16.5	18.0	24.0	6.0	.	18.0
4	Larceny Of A MV	0	1	1	5	1	8	.	30.0	12.0	75.6	48.0	58.5	.	30.0	12.0	48.0	48.0	42.0
4	Breaking And Entering	8	8	19	62	0	97	65.3	52.5	69.5	74.6	.	71.0	66.0	36.0	72.0	72.0	.	72.0
4	Attempt Breaking & Entering	0	0	0	5	0	5	.	.	.	30.0	.	30.0	.	.	.	24.0	.	24.0
4	Receiving Stolen Property	1	5	9	11	1	27	60.0	31.2	39.3	54.5	60.0	45.6	60.0	36.0	36.0	48.0	60.0	36.0
4	Attempt Arson Of MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Burning Building	3	1	1	3	0	8	11.0	48.0	30.0	17.3	.	20.4	12.0	48.0	30.0	12.0	.	15.0
4	Burning To Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Poss Class A Cont Sub w/int or 2nd	2	0	2	0	0	4	5.0	.	36.0	.	.	20.5	5.0	.	36.0	.	.	10.5
4	Poss Class B Cont Sub w/int or 2nd	2	0	2	2	0	6	12.0	.	13.1	22.5	.	15.9	12.0	.	13.0	22.5	.	12.0
4	Poss To Distribute Class A	11	11	18	16	0	56	19.8	37.9	43.8	35.4	.	35.5	12.0	36.0	36.0	33.0	.	36.0
4	Poss To Distribute Class B	49	25	22	19	0	115	24.7	25.0	34.6	35.3	.	28.4	18.0	24.0	30.0	36.0	.	24.0
4	Dist Class A Heroin	21	15	18	7	0	61	23.8	44.0	43.3	60.9	.	38.8	24.0	36.0	48.0	60.0	.	36.0
4	Dist Class B Cocaine	55	34	19	6	0	114	27.5	35.8	40.4	48.3	.	33.2	14.0	27.0	36.0	48.0	.	24.0
4	Distributing Cont Sub	2	7	3	5	0	17	24.0	77.1	58.0	55.2	.	61.1	24.0	72.0	54.0	60.0	.	60.0
4	Trafficking Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Marijuana 50-100	2	0	0	0	0	2	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0

**Table 17.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	Sentenced Defendants						Mean Sentence Length						Median Sentence Length					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	Larceny Cont Sub	0	1	0	0	0	1	.	84.0	.	.	.	84.0	.	84.0	.	.	.	84.0
4	Giving Prisoner Cont Sub	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
4	Control Substance School	18	18	10	5	0	51	26.3	34.0	37.8	33.6	.	32.0	24.0	24.0	27.0	36.0	.	24.0
4	Homicide By MV	18	2	1	0	0	21	32.4	19.5	108.0	.	.	34.8	13.5	19.5	108.0	.	.	15.0
4	Hom By MV While Und Infl Liq	4	0	0	0	0	4	18.3	.	.	.	.	18.3	21.0	.	.	.	.	21.0
4	OUI Drug Oper Negl Ser Inj	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	OUI Serious Inj, Fel	0	2	0	0	0	2	.	30.0	.	.	.	30.0	.	30.0	.	.	.	30.0
4	Deriv Support By Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Accessory After	5	2	1	0	0	8	19.4	37.3	60.0	.	.	28.9	18.0	37.0	60.0	.	.	27.0
4	Escape	1	1	4	5	0	11	36.0	36.0	40.5	26.4	.	33.3	36.0	36.0	33.0	12.0	.	36.0
4	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Extortion	1	2	1	0	0	4	24.0	27.0	60.0	.	.	34.5	24.0	27.0	60.0	.	.	27.0
4	Bomb Hoax	1	0	0	1	0	2	30.0	.	.	15.0	.	22.5	30.0	.	.	15.0	.	22.5
4	Violation Of Explosives	0	0	1	1	0	2	.	.	6.0	36.0	.	21.0	.	.	6.0	36.0	.	21.0
3	Sub-Total	109	62	45	43	1	260	20.3	24.9	26.6	23.3	12.0	23.0	12.0	24.0	24.0	16.0	12.0	19.0
3	Assault And Battery	23	13	13	12	1	62	14.7	16.3	18.7	17.8	12.0	16.5	14.0	12.0	18.0	14.0	12.0	12.0
3	A&B On Corr Institution Guard	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Dangerous Weapon	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
3	Assault Dangerous Weapon	21	13	15	9	0	58	22.5	29.1	34.4	32.8	.	28.6	12.0	24.0	36.0	15.0	.	24.0
3	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Violation Of Civil Rights	0	2	0	1	0	3	.	4.0	.	12.0	.	6.7	.	4.0	.	12.0	.	6.0
3	Restraining Order Violation	2	2	0	1	0	5	18.0	6.0	.	2.5	.	10.1	18.0	6.0	.	2.5	.	6.0
3	Larceny More	11	3	2	2	0	18	16.0	20.0	15.0	27.0	.	17.8	20.0	24.0	15.0	27.0	.	24.0
3	Larceny From A Building	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
3	Theft Of A Firearm	0	1	0	0	0	1	.	30.0	.	.	.	30.0	.	30.0	.	.	.	30.0
3	Larceny Of A MV	0	2	2	0	0	4	.	15.0	7.6	.	.	11.3	.	15.0	7.0	.	.	8.0
3	Obt Under False Pret	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Embezzlement	6	0	0	0	0	6	17.0	.	.	.	.	17.0	15.0	.	.	.	.	15.0
3	Fraud	4	1	0	0	0	5	13.0	0.5	.	.	.	10.5	11.0	0.5	.	.	.	10.0



**Table 17.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T			
3	Poss Burglarious Tools	1	1	1	1	0	4	108.0	60.0	30.0	72.0	.	67.5	108.0	60.0	30.0	72.0	.	66.0			
3	Breaking And Entering	7	8	6	9	0	30	13.7	20.6	16.0	18.0	.	17.3	12.0	27.0	15.0	24.0	.	18.0			
3	Forgery And Uttering	7	1	2	2	0	12	34.5	12.0	46.5	39.0	.	35.4	36.0	12.0	46.5	39.0	.	40.5			
3	Burning (Arson)	11	9	2	2	0	24	26.7	34.9	63.0	24.0	.	32.6	24.0	36.0	63.0	24.0	.	24.0			
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
3	Poss To Distribute Class C	1	1	0	1	0	3	36.0	36.0	.	36.0	.	36.0	36.0	36.0	.	36.0	.	36.0			
3	Mfg Class C Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
3	Distribute/Dispense Class C	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
3	Homicide By MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
3	Leaving Scene Property Damage	1	0	0	1	0	2	6.0	.	.	12.0	.	9.0	6.0	.	.	12.0	.	9.0			
3	Leaving Scene:Person Injured	1	1	0	0	0	2	24.0	72.0	.	.	.	48.0	24.0	72.0	.	.	.	48.0			
3	OUI Serious Inj, Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
3	Gun Serial Number	1	0	1	0	0	2	6.0	.	36.0	.	.	21.0	6.0	.	36.0	.	.	21.0			
3	Poss Altered Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
3	No Support	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
3	Carrying Dangerous Weapon	12	2	1	1	0	16	19.0	48.0	12.0	12.0	.	21.7	12.0	48.0	12.0	12.0	.	12.0			
3	Obstructing Firefighter	0	0	0	1	0	1	.	.	.	3.0	.	3.0	.	.	.	3.0	.	3.0			
3	Neglect	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
3	Missile Throwing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Sub-Total	84	49	28	24	0	185	19.2	24.9	29.4	33.4	.	24.1	8.0	12.0	24.0	24.0	.	12.0			
2	Assault	1	1	0	0	0	2	30.0	2.0	.	.	.	16.0	30.0	2.0	.	.	.	16.0			
2	Accosting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Threatening	1	3	1	0	0	5	0.2	34.7	6.0	.	.	22.0	0.2	6.0	6.0	.	.	6.0			
2	Annoy Person Opposite Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Larceny	3	5	2	1	0	11	10.0	7.4	99.0	24.0	.	26.3	3.0	6.0	99.0	24.0	.	12.0			
2	Attempt Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Larceny Less	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Credit Card Misuse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			

**Table 17.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T			
2	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Concealing Mortgaged Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Concealing Stolen Property	0	1	0	1	0	2	.	120.0	.	120.0	.	120.0	.	120.0	.	120.0	.	120.0			
2	Failure To Return Leased Prop	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Injuring A Building	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Receiving Stolen Property	4	1	5	4	0	14	8.7	12.0	21.6	22.5	.	17.5	4.0	12.0	24.0	24.0	.	21.0			
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Burning (Arson)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Lottery Ticket Altering	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Poss Controlled Substance	19	9	4	2	0	34	12.8	21.6	17.6	34.5	.	17.0	6.0	12.0	18.0	34.5	.	9.5			
2	Poss Class A Cont Sub	1	0	1	1	0	3	1.8	.	2.2	12.0	.	5.3	1.8	.	2.2	12.0	.	2.0			
2	Poss Class B Cont Sub	4	3	0	1	0	8	4.3	8.3	.	5.7	.	6.0	4.0	12.0	.	5.7	.	5.0			
2	Poss Class C Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Poss Class D Cont Sub	3	0	0	1	0	4	10.2	.	.	24.0	.	13.7	6.0	.	.	24.0	.	12.0			
2	Poss Counterfeit Narcotics	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Poss Class A Heroin	1	0	1	0	0	2	2.7	.	12.0	.	.	7.4	2.7	.	12.0	.	.	7.0			
2	Poss Controlled Subs W/I Dist	34	18	9	6	0	67	26.8	32.5	37.7	47.7	.	31.7	12.0	27.0	36.0	54.0	.	24.0			
2	Poss To Distribute Class D	5	0	0	0	0	5	9.4	.	.	.	.	9.4	6.0	.	.	.	.	6.0			
2	Poss To Distribute Class E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Distributing Cont Sub	0	5	2	1	0	8	.	20.2	24.0	24.0	.	21.6	.	24.0	24.0	24.0	.	24.0			
2	Sale Of CSA	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Poss Hypodermic Or Syringe	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Knowing Class A Cont Sub Pres	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Forg Prescription For Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Fraudulently Obt Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Oper To End(Live&Safety)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Oper Negligently	1	0	0	0	0	1	108.0	.	.	.	.	108.0	108.0	.	.	.	.	108.0			
2	Operating Recklessly	1	0	1	0	0	2	6.0	.	1.0	.	.	3.5	6.0	.	1.0	.	.	3.5			
2	Use Without Authority	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			

**Table 17.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T			
2	Alt MV License/Registration	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Compulsory Insurance Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Altering MV Id Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Counterfeiting MV Document	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Uninsured Veh Remain Hwy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Prostitution	2	0	1	0	0	3	48.0	.	30.0	.	.	42.0	48.0	.	30.0	.	.	30.0			
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Open And Gross	1	1	1	1	0	4	24.0	30.0	9.0	30.0	.	23.3	24.0	30.0	9.0	30.0	.	27.0			
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Firearm Id Card	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Poss Of Mace	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Poss Of Ammunition	3	1	0	0	0	4	9.0	6.0	.	.	.	8.3	9.0	6.0	.	.	.	7.5			
2	Attempt To Commit Crime	0	0	0	3	0	3	.	.	.	32.0	.	32.0	.	.	.	36.0	.	36.0			
2	Aiding An Escape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Interfering Wi Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Impersonation	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0			
2	False Statement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Fail To Appear On Pers Recog	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Poss Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	False Alarm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Contempt Of Court	0	1	0	0	0	1	.	2.5	.	.	.	2.5	.	2.5	.	.	.	2.5			
2	Contributing To Delinquency	0	0	0	1	0	1	.	.	.	9.0	.	9.0	.	.	.	9.0	.	9.0			
2	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Violation Of Bail Law	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Curfew	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	Disguising	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			
2	False License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.			

**Table 17.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T			
1	Sub-Total	9	2	4	2	0	17	8.6	33.0	19.5	6.0	.	.	13.7	1.0	33.0	20.0	6.0	.	6.0		
1	Pornography	2	0	0	0	0	2	1.0	.	.	.	.	1.0	.	1.0	.	.	.	.	1.0		
1	Defrauding Victualer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Destruction Of Property	4	2	3	1	0	10	18.3	33.0	20.7	6.0	.	20.7	24.0	33.0	24.0	6.0	.	24.0			
1	Vandalism	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Trespassing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Property Violation	0	0	0	1	0	1	.	.	.	6.0	.	6.0	.	.	.	6.0	.	6.0			
1	Poss Class E Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Inhaling Toxic Vapors	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Violation Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Attaching Wrong MV Plates	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Operating After Suspended Lic	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Operating After Suspended Reg	1	0	0	0	0	1	2.0	.	.	.	.	2.0	2.0	.	.	.	.	.	2.0		
1	Operating After	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Recreat Vehicle On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Impersonating (MV Violation)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Indecent Exposure	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Lewdness	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Obscene Language	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Obscene Material	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Peeping Tom	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Disorderly Conduct	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Disturbing School Assembly	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Malicious Mischief	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Affray	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Discharging A Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Telephone Calls	2	0	1	0	0	3	0.2	.	16.0	.	.	5.5	0.0	.	16.0	.	.	.	0.0		
1	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		
1	Procuring Alcohol For Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.		

**Table 17.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - Superior Courts**

LEVEL	OFFENSE	Sentenced Defendants						Mean Sentence Length						Median Sentence Length					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Transporting Alcohol	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Glass Throwing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Operating Aircraft W/O Lic	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

**Table 18.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - District Courts**

LEVEL	OFFENSE	Sentenced Defendants						Mean Sentence Length						Median Sentence Length					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	<b>Sub-Total</b>	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
9	Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	<b>Sub-Total</b>	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Manslaughter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Armed Assault In Dwell House	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Aggravated Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Rape Of Child with Force	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Burglary	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Cocaine 200+	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	<b>Sub-Total</b>	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Murder Attempt	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Mayhem	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Assault Of Child To Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Incest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Armed Robbery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Confine And Put In Fear	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Heroin 28-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Cocaine 100-200	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Heroin 100-200	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	<b>Sub-Total</b>	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Manslaughter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Assault To Maim	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Assault To Kill	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

**Table 18.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - District Courts**

LEVEL	OFFENSE	Sentenced Defendants						Mean Sentence Length						Median Sentence Length					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Rape Of Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Assault To Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Indecent A&B Mentally Retarded	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Armed Robbery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Armed Assault To Rob	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Carjacking	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Burning Dwelling House	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Dist Class A Subsequent	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Cocaine 28-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Heroin 14-28	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Marijuana 2000-10000	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Hom By MV While Und Infl Liq	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Poss Explosive Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	<b>Sub-Total</b>	<b>39</b>	<b>25</b>	<b>14</b>	<b>4</b>	<b>0</b>	<b>82</b>	<b>10.0</b>	<b>12.3</b>	<b>15.0</b>	<b>28.5</b>	.	<b>12.5</b>	<b>12.0</b>	<b>12.0</b>	<b>12.0</b>	<b>30.0</b>	.	<b>12.0</b>
5	Indecent A&B On Child	34	21	10	1	0	66	8.9	11.8	13.2	30.0	.	10.8	7.5	12.0	12.0	30.0	.	12.0
5	Robbery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Stalk/Following	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Stalk In Viol 208,209A/Injunc	5	4	4	3	0	16	18.0	15.0	19.5	28.0	.	19.5	18.0	12.0	18.0	30.0	.	21.0
5	Burglary	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Dist Class B Subsequent	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Cocaine 14-28	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Marijuana 100-2000	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Conspiracy Trafficking Heroin	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Perjury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

**Table 18.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - District Courts**

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length															
		A	B	C	D	E	T		A	B	C	D	E	T		A	B	C	D	E	T										
4	Sub-Total	718	645	594	382	3	2342							12.0	13.3	13.7	13.7	11.3	13.0						12.0	12.0	12.0	12.0	12.0	12.0	
4	A&B On Corr Institution Guard	0	0	0	0	0	0								.	.	.	.	.	.					.	.	.	.	.	.	.
4	A&B Dangerous Weapon	21	36	41	23	0	121							23.2	21.6	23.5	21.7	.	22.6					24.0	22.0	24.0	18.0	.	.	.	24.0
4	A&B To Collect Loan	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.
4	Sodomy	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.
4	Indecent Assault And Battery	46	21	20	8	0	95							8.6	9.7	11.4	16.8	.	10.1					6.0	6.0	11.5	21.0	.	.	.	6.0
4	Armed Assault To Rob	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.
4	Intimidation	10	20	20	16	0	66							5.8	8.1	8.1	7.7	.	7.6					5.5	7.0	6.0	6.0	.	.	.	6.0
4	Stalk/Following	8	5	8	7	0	28							5.4	16.2	9.6	10.1	.	9.7					6.0	12.0	9.0	12.0	.	.	.	6.5
4	Stalk In Viol 208,209A/Injunc	5	2	2	0	0	9							2.5	2.8	6.0	.	.	3.3					2.0	2.5	6.0	.	.	.	3.0	
4	2Nd/Subsq After C265 A,B Cvict	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.
4	Larceny	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.
4	Larceny More	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.
4	Larceny From A Building	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.
4	Larceny From A Person	72	75	75	82	1	305							8.4	11.3	13.1	13.5	6.0	11.6					6.0	6.0	12.0	12.0	6.0	12.0	6.0	12.0
4	Larceny Of A MV	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.
4	Breaking And Entering	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.
4	Attempt Breaking & Entering	0	4	2	4	0	10							.	12.0	15.0	10.8	.	12.1				.	12.0	15.0	11.5	.	.	.	12.0	
4	Receiving Stolen Property	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.
4	Attempt Arson Of MV	1	0	0	0	0	1							6.0	.	.	.	.	6.0				.	6.0	.	.	.	.	.	6.0	
4	Burning Building	0	1	0	0	0	1							.	12.0	.	.	.	12.0				.	12.0	.	.	.	.	.	12.0	
4	Burning To Defraud	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.
4	Poss Class A Cont Sub w/int or 2nd	4	3	2	5	0	14							12.6	8.5	9.0	5.9	.	8.8				13.0	1.0	9.0	4.0	.	.	.	5.0	
4	Poss Class B Cont Sub w/int or 2nd	6	5	5	4	0	20							7.8	11.6	13.2	4.1	.	9.4				6.0	12.0	12.0	2.0	.	.	.	12.0	
4	Poss To Distribute Class A	88	76	84	42	0	290							10.2	12.1	12.8	13.3	.	11.9				9.0	12.0	12.0	12.0	.	.	.	12.0	
4	Poss To Distribute Class B	208	217	160	70	1	656							9.5	10.5	11.3	11.9	16.0	10.5				6.0	9.0	11.0	12.0	16.0	9.0	12.0	16.0	9.0
4	Dist Class A Heroin	69	39	42	24	1	175							8.8	13.5	14.2	18.1	12.0	12.4				6.0	12.0	12.0	18.0	12.0	12.0	12.0	12.0	12.0
4	Dist Class B Cocaine	45	20	44	5	0	114							15.6	18.6	17.3	22.8	.	17.1				12.0	18.0	12.0	30.0	.	.	.	12.0	
4	Distributing Cont Sub	0	0	0	0	0	0							.	.	.	.	.	.	.				.	.	.	.	.	.	.	.



Table 18.

Mean and Median Sentence Length of Incarcerated Defendants,  
by Offense Seriousness Level, Criminal History Group and Offense of Conviction - District Courts

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length															
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T												
4	Trafficking Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
4	Marijuana 50-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny Cont Sub	3	1	1	1	0	6	7.1	12.0	2.0	24.0	.	9.9	3.0	12.0	2.0	24.0	.	9.9	3.0	12.0	2.0	24.0	.	9.9	3.0	12.0	2.0	24.0	.	7.5
4	Giving Prisoner Cont Sub	0	0	1	2	0	3	.	.	6.0	9.0	.	8.0	.	.	.	.	.	8.0	.	.	.	.	.	.	.	.	.	.	.	6.0
4	Control Substance School	101	82	45	33	0	261	24.1	24.1	24.0	24.0	.	24.1	24.0	24.0	24.0	24.0	24.0	24.1	24.0	24.0	24.0	24.0	.	24.1	24.0	24.0	24.0	24.0	.	24.0
4	Homicide By MV	9	1	0	1	0	11	7.6	30.0	.	30.0	.	11.6	3.0	30.0	.	30.0	.	11.6	3.0	30.0	.	30.0	.	4.0	3.0	30.0	.	30.0	.	4.0
4	Hom By MV While Und Infl Liq	6	1	0	0	0	7	16.2	12.0	.	.	.	15.6	12.0	12.0	.	.	.	15.6	12.0	12.0	.	.	.	12.0	12.0	12.0	.	.	.	12.0
4	OUI Drug Oper Negl Ser Inj	2	0	0	0	0	2	9.1	.	.	.	.	9.1	9.0	9.0	.	.	.	9.1	9.0	9.0	.	.	.	9.0	9.0	9.0	.	.	.	9.0
4	OUI Serious Inj, Fel	2	3	0	0	0	5	3.5	20.0	.	.	.	13.4	3.5	24.0	.	.	.	13.4	3.5	24.0	.	.	.	12.0	3.5	24.0	.	.	.	12.0
4	Deriv Support By Prostitution	1	1	0	0	0	2	3.0	0.3	.	.	.	1.7	3.0	0.3	.	.	.	1.7	3.0	0.3	.	.	.	1.5	3.0	0.3	.	.	.	1.5
4	Accessory After	0	1	2	0	0	3	.	6.0	12.5	.	.	10.3	.	6.0	12.5	.	.	10.3	.	6.0	12.5	.	.	6.0	6.0	12.5	.	.	.	6.0
4	Escape	9	28	39	52	0	128	3.1	4.6	6.1	6.9	.	5.9	3.0	3.0	6.0	6.0	3.5	5.9	3.0	3.0	6.0	6.0	4.0	3.0	3.0	6.0	6.0	3.5	.	4.0
4	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
4	Extortion	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
4	Bomb Hoax	0	1	0	0	0	1	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0
4	Violation Of Explosives	2	2	1	2	0	7	9.5	3.1	18.0	15.5	.	10.6	9.5	3.0	18.0	15.5	.	10.6	9.5	3.0	18.0	15.5	.	10.6	9.5	3.0	18.0	15.5	.	6.0
3	Sub-Total	1201	1833	1643	1374	6	6057	5.2	6.6	8.3	10.0	8.3	7.5	3.0	6.0	6.0	7.0	4.5	6.0	3.0	6.0	6.0	7.0	4.5	6.0	3.0	6.0	6.0	7.0	4.5	6.0
3	Assault And Battery	324	543	495	320	1	1683	4.7	5.7	7.0	8.6	3.0	6.4	3.0	4.0	6.0	6.0	3.0	6.4	3.0	4.0	6.0	6.0	3.0	5.0	3.0	4.0	6.0	6.0	3.0	5.0
3	A&B On Corr Institution Guard	1	1	0	3	0	5	1.5	3.0	.	8.0	.	5.7	1.5	3.0	.	6.0	.	5.7	1.5	3.0	.	6.0	.	6.0	1.5	3.0	.	6.0	.	6.0
3	A&B Dangerous Weapon	144	181	137	65	0	527	5.1	5.3	6.3	6.1	.	5.6	5.0	6.0	6.0	6.0	.	5.6	5.0	6.0	6.0	6.0	.	6.0	5.0	6.0	6.0	6.0	.	6.0
3	Assault Dangerous Weapon	120	151	102	97	0	470	6.4	8.3	9.9	10.7	.	8.7	6.0	6.0	6.0	10.0	.	8.7	6.0	6.0	6.0	10.0	.	6.0	6.0	6.0	6.0	6.0	.	6.0
3	Unnatural Acts	3	5	1	0	0	9	6.0	7.0	6.0	.	.	6.5	6.0	3.0	6.0	.	.	6.5	6.0	3.0	6.0	.	6.0	6.0	6.0	3.0	6.0	.	6.0	
3	Violation Of Civil Rights	1	4	3	0	1	9	6.0	9.6	3.7	.	1.9	6.3	6.0	7.5	3.0	.	1.9	6.3	6.0	7.5	3.0	.	1.9	3.0	6.0	7.5	3.0	.	3.0	
3	Restraining Order Violation	140	260	210	137	1	748	4.5	6.2	7.6	8.9	24.0	6.8	2.0	3.0	6.0	6.0	24.0	6.8	2.0	3.0	6.0	6.0	24.0	6.0	2.0	3.0	6.0	6.0	24.0	6.0
3	Larceny More	82	126	138	156	1	503	5.6	6.2	7.2	8.3	12.0	7.0	3.0	3.0	6.0	6.0	12.0	7.0	3.0	3.0	6.0	6.0	12.0	6.0	3.0	3.0	6.0	6.0	12.0	6.0
3	Larceny From A Building	5	20	18	19	0	62	4.9	6.6	8.2	11.2	.	8.3	4.0	6.0	6.0	9.0	.	8.3	4.0	6.0	6.0	9.0	.	6.0	4.0	6.0	6.0	9.0	.	6.0
3	Theft Of A Firearm	4	1	0	0	0	5	8.3	14.0	.	.	.	9.4	9.0	14.0	.	.	.	9.4	9.0	14.0	.	.	.	12.0	9.0	14.0	.	.	.	12.0
3	Larceny Of A MV	38	55	56	69	1	219	6.0	7.3	11.1	14.0	6.0	10.2	3.0	6.0	6.0	12.0	6.0	10.2	3.0	6.0	6.0	12.0	6.0	8.0	3.0	6.0	6.0	12.0	6.0	8.0

Table 18.

Mean and Median Sentence Length of Incarcerated Defendants,  
by Offense Seriousness Level, Criminal History Group and Offense of Conviction - District Courts

LEVEL	OFFENSE	Sentenced Defendants							Mean Sentence Length							Median Sentence Length										
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T							
3	Obt Under False Pret	0	3	3	0	0	6	.	11.0	6.0	.	.	8.5	.	12.0	6.0	.	.	8.5	.	12.0	6.0	.	.	7.5	
3	Embezzlement	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0	
3	Fraud	1	0	1	0	0	2	12.0	.	24.0	.	.	18.0	.	12.0	12.0	.	24.0	.	18.0	12.0	12.0	.	.	18.0	
3	Poss Burglariou Tools	12	24	32	37	0	105	6.1	6.9	8.0	10.1	.	8.3	.	6.0	6.0	12.0	.	8.3	6.0	6.0	6.0	12.0	.	6.0	
3	Breaking And Entering	221	305	352	346	0	1224	5.6	8.5	10.9	12.6	.	9.8	.	3.0	6.0	9.0	12.0	.	9.8	3.0	6.0	9.0	12.0	.	6.0
3	Forgery And Uttering	19	43	49	74	1	186	4.1	6.0	8.5	10.0	3.0	8.0	.	3.0	4.0	6.0	7.5	3.0	8.0	3.0	4.0	6.0	7.5	3.0	6.0
3	Burning (Arson)	1	4	0	2	0	7	5.0	10.5	.	3.8	.	7.8	.	5.0	12.0	.	3.5	.	7.8	5.0	12.0	.	3.5	.	6.0
3	Burning Motor Vehicle	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	.	.	6.0	.	6.0	.	.	.	.	6.0	
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	
3	Poss To Distribute Class C	1	2	1	0	0	4	12.0	14.0	12.0	.	.	13.0	.	12.0	14.0	12.0	.	13.0	12.0	14.0	12.0	.	.	12.0	
3	Mfg Class C Cont Sub	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0	
3	Distribute/Dispense Class C	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	
3	Homicide By MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	
3	Leaving Scene Property Damage	38	61	24	26	0	149	3.5	4.6	6.9	8.8	.	5.4	.	3.0	3.0	3.0	6.0	.	5.4	3.0	3.0	3.0	6.0	.	3.0
3	Leaving Scene:Person Injured	20	19	6	11	0	56	3.5	6.1	7.6	9.6	.	6.0	.	3.0	6.0	6.0	12.0	.	6.0	3.0	6.0	6.0	12.0	.	6.0
3	OUI Serious Inj, Misd	2	1	0	0	0	3	4.6	2.0	.	.	.	3.7	.	4.5	2.0	.	.	3.7	4.5	2.0	.	.	.	3.0	
3	Gun Serial Number	2	0	0	0	0	2	15.0	.	.	.	.	15.0	.	15.0	15.0	.	.	15.0	15.0	15.0	.	.	.	15.0	
3	Poss Altered Firearm	3	1	0	0	0	4	9.0	6.0	.	.	.	8.3	.	12.0	6.0	.	.	8.3	12.0	6.0	.	.	.	9.0	
3	No Support	6	0	0	0	0	6	11.4	.	.	.	.	11.4	.	12.0	12.0	.	.	11.4	12.0	12.0	.	.	.	12.0	
3	Carrying Dangerous Weapon	12	20	13	12	0	57	5.1	6.4	6.6	6.9	.	6.3	.	2.0	6.0	6.0	6.0	.	6.3	2.0	6.0	6.0	6.0	.	6.0
3	Obstructing Firefighter	0	0	1	0	0	1	.	.	1.0	.	.	1.0	.	.	.	.	1.0	.	1.0	.	.	.	.	1.0	
3	Neglect	1	1	0	0	0	2	0.3	3.0	.	.	.	1.7	.	0.3	3.0	.	.	1.7	0.3	3.0	.	.	.	1.5	
3	Missile Throwing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	
2	Sub-Total	1051	1454	1024	898	2	4429	4.5	5.3	6.6	7.7	4.5	5.9		3.0	3.0	6.0	6.0	4.5	3.0	3.0	6.0	6.0	4.5	4.0	
2	Assault	7	18	8	5	0	38	3.4	9.9	5.4	9.0	.	7.6	.	3.0	6.0	2.0	6.0	.	7.6	3.0	6.0	2.0	6.0	.	6.0
2	Accosting	0	4	0	0	0	4	.	2.6	.	.	.	2.6	.	.	2.0	.	.	2.6	.	2.0	.	.	.	2.0	
2	Threatening	55	86	69	46	1	257	4.5	4.2	5.0	5.0	6.0	4.6		6.0	5.0	6.0	6.0	4.6	6.0	5.0	6.0	6.0	6.0	6.0	
2	Annoy Person Opposite Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	

**Table 18.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - District Courts**

LEVEL	OFFENSE	Sentenced Defendants										Mean Sentence Length										Median Sentence Length									
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Larceny	31	53	54	57	0	195	3.3	5.4	7.3	9.1	.	6.7	2.0	3.0	6.0	6.0	.	.	2.0	3.0	6.0	6.0	.	6.0	.	6.0	6.0	6.0	.	6.0
2	Attempt Larceny	0	1	3	3	0	7	.	6.0	12.0	6.3	.	8.7	.	6.0	6.0	6.0	.	.	.	6.0	6.0	6.0	.	6.0	.	6.0	6.0	6.0	.	6.0
2	Larceny Less	23	40	40	60	0	163	3.8	4.7	10.8	5.2	.	6.3	1.0	3.0	3.0	4.5	.	3.0	1.0	3.0	3.0	4.5	.	3.0	.	3.0	3.0	3.0	.	3.0
2	Credit Card Misuse	5	4	2	2	0	13	7.0	9.0	3.5	5.5	.	6.8	4.0	9.0	3.5	5.5	.	6.0	4.0	9.0	3.5	5.5	.	6.0	.	6.0	6.0	6.0	.	6.0
2	Welfare Violation	0	1	0	1	0	2	.	0.3	.	2.5	.	1.4	.	0.3	.	2.5	.	1.0	.	0.3	.	2.5	.	1.0	.	1.0	1.0	1.0	.	1.0
2	Concealing Mortgaged Property	0	1	0	1	0	2	.	0.2	.	6.0	.	3.1	.	0.2	.	6.0	.	3.0	.	0.2	.	6.0	.	3.0	.	3.0	3.0	3.0	.	3.0
2	Concealing Stolen Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Return Leased Prop	0	2	1	0	0	3	.	4.0	1.0	.	.	3.0	.	4.0	1.0	.	.	2.0	.	4.0	1.0	.	.	2.0	.	2.0	2.0	2.0	.	2.0
2	Injuring A Building	0	3	3	1	0	7	.	4.3	2.8	1.0	.	3.2	.	2.0	2.0	1.0	.	2.0	.	2.0	2.0	1.0	.	2.0	.	2.0	2.0	2.0	.	2.0
2	Receiving Stolen Property	164	254	251	260	0	929	5.8	6.7	8.9	10.7	.	8.3	3.0	6.0	6.0	9.0	.	6.0	3.0	6.0	6.0	9.0	.	6.0	.	6.0	6.0	6.0	.	6.0
2	Counterfeit	3	4	2	1	0	10	3.5	4.0	2.1	7.0	.	3.8	1.0	1.5	2.0	7.0	.	1.5	1.0	1.5	2.0	7.0	.	1.5	.	1.5	1.5	1.5	.	1.5
2	Burning (Arson)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
2	Lottery Ticket Altering	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
2	Poss Controlled Substance	82	46	20	15	0	163	4.3	5.3	4.2	4.4	.	4.6	3.0	6.0	5.0	6.0	.	4.0	3.0	6.0	5.0	6.0	.	4.0	.	4.0	4.0	4.0	.	4.0
2	Poss Class A Cont Sub	20	43	33	41	0	137	3.0	4.5	5.0	5.6	.	4.7	2.0	3.0	3.0	6.0	.	3.0	2.0	3.0	3.0	6.0	.	3.0	.	3.0	3.0	3.0	.	3.0
2	Poss Class B Cont Sub	101	137	101	76	0	415	4.5	4.8	5.2	5.0	.	4.9	3.0	4.0	3.0	3.0	.	3.0	3.0	4.0	3.0	3.0	.	3.0	.	3.0	3.0	3.0	.	3.0
2	Poss Class C Cont Sub	3	2	1	1	0	7	8.7	8.5	12.0	3.0	.	8.3	12.0	8.5	12.0	3.0	.	12.0	12.0	8.5	12.0	3.0	.	12.0	.	12.0	12.0	12.0	.	12.0
2	Poss Class D Cont Sub	35	64	23	20	0	142	3.1	4.0	3.8	4.6	.	3.8	2.0	3.0	3.0	3.0	.	3.0	2.0	3.0	3.0	3.0	.	3.0	.	3.0	3.0	3.0	.	3.0
2	Poss Counterfeit Narcotics	10	5	3	4	0	22	0.8	2.9	3.0	1.3	.	1.7	0.0	3.0	2.0	1.0	.	0.5	0.0	3.0	2.0	1.0	.	0.5	.	0.5	0.5	0.5	.	0.5
2	Poss Class A Heroin	23	55	37	27	0	142	4.4	6.3	5.6	6.4	.	5.8	3.0	6.0	3.0	6.0	.	5.5	3.0	6.0	3.0	6.0	.	5.5	.	5.5	5.5	5.5	.	5.5
2	Poss Controlled Subs W/I Dist	25	22	6	4	0	57	8.5	11.0	12.1	15.8	.	10.4	6.0	12.0	6.0	18.0	.	6.0	6.0	12.0	6.0	18.0	.	6.0	.	6.0	6.0	6.0	.	6.0
2	Poss To Distribute Class D	68	55	32	11	1	167	6.9	7.9	9.9	12.4	3.0	8.1	3.5	6.0	6.0	12.0	3.0	6.0	3.5	6.0	6.0	12.0	3.0	6.0	.	6.0	6.0	6.0	.	6.0
2	Poss To Distribute Class E	0	2	1	0	0	3	.	1.2	12.0	.	.	4.8	.	1.0	12.0	.	.	2.0	.	1.0	12.0	.	.	2.0	.	2.0	2.0	2.0	.	2.0
2	Distributing Cont Sub	4	2	1	2	0	9	16.1	15.0	1.2	24.0	.	15.9	16.5	15.0	1.2	24.0	.	18.0	16.5	15.0	1.2	24.0	.	18.0	.	18.0	18.0	18.0	.	18.0
2	Sale Of CSA	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
2	Poss Hypodermic Or Syringe	14	36	35	46	0	131	3.0	5.8	5.5	5.3	.	5.2	2.5	3.0	3.0	3.0	.	3.0	2.5	3.0	3.0	3.0	.	3.0	.	3.0	3.0	3.0	.	3.0
2	Knowing Class A Cont Sub Pres	8	3	1	2	0	14	3.1	3.1	6.0	7.5	.	4.0	0.5	3.0	6.0	7.5	.	3.5	0.5	3.0	6.0	7.5	.	3.5	.	3.5	3.5	3.5	.	3.5
2	Forg Prescription For Cont Sub	0	0	1	0	0	1	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0	.	3.0	3.0	3.0	.	3.0
2	Fraudulently Obt Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.

**Table 18.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - District Courts**

LEVEL	OFFENSE	Sentenced Defendants						Mean Sentence Length						Median Sentence Length					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Oper To End(Live&Safety)	92	121	64	47	0	324	3.3	4.7	6.1	7.7	.	5.0	3.0	3.0	4.0	6.0	.	3.0
2	Oper Negligently	5	2	0	1	0	8	2.4	3.1	.	1.0	.	2.4	1.0	3.0	.	1.0	.	1.0
2	Operating Recklessly	1	3	2	1	0	7	3.0	6.3	12.2	6.0	.	7.5	3.0	6.0	12.0	6.0	.	6.0
2	Use Without Authority	28	26	31	23	0	108	3.6	6.1	9.9	9.0	.	7.1	3.0	3.0	6.0	6.0	.	6.0
2	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Alt MV License/Registration	0	0	1	1	0	2	.	.	1.0	6.0	.	3.5	.	.	1.0	6.0	.	3.5
2	Compulsory Insurance Violation	78	135	75	32	0	320	1.1	2.1	1.8	2.2	.	1.8	0.0	1.0	1.0	1.0	.	1.0
2	Altering MV Id Number	0	0	2	0	0	2	.	.	4.0	.	.	4.0	.	.	4.0	.	.	4.0
2	Counterfeiting MV Document	5	8	3	1	0	17	1.5	2.9	2.2	2.0	.	2.3	1.0	3.5	0.0	2.0	.	2.0
2	False Statement On Application	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
2	Uninsured Veh Remain Hwy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	81	137	56	21	0	295	3.1	4.3	4.6	5.4	.	4.1	2.0	4.0	5.5	6.0	.	3.0
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	13	11	7	8	0	39	7.2	9.5	7.6	3.7	.	7.2	6.0	6.0	9.0	2.5	.	6.0
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Id Card	5	0	3	1	0	9	15.6	.	5.7	12.0	.	11.9	12.0	.	3.0	12.0	.	12.0
2	Poss Of Mace	1	0	2	0	0	3	12.0	.	3.5	.	.	6.3	12.0	.	3.5	.	.	6.0
2	Poss Of Ammunition	9	0	2	3	0	14	10.0	.	10.5	2.3	.	8.4	12.0	.	10.0	3.0	.	12.0
2	Attempt To Commit Crime	37	43	26	65	0	171	7.3	7.9	9.1	9.8	.	8.7	6.0	6.0	7.0	6.0	.	6.0
2	Aiding An Escape	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
2	Interfering Wi Police Officer	0	0	1	0	0	1	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0
2	Impersonation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Statement	2	1	3	4	0	10	12.0	2.0	8.7	5.3	.	7.3	12.0	2.0	6.0	5.5	.	6.0
2	Fail To Appear On Pers Recog	2	10	5	1	0	18	0.8	3.1	3.3	1.0	.	2.8	0.5	1.0	1.0	1.0	.	1.0
2	Poss Dangerous Weapon	3	2	2	0	0	7	1.1	0.8	7.0	.	.	2.7	1.0	0.5	7.0	.	.	1.0
2	False Alarm	2	2	1	1	0	6	3.5	3.1	1.0	6.0	.	3.4	3.0	3.0	1.0	6.0	.	3.5
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Contempt Of Court	1	0	1	0	0	2	2.0	.	0.9	.	.	1.5	2.0	.	0.9	.	.	1.0
2	Contributing To Delinquency	2	6	3	1	0	12	3.2	6.3	4.1	12.0	.	5.7	3.0	6.0	6.0	12.0	.	6.0

**Table 18.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - District Courts**

LEVEL	OFFENSE	Sentenced Defendants								Mean Sentence Length								Median Sentence Length																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
		A				B				C				D				E				T				A				B				C				D				E				T																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						

**Table 18.**  
**Mean and Median Sentence Length of Incarcerated Defendants,**  
**by Offense Seriousness Level, Criminal History Group and Offense of Conviction - District Courts**

LEVEL	OFFENSE	Sentenced Defendants						Mean Sentence Length						Median Sentence Length					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Disturbing School Assembly	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Malicious Mischief	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Assault	0	1	1	1	0	3	.	0.2	1.0	0.3	.	0.5	.	0.2	1.0	0.3	.	0.0
1	Discharging A Firearm	2	1	0	0	0	3	2.0	0.3	.	.	.	1.4	2.0	0.3	.	.	.	1.0
1	Telephone Calls	10	11	4	1	0	26	1.5	2.2	2.4	3.0	.	2.0	1.0	3.0	2.5	3.0	.	2.0
1	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Procuring Alcohol For Minor	3	2	0	0	0	5	2.2	3.3	.	.	.	2.6	0.0	3.0	.	.	.	0.0
1	Transporting Alcohol	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Glass Throwing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Operating Aircraft W/O Lic	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

**Table 19.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - All Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
9	Sub-Total	0	32	0	0	17	0	0	10	0	0	12	0	0	0	0	71	0	
9	Murder	0	32	0	0	17	0	0	10	0	0	12	0	0	0	0	71	0	
8	Sub-Total	33	14	23	13	6	13	7	9	2	12	7	8	0	0	65	36	46	
8	Manslaughter	14	6	9	4	2	8	3	4	1	2	2	3	0	0	23	14	21	
8	Armed Assault In Dwell House	0	3	1	0	2	0	0	0	0	1	0	1	0	0	1	5	2	
8	Aggravated Rape	12	3	2	2	2	2	1	1	0	4	1	2	0	0	19	7	6	
8	Rape Of Child with Force	7	2	3	7	0	1	3	2	1	4	1	1	0	0	21	5	6	
8	Burglary	0	0	0	0	0	0	0	1	0	1	2	1	0	0	1	3	1	
8	Cocaine 200+	0	0	8	0	0	2	0	1	0	0	1	0	0	0	0	2	10	
7	Sub-Total	35	7	24	21	3	13	30	8	2	28	7	13	2	0	116	25	52	
7	Murder Attempt	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	
7	Mayhem	3	1	1	2	0	2	3	1	0	0	1	0	0	0	8	3	3	
7	Rape	16	3	3	9	1	3	2	0	1	8	0	2	1	0	36	4	9	
7	Assault Of Child To Rape	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	
7	Incest	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	
7	Armed Robbery	15	3	2	8	1	3	23	2	0	19	3	10	1	0	66	9	15	
7	Confine And Put In Fear	0	0	1	1	1	1	1	0	0	1	1	0	0	0	3	2	2	
7	Heroin 28-100	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
7	Cocaine 100-200	0	0	15	0	0	4	0	4	1	0	2	0	0	0	0	6	20	
7	Heroin 100-200	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	
7	Violation Of Explosives	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	
6	Sub-Total	103	89	83	66	47	54	81	50	42	52	44	36	0	2	302	232	215	
6	Manslaughter	1	0	0	0	0	0	1	0	0	1	0	0	0	0	3	0	0	
6	A&B Dangerous Weapon	14	13	7	16	10	12	20	9	6	13	7	3	0	1	63	40	28	
6	Assault To Maim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
6	Assault To Kill	5	6	11	5	4	5	5	3	6	0	2	2	0	0	15	15	24	

**Table 19.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - All Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
6	Rape Of Child	33	18	17	14	6	6	8	5	5	3	1	2	0	1	0	58	31	30
6	Assault To Rape	4	2	2	0	1	0	0	1	0	0	0	0	0	0	0	4	4	2
6	Indecent A&B Mentally Retarded	1	1	0	0	0	0	1	0	0	0	0	0	0	0	0	2	1	0
6	Child Pornography	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0
6	Armed Robbery	28	11	18	24	13	7	39	17	11	24	14	23	0	0	0	115	55	59
6	Armed Assault To Rob	8	2	8	3	3	8	5	0	5	6	7	3	0	0	0	22	12	24
6	Carjacking	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	1	0
6	Kidnapping	5	0	3	0	3	2	2	2	1	1	3	2	0	0	0	8	8	8
6	Burning Dwelling House	2	0	0	2	0	0	0	0	0	4	2	0	0	0	0	8	2	0
6	Dist Class A Subsequent	0	0	0	0	2	0	0	0	1	0	0	1	0	0	0	0	2	2
6	Cocaine 28-100	0	33	14	0	4	14	0	10	6	0	7	0	0	0	0	0	54	34
6	Heroin 14-28	0	3	1	0	1	0	0	1	0	0	0	0	0	0	0	0	5	1
6	Marijuana 2000-10000	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	2	0
6	Hom By MV While Und Infl Liq	1	0	2	1	0	0	0	0	1	0	0	0	0	0	0	2	0	3
6	Poss Explosive Device	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Sub-Total	27	87	15	38	33	20	30	41	15	36	19	13	0	0	0	131	180	63
5	Indecent A&B On Child	22	33	7	24	5	3	15	4	1	4	1	0	0	0	0	65	43	11
5	Robbery	2	12	5	10	11	8	10	11	11	19	16	6	0	0	0	41	50	30
5	Stalk/Following	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Stalk In Viol 208,209A/Injunc	0	5	0	3	1	0	4	0	0	4	0	0	0	0	0	11	6	0
5	Burglary	2	1	0	0	1	3	0	5	3	5	0	7	0	0	0	7	7	13
5	Dist Class B Subsequent	0	0	0	0	0	5	0	0	0	0	1	0	0	0	0	0	1	5
5	Cocaine 14-28	0	31	2	0	15	1	0	21	0	3	0	0	0	0	0	3	67	3
5	Marijuana 100-2000	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
5	Conspiracy Trafficking Heroin	1	4	1	1	0	0	0	0	0	1	1	0	0	0	0	3	5	1
5	Inducing Minor To Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Perjury	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0	0



**Table 19.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - All Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
4	Sub-Total	0	866	107	101	645	77	113	544	96	294	141	133	3	0	2	511	2196	415
4	A&B On Corr Institution Guard	0	0	0	0	0	2	0	1	1	3	1	4	0	0	0	3	2	7
4	A&B Dangerous Weapon	0	31	9	2	54	0	0	45	0	16	12	0	0	0	0	18	142	9
4	A&B To Collect Loan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Sodomy	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
4	Indecent Assault And Battery	0	51	4	4	19	2	3	18	4	6	4	2	0	0	0	13	92	12
4	Armed Assault To Rob	0	0	2	0	0	0	0	2	2	0	0	2	0	0	0	0	2	6
4	Intimidation	0	12	0	6	16	0	7	13	0	14	3	1	0	0	0	27	44	1
4	Stalk/Following	0	9	0	0	5	0	1	7	0	7	0	0	0	0	0	8	21	0
4	Stalk In Viol 208,209A/Injunc	0	5	0	1	1	0	0	2	0	0	0	0	0	0	0	1	8	0
4	2Nd/Subsq After C265 A,B Cvtct	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Larceny	0	1	2	0	0	2	0	0	2	1	1	2	0	0	0	1	2	8
4	Larceny More	0	1	4	0	1	2	0	0	7	0	0	3	0	0	0	0	2	16
4	Larceny From A Building	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2
4	Larceny From A Person	0	77	3	15	70	0	19	59	0	62	23	0	1	0	0	97	229	3
4	Larceny Of A MV	0	0	0	0	1	0	0	1	0	0	1	4	0	0	1	0	3	5
4	Breaking And Entering	0	1	7	0	0	8	0	5	14	1	2	59	0	0	0	1	8	88
4	Attempt Breaking & Entering	0	0	0	0	4	0	0	2	0	4	4	1	0	0	0	4	10	1
4	Receiving Stolen Property	0	0	1	0	1	4	0	1	8	0	0	11	0	0	1	0	2	25
4	Attempt Arson Of MV	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
4	Burning Building	0	3	0	0	1	1	0	1	0	2	1	0	0	0	0	2	6	1
4	Burning To Defraud	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Poss Class A Cont Sub w/int or 2nd	0	6	0	2	1	0	0	3	1	5	0	0	0	0	0	7	10	1
4	Poss Class B Cont Sub w/int or 2nd	0	8	0	0	5	0	1	6	0	5	0	1	0	0	0	6	19	1
4	Poss To Distribute Class A	0	94	5	10	71	6	13	77	12	38	12	8	0	0	0	61	254	31
4	Poss To Distribute Class B	0	237	20	44	189	9	42	130	10	57	21	11	1	0	0	144	577	50
4	Dist Class A Heroin	0	81	9	4	41	9	6	42	12	15	10	6	1	0	0	26	174	36
4	Dist Class B Cocaine	0	82	18	0	39	15	0	52	11	3	3	5	0	0	0	3	176	49
4	Distributing Cont Sub	0	1	1	0	0	7	0	0	3	0	0	5	0	0	0	0	1	16

**Table 19.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - All Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
4	Trafficking Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Marijuana 50-100	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
4	Larceny Cont Sub	0	3	0	0	1	1	0	0	0	0	1	0	0	0	0	1	5	1
4	Giving Prisoner Cont Sub	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	2	2	0
4	Control Substance School	0	113	6	0	95	5	0	51	4	0	35	3	0	0	0	0	294	18
4	Homicide By MV	0	20	7	0	2	1	0	0	1	0	1	0	0	0	0	0	23	9
4	Hom By MV While Und Infl Liq	0	6	4	0	1	0	0	0	0	0	0	0	0	0	0	0	7	4
4	OUI Drug Oper Negl Ser Inj	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
4	OUI Serious Inj, Fel	0	2	0	0	4	1	0	0	0	0	0	0	0	0	0	0	6	1
4	Deriv Support By Prostitution	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	1	1	0
4	Accessory After	0	3	2	0	2	1	1	1	1	0	0	0	0	0	0	1	6	4
4	Escape	0	9	1	11	17	1	19	22	2	50	5	2	0	0	0	80	53	6
4	Bribery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Extortion	0	1	0	0	2	0	0	0	1	1	0	0	0	0	0	1	3	1
4	Bomb Hoax	0	0	1	0	1	0	0	0	0	1	0	0	0	0	0	1	1	1
4	Violation Of Explosives	0	2	0	1	1	0	0	2	0	1	1	1	0	0	0	2	6	1
3	Sub-Total	0	1194	116	0	1698	197	0	1526	162	0	1347	70	3	4	0	3	5769	545
3	Assault And Battery	0	321	26	0	522	34	0	483	25	0	319	13	1	1	0	1	1646	98
3	A&B On Corr Institution Guard	0	1	0	0	1	0	0	0	0	0	3	0	0	0	0	0	5	0
3	A&B Dangerous Weapon	0	144	0	0	181	1	0	136	1	0	65	0	0	0	0	0	526	2
3	Assault Dangerous Weapon	0	119	22	0	128	36	0	91	26	0	97	9	0	0	0	0	435	93
3	Unnatural Acts	0	3	0	0	4	1	0	1	0	0	0	0	0	0	0	0	8	1
3	Violation Of Civil Rights	0	1	0	0	5	1	0	3	0	0	1	0	1	0	0	1	10	1
3	Restraining Order Violation	0	135	7	0	235	27	0	192	18	0	133	5	0	1	0	0	696	57
3	Larceny More	0	80	13	0	114	15	0	132	8	0	152	6	0	1	0	0	479	42
3	Larceny From A Building	0	5	0	0	18	3	0	16	2	0	18	1	0	0	0	0	57	6
3	Theft Of A Firearm	0	4	0	0	1	1	0	0	0	0	0	0	0	0	0	0	5	1
3	Larceny Of A MV	0	35	3	0	51	6	0	50	8	0	62	7	0	1	0	0	199	24

**Table 19.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - All Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
3	Obt Under False Pret	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	6	0
3	Embezzlement	0	3	3	0	1	0	0	0	0	0	0	0	0	0	0	0	4	3
3	Fraud	0	4	1	0	1	0	0	0	1	0	0	0	0	0	0	0	5	2
3	Poss Burglarious Tools	0	12	1	0	24	1	0	30	3	0	37	1	0	0	0	0	103	6
3	Breaking And Entering	0	210	18	0	262	51	0	299	59	0	331	24	0	0	0	0	1102	152
3	Forgery And Uttering	0	21	5	0	40	4	0	44	7	0	73	3	1	0	0	1	178	19
3	Burning (Arson)	0	5	7	0	7	6	0	1	1	0	4	0	0	0	0	0	17	14
3	Burning Motor Vehicle	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0
3	Illegal Lottery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Poss To Distribute Class C	0	1	1	0	1	2	0	1	0	0	0	1	0	0	0	0	3	4
3	Mfg Class C Cont Sub	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
3	Distribute/Dispense Class C	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Homicide By MV	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Leaving Scene Property Damage	0	39	0	0	58	3	0	22	2	0	27	0	0	0	0	0	146	5
3	Leaving Scene:Person Injured	0	20	1	0	19	1	0	6	0	0	11	0	0	0	0	0	56	2
3	OUI Serious Inj, Misd	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0	3	0
3	Gun Serial Number	0	2	1	0	0	0	0	0	1	0	0	0	0	0	0	0	2	2
3	Poss Altered Firearm	0	3	0	0	1	0	0	0	0	0	0	0	0	0	0	0	4	0
3	No Support	0	4	2	0	0	0	0	0	0	0	0	0	0	0	0	0	4	2
3	Carrying Dangerous Weapon	0	19	5	0	18	4	0	14	0	0	13	0	0	0	0	0	64	9
3	Obstructing Firefighter	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	2	0
3	Neglect	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2	0
3	Missile Throwing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Sub-Total	0	0	1135	0	1167	336	0	739	313	0	611	311	0	2	0	0	2519	2095
2	Assault	0	0	8	0	11	8	0	6	2	0	3	2	0	0	0	0	20	20
2	Accosting	0	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	4	0
2	Threatening	0	0	56	0	83	6	0	65	5	0	42	4	0	1	0	0	191	71
2	Annoy Person Opposite Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**Table 19.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - All Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
2	Larceny	0	0	34	0	43	15	0	36	20	0	35	23	0	0	0	0	114	92
2	Attempt Larceny	0	0	0	0	1	0	0	2	1	0	2	1	0	0	0	0	5	2
2	Larceny Less	0	0	23	0	31	9	0	32	8	0	49	11	0	0	0	0	112	51
2	Credit Card Misuse	0	0	5	0	2	2	0	2	0	0	2	0	0	0	0	0	6	7
2	Welfare Violation	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	2	0
2	Concealing Mortgaged Property	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	2	0
2	Concealing Stolen Property	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	2
2	Failure To Return Leased Prop	0	0	0	0	2	0	0	1	0	0	0	0	0	0	0	0	3	0
2	Injuring A Building	0	0	0	0	2	1	0	3	0	0	1	0	0	0	0	0	6	1
2	Receiving Stolen Property	0	0	168	0	171	84	0	139	117	0	133	131	0	0	0	0	443	500
2	Counterfeit	0	0	3	0	3	1	0	2	0	0	1	0	0	0	0	0	6	4
2	Burning (Arson)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Lottery Ticket Altering	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Poss Controlled Substance	0	0	101	0	44	11	0	20	4	0	16	1	0	0	0	0	80	117
2	Poss Class A Cont Sub	0	0	21	0	33	10	0	25	9	0	28	14	0	0	0	0	86	54
2	Poss Class B Cont Sub	0	0	105	0	116	24	0	76	25	0	58	19	0	0	0	0	250	173
2	Poss Class C Cont Sub	0	0	3	0	1	1	0	0	1	0	1	0	0	0	0	0	2	5
2	Poss Class D Cont Sub	0	0	38	0	60	4	0	21	2	0	18	3	0	0	0	0	99	47
2	Poss Counterfeit Narcotics	0	0	10	0	5	0	0	3	0	0	4	0	0	0	0	0	12	10
2	Poss Class A Heroin	0	0	24	0	41	14	0	28	10	0	21	6	0	0	0	0	90	54
2	Poss Controlled Subs W/I Dist	0	0	59	0	10	30	0	4	11	0	1	9	0	0	0	0	15	109
2	Poss To Distribute Class D	0	0	73	0	36	19	0	17	15	0	4	7	0	1	0	0	58	114
2	Poss To Distribute Class E	0	0	0	0	2	0	0	0	1	0	0	0	0	0	0	0	2	1
2	Distributing Cont Sub	0	0	4	0	1	6	0	1	2	0	0	3	0	0	0	0	2	15
2	Sale Of CSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Poss Hypodermic Or Syringe	0	0	14	0	28	8	0	23	12	0	33	13	0	0	0	0	84	47
2	Knowing Class A Cont Sub Pres	0	0	8	0	3	0	0	1	0	0	2	0	0	0	0	0	6	8
2	Forg Prescription For Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
2	Fraudulently Obt Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**Table 19.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - All Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
2	Oper To End(Live&Safety)	0	0	92	0	100	21	0	44	20	0	30	17	0	0	0	0	174	150
2	Oper Negligently	0	0	6	0	2	0	0	0	0	0	1	0	0	0	0	0	3	6
2	Operating Recklessly	0	0	2	0	2	1	0	2	1	0	1	0	0	0	0	0	5	4
2	Use Without Authority	0	0	28	0	19	7	0	21	10	0	15	8	0	0	0	0	55	53
2	Racing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Alt MV License/Registration	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	2	0
2	Compulsory Insurance Violation	0	0	78	0	128	7	0	72	3	0	31	1	0	0	0	0	231	89
2	Altering MV Id Number	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	2	0
2	Counterfeiting MV Document	0	0	5	0	8	0	0	3	0	0	1	0	0	0	0	0	12	5
2	False Statement On Application	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0
2	Uninsured Veh Remain Hwy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Prostitution	0	0	83	0	119	18	0	47	10	0	18	3	0	0	0	0	184	114
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Open And Gross	0	0	14	0	7	5	0	3	5	0	7	2	0	0	0	0	17	26
2	Failure To Disperse	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Firearm Id Card	0	0	5	0	0	0	0	2	1	0	0	1	0	0	0	0	2	7
2	Poss Of Mace	0	0	1	0	0	0	0	2	0	0	0	0	0	0	0	0	2	1
2	Poss Of Ammunition	0	0	12	0	1	0	0	1	1	0	3	0	0	0	0	0	5	13
2	Attempt To Commit Crime	0	0	37	0	26	17	0	13	13	0	39	29	0	0	0	0	78	96
2	Aiding An Escape	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
2	Interfering W/ Police Officer	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0
2	Impersonation	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
2	False Statement	0	0	2	0	1	0	0	2	1	0	4	0	0	0	0	0	7	3
2	Fail To Appear On Pers Recog	0	0	2	0	8	2	0	4	1	0	1	0	0	0	0	0	13	5
2	Poss Dangerous Weapon	0	0	3	0	2	0	0	1	1	0	0	0	0	0	0	0	3	4
2	False Alarm	0	0	2	0	2	0	0	1	0	0	1	0	0	0	0	0	4	2
2	Fireworks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Contempt Of Court	0	0	1	0	1	0	0	1	0	0	0	0	0	0	0	0	2	1
2	Contributing To Delinquency	0	0	2	0	3	3	0	3	0	0	1	1	0	0	0	0	7	6

**Table 19.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - All Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
2	Cruelty To Animals	0	0	2	0	2	1	0	2	0	0	1	0	0	0	0	0	5	3
2	Violation Of Bail Law	0	0	1	0	1	0	0	2	0	0	0	0	0	0	0	0	3	1
2	Curfew	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Disguising	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	False License	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	<b>Sub-Total</b>	0	0	586	0	0	975	0	0	514	0	240	55	0	2	1	0	242	2131
1	Pornography	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
1	Defrauding Victualer	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
1	Destruction Of Property	0	0	39	0	0	68	0	0	54	0	18	10	0	0	0	0	18	171
1	Vandalism	0	0	1	0	0	0	0	0	1	0	1	1	0	0	0	0	1	3
1	Trespassing	0	0	26	0	0	33	0	0	30	0	23	7	0	1	0	0	24	96
1	Gaming	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2
1	Property Violation	0	0	2	0	0	3	0	0	7	0	1	2	0	0	0	0	1	14
1	Poss Class E Cont Sub	0	0	0	0	0	3	0	0	0	0	1	1	0	0	0	0	1	4
1	Inhaling Toxic Vapors	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
1	Violation Cont Sub	0	0	4	0	0	2	0	0	1	0	1	1	0	0	0	0	1	8
1	Attaching Wrong MV Plates	0	0	5	0	0	5	0	0	2	0	1	1	0	0	0	0	1	13
1	Operating After Suspended Lic	0	0	409	0	0	706	0	0	305	0	144	15	0	0	1	0	144	1436
1	Operating After Suspended Reg	0	0	8	0	0	11	0	0	3	0	3	0	0	0	0	0	3	22
1	Operating After	0	0	7	0	0	11	0	0	3	0	3	0	0	0	0	0	3	21
1	Recreat Vehicle On Public Way	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Impersonating (MV Violation)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Indecent Exposure	0	0	8	0	0	7	0	0	3	0	0	0	0	0	0	0	0	18
1	Lewdness	0	0	2	0	0	8	0	0	2	0	0	1	0	0	0	0	0	13
1	Obscene Language	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Obscene Material	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
1	Peeping Tom	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Disorderly Conduct	0	0	53	0	0	102	0	0	95	0	42	16	0	1	0	0	43	266

**Table 19.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - All Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
1	Disturbing School Assembly	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Malicious Mischief	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Affray	0	0	0	0	0	1	0	0	1	0	1	0	0	0	1	0	1	2
1	Discharging A Firearm	0	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0	3
1	Telephone Calls	0	0	12	0	0	11	0	0	5	0	1	0	0	0	1	0	1	28
1	Failure To Obey Police Officer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Procuring Alcohol For Minor	0	0	3	0	0	2	0	0	0	0	0	0	0	0	0	0	0	5
1	Transporting Alcohol	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Glass Throwing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Operating Aircraft W/O Lic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Resisting Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**Table 20.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - Superior Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
9	Sub-Total	0	32	0	0	17	0	0	10	0	0	12	0	0	0	0	71	0	
9	Murder	0	32	0	0	17	0	0	10	0	0	12	0	0	0	0	71	0	
8	Sub-Total	33	14	23	13	6	13	7	9	2	12	7	8	0	0	65	36	46	
8	Manslaughter	14	6	9	4	2	8	3	4	1	2	2	3	0	0	23	14	21	
8	Armed Assault In Dwell House	0	3	1	0	2	0	0	0	0	1	0	1	0	0	1	5	2	
8	Aggravated Rape	12	3	2	2	2	2	1	1	0	4	1	2	0	0	19	7	6	
8	Rape Of Child with Force	7	2	3	7	0	1	3	2	1	4	1	1	0	0	21	5	6	
8	Burglary	0	0	0	0	0	0	0	1	0	1	2	1	0	0	1	3	1	
8	Cocaine 200+	0	0	8	0	0	2	0	1	0	0	1	0	0	0	0	2	10	
7	Sub-Total	35	7	24	21	3	13	30	8	2	28	7	13	2	0	116	25	52	
7	Murder Attempt	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	
7	Mayhem	3	1	1	2	0	2	3	1	0	0	1	0	0	0	8	3	3	
7	Rape	16	3	3	9	1	3	2	0	1	8	0	2	1	0	36	4	9	
7	Assault Of Child To Rape	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	
7	Incest	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	
7	Armed Robbery	15	3	2	8	1	3	23	2	0	19	3	10	1	0	66	9	15	
7	Confine And Put In Fear	0	0	1	1	1	1	1	0	0	1	1	0	0	0	3	2	2	
7	Heroin 28-100	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
7	Cocaine 100-200	0	0	15	0	0	4	0	4	1	0	2	0	0	0	0	6	20	
7	Heroin 100-200	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	
7	Violation Of Explosives	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	
6	Sub-Total	103	89	83	66	47	54	81	50	42	52	44	36	0	2	302	232	215	
6	Manslaughter	1	0	0	0	0	0	1	0	0	1	0	0	0	0	3	0	0	
6	A&B Dangerous Weapon	14	13	7	16	10	12	20	9	6	13	7	3	0	1	63	40	28	
6	Assault To Maim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
6	Assault To Kill	5	6	11	5	4	5	5	3	6	0	2	2	0	0	15	15	24	



Table 20.

## Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - Superior Courts

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
6	Rape Of Child	33	18	17	14	6	6	8	5	5	3	1	2	0	1	0	58	31	30
6	Assault To Rape	4	2	2	0	1	0	0	1	0	0	0	0	0	0	0	4	4	2
6	Indecent A&B Mentally Retarded	1	1	0	0	0	0	1	0	0	0	0	0	0	0	0	2	1	0
6	Child Pornography	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0
6	Armed Robbery	28	11	18	24	13	7	39	17	11	24	14	23	0	0	0	115	55	59
6	Armed Assault To Rob	8	2	8	3	3	8	5	0	5	6	7	3	0	0	0	22	12	24
6	Carjacking	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	1	0
6	Kidnapping	5	0	3	0	3	2	2	2	1	1	3	2	0	0	0	8	8	8
6	Burning Dwelling House	2	0	0	2	0	0	0	0	0	4	2	0	0	0	0	8	2	0
6	Dist Class A Subsequent	0	0	0	0	2	0	0	0	1	0	0	1	0	0	0	0	2	2
6	Cocaine 28-100	0	33	14	0	4	14	0	10	6	0	7	0	0	0	0	0	54	34
6	Heroin 14-28	0	3	1	0	1	0	0	1	0	0	0	0	0	0	0	0	5	1
6	Marijuana 2000-10000	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	2	0
6	Hom By MV While Und Infl Liq	1	0	2	1	0	0	0	0	1	0	0	0	0	0	0	2	0	3
6	Poss Explosive Device	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Sub-Total	9	66	15	17	29	20	16	41	15	32	19	13	0	0	0	74	155	63
5	Indecent A&B On Child	4	17	7	6	2	3	5	4	1	3	1	0	0	0	0	18	24	11
5	Robbery	2	12	5	10	11	8	10	11	11	19	16	6	0	0	0	41	50	30
5	Stalk/Following	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Stalk In Viol 208,209A/Injunc	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0
5	Burglary	2	1	0	0	1	3	0	5	3	5	0	7	0	0	0	7	7	13
5	Dist Class B Subsequent	0	0	0	0	0	5	0	0	0	0	1	0	0	0	0	0	1	5
5	Cocaine 14-28	0	31	2	0	15	1	0	21	0	3	0	0	0	0	0	3	67	3
5	Marijuana 100-2000	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
5	Conspiracy Trafficking Heroin	1	4	1	1	0	0	0	0	0	1	1	0	0	0	0	3	5	1
5	Inducing Minor To Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Perjury	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0	0

**Table 20.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - Superior Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
4	Sub-Total	0	168	87	3	98	77	3	60	96	31	22	133	0	0	2	37	348	395
4	A&B On Corr Institution Guard	0	0	0	0	0	2	0	1	1	3	1	4	0	0	0	3	2	7
4	A&B Dangerous Weapon	0	16	3	2	18	0	0	4	0	3	2	0	0	0	0	5	40	3
4	A&B To Collect Loan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Sodomy	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
4	Indecent Assault And Battery	0	6	3	0	2	2	0	1	4	2	0	2	0	0	0	2	9	11
4	Armed Assault To Rob	0	0	2	0	0	0	0	2	2	0	0	2	0	0	0	0	2	6
4	Intimidation	0	2	0	0	2	0	0	0	0	0	1	1	0	0	0	0	5	1
4	Stalk/Following	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
4	Stalk In Viol 208,209A/Injunc	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	2Nd/Subsq After C265 A,B Cvcit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Larceny	0	1	2	0	0	2	0	0	2	1	1	2	0	0	0	1	2	8
4	Larceny More	0	1	4	0	1	2	0	0	7	0	0	3	0	0	0	0	2	16
4	Larceny From A Building	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2
4	Larceny From A Person	0	7	1	0	10	0	0	3	0	2	1	0	0	0	0	2	21	1
4	Larceny Of A MV	0	0	0	0	1	0	0	1	0	0	1	4	0	0	1	0	3	5
4	Breaking And Entering	0	1	7	0	0	8	0	5	14	1	2	59	0	0	0	1	8	88
4	Attempt Breaking & Entering	0	0	0	0	0	0	0	0	0	0	4	1	0	0	0	0	4	1
4	Receiving Stolen Property	0	0	1	0	1	4	0	1	8	0	0	11	0	0	1	0	2	25
4	Attempt Arson Of MV	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Burning Building	0	3	0	0	0	1	0	1	0	2	1	0	0	0	0	2	5	1
4	Burning To Defraud	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Poss Class A Cont Sub w/int or 2nd	0	2	0	0	0	0	0	1	1	1	0	0	0	0	0	0	3	1
4	Poss Class B Cont Sub w/int or 2nd	0	2	0	0	0	0	1	1	0	1	0	1	0	0	0	2	3	1
4	Poss To Distribute Class A	0	8	3	0	5	6	1	5	12	6	2	8	0	0	0	7	20	29
4	Poss To Distribute Class B	0	32	17	0	16	9	1	11	10	4	4	11	0	0	0	5	63	47
4	Dist Class A Heroin	0	13	8	1	5	9	0	6	12	1	0	6	0	0	0	2	24	35
4	Dist Class B Cocaine	0	38	17	0	19	15	0	8	11	1	0	5	0	0	0	1	65	48
4	Distributing Cont Sub	0	1	1	0	0	7	0	0	3	0	0	5	0	0	0	0	1	16

Table 20.

## Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - Superior Courts

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
4		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Trafficking Cont Sub	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
4	Marijuana 50-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Larceny Cont Sub	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
4	Giving Prisoner Cont Sub	0	14	4	0	13	5	0	6	4	0	2	3	0	0	0	0	35	16
4	Control Substance School	0	11	7	0	1	1	0	0	1	0	0	0	0	0	0	0	12	9
4	Homicide By MV	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2
4	Hom By MV While Und Infl Liq	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	OUI Drug Oper Negl Ser Inj	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1	1
4	OUI Serious Inj, Fel	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Deriv Support By Prostitution	0	3	2	0	1	1	0	0	1	0	0	0	0	0	0	0	4	4
4	Accessory After	0	0	1	0	0	1	0	2	2	3	0	2	0	0	0	3	2	6
4	Escape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Bribery	0	1	0	0	2	0	0	0	1	0	0	0	0	0	0	0	3	1
4	Extortion	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	1	0	1
4	Bomb Hoax	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
4	Violation Of Explosives	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	1	1
3	Sub-Total	0	55	54	0	25	37	0	18	27	0	29	14	0	1	0	0	128	132
3	Assault And Battery	0	11	12	0	9	4	0	7	6	0	8	4	0	1	0	0	36	26
3	A&B On Corr Institution Guard	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	A&B Dangerous Weapon	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
3	Assault Dangerous Weapon	0	12	9	0	2	11	0	3	12	0	6	3	0	0	0	0	23	35
3	Unnatural Acts	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Violation Of Civil Rights	0	0	0	0	2	0	0	0	0	0	1	0	0	0	0	0	3	0
3	Restraining Order Violation	0	1	1	0	2	0	0	0	0	0	1	0	0	0	0	0	4	1
3	Larceny More	0	5	6	0	1	2	0	1	1	0	1	1	0	0	0	0	8	10
3	Larceny From A Building	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
3	Theft Of A Firearm	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
3	Larceny Of A MV	0	0	0	0	1	1	0	2	0	0	0	0	0	0	0	0	3	1

Table 20.

## Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - Superior Courts

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
3	Obt Under False Pret	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Embezzlement	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	0	3	3
3	Fraud	0	3	1	0	1	0	0	0	0	0	0	0	0	0	0	0	4	1
3	Poss Burglariou Tools	0	0	1	0	0	1	0	0	1	0	0	1	0	0	0	0	0	4
3	Breaking And Entering	0	5	2	0	3	5	0	3	3	0	6	3	0	0	0	0	17	13
3	Forgery And Uttering	0	2	5	0	1	0	0	0	2	0	1	1	0	0	0	0	4	8
3	Burning (Arson)	0	4	7	0	3	6	0	1	1	0	2	0	0	0	0	0	10	14
3	Burning Motor Vehicle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Illegal Lottery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Poss To Distribute Class C	0	0	1	0	0	1	0	0	0	0	0	1	0	0	0	0	0	3
3	Mfg Class C Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Distribute/Dispense Class C	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Homicide By MV	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Leaving Scene Property Damage	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	2	0
3	Leaving Scene:Person Injured	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2
3	OUI Serious Inj, Misd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Gun Serial Number	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	1
3	Poss Altered Firearm	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	No Support	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Carrying Dangerous Weapon	0	7	5	0	0	2	0	1	0	0	1	0	0	0	0	0	9	7
3	Obstructing Firefighter	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0
3	Neglect	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Missile Throwing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Sub-Total	0	0	84	0	16	33	0	5	23	0	3	21	0	0	0	0	24	161
2	Assault	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	1	1
2	Accosting	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Threatening	0	0	1	0	2	1	0	1	0	0	0	0	0	0	0	0	3	2
2	Annoy Person Opposite Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Table 20.

## Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - Superior Courts

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
2	Larceny	0	0	3	0	3	2	0	0	2	0	0	1	0	0	0	0	3	8
2	Attempt Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Larceny Less	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Credit Card Misuse	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Welfare Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Concealing Mortgaged Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Concealing Stolen Property	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	2
2	Failure To Return Leased Prop	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Injuring A Building	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Receiving Stolen Property	0	0	4	0	0	1	0	1	4	0	0	4	0	0	0	0	1	13
2	Counterfeit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Burning (Arson)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Lottery Ticket Altering	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Poss Controlled Substance	0	0	19	0	4	5	0	1	3	0	1	1	0	0	0	0	6	28
2	Poss Class A Cont Sub	0	0	1	0	0	0	0	1	0	0	0	1	0	0	0	0	1	2
2	Poss Class B Cont Sub	0	0	4	0	1	2	0	0	0	0	1	0	0	0	0	0	2	6
2	Poss Class C Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Poss Class D Cont Sub	0	0	3	0	0	0	0	0	0	0	0	1	0	0	0	0	0	4
2	Poss Counterfeit Narcotics	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Poss Class A Heroin	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2
2	Poss Controlled Subs W/I Dist	0	0	34	0	2	16	0	0	9	0	0	6	0	0	0	0	2	65
2	Poss To Distribute Class D	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
2	Poss To Distribute Class E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Distributing Cont Sub	0	0	0	0	1	4	0	0	2	0	0	1	0	0	0	0	1	7
2	Sale Of CSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Poss Hypodermic Or Syringe	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Knowing Class A Cont Sub Pres	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Forg Prescription For Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Fraudulently Obt Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**Table 20.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - Superior Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
2	Oper To End(Live&Safety)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Oper Negligently	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
2	Operating Recklessly	0	0	1	0	0	0	1	0	0	0	0	0	0	0	1	0	1	1
2	Use Without Authority	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Racing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Alt MV License/Registration	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Compulsory Insurance Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Altering MV Id Number	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Counterfeiting MV Document	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	False Statement On Application	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Uninsured Veh Remain Hwy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Prostitution	0	0	2	0	0	0	0	0	1	0	0	0	0	0	0	0	0	3
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Open And Gross	0	0	1	0	0	1	0	0	1	0	0	1	0	0	0	0	0	4
2	Failure To Disperse	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Firearm Id Card	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Poss Of Mace	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Poss Of Ammunition	0	0	3	0	1	0	0	0	0	0	0	0	0	0	1	0	1	3
2	Attempt To Commit Crime	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	3	3
2	Aiding An Escape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Interfering W/ Police Officer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Impersonation	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	1
2	False Statement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Fail To Appear On Pers Recog	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Poss Dangerous Weapon	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	False Alarm	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Fireworks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Contempt Of Court	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
2	Contributing To Delinquency	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0

**Table 20.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - Superior Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
2	Cruelty To Animals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Violation Of Bail Law	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Curfew	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Disguising	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	False License	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	<b>Sub-Total</b>	0	0	9	0	0	2	0	0	4	0	0	2	0	0	0	0	0	17
1	Pornography	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
1	Defrauding Victualer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Destruction Of Property	0	0	4	0	0	2	0	0	3	0	0	1	0	0	0	0	0	10
1	Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Trespassing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Gaming	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Property Violation	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
1	Poss Class E Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Inhaling Toxic Vapors	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Violation Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Attaching Wrong MV Plates	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Operating After Suspended Lic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Operating After Suspended Reg	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
1	Operating After	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Recreat Vehicle On Public Way	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Impersonating (MV Violation)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Indecent Exposure	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Lewdness	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Obscene Language	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Obscene Material	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Peeping Tom	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Disorderly Conduct	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**Table 20.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - Superior Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
1	Disturbing School Assembly	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Malicious Mischief	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Affray	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Discharging A Firearm	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Telephone Calls	0	0	2	0	0	0	0	0	1	0	0	0	0	0	0	0	0	3
1	Failure To Obey Police Officer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Procuring Alcohol For Minor	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Transporting Alcohol	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Glass Throwing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Operating Aircraft W/O Lic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Resisting Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



**Table 21.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - District Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
9	<b>Sub-Total</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9	Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	<b>Sub-Total</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Armed Assault In Dwell House	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Aggravated Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Rape Of Child with Force	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Cocaine 200+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	<b>Sub-Total</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Murder Attempt	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Mayhem	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Assault Of Child To Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Armed Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Confine And Put In Fear	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Heroin 28-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Cocaine 100-200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Heroin 100-200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Violation Of Explosives	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	<b>Sub-Total</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	A&B Dangerous Weapon	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Assault To Maim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Table 21.

## Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - District Courts

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
6	Assault To Kill	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Rape Of Child	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Assault To Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Indecent A&B Mentally Retarded	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Child Pornography	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Armed Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Armed Assault To Rob	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Carjacking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Burning Dwelling House	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Dist Class A Subsequent	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Cocaine 28-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Heroin 14-28	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Marijuana 2000-10000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Horn By MV While Und Infl Liq	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Poss Explosive Device	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Sub-Total	18	21	0	21	4	0	14	0	0	4	0	0	0	0	0	57	25	0
5	Indecent A&B On Child	18	16	0	18	3	0	10	0	0	1	0	0	0	0	0	47	19	0
5	Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Stalk/Following	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Stalk In Viol 208,209A/Injunc	0	5	0	3	1	0	4	0	0	3	0	0	0	0	0	10	6	0
5	Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Dist Class B Subsequent	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Cocaine 14-28	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Marijuana 100-2000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Conspiracy Trafficking Heroin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Inducing Minor To Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**Table 21.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - District Courts**

LEVEL	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
5 Perjury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Sub-Total	0	698	20	98	547	0	110	484	0	263	119	0	3	0	0	474	1848	20
4 A&B On Corr Institution Guard	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 A&B Dangerous Weapon	0	15	6	0	36	0	0	41	0	13	10	0	0	0	0	13	102	6
4 A&B To Collect Loan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Sodomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Indecent Assault And Battery	0	45	1	4	17	0	3	17	0	4	4	0	0	0	0	11	83	1
4 Armed Assault To Rob	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Intimidation	0	10	0	6	14	0	7	13	0	14	2	0	0	0	0	27	39	0
4 Stalk/Following	0	8	0	0	5	0	1	7	0	7	0	0	0	0	0	8	20	0
4 Stalk In Viol 208,209A/Injunc	0	5	0	1	1	0	0	2	0	0	0	0	0	0	0	1	8	0
4 2Nd/Subsq After C265 A,B Cvict	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Larceny More	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Larceny From A Building	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Larceny From A Person	0	70	2	15	60	0	19	56	0	60	22	0	1	0	0	95	208	2
4 Larceny Of A MV	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Breaking And Entering	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Attempt Breaking & Entering	0	0	0	0	4	0	0	2	0	4	0	0	0	0	0	4	6	0
4 Receiving Stolen Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Attempt Arson Of MV	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
4 Burning Building	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
4 Burning To Defraud	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Poss Class A Cont Sub w/int or 2nd	0	4	0	2	1	0	0	2	0	5	0	0	0	0	0	7	7	0
4 Poss Class B Cont Sub w/int or 2nd	0	6	0	0	5	0	0	5	0	4	0	0	0	0	0	4	16	0
4 Poss To Distribute Class A	0	86	2	10	66	0	12	72	0	32	10	0	0	0	0	54	234	2
4 Poss To Distribute Class B	0	205	3	44	173	0	41	119	0	53	17	0	1	0	0	139	514	3

**Table 21.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - District Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
4	Dist Class A Heroin	0	68	1	3	36	0	6	36	0	14	10	0	1	0	0	24	150	1
4	Dist Class B Cocaine	0	44	1	0	20	0	0	44	0	2	3	0	0	0	0	2	111	1
4	Distributing Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Trafficking Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Marijuana 50-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Larceny Cont Sub	0	3	0	0	1	0	1	0	0	0	1	0	0	0	0	1	5	0
4	Giving Prisoner Cont Sub	0	0	0	0	0	0	0	1	0	2	0	0	0	0	0	2	1	0
4	Control Substance School	0	99	2	0	82	0	0	45	0	0	33	0	0	0	0	0	259	2
4	Homicide By MV	0	9	0	0	1	0	0	0	0	0	1	0	0	0	0	0	11	0
4	Hom By MV While Und Infl Liq	0	4	2	0	1	0	0	0	0	0	0	0	0	0	0	0	5	2
4	OUI Drug Oper Negl Ser Inj	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
4	OUI Serious Inj, Fel	0	2	0	0	3	0	0	0	0	0	0	0	0	0	0	0	5	0
4	Deriv Support By Prostitution	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	1	1	0
4	Accessory After	0	0	0	0	1	0	1	1	0	0	0	0	0	0	0	1	2	0
4	Escape	0	9	0	11	17	0	19	20	0	47	5	0	0	0	0	77	51	0
4	Bribery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Extortion	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0
4	Bomb Hoax	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
4	Violation Of Explosives	0	2	0	1	1	0	0	1	0	1	1	0	0	0	0	2	5	0
3	Sub-Total	0	1139	62	0	1673	160	0	1508	135	0	1318	56	3	3	0	3	5641	413
3	Assault And Battery	0	310	14	0	513	30	0	476	19	0	311	9	1	0	0	1	1610	72
3	A&B On Corr Institution Guard	0	1	0	0	1	0	0	0	0	0	3	0	0	0	0	0	5	0
3	A&B Dangerous Weapon	0	144	0	0	181	0	0	136	1	0	65	0	0	0	0	0	526	1
3	Assault Dangerous Weapon	0	107	13	0	126	25	0	88	14	0	91	6	0	0	0	0	412	58
3	Unnatural Acts	0	3	0	0	4	1	0	1	0	0	0	0	0	0	0	0	8	1
3	Violation Of Civil Rights	0	1	0	0	3	1	0	3	0	0	0	0	1	0	0	1	7	1
3	Restraining Order Violation	0	134	6	0	233	27	0	192	18	0	132	5	0	1	0	0	692	56

**Table 21.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - District Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
3	Larceny More	0	75	7	0	113	13	0	131	7	0	151	5	0	1	0	0	471	32
3	Larceny From A Building	0	5	0	0	18	2	0	16	2	0	18	1	0	0	0	0	57	5
3	Theft Of A Firearm	0	4	0	0	1	0	0	0	0	0	0	0	0	0	0	0	5	0
3	Larceny Of A MV	0	35	3	0	50	5	0	48	8	0	62	7	0	1	0	0	196	23
3	Obt Under False Pret	0	0	0	0	3	0	0	3	0	0	0	0	0	0	0	0	6	0
3	Embezzlement	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
3	Fraud	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	1
3	Poss Burglariou Tools	0	12	0	0	24	0	0	30	2	0	37	0	0	0	0	0	103	2
3	Breaking And Entering	0	205	16	0	259	46	0	296	56	0	325	21	0	0	0	0	1085	139
3	Forgery And Uttering	0	19	0	0	39	4	0	44	5	0	72	2	1	0	0	1	174	11
3	Burning (Arson)	0	1	0	0	4	0	0	0	0	0	2	0	0	0	0	0	7	0
3	Burning Motor Vehicle	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0
3	Illegal Lottery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Poss To Distribute Class C	0	1	0	0	1	1	0	1	0	0	0	0	0	0	0	0	3	1
3	Mfg Class C Cont Sub	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
3	Distribute/Dispense Class C	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Homicide By MV	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Leaving Scene Property Damage	0	38	0	0	58	3	0	22	2	0	26	0	0	0	0	0	144	5
3	Leaving Scene:Person Injured	0	20	0	0	19	0	0	6	0	0	11	0	0	0	0	0	56	0
3	OUI Serious Inj, Misd	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0	3	0
3	Gun Serial Number	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
3	Poss Altered Firearm	0	3	0	0	1	0	0	0	0	0	0	0	0	0	0	0	4	0
3	No Support	0	4	2	0	0	0	0	0	0	0	0	0	0	0	0	0	4	2
3	Carrying Dangerous Weapon	0	12	0	0	18	2	0	13	0	0	12	0	0	0	0	0	55	2
3	Obstructing Firefighter	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0
3	Neglect	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2	0
3	Missile Throwing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**Table 21.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - District Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
2	Sub-Total	0	0	1051	0	1151	303	0	734	290	0	608	290	0	2	0	0	2495	1934
2	Assault	0	0	7	0	10	8	0	6	2	0	3	2	0	0	0	0	19	19
2	Accosting	0	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	4	0
2	Threatening	0	0	55	0	81	5	0	64	5	0	42	4	0	1	0	0	188	69
2	Annoy Person Opposite Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Larceny	0	0	31	0	40	13	0	36	18	0	35	22	0	0	0	0	111	84
2	Attempt Larceny	0	0	0	0	1	0	0	2	1	0	2	1	0	0	0	0	5	2
2	Larceny Less	0	0	23	0	31	9	0	32	8	0	49	11	0	0	0	0	112	51
2	Credit Card Misuse	0	0	5	0	2	2	0	2	0	0	2	0	0	0	0	0	6	7
2	Welfare Violation	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	2	0
2	Concealing Mortgaged Property	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	2	0
2	Concealing Stolen Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Failure To Return Leased Prop	0	0	0	0	2	0	0	1	0	0	0	0	0	0	0	0	3	0
2	Injuring A Building	0	0	0	0	2	1	0	3	0	0	1	0	0	0	0	0	6	1
2	Receiving Stolen Property	0	0	164	0	171	83	0	138	113	0	133	127	0	0	0	0	442	487
2	Counterfeit	0	0	3	0	3	1	0	2	0	0	1	0	0	0	0	0	6	4
2	Burning (Arson)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Lottery Ticket Altering	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Poss Controlled Substance	0	0	82	0	40	6	0	19	1	0	15	0	0	0	0	0	74	89
2	Poss Class A Cont Sub	0	0	20	0	33	10	0	24	9	0	28	13	0	0	0	0	85	52
2	Poss Class B Cont Sub	0	0	101	0	115	22	0	76	25	0	57	19	0	0	0	0	248	167
2	Poss Class C Cont Sub	0	0	3	0	1	1	0	0	1	0	1	0	0	0	0	0	2	5
2	Poss Class D Cont Sub	0	0	35	0	60	4	0	21	2	0	18	2	0	0	0	0	99	43
2	Poss Counterfeit Narcotics	0	0	10	0	5	0	0	3	0	0	4	0	0	0	0	0	12	10
2	Poss Class A Heroin	0	0	23	0	41	14	0	28	9	0	21	6	0	0	0	0	90	52
2	Poss Controlled Subs W/I Dist	0	0	25	0	8	14	0	4	2	0	1	3	0	0	0	0	13	44
2	Poss To Distribute Class D	0	0	68	0	36	19	0	17	15	0	4	7	0	1	0	0	58	109
2	Poss To Distribute Class E	0	0	0	0	2	0	0	0	1	0	0	0	0	0	0	0	2	1

**Table 21.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - District Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
2	Distributing Cont Sub	0	0	4	0	0	2	0	1	0	0	0	2	0	0	0	0	1	8
2	Sale Of CSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Poss Hypodermic Or Syringe	0	0	14	0	28	8	0	23	12	0	33	13	0	0	0	0	84	47
2	Knowing Class A Cont Sub Pres	0	0	8	0	3	0	0	1	0	0	2	0	0	0	0	0	6	8
2	Forg Prescription For Cont Sub	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0
2	Fraudulently Obt Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Oper To End(Live&Safety)	0	0	92	0	100	21	0	44	20	0	30	17	0	0	0	0	174	150
2	Oper Negligently	0	0	5	0	2	0	0	0	0	0	1	0	0	0	0	0	3	5
2	Operating Recklessly	0	0	1	0	2	1	0	1	1	0	1	0	0	0	0	0	4	3
2	Use Without Authority	0	0	28	0	19	7	0	21	10	0	15	8	0	0	0	0	55	53
2	Racing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Alt MV License/Registration	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	2	0
2	Compulsory Insurance Violation	0	0	78	0	128	7	0	72	3	0	31	1	0	0	0	0	231	89
2	Altering MV Id Number	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	2	0
2	Counterfeiting MV Document	0	0	5	0	8	0	0	3	0	0	1	0	0	0	0	0	12	5
2	False Statement On Application	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0
2	Uninsured Veh Remain Hwy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Prostitution	0	0	81	0	119	18	0	47	9	0	18	3	0	0	0	0	184	111
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Open And Gross	0	0	13	0	7	4	0	3	4	0	7	1	0	0	0	0	17	22
2	Failure To Disperse	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Firearm Id Card	0	0	5	0	0	0	0	2	1	0	0	1	0	0	0	0	2	7
2	Poss Of Mace	0	0	1	0	0	0	0	2	0	0	0	0	0	0	0	0	2	1
2	Poss Of Ammunition	0	0	9	0	0	0	0	1	1	0	3	0	0	0	0	0	4	10
2	Attempt To Commit Crime	0	0	37	0	26	17	0	13	13	0	39	26	0	0	0	0	78	93
2	Aiding An Escape	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
2	Interfering Wi Police Officer	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0
2	Impersonation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**Table 21.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - District Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
2	False Statement	0	0	2	0	1	0	0	2	1	0	4	0	0	0	0	7	3	
2	Fail To Appear On Pers Recog	0	0	2	0	8	2	0	4	1	0	1	0	0	0	0	13	5	
2	Poss Dangerous Weapon	0	0	3	0	2	0	0	1	1	0	0	0	0	0	0	3	4	
2	False Alarm	0	0	2	0	2	0	0	1	0	0	1	0	0	0	0	4	2	
2	Fireworks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
2	Contempt Of Court	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	1	1	
2	Contributing To Delinquency	0	0	2	0	3	3	0	3	0	0	0	1	0	0	0	6	6	
2	Cruelty To Animals	0	0	2	0	2	1	0	2	0	0	1	0	0	0	0	5	3	
2	Violation Of Bail Law	0	0	1	0	1	0	0	2	0	0	0	0	0	0	0	3	1	
2	Curfew	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
2	Disguising	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
2	False License	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
1	Sub-Total	0	0	577	0	0	973	0	0	510	0	240	53	0	2	1	0	242	2114
1	Pornography	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
1	Defrauding Victualer	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
1	Destruction Of Property	0	0	35	0	0	66	0	0	51	0	18	9	0	0	0	0	18	161
1	Vandalism	0	0	1	0	0	0	0	0	1	0	1	1	0	0	0	0	1	3
1	Trespassing	0	0	26	0	0	33	0	0	30	0	23	7	0	1	0	0	24	96
1	Gaming	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2
1	Property Violation	0	0	2	0	0	3	0	0	7	0	1	1	0	0	0	0	1	13
1	Poss Class E Cont Sub	0	0	0	0	0	3	0	0	0	0	1	1	0	0	0	0	1	4
1	Inhaling Toxic Vapors	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
1	Violation Cont Sub	0	0	4	0	0	2	0	0	1	0	1	1	0	0	0	0	1	8
1	Attaching Wrong MV Plates	0	0	5	0	0	5	0	0	2	0	1	1	0	0	0	0	1	13
1	Operating After Suspended Lic	0	0	409	0	0	706	0	0	305	0	144	15	0	0	1	0	144	1436
1	Operating After Suspended Reg	0	0	7	0	0	11	0	0	3	0	3	0	0	0	0	0	3	21
1	Operating After	0	0	7	0	0	11	0	0	3	0	3	0	0	0	0	0	3	21

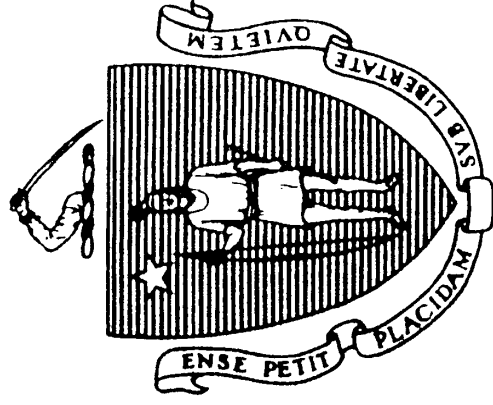


**Table 21.**  
**Comparative Analysis of Sentence Length of Incarcerated Defendants with Guidelines Sentence Range - District Courts**

LEVEL	OFFENSE	GROUP A			GROUP B			GROUP C			GROUP D			GROUP E			TOTAL		
		Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above	Below	Within	Above
1	Recreat Vehicle On Public Way	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Impersonating (MV Violation)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Indecent Exposure	0	0	8	0	0	7	0	0	3	0	0	0	0	0	0	0	0	18
1	Lewdhess	0	0	2	0	0	8	0	0	2	0	0	1	0	0	0	0	0	13
1	Obscene Language	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Obscene Material	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
1	Peeping Torn	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Disorderly Conduct	0	0	53	0	0	102	0	0	95	0	42	16	0	1	0	0	43	266
1	Disturbing School Assembly	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Malicious Mischief	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Affray	0	0	0	0	0	1	0	0	1	0	1	0	0	0	0	0	1	2
1	Discharging A Firearm	0	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0	3
1	Telephone Calls	0	0	10	0	0	11	0	0	4	0	1	0	0	0	0	0	1	25
1	Failure To Obey Police Officer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Procuring Alcohol For Minor	0	0	3	0	0	2	0	0	0	0	0	0	0	0	0	0	0	5
1	Transporting Alcohol	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Glass Throwing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Operating Aircraft W/O Lic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	Resisting Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



**APPENDIX D.**  
**MASSACHUSETTS SENTENCING COMMISSION**  
**SURVEY OF TIME SERVED IN CORRECTIONAL FACILITIES**



**Table 22 Sentence Information for 1992 and 1993 DOC Releases with State Prison Sentences**

Level	Offense	N	Mean Time Served	% Sentence			Mean Maximum Sentence	Maximum Sentence Served	% Paroled	% End of Sentence
				Mean Sentence	Minimum Sentence Served	Maximum Sentence Served				
8	MANSLAUGHTER	85	94.2	121.8	81.7	185.7	51.5	45%	55%	
8	ARMED ASSLT DWELL	9	104.0	138.0	76.5	192.0	56.0	44%	56%	
8	AGG RAPE	25	92.5	84.2	114.7	127.7	73.0	56%	44%	
8	BURGLARY-ARMED	11	107.6	128.7	84.4	192.0	51.8	55%	46%	
8	LEVEL TOTAL	130	95.7	116.3	87.9	175.5	55.9	48%	52%	
7	MAYHEM	12	68.5	86.0	79.6	136.0	51.4	42%	58%	
7	RAPE	39	94.3	84.9	112.7	141.9	65.6	67%	33%	
7	ASSLT-RAPE-MINOR	2	94.7	66.0	141.9	102.0	92.3	0%	100%	
7	LEVEL TOTAL	53	88.5	84.5	106.3	139.0	63.4	59%	42%	
6	ASSLT-INTENT	41	70.8	86.1	87.7	136.7	50.6	39%	61%	
6	ARMED ROBBERY	220	57.2	68.4	86.3	110.1	52.3	33%	67%	
6	ARM ASLT INT	36	50.3	62.5	82.9	107.0	48.1	36%	64%	
6	KIDNAPPING	8	40.7	49.5	84.1	84.0	49.6	25%	75%	
6	ASSAULT-RAPE	8	105.4	87.8	122.8	142.5	73.8	50%	50%	
6	RAPE CHILD (Stat & Forcible)	63	66.0	68.2	101.3	112.6	61.8	60%	40%	
6	IND AB RET	2	58.7	96.0	61.6	120.0	48.9	50%	50%	
6	LEVEL TOTAL	378	60.1	69.9	89.3	113.3	53.7	39%	61%	
5	UNARMED ROBBERY	87	49.9	57.9	88.6	94.1	53.8	32%	68%	
5	UARM ROB O65	5	30.5	43.2	71.6	64.8	46.9	20%	80%	
5	IND AB U16	15	61.3	56.0	110.8	86.4	71.0	47%	53%	
5	LEVEL TOTAL	107	50.6	57.0	90.9	91.6	55.9	34%	66%	
4	ASSLT INT ROB-LAR UNARM	3	39.2	44.0	90.5	72.0	53.4	33%	67%	
4	EXTORTION	1	36.6	54.0	67.8	84.0	43.6	100%	0%	

Level	Offense	N	Mean Time Served	Mean Minimum Sentence	% Minimum Sentence Served	Mean Maximum Sentence	% Maximum Sentence Served	% Paroled	% End of Sentence
4	INDECENT A & B	6	31.1	37.0	85.0	60.0	51.8	17%	83%
4	BURGLARY	113	42.5	69.4	65.5	104.8	41.5	62%	38%
4	LARCENY-PERSON	4	27.0	45.0	62.4	57.0	47.8	50%	50%
4	SUPP FROM PROS	1	24.0	30.0	80.0	36.0	66.7	0%	100%
<b>4</b>	<b>LEVEL TOTAL</b>	<b>128</b>	<b>41.2</b>	<b>66.1</b>	<b>67.1</b>	<b>99.8</b>	<b>42.6</b>	<b>59%</b>	<b>41%</b>
3	A&B DW	72	43.6	51.5	87.1	84.3	52.0	36%	64%
3	ASLT DW	12	35.6	42.5	84.9	67.0	51.8	17%	83%
3	CIVIL RIGHTS	2	18.7	36.0	52.0	60.0	31.2	50%	50%
3	TOOLS	5	40.7	51.6	83.1	79.2	52.9	60%	40%
3	VEHICLE THEFT	12	29.7	54.0	61.5	83.0	38.9	67%	33%
3	FORGERY-UTTERING	8	50.8	54.8	92.8	84.0	57.9	50%	50%
3	STOLEN GOODS	6	35.2	43.0	80.2	64.0	54.0	33%	67%
<b>3</b>	<b>LEVEL TOTAL</b>	<b>117</b>	<b>40.9</b>	<b>50.4</b>	<b>83.5</b>	<b>80.7</b>	<b>50.8</b>	<b>39%</b>	<b>61%</b>
2	ASSLT&AB	3	39.7	36.0	110.3	60.0	66.2	0%	100%
2	LEWDNESS	3	49.0	61.7	83.6	84.0	68.4	33%	67%
2	LARCENY-PERSON	17	28.7	40.9	69.6	62.1	45.8	53%	47%
<b>2</b>	<b>LEVEL TOTAL</b>	<b>23</b>	<b>32.8</b>	<b>43.0</b>	<b>76.7</b>	<b>64.7</b>	<b>51.4</b>	<b>44%</b>	<b>57%</b>

**Table 23 Length of Stay for Releases from selected Houses of Correction by Offense Seriousness Level and Offense of Conviction**

Level	Offense	N	Mean Time Served	Mean Sentence	% Sentence Served	% Paroled	% End of Sentence
8	MANSLAUGHTER	1	8.9	12.0	74.2	0.0	100.0
8	<b>LEVEL TOTAL</b>	<b>1</b>	<b>8.9</b>	<b>12.0</b>	<b>74.2</b>	<b>0.0</b>	<b>100.0</b>
7	MAYHEM	1	6.1	12.0	51.1	0.0	100.0
7	ATT MURDER	1	2.6	3.0	87.8	0.0	100.0
7	<b>LEVEL TOTAL</b>	<b>2</b>	<b>4.4</b>	<b>7.5</b>	<b>69.4</b>	<b>0.0</b>	<b>100.0</b>
6	KIDNAPPING	6	6.3	7.3	88.7	0.0	100.0
6	ASLT-INTENT	3	9.9	13.0	74.7	33.3	66.7
6	<b>LEVEL TOTAL</b>	<b>9</b>	<b>7.5</b>	<b>9.2</b>	<b>84.0</b>	<b>11.1</b>	<b>88.9</b>
5	ESCAPES	9	4.5	5.6	88.3	0.0	100.0
5	UNNATURAL ACTS CH UND 16	1	15.3	30.0	50.4	0.0	100.0
5	<b>LEVEL TOTAL</b>	<b>10</b>	<b>5.6</b>	<b>8.0</b>	<b>84.5</b>	<b>0.0</b>	<b>100.0</b>
4	LARCENY-PERSON	149	7.9	11.4	74.2	16.1	83.9
4	INDECENT A & B	58	6.4	8.7	81.1	3.4	96.6
4	IND AB U16	40	9.6	12.0	83.8	5.0	95.0
4	ACC-MURDER	1	9.2	12.0	75.6	0.0	100.0
4	<b>LEVEL TOTAL</b>	<b>248</b>	<b>7.8</b>	<b>10.8</b>	<b>77.4</b>	<b>11.3</b>	<b>88.7</b>
3	ATT CRIME	46	5.5	8.0	77.0	19.6	80.4
3	VIO RES ORD	281	5.3	7.0	82.0	6.4	93.6
3	CONTEMPT OF COURT	50	1.5	1.7	89.1	0.0	100.0
3	NONSUPPORT	9	4.2	5.8	83.8	11.1	88.9
3	STOLEN GOODS	356	6.6	9.5	74.7	21.9	78.1
3	FRAUD	1	3.2	6.0	53.3	100.0	0.0
3	FORGERY-UTTERING	29	3.8	5.8	72.6	37.9	62.1
3	UNAUTH USE	52	2.8	3.6	83.6	15.4	84.6
3	VEHICLE THEFT	83	6.9	9.8	72.8	16.9	83.1

Level	Offense	N	Mean Time Served	Mean Sentence	% Sentence Served	% Paroled	% End of Sentence
3	TOOLS	32	6.4	8.7	77.5	21.9	78.1
3	BREAKING & ENTERING	482	6.5	9.2	75.4	20.5	79.5
3	UNNATURAL ACTS	5	5.1	7.8	71.1	0.0	100.0
3	CIVIL RIGHTS	2	2.6	3.0	87.8	0.0	100.0
3	ASLT DW	103	7.2	9.6	80.2	7.8	92.2
3	A&B DW	317	6.7	9.1	78.3	10.1	89.9
3	<b>LEVEL TOTAL</b>	<b>1848</b>	<b>6.1</b>	<b>8.5</b>	<b>77.6</b>	<b>15.5</b>	<b>84.5</b>
2	PROSTITUTION	22	3.5	4.8	75.9	22.7	77.3
2	NIGHTWALKER	63	2.9	3.6	87.2	11.1	88.9
2	LARCENY	344	5.6	8.1	76.6	18.6	81.4
2	INDECENT EXPOSURE	4	7.8	10.5	76.5	0.0	100.0
2	LEWDNESS	23	3.2	3.5	89.1	4.3	95.7
2	ASSLT&AB	616	5.3	7.1	79.9	10.7	89.3
2	<b>LEVEL TOTAL</b>	<b>1072</b>	<b>5.2</b>	<b>7.1</b>	<b>79.4</b>	<b>13.3</b>	<b>86.7</b>
1	DISTURBING THE PEACE	49	2.0	2.3	87.2	6.1	93.9
1	<b>LEVEL TOTAL</b>	<b>49</b>	<b>2.0</b>	<b>2.3</b>	<b>87.2</b>	<b>6.1</b>	<b>93.9</b>
<b>TOTAL</b>					<b>14.2</b>	<b>85.8</b>	

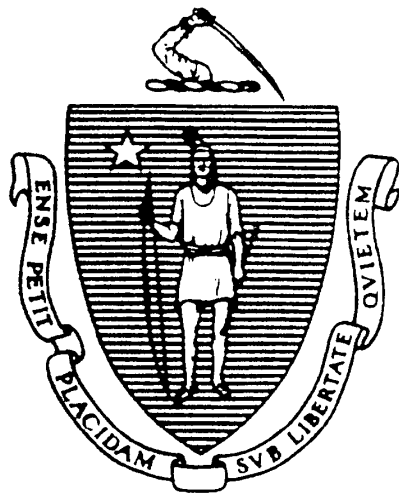




# **APPENDIX E.**

## **MASSACHUSETTS SENTENCING COMMISSION**

### **ESTIMATING THE IMPACT OF GUIDELINES ON CORRECTIONAL POPULATION**



## **Assumptions Used in Applying the NCCD Prophet Model**

In order to estimate the impact of proposed guidelines, the commission estimated the impact on correctional resources of a cohort of admissions sentenced under existing sentencing practices and compared that impact to a similar cohort of admissions sentenced under guidelines. The difference in the two estimates is attributed to the impact of the guidelines. This appendix explains the method used to derive these estimates.

### *Existing Sentencing Estimates.*

*Sentence Length Estimates.* Estimates of sentence length under existing sentencing were derived from the survey of sentencing practices. Using the methodology outlined under that section of the report, incarcerated defendants were identified and placed into an appropriate offense seriousness level and criminal history category on the grid. The most appropriate sentence length was assigned based on the type of sentence imposed for the defendant:

<b>Type of Sentence Imposed</b>	<b>Sentence Length Estimate Used</b>
Life Sentence	Life sentence estimate
State Prison Sentence	Minimum sentence
Reformatory Sentence	Maximum sentence
State Prison Split Sentence	Split portion of sentence
House of Correction Sentence	Maximum sentence
House of Correction Split Sentence	Split portion of sentence

*Length of Stay Estimates.* Estimates of length of stay were derived by comparing observed sentence lengths for new admissions from the survey of sentencing practices and applying an expected proportion of sentence served derived from the survey of time served. Estimates of proportion of sentence served for state prison split sentences was assumed from the application of statutory good time towards the split portion of the sentence. Defendants were classified according to sentence group and further classified according to specific offense type or sentence length type in order to derive reasonable estimates of expected length of stay under existing sentencing. Consistent with other presentations of sentence length, Reformatory sentences were not included in the length of stay analysis, due to the low number of observed cases and the lack of clear relationship between nominal sentence length and expected length of stay.

<b>Sentence Type and Sentence Length</b>	<b>Estimated Length of Stay</b>
State Prison, life sentence	1.000 of life estimate
State Prison 2/3rds with good time	0.853 of minimum
State Prison 2/3rds w/o good time	1.075 of minimum
State Prison 1/3rds non-mandatory drug offense	0.616 of minimum
State Prison 1/3rds other than drug offense	0.714 of minimum
State Prison other offenses	1.000 of minimum
Department of Correction mandatory drug offense	1.000 of minimum
Reformatory	Excluded from LOS
State Prison split sentence - < 4 months	1.000 of split portion
State Prison split sentence - >= 4 months	0.917 of split portion
State Prison split sentence - >= 12 months	0.833 of split portion
State Prison split sentence - >= 24 months	0.750 of split portion
State Prison split sentence - >= 36 months	0.667 of split portion
State Prison split sentence - >= 48 months	0.583 of split portion
House of Correction sentence 2 months or more	0.770 of maximum
House of Correction sentence under 2 months	0.896 of maximum
House of Correction mandatory drug offenses	1.000 of maximum
House of Correction split sentence >=2 months	0.770 of maximum
House of Correction split sentence < 2 months	0.896 of maximum

### *Guidelines Sentencing.*

*Sentence Length Estimates.* Estimates of placement of sentence within guideline ranges were made in consultation with NCCD. For each defendant, an assumed sentence under guidelines was applied. In general, the approach taken was to allow observed data from the survey of sentencing practices to inform the estimates of the placement of defendants within the grid and further to inform estimates of expected sentence length under guidelines.

An individual whose current sentence falls within the range is assumed to maintain the same sentence length.

An individual whose current sentence falls below the range is assumed to be sentenced at the lowest end of the range. However, an individual whose current sentence falls at a level more than half the lower end of the range or 36 months less

than the lower end of the range, whichever is more, is assumed to be a downwards departure and the sentence under guidelines is assumed to fall midway between the lower end of the range and the current sentence level.

In general, an individual whose current sentence falls above the range is assumed to be sentenced at the upper end of the range. However, an individual whose current sentence falls at a level more than twice the top end of the range or 36 months over the top end of the range, whichever is less, is assumed to be an upwards departure and the sentence under guidelines is assumed to fall midway between the upper end of the range and the current sentence level.

Individuals with a current sentence of life were assumed to maintain that same sentence length, regardless of the cell placement;

Individuals in the Intermediate Sanction (Green) zone were assumed to take on the sentence currently given.

An individual who is sentenced for an offense that carries a non-mandatory minimum term of imprisonment and that minimum term of imprisonment is above the applicable range is assumed to be sentenced at the minimum term of imprisonment. This applies to the following specific offenses:

Armed Assault in a Dwelling	120 months
Armed Burglary	120 months
Indecent A&B Retarded (DOC Sentence)	60 months
Inducing Minor to Prostitution	36 months
Intimidation	30 months
A&B to Collect Loan	60 months

In general, an individual is assumed to be retained within the same jurisdiction as under existing sentencing. An individual who was originally sentenced to the House of Correction, but whose expected maximum sentence under guidelines is over 30 months is assumed to be retained within the House of Correction jurisdiction with a 30 month sentence. An individual who was originally sentenced to the Department of Correction, but whose expected maximum sentence under guidelines is under 12 months is assumed to be retained within the Department of Correction jurisdiction with a 12 month sentence.

The minimum sentence length was assumed to be 2/3rds of the maximum sentence length for all guidelines sentences.

*Length of Stay Estimates.* Under guidelines, it was assumed that expected length of stay is influenced by three factors: sentence length, earned good time credits, and probability of parole release.

*Earned Good Time.* It was assumed that earned good time reduces both the minimum and the maximum sentence under guidelines along with the parole eligibility date. An average of 3.0 days per month was assumed for all defendants, with a range of 0.0 days to 7.5 days. Estimates of earned good time were provided by the Department of Correction.

*Parole Release Rates.* A probability of parole release was estimated for Department of Correction and House of Correction sentences. This probability of parole release is different from a parole grant rate, in that it takes into consideration both the proportion of defendants who waive parole hearings and the proportion who are not eligible for parole due to sentence length considerations. For purposes of this analysis, a parole release date (minimum sentence) was calculated for all defendants. It was assumed that no guidelines defendants would be ineligible for parole consideration due to mandatory restrictions.

For Department of Correction sentenced defendants, the probability of a parole release at the first hearing was estimated at 25.0% and for second and subsequent hearing at 12.5%. Recent information from the parole board indicates that 30% of the DOC inmates are heard by and receive a positive result from parole, at first or subsequent hearings. It is estimated that all DOC inmates on the main grid will be eligible for a parole hearing. It is estimated that most DOC inmates will have the opportunity for a second or subsequent parole hearing.

For House of Correction sentenced defendants, the probability of a parole release at first hearing was estimated at 14.0% and for second and subsequent hearings at 14.0%. The study of time served at Houses of Correction indicated that 14% of the sample sentenced for grid offenses were released to parole supervision. Recent information from the Parole Board indicates about 30% of the parole eligible inmates are heard and granted a parole (at all hearings). Commission estimates of the proportion of parole eligibles is about 72%, that is sentences of 2 months or more, and that 28% of the house of correction population is parole ineligible, with a sentence of under 2 months. It is assumed that very few house of correction inmates will receive a second or subsequent consideration for a parole hearing.

For both Department of Correction and House of Correction sentenced defendants, the average wait time between hearings was assumed to be 12 months, with no variation around this mean.

*Assumption Regarding Offenses Not Assigned to the Grids.* It is assumed that there will be no changes in sentence length or incarceration rates based on those defendants who were not assigned to the sentencing grid (OUI, firearms, etc.).

*Assumption Regarding Mandatory Drug Offenders.* Mandatory drug offenders were divided into three sub-categories and a different set of assumptions were applied to each of the three sub-groups:

*Group 1: Recommended Placement within the Discretionary Zone*

It was assumed that judges would opt to depart below the mandatory minimum sentence for 100% of the defendants in the discretionary zone.

It was assumed that the incarceration rate for these defendants would be equivalent to the empirically observed incarceration rates for non-mandatory offenders in the same cell. For example, if non-mandatory offenders in Cell 5A had an observed incarceration rate of 65%, then it was assumed that 35% of the mandatory offenders in the cell would not be incarcerated under guidelines. A separate incarceration rate was derived for superior court cases and district court cases for each cell in the discretionary zone. The superior court incarceration rate was applied to those defendants sentenced to the DOC and the district court incarceration rate was applied to those defendants sentenced to houses of correction.

It was assumed that the average sentence imposed for those defendants incarcerated would be the equivalent of the empirically observed average sentence for non-mandatory offenders in the same cell, where that empirically observed average was within the recommended guideline range. For example, if non-mandatory offenders in Cell 4A had an observed average sentence of 15 months, then it was assumed that on average all of the mandatory offenders in the cell would receive a sentence of 15 months. A separate estimate of average sentence length was derived for Department of Correction and House of Correction defendants.

It was assumed that the average sentence imposed for those defendants incarcerated would be the equivalent of the top end of the guidelines range where the empirically observed average sentence for non-mandatory offenders was within 36 months or twice the top of the range, whichever was less. For example, if the empirically observed average sentence for non-mandatory defendants in cell 4A was 35 months, then it was assumed that on average all of the mandatory offenders in the cell would receive a sentence of 30 months. A separate estimate of average sentence length was derived for Department of Correction and House of Correction defendants.

It was assumed that under guidelines, these defendants would receive a parole eligibility date, and would exhibit the same paroling rate and earned good time rate as other offenders in the same jurisdiction.

*Group 2: Recommended Placement within the Incarceration Zone  
Criminal History Groups A and B*

It was assumed that judges would opt to depart below the mandatory minimum sentence for 100% of the defendants in the incarceration zone with criminal history groups A or B.

It was assumed that judges would opt for a sentence to incarceration for 100% of the defendants where there was a departure below the mandatory minimum.

For defendants in this group, the observed mandatory sentence was compared to the guideline range for the applicable cell. The same set of assumptions were applied to this sentence as was applied for non-mandatory defendants. For example, a sentence currently within the range was assumed to remain within the range. Mandatory sentences within 36 months or 100% of the top of the range were assumed to go to the top of the range, and mandatory sentences within 36 months or 50% of the low end of the range were assumed to go to the bottom of the range. Mandatory sentences beyond those limits were assumed to be upwards or downwards departures as was assumed for non-mandatory defendants.

It was assumed that under guidelines, these defendants would receive a parole eligibility date, and would exhibit the same paroling rate and earned good time rate as other offenders in the same jurisdiction.

*Group 3: Recommended Placement within the Incarceration Zone  
Criminal History Groups C, D, and E*

It was assumed that judges would opt to depart below the mandatory minimum sentence for 0% of the defendants in the incarceration zone for criminal history groups C, D, and E.

Because no change in sentencing patterns were assumed for this group, no additional assumptions were made regarding impact.

*Estimates Regarding Incarceration Rates.* The following assumptions were incorporated regarding changes in incarceration rates under guidelines:

**Incarceration (Red) Zone**

Increases in Incarceration Rates Up to the Following Levels.

No decreases in observed incarceration rates are assumed.

Cell 8A and 7A	90%
Cell 8B and 7B	92%
Cell 8C and 7D	94%
Cell 8D and 7D	96%
Cell 8E and 7E	98%
Cell 6A	85%
Cell 6B	90%
Cell 6C	92%
Cell 6D	94%
Cell 6E	96%
Cell 5C	85%
Cell 5D	90%
Cell 5E	95%
Cell 4D	85%
Cell 4E	90%

**Discretionary (Yellow) Zone**

2.5% decrease in admissions

This assumes as much as a 5% decrease in admissions,  
with a 50% failure rate for intermediate sanctions

**Intermediate Sanction (Green) Zone**

5.0% decrease in admissions

This assumes as much as a 10% decrease in admissions,  
with a 50% failure rate for intermediate sanctions

On average the previous estimates of length of stay were assumed for the revised cohort. Analysis indicates that changes in estimated average sentence length would be minimal even if all incarcerated and de-carcerated defendants were assumed to take on the minimum sentence length.

*General Assumptions*

*Gender Assumptions.* Male and female defendants are assumed to have the same treatment for all assumptions. Female defendants were assigned to a sentence group according to sentence structure, regardless of the physical custody assigned to that defendant. That is, female defendants receiving a House of Correction sentence who were actually confined at MCI-Framingham, a Department of Correction facility, were considered as House of Correction jurisdiction.



*Missing Information.* Cases with missing information were assumed to be distributed in the same manner as cases with known information.

### **Statistical Presentation of Modeling Results**

The following two tables show a statistical breakdown of the estimated change in correctional resources for each cell within the sentencing grid. Table 24 show estimates for the Department of Correction and Table 25 shows estimates for Houses of Correction.

**Table 24.**  
**Estimated Change in Correctional Resource Needs for Department of Correction**  
**Sentenced Inmates by Grid Cell**

<b>All Levels</b>			
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>
1997	2040	2157	117
1998	3640	3998	358
1999	4908	5376	468
2000	5948	6394	446
2001	6757	7097	340
2002	7365	7613	248
2003	7824	8039	215
2004	8287	8251	-36

<b>Level 9</b>			
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>
1997	72	71	-1
1998	141	143	2
1999	211	215	4
2000	282	285	3
2001	353	356	3
2002	425	426	1
2003	496	497	1
2004	565	567	2

<b>Level 8</b>			
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>
1997	162	170	8
1998	323	339	16
1999	468	507	39
2000	595	672	77
2001	709	828	119
2002	815	956	141
2003	919	1063	144
2004	1014	1159	145

<b>Level 7</b>			
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>
1997	194	212	18
1998	356	422	66
1999	490	624	134
2000	622	782	160
2001	723	902	179
2002	786	993	207
2003	866	1064	198
2004	939	1113	174

**Table 24.**  
**Estimated Change in Correctional Resource Needs for Department of Correction**  
**Sentenced Inmates by Grid Cell**

Level 6				
Year End	Existing	Guidelines	Difference	
1997	702	780	78	
1998	1279	1520	241	
1999	1740	2112	372	
2000	2136	2519	383	
2001	2441	2780	339	
2002	2658	2940	282	
2003	2803	3067	264	
2004	2938	3098	160	

Level 5				
Year End	Existing	Guidelines	Difference	
1997	249	244	-5	
1998	408	438	30	
1999	530	540	10	
2000	635	626	-9	
2001	692	649	-43	
2002	728	685	-43	
2003	765	706	-59	
2004	772	683	-89	

Level 4				
Year End	Existing	Guidelines	Difference	
1997	498	513	15	
1998	871	872	1	
1999	1127	1063	-64	
2000	1289	1157	-132	
2001	1416	1216	-200	
2002	1516	1239	-277	
2003	1547	1262	-285	
2004	1630	1265	-365	

Level 3				
Year End	Existing	Guidelines	Difference	
1997	81	78	-3	
1998	131	125	-6	
1999	170	139	-31	
2000	189	158	-31	
2001	199	161	-38	
2002	209	161	-48	
2003	211	161	-50	
2004	212	155	-57	

Level 2				
Year End	Existing	Guidelines	Difference	
1997	75	80	5	
1998	122	127	5	
1999	161	163	2	
2000	190	180	-10	
2001	211	192	-19	
2002	220	199	-21	
2003	204	207	3	
2004	210	199	-11	

Level 1				
Year End	Existing	Guidelines	Difference	
1997	7	9	2	
1998	9	12	3	
1999	11	13	2	
2000	10	15	5	
2001	13	13	0	
2002	8	14	6	
2003	13	12	-1	
2004	7	12	5	

**Table 24.**  
**Estimated Change in Correctional Resource Needs for Department of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 9A				
Year End	Existing	Guidelines	Difference	
1997	32	34	2	
1998	65	64	-1	
1999	99	97	-2	
2000	128	130	2	
2001	160	158	-2	
2002	191	190	-1	
2003	222	224	2	
2004	253	257	4	

Cell 9D				
Year End	Existing	Guidelines	Difference	
1997	14	12	-2	
1998	23	25	2	
1999	33	37	4	
2000	45	50	5	
2001	56	61	5	
2002	71	73	2	
2003	82	84	2	
2004	93	96	3	

Cell 9B				
Year End	Existing	Guidelines	Difference	
1997	16	16	0	
1998	32	34	2	
1999	46	51	5	
2000	67	67	0	
2001	85	88	3	
2002	102	107	5	
2003	119	122	3	
2004	138	137	-1	

Cell 9E				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	
1998	0	0	0	
1999	0	0	0	
2000	0	0	0	
2001	0	0	0	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

Cell 9C				
Year End	Existing	Guidelines	Difference	
1997	10	9	-1	
1998	21	20	-1	
1999	33	30	-3	
2000	42	38	-4	
2001	52	49	-3	
2002	61	56	-5	
2003	73	67	-6	
2004	81	77	-4	

**Table 24.**  
**Estimated Change in Correctional Resource Needs for Department of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 8A				
Year End	Existing	Guidelines	Difference	
1997	78	84	6	
1998	157	165	8	
1999	225	247	22	
2000	278	327	49	
2001	326	403	77	
2002	370	458	88	
2003	428	498	70	
2004	470	540	70	

Cell 8D				
Year End	Existing	Guidelines	Difference	
1997	31	30	-1	
1998	61	61	0	
1999	89	91	2	
2000	118	118	0	
2001	145	149	4	
2002	168	175	7	
2003	186	203	17	
2004	207	228	21	

Cell 8B				
Year End	Existing	Guidelines	Difference	
1997	32	36	4	
1998	61	72	11	
1999	90	105	15	
2000	120	137	17	
2001	145	167	22	
2002	166	188	22	
2003	184	209	25	
2004	206	227	21	

Cell 8E				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	
1998	0	0	0	
1999	0	0	0	
2000	0	0	0	
2001	0	0	0	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

Cell 8C				
Year End	Existing	Guidelines	Difference	
1997	21	20	-1	
1998	44	41	-3	
1999	64	64	0	
2000	79	90	11	
2001	93	109	16	
2002	111	135	24	
2003	121	153	32	
2004	131	164	33	

**Table 24.**  
**Estimated Change in Correctional Resource Needs for Department of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 7A				
Year End	Existing	Guidelines	Difference	
1997	74	80	6	
1998	136	162	26	
1999	188	240	52	
2000	236	287	51	
2001	269	313	44	
2002	287	338	51	
2003	318	343	25	
2004	346	362	16	

Cell 7D				
Year End	Existing	Guidelines	Difference	
1997	45	45	0	
1998	86	94	8	
1999	123	140	17	
2000	161	186	25	
2001	194	225	31	
2002	222	257	35	
2003	244	294	50	
2004	267	319	52	

Cell 7B				
Year End	Existing	Guidelines	Difference	
1997	35	46	11	
1998	68	87	19	
1999	99	123	24	
2000	125	156	31	
2001	143	181	38	
2002	156	203	47	
2003	177	220	43	
2004	187	224	37	

Cell 7E				
Year End	Existing	Guidelines	Difference	
1997	5	5	0	
1998	8	8	0	
1999	11	13	2	
2000	13	18	5	
2001	15	21	6	
2002	14	22	8	
2003	12	27	15	
2004	11	29	18	

Cell 7C				
Year End	Existing	Guidelines	Difference	
1997	35	36	1	
1998	58	71	13	
1999	69	108	39	
2000	87	135	48	
2001	102	162	60	
2002	107	173	66	
2003	115	180	65	
2004	128	179	51	

**Table 24.**  
**Estimated Change in Correctional Resource Needs for Department of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 6A				
Year End	Existing	Guidelines	Difference	
1997	259	310	51	
1998	470	589	119	
1999	648	803	155	
2000	817	949	132	
2001	942	1032	90	
2002	1013	1089	76	
2003	1060	1130	70	
2004	1099	1145	46	

Cell 6D				
Year End	Existing	Guidelines	Difference	
1997	129	125	-4	
1998	240	254	14	
1999	335	372	37	
2000	406	458	52	
2001	452	515	63	
2002	488	562	74	
2003	522	583	61	
2004	558	600	42	

Cell 6B				
Year End	Existing	Guidelines	Difference	
1997	164	176	12	
1998	304	347	43	
1999	405	479	74	
2000	485	562	77	
2001	557	621	64	
2002	616	649	33	
2003	646	686	40	
2004	678	693	15	

Cell 6E				
Year End	Existing	Guidelines	Difference	
1997	2	5	3	
1998	4	6	2	
1999	6	11	5	
2000	7	16	9	
2001	9	20	11	
2002	12	25	13	
2003	15	27	12	
2004	20	28	8	

Cell 6C				
Year End	Existing	Guidelines	Difference	
1997	148	164	16	
1998	261	324	63	
1999	346	447	101	
2000	421	534	113	
2001	481	592	111	
2002	529	615	86	
2003	560	641	81	
2004	583	632	49	

**Table 24.**  
**Estimated Change in Correctional Resource Needs for Department of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 5A				
Year End	Existing	Guidelines	Difference	
1997	77	67	-10	
1998	125	104	-21	
1999	149	122	-27	
2000	178	134	-44	
2001	197	138	-59	
2002	214	138	-76	
2003	226	142	-84	
2004	220	140	-80	

Cell 5B				
Year End	Existing	Guidelines	Difference	
1997	63	58	-5	
1998	104	105	1	
1999	138	117	-21	
2000	161	133	-28	
2001	169	126	-43	
2002	168	132	-36	
2003	165	140	-25	
2004	171	144	-27	

Cell 5D				
Year End	Existing	Guidelines	Difference	
1997	56	63	7	
1998	92	126	34	
1999	134	175	41	
2000	164	203	39	
2001	189	226	37	
2002	207	246	39	
2003	218	254	36	
2004	224	237	13	

Cell 5E				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	
1998	0	0	0	
1999	0	0	0	
2000	0	0	0	
2001	0	0	0	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

Cell 5C				
Year End	Existing	Guidelines	Difference	
1997	53	56	3	
1998	87	103	16	
1999	109	126	17	
2000	132	156	24	
2001	137	159	22	
2002	139	169	30	
2003	156	170	14	
2004	157	162	5	



**Table 24.**  
**Estimated Change in Correctional Resource Needs for Department of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 4A				
Year End	Existing	Guidelines	Difference	
1997	115	117	2	
1998	184	189	5	
1999	236	203	-33	
2000	252	208	-44	
2001	281	223	-58	
2002	310	221	-89	
2003	324	237	-87	
2004	347	226	-121	

Cell 4D				
Year End	Existing	Guidelines	Difference	
1997	152	161	9	
1998	276	288	12	
1999	365	379	14	
2000	431	431	0	
2001	474	434	-40	
2002	507	459	-48	
2003	510	448	-62	
2004	535	459	-76	

Cell 4B				
Year End	Existing	Guidelines	Difference	
1997	103	106	3	
1998	183	178	-5	
1999	226	214	-12	
2000	271	221	-50	
2001	294	241	-53	
2002	315	228	-87	
2003	307	230	-77	
2004	326	237	-89	

Cell 4E				
Year End	Existing	Guidelines	Difference	
1997	2	3	1	
1998	7	6	-1	
1999	11	8	-3	
2000	13	6	-7	
2001	11	9	-2	
2002	14	10	-4	
2003	14	9	-5	
2004	11	5	-6	

Cell 4C				
Year End	Existing	Guidelines	Difference	
1997	126	126	0	
1998	221	211	-10	
1999	289	259	-30	
2000	322	291	-31	
2001	356	309	-47	
2002	370	321	-49	
2003	392	338	-54	
2004	411	338	-73	

**Table 24.**  
**Estimated Change in Correctional Resource Needs for Department of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 3A				
Year End	Existing	Guidelines	Difference	
1997	27	26	-1	
1998	46	43	-3	
1999	59	48	-11	
2000	59	52	-7	
2001	60	44	-16	
2002	59	50	-9	
2003	67	48	-19	
2004	72	43	-29	

Cell 3D				
Year End	Existing	Guidelines	Difference	
1997	12	8	-4	
1998	17	14	-3	
1999	23	23	0	
2000	24	26	2	
2001	30	29	-1	
2002	33	24	-9	
2003	35	27	-8	
2004	35	23	-12	

Cell 3B				
Year End	Existing	Guidelines	Difference	
1997	22	25	3	
1998	41	34	-7	
1999	51	40	-11	
2000	65	44	-21	
2001	64	44	-20	
2002	69	46	-23	
2003	72	45	-27	
2004	67	43	-24	

Cell 3E				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	
1998	0	0	0	
1999	0	0	0	
2000	0	0	0	
2001	0	0	0	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

Cell 3C				
Year End	Existing	Guidelines	Difference	
1997	20	19	-1	
1998	27	34	7	
1999	37	28	-9	
2000	41	36	-5	
2001	45	44	-1	
2002	48	41	-7	
2003	37	41	4	
2004	38	46	8	

**Table 24.**  
**Estimated Change in Correctional Resource Needs for Department of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 2A				
Year End	Existing	Guidelines	Difference	
1997	22	30	8	
1998	42	45	3	
1999	51	60	9	
2000	56	70	14	
2001	64	75	11	
2002	65	89	24	
2003	61	92	31	
2004	67	88	21	

Cell 2D				
Year End	Existing	Guidelines	Difference	
1997	11	13	2	
1998	18	21	3	
1999	25	24	-1	
2000	32	26	-6	
2001	31	27	-4	
2002	42	28	-14	
2003	33	26	-7	
2004	35	25	-10	

Cell 2B				
Year End	Existing	Guidelines	Difference	
1997	25	21	-4	
1998	35	33	-2	
1999	41	42	1	
2000	52	46	-6	
2001	59	55	-4	
2002	50	41	-9	
2003	50	45	-5	
2004	52	44	-8	

Cell 2E				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	
1998	0	0	0	
1999	0	0	0	
2000	0	0	0	
2001	0	0	0	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

Cell 2C				
Year End	Existing	Guidelines	Difference	
1997	17	16	-1	
1998	27	28	1	
1999	44	37	-7	
2000	50	38	-12	
2001	57	35	-22	
2002	63	41	-22	
2003	60	44	-16	
2004	56	42	-14	

**Table 24.**  
**Estimated Change in Correctional Resource Needs for Department of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 1A				
Year End	Existing	Guidelines	Difference	
1997	6	8	2	
1998	6	8	2	
1999	7	6	-1	
2000	8	6	-2	
2001	12	4	-8	
2002	4	6	2	
2003	9	9	0	
2004	5	7	2	

Cell 1B				
Year End	Existing	Guidelines	Difference	
1997	1	1	0	
1998	1	2	1	
1999	2	5	3	
2000	2	7	5	
2001	1	8	7	
2002	4	8	4	
2003	4	3	-1	
2004	2	5	3	

Cell 1C				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	
1998	2	2	0	
1999	2	2	0	
2000	0	2	2	
2001	0	1	1	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

Cell 1D				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	
1998	0	0	0	
1999	0	0	0	
2000	0	0	0	
2001	0	0	0	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

Cell 1E				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	
1998	0	0	0	
1999	0	0	0	
2000	0	0	0	
2001	0	0	0	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

**Table 25.**  
**Estimated Change in Correctional Resource Needs for Houses of Correction**  
**Sentenced Inmates by Grid Cell**

<b>All Levels</b>				
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>	
1997	6864	6767	-97	
1998	8056	7778	-278	
1999	8089	7854	-235	
2000	8217	8016	-201	
2001	8165	7884	-281	
2002	8140	7868	-272	
2003	8179	7926	-253	
2004	8189	7849	-340	

<b>Level 9</b>				
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>	
1997	0	0	0	
1998	0	0	0	
1999	0	0	0	
2000	0	0	0	
2001	0	0	0	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

<b>Level 8</b>				
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>	
1997	0	0	0	
1998	0	0	0	
1999	0	0	0	
2000	0	0	0	
2001	0	0	0	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

<b>Level 7</b>				
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>	
1997	0	4	4	
1998	0	5	5	
1999	0	7	7	
2000	0	6	6	
2001	1	6	5	
2002	1	2	1	
2003	0	2	2	
2004	0	3	3	

**Table 25.**  
**Estimated Change in Correctional Resource Needs for Houses of Correction**  
**Sentenced Inmates by Grid Cell**

Level 6				
Year End	Existing	Guidelines	Difference	
1997	34	36	2	
1998	55	75	20	
1999	47	80	33	
2000	48	83	35	
2001	56	81	25	
2002	50	84	34	
2003	48	82	34	
2004	51	85	34	

Level 5				
Year End	Existing	Guidelines	Difference	
1997	74	102	28	
1998	102	138	36	
1999	93	140	47	
2000	91	136	45	
2001	98	149	51	
2002	106	157	51	
2003	98	144	46	
2004	93	140	47	

Level 3				
Year End	Existing	Guidelines	Difference	
1997	2909	2944	35	
1998	3295	3261	-34	
1999	3251	3368	117	
2000	3326	3432	106	
2001	3271	3350	79	
2002	3263	3333	70	
2003	3315	3346	31	
2004	3238	3375	137	

Level 2				
Year End	Existing	Guidelines	Difference	
1997	1759	1630	-129	
1998	1868	1743	-125	
1999	1930	1706	-224	
2000	1914	1745	-169	
2001	1889	1699	-190	
2002	1850	1676	-174	
2003	1887	1755	-132	
2004	1961	1698	-263	

Level 4				
Year End	Existing	Guidelines	Difference	
1997	1763	1712	-51	
1998	2378	2188	-190	
1999	2434	2220	-214	
2000	2498	2258	-240	
2001	2504	2247	-257	
2002	2499	2275	-224	
2003	2473	2253	-220	
2004	2498	2222	-276	

Level 1				
Year End	Existing	Guidelines	Difference	
1997	325	339	14	
1998	358	368	10	
1999	334	333	-1	
2000	340	356	16	
2001	346	352	6	
2002	371	341	-30	
2003	358	344	-14	
2004	348	326	-22	

Table 25.  
Estimated Change in Correctional Resource Needs for Houses of Correction  
Sentenced Inmates by Grid Cell

Cell 9A				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	0
1998	0	0	0	0
1999	0	0	0	0
2000	0	0	0	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	0

Cell 9D				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	0
1998	0	0	0	0
1999	0	0	0	0
2000	0	0	0	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	0

Cell 9B				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	0
1998	0	0	0	0
1999	0	0	0	0
2000	0	0	0	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	0

Cell 9E				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	0
1998	0	0	0	0
1999	0	0	0	0
2000	0	0	0	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	0

Cell 9C				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	0
1998	0	0	0	0
1999	0	0	0	0
2000	0	0	0	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	0

Table 25.  
Estimated Change in Correctional Resource Needs for Houses of Correction  
Sentenced Inmates by Grid Cell

Cell 8A				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	0
1998	0	0	0	0
1999	0	0	0	0
2000	0	0	0	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	0

Cell 8D				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	0
1998	0	0	0	0
1999	0	0	0	0
2000	0	0	0	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	0

Cell 8B				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	0
1998	0	0	0	0
1999	0	0	0	0
2000	0	0	0	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	0

Cell 8E				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	0
1998	0	0	0	0
1999	0	0	0	0
2000	0	0	0	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	0

Cell 8C				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	0
1998	0	0	0	0
1999	0	0	0	0
2000	0	0	0	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	0



Table 25.  
Estimated Change in Correctional Resource Needs for Houses of Correction  
Sentenced Inmates by Grid Cell

Cell 7A			
Year End	Existing	Guidelines	Difference
1997	0	4	4
1998	0	5	5
1999	0	7	7
2000	0	6	6
2001	1	6	5
2002	1	2	1
2003	0	2	2
2004	0	3	3

Cell 7D			
Year End	Existing	Guidelines	Difference
1997	0	0	0
1998	0	0	0
1999	0	0	0
2000	0	0	0
2001	0	0	0
2002	0	0	0
2003	0	0	0
2004	0	0	0

Cell 7B			
Year End	Existing	Guidelines	Difference
1997	0	0	0
1998	0	0	0
1999	0	0	0
2000	0	0	0
2001	0	0	0
2002	0	0	0
2003	0	0	0
2004	0	0	0

Cell 7E			
Year End	Existing	Guidelines	Difference
1997	0	0	0
1998	0	0	0
1999	0	0	0
2000	0	0	0
2001	0	0	0
2002	0	0	0
2003	0	0	0
2004	0	0	0

Cell 7C			
Year End	Existing	Guidelines	Difference
1997	0	0	0
1998	0	0	0
1999	0	0	0
2000	0	0	0
2001	0	0	0
2002	0	0	0
2003	0	0	0
2004	0	0	0

Table 25.  
Estimated Change in Correctional Resource Needs for Houses of Correction  
Sentenced Inmates by Grid Cell

Cell 6A				
Year End	Existing	Guidelines	Difference	
1997	19	22	3	
1998	31	47	16	
1999	25	43	18	
2000	26	46	20	
2001	32	48	16	
2002	28	48	20	
2003	27	45	18	
2004	28	52	24	

Cell 6D				
Year End	Existing	Guidelines	Difference	
1997	2	3	1	
1998	4	9	5	
1999	2	12	10	
2000	5	9	4	
2001	4	7	3	
2002	2	9	7	
2003	2	9	7	
2004	3	8	5	

Cell 6B				
Year End	Existing	Guidelines	Difference	
1997	10	7	-3	
1998	15	13	-2	
1999	13	17	4	
2000	11	19	8	
2001	15	21	6	
2002	13	22	9	
2003	10	22	12	
2004	12	18	6	

Cell 6E				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	
1998	0	0	0	
1999	0	0	0	
2000	0	0	0	
2001	0	0	0	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

Cell 6C				
Year End	Existing	Guidelines	Difference	
1997	3	4	1	
1998	5	6	1	
1999	7	8	1	
2000	6	9	3	
2001	5	5	0	
2002	7	5	-2	
2003	9	6	-3	
2004	8	7	-1	

**Table 25.**  
**Estimated Change in Correctional Resource Needs for Houses of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 5A				
Year End	Existing	Guidelines	Difference	
1997	34	44	10	
1998	45	53	8	
1999	38	49	11	
2000	39	47	8	
2001	47	58	11	
2002	45	62	17	
2003	48	48	0	
2004	48	56	8	

Cell 5D				
Year End	Existing	Guidelines	Difference	
1997	8	7	-1	
1998	13	13	0	
1999	10	15	5	
2000	11	10	-1	
2001	11	13	2	
2002	14	15	1	
2003	9	12	3	
2004	5	11	6	

Cell 5B				
Year End	Existing	Guidelines	Difference	
1997	21	32	11	
1998	27	40	13	
1999	26	43	17	
2000	26	43	17	
2001	22	42	20	
2002	24	44	20	
2003	26	48	22	
2004	24	40	16	

Cell 5E				
Year End	Existing	Guidelines	Difference	
1997	0	0	0	
1998	0	0	0	
1999	0	0	0	
2000	0	0	0	
2001	0	0	0	
2002	0	0	0	
2003	0	0	0	
2004	0	0	0	

Cell 5C				
Year End	Existing	Guidelines	Difference	
1997	11	19	8	
1998	17	32	15	
1999	19	33	14	
2000	15	36	21	
2001	18	36	18	
2002	23	36	13	
2003	15	36	21	
2004	16	33	17	

**Table 25.**  
**Estimated Change in Correctional Resource Needs for Houses of Correction**  
**Sentenced Inmates by Grid Cell**

<b>Cell 4A</b>				
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>	
1997	575	453	-122	
1998	791	552	-239	
1999	754	541	-213	
2000	846	563	-283	
2001	850	555	-295	
2002	817	570	-247	
2003	820	578	-242	
2004	837	571	-266	

<b>Cell 4D</b>				
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>	
1997	235	366	131	
1998	312	475	163	
1999	338	497	159	
2000	294	500	206	
2001	306	500	194	
2002	317	486	169	
2003	323	510	187	
2004	299	492	193	

<b>Cell 4B</b>				
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>	
1997	485	444	-41	
1998	669	579	-90	
1999	698	585	-113	
2000	719	614	-105	
2001	716	602	-114	
2002	708	619	-89	
2003	698	580	-118	
2004	720	562	-158	

<b>Cell 4E</b>				
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>	
1997	5	6	1	
1998	4	4	0	
1999	3	5	2	
2000	2	7	5	
2001	3	4	1	
2002	6	6	0	
2003	1	6	5	
2004	5	7	2	

<b>Cell 4C</b>				
<b>Year End</b>	<b>Existing</b>	<b>Guidelines</b>	<b>Difference</b>	
1997	463	443	-20	
1998	602	578	-24	
1999	641	592	-49	
2000	637	574	-63	
2001	629	586	-43	
2002	651	594	-57	
2003	631	579	-52	
2004	637	590	-47	

**Table 25.**  
**Estimated Change in Correctional Resource Needs for Houses of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 3A				
Year End	Existing	Guidelines	Difference	
1997	502	496	-6	
1998	541	488	-53	
1999	511	529	18	
2000	506	547	41	
2001	521	510	-11	
2002	520	505	-15	
2003	518	502	-16	
2004	499	532	33	

Cell 3D				
Year End	Existing	Guidelines	Difference	
1997	791	808	17	
1998	969	1005	36	
1999	933	1051	118	
2000	993	1054	61	
2001	939	1033	94	
2002	951	1052	101	
2003	970	1026	56	
2004	956	1043	87	

Cell 3B				
Year End	Existing	Guidelines	Difference	
1997	803	772	-31	
1998	866	853	-13	
1999	854	883	29	
2000	847	868	21	
2001	878	833	-45	
2002	841	841	0	
2003	873	879	6	
2004	858	857	-1	

Cell 3E				
Year End	Existing	Guidelines	Difference	
1997	5	3	-2	
1998	5	8	3	
1999	6	6	0	
2000	6	4	-2	
2001	7	5	-2	
2002	8	5	-3	
2003	3	4	1	
2004	5	5	0	

Cell 3C				
Year End	Existing	Guidelines	Difference	
1997	808	865	57	
1998	914	907	-7	
1999	947	899	-48	
2000	974	959	-15	
2001	926	969	43	
2002	943	930	-13	
2003	951	935	-16	
2004	920	938	18	

**Table 25.**  
**Estimated Change in Correctional Resource Needs for Houses of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 2A				
Year End	Existing	Guidelines	Difference	
1997	388	396	8	
1998	381	412	31	
1999	404	427	23	
2000	406	429	23	
2001	407	393	-14	
2002	384	394	10	
2003	400	408	8	
2004	412	400	-12	

Cell 2D				
Year End	Existing	Guidelines	Difference	
1997	432	363	-69	
1998	482	415	-67	
1999	483	418	-65	
2000	486	424	-62	
2001	465	428	-37	
2002	469	435	-34	
2003	466	457	-9	
2004	507	424	-83	

Cell 2B				
Year End	Existing	Guidelines	Difference	
1997	519	471	-48	
1998	548	500	-48	
1999	558	463	-95	
2000	531	472	-59	
2001	566	489	-77	
2002	563	471	-92	
2003	555	480	-75	
2004	573	476	-97	

Cell 2E				
Year End	Existing	Guidelines	Difference	
1997	0	2	2	
1998	0	0	0	
1999	1	0	-1	
2000	1	1	0	
2001	0	0	0	
2002	0	1	1	
2003	1	3	2	
2004	0	0	0	

Cell 2C				
Year End	Existing	Guidelines	Difference	
1997	420	398	-22	
1998	457	416	-41	
1999	484	398	-86	
2000	490	419	-71	
2001	451	389	-62	
2002	434	375	-59	
2003	465	407	-58	
2004	469	398	-71	

**Table 25.**  
**Estimated Change in Correctional Resource Needs for Houses of Correction**  
**Sentenced Inmates by Grid Cell**

Cell 1A				
Year End	Existing	Guidelines	Difference	
1997	75	66	-9	
1998	62	80	18	
1999	69	76	7	
2000	65	65	0	
2001	63	69	6	
2002	68	60	-8	
2003	75	73	-2	
2004	68	78	10	

Cell 1D				
Year End	Existing	Guidelines	Difference	
1997	45	38	-7	
1998	52	44	-8	
1999	51	42	-9	
2000	53	54	1	
2001	56	44	-12	
2002	58	43	-15	
2003	56	45	-11	
2004	59	40	-19	

Cell 1B				
Year End	Existing	Guidelines	Difference	
1997	126	148	22	
1998	150	152	2	
1999	130	129	-1	
2000	138	151	13	
2001	140	156	16	
2002	150	149	-1	
2003	142	154	12	
2004	130	132	2	

Cell 1E				
Year End	Existing	Guidelines	Difference	
1997	1	0	-1	
1998	1	2	1	
1999	0	2	2	
2000	1	3	2	
2001	1	0	-1	
2002	1	2	1	
2003	0	1	1	
2004	1	0	-1	

Cell 1C				
Year End	Existing	Guidelines	Difference	
1997	78	87	9	
1998	93	90	-3	
1999	84	84	0	
2000	83	83	0	
2001	86	83	-3	
2002	94	87	-7	
2003	85	71	-14	
2004	90	76	-14	

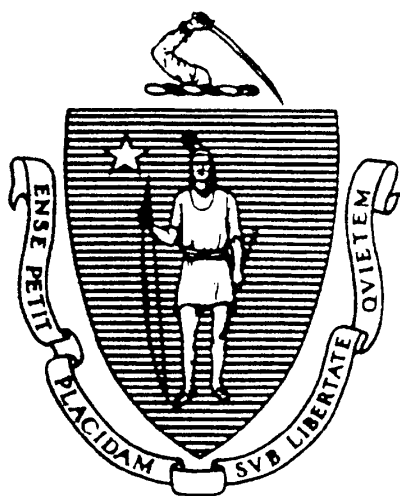




# **APPENDIX F.**

## **MASSACHUSETTS SENTENCING COMMISSION**

### **SURVEY OF INTERMEDIATE SANCTIONS**



**Table 26**  
**Community-Based Programs/Services:**  
**Availability and Need for Expansion/Development**

<i>Type of Service/Program</i>	<b>Respondents Reporting Service Available<sup>1</sup></b>		<b>Need for Expansion/Development<sup>2</sup></b>	
	<i>No. of Respondents</i>	<i>% of Total Respondents</i>	<i>No. of Respondents</i>	<i>Average Rating</i>
Certified Battering Program	45	42.1	( 41 )	4.4
Intensive Parole Supervision	13	12.1	( 11 )	4.4
Drug/Alcohol Testing	53	49.5	( 47 )	4.3
Sex Offender Program	35	32.7	( 33 )	4.2
Drug/Alcohol Abuse Services	70	65.4	( 63 )	4.1
Domestic Abuse Program	42	39.3	( 36 )	4.1
Residential/Housing Services	21	19.6	( 20 )	4.1
Vocational/Job Training	41	38.3	( 40 )	4.1
Women's Programs	40	37.4	( 33 )	4.1
Violence Prevention	39	36.4	( 35 )	4.0
Community Outreach	27	25.2	( 24 )	3.9
Mental Health Program	51	47.7	( 45 )	3.8
Halfway House/Pre-Release	29	27.1	( 23 )	3.8
English as a Second Language	24	22.4	( 24 )	3.7
Community Service	62	57.9	( 57 )	3.6
GED Preparation	55	51.4	( 50 )	3.6
Literacy Training	35	32.7	( 31 )	3.6
Victim/Offender Reconciliation	9	8.4	( 7 )	3.6
Night Reporting Center	18	16.8	( 17 )	3.5
Pre-Trial Supervision	45	42.1	( 41 )	3.5
Risk Need Probation	65	60.7	( 65 )	3.5
Electronic Monitoring	25	23.4	( 22 )	3.4
Mental Retardation Program	27	25.2	( 25 )	3.4
Work Release	10	9.3	( 8 )	3.4
Day Reporting Center	33	30.8	( 30 )	3.3
OUI/DUIL Program	49	45.8	( 42 )	3.3
DUIL Probation	54	50.5	( 51 )	3.2
Home Confinement/House Arrest	15	14.0	( 14 )	3.2
Restitution	57	53.3	( 50 )	3.1
Shock Incarceration/Boot Camp	33	30.8	( 30 )	2.7
Pre-Trial Probation	49	45.8	( 49 )	2.7
Probation Fees	57	53.3	( 53 )	2.6
Victim Witness Fees	57	53.3	( 50 )	2.6
Administrative Probation	60	56.1	( 59 )	2.5
Fines/Sur fines	58	54.2	( 53 )	2.5
<b>Total</b>	<b>107</b>	<b>100.0</b>		

<sup>1</sup> Only services for which funding was available are presented.

<sup>2</sup> "Need for Expansion/Development" was rated on a scale of 1 to 5, 5 being most critical need.

**Table 27**  
**Referenced Programs by County of Respondents**  
**Selected Program Types**

	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hampden	Hampshire	Middlesex	Norfolk	Plymouth	Suffolk	Worcester
<b>Certified Batterer's Program</b>													
EMERGE									•	•	•	•	
Common Purpose									•	•		•	
Berkshire Council on Alcoholism & Addictions		•											
St. Vincent's Hospital													•
Community Health and Prevention Services (CHAPS)									•				•
Gandara Mental Health Center							•						
Greater Lawrence Family Health Center					•								
Agenda	•												
Beacon Clinic/Programs						•				•			
Billings Human Services										•			
New Hope/Respect			•										
Chelsea ASAP												•	
Assabet Human Services									•				
Community Counseling Center of Blackstone Valley													•
Project COPE					•								
Human Resources Center						•							

**Table 27**  
**Referenced Programs by County of Respondents**  
**Selected Program Types**

	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hamden	Hampshire	Middlesex	Norfolk	Plymouth	Suffolk	Worcester
Independence House	•												
Island Counseling Center				•									
Metrowest Mental Health Center									•				
Project COACH			•		•								
Project RAP					•								
Portuguese Youth Cultural Organization (PYCO)			•										
Southern Middlesex Addiction Services									•				
Spectrum Addiction Services/Turnabout													•
STAR Services			•										
Project Turnaround			•										
Greater Lawrence Mental Health					•								
Individual Therapists										•			
Miscellaneous											•		
<b>Domestic Violence Programs</b>													
Battered Women Resources Inc.									•				•
Berkshire Council on Alcoholism & Addictions		•											
Common Purpose									•	•		•	
Beacon Clinic/Programs						•				•			

**Table 27**  
**Referenced Programs by County of Respondents**  
**Selected Program Types**

	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hampden	Hampshire	Middlesex	Norfolk	Plymouth	Suffolk	Worcester
Agenda	●												
EMERGE									●			●	
New Hope/Respect		●											
St. Vincent's Hospital													●
Allston-Brighton Mental Health Clinic												●	
YWCA							●						
Chelsea ASAP												●	
Children's Hospital AWAKE												●	
Community Counseling Center of Blackstone Valley													●
Project COPE					●								
Greater Lawrence Family Health Center					●								
Help for Abused Women and Children (HAWC)					●								
Independence House	●												
Island Counseling Center				●									
New Bedford Women's Center		●											
Project Intervention													
Southern Middlesex Addiction Services									●				
Spectrum Addiction Services/Project Turnabout									●				●

**Table 27**  
**Referenced Programs by County of Respondents**  
**Selected Program Types**

	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hamden	Hampshire	Middlesex	Norfolk	Plymouth	Suffolk	Worcester
Stanley St. Treatment and Resources			●										
STAR Services			●										
VersaCare			●										
Womens Protective Services									●				
<b>Community Service Programs</b>													
Project COACH	●		●										
Newton Community Service Center									●	●			
Suffolk County Community Service Program												●	
YOUTH Inc.													●
Schools/libraries												●	
Father Billis Place										●			
Salvation Army												●	
United Way			●										
Assabet Valley Collaborative									●				
Misc/unclear												●	
<b>Day Reporting Centers</b>													
Metropolitan Day Reporting Center												●	
Sheriff's Department/House of Correction							●						

**Table 27**  
**Referenced Programs by County of Respondents**  
**Selected Program Types**

	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hampden	Hampshire	Middlesex	Norfolk	Plymouth	Suffolk	Worcester
<b>Halfway Houses/Pre-Release Centers</b>													
Beacon Clinic/Programs						•				•			
Salvation Army									•			•	
Spectrum Addiction Services									•				•
Sheriff/House of Correction							•						
Department of Correction												•	
Berkshire Council on Alcoholism & Addictions		•											
Project COPE					•								
Crozier House													•
Marathon House							•						
Mass Halfway House Inc-McGrath House									•				
New Bedford Council on Alcoholism (NBCOA)			•										
New Hope/Respect					•								
Opportunity House							•						
Pegasus													•
Southern Middlesex Addiction Services									•				
<b>Sex Offender Programs</b>													
MA Society for the Prevention of Cruelty to Children	•				•		•			•			•

**Table 27**  
**Referenced Programs by County of Respondents**  
**Selected Program Types**

	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hamden	Hampshire	Middlesex	Norfolk	Plymouth	Suffolk	Worcester
Individual/Private Therapists			•							•		•	
Child and Adult Resources													•
Franklin County Mental Health Center		•								•			
Metrowest Mental Health Center									•				
New England Forensic Association												•	
Northern Berkshire Mental Health		•											
Brattleboro Retreat		•											
Community Counseling Center of Blackstone Valley													•
The Counseling and Psychotherapy Ctr of Gr. Boston			•										
Family Services of Greater Boston										•			
G.Wells Human Service Center													•
Gandara Mental Health Center							•						
New Directions for Men										•			
New England Association of Psychologists		•											
Providence Systems							•						
SA SAAF					•								
SATCO Program					•								
The Center						•							



**Table 27**  
**Referenced Programs by County of Respondents**  
**Selected Program Types**

	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hampden	Hampshire	Middlesex	Norfolk	Plymouth	Suffolk	Worcester
Valley Counseling Associates							●						
VersaCare		●											
Wachusett Counseling Services													●
<b>Electronic Monitoring Programs</b>													
Department of Correction					●							●	
Franklin County Sheriff		●											●
Norfolk County House of Correction										●			
Hampden County Sheriff										●			
Hampden County House of Correction							●						
MOM							●						
Essex County Sheriff's Department					●								
Middlesex County House of Correction									●				

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEES	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
Abbys House																						•
ACCP												•	•			•					•	
Action for Boston Community Development (ABCD)												•										
Addiction Treatment Center																•					•	
Addison Gilbert Hospital				•										•							•	
Adult Learning Center (Lawrence)														•								
Adult Learning Center (Pittsfield)										•				•								
Adult Learning Center (Worcester)										•												
Adult Mental Health															•							
Adult/Adolescent Counseling (AAC)															•							
Advocates Community Counseling				•																		
Agenda	•	•			•																	
Alcoholism Services of Greater Springfield (ASOGS)				•												•					•	
Allston-Brighton Mediation Program	•																					
Allston-Brighton Mental Health Clinic					•										•							

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEES	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
Assabet Human Services	•	•		•												•						
Assabet Valley Collaborative			•							•												
Atlanticare Hospital															•							
BARP-BASP																•						•
Battered Women Resources Inc.					•																	
Baycove Substance Abuse Clinic				•																		
Baystate Community Services				•																		
BCARC																			•			
Beacon Clinic/Programs		•		•	•										•	•	•	•			•	
Berkshire Council on Alcoholism & Addictions	•	•		•	•	•									•	•		•				
Berkshire Forensic Services																						
Berkshire Mental Health Center															•							
Billings Human Services	•	•														•						
BIS Services										•												
Boston Road Clinic, Inc.															•							

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEES	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
Brattleboro Retreat															●					●		
Brockton Community Resources													●									
Brockton Multiservice Center															●							
Brockton Private Industry Counsel							●			●			●	●								
Bunker Hill Health Center															●							
Cape Cod Community College				●		●																
Cape Cod Human Services				●										●								
Cape Cod Literacy Council														●								
Casa Myrna Vazquez, Inc.																						●
Catholic Charities				●												●						
Center for Addictive Behaviors (CAB)																●						
Center for Health and Human Services	●			●									●		●						●	
CETA																						
Changing Lives Through Literature (UMASS)														●								
Chelsea ASAP		●		●	●	●										●					●	●

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEES	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
Chelsea Community Counseling Center																						
Child and Adult Resources					•															•		
Children's Hospital AWAKE					•																	
Common Purpose	•	•					•															
Community Action Center																						
Community Counseling Center of Blackstone Valley	•	•		•	•										•	•				•		
Community Health and Prevention Services (CHAPS)	•	•		•											•	•						
Community Health Center													•									
Comprehensive Offender Employment Resource System												•										
Construct, Inc.											•											
Cooley-Dickenson Hospital																•						
Corrigan Mental Health Center															•							
Crozier House																						
Daybreak Resources for Women & Children Inc.																		•				•
Educational Opportunity Center														•								

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEEs	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
EMCAC	•															•						
EMERGE		•			•																	
Family Services Association of Greater Fall River																						
Family Services of Greater Boston															•					•		
Father Bills Place			•												•							
FIRST Step																					•	
Forsenic Mental Health Services															•							
Franklin Clinical Associates															•							
Franklin County Mental Health Center	•														•					•		
G.Wells Human Service Center															•					•		
Gandara Mental Health Center	•	•		•												•				•		
Glavin Regional Center																			•			
Goodwill Industries																			•			
Grafton Job Corps													•									
Greater Lawrence Family Health Center	•	•			•																	

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEES	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
Greater Lawrence Mental Health	●	●										●			●				●			
Greenfield Family Inn												●										
Harbor Me																						●
Harvard Mediation Program	●														●							
Health Alliance-Burbank Hospital					●																	
Help for Abused Women and Children (HAWC)																					●	
Henry Lee Willis Center				●											●						●	
Herbert Lipton Mental Health Center																			●			
Hogan School																						
Housing Assistance Corp.												●										
Housing Information Center											●											
Human Resources Center		●																				
Independence House	●	●			●																	●
Island Counseling Center	●	●		●	●																	●
J-Tec (Job Training and Employment Corp)										●			●									

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEES	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
LARE										●			●									
Lawrence Psychological Center				●																		
LCAAP				●												●						
Longwood Treatment Center				●																		
Lower Cape Outreach												●										
LUK Crisis Center													●		●							
Lynn Community Health Center													●		●							
Malden-ACID				●												●					●	
Marathon House																		●				
Marlboro Hospital																		●			●	
Mass Halfway House Inc-McGrath House																		●				
MASSCCAP																			●			
Mental Health/Retardation Residential Services																			●			
Meridian House				●																	●	
Metropolitan Day Reporting Center																					●	



**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEES	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
Metrowest Mental Health Center		●													●					●		
Middlesex County Hospital				●												●						
Montachusett Alcohol Council																	●					
Montachusett Opportunity Council (MOC)							●						●	●								
MSPCC															●							
Mt. Auburn Hospital																●						
Mt. Tom Institute															●							
MV Hospital																					●	
NELCWIT																						●
New Bedford Center for Human Services																						●
New Bedford Child and Family Crisis Center																						
New Bedford Council on Alcoholism (NBCOA)																		●				
New Bedford Women's Center					●																	●
New Directions for Men													●							●		
New England Association of Psychologists																				●		

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEES	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
New England Forensic Association																						
New England Job Center													●							●		
New Hope		●			●													●				
Newton Community Service Center			●												●							
Noodle Island Multiservice Agency															●							
North Essex Community Mental Health Center															●							
Northern Berkshire Mental Health															●					●		
Notre Dame Educational Center								●														
Opportunity House																		●				
Our Fathers House											●											
Pegasus																		●				
PIC Program													●									
Portuguese Youth Cultural Organization (PYCO)	●	●																				
Project COACH	●	●	●	●				●	●	●			●	●							●	●
Project COPE		●		●	●						●											

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEES	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
Project Intervention	●			●	●												●				●	
Project Life	●																					
Project Literacy														●								
Project RAP	●	●																				
Project Scale								●														
Project TURNABOUT (merged with Spectrum House)				●																	●	
Project Turnaround		●																		●	●	
Providence Systems				●												●				●		
Red Cross												●										
Revere Community Counseling Center															●							
Roxbury Community College																						
SA SAAF																				●		
Salvation Army			●											●					●			
SATCO Program														●				●		●		
SCORE Program	●																					

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEES	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
SER-Jobs for Progress										●			●									
Skill Center													●		●						●	
Social Justice for Women				●																		●
Solomon Fuller Mental Health Center																						
South Coastal Career Development Assn												●										
South Shore Mental Health Center															●							
Southern Middlesex Addiction Services	●	●		●	●	●									●	●		●			●	
Spectrum Addiction Services	●	●		●	●													●			●	
St. Elizabeth's Hospital Comprehensive Alcoholism				●																		
St. Vincent's Hospital, Advent Program	●	●			●											●						
Stanley St. Treatment and Resources				●	●											●	●				●	
STAR Services	●	●			●																	
Step Inc.	●			●																		●
Steve Valle Associates						●										●						
Suffolk County Community Service Program			●					●														

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEES	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
Thayer Institute/Community Healthlink				●												●					●	
The Center																				●		
The Counseling and Psychotherapy Center of Greater Boston																				●		
The Literacy Center														●								
Tri City Mental Health										●					●							
United Way			●								●											
Valley Counseling Associates																				●		
VersaCare				●	●															●	●	
Wachusett Counseling Services																				●		
Western MA Correctional Alcohol Center				●												●						
WHEAT Office																	●					
WISH	●																					●
Women Inc.																						●
Women Services Center																						●
Womens Protective Services					●																	●

**Table 28**  
**Index of Program Providers by Selected Service Categories**

	ANGER MANAGEMENT	BATTERERS' PROGRAMS	COMMUNITY SERVICE	DRUG & ALCOHOL PROGRAMS	DOMESTIC VIOLENCE	DUI PROBATION	ENGLISH AS A SECOND LANGUAGE	FEEs	FINES/ SURFINES	GED	HOME CONFINEMENT	HOUSING/ RESIDENTIAL	JOB TRAINING	LITERACY	MENTAL HEALTH	OUI	OUTREACH	PRE RELEASE CENTERS	RETARDATION	SEX OFFENDER TREATMENT	DRUG TESTING	WOMEN
Womensplace							●			●				●								●
Worcester Adult Education Center										●				●								
Worcester Community Action Council										●		●		●			●					
YMCA	●													●								●
YOUTH Inc.			●					●		●			●	●								
YWCA					●																	

# **Inventory of Existing Sentencing Options Phase I**

## **Massachusetts Sentencing Commission**

### **Intermediate Sanctions Committee June 9, 2015**

Pamela L. Hunt, Committee Chair  
Assistant Attorney General

## **Massachusetts Sentencing Commission**

### **Intermediate Sanctions Committee June 9, 2015**

Pamela L. Hunt, Committee Chair  
Assistant Attorney General  
Honorable Margaret R. Hinkle  
Associate Justice, Superior Court

Donald Cochran  
Commissioner of Probation  
John Flynn, General Counsel  
Executive Office of Public Safety

S. Jane Haggerty  
Essex County District Attorney's Office

William O'Leary, Commissioner  
Department of Youth Services

Maria F. Rodriguez  
Director of Victim's Services, Hampden County

Michael J. Traft, Esq.  
Private Attorney

Sheila A. Hubbard  
Chair, Parole Board

Donald Moran, Supervisor  
Superior Court Probation Services

This is the first part of a two-part survey of sentencing options within the Commonwealth. The survey is being completed by representatives from probation offices, sheriffs departments, the state correctional system, and parole officers.

Column 1: Name of sentencing options or program component;

Column 2: Please indicate if the sentencing option exists within your jurisdiction; **including** options that are operated by criminal justice agencies as well as **community-based** programs; and **including** options that are used as well as those that exist but are **not utilized**, for whatever reason.

Column 3: If the program exists, indicate the target population. The committee is particularly interested in regional, offense, age, or offender background characteristics for which the sanction/program component is targeted.

Column 4: If available, please indicate the current capacity in terms of number of offenders served annually, or a point-of-time estimate of the capacity.

Column 5: On a scale of 1 to 5, from least critical to most critical, estimate the need to develop capacity in this area. **Please assign this rating whether the program currently exists or not.**

Column 6: Please indicate the name of a person who can serve as a point of contact for more detailed information about the sentencing option / program component.

Respondent Information:	Name:	_____
	Title:	_____
	Agency:	_____
	Address:	_____
	Phone:	_____



# *Inventory of Sentencing Options*

(1) Intermediate Sanction / Program Component	(2) Currently exists?	(3) Brief Description of Target Population	(4) Capacity / Number Served	(5) Need for (further) development	(6) Contact for Additional Information
Pre-trial Probation Supervision	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Non-reporting Probation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Standard Probation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Intensive Supervision Probation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Night Reporting Probation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Shock Probation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Fines	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____

# *Inventory of Sentencing Options*

(1) Intermediate Sanction / Program Component	(2) Currently exists?	(3) Brief Description of Target Population	(4) Capacity / Number Served	(5) Need for (further) development	(6) Contact for Additional Information
Day Fines or Means Based Fines	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Restitution	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Day Reporting	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Home Confinement / House Arrest	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Community Service	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Shock Incarceration / Boot Camp	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Incarceration in House of Correction	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____

# *Inventory of Sentencing Options*

(1) Intermediate Sanction / Program Component	(2) Currently exists?	(3) Brief Description of Target Population	(4) Capacity / Number Served	(5) Need for (further) development	(6) Contact for Additional Information
Incarceration in Prison	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Electronic Monitoring	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Victim/Offender Reconciliation Program	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Community Outreach Programs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Drug/Alcohol/Substance Abuse Programs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Drug Testing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Mental Health Programs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____

# Inventory of Sentencing Options

(1) Intermediate Sanction / Program Component	(2) Currently exists?	(3) Brief Description of Target Population	(4) Capacity / Number Served	(5) Need for (further) development	(6) Contact for Additional Information
Violence Prevention/Stress/Anger Programs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Mental Retardation Programs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
OUI Programs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Sex Offender Programs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Domestic Abuse Programs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Women's Programs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Vocational/Job Training	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1 2 3 4 5 Not Critical Critical	Name: _____ Title: _____ Address: _____ Phone: _____

# Inventory of Sentencing Options

(1) Intermediate Sanction / Program Component	(2) Currently exists?	(3) Brief Description of Target Population	(4) Capacity / Number Served	(5) Need for (further) development	(6) Contact for Additional Information
Literacy Training	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1   2   3   4   5 Not Critical   Critical	Name: _____ Title: _____ Address: _____ Phone: _____
GED Preparation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1   2   3   4   5 Not Critical   Critical	Name: _____ Title: _____ Address: _____ Phone: _____
English as a Second Language	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1   2   3   4   5 Not Critical   Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1   2   3   4   5 Not Critical   Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1   2   3   4   5 Not Critical   Critical	Name: _____ Title: _____ Address: _____ Phone: _____
Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N.A.			1   2   3   4   5 Not Critical   Critical	Name: _____ Title: _____ Address: _____ Phone: _____

Further Comments or Suggestions: