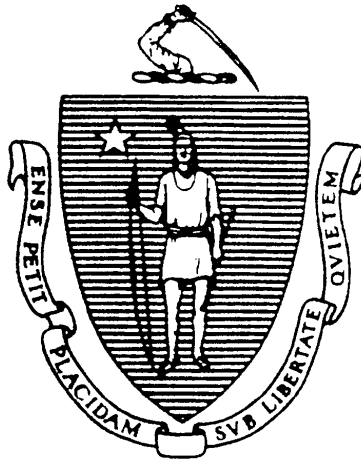


Massachusetts Sentencing Commission

Survey of Sentencing Practices FY 2005



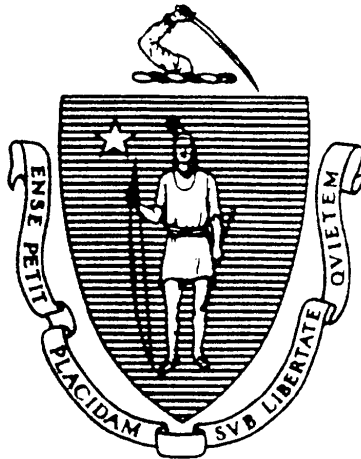
April 2006

**Massachusetts Sentencing Commission
Three Center Plaza, 7th Floor
Boston, MA 02108**

**Voice: (617) 788-6867
Fax: (617) 788-6885**

Massachusetts Sentencing Commission

Survey of Sentencing Practices FY 2005



April 2006

MASSACHUSETTS SENTENCING COMMISSION

Honorable Robert A. Mulligan

Chief Justice for Administration and Management
Administrative Office of the Trial Court
and
Chairman
Massachusetts Sentencing Commission

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

Executive Director
Administrative Office of the Trial Court
and
Executive Director
Massachusetts Sentencing Commission

Staff

Linda K. Holt
Research Director

Lee M. Kavanagh
Research Analyst

Theresa C. Hasan
Executive Assistant

Elizabeth K. Marini
Executive Assistant

Acknowledgments

The Massachusetts Sentencing Commission would like to acknowledge the assistance of the many individuals and agencies who assisted in the preparation of this survey of sentencing practices. In particular, the commission is indebted to Commissioner John J. O'Brien and the staff of the Office of the Commissioner of Probation who maintain and update the Court Activity Record Information (CARI) database. Probation staff at many of the court sites provided assistance in completing this survey of sentencing practices by collecting additional defendant demographic information thereby substantially improving the quality of the data available for this report. The commission would also like to acknowledge the continued assistance of Barry J. LaCroix, Executive Director of the Criminal History Systems Board, and his staff. The commission made extensive use of the computing facilities of the Criminal History Systems Board in the development of the survey methodology and in the data collection phase of the project. The commission had the assistance of four Northeastern cooperative education students, Lindsay Astarita, Mark Gerrish, Alexander Saggiomo, and Daniel Song, in the completion of this report.

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 2005. 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 54,923 convicted defendants in FY 2005:
- Of the 54,923 convictions in FY 2005:
 - 92.7% were in the district court and
 - 7.3% were in the superior court;
- For those defendants convicted of offenses assigned to the sentencing guidelines grid:
- The overall incarceration rate was 37.6%:
 - the district court incarceration rate was 34.1%;
 - the superior court incarceration rate was 78.2%;
- With respect to the sentencing zones on the sentencing guidelines grid:
 - 5.1% of the defendants were classified in the incarceration zone;
 - 67.0% of the defendants were classified in the discretionary zone;
 - 27.4% of the defendants were classified in the intermediate sanctions zone; and,
 - 0.6% of the defendants were not classified to a sentencing zone;
- Of the incarcerated defendants, 90.1% were sentenced to a house of correction and 9.9% were sentenced to the Department of Correction (DOC);
- Of the incarcerated superior court defendants, 39.1% were sentenced to a house of correction and 60.9% were sentenced to the DOC;

- For state prison sentences, the median minimum state prison sentence was 36.0 months and the median maximum state prison sentence was 54.0 months;
- For house of correction sentences, the median sentence length was 5.0 months;
- Of the incarcerated defendants, 39.4% also had a period of post release probation supervision imposed through a split or from & after probation sentence;
- Of the incarcerated superior court defendants, 58.7% also had a period of post release probation supervision.
- There were an estimated 801 convictions for mandatory drug offenses of which 44.9% were sentenced to a house of correction and 55.1% to the DOC.
- For those defendants convicted of offenses not assigned to the sentencing grid:
 - There were an estimated 5,861 convictions for OUI offenses; and,
 - There were an estimated 247 convictions for mandatory firearms offenses.
- For all convicted defendants:
 - 15.1% of all convicted defendants were female;
 - 84.9% of all convicted defendants were male;
 - The mean age of convicted defendants at the time of disposition was 32.8 years, and ranged from 17 years to 93 years.
 - 61.3% of all convicted defendants were white;
 - 17.4% of all convicted defendants were black;
 - 17.5% of all convicted defendants were hispanic;
 - 2.3% of all convicted defendants were of other races; and,
 - the race was unknown for 1.5% of the defendants.
 - 23.5% of defendants convicted of mandatory drug offenses were white and 76.5% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (32.5% were black, 41.3% were hispanic, and 2.7% were other races);
 - 65.8% of all convicted defendants were born in Massachusetts;
 - 24.7% of all convicted defendants were born in another state or U.S. territory;
 - 7.9% of all convicted defendants were born outside of the United States; and,
 - the place of birth was unknown for 1.6% of the defendants.

Table of Contents

PART I. THE MASSACHUSETTS SENTENCING COMMISSION	1
BACKGROUND OF THE SENTENCING COMMISSION	1
<i>Sentencing Guidelines Grid</i>	2
CURRENT ROLE OF THE SENTENCING COMMISSION	2
<i>Monitoring</i>	2
<i>Training</i>	4
<i>Information Resource</i>	5
<i>Pilot Projects</i>	5
PART II. SURVEY OF SENTENCING PRACTICES	6
SENTENCING PRACTICES: OVERVIEW	6
<i>Sentencing Practices: Court Department</i>	6
<i>Sentencing Practices: County</i>	7
<i>Sentencing Practices: Truth-in-Sentencing Reform</i>	7
<i>Sentencing Practices: Number of Charges</i>	8
<i>Sentencing Practices: Type of Sentence Imposed</i>	9
<i>Sentencing Practices: Penalty Structure</i>	10
<i>Sentencing Practices: Grid Assignment</i>	11
SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID	12
<i>Sentencing Practices: Grid Cell Assignment</i>	12
<i>Sentencing Practices: Incarceration Rates</i>	15
District Court Incarceration Rates	17
Superior Court Incarceration Rates	19
<i>Sentencing Practices: Jurisdiction of Incarceration Sentences</i>	21
<i>Sentencing Practices: State Prison Sentences</i>	22
Minimum and Maximum Sentence Length	22
Minimum to Maximum Sentence Ratio and Difference	25
<i>Sentencing Practices: House of Correction Sentences</i>	27
<i>Sentencing Practices: Comparing Existing Sentences and Proposed</i> <i>Guidelines</i>	29
<i>Sentencing Practices: Post-Release Supervision</i>	31
<i>Sentencing Practices: Type of Offense</i>	36
Type of Offense: Governing Offense	36
Type of Offense: Secondary Convictions	36
Type of Offense: Sex Offenses	39
Type of Offense: Drug Offenses	40
Type of Offense: Mandatory Drug Offenses	42
SENTENCING PRACTICES: OFFENSES NOT ASSIGNED TO THE GRID	44
<i>Sentencing Practices: OUI Offenses</i>	44

<i>Sentencing Practices: Mandatory Firearms Offenses</i>	46
SENTENCING PRACTICES: DEMOGRAPHIC CHARACTERISTICS	46
<i>Sentencing Practices: Defendant Gender</i>	47
<i>Sentencing Practices: Defendant Age at Disposition</i>	50
<i>Sentencing Practices: Defendant Race</i>	51
<i>Sentencing Practices: Defendant Place of Birth</i>	54
PART III. SUMMARY	55
APPENDIX A. METHOD	56
<i>Data Collection Method</i>	56
<i>Conviction Definition</i>	56
<i>Sampling Frame</i>	57
<i>Type of Sentence Imposed</i>	57
<i>Sentence Length</i>	60
<i>Offense Seriousness Level</i>	61
Staircased Offenses	62
<i>Sentencing Events</i>	64
<i>Criminal History Group</i>	68
Juvenile Criminal History	70
Youthful Offender Dispositions	71
<i>Sentencing Guidelines Grid Assignment</i>	72
<i>Truth-in-Sentencing Definition</i>	73
<i>Court Department</i>	74
<i>Jurisdiction</i>	74
<i>Comparison of Existing Sentencing and Proposed Sentencing Guidelines</i> ..	75
<i>Post-Release Probation Supervision</i>	76
<i>Demographic Characteristics</i>	77
APPENDIX B. ADDITIONAL STATISTICAL TABLES	80
<i>School Zone Offenders</i>	80
<i>Place of Birth</i>	81
<i>Incarceration Status</i>	81
<i>State Prison Sentences</i>	82
<i>House of Correction Sentences</i>	82
<i>Type of Offense</i>	83

List of Tables

Table 1. Month of Conviction by Court Department	6
Table 2. County of Conviction by Court Department	7
Table 3. Truth-in-Sentencing Status by Court Department	8
Table 4. Number of Charges Resulting in Conviction by Court Department	8
Table 5. Type of Sentence Imposed by Court Department	9
Table 6. Penalty Structure of Governing Offense by Court Department	10
Table 7. Grid Assignment by Court Department	11
Table 8. Grid Cell Assignment by Court Department	14
Table 9. Incarceration Status by Grid Cell Assignment, All Courts	16
Table 10. Incarceration Status by Grid Cell Assignment, District Court	18
Table 11. Incarceration Status by Grid Cell Assignment, Superior Court	20
Table 12. Jurisdiction Status by Penalty Structure and Court Department	21
Table 13. State Prison Sentences: Minimum and Maximum Sentence Length	23
Table 14. State Prison Sentences: Minimum to Maximum Sentence Ratio by Type of Offense	26
Table 15. State Prison Sentences: Minimum-to-Maximum Sentence Difference by Type of Offense	26
Table 16. House of Correction Sentences: Sentence Length by Court Department	28
Table 17. Comparison of Existing Sentences and Proposed Guidelines by Offense Seriousness Level and Type of Offense	30
Table 18. Post-Release Probation Supervision by Type of Sentence, Jurisdiction and Court Department	33
Table 19. Type of Probation Sentence Imposed by Court Department	34
Table 20. Post-Release Probation Supervision by Type of Offense and Court Department	35
Table 21. Type of Offense by Offense Seriousness Level and Court Department	37
Table 22. Type of Offense: Governing Offense and Secondary Offense	38
Table 23. Sex Offenses: Nature of Offense by Court Department	39
Table 24. Drug Offenses: Nature of Offense and Class of Substance by Court Department	41
Table 25. Mandatory Drug Offenses: Governing Offense by Offense Seriousness Level, Criminal History Group, and Court Department	43
Table 26. Mandatory Drug Offenses: Jurisdiction by Court Department	44
Table 27. OUI Offenses: Type of Sentence Imposed by Court Department	45
Table 28. Defendant Gender by Court Department	47
Table 29. Defendant Gender by Grid Cell Assignment	49
Table 30. Defendant Age at Disposition by Court Department	50
Table 31. Defendant Race By Court Department	52
Table 32. Defendant Race by Type of Offense and Grid Assignment	53
Table 33. Defendant Place of Birth By Court Department	54

Table 34. Cases with Missing Sentence Information by Selected Defendant Characteristics and Grid Assignment	61
Table 35. Offense Seriousness Level: Governing Offense and all Offenses of Conviction	66
Table 36. Offense Associated with Highest Offense Level and Not Governing Offense	67
Table 37. Availability of Defendant Race by Selected Defendant Characteristics	79
Table 38. Mandatory Drug Offenses: Selected Characteristics of Defendants Convicted of Distribution in School Zone by Court Department	84
Table 39. Defendant Place of Birth, Specific States, U.S. Territories, and Countries by Geographic Region	85
Table 40. Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts	87
Table 41. Governing Offense by Grid Cell Assignment and Incarceration Status, District Court	96
Table 42. Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court	105
Table 43. State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment	114
Table 44. State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment	123
Table 45. House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment	132
Table 46. Governing Offense by Type of Offense and Incarceration Status, All Courts	141

List of Figures

Figure 1. Sentencing Guidelines Grid	3
Figure 2. State Prison Sentences: Minimum Sentence Length	24
Figure 3. State Prison Sentences: Maximum Sentence Length	24
Figure 4. House of Correction Sentences: Sentence Length	28
Figure 5. Type of Offense by Court Department	37
Figure 6. Defendant Gender	47
Figure 7. Defendant Age at Disposition	50
Figure 8. Defendant Race	51

**MASSACHUSETTS SENTENCING COMMISSION
SURVEY OF SENTENCING PRACTICES
FY 2005**

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

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.

during that 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 were held November 22, 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.

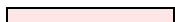
¹⁰ Filed for the 2005-2006 legislative session as Senate No. 1064 and House Nos. 813, 682, 683, and 938.

¹¹ Massachusetts Sentencing Commission, *op. cit.*

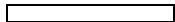
Figure 1. Sentencing Guidelines Grid

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

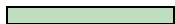
Sentencing Zone



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 2005.

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*, April 2005.

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 2005 (FY 2005) covers the period July 1, 2004 through June 30, 2005. During this period there were an estimated 54,923 convictions in the courts of the Commonwealth. As indicated in Table 1, there were 50,896 convictions in the district court, representing 92.7% of all convictions, and 4,027 convictions in the superior court, representing 7.3% of all convictions.

Table 1. Month of Conviction by Court Department

Month of Conviction	District Court	Superior Court	All Courts
July 2004	3,963	230	4,193
August 2004	4,237	287	4,524
September 2004	4,428	314	4,742
October 2004	4,338	290	4,628
November 2004	4,108	286	4,394
December 2004	4,149	328	4,477
January 2005	4,217	315	4,532
February 2005	3,917	377	4,294
March 2005	4,789	458	5,247
April 2005	4,036	320	4,356
May 2005	4,383	391	4,774
June 2005	4,331	431	4,762
Total	50,896	4,027	54,923

Sentencing Practices: County

There are fourteen counties in Massachusetts. As indicated in Table 2, the number of convictions ranged from 79 in Nantucket County to 9,399 in Worcester County. Eight of the fourteen counties (Worcester, Suffolk, Middlesex, Essex, Hampden, Bristol, Plymouth and Norfolk) accounted for 89.2% of all convictions in Massachusetts.

Table 2. County of Conviction by Court Department

County of Conviction	District Court	Superior Court	All Courts
Barnstable	1,857	157	2,014
Berkshire	1,416	136	1,552
Bristol	4,917	274	5,191
Dukes	168	0	168
Essex	6,001	279	6,280
Franklin	684	59	743
Hampden	5,090	915	6,005
Hampshire	1,296	105	1,401
Middlesex	6,999	530	7,529
Nantucket	79	0	79
Norfolk	2,995	256	3,251
Plymouth	3,418	158	3,576
Suffolk	6,911	824	7,735
Worcester	9,065	334	9,399
Total	50,896	4,027	54,923

Sentencing Practices: Truth-in-Sentencing Reform

Sentencing reform legislation, commonly known as truth-in-sentencing legislation, became effective on July 1, 1994. During FY 2005, an estimated 0.4% of all cases were sentenced under pre-truth-in-sentencing provisions (old law) and 99.6% 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	193	0.4%	21	0.5%	214	0.4%
New Law	50,703	99.6%	4,006	99.5%	54,709	99.6%
Total	50,896	100.0%	4,027	100.0%	54,923	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 371 and the mean number of charges resulting in conviction was 2.2. Overall, 29,807, or 54.3% of the defendants were convicted of a single charge and 25,116, or 45.7% 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:

- 22,341 or 43.9% 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,
- 2,775 or 68.9% of the superior court defendants were convicted of two or more charges and the mean number of charges for all superior court defendants was 3.3.

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

Number of Charges	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
One	28,555	56.1%	1,252	31.1%	29,807	54.3%
Two	10,765	21.2%	1,066	26.5%	11,831	21.5%
Three	5,201	10.2%	574	14.3%	5,775	10.5%
Four	2,589	5.1%	392	9.7%	2,981	5.4%
Five to Nine	3,107	6.1%	570	14.2%	3,677	6.7%
Ten or More	679	1.3%	173	4.3%	852	1.6%
Total	50,896	100.0%	4,027	100.0%	54,923	100.0%
Highest	137		371		371	
Mean	2.1		3.3		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 56 defendants received a sentence to life. Of the 56 convicted defendants who received a life sentence, 54 were convicted of murder and two were convicted of other offenses (robbery and rape of child).

Table 5. Type of Sentence Imposed by Court Department

Type of Sentence	District Court	Superior Court	All Courts
Life		56	56
State Prison		1,876	1,876
Other DOC		5	5
House of Correction	11,741	825	12,566
House of Correction / Split	4,636	439	5,075
Probation	23,894	802	24,696
Fine	7,297	14	7,311
Other	3,328	10	3,338
Total	50,896	4,027	54,923

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, 33.5% of all defendants were convicted of felonies and 66.5% 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, 29.1% were convicted of felonies and 70.9% were convicted of misdemeanors;
- of those defendants convicted in the superior court, 89.1% were convicted of felonies and 10.9% were convicted of misdemeanors; and,
- of those defendants convicted in the superior court, 63.0% 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%	1,080	26.8%	1,080	2.0%
Felony / House Alternative / No District Court Jurisdiction	0	0.0%	410	10.2%	410	0.7%
Felony / House Alternative / District Court Jurisdiction	14,820	29.1%	2,098	52.1%	16,918	30.8%
Sub-Total Felonies	14,820	29.1%	3,588	89.1%	18,408	33.5%
Misdemeanor	36,076	70.9%	439	10.9%	36,515	66.5%
Total	50,896	100.0%	4,027	100.0%	54,923	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 48,167 or 87.7% of all defendants were convicted of offenses for which the sentencing guidelines grid applied and 6,756 or 12.3% 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: 5,861 or 10.7% of all defendants were convicted of OUI offenses; 247 or 0.4% were convicted of mandatory firearms offenses; and, 648 or 1.2% 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	44,400	87.2%	3,767	93.5%	48,167	87.7%
Not Assigned to Grid						
OUI Offenses	5,794	11.4%	67	1.7%	5,861	10.7%
Mandatory Gun Offenses	54	0.1%	193	4.8%	247	0.4%
Non-jailable Offenses	648	1.3%	0	0.0%	648	1.2%
Sub-total	6,496	12.8%	260	6.5%	6,756	12.3%
Total	50,896	100.0%	4,027	100.0%	54,923	100.0%

SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID

In this section, the sentencing practices related to the 48,167 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 48,167 convicted defendants:

- an estimated 2,452 or 5.1% were classified within the incarceration zone;
- an estimated 32,251 or 67.0% were classified within the discretionary zone;
- an estimated 13,192 or 27.4% were classified within the intermediate sanction zone; and,
- an estimated 272 or 0.6% 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: 68.1% of the defendants convicted in the district court and 53.2% 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 40.5% of the defendants convicted in the superior court were classified in the incarceration zone compared to 2.1% 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: 29.4% of the defendants convicted in the district court were classified in the intermediate sanctions zone compared to 4.0% of the defendants convicted in the superior court.

Offense Seriousness Level. Most defendants were convicted of offenses in the lower levels of offense seriousness: an estimated 40,908 or 84.9% of the convicted defendants were assigned to offense seriousness levels 1 through 3; an estimated 6,613 or 13.7% of the convicted defendants were assigned to offense seriousness levels 4 through 6; and, an

estimated 374 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 16,538 of all convictions (34.3%). In the district court, level 3 was the most frequently occurring offense seriousness level, accounting for an estimated 15,940 or 35.9% of all district court convictions. In the superior court, level 4 was the most frequently occurring offense seriousness level, accounting for an estimated 1,325 or 35.2% 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 17,579 or 36.5% of all convicted defendants. The most serious criminal history group, Group E, accounted for 43 of the convicted defendants.

Grid Cell. The most frequently occurring grid cell was “2A”: 5,990 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”: 5,858 or 13.2% 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, CSA possession class B, and compulsory insurance violation. In the superior court, the most frequently occurring grid cell was “4A”: 483 or 12.8% 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	17	16	15	6	0	54	1.4%	9	17	16	15	6	0	54	0.1%
8	0	0	0	0	0	0	0.0%	8	42	23	27	20	0	112	3.0%	8	42	23	27	20	0	112	0.2%
7	0	0	0	0	0	0	0.0%	7	76	41	40	50	1	208	5.5%	7	76	41	40	50	1	208	0.4%
6	7	5	7	3	0	22	0.0%	6	271	141	133	133	4	682	18.1%	6	278	146	140	136	4	704	1.5%
5	238	200	172	131	1	742	1.7%	5	148	101	90	94	1	434	11.5%	5	386	301	262	225	2	1,176	2.4%
4	1,284	908	615	594	7	3,408	7.7%	4	483	321	237	282	2	1,325	35.2%	4	1,767	1,229	852	876	9	4,733	9.8%
3	5,306	4,302	3,185	3,133	14	15,940	35.9%	3	270	130	84	114	0	598	15.9%	3	5,576	4,432	3,269	3,247	14	16,538	34.3%
2	5,858	4,409	2,977	2,469	8	15,721	35.4%	2	132	60	34	21	0	247	6.6%	2	5,990	4,469	3,011	2,490	8	15,968	33.2%
1	3,332	2,358	1,492	1,194	5	8,381	18.9%	1	15	3	2	1	0	21	0.6%	1	3,347	2,361	1,494	1,195	5	8,402	17.4%
N.A.	52	52	40	42	0	186	0.4%	N.A.	48	24	5	9	0	86	2.3%	N.A.	100	76	45	51	0	272	0.6%
Total	16,077	12,234	8,488	7,566	35	44,400	100.0%	Total	1,502	860	667	730	8	3,767	100.0%	Total	17,579	13,094	9,155	8,296	43	48,167	100.0%
%	36.2%	27.6%	19.1%	17.0%	0.1%	100.0%		%	39.9%	22.8%	17.7%	19.4%	0.2%	100.0%		%	36.5%	27.2%	19.0%	17.2%	0.1%	100.0%	

Sentencing Zone	N	%
Incarceration Zone	927	2.1%
Discretionary Zone	30,247	68.1%
Intermediate Sanction Zone	13,040	29.4%
Unassigned	186	0.4%
Total	44,400	100.0%

Sentencing Zone	N	%
Incarceration Zone	1,525	40.5%
Discretionary Zone	2,004	53.2%
Intermediate Sanction Zone	152	4.0%
Unassigned	86	2.3%
Total	3,767	100.0%

Sentencing Zone	N	%
Incarceration Zone	2,452	5.1%
Discretionary Zone	32,251	67.0%
Intermediate Sanction Zone	13,192	27.4%
Unassigned	272	0.6%
Total	48,167	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 2005, the estimated incarceration rate was 37.6%: 18,099 defendants received a sentence to incarceration out of 48,167 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 17.3% and the incarceration rate for defendants convicted of offenses at offense seriousness level 8 was 96.4%; and,
- the incarceration rate for defendants in criminal history group A was 24.3% and the incarceration rate for defendants in criminal history group D was 56.4%.

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 83.4%;
- for defendants in the discretionary zone, the incarceration rate was 42.5%; and,
- for defendants in the intermediate sanction zone, the incarceration rate was 16.6%.

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	17	16	15	6	0	54	9	17	16	15	6	0	54	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	42	23	27	20	0	112	8	40	22	26	20	0	108	8	95.2%	95.7%	96.3%	100.0%	N.A.	96.4%
7	76	41	40	50	1	208	7	62	41	38	49	1	191	7	81.6%	100.0%	95.0%	98.0%	100.0%	91.8%
6	278	146	140	136	4	704	6	216	129	135	134	4	618	6	77.7%	88.4%	96.4%	98.5%	100.0%	87.8%
5	386	301	262	225	2	1,176	5	202	186	185	179	1	753	5	52.3%	61.8%	70.6%	79.6%	50.0%	64.0%
4	1,767	1,229	852	876	9	4,733	4	873	815	635	703	7	3,033	4	49.4%	66.3%	74.5%	80.3%	77.8%	64.1%
3	5,576	4,432	3,269	3,247	14	16,538	3	1,396	1,758	1,718	2,044	5	6,921	3	25.0%	39.7%	52.6%	63.0%	35.7%	41.8%
2	5,990	4,469	3,011	2,490	8	15,968	2	1,104	1,454	1,123	1,138	5	4,824	2	18.4%	32.5%	37.3%	45.7%	62.5%	30.2%
1	3,347	2,361	1,494	1,195	5	8,402	1	331	431	325	369	0	1,456	1	9.9%	18.3%	21.8%	30.9%	0.0%	17.3%
N.A.	100	76	45	51	0	272	N.A.	35	43	26	37	0	141	N.A.	35.0%	56.6%	57.8%	72.5%	N.A.	51.8%
Total	17,579	13,094	9,155	8,296	43	48,167	Total	4,276	4,895	4,226	4,679	23	18,099	Total	24.3%	37.4%	46.2%	56.4%	53.5%	37.6%

Sentencing Zone	N
Incarceration Zone	2,452
Discretionary Zone	32,251
Intermediate Sanction Zone	13,192
Unassigned	272
Total	48,167

Sentencing Zone	N
Incarceration Zone	2,046
Discretionary Zone	13,721
Intermediate Sanction Zone	2,191
Unassigned	141
Total	18,099

Sentencing Zone	Incarceration Rate
Incarceration Zone	83.4%
Discretionary Zone	42.5%
Intermediate Sanction Zone	16.6%
Unassigned	51.8%
Total	37.6%

District Court Incarceration Rates. Table 10 shows incarceration rates by grid cell assignment for all defendants convicted in district court. For FY 2005, the estimated district court incarceration rate was 34.1%: 15,153 defendants received a sentence to incarceration out of 44,400 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 17.3% and the incarceration rate for defendants convicted of offenses at offense seriousness level 4 was 57.4%; and,
- the incarceration rate for defendants in criminal history group A was 20.6% and the incarceration rate for defendants in criminal history group D was 53.0%.

District court incarceration rates varied by sentencing zone:

- district court defendants in the incarceration zone had an incarceration rate of 70.7%;
- district court defendants in the discretionary zone had an incarceration rate of 40.5%; and,
- district court defendants in the intermediate sanction zone had an incarceration rate of 16.4%.

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	7	5	7	3	0	22	6	5	4	5	3	0	17	6	71.4%	80.0%	71.4%	100.0%	N.A.	77.3%
5	238	200	172	131	1	742	5	92	99	101	93	0	385	5	38.7%	49.5%	58.7%	71.0%	0.0%	51.9%
4	1,284	908	615	594	7	3,408	4	540	548	423	438	6	1,955	4	42.1%	60.4%	68.8%	73.7%	85.7%	57.4%
3	5,306	4,302	3,185	3,133	14	15,940	3	1,273	1,676	1,649	1,948	5	6,551	3	24.0%	39.0%	51.8%	62.2%	35.7%	41.1%
2	5,858	4,409	2,977	2,469	8	15,721	2	1,058	1,410	1,100	1,125	5	4,698	2	18.1%	32.0%	36.9%	45.6%	62.5%	29.9%
1	3,332	2,358	1,492	1,194	5	8,381	1	329	428	323	369	0	1,449	1	9.9%	18.2%	21.6%	30.9%	0.0%	17.3%
N.A.	52	52	40	42	0	186	N.A.	16	27	23	32	0	98	N.A.	30.8%	51.9%	57.5%	76.2%	N.A.	52.7%
Total	16,077	12,234	8,488	7,566	35	44,400	Total	3,313	4,192	3,624	4,008	16	15,153	Total	20.6%	34.3%	42.7%	53.0%	45.7%	34.1%

Sentencing Zone	N
Incarceration Zone	927
Discretionary Zone	30,247
Intermediate Sanction Zone	13,040
Unassigned	186
Total	44,400

Sentencing Zone	N
Incarceration Zone	655
Discretionary Zone	12,262
Intermediate Sanction Zone	2,138
Unassigned	98
Total	15,153

Sentencing Zone	Incarceration Rate
Incarceration Zone	70.7%
Discretionary Zone	40.5%
Intermediate Sanction Zone	16.4%
Unassigned	52.7%
Total	34.1%

Superior Court Incarceration Rates. Table 11 shows incarceration rates by grid cell assignment for all defendants convicted in superior court. For FY 2005, the estimated superior court incarceration rate was 78.2%: 2,946 defendants received a sentence to incarceration out of 3,767 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 51.0% and the incarceration rate for defendants convicted of offenses in offense seriousness level 8 was 96.4%; and,
- the incarceration rate for defendants in criminal history group A was 64.1% and the incarceration rate for defendants in criminal history group D was 91.9%.

The incarceration rate varied by sentencing zone:

- superior court defendants in the incarceration zone had an incarceration rate of 91.2%;
- superior court defendants in the discretionary zone had an incarceration rate of 72.8%; and,
- superior court defendants in the intermediate sanction zone had an incarceration rate of 34.9%.

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	17	16	15	6	0	54	9	17	16	15	6	0	54	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	42	23	27	20	0	112	8	40	22	26	20	0	108	8	95.2%	95.7%	96.3%	100.0%	N.A.	96.4%
7	76	41	40	50	1	208	7	62	41	38	49	1	191	7	81.6%	100.0%	95.0%	98.0%	100.0%	91.8%
6	271	141	133	133	4	682	6	211	125	130	131	4	601	6	77.9%	88.7%	97.7%	98.5%	100.0%	88.1%
5	148	101	90	94	1	434	5	110	87	84	86	1	368	5	74.3%	86.1%	93.3%	91.5%	100.0%	84.8%
4	483	321	237	282	2	1,325	4	333	267	212	265	1	1,078	4	68.9%	83.2%	89.5%	94.0%	50.0%	81.4%
3	270	130	84	114	0	598	3	123	82	69	96	0	370	3	45.6%	63.1%	82.1%	84.2%	N.A.	61.9%
2	132	60	34	21	0	247	2	46	44	23	13	0	126	2	34.8%	73.3%	67.6%	61.9%	N.A.	51.0%
1	15	3	2	1	0	21	1	2	3	2	0	0	7	1	13.3%	100.0%	100.0%	0.0%	N.A.	33.3%
N.A.	48	24	5	9	0	86	N.A.	19	16	3	5	0	43	N.A.	39.6%	66.7%	60.0%	55.6%	N.A.	50.0%
Total	1,502	860	667	730	8	3,767	Total	963	703	602	671	7	2,946	Total	64.1%	81.7%	90.3%	91.9%	87.5%	78.2%

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	1,525	Incarceration Zone	1,391	Incarceration Zone	91.2%
Discretionary Zone	2,004	Discretionary Zone	1,459	Discretionary Zone	72.8%
Intermediate Sanction Zone	152	Intermediate Sanction Zone	53	Intermediate Sanction Zone	34.9%
Unassigned	86	Unassigned	43	Unassigned	50.0%
Total	3,767	Total	2,946	Total	78.2%

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, 51.7% were convicted of felonies and 48.3% were convicted of misdemeanors;
- Of defendants convicted in the district court and sentenced to incarceration, 43.9% were convicted of felonies and 56.1% were convicted of misdemeanors;
- Of defendants convicted in the superior court and sentenced to incarceration, 91.9% were convicted of felonies and 8.1% were convicted of misdemeanors.
- Of all defendants sentenced to incarceration, 16,305 (90.1%) were sentenced to houses of correction and 1,794 (9.9%) 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, 1,794 (60.9%) were sentenced to the DOC and 1,152 (39.1%) 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%	936	31.8%	936	5.2%
Felony / House Alternative / No District Court Jurisdiction						
Sentenced to DOC	0	0.0%	214	7.3%	214	1.2%
Sentenced to House of Correction	0	0.0%	135	4.6%	135	0.7%
Felony / House Alternative / District Court Jurisdiction						
Sentenced to DOC	0	0.0%	644	21.9%	644	3.6%
Sentenced to House of Correction	6,653	43.9%	777	26.4%	7,430	41.1%
Sub-Total Felonies	6,653	43.9%	2,706	91.9%	9,359	51.7%
Misdemeanor / House	8,500	56.1%	240	8.1%	8,740	48.3%
Total	15,153	100.0%	2,946	100.0%	18,099	100.0%
All Sentences to DOC	0	0.0%	1,794	60.9%	1,794	9.9%
All Sentences to Houses of Correction	15,153	100.0%	1,152	39.1%	16,305	90.1%
Total	15,153	100.0%	2,946	100.0%	18,099	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 53.5 months and ranged from 12.0 months to 420.0 months (or 35 years). The median minimum state prison sentence was 36.0 months. The mean maximum sentence imposed was 64.8 months and ranged from 12.0 months to 420.0 months (or 35 years). The median maximum state prison sentence was 54.0 months. Figure 2 graphically shows the minimum sentence length for state prison sentences and Figure 3 graphically shows the maximum sentence for state prison sentences.

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

Sentence Length	Minimum		Maximum	
	N	%	N	%
Under 24 Months	103	5.9%	60	3.5%
24 to 35 Months	285	16.4%	135	7.8%
36 to 47 Months	534	30.8%	425	24.5%
48 to 59 Months	222	12.8%	254	14.6%
60 to 71 Months	242	14.0%	348	20.1%
72 to 83 Months	66	3.8%	104	6.0%
84 to 95 Months	58	3.3%	102	5.9%
96 to 107 Months	60	3.5%	45	2.6%
108 to 119 Months	28	1.6%	30	1.7%
120 to 179 Months	101	5.8%	167	9.6%
180 to 239 Months	29	1.7%	43	2.5%
240 Months or More	6	0.3%	21	1.2%
Total	1,734	100.0%	1,734	100.0%
Lowest	12.0 Months		12.0 Months	
Highest	420.0 Months		420.0 Months	
Mean	53.5 Months		64.8 Months	
Median	36.0 Months		54.0 Months	

Figure 2. State Prison Sentences: Minimum Sentence Length

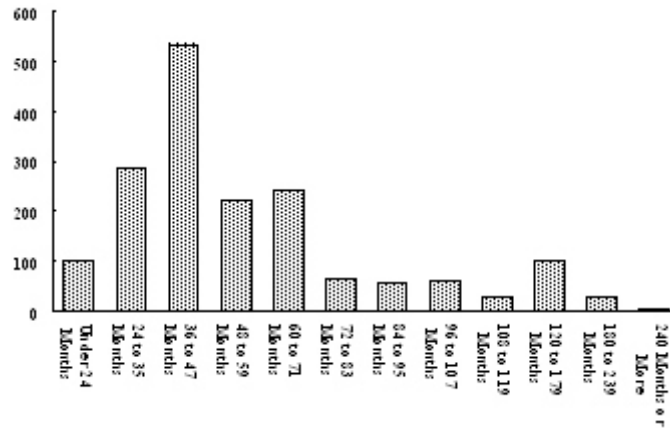
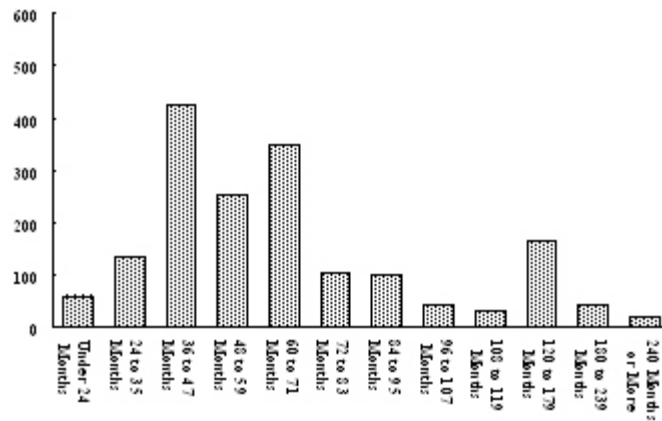


Figure 3. State Prison Sentences: Maximum Sentence Length



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

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

In 39.8% 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 58.5% of the state prison sentences for mandatory drug offenses the minimum sentence was at least 90% of the maximum sentence. It was estimated that 74.2% of state prison sentences for offenses other than mandatory drug offenses had a minimum to maximum ratio that was narrower than the two-thirds ratio called for under the proposed guidelines legislation, that is the minimum sentence was at least 70% of the maximum sentence.

In 57.1% of the state prison sentences imposed for mandatory drug offenses, the difference between the minimum and maximum sentences was one day. In 36.7% of the state prison sentences for offenses other than mandatory drug offenses, the difference between the minimum and maximum sentence was one day. Overall, 41.9% 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, 58.1% of defendants sentenced to state prison could be considered for parole release and

supervision at the end of that sentence and 41.9% would not be eligible for parole consideration. The largest difference between a minimum and maximum state prison sentence was 144 months during FY 2005.

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

Minimum-to- Maximum Ratio	Mandatory		Other Offenses	
	N	%	N	%
1% to 9%	0	0.0%	0	0.0%
10% to 19 %	0	0.0%	0	0.0%
20% to 29%	0	0.0%	1	0.1%
30% to 39%	2	0.5%	6	0.5%
40% to 49%	2	0.5%	3	0.2%
50% to 59%	11	2.5%	52	4.0%
60% to 69%	48	10.9%	272	21.0%
70% to 79%	69	15.6%	200	15.5%
80% to 89%	51	11.6%	244	18.9%
90% and Over	258	58.5%	515	39.8%
Total	441	100.0%	1,293	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	57.1%	474	36.7%
2 Days to 5 Months	1	0.2%	8	0.6%
6 to 11 Months	18	4.1%	75	5.8%
12 to 23 Months	97	22.0%	338	26.1%
24 to 35 Months	60	13.6%	304	23.5%
36 to 47 Months	8	1.8%	67	5.2%
48 to 59 Months	1	0.2%	16	1.2%
60 to 119 Months	4	0.9%	8	0.6%
120 Months or More	0	0.0%	3	0.2%
Total	441	100.0%	1,293	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 326 defendants with missing sentence information were excluded from the analysis.

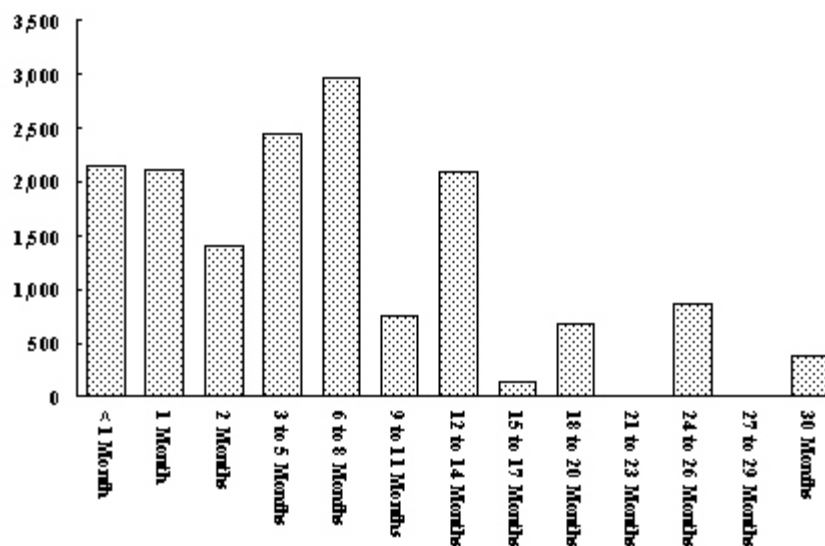
Sentences to houses of correction do not have a minimum sentence and can range from one day up to thirty months. For most defendants sentenced to a house of correction with a sentence of 60 days or more, parole eligibility is set at one-half of the maximum sentence length. Under the proposed sentencing 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 7.0 months and the median house of correction sentence was 5.0 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 6.2 months while the mean house of correction sentence imposed in the superior court was 17.3 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 11,728 or 73.4% of the defendants sentenced to a house of correction had a sentence of 2 months or more and would be eligible for parole consideration. Figure 4 graphically shows the sentence length for house of correction sentences.

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

Sentence	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
< 1 Month	2,132	14.4%	10	0.9%	2,142	13.4%
1 Month	2,096	14.1%	13	1.1%	2,109	13.2%
2 Months	1,385	9.3%	12	1.0%	1,397	8.7%
3 to 5 Months	2,384	16.1%	63	5.5%	2,447	15.3%
6 to 8 Months	2,858	19.3%	104	9.1%	2,962	18.5%
9 to 11 Months	706	4.8%	41	3.6%	747	4.7%
12 to 14 Months	1,806	12.2%	289	25.2%	2,095	13.1%
15 to 17 Months	107	0.7%	26	2.3%	133	0.8%
18 to 20 Months	574	3.9%	113	9.9%	687	4.3%
21 to 23 Months	18	0.1%	2	0.2%	20	0.1%
24 to 26 Months	588	4.0%	267	23.3%	855	5.4%
27 to 29 Months	2	0.0%	4	0.3%	6	0.0%
30 Months	178	1.2%	201	17.6%	379	2.4%
Total	14,834	100.0%	1,145	100.0%	15,979	100.0%
Lowest	1 Day		1 Day		1 Day	
Highest	30.0 Months		30.0 Months		30.0 Months	
Mean	6.2 Months		17.3 Months		7.0 Months	
Median	4.0 Months		18.0 Months		5.0 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 87.7% of current sentences fall within the proposed guidelines and 12.3% of current sentences fall outside of proposed guidelines (an estimated 3.5% were below the guidelines and an estimated 8.8% 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 2.7% 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 6, where an estimated 71.9% of all sentences were outside of the proposed ranges (43.7% were below the proposed guidelines and 28.2% were above the proposed guidelines);
- when comparing the sentences imposed for mandatory drug offenses with the proposed sentencing guidelines, it was estimated that 58.9% of the current mandatory drug sentences were within the sentencing guidelines ranges and that 41.1% were outside of the sentencing guidelines (including 2.0% below the proposed guidelines and 39.1% above the proposed guidelines); and,
- when comparing the sentences imposed for all other offenses it was estimated that 88.2% were within the sentencing guidelines ranges and 11.8% were outside of the sentencing guidelines (including 3.5% below the ranges and 8.3% above the ranges); and,
- for all offenses at levels 6 through 8, 43.6% of the sentences were below the guideline ranges, 29.7% were within, and 26.7% were above;
- for mandatory drug offenses at levels 6 through 8, 0.0% were below the guideline ranges, 45.5% were within, and 54.5% were above; and,
- for all other offenses at levels 6 through 8, 51.6% were below the guideline ranges, 26.8% were within, and 21.6% 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%	54	100.0%	0	0.0%	54	100.0%
Level 8	26	29.9%	36	41.4%	25	28.7%	87	100.0%
Level 7	102	49.0%	63	30.3%	43	20.7%	208	100.0%
Level 6	305	43.7%	196	28.1%	197	28.2%	698	100.0%
Level 5	517	44.1%	491	41.9%	165	14.1%	1,173	100.0%
Level 4	681	14.4%	3,545	75.2%	490	10.4%	4,716	100.0%
Level 3	2	0.0%	15,195	97.2%	428	2.7%	15,625	100.0%
Level 2	0	0.0%	14,013	89.5%	1,639	10.5%	15,652	100.0%
Level 1	0	0.0%	7,254	86.5%	1,133	13.5%	8,387	100.0%
Total	1,633	3.5%	40,847	87.7%	4,120	8.8%	46,600	100.0%
Other Offenses								
Level 9	0	0.0%	54	100.0%	0	0.0%	54	100.0%
Level 8	26	31.3%	34	41.0%	23	27.7%	83	100.0%
Level 7	102	56.4%	54	29.8%	25	13.8%	181	100.0%
Level 6	305	53.0%	137	23.8%	133	23.1%	575	100.0%
Level 5	506	50.1%	455	45.0%	49	4.9%	1,010	100.0%
Level 4	676	16.0%	3,179	75.1%	377	8.9%	4,232	100.0%
Level 3	2	0.0%	15,195	97.2%	428	2.7%	15,625	100.0%
Level 2	0	0.0%	14,013	89.5%	1,639	10.5%	15,652	100.0%
Level 1	0	0.0%	7,254	86.5%	1,133	13.5%	8,387	100.0%
Total	1,617	3.5%	40,375	88.2%	3,807	8.3%	45,799	100.0%
Mandatory Drug Offenses								
Level 9	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 8	0	0.0%	2	50.0%	2	50.0%	4	100.0%
Level 7	0	0.0%	9	33.3%	18	66.7%	27	100.0%
Level 6	0	0.0%	59	48.0%	64	52.0%	123	100.0%
Level 5	11	6.7%	36	22.1%	116	71.2%	163	100.0%
Level 4	5	1.0%	366	75.6%	113	23.3%	484	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	2.0%	472	58.9%	313	39.1%	801	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, 41.9% of state prison sentences had a difference of one day between minimum and maximum sentence. Therefore, an estimated 58.1% 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 73.4% of all defendants sentenced to the house of correction would be eligible for parole consideration. Under proposed sentencing guidelines, the maximum time that a defendant sentenced to a house of correction could be supervised by parole would be reduced from one-half of the sentence to one-third of the sentence.

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

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

Table 18 shows post-release probation supervision status by type of sentence and court department for those defendants sentenced to incarceration. It was estimated that 39.4% 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 5,402 or 35.6% of the incarceration sentences imposed in the district court involved some period of post-release probation supervision; and,
- an estimated 1,729 or 58.7% of the incarceration sentences imposed in the superior court involved some period of post-release probation supervision, including:
 - 75.3% of those sentenced to houses of correction from the superior court; and,
 - 48.0% of those sentenced to the DOC.

Of those defendants convicted of two or more charges and sentenced to incarceration, 5,530 or 47.7% had a sentence that included from & after probation, including 4,007 or 42.2% of the district court defendants with two or more convictions and 1,523 or 71.9% 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, 1,315 or 78.5% 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			8	0.3%	8	0.0%
Without From & After Probation			48	1.6%	48	0.3%
Sub-Total			56	1.9%	56	0.3%
State Prison						
With From & After Probation			853	29.0%	853	4.7%
Without From & After Probation			881	29.9%	881	4.9%
Sub-Total			1,734	58.9%	1,734	9.6%
Other DOC						
Split or From & After Probation			1	0.0%	1	0.0%
Without Split or From & After Probation			3	0.1%	3	0.0%
Sub-Total			4	0.1%	4	0.0%
House of Correction						
With From & After Probation	1,451	9.6%	460	15.6%	1,911	10.6%
Without From & After Probation	9,751	64.4%	285	9.7%	10,036	55.5%
Sub-Total	11,202	73.9%	745	25.3%	11,947	66.0%
House of Correction / Split	3,951	26.1%	407	13.8%	4,358	24.1%
Total All Sentences	15,153	100.0%	2,946	100.0%	18,099	100.0%
Jurisdiction						
House of Correction						
Split or From & After Probation	5,402	35.6%	867	75.3%	6,269	38.4%
Without Split or From & After Probation	9,751	64.4%	285	24.7%	10,036	61.6%
Sub-Total	15,153	100.0%	1,152	100.0%	16,305	100.0%
Department of Correction						
Split or From & After Probation			862	48.0%	862	48.0%
Without Split or From & After Probation			932	52.0%	932	52.0%
Sub-Total			1,794	100.0%	1,794	100.0%
All Jurisdictions						
Split or From & After Probation	5,402	35.6%	1,729	58.7%	7,131	39.4%
Without Split or From & After Probation	9,751	64.4%	1,217	41.3%	10,968	60.6%
Total	15,153	100.0%	2,946	100.0%	18,099	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 30,068 or 80.8% of the probation sentences began as a non-incarcerative sentence and 7,131 or 19.2% 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, 84.4% of the probation sentences began as a non-incarcerative sentence and 15.6% will begin after a period of incarceration; and,
- in the superior court, 32.2% of the probation sentences began as a non-incarcerative sentence and 67.8% 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	29,247	84.4%	821	32.2%	30,068	80.8%
Split or From & After Probation	5,402	15.6%	1,729	67.8%	7,131	19.2%
Total	34,649	100.0%	2,550	100.0%	37,199	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 267 or 71.0% of the incarcerated defendants convicted of a sex offense had a sentence which included a period of post-release probation supervision. In contrast 1,584 or 37.2% of incarcerated drug defendants had a sentence which included a period of post-release probation supervision. Therefore, in superior court, probation tends to be used less as an alternative to incarceration and more as a means of post-incarceration supervision, particularly for sex offenders.

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

Type of Offense and Court Department	No Post Release Probation		Post Release Probation		Total	
	N	%	N	%	N	%
All Courts						
Person	2,458	50.7%	2,389	49.3%	4,847	100.0%
Sex	109	29.0%	267	71.0%	376	100.0%
Property	2,744	59.5%	1,868	40.5%	4,612	100.0%
Drug Offenses	2,676	62.8%	1,584	37.2%	4,260	100.0%
Motor Vehicle	1,647	75.1%	547	24.9%	2,194	100.0%
Other	1,334	73.7%	476	26.3%	1,810	100.0%
Total	10,968	60.6%	7,131	39.4%	18,099	100.0%
District Court						
Person	2,065	54.2%	1,748	45.8%	3,813	100.0%
Sex	51	32.5%	106	67.5%	157	100.0%
Property	2,653	62.2%	1,615	37.8%	4,268	100.0%
Drug Offenses	2,059	66.3%	1,048	33.7%	3,107	100.0%
Motor Vehicle	1,637	76.0%	517	24.0%	2,154	100.0%
Other	1,286	77.8%	368	22.2%	1,654	100.0%
Sub-Total	9,751	64.4%	5,402	35.6%	15,153	100.0%
Superior Court						
Person	393	38.0%	641	62.0%	1,034	100.0%
Sex	58	26.5%	161	73.5%	219	100.0%
Property	91	26.5%	253	73.5%	344	100.0%
Drug Offenses	617	53.5%	536	46.5%	1,153	100.0%
Motor Vehicle	10	25.0%	30	75.0%	40	100.0%
Other	48	30.8%	108	69.2%	156	100.0%
Sub-Total	1,217	41.3%	1,729	58.7%	2,946	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 10,985 or 24.7% of all district court convictions, followed by motor vehicle offenses (10,278 or 23.1% of all district court convictions), and person offenses (8,990 or 20.2% of all district court convictions). In the superior court the most frequently occurring offenses were drug offenses which accounted for 1,448 or 38.4% of all superior court convictions followed by person offenses which accounted for 1,248 or 33.1% 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 40 defendants were classified as sex offenders on the basis of a conviction for a secondary offense (these 40 defendants were convicted of some other type of offense as the governing offense). Thus, a total of 614 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

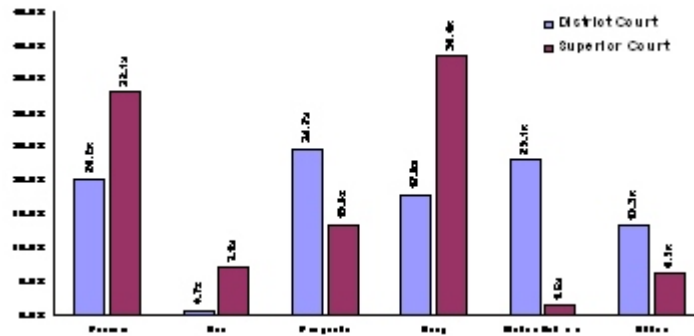


Table 21. Type of Offense by Offense Seriousness Level and Court Department

Type of Offense	District Court		Superior Court		Total	
	N	%	N	%	N	%
Person	8,990	20.2%	1,248	33.1%	10,238	21.3%
Sex	306	0.7%	268	7.1%	574	1.2%
Property	10,985	24.7%	511	13.6%	11,496	23.9%
Drug	7,935	17.9%	1,448	38.4%	9,383	19.5%
Motor Vehicle	10,278	23.1%	55	1.5%	10,333	21.5%
Other	5,906	13.3%	237	6.3%	6,143	12.8%
Total	44,400	100.0%	3,767	100.0%	48,167	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	10,238	1,365	11,603
Sex	574	40	614
Property	11,496	2,669	14,165
Drug	9,383	1,830	11,213
Motor Vehicle	10,333	2,784	13,117
Weapons	687	666	1,353
Public Order	2,606	2,469	5,075
Other	2,850	4,480	7,330
District Court			
Person	8,990	1,154	10,144
Sex	306	19	325
Property	10,985	2,444	13,429
Drug	7,935	1,721	9,656
Motor Vehicle	10,278	2,701	12,979
Weapons	588	397	985
Public Order	2,579	2,427	5,006
Other	2,739	4,129	6,868
Superior Court			
Person	1,248	211	1,459
Sex	268	21	289
Property	511	225	736
Drug	1,448	109	1,557
Motor Vehicle	55	83	138
Weapons	99	269	368
Public Order	27	42	69
Other	111	351	462

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:
 - 50.0% were convicted of an offense involving a child victim;
 - 28.4% were convicted of an offense involving an adult victim; and,
 - 21.6% were convicted of some other sex offense.
- of the 268 sex offenders convicted in the superior court:
 - 70.9% were convicted of an offense involving a child victim;
 - 25.4% were convicted of an offense involving an adult victim; and,
 - 3.7% 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%	27	10.1%	27	4.7%
Assault w/I Rape	0	0.0%	2	0.7%	2	0.3%
A&B Indecent	95	31.0%	27	10.1%	122	21.3%
A&B Indecent, Mentally Retarded	0	0.0%	2	0.7%	2	0.3%
Incest	0	0.0%	1	0.4%	1	0.2%
Sub-Total	95	31.0%	68	25.4%	163	28.4%
Offense with Child Victim						
Rape of Child, Forcible	0	0.0%	30	11.2%	30	5.2%
Rape of Child	0	0.0%	96	35.8%	96	16.7%
Rape of Child, 2nd	0	0.0%	1	0.4%	1	0.2%
Assault w/I Rape, Child	0	0.0%	4	1.5%	4	0.7%
A&B Indecent Child	96	31.4%	58	21.6%	154	26.8%
A&B Indecent Child, 2nd	0	0.0%	1	0.4%	1	0.2%
Act Unnatural, Child	1	0.3%	0	0.0%	1	0.2%
Sub-Total	97	31.7%	190	70.9%	287	50.0%
Other Sex Offense						
Open and Gross	114	37.3%	10	3.7%	124	21.6%
Sub-Total	114	37.3%	10	3.7%	124	21.6%
Total	306	100.0%	268	100.0%	574	100.0%

Type of Offense: Drug Offenses. There were an estimated 9,383 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, 2,839 or 35.8% of the drug offenses were classified as distribution offenses, 4,944 or 62.3% were classified as possession offenses, and 152 or 1.9% were not assigned to either category;
- in the superior court, 1,302 or 89.9% of the drug offenses were classified as distribution offenses, 88 or 6.1% were classified as possession offenses, and 58 or 4.0% 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 1,668 or 21.0% 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 877 or 60.6% 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	720	9.1%	374	25.8%	1,094	11.7%
Class B	1,401	17.7%	877	60.6%	2,278	24.3%
Class C	40	0.5%	6	0.4%	46	0.5%
Class D	633	8.0%	42	2.9%	675	7.2%
Class E	18	0.2%	1	0.1%	19	0.2%
Other Distribution Offenses	27	0.3%	2	0.1%	29	0.3%
Sub-Total	2,839	35.8%	1,302	89.9%	4,141	44.1%
Possession Offenses						
Class A	1,164	14.7%	21	1.5%	1,185	12.6%
Class B	1,530	19.3%	47	3.2%	1,577	16.8%
Class C	73	0.9%	0	0.0%	73	0.8%
Class D	1,668	21.0%	16	1.1%	1,684	17.9%
Class E	65	0.8%	1	0.1%	66	0.7%
Hypodermic/Syringe	444	5.6%	3	0.2%	447	4.8%
Sub-Total	4,944	62.3%	88	6.1%	5,032	53.6%
Other Drug Offenses						
	152	1.9%	58	4.0%	210	2.2%
Total	7,935	100.0%	1,448	100.0%	9,383	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 801 defendants convicted of mandatory drug offenses during FY 2005. 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 684 or 85.4% of the convictions for mandatory drug offenses in FY 2005.

The most frequently occurring mandatory drug offense was distribution in a school zone, with 323 convictions or 40.3% of all mandatory drug convictions. A sentence for distribution within a school zone is required to be a minimum of two years to be served from & after the sentence for the underlying offense. The method employed in the current analysis considers distribution within a school zone to be the governing offense only when the sentence imposed for the distribution within a school zone charge was longer than the sentence imposed for the underlying drug charge. Therefore, there were additional defendants convicted of distribution in a school zone who are not otherwise reported in this category. Additional statistical information on school zone offenders can be found in Appendix B.

An estimated 467 or 58.3% of the defendants convicted of mandatory drug offenses were classified as criminal history groups A or B, and 334 or 41.7% 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 Level and Court Department	Criminal History Group					Total
	A	B	C	D	E	
Superior Court						
Level 8 (15 Year Mandatory)						
Traffic Cocaine 200+ grams	1	1	0	2	0	4
Sub-Total	1	1	0	2	0	4
Level 7 (7 to 10 Year Mandatory)						
Traffic Heroin 100 to 200 grams	0	0	1	0	0	1
Traffic Heroin 28 to 100 grams	2	2	2	0	0	6
Traffic Cocaine 100 to 200 grams	9	5	4	2	0	20
Sub-Total	11	7	7	2	0	27
Level 6 (5 Year Mandatory)						
Traffic Heroin 14 to 28 grams	8	0	0	2	0	10
Traffic Cocaine 28 to 100 grams	33	22	16	6	0	77
Distribute Class A, 2nd Offense	0	5	10	6	0	21
Distribute Class A, Minor	0	0	1	0	0	1
Distribute Cocaine, 2nd Offense	0	2	4	5	0	11
Induce Minor to Distribute	1	0	0	2	0	3
Sub-Total	42	29	31	21	0	123
Level 5 (3 Year Mandatory)						
Traffic Cocaine 14 to 28 grams	60	32	19	14	0	125
Distribute Class B, 2nd Offense	0	13	13	11	0	37
Distribute Class B, Minor	0	0	1	0	0	1
Sub-Total	60	45	33	25	0	163
Level 4 (1 to 2 Year Mandatory)						
Distribute Cocaine	58	42	35	24	0	159
Traffic Marijuana 50 to 100 pounds	2	0	0	0	0	2
Distribution w/i School or Park	29	42	26	31	0	128
Sub-Total	89	84	61	55	0	289
Sub-Total Superior Court	203	166	132	105	0	606
District Court						
Distribution w/i School or Park	52	46	46	51	0	195
Total	255	212	178	156	0	801

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, 165 or 27.2% were sentenced to a house of correction and 441 or 72.8% were sentenced to the DOC. Of all convictions for mandatory drug offenses, 360 or 44.9% were sentenced to a house of correction and 441 or 55.1% 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	195	100.0%	165	27.2%	360	44.9%
Department of Correction	0	0.0%	441	72.8%	441	55.1%
Total	195	100.0%	606	100.0%	801	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 6,756 defendants representing 12.3% 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 5,861 convictions for OUI offenses in FY 2005. 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%	20	29.9%	20	0.3%
House of Correction Sentence						
Less than 1 month	49	0.8%	0	0.0%	49	0.8%
1 Month	58	1.0%	0	0.0%	58	1.0%
2 Months	181	3.1%	0	0.0%	181	3.1%
3 to 5 Months	201	3.5%	0	0.0%	201	3.4%
6 to 8 Months	347	6.0%	3	4.5%	350	6.0%
9 to 11 Months	46	0.8%	0	0.0%	46	0.8%
12 to 14 Months	138	2.4%	11	16.4%	149	2.5%
15 to 17 Months	7	0.1%	0	0.0%	7	0.1%
18 to 20 Months	30	0.5%	3	4.5%	33	0.6%
21 to 23 Months	1	0.0%	0	0.0%	1	0.0%
24 to 26 Months	66	1.1%	6	9.0%	72	1.2%
27 to 29 Months	0	0.0%	0	0.0%	0	0.0%
30 Months	40	0.7%	19	28.4%	59	1.0%
Missing Sentence Information	6	0.1%	0	0.0%	6	0.1%
Sub-Total	1,170	20.2%	42	62.7%	1,212	20.7%
Probation	3,602	62.2%	5	7.5%	3,607	61.5%
Fine	917	15.8%	0	0.0%	917	15.6%
Other	105	1.8%	0	0.0%	105	1.8%
Total	5,794	100.0%	67	100.0%	5,861	100.0%

Sentencing Practices: Mandatory Firearms Offenses

There were an estimated 247 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, 15.1% of the convicted defendants were female and 84.9% of the convicted defendants were male.

Figure 6. Defendant Gender

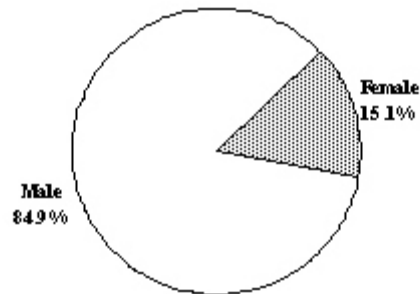


Table 28 shows the gender of defendants by court department. Of the defendants convicted in district court, 42,992 or 84.5% were male and 7,904 or 15.5% were female; and, of the defendants convicted in superior court, 3,618 or 89.8% were male and 409 or 10.2% were female.

Table 28. Defendant Gender by Court Department

Gender	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Male	42,992	84.5%	3,618	89.8%	46,610	84.9%
Female	7,904	15.5%	409	10.2%	8,313	15.1%
Total	50,896	100.0%	4,027	100.0%	54,923	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:

- 2.4% of the female defendants were in the incarceration zone of the grid compared with 5.6% of the male defendants;
- 76.4% of the female defendants were classified as criminal history group A or B compared with 61.4% of the male defendants;
- 55.0% of the female defendants were classified as offense seriousness level 1 or 2 compared with 49.8% of the male defendants; and,
- the most frequently occurring grid cell for male and female defendants was “2A.”

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	15	16	15	6	0	52	0.1%	9	2	0	0	0	0	2	0.0%	9	17	16	15	6	0	54	0.1%
8	39	23	25	20	0	107	0.3%	8	3	0	2	0	0	5	0.1%	8	42	23	27	20	0	112	0.2%
7	71	41	38	49	1	200	0.5%	7	5	0	2	1	0	8	0.1%	7	76	41	40	50	1	208	0.4%
6	244	137	134	136	4	655	1.6%	6	34	9	6	0	0	49	0.7%	6	278	146	140	136	4	704	1.5%
5	342	278	241	217	2	1,080	2.6%	5	44	23	21	8	0	96	1.3%	5	386	301	262	225	2	1,176	2.4%
4	1,439	1,042	782	795	9	4,067	9.9%	4	328	187	70	81	0	666	9.2%	4	1,767	1,229	852	876	9	4,733	9.8%
3	4,485	3,761	2,886	3,002	13	14,147	34.6%	3	1,091	671	383	245	1	2,391	32.9%	3	5,576	4,432	3,269	3,247	14	16,538	34.3%
2	4,644	3,531	2,599	2,236	8	13,018	31.8%	2	1,346	938	412	254	0	2,950	40.6%	2	5,990	4,469	3,011	2,490	8	15,968	33.2%
1	2,828	2,048	1,361	1,113	5	7,355	18.0%	1	519	313	133	82	0	1,047	14.4%	1	3,347	2,361	1,494	1,195	5	8,402	17.4%
N.A.	71	66	36	48	0	221	0.5%	N.A.	29	10	9	3	0	51	0.7%	N.A.	100	76	45	51	0	272	0.6%
Total	14,178	10,943	8,117	7,622	42	40,902	100.0	Total	3,401	2,151	1,038	674	1	7,265	100.0	Total	17,579	13,094	9,155	8,296	43	48,167	100.0
%	34.7%	26.8%	19.8%	18.6%	0.1%	100.0%		%	46.8%	29.6%	14.3%	9.3%	0.0%	100.0%		%	36.5%	27.2%	19.0%	17.2%	0.1%	100.0%	

Sentencing Zone	N	%
Incarceration Zone	2,278	5.6%
Discretionary Zone	27,522	67.3%
Intermediate Sanction Zone	10,881	26.6%
Unassigned	221	0.5%
Total	40,902	100.0%

Sentencing Zone	N	%
Incarceration Zone	174	2.4%
Discretionary Zone	4,729	65.1%
Intermediate Sanction Zone	2,311	31.8%
Unassigned	51	0.7%
Total	7,265	100.0%

Sentencing Zone	N	%
Incarceration Zone	2,452	5.1%
Discretionary Zone	32,251	67.0%
Intermediate Sanction Zone	13,192	27.4%
Unassigned	272	0.6%
Total	48,167	100.0%

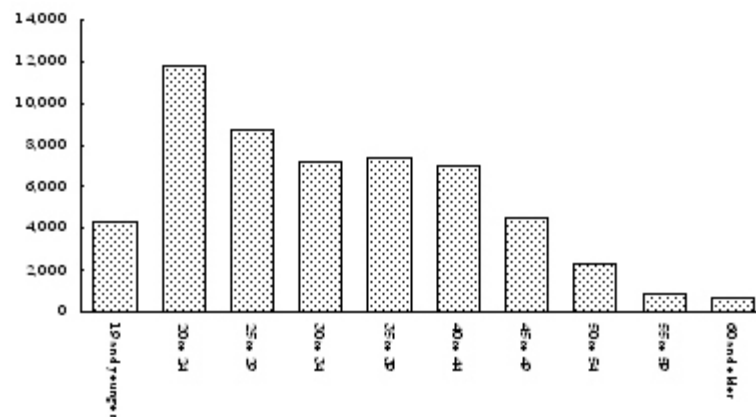
Sentencing Practices: Defendant Age at Disposition

The age of defendants at the time of disposition ranged from 17 years to 93 years. The mean age at disposition was 32.8 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	4,053	246	4,299
20 to 24	10,731	1,000	11,731
25 to 29	7,942	762	8,704
30 to 34	6,665	564	7,229
35 to 39	6,959	484	7,443
40 to 44	6,592	419	7,011
45 to 49	4,253	268	4,521
50 to 54	2,187	147	2,334
55 to 59	837	69	906
60 and older	677	68	745
Total	50,896	4,027	54,923
Youngest	17 Years	17 Years	17 Years
Oldest	93 Years	81 Years	93 Years
Mean	32.9 Years	32.0 Years	32.8 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 1.5% 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, 61.3% of the convicted defendants were white, 17.4% were black, 17.5% were hispanic, and 2.3% were other races. The race was unknown for 1.5% of the convicted defendants.

Figure 8. Defendant Race

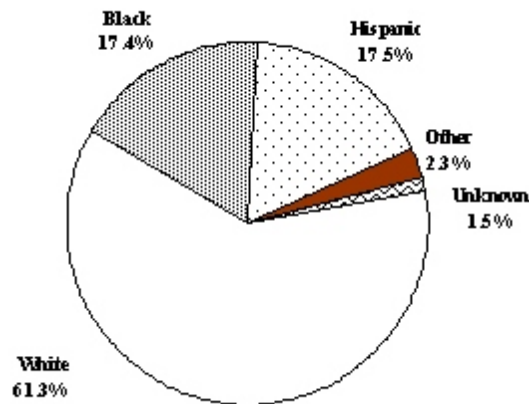


Table 31 shows defendant race by court department. The proportion of white defendants was higher in the district court than the superior court and the proportion of black defendants, hispanic defendants, and defendants of other races was higher in the superior court than the district court. Of the defendants convicted in the district court, 62.8% were white, and 35.7% were racial/ethnic minorities (16.8% were black, 16.7% were hispanic, and 2.2% were other races). The race was unknown for 1.5% of the defendants convicted in the district court. Of the defendants convicted in the superior court, 41.9% were white, and 56.7% were racial/ethnic minorities (25.2% were black, 28.3% were hispanic, and 3.2% were other races). The race was unknown for 1.4% 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	31,976	62.8%	1,687	41.9%	33,663	61.3%
Black	8,542	16.8%	1,016	25.2%	9,558	17.4%
Hispanic	8,477	16.7%	1,138	28.3%	9,615	17.5%
Other	1,128	2.2%	128	3.2%	1,256	2.3%
Unknown	773	1.5%	58	1.4%	831	1.5%
Total	50,896	100.0%	4,027	100.0%	54,923	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:

- 61.3% of all defendants were white, 37.2% of all defendants were racial/ethnic minorities (17.4% were black, 17.5% were hispanic, and 2.3% were other races), and the race was unknown for 1.5% of all defendants; and,
- 23.5% of defendants convicted of mandatory drug offenses were white, and 76.5% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (32.5% were black, 41.3% were hispanic, and 2.7% were other races).

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

- 45.3% of defendants convicted of all drug offenses were white and 53.5% were racial/ethnic minorities;
- 57.4% of defendants convicted of possession offenses were white and 41.3% were racial/ethnic minorities;
- 30.8% of defendants convicted of non-mandatory distribution offenses were white and 67.8% were racial/ethnic minorities; and,
- 23.5% of defendants convicted of mandatory distribution offenses were white and 76.5% 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	6,001	58.6%	2,000	19.5%	1,827	17.8%	264	2.6%	146	1.4%	10,238	100.0%
Sex Offenses	371	64.6%	81	14.1%	96	16.7%	10	1.7%	16	2.8%	574	100.0%
Property Offenses	7,335	63.8%	2,041	17.8%	1,707	14.8%	257	2.2%	156	1.4%	11,496	100.0%
Drug Offenses												
Mandatory / Distribution	188	23.5%	260	32.5%	331	41.3%	22	2.7%	0	0.0%	801	100.0%
Non-Mandatory / Distribution	1,028	30.8%	965	28.9%	1,223	36.6%	77	2.3%	47	1.4%	3,340	100.0%
Possession	2,887	57.4%	972	19.3%	1,017	20.2%	90	1.8%	66	1.3%	5,032	100.0%
Other Drug Offense	149	71.0%	25	11.9%	32	15.2%	3	1.4%	1	0.5%	210	100.0%
Sub-total Drug	4,252	45.3%	2,222	23.7%	2,603	27.7%	192	2.0%	114	1.2%	9,383	100.0%
Motor Vehicle	6,464	62.6%	1,642	15.9%	1,780	17.2%	263	2.5%	184	1.8%	10,333	100.0%
Weapons	295	42.9%	194	28.2%	160	23.3%	21	3.1%	17	2.5%	687	100.0%
Public Order and Other Offenses	3,324	60.9%	958	17.6%	896	16.4%	133	2.4%	145	2.7%	5,456	100.0%
Sub-total Grid	28,042	58.2%	9,138	19.0%	9,069	18.8%	1,140	2.4%	778	1.6%	48,167	100.0%
Not Assigned to Grid												
OUI Offenses	5,099	87.0%	227	3.9%	408	7.0%	97	1.7%	30	0.5%	5,861	100.0%
Mandatory Firearms	32	13.0%	141	57.1%	65	26.3%	9	3.6%	0	0.0%	247	100.0%
Non-jailable	490	75.6%	52	8.0%	73	11.3%	10	1.5%	23	3.5%	648	100.0%
Sub-Total No Grid	5,621	83.2%	420	6.2%	546	8.1%	116	1.7%	53	0.8%	6,756	100.0%
Grand Total	33,663	61.3%	9,558	17.4%	9,615	17.5%	1,256	2.3%	831	1.5%	54,923	100.0%

Sentencing Practices: Defendant Place of Birth

Table 33 shows place of birth by court department. For all defendants, 65.8% were born in Massachusetts, 24.7% were born in some other area of the United States, and 7.9% were born outside of the United States. The place of birth was unknown for 1.6% 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	606	1.2%	46	1.1%	652	1.2%
Berkshire	944	1.9%	65	1.6%	1,009	1.8%
Bristol	2,601	5.1%	158	3.9%	2,759	5.0%
Dukes	35	0.1%	2	0.0%	37	0.1%
Essex	3,300	6.5%	147	3.7%	3,447	6.3%
Franklin	314	0.6%	14	0.3%	328	0.6%
Hampden	3,176	6.2%	459	11.4%	3,635	6.6%
Hampshire	548	1.1%	28	0.7%	576	1.0%
Middlesex	5,457	10.7%	312	7.7%	5,769	10.5%
Nantucket	19	0.0%	2	0.0%	21	0.0%
Norfolk	2,015	4.0%	111	2.8%	2,126	3.9%
Plymouth	1,316	2.6%	56	1.4%	1,372	2.5%
Suffolk	8,839	17.4%	799	19.8%	9,638	17.5%
Worcester	115	0.2%	5	0.1%	120	0.2%
No County Designated	4,458	8.8%	170	4.2%	4,628	8.4%
Total	33,743	66.3%	2,374	59.0%	36,117	65.8%
Other United States						
Northeast	5,092	10.0%	468	11.6%	5,560	10.1%
Midwest	728	1.4%	57	1.4%	785	1.4%
South	2,207	4.3%	176	4.4%	2,383	4.3%
West	650	1.3%	44	1.1%	694	1.3%
U.S. Territory	3,641	7.2%	521	12.9%	4,162	7.6%
Total	12,318	24.2%	1,266	31.4%	13,584	24.7%
Outside United States						
Western Hemisphere	2,342	4.6%	211	5.2%	2,553	4.6%
Europe and Eurasia	805	1.6%	38	0.9%	843	1.5%
East Asia and Pacific	358	0.7%	42	1.0%	400	0.7%
Africa	405	0.8%	30	0.7%	435	0.8%
Near East	84	0.2%	3	0.1%	87	0.2%
South Asia	34	0.1%	2	0.0%	36	0.1%
Total	4,028	7.9%	326	8.1%	4,354	7.9%
Unknown	807	1.6%	61	1.5%	868	1.6%
Total	50,896	100.0%	4,027	100.0%	54,923	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 2005. 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 2005, or the period July 1, 2004, through June 30, 2005 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 2005 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 2005, 56 defendants were classified in the life sentence group including two convicted of offenses other than murder. Of the two defendants sentenced to life for offenses other than murder, none were sentenced as habitual offenders.

Split Sentences. Split sentences are characterized by a sentence that includes both a term of incarceration, the split portion, and a suspended sentence. Split sentences were defined as those dispositions with one or more split sentence words as defined in the vocabulary table.

A further distinction was made between split sentences to be served at the DOC (state prison / split sentence) and split sentences to be served at a house of correction (house of correction / split sentence). State prison / split sentences were those sentences with a minimum suspended term; a maximum suspended term of more than 30 months; or, split sentences with no sentence length information but convicted in a superior court. Although state prison / split sentences can no longer be given for offenses committed after July 1, 1994, some cases were sentenced in FY 2005 for offenses occurring prior to that time and thus a state prison / split sentence could be imposed. Any such sentences are reported in the “other DOC” sentence category. In FY 2005, there were no state prison / split sentences imposed. 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 1,876 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 2005 for offenses occurring prior to that time and thus a reformatory sentence could be imposed. In FY 2005 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 2005, four defendants were sentenced as habitual offenders and classified in the “Other DOC” group. One defendant who was convicted of an offense which has a fixed penalty rather than a penalty range - i.e. “five years to state prison” - and was classified in the “Other DOC” group.

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

Probation Sentences. Probation sentences are those sentences with one or more valid probation words. Probation sentences include sentences to straight probation as well as those with a suspended sentence to the state prison or house of correction. The estimates of the number of probation sentences does not include all defendants receiving probation supervision. Many defendants are supervised during a pre-trial period of probation, are supervised as the result of a non-conviction disposition (e.g. 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 333 cases with missing sentence length information, representing approximately 1.7% 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	293	5
House of Correction / Split Sentence	33	2
District Court	319	6
Superior Court	7	1
Old Law	2	1
New Law	324	6
Mandatory Offense	0	1
Other Offense	326	6

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 2005 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 48,167 defendants convicted of offenses assigned to the sentencing grid, 46,916 or 97.4% had all of their convictions at or below the level of the governing offense and 1,251 or 2.6% 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 384 or 30.7% of these cases. Table 36 shows the specific offense associated with the highest offense seriousness level for the 1,251 cases.

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

Governing Offense Level	All Convictions at That Level or Below		One or More Convictions at a Higher Level		Total		Maximum Offense Level (All Convictions)									
	N	%	N	%	N	%	0	1	2	3	4	5	6	7	8	9
9	54	100.0%	0	0.0%	54	100.0%	9	0	0	0	0	0	0	0	0	54
8	112	100.0%	0	0.0%	112	100.0%	8	0	0	0	0	0	0	0	112	0
7	202	97.1%	6	2.9%	208	100.0%	7	0	0	0	0	0	0	202	6	0
6	686	97.4%	18	2.6%	704	100.0%	6	0	0	0	0	0	686	7	11	0
5	1160	98.6%	16	1.4%	1176	100.0%	5	0	0	0	0	1160	9	6	1	0
4	4638	98.0%	95	2.0%	4733	100.0%	4	0	0	0	4638	44	35	15	1	0
3	16304	98.6%	234	1.4%	16538	100.0%	3	0	0	0	16304	83	88	48	9	6
2	15583	97.6%	385	2.4%	15968	100.0%	2	0	0	15583	317	44	18	6	0	0
1	7905	94.1%	497	5.9%	8402	100.0%	1	0	7905	384	95	12	4	2	0	0
Not Assigned	272	100.0%	0	0.0%	272	100.0%	Not Assigned	272	0	0	0	0	0	0	0	0
Total	46916	97.4%	1251	2.6%	48167	100.0%	Total	272	7905	15967	16716	4777	1314	786	239	54

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	Manslaughter	1	5	A&B Child w/injury	1	3	A&B	94	2	Assault	3
8	Armed Assault In Dwell	2	5	A&B, Aggravated	4	3	A&B Dangerous Weapon	21	2	Larceny	2
8	Rape, Aggravated	2	5	A&B DW, Aggravated	1	3	Assault DW	17	2	Larceny Less	5
8	Rape Of Child w/Force	3	5	Indecent A&B On Child	4	3	Unnatural Acts	2	2	Property Destruction	13
8	Home Invasion	16	5	Entice Child	3	3	Rest Order Violation	17	2	Receiving Stolen Goods	13
8	Burglary, Armed	1	5	Robbery Unarmed	29	3	Larceny More	33	2	Possession Class A	3
			5	Intimidation	99	3	Larceny Building	2	2	Possession Class B	5
7	Murder, Attempted	1	5	Stalking Viol of RO	2	3	Larceny MV	4	2	Possession Class C	1
7	Rape	5	5	Common Thief	2	3	Fraud, Insurance	1	2	Possession Class D	10
7	Assault w/I Rape, Child	2	5	Burglary	6	3	Fraud	3	2	Possession Class D, Mar	2
7	Armed Robbery Gun	13	5	CSA Tr Coc 14-28 grams	1	3	MV Sales Violations	1	2	Distribute Class D	1
7	Armed Assault w/i Murder	14	5	CSA Consp to Traf Heroin	1	3	PBT	5	2	Possession	13
7	Carjacking, Armed	2				3	B&E	33	2	Presence of Class A	2
			4	A&B Elderly w/Injury	3	3	Mal Dest Property More	9	2	Operate to Endanger	26
6	Manslaughter	2	4	Indecent A&B	5	3	RSG over	2	2	Use Without Authority	7
6	A&B Agg, Serious Injury	1	4	Assault w/i Rob	6	3	RSG MV	16	2	Habitual Traffic Offender	1
6	Rape of Child	1	4	Stalking	4	3	Forgery And Uttering	28	2	Operate After Suspension	4
6	Assault w/I Rape	4	4	Harassment	8	3	Burning Property	2	2	Compulsory Insurance	167
6	A&B Ind, Ment Retarded	1	4	Larceny Person	21	3	Possession Class D 2nd	1	2	Counterfeit/Alter MV	5
6	Child Pornography	7	4	Larceny Person + 65	1	3	Leaving Scene Property	64	2	Prostitution	4
6	Robbery, Unarmed +60	2	4	Identity Fraud	13	3	Leaving Scene Personal	7	2	Failure To Disperse	2
6	Robbery, Armed	56	4	Enter Dwelling w/I Felony	2	3	Gun Serial Number	4	2	Firearm, Possess without	2
6	Armed Assault w/I Rob	20	4	Distribute Class A	11	3	Interfere Police or	8	2	Impersonate/Disguise	2
6	Carjacking	1	4	Distribute Class B	43	3	Carrying Dangerous	31	2	Fireworks	5
6	Kidnapping	4	4	Larceny Cont Sub	2	3	Throw Object On Public	1	2	Violation of Explosives	1
6	Burning Dwelling House	1	4	CSA Give Prisoner	3	3	Sex Offender Fail Register	6	2	Resisting Arrest	49
			4	CSA School	1				2	False Report of Crime	1
			4	Leave Scene, Death	1				2	True Name Law	20
			4	OUI Serious Injury, Felony	2						
			4	Escape	10						
	OUI Offenses										
4	Oper Und Infl Of Liq 4th	1									
2	Oper Und Infl Of Liq 2nd	2									
2	Oper Und Infl of Drugs	1									
2	Oper Und Infl Of Liq	12									
	Mandatory Firearms										
5	Possess Altered Firearm	1									
5	Bartley-Fox Violation	2									

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 2005 there were 476 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 2005, 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 2005 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 2005, 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 2005 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 1,567 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/elect/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 2004	4,127	98.4%	66	1.6%	4,193	100.0%
August 2004	4,451	98.4%	73	1.6%	4,524	100.0%
September 2004	4,663	98.3%	79	1.7%	4,742	100.0%
October 2004	4,566	98.7%	62	1.3%	4,628	100.0%
November 2004	4,329	98.5%	65	1.5%	4,394	100.0%
December 2004	4,403	98.3%	74	1.7%	4,477	100.0%
January 2005	4,466	98.5%	66	1.5%	4,532	100.0%
February 2005	4,226	98.4%	68	1.6%	4,294	100.0%
March 2005	5,177	98.7%	70	1.3%	5,247	100.0%
April 2005	4,287	98.4%	69	1.6%	4,356	100.0%
May 2005	4,691	98.3%	83	1.7%	4,774	100.0%
June 2005	4,706	98.8%	56	1.2%	4,762	100.0%
Total	54,092	98.5%	831	1.5%	54,923	100.0%
Sentence Group						
Life	55	98.2%	1	1.8%	56	100.0%
State Prison	1,841	98.1%	35	1.9%	1,876	100.0%
Other DOC	5	100.0%	0	0.0%	5	100.0%
House	12,431	98.9%	136	1.1%	12,567	100.0%
House / split	5,047	99.4%	33	0.6%	5,080	100.0%
Probation	24,417	98.9%	274	1.1%	24,691	100.0%
Fine	7,062	96.6%	248	3.4%	7,310	100.0%
Other	3,234	96.9%	104	3.1%	3,338	100.0%
Total	54,092	98.5%	831	1.5%	54,923	100.0%
County						
Barnstable	1,992	98.9%	22	1.1%	2,014	100.0%
Berkshire	1,547	99.7%	5	0.3%	1,552	100.0%
Bristol	5,068	97.6%	123	2.4%	5,191	100.0%
Dukes	160	95.2%	8	4.8%	168	100.0%
Essex	6,230	99.2%	50	0.8%	6,280	100.0%
Franklin	742	99.9%	1	0.1%	743	100.0%
Hampden	5,886	98.0%	119	2.0%	6,005	100.0%
Hampshire	1,394	99.5%	7	0.5%	1,401	100.0%
Middlesex	7,414	98.5%	115	1.5%	7,529	100.0%
Nantucket	79	100.0%	0	0.0%	79	100.0%
Norfolk	3,225	99.2%	26	0.8%	3,251	100.0%
Plymouth	3,555	99.4%	21	0.6%	3,576	100.0%
Suffolk	7,608	98.4%	127	1.6%	7,735	100.0%
Worcester	9,192	97.8%	207	2.2%	9,399	100.0%
Total	54,092	98.5%	831	1.5%	54,923	100.0%
Court Department						
District	50,123	98.5%	773	1.5%	50,896	100.0%
Superior	3,969	98.6%	58	1.4%	4,027	100.0%
Total	54,092	98.5%	831	1.5%	54,923	100.0%
Gender						
Female	8,170	98.3%	143	1.7%	8,313	100.0%
Male	45,922	98.5%	688	1.5%	46,610	100.0%
Total	54,092	98.5%	831	1.5%	54,923	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 323 convictions, or 40.3% of all mandatory drug convictions. A sentence for distribution within a school zone is required to be a minimum of two years to be served from & after the sentence for the underlying drug offense. The method employed in the current analysis considers distribution within a school zone to be the governing offense only when the sentence imposed for the distribution within a school zone charge was longer than the sentence imposed for the underlying drug charge. Therefore, there were additional offenders convicted of distribution in a school zone. Table 38 shows some additional information on those offenders convicted of school zone offenses.

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

- There were 323 defendants for whom the school zone offense was the governing offense; and,
- There were 59 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,
 - 20 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 382 defendants with one or more convictions of distribution in a school zone. Of these 382 defendants:

- the underlying drug offense was a mandatory drug offense for 49 defendants; and,

- the underlying drug offense was a non-mandatory drug offense for 333 defendants.
- 298 had a house of correction sentence imposed for the underlying drug offense and of these sentences 171 were for 1 day; and,
- 81 had a state prison sentence imposed for the underlying drug offense.

The final portion of the table shows the racial composition of the 382 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 154 defendants were convicted of this offense including 87 in criminal history group A, 31 in criminal history group B, 28 in criminal history group C, 8 in criminal history group D, and none in criminal history group E. Of the 154 convicted defendants, a total of 97 received a sentence of incarceration, for an overall incarceration rate of 63%. Of the 87 defendants in criminal history group A, a total of 44 received a sentence of incarceration, for an incarceration rate of 51%; of the 31 defendants in criminal history group B, a total of 22 received a sentence of incarceration for an incarceration rate of 71%; of the 28 defendants in criminal history group C, 23 received a sentence of incarceration for an incarceration rate of 82%; of the 8 defendants in criminal history group D, 8 received a sentence of incarceration, for an incarceration rate of 100%; 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 96 convictions for Indecent A&B on Child in the district court. Of these 96 convictions, 55 resulted in a sentence to incarceration for an overall incarceration rate of 57%. 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 58 convictions for Indecent A&B on Child in the superior court. Of these 58 convictions, 42 resulted in a sentence to incarceration for an overall incarceration rate of 72%. As in the previous two tables, the number of convicted defendants, the number of incarcerated defendants, and the incarceration rate is also shown for each criminal history group.

State Prison Sentences

Table 43 and Table 44 show sentence length information for those defendants sentenced to the state prison by governing offense and grid cell assignment. In Table 43 the total number of convicted defendants, the mean minimum sentence, and the median minimum sentence are shown. For example, for the offense of armed assault w/i murder, a level 7 offense, there were 31 defendants sentenced to the state prison in FY 2005. The mean minimum state prison sentence for armed assault w/i murder was 56.9 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 31 defendants convicted of armed assault w/i murder and sentenced to the state prison. The mean maximum sentence for armed assault w/i murder was 69.9 months and the median sentence for armed assault w/i murder was 60.0 months.

House of Correction Sentences

Table 45 shows sentence length information for those defendants who were sentenced to a period of incarceration in a house of correction. The table includes defendants convicted in district court and superior court. The table includes defendants who received a house of correction sentence or a house of correction / split sentence. For defendants receiving a house of correction sentence, the maximum sentence length is used in the analysis and for defendants serving house of correction / split sentences, the split or committed portion of the sentence is used in the analysis. There were 326 cases where sentence length information was not available. These cases were excluded from the analysis.

The table shows the total number of convicted defendants, the mean sentence and the median sentence. For example, the offense Possession of Burglarious Tools is a level 3 offense. There were 90 defendants convicted of this offense and sentenced to a term of

incarceration in a house of correction. The mean house of correction sentence was 8.3 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 10,238 defendants convicted of person offenses with an incarceration rate of 47%;
- there were 574 defendants convicted of sex offenses with an incarceration rate of 66%;
- there were 687 defendants convicted of weapons offenses with an incarceration rate of 46%;
- there were 11,496 defendants convicted of property offenses with an incarceration rate of 40%;
- there were 9,383 defendants convicted of drug offenses with an incarceration rate of 45%;
- there were 10,333 defendants convicted of motor vehicle offenses with an incarceration rate of 21%;
- there were 2,850 defendants convicted of other offenses with an incarceration rate of 31%; and,
- there were 2,606 defendants convicted of public order offenses with an incarceration rate of 23%.

**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	195	100.0%	128	68.4%	323	84.6%
Governing Offense: Other Mandatory Drug	0	0.0%	39	20.9%	39	10.2%
Governing Offense: All Other Offenses	0	0.0%	20	10.7%	20	5.2%
Total	195	100.0%	187	100.0%	382	100.0%
Underlying Offense of Conviction						
Trafficking Cocaine 14-28 grams	0	0.0%	5	2.7%	5	1.3%
Trafficking Cocaine 28-100 grams	0	0.0%	4	2.1%	4	1.0%
Trafficking Cocaine 100-200 grams	0	0.0%	1	0.5%	1	0.3%
Trafficking Heroin 14-28 grams	0	0.0%	3	1.6%	3	0.8%
Trafficking Heroin 28-100 grams	0	0.0%	4	2.1%	4	1.0%
Distribution Class A	64	32.8%	49	26.2%	113	29.6%
Distribution Class A, 2nd Offender	0	0.0%	5	2.7%	5	1.3%
Distribution Class B	102	52.3%	81	43.3%	183	47.9%
Distribution Class B, 2nd Offender	0	0.0%	12	6.4%	12	3.1%
Distribution Cocaine / Mandatory	0	0.0%	13	7.0%	13	3.4%
Distribution Cocaine / 2nd	0	0.0%	2	1.1%	2	0.5%
Distribution Class C	1	0.5%	0	0.0%	1	0.3%
Distribution Class D	27	13.8%	8	4.3%	35	9.2%
Distribution Class E	1	0.5%	0	0.0%	1	0.3%
Total	195	100.0%	187	100.0%	382	100.0%
Sentence Imposed / Underlying Drug						
Other Sentence	2	1.0%	1	0.5%	3	0.8%
House of Correction Sentence						
1 Day	117	60.0%	54	28.9%	171	44.8%
2 Days to 5 Months	13	6.7%	2	1.1%	15	3.9%
6 Months to 11 Months	18	9.2%	14	7.5%	32	8.4%
12 Months to 17 Months	24	12.3%	16	8.6%	40	10.5%
18 Months to 23 Months	2	1.0%	4	2.1%	6	1.6%
24 Months or More	19	9.7%	15	8.0%	34	8.9%
Sub-Total	193	99.0%	105	56.1%	298	78.0%
State Prison Sentence	0	0.0%	81	43.3%	81	21.2%
Total	195	100.0%	187	100.0%	382	100.0%
Defendant Race						
White	36	18.5%	30	16.0%	66	17.3%
Black	76	39.0%	73	39.0%	149	39.0%
Hispanic	79	40.5%	80	42.8%	159	41.6%
Other	4	2.1%	4	2.1%	8	2.1%
Total	195	100.0%	187	100.0%	382	100.0%

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

NORTHEAST		SOUTH		WEST		WESTERN HEMISPHERE	
CONNECTICUT	869	ALABAMA	220	ALASKA	14	ANTIGUA AND BARBUDA	2
MAINE	234	ARKANSAS	33	ARIZONA	48	ARGENTINA	5
NEW HAMPSHIRE	408	DELAWARE	30	CALIFORNIA	415	ARUBA	2
NEW JERSEY	545	DISTRICT OF COLUMBIA	71	COLORADO	59	BAHAMAS, THE	6
NEW YORK	2,307	FLORIDA	435	HAWAII	27	BARBADOS	35
PENNSYLVANIA	318	GEORGIA	259	IDAHO	6	BELIZE	2
RHODE ISLAND	740	KENTUCKY	34	MONTANA	12	BERMUDA	7
VERMONT	139	LOUISIANA	88	NEVADA	21	BOLIVIA	3
SUB-TOTAL	5,560	MARYLAND	109	NEW MEXICO	17	BRAZIL	350
		MISSISSIPPI	123	OREGON	11	CANADA	127
MIDWEST		NORTH CAROLINA	280	UTAH	7	CHILE	13
ILLINOIS	219	OKLAHOMA	35	WASHINGTON	51	COLOMBIA	80
INDIANA	56	SOUTH CAROLINA	168	WYOMING	6	COSTA RICA	9
IOWA	31	TENNESSEE	64	SUB-TOTAL	694	CUBA	57
KANSAS	38	TEXAS	208			DOMINICA	3
MICHIGAN	147	VIRGINIA	201	U.S. TERRITORY		DOMINICAN REPUBLIC	610
MINNESOTA	20	WEST VIRGINIA	25	GUAM	2	ECUADOR	40
MISSOURI	45	SUB-TOTAL	2,383	PUERTO RICO	4,111	EL SALVADOR	247
NEBRASKA	16			U.S. VIRGIN ISLANDS	49	GRENADA	1
NORTH DAKOTA	6			SUB-TOTAL	4,162	GUATEMALA	197
OHIO	160					GUYANA	10
SOUTH DAKOTA	4					HAITI	232
WISCONSIN	43					HONDURAS	87
SUB-TOTAL	785					JAMAICA	163
						MARTINIQUE	1
						MEXICO	116
						MONTSERRAT	1
						NETHERLANDS ANTILLES	1
						NICARAGUA	5
						PANAMA	22
						PERU	14
						SAINT LUCIA	2
						SOUTH AMERICA - NO COUNTRY SPEC.	6
						ST MARTIN	1

TRINIDAD AND TOBAGO	50	UKRAINE	23	AFRICA		NEAR EAST	
URUGUAY	14	UNITED KINGDOM	77	AFRICA - NO COUNTRY SPECIFIED	39	ALGERIA	3
VENEZUELA	18	UZBEKISTAN	0	ANGOLA	18	EGYPT	4
WEST INDIES - NO COUNTRY SPECIFIED	14	SUB-TOTAL	843	CAMEROON	1	IRAN	8
SUB-TOTAL	2,553			CAPE VERDE	253	IRAQ	2
EUROPE AND EURASIA		EAST ASIA AND PACIFIC		CONGO (KINSHASA)	3	ISRAEL	5
		ASIA - NO COUNTRY SPECIFIED	1	COTE D'IVOIRE	1	JORDAN	4
ALBANIA	22	AUSTRALIA	5	ERITREA	1	KUWAIT	1
ARMENIA	5	BURMA	3	ETHIOPIA	6	LEBANON	22
AUSTRIA	2	CAMBODIA	73	GAMBIA	1	LIBYA	0
AZERBAIJAN	2	CHINA	35	GHANA	18	MOROCCO	22
BELARUS	4	FRENCH POLYNESIA	1	GUINEA-BISSAU	0	SAUDI ARABIA	4
BELGIUM	2	INDONESIA	4	KENYA	28	SYRIA	7
BOSNIA AND HERZEGOVINA	9	JAPAN	18	LIBERIA	11	TUNISIA	0
BULGARIA	8	KOREA, SOUTH	22	MALI	0	UNITED ARAB EMIRATES	2
CYPRUS	2	LAOS	23	MALAWI	2	YEMEN	3
CZECH REPUBLIC	1	MALAYSIA	2	NIGERIA	14	SUB-TOTAL	87
ESTONIA	2	NEW ZEALAND	2	SENEGAL	4		
FRANCE	8	PHILIPPINES	12	SIERRA LEONE	1	SOUTH ASIA	
GERMANY	106	SINGAPORE	0	SOMALIA	5	BANGLADESH	4
GREECE	39	TAIWAN	3	SOUTH AFRICA	7	INDIA	24
HUNGARY	2	THAILAND	65	SUDAN	4	MALDIVES	1
IRELAND	27	VIETNAM	131	TANZANIA	3	NEPAL	1
ITALY	42	SUB-TOTAL	400	UGANDA	11	PAKISTAN	6
KOSOVO	1			ZIMBABWE	4	SRI LANKA	0
KYRGYZSTAN	2			SUB-TOTAL	435	SUB-TOTAL	36
LATVIA	2						
LITHUANIA	2						
NETHERLANDS	2						
POLAND	54						
PORTUGAL	302						
ROMANIA	2						
RUSSIA	62						
SERBIA AND MONTENEGRO	6						
SLOVAKIA	3						
SLOVENIA	1						
SPAIN	8						
SWEDEN	1						
SWITZERLAND	6						
TAJIKISTAN	0						
TURKEY	6						

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	17	16	15	6	0	54	17	16	15	6	0	54	100%	100%	100%	100%		100%
9	Sub-Total	17	16	15	6	0	54	17	16	15	6	0	54	100%	100%	100%	100%		100%
8	Manslaughter	16	10	13	4	0	43	16	10	13	4	0	43	100%	100%	100%	100%		100%
8	Assault In Dwelling	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
8	Armed Assault In Dwell House	1	2	1	2	0	6	1	2	1	2	0	6	100%	100%	100%	100%		100%
8	Rape, Aggravated	3	1	2	3	0	9	3	1	2	3	0	9	100%	100%	100%	100%		100%
8	Rape Of Child w/Force	14	3	7	6	0	30	13	3	7	6	0	29	93%	100%	100%	100%		97%
8	Firearmed Assault w/i Murder	5	5	2	2	0	14	5	5	2	2	0	14	100%	100%	100%	100%		100%
8	Home Invasion	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
8	Burglary, Armed	0	0	1	1	0	2	0	0	0	1	0	1			0%	100%		50%
8	Traffic Cocaine 200+	1	1	0	2	0	4	1	1	0	2	0	4	100%	100%		100%		100%
8	Sub-Total	42	23	27	20	0	112	40	22	26	20	0	108	95%	96%	96%	100%		96%
7	Murder, Attempted	0	1	1	3	0	5	0	1	1	3	0	5		100%	100%	100%		100%
7	Mayhem	4	3	2	1	0	10	3	3	2	1	0	9	75%	100%	100%	100%		90%
7	A&B Child w/Injury Substantial	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
7	Rape	15	4	4	4	0	27	14	4	4	4	0	26	93%	100%	100%	100%		96%
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	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
7	Incest	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
7	Armed Robbery Gun	29	12	20	25	1	87	22	12	18	25	1	78	76%	100%	90%	100%	100%	90%
7	Armed Assault w/i Murder	8	10	5	8	0	31	8	10	5	8	0	31	100%	100%	100%	100%		100%
7	Carjacking, Armed	1	1	1	3	0	6	1	1	1	2	0	5	100%	100%	100%	67%		83%
7	Confine And Put In Fear	0	0	0	3	0	3	0	0	0	3	0	3				100%		100%
7	Traffic Heroin 028-100	2	2	2	0	0	6	2	2	2	0	0	6	100%	100%	100%			100%
7	Traffic Heroin 100-200	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
7	Traffic Cocaine 100-200	9	5	4	2	0	20	9	5	4	2	0	20	100%	100%	100%	100%		100%
7	Throw or Place Explosives	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
7	Sub-Total	76	41	40	50	1	208	62	41	38	49	1	191	82%	100%	95%	98%	100%	92%

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	A&B Aggravated - Serious Injury	4	4	3	2	0	13	2	3	1	2	0	8	50%	75%	33%	100%		62%
6	A&B Dangerous Weapon	24	17	17	19	1	78	24	17	17	19	1	78	100%	100%	100%	100%	100%	100%
6	A&B DW, Aggravated w/Injury	5	8	3	1	1	18	4	7	3	1	1	16	80%	88%	100%	100%	100%	89%
6	Assault To Kill or Maim	5	1	1	1	0	8	5	1	1	1	0	8	100%	100%	100%	100%		100%
6	Rape Of Child	71	10	10	5	0	96	55	7	10	5	0	77	77%	70%	100%	100%		80%
6	Assault w/i Rape	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
6	Indecent A&B On Child 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
6	Indecent A&B Mentally Retarded	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
6	Child Pornography	2	2	1	0	0	5	1	1	1	0	0	3	50%	50%	100%			60%
6	Robbery Unarmed + 60	3	3	1	6	0	13	1	3	1	6	0	11	33%	100%	100%	100%		85%
6	Armed Robbery	75	46	50	58	2	231	50	39	47	57	2	195	67%	85%	94%	98%	100%	84%
6	Armed Assault w/i Rob	10	10	7	6	0	33	9	6	7	6	0	28	90%	60%	100%	100%		85%
6	Carjacking	5	2	5	8	0	20	5	2	5	7	0	19	100%	100%	100%	88%		95%
6	Kidnapping	2	1	4	3	0	10	2	1	4	3	0	10	100%	100%	100%	100%		100%
6	Burning Dwelling House	15	7	3	2	0	27	5	7	3	2	0	17	33%	100%	100%	100%		63%
6	Distribute Class A 2nd	0	5	10	6	0	21	0	5	10	6	0	21		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	2	4	5	0	11	0	2	4	5	0	11		100%	100%	100%		100%
6	Traffic Heroin 014-028	8	0	0	2	0	10	8	0	0	2	0	10	100%			100%		100%
6	Traffic Cocaine 028-100	33	22	16	6	0	77	33	22	16	6	0	77	100%	100%	100%	100%		100%
6	Distribute Class A Minor	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
6	Induce Minor To Distribute	1	0	0	2	0	3	1	0	0	2	0	3	100%			100%		100%
6	MV Homicide - OUI	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
6	MV Homicide - OUI Felony	5	4	1	4	0	14	5	4	1	4	0	14	100%	100%	100%	100%		100%
6	Sub-Total	278	146	140	136	4	704	216	129	135	134	4	618	78%	88%	96%	99%	100%	88%
5	A&B Child w/Injury	28	10	10	4	0	52	13	6	6	2	0	27	46%	60%	60%	50%		52%
5	A&B Aggravated	21	21	17	19	0	78	7	11	11	16	0	45	33%	52%	65%	84%		58%
5	A&B DW, Aggravated	9	2	5	5	0	21	7	1	4	5	0	17	78%	50%	80%	100%		81%
5	Indecent A&B On Child	87	31	28	8	0	154	44	22	23	8	0	97	51%	71%	82%	100%		63%
5	Entice Child	6	3	1	2	0	12	3	1	0	2	0	6	50%	33%	0%	100%		50%
5	Unnatural Acts Child	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
5	Robbery Unarmed	16	24	26	40	1	107	8	17	24	34	1	84	50%	71%	92%	85%	100%	79%
5	Intimidation	145	153	134	107	1	540	53	74	76	73	0	276	37%	48%	57%	68%	0%	51%
5	Stalking Violation of Rest Order	0	2	4	4	0	10	0	2	4	4	0	10		100%	100%	100%		100%
5	Common & Notorious Thief	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
5	Burglary	2	6	2	11	0	21	1	6	2	10	0	19	50%	100%	100%	91%		90%
5	Gaming Enterprise	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
5	Distribute Class B 2nd	0	13	13	11	0	37	0	13	13	11	0	37		100%	100%	100%		100%
5	Traffic Cocaine 014-028	60	32	19	14	0	125	60	32	19	14	0	125	100%	100%	100%	100%		100%
5	Distribute Class B Minor	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	Perjury or Suborn	5	2	2	0	0	9	3	1	2	0	0	6	60%	50%	100%			67%
5	Bribery - Level 5	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
5	Possess Molotov Cocktail	2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%
5	Sub-Total	386	301	262	225	2	1176	202	186	185	179	1	753	52%	62%	71%	80%	50%	64%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	16	8	8	17	0	49	7	4	5	11	0	27	44%	50%	62%	65%		55%
4	Assault Aggravated	3	0	2	5	0	10	1	0	1	5	0	7	33%		50%	100%		70%
4	A&B Child Conspiracy	3	1	0	0	0	4	3	1	0	0	0	4	100%	100%				100%
4	A&B Guard	0	0	5	3	0	8	0	0	5	2	0	7			100%	67%		88%
4	A&B Dangerous Weapon	60	54	58	75	0	247	60	54	58	75	0	247	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	2	0	1	1	0	4	2	0	1	1	0	4	100%		100%	100%		100%
4	A&B To Collect Loan	3	5	2	0	0	10	1	5	1	0	0	7	33%	100%	50%			70%
4	Indecent A&B	70	17	17	18	0	122	32	10	14	11	0	67	46%	59%	82%	61%		55%
4	Assault w/i Rob	2	2	1	1	0	6	1	1	1	1	0	4	50%	50%	100%	100%		67%
4	Stalking	7	5	6	8	0	26	1	3	3	6	0	13	14%	60%	50%	75%		50%
4	Harassment	36	27	9	7	0	79	9	7	4	5	0	25	25%	26%	44%	71%		32%
4	Larceny More	4	4	0	6	0	14	4	4	0	6	0	14	100%	100%		100%		100%
4	Larceny More + 60	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Larceny Person	202	155	94	99	0	550	84	86	60	68	0	298	42%	55%	64%	69%		54%
4	Larceny Person + 65	7	14	7	5	0	33	3	7	5	4	0	19	43%	50%	71%	80%		58%
4	Larceny MV 2nd	0	0	0	7	0	7	0	0	0	7	0	7				100%		100%
4	Fraud - Identity	48	49	28	34	0	159	9	19	14	21	0	63	19%	39%	50%	62%		40%
4	B&E	1	6	15	65	0	87	1	6	15	65	0	87	100%	100%	100%	100%		100%
4	Enter Dwelling w/i Felony	4	5	5	5	0	19	3	4	5	4	0	16	75%	80%	100%	80%		84%
4	Receiving Stolen Goods Over	0	1	2	2	0	5	0	1	2	2	0	5		100%	100%	100%		100%
4	Receiving Stolen Goods MV 2nd	0	1	3	10	0	14	0	1	3	10	0	14		100%	100%	100%		100%
4	Burning Building	8	6	0	2	0	16	2	5	0	1	0	8	25%	83%		50%		50%
4	Burning to Defraud	4	1	1	1	0	7	0	1	0	1	0	2	0%	100%	0%	100%		29%
4	Distribute Class A	351	252	178	165	3	949	161	173	127	115	2	578	46%	69%	71%	70%	67%	61%
4	Distribute Class B	739	451	257	204	5	1656	310	266	165	150	4	895	42%	59%	64%	74%	80%	54%
4	Distribute Cocaine	58	42	35	24	0	159	58	42	35	24	0	159	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
4	Larceny Cont Sub	10	1	0	1	0	12	5	0	0	1	0	6	50%	0%		100%		50%
4	Giving Prisoner Cont Sub	10	4	8	6	0	28	6	1	8	4	0	19	60%	25%	100%	67%		68%
4	Control Substance School	81	88	72	82	0	323	81	88	72	82	0	323	100%	100%	100%	100%		100%
4	MV Homicide	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	MV Homicide - Reckless	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
4	MV Homicide - OUI	4	3	0	0	0	7	3	3	0	0	0	6	75%	100%				86%
4	Leaving Scene Death	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
4	OUI Serious Inj, Fel	15	5	1	2	0	23	15	5	1	2	0	23	100%	100%	100%	100%		100%
4	Assault Weapon, Possess	4	2	4	1	0	11	3	2	4	1	0	10	75%	100%	100%	100%		91%
4	Gun Serial Number, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Firearm Sale Violation	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
4	Escape	2	15	26	17	1	61	1	14	22	15	1	53	50%	93%	85%	88%	100%	87%
4	Bribery	0	2	1	1	0	4	0	0	0	1	0	1		0%	0%	100%		25%
4	Extortion	1	1	3	1	0	6	1	0	2	1	0	4	100%	0%	67%	100%		67%
4	Bomb Hoax	1	0	1	0	0	2	1	0	0	0	0	1	100%		0%			50%
4	Tax Law Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
4	Disinter Body	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
4	Sub-Total	1767	1229	852	876	9	4733	873	815	635	703	7	3033	49%	66%	75%	80%	78%	64%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	1602	1191	891	779	3	4466	395	441	464	485	2	1787	25%	37%	52%	62%	67%	40%
3	A&B Domestic	113	118	70	52	0	353	26	48	29	32	0	135	23%	41%	41%	62%		38%
3	A&B w/I Intimidate	2	3	0	0	0	5	0	1	0	0	0	1	0%	33%				20%
3	Reckless Endangerment	9	2	2	3	0	16	1	1	1	2	0	5	11%	50%	50%	67%		31%
3	A&B Dangerous Weapon	398	291	172	126	0	987	103	112	91	61	0	367	26%	38%	53%	48%		37%
3	A&B Dangerous Weapon + 60	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
3	Assault Dangerous Weapon	248	234	138	142	1	763	91	129	91	102	0	413	37%	55%	66%	72%	0%	54%
3	Assault Dangerous Weapon + 60	1	1	1	1	0	4	0	0	1	1	0	2	0%	0%	100%	100%		50%
3	Unnatural Acts	5	7	2	3	0	17	1	2	1	0	0	4	20%	29%	50%	0%		24%
3	Child Pornography Possess	16	2	4	0	0	22	7	2	3	0	0	12	44%	100%	75%			55%
3	Kidnapping	4	3	1	0	0	8	0	1	0	0	0	1	0%	33%	0%			12%
3	Violation Of Civil Rights	3	2	1	3	0	9	0	1	1	3	0	5	0%	50%	100%	100%		56%
3	Restraining Order Violation	283	306	279	261	3	1132	71	121	147	158	2	499	25%	40%	53%	61%	67%	44%
3	Larceny	17	20	20	24	0	81	17	20	20	24	0	81	100%	100%	100%	100%		100%
3	Larceny More	700	592	415	531	2	2240	132	189	192	307	1	821	19%	32%	46%	58%	50%	37%
3	Larceny More + 60	3	4	2	1	0	10	1	1	2	0	0	4	33%	25%	100%	0%		40%
3	Larceny Building	50	46	40	57	0	193	17	19	25	42	0	103	34%	41%	62%	74%		53%
3	Larceny Firearm	9	3	0	1	0	13	6	2	0	0	0	8	67%	67%		0%		62%
3	Larceny MV	73	70	67	65	0	275	29	45	50	48	0	172	40%	64%	75%	74%		63%
3	Embezzlement	5	3	0	0	0	8	2	3	0	0	0	5	40%	100%				62%
3	Credit Card Misuse - More	9	13	15	11	0	48	3	7	7	11	0	28	33%	54%	47%	100%		58%
3	Defrauding Insurer	16	12	5	2	0	35	1	2	2	0	0	5	6%	17%	40%	0%		14%
3	Fraud	6	4	1	0	0	11	0	0	1	0	0	1	0%	0%	100%			9%
3	MV - Sales Violation	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
3	Possess Burglarious Tools	64	38	31	51	0	184	19	18	21	36	0	94	30%	47%	68%	71%		51%
3	B&E	441	400	305	377	1	1524	174	220	213	291	0	898	39%	55%	70%	77%	0%	59%
3	Mal Dest Property More	143	84	59	62	0	348	37	30	26	35	0	128	26%	36%	44%	56%		37%
3	Receiving Stolen Goods Over	60	55	50	45	0	210	20	20	32	33	0	105	33%	36%	64%	73%		50%
3	Receiving Stolen Goods MV	153	144	97	132	0	526	50	79	67	101	0	297	33%	55%	69%	77%		56%
3	Receiving Stolen Goods 2nd	1	1	4	3	0	9	0	1	2	3	0	6	0%	100%	50%	100%		67%
3	Forgery And Uttering	184	181	130	132	1	628	41	59	53	77	0	230	22%	33%	41%	58%	0%	37%
3	Counterfeit	5	10	5	3	0	23	2	2	2	2	0	8	40%	20%	40%	67%		35%
3	Burning Property	3	3	1	1	0	8	0	0	0	1	0	1	0%	0%	0%	100%		12%
3	Burning Motor Vehicle	5	1	1	2	0	9	0	1	0	1	0	2	0%	100%	0%	50%		22%
3	Illegal Lottery	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
3	Gaming Register Bets	6	5	1	0	0	12	0	0	0	0	0	0	0%	0%	0%			0%
3	Possession Class A 2nd	8	17	14	13	0	52	3	10	8	10	0	31	38%	59%	57%	77%		60%
3	Possession Class A Heroin 2nd	7	18	18	7	0	50	4	9	9	6	0	28	57%	50%	50%	86%		56%
3	Possession Class B 2nd	18	38	44	44	0	144	7	13	24	25	0	69	39%	34%	55%	57%		48%
3	Possession Class C 2nd	1	0	0	2	0	3	0	0	0	0	0	0	0%			0%		0%
3	Possession Class D 2nd	69	43	25	15	0	152	11	11	8	6	0	36	16%	26%	32%	40%		24%
3	Distribute Class C	20	11	8	6	0	45	4	5	4	4	0	17	20%	45%	50%	67%		38%
3	Distribute Class D 2nd	10	5	7	2	0	24	7	3	3	2	0	15	70%	60%	43%	100%		62%
3	Distribute Class E 2nd	1	0	0	2	0	3	1	0	0	2	0	3	100%			100%		100%
3	Possession Hypodermic 2nd	5	8	2	2	0	17	2	5	1	1	0	9	40%	62%	50%	50%		53%
3	MV Homicide	33	2	0	0	0	35	11	2	0	0	0	13	33%	100%				37%
3	Leaving Scene Property Damage	451	279	153	105	0	988	44	65	55	53	0	217	10%	23%	36%	50%		22%
3	Leaving Scene Personal Injury	124	38	24	14	0	200	13	16	15	10	0	54	10%	42%	62%	71%		27%

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	Possess Master Key MV	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
3	OUI Serious Inj. Misd	28	2	0	0	0	30	5	2	0	0	0	7	18%	100%				23%
3	Inducing Minor To Sex	6	0	0	0	0	6	1	0	0	0	0	1	17%					17%
3	Polygamy	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
3	Body Armor, Use in Felony	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
3	Gun Serial Number	8	7	1	3	0	19	6	6	1	3	0	16	75%	86%	100%	100%		84%
3	Firearm Loaded while OUI	2	1	1	1	0	5	0	0	0	1	0	1	0%	0%	0%	100%		20%
3	Nonsupport	8	4	1	1	0	14	2	2	1	1	0	6	25%	50%	100%	100%		43%
3	Interfere Police or Firefighter	3	5	0	3	0	11	0	0	0	0	0	0	0%	0%		0%		0%
3	Failure to Appear Felony	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
3	Carrying Dangerous Weapon	93	66	54	33	0	246	19	23	19	19	0	80	20%	35%	35%	58%		33%
3	Contempt Of Court	1	0	0	2	0	3	1	0	0	1	0	2	100%			50%		67%
3	Cruelty To Animals	11	4	2	1	0	18	3	1	0	0	0	4	27%	25%	0%	0%		22%
3	Sex Offender Fail Register	24	31	102	120	3	280	5	6	25	43	0	79	21%	19%	25%	36%	0%	28%
3	Vandalize - Graves	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Wiretapping	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Sub-Total	5576	4432	3269	3247	14	2e+04	1396	1758	1718	2044	5	6921	25%	40%	53%	63%	36%	42%

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	66	59	29	25	1	180	19	15	9	16	0	59	29%	25%	31%	64%	0%	33%
2	Accost / Annoy Person Opposite Sex	15	4	5	1	0	25	3	2	3	0	0	8	20%	50%	60%	0%		32%
2	Larceny	52	43	31	29	0	155	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny Less	204	185	110	117	1	617	35	50	39	42	0	166	17%	27%	35%	36%	0%	27%
2	Larceny Less +60	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
2	Shoplifting	537	489	398	429	0	1853	29	73	90	137	0	329	5%	15%	23%	32%		18%
2	Credit Card Misuse	52	43	21	32	0	148	11	10	8	17	0	46	21%	23%	38%	53%		31%
2	MV - False Report Of Theft	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
2	Defrauding Innkeeper	5	3	0	4	0	12	2	1	0	2	0	5	40%	33%		50%		42%
2	Welfare Violation	3	1	0	0	0	4	0	1	0	0	0	1	0%	100%				25%
2	Concealing Stolen Property	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Failure To Return Leased Prop	10	12	12	6	0	40	4	8	2	2	0	16	40%	67%	17%	33%		40%
2	B&E MV	6	2	3	0	0	11	1	2	1	0	0	4	17%	100%	33%			36%
2	B&E w/i Misdemeanor	53	39	25	23	0	140	12	18	14	16	0	60	23%	46%	56%	70%		43%
2	Attempt B&E	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Property Destruction	187	158	114	86	0	545	31	44	38	46	0	159	17%	28%	33%	53%		29%
2	Tagging Property	16	3	4	2	0	25	4	0	2	1	0	7	25%	0%	50%	50%		28%
2	Receiving Stolen Goods	128	120	107	118	0	473	28	57	47	72	0	204	22%	48%	44%	61%		43%
2	Counterfeit	9	0	1	0	0	10	0	0	1	0	0	1	0%		100%			10%
2	Lottery Ticket Altering	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Gaming Use of Telephone	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Fraud - Electric, Phone or Cable	0	1	0	1	0	2	0	0	0	0	0	0		0%		0%		0%
2	Possession Class A	111	111	69	77	0	368	32	37	24	35	0	128	29%	33%	35%	45%		35%
2	Possession Class A Heroin	207	182	128	123	2	642	55	78	59	69	2	263	27%	43%	46%	56%	100%	41%
2	Possession Class B	506	414	273	240	0	1433	129	146	117	130	0	522	25%	35%	43%	54%		36%
2	Possession Class C	26	20	16	8	0	70	4	5	6	4	0	19	15%	25%	38%	50%		27%
2	Possession Class D	386	171	96	59	0	712	44	50	26	18	0	138	11%	29%	27%	31%		19%
2	Possession Class D Marijuana 2nd	35	47	21	6	0	109	6	16	8	3	0	33	17%	34%	38%	50%		30%
2	Distribute Counterfeit Substance	2	7	7	6	0	22	2	5	3	5	0	15	100%	71%	43%	83%		68%
2	Distribute Class D	365	134	82	38	0	619	92	50	45	23	0	210	25%	37%	55%	61%		34%
2	Distribute Class E	6	5	3	1	0	15	0	1	0	1	0	2	0%	20%	0%	100%		13%
2	Possession Hypodermic/Syringe	103	151	103	73	0	430	38	59	49	36	0	182	37%	39%	48%	49%		42%
2	Presence Class A	20	18	18	17	0	73	6	7	6	11	0	30	30%	39%	33%	65%		41%
2	Forge Prescription	28	41	10	10	0	89	6	10	2	5	0	23	21%	24%	20%	50%		26%
2	Distribute Paraphenalia	4	2	0	1	0	7	0	0	0	0	0	0	0%	0%		0%		0%
2	Operate to Endanger	977	327	155	116	1	1576	58	86	41	58	1	244	6%	26%	26%	50%	100%	15%
2	Use Without Authority	84	64	51	43	0	242	21	27	24	22	0	94	25%	42%	47%	51%		39%
2	Use w/o Authority 2nd	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
2	Habitual Traffic Offender	65	118	97	76	0	356	11	36	36	30	0	113	17%	31%	37%	39%		32%
2	Racing	15	1	0	1	0	17	0	0	0	0	0	0	0%	0%		0%		0%
2	Operate After Suspension 2nd	328	497	341	244	0	1410	93	196	150	137	0	576	28%	39%	44%	56%		41%
2	Compulsory Insurance Violation	479	315	200	151	1	1146	76	62	54	44	0	236	16%	20%	27%	29%	0%	21%
2	Counterfeit/Alter MV Document	44	27	18	14	0	103	11	11	2	7	0	31	25%	41%	11%	50%		30%
2	False Statement On Application	3	3	2	0	0	8	0	1	0	0	0	1	0%	33%	0%			12%
2	Prostitution	149	168	88	48	0	453	47	84	45	17	0	193	32%	50%	51%	35%		43%
2	Induce Female To Prostitution	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Open And Gross	53	29	21	21	0	124	18	18	14	13	0	63	34%	62%	67%	62%		51%

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	Obscene Material to Minor	2	3	1	0	0	6	1	2	1	0	0	4	50%	67%	100%			67%
2	Disturb Religious Service	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Failure To Disperse	7	3	0	0	0	10	1	0	0	0	0	1	14%	0%				10%
2	Firearm Possess w/o Permit	195	77	41	12	0	325	103	53	30	7	0	193	53%	69%	73%	58%		59%
2	Possess Mace	3	2	4	2	0	11	0	0	2	1	0	3	0%	0%	50%	50%		27%
2	Possess Ammunition	5	2	3	2	0	12	1	1	2	1	0	5	20%	50%	67%	50%		42%
2	Firearm Carry, School	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	Firearm Store Improper	10	4	1	1	0	16	1	0	0	0	0	1	10%	0%	0%	0%		6%
2	Escape Work Release Program	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Escape Lockup	2	1	2	0	1	6	0	1	1	0	1	3	0%	100%	50%		100%	50%
2	Aiding An Escape	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
2	Impersonate/Disguise	6	5	6	2	0	19	3	2	5	1	0	11	50%	40%	83%	50%		58%
2	False Statement	3	1	1	0	0	5	0	1	1	0	0	2	0%	100%	100%			40%
2	Failure to Appear	7	9	10	3	0	29	2	6	4	2	0	14	29%	67%	40%	67%		48%
2	Possess Stun Gun	5	3	1	1	0	10	1	0	1	0	0	2	20%	0%	100%	0%		20%
2	Possess Dangerous Weapon	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
2	False Alarm	0	1	3	1	0	5	0	1	0	0	0	1		100%	0%	0%		20%
2	Fireworks	10	2	2	1	0	15	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Violation Of Explosives	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
2	Disrupt Court Proceedings	3	1	0	2	0	6	1	1	0	0	0	2	33%	100%		0%		33%
2	Contributing To Delinquency	11	8	6	3	0	28	1	3	3	3	0	10	9%	38%	50%	100%		36%
2	Work Compensation Fail Have	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Resisting Arrest	252	241	192	155	1	841	44	82	75	80	1	282	17%	34%	39%	52%	100%	34%
2	Compound / Conceal Felony	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Curfew	5	0	1	0	0	6	0	0	0	0	0	0	0%		0%			0%
2	DNA Refuse	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	False Report Of Crime	23	10	7	4	0	44	1	1	3	0	0	5	4%	10%	43%	0%		11%
2	Disconnect Sprinkler System	0	1	1	1	0	3	0	0	0	1	0	1		0%	0%	100%		33%
2	Firearms - False Statement	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Clean Water Act Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Wiretap, Possess Device	2	1	0	0	0	3	2	0	0	0	0	2	100%	0%				67%
2	Record w/o Manufacturer	2	0	1	1	0	4	0	0	0	0	0	0	0%		0%	0%		0%
2	True Name Law	80	76	63	49	0	268	13	33	28	21	0	95	16%	43%	44%	43%		35%
2	Home Imp Contractor Violation	0	1	1	0	0	2	0	0	0	0	0	0		0%	0%			0%
2	Sub-Total	5990	4469	3011	2490	8	15968	1104	1454	1123	1138	5	4824	18%	33%	37%	46%	62%	30%

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	0	0	0	0	2	1	0	0	0	0	1	50%					50%
1	Threatening	93	86	85	80	1	345	20	32	33	43	0	128	22%	37%	39%	54%	0%	37%
1	Defrauding Victualer	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
1	Pawnbroker Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Timber, Cut Unlawful	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Vandalism	22	13	8	5	0	48	6	2	4	1	0	13	27%	15%	50%	20%		27%
1	Setting Fire In Open	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
1	Trespassing	264	238	176	197	0	875	33	63	49	71	0	216	12%	26%	28%	36%		25%
1	Gaming	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
1	Unauthorized Access of Computer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Possession Class D Marijuana	426	167	66	52	0	711	50	38	22	16	0	126	12%	23%	33%	31%		18%
1	Possession Class E	26	20	6	14	0	66	6	3	2	9	0	20	23%	15%	33%	64%		30%
1	Inhaling Toxic Vapors	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
1	Motor Boat Skier Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Attaching Wrong MV Plates	148	68	51	23	1	291	8	3	3	1	0	15	5%	4%	6%	4%	0%	5%
1	Operate After Suspension	1455	1137	753	507	2	3854	120	177	126	120	0	543	8%	16%	17%	24%	0%	14%
1	MV - Impersonate/Other License	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
1	RV On Public Way	7	4	2	0	0	13	0	0	0	0	0	0	0%	0%	0%			0%
1	Common Night Walker	12	31	14	6	0	63	4	16	6	4	0	30	33%	52%	43%	67%		48%
1	Indecent Exposure	14	18	8	14	0	54	4	2	1	5	0	12	29%	11%	12%	36%		22%
1	Lewd And Lacivious	21	8	5	5	0	39	3	4	0	2	0	9	14%	50%	0%	40%		23%
1	Disorderly Conduct	703	513	282	265	0	1763	65	83	68	89	0	305	9%	16%	24%	34%		17%
1	Possess Air Rifle w/o FID Card	5	0	0	0	0	5	1	0	0	0	0	1	20%					20%
1	Firearm Discharge	7	2	0	0	0	9	0	1	0	0	0	1	0%	50%				11%
1	Annoying Phone Calls	20	15	18	14	0	67	3	2	5	4	0	14	15%	13%	28%	29%		21%
1	Failure To Obey Police Officer	51	18	10	0	0	79	0	0	0	0	0	0	0%	0%	0%			0%
1	Obstructing Justice	3	0	1	1	0	5	0	0	1	1	0	2	0%		100%	100%		40%
1	Manufacturing Dangerous Weapon	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	License Law Violation (Not MV)	5	4	2	2	0	13	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Alcohol, Procure for Minor	33	10	7	7	1	58	5	3	5	2	0	15	15%	30%	71%	29%	0%	26%
1	Alcohol, Transporting	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Throwing Glass On Public Way	1	1	0	0	0	2	0	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	Tattooing	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
1	Business Practice	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Employment Practices	6	1	0	0	0	7	1	0	0	0	0	1	17%	0%				14%
1	Health Code Violation	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	Fail To Comply With Dog Order	8	2	0	0	0	10	0	0	0	0	0	0	0%	0%				0%
1	Sub-Total	3347	2361	1494	1195	5	8402	331	431	325	369	0	1456	10%	18%	22%	31%	0%	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	6	6	4	6	0	22	3	2	3	5	0	13	50%	33%	75%	83%		59%
0	Attempt B&E	2	9	4	10	0	25	1	5	2	7	0	15	50%	56%	50%	70%		60%
0	Conspiracy Violate CSA	29	22	11	15	0	77	12	14	8	8	0	42	41%	64%	73%	53%		55%
0	Conspiracy	17	9	9	1	0	36	4	6	5	0	0	15	24%	67%	56%	0%		42%
0	Attempt To Commit Crime	24	20	13	17	0	74	5	10	5	15	0	35	21%	50%	38%	88%		47%
0	Accessory Before	5	0	2	1	0	8	2	0	2	1	0	5	40%		100%	100%		62%
0	Accessory After	17	10	1	1	0	29	8	6	1	1	0	16	47%	60%	100%	100%		55%
0	Other Crime	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
0	Sub-Total	100	76	45	51	0	272	35	43	26	37	0	141	35%	57%	58%	73%		52%

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						
9	Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0						
8	Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0						
8	Assault In Dwelling	0	0	0	0	0	0	0	0	0	0	0	0						
8	Armed Assault In Dwell House	0	0	0	0	0	0	0	0	0	0	0	0						
8	Rape, Aggravated	0	0	0	0	0	0	0	0	0	0	0	0						
8	Rape Of Child w/Force	0	0	0	0	0	0	0	0	0	0	0	0						
8	Firearmed Assault w/i Murder	0	0	0	0	0	0	0	0	0	0	0	0						
8	Home Invasion	0	0	0	0	0	0	0	0	0	0	0	0						
8	Burglary, Armed	0	0	0	0	0	0	0	0	0	0	0	0						
8	Traffic Cocaine 200+	0	0	0	0	0	0	0	0	0	0	0	0						
8	Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0						
7	Murder, Attempted	0	0	0	0	0	0	0	0	0	0	0	0						
7	Mayhem	0	0	0	0	0	0	0	0	0	0	0	0						
7	A&B Child w/Injury Substantial	0	0	0	0	0	0	0	0	0	0	0	0						
7	Rape	0	0	0	0	0	0	0	0	0	0	0	0						
7	Rape of Child 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
7	Assault w/i Rape Child	0	0	0	0	0	0	0	0	0	0	0	0						
7	Incest	0	0	0	0	0	0	0	0	0	0	0	0						
7	Armed Robbery Gun	0	0	0	0	0	0	0	0	0	0	0	0						
7	Armed Assault w/i Murder	0	0	0	0	0	0	0	0	0	0	0	0						
7	Carjacking, Armed	0	0	0	0	0	0	0	0	0	0	0	0						
7	Confine And Put In Fear	0	0	0	0	0	0	0	0	0	0	0	0						
7	Traffic Heroin 028-100	0	0	0	0	0	0	0	0	0	0	0	0						
7	Traffic Heroin 100-200	0	0	0	0	0	0	0	0	0	0	0	0						
7	Traffic Cocaine 100-200	0	0	0	0	0	0	0	0	0	0	0	0						
7	Throw or Place Explosives	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						

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	4	4	3	1	0	12	2	3	1	1	0	7	50%	75%	33%	100%		58%
6	A&B Dangerous Weapon	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	Indecent A&B On Child 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
6	Indecent A&B Mentally Retarded	0	0	0	0	0	0	0	0	0	0	0	0						
6	Child Pornography	0	0	0	0	0	0	0	0	0	0	0	0						
6	Robbery Unarmed + 60	0	0	0	0	0	0	0	0	0	0	0	0						
6	Armed Robbery	0	0	0	0	0	0	0	0	0	0	0	0						
6	Armed Assault w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0						
6	Carjacking	3	1	4	2	0	10	3	1	4	2	0	10	100%	100%	100%	100%		100%
6	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0						
6	Burning Dwelling House	0	0	0	0	0	0	0	0	0	0	0	0						
6	Distribute Class A 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
6	Distribute Cocaine 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
6	Traffic Heroin 014-028	0	0	0	0	0	0	0	0	0	0	0	0						
6	Traffic Cocaine 028-100	0	0	0	0	0	0	0	0	0	0	0	0						
6	Distribute Class A Minor	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	0	0	0	0	0	0	0	0	0	0	0	0						
6	MV Homicide - OUI Felony	0	0	0	0	0	0	0	0	0	0	0	0						
6	Sub-Total	7	5	7	3	0	22	5	4	5	3	0	17	71%	80%	71%	100%		77%
5	A&B Child w/Injury	25	7	6	2	0	40	11	4	5	0	0	20	44%	57%	83%	0%		50%
5	A&B Aggravated	20	21	16	15	0	72	6	11	10	12	0	39	30%	52%	63%	80%		54%
5	A&B DW, Aggravated	2	1	2	0	0	5	1	0	1	0	0	2	50%	0%	50%			40%
5	Indecent A&B On Child	54	22	14	6	0	96	24	15	10	6	0	55	44%	68%	71%	100%		57%
5	Entice Child	3	2	1	2	0	8	1	0	0	2	0	3	33%	0%	0%	100%		38%
5	Unnatural Acts Child	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
5	Robbery Unarmed	0	0	0	0	0	0	0	0	0	0	0	0						
5	Intimidation	134	146	131	102	1	514	49	69	73	69	0	260	37%	47%	56%	68%	0%	51%
5	Stalking Violation of Rest. Order	0	0	2	4	0	6	0	0	2	4	0	6			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	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	Distribute Class B Minor	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	Bribery - Level 5	0	0	0	0	0	0	0	0	0	0	0	0						
5	Possess Molotov Cocktail	0	0	0	0	0	0	0	0	0	0	0	0						
5	Sub-Total	238	200	172	131	1	742	92	99	101	93	0	385	39%	50%	59%	71%	0%	52%

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	13	8	8	14	0	43	5	4	5	8	0	22	38%	50%	63%	57%		51%
4	Assault Aggravated	2	0	2	3	0	7	1	0	1	3	0	5	50%		50%	100%		71%
4	A&B Child Conspiracy	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Guard	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Dangerous Weapon	27	36	44	61	0	168	27	36	44	61	0	168	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	A&B To Collect Loan	3	5	2	0	0	10	1	5	1	0	0	7	33%	100%	50%			70%
4	Indecent A&B	52	14	14	15	0	95	22	7	11	8	0	48	42%	50%	79%	53%		51%
4	Assault w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0						
4	Stalking	6	4	6	7	0	23	0	2	3	6	0	11	0%	50%	50%	86%		48%
4	Harassment	34	27	9	7	0	77	8	7	4	5	0	24	24%	26%	44%	71%		31%
4	Larceny More	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny More + 60	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny Person	170	147	87	95	0	499	66	83	55	64	0	268	39%	56%	63%	67%		54%
4	Larceny Person + 65	7	11	7	4	0	29	3	5	5	3	0	16	43%	45%	71%	75%		55%
4	Larceny MV 2nd	0	0	0	6	0	6	0	0	0	6	0	6				100%		100%
4	Fraud - Identity	47	48	27	34	0	156	9	18	13	21	0	61	19%	38%	48%	62%		39%
4	B&E	0	0	0	0	0	0	0	0	0	0	0	0						
4	Enter Dwelling w/I Felony	3	5	5	3	0	16	2	4	5	2	0	13	67%	80%	100%	67%		81%
4	Receiving Stolen Goods Over	0	0	0	0	0	0	0	0	0	0	0	0						
4	Receiving Stolen Goods MV 2nd	0	1	3	8	0	12	0	1	3	8	0	12		100%	100%	100%		100%
4	Burning Building	0	0	0	0	0	0	0	0	0	0	0	0						
4	Burning to Defraud	4	1	1	1	0	7	0	1	0	1	0	2	0%	100%	0%	100%		29%
4	Distribute Class A	257	178	113	107	1	656	98	110	66	63	1	338	38%	62%	58%	59%	100%	52%
4	Distribute Class B	582	351	206	155	5	1299	229	199	131	109	4	672	39%	57%	64%	70%	80%	52%
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	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
4	Giving Prisoner Cont Sub	3	3	6	5	0	17	2	1	6	3	0	12	67%	33%	100%	60%		71%
4	Control Substance School	52	46	46	51	0	195	52	46	46	51	0	195	100%	100%	100%	100%		100%
4	MV Homicide	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	MV Homicide - Reckless	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
4	MV Homicide - OUI	1	2	0	0	0	3	1	2	0	0	0	3	100%	100%				100%
4	Leaving Scene Death	0	0	0	0	0	0	0	0	0	0	0	0						
4	OUI Serious Inj, Fel	11	4	1	0	0	16	11	4	1	0	0	16	100%	100%	100%			100%
4	Assault Weapon, Possess	0	0	0	0	0	0	0	0	0	0	0	0						
4	Gun Serial Number, Felony	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	14	25	16	1	58	1	13	21	14	1	50	50%	93%	84%	88%	100%	86%
4	Bribery	0	2	1	1	0	4	0	0	0	1	0	1		0%	0%	100%		25%
4	Extortion	1	0	2	0	0	3	1	0	2	0	0	3	100%		100%			100%
4	Bomb Hoax	0	0	0	0	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	Disinter Body	0	0	0	0	0	0	0	0	0	0	0	0						
4	Sub-Total	1284	908	615	594	7	3408	540	548	423	438	6	1955	42%	60%	69%	74%	86%	57%

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	1530	1161	875	754	3	4323	360	420	450	463	2	1695	24%	36%	51%	61%	67%	39%
3	A&B Domestic	113	118	70	52	0	353	26	48	29	32	0	135	23%	41%	41%	62%		38%
3	A&B w/I Intimidate	2	3	0	0	0	5	0	1	0	0	0	1	0%	33%				20%
3	Reckless Endangerment	9	2	2	3	0	16	1	1	1	2	0	5	11%	50%	50%	67%		31%
3	A&B Dangerous Weapon	378	286	170	125	0	959	103	112	91	61	0	367	27%	39%	54%	49%		38%
3	A&B Dangerous Weapon + 60	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
3	Assault Dangerous Weapon	218	207	125	128	1	679	68	106	79	89	0	342	31%	51%	63%	70%	0%	50%
3	Assault Dangerous Weapon + 60	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
3	Unnatural Acts	4	7	2	3	0	16	0	2	1	0	0	3	0%	29%	50%	0%		19%
3	Child Pornography Possess	8	0	2	0	0	10	0	0	2	0	0	2	0%		100%			20%
3	Kidnapping	2	1	1	0	0	4	0	1	0	0	0	1	0%	100%	0%			25%
3	Violation Of Civil Rights	3	1	1	3	0	8	0	1	1	3	0	5	0%	100%	100%	100%		63%
3	Restraining Order Violation	282	306	277	259	3	1127	70	121	145	156	2	494	25%	40%	52%	60%	67%	44%
3	Larceny	17	20	19	24	0	80	17	20	19	24	0	80	100%	100%	100%	100%		100%
3	Larceny More	650	584	408	526	2	2170	118	187	186	303	1	795	18%	32%	46%	58%	50%	37%
3	Larceny More + 60	3	4	2	1	0	10	1	1	2	0	0	4	33%	25%	100%	0%		40%
3	Larceny Building	45	44	38	53	0	180	14	17	24	40	0	95	31%	39%	63%	75%		53%
3	Larceny Firearm	6	2	0	1	0	9	4	1	0	0	0	5	67%	50%		0%		56%
3	Larceny MV	71	68	63	62	0	264	28	44	46	46	0	164	39%	65%	73%	74%		62%
3	Embezzlement	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Credit Card Misuse - More	9	13	14	10	0	46	3	7	6	10	0	26	33%	54%	43%	100%		57%
3	Defrauding Insurer	11	10	4	2	0	27	0	1	1	0	0	2	0%	10%	25%	0%		7%
3	Fraud	3	3	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
3	MV - Sales Violation	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
3	Possess Burglarious Tools	63	38	31	47	0	179	18	18	21	34	0	91	29%	47%	68%	72%		51%
3	B&E	426	383	290	357	1	1457	165	211	203	274	0	853	39%	55%	70%	77%	0%	59%
3	Mal Dest Property More	141	82	59	62	0	344	35	28	26	35	0	124	25%	34%	44%	56%		36%
3	Receiving Stolen Goods Over	58	54	49	43	0	204	19	20	31	31	0	101	33%	37%	63%	72%		50%
3	Receiving Stolen Goods MV	151	144	90	122	0	507	50	79	61	91	0	281	33%	55%	68%	75%		55%
3	Receiving Stolen Goods 2nd	1	0	4	2	0	7	0	0	2	2	0	4	0%		50%	100%		57%
3	Forgery And Uttering	177	179	128	127	1	612	39	57	52	72	0	220	22%	32%	41%	57%	0%	36%
3	Counterfeit	5	8	5	3	0	21	2	1	2	2	0	7	40%	13%	40%	67%		33%
3	Burning Property	2	3	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
3	Burning Motor Vehicle	4	1	1	2	0	8	0	1	0	1	0	2	0%	100%	0%	50%		25%
3	Illegal Lottery	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
3	Gaming Register Bets	0	2	1	0	0	3	0	0	0	0	0	0		0%	0%			0%
3	Possession Class A 2nd	8	17	14	12	0	51	3	10	8	9	0	30	38%	59%	57%	75%		59%
3	Possession Class A Heroin 2nd	6	18	18	6	0	48	3	9	9	5	0	26	50%	50%	50%	83%		54%
3	Possession Class B 2nd	18	37	42	43	0	140	7	12	22	24	0	65	39%	32%	52%	56%		46%
3	Possession Class C 2nd	1	0	0	2	0	3	0	0	0	0	0	0	0%			0%		0%
3	Possession Class D 2nd	69	43	24	14	0	150	11	11	7	6	0	35	16%	26%	29%	43%		23%
3	Distribute Class C	17	9	7	6	0	39	4	4	3	4	0	15	24%	44%	43%	67%		38%
3	Distribute Class D 2nd	9	3	6	0	0	18	6	2	2	0	0	10	67%	67%	33%			56%
3	Distribute Class E 2nd	1	0	0	2	0	3	1	0	0	2	0	3	100%			100%		100%
3	Possession Hypodermic 2nd	5	8	2	2	0	17	2	5	1	1	0	9	40%	63%	50%	50%		53%
3	MV Homicide	25	2	0	0	0	27	6	2	0	0	0	8	24%	100%				30%
3	Leaving Scene Property Damage	451	278	153	104	0	986	44	64	55	53	0	216	10%	23%	36%	51%		22%
3	Leaving Scene Personal Injury	124	38	24	13	0	199	13	16	15	9	0	53	10%	42%	63%	69%		27%

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	Possess Master Key MV	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
3	OUI Serious Inj. Misd	27	1	0	0	0	28	5	1	0	0	0	6	19%	100%				21%
3	Inducing Minor To Sex	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
3	Polygamy	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
3	Body Armor, Use in Felony	0	0	0	0	0	0	0	0	0	0	0	0						
3	Gun Serial Number	6	2	1	2	0	11	4	2	1	2	0	9	67%	100%	100%	100%		82%
3	Firearm Loaded while OUI	2	1	1	1	0	5	0	0	0	1	0	1	0%	0%	0%	100%		20%
3	Nonsupport	8	4	1	1	0	14	2	2	1	1	0	6	25%	50%	100%	100%		43%
3	Interfere Police or Firefighter	3	5	0	3	0	11	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	87	65	54	31	0	237	14	22	19	17	0	72	16%	34%	35%	55%		30%
3	Contempt Of Court	0	0	0	2	0	2	0	0	0	1	0	1				50%		50%
3	Cruelty To Animals	10	4	2	0	0	16	2	1	0	0	0	3	20%	25%	0%			19%
3	Sex Offender Fail Register	23	30	101	118	3	275	5	6	24	42	0	77	22%	20%	24%	36%	0%	28%
3	Vandalize - Graves	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Wiretapping	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Sub-Total	5306	4302	3185	3133	14	15940	1273	1676	1649	1948	5	6551	24%	39%	52%	62%	36%	41%

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	62	56	28	25	1	172	17	13	8	16	0	54	27%	23%	29%	64%	0%	31%
2	Accost / Annoy Person Opposite Sex	15	4	5	1	0	25	3	2	3	0	0	8	20%	50%	60%	0%		32%
2	Larceny	48	43	30	29	0	150	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny Less	200	185	110	117	1	613	35	50	39	42	0	166	18%	27%	35%	36%	0%	27%
2	Larceny Less +60	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
2	Shoplifting	537	489	398	429	0	1853	29	73	90	137	0	329	5%	15%	23%	32%		18%
2	Credit Card Misuse	51	43	21	32	0	147	11	10	8	17	0	46	22%	23%	38%	53%		31%
2	MV - False Report Of Theft	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
2	Defrauding Innkeeper	5	3	0	4	0	12	2	1	0	2	0	5	40%	33%		50%		42%
2	Welfare Violation	3	1	0	0	0	4	0	1	0	0	0	1	0%	100%				25%
2	Concealing Stolen Property	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Failure To Return Leased Prop	10	12	12	6	0	40	4	8	2	2	0	16	40%	67%	17%	33%		40%
2	B&E MV	6	2	3	0	0	11	1	2	1	0	0	4	17%	100%	33%			36%
2	B&E w/i Misdemeanor	53	38	25	23	0	139	12	18	14	16	0	60	23%	47%	56%	70%		43%
2	Attempt B&E	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Property Destruction	186	157	113	84	0	540	30	43	37	45	0	155	16%	27%	33%	54%		29%
2	Tagging Property	16	3	4	2	0	25	4	0	2	1	0	7	25%	0%	50%	50%		28%
2	Receiving Stolen Goods	123	120	106	114	0	463	27	57	47	70	0	201	22%	48%	44%	61%		43%
2	Counterfeit	9	0	1	0	0	10	0	0	1	0	0	1	0%		100%			10%
2	Lottery Ticket Altering	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	1	0	1	0	2	0	0	0	0	0	0		0%		0%		0%
2	Possession Class A	110	109	69	77	0	365	32	37	24	35	0	128	29%	34%	35%	45%		35%
2	Possession Class A Heroin	201	177	128	121	2	629	53	74	59	68	2	256	26%	42%	46%	56%	100%	41%
2	Possession Class B	480	404	269	237	0	1390	127	139	115	128	0	509	26%	34%	43%	54%		37%
2	Possession Class C	26	20	16	8	0	70	4	5	6	4	0	19	15%	25%	38%	50%		27%
2	Possession Class D	381	170	94	58	0	703	43	49	26	18	0	136	11%	29%	28%	31%		19%
2	Possession Class D Marijuana 2nd	35	47	20	6	0	108	6	16	7	3	0	32	17%	34%	35%	50%		30%
2	Distribute Counterfeit Substance	2	6	6	6	0	20	2	4	2	5	0	13	100%	67%	33%	83%		65%
2	Distribute Class D	346	129	77	36	0	588	86	47	41	22	0	196	25%	36%	53%	61%		33%
2	Distribute Class E	6	5	2	1	0	14	0	1	0	1	0	2	0%	20%	0%	100%		14%
2	Possession Hypodermic/Syringe	102	150	102	73	0	427	37	58	49	36	0	180	36%	39%	48%	49%		42%
2	Presence Class A	18	18	18	17	0	71	6	7	6	11	0	30	33%	39%	33%	65%		42%
2	Forge Prescription	26	41	10	10	0	87	6	10	2	5	0	23	23%	24%	20%	50%		26%
2	Distribute Paraphenalia	4	2	0	1	0	7	0	0	0	0	0	0	0%	0%		0%		0%
2	Operate to Endanger	974	326	155	116	1	1572	58	85	41	58	1	243	6%	26%	26%	50%	100%	15%
2	Use Without Authority	84	64	50	43	0	241	21	27	24	22	0	94	25%	42%	48%	51%		39%
2	Use w/o Authority 2nd	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
2	Habitual Traffic Offender	65	118	97	76	0	356	11	36	36	30	0	113	17%	31%	37%	39%		32%
2	Racing	15	1	0	1	0	17	0	0	0	0	0	0	0%	0%		0%		0%
2	Operate After Suspension 2nd	328	497	341	243	0	1409	93	196	150	136	0	575	28%	39%	44%	56%		41%
2	Compulsory Insurance Violation	475	315	200	151	1	1142	76	62	54	44	0	236	16%	20%	27%	29%	0%	21%
2	Altering MV ID Number	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
2	Counterfeit/Alter MV Document	44	27	18	14	0	103	11	11	2	7	0	31	25%	41%	11%	50%		30%
2	False Statement On Application	3	3	2	0	0	8	0	1	0	0	0	1	0%	33%	0%			13%
2	Prostitution	149	168	88	48	0	453	47	84	45	17	0	193	32%	50%	51%	35%		43%
2	Induce Female To Prostitution	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Open And Gross	51	26	18	19	0	114	16	16	11	11	0	54	31%	62%	61%	58%		47%

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	Obscene Material to Minor	2	2	1	0	0	5	1	1	1	0	0	3	50%	50%	100%			60%
2	Disturb Religious Service	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Failure To Disperse	5	3	0	0	0	8	0	0	0	0	0	0	0%	0%				0%
2	Firearm Possess w/o Permit	168	60	36	11	0	275	82	38	25	7	0	152	49%	63%	69%	64%		55%
2	Possess Mace	3	2	4	2	0	11	0	0	2	1	0	3	0%	0%	50%	50%		27%
2	Possess Ammunition	4	0	1	2	0	7	0	0	0	1	0	1	0%		0%	50%		14%
2	Firearm Carry, School	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	Firearm Store Improper	9	4	1	1	0	15	1	0	0	0	0	1	11%	0%	0%	0%		7%
2	Escape Work Release Program	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Escape Lockup	2	1	2	0	1	6	0	1	1	0	1	3	0%	100%	50%		100%	50%
2	Aiding An Escape	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
2	Impersonate/Disguise	6	5	6	2	0	19	3	2	5	1	0	11	50%	40%	83%	50%		58%
2	False Statement	3	1	1	0	0	5	0	1	1	0	0	2	0%	100%	100%			40%
2	Failure to Appear	4	8	7	3	0	22	0	5	2	2	0	9	0%	63%	29%	67%		41%
2	Possess Stun Gun	4	3	1	1	0	9	0	0	1	0	0	1	0%	0%	100%	0%		11%
2	Possess Dangerous Weapon	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
2	False Alarm	0	1	3	1	0	5	0	1	0	0	0	1		100%	0%	0%		20%
2	Fireworks	10	2	2	1	0	15	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Violation Of Explosives	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
2	Disrupt Court Proceedings	2	1	0	2	0	5	1	1	0	0	0	2	50%	100%		0%		40%
2	Contributing To Delinquency	10	8	6	2	0	26	0	3	3	2	0	8	0%	38%	50%	100%		31%
2	Work Compensation Fail Have	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Resisting Arrest	251	236	191	153	1	832	43	79	74	78	1	275	17%	33%	39%	51%	100%	33%
2	Compound / Conceal Felony	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Curfew	5	0	1	0	0	6	0	0	0	0	0	0	0%		0%			0%
2	DNA Refuse	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	False Report Of Crime	22	10	7	4	0	43	1	1	3	0	0	5	5%	10%	43%	0%		12%
2	Disconnect Sprinkler System	0	1	1	1	0	3	0	0	0	1	0	1		0%	0%	100%		33%
2	Firearms - False Statement	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Clean Water Act Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Wiretap, Possess Device	2	1	0	0	0	3	2	0	0	0	0	2	100%	0%				67%
2	Record w/o Manufacturer	0	0	1	1	0	2	0	0	0	0	0	0			0%	0%		0%
2	True Name Law	80	76	63	49	0	268	13	33	28	21	0	95	16%	43%	44%	43%		35%
2	Home Imp Contractor Violation	0	1	1	0	0	2	0	0	0	0	0	0		0%	0%			0%
2	Sub-Total	5858	4409	2977	2469	8	15721	1058	1410	1100	1125	5	4698	18%	32%	37%	46%	63%	30%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
1	Threatening	89	85	85	80	1	340	18	31	33	43	0	125	20%	36%	39%	54%	0%	37%
1	Defrauding Victualer	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
1	Pawnbroker Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Timber, Cut Unlawful	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Vandalism	22	13	8	5	0	48	6	2	4	1	0	13	27%	15%	50%	20%		27%
1	Setting Fire In Open	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
1	Trespassing	264	238	176	197	0	875	33	63	49	71	0	216	13%	26%	28%	36%		25%
1	Gaming	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
1	Unauthorized Access of Computer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Possession Class D Marijuana	422	167	66	52	0	707	50	38	22	16	0	126	12%	23%	33%	31%		18%
1	Possession Class E	25	20	6	14	0	65	6	3	2	9	0	20	24%	15%	33%	64%		31%
1	Inhaling Toxic Vapors	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
1	Motor Boat Skier Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Attaching Wrong MV Plates	148	68	51	23	1	291	8	3	3	1	0	15	5%	4%	6%	4%	0%	5%
1	Operate After Suspension	1455	1137	752	507	2	3853	120	177	125	120	0	542	8%	16%	17%	24%	0%	14%
1	MV - Impersonate/Other License	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
1	RV On Public Way	7	4	2	0	0	13	0	0	0	0	0	0	0%	0%	0%			0%
1	Common Night Walker	12	31	14	6	0	63	4	16	6	4	0	30	33%	52%	43%	67%		48%
1	Indecent Exposure	14	18	8	14	0	54	4	2	1	5	0	12	29%	11%	13%	36%		22%
1	Lewd And Lascivious	21	8	5	5	0	39	3	4	0	2	0	9	14%	50%	0%	40%		23%
1	Disorderly Conduct	703	513	281	265	0	1762	65	83	67	89	0	304	9%	16%	24%	34%		17%
1	Possess Air Rifle w/o FID Card	4	0	0	0	0	4	1	0	0	0	0	1	25%					25%
1	Firearm Discharge	6	1	0	0	0	7	0	0	0	0	0	0	0%	0%				0%
1	Annoying Phone Calls	20	15	18	14	0	67	3	2	5	4	0	14	15%	13%	28%	29%		21%
1	Failure To Obey Police Officer	51	18	10	0	0	79	0	0	0	0	0	0	0%	0%	0%			0%
1	Obstructing Justice	1	0	1	1	0	3	0	0	1	1	0	2	0%		100%	100%		67%
1	Manufacturing Dangerous Weapon	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	License Law Violation (Not MV)	5	4	2	2	0	13	0	0	0	0	0	0	0%	0%	0%	0%		0%
1	Alcohol, Procure for Minor	31	10	7	6	1	55	5	3	5	2	0	15	16%	30%	71%	33%	0%	27%
1	Alcohol, Transporting	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Throwing Glass On Public Way	1	1	0	0	0	2	0	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	Tattooing	0	0	0	0	0	0	0	0	0	0	0	0						
1	Business Practice	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Employment Practices	6	1	0	0	0	7	1	0	0	0	0	1	17%	0%				14%
1	Health Code Violation	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	Fail To Comply With Dog Order	8	2	0	0	0	10	0	0	0	0	0	0	0%	0%				0%
1	Sub-Total	3332	2358	1492	1194	5	8381	329	428	323	369	0	1449	10%	18%	22%	31%	0%	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	6	6	4	6	0	22	3	2	3	5	0	13	50%	33%	75%	83%		59%
0	Attempt B&E	2	9	4	9	0	24	1	5	2	6	0	14	50%	56%	50%	67%		58%
0	Conspiracy Violate CSA	11	12	9	9	0	41	6	8	7	6	0	27	55%	67%	78%	67%		66%
0	Conspiracy	8	5	8	1	0	22	0	2	5	0	0	7	0%	40%	63%	0%		32%
0	Attempt To Commit Crime	24	19	13	16	0	72	5	9	5	14	0	33	21%	47%	38%	88%		46%
0	Accessory Before	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
0	Accessory After	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
0	Other Crime	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
0	Sub-Total	52	52	40	42	0	186	16	27	23	32	0	98	31%	52%	58%	76%		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
9	Murder	17	16	15	6	0	54	17	16	15	6	0	54	100%	100%	100%	100%		100%
9	Sub-Total	17	16	15	6	0	54	17	16	15	6	0	54	100%	100%	100%	100%		100%
8	Manslaughter	16	10	13	4	0	43	16	10	13	4	0	43	100%	100%	100%	100%		100%
8	Assault In Dwelling	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
8	Armed Assault In Dwell House	1	2	1	2	0	6	1	2	1	2	0	6	100%	100%	100%	100%		100%
8	Rape, Aggravated	3	1	2	3	0	9	3	1	2	3	0	9	100%	100%	100%	100%		100%
8	Rape Of Child w/Force	14	3	7	6	0	30	13	3	7	6	0	29	93%	100%	100%	100%		97%
8	Firearmed Assault w/i Murder	5	5	2	2	0	14	5	5	2	2	0	14	100%	100%	100%	100%		100%
8	Home Invasion	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
8	Burglary, Armed	0	0	1	1	0	2	0	0	0	1	0	1			0%	100%		50%
8	Traffic Cocaine 200+	1	1	0	2	0	4	1	1	0	2	0	4	100%	100%		100%		100%
8	Sub-Total	42	23	27	20	0	112	40	22	26	20	0	108	95%	96%	96%	100%		96%
7	Murder, Attempted	0	1	1	3	0	5	0	1	1	3	0	5		100%	100%	100%		100%
7	Mayhem	4	3	2	1	0	10	3	3	2	1	0	9	75%	100%	100%	100%		90%
7	A&B Child w/Injury Substantial	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
7	Rape	15	4	4	4	0	27	14	4	4	4	0	26	93%	100%	100%	100%		96%
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	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
7	Incest	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
7	Armed Robbery Gun	29	12	20	25	1	87	22	12	18	25	1	78	76%	100%	90%	100%	100%	90%
7	Armed Assault w/i Murder	8	10	5	8	0	31	8	10	5	8	0	31	100%	100%	100%	100%		100%
7	Carjacking, Armed	1	1	1	3	0	6	1	1	1	2	0	5	100%	100%	100%	67%		83%
7	Confine And Put In Fear	0	0	0	3	0	3	0	0	0	3	0	3				100%		100%
7	Traffic Heroin 028-100	2	2	2	0	0	6	2	2	2	0	0	6	100%	100%	100%			100%
7	Traffic Heroin 100-200	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
7	Traffic Cocaine 100-200	9	5	4	2	0	20	9	5	4	2	0	20	100%	100%	100%	100%		100%
7	Throw or Place Explosives	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
7	Sub-Total	76	41	40	50	1	208	62	41	38	49	1	191	82%	100%	95%	98%	100%	92%

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	1	1	0	0	8	4	1	1	0	0	6	67%	100%	100%			75%
6	A&B Aggravated - Serious Injury	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
6	A&B Dangerous Weapon	24	17	17	19	1	78	24	17	17	19	1	78	100%	100%	100%	100%	100%	100%
6	A&B DW, Aggravated w/Injury	5	8	3	1	1	18	4	7	3	1	1	16	80%	88%	100%	100%	100%	89%
6	Assault To Kill or Maim	5	1	1	1	0	8	5	1	1	1	0	8	100%	100%	100%	100%		100%
6	Rape Of Child	71	10	10	5	0	96	55	7	10	5	0	77	77%	70%	100%	100%		80%
6	Assault w/i Rape	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
6	Indecent A&B On Child 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
6	Indecent A&B Mentally Retarded	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
6	Child Pornography	2	2	1	0	0	5	1	1	1	0	0	3	50%	50%	100%			60%
6	Robbery Unarmed + 60	3	3	1	6	0	13	1	3	1	6	0	11	33%	100%	100%	100%		85%
6	Armed Robbery	75	46	50	58	2	231	50	39	47	57	2	195	67%	85%	94%	98%	100%	84%
6	Armed Assault w/i Rob	10	10	7	6	0	33	9	6	7	6	0	28	90%	60%	100%	100%		85%
6	Carjacking	2	1	1	6	0	10	2	1	1	5	0	9	100%	100%	100%	83%		90%
6	Kidnapping	2	1	4	3	0	10	2	1	4	3	0	10	100%	100%	100%	100%		100%
6	Burning Dwelling House	15	7	3	2	0	27	5	7	3	2	0	17	33%	100%	100%	100%		63%
6	Distribute Class A 2nd	0	5	10	6	0	21	0	5	10	6	0	21		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	2	4	5	0	11	0	2	4	5	0	11		100%	100%	100%		100%
6	Traffic Heroin 014-028	8	0	0	2	0	10	8	0	0	2	0	10	100%			100%		100%
6	Traffic Cocaine 028-100	33	22	16	6	0	77	33	22	16	6	0	77	100%	100%	100%	100%		100%
6	Distribute Class A Minor	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
6	Induce Minor To Distribute	1	0	0	2	0	3	1	0	0	2	0	3	100%			100%		100%
6	MV Homicide - OUI	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
6	MV Homicide - OUI Felony	5	4	1	4	0	14	5	4	1	4	0	14	100%	100%	100%	100%		100%
6	Sub-Total	271	141	133	133	4	682	211	125	130	131	4	601	78%	89%	98%	98%	100%	88%
5	A&B Child w/Injury	3	3	4	2	0	12	2	2	1	2	0	7	67%	67%	25%	100%		58%
5	A&B Aggravated	1	0	1	4	0	6	1	0	1	4	0	6	100%		100%	100%		100%
5	A&B DW, Aggravated	7	1	3	5	0	16	6	1	3	5	0	15	86%	100%	100%	100%		94%
5	Indecent A&B On Child	33	9	14	2	0	58	20	7	13	2	0	42	61%	78%	93%	100%		72%
5	Entice Child	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
5	Unnatural Acts Child	0	0	0	0	0	0	0	0	0	0	0	0						
5	Robbery Unarmed	16	24	26	40	1	107	8	17	24	34	1	84	50%	71%	92%	85%	100%	79%
5	Intimidation	11	7	3	5	0	26	4	5	3	4	0	16	36%	71%	100%	80%		62%
5	Stalking Violation of Rest. Order	0	2	2	0	0	4	0	2	2	0	0	4		100%	100%			100%
5	Common & Notorious Thief	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
5	Burglary	2	6	2	11	0	21	1	6	2	10	0	19	50%	100%	100%	91%		90%
5	Gaming Enterprise	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
5	Distribute Class B 2nd	0	13	13	11	0	37	0	13	13	11	0	37		100%	100%	100%		100%
5	Traffic Cocaine 014-028	60	32	19	14	0	125	60	32	19	14	0	125	100%	100%	100%	100%		100%
5	Distribute Class B Minor	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	Perjury or Suborn	5	2	2	0	0	9	3	1	2	0	0	6	60%	50%	100%			67%
5	Bribery - Level 5	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
5	Possess Molotov Cocktail	2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%
5	Sub-Total	148	101	90	94	1	434	110	87	84	86	1	368	74%	86%	93%	91%	100%	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	3	0	0	3	0	6	2	0	0	3	0	5	67%			100%		83%
4	Assault Aggravated	1	0	0	2	0	3	0	0	0	2	0	2	0%			100%		67%
4	A&B Child Conspiracy	3	1	0	0	0	4	3	1	0	0	0	4	100%	100%				100%
4	A&B Guard	0	0	5	3	0	8	0	0	5	2	0	7			100%	67%		88%
4	A&B Dangerous Weapon	33	18	14	14	0	79	33	18	14	14	0	79	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
4	A&B To Collect Loan	0	0	0	0	0	0	0	0	0	0	0	0						
4	Indecent A&B	18	3	3	3	0	27	10	3	3	3	0	19	56%	100%	100%	100%		70%
4	Assault w/i Rob	2	2	1	1	0	6	1	1	1	1	0	4	50%	50%	100%	100%		67%
4	Stalking	1	1	0	1	0	3	1	1	0	0	0	2	100%	100%		0%		67%
4	Harassment	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
4	Larceny More	4	4	0	6	0	14	4	4	0	6	0	14	100%	100%		100%		100%
4	Larceny More + 60	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Larceny Person	32	8	7	4	0	51	18	3	5	4	0	30	56%	38%	71%	100%		59%
4	Larceny Person + 65	0	3	0	1	0	4	0	2	0	1	0	3		67%		100%		75%
4	Larceny MV 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Fraud - Identity	1	1	1	0	0	3	0	1	1	0	0	2	0%	100%	100%			67%
4	B&E	1	6	15	65	0	87	1	6	15	65	0	87	100%	100%	100%	100%		100%
4	Enter Dwelling w/I Felony	1	0	0	2	0	3	1	0	0	2	0	3	100%			100%		100%
4	Receiving Stolen Goods Over	0	1	2	2	0	5	0	1	2	2	0	5		100%	100%	100%		100%
4	Receiving Stolen Goods MV 2nd	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
4	Burning Building	8	6	0	2	0	16	2	5	0	1	0	8	25%	83%		50%		50%
4	Burning to Defraud	0	0	0	0	0	0	0	0	0	0	0	0						
4	Distribute Class A	94	74	65	58	2	293	63	63	61	52	1	240	67%	85%	94%	90%	50%	82%
4	Distribute Class B	157	100	51	49	0	357	81	67	34	41	0	223	52%	67%	67%	84%		62%
4	Distribute Cocaine	58	42	35	24	0	159	58	42	35	24	0	159	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
4	Larceny Cont Sub	8	0	0	1	0	9	5	0	0	1	0	6	63%			100%		67%
4	Giving Prisoner Cont Sub	7	1	2	1	0	11	4	0	2	1	0	7	57%	0%	100%	100%		64%
4	Control Substance School	29	42	26	31	0	128	29	42	26	31	0	128	100%	100%	100%	100%		100%
4	MV Homicide	0	0	0	0	0	0	0	0	0	0	0	0						
4	MV Homicide - Reckless	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
4	MV Homicide - OUI	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
4	Leaving Scene Death	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
4	OUI Serious Inj, Fel	4	1	0	2	0	7	4	1	0	2	0	7	100%	100%		100%		100%
4	Assault Weapon, Possess	4	2	4	1	0	11	3	2	4	1	0	10	75%	100%	100%	100%		91%
4	Gun Serial Number, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Firearm Sale Violation	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
4	Escape	0	1	1	1	0	3	0	1	1	1	0	3		100%	100%	100%		100%
4	Bribery	0	0	0	0	0	0	0	0	0	0	0	0						
4	Extortion	0	1	1	1	0	3	0	0	0	1	0	1		0%	0%	100%		33%
4	Bomb Hoax	1	0	1	0	0	2	1	0	0	0	0	1	100%		0%			50%
4	Tax Law Violation	0	0	0	0	0	0	0	0	0	0	0	0						
4	Disinter Body	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
4	Sub-Total	483	321	237	282	2	1325	333	267	212	265	1	1078	69%	83%	89%	94%	50%	81%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	72	30	16	25	0	143	35	21	14	22	0	92	49%	70%	88%	88%		64%
3	A&B Domestic	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B w/I Intimidate	0	0	0	0	0	0	0	0	0	0	0	0						
3	Reckless Endangerment	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B Dangerous Weapon	20	5	2	1	0	28	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	30	27	13	14	0	84	23	23	12	13	0	71	77%	85%	92%	93%		85%
3	Assault Dangerous Weapon + 60	0	1	0	1	0	2	0	0	0	1	0	1		0%		100%		50%
3	Unnatural Acts	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Child Pornography Possess	8	2	2	0	0	12	7	2	1	0	0	10	88%	100%	50%			83%
3	Kidnapping	2	2	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
3	Violation Of Civil Rights	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
3	Restraining Order Violation	1	0	2	2	0	5	1	0	2	2	0	5	100%		100%	100%		100%
3	Larceny	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
3	Larceny More	50	8	7	5	0	70	14	2	6	4	0	26	28%	25%	86%	80%		37%
3	Larceny More + 60	0	0	0	0	0	0	0	0	0	0	0	0						
3	Larceny Building	5	2	2	4	0	13	3	2	1	2	0	8	60%	100%	50%	50%		62%
3	Larceny Firearm	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
3	Larceny MV	2	2	4	3	0	11	1	1	4	2	0	8	50%	50%	100%	67%		73%
3	Embezzlement	3	3	0	0	0	6	2	3	0	0	0	5	67%	100%				83%
3	Credit Card Misuse - More	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
3	Defrauding Insurer	5	2	1	0	0	8	1	1	1	0	0	3	20%	50%	100%			38%
3	Fraud	3	1	1	0	0	5	0	0	1	0	0	1	0%	0%	100%			20%
3	MV - Sales Violation	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possess Burglarious Tools	1	0	0	4	0	5	1	0	0	2	0	3	100%			50%		60%
3	B&E	15	17	15	20	0	67	9	9	10	17	0	45	60%	53%	67%	85%		67%
3	Mal Dest Property More	2	2	0	0	0	4	2	2	0	0	0	4	100%	100%				100%
3	Receiving Stolen Goods Over	2	1	1	2	0	6	1	0	1	2	0	4	50%	0%	100%	100%		67%
3	Receiving Stolen Goods MV	2	0	7	10	0	19	0	0	6	10	0	16	0%		86%	100%		84%
3	Receiving Stolen Goods 2nd	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
3	Forgery And Uttering	7	2	2	5	0	16	2	2	1	5	0	10	29%	100%	50%	100%		63%
3	Counterfeit	0	2	0	0	0	2	0	1	0	0	0	1		50%				50%
3	Burning Property	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
3	Burning Motor Vehicle	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Illegal Lottery	0	0	0	0	0	0	0	0	0	0	0	0						
3	Gaming Register Bets	6	3	0	0	0	9	0	0	0	0	0	0	0%	0%				0%
3	Possession Class A 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Possession Class A Heroin 2nd	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
3	Possession Class B 2nd	0	1	2	1	0	4	0	1	2	1	0	4		100%	100%	100%		100%
3	Possession Class C 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Class D 2nd	0	0	1	1	0	2	0	0	1	0	0	1			100%	0%		50%
3	Distribute Class C	3	2	1	0	0	6	0	1	1	0	0	2	0%	50%	100%			33%
3	Distribute Class D 2nd	1	2	1	2	0	6	1	1	1	2	0	5	100%	50%	100%	100%		83%
3	Distribute Class E 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Hypodermic 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	MV Homicide	8	0	0	0	0	8	5	0	0	0	0	5	63%					63%
3	Leaving Scene Property Damage	0	1	0	1	0	2	0	1	0	0	0	1		100%		0%		50%
3	Leaving Scene Personal Injury	0	0	0	1	0	1	0	0	0	1	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
3	Possess Master Key MV	0	0	0	0	0	0	0	0	0	0	0	0						
3	OUI Serious Inj, Misd	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
3	Inducing Minor To Sex	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
3	Polygamy	0	0	0	0	0	0	0	0	0	0	0	0						
3	Body Armor, Use in Felony	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
3	Gun Serial Number	2	5	0	1	0	8	2	4	0	1	0	7	100%	80%		100%		88%
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	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
3	Carrying Dangerous Weapon	6	1	0	2	0	9	5	1	0	2	0	8	83%	100%		100%		89%
3	Contempt Of Court	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Cruelty To Animals	1	0	0	1	0	2	1	0	0	0	0	1	100%			0%		50%
3	Sex Offender Fail Register	1	1	1	2	0	5	0	0	1	1	0	2	0%	0%	100%	50%		40%
3	Vandalize - Graves	0	0	0	0	0	0	0	0	0	0	0	0						
3	Wiretapping	0	0	0	0	0	0	0	0	0	0	0	0						
3	Sub-Total	270	130	84	114	0	598	123	82	69	96	0	370	46%	63%	82%	84%		62%

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	4	3	1	0	0	8	2	2	1	0	0	5	50%	67%	100%			63%
2	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0	0	0	0	0	0	0						
2	Larceny	4	0	1	0	0	5	0	0	0	0	0	0	0%		0%			0%
2	Larceny Less	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
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	MV - False Report Of Theft	0	0	0	0	0	0	0	0	0	0	0	0						
2	Defrauding Innkeeper	0	0	0	0	0	0	0	0	0	0	0	0						
2	Welfare Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	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	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Attempt B&E	0	0	0	0	0	0	0	0	0	0	0	0						
2	Property Destruction	1	1	1	2	0	5	1	1	1	1	0	4	100%	100%	100%	50%		80%
2	Tagging Property	0	0	0	0	0	0	0	0	0	0	0	0						
2	Receiving Stolen Goods	5	0	1	4	0	10	1	0	0	2	0	3	20%		0%	50%		30%
2	Counterfeit	0	0	0	0	0	0	0	0	0	0	0	0						
2	Lottery Ticket Altering	0	0	0	0	0	0	0	0	0	0	0	0						
2	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	0	0	0	0	0	0	0	0	0	0	0						
2	Possession Class A	1	2	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
2	Possession Class A Heroin	6	5	0	2	0	13	2	4	0	1	0	7	33%	80%		50%		54%
2	Possession Class B	26	10	4	3	0	43	2	7	2	2	0	13	8%	70%	50%	67%		30%
2	Possession Class C	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possession Class D	5	1	2	1	0	9	1	1	0	0	0	2	20%	100%	0%	0%		22%
2	Possession Class D Marijuana 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Distribute Counterfeit Substance	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
2	Distribute Class D	19	5	5	2	0	31	6	3	4	1	0	14	32%	60%	80%	50%		45%
2	Distribute Class E	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
2	Possession Hypodermic/Syringe	1	1	1	0	0	3	1	1	0	0	0	2	100%	100%	0%			67%
2	Presence Class A	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Forge Prescription	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Distribute Paraphernalia	0	0	0	0	0	0	0	0	0	0	0	0						
2	Operate to Endanger	3	1	0	0	0	4	0	1	0	0	0	1	0%	100%				25%
2	Use Without Authority	0	0	1	0	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	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Compulsory Insurance Violation	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
2	Altering MV ID Number	0	0	0	0	0	0	0	0	0	0	0	0						
2	Counterfeit/Alter MV Document	0	0	0	0	0	0	0	0	0	0	0	0						
2	False Statement On Application	0	0	0	0	0	0	0	0	0	0	0	0						
2	Prostitution	0	0	0	0	0	0	0	0	0	0	0	0						
2	Induce Female To Prostitution	0	0	0	0	0	0	0	0	0	0	0	0						
2	Open And Gross	2	3	3	2	0	10	2	2	3	2	0	9	100%	67%	100%	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	
2	Obscene Material to Minor	0	1	0	0	0	1	0	1	0	0	0	1	100%						100%
2	Disturb Religious Service	0	0	0	0	0	0	0	0	0	0	0	0							
2	Failure To Disperse	2	0	0	0	0	2	1	0	0	0	0	1	50%						50%
2	Firearm Possess w/o Permit	27	17	5	1	0	50	21	15	5	0	0	41	78%	88%	100%	0%	82%		
2	Possess Mace	0	0	0	0	0	0	0	0	0	0	0	0							
2	Possess Ammunition	1	2	2	0	0	5	1	1	2	0	0	4	100%	50%	100%	80%			
2	Firearm Carry, School	0	0	0	0	0	0	0	0	0	0	0	0							
2	Firearm Store Improper	1	0	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	3	1	3	0	0	7	2	1	2	0	0	5	67%	100%	67%	71%			
2	Possess Stun Gun	1	0	0	0	0	1	1	0	0	0	0	1	100%						100%
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	Violation Of Explosives	0	0	0	0	0	0	0	0	0	0	0	0							
2	Disrupt Court Proceedings	1	0	0	0	0	1	0	0	0	0	0	0	0%						0%
2	Contributing To Delinquency	1	0	0	1	0	2	1	0	0	1	0	2	100%	100%				100%	
2	Work Compensation Fail Have	0	0	0	0	0	0	0	0	0	0	0	0							
2	Resisting Arrest	1	5	1	2	0	9	1	3	1	2	0	7	100%	60%	100%	100%	78%		
2	Compound / Conceal Felony	0	0	0	0	0	0	0	0	0	0	0	0							
2	Curfew	0	0	0	0	0	0	0	0	0	0	0	0							
2	DNA Refuse	0	0	0	0	0	0	0	0	0	0	0	0							
2	False Report Of Crime	1	0	0	0	0	1	0	0	0	0	0	0	0%						0%
2	Disconnect Sprinkler System	0	0	0	0	0	0	0	0	0	0	0	0							
2	Firearms - False Statement	0	0	0	0	0	0	0	0	0	0	0	0							
2	Clean Water Act Violation	0	0	0	0	0	0	0	0	0	0	0	0							
2	Wiretap, Possess Device	0	0	0	0	0	0	0	0	0	0	0	0							
2	Record w/o Manufacturer	2	0	0	0	0	2	0	0	0	0	0	0	0%						0%
2	True Name Law	0	0	0	0	0	0	0	0	0	0	0	0							
2	Home Imp Contractor Violation	0	0	0	0	0	0	0	0	0	0	0	0							
2	Sub-Total	132	60	34	21	0	247	46	44	23	13	0	126	35%	73%	68%	62%	51%		

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	0	0	0	0	0	0	0	0	0	0	0						
1	Threatening	4	1	0	0	0	5	2	1	0	0	0	3	50%	100%				60%
1	Defrauding Victualer	0	0	0	0	0	0	0	0	0	0	0	0						
1	Pawnbroker Violation	0	0	0	0	0	0	0	0	0	0	0	0						
1	Timber, Cut Unlawful	0	0	0	0	0	0	0	0	0	0	0	0						
1	Vandalism	0	0	0	0	0	0	0	0	0	0	0	0						
1	Setting Fire In Open	0	0	0	0	0	0	0	0	0	0	0	0						
1	Trespassing	0	0	0	0	0	0	0	0	0	0	0	0						
1	Gaming	0	0	0	0	0	0	0	0	0	0	0	0						
1	Unauthorized Access of Computer	0	0	0	0	0	0	0	0	0	0	0	0						
1	Possession Class D Marijuana	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
1	Possession Class E	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Inhaling Toxic Vapors	0	0	0	0	0	0	0	0	0	0	0	0						
1	Motor Boat Skier Violation	0	0	0	0	0	0	0	0	0	0	0	0						
1	Attaching Wrong MV Plates	0	0	0	0	0	0	0	0	0	0	0	0						
1	Operate After Suspension	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
1	MV - Impersonate/Other License	0	0	0	0	0	0	0	0	0	0	0	0						
1	RV On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
1	Common Night Walker	0	0	0	0	0	0	0	0	0	0	0	0						
1	Indecent Exposure	0	0	0	0	0	0	0	0	0	0	0	0						
1	Lewd And Lacivious	0	0	0	0	0	0	0	0	0	0	0	0						
1	Disorderly Conduct	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
1	Possess Air Rifle w/o FID Card	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Firearm Discharge	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
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	Obstructing Justice	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Manufacturing Dangerous Weapon	0	0	0	0	0	0	0	0	0	0	0	0						
1	License Law Violation (Not MV)	0	0	0	0	0	0	0	0	0	0	0	0						
1	Alcohol, Procure for Minor	2	0	0	1	0	3	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	Tattooing	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
1	Business Practice	0	0	0	0	0	0	0	0	0	0	0	0						
1	Employment Practices	0	0	0	0	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	15	3	2	1	0	21	2	3	2	0	0	7	13%	100%	100%	0%		33%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	0	0	0	0	0	0	0	0	0	0	0	0						
0	Attempt B&E	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
0	Conspiracy Violate CSA	18	10	2	6	0	36	6	6	1	2	0	15	33%	60%	50%	33%		42%
0	Conspiracy	9	4	1	0	0	14	4	4	0	0	0	8	44%	100%	0%			57%
0	Attempt To Commit Crime	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
0	Accessory Before	5	0	1	0	0	6	2	0	1	0	0	3	40%		100%			50%
0	Accessory After	16	9	1	1	0	27	7	5	1	1	0	14	44%	56%	100%	100%		52%
0	Other Crime	0	0	0	0	0	0	0	0	0	0	0	0						
0	Sub-Total	48	24	5	9	0	86	19	16	3	5	0	43	40%	67%	60%	56%		50%

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	16	10	13	4	0	43	113.3	135.0	97.8	153.0	.	117.3	108.0	135.0	96.0	150.0	.	120.0
8	Assault In Dwelling	1	0	0	0	0	1	192.0	.	.	.	.	192.0	192.0	.	.	.	.	192.0
8	Armed Assault In Dwell House	1	2	1	2	0	6	120.0	132.0	120.0	132.0	.	128.0	120.0	132.0	120.0	132.0	.	120.0
8	Rape, Aggravated	3	1	2	3	0	9	72.0	60.0	84.0	296.0	.	148.0	60.0	60.0	84.0	264.0	.	96.0
8	Rape Of Child w/Force	13	3	7	6	0	29	86.8	104.0	114.9	157.0	.	109.9	84.0	108.0	120.0	144.0	.	96.0
8	Firearmed Assault w/i Murder	5	5	2	2	0	14	84.0	93.6	84.0	78.0	.	86.6	84.0	60.0	84.0	78.0	.	72.0
8	Home Invasion	0	0	1	0	0	1	.	.	240.0	.	.	240.0	.	.	240.0	.	.	240.0
8	Burglary, Armed	0	0	0	1	0	1	.	.	.	144.0	.	144.0	.	.	.	144.0	.	144.0
8	Traffic Cocaine 200+	1	1	0	2	0	4	180.0	180.0	.	180.0	.	180.0	180.0	180.0	.	180.0	.	180.0
8	Sub-Total	40	22	26	20	0	108	101.7	119.7	106.6	168.3	.	118.9	96.0	120.0	96.0	156.0	.	120.0
7	Murder, Attempted	0	1	1	3	0	5	.	48.0	24.0	48.0	.	43.2	.	48.0	24.0	36.0	.	36.0
7	Mayhem	3	2	1	1	0	7	76.7	102.0	60.0	36.0	.	75.7	60.0	102.0	60.0	36.0	.	60.0
7	A&B Child w/Injury Substantial	0	1	0	0	0	1	.	96.0	.	.	.	96.0	.	96.0	.	.	.	96.0
7	Rape	14	4	4	4	0	26	67.7	117.0	101.8	96.0	.	84.9	60.0	114.0	60.0	102.0	.	60.0
7	Rape of Child 2nd	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
7	Assault w/i Rape Child	2	1	0	0	0	3	48.0	96.0	.	.	.	64.0	48.0	96.0	.	.	.	72.0
7	Incest	0	1	0	0	0	1	.	144.0	.	.	.	144.0	.	144.0	.	.	.	144.0
7	Armed Robbery Gun	22	12	18	25	1	78	55.7	45.0	54.7	83.5	216.0	64.8	60.0	48.0	54.0	72.0	216.0	60.0
7	Armed Assault w/i Murder	8	10	5	8	0	31	45.0	49.2	74.4	67.5	.	56.9	36.0	42.0	72.0	66.0	.	60.0
7	Carjacking, Armed	1	1	0	2	0	4	60.0	36.0	.	72.0	.	60.0	60.0	36.0	.	72.0	.	48.0
7	Confine And Put In Fear	0	0	0	3	0	3	.	.	.	48.0	.	48.0	.	.	.	60.0	.	60.0
7	Traffic Heroin 028-100	2	2	2	0	0	6	93.0	96.0	84.0	.	.	91.0	93.0	96.0	84.0	.	.	84.0
7	Traffic Heroin 100-200	0	0	1	0	0	1	.	.	144.0	.	.	144.0	.	.	144.0	.	.	144.0
7	Traffic Cocaine 100-200	9	5	4	2	0	20	122.7	127.2	120.0	120.0	.	123.0	120.0	120.0	120.0	120.0	.	120.0
7	Throw or Place Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Sub-Total	61	40	36	49	1	187	69.0	73.8	73.3	76.7	216.0	73.7	60.0	60.0	60.0	60.0	216.0	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	2	0	1	0	0	3	174.0	.	120.0	.	.	156.0	174.0	.	120.0	.	.	168.0
6	A&B Aggravated - Serious Injury	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
6	A&B Dangerous Weapon	24	17	17	19	1	78	37.8	42.4	48.4	50.2	84.0	44.7	36.0	36.0	36.0	36.0	84.0	36.0
6	A&B DW, Aggravated w/Injury	2	4	1	1	1	9	42.0	39.0	36.0	36.0	84.0	44.0	42.0	42.0	36.0	36.0	84.0	42.0
6	Assault To Kill or Maim	3	1	1	1	0	6	56.0	114.0	48.0	96.0	.	71.0	36.0	114.0	48.0	96.0	.	72.0
6	Rape Of Child	38	5	8	3	0	54	55.4	55.2	96.0	48.0	.	61.0	48.0	60.0	66.0	36.0	.	51.0
6	Assault w/i Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Indecent A&B On Child 2nd	0	0	1	0	0	1	.	.	84.0	.	.	84.0	.	.	84.0	.	.	84.0
6	Indecent A&B Mentally Retarded	0	0	1	0	0	1	.	.	108.0	.	.	108.0	.	.	108.0	.	.	108.0
6	Child Pornography	1	1	1	0	0	3	120.0	120.0	180.0	.	.	140.0	120.0	120.0	180.0	.	.	120.0
6	Robbery Unarmed + 60	1	3	1	6	0	11	24.0	20.0	42.0	93.0	.	62.2	24.0	24.0	42.0	90.0	.	42.0
6	Armed Robbery	50	39	47	57	2	195	40.4	40.2	49.2	79.3	102.0	54.5	36.0	36.0	42.0	60.0	102.0	48.0
6	Armed Assault w/i Rob	9	6	7	6	0	28	53.3	41.0	44.6	70.0	.	52.1	48.0	33.0	48.0	66.0	.	48.0
6	Carjacking	2	1	1	4	0	8	54.0	48.0	48.0	81.0	.	66.0	54.0	48.0	48.0	90.0	.	60.0
6	Kidnapping	2	0	4	3	0	9	48.0	.	33.0	44.0	.	40.0	48.0	.	36.0	36.0	.	36.0
6	Burning Dwelling House	0	3	2	1	0	6	.	92.0	96.0	60.0	.	88.0	.	108.0	96.0	60.0	.	84.0
6	Distribute Class A 2nd	0	5	10	6	0	21	.	60.0	68.4	60.0	.	64.0	.	60.0	60.0	60.0	.	60.0
6	Distribute Cocaine 2nd	0	2	4	5	0	11	.	60.0	60.0	60.0	.	60.0	.	60.0	60.0	60.0	.	60.0
6	Traffic Heroin 014-028	8	0	0	2	0	10	61.5	.	.	60.0	.	61.2	60.0	.	.	60.0	.	60.0
6	Traffic Cocaine 028-100	33	22	16	6	0	77	76.7	70.9	70.5	72.0	.	73.4	72.0	60.0	60.0	66.0	.	60.0
6	Distribute Class A Minor	0	0	1	0	0	1	.	.	60.0	.	.	60.0	.	.	60.0	.	.	60.0
6	Induce Minor To Distribute	1	0	0	2	0	3	60.0	.	.	78.0	.	72.0	60.0	.	.	78.0	.	60.0
6	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	MV Homicide - OUI Felony	4	3	1	4	0	12	37.5	42.0	36.0	96.0	.	58.0	33.0	42.0	36.0	90.0	.	45.0
6	Sub-Total	180	112	125	127	4	548	53.9	50.8	58.8	71.0	93.0	58.6	48.0	48.0	60.0	60.0	84.0	60.0
5	A&B Child w/Injury	0	0	0	2	0	2	.	.	.	42.0	.	42.0	.	.	.	42.0	.	42.0
5	A&B Aggravated	0	0	1	1	0	2	.	.	36.0	30.0	.	33.0	.	.	36.0	30.0	.	33.0
5	A&B DW, Aggravated	1	1	3	4	0	9	60.0	84.0	40.0	78.0	.	64.0	60.0	84.0	48.0	78.0	.	48.0
5	Indecent A&B On Child	7	2	7	2	0	18	40.3	42.0	39.4	42.0	.	40.3	36.0	42.0	36.0	42.0	.	36.0
5	Entice Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Unnatural Acts Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Robbery Unarmed	8	17	24	33	1	83	28.5	27.2	30.0	52.0	84.0	38.7	18.0	24.0	27.0	42.0	84.0	36.0
5	Intimidation	1	1	1	3	0	6	48.0	60.0	24.0	56.0	.	50.0	48.0	60.0	24.0	48.0	.	48.0
5	Stalking Violation of Rest. Order	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Common & Notorious Thief	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Burglary	1	6	2	10	0	19	36.0	66.3	60.0	63.6	.	62.6	36.0	48.0	60.0	45.0	.	42.0
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B 2nd	0	13	13	11	0	37	.	40.2	46.2	44.7	.	43.6	.	36.0	36.0	36.0	.	36.0
5	Traffic Cocaine 014-028	60	32	19	14	0	125	37.7	37.9	39.5	37.3	.	38.0	36.0	36.0	36.0	36.0	.	36.0
5	Distribute Class B Minor	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
5	Perjury or Suborn	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
5	Bribery - Level 5	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Possess Molotov Cocktail	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Sub-Total	78	73	71	80	1	303	37.4	39.2	37.8	50.6	84.0	41.5	36.0	36.0	36.0	36.0	84.0	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	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
4	Assault Aggravated	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
4	A&B Child Conspiracy	3	1	0	0	0	4	42.0	40.0	.	.	.	41.5	42.0	40.0	.	.	.	42.0
4	A&B Guard	0	0	5	2	0	7	.	.	24.0	36.0	.	27.4	.	.	24.0	36.0	.	36.0
4	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Indecent A&B	0	2	1	2	0	5	.	24.0	12.0	30.0	.	24.0	.	24.0	12.0	30.0	.	24.0
4	Assault w/i Rob	1	1	1	1	0	4	36.0	24.0	60.0	72.0	.	48.0	36.0	24.0	60.0	72.0	.	48.0
4	Stalking	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
4	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	4	4	0	5	0	13	30.0	24.8	.	31.2	.	28.8	30.0	24.0	.	24.0	.	24.0
4	Larceny More + 60	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
4	Larceny Person	1	1	1	3	0	6	12.0	12.0	36.0	24.0	.	22.0	12.0	12.0	36.0	24.0	.	24.0
4	Larceny Person + 65	0	1	0	1	0	2	.	24.0	.	12.0	.	18.0	.	24.0	.	12.0	.	18.0
4	Larceny MV 2nd	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
4	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	1	6	15	65	0	87	36.0	30.0	46.0	49.3	.	47.2	36.0	30.0	36.0	36.0	.	36.0
4	Enter Dwelling w/I Felony	0	0	0	2	0	2	.	.	.	42.0	.	42.0	.	.	.	42.0	.	42.0
4	Receiving Stolen Goods Over	0	1	2	2	0	5	.	36.0	42.0	42.0	.	40.8	.	36.0	42.0	42.0	.	36.0
4	Receiving Stolen Goods MV 2nd	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
4	Burning Building	0	3	0	1	0	4	.	36.0	.	48.0	.	39.0	.	36.0	.	48.0	.	42.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	23	33	42	46	1	145	37.8	37.8	38.2	38.1	36.0	38.0	36.0	36.0	36.0	36.0	36.0	36.0
4	Distribute Class B	16	26	13	25	0	80	28.9	31.8	35.5	36.0	.	33.2	24.0	36.0	36.0	36.0	.	36.0
4	Distribute Cocaine	17	22	23	18	0	80	26.8	28.6	36.5	31.1	.	31.1	24.0	24.0	36.0	24.0	.	30.0
4	Traffic Mar 50-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny Cont Sub	1	0	0	1	0	2	24.0	.	.	24.0	.	24.0	24.0	.	.	24.0	.	24.0
4	Giving Prisoner Cont Sub	1	0	1	1	0	3	48.0	.	24.0	36.0	.	36.0	48.0	.	24.0	36.0	.	36.0
4	Control Substance School	5	13	5	21	0	44	32.4	31.8	31.2	34.0	.	32.9	30.0	30.0	30.0	30.0	.	30.0
4	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Leaving Scene Death	1	0	1	0	0	2	60.0	.	36.0	.	.	48.0	60.0	.	36.0	.	.	48.0
4	OUI Serious Inj, Fel	0	0	0	1	0	1	.	.	.	84.0	.	84.0	.	.	.	84.0	.	84.0
4	Assault Weapon, Possess	3	2	3	1	0	9	32.0	33.0	40.0	36.0	.	35.3	30.0	33.0	30.0	36.0	.	30.0
4	Gun Serial Number, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Firearm Sale Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Escape	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
4	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Extortion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Bomb Hoax	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Disinter Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Sub-Total	77	117	114	203	1	512	32.6	32.3	37.5	40.0	36.0	36.6	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
3	A&B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Domestic	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B w/I 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	5	6	7	0	20	36.0	32.4	36.0	39.4	.	36.3	36.0	30.0	36.0	36.0	.	36.0
3	Assault Dangerous Weapon + 60	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
3	Unnatural Acts	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
3	Child Pornography Possess	2	1	0	0	0	3	24.0	36.0	.	.	.	28.0	24.0	36.0	.	.	.	24.0
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	1	1	0	2	0	4	48.0	12.0	.	30.0	.	30.0	48.0	12.0	.	30.0	.	30.0
3	Larceny Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny MV	0	0	1	2	0	3	.	.	30.0	42.0	.	38.0	.	.	30.0	42.0	.	36.0
3	Embezzlement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Credit Card Misuse - More	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
3	Defrauding Insurer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Fraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglarious Tools	0	0	0	2	0	2	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
3	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Mal Dest Property More	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
3	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods MV	0	0	1	6	0	7	.	.	12.0	40.0	.	36.0	.	.	12.0	36.0	.	36.0
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
3	Forgery And Uttering	1	1	0	4	0	6	36.0	48.0	.	39.0	.	40.0	36.0	48.0	.	36.0	.	36.0
3	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Burning Property	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
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	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A Heroin 2nd	0	0	0	0	0	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	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
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	.	.	.	.	.	.	.	.	.	.	.	.

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	Possess Master Key MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI Serious Inj. Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Polygamy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Body Armor, Use in Felony	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	1	0	1	.	.	.	42.0	.	42.0	.	.	.	42.0	.	42.0
3	Carrying Dangerous Weapon	0	1	0	2	0	3	.	24.0	.	27.0	.	26.0	.	24.0	.	27.0	.	24.0
3	Contempt Of Court	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sex Offender Fail Register	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Wiretapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sub-Total	7	11	8	30	0	56	32.6	31.1	32.3	37.0	.	34.6	36.0	30.0	33.0	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	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Defrauding Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	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	Attempt B&E	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	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Lottery Ticket Altering	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	.	.	.	.	.	.	.	.	.	.	.	.
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	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Counterfeit/Alter MV Document	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	1	1	1	1	0	4	24.0	30.0	24.0	30.0	.	27.0	24.0	30.0	24.0	30.0	.	27.0

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	Obscene Material to Minor	0	1	0	0	0	1	36.0				36.0		36.0				36.0	
2	Disturb Religious Service	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 Carry, School	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	Violation Of Explosives	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	Work Compensation Fail Have	0	0	0	0	0	0												
2	Resisting Arrest	0	0	0	0	0	0												
2	Compound / Conceal Felony	0	0	0	0	0	0												
2	Curfew	0	0	0	0	0	0												
2	DNA Refuse	0	0	0	0	0	0												
2	False Report Of Crime	0	0	0	0	0	0												
2	Disconnect Sprinkler System	0	0	0	0	0	0												
2	Firearms - False Statement	0	0	0	0	0	0												
2	Clean Water Act Violation	0	0	0	0	0	0												
2	Wiretap, Possess Device	0	0	0	0	0	0												
2	Record w/o Manufacturer	0	0	0	0	0	0												
2	True Name Law	0	0	0	0	0	0												
2	Home Imp Contractor Violation	0	0	0	0	0	0												
2	Sub-Total	1	2	1	1	0	5	24.0	33.0	24.0	30.0	28.8		24.0	33.0	24.0	30.0	30.0	

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
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	Pawnbroker Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Timber, Cut Unlawful	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Vandalism	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Setting Fire In Open	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Trespassing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Unauthorized Access of Computer	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	Motor Boat Skier Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Attaching Wrong MV Plates	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Operate After Suspension	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	MV - Impersonate/Other License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	RV On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Common Night Walker	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Indecent Exposure	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Lewd And Lacivious	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	Obstructing Justice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Manufacturing Dangerous Weapon	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	Tattooing	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	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
0	Conspiracy Violate CSA	2	1	0	2	0	5	24.0	24.0	.	51.0	.	34.8	24.0	24.0	.	51.0	.	30.0
0	Conspiracy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt To Commit Crime	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
0	Accessory Before	2	0	1	0	0	3	30.0	.	48.0	.	.	36.0	30.0	.	48.0	.	.	36.0
0	Accessory After	3	1	1	0	0	5	36.0	42.0	60.0	.	.	42.0	36.0	42.0	60.0	.	.	36.0
0	Other Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Sub-Total	7	2	2	4	0	15	30.9	33.0	54.0	45.0	.	38.0	36.0	33.0	54.0	39.0	.	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	16	10	13	4	0	43	146.3	163.2	110.6	168.0	.	141.4	144.0	156.0	120.0	162.0	.	144.0
8	Assault In Dwelling	1	0	0	0	0	1	216.0	.	.	.	.	216.0	216.0	.	.	.	.	216.0
8	Armed Assault In Dwell House	1	2	1	2	0	6	144.0	180.0	144.0	150.0	.	158.0	144.0	180.0	144.0	150.0	.	162.0
8	Rape, Aggravated	3	1	2	3	0	9	88.0	60.0	84.0	320.0	.	161.4	60.0	60.0	84.0	300.0	.	96.0
8	Rape Of Child w/Force	13	3	7	6	0	29	108.9	132.0	135.4	186.0	.	133.7	120.0	120.0	144.0	192.0	.	120.0
8	Firearmed Assault w/i Murder	5	5	2	2	0	14	100.8	110.4	114.0	90.0	.	104.6	108.0	84.0	114.0	90.0	.	90.0
8	Home Invasion	0	0	1	0	0	1	.	.	240.0	.	.	240.0	.	.	240.0	.	.	240.0
8	Burglary, Armed	0	0	0	1	0	1	.	.	.	180.0	.	180.0	.	.	.	180.0	.	180.0
8	Traffic Cocaine 200+	1	1	0	2	0	4	180.0	240.0	.	180.0	.	195.0	180.0	240.0	.	180.0	.	180.0
8	Sub-Total	40	22	26	20	0	108	126.6	147.3	121.8	188.4	.	141.1	120.0	156.0	120.0	180.0	.	144.0
7	Murder, Attempted	0	1	1	3	0	5	.	60.0	36.0	48.0	.	48.0	.	60.0	36.0	36.0	.	36.0
7	Mayhem	3	2	1	1	0	7	96.7	126.0	84.0	60.0	.	98.0	96.0	126.0	84.0	60.0	.	96.0
7	A&B Child w/Injury Substantial	0	1	0	0	0	1	.	144.0	.	.	.	144.0	.	144.0	.	.	.	144.0
7	Rape	14	4	4	4	0	26	87.3	138.0	112.5	120.0	.	104.0	84.0	144.0	75.0	132.0	.	84.0
7	Rape of Child 2nd	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
7	Assault w/i Rape Child	2	1	0	0	0	3	84.0	96.0	.	.	.	88.0	84.0	96.0	.	.	.	96.0
7	Incest	0	1	0	0	0	1	.	180.0	.	.	.	180.0	.	180.0	.	.	.	180.0
7	Armed Robbery Gun	22	12	18	25	1	78	67.1	55.5	65.0	98.9	216.0	76.9	60.0	54.0	60.0	84.0	216.0	60.0
7	Armed Assault w/i Murder	8	10	5	8	0	31	57.0	58.2	92.4	83.3	.	69.9	48.0	54.0	96.0	72.0	.	60.0
7	Carjacking, Armed	1	1	0	2	0	4	90.0	48.0	.	90.0	.	79.5	90.0	48.0	.	90.0	.	75.0
7	Confine And Put In Fear	0	0	0	3	0	3	.	.	.	60.0	.	60.0	.	.	.	72.0	.	72.0
7	Traffic Heroin 028-100	2	2	2	0	0	6	102.0	102.0	102.0	.	.	102.0	102.0	102.0	102.0	.	.	102.0
7	Traffic Heroin 100-200	0	0	1	0	0	1	.	.	156.0	.	.	156.0	.	.	156.0	.	.	156.0
7	Traffic Cocaine 100-200	9	5	4	2	0	20	133.4	127.2	126.0	120.0	.	129.0	120.0	120.0	120.0	120.0	.	120.0
7	Throw or Place Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Sub-Total	61	40	36	49	1	187	83.7	85.5	85.2	91.0	216.0	87.0	84.0	78.0	84.0	84.0	216.0	84.0

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	2	0	1	0	0	3	192.0	.	120.0	.	.	168.0	192.0	.	120.0	.	.	192.0
6	A&B Aggravated - Serious Injury	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
6	A&B Dangerous Weapon	24	17	17	19	1	78	52.3	51.9	61.1	58.8	120.0	56.6	48.0	48.0	60.0	60.0	120.0	54.0
6	A&B DW, Aggravated w/Injury	2	4	1	1	1	9	66.0	60.0	42.0	36.0	120.0	63.3	66.0	66.0	42.0	36.0	120.0	60.0
6	Assault To Kill or Maim	3	1	1	1	0	6	76.0	120.0	48.0	96.0	.	82.0	60.0	120.0	48.0	96.0	.	78.0
6	Rape Of Child	38	5	8	3	0	54	75.3	63.6	111.0	60.0	.	78.7	60.0	60.0	84.0	36.0	.	60.0
6	Assault w/i Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Indecent A&B On Child 2nd	0	0	1	0	0	1	.	.	120.0	.	.	120.0	.	.	120.0	.	.	120.0
6	Indecent A&B Mentally Retarded	0	0	1	0	0	1	.	.	120.0	.	.	120.0	.	.	120.0	.	.	120.0
6	Child Pornography	1	1	1	0	0	3	144.0	156.0	240.0	.	.	180.0	144.0	156.0	240.0	.	.	156.0
6	Robbery Unarmed + 60	1	3	1	6	0	11	36.0	32.0	42.0	101.0	.	70.9	36.0	36.0	42.0	114.0	.	42.0
6	Armed Robbery	50	39	47	57	2	195	53.9	52.5	61.8	93.2	126.0	67.8	60.0	48.0	60.0	72.0	126.0	60.0
6	Armed Assault w/i Rob	9	6	7	6	0	28	69.3	53.0	55.7	81.0	.	64.9	60.0	36.0	48.0	78.0	.	57.0
6	Carjacking	2	1	1	4	0	8	66.0	60.0	48.0	87.0	.	73.5	66.0	60.0	48.0	96.0	.	72.0
6	Kidnapping	2	0	4	3	0	9	54.0	.	39.0	64.0	.	50.7	54.0	.	42.0	48.0	.	48.0
6	Burning Dwelling House	0	3	2	1	0	6	.	104.0	114.0	84.0	.	104.0	.	120.0	114.0	84.0	.	102.0
6	Distribute Class A 2nd	0	5	10	6	0	21	.	60.0	74.4	64.0	.	68.0	.	60.0	60.0	60.0	.	60.0
6	Distribute Cocaine 2nd	0	2	4	5	0	11	.	60.0	66.0	72.0	.	67.7	.	60.0	60.0	72.0	.	60.0
6	Traffic Heroin 014-028	8	0	0	2	0	10	75.0	.	.	72.0	.	74.4	66.0	.	.	72.0	.	66.0
6	Traffic Cocaine 028-100	33	22	16	6	0	77	87.3	79.4	78.0	84.0	.	82.8	84.0	66.0	66.0	90.0	.	72.0
6	Distribute Class A Minor	0	0	1	0	0	1	.	.	60.0	.	.	60.0	.	.	60.0	.	.	60.0
6	Induce Minor To Distribute	1	0	0	2	0	3	60.0	.	.	90.0	.	80.0	60.0	.	.	90.0	.	60.0
6	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	MV Homicide - OUI Felony	4	3	1	4	0	12	40.5	52.0	60.0	114.0	.	69.5	39.0	48.0	60.0	108.0	.	60.0
6	Sub-Total	180	112	125	127	4	548	68.4	61.4	70.1	82.9	123.0	71.1	60.0	60.0	60.0	72.0	120.0	60.0
5	A&B Child w/Injury	0	0	0	2	0	2	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
5	A&B Aggravated	0	0	1	1	0	2	.	.	36.0	45.0	.	40.5	.	.	36.0	45.0	.	40.5
5	A&B DW, Aggravated	1	1	3	4	0	9	72.0	108.0	46.0	90.0	.	75.3	72.0	108.0	48.0	90.0	.	72.0
5	Indecent A&B On Child	7	2	7	2	0	18	53.2	42.0	60.0	48.0	.	54.0	60.0	42.0	60.0	48.0	.	54.0
5	Entice Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Unnatural Acts Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Robbery Unarmed	8	17	24	33	1	83	43.5	36.7	36.8	66.4	120.0	50.2	36.0	36.0	36.0	60.0	120.0	42.0
5	Intimidation	1	1	1	3	0	6	60.0	84.0	36.0	68.0	.	64.0	60.0	84.0	36.0	60.0	.	60.0
5	Stalking Violation of Rest. Order	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Common & Notorious Thief	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Burglary	1	6	2	10	0	19	60.0	81.5	78.0	79.8	.	79.1	60.0	72.0	78.0	66.0	.	60.0
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B 2nd	0	13	13	11	0	37	.	46.2	58.2	53.5	.	52.6	.	48.0	60.0	48.0	.	48.0
5	Traffic Cocaine 014-028	60	32	19	14	0	125	45.0	44.5	46.1	44.6	.	45.0	36.0	42.0	48.0	42.0	.	36.0
5	Distribute Class B Minor	0	0	1	0	0	1	.	.	48.0	.	.	48.0	.	.	48.0	.	.	48.0
5	Perjury or Suborn	0	1	0	0	0	1	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0
5	Bribery - Level 5	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Possess Molotov Cocktail	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Sub-Total	78	73	71	80	1	303	46.3	47.6	47.2	62.8	120.0	51.4	36.0	42.0	48.0	60.0	120.0	48.0

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	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
4	Assault Aggravated	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
4	A&B Child Conspiracy	3	1	0	0	0	4	60.0	60.0	.	.	.	60.0	60.0	60.0	.	.	.	60.0
4	A&B Guard	0	0	5	2	0	7	.	.	34.8	45.0	.	37.7	.	.	36.0	45.0	.	36.0
4	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Indecent A&B	0	2	1	2	0	5	.	36.0	12.0	48.0	.	36.0	.	36.0	12.0	48.0	.	36.0
4	Assault w/i Rob	1	1	1	1	0	4	36.0	24.0	60.0	96.0	.	54.0	36.0	24.0	60.0	96.0	.	48.0
4	Stalking	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
4	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	4	4	0	5	0	13	43.5	35.3	.	43.2	.	40.9	48.0	33.0	.	36.0	.	36.0
4	Larceny More + 60	0	0	0	1	0	1	.	.	.	90.0	.	90.0	.	.	.	90.0	.	90.0
4	Larceny Person	1	1	1	3	0	6	24.0	12.0	36.0	32.0	.	28.0	24.0	12.0	36.0	36.0	.	30.0
4	Larceny Person + 65	0	1	0	1	0	2	.	36.0	.	24.0	.	30.0	.	36.0	.	24.0	.	30.0
4	Larceny MV 2nd	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
4	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	1	6	15	65	0	87	48.0	44.0	54.4	58.2	.	56.4	48.0	42.0	48.0	60.0	.	60.0
4	Enter Dwelling w/I Felony	0	0	0	2	0	2	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
4	Receiving Stolen Goods Over	0	1	2	2	0	5	.	48.0	42.0	42.0	.	43.2	.	48.0	42.0	42.0	.	48.0
4	Receiving Stolen Goods MV 2nd	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
4	Burning Building	0	3	0	1	0	4	.	48.0	.	60.0	.	51.0	.	48.0	.	60.0	.	54.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	23	33	42	46	1	145	47.8	46.9	47.6	45.2	60.0	46.8	48.0	48.0	48.0	48.0	60.0	48.0
4	Distribute Class B	16	26	13	25	0	80	37.9	39.5	38.3	40.8	.	39.4	36.0	36.0	36.0	36.0	.	36.0
4	Distribute Cocaine	17	22	23	18	0	80	36.4	36.6	44.9	38.5	.	39.3	36.0	36.0	48.0	36.0	.	36.0
4	Traffic Mar 50-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny Cont Sub	1	0	0	1	0	2	24.0	.	.	36.0	.	30.0	24.0	.	.	36.0	.	30.0
4	Giving Prisoner Cont Sub	1	0	1	1	0	3	60.0	.	36.0	60.0	.	52.0	60.0	.	36.0	60.0	.	60.0
4	Control Substance School	5	13	5	21	0	44	36.0	36.9	33.6	38.3	.	37.1	36.0	36.0	36.0	36.0	.	36.0
4	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Leaving Scene Death	1	0	1	0	0	2	84.0	.	72.0	.	.	78.0	84.0	.	72.0	.	.	78.0
4	OUI Serious Inj. Fel	0	0	0	1	0	1	.	.	.	108.0	.	108.0	.	.	.	108.0	.	108.0
4	Assault Weapon, Possess	3	2	3	1	0	9	44.0	33.0	44.0	36.0	.	40.7	48.0	33.0	42.0	36.0	.	36.0
4	Gun Serial Number, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Firearm Sale Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Escape	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
4	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Extortion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Bomb Hoax	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Disinter Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Sub-Total	77	117	114	203	1	512	42.4	40.6	45.1	47.7	60.0	44.7	36.0	36.0	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
3	Possess Master Key MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI Serious Inj, Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Polygamy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Body Armor, Use in Felony	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	1	0	1	.	.	.	42.0	.	42.0	.	.	.	42.0	.	42.0
3	Carrying Dangerous Weapon	0	1	0	2	0	3	.	48.0	.	30.0	.	36.0	.	48.0	.	30.0	.	36.0
3	Contempt Of Court	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sex Offender Fail Register	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Wiretapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sub-Total	7	11	8	30	0	56	46.3	38.2	40.5	43.8	.	42.6	48.0	36.0	42.0	39.0	.	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	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Defrauding Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	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	Attempt B&E	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	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Lottery Ticket Altering	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	.	.	.	.	.	.	.	.	.	.	.	.
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	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Counterfeit/Alter MV Document	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	1	1	1	1	0	4	30.0	36.0	36.0	36.0	.	34.5	30.0	36.0	36.0	36.0	.	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Disturb Religious Service	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 Carry, School	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	Violation Of Explosives	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	Work Compensation Fail Have	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Compound / Conceal Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Curfew	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	DNA Refuse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disconnect Sprinkler System	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearms - False Statement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Clean Water Act Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Wiretap, Possess Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	True Name Law	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Home Imp Contractor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Sub-Total	1	2	1	1	0	5	30.0	48.0	36.0	36.0	.	39.6	30.0	48.0	36.0	36.0	.	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
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	Pawnbroker Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Timber, Cut Unlawful	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Vandalism	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Setting Fire In Open	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Trespassing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Unauthorized Access of Computer	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	Motor Boat Skier Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Attaching Wrong MV Plates	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Operate After Suspension	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	MV - Impersonate/Other License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	RV On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Common Night Walker	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Indecent Exposure	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Lewd And Lacivious	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	Obstructing Justice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Manufacturing Dangerous Weapon	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	Tattooing	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	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
0	Conspiracy Violate CSA	2	1	0	2	0	5	36.0	84.0	.	60.0	.	55.2	36.0	84.0	.	60.0	.	60.0
0	Conspiracy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt To Commit Crime	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
0	Accessory Before	2	0	1	0	0	3	42.0	.	48.0	.	.	44.0	42.0	.	48.0	.	.	48.0
0	Accessory After	3	1	1	0	0	5	44.0	48.0	72.0	.	.	50.4	36.0	48.0	72.0	.	.	48.0
0	Other Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Sub-Total	7	2	2	4	0	15	41.2	66.0	60.0	60.0	.	52.0	36.0	66.0	60.0	60.0	.	60.0

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	Assault In Dwelling	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Armed Assault In Dwell House	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Rape, Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Rape Of Child w/Force	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Firearmed Assault w/i Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Home Invasion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Burglary, Armed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Traffic 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	0	1	1	0	0	2	.	3.0	30.0	.	.	16.5	.	3.0	30.0	.	.	16.5
7	A & B Child w/Injury Substantial	1	0	0	0	0	1	18.0	.	.	.	.	18.0	18.0	.	.	.	.	18.0
7	Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Rape of Child 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Assault w/i Rape Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Incest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Armed Robbery Gun	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Armed Assault w/i Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Carjacking, Armed	0	0	1	0	0	1	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0
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	Throw or Place Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Sub-Total	1	1	2	0	0	4	18.0	3.0	21.0	.	.	15.8	18.0	3.0	21.0	.	.	15.0

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	2	1	0	0	0	3	21.0	24.0	.	.	.	22.0	21.0	24.0	.	.	.	24.0
6	A&B Aggravated - Serious Injury	2	3	1	1	0	7	6.6	4.6	3.0	8.0	.	5.4	6.6	1.0	3.0	8.0	.	3.0
6	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B DW, Aggravated w/Injury	2	3	2	0	0	7	30.0	28.0	21.0	.	.	26.6	30.0	30.0	21.0	.	.	30.0
6	Assault To Kill or Maim	2	0	0	0	0	2	27.0	.	.	.	.	27.0	27.0	.	.	.	.	27.0
6	Rape Of Child	16	2	1	2	0	21	22.1	10.5	30.0	16.8	.	20.9	24.0	10.5	30.0	16.8	.	23.7
6	Assault w/i Rape	0	1	0	0	0	1	.	26.2	.	.	.	26.2	.	26.2	.	.	.	26.2
6	Indecent A&B On Child 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Indecent A&B Mentally Retarded	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Robbery Unarmed + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Armed Robbery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Armed Assault w/i Rob	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Carjacking	3	1	4	3	0	11	17.3	18.0	18.0	14.8	.	17.0	18.0	18.0	18.0	8.5	.	18.0
6	Kidnapping	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
6	Burning Dwelling House	5	4	1	1	0	11	17.6	16.5	24.0	12.0	.	17.3	18.0	18.0	24.0	12.0	.	18.0
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	Distribute Class A Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Induce Minor To Distribute	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	MV Homicide - OUI	2	0	0	0	0	2	21.0	.	.	.	.	21.0	21.0	.	.	.	.	21.0
6	MV Homicide - OUI Felony	1	1	0	0	0	2	12.0	15.0	.	.	.	13.5	12.0	15.0	.	.	.	13.5
6	Sub-Total	35	17	9	7	0	68	20.5	17.2	19.0	14.0	.	18.8	24.0	18.0	24.0	10.0	.	18.0
5	A&B Child w/Injury	13	6	6	0	0	25	7.3	11.6	10.2	.	.	9.0	8.0	11.6	9.0	.	.	11.3
5	A&B Aggravated	7	11	10	15	0	43	8.6	6.0	9.0	10.2	.	8.6	3.0	6.0	12.0	9.0	.	6.0
5	A&B DW, Aggravated	6	0	1	1	0	8	15.0	.	3.0	10.6	.	13.0	15.1	.	3.0	10.6	.	12.1
5	Indecent A&B On Child	37	20	16	6	0	79	11.1	18.0	19.9	14.3	.	14.9	12.0	18.0	24.0	12.0	.	12.0
5	Entice Child	3	1	0	2	0	6	7.7	12.0	.	18.0	.	11.8	6.0	12.0	.	18.0	.	9.0
5	Unnatural Acts Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Robbery Unarmed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Intimidation	51	72	75	70	0	268	5.4	6.4	9.2	11.5	.	8.3	3.0	5.6	6.0	10.0	.	6.0
5	Stalking Violation of Rest. Order	0	2	3	4	0	9	.	12.0	16.0	20.3	.	17.0	.	12.0	18.0	19.5	.	15.0
5	Common & Notorious Thief	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Burglary	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Traffic Cocaine 014-028	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Perjury or Suborn	3	0	2	0	0	5	9.7	.	17.0	.	.	12.6	12.0	.	17.0	.	.	12.0
5	Bribery - Level 5	2	0	0	0	0	2	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
5	Possess Molotov Cocktail	1	0	0	0	0	1	3.0	.	.	.	.	3.0	3.0	.	.	.	.	3.0
5	Sub-Total	123	112	113	98	0	446	8.1	8.9	11.0	12.0	.	9.9	6.0	6.0	9.0	12.0	.	6.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	7	4	5	10	0	26	4.9	3.8	7.1	10.0	.	7.1	3.0	4.0	9.0	7.5	.	6.0
4	Assault Aggravated	1	0	1	3	0	5	12.0	.	12.0	8.4	.	9.9	12.0	.	12.0	12.0	.	12.0
4	A&B Child Conspiracy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Guard	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Dangerous Weapon	60	54	58	75	0	247	17.7	17.4	17.7	17.9	.	17.7	18.0	16.5	15.5	18.0	.	18.0
4	A&B Dangerous Weapon + 60	2	0	1	1	0	4	27.0	.	30.0	30.0	.	28.5	27.0	.	30.0	30.0	.	30.0
4	A&B To Collect Loan	1	5	1	0	0	7	4.5	5.2	21.0	.	.	7.3	4.5	6.0	21.0	.	.	6.0
4	Indecent A&B	31	8	13	9	0	61	11.2	9.6	10.5	14.0	.	11.3	12.0	12.0	12.0	12.0	.	12.0
4	Assault w/i Rob	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Stalking	1	2	3	6	0	12	9.7	15.0	15.0	9.8	.	12.0	9.7	15.0	15.0	7.0	.	10.9
4	Harassment	9	7	4	5	0	25	6.6	5.0	10.8	14.0	.	8.3	5.2	3.0	9.0	12.0	.	6.0
4	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny Person	83	85	59	65	0	292	10.7	11.9	10.4	11.3	.	11.1	8.0	9.0	9.0	12.0	.	9.0
4	Larceny Person + 65	3	6	5	3	0	17	15.0	13.9	11.2	12.0	.	13.0	18.0	12.0	12.0	12.0	.	12.0
4	Larceny MV 2nd	0	0	0	6	0	6	.	.	.	16.5	.	16.5	.	.	.	16.5	.	16.5
4	Fraud - Identity	9	19	13	21	0	62	6.4	8.5	8.0	12.9	.	9.6	6.0	6.0	6.9	12.0	.	6.0
4	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Enter Dwelling w/I Felony	3	4	5	2	0	14	1.6	7.0	6.2	12.0	.	6.3	0.9	3.5	6.0	12.0	.	3.5
4	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods MV 2nd	0	1	3	9	0	13	.	18.0	18.0	17.3	.	17.5	.	18.0	18.0	18.0	.	18.0
4	Burning Building	2	2	0	0	0	4	9.5	8.5	.	.	.	9.0	9.5	8.5	.	.	.	9.5
4	Burning to Defraud	0	1	0	1	0	2	.	4.8	.	9.0	.	6.9	.	4.8	.	9.0	.	6.9
4	Distribute Class A	137	138	85	69	1	430	11.0	13.0	14.1	12.8	12.0	12.5	12.0	12.0	12.0	12.0	12.0	12.0
4	Distribute Class B	288	238	150	125	4	805	9.6	10.8	12.4	12.4	15.8	10.9	6.5	9.0	12.0	12.0	15.0	9.0
4	Distribute Cocaine	41	20	12	6	0	79	18.3	24.5	18.5	23.0	.	20.2	18.0	24.0	15.0	27.0	.	18.0
4	Traffic Mar 50-100	2	0	0	0	0	2	18.0	.	.	.	.	18.0	18.0	.	.	.	.	18.0
4	Larceny Cont Sub	4	0	0	0	0	4	10.0	.	.	.	.	10.0	9.0	.	.	.	.	9.0
4	Giving Prisoner Cont Sub	5	1	7	3	0	16	4.9	1.0	7.9	2.8	.	5.5	6.0	1.0	5.0	1.0	.	5.5
4	Control Substance School	76	75	67	61	0	279	24.4	24.2	24.4	24.3	.	24.3	24.0	24.0	24.0	24.0	.	24.0
4	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - Reckless	1	1	0	0	0	2	6.0	3.0	.	.	.	4.5	6.0	3.0	.	.	.	4.5
4	MV Homicide - OUI	3	3	0	0	0	6	13.3	9.3	.	.	.	11.3	12.0	12.0	.	.	.	12.0
4	Leaving Scene Death	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	OUI Serious Inj, Fel	15	5	1	1	0	22	10.5	12.0	24.0	30.0	.	12.4	6.0	12.0	24.0	30.0	.	7.0
4	Assault Weapon, Possess	0	0	1	0	0	1	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0
4	Gun Serial Number, Felony	1	0	0	0	0	1	4.2	.	.	.	.	4.2	4.2	.	.	.	.	4.2
4	Firearm Sale Violation	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
4	Escape	1	14	21	15	1	52	2.0	5.5	3.1	5.3	6.0	4.4	2.0	4.5	2.0	2.0	6.0	3.0
4	Bribery	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
4	Extortion	1	0	2	1	0	4	24.0	.	12.0	24.0	.	18.0	24.0	.	12.0	24.0	.	18.0
4	Bomb Hoax	1	0	0	0	0	1	9.0	.	.	.	.	9.0	9.0	.	.	.	.	9.0
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Disinter Body	0	0	1	0	0	1	.	.	19.0	.	.	19.0	.	.	19.0	.	.	19.0
4	Sub-Total	788	694	518	498	6	2504	12.5	13.4	14.2	14.6	13.5	13.5	12.0	12.0	12.0	12.0	12.0	12.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	379	431	462	482	2	1756	4.6	6.1	7.0	8.6	4.2	6.7	2.7	4.0	6.0	6.0	4.2	6.0
3	A&B Domestic	22	46	28	32	0	128	4.0	6.6	5.1	9.9	.	6.7	2.4	6.0	3.0	9.0	.	5.5
3	A&B w/I Intimidate	0	1	0	0	0	1	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0
3	Reckless Endangerment	1	1	1	2	0	5	4.2	18.0	12.0	8.0	.	10.0	4.2	18.0	12.0	8.0	.	10.0
3	A&B Dangerous Weapon	100	109	90	59	0	358	3.4	4.3	4.6	5.0	.	4.2	3.0	4.2	6.0	6.0	.	4.0
3	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Assault Dangerous Weapon	87	124	85	93	0	389	9.3	9.2	8.2	10.0	.	9.2	4.0	6.0	6.0	6.0	.	6.0
3	Assault Dangerous Weapon + 60	0	0	1	0	0	1	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0
3	Unnatural Acts	0	2	1	0	0	3	.	4.5	2.0	.	.	3.7	.	4.5	2.0	.	.	3.0
3	Child Pornography Possess	5	1	3	0	0	9	10.9	6.0	16.3	.	.	12.2	10.0	6.0	15.0	.	.	10.0
3	Kidnapping	0	1	0	0	0	1	.	9.0	.	.	.	9.0	.	9.0	.	.	.	9.0
3	Violation Of Civil Rights	0	1	1	3	0	5	.	3.0	1.5	7.0	.	5.1	.	3.0	1.5	6.0	.	3.0
3	Restraining Order Violation	68	120	147	157	2	494	3.2	4.4	6.0	7.8	4.5	5.8	1.8	3.0	3.0	6.0	4.5	3.5
3	Larceny	15	17	20	24	0	76	2.5	6.0	4.6	7.1	.	5.3	0.9	6.0	3.0	6.0	.	3.0
3	Larceny More	130	188	190	305	1	814	4.0	4.9	7.1	7.8	9.0	6.3	2.3	4.0	6.0	6.0	9.0	6.0
3	Larceny More + 60	1	1	2	0	0	4	1.3	6.0	18.0	.	.	10.8	1.3	6.0	18.0	.	.	9.0
3	Larceny Building	16	18	25	40	0	99	5.4	8.0	9.0	9.8	.	8.6	3.0	5.7	8.0	6.0	.	6.0
3	Larceny Firearm	6	2	0	0	0	8	9.0	12.0	.	.	.	9.7	10.5	12.0	.	.	.	12.0
3	Larceny MV	29	44	49	46	0	168	5.1	8.6	9.4	14.0	.	9.7	3.2	6.0	6.0	12.0	.	6.0
3	Embezzlement	2	3	0	0	0	5	18.0	16.0	.	.	.	16.8	18.0	18.0	.	.	.	18.0
3	Credit Card Misuse - More	3	6	7	10	0	26	10.9	4.7	10.5	10.6	.	9.3	12.0	4.0	6.0	9.0	.	6.0
3	Defrauding Insurer	1	2	2	0	0	5	30.0	6.0	13.5	.	.	13.8	30.0	6.0	13.5	.	.	9.0
3	Fraud	0	0	1	0	0	1	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0
3	MV - Sales Violation	0	1	0	0	0	1	.	1.0	.	.	.	1.0	.	1.0	.	.	.	1.0
3	Possess Burglarious Tools	18	18	21	33	0	90	5.2	8.5	7.4	10.4	.	8.3	2.0	6.0	6.0	9.0	.	6.0
3	B&E	169	219	213	291	0	892	6.3	7.7	10.6	12.5	.	9.7	6.0	6.0	9.0	12.0	.	8.0
3	Mal Dest Property More	35	29	25	34	0	123	3.6	6.6	6.8	7.2	.	5.9	2.0	6.0	6.0	6.0	.	4.1
3	Receiving Stolen Goods Over	19	20	32	33	0	104	5.3	7.1	7.8	13.6	.	9.1	3.0	6.0	6.0	12.0	.	6.0
3	Receiving Stolen Goods MV	49	79	65	93	0	286	5.7	7.8	9.3	10.9	.	8.8	3.2	6.0	6.0	12.0	.	6.0
3	Receiving Stolen Goods 2nd	0	1	2	2	0	5	.	12.0	17.5	27.0	.	20.2	.	12.0	17.5	27.0	.	24.0
3	Forgery And Uttering	39	58	53	70	0	220	4.7	5.4	6.6	8.7	.	6.6	4.0	4.2	6.0	8.5	.	6.0
3	Counterfeit	1	2	2	2	0	7	3.0	3.2	1.7	5.0	.	3.2	3.0	3.2	1.7	5.0	.	3.0
3	Burning Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Burning Motor Vehicle	0	1	0	1	0	2	.	6.0	.	12.0	.	9.0	.	6.0	.	12.0	.	9.0
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A 2nd	3	10	7	9	0	29	10.0	5.5	9.6	10.7	.	8.6	6.0	5.5	12.0	6.0	.	6.0
3	Possession Class A Heroin 2nd	4	9	9	6	0	28	5.6	9.5	9.8	8.3	.	8.8	6.0	12.0	6.0	6.0	.	6.0
3	Possession Class B 2nd	7	13	24	25	0	69	3.6	4.4	8.1	8.4	.	7.1	3.0	6.0	6.0	6.0	.	6.0
3	Possession Class C 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class D 2nd	11	11	8	6	0	36	2.0	3.8	2.7	5.8	.	3.3	1.0	3.0	2.3	6.0	.	3.0
3	Distribute Class C	4	4	4	4	0	16	12.0	5.3	13.5	3.2	.	8.5	9.0	6.0	12.0	2.5	.	6.0
3	Distribute Class D 2nd	7	3	3	2	0	15	11.2	18.0	20.0	12.0	.	14.4	12.0	12.0	18.0	12.0	.	12.0
3	Distribute Class E 2nd	1	0	0	2	0	3	1.0	.	.	12.0	.	8.3	1.0	.	.	12.0	.	12.0
3	Possession Hypodermic 2nd	2	5	1	1	0	9	0.7	2.9	18.0	1.0	.	3.9	0.7	3.0	18.0	1.0	.	2.0
3	MV Homicide	11	2	0	0	0	13	7.9	9.0	.	.	.	8.1	6.0	9.0	.	.	.	6.0
3	Leaving Scene Property Damage	44	64	55	53	0	216	3.6	4.2	6.2	6.3	.	5.1	2.0	3.0	4.0	6.0	.	3.0
3	Leaving Scene Personal Injury	13	16	15	10	0	54	6.0	8.4	8.6	11.7	.	8.5	6.0	7.0	6.0	12.0	.	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
3	Possess Master Key MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI Serious Inj, Misd	5	2	0	0	0	7	4.0	10.5	.	.	.	5.9	3.0	10.5	.	.	.	6.0
3	Inducing Minor To Sex	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
3	Polygamy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Body Armor, Use in Felony	1	1	0	0	0	2	24.0	24.0	.	.	.	24.0	24.0	24.0	.	.	.	24.0
3	Gun Serial Number	6	6	1	3	0	16	17.0	16.1	6.0	13.0	.	15.2	15.0	12.0	6.0	6.0	.	12.0
3	Firearm Loaded while OUI	0	0	0	1	0	1	.	.	.	6.0	.	6.0	.	.	.	6.0	.	6.0
3	Nonsupport	2	2	1	1	0	6	9.5	9.0	9.0	2.0	.	8.0	9.5	9.0	9.0	2.0	.	8.5
3	Interfere Police or Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Failure to Appear Felony	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
3	Carrying Dangerous Weapon	16	22	19	17	0	74	7.5	6.6	7.5	8.0	.	7.4	4.5	3.0	6.0	6.0	.	6.0
3	Contempt Of Court	1	0	0	1	0	2	4.3	.	.	1.0	.	2.7	4.3	.	.	1.0	.	2.7
3	Cruelty To Animals	3	1	0	0	0	4	5.7	2.0	.	.	.	4.8	3.0	2.0	.	.	.	2.5
3	Sex Offender Fail Register	4	6	24	42	0	76	2.5	4.0	4.5	6.5	.	5.5	1.3	4.5	4.5	6.0	.	6.0
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Wiretapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sub-Total	1341	1723	1700	1995	5	6764	5.2	6.4	7.5	9.2	5.3	7.3	3.0	6.0	6.0	6.0	6.0	6.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	19	15	8	16	0	58	3.1	8.6	8.9	4.0	.	5.6	2.0	3.0	6.0	2.5	.	3.0
2	Accost / Annoy Person Opposite Sex	3	2	3	0	0	8	1.2	1.3	4.1	.	.	2.3	1.0	1.3	6.0	.	.	1.3
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less	33	49	37	42	0	161	1.9	2.7	3.8	3.5	.	3.0	1.0	1.6	2.7	2.0	.	2.0
2	Larceny Less +60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Shoplifting	21	70	90	135	0	316	1.7	2.6	3.8	3.6	.	3.3	0.9	1.0	3.0	2.0	.	2.0
2	Credit Card Misuse	11	10	8	17	0	46	2.5	4.0	4.3	6.1	.	4.5	2.0	6.0	1.8	6.0	.	4.5
2	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Defrauding Innkeeper	2	1	0	2	0	5	1.5	1.0	.	3.5	.	2.2	1.5	1.0	.	3.5	.	1.0
2	Welfare Violation	0	1	0	0	0	1	.	9.0	.	.	.	9.0	.	9.0	.	.	.	9.0
2	Concealing Stolen Property	0	0	1	0	0	1	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0
2	Failure To Return Leased Prop	4	7	2	2	0	15	1.3	2.1	6.0	2.0	.	2.4	0.9	1.0	6.0	2.0	.	1.0
2	B&E MV	1	2	1	0	0	4	6.0	2.3	2.0	.	.	3.2	6.0	2.3	2.0	.	.	3.0
2	B&E w/i Misdemeanor	12	18	14	16	0	60	1.6	2.2	3.9	3.0	.	2.7	1.0	1.1	4.5	2.5	.	1.8
2	Attempt B&E	1	0	0	0	0	1	2.0	.	.	.	.	2.0	2.0	.	.	.	.	2.0
2	Property Destruction	28	44	37	46	0	155	4.5	3.2	5.3	5.2	.	4.5	2.5	2.0	2.5	2.2	.	2.0
2	Tagging Property	4	0	2	1	0	7	1.9	.	0.7	0.3	.	1.3	2.0	.	0.7	0.3	.	1.0
2	Receiving Stolen Goods	28	55	47	71	0	201	2.9	5.2	6.9	8.0	.	6.3	2.9	3.0	4.0	6.0	.	3.0
2	Counterfeit	0	0	1	0	0	1	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0
2	Lottery Ticket Altering	0	0	0	1	0	1	.	.	.	3.0	.	3.0	.	.	.	3.0	.	3.0
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	31	37	24	35	0	127	2.8	4.6	4.9	5.6	.	4.5	1.0	3.0	4.1	6.0	.	3.0
2	Possession Class A Heroin	55	77	59	69	2	262	4.5	5.9	5.6	6.7	9.0	5.8	2.0	4.2	6.0	6.0	9.0	4.2
2	Possession Class B	123	145	115	129	0	512	3.5	4.2	4.7	5.2	.	4.4	3.0	3.0	4.0	5.0	.	3.0
2	Possession Class C	4	5	6	4	0	19	2.3	3.0	3.0	3.6	.	3.0	2.0	3.0	2.5	4.0	.	3.0
2	Possession Class D	39	49	25	17	0	130	2.4	3.2	3.1	2.0	.	2.8	2.0	2.0	2.9	1.0	.	2.0
2	Possession Class D Marijuana 2nd	6	16	8	3	0	33	3.1	5.7	8.3	5.5	.	5.9	2.6	3.0	7.5	4.3	.	3.0
2	Distribute Counterfeit Substance	2	5	3	5	0	15	1.2	7.2	1.4	4.9	.	4.5	1.2	6.0	1.0	6.0	.	6.0
2	Distribute Class D	90	50	45	23	0	208	6.4	7.4	9.3	9.2	.	7.6	6.0	6.0	6.2	9.0	.	6.0
2	Distribute Class E	0	1	0	1	0	2	.	4.0	.	6.0	.	5.0	.	4.0	.	6.0	.	5.0
2	Possession Hypodermic/Syringe	38	59	49	34	0	180	2.6	3.8	3.6	4.4	.	3.6	2.0	3.0	3.0	3.5	.	3.0
2	Presence Class A	5	7	6	11	0	29	3.1	5.6	3.7	5.1	.	4.5	2.0	3.0	4.0	4.6	.	3.0
2	Forge Prescription	6	10	2	5	0	23	2.5	4.4	15.0	6.0	.	5.2	2.5	3.6	15.0	3.0	.	3.0
2	Distribute Paraphenalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Operate to Endanger	56	85	41	57	1	240	2.7	3.8	5.2	6.3	3.0	4.4	2.0	3.0	3.0	3.0	3.0	3.0
2	Use Without Authority	21	27	24	22	0	94	4.0	3.4	5.9	5.7	.	4.7	3.0	2.0	6.0	5.0	.	3.0
2	Use w/o Authority 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Habitual Traffic Offender	11	36	36	30	0	113	0.9	3.1	3.5	4.7	.	3.4	1.0	1.0	2.0	2.0	.	2.0
2	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Operate After Suspension 2nd	92	195	149	136	0	572	1.5	2.4	2.6	3.0	.	2.4	2.0	2.0	2.0	2.0	.	2.0
2	Compulsory Insurance Violation	57	51	52	43	0	203	1.2	1.7	2.1	2.6	.	1.9	0.7	0.9	1.0	2.0	.	1.0
2	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Counterfeit/Alter MV Document	9	9	2	7	0	27	5.2	5.3	2.0	4.1	.	4.7	3.0	3.0	2.0	3.0	.	3.0
2	False Statement On Application	0	1	0	0	0	1	.	2.0	.	.	.	2.0	.	2.0	.	.	.	2.0
2	Prostitution	41	81	44	17	0	183	2.2	2.9	2.8	5.0	.	2.9	1.8	2.0	2.0	4.0	.	2.0
2	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	17	17	13	12	0	59	6.4	8.9	8.2	6.5	.	7.5	6.0	6.0	6.0	4.8	.	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	Obscene Material to Minor	1	1	1	0	0	3	6.0	12.0	3.0	.	.	7.0	6.0	12.0	3.0	.	.	6.0
2	Disturb Religious Service	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Disperse	1	0	0	0	0	1	1.0	.	.	.	.	1.0	1.0	.	.	.	.	1.0
2	Firearm Possess w/o Permit	103	53	30	7	0	193	11.0	12.4	14.3	10.1	.	11.9	12.0	12.0	12.0	12.0	.	12.0
2	Possess Mace	0	0	1	1	0	2	.	.	4.0	12.0	.	8.0	.	.	4.0	12.0	.	8.0
2	Possess Ammunition	1	1	2	1	0	5	24.0	18.0	24.0	9.0	.	19.8	24.0	18.0	24.0	9.0	.	24.0
2	Firearm Carry, School	0	1	0	0	0	1	.	2.0	.	.	.	2.0	.	2.0	.	.	.	2.0
2	Firearm Store Improper	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
2	Escape Work Release Program	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
2	Escape Lockup	0	1	1	0	1	3	.	2.0	6.0	.	2.0	3.3	.	2.0	6.0	.	2.0	2.0
2	Aiding An Escape	0	0	0	1	0	1	.	.	.	3.0	.	3.0	.	.	.	3.0	.	3.0
2	Impersonate/Disguise	3	2	5	1	0	11	2.2	3.1	6.4	6.0	.	4.6	2.0	3.1	6.0	6.0	.	4.2
2	False Statement	0	1	1	0	0	2	.	2.0	6.0	.	.	4.0	.	2.0	6.0	.	.	4.0
2	Failure to Appear	2	6	4	2	0	14	4.5	1.8	6.6	6.0	.	4.1	4.5	1.0	6.6	6.0	.	4.5
2	Possess Stun Gun	1	0	1	0	0	2	6.0	.	5.0	.	.	5.5	6.0	.	5.0	.	.	5.5
2	Possess Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Alarm	0	1	0	0	0	1	.	0.8	.	.	.	0.8	.	0.8	.	.	.	0.8
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disrupt Court Proceedings	1	1	0	0	0	2	1.2	10.0	.	.	.	5.6	1.2	10.0	.	.	.	5.6
2	Contributing To Delinquency	1	2	2	3	0	8	3.0	7.5	2.5	8.0	.	5.9	3.0	7.5	2.5	6.0	.	6.0
2	Work Compensation Fail Have	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Resisting Arrest	42	79	72	78	1	272	1.9	3.1	4.2	4.3	2.3	3.5	1.0	2.0	3.0	3.0	2.3	2.6
2	Compound / Conceal Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Curfew	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	DNA Refuse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	1	1	3	0	0	5	0.3	3.0	2.8	.	.	2.3	0.3	3.0	1.3	.	.	1.3
2	Disconnect Sprinkler System	0	0	0	1	0	1	.	.	.	3.0	.	3.0	.	.	.	3.0	.	3.0
2	Firearms - False Statement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Clean Water Act Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Wiretap, Possess Device	2	0	0	0	0	2	2.4	.	.	.	.	2.4	2.4	.	.	.	.	2.4
2	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	True Name Law	13	32	28	21	0	94	1.2	1.8	2.3	2.7	.	2.1	0.6	1.0	1.9	1.2	.	1.0
2	Home Imp Contractor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Sub-Total	1043	1419	1106	1125	5	4698	3.9	4.0	4.7	4.8	5.1	4.3	2.0	2.0	3.0	3.0	3.0	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	1	0	0	0	0	1	18.0					18.0	18.0					18.0
1	Threatening	20	32	31	42	0	125	3.3	2.9	3.4	3.7		3.4	4.0	3.0	3.0	3.1		3.0
1	Defrauding Victualer	0	1	0	1	0	2		3.0		3.0		3.0		3.0		3.0		3.0
1	Pawnbroker Violation	0	0	0	0	0	0												
1	Timber, Cut Unlawful	0	0	0	0	0	0												
1	Vandalism	6	2	3	1	0	12	0.9	3.5	3.7	1.0		2.0	0.7	3.5	4.0	1.0		1.0
1	Setting Fire In Open	1	0	0	0	0	1	0.0					0.0	0.0					0.0
1	Trespassing	32	62	49	67	0	210	0.6	0.6	0.7	0.7		0.7	0.4	0.7	1.0	1.0		0.9
1	Gaming	0	0	0	0	0	0												
1	Unauthorized Access of Computer	0	0	0	0	0	0												
1	Possession Class D Marijuana	46	35	22	16	0	119	1.9	2.1	2.6	3.5		2.3	1.0	1.2	2.0	3.0		1.5
1	Possession Class E	6	3	1	8	0	18	2.8	1.4	0.3	2.4		2.2	2.0	0.8	0.3	1.3		1.0
1	Inhaling Toxic Vapors	0	0	0	0	0	0												
1	Motor Boat Skier Violation	0	0	0	0	0	0												
1	Attaching Wrong MV Plates	5	3	2	1	0	11	0.3	0.3	0.3	0.3		0.3	0.3	0.3	0.3	0.3		0.3
1	Operate After Suspension	106	163	122	116	0	507	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	Common Night Walker	3	15	6	4	0	28	1.4	2.5	1.8	3.9		2.4	0.8	1.5	1.0	4.0		1.5
1	Indecent Exposure	4	2	1	5	0	12	1.1	1.3	1.0	2.2		1.6	0.6	1.3	1.0	1.3		1.0
1	Lewd And Lacivious	3	4	0	1	0	8	4.3	2.7		2.0		3.2	4.0	2.0		2.0		3.0
1	Disorderly Conduct	56	79	65	86	0	286	1.0	1.5	2.0	2.0		1.6	0.9	1.0	1.1	1.0		1.0
1	Possess Air Rifle w/o FID Card	1	0	0	0	0	1	2.0					2.0	2.0					2.0
1	Firearm Discharge	0	1	0	0	0	1		3.0				3.0		3.0				3.0
1	Annoying Phone Calls	3	2	5	3	0	13	1.2	2.3	1.6	2.2		1.7	0.5	2.3	1.0	2.0		1.5
1	Failure To Obey Police Officer	0	0	0	0	0	0												
1	Obstructing Justice	0	0	1	1	0	2			1.0	3.0		2.0			1.0	3.0		2.0
1	Manufacturing Dangerous Weapon	0	0	0	0	0	0												
1	License Law Violation (Not MV)	0	0	0	0	0	0												
1	Alcohol, Procure for Minor	5	3	5	2	0	15	3.0	2.3	2.6	2.3		2.7	3.0	0.5	3.0	2.3		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	Tattooing	0	1	0	0	0	1		6.0				6.0		6.0				6.0
1	Business Practice	0	0	0	0	0	0												
1	Employment Practices	1	0	0	0	0	1	12.0					12.0	12.0					12.0
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	299	408	313	354	0	1374	1.2	1.1	1.3	1.5		1.3	0.3	0.3	0.4	0.7		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	3	5	0	12	0.4	4.5	7.3	3.3	.	4.1	0.4	4.5	6.0	2.4	.	2.7
0	Attempt B&E	1	5	2	6	0	14	1.0	3.8	10.0	9.7	.	7.0	1.0	3.0	10.0	9.0	.	3.0
0	Conspiracy Violate CSA	9	11	7	6	0	33	8.6	9.2	5.3	4.3	.	7.3	6.0	6.0	3.7	2.5	.	6.0
0	Conspiracy	4	6	5	0	0	15	19.0	12.2	2.7	.	.	10.8	24.0	12.0	3.0	.	.	6.0
0	Attempt To Commit Crime	5	10	5	14	0	34	5.0	11.3	6.0	6.7	.	7.7	6.0	10.5	6.0	6.0	.	6.0
0	Accessory Before	0	0	1	1	0	2	.	.	0.5	12.0	.	6.2	.	.	0.5	12.0	.	6.2
0	Accessory After	5	5	0	1	0	11	17.0	23.2	.	12.0	.	19.4	18.0	24.0	.	12.0	.	18.0
0	Other Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Sub-Total	26	39	23	33	0	121	10.2	11.0	5.3	6.6	.	8.6	6.0	9.0	3.0	6.0	.	6.0

Table 46 Governing Offense by Type and Incarceration Status, All Courts

Type	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
Person	A&B	1602	1191	891	779	3	4466	395	441	464	485	2	1787	25%	37%	52%	62%	67%	40%
Person	A&B Aggravated	21	21	17	19	0	78	7	11	11	16	0	45	33%	52%	65%	84%		58%
Person	A&B Aggravated - Serious Injury	4	4	3	2	0	13	2	3	1	2	0	8	50%	75%	33%	100%		62%
Person	A&B Child Conspiracy	3	1	0	0	0	4	3	1	0	0	0	4	100%	100%				100%
Person	A&B Child w/Injury	28	10	10	4	0	52	13	6	6	2	0	27	46%	60%	60%	50%		52%
Person	A&B Child w/Injury Substantial	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
Person	A&B Dangerous Weapon	482	362	247	220	1	1312	187	183	166	155	1	692	39%	51%	67%	70%	100%	53%
Person	A&B Dangerous Weapon + 60	4	0	2	1	0	7	2	0	1	1	0	4	50%		50%	100%		57%
Person	A&B Domestic	113	118	70	52	0	353	26	48	29	32	0	135	23%	41%	41%	62%		38%
Person	A&B DW, Aggravated	9	2	5	5	0	21	7	1	4	5	0	17	78%	50%	80%	100%		81%
Person	A&B DW, Aggravated w/Injury	5	8	3	1	1	18	4	7	3	1	1	16	80%	88%	100%	100%	100%	89%
Person	A&B Elderly / Disabled w/Injury	16	8	8	17	0	49	7	4	5	11	0	27	44%	50%	63%	65%		55%
Person	A&B Guard	0	0	5	3	0	8	0	0	5	2	0	7			100%	67%		88%
Person	A&B To Collect Loan	3	5	2	0	0	10	1	5	1	0	0	7	33%	100%	50%			70%
Person	A&B w/I Intimidate	2	3	0	0	0	5	0	1	0	0	0	1	0%	33%				20%
Person	Armed Assault In Dwell House	1	2	1	2	0	6	1	2	1	2	0	6	100%	100%	100%	100%		100%
Person	Armed Assault w/i Murder	8	10	5	8	0	31	8	10	5	8	0	31	100%	100%	100%	100%		100%
Person	Armed Assault w/i Rob	10	10	7	6	0	33	9	6	7	6	0	28	90%	60%	100%	100%		85%
Person	Armed Robbery	75	46	50	58	2	231	50	39	47	57	2	195	67%	85%	94%	98%	100%	84%
Person	Armed Robbery Gun	29	12	20	25	1	87	22	12	18	25	1	78	76%	100%	90%	100%	100%	90%
Person	Assault	66	59	29	25	1	180	19	15	9	16	0	59	29%	25%	31%	64%	0%	33%
Person	Assault Aggravated	3	0	2	5	0	10	1	0	1	5	0	7	33%		50%	100%		70%
Person	Assault Dangerous Weapon	248	234	138	142	1	763	91	129	91	102	0	413	37%	55%	66%	72%	0%	54%
Person	Assault Dangerous Weapon + 60	1	1	1	1	0	4	0	0	1	1	0	2	0%	0%	100%	100%		50%
Person	Assault In Dwelling	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Person	Assault To Kill or Maim	5	1	1	1	0	8	5	1	1	1	0	8	100%	100%	100%	100%		100%
Person	Assault w/i Rob	2	2	1	1	0	6	1	1	1	1	0	4	50%	50%	100%	100%		67%
Person	Carjacking	5	2	5	8	0	20	5	2	5	7	0	19	100%	100%	100%	88%		95%
Person	Carjacking, Armed	1	1	1	3	0	6	1	1	1	2	0	5	100%	100%	100%	67%		83%
Person	Confine And Put In Fear	0	0	0	3	0	3	0	0	0	3	0	3				100%		100%
Person	Entice Child	6	3	1	2	0	12	3	1	0	2	0	6	50%	33%	0%	100%		50%
Person	Extortion	1	1	3	1	0	6	1	0	2	1	0	4	100%	0%	67%	100%		67%
Person	Firearmed Assault w/i Murder	5	5	2	2	0	14	5	5	2	2	0	14	100%	100%	100%	100%		100%
Person	Harassment	36	27	9	7	0	79	9	7	4	5	0	25	25%	26%	44%	71%		32%
Person	Home Invasion	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
Person	Intimidation	145	153	134	107	1	540	53	74	76	73	0	276	37%	48%	57%	68%	0%	51%
Person	Kidnapping	6	4	5	3	0	18	2	2	4	3	0	11	33%	50%	80%	100%		61%
Person	Manslaughter	22	11	14	4	0	51	20	11	14	4	0	49	91%	100%	100%	100%		96%
Person	Mayhem	4	3	2	1	0	10	3	3	2	1	0	9	75%	100%	100%	100%		90%
Person	Murder	17	16	15	6	0	54	17	16	15	6	0	54	100%	100%	100%	100%		100%
Person	Murder, Attempted	0	1	1	3	0	5	0	1	1	3	0	5		100%	100%	100%		100%
Person	Reckless Endangerment	9	2	2	3	0	16	1	1	1	2	0	5	11%	50%	50%	67%		31%
Person	Restraining Order Violation	283	306	279	261	3	1132	71	121	147	158	2	499	25%	40%	53%	61%	67%	44%
Person	Robbery Unarmed	16	24	26	40	1	107	8	17	24	34	1	84	50%	71%	92%	85%	100%	79%
Person	Robbery Unarmed + 60	3	3	1	6	0	13	1	3	1	6	0	11	33%	100%	100%	100%		85%
Person	Stalking	7	5	6	8	0	26	1	3	3	6	0	13	14%	60%	50%	75%		50%
Person	Stalking Violation of Rest. Order	0	2	4	4	0	10	0	2	4	4	0	10		100%	100%	100%		100%
Person	Threatening	93	86	85	80	1	345	20	32	33	43	0	128	22%	37%	39%	54%	0%	37%
Person	Violation Of Civil Rights	3	2	1	3	0	9	0	1	1	3	0	5	0%	50%	100%	100%		56%
Person	Sub-Total	3406	2769	2115	1932	16	10238	1084	1230	1219	1304	10	4847	32%	44%	58%	67%	63%	47%

Table 46 Governing Offense by Type and Incarceration Status, All Courts

Type	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
Sex	Assault w/i Rape	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
Sex	Assault w/i Rape Child	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
Sex	Incest	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Sex	Indecent A&B	70	17	17	18	0	122	32	10	14	11	0	67	46%	59%	82%	61%		55%
Sex	Indecent A&B Mentally Retarded	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
Sex	Indecent A&B On Child	87	31	28	8	0	154	44	22	23	8	0	97	51%	71%	82%	100%		63%
Sex	Indecent A&B On Child 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Sex	Open And Gross	53	29	21	21	0	124	18	18	14	13	0	63	34%	62%	67%	62%		51%
Sex	Rape	15	4	4	4	0	27	14	4	4	4	0	26	93%	100%	100%	100%		96%
Sex	Rape Of Child	71	10	10	5	0	96	55	7	10	5	0	77	77%	70%	100%	100%		80%
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	14	3	7	6	0	30	13	3	7	6	0	29	93%	100%	100%	100%		97%
Sex	Rape, Aggravated	3	1	2	3	0	9	3	1	2	3	0	9	100%	100%	100%	100%		100%
Sex	Unnatural Acts Child	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Sex	Sub-Total	318	99	91	66	0	574	181	68	76	51	0	376	57%	69%	84%	77%		66%
Weapons	Assault Weapon, Possess	4	2	4	1	0	11	3	2	4	1	0	10	75%	100%	100%	100%		91%
Weapons	Body Armor, Use in Felony	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
Weapons	Carrying Dangerous Weapon	93	66	54	33	0	246	19	23	19	19	0	80	20%	35%	35%	58%		33%
Weapons	Firearm Carry, School	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Weapons	Firearm Discharge	7	2	0	0	0	9	0	1	0	0	0	1	0%	50%				11%
Weapons	Firearm Loaded while OUI	2	1	1	1	0	5	0	0	0	1	0	1	0%	0%	0%	100%		20%
Weapons	Firearm Possess w/o Permit	195	77	41	12	0	325	103	53	30	7	0	193	53%	69%	73%	58%		59%
Weapons	Firearm Sale Violation	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
Weapons	Firearm Store Improper	10	4	1	1	0	16	1	0	0	0	0	1	10%	0%	0%	0%		6%
Weapons	Firearms - False Statement	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Weapons	Gun Serial Number	8	7	1	3	0	19	6	6	1	3	0	16	75%	86%	100%	100%		84%
Weapons	Gun Serial Number, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Weapons	Manufacturing Dangerous Weapon	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Weapons	Possess Air Rifle w/o FID Card	5	0	0	0	0	5	1	0	0	0	0	1	20%					20%
Weapons	Possess Ammunition	5	2	3	2	0	12	1	1	2	1	0	5	20%	50%	67%	50%		42%
Weapons	Possess Dangerous Weapon	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
Weapons	Possess Mace	3	2	4	2	0	11	0	0	2	1	0	3	0%	0%	50%	50%		27%
Weapons	Possess Molotov Cocktail	2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%
Weapons	Possess Stun Gun	5	3	1	1	0	10	1	0	1	0	0	2	20%	0%	100%	0%		20%
Weapons	Throw or Place Explosives	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Weapons	Violation Of Explosives	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Weapons	Sub-Total	348	171	111	57	0	687	138	89	59	33	0	319	40%	52%	53%	58%		46%

Table 46 Governing Offense by Type and Incarceration Status, All Courts

Type	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
Property	Attempt B&E	3	9	4	10	0	26	2	5	2	7	0	16	67%	56%	50%	70%		62%
Property	Attempt Larceny	6	6	4	6	0	22	3	2	3	5	0	13	50%	33%	75%	83%		59%
Property	B&E	442	406	320	442	1	1611	175	226	228	356	0	985	40%	56%	71%	81%	0%	61%
Property	B&E MV	6	2	3	0	0	11	1	2	1	0	0	4	17%	100%	33%			36%
Property	B&E w/i Misdemeanor	53	39	25	23	0	140	12	18	14	16	0	60	23%	46%	56%	70%		43%
Property	Burglary	2	6	2	11	0	21	1	6	2	10	0	19	50%	100%	100%	91%		90%
Property	Burglary, Armed	0	0	1	1	0	2	0	0	0	1	0	1			0%	100%		50%
Property	Burning Building	8	6	0	2	0	16	2	5	0	1	0	8	25%	83%		50%		50%
Property	Burning Dwelling House	15	7	3	2	0	27	5	7	3	2	0	17	33%	100%	100%	100%		63%
Property	Burning Motor Vehicle	5	1	1	2	0	9	0	1	0	1	0	2	0%	100%	0%	50%		22%
Property	Burning Property	3	3	1	1	0	8	0	0	0	1	0	1	0%	0%	0%	100%		13%
Property	Burning to Defraud	4	1	1	1	0	7	0	1	0	1	0	2	0%	100%	0%	100%		29%
Property	Common & Notorious Thief	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Concealing Stolen Property	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Property	Counterfeit	14	10	6	3	0	33	2	2	3	2	0	9	14%	20%	50%	67%		27%
Property	Credit Card Misuse	52	43	21	32	0	148	11	10	8	17	0	46	21%	23%	38%	53%		31%
Property	Credit Card Misuse - More	9	13	15	11	0	48	3	7	7	11	0	28	33%	54%	47%	100%		58%
Property	Defrauding Innkeeper	5	3	0	4	0	12	2	1	0	2	0	5	40%	33%		50%		42%
Property	Defrauding Insurer	16	12	5	2	0	35	1	2	2	0	0	5	6%	17%	40%	0%		14%
Property	Defrauding Victualer	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
Property	Embezzlement	5	3	0	0	0	8	2	3	0	0	0	5	40%	100%				63%
Property	Enter Dwelling w/I Felony	4	5	5	5	0	19	3	4	5	4	0	16	75%	80%	100%	80%		84%
Property	Failure To Return Leased Prop	10	12	12	6	0	40	4	8	2	2	0	16	40%	67%	17%	33%		40%
Property	False Alarm	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Property	Forgery And Uttering	184	181	130	132	1	628	41	59	53	77	0	230	22%	33%	41%	58%	0%	37%
Property	Fraud	6	4	1	0	0	11	0	0	1	0	0	1	0%	0%	100%			9%
Property	Fraud - Electric, Phone or Cable	0	1	0	1	0	2	0	0	0	0	0	0		0%		0%		0%
Property	Fraud - Identity	48	49	28	34	0	159	9	19	14	21	0	63	19%	39%	50%	62%		40%

Table 46 Governing Offense by Type and Incarceration Status, All Courts

Type	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
Property	Larceny	69	63	51	53	0	236	17	20	20	24	0	81	25%	32%	39%	45%		34%
Property	Larceny Building	50	46	40	57	0	193	17	19	25	42	0	103	34%	41%	63%	74%		53%
Property	Larceny Firearm	9	3	0	1	0	13	6	2	0	0	0	8	67%	67%		0%		62%
Property	Larceny Less	204	185	110	117	1	617	35	50	39	42	0	166	17%	27%	35%	36%	0%	27%
Property	Larceny Less +60	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
Property	Larceny More	704	596	415	537	2	2254	136	193	192	313	1	835	19%	32%	46%	58%	50%	37%
Property	Larceny More + 60	3	4	2	2	0	11	1	1	2	1	0	5	33%	25%	100%	50%		45%
Property	Larceny MV	73	70	67	65	0	275	29	45	50	48	0	172	40%	64%	75%	74%		63%
Property	Larceny MV 2nd	0	0	0	7	0	7	0	0	0	7	0	7				100%		100%
Property	Larceny Person	202	155	94	99	0	550	84	86	60	68	0	298	42%	55%	64%	69%		54%
Property	Larceny Person + 65	7	14	7	5	0	33	3	7	5	4	0	19	43%	50%	71%	80%		58%
Property	Mal Dest Property More	143	84	59	62	0	348	37	30	26	35	0	128	26%	36%	44%	56%		37%
Property	MV - False Report Of Theft	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Property	Possess Burglarious Tools	64	38	31	51	0	184	19	18	21	36	0	94	30%	47%	68%	71%		51%
Property	Property Destruction	187	158	114	86	0	545	31	44	38	46	0	159	17%	28%	33%	53%		29%
Property	Receiving Stolen Goods	128	120	107	118	0	473	28	57	47	72	0	204	22%	48%	44%	61%		43%
Property	Receiving Stolen Goods 2nd	1	1	4	3	0	9	0	1	2	3	0	6	0%	100%	50%	100%		67%
Property	Receiving Stolen Goods MV	153	144	97	132	0	526	50	79	67	101	0	297	33%	55%	69%	77%		56%
Property	Receiving Stolen Goods MV 2nd	0	1	3	10	0	14	0	1	3	10	0	14		100%	100%	100%		100%
Property	Receiving Stolen Goods Over	60	56	52	47	0	215	20	21	34	35	0	110	33%	38%	65%	74%		51%
Property	Record w/o Manufacturer	2	0	1	1	0	4	0	0	0	0	0	0	0%		0%	0%		0%
Property	Setting Fire In Open	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Property	Shoplifting	537	489	398	429	0	1853	29	73	90	137	0	329	5%	15%	23%	32%		18%
Property	Tagging Property	16	3	4	2	0	25	4	0	2	1	0	7	25%	0%	50%	50%		28%
Property	Tax Law Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Property	Timber, Cut Unlawful	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Unauthorized Access of Computer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Vandalism	22	13	8	5	0	48	6	2	4	1	0	13	27%	15%	50%	20%		27%
Property	Vandalize - Graves	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Welfare Violation	3	1	0	0	0	4	0	1	0	0	0	1	0%	100%				25%
Property	Sub-Total	3548	3067	2254	2622	5	11496	832	1139	1076	1564	1	4612	23%	37%	48%	60%	20%	40%

Table 46 Governing Offense by Type and Incarceration Status, All Courts

Type	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
Drug	Conspiracy Violate CSA	29	22	11	15	0	77	12	14	8	8	0	42	41%	64%	73%	53%		55%
Drug	Control Substance School	81	88	72	82	0	323	81	88	72	82	0	323	100%	100%	100%	100%		100%
Drug	Distribute Class A	351	252	178	165	3	949	161	173	127	115	2	578	46%	69%	71%	70%	67%	61%
Drug	Distribute Class A 2nd	0	5	10	6	0	21	0	5	10	6	0	21		100%	100%	100%		100%
Drug	Distribute Class A Minor	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Drug	Distribute Class B	739	451	257	204	5	1656	310	266	165	150	4	895	42%	59%	64%	74%	80%	54%
Drug	Distribute Class B 2nd	0	13	13	11	0	37	0	13	13	11	0	37		100%	100%	100%		100%
Drug	Distribute Class B Minor	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Drug	Distribute Class C	20	11	8	6	0	45	4	5	4	4	0	17	20%	45%	50%	67%		38%
Drug	Distribute Class D	365	134	82	38	0	619	92	50	45	23	0	210	25%	37%	55%	61%		34%
Drug	Distribute Class D 2nd	10	5	7	2	0	24	7	3	3	2	0	15	70%	60%	43%	100%		63%
Drug	Distribute Class E	6	5	3	1	0	15	0	1	0	1	0	2	0%	20%	0%	100%		13%
Drug	Distribute Class E 2nd	1	0	0	2	0	3	1	0	0	2	0	3	100%			100%		100%
Drug	Distribute Cocaine	58	42	35	24	0	159	58	42	35	24	0	159	100%	100%	100%	100%		100%
Drug	Distribute Cocaine 2nd	0	2	4	5	0	11	0	2	4	5	0	11		100%	100%	100%		100%
Drug	Distribute Counterfeit Substance	2	7	7	6	0	22	2	5	3	5	0	15	100%	71%	43%	83%		68%
Drug	Distribute Paraphernalia	4	2	0	1	0	7	0	0	0	0	0	0	0%	0%		0%		0%
Drug	Forge Prescription	28	41	10	10	0	89	6	10	2	5	0	23	21%	24%	20%	50%		26%
Drug	Giving Prisoner Cont Sub	10	4	8	6	0	28	6	1	8	4	0	19	60%	25%	100%	67%		68%
Drug	Induce Minor To Distribute	1	0	0	2	0	3	1	0	0	2	0	3	100%			100%		100%
Drug	Inhaling Toxic Vapors	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
Drug	Larceny Cont Sub	10	1	0	1	0	12	5	0	0	1	0	6	50%	0%		100%		50%
Drug	Possession Class A	111	111	69	77	0	368	32	37	24	35	0	128	29%	33%	35%	45%		35%
Drug	Possession Class A 2nd	8	17	14	13	0	52	3	10	8	10	0	31	38%	59%	57%	77%		60%
Drug	Possession Class A Heroin	207	182	128	123	2	642	55	78	59	69	2	263	27%	43%	46%	56%	100%	41%
Drug	Possession Class A Heroin 2nd	7	18	18	7	0	50	4	9	9	6	0	28	57%	50%	50%	86%		56%
Drug	Possession Class B	506	414	273	240	0	1433	129	146	117	130	0	522	25%	35%	43%	54%		36%
Drug	Possession Class B 2nd	18	38	44	44	0	144	7	13	24	25	0	69	39%	34%	55%	57%		48%
Drug	Possession Class C	26	20	16	8	0	70	4	5	6	4	0	19	15%	25%	38%	50%		27%
Drug	Possession Class C 2nd	1	0	0	2	0	3	0	0	0	0	0	0	0%			0%		0%
Drug	Possession Class D	386	171	96	59	0	712	44	50	26	18	0	138	11%	29%	27%	31%		19%
Drug	Possession Class D 2nd	69	43	25	15	0	152	11	11	8	6	0	36	16%	26%	32%	40%		24%
Drug	Possession Class D Marijuana	426	167	66	52	0	711	50	38	22	16	0	126	12%	23%	33%	31%		18%
Drug	Possession Class D Marijuana 2nd	35	47	21	6	0	109	6	16	8	3	0	33	17%	34%	38%	50%		30%
Drug	Possession Class E	26	20	6	14	0	66	6	3	2	9	0	20	23%	15%	33%	64%		30%
Drug	Possession Hypodermic 2nd	5	8	2	2	0	17	2	5	1	1	0	9	40%	63%	50%	50%		53%
Drug	Possession Hypodermic/Syringe	103	151	103	73	0	430	38	59	49	36	0	182	37%	39%	48%	49%		42%
Drug	Presence Class A	20	18	18	17	0	73	6	7	6	11	0	30	30%	39%	33%	65%		41%
Drug	Traffic Cocaine 014-028	60	32	19	14	0	125	60	32	19	14	0	125	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 028-100	33	22	16	6	0	77	33	22	16	6	0	77	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 100-200	9	5	4	2	0	20	9	5	4	2	0	20	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 200+	1	1	0	2	0	4	1	1	0	2	0	4	100%	100%		100%		100%
Drug	Traffic Heroin 014-028	8	0	0	2	0	10	8	0	0	2	0	10	100%			100%		100%
Drug	Traffic Heroin 028-100	2	2	2	0	0	6	2	2	2	0	0	6	100%	100%	100%			100%
Drug	Traffic Heroin 100-200	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Drug	Traffic Mar 50-100	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Drug	Sub-Total	3788	2572	1648	1365	10	9383	1258	1227	912	855	8	4260	33%	48%	55%	63%	80%	45%

Table 46 Governing Offense by Type and Incarceration Status, All Courts

Type	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
Motor Vehicle	Altering MV ID Number	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
Motor Vehicle	Attaching Wrong MV Plates	148	68	51	23	1	291	8	3	3	1	0	15	5%	4%	6%	4%	0%	5%
Motor Vehicle	Compulsory Insurance Violation	479	315	200	151	1	1146	76	62	54	44	0	236	16%	20%	27%	29%	0%	21%
Motor Vehicle	Counterfeit/Alter MV Document	44	27	18	14	0	103	11	11	2	7	0	31	25%	41%	11%	50%		30%
Motor Vehicle	False Statement On Application	3	3	2	0	0	8	0	1	0	0	0	1	0%	33%	0%			13%
Motor Vehicle	Habitual Traffic Offender	65	118	97	76	0	356	11	36	36	30	0	113	17%	31%	37%	39%		32%
Motor Vehicle	Leaving Scene Death	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
Motor Vehicle	Leaving Scene Personal Injury	124	38	24	14	0	200	13	16	15	10	0	54	10%	42%	63%	71%		27%
Motor Vehicle	Leaving Scene Property Damage	451	279	153	105	0	988	44	65	55	53	0	217	10%	23%	36%	50%		22%
Motor Vehicle	Motor Boat Skier Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Motor Vehicle	MV - Impersonate/Other License	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
Motor Vehicle	MV - Sales Violation	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Motor Vehicle	MV Homicide	34	2	0	0	0	36	11	2	0	0	0	13	32%	100%				36%
Motor Vehicle	MV Homicide - OUI	6	3	0	0	0	9	5	3	0	0	0	8	83%	100%				89%
Motor Vehicle	MV Homicide - OUI Felony	5	4	1	4	0	14	5	4	1	4	0	14	100%	100%	100%	100%		100%
Motor Vehicle	MV Homicide - Reckless	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
Motor Vehicle	Operate After Suspension	1455	1137	753	507	2	3854	120	177	126	120	0	543	8%	16%	17%	24%	0%	14%
Motor Vehicle	Operate After Suspension 2nd	328	497	341	244	0	1410	93	196	150	137	0	576	28%	39%	44%	56%		41%
Motor Vehicle	Operate to Endanger	977	327	155	116	1	1576	58	86	41	58	1	244	6%	26%	26%	50%	100%	15%
Motor Vehicle	OUI Serious Inj. Fel	15	5	1	2	0	23	15	5	1	2	0	23	100%	100%	100%	100%		100%
Motor Vehicle	OUI Serious Inj. Misd	28	2	0	0	0	30	5	2	0	0	0	7	18%	100%				23%
Motor Vehicle	Possess Master Key MV	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Motor Vehicle	Racing	15	1	0	1	0	17	0	0	0	0	0	0	0%	0%		0%		0%
Motor Vehicle	RV On Public Way	7	4	2	0	0	13	0	0	0	0	0	0	0%	0%	0%			0%
Motor Vehicle	Use w/o Authority 2nd	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
Motor Vehicle	Use Without Authority	84	64	51	43	0	242	21	27	24	22	0	94	25%	42%	47%	51%		39%
Motor Vehicle	Sub-Total	4278	2898	1851	1301	5	10333	498	698	509	488	1	2194	12%	24%	27%	38%	20%	21%

Table 46 Governing Offense by Type and Incarceration Status, All Courts

Type	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
Other	Accessory After	17	10	1	1	0	29	8	6	1	1	0	16	47%	60%	100%	100%		55%
Other	Accessory Before	5	0	2	1	0	8	2	0	2	1	0	5	40%		100%	100%		63%
Other	Aiding An Escape	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
Other	Alcohol, Procure for Minor	33	10	7	7	1	58	5	3	5	2	0	15	15%	30%	71%	29%	0%	26%
Other	Alcohol, Transporting	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Attempt To Commit Crime	24	20	13	17	0	74	5	10	5	15	0	35	21%	50%	38%	88%		47%
Other	Bomb Hoax	1	0	1	0	0	2	1	0	0	0	0	1	100%		0%			50%
Other	Bribery	0	2	1	1	0	4	0	0	0	1	0	1		0%	0%	100%		25%
Other	Bribery - Level 5	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Other	Business Practice	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Other	Cigarette/Match Thrown Fr Veh	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Clean Water Act Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Compound / Conceal Felony	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Conspiracy	17	9	9	1	0	36	4	6	5	0	0	15	24%	67%	56%	0%		42%
Other	Contempt Of Court	1	0	0	2	0	3	1	0	0	1	0	2	100%			50%		67%
Other	Contributing To Delinquency	11	8	6	3	0	28	1	3	3	3	0	10	9%	38%	50%	100%		36%
Other	Curfew	5	0	1	0	0	6	0	0	0	0	0	0	0%		0%			0%
Other	Disconnect Sprinkler System	0	1	1	1	0	3	0	0	0	1	0	1		0%	0%	100%		33%
Other	DNA Refuse	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Other	Employment Practices	6	1	0	0	0	7	1	0	0	0	0	1	17%	0%				14%
Other	Escape	2	15	26	17	1	61	1	14	22	15	1	53	50%	93%	85%	88%	100%	87%
Other	Escape Lockup	2	1	2	0	1	6	0	1	1	0	1	3	0%	100%	50%		100%	50%
Other	Escape Work Release Program	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Other	Failure to Appear	7	9	10	3	0	29	2	6	4	2	0	14	29%	67%	40%	67%		48%
Other	Failure to Appear Felony	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
Other	Failure To Disperse	7	3	0	0	0	10	1	0	0	0	0	1	14%	0%				10%
Other	Failure To Obey Police Officer	51	18	10	0	0	79	0	0	0	0	0	0	0%	0%	0%			0%
Other	False Alarm	0	1	3	0	0	4	0	1	0	0	0	1		100%	0%			25%
Other	False Statement	3	1	1	0	0	5	0	1	1	0	0	2	0%	100%	100%			40%
Other	Fireworks	10	2	2	1	0	15	0	0	0	0	0	0	0%	0%	0%	0%		0%
Other	Gaming	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Other	Gaming Enterprise	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Gaming Register Bets	6	5	1	0	0	12	0	0	0	0	0	0	0%	0%	0%			0%
Other	Gaming Use of Telephone	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Health Code Violation	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Other	Home Imp Contractor Violation	0	1	1	0	0	2	0	0	0	0	0	0		0%	0%			0%
Other	Illegal Lottery	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Other	Impersonate/Disguise	6	5	6	2	0	19	3	2	5	1	0	11	50%	40%	83%	50%		58%
Other	Interfere Police or Firefighter	3	5	0	3	0	11	0	0	0	0	0	0	0%	0%		0%		0%
Other	License Law Violation (Not MV)	5	4	2	2	0	13	0	0	0	0	0	0	0%	0%	0%	0%		0%
Other	Lottery Ticket Altering	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Other	Nonsupport	8	4	1	1	0	14	2	2	1	1	0	6	25%	50%	100%	100%		43%
Other	Obstructing Justice	3	0	1	1	0	5	0	0	1	1	0	2	0%		100%	100%		40%
Other	Other Crime	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Other	Pawnbroker Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Perjury or Suborn	5	2	2	0	0	9	3	1	2	0	0	6	60%	50%	100%			67%
Other	Resisting Arrest	252	241	192	155	1	841	44	82	75	80	1	282	17%	34%	39%	52%	100%	34%
Other	Sex Offender Fail Register	24	31	102	120	3	280	5	6	25	43	0	79	21%	19%	25%	36%	0%	28%
Other	Tattooing	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Other	Throwing Glass On Public Way	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Other	Trespassing	264	238	176	197	0	875	33	63	49	71	0	216	13%	26%	28%	36%		25%
Other	True Name Law	80	76	63	49	0	268	13	33	28	21	0	95	16%	43%	44%	43%		35%
Other	Wiretap, Possess Device	2	1	0	0	0	3	2	0	0	0	0	2	100%	0%				67%
Other	Wiretapping	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Work Compensation Fail Have	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Other	Sub-Total	877	730	646	590	7	2850	139	241	237	263	3	883	16%	33%	37%	45%	43%	31%

Table 46 Governing Offense by Type and Incarceration Status, All Courts

Type	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
Public Order	Accost / Annoy Person Opposite Sex	15	4	5	1	0	25	3	2	3	0	0	8	20%	50%	60%	0%		32%
Public Order	Annoying Phone Calls	20	15	18	14	0	67	3	2	5	4	0	14	15%	13%	28%	29%		21%
Public Order	Child Pornography	2	2	1	0	0	5	1	1	1	0	0	3	50%	50%	100%			60%
Public Order	Child Pornography Possess	16	2	4	0	0	22	7	2	3	0	0	12	44%	100%	75%			55%
Public Order	Common Night Walker	12	31	14	6	0	63	4	16	6	4	0	30	33%	52%	43%	67%		48%
Public Order	Cruelty To Animals	11	4	2	1	0	18	3	1	0	0	0	4	27%	25%	0%	0%		22%
Public Order	Disinter Body	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Public Order	Disorderly Conduct	703	513	282	265	0	1763	65	83	68	89	0	305	9%	16%	24%	34%		17%
Public Order	Disrupt Court Proceedings	3	1	0	2	0	6	1	1	0	0	0	2	33%	100%		0%		33%
Public Order	Disturb Religious Service	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Public Order	Fail To Comply With Dog Order	8	2	0	0	0	10	0	0	0	0	0	0	0%	0%				0%
Public Order	False Report Of Crime	23	10	7	4	0	44	1	1	3	0	0	5	4%	10%	43%	0%		11%
Public Order	Indecent Exposure	14	18	8	14	0	54	4	2	1	5	0	12	29%	11%	13%	36%		22%
Public Order	Induce Female To Prostitution	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Public Order	Inducing Minor To Sex	6	0	0	0	0	6	1	0	0	0	0	1	17%					17%
Public Order	Lewd And Lacivious	21	8	5	5	0	39	3	4	0	2	0	9	14%	50%	0%	40%		23%
Public Order	Obscene Material to Minor	2	3	1	0	0	6	1	2	1	0	0	4	50%	67%	100%			67%
Public Order	Obscene Materials	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
Public Order	Polygamy	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
Public Order	Prostitution	149	168	88	48	0	453	47	84	45	17	0	193	32%	50%	51%	35%		43%
Public Order	Unnatural Acts	5	7	2	3	0	17	1	2	1	0	0	4	20%	29%	50%	0%		24%
Public Order	Sub-Total	1016	788	439	363	0	2606	146	203	138	121	0	608	14%	26%	31%	33%		23%