

Massachusetts Department of Correction
Luis S. Spencer, Commissioner

OFFENSE CATEGORIES

*An Analysis of the 2011 New Court Commitments and
the Snapshot Population on January 1, 2012*

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August 2012

Introduction

The Massachusetts Department of Correction (MA DOC) offers programming with objectives and goals focused towards reducing recidivism for all criminally sentenced offenders. This report characterizes offenders by the type of governing offense: Person, Sex, Property, Drug, and 'Other'. Over time, fluctuations in an offender population can lead to the need for enhanced operational and programming options. In order for the Department to continue improving programming capabilities and performance, descriptive statistics are necessary to identify the types of offenders committed to the MA DOC's criminally sentenced population. This brief examines offense categories and details the offenses committed for both the January 1, 2012 and 2011 New Court Commitment criminally sentenced jurisdiction populations. A summary of ten year trends is also included for each population.

Notable Definitions

Criminally Sentenced or "Sentenced": An individual who has been found guilty of a criminal offense through legal means, and is required to be incarcerated.

New Court Commitments: Individuals committed by the courts to the MA DOC as a result of a criminal offense. All new court commitments and those individuals who began serving new sentences (e.g., From and After Sentences) during the year are included in this category even if there was no physical release from custody when they moved from one sentence to another. If an individual is committed to the MA DOC more than once during a calendar year, each court commitment for that individual is counted separately.

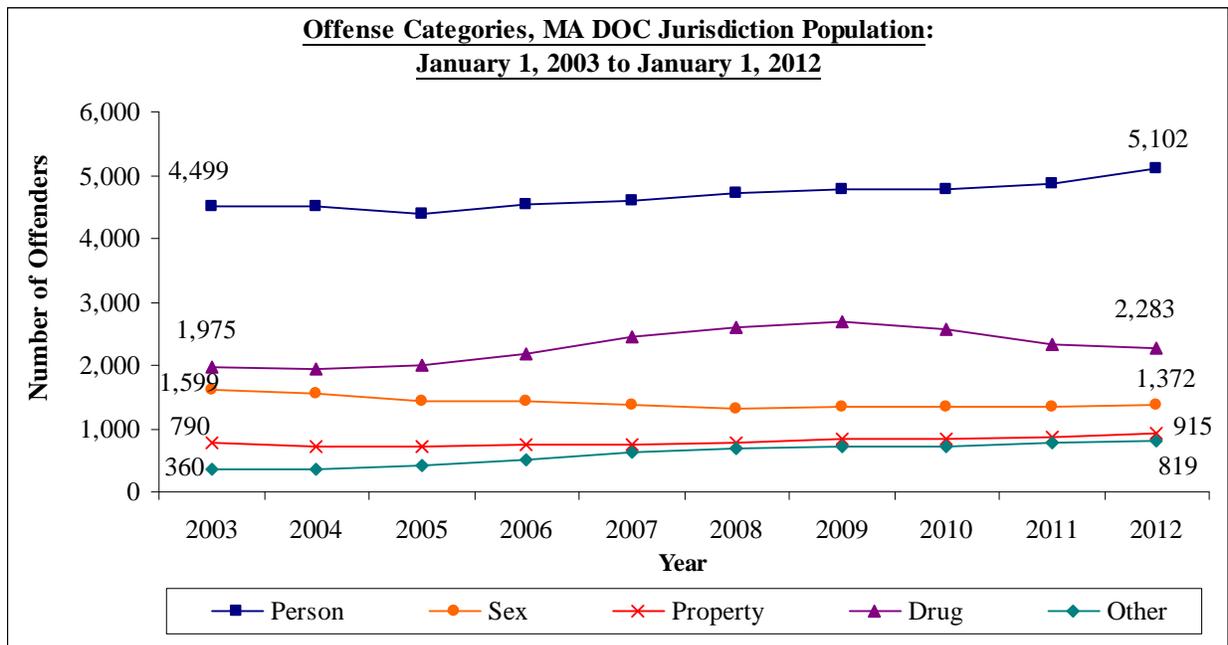
Governing Sentence: Inmates may be incarcerated for multiple offenses. The offense reported is that associated with the longest maximum discharge date. As of 1/1/2010 the governing offense is the offense with the longest maximum sentence, not the maximum discharge date.

Offense Categories Ten Year Snapshot Trend (2003-2012)

Ten Year Trend of MA DOC Criminally Sentenced Jurisdiction Population by Offense Categories January 1, 2003 to January 1, 2012													
Offense Category		2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	% Change 2011 vs. 2012	% Change 2003 vs. 2012
Person	N=	4,499	4,493	4,388	4,533	4,610	4,704	4,773	4,772	4,877	5,102	5%	13%
	(%)	49%	50%	49%	48%	47%	46%	46%	47%	48%	49%		
Sex	N=	1,599	1,544	1,447	1,432	1,365	1,328	1,343	1,348	1,355	1,372	1%	-14%
	(%)	17%	17%	16%	15%	14%	13%	13%	13%	13%	13%		
Property	N=	790	722	727	760	744	791	834	845	872	915	5%	16%
	(%)	9%	8%	8%	8%	8%	8%	8%	8%	9%	9%		
Drug	N=	1,975	1,942	2,014	2,174	2,441	2,610	2,686	2,571	2,340	2,283	-2%	16%
	(%)	21%	21%	22%	23%	25%	26%	26%	25%	23%	22%		
Other	N=	360	359	403	506	618	699	706	723	778	819	5%	128%
	(%)	4%	4%	4%	5%	6%	7%	7%	7%	8%	8%		
Total	N=	9,223	9,060	8,979	9,405	9,778	10,132	10,342	10,259	10,222	10,491	3%	14%

Between January 1, 2011 and January 1, 2012, the criminally sentenced population rose by 3% overall. Specifically, Person, Property and ‘Other’ offenders each rose by 5% while Sex offenders rose by 1%. In contrast, Drug offenders decreased by 2% over the same period.

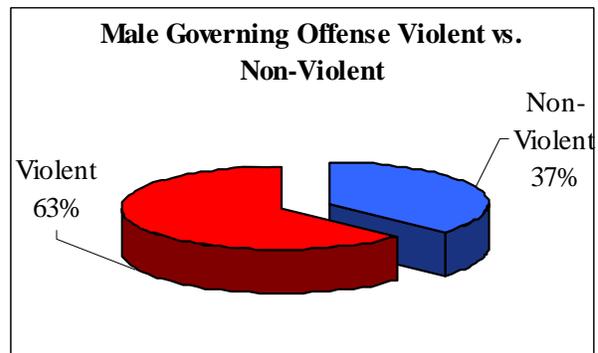
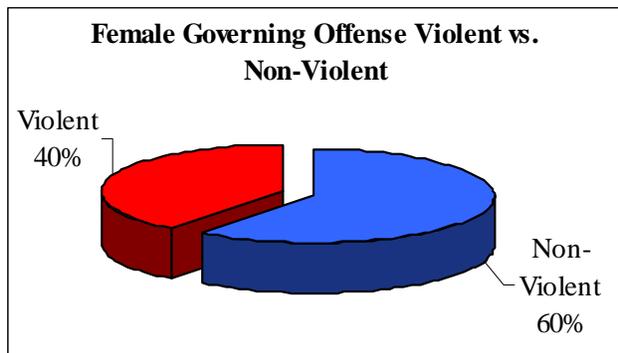
Over the trend period from January 1, 2003 to January 1, 2012, the number of criminally sentenced offenders rose 14%, from 9,223 to 10,491. Additionally, most offense categories experienced increases; ‘Other’ offenders rose by a staggering 128% (from 360 to 819), Property and Drug offenders rose by 16% while Person offenders rose by 13%. After a 17% decrease between 2003 and 2008, Sex offenders increased incrementally from 2008 to 2012 (from 1,328 to 1,372). Despite the recent increase, Sex offenders on January 1, 2012 notably remained 14% less than the 2003 total.



Offense Categories by Gender on January 1, 2012

MA DOC January 1, 2012 Criminally Sentenced Jurisdiction Population by Offense Category and Gender							
Offense Category		Female	(%)	Male	(%)	Total	(%)
Violent	Person	219	38%	4,883	49%	5,102	49%
	Sex	9	2%	1,363	14%	1,372	13%
Total Violent		228	40%	6,246	63%	6,474	62%
Non-Violent	Property	145	25%	770	8%	915	9%
	Drug	141	24%	2,142	22%	2,283	22%
	Other	62	11%	757	8%	819	8%
Total Non-Violent		348	60%	3,669	37%	4,017	38%
Total Offenses		576	100%	9,915	100%	10,491	100%

On January 1, 2012, 49% of criminally sentenced inmates in the MA DOC jurisdiction population were Person offenders, followed by Drug (22%), Sex (13%), Property (9%), and ‘Other’ (8%) offenders. Male and female inmate populations differed in this breakdown with 63% of males characterized as violent offenders compared to 40% of female offenders¹. The most common offense categories for males were Person offenses (49%), followed by Drug (22%), Sex (14%), Property (8%), and ‘Other’ (8%) offenses. For females the most common offense categories were Person offenses (38%), Property (25%), Drug (24%), ‘Other’ (11%), and Sex (2%) offenses.



¹ Many counties in Massachusetts lack the facilities to house female inmates; as a result, the MA DOC houses many female inmates with county sentences. Female inmates were generally less violent than males due to the large number of less violent female county inmates. For the female snapshot population on January 1, 2012, there were 231 county inmates and 345 state inmates. Eighteen percent of the county inmates had a violent offense compared to 54% of the state inmates.

Person Offenses by Gender on January 1, 2012

MA DOC January 1, 2012 Jurisdiction Population of Person Offenders Offense Description by Governing Offense Description and Gender						
GOVERNING OFFENSE	FEMALE	(%)	MALE	(%)	TOTAL	(%)
Armed Robbery	34	16%	1,018	21%	1,052	21%
Murder, 1st Degree	26	12%	985	20%	1,011	20%
Murder, 2nd Degree	25	11%	714	15%	739	14%
Assault/Assault and Battery (A&B) w/Dangerous Weapon	30	14%	498	10%	528	10%
Manslaughter	25	11%	377	8%	402	8%
Assault w/Intent to Rob or Murder being Armed	8	4%	375	8%	383	8%
Unarmed Robbery	14	6%	306	6%	320	6%
Kidnapping	5	2%	90	2%	95	2%
Assault/Assault and Battery	18	8%	57	1%	75	1%
Home Invasion	2	1%	72	1%	74	1%
Mayhem	4	2%	47	1%	51	1%
Armed Assault in Dwelling Houses	1	<1%	43	1%	44	1%
Carjacking	0	0%	38	1%	38	1%
Attempted Murder	2	1%	35	1%	37	1%
Unarmed Robbery, Victim 60 & Over	4	2%	32	1%	36	1%
A&B Upon a Child	2	1%	29	1%	31	1%
Vehicular Homicide	2	1%	27	1%	29	1%
Assault w/Intent to Commit Murder	2	1%	23	<1%	25	<1%
Accessory After the Fact	4	2%	15	<1%	19	<1%
Accessory Before the Fact	1	<1%	17	<1%	18	<1%
Stalking	1	<1%	15	<1%	16	<1%
Assault to Rob not being Armed	2	1%	12	<1%	14	<1%
Conspiracy	1	<1%	12	<1%	13	<1%
Confining or Putting in Fear a Person for the Purpose of Stealing	0	0%	12	<1%	12	<1%
Assault with Intent to Commit Felony	0	0%	10	<1%	10	<1%
A&B w/Dangerous Weapon, Victim 60 & Over	1	<1%	8	<1%	9	<1%
Armed Assault w/Intent Rob or Murder, Victim 60 & Over	1	<1%	7	<1%	8	<1%
A&B Upon Elderly/Disabled	3	1%	3	<1%	6	<1%
Extortion	0	0%	6	<1%	6	<1%
Violation of Civil Rights	1	<1%	0	0%	1	<1%
Total	219	100%	4,883	100%	5,102	100%

Please note: The offenses are arranged in descending order by total count of the offense.

On January 1, 2012, Person offenders accounted for 49% of the MA DOC's criminally sentenced population. A majority (87%) of Person offenses were related to the following seven offense types: Armed Robbery (21%), Murder 1st Degree (20%), Murder 2nd Degree (14%), Assault/Assault and Battery (A&B) w/Dangerous Weapon (10%), Manslaughter (8%), Assault with Intent to Rob or Murder Being Armed (8%), and Unarmed Robbery (6%). The most common Person offenses for male inmates were Armed Robbery (21%), Murder 1st Degree (20%), and Murder 2nd Degree (15%). In comparison, the most common offenses for females were Armed Robbery (16%), A&B w/Dangerous Weapon (14%), and Murder 1st Degree (12%).

Sex Offenses by Gender on January 1, 2012

MA DOC January 1, 2012 Jurisdiction Population of Sex Offenders by Governing Offense Description and Gender						
GOVERNING OFFENSE	FEMALE	(%)	MALE	(%)	TOTAL	(%)
Rape and Abuse of Child	0	N/A	400	29%	400	29%
Rape of Child w/Force	2	N/A	293	21%	295	22%
Aggravated Rape	1	N/A	233	17%	234	17%
Rape	1	N/A	199	15%	200	15%
Indecent Assault and Battery (A&B) on Child Under 14	1	N/A	95	7%	96	7%
Assault w/Intent to Commit Rape	0	N/A	36	3%	36	3%
Sex Offenses Involving a Minor	1	N/A	34	2%	35	3%
Violations of Sex Offender Registry	0	N/A	28	2%	28	2%
Indecent A&B on Person Over 14	0	N/A	18	1%	18	1%
Incest	0	N/A	9	1%	9	1%
Assault with Intent to Commit Rape, Child Under 16	0	N/A	6	<1%	6	<1%
Other Sex Offenses	1	N/A	5	<1%	6	<1%
Sexual Assault	1	N/A	4	<1%	5	<1%
Unnatural Acts w/Child Under 16	0	N/A	2	<1%	2	<1%
Indecent A&B on Person with Intellectual Disability	0	N/A	1	<1%	1	<1%
Unnatural Acts	1	N/A	0	0%	1	<1%
Total	9	N/A	1,363	100%	1,372	100%

Please note: The offenses are arranged in descending order by total count of the offense. Percentages are not provided for female Sex offenses due to the small number (less than ten cases).

On January 1, 2012, Sex offenders, 99% of which are male, accounted for 13% of the MA DOC's criminally sentenced population. The four most common Sex offenses pertained to a rape offense, including Rape and Abuse of a Child (29%), Rape of a Child with Force (22%), Aggravated Rape (17%), and Rape (15%).

Property Offenses by Gender on January 1, 2012

MA DOC January 1, 2012 Jurisdiction Population of Property Offenders by Governing Offense Description and Gender						
GOVERNING OFFENSE	FEMALE	(%)	MALE	(%)	TOTAL	(%)
Unarmed Burglary/Breaking and Entering	15	10%	460	60%	475	52%
Larceny/Stealing	63	43%	67	9%	130	14%
Arson or Attempted Arson	6	4%	58	8%	64	7%
Burglary, Armed or an Assault	3	2%	58	8%	61	7%
Theft of Motor or Non-Motor Vehicle	2	1%	43	6%	45	5%
Forgery or Uttering	10	7%	17	2%	27	3%
Receiving Stolen Goods	6	4%	12	2%	18	2%
Destruction of Property	4	3%	12	2%	16	2%
Larceny from the Person	6	4%	10	1%	16	2%
Shoplifting	15	10%	0	0%	15	2%
Fraud	10	7%	4	1%	14	2%
Common and Notorious Thief	2	1%	12	2%	14	2%
Possession of Burglary Tools	1	1%	7	1%	8	1%
Larceny from Elder or Disabled Person	1	1%	5	1%	6	1%
Embezzlement	1	1%	4	1%	5	1%
Use without Authority	0	0%	1	<1%	1	<1%
Total	145	100%	770	100%	915	100%

Please note: The offenses are arranged in descending order by total count of the offense.

On January 1, 2012, Property offenders accounted for 9% of the MA DOC's criminally sentenced population. Unarmed Burglary/Breaking and Entering represented 52% of all Property offenses, followed by Larceny/Stealing (14%), Arson or Attempted Arson (7%) and Burglary Armed or an Assault (7%). The most common Property offenses among males were Unarmed Burglary/Breaking and Entering (60%), Larceny/Stealing (9%), and Arson or Attempted Arson (8%) and Burglary, Armed or an Assault (8%). In contrast to male offenders, the most common offenses for females were Larceny/Stealing (43%), Unarmed Burglary/Breaking and Entering (10%) and Shoplifting (10%). This differs slightly from females in the previous year (January 1, 2011) where the most common offenses were Larceny/Stealing (36%), Forgery or Uttering (12%), Unarmed Burglary/Breaking and Entering (9%) and Receiving Stolen Goods (9%).

Drug Offenses by Gender on January 1, 2012

MA DOC January 1, 2012 Jurisdiction Population of Drug Offenders by Governing Offense Description and Gender						
GOVERNING OFFENSE	FEMALE	(%)	MALE	(%)	TOTAL	(%)
*Specific Class B: Cocaine and Phenmetrazine Trafficking 28-100 Grams	11	8%	367	17%	378	17%
Class B: Manf, Dist, Disp or Poss w/Int. to Manf, Dist, Disp	21	15%	323	15%	344	15%
*Specific Class B: Cocaine and Phenmetrazine Trafficking 14-28 Grams	18	13%	308	14%	326	14%
Class A: Manf, Dist, Disp or Poss w/Int. to Manf, Dist, Disp	15	11%	273	13%	288	13%
*Specific Class B: Manf, Dist, Disp or Poss w/ Int. to Manf, Dist, Disp	15	11%	179	8%	194	8%
*Specific Class B: Cocaine and Phenmetrazine Trafficking 100-200 Grams	5	4%	150	7%	155	7%
*Specific Class B: Cocaine and Phenmetrazine Trafficking 200+ Grams	4	3%	86	4%	90	4%
*Class B: Subs. Offense Manf, Dist, Disp or Poss w/Int. to Manf, Dist, Disp	2	1%	86	4%	88	4%
*Drug Violation School/Park	14	10%	70	3%	84	4%
*Specific Class B: Subs. Offense Manf, Dist, Disp or Poss w/Int. to Manf, Dist, Disp	4	3%	75	4%	79	3%
*Class A Trafficking 14-28 Grams	6	4%	67	3%	73	3%
*Class A: Subs. Offense Manf, Dist, Disp or Poss w/Int. to Manf, Dist, Disp	2	1%	52	2%	54	2%
*Class A Trafficking 28-100 Grams	1	1%	46	2%	47	2%
Conspiracy to Violate Controlled Substance Act	2	1%	16	1%	18	1%
Possession-No Class Specified	15	11%	2	0%	17	1%
*Class A Trafficking 100-200 Grams	0	0%	14	1%	14	1%
*Class A Trafficking 200+ Grams	1	1%	12	1%	13	1%
Fraudulent Prescriptions	3	2%	1	<1%	4	<1%
*Marijuana Trafficking 100-2,000lbs	0	0%	3	<1%	3	<1%
Class C: Manf, Dist, Disp or Poss w/Int. to Manf, Dist, Disp	0	0%	2	<1%	2	<1%
*Marijuana Trafficking 50-100 Lbs	0	0%	2	<1%	2	<1%
Theft of Drug, Larceny of Drugs	0	0%	2	<1%	2	<1%
*Class B: Manf, Dist, Disp or Poss w/Int. to Manf, Dist, Disp to a Minor	0	0%	1	<1%	1	<1%
*Class C: Subs. Offense Manf, Dist, Disp, or Poss w/Int. to Manf, Dist, Disp	0	0%	1	<1%	1	<1%
Class D: Manf, Dist, Disp or Poss w/Int. to Manf, Dist, Disp	1	1%	0	0%	1	<1%
Controlled Substances (no class specified)	0	0%	1	<1%	1	<1%
Counterfeit Drugs: Manf, Dist, Disp, or Poss w/Int. to Manf, Dist, Disp	0	0%	1	<1%	1	<1%
Induce Minors in Sale and Distribution of Drugs	1	1%	0	0%	1	<1%
Possession of Controlled Substance Class B	0	0%	1	<1%	1	<1%
Possession of Controlled Substance Class E	0	0%	1	<1%	1	<1%
Total	141	100%	2,142	100%	2,283	100%

* Denotes an offense with a mandatory restriction. Please note: The offenses are arranged in descending order by total count of the offense. For the purposes of brevity in this chart, the following abbreviations were used: “Manf, Dist, Disp or Poss w/Int. to Manf, Dist, Disp” means “Manufacturing, Distribution, Dispensing or Possession with Intent to Manufacture, Distribute, Dispense”; in the text below, this description is shortened to “Distribution or Possession with Intent to Distribute”. Also, “Subs” is short for “Subsequent” in the chart.

Drug offenders accounted for 22% of the MA DOC’s criminally sentenced population on January 1, 2012. The most common Drug offenses amongst the total and male populations were Specific Class B Trafficking 28-100 Grams (17%), Class B Distribution or Possession with Intent to Distribute (15%), and Specific Class B Trafficking 14-28 grams (14%). For females, the most common offenses were Class B Distribution or Possession with Intent to Distribute (15%), Specific Class B 14-28 grams (13%), Class A Distribution or Possession with Intent to Distribute (11%), Possession with no class specified (11%) and Specific Class B Distribution or Possession with Intent to Distribute (11%). Furthermore, 70% of the 2,283 Drug offenders were serving a mandatory minimum drug related sentence. Males were more likely than females to be serving a mandatory minimum drug related sentence; 71% of the 2,142 male drug offenders compared to 59% of the 141 female drug offenders were serving a mandatory sentence.

Other Offenses by Gender on January 1, 2012

MA DOC January 1, 2012 Jurisdiction Population of 'Other' Offenders by Governing Offense Description and Gender						
GOVERNING OFFENSE	FEMALE	(%)	MALE	(%)	TOTAL	(%)
Other Weapon Offenses	4	6%	457	60%	461	56%
Weapons Violation*	1	2%	135	18%	136	17%
Operating Vehicle Under Influence of Alcohol or Drugs w/ or w/out Injury (OUI)	28	45%	77	10%	105	13%
Intimidation of Witness/Juror	8	13%	40	5%	48	6%
Attempt to Commit Crime	1	2%	18	2%	19	2%
Other Motor Vehicle Offenses	4	6%	8	1%	12	1%
Escapes	0	0%	7	1%	7	1%
Leaving The Scene	6	10%	0	0%	6	1%
Perjury/Contempt of Court	2	3%	4	1%	6	1%
Deriving Support from Prostitution (Pimping)	0	0%	5	1%	5	1%
Domestic Abuse Prevention	2	3%	3	<1%	5	1%
Other Decency/Public Peace Crimes	3	5%	0	0%	3	<1%
Prostitution	2	3%	0	0%	2	<1%
Delivering/Receiving Articles to/from Inmates	0	0%	1	<1%	1	<1%
False Alarm or Fire/Removal of Fire Protective Devices	0	0%	1	<1%	1	<1%
Resisting Arrest	1	2%	0	0%	1	<1%
Other - includes Violation of Civil Ordinance, Inhaling Toxic Vapors	0	0%	1	<1%	1	<1%
Total	62	100%	757	100%	819	100%

Please note: The offenses are arranged in descending order by total count of the offense.

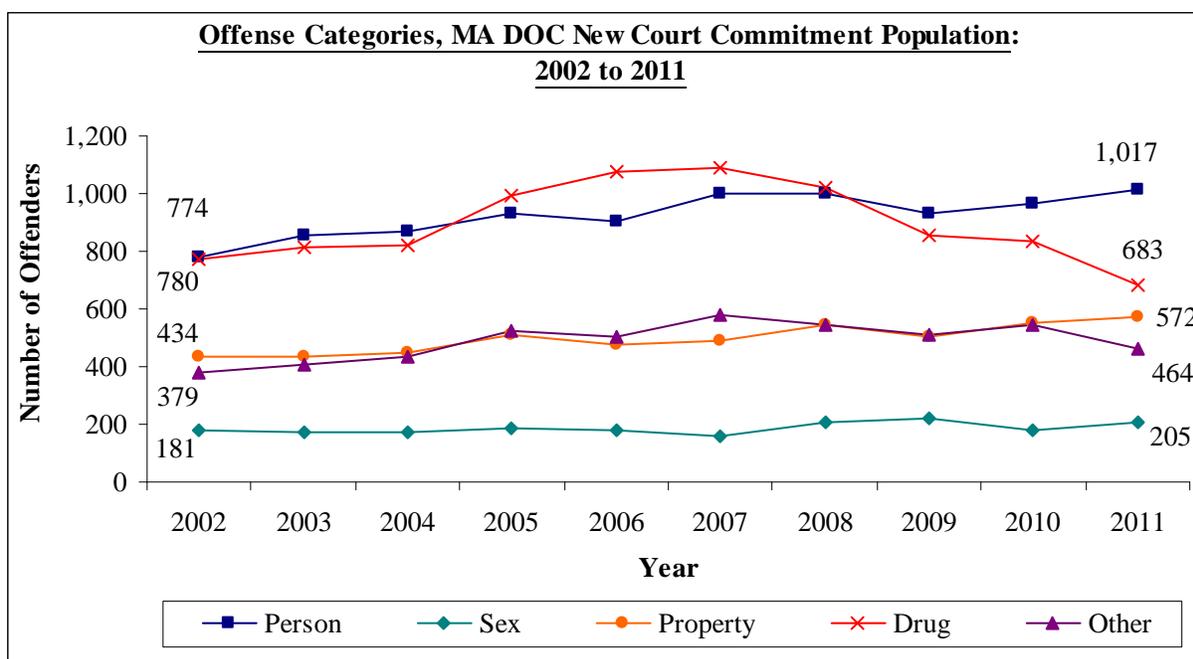
*Refers to the Bartley-Fox Gun Law which mandates a one year sentence for carrying a firearm without a license.

'Other' offenders accounted for 8% of the MA DOC's criminally sentenced population. Other Weapon Offenses represented 56% of 'Other' offender's charges, followed by Weapons Violation at 17%, and Operating Vehicle Under Influence of Alcohol or Drugs w/ or w/out Injury (OUI) at 13%. Weapon related offenses (Other Weapon Offenses and Weapons Violation) represented 73% of 'Other' offense charges, an increase from 69% in 2011. The most common offenses for males were Other Weapon Offenses (60%), Weapons Violation (18%), and OUI (10%). For females, the most common offenses were OUI (45%), Intimidation of Witness/Juror (13%) and Leaving the Scene (10%). There was a distinct 78% decrease from nine to two female offenders serving a prostitution sentence between January 1, 2011 and January 1, 2012.

New Court Commitment Offense Categories Ten Year Trend

Ten Year Trend of MA DOC New Court Commitments by Offense Categories 2002 to 2011													
Offense Category		2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	% Change 2010 vs. 2011	% Change 2002 vs. 2011
Person	N=	780	853	869	932	905	997	1,002	932	963	1,017	6%	30%
	(%)	31%	32%	32%	30%	29%	30%	30%	31%	31%	35%		
Sex	N=	181	175	171	186	181	158	207	222	178	205	15%	13%
	(%)	7%	7%	6%	6%	6%	5%	6%	6%	6%	7%		
Property	N=	434	436	446	509	474	490	543	505	551	572	4%	32%
	(%)	17%	16%	16%	16%	15%	15%	16%	17%	18%	19%		
Drug	N=	774	813	824	996	1,074	1,087	1,023	852	837	683	-18%	-12%
	(%)	30%	30%	30%	32%	34%	33%	31%	28%	27%	23%		
Other	N=	379	405	436	526	502	576	544	513	542	464	-14%	22%
	(%)	15%	15%	16%	17%	16%	17%	16%	17%	18%	16%		
Total	N=	2,548	2,682	2,746	3,149	3,136	3,308	3,319	3,024	3,071	2,941	-4%	15%

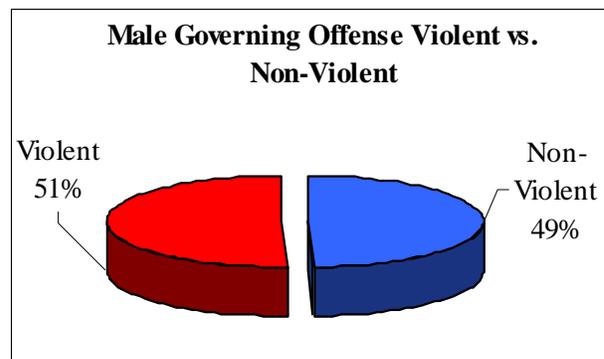
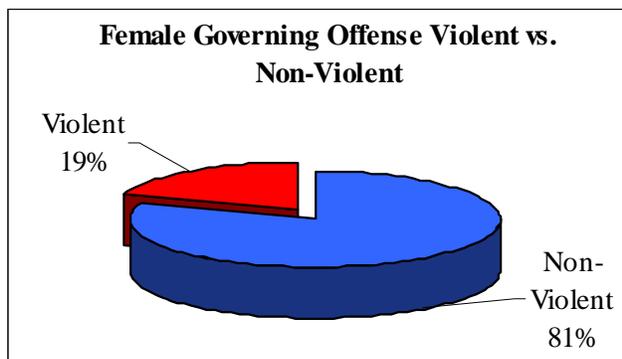
The previously discussed breakdowns described the active snapshot population on January 1, 2012; the remainder of the report discusses the new court commitments admitted throughout 2011. There are various ways in which the populations differ and warrant discussion. From 2002 to 2011, the number and percentage of new court commitments rose for Person, Sex, Property and ‘Other’ offenses. In contrast, the number of commitments for Drug offenses (which rose from 2002 to 2007 and fell from 2007 to 2011) decreased to a ten-year low in 2011 at 683; the number was 12% less than the 2002 total and 18% less than the previous year (2010). Person offenses rose 30% over the trend period and 6% between 2010 and 2011; Sex offenses rose 13% over the trend period and 15% between 2010 and 2011; Property offenses rose 32% over the period and 4% between 2010 and 2011. In 2011, ‘Other’ offenses were 22% higher than in 2002 but notably declined 14% between 2010 and 2011.



2011 New Court Commitments Offense Categories by Gender

MA DOC 2011 New Court Commitment Population by Offense Category and Gender							
Offense Category		Female	(%)	Male	(%)	Total	(%)
Violent	Person	159	19%	858	41%	1,017	35%
	Sex	6	1%	199	10%	205	7%
Total Violent		165	19%	1,057	51%	1,222	42%
Non-Violent	Property	328	39%	244	12%	572	19%
	Drug	121	14%	562	27%	683	23%
	Other	234	28%	230	11%	464	16%
Total Non-Violent		683	81%	1,036	49%	1,719	58%
Total Offenses		848	100%	2,093	100%	2,941	100%

Thirty-five percent of new court commitments to the MA DOC were Person offenders, followed by Drug (23%), Property (19%), ‘Other’ (16%), and Sex (7%) offenders. The most common offense category for new court commitment males was Person offenses (41%), followed by Drug (27%), Property (12%), ‘Other’ (11%), and Sex (10%) offenses. For female² new court commitments, the most common offense category was Property offenses (39%), followed by ‘Other’ (28%), Person (19%), Drug (14%), and Sex (1%) offenses. Overall, the majority of new court commitments (58%) were *non-violent* offenders, 81% of females and 49% of males. (The January 1, 2012 population is notably different; 60% of females and 37% of males were non-violent.)



² Many counties in Massachusetts lack the facilities to house female inmates; as a result, the MA DOC houses many female inmates with county sentences. Female inmates were generally less violent than males due to the large number of less violent female county inmates. Female new court commitments in 2011 consisted of 749 county inmates and 99 state inmates. Fifteen percent of county inmates had a violent offense compared to 55% of state inmates.

New Court Commitment Person Offenses by Gender

MA DOC 2011 New Court Commitment Jurisdiction Population of Person Offenders by Governing Offense Description and Gender						
GOVERNING OFFENSE	FEMALE	(%)	MALE	(%)	TOTAL	(%)
Armed Robbery	17	11%	241	28%	258	25%
Assault/Assault and Battery (A&B) w/Dangerous Weapon	34	21%	185	22%	219	22%
Unarmed Robbery	7	4%	116	14%	123	12%
Assault/Assault and Battery	72	45%	30	3%	102	10%
Assault w/Intent to Rob or Murder Being Armed	5	3%	74	9%	79	8%
Manslaughter	2	1%	48	6%	50	5%
Murder, 1st Degree	1	1%	26	3%	27	3%
Murder, 2nd Degree	1	1%	25	3%	26	3%
Kidnapping	2	1%	18	2%	20	2%
Attempted Murder	1	1%	9	1%	10	1%
Conspiracy	3	2%	7	1%	10	1%
Assault w/Intent to Commit Murder	0	0%	9	1%	9	1%
Accessory After the Fact	2	1%	6	1%	8	1%
Assault to Rob Not Being Armed	1	1%	7	1%	8	1%
Carjacking	0	0%	8	1%	8	1%
Mayhem	2	1%	6	1%	8	1%
Vehicular Homicide	0	0%	8	1%	8	1%
A&B Upon a Child	2	1%	5	1%	7	1%
Unarmed Robbery, Victim 60 & Over	1	1%	6	1%	7	1%
A&B Upon Elderly/Disabled	2	1%	3	<1%	5	<1%
Home Invasion	0	0%	5	1%	5	<1%
Stalking	2	1%	3	<1%	5	<1%
A&B w/Dangerous Weapon, Victim 60 & Over	1	1%	3	<1%	4	<1%
Stealing by Confining or Putting in Fear	0	0%	3	<1%	3	<1%
Accessory Before the Fact	0	0%	2	<1%	2	<1%
Assault w/Intent to Commit Felony	0	0%	2	<1%	2	<1%
Extortion	0	0%	2	<1%	2	<1%
Armed Assault in Dwelling Houses	0	0%	1	<1%	1	<1%
Violation of Civil Rights	1	1%	0	0%	1	<1%
Total	159	100%	858	100%	1,017	100%

Please note: The offenses are arranged in descending order by total count of the offense.

Person offenders increased from 963 in 2010 to 1,017 in 2011, a 6% increase. Additionally, Person offenders made up 35% of the MA DOC's new court commitments in 2011 compared to 31% in 2010. The most common Person offenses for 2011 new court commitment males were Armed Robbery (28%), Assault/Assault and Battery (A&B) with a Dangerous Weapon (22% up from 19% in 2010), and Unarmed Robbery (14% up from 11% in 2010). Comparatively, the most common Person offenses for females in 2011 were A&B (45% up from 34% in 2010), A&B with a Dangerous Weapon (21% down from 29% in 2010), and Armed Robbery (11%).

New Court Commitment Sex Offenses by Gender

MA DOC 2011 New Court Commitment Jurisdiction Population of Sex Offenders by Governing Offense Description and Gender						
GOVERNING OFFENSE	FEMALE	(%)	MALE	(%)	TOTAL	(%)
Rape and Abuse of Child	0	N/A	65	33%	65	32%
Indecent Assault and Battery (A&B) on Child Under 14	0	N/A	29	15%	29	14%
Rape Of Child w/Force	1	N/A	26	13%	27	13%
Rape	0	N/A	25	13%	25	12%
Violations of Sex Offender Registry	0	N/A	14	7%	14	7%
Sex Offenses Involving a Minor	3	N/A	10	5%	13	6%
Aggravated Rape	0	N/A	8	4%	8	4%
Assault w/Intent to Commit Rape	0	N/A	8	4%	8	4%
Indecent A&B on Person Over 14	0	N/A	7	4%	7	3%
Other Sex Offenses	1	N/A	4	2%	5	2%
Incest	0	N/A	2	1%	2	1%
Assault w/Intent to Commit Rape, Child Under 16	0	N/A	1	1%	1	0%
Unnatural Acts	1	N/A	0	0%	1	0%
Total	6	N/A	199	100%	205	100%

Please note: The offenses are arranged in descending order by total count of the offense. Percentages are not provided for female Sex offenses due to the small number (less than ten cases).

Sex offenders accounted for 7% of the MA DOC's new court commitment population; there was an increase from 178 to 205 offenders between 2010 and 2011 commitments. Ninety-seven percent of new court commitment Sex offenders were male (compared to 99% of the January 1, 2012 population). The most common Sex offenses amongst the male new court commitments in 2011 were Rape and Abuse of a Child (33%), Indecent Assault and Battery on a Child Under 14 (15% up from 8% in 2010), Rape of a Child with Force (13%) and Rape (13%). Females made up less than 3% of new court commitment sex offenders in 2011 (6 out of 205) and less than 1% of the sex offenders on January 1, 2012 in the MA DOC (9 out of 1,372). In 2011, three of the six female new court commitments had a Sex Offense Involving a Minor.

New Court Commitment Property Offenses by Gender

MA DOC 2011 New Court Commitment Jurisdiction Population of Property Offenders by Governing Offense Description and Gender						
GOVERNING OFFENSE	FEMALE	(%)	MALE	(%)	TOTAL	(%)
Larceny/Stealing	154	47%	39	16%	193	34%
Unarmed Burglary/Breaking and Entering	37	11%	128	52%	165	29%
Shoplifting	52	16%	1	<1%	53	9%
Receiving Stolen Goods	18	5%	6	2%	24	4%
Forgery or Uttering	20	6%	3	1%	23	4%
Larceny from the Person	14	4%	9	4%	23	4%
Arson or Attempted Arson	4	1%	16	7%	20	3%
Destruction of Property	11	3%	8	3%	19	3%
Theft of Motor or Non-Motor Vehicle	4	1%	13	5%	17	3%
Fraud	9	3%	2	1%	11	2%
Burglary, Armed or an Assault	0	0%	7	3%	7	1%
Larceny from Elder or Disabled Person	5	2%	2	1%	7	1%
Common and Notorious Thief	0	0%	6	2%	6	1%
Possession of Burglary Tools	0	0%	3	1%	3	<1%
Embezzlement	0	0%	1	<1%	1	<1%
Total	328	100%	244	100%	572	100%

Please note: The offenses are arranged in descending order by total count of the offense.

Property offenders accounted for 19% of the MA DOC's new court commitment population in 2011. The most common Property offenses among male new court commitments were Unarmed Burglary/Breaking and Entering (52%), Larceny/Stealing (16%), Arson or Attempted Arson (7%). The most common offenses for females were Larceny/Stealing (47%), Shoplifting (16%) and Unarmed Burglary/Breaking and Entering (11%). Female Property offenders produced a similar total in 2010 and 2011, but the breakdown shifted slightly; there were 40 offenders for Shoplifting in 2010 compared to 52 in 2011, an increase of 30%. Over the same period, female offenders Receiving Stolen Goods decreased 38% from 29 to 18.

New Court Commitment Drug Offenses by Gender

MA DOC 2011 New Court Commitment Jurisdiction Population of Drug Offenders by Governing Offense Description and Gender						
GOVERNING OFFENSE	FEMALE	(%)	MALE	(%)	TOTAL	(%)
Class B: Manf, Dist, Disp, or Poss w/Int. to Manf, Dist, Disp	27	22%	133	24%	160	23%
Class A: Manf, Dist, Disp, or Poss w/Int. to Manf, Dist, Disp	8	7%	106	19%	114	17%
*Specific Class B: Cocaine and Phenmetrazine Trafficking 14-28 Grams	3	2%	100	18%	103	15%
*Specific Class B: Manf, Dist, Disp, or Poss w/Int to Manf, Dist, Disp	7	6%	59	10%	66	10%
Possession-No Class Specified	52	43%	0	0%	52	8%
*Specific Class B: Cocaine and Phenmetrazine Trafficking 28-100 Grams	1	1%	42	7%	43	6%
*Class A: Trafficking 14-28 Grams	2	2%	25	4%	27	4%
*Specific Class B: Subs. Offense Manf, Dist, Disp, or Poss w/Int. to Manf, Dist, Disp	0	0%	23	4%	23	3%
*Drug Violation School/Park	6	5%	11	2%	17	2%
*Class B: Subsequent Offense Manf, Dist, Disp, or Poss w/Int. to Manf, Dist, Disp	0	0%	16	3%	16	2%
*Specific Class B: Cocaine and Phenmetrazine Trafficking 100-200 Grams	0	0%	10	2%	10	1%
*Specific Class B: Cocaine and Phenmetrazine Trafficking 200+ Grams	1	1%	9	2%	10	1%
*Class A: Subs. Offense Manf, Dist, Disp, or Poss w/Int. to Manf, Dist, Disp	1	1%	7	1%	8	1%
*Class A: Trafficking 28-100 Grams	0	0%	8	1%	8	1%
Conspiracy to Violate Controlled Substance Act	3	2%	3	1%	6	1%
Fraudulent Prescriptions	5	4%	1	<1%	6	1%
Being Present Where Heroin Kept	3	2%	0	0%	3	<1%
*Marijuana Trafficking 50-100 lbs.	0	0%	2	<1%	2	<1%
Theft of Drug, Larceny of Drugs	0	0%	2	<1%	2	<1%
*Class A: Trafficking 200+ Grams	0	0%	1	<1%	1	<1%
*Class A: Trafficking 100-200 Grams	0	0%	1	<1%	1	<1%
Class C: Manf, Dist, Disp, or Poss w/Int. to Manf, Dist, Disp	0	0%	1	<1%	1	<1%
Class D: Manf, Dist, Disp, or Poss w/Int. to Manf, Dist, Disp	1	1%	0	0%	1	<1%
Distribute Sell Drug Paraphernalia	0	0%	1	<1%	1	<1%
Induce Minors in Sales and Distribution of Drugs	1	1%	0	0%	1	<1%
Possession of a Controlled Substance Class E	0	0%	1	<1%	1	<1%
Total	121	100%	562	100%	683	100%

*Denotes an offense with a mandatory restriction. Please note: The offenses are arranged in descending order by total count of the offense. For the purposes of brevity in this chart, the following abbreviations were used: "Manf, Dist, Disp or Poss w/Int. to Manf, Dist, Disp" means "Manufacturing, Distribution, Dispensing or Possession with Intent to Manufacture, Distribute, Dispense"; in the text below, this description is shortened to "Distribution or Possession with Intent to Distribute". Also, "Subs" is short for "Subsequent" in the chart.

Drug offenders accounted for 23% of the MA DOC's new court commitment population in 2011. The most common offenses among males were Class B Distribution or Possession with Intent to Distribute (24%), Class A Distribution or Possession with Intent to Distribute (19%), and Specific Class B Trafficking 14-28 grams (18%). For females, the most common offenses were Possession No Class Specified (43%), Class B Distribution or Possession with Intent to Distribute (22%), and Class A Distribution or Possession with Intent to Distribute (7%). Furthermore, 21 of the 121 females (17%) and 314 of the 562 males (56%) were serving a mandatory minimum sentence. In total, 335 of the 683 new court commitment Drug offenders (49%) were serving a mandatory minimum sentence.

Compared to new court commitments in 2010, the number of Drug offenders fell from 837 to 683 (an 18% decrease) and the number of Drug offenders serving mandatory sentences fell for both genders from 37 to 21 for females (a 43% decrease) and from 389 to 314 for males (a 19% decrease). Overall, there were 335 Drug offenders serving mandatory sentences compared to 426 in 2010, a decrease of 21%. Accounting for more than half of this decrease was the Drug Violation School/Park mandatory offense, which fell from 65 cases in 2010 to 17 in 2011.

New Court Commitment Other Offenses by Gender

MA DOC 2011 New Court Commitment Jurisdiction Population of 'Other' Offenders by Governing Offense Description and Gender						
GOVERNING OFFENSE	FEMALE	(%)	MALE	(%)	TOTAL	(%)
Operating Vehicle Under Influence of Alcohol or Drugs w/ or w/out Injury (OUI)	88	38%	28	12%	116	25%
Other Weapon Offenses	2	1%	112	49%	114	25%
Weapons Violation*	1	<1%	55	24%	56	12%
Other Motor Vehicle Offenses	43	18%	4	2%	47	10%
Prostitution	28	12%	0	0%	28	6%
Intimidation of Witness/Juror	7	3%	16	7%	23	5%
Other Decency/Public Peace Crimes	21	9%	0	0%	21	5%
Leaving The Scene	18	8%	0	0%	18	4%
Domestic Abuse Prevention	10	4%	4	2%	14	3%
Attempt to Commit Crime	1	<1%	4	2%	5	1%
Perjury/Contempt of Court	3	1%	1	<1%	4	1%
Resisting Arrest	4	2%	0	0%	4	1%
Trespassing	4	2%	0	0%	4	1%
Obstruction of Justice	3	1%	0	0%	3	1%
Escapes	0	0%	3	1%	3	<1%
Cruelty to Animals	1	<1%	0	0%	1	<1%
Delivering/Receiving Articles to/from Inmates	0	0%	1	<1%	1	<1%
Deriving Support from Prostitution (Pimping)	0	0%	1	<1%	1	<1%
Other - includes Violation of Civil Ordinance, Inhaling Toxic Vapors	0	0%	1	<1%	1	<1%
Total	234	100%	230	100%	464	100%

Please note: The offenses are arranged in descending order by total count of the offense.

*Refers to the Bartley-Fox Gun Law which mandates a one year sentence for carrying a firearm without a license.

'Other' offenders accounted for 16% of the MA DOC's new court commitment population. This offense category decreased from 542 to 464 between 2010 and 2011; females accounted for the majority of this difference falling from 299 to 234 over the same period, a decrease of 65 commitments or 22%. The most common offenses among male new court commitments were Other Weapon Offenses (49%), Weapons Violation (24%), and Operating Vehicle Under Influence of Alcohol or Drugs w/ or w/out Injury (OUI, 12%). For females, the most common offenses were OUI (38%), Other Motor Vehicle Offenses (18%), and Prostitution (12%). Illustrative of the short commitments that females serve in the MA DOC, there were 28 female new court commitments in 2011 serving a prostitution sentence but only two were in the jurisdiction population on January 1, 2012. Moreover, there were 88 new court commitments in 2011 serving an OUI conviction but only 28 were in the jurisdiction population on January 1, 2012.

Summary and Implications

In 2011, 35% of new court commitments to the MA DOC were Person offenders, followed by Drug (23%), Property (19%), 'Other' (16%), and Sex (7%) offenders. Overall, the majority of new court commitments (58%) were *non*-violent offenders; 49% of males and 81% of females were in this non-violent category. In contrast, the January 1, 2012 criminally sentenced snapshot population was 49% Person offenders, followed by Drug (22%), Sex (13%), Property (9%), and 'Other' (8%) offenders. The majority of this population (62%) was violent. Males comprised 95% of the January 1, 2012 population compared to 71% of the new court commitment population and thus have a stronger influence numerically on the January 1, 2012 population totals.

The highlight within this brief and most noteworthy is the decrease in Drug offenders. The number of new court commitments for Drug offenses (which rose from 2002 to 2007 and fell from 2007 to 2011) decreased to a ten-year low in 2011; the count was 12% less than the 2002 total and 18% less than the previous year (2010). In conjunction with less new court commitments entering as Drug offenders, the number of Drug offenders in the population on January 1st has continued to decrease. Since January 1, 2009, the number of Drug offenders has decreased by 15% from 2,686 to 2,283 offenders. Additionally, while drug offenders made up 26% of the population on January 1, 2009, by January 1, 2012 they represented 22% of the population. If this pattern continues (less Drug offenders entering prison), the cohort of Drug offenders will naturally continue to decrease and contribute to the curtailment of the MA DOC's criminally sentenced jurisdiction population.

Any questions or comments can be answered by email: research@doc.state.ma.us. Copies of publications from the Office of Strategic Planning & Research can be found at <http://www.mass.gov/doc>.

Publication No. 13-251-DOC-01 16 pgs. August, 2012
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