

Massachusetts Sentencing Commission

Survey of Sentencing Practices FY 2004



April 2005

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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 2004. 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 56,286 convicted defendants in FY 2004:
- Of the 58,286 convictions in FY 2004:
 - 93.9% were in the district court and
 - 6.1% were in the superior court;
- For those defendants convicted of offenses assigned to the sentencing guidelines grid:
 - The overall incarceration rate was 36.5%:
 - the district court incarceration rate was 33.5%;
 - the superior court incarceration rate was 78.8%;
 - With respect to the sentencing zones on the sentencing guidelines grid:
 - 4.9% of the defendants were classified in the incarceration zone;
 - 67.4% of the defendants were classified in the discretionary zone;
 - 27.2% 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, 90.9% were sentenced to a house of correction and 9.1% were sentenced to the Department of Correction (DOC);
 - Of the incarcerated superior court defendants, 35.9% were sentenced to a house of correction and 64.1% were sentenced to the DOC;

- For state prison sentences, the median minimum state prison sentence was 41.0 months and the median maximum state prison sentence was 60.0 months;
- For house of correction sentences, the median sentence length was 4.3 months;
- Of the incarcerated defendants, 40.8% also had a period of post release probation supervision imposed through a split or from & after probation sentence;
- Of the incarcerated superior court defendants, 60.3% also had a period of post release probation supervision.
- There were an estimated 766 convictions for mandatory drug offenses of which 43.9% were sentenced to a house of correction and 56.1% to the DOC.
- For those defendants convicted of offenses not assigned to the sentencing grid:
 - There were an estimated 6,308 convictions for OUI offenses; and,
 - There were an estimated 186 convictions for mandatory firearms offenses.
- For all convicted defendants:
 - 15.0% of all convicted defendants were female;
 - 85.0% of all convicted defendants were male;
 - The mean age of convicted defendants at the time of disposition was 32.7 years, and ranged from 17 years to 91 years.
 - 61.5% of all convicted defendants were white;
 - 17.6% of all convicted defendants were black;
 - 16.9% of all convicted defendants were hispanic;
 - 2.3% of all convicted defendants were of other races; and,
 - the race was unknown for 1.8% of the defendants.
 - 23.1% of defendants convicted of mandatory drug offenses were white and 76.9% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (29.6% were black, 45.6% were hispanic, and 1.7% were other races);
 - 64.7% of all convicted defendants were born in Massachusetts;
 - 25.4% of all convicted defendants were born in another state or U.S. territory;
 - 8.2% of all convicted defendants were born outside of the United States; and,
 - the place of birth was unknown for 1.7% of the defendants.

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**MASSACHUSETTS SENTENCING COMMISSION
SURVEY OF SENTENCING PRACTICES
FY 2004**

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 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

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.

session.⁸ Sentencing guidelines legislation was filed for consideration during the 2003-2004 legislative session.⁹ A hearing on this legislation was held on May 21, 2003 but the guidelines legislation did not come to a vote during that session. Sentencing guidelines legislation was re-filed for consideration during the 2005-2006 legislative session and hearings are anticipated in the spring of 2005.¹⁰

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*.¹¹ 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.

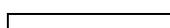
¹⁰ Filed for the 2005-2006 legislative session as Senate No. 1064 and House Nos. 813, 682, 683, and 938.

¹¹ 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.¹²

The commission included a survey of sentencing practices when completing its 1996 recommendations.¹³ 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 2004.

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.¹⁴

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.¹⁵ In FY 2002, the commission completed a comprehensive recidivism study as directed by the legislature in House 4100.¹⁶

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

¹² G.L. c. 211E § 3(c).

¹³ Massachusetts Sentencing Commission, *op. cit.*

¹⁴ G.L. c. 211E § 3(f).

¹⁵ Massachusetts Sentencing Commission, *Survey of Sentencing Practices: Truth-in-Sentencing Reform in Massachusetts*, October 2000.

¹⁶ Massachusetts Sentencing Commission, *Comprehensive Recidivism Study*, June 2002.

referring to the proposed guidelines during sentencing.¹⁷ 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.¹⁸

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.¹⁹

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.²⁰ 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.²¹

¹⁷ Massachusetts Sentencing Commission, *Sentencing Guide*, February 1998.

¹⁸ Massachusetts Sentencing Commission, *Felony and Misdemeanor Master Crime List*, November 2003.

¹⁹ G.L. c. 211E § 1(c)(7).

²⁰ 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.

²¹ 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 2004 (FY 2004) covers the period July 1, 2003 through June 30, 2004. During this period there were an estimated 56,286 convictions in the courts of the Commonwealth. As indicated in Table 1, there were 52,873 convictions in the district court, representing 93.9% of all convictions, and 3,413 convictions in the superior court, representing 6.1% of all convictions.

Table 1. Month of Conviction by Court Department

Month of Conviction	District Court	Superior Court	All Courts
July 2003	4,545	203	4,748
August 2003	3,924	178	4,102
September 2003	4,658	283	4,941
October 2003	4,934	291	5,225
November 2003	3,829	286	4,115
December 2003	4,351	300	4,651
January 2004	4,575	272	4,847
February 2004	4,310	300	4,610
March 2004	5,094	336	5,430
April 2004	4,260	294	4,554
May 2004	4,129	326	4,455
June 2004	4,264	344	4,608
Total	52,873	3,413	56,286

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 8,928 in Worcester County. Eight of the fourteen counties (Worcester, Suffolk, Middlesex, Essex, Hampden, Bristol, Plymouth and Norfolk) accounted for 88.8% of all convictions in Massachusetts.

Table 2. County of Conviction by Court Department

County of Conviction	District Court	Superior Court	All Courts
Barnstable	2,235	105	2,340
Berkshire	1,482	157	1,639
Bristol	5,205	237	5,442
Dukes	128	0	128
Essex	6,011	281	6,292
Franklin	663	71	734
Hampden	4,963	614	5,577
Hampshire	1,302	103	1,405
Middlesex	7,264	445	7,709
Nantucket	71	0	71
Norfolk	3,398	234	3,632
Plymouth	3,850	166	4,016
Suffolk	7,775	598	8,373
Worcester	8,526	402	8,928
Total	52,873	3,413	56,286

Sentencing Practices: Truth-in-Sentencing Reform

Sentencing reform legislation, commonly known as truth-in-sentencing legislation, became effective on July 1, 1994. During FY 2004, an estimated 0.5% of all cases were sentenced under pre-truth-in-sentencing provisions (old law) and 99.5% 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	237	0.4%	42	1.2%	279	0.5%
New Law	52,636	99.6%	3,371	98.8%	56,007	99.5%
Total	52,873	100.0%	3,413	100.0%	56,286	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 280 and the mean number of charges resulting in conviction was 2.2. Overall, 30,424, or 54.1% of the defendants were convicted of a single charge and 25,862, or 45.9% 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

- 23,477 or 44.4% 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,
- 2,385 or 69.9% of the superior court defendants were convicted of two or more charges and the mean number of charges for all superior court defendants was 3.7.

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

Number of Charges	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
One	29,396	55.6%	1,028	30.1%	30,424	54.1%
Two	11,157	21.1%	869	25.5%	12,026	21.4%
Three	5,477	10.4%	477	14.0%	5,954	10.6%
Four	2,722	5.1%	327	9.6%	3,049	5.4%
Five to Nine	3,419	6.5%	517	15.1%	3,936	7.0%
Ten or More	702	1.3%	195	5.7%	897	1.6%
Total	52,873	100.0%	3,413	100.0%	56,286	100.0%
Highest	138		280		280	
Mean	2.1		3.7		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 43 defendants received a sentence to life. Of the 43 convicted defendants who received a life sentence, 40 were convicted of murder and three were convicted of other offenses (armed burglary (1), rape of child (1), and rape of child with force (1)).

Table 5. Type of Sentence Imposed by Court Department

Type of Sentence	District Court	Superior Court	All Courts
Life		43	43
State Prison		1,662	1,662
Other DOC		11	11
House of Correction	11,560	669	12,229
House of Correction / Split	5,077	338	5,415
Probation	25,443	680	26,123
Fine	7,548	5	7,553
Other	3,245	5	3,250
Total	52,873	3,413	56,286

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.²² 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, 33.1% of all defendants were convicted of felonies and 66.9% 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, 29.4% were convicted of felonies and 70.6% were convicted of misdemeanors;
- of those defendants convicted in the superior court, 90.0% were convicted of felonies and 10.0% were convicted of misdemeanors; and,
- of those defendants convicted in the superior court, 57.8% 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%	1,031	30.2%	1,031	1.8%
Felony / House Alternative / No District Court Jurisdiction	0	0.0%	409	12.0%	409	0.7%
Felony / House Alternative / District Court Jurisdiction	15,550	29.4%	1,633	47.8%	17,183	30.5%
Sub-Total Felonies	15,550	29.4%	3,073	90.0%	18,623	33.1%
Misdemeanor	37,323	70.6%	340	10.0%	37,663	66.9%
Total	52,873	100.0%	3,413	100.0%	56,286	100.0%

²² 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 49,082 or 87.2% of all defendants were convicted of offenses for which the sentencing guidelines grid applied and 7,204 or 12.8% 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: 6,308 or 11.2% of all defendants were convicted of OUI offenses; 186 or 0.3% were convicted of mandatory firearms offenses; and, 710 or 1.3% 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	45,848	86.7%	3,234	94.8%	49,082	87.2%
Not Assigned to Grid						
OUI Offenses	6,263	11.8%	45	1.3%	6,308	11.2%
Mandatory Gun Offenses	52	0.1%	134	3.9%	186	0.3%
Non-jailable Offenses	710	1.3%	0	0.0%	710	1.3%
Sub-total	7,025	13.3%	179	5.2%	7,204	12.8%
Total	52,873	100.0%	3,413	100.0%	56,286	100.0%

SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID

In this section, the sentencing practices related to the 49,082 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 49,082 convicted defendants:

- an estimated 2,384 or 4.9% were classified within the incarceration zone;
- an estimated 33,083 or 67.4% were classified within the discretionary zone;
- an estimated 13,350 or 27.2% were classified within the intermediate sanction zone; and,
- an estimated 265 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: 68.7% of the defendants convicted in the district court and 49.5% 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 44.8% of the defendants convicted in the superior court were classified in the incarceration zone compared to 2.0% 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: 28.9% of the defendants convicted in the district court were classified in the intermediate sanctions zone compared to 3.6% 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 42,056 or 85.7% of the convicted defendants were assigned to offense seriousness levels 1 through 3; an estimated 6,382 or 13.0% of the convicted defendants were assigned to offense seriousness levels 4 through 6; and, an

estimated 379 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 17,497 of all convictions (35.6%). In the district court, level 3 was the most frequently occurring offense seriousness level, accounting for an estimated 16,987 or 37.1% of all district court convictions. In the superior court, level 4 was the most frequently occurring offense seriousness level, accounting for an estimated 1,029 or 31.8% 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 17,896 or 36.5% of all convicted defendants. The most serious criminal history group, Group E, accounted for 50 of the convicted defendants.

Grid Cell. The most frequently occurring grid cell was “2A”: 6,070 or 12.4% of all convicted defendants were assigned to grid cell “2A”. In the district court, the most frequently occurring grid cell was “2A”: 5,969 or 13.0% 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 class B. In the superior court, the most frequently occurring grid cell was “4A”: 360 or 11.1% 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	18	8	10	4	0	40	1.2%	9	18	8	10	4	0	40	0.1%
8	0	0	0	0	0	0	0.0%	8	58	19	21	22	1	121	3.7%	8	58	19	21	22	1	121	0.2%
7	0	0	0	0	0	0	0.0%	7	71	56	46	44	1	218	6.7%	7	71	56	46	44	1	218	0.4%
6	3	5	3	5	0	16	0.0%	6	271	143	137	127	2	680	21.0%	6	274	148	140	132	2	696	1.4%
5	235	237	199	130	0	801	1.7%	5	132	72	74	69	0	347	10.7%	5	367	309	273	199	0	1,148	2.3%
4	1,312	945	663	587	2	3,509	7.7%	4	360	255	166	246	2	1,029	31.8%	4	1,672	1,200	829	833	4	4,538	9.2%
3	5,705	4,524	3,519	3,216	23	16,987	37.1%	3	251	100	71	86	2	510	15.8%	3	5,956	4,624	3,590	3,302	25	17,497	35.6%
2	5,969	4,420	2,995	2,541	12	15,937	34.8%	2	101	53	29	21	0	204	6.3%	2	6,070	4,473	3,024	2,562	12	16,141	32.9%
1	3,306	2,414	1,544	1,130	5	8,399	18.3%	1	11	4	1	3	0	19	0.6%	1	3,317	2,418	1,545	1,133	5	8,418	17.2%
N.A.	57	57	46	39	0	199	0.4%	N.A.	36	11	11	8	0	66	2.0%	N.A.	93	68	57	47	0	265	0.5%
Total	16,587	12,602	8,969	7,648	42	45,848	100.0%	Total	1,309	721	566	630	8	3,234	100.0%	Total	17,896	13,323	9,535	8,278	50	49,082	100.0%
%	36.2%	27.5%	19.6%	16.7%	0.1%	100.0%		%	40.5%	22.3%	17.5%	19.5%	0.2%	100.0%		%	36.5%	27.1%	19.4%	16.9%	0.1%	100.0%	

Sentencing Zone	N	%	Sentencing Zone	N	%	Sentencing Zone	N	%
Incarceration Zone	934	2.0%	Incarceration Zone	1,450	44.8%	Incarceration Zone	2,384	4.9%
Discretionary Zone	31,482	68.7%	Discretionary Zone	1,601	49.5%	Discretionary Zone	33,083	67.4%
Intermediate Sanction Zone	13,233	28.9%	Intermediate Sanction Zone	117	3.6%	Intermediate Sanction Zone	13,350	27.2%
Unassigned	199	0.4%	Unassigned	66	2.0%	Unassigned	265	0.5%
Total	45,848	100.0%	Total	3,234	100.0%	Total	49,082	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 2004, the estimated incarceration rate was 36.5%: 17,903 defendants received a sentence to incarceration out of 49,082 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 16.6% and the incarceration rate for defendants convicted of offenses at offense seriousness level 8 was 93.4%; and,
- the incarceration rate for defendants in criminal history group A was 22.9% and the incarceration rate for defendants in criminal history group D was 55.5%.

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 82.8%;
- for defendants in the discretionary zone, the incarceration rate was 41.4%; and,
- for defendants in the intermediate sanction zone, the incarceration rate was 15.8%.

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	18	8	10	4	0	40	9	18	8	10	4	0	40	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	58	19	21	22	1	121	8	53	16	21	22	1	113	8	91.4%	84.2%	100.0%	100.0%	100.0%	93.4%
7	71	56	46	44	1	218	7	58	51	44	43	1	197	7	81.7%	91.1%	95.7%	97.7%	100.0%	90.4%
6	274	148	140	132	2	696	6	207	132	128	126	2	595	6	75.5%	89.2%	91.4%	95.5%	100.0%	85.5%
5	367	309	273	199	0	1,148	5	183	163	181	160	0	687	5	49.9%	52.8%	66.3%	80.4%	N.A.	59.8%
4	1,672	1,200	829	833	4	4,538	4	815	815	628	687	2	2,947	4	48.7%	67.9%	75.8%	82.5%	50.0%	64.9%
3	5,956	4,624	3,590	3,302	25	17,497	3	1,399	1,850	1,822	2,066	10	7,147	3	23.5%	40.0%	50.8%	62.6%	40.0%	40.8%
2	6,070	4,473	3,024	2,562	12	16,141	2	1,030	1,399	1,087	1,145	4	4,665	2	17.0%	31.3%	35.9%	44.7%	33.3%	28.9%
1	3,317	2,418	1,545	1,133	5	8,418	1	302	437	339	316	2	1,396	1	9.1%	18.1%	21.9%	27.9%	40.0%	16.6%
N.A.	93	68	57	47	0	265	N.A.	33	29	27	27	0	116	N.A.	35.5%	42.6%	47.4%	57.4%	N.A.	43.8%
Total	17,896	13,323	9,535	8,278	50	49,082	Total	4,098	4,900	4,287	4,596	22	17,903	Total	22.9%	36.8%	45.0%	55.5%	44.0%	36.5%

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	2,384	Incarceration Zone	1,975	Incarceration Zone	82.8%
Discretionary Zone	33,083	Discretionary Zone	13,704	Discretionary Zone	41.4%
Intermediate Sanction Zone	13,350	Intermediate Sanction Zone	2,108	Intermediate Sanction Zone	15.8%
Unassigned	265	Unassigned	116	Unassigned	43.8%
Total	49,082	Total	17,903	Total	36.5%

District Court Incarceration Rates. Table 10 shows incarceration rates by grid cell assignment for all defendants convicted in district court. For FY 2004, the estimated district court incarceration rate was 33.5%: 15,356 defendants received a sentence to incarceration out of 45,848 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 16.5% and the incarceration rate for defendants convicted of offenses at offense seriousness level 4 was 59.3%; and,
- the incarceration rate for defendants in criminal history group A was 19.5% and the incarceration rate for defendants in criminal history group D was 52.5%.

District court incarceration rates varied by sentencing zone:

- district court defendants in the incarceration zone had an incarceration rate of 71.5%;
- district court defendants in the discretionary zone had an incarceration rate of 39.9%; and,
- district court defendants in the intermediate sanction zone had an incarceration rate of 15.6%.

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.
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.
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.
6	3	5	3	5	0	16	6	2	3	2	4	0	11	6	66.7%	60.0%	66.7%	80.0%	N.A.	68.8%
5	235	237	199	130	0	801	5	81	104	113	94	0	392	5	34.5%	43.9%	56.8%	72.3%	N.A.	48.9%
4	1,312	945	663	587	2	3,509	4	561	597	474	450	0	2,082	4	42.8%	63.2%	71.5%	76.7%	0.0%	59.3%
3	5,705	4,524	3,519	3,216	23	16,987	3	1,280	1,785	1,775	2,000	9	6,849	3	22.4%	39.5%	50.4%	62.2%	39.1%	40.3%
2	5,969	4,420	2,995	2,541	12	15,937	2	988	1,366	1,068	1,130	4	4,556	2	16.6%	30.9%	35.7%	44.5%	33.3%	28.6%
1	3,306	2,414	1,544	1,130	5	8,399	1	301	434	338	314	2	1,389	1	9.1%	18.0%	21.9%	27.8%	40.0%	16.5%
N.A.	57	57	46	39	0	199	N.A.	17	22	17	21	0	77	N.A.	29.8%	38.6%	37.0%	53.8%	N.A.	38.7%
Total	16,587	12,602	8,969	7,648	42	45,848	Total	3,230	4,311	3,787	4,013	15	15,356	Total	19.5%	34.2%	42.2%	52.5%	35.7%	33.5%

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	934	Incarceration Zone	668	Incarceration Zone	71.5%
Discretionary Zone	31,482	Discretionary Zone	12,550	Discretionary Zone	39.9%
Intermediate Sanction Zone	13,233	Intermediate Sanction Zone	2,061	Intermediate Sanction Zone	15.6%
Unassigned	199	Unassigned	77	Unassigned	38.7%
Total	45,848	Total	15,356	Total	33.5%

Superior Court Incarceration Rates. Table 11 shows incarceration rates by grid cell assignment for all defendants convicted in superior court. For FY 2004, the estimated superior court incarceration rate was 78.8%: 2,547 defendants received a sentence to incarceration out of 3,234 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 53.4% and the incarceration rate for defendants convicted of offenses in offense seriousness level 8 was 93.4%; and,
- the incarceration rate for defendants in criminal history group A was 66.3% and the incarceration rate for defendants in criminal history group D was 92.5%.

The incarceration rate varied by sentencing zone:

- superior court defendants in the incarceration zone had an incarceration rate of 90.1%;
- 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 40.2%.

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	18	8	10	4	0	40	9	18	8	10	4	0	40	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	58	19	21	22	1	121	8	53	16	21	22	1	113	8	91.4%	84.2%	100.0%	100.0%	100.0%	93.4%
7	71	56	46	44	1	218	7	58	51	44	43	1	197	7	81.7%	91.1%	95.7%	97.7%	100.0%	90.4%
6	271	143	137	127	2	680	6	205	129	126	122	2	584	6	75.6%	90.2%	92.0%	96.1%	100.0%	85.9%
5	132	72	74	69	0	347	5	102	59	68	66	0	295	5	77.3%	81.9%	91.9%	95.7%	N.A.	85.0%
4	360	255	166	246	2	1,029	4	254	218	154	237	2	865	4	70.6%	85.5%	92.8%	96.3%	100.0%	84.1%
3	251	100	71	86	2	510	3	119	65	47	66	1	298	3	47.4%	65.0%	66.2%	76.7%	50.0%	58.4%
2	101	53	29	21	0	204	2	42	33	19	15	0	109	2	41.6%	62.3%	65.5%	71.4%	N.A.	53.4%
1	11	4	1	3	0	19	1	1	3	1	2	0	7	1	9.1%	75.0%	100.0%	66.7%	N.A.	36.8%
N.A.	36	11	11	8	0	66	N.A.	16	7	10	6	0	39	N.A.	44.4%	63.6%	90.9%	75.0%	N.A.	59.1%
Total	1,309	721	566	630	8	3,234	Total	868	589	500	583	7	2,547	Total	66.3%	81.7%	88.3%	92.5%	87.5%	78.8%

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	1,450	Incarceration Zone	1,307	Incarceration Zone	90.1%
Discretionary Zone	1,601	Discretionary Zone	1,154	Discretionary Zone	72.1%
Intermediate Sanction Zone	117	Intermediate Sanction Zone	47	Intermediate Sanction Zone	40.2%
Unassigned	66	Unassigned	39	Unassigned	59.1%
Total	3,234	Total	2,547	Total	78.8%

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, 51.6% were convicted of felonies and 48.4% were convicted of misdemeanors;
- Of defendants convicted in the district court and sentenced to incarceration, 44.8% were convicted of felonies and 55.2% were convicted of misdemeanors;
- Of defendants convicted in the superior court and sentenced to incarceration, 92.3% were convicted of felonies and 7.7% were convicted of misdemeanors.
- Of all defendants sentenced to incarceration, 16,271 (90.9%) were sentenced to houses of correction and 1,632 (9.1%) 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, 1,632 (64.1%) were sentenced to the DOC and 915 (35.9%) 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%	887	34.8%	887	5.0%
Felony / House Alternative / No District Court Jurisdiction						
Sentenced to DOC	0	0.0%	237	9.3%	237	1.3%
Sentenced to House of Correction	0	0.0%	118	4.6%	118	0.7%
Felony / House Alternative / District Court Jurisdiction						
Sentenced to DOC	0	0.0%	508	19.9%	508	2.8%
Sentenced to House of Correction	6,885	44.8%	600	23.6%	7,485	41.8%
Sub-Total Felonies	6,885	44.8%	2,350	92.3%	9,235	51.6%
Misdemeanor / House						
Total	8,471	55.2%	197	7.7%	8,668	48.4%
Total	15,356	100.0%	2,547	100.0%	17,903	100.0%
All Sentences to DOC						
All Sentences to Houses of Correction	0	0.0%	1,632	64.1%	1,632	9.1%
Total	15,356	100.0%	915	35.9%	16,271	90.9%
Total	15,356	100.0%	2,547	100.0%	17,903	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 55.0 months and ranged from 6.0 months to 420.0 months (or 35 years). The median minimum state prison sentence was 41.0 months. The mean maximum sentence imposed was 66.0 months and ranged from 6.0 months to 480.0 months (or 40 years). The median maximum state prison sentence was 60.0 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	103	6.5%	50	3.2%
24 to 35 Months	285	18.1%	163	10.3%
36 to 47 Months	430	27.2%	378	24.0%
48 to 59 Months	187	11.9%	179	11.3%
60 to 71 Months	232	14.7%	310	19.6%
72 to 83 Months	69	4.4%	101	6.4%
84 to 95 Months	60	3.8%	107	6.8%
96 to 107 Months	58	3.7%	56	3.5%
108 to 119 Months	20	1.3%	29	1.8%
120 to 179 Months	84	5.3%	131	8.3%
180 to 239 Months	40	2.5%	43	2.7%
240 Months or More	10	0.6%	31	2.0%
Total	1,578	100.0%	1,578	100.0%
Lowest	6.0 Months		6.0 Months	
Highest	420.0 Months		480.0 Months	
Mean	55.0 Months		66.0 Months	
Median	41.0 Months		60.0 Months	

Figure 2. State Prison Sentences: Minimum Sentence Length

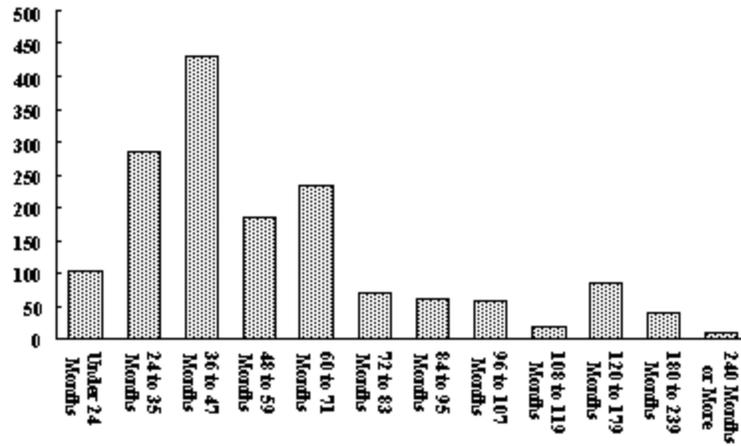
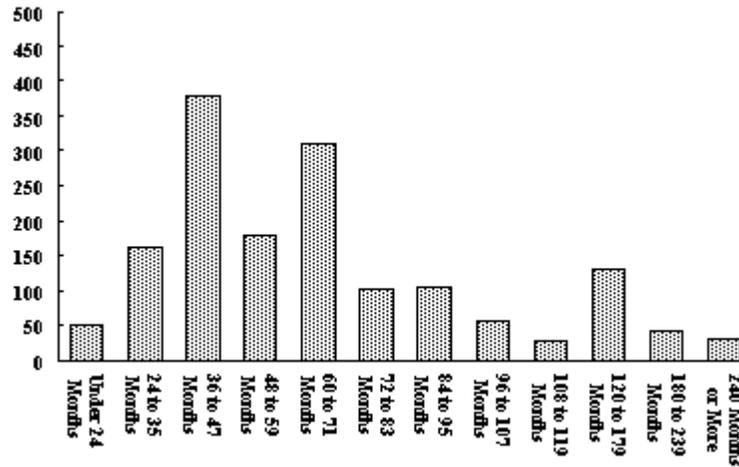


Figure 3. State Prison Sentences: Maximum Sentence Length



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 42.4% 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 60.8% of the state prison sentences for mandatory drug offenses the minimum sentence was at least 90% of the maximum sentence. It was estimated that 73.5% 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 58.7% of the state prison sentences imposed for mandatory drug offenses, the difference between the minimum and maximum sentences was one day. In 39.0% of the state prison sentences for offenses other than mandatory drug offenses, the difference between the minimum and maximum sentence was one day. Overall, 44.4% 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, 56.6% of defendants sentenced to state prison could be considered for parole release and

supervision at the end of that sentence and 44.4% would not be eligible for parole consideration. The largest difference between a minimum and maximum state prison sentence was 120 months imposed in three sentences during FY 2004.

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%	0	0.0%
30% to 39%	1	0.2%	10	0.9%
40% to 49%	0	0.0%	8	0.7%
50% to 59%	19	4.4%	52	4.5%
60% to 69%	44	10.3%	234	20.4%
70% to 79%	56	13.1%	157	13.7%
80% to 89%	48	11.2%	201	17.5%
90% and Over	261	60.8%	487	42.4%
Total	429	100.0%	1,149	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	252	58.7%	448	39.0%
2 Days to 5 Months	2	0.5%	7	0.6%
6 to 11 Months	25	5.8%	60	5.2%
12 to 23 Months	72	16.8%	282	24.5%
24 to 35 Months	67	15.6%	271	23.6%
36 to 47 Months	9	2.1%	43	3.7%
48 to 59 Months	2	0.5%	16	1.4%
60 to 119 Months	0	0.0%	19	1.7%
120 Months or More	0	0.0%	3	0.3%
Total	429	100.0%	1,149	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 239 defendants with missing sentence information were excluded from the analysis.

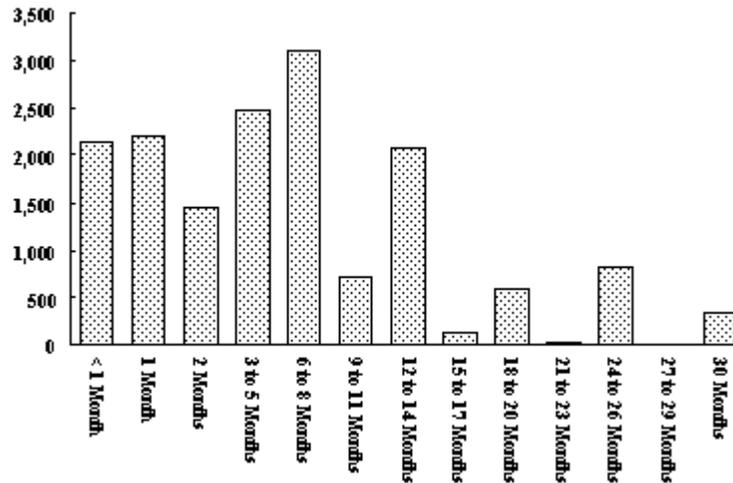
Sentences to houses of correction do not have a minimum sentence and can range from one day up to thirty months. For most defendants sentenced to a house of correction with a sentence of 60 days or more, parole eligibility is set at one-half of the maximum sentence length. Under the proposed sentencing 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 6.8 months and the median house of correction sentence was 4.3 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 6.1 months while the mean house of correction sentence imposed in the superior court was 17.0 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 18.0 months. It is estimated that 11,713 or 73.1% 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	2,121	14.0%	10	1.1%	2,131	13.3%
1 Month	2,162	14.3%	26	2.8%	2,188	13.6%
2 Months	1,431	9.5%	17	1.9%	1,448	9.0%
3 to 5 Months	2,429	16.1%	43	4.7%	2,472	15.4%
6 to 8 Months	2,995	19.8%	113	12.3%	3,108	19.4%
9 to 11 Months	677	4.5%	36	3.9%	713	4.4%
12 to 14 Months	1,901	12.6%	179	19.6%	2,080	13.0%
15 to 17 Months	107	0.7%	15	1.6%	122	0.8%
18 to 20 Months	501	3.3%	82	9.0%	583	3.6%
21 to 23 Months	9	0.1%	4	0.4%	13	0.1%
24 to 26 Months	601	4.0%	227	24.8%	828	5.2%
27 to 29 Months	4	0.0%	3	0.3%	7	0.0%
30 Months	179	1.2%	160	17.5%	339	2.1%
Total	15,117	100.0%	915	100.0%	16,032	100.0%
Lowest	1 Day		1 Day		1 Day	
Highest	30.0 Months		30.0 Months		30.0 Months	
Mean	6.1 Months		17.0 Months		6.8 Months	
Median	4.0 Months		18.0 Months		4.3 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 88.5% of current sentences fall within the proposed guidelines and 11.5% of current sentences fall outside of proposed guidelines (an estimated 3.5% were below the guidelines and an estimated 8.0% 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 2.3% 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 76.9% of all sentences were outside of the proposed ranges (51.4% were below the proposed guidelines and 25.5% were above the proposed guidelines);
- when comparing the sentences imposed for mandatory drug offenses with the proposed sentencing guidelines, it was estimated that 58.6% of the current mandatory drug sentences were within the sentencing guidelines ranges and that 41.4% were outside of the sentencing guidelines (including 2.1% below the proposed guidelines and 39.3% above the proposed guidelines); and,
- when comparing the sentences imposed for all other offenses it was estimated that 89.0% were within the sentencing guidelines ranges and 11.0% were outside of the sentencing guidelines (including 3.5% below the ranges and 7.5% above the ranges); and,
- for all offenses at levels 6 through 8, 43.5% of the sentences were below the guideline ranges, 28.5% were within, and 28.0% were above;
- for mandatory drug offenses at levels 6 through 8, 0.0% were below the guideline ranges, 34.3% were within, and 65.7% were above; and,
- for all other offenses at levels 6 through 8, 52.2% were below the guideline ranges, 27.3% 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%	40	100.0%	0	0.0%	40	100.0%
Level 8	24	27.9%	33	38.4%	29	33.7%	86	100.0%
Level 7	111	51.4%	50	23.1%	55	25.5%	216	100.0%
Level 6	295	42.9%	199	29.0%	193	28.1%	687	100.0%
Level 5	526	45.9%	484	42.3%	135	11.8%	1,145	100.0%
Level 4	695	15.3%	3,435	75.9%	398	8.8%	4,528	100.0%
Level 3	2	0.0%	16,219	97.7%	373	2.2%	16,594	100.0%
Level 2	0	0.0%	14,329	90.4%	1,525	9.6%	15,854	100.0%
Level 1	0	0.0%	7,289	86.7%	1,120	13.3%	8,409	100.0%
Total	1,653	3.5%	42,078	88.5%	3,828	8.0%	47,559	100.0%
Other Offenses								
Level 9	0	0.0%	40	100.0%	0	0.0%	40	100.0%
Level 8	24	32.9%	32	43.8%	17	23.3%	73	100.0%
Level 7	111	62.0%	42	23.5%	26	14.5%	179	100.0%
Level 6	295	51.7%	151	26.4%	125	21.9%	571	100.0%
Level 5	517	51.5%	448	44.6%	39	3.9%	1,004	100.0%
Level 4	688	16.9%	3,080	75.7%	302	7.4%	4,070	100.0%
Level 3	2	0.0%	16,219	97.7%	373	2.2%	16,594	100.0%
Level 2	0	0.0%	14,329	90.4%	1,525	9.6%	15,854	100.0%
Level 1	0	0.0%	7,289	86.7%	1,120	13.3%	8,409	100.0%
Total	1,637	3.5%	41,630	89.0%	3,527	7.5%	46,794	100.0%
Mandatory Drug Offenses								
Level 9	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 8	0	0.0%	1	7.7%	12	92.3%	13	100.0%
Level 7	0	0.0%	8	21.6%	29	78.4%	37	100.0%
Level 6	0	0.0%	48	41.4%	68	58.6%	116	100.0%
Level 5	9	6.4%	36	25.5%	96	68.1%	141	100.0%
Level 4	7	1.5%	355	77.5%	96	21.0%	458	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	16	2.1%	448	58.6%	301	39.3%	765	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, 44.4% of state prison sentences had a difference of one day between minimum and maximum sentence. Therefore, an estimated 55.6% 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 73.1% 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 40.8% 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 5,778 or 37.6% of the incarceration sentences imposed in the district court involved some period of post-release probation supervision; and,
- an estimated 1,535 or 60.3% of the incarceration sentences imposed in the superior court involved some period of post-release probation supervision, including:
 - 74.9% of those sentenced to houses of correction from the superior court; and,
 - 52.1% of those sentenced to the DOC.

Of those defendants convicted of two or more charges and sentenced to incarceration, 5,673 or 48.8% had a sentence that included from & after probation, including 4,315 or 44.2% of the district court defendants with two or more convictions and 1,358 or 73.0% 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, 1,168 or 79.9% 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			9	0.4%	9	0.1%
Without From & After Probation			34	1.3%	34	0.2%
Sub-Total			43	1.7%	43	0.2%
State Prison						
With From & After Probation			838	32.9%	838	4.7%
Without From & After Probation			740	29.1%	740	4.1%
Sub-Total			1,578	62.0%	1,578	8.8%
Other DOC						
Split or From & After Probation			3	0.1%	3	0.0%
Without Split or From & After Probation			8	0.3%	8	0.0%
Sub-Total			11	0.4%	11	0.1%
House of Correction						
With From & After Probation	1,465	9.5%	377	14.8%	1,842	10.3%
Without From & After Probation	9,578	62.4%	230	9.0%	9,808	54.8%
Sub-Total	11,043	71.9%	607	23.8%	11,650	65.1%
House of Correction / Split	4,313	28.1%	308	12.1%	4,621	25.8%
Total All Sentences	15,356	100.0%	2,547	100.0%	17,903	100.0%
Jurisdiction						
House of Correction						
Split or From & After Probation	5,778	37.6%	685	74.9%	6,463	39.7%
Without Split or From & After Probation	9,578	62.4%	230	25.1%	9,808	60.3%
Sub-Total	15,356	100.0%	915	100.0%	16,271	100.0%
Department of Correction						
Split or From & After Probation			850	52.1%	850	52.1%
Without Split or From & After Probation			782	47.9%	782	47.9%
Sub-Total			1,632	100.0%	1,632	100.0%
All Jurisdictions						
Split or From & After Probation	5,778	37.6%	1,535	60.3%	7,313	40.8%
Without Split or From & After Probation	9,578	62.4%	1,012	39.7%	10,590	59.2%
Total	15,356	100.0%	2,547	100.0%	17,903	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 31,179 or 81.0% of the probation sentences began as a non-incarcerative sentence and 7,313 or 19.0% 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, 84.1% of the probation sentences began as a non-incarcerative sentence and 15.9% will begin after a period of incarceration; and,
- in the superior court, 30.9% of the probation sentences began as a non-incarcerative sentence and 69.1% 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	30,492	84.1%	687	30.9%	31,179	81.0%
Split or From & After Probation	5,778	15.9%	1,535	69.1%	7,313	19.0%
Total	36,270	100.0%	2,222	100.0%	38,492	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 283 or 75.9% of the incarcerated defendants convicted of a sex offense had a sentence which included a period of post-release probation supervision. In contrast 1,495 or 36.8% 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	2,391	48.8%	2,512	51.2%	4,903	100.0%
Sex	90	24.1%	283	75.9%	373	100.0%
Property	2,729	58.3%	1,955	41.7%	4,684	100.0%
Drug Offenses	2,567	63.2%	1,495	36.8%	4,062	100.0%
Motor Vehicle	1,651	72.6%	624	27.4%	2,275	100.0%
Other	1,162	72.4%	444	27.6%	1,606	100.0%
Total	10,590	59.2%	7,313	40.8%	17,903	100.0%
District Court						
Person	2,063	51.6%	1,936	48.4%	3,999	100.0%
Sex	43	26.9%	117	73.1%	160	100.0%
Property	2,647	60.9%	1,700	39.1%	4,347	100.0%
Drug Offenses	2,062	65.8%	1,071	34.2%	3,133	100.0%
Motor Vehicle	1,640	73.7%	584	26.3%	2,224	100.0%
Other	1,123	75.2%	370	24.8%	1,493	100.0%
Sub-Total	9,578	62.4%	5,778	37.6%	15,356	100.0%
Superior Court						
Person	328	36.3%	576	63.7%	904	100.0%
Sex	47	22.1%	166	77.9%	213	100.0%
Property	82	24.3%	255	75.7%	337	100.0%
Drug Offenses	505	54.4%	424	45.6%	929	100.0%
Motor Vehicle	11	21.6%	40	78.4%	51	100.0%
Other	39	34.5%	74	65.5%	113	100.0%
Sub-Total	1,012	39.7%	1,535	60.3%	2,547	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.²³ The type of offense varied by court department. In the district court the most frequently occurring offenses were property which accounted for 11,449 or 25.0% of all district court convictions, followed by motor vehicle offenses (10,617 or 23.2% of all district court convictions), and person offenses (10,063 or 21.9% of all district court convictions). In the superior court the most frequently occurring offenses were person offenses which accounted for 1,120 or 34.6% of all superior court convictions followed by drug offenses which accounted for 1,110 or 34.3% 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, 574 defendants were classified as sex offenders on the basis of governing offense and an additional 32 defendants were classified as sex offenders on the basis of a conviction for a secondary offense (these 32 defendants were convicted of some other type of offense as the governing offense). Thus, a total of 606 defendants were classified as sex offenders on the basis of this expanded classification.

²³ In Figure 5 and Table 21 the “other” category includes weapons, public order, and other offenses.

Figure 5. Type of Offense by Court Department

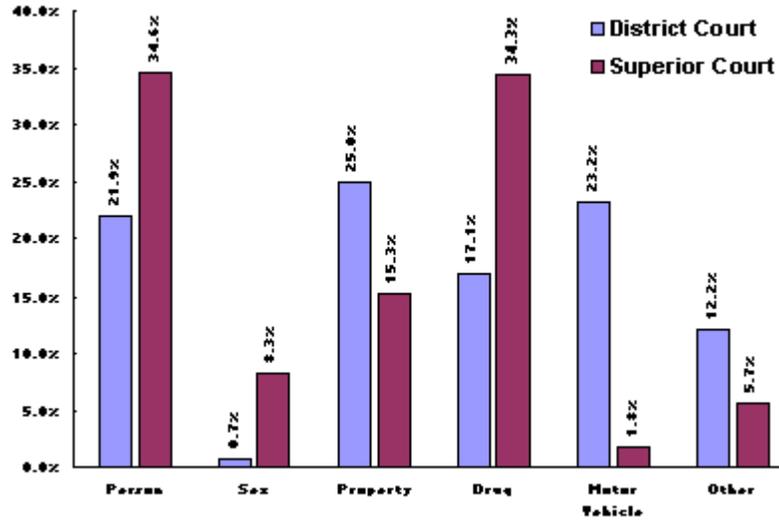


Table 21. Type of Offense by Offense Seriousness Level and Court Department

Type of Offense	District Court		Superior Court		Total	
	N	%	N	%	N	%
Person	10,063	21.9%	1,120	34.6%	11,183	22.8%
Sex	306	0.7%	268	8.3%	574	1.2%
Property	11,449	25.0%	495	15.3%	11,944	24.3%
Drug	7,826	17.1%	1,110	34.3%	8,936	18.2%
Motor Vehicle	10,617	23.2%	57	1.8%	10,674	21.7%
Other	5,587	12.2%	184	5.7%	5,771	11.8%
Total	45,848	100.0%	3,234	100.0%	49,082	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	11,183	1,428	12,611
Sex	574	32	606
Property	11,944	2,917	14,861
Drug	8,936	1,765	10,701
Motor Vehicle	10,674	2,867	13,541
Weapons	599	587	1,186
Public Order	2,578	2,546	5,124
Other	2,594	4,656	7,250
District Court			
Person	10,063	1,251	11,314
Sex	306	15	321
Property	11,449	2,721	14,170
Drug	7,826	1,675	9,501
Motor Vehicle	10,617	2,779	13,396
Weapons	534	404	938
Public Order	2,552	2,515	5,067
Other	2,501	4,336	6,837
Superior Court			
Person	1,120	177	1,297
Sex	268	17	285
Property	495	196	691
Drug	1,110	90	1,200
Motor Vehicle	57	88	145
Weapons	65	183	248
Public Order	26	31	57
Other	93	320	413

Type of Offense: Sex Offenses. There were an estimated 574 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 (306 in the district court and 268 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:
 - 49.3% were convicted of an offense involving a child victim;
 - 35.9% were convicted of an offense involving an adult victim; and,
 - 14.8% were convicted of some other sex offense.

- of the 268 sex offenders convicted in the superior court:
 - 69.8% were convicted of an offense involving a child victim;
 - 27.6% were convicted of an offense involving an adult victim; and,
 - 2.6% 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%	9	3.4%	9	1.6%
Rape	0	0.0%	23	8.6%	23	4.0%
Assault w/I Rape	0	0.0%	6	2.2%	6	1.0%
A&B Indecent	132	43.1%	33	12.3%	165	28.7%
Incest	0	0.0%	3	1.1%	3	0.5%
Sub-Total	132	43.1%	74	27.6%	206	35.9%
Offense with Child Victim						
Rape of Child, Forcible	0	0.0%	36	13.4%	36	6.3%
Rape of Child	0	0.0%	112	41.8%	112	19.5%
Rape of Child, 2nd	0	0.0%	1	0.4%	1	0.2%
Assault w/I Rape, Child	0	0.0%	2	0.7%	2	0.3%
A&B Indecent Child	91	29.7%	34	12.7%	125	21.8%
Act Unnatural, Child	5	1.6%	2	0.7%	7	1.2%
Sub-Total	96	31.4%	187	69.8%	283	49.3%
Other Sex Offense						
Open and Gross	78	25.5%	7	2.6%	85	14.8%
Sub-Total	78	25.5%	7	2.6%	85	14.8%
Total	306	100.0%	268	100.0%	574	100.0%

Type of Offense: Drug Offenses. There were an estimated 8,936 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).^{24, 25} 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, 2,897 or 37.0% of the drug offenses were classified as distribution offenses, 4,772 or 61.0% were classified as possession offenses, and 157 or 2.0% were not assigned to either category;
- in the superior court, 1,013 or 91.3% of the drug offenses were classified as distribution offenses, 64 or 5.8% were classified as possession offenses, and 33 or 3.0% 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 1,582 or 20.2% 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 691 or 62.3% of all drug offenses in the superior court.

²⁴ 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.

²⁵ 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	891	11.4%	279	25.1%	1,170	13.1%
Class B	1,302	16.6%	691	62.3%	1,993	22.3%
Class C	52	0.7%	1	0.1%	53	0.6%
Class D	586	7.5%	34	3.1%	620	6.9%
Class E	20	0.3%	6	0.5%	26	0.3%
Other Distribution Offenses	46	0.6%	2	0.2%	48	0.5%
Sub-Total	2,897	37.0%	1,013	91.3%	3,910	43.8%
Possession Offenses						
Class A	1,218	15.6%	22	2.0%	1,240	13.9%
Class B	1,403	17.9%	30	2.7%	1,433	16.0%
Class C	77	1.0%	0	0.0%	77	0.9%
Class D	1,582	20.2%	7	0.6%	1,589	17.8%
Class E	58	0.7%	1	0.1%	59	0.7%
Hypodermic/Syringe	434	5.5%	4	0.4%	438	4.9%
Sub-Total	4,772	61.0%	64	5.8%	4,836	54.1%
Other Drug Offenses	157	2.0%	33	3.0%	190	2.1%
Total	7,826	100.0%	1,110	100.0%	8,936	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 766 defendants convicted of mandatory drug offenses during FY 2004. Four offenses, distribution within a school zone,²⁶ distribution of cocaine, trafficking cocaine 14 to 28 grams, and trafficking cocaine 28 to 100 grams, accounted for 636 or 83.0% of the convictions for mandatory drug offenses in FY 2004.

The most frequently occurring mandatory drug offense was distribution in a school zone, with 298 convictions or 38.9% 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 460 or 60.1% of the defendants convicted of mandatory drug offenses were classified as criminal history groups A or B, and 306 or 39.9% were classified as criminal history groups C, D, or E.

²⁶ 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 and Court Department	Criminal History Group					Total
	A	B	C	D	E	
Superior Court						
Level 8 (15 Year Mandatory)						
Traffic Cocaine 200+ grams	9	3	0	1	0	13
Sub-Total	9	3	0	1	0	13
Level 7 (7 to 10 Year Mandatory)						
Traffic Heroin 100 to 200 grams	2	0	0	1	0	3
Traffic Heroin 28 to 100 grams	3	3	3	1	0	10
Traffic Cocaine 100 to 200 grams	11	5	7	1	0	24
Sub-Total	16	8	10	3	0	37
Level 6 (5 Year Mandatory)						
Traffic Heroin 14 to 28 grams	7	1	3	0	0	11
Traffic Cocaine 28 to 100 grams	28	21	16	5	0	70
Distribute Class A, 2nd Offense	0	7	4	8	0	19
Distribute Cocaine, 2nd Offense	0	2	9	5	0	16
Induce Minorto Distribute	0	1	0	0	0	1
Sub-Total	35	32	32	18	0	117
Level 5 (3 Year Mandatory)						
Traffic Cocaine 14 to 28 grams	52	26	21	11	0	110
Distribute Class B, 2nd Offense	0	9	10	11	0	30
Traffic Marijuana 100 to 2,000 pounds	1	0	0	0	0	1
Sub-Total	53	35	31	22	0	141
Level 4 (1 to 2 Year Mandatory)						
Distribute Cocaine	50	47	27	34	0	158
Traffic Marijuana 50 to 100 pounds	1	1	0	0	0	2
Distribution w/i School or Park	25	40	18	17	0	100
Sub-Total	76	88	45	51	0	260
Sub-Total Superior Court	189	166	118	95	0	568
District Court						
Distribution w/i School or Park	55	50	55	38	0	198
Total	244	216	173	133	0	766

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, 138 or 24.3% were sentenced to a house of correction and 430 or 75.7% were sentenced to the DOC. Of all convictions for mandatory drug offenses, 336 or 43.9% were sentenced to a house of correction and 430 or 56.1% 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	198	100.0%	138	24.3%	336	43.9%
Department of Correction	0	0.0%	430	75.7%	430	56.1%
Total	198	100.0%	568	100.0%	766	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 7,204 defendants representing 12.8% 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 6,308 convictions for OUI offenses in FY 2004. 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%	14	31.1%	14	0.2%
House of Correction Sentence						
Less than 1 month	55	0.9%	0	0.0%	55	0.9%
1 Month	65	1.0%	1	2.2%	66	1.0%
2 Months	188	3.0%	1	2.2%	189	3.0%
3 to 5 Months	227	3.6%	1	2.2%	228	3.6%
6 to 8 Months	362	5.8%	3	6.7%	365	5.8%
9 to 11 Months	36	0.6%	1	2.2%	37	0.6%
12 to 14 Months	157	2.5%	3	6.7%	160	2.5%
15 to 17 Months	6	0.1%	0	0.0%	6	0.1%
18 to 20 Months	31	0.5%	2	4.4%	33	0.5%
21 to 23 Months	1	0.0%	0	0.0%	1	0.0%
24 to 26 Months	51	0.8%	7	15.6%	58	0.9%
27 to 29 Months	1	0.0%	0	0.0%	1	0.0%
30 Months	44	0.7%	9	20.0%	53	0.8%
Missing Sentence Information	5	0.1%	0	0.0%	5	0.1%
Sub-Total	1,229	19.6%	28	62.2%	1,257	19.9%
Probation	3,782	60.4%	3	6.7%	3,785	60.0%
Fine	1,159	18.5%	0	0.0%	1,159	18.4%
Other	93	1.5%	0	0.0%	93	1.5%
Total	6,263	100.0%	45	100.0%	6,308	100.0%

Sentencing Practices: Mandatory Firearms Offenses

There were an estimated 186 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.²⁷

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.²⁸ 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.²⁹ 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.³⁰

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

²⁷ G.L. c. 211E § 3 (e).

²⁸ Supreme Judicial Court, *Report of the Gender Bias Study of the Supreme Judicial Court*, Boston, 1989, p. 121.

²⁹ 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.

³⁰ *Ibid.*, p. 92.

Sentencing Practices: Defendant Gender

As indicated in Figure 6, 15.0% of the convicted defendants were female and 85.0% of the convicted defendants were male.

Figure 6. Defendant Gender

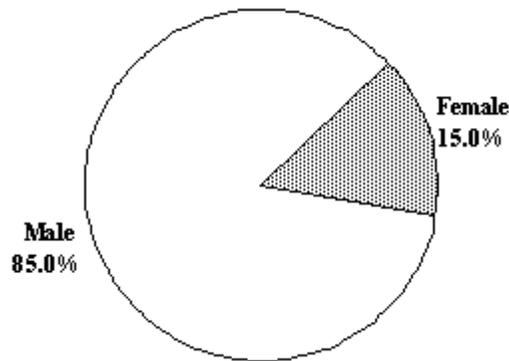


Table 28 shows the gender of defendants by court department. Of the defendants convicted in district court, 44,774 or 84.7% were male and 8,099 or 15.3% were female; and, of the defendants convicted in superior court, 3,071 or 90.0% were male and 342 or 10.0% were female.

Table 28. Defendant Gender by Court Department

Gender	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Male	44,774	84.7%	3,071	90.0%	47,845	85.0%
Female	8,099	15.3%	342	10.0%	8,441	15.0%
Total	52,873	100.0%	3,413	100.0%	56,286	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:

- 1.7% of the female defendants were in the incarceration zone of the grid compared with 5.4% of the male defendants;
- 76.7% of the female defendants were classified as criminal history group A or B compared with 61.3% of the male defendants;
- 55.8% of the female defendants were classified as offense seriousness level 1 or 2 compared with 49.0% 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 “3A.”

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	8	10	3	0	39	0.1%	9	0	0	0	1	0	1	0.0%	9	18	8	10	4	0	40	0.1%
8	55	18	19	22	1	115	0.3%	8	3	1	2	0	0	6	0.1%	8	58	19	21	22	1	121	0.2%
7	61	54	44	43	1	203	0.5%	7	10	2	2	1	0	15	0.2%	7	71	56	46	44	1	218	0.4%
6	248	145	136	128	2	659	1.6%	6	26	3	4	4	0	37	0.5%	6	274	148	140	132	2	696	1.4%
5	318	289	260	192	0	1,059	2.5%	5	49	20	13	7	0	89	1.2%	5	367	309	273	199	0	1,148	2.3%
4	1,388	1,026	741	788	4	3,947	9.4%	4	284	174	88	45	0	591	8.1%	4	1,672	1,200	829	833	4	4,538	9.2%
3	4,816	3,935	3,190	3,081	24	15,046	36.0%	3	1,140	689	400	221	1	2,451	33.6%	3	5,956	4,624	3,590	3,302	25	17,497	35.6%
2	4,694	3,512	2,589	2,319	12	13,126	31.4%	2	1,376	961	435	243	0	3,015	41.4%	2	6,070	4,473	3,024	2,562	12	16,141	32.9%
1	2,811	2,100	1,382	1,071	5	7,369	17.6%	1	506	318	163	62	0	1,049	14.4%	1	3,317	2,418	1,545	1,133	5	8,418	17.2%
N.A.	74	62	51	44	0	231	0.6%	N.A.	19	6	6	3	0	34	0.5%	N.A.	93	68	57	47	0	265	0.5%
Total	14,483	11,149	8,422	7,691	49	41,794	100.0%	Total	3,413	2,174	1,113	587	1	7,288	100.0%	Total	17,896	13,323	9,535	8,278	50	49,082	100.0%
%	34.7%	26.7%	20.2%	18.4%	0.1%	100.0%	%	46.8%	29.8%	15.3%	8.1%	0.0%	100.0%	%	36.5%	27.1%	19.4%	16.9%	0.1%	100.0%			

Sentencing Zone	N	%
Incarceration Zone	2,260	5.4%
Discretionary Zone	28,316	67.8%
Intermediate Sanction Zone	10,987	26.3%
Unassigned	231	0.6%
Total	41,794	100.0%

Sentencing Zone	N	%
Incarceration Zone	124	1.7%
Discretionary Zone	4,767	65.4%
Intermediate Sanction Zone	2,363	32.4%
Unassigned	34	0.5%
Total	7,288	100.0%

Sentencing Zone	N	%
Incarceration Zone	2,384	4.9%
Discretionary Zone	33,083	67.4%
Intermediate Sanction Zone	13,350	27.2%
Unassigned	265	0.5%
Total	49,082	100.0%

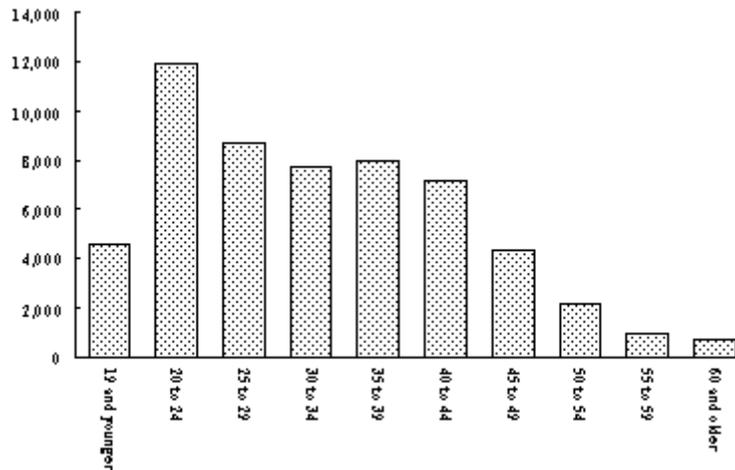
Sentencing Practices: Defendant Age at Disposition

The age of defendants at the time of disposition ranged from 17 years to 91 years. The mean age at disposition was 32.7 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	4,369	232	4,601
20 to 24	11,168	814	11,982
25 to 29	8,094	619	8,713
30 to 34	7,239	491	7,730
35 to 39	7,513	418	7,931
40 to 44	6,794	354	7,148
45 to 49	4,121	222	4,343
50 to 54	2,015	126	2,141
55 to 59	874	71	945
60 and older	686	66	752
Total	52,873	3,413	56,286
Youngest	17 Years	17 Years	17 Years
Oldest	91 Years	78 Years	91 Years
Mean	32.7 Years	32.2 Years	32.7 Years
Median	32 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 1.8% 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, 61.5% of the convicted defendants were white, 17.6% were black, 16.9% were hispanic, and 2.3% were other races. The race was unknown for 1.8% of the convicted defendants.

Figure 8. Defendant Race

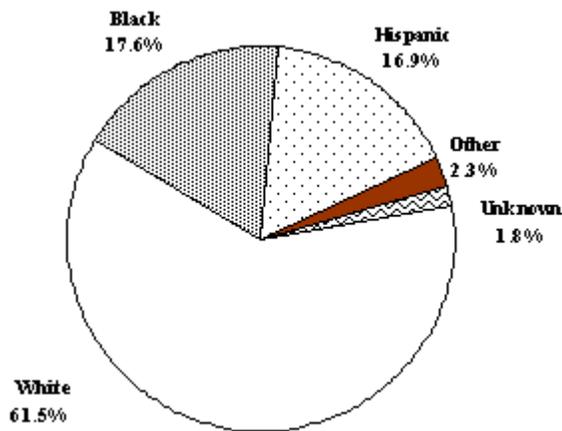


Table 31 shows defendant race by court department. The proportion of white defendants was higher in the district court than the superior court and the proportion of black defendants, hispanic defendants, and defendants of other races was higher in the superior court than the district court. Of the defendants convicted in the district court, 62.5% were white, and 35.7% were racial/ethnic minorities (17.2% were black, 16.2% were hispanic, and 2.3% were other races). The race was unknown for 1.8% of the defendants convicted in the district court. Of the defendants convicted in the superior court, 45.9% were white, and 52.3% were racial/ethnic minorities (22.8% were black, 26.4% were hispanic, and 3.2% 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	33,062	62.5%	1,567	45.9%	34,629	61.5%
Black	9,102	17.2%	778	22.8%	9,880	17.6%
Hispanic	8,590	16.2%	900	26.4%	9,490	16.9%
Other	1,193	2.3%	108	3.2%	1,301	2.3%
Unknown	926	1.8%	60	1.8%	986	1.8%
Total	52,873	100.0%	3,413	100.0%	56,286	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:

- 61.5% of all defendants were white, 36.7% of all defendants were racial/ethnic minorities (17.6% were black, 16.9% were hispanic, and 2.3% were other races), and the race was unknown for 1.8% of all defendants; and,
- 23.1% of defendants convicted of mandatory drug offenses were white, and 76.9% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (29.6% were black, 45.6% were hispanic, and 1.7% were other races).

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

- 46.7% of defendants convicted of all drug offenses were white and 52.1% were racial/ethnic minorities;
- 59.0% of defendants convicted of possession offenses were white and 39.9% were racial/ethnic minorities;
- 31.6% of defendants convicted of non-mandatory distribution offenses were white and 66.6% were racial/ethnic minorities; and,
- 23.1% of defendants convicted of mandatory distribution offenses were white and 76.9% 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	6,557	58.6%	2,298	20.5%	1,903	17.0%	286	2.6%	139	1.2%	11,183	100.0%
Sex Offenses	361	62.9%	71	12.4%	97	16.9%	17	3.0%	28	4.9%	574	100.0%
Property Offenses	7,399	61.9%	2,290	19.2%	1,721	14.4%	299	2.5%	235	2.0%	11,944	100.0%
Drug Offenses												
Mandatory / Distribution	177	23.1%	227	29.6%	349	45.6%	13	1.7%	0	0.0%	766	100.0%
Non-Mandatory / Distribution	994	31.6%	894	28.4%	1,122	35.7%	77	2.4%	57	1.8%	3,144	100.0%
Possession	2,855	59.0%	900	18.6%	940	19.4%	89	1.8%	52	1.1%	4,836	100.0%
Other Drug Offense	143	75.3%	26	13.7%	16	8.4%	3	1.6%	2	1.1%	190	100.0%
Sub-total Drug	4,169	46.7%	2,047	22.9%	2,427	27.2%	182	2.0%	111	1.2%	8,936	100.0%
Motor Vehicle	6,614	62.0%	1,743	16.3%	1,836	17.2%	251	2.4%	230	2.2%	10,674	100.0%
Weapons	254	42.4%	186	31.1%	126	21.0%	15	2.5%	18	3.0%	599	100.0%
Public Order and Other Offenses	3,175	61.4%	863	16.7%	841	16.3%	132	2.6%	161	3.1%	5,172	100.0%
Sub-total Grid	28,529	58.1%	9,498	19.4%	8,951	18.2%	1,182	2.4%	922	1.9%	49,082	100.0%
Not Assigned to Grid												
OUI Offenses	5,518	87.5%	230	3.6%	424	6.7%	104	1.6%	32	0.5%	6,308	100.0%
Mandatory Firearms	37	19.9%	102	54.8%	44	23.7%	2	1.1%	1	0.5%	186	100.0%
Non-jailable	545	76.8%	50	7.0%	71	10.0%	13	1.8%	31	4.4%	710	100.0%
Sub-Total No Grid	6,100	84.7%	382	5.3%	539	7.5%	119	1.7%	64	0.9%	7,204	100.0%
Grand Total	34,629	61.5%	9,880	17.6%	9,490	16.9%	1,301	2.3%	986	1.8%	56,286	100.0%

Sentencing Practices: Defendant Place of Birth

Table 33 shows place of birth by court department. For all defendants, 64.7% were born in Massachusetts, 25.4% were born in some other area of the United States, and 8.2% were born outside of the United States. The place of birth was unknown for 1.7% 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	733	1.4%	35	1.0%	768	1.4%
Berkshire	970	1.8%	86	2.5%	1,056	1.9%
Bristol	2,812	5.3%	115	3.4%	2,927	5.2%
Dukes	35	0.1%	3	0.1%	38	0.1%
Essex	3,284	6.2%	122	3.6%	3,406	6.1%
Franklin	284	0.5%	30	0.9%	314	0.6%
Hampden	3,000	5.7%	302	8.8%	3,302	5.9%
Hampshire	577	1.1%	31	0.9%	608	1.1%
Middlesex	5,389	10.2%	285	8.4%	5,674	10.1%
Nantucket	17	0.0%	0	0.0%	17	0.0%
Norfolk	2,162	4.1%	111	3.3%	2,273	4.0%
Plymouth	1,356	2.6%	57	1.7%	1,413	2.5%
Suffolk	9,425	17.8%	627	18.4%	10,052	17.9%
Worcester	4,215	8.0%	174	5.1%	4,389	7.8%
No County Designated	162	0.3%	11	0.3%	173	0.3%
Total	34,421	65.1%	1,989	58.3%	36,410	64.7%
Other United States						
Northeast	5,515	10.4%	382	11.2%	5,897	10.5%
Midwest	800	1.5%	42	1.2%	842	1.5%
South	2,435	4.6%	139	4.1%	2,574	4.6%
West	687	1.3%	44	1.3%	731	1.3%
U.S. Territory	3,827	7.2%	428	12.5%	4,255	7.6%
Total	13,264	25.1%	1,035	30.3%	14,299	25.4%
Outside United States						
Western Hemisphere	2,437	4.6%	239	7.0%	2,676	4.8%
Europe and Eurasia	843	1.6%	46	1.3%	889	1.6%
East Asia and Pacific	428	0.8%	32	0.9%	460	0.8%
Africa	452	0.9%	11	0.3%	463	0.8%
Near East	87	0.2%	7	0.2%	94	0.2%
South Asia	40	0.1%	3	0.1%	43	0.1%
Total	4,287	8.1%	338	9.9%	4,625	8.2%
Unknown						
	901	1.7%	51	1.5%	952	1.7%
Total	52,873	100.0%	3,413	100.0%	56,286	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 2004. 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 2004, or the period July 1, 2003, through June 30, 2004 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 2004 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 2004, 43 defendants were classified in the life sentence group including three convicted of offenses other than murder. Of the three defendants sentenced to life for offenses other than murder, one was sentenced as an habitual offender.

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 2004 for offenses occurring prior to that time and thus a state prison / split sentence could be imposed. In FY 2004, there were three 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 1,662 defendants classified as state prison sentences, one was sentenced as an habitual offender.

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 2004 for offenses occurring prior to that time and thus a reformatory sentence could be imposed.

In FY 2004 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 2004, five 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 and two defendants who defaulted at sentencing were 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. CWO 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 247 cases with missing sentence length information, representing approximately 1.3% 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	226	2
House of Correction / Split Sentence	13	3
Other DOC	3	0
District Court	239	5
Superior Court	3	0
Old Law	2	0
New Law	240	5
Mandatory Offense	0	1
Other Offense	242	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 2004 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 49,082 defendants convicted of offenses assigned to the sentencing grid, 47,870 or 97.5% had all of their convictions at or below the level of the governing offense and 1,212 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 412 or 34.0% of these cases. Table 36 shows the specific offense associated with the highest offense seriousness level for the 1,212 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	40	100.0%	0	0.0%	40	100.0%
8	121	100.0%	0	0.0%	121	100.0%
7	216	99.1%	2	0.9%	218	100.0%
6	673	96.7%	23	3.3%	696	100.0%
5	1132	98.6%	16	1.4%	1148	100.0%
4	4469	98.5%	69	1.5%	4538	100.0%
3	17253	98.6%	244	1.4%	17497	100.0%
2	15811	98.0%	330	2.0%	16141	100.0%
1	7890	93.7%	528	6.3%	8418	100.0%
Not Assigned	265	100.0%	0	0.0%	265	100.0%
Total	47870	97.5%	1212	2.5%	49082	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	40
8	0	0	0	0	0	0	0	0	121	0
7	0	0	0	0	0	0	0	216	2	0
6	0	0	0	0	0	0	673	10	13	0
5	0	0	0	0	0	1132	8	7	1	0
4	0	0	0	0	4469	36	21	9	3	0
3	0	0	0	1725	67	134	33	8	2	0
2	0	0	1581	277	36	13	4	0	0	0
1	0	7890	412	106	5	4	1	0	0	0
Not Assigned	265	0	0	0	0	0	0	0	0	0
Total	265	7890	1622	1763	4577	1319	740	250	142	40

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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	Armed Assault In Dwelling	5	5	A&B Child w/Injury	3	3	A&B	79	2	Assault	2
8	Rape Of Child w/Force	2	5	Indecent A&B On Child	3	3	A&B Domestic	4	2	Accost / Annoy Person	1
8	Home Invasion	14	5	Entice Child	1	3	A&B Dangerous Weapon	18	2	Larceny	3
			5	Robbery Unarmed	32	3	Assault Dangerous	23	2	Larceny Less	6
7	Murder, Attempted	1	5	Intimidation	131	3	Unnatural Acts	1	2	Defrauding Innkeeper	1
7	Mayhem	7	5	Stalking Violation of Rest.	1	3	Violation Of Civil Rights	1	2	Failure To Return Leased	2
7	Rape	5	5	Stalking 2nd	1	3	Restraining Order	16	2	B&E w/i Misdemeanor	2
7	Incest	1	5	Common & Notorious	1	3	Larceny More	33	2	Property Destruction	8
7	Drug for Sexual	2	5	Burglary	11	3	Larceny Building	5	2	Receiving Stolen Goods	11
7	Armed Robbery Gun	5	5	Perjury or Suborn	2	3	Larceny Firearm	2	2	Possession Class A	4
7	Armed Assault w/i Murder	8				3	Larceny MV	8	2	Possession Class B	7
7	Carjacking, Armed	4	4	A&B Elderly / Disabled	3	3	Possess Burglarious Tools	7	2	Possession Class D	6
7	Confine And Put In Fear	1	4	A&B To Collect Loan	1	3	B&E	33	2	Distribute Class D	1
			4	Indecent A&B	3	3	Mal Dest Property More	10	2	Possession	8
6	A&B Aggravated, Serious	1	4	Assault w/i Rob	2	3	Receiving Stolen Goods	7	2	Operate to Endanger	27
6	Rape Of Child	7	4	Stalking	4	3	Receiving Stolen Goods	20	2	Use Without Authority	6
6	Assault w/i Rape	2	4	Harassment	2	3	Forgery And Uttering	24	2	Operate After Suspension	4
6	Indecent A&B Mentally	1	4	Larceny Person	31	3	Possession Class D 2nd	4	2	Compulsory Insurance	212
6	Child Pornography	2	4	Identity Fraud	10	3	Leaving Scene Property	56	2	Counterfeit/Alter MV	7
6	Armed Robbery	40	4	Enter Dwelling w/I Felony	4	3	Leaving Scene Personal	5	2	Prostitution	2
6	Armed Assault w/i Rob	9	4	Burning Building	1	3	Nonsupport	1	2	Open And Gross	2
6	Kidnapping	4	4	Distribute Class A	9	3	Interfere Police or	3	2	Failure To Disperse	1
6	Burning Dwelling House	1	4	Distribute Class B	28	3	Carrying Dangerous	19	2	Impersonate/Disguise	6
			4	Larceny Cont Sub	2	3	Throw Object On Public	1	2	False Statement	1
			4	Leaving Scene Death	1	3	Sex Offender Fail Register	3	2	Fireworks	3
	OUI Offenses		4	OUI Serious Inj, Fel	1				2	Resisting Arrest	39
4	Oper Und Infl Of Liq 4th	1	4	Escape	4				2	True Name Law	25
2	Oper Und Infl Of Liq	13	4	Extortion	1						
2	Oper Revoke Aft Oper	1									
2	Oper Und Infl Of Liq 2nd	1									
	Mandatory Firearms										
5	Possess Altered Firearm	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 restated 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.³¹ 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 2004 there were 411 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 adjudications (only one adjudication per arraignment event); and, the most serious charge

³¹ 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.

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 2004, 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 2004 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 2004, 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 2004 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 1,523 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 offenses where statutory minimum incarceration sentences might be imposed (e.g. 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.³² 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.³³
- 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.

³² 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>.

³³ U.S. Census Bureau, *Census 2000 Geographic Terms and Concepts*, page A-27.

Department of State.³⁴ 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.

³⁴ 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 Unknown		Total	
	N	%	N	%	N	%
Disposition Month						
July 2003	4,655	98.0%	93	2.0%	4,748	100.0%
August 2003	4,033	98.3%	69	1.7%	4,102	100.0%
September 2003	4,846	98.1%	95	1.9%	4,941	100.0%
October 2003	5,145	98.5%	80	1.5%	5,225	100.0%
November 2003	4,034	98.0%	81	2.0%	4,115	100.0%
December 2003	4,581	98.5%	70	1.5%	4,651	100.0%
January 2004	4,770	98.4%	77	1.6%	4,847	100.0%
February 2004	4,540	98.5%	70	1.5%	4,610	100.0%
March 2004	5,329	98.1%	101	1.9%	5,430	100.0%
April 2004	4,459	97.9%	95	2.1%	4,554	100.0%
May 2004	4,369	98.1%	86	1.9%	4,455	100.0%
June 2004	4,539	98.5%	69	1.5%	4,608	100.0%
Total	55,300	98.2%	986	1.8%	56,286	100.0%
Sentence Group						
Life	38	88.4%	5	11.6%	43	100.0%
State Prison	1,633	98.3%	29	1.7%	1,662	100.0%
Other DOC	10	90.9%	1	9.1%	11	100.0%
House	12,041	98.5%	188	1.5%	12,229	100.0%
House / split	5,382	99.4%	33	0.6%	5,415	100.0%
Probation	25,764	98.6%	359	1.4%	26,123	100.0%
Fine	7,291	96.5%	262	3.5%	7,553	100.0%
Other	3,141	96.6%	109	3.4%	3,250	100.0%
Total	55,300	98.2%	986	1.8%	56,286	100.0%
County						
Barnstable	2,308	98.6%	32	1.4%	2,340	100.0%
Berkshire	1,636	99.8%	3	0.2%	1,639	100.0%
Bristol	5,302	97.4%	140	2.6%	5,442	100.0%
Dukes	125	97.7%	3	2.3%	128	100.0%
Essex	6,231	99.0%	61	1.0%	6,292	100.0%
Franklin	729	99.3%	5	0.7%	734	100.0%
Hampden	5,422	97.2%	155	2.8%	5,577	100.0%
Hampshire	1,393	99.1%	12	0.9%	1,405	100.0%
Middlesex	7,584	98.4%	125	1.6%	7,709	100.0%
Nantucket	71	100.0%	0	0.0%	71	100.0%
Norfolk	3,595	99.0%	37	1.0%	3,632	100.0%
Plymouth	3,987	99.3%	29	0.7%	4,016	100.0%
Suffolk	8,246	98.5%	127	1.5%	8,373	100.0%
Worcester	8,671	97.1%	257	2.9%	8,928	100.0%
Total	55,300	98.2%	986	1.8%	56,286	100.0%
Court Department						
District	51,947	98.2%	926	1.8%	52,873	100.0%
Superior	3,353	98.2%	60	1.8%	3,413	100.0%
Total	55,300	98.2%	986	1.8%	56,286	100.0%
Gender						
Female	8,244	97.7%	197	2.3%	8,441	100.0%
Male	47,056	98.4%	789	1.6%	47,845	100.0%
Total	55,300	98.2%	986	1.8%	56,286	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 298 convictions, or 38.9% 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 298 defendants for whom the school zone offense was the governing offense; and,
- There were 51 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,
 - 12 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 349 defendants with one or more convictions of distribution in a school zone. Of these 349 defendants:

- the underlying drug offense was a mandatory drug offense for 45 defendants; and,

- the underlying drug offense was a non-mandatory drug offense for 304 defendants.
- 281 had a house of correction sentence imposed for the underlying drug offense and of these sentences 176 were for 1 day; and,
- 66 had a state prison sentence imposed for the underlying drug offense.

The final portion of the table shows the racial composition of the 349 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 125 defendants were convicted of this offense including 72 in criminal history group A, 26 in criminal history group B, 22 in criminal history group C, 5 in criminal history group D, and none in criminal history group E. Of the 125 convicted defendants, a total of 77 received a sentence of incarceration, for an overall incarceration rate of 62%. Of the 72 defendants in criminal history group A, a total of 40 received a sentence of incarceration, for an incarceration rate of 56%; of the 26 defendants in criminal history group B, a total of 17 received a sentence of incarceration for an incarceration rate of 65%; of the 22 defendants in criminal history group C, 17 received a sentence of incarceration for an incarceration rate of 77%; of the 5 defendants in criminal history group D, 3 received a sentence of incarceration, for an incarceration rate of 60%; and, there were no defendants in criminal history group E.

Table 41 shows the same information for defendants convicted in district court. For example, as indicated in Table 41, there were a total of 91 convictions for Indecent A&B on Child in the district court. Of these 91 convictions, 54 resulted in a sentence to

incarceration for an overall incarceration rate of 59%. 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 34 convictions for Indecent A&B on Child in the superior court. Of these 34 convictions, 23 resulted in a sentence to incarceration for an overall incarceration rate of 68%. 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 41 defendants sentenced to the state prison in FY 2004. The mean minimum state prison sentence for armed assault w/i murder was 68.2 months and the median minimum sentence for armed assault w/i murder was 60.0 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 41 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 82.1 months and the median sentence for armed assault w/i murder was 72.0 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 239 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 Burglariou Tools is a level 3 offense. There were 111 defendants convicted of this offense and sentenced to a term of incarceration in a house of correction. The mean house of correction sentence was 7.6 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 11,183 defendants convicted of person offenses with an incarceration rate of 44%;
- there were 574 defendants convicted of sex offenses with an incarceration rate of 65%;
- there were 599 defendants convicted of weapons offenses with an incarceration rate of 50%;
- there were 11,944 defendants convicted of property offenses with an incarceration rate of 39%;
- there were 8,936 defendants convicted of drug offenses with an incarceration rate of 45%;
- there were 10,674 defendants convicted of motor vehicle offenses with an incarceration rate of 21%;
- there were 2,594 defendants convicted of other offenses with an incarceration rate of 31%; and,
- there were 2,578 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	198	99.0%	100	67.1%	298	85.4%
Governing Offense: Other Mandatory Drug	0	0.0%	39	26.2%	39	11.2%
Governing Offense: All Other Offenses	2	1.0%	10	6.7%	12	3.4%
Total	200	100.0%	149	100.0%	349	100.0%
Underlying Offense of Conviction						
Trafficking Cocaine 14-28 grams	0	0.0%	6	4.0%	6	1.7%
Trafficking Cocaine 28-100 grams	0	0.0%	5	3.4%	5	1.4%
Trafficking Cocaine 100-200 grams	0	0.0%	1	0.7%	1	0.3%
Trafficking Cocaine 200+ grams	0	0.0%	1	0.7%	1	0.3%
Trafficking Heroin 28-100 grams	0	0.0%	1	0.7%	1	0.3%
Distribution Class A	75	37.5%	56	37.6%	131	37.5%
Distribution on Class A, 2nd Offender	0	0.0%	4	2.7%	4	1.1%
Distribution Class B	106	53.0%	40	26.8%	146	41.8%
Distribution on Class B, 2nd Offender	0	0.0%	4	2.7%	4	1.1%
Distribution Cocaine / Mandatory	0	0.0%	16	10.7%	16	4.6%
Distribution Cocaine / 2nd	0	0.0%	7	4.7%	7	2.0%
Distribution Class D	17	8.5%	5	3.4%	22	6.3%
Distribution on Class D, 2nd Offender	0	0.0%	1	0.7%	1	0.3%
Distribution Class E	2	1.0%	2	1.3%	4	1.1%
Total	200	100.0%	149	100.0%	349	100.0%
Sentence Imposed / Underlying Drug Offense						
Other Sentence	2	1.0%	0	0.0%	2	0.6%
House of Correction Sentence						
1 Day	132	66.0%	44	29.5%	176	50.4%
2 Days to 5 Months	13	6.5%	5	3.4%	18	5.2%
6 Months to 11 Months	19	9.5%	7	4.7%	26	7.4%
12 Months to 17 Months	18	9.0%	20	13.4%	38	10.9%
18 Months to 23 Months	1	0.5%	0	0.0%	1	0.3%
24 Months or More	14	7.0%	7	4.7%	21	6.0%
Unknown	1	0.5%	0	0.0%	1	0.3%
Sub-Total	198	99.0%	83	55.7%	281	80.5%
State Prison Sentence	0	0.0%	66	44.3%	66	18.9%
Total	200	100.0%	149	100.0%	349	100.0%
Defendant Race						
White	41	20.5%	29	19.5%	70	20.1%
Black	77	38.5%	45	30.2%	122	35.0%
Hispanic	79	39.5%	74	49.7%	153	43.8%
Other	3	1.5%	1	0.7%	4	1.1%
Total	200	100.0%	149	100.0%	349	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	866	ALABAMA	256	ALASKA	17	ANGUILLA	2
MAINE	288	ARKANSAS	47	ARIZONA	54	ANTIGUA AND BARBUDA	6
NEW HAMPSHIRE	464	DELAWARE	25	CALIFORNIA	427	ARGENTINA	8
NEW JERSEY	628	DISTRICT OF COLUMBIA	67	COLORADO	55	ARUBA	1
NEW YORK	2,330	FLORIDA	493	HAWAII	27	BAHAMAS, THE	6
PENNSYLVANIA	390	GEORGIA	244	IDAHO	5	BARBADOS	25
RHODE ISLAND	769	KENTUCKY	46	MONTANA	11	BELIZE	2
VERMONT	162	LOUISIANA	70	NEVADA	13	BERMUDA	5
SUB-TOTAL	5,897	MARYLAND	130	NEW MEXICO	22	BOLIVIA	3
		MISSISSIPPI	109	OREGON	19	BRAZIL	325
MIDWEST		NORTH CAROLINA	329	UTAH	19	CANADA	109
ILLINOIS	255	OKLAHOMA	35	WASHINGTON	54	CAYMAN ISLANDS	2
INDIANA	49	SOUTH CAROLINA	189	WYOMING	8	CENTRAL AMERICA	1
IOWA	21	TENNESSEE	60	SUB-TOTAL	731	CHILE	11
KANSAS	30	TEXAS	216			COLOMBIA	103
MICHIGAN	139	VIRGINIA	234	U.S. TERRITORY		COSTA RICA	8
MINNESOTA	32	WEST VIRGINIA	24	AMERICAN SAMOA	1	CUBA	62
MISSOURI	62	SUB-TOTAL	2,574	GUAM	1	DOMINICAN REPUBLIC	651
NEBRASKA	19			PUERTO RICO	4,212	ECUADOR	24
NORTH DAKOTA	11			U.S. VIRGIN ISLANDS	41	EL SALVADOR	293
OHIO	177			SUB-TOTAL	4,255	GRENADA	2
SOUTH DAKOTA	10					GUATEMALA	256
WISCONSIN	37					GUYANA	10
SUB-TOTAL	842					HAITI	239
						HONDURAS	78
						JAMAICA	189
						MARTINIQUE	1
						MEXICO	97
						MONTSERRAT	1
						NICARAGUA	6
						PANAMA	16
						PERU	21
						SAINT KITTS AND NEVIS	4
						SAINT LUCIA	7
						SOUTH AMERICA	7
						ST MARTIN	1
						ST VINCENT AND THE GRENADINES	1
						TRINIDAD AND TOBAGO	48
						URUGUAY	20
						VENEZUELA	12
						WEST INDIES	13
						SUB-TOTAL	2,676

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	18	8	10	4	0	40	18	8	10	4	0	40	100%	100%	100%	100%		100%
9	Sub-Total	18	8	10	4	0	40	18	8	10	4	0	40	100%	100%	100%	100%		100%
8	Manslaughter	13	4	8	3	0	28	12	4	8	3	0	27	92%	100%	100%	100%		96%
8	Armed Assault In Dwell House	8	2	0	5	0	15	7	2	0	5	0	14	88%	100%		100%		93%
8	Rape, Aggravated	3	0	2	4	0	9	3	0	2	4	0	9	100%		100%	100%		100%
8	Rape Of Child w/Force	19	5	9	3	0	36	18	4	9	3	0	34	95%	80%	100%	100%		94%
8	Firearmed Assault w/i Murder	1	2	2	2	0	7	1	2	2	2	0	7	100%	100%	100%	100%		100%
8	Home Invasion	3	1	0	2	0	6	1	0	0	2	0	3	33%	0%		100%		50%
8	Kidnapping Firearm Extort	0	0	0	0	1	1	0	0	0	0	1	1					100%	100%
8	Burglary, Armed	2	2	0	2	0	6	2	1	0	2	0	5	100%	50%		100%		83%
8	Traffic Cocaine 200+	9	3	0	1	0	13	9	3	0	1	0	13	100%	100%		100%		100%
8	Sub-Total	58	19	21	22	1	121	53	16	21	22	1	113	91%	84%	100%	100%	100%	93%
7	Murder, Attempted	3	1	3	1	0	8	3	1	3	1	0	8	100%	100%	100%	100%		100%
7	Mayhem	5	2	3	2	0	12	4	2	3	2	0	11	80%	100%	100%	100%		92%
7	A&B Child w/Injury Substantial	1	2	0	0	0	3	1	2	0	0	0	3	100%	100%				100%
7	Rape	9	3	5	5	1	23	6	2	5	5	1	19	67%	67%	100%	100%	100%	83%
7	Rape of Child 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
7	Assault w/i Rape Child	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
7	Incest	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
7	Armed Robbery Gun	16	17	18	22	0	73	13	15	17	21	0	66	81%	88%	94%	95%		90%
7	Armed Assault w/i Murder	16	21	3	7	0	47	12	20	2	7	0	41	75%	95%	67%	100%		87%
7	Carjacking, Armed	1	0	1	2	0	4	1	0	1	2	0	4	100%		100%	100%		100%
7	Confine And Put In Fear	1	1	2	1	0	5	0	1	2	1	0	4	0%	100%	100%	100%		80%
7	Traffic Heroin 028-100	3	3	3	1	0	10	3	3	3	1	0	10	100%	100%	100%	100%		100%
7	Traffic Heroin 100-200	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
7	Traffic Cocaine 100-200	11	5	7	1	0	24	11	5	7	1	0	24	100%	100%	100%	100%		100%
7	Sub-Total	71	56	46	44	1	218	58	51	44	43	1	197	82%	91%	96%	98%	100%	90%

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	6	3	0	0	0	9	4	1	0	0	0	5	67%	33%				56%
6	A&B Aggravated - Serious Injury	0	3	4	0	0	7	0	2	3	0	0	5		67%	75%			71%
6	A&B Dangerous Weapon	22	20	23	22	0	87	22	20	23	22	0	87	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon + 60	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	A&B DW, Aggravated w/Injury	0	2	2	1	0	5	0	2	2	1	0	5		100%	100%	100%		100%
6	Assault To Kill or Maim	2	0	1	1	0	4	1	0	1	1	0	3	50%		100%	100%		75%
6	Rape Of Child	73	18	13	8	0	112	56	13	12	8	0	89	77%	72%	92%	100%		79%
6	Assault w/i Rape	4	0	1	0	1	6	3	0	1	0	1	5	75%		100%		100%	83%
6	Child Pornography	7	0	0	0	0	7	0	0	0	0	0	0	0%					0%
6	Robbery Unarmed + 60	3	2	2	5	0	12	0	2	2	5	0	9	0%	100%	100%	100%		75%
6	Armed Robbery	71	46	44	55	1	217	48	41	36	51	1	177	68%	89%	82%	93%	100%	82%
6	Armed Assault w/i Rob	19	8	6	8	0	41	13	7	4	8	0	32	68%	88%	67%	100%		78%
6	Carjacking	5	4	3	7	0	19	3	3	3	6	0	15	60%	75%	100%	86%		79%
6	Kidnapping	2	0	5	1	0	8	2	0	5	1	0	8	100%		100%	100%		100%
6	Violation Of Civil Rights Felony	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
6	Burning Dwelling House	12	3	2	4	0	21	7	2	2	3	0	14	58%	67%	100%	75%		67%
6	Distribute Class A 2nd	0	7	4	8	0	19	0	7	4	8	0	19		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	2	9	5	0	16	0	2	9	5	0	16		100%	100%	100%		100%
6	Traffic Heroin 014-028	7	1	3	0	0	11	7	1	3	0	0	11	100%	100%	100%			100%
6	Traffic Cocaine 028-100	28	21	16	5	0	70	28	21	16	5	0	70	100%	100%	100%	100%		100%
6	Induce Minor To Distribute	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
6	MV Homicide - OUI Felony	12	5	0	2	0	19	12	5	0	2	0	19	100%	100%		100%		100%
6	Possess Explosive Device	0	1	2	0	0	3	0	1	2	0	0	3		100%	100%			100%
6	Sub-Total	274	148	140	132	2	696	207	132	128	126	2	595	76%	89%	91%	95%	100%	85%
5	A&B Child w/Injury	21	9	10	0	0	40	9	4	6	0	0	19	43%	44%	60%			48%
5	A&B Aggravated	20	22	16	14	0	72	6	10	13	11	0	40	30%	45%	81%	79%		56%
5	A&B DW, Aggravated	12	2	1	1	0	16	8	1	1	1	0	11	67%	50%	100%	100%		69%
5	Indecent A&B On Child	72	26	22	5	0	125	40	17	17	3	0	77	56%	65%	77%	60%		62%
5	Entice Child	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
5	Unnatural Acts Child	3	3	1	0	0	7	2	2	1	0	0	5	67%	67%	100%			71%
5	Robbery Unarmed	20	21	19	33	0	93	7	15	17	32	0	71	35%	71%	89%	97%		76%
5	Intimidation	153	186	163	119	0	621	46	76	85	87	0	294	30%	41%	52%	73%		47%
5	Stalking Violation of Rest. Order	2	1	4	2	0	9	2	1	4	2	0	9	100%	100%	100%	100%		100%
5	Common & Notorious Thief	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
5	Burglary	4	2	4	2	0	12	4	1	4	1	0	10	100%	50%	100%	50%		83%
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	9	10	11	0	30	0	9	10	11	0	30		100%	100%	100%		100%
5	Traffic Cocaine 014-028	52	26	21	11	0	110	52	26	21	11	0	110	100%	100%	100%	100%		100%
5	Traffic Mar 100-2000	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
5	Guard Sex w/ Prisoner	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
5	Perjury or Suborn	0	2	1	0	0	3	0	1	1	0	0	2		50%	100%			67%
5	Sub-Total	367	309	273	199	0	1148	183	163	181	160	0	687	50%	53%	66%	80%		60%

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	17	17	9	6	1	50	7	4	5	6	0	22	41%	24%	56%	100%	0%	44%
4	Assault Aggravated	2	1	0	1	0	4	1	1	0	0	0	2	50%	100%		0%		50%
4	A&B Guard	0	2	0	10	1	13	0	2	0	9	1	12		100%		90%	100%	92%
4	A&B Dangerous Weapon	62	55	61	70	0	248	62	55	61	70	0	248	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	1	0	2	0	0	3	1	0	2	0	0	3	100%		100%			100%
4	A&B To Collect Loan	7	3	1	0	0	11	1	1	0	0	0	2	14%	33%	0%			18%
4	Indecent A&B	89	40	21	15	0	165	34	25	18	13	0	90	38%	63%	86%	87%		55%
4	Assault w/i Rob	2	3	4	4	0	13	1	3	4	4	0	12	50%	100%	100%	100%		92%
4	Stalking	8	7	10	14	0	39	5	3	5	8	0	21	63%	43%	50%	57%		54%
4	Harassment	19	11	9	14	0	53	1	5	3	9	0	18	5%	45%	33%	64%		34%
4	Larceny More	5	0	2	11	0	18	5	0	2	11	0	18	100%		100%	100%		100%
4	Larceny Person	202	172	99	110	0	583	90	107	74	87	0	358	45%	62%	75%	79%		61%
4	Larceny Person + 65	7	8	8	6	0	29	2	4	5	5	0	16	29%	50%	63%	83%		55%
4	Larceny MV 2nd	0	0	1	6	0	7	0	0	1	6	0	7			100%	100%		100%
4	Fraud - Identity	46	30	18	26	0	120	8	13	10	17	0	48	17%	43%	56%	65%		40%
4	B&E	3	4	13	62	0	82	3	4	13	62	0	82	100%	100%	100%	100%		100%
4	Enter Dwelling w/IFelony	2	1	2	0	0	5	1	1	2	0	0	4	50%	100%	100%			80%
4	Receiving Stolen Goods Over	0	0	1	5	0	6	0	0	1	5	0	6			100%	100%		100%
4	Receiving Stolen Goods MV 2nd	0	0	3	7	0	10	0	0	3	7	0	10			100%	100%		100%
4	Burning Building	4	7	3	1	0	15	4	4	2	1	0	11	100%	57%	67%	100%		73%
4	Burning to Defraud	6	0	0	1	0	7	0	0	0	1	0	1	0%			100%		14%
4	Distribute Class A	339	272	207	182	1	1001	170	176	149	125	0	620	50%	65%	72%	69%	0%	62%
4	Distribute Class B	667	376	222	159	0	1424	255	225	139	124	0	743	38%	60%	63%	78%		52%
4	Distribute Cocaine	50	47	27	34	0	158	50	47	27	34	0	158	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	7	2	1	0	0	10	1	1	1	0	0	3	14%	50%	100%			30%
4	Giving Prisoner Cont Sub	6	6	2	4	0	18	0	4	1	4	0	9	0%	67%	50%	100%		50%
4	Control Substance School	80	90	73	55	0	298	80	90	73	55	0	298	100%	100%	100%	100%		100%
4	MV Homicide - OUI	14	0	1	1	0	16	11	0	1	1	0	13	79%		100%	100%		81%
4	Leaving Scene Death	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
4	OUI Serious Inj, Fel	9	5	4	0	0	18	9	5	4	0	0	18	100%	100%	100%			100%
4	Derive Support From Prostitute	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Assault Weapon, Possess	4	3	2	2	0	11	4	3	2	2	0	11	100%	100%	100%	100%		100%
4	Firearm Sale Violation	0	1	0	0	0	1	0	1	0	0	0	1			100%			100%
4	Escape	2	31	22	23	0	78	1	29	20	19	0	69	50%	94%	91%	83%		88%
4	Injure Firefighter	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
4	Bribery	3	0	0	1	0	4	3	0	0	0	0	3	100%			0%		75%
4	Extortion	3	2	0	2	1	8	1	1	0	1	1	4	33%	50%		50%	100%	50%
4	Hoax Device	0	3	0	0	0	3	0	0	0	0	0	0			0%			0%
4	Tax Law Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
4	Sub-Total	1672	1200	829	833	4	4538	815	815	628	687	2	2947	49%	68%	76%	82%	50%	65%

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	1761	1359	1012	855	9	4996	391	507	470	531	6	1905	22%	37%	46%	62%	67%	38%
3	A&B Domestic	172	122	78	61	0	433	45	47	34	29	0	155	26%	39%	44%	48%		36%
3	A&B w/I Intimidate	4	2	0	0	0	6	1	1	0	0	0	2	25%	50%				33%
3	Reckless Endangerment	3	0	1	2	0	6	0	0	1	1	0	2	0%		100%	50%		33%
3	A&B Dangerous Weapon	493	321	209	143	1	1167	115	112	95	64	0	386	23%	35%	45%	45%	0%	33%
3	A&B Dangerous Weapon + 60	0	2	1	0	0	3	0	2	1	0	0	3		100%	100%			100%
3	Assault Dangerous Weapon	248	191	147	146	1	733	75	91	93	101	0	360	30%	48%	63%	69%	0%	49%
3	Assault Dangerous Weapon + 60	0	0	1	1	0	2	0	0	0	0	0	0			0%	0%		0%
3	Unnatural Acts	2	4	0	1	0	7	1	3	0	0	0	4	50%	75%		0%		57%
3	Child Pornography Possess	19	3	3	0	0	25	6	1	1	0	0	8	32%	33%	33%			32%
3	Kidnapping	6	1	1	0	0	8	1	0	0	0	0	1	17%	0%	0%			13%
3	Violation Of Civil Rights	7	1	2	3	1	14	1	0	1	3	1	6	14%	0%	50%	100%	100%	43%
3	Restraining Order Violation	313	364	359	304	1	1341	55	143	178	171	0	547	18%	39%	50%	56%	0%	41%
3	Larceny	24	21	21	31	0	97	24	21	21	31	0	97	100%	100%	100%	100%		100%
3	Larceny More	766	580	486	510	2	2344	152	201	212	294	1	860	20%	35%	44%	58%	50%	37%
3	Larceny More + 60	6	2	4	2	0	14	0	1	2	0	0	3	0%	50%	50%	0%		21%
3	Larceny Building	50	34	38	45	0	167	15	13	21	32	0	81	30%	38%	55%	71%		49%
3	Larceny Firearm	6	2	2	1	0	11	3	2	2	1	0	8	50%	100%	100%	100%		73%
3	Larceny MV	71	56	43	50	1	221	27	34	27	37	0	125	38%	61%	63%	74%	0%	57%
3	Embezzlement	3	0	1	0	0	4	1	0	1	0	0	2	33%		100%			50%
3	Credit Card Misuse - More	19	16	14	8	0	57	10	11	11	7	0	39	53%	69%	79%	88%		68%
3	Defrauding Insurer	15	7	2	1	0	25	0	4	1	1	0	6	0%	57%	50%	100%		24%
3	Fraud	6	5	3	4	0	18	1	2	1	2	0	6	17%	40%	33%	50%		33%
3	Possess Burglariious Tools	69	47	36	61	1	214	23	19	26	45	0	113	33%	40%	72%	74%	0%	53%
3	B&E	483	410	323	365	4	1585	181	245	233	285	2	946	37%	60%	72%	78%	50%	60%
3	Mal Dest Property More	126	104	63	48	0	341	22	43	27	34	0	126	17%	41%	43%	71%		37%
3	Receiving Stolen Goods Over	56	43	45	50	0	194	16	20	21	34	0	91	29%	47%	47%	68%		47%
3	Receiving Stolen Goods MV	185	109	127	149	0	570	59	68	88	119	0	334	32%	62%	69%	80%		59%
3	Receiving Stolen Goods 2nd	0	1	0	4	0	5	0	1	0	3	0	4		100%		75%		80%
3	Forgery And Uttering	161	188	148	128	0	625	28	63	75	71	0	237	17%	34%	51%	55%		38%
3	Counterfeit	4	3	5	4	0	16	1	1	1	2	0	5	25%	33%	20%	50%		31%
3	Burning Property	14	8	5	4	0	31	4	4	3	2	0	13	29%	50%	60%	50%		42%
3	Burning Motor Vehicle	8	2	1	1	0	12	0	2	0	0	0	2	0%	100%	0%	0%		17%
3	Illegal Lottery	3	3	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
3	Gaming Register Bets	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%

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	Possession Class A 2nd	3	11	16	14	0	44	1	4	6	9	0	20	33%	36%	38%	64%		45%
3	Possession Class A Heroin 2nd	10	22	14	13	0	59	5	13	10	7	0	35	50%	59%	71%	54%		59%
3	Possession Class B 2nd	14	47	38	31	0	130	7	21	21	16	0	65	50%	45%	55%	52%		50%
3	Possession Class C 2nd	1	2	1	0	0	4	0	1	0	0	0	1	0%	50%	0%			25%
3	Possession Class D 2nd	52	43	26	10	0	131	5	6	11	4	0	26	10%	14%	42%	40%		20%
3	Distribute Class C	25	14	7	7	0	53	8	4	4	2	0	18	32%	29%	57%	29%		34%
3	Distribute Class D 2nd	12	8	5	4	0	29	5	5	4	2	0	16	42%	63%	80%	50%		55%
3	Distribute Class E 2nd	2	0	1	1	0	4	2	0	1	1	0	4	100%		100%	100%		100%
3	Possession Hypodermic 2nd	1	10	2	4	0	17	0	5	2	3	0	10	0%	50%	100%	75%		59%
3	MV Homicide	26	6	2	1	0	35	12	3	1	1	0	17	46%	50%	50%	100%		49%
3	Leaving Scene Property Damage	428	289	158	123	1	999	47	63	55	66	0	231	11%	22%	35%	54%	0%	23%
3	Leaving Scene Personal Injury	131	39	18	19	0	207	13	15	9	9	0	46	10%	38%	50%	47%		22%
3	Possess Master Key MV	2	1	1	0	0	4	0	1	1	0	0	2	0%	100%	100%			50%
3	OUI Serious Inj, Misd	16	2	3	1	0	22	3	2	1	1	0	7	19%	100%	33%	100%		32%
3	Inducing Min or To Sex	7	2	0	0	0	9	1	2	0	0	0	3	14%	100%				33%
3	Gun Serial Number	9	3	2	0	0	14	4	3	2	0	0	9	44%	100%	100%			64%
3	Firearm Loaded while OUI	7	0	0	0	0	7	1	0	0	0	0	1	14%					14%
3	Nonsupport	9	8	1	2	0	20	1	3	0	0	0	4	11%	38%	0%	0%		20%
3	Interfere Police or Firefighter	4	7	1	2	0	14	0	3	1	2	0	6	0%	43%	100%	100%		43%
3	Failure to Appear Felony	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
3	Carrying Dangerous Weapon	84	78	55	32	0	249	24	28	27	23	0	102	29%	36%	49%	72%		41%
3	Contempt Of Court	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
3	Throw Object On Public Way	2	2	0	0	0	4	0	1	0	0	0	1	0%	50%				25%
3	Sex Offender Fail Register	5	19	54	56	3	137	1	5	16	20	0	42	20%	26%	30%	36%	0%	31%
3	Wiretapping	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Corporate books-falsify entry	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Sub-Total	5956	4624	3590	3302	25	17497	1399	1850	1822	2066	10	7147	23%	40%	51%	63%	40%	41%

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	69	41	44	28	0	182	12	13	16	16	0	57	17%	32%	36%	57%		31%
2	Accost / Annoy Person Opposite Sex	6	4	2	1	0	13	0	3	0	0	0	3	0%	75%	0%	0%		23%
2	Larceny	67	72	41	33	0	213	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny Less	198	161	110	118	0	587	28	31	33	49	0	141	14%	19%	30%	42%		24%
2	Larceny Less +60	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Shoplifting	590	548	461	498	3	2100	34	68	92	154	2	350	6%	12%	20%	31%	67%	17%
2	Credit Card Misuse	43	23	37	21	0	124	5	6	16	11	0	38	12%	26%	43%	52%		31%
2	Defrauding Innkeeper	6	3	2	0	0	11	2	0	0	0	0	2	33%	0%	0%			18%
2	Welfare Violation	3	2	0	0	0	5	1	1	0	0	0	2	33%	50%				40%
2	Concealing Property To Defraud	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
2	Concealing Stolen Property	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Failure To Return Leased Prop	11	10	11	6	0	38	2	5	2	3	0	12	18%	50%	18%	50%		32%
2	B&E MV	3	5	3	4	0	15	0	1	2	2	0	5	0%	20%	67%	50%		33%
2	B&E w/i Misdemeanor	60	33	30	23	1	147	15	11	13	9	0	48	25%	33%	43%	39%	0%	33%
2	Property Destruction	226	170	91	78	1	566	28	56	32	38	0	154	12%	33%	35%	49%	0%	27%
2	Tagging Property	16	1	0	1	0	18	2	0	0	0	0	2	13%	0%		0%		11%
2	Receiving Stolen Goods	161	145	103	136	0	545	37	61	44	70	0	212	23%	42%	43%	51%		39%
2	Counterfeit	2	2	2	1	0	7	1	1	0	0	0	2	50%	50%	0%	0%		29%
2	Setting Fire Land	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Gaming Use of Telephone	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
2	Fraud - Electric, Phone or Cable	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
2	Possession Class A	134	137	107	95	0	473	38	47	40	48	0	173	28%	34%	37%	51%		37%
2	Possession Class A Heroin	181	167	128	111	2	589	55	72	62	58	1	248	30%	43%	48%	52%	50%	42%
2	Possession Class B	466	380	239	217	1	1303	103	140	91	104	1	439	22%	37%	38%	48%	100%	34%
2	Possession Class C	35	13	15	10	0	73	6	2	5	4	0	17	17%	15%	33%	40%		23%
2	Possession Class D	372	191	123	54	0	740	65	45	34	25	0	169	17%	24%	28%	46%		23%
2	Possession Class D Marijuana 2nd	34	37	25	13	0	109	7	14	9	8	0	38	21%	38%	36%	62%		35%
2	Distribute Counterfeit Substance	5	10	11	18	0	44	0	8	5	13	0	26	0%	80%	45%	72%		59%
2	Distribute Class D	333	142	69	23	0	567	72	69	39	13	0	193	22%	49%	57%	57%		34%
2	Distribute Class E	6	5	4	3	0	18	5	0	1	2	0	8	83%	0%	25%	67%		44%
2	Possession Hypodermic/Syringe	95	140	103	83	0	421	35	66	51	48	0	200	37%	47%	50%	58%		48%
2	Presence Class A	25	25	11	14	0	75	5	8	5	5	0	23	20%	32%	45%	36%		31%
2	Forge Prescription	34	29	18	16	0	97	8	4	7	6	0	25	24%	14%	39%	38%		26%
2	Distribute Paraphenalia	3	0	1	0	0	4	1	0	1	0	0	2	33%		100%			50%

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	Operate to Endanger	1019	308	170	134	0	1631	72	74	51	60	0	257	7%	24%	30%	45%	16%	
2	Use Without Authority	79	57	45	42	0	223	21	23	26	22	0	92	27%	40%	58%	52%	41%	
2	Use w/o Authority 2nd	1	0	0	1	0	2	1	0	0	0	0	1	100%			0%	50%	
2	Habitual Traffic Offender	48	99	84	59	0	290	9	31	34	27	0	101	19%	31%	40%	46%	35%	
2	Racing	8	1	1	0	0	10	1	0	1	0	0	2	13%	0%	100%		20%	
2	Operate After Suspension 2nd	324	483	331	264	2	1404	87	200	163	153	0	603	27%	41%	49%	58%	0%	43%
2	Compulsory Insurance Violation	551	366	206	173	2	1298	60	73	40	60	0	233	11%	20%	19%	35%	0%	18%
2	Counterfeit/Alter MV Document	41	26	18	10	0	95	7	7	5	6	0	25	17%	27%	28%	60%	26%	
2	False Statement On Application	3	2	0	0	0	5	0	0	0	0	0	0	0%	0%			0%	
2	Loaning MV License	1	0	0	0	0	1	0	0	0	0	0	0	0%				0%	
2	Prostitution	133	133	67	36	0	369	34	63	32	13	0	142	26%	47%	48%	36%	38%	
2	Induce Female To Prostitution	0	1	1	1	0	3	0	1	1	1	0	3		100%	100%	100%	100%	
2	Keeping A House Of Ill Fame	1	0	0	0	0	1	0	0	0	0	0	0	0%				0%	
2	Open And Gross	40	24	12	9	0	85	15	11	9	6	0	41	38%	46%	75%	67%	48%	
2	Obscene Material to Minor	3	1	0	1	0	5	2	1	0	1	0	4	67%	100%		100%	80%	
2	Failure To Disperse	9	0	0	0	0	9	0	0	0	0	0	0	0%				0%	
2	Firearm Possess w/o Permit	135	75	35	17	0	262	66	54	24	13	0	157	49%	72%	69%	76%	60%	
2	Possess Mace	0	4	3	2	0	9	0	1	2	1	0	4		25%	67%	50%	44%	
2	Possess Ammunition	4	7	0	0	0	11	0	4	0	0	0	4	0%	57%			36%	
2	Firearm Store Improper	9	4	2	1	0	16	0	1	1	0	0	2	0%	25%	50%	0%	13%	
2	Escape Work Release Program	0	1	0	2	0	3	0	1	0	0	0	1		100%		0%	33%	
2	Escape Lockup	2	2	0	2	0	6	0	1	0	2	0	3	0%	50%		100%	50%	
2	Aiding An Escape	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%			50%	
2	Impersonate/Disguise	3	4	2	6	0	15	1	1	1	3	0	6	33%	25%	50%	50%	40%	
2	False Statement	2	2	0	0	0	4	0	1	0	0	0	1	0%	50%			25%	
2	Failure to Appear	8	3	6	3	0	20	3	2	4	1	0	10	38%	67%	67%	33%	50%	
2	Possess Stun Gun	4	1	1	1	0	7	1	0	0	1	0	2	25%	0%	0%	100%	29%	
2	Possess Dangerous Weapon	1	0	0	0	0	1	1	0	0	0	0	1	100%				100%	
2	False Alarm	5	2	1	1	0	9	1	2	0	1	0	4	20%	100%	0%	100%	44%	
2	Fireworks	14	9	2	0	0	25	0	0	0	0	0	0	0%	0%	0%		0%	
2	Disrupt Court Proceedings	1	1	0	0	0	2	1	0	0	0	0	1	100%	0%			50%	
2	Contributing To Delinquency	14	12	3	3	0	32	2	5	1	2	0	10	14%	42%	33%	67%	31%	
2	Cruelty To Animals	16	4	2	0	0	22	2	1	1	0	0	4	13%	25%	50%		18%	
2	Mistreat Police Animal	0	1	0	0	0	1	0	1	0	0	0	1		100%			100%	
2	Tampering With Rr Car	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%			50%	
2	Resisting Arrest	282	242	175	123	0	822	49	77	71	61	0	258	17%	32%	41%	50%	31%	
2	Curfew	0	1	0	0	0	1	0	0	0	0	0	0		0%			0%	
2	False Report Of Crime	28	11	7	7	0	53	4	1	2	0	0	7	14%	9%	29%	0%	13%	
2	Record w/o Manufacturer	4	3	0	0	0	7	1	0	0	0	0	1	25%	0%			14%	
2	Unregistered Contractor	1	1	1	0	0	3	1	0	0	0	0	1	100%	0%	0%		33%	
2	True Name Law	82	79	58	58	0	277	20	28	18	24	0	90	24%	35%	31%	41%	32%	
2	Falsely Solicit Assn Membership	1	0	0	0	0	1	0	0	0	0	0	0	0%				0%	
2	Sub-Total	6070	4473	3024	2562	12	16141	1030	1399	1087	1145	4	4665	17%	31%	36%	45%	33%	29%

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	2	3	0	0	0	5	0	1	0	0	0	1	0%	33%				20%
1	Threatening	94	84	82	74	1	335	21	19	33	37	1	111	22%	23%	40%	50%	100%	33%
1	Defrauding Victualer	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
1	Vandalism	15	7	4	3	0	29	0	2	1	0	0	3	0%	29%	25%	0%		10%
1	Trespassing	231	214	176	149	0	770	30	58	50	50	0	188	13%	27%	28%	34%		24%
1	Gaming	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	Possession Class D Marijuana	310	145	94	60	0	609	36	37	28	17	0	118	12%	26%	30%	28%		19%
1	Possession Class E	20	15	9	15	0	59	7	8	5	2	0	22	35%	53%	56%	13%		37%
1	Inhaling Toxic Vapors	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
1	Attaching Wrong MV Plates	147	79	55	27	0	308	5	4	5	4	0	18	3%	5%	9%	15%		6%
1	Operate After Suspension	1556	1260	724	516	2	4058	128	202	135	121	1	587	8%	16%	19%	23%	50%	14%
1	MV - Impersonate/Other License	1	2	2	0	0	5	0	0	0	0	0	0	0%	0%	0%			0%
1	RV On Public Way	11	9	0	0	0	20	0	0	0	0	0	0	0%	0%				0%
1	Parking Ticket Mutilate	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Common Night Walker	25	38	15	8	0	86	9	17	5	5	0	36	36%	45%	33%	63%		42%
1	Indecent Exposure	17	9	14	5	0	45	2	4	1	3	0	10	12%	44%	7%	60%		22%
1	Lewd And Lacivious	17	7	3	1	0	28	2	2	1	0	0	5	12%	29%	33%	0%		18%
1	Peeping Tom	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
1	Disorderly Conduct	757	487	340	260	2	1846	54	72	69	73	0	268	7%	15%	20%	28%	0%	15%
1	Possess Air Rifle w/o FID Card	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	Firearm Discharge	2	2	1	0	0	5	0	0	1	0	0	1	0%	0%	100%			20%
1	Annoying Phone Calls	14	16	7	6	0	43	2	3	2	2	0	9	14%	19%	29%	33%		21%
1	Failure To Obey Police Officer	36	16	10	4	0	66	0	0	1	0	0	1	0%	0%	10%	0%		2%
1	Refusing To Aid Police Officer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Obstructing Justice	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
1	License Law Violation (Not MV)	8	4	1	2	0	15	1	1	0	0	0	2	13%	25%	0%	0%		13%
1	Alcohol, Procure for Minor	31	15	5	2	0	53	5	4	1	1	0	11	16%	27%	20%	50%		21%
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	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Business Practice	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
1	Employment Practices	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
1	Health Code Violation	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
1	Fail To Comply With Dog Order	4	2	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
1	Sub-Total	3317	2418	1545	1133	5	8418	302	437	339	316	2	1396	9%	18%	22%	28%	40%	17%

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	5	8	2	2	0	17	2	2	1	0	0	5	40%	25%	50%	0%		29%
0	Attempt B&E	4	8	5	8	0	25	1	3	0	5	0	9	25%	38%	0%	63%		36%
0	Conspiracy Violate CSA	24	12	16	11	0	63	5	4	8	7	0	24	21%	33%	50%	64%		38%
0	Solicit Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
0	Conspiracy	18	4	10	6	0	38	6	4	7	3	0	20	33%	100%	70%	50%		53%
0	Attempt To Commit Crime	22	31	20	16	0	89	8	13	9	9	0	39	36%	42%	45%	56%		44%
0	Accessory Before	5	2	1	2	0	10	2	1	0	2	0	5	40%	50%	0%	100%		50%
0	Accessory After	11	3	2	1	0	17	8	2	2	1	0	13	73%	67%	100%	100%		76%
0	Other Crime	3	0	1	1	0	5	0	0	0	0	0	0	0%		0%	0%		0%
0	Sub-Total	93	68	57	47	0	265	33	29	27	27	0	116	35%	43%	47%	57%		44%

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	0	0	0	0	0
9	Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Armed Assault In Dwell House	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Rape, Aggravated	0	0	0	0	0	0	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	0	0	0	0	0	0
8	Firearmed Assault w/i Murder	0	0	0	0	0	0	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	0	0	0	0	0	0
8	Kidnapping Firearm Extort	0	0	0	0	0	0	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	0	0	0	0	0	0
8	Traffic Cocaine 200+	0	0	0	0	0	0	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	0	0	0	0	0
7	Murder, Attempted	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Mayhem	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	A&B Child w/Injury Substantial	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Rape of Child 2nd	0	0	0	0	0	0	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	0	0	0	0	0	0
7	Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Armed Robbery Gun	0	0	0	0	0	0	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	0	0	0	0	0	0
7	Carjacking, Armed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Confine And Put In Fear	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Traffic Heroin 028-100	0	0	0	0	0	0	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	0	0	0	0	0	0
7	Traffic Cocaine 100-200	0	0	0	0	0	0	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	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 Aggravated - Serious Injury	0	2	3	0	0	5	0	1	2	0	0	3	50%	67%				60%
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	A&B DW, Aggravated w/Injury	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	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	3	3	0	4	0	10	2	2	0	3	0	7	67%	67%		75%		70%
6	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0						
6	Violation Of Civil Rights, Felony	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	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
6	Possess Explosive Device	0	0	0	0	0	0	0	0	0	0	0	0						
6	Sub-Total	3	5	3	5	0	16	2	3	2	4	0	11	67%	60%	67%	80%		69%
5	A&B Child w/Injury	14	7	9	0	0	30	5	4	5	0	0	14	36%	57%	56%			47%
5	A&B Aggravated	19	21	13	11	0	64	6	9	10	8	0	33	32%	43%	77%	73%		52%
5	A&B DW, Aggravated	2	1	0	1	0	4	1	0	0	1	0	2	50%	0%		100%		50%
5	Indecent A&B On Child	50	21	16	4	0	91	25	14	12	3	0	54	50%	67%	75%	75%		59%
5	Entice Child	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
5	Unnatural Acts Child	2	3	0	0	0	5	1	2	0	0	0	3	50%	67%				60%
5	Robbery Unarmed	0	0	0	0	0	0	0	0	0	0	0	0						
5	Intimidation	147	183	157	113	0	600	42	74	82	81	0	279	29%	40%	52%	72%		47%
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	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	Guard Sex w/ Prisoner	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	Sub-Total	235	237	199	130	0	801	81	104	113	94	0	392	34%	44%	57%	72%		49%

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	16	17	9	5	1	48	6	4	5	5	0	20	38%	24%	56%	100%	0%	42%
4	Assault Aggravated	1	1	0	1	0	3	0	1	0	0	0	1	0%	100%		0%		33%
4	A&B Guard	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Dangerous Weapon	34	36	53	65	0	188	34	36	53	65	0	188	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	A&B To Collect Loan	7	3	1	0	0	11	1	1	0	0	0	2	14%	33%	0%			18%
4	Indecent A&B	73	33	15	11	0	132	25	21	12	10	0	68	34%	64%	80%	91%		52%
4	Assault w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0						
4	Stalking	8	7	10	13	0	38	5	3	5	7	0	20	63%	43%	50%	54%		53%
4	Harassment	19	10	9	14	0	52	1	5	3	9	0	18	5%	50%	33%	64%		35%
4	Larceny More	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny Person	187	162	92	101	0	542	81	101	67	80	0	329	43%	62%	73%	79%		61%
4	Larceny Person + 65	7	8	8	5	0	28	2	4	5	4	0	15	29%	50%	63%	80%		54%
4	Larceny MV 2nd	0	0	1	4	0	5	0	0	1	4	0	5			100%	100%		100%
4	Fraud - Identity	44	30	18	23	0	115	8	13	10	15	0	46	18%	43%	56%	65%		40%
4	B&E	0	0	0	0	0	0	0	0	0	0	0	0						
4	Enter Dwelling w/IFelony	2	1	2	0	0	5	1	1	2	0	0	4	50%	100%	100%			80%
4	Receiving Stolen Goods Over	0	0	0	0	0	0	0	0	0	0	0	0						
4	Receiving Stolen Goods MV 2nd	0	0	2	5	0	7	0	0	2	5	0	7			100%	100%		100%
4	Burning Building	0	0	0	0	0	0	0	0	0	0	0	0						
4	Burning to Defraud	5	0	0	1	0	6	0	0	0	1	0	1	0%			100%		17%
4	Distribute Class A	282	221	173	140	1	817	133	135	117	86	0	471	47%	61%	68%	61%	0%	58%
4	Distribute Class B	550	324	190	133	0	1197	196	187	115	99	0	597	36%	58%	61%	74%		50%
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	2	1	0	0	3	0	1	1	0	0	2		50%	100%			67%
4	Giving Prisoner Cont Sub	4	4	1	4	0	13	0	3	0	4	0	7	0%	75%	0%	100%		54%
4	Control Substance School	55	50	55	38	0	198	55	50	55	38	0	198	100%	100%	100%	100%		100%
4	MV Homicide - OUI	7	0	0	1	0	8	4	0	0	1	0	5	57%			100%		63%
4	Leaving Scene Death	0	0	0	0	0	0	0	0	0	0	0	0						
4	OUI Serious Inj, Fel	5	2	3	0	0	10	5	2	3	0	0	10	100%	100%	100%			100%
4	Derive Support From Prostitute	0	0	0	0	0	0	0	0	0	0	0	0						
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	2	30	20	21	0	73	1	28	18	17	0	64	50%	93%	90%	81%		88%
4	Injure Firefighter	0	0	0	0	0	0	0	0	0	0	0	0						
4	Bribery	1	0	0	1	0	2	1	0	0	0	0	1	100%			0%		50%
4	Extortion	1	1	0	1	0	3	1	1	0	0	0	2	100%	100%		0%		67%
4	Hoax Device	0	3	0	0	0	3	0	0	0	0	0	0		0%				0%
4	Tax Law Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Sub-Total	1312	945	663	587	2	3509	561	597	474	450	0	2082	43%	63%	71%	77%	0%	59%

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	1706	1339	995	837	8	4885	359	490	457	516	5	1827	21%	37%	46%	62%	63%	37%
3	A&B Domestic	172	122	78	61	0	433	45	47	34	29	0	155	26%	39%	44%	48%		36%
3	A&B w/Intimidate	3	2	0	0	0	5	0	1	0	0	0	1	0%	50%				20%
3	Reckless Endangerment	3	0	1	2	0	6	0	0	1	1	0	2	0%		100%	50%		33%
3	A&B Dangerous Weapon	468	314	204	140	1	1127	115	112	95	64	0	386	25%	36%	47%	46%	0%	34%
3	A&B Dangerous Weapon + 60	0	2	1	0	0	3	0	2	1	0	0	3		100%	100%			100%
3	Assault Dangerous Weapon	227	175	139	137	1	679	59	78	87	94	0	318	26%	45%	63%	69%	0%	47%
3	Assault Dangerous Weapon + 60	0	0	1	1	0	2	0	0	0	0	0	0			0%	0%		0%
3	Unnatural Acts	2	4	0	1	0	7	1	3	0	0	0	4	50%	75%		0%		57%
3	Child Pornography Possess	10	1	2	0	0	13	1	0	1	0	0	2	10%	0%	50%			15%
3	Kidnapping	5	0	1	0	0	6	1	0	0	0	0	1	20%		0%			17%
3	Violation Of Civil Rights	7	1	2	3	1	14	1	0	1	3	1	6	14%	0%	50%	100%	100%	43%
3	Restraining Order Violation	311	362	358	300	1	1332	54	143	177	167	0	541	17%	40%	49%	56%	0%	41%
3	Larceny	20	20	20	29	0	89	20	20	20	29	0	89	100%	100%	100%	100%		100%
3	Larceny More	714	566	483	505	2	2270	135	194	212	292	1	834	19%	34%	44%	58%	50%	37%
3	Larceny More + 60	6	2	4	1	0	13	0	1	2	0	0	3	0%	50%	50%	0%		23%
3	Larceny Building	48	34	36	42	0	160	15	13	19	29	0	76	31%	38%	53%	69%		48%
3	Larceny Firearm	5	1	2	1	0	9	2	1	2	1	0	6	40%	100%	100%	100%		67%
3	Larceny MV	69	55	42	47	1	214	25	33	26	34	0	118	36%	60%	62%	72%	0%	55%
3	Embezzlement	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
3	Credit Card Misuse - More	17	14	13	7	0	51	8	10	10	6	0	34	47%	71%	77%	86%		67%
3	Defrauding Insurer	12	6	2	1	0	21	0	3	1	1	0	5	0%	50%	50%	100%		24%
3	Fraud	5	4	2	4	0	15	0	1	1	2	0	4	0%	25%	50%	50%		27%
3	Possess Burglariious Tools	68	47	36	56	1	208	22	19	26	40	0	107	32%	40%	72%	71%	0%	51%
3	B&E	458	395	310	351	4	1518	166	234	223	276	2	901	36%	59%	72%	79%	50%	59%
3	Mal Dest Property More	124	103	63	48	0	338	21	42	27	34	0	124	17%	41%	43%	71%		37%
3	Receiving Stolen Goods Over	53	43	45	50	0	191	14	20	21	34	0	89	26%	47%	47%	68%		47%
3	Receiving Stolen Goods MV	183	108	123	146	0	560	57	67	85	116	0	325	31%	62%	69%	79%		58%
3	Receiving Stolen Goods 2nd	0	1	0	3	0	4	0	1	0	2	0	3		100%		67%		75%
3	Forgery And Uttering	151	182	143	120	0	596	27	61	71	65	0	224	18%	34%	50%	54%		38%
3	Counterfeit	3	3	4	4	0	14	1	1	0	2	0	4	33%	33%	0%	50%		29%
3	Burning Property	9	6	5	4	0	24	3	3	3	2	0	11	33%	50%	60%	50%		46%
3	Burning Motor Vehicle	8	2	1	1	0	12	0	2	0	0	0	2	0%	100%	0%	0%		17%
3	Illegal Lottery	2	3	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
3	Gaming Register Bets	0	0	1	0	0	1	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
3	Possession Class A 2nd	3	11	16	14	0	44	1	4	6	9	0	20	33%	36%	38%	64%		45%
3	Possession Class A Heroin 2nd	10	22	13	13	0	58	5	13	9	7	0	34	50%	59%	69%	54%		59%
3	Possession Class B 2nd	13	46	37	31	0	127	6	20	21	16	0	63	46%	43%	57%	52%		50%
3	Possession Class C 2nd	1	2	1	0	0	4	0	1	0	0	0	1	0%	50%	0%			25%
3	Possession Class D 2nd	52	43	26	10	0	131	5	6	11	4	0	26	10%	14%	42%	40%		20%
3	Distribute Class C	24	14	7	7	0	52	8	4	4	2	0	18	33%	29%	57%	29%		35%
3	Distribute Class D 2nd	11	7	5	3	0	26	4	4	4	2	0	14	36%	57%	80%	67%		54%
3	Distribute Class E 2nd	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
3	Possession Hypodermic 2nd	1	10	2	4	0	17	0	5	2	3	0	10	0%	50%	100%	75%		59%
3	MV Homicide	21	4	2	1	0	28	7	2	1	1	0	11	33%	50%	50%	100%		39%
3	Leaving Scene Property Damage	428	289	158	123	1	999	47	63	55	66	0	231	11%	22%	35%	54%	0%	23%
3	Leaving Scene Personal Injury	129	38	18	19	0	204	12	14	9	9	0	44	9%	37%	50%	47%		22%
3	Possess Master Key MV	2	1	1	0	0	4	0	1	1	0	0	2	0%	100%	100%			50%
3	OUI Serious Inj, Misd	16	2	3	1	0	22	3	2	1	1	0	7	19%	100%	33%	100%		32%
3	Inducing Min or To Sex	7	2	0	0	0	9	1	2	0	0	0	3	14%	100%				33%
3	Gun Serial Number	8	2	2	0	0	12	4	2	2	0	0	8	50%	100%	100%			67%
3	Firearm Loaded while OUI	7	0	0	0	0	7	1	0	0	0	0	1	14%					14%
3	Nonsupport	9	8	1	2	0	20	1	3	0	0	0	4	11%	38%	0%	0%		20%
3	Interfere Police or Firefighter	4	7	1	2	0	14	0	3	1	2	0	6	0%	43%	100%	100%		43%
3	Failure to Appear Felony	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
3	Carrying Dangerous Weapon	80	78	53	29	0	240	21	28	25	20	0	94	26%	36%	47%	69%		39%
3	Contempt Of Court	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
3	Throw Object On Public Way	2	2	0	0	0	4	0	1	0	0	0	1	0%	50%				25%
3	Sex Offender Fail Register	5	19	52	55	2	133	1	5	16	19	0	41	20%	26%	31%	35%	0%	31%
3	Wiretapping	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Corporate books-falsify entry	0	0	0	0	0	0	0	0	0	0	0	0						
3	Sub-Total	5705	4524	3519	3216	23	16987	1280	1785	1775	2000	9	6849	22%	39%	50%	62%	39%	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
2	Assault	69	39	43	27	0	178	12	12	16	15	0	55	17%	31%	37%	56%		31%
2	Accost / Annoy Person Opposite Sex	5	4	2	1	0	12	0	3	0	0	0	3	0%	75%	0%	0%		25%
2	Larceny	64	72	41	33	0	210	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny Less	191	160	110	118	0	579	26	30	33	49	0	138	14%	19%	30%	42%		24%
2	Larceny Less +60	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Shoplifting	590	548	461	498	3	2100	34	68	92	154	2	350	6%	12%	20%	31%	67%	17%
2	Credit Card Misuse	42	23	37	21	0	123	5	6	16	11	0	38	12%	26%	43%	52%		31%
2	Defrauding Innkeeper	6	3	2	0	0	11	2	0	0	0	0	2	33%	0%	0%			18%
2	Welfare Violation	3	2	0	0	0	5	1	1	0	0	0	2	33%	50%				40%
2	Concealing Property To Defraud	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
2	Concealing Stolen Property	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Failure To Return Leased Prop	11	10	11	6	0	38	2	5	2	3	0	12	18%	50%	18%	50%		32%
2	B&E MV	3	5	3	4	0	15	0	1	2	2	0	5	0%	20%	67%	50%		33%
2	B&E w/i Misdemeanor	60	33	30	23	1	147	15	11	13	9	0	48	25%	33%	43%	39%	0%	33%
2	Property Destruction	222	170	90	77	1	560	27	56	32	37	0	152	12%	33%	36%	48%	0%	27%
2	Tagging Property	16	1	0	1	0	18	2	0	0	0	0	2	13%	0%		0%		11%
2	Receiving Stolen Goods	159	143	100	134	0	536	37	61	42	69	0	209	23%	43%	42%	51%		39%
2	Counterfeit	2	2	2	1	0	7	1	1	0	0	0	2	50%	50%	0%	0%		29%
2	Setting Fire Land	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Gaming Use of Telephone	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Fraud - Electric, Phone or Cable	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
2	Possession Class A	129	136	106	93	0	464	38	47	40	48	0	173	29%	35%	38%	52%		37%
2	Possession Class A Heroin	179	166	124	110	2	581	54	71	58	58	1	242	30%	43%	47%	53%	50%	42%
2	Possession Class B	447	376	237	215	1	1276	96	136	90	103	1	426	21%	36%	38%	48%	100%	33%
2	Possession Class C	35	13	15	10	0	73	6	2	5	4	0	17	17%	15%	33%	40%		23%
2	Possession Class D	370	191	122	54	0	737	64	45	33	25	0	167	17%	24%	27%	46%		23%
2	Possession Class D Marijuana 2nd	33	37	25	13	0	108	6	14	9	8	0	37	18%	38%	36%	62%		34%
2	Distribute Counterfeit Substance	4	10	11	18	0	43	0	8	5	13	0	26	0%	80%	45%	72%		60%
2	Distribute Class D	321	133	68	21	0	543	63	64	38	11	0	176	20%	48%	56%	52%		32%
2	Distribute Class E	5	5	3	3	0	16	4	0	0	2	0	6	80%	0%	0%	67%		38%
2	Possession Hypodermic/Syringe	93	139	103	82	0	417	35	66	51	47	0	199	38%	47%	50%	57%		48%
2	Presence Class A	23	24	10	14	0	71	5	7	4	5	0	21	22%	29%	40%	36%		30%
2	Forge Prescription	34	29	17	15	0	95	8	4	6	5	0	23	24%	14%	35%	33%		24%
2	Distribute Paraphenalia	2	0	1	0	0	3	0	0	1	0	0	1	0%		100%			33%

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	Operate to Endanger	1017	306	170	133	0	1626	72	73	51	59	0	255	7%	24%	30%	44%		16%
2	Use Without Authority	79	57	45	41	0	222	21	23	26	22	0	92	27%	40%	58%	54%		41%
2	Use w/o Authority 2nd	1	0	0	1	0	2	1	0	0	0	0	1	100%			0%		50%
2	Habitual Traffic Offender	48	99	84	59	0	290	9	31	34	27	0	101	19%	31%	40%	46%		35%
2	Racing	8	1	1	0	0	10	1	0	1	0	0	2	13%	0%	100%			20%
2	Operate After Suspension 2nd	324	482	331	264	2	1403	87	199	163	153	0	602	27%	41%	49%	58%	0%	43%
2	Compulsory Insurance Violation	551	366	206	173	2	1298	60	73	40	60	0	233	11%	20%	19%	35%	0%	18%
2	Counterfeit/Alter MV Document	38	26	18	10	0	92	4	7	5	6	0	22	11%	27%	28%	60%		24%
2	False Statement On Application	3	2	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
2	Loaning MV License	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Prostitution	133	133	67	36	0	369	34	63	32	13	0	142	26%	47%	48%	36%		38%
2	Induce Female To Prostitution	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
2	Keeping A House Of Ill Fame	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Open And Gross	37	23	9	9	0	78	12	10	7	6	0	35	32%	43%	78%	67%		45%
2	Obscene Material to Minor	1	1	0	1	0	3	0	1	0	1	0	2	0%	100%		100%		67%
2	Failure To Disperse	6	0	0	0	0	6	0	0	0	0	0	0	0%					0%
2	Firearm Possess w/o Permit	123	61	32	16	0	232	58	43	22	12	0	135	47%	70%	69%	75%		58%
2	Possess Mace	0	4	3	2	0	9	0	1	2	1	0	4		25%	67%	50%		44%
2	Possess Ammunition	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
2	Firearm Store Improper	9	3	2	1	0	15	0	1	1	0	0	2	0%	33%	50%	0%		13%
2	Escape Work Release Program	0	1	0	2	0	3	0	1	0	0	0	1		100%		0%		33%
2	Escape Lockup	2	2	0	2	0	6	0	1	0	2	0	3	0%	50%		100%		50%
2	Aiding An Escape	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
2	Impersonate/Disguise	3	4	2	6	0	15	1	1	1	3	0	6	33%	25%	50%	50%		40%
2	False Statement	2	2	0	0	0	4	0	1	0	0	0	1	0%	50%				25%
2	Failure to Appear	8	3	3	3	0	17	3	2	2	1	0	8	38%	67%	67%	33%		47%
2	Possess Stun Gun	4	1	1	1	0	7	1	0	0	1	0	2	25%	0%	0%	100%		29%
2	Possess Dangerous Weapon	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	False Alarm	5	2	1	1	0	9	1	2	0	1	0	4	20%	100%	0%	100%		44%
2	Fireworks	14	9	2	0	0	25	0	0	0	0	0	0	0%	0%	0%			0%
2	Disrupt Court Proceedings	1	1	0	0	0	2	1	0	0	0	0	1	100%	0%				50%
2	Contributing To Delinquency	14	12	3	3	0	32	2	5	1	2	0	10	14%	42%	33%	67%		31%
2	Cruelty To Animals	16	4	2	0	0	22	2	1	1	0	0	4	13%	25%	50%			18%
2	Mistreat Police Animal	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	Tampering With Rr Car	0	0	0	0	0	0	0	0	0	0	0	0						
2	Resisting Arrest	282	239	174	120	0	815	49	76	70	58	0	253	17%	32%	40%	48%		31%
2	Curfew	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	False Report Of Crime	28	11	7	7	0	53	4	1	2	0	0	7	14%	9%	29%	0%		13%
2	Record w/o Manu facturer	2	3	0	0	0	5	1	0	0	0	0	1	50%	0%				20%
2	Unregistered Contractor	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	True Name Law	81	78	57	57	0	273	19	27	18	23	0	87	23%	35%	32%	40%		32%
2	Falsely Solicit Assn Membership	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Sub-Total	5969	4420	2995	2541	12	15937	988	1366	1068	1130	4	4556	17%	31%	36%	44%	33%	29%

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	2	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
1	Threatening	92	83	82	71	1	329	20	18	33	35	1	107	22%	22%	40%	49%	100%	33%
1	Defrauding Victualer	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
1	Vandalism	15	7	4	3	0	29	0	2	1	0	0	3	0%	29%	25%	0%		10%
1	Trespassing	231	214	176	149	0	770	30	58	50	50	0	188	13%	27%	28%	34%		24%
1	Gaming	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Possession Class D Marijuana	307	145	94	60	0	606	36	37	28	17	0	118	12%	26%	30%	28%		19%
1	Possession Class E	20	14	9	15	0	58	7	7	5	2	0	21	35%	50%	56%	13%		36%
1	Inhaling Toxic Vapors	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
1	Attaching Wrong MV Plates	147	79	55	27	0	308	5	4	5	4	0	18	3%	5%	9%	15%		6%
1	Operate After Suspension	1556	1260	724	516	2	4058	128	202	135	121	1	587	8%	16%	19%	23%	50%	14%
1	MV - Impersonate/Other License	1	2	2	0	0	5	0	0	0	0	0	0	0%	0%	0%			0%
1	RV On Public Way	11	9	0	0	0	20	0	0	0	0	0	0	0%	0%				0%
1	Parking Ticket Mutilate	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Common Night Walker	25	38	15	8	0	86	9	17	5	5	0	36	36%	45%	33%	63%		42%
1	Indecent Exposure	17	9	14	5	0	45	2	4	1	3	0	10	12%	44%	7%	60%		22%
1	Lewd And Lacivious	17	7	3	1	0	28	2	2	1	0	0	5	12%	29%	33%	0%		18%
1	Peeping Tom	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
1	Disorderly Conduct	756	487	340	260	2	1845	54	72	69	73	0	268	7%	15%	20%	28%	0%	15%
1	Possess Air Rifle w/o FID Card	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	Firearm Discharge	2	2	1	0	0	5	0	0	1	0	0	1	0%	0%	100%			20%
1	Annoying Phone Calls	14	16	7	6	0	43	2	3	2	2	0	9	14%	19%	29%	33%		21%
1	Failure To Obey Police Officer	36	16	10	4	0	66	0	0	1	0	0	1	0%	0%	10%	0%		2%
1	Refusing To Aid Police Officer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Obstructing Justice	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
1	License Law Violation (Not MV)	7	4	1	2	0	14	1	1	0	0	0	2	14%	25%	0%	0%		14%
1	Alcohol, Procure for Minor	30	14	5	2	0	51	5	4	1	1	0	11	17%	29%	20%	50%		22%
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	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Business Practice	0	0	0	0	0	0	0	0	0	0	0	0						
1	Employment Practices	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
1	Health Code Violation	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
1	Fail To Comply With Dog Order	4	2	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
1	Sub-Total	3306	2414	1544	1130	5	8399	301	434	338	314	2	1389	9%	18%	22%	28%	40%	17%

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	4	7	2	2	0	15	2	1	1	0	0	4	50%	14%	50%	0%		27%
0	Attempt B&E	4	8	5	6	0	23	1	3	0	3	0	7	25%	38%	0%	50%		30%
0	Conspiracy Violate CSA	13	8	14	9	0	44	2	2	6	6	0	16	15%	25%	43%	67%		36%
0	Solicit Fdony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
0	Conspiracy	8	3	5	3	0	19	3	3	3	1	0	10	38%	100%	60%	33%		53%
0	Attempt To Commit Crime	22	29	18	15	0	84	8	12	7	8	0	35	36%	41%	39%	53%		42%
0	Accessory Before	2	2	1	2	0	7	0	1	0	2	0	3	0%	50%	0%	100%		43%
0	Accessory After	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
0	Other Crime	3	0	1	1	0	5	0	0	0	0	0	0	0%		0%	0%		0%
0	Sub-Total	57	57	46	39	0	199	17	22	17	21	0	77	30%	39%	37%	54%		39%

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	18	8	10	4	0	40	18	8	10	4	0	40	100%	100%	100%	100%		100%
9	Sub-Total	18	8	10	4	0	40	18	8	10	4	0	40	100%	100%	100%	100%		100%
8	Manslaughter	13	4	8	3	0	28	12	4	8	3	0	27	92%	100%	100%	100%		96%
8	Armed Assault In Dwell House	8	2	0	5	0	15	7	2	0	5	0	14	88%	100%		100%		93%
8	Rape, Aggravated	3	0	2	4	0	9	3	0	2	4	0	9	100%		100%	100%		100%
8	Rape Of Child w/Force	19	5	9	3	0	36	18	4	9	3	0	34	95%	80%	100%	100%		94%
8	Firearmed Assault w/i Murder	1	2	2	2	0	7	1	2	2	2	0	7	100%	100%	100%	100%		100%
8	Home Invasion	3	1	0	2	0	6	1	0	0	2	0	3	33%	0%		100%		50%
8	Kidnapping Firearm Extort	0	0	0	0	1	1	0	0	0	0	1	1					100%	100%
8	Burglary, Armed	2	2	0	2	0	6	2	1	0	2	0	5	100%	50%		100%		83%
8	Traffic Cocaine 200+	9	3	0	1	0	13	9	3	0	1	0	13	100%	100%		100%		100%
8	Sub-Total	58	19	21	22	1	121	53	16	21	22	1	113	91%	84%	100%	100%	100%	93%
7	Murder, Attempted	3	1	3	1	0	8	3	1	3	1	0	8	100%	100%	100%	100%		100%
7	Mayhem	5	2	3	2	0	12	4	2	3	2	0	11	80%	100%	100%	100%		92%
7	A&B Child w/Injury Substantial	1	2	0	0	0	3	1	2	0	0	0	3	100%	100%				100%
7	Rape	9	3	5	5	1	23	6	2	5	5	1	19	67%	67%	100%	100%	100%	83%
7	Rape of Child 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
7	Assault w/i Rape Child	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
7	Incest	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
7	Armed Robbery Gun	16	17	18	22	0	73	13	15	17	21	0	66	81%	88%	94%	95%		90%
7	Armed Assault w/i Murder	16	21	3	7	0	47	12	20	2	7	0	41	75%	95%	67%	100%		87%
7	Carjacking, Armed	1	0	1	2	0	4	1	0	1	2	0	4	100%		100%	100%		100%
7	Confine And Put In Fear	1	1	2	1	0	5	0	1	2	1	0	4	0%	100%	100%	100%		80%
7	Traffic Heroin 028-100	3	3	3	1	0	10	3	3	3	1	0	10	100%	100%	100%	100%		100%
7	Traffic Heroin 100-200	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
7	Traffic Cocaine 100-200	11	5	7	1	0	24	11	5	7	1	0	24	100%	100%	100%	100%		100%
7	Sub-Total	71	56	46	44	1	218	58	51	44	43	1	197	82%	91%	96%	98%	100%	90%

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	6	3	0	0	0	9	4	1	0	0	0	5	67%	33%				56%
6	A&B Aggravated - Serious Injury	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
6	A&B Dangerous Weapon	22	20	23	22	0	87	22	20	23	22	0	87	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon + 60	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	A&B DW, Aggravated w/Injury	0	2	2	1	0	5	0	2	2	1	0	5		100%	100%	100%		100%
6	Assault To Kill or Maim	2	0	1	1	0	4	1	0	1	1	0	3	50%		100%	100%		75%
6	Rape Of Child	73	18	13	8	0	112	56	13	12	8	0	89	77%	72%	92%	100%		79%
6	Assault w/i Rape	4	0	1	0	1	6	3	0	1	0	1	5	75%		100%		100%	83%
6	Child Pornography	7	0	0	0	0	7	0	0	0	0	0	0	0%					0%
6	Robbery Unarmed + 60	3	2	2	5	0	12	0	2	2	5	0	9	0%	100%	100%	100%		75%
6	Armed Robbery	71	46	44	55	1	217	48	41	36	51	1	177	68%	89%	82%	93%	100%	82%
6	Armed Assault w/i Rob	19	8	6	8	0	41	13	7	4	8	0	32	68%	88%	67%	100%		78%
6	Carjacking	2	1	3	3	0	9	1	1	3	3	0	8	50%	100%	100%	100%		89%
6	Kidnapping	2	0	5	1	0	8	2	0	5	1	0	8	100%		100%	100%		100%
6	Violation Of Civil Rights Felony	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
6	Burning Dwelling House	12	3	2	4	0	21	7	2	2	3	0	14	58%	67%	100%	75%		67%
6	Distribute Class A 2nd	0	7	4	8	0	19	0	7	4	8	0	19		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	2	9	5	0	16	0	2	9	5	0	16		100%	100%	100%		100%
6	Traffic Heroin 014-028	7	1	3	0	0	11	7	1	3	0	0	11	100%	100%	100%			100%
6	Traffic Cocaine 028-100	28	21	16	5	0	70	28	21	16	5	0	70	100%	100%	100%	100%		100%
6	Induce Minor To Distribute	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
6	MV Homicide - OUI Felony	12	5	0	1	0	18	12	5	0	1	0	18	100%	100%		100%		100%
6	Possess Explosive Device	0	1	2	0	0	3	0	1	2	0	0	3		100%	100%			100%
6	Sub-Total	271	143	137	127	2	680	205	129	126	122	2	584	76%	90%	92%	96%	100%	86%
5	A&B Child w/Injury	7	2	1	0	0	10	4	0	1	0	0	5	57%	0%	100%			50%
5	A&B Aggravated	1	1	3	3	0	8	0	1	3	3	0	7	0%	100%	100%	100%		88%
5	A&B DW, Aggravated	10	1	1	0	0	12	7	1	1	0	0	9	70%	100%	100%			75%
5	Indecent A&B On Child	22	5	6	1	0	34	15	3	5	0	0	23	68%	60%	83%	0%		68%
5	Entice Child	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
5	Unnatural Acts Child	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
5	Robbery Unarmed	20	21	19	33	0	93	7	15	17	32	0	71	35%	71%	89%	97%		76%
5	Intimidation	6	3	6	6	0	21	4	2	3	6	0	15	67%	67%	50%	100%		71%
5	Stalking Violation of Rest. Order	2	0	1	1	0	4	2	0	1	1	0	4	100%		100%	100%		100%
5	Common & Notorious Thief	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
5	Burglary	4	2	4	2	0	12	4	1	4	1	0	10	100%	50%	100%	50%		83%
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	9	10	11	0	30	0	9	10	11	0	30		100%	100%	100%		100%
5	Traffic Cocaine 014-028	52	26	21	11	0	110	52	26	21	11	0	110	100%	100%	100%	100%		100%
5	Traffic Mar 100-2000	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
5	Guard Sex w/ Prisoner	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
5	Perjury or Suborn	0	2	1	0	0	3	0	1	1	0	0	2		50%	100%			67%
5	Sub-Total	132	72	74	69	0	347	102	59	68	66	0	295	77%	82%	92%	96%		85%

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	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
4	Assault Aggravated	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	A&B Guard	0	2	0	10	1	13	0	2	0	9	1	12		100%		90%	100%	92%
4	A&B Dangerous Weapon	28	19	8	5	0	60	28	19	8	5	0	60	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
4	A&B To Collect Loan	0	0	0	0	0	0	0	0	0	0	0	0						
4	Indecent A&B	16	7	6	4	0	33	9	4	6	3	0	22	56%	57%	100%	75%		67%
4	Assault w/i Rob	2	3	4	4	0	13	1	3	4	4	0	12	50%	100%	100%	100%		92%
4	Stalking	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Harassment	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
4	Larceny More	5	0	2	11	0	18	5	0	2	11	0	18	100%		100%	100%		100%
4	Larceny Person	15	10	7	9	0	41	9	6	7	7	0	29	60%	60%	100%	78%		71%
4	Larceny Person + 65	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Larceny MV 2nd	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
4	Fraud - Identity	2	0	0	3	0	5	0	0	0	2	0	2	0%				67%	40%
4	B&E	3	4	13	62	0	82	3	4	13	62	0	82	100%	100%	100%	100%		100%
4	Enter Dwelling w/IFelony	0	0	0	0	0	0	0	0	0	0	0	0						
4	Receiving Stolen Goods Over	0	0	1	5	0	6	0	0	1	5	0	6			100%	100%		100%
4	Receiving Stolen Goods MV 2nd	0	0	1	2	0	3	0	0	1	2	0	3			100%	100%		100%
4	Burning Building	4	7	3	1	0	15	4	4	2	1	0	11	100%	57%	67%	100%		73%
4	Burning to Defraud	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Distribute Class A	57	51	34	42	0	184	37	41	32	39	0	149	65%	80%	94%	93%		81%
4	Distribute Class B	117	52	32	26	0	227	59	38	24	25	0	146	50%	73%	75%	96%		64%
4	Distribute Cocaine	50	47	27	34	0	158	50	47	27	34	0	158	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	7	0	0	0	0	7	1	0	0	0	0	1	14%					14%
4	Giving Prisoner Cont Sub	2	2	1	0	0	5	0	1	1	0	0	2	0%	50%	100%			40%
4	Control Substance School	25	40	18	17	0	100	25	40	18	17	0	100	100%	100%	100%	100%		100%
4	MV Homicide - OUI	7	0	1	0	0	8	7	0	1	0	0	8	100%		100%			100%
4	Leaving Scene Death	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
4	OUI Serious Inj, Fel	4	3	1	0	0	8	4	3	1	0	0	8	100%	100%	100%			100%
4	Derive Support From Prostitute	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Assault Weapon, Possess	4	3	2	2	0	11	4	3	2	2	0	11	100%	100%	100%	100%		100%
4	Firearm Sale Violation	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	Escape	0	1	2	2	0	5	0	1	2	2	0	5		100%	100%	100%		100%
4	Injure Firefighter	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
4	Bribery	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
4	Extortion	2	1	0	1	1	5	0	0	0	1	1	2	0%	0%		100%	100%	40%
4	Hoax Device	0	0	0	0	0	0	0	0	0	0	0	0						
4	Tax Law Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Sub-Total	360	255	166	246	2	1029	254	218	154	237	2	865	71%	85%	93%	96%	100%	84%

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	55	20	17	18	1	111	32	17	13	15	1	78	58%	85%	76%	83%	100%	70%
3	A&B Domestic	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B w/Intimidate	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Reckless Endangerment	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B Dangerous Weapon	25	7	5	3	0	40	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	21	16	8	9	0	54	16	13	6	7	0	42	76%	81%	75%	78%		78%
3	Assault Dangerous Weapon + 60	0	0	0	0	0	0	0	0	0	0	0	0						
3	Unnatural Acts	0	0	0	0	0	0	0	0	0	0	0	0						
3	Child Pornography Possess	9	2	1	0	0	12	5	1	0	0	0	6	56%	50%	0%			50%
3	Kidnapping	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
3	Violation Of Civil Rights	0	0	0	0	0	0	0	0	0	0	0	0						
3	Restraining Order Violation	2	2	1	4	0	9	1	0	1	4	0	6	50%	0%	100%	100%		67%
3	Larceny	4	1	1	2	0	8	4	1	1	2	0	8	100%	100%	100%	100%		100%
3	Larceny More	52	14	3	5	0	74	17	7	0	2	0	26	33%	50%	0%	40%		35%
3	Larceny More + 60	0	0	0	1	0	1	0	0	0	0	0	0					0%	0%
3	Larceny Building	2	0	2	3	0	7	0	0	2	3	0	5	0%		100%	100%		71%
3	Larceny Firearm	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
3	Larceny MV	2	1	1	3	0	7	2	1	1	3	0	7	100%	100%	100%	100%		100%
3	Embezzlement	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
3	Credit Card Misuse - More	2	2	1	1	0	6	2	1	1	1	0	5	100%	50%	100%	100%		83%
3	Defrauding Insurer	3	1	0	0	0	4	0	1	0	0	0	1	0%	100%				25%
3	Fraud	1	1	1	0	0	3	1	1	0	0	0	2	100%	100%	0%			67%
3	Possess Burglariious Tools	1	0	0	5	0	6	1	0	0	5	0	6	100%			100%		100%
3	B&E	25	15	13	14	0	67	15	11	10	9	0	45	60%	73%	77%	64%		67%
3	Mal Dest Property More	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
3	Receiving Stolen Goods Over	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
3	Receiving Stolen Goods MV	2	1	4	3	0	10	2	1	3	3	0	9	100%	100%	75%	100%		90%
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Forgery And Uttering	10	6	5	8	0	29	1	2	4	6	0	13	10%	33%	80%	75%		45%
3	Counterfeit	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
3	Burning Property	5	2	0	0	0	7	1	1	0	0	0	2	20%	50%				29%
3	Burning Motor Vehicle	0	0	0	0	0	0	0	0	0	0	0	0						
3	Illegal Lottery	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Gaming Register Bets	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	Possession Class A 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Class A Heroin 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
3	Possession Class B 2nd	1	1	1	0	0	3	1	1	0	0	0	2	100%	100%	0%			67%
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	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Distribute Class D 2nd	1	1	0	1	0	3	1	1	0	0	0	2	100%	100%		0%		67%
3	Distribute Class E 2nd	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
3	Possession Hypodermic 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	MV Homicide	5	2	0	0	0	7	5	1	0	0	0	6	100%	50%				86%
3	Leaving Scene Property Damage	0	0	0	0	0	0	0	0	0	0	0	0						
3	Leaving Scene Personal Injury	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
3	Possess Master Key MV	0	0	0	0	0	0	0	0	0	0	0	0						
3	OUI Serious Inj. Misd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Inducing Min or To Sex	0	0	0	0	0	0	0	0	0	0	0	0						
3	Gun Serial Number	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
3	Firearm Loaded while OUI	0	0	0	0	0	0	0	0	0	0	0	0						
3	Nonsupport	0	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	0						
3	Failure to Appear Felony	0	0	0	0	0	0	0	0	0	0	0	0						
3	Carrying Dangerous Weapon	4	0	2	3	0	9	3	0	2	3	0	8	75%		100%	100%		89%
3	Contempt Of Court	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
3	Throw Object On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
3	Sex Offender Fail Register	0	0	2	1	1	4	0	0	0	1	0	1			0%	100%	0%	25%
3	Wiretapping	0	0	0	0	0	0	0	0	0	0	0	0						
3	Corporate books-falsify entry	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Sub-Total	251	100	71	86	2	510	119	65	47	66	1	298	47%	65%	66%	77%	50%	58%

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	0	2	1	1	0	4	0	1	0	1	0	2	50%	0%	100%	50%		
2	Accost / Annoy Person Opposite Sex	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Larceny	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
2	Larceny Less	7	1	0	0	0	8	2	1	0	0	0	3	29%	100%				38%
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	1	0	0	0	0	1	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	Concealing Property To Defraud	0	0	0	0	0	0	0	0	0	0	0	0						
2	Concealing Stolen Property	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	4	0	1	1	0	6	1	0	0	1	0	2	25%		0%	100%		33%
2	Tagging Property	0	0	0	0	0	0	0	0	0	0	0	0						
2	Receiving Stolen Goods	2	2	3	2	0	9	0	0	2	1	0	3	0%	0%	67%	50%		33%
2	Counterfeit	0	0	0	0	0	0	0	0	0	0	0	0						
2	Setting Fire Land	0	0	0	0	0	0	0	0	0	0	0	0						
2	Gaming Use of Telephone	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
2	Fraud - Electric, Phone or Cable	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possession Class A	5	1	1	2	0	9	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Possession Class A Heroin	2	1	4	1	0	8	1	1	4	0	0	6	50%	100%	100%	0%		75%
2	Possession Class B	19	4	2	2	0	27	7	4	1	1	0	13	37%	100%	50%	50%		48%
2	Possession Class C	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possession Class D	2	0	1	0	0	3	1	0	1	0	0	2	50%		100%			67%
2	Possession Class D Marijuana 2nd	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Distribute Counterfeit Substance	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Distribute Class D	12	9	1	2	0	24	9	5	1	2	0	17	75%	56%	100%	100%		71%
2	Distribute Class E	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
2	Possession Hypodermic/Syringe	2	1	0	1	0	4	0	0	0	1	0	1	0%	0%		100%		25%
2	Presence Class A	2	1	1	0	0	4	0	1	1	0	0	2	0%	100%	100%			50%
2	Forge Prescription	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
2	Distribute Paraphenalia	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%

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	Operate to Endanger	2	2	0	1	0	5	0	1	0	1	0	2	0%	50%		100%		40%
2	Use Without Authority	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	Use w/o Authority 2nd	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	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	Compulsory Insurance Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Counterfeit/Alter MV Document	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
2	False Statement On Application	0	0	0	0	0	0	0	0	0	0	0	0						
2	Loaning MV License	0	0	0	0	0	0	0	0	0	0	0	0						
2	Prostitution	0	0	0	0	0	0	0	0	0	0	0	0						
2	Induce Female To Prostitution	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	0	0	0	0	0	0						
2	Open And Gross	3	1	3	0	0	7	3	1	2	0	0	6	100%	100%	67%			86%
2	Obscene Material to Minor	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
2	Failure To Disperse	3	0	0	0	0	3	0	0	0	0	0	0						0%
2	Firearm Possess w/o Permit	12	14	3	1	0	30	8	11	2	1	0	22	67%	79%	67%	100%		73%
2	Possess Mace	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possess Ammunition	2	6	0	0	0	8	0	3	0	0	0	3	0%	50%				38%
2	Firearm Store Improper	0	1	0	0	0	1	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 Lockup	0	0	0	0	0	0	0	0	0	0	0	0						
2	Aiding An Escape	0	0	0	0	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	0	0	3	0	0	3	0	0	2	0	0	2			67%			67%
2	Possess Stun Gun	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possess Dangerous Weapon	0	0	0	0	0	0	0	0	0	0	0	0						
2	False Alarm	0	0	0	0	0	0	0	0	0	0	0	0						
2	Fireworks	0	0	0	0	0	0	0	0	0	0	0	0						
2	Disrupt Court Proceedings	0	0	0	0	0	0	0	0	0	0	0	0						
2	Contributing To Delinquency	0	0	0	0	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	Tampering With Rr Car	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
2	Resisting Arrest	0	3	1	3	0	7	0	1	1	3	0	5		33%	100%	100%		71%
2	Curfew	0	0	0	0	0	0	0	0	0	0	0	0						
2	False Report Of Crime	0	0	0	0	0	0	0	0	0	0	0	0						
2	Record w/o Manufacturer	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Unregistered Contractor	1	0	1	0	0	2	1	0	0	0	0	1	100%		0%			50%
2	True Name Law	1	1	1	1	0	4	1	1	0	1	0	3	100%	100%	0%	100%		75%
2	Falsely Solicit Assn Membership	0	0	0	0	0	0	0	0	0	0	0	0						
2	Sub-Total	101	53	29	21	0	204	42	33	19	15	0	109	42%	62%	66%	71%		53%

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	0	1	0	0	0	1	0	1	0	0	0	1						100%
1	Threatening	2	1	0	3	0	6	1	1	0	2	0	4	50%	100%		67%		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	Trespassing	0	0	0	0	0	0	0	0	0	0	0	0						
1	Gaming	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Possession Class D Marijuana	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	Possession Class E	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
1	Inhaling Toxic Vapors	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	0	0	0	0	0	0	0	0	0	0						
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	Parking Ticket Mutilate	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 Lacivious	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	1	0	0	0	0	1	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	0	0	0	0	0	0	0	0	0	0	0						
1	Annoying Phone 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	Refusing To Aid Police Officer	0	0	0	0	0	0	0	0	0	0	0	0						
1	Obstructing Justice	0	0	0	0	0	0	0	0	0	0	0	0						
1	License Law Violation (Not MV)	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Alcohol, Procure for Minor	1	1	0	0	0	2	0	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	0	0	1	0	0	1	0	0	1	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	Fail To Comply With Dog Order	0	0	0	0	0	0	0	0	0	0	0	0						
1	Sub-Total	11	4	1	3	0	19	1	3	1	2	0	7	9%	75%	100%	67%		37%

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	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
0	Attempt B&E	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
0	Conspiracy Violate CSA	11	4	2	2	0	19	3	2	2	1	0	8	27%	50%	100%	50%		42%
0	Solicit Felony	0	0	0	0	0	0	0	0	0	0	0	0						
0	Conspiracy	10	1	5	3	0	19	3	1	4	2	0	10	30%	100%	80%	67%		53%
0	Attempt To Commit Crime	0	2	2	1	0	5	0	1	2	1	0	4		50%	100%	100%		80%
0	Accessory Before	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
0	Accessory After	11	3	2	0	0	16	8	2	2	0	0	12	73%	67%	100%			75%
0	Other Crime	0	0	0	0	0	0	0	0	0	0	0	0						
0	Sub-Total	36	11	11	8	0	66	16	7	10	6	0	39	44%	64%	91%	75%		59%

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	12	4	8	3	0	27	132.0	117.0	118.5	140.0	.	126.7	114.0	126.0	102.0	144.0	.	120.0
8	Armed Assault In Dwell House	7	2	0	5	0	14	159.4	120.0	.	165.6	.	156.0	144.0	120.0	.	156.0	.	144.0
8	Rape, Aggravated	3	0	2	3	0	8	120.0	.	168.0	252.0	.	181.5	96.0	.	168.0	216.0	.	150.0
8	Rape Of Child w/Force	17	4	8	2	0	31	78.4	90.0	90.8	78.0	.	83.0	72.0	102.0	96.0	78.0	.	84.0
8	Firearmed Assault w/i Murder	1	2	2	2	0	7	216.0	150.0	144.0	138.0	.	154.3	216.0	150.0	144.0	138.0	.	168.0
8	Home Invasion	1	0	0	2	0	3	240.0	.	.	330.0	.	300.0	240.0	.	.	330.0	.	240.0
8	Kidnapping Firearm Extort	0	0	0	0	1	1	.	.	.	.	300.0	300.0	.	.	.	.	300.0	300.0
8	Burglary, Armed	2	1	0	1	0	4	258.0	216.0	.	144.0	.	219.0	258.0	216.0	.	144.0	.	216.0
8	Traffic Cocaine 200+	9	3	0	1	0	13	180.0	180.0	.	180.0	.	180.0	180.0	180.0	.	180.0	.	180.0
8	Sub-Total	52	16	20	19	1	108	134.3	132.8	114.9	180.0	300.0	140.1	120.0	120.0	96.0	156.0	300.0	120.0
7	Murder, Attempted	3	1	3	1	0	8	36.0	96.0	56.0	60.0	.	54.0	36.0	96.0	36.0	60.0	.	42.0
7	Mayhem	3	2	3	2	0	10	60.0	60.0	60.0	114.0	.	70.8	60.0	60.0	60.0	114.0	.	66.0
7	A&B Child w/Injury Substantial	1	2	0	0	0	3	12.0	102.0	.	.	.	72.0	12.0	102.0	.	.	.	96.0
7	Rape	6	2	4	5	1	18	42.0	27.0	42.0	91.2	228.0	64.3	42.0	27.0	42.0	96.0	228.0	48.0
7	Rape of Child 2nd	0	0	0	1	0	1	.	.	.	180.0	.	180.0	.	.	.	180.0	.	180.0
7	Assault w/i Rape Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Incest	2	0	1	0	0	3	66.0	.	72.0	.	.	68.0	66.0	.	72.0	.	.	72.0
7	Armed Robbery Gun	13	15	17	21	0	66	57.2	44.8	54.7	70.0	.	57.8	60.0	48.0	60.0	60.0	.	51.0
7	Armed Assault w/i Murder	12	20	2	7	0	41	57.0	74.7	96.0	60.9	.	68.2	60.0	60.0	96.0	60.0	.	60.0
7	Carjacking, Armed	0	0	1	1	0	2	.	.	48.0	108.0	.	78.0	.	.	48.0	108.0	.	78.0
7	Confine And Put In Fear	0	1	2	1	0	4	.	36.0	51.0	60.0	.	49.5	.	36.0	51.0	60.0	.	51.0
7	Traffic Heroin 028-100	3	3	3	1	0	10	84.0	88.0	84.0	84.0	.	85.2	84.0	84.0	84.0	84.0	.	84.0
7	Traffic Heroin 100-200	2	0	0	1	0	3	123.0	.	.	120.0	.	122.0	123.0	.	.	120.0	.	120.0
7	Traffic Cocaine 100-200	11	5	7	1	0	24	120.0	120.3	127.7	150.0	.	123.6	120.0	120.0	120.0	150.0	.	120.0
7	Sub-Total	56	51	43	42	1	193	70.2	69.4	69.9	79.6	228.0	72.8	60.0	60.0	60.0	72.0	228.0	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	1	0	0	0	0	1	96.0	.	.	.	.	.	96.0	96.0	.	.	.	96.0
6	A&B Aggravated - Serious Injury	0	1	1	0	0	2	.	36.0	12.0	.	.	.	24.0	.	36.0	12.0	.	24.0
6	A&B Dangerous Weapon	22	20	23	22	0	87	40.4	43.8	41.4	43.1	.	42.1	36.0	36.0	36.0	42.0	.	36.0
6	A&B Dangerous Weapon + 60	1	0	0	0	0	1	72.0	.	.	.	.	72.0	72.0	.	.	.	.	72.0
6	A&B DW, Aggravated w/Injury	0	1	1	1	0	3	.	24.0	48.0	36.0	.	36.0	.	24.0	48.0	36.0	.	36.0
6	Assault To Kill or Maim	1	0	1	1	0	3	36.0	.	72.0	36.0	.	48.0	36.0	.	72.0	36.0	.	36.0
6	Rape Of Child	36	12	8	5	0	61	62.7	50.0	55.5	88.8	.	61.4	48.0	36.0	42.0	60.0	.	48.0
6	Assault w/i Rape	3	0	0	0	1	4	56.0	.	.	.	228.0	99.0	60.0	.	.	.	228.0	60.0
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Robbery Unarmed + 60	0	2	2	5	0	9	.	12.0	27.0	42.0	.	32.0	.	12.0	27.0	48.0	.	30.0
6	Armed Robbery	48	41	36	51	1	177	48.0	49.8	51.8	62.5	108.0	53.7	36.0	48.0	48.0	60.0	108.0	48.0
6	Armed Assault w/i Rob	12	7	4	8	0	31	56.0	39.7	63.0	111.0	.	67.4	48.0	42.0	60.0	93.0	.	48.0
6	Carjacking	0	1	3	3	0	7	.	36.0	52.0	60.0	.	53.1	.	36.0	60.0	72.0	.	60.0
6	Kidnapping	2	0	5	1	0	8	24.0	.	58.8	36.0	.	47.3	24.0	.	54.0	36.0	.	42.0
6	Violation Of Civil Rights, Felony	0	1	0	0	0	1	.	48.0	.	.	.	48.0	.	48.0	.	.	.	48.0
6	Burning Dwelling House	4	1	1	3	0	9	28.0	60.0	60.0	52.0	.	43.1	30.0	60.0	60.0	60.0	.	40.0
6	Distribute Class A 2nd	0	7	4	8	0	19	.	60.0	66.0	76.5	.	68.2	.	60.0	60.0	72.0	.	60.0
6	Distribute Cocaine 2nd	0	2	9	5	0	16	.	66.0	60.0	60.0	.	60.8	.	66.0	60.0	60.0	.	60.0
6	Traffic Heroin 014-028	7	1	3	0	0	11	61.7	60.0	64.0	.	62.2	60.0	60.0	60.0	.	.	.	60.0
6	Traffic Cocaine 028-100	28	21	15	5	0	69	70.9	69.1	72.0	67.2	.	70.3	60.0	60.0	60.0	60.0	.	60.0
6	Induce Minor To Distribute	0	1	0	0	0	1	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0
6	MV Homicide - OUI Felony	6	3	0	1	0	10	36.0	36.0	.	54.0	.	37.8	36.0	30.0	.	54.0	.	36.0
6	Possess Explosive Device	0	0	1	0	0	1	.	.	48.0	.	.	48.0	.	.	48.0	.	.	48.0
6	Sub-Total	171	122	117	119	2	531	54.3	51.3	54.1	62.4	168.0	55.8	48.0	48.0	60.0	60.0	168.0	60.0
5	A&B Child w/Injury	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
5	A&B Aggravated	0	1	3	2	0	6	.	48.0	42.0	25.5	.	37.5	.	48.0	48.0	25.5	.	39.0
5	A&B DW, Aggravated	3	1	1	0	0	5	36.0	48.0	36.0	.	38.4	24.0	48.0	36.0	.	.	.	36.0
5	Indecent A&B On Child	5	0	4	0	0	9	40.8	.	27.0	.	34.7	36.0	.	24.0	.	.	.	24.0
5	Entice Child	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
5	Unnatural Acts Child	0	0	1	0	0	1	.	.	24.0	.	24.0	.	24.0	.	24.0	.	.	24.0
5	Robbery Unarmed	7	15	17	32	0	71	32.6	29.2	32.1	42.0	.	36.0	24.0	24.0	24.0	36.0	.	36.0
5	Intimidation	1	0	0	1	0	2	36.0	.	.	36.0	.	36.0	36.0	.	.	36.0	.	36.0
5	Stalking Violation of Rest. Order	0	0	1	1	0	2	.	.	36.0	36.0	.	36.0	.	.	36.0	36.0	.	36.0
5	Common & Notorious Thief	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
5	Burglary	4	1	4	1	0	10	43.5	24.0	72.0	120.0	.	60.6	42.0	24.0	60.0	120.0	.	48.0
5	Counterfeit Equipment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B 2nd	0	9	10	11	0	30	.	45.3	43.2	54.5	.	48.0	.	48.0	36.0	60.0	.	48.0
5	Traffic Cocaine 014-028	52	26	21	11	0	110	37.2	37.4	38.3	40.4	.	37.7	36.0	36.0	36.0	36.0	.	36.0
5	Traffic Mar 100-2000	1	0	0	0	0	1	72.0	.	.	.	.	72.0	72.0	.	.	.	.	72.0
5	Guard Sex w/ Prisoner	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
5	Perjury or Suborn	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Sub-Total	77	53	62	59	0	251	37.2	36.6	38.7	44.6	39.2	36.0	36.0	36.0	36.0	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
4	A&B Elderly / Disabled w/Injury	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Assault Aggravated	1	0	0	0	0	1	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
4	A&B Guard	0	2	0	9	1	12	.	24.0	.	22.6	6.0	21.4	.	24.0	.	12.0	6.0	12.0
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	3	2	4	2	0	11	40.0	36.0	24.0	36.0	.	32.7	48.0	36.0	24.0	36.0	.	24.0
4	Assault w/i Rob	1	3	4	4	0	12	60.0	32.0	36.0	51.0	.	42.0	60.0	24.0	30.0	54.0	.	42.0
4	Stalking	0	0	0	1	0	1	.	.	.	42.0	.	42.0	.	.	.	42.0	.	42.0
4	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	5	0	2	11	0	18	36.0	.	36.0	28.4	.	31.3	30.0	.	36.0	24.0	.	27.0
4	Larceny Person	0	1	1	5	0	7	.	12.0	36.0	31.2	.	29.1	.	12.0	36.0	30.0	.	30.0
4	Larceny Person + 65	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Larceny MV 2nd	0	0	0	2	0	2	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	3	4	13	62	0	82	44.0	70.5	42.0	52.5	.	51.4	36.0	63.0	36.0	42.0	.	39.0
4	Enter Dwelling w/IFelony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods Over	0	0	1	4	0	5	.	.	36.0	42.0	.	40.8	.	.	36.0	42.0	.	36.0
4	Receiving Stolen Goods MV 2nd	0	0	1	1	0	2	.	.	30.0	60.0	.	45.0	.	.	30.0	60.0	.	45.0
4	Burning Building	1	0	1	1	0	3	36.0	.	108.0	12.0	.	52.0	36.0	.	108.0	12.0	.	36.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	12	27	14	32	0	85	31.0	34.4	38.1	37.9	.	35.9	36.0	36.0	36.0	36.0	.	36.0
4	Distribute Class B	11	15	9	16	0	51	33.3	30.4	34.0	35.6	.	33.3	36.0	36.0	30.0	33.0	.	36.0
4	Distribute Cocaine	20	33	20	25	0	98	22.8	25.5	34.2	33.1	.	28.7	24.0	24.0	36.0	36.0	.	24.0
4	Traffic Mar 50-100	0	1	0	0	0	1	.	42.0	.	.	.	42.0	.	42.0	.	.	.	42.0
4	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Giving Prisoner Cont Sub	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
4	Control Substance School	4	5	2	12	0	23	31.5	30.0	48.0	33.5	.	33.7	33.0	30.0	48.0	30.0	.	30.0
4	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Leaving Scene Death	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	OUI Serious Inj, Fel	0	1	0	0	0	1	.	48.0	.	.	.	48.0	.	48.0	.	.	.	48.0
4	Derive Support From Prostitute	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Assault Weapon, Possess	4	3	2	2	0	11	31.5	34.0	72.0	36.0	.	40.4	30.0	36.0	72.0	36.0	.	36.0
4	Firearm Sale Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Escape	0	1	0	1	0	2	.	36.0	.	24.0	.	30.0	.	36.0	.	24.0	.	30.0
4	Injure Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Extortion	0	0	0	1	1	2	.	.	.	54.0	18.0	36.0	.	.	.	54.0	18.0	36.0
4	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Sub-Total	65	99	74	193	2	433	31.1	31.7	38.3	40.4	12.0	36.5	30.0	30.0	36.0	36.0	12.0	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	Reckless Endangerment	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	2	3	1	3	0	9	42.0	34.0	24.0	38.0	.	36.0	42.0	36.0	24.0	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	1	1	0	0	0	2	57.0	24.0	.	.	.	40.5	57.0	24.0	.	.	.	40.5
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	1	2	0	3	.	.	24.0	36.0	.	32.0	.	24.0	36.0	.	36.0	
3	Larceny Firearm	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	36.0	
3	Larceny MV	0	0	1	2	0	3	.	.	36.0	39.0	.	38.0	.	36.0	39.0	.	36.0	
3	Embezzlement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Credit Card Misuse - More	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
3	Defrauding Insurer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Fraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglariou Tools	0	0	0	2	0	2	.	.	.	72.0	.	72.0	.	.	.	72.0	.	72.0
3	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Mal Dest Property More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods MV	0	0	1	3	0	4	.	.	24.0	72.0	.	60.0	.	24.0	72.0	.	48.0	
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	48.0	.	48.0	
3	Forgery And Uttering	0	1	1	3	0	5	.	24.0	24.0	44.0	.	36.0	.	24.0	24.0	36.0	.	24.0
3	Counterfeit	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	36.0	
3	Burning Property	1	0	0	0	0	1	19.8	.	.	.	.	19.8	19.8	.	.	.	19.8	
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	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	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A Heroin 2nd	0	0	1	0	0	1	.	.	36.0	.	.	.	36.0	.	.	36.0	.	36.0
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	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI Serious Inj, Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Inducing Min or To Sex	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	3	0	1	2	0	6	26.0	.	30.0	30.0	.	28.0	30.0	.	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	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Corporate books-falsify entry	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
3	Sub-Total	8	6	8	19	0	41	31.4	31.0	29.3	46.1	.	37.7	33.0	33.0	27.0	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
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 Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Concealing Property To Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Concealing Stolen Property	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	Tagging Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Receiving Stolen Goods	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	24.0	.	24.0	
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Setting Fire Land	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 Paraphenalia	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	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	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	Counterfeit/Alter MV Document	1	0	0	0	0	1	24.0	.	.	.	.	.	24.0	24.0	.	.	.	24.0
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Loaning MV License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
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	1	1	2	0	0	4	24.0	24.0	28.4	.	.	26.2	24.0	24.0	28.4	.	.	24.0
2	Obscene Material to Minor	0	0	0	0	0	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 Lockup	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	Tampering With Rr Car	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Curfew	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	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	Falsely Solicit Assn Membership	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Sub-Total	2	1	2	1	0	6	24.0	24.0	28.4	24.0	.	25.5	24.0	24.0	28.4	24.0	.	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 Victualer	0	0	0	0	0	0												
1	Vandalism	0	0	0	0	0	0												
1	Trespassing	0	0	0	0	0	0												
1	Gaming	0	0	0	0	0	0												
1	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	Parking Ticket Mutilate	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 Lacious	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	Annoying Phone Calls	0	0	0	0	0	0												
1	Failure To Obey Police Officer	0	0	0	0	0	0												
1	Refusing To Aid Police Officer	0	0	0	0	0	0												
1	Obstructing Justice	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	Fail To Comply With Dog Order	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	2	1	0	0	0	3	66.0	18.0	.	.	.	50.0	66.0	18.0	.	.	.	48.0
0	Solicit Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy	1	0	3	1	0	5	24.0	.	28.0	6.0	.	22.8	24.0	.	12.0	6.0	.	12.0
0	Attempt To Commit Crime	0	0	2	1	0	3	.	.	42.0	54.0	.	46.0	.	42.0	54.0	.	48.0	
0	Accessory Before	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Accessory After	4	0	0	0	0	4	51.0	.	.	.	.	51.0	48.0	.	.	.	.	48.0
0	Other Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Sub-Total	7	1	5	2	0	15	51.4	18.0	33.6	30.0	.	40.4	48.0	18.0	36.0	30.0	.	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	12	4	8	3	0	27	156.0	129.0	141.0	192.0	.	151.6	126.0	144.0	120.0	240.0	.	120.0
8	Armed Assault In Dwell House	7	2	0	5	0	14	185.2	120.0	.	177.6	.	173.2	180.0	120.0	.	156.0	.	168.0
8	Rape, Aggravated	3	0	2	3	0	8	184.0	.	252.0	308.0	.	247.5	144.0	.	252.0	264.0	.	222.0
8	Rape Of Child w/Force	17	4	8	2	0	31	93.2	102.0	113.3	78.0	.	98.5	96.0	114.0	120.0	78.0	.	96.0
8	Firearmed Assault w/i Murder	1	2	2	2	0	7	240.0	162.0	186.0	138.0	.	173.2	240.0	162.0	186.0	138.0	.	180.0
8	Home Invasion	1	0	0	2	0	3	240.0	.	.	372.0	.	328.0	240.0	.	.	372.0	.	264.0
8	Kidnapping Firearm Extort	0	0	0	0	1	1	.	.	.	.	300.0	300.0	.	.	.	.	300.0	300.0
8	Burglary, Armed	2	1	0	1	0	4	300.0	240.0	.	168.0	.	252.0	300.0	240.0	.	168.0	.	240.0
8	Traffic Cocaine 200+	9	3	0	1	0	13	180.0	180.0	.	180.0	.	180.0	180.0	180.0	.	180.0	.	180.0
8	Sub-Total	52	16	20	19	1	108	153.9	141.8	145.5	205.9	300.0	161.1	138.0	120.0	132.0	180.0	300.0	144.0
7	Murder, Attempted	3	1	3	1	0	8	56.0	144.0	64.0	60.0	.	70.5	60.0	144.0	36.0	60.0	.	60.0
7	Mayhem	3	2	3	2	0	10	96.0	60.0	72.0	132.0	.	88.8	108.0	60.0	60.0	132.0	.	84.0
7	A&B Child w/Injury Substantial	1	2	0	0	0	3	12.0	132.0	.	.	.	92.0	12.0	132.0	.	.	.	120.0
7	Rape	6	2	4	5	1	18	54.0	39.0	60.0	117.6	240.0	81.7	60.0	39.0	60.0	120.0	240.0	66.0
7	Rape of Child 2nd	0	0	0	1	0	1	.	.	.	240.0	.	240.0	.	.	.	240.0	.	240.0
7	Assault w/i Rape Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Incest	2	0	1	0	0	3	78.0	.	96.0	.	.	84.0	78.0	.	96.0	.	.	96.0
7	Armed Robbery Gun	13	15	17	21	0	66	64.6	57.2	65.0	83.4	.	69.0	60.0	54.0	60.0	72.0	.	60.0
7	Armed Assault w/i Murder	12	20	2	7	0	41	74.0	90.0	120.0	62.6	.	82.1	66.0	72.0	120.0	60.0	.	72.0
7	Carjacking, Armed	0	0	1	1	0	2	.	.	54.0	108.0	.	81.0	.	.	54.0	108.0	.	81.0
7	Confine And Put In Fear	0	1	2	1	0	4	.	42.0	72.0	72.0	.	64.5	.	42.0	72.0	72.0	.	66.0
7	Traffic Heroin 028-100	3	3	3	1	0	10	104.0	104.0	84.0	108.0	.	98.4	108.0	108.0	84.0	108.0	.	96.0
7	Traffic Heroin 100-200	2	0	0	1	0	3	123.0	.	.	120.0	.	122.0	123.0	.	.	120.0	.	120.0
7	Traffic Cocaine 100-200	11	5	7	1	0	24	125.5	136.8	141.4	150.0	.	133.5	120.0	120.0	144.0	150.0	.	129.0
7	Sub-Total	56	51	43	42	1	193	82.4	84.4	82.1	92.9	240.0	85.9	78.0	72.0	72.0	78.0	240.0	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	1	0	0	0	0	1	120.0	.	.	.	.	120.0	120.0	.	.	.	.	120.0
6	A&B Aggravated - Serious Injury	0	1	1	0	0	2	.	48.0	12.0	.	.	30.0	.	48.0	12.0	.	.	30.0	
6	A&B Dangerous Weapon	22	20	23	22	0	87	58.6	55.5	55.6	52.7	.	55.6	60.0	39.0	36.0	48.0	.	48.0	
6	A&B Dangerous Weapon + 60	1	0	0	0	0	1	72.0	.	.	.	.	72.0	72.0	.	.	.	.	72.0
6	A&B DW, Aggravated w/Injury	0	1	1	1	0	3	.	36.0	72.0	54.0	.	54.0	.	36.0	72.0	54.0	.	54.0	
6	Assault To Kill or Maim	1	0	1	1	0	3	42.0	.	96.0	60.0	.	66.0	42.0	.	96.0	60.0	.	60.0	
6	Rape Of Child	36	12	8	5	0	61	80.0	68.2	81.0	105.6	.	79.9	66.0	60.0	66.0	84.0	.	60.0	
6	Assault w/ Rape	3	0	0	0	1	4	68.0	240.0	111.0	60.0	.	.	.	240.0	72.0
6	Child Pornography	0	0	0	0	0	0
6	Robbery Unarmed + 60	0	2	2	5	0	9	.	24.0	42.0	61.2	.	48.7	.	24.0	42.0	72.0	.	36.0	
6	Armed Robbery	48	41	36	51	1	177	58.2	61.7	59.6	77.0	108.0	65.0	48.0	54.0	55.0	60.0	108.0	60.0	
6	Armed Assault w/i Rob	12	7	4	8	0	31	76.0	50.9	81.0	126.0	.	83.9	66.0	60.0	84.0	111.0	.	60.0	
6	Carjacking	0	1	3	3	0	7	.	36.0	52.0	76.0	.	60.0	.	36.0	60.0	96.0	.	60.0	
6	Kidnapping	2	0	5	1	0	8	30.0	.	79.2	60.0	.	64.5	30.0	.	60.0	60.0	.	60.0	
6	Violation Of Civil Rights, Felony	0	1	0	0	0	1	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0	
6	Burning Dwelling House	4	1	1	3	0	9	45.0	84.0	84.0	64.0	.	60.0	48.0	84.0	84.0	72.0	.	60.0	
6	Distribute Class A 2nd	0	7	4	8	0	19	.	63.5	72.0	83.3	.	73.6	.	60.0	66.0	78.0	.	60.0	
6	Distribute Cocaine 2nd	0	2	9	5	0	16	.	84.0	66.7	60.1	.	66.8	.	84.0	60.0	60.0	.	60.0	
6	Traffic Heroin 014-028	7	1	3	0	0	11	72.0	60.0	76.0	.	72.0	72.0	60.0	72.0	.	.	.	72.0	
6	Traffic Cocaine 028-100	28	21	15	5	0	69	76.9	85.7	77.6	72.0	.	79.4	72.0	84.0	84.0	60.0	.	84.0	
6	Induce Minor To Distribute	0	1	0	0	0	1	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0	
6	MV Homicide - OUI Felony	6	3	0	1	0	10	46.0	42.0	.	54.0	.	45.6	42.0	36.0	.	54.0	.	42.0	
6	Possess Explosive Device	0	0	1	0	0	1	.	.	72.0	.	.	72.0	.	.	72.0	.	.	72.0	
6	Sub-Total	171	122	117	119	2	531	67.2	63.8	65.4	74.8	174.0	68.1	60.0	60.0	60.0	60.0	174.0	60.0	
5	A&B Child w/Injury	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
5	A&B Aggravated	0	1	3	2	0	6	.	48.0	46.0	25.5	.	39.5	.	48.0	48.0	25.5	.	39.0	
5	A&B DW, Aggravated	3	1	1	0	0	5	38.0	60.0	48.0	.	44.4	30.0	60.0	48.0	.	.	.	48.0	
5	Indecent A&B On Child	5	0	4	0	0	9	60.0	.	48.0	.	.	54.7	48.0	.	48.0	.	.	48.0	
5	Entice Child	1	0	0	0	0	1	60.0	.	.	.	.	60.0	60.0	.	.	.	.	60.0
5	Unnatural Acts Child	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0	
5	Robbery Unarmed	7	15	17	32	0	71	44.6	34.8	42.3	50.1	.	44.5	36.0	36.0	36.0	36.0	.	36.0	
5	Intimidation	1	0	0	1	0	2	54.0	.	.	60.0	.	57.0	54.0	.	.	60.0	.	57.0	
5	Stalking Violation of Rest. Order	0	0	1	1	0	2	.	.	60.0	36.0	.	48.0	.	.	60.0	36.0	.	48.0	
5	Common & Notorious Thief	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
5	Burglary	4	1	4	1	0	10	64.5	36.0	87.0	144.0	.	78.6	72.0	36.0	84.0	144.0	.	72.0	
5	Counterfeit Equipment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B 2nd	0	9	10	11	0	30	.	54.7	46.8	60.6	.	54.2	.	60.0	42.0	60.0	.	60.0	
5	Traffic Cocaine 014-028	52	26	21	11	0	110	42.6	44.3	43.4	43.7	.	43.3	36.0	36.0	36.0	42.0	.	36.0	
5	Traffic Mar 100-2000	1	0	0	0	0	1	120.0	.	.	.	.	120.0	120.0	.	.	.	.	120.0
5	Guard Sex w/ Prisoner	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
5	Perjury or Suborn	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Sub-Total	77	53	62	59	0	251	45.7	43.6	46.9	51.5	46.9	36.0	36.0	36.0	42.0	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
4	A&B Elderly / Disabled w/Injury	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
4	Assault Aggravated	1	0	0	0	0	1	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
4	A&B Guard	0	2	0	9	1	12	.	27.0	.	36.6	6.0	32.4	.	27.0	.	24.0	6.0	24.0
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	3	2	4	2	0	11	48.0	48.0	33.0	48.0	.	42.6	60.0	48.0	36.0	48.0	.	36.0
4	Assault w/i Rob	1	3	4	4	0	12	60.0	40.0	54.0	52.5	.	50.5	60.0	36.0	48.0	54.0	.	54.0
4	Stalking	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
4	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	5	0	2	11	0	18	48.0	.	36.0	30.6	.	36.0	48.0	.	36.0	24.0	.	36.0
4	Larceny Person	0	1	1	5	0	7	.	24.0	36.0	36.0	.	34.3	.	24.0	36.0	36.0	.	36.0
4	Larceny Person + 65	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Larceny MV 2nd	0	0	0	2	0	2	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
4	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	3	4	13	62	0	82	60.0	81.0	50.8	61.2	.	60.5	60.0	84.0	36.0	48.0	.	48.0
4	Enter Dwelling w/Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods Over	0	0	1	4	0	5	.	.	60.0	54.0	.	55.2	.	60.0	60.0	.	60.0	
4	Receiving Stolen Goods MV 2nd	0	0	1	1	0	2	.	.	30.0	84.0	.	57.0	.	30.0	84.0	.	57.0	
4	Burning Building	1	0	1	1	0	3	60.0	.	108.0	24.0	.	64.0	60.0	.	108.0	24.0	.	60.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	12	27	14	32	0	85	36.0	44.7	44.2	47.3	.	44.3	36.0	48.0	36.0	48.0	.	42.0
4	Distribute Class B	11	15	9	16	0	51	42.6	39.2	42.7	39.0	.	40.5	36.0	36.0	36.0	36.0	.	36.0
4	Distribute Cocaine	20	33	20	25	0	98	31.3	34.1	40.8	43.2	.	37.2	30.0	36.0	42.0	36.0	.	36.0
4	Traffic Mar 50-100	0	1	0	0	0	1	.	48.0	.	.	.	48.0	.	48.0	.	.	.	48.0
4	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Giving Prisoner Cont Sub	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
4	Control Substance School	4	5	2	12	0	23	42.0	37.2	48.0	34.5	.	37.6	39.0	36.0	48.0	30.0	.	36.0
4	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Leaving Scene Death	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	OUI Serious Inj, Fel	0	1	0	0	0	1	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0
4	Derive Support From Prostitute	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Assault Weapon, Possess	4	3	2	2	0	11	37.5	50.0	90.0	48.0	.	52.4	30.0	60.0	90.0	48.0	.	60.0
4	Firearm Sale Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Escape	0	1	0	1	0	2	.	60.0	.	36.0	.	48.0	.	60.0	.	36.0	.	48.0
4	Injure Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Extortion	0	0	0	1	1	2	.	.	.	72.0	18.0	45.0	.	.	.	72.0	18.0	45.0
4	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Sub-Total	65	99	74	193	2	433	39.6	41.1	46.1	48.4	12.0	44.8	36.0	36.0	36.0	42.0	12.0	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	Reckless Endangerment	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	2	3	1	3	0	9	51.0	54.0	36.0	42.0	.	47.3	51.0	60.0	36.0	36.0	.	42.0
3	Assault Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Child Pornography Possess	1	1	0	0	0	2	60.0	30.0	.	.	.	45.0	60.0	30.0	.	.	.	45.0
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	1	2	0	3	.	.	36.0	48.0	.	44.0	.	.	36.0	48.0	.	36.0
3	Larceny Firearm	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
3	Larceny MV	0	0	1	2	0	3	.	.	36.0	42.0	.	40.0	.	.	36.0	42.0	.	36.0
3	Embezzlement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Credit Card Misuse - More	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
3	Defrauding Insurer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Fraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglariou Tools	0	0	0	2	0	2	.	.	.	78.0	.	78.0	.	.	.	78.0	.	78.0
3	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Mal Dest Property More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods MV	0	0	1	3	0	4	.	.	36.0	80.0	.	69.0	.	.	36.0	72.0	.	54.0
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
3	Forgery And Uttering	0	1	1	3	0	5	.	24.0	24.0	68.0	.	50.4	.	24.0	24.0	60.0	.	48.0
3	Counterfeit	0	0	1	0	0	1	.	.	60.0	.	.	60.0	.	.	60.0	.	.	60.0
3	Burning Property	1	0	0	0	0	1	19.8	.	.	.	.	19.8	19.8	.	.	.	.	19.8
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	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	Possession Class A 2nd	0	0	0	0	0	0
3	Possession Class A Heroin 2nd	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	36.0	
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	.	.	.	.	.	.	.	.	.	.	.
3	OUI Serious Inj. Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.
3	Inducing Min or To Sex	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	3	0	1	2	0	6	26.0	.	36.0	48.0	.	35.0	30.0	.	36.0	48.0	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	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.
3	Corporate books-falsify entry	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	12.0
3	Sub-Total	8	6	8	19	0	41	34.0	42.0	37.5	57.2	.	46.6	33.0	39.0	36.0	60.0	.	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 Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Concealing Property To Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Concealing Stolen Property	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	Tagging Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Receiving Stolen Goods	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Setting Fire Land	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 Paraphenalia	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	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	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	Counterfeit/Alter MV Document	1	0	0	0	0	1	48.0	.	.	.	.	.	48.0	48.0	.	.	.	48.0
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Loaning MV License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
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	1	1	2	0	0	4	36.0	36.0	30.0	.	.	33.0	36.0	36.0	30.0	.	36.0	
2	Obscene Material to Minor	0	0	0	0	0	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 Lockup	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	Tampering With Rr Car	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Curfew	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	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	Falsely Solicit Assn Membership	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Sub-Total	2	1	2	1	0	6	42.0	36.0	30.0	30.0	.	35.0	42.0	36.0	30.0	30.0	.	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
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	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 Wron g 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	Parking Ticket Mutilate	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 Lacious	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	Annoying Phone Calls	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Failure To Obey Police Offi cer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Refusing To Aid Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstructing Justice	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	Fail To Comply With Dog Order	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	2	1	0	0	0	3	66.0	18.0	.	.	.	50.0	66.0	18.0	.	.	.	48.0
0	Solicit Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy	1	0	3	1	0	5	36.0	.	28.0	6.0	.	25.2	36.0	.	12.0	6.0	.	12.0
0	Attempt To Commit Crime	0	0	2	1	0	3	.	.	54.0	60.0	.	56.0	.	54.0	60.0	.	60.0	
0	Accessory Before	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Accessory After	4	0	0	0	0	4	69.0	.	.	.	.	69.0	72.0	.	.	.	.	72.0
0	Other Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Sub-Total	7	1	5	2	0	15	63.4	18.0	38.4	33.0	.	48.0	60.0	18.0	48.0	33.0	.	48.0

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	Kidnapping Firearm Extort	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Burglary, Armed	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	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Mayhem	1	0	0	0	0	1	18.0	.	.	.	.	.	18.0	18.0	.	.	.	18.0
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 g, Armed	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	30.0	.	30.0	
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	Sub-Total	1	0	0	1	0	2	18.0	.	.	30.0	.	24.0	18.0	.	.	30.0	.	24.0

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	3	1	0	0	0	4	24.0	24.0	.	.	.	24.0	30.0	24.0	.	.	.	27.0
6	A&B Aggravated - Serious Injury	0	1	2	0	0	3	.	18.0	12.0	.	.	14.0	.	18.0	12.0	.	.	18.0
6	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B DW, Aggravated w/Injury	0	1	1	0	0	2	.	9.0	30.0	.	.	19.5	.	9.0	30.0	.	.	19.5
6	Assault To Kill or Maim	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Rape Of Child	19	1	4	3	0	27	15.3	30.0	24.0	25.7	.	18.3	12.0	30.0	27.0	30.0	.	18.0
6	Assault w/i Rape	0	0	1	0	0	1	.	.	1.0	.	.	1.0	.	.	1.0	.	.	1.0
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	3	2	0	3	0	8	28.0	24.0	.	12.0	.	21.0	30.0	24.0	.	12.0	.	24.0
6	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Violation Of Civil Rights, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Burning Dwelling House	3	1	1	0	0	5	22.0	3.0	30.0	.	.	19.8	24.0	3.0	30.0	.	.	24.0
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	6	2	0	1	0	9	21.0	27.0	.	24.0	.	22.7	24.0	27.0	.	24.0	.	24.0
6	Possess Explosive Device	0	1	1	0	0	2	.	24.0	30.0	.	.	27.0	.	24.0	30.0	.	.	27.0
6	Sub-Total	34	10	10	7	0	61	18.8	21.0	21.1	19.6	.	19.6	18.0	24.0	27.0	17.0	.	24.0
5	A&B Child w/Injury	8	4	6	0	0	18	9.8	5.1	8.7	.	.	8.4	4.5	4.5	5.5	.	.	4.5
5	A&B Aggravated	6	9	10	9	0	34	6.7	8.6	10.9	13.0	.	10.1	4.5	11.0	12.0	13.0	.	11.4
5	A&B DW, Aggravated	5	0	0	1	0	6	23.2	.	.	6.0	.	20.3	30.0	.	.	6.0	.	27.0
5	Indecent A&B On Child	35	17	13	3	0	68	14.2	16.0	15.4	18.0	.	15.0	12.0	12.0	12.0	18.0	.	12.0
5	Entice Child	1	0	1	0	0	2	12.0	.	6.4	.	.	9.2	12.0	.	6.4	.	.	9.2
5	Unnatural Acts Child	2	2	0	0	0	4	24.0	22.5	.	.	.	23.3	24.0	22.5	.	.	.	24.0
5	Robbery Unarmed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Intimidation	45	75	85	85	0	290	5.8	6.5	8.7	10.6	.	8.2	6.0	6.0	6.0	9.0	.	6.0
5	Stalking Violation of Rest. Order	2	0	3	1	0	6	24.0	.	14.0	12.0	.	17.0	24.0	.	12.0	12.0	.	15.0
5	Common & Notorious Thief	2	0	0	0	0	2	17.3	.	.	.	.	17.3	17.3	.	.	.	.	17.3
5	Burglary	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Counterfeit Equipment	0	0	0	1	0	1	.	.	.	18.0	.	18.0	.	.	18.0	.	.	18.0
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	Guard Sex w/ Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Perjury or Suborn	0	1	1	0	0	2	.	18.0	3.0	.	.	10.5	.	18.0	3.0	.	.	10.5
5	Sub-Total	106	108	119	100	0	433	10.7	8.5	9.7	11.1	.	10.0	7.5	6.0	9.0	10.4	.	8.0

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	7	4	4	5	0	20	6.7	5.2	4.7	16.4	.	8.4	6.0	3.8	4.0	15.0	.	6.0
4	Assault Aggravated	0	1	0	0	0	1	.	1.0	.	.	.	1.0	.	1.0	.	.	.	1.0
4	A&B Guard	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Dangerous Weapon	62	55	61	70	0	248	17.0	17.8	16.8	17.7	.	17.3	17.0	18.0	15.0	18.0	.	18.0
4	A&B Dangerous Weapon + 60	1	0	2	0	0	3	12.0	.	21.0	.	.	18.0	12.0	.	21.0	.	.	18.0
4	A&B To Collect Loan	1	1	0	0	0	2	6.0	6.0	.	.	.	6.0	6.0	6.0	.	.	.	6.0
4	Indecent A&B	31	23	14	11	0	79	9.1	9.7	12.2	14.4	.	10.5	6.0	6.0	8.0	12.0	.	6.0
4	Assault w/i Rob	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Stalking	5	3	5	7	0	20	10.8	6.0	12.2	14.0	.	11.6	6.0	3.0	12.0	12.0	.	12.0
4	Harassment	1	5	3	9	0	18	7.0	3.8	4.3	10.3	.	7.3	7.0	4.2	6.0	6.0	.	6.0
4	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny Person	90	106	72	81	0	349	8.3	10.2	11.8	10.6	.	10.1	5.5	6.0	12.0	9.0	.	6.0
4	Larceny Person + 65	2	4	5	4	0	15	12.0	6.0	12.7	15.8	.	11.6	12.0	6.0	12.0	15.0	.	12.0
4	Larceny MV 2nd	0	0	1	4	0	5	.	.	24.0	16.5	.	18.0	.	.	24.0	15.0	.	18.0
4	Fraud - Identity	8	13	10	17	0	48	6.3	6.8	10.2	11.6	.	9.1	2.6	6.0	9.0	9.0	.	6.0
4	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Enter Dwelling w/Felony	1	1	2	0	0	4	0.2	6.0	5.0	.	4.0	0.2	6.0	5.0	.	.	4.5	
4	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods MV 2nd	0	0	2	6	0	8	.	.	12.0	19.0	.	17.3	.	.	12.0	18.0	.	12.0
4	Burning Building	3	4	1	0	0	8	13.0	6.3	30.0	.	11.8	12.0	6.0	30.0	.	.	9.0	
4	Burning to Defraud	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	24.0	.	24.0	
4	Distribute Class A	157	148	134	92	0	531	9.6	10.8	12.4	13.7	.	11.3	6.0	9.5	12.0	12.0	.	12.0
4	Distribute Class B	244	210	129	108	0	691	8.7	10.2	10.8	13.6	.	10.3	6.0	9.0	12.0	12.0	.	9.0
4	Distribute Cocaine	30	14	7	9	0	60	18.9	22.3	23.1	20.3	.	20.4	18.0	24.0	24.0	24.0	.	20.0
4	Traffic Mar 50-100	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
4	Larceny Cont Sub	1	1	1	0	0	3	30.0	6.0	12.0	.	16.0	30.0	6.0	12.0	.	.	12.0	
4	Giving Prisoner Cont Sub	0	3	1	4	0	8	.	7.2	24.0	3.5	7.5	.	2.0	24.0	3.0	.	3.0	
4	Control Substance School	76	85	71	43	0	275	24.1	24.2	24.3	24.6	.	24.2	24.0	24.0	24.0	24.0	.	24.0
4	MV Homicide - OUI	11	0	1	1	0	13	16.7	.	30.0	12.0	.	17.4	18.0	.	30.0	12.0	.	18.0
4	Leaving Scene Death	3	0	0	0	0	3	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
4	OUI Serious Inj, Fel	9	4	4	0	0	17	13.7	15.0	16.5	.	14.6	9.0	13.5	15.0	.	.	9.0	
4	Derive Support From Prostitute	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Assault Weapon, Possess	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Firearm Sale Violation	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	24.0	
4	Escape	1	28	20	18	0	67	12.0	2.7	4.9	5.1	.	4.1	12.0	2.0	3.0	3.5	.	3.0
4	Injure Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Bribery	3	0	0	0	0	3	2.1	.	.	.	.	2.1	2.0	.	.	.	.	2.0
4	Extortion	1	1	0	0	0	2	1.0	1.0	.	.	.	1.0	1.0	1.0	.	.	.	1.0
4	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Sub-Total	749	715	550	490	0	2504	11.7	12.3	13.8	14.5	.	12.9	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	381	502	467	526	6	1882	4.9	5.4	7.0	8.5	12.4	6.6	3.0	3.8	6.0	6.0	13.5	6.0
3	A&B Domestic	45	46	33	29	0	153	3.7	6.4	6.8	7.2	.	5.9	2.0	6.0	6.0	6.0	.	6.0
3	A&B w/Intimidate	1	1	0	0	0	2	30.0	6.0	.	.	.	18.0	30.0	6.0	.	.	.	18.0
3	Reckless Endangerment	0	0	1	1	0	2	.	.	0.3	18.0	.	9.2	.	.	0.3	18.0	.	9.2
3	A&B Dangerous Weapon	113	109	93	64	0	379	3.4	4.2	4.5	5.0	.	4.2	3.0	4.0	4.0	6.0	.	3.0
3	A&B Dangerous Weapon + 60	0	2	1	0	0	3	.	2.5	1.0	.	.	2.0	.	2.5	1.0	.	.	2.0
3	Assault Dangerous Weapon	72	87	92	97	0	348	9.2	8.1	8.9	9.5	.	8.9	6.0	6.0	6.0	6.0	.	6.0
3	Assault Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Unnatural Acts	1	3	0	0	0	4	1.0	11.0	.	.	.	8.5	1.0	6.0	.	.	.	4.5
3	Child Pornography Possess	5	0	1	0	0	6	6.0	.	0.3	.	.	5.1	6.0	.	0.3	.	.	6.0
3	Kidnapping	1	0	0	0	0	1	1.3	.	.	.	.	1.3	1.3	.	.	.	.	1.3
3	Violation Of Civil Rights	1	0	1	3	1	6	6.0	.	3.0	7.0	6.0	6.0	6.0	.	3.0	6.0	6.0	6.0
3	Restraining Order Violation	53	142	177	168	0	540	4.0	4.2	5.8	7.3	.	5.7	3.0	3.0	6.0	6.0	.	4.1
3	Larceny	22	21	21	31	0	95	4.4	4.0	5.0	6.8	.	5.2	2.1	2.6	4.0	4.0	.	3.0
3	Larceny More	147	200	211	294	1	853	5.1	5.1	6.2	7.2	3.0	6.1	3.0	4.0	6.0	6.0	3.0	6.0
3	Larceny More + 60	0	1	2	0	0	3	.	6.0	9.0	.	.	8.0	.	6.0	9.0	.	.	6.0
3	Larceny Building	15	13	20	30	0	78	6.2	7.6	7.9	9.7	.	8.2	4.2	6.0	6.0	11.5	.	6.0
3	Larceny Firearm	3	1	2	1	0	7	6.1	3.0	12.5	1.0	.	6.8	6.0	3.0	12.5	1.0	.	3.0
3	Larceny MV	27	34	26	35	0	122	6.3	8.0	8.7	11.1	.	8.7	3.0	6.0	6.0	12.0	.	6.0
3	Embezzlement	1	0	1	0	0	2	30.0	.	2.0	.	.	16.0	30.0	.	2.0	.	.	16.0
3	Credit Card Misuse - More	9	11	11	6	0	37	9.1	15.3	9.4	17.8	.	12.4	3.0	12.0	10.0	18.0	.	12.0
3	Defrauding Insurer	0	4	1	1	0	6	.	4.9	2.3	24.0	.	7.6	.	3.6	2.3	24.0	.	4.1
3	Fraud	1	2	1	2	0	6	1.0	1.5	12.0	9.0	.	5.6	1.0	1.5	12.0	9.0	.	4.0
3	Possess Burglariious Tools	23	19	26	43	0	111	5.5	5.8	7.2	9.8	.	7.6	6.0	5.0	6.0	9.0	.	6.0
3	B&E	176	245	232	283	2	938	5.9	7.7	9.6	11.4	18.0	9.0	3.3	6.0	6.0	12.0	18.0	6.0
3	Mal Dest Property More	21	43	26	34	0	124	4.7	5.4	8.2	10.5	.	7.3	3.0	5.6	6.5	9.0	.	6.0
3	Receiving Stolen Goods Over	15	20	21	34	0	90	4.2	6.1	11.0	11.0	.	8.8	2.0	6.0	12.0	9.0	.	6.0
3	Receiving Stolen Goods MV	56	66	86	114	0	322	4.9	7.1	8.8	11.4	.	8.7	3.0	6.0	6.0	9.0	.	6.0
3	Receiving Stolen Goods 2nd	0	1	0	2	0	3	.	2.4	.	15.0	.	10.8	.	2.4	.	15.0	.	12.0
3	Forgery And Uttering	26	62	74	67	0	229	4.4	4.8	6.8	9.7	.	6.8	3.3	3.0	6.0	6.0	.	6.0
3	Counterfeit	1	1	0	2	0	4	2.0	0.8	.	3.0	.	2.2	2.0	0.8	.	3.0	.	2.5
3	Burning Property	3	3	3	2	0	11	1.9	4.3	3.0	3.5	.	3.2	1.8	6.0	2.0	3.5	.	2.0
3	Burning Motor Vehicle	0	2	0	0	0	2	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	0	0	0	0	0	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	Possession Class A 2nd	1	4	6	9	0	20	0.3	2.5	9.7	5.8	.	6.0	0.3	1.5	9.6	6.0	.	6.0
3	Possession Class A Heroin 2nd	5	13	9	7	0	34	4.4	5.4	7.8	8.7	.	6.6	5.0	6.0	6.0	9.0	.	6.0
3	Possession Class B 2nd	7	21	21	16	0	65	7.0	8.5	5.8	5.9	.	6.8	6.0	6.0	4.2	5.5	.	6.0
3	Possession Class C 2nd	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0
3	Possession Class D 2nd	5	6	11	4	0	26	5.1	3.3	4.2	0.8	.	3.7	2.0	3.0	3.0	1.0	.	2.2
3	Distribute Class C	8	4	4	2	0	18	6.6	5.4	6.8	10.3	.	6.8	4.5	4.8	7.5	10.3	.	6.0
3	Distribute Class D 2nd	5	5	4	2	0	16	13.4	14.4	11.3	21.0	.	14.1	12.0	9.0	10.5	21.0	.	12.0
3	Distribute Class E 2nd	2	0	1	1	0	4	5.8	.	6.0	18.0	.	8.9	5.8	.	6.0	18.0	.	7.8
3	Possession Hypodermic 2nd	0	5	2	3	0	10	.	5.0	3.0	7.0	.	5.2	.	6.0	3.0	6.0	.	6.0
3	MV Homicide	12	3	1	1	0	17	9.5	7.7	30.0	30.0	.	11.6	8.5	8.0	30.0	30.0	.	9.0
3	Leaving Scene Property Damage	44	63	54	66	0	227	2.6	3.4	5.9	6.8	.	4.8	1.5	2.0	6.0	6.0	.	3.0
3	Leaving Scene Personal Injury	13	15	9	9	0	46	4.8	6.5	11.2	7.8	.	7.2	6.0	6.0	12.0	6.0	.	6.0
3	Possess Master Key MV	0	1	1	0	0	2	.	12.0	6.0	.	.	9.0	.	12.0	6.0	.	.	9.0
3	OUI Serious Inj, Misd	3	2	1	1	0	7	9.7	7.1	12.0	6.0	.	8.8	4.2	7.1	12.0	6.0	.	6.0
3	Inducing Min or To Sex	1	2	0	0	0	3	12.0	3.5	.	.	.	6.3	12.0	3.5	.	.	.	6.0
3	Gun Serial Number	4	3	2	0	0	9	10.5	16.0	18.0	.	.	14.0	12.0	18.0	18.0	.	.	12.0
3	Firearm Loaded while OUI	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
3	Nonsupport	1	3	0	0	0	4	18.0	7.3	.	.	.	10.0	18.0	3.0	.	.	.	10.5
3	Interfere Police or Firefighter	0	3	1	2	0	6	.	4.3	3.0	4.5	.	4.2	.	5.0	3.0	4.5	.	4.0
3	Failure to Appear Felony	0	0	1	0	0	1	.	.	8.0	.	.	8.0	.	.	8.0	.	.	8.0
3	Carrying Dangerous Weapon	20	28	25	21	0	94	5.7	6.1	6.5	8.1	.	6.6	4.5	4.1	6.0	6.0	.	6.0
3	Contempt Of Court	0	0	2	0	0	2	.	.	13.0	.	.	13.0	.	.	13.0	.	.	13.0
3	Throw Object On Public Way	0	1	0	0	0	1	.	1.0	.	.	.	1.0	.	1.0	.	.	.	1.0
3	Sex Offender Fail Register	1	5	16	20	0	42	0.1	3.8	4.7	5.0	.	4.6	0.1	2.0	3.8	4.5	4.0	2.5
3	Wiretapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Corporate books-falsify entry	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sub-Total	1352	1829	1801	2033	10	7025	5.2	5.8	7.2	8.8	11.9	6.9	3.0	4.3	6.0	6.0	9.0	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	12	13	16	16	0	57	3.4	5.1	5.8	5.3	.	5.0	3.5	6.0	6.0	2.0	.	4.0
2	Accost / Annoy Person Opposite Sex	0	3	0	0	0	3	.	5.0	.	.	.	5.0	.	6.0	.	.	.	6.0
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less	27	31	33	49	0	140	2.4	3.0	3.7	3.4	.	3.2	1.4	1.5	2.0	2.3	.	2.0
2	Larceny Less +60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Shoplifting	30	66	90	154	2	342	1.9	2.3	3.5	3.6	4.7	3.2	1.0	1.4	2.1	2.0	4.7	2.0
2	Credit Card Misuse	4	6	16	11	0	37	2.3	2.8	4.8	6.8	.	4.8	1.5	3.0	6.0	6.0	.	4.0
2	Defrauding Innkeeper	2	0	0	0	0	2	0.5	.	.	.	.	0.5	0.5	.	.	.	.	0.5
2	Welfare Violation	1	1	0	0	0	2	3.0	1.0	.	.	.	2.0	3.0	1.0	.	.	.	2.0
2	Concealing Property To Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Concealing Stolen Property	1	0	0	0	0	1	3.0	.	.	.	.	3.0	3.0	.	.	.	.	3.0
2	Failure To Return Leased Prop	1	5	2	3	0	11	0.9	3.3	4.0	1.3	.	2.6	0.9	3.0	4.0	1.0	.	2.0
2	B&E MV	0	1	2	2	0	5	.	3.0	4.5	4.0	.	4.0	.	3.0	4.5	4.0	.	3.0
2	B&E w/i Misdemeanor	14	10	13	9	0	46	2.3	3.2	4.0	4.1	.	3.3	1.5	3.0	6.0	3.0	.	3.0
2	Property Destruction	27	53	32	38	0	150	3.5	4.8	4.0	5.3	.	4.5	2.0	2.5	2.3	2.2	.	2.0
2	Tagging Property	2	0	0	0	0	2	1.7	.	.	.	.	1.7	1.7	.	.	.	.	1.7
2	Receiving Stolen Goods	36	61	44	69	0	210	3.3	4.5	4.7	7.1	.	5.2	2.0	3.0	3.0	6.0	.	3.0
2	Counterfeit	1	1	0	0	0	2	0.1	1.3	.	.	.	0.7	0.1	1.3	.	.	.	0.7
2	Setting Fire Land	0	0	0	1	0	1	.	.	.	1.0	.	1.0	.	.	.	1.0	.	1.0
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	38	46	40	48	0	172	3.8	4.8	4.6	6.0	.	4.8	3.0	4.0	3.3	6.0	.	3.6
2	Possession Class A Heroin	53	71	59	57	1	241	4.0	5.2	6.7	7.7	4.3	5.9	2.0	4.2	6.0	6.0	4.3	6.0
2	Possession Class B	98	137	91	102	1	429	3.4	4.0	4.8	4.2	2.0	4.1	2.8	3.0	4.2	3.0	2.0	3.0
2	Possession Class C	6	2	5	4	0	17	3.5	1.7	3.6	3.2	.	3.2	3.0	1.7	2.0	2.9	.	3.0
2	Possession Class D	61	43	32	25	0	161	2.6	3.8	4.6	3.6	.	3.5	2.0	3.0	6.0	3.0	.	2.0
2	Possession Class D Marijuana 2nd	7	14	8	8	0	37	4.8	2.2	4.8	10.0	.	4.9	4.4	1.0	2.5	11.0	.	3.0
2	Distribute Counterfeit Substance	0	8	5	13	0	26	.	6.0	4.3	3.8	.	4.5	.	5.2	3.0	3.0	.	3.0
2	Distribute Class D	72	69	38	13	0	192	5.9	8.0	9.0	7.2	.	7.4	3.0	6.0	9.0	6.0	.	6.0
2	Distribute Class E	5	0	1	2	0	8	6.4	.	6.0	5.0	.	6.0	9.0	.	6.0	5.0	.	7.5
2	Possession Hypodermic/Syringe	31	63	51	47	0	192	2.9	3.6	3.8	5.2	.	3.9	2.3	3.0	2.2	5.0	.	3.0
2	Presence Class A	5	8	4	5	0	22	1.5	4.4	4.0	4.8	.	3.7	1.0	3.3	3.0	4.0	.	3.0
2	Forge Prescription	8	4	7	6	0	25	2.4	4.0	7.9	9.0	.	5.8	1.0	4.0	3.0	7.5	.	3.0
2	Distribute Paraphenalia	1	0	1	0	0	2	3.0	.	24.0	.	.	13.5	3.0	.	24.0	.	.	13.5

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	Operate to Endanger	71	74	51	59	0	255	2.5	4.6	6.0	5.8	.	4.6	2.0	3.0	3.0	3.0	.	3.0
2	Use Without Authority	19	23	26	22	0	90	3.9	4.6	5.7	6.3	.	5.2	3.0	3.0	6.0	3.0	.	3.0
2	Use w/o Authority 2nd	1	0	0	0	0	1	1.6	.	.	.	.	1.6	1.6	.	.	.	.	1.6
2	Habitual Traffic Offender	9	31	33	27	0	100	3.7	1.8	2.8	4.1	.	2.9	1.0	0.7	2.0	2.0	.	2.0
2	Racing	1	0	1	0	0	2	3.0	.	0.5	.	.	1.7	3.0	.	0.5	.	.	1.7
2	Operate After Suspension 2nd	87	200	163	153	0	603	2.0	2.2	2.6	3.1	.	2.5	2.0	2.0	2.0	2.0	.	2.0
2	Compulsory Insurance Violation	48	69	38	59	0	214	1.5	1.8	2.5	2.6	.	2.1	0.6	1.0	1.0	1.2	.	1.0
2	Counterfeit/Alter MV Document	6	7	5	6	0	24	9.0	2.9	3.0	2.8	.	4.4	4.0	3.0	3.0	2.0	.	2.5
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Loaning MV License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	31	61	29	12	0	133	1.8	2.2	2.9	4.2	.	2.5	1.0	1.7	3.0	3.0	.	2.0
2	Induce Female To Prostitution	0	1	1	1	0	3	.	4.2	3.0	3.3	.	3.5	.	4.2	3.0	3.3	.	3.3
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	14	10	7	6	0	37	6.4	12.0	7.6	5.4	.	8.0	5.5	12.0	6.0	5.3	.	6.0
2	Obscene Material to Minor	2	1	0	1	0	4	4.5	12.0	.	24.0	.	11.3	4.5	12.0	.	24.0	.	9.0
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Possess w/o Permit	66	54	24	13	0	157	9.7	13.0	11.6	7.7	.	11.0	12.0	12.0	12.0	6.0	.	12.0
2	Possess Mace	0	1	2	1	0	4	.	2.0	6.0	1.9	.	4.0	.	2.0	6.0	1.9	.	4.0
2	Possess Ammunition	0	4	0	0	0	4	.	17.4	.	.	.	17.4	.	18.0	.	.	.	18.0
2	Firearm Store Improper	0	1	1	0	0	2	.	6.0	6.0	.	.	6.0	.	6.0	6.0	.	.	6.0
2	Escape Work Release Program	0	1	0	0	0	1	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0
2	Escape Lockup	0	1	0	2	0	3	.	2.0	.	2.5	.	2.3	.	2.0	.	2.5	.	2.0
2	Aiding An Escape	0	1	0	0	0	1	.	2.0	.	.	.	2.0	.	2.0	.	.	.	2.0
2	Impersonate/Disguise	1	1	1	3	0	6	4.2	0.5	6.0	5.0	.	4.3	4.2	0.5	6.0	2.0	.	3.1
2	False Statement	0	1	0	0	0	1	.	12.0	.	.	.	12.0	.	12.0	.	.	.	12.0
2	Failure to Appear	3	2	4	1	0	10	1.4	0.3	4.3	6.0	.	2.8	1.0	0.3	3.5	6.0	.	1.0
2	Possess Stun Gun	1	0	0	1	0	2	0.6	.	.	3.0	.	1.8	0.6	.	.	3.0	.	1.8
2	Possess Dangerous Weapon	1	0	0	0	0	1	0.1	.	.	.	.	0.1	0.1	.	.	.	.	0.1
2	False Alarm	1	2	0	1	0	4	2.0	7.5	.	2.0	.	4.8	2.0	7.5	.	2.0	.	2.5
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disrupt Court Proceedings	1	0	0	0	0	1	2.0	.	.	.	.	2.0	2.0	.	.	.	.	2.0
2	Contributing To Delinquency	2	4	1	2	0	9	9.0	1.9	12.0	4.5	.	5.2	9.0	1.8	12.0	4.5	.	4.0
2	Cruelty To Animals	2	1	1	0	0	4	0.3	0.4	6.0	.	.	1.7	0.3	0.4	6.0	.	.	0.4
2	Mistreat Police Animal	0	1	0	0	0	1	.	9.0	.	.	.	9.0	.	9.0	.	.	.	9.0
2	Tampering With Rr Car	0	1	0	0	0	1	.	1.0	.	.	.	1.0	.	1.0	.	.	.	1.0
2	Resisting Arrest	48	76	71	61	0	256	2.9	3.9	3.5	5.6	.	4.0	1.0	3.0	3.0	3.0	.	3.0
2	Curfew	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	4	1	2	0	0	7	1.6	12.0	2.0	.	.	3.2	0.2	12.0	2.0	.	.	1.0
2	Record w/o Manufacturer	1	0	0	0	0	1	1.0	.	.	.	.	1.0	1.0	.	.	.	.	1.0
2	Unregistered Contractor	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
2	True Name Law	19	28	17	22	0	86	1.2	2.6	2.7	4.2	.	2.7	1.0	1.0	1.0	1.3	.	1.0
2	Falsely Solicit Assn Membership	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Sub-Total	983	1374	1068	1135	4	4564	3.6	4.1	4.4	4.7	3.9	4.2	2.0	2.6	3.0	3.0	3.1	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	1	0	0	0	1	.	15.0	.	.	.	15.0	.	15.0	.	.	.	15.0	
1	Threatening	20	19	33	37	1	110	2.6	3.8	3.2	4.1	3.0	3.5	2.0	3.0	3.0	4.0	3.0	3.0	
1	Defrauding Victualer	0	2	0	0	0	2	.	0.4	.	.	.	0.4	.	0.4	.	.	.	0.4	
1	Vandalism	0	2	1	0	0	3	.	1.9	0.8	.	.	1.5	.	1.9	0.8	.	.	0.8	
1	Trespassing	28	58	50	50	0	186	0.6	0.7	0.8	0.8	.	0.7	0.5	0.8	1.0	1.0	.	1.0	
1	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Possession Class D Marijuana	33	36	27	17	0	113	2.2	2.5	2.8	1.9	.	2.4	2.0	1.4	2.0	1.0	.	1.5	
1	Possession Class E	7	8	5	2	0	22	1.5	3.4	3.7	4.0	.	2.9	0.9	3.0	4.2	4.0	.	3.0	
1	Inhaling Toxic Vapors	0	0	0	1	0	1	.	.	.	1.0	.	1.0	.	.	.	1.0	.	1.0	
1	Attaching Wrong MV Plates	4	3	5	4	0	16	0.2	0.3	0.3	0.3	.	0.3	0.3	0.3	0.3	0.3	.	0.3	
1	Operate After Suspension	119	195	131	117	1	563	0.3	0.3	0.3	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	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	RV On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Parking Ticket Mutilate	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Common Night Walker	7	17	4	5	0	33	1.6	1.7	2.0	2.8	.	1.9	0.8	1.2	1.5	4.0	.	1.1	
1	Indecent Exposure	2	4	1	3	0	10	3.0	3.4	0.1	0.7	.	2.2	3.0	3.5	0.1	1.0	.	1.0	
1	Lewd And Lacivious	2	2	1	0	0	5	3.8	1.5	4.0	.	2.9	3.8	1.5	4.0	.	.	.	2.0	
1	Peeping Tom	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Disorderly Conduct	46	69	69	68	0	252	1.3	1.3	1.8	2.3	.	1.7	0.7	1.0	1.0	1.2	.	1.0	
1	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Firearm Discharge	0	0	1	0	0	1	.	.	2.0	.	2.0	.	.	2.0	.	.	.	2.0	
1	Annoying Phone Calls	2	3	2	2	0	9	2.0	1.8	1.7	3.0	.	2.1	2.0	2.0	1.7	3.0	.	3.0	
1	Failure To Obey Police Officer	0	0	1	0	0	1	.	.	1.0	.	1.0	.	.	1.0	.	.	.	1.0	
1	Refusing To Aid Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstructing Justice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	License Law Violation (Not MV)	1	1	0	0	0	2	1.0	0.1	.	.	0.6	1.0	0.1	.	.	.	.	0.6
1	Alcohol, Procure for Minor	5	4	1	1	0	11	3.9	3.3	3.0	6.0	.	3.8	6.0	2.0	3.0	6.0	.	3.0	
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	1	0	0	1	.	.	1.0	.	1.0	.	.	1.0	.	.	.	1.0	
1	Employment Practices	0	1	0	0	0	1	.	6.0	.	.	6.0	.	6.0	.	.	.	.	6.0
1	Health Code Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Fail To Comply With Dog Order	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Sub-Total	276	425	333	307	2	1343	1.1	1.1	1.3	1.5	1.7	1.2	0.3	0.3	0.3	0.5	1.7	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	2	2	1	0	0	5	6.9	12.0	9.0	.	.	9.4	6.9	12.0	9.0	.	.	12.0
0	Attempt B&E	1	3	0	5	0	9	3.7	2.3	.	12.0	.	7.8	3.7	1.5	.	12.0	.	12.0
0	Conspiracy Violate CSA	3	3	8	7	0	21	1.4	6.3	12.4	6.3	.	7.9	1.0	6.0	6.0	3.0	.	3.0
0	Solicit Felony	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
0	Conspiracy	5	4	4	2	0	15	7.3	3.5	6.4	3.5	.	5.5	12.0	2.5	6.0	3.5	.	6.0
0	Attempt To Commit Crime	8	12	7	8	0	35	2.5	8.8	3.7	6.8	.	5.9	1.8	6.0	3.0	6.0	.	6.0
0	Accessory Before	2	1	0	2	0	5	15.8	3.0	.	5.5	.	9.1	15.8	3.0	.	5.5	.	5.0
0	Accessory After	4	2	2	1	0	9	14.3	1.7	16.0	24.0	.	12.9	10.5	1.7	16.0	24.0	.	12.0
0	Other Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Sub-Total	26	27	22	25	0	100	6.9	6.5	8.7	8.0	.	7.5	3.4	6.0	6.0	6.0	.	6.0

Table 46 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	1761	1359	1012	855	9	4996	391	507	470	531	6	1905	22%	37%	46%	62%	67%	38%
Person	A&B Aggravated	20	22	16	14	0	72	6	10	13	11	0	40	30%	45%	81%	79%		56%
Person	A&B Aggravated - Serious Injury	0	3	4	0	0	7	0	2	3	0	0	5		67%	75%			71%
Person	A&B Child w/Injury	21	9	10	0	0	40	9	4	6	0	0	19	43%	44%	60%			48%
Person	A&B Child w/Injury Substantial	1	2	0	0	0	3	1	2	0	0	0	3	100%	100%				100%
Person	A&B Dangerous Weapon	577	396	293	235	1	1502	199	187	179	156	0	721	34%	47%	61%	66%	0%	48%
Person	A&B Dangerous Weapon + 60	2	2	3	0	0	7	2	2	3	0	0	7	100%	100%	100%			100%
Person	A&B Domestic	172	122	78	61	0	433	45	47	34	29	0	155	26%	39%	44%	48%		36%
Person	A&B DW, Aggravated	12	2	1	1	0	16	8	1	1	1	0	11	67%	50%	100%	100%		69%
Person	A&B DW, Aggravated w/Injury	0	2	2	1	0	5	0	2	2	1	0	5		100%	100%	100%		100%
Person	A&B Elderly / Disabled w/Injury	17	17	9	6	1	50	7	4	5	6	0	22	41%	24%	56%	100%	0%	44%
Person	A&B Guard	0	2	0	10	1	13	0	2	0	9	1	12		100%		90%	100%	92%
Person	A&B To Collect Loan	7	3	1	0	0	11	1	1	0	0	0	2	14%	33%	0%			18%
Person	A&B w/Intimidate	4	2	0	0	0	6	1	1	0	0	0	2	25%	50%				33%
Person	Armed Assault In Dwell House	8	2	0	5	0	15	7	2	0	5	0	14	88%	100%		100%		93%
Person	Armed Assault w/i Murder	16	21	3	7	0	47	12	20	2	7	0	41	75%	95%	67%	100%		87%
Person	Armed Assault w/i Rob	19	8	6	8	0	41	13	7	4	8	0	32	68%	88%	67%	100%		78%
Person	Armed Robbery	71	46	44	55	1	217	48	41	36	51	1	177	68%	89%	82%	93%	100%	82%
Person	Armed Robbery Gun	16	17	18	22	0	73	13	15	17	21	0	66	81%	88%	94%	95%		90%
Person	Assault	69	41	44	28	0	182	12	13	16	16	0	57	17%	32%	36%	57%		31%
Person	Assault Aggravated	2	1	0	1	0	4	1	1	0	0	0	2	50%	100%		0%		50%
Person	Assault Dangerous Weapon	248	191	147	146	1	733	75	91	93	101	0	360	30%	48%	63%	69%	0%	49%
Person	Assault Dangerous Weapon + 60	0	0	1	1	0	2	0	0	0	0	0	0			0%	0%		0%
Person	Assault To Kill or Maim	2	0	1	1	0	4	1	0	1	1	0	3	50%		100%	100%		75%
Person	Assault w/i Rob	2	3	4	4	0	13	1	3	4	4	0	12	50%	100%	100%	100%		92%
Person	Carjacking	5	4	3	7	0	19	3	3	3	6	0	15	60%	75%	100%	86%		79%
Person	Carjackin g, Armed	1	0	1	2	0	4	1	0	1	2	0	4	100%		100%	100%		100%
Person	Confine And Put In Fear	1	1	2	1	0	5	0	1	2	1	0	4	0%	100%	100%	100%		80%
Person	Entice Child	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
Person	Extortion	3	2	0	2	1	8	1	1	0	1	1	4	33%	50%		50%	100%	50%
Person	Firearmed Assault w/i Murder	1	2	2	2	0	7	1	2	2	2	0	7	100%	100%	100%	100%		100%
Person	Harassment	19	11	9	14	0	53	1	5	3	9	0	18	5%	45%	33%	64%		34%
Person	Home Invasion	3	1	0	2	0	6	1	0	0	2	0	3	33%	0%		100%		50%
Person	Injure Firefighter	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Person	Intimidation	153	186	163	119	0	621	46	76	85	87	0	294	30%	41%	52%	73%		47%
Person	Kidnapping	8	1	6	1	0	16	3	0	5	1	0	9	38%	0%	83%	100%		56%
Person	Kidnapping Firearm Extort	0	0	0	0	1	1	0	0	0	0	1	1					100%	100%
Person	Manslaughter	19	7	8	3	0	37	16	5	8	3	0	32	84%	71%	100%	100%		86%
Person	Mayhem	5	2	3	2	0	12	4	2	3	2	0	11	80%	100%	100%	100%		92%
Person	Murder	18	8	10	4	0	40	18	8	10	4	0	40	100%	100%	100%	100%		100%
Person	Murder, Attempted	3	1	3	1	0	8	3	1	3	1	0	8	100%	100%	100%	100%		100%
Person	Reckless Endangerment	3	0	1	2	0	6	0	0	1	1	0	2	0%		100%	50%		33%
Person	Restraining Order Violation	313	364	359	304	1	1341	55	143	178	171	0	547	18%	39%	50%	56%	0%	41%
Person	Robbery Unarmed	20	21	19	33	0	93	7	15	17	32	0	71	35%	71%	89%	97%		76%
Person	Robbery Unarmed + 60	3	2	2	5	0	12	0	2	2	5	0	9						
Person	Stalking	8	7	10	14	0	39	5	3	5	8	0	21	63%	43%	50%	57%		54%
Person	Stalking Violation of Rest. Order	2	1	4	2	0	9	2	1	4	2	0	9	100%	100%	100%	100%		100%
Person	Threatening	94	84	82	74	1	335	21	19	33	37	1	111	22%	23%	40%	50%	100%	33%
Person	Violation Of Civil Rights	7	1	2	3	1	14	1	0	1	3	1	6	14%	0%	50%	100%	100%	43%
Person	Violation Of Civil Rights, Felony	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Person	Sub-Total	3738	2980	2388	2058	19	11183	1044	1253	1256	1338	12	4903	28%	42%	53%	65%	63%	44%

Table 46 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	4	0	1	0	1	6	3	0	1	0	1	5	75%		100%		100%	83%
Sex	Assault w/i Rape Child	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Sex	Incest	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
Sex	Indecent A&B	89	40	21	15	0	165	34	25	18	13	0	90	38%	63%	86%	87%		55%
Sex	Indecent A&B On Child	72	26	22	5	0	125	40	17	17	3	0	77	56%	65%	77%	60%		62%
Sex	Open And Gross	40	24	12	9	0	85	15	11	9	6	0	41	38%	46%	75%	67%		48%
Sex	Rape	9	3	5	5	1	23	6	2	5	5	1	19	67%	67%	100%	100%	100%	83%
Sex	Rape Of Child	73	18	13	8	0	112	56	13	12	8	0	89	77%	72%	92%	100%		79%
Sex	Rape of Child 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Sex	Rape Of Child w/Force	19	5	9	3	0	36	18	4	9	3	0	34						
Sex	Rape, Aggravated	3	0	2	4	0	9	3	0	2	4	0	9	100%		100%	100%		100%
Sex	Unnatural Acts Child	3	3	1	0	0	7	2	2	1	0	0	5	67%	67%	100%			71%
Sex	Sub-Total	315	120	87	50	2	574	179	74	75	43	2	373	57%	62%	86%	86%	100%	65%
Weapons	Assault Weapon, Possess	4	3	2	2	0	11	4	3	2	2	0	11	100%	100%	100%	100%		100%
Weapons	Carrying Dangerous Weapon	84	78	55	32	0	249	24	28	27	23	0	102	29%	36%	49%	72%		41%
Weapons	Firearm Discharge	2	2	1	0	0	5	0	0	1	0	0	1	0%	0%	100%			20%
Weapons	Firearm Loaded while OUI	7	0	0	0	0	7	1	0	0	0	0	1	14%					14%
Weapons	Firearm Possess w/o Permit	135	75	35	17	0	262	66	54	24	13	0	157	49%	72%	69%	76%		60%
Weapons	Firearm Sale Violation	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Weapons	Firearm Store Improper	9	4	2	1	0	16	0	1	1	0	0	2	0%	25%	50%	0%		13%
Weapons	Gun Serial Number	9	3	2	0	0	14	4	3	2	0	0	9	44%	100%	100%			64%
Weapons	Possess Air Rifle w/o FID Card	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Weapons	Possess Ammunition	4	7	0	0	0	11	0	4	0	0	0	4	0%	57%				36%
Weapons	Possess Dangerous Weapon	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Weapons	Possess Explosive Device	0	1	2	0	0	3	0	1	2	0	0	3		100%	100%			100%
Weapons	Possess Mace	0	4	3	2	0	9	0	1	2	1	0	4		25%	67%	50%		44%
Weapons	Possess Stun Gun	4	1	1	1	0	7	1	0	0	1	0	2	25%	0%	0%	100%		29%
Weapons	Sub-Total	262	179	103	55	0	599	101	96	61	40	0	298	39%	54%	59%	73%		50%

Table 46 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	4	8	5	8	0	25	1	3	0	5	0	9						
Property	Attempt Larceny	5	8	2	2	0	17	2	2	1	0	0	5	40%	25%	50%	0%		29%
Property	B&E	486	414	336	427	4	1667	184	249	246	347	2	1028	38%	60%	73%	81%	50%	62%
Property	B&E MV	3	5	3	4	0	15	0	1	2	2	0	5	0%	20%	67%	50%		33%
Property	B&E w/i Misdemeanor	60	33	30	23	1	147	15	11	13	9	0	48	25%	33%	43%	39%	0%	33%
Property	Burglary	4	2	4	2	0	12	4	1	4	1	0	10	100%	50%	100%	50%		83%
Property	Burglary, Armed	2	2	0	2	0	6	2	1	0	2	0	5	100%	50%		100%		83%
Property	Burning Building	4	7	3	1	0	15	4	4	2	1	0	11	100%	57%	67%	100%		73%
Property	Burning Dwelling House	12	3	2	4	0	21	7	2	2	3	0	14	58%	67%	100%	75%		67%
Property	Burning Motor Vehicle	8	2	1	1	0	12	0	2	0	0	0	2	0%	100%	0%	0%		17%
Property	Burning Property	14	8	5	4	0	31	4	4	3	2	0	13	29%	50%	60%	50%		42%
Property	Burning to Defraud	6	0	0	1	0	7	0	0	0	1	0	1	0%			100%		14%
Property	Common & Notorious Thief	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
Property	Concealing Property To Defraud	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
Property	Concealing Stolen Property	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Property	Corporate books-falsify entry	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Property	Counterfeit	6	5	7	5	0	23	2	2	1	2	0	7	33%	40%	14%	40%		30%
Property	Counterfeit Equipment	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Property	Credit Card Misuse	43	23	37	21	0	124	5	6	16	11	0	38	12%	26%	43%	52%		31%
Property	Credit Card Misuse - More	19	16	14	8	0	57	10	11	11	7	0	39	53%	69%	79%	88%		68%
Property	Defrauding Ink keeper	6	3	2	0	0	11	2	0	0	0	0	2	33%	0%	0%			18%
Property	Defrauding Insurer	15	7	2	1	0	25	0	4	1	1	0	6	0%	57%	50%	100%		24%
Property	Defrauding Victualer	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
Property	Embezzlement	3	0	1	0	0	4	1	0	1	0	0	2	33%		100%			50%
Property	Enter Dwelling w/IFelony	2	1	2	0	0	5	1	1	2	0	0	4	50%	100%	100%			80%
Property	Failure To Return Leased Prop	11	10	11	6	0	38	2	5	2	3	0	12	18%	50%	18%	50%		32%
Property	False Alarm	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Property	Forgery And Uttering	161	188	148	128	0	625	28	63	75	71	0	237	17%	34%	51%	55%		38%
Property	Fraud	6	5	3	4	0	18	1	2	1	2	0	6	17%	40%	33%	50%		33%
Property	Fraud - Electric, Phone or Cable	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
Property	Fraud - Identity	46	30	18	26	0	120	8	13	10	17	0	48	17%	43%	56%	65%		40%

Table 46 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	Larceny	91	93	62	64	0	310	24	21	21	31	0	97	26%	23%	34%	48%	31%	
Property	Larceny Building	50	34	38	45	0	167	15	13	21	32	0	81	30%	38%	55%	71%	49%	
Property	Larceny Firearm	6	2	2	1	0	11	3	2	2	1	0	8	50%	100%	100%	100%	73%	
Property	Larceny Less	198	161	110	118	0	587	28	31	33	49	0	141	14%	19%	30%	42%	24%	
Property	Larceny Less +60	2	0	0	0	0	2	0	0	0	0	0	0	0%				0%	
Property	Larceny More	771	580	488	521	2	2362	157	201	214	305	1	878	20%	35%	44%	59%	50%	37%
Property	Larceny More + 60	6	2	4	2	0	14	0	1	2	0	0	3	0%	50%	50%	0%	21%	
Property	Larceny MV	71	56	43	50	1	221	27	34	27	37	0	125	38%	61%	63%	74%	0%	57%
Property	Larceny MV 2nd	0	0	1	6	0	7	0	0	1	6	0	7			100%	100%	100%	
Property	Larceny Person	202	172	99	110	0	583	90	107	74	87	0	358	45%	62%	75%	79%	61%	
Property	Larceny Person + 65	7	8	8	6	0	29	2	4	5	5	0	16	29%	50%	63%	83%	55%	
Property	Mal Dest Property More	126	104	63	48	0	341	22	43	27	34	0	126	17%	41%	43%	71%	37%	
Property	Possess Burglariious Tools	69	47	36	61	1	214	23	19	26	45	0	113	33%	40%	72%	74%	0%	53%
Property	Property Destruction	226	170	91	78	1	566	28	56	32	38	0	154	12%	33%	35%	49%	0%	27%
Property	Receiving Stolen Goods	161	145	103	136	0	545	37	61	44	70	0	212	23%	42%	43%	51%	39%	
Property	Receiving Stolen Goods 2nd	0	1	0	4	0	5	0	1	0	3	0	4		100%		75%	80%	
Property	Receiving Stolen Goods MV	185	109	127	149	0	570	59	68	88	119	0	334	32%	62%	69%	80%	59%	
Property	Receiving Stolen Goods MV 2nd	0	0	3	7	0	10	0	0	3	7	0	10			100%	100%	100%	
Property	Receiving Stolen Goods Over	56	43	46	55	0	200	16	20	22	39	0	97	29%	47%	48%	71%	49%	
Property	Record w/o Manufacturer	4	3	0	0	0	7	1	0	0	0	0	1	25%	0%			14%	
Property	Setting Fire Land	0	0	0	1	0	1	0	0	0	1	0	1				100%	100%	
Property	Shoplifting	590	548	461	498	3	2100	34	68	92	154	2	350	6%	12%	20%	31%	67%	17%
Property	Tagging Property	16	1	0	1	0	18	2	0	0	0	0	2	13%	0%		0%	11%	
Property	Tax Law Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%				0%	
Property	Vandalism	15	7	4	3	0	29	0	2	1	0	0	3	0%	29%	25%	0%	10%	
Property	Welfare Violation	3	2	0	0	0	5	1	1	0	0	0	2	33%	50%			40%	
Property	Sub-Total	3788	3075	2425	2643	13	11944	857	1143	1128	1551	5	4684	23%	37%	47%	59%	38%	39%

Table 46 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	24	12	16	11	0	63	5	4	8	7	0	24	21%	33%	50%	64%		38%
Drug	Control Substance School	80	90	73	55	0	298	80	90	73	55	0	298						
Drug	Distribute Class A	339	272	207	182	1	1001	170	176	149	125	0	620	50%	65%	72%	69%	0%	62%
Drug	Distribute Class A 2nd	0	7	4	8	0	19	0	7	4	8	0	19		100%	100%	100%		100%
Drug	Distribute Class B	667	376	222	159	0	1424	255	225	139	124	0	743	38%	60%	63%	78%		52%
Drug	Distribute Class B 2nd	0	9	10	11	0	30	0	9	10	11	0	30		100%	100%	100%		100%
Drug	Distribute Class C	25	14	7	7	0	53	8	4	4	2	0	18	32%	29%	57%	29%		34%
Drug	Distribute Class D	333	142	69	23	0	567	72	69	39	13	0	193	22%	49%	57%	57%		34%
Drug	Distribute Class D 2nd	12	8	5	4	0	29	5	5	4	2	0	16	42%	63%	80%	50%		55%
Drug	Distribute Class E	6	5	4	3	0	18	5	0	1	2	0	8	83%	0%	25%	67%		44%
Drug	Distribute Class E 2nd	2	0	1	1	0	4	2	0	1	1	0	4	100%		100%	100%		100%
Drug	Distribute Cocaine	50	47	27	34	0	158	50	47	27	34	0	158	100%	100%	100%	100%		100%
Drug	Distribute Cocaine 2nd	0	2	9	5	0	16	0	2	9	5	0	16		100%	100%	100%		100%
Drug	Distribute Counterfeit Substance	5	10	11	18	0	44	0	8	5	13	0	26	0%	80%	45%	72%		59%
Drug	Distribute Paraphenalia	3	0	1	0	0	4	1	0	1	0	0	2	33%		100%			50%
Drug	Forge Prescription	34	29	18	16	0	97	8	4	7	6	0	25	24%	14%	39%	38%		26%
Drug	Giving Prisoner Cont Sub	6	6	2	4	0	18	0	4	1	4	0	9	0%	67%	50%	100%		50%
Drug	Induce Minor To Distribute	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Drug	Inhaling Toxic Vapors	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
Drug	Larceny Cont Sub	7	2	1	0	0	10	1	1	1	0	0	3	14%	50%	100%			30%
Drug	Possession Class A	134	137	107	95	0	473	38	47	40	48	0	173	28%	34%	37%	51%		37%
Drug	Possession Class A 2nd	3	11	16	14	0	44	1	4	6	9	0	20	33%	36%	38%	64%		45%
Drug	Possession Class A Heroin	181	167	128	111	2	589	55	72	62	58	1	248	30%	43%	48%	52%	50%	42%
Drug	Possession Class A Heroin 2nd	10	22	14	13	0	59	5	13	10	7	0	35	50%	59%	71%	54%		59%
Drug	Possession Class B	466	380	239	217	1	1303	103	140	91	104	1	439	22%	37%	38%	48%	100%	34%
Drug	Possession Class B 2nd	14	47	38	31	0	130	7	21	21	16	0	65	50%	45%	55%	52%		50%
Drug	Possession Class C	35	13	15	10	0	73	6	2	5	4	0	17	17%	15%	33%	40%		23%
Drug	Possession Class C 2nd	1	2	1	0	0	4	0	1	0	0	0	1	0%	50%	0%			25%
Drug	Possession Class D	372	191	123	54	0	740	65	45	34	25	0	169	17%	24%	28%	46%		23%
Drug	Possession Class D 2nd	52	43	26	10	0	131	5	6	11	4	0	26	10%	14%	42%	40%		20%
Drug	Possession Class D Marijuana	310	145	94	60	0	609	36	37	28	17	0	118	12%	26%	30%	28%		19%
Drug	Possession Class D Marijuana 2nd	34	37	25	13	0	109	7	14	9	8	0	38	21%	38%	36%	62%		35%
Drug	Possession Class E	20	15	9	15	0	59	7	8	5	2	0	22	35%	53%	56%	13%		37%
Drug	Possession Hypodermic 2nd	1	10	2	4	0	17	0	5	2	3	0	10	0%	50%	100%	75%		59%
Drug	Possession Hypodermic/Syringe	95	140	103	83	0	421	35	66	51	48	0	200	37%	47%	50%	58%		48%
Drug	Presence Class A	25	25	11	14	0	75	5	8	5	5	0	23	20%	32%	45%	36%		31%
Drug	Traffic Cocaine 014-028	52	26	21	11	0	110	52	26	21	11	0	110	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 028-100	28	21	16	5	0	70	28	21	16	5	0	70	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 100-200	11	5	7	1	0	24	11	5	7	1	0	24	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 200+	9	3	0	1	0	13	9	3	0	1	0	13	100%	100%		100%		100%
Drug	Traffic Heroin 014-028	7	1	3	0	0	11	7	1	3	0	0	11	100%	100%	100%			100%
Drug	Traffic Heroin 028-100	3	3	3	1	0	10	3	3	3	1	0	10	100%	100%	100%	100%		100%
Drug	Traffic Heroin 100-200	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
Drug	Traffic Mar 100-2000	1	0	0	0	0	1	1	0	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	3461	2477	1688	1306	4	8936	1151	1205	913	791	2	4062	33%	49%	54%	61%	50%	45%

Table 46 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	Attaching Wrong MV Plates	147	79	55	27	0	308	5	4	5	4	0	18	3%	5%	9%	15%	6%	
Motor Vehicle	Compulsory Insurance Violation	551	366	206	173	2	1298	60	73	40	60	0	233	11%	20%	19%	35%	0%	18%
Motor Vehicle	Counterfeit/Alter MV Document	41	26	18	10	0	95	7	7	5	6	0	25	17%	27%	28%	60%	26%	
Motor Vehicle	False Statement On Application	3	2	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
Motor Vehicle	Habitual Traffic Offender	48	99	84	59	0	290	9	31	34	27	0	101						
Motor Vehicle	Leaving Scene Death	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
Motor Vehicle	Leaving Scene Personal Injury	131	39	18	19	0	207	13	15	9	9	0	46	10%	38%	50%	47%		22%
Motor Vehicle	Leaving Scene Property Damage	428	289	158	123	1	999	47	63	55	66	0	231	11%	22%	35%	54%	0%	23%
Motor Vehicle	Loaning MV License	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Motor Vehicle	MV - Impersonate/Other License	1	2	2	0	0	5	0	0	0	0	0	0	0%	0%	0%			0%
Motor Vehicle	MV Homicide	26	6	2	1	0	35	12	3	1	1	0	17	46%	50%	50%	100%		49%
Motor Vehicle	MV Homicide - OUI	14	0	1	1	0	16	11	0	1	1	0	13	79%		100%	100%		81%
Motor Vehicle	MV Homicide - OUI Felony	12	5	0	2	0	19	12	5	0	2	0	19	100%	100%		100%		100%
Motor Vehicle	Operate After Suspension	1556	1260	724	516	2	4058	128	202	135	121	1	587	8%	16%	19%	23%	50%	14%
Motor Vehicle	Operate After Suspension 2nd	324	483	331	264	2	1404	87	200	163	153	0	603	27%	41%	49%	58%	0%	43%
Motor Vehicle	Operate to Endanger	1019	308	170	134	0	1631	72	74	51	60	0	257	7%	24%	30%	45%		16%
Motor Vehicle	OUI Serious Inj, Fel	9	5	4	0	0	18	9	5	4	0	0	18	100%	100%	100%			100%
Motor Vehicle	OUI Serious Inj, Misd	16	2	3	1	0	22	3	2	1	1	0	7	19%	100%	33%	100%		32%
Motor Vehicle	Parking Ticket Mutilate	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Motor Vehicle	Possess Master Key MV	2	1	1	0	0	4	0	1	1	0	0	2	0%	100%	100%			50%
Motor Vehicle	Racing	8	1	1	0	0	10	1	0	1	0	0	2	13%	0%	100%			20%
Motor Vehicle	RV On Public Way	11	9	0	0	0	20	0	0	0	0	0	0	0%	0%				0%
Motor Vehicle	Use w/o Authority 2nd	1	0	0	1	0	2	1	0	0	0	0	1	100%			0%		50%
Motor Vehicle	Use Without Authority	79	57	45	42	0	223	21	23	26	22	0	92	27%	40%	58%	52%		41%
Motor	Sub-Total	4431	3040	1823	1373	7	10674	501	708	532	533	1	2275	11%	23%	29%	39%	14%	21%

Table 46 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	11	3	2	1	0	17	8	2	2	1	0	13	73%	67%	100%	100%		76%
Other	Accessory Before	5	2	1	2	0	10	2	1	0	2	0	5	40%	50%	0%	100%		50%
Other	Aiding An Escape	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
Other	Alcohol, Procure for Minor	31	15	5	2	0	53	5	4	1	1	0	11	16%	27%	20%	50%		21%
Other	Alcohol, Transporting	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Attempt To Commit Crime	22	31	20	16	0	89	8	13	9	9	0	39	36%	42%	45%	56%		44%
Other	Bribery	3	0	0	1	0	4	3	0	0	0	0	3	100%			0%		75%
Other	Business Practice	0	0	1	0	0	1	0	0	1	0	0	1						
Other	Cigarette/Match Thrown Fr Veh	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Conspiracy	18	4	10	6	0	38	6	4	7	3	0	20	33%	100%	70%	50%		53%
Other	Contempt Of Court	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
Other	Contributing To Delinquency	14	12	3	3	0	32	2	5	1	2	0	10	14%	42%	33%	67%		31%
Other	Curfew	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Other	Employment Practices	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
Other	Escape	2	31	22	23	0	78	1	29	20	19	0	69	50%	94%	91%	83%		88%
Other	Escape Lockup	2	2	0	2	0	6	0	1	0	2	0	3	0%	50%		100%		50%
Other	Escape Work Release Program	0	1	0	2	0	3	0	1	0	0	0	1		100%		0%		33%
Other	Failure to Appear	8	3	6	3	0	20	3	2	4	1	0	10	38%	67%	67%	33%		50%
Other	Failure to Appear Fdony	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Other	Failure To Disperse	9	0	0	0	0	9	0	0	0	0	0	0	0%					0%
Other	Failure To Obey Police Officer	36	16	10	4	0	66	0	0	1	0	0	1	0%	0%	10%	0%		2%
Other	False Alarm	5	1	1	1	0	8	1	1	0	1	0	3	20%	100%	0%	100%		38%
Other	False Statement	2	2	0	0	0	4	0	1	0	0	0	1	0%	50%				25%
Other	Falsely Solicit Assn Membership	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Fireworks	14	9	2	0	0	25	0	0	0	0	0	0	0%	0%	0%			0%
Other	Gaming	3	0	0	0	0	3	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	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Other	Gaming Use of Telephone	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
Other	Guard Sex w/ Prisoner	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Other	Health Code Violation	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
Other	Hoax Device	0	3	0	0	0	3	0	0	0	0	0	0		0%				0%
Other	Illegal Lottery	3	3	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
Other	Impersonate/Disguise	3	4	2	6	0	15	1	1	1	3	0	6	33%	25%	50%	50%		40%
Other	Interfere Police or Firefighter	4	7	1	2	0	14	0	3	1	2	0	6	0%	43%	100%	100%		43%
Other	License Law Violation (Not MV)	8	4	1	2	0	15	1	1	0	0	0	2	13%	25%	0%	0%		13%
Other	Nonsupport	9	8	1	2	0	20	1	3	0	0	0	4	11%	38%	0%	0%		20%
Other	Obstructing Justice	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Other	Other Crime	3	0	1	1	0	5	0	0	0	0	0	0	0%		0%	0%		0%
Other	Perjury or Suborn	0	2	1	0	0	3	0	1	1	0	0	2		50%	100%			67%
Other	Refusing To Aid Police Officer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Resisting Arrest	282	242	175	123	0	822	49	77	71	61	0	258	17%	32%	41%	50%		31%
Other	Sex Offender Fail Register	5	19	54	56	3	137	1	5	16	20	0	42	20%	26%	30%	36%	0%	31%
Other	Solicit Fdony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Other	Tampering With Rr Car	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
Other	Throw Object On Public Way	2	2	0	0	0	4	0	1	0	0	0	1	0%	50%				25%
Other	Throwing Glass On Public Way	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Trespassing	231	214	176	149	0	770	30	58	50	50	0	188	13%	27%	28%	34%		24%
Other	True Name Law	82	79	58	58	0	277	20	28	18	24	0	90	24%	35%	31%	41%		32%
Other	Unregistered Contractor	1	1	1	0	0	3	1	0	0	0	0	1	100%	0%	0%			33%
Other	Wiretapping	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Sub-Total	842	725	559	465	3	2594	145	245	207	201	0	798	17%	34%	37%	43%	0%	31%

Table 46 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
Public Order	Accost / Annoy Person Opposite Sex	6	4	2	1	0	13	0	3	0	0	0	3	0%	75%	0%	0%		23%
Public Order	Annoying Phone Calls	14	16	7	6	0	43	2	3	2	2	0	9	14%	19%	29%	33%		21%
Public Order	Child Pornography	7	0	0	0	0	7	0	0	0	0	0	0	0%					0%
Public Order	Child Pornography Possess	19	3	3	0	0	25	6	1	1	0	0	8	32%	33%	33%			32%
Public Order	Common Night Walker	25	38	15	8	0	86	9	17	5	5	0	36	36%	45%	33%	63%		42%
Public Order	Cruelty To Animals	16	4	2	0	0	22	2	1	1	0	0	4	13%	25%	50%			18%
Public Order	Derive Support From Prostitute	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Public Order	Disorderly Conduct	757	487	340	260	2	1846	54	72	69	73	0	268	7%	15%	20%	28%	0%	15%
Public Order	Disrupt Court Proceedings	1	1	0	0	0	2	1	0	0	0	0	1						
Public Order	Fail To Comply With Dog Order	4	2	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
Public Order	False Report Of Crime	28	11	7	7	0	53	4	1	2	0	0	7	14%	9%	29%	0%		13%
Public Order	Indecent Exposure	17	9	14	5	0	45	2	4	1	3	0	10	12%	44%	7%	60%		22%
Public Order	Induce Female To Prostitution	0	1	1	1	0	3	0	1	1	1	0	3		100%	100%	100%		100%
Public Order	Inducing Min or To Sex	7	2	0	0	0	9	1	2	0	0	0	3	14%	100%				33%
Public Order	Keeping A House Of Ill Fame	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Public Order	Lewd And Lascivious	17	7	3	1	0	28	2	2	1	0	0	5	12%	29%	33%	0%		18%
Public Order	Mistreat Police Animal	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Public Order	Obscene Material to Minor	3	1	0	1	0	5	2	1	0	1	0	4	67%	100%		100%		80%
Public Order	Obscene Materials	2	3	0	0	0	5	0	1	0	0	0	1	0%	33%				20%
Public Order	Peeping Tom	0	0	1	0	0	1	0	0	0	0	0	0						0%
Public Order	Prostitution	133	133	67	36	0	369	34	63	32	13	0	142	26%	47%	48%	36%		38%
Public Order	Unnatural Acts	2	4	0	1	0	7	1	3	0	0	0	4	50%	75%		0%		57%
Public Order	Sub-Total	1059	727	462	328	2	2578	120	176	115	99	0	510	11%	24%	25%	30%	0%	20%