

Massachusetts Sentencing Commission

Survey of Sentencing Practices FY 2003



April 2004

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Survey of Sentencing Practices FY 2003



April 2004

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Executive Summary

The legislation which established the Massachusetts Sentencing Commission (commission) directed the commission to conduct a comprehensive survey of sentencing practices. This report updates earlier surveys of sentencing practices which began as part of the process of formulating sentencing guidelines. The present survey considers those individuals convicted in the courts of the commonwealth during FY 2003. The survey considers the nature of the sentence imposed following conviction, including sentences to probation or incarceration. Further, the survey presents the length of sentences imposed when those sentences include a period of incarceration.

Throughout the report the sentencing guidelines grid is used as a framework for the analysis. This allows for the seriousness of the offense of conviction and the criminal history of the defendant to be considered in relation to observed sentencing practices.

Some highlights from the survey of sentencing practices are:

- There were an estimated 57,015 convicted defendants in FY 2003:
- Of the 57,015 convictions in FY 2003:
 - 94.4% were in the district court and
 - 5.6% were in the superior court;
- For those defendants convicted of offenses assigned to the sentencing guidelines grid:
 - The overall incarceration rate was 34.8%:
 - the district court incarceration rate was 32.0%;
 - the superior court incarceration rate was 77.9%;
 - With respect to the sentencing zones on the sentencing guidelines grid:
 - 4.2% of the defendants were classified in the incarceration zone;
 - 66.7% of the defendants were classified in the discretionary zone;
 - 28.6% of the defendants were classified in the intermediate sanctions zone;
 - and,
 - 0.5% of the defendants were not classified to a sentencing zone;
 - Of the incarcerated defendants, 91.4% were sentenced to a house of correction and 8.6% were sentenced to the Department of Correction (DOC);
 - Of the incarcerated superior court defendants, 38.0% were sentenced to a house of correction and 62.0% were sentenced to the DOC;

- For state prison sentences, the median minimum state prison sentence was 36.0 months and the median maximum state prison sentence was 54.0 months;
- For house of correction sentences, the median sentence length was 4.2 months;
- Of the incarcerated defendants, 42.6% also had a period of post release probation supervision imposed through a split or from & after probation sentence;
- Of the incarcerated superior court defendants, 55.6% also had a period of post release probation supervision.
- There were an estimated 725 convictions for mandatory drug offenses of which 48.6% were sentenced to a house of correction and 51.4% were sentenced to the DOC.
- For those defendants convicted of offenses not assigned to the sentencing grid:
 - There were an estimated 6,547 convictions for OUI offenses; and,
 - There were an estimated 154 convictions for mandatory firearms offenses.
- For all convicted defendants:
 - 15.1% of all convicted defendants were female;
 - 84.9% of all convicted defendants were male;
 - The mean age of convicted defendants at the time of disposition was 32.5 years, and ranged from 17 years to 86 years.
 - 61.6% of all convicted defendants were white;
 - 16.9% of all convicted defendants were black;
 - 17.2% of all convicted defendants were hispanic;
 - 2.4% of all convicted defendants were of other races; and,
 - the race was unknown for 2.0% of the defendants.
 - 19.4% of defendants convicted of mandatory drug offenses were white, and 80.6% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (30.2% were black, 47.9% were hispanic, and 2.5% were other races).
 - 64.6% of all convicted defendants were born in Massachusetts;
 - 25.2% of all convicted defendants were born in another state or U.S. territory;
 - 8.3% of all convicted defendants were born outside of the United States; and,
 - the place of birth was unknown for 1.9% of the defendants.

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**MASSACHUSETTS SENTENCING COMMISSION
SURVEY OF SENTENCING PRACTICES
FY 2003**

PART I. THE MASSACHUSETTS SENTENCING COMMISSION

BACKGROUND OF THE SENTENCING COMMISSION

The Massachusetts Sentencing Commission (commission) was established by Chapter 432 of the Acts of 1993 as “an independent commission within the judicial branch of the commonwealth”¹ whose purpose was “to recommend sentencing policies and practices for the commonwealth.”² Legislation pertaining to the commission was later codified in the Massachusetts General Laws as c. 211E.³ The commission submitted its recommended sentencing guidelines in April 1996.⁴ A legislative hearing on the report was held by the Joint Committee on Criminal Justice in July 1996.

Sentencing guidelines legislation based on those recommendations was filed in December 1996.⁵ In June 1997, the Joint Committee on Criminal Justice held a hearing on the sentencing guidelines legislation. The guidelines legislation did not come to a vote in the 1997-1998 legislative session and the sentencing guidelines legislation was re-filed for consideration in the 1999-2000 legislative session and in the 2001-2002 legislative session.^{6, 7} The Joint Committee on Criminal Justice held hearings on this legislation in

¹ St. 1993, c. 432 §1(a).

² St. 1993, c. 432 § 2.

³ St. 1996, c. 12.

⁴ Massachusetts Sentencing Commission, *Report to the General Court*, April 10, 1996.

⁵ Filed for the 1997-1998 legislative session as Senate No. 135 and House No. 2634.

⁶ Filed for the 1999-2000 legislative session as Senate No. 198 and House No. 1521.

⁷ Filed for the 2001-2002 legislative session as Senate No. 1004 and House No. 3497.

May 1999 and May 2001. In October 2001 the House of Representatives voted to engross the sentencing guidelines legislation but no further action was taken during that session.⁸ Sentencing guidelines legislation has been re-filed for consideration during the 2003-2004 legislative session.⁹ A hearing on this legislation was held on May 21, 2003.

Sentencing Guidelines Grid

The proposed sentencing guidelines are in the form of a sentencing guidelines grid. The vertical axis of the grid is comprised of nine levels of offense seriousness, ranging from level 1, the lowest level of offense seriousness, to level 9, the highest level of offense seriousness. The horizontal axis of the grid is comprised of five categories of defendant criminal history, ranging from criminal history category A, “No/Minor Record” to criminal history category E, “Serious Violent Record”. The resulting grid, comprising a total of forty-five cells, is also divided into three sentencing zones: the “incarceration zone”; the “discretionary zone”; and, the “intermediate sanction” zone. A detailed description of proposed sentencing guidelines can be found in the *Report to the General Court*.¹⁰ The sentencing guidelines grid is shown in Figure 1. The definition of the criminal history groups is contained in Appendix A.

CURRENT ROLE OF THE SENTENCING COMMISSION

The mission of the commission is to promote truth-in-sentencing by formulating uniform sentencing policies, developing systematic sentencing guidelines, and integrating intermediate sanctions within the sentencing guidelines.

Monitoring

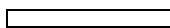
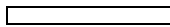
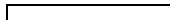
In developing the sentencing guidelines, the legislation directed the commission to conduct a comprehensive survey of sentencing practices:

⁸ The guidelines legislation was reported out of the Criminal Justice Committee as House 4596 and was engrossed as House 4642 on October 9, 2001 by a vote of 126 to 19.
⁹ Filed for the 2003-2004 legislative session as Senate No. 219 and House Nos. 2749, 2750, and 3302.
¹⁰ Massachusetts Sentencing Commission, *op. cit.*

Figure 1. Sentencing Guidelines Grid

Level	Illustrative Offense	Sentence Range				
9	Murder	Life	Life	Life	Life	Life
8	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 (Invol) Armed Robbery (No gun) A&B DW (Sign. injury)	40 - 60 Mos.	45 - 67 Mos.	50 - 75 Mos.	60 - 90 Mos.	80 - 120 Mos.
5	Unarmed Robbery Stalking (Viol. of Order) Unarmed Burglary Larceny (\$50,000+)	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 (Mod. injury) B&E (Dwelling) Larceny (\$10,000-\$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/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	Operate After Suspension 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 Zone

	Incarceration Zone
	Discretionary Zone (Incarceration/Intermediate Sanctions)
	Intermediate Sanction Zone

Intermediate Sanction Level

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.

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.¹¹

The commission included a survey of sentencing practices when completing its 1996 recommendations.¹² The original survey of sentencing practices covered the period of FY 1994, or July 1, 1993 through June 30, 1994. This report continues the published series of annual surveys of sentencing practices by providing data for FY 2003.

Further, the commission has ongoing responsibilities for monitoring sentencing practices:

The commission periodically shall assess the impact of the sentencing guidelines in order to determine the type and amount of correctional resources needed. In particular, the commission shall examine the impact of said guidelines on intermediate sanctions and correctional institutions and may consult with all appropriate authorities for this purpose.¹³

The commission continues to meet these ongoing monitoring requirements through publication of annual surveys of sentencing practices for each fiscal year beginning with FY 1994 and through other specialized studies of sentencing issues such as the study of the impact of truth-in-sentencing reform.¹⁴ In FY 2002, the commission completed a comprehensive recidivism study as directed by the legislature in House 4100.¹⁵ The commission anticipates completing a study of juvenile sex offenders in FY 2004.

Training

The proposed sentencing guidelines are currently in voluntary use in many courts. The commission is involved in training court practitioners in the use of sentencing guidelines. The commission developed a *Sentencing Guide* for use by court practitioners when

¹¹ G.L. c. 211E § 3(c).

¹² Massachusetts Sentencing Commission, *op. cit.*

¹³ G.L. c. 211E § 3(f).

¹⁴ Massachusetts Sentencing Commission, *Survey of Sentencing Practices: Truth-in-Sentencing Reform in Massachusetts*, October 2000.

¹⁵ Massachusetts Sentencing Commission, *Comprehensive Recidivism Study*, June 2002.

referring to the proposed guidelines during sentencing.¹⁶ The commission maintains the *Felony and Misdemeanor Master Crime List* which contains basic sentencing information for those criminal offenses which are punishable by an imprisonment term and serves as a reference guide to the proposed sentencing guidelines for those offenses.¹⁷

Information Resource

The commission is also responsible to:

. . . serve as a clearinghouse for the collection, preparation, and dissemination of information on sentencing practices and assist courts, departments, and agencies in the development, maintenance, and coordination of sound sentencing practices.¹⁸

The current report serves to meet this responsibility of the commission.

Pilot Projects

The commission conducted pilot projects in the superior court and at three district court sites to consider the impact of the proposed sentencing guidelines on court operations and to assess the use of sentencing guidelines as a framework for sentencing defendants to intermediate sanctions.¹⁹ These pilot projects combine to encourage the voluntary use of the guidelines and to develop knowledge that will be useful for full implementation of sentencing guidelines. The commission supports the development of intermediate sanctions and completed a data demonstration project in conjunction with the Office of Community Corrections that developed a data collection strategy to support future research and evaluation efforts of these new sentencing options.²⁰

¹⁶ Massachusetts Sentencing Commission, *Sentencing Guide*, February 1998.

¹⁷ Massachusetts Sentencing Commission, *Felony and Misdemeanor Master Crime List*, November 2003.

¹⁸ G.L. c. 211E § 1(c)(7).

¹⁹ Massachusetts Sentencing Commission, *Special Report to the Commission: Superior Court Pilot Sentencing Project - Report of Findings*, May 1996; Massachusetts Sentencing Commission, *Special Report to the Commission: Sentencing Guidelines District Court Pilot Project, Findings from the Lynn District Court*, May 1997; and Massachusetts Sentencing Commission, *Special Report to the Commission: Sentencing Guidelines District Court Pilot Project: Findings from the Haverhill District Court*, July 1997. Other pilot sites included Worcester Central District Court and the Hampden Superior Court.

²⁰ Massachusetts Sentencing Commission and Office of Community Corrections, *Community Corrections Centers Data Demonstration Project*, March 2001.

PART II. SURVEY OF SENTENCING PRACTICES

The results of the survey of sentencing practices are presented in this section. Additional statistical results are presented in Appendix B. The method used to develop the statistical estimates of sentencing practices is described in Appendix A.

SENTENCING PRACTICES: OVERVIEW

Sentencing Practices: Court Department

Fiscal Year 2003 (FY 2003) covers the period July 1, 2002 through June 30, 2003. During this period there were an estimated 57,015 convictions in the courts of the Commonwealth. As indicated in Table 1, there were 53,794 convictions in the district court, representing 94.4% of all convictions, and 3,221 convictions in the superior court, representing 5.6% of all convictions.

Table 1. Month of Conviction by Court Department

Month of Conviction	District Court	Superior Court	All Courts
July 2002	4,425	224	4,649
August 2002	4,350	213	4,563
September 2002	4,583	228	4,811
October 2002	5,086	291	5,377
November 2002	4,215	234	4,449
December 2002	3,961	269	4,230
January 2003	4,987	288	5,275
February 2003	4,065	242	4,307
March 2003	4,619	321	4,940
April 2003	4,520	378	4,898
May 2003	4,267	295	4,562
June 2003	4,716	238	4,954
Total	53,794	3,221	57,015

Sentencing Practices: County

There are fourteen counties in Massachusetts. As indicated in Table 2, the number of convictions ranged from 71 in Nantucket County to 9,132 in Worcester County. Eight of the fourteen counties (Worcester, Middlesex, Suffolk, Essex, Hampden, Bristol, Plymouth and Norfolk) accounted for 89.5% of all convictions in Massachusetts.

Table 2. County of Conviction by Court Department

County of Conviction	District Court	Superior Court	All Courts
Barnstable	2,138	84	2,222
Berkshire	1,378	126	1,504
Bristol	5,421	304	5,725
Dukes	143	0	143
Essex	6,582	247	6,829
Franklin	780	49	829
Hampden	5,419	612	6,031
Hampshire	1,135	78	1,213
Middlesex	7,517	434	7,951
Nantucket	71	0	71
Norfolk	3,455	252	3,707
Plymouth	3,678	165	3,843
Suffolk	7,317	498	7,815
Worcester	8,760	372	9,132
Total	53,794	3,221	57,015

Sentencing Practices: Truth-in-Sentencing Reform

Sentencing reform legislation, commonly known as truth-in-sentencing legislation, became effective on July 1, 1994. During FY 2003, an estimated 0.6% of all cases were sentenced under pre-truth-in-sentencing provisions (old law) and 99.4% were sentenced under post-truth-in-sentencing provisions (new law). Table 3 shows estimates for the sentencing law under which defendants were sentenced by court department.

Table 3. Truth-in-Sentencing Status by Court Department

Sentencing Law	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Old Law	308	0.6%	45	1.4%	353	0.6%
New Law	53,486	99.4%	3,176	98.6%	56,662	99.4%
Total	53,794	100.0%	3,221	100.0%	57,015	100.0%

Sentencing Practices: Number of Charges

At the time of conviction a defendant can be sentenced for one or more charges. Table 4 shows the number of charges resulting in conviction at the current sentencing event by court department. The number of convicted charges ranged from 1 to 167 and the mean number of charges resulting in conviction was 2.2. Overall, 31,193, or 54.7% of the defendants were convicted of a single charge and 25,822, or 45.3% were convicted of two or more charges. The proportion of defendants convicted of multiple charges was higher in the superior court than in the district court

- 23,587 or 43.8% of the district court defendants were convicted of two or more charges and the mean number of charges for all district court defendants was 2.1; and,
- 2,235 or 69.4% of the superior court defendants were convicted of two or more charges and the mean number of charges for all superior court defendants was 3.6.

Table 4. Number of Charges Resulting in Conviction by Court Department

Number of Charges	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
One	30,207	56.2%	986	30.6%	31,193	54.7%
Two	11,483	21.3%	814	25.3%	12,297	21.6%
Three	5,420	10.1%	457	14.2%	5,877	10.3%
Four	2,728	5.1%	305	9.5%	3,033	5.3%
Five to Nine	3,291	6.1%	504	15.6%	3,795	6.7%
Ten or More	665	1.2%	155	4.8%	820	1.4%
Total	53,794	100.0%	3,221	100.0%	57,015	100.0%
Highest	167		159		167	
Mean	2.1		3.6		2.2	

Sentencing Practices: Type of Sentence Imposed

Table 5 shows the type of sentence imposed for all convicted defendants: life, state prison, other DOC, house of correction, house of correction / split, probation, fine, and other. The most frequently imposed type of sentence was probation.

As indicated in Table 5, the type of sentence imposed differed in the district court and the superior court. The district court can not impose sentences to the state prison. Therefore, there are no district court sentences of life, state prison, or other DOC. All sentencing options are available in the superior court.

An estimated 40 defendants received a sentence to life. Of the 40 convicted defendants who received a life sentence, 35 were convicted of murder and five were convicted of other offenses (armed burglary (2), rape of child (2), and robbery (1)).

Table 5. Type of Sentence Imposed by Court Department

Type of Sentence	District Court	Superior Court	All Courts
Life		40	40
State Prison		1,508	1,508
Other DOC		13	13
House of Correction	10,978	658	11,636
House of Correction / Split	5,011	316	5,327
Probation	27,064	665	27,729
Fine	7,551	7	7,558
Other	3,190	14	3,204
Total	53,794	3,221	57,015

Sentencing Practices: Penalty Structure

In Massachusetts, felonies are defined as any offense punishable by imprisonment in the state prison, and misdemeanors are all other offenses.²¹ For many felonies, judges have the option to sentence an offender to state prison or to a house of correction. Table 6 shows the penalty structure associated with the governing offense by court department. For purposes of this analysis, governing offenses were divided into four categories: felony with no house of correction alternative (e.g. robbery), felony with house of correction alternative (and no district court jurisdiction) (e.g. mayhem), felony with house of correction alternative (and district court or joint jurisdiction)(e.g. A&B with dangerous weapon), and misdemeanor (e.g. A&B).

As indicated in Table 6, 31.6% of all defendants were convicted of felonies and 68.4% of all defendants were convicted of misdemeanors. As expected, the penalty structure associated with the governing offense differed by court department:

- of those defendants convicted in the district court, 28.0% were convicted of felonies and 72.0% were convicted of misdemeanors;
- of those defendants convicted in the superior court, 91.1% were convicted of felonies and 8.9% were convicted of misdemeanors; and,
- of those defendants convicted in the superior court, 58.3% were convicted of offenses with district court jurisdiction (felonies with joint jurisdiction or misdemeanors).

Table 6. Penalty Structure of Governing Offense by Court Department

Penalty Structure	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Felony / No House Alternative	0	0.0%	899	27.9%	899	1.6%
Felony / House Alternative / No District Court Jurisdiction	0	0.0%	444	13.8%	444	0.8%
Felony / House Alternative / District Court Jurisdiction	15,056	28.0%	1,590	49.4%	16,646	29.2%
Sub-Total Felonies	15,056	28.0%	2,933	91.1%	17,989	31.6%
Misdemeanor	38,738	72.0%	288	8.9%	39,026	68.4%
Total	53,794	100.0%	3,221	100.0%	57,015	100.0%

²¹ G.L. c. 274 § 1.

Sentencing Practices: Grid Assignment

Based on governing offense, convicted defendants were classified as to the applicability of the sentencing guidelines grid. The sentencing guidelines grid was not intended to be used for sentencing all defendants. Consistent with proposed sentencing guidelines, three major defendant groups were not assigned to the sentencing guidelines grid:

(1) defendants convicted of OUI offenses, (2) defendants convicted of mandatory firearms offenses; and, (3) defendants convicted of offenses for which there is no jail option.

For purposes of statistical reporting, defendants convicted of murder were assigned to the sentencing guidelines grid. The mandatory life sentence for murder is not impacted by the proposed sentencing guidelines. The commission assigned the offense of murder to level 9, but murder is not subject to the sentencing guidelines.

As shown in Table 7, it was estimated that 49,525 or 86.9% of all defendants were convicted of offenses for which the sentencing guidelines grid applied and 7,490 or 13.1% of all defendants were convicted of offenses for which the sentencing guidelines grid did not apply. Of the defendants convicted of offenses for which the sentencing guidelines grid did not apply: 6,547 or 11.5% of all defendants were convicted of OUI offenses; 154 or 0.3% were convicted of mandatory firearms offenses; and, 789 or 1.4% were convicted of non-jailable offenses.

Table 7. Grid Assignment by Court Department

Grid Assignment	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Assigned to Grid	46,436	86.3%	3,089	95.9%	49,525	86.9%
Not Assigned to Grid						
OUI Offenses	6,520	12.1%	27	0.8%	6,547	11.5%
Mandatory Gun Offenses	51	0.1%	103	3.2%	154	0.3%
Non-jailable Offenses	787	1.5%	2	0.1%	789	1.4%
Sub-total	7,358	13.7%	132	4.1%	7,490	13.1%
Total	53,794	100.0%	3,221	100.0%	57,015	100.0%

SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID

In this section, the sentencing practices related to the 49,525 defendants convicted of offenses for which the sentencing guidelines grid applies are discussed.

Sentencing Practices: Grid Cell Assignment

Table 8 shows the grid cell assignment of all convicted defendants by court department and is useful in contrasting the volume and type of cases in district and superior court. The number in each grid cell represents the total number of defendants who were convicted of an offense at that offense seriousness level and whose criminal history was classified in the corresponding criminal history group.

Sentencing Zone. Most defendants were classified into the discretionary zone on the grid. Of the 49,525 convicted defendants:

- an estimated 2,100 or 4.2% were classified within the incarceration zone;
- an estimated 33,015 or 66.7% were classified within the discretionary zone;
- an estimated 14,147 or 28.6% were classified within the intermediate sanction zone; and,
- an estimated 263 or 0.5% were not classified into a specific zone.

In both the district court and the superior court, the most frequently occurring classification was the discretionary zone on the sentencing guidelines grid: 67.7% of the defendants convicted in the district court and 51.7% of the defendants convicted in the superior court were classified in the discretionary zone. Defendants convicted in superior court were more likely than their district court counterparts to be classified within the incarceration zone on the sentencing guidelines grid: an estimated 42.0% of the defendants convicted in the superior court were classified in the incarceration zone compared to 1.7% of the defendants convicted in the district court. Defendants convicted in district court were more likely to be classified within the intermediate sanction zone on the sentencing guidelines grid than their superior court counterparts: 30.2% of the defendants convicted in the district court were classified in the intermediate sanctions zone compared to 4.0% of the defendants convicted in the superior court.

Offense Seriousness Level. Most defendants were convicted of offenses in the lower levels of offense seriousness: an estimated 42,958 or 86.7% of the convicted defendants were assigned to offense seriousness levels 1 through 3; an estimated 5,931 or 12.0% of the convicted defendants were assigned to offense seriousness levels 4 through 6; and, an

estimated 373 or 0.8% of the convicted defendants were assigned to offense seriousness levels 7 through 9.

The most frequently occurring offense seriousness level was level 3 with an estimated 17,477 of all convictions (35.3%). In the district court, level 3 was the most frequently occurring offense seriousness level, accounting for an estimated 17,001 or 36.6% of all district court convictions. In the superior court, level 4 was the most frequently occurring offense seriousness level, accounting for an estimated 1,045 or 33.8% of all superior court convictions.

Criminal History Group. Most convicted defendants were assigned to the less serious criminal history groups on the sentencing guidelines grid. The most frequently assigned criminal history group was Group A, No/Minor Record, which accounted for 18,440 or 37.2% of all convicted defendants. The most serious criminal history group, Group E, accounted for 31 of the convicted defendants. The criminal history of defendants was more serious among those convicted in the superior court than the district court. Of the defendants convicted in the district court, 16,160 or 34.8% were assigned to criminal history groups C, D, or E. In comparison, of the defendants convicted in the superior court, 1,135 or 36.7% were assigned to criminal history groups C, D, or E.

Grid Cell. The most frequently occurring grid cell was “2A”: 6,291 or 12.7% of all convicted defendants were assigned to grid cell “2A”. In the district court, the most frequently occurring grid cell was “2A”: 6,184 or 13.3% of all defendants convicted in the district court were assigned to grid cell “2A”. As indicated in Table 41, the four most frequently occurring offenses in grid cell “2A” in the district court were operating to endanger, shoplifting, compulsory insurance violation, and CSA possession of Class B substance. In the superior court, the most frequently occurring grid cell was “4A”: 379 or 12.3% of all defendants convicted in the superior court were assigned to grid cell “4A”. As indicated in Table 42, the three most frequently occurring offenses in grid cell “4A” in the superior court were CSA distribution Class B, CSA distribution Class A, and CSA distribution cocaine.

Table 8. Grid Cell Assignment by Court Department

DISTRICT COURT								SUPERIOR COURT								ALL COURTS							
	A	B	C	D	E	N	%		A	B	C	D	E	N	%		A	B	C	D	E	N	%
9	0	0	0	0	0	0	0.0%	9	21	2	5	7	0	35	1.1%	9	21	2	5	7	0	35	0.1%
8	0	0	0	0	0	0	0.0%	8	47	32	19	19	2	119	3.9%	8	47	32	19	19	2	119	0.2%
7	0	0	0	0	0	0	0.0%	7	79	38	53	48	1	219	7.1%	7	79	38	53	48	1	219	0.4%
6	2	6	3	1	0	12	0.0%	6	243	118	108	109	1	579	18.7%	6	245	124	111	110	1	591	1.2%
5	211	207	144	115	1	678	1.5%	5	119	82	64	68	0	333	10.8%	5	330	289	208	183	1	1,011	2.0%
4	1,210	917	625	529	3	3,284	7.1%	4	379	267	187	212	0	1,045	33.8%	4	1,589	1,184	812	741	3	4,329	8.7%
3	5,846	4,806	3,346	2,989	14	17,001	36.6%	3	218	93	85	80	0	476	15.4%	3	6,064	4,899	3,431	3,069	14	17,477	35.3%
2	6,184	4,524	2,970	2,557	7	16,242	35.0%	2	107	35	26	23	0	191	6.2%	2	6,291	4,559	2,996	2,580	7	16,433	33.2%
1	3,645	2,597	1,598	1,187	2	9,029	19.4%	1	12	2	2	3	0	19	0.6%	1	3,657	2,599	1,600	1,190	2	9,048	18.3%
N.A.	69	52	36	33	0	190	0.4%	N.A.	48	12	9	4	0	73	2.4%	N.A.	117	64	45	37	0	263	0.5%
Total	17,167	13,109	8,722	7,411	27	46,436	100.0%	Total	1,273	681	558	573	4	3,089	100.0%	Total	18,440	13,790	9,280	7,984	31	49,525	100.0%
%	37.0%	28.2%	18.8%	16.0%	0.1%	100.0%		%	41.2%	22.0%	18.1%	18.5%	0.1%	100.0%		%	37.2%	27.8%	18.7%	16.1%	0.1%	100.0%	

Sentencing Zone	N	%	Sentencing Zone	N	%	Sentencing Zone	N	%
Incarceration Zone	804	1.7%	Incarceration Zone	1,296	42.0%	Incarceration Zone	2,100	4.2%
Discretionary Zone	31,418	67.7%	Discretionary Zone	1,597	51.7%	Discretionary Zone	33,015	66.7%
Intermediate Sanction Zone	14,024	30.2%	Intermediate Sanction Zone	123	4.0%	Intermediate Sanction Zone	14,147	28.6%
Unassigned	190	0.4%	Unassigned	73	2.4%	Unassigned	263	0.5%
Total	46,436	100.0%	Total	3,089	100.0%	Total	49,525	100.0%

Sentencing Practices: Incarceration Rates

Sentences were assigned to one of two groups: those involving some period of incarceration (life, state prison, other DOC, house of correction, and house of correction / split) and those involving no period of incarceration (probation, fines, and other sentences). The incarceration rate was estimated by dividing the number of defendants receiving a period of incarceration into the total number of convicted defendants.

Table 9 shows incarceration rates by grid cell assignment for all convicted defendants. For FY 2003, the estimated incarceration rate was 34.8%: 17,250 defendants received a sentence to incarceration out of 49,525 convicted defendants.

The incarceration rate was higher for those defendants in higher levels of offense seriousness and for defendants in the more serious criminal history groups:

- the incarceration rate for defendants convicted of offenses at offense seriousness level 1 was 15.3% and the incarceration rate for defendants convicted of offenses at offense seriousness level 8 was 100.0%; and,
- the incarceration rate for defendants in criminal history group A was 21.5% and the incarceration rate for defendants in criminal history group D was 53.9%.

The incarceration rate was related to the sentencing zone in which the defendant fell in the sentencing guidelines grid:

- for defendants in the incarceration zone, the incarceration rate was 84.3%;
- for defendants in the discretionary zone, the incarceration rate was 40.3%; and,
- for defendants in the intermediate sanction zone, the incarceration rate was 14.7%.

Table 9. Incarceration Status by Grid Cell Assignment, All Courts

ALL DEFENDANTS							INCARCERATED DEFENDANTS							INCARCERATION RATE						
	A	B	C	D	E	N		A	B	C	D	E	N		A	B	C	D	E	Rate
9	21	2	5	7	0	35	9	21	2	5	7	0	35	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	47	32	19	19	2	119	8	47	32	19	19	2	119	8	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
7	79	38	53	48	1	219	7	60	35	51	48	1	195	7	75.9%	92.1%	96.2%	100.0%	100.0%	89.0%
6	245	124	111	110	1	591	6	191	110	106	106	1	514	6	78.0%	88.7%	95.5%	96.4%	100.0%	87.0%
5	330	289	208	183	1	1,011	5	156	160	148	150	1	615	5	47.3%	55.4%	71.2%	82.0%	100.0%	60.8%
4	1,589	1,184	812	741	3	4,329	4	767	783	606	605	3	2,764	4	48.3%	66.1%	74.6%	81.6%	100.0%	63.8%
3	6,064	4,899	3,431	3,069	14	17,477	3	1,364	1,967	1,690	1,886	9	6,916	3	22.5%	40.2%	49.3%	61.5%	64.3%	39.6%
2	6,291	4,559	2,996	2,580	7	16,433	2	1,014	1,327	1,116	1,149	4	4,610	2	16.1%	29.1%	37.2%	44.5%	57.1%	28.1%
1	3,657	2,599	1,600	1,190	2	9,048	1	326	406	340	312	0	1,384	1	8.9%	15.6%	21.3%	26.2%	0.0%	15.3%
N.A.	117	64	45	37	0	263	N.A.	21	28	25	24	0	98	N.A.	17.9%	43.8%	55.6%	64.9%	N.A.	37.3%
Total	18,440	13,790	9,280	7,984	31	49,525	Total	3,967	4,850	4,106	4,306	21	17,250	Total	21.5%	35.2%	44.2%	53.9%	67.7%	34.8%

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	2,100	Incarceration Zone	1,770	Incarceration Zone	84.3%
Discretionary Zone	33,015	Discretionary Zone	13,296	Discretionary Zone	40.3%
Intermediate Sanction Zone	14,147	Intermediate Sanction Zone	2,086	Intermediate Sanction Zone	14.7%
Unassigned	263	Unassigned	98	Unassigned	37.3%
Total	49,525	Total	17,250	Total	34.8%

District Court Incarceration Rates. Table 10 shows incarceration rates by grid cell assignment for all defendants convicted in district court. For FY 2003, the estimated district court incarceration rate was 32.0%: 14,844 defendants received a sentence to incarceration out of 46,436 convicted defendants. District court incarceration rates were similar in pattern to overall incarceration rates.

District court incarceration rates were higher for defendants convicted of offenses in the higher levels of offense seriousness and for defendants in the more serious criminal history groups:

- the incarceration rate for defendants convicted of offenses at offense seriousness level 1 was 15.2% and the incarceration rate for defendants convicted of offenses at offense seriousness level 4 was 57.9%; and,
- the incarceration rate for defendants in criminal history group A was 18.3% and the incarceration rate for defendants in criminal history group D was 51.0%.

District court incarceration rates varied by sentencing zone:

- district court defendants in the incarceration zone had an incarceration rate of 73.8%;
- district court defendants in the discretionary zone had an incarceration rate of 38.7%; and,
- district court defendants in the intermediate sanction zone had an incarceration rate of 14.6%.

Table 10. Incarceration Status by Grid Cell Assignment, District Court

ALL DEFENDANTS							INCARCERATED DEFENDANTS						INCARCERATION RATE								
	A	B	C	D	E	N		A	B	C	D	E	N		A	B	C	D	E	Total	
9	0	0	0	0	0	0	9	0	0	0	0	0	0	9	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
8	0	0	0	0	0	0	8	0	0	0	0	0	0	8	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
7	0	0	0	0	0	0	7	0	0	0	0	0	0	7	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
6	2	6	3	1	0	12	6	1	5	2	1	0	9	6	50.0%	83.3%	66.7%	100.0%	N.A.	75.0%	
5	211	207	144	115	1	678	5	73	97	88	86	1	345	5	34.6%	46.9%	61.1%	74.8%	100.0%	50.9%	
4	1,210	917	625	529	3	3,284	4	499	560	434	406	3	1,902	4	41.2%	61.1%	69.4%	76.7%	100.0%	57.9%	
3	5,846	4,806	3,346	2,989	14	17,001	3	1,269	1,902	1,624	1,821	9	6,625	3	21.7%	39.6%	48.5%	60.9%	64.3%	39.0%	
2	6,184	4,524	2,970	2,557	7	16,242	2	976	1,309	1,099	1,134	4	4,522	2	15.8%	28.9%	37.0%	44.3%	57.1%	27.8%	
1	3,645	2,597	1,598	1,187	2	9,029	1	322	405	338	310	0	1,375	1	8.8%	15.6%	21.2%	26.1%	0.0%	15.2%	
N.A.	69	52	36	33	0	190	N.A.	7	22	17	20	0	66	N.A.	10.1%	42.3%	47.2%	60.6%	N.A.	34.7%	
Total	17,167	13,109	8,722	7,411	27	46,436	Total	3,147	4,300	3,602	3,778	17	14,844	Total	18.3%	32.8%	41.3%	51.0%	63.0%	32.0%	

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	804	Incarceration Zone	593	Incarceration Zone	73.8%
Discretionary Zone	31,418	Discretionary Zone	12,144	Discretionary Zone	38.7%
Intermediate Sanction Zone	14,024	Intermediate Sanction Zone	2,041	Intermediate Sanction Zone	14.6%
Unassigned	190	Unassigned	66	Unassigned	34.7%
Total	46,436	Total	14,844	Total	32.0%

Superior Court Incarceration Rates. Table 11 shows incarceration rates by grid cell assignment for all defendants convicted in superior court. For FY 2003, the estimated superior court incarceration rate was 77.9%: 2,406 defendants received a sentence to incarceration out of 3,089 convicted defendants. Superior court incarceration rates were similar in pattern to overall incarceration rates.

Superior court incarceration rates were higher for defendants convicted of offenses in the higher levels of offense seriousness and for defendants in the more serious criminal history groups:

- the incarceration rate for defendants convicted of offenses in offense seriousness level 2 was 46.1% and the incarceration rate for defendants convicted of offenses in offense seriousness level 8 was 100.0%; and,
- the incarceration rate for defendants in criminal history group A was 64.4% and the incarceration rate for defendants in criminal history group D was 92.1%.

The incarceration rate varied by sentencing zone:

- superior court defendants in the incarceration zone had an incarceration rate of 90.8%;
- superior court defendants in the discretionary zone had an incarceration rate of 72.1%; and,
- superior court defendants in the intermediate sanction zone had an incarceration rate of 36.6%.

Table 11. Incarceration Status by Grid Cell Assignment, Superior Court

ALL DEFENDANTS							INCARCERATED DEFENDANTS							INCARCERATION RATE						
	A	B	C	D	E	N		A	B	C	D	E	N		A	B	C	D	E	Rate
9	21	2	5	7	0	35	9	21	2	5	7	0	35	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	47	32	19	19	2	119	8	47	32	19	19	2	119	8	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
7	79	38	53	48	1	219	7	60	35	51	48	1	195	7	75.9%	92.1%	96.2%	100.0%	100.0%	89.0%
6	243	118	108	109	1	579	6	190	105	104	105	1	505	6	78.2%	89.0%	96.3%	96.3%	100.0%	87.2%
5	119	82	64	68	0	333	5	83	63	60	64	0	270	5	69.7%	76.8%	93.8%	94.1%	N.A.	81.1%
4	379	267	187	212	0	1,045	4	268	223	172	199	0	862	4	70.7%	83.5%	92.0%	93.9%	N.A.	82.5%
3	218	93	85	80	0	476	3	95	65	66	65	0	291	3	43.6%	69.9%	77.6%	81.3%	N.A.	61.1%
2	107	35	26	23	0	191	2	38	18	17	15	0	88	2	35.5%	51.4%	65.4%	65.2%	N.A.	46.1%
1	12	2	2	3	0	19	1	4	1	2	2	0	9	1	33.3%	50.0%	100.0%	66.7%	N.A.	47.4%
N.A.	48	12	9	4	0	73	N.A.	14	6	8	4	0	32	N.A.	29.2%	50.0%	88.9%	100.0%	N.A.	43.8%
Total	1,273	681	558	573	4	3,089	Total	820	550	504	528	4	2,406	Total	64.4%	80.8%	90.3%	92.1%	100.0%	77.9%

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	1,296	Incarceration Zone	1,177	Incarceration Zone	90.8%
Discretionary Zone	1,597	Discretionary Zone	1,152	Discretionary Zone	72.1%
Intermediate Sanction Zone	123	Intermediate Sanction Zone	45	Intermediate Sanction Zone	36.6%
Unassigned	73	Unassigned	32	Unassigned	43.8%
Total	3,089	Total	2,406	Total	77.9%

Sentencing Practices: Jurisdiction of Incarceration Sentences

In order to consider the jurisdictional placement of offenders sentenced to incarceration for an offense assigned to the sentencing guidelines grid, Table 12 shows the penalty structure associated with the governing offense and the jurisdiction of the sentence actually imposed by court department.

- Of all defendants sentenced to incarceration, 50.4% were convicted of felonies and 49.6% were convicted of misdemeanors;
- Of defendants convicted in the district court and sentenced to incarceration, 43.4% were convicted of felonies and 56.6% were convicted of misdemeanors;
- Of defendants convicted in the superior court and sentenced to incarceration, 93.8% were convicted of felonies and 6.2% were convicted of misdemeanors.
- Of all defendants sentenced to incarceration, 15,759 (91.4%) were sentenced to houses of correction and 1,491 (8.6%) were sentenced to the DOC;
- Of those defendants convicted in the district court, all were sentenced to houses of correction; and,
- Of those defendants convicted in the superior court, 1,491 (62.0%) were sentenced to the DOC and 915 (38.0%) were sentenced to houses of correction.

Table 12. Jurisdiction Status by Penalty Structure and Court Department

Penalty Structure	District Court		Superior Court		Total	
	N	%	N	%	N	%
Felonies						
Felony / No House Alternative	0	0.0%	783	32.5%	783	4.5%
Felony / House Alternative / No District Court Jurisdiction						
Sentenced to DOC	0	0.0%	231	9.6%	231	1.3%
Sentenced to House of Correction	0	0.0%	154	6.4%	154	0.9%
Felony / House Alternative / District Court Jurisdiction						
Sentenced to DOC	0	0.0%	477	19.8%	477	2.8%
Sentenced to House of Correction	6,441	43.4%	611	25.4%	7,052	40.9%
Sub-Total Felonies	6,441	43.4%	2,256	93.8%	8,697	50.4%
Misdemeanor / House	8,403	56.6%	150	6.2%	8,553	49.6%
Total	14,844	100.0%	2,406	100.0%	17,250	100.0%
All Sentences to DOC	0	0.0%	1,491	62.0%	1,491	8.6%
All Sentences to Houses of Correction	14,844	100.0%	915	38.0%	15,759	91.4%
Total	14,844	100.0%	2,406	100.0%	17,250	100.0%

Sentencing Practices: State Prison Sentences

In this section some of the characteristics of state prison sentences are discussed. Life sentences and other DOC sentences are not included in this analysis, even though the defendants were sentenced to the jurisdiction of the DOC. Both male and female defendants are included in this analysis. The analysis further focuses on those defendants assigned to the sentencing guidelines grid, excluding offenders sentenced for mandatory firearms and OUI offenses but including defendants sentenced for mandatory drug offenses.

Minimum and Maximum Sentence Length. State prison sentences have both a minimum (not less than) and a maximum (not more than) term. For example, a defendant may be sentenced to a term of 72 to 108 months (6 to 9 years) in the state prison. Parole eligibility is set at the minimum sentence and minimum sentences to the state prison are generally 1 year or more.

Table 13 shows the minimum and maximum sentence length for state prison sentences. The mean minimum sentence imposed was 57.4 months and ranged from 6.0 months to 420.0 months (or 35 years). The median minimum state prison sentence was 36.0 months. The mean maximum sentence imposed was 69.4 months and ranged from 6.0 months to 720.0 months (or 60 years). The median maximum state prison sentence was 54.0 months. Figure 2 graphically shows the minimum sentence length for state prison sentences and Figure 3 graphically shows the maximum sentence for state prison sentences.

Table 13. State Prison Sentences: Minimum and Maximum Sentence Length

Sentence Length	Minimum		Maximum	
	N	%	N	%
Under 24 Months	90	6.3%	43	3.0%
24 to 35 Months	287	20.0%	154	10.7%
36 to 47 Months	367	25.6%	357	24.9%
48 to 59 Months	164	11.4%	167	11.7%
60 to 71 Months	216	15.1%	265	18.5%
72 to 83 Months	57	4.0%	84	5.9%
84 to 95 Months	40	2.8%	93	6.5%
96 to 107 Months	44	3.1%	38	2.7%
108 to 119 Months	20	1.4%	25	1.7%
120 to 179 Months	83	5.8%	112	7.8%
180 to 239 Months	48	3.3%	51	3.6%
240 Months or More	17	1.2%	44	3.1%
Total	1,433	100.0%	1,433	100.0%
Lowest	6.0 Months		6.0 Months	
Highest	420.0 Months		720.0 Months	
Mean	57.4 Months		69.4 Months	
Median	36.0 Months		54.0 Months	

Figure 2. State Prison Sentences: Minimum Sentence Length

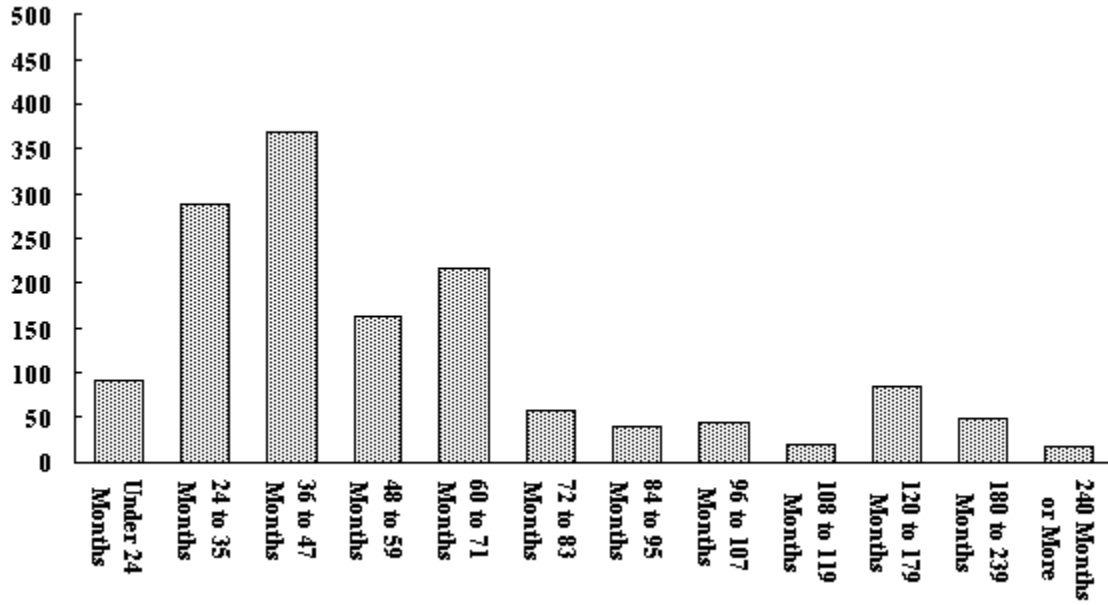
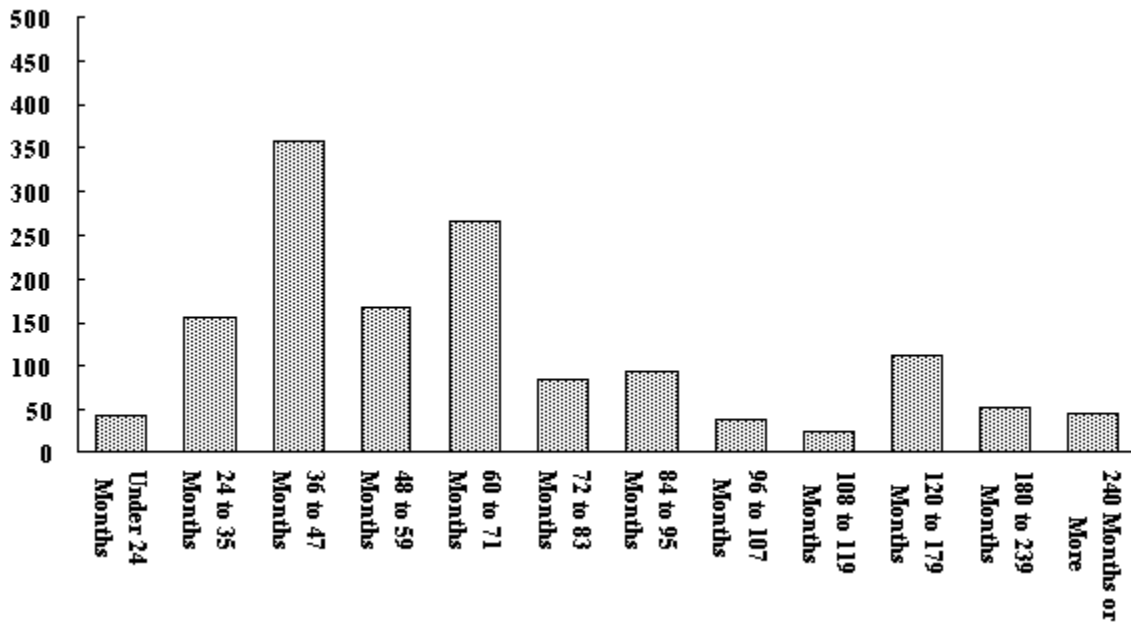


Figure 3. State Prison Sentences: Maximum Sentence Length



Minimum to Maximum Sentence Ratio and Difference. Under current sentencing laws, judges are generally not constrained when setting the ratio or difference between the minimum and maximum sentences to state prison. Thus, a judge might impose a sentence of 60 to 180 months (5 to 15 years) where the minimum sentence is 33% of the maximum sentence and where the difference between the minimum and maximum sentence is 120 months (10 years). Alternatively, a judge might impose a sentence of 60 months to 60 months and 1 day (5 years to 5 years and 1 day), where the minimum sentence represents about 99% of the maximum sentence and where the difference between the minimum and maximum sentence is 1 day. Under proposed sentencing guidelines, the minimum sentence will be required to be two-thirds of the maximum sentence and the minimum sentence represents parole eligibility. Judges would not be able to impose a sentence where the difference between the minimum and maximum sentence is one day, a common sentencing practice today which precludes parole consideration.

Table 14 shows the ratio of minimum to maximum sentence lengths for all convicted defendants sentenced to the state prison by type of offense (mandatory drug offense or other offense). Table 15 shows the difference between the minimum and maximum sentences for all convicted defendants with state prison sentences by type of offense (mandatory drug offense or other offense).

In 41.4% of the state prison sentences imposed for offenses other than mandatory drug offenses, the minimum sentence was at least 90% of the maximum sentence, and in 63.1% of the state prison sentences for mandatory drug offenses the minimum sentence was at least 90% of the maximum sentence. It was estimated that 76.2% of state prison sentences for offenses other than mandatory drug offenses had a minimum to maximum ratio that was narrower than the two-thirds ratio called for under the proposed guidelines legislation, that is the minimum sentence was at least 70% of the maximum sentence.

In 60.6% of the state prison sentences imposed for mandatory drug offenses, the difference between the minimum and maximum sentences was one day. In 37.3% of the state prison sentences for offenses other than mandatory drug offenses, the difference between the minimum and maximum sentence was one day. Overall, 43.3% of all state prison sentences had a difference of one day between the minimum and maximum, sentences which preclude parole consideration. Based on sentence structure, 56.7% of defendants sentenced to state prison could be considered for parole release and

supervision at the end of that sentence and 43.3% would not be eligible for parole consideration. The largest difference between a minimum and maximum state prison sentence was 300 months imposed in a sentence of 420 to 720 months (35 to 60 years).

Table 14. State Prison Sentences: Minimum to Maximum Sentence Ratio by Type of Offense

Minimum-to- Maximum Ratio	Mandatory		Other Offenses	
	N	%	N	%
1% to 9%	0	0.0%	0	0.0%
10% to 19 %	0	0.0%	0	0.0%
20% to 29%	0	0.0%	1	0.1%
30% to 39%	2	0.5%	3	0.3%
40% to 49%	0	0.0%	6	0.6%
50% to 59%	12	3.2%	57	5.4%
60% to 69%	43	11.6%	186	17.5%
70% to 79%	33	8.9%	174	16.4%
80% to 89%	47	12.7%	195	18.4%
90% and Over	234	63.1%	440	41.4%
Total	371	100.0%	1,062	100.0%

Table 15. State Prison Sentences: Minimum-to-Maximum Sentence Difference by Type of Offense

Minimum-to- Maximum Difference	Mandatory		Other Offenses	
	N	%	N	%
1 Day	225	60.6%	396	37.3%
2 Days to 5 Months	4	1.1%	2	0.2%
6 to 11 Months	17	4.6%	88	8.3%
12 to 23 Months	62	16.7%	239	22.5%
24 to 35 Months	57	15.4%	235	22.1%
36 to 47 Months	5	1.3%	59	5.6%
48 to 59 Months	0	0.0%	12	1.1%
60 to 119 Months	1	0.3%	23	2.2%
120 Months or More	0	0.0%	8	0.8%
Total	371	100.0%	1,062	100.0%

Sentencing Practices: House of Correction Sentences

In this section, some of the characteristics of house of correction sentences are discussed. This analysis includes those defendants with a house of correction sentence as well as those defendants with a house of correction / split sentence. For defendants sentenced to a house of correction / split sentence, the committed portion of the sentence was included in the analysis; the total or the suspended portion of the sentence was not considered in the analysis. The analysis considers those defendants assigned to the sentencing guidelines grid and does not include those offenders not assigned to the grid, that is defendants convicted of OUI offenses or mandatory firearms offenses. Defendants sentenced to a house of correction from either the district or superior court are included in this analysis. Male and female defendants are included even though some female defendants with a house of correction sentence may be committed to a correctional facility for women under the jurisdiction of the DOC. A total of 167 defendants with missing sentence information were excluded from the analysis.

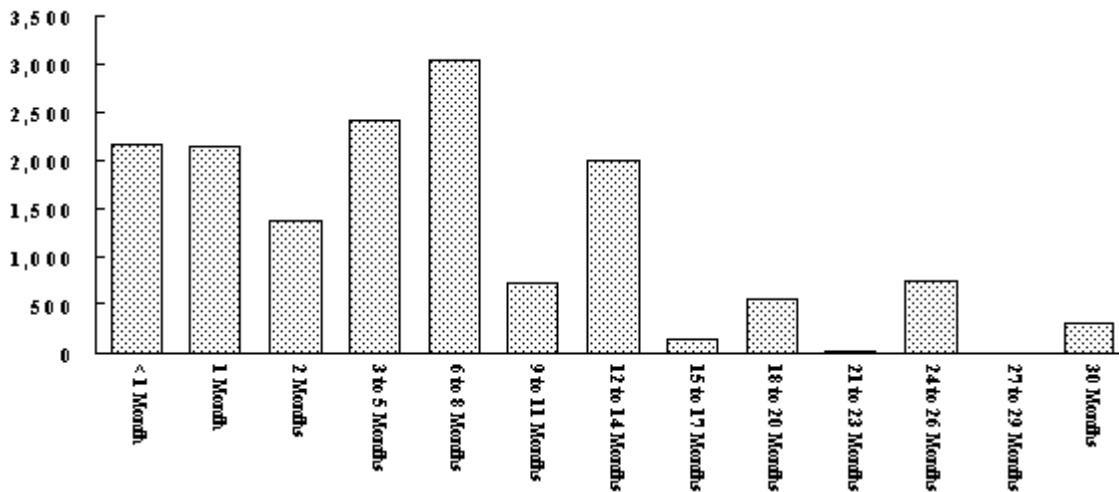
Sentences to houses of correction do not have a minimum sentence and can range from one day up to thirty months. For most defendants sentenced to a house of correction with a sentence of 60 days or more, parole eligibility is set at one-half of the maximum sentence length. Under the proposed sentencing guidelines, house of correction sentences would have both a minimum and maximum sentence, the minimum sentence would be set at two-thirds of the maximum sentence and would constitute the initial parole eligibility date. Under proposed sentencing guidelines, the maximum time that a defendant sentenced to the house of correction could be supervised by parole would be reduced from one-half of the sentence to one-third of the sentence.

House of correction sentences ranged from 1 day to 30 months. The mean house of correction sentence was 6.6 months and the median house of correction sentence was 4.2 months. Table 16 shows the sentence length of house of correction sentences by court department. Most of the house of correction sentences were imposed in the district court. The range of house of correction sentences imposed in the district court and the superior court was equally broad, ranging from 1 day to 30 months. The mean house of correction sentence imposed in the district court was 6.0 months while the mean house of correction sentence imposed in the superior court was 16.9 months. The median house of correction sentence imposed in the district court was 4.0 months while the median house of correction sentence imposed in the superior court was 16.0 months. It is estimated that 11,288 or 72.4% of the defendants sentenced to a house of correction had a sentence of 2 months or more and would be eligible for parole consideration. Figure 4 graphically shows the sentence length for house of correction sentences.

Table 16. House of Correction Sentences: Sentence Length by Court Department

Sentence	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
< 1 Month	2,155	14.7%	8	0.9%	2,163	13.9%
1 Month	2,124	14.5%	17	1.9%	2,141	13.7%
2 Months	1,362	9.3%	13	1.4%	1,375	8.8%
3 to 5 Months	2,354	16.0%	43	4.7%	2,397	15.4%
6 to 8 Months	2,927	19.9%	106	11.6%	3,033	19.5%
9 to 11 Months	682	4.6%	36	4.0%	718	4.6%
12 to 14 Months	1,780	12.1%	216	23.7%	1,996	12.8%
15 to 17 Months	112	0.8%	23	2.5%	135	0.9%
18 to 20 Months	481	3.3%	78	8.6%	559	3.6%
21 to 23 Months	8	0.1%	2	0.2%	10	0.1%
24 to 26 Months	530	3.6%	220	24.1%	750	4.8%
27 to 29 Months	1	0.0%	1	0.1%	2	0.0%
30 Months	165	1.1%	148	16.2%	313	2.0%
Total	14,681	100.0%	911	100.0%	15,592	100.0%
Lowest	1 Day		1 Day		1 Day	
Highest	30.0 Months		30.0 Months		30.0 Months	
Mean	6.0 Months		16.9 Months		6.6 Months	
Median	4.0 Months		16.0 Months		4.2 Months	

Figure 4. House of Correction Sentences: Sentence Length



Sentencing Practices: Comparing Existing Sentences and Proposed Guidelines

All existing sentences were compared with the proposed sentencing guidelines in order to estimate whether the sentence imposed was below the guideline range, within the guideline range, or above the guideline range. The method for estimating departure rates is described in Appendix A. Table 17 shows the results of this analysis. Overall, it was estimated that 89.3% of current sentences fall within the proposed guidelines and 10.7% of current sentences fall outside of proposed guidelines (an estimated 3.0% were below the guidelines and an estimated 7.7% were above the guidelines). For most district court cases, guideline ranges are deliberately broad and departures are relatively rare. As indicated in the table, the proportion of sentences that fell outside the proposed guidelines varied by offense seriousness level and type of offense:

- the proportion of sentences outside of the guidelines was the lowest at offense seriousness level 3, where an estimated 2.2% of all sentences were outside of the proposed guidelines and almost all of those sentences were above the proposed ranges (For most cells, the lower limit of the range is zero);
- the proportion of sentences outside of the guidelines was the highest at offense seriousness level 7, where an estimated 75.2% of all sentences were outside of the proposed ranges (55.5% were below the proposed guidelines and 19.7% were above the proposed guidelines);
- when comparing the sentences imposed for mandatory drug offenses with the proposed sentencing guidelines, it was estimated that 60.4% of the current mandatory drug sentences were within the sentencing guidelines ranges and that 39.6% were outside of the sentencing guidelines (including 1.9% below the proposed guidelines and 37.6% above the proposed guidelines); and,
- when comparing the sentences imposed for all other offenses it was estimated that 89.8% were within the sentencing guidelines ranges and 10.2% were outside of the sentencing guidelines (including 3.0% below the ranges and 7.2% above the ranges); and,
- for all offenses at levels 6 through 8, 44.9% of the sentences were below the guideline ranges, 27.6% were within, and 27.4% were above;
- for mandatory drug offenses at levels 6 through 8, 0.0% were below the guideline ranges, 34.5% were within, and 65.5% were above; and,
- for all other offenses at levels 6 through 8, 53.2% were below the guideline ranges, 26.4% were within, and 20.4% were above.

Table 17. Comparison of Existing Sentences and Proposed Guidelines by Offense Seriousness Level and Type of Offense

Type of Offense and Offense Seriousness Level	Below		Within		Above		Total	
	N	%	N	%	N	%	N	%
All Offenses								
Level 9	0	0.0%	35	100.0%	0	0.0%	35	100.0%
Level 8	21	21.6%	37	38.1%	39	40.2%	97	100.0%
Level 7	121	55.5%	54	24.8%	43	19.7%	218	100.0%
Level 6	261	44.8%	157	27.0%	164	28.2%	582	100.0%
Level 5	434	43.1%	455	45.2%	117	11.6%	1,006	100.0%
Level 4	635	14.7%	3,309	76.8%	364	8.4%	4,308	100.0%
Level 3	2	0.0%	17,018	97.8%	385	2.2%	17,405	100.0%
Level 2	0	0.0%	14,840	90.6%	1,531	9.4%	16,371	100.0%
Level 1	0	0.0%	7,932	87.7%	1,111	12.3%	9,043	100.0%
Total	1,474	3.0%	43,837	89.3%	3,754	7.7%	49,065	100.0%
Other Offenses								
Level 9	0	0.0%	35	100.0%	0	0.0%	35	100.0%
Level 8	21	24.7%	37	43.5%	27	31.8%	85	100.0%
Level 7	121	64.0%	45	23.8%	23	12.2%	189	100.0%
Level 6	261	53.9%	118	24.4%	105	21.7%	484	100.0%
Level 5	425	48.6%	418	47.8%	31	3.5%	874	100.0%
Level 4	630	16.3%	2,957	76.7%	269	7.0%	3,856	100.0%
Level 3	2	0.0%	17,018	97.8%	385	2.2%	17,405	100.0%
Level 2	0	0.0%	14,840	90.6%	1,531	9.4%	16,371	100.0%
Level 1	0	0.0%	7,932	87.7%	1,111	12.3%	9,043	100.0%
Total	1,460	3.0%	43,400	89.8%	3,482	7.2%	48,342	100.0%
Mandatory Drug Offenses								
Level 9	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 8	0	0.0%	0	0.0%	12	100.0%	12	100.0%
Level 7	0	0.0%	9	31.0%	20	69.0%	29	100.0%
Level 6	0	0.0%	39	39.8%	59	60.2%	98	100.0%
Level 5	9	6.8%	37	28.0%	86	65.2%	132	100.0%
Level 4	5	1.1%	352	77.9%	95	21.0%	452	100.0%
Level 3	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 2	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 1	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Total	14	1.9%	437	60.4%	272	37.6%	723	100.0%

Sentencing Practices: Post-Release Supervision

For those defendants sentenced to incarceration, release to the community may be at the end of the sentence or may be at the discretion of the Parole Board. For many defendants a sentence to incarceration may also include a term of post-release probation supervision through a split sentence or a from & after probation sentence. In this section sentence structure is considered in relation to post-release supervision options.

Parole Eligibility. For sentences to incarceration, eligibility for early release at the discretion of the Parole Board is established by sentence structure and sentence length. Under proposed sentencing guidelines, all sentences to incarceration will have a minimum and a maximum term and the minimum sentence will be required to be two-thirds of the maximum sentence and the minimum sentence will represent initial parole eligibility.

For those defendants sentenced to state prison, parole eligibility is established at the minimum sentence and final release is established at the maximum sentence. As discussed earlier, a common sentencing practice is the imposition of state prison sentences with a difference between the minimum and maximum sentence of one day, a sentence which precludes parole consideration. Overall, 43.3% of state prison sentences had a difference of one day between minimum and maximum sentence. Therefore, an estimated 56.7% of defendants sentenced to state prison could be considered for parole release and supervision at the end of that sentence. Under proposed sentencing guidelines, all defendants sentenced to the state prison pursuant to the guidelines would be eligible for parole consideration.

For those defendants sentenced to a house of correction, parole eligibility is established at one-half of the sentence length. In general, those defendants with a sentence of 60 days or more are eligible for consideration for parole release. An estimated 72.4% of all defendants sentenced to the house of correction would be eligible for parole consideration. Under proposed sentencing guidelines, the maximum time that a defendant sentenced to a house of correction could be supervised by parole would be reduced from one-half of the sentence to one-third of the sentence.

Post-Release Probation Supervision. When imposing a sentence, a judge may want to sentence the defendant to both a term of incarceration and a term of post-release probation supervision. This can be accomplished for most defendants through the use of split sentences or from & after probation sentences. Prior to truth-in-sentencing reform, judges could impose state prison / split sentences or house of correction / split sentences. Subsequent to truth-in-sentencing reform, state prison / split sentences are no longer

available as a sentencing option. Currently, in the case of a defendant convicted of a single charge, a judge may be able to impose a house of correction / split sentence; and, in the case of a defendant convicted of multiple charges, a judge may impose a sentence of incarceration on one charge and a sentence to from & after probation on a second charge.

Table 18 shows post-release probation supervision status by type of sentence and court department for those defendants sentenced to incarceration. It was estimated that 42.6% of the incarceration sentences also involved a period of post-release probation supervision through the use of a split sentence or from & after probation sentence. The proportion of incarceration sentences involving a period of post-release probation supervision was higher in the superior court than in the district court:

- an estimated 6,011 or 40.5% of the incarceration sentences imposed in the district court involved some period of post-release probation supervision; and,
- an estimated 1,338 or 55.6% of the incarceration sentences imposed in the superior court involved some period of post-release probation supervision, including:
 - 69.7% of those sentenced to houses of correction from the superior court; and,
 - 46.9% of those sentenced to the DOC.

Of those defendants convicted of two or more charges and sentenced to incarceration, 5,682 or 50.7% had a sentence that included from & after probation, including 4,489 or 47.5% of the district court defendants with two or more convictions and 1,193 or 68.0% of the superior court defendants with two or more convictions. Of the superior court defendants sentenced to incarceration with two or more convictions for an offense other than a mandatory drug offense, 1,034 or 75.9% had a sentence that included from & after probation.

Table 18. Post-Release Probation Supervision by Type of Sentence, Jurisdiction and Court Department

Post-Release Probation Supervision Status	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Type of Sentence						
Life						
With From & After Probation			3	0.1%	3	0.0%
Without From & After Probation			37	1.5%	37	0.2%
Sub-Total			40	1.7%	40	0.2%
State Prison						
With From & After Probation			694	28.8%	694	4.0%
Without From & After Probation			744	30.9%	744	4.3%
Sub-Total			1,438	59.8%	1,438	8.3%
Other DOC						
Split or From & After Probation			3	0.1%	3	0.0%
Without Split or From & After Probation			10	0.4%	10	0.1%
Sub-Total			13	0.5%	13	0.1%
House of Correction						
With From & After Probation	1,565	10.5%	337	14.0%	1,902	11.0%
Without From & After Probation	8,833	59.5%	277	11.5%	9,110	52.8%
Sub-Total	10,398	70.0%	614	25.5%	11,012	63.8%
House of Correction / Split	4,446	30.0%	301	12.5%	4,747	27.5%
Total All Sentences	14,844	100.0%	2,406	100.0%	17,250	100.0%
Jurisdiction						
House of Correction						
Split or From & After Probation	6,011	40.5%	638	69.7%	6,649	42.2%
Without Split or From & After Probation	8,833	59.5%	277	30.3%	9,110	57.8%
Sub-Total	14,844	100.0%	915	100.0%	15,759	100.0%
Department of Correction						
Split or From & After Probation			700	46.9%	700	46.9%
Without Split or From & After Probation			791	53.1%	791	53.1%
Sub-Total			1,491	100.0%	1,491	100.0%
All Jurisdictions						
Split or From & After Probation	6,011	40.5%	1,338	55.6%	7,349	42.6%
Without Split or From & After Probation	8,833	59.5%	1,068	44.4%	9,901	57.4%
Total	14,844	100.0%	2,406	100.0%	17,250	100.0%

Individuals beginning a period of probation can begin that sentence directly following a sentence or following release from a period of incarceration. Table 19 shows estimates of the manner in which the probation portion of sentences were imposed. This analysis assumes that all non-incarceration sentences include some probation supervision. Overall it was estimated that 32,275 or 81.5% of the probation sentences began as a non-incarcerative sentence and 7,349 or 18.5% will begin after a period of incarceration. The type of probation sentence varied by court department. Among district court defendants, most probation sentences were imposed as non-incarcerative sentences and among superior court defendants most probation sentences were imposed as a post-incarcerative portion of the sentence:

- in the district court, 84.0% of the probation sentences began as a non-incarcerative sentence and 16.0% will begin after a period of incarceration; and,
- in the superior court, 33.8% of the probation sentences began as a non-incarcerative sentence and 66.2% will begin after a period of incarceration.

Table 19. Type of Probation Sentence Imposed by Court Department

Type of Probation Sentence Imposed	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Non-Incarcerative Sentence	31,592	84.0%	683	33.8%	32,275	81.5%
Split or From & After Probation	6,011	16.0%	1,338	66.2%	7,349	18.5%
Total	37,603	100.0%	2,021	100.0%	39,624	100.0

Table 20 shows the relationship between type of offense and the imposition of post-release probation supervision for incarcerated defendants. Post-release probation supervision is used frequently as part of the sentence for incarcerated sex offenders and less frequently for other types of incarcerated defendants. It was estimated that 299 or 70.9% of the incarcerated defendants convicted of a sex offense had a sentence which included a period of post-release probation supervision. In contrast 1,515 or 38.2% of incarcerated drug defendants had a sentence which included a period of post-release probation supervision. Therefore, in superior court, probation tends to be used less as an alternative to incarceration and more as a means of post-incarceration supervision, particularly for sex offenders.

Table 20. Post-Release Probation Supervision by Type of Offense and Court Department

Type of Offense and Court Department	No Post Release Probation		Post Release Probation		Total	
	N	%	N	%	N	%
All Courts						
Person	2,252	46.3%	2,612	53.7%	4,864	100.0%
Sex	123	29.1%	299	70.9%	422	100.0%
Property	2,414	56.4%	1,863	43.6%	4,277	100.0%
Drug Offenses	2,453	61.8%	1,515	38.2%	3,968	100.0%
Motor Vehicle	1,648	72.1%	637	27.9%	2,285	100.0%
Other	1,011	70.5%	423	29.5%	1,434	100.0%
Total	9,901	57.4%	7,349	42.6%	17,250	100.0%
District Court						
Person	1,949	47.9%	2,122	52.1%	4,071	100.0%
Sex	55	31.1%	122	68.9%	177	100.0%
Property	2,336	59.1%	1,619	40.9%	3,955	100.0%
Drug Offenses	1,888	61.7%	1,171	38.3%	3,059	100.0%
Motor Vehicle	1,635	72.8%	612	27.2%	2,247	100.0%
Other	970	72.7%	365	27.3%	1,335	100.0%
Sub-Total	8,833	59.5%	6,011	40.5%	14,844	100.0%
Superior Court						
Person	303	38.2%	490	61.8%	793	100.0%
Sex	68	27.8%	177	72.2%	245	100.0%
Property	78	24.2%	244	75.8%	322	100.0%
Drug Offenses	565	62.2%	344	37.8%	909	100.0%
Motor Vehicle	13	34.2%	25	65.8%	38	100.0%
Other	41	41.4%	58	58.6%	99	100.0%
Sub-Total	1,068	44.4%	1,338	55.6%	2,406	100.0%

Sentencing Practices: Type of Offense

The governing offense was used to classify all convicted defendants to a type of offense group: person, sex, property, drug, motor vehicle, weapons, public order, and other offenses. Consideration of the type of offense is another way to contrast the volume and characteristics of cases in the district court and the superior court. In this section the type of offense of the governing offense and secondary offenses is presented. Additional analysis of the type of offense for sex offenses and drug offenses is also presented.

Type of Offense: Governing Offense. Figure 5 and Table 21 show the type of offense by court department.²² The type of offense varied by court department. In the district court the most frequently occurring offenses were motor vehicle which accounted for 11,196 or 24.1% of all district court convictions, followed by property offenses (11,190 or 24.1% of all district court convictions), and person offenses (10,259 or 22.1% of all district court convictions). In the superior court the most frequently occurring offenses were drug offenses which accounted for 1,113 or 36.0% of all superior court convictions followed by person offenses which accounted for 997 or 31.6% of all superior court convictions.

Type of Offense: Secondary Convictions. Defendants may be convicted of multiple types of offenses at the time of sentencing. In the previous analyses, defendants were classified to a type of offense category based solely on the governing offense. In Table 22 defendants are classified by type of offense on the basis of all offenses of conviction. For example, 588 defendants were classified as sex offenders on the basis of governing offense and an additional 21 defendants were classified as sex offenders on the basis of a conviction for a secondary offense (these 21 defendants were convicted of some other type of offense as the governing offense). Thus, a total of 609 defendants were classified as sex offenders on the basis of this expanded classification.

²² In Figure 5 and Table 21 the “other” category includes weapons, public order, and other offenses.

Figure 5. Type of Offense by Court Department

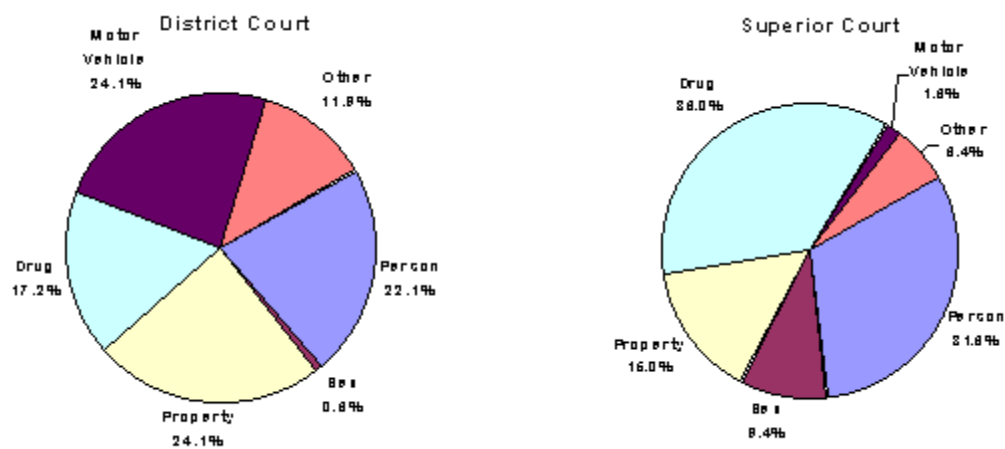


Table 21. Type of Offense by Offense Seriousness Level and Court Department

Type of Offense	District Court		Superior Court		Total	
	N	%	N	%	N	%
Person	10,259	22.1%	977	31.6%	11,236	22.7%
Sex	299	0.6%	289	9.4%	588	1.2%
Property	11,190	24.1%	462	15.0%	11,652	23.5%
Drug	7,984	17.2%	1,113	36.0%	9,097	18.4%
Motor Vehicle	11,196	24.1%	50	1.6%	11,246	22.7%
Other	5,508	11.9%	198	6.4%	5,706	11.5%
Total	46,436	100.0%	3,089	100.0%	49,525	100.0%

Table 22. Type of Offense: Governing Offense and Secondary Offense

Type of Offense and Court Department	Governing Offense	Other than Governing Offense	Total All Offenses of Conviction
All Courts			
Person	11,236	1,424	12,660
Sex	588	21	609
Property	11,652	2,875	14,527
Drug	9,097	1,799	10,896
Motor Vehicle	11,246	2,796	14,042
Weapons	536	508	1,044
Public Order	2,605	2,509	5,114
Other	2,565	4,722	7,287
District Court			
Person	10,259	1,236	11,495
Sex	299	11	310
Property	11,190	2,709	13,899
Drug	7,984	1,708	9,692
Motor Vehicle	11,196	2,725	13,921
Weapons	467	348	815
Public Order	2,577	2,465	5,042
Other	2,464	4,394	6,858
Superior Court			
Person	977	188	1,165
Sex	289	10	299
Property	462	166	628
Drug	1,113	91	1,204
Motor Vehicle	50	71	121
Weapons	69	160	229
Public Order	28	44	72
Other	101	328	429

Type of Offense: Sex Offenses. There were an estimated 588 defendants convicted of a sex offense as the governing offense. These defendants were further classified as to the nature of the sex offense: sex offense involving adult victim, sex offense involving child victim, and other sex offenses.

Table 23 shows the nature of sex offense by court department. As indicated in the table, sex offenders were convicted as frequently in district court as in superior court (299 in the district court and 289 in the superior court). Overall, the most frequently occurring category was sex offenses involving child victims. The nature of the sex offense and the specific offense varied by court department:

- of all sex offenders:
 - 52.9% were convicted of an offense involving a child victim;
 - 33.2% were convicted of an offense involving an adult victim; and,
 - 13.9% were convicted of some other sex offense.

- of the 289 sex offenders convicted in the superior court:
 - 70.2% were convicted of an offense involving a child victim;
 - 28.4% were convicted of an offense involving an adult victim; and,
 - 1.4% were convicted of some other sex offense.

Table 23. Sex Offenses: Nature of Offense by Court Department

Sex Offense	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Offense with Adult Victim						
Rape, Aggravated	0	0.0%	18	6.2%	18	3.1%
Rape	0	0.0%	28	9.7%	28	4.8%
Assault w/I Rape	0	0.0%	4	1.4%	4	0.7%
Assault w/I Rape, 2nd	0	0.0%	0	0.0%	0	0.0%
A&B Indecent	113	37.8%	28	9.7%	141	24.0%
A&B Indecent, Mentally Retarded	0	0.0%	2	0.7%	2	0.3%
Kidnap / Sexual Assault	0	0.0%	0	0.0%	0	0.0%
Incest	0	0.0%	2	0.7%	2	0.3%
Drug for Sexual Intercourse	0	0.0%	0	0.0%	0	0.0%
Sub-Total	113	37.8%	82	28.4%	195	33.2%
Offense with Child Victim						
Rape of Child, Forcible	0	0.0%	31	10.7%	31	5.3%
Rape of Child	0	0.0%	125	43.3%	125	21.3%
Rape of Child, 2nd	0	0.0%	3	1.0%	3	0.5%
Assault w/I Rape, Child	0	0.0%	4	1.4%	4	0.7%
A&B Indecent Child	107	35.8%	38	13.1%	145	24.7%
A&B Indecent Child, 2nd	0	0.0%	2	0.7%	2	0.3%
Act Unnatural, Child	1	0.3%	0	0.0%	1	0.2%
Sub-Total	108	36.1%	203	70.2%	311	52.9%
Other Sex Offense						
Open and Gross	78	26.1%	4	1.4%	82	13.9%
Sub-Total	78	26.1%	4	1.4%	82	13.9%
Total	299	100.0%	289	100.0%	588	100.0%

Type of Offense: Drug Offenses. There were an estimated 9,097 defendants convicted of a drug offense as the governing offense. These defendants were further classified as to the nature of the drug offense (distribution or possession) and the class of substance involved in the offense (Class A, Class B, Class C, Class D, or Class E).^{23, 24} A number of drug offenses were not assigned to either category (conspiracy, forging prescription, larceny of drug, inhaling toxic vapors, and giving drugs to prisoners).

Table 24 shows the nature of drug offense and class of substance by court department. There is a difference in the nature of drug offenses convicted in the district court and the superior court:

- in the district court, 2,956 or 37.0% of the drug offenses were classified as distribution offenses, 4,808 or 60.2% were classified as possession offenses, and 220 or 2.8% were not assigned to either category;
- in the superior court, 1,008 or 90.6% of the drug offenses were classified as distribution offenses, 62 or 5.6% were classified as possession offenses, and 43 or 3.9% were not assigned to either category;
- in the district court, the most frequently occurring drug offense involved possession of a Class D substance which accounted for 1,627 or 20.4% of all drug offenses convicted in the district court; and,
- in the superior court, the most frequently occurring drug offense involved distribution of a Class B substance which accounted for 667 or 59.9% of all drug offenses in the superior court.

²³ For purposes of this analysis, all cases involving trafficking, distribution, possession with intent to distribute, manufacturing, dispensing, or inducing minor to distribute were classified as distribution offenses. Cases convicted of distributing counterfeit substances or paraphernalia were assigned to the category of distribution offenses but no class of drug was assigned. Cases convicted of presence of Class A or hypodermic / syringe violations were assigned to the possession category.

²⁴ For purposes of this analysis all offenses involving heroin were assigned to the Class A category, all offenses involving cocaine were assigned to the Class B category, and all offenses involving marijuana were assigned to the Class D category. Cases convicted of inducing minor to distribute or distribution within a school zone were assigned to the class of substance for the underlying offense.

Table 24. Drug Offenses: Nature of Offense and Class of Substance by Court Department

Drug Offense	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Distribution Offenses						
Class A	999	12.5%	315	28.3%	1,314	14.4%
Class B	1,207	15.1%	667	59.9%	1,874	20.6%
Class C	39	0.5%	3	0.3%	42	0.5%
Class D	627	7.9%	23	2.1%	650	7.1%
Class E	19	0.2%	0	0.0%	19	0.2%
Other Distribution Offenses	65	0.8%	0	0.0%	65	0.7%
Sub-Total	2,956	37.0%	1,008	90.6%	3,964	43.6%
Possession Offenses						
Class A	1,250	15.7%	23	2.1%	1,273	14.0%
Class B	1,326	16.6%	28	2.5%	1,354	14.9%
Class C	76	1.0%	1	0.1%	77	0.8%
Class D	1,627	20.4%	8	0.7%	1,635	18.0%
Class E	54	0.7%	1	0.1%	55	0.6%
Hypodermic/Syringe	475	5.9%	1	0.1%	476	5.2%
Sub-Total	4,808	60.2%	62	5.6%	4,870	53.5%
Other Drug Offenses						
	220	2.8%	43	3.9%	263	2.9%
Total	7,984	100.0%	1,113	100.0%	9,097	100.0%

Type of Offense: Mandatory Drug Offenses. In this section, some of the characteristics of sentences imposed for mandatory drug offenses are discussed. Those defendants convicted of mandatory drug offenses were assigned to the sentencing guidelines grid and were included in all previously stated statistics.

Table 25 shows the number of defendants convicted of mandatory drug offenses by governing offense, offense seriousness level, criminal history group, and court department. There were an estimated 725 defendants convicted of mandatory drug offenses during FY 2003. Four offenses, distribution within a school zone,²⁵ distribution of cocaine, trafficking cocaine 14 to 28 grams, and trafficking cocaine 28 to 100 grams, accounted for 619 or 85.4% of the convictions for mandatory drug offenses in FY 2003.

The most frequently occurring mandatory drug offense was distribution in a school zone, with 292 convictions or 40.3% of all mandatory drug convictions. A sentence for distribution within a school zone is required to be a minimum of two years to be served from & after the sentence for the underlying offense. The method employed in the current analysis considers distribution within a school zone to be the governing offense only when the sentence imposed for the distribution within a school zone charge was longer than the sentence imposed for the underlying drug charge. Therefore, there were additional defendants convicted of distribution in a school zone who are not otherwise reported in this category. Additional statistical information on school zone offenders can be found in Appendix B.

An estimated 464 or 64.0% of the defendants convicted of mandatory drug offenses were classified as criminal history groups A or B, and 261 or 36.0% were classified as criminal history groups C, D, or E.

²⁵ The offense category distribution within a school zone includes all violations of c. 94C § 32J within defined school, park, or playground zones. This category includes all convictions of c. 94C § 32J where the underlying offense involves trafficking, manufacturing, distributing, dispensing, cultivation, selling, or possession with intent to manufacture, distribute, dispense, cultivate, or sell.

Table 25. Mandatory Drug Offenses: Governing Offense by Offense Seriousness Level, Criminal History Group, and Court Department

Governing Offense, Offense Seriousness Level and Court Department	Criminal History Group					Total
	A	B	C	D	E	
Superior Court						
Level 8 (15 Year Mandatory)						
Traffic Heroin 200+ grams	3	0	0	0	0	3
Traffic Cocaine 200+ grams	5	3	1	0	0	9
Sub-Total	8	3	1	0	0	12
Level 7 (7 to 10 Year Mandatory)						
Traffic Heroin 100 to 200 grams	4	1	1	0	0	6
Traffic Heroin 28 to 100 grams	4	0	3	2	0	9
Traffic Cocaine 100 to 200 grams	4	5	3	1	0	13
Traffic Marijuana 10,000+ pounds	0	1	0	0	0	1
Sub-Total	12	7	7	3	0	29
Level 6 (5 Year Mandatory)						
Traffic Heroin 14 to 28 grams	4	3	3	0	0	10
Traffic Cocaine 28 to 100 grams	41	14	10	3	0	68
Distribute Class A, 2nd Offense	0	3	6	6	0	15
Distribute Cocaine, 2nd Offense	0	0	4	1	0	5
Induce Minorto Distribute	1	0	0	0	0	1
Sub-Total	46	20	23	10	0	99
Level 5 (3 Year Mandatory)						
Traffic Cocaine 14 to 28 grams	41	33	18	8	0	100
Distribute Class B, 2nd Offense	0	8	14	9	0	31
Traffic Marijuana 100 to 2,000 pounds	0	1	0	0	0	1
Sub-Total	41	42	32	17	0	132
Level 4 (1 to 2 Year Mandatory)						
Distribute Cocaine	66	42	34	17	0	159
Traffic Marijuana 50 to 100 pounds	1	1	0	0	0	2
Distribution w/i School or Park	23	38	30	19	0	110
Sub-Total	90	81	64	36	0	271
Sub-Total Superior Court	197	153	127	66	0	543
District Court						
Distribution w/i School or Park	51	63	33	35	0	182
Total	248	216	160	101	0	725

All convictions for mandatory drug offenses include a sentence to incarceration. Table 26 shows the jurisdiction to which the sentence was imposed by court department. The superior court has jurisdiction over all mandatory drug offenses. The district court has joint jurisdiction over only one mandatory drug offense, distribution within a school zone. As required, all district court convictions for mandatory drug offenses were sentenced to a house of correction. Of the superior court convictions for mandatory drug offenses, 170 or 31.3% were sentenced to a house of correction and 373 or 68.7% were sentenced to the DOC. Of all convictions for mandatory drug offenses, 352 or 48.6% were sentenced to a house of correction and 373 or 51.4% were sentenced to the DOC.

Table 26. Mandatory Drug Offenses: Jurisdiction by Court Department

Jurisdiction	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
House of Correction	182	100.0%	170	31.3%	352	48.6%
Department of Correction	0	0.0%	373	68.7%	373	51.4%
Total	182	100.0%	543	100.0%	725	100.0%

SENTENCING PRACTICES: OFFENSES NOT ASSIGNED TO THE GRID

The sentencing guidelines grid was not intended for use in sentencing every convicted defendant. As indicated in Table 7, there were 7,490 defendants representing 13.1% of the sample who were convicted of offenses for which the sentencing guidelines grid did not apply. In this section some discussion of the defendants convicted of OUI offenses and mandatory firearms offenses is presented.

Sentencing Practices: OUI Offenses

Convictions for Operating Under the Influence (OUI) offenses are not included in the sentencing guidelines grid. It was estimated that there were 6,547 convictions for OUI offenses in FY 2003. This includes convictions involving the operation of motor vehicles or boats and includes convictions involving the use of alcohol or drugs. Convictions for operating a motor vehicle after license suspended for an OUI offense are also included in this analysis. Defendants charged with an OUI offense that resulted in a disposition of continued without a finding (CWOFF) were not included in this sample, as a CWOFF disposition was not considered a conviction for the purposes of the survey of sentencing

practices. Table 27 shows the type of sentence imposed for OUI offenses by court department. For sentences involving a period of incarceration to a house of correction, the length of sentence imposed is also shown.

Table 27. OUI Offenses: Type of Sentence Imposed by Court Department

Sentence Imposed	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
State Prison Sentence	0	0.0%	12	44.4%	12	0.2%
House of Correction Sentence						
Less than 1 month	55	0.8%	0	0.0%	55	0.8%
1 Month	53	0.8%	0	0.0%	53	0.8%
2 Months	234	3.6%	1	3.7%	235	3.6%
3 to 5 Months	207	3.2%	1	3.7%	208	3.2%
6 to 8 Months	285	4.4%	1	3.7%	286	4.4%
9 to 11 Months	39	0.6%	0	0.0%	39	0.6%
12 to 14 Months	108	1.7%	2	7.4%	110	1.7%
15 to 17 Months	8	0.1%	0	0.0%	8	0.1%
18 to 20 Months	41	0.6%	2	7.4%	43	0.7%
21 to 23 Months	0	0.0%	0	0.0%	0	0.0%
24 to 26 Months	38	0.6%	3	11.1%	41	0.6%
27 to 29 Months	0	0.0%	0	0.0%	0	0.0%
30 Months	22	0.3%	4	14.8%	26	0.4%
Missing Sentence Information	4	0.1%	0	0.0%	4	0.1%
Sub-Total	1,094	16.8%	14	51.9%	1,108	16.9%
Probation	4,167	63.9%	1	3.7%	4,168	63.7%
Fine	1,188	18.2%	0	0.0%	1,188	18.1%
Other	71	1.1%	0	0.0%	71	1.1%
Total	6,520	100.0%	27	100.0%	6,547	100.0%

Sentencing Practices: Mandatory Firearms Offenses

There were an estimated 154 defendants convicted where the governing offense was a mandatory firearms offense.

SENTENCING PRACTICES: DEMOGRAPHIC CHARACTERISTICS

In this section certain demographic characteristics of convicted defendants (gender, age, race, and place of birth) are discussed in relation to observed sentencing outcomes. The legislature directed the commission to consider certain defendant characteristics when developing sentencing guidelines:

. . . The commission shall assure that the guidelines are neutral as to the race, sex, national origin, creed, religion and socio-economic status of offenders.²⁶

In two separate studies, the Supreme Judicial Court suggested the need for further study of the relationship between defendant demographic characteristics and sentencing outcomes. In a study of gender bias in the courts, the Supreme Judicial Court noted the need for research that would be able to relate defendant gender, crimes committed, and criminal histories with disposition and sentencing outcomes.²⁷ In a study of racial and ethnic bias in the courts, the Supreme Judicial Court indicated the need to develop a consistent set of data that would allow an analysis of the relationship between sentencing practices and defendant characteristics.²⁸ Further, the Supreme Judicial Court recommended that the commission would be an appropriate entity to conduct such an inquiry:

After discovering some troubling patterns in preliminary research, the Commission on Racial and Ethnic Bias in the Courts believes that the legislature should allocate funds to the Sentencing Commission or to the Trial Court for a comprehensive study of sentencing disparities.²⁹

²⁶ G.L. c. 211E § 3 (e).

²⁷ Supreme Judicial Court, *Report of the Gender Bias Study of the Supreme Judicial Court*, Boston, 1989, p. 121.

²⁸ Supreme Judicial Court, *Equal Justice: Eliminating the Barriers, Final Report of the Commission to Study Racial and Ethnic Bias in the Courts*, Boston, September 1994, p. 92.

²⁹ *Ibid.*, p. 92.

In the current survey of sentencing practices, the commission presents summary data on the relationship between the demographic characteristics of defendants and sentencing outcomes.

Sentencing Practices: Defendant Gender

As indicated in Figure 6, 15.1% of the convicted defendants were female and 84.9% of the convicted defendants were male.

Figure 6. Defendant Gender

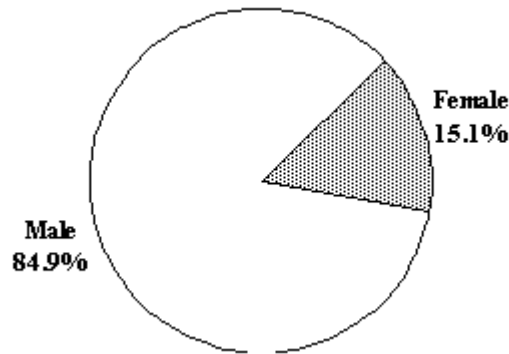


Table 28 shows the gender of defendants by court department. Of the defendants convicted in district court, 45,503 or 84.6% were male and 8,291 or 15.4% were female; and, of the defendants convicted in superior court, 2,892 or 89.8% were male and 329 or 10.2% were female.

Table 28. Defendant Gender by Court Department

Gender	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Male	45,503	84.6%	2,892	89.8%	48,395	84.9%
Female	8,291	15.4%	329	10.2%	8,620	15.1%
Total	53,794	100.0%	3,221	100.0%	57,015	100.0%

Table 29 shows the grid cell assignment of convicted defendants by gender. While male and female defendants are represented to some extent at every level on the sentencing guidelines grid, female defendants were more often classified in the lower levels of offense seriousness and the less serious criminal history groups than male defendants:

- 1.4% of the female defendants were in the incarceration zone of the grid compared with 4.7% of the male defendants;
- 78.3% of the female defendants were classified as criminal history group A or B compared with 62.7% of the male defendants;
- 55.6% of the female defendants were classified as offense seriousness level 1 or 2 compared with 50.7% of the male defendants; and,
- the most frequently occurring grid cell for female defendants was “2A”; and the most frequently occurring grid cell for male defendants was “2A.”

Survey of Sentencing Practices

Table 29. Defendant Gender by Grid Cell Assignment

MALE								FEMALE								ALL DEFENDANTS							
	A	B	C	D	E	N	%		A	B	C	D	E	N	%		A	B	C	D	E	N	%
9	18	2	5	7	0	32	0.1%	9	3	0	0	0	0	3	0.0%	9	21	2	5	7	0	35	0.1%
8	45	32	19	19	2	117	0.3%	8	2	0	0	0	0	2	0.0%	8	47	32	19	19	2	119	0.2%
7	72	36	49	47	1	205	0.5%	7	7	2	4	1	0	14	0.2%	7	79	38	53	48	1	219	0.4%
6	221	114	107	108	1	551	1.3%	6	24	10	4	2	0	40	0.5%	6	245	124	111	110	1	591	1.2%
5	298	264	199	182	1	944	2.2%	5	32	25	9	1	0	67	0.9%	5	330	289	208	183	1	1,011	2.0%
4	1,300	1,029	722	702	3	3,756	8.9%	4	289	155	90	39	0	573	7.7%	4	1,589	1,184	812	741	3	4,329	8.7%
3	4,875	4,130	3,042	2,857	14	14,918	35.5%	3	1,189	769	389	212	0	2,559	34.3%	3	6,064	4,899	3,431	3,069	14	17,477	35.3%
2	4,895	3,603	2,561	2,379	6	13,444	32.0%	2	1,396	956	435	201	1	2,989	40.0%	2	6,291	4,559	2,996	2,580	7	16,433	33.2%
1	3,067	2,251	1,444	1,124	2	7,888	18.8%	1	590	348	156	66	0	1,160	15.5%	1	3,657	2,599	1,600	1,190	2	9,048	18.3%
N.A.	85	46	39	36	0	206	0.5%	N.A.	32	18	6	1	0	57	0.8%	N.A.	117	64	45	37	0	263	0.5%
Total	14,876	11,507	8,187	7,461	30	42,061	100.0%	Total	3,564	2,283	1,093	523	1	7,464	100.0%	Total	18,440	13,790	9,280	7,984	31	49,525	100.0%
%	35.4%	27.4%	19.5%	17.7%	0.1%	100.0%	%	47.7%	30.6%	14.6%	7.0%	0.0%	100.0%	%	37.2%	27.8%	18.7%	16.1%	0.1%	100.0%			

Sentencing Zone	N	%
Incarceration Zone	1,992	4.7%
Discretionary Zone	28,206	67.1%
Intermediate Sanction Zone	11,657	27.7%
Unassigned	206	0.5%
Total	42,061	100.0%

Sentencing Zone	N	%
Incarceration Zone	108	1.4%
Discretionary Zone	4,809	64.4%
Intermediate Sanction Zone	2,490	33.4%
Unassigned	57	0.8%
Total	7,464	100.0%

Sentencing Zone	N	%
Incarceration Zone	2,100	4.2%
Discretionary Zone	33,015	66.7%
Intermediate Sanction Zone	14,147	28.6%
Unassigned	263	0.5%
Total	49,525	100.0%

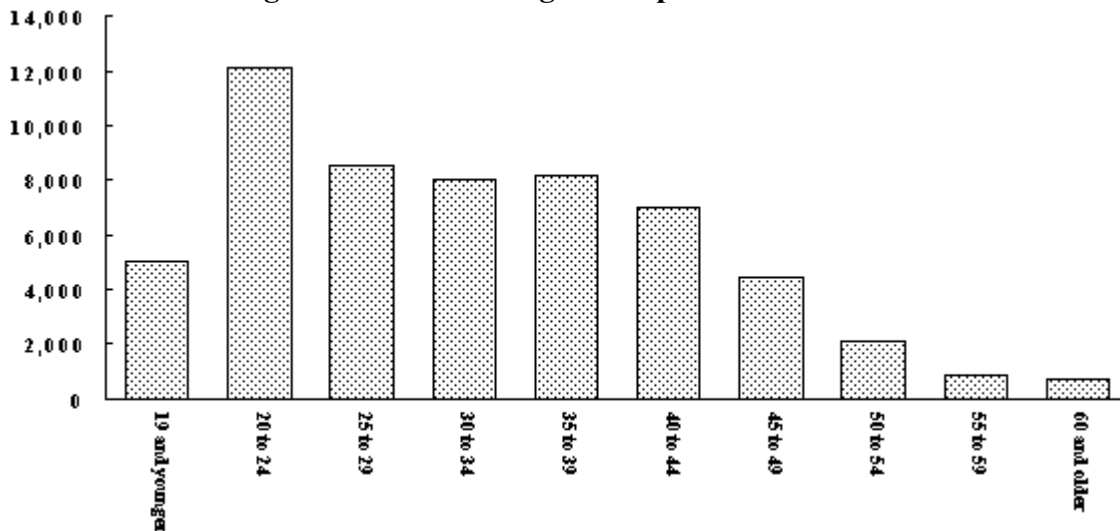
Sentencing Practices: Defendant Age at Disposition

The age of defendants at the time of disposition ranged from 17 years to 86 years. The mean age at disposition was 32.5 years and the median age at disposition was 31 years. Table 30 shows the age at disposition for all defendants by court department. Figure 7 graphically shows the age at disposition for all defendants.

Table 30. Defendant Age at Disposition by Court Department

Age at Disposition	District Court	Superior Court	All Courts
19 and younger	4,798	224	5,022
20 to 24	11,373	770	12,143
25 to 29	7,934	567	8,501
30 to 34	7,607	454	8,061
35 to 39	7,732	445	8,177
40 to 44	6,736	310	7,046
45 to 49	4,214	207	4,421
50 to 54	1,923	122	2,045
55 to 59	826	65	891
60 and older	651	57	708
Total	53,794	3,221	57,015
Youngest	17 Years	17 Years	17 Years
Oldest	84 Years	86 Years	86 Years
Mean	32.5 Years	32.1 Years	32.5 Years
Median	31 Years	30 Years	31 Years

Figure 7. Defendant Age at Disposition



Sentencing Practices: Defendant Race

In this section, defendant race is reported by court department, grid assignment, and type of offense. Defendant race is not available for 2.0% of the convicted defendants. Further discussion of the method used to collect defendant race and the rate of missing information can be found in Appendix A.

As indicated in Figure 8, 61.6% of the convicted defendants were white, 16.9% were black, 17.2% were hispanic, and 2.4% were other races. The race was unknown for 2.0% of the convicted defendants.

Figure 8. Defendant Race

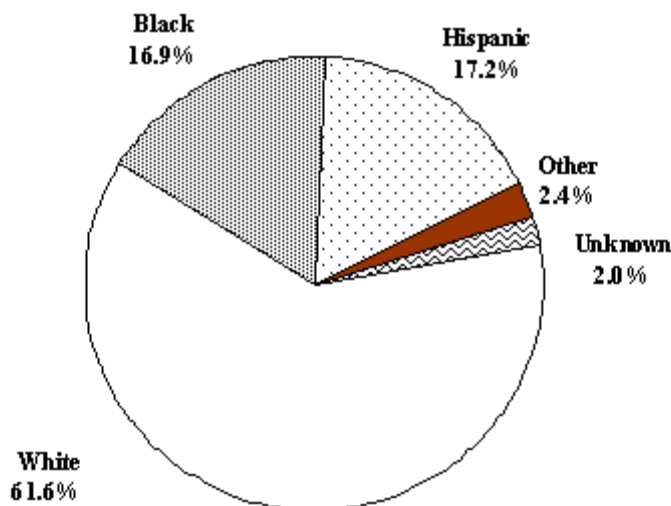


Table 31 shows defendant race by court department. The proportion of white defendants was higher in the district court than the superior court and the proportion of black defendants, hispanic defendants, and defendants of other races was higher in the superior court than the district court. Of the defendants convicted in the district court, 62.6% were white, and 35.4% were racial/ethnic minorities (16.5% were black, 16.6% were hispanic, and 2.3% were other races). The race was unknown for 2.0% of the defendants convicted in the district court. Of the defendants convicted in the superior court, 44.9% were white, and 53.3% were racial/ethnic minorities (22.8% were black, 26.7% were hispanic, and 3.8% were other races). The race was unknown for 1.8% of the defendants convicted in the superior court.

Table 31. Defendant Race By Court Department

Defendant Race	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
White	33,664	62.6%	1,445	44.9%	35,109	61.6%
Black	8,897	16.5%	735	22.8%	9,632	16.9%
Hispanic	8,944	16.6%	859	26.7%	9,803	17.2%
Other	1,218	2.3%	123	3.8%	1,341	2.4%
Unknown	1,071	2.0%	59	1.8%	1,130	2.0%
Total	53,794	100.0%	3,221	100.0%	57,015	100.0%

Table 32 shows defendant race by grid assignment, type of offense, and mandatory status for drug offenses. The racial composition of convicted defendants varied by type of offense and grid assignment particularly among defendants convicted of mandatory drug offenses:

- 61.6% of all defendants were white, 36.4% of all defendants were racial/ethnic minorities (16.9% were black, 17.2% were hispanic, and 2.4% were other races), and the race was unknown for 2.0% of all defendants; and,
- 19.4% of defendants convicted of mandatory drug offenses were white, and 80.6% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (30.2% were black, 47.9% were hispanic, and 2.5% were other races).

Within the category of drug offenses the racial composition of convicted defendants also varied:

- 47.6% of defendants convicted of all drug offenses were white and 50.7% were racial/ethnic minorities;
- 58.7% of defendants convicted of possession offenses were white and 39.5% were racial/ethnic minorities;
- 34.7% of defendants convicted of non-mandatory distribution offenses were white and 63.4% were racial/ethnic minorities; and,
- 19.4% of defendants convicted of mandatory distribution offenses were white and 80.6% were racial/ethnic minorities.

Table 32. Defendant Race by Type of Offense and Grid Assignment

Offense Type and Grid Assignment	White		Black		Hispanic		Other		Unknown		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Sentencing Grid												
Person Offenses	6,570	58.5%	2,206	19.6%	2,031	18.1%	261	2.3%	168	1.5%	11,236	100.0%
Sex Offenses	370	62.9%	89	15.1%	97	16.5%	15	2.6%	17	2.9%	588	100.0%
Property Offenses	7,044	60.5%	2,275	19.5%	1,764	15.1%	307	2.6%	262	2.2%	11,652	100.0%
Drug Offenses												
Mandatory / Distribution	141	19.4%	219	30.2%	347	47.9%	18	2.5%	0	0.0%	725	100.0%
Non-Mandatory / Distribution	1,123	34.7%	823	25.4%	1,157	35.7%	72	2.2%	64	2.0%	3,239	100.0%
Possession	2,861	58.7%	875	18.0%	968	19.9%	83	1.7%	83	1.7%	4,870	100.0%
Other Drug Offense	202	76.8%	19	7.2%	33	12.5%	1	0.4%	8	3.0%	263	100.0%
Sub-total Drug	4,327	47.6%	1,936	21.3%	2,505	27.5%	174	1.9%	155	1.7%	9,097	100.0%
Motor Vehicle	6,984	62.1%	1,812	16.1%	1,877	16.7%	288	2.6%	285	2.5%	11,246	100.0%
Weapons	248	46.3%	151	28.2%	106	19.8%	19	3.5%	12	2.2%	536	100.0%
Public Order and Other Offenses	3,231	62.5%	766	14.8%	867	16.8%	139	2.7%	167	3.2%	5,170	100.0%
Sub-total Grid	28,774	58.1%	9,235	18.6%	9,247	18.7%	1,203	2.4%	1,066	2.2%	49,525	100.0%
Not Assigned to Grid												
OUI Offenses	5,721	87.4%	262	4.0%	424	6.5%	112	1.7%	28	0.4%	6,547	100.0%
Mandatory Firearms	22	14.3%	85	55.2%	32	20.8%	14	9.1%	1	0.6%	154	100.0%
Non-jailable	592	75.0%	50	6.3%	100	12.7%	12	1.5%	35	4.4%	789	100.0%
Sub-Total No Grid	6,335	84.6%	397	5.3%	556	7.4%	138	1.8%	64	0.9%	7,490	100.0%
Grand Total	35,109	61.6%	9,632	16.9%	9,803	17.2%	1,341	2.4%	1,130	2.0%	57,015	100.0%

Sentencing Practices: Defendant Place of Birth

Table 33 shows place of birth by court department. For all defendants, 64.6% were born in Massachusetts, 25.2% were born in some other area of the United States, and 8.3% were born outside of the United States. The place of birth was unknown for 1.9% of the defendants. Further detailed tables on defendant place of birth can be found in Appendix B.

Table 33. Defendant Place of Birth By Court Department

Place of Birth	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Massachusetts						
Barnstable	694	1.3%	30	0.9%	724	1.3%
Berkshire	899	1.7%	69	2.1%	968	1.7%
Bristol	2,843	5.3%	144	4.5%	2,987	5.2%
Dukes	43	0.1%	0	0.0%	43	0.1%
Essex	3,472	6.5%	111	3.4%	3,583	6.3%
Franklin	306	0.6%	11	0.3%	317	0.6%
Hampden	3,256	6.1%	266	8.3%	3,522	6.2%
Hampshire	507	0.9%	27	0.8%	534	0.9%
Middlesex	5,636	10.5%	234	7.3%	5,870	10.3%
Nantucket	14	0.0%	1	0.0%	15	0.0%
Norfolk	2,136	4.0%	103	3.2%	2,239	3.9%
Plymouth	1,336	2.5%	49	1.5%	1,385	2.4%
Suffolk	9,550	17.8%	585	18.2%	10,135	17.8%
Worcester	4,215	7.8%	163	5.1%	4,378	7.7%
No County Designated	129	0.2%	14	0.4%	143	0.3%
Total	35,036	65.1%	1,807	56.1%	36,843	64.6%
Other United States						
Northeast	5,411	10.1%	397	12.3%	5,808	10.2%
Midwest	793	1.5%	46	1.4%	839	1.5%
South	2,403	4.5%	144	4.5%	2,547	4.5%
West	709	1.3%	32	1.0%	741	1.3%
U.S. Territory	4,025	7.5%	424	13.2%	4,449	7.8%
Total	13,341	24.8%	1,043	32.4%	14,384	25.2%
Outside United States						
Western Hemisphere	2,509	4.7%	191	5.9%	2,700	4.7%
Europe and Eurasia	906	1.7%	33	1.0%	939	1.6%
East Asia and Pacific	410	0.8%	44	1.4%	454	0.8%
Africa	471	0.9%	22	0.7%	493	0.9%
Near East	80	0.1%	8	0.2%	88	0.2%
South Asia	34	0.1%	5	0.2%	39	0.1%
Total	4,410	8.2%	303	9.4%	4,713	8.3%
Unknown						
	1,007	1.9%	68	2.1%	1,075	1.9%
Total	53,794	100.0%	3,221	100.0%	57,015	100.0%

PART III. SUMMARY

The survey of sentencing practices is a comprehensive study of defendants convicted in the courts of the commonwealth during FY 2003. In the survey, the offense of conviction and the criminal history of the defendant are linked with the sentencing outcome using the framework of the proposed sentencing guidelines grid. The survey notes the type of sentence imposed, the incarceration rate, and the sentence length for those defendants sentenced to a period of incarceration. The survey of sentencing practices provides a rich source of data for use by the commission in meeting its on-going responsibilities to monitor sentencing practices and to develop sentencing policy. Other criminal justice policy makers and members of the public interested in sentencing issues may find the survey useful as well.

APPENDIX A. METHOD

Data Collection Method

The survey of sentencing practices is based on an analysis of the Court Activity Record Information (CARI) database maintained by the Office of the Commissioner of Probation. The commission uses a copy of the database maintained at the Criminal History Systems Board (CHSB) for purposes of conducting this analysis.

The CARI database includes records of all criminal charges arraigned in adult criminal courts throughout the Commonwealth, including the superior court, district court, Boston Municipal Court, and US District Courts located within Massachusetts. The existence of this database affords the commission with a centralized source of information regarding current sentencing decisions in combination with a comprehensive set of information regarding the adult and juvenile criminal history of all defendants.

The analysis focuses on the disposition field in the database in order to identify those charges that resulted in conviction and the sentences resulting from those convictions. Further analysis focuses on the offense as it is recorded in the database along with any accompanying descriptive information in order to identify the offense of conviction.

Conviction Definition

For purposes of conducting the survey of sentencing practices, only charges resulting in conviction are included in the analysis. A consistent definition of conviction is applied throughout the analysis. A vocabulary table including a sub-set of “words” is applied to an analysis of the disposition field of the CARI database to indicate convicted charges. Dispositions that are considered convictions include: guilty filed, guilty, probation, fine, house of correction commitment, state prison commitment, split sentence, and suspended sentence. Dispositions that are not considered convictions include: continued without finding, filed (absent a finding of guilt), dismissed, not guilty, and nol prossed.

Only those charges that were disposed of during the sampling time period were included in the construction of the sample. Charges that were excluded from the sample include:

- 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.

Sampling Frame

The date at which a determination of conviction / non-conviction was initially entered for the charge is referred to as the disposition date. The disposition date was identified through an analysis of the disposition field and is the date preceding the first conviction or disposition word for the charge. The charges selected for further analysis are those which reached a final disposition during a selected time frame.

If a sentence was subject to a revise & revoke procedure subsequent to the initial disposition date, the date on which the sentence was revised & revoked was considered the disposition date and the revised sentence was used in the further construction of the sample.

For the present survey, those charges reaching final disposition and resulting in conviction during FY 2003, or the period July 1, 2002, through June 30, 2003 constitute the initial sample of charges upon which further analysis is based. All charges reaching a conviction disposition during this time period are included in the sample regardless of when the offense occurred or when the charge was originally arraigned. Charges with an original disposition of CWOFF for which a finding of guilty was entered during FY 2003 are included in the sample.

Type of Sentence Imposed

Each convicted charge is classified into one of nine sentence groups:

- Life Sentence
- State Prison / Split Sentence
- State Prison Sentence
- Reformatory Sentence
- House of Correction / Split 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 is any disposition in which the word “life” appears, excluding life time probation sentences. While most life sentences are given for the offense of murder, life sentences may be imposed for other offenses. Life sentences may also be in the form of a term of years to life. For example, a sentence for the offense of Armed

Robbery may be expressed as “20 years to life”. Under the habitual offender sentencing statute, those offenders receiving life sentences as habitual offenders are included in the life sentence group. In FY 2003, 40 defendants were classified in the life sentence group including five convicted of offenses other than murder. Of the five defendants sentenced to life for offenses other than murder, two were sentenced as habitual offenders.

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.

A further distinction was made between split sentences to be served at the DOC (state prison / split sentence) and split sentences to be served at a house of correction (house of correction / split sentence). State prison / split sentences were those sentences with a minimum suspended term; a maximum suspended term of more than 30 months; or, split sentences with no sentence length information but convicted in a superior court. Although state prison / split sentences can no longer be given for offenses committed after July 1, 1994, some cases were sentenced in FY 2003 for offenses occurring prior to that time and thus a state prison / split sentence could be imposed. In FY 2003, there were two state prison / split sentences imposed. These sentences are reported in the “other DOC” sentence category. House of correction / split sentences were those split sentences with no minimum suspended term; split sentences with a maximum suspended term of 30 months or less; or, split sentences with no sentence length information but convicted in a district court.

State Prison Sentences. State prison sentences are those sentences with one or more valid incarceration words with some additional characteristics. State prison sentences are those sentences with a minimum and a maximum term of incarceration of any length; one or more words specifying a state sentence with no minimum or maximum sentence length; or incarceration sentences with no sentence length information imposed by a superior court. Of the 1,508 defendants classified as state prison sentences, five were sentenced as habitual offenders.

Other DOC Sentences. This category includes state prison / split sentences, reformatory sentences, and some habitual offender sentences. Reformatory sentences were those incarceration sentences with no minimum term of incarceration and a maximum term of incarceration greater than 30 months. Although reformatory sentences can no longer be given for offenses committed after July 1, 1994, some cases were sentenced in FY 2003 for offenses occurring prior to that time and thus a reformatory sentence could be imposed. In FY 2003 there were no reformatory sentences imposed. The sentence structure of

habitual offenders is often similar to that of reformatory sentences, that is only a single sentence length is imposed, which is the statutory maximum. These defendants were also included in the “Other DOC” group unless a life or state prison sentence was imposed. In FY 2003, ten defendants were sentenced as habitual offenders and classified in the “Other DOC” group. One defendant who was convicted of a felony and held while sentencing was continued generally was classified in the “Other DOC” group.

House of Correction Sentences. House of correction sentences are those sentences with one or more valid incarceration words with some additional characteristics. House of correction sentences have no minimum term of incarceration and have a maximum term of incarceration of 30 months or less. House of correction sentences may be imposed by either the superior or district court.

Probation Sentences. Probation sentences are those sentences with one or more valid probation words. Probation sentences include sentences to straight probation as well as those with a suspended sentence to the state prison or house of correction. The estimates of the number of probation sentences does not include all defendants receiving probation supervision. Many defendants are supervised during a pre-trial period of probation, are supervised as the result of a non-conviction disposition (e.g. CWOFF or general continuance), or are supervised from & after a period of incarceration (e.g. split sentence or from & after probation).

Other Sentences. The other sentence group is the default group assigned for all convicted defendants. Most of the convictions in this group are the result of a guilty filed disposition.

Sentencing Hierarchy. In some instances an individual charge may be subject to multiple sentencing conditions upon conviction. For example, a fine may be given in conjunction with a house of correction sentence and 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 with precedence indicated by the order in which the sentence groups appear above. Beginning with the FY 2002 survey of sentencing practices all cases where a sentencing event included both a house of correction and a house of correction / split sentence were reviewed. When the committed portion of the house of correction / split sentence was longer than the house of correction sentence, the house of correction / split sentence was considered the governing offense; where the split portion of the house of correction / split sentence and the house of correction sentence were of the same length, the charge associated with the highest offense seriousness level was considered the governing offense; and where offense seriousness levels were the same, the charge associated with the split sentence was considered the governing offense.

Initial Sentence. 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 was treated as a fine sentence. Similarly, a charge that was originally sentenced to straight probation or a suspended sentence and subsequently resulted in a commitment to a state or county correctional facility as a result of a probation violation was considered to be initially sentenced to a term of probation supervision.

Stayed Sentences. Adjustments to the assigned sentence group were made based on an analysis of the disposition field for the use of stayed sentencing. This was done in an attempt to distinguish short-term stays of sentence execution from longer term stays that resemble suspended sentences. Defendants with a sentence to incarceration where the time between the date of disposition and the date until which the sentence was stayed was 12 months or more were assumed to have non-incarcerative sentences. Defendants with a sentence to incarceration where the time between the date of disposition and the date until which the sentence was stayed was less than 12 months were considered to have a sentence to incarceration. For defendants whose sentence was defined as a house of correction / split sentence or a state prison / split sentence, no change in assigned sentence group was made. Further, for defendants whose sentence group was defined as a non-incarcerative sentence, no change in the sentence group was made.

Sentence Length

For each incarcerative sentence group, a sentence length was selected:

Life	Life
State Prison	Minimum sentence
State Prison / Split	Split or committed sentence
Reformatory	Maximum sentence
House of Correction	Maximum sentence
House of Correction / Split	Split or committed sentence

In the analysis, sentence length is expressed in months and was derived using the following formula:

$$[\text{sentence-length-years} * 12] + [\text{sentence-length-months}] + [\text{sentence-length-days} / 30].$$

When calculating mean sentence length, cases with missing information were excluded from the analysis. There were a total of 172 cases with missing sentence length

information, representing approximately 0.9% of the incarceration sentences. The number of cases with missing sentence length information is noted in Table 34.

Table 34. Cases with Missing Sentence Information by Selected Defendant Characteristics and Grid Assignment

Defendant Characteristic	Sentencing Guidelines Grid	Other
House of Correction Sentence	156	4
House of Correction / Split Sentence	11	0
Other DOC	1	0
District Court	163	4
Superior Court	5	0
Old Law	0	0
New Law	168	4
Mandatory Offense	0	0
Other Offense	168	4

Offense Seriousness Level

All offenses were assigned to one of nine levels of offense seriousness, ranging from level 1, the lowest level of offense seriousness, to level 9, the highest level of offense seriousness. The assigned levels of offense seriousness were consistent with the levels of offense seriousness as assigned by the commission.

Offense titles in the CARI data base are assumed to reflect the offense of conviction. For each charge in the current sentence of a defendant, the offense, offense descriptors, court, type of sentence and length of sentence imposed were evaluated in order to ensure consistency with this assumption. In some instances the offense title was adjusted to a more appropriate level. For example, a conviction for rape in a district court or a conviction for rape with a house of correction sentence, was considered to be a conviction of Indecent Assault and Battery. During the data collection process for the FY 1999 Survey of Sentencing Practices, several changes were made to the offense seriousness levels of certain offenses. All data for the period FY 1994 to FY 1998 were restated to be consistent with these revisions.

Where the offense could be categorized in a number of statutory sections, the section associated with the lowest level of ranking was selected. For drug offenses where the class of substance was unknown and the criminal record of the defendant did not otherwise indicate a class of substance, it was assumed that the possession, distribution, or trafficking charge involved a class B substance.

Staircased Offenses

For offenses where the commission assigned staircasing factors, the offense was generally assigned to the lowest level among the various staircasing levels. The analysis employed the following additional assumptions in assigning an offense seriousness level for the current offense of conviction:

Manslaughter	Level 8	Descriptive information indicates voluntary manslaughter No descriptive information and state prison sentence No descriptive information and state prison / split sentence No descriptive information and reformatory sentence
	Level 6	Descriptive information indicates involuntary manslaughter No descriptive information and house of correction sentence No descriptive information and house of correction / split sentence No descriptive information and non-incarceration sentence
Armed Robbery	Level 7	All cases where descriptive information indicates use of gun Random assignment of cases with no descriptive information such that at least 25% of all armed robbery cases are assigned to level 7
	Level 6	All cases where descriptive information does not include the use of a gun Random assignment of cases with no descriptive information such that no more than 75% of all armed robbery cases are assigned to level 6
A&B w/DW	Level 6	Superior court state prison sentence Superior court state prison / split sentence Superior court reformatory sentence
	Level 4	Superior court house of correction sentence Superior court house of correction / split sentence District court incarceration sentence of 12 months or more

	Level 3	Superior court non-incarceration sentence District court incarceration sentence of less than 12 months District court non-incarceration sentence
Larceny More / RSG More	Level 4	State prison sentence State prison / split sentence Reformatory sentence
	Level 3	House of correction sentence House of correction / split sentence Non-incarceration sentence
Vehicular Homicide	Level 6	State prison sentence State prison / split sentence Reformatory sentence OUI and reckless or negligent indicated and house of correction sentence of 12 months or more OUI and reckless or negligent indicated and house of correction / split sentence of 12 months or more
	Level 4	OUI indicated and reckless or negligent not indicated and house of correction sentence OUI indicated and reckless or negligent not indicated and house of correction / split sentence OUI indicated and reckless or negligent not indicated and non-incarceration sentence OUI not indicated and reckless indicated and house of correction sentence OUI not indicated and reckless indicated and house of correction / split sentence OUI not indicated and reckless indicated and non-incarceration sentence
	Level 3	OUI not indicated and reckless not indicated and house of correction sentence OUI not indicated and reckless not indicated and house of correction / split sentence OUI not indicated and reckless not indicated and non-incarceration sentence
B&E	Level 4	State prison sentence

	State prison / split sentence
	Reformatory sentence
Level 3	House of correction sentence
	House of correction / split sentence
	Non-incarceration sentence

Sentencing Events

All charges reaching final disposition on a single date for a particular defendant were considered to constitute a “sentencing event”. The sentencing event constitutes the unit of analysis for the survey of sentencing practices and represents that event at which a charge, or group of charges, reaches final disposition and conviction. As currently defined, a sentencing event occurs on a single calendar day. Throughout the narrative, the terms convictions, defendants, and convicted defendants are used to refer to a “sentencing event”.

An individual defendant can have multiple sentencing events during any sampling time period. Individual defendants can appear multiple times in the sample, but are limited to a single sentencing event during any calendar month. One or more charges can be included in a sentencing event along with the initial conviction and sentencing decisions for each charge within that event. The sentencing event charges could have been arraigned on diverse dates. One or more courts can be included in a sentencing event. Federal court cases maintained in the CARI database were excluded from the construction of sentencing events.

From all charges disposed of at a “sentencing event”, a single charge was designated the “governing offense”. The charges were first ranked according to sentence group using the following hierarchy: life sentence, state prison sentence, reformatory sentence, state prison / split sentence, house of correction sentence, house of correction / split sentence, probation sentence, fine sentence, and other sentence. 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 selected. Within an offense level, the docket number assigned determined the charge selected as the governing offense.

In the FY 2003 Survey of Sentencing Practices all other charges resulting in a conviction as part of the ‘sentencing event’ were reviewed and were called ‘secondary convictions’: This survey reports on the total number of charges resulting in conviction (see Table 4) and the type of offense in those secondary convictions (see Table 22).

The method used to assign the “governing offense” differs in some respects from the method used to assign the “governing offense” under guidelines. Under guidelines, the governing offense will always be associated with the highest offense level. The assignment of “governing offense” for purposes of the survey of sentencing practices incorporates information about the sentence imposed and was not solely based on the offense seriousness level. The offense seriousness level of all convicted charges in the sentencing event were reviewed in order to estimate the number of cases where a secondary conviction had a higher offense seriousness level than the governing offense. Under the method used to assign governing offenses, a defendant sentenced to incarceration for Armed Robbery (level 6 or 7) with a probation sentence for home invasion (level 8) would be assigned to the lower offense level due to incarceration status and sentence length.

Table 35 shows the offense seriousness level assigned to the governing offense and the highest offense seriousness level for all convicted offenses. Of the 49,525 defendants convicted of offenses assigned to the sentencing grid, 48,270 or 97.5% had all of their convictions at or below the level of the governing offense and 1,255 or 2.5% had one or more convictions at a level higher than the governing offense. The most frequently occurring was a defendant assigned to offense level 1 who was also convicted of an offense assigned to offense level 2. For example, a defendant who had a probation sentence for driving after suspension (level 1) and a guilty filed for compulsory insurance violation (level 2) would be assigned to the lower offense level. Defendants assigned to level 1 with one or more convictions at level 2 accounted for 440 or 35.1% of these cases. Table 36 shows the specific offense associated with the highest offense seriousness level for the 1,255 cases.

Table 35. Offense Seriousness Level: Governing Offense and all Offenses of Conviction

Offense Seriousness Level	All Convictions at That Level or Below		One or More Convictions at a Higher Level		Total	
	N	%	N	%	N	%
9	35	100.0%	0	0.0%	35	100.0%
8	119	100.0%	0	0.0%	119	100.0%
7	215	98.2%	4	1.8%	219	100.0%
6	573	97.0%	18	3.0%	591	100.0%
5	999	98.8%	12	1.2%	1011	100.0%
4	4261	98.4%	68	1.6%	4329	100.0%
3	17280	98.9%	197	1.1%	17477	100.0%
2	16040	97.6%	393	2.4%	16433	100.0%
1	8485	93.8%	563	6.2%	9048	100.0%
Not Assigned	263	100.0%	0	0.0%	263	100.0%
Total	48270	97.5%	1255	2.5%	49525	100.0%

Offense Seriousness Level	Maximum Offense Level (All Convictions)									
	0	1	2	3	4	5	6	7	8	9
9	0	0	0	0	0	0	0	0	0	35
8	0	0	0	0	0	0	0	0	119	0
7	0	0	0	0	0	0	0	215	4	0
6	0	0	0	0	0	573	8	10	0	0
5	0	0	0	0	999	10	0	2	0	0
4	0	0	0	0	4261	25	33	6	4	0
3	0	0	0	17280	53	109	29	3	3	0
2	0	0	16040	339	37	12	4	0	1	0
1	0	8485	440	111	3	7	2	0	0	0
Not Assigned	263	0	0	0	0	0	0	0	0	0
Total	263	8485	16480	17730	4354	1152	651	232	143	35

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Table 36. Offense Associated with Highest Offense Level and Not Governing Offense

Level	Offense - Highest Level	N	Level	Offense - Highest Level	N	Level	Offense - Highest Level	N	Level	Offense - Highest Level	N
8	Arm Assault InDwell House	2	5	A&B Child w/Injury	2	3	A&B	97	2	Assault	5
8	Rape, Aggravated	1	5	Indecent A&B On Child	3	3	A&B Domestic	7	2	Larceny	1
8	Rape Of Child w/Force	6	5	Robbery Unarmed	13	3	A&B Dangerous Weapon	21	2	Larceny Less	3
8	Home Invasion	14	5	Robbery Unarmed + 60	2	3	Assault Dangerous Weapon	27	2	Credit Card Misuse	1
8	Burglary, Armed	1	5	Intimidation	123	3	Unnatural Acts	1	2	B&E w/i Misdemeanor	1
			5	Stalking Viol of Rest Order	1	3	Restraining Order Violation	22	2	Property Destruction	7
7	Mayhem	2	5	Burglary	7	3	Larceny More	47	2	Receiving Stolen Goods	15
7	Rape	1	5	Conspiracy Violate CSA	1	3	Larceny Building	4	2	Possession Class A	3
7	Incest	1	5	Perjury or Suborn	1	3	Larceny MV	3	2	Possession Class A Heroin	1
7	Drug for Sexual Intercourse	2				3	Fraud - Identity	3	2	Possession Class B	7
7	Armed Robbery Gun	3	4	A&B Elderly / Dis w/Injury	1	3	Possess Burglarious Tools	17	2	Possession Class C	1
7	Armed Assault w/i Murder	8	4	A&B Guard	1	3	B&E	26	2	Possession Class D	6
			4	Indecent A&B	5	3	Mal Dest Property More	10	2	Poss Class D Marijuana 2nd	1
6	Manslaughter	1	4	Assault w/i Rob	3	3	Receiving Stolen Goods Over	8	2	Distribute Class D	3
6	Assault To Kill or Maim	5	4	Stalking	1	3	Receiving Stolen Goods MV	14	2	Poss Hypodermic/Syringe	10
6	Rape Of Child	12	4	Larceny Person	22	3	Forgery And Uttering	30	2	Operate to Endanger	23
6	Assault w/i Rape	1	4	Distribute Class A	22	3	Possession Class D 2nd	3	2	Use Without Authority	8
6	Ind. A&B Mentally Retarded	1	4	Distribute Class B	27	3	Distribute Class C	2	2	Operate After Susp 2nd	4
6	Child Pornography	1	4	Giving Prisoner Cont Sub	1	3	Distribute Class D 2nd	1	2	Comp Insurance Violation	201
6	Armed Robbery	43	4	Leaving Scene Death	1	3	Leaving Scene Property	71	2	Count/Alter MV Document	13
6	Armed Assault w/i Rob	12	4	OUI Serious Inj. Fel	1	3	Leaving Scene Pers Inj.	8	2	Fls Statement On Application	1
6	Carjacking	1	4	Derive Supp Fr Prostitute	1	3	Nonsupport	1	2	Prostitution	6
6	Burning Dwelling House	1	4	Escape	3	3	Interfere Police or Firefighter	4	2	Failure To Disperse	7
			4	Bribery	1	3	Carrying Dangerous Weapon	18	2	Firearm Possess w/o Permit	2
						3	Sex Offender Fail Register	1	2	Impersonate/Disguise	2
						3	Vandalize - Graves	1	2	Failure to Appear	1
									2	Possess Dangerous Weapon	1
									2	Fireworks	3
									2	Resisting Arrest	46
									2	Curfew	1
									2	False Report Of Crime	1
									2	True Name Law	40
OUI Offenses											
4	Oper Und Infl Of Liq 4th	2									
3	Oper Und Infl Of Liq 3rd	3									
2	Oper Und Infl Of Liq 2nd	5									
2	OUI	10									
Mandatory Firearms											
4	Bartley-Fox Mandatory	1									

Criminal History Group

Each defendant was assigned to a criminal history group in accordance with the five level criminal history scale established by the commission:

- 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, 4, 5 or 6

- 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

In assigning cases to one of the five categories in the criminal history scale both the number of prior convictions and the seriousness of each prior conviction was considered.

Convictions. Only charges resulting in conviction were included in the construction of the criminal history scale. The conviction definition used for constructing the sentencing event was applied to the construction of the criminal history scale.

Prior Convictions. The criminal history includes only 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. Therefore, the criminal history includes those charges which resulted in a conviction and whose arraignment date precedes the arraignment date of the governing offense in the current sentencing event.

Multiple Prior Convictions. The criminal history scale counts multiple convictions resulting from separate charges as a single conviction if those charges have the same arraignment date. This is consistent with the policy of the commission that multiple convictions arising from the same incident should be counted as one prior conviction, based on the most serious offense. 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 as part of the CARI database.

Selecting a Governing Offense. From all charges disposed of at an “arraignment event” a single charge is designated the “governing offense” for purposes of assigning the criminal history group. The charge with the highest offense seriousness level as defined by the commission is selected as the governing offense. If multiple charges have the same offense seriousness level, the charge with the earliest disposition date is selected as the governing offense. Each arraignment event counts only once in the criminal history, regardless of the number of charges disposed of at that event.

The method may underestimate the number of defendants in the highest criminal history groups. 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 where the use of gun was not specifically noted, 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.

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 governing offense, and in the arraignment event, the most serious offense (as defined by the commission) determines the governing offense. For example, a defendant has two charges disposed of in a single date: Aggravated Rape (guilty 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 longest 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.

In the FY 1999 Survey of Sentencing Practices, changes were made to the estimates of defendants criminal history that result in fewer defendants classified in criminal history

group A and E. All criminal history estimates for the period FY 1994 to FY 1998 were re-stated to be consistent with these revisions.

Juvenile Criminal History

Consistent with the policy established by the commission, juvenile criminal history was also considered in the construction of the criminal history scale. Adjudications of delinquency for offenses classified in levels 7, 8, and 9 were counted for purposes of classifying the defendant into one of five criminal history groups; other adjudications of delinquency in the juvenile record were not counted for purposes of classifying the defendant into one of the five criminal history groups. There was no age limit on the age of the juvenile at the time of conviction, all noted adjudications 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 a set of assumptions parallel to the adult model were followed: only those offenses resulting in an adjudication of delinquency were considered; an incident based approach was applied to counting juvenile adjudications (only one juvenile adjudication per arraignment event); and, the most serious charge for which the juvenile was adjudicated at each arraignment event counts towards the juvenile criminal history. Some further assumptions used in the construction of the juvenile criminal history model include: all juvenile criminal history adjudications were assumed to precede any adult criminal history convictions; and there was no constraint on the types of offenses that could be charged in juvenile courts.

When considering juvenile charges, no modifications to offense title by court, or sentence type were made. It was assumed that juvenile court has jurisdiction over all offenses and all dispositions were available for all offenses.

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 or fine.

Youthful Offender Dispositions

The youthful offender law allows judges sitting in juvenile court to sentence certain juvenile offenders to an adult sentence or to a combination adult / DYS sentence.³⁰ Adjudications in juvenile court under the youthful offender law were treated separately from other juvenile adjudications. Adjudications under the youthful offender law which resulted in the imposition of an adult sentence by the juvenile court were not included as convictions or sentencing events for the purposes of constructing the sample for the current survey of sentencing practices. For juveniles charged with murder, the cases are heard in adult court. If those cases resulted in a commitment to DYS, the case was not included in the sample. If those cases resulted in an adult sentence, the case was included in the sample.

During FY 2003 there were 344 cases where a defendant sentenced as an adult also had a prior adjudication under the youthful offender law that could affect the classification of the defendant into a criminal history group. Adjudications under the youthful offender law were classified as to the type of sentence imposed: adult sentence, combination adult/DYS sentence, or DYS sentence. For some records, the disposition information on multiple records was used to assign the sentence type.

- all adjudications under the youthful offender act for offenses classified in levels 7, 8, or 9 were counted as convictions for purposes of classifying the defendant into one of five criminal history groups;
- adjudications under the youthful offender act for which an adult sentence was imposed for offenses classified in levels 1 through 6 as convictions were counted for purposes of classifying the defendant into one of five criminal history groups; and,
- adjudications under the youthful offender act for which a combination adult/DYS sentence or a DYS sentence was imposed for an offense classified in levels 1 through 6 were not counted for purposes of criminal history group classification.

In evaluating the youthful offender criminal record a set of assumptions parallel to the adult model were followed: only those offenses resulting in an adjudication as a youthful offender were considered; an incident based approach was applied to counting

³⁰ St. 1996, c. 200 was effective for offenses committed on or after October 1, 1996 except for juveniles charged with murder. For these individuals the effective date of the law was July 27, 1996.

adjudications (only one adjudication per arraignment event); and, the most serious charge for which the juvenile was adjudicated at each arraignment event counts towards the criminal history. Some further assumptions used in the construction of the youthful offender criminal history model include:

- the disposition date of the youthful offender adjudication was considered and had to be prior to the disposition of the adult record;
- there was no constraint on the types of offenses that could be indicted as youthful offenders;
- descriptive information available in the record was considered in assigning the offense seriousness level;
- adjudicated cases with the same arraignment date were assigned to the same sentence type in a hierarchical fashion (adult, combination, DYS);
- cases were assigned to the adult sentence group if there was any term of incarceration that was committed, including split sentences or incarcerations that occurred as the result of a violation of probation;
- cases were assigned to the combination sentence group if there was any term of incarceration that was suspended; and,
- cases were assigned to the DYS sentence group if there was a committed or suspended term to DYS, probation with no term, or delinquent filed.

Sentencing Guidelines Grid Assignment

Consistent with the classification under proposed guidelines, most cases were assigned to the sentencing guidelines grid. Those cases assigned to the sentencing guidelines grid include all cases where the sentencing guidelines grid would have been considered if the sentencing guidelines had been enacted along with those defendants convicted of murder. Those cases not assigned to the sentencing guidelines grid include convictions for OUI offenses, mandatory firearms offenses, and offenses for which a sentence of imprisonment is not provided by statute. In constructing the FY 1999 Survey of Sentencing Practices data base the grid assignment of certain offenses was modified. All data from the period FY 1994 to FY 1998 were restated to be consistent with these changed definitions.

Sentencing for the offense of murder would not be changed under the proposed sentencing guidelines. However, murder is used to illustrate level 9 on the sentencing guidelines grid and those defendants convicted of murder have been included as level 9 for purposes of statistical reporting in this survey of sentencing practices.

The method should not be considered a comprehensive compilation of OUI sentencing. Many first offense OUI cases are disposed of through a CWOFF and thus were not included in this sample. The method should not be considered a comprehensive compilation of sentencing for non-jailable offenses. Many charges and convictions for non-jailable offenses were not systematically included as part of the CARI database.

For each case assigned to the sentencing guidelines grid, the intersection of the offense seriousness level and criminal history group constitutes the grid cell for the defendant. Each of the grid cells is further assigned to one of three sentencing zones: incarceration, discretionary, or intermediate sanctions.

A number of cases were placed in an unassigned level of offense seriousness. These cases involve convictions for offenses for which the commission recommended that the offense seriousness level be contingent on the associated criminal activity. Convictions involving an attempt, conspiracy, or accessory are placed into this unassigned level of offense seriousness category.

Truth-in-Sentencing Definition

During FY 2003, defendants were sentenced under the provisions of the old law (pre-truth-in-sentencing reform) and the new law (post-truth-in-sentencing reform). The law under which a defendant was sentenced is based on the date on which the offense occurred. The date of offense is not available in the CARI database upon which the survey of sentencing practices was based. The method used to estimate the sentencing law applicable in an individual case involved an evaluation of the arraignment date, court department, and sentence imposed:

- cases sentenced in the superior court with an arraignment date prior to September 1, 1994 were assumed to be an old law cases;
- cases sentenced in the superior court with an arraignment date of September 1, 1994 or later were assumed to be new law cases;
- cases sentenced in the district court with an arraignment date prior to July 1, 1994 were assumed to be old law cases;
- cases sentenced in district court with an arraignment date of July 1, 1994 or later were assumed to be new law cases;
- for cases sentenced to state prison for 12 months or less, superior court arraignment dates prior to September 1, 1994, and related district court arraignment dates of July 1, 1994 or later were assumed to be new law cases; and,
- for all courts and arraignment dates, reformatory sentences, suspended state prison sentences, and state prison / split sentences were assumed to be old law cases.

Throughout the narrative the term old law refers to cases sentenced under the pre-truth-in-sentencing reform statutes and the term new law refers to cases sentenced under post-truth-in-sentencing statutes.

Court Department

All convictions were assigned to one of two court departments, district court or superior court, based on the court associated with the conviction of the governing offense.

District Court. Boston Municipal Court is included in the district court category. During FY 2003 a number of convictions occurred in Jury-of-Six sessions. These convictions were included in the district court category.

Juvenile Court. There were a number of adult defendants convicted in juvenile court during the sampling frame. These convictions were most often associated with the charge of failure to send child to school or contributing to delinquency. These convictions were included in the district court category.

Adjudications under the youthful offender law which result in the imposition of an adult sentence by the juvenile court were not included as convictions for the purposes of constructing the sample for the current survey of sentencing practices.

Federal Court. Criminal charges disposed of in a federal district court located in Massachusetts are generally included as a part of the CARI database. These dispositions are not included in defining the sentencing event, even if the charge was disposed of and resulted in a conviction during the sampling period. These dispositions were included in assessing the criminal history of defendants.

Jurisdiction

All sentences to incarceration were assigned to the jurisdiction of the DOC or to the jurisdiction of a house of correction. All house of correction sentences and house of correction / split sentences were assumed to be within the jurisdiction of a house of correction. All life sentences, state prison sentences, and other DOC sentences were assumed to be within the jurisdiction of the DOC. During FY 2003, some female defendants with house of correction sentences were in the custody of the DOC at the correctional facility for females. For purposes of the statistical analysis, these female defendants were considered within the jurisdiction of a house of correction.

For certain offenses, such as manslaughter, when imposing a sentence of incarceration, a superior court judge may sentence a defendant to the jurisdiction of a house of correction or to the jurisdiction of the DOC. For other offenses, such as Robbery, a superior court judge, when imposing a sentence of incarceration, may only sentence a defendant to the jurisdiction of the DOC. Finally, for other offenses, such as Assault & Battery, a superior court judge, when imposing a sentence of incarceration may only sentence a defendant to the jurisdiction of a house of correction. Subsequent to truth-in-sentencing reform, district court judges, when imposing a sentence of incarceration, can only impose a sentence to a house of correction. Prior to truth-in-sentencing reform, district court judges could impose reformatory sentences. In FY 2003 there were no district court incarceration sentences to the jurisdiction of the DOC.

Comparison of Existing Sentencing and Proposed Sentencing Guidelines

The actual sentence imposed was compared to the sentencing guidelines range for all cases assigned to the sentencing guidelines grid in order to estimate whether the sentence was below the guideline range, within the guideline range, or above the guideline range. The method used to assign the cases was:

- all incarceration sentences imposed in the intermediate sanction zone were considered above the range and all non-incarceration sentences imposed in the incarceration zone were considered below the range;
- for incarceration sentences in the discretionary zone and the incarceration zone the length of the sentence was compared with the sentencing range using the following method:
 - all life sentences at offense level 9 and grid cell “8E” were considered to be within the range and all other life sentences were considered to be above the range;
 - the minimum sentence of all “old law” state prison sentences was compared to the range;
 - the maximum sentence of all “new law” state prison sentences was compared to the range;
 - the committed portion of all state prison / split sentences was compared to the range;
 - the sentence length of all house of correction sentences was compared to the range;
 - the committed portion of all house of correction / split sentences was compared to the range

- the comparative analysis was not completed for 460 individuals. Excluded from the comparative analysis were all reformatory sentences, all cases not assigned to an offense seriousness level, all incarceration sentences with missing sentence length, and defendants convicted of six offenses where statutory minimum incarceration sentences might be imposed (home invasion, armed assault in dwelling, armed burglary, child pornography (level 6), distribution of paraphernalia, and drug for sexual intercourse);
- in all cases where the sentence length was compared to the range the sentence length was not truncated or rounded prior to making the comparison. Thus, a “new law” state prison sentence of 5 years to 5 years and 1 day imposed in grid cell “6A” was considered an upward departure based on the maximum sentence being 1 day over the upper limit of the range; and,
- beginning with the FY 2000 sample, all cases convicted in the district court and assigned to a grid cell with a lower limit of more than 30 months were considered to have a grid cell range of 20 to 30 months.

Post-Release Probation Supervision

For those sentencing events for which a life sentence, state prison sentence, reformatory sentence, or house of correction sentence was imposed for the governing offense, any remaining charges for which the defendant was convicted were evaluated to determine if a probation sentence, state prison / split sentence or house of correction / split sentence was also imposed as part of that sentencing event. Incarceration sentences were only considered to have a period of post-release probation supervision if the sentences were imposed as part of the same sentencing event. The offense seriousness level for incarceration sentences involving a period of post-release probation supervision was taken from the governing offense which is that offense associated with the incarceration portion of the sentence, regardless of the relative offense seriousness level of the offense associated with any other sentences.

Demographic Characteristics

Offender demographics characteristics (gender, age, race, and place of birth) were collected from the offender identification section of the CARI database. The CARI database maintains multiple identification records to capture multiple identification information reported by the defendant (e.g. aliases and dates of birth). Where multiple identification records were available for a particular defendant, those records were scanned for completeness of demographic information. Among those records with complete demographic information, that record with the oldest recorded date of birth was used, that is the date of birth which makes the offender appear to be older. Using this data collection method, date of birth and gender were available for 100.0% of convicted defendants.

Race was not universally available. All of the tables contain in the report include those defendants for whom race is missing in the statistical tabulations. Table 37 shows the availability of defendant race by month of disposition, sentence type, county of conviction, court department, and gender.

Place of birth was collected from the open text field in the CARI database and was not universally available. Place of birth does not indicate either the citizenship status or the immigration status of the defendant.

- For defendants born in Massachusetts, place of birth was assigned to a specific city or town and county. The source of city and town names and associated county designations was the “Massachusetts Counties, Cities and Towns” and “Unincorporated and Unofficial Names of Massachusetts Communities” lists maintained by the Secretary of the Commonwealth.³¹ In some cases, defendants were assigned to Massachusetts, where no city or town was specified.
- For defendants born in another state or U.S. territory, the place of birth was assigned to the state or territory. States and U.S. territories were further grouped by regions using the definitions of the U.S. Census Bureau.³²
- For defendants born outside of the United States, the name assigned to the country was taken from the list of independent states of the world maintained by the U.S.

³¹ These lists are available at <http://www.state.ma.us/sec/ele/elecct/cctidx.htm> and <http://www.state.ma.us/sec/cis/cisuno/unoidx.htm>.

³² U.S. Census Bureau, *Census 2000 Geographic Terms and Concepts*, page A-27.

Department of State.³³ The short form name of the country was used in all statistical tables. All countries were further assigned to a geographic region consistent with the assignments made by the U.S. Department of State. In some cases defendants were assigned to a geographic region where no country was specified (e.g. Africa, West Indies, Central America, Asia, or South America). For some islands in the Western Hemisphere where the geographic region would change for European protectorates or departments of France, the protectorate or department name was maintained and the case was retained in the Western Hemisphere classification.

³³ Bureau of Intelligence and Research, U.S. Department of State, *Independent States in the World*, <http://www.state.gov/s/inr/rls/4250.htm>.

Table 37. Availability of Defendant Race by Selected Defendant Characteristics

Defendant Characteristic	Race Known		Race Unk nown		Total	
	N	%	N	%	N	%
Disposition Month						
July 2002	4,556	98.0%	93	2.0%	4,649	100.0%
August 2002	4,454	97.6%	109	2.4%	4,563	100.0%
September 2002	4,709	97.9%	102	2.1%	4,811	100.0%
October 2002	5,257	97.8%	120	2.2%	5,377	100.0%
November 2002	4,371	98.2%	78	1.8%	4,449	100.0%
December 2002	4,158	98.3%	72	1.7%	4,230	100.0%
January 2003	5,178	98.2%	97	1.8%	5,275	100.0%
February 2003	4,226	98.1%	81	1.9%	4,307	100.0%
March 2003	4,837	97.9%	103	2.1%	4,940	100.0%
April 2003	4,809	98.2%	89	1.8%	4,898	100.0%
May 2003	4,479	98.2%	83	1.8%	4,562	100.0%
June 2003	4,851	97.9%	103	2.1%	4,954	100.0%
Total	55,885	98.0%	1,130	2.0%	57,015	100.0%
Sentence Group						
Life	39	97.5%	1	2.5%	40	100.0%
State Prison	1,472	97.6%	36	2.4%	1,508	100.0%
Other DOC	13	100.0%	0	0.0%	13	100.0%
House	11,415	98.1%	221	1.9%	11,636	100.0%
House / split	5,276	99.0%	51	1.0%	5,327	100.0%
Probation	27,316	98.5%	413	1.5%	27,729	100.0%
Fine	7,272	96.2%	286	3.8%	7,558	100.0%
Other	3,082	96.2%	122	3.8%	3,204	100.0%
Total	55,885	98.0%	1,130	2.0%	57,015	100.0%
County						
Barnstable	2,192	98.6%	30	1.4%	2,222	100.0%
Berkshire	1,491	99.1%	13	0.9%	1,504	100.0%
Bristol	5,579	97.4%	146	2.6%	5,725	100.0%
Dukes	140	97.9%	3	2.1%	143	100.0%
Essex	6,738	98.7%	91	1.3%	6,829	100.0%
Franklin	827	99.8%	2	0.2%	829	100.0%
Hampden	5,854	97.1%	177	2.9%	6,031	100.0%
Hampshire	1,209	99.7%	4	0.3%	1,213	100.0%
Middlesex	7,813	98.3%	138	1.7%	7,951	100.0%
Nantucket	71	100.0%	-	0.0%	71	100.0%
Norfolk	3,671	99.0%	36	1.0%	3,707	100.0%
Plymouth	3,809	99.1%	34	0.9%	3,843	100.0%
Suffolk	7,679	98.3%	136	1.7%	7,815	100.0%
Worcester	8,812	96.5%	320	3.5%	9,132	100.0%
Total	55,885	98.0%	1,130	2.0%	57,015	100.0%
Court Department						
District	52,723	98.0%	1,071	2.0%	53,794	100.0%
Superior	3,162	98.2%	59	1.8%	3,221	100.0%
Total	55,885	98.0%	1,130	2.0%	57,015	100.0%
Gender						
Female	8,389	97.3%	231	2.7%	8,620	100.0%
Male	47,496	98.1%	899	1.9%	48,395	100.0%
Total	55,885	98.0%	1,130	2.0%	57,015	100.0%

APPENDIX B. ADDITIONAL STATISTICAL TABLES

The first table in this appendix presents additional information about defendants convicted of the offense of distribution of controlled substance in a school zone. The second table presents additional detailed information on defendant place of birth. The next seven tables present additional detailed information on the governing offenses of convicted defendants from the survey of sentencing practices.

School Zone Offenders

The most frequently occurring mandatory drug offense was distribution in a school zone, with 292 convictions, or 40.3% of all mandatory drug convictions. A sentence for distribution within a school zone is required to be a minimum of two years to be served from & after the sentence for the underlying drug offense. The method employed in the current analysis considers distribution within a school zone to be the governing offense only when the sentence imposed for the distribution within a school zone charge was longer than the sentence imposed for the underlying drug charge. Therefore, there were additional offenders convicted of distribution in a school zone. Table 38 shows some additional information on those offenders convicted of school zone offenses.

The first portion of the table considers all defendants convicted of one or more charges for distribution within a school zone whether the school zone charge was the governing offense or some other offense. As indicated in this table:

- There were 292 defendants for whom the school zone offense was the governing offense; and,
- There were 58 defendants who had one or more convictions of school zone for whom the school zone offense was not the governing offense, because the sentence received on the other offense was longer than the sentence imposed for the school zone offense:
 - 39 had a mandatory drug offense as the governing offense; and,
 - 19 had some other offense as the governing offense.

The second portion of the table considers the nature of the underlying drug offense and the sentence imposed for that offense for those 350 defendants with one or more convictions of distribution in a school zone. Of these 350 defendants:

- the underlying drug offense was a mandatory drug offense for 48 defendants; and,

- the underlying drug offense was a non-mandatory drug offense for 302 defendants.
- 267 had a house of correction sentence imposed for the underlying drug offense and of these sentences 162 were for 1 day; and,
- 83 had a state prison sentence imposed for the underlying drug offense.

The final portion of the table shows the racial composition of the 350 school zone defendants.

Place of Birth

Table 39 shows detailed place of birth information for those defendants born outside of Massachusetts. The information is shown by geographic region and then alphabetically by geographic name.

Incarceration Status

Table 40 shows incarceration status by governing offense for all convicted defendants assigned to the sentencing guidelines grid. Offenses are shown in descending order of offense seriousness level. For each offense, the total number of convicted defendants, the number of incarcerated defendants, and the incarceration rate are shown. The same information is shown for each criminal history group.

For example, the offense of Indecent A&B On Child is a level 5 offense. A total of 145 defendants were convicted of this offense including 95 in criminal history group A, 19 in criminal history group B, 23 in criminal history group C, 7 in criminal history group D, and one in criminal history group E. Of the 145 convicted defendants, a total of 97 received a sentence of incarceration, for an overall incarceration rate of 67%. Of the 95 defendants in criminal history group A, a total of 56 received a sentence of incarceration, for an incarceration rate of 59%; of the 19 defendants in criminal history group B, a total of 14 received a sentence of incarceration for an incarceration rate of 74%; of the 23 defendants in criminal history group C, 20 received a sentence of incarceration for an incarceration rate of 87%; of the 7 defendants in criminal history group D, 6 received a sentence of incarceration, for an incarceration rate of 86%; and, the one defendant in criminal history group E received a sentence of incarceration for an incarceration rate of 100%.

Table 41 shows the same information for defendants convicted in district court. For example, as indicated in Table 41, there were a total of 107 convictions for Indecent A&B

on Child in the district court. Of these 107 convictions, 70 resulted in a sentence to incarceration for an overall incarceration rate of 65%. The number of convicted defendants, the number of incarcerated defendants, and the incarceration rate is also shown for each criminal history group.

Table 42 shows the same information for defendants convicted in superior court. As indicated in Table 42, there were a total of 38 convictions for Indecent A&B on Child in the superior court. Of these 38 convictions, 27 resulted in a sentence to incarceration for an overall incarceration rate of 71%. As in the previous two tables, the number of convicted defendants, the number of incarcerated defendants, and the incarceration rate is also shown for each criminal history group.

State Prison Sentences

Table 43 and Table 44 show sentence length information for those defendants sentenced to the state prison by governing offense and grid cell assignment. In Table 43 the total number of convicted defendants, the mean minimum sentence, and the median minimum sentence are shown. For example, for the offense of armed assault w/i murder, a level 7 offense, there were 31 defendants sentenced to the state prison in FY 2003. The mean minimum state prison sentence for armed assault w/i murder was 61.4 months and the median minimum sentence for armed assault w/i murder was 48.0 months.

In Table 44 the total number of convicted defendants, the mean maximum sentence, and the median maximum sentence are shown. Again, using the example of the offense of armed assault w/i murder, a level 7 offense, there were a total of 31 defendants convicted of armed assault w/i murder and sentenced to the state prison. The mean maximum sentence for armed assault w/i murder was 77.6 months and the median sentence for armed assault w/i murder was 60.0 months.

House of Correction Sentences

Table 45 shows sentence length information for those defendants who were sentenced to a period of incarceration in a house of correction. The table includes defendants convicted in district court and superior court. The table includes defendants who received a house of correction sentence or a house of correction / split sentence. For defendants receiving a house of correction sentence, the maximum sentence length is used in the analysis and for defendants serving house of correction / split sentences, the split or committed portion of the sentence is used in the analysis. There were 168 cases where sentence length information was not available. These cases were excluded from the analysis.

The table shows the total number of convicted defendants, the mean sentence and the median sentence. For example, the offense Possession of Burglarious Tools is a level 3 offense. There were 107 defendants convicted of this offense and sentenced to a term of incarceration in a house of correction. The mean house of correction sentence was 8.6 months and the median house of correction sentence was 6.0 months. The number of convicted defendants and the mean and median sentence length are also shown for each criminal history group.

Type of Offense

Table 46 shows information on incarceration rates by type of offense. All offenses were assigned to a type of offense: person, sex, property, drug, motor vehicle, weapons, public order, and other. As indicated in Table 46:

- there were 11,236 defendants convicted of person offenses with an incarceration rate of 43%;
- there were 588 defendants convicted of sex offenses with an incarceration rate of 72%;
- there were 536 defendants convicted of weapons offenses with an incarceration rate of 45%;
- there were 11,652 defendants convicted of property offenses with an incarceration rate of 37%;
- there were 9,097 defendants convicted of drug offenses with an incarceration rate of 44%;
- there were 11,246 defendants convicted of motor vehicle offenses with an incarceration rate of 20%;
- there were 2,565 defendants convicted of other offenses with an incarceration rate of 26%; and,
- there were 2,605 defendants convicted of public order offenses with an incarceration rate of 20%.

Table 38. Mandatory Drug Offenses: Selected Characteristics of Defendants Convicted of Distribution in School Zone by Court Department

	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Governing Offense						
Governing Offense: School Zone	182	98.9%	110	66.3%	292	83.4%
Governing Offense: Other Mandatory Drug	0	0.0%	39	23.5%	39	11.1%
Governing Offense: All Other Offenses	2	1.1%	17	10.2%	19	5.4%
Total	184	100.0%	166	100.0%	350	100.0%
Underlying Offense of Conviction						
Trafficking Cocaine 14-28 grams	0	0.0%	5	3.0%	5	1.4%
Trafficking Cocaine 28-100 grams	0	0.0%	10	6.0%	10	2.9%
Trafficking Heroin 200+ grams	0	0.0%	1	0.6%	1	0.3%
Distribution Class A	76	41.3%	61	36.7%	137	39.1%
Distribution Class A, 2nd Offender	0	0.0%	2	1.2%	2	0.6%
Distribution Class B	85	46.2%	54	32.5%	139	39.7%
Distribution Class B, 2nd Offender	0	0.0%	7	4.2%	7	2.0%
Distribution Cocaine / Mandatory	0	0.0%	21	12.7%	21	6.0%
Distribution Cocaine / 2nd	0	0.0%	2	1.2%	2	0.6%
Distribution Class D	22	12.0%	2	1.2%	24	6.9%
Distribution Class E	1	0.5%	1	0.6%	2	0.6%
Total	184	100.0%	166	100.0%	350	100.0%
Sentence Imposed / Underlying Drug						
House of Correction Sentence						
1 Day	127	69.0%	35	21.1%	162	46.3%
2 Days to 5 Months	17	9.2%	1	0.6%	18	5.1%
6 Months to 11 Months	12	6.5%	7	4.2%	19	5.4%
12 Months to 17 Months	16	8.7%	27	16.3%	43	12.3%
18 Months to 23 Months	0	0.0%	2	1.2%	2	0.6%
24 Months or More	12	6.5%	11	6.6%	23	6.6%
Sub-Total	184	100.0%	83	50.0%	267	76.3%
State Prison Sentence	0	0.0%	83	50.0%	83	23.7%
Total	184	100.0%	166	100.0%	350	100.0%
Defendant Race						
White	25	13.6%	16	9.6%	41	11.7%
Black	74	40.2%	52	31.3%	126	36.0%
Hispanic	82	44.6%	97	58.4%	179	51.1%
Other	3	1.6%	1	0.6%	4	1.1%
Total	184	100.0%	166	100.0%	350	100.0%

Survey of Sentencing Practices

Table 39. Defendant Place of Birth, Specific States, U.S. Territories, and Countries by Geographic Region

Northeast		South		West		Western Hemisphere	
Connecticut	845	Alabama	236	Alaska	17	Anguilla	3
Maine	269	Arkansas	36	Arizona	62	Antigua And Barbuda	5
New Hampshire	418	Delaware	29	California	436	Argentina	8
New Jersey	601	District of Columbia	66	Colorado	57	Bahamas, the	9
New York	2,389	Florida	445	Hawaii	29	Barbados	25
Pennsylvania	363	Georgia	283	Idaho	6	Belize	4
Rhode Island	772	Kentucky	35	Montana	15	Bermuda	3
Vermont	151	Louisiana	82	Nevada	21	Bolivia	8
Sub-total	5,808	Maryland	130	New Mexico	15	Brazil	303
		Mississippi	103	Oregon	17	Canada	107
Midwest		North Carolina	339	Utah	13	Cayman Islands	1
Illinois	239	Oklahoma	39	Washington	47	Chile	11
Indiana	49	South Carolina	185	Wyoming	6	Colombia	97
Iowa	21	Tennessee	80	Sub-total	741	Costa Rica	14
Kansas	34	Texas	187			Cuba	65
Michigan	141	Virginia	243	Territory		Dominican Republic	706
Minnesota	32	West Virginia	29	Guam	4	Ecuador	31
Missouri	56	Sub-total	2,547	Puerto Rico	4,404	El Salvador	227
Nebraska	16			U.S. Virgin Islands	41	Grenada	2
North Dakota	13			Sub-total	4,449	Guatemala	245
Ohio	183					Guyana	19
South Dakota	8					Haiti	255
Wisconsin	47					Honduras	85
Sub-total	839					Jamaica	183
						Mexico	109
						Montserrat	3
						Netherlands Antilles	1
						Nicaragua	7
						Panama	11
						Peru	24
						Saint Kitts And Nevis	3
						Saint Lucia	1
						South America - No	2
						St Martin	3
						St Vincent Grenadines	1
						Suriname	1
						Trinidad And Tobago	63
						Uruguay	25
						Venezuela	11

Massachusetts Sentencing Commission

West Indies - No Country	19	Moldova	3	Africa		Near East	
Sub-total	2,700	Monaco	2	Africa - No Country	34	Algeria	11
Europe and Eurasia		Netherlands	2	Angola	22	Egypt	4
Albania	6	Poland	56	Botswana	1	Iran	7
Austria	6	Portugal	328	Cameroon	1	Iraq	7
Azerbaijan	1	Romania	3	Cape Verde	288	Israel	7
Belarus	3	Russia	72	Congo (Kinshasa)	4	Jordan	1
Belgium	6	Serbia And Montenegro	2	Cote D'Ivoire	5	Kuwait	2
Bosnia And Herzegovina	3	Slovakia	3	Eritrea	1	Lebanon	19
Bulgaria	1	Spain	12	Ethiopia	6	Libya	4
Czech Republic	4	Sweden	2	Ghana	13	Morocco	16
Denmark	1	Switzerland	2	Guinea-Bissau	2	Saudi Arabia	1
Finland	1	Turkey	8	Kenya	26	Syria	7
France	25	Ukraine	22	Liberia	25	United Arab Emirates	2
Germany	135	United Kingdom	82	Nigeria	24	Sub-total	88
Gibraltar	1	Sub-total	939	Rwanda	1	South Asia	
Greece	40	East Asia and Pacific		Senegal	7	Afghanistan	2
Hungary	3	Asia - No Country	3	Sierra Leone	2	Bangladesh	1
Ireland	54	Australia	7	Somalia	7	India	20
Italy	40	Cambodia	72	South Africa	3	Maldives	1
Kazakhstan	2	China	30	Sudan	1	Nepal	2
Kosovo	1	Indonesia	3	Swaziland	1	Pakistan	12
Latvia	5	Japan	21	Tanzania	3	Sri Lanka	1
Lithuania	2	Korea, South	30	Togo	1	Sub-total	39
		Laos	20	Uganda	6		
		Malaysia	3	Zimbabwe	9		
		New Zealand	2	Sub-total	493		
		Papua New Guinea	4				
		Philippines	21				
		Taiwan	5				
		Thailand	72				
		Tonga	1				
		Vietnam	160				
		Sub-total	454				

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing 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	Murder	21	2	5	7	0	35	21	2	5	7	0	35	100%	100%	100%	100%		100%
9	Sub-Total	21	2	5	7	0	35	21	2	5	7	0	35	100%	100%	100%	100%		100%
8	Manslaughter	15	12	5	5	0	37	15	12	5	5	0	37	100%	100%	100%	100%		100%
8	Armed Assault In Dwell House	0	1	1	1	0	3	0	1	1	1	0	3	100%	100%	100%	100%		100%
8	Rape, Aggravated	3	5	7	3	0	18	3	5	7	3	0	18	100%	100%	100%	100%		100%
8	Rape Of Child w/Force	16	8	4	3	0	31	16	8	4	3	0	31	100%	100%	100%	100%		100%
8	Firearmed Assault w/i Murder	3	3	0	3	1	10	3	3	0	3	1	10	100%	100%		100%	100%	100%
8	Home Invasion	1	0	1	2	0	4	1	0	1	2	0	4	100%		100%	100%		100%
8	Burglary, Armed	1	0	0	2	1	4	1	0	0	2	1	4	100%			100%	100%	100%
8	Traffic Heroin 200+	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
8	Traffic Cocaine 200+	5	3	1	0	0	9	5	3	1	0	0	9	100%	100%	100%			100%
8	Sub-Total	47	32	19	19	2	119	47	32	19	19	2	119	100%	100%	100%	100%	100%	100%
7	Murder, Attempted	1	2	3	1	0	7	0	1	3	1	0	5	0%	50%	100%	100%		71%
7	Mayhem	6	2	2	2	0	12	4	2	1	2	0	9	67%	100%	50%	100%		75%
7	A&B Child w/Injury Substantial	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
7	Rape	15	2	8	3	0	28	11	1	7	3	0	22	73%	50%	88%	100%		79%
7	Rape of Child 2nd	0	0	2	1	0	3	0	0	2	1	0	3			100%	100%		100%
7	Assault w/i Rape Child	2	0	2	0	0	4	1	0	2	0	0	3	50%		100%			75%
7	Incest	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
7	Armed Robbery Gun	25	21	17	24	1	88	18	20	17	24	1	80	72%	95%	100%	100%	100%	91%
7	Armed Assault w/i Murder	14	4	8	7	0	33	12	4	8	7	0	31	86%	100%	100%	100%		94%
7	Carjacking, Armed	2	0	3	4	0	9	1	0	3	4	0	8	50%		100%	100%		89%
7	Confine And Put In Fear	0	0	1	2	0	3	0	0	1	2	0	3			100%	100%		100%
7	Traffic Heroin 028-100	4	0	3	2	0	9	4	0	3	2	0	9	100%		100%	100%		100%
7	Traffic Heroin 100-200	4	1	1	0	0	6	4	1	1	0	0	6	100%	100%	100%			100%
7	Traffic Cocaine 100-200	4	5	3	1	0	13	4	5	3	1	0	13	100%	100%	100%	100%		100%
7	Traffic Mar 10000+	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
7	Sub-Total	79	38	53	48	1	219	60	35	51	48	1	195	76%	92%	96%	100%	100%	89%

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing 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	Manslaughter	3	1	1	0	0	5	3	1	1	0	0	5	100%	100%	100%			100%
6	A&B Dangerous Weapon	19	19	16	15	0	69	19	19	16	15	0	69	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon + 60	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
6	Assault To Kill or Maim	6	2	0	1	0	9	5	2	0	1	0	8	83%	100%		100%		89%
6	Rape Of Child	70	26	18	11	0	125	61	21	17	10	0	109	87%	81%	94%	91%		87%
6	Assault w/i Rape	3	0	1	0	0	4	3	0	1	0	0	4	100%		100%			100%
6	Indecent A&B On Child 2nd	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
6	Indecent A&B Mentally Retarded	0	0	1	1	0	2	0	0	1	0	0	1			100%	0%		50%
6	Child Pornography	6	0	1	0	0	7	0	0	0	0	0	0	0%		0%			0%
6	Robbery Unarmed + 60	3	2	3	5	0	13	2	2	1	5	0	10	67%	100%	33%	100%		77%
6	Armed Robbery	53	29	35	51	0	168	26	23	35	50	0	134	49%	79%	100%	98%		80%
6	Armed Assault w/i Rob	8	5	4	6	1	24	4	3	4	6	1	18	50%	60%	100%	100%	100%	75%
6	Carjacking	4	5	3	6	0	18	3	4	2	6	0	15	75%	80%	67%	100%		83%
6	Kidnapping	3	2	0	0	0	5	3	2	0	0	0	5	100%	100%				100%
6	Burning Dwelling House	11	4	3	2	0	20	7	4	3	2	0	16	64%	100%	100%	100%		80%
6	Distribute Class A 2nd	0	3	6	6	0	15	0	3	6	6	0	15		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	0	4	1	0	5	0	0	4	1	0	5			100%	100%		100%
6	Traffic Heroin 014-028	4	3	3	0	0	10	4	3	3	0	0	10	100%	100%	100%			100%
6	Traffic Cocaine 028-100	41	14	10	3	0	68	41	14	10	3	0	68	100%	100%	100%	100%		100%
6	Induce Minor To Distribute	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	MV Homicide - OUI Felony	9	8	1	0	0	18	9	8	1	0	0	18	100%	100%	100%			100%
6	Possess Explosive Device	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
6	Interfere Public Transport	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
6	Sub-Total	245	124	111	110	1	591	191	110	106	106	1	514	78%	89%	95%	96%	100%	87%
5	A&B Child w/Injury	26	9	5	2	0	42	5	4	1	1	0	11	19%	44%	20%	50%		26%
5	A&B Aggravated	17	9	10	4	0	40	6	7	7	4	0	24	35%	78%	70%	100%		60%
5	A&B DW - Aggravated	5	3	2	0	0	10	3	0	2	0	0	5	60%	0%	100%			50%
5	Indecent A&B On Child	95	19	23	7	1	145	56	14	20	6	1	97	59%	74%	87%	86%	100%	67%
5	Unnatural Acts Child	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
5	Robbery Unarmed	19	18	11	33	0	81	9	9	11	31	0	60	47%	50%	100%	94%		74%
5	Intimidation	112	183	111	107	0	513	30	79	63	78	0	250	27%	43%	57%	73%		49%
5	Stalking Violation of Rest. Order	0	1	3	1	0	5	0	1	3	1	0	5		100%	100%	100%		100%
5	Common & Notorious Thief	2	2	0	0	0	4	2	2	0	0	0	4	100%	100%				100%
5	Burglary	6	2	7	11	0	26	2	2	7	11	0	22	33%	100%	100%	100%		85%
5	Counterfeit Equipment	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
5	Gaming Enterprise	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
5	Distribute Class B 2nd	0	8	14	9	0	31	0	8	14	9	0	31		100%	100%	100%		100%
5	Traffic Cocaine 014-028	41	33	18	8	0	100	41	33	18	8	0	100	100%	100%	100%	100%		100%
5	Traffic Mar 100-2000	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
5	Inducing Minor To Prostitution	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	Perjury or Suborn	5	1	2	0	0	8	2	0	1	0	0	3	40%	0%	50%			38%
5	Possess Mlotov Coc ktail	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
5	Sub-Total	330	289	208	183	1	1011	156	160	148	150	1	615	47%	55%	71%	82%	100%	61%

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing 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 Elderly / Disabled w/Injury	19	15	10	8	0	52	10	5	8	6	0	29	53%	33%	80%	75%		56%
4	Assault Aggravated	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	A&B Guard	0	0	6	7	0	13	0	0	6	6	0	12			100%	86%		92%
4	A&B Dangerous Weapon	60	70	59	60	0	249	60	70	59	60	0	249	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	A&B To Collect Loan	3	1	1	0	0	5	1	0	1	0	0	2	33%	0%	100%			40%
4	Indecent A&B	73	32	18	18	0	141	46	22	12	15	0	95	63%	69%	67%	83%		67%
4	Assault w/i Rob	1	1	1	4	0	7	0	0	1	3	0	4	0%	0%	100%	75%		57%
4	Loansharking	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
4	Stalking	5	8	12	6	1	32	1	4	9	4	1	19	20%	50%	75%	67%	100%	59%
4	Harassment	18	13	9	5	0	45	2	5	3	2	0	12	11%	38%	33%	40%		27%
4	Larceny More	3	3	2	8	0	16	3	3	2	8	0	16	100%	100%	100%	100%		100%
4	Larceny Person	162	117	91	92	1	463	75	73	60	62	1	271	46%	62%	66%	67%	100%	59%
4	Larceny Person + 65	9	12	7	5	0	33	4	3	3	4	0	14	44%	25%	43%	80%		42%
4	Larceny MV 2nd	0	0	3	4	0	7	0	0	3	4	0	7			100%	100%		100%
4	Fraud - Identity	28	17	17	17	0	79	5	7	7	15	0	34	18%	41%	41%	88%		43%
4	B&E	0	6	10	47	0	63	0	6	10	47	0	63		100%	100%	100%		100%
4	Receiving Stolen Goods Over	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Receiving Stolen Goods MV 2nd	0	1	3	8	0	12	0	1	3	8	0	12		100%	100%	100%		100%
4	Burning Building	4	5	2	1	0	12	1	3	1	1	0	6	25%	60%	50%	100%		50%
4	Burning to Defraud	2	1	0	0	0	3	0	0	0	0	0	0		0%				0%
4	Distribute Class A	414	308	224	196	0	1142	181	188	162	145	0	676	44%	61%	72%	74%		59%
4	Distribute Class B	604	388	211	145	1	1349	213	219	133	112	1	678	35%	56%	63%	77%	100%	50%
4	Distribute Cocaine	66	42	34	17	0	159	66	42	34	17	0	159	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
4	Larceny Cont Sub	6	2	0	0	0	8	1	0	0	0	0	1	17%	0%				13%
4	Giving Prisoner Cont Sub	4	5	1	9	0	19	0	0	1	6	0	7	0%	0%	100%	67%		37%
4	Control Substance School	74	101	63	54	0	292	74	101	63	54	0	292	100%	100%	100%	100%		100%
4	MV Homicide	1	0	0	0	0	1	0	0	0	0	0	0						0%
4	MV Homicide - Reckless	1	0	0	0	0	1	0	0	0	0	0	0						0%
4	MV Homicide - OUI	5	0	0	1	0	6	3	0	0	1	0	4	60%			100%		67%
4	Leaving Scene Death	3	0	1	0	0	4	3	0	1	0	0	4	100%		100%			100%
4	OUI Serious Inj Fel	7	4	1	2	0	14	7	4	1	2	0	14	100%	100%	100%	100%		100%
4	Assault Weapon, Possess	2	3	1	0	0	6	2	3	1	0	0	6	100%	100%	100%			100%
4	Firearm Sale Violation	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
4	Escape	5	19	20	22	0	66	5	17	17	18	0	57	100%	89%	85%	82%		86%
4	Bribery	3	0	0	0	0	3	0	0	0	0	0	0						0%
4	Extortion	1	2	3	3	0	9	1	2	3	3	0	9	100%	100%	100%	100%		100%
4	Bomb Hoax	2	1	0	0	0	3	0	0	0	0	0	0		0%	0%			0%
4	Tax Law Violation	1	1	0	0	0	2	0	0	0	0	0	0		0%	0%			0%
4	Disinter Body	1	1	1	1	0	4	1	1	1	1	0	4	100%	100%	100%	100%		100%
4	Sub-Total	1589	1184	812	741	3	4329	767	783	606	605	3	2764	48%	66%	75%	82%	100%	64%

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing 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	A&B	1771	1521	1024	844	5	5165	383	560	477	519	4	1943	22%	37%	47%	61%	80%	38%
3	A&B Domestic	185	152	95	62	2	496	36	50	37	39	0	162	19%	33%	39%	63%	0%	33%
3	A&B w/I Intimidate	5	2	4	0	0	11	0	1	3	0	0	4	0%	50%	75%			36%
3	A&B Dangerous Weapon	516	334	214	149	2	1215	128	123	102	78	2	433	25%	37%	48%	52%	100%	36%
3	A&B Dangerous Weapon + 60	2	0	4	0	0	6	0	0	1	0	0	1	0%		25%			17%
3	Assault Dangerous Weapon	275	222	149	122	1	769	91	109	96	77	1	374	33%	49%	64%	63%	100%	49%
3	Assault Dangerous Weapon + 60	1	0	0	2	0	3	1	0	0	1	0	2	100%			50%		67%
3	Unnatural Acts	5	2	4	1	0	12	1	2	0	0	0	3	20%	100%	0%	0%		25%
3	Child Pornography Possess	16	2	3	0	0	21	7	1	2	0	0	10	44%	50%	67%			48%
3	Kidnapping	2	1	2	1	0	6	0	0	0	1	0	1	0%	0%	0%	100%		17%
3	Violation Of Civil Rights	1	3	1	0	0	5	0	3	0	0	0	3	0%	100%	0%			60%
3	Restraining Order Violation	312	404	359	281	0	1356	79	151	173	171	0	574	25%	37%	48%	61%		42%
3	Larceny	10	20	19	37	0	86	10	20	19	37	0	86	100%	100%	100%	100%		100%
3	Larceny More	758	635	459	479	1	2332	113	197	185	264	0	759	15%	31%	40%	55%	0%	33%
3	Larceny More + 60	3	6	1	2	0	12	1	2	1	1	0	5	33%	33%	100%	50%		42%
3	Larceny Building	42	42	31	42	0	157	14	19	20	24	0	77	33%	45%	65%	57%		49%
3	Larceny Firearm	6	5	0	0	0	11	3	5	0	0	0	8	50%	100%				73%
3	Larceny MV	58	65	51	50	0	224	21	39	26	40	0	126	36%	60%	51%	80%		56%
3	Embezzlement	4	3	0	0	0	7	0	2	0	0	0	2	0%	67%				29%
3	Credit Card Misuse - More	18	14	6	13	0	51	5	8	2	10	0	25	28%	57%	33%	77%		49%
3	Fraud	8	2	2	5	0	17	2	1	0	2	0	5	25%	50%	0%	40%		29%
3	MV - Sales Violation	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
3	Possess Burglariou s Tools	53	51	31	46	0	181	22	30	21	36	0	109	42%	59%	68%	78%		60%
3	B&E	518	440	310	315	1	1584	175	263	206	225	1	870	34%	60%	66%	71%	100%	55%
3	Mal Dest Property More	141	88	68	43	0	340	26	32	30	26	0	114	18%	36%	44%	60%		34%
3	Receiving Stolen Goods Over	67	49	31	36	0	183	17	26	19	29	0	91	25%	53%	61%	81%		50%
3	Receiving Stolen Goods MV	187	134	107	121	0	549	53	80	68	91	0	292	28%	60%	64%	75%		53%
3	Receiving Stolen Goods 2nd	1	0	3	4	0	8	0	0	2	4	0	6	0%		67%	100%		75%
3	Forgery And Uttering	181	162	110	144	1	598	38	51	51	74	1	215	21%	31%	46%	51%	100%	36%
3	Counterfeit	12	5	3	2	0	22	1	3	3	0	0	7	8%	60%	100%	0%		32%
3	Burning Property	22	9	3	3	0	37	4	6	2	3	0	15	18%	67%	67%	100%		41%
3	Burning Motor Vehicle	8	5	0	1	0	14	0	3	0	0	0	3	0%	60%		0%		21%
3	Gaming Register Bets	6	1	0	0	0	7	0	0	0	0	0	0	0%	0%				0%
3	Possession Class A 2nd	3	16	15	13	0	47	2	6	10	7	0	25	67%	38%	67%	54%		53%
3	Possession Class A Heroin 2nd	2	12	11	10	0	35	0	9	7	8	0	24	0%	75%	64%	80%		69%
3	Possession Class B 2nd	15	33	22	23	0	93	6	13	10	14	0	43	40%	39%	45%	61%		46%
3	Possession Class C 2nd	0	1	0	0	0	1	0	0	0	0	0	0	0%	0%				0%
3	Possession Class D 2nd	48	56	16	10	0	130	6	13	5	1	0	25	13%	23%	31%	10%		19%
3	Distribute Class C	25	7	8	2	0	42	7	2	5	1	0	15	28%	29%	63%	50%		36%
3	Distribute Class D 2nd	8	11	7	4	0	30	5	8	3	4	0	20	63%	73%	43%	100%		67%
3	Distribute Class E 2nd	0	1	0	3	0	4	0	1	0	3	0	4	0%	100%		100%		100%
3	Possession Hypodermic 2nd	2	4	1	4	0	11	0	3	1	3	0	7	0%	75%	100%	75%		64%
3	MV Homicide	20	4	1	0	0	25	9	4	1	0	0	14	45%	100%	100%			56%
3	Leaving Scene Property Damage	471	254	158	111	0	994	53	77	51	52	0	233	11%	30%	32%	47%		23%
3	Leaving Scene Personal Injury	139	40	31	14	0	224	7	18	22	8	0	55	5%	45%	71%	57%		25%
3	Possess Master Key MV	1	3	0	1	0	5	0	1	0	1	0	2	0%	33%		100%		40%

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing 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	OUI Serious Inj. Misd	20	5	2	1	0	28	6	3	1	1	0	11	30%	60%	50%	100%		39%
3	Inducing Minor To Sex	4	1	0	0	0	5	0	1	0	0	0	1	0%	100%				20%
3	Possess Firearm Silencer	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Gun Serial Number	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
3	Firearm Loaded while OUI	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
3	Nonsupport	8	3	2	0	0	13	2	2	0	0	0	4	25%	67%	0%			31%
3	Interfere Police or Firefighter	5	1	1	4	0	11	0	0	0	2	0	2	0%	0%	0%	50%		18%
3	Failure to Appear Felony	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Carrying Dangerous Weapon	82	64	47	40	0	233	28	18	23	21	0	90	34%	28%	49%	53%		39%
3	Contempt Of Court	1	1	1	0	0	3	0	0	0	0	0	0	0%	0%	0%			0%
3	Throw Object On Public Way	3	1	0	1	0	5	0	0	0	0	0	0	0%	0%		0%		0%
3	Sex Offender Fail Register	2	1	13	21	1	38	0	0	5	6	0	11	0%	0%	38%	29%	0%	29%
3	Wiretapping	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
3	Sub-Total	6064	4899	3431	3069	14	17477	1364	1967	1690	1886	9	6916	22%	40%	49%	61%	64%	40%

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing 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	Assault	72	50	29	39	0	190	15	15	9	27	0	66	21%	30%	31%	69%		35%
2	Accost / Annoy Person Opposite Sex	8	4	2	2	0	16	2	1	2	1	0	6	25%	25%	100%	50%		38%
2	Larceny	76	60	52	28	0	216	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny Less	187	182	103	102	0	574	35	47	37	47	0	166	19%	26%	36%	46%		29%
2	Larceny Less +60	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Shoplifting	667	568	413	459	0	2107	33	70	78	136	0	317	5%	12%	19%	30%		15%
2	Credit Card Misuse	41	43	24	16	0	124	2	13	10	11	0	36	5%	30%	42%	69%		29%
2	Defrauding Insurer	8	4	2	0	0	14	1	2	0	0	0	3	13%	50%	0%			21%
2	MV - False Report Of Theft	2	1	0	1	0	4	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Defrauding Innkeeper	5	1	2	3	0	11	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Welfare Violation	10	1	1	0	0	12	2	0	0	0	0	2	20%	0%	0%			17%
2	Failure To Return Leased Prop	9	9	17	8	0	43	2	5	3	3	0	13	22%	56%	18%	38%		30%
2	B & E MV	2	0	1	0	0	3	0	0	0	0	0	0	0%	0%	0%			0%
2	B&E w/i Misdemeanor	52	29	27	15	0	123	11	9	14	10	0	44	21%	31%	52%	67%		36%
2	Property Destruction	251	159	120	102	0	632	42	41	39	38	0	160	17%	26%	33%	37%		25%
2	Injure Building Riot	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
2	Tagging Property	10	5	1	0	0	16	2	3	0	0	0	5	20%	60%	0%			31%
2	Receiving Stolen Goods	179	128	120	123	0	550	39	49	60	82	0	230	22%	38%	50%	67%		42%
2	Gaming Use of Telephone	8	1	1	1	0	11	0	1	0	0	0	1	0%	100%	0%	0%		9%
2	Fraud - Electric, Phone or Cable	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Possession Class A	128	136	124	113	1	502	33	49	54	52	0	188	26%	36%	44%	46%	0%	37%
2	Possession Class A Heroin	173	179	136	117	0	605	47	81	70	61	0	259	27%	45%	51%	52%		43%
2	Possession Class B	438	379	248	196	0	1261	101	125	90	82	0	398	23%	33%	36%	42%		32%
2	Possession Class C	27	22	12	15	0	76	7	5	2	7	0	21	26%	23%	17%	47%		28%
2	Possession Class D	404	209	108	53	0	774	53	52	40	19	0	164	13%	25%	37%	36%		21%
2	Possession Class D Marijuana 2nd	39	32	13	3	0	87	6	11	5	0	0	22	15%	34%	38%	0%		25%
2	Distribute Counterfeit Substance	10	6	8	27	0	51	4	3	4	17	0	28	40%	50%	50%	63%		55%
2	Distribute Class D	378	127	53	33	2	593	98	46	25	15	2	186	26%	36%	47%	45%	100%	31%
2	Distribute Class E	8	1	2	3	0	14	2	0	1	2	0	5	25%	0%	50%	67%		36%
2	Possession Hypodermic/Syringe	113	157	92	103	0	465	35	75	41	60	0	211	31%	48%	45%	58%		45%
2	Presence Class A	16	27	19	22	0	84	4	10	7	11	0	32	25%	37%	37%	50%		38%
2	Forge Prescription	39	50	29	25	1	144	7	13	8	11	0	39	18%	26%	28%	44%	0%	27%
2	Distribute Paraphernalia	10	0	1	3	0	14	2	0	1	2	0	5	20%	20%	100%	67%		36%
2	Operate to Endanger	1060	324	188	122	0	1694	67	53	69	52	0	241	6%	16%	37%	43%		14%
2	Use Without Authority	79	63	40	36	0	218	16	28	25	24	0	93	20%	44%	63%	67%		43%
2	Use w/o Authority 2nd	0	1	0	2	0	3	0	0	0	1	0	1		0%		50%		33%
2	Unlicensed Sale Used Car	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
2	Habitual Traffic Offender	44	112	60	59	0	275	10	51	33	28	0	122	23%	46%	55%	47%		44%
2	Racing	12	0	1	1	0	14	0	0	0	0	0	0	0%		0%	0%		0%
2	Operate After Suspension 2nd	344	486	331	284	1	1446	99	197	168	165	1	630	29%	41%	51%	58%	100%	44%
2	Compulsory Insurance Violation	575	361	217	181	1	1335	47	61	45	46	1	200	8%	17%	21%	25%	100%	15%
2	Altering MV ID Number	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
2	Counterfeit/Alter MV Document	50	39	26	17	0	132	8	10	5	7	0	30	16%	26%	19%	41%		23%
2	False Statement On Application	4	3	1	1	0	9	0	1	0	1	0	2	0%	33%	0%	100%		22%
2	Prostitution	103	122	66	32	1	324	27	51	34	11	0	123	26%	42%	52%	34%	0%	38%
2	Common Night Walker 3rd	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing 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	Induce Female To Prostitution	0	0	1	1	0	2	0	0	0	0	0	0			0%	0%		0%
2	Keeping A House Of Ill Fame	0	0	1	0	0	1	0	0	1	0	0	1				100%		100%
2	Open And Gross	40	17	8	17	0	82	11	7	6	12	0	36	28%	41%	75%	71%		44%
2	Obscene Material to Minor	4	1	0	2	0	7	1	1	0	1	0	3	25%	100%		50%		43%
2	Failure To Disperse	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
2	Firearm Possess w/o Permit	137	59	28	11	0	235	67	38	20	7	0	132	49%	64%	71%	64%		56%
2	Possess Mace	5	4	1	0	0	10	2	0	1	0	0	3	40%	0%	100%			30%
2	Possess Ammunition	9	1	0	0	0	10	2	0	0	0	0	2	22%	0%				20%
2	Firearm Store Improper	11	4	0	0	0	15	0	0	0	0	0	0	0%	0%				0%
2	Escape Work Release Program	0	0	2	1	0	3	0	0	2	0	0	2			100%	0%		67%
2	Escape Lock up	0	1	4	5	0	10	0	0	3	5	0	8		0%	75%	100%		80%
2	Aiding An Escape	1	1	1	1	0	4	0	1	0	0	0	1	0%	100%	0%	0%		25%
2	Impersonate/Disguise	5	5	4	3	0	17	2	1	3	0	0	6	40%	20%	75%	0%		35%
2	False Statement	5	0	1	1	0	7	1	0	0	1	0	2	20%		0%	100%		29%
2	Failure to Appear	4	8	3	6	0	21	2	0	2	3	0	7	50%	0%	67%	50%		33%
2	Possess Stun Gun	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
2	Possess Dangerous Weapon	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
2	False Alarm	1	4	2	1	0	8	0	1	0	0	0	1	0%	25%	0%	0%		13%
2	Fireworks	14	8	2	2	0	26	1	1	0	0	0	2	7%	13%	0%	0%		8%
2	Disrupt Court Proceedings	1	2	0	1	0	4	0	0	0	0	0	0	0%	0%		0%		0%
2	Contributing To Delinquency	16	8	7	2	0	33	3	1	2	1	0	7	19%	13%	29%	50%		21%
2	Cruelty To Animals	7	3	5	0	0	15	3	1	1	0	0	5	43%	33%	20%			33%
2	Mistreat Police Animal	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Animal Fight, Promote	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Work Compensation Fail Have	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Resisting Arrest	273	256	179	127	0	835	41	65	72	60	0	238	15%	25%	40%	47%		29%
2	False Report Of Crime	17	9	5	4	0	35	2	2	1	2	0	7	12%	22%	20%	50%		20%
2	Hazardous Materials	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
2	Disconnect Sprinkler System	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	CORI Law Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Firearms - False Statement	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Wiretap, Possess Device	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
2	Unregistered Contractor	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	True Name Law	76	80	49	45	0	250	13	28	22	25	0	88	17%	35%	45%	56%		35%
2	Sub-Total	6291	4559	2996	2580	7	16433	1014	1327	1116	1149	4	4610	16%	29%	37%	45%	57%	28%

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing 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	Obscene Materials	3	0	0	1	0	4	0	0	0	0	0	0	0%				0%	0%
1	Threatening	107	86	89	73	0	355	21	24	35	37	0	117	20%	28%	39%	51%		33%
1	Defrauding Victim/aler	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
1	Vandalism	13	6	7	6	0	32	1	2	4	0	0	7	8%	33%	57%	0%		22%
1	Setting Fire In Open	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Trespassing	287	264	163	142	0	856	25	48	40	36	0	149	9%	18%	25%	25%		17%
1	Gaming	7	1	0	0	0	8	0	0	0	0	0	0	0%	0%				0%
1	Possession Class D Marijuana	357	138	86	63	0	644	42	22	21	23	0	108	12%	16%	24%	37%		17%
1	Possession Class E	18	13	13	11	0	55	4	1	8	4	0	17	22%	8%	62%	36%		31%
1	Inhaling Toxic Vapors	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Attaching Wrong MV Plates	156	67	48	37	0	308	2	2	3	4	0	11	1%	3%	6%	11%		4%
1	Operate After Suspension	1728	1375	790	569	2	4464	140	199	143	117	0	599	8%	14%	18%	21%	0%	13%
1	MV - Impersonate/Other License	3	0	1	0	0	4	0	0	1	0	0	1	0%		100%			25%
1	RV On Public Way	11	4	2	1	0	18	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Common Night Walker	35	43	19	7	0	104	19	24	13	4	0	60	54%	56%	68%	57%		58%
1	Indecent Exposure	25	14	11	16	0	66	3	1	5	6	0	15	12%	7%	45%	38%		23%
1	Lewd And Lascivious	11	6	4	7	0	28	0	2	2	4	0	8	0%	33%	50%	57%		29%
1	Peeping Tom	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Disorderly Conduct	772	530	332	238	0	1872	67	71	61	71	0	270	9%	13%	18%	30%		14%
1	Possess Air Rifle w/o FID Card	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Firearm Discharge	3	1	0	0	0	4	0	1	0	0	0	1	0%	100%				25%
1	Accessory Before & After	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
1	Annoying Phone Calls	21	20	12	10	0	63	0	5	3	6	0	14	0%	25%	25%	60%		22%
1	Failure To Obey Police Officer	36	14	10	3	0	63	0	2	0	0	0	2	0%	14%	0%	0%		3%
1	License Law Violation (Not MV)	10	3	6	2	0	21	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Alcohol, Procure for Minor	28	10	5	2	0	45	1	1	0	0	0	2	4%	10%	0%	0%		4%
1	Alcohol, Transporting	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Throwing Glass On Public Way	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Cigarette/Match Thrown Fr Veh	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
1	Business Practice	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
1	Employment Practices	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
1	Health Code Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Violation Aircraft Restriction	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Fail To Comply With Dog Order	4	2	0	2	0	8	0	0	0	0	0	0	0%	0%		0%		0%
1	Remove Token from Grave	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	False Use of Insignia	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Sub-Total	3657	2599	1600	1190	2	9048	326	406	340	312	0	1384	9%	16%	21%	26%	0%	15%

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing 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
0	Attempt Larceny	3	5	0	2	0	10	0	0	0	1	0	1	0%	0%		50%		10%
0	Attempt B&E	3	2	3	2	0	10	0	1	2	1	0	4	0%	50%	67%	50%		40%
0	Conspiracy Violate CSA	47	20	12	12	0	91	11	11	5	8	0	35	23%	55%	42%	67%		38%
0	Conspiracy	23	10	4	4	0	41	6	5	3	3	0	17	26%	50%	75%	75%		41%
0	Attempt To Commit Crime	32	20	22	15	0	89	4	9	12	10	0	35	13%	45%	55%	67%		39%
0	Accessory Before	0	1	3	1	0	5	0	0	2	0	0	2		0%	67%	0%		40%
0	Accessory After	6	6	1	1	0	14	0	2	1	1	0	4	0%	33%	100%	100%		29%
0	Other Crime	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
0	Sub-Total	117	64	45	37	0	263	21	28	25	24	0	98	18%	44%	56%	65%		37%

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing 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	Murder	0	0	0	0	0	0	0	0	0	0	0	0	0						
9	Sub-Total	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							
8	Armed Assault In Dwell House	0	0	0	0	0	0	0	0	0	0	0	0							
8	Rape, Aggravated	0	0	0	0	0	0	0	0	0	0	0	0							
8	Rape Of Child w/Force	0	0	0	0	0	0	0	0	0	0	0	0							
8	Firearmed Assault w/i Murder	0	0	0	0	0	0	0	0	0	0	0	0							
8	Home Invasion	0	0	0	0	0	0	0	0	0	0	0	0							
8	Burglary, Armed	0	0	0	0	0	0	0	0	0	0	0	0							
8	Traffic Heroin 200+	0	0	0	0	0	0	0	0	0	0	0	0							
8	Traffic Cocaine 200+	0	0	0	0	0	0	0	0	0	0	0	0							
8	Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0	0						
7	Murder, Attempted	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	A&B Child w/Injury Substantial	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	Rape of Child 2nd	0	0	0	0	0	0	0	0	0	0	0	0							
7	Assault w/i Rape Child	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 Gun	0	0	0	0	0	0	0	0	0	0	0	0							
7	Armed Assault w/i Murder	0	0	0	0	0	0	0	0	0	0	0	0							
7	Carjacking, Armed	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	Traffic Heroin 028-100	0	0	0	0	0	0	0	0	0	0	0	0							
7	Traffic Heroin 100-200	0	0	0	0	0	0	0	0	0	0	0	0							
7	Traffic Cocaine 100-200	0	0	0	0	0	0	0	0	0	0	0	0							
7	Traffic Mar 10000+	0	0	0	0	0	0	0	0	0	0	0	0							
7	Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0	0						

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing 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	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	A&B Dangerous Weapon + 60	0	0	0	0	0	0	0	0	0	0	0	0						
6	Assault To Kill or Maim	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						
6	Assault w/i Rape	0	0	0	0	0	0	0	0	0	0	0	0						
6	Indecent A&B On Child 2nd	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	Robbery Unarmed + 60	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 w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0						
6	Carjacking	1	3	2	1	0	7	0	2	1	1	0	4	0%	67%	50%	100%		57%
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	Distribute Class A 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
6	Distribute Cocaine 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
6	Traffic Heroin 014-028	0	0	0	0	0	0	0	0	0	0	0	0						
6	Traffic Cocaine 028-100	0	0	0	0	0	0	0	0	0	0	0	0						
6	Induce Minor To Distribute	0	0	0	0	0	0	0	0	0	0	0	0						
6	MV Homicide - OUI Felony	1	3	1	0	0	5	1	3	1	0	0	5	100%	100%	100%			100%
6	Possess Explosive Device	0	0	0	0	0	0	0	0	0	0	0	0						
6	Interfere Public Transport	0	0	0	0	0	0	0	0	0	0	0	0						
6	Sub-Total	2	6	3	1	0	12	1	5	2	1	0	9	50%	83%	67%	100%		75%
5	A&B Child w/Injury	15	7	5	2	0	29	1	3	1	1	0	6	7%	43%	20%	50%		21%
5	A&B Aggravated	15	8	9	4	0	36	4	6	6	4	0	20	27%	75%	67%	100%		56%
5	A&B DW, Aggravated	2	2	1	0	0	5	0	0	1	0	0	1	0%	0%	100%			20%
5	Indecent A&B On Child	72	13	16	5	1	107	39	10	15	5	1	70	54%	77%	94%	100%	100%	65%
5	Unnatural Acts Child	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
5	Robbery Unarmed	0	0	0	0	0	0	0	0	0	0	0	0						
5	Intimidation	106	176	109	103	0	494	29	77	62	75	0	243	27%	44%	57%	73%		49%
5	Stalking Violation of Rest. Order	0	1	3	1	0	5	0	1	3	1	0	5	100%	100%	100%	100%		100%
5	Common & Notorious Thief	0	0	0	0	0	0	0	0	0	0	0	0						
5	Burglary	0	0	0	0	0	0	0	0	0	0	0	0						
5	Counterfeit Equipment	0	0	0	0	0	0	0	0	0	0	0	0						
5	Gaming Enterprise	0	0	0	0	0	0	0	0	0	0	0	0						
5	Distribute Class B 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
5	Traffic Cocaine 014-028	0	0	0	0	0	0	0	0	0	0	0	0						
5	Traffic Mar 100-2000	0	0	0	0	0	0	0	0	0	0	0	0						
5	Inducing Minor To Prostitution	0	0	0	0	0	0	0	0	0	0	0	0						
5	Perjury or Suborn	0	0	0	0	0	0	0	0	0	0	0	0						
5	Possess M otov Coc ktail	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
5	Sub-Total	211	207	144	115	1	678	73	97	88	86	1	345	35%	47%	61%	75%	100%	51%

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing 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 Elderly / Disabled w Injury	14	12	10	7	0	43	6	2	8	5	0	21	43%	17%	80%	71%		49%
4	Assault Aggravated	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	A&B Guard	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Dangerous Weapon	26	43	52	50	0	171	26	43	52	50	0	171	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	A&B To Collect Loan	3	1	1	0	0	5	1	0	1	0	0	2	33%	0%	100%			40%
4	Indecent A&B	56	28	16	13	0	113	33	19	11	12	0	75	59%	68%	69%	92%		66%
4	Assault w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0						
4	Loansharking	0	0	0	0	0	0	0	0	0	0	0	0						
4	Stalking	4	7	11	6	1	29	0	4	9	4	1	18	0%	57%	82%	67%	100%	62%
4	Harassment	18	13	8	5	0	44	2	5	3	2	0	12	11%	38%	38%	40%		27%
4	Larceny More	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny Person	145	107	86	87	1	426	61	64	55	58	1	239	42%	60%	64%	67%	100%	56%
4	Larceny Person + 65	9	12	6	5	0	32	4	3	2	4	0	13	44%	25%	33%	80%		41%
4	Larceny MV 2nd	0	0	3	4	0	7	0	0	3	4	0	7			100%	100%		100%
4	Fraud - Identity	26	16	17	16	0	75	4	6	7	14	0	31	15%	38%	41%	88%		41%
4	B&E	0	0	0	0	0	0	0	0	0	0	0	0						
4	Receiving Stolen Goods Over	0	0	0	0	0	0	0	0	0	0	0	0						
4	Receiving Stolen Goods M V 2nd	0	1	1	3	0	5	0	1	1	3	0	5		100%	100%	100%		100%
4	Burning Building	0	0	0	0	0	0	0	0	0	0	0	0						
4	Burning to Defraud	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
4	Distribute Class A	339	252	181	152	0	924	136	142	121	104	0	503	40%	56%	67%	68%		54%
4	Distribute Class B	499	332	178	113	1	1123	163	185	108	85	1	542	33%	56%	61%	75%	100%	48%
4	Distribute Cocaine	0	0	0	0	0	0	0	0	0	0	0	0						
4	Traffic Mar 50-100	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0						
4	Giving Prisoner Cont Sub	4	4	1	8	0	17	0	0	1	5	0	6	0%	0%	100%	63%		35%
4	Control Substance School	51	63	33	35	0	182	51	63	33	35	0	182	100%	100%	100%	100%		100%
4	MV Homicide	1	0	0	0	0	1	0	0	0	0	0	0		0%				0%
4	MV Homicide - Reckless	0	0	0	0	0	0	0	0	0	0	0	0						
4	MV Homicide - OUI	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
4	Leaving Scene Death	0	0	0	0	0	0	0	0	0	0	0	0						
4	OUI Serious Inj Fel	7	3	1	0	0	11	7	3	1	0	0	11	100%	100%	100%			100%
4	Assault Weapon, Possess	0	0	0	0	0	0	0	0	0	0	0	0						
4	Firearm Sale Violation	0	0	0	0	0	0	0	0	0	0	0	0						
4	Escape	4	18	17	21	0	60	4	16	15	17	0	52	100%	89%	88%	81%		87%
4	Bribery	2	0	0	0	0	2	0	0	0	0	0	0		0%				0%
4	Extortion	1	2	3	3	0	9	1	2	3	3	0	9	100%	100%	100%	100%		100%
4	Bomb Hoax	0	0	0	0	0	0	0	0	0	0	0	0						
4	Tax Law Violation	0	0	0	0	0	0	0	0	0	0	0	0						
4	Disinter Body	0	0	0	0	0	0	0	0	0	0	0	0						
4	Sub-Total	1210	917	625	529	3	3284	499	560	434	406	3	1902	41%	61%	69%	77%	100%	58%

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing 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	A&B	1731	1500	1011	831	5	5078	363	545	469	509	4	1890	21%	36%	46%	61%	80%	37%
3	A&B Domestic	185	152	95	62	2	496	36	50	37	39	0	162	19%	33%	39%	63%	0%	33%
3	A&B w/I Intimidate	5	1	3	0	0	9	0	0	2	0	0	2	0%	0%	67%			22%
3	A&B Dangerous Weapon	500	327	212	148	2	1189	128	123	102	78	2	433	26%	38%	48%	53%	100%	36%
3	A&B Dangerous Weapon + 60	2	0	4	0	0	6	0	0	1	0	0	1	0%	0%	25%			17%
3	Assault Dangerous Weapon	248	210	136	109	1	704	68	98	85	66	1	318	27%	47%	63%	61%	100%	45%
3	Assault Dangerous Weapon + 60	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Unnatural Acts	5	2	4	1	0	12	1	2	0	0	0	3	20%	100%	0%	0%		25%
3	Child Pornography Possess	6	2	3	0	0	11	2	1	2	0	0	5	33%	50%	67%			45%
3	Kidnapping	2	1	2	1	0	6	0	0	0	1	0	1	0%	0%	0%	100%		17%
3	Violation Of Civil Rights	0	2	1	0	0	3	0	2	0	0	0	2		100%	0%			67%
3	Restraining Order Violation	311	403	359	280	0	1353	79	150	173	170	0	572	25%	37%	48%	61%		42%
3	Larceny	10	19	17	36	0	82	10	19	17	36	0	82	100%	100%	100%	100%		100%
3	Larceny More	714	622	450	476	1	2263	105	192	180	262	0	739	15%	31%	40%	55%	0%	33%
3	Larceny More + 60	2	4	1	2	0	9	1	0	1	1	0	3	50%	0%	100%	50%		33%
3	Larceny Building	41	40	31	40	0	152	13	17	20	22	0	72	32%	43%	65%	55%		47%
3	Larceny Firearm	3	5	0	0	0	8	1	5	0	0	0	6	33%	100%				75%
3	Larceny MV	57	65	49	47	0	218	20	39	24	38	0	121	35%	60%	49%	81%		56%
3	Embezzlement	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Credit Card Misuse - More	17	13	6	12	0	48	4	7	2	9	0	22	24%	54%	33%	75%		46%
3	Fraud	4	1	1	5	0	11	1	1	0	2	0	4	25%	100%	0%	40%		36%
3	MV - Sales Violation	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
3	Possess Burglarius Tools	52	51	30	42	0	175	21	30	20	33	0	104	40%	59%	67%	79%		59%
3	B&E	495	428	296	307	1	1527	167	252	196	219	1	835	34%	59%	66%	71%	100%	55%
3	Mal Dest Property More	139	87	65	42	0	333	25	31	27	25	0	108	18%	36%	42%	60%		32%
3	Receiving Stolen Goods Over	65	45	31	35	0	176	16	22	19	28	0	85	25%	49%	61%	80%		48%
3	Receiving Stolen Goods MV	185	132	105	111	0	533	51	79	66	81	0	277	28%	60%	63%	73%		52%
3	Receiving Stolen Goods 2nd	1	0	3	3	0	7	0	0	2	3	0	5	0%		67%	100%		71%
3	Forgery And Uttering	171	159	104	139	1	574	31	49	45	69	1	195	18%	31%	43%	50%	100%	34%
3	Countfeit	12	5	3	1	0	21	1	3	3	0	0	7	8%	60%	100%	0%		33%
3	Burning Property	21	9	2	3	0	35	4	6	1	3	0	14	19%	67%	50%	100%		40%
3	Burning Motor Vehicle	7	4	0	1	0	12	0	3	0	0	0	3	0%	75%		0%		25%
3	Gaming Register Bets	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
3	Possession Class A 2nd	3	16	11	12	0	42	2	6	6	6	0	20	67%	38%	55%	50%		48%
3	Possession Class A Heroin 2nd	2	12	11	8	0	33	0	9	7	6	0	22	0%	75%	64%	75%		67%
3	Possession Class B 2nd	14	33	19	23	0	89	5	13	7	14	0	39	36%	39%	37%	61%		44%
3	Possession Class C 2nd	0	1	0	0	0	1	0	0	0	0	0	0	0%	0%				0%
3	Possession Class D 2nd	48	56	16	10	0	130	6	13	5	1	0	25	13%	23%	31%	10%		19%
3	Distribute Class C	22	7	8	2	0	39	5	2	5	1	0	13	23%	29%	63%	50%		33%
3	Distribute Class D 2nd	8	11	7	3	0	29	5	8	3	3	0	19	63%	73%	43%	100%		66%
3	Distribute Class E 2nd	0	1	0	3	0	4	0	1	0	3	0	4	100%	100%	100%	100%		100%
3	Possession Hypodermic 2nd	2	4	1	4	0	11	0	3	1	3	0	7	0%	75%	100%	75%		64%
3	MV Homicide	15	3	0	0	0	18	4	3	0	0	0	7	27%	100%				39%
3	Leaving Scene Property Damage	469	254	156	110	0	989	53	77	49	52	0	231	11%	30%	31%	47%		23%
3	Leaving Scene Person Injury	138	39	30	14	0	221	6	17	21	8	0	52	4%	44%	70%	57%		24%
3	Possess Master Key MV	1	3	0	1	0	5	0	1	0	1	0	2	0%	33%		100%		40%

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing 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	OUI Serious Inj Misd	20	5	2	1	0	28	6	3	1	1	0	11	30%	60%	50%	100%		39%
3	Inducing Minor To Sex	3	1	0	0	0	4	0	1	0	0	0	1	0%	100%				25%
3	Possess Firearm Silencer	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Gun Serial Number	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
3	Firearm Loaded while OUI	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
3	Nonsupport	8	3	2	0	0	13	2	2	0	0	0	4	25%	67%	0%			31%
3	Interfere Police or Firefighter	5	1	1	4	0	11	0	0	0	2	0	2	0%	0%	0%	50%		18%
3	Failure to Appear Felony	0	0	0	0	0	0	0	0	0	0	0	0						
3	Carrying Dangerous Weapon	76	62	44	38	0	220	25	16	20	19	0	80	33%	26%	45%	50%		36%
3	Contempt Of Court	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
3	Throw Object On Public Way	3	1	0	1	0	5	0	0	0	0	0	0	0%	0%		0%		0%
3	Sex Offender Fail Register	2	1	13	20	1	37	0	0	5	6	0	11	0%	0%	38%	30%	0%	30%
3	Wiretapping	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Sub-Total	5846	4806	3346	2989	14	17001	1269	1902	1624	1821	9	6625	22%	40%	49%	61%	64%	39%

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing 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	Assault	70	50	29	37	0	186	13	15	9	25	0	62	19%	30%	31%	68%		33%
2	Accost / Annoy Person Opposite Sex	8	4	2	2	0	16	2	1	2	1	0	6	25%	25%	100%	50%		38%
2	Larceny	72	60	51	28	0	211	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny Less	182	181	102	102	0	567	33	47	36	47	0	163	18%	26%	35%	46%		29%
2	Larceny Less +60	1	0	0	0	0	1	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Shoplifting	667	568	413	459	0	2107	33	70	78	136	0	317	5%	12%	19%	30%		15%
2	Credit Card Misuse	41	42	24	16	0	123	2	12	10	11	0	35	5%	29%	42%	69%		28%
2	Defrauding Insurer	3	2	1	0	0	6	0	1	0	0	0	1	0%	50%	0%			17%
2	MV - False Report Of Theft	2	1	0	1	0	4	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Defrauding Innkeeper	5	1	2	3	0	11	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Welfare Violation	10	1	1	0	0	12	2	0	0	0	0	2	20%	0%	0%			17%
2	Failure To Return Leased Prop	9	9	17	8	0	43	2	5	3	3	0	13	22%	56%	18%	38%		30%
2	B & E MV	2	0	1	0	0	3	0	0	0	0	0	0	0%	0%	0%			0%
2	B & E w/i Misdemeanor	52	29	27	15	0	123	11	9	14	10	0	44	21%	31%	52%	67%		36%
2	Property Destruction	250	158	120	101	0	629	42	40	39	37	0	158	17%	25%	33%	37%		25%
2	Injure Building Riot	0	0	0	0	0	0	0	0	0	0	0	0						
2	Tagging Property	10	5	1	0	0	16	2	3	0	0	0	5	20%	60%	0%			31%
2	Receiving Stolen Goods	177	128	119	119	0	543	39	49	59	80	0	227	22%	38%	50%	67%		42%
2	Gaming Use of Telephone	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
2	Fraud - Electric, Phone or Cable	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Possession Class A	127	135	122	113	1	498	33	49	54	52	0	188	26%	36%	44%	46%	0%	38%
2	Possession Class A Heroin	172	177	133	115	0	597	47	81	68	60	0	256	27%	46%	51%	52%		43%
2	Possession Class B	423	373	247	194	0	1237	100	121	89	80	0	390	24%	32%	36%	41%		32%
2	Possession Class C	26	22	12	15	0	75	7	5	2	7	0	21	27%	23%	17%	47%		28%
2	Possession Class D	401	208	106	53	0	768	53	51	39	19	0	162	13%	25%	37%	36%		21%
2	Possession Class D Marijuana 2nd	39	32	13	3	0	87	6	11	5	0	0	22	15%	34%	38%	0%		25%
2	Distribute Counterfeit Substance	10	6	8	27	0	51	4	3	4	17	0	28	40%	50%	50%	63%		55%
2	Distribute Class D	367	124	51	32	2	576	93	44	24	15	2	178	25%	35%	47%	47%	100%	31%
2	Distribute Class E	8	1	2	3	0	14	2	0	1	2	0	5	25%	0%	50%	67%		36%
2	Possession Hypodermic/Syringe	113	156	92	103	0	464	35	75	41	60	0	211	31%	48%	45%	58%		45%
2	Presence Class A	15	25	19	21	0	80	4	9	7	10	0	30	27%	36%	37%	48%		38%
2	Forge Prescription	39	50	28	22	1	140	7	13	7	9	0	36	18%	26%	25%	41%	0%	26%
2	Distribute Paraphernalia	10	0	1	3	0	14	2	0	1	2	0	5	20%		100%	67%		36%
2	Operate to Endanger	1057	323	188	122	0	1690	67	53	69	52	0	241	6%	16%	37%	43%		14%
2	Use Without Authority	78	63	40	36	0	217	15	28	25	24	0	92	19%	44%	63%	67%		42%
2	Use w/o Authority 2nd	0	1	0	2	0	3	0	0	0	1	0	1		0%		50%		33%
2	Unlicensed Sale Used Car	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
2	Habitual Traffic Offender	44	112	60	59	0	275	10	51	33	28	0	122	23%	46%	55%	47%		44%
2	Racing	12	0	1	1	0	14	0	0	0	0	0	0	0%		0%	0%		0%
2	Operate After Suspension 2nd	344	486	330	284	1	1445	99	197	167	165	1	629	29%	41%	51%	58%	100%	44%
2	Compulsory Insurance Violation	575	361	217	180	1	1334	47	61	45	46	1	200	8%	17%	21%	26%	100%	15%
2	Altering MV ID Number	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
2	Counterfeit/Alter MV Document	50	39	25	17	0	131	8	10	5	7	0	30	16%	26%	20%	41%		23%
2	False Statement On Application	4	3	1	1	0	9	0	1	0	1	0	2	0%	33%	0%	100%		22%
2	Prostitution	102	122	66	32	1	323	27	51	34	11	0	123	26%	42%	52%	34%	0%	38%
2	Common Night Walker 3rd	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing 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	Induce Female To Prostitution	0	0	1	1	0	2	0	0	0	0	0	0			0%	0%		0%
2	Keeping A House Of Ill Fame	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Open And Gross	39	16	6	17	0	78	10	6	4	12	0	32	26%	38%	67%	71%		41%
2	Obscene Material to Minor	2	0	0	2	0	4	1	0	0	1	0	2	50%			50%		50%
2	Failure To Disperse	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
2	Firearm Possess w/o Permit	111	52	26	10	0	199	48	34	18	6	0	106	43%	65%	69%	60%		53%
2	Possess Mace	5	4	1	0	0	10	2	0	1	0	0	3	40%	0%	100%			30%
2	Possess Ammunition	6	0	0	0	0	6	0	0	0	0	0	0	0%					0%
2	Firearm Store Improper	9	3	0	0	0	12	0	0	0	0	0	0	0%	0%				0%
2	Escape Work Release Program	0	0	2	1	0	3	0	0	2	0	0	2			100%	0%		67%
2	Escape Lock up	0	1	4	5	0	10	0	0	3	5	0	8		0%	75%	100%		80%
2	Aiding An Escape	1	1	1	0	0	3	0	1	0	0	0	1	0%	100%	0%			33%
2	Impersonate/Disguise	5	5	4	3	0	17	2	1	3	0	0	6	40%	20%	75%	0%		35%
2	False Statement	5	0	1	1	0	7	1	0	0	1	0	2	20%		0%	100%		29%
2	Failure to Appear	2	8	3	6	0	19	0	0	2	3	0	5	0%	0%	67%	50%		26%
2	Possess Stun Gun	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
2	Possess Dangerous Weapon	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	False Alarm	1	4	2	1	0	8	0	1	0	0	0	1	0%	25%	0%	0%		13%
2	Fireworks	14	8	2	2	0	26	1	1	0	0	0	2	7%	13%	0%	0%		8%
2	Disrupt Court Proceedings	1	2	0	1	0	4	0	0	0	0	0	0	0%	0%		0%		0%
2	Contributing To Delinquency	15	8	7	2	0	32	3	1	2	1	0	7	20%	13%	29%	50%		22%
2	Cruelty To Animals	7	3	5	0	0	15	3	1	1	0	0	5	43%	33%	20%			33%
2	Mistreat Police Animal	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Animal Fight, Promote	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Work Compensation Fail Have	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Resisting Arrest	269	255	177	126	0	827	40	65	70	59	0	234	15%	25%	40%	47%		28%
2	False Report Of Crime	17	9	5	4	0	35	2	2	1	2	0	7	12%	22%	20%	50%		20%
2	Hazardous Materials	0	1	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Disconnect Sprinkler System	0	1	0	0	0	1	0	1	0	0	0	1	100%					100%
2	CORI Law Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Firearms - False Statement	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Wiretap, Possess Device	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
2	Unregistered Contractor	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	True Name Law	76	80	48	45	0	249	13	28	21	25	0	87	17%	35%	44%	56%		35%
2	Sub-Total	6184	4524	2970	2557	7	16242	976	1309	1099	1134	4	4522	16%	29%	37%	44%	57%	28%

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing 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	Obscene Materials	2	0	0	1	0	3	0	0	0	0	0	0	0%			0%		0%
1	Threatening	102	86	89	72	0	349	18	24	35	36	0	113	18%	28%	39%	50%		32%
1	Defrauding Victim/aler	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
1	Vandalism	13	6	7	6	0	32	1	2	4	0	0	7	8%	33%	57%	0%		22%
1	Setting Fire In Open	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Trespassing	287	264	163	141	0	855	25	48	40	35	0	148	9%	18%	25%	25%		17%
1	Gaming	5	1	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
1	Possession Class D Marijuana	357	137	85	63	0	642	42	22	20	23	0	107	12%	16%	24%	37%		17%
1	Possession Class E	17	13	13	11	0	54	4	1	8	4	0	17	24%	8%	62%	36%		31%
1	Inhaling Toxic Va pors	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Attaching Wrong MV Plates	156	67	48	37	0	308	2	2	3	4	0	11	1%	3%	6%	11%		4%
1	Operate After Suspension	1728	1375	789	568	2	4462	140	199	142	117	0	598	8%	14%	18%	21%	0%	13%
1	MV - Impersonate/Other License	3	0	1	0	0	4	0	0	1	0	0	1	0%		100%			25%
1	RV On Public Way	11	4	2	1	0	18	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Common Night Walker	35	43	19	7	0	104	19	24	13	4	0	60	54%	56%	68%	57%		58%
1	Indecent Exposure	25	14	11	16	0	66	3	1	5	6	0	15	12%	7%	45%	38%		23%
1	Lewd And Lascivious	11	6	4	7	0	28	0	2	2	4	0	8	0%	33%	50%	57%		29%
1	Peeping Tom	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Disorderly Conduct	772	530	332	238	0	1872	67	71	61	71	0	270	9%	13%	18%	30%		14%
1	Possess Air Rifle w/o FID Card	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Firearm Discharge	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	Accessory Before & After	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
1	Annoying Phone Calls	21	20	12	10	0	63	0	5	3	6	0	14	0%	25%	25%	60%		22%
1	Failure To Obey Police Officer	36	14	10	3	0	63	0	2	0	0	0	2	0%	14%	0%	0%		3%
1	License Law Violation (Not MV)	10	3	6	2	0	21	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Alcohol, Procure for Minor	27	10	5	2	0	44	1	1	0	0	0	2	4%	10%	0%	0%		5%
1	Alcohol, Transporting	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Throwing Glass On Public Way	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Cigarette/Match Thrown Fr Veh	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
1	Business Practice	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Employment Practices	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	Health Code Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Violation Aircraft Restriction	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Fail To Comply With Dog Order	4	2	0	2	0	8	0	0	0	0	0	0	0%	0%		0%		0%
1	Remove Token From Grave	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	False Use of Insignia	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Sub-Total	3645	2597	1598	1187	2	9029	322	405	338	310	0	1375	9%	16%	21%	26%	0%	15%

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing 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
0	Attempt Larceny	3	5	0	2	0	10	0	0	0	1	0	1	0%	0%		50%		10%
0	Attempt B&E	2	2	3	2	0	9	0	1	2	1	0	4	0%	50%	67%	50%		44%
0	Conspiracy Violate CSA	25	17	9	11	0	62	3	9	2	7	0	21	12%	53%	22%	64%		34%
0	Conspiracy	10	7	1	3	0	21	1	4	1	2	0	8	10%	57%	100%	67%		38%
0	Attempt To Commit Crime	26	19	20	14	0	79	3	8	10	9	0	30	12%	42%	50%	64%		38%
0	Accessory Before	0	1	3	1	0	5	0	0	2	0	0	2		0%	67%	0%		40%
0	Accessory After	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
0	Other Crime	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
0	Sub-Total	69	52	36	33	0	190	7	22	17	20	0	66	10%	42%	47%	61%		35%

Table 42 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing 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	Murder	21	2	5	7	0	35	21	2	5	7	0	35	100%	100%	100%	100%		100%
9	Sub-Total	21	2	5	7	0	35	21	2	5	7	0	35	100%	100%	100%	100%		100%
8	Manslaughter	15	12	5	5	0	37	15	12	5	5	0	37	100%	100%	100%	100%		100%
8	Armed Assault In Dwell House	0	1	1	1	0	3	0	1	1	1	0	3	100%	100%	100%	100%		100%
8	Rape, Aggravated	3	5	7	3	0	18	3	5	7	3	0	18	100%	100%	100%	100%		100%
8	Rape Of Child w/Force	16	8	4	3	0	31	16	8	4	3	0	31	100%	100%	100%	100%		100%
8	Firearmed Assault w/i Murder	3	3	0	3	1	10	3	3	0	3	1	10	100%	100%		100%	100%	100%
8	Home Invasion	1	0	1	2	0	4	1	0	1	2	0	4	100%		100%		100%	100%
8	Burglary, Armed	1	0	0	2	1	4	1	0	0	2	1	4	100%			100%	100%	100%
8	Traffic Heroin 200+	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
8	Traffic Cocaine 200+	5	3	1	0	0	9	5	3	1	0	0	9	100%	100%	100%			100%
8	Sub-Total	47	32	19	19	2	119	47	32	19	19	2	119	100%	100%	100%	100%	100%	100%
7	Murder, Attempted	1	2	3	1	0	7	0	1	3	1	0	5	0%	50%	100%	100%		71%
7	Mayhem	6	2	2	2	0	12	4	2	1	2	0	9	67%	100%	50%	100%		75%
7	A&B Child w/Injury Substantial	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
7	Rape	15	2	8	3	0	28	11	1	7	3	0	22	73%	50%	88%	100%		79%
7	Rape of Child 2nd	0	0	2	1	0	3	0	0	2	1	0	3			100%	100%		100%
7	Assault w/i Rape Child	2	0	2	0	0	4	1	0	2	0	0	3	50%		100%			75%
7	Incest	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
7	Armed Robbery Gun	25	21	17	24	1	88	18	20	17	24	1	80	72%	95%	100%	100%	100%	91%
7	Armed Assault w/i Murder	14	4	8	7	0	33	12	4	8	7	0	31	86%	100%	100%	100%		94%
7	Carjacking, Armed	2	0	3	4	0	9	1	0	3	4	0	8	50%		100%	100%		89%
7	Confine And Put In Fear	0	0	1	2	0	3	0	0	1	2	0	3			100%	100%		100%
7	Traffic Heroin 028-100	4	0	3	2	0	9	4	0	3	2	0	9	100%		100%	100%		100%
7	Traffic Heroin 100-200	4	1	1	0	0	6	4	1	1	0	0	6	100%	100%	100%			100%
7	Traffic Cocaine 100-200	4	5	3	1	0	13	4	5	3	1	0	13	100%	100%	100%	100%		100%
7	Traffic Mar 10000+	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
7	Sub-Total	79	38	53	48	1	219	60	35	51	48	1	195	76%	92%	96%	100%	100%	89%

Table 42 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing 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	Manslaughter	3	1	1	0	0	5	3	1	1	0	0	5	100%	100%	100%			100%
6	A&B Dangerous Weapon	19	19	16	15	0	69	19	19	16	15	0	69	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon + 60	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
6	Assault To Kill or Maim	6	2	0	1	0	9	5	2	0	1	0	8	83%	100%		100%		89%
6	Rape Of Child	70	26	18	11	0	125	61	21	17	10	0	109	87%	81%	94%	91%		87%
6	Assault w/i Rape	3	0	1	0	0	4	3	0	1	0	0	4	100%		100%			100%
6	Indecent A&B On Child 2nd	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
6	Indecent A&B Mentally Retarded	0	0	1	1	0	2	0	0	1	0	0	1			100%	0%		50%
6	Child Pornography	6	0	1	0	0	7	0	0	0	0	0	0	0%		0%			0%
6	Robbery Unarmed + 60	3	2	3	5	0	13	2	2	1	5	0	10	67%	100%	33%	100%		77%
6	Armed Robbery	53	29	35	51	0	168	26	23	35	50	0	134	49%	79%	100%	98%		80%
6	Armed Assault w/i Rob	8	5	4	6	1	24	4	3	4	6	1	18	50%	60%	100%	100%	100%	75%
6	Carjacking	3	2	1	5	0	11	3	2	1	5	0	11	100%	100%	100%	100%		100%
6	Kidnapping	3	2	0	0	0	5	3	2	0	0	0	5	100%	100%				100%
6	Burning Dwelling House	11	4	3	2	0	20	7	4	3	2	0	16	64%	100%	100%	100%		80%
6	Distribute Class A 2nd	0	3	6	6	0	15	0	3	6	6	0	15		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	0	4	1	0	5	0	0	4	1	0	5			100%	100%		100%
6	Traffic Heroin 014-028	4	3	3	0	0	10	4	3	3	0	0	10	100%	100%	100%			100%
6	Traffic Cocaine 028-100	41	14	10	3	0	68	41	14	10	3	0	68	100%	100%	100%	100%		100%
6	Induce Minor To Distribute	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	MV Homicide - OUI Felony	8	5	0	0	0	13	8	5	0	0	0	13	100%	100%				100%
6	Possess Explosive Device	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
6	Interfere Public Transport	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
6	Sub-Total	243	118	108	109	1	579	190	105	104	105	1	505	78%	89%	96%	96%	100%	87%
5	A&B Child w/Injury	11	2	0	0	0	13	4	1	0	0	0	5	36%	50%				38%
5	A&B Aggravated	2	1	1	0	0	4	2	1	1	0	0	4	100%	100%	100%			100%
5	A&B DW, Aggravated	3	1	1	0	0	5	3	0	1	0	0	4	100%	0%	100%			80%
5	Indecent A&B On Child	23	6	7	2	0	38	17	4	5	1	0	27	74%	67%	71%	50%		71%
5	Unnatural Acts Child	0	0	0	0	0	0	0	0	0	0	0	0						
5	Robbery Unarmed	19	18	11	33	0	81	9	9	11	31	0	60	47%	50%	100%	94%		74%
5	Intimidation	6	7	2	4	0	19	1	2	1	3	0	7	17%	29%	50%	75%		37%
5	Stalking Violation of Rest. Order	0	0	0	0	0	0	0	0	0	0	0	0						
5	Common & Notorious Thief	2	2	0	0	0	4	2	2	0	0	0	4	100%	100%				100%
5	Burglary	6	2	7	11	0	26	2	2	7	11	0	22	33%	100%	100%	100%		85%
5	Counterfeit Equipment	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
5	Gaming Enterprise	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
5	Distribute Class B 2nd	0	8	14	9	0	31	0	8	14	9	0	31		100%	100%	100%		100%
5	Traffic Cocaine 014-028	41	33	18	8	0	100	41	33	18	8	0	100	100%	100%	100%	100%		100%
5	Traffic Mar 100-2000	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
5	Inducing Minor To Prostitution	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	Perjury or Suborn	5	1	2	0	0	8	2	0	1	0	0	3	40%	0%	50%			38%
5	Possess Motor Vehicle Cocktail	0	0	0	0	0	0	0	0	0	0	0	0						
5	Sub-Total	119	82	64	68	0	333	83	63	60	64	0	270	70%	77%	94%	94%		81%

Table 42 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing 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 Elderly / Disabled w Injury	5	3	0	1	0	9	4	3	0	1	0	8	80%	100%		100%		89%
4	Assault Aggravated	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Guard	0	0	6	7	0	13	0	0	6	6	0	12			100%	86%		92%
4	A&B Dangerous Weapon	34	27	7	10	0	78	34	27	7	10	0	78	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B To Collect Loan	0	0	0	0	0	0	0	0	0	0	0	0						
4	Indecent A&B	17	4	2	5	0	28	13	3	1	3	0	20	76%	75%	50%	60%		71%
4	Assault w/i Rob	1	1	1	4	0	7	0	0	1	3	0	4	0%	0%	100%	75%		57%
4	Loansharking	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
4	Stalking	1	1	1	0	0	3	1	0	0	0	0	1	100%	0%	0%			33%
4	Harassment	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
4	Larceny More	3	3	2	8	0	16	3	3	2	8	0	16	100%	100%	100%	100%		100%
4	Larceny Person	17	10	5	5	0	37	14	9	5	4	0	32	82%	90%	100%	80%		86%
4	Larceny Person + 65	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
4	Larceny MV 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
4	Fraud - Identity	2	1	0	1	0	4	1	1	0	1	0	3	50%	100%		100%		75%
4	B&E	0	6	10	47	0	63	0	6	10	47	0	63		100%	100%	100%		100%
4	Receiving Stolen Goods Over	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Receiving Stolen Goods M V 2nd	0	0	2	5	0	7	0	0	2	5	0	7			100%	100%		100%
4	Burning Building	4	5	2	1	0	12	1	3	1	1	0	6	25%	60%	50%	100%		50%
4	Burning to Defraud	2	0	0	0	0	2	0	0	0	0	0	0		0%				0%
4	Distribute Class A	75	56	43	44	0	218	45	46	41	41	0	173	60%	82%	95%	93%		79%
4	Distribute Class B	105	56	33	32	0	226	50	34	25	27	0	136	48%	61%	76%	84%		60%
4	Distribute Cocaine	66	42	34	17	0	159	66	42	34	17	0	159	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
4	Larceny Cont Sub	6	2	0	0	0	8	1	0	0	0	0	1	17%	0%				13%
4	Giving Prisoner Cont Sub	0	1	0	1	0	2	0	0	0	1	0	1		0%		100%		50%
4	Control Substance School	23	38	30	19	0	110	23	38	30	19	0	110	100%	100%	100%	100%		100%
4	MV Homicide	0	0	0	0	0	0	0	0	0	0	0	0						
4	MV Homicide - Reckless	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	MV Homicide - OUI	4	0	0	0	0	4	3	0	0	0	0	3	75%					75%
4	Leaving Scene Death	3	0	1	0	0	4	3	0	1	0	0	4	100%		100%			100%
4	OUI Serious Inj Fel	0	1	0	2	0	3	0	1	0	2	0	3		100%		100%		100%
4	Assault Weapon, Possess	2	3	1	0	0	6	2	3	1	0	0	6	100%	100%	100%			100%
4	Firearm Sale Violation	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
4	Escape	1	1	3	1	0	6	1	1	2	1	0	5	100%	100%	67%	100%		83%
4	Bribery	1	0	0	0	0	1	0	0	0	0	0	0		0%				0%
4	Extortion	0	0	0	0	0	0	0	0	0	0	0	0						
4	Bomb Hoax	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
4	Tax Law Violation	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
4	Disinter Body	1	1	1	1	0	4	1	1	1	1	0	4	100%	100%	100%	100%		100%
4	Sub-Total	379	267	187	212	0	1045	268	223	172	199	0	862	71%	84%	92%	94%		82%

Table 42 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing 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	A&B	40	21	13	13	0	87	20	15	8	10	0	53	50%	71%	62%	77%		61%
3	A&B Domestic	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B w/I Intimidate	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
3	A&B Dangerous Weapon	16	7	2	1	0	26	0	0	0	0	0	0	0%	0%	0%	0%		0%
3	A&B Dangerous Weapon + 60	0	0	0	0	0	0	0	0	0	0	0	0						
3	Assault Dangerous Weapon	27	12	13	13	0	65	23	11	11	11	0	56	85%	92%	85%	85%		86%
3	Assault Dangerous Weapon + 60	0	0	0	2	0	2	0	0	0	1	0	1				50%		50%
3	Unnatural Acts	0	0	0	0	0	0	0	0	0	0	0	0						
3	Child Pornography Possess	10	0	0	0	0	10	5	0	0	0	0	5	50%					50%
3	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0						
3	Violation Of Civil Rights	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
3	Restraining Order Violation	1	1	0	1	0	3	0	1	0	1	0	2	0%	100%		100%		67%
3	Larceny	0	1	2	1	0	4	0	1	2	1	0	4		100%	100%	100%		100%
3	Larceny More	44	13	9	3	0	69	8	5	5	2	0	20	18%	38%	56%	67%		29%
3	Larceny More + 60	1	2	0	0	0	3	0	2	0	0	0	2	0%	100%				67%
3	Larceny Building	1	2	0	2	0	5	1	2	0	2	0	5	100%	100%		100%		100%
3	Larceny Firearm	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
3	Larceny MV	1	0	2	3	0	6	1	0	2	2	0	5	100%		100%	67%		83%
3	Embezzlement	2	3	0	0	0	5	0	2	0	0	0	2	0%	67%				40%
3	Credit Card Misuse - More	1	1	0	1	0	3	1	1	0	1	0	3	100%	100%		100%		100%
3	Fraud	4	1	1	0	0	6	1	0	0	0	0	1	25%	0%	0%			17%
3	MV - Sales Violation	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possess Burglariou s Tools	1	0	1	4	0	6	1	0	1	3	0	5	100%		100%	75%		83%
3	B&E	23	12	14	8	0	57	8	11	10	6	0	35	35%	92%	71%	75%		61%
3	Mal Dest Property More	2	1	3	1	0	7	1	1	3	1	0	6	50%	100%	100%	100%		86%
3	Receiving Stolen Goods Over	2	4	0	1	0	7	1	4	0	1	0	6	50%	100%	100%	100%		86%
3	Receiving Stolen Goods MV	2	2	2	10	0	16	2	1	2	10	0	15	100%	50%	100%	100%		94%
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Forgery And Uttering	10	3	6	5	0	24	7	2	6	5	0	20	70%	67%	100%	100%		83%
3	Coun terfeit	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
3	Burning Property	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
3	Burning Motor Vehicle	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
3	Gaming Register Bets	3	0	0	0	0	3	0	0	0	0	0	0		0%				0%
3	Possession Class A 2nd	0	0	4	1	0	5	0	0	4	1	0	5			100%	100%		100%
3	Possession Class A Heroin 2nd	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
3	Possession Class B 2nd	1	0	3	0	0	4	1	0	3	0	0	4	100%		100%			100%
3	Possession Class C 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Class D 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Distribute Class C	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
3	Distribute Class D 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Distribute Class E 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Hypod erm ic 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	MV Homicide	5	1	1	0	0	7	5	1	1	0	0	7	100%	100%	100%			100%
3	Leaving Scene Property Damage	2	0	2	1	0	5	0	0	2	0	0	2	0%		100%	0%		40%
3	Leaving Scene Person al Injury	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
3	Possess Master Key MV	0	0	0	0	0	0	0	0	0	0	0	0						

Table 42 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing 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	OUI Serious Inj Misd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Inducing Minor To Sex	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Possess Firearm Silencer	0	0	0	0	0	0	0	0	0	0	0							
3	Gun Serial Number	0	0	0	0	0	0	0	0	0	0	0							
3	Firearm Loaded while OUI	0	0	0	0	0	0	0	0	0	0	0							
3	Nonsupport	0	0	0	0	0	0	0	0	0	0	0							
3	Interfere Police or Firefighter	0	0	0	0	0	0	0	0	0	0	0							
3	Failure to Appear Felony	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Carrying Dangerous Weapon	6	2	3	2	0	13	3	2	3	2	0	10	50%	100%	100%	100%		77%
3	Contempt Of Court	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
3	Throw Object On Public Way	0	0	0	0	0	0	0	0	0	0	0							
3	Sex Offender Fail Register	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
3	Wiretapping	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
3	Sub-Total	218	93	85	80	0	476	95	65	66	65	0	291	44%	70%	78%	81%		61%

Table 42 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing 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	Assault	2	0	0	2	0	4	2	0	0	2	0	4	100%			100%		100%
2	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0	0	0	0	0	0	0						
2	Larceny	4	0	1	0	0	5	0	0	0	0	0	0	0%		0%			0%
2	Larceny Less	5	1	1	0	0	7	2	0	1	0	0	3	40%	0%	100%			43%
2	Larceny Less +60	0	0	0	0	0	0	0	0	0	0	0	0						
2	Shoplifting	0	0	0	0	0	0	0	0	0	0	0	0						
2	Credit Card Misuse	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	Defrauding Insurer	5	2	1	0	0	8	1	1	0	0	0	2	20%	50%	0%			25%
2	MV - False Report Of Theft	0	0	0	0	0	0	0	0	0	0	0	0						
2	Defrauding Innkeeper	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						
2	Failure To Return Leased Prop	0	0	0	0	0	0	0	0	0	0	0	0						
2	B & E MV	0	0	0	0	0	0	0	0	0	0	0	0						
2	B & E w/i Misdemeanor	0	0	0	0	0	0	0	0	0	0	0	0						
2	Property Destruction	1	1	0	1	0	3	0	1	0	1	0	2	0%	100%		100%		67%
2	Injure Building Riot	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
2	Tagging Property	0	0	0	0	0	0	0	0	0	0	0	0						
2	Receiving Stolen Goods	2	0	1	4	0	7	0	0	1	2	0	3	0%		100%	50%		43%
2	Gaming Use of Telephone	5	1	1	1	0	8	0	1	0	0	0	1	0%	100%	0%	0%		13%
2	Fraud - Electric, Phone or Cable	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possession Class A	1	1	2	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
2	Possession Class A Heroin	1	2	3	2	0	8	0	0	2	1	0	3	0%	0%	67%	50%		38%
2	Possession Class B	15	6	1	2	0	24	1	4	1	2	0	8	7%	67%	100%	100%		33%
2	Possession Class C	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Possession Class D	3	1	2	0	0	6	0	1	1	0	0	2	0%	100%	50%			33%
2	Possession Class D Marijuana 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
2	Distribute Counterfeit Substance	0	0	0	0	0	0	0	0	0	0	0	0						
2	Distribute Class D	11	3	2	1	0	17	5	2	1	0	0	8	45%	67%	50%	0%		47%
2	Distribute Class E	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possession Hypodermic/Syringe	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Presence Class A	1	2	0	1	0	4	0	1	0	1	0	2	0%	50%		100%		50%
2	Forge Prescription	0	0	1	3	0	4	0	0	1	2	0	3			100%	67%		75%
2	Distribute Paraphernalia	0	0	0	0	0	0	0	0	0	0	0	0						
2	Operate to Endanger	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
2	Use Without Authority	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Use w/o Authority 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
2	Unlicensed Sale Used Car	0	0	0	0	0	0	0	0	0	0	0	0						
2	Habitual Traffic Offender	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						
2	Operate After Suspension 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Compulsory Insurance Violation	0	0	0	1	0	1	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	Counterfeit/Alter MV Document	0	0	1	0	0	1	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	Prostitution	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Common Night Walker 3rd	0	0	0	0	0	0	0	0	0	0	0	0						

Table 42 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing 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	Induce Female To Prostitution	0	0	0	0	0	0	0	0	0	0	0	0						
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	0	0	0	0	0	0						
2	Open And Gross	1	1	2	0	0	4	1	1	2	0	0	4	100%	100%	100%			100%
2	Obscene Material to Minor	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
2	Failure To Disperse	0	0	0	0	0	0	0	0	0	0	0	0						
2	Firearm Possess w/o Permit	26	7	2	1	0	36	19	4	2	1	0	26	73%	57%	100%	100%		72%
2	Possess Mace	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possess Ammunition	3	1	0	0	0	4	2	0	0	0	0	2	67%	0%				50%
2	Firearm Store Improper	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
2	Escape Work Release Program	0	0	0	0	0	0	0	0	0	0	0	0						
2	Escape Lock up	0	0	0	0	0	0	0	0	0	0	0	0						
2	Aiding An Escape	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	Impersonate/Disguise	0	0	0	0	0	0	0	0	0	0	0	0						
2	False Statement	0	0	0	0	0	0	0	0	0	0	0	0						
2	Failure to Appear	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
2	Possess Stun Gun	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possess Dangerous Weapon	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
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	Disrupt Court Proceedings	0	0	0	0	0	0	0	0	0	0	0	0						
2	Contributing To Delinquency	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Cruelty To Animals	0	0	0	0	0	0	0	0	0	0	0	0						
2	Mistreat Police Animal	0	0	0	0	0	0	0	0	0	0	0	0						
2	Animal Fight, Promote	0	0	0	0	0	0	0	0	0	0	0	0						
2	Work Compensation Fail Have	0	0	0	0	0	0	0	0	0	0	0	0						
2	Resisting Arrest	4	1	2	1	0	8	1	0	2	1	0	4	25%	0%	100%	100%		50%
2	False Report Of Crime	0	0	0	0	0	0	0	0	0	0	0	0						
2	Hazardous Materials	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Disconnect Sprinkler System	0	0	0	0	0	0	0	0	0	0	0	0						
2	CORI Law Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Firearms - False Statement	0	0	0	0	0	0	0	0	0	0	0	0						
2	Wiretap, Possess Device	0	0	0	0	0	0	0	0	0	0	0	0						
2	Unregistered Contractor	0	0	0	0	0	0	0	0	0	0	0	0						
2	True Name Law	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Sub-Total	107	35	26	23	0	191	38	18	17	15	0	88	36%	51%	65%	65%		46%

Table 42 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing 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	Obscene Materials	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Threatening	5	0	0	1	0	6	3	0	0	1	0	4	60%			100%		67%
1	Defrauding Victualer	0	0	0	0	0	0	0	0	0	0	0	0						
1	Vandalism	0	0	0	0	0	0	0	0	0	0	0	0						
1	Setting Fire In Open	0	0	0	0	0	0	0	0	0	0	0	0						
1	Trespassing	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
1	Gaming	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Possession Class D Marijuana	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%			50%
1	Possession Class E	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Inhaling Toxic Va pors	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	Operate After Suspension	0	0	1	1	0	2	0	0	1	0	0	1			100%	0%		50%
1	MV - Impersonate/Other License	0	0	0	0	0	0	0	0	0	0	0	0						
1	RV On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
1	Common Night Walker	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	Lewd And L acivious	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	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	0	0	0	0	0	0						
1	Firearm Discharge	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
1	Accessory Before & After	0	0	0	0	0	0	0	0	0	0	0	0						
1	Anno ying Pho ne Calls	0	0	0	0	0	0	0	0	0	0	0	0						
1	Failure To Obey Police Officer	0	0	0	0	0	0	0	0	0	0	0	0						
1	License Law Violation (Not MV)	0	0	0	0	0	0	0	0	0	0	0	0						
1	Alcohol, Procure for Minor	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Alcohol, Transporting	0	0	0	0	0	0	0	0	0	0	0	0						
1	Throwing Glass On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	0	0	0	0	0	0						
1	Business Practice	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
1	Employment Practices	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Health Code Violation	0	0	0	0	0	0	0	0	0	0	0	0						
1	Violation Aircraft Restriction	0	0	0	0	0	0	0	0	0	0	0	0						
1	Fail To Comply With Dog Order	0	0	0	0	0	0	0	0	0	0	0	0						
1	Remove To ken from Grave	0	0	0	0	0	0	0	0	0	0	0	0						
1	False Use of Insignia	0	0	0	0	0	0	0	0	0	0	0	0						
1	Sub-Total	12	2	2	3	0	19	4	1	2	2	0	9	33%	50%	100%	67%	47%	

Table 42 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing 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
0	Attempt Larceny	0	0	0	0	0	0	0	0	0	0	0	0						
0	Attempt B&E	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
0	Conspiracy Violate CSA	22	3	3	1	0	29	8	2	3	1	0	14	36%	67%	100%	100%		48%
0	Conspiracy	13	3	3	1	0	20	5	1	2	1	0	9	38%	33%	67%	100%		45%
0	Attempt To Commit Crime	6	1	2	1	0	10	1	1	2	1	0	5	17%	100%	100%	100%		50%
0	Accessory Before	0	0	0	0	0	0	0	0	0	0	0	0						
0	Accessory After	6	5	1	1	0	13	0	2	1	1	0	4	0%	40%	100%	100%		31%
0	Other Crime	0	0	0	0	0	0	0	0	0	0	0	0						
0	Sub-Total	48	12	9	4	0	73	14	6	8	4	0	32	29%	50%	89%	100%		44%

Table 43 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
9	Murder	0	0	0	0	0	0	-	-	-	-	-	-	-	-	-	-	-	-	-
9	Sub-Total	0	0	0	0	0	0
8	Manslaughter	15	12	5	5	0	37	125.6	137.5	124.8	108.0	-	127.0	120.0	132.0	108.0	120.0	-	120.0	
8	Armed Assault In Dwell House	0	1	1	1	0	3	-	144.0	156.0	120.0	-	140.0	-	144.0	156.0	120.0	-	144.0	
8	Rape, Aggravated	3	5	7	3	0	18	100.0	177.6	154.3	296.0	-	175.3	120.0	120.0	144.0	324.0	-	132.0	
8	Rape Of Child w/Force	16	8	3	3	0	30	81.8	132.8	184.0	260.0	-	123.4	78.0	72.0	96.0	240.0	-	96.0	
8	Firearmed Assault w/i Murder	3	3	0	3	1	10	112.0	80.0	-	120.0	216.0	115.2	60.0	84.0	-	96.0	216.0	84.0	
8	Home Invasion	1	0	1	2	0	4	240.0	-	240.0	264.0	-	252.0	240.0	-	240.0	264.0	-	240.0	
8	Burglary, Armed	1	0	0	1	0	2	240.0	-	-	120.0	-	180.0	240.0	-	-	120.0	-	180.0	
8	Traffic Heroin 200+	3	0	0	0	0	3	196.0	-	-	-	-	196.0	180.0	-	-	-	-	180.0	
8	Traffic Cocaine 200+	5	3	1	0	0	9	180.0	180.0	180.0	-	-	180.0	180.0	180.0	180.0	-	-	180.0	
8	Sub-Total	47	32	18	18	1	116	123.3	141.4	157.3	185.3	216.0	144.0	120.0	120.0	132.0	144.0	216.0	120.0	
7	Murder, Attempted	0	1	3	0	0	4	-	72.0	112.0	-	-	102.0	-	72.0	60.0	-	-	66.0	
7	Mayhem	3	2	1	1	0	7	92.0	54.0	36.0	36.0	-	65.1	72.0	54.0	36.0	36.0	-	60.0	
7	A&B Child w/Injury Substantial	0	0	0	1	0	1	-	-	-	108.0	-	108.0	-	-	-	108.0	-	108.0	
7	Rape	11	1	7	3	0	22	53.5	54.0	88.3	96.0	-	70.4	48.0	54.0	66.0	108.0	-	60.0	
7	Rape of Child 2nd	0	0	2	1	0	3	-	-	54.0	120.0	-	76.0	-	-	54.0	120.0	-	72.0	
7	Assault w/i Rape Child	1	0	2	0	0	3	36.0	-	150.0	-	-	112.0	36.0	-	150.0	-	-	60.0	
7	Incest	1	0	0	0	0	1	60.0	-	-	-	-	60.0	60.0	-	-	-	-	60.0	
7	Armed Robbery Gun	18	20	17	23	1	79	55.0	48.3	59.3	79.3	12.0	60.8	42.0	48.0	48.0	72.0	12.0	60.0	
7	Armed Assault w/i Murder	12	4	8	7	0	31	48.5	45.0	49.6	106.3	-	61.4	45.0	42.0	42.0	96.0	-	48.0	
7	Carjacking, Armed	1	0	2	4	0	7	60.0	-	42.0	93.0	-	73.7	60.0	-	42.0	66.0	-	60.0	
7	Confine And Put In Fear	0	0	1	2	0	3	-	-	60.0	48.0	-	52.0	-	-	60.0	48.0	-	48.0	
7	Traffic Heroin 028-100	4	0	3	2	0	9	96.0	-	92.0	96.0	-	94.7	96.0	-	90.0	96.0	-	96.0	
7	Traffic Heroin 100-200	4	1	1	0	0	6	126.0	144.0	120.0	-	-	128.0	120.0	144.0	120.0	-	-	120.0	
7	Traffic Cocaine 100-200	4	5	3	1	0	13	120.0	124.8	120.0	120.0	-	121.8	120.0	120.0	120.0	120.0	-	120.0	
7	Traffic Mar 10000+	0	1	0	0	0	1	-	120.0	-	-	-	120.0	-	120.0	-	-	-	120.0	
7	Sub-Total	59	35	50	45	1	190	67.1	64.8	74.1	86.7	12.0	72.9	60.0	60.0	60.0	72.0	12.0	60.0	

Table 43 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
6	Manslaughter	3	1	0	0	0	4	88.0	72.0					84.0	84.0	72.0				78.0
6	A&B Dangerous Weapon	19	19	16	14	0	68	43.6	48.0	40.5	47.6			44.9	42.0	48.0	33.0	36.0		36.0
6	A&B Dangerous Weapon + 60	0	1	0	0	0	1		18.0					18.0		18.0				18.0
6	Assault To Kill or Maim	2	2	0	1	0	5	39.0	39.0			108.0		52.8	39.0	39.0		108.0		42.0
6	Rape Of Child	31	14	14	6	0	65	92.5	61.7	62.6	178.0			87.3	60.0	60.0	60.0	144.0		60.0
6	Assault w/i Rape	3	0	1	0	0	4	104.0		84.0				99.0	120.0		84.0			102.0
6	Indecent A&B On Child 2nd	0	0	1	1	0	2			72.0	84.0			78.0			72.0	84.0		78.0
6	Indecent A&B Mentally Retarded	0	0	1	0	0	1			60.0				60.0			60.0			60.0
6	Child Pornography	0	0	0	0	0	0													
6	Robbery Unarmed + 60	2	2	1	5	0	10	26.0	30.0	48.0	90.0			61.0	26.0	30.0	48.0	48.0		45.0
6	Armed Robbery	26	23	35	50	0	134	44.1	42.3	51.4	59.4			51.4	33.0	36.0	42.0	54.0		42.0
6	Armed Assault w/i Rob	4	3	4	6	1	18	58.5	28.0	39.0	44.0	120.0		47.7	60.0	24.0	36.0	42.0	120.0	36.0
6	Carjacking	1	1	0	5	0	7	30.0	30.0		45.6			41.1	30.0	30.0		24.0		30.0
6	Kidnapping	2	2	0	0	0	4	36.0	36.0					36.0	36.0	36.0				36.0
6	Burning Dwelling House	5	4	2	2	0	13	34.4	39.0	30.0	42.0			36.3	36.0	39.0	30.0	42.0		36.0
6	Distribute Class A 2nd	0	3	6	6	0	15		60.0	60.0	74.0			65.6		60.0	60.0	66.0		60.0
6	Distribute Cocaine 2nd	0	0	3	1	0	4			60.0	60.0			60.0			60.0	60.0		60.0
6	Traffic Heroin 014-028	4	3	3	0	0	10	60.0	60.0	60.0				60.0	60.0	60.0	60.0			60.0
6	Traffic Cocaine 028-100	41	14	10	3	0	68	66.7	76.3	61.2	76.0			68.3	60.0	78.0	60.0	60.0		60.0
6	Induce Minor To Distribute	1	0	0	0	0	1	60.0						60.0	60.0					60.0
6	MV Homicide - OUI Felony	4	5	0	0	0	9	57.0	57.6					57.3	54.0	60.0				60.0
6	Possess Explosive Device	0	0	0	0	0	0													
6	Interfere Public Transport	0	0	0	0	0	0													
6	Sub-Total	148	97	97	100	1	443	63.0	51.9	52.9	66.6	120.0		59.3	60.0	48.0	54.0	60.0	120.0	60.0
5	A&B Child w/Injury	0	0	0	0	0	0													
5	A&B Aggravated	0	0	1	0	0	1			12.0				12.0			12.0			12.0
5	A&B DW, Aggravated	3	0	0	0	0	3	60.0						60.0	36.0					36.0
5	Indecent A&B On Child	1	0	3	1	0	5	12.0		54.0	60.0			46.8	12.0		48.0	60.0		48.0
5	Unnatural Acts Child	0	0	0	0	0	0													
5	Robbery Unarmed	9	9	11	30	0	59	38.7	30.7	28.4	54.4			43.5	24.0	24.0	24.0	48.0		36.0
5	Intimidation	0	0	0	1	0	1				60.0			60.0				60.0		60.0
5	Stalking Violation of Rest. Order	0	0	0	0	0	0													
5	Common & Notorious Thief	0	0	0	0	0	0													
5	Burglary	2	2	7	11	0	22	48.0	60.0	36.9	61.6			52.4	48.0	60.0	36.0	54.0		42.0
5	Counterfeit Equipment	0	0	0	1	0	1				36.0			36.0				36.0		36.0
5	Gaming Enterprise	0	0	0	0	0	0													
5	Distribute Class B 2nd	0	8	14	9	0	31		43.5	41.1	49.3			44.1		36.0	36.0	36.0		36.0
5	Traffic Cocaine 014-028	41	33	18	8	0	100	37.8	38.7	38.3	36.0			38.0	36.0	36.0	36.0	36.0		36.0
5	Traffic Mar 100-2000	0	1	0	0	0	1		36.0					36.0		36.0				36.0
5	Inducing Minor To Prostitution	0	0	1	0	0	1			36.0				36.0			36.0			36.0
5	Perjury or Suborn	0	0	0	0	0	0													
5	Possess Molotov Cocktail	0	0	0	0	0	0													
5	Sub-Total	56	53	55	61	0	225	39.0	38.8	37.2	52.4			42.2	36.0	36.0	36.0	48.0		36.0

Table 43 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	1	0	0	1	0	2	36.0			24.0		30.0	36.0			24.0		30.0
4	Assault Aggravated	0	0	0	0	0	0												
4	A&B Guard	0	0	5	6	0	11			37.2	45.0		41.5			36.0	33.0		36.0
4	A&B Dangerous Weapon	0	0	0	0	0	0												
4	A&B Dangerous Weapon + 60	0	0	0	0	0	0												
4	A&B To Collect Loan	0	0	0	0	0	0												
4	Indecent A&B	5	0	0	1	0	6	37.2			36.0		37.0	42.0			36.0		39.0
4	Assault w/i Rob	0	0	1	3	0	4			72.0	22.0		34.5			72.0	24.0		27.0
4	Loansharking	0	0	0	0	0	0												
4	Stalking	0	0	0	0	0	0												
4	Harassment	0	0	0	0	0	0												
4	Larceny More	3	3	2	8	0	16	16.0	34.0	36.0	26.3		27.0	12.0	24.0	36.0	24.0		24.0
4	Larceny Person	0	1	0	2	0	3		12.0		31.5		25.0		12.0		31.5		15.0
4	Larceny Person + 65	0	0	0	0	0	0												
4	Larceny MV 2nd	0	0	0	0	0	0												
4	Fraud - Identity	0	0	0	0	0	0												
4	B&E	0	6	10	43	0	59		37.0	35.4	49.7		46.0		36.0	33.0	36.0		36.0
4	Receiving Stolen Goods Over	0	0	0	1	0	1				36.0		36.0				36.0		36.0
4	Receiving Stolen Goods M V 2nd	0	0	1	4	0	5			24.0	33.0		31.2			24.0	36.0		24.0
4	Burning Building	0	3	1	1	0	5		60.0	36.0	96.0		62.4		60.0	36.0	96.0		60.0
4	Burning to Defraud	0	0	0	0	0	0												
4	Distribute Class A	15	21	32	35	0	103	33.6	30.2	38.4	37.9		35.9	36.0	36.0	36.0	36.0		36.0
4	Distribute Class B	14	13	14	15	0	56	30.9	25.8	31.3	39.2		32.0	24.0	24.0	33.0	36.0		30.0
4	Distribute Cocaine	19	17	25	9	0	70	22.1	25.6	33.8	31.3		28.3	24.0	24.0	30.0	24.0		24.0
4	Traffic Mar 50-100	0	1	0	0	0	1		24.0				24.0		24.0				24.0
4	Larceny Cont Sub	0	0	0	0	0	0												
4	Giving Prisoner Cont Sub	0	0	0	0	0	0												
4	Control Substance School	5	7	8	9	0	29	28.8	27.4	28.5	30.7		29.0	30.0	30.0	30.0	30.0		30.0
4	MV Homicide	0	0	0	0	0	0												
4	MV Homicide - Reckless	0	0	0	0	0	0												
4	MV Homicide - OUI	0	0	0	0	0	0												
4	Leaving Scene Death	0	0	1	0	0	1			42.0			42.0			42.0			42.0
4	OUI Serious Inj. Fel	0	0	0	1	0	1				84.0		84.0			84.0			84.0
4	Assault Weapon, Possess	2	3	1	0	0	6	54.0	32.0	60.0			44.0	54.0	30.0	60.0			36.0
4	Firearm Sak Violation	0	0	0	0	0	0												
4	Escape	0	0	1	1	0	2			12.0	72.0		42.0			12.0	72.0		42.0
4	Bribery	0	0	0	0	0	0												
4	Extortion	0	0	0	0	0	0												
4	Bomb Hoax	0	0	0	0	0	0												
4	Tax Law Violation	0	0	0	0	0	0												
4	Disinter Body	1	0	0	0	0	1	18.0					18.0	18.0					18.0
4	Sub-Total	65	75	102	140	0	382	29.2	29.8	35.3	40.7		35.1	24.0	30.0	36.0	36.0		36.0

Table 43 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	0	0	0	0	0	0												
3	A&B Domestic	0	0	0	0	0	0												
3	A&B w/ Intimidate	0	0	0	0	0	0												
3	A&B Dangerous Weapon	0	0	0	0	0	0												
3	A&B Dangerous Weapon + 60	0	0	0	0	0	0												
3	Assault Dangerous Weapon	6	4	5	7	0	22	35.0	28.5	33.6	34.3		33.3	33.0	27.0	30.0	36.0		33.0
3	Assault Dangerous Weapon + 60	0	0	0	0	0	0												
3	Unnatural Acts	0	0	0	0	0	0												
3	Child Pornography Possess	0	0	0	0	0	0												
3	Kidnapping	0	0	0	0	0	0												
3	Violation Of Civil Rights	0	0	0	0	0	0												
3	Restraining Order Violation	0	0	0	0	0	0												
3	Larceny	0	0	0	0	0	0												
3	Larceny More	0	0	0	0	0	0												
3	Larceny More + 60	0	0	0	0	0	0												
3	Larceny Building	0	0	0	2	0	2					27.0		27.0				27.0	27.0
3	Larceny Firearm	0	0	0	0	0	0												
3	Larceny MV	0	0	2	0	0	2			24.0				24.0		24.0			24.0
3	Embezzlement	0	0	0	0	0	0												
3	Credit Card Misuse - More	0	1	0	0	0	1		12.1					12.1		12.1			12.1
3	Fraud	0	0	0	0	0	0												
3	MV - Sales Violation	0	0	0	0	0	0												
3	Possess Burglarious Tools	0	0	0	2	0	2					48.0		48.0				48.0	48.0
3	B&E	0	0	0	0	0	0												
3	Mal Dest Property More	0	0	2	1	0	3			21.0	48.0		30.0			21.0	48.0		30.0
3	Receiving Stolen Goods Over	0	0	0	0	0	0												
3	Receiving Stolen Goods MV	0	1	1	6	0	8		36.0	30.0	30.0		30.8		36.0	30.0	27.0		30.0
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1					12.0		12.0				12.0	12.0
3	Forgery And Uttering	3	0	2	2	0	7	36.0		24.0	45.0		35.1	36.0		24.0	45.0		36.0
3	Counterfeit	0	0	0	0	0	0												
3	Burning Property	0	0	0	0	0	0												
3	Burning Motor Vehicle	0	0	0	0	0	0												
3	Gaming Register Bets	0	0	0	0	0	0												
3	Possession Class A 2nd	0	0	0	0	0	0												
3	Possession Class A Heroin 2nd	0	0	0	2	0	2					35.0		35.0				35.0	35.0
3	Possession Class B 2nd	0	0	0	0	0	0												
3	Possession Class C 2nd	0	0	0	0	0	0												
3	Possession Class D 2nd	0	0	0	0	0	0												
3	Distribute Class C	0	0	0	0	0	0												
3	Distribute Class D 2nd	0	0	0	0	0	0												
3	Distribute Class E 2nd	0	0	0	0	0	0												
3	Possession Hypodermic 2nd	0	0	0	0	0	0												
3	MV Homicide	0	0	0	0	0	0												
3	Leaving Scene Property Damage	0	0	0	0	0	0												
3	Leaving Scene Person Injury	0	0	0	0	0	0												
3	Possess Master Key MV	0	0	0	0	0	0												

Table 43 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
3	OUI Serious Inj Misd	0	0	0	0	0	0													
3	Inducing Minor To Sex	0	0	0	0	0	0													
3	Possess Firearm Silencer	0	0	0	0	0	0													
3	Gun Serial Number	0	0	0	0	0	0													
3	Firearm Loaded while OUI	0	0	0	0	0	0													
3	Nonsupport	0	0	0	0	0	0													
3	Interfere Police or Firefighter	0	0	0	0	0	0													
3	Failure to Appear Felony	0	0	0	0	0	0													
3	Carrying Dangerous Weapon	1	2	1	2	0	6	30.0	39.0	30.0	30.0			33.0	30.0	39.0	30.0	30.0		30.0
3	Contempt Of Court	0	0	0	0	0	0													
3	Throw Object On Public Way	0	0	0	0	0	0													
3	Sex Offender Fail Register	0	0	0	0	0	0													
3	Wiretapping	1	0	0	0	0	1	24.0						24.0	24.0					24.0
3	Sub-Total	11	8	13	25	0	57	33.8	30.0	28.2	34.0			32.1	30.0	30.0	30.0	36.0		30.0

Table 43 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	0	0	0	0	0	0												
2	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0												
2	Larceny	0	0	0	0	0	0												
2	Larceny Less	0	0	0	0	0	0												
2	Larceny Less +60	0	0	0	0	0	0												
2	Shoplifting	0	0	0	0	0	0												
2	Credit Card Misuse	0	0	0	0	0	0												
2	Defrauding Insurer	0	0	0	0	0	0												
2	MV - False Report Of Theft	0	0	0	0	0	0												
2	Defrauding Innkeeper	0	0	0	0	0	0												
2	Welfare Violation	0	0	0	0	0	0												
2	Failure To Return Leased Prop	0	0	0	0	0	0												
2	B&E MV	0	0	0	0	0	0												
2	B&E w/i Misdemeanor	0	0	0	0	0	0												
2	Property Destruction	0	0	0	0	0	0												
2	Injure Building Riot	0	0	0	2	0	2				42.0		42.0				42.0		42.0
2	Tagging Property	0	0	0	0	0	0												
2	Receiving Stolen Goods	0	0	0	0	0	0												
2	Gaming Use of Telephone	0	0	0	0	0	0												
2	Fraud - Electric, Phone or Cable	0	0	0	0	0	0												
2	Possession Class A	0	0	0	0	0	0												
2	Possession Class A Heroin	0	0	0	0	0	0												
2	Possession Class B	0	0	0	0	0	0												
2	Possession Class C	0	0	0	0	0	0												
2	Possession Class D	0	0	0	0	0	0												
2	Possession Class D Marijuana 2nd	0	0	0	0	0	0												
2	Distribute Counterfeit Substance	0	0	0	0	0	0												
2	Distribute Class D	0	0	0	0	0	0												
2	Distribute Class E	0	0	0	0	0	0												
2	Possession Hypodermic/Syringe	0	0	0	0	0	0												
2	Presence Class A	0	0	0	0	0	0												
2	Forge Prescription	0	0	0	0	0	0												
2	Distribute Paraphernalia	0	0	0	0	0	0												
2	Operate to Endanger	0	0	0	0	0	0												
2	Use Without Authority	0	0	0	0	0	0												
2	Use w/o Authority 2nd	0	0	0	0	0	0												
2	Unlicensed Sale Used Car	0	0	0	0	0	0												
2	Habitual Traffic Offender	0	0	0	0	0	0												
2	Racing	0	0	0	0	0	0												
2	Operate After Suspension 2nd	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	Counterfeit/Alter MV Document	0	0	0	0	0	0												
2	False Statement On Application	0	0	0	0	0	0												
2	Prostitution	0	0	0	0	0	0												
2	Common Night Walker 3rd	0	0	0	0	0	0												

Table 43 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence				Median Sentence							
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Induce Female To Prostitution	0	0	0	0	0	0												
2	Keeping A House Of Ill Fame	0	0	0	0	0	0												
2	Open And Gross	0	0	2	0	0	2			24.0			24.0			24.0			24.0
2	Obscene Material to Minor	0	1	0	0	0	1		48.0				48.0		48.0				48.0
2	Failure To Disperse	0	0	0	0	0	0												
2	Firearm Possess w/o Permit	0	0	0	0	0	0												
2	Possess Mace	0	0	0	0	0	0												
2	Possess Ammunition	0	0	0	0	0	0												
2	Firearm Store Improper	0	0	0	0	0	0												
2	Escape Work Release Program	0	0	0	0	0	0												
2	Escape Lock up	0	0	0	0	0	0												
2	Aiding An Escape	0	0	0	0	0	0												
2	Impersonate/Disguise	0	0	0	0	0	0												
2	False Statement	0	0	0	0	0	0												
2	Failure to Appear	0	0	0	0	0	0												
2	Possess Stun Gun	0	0	0	0	0	0												
2	Possess 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	Disrupt Court Proceedings	0	0	0	0	0	0												
2	Contributing To Delinquency	0	0	0	0	0	0												
2	Cruelty To Animals	0	0	0	0	0	0												
2	Mistreat Police Animal	0	0	0	0	0	0												
2	Animal Fight, Promote	0	0	0	0	0	0												
2	Work Compensation Fail Have	0	0	0	0	0	0												
2	Resisting Arrest	0	0	0	0	0	0												
2	False Report Of Crime	0	0	0	0	0	0												
2	Hazardous Materials	0	0	0	0	0	0												
2	Disconnect Sprinkler System	0	0	0	0	0	0												
2	CORI Law Violation	0	0	0	0	0	0												
2	Firearms - False Statement	0	0	0	0	0	0												
2	Wiretap, Possess Device	0	0	0	0	0	0												
2	Unregistered Contractor	0	0	0	0	0	0												
2	True Name Law	0	0	0	0	0	0												
2	Sub-Total	0	1	2	2	0	5		48.0	24.0	42.0		36.0		48.0	24.0	42.0		24.0

Table 43 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	0	0	0	0	0	0												
1	Threatening	0	0	0	0	0	0												
1	Defrauding Victim	0	0	0	0	0	0												
1	Vandalism	0	0	0	0	0	0												
1	Setting Fire In Open	0	0	0	0	0	0												
1	Trespassing	0	0	0	0	0	0												
1	Gaming	0	0	0	0	0	0												
1	Possession Class D Marijuana	0	0	0	0	0	0												
1	Possession Class E	0	0	0	0	0	0												
1	Inhaling Toxic Vapors	0	0	0	0	0	0												
1	Attaching Wrong MV Plates	0	0	0	0	0	0												
1	Operate After Suspension	0	0	0	0	0	0												
1	MV - Impersonate/Other License	0	0	0	0	0	0												
1	RV On Public Way	0	0	0	0	0	0												
1	Common Night Walker	0	0	0	0	0	0												
1	Indecent Exposure	0	0	0	0	0	0												
1	Lewd And Lascivious	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	Possess Air Rifle w/o FID Card	0	0	0	0	0	0												
1	Firearm Discharge	0	0	0	0	0	0												
1	Accessory Before & After	0	0	0	0	0	0												
1	Annoying Phone Calls	0	0	0	0	0	0												
1	Failure To Obey Police Officer	0	0	0	0	0	0												
1	License Law Violation (Not MV)	0	0	0	0	0	0												
1	Alcohol, Procure for Minor	0	0	0	0	0	0												
1	Alcohol, Transporting	0	0	0	0	0	0												
1	Throwing Glass On Public Way	0	0	0	0	0	0												
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0												
1	Business Practice	0	0	0	0	0	0												
1	Employment Practices	0	0	0	0	0	0												
1	Health Code Violation	0	0	0	0	0	0												
1	Violation Aircraft Restriction	0	0	0	0	0	0												
1	Fail To Comply With Dog Order	0	0	0	0	0	0												
1	Remove Token from Grave	0	0	0	0	0	0												
1	False Use of Insignia	0	0	0	0	0	0												
1	Sub-Total	0	0	0	0	0	0												

Table 43 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	0	0	0	0	0	0	-	-	-	-	-	-	-	-	-	-	-	-
0	Attempt B&E	0	0	0	0	0	0	-	-	-	-	-	-	-	-	-	-	-	-
0	Conspiracy Violate CSA	6	1	2	1	0	10	34.0	36.0	45.0	30.0	-	36.0	30.0	36.0	45.0	30.0	-	36.0
0	Conspiracy	0	0	0	1	0	1	-	-	-	60.0	-	60.0	-	-	-	60.0	-	60.0
0	Attempt To Commit Crime	0	1	0	1	0	2	-	30.0	-	36.0	-	33.0	-	30.0	-	36.0	-	33.0
0	Accessory Before	0	0	0	0	0	0	-	-	-	-	-	-	-	-	-	-	-	-
0	Accessory After	0	0	1	1	0	2	-	-	48.0	30.0	-	39.0	-	-	48.0	30.0	-	39.0
0	Other Crime	0	0	0	0	0	0	-	-	-	-	-	-	-	-	-	-	-	-
0	Sub-Total	6	2	3	4	0	15	34.0	33.0	46.0	39.0	-	37.6	30.0	33.0	48.0	33.0	-	36.0

Table 44 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	0	0	0	0	0	0												
9	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Manslaughter	15	12	5	5	0	37	144.8	155.5	151.2	124.8		146.4	144.0	150.0	144.0	144.0		144.0
8	Armed Assault In Dwelling House	0	1	1	1	0	3		180.0	180.0	144.0		168.0	180.0	180.0	144.0		180.0	
8	Rape, Aggravated	3	5	7	3	0	18	116.0	225.6	188.6	440.0		228.7	144.0	144.0	180.0	420.0		162.0
8	Rape Of Child w/Force	16	8	3	3	0	30	103.1	157.5	248.0	332.0		155.0	102.0	84.0	144.0	300.0		114.0
8	Firearmed Assault w/i Murder	3	3	0	3	1	10	128.0	84.0		136.0	240.0	128.4	84.0	84.0		120.0	240.0	90.0
8	Home Invasion	1	0	1	2	0	4	240.0		252.0	300.0		273.0	240.0		252.0	300.0		246.0
8	Burglary, Armed	1	0	0	1	0	2	264.0			144.0		204.0	264.0			144.0		204.0
8	Traffic Heroin 200+	3	0	0	0	0	3	204.0					204.0	192.0					192.0
8	Traffic Cocaine 200+	5	3	1	0	0	9	187.2	182.0	240.0			191.4	180.0	180.0	240.0			180.0
8	Sub-Total	47	32	18	18	1	116	140.6	163.5	194.0	235.3	240.0	170.7	144.0	132.0	162.0	180.0	240.0	144.0
7	Murder, Attempted	0	1	3	0	0	4		96.0	128.0			120.0		96.0	84.0			90.0
7	Mayhem	3	2	1	1	0	7	124.0	72.0	36.0	48.0		85.7	108.0	72.0	36.0	48.0		84.0
7	A&B Child w/Injury Substantial	0	0	0	1	0	1				120.0		120.0				120.0		120.0
7	Rape	11	1	7	3	0	22	69.8	60.0	117.4	128.0		92.5	60.0	60.0	84.0	156.0		81.0
7	Rape of Child 2nd	0	0	2	1	0	3			72.0	180.0		108.0			72.0	180.0		96.0
7	Assault w/i Rape Child	1	0	2	0	0	3	60.0		210.0			160.0	60.0		210.0			60.0
7	Incest	1	0	0	0	0	1	84.0					84.0	84.0					84.0
7	Armed Robbery Gun	18	20	17	23	1	79	67.3	58.5	66.0	91.6	12.0	71.2	48.0	60.0	60.0	72.0	12.0	60.0
7	Armed Assault w/i Murder	12	4	8	7	0	31	62.0	51.0	65.3	133.7		77.6	60.0	42.0	54.0	96.0		60.0
7	Carjacking, Armed	1	0	2	4	0	7	87.0		45.0	120.0		93.9	87.0		45.0	90.0		84.0
7	Confine And Put In Fear	0	0	1	2	0	3			84.0	54.0		64.0			84.0	54.0		60.0
7	Traffic Heroin 028-100	4	0	3	2	0	9	120.0		102.0	108.0		111.3	120.0		96.0	108.0		120.0
7	Traffic Heroin 100-200	4	1	1	0	0	6	135.0	180.0	144.0			144.0	120.0	180.0	144.0			132.0
7	Traffic Cocaine 100-200	4	5	3	1	0	13	120.0	124.8	120.0	144.0		123.7	120.0	120.0	120.0	144.0		120.0
7	Traffic Mar 10000+	0	1	0	0	0	1			120.0			120.0			120.0			120.0
7	Sub-Total	59	35	50	45	1	190	81.8	74.2	88.7	104.9	12.0	87.3	60.0	60.0	72.0	96.0	12.0	72.0

Table 44 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	3	1	0	0	0	4	128.0	96.0				120.0	120.0	96.0				108.0
6	A&B Dangerous Weapon	19	19	16	14	0	68	61.6	61.9	57.0	60.0		60.3	60.0	60.0	54.0	60.0		60.0
6	A&B Dangerous Weapon + 60	0	1	0	0	0	1		24.0				24.0		24.0				24.0
6	Assault To Kill or Maim	2	2	0	1	0	5	60.0	48.0		120.0		67.2	60.0	48.0		120.0		60.0
6	Rape Of Child	31	14	14	6	0	65	117.7	78.0	76.7	244.0		112.0	84.0	66.0	66.0	180.0		72.0
6	Assault w/i Rape	3	0	1	0	0	4	128.0		84.0			117.0	144.0		84.0			114.0
6	Indecent A&B On Child 2nd	0	0	1	1	0	2			108.0	120.0		114.0			108.0	120.0		114.0
6	Indecent A&B Mentally Retarded	0	0	1	0	0	1			60.0			60.0			60.0			60.0
6	Child Pornography	0	0	0	0	0	0												
6	Robbery Unarmed + 60	2	2	1	5	0	10	38.0	39.0	48.0	109.1		74.8	38.0	39.0	48.0	72.0		48.0
6	Armed Robbery	26	23	35	50	0	134	60.7	54.5	59.3	69.2		62.4	48.0	48.0	48.0	60.0		48.0
6	Armed Assault w/i Rob	4	3	4	6	1	18	76.5	34.0	40.5	50.0	144.0	56.3	84.0	36.0	36.0	42.0	144.0	36.0
6	Carjacking	1	1	0	5	0	7	36.0	36.0		45.6		42.9	36.0	36.0		24.0		36.0
6	Kidnapping	2	2	0	0	0	4	54.0	42.0				48.0	54.0	42.0				54.0
6	Burning Dwelling House	5	4	2	2	0	13	48.8	52.5	60.0	60.0		53.4	48.0	54.0	60.0	60.0		60.0
6	Distribute Class A 2nd	0	3	6	6	0	15		60.0	60.0	78.0		67.2		60.0	60.0	72.0		60.0
6	Distribute Cocaine 2nd	0	0	3	1	0	4			60.0	84.0		66.0		60.0	60.0	84.0		60.0
6	Traffic Heroin 014-028	4	3	3	0	0	10	69.0	68.0	64.0			67.2	66.0	60.0	60.0			60.0
6	Traffic Cocaine 028-100	41	14	10	3	0	68	74.2	81.5	68.4	88.0		75.5	60.0	78.0	60.0	60.0		60.0
6	Induce Minor To Distribute	1	0	0	0	0	1	60.0					60.0	60.0					60.0
6	MV Homicide - OUI Felony	4	5	0	0	0	9	84.0	74.4				78.7	78.0	84.0				84.0
6	Possess Explosive Device	0	0	0	0	0	0												
6	Interfere Public Transport	0	0	0	0	0	0												
6	Sub-Total	148	97	97	100	1	443	79.5	63.4	62.5	80.1	144.0	72.5	60.0	60.0	60.0	60.0	144.0	60.0
5	A&B Child w/Injury	0	0	0	0	0	0												
5	A&B Aggravated	0	0	1	0	0	1			24.0			24.0			24.0			24.0
5	A&B DW - Aggravated	3	0	0	0	0	3	88.0					88.0	60.0					60.0
5	Indecent A&B On Child	1	0	3	1	0	5	24.0		64.0	84.0		60.0	24.0		48.0	84.0		48.0
5	Unnatural Acts Child	0	0	0	0	0	0												
5	Robbery Unarmed	9	9	11	30	0	59	45.3	40.0	33.3	64.7		52.1	36.0	36.0	36.0	60.0		40.0
5	Intimidation	0	0	0	1	0	1				60.0		60.0				60.0		60.0
5	Stalking Violation of Rest. Order	0	0	0	0	0	0												
5	Common & Notorious Thief	0	0	0	0	0	0												
5	Burglary	2	2	7	11	0	22	72.0	78.0	44.6	72.0		63.8	72.0	78.0	36.0	60.0		60.0
5	Counterfeit Equipment	0	0	0	1	0	1				36.0		36.0				36.0		36.0
5	Gaming Enterprise	0	0	0	0	0	0												
5	Distribute Class B 2nd	0	8	14	9	0	31		50.3	48.0	56.0		50.9		48.0	42.0	60.0		48.0
5	Traffic Cocaine 014-028	41	33	18	8	0	100	45.5	43.3	41.0	41.3		43.6	36.0	36.0	36.0	36.0		36.0
5	Traffic Mar 100-2000	0	1	0	0	0	1		36.0				36.0		36.0				36.0
5	Inducing Minor To Prostitution	0	0	1	0	0	1			36.0			36.0			36.0			36.0
5	Perjury or Suborn	0	0	0	0	0	0												
5	Possess M oltov Cocktail	0	0	0	0	0	0												
5	Sub-Total	56	53	55	61	0	225	48.3	45.0	42.6	61.5		49.7	36.0	36.0	36.0	60.0		36.1

Table 44 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	1	0	0	1	0	2	48.0			36.0		42.0	48.0			36.0		42.0
4	Assault Aggravated	0	0	0	0	0	0												
4	A&B Guard	0	0	5	6	0	11			43.2	52.0		48.0			36.0	42.0		42.0
4	A&B Dangerous Weapon	0	0	0	0	0	0												
4	A&B Dangerous Weapon + 60	0	0	0	0	0	0												
4	A&B To Collect Loan	0	0	0	0	0	0												
4	Indecent A&B	5	0	0	1	0	6	52.8			48.0		52.0	60.0			48.0		60.0
4	Assault w/iRob	0	0	1	3	0	4			72.0	30.0		40.5			72.0	30.0		33.0
4	Loansharking	0	0	0	0	0	0												
4	Stalking	0	0	0	0	0	0												
4	Harassment	0	0	0	0	0	0												
4	Larceny More	3	3	2	8	0	16	20.0	40.0	48.0	36.0		35.3	12.0	36.0	48.0	36.0		36.0
4	Larceny Person	0	1	0	2	0	3		24.0		31.5		29.0		24.0		31.5		24.0
4	Larceny Person + 65	0	0	0	0	0	0												
4	Larceny MV 2nd	0	0	0	0	0	0												
4	Fraud - Identity	0	0	0	0	0	0												
4	B&E	0	6	10	43	0	59		50.0	43.8	60.3		56.5		42.0	36.0	48.0		48.0
4	Receiving Stolen Goods Over	0	0	0	1	0	1				42.0		42.0				42.0		42.0
4	Receiving Stolen Goods M V 2nd	0	0	1	4	0	5			36.0	40.6		39.7			36.0	42.0		36.0
4	Burning Building	0	3	1	1	0	5		76.0	48.0	120.0		79.2		60.0	48.0	120.0		60.0
4	Burning to Defraud	0	0	0	0	0	0												
4	Distribute Class A	15	21	32	35	0	103	46.0	40.8	45.6	44.8		44.4	48.0	36.0	48.0	36.0		42.0
4	Distribute Class B	14	13	14	15	0	56	42.4	29.6	40.7	48.0		40.5	36.0	36.0	36.0	48.0		36.0
4	Distribute Cocaine	19	17	25	9	0	70	29.4	36.0	41.5	44.7		37.3	36.0	36.0	36.0	48.0		36.0
4	Traffic Mar 50-100	0	1	0	0	0	1		24.0				24.0		24.0				24.0
4	Larceny Cont Sub	0	0	0	0	0	0												
4	Giving Prisoner Cont Sub	0	0	0	0	0	0												
4	Control Substance School	5	7	8	9	0	29	31.2	34.3	31.5	30.7		31.9	30.0	36.0	33.0	30.0		30.0
4	MV Homicide	0	0	0	0	0	0												
4	MV Homicide - Reckless	0	0	0	0	0	0												
4	MV Homicide - OUI	0	0	0	0	0	0												
4	Leaving Scene Death	0	0	1	0	0	1			48.0			48.0			48.0			48.0
4	OUI Serious Inj. Fel	0	0	0	1	0	1				108.0		108.0				108.0		108.0
4	Assault Weapon, Possess	2	3	1	0	0	6	90.0	38.0	72.0			61.0	90.0	36.0	72.0			54.0
4	Firearm Sale Violation	0	0	0	0	0	0												
4	Escape	0	0	1	1	0	2			24.0	84.0		54.0			24.0	84.0		54.0
4	Bribery	0	0	0	0	0	0												
4	Extortion	0	0	0	0	0	0												
4	Bomb Hoax	0	0	0	0	0	0												
4	Tax Law Violation	0	0	0	0	0	0												
4	DisinterBody	1	0	0	0	0	1	36.0					36.0	36.0					36.0
4	Sub-Total	65	75	102	140	0	382	39.8	38.7	42.8	49.4		43.9	36.0	36.0	36.0	36.0		36.0

Table 44 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	0	0	0	0	0	0												
3	A&B Domestic	0	0	0	0	0	0												
3	A&B w / Intimidate	0	0	0	0	0	0												
3	A&B Dangerous Weapon	0	0	0	0	0	0												
3	A&B Dangerous Weapon + 60	0	0	0	0	0	0												
3	Assault Dangerous Weapon	6	4	5	7	0	22	44.0	34.5	34.8	40.3		39.0	42.0	27.0	36.0	36.0		36.0
3	Assault Dangerous Weapon + 60	0	0	0	0	0	0												
3	Unnatural Acts	0	0	0	0	0	0												
3	Child Pornography Possess	0	0	0	0	0	0												
3	Kidnapping	0	0	0	0	0	0												
3	Violation Of Civil Rights	0	0	0	0	0	0												
3	Restraining Order Violation	0	0	0	0	0	0												
3	Larceny	0	0	0	0	0	0												
3	Larceny More	0	0	0	0	0	0												
3	Larceny More + 60	0	0	0	0	0	0												
3	Larceny Building	0	0	0	2	0	2				30.0		30.0				30.0		30.0
3	Larceny Firearm	0	0	0	0	0	0												
3	Larceny MV	0	0	2	0	0	2			24.0			24.0			24.0			24.0
3	Embezzlement	0	0	0	0	0	0												
3	Credit Card Misuse - More	0	1	0	0	0	1		12.2				12.2		12.2				12.2
3	Fraud	0	0	0	0	0	0												
3	MV - Sales Violation	0	0	0	0	0	0												
3	Possess Burglarious Tools	0	0	0	2	0	2				66.0		66.0				66.0		66.0
3	B&E	0	0	0	0	0	0												
3	Mal Dest Property More	0	0	2	1	0	3			36.0	60.0		44.0			36.0	60.0		48.0
3	Receiving Stolen Goods Over	0	0	0	0	0	0												
3	Receiving Stolen Goods MV	0	1	1	6	0	8		60.0	30.0	35.0		37.5		60.0	30.0	27.0		30.0
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1				24.0		24.0				24.0		24.0
3	Forgery And Uttering	3	0	2	2	0	7	46.0		27.0	48.0		41.2	36.0		27.0	48.0		36.0
3	Counterfeit	0	0	0	0	0	0												
3	Burning Property	0	0	0	0	0	0												
3	Burning Motor Vehicle	0	0	0	0	0	0												
3	Gaming Register Bets	0	0	0	0	0	0												
3	Possession Class A 2nd	0	0	0	0	0	0												
3	Possession Class A Heroin 2nd	0	0	0	2	0	2				40.0		40.0				40.0		40.0
3	Possession Class B 2nd	0	0	0	0	0	0												
3	Possession Class C 2nd	0	0	0	0	0	0												
3	Possession Class D 2nd	0	0	0	0	0	0												
3	Distribute Class C	0	0	0	0	0	0												
3	Distribute Class D 2nd	0	0	0	0	0	0												
3	Distribute Class E 2nd	0	0	0	0	0	0												
3	Possession Hypodermic 2nd	0	0	0	0	0	0												
3	MV Homicide	0	0	0	0	0	0												
3	Leaving Scene Property Damage	0	0	0	0	0	0												
3	Leaving Scene Personal Injury	0	0	0	0	0	0												
3	Possess Master Key MV	0	0	0	0	0	0												

Table 44 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
3	OUI Serious Inj. Misd	0	0	0	0	0	0													
3	Inducing Minor To Sex	0	0	0	0	0	0													
3	Possess Firearm Silencer	0	0	0	0	0	0													
3	Gun Serial Number	0	0	0	0	0	0													
3	Firearm Loaded while OUI	0	0	0	0	0	0													
3	Nonsupport	0	0	0	0	0	0													
3	Interfere Police or Firefighter	0	0	0	0	0	0													
3	Failure to Appear Felony	0	0	0	0	0	0													
3	Carrying Dangerous Weapon	1	2	1	2	0	6	36.0	48.0	36.0	30.0		38.0	36.0	48.0	36.0	30.0		36.0	
3	Contempt Of Court	0	0	0	0	0	0													
3	Throw Object On Public Way	0	0	0	0	0	0													
3	Sex Offender Fail Register	0	0	0	0	0	0													
3	Wiretapping	1	0	0	0	0	1	24.0					24.0	24.0						24.0
3	Sub-Total	11	8	13	25	0	57	42.0	38.3	31.9	40.2		38.4	36.0	33.0	30.0	36.0			36.0

Table 44 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	0	0	0	0	0	0												
2	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0												
2	Larceny	0	0	0	0	0	0												
2	Larceny Less	0	0	0	0	0	0												
2	Larceny Less +60	0	0	0	0	0	0												
2	Shoplifting	0	0	0	0	0	0												
2	Credit Card Misuse	0	0	0	0	0	0												
2	Defrauding Insurer	0	0	0	0	0	0												
2	MV - False Report Of Theft	0	0	0	0	0	0												
2	Defrauding Innkeeper	0	0	0	0	0	0												
2	Welfare Violation	0	0	0	0	0	0												
2	Failure To Return Leased Prop	0	0	0	0	0	0												
2	B&E MV	0	0	0	0	0	0												
2	B&E w/i Misdemeanor	0	0	0	0	0	0												
2	Property Destruction	0	0	0	0	0	0												
2	Injure Building Riot	0	0	0	2	0	2				45.0		45.0				45.0		45.0
2	Tagging Property	0	0	0	0	0	0												
2	Receiving Stolen Goods	0	0	0	0	0	0												
2	Gaming Use of Telephone	0	0	0	0	0	0												
2	Fraud - Electric, Phone or Cable	0	0	0	0	0	0												
2	Possession Class A	0	0	0	0	0	0												
2	Possession Class A Heroin	0	0	0	0	0	0												
2	Possession Class B	0	0	0	0	0	0												
2	Possession Class C	0	0	0	0	0	0												
2	Possession Class D	0	0	0	0	0	0												
2	Possession Class D Marijuana 2nd	0	0	0	0	0	0												
2	Distribute Counterfeit Substance	0	0	0	0	0	0												
2	Distribute Class D	0	0	0	0	0	0												
2	Distribute Class E	0	0	0	0	0	0												
2	Possession Hypodermic/Syringe	0	0	0	0	0	0												
2	Presence Class A	0	0	0	0	0	0												
2	Forge Prescription	0	0	0	0	0	0												
2	Distribute Paraphernalia	0	0	0	0	0	0												
2	Operate to Endanger	0	0	0	0	0	0												
2	Use Without Authority	0	0	0	0	0	0												
2	Use w/o Authority 2nd	0	0	0	0	0	0												
2	Unlicensed Sale Used Car	0	0	0	0	0	0												
2	Habitual Traffic Offender	0	0	0	0	0	0												
2	Racing	0	0	0	0	0	0												
2	Operate After Suspension 2nd	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	Counterfeit/Alter MV Document	0	0	0	0	0	0												
2	False Statement On Application	0	0	0	0	0	0												
2	Prostitution	0	0	0	0	0	0												
2	Common Night Walker 3rd	0	0	0	0	0	0												

Table 44 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Induce Female To Prostitution	0	0	0	0	0	0												
2	Keeping A House Of Ill Fame	0	0	0	0	0	0												
2	Open And Gross	0	0	2	0	0	2			24.0			24.0			24.0			24.0
2	Obscene Material to Minor	0	1	0	0	0	1		60.0			60.0		60.0				60.0	
2	Failure To Disperse	0	0	0	0	0	0												
2	Firearm Possess w/o Permit	0	0	0	0	0	0												
2	Possess Mace	0	0	0	0	0	0												
2	Possess Ammunition	0	0	0	0	0	0												
2	Firearm Store Improper	0	0	0	0	0	0												
2	Escape Work Release Program	0	0	0	0	0	0												
2	Escape Lock up	0	0	0	0	0	0												
2	Aiding An Escape	0	0	0	0	0	0												
2	Impersonate/Disguise	0	0	0	0	0	0												
2	False Statement	0	0	0	0	0	0												
2	Failure to Appear	0	0	0	0	0	0												
2	Possess Stun Gun	0	0	0	0	0	0												
2	Possess 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	Disrupt Court Proceedings	0	0	0	0	0	0												
2	Contributing To Delinquency	0	0	0	0	0	0												
2	Cruelty To Animals	0	0	0	0	0	0												
2	Mistreat Police Animal	0	0	0	0	0	0												
2	Animal Fight, Promote	0	0	0	0	0	0												
2	Work Compensation Fail Have	0	0	0	0	0	0												
2	Resisting Arrest	0	0	0	0	0	0												
2	False Report Of Crime	0	0	0	0	0	0												
2	Hazardous Materials	0	0	0	0	0	0												
2	Disconnect Sprinkler System	0	0	0	0	0	0												
2	CORI Law Violation	0	0	0	0	0	0												
2	Firearms - False Statement	0	0	0	0	0	0												
2	Wiretap, Possess Device	0	0	0	0	0	0												
2	Unregistered Contractor	0	0	0	0	0	0												
2	True Name Law	0	0	0	0	0	0												
2	Sub-Total	0	1	2	2	0	5		60.0	24.0	45.0		39.6		60.0	24.0	45.0		30.0

Table 44 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	0	0	0	0	0	0												
1	Threatening	0	0	0	0	0	0												
1	Defrauding Victualer	0	0	0	0	0	0												
1	Vandalism	0	0	0	0	0	0												
1	Setting Fire In Open	0	0	0	0	0	0												
1	Trespassing	0	0	0	0	0	0												
1	Gaming	0	0	0	0	0	0												
1	Possession Class D Marijuana	0	0	0	0	0	0												
1	Possession Class E	0	0	0	0	0	0												
1	Inhaling Toxic Vapors	0	0	0	0	0	0												
1	Attaching Wrong MV Plates	0	0	0	0	0	0												
1	Operate After Suspension	0	0	0	0	0	0												
1	MV - Impersonate/Other License	0	0	0	0	0	0												
1	RV On Public Way	0	0	0	0	0	0												
1	Common Night Walker	0	0	0	0	0	0												
1	Indecent Exposure	0	0	0	0	0	0												
1	Lewd And Lascivious	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	Possess Air Rifle w/o FID Card	0	0	0	0	0	0												
1	Firearm Discharge	0	0	0	0	0	0												
1	Accessory Before & After	0	0	0	0	0	0												
1	Annoying Phone Calls	0	0	0	0	0	0												
1	Failure To Obey Police Officer	0	0	0	0	0	0												
1	License Law Violation (Not MV)	0	0	0	0	0	0												
1	Alcohol, Procure for Minor	0	0	0	0	0	0												
1	Alcohol, Transporting	0	0	0	0	0	0												
1	Throwing Glass On Public Way	0	0	0	0	0	0												
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0												
1	Business Practice	0	0	0	0	0	0												
1	Employment Practices	0	0	0	0	0	0												
1	Health Code Violation	0	0	0	0	0	0												
1	Violation Aircraft Restriction	0	0	0	0	0	0												
1	Fail To Comply With Dog Order	0	0	0	0	0	0												
1	Remove Token from Grave	0	0	0	0	0	0												
1	False Use of Insignia	0	0	0	0	0	0												
1	Sub-Total	0	0	0	0	0	0												

Table 44 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	0	0	0	0	0	0												
0	Attempt B&E	0	0	0	0	0	0												
0	Conspiracy Violate CSA	6	1	2	1	0	10	42.0	36.0	48.0	30.0		41.4	36.0	36.0	48.0	30.0		36.0
0	Conspiracy	0	0	0	1	0	1				60.0		60.0				60.0		60.0
0	Attempt To Commit Crime	0	1	0	1	0	2		36.0		36.0		36.0		36.0		36.0		36.0
0	Accessory Before	0	0	0	0	0	0												
0	Accessory After	0	0	1	1	0	2			60.0	36.0		48.0			60.0	36.0		48.0
0	Other Crime	0	0	0	0	0	0												
0	Sub-Total	6	2	3	4	0	15	42.0	36.0	52.0	40.5		42.8	36.0	36.0	60.0	36.0		36.0

Table 45 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	0	0	0	0	0	0												
9	Sub-Total	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	Rape, Aggravated	0	0	0	0	0	0												
8	Rape Of Child w/Force	0	0	0	0	0	0												
8	Firearmed Assault w/i Murder	0	0	0	0	0	0												
8	Home Invasion	0	0	0	0	0	0												
8	Burglary, Armed	0	0	0	0	0	0												
8	Traffic Heroin 200+	0	0	0	0	0	0												
8	Traffic Cocaine 200+	0	0	0	0	0	0												
8	Sub-Total	0	0	0	0	0	0												
7	Murder, Attempted	0	0	0	1	0	1				30.0		30.0				30.0		30.0
7	Mayhem	1	0	0	1	0	2	30.0			30.0		30.0	30.0			30.0		30.0
7	A&B Child w/Injury Substantial	0	0	0	0	0	0												
7	Rape	0	0	0	0	0	0												
7	Rape of Child 2nd	0	0	0	0	0	0												
7	Assault w/i Rape Child	0	0	0	0	0	0												
7	Incest	0	0	0	0	0	0												
7	Armed Robbery Gun	0	0	0	0	0	0												
7	Armed Assault w/i Murder	0	0	0	0	0	0												
7	Carjacking, Armed	0	0	1	0	0	1			24.0			24.0			24.0		24.0	
7	Confine And Put In Fear	0	0	0	0	0	0												
7	Traffic Heroin 028-100	0	0	0	0	0	0												
7	Traffic Heroin 100-200	0	0	0	0	0	0												
7	Traffic Cocaine 100-200	0	0	0	0	0	0												
7	Traffic Mar 10000+	0	0	0	0	0	0												
7	Sub-Total	1	0	1	2	0	4	30.0		24.0	30.0		28.5	30.0		24.0	30.0		30.0

Table 45 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
6	Manslaughter	0	0	1	0	0	1			12.0				12.0			12.0			12.0
6	A&B Dangerous Weapon	0	0	0	0	0	0													
6	A&B Dangerous Weapon + 60	0	0	0	0	0	0													
6	Assault To Kill or Maim	3	0	0	0	0	3	22.0						22.0	18.0					18.0
6	Rape Of Child	27	7	3	3	0	40	16.3	19.4	20.0	26.0		17.9	13.0	18.0	24.0	24.0			18.0
6	Assault w/i Rape	0	0	0	0	0	0													
6	Indecent A&B On Child 2nd	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	Robbery Unarmed + 60	0	0	0	0	0	0													
6	Armed Robbery	0	0	0	0	0	0													
6	Armed Assault w/i Rob	0	0	0	0	0	0													
6	Carjacking	2	3	2	1	0	8	13.5	15.3	12.0	18.0		14.4	13.5	18.0	12.0	18.0			16.5
6	Kidnapping	1	0	0	0	0	1	24.0					24.0	24.0						24.0
6	Burning Dwelling House	2	0	1	0	0	3	7.4		18.0			10.9	7.4		18.0				12.0
6	Distribute Class A 2nd	0	0	0	0	0	0													
6	Distribute Cocaine 2nd	0	0	0	0	0	0													
6	Traffic Heroin 014-028	0	0	0	0	0	0													
6	Traffic Cocaine 028-100	0	0	0	0	0	0													
6	Induce Minor To Distribute	0	0	0	0	0	0													
6	MV Homicide - OUI Felony	5	3	1	0	0	9	19.2	22.0	12.0			19.3	12.0	24.0	12.0				18.0
6	Possess Explosive Device	0	0	0	0	0	0													
6	Interfere Public Transport	0	0	0	0	0	0													
6	Sub-Total	40	13	8	4	0	65	16.7	19.1	15.8	24.0		17.5	14.0	18.0	13.5	24.0			18.0
5	A&B Child w/Injury	5	4	1	1	0	11	6.7	14.3	6.0	12.0		9.9	6.0	10.5	6.0	12.0			6.0
5	A&B Aggravated	6	7	6	4	0	23	5.9	9.4	11.5	9.3		9.0	6.0	6.0	11.5	9.0			6.0
5	A&B DW - Aggravated	0	0	2	0	0	2			18.0			18.0			18.0				18.0
5	Indecent A&B On Child	54	13	17	5	1	90	13.8	20.3	19.1	10.2	30.0	15.7	12.0	24.0	24.0	12.0	30.0		14.5
5	Unnatural Acts Child	0	0	0	0	0	0													
5	Robbery Unarmed	0	0	0	0	0	0													
5	Intimidation	29	79	63	75	0	246	5.6	5.5	8.0	10.9		7.8	4.0	4.2	6.0	12.0			6.0
5	Stalking Violation of Rest. Order	0	1	3	1	0	5		12.0	14.0	24.0		15.6		12.0	12.0	24.0			12.0
5	Common & Notorious Thief	2	2	0	0	0	4	18.0	18.0				18.0	18.0	18.0					18.0
5	Burglary	0	0	0	0	0	0													
5	Counterfeit Equipment	0	0	0	0	0	0													
5	Gaming Enterprise	0	0	0	0	0	0													
5	Distribute Class B 2nd	0	0	0	0	0	0													
5	Traffic Cocaine 014-028	0	0	0	0	0	0													
5	Traffic Mar 100-2000	0	0	0	0	0	0													
5	Inducing Minor To Prostitution	0	0	0	0	0	0													
5	Perjury or Suborn	2	0	1	0	0	3	6.5		16.0			9.7	6.5		16.0				12.0
5	Possess Molotov Cocktail	0	0	0	0	0	0													
5	Sub-Total	98	106	93	86	1	384	10.5	8.2	10.7	10.9	30.0	10.1	6.0	6.0	7.0	12.0	30.0		6.0

Table 45 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	8	5	8	5	0	26	6.5	19.4	5.2	6.4		8.6	6.0	24.0	3.0	6.0		6.0
4	Assault Aggravated	0	1	0	0	0	1		6.0				6.0		6.0				6.0
4	A&B Guard	0	0	0	0	0	0												
4	A&B Dangerous Weapon	60	70	59	60	0	249	17.7	15.4	16.6	17.2		16.7	13.5	12.0	12.0	14.5		12.0
4	A&B Dangerous Weapon + 60	0	1	0	0	0	1		12.0				12.0		12.0				12.0
4	A&B To Collect Loan	1	0	1	0	0	2	18.0		6.0			12.0	18.0		6.0			12.0
4	Indecent A&B	41	22	12	13	0	88	11.7	14.8	10.2	18.1		13.2	12.0	12.0	12.0	18.0		12.0
4	Assault w/iRob	0	0	0	0	0	0												
4	Loansharking	0	0	0	0	0	0												
4	Stalking	1	4	9	4	1	19	24.0	7.8	9.1	5.1	12.0	8.9	24.0	9.0	6.0	2.5	12.0	6.0
4	Harassment	2	5	3	2	0	12	1.8	2.7	4.0	14.0		4.7	1.8	3.0	3.0	14.0		3.0
4	Larceny More	0	0	0	0	0	0												
4	Larceny Person	74	72	59	60	1	266	8.9	10.5	12.1	12.4	12.0	10.8	6.0	6.0	12.0	11.0	12.0	9.0
4	Larceny Person + 65	4	3	2	4	0	13	7.6	11.0	9.0	8.8		8.9	3.1	6.0	9.0	7.0		6.0
4	Larceny MV 2nd	0	0	3	4	0	7			13.3	16.5		15.1			12.0	15.0		12.0
4	Fraud - Identity	5	7	7	15	0	34	5.6	5.4	7.4	11.0		8.3	1.0	6.0	9.0	6.0		6.0
4	B&E	0	0	0	0	0	0												
4	Receiving Stolen Goods Over	0	0	0	0	0	0												
4	Receiving Stolen Goods M V 2nd	0	1	2	3	0	6		30.0	27.0	15.0		21.5		30.0	27.0	15.0		21.0
4	Burning Building	1	0	0	0	0	1	30.0					30.0	30.0					30.0
4	Burning to Defraud	0	0	0	0	0	0												
4	Distribute Class A	166	167	130	109	0	572	9.6	10.9	12.2	12.2		11.1	6.0	12.0	12.0	12.0		12.0
4	Distribute Class B	198	204	118	96	1	617	10.0	10.0	10.6	11.4	9.0	10.3	6.5	9.0	9.0	12.0	9.0	9.0
4	Distribute Cocaine	47	25	8	8	0	88	19.6	18.4	23.3	18.0		19.5	18.0	16.0	27.0	15.0		18.0
4	Traffic Mar 50-100	1	0	0	0	0	1	20.0					20.0	20.0					20.0
4	Larceny Cont Sub	1	0	0	0	0	1	12.0					12.0	12.0					12.0
4	Giving Prisoner Cont Sub	0	0	1	6	0	7			3.0	5.6		5.2			3.0	3.0		3.0
4	Control Substance School	69	94	55	45	0	263	24.3	24.3	24.4	24.7		24.4	24.0	24.0	24.0	24.0		24.0
4	MV Homicide	0	0	0	0	0	0												
4	MV Homicide - Reckless	0	0	0	0	0	0												
4	MV Homicide - OUI	3	0	0	1	0	4	26.0			24.0		25.5	24.0			24.0		24.0
4	Leaving Scene Death	3	0	0	0	0	3	18.0					18.0	12.0					12.0
4	OUI Serious Inj. Fel	7	4	1	1	0	13	7.3	12.8	12.0	6.0		9.2	6.0	12.0	12.0	6.0		6.0
4	Assault Weapon, Possess	0	0	0	0	0	0												
4	Firearm Sale Violation	1	1	1	0	0	3	30.0	24.0	24.0			26.0	30.0	24.0	24.0			24.0
4	Escape	5	17	16	17	0	55	4.6	3.8	6.2	5.3		5.0	3.0	1.0	3.5	6.0		3.0
4	Bribery	0	0	0	0	0	0												
4	Extortion	1	2	3	3	0	9	3.0	10.0	7.1	8.3		7.7	3.0	10.0	9.0	7.0		8.0
4	Bomb Hoax	0	0	0	0	0	0												
4	Tax Law Violation	0	0	0	0	0	0												
4	Disinter Body	0	1	1	1	0	3		12.0	3.0	30.0		15.0		12.0	3.0	30.0		12.0
4	Sub-Total	699	706	499	457	3	2364	12.6	13.0	13.3	13.8	11.0	13.1	12.0	12.0	12.0	12.0	12.0	12.0

Table 45 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	376	559	475	515	4	1929	4.9	5.3	7.3	7.8	9.5	6.4	3.0	3.0	6.0	6.0	6.0	5.0
3	A&B Domestic	35	49	36	38	0	158	3.0	5.1	7.9	7.3	.	5.8	2.0	3.0	6.0	6.0	.	6.0
3	A&B w / Intimidate	0	1	3	0	0	4	.	30.0	6.7	.	.	12.5	.	30.0	6.0	.	.	9.0
3	A&B Dangerous Weapon	127	122	101	78	2	430	3.2	3.8	4.2	5.1	7.5	4.0	2.6	3.0	3.0	6.0	7.5	3.0
3	A&B Dangerous Weapon + 60	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
3	Assault Dangerous Weapon	85	104	91	69	1	350	7.3	7.2	7.5	7.4	6.0	7.3	4.5	5.5	6.0	6.0	6.0	6.0
3	Assault Dangerous Weapon + 60	1	0	0	1	0	2	12.0	.	.	6.0	.	9.0	12.0	.	.	6.0	.	9.0
3	Unnatural Acts	1	2	0	0	0	3	12.0	2.0	.	.	.	5.3	12.0	2.0	.	.	.	3.0
3	Child Pornography Possess	7	1	2	0	0	10	15.6	6.0	15.0	.	.	14.5	12.0	6.0	15.0	.	.	12.0
3	Kidnapping	0	0	0	1	0	1	.	.	.	3.0	.	3.0	.	.	.	3.0	.	3.0
3	Violation Of Civil Rights	0	3	0	0	0	3	.	7.5	.	.	.	7.5	.	9.0	.	.	.	9.0
3	Restraining Order Violation	78	150	170	170	0	568	3.0	4.9	6.0	7.3	.	5.7	2.0	3.0	4.5	6.0	.	4.0
3	Larceny	10	20	19	37	0	86	1.6	4.1	5.1	6.4	.	5.0	1.0	2.0	3.0	6.0	.	3.0
3	Larceny More	113	193	185	264	0	755	4.8	5.0	5.8	8.0	.	6.2	3.0	3.0	5.0	6.0	.	6.0
3	Larceny More + 60	1	2	1	1	0	5	2.0	20.0	5.0	24.0	.	14.2	2.0	20.0	5.0	24.0	.	10.0
3	Larceny Building	14	19	20	22	0	75	5.9	6.9	7.7	10.9	.	8.1	6.0	5.0	6.5	7.0	.	6.0
3	Larceny Firearm	3	5	0	0	0	8	12.0	10.8	.	.	.	11.3	12.0	12.0	.	.	.	12.0
3	Larceny MV	21	39	24	40	0	124	4.1	7.2	11.3	10.2	.	8.4	1.0	6.0	9.0	8.5	.	6.0
3	Embezzlement	0	2	0	0	0	2	.	16.5	.	.	.	16.5	.	16.5	.	.	.	16.5
3	Credit Card Misuse - More	5	7	2	10	0	24	12.2	6.2	6.5	12.2	.	10.0	10.0	6.0	6.5	12.0	.	9.5
3	Fraud	2	1	0	2	0	5	4.5	6.0	.	1.5	.	3.6	4.5	6.0	.	1.5	.	3.0
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglarious Tools	22	30	21	34	0	107	6.0	5.6	9.3	12.5	.	8.6	3.0	6.0	6.0	10.5	.	6.0
3	B&E	174	263	204	225	1	867	6.0	7.7	9.9	11.6	6.0	8.9	4.0	6.0	8.6	12.0	6.0	6.0
3	Mal Dest Property More	25	31	28	25	0	109	7.6	7.4	8.7	7.3	.	7.7	2.0	3.0	6.0	3.0	.	4.0
3	Receiving Stolen Goods Over	17	26	19	29	0	91	5.1	9.5	7.3	9.5	.	8.2	2.3	7.5	6.0	6.0	.	6.0
3	Receiving Stolen Goods MV	53	79	67	85	0	284	4.1	7.6	9.0	9.4	.	7.8	2.0	6.0	6.0	8.0	.	6.0
3	Receiving Stolen Goods 2nd	0	0	2	3	0	5	.	.	4.5	7.3	.	6.2	.	.	4.5	6.0	.	6.0
3	Forgery And Uttering	35	51	49	71	1	207	5.2	4.8	8.1	8.4	2.2	6.9	4.0	3.0	6.0	6.0	2.2	6.0
3	Counterfeit	1	3	3	0	0	7	3.0	3.4	4.7	.	.	3.9	3.0	4.0	1.1	.	.	3.0
3	Burning Property	4	6	2	3	0	15	5.0	5.8	7.2	5.7	.	5.8	3.5	6.0	7.2	3.0	.	6.0
3	Burning Motor Vehicle	0	3	0	0	0	3	.	7.0	.	.	.	7.0	.	6.0	.	.	.	6.0
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A 2nd	2	6	10	7	0	25	3.5	9.7	9.5	15.0	.	10.6	3.5	9.0	6.0	18.0	.	6.0
3	Possession Class A Heroin 2nd	0	9	6	6	0	21	.	8.0	3.6	11.7	.	7.8	.	9.0	2.3	8.0	.	7.0
3	Possession Class B 2nd	6	13	10	14	0	43	8.2	9.3	10.5	6.0	.	8.4	5.1	6.0	6.0	6.0	.	6.0
3	Possession Class C 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class D 2nd	6	13	5	1	0	25	1.9	3.2	2.8	2.0	.	2.8	1.0	2.0	1.0	2.0	.	2.0
3	Distribute Class C	7	2	5	1	0	15	7.0	6.0	7.6	2.6	.	6.8	6.0	6.0	9.0	2.6	.	6.0
3	Distribute Class D 2nd	5	8	3	4	0	20	10.4	14.2	16.0	7.6	.	12.2	12.0	12.0	12.0	9.0	.	12.0
3	Distribute Class E 2nd	0	1	0	3	0	4	.	8.0	.	12.0	.	11.0	.	8.0	.	12.0	.	12.0
3	Possession Hypodermic 2nd	0	3	1	3	0	7	.	2.7	1.0	7.4	.	4.5	.	3.0	1.0	6.0	.	4.0
3	MV Homicide	9	4	1	0	0	14	9.9	10.5	30.0	.	.	11.5	6.0	12.0	30.0	.	.	9.0
3	Leaving Scene Property Damage	53	77	51	52	0	233	2.3	4.3	5.2	6.2	.	4.5	1.0	3.0	3.0	5.1	.	3.0
3	Leaving Scene Personal Injury	7	18	22	8	0	55	5.8	6.4	10.4	8.1	.	8.2	6.0	6.0	8.5	6.0	.	6.0
3	Possess Master Key MV	0	1	0	1	0	2	.	12.0	.	12.0	.	12.0	.	12.0	.	12.0	.	12.0

Table 45 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	OUI Serious Inj. Misd	6	3	1	1	0	11	7.0	15.0	6.0	6.0		9.0	6.0	9.0	6.0	6.0		6.0
3	Inducing Minor To Sex	0	1	0	0	0	1		6.0				6.0		6.0				6.0
3	Possess Firearm Silencer	0	0	0	1	0	1					12.0		12.0				12.0	12.0
3	Gun Serial Number	1	1	0	0	0	2	18.0	12.0				15.0	18.0	12.0				15.0
3	Firearm Loaded while OUI	0	0	0	0	0	0												
3	Nonsupport	2	2	0	0	0	4	5.0	9.0				7.0	5.0	9.0				6.0
3	Interfere Police or Firefighter	0	0	0	2	0	2				2.0		2.0				2.0		2.0
3	Failure to Appear Felony	0	0	0	0	0	0												
3	Carrying Dangerous Weapon	26	16	22	19	0	83	4.3	4.6	6.7	6.5		5.5	3.0	2.5	6.0	6.0		3.0
3	Contempt Of Court	0	0	0	0	0	0												
3	Throw Object On Public Way	0	0	0	0	0	0												
3	Sex Offender Fail Register	0	0	5	6	0	11			5.2	5.7		5.5			6.0	6.0		6.0
3	Wiretapping	0	0	0	0	0	0												
3	Sub-Total	1340	1949	1667	1852	9	6817	5.0	5.9	7.3	8.4	7.5	6.7	3.0	4.5	6.0	6.0	6.0	6.0

Table 45 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	15	15	9	27	0	66	4.9	6.6	5.3	8.6		6.9	1.5	4.0	3.8	6.0		4.0
2	Accost / Annoy Person Opposite Sex	2	1	2	1	0	6	3.1	2.0	3.5	6.0		3.5	3.1	2.0	3.5	6.0		3.1
2	Larceny	0	0	0	0	0	0												
2	Larceny Less	34	47	36	47	0	164	2.4	3.2	2.7	4.5		3.3	1.0	2.0	2.0	3.0		2.0
2	Larceny Less +60	0	0	0	0	0	0												
2	Shoplifting	30	70	77	134	0	311	1.9	2.5	2.9	3.5		3.0	1.0	1.0	2.0	2.0		2.0
2	Credit Card Misuse	2	13	10	11	0	36	2.0	3.3	5.4	6.1		4.7	2.0	3.0	6.0	6.0		3.6
2	Defrauding Insurer	1	2	0	0	0	3	8.0	14.0				12.0	8.0	14.0				8.0
2	MV - False Report Of Theft	0	0	0	0	0	0												
2	Defrauding Innkeeper	0	0	0	0	0	0												
2	Welfare Violation	2	0	0	0	0	2	4.4					4.4	4.4					4.4
2	Failure To Return Leased Prop	1	4	3	3	0	11	0.3	1.6	4.9	5.3		3.4	0.3	1.8	3.0	6.0		2.7
2	B&E MV	0	0	0	0	0	0												
2	B&E w/i Misdemeanor	10	9	14	10	0	43	1.6	2.4	3.8	4.0		3.0	1.5	1.2	3.5	4.5		3.0
2	Property Destruction	41	40	39	38	0	158	2.4	3.8	4.6	4.2		3.7	1.2	2.0	3.0	3.0		2.0
2	Injure Building Riot	0	0	0	0	0	0												
2	Tagging Property	2	3	0	0	0	5	7.0	2.2				4.1	7.0	2.7				2.7
2	Receiving Stolen Goods	39	48	60	82	0	229	2.4	3.6	5.5	8.5		5.7	2.0	2.8	6.0	6.0		4.0
2	Gaming Use of Telephone	0	1	0	0	0	1		6.0				6.0		6.0				6.0
2	Fraud - Electric, Phone or Cable	0	0	0	0	0	0												
2	Possession Class A	33	49	54	52	0	188	2.7	4.3	4.6	5.5		4.4	2.0	3.0	4.1	5.0		3.0
2	Possession Class A Heroin	46	81	69	61	0	257	4.0	4.6	5.7	7.6		5.5	3.1	3.0	6.0	6.0		4.2
2	Possession Class B	97	123	90	82	0	392	3.3	3.9	4.7	5.0		4.2	2.0	3.0	4.0	4.0		3.0
2	Possession Class C	7	5	2	7	0	21	1.7	3.7	4.5	4.8		3.5	1.0	4.2	4.5	6.0		3.0
2	Possession Class D	51	50	38	19	0	158	3.0	3.4	2.6	5.2		3.3	1.5	3.0	2.0	6.0		2.0
2	Possession Class D Marijuana 2nd	6	11	5	0	0	22	3.8	6.1	7.2			5.7	2.0	6.0	6.0			6.0
2	Distribute Counterfeit Substance	4	3	4	17	0	28	3.3	3.3	6.3	5.4		5.0	3.0	3.0	6.0	6.0		3.0
2	Distribute Class D	98	46	25	15	2	186	4.7	7.7	9.3	10.0	12.0	6.6	3.0	6.0	9.0	12.0	12.0	6.0
2	Distribute Class E	1	0	1	2	0	4	0.2		9.0	7.5		6.0	0.2	9.0	9.0	7.5		7.5
2	Possession Hypodermic/Syringe	35	74	40	59	0	208	2.4	3.8	3.2	4.9		3.8	2.0	3.0	1.9	4.2		3.0
2	Presence Class A	4	10	7	11	0	32	2.1	5.8	3.8	4.0		4.3	0.9	5.0	3.3	3.0		3.7
2	Forge Prescription	7	13	8	11	0	39	2.0	4.8	7.6	12.8		7.1	1.0	6.0	5.0	12.0		6.0
2	Distribute Paraphernalia	2	0	1	2	0	5	0.7		0.9	1.6		1.1	0.7		0.9	1.6		0.9
2	Operate to Endanger	66	51	69	52	0	238	2.9	4.1	5.4	6.2		4.6	2.0	3.0	6.0	6.0		3.0
2	Use Without Authority	15	28	25	24	0	92	3.6	5.2	7.4	8.5		6.4	2.0	4.5	6.0	7.5		5.5
2	Use w/o Authority 2nd	0	0	0	1	0	1				3.0		3.0				3.0		3.0
2	Unlicensed Sake Used Car	0	0	0	0	0	0												
2	Habitual Traffic Offender	8	51	33	28	0	120	1.4	1.9	3.1	5.4		3.0	0.4	1.0	3.0	3.8		2.0
2	Racing	0	0	0	0	0	0												
2	Operate After Suspension 2nd	97	196	168	165	1	627	1.8	2.3	2.9	2.7	3.0	2.5	2.0	2.0	2.0	2.0	3.0	2.0
2	Compulsory Insurance Violation	37	61	44	46	1	189	1.2	1.5	2.7	2.6	1.0	2.0	0.8	1.0	1.5	1.9	1.0	1.0
2	Altering MV ID Number	0	0	0	0	0	0												
2	Counterfeit/Alter MV Document	8	10	5	7	0	30	1.6	6.0	2.3	2.1		3.3	1.5	6.0	2.0	2.0		2.0
2	False Statement On Application	0	1	0	1	0	2		3.0		6.0		4.5		3.0		6.0		4.5
2	Prostitution	27	49	32	11	0	119	2.0	2.5	2.9	3.8		2.6	1.0	2.0	1.7	3.0		1.4
2	Common Night Walker 3rd	1	1	0	0	0	2	5.0	2.0				3.5	5.0	2.0				3.5

Table 45 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
2	Induce Female To Prostitution	0	0	0	0	0	0													
2	Keeping A House Of Ill Fame	0	0	1	0	0	1			12.0				12.0			12.0			12.0
2	Open And Gross	11	7	4	12	0	34	8.2	11.0	5.1	9.2		8.7	9.0	12.0	5.1	9.0			7.5
2	Obscene Material to Minor	1	0	0	1	0	2	6.0			12.0		9.0	6.0			12.0			9.0
2	Failure To Disperse	0	0	0	0	0	0													
2	Firearm Possess w/o Permit	67	38	20	7	0	132	12.3	10.2	8.4	13.1		11.2	12.0	12.0	12.0	9.0			12.0
2	Possess Mace	2	0	1	0	0	3	2.1		18.0				7.4	2.1		18.0			3.2
2	Possess Ammunition	2	0	0	0	0	2	7.5					7.5	7.5						7.5
2	Firearm Store Improper	0	0	0	0	0	0													
2	Escape Work Release Program	0	0	2	0	0	2			1.5			1.5			1.5				1.5
2	Escape Lock up	0	0	3	5	0	8			4.8	5.2		5.1			6.0	6.0			6.0
2	Aiding An Escape	0	1	0	0	0	1		6.0				6.0		6.0					6.0
2	Impersonate/Disguise	2	1	3	0	0	6	0.3	0.3	1.1			0.7	0.3	0.3	1.0				0.3
2	False Statement	1	0	0	1	0	2	0.3			1.0		0.7	0.3			1.0			0.7
2	Failure to Appear	2	0	2	3	0	7	4.1		2.0	4.8		3.8	4.1		2.0	2.0			2.1
2	Possess Stun Gun	0	0	0	0	0	0													
2	Possess Dangerous Weapon	2	0	1	0	0	3	15.0		30.0				20.0	15.0		30.0			24.0
2	False Alarm	0	1	0	0	0	1		2.8				2.8		2.8					2.8
2	Fireworks	1	1	0	0	0	2	6.0	6.0				6.0	6.0	6.0					6.0
2	Disrupt Court Proceedings	0	0	0	0	0	0													
2	Contributing To Delinquency	3	1	2	1	0	7	6.3	1.0	1.7	2.0		3.6	6.0	1.0	1.7	2.0			2.0
2	Cruelty To Animals	3	1	0	0	0	4	2.0	6.0				3.0	3.0	6.0					3.0
2	Mistreat Police Animal	0	0	0	1	0	1				6.0		6.0				6.0			6.0
2	Animal Fight, Promote	0	0	0	0	0	0													
2	Work Compensation Fail Have	1	0	0	0	0	1	0.3					0.3	0.3						0.3
2	Resisting Arrest	40	63	71	59	0	233	2.8	2.9	4.6	4.4		3.8	1.0	1.5	2.0	2.9			2.0
2	False Report Of Crime	2	2	1	2	0	7	1.7	2.6	4.0	3.2		2.7	1.7	2.6	4.0	3.2			3.0
2	Hazardous Materials	0	0	0	0	0	0													
2	Disconnect Sprinkler System	0	1	0	0	0	1		6.0				6.0		6.0					6.0
2	CORI Law Violation	0	0	0	0	0	0													
2	Firearms - False Statement	0	0	0	0	0	0													
2	Wiretap, Possess Device	0	0	0	0	0	0													
2	Unregistered Contractor	0	0	0	0	0	0													
2	True Name Law	12	27	21	25	0	85	1.7	2.1	2.3	3.7		2.6	1.0	1.0	1.0	2.0			1.0
2	Sub-Total	981	1310	1102	1143	4	4540	3.6	3.7	4.3	5.1	7.0	4.2	2.0	2.0	3.0	3.0	4.5	3.0	

Table 45 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
1	Obscene Materials	0	0	0	0	0	0													
1	Threatening	21	23	35	37	0	116	2.7	3.2	3.4	3.4		3.3	1.7	3.0	3.0	3.0			3.0
1	Defrauding Victualer	0	1	0	0	0	1		0.7				0.7		0.7					0.7
1	Vandalism	1	2	4	0	0	7	4.2	0.4	2.0			1.9	4.2	0.4	2.0				2.0
1	Setting Fire In Open	0	0	0	0	0	0													
1	Trespassing	23	47	39	36	0	145	0.7	0.7	0.7	0.6		0.7	1.0	0.9	1.0	1.0			1.0
1	Gaming	0	0	0	0	0	0													
1	Possession Class D Marijuana	41	22	21	22	0	106	2.1	1.6	2.7	2.7		2.2	1.3	1.0	2.0	2.6			1.7
1	Possession Class E	4	1	7	3	0	15	3.2	1.0	3.3	2.7		3.0	3.0	1.0	3.0	3.0			3.0
1	Inhaling Toxic Vapors	0	0	0	0	0	0													
1	Attaching Wrong MV Plates	2	2	2	4	0	10	0.2	0.3	0.3	0.3		0.3	0.2	0.3	0.3	0.3			0.3
1	Operate After Suspension	122	191	143	117	0	573	0.3	0.3	0.3	0.3		0.3	0.3	0.3	0.3	0.3			0.3
1	MV - Impersonate/Other License	0	0	1	0	0	1			0.3			0.3			0.3				0.3
1	RV On Public Way	0	0	0	0	0	0													
1	Common Night Walker	19	24	13	3	0	59	2.7	3.0	2.3	0.7		2.6	2.0	2.2	2.0	0.5			2.0
1	Indecent Exposure	3	1	5	6	0	15	3.1	1.0	1.7	2.8		2.4	3.0	1.0	1.0	2.5			1.0
1	Lewd And L acivious	0	2	2	4	0	8		2.4	4.0	2.4		2.8		2.4	4.0	1.7			2.4
1	Peeping Tom	0	0	0	0	0	0													
1	Disorderly Conduct	61	68	61	71	0	261	1.4	1.8	2.3	1.9		1.8	0.9	1.0	1.0	1.0			1.0
1	Possess Air Rifle w/o FID Card	0	0	0	0	0	0													
1	Firearm Discharge	0	1	0	0	0	1		0.8				0.8		0.8					0.8
1	Accessory Before & After	0	0	1	0	0	1			6.0			6.0		6.0					6.0
1	Annoying Phone Calls	0	5	3	6	0	14		1.7	1.4	2.3		1.9		1.0	1.0	2.5			2.0
1	Failure To Obey Police Officer	0	2	0	0	0	2		0.3				0.3		0.3					0.3
1	License Law Violation (Not MV)	0	0	0	0	0	0													
1	Alcohol, Procure for Minor	0	1	0	0	0	1		1.0				1.0		1.0					1.0
1	Alcohol, Transporting	0	0	0	0	0	0													
1	Throwing Glass On Public Way	0	0	0	0	0	0													
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0													
1	Business Practice	1	0	0	0	0	1	6.0					6.0	6.0						6.0
1	Employment Practices	0	0	0	0	0	0													
1	Health Code Violation	0	0	0	0	0	0													
1	Violation Aircraft Restriction	0	0	0	0	0	0													
1	Fail To Comply With Dog Order	0	0	0	0	0	0													
1	Remove Token from Grave	0	0	0	0	0	0													
1	False Use of Insignia	0	0	0	0	0	0													
1	Sub-Total	298	393	337	309	0	1337	1.2	1.0	1.4	1.4		1.3	0.3	0.3	0.3	0.3			0.3

Table 45 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	0	0	0	1	0	1				2.0		2.0				2.0		2.0
0	Attempt B&E	0	1	2	1	0	4		1.4	7.0	12.0		6.9		1.4	7.0	12.0		7.0
0	Conspiracy Violate CSA	5	9	3	7	0	24	9.3	2.5	14.7	9.9		7.6	6.0	2.0	12.0	9.0		6.0
0	Conspiracy	6	5	3	2	0	16	14.2	7.6	16.0	13.0		12.3	12.0	1.0	12.0	13.0		12.0
0	Attempt To Commit Crime	4	7	12	9	0	32	10.8	3.4	9.0	5.2		6.9	6.5	3.0	7.2	4.0		5.6
0	Accessory Before	0	0	2	0	0	2			2.0			2.0			2.0			2.0
0	Accessory After	0	2	0	0	0	2		6.0				6.0		6.0				6.0
0	Other Crime	0	0	0	0	0	0												
0	Sub-Total	15	24	22	20	0	81	11.6	4.1	9.9	7.8		8.0	11.5	2.0	8.2	6.0		6.0

Table 4 6 Governing Offense by Type and Incarceration Status, All Courts

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Person	A&B	1771	1521	1024	844	5	5165	383	560	477	519	4	1943	22%	37%	47%	61%	80%	38%
Person	A&B Aggravated	17	9	10	4	0	40	6	7	7	4	0	24	35%	78%	70%	100%		60%
Person	A&B Child w/Injury	26	9	5	2	0	42	5	4	1	1	0	11	19%	44%	20%	50%		26%
Person	A&B Child w/Injury Substantial	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Person	A&B Dangerous Weapon	595	423	289	224	2	1533	207	212	177	153	2	751	35%	50%	61%	68%	100%	49%
Person	A&B Dangerous Weapon + 60	2	2	4	0	0	8	0	2	1	0	0	3	0%	100%	25%			38%
Person	A&B Domestic	185	152	95	62	2	496	36	50	37	39	0	162	19%	33%	39%	63%	0%	33%
Person	A&B DW , Aggravated	5	3	2	0	0	10	3	0	2	0	0	5	60%	0%	100%			50%
Person	A&B Elderly / Disabled w/Injury	19	15	10	8	0	52	10	5	8	6	0	29	53%	33%	80%	75%		56%
Person	A&B Guard	0	0	6	7	0	13	0	0	6	6	0	12			100%	86%		92%
Person	A&B To Collect Loan	3	1	1	0	0	5	1	0	1	0	0	2	33%	0%	100%			40%
Person	A&B w/ Intimidate	5	2	4	0	0	11	0	1	3	0	0	4	0%	50%	75%			36%
Person	Armed Assault In Dwell House	0	1	1	1	0	3	0	1	1	1	0	3		100%	100%	100%		100%
Person	Armed Assault w/iMurder	14	4	8	7	0	33	12	4	8	7	0	31	86%	100%	100%	100%		94%
Person	Armed Assault w/iRob	8	5	4	6	1	24	4	3	4	6	1	18	50%	60%	100%	100%	100%	75%
Person	Armed Robbery	53	29	35	51	0	168	26	23	35	50	0	134	49%	79%	100%	98%		80%
Person	Armed Robbery Gun	25	21	17	24	1	88	18	20	17	24	1	80	72%	95%	100%	100%	100%	91%
Person	Assault	72	50	29	39	0	190	15	15	9	27	0	66	21%	30%	31%	69%		35%
Person	Assault Aggravated	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Person	Assault Dangerous Weapon	275	222	149	122	1	769	91	109	96	77	1	374	33%	49%	64%	63%	100%	49%
Person	Assault Dangerous Weapon + 60	1	0	0	2	0	3	1	0	0	1	0	2	100%			50%		67%
Person	Assault To Kill or Maim	6	2	0	1	0	9	5	2	0	1	0	8	83%	100%		100%		89%
Person	Assault w/iRob	1	1	1	4	0	7	0	0	1	3	0	4	0%	0%	100%	75%		57%
Person	Carjacking	4	5	3	6	0	18	3	4	2	6	0	15	75%	80%	67%	100%		83%
Person	Carjacking, Armed	2	0	3	4	0	9	1	0	3	4	0	8	50%		100%	100%		89%
Person	Confine And Put In Fear	0	0	1	2	0	3	0	0	1	2	0	3			100%	100%		100%
Person	Extortion	1	2	3	3	0	9	1	2	3	3	0	9	100%	100%	100%	100%		100%
Person	Firearmed Assault w/i Murder	3	3	0	3	1	10	3	3	0	3	1	10	100%	100%		100%	100%	100%
Person	Harassment	18	13	9	5	0	45	2	5	3	2	0	12	11%	38%	33%	40%		27%
Person	Home Invasion	1	0	1	2	0	4	1	0	1	2	0	4	100%		100%	100%		100%
Person	Intimidation	112	183	111	107	0	513	30	79	63	78	0	250	27%	43%	57%	73%		49%
Person	Kidnapping	3	3	2	1	0	11	3	2	0	1	0	6	60%	67%	0%	100%		55%
Person	Manslaughter	18	13	6	5	0	42	18	13	6	5	0	42	100%	100%	100%	100%		100%
Person	Mayhem	6	2	2	2	0	12	4	2	1	2	0	9	67%	100%	50%	100%		75%
Person	Murder	21	2	5	7	0	35	21	2	5	7	0	35	100%	100%	100%	100%		100%
Person	Murder, Attempted	1	2	3	1	0	7	0	1	3	1	0	5	0%	50%	100%	100%		71%
Person	Restraining Order Violation	312	404	359	281	0	1356	79	151	173	171	0	574	25%	37%	48%	61%		42%
Person	Robbery Unarmed	19	18	11	33	0	81	9	9	11	31	0	60	47%	50%	100%	94%		74%
Person	Robbery Unarmed + 60	3	2	3	5	0	13	2	2	1	5	0	10	67%	100%	33%	100%		77%
Person	Stalking	5	8	12	6	1	32	1	4	9	4	1	19	20%	50%	75%	67%	100%	59%
Person	Stalking Violation of Rest. Order	0	1	3	1	0	5	0	1	3	1	0	5		100%	100%	100%		100%
Person	Threatening	107	86	89	73	0	355	21	24	35	37	0	117	20%	28%	39%	51%		33%
Person	Violation Of Civil Rights	1	3	1	0	0	5	0	3	0	0	0	3	0%	100%	0%			60%
Person	Sub-Total	3722	3223	2321	1956	14	11236	1022	1326	1214	1291	11	4864	27%	41%	52%	66%	79%	43%

Table 4 6 Governing Offense by Type and Incarceration Status, All Courts

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Sex	Assault w/i Rape	3	0	1	0	0	4	3	0	1	0	0	4	100%		100%			100%
Sex	Assault w/i Rape Child	2	0	2	0	0	4	1	0	2	0	0	3	50%		100%			75%
Sex	Incest	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
Sex	Indecent A&B	73	32	18	18	0	141	46	22	12	15	0	95	63%	69%	67%	83%		67%
Sex	Indecent A&B Mentally Retarded	0	0	1	1	0	2	0	0	1	0	0	1			100%	0%		50%
Sex	Indecent A&B On Child	95	19	23	7	1	145	56	14	20	6	1	97	59%	74%	87%	86%	100%	67%
Sex	Indecent A&B On Child 2nd	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
Sex	Open And Gross	40	17	8	17	0	82	11	7	6	12	0	36	28%	41%	75%	71%		44%
Sex	Rape	15	2	8	3	0	28	11	1	7	3	0	22	73%	50%	88%	100%		79%
Sex	Rape Of Child	70	26	18	11	0	125	61	21	17	10	0	109	87%	81%	94%	91%		87%
Sex	Rape of Child 2nd	0	0	2	1	0	3	0	0	2	1	0	3			100%	100%		100%
Sex	Rape Of Child w/Force	16	8	4	3	0	31	16	8	4	3	0	31	100%	100%	100%	100%		100%
Sex	Rape, Aggravated	3	5	7	3	0	18	3	5	7	3	0	18	100%	100%	100%	100%		100%
Sex	Unnatural Acts Child	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Sex	Sub-Total	320	109	93	65	1	588	209	78	80	54	1	422	65%	72%	86%	83%	100%	72%
Weapons	Assault Weapon, Possess	2	3	1	0	0	6	2	3	1	0	0	6	100%	100%	100%			100%
Weapons	Carrying Dangerous Weapon	82	64	47	40	0	233	28	18	23	21	0	90	34%	28%	49%	53%		39%
Weapons	Firearm Discharge	3	1	0	0	0	4	0	1	0	0	0	1	0%	100%				25%
Weapons	Firearm Loaded while OUI	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Weapons	Firearm Possess w/o Permit	137	59	28	11	0	235	67	38	20	7	0	132	49%	64%	71%	64%		56%
Weapons	Firearm Sale Violation	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
Weapons	Firearm Store Improper	11	4	0	0	0	15	0	0	0	0	0	0	0%	0%				0%
Weapons	Firearms - False Statement	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Weapons	Gun Serial Number	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
Weapons	Possess Air Rifle w/o FID Card	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Weapons	Possess Ammunition	9	1	0	0	0	10	2	0	0	0	0	2	22%	0%				20%
Weapons	Possess Dangerous Weapon	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
Weapons	Possess Explosive Device	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Weapons	Possess Firearm Silencer	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Weapons	Possess Mace	5	4	1	0	0	10	2	0	1	0	0	3	40%	0%	100%			30%
Weapons	Possess Molotov Cocktail	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Weapons	Possess Stun Gun	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
Weapons	Sub-Total	265	139	80	52	0	536	105	62	47	29	0	243	40%	45%	59%	56%		45%

Table 4.6 Governing Offense by Type and Incarceration Status, All Courts

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Property	Attempt B&E	3	2	3	2	0	10	0	1	2	1	0	4	0%	50%	67%	50%		40%
Property	Attempt Larceny	3	5	0	2	0	10	0	0	0	1	0	1	0%	0%		50%		10%
Property	B&E	518	446	320	362	1	1647	175	269	216	272	1	933	34%	60%	68%	75%	100%	57%
Property	B&E MV	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
Property	B&E w/i Misdemeanor	52	29	27	15	0	123	11	9	14	10	0	44	21%	31%	52%	67%		36%
Property	Burglary	6	2	7	11	0	26	2	2	7	11	0	22	33%	100%	100%	100%		85%
Property	Burglary, Armed	1	0	0	2	1	4	1	0	0	2	1	4	100%			100%	100%	100%
Property	Burning Building	4	5	2	1	0	12	1	3	1	1	0	6	25%	60%	50%	100%		50%
Property	Burning Dwelling House	11	4	3	2	0	20	7	4	3	2	0	16	64%	100%	100%	100%		80%
Property	Burning Motor Vehicle	8	5	0	1	0	14	0	3	0	0	0	3	0%	60%		0%		21%
Property	Burning Property	22	9	3	3	0	37	4	6	2	3	0	15	18%	67%	67%	100%		41%
Property	Burning to Defraud	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
Property	Common & Notorious Thief	2	2	0	0	0	4	2	2	0	0	0	4	100%	100%				100%
Property	Counterfeit	12	5	3	2	0	22	1	3	3	0	0	7	8%	60%	100%	0%		32%
Property	Counterfeit Equipment	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Property	Credit Card Misuse	41	43	24	16	0	124	2	13	10	11	0	36	5%	30%	42%	69%		29%
Property	Credit Card Misuse - More	18	14	6	13	0	51	5	8	2	10	0	25	28%	57%	33%	77%		49%
Property	Defrauding Innkeeper	5	1	2	3	0	11	0	0	0	0	0	0	0%	0%	0%	0%		0%
Property	Defrauding Insurer	8	4	2	0	0	14	1	2	0	0	0	3	13%	50%	0%			21%
Property	Defrauding Victualer	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Property	Embezzlement	4	3	0	0	0	7	0	2	0	0	0	2	0%	67%				29%
Property	Failure To Return Leased Prop	9	9	17	8	0	43	2	5	3	3	0	13	22%	56%	18%	38%		30%
Property	False Alarm	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
Property	False Statement	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	False Use of Insignia	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Forgery And Uttering	181	162	110	144	1	598	38	51	51	74	1	215	21%	31%	46%	51%	100%	36%
Property	Fraud	8	2	2	5	0	17	2	1	0	2	0	5	25%	50%	0%	40%		29%
Property	Fraud - Electric, Phone or Cable	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Property	Fraud - Identity	28	17	17	17	0	79	5	7	7	15	0	34	18%	41%	41%	88%		43%
Property	Injure Building Riot	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
Property	Larceny	86	80	71	65	0	302	10	20	19	37	0	86	12%	25%	27%	57%		28%
Property	Larceny Building	42	42	31	42	0	157	14	19	20	24	0	77	33%	45%	65%	57%		49%
Property	Larceny Firearm	6	5	0	0	0	11	3	5	0	0	0	8	50%	100%				73%
Property	Larceny Less	187	182	103	102	0	574	35	47	37	47	0	166	19%	26%	36%	46%		29%
Property	Larceny Less +60	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Larceny More	761	638	461	487	1	2348	116	200	187	272	0	775	15%	31%	41%	56%	0%	33%
Property	Larceny More + 60	3	6	1	2	0	12	1	2	1	1	0	5	33%	33%	100%	50%		42%
Property	Larceny MV	58	65	51	50	0	224	21	39	26	40	0	126	36%	60%	51%	80%		56%
Property	Larceny MV 2nd	0	0	3	4	0	7	0	0	3	4	0	7			100%	100%		100%
Property	Larceny Person	162	117	91	92	1	463	75	73	60	62	1	271	46%	62%	66%	67%	100%	59%
Property	Larceny Person + 65	9	12	7	5	0	33	4	3	3	4	0	14	44%	25%	43%	80%		42%
Property	Loansharking	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%

Table 4 6 Governing Offense by Type and Incarceration Status, All Courts

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Property	Mal Dest Property More	141	88	68	43	0	340	26	32	30	26	0	114	18%	36%	44%	60%		34%
Property	MV - False Report Of Theft	2	1	0	1	0	4	0	0	0	0	0	0	0%	0%		0%		0%
Property	Possess Burglarius Tools	53	51	31	46	0	181	22	30	21	36	0	109	42%	59%	68%	78%		60%
Property	Property Destruction	251	159	120	102	0	632	42	41	39	38	0	160	17%	26%	33%	37%		25%
Property	Receiving Stolen Goods	179	128	120	123	0	550	39	49	60	82	0	230	22%	38%	50%	67%		42%
Property	Receiving Stolen Goods 2nd	1	0	3	4	0	8	0	0	2	4	0	6	0%		67%	100%		75%
Property	Receiving Stolen Goods MV	187	134	107	121	0	549	53	80	68	91	0	292	28%	60%	64%	75%		53%
Property	Receiving Stolen Goods M V 2nd	0	1	3	8	0	12	0	1	3	8	0	12		100%	100%	100%		100%
Property	Receiving Stolen Goods Over	67	49	31	37	0	184	17	26	19	30	0	92	25%	53%	61%	81%		50%
Property	Setting Fire In Open	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Shoplifting	667	568	413	459	0	2107	33	70	78	136	0	317	5%	12%	19%	30%		15%
Property	Tagging Property	10	5	1	0	0	16	2	3	0	0	0	5	20%	60%	0%			31%
Property	Tax Law Violation	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Property	Vandalism	13	6	7	6	0	32	1	2	4	0	0	7	8%	33%	57%	0%		22%
Property	Welfare Violation	10	1	1	0	0	12	2	0	0	0	0	2	20%	0%	0%			17%
Property	Sub-Total	3850	3113	2273	2411	5	11652	775	1134	1001	1363	4	4277	20%	36%	44%	57%	80%	37%

Table 4.6 Governing Offense by Type and Incarceration Status, All Courts

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Drug	Conspiracy Violate CSA	47	20	12	12	0	91	11	11	5	8	0	35	23%	55%	42%	67%		38%
Drug	Control Substance School	74	101	63	54	0	292	74	101	63	54	0	292	100%	100%	100%	100%		100%
Drug	Distribute Class A	414	308	224	196	0	1142	181	188	162	145	0	676	44%	61%	72%	74%		59%
Drug	Distribute Class A 2nd	0	3	6	6	0	15	0	3	6	6	0	15		100%	100%	100%		100%
Drug	Distribute Class B	604	388	211	145	1	1349	213	219	133	112	1	678	35%	56%	63%	77%	100%	50%
Drug	Distribute Class B 2nd	0	8	14	9	0	31	0	8	14	9	0	31		100%	100%	100%		100%
Drug	Distribute Class C	25	7	8	2	0	42	7	2	5	1	0	15	28%	29%	63%	50%		36%
Drug	Distribute Class D	378	127	53	33	2	593	98	46	25	15	2	186	26%	36%	47%	45%	100%	31%
Drug	Distribute Class D 2nd	8	11	7	4	0	30	5	8	3	4	0	20	63%	73%	43%	100%		67%
Drug	Distribute Class E	8	1	2	3	0	14	2	0	1	2	0	5	25%	0%	50%	67%		36%
Drug	Distribute Class E 2nd	0	1	0	3	0	4	0	1	0	3	0	4		100%		100%		100%
Drug	Distribute Cocaine	66	42	34	17	0	159	66	42	34	17	0	159	100%	100%	100%	100%		100%
Drug	Distribute Cocaine 2nd	0	0	4	1	0	5	0	0	4	1	0	5			100%	100%		100%
Drug	Distribute Counterfeit Substance	10	6	8	27	0	51	4	3	4	17	0	28	40%	50%	50%	63%		55%
Drug	Distribute Paraphernalia	10	0	1	3	0	14	2	0	1	2	0	5	20%		100%	67%		36%
Drug	Forge Prescription	39	50	29	25	1	144	7	13	8	11	0	39	18%	26%	28%	44%	0%	27%
Drug	Giving Prisoner Cont Sub	4	5	1	9	0	19	0	0	1	6	0	7	0%	0%	100%	67%		37%
Drug	Induce Minor To Distribute	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Drug	Inhaling Toxic Vapors	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Drug	Larceny Cont Sub	6	2	0	0	0	8	1	0	0	0	0	1	17%	0%				13%
Drug	Possession Class A	128	136	124	113	1	502	33	49	54	52	0	188	26%	36%	44%	46%	0%	37%
Drug	Possession Class A 2nd	3	16	15	13	0	47	2	6	10	7	0	25	67%	38%	67%	54%		53%
Drug	Possession Class A Heroin	173	179	136	117	0	605	47	81	70	61	0	259	27%	45%	51%	52%		43%
Drug	Possession Class A Heroin 2nd	2	12	11	10	0	35	0	9	7	8	0	24	0%	75%	64%	80%		69%
Drug	Possession Class B	438	379	248	196	0	1261	101	125	90	82	0	398	23%	33%	36%	42%		32%
Drug	Possession Class B 2nd	15	33	22	23	0	93	6	13	10	14	0	43	40%	39%	45%	61%		46%
Drug	Possession Class C	27	22	12	15	0	76	7	5	2	7	0	21	26%	23%	17%	47%		28%
Drug	Possession Class C 2nd	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Drug	Possession Class D	404	209	108	53	0	774	53	52	40	19	0	164	13%	25%	37%	36%		21%
Drug	Possession Class D 2nd	48	56	16	10	0	130	6	13	5	1	0	25	13%	23%	31%	10%		19%
Drug	Possession Class D Marijuana	357	138	86	63	0	644	42	22	21	23	0	108	12%	16%	24%	37%		17%
Drug	Possession Class D Marijuana 2nd	39	32	13	3	0	87	6	11	5	0	0	22	15%	34%	38%	0%		25%
Drug	Possession Class E	18	13	13	11	0	55	4	1	8	4	0	17	22%	8%	62%	36%		31%
Drug	Possession Hypodermic 2nd	2	4	1	4	0	11	0	3	1	3	0	7	0%	75%	100%	75%		64%
Drug	Possession Hypodermic/Syringe	113	157	92	103	0	465	35	75	41	60	0	211	31%	48%	45%	58%		45%
Drug	Presence Class A	16	27	19	22	0	84	4	10	7	11	0	32	25%	37%	37%	50%		38%
Drug	Traffic Cocaine 014-028	41	33	18	8	0	100	41	33	18	8	0	100	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 028-100	41	14	10	3	0	68	41	14	10	3	0	68	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 100-200	4	5	3	1	0	13	4	5	3	1	0	13	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 200+	5	3	1	0	0	9	5	3	1	0	0	9	100%	100%	100%			100%
Drug	Traffic Heroin 014-028	4	3	3	0	0	10	4	3	3	0	0	10	100%	100%	100%			100%
Drug	Traffic Heroin 028-100	4	0	3	2	0	9	4	0	3	2	0	9	100%		100%	100%		100%
Drug	Traffic Heroin 100-200	4	1	1	0	0	6	4	1	1	0	0	6	100%	100%	100%			100%
Drug	Traffic Heroin 200+	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
Drug	Traffic Mar 10000+	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Drug	Traffic Mar 100-2000	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Drug	Traffic Mar 50-100	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
Drug	Sub-Total	3585	2556	1632	1319	5	9097	1125	1182	879	779	3	3968	31%	46%	54%	59%	60%	44%

Table 4.6 Governing Offense by Type and Incarceration Status, All Courts

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Motor Vehicle	Altering MV ID Number	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Motor Vehicle	Attaching Wrong MV Plates	156	67	48	37	0	308	2	2	3	4	0	11	1%	3%	6%	11%		4%
Motor Vehicle	Compulsory Insurance Violation	575	361	217	181	1	1335	47	61	45	46	1	200	8%	17%	21%	25%	100%	15%
Motor Vehicle	Counterfeit/Alter MV Document	50	39	26	17	0	132	8	10	5	7	0	30	16%	26%	19%	41%		23%
Motor Vehicle	False Statement On Application	4	3	1	1	0	9	0	1	0	1	0	2	0%	33%	0%	100%		22%
Motor Vehicle	Habitual Traffic Offender	44	112	60	59	0	275	10	51	33	28	0	122	23%	46%	55%	47%		44%
Motor Vehicle	Leaving Scene Death	3	0	1	0	0	4	3	0	1	0	0	4	100%		100%			100%
Motor Vehicle	Leaving Scene Personal Injury	139	40	31	14	0	224	7	18	22	8	0	55	5%	45%	71%	57%		25%
Motor Vehicle	Leaving Scene Property Damage	471	254	158	111	0	994	53	77	51	52	0	233	11%	30%	32%	47%		23%
Motor Vehicle	MV - Impersonate/Other License	3	0	1	0	0	4	0	0	1	0	0	1	0%		100%			25%
Motor Vehicle	MV - Sales Violation	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
Motor Vehicle	MV Homicide	21	4	1	0	0	26	9	4	1	0	0	14	43%	100%	100%			54%
Motor Vehicle	MV Homicide - OUI	5	0	0	1	0	6	3	0	0	1	0	4	60%			100%		67%
Motor Vehicle	MV Homicide - OUI Felony	9	8	1	0	0	18	9	8	1	0	0	18	100%	100%	100%			100%
Motor Vehicle	MV Homicide - Reckless	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Motor Vehicle	Operate After Suspension	1728	1375	790	569	2	4464	140	199	143	117	0	599	8%	14%	18%	21%	0%	13%
Motor Vehicle	Operate After Suspension 2nd	344	486	331	284	1	1446	99	197	168	165	1	630	29%	41%	51%	58%	100%	44%
Motor Vehicle	Operate to Endanger	1060	324	188	122	0	1694	67	53	69	52	0	241	6%	16%	37%	43%		14%
Motor Vehicle	OUI Serious Inj. Fel	7	4	1	2	0	14	7	4	1	2	0	14	100%	100%	100%	100%		100%
Motor Vehicle	OUI Serious Inj. Misd	20	5	2	1	0	28	6	3	1	1	0	11	30%	60%	50%	100%		39%
Motor Vehicle	Possess Master Key MV	1	3	0	1	0	5	0	1	0	1	0	2	0%	33%		100%		40%
Motor Vehicle	Racing	12	0	1	1	0	14	0	0	0	0	0	0	0%		0%	0%		0%
Motor Vehicle	RV On Public Way	11	4	2	1	0	18	0	0	0	0	0	0	0%	0%	0%	0%		0%
Motor Vehicle	Unlicensed Sale Used Car	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Motor Vehicle	Use w/o Authority 2nd	0	1	0	2	0	3	0	0	0	1	0	1		0%		50%		33%
Motor Vehicle	Use Without Authority	79	63	40	36	0	218	16	28	25	24	0	93	20%	44%	63%	67%		43%
Motor Vehicle	Sub-Total	4746	3154	1902	1440	4	11246	486	717	570	510	2	2285	10%	23%	30%	35%	50%	20%

Table 4 6 Governing Offense by Type and Incarceration Status, All Courts

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Other	Accessory After	6	6	1	1	0	14	0	2	1	1	0	4	0%	33%	100%	100%		29%
Other	Accessory Before	0	1	3	1	0	5	0	0	2	0	0	2		0%	67%	0%		40%
Other	Accessory Before & After	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Other	Aiding An Escape	1	1	1	1	0	4	0	1	0	0	0	1	0%	100%	0%	0%		25%
Other	Alcohol, Procure for Minor	28	10	5	2	0	45	1	1	0	0	0	2	4%	10%	0%	0%		4%
Other	Alcohol, Transporting	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Attempt To Commit Crime	32	20	22	15	0	89	4	9	12	10	0	35	13%	45%	55%	67%		39%
Other	Bomb Hoax	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
Other	Bribery	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Other	Business Practice	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
Other	Cigarette/Match Thrown Fr Veh	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
Other	Conspiracy	23	10	4	4	0	41	6	5	3	3	0	17	26%	50%	75%	75%		41%
Other	Contempt Of Court	1	1	1	0	0	3	0	0	0	0	0	0	0%	0%	0%			0%
Other	Contributing To Delinquency	16	8	7	2	0	33	3	1	2	1	0	7	19%	13%	29%	50%		21%
Other	CORI Law Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Disconnect Sprinkler System	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Other	Employment Practices	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
Other	Escape	5	19	20	22	0	66	5	17	17	18	0	57	100%	89%	85%	82%		86%
Other	Escape Lock up	0	1	4	5	0	10	0	0	3	5	0	8		0%	75%	100%		80%
Other	Escape Work Release Program	0	0	2	1	0	3	0	0	2	0	0	2			100%	0%		67%
Other	Failure to Appear	4	8	3	6	0	21	2	0	2	3	0	7	50%	0%	67%	50%		33%
Other	Failure to Appear Felony	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Other	Failure To Disperse	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
Other	Failure To Obey Police Officer	36	14	10	3	0	63	0	2	0	0	0	2	0%	14%	0%	0%		3%
Other	False Alarm	1	2	2	1	0	6	0	1	0	0	0	1	0%	50%	0%	0%		17%
Other	False Statement	4	0	1	1	0	6	1	0	0	1	0	2	25%		0%	100%		33%
Other	Fireworks	14	8	2	2	0	26	1	1	0	0	0	2	7%	13%	0%	0%		8%
Other	Gaming	7	1	0	0	0	8	0	0	0	0	0	0	0%	0%				0%
Other	Gaming Enterprise	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Gaming Register Bets	6	1	0	0	0	7	0	0	0	0	0	0	0%	0%				0%
Other	Gaming Use of Telephone	8	1	1	1	0	11	0	1	0	0	0	1	0%	100%	0%	0%		9%
Other	Hazardous Materials	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
Other	Health Code Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Impersonate/Disguise	5	5	4	3	0	17	2	1	3	0	0	6	40%	20%	75%	0%		35%
Other	Interfere Police or Firefighter	5	1	1	4	0	11	0	0	0	2	0	2	0%	0%	0%	50%		18%
Other	Interfere Public Transport	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Other	License Law Violation (Not MV)	10	3	6	2	0	21	0	0	0	0	0	0	0%	0%	0%	0%		0%
Other	Nonsupport	8	3	2	0	0	13	2	2	0	0	0	4	25%	67%	0%			31%

Table 4 6 Governing Offense by Type and Incarceration Status, All Courts

Type	Governing Offense	Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Other	Other Crime	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Other	Perjury or Suborn	5	1	2	0	0	8	2	0	1	0	0	3	40%	0%	50%			38%
Other	Resisting Arrest	273	256	179	127	0	835	41	65	72	60	0	238	15%	25%	40%	47%		29%
Other	Sex Offender Fail Register	2	1	13	21	1	38	0	0	5	6	0	11	0%	0%	38%	29%	0%	29%
Other	Throw Object On Public Way	3	1	0	1	0	5	0	0	0	0	0	0	0%	0%		0%		0%
Other	Throwing Glass On Public Way	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Trespassing	287	264	163	142	0	856	25	48	40	36	0	149	9%	18%	25%	25%		17%
Other	True Name Law	76	80	49	45	0	250	13	28	22	25	0	88	17%	35%	45%	56%		35%
Other	Unregistered Contractor	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Other	Violation Aircraft Restriction	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Wiretap, Possess Device	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Other	Wiretapping	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
Other	Work Compensation Fail Have	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Other	Sub-Total	905	733	511	415	1	2565	111	186	188	172	0	657	12%	25%	37%	41%	0%	26%
Public Order	Accost / Annoy Person Opposite Sex	8	4	2	2	0	16	2	1	2	1	0	6	25%	25%	100%	50%		38%
Public Order	Animal Fight, Promote	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Public Order	Annoying Phone Calls	21	20	12	10	0	63	0	5	3	6	0	14	0%	25%	25%	60%		22%
Public Order	Child Pornography	6	0	1	0	0	7	0	0	0	0	0	0	0%		0%			0%
Public Order	Child Pornography Possess	16	2	3	0	0	21	7	1	2	0	0	10	44%	50%	67%			48%
Public Order	Common Night Walker	35	43	19	7	0	104	19	24	13	4	0	60	54%	56%	68%	57%		58%
Public Order	Common Night Walker 3rd	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
Public Order	Cruelty To Animals	7	3	5	0	0	15	3	1	1	0	0	5	43%	33%	20%			33%
Public Order	Disinter Body	1	1	1	1	0	4	1	1	1	1	0	4	100%	100%	100%	100%		100%
Public Order	Disorderly Conduct	772	530	332	238	0	1872	67	71	61	71	0	270	9%	13%	18%	30%		14%
Public Order	Disrupt Court Proceedings	1	2	0	1	0	4	0	0	0	0	0	0	0%	0%		0%		0%
Public Order	Fail To Comply With Dog Order	4	2	0	2	0	8	0	0	0	0	0	0	0%	0%		0%		0%
Public Order	False Report Of Crime	17	9	5	4	0	35	2	2	1	2	0	7	12%	22%	20%	50%		20%
Public Order	Indecent Exposure	25	14	11	16	0	66	3	1	5	6	0	15	12%	7%	45%	38%		23%
Public Order	Induce Female To Prostitution	0	0	1	1	0	2	0	0	0	0	0	0			0%	0%		0%
Public Order	Inducing Minor To Prostitution	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Public Order	Inducing Minor To Sex	4	1	0	0	0	5	0	1	0	0	0	1	0%	100%				20%
Public Order	Keeping A House Of Ill Fame	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Public Order	Lewd And Lascivious	11	6	4	7	0	28	0	2	2	4	0	8	0%	33%	50%	57%		29%
Public Order	Mistreat Police Animal	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Public Order	Obscene Material to Minor	4	1	0	2	0	7	1	1	0	1	0	3	25%	100%		50%		43%
Public Order	Obscene Materials	3	0	0	1	0	4	0	0	0	0	0	0	0%			0%		0%
Public Order	Peeping Tom	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Public Order	Prostitution	103	122	66	32	1	324	27	51	34	11	0	123	26%	42%	52%	34%	0%	38%
Public Order	Remove To Ken from Grave	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Public Order	Unnatural Acts	5	2	4	1	0	12	1	2	0	0	0	3	20%	100%	0%	0%		25%
Public Order	Sub-Total	1047	763	468	326	1	2605	134	165	127	108	0	534	13%	22%	27%	33%	0%	20%