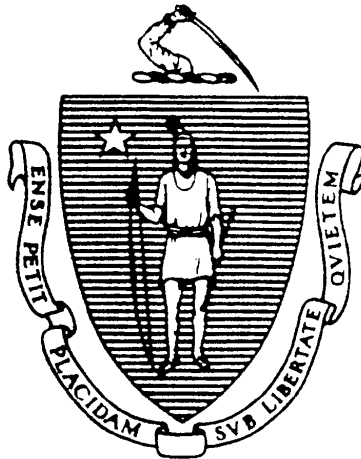


Massachusetts Sentencing Commission

Survey of Sentencing Practices FY 2008



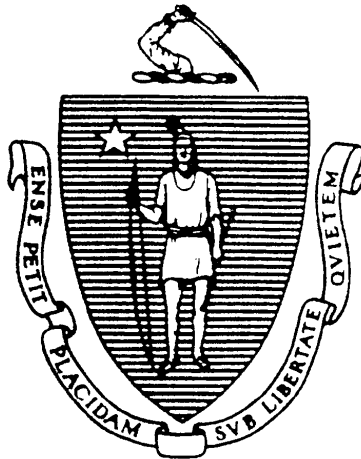
April 2009

**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 2008

April 2009

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

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 Curtis M. Wood, 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 two Northeastern cooperative education students, Nicole Jackson and Hannah Nash, 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 2008. 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 52,199 convicted defendants in FY 2008:
- Of the 52,199 convictions in FY 2008:
 - 92.2% were in the district court and
 - 7.8% were in the superior court;
- Of the incarcerated defendants, 88.8% were sentenced to a house of correction and 11.2% were sentenced to the Department of Correction (DOC);
- Of the incarcerated superior court defendants, 32.6% were sentenced to a house of correction and 67.4% 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 60.0 months;
- For house of correction sentences, the median sentence length was 6.0 months;
- Of the incarcerated defendants, 39.3% also had a period of post release probation supervision imposed through a split or from & after probation sentence;
- Of the incarcerated superior court defendants, 57.2% also had a period of post release probation supervision.
- There were an estimated 949 convictions for mandatory drug offenses of which 35.1% were sentenced to a house of correction and 64.9% to the DOC.

- For those defendants convicted of offenses assigned to the sentencing guidelines grid:
- The overall incarceration rate was 39.9%:
 - the district court incarceration rate was 36.3%;
 - the superior court incarceration rate was 79.3%;
- With respect to the sentencing zones on the sentencing guidelines grid:
 - 5.5% of the defendants were classified in the incarceration zone;
 - 64.3% of the defendants were classified in the discretionary zone;
 - 29.6% of the defendants were classified in the intermediate sanctions zone; and,
 - 0.6% of the defendants were not classified to a sentencing zone;
- For those defendants convicted of offenses not assigned to the sentencing grid:
 - There were an estimated 5,454 convictions for OUI offenses; and,
 - There were an estimated 378 convictions for mandatory firearms offenses.
- For all convicted defendants:
 - 15.6% of all convicted defendants were female;
 - 84.4% of all convicted defendants were male;
 - The mean age of convicted defendants at the time of disposition was 33.4 years, and ranged from 16 years to 89 years.
 - 62.0% of all convicted defendants were white;
 - 18.4% of all convicted defendants were black;
 - 16.4% of all convicted defendants were hispanic;
 - 1.5% of all convicted defendants were of other races; and,
 - the race was unknown for 1.7% of the defendants.
 - 23.6% of defendants convicted of mandatory drug offenses were white and 76.4% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (37.3% were black, 37.9% were hispanic, and 1.2% were other races).

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: Jurisdiction of Incarceration Sentences</i>	11
<i>Sentencing Practices: Post-Release Supervision</i>	18
<i>Sentencing Practices: Type of Offense</i>	23
Type of Offense: Governing Offense	23
Type of Offense: Secondary Convictions	23
Type of Offense: Sex Offenses	25
Type of Offense: Drug Offenses	27
Type of Offense: Mandatory Drug Offenses	29
<i>Sentencing Practices: Grid Assignment</i>	32
SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID	33
<i>Sentencing Practices: Grid Cell Assignment</i>	33
<i>Sentencing Practices: Incarceration Rates</i>	36
District Court Incarceration Rates	38
Superior Court Incarceration Rates	40
<i>Sentencing Practices: Comparing Existing Sentences and Proposed Guidelines</i>	42
SENTENCING PRACTICES: OFFENSES NOT ASSIGNED TO THE GRID	44
<i>Sentencing Practices: Mandatory Firearms Offenses</i>	44
<i>Sentencing Practices: OUI Offenses</i>	44
SENTENCING PRACTICES: DEMOGRAPHIC CHARACTERISTICS	46
<i>Sentencing Practices: Defendant Gender</i>	47
<i>Sentencing Practices: Defendant Age at Disposition</i>	49

<i>Sentencing Practices: Defendant Race</i>	50
<i>Sentencing Practices: Defendant Last Known Address</i>	53
PART III. SUMMARY	54
APPENDIX A. METHOD	55
<i>Data Collection Method</i>	55
<i>Conviction Definition</i>	55
<i>Sampling Frame</i>	56
<i>Type of Sentence Imposed</i>	56
<i>Sentence Length</i>	59
<i>Offense Seriousness Level</i>	60
Staircased Offenses	61
<i>Type of Offense</i>	64
<i>Sentencing Events</i>	64
<i>Criminal History Group</i>	68
Juvenile Criminal History	69
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	79
<i>School Zone Offenders</i>	79
<i>Incarceration Status</i>	80
<i>State Prison Sentences</i>	81
<i>House of Correction Sentences</i>	81
<i>Type of Offense</i>	82

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. Jurisdiction Status by Penalty Structure and Court Department	11
Table 8. State Prison Sentences: Minimum and Maximum Sentence Length	13
Table 9. State Prison Sentences: Minimum to Maximum Sentence Ratio by Type of Offense	15
Table 10. State Prison Sentences: Minimum-to-Maximum Sentence Difference by Type of Offense	15
Table 11. House of Correction Sentences: Sentence Length by Court Department	17
Table 12. Post-Release Probation Supervision by Type of Sentence, Jurisdiction and Court Department	20
Table 13. Type of Probation Sentence Imposed by Court Department	21
Table 14. Post-Release Probation Supervision by Type of Offense and Court Department	22
Table 15. Type of Offense by Offense Seriousness Level and Court Department	23
Table 16. Type of Offense: Governing Offense and Secondary Offense	24
Table 17. Sex Offenses: Nature of Offense by Court Department	26
Table 18. Drug Offenses: Nature of Offense and Class of Substance by Court Department	28
Table 19. Mandatory Drug Offenses: Governing Offense by Offense Seriousness Level, Criminal History Group, and Court Department	30
Table 20. Mandatory Drug Offenses: Jurisdiction by Court Department	31
Table 21. Grid Assignment by Court Department	32
Table 22. Grid Cell Assignment by Court Department	35
Table 23. Incarceration Status by Grid Cell Assignment, All Courts	37
Table 24. Incarceration Status by Grid Cell Assignment, District Court	39
Table 25. Incarceration Status by Grid Cell Assignment, Superior Court	41
Table 26. Comparison of Existing Sentences and Proposed Guidelines by Offense Seriousness Level and Type of Offense	43
Table 27. Mandatory Firearms Offenses: Governing Offense by Court Department ...	44
Table 28. OUI Offenses: Type of Sentence Imposed by Court Department	45
Table 29. Defendant Gender by Court Department	47
Table 30. Defendant Gender by Grid Cell Assignment	48
Table 31. Defendant Age at Disposition by Court Department	49
Table 32. Defendant Race By Court Department	51
Table 33. Defendant Race by Type of Offense and Grid Assignment	52

Table 34. Cases with Missing Sentence Information by Selected Defendant Characteristics and Grid Assignment	60
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. Last Known Address Category by Court Department	78
Table 38. Mandatory Drug Offenses: Selected Characteristics of Defendants Convicted of Distribution in School Zone by Court Department	83
Table 39. Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts	84
Table 40. Governing Offense by Grid Cell Assignment and Incarceration Status, District Court	93
Table 41. Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court	102
Table 42. State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment	111
Table 43. State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment	120
Table 44. House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment	129
Table 45. Governing Offense by Type of Offense and Incarceration Status, All Courts	138

List of Figures

Figure 1. Sentencing Guidelines Grid	3
Figure 2. Defendant Last Known Address	53

**MASSACHUSETTS SENTENCING COMMISSION
SURVEY OF SENTENCING PRACTICES
FY 2008**

PART I. THE MASSACHUSETTS SENTENCING COMMISSION

BACKGROUND OF THE SENTENCING COMMISSION

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

Sentencing guidelines legislation based on those recommendations was filed in December 1996.⁵ In June 1997, the Joint Committee on Criminal Justice held a hearing on the sentencing guidelines legislation. The guidelines legislation did not come to a vote in the 1997-1998 legislative session and the sentencing guidelines legislation was re-filed for consideration in the 1999-2000 legislative session and in the 2001-2002 legislative session.^{6, 7} The Joint Committee on Criminal Justice held hearings on this legislation in May 1999 and May 2001. In October 2001 the House of Representatives voted to engross the sentencing guidelines legislation but no further action was taken during that session.⁸ Sentencing guidelines legislation was filed for consideration during

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.

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.

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 legislation was re-filed for the 2007-2008 legislative session and hearings were held November 13, 2007.¹¹

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*.¹² 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:

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.


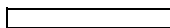

¹¹ Filed for the 2007-2008 legislative session as Senate No. 1034 and House Nos. 1415, 1569, 2264, and 2265.

¹² 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.¹³

The commission included a survey of sentencing practices when completing its 1996 recommendations.¹⁴ 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 2008.

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.¹⁵

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.¹⁶ In FY 2002, the commission completed a comprehensive recidivism study as directed by the legislature in House 4100.¹⁷

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

¹³ G.L. c. 211E § 3(c).

¹⁴ Massachusetts Sentencing Commission, *op. cit.*

¹⁵ G.L. c. 211E § 3(f).

¹⁶ Massachusetts Sentencing Commission, *Survey of Sentencing Practices: Truth-in-Sentencing Reform in Massachusetts*, October 2000.

¹⁷ Massachusetts Sentencing Commission, *Comprehensive Recidivism Study*, June 2002.

referring to the proposed guidelines during sentencing.¹⁸ 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.¹⁹

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.²⁰

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.²¹ 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.²²

¹⁸ Massachusetts Sentencing Commission, *Sentencing Guide*, February 1998.

¹⁹ Massachusetts Sentencing Commission, *Felony and Misdemeanor Master Crime List*, February 2009.

²⁰ G.L. c. 211E § 1(c)(7).

²¹ 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.

²² 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 2008 (FY 2008) covers the period July 1, 2007 through June 30, 2008. During this period there were an estimated 52,199 convictions in the courts of the Commonwealth. As indicated in Table 1, there were 48,116 convictions in the district court, representing 92.2% of all convictions, and 4,083 convictions in the superior court, representing 7.8% of all convictions.

Table 1. Month of Conviction by Court Department

Month of Conviction	District Court	Superior Court	All Courts
July 2007	3,879	270	4,149
August 2007	4,126	291	4,417
September 2007	3,746	329	4,075
October 2007	4,549	356	4,905
November 2007	3,833	296	4,129
December 2007	3,460	314	3,774
January 2008	4,339	356	4,695
February 2008	3,938	354	4,292
March 2008	4,203	387	4,590
April 2008	4,159	383	4,542
May 2008	4,018	350	4,368
June 2008	3,866	397	4,263
Total	48,116	4,083	52,199

Sentencing Practices: County

There are fourteen counties in Massachusetts. As indicated in Table 2, the number of convictions ranged from 71 in Nantucket County to 9,499 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	1,676	102	1,778
Berkshire	1,292	180	1,472
Bristol	4,483	343	4,826
Dukes	195	0	195
Essex	5,678	409	6,087
Franklin	811	78	889
Hampden	5,104	862	5,966
Hampshire	1,103	142	1,245
Middlesex	6,109	441	6,550
Nantucket	71	0	71
Norfolk	2,365	219	2,584
Plymouth	3,486	235	3,721
Suffolk	6,673	643	7,316
Worcester	9,070	429	9,499
Total	48,116	4,083	52,199

Sentencing Practices: Truth-in-Sentencing Reform

Sentencing reform legislation, commonly known as truth-in-sentencing legislation, became effective on July 1, 1994. During FY 2008, an estimated 0.2% of all cases were sentenced under pre-truth-in-sentencing provisions (old law) and 99.8% 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	105	0.2%	20	0.5%	125	0.2%
New Law	48,011	99.8%	4,063	99.5%	52,074	99.8%
Total	48,116	100.0%	4,083	100.0%	52,199	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 204 and the mean number of charges resulting in conviction was 2.1. Overall, 29,000, or 55.6% of the defendants were convicted of a single charge and 23,199 or 44.4% 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:

- 20,333 or 42.3% of the district court defendants were convicted of two or more charges and the mean number of charges for all district court defendants was 2.0; and,
- 2,866 or 70.2% 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	27,783	57.7%	1,217	29.8%	29,000	55.6%
Two	10,329	21.5%	1,038	25.4%	11,367	21.8%
Three	4,669	9.7%	622	15.2%	5,291	10.1%
Four	2,250	4.7%	407	10.0%	2,657	5.1%
Five to Nine	2,607	5.4%	622	15.2%	3,229	6.2%
Ten or More	478	1.0%	177	4.3%	655	1.3%
Total	48,116	100.0%	4,083	100.0%	52,199	100.0%
Highest	204		49		204	
Mean	2.0		3.3		2.1	

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 52 defendants received a sentence to life. Of the 52 convicted defendants who received a life sentence, 46 were convicted of murder and six were convicted of other offenses (two for rape of child with force, one each for armed robbery, robbery, robbery victim 60 or over, and aggravated rape).

Table 5. Type of Sentence Imposed by Court Department

Type of Sentence	District Court	Superior Court	All Courts
Life		52	52
State Prison		2,165	2,165
Other DOC		8	8
House of Correction	12,266	679	12,945
House of Correction / Split	4,344	398	4,742
Probation	22,436	762	23,198
Fine	6,427	10	6,437
Other	2,643	9	2,652
Total	48,116	4,083	52,199

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.²³ 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, 33.8% of all defendants were convicted of felonies and 66.2% of all defendants were convicted of misdemeanors. As expected, the penalty structure associated with the governing offense differed by court department:

- of those defendants convicted in the district court, 28.9% were convicted of felonies and 71.1% were convicted of misdemeanors;
- of those defendants convicted in the superior court, 91.9% were convicted of felonies and 8.1% were convicted of misdemeanors; and,
- of those defendants convicted in the superior court, 55.4% 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%	1,276	31.3%	1,276	2.4%
Felony / House Alternative / No District Court Jurisdiction	0	0.0%	546	13.4%	546	1.0%
Felony / House Alternative / District Court Jurisdiction	13,893	28.9%	1,929	47.2%	15,822	30.3%
Sub-Total Felonies	13,893	28.9%	3,751	91.9%	17,644	33.8%
Misdemeanor	34,223	71.1%	332	8.1%	34,555	66.2%
Total	48,116	100.0%	4,083	100.0%	52,199	100.0%

²³ G.L. c. 274 § 1.

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 7 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, 51.4% were convicted of felonies and 48.6% were convicted of misdemeanors;
- Of defendants convicted in the district court and sentenced to incarceration, 42.8% were convicted of felonies and 57.2% were convicted of misdemeanors;
- Of defendants convicted in the superior court and sentenced to incarceration, 94.6% were convicted of felonies and 5.4% were convicted of misdemeanors.
- Of all defendants sentenced to incarceration, 17,687 (88.8%) were sentenced to houses of correction and 2,225 (11.2%) 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, 2,225 (67.4%) were sentenced to the DOC and 1,077 (32.6%) were sentenced to houses of correction.

Table 7. 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%	1,176	35.6%	1,176	5.9%
Felony / House Alternative / No District Court Jurisdiction						
Sentenced to DOC	0	0.0%	336	10.2%	336	1.7%
Sentenced to House of Correction	0	0.0%	177	5.4%	177	0.9%
Felony / House Alternative / District Court Jurisdiction						
Sentenced to DOC	0	0.0%	713	21.6%	713	3.6%
Sentenced to House of Correction	7,109	42.8%	722	21.9%	7,831	39.3%
Sub-Total Felonies	7,109	42.8%	3,124	94.6%	10,233	51.4%
Misdemeanor / House	9,501	57.2%	178	5.4%	9,679	48.6%
Total	16,610	100.0%	3,302	100.0%	19,912	100.0%
All Sentences to DOC	0	0.0%	2,225	67.4%	2,225	11.2%
All Sentences to Houses of Correction	16,610	100.0%	1,077	32.6%	17,687	88.8%
Total	16,610	100.0%	3,302	100.0%	19,912	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 includes offenders sentenced for mandatory firearms and OUI 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 8 shows the minimum and maximum sentence length for state prison sentences. The mean minimum sentence imposed was 53.6 months and ranged from 6.1 months to 420.0 months (or 35 years). The median minimum state prison sentence was 36.0 months. The mean maximum sentence imposed was 66.3 months and ranged from 6.1 months to 480.0 months (or 40 years). The median maximum state prison sentence was 60.0 months.

Table 8. State Prison Sentences: Minimum and Maximum Sentence Length

Sentence Length	Minimum		Maximum	
	N	%	N	%
Under 24 Months	129	6.0%	57	2.6%
24 to 35 Months	403	18.6%	228	10.5%
36 to 47 Months	653	30.2%	550	25.4%
48 to 59 Months	249	11.5%	234	10.8%
60 to 71 Months	299	13.8%	419	19.4%
72 to 83 Months	88	4.1%	129	6.0%
84 to 95 Months	85	3.9%	151	7.0%
96 to 107 Months	65	3.0%	74	3.4%
108 to 119 Months	23	1.1%	35	1.6%
120 to 179 Months	111	5.1%	188	8.7%
180 to 239 Months	42	1.9%	59	2.7%
240 Months or More	18	0.8%	41	1.9%
Total	2,165	100.0%	2,165	100.0%
Lowest	6.1 Months		6.1 Months	
Highest	420.0 Months		480.0 Months	
Mean	53.6 Months		66.3 Months	
Median	36.0 Months		60.0 Months	

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 9 shows the ratio of minimum to maximum sentence lengths for all convicted defendants sentenced to the state prison by type of offense. Offenses are separated into three categories: mandatory drug offenses, other grid offenses, and mandatory non-grid

offenses. The category of “other grid offenses” includes a small number of non-drug mandatories that were assigned to the grid (e.g. Vehicular Homicide, Leaving Scene of Injury and Death, and Receiving Stolen Motor Vehicle, 2nd offense). The category of “mandatory non-grid offenses” includes mandatory firearms and OUI offenses. Table 10 shows the difference between the minimum and maximum sentences for all convicted defendants with state prison sentences by type of offense.

In 43.0% of the state prison sentences imposed, the minimum sentence was at least 90% of the maximum sentence, including 55.6% of those sentenced for mandatory drug offenses and 58.5% of those sentenced for mandatory non-grid offenses. It was estimated that 73.5% of state prison sentences for offenses assigned to the sentencing grid, 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 41.0% of all state prison sentences, the difference between the minimum and maximum sentences was one day, including 53.8% of those sentenced for mandatory drug offenses, 57.0% of those sentences for mandatory non-grid offenses, and 32.9% of those sentenced for other grid offenses. Overall, 41.0% 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, 59.0% of defendants sentenced to state prison could be considered for parole release and supervision at the end of that sentence and 41.0% would not be eligible for parole consideration. The largest difference between a minimum and maximum state prison sentence was 120 months during FY 2008.

Table 9. State Prison Sentences: Minimum to Maximum Sentence Ratio by Type of Offense

Minimum-to-Maximum Ratio	Mandatory Drug		Other Grid Offenses		Other Mandatory (Non-Grid) Offenses		Total	
	N	%	N	%	N	%	N	%
1% to 9%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
10% to 19%	0	0.0%	1	0.1%	0	0.0%	1	0.0%
20% to 29%	0	0.0%	1	0.1%	0	0.0%	1	0.0%
30% to 39%	4	0.7%	8	0.6%	0	0.0%	12	0.6%
40% to 49%	0	0.0%	8	0.6%	1	0.5%	9	0.4%
50% to 59%	20	3.3%	88	6.5%	3	1.6%	111	5.1%
60% to 69%	78	12.7%	315	23.2%	23	11.9%	416	19.2%
70% to 79%	81	13.2%	241	17.8%	20	10.4%	342	15.8%
80% to 89%	90	14.6%	218	16.1%	33	17.1%	341	15.8%
90% and Over	342	55.6%	477	35.2%	113	58.5%	932	43.0%
Total	615	100.0%	1,357	100.0%	193	100.0%	2,165	100.0%

Table 10. State Prison Sentences: Minimum-to-Maximum Sentence Difference by Type of Offense

Minimum-to-Maximum Difference	Mandatory Drug		Other Grid Offenses		Other Mandatory (Non-Grid) Offenses		Total	
	N	%	N	%	N	%	N	%
1 Day	331	53.8%	447	32.9%	110	57.0%	888	41.0%
2 Days to 5 Months	0	0.0%	2	0.1%	2	1.0%	4	0.2%
6 to 11 Months	31	5.0%	73	5.4%	16	8.3%	120	5.5%
12 to 23 Months	119	19.3%	319	23.5%	24	12.4%	462	21.3%
24 to 35 Months	114	18.5%	357	26.3%	33	17.1%	504	23.3%
36 to 47 Months	15	2.4%	94	6.9%	3	1.6%	112	5.2%
48 to 59 Months	3	0.5%	25	1.8%	3	1.6%	31	1.4%
60 to 119 Months	2	0.3%	36	2.7%	2	1.0%	40	1.8%
120 Months or More	0	0.0%	4	0.3%	0	0.0%	4	0.2%
Total	615	100.0%	1,357	100.0%	193	100.0%	2,165	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 558 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 7.1 months and the median house of correction sentence was 6.0 months. Table 11 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 6.4 months while the mean house of correction sentence imposed in the superior court was 17.0 months. The median house of correction sentence imposed in the district court was 4.2 months while the median house of correction sentence imposed in the superior court was 18.0 months. It is estimated that 12,814 or 74.8% of the defendants sentenced to a house of correction had a sentence of 2 months or more and would be eligible for parole consideration.

Table 11. House of Correction Sentences: Sentence Length by Court Department

Sentence	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
< 1 Month	2,115	13.2%	11	1.0%	2,126	12.4%
1 Month	2,167	13.5%	22	2.0%	2,189	12.8%
2 Months	1,685	10.5%	26	2.4%	1,711	10.0%
3 to 5 Months	2,386	14.9%	64	5.9%	2,450	14.3%
6 to 8 Months	3,308	20.6%	95	8.8%	3,403	19.9%
9 to 11 Months	734	4.6%	40	3.7%	774	4.5%
12 to 14 Months	1,866	11.6%	230	21.4%	2,096	12.2%
15 to 17 Months	116	0.7%	17	1.6%	133	0.8%
18 to 20 Months	750	4.7%	151	14.0%	901	5.3%
21 to 23 Months	8	0.0%	4	0.4%	12	0.1%
24 to 26 Months	650	4.0%	236	21.9%	886	5.2%
27 to 29 Months	3	0.0%	2	0.2%	5	0.0%
30 Months	265	1.7%	178	16.5%	443	2.6%
Total	16,053	100.0%	1,076	100.0%	17,129	100.0%
Lowest	1 Day		1 Day		1 Day	
Highest	30.0 Months		30.0 Months		30.0 Months	
Mean	6.4 Months		17.0 Months		7.1 Months	
Median	4.2 Months		18.0 Months		6.0 Months	

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, 41.0% of state prison sentences had a difference of one day between minimum and maximum sentence. Therefore, an estimated 59.0% 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 74.8% 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 12 shows post-release probation supervision status by type of sentence and court department for those defendants sentenced to incarceration. It was estimated that 39.3% 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 5,937 or 35.7% of the incarceration sentences imposed in the district court involved some period of post-release probation supervision; and,
- an estimated 1,888 or 57.2% of the incarceration sentences imposed in the superior court involved some period of post-release probation supervision, including:
 - 73.6% of those sentenced to houses of correction from the superior court; and,
 - 49.2% of those sentenced to the DOC.

Of those defendants convicted of two or more charges and sentenced to incarceration, 5,943 or 48.5% had a sentence that included from & after probation, including 4,263 or 43.5% of the district court defendants with two or more convictions and 1,680 or 68.3% of the superior court defendants with two or more convictions.

Table 12. 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			7	0.2%	7	0.0%
Without From & After Probation			45	1.4%	45	0.2%
Sub-Total			52	1.6%	52	0.3%
State Prison						
With From & After Probation			1,086	32.9%	1,086	5.5%
Without From & After Probation			1,079	32.7%	1,079	5.4%
Sub-Total			2,165	65.6%	2,165	10.9%
Other DOC						
Split or From & After Probation			2	0.1%	2	0.0%
Without Split or From & After Probation			6	0.2%	6	0.0%
Sub-Total			8	0.2%	8	0.0%
House of Correction						
With From & After Probation	1,593	9.6%	395	12.0%	1,988	10.0%
Without From & After Probation	10,673	64.3%	284	8.6%	10,957	55.0%
Sub-Total	12,266	73.8%	679	20.6%	12,945	65.0%
House of Correction / Split	4,344	26.2%	398	12.1%	4,742	23.8%
Total All Sentences	16,610	100.0%	3,302	100.0%	19,912	100.0%
Jurisdiction						
House of Correction						
Split or From & After Probation	5,937	35.7%	793	73.6%	6,730	38.1%
Without Split or From & After Probation	10,673	64.3%	284	26.4%	10,957	61.9%
Sub-Total	16,610	100.0%	1,077	100.0%	17,687	100.0%
Department of Correction						
Split or From & After Probation			1,095	49.2%	1,095	49.2%
Without Split or From & After Probation			1,130	50.8%	1,130	50.8%
Sub-Total			2,225	100.0%	2,225	100.0%
All Jurisdictions						
Split or From & After Probation	5,937	35.7%	1,888	57.2%	7,825	39.3%
Without Split or From & After Probation	10,673	64.3%	1,414	42.8%	12,087	60.7%
Total	16,610	100.0%	3,302	100.0%	19,912	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 13 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 23,198 or 74.8% of the probation sentences began as a non-incarcerative sentence and 7,825 or 25.2% 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, 79.1% of the probation sentences began as a non-incarcerative sentence and 20.9% will begin after a period of incarceration; and,
- in the superior court, 28.8% of the probation sentences began as a non-incarcerative sentence and 71.2% will begin after a period of incarceration.

Table 13. Type of Probation Sentence Imposed by Court Department

Type of Probation Sentence Imposed	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Probation Sentence	22,436	79.1%	762	28.8%	23,198	74.8%
Split or From & After Probation	5,937	20.9%	1,888	71.2%	7,825	25.2%
Total	28,373	100.0%	2,650	100.0%	31,023	100.0%

Table 14 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 294 or 72.6% of the incarcerated defendants convicted of a sex offense had a sentence which included a period of post-release probation supervision. In contrast 1,371 or 32.4% 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 14. 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	2,484	51.0%	2,383	49.0%	4,867	100.0%
Sex	111	27.4%	294	72.6%	405	100.0%
Property	2,729	61.5%	1,705	38.5%	4,434	100.0%
Drug Offenses	2,857	67.6%	1,371	32.4%	4,228	100.0%
Motor Vehicle	2,155	62.6%	1,286	37.4%	3,441	100.0%
Weapons	292	43.6%	377	56.4%	669	100.0%
Public Order	566	81.2%	131	18.8%	697	100.0%
Other	893	76.3%	278	23.7%	1,171	100.0%
Total	12,087	60.7%	7,825	39.3%	19,912	100.0%
District Court						
Person	2,094	54.4%	1,753	45.6%	3,847	100.0%
Sex	52	34.7%	98	65.3%	150	100.0%
Property	2,632	64.7%	1,433	35.3%	4,065	100.0%
Drug Offenses	2,140	70.1%	913	29.9%	3,053	100.0%
Motor Vehicle	2,129	64.3%	1,183	35.7%	3,312	100.0%
Weapons	209	52.9%	186	47.1%	395	100.0%
Public Order	562	81.4%	128	18.6%	690	100.0%
Other	855	77.9%	243	22.1%	1,098	100.0%
Sub-Total	10,673	64.3%	5,937	35.7%	16,610	100.0%
Superior Court						
Person	390	38.2%	630	61.8%	1,020	100.0%
Sex	59	23.1%	196	76.9%	255	100.0%
Property	97	26.3%	272	73.7%	369	100.0%
Drug Offenses	717	61.0%	458	39.0%	1,175	100.0%
Motor Vehicle	26	20.2%	103	79.8%	129	100.0%
Weapons	83	30.3%	191	69.7%	274	100.0%
Public Order	4	57.1%	3	42.9%	7	100.0%
Other	38	52.1%	35	47.9%	73	100.0%
Sub-Total	1,414	42.8%	1,888	57.2%	3,302	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. Table 15 shows the type of offense by court department. The type of offense varied by court department. In the district court the most frequently occurring offenses were motor vehicle which accounted for 15,107 or 31.4% of all district court convictions, followed by property offenses (10,188 or 21.2% of all district court convictions), and person offenses (8,247 or 17.1% of all district court convictions). In the superior court the most frequently occurring offenses were drug offenses which accounted for 1,440 or 35.3% of all superior court convictions followed by person offenses which accounted for 1,203 or 29.5% 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 16 defendants are classified by type of offense on the basis of all offenses of conviction. For example, 586 defendants were classified as sex offenders on the basis of governing offense and an additional 28 defendants were classified as sex offenders on the basis of a conviction for a secondary offense (these 28 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.

Table 15. Type of Offense by Offense Seriousness Level and Court Department

Type of Offense	District Court		Superior Court		Total	
	N	%	N	%	N	%
Person	8,247	17.1%	1,203	29.5%	9,450	18.1%
Sex	280	0.6%	306	7.5%	586	1.1%
Property	10,188	21.2%	545	13.3%	10,733	20.6%
Drug	7,551	15.7%	1,440	35.3%	8,991	17.2%
Motor Vehicle	15,107	31.4%	140	3.4%	15,247	29.2%
Weapons	768	1.6%	292	7.2%	1,060	2.0%
Public Order	2,700	5.6%	10	0.2%	2,710	5.2%
Other	3,275	6.8%	147	3.6%	3,422	6.6%
Total	48,116	100.0%	4,083	100.0%	52,199	100.0%

Table 16. 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	9,450	1,446	10,896
Sex	586	28	614
Property	10,733	2,363	13,096
Drug	8,991	1,677	10,668
Motor Vehicle	15,247	2,664	17,911
Weapons	1,060	695	1,755
Public Order	2,710	2,532	5,242
Other	3,422	4,027	7,449
District Court			
Person	8,247	1,173	9,420
Sex	280	16	296
Property	10,188	2,137	12,325
Drug	7,551	1,517	9,068
Motor Vehicle	15,107	2,551	17,658
Weapons	768	373	1,141
Public Order	2,700	2,480	5,180
Other	3,275	3,595	6,870
Superior Court			
Person	1,203	273	1,476
Sex	306	12	318
Property	545	226	771
Drug	1,440	160	1,600
Motor Vehicle	140	113	253
Weapons	292	322	614
Public Order	10	52	62
Other	147	432	579

Type of Offense: Sex Offenses. There were an estimated 586 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 17 shows the nature of sex offense by court department. As indicated in the table, sex offenders were convicted almost as frequently in district court as in superior court (280 in the district court and 306 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:
 - 54.9% were convicted of an offense involving a child victim;
 - 31.4% were convicted of an offense involving an adult victim; and,
 - 13.7% were convicted of some other sex offense.

- of the 306 sex offenders convicted in the superior court:
 - 69.3% were convicted of an offense involving a child victim;
 - 27.8% were convicted of an offense involving an adult victim; and,
 - 2.9% were convicted of some other sex offense.

Table 17. 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%	17	5.6%	17	2.9%
Rape	0	0.0%	26	8.5%	26	4.4%
Rape, 2nd Offense	0	0.0%	1	0.3%	1	0.2%
Assault w/I Rape	0	0.0%	10	3.3%	10	1.7%
A&B Indecent	99	35.4%	26	8.5%	125	21.3%
Incest	0	0.0%	5	1.6%	5	0.9%
Sub-Total	99	35.4%	85	27.8%	184	31.4%
Offense with Child Victim						
Rape of Child, Forcible	0	0.0%	30	9.8%	30	5.1%
Rape of Child	0	0.0%	96	31.4%	96	16.4%
Assault w/I Rape, Child	0	0.0%	1	0.3%	1	0.2%
A&B Indecent Child	76	27.1%	49	16.0%	125	21.3%
A&B Indecent Child, 2nd	0	0.0%	2	0.7%	2	0.3%
Enticing Child	7	2.5%	7	2.3%	14	2.4%
Inducing Minor Sex	9	3.2%	1	0.3%	10	1.7%
Child Pornography	0	0.0%	6	2.0%	6	1.0%
Child Pornography, Possess	15	5.4%	16	5.2%	31	5.3%
Child Pornography, Poss., 2nd Offense	0	0.0%	2	0.7%	2	0.3%
Obscene Material to a Minor	3	1.1%	2	0.7%	5	0.9%
Sub-Total	110	39.3%	212	69.3%	322	54.9%
Other Sex Offense						
Open and Gross	71	25.4%	9	2.9%	80	13.7%
Sub-Total	71	25.4%	9	2.9%	80	13.7%
Total	280	100.0%	306	100.0%	586	100.0%

Type of Offense: Drug Offenses. There were an estimated 8,991 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 18 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, 2,834 or 37.5% of the drug offenses were classified as distribution offenses, 4,585 or 60.7% were classified as possession offenses, and 132 or 1.7% were not assigned to either category;
- in the superior court, 1,326 or 92.1% of the drug offenses were classified as distribution offenses, 71 or 4.9% were classified as possession offenses, and 43 or 3.0% were not assigned to either category;
- in the district court, the most frequently occurring drug offense involved possession of a Class D substance which accounted for 1,807 or 23.9% 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 1,040 or 72.2% 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 18. 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	523	6.9%	248	17.2%	771	8.6%
Class B	1,527	20.2%	1,040	72.2%	2,567	28.6%
Class C	54	0.7%	6	0.4%	60	0.7%
Class D	668	8.8%	29	2.0%	697	7.8%
Class E	25	0.3%	2	0.1%	27	0.3%
Other Distribution Offenses	37	0.5%	1	0.1%	38	0.4%
Sub-Total	2,834	37.5%	1,326	92.1%	4,160	46.3%
Possession Offenses						
Class A	920	12.2%	14	1.0%	934	10.4%
Class B	1,639	21.7%	43	3.0%	1,682	18.7%
Class C	92	1.2%	1	0.1%	93	1.0%
Class D	1,807	23.9%	13	0.9%	1,820	20.2%
Class E	102	1.4%	0	0.0%	102	1.1%
Hypodermic/Syringe	25	0.3%	0	0.0%	25	0.3%
Sub-Total	4,585	60.7%	71	4.9%	4,656	51.8%
Other Drug Offenses						
	132	1.7%	43	3.0%	175	1.9%
Total	7,551	100.0%	1,440	100.0%	8,991	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 19 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 949 defendants convicted of mandatory drug offenses during FY 2008. Four offenses, distribution of cocaine, distribution within a school zone,²⁶ trafficking cocaine 14 to 28 grams, and trafficking cocaine 28 to 100 grams, accounted for 814 or 85.8% of the convictions for mandatory drug offenses in FY 2008.

A frequently occurring mandatory drug offense is distribution in a school zone, with 248 convictions or 26.1% 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 562 or 59.2% of the defendants convicted of mandatory drug offenses were classified as criminal history groups A or B, and 387 or 40.8% 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 19. 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	3	3	2	2	0	10
Sub-Total	3	3	2	2	0	10
Level 7 (7 to 10 Year Mandatory)						
Traffic Heroin 100 to 200 grams	1	0	1	0	0	2
Traffic Heroin 28 to 100 grams	5	2	3	0	0	10
Traffic Cocaine 100 to 200 grams	11	4	3	6	0	24
Sub-Total	17	6	7	6	0	36
Level 6 (5 Year Mandatory)						
Traffic Heroin 14 to 28 grams	3	1	1	0	0	5
Traffic Cocaine 28 to 100 grams	47	26	24	16	0	113
Distribute Class A, 2nd Offense	0	3	2	9	0	14
Distribute Cocaine, 2nd Offense	0	10	9	10	0	29
Sub-Total	50	40	36	35	0	161
Level 5 (3 Year Mandatory)						
Traffic Cocaine 14 to 28 grams	63	50	35	26	2	176
Distribute Class B, 2nd Offense	1	9	7	20	0	37
Sub-Total	64	59	42	46	2	213
Level 4 (1 to 2 Year Mandatory)						
Distribute Cocaine	86	77	61	53	0	277
Traffic Marijuana 50 to 100 pounds	2	0	2	0	0	4
Distribution w/i School or Park	30	23	21	13	0	87
Sub-Total	118	100	84	66	0	368
Sub-Total Superior Court	252	208	171	155	2	788
District Court						
Distribution w/i School or Park	47	55	32	26	1	161
Total	299	263	203	181	3	949

All convictions for mandatory drug offenses include a sentence to incarceration. Table 20 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, 172 or 21.8% were sentenced to a house of correction and 616 or 78.2% were sentenced to the DOC. Of all convictions for mandatory drug offenses, 333 or 35.1% were sentenced to a house of correction and 616 or 64.9% were sentenced to the DOC.

Table 20. Mandatory Drug Offenses: Jurisdiction by Court Department

Jurisdiction	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
House of Correction	161	100.0%	172	21.8%	333	35.1%
Department of Correction	0	0.0%	616	78.2%	616	64.9%
Total	161	100.0%	788	100.0%	949	100.0%

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 21, it was estimated that 45,862 or 87.9% of all defendants were convicted of offenses for which the sentencing guidelines grid applied and 6,337 or 12.1% of all defendants were convicted of offenses for which the sentencing guidelines grid did not apply. Of the defendants convicted of offenses for which the sentencing guidelines grid did not apply: 5,454 or 10.4% of all defendants were convicted of OUI offenses; 378 or 0.7% were convicted of mandatory firearms offenses; and, 505 or 1.0% were convicted of non-jailable offenses.

Table 21. Grid Assignment by Court Department

Grid Assignment	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Assigned to Grid	42,098	87.5%	3,764	92.2%	45,862	87.9%
Not Assigned to Grid						
OUI Offenses	5,370	11.2%	84	2.1%	5,454	10.4%
Mandatory Gun Offenses	144	0.3%	234	5.7%	378	0.7%
Non-jailable Offenses	504	1.0%	1	0.0%	505	1.0%
Sub-total	6,018	12.5%	319	7.8%	6,337	12.1%
Total	48,116	100.0%	4,083	100.0%	52,199	100.0%

SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID

In this section, the sentencing practices related to the 45,862 defendants convicted of offenses for which the sentencing guidelines grid applies are discussed.

Sentencing Practices: Grid Cell Assignment

Table 22 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 45,862 convicted defendants:

- an estimated 2,510 or 5.5% were classified within the incarceration zone;
- an estimated 29,509 or 64.3% were classified within the discretionary zone;
- an estimated 13,558 or 29.6% were classified within the intermediate sanction zone; and,
- an estimated 285 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: 65.7% of the defendants convicted in the district court and 49.7% of the defendants convicted in the superior court were classified in the discretionary zone. Defendants convicted in superior court were more likely than their district court counterparts to be classified within the incarceration zone on the sentencing guidelines grid: an estimated 44.2% of the defendants convicted in the superior court were classified in the incarceration zone compared to 2.0% of the defendants convicted in the district court. Defendants convicted in district court were more likely to be classified within the intermediate sanction zone on the sentencing guidelines grid than their superior court counterparts: 31.9% of the defendants convicted in the district court were classified in the intermediate sanctions zone compared to 3.7% 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 38,657 or 84.3% of the convicted defendants were assigned to offense seriousness levels 1 through 3; an estimated 6,505 or 14.2% of the convicted defendants were assigned to offense seriousness levels 4 through 6; and, an estimated 415 or 0.9% of the convicted defendants were assigned to offense seriousness levels 7 through 9.

The most frequently occurring offense seriousness level was level 2 with an estimated 14,961 of all convictions (32.6%). In the district court, level 2 was the most frequently occurring offense seriousness level, accounting for an estimated 14,766 or 35.1% of all district court convictions. In the superior court, level 4 was the most frequently occurring offense seriousness level, accounting for an estimated 1,286 or 34.2% 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 17,017 or 37.1% of all convicted defendants. The most serious criminal history group, Group E, accounted for 45 of the convicted defendants.

Grid Cell. The most frequently occurring grid cell was “2A”: 5,925 or 12.9% of all convicted defendants were assigned to grid cell “2A”. In the district court, the most frequently occurring grid cell was “2A”: 5,810 or 13.8% of all defendants convicted in the district court were assigned to grid cell “2A”. As indicated in Table 40, the four most frequently occurring offenses in grid cell “2A” in the district court were operating to endanger, CSA possession class D, CSA possession class B, and shoplifting. In the superior court, the most frequently occurring grid cell was “4A”: 463 or 12.3% of all defendants convicted in the superior court were assigned to grid cell “4A”. As indicated in Table 41, the three most frequently occurring offenses in grid cell “4A” in the superior court were CSA distribution Class B, CSA distribution cocaine, and CSA distribution Class A.

Table 22. 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	25	6	9	6	0	46	1.2%	9	25	6	9	6	0	46	0.1%
8	0	0	0	0	0	0	0.0%	8	68	32	26	25	0	151	4.0%	8	68	32	26	25	0	151	0.3%
7	0	0	0	0	0	0	0.0%	7	85	49	38	44	2	218	5.8%	7	85	49	38	44	2	218	0.5%
6	13	5	0	1	0	19	0.0%	6	267	151	143	154	3	718	19.1%	6	280	156	143	155	3	737	1.6%
5	221	179	164	148	0	712	1.7%	5	168	110	104	121	3	506	13.4%	5	389	289	268	269	3	1,218	2.7%
4	1,306	898	544	514	2	3,264	7.8%	4	463	286	235	301	1	1,286	34.2%	4	1,769	1,184	779	815	3	4,550	9.9%
3	4,661	3,654	2,830	2,959	14	14,118	33.5%	3	257	96	69	99	1	522	13.9%	3	4,918	3,750	2,899	3,058	15	14,640	31.9%
2	5,810	4,022	2,561	2,362	11	14,766	35.1%	2	115	34	30	16	0	195	5.2%	2	5,925	4,056	2,591	2,378	11	14,961	32.6%
1	3,447	2,481	1,682	1,409	8	9,027	21.4%	1	16	6	1	6	0	29	0.8%	1	3,463	2,487	1,683	1,415	8	9,056	19.7%
N.A.	49	56	39	48	0	192	0.5%	N.A.	46	21	12	14	0	93	2.5%	N.A.	95	77	51	62	0	285	0.6%
Total	15,507	11,295	7,820	7,441	35	42,098	100.0%	Total	1,510	791	667	786	10	3,764	100.0%	Total	17,017	12,086	8,487	8,227	45	45,862	100.0%
%	36.8%	26.8%	18.6%	17.7%	0.1%	100.0%		%	40.1%	21.0%	17.7%	20.9%	0.3%	100.0%		%	37.1%	26.4%	18.5%	17.9%	0.1%	100.0%	

Sentencing Zone	N	%	Sentencing Zone	N	%	Sentencing Zone	N	%
Incarceration Zone	847	2.0%	Incarceration Zone	1,663	44.2%	Incarceration Zone	2,510	5.5%
Discretionary Zone	27,639	65.7%	Discretionary Zone	1,870	49.7%	Discretionary Zone	29,509	64.3%
Intermediate Sanction Zone	13,420	31.9%	Intermediate Sanction Zone	138	3.7%	Intermediate Sanction Zone	13,558	29.6%
Unassigned	192	0.5%	Unassigned	93	2.5%	Unassigned	285	0.6%
Total	42,098	100.0%	Total	3,764	100.0%	Total	45,862	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 23 shows incarceration rates by grid cell assignment for all convicted defendants. For FY 2008, the estimated incarceration rate was 39.9%: 18,285 defendants received a sentence to incarceration out of 45,682 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 20.3% and the incarceration rate for defendants convicted of offenses at offense seriousness level 8 was 98.0%; and,
- the incarceration rate for defendants in criminal history group A was 26.6% and the incarceration rate for defendants in criminal history group D was 58.4%.

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 86.8%;
- for defendants in the discretionary zone, the incarceration rate was 45.5%; and,
- for defendants in the intermediate sanction zone, the incarceration rate was 18.8%.

Survey of Sentencing Practices

Table 23. 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	25	6	9	6	0	46	9	25	6	9	6	0	46	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	68	32	26	25	0	151	8	65	32	26	25	0	148	8	95.6%	100.0%	100.0%	100.0%	N.A.	98.0%
7	85	49	38	44	2	218	7	74	47	38	43	2	204	7	87.1%	95.9%	100.0%	97.7%	100.0%	93.6%
6	280	156	143	155	3	737	6	227	143	138	151	3	662	6	81.1%	91.7%	96.5%	97.4%	100.0%	89.8%
5	389	289	268	269	3	1,218	5	217	189	209	219	3	837	5	55.8%	65.4%	78.0%	81.4%	100.0%	68.7%
4	1,769	1,184	779	815	3	4,550	4	865	790	614	685	3	2,957	4	48.9%	66.7%	78.8%	84.0%	100.0%	65.0%
3	4,918	3,750	2,899	3,058	15	14,640	3	1,404	1,681	1,570	2,019	8	6,682	3	28.5%	44.8%	54.2%	66.0%	53.3%	45.6%
2	5,925	4,056	2,591	2,378	11	14,961	2	1,178	1,419	1,030	1,146	3	4,776	2	19.9%	35.0%	39.8%	48.2%	27.3%	31.9%
1	3,463	2,487	1,683	1,415	8	9,056	1	437	480	454	467	0	1,838	1	12.6%	19.3%	27.0%	33.0%	0.0%	20.3%
N.A.	95	77	51	62	0	285	N.A.	30	32	30	43	0	135	N.A.	31.6%	41.6%	58.8%	69.4%	N.A.	47.4%
Total	17,017	12,086	8,487	8,227	45	45,862	Total	4,522	4,819	4,118	4,804	22	18,285	Total	26.6%	39.9%	48.5%	58.4%	48.9%	39.9%

Sentencing Zone	N
Incarceration Zone	2,510
Discretionary Zone	29,509
Intermediate Sanction Zone	13,558
Unassigned	285
Total	45,862

Sentencing Zone	N
Incarceration Zone	2,179
Discretionary Zone	13,422
Intermediate Sanction Zone	2,549
Unassigned	135
Total	18,285

Sentencing Zone	Incarceration Rate
Incarceration Zone	86.8%
Discretionary Zone	45.5%
Intermediate Sanction Zone	18.8%
Unassigned	47.4%
Total	39.9%

District Court Incarceration Rates. Table 24 shows incarceration rates by grid cell assignment for all defendants convicted in district court. For FY 2008, the estimated district court incarceration rate was 36.3%: 15,301 defendants received a sentence to incarceration out of 42,098 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 20.2% and the incarceration rate for defendants convicted of offenses at offense seriousness level 4 was 58.3%; and,
- the incarceration rate for defendants in criminal history group A was 22.7% and the incarceration rate for defendants in criminal history group D was 54.9%.

District court incarceration rates varied by sentencing zone:

- district court defendants in the incarceration zone had an incarceration rate of 74.3%;
- district court defendants in the discretionary zone had an incarceration rate of 43.7%; and,
- district court defendants in the intermediate sanction zone had an incarceration rate of 18.7%.

Survey of Sentencing Practices

Table 24. 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	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	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	7	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	
6	13	5	0	1	0	19	6	5	4	0	1	0	10	6	38.5%	80.0%	N.A.	100.0%	N.A.	52.6%
5	221	179	164	148	0	712	5	90	88	115	101	0	394	5	40.7%	49.2%	70.1%	68.2%	N.A.	55.3%
4	1,306	898	544	514	2	3,264	4	547	550	402	401	2	1,902	4	41.9%	61.2%	73.9%	78.0%	100.0%	58.3%
3	4,661	3,654	2,830	2,959	14	14,118	3	1,298	1,623	1,516	1,950	8	6,395	3	27.8%	44.4%	53.6%	65.9%	57.1%	45.3%
2	5,810	4,022	2,561	2,362	11	14,766	2	1,141	1,397	1,008	1,136	3	4,685	2	19.6%	34.7%	39.4%	48.1%	27.3%	31.7%
1	3,447	2,481	1,682	1,409	8	9,027	1	433	478	453	463	0	1,827	1	12.6%	19.3%	26.9%	32.9%	0.0%	20.2%
N.A.	49	56	39	48	0	192	N.A.	11	23	23	31	0	88	N.A.	22.4%	41.1%	59.0%	64.6%	N.A.	45.8%
Total	15,507	11,295	7,820	7,441	35	42,098	Total	3,525	4,163	3,517	4,083	13	15,301	Total	22.7%	36.9%	45.0%	54.9%	37.1%	36.3%

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	847	Incarceration Zone	629	Incarceration Zone	74.3%
Discretionary Zone	27,639	Discretionary Zone	12,079	Discretionary Zone	43.7%
Intermediate Sanction Zone	13,420	Intermediate Sanction Zone	2,505	Intermediate Sanction Zone	18.7%
Unassigned	192	Unassigned	88	Unassigned	45.8%
Total	42,098	Total	15,301	Total	36.3%

Superior Court Incarceration Rates. Table 25 shows incarceration rates by grid cell assignment for all defendants convicted in superior court. For FY 2008, the estimated superior court incarceration rate was 79.3%: 2,984 defendants received a sentence to incarceration out of 3,764 convicted defendants. Superior court incarceration rates were similar in pattern to overall incarceration rates.

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

- the incarceration rate for defendants convicted of offenses in offense seriousness level 2 was 46.7% and the incarceration rate for defendants convicted of offenses in offense seriousness level 8 was 98.0%; and,
- the incarceration rate for defendants in criminal history group A was 66.0% and the incarceration rate for defendants in criminal history group D was 91.7%.

The incarceration rate varied by sentencing zone:

- superior court defendants in the incarceration zone had an incarceration rate of 93.2%;
- superior court defendants in the discretionary zone had an incarceration rate of 71.8%; and,
- superior court defendants in the intermediate sanction zone had an incarceration rate of 31.9%.

Survey of Sentencing Practices

Table 25. 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	25	6	9	6	0	46	9	25	6	9	6	0	46	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	68	32	26	25	0	151	8	65	32	26	25	0	148	8	95.6%	100.0%	100.0%	100.0%	N.A.	98.0%
7	85	49	38	44	2	218	7	74	47	38	43	2	204	7	87.1%	95.9%	100.0%	97.7%	100.0%	93.6%
6	267	151	143	154	3	718	6	222	139	138	150	3	652	6	83.1%	92.1%	96.5%	97.4%	100.0%	90.8%
5	168	110	104	121	3	506	5	127	101	94	118	3	443	5	75.6%	91.8%	90.4%	97.5%	100.0%	87.5%
4	463	286	235	301	1	1,286	4	318	240	212	284	1	1,055	4	68.7%	83.9%	90.2%	94.4%	100.0%	82.0%
3	257	96	69	99	1	522	3	106	58	54	69	0	287	3	41.2%	60.4%	78.3%	69.7%	0.0%	55.0%
2	115	34	30	16	0	195	2	37	22	22	10	0	91	2	32.2%	64.7%	73.3%	62.5%	N.A.	46.7%
1	16	6	1	6	0	29	1	4	2	1	4	0	11	1	25.0%	33.3%	100.0%	66.7%	N.A.	37.9%
N.A.	46	21	12	14	0	93	N.A.	19	9	7	12	0	47	N.A.	41.3%	42.9%	58.3%	85.7%	N.A.	50.5%
Total	1,510	791	667	786	10	3,764	Total	997	656	601	721	9	2,984	Total	66.0%	82.9%	90.1%	91.7%	90.0%	79.3%

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	1,663	Incarceration Zone	1,550	Incarceration Zone	93.2%
Discretionary Zone	1,870	Discretionary Zone	1,343	Discretionary Zone	71.8%
Intermediate Sanction Zone	138	Intermediate Sanction Zone	44	Intermediate Sanction Zone	31.9%
Unassigned	93	Unassigned	47	Unassigned	50.5%
Total	3,764	Total	2,984	Total	79.3%

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 26 shows the results of this analysis. Overall, it was estimated that 86.3% of current sentences fall within the proposed guidelines and 13.7% of current sentences fall outside of proposed guidelines (an estimated 3.5% were below the guidelines and an estimated 10.2% 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 2.8% 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 70.3% of all sentences were outside of the proposed ranges (39.0% were below the proposed guidelines and 31.2% were above the proposed guidelines);
- when comparing the sentences imposed for mandatory drug offenses with the proposed sentencing guidelines, it was estimated that 50.0% of the current mandatory drug sentences were within the sentencing guidelines ranges and that 50.0% were outside of the sentencing guidelines (including 4.0% below the proposed guidelines and 46.0% above the proposed guidelines); and,
- when comparing the sentences imposed for all other offenses it was estimated that 87.1% were within the sentencing guidelines ranges and 12.9% were outside of the sentencing guidelines (including 3.5% below the ranges and 9.5% above the ranges); and,
- for all offenses at levels 6 through 8, 38.5% of the sentences were below the guideline ranges, 30.5% were within, and 31.0% were above;
- for mandatory drug offenses at levels 6 through 8, 0.0% were below the guideline ranges, 41.5% were within, and 58.5% were above; and,
- for all other offenses at levels 6 through 8, 47.9% were below the guideline ranges, 27.8% were within, and 24.3% were above.

Table 26. 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%	46	100.0%	0	0.0%	46	100.0%
Level 8	31	28.7%	36	33.3%	41	38.0%	108	100.0%
Level 7	90	41.5%	69	31.8%	58	26.7%	217	100.0%
Level 6	285	39.0%	217	29.7%	228	31.2%	730	100.0%
Level 5	521	43.1%	478	39.6%	209	17.3%	1,208	100.0%
Level 4	611	13.6%	3,356	74.4%	542	12.0%	4,509	100.0%
Level 3	3	0.0%	13,288	97.2%	376	2.8%	13,667	100.0%
Level 2	0	0.0%	12,980	88.9%	1,620	11.1%	14,600	100.0%
Level 1	0	0.0%	7,584	84.0%	1,444	16.0%	9,028	100.0%
Total	1,541	3.5%	38,054	86.3%	4,518	10.2%	44,113	100.0%
Other Offenses								
Level 9	0	0.0%	46	100.0%	0	0.0%	46	100.0%
Level 8	31	31.6%	34	34.7%	33	33.7%	98	100.0%
Level 7	90	49.7%	57	31.5%	34	18.8%	181	100.0%
Level 6	285	50.1%	145	25.5%	139	24.4%	569	100.0%
Level 5	493	49.5%	431	43.3%	71	7.1%	995	100.0%
Level 4	601	15.1%	3,015	75.7%	365	9.2%	3,981	100.0%
Level 3	3	0.0%	13,288	97.2%	376	2.8%	13,667	100.0%
Level 2	0	0.0%	12,980	88.9%	1,620	11.1%	14,600	100.0%
Level 1	0	0.0%	7,584	84.0%	1,444	16.0%	9,028	100.0%
Total	1,503	3.5%	37,580	87.1%	4,082	9.5%	43,165	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	20.0%	8	80.0%	10	100.0%
Level 7	0	0.0%	12	33.3%	24	66.7%	36	100.0%
Level 6	0	0.0%	72	44.7%	89	55.3%	161	100.0%
Level 5	28	13.1%	47	22.1%	138	64.8%	213	100.0%
Level 4	10	1.9%	341	64.6%	177	33.5%	528	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	38	4.0%	474	50.0%	436	46.0%	948	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 21, there were 6,337 defendants representing 12.1% of the sample who were convicted of offenses for which the sentencing guidelines grid did not apply. In this section some discussion of the defendants convicted of OUI offenses and mandatory firearms offenses is presented.

Sentencing Practices: Mandatory Firearms Offenses

Convictions for mandatory firearms offenses are not included in the sentencing guidelines grid. It was estimated that there were 378 convictions where the governing offense was a mandatory firearms offense in FY 2008. Table 22 shows the offense for those defendants classified as mandatory firearms offenders. Sentences for the offense “Firearm Carry with Ammunition” are imposed from and after a conviction for another mandatory firearms offense. This offense was only considered the governing offense if the sentence imposed was longer than the offense for the underlying mandatory.

Table 27. Mandatory Firearms Offenses: Governing Offense by Court Department

Governing Offense	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Firearm, Carry w/o License	143	99.3%	130	55.6%	273	72.2%
Firearm, Carry w/o License, 2nd Offense	0	0.0%	13	5.6%	13	3.4%
Firearm Carry w/o License, 3rd Offense	0	0.0%	1	0.4%	1	0.3%
Firearm, Carry with Ammunition	1	0.7%	0	0.0%	1	0.3%
Firearm, Possess Large Capacity	0	0.0%	11	4.7%	11	2.9%
Firearm, Possess Machine Gun / Sawed off Shotgun	0	0.0%	9	3.8%	9	2.4%
Armed Career Criminal, 1 Prior	0	0.0%	53	22.6%	53	14.0%
Armed Career Criminal , 2 Priors	0	0.0%	11	4.7%	11	2.9%
Armed Career Criminal , 3 Priors	0	0.0%	3	1.3%	3	0.8%
Firearm, Use in Felony	0	0.0%	3	1.3%	3	0.8%
Total	144	100.0%	234	100.0%	378	100.0%

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 5,454 convictions for OUI offenses in FY 2008. 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 (CWO) were not included in this sample, as a CWO disposition was not considered a conviction for the purposes of the survey of sentencing practices. Table 28 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 28. 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%	29	34.5%	29	0.5%
House of Correction Sentence						
Less than 1 month	37	0.7%	0	0.0%	37	0.7%
1 Month	78	1.5%	1	1.2%	79	1.4%
2 Months	233	4.3%	1	1.2%	234	4.3%
3 to 5 Months	163	3.0%	0	0.0%	163	3.0%
6 to 8 Months	335	6.2%	2	2.4%	337	6.2%
9 to 11 Months	31	0.6%	1	1.2%	32	0.6%
12 to 14 Months	152	2.8%	17	20.2%	169	3.1%
15 to 17 Months	5	0.1%	0	0.0%	5	0.1%
18 to 20 Months	30	0.6%	4	4.8%	34	0.6%
21 to 23 Months	0	0.0%	0	0.0%	0	0.0%
24 to 26 Months	50	0.9%	13	15.5%	63	1.2%
27 to 29 Months	0	0.0%	0	0.0%	0	0.0%
30 Months	50	0.9%	16	19.0%	66	1.2%
Missing Sentence Information	1	0.0%	0	0.0%	1	0.0%
Sub-Total	1,165	21.7%	55	65.5%	1,220	22.4%
Probation	3,365	62.7%	0	0.0%	3,365	61.7%
Fine	762	14.2%	0	0.0%	762	14.0%
Other	78	1.5%	0	0.0%	78	1.4%
Total	5,370	100.0%	84	100.0%	5,454	100.0%

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

Table 29 shows the gender of defendants by court department. Of all convicted defendants, 15.6% were female and 84.4% were male. Of the defendants convicted in district court, 40,338 or 83.8% were male and 7,778 or 16.2% were female; and, of the defendants convicted in superior court, 3,696 or 90.5% were male and 387 or 9.5% were female.

Table 29. Defendant Gender by Court Department

Gender	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Male	40,338	83.8%	3,696	90.5%	44,034	84.4%
Female	7,778	16.2%	387	9.5%	8,165	15.6%
Total	48,116	100.0%	4,083	100.0%	52,199	100.0%

Table 30 shows defendant gender by grid assignment, type of offense, and mandatory status for drug offenses. While male and female defendants are represented to some extent in every offense category, female defendants were more often classified as property offenders and public order offenders, and less frequently classified as sex offenders or mandatory drug offenders.

Table 30. Defendant Gender by Grid Cell Assignment

Offense Type and Grid Assignment	Male		Female		Total	
	N	%	N	%	N	%
Sentencing Grid						
Person Offenses	8,347	88.3%	1,103	11.7%	9,450	100.0%
Sex Offenses	573	97.8%	13	2.2%	586	100.0%
Property Offenses	8,362	77.9%	2,371	22.1%	10,733	100.0%
Drug Offenses						
Mandatory / Distribution	903	95.2%	46	4.8%	949	100.0%
Non-Mandatory / Distribution	2,781	86.6%	430	13.4%	3,211	100.0%
Possession	3,975	85.4%	681	14.6%	4,656	100.0%
Other Drug Offense	115	65.7%	60	34.3%	175	100.0%
Sub-total Drug	7,774	86.5%	1,217	13.5%	8,991	100.0%
Motor Vehicle	8,532	87.8%	1,189	12.2%	9,721	100.0%
Weapons	648	95.0%	34	5.0%	682	100.0%
Public Order and Other Offenses	4,567	80.1%	1,132	19.9%	5,699	100.0%
Sub-total Grid	38,803	84.6%	7,059	15.4%	45,862	100.0%
Not Assigned to Grid						
OUI Offenses	4,419	81.0%	1,035	19.0%	5,454	100.0%
Mandatory Firearms	375	99.2%	3	0.8%	378	100.0%
Non-jailable	437	86.5%	68	13.5%	505	100.0%
Sub-Total No Grid	5,231	82.5%	1,106	17.5%	6,337	100.0%
Grand Total	44,034	84.4%	8,165	15.6%	52,199	100.0%

Sentencing Practices: Defendant Age at Disposition

The age of defendants at the time of disposition ranged from 16 years to 89 years. The mean age at disposition was 33.4 years and the median age at disposition was 31 years. Table 31 shows the age at disposition for all defendants by court department.

Table 31. Defendant Age at Disposition by Court Department

Age at Disposition	District Court	Superior Court	All Courts
19 and younger	3,313	270	3,583
20 to 24	9,600	904	10,504
25 to 29	8,555	835	9,390
30 to 34	6,096	501	6,597
35 to 39	6,121	458	6,579
40 to 44	5,577	406	5,983
45 to 49	4,576	340	4,916
50 to 54	2,460	169	2,629
55 to 59	1,045	90	1,135
60 and older	773	110	883
Total	48,116	4,083	52,199
Youngest	17 Years	16 Years	16 Years
Oldest	89 Years	79 Years	89 Years
Mean	33.4 Years	32.9 Years	33.4 Years
Median	31 Years	30 Years	31 Years

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 1.7% of the convicted defendants. Further discussion of the method used to collect defendant race can be found in Appendix A.

As indicated in Table 32, 62.0% of the convicted defendants were white, 18.4% were black, 16.4% were hispanic, and 1.5% were other races. The race was unknown for 1.7% of the convicted defendants.

Table 32 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, 63.6% were white, and 34.6% were racial/ethnic minorities (17.7% were black, 15.5% were hispanic, and 1.4% were other races). The race was unknown for 1.8% of the defendants convicted in the district court. Of the defendants convicted in the superior court, 43.3% were white, and 56.1% were racial/ethnic minorities (26.7% were black, 27.1% were hispanic, and 2.3% were other races). The race was unknown for 0.6% of the defendants convicted in the superior court.

Table 32. Defendant Race By Court Department

Defendant Race	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
White	30,618	63.6%	1,768	43.3%	32,386	62.0%
Black	8,493	17.7%	1,091	26.7%	9,584	18.4%
Hispanic	7,478	15.5%	1,105	27.1%	8,583	16.4%
Other	666	1.4%	94	2.3%	760	1.5%
Unknown	861	1.8%	25	0.6%	886	1.7%
Total	48,116	100.0%	4,083	100.0%	52,199	100.0%

Table 33 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:

- 62.0% of all defendants were white, 36.3% of all defendants were racial/ethnic minorities (18.4% were black, 16.4% were hispanic, and 1.5% were other races), and the race was unknown for 1.7% of all defendants; and,
- 23.6% of defendants convicted of mandatory drug offenses were white, and 76.4% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (37.3% were black, 37.9% were hispanic, and 1.2% were other races).

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

- 47.4% of defendants convicted of all drug offenses were white and 51.5% were racial/ethnic minorities;
- 59.9% of defendants convicted of possession offenses were white and 38.9% were racial/ethnic minorities;
- 34.9% of defendants convicted of non-mandatory distribution offenses were white and 63.6% were racial/ethnic minorities; and,
- 23.6% of defendants convicted of mandatory distribution offenses were white and 76.4% were racial/ethnic minorities.

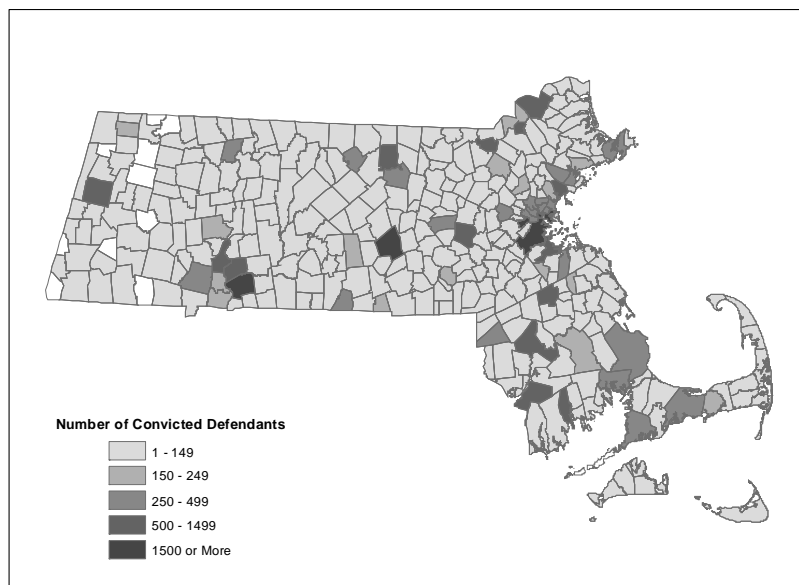
Table 33. Defendant Race by Type of Offense and Grid Assignment

Offense Type and Grid Assignment	White		Black		Hispanic		Other		Unknown		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Sentencing Grid												
Person Offenses	5,552	58.8%	1,963	20.8%	1,676	17.7%	125	1.3%	134	1.4%	9,450	100.0%
Sex Offenses	373	63.7%	88	15.0%	98	16.7%	19	3.2%	8	1.4%	586	100.0%
Property Offenses	7,222	67.3%	1,839	17.1%	1,386	12.9%	144	1.3%	142	1.3%	10,733	100.0%
Drug Offenses												
Mandatory / Distribution	224	23.6%	354	37.3%	360	37.9%	11	1.2%	0	0.0%	949	100.0%
Non-Mandatory / Distribution	1,122	34.9%	979	30.5%	1,022	31.8%	42	1.3%	46	1.4%	3,211	100.0%
Possession	2,790	59.9%	971	20.9%	788	16.9%	52	1.1%	55	1.2%	4,656	100.0%
Other Drug Offense	126	72.0%	26	14.9%	20	11.4%	3	1.7%	0	0.0%	175	100.0%
Sub-total Drug	4,262	47.4%	2,330	25.9%	2,190	24.4%	108	1.2%	101	1.1%	8,991	100.0%
Motor Vehicle												
Weapons	335	49.1%	186	27.3%	125	18.3%	19	2.8%	17	2.5%	682	100.0%
Public Order and Other Offenses	3,619	63.5%	1,070	18.8%	825	14.5%	95	1.7%	90	1.6%	5,699	100.0%
Sub-total Grid	27,414	59.8%	9,112	19.9%	7,994	17.4%	661	1.4%	681	1.5%	45,862	100.0%
Not Assigned to Grid												
OUI Offenses	4,572	83.8%	234	4.3%	402	7.4%	71	1.3%	175	3.2%	5,454	100.0%
Mandatory Firearms	74	19.6%	179	47.4%	105	27.8%	16	4.2%	4	1.1%	378	100.0%
Non-jailable	326	64.6%	59	11.7%	82	16.2%	12	2.4%	26	5.1%	505	100.0%
Sub-Total No Grid	4,972	78.5%	472	7.4%	589	9.3%	99	1.6%	205	3.2%	6,337	100.0%
Grand Total	32,386	62.0%	9,584	18.4%	8,583	16.4%	760	1.5%	886	1.7%	52,199	100.0%

Sentencing Practices: Defendant Last Known Address

Figure 2 graphically shows a statistical summary of the last known address of defendants for cities and towns in Massachusetts. The information shown in Figure 2 is based on 48,785 defendants (or 93.5% of the survey population). The remaining defendants resided out-of-state (4.7%), resided in a correctional facility (1.4%), were reported as homeless with no community identified (0.4%), or had no address information (0.03%). The methodology used to classify defendants to a last known address can be found in Appendix A.

Figure 2. Defendant Last Known Address



PART III. SUMMARY

The survey of sentencing practices is a comprehensive study of defendants convicted in the courts of the commonwealth during FY 2008. 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 2008, or the period July 1, 2007, through June 30, 2008 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 2008 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 2008, 52 defendants were classified in the life sentence group including six convicted of offenses other than murder. Of the six defendants sentenced to life for offenses other than murder, three 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 2008 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 2008, there was one state prison / split sentence 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 2,165 defendants classified as state prison sentences, none were 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 2008

for offenses occurring prior to that time and thus a reformatory sentence could be imposed. In FY 2008 there 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 2008, six defendants were sentenced as habitual offenders and classified in the “Other DOC” group. One defendant who defaulted at sentencing was classified in the “Other DOC” group.

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

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

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

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

offense seriousness level was considered the governing offense; and where offense seriousness levels were the same, the charge associated with the split sentence was considered the governing offense.

Initial Sentence. The analysis focuses on the initial sentence given for a particular charge. Therefore, a charge that was originally sentenced to a fine and subsequently resulted in a commitment to a house of correction in lieu of payment of the fine was treated as a fine sentence. Similarly, a charge that was originally sentenced to straight probation or a suspended sentence and subsequently resulted in a commitment to a state or county correctional facility as a result of a probation violation was considered to be initially sentenced to a term of probation supervision.

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

Sentence Length

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

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

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

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

When calculating mean sentence length, cases with missing information were excluded from the analysis. There were a total of 559 cases with missing sentence length information, representing approximately 2.8% 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	554	1
House of Correction / Split Sentence	3	0
Other DOC	1	0
District Court	556	1
Superior Court	2	0
Old Law	4	0
New Law	554	1
Mandatory Offense	0	0
Other Offense	558	1

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

Type of Offense

All charges were classified to a type of offense group: person, sex, property, drug, motor vehicle, weapons, public order, and other offenses. Beginning with the FY 2006 survey of data base the offense type classification was changed for the following offenses:

- Child Pornography was changed from the public order offense category to the sex offense category;
- Child Pornography, Possession was changed from the public order offense category to the sex offense category;
- Inducing Minor Prostitution was changed from the public order offense category to the sex offense category;
- Inducing Minor Sex was changed from the public order offense category to the sex offense category; and
- Obscene Material to a Minor was changed from the public order offense category to the sex offense category.

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 2008 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 16).

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 45,862 defendants convicted of offenses assigned to the sentencing grid, 44,857 or 97.8% had all of their convictions at or below the level of the governing offense and 1,005 or 2.2% 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 302 or 30.0% of these cases. Table 36 shows the specific offense associated with the highest offense seriousness level for the 1,005 cases.

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

Offense Level	All Convictions at That Level or Below		One or More Convictions at a Higher Level		Total	
	N	%	N	%	N	%
9	46	100.0%	0	0.0%	46	100.0%
8	151	100.0%	0	0.0%	151	100.0%
7	213	97.7%	5	2.3%	218	100.0%
6	721	97.8%	16	2.2%	737	100.0%
5	1,198	98.4%	20	1.6%	1,218	100.0%
4	4,483	98.5%	67	1.5%	4,550	100.0%
3	14,465	98.8%	175	1.2%	14,640	100.0%
2	14,664	98.0%	297	2.0%	14,961	100.0%
1	8,631	95.3%	425	4.7%	9,056	100.0%
N.A.	285	100.0%	0	0.0%	285	100.0%
Total	44,857	97.8%	1,005	2.2%	45,862	100.0%

Offense Level	Maximum Offense Level (All Convictions)									
	0	1	2	3	4	5	6	7	8	9
9	0	0	0	0	0	0	0	0	0	46
8	0	0	0	0	0	0	0	0	151	0
7	0	0	0	0	0	0	0	213	5	0
6	0	0	0	0	0	0	721	5	11	0
5	0	0	0	0	0	1,198	10	2	8	0
4	0	0	0	0	4,483	31	27	3	6	0
3	0	0	0	14,465	49	80	33	5	8	0
2	0	0	14,664	245	38	11	1	2	0	0
1	0	8,631	302	105	12	4	1	0	1	0
N.A.	285	0	0	0	0	0	0	0	0	0
Total	285	8,631	14,966	14,815	4,582	1,324	793	230	190	46

Survey of Sentencing Practices

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

Level	Offense - Highest Level	N	Level	Offense - Highest Level	N	Level	Offense - Highest Level	N	Level	Offense - Highest Level	N
8	Armed Assault In Dwell House	9	5	A&B Child w/Injury	5	3	A&B	84	2	Accost / Annoy Person Opp Sex	1
8	Armed Aslt w/i Murd - Firearm	2	5	Burglary	10	3	A&B Dangerous Weapon	22	2	Assault	6
8	Burglary, Armed	1	5	Intimidation	99	3	A&B Domestic	1	2	Attempt B&E	1
8	Home Invasion	22	5	Perjury or Suborn	1	3	Assault Dangerous Weapon	22	2	B&E w/i Misdemeanor	1
8	Rape Of Child w/Force	4	5	Robbery Unarmed	10	3	B&E	28	2	Compulsory Insurance Violation	133
8	Rape, Aggravated	1	5	Stalking Violation of Rest. Order	1	3	Burning Motor Vehicle	1	2	Counterfeit	1
8	Sub-Total	39	5	Sub-Total	126	3	Burning Property	1	2	Counterfeit/Alter MV Document	1
7	Armed Assault w/i Murder	5	4	A&B Elderly / Disabled w/Injury	1	3	Carrying Dangerous Weapon	23	2	Defrauding Innkeeper	1
7	Armed Robbery Gun	5	4	Assault w/i Rob	3	3	Cruelty To Animals	2	2	Disrupt Court Proceedings	1
7	Carjacking, Armed	3	4	Distribute Class A	8	3	Defrauding Insurer	2	2	Distribute Class E	1
7	Mayhem	1	4	Distribute Class B	38	3	Distribute Class C	3	2	Distribute Paraphernalia	1
7	Murder, Attempted	1	4	Distribute Cocaine	2	3	Forgery And Uttering	22	2	Failure to Appear	1
7	Rape	2	4	Escape	2	3	Fraud	4	2	Failure To Return Leased Prop	1
7	Sub-Total	17	4	Fraud - Identity	13	3	Gun Serial Number	3	2	False Alarm	1
6	A&B Agg - Serious Injury	1	4	Giving Prisoner Cont Sub	2	3	Interfere Police or Firefighter	1	2	False Report Of Crime	1
6	Armed Assault w/i Rob	10	4	Harassment	2	3	Larceny Building	1	2	Firearm Possess w/o Permit	3
6	Armed Robbery	42	4	Indecent A&B	5	3	Larceny More	19	2	Fireworks	3
6	Assault To Kill or Maim	2	4	Larceny Cont Sub	1	3	Larceny MV	3	2	Habitual Traffic Offender	1
6	Burning Dwelling House	1	4	Larceny Person	19	3	Leaving Scene Personal Injury	3	2	Larceny	1
6	Carjacking	1	4	Larceny Person + 65	1	3	Leaving Scene Property Damage	50	2	Larceny Less	2
6	Child Pornography	5	4	Stalking	1	3	Mal Dest Property More	5	2	Open And Gross	2
6	Manslaughter	2		Sub-Total	98	3	Possess Burglarious Tools	8	2	Operate After Suspension 2nd	1
6	Rape Of Child	5				3	Possession Class D 2nd	1	2	Operate to Endanger	22
6	Robbery Unarmed + 60	3				3	Receiving Stolen Goods MV	15	2	Possession Class A	4
6	Sub-Total	72				3	Receiving Stolen Goods Over	4	2	Possession Class B	11
4	Bartley-Fox Mandatory Sentence	1				3	Restraining Order Violation	16	2	Possession Class C	2
4	Sub-Total	1				3	Sex Offender Fail Register	3	2	Possession Class D	13
2	Oper Und Infl Of Liq 2 nd	1				3	Throw Object On Public Way	3	2	Possession Class D Mar 2nd	2
2	OUI	7				3	Sub-Total	350	2	Property Destruction	11
2	OUI - Drugs	2				2			2	Prostitution	2
2	Sub-Total	10				2			2	Racing	1
						2			2	Receiving Stolen Goods	7
						2			2	Resisting Arrest	36
						2			2	Tagging Property	1
						2			2	True Name Law	7
						2			2	Use Without Authority	8
						2			2	Sub-Total	292

Criminal History Group

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

- E **Serious Violent Record**
Two or more prior convictions for offenses in level 7 through 9

- D **Violent or Repetitive Record**
One prior conviction for offenses in levels 7 through 9, or
Two or more prior convictions for offenses in levels 5 or 6, or
Six or more prior convictions in levels 3, 4, 5 or 6

- C **Serious Record**
One prior conviction for offenses at levels 5 or 6, or
Three to five prior convictions for offenses in levels 3 or 4

- B **Moderate Record**
One or two prior convictions for offenses in 3 or 4, or
Six or more prior convictions for offenses in levels 1 or 2

- A **No/Minor Record**
One to five prior convictions for offenses in levels 1 or 2, or
No prior convictions of any kind

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

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

Prior Convictions. The criminal history includes only those charges which reached a final disposition prior to the disposition date of the current sentencing event. An assumption was made that for both criminal history events and for sentencing events, the date of arraignment for a charge is always on or before the disposition date for the charge. For arraignment events, it was further assumed that charges are substantially disposed of in order of arraignment. Therefore, the criminal history includes those charges which resulted in a conviction and whose arraignment date precedes the arraignment date of the governing offense in the current sentencing event.

Multiple Prior Convictions. The criminal history scale counts multiple convictions resulting from separate charges as a single conviction if those charges have the same

arraignment date. This is consistent with the policy of the commission that multiple convictions arising from the same incident should be counted as one prior conviction, based on the most serious offense. All cases arraigned on a single date constitute an arraignment event. An arraignment event includes only convicted charges, can include charges disposed of on diverse dates, and can include federal court cases that appear as part of the CARI database.

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

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

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

In the FY 1999 Survey of Sentencing Practices, changes were made to the estimates of defendants criminal history that result in fewer defendants classified in criminal history group A and E. All criminal history estimates for the period FY 1994 to FY 1998 were re-stated to be consistent with these revisions.

Juvenile Criminal History

Consistent with the policy established by the commission, juvenile criminal history was also considered in the construction of the criminal history scale. Adjudications of

delinquency for offenses classified in levels 7, 8, and 9 were counted for purposes of classifying the defendant into one of five criminal history groups; other adjudications of delinquency in the juvenile record were not counted for purposes of classifying the defendant into one of the five criminal history groups. There was no age limit on the age of the juvenile at the time of conviction, all noted adjudications were considered, regardless of the age of the defendant at the time of the juvenile criminal history or the current age of the adult defendant.

In evaluating the juvenile criminal record a set of assumptions parallel to the adult model were followed: only those offenses resulting in an adjudication of delinquency were considered; an incident based approach was applied to counting juvenile adjudications (only one juvenile adjudication per arraignment event); and, the most serious charge for which the juvenile was adjudicated at each arraignment event counts towards the juvenile criminal history. Some further assumptions used in the construction of the juvenile criminal history model include: all juvenile criminal history adjudications were assumed to precede any adult criminal history convictions; and there was no constraint on the types of offenses that could be charged in juvenile courts.

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

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

Youthful Offender Dispositions

The youthful offender law allows judges sitting in juvenile court to sentence certain juvenile offenders to an adult sentence or to a combination adult / DYS sentence.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 2008 there were 379 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 for which the juvenile was adjudicated at each arraignment event counts towards the

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.

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 2008, 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 2008 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 2008, 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 2008 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 1,749 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, and race) 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.

Beginning with FY 2006 survey of sentencing practices, the Massachusetts Sentencing Commission introduced defendants last known address into the statistical reporting series. Where multiple address information was available in the CARI data base, the most recently updated information was used.

All last known address information was validated through a geo-coding process against a database of valid Massachusetts street names and locations. All geo-coding parameters were set to 100%. Where the initial address was not validated, a secondary address from the CARI database was used. There were some defendants who indicated a city or town as a residential address but did not provide any further street information. These cases were included in the analysis at the level of summary statistical information on cities and towns but were not included in any further geo-graphic analysis. For those individuals living in a shelter or residential treatment program, the address of the shelter or program was used. There were a small number of defendants for whom there was not enough information provided to locate the shelter. For those individuals living in hotels, campgrounds or trailer parks, the street address of the facility was used. There were a small number of defendants for whom there was not enough information provided to locate the hotel or other residential facility. Some defendants resided at a college or university dormitory. For these defendants the main address of the college or university was used for purposes of geo-coding. Some defendants provided a correctional facility as the last known address. These defendants were not included in the geo-coding analysis. Some defendants provided an out-of-state address as the last known address. These defendants were not included in the geo-coding analysis. Some defendants indicated that they were homeless. These defendants were included in the geo-coding analysis if there was an indication of a city or town in which they were homeless. Table 37 shows the assignment of all offenders to a last known address category.

Table 37. Last Known Address Category by Court Department

Last Known Address Category	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Massachusetts City or Town Assigned						
Specific Street Address	44,455	92.4%	3,674	90.0%	48,129	92.2%
Homeless (city identified)	492	1.0%	28	0.7%	520	1.0%
No Specific Street Address (city identified)	133	0.3%	3	0.1%	136	0.3%
Sub-Total	45,080	93.7%	3,705	90.7%	48,785	93.5%
No Massachusetts City or Town Assigned						
Out of State Resident	2,247	4.7%	212	5.2%	2,459	4.7%
Correctional Facility	603	1.3%	148	3.6%	751	1.4%
Homeless or Shelter (city not identified)	173	0.4%	16	0.4%	189	0.4%
Not Available	13	0.0%	2	0.0%	15	0.0%
Sub-Total	3,036	6.3%	378	9.3%	3,414	6.5%
Total	48,116	100.0%	4,083	100.0%	52,199	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

A frequently occurring mandatory drug offense was distribution in a school zone, with 248 convictions, or 26.1% 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 248 defendants for whom the school zone offense was the governing offense; and,
- There were 84 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:
 - 66 had a mandatory drug offense as the governing offense; and,
 - 18 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 332 defendants with one or more convictions of distribution in a school zone. Of these 332 defendants:

- the underlying drug offense was a mandatory drug offense for 82 defendants; and,
- the underlying drug offense was a non-mandatory drug offense for 250 defendants.
- 251 had a house of correction sentence imposed for the underlying drug offense and of these sentences 162 were for 1 day; and,

- 80 had a state prison sentence imposed for the underlying drug offense.

The final portion of the table shows the racial composition of the 332 school zone defendants.

Incarceration Status

Table 39 shows incarceration status by governing offense for all convicted defendants assigned to the sentencing guidelines grid. Offenses are shown in descending order of offense seriousness level. For each offense, the total number of convicted defendants, the number of incarcerated defendants, and the incarceration rate are shown. The same information is shown for each criminal history group.

For example, the offense of Indecent A&B On Child is a level 5 offense. A total of 125 defendants were convicted of this offense including 81 in criminal history group A, 17 in criminal history group B, 16 in criminal history group C, 11 in criminal history group D, and none in criminal history group E. Of the 125 convicted defendants, a total of 87 received a sentence of incarceration, for an overall incarceration rate of 70%. Of the 81 defendants in criminal history group A, a total of 50 received a sentence of incarceration, for an incarceration rate of 62%; of the 17 defendants in criminal history group B, a total of 13 received a sentence of incarceration for an incarceration rate of 76%; of the 16 defendants in criminal history group C, 14 received a sentence of incarceration for an incarceration rate of 88%; of the 11 defendants in criminal history group D, 10 received a sentence of incarceration, for an incarceration rate of 91%; and, there were no defendants in criminal history group E.

Table 40 shows the same information for defendants convicted in district court. For example, as indicated in Table 40, there were a total of 76 convictions for Indecent A&B on Child in the district court. Of these 76 convictions, 45 resulted in a sentence to incarceration for an overall incarceration rate of 59%. The number of convicted defendants, the number of incarcerated defendants, and the incarceration rate is also shown for each criminal history group.

Table 41 shows the same information for defendants convicted in superior court. As indicated in Table 41, there were a total of 49 convictions for Indecent A&B on Child in the superior court. Of these 49 convictions, 42 resulted in a sentence to incarceration for an overall incarceration rate of 86%. 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 42 and Table 43 show sentence length information for those defendants sentenced to the state prison by governing offense and grid cell assignment. In Table 42 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 36 defendants sentenced to the state prison in FY 2008. The mean minimum state prison sentence for armed assault w/i murder was 57.7 months and the median minimum sentence for armed assault w/i murder was 36.0 months.

In Table 43 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 36 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 75.8 months and the median sentence for armed assault w/i murder was 60.0 months.

House of Correction Sentences

Table 44 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 557 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 96 defendants convicted of this offense and sentenced to a term of incarceration in a house of correction. The mean house of correction sentence was 9.2 months and the median house of correction sentence was 9.0 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 45 shows information on incarceration rates by type of offense, for those offenses assigned to the sentencing grid. All offenses were assigned to a type of offense: person, sex, property, drug, motor vehicle, weapons, public order, and other. As indicated in Table 45:

- there were 9,450 defendants convicted of person offenses with an incarceration rate of 52%;
- there were 586 defendants convicted of sex offenses with an incarceration rate of 69%;
- there were 682 defendants convicted of weapons offenses with an incarceration rate of 43%;
- there were 10,733 defendants convicted of property offenses with an incarceration rate of 41%;
- there were 8,991 defendants convicted of drug offenses with an incarceration rate of 47%;
- there were 9,721 defendants convicted of motor vehicle offenses with an incarceration rate of 23%;
- there were 2,989 defendants convicted of other offenses with an incarceration rate of 39%; and,
- there were 2,710 defendants convicted of public order offenses with an incarceration rate of 26%.

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	161	97.6%	87	52.1%	248	74.7%
Governing Offense: Other Mandatory Drug	0	0.0%	66	39.5%	66	19.9%
Governing Offense: All Other Offenses	4	2.4%	14	8.4%	18	5.4%
Total	165	100.0%	167	100.0%	332	100.0%
Underlying Offense of Conviction						
Trafficking Cocaine 14-28 grams	0	0.0%	11	6.6%	11	3.3%
Trafficking Cocaine 28-100 grams	0	0.0%	10	6.0%	10	3.0%
Trafficking Cocaine 100-200 grams	0	0.0%	2	1.2%	2	0.6%
Trafficking Cocaine 200+ grams	0	0.0%	1	0.6%	1	0.3%
Trafficking Heroin 14-28 grams	0	0.0%	0	0.0%	0	0.0%
Trafficking Heroin 28-100 grams	0	0.0%	1	0.6%	1	0.3%
Trafficking Heroin 100-200 grams	0	0.0%	0	0.0%	0	0.0%
Trafficking Heroin 200+ grams	0	0.0%	0	0.0%	0	0.0%
Distribution Class A	34	20.6%	29	17.4%	63	19.0%
Distribution Class A, 2nd Offender	0	0.0%	4	2.4%	4	1.2%
Distribution Class B	100	60.6%	52	31.1%	152	45.8%
Distribution Class B, 2nd Offender	0	0.0%	5	3.0%	5	1.5%
Distribution Cocaine / Mandatory	0	0.0%	38	22.8%	38	11.4%
Distribution Cocaine / 2nd	0	0.0%	10	6.0%	10	3.0%
Distribution Class C	1	0.6%	0	0.0%	1	0.3%
Distribution Class D	29	17.6%	4	2.4%	33	9.9%
Distribution Class D, 2nd Offender	1	0.6%	0	0.0%	1	0.3%
Distribution Class E	0	0.0%	0	0.0%	0	0.0%
Total	165	100.0%	167	100.0%	332	100.0%
Sentence Imposed / Underlying Drug Offense						
House of Correction Sentence						
1 Day	109	66.1%	53	31.7%	162	48.8%
2 Days to 5 Months	11	6.7%	1	0.6%	12	3.6%
6 Months to 11 Months	14	8.5%	5	3.0%	19	5.7%
12 Months to 17 Months	20	12.1%	16	9.6%	36	10.8%
18 Months to 23 Months	1	0.6%	1	0.6%	2	0.6%
24 Months or More	10	6.1%	10	6.0%	20	6.0%
Sub-Total	165	100.0%	86	51.5%	251	75.6%
DOC Sentence	0	0.0%	80	47.9%	80	24.1%
Other	0	0.0%	1	0.6%	1	0.3%
Total	165	100.0%	167	100.0%	332	100.0%
Defendant Race						
White	31	18.8%	41	24.6%	72	21.7%
Black	78	47.3%	69	41.3%	147	44.3%
Hispanic	54	32.7%	57	34.1%	111	33.4%
Other	2	1.2%	0	0.0%	2	0.6%
Total	165	100.0%	167	100.0%	332	100.0%

Table 39 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	25	6	9	6	0	46	25	6	9	6	0	46	100%	100%	100%	100%		100%
9	Sub-Total	25	6	9	6	0	46	25	6	9	6	0	46	100%	100%	100%	100%		100%
8	Manslaughter	27	10	3	9	0	49	27	10	3	9	0	49	100%	100%	100%	100%		100%
8	Assault In Dwelling	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
8	Armed Assault In Dwell House	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
8	Rape, Aggravated	4	2	5	6	0	17	4	2	5	6	0	17	100%	100%	100%	100%		100%
8	Rape 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
8	Rape Of Child w/Force	15	6	6	3	0	30	14	6	6	3	0	29	93%	100%	100%	100%		97%
8	Armed Assault w/i Murder - Firearm	11	8	5	1	0	25	11	8	5	1	0	25	100%	100%	100%	100%		100%
8	Home Invasion	5	2	4	2	0	13	4	2	4	2	0	12	80%	100%	100%	100%		92%
8	Burglary, Armed	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
8	Traffic Cocaine 200+	3	3	2	2	0	10	3	3	2	2	0	10	100%	100%	100%	100%		100%
8	Sub-Total	68	32	26	25	0	151	65	32	26	25	0	148	96%	100%	100%	100%		98%
7	Murder, Attempted	2	2	0	1	0	5	2	2	0	1	0	5	100%	100%		100%		100%
7	Mayhem	2	3	2	3	1	11	1	3	2	3	1	10	50%	100%	100%	100%	100%	91%
7	A&B Child w/Injury Substantial	7	1	0	0	0	8	7	1	0	0	0	8	100%	100%				100%
7	Rape	12	3	4	6	1	26	11	3	4	6	1	25	92%	100%	100%	100%	100%	96%
7	Assault w/i Rape Child	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
7	Incest	3	2	0	0	0	5	1	1	0	0	0	2	33%	50%				40%
7	Armed Robbery Gun	23	19	19	16	0	77	20	18	19	15	0	72	87%	95%	100%	94%		94%
7	Armed Assault w/i Murder	15	10	6	6	0	37	14	10	6	6	0	36	93%	100%	100%	100%		97%
7	Carjacking, Armed	1	1	0	4	0	6	1	1	0	4	0	6	100%	100%		100%		100%
7	Kidnapping Extortion	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
7	Kidnapping Child	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
7	Confine And Put In Fear	1	0	0	2	0	3	0	0	0	2	0	2	0%			100%		67%
7	Traffic Heroin 028-100	5	2	3	0	0	10	5	2	3	0	0	10	100%	100%	100%			100%
7	Traffic Heroin 100-200	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
7	Traffic Cocaine 100-200	11	4	3	6	0	24	11	4	3	6	0	24	100%	100%	100%	100%		100%
7	Sub-Total	85	49	38	44	2	218	74	47	38	43	2	204	87%	96%	100%	98%	100%	94%

Table 39 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	11	1	1	1	0	14	11	0	1	1	0	13	100%	0%	100%	100%		93%
6	A&B Elderly / Disabled Ser Injury	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	A&B Aggravated - Serious Injury	11	1	0	1	1	14	5	1	0	1	1	8	45%	100%		100%	100%	57%
6	A&B Dangerous Weapon	15	21	14	24	0	74	15	21	14	24	0	74	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon + 60	1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%
6	A&B DW, Aggravated w/Injury	9	2	3	2	0	16	4	2	3	2	0	11	44%	100%	100%	100%		69%
6	Assault To Kill or Maim	3	0	5	3	0	11	3	0	5	3	0	11	100%		100%	100%		100%
6	Rape Of Child	59	17	12	8	0	96	53	14	11	7	0	85	90%	82%	92%	88%		89%
6	Assault w/i Rape	6	3	0	1	0	10	5	3	0	1	0	9	83%	100%		100%		90%
6	Indecent A&B On Child 2nd	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
6	Child Pornography	6	0	0	0	0	6	0	0	0	0	0	0	0%					0%
6	Robbery Unarmed + 60	3	2	3	4	0	12	3	1	3	4	0	11	100%	50%	100%	100%		92%
6	Armed Robbery	66	48	56	61	2	233	44	45	52	58	2	201	67%	94%	93%	95%	100%	86%
6	Armed Assault w/i Rob	12	7	4	4	0	27	8	5	4	4	0	21	67%	71%	100%	100%		78%
6	Armed Aslt w/i Rob Over 65	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
6	Carjacking	5	5	2	6	0	18	4	4	2	6	0	16	80%	80%	100%	100%		89%
6	Kidnapping	8	3	2	2	0	15	8	3	2	2	0	15	100%	100%	100%	100%		100%
6	Harassment, 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
6	Burning Dwelling House	7	5	2	0	0	14	5	3	2	0	0	10	71%	60%	100%			71%
6	Distribute Class A 2nd	0	3	2	9	0	14	0	3	2	9	0	14		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	10	9	10	0	29	0	10	9	10	0	29		100%	100%	100%		100%
6	Traffic Heroin 014-028	3	1	1	0	0	5	3	1	1	0	0	5	100%	100%	100%			100%
6	Traffic Cocaine 028-100	47	26	24	16	0	113	47	26	24	16	0	113	100%	100%	100%	100%		100%
6	MV Homicide - OUI Felony	6	1	1	0	0	8	6	1	1	0	0	8	100%	100%	100%			100%
6	Sub-Total	280	156	143	155	3	737	227	143	138	151	3	662	81%	92%	97%	97%	100%	90%
5	A&B Child w/Injury	18	6	4	2	0	30	11	4	4	2	0	21	61%	67%	100%	100%		70%
5	A&B Aggravated	23	15	12	13	0	63	10	10	7	10	0	37	43%	67%	58%	77%		59%
5	A&B DW, Aggravated	9	6	3	6	0	24	7	6	3	6	0	22	78%	100%	100%	100%		92%
5	Indecent A&B On Child	81	17	16	11	0	125	50	13	14	10	0	87	62%	76%	88%	91%		70%
5	Entice Child	11	2	0	1	0	14	4	2	0	1	0	7	36%	100%		100%		50%
5	Robbery Unarmed	18	20	31	42	1	112	7	14	26	41	1	89	39%	70%	84%	98%	100%	79%
5	Intimidation	140	156	149	135	0	580	56	74	102	91	0	323	40%	47%	68%	67%		56%
5	Stalking Violation of Rest. Order	1	2	2	2	0	7	1	2	2	2	0	7	100%	100%	100%	100%		100%
5	Common & Notorious Thief	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
5	Burglary	12	0	8	6	0	26	5	0	8	6	0	19	42%		100%	100%		73%
5	Gaming Enterprise	3	0	0	1	0	4	0	0	0	1	0	1	0%			100%		25%
5	Distribute Class B 2nd	1	9	7	20	0	37	1	9	7	20	0	37	100%	100%	100%	100%		100%
5	Traffic Cocaine 014-028	63	50	35	26	2	176	63	50	35	26	2	176	100%	100%	100%	100%	100%	100%
5	Guard Sex w/ Prisoner	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
5	Perjury or Suborn	6	6	0	0	0	12	0	5	0	0	0	5	0%	83%				42%
5	Sex Offender Fail Register 2nd	0	0	1	2	0	3	0	0	1	1	0	2			100%	50%		67%
5	Sub-Total	389	289	268	269	3	1218	217	189	209	219	3	837	56%	65%	78%	81%	100%	69%

Table 39 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	24	15	7	18	0	64	12	7	6	12	0	37	50%	47%	86%	67%		58%
4	Assault Aggravated	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	A&B Child Conspiracy	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	A&B Guard	0	2	6	15	0	23	0	2	5	13	0	20		100%	83%	87%		87%
4	A&B Dangerous Weapon	69	55	65	53	0	242	69	55	65	53	0	242	100%	100%	100%	100%		100%
4	A&B To Collect Loan	0	2	0	1	0	3	0	0	0	1	0	1		0%		100%		33%
4	Indecent A&B	69	21	14	21	0	125	36	16	10	17	0	79	52%	76%	71%	81%		63%
4	Photograph Nude Person	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
4	Child Pornography Possess 2nd	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
4	Assault w/i Rob	1	3	6	6	0	16	0	3	3	6	0	12	0%	100%	50%	100%		75%
4	Kidnapping	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Stalking	8	7	9	7	0	31	4	1	5	3	0	13	50%	14%	56%	43%		42%
4	Harassment	22	22	7	11	0	62	10	10	5	6	0	31	45%	45%	71%	55%		50%
4	Larceny More	4	2	4	12	0	22	4	2	4	12	0	22	100%	100%	100%	100%		100%
4	Larceny Person	184	141	72	92	1	490	78	93	49	74	1	295	42%	66%	68%	80%	100%	60%
4	Larceny Person + 65	4	5	3	4	0	16	0	3	3	4	0	10	0%	60%	100%	100%		63%
4	Larceny MV 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
4	Fraud - Identity	72	66	34	43	0	215	21	24	17	33	0	95	29%	36%	50%	77%		44%
4	B&E	1	7	11	78	0	97	1	7	11	78	0	97	100%	100%	100%	100%		100%
4	Enter Dwelling w/i Felony	3	2	1	6	0	12	1	0	0	6	0	7	33%	0%	0%	100%		58%
4	B&E DT Armed w/i Felony	5	0	3	3	0	11	4	0	3	3	0	10	80%		100%	100%		91%
4	Receiving Stolen Goods Over	1	1	2	3	0	7	1	1	2	3	0	7	100%	100%	100%	100%		100%
4	Receiving Stolen Goods MV 2nd	0	1	2	10	0	13	0	1	2	10	0	13		100%	100%	100%		100%
4	Forge Commonwealth Note	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Burning Building	4	1	0	1	0	6	3	0	0	1	0	4	75%	0%		100%		67%
4	Burning to Defraud	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Distribute Class A	266	173	124	118	0	681	119	116	98	93	0	426	45%	67%	79%	79%		63%
4	Distribute Class B	808	482	262	194	0	1746	307	281	181	143	0	912	38%	58%	69%	74%		52%
4	Distribute Cocaine	86	77	61	53	0	277	86	77	61	53	0	277	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	2	0	2	0	0	4	2	0	2	0	0	4	100%		100%			100%
4	Larceny Cont Sub	5	1	0	2	0	8	0	0	0	2	0	2	0%	0%		100%		25%
4	Giving Prisoner Cont Sub	1	2	2	3	0	8	0	1	2	2	0	5	0%	50%	100%	67%		63%
4	Control Substance School	77	78	53	39	1	248	77	78	53	39	1	248	100%	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	0	0	0	0	3	1	0	0	0	0	1	33%					33%
4	MV Homicide - OUI	8	0	1	0	0	9	6	0	1	0	0	7	75%		100%			78%
4	Leaving Scene Death	2	0	0	1	1	4	2	0	0	1	1	4	100%			100%	100%	100%
4	OUI Serious Inj, Fel	15	5	2	0	0	22	15	5	2	0	0	22	100%	100%	100%			100%
4	OUI - Child Endangerment 2nd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	Derive Support From Prostitute	0	0	2	2	0	4	0	0	2	2	0	4			100%	100%		100%
4	Firearm Sale Violation	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
4	Escape	5	9	15	12	0	41	4	4	13	9	0	30	80%	44%	87%	75%		73%
4	Bribery	4	0	1	1	0	6	0	0	1	0	0	1	0%		100%	0%		17%
4	Extortion	2	0	3	1	0	6	1	0	3	1	0	5	50%		100%	100%		83%
4	Bomb Hoax	1	1	0	2	0	4	0	0	0	2	0	2	0%	0%		100%		50%
4	Hoax Device	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
4	Tax Law Violation	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
4	Disinter Body	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
4	Sub-Total	1769	1184	779	815	3	4550	865	790	614	685	3	2957	49%	67%	79%	84%	100%	65%

Table 39 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	1565	1124	845	766	5	4305	434	493	440	511	3	1881	28%	44%	52%	67%	60%	44%
3	A&B Domestic	51	16	19	12	0	98	12	11	6	9	0	38	24%	69%	32%	75%		39%
3	A&B w/ Intimidate	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
3	Reckless Endangerment	20	8	2	5	0	35	2	2	1	0	0	5	10%	25%	50%	0%		14%
3	A&B Ambulance	0	3	0	1	0	4	0	2	0	1	0	3		67%		100%		75%
3	A&B Dangerous Weapon	322	215	166	127	0	830	99	109	79	70	0	357	31%	51%	48%	55%		43%
3	A&B Dangerous Weapon + 60	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Assault Dangerous Weapon	213	154	119	133	0	619	87	82	73	91	0	333	41%	53%	61%	68%		54%
3	Assault Dangerous Weapon + 60	6	0	0	1	0	7	5	0	0	1	0	6	83%			100%		86%
3	Unnatural Acts	1	2	0	0	0	3	1	2	0	0	0	3	100%	100%				100%
3	Child Pornography Possess	25	3	1	2	0	31	13	1	1	2	0	17	52%	33%	100%	100%		55%
3	Kidnapping	5	0	0	2	0	7	1	0	0	1	0	2	20%			50%		29%
3	Violation Of Civil Rights	1	1	1	1	0	4	0	0	1	0	0	1	0%	0%	100%	0%		25%
3	Restraining Order Violation	241	281	262	224	0	1008	70	126	140	158	0	494	29%	45%	53%	71%		49%
3	Larceny	21	15	10	12	0	58	21	15	10	12	0	58	100%	100%	100%	100%		100%
3	Larceny More	616	535	401	469	2	2023	146	192	186	285	1	810	24%	36%	46%	61%	50%	40%
3	Larceny More + 60	9	2	0	2	0	13	0	2	0	0	0	2	0%	100%		0%		15%
3	Larceny Building	60	54	46	54	0	214	21	26	29	38	0	114	35%	48%	63%	70%		53%
3	Larceny Firearm	7	2	1	1	0	11	4	1	1	1	0	7	57%	50%	100%	100%		64%
3	Larceny MV	54	40	30	42	1	167	23	21	21	37	1	103	43%	53%	70%	88%	100%	62%
3	Embezzlement	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
3	Credit Card Misuse - More	7	5	6	15	0	33	5	2	3	12	0	22	71%	40%	50%	80%		67%
3	Defrauding Insurer	22	5	4	2	0	33	8	3	2	1	0	14	36%	60%	50%	50%		42%
3	Fraud	20	25	12	17	0	74	4	9	4	13	0	30	20%	36%	33%	76%		41%
3	MV - Sales Violation	0	1	0	1	0	2	0	0	0	0	0	0		0%		0%		0%
3	Possess Burglarious Tools	48	36	43	64	0	191	14	18	24	46	0	102	29%	50%	56%	72%		53%
3	B&E	458	439	313	425	2	1637	156	253	223	316	1	949	34%	58%	71%	74%	50%	58%
3	Mal Dest Property More	64	49	31	40	0	184	18	20	23	29	0	90	28%	41%	74%	73%		49%
3	Receiving Stolen Goods Over	53	39	39	40	1	172	22	20	29	32	0	103	42%	51%	74%	80%	0%	60%
3	Receiving Stolen Goods MV	101	84	61	74	0	320	46	49	35	57	0	187	46%	58%	57%	77%		58%
3	Receiving Stolen Goods 2nd	0	1	0	3	0	4	0	0	0	3	0	3		0%		100%		75%
3	Forgery And Uttering	122	164	95	98	0	479	22	56	49	63	0	190	18%	34%	52%	64%		40%
3	Counterfeit	10	4	5	6	0	25	2	3	1	3	0	9	20%	75%	20%	50%		36%
3	Burning Property	6	1	4	3	0	14	3	0	2	1	0	6	50%	0%	50%	33%		43%
3	Burning Motor Vehicle	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
3	Gaming Register Bets	4	3	1	0	0	8	0	0	0	0	0	0	0%	0%	0%			0%

Table 39 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Possession Class A 2nd	3	5	5	12	0	25	1	1	5	6	0	13	33%	20%	100%	50%		52%
3	Possession Class A Heroin 2nd	4	11	13	7	0	35	1	5	7	7	0	20	25%	45%	54%	100%		57%
3	Possession Class B 2nd	7	33	30	26	0	96	2	16	21	16	0	55	29%	48%	70%	62%		57%
3	Possession Class C 2nd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
3	Possession Class D 2nd	23	18	15	5	0	61	5	5	7	3	0	20	22%	28%	47%	60%		33%
3	Distribute Class C	14	15	18	12	0	59	3	3	5	7	0	18	21%	20%	28%	58%		31%
3	Distribute Class D 2nd	8	11	9	1	0	29	6	9	6	1	0	22	75%	82%	67%	100%		76%
3	Distribute Class E 2nd	1	0	2	1	0	4	1	0	2	1	0	4	100%		100%	100%		100%
3	MV Homicide	35	1	1	3	0	40	11	0	0	3	0	14	31%	0%	0%	100%		35%
3	Leaving Scene Property Damage	364	188	118	81	0	751	50	54	47	36	0	187	14%	29%	40%	44%		25%
3	Leaving Scene Personal Injury	99	33	10	15	0	157	15	11	8	10	0	44	15%	33%	80%	67%		28%
3	OUI Serious Inj, Misd	21	4	2	0	0	27	8	2	1	0	0	11	38%	50%	50%			41%
3	OUI - Child Endangerment	27	0	0	0	0	27	3	0	0	0	0	3	11%					11%
3	Inducing Minor To Sex	8	1	1	0	0	10	1	0	1	0	0	2	13%	0%	100%			20%
3	Gun Serial Number	15	5	2	2	0	24	10	4	1	2	0	17	67%	80%	50%	100%		71%
3	Firearm Loaded while OUI	4	0	0	0	0	4	3	0	0	0	0	3	75%					75%
3	Nonsupport	8	4	0	0	0	12	7	0	0	0	0	7	88%	0%				58%
3	Interfere Police or Firefighter	1	5	1	3	0	10	0	2	0	0	0	2	0%	40%	0%	0%		20%
3	Failure to Appear Felony	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
3	Carrying Dangerous Weapon	111	54	41	52	0	258	30	22	17	24	0	93	27%	41%	41%	46%		36%
3	Contempt Of Court	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
3	Cruelty To Animals	9	8	1	1	0	19	2	2	0	0	0	4	22%	25%	0%	0%		21%
3	Animal Kill or Poison	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Throw Object On Public Way	2	0	0	1	0	3	0	0	0	0	0	0				0%		0%
3	Sex Offender Fail Register	15	36	112	194	4	361	3	22	58	110	2	195	20%	61%	52%	57%	50%	54%
3	Vandalize - Graves	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
3	Sub-Total	4918	3750	2899	3058	15	14640	1404	1681	1570	2019	8	6682	29%	45%	54%	66%	53%	46%

Table 39 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	59	62	30	27	0	178	11	19	11	16	0	57	19%	31%	37%	59%		32%
2	Accost / Annoy Person Opposite Sex	10	5	8	4	0	27	6	2	4	3	0	15	60%	40%	50%	75%		56%
2	Larceny	43	42	20	27	0	132	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny + 60	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
2	Larceny Less	235	163	134	107	2	641	43	42	42	51	0	178	18%	26%	31%	48%	0%	28%
2	Larceny Less +60	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Shoplifting	530	473	348	425	1	1777	27	70	64	139	0	300	5%	15%	18%	33%	0%	17%
2	Credit Card Misuse	36	38	17	14	0	105	4	12	9	8	0	33	11%	32%	53%	57%		31%
2	MV - False Report Of Theft	7	1	1	1	0	10	1	0	0	0	0	1	14%	0%	0%	0%		10%
2	Defrauding Innkeeper	3	3	0	1	0	7	1	1	0	1	0	3	33%	33%		100%		43%
2	Welfare Violation	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
2	Failure To Return Leased Prop	10	9	9	2	0	30	2	1	3	1	0	7	20%	11%	33%	50%		23%
2	B&E MV	7	3	1	3	0	14	4	1	1	2	0	8	57%	33%	100%	67%		57%
2	B&E w/i Misdemeanor	53	28	11	12	0	104	9	9	4	10	0	32	17%	32%	36%	83%		31%
2	Property Destruction	202	122	104	104	0	532	39	44	40	38	0	161	19%	36%	38%	37%		30%
2	Tagging Property	18	10	3	1	0	32	2	3	3	1	0	9	11%	30%	100%	100%		28%
2	Receiving Stolen Goods	161	149	96	136	0	542	47	54	41	82	0	224	29%	36%	43%	60%		41%
2	Counterfeit	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Setting Fire Land	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Lottery Ticket Altering	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Fraud - Electric, Phone or Cable	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
2	Property Violation	13	4	11	6	0	34	4	1	2	3	0	10	31%	25%	18%	50%		29%
2	Possession Class A	153	158	109	111	1	532	47	65	42	58	0	212	31%	41%	39%	52%	0%	40%
2	Possession Class A Heroin	121	87	54	40	0	302	41	34	21	21	0	117	34%	39%	39%	53%		39%
2	Possession Class B	562	451	283	287	3	1586	184	182	127	147	2	642	33%	40%	45%	51%	67%	40%
2	Possession Class C	23	28	21	20	0	92	4	12	10	9	0	35	17%	43%	48%	45%		38%
2	Possession Class D	674	319	174	92	1	1260	116	99	65	31	0	311	17%	31%	37%	34%	0%	25%
2	Possession Class D Marijuana 2nd	16	14	18	6	0	54	5	5	10	5	0	25	31%	36%	56%	83%		46%
2	Distribute Counterfeit Substance	2	8	10	15	0	35	1	4	6	10	0	21	50%	50%	60%	67%		60%
2	Distribute Class D	382	147	70	32	0	631	93	69	30	13	0	205	24%	47%	43%	41%		32%
2	Distribute Class E	11	2	9	1	0	23	6	1	1	1	0	9	55%	50%	11%	100%		39%
2	Possession Hypodermic/Syringe	17	3	2	3	0	25	8	1	0	3	0	12	47%	33%	0%	100%		48%
2	Presence Class A	11	10	11	7	1	40	2	2	5	1	0	10	18%	20%	45%	14%	0%	25%
2	Forge Prescription	41	27	13	11	0	92	6	3	3	5	0	17	15%	11%	23%	45%		18%
2	Distribute Paraphenalia	1	1	1	0	0	3	0	0	0	0	0	0	0%	0%	0%			0%

Table 39 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Operate to Endanger	1003	299	138	106	0	1546	72	71	46	54	0	243	7%	24%	33%	51%		16%
2	Use Without Authority	72	62	42	44	0	220	32	32	28	28	0	120	44%	52%	67%	64%		55%
2	Use w/o Authority 2nd	0	0	0	3	0	3	0	0	0	1	0	1				33%		33%
2	Ignition Interlock Violation	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
2	Habitual Traffic Offender	29	46	40	39	0	154	7	16	19	20	0	62	24%	35%	48%	51%		40%
2	Racing	3	4	1	0	0	8	0	0	0	0	0	0	0%	0%	0%			0%
2	Operate After Suspension 2nd	195	386	255	257	0	1093	63	224	151	175	0	613	32%	58%	59%	68%		56%
2	Compulsory Insurance Violation	362	233	131	98	0	824	52	51	31	29	0	163	14%	22%	24%	30%		20%
2	Altering MV ID Number	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Counterfeit/Alter MV Document	44	28	9	11	1	93	5	7	5	6	0	23	11%	25%	56%	55%	0%	25%
2	False Statement On Application	5	6	2	2	0	15	0	3	0	1	0	4	0%	50%	0%	50%		27%
2	Prostitution	125	163	97	53	0	438	48	73	43	23	0	187	38%	45%	44%	43%		43%
2	Induce Female To Prostitution	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%			50%
2	Open And Gross	28	20	21	10	1	80	11	6	14	6	1	38	39%	30%	67%	60%	100%	48%
2	Obscene Material to Minor	3	2	0	0	0	5	0	2	0	0	0	2	0%	100%				40%
2	Failure To Disperse	8	0	0	0	0	8	0	0	0	0	0	0	0%					0%
2	Firearm Possess w/o Permit	197	81	27	8	0	313	79	50	22	4	0	155	40%	62%	81%	50%		50%
2	Possess Mace	8	3	2	0	0	13	1	1	0	0	0	2	13%	33%	0%			15%
2	Possess Ammunition	7	2	1	0	0	10	4	2	0	0	0	6	57%	100%	0%			60%
2	Firearm Carry, School	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
2	Firearm Store Improper	21	4	1	0	0	26	1	2	0	0	0	3	5%	50%	0%			12%
2	Escape Work Release Program	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	Escape Lockup	0	0	1	2	0	3	0	0	0	2	0	2			0%	100%		67%
2	Aiding An Escape	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Impersonate/Disguise	7	2	3	1	0	13	1	1	2	1	0	5	14%	50%	67%	100%		38%
2	False Statement	1	1	1	0	0	3	0	1	1	0	0	2	0%	100%	100%			67%
2	Failure to Appear	7	10	6	9	0	32	2	3	3	6	0	14	29%	30%	50%	67%		44%
2	Possess Stun Gun	6	3	5	0	0	14	1	1	1	0	0	3	17%	33%	20%			21%
2	False Alarm	3	4	4	2	0	13	1	4	3	2	0	10	33%	100%	75%	100%		77%
2	Fireworks	9	8	2	0	0	19	0	0	0	0	0	0	0%	0%	0%			0%
2	Violation Of Explosives	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Disrupt Court Proceedings	4	2	2	1	0	9	1	1	2	0	0	4	25%	50%	100%	0%		44%
2	Contributing To Delinquency	8	6	4	1	0	19	2	4	2	0	0	8	25%	67%	50%	0%		42%
2	Mistreat Police Animal	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
2	Work Compensation Fail Have	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
2	Resisting Arrest	300	253	194	199	0	946	65	98	90	106	0	359	22%	39%	46%	53%		38%
2	DNA Refuse	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	False Report Of Crime	16	13	7	3	0	39	2	4	5	1	0	12	13%	31%	71%	33%		31%
2	Disconnect Sprinkler System	1	3	1	1	0	6	0	3	1	0	0	4	0%	100%	100%	0%		67%
2	Wiretap, Possess Device	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Record w/o Manufacturer	2	2	1	2	0	7	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Unregistered Contractor	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
2	True Name Law	33	32	20	27	0	112	14	19	16	20	0	69	42%	59%	80%	74%		62%
2	Home Imp Contractor Violation	1	2	2	0	0	5	0	0	0	0	0	0	0%	0%	0%			0%
2	Sub-Total	5925	4056	2591	2378	11	14961	1178	1419	1030	1146	3	4776	20%	35%	40%	48%	27%	32%

Table 39 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	7	1	1	0	0	9	3	1	1	0	0	5	43%	100%	100%			56%
1	Threatening	116	86	80	76	0	358	38	34	44	47	0	163	33%	40%	55%	62%		46%
1	Defrauding Victualer	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
1	Timber, Cut Unlawful	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Vandalism	27	38	34	33	0	132	7	18	18	17	0	60	26%	47%	53%	52%		45%
1	Setting Fire In Open	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
1	Trespassing	307	266	213	245	1	1032	58	87	85	103	0	333	19%	33%	40%	42%	0%	32%
1	Tramp / Beggar	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	Gaming	2	2	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
1	Unauthorized Access of Computer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	Possession Class D Marijuana	243	106	60	35	1	445	44	25	18	14	0	101	18%	24%	30%	40%	0%	23%
1	Possession Class E	36	28	19	19	0	102	9	9	8	11	0	37	25%	32%	42%	58%		36%
1	Inhaling Toxic Vapors	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Motor Boat Skier Violation	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
1	Attaching Wrong MV Plates	74	38	16	18	0	146	3	4	3	5	0	15	4%	11%	19%	28%		10%
1	Operate After Suspension	1773	1325	822	608	6	4534	169	188	152	134	0	643	10%	14%	18%	22%	0%	14%
1	Violation Aircraft Restriction	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	MV - Impersonate/Other License	0	1	1	2	0	4	0	0	0	0	0	0		0%	0%	0%		0%
1	RV On Public Way	11	5	4	1	0	21	0	0	1	0	0	1	0%	0%	25%	0%		5%
1	Parking Ticket Mutilate	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Common Night Walker	16	26	18	5	0	65	10	14	10	5	0	39	63%	54%	56%	100%		60%
1	Indecent Exposure	10	19	12	20	0	61	0	6	4	13	0	23	0%	32%	33%	65%		38%
1	Lewd And Lacivious	5	4	4	3	0	16	2	1	2	2	0	7	40%	25%	50%	67%		44%
1	Disorderly Conduct	752	495	380	334	0	1961	84	85	100	111	0	380	11%	17%	26%	33%		19%
1	Possess Air Rifle w/o FID Card	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	Firearm Discharge	7	2	0	0	0	9	4	0	0	0	0	4	57%	0%				44%
1	Annoying Phone Calls	14	15	9	10	0	48	1	2	3	4	0	10	7%	13%	33%	40%		21%
1	Failure To Obey Police Officer	6	9	0	0	0	15	0	0	0	0	0	0	0%	0%				0%
1	Obstructing Justice	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
1	License Law Violation (Not MV)	3	2	1	1	0	7	1	0	0	0	0	1	33%	0%	0%	0%		14%
1	Alcohol, Procure for Minor	37	13	5	3	0	58	4	4	3	1	0	12	11%	31%	60%	33%		21%
1	Alcohol, Transporting	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
1	Cigarette/Match Thrown Fr Veh	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	Business Practice	2	0	1	0	0	3	0	0	1	0	0	1	0%		100%			33%
1	Employment Practices	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	Unlicensed Massage / Bath	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Sub-Total	3463	2487	1683	1415	8	9056	437	480	454	467	0	1838	13%	19%	27%	33%	0%	20%

Table 39 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	2	1	1	1	0	5	1	0	0	1	0	2	50%	0%	0%	100%		40%
0	Attempt B&E	1	3	3	2	0	9	0	1	2	2	0	5	0%	33%	67%	100%		56%
0	Conspiracy Violate CSA	24	24	8	10	0	66	5	9	6	7	0	27	21%	38%	75%	70%		41%
0	Solicit Felony	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
0	Conspiracy	16	7	4	8	0	35	7	3	2	6	0	18	44%	43%	50%	75%		51%
0	Attempt To Commit Crime	31	37	29	38	0	135	7	15	15	24	0	61	23%	41%	52%	63%		45%
0	Accessory Before	1	0	2	0	0	3	0	0	2	0	0	2	0%		100%			67%
0	Accessory After	17	5	4	3	0	29	7	4	3	3	0	17	41%	80%	75%	100%		59%
0	Sub-Total	95	77	51	62	0	285	30	32	30	43	0	135	32%	42%	59%	69%		47%

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
9	Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9	Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Assault In Dwelling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Armed Assault In Dwell House	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Rape, Aggravated	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Rape 2nd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Rape Of Child w/Force	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Armed Assault w/i Murder - Firearm	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Home Invasion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Burglary, Armed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Traffic Cocaine 200+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Murder, Attempted	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Mayhem	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	A&B Child w/Injury Substantial	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Assault w/i Rape Child	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Armed Robbery Gun	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Armed Assault w/i Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Carjacking, Armed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Kidnapping Extortion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Kidnapping Child	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Confine And Put In Fear	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Traffic Heroin 028-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Traffic Heroin 100-200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Traffic Cocaine 100-200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Table 40 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	0						
6	A&B Elderly / Disabled Ser Injury	0	0	0	0	0	0	0	0	0	0	0	0							
6	A&B Aggravated - Serious Injury	8	1	0	0	0	9	3	1	0	0	0	4	38%	100%					44%
6	A&B Dangerous Weapon	0	0	0	0	0	0	0	0	0	0	0	0							
6	A&B Dangerous Weapon + 60	0	0	0	0	0	0	0	0	0	0	0	0							
6	A&B DW, Aggravated w/Injury	2	0	0	0	0	2	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	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	Armed Aslt w/i Rob Over 65	0	0	0	0	0	0	0	0	0	0	0	0							
6	Carjacking	3	4	0	1	0	8	2	3	0	1	0	6	67%	75%		100%			75%
6	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0							
6	Harassment, 2nd	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	MV Homicide - OUI Felony	0	0	0	0	0	0	0	0	0	0	0	0							
6	Sub-Total	13	5	0	1	0	19	5	4	0	1	0	10	38%	80%		100%			53%
5	A&B Child w/Injury	12	6	4	2	0	24	6	4	4	2	0	16	50%	67%	100%	100%			67%
5	A&B Aggravated	23	14	9	12	0	58	10	9	5	9	0	33	43%	64%	56%	75%			57%
5	A&B DW, Aggravated	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%				50%
5	Indecent A&B On Child	49	11	10	6	0	76	24	7	9	5	0	45	49%	64%	90%	83%			59%
5	Entice Child	6	1	0	0	0	7	2	1	0	0	0	3	33%	100%					43%
5	Robbery Unarmed	0	0	0	0	0	0	0	0	0	0	0	0							
5	Intimidation	129	145	138	127	0	539	47	65	94	84	0	290	36%	45%	68%	66%			54%
5	Stalking Violation of Rest. Order	1	2	2	1	0	6	1	2	2	1	0	6	100%	100%	100%	100%			100%
5	Common & Notorious Thief	0	0	0	0	0	0	0	0	0	0	0	0							
5	Burglary	0	0	0	0	0	0	0	0	0	0	0	0							
5	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	Guard Sex w/ Prisoner	0	0	0	0	0	0	0	0	0	0	0	0							
5	Perjury or Suborn	0	0	0	0	0	0	0	0	0	0	0	0							
5	Sex Offender Fail Register 2nd	0	0	0	0	0	0	0	0	0	0	0	0							
5	Sub-Total	221	179	164	148	0	712	90	88	115	101	0	394	41%	49%	70%	68%			55%

Table 40 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	22	15	5	16	0	58	10	7	4	10	0	31	45%	47%	80%	63%		53%
4	Assault Aggravated	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Child Conspiracy	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	A&B Guard	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Dangerous Weapon	30	41	55	50	0	176	30	41	55	50	0	176	100%	100%	100%	100%		100%
4	A&B To Collect Loan	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
4	Indecent A&B	55	15	11	18	0	99	28	12	7	15	0	62	51%	80%	64%	83%		63%
4	Photograph Nude Person	3	0	0	0	0	3	0	0	0	0	0	0		0%				0%
4	Child Pornography Possess 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
4	Assault w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0						
4	Kidnapping	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Stalking	7	7	9	7	0	30	3	1	5	3	0	12	43%	14%	56%	43%		40%
4	Harassment	20	22	7	11	0	60	8	10	5	6	0	29	40%	45%	71%	55%		48%
4	Larceny More	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny Person	161	132	69	80	1	443	65	85	47	64	1	262	40%	64%	68%	80%	100%	59%
4	Larceny Person + 65	2	4	2	1	0	9	0	2	2	1	0	5	0%	50%	100%	100%		56%
4	Larceny MV 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
4	Fraud - Identity	67	65	34	43	0	209	18	23	17	33	0	91	27%	35%	50%	77%		44%
4	B&E	0	0	0	0	0	0	0	0	0	0	0	0						
4	Enter Dwelling w/I Felony	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
4	B&E DT Armed w/i Felony	0	0	0	0	0	0	0	0	0	0	0	0						
4	Receiving Stolen Goods Over	0	0	0	0	0	0	0	0	0	0	0	0						
4	Receiving Stolen Goods MV 2nd	0	1	1	4	0	6	0	1	1	4	0	6		100%	100%	100%		100%
4	Forge Commonwealth Note	0	0	0	0	0	0	0	0	0	0	0	0						
4	Burning Building	0	0	0	0	0	0	0	0	0	0	0	0						
4	Burning to Defraud	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Distribute Class A	209	125	69	86	0	489	78	79	52	64	0	273	37%	63%	75%	74%		56%
4	Distribute Class B	648	401	229	153	0	1431	239	227	156	110	0	732	37%	57%	68%	72%		51%
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	0	0	2	0	4	0	0	0	2	0	2	0%			100%		50%
4	Giving Prisoner Cont Sub	1	2	2	1	0	6	0	1	2	1	0	4	0%	50%	100%	100%		67%
4	Control Substance School	47	55	32	26	1	161	47	55	32	26	1	161	100%	100%	100%	100%	100%	100%
4	MV Homicide	0	0	0	0	0	0	0	0	0	0	0	0						
4	MV Homicide - Reckless	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
4	MV Homicide - OUI	6	0	1	0	0	7	4	0	1	0	0	5	67%		100%			71%
4	Leaving Scene Death	0	0	0	0	0	0	0	0	0	0	0	0						
4	OUI Serious Inj, Fel	12	2	1	0	0	15	12	2	1	0	0	15	100%	100%	100%			100%
4	OUI - Child Endangerment 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
4	Derive Support From Prostitute	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	5	8	14	12	0	39	4	3	12	9	0	28	80%	38%	86%	75%		72%
4	Bribery	2	0	1	1	0	4	0	0	1	0	0	1	0%		100%	0%		25%
4	Extortion	0	0	0	0	0	0	0	0	0	0	0	0						
4	Bomb Hoax	0	0	0	0	0	0	0	0	0	0	0	0						
4	Hoax Device	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
4	Tax Law Violation	0	0	0	0	0	0	0	0	0	0	0	0						
4	Disinter Body	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
4	Sub-Total	1306	898	544	514	2	3264	547	550	402	401	2	1902	42%	61%	74%	78%	100%	58%

Table 40 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	1514	1110	830	754	5	4213	416	484	428	502	3	1833	27%	44%	52%	67%	60%	44%
3	A&B Domestic	51	16	19	12	0	98	12	11	6	9	0	38	24%	69%	32%	75%		39%
3	A&B w/ Intimidate	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
3	Reckless Endangerment	16	7	2	5	0	30	0	1	1	0	0	2	0%	14%	50%	0%		7%
3	A&B Ambulance	0	3	0	1	0	4	0	2	0	1	0	3		67%		100%		75%
3	A&B Dangerous Weapon	313	209	163	124	0	809	99	109	79	70	0	357	32%	52%	48%	56%		44%
3	A&B Dangerous Weapon + 60	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Assault Dangerous Weapon	194	146	109	123	0	572	74	76	64	81	0	295	38%	52%	59%	66%		52%
3	Assault Dangerous Weapon + 60	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
3	Unnatural Acts	1	2	0	0	0	3	1	2	0	0	0	3	100%	100%				100%
3	Child Pornography Possess	13	2	0	0	0	15	6	0	0	0	0	6	46%	0%				40%
3	Kidnapping	0	0	0	2	0	2	0	0	0	1	0	1				50%		50%
3	Violation Of Civil Rights	1	1	1	1	0	4	0	0	1	0	0	1	0%	0%	100%	0%		25%
3	Restraining Order Violation	239	280	262	224	0	1005	69	125	140	158	0	492	29%	45%	53%	71%		49%
3	Larceny	19	15	10	11	0	55	19	15	10	11	0	55	100%	100%	100%	100%		100%
3	Larceny More	568	521	395	463	2	1949	134	189	184	283	1	791	24%	36%	47%	61%	50%	41%
3	Larceny More + 60	2	1	0	1	0	4	0	1	0	0	0	1	0%	100%		0%		25%
3	Larceny Building	56	51	42	50	0	199	18	23	25	35	0	101	32%	45%	60%	70%		51%
3	Larceny Firearm	7	2	1	1	0	11	4	1	1	1	0	7	57%	50%	100%	100%		64%
3	Larceny MV	53	39	30	40	1	163	22	20	21	35	1	99	42%	51%	70%	88%	100%	61%
3	Embezzlement	0	0	0	0	0	0	0	0	0	0	0	0						
3	Credit Card Misuse - More	6	5	5	13	0	29	4	2	2	10	0	18	67%	40%	40%	77%		62%
3	Defrauding Insurer	11	3	3	1	0	18	2	1	1	1	0	5	18%	33%	33%	100%		28%
3	Fraud	17	23	11	17	0	68	3	8	3	13	0	27	18%	35%	27%	76%		40%
3	MV - Sales Violation	0	1	0	1	0	2	0	0	0	0	0	0		0%		0%		0%
3	Possess Burglarious Tools	48	36	43	58	0	185	14	18	24	40	0	96	29%	50%	56%	69%		52%
3	B&E	434	429	305	407	2	1577	147	244	216	307	1	915	34%	57%	71%	75%	50%	58%
3	Mal Dest Property More	61	47	30	37	0	175	17	19	22	26	0	84	28%	40%	73%	70%		48%
3	Receiving Stolen Goods Over	44	31	35	36	0	146	16	15	25	28	0	84	36%	48%	71%	78%		58%
3	Receiving Stolen Goods MV	100	83	59	70	0	312	45	48	34	55	0	182	45%	58%	58%	79%		58%
3	Receiving Stolen Goods 2nd	0	1	0	3	0	4	0	0	0	3	0	3		0%		100%		75%
3	Forgery And Uttering	115	161	95	96	0	467	21	54	49	62	0	186	18%	34%	52%	65%		40%
3	Counterfeit	9	3	5	6	0	23	2	2	1	3	0	8	22%	67%	20%	50%		35%
3	Burning Property	6	1	4	3	0	14	3	0	2	1	0	6	50%	0%	50%	33%		43%
3	Burning Motor Vehicle	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
3	Gaming Register Bets	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Possession Class A 2nd	3	5	5	12	0	25	1	1	5	6	0	13	33%	20%	100%	50%		52%
3	Possession Class A Heroin 2nd	4	11	11	6	0	32	1	5	5	6	0	17	25%	45%	45%	100%		53%
3	Possession Class B 2nd	7	32	27	26	0	92	2	15	19	16	0	52	29%	47%	70%	62%		57%
3	Possession Class C 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Class D 2nd	23	18	15	5	0	61	5	5	7	3	0	20	22%	28%	47%	60%		33%
3	Distribute Class C	10	13	18	12	0	53	2	2	5	7	0	16	20%	15%	28%	58%		30%
3	Distribute Class D 2nd	8	9	8	1	0	26	6	8	5	1	0	20	75%	89%	63%	100%		77%
3	Distribute Class E 2nd	1	0	2	1	0	4	1	0	2	1	0	4	100%		100%	100%		100%
3	MV Homicide	31	1	1	2	0	35	8	0	0	2	0	10	26%	0%	0%	100%		29%
3	Leaving Scene Property Damage	364	188	117	81	0	750	50	54	46	36	0	186	14%	29%	39%	44%		25%
3	Leaving Scene Personal Injury	99	32	10	15	0	156	15	11	8	10	0	44	15%	34%	80%	67%		28%
3	OUI Serious Inj, Misd	14	4	1	0	0	19	3	2	0	0	0	5	21%	50%	0%			26%
3	OUI - Child Endangerment	27	0	0	0	0	27	3	0	0	0	0	3	11%					11%
3	Inducing Minor To Sex	7	1	1	0	0	9	0	0	1	0	0	1	0%	0%	100%			11%
3	Gun Serial Number	13	5	2	1	0	21	8	4	1	1	0	14	62%	80%	50%	100%		67%
3	Firearm Loaded while OUI	4	0	0	0	0	4	3	0	0	0	0	3	75%					75%
3	Nonsupport	8	4	0	0	0	12	7	0	0	0	0	7	88%	0%				58%
3	Interfere Police or Firefighter	1	5	1	3	0	10	0	2	0	0	0	2	0%	40%	0%	0%		20%
3	Failure to Appear Felony	0	0	0	0	0	0	0	0	0	0	0	0						
3	Carrying Dangerous Weapon	108	52	41	51	0	252	29	20	17	23	0	89	27%	38%	41%	45%		35%
3	Contempt Of Court	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
3	Cruelty To Animals	9	7	1	1	0	18	2	2	0	0	0	4	22%	29%	0%	0%		22%
3	Animal Kill or Poison	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Throw Object On Public Way	2	0	0	1	0	3	0	0	0	0	0	0	0%			0%		0%
3	Sex Offender Fail Register	14	34	109	180	4	341	3	20	56	101	2	182	21%	59%	51%	56%	50%	53%
3	Vandalize - Graves	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Sub-Total	4661	3654	2830	2959	14	14118	1298	1623	1516	1950	8	6395	28%	44%	54%	66%	57%	45%

Table 40 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	58	62	29	25	0	174	11	19	10	15	0	55	19%	31%	34%	60%		32%
2	Accost / Annoy Person Opposite Sex	9	5	8	4	0	26	5	2	4	3	0	14	56%	40%	50%	75%		54%
2	Larceny	43	42	20	27	0	132	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny + 60	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
2	Larceny Less	232	161	133	107	2	635	43	40	41	51	0	175	19%	25%	31%	48%	0%	28%
2	Larceny Less +60	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Shoplifting	530	473	348	425	1	1777	27	70	64	139	0	300	5%	15%	18%	33%	0%	17%
2	Credit Card Misuse	36	38	16	14	0	104	4	12	8	8	0	32	11%	32%	50%	57%		31%
2	MV - False Report Of Theft	7	1	1	1	0	10	1	0	0	0	0	1	14%	0%	0%	0%		10%
2	Defrauding Innkeeper	3	3	0	1	0	7	1	1	0	1	0	3	33%	33%		100%		43%
2	Welfare Violation	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
2	Failure To Return Leased Prop	10	9	9	2	0	30	2	1	3	1	0	7	20%	11%	33%	50%		23%
2	B&E MV	7	3	1	3	0	14	4	1	1	2	0	8	57%	33%	100%	67%		57%
2	B&E w/i Misdemeanor	48	28	11	11	0	98	8	9	4	9	0	30	17%	32%	36%	82%		31%
2	Property Destruction	202	122	104	104	0	532	39	44	40	38	0	161	19%	36%	38%	37%		30%
2	Tagging Property	18	10	3	1	0	32	2	3	3	1	0	9	11%	30%	100%	100%		28%
2	Receiving Stolen Goods	158	149	96	136	0	539	46	54	41	82	0	223	29%	36%	43%	60%		41%
2	Counterfeit	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Setting Fire Land	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Lottery Ticket Altering	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Fraud - Electric, Phone or Cable	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
2	Property Violation	13	4	11	6	0	34	4	1	2	3	0	10	31%	25%	18%	50%		29%
2	Possession Class A	150	158	109	110	1	528	45	65	42	57	0	209	30%	41%	39%	52%	0%	40%
2	Possession Class A Heroin	117	86	54	38	0	295	40	33	21	20	0	114	34%	38%	39%	53%		39%
2	Possession Class B	537	444	278	285	3	1547	180	177	124	145	2	628	34%	40%	45%	51%	67%	41%
2	Possession Class C	23	28	21	20	0	92	4	12	10	9	0	35	17%	43%	48%	45%		38%
2	Possession Class D	670	319	173	92	1	1255	116	99	64	31	0	310	17%	31%	37%	34%	0%	25%
2	Possession Class D Marijuana 2nd	16	14	18	6	0	54	5	5	10	5	0	25	31%	36%	56%	83%		46%
2	Distribute Counterfeit Substance	2	8	10	14	0	34	1	4	6	9	0	20	50%	50%	60%	64%		59%
2	Distribute Class D	369	144	67	32	0	612	89	68	27	13	0	197	24%	47%	40%	41%		32%
2	Distribute Class E	11	2	7	1	0	21	6	1	0	1	0	8	55%	50%	0%	100%		38%
2	Possession Hypodermic/Syringe	17	3	2	3	0	25	8	1	0	3	0	12	47%	33%	0%	100%		48%
2	Presence Class A	11	10	11	7	1	40	2	2	5	1	0	10	18%	20%	45%	14%	0%	25%
2	Forge Prescription	38	26	12	9	0	85	6	3	3	5	0	17	16%	12%	25%	56%		20%
2	Distribute Paraphenalia	1	1	1	0	0	3	0	0	0	0	0	0	0%	0%	0%			0%

Table 40 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Operate to Endanger	1001	297	138	103	0	1539	70	69	46	52	0	237	7%	23%	33%	50%		15%
2	Use Without Authority	71	62	41	44	0	218	32	32	27	28	0	119	45%	52%	66%	64%		55%
2	Use w/o Authority 2nd	0	0	0	3	0	3	0	0	0	1	0	1				33%		33%
2	Ignition Interlock Violation	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
2	Habitual Traffic Offender	29	46	40	39	0	154	7	16	19	20	0	62	24%	35%	48%	51%		40%
2	Racing	3	4	1	0	0	8	0	0	0	0	0	0	0%	0%	0%			0%
2	Operate After Suspension 2nd	195	386	254	257	0	1092	63	224	150	175	0	612	32%	58%	59%	68%		56%
2	Compulsory Insurance Violation	362	233	131	98	0	824	52	51	31	29	0	163	14%	22%	24%	30%		20%
2	Altering MV ID Number	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Counterfeit/Alter MV Document	43	28	9	10	1	91	5	7	5	6	0	23	12%	25%	56%	60%	0%	25%
2	False Statement On Application	4	6	2	2	0	14	0	3	0	1	0	4	0%	50%	0%	50%		29%
2	Prostitution	124	163	97	53	0	437	47	73	43	23	0	186	38%	45%	44%	43%		43%
2	Induce Female To Prostitution	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%			50%
2	Open And Gross	27	18	16	9	1	71	11	5	10	5	1	32	41%	28%	63%	56%	100%	45%
2	Obscene Material to Minor	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
2	Failure To Disperse	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
2	Firearm Possess w/o Permit	174	76	22	8	0	280	64	46	18	4	0	132	37%	61%	82%	50%		47%
2	Possess Mace	8	3	2	0	0	13	1	1	0	0	0	2	13%	33%	0%			15%
2	Possess Ammunition	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Firearm Carry, School	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
2	Firearm Store Improper	19	3	1	0	0	23	0	2	0	0	0	2	0%	67%	0%			9%
2	Escape Work Release Program	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	Escape Lockup	0	0	1	2	0	3	0	0	0	2	0	2			0%	100%		67%
2	Aiding An Escape	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Impersonate/Disguise	6	2	3	1	0	12	1	1	2	1	0	5	17%	50%	67%	100%		42%
2	False Statement	1	1	1	0	0	3	0	1	1	0	0	2	0%	100%	100%			67%
2	Failure to Appear	6	8	4	9	0	27	2	2	2	6	0	12	33%	25%	50%	67%		44%
2	Possess Stun Gun	6	3	5	0	0	14	1	1	1	0	0	3	17%	33%	20%			21%
2	False Alarm	3	4	4	2	0	13	1	4	3	2	0	10	33%	100%	75%	100%		77%
2	Fireworks	9	8	2	0	0	19	0	0	0	0	0	0	0%	0%	0%			0%
2	Violation Of Explosives	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Disrupt Court Proceedings	4	2	2	1	0	9	1	1	2	0	0	4	25%	50%	100%	0%		44%
2	Contributing To Delinquency	8	5	4	1	0	18	2	4	2	0	0	8	25%	80%	50%	0%		44%
2	Mistreat Police Animal	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
2	Work Compensation Fail Have	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
2	Resisting Arrest	298	251	194	199	0	942	65	96	90	106	0	357	22%	38%	46%	53%		38%
2	DNA Refuse	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	False Report Of Crime	15	13	7	3	0	38	2	4	5	1	0	12	13%	31%	71%	33%		32%
2	Disconnect Sprinkler System	1	3	1	1	0	6	0	3	1	0	0	4	0%	100%	100%	0%		67%
2	Wiretap, Possess Device	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Record w/o Manufacturer	2	2	1	2	0	7	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Unregistered Contractor	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
2	True Name Law	32	31	20	27	0	110	13	19	16	20	0	68	41%	61%	80%	74%		62%
2	Home Imp Contractor Violation	1	1	2	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
2	Sub-Total	5810	4022	2561	2362	11	14766	1141	1397	1008	1136	3	4685	20%	35%	39%	48%	27%	32%

Table 40 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	6	1	1	0	0	8	2	1	1	0	0	4	33%	100%	100%			50%
1	Threatening	114	84	80	76	0	354	37	34	44	47	0	162	32%	40%	55%	62%		46%
1	Defrauding Victualer	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
1	Timber, Cut Unlawful	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Vandalism	27	37	34	32	0	130	7	17	18	17	0	59	26%	46%	53%	53%		45%
1	Setting Fire In Open	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
1	Trespassing	307	266	213	244	1	1031	58	87	85	103	0	333	19%	33%	40%	42%	0%	32%
1	Tramp / Beggar	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	Gaming	2	2	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
1	Unauthorized Access of Computer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	Possession Class D Marijuana	236	105	60	35	1	437	43	25	18	14	0	100	18%	24%	30%	40%	0%	23%
1	Possession Class E	36	28	19	19	0	102	9	9	8	11	0	37	25%	32%	42%	58%		36%
1	Inhaling Toxic Vapors	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Motor Boat Skier Violation	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
1	Attaching Wrong MV Plates	74	38	16	18	0	146	3	4	3	5	0	15	4%	11%	19%	28%		10%
1	Operate After Suspension	1773	1325	822	604	6	4530	169	188	152	130	0	639	10%	14%	18%	22%	0%	14%
1	Violation Aircraft Restriction	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	MV - Impersonate/Other License	0	1	1	2	0	4	0	0	0	0	0	0		0%	0%	0%		0%
1	RV On Public Way	11	5	4	1	0	21	0	0	1	0	0	1	0%	0%	25%	0%		5%
1	Parking Ticket Mutilate	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Common Night Walker	16	26	18	5	0	65	10	14	10	5	0	39	63%	54%	56%	100%		60%
1	Indecent Exposure	10	19	12	20	0	61	0	6	4	13	0	23	0%	32%	33%	65%		38%
1	Lewd And Lacivious	5	4	4	3	0	16	2	1	2	2	0	7	40%	25%	50%	67%		44%
1	Disorderly Conduct	751	495	380	334	0	1960	84	85	100	111	0	380	11%	17%	26%	33%		19%
1	Possess Air Rifle w/o FID Card	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	Firearm Discharge	6	2	0	0	0	8	3	0	0	0	0	3	50%	0%				38%
1	Annoying Phone Calls	14	15	9	10	0	48	1	2	3	4	0	10	7%	13%	33%	40%		21%
1	Failure To Obey Police Officer	6	9	0	0	0	15	0	0	0	0	0	0	0%	0%				0%
1	Obstructing Justice	0	0	0	0	0	0	0	0	0	0	0	0						
1	License Law Violation (Not MV)	3	2	1	1	0	7	1	0	0	0	0	1	33%	0%	0%	0%		14%
1	Alcohol, Procure for Minor	37	12	5	3	0	57	4	4	3	1	0	12	11%	33%	60%	33%		21%
1	Alcohol, Transporting	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
1	Cigarette/Match Thrown Fr Veh	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
1	Business Practice	2	0	1	0	0	3	0	0	1	0	0	1	0%		100%			33%
1	Employment Practices	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Unlicensed Massage / Bath	0	0	0	0	0	0	0	0	0	0	0	0						
1	Sub-Total	3447	2481	1682	1409	8	9027	433	478	453	463	0	1827	13%	19%	27%	33%	0%	20%

Table 40 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	1	1	1	1	0	4	1	0	0	1	0	2	100%	0%	0%	100%		50%
0	Attempt B&E	1	3	3	2	0	9	0	1	2	2	0	5	0%	33%	67%	100%		56%
0	Conspiracy Violate CSA	13	12	4	7	0	36	3	6	4	4	0	17	23%	50%	100%	57%		47%
0	Solicit Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
0	Conspiracy	4	5	3	2	0	14	1	2	2	1	0	6	25%	40%	67%	50%		43%
0	Attempt To Commit Crime	28	34	26	36	0	124	5	13	13	23	0	54	18%	38%	50%	64%		44%
0	Accessory Before	1	0	2	0	0	3	0	0	2	0	0	2	0%		100%			67%
0	Accessory After	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
0	Sub-Total	49	56	39	48	0	192	11	23	23	31	0	88	22%	41%	59%	65%		46%

Table 41 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	25	6	9	6	0	46	25	6	9	6	0	46	100%	100%	100%	100%		100%
9	Sub-Total	25	6	9	6	0	46	25	6	9	6	0	46	100%	100%	100%	100%		100%
8	Manslaughter	27	10	3	9	0	49	27	10	3	9	0	49	100%	100%	100%	100%		100%
8	Assault In Dwelling	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
8	Armed Assault In Dwell House	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
8	Rape, Aggravated	4	2	5	6	0	17	4	2	5	6	0	17	100%	100%	100%	100%		100%
8	Rape 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
8	Rape Of Child w/Force	15	6	6	3	0	30	14	6	6	3	0	29	93%	100%	100%	100%		97%
8	Armed Assault w/i Murder - Firearm	11	8	5	1	0	25	11	8	5	1	0	25	100%	100%	100%	100%		100%
8	Home Invasion	5	2	4	2	0	13	4	2	4	2	0	12	80%	100%	100%	100%		92%
8	Burglary, Armed	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
8	Traffic Cocaine 200+	3	3	2	2	0	10	3	3	2	2	0	10	100%	100%	100%	100%		100%
8	Sub-Total	68	32	26	25	0	151	65	32	26	25	0	148	96%	100%	100%	100%		98%
7	Murder, Attempted	2	2	0	1	0	5	2	2	0	1	0	5	100%	100%		100%		100%
7	Mayhem	2	3	2	3	1	11	1	3	2	3	1	10	50%	100%	100%	100%	100%	91%
7	A&B Child w/Injury Substantial	7	1	0	0	0	8	7	1	0	0	0	8	100%	100%				100%
7	Rape	12	3	4	6	1	26	11	3	4	6	1	25	92%	100%	100%	100%	100%	96%
7	Assault w/i Rape Child	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
7	Incest	3	2	0	0	0	5	1	1	0	0	0	2	33%	50%				40%
7	Armed Robbery Gun	23	19	19	16	0	77	20	18	19	15	0	72	87%	95%	100%	94%		94%
7	Armed Assault w/i Murder	15	10	6	6	0	37	14	10	6	6	0	36	93%	100%	100%	100%		97%
7	Carjacking, Armed	1	1	0	4	0	6	1	1	0	4	0	6	100%	100%		100%		100%
7	Kidnapping Extortion	2	0	0	0	0	2	0	0	0	0	0	0	0%				100%	0%
7	Kidnapping Child	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
7	Confine And Put In Fear	1	0	0	2	0	3	0	0	0	2	0	2	0%			100%		67%
7	Traffic Heroin 028-100	5	2	3	0	0	10	5	2	3	0	0	10	100%	100%	100%			100%
7	Traffic Heroin 100-200	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
7	Traffic Cocaine 100-200	11	4	3	6	0	24	11	4	3	6	0	24	100%	100%	100%	100%		100%
7	Sub-Total	85	49	38	44	2	218	74	47	38	43	2	204	87%	96%	100%	98%	100%	94%

Table 41 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	11	1	1	1	0	14	11	0	1	1	0	13	100%	0%	100%	100%		93%
6	A&B Elderly / Disabled Ser Injury	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	A&B Aggravated - Serious Injury	3	0	0	1	1	5	2	0	0	1	1	4	67%			100%	100%	80%
6	A&B Dangerous Weapon	15	21	14	24	0	74	15	21	14	24	0	74	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon + 60	1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%
6	A&B DW, Aggravated w/Injury	7	2	3	2	0	14	4	2	3	2	0	11	57%	100%	100%	100%		79%
6	Assault To Kill or Maim	3	0	5	3	0	11	3	0	5	3	0	11	100%		100%	100%		100%
6	Rape Of Child	59	17	12	8	0	96	53	14	11	7	0	85	90%	82%	92%	88%		89%
6	Assault w/i Rape	6	3	0	1	0	10	5	3	0	1	0	9	83%	100%		100%		90%
6	Indecent A&B On Child 2nd	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
6	Child Pornography	6	0	0	0	0	6	0	0	0	0	0	0	0%					0%
6	Robbery Unarmed + 60	3	2	3	4	0	12	3	1	3	4	0	11	100%	50%	100%	100%		92%
6	Armed Robbery	66	48	56	61	2	233	44	45	52	58	2	201	67%	94%	93%	95%	100%	86%
6	Armed Assault w/i Rob	12	7	4	4	0	27	8	5	4	4	0	21	67%	71%	100%	100%		78%
6	Armed Aslt w/i Rob Over 65	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
6	Carjacking	2	1	2	5	0	10	2	1	2	5	0	10	100%	100%	100%	100%		100%
6	Kidnapping	8	3	2	2	0	15	8	3	2	2	0	15	100%	100%	100%	100%		100%
6	Harassment, 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
6	Burning Dwelling House	7	5	2	0	0	14	5	3	2	0	0	10	71%	60%	100%			71%
6	Distribute Class A 2nd	0	3	2	9	0	14	0	3	2	9	0	14		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	10	9	10	0	29	0	10	9	10	0	29		100%	100%	100%		100%
6	Traffic Heroin 014-028	3	1	1	0	0	5	3	1	1	0	0	5	100%	100%	100%			100%
6	Traffic Cocaine 028-100	47	26	24	16	0	113	47	26	24	16	0	113	100%	100%	100%	100%		100%
6	MV Homicide - OUI Felony	6	1	1	0	0	8	6	1	1	0	0	8	100%	100%	100%			100%
6	Sub-Total	267	151	143	154	3	718	222	139	138	150	3	652	83%	92%	97%	97%	100%	91%
5	A&B Child w/Injury	6	0	0	0	0	6	5	0	0	0	0	5	83%					83%
5	A&B Aggravated	0	1	3	1	0	5	0	1	2	1	0	4		100%	67%	100%		80%
5	A&B DW, Aggravated	8	6	2	6	0	22	7	6	2	6	0	21	88%	100%	100%	100%		95%
5	Indecent A&B On Child	32	6	6	5	0	49	26	6	5	5	0	42	81%	100%	83%	100%		86%
5	Entice Child	5	1	0	1	0	7	2	1	0	1	0	4	40%	100%		100%		57%
5	Robbery Unarmed	18	20	31	42	1	112	7	14	26	41	1	89	39%	70%	84%	98%	100%	79%
5	Intimidation	11	11	11	8	0	41	9	9	8	7	0	33	82%	82%	73%	88%		80%
5	Stalking Violation of Rest. Order	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
5	Common & Notorious Thief	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
5	Burglary	12	0	8	6	0	26	5	0	8	6	0	19	42%		100%	100%		73%
5	Gaming Enterprise	3	0	0	1	0	4	0	0	0	1	0	1	0%			100%		25%
5	Distribute Class B 2nd	1	9	7	20	0	37	1	9	7	20	0	37	100%	100%	100%	100%		100%
5	Traffic Cocaine 014-028	63	50	35	26	2	176	63	50	35	26	2	176	100%	100%	100%	100%	100%	100%
5	Guard Sex w/ Prisoner	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
5	Perjury or Suborn	6	6	0	0	0	12	0	5	0	0	0	5	0%	83%				42%
5	Sex Offender Fail Register 2nd	0	0	1	2	0	3	0	0	1	1	0	2			100%	50%		67%
5	Sub-Total	168	110	104	121	3	506	127	101	94	118	3	443	76%	92%	90%	98%	100%	88%

Table 41 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	2	0	2	2	0	6	2	0	2	2	0	6	100%		100%	100%		100%
4	Assault Aggravated	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	A&B Child Conspiracy	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Guard	0	2	6	15	0	23	0	2	5	13	0	20		100%	83%	87%		87%
4	A&B Dangerous Weapon	39	14	10	3	0	66	39	14	10	3	0	66	100%	100%	100%	100%		100%
4	A&B To Collect Loan	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Indecent A&B	14	6	3	3	0	26	8	4	3	2	0	17	57%	67%	100%	67%		65%
4	Photograph Nude Person	0	0	0	0	0	0	0	0	0	0	0	0						
4	Child Pornography Possess 2nd	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
4	Assault w/i Rob	1	3	6	6	0	16	0	3	3	6	0	12	0%	100%	50%	100%		75%
4	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0						
4	Stalking	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Harassment	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
4	Larceny More	4	2	4	12	0	22	4	2	4	12	0	22	100%	100%	100%	100%		100%
4	Larceny Person	23	9	3	12	0	47	13	8	2	10	0	33	57%	89%	67%	83%		70%
4	Larceny Person + 65	2	1	1	3	0	7	0	1	1	3	0	5	0%	100%	100%	100%		71%
4	Larceny MV 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
4	Fraud - Identity	5	1	0	0	0	6	3	1	0	0	0	4	60%	100%				67%
4	B&E	1	7	11	78	0	97	1	7	11	78	0	97	100%	100%	100%	100%		100%
4	Enter Dwelling w/I Felony	2	2	1	5	0	10	1	0	0	5	0	6	50%	0%	0%	100%		60%
4	B&E DT Armed w/i Felony	5	0	3	3	0	11	4	0	3	3	0	10	80%		100%	100%		91%
4	Receiving Stolen Goods Over	1	1	2	3	0	7	1	1	2	3	0	7	100%	100%	100%	100%		100%
4	Receiving Stolen Goods MV 2nd	0	0	1	6	0	7	0	0	1	6	0	7			100%	100%		100%
4	Forge Commonwealth Note	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Burning Building	4	1	0	1	0	6	3	0	0	1	0	4	75%	0%		100%		67%
4	Burning to Defraud	0	0	0	0	0	0	0	0	0	0	0	0						
4	Distribute Class A	57	48	55	32	0	192	41	37	46	29	0	153	72%	77%	84%	91%		80%
4	Distribute Class B	160	81	33	41	0	315	68	54	25	33	0	180	43%	67%	76%	80%		57%
4	Distribute Cocaine	86	77	61	53	0	277	86	77	61	53	0	277	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	2	0	2	0	0	4	2	0	2	0	0	4	100%		100%			100%
4	Larceny Cont Sub	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
4	Giving Prisoner Cont Sub	0	0	0	2	0	2	0	0	0	1	0	1				50%		50%
4	Control Substance School	30	23	21	13	0	87	30	23	21	13	0	87	100%	100%	100%	100%		100%
4	MV Homicide	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	MV Homicide - Reckless	0	0	0	0	0	0	0	0	0	0	0	0						
4	MV Homicide - OUI	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
4	Leaving Scene Death	2	0	0	1	1	4	2	0	0	1	1	4	100%			100%	100%	100%
4	OUI Serious Inj, Fel	3	3	1	0	0	7	3	3	1	0	0	7	100%	100%	100%			100%
4	OUI - Child Endangerment 2nd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	Derive Support From Prostitute	0	0	2	2	0	4	0	0	2	2	0	4			100%	100%		100%
4	Firearm Sale Violation	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
4	Escape	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
4	Bribery	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
4	Extortion	2	0	3	1	0	6	1	0	3	1	0	5	50%		100%	100%		83%
4	Bomb Hoax	1	1	0	2	0	4	0	0	0	2	0	2	0%	0%		100%		50%
4	Hoax Device	0	0	0	0	0	0	0	0	0	0	0	0						
4	Tax Law Violation	4	0	0	0	0	4	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	463	286	235	301	1	1286	318	240	212	284	1	1055	69%	84%	90%	94%	100%	82%

Table 41 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	51	14	15	12	0	92	18	9	12	9	0	48	35%	64%	80%	75%		52%
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	4	1	0	0	0	5	2	1	0	0	0	3	50%	100%				60%
3	A&B Ambulance	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B Dangerous Weapon	9	6	3	3	0	21	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	19	8	10	10	0	47	13	6	9	10	0	38	68%	75%	90%	100%		81%
3	Assault Dangerous Weapon + 60	5	0	0	0	0	5	5	0	0	0	0	5	100%					100%
3	Unnatural Acts	0	0	0	0	0	0	0	0	0	0	0	0						
3	Child Pornography Possess	12	1	1	2	0	16	7	1	1	2	0	11	58%	100%	100%	100%		69%
3	Kidnapping	5	0	0	0	0	5	1	0	0	0	0	1	20%					20%
3	Violation Of Civil Rights	0	0	0	0	0	0	0	0	0	0	0	0						
3	Restraining Order Violation	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
3	Larceny	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
3	Larceny More	48	14	6	6	0	74	12	3	2	2	0	19	25%	21%	33%	33%		26%
3	Larceny More + 60	7	1	0	1	0	9	0	1	0	0	0	1	0%	100%		0%		11%
3	Larceny Building	4	3	4	4	0	15	3	3	4	3	0	13	75%	100%	100%	75%		87%
3	Larceny Firearm	0	0	0	0	0	0	0	0	0	0	0	0						
3	Larceny MV	1	1	0	2	0	4	1	1	0	2	0	4	100%	100%		100%		100%
3	Embezzlement	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
3	Credit Card Misuse - More	1	0	1	2	0	4	1	0	1	2	0	4	100%		100%	100%		100%
3	Defrauding Insurer	11	2	1	1	0	15	6	2	1	0	0	9	55%	100%	100%	0%		60%
3	Fraud	3	2	1	0	0	6	1	1	1	0	0	3	33%	50%	100%			50%
3	MV - Sales Violation	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possess Burglariou Tools	0	0	0	6	0	6	0	0	0	6	0	6				100%		100%
3	B&E	24	10	8	18	0	60	9	9	7	9	0	34	38%	90%	88%	50%		57%
3	Mal Dest Property More	3	2	1	3	0	9	1	1	1	3	0	6	33%	50%	100%	100%		67%
3	Receiving Stolen Goods Over	9	8	4	4	1	26	6	5	4	4	0	19	67%	63%	100%	100%	0%	73%
3	Receiving Stolen Goods MV	1	1	2	4	0	8	1	1	1	2	0	5	100%	100%	50%	50%		63%
3	Receiving Stolen Goods 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Forgery And Uttering	7	3	0	2	0	12	1	2	0	1	0	4	14%	67%		50%		33%
3	Counterfeit	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
3	Burning Property	0	0	0	0	0	0	0	0	0	0	0	0						
3	Burning Motor Vehicle	0	0	0	0	0	0	0	0	0	0	0	0						
3	Gaming Register Bets	4	3	0	0	0	7	0	0	0	0	0	0	0%	0%				0%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Possession Class A 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Class A Heroin 2nd	0	0	2	1	0	3	0	0	2	1	0	3		100%	100%		100%	
3	Possession Class B 2nd	0	1	3	0	0	4	0	1	2	0	0	3		100%	67%			75%
3	Possession Class C 2nd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
3	Possession Class D 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Distribute Class C	4	2	0	0	0	6	1	1	0	0	0	2	25%	50%				33%
3	Distribute Class D 2nd	0	2	1	0	0	3	0	1	1	0	0	2		50%	100%			67%
3	Distribute Class E 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	MV Homicide	4	0	0	1	0	5	3	0	0	1	0	4	75%			100%		80%
3	Leaving Scene Property Damage	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
3	Leaving Scene Personal Injury	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
3	OUI Serious Inj, Misd	7	0	1	0	0	8	5	0	1	0	0	6	71%		100%			75%
3	OUI - Child Endangerment	0	0	0	0	0	0	0	0	0	0	0	0						
3	Inducing Minor To Sex	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Gun Serial Number	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
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	2	0	0	0	2	0	2	0	0	0	2		100%				100%
3	Carrying Dangerous Weapon	3	2	0	1	0	6	1	2	0	1	0	4	33%	100%		100%		67%
3	Contempt Of Court	0	0	0	0	0	0	0	0	0	0	0	0						
3	Cruelty To Animals	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
3	Animal Kill or Poison	0	0	0	0	0	0	0	0	0	0	0	0						
3	Throw Object On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
3	Sex Offender Fail Register	1	2	3	14	0	20	0	2	2	9	0	13	0%	100%	67%	64%		65%
3	Vandalize - Graves	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Sub-Total	257	96	69	99	1	522	106	58	54	69	0	287	41%	60%	78%	70%	0%	55%

Table 41 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	1	0	1	2	0	4	0	0	1	1	0	2	0%	100%	50%	50%		
2	Accost / Annoy Person Opposite Sex	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Larceny	0	0	0	0	0	0	0	0	0	0	0	0						
2	Larceny + 60	0	0	0	0	0	0	0	0	0	0	0	0						
2	Larceny Less	3	2	1	0	0	6	0	2	1	0	0	3	0%	100%	100%			50%
2	Larceny Less +60	0	0	0	0	0	0	0	0	0	0	0	0						
2	Shoplifting	0	0	0	0	0	0	0	0	0	0	0	0						
2	Credit Card Misuse	0	0	1	0	0	1	0	0	1	0	0	1		100%				100%
2	MV - False Report Of Theft	0	0	0	0	0	0	0	0	0	0	0	0						
2	Defrauding Innkeeper	0	0	0	0	0	0	0	0	0	0	0	0						
2	Welfare Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Failure To Return Leased Prop	0	0	0	0	0	0	0	0	0	0	0	0						
2	B&E MV	0	0	0	0	0	0	0	0	0	0	0	0						
2	B&E w/i Misdemeanor	5	0	0	1	0	6	1	0	0	1	0	2	20%		100%			33%
2	Property Destruction	0	0	0	0	0	0	0	0	0	0	0	0						
2	Tagging Property	0	0	0	0	0	0	0	0	0	0	0	0						
2	Receiving Stolen Goods	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
2	Counterfeit	0	0	0	0	0	0	0	0	0	0	0	0						
2	Setting Fire Land	0	0	0	0	0	0	0	0	0	0	0	0						
2	Lottery Ticket Altering	0	0	0	0	0	0	0	0	0	0	0	0						
2	Fraud - Electric, Phone or Cable	0	0	0	0	0	0	0	0	0	0	0	0						
2	Property Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possession Class A	3	0	0	1	0	4	2	0	0	1	0	3	67%		100%			75%
2	Possession Class A Heroin	4	1	0	2	0	7	1	1	0	1	0	3	25%	100%		50%		43%
2	Possession Class B	25	7	5	2	0	39	4	5	3	2	0	14	16%	71%	60%	100%		36%
2	Possession Class C	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possession Class D	4	0	1	0	0	5	0	0	1	0	0	1	0%	100%				20%
2	Possession Class D Marijuana 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
2	Distribute Counterfeit Substance	0	0	0	1	0	1	0	0	0	1	0	1			100%			100%
2	Distribute Class D	13	3	3	0	0	19	4	1	3	0	0	8	31%	33%	100%			42%
2	Distribute Class E	0	0	2	0	0	2	0	0	1	0	0	1			50%			50%
2	Possession Hypodermic/Syringe	0	0	0	0	0	0	0	0	0	0	0	0						
2	Presence Class A	0	0	0	0	0	0	0	0	0	0	0	0						
2	Forge Prescription	3	1	1	2	0	7	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Distribute Paraphenalia	0	0	0	0	0	0	0	0	0	0	0	0						

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Operate to Endanger	2	2	0	3	0	7	2	2	0	2	0	6	100%	100%		67%		86%
2	Use Without Authority	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
2	Use w/o Authority 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
2	Ignition Interlock Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Habitual Traffic Offender	0	0	0	0	0	0	0	0	0	0	0	0						
2	Racing	0	0	0	0	0	0	0	0	0	0	0	0						
2	Operate After Suspension 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Compulsory Insurance Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Altering MV ID Number	0	0	0	0	0	0	0	0	0	0	0	0						
2	Counterfeit/Alter MV Document	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
2	False Statement On Application	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Prostitution	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Induce Female To Prostitution	0	0	0	0	0	0	0	0	0	0	0	0						
2	Open And Gross	1	2	5	1	0	9	0	1	4	1	0	6	0%	50%	80%	100%		67%
2	Obscene Material to Minor	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
2	Failure To Disperse	5	0	0	0	0	5	0	0	0	0	0	0	0%					0%
2	Firearm Possess w/o Permit	23	5	5	0	0	33	15	4	4	0	0	23	65%	80%	80%			70%
2	Possess Mace	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possess Ammunition	6	2	1	0	0	9	3	2	0	0	0	5	50%	100%	0%			56%
2	Firearm Carry, School	0	0	0	0	0	0	0	0	0	0	0	0						
2	Firearm Store Improper	2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%
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	1	0	0	0	0	1	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	1	2	2	0	0	5	0	1	1	0	0	2	0%	50%	50%			40%
2	Possess Stun Gun	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	0	0	0	0	0	0	0	0	0	0	0	0						
2	Contributing To Delinquency	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Mistreat Police Animal	0	0	0	0	0	0	0	0	0	0	0	0						
2	Work Compensation Fail Have	0	0	0	0	0	0	0	0	0	0	0	0						
2	Resisting Arrest	2	2	0	0	0	4	0	2	0	0	0	2	0%	100%				50%
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	Wiretap, Possess Device	0	0	0	0	0	0	0	0	0	0	0	0						
2	Record w/o Manufacturer	0	0	0	0	0	0	0	0	0	0	0	0						
2	Unregistered Contractor	0	0	0	0	0	0	0	0	0	0	0	0						
2	True Name Law	1	1	0	0	0	2	1	0	0	0	0	1	100%	0%				50%
2	Home Imp Contractor Violation	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Sub-Total	115	34	30	16	0	195	37	22	22	10	0	91	32%	65%	73%	63%		47%

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

Level	Governing Offense	All Defendants					Incarcerated Defendants					Incarceration Rate							
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
1	Threatening	2	2	0	0	0	4	1	0	0	0	1	50%	0%				25%	
1	Defrauding Victualer	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							
1	Vandalism	0	1	0	1	0	2	0	1	0	0	1		100%		0%		50%	
1	Setting Fire In Open	1	0	0	0	0	1	0	0	0	0	0	0%					0%	
1	Trespassing	0	0	0	1	0	1	0	0	0	0	0				0%		0%	
1	Tramp / Beggar	0	0	0	0	0	0	0	0	0	0	0							
1	Gaming	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							
1	Possession Class D Marijuana	7	1	0	0	0	8	1	0	0	0	1	14%	0%				13%	
1	Possession Class E	0	0	0	0	0	0	0	0	0	0	0							
1	Inhaling Toxic Vapors	0	0	0	0	0	0	0	0	0	0	0							
1	Motor Boat Skier Violation	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							
1	Operate After Suspension	0	0	0	4	0	4	0	0	0	4	4			100%			100%	
1	Violation Aircraft Restriction	0	0	0	0	0	0	0	0	0	0	0							
1	MV - Impersonate/Other License	0	0	0	0	0	0	0	0	0	0	0							
1	RV On Public Way	0	0	0	0	0	0	0	0	0	0	0							
1	Parking Ticket Mutilate	0	0	0	0	0	0	0	0	0	0	0							
1	Common Night Walker	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							
1	Lewd And Lacivious	0	0	0	0	0	0	0	0	0	0	0							
1	Disorderly Conduct	1	0	0	0	0	1	0	0	0	0	0	0%					0%	
1	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	0	0	0	0	0							
1	Firearm Discharge	1	0	0	0	0	1	1	0	0	0	1	100%					100%	
1	Annoying Phone Calls	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							
1	Obstructing Justice	0	1	1	0	0	2	0	1	1	0	2		100%	100%			100%	
1	License Law Violation (Not MV)	0	0	0	0	0	0	0	0	0	0	0							
1	Alcohol, Procure for Minor	0	1	0	0	0	1	0	0	0	0	0		0%				0%	
1	Alcohol, Transporting	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							
1	Business Practice	0	0	0	0	0	0	0	0	0	0	0							
1	Employment Practices	2	0	0	0	0	2	0	0	0	0	0	0%					0%	
1	Unlicensed Massage / Bath	1	0	0	0	0	1	0	0	0	0	0	0%					0%	
1	Sub-Total	16	6	1	6	0	29	4	2	1	4	0	25%	33%	100%	67%		38%	

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
0	Attempt Larceny	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
0	Attempt B&E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	Conspiracy Violate CSA	11	12	4	3	0	30	2	3	2	3	0	10	18%	25%	50%	100%		33%	
0	Solicit Felony	2	0	0	0	0	2	2	0	0	0	0	2	100%						100%
0	Conspiracy	12	2	1	6	0	21	6	1	0	5	0	12	50%	50%	0%	83%		57%	
0	Attempt To Commit Crime	3	3	3	2	0	11	2	2	2	1	0	7	67%	67%	67%	50%		64%	
0	Accessory Before	0	0	0	0	0	0	0	0	0	0	0	0							
0	Accessory After	17	4	4	3	0	28	7	3	3	3	0	16	41%	75%	75%	100%		57%	
0	Sub-Total	46	21	12	14	0	93	19	9	7	12	0	47	41%	43%	58%	86%		51%	

Table 42 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	27	10	3	9	0	49	105.6	148.8	92.0	124.0	.	116.9	96.0	150.0	108.0	144.0	.	120.0
8	Assault In Dwelling	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
8	Armed Assault In Dwell House	2	1	0	0	0	3	120.0	120.0	.	.	.	120.0	120.0	120.0	.	.	.	120.0
8	Rape, Aggravated	4	2	5	4	0	15	114.0	258.0	124.8	252.0	.	173.6	132.0	258.0	120.0	252.0	.	144.0
8	Rape 2nd	0	0	0	1	0	1	.	.	.	300.0	.	300.0	.	.	.	300.0	.	300.0
8	Rape Of Child w/Force	13	6	5	3	0	27	129.2	90.0	141.6	100.0	.	119.6	96.0	90.0	144.0	84.0	.	96.0
8	Armed Assault w/i Murder - Firearm	11	8	5	1	0	25	84.0	105.8	112.8	72.0	.	96.2	84.0	78.0	108.0	72.0	.	84.0
8	Home Invasion	4	2	4	2	0	12	270.0	240.0	276.0	240.0	.	262.0	270.0	240.0	252.0	240.0	.	240.0
8	Burglary, Armed	0	0	1	0	0	1	.	.	120.0	.	.	120.0	.	.	120.0	.	.	120.0
8	Traffic Cocaine 200+	3	3	2	2	0	10	180.0	196.0	180.0	180.0	.	184.8	180.0	180.0	180.0	180.0	.	180.0
8	Sub-Total	64	32	25	23	0	144	121.4	143.1	150.2	159.1	.	137.3	96.0	132.0	120.0	156.0	.	120.0
7	Murder, Attempted	2	2	0	1	0	5	42.0	54.0	.	96.0	.	57.6	42.0	54.0	.	96.0	.	60.0
7	Mayhem	1	3	2	2	1	9	60.0	92.0	48.0	51.0	228.0	84.7	60.0	108.0	48.0	51.0	228.0	66.0
7	A&B Child w/Injury Substantial	5	1	0	0	0	6	50.4	84.0	.	.	.	56.0	36.0	84.0	.	.	.	36.0
7	Rape	11	3	4	6	1	25	60.0	76.0	114.0	113.0	216.0	89.5	60.0	96.0	96.0	102.0	216.0	72.0
7	Assault w/i Rape Child	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
7	Incest	1	0	0	0	0	1	120.0	.	.	.	.	120.0	120.0	.	.	.	.	120.0
7	Armed Robbery Gun	20	18	19	15	0	72	52.2	60.7	60.9	88.0	.	64.1	54.0	54.0	60.0	84.0	.	60.0
7	Armed Assault w/i Murder	14	10	6	6	0	36	67.3	37.8	64.0	62.0	.	57.7	48.0	36.0	54.0	36.0	.	36.0
7	Carjacking, Armed	1	1	0	4	0	6	48.0	48.0	.	84.0	.	72.0	48.0	48.0	.	60.0	.	48.0
7	Kidnapping Extortion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Kidnapping Child	0	1	0	0	0	1	.	108.0	.	.	.	108.0	.	108.0	.	.	.	108.0
7	Confine And Put In Fear	0	0	0	2	0	2	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
7	Traffic Heroin 028-100	5	2	3	0	0	10	93.6	84.0	88.0	.	.	90.0	84.0	84.0	84.0	.	.	84.0
7	Traffic Heroin 100-200	1	0	1	0	0	2	120.0	.	120.0	.	.	120.0	120.0	.	120.0	.	.	120.0
7	Traffic Cocaine 100-200	11	4	3	6	0	24	123.3	120.0	120.0	130.0	.	124.0	120.0	120.0	120.0	126.0	.	120.0
7	Sub-Total	72	46	38	42	2	200	71.6	65.3	74.7	89.4	222.0	76.0	60.0	48.0	72.0	84.0	222.0	60.0

Table 42 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	9	0	1	1	0	11	74.0	.	216.0	216.0	.	99.8	60.0	.	216.0	216.0	.	90.0
6	A&B Elderly / Disabled Ser Injury	0	0	0	0	0	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	15	21	14	24	0	74	49.2	48.6	37.7	45.4	.	45.6	48.0	48.0	36.0	36.0	.	36.0
6	A&B Dangerous Weapon + 60	1	0	1	1	0	3	48.0	.	36.0	36.0	.	40.0	48.0	.	36.0	36.0	.	36.0
6	A&B DW, Aggravated w/Injury	1	2	2	2	0	7	60.0	45.0	72.0	90.0	.	67.7	60.0	45.0	72.0	90.0	.	48.0
6	Assault To Kill or Maim	0	0	5	3	0	8	.	.	67.2	56.0	.	63.0	.	.	72.0	48.0	.	66.0
6	Rape Of Child	37	6	7	6	0	56	49.1	59.5	56.6	68.0	.	53.2	42.0	48.0	60.0	72.0	.	48.0
6	Assault w/i Rape	3	3	0	1	0	7	42.0	64.0	.	78.0	.	56.6	42.0	36.0	.	78.0	.	42.0
6	Indecent A&B On Child 2nd	1	0	1	0	0	2	48.0	.	30.0	.	.	39.0	48.0	.	30.0	.	.	39.0
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Robbery Unarmed + 60	3	1	3	3	0	10	52.0	48.0	32.0	36.0	.	40.8	24.0	48.0	24.0	36.0	.	36.0
6	Armed Robbery	44	45	52	57	2	200	42.0	39.6	46.4	59.7	87.0	48.1	36.0	36.0	42.0	48.0	87.0	36.0
6	Armed Assault w/i Rob	8	5	4	4	0	21	44.3	51.6	51.0	63.0	.	50.9	39.0	48.0	48.0	60.0	.	42.0
6	Armed Aslt w/i Rob Over 65	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
6	Carjacking	2	0	1	5	0	8	60.0	.	60.0	62.4	.	61.5	60.0	.	60.0	72.0	.	60.0
6	Kidnapping	6	3	2	2	0	13	52.0	32.0	81.0	39.0	.	49.8	48.0	36.0	81.0	39.0	.	36.0
6	Harassment, 2nd	0	0	0	1	0	1	.	.	.	84.0	.	84.0	.	.	.	84.0	.	84.0
6	Burning Dwelling House	4	1	2	0	0	7	42.0	24.0	30.0	.	.	36.0	42.0	24.0	30.0	.	.	36.0
6	Distribute Class A 2nd	0	3	2	9	0	14	.	64.0	63.0	68.7	.	66.9	.	60.0	63.0	60.0	.	60.0
6	Distribute Cocaine 2nd	0	10	9	10	0	29	.	60.0	62.0	74.4	.	65.6	.	60.0	60.0	60.0	.	60.0
6	Traffic Heroin 014-028	3	1	1	0	0	5	60.0	60.0	60.0	.	.	60.0	60.0	60.0	60.0	.	.	60.0
6	Traffic Cocaine 028-100	47	26	24	16	0	113	67.1	68.8	69.5	67.5	.	68.1	60.0	60.0	60.0	60.0	.	60.0
6	MV Homicide - OUI Felony	1	1	0	0	0	2	48.0	48.0	.	.	.	48.0	48.0	48.0	.	.	.	48.0
6	Sub-Total	185	128	131	147	2	593	53.2	51.2	54.1	60.8	87.0	55.0	60.0	48.0	60.0	60.0	87.0	60.0
5	A&B Child w/Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	A&B Aggravated	0	1	0	1	0	2	.	36.0	.	36.0	.	36.0	.	36.0	.	36.0	.	36.0
5	A&B DW, Aggravated	3	5	1	6	0	15	62.0	49.2	72.0	47.0	.	52.4	48.0	48.0	72.0	36.0	.	48.0
5	Indecent A&B On Child	9	1	2	1	0	13	36.7	60.0	60.0	72.0	.	44.8	36.0	60.0	60.0	72.0	.	42.0
5	Entice Child	2	0	0	0	0	2	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
5	Robbery Unarmed	7	14	26	40	1	88	42.9	27.0	34.4	47.7	72.0	40.4	36.0	24.0	33.0	48.0	72.0	36.0
5	Intimidation	5	8	5	6	0	24	49.2	36.8	34.8	62.0	.	45.3	36.0	36.0	36.0	54.0	.	36.0
5	Stalking Violation of Rest. Order	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
5	Common & Notorious Thief	0	0	0	1	0	1	.	.	.	72.0	.	72.0	.	.	.	72.0	.	72.0
5	Burglary	5	0	8	6	0	19	43.2	.	56.3	34.0	.	45.8	36.0	.	51.0	36.0	.	48.0
5	Gaming Enterprise	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
5	Distribute Class B 2nd	1	9	7	20	0	37	36.0	38.7	37.7	42.3	.	40.4	36.0	36.0	36.0	36.0	.	36.0
5	Traffic Cocaine 014-028	63	50	35	26	2	176	39.0	37.9	38.9	39.5	36.0	38.7	36.0	36.0	36.0	36.0	36.0	36.0
5	Guard Sex w/ Prisoner	2	0	0	0	0	2	18.0	.	.	.	.	18.0	18.0	.	.	.	.	18.0
5	Perjury or Suborn	0	3	0	0	0	3	.	23.7	.	.	.	23.7	.	24.0	.	.	.	24.0
5	Sex Offender Fail Register 2nd	0	0	1	1	0	2	.	.	60.0	60.0	.	60.0	.	.	60.0	60.0	.	60.0
5	Sub-Total	97	91	85	110	3	386	40.0	36.6	40.0	44.7	48.0	40.6	36.0	36.0	36.0	36.0	36.0	36.0

Table 42 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	.	.	.	54.0	.	54.0	.	.	.	54.0	.	54.0
4	Assault Aggravated	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	A&B Child Conspiracy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Guard	0	2	5	13	0	20	.	18.0	24.0	26.8	.	25.2	.	18.0	24.0	12.0	.	20.0
4	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B To Collect Loan	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Indecent A&B	2	0	2	1	0	5	30.0	.	33.0	12.0	.	27.6	30.0	.	33.0	12.0	.	24.0
4	Photograph Nude Person	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Child Pornography Possess 2nd	0	0	2	0	0	2	.	.	60.0	.	60.0	.	.	60.0	.	60.0	.	60.0
4	Assault w/i Rob	0	1	3	5	0	9	.	24.0	20.0	34.0	.	28.2	.	24.0	18.0	36.0	.	24.0
4	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Stalking	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	4	2	4	11	0	21	37.5	30.0	36.0	30.0	.	32.6	36.0	30.0	36.0	36.0	.	36.0
4	Larceny Person	1	1	1	2	0	5	24.0	30.0	36.0	18.0	.	25.2	24.0	30.0	36.0	18.0	.	24.0
4	Larceny Person + 65	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Larceny MV 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	1	7	11	76	0	95	24.0	29.1	33.8	44.8	.	42.1	24.0	24.0	24.0	36.0	.	36.0
4	Enter Dwelling w/I Felony	1	0	0	5	0	6	36.0	.	.	57.6	.	54.0	36.0	.	.	60.0	.	48.0
4	B&E DT Armed w/I Felony	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
4	Receiving Stolen Goods Over	1	1	2	3	0	7	30.2	24.0	36.0	34.0	.	32.6	30.2	24.0	36.0	30.0	.	30.0
4	Receiving Stolen Goods MV 2nd	0	0	0	6	0	6	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Forge Commonwealth Note	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Burning Building	1	0	0	1	0	2	36.0	.	.	30.0	.	33.0	36.0	.	.	30.0	.	33.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	21	30	38	26	0	115	33.1	37.4	34.9	40.2	.	36.4	36.0	36.0	36.0	36.0	.	36.0
4	Distribute Class B	20	27	12	20	0	79	35.1	30.8	30.5	31.4	.	32.0	36.0	36.0	33.0	30.0	.	36.0
4	Distribute Cocaine	33	50	40	38	0	161	31.3	31.4	37.2	33.9	.	33.4	24.0	30.0	36.0	36.0	.	36.0
4	Traffic Mar 50-100	1	0	2	0	0	3	30.0	.	33.0	.	32.0	30.0	.	33.0	.	30.0	.	30.0
4	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Giving Prisoner Cont Sub	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
4	Control Substance School	10	7	5	9	0	31	34.2	36.0	34.8	34.0	.	34.6	33.0	36.0	30.0	30.0	.	30.0
4	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Leaving Scene Death	0	0	0	0	1	1	.	.	.	.	48.0	48.0	.	.	.	.	48.0	48.0
4	OUI Serious Inj, Fel	0	1	1	0	0	2	.	30.0	48.0	.	39.0	.	30.0	48.0	.	.	.	39.0
4	OUI - Child Endangerment 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Derive Support From Prostitute	0	0	2	2	0	4	.	.	36.0	72.0	.	54.0	.	.	36.0	72.0	.	54.0
4	Firearm Sale Violation	1	0	1	0	0	2	24.0	.	30.0	.	27.0	24.0	.	30.0	.	.	.	27.0
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	2	1	0	3	.	.	48.0	24.0	.	40.0	.	.	48.0	24.0	.	36.0
4	Bomb Hoax	0	0	0	1	0	1	.	.	.	108.0	.	108.0	.	.	.	108.0	.	108.0
4	Hoax Device	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	97	129	134	226	1	587	32.8	32.4	34.9	38.4	48.0	35.4	30.0	36.0	36.0	36.0	48.0	36.0

Table 42 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 Ambulance	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	1	4	4	0	11	21.0	27.0	28.5	27.0	.	26.5	21.0	27.0	30.0	30.0	.	24.0
3	Assault Dangerous Weapon + 60	2	0	0	0	0	2	36.0	.	.	.	.	36.0	36.0	.	.	30.0	.	36.0
3	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Child Pornography Possess	3	0	0	1	0	4	38.0	.	.	30.0	.	36.0	36.0	.	.	30.0	.	33.0
3	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Violation Of Civil Rights	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Restraining Order Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny Building	0	1	2	1	0	4	.	30.0	21.0	48.0	.	30.0	.	30.0	21.0	48.0	.	30.0
3	Larceny Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny MV	0	0	0	2	0	2	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
3	Embezzlement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Credit Card Misuse - More	0	0	0	2	0	2	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
3	Defrauding Insurer	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
3	Fraud	1	1	0	0	0	2	24.0	24.0	.	.	.	24.0	24.0	24.0	.	.	.	24.0
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglariious Tools	0	0	0	4	0	4	.	.	.	43.5	.	43.5	.	.	.	27.0	.	27.0
3	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Mal Dest Property More	0	0	0	1	0	1	.	.	.	72.0	.	72.0	.	.	.	72.0	.	72.0
3	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods MV	0	0	1	1	0	2	.	.	24.0	36.0	.	30.0	.	.	24.0	36.0	.	30.0
3	Receiving Stolen Goods 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Forgery And Uttering	1	2	0	1	0	4	24.0	39.0	.	60.0	.	40.5	24.0	39.0	.	60.0	.	42.0
3	Counterfeit	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
3	Burning Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

Table 42 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A Heroin 2nd	0	0	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	1	0	0	0	0	1	30.0	.	.	.	.	.	30.0	30.0	.	.	.	30.0
3	Distribute Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class E 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Leaving Scene Property Damage	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Leaving Scene Personal Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI Serious Inj. Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI - Child Endangerment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gun Serial Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Firearm Loaded while OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Nonsupport	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Interfere Police or Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Failure to Appear Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Carrying Dangerous Weapon	0	1	0	0	0	1	.	30.0	.	.	.	30.0	.	30.0	.	.	.	30.0
3	Contempt Of Court	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Animal Kill or Poison	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Throw Object On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sex Offender Fail Register	0	0	1	2	0	3	.	.	24.0	36.0	.	32.0	.	24.0	36.0	.	36.0	
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sub-Total	11	7	8	19	0	45	30.0	32.1	25.5	41.7	.	34.5	30.0	30.0	24.0	36.0	.	30.0

Table 42 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 + 60	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	Failure To Return Leased Prop	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E w/i Misdemeanor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Property Destruction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Tagging Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Receiving Stolen Goods	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Setting Fire Land	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Lottery Ticket Altering	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fraud - Electric, Phone or Cable	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Property Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class A Heroin	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class C	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class D Marijuana 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Counterfeit Substance	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Class E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Hypodermic/Syringe	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Presence Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Forge Prescription	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Paraphenalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

Table 42 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Operate to Endanger	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Use Without Authority	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Use w/o Authority 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Ignition Interlock Violation	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	0	0	2	0	0	2	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0
2	Obscene Material to Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Possess w/o Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Mace	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Ammunition	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm 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	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	Mistreat Police Animal	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	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	Wiretap, Possess Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Unregistered Contractor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	True Name Law	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Home Imp Contractor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Sub-Total	0	0	2	0	0	2	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0

Table 42 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	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	Tramp / Beggar	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	Violation Aircraft Restriction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	MV - Impersonate/Other License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	RV On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Parking Ticket Mutilate	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Common Night Walker	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Indecent Exposure	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Lewd And 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	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	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

Table 42 State Prison Sentences: Minimum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy Violate CSA	0	0	1	2	0	3	.	.	120.0	42.0	.	68.0	.	.	120.0	42.0	.	60.0
0	Solicit Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy	0	0	0	2	0	2	.	.	.	27.0	.	27.0	.	.	.	27.0	.	27.0
0	Attempt To Commit Crime	0	1	0	1	0	2	.	48.0	.	12.0	.	30.0	.	48.0	.	12.0	.	30.0
0	Accessory Before	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Accessory After	3	1	2	2	0	8	30.0	78.0	21.0	36.0	.	35.3	36.0	78.0	21.0	36.0	.	33.0
0	Sub-Total	3	2	3	7	0	15	30.0	63.0	54.0	31.7	.	40.0	36.0	63.0	30.0	24.0	.	30.0

Table 43 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	27	10	3	9	0	49	130.7	187.2	116.0	136.7	.	142.4	120.0	210.0	144.0	168.0	.	144.0
8	Assault In Dwelling	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
8	Armed Assault In Dwell House	2	1	0	0	0	3	132.0	120.0	.	.	.	128.0	132.0	120.0	.	.	.	120.0
8	Rape, Aggravated	4	2	5	4	0	15	135.0	312.0	180.0	291.0	.	215.2	150.0	312.0	180.0	288.0	.	180.0
8	Rape 2nd	0	0	0	1	0	1	.	.	.	360.0	.	360.0	.	.	.	360.0	.	360.0
8	Rape Of Child w/Force	13	6	5	3	0	27	169.9	114.0	184.8	124.0	.	155.1	120.0	102.0	180.0	120.0	.	120.0
8	Armed Assault w/i Murder - Firearm	11	8	5	1	0	25	106.9	123.0	132.0	72.0	.	115.7	96.0	90.0	120.0	72.0	.	96.0
8	Home Invasion	4	2	4	2	0	12	315.0	300.0	330.0	270.0	.	310.0	300.0	300.0	300.0	270.0	.	300.0
8	Burglary, Armed	0	0	1	0	0	1	.	.	120.0	.	.	120.0	.	.	120.0	.	.	120.0
8	Traffic Cocaine 200+	3	3	2	2	0	10	180.0	200.0	192.0	210.0	.	194.4	180.0	180.0	192.0	210.0	.	180.0
8	Sub-Total	64	32	25	23	0	144	148.7	171.4	186.2	182.9	.	165.7	120.0	162.0	180.0	180.0	.	144.0
7	Murder, Attempted	2	2	0	1	0	5	42.0	78.0	.	120.0	.	72.0	42.0	78.0	.	120.0	.	60.0
7	Mayhem	1	3	2	2	1	9	60.0	124.0	69.0	72.0	240.0	106.0	60.0	120.0	69.0	72.0	240.0	108.0
7	A&B Child w/Injury Substantial	5	1	0	0	0	6	57.6	120.0	.	.	.	68.0	48.0	120.0	.	.	.	48.0
7	Rape	11	3	4	6	1	25	90.0	100.0	141.0	142.0	240.0	117.8	84.0	120.0	132.0	132.0	240.0	120.0
7	Assault w/i Rape Child	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
7	Incest	1	0	0	0	0	1	144.0	.	.	.	.	144.0	144.0	.	.	.	.	144.0
7	Armed Robbery Gun	20	18	19	15	0	72	68.7	80.0	79.0	108.0	.	82.4	60.0	60.0	72.0	96.0	.	72.0
7	Armed Assault w/i Murder	14	10	6	6	0	36	88.7	52.8	84.0	76.0	.	75.8	72.0	54.0	78.0	48.0	.	60.0
7	Carjacking, Armed	1	1	0	4	0	6	72.0	60.0	.	90.0	.	82.0	72.0	60.0	.	72.0	.	66.0
7	Kidnapping Extortion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Kidnapping Child	0	1	0	0	0	1	.	162.0	.	.	.	162.0	.	162.0	.	.	.	162.0
7	Confine And Put In Fear	0	0	0	2	0	2	.	.	.	54.0	.	54.0	.	.	.	54.0	.	54.0
7	Traffic Heroin 028-100	5	2	3	0	0	10	120.0	84.0	96.0	.	.	105.6	120.0	84.0	84.0	.	.	114.0
7	Traffic Heroin 100-200	1	0	1	0	0	2	132.0	.	120.0	.	.	126.0	132.0	.	120.0	.	.	126.0
7	Traffic Cocaine 100-200	11	4	3	6	0	24	139.6	129.0	148.0	148.0	.	141.0	144.0	126.0	144.0	144.0	.	144.0
7	Sub-Total	72	46	38	42	2	200	90.6	83.9	93.6	108.3	240.0	94.8	84.0	72.0	84.0	108.0	240.0	84.0

Table 43 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	9	0	1	1	0	11	100.0	.	240.0	240.0	.	125.5	84.0	.	240.0	240.0	.	120.0
6	A&B Elderly / Disabled Ser Injury	0	0	0	0	0	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	15	21	14	24	0	74	62.0	63.7	46.3	58.6	.	58.4	60.0	60.0	36.0	45.0	.	54.0
6	A&B Dangerous Weapon + 60	1	0	1	1	0	3	84.0	.	36.0	60.0	.	60.0	84.0	.	36.0	60.0	.	60.0
6	A&B DW, Aggravated w/Injury	1	2	2	2	0	7	84.0	63.0	108.0	108.0	.	91.7	84.0	63.0	108.0	108.0	.	72.0
6	Assault To Kill or Maim	0	0	5	3	0	8	.	.	88.8	68.0	.	81.0	.	.	96.0	72.0	.	72.0
6	Rape Of Child	37	6	7	6	0	56	68.8	85.2	66.9	94.0	.	73.0	60.0	75.5	72.0	96.0	.	69.5
6	Assault w/i Rape	3	3	0	1	0	7	60.0	104.0	.	78.0	.	81.4	60.0	72.0	.	78.0	.	72.0
6	Indecent A&B On Child 2nd	1	0	1	0	0	2	72.0	.	42.0	.	.	57.0	72.0	.	42.0	.	.	57.0
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Robbery Unarmed + 60	3	1	3	3	0	10	80.0	60.0	52.0	44.0	.	58.8	48.0	60.0	36.0	36.0	.	42.0
6	Armed Robbery	44	45	52	57	2	200	55.1	52.1	63.1	75.2	87.0	62.6	39.0	60.0	60.0	60.0	87.0	60.0
6	Armed Assault w/i Rob	8	5	4	4	0	21	54.0	73.4	72.0	81.0	.	67.2	45.0	72.0	66.0	78.0	.	60.0
6	Armed Aslt w/i Rob Over 65	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	60.0	.	.	60.0
6	Carjacking	2	0	1	5	0	8	84.0	.	84.0	69.6	.	75.0	84.0	.	84.0	72.0	.	84.0
6	Kidnapping	6	3	2	2	0	13	60.0	34.0	96.0	51.0	.	58.2	48.0	36.0	96.0	51.0	.	42.0
6	Harassment, 2nd	0	0	0	1	0	1	.	.	.	108.0	.	108.0	.	.	108.0	.	.	108.0
6	Burning Dwelling House	4	1	2	0	0	7	57.0	36.0	42.0	.	.	49.7	60.0	36.0	42.0	.	.	48.0
6	Distribute Class A 2nd	0	3	2	9	0	14	.	68.0	72.0	72.0	.	71.2	.	60.0	72.0	60.0	.	60.0
6	Distribute Cocaine 2nd	0	10	9	10	0	29	.	63.6	65.4	85.2	.	71.6	.	60.0	60.0	84.0	.	60.0
6	Traffic Heroin 014-028	3	1	1	0	0	5	68.0	60.0	60.0	.	.	64.8	60.0	60.0	60.0	.	.	60.0
6	Traffic Cocaine 028-100	47	26	24	16	0	113	77.2	78.5	82.5	85.9	.	79.9	72.0	66.0	72.0	84.0	.	72.0
6	MV Homicide - OUI Felony	1	1	0	0	0	2	72.0	60.0	.	.	.	66.0	72.0	60.0	.	.	.	66.0
6	Sub-Total	185	128	131	147	2	593	67.9	64.1	68.3	75.1	87.0	69.0	60.0	60.0	60.0	72.0	87.0	60.0
5	A&B Child w/Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	A&B Aggravated	0	1	0	1	0	2	.	36.0	.	36.0	.	36.0	.	36.0	.	36.0	.	36.0
5	A&B DW, Aggravated	3	5	1	6	0	15	66.0	56.4	90.0	65.0	.	64.0	48.0	48.0	90.0	60.0	.	60.0
5	Indecent A&B On Child	9	1	2	1	0	13	52.0	84.0	84.0	72.0	.	60.9	60.0	84.0	84.0	72.0	.	60.0
5	Entice Child	2	0	0	0	0	2	54.0	.	.	.	.	54.0	54.0	.	.	.	.	54.0
5	Robbery Unarmed	7	14	26	40	1	88	63.4	39.4	45.7	57.5	96.0	52.0	48.0	36.0	39.0	48.0	96.0	48.0
5	Intimidation	5	8	5	6	0	24	64.8	48.8	50.4	88.0	.	62.3	48.0	54.0	48.0	84.0	.	60.0
5	Stalking Violation of Rest. Order	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	36.0	.	.	36.0
5	Common & Notorious Thief	0	0	0	1	0	1	.	.	.	96.0	.	96.0	.	.	96.0	.	.	96.0
5	Burglary	5	0	8	6	0	19	55.2	.	70.5	48.0	.	59.4	36.0	.	66.0	42.0	.	48.0
5	Gaming Enterprise	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	24.0	.	.	24.0
5	Distribute Class B 2nd	1	9	7	20	0	37	36.0	48.7	53.2	45.3	.	47.4	36.0	48.0	36.0	36.0	.	42.0
5	Traffic Cocaine 014-028	63	50	35	26	2	176	47.2	43.6	48.5	45.3	36.0	46.0	48.0	36.0	48.0	42.0	36.0	42.0
5	Guard Sex w/ Prisoner	2	0	0	0	0	2	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
5	Perjury or Suborn	0	3	0	0	0	3	.	29.7	.	.	.	29.7	.	36.0	.	.	.	36.0
5	Sex Offender Fail Register 2nd	0	0	1	1	0	2	.	.	60.0	60.0	.	60.0	.	.	60.0	60.0	.	60.0
5	Sub-Total	97	91	85	110	3	386	50.2	44.5	51.7	53.7	56.0	50.2	48.0	36.0	48.0	48.0	36.0	48.0

Table 43 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	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
4	Assault Aggravated	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	A&B Child Conspiracy	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Guard	0	2	5	13	0	20	.	18.0	26.0	32.3	.	29.3	.	18.0	24.0	12.0	.	24.0
4	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B To Collect Loan	0	0	0	1	0	1	.	.	.	42.0	.	42.0	.	.	.	42.0	.	42.0
4	Indecent A&B	2	0	2	1	0	5	42.0	.	36.0	12.0	.	33.6	42.0	.	36.0	12.0	.	36.0
4	Photograph Nude Person	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Child Pornography Possess 2nd	0	0	2	0	0	2	.	.	60.0	.	60.0	.	.	60.0	.	60.0	.	60.0
4	Assault w/i Rob	0	1	3	5	0	9	.	24.0	54.0	38.8	.	42.2	.	24.0	36.0	36.0	.	36.0
4	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Stalking	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	4	2	4	11	0	21	46.5	42.0	46.5	40.4	.	42.9	48.0	42.0	48.0	36.0	.	36.0
4	Larceny Person	1	1	1	2	0	5	36.0	30.0	36.0	24.0	.	30.0	36.0	30.0	36.0	24.0	.	30.0
4	Larceny Person + 65	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
4	Larceny MV 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	1	7	11	76	0	95	36.0	38.6	44.2	56.9	.	53.9	36.0	36.0	30.0	48.0	.	48.0
4	Enter Dwelling w/I Felony	1	0	0	5	0	6	36.0	.	.	84.0	.	76.0	36.0	.	.	84.0	.	72.0
4	B&E DT Armed w/I Felony	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
4	Receiving Stolen Goods Over	1	1	2	3	0	7	51.2	24.0	42.0	42.0	.	40.8	51.2	24.0	42.0	36.0	.	36.0
4	Receiving Stolen Goods MV 2nd	0	0	0	6	0	6	.	.	.	42.0	.	42.0	.	.	.	36.0	.	36.0
4	Forge Commonwealth Note	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Burning Building	1	0	0	1	0	2	48.0	.	.	30.0	.	39.0	48.0	.	.	30.0	.	39.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	21	30	38	26	0	115	41.4	49.4	42.8	49.9	.	45.9	36.0	48.0	36.0	48.0	.	36.0
4	Distribute Class B	20	27	12	20	0	79	43.8	37.2	37.5	41.7	.	40.1	36.0	36.0	36.0	36.0	.	36.0
4	Distribute Cocaine	33	50	40	38	0	161	42.2	38.4	43.2	42.0	.	41.2	36.0	36.0	36.0	36.0	.	36.0
4	Traffic Mar 50-100	1	0	2	0	0	3	36.0	.	33.0	.	.	34.0	36.0	.	33.0	.	.	36.0
4	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Giving Prisoner Cont Sub	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
4	Control Substance School	10	7	5	9	0	31	41.4	48.9	39.6	36.7	.	41.4	36.0	54.0	30.0	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	0	0	0	0	1	1	.	.	.	.	48.0	48.0	.	.	.	.	48.0	48.0
4	OUI Serious Inj. Fel	0	1	1	0	0	2	.	72.0	60.0	.	66.0	.	72.0	60.0	.	.	66.0	
4	OUI - Child Endangerment 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Derive Support From Prostitute	0	0	2	2	0	4	.	.	48.0	108.0	.	78.0	.	.	48.0	108.0	.	78.0
4	Firearm Sale Violation	1	0	1	0	0	2	24.0	.	30.0	.	27.0	24.0	.	30.0	.	.	27.0	
4	Escape	0	0	1	0	0	1	.	.	36.0	.	36.0	.	.	36.0	.	.	36.0	
4	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Extortion	0	0	2	1	0	3	.	.	60.0	24.0	48.0	.	.	60.0	24.0	.	36.0	
4	Bomb Hoax	0	0	0	1	0	1	.	.	.	132.0	132.0	.	.	.	132.0	.	132.0	
4	Hoax Device	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	97	129	134	226	1	587	42.2	41.0	42.4	48.4	48.0	44.4	36.0	36.0	36.0	36.0	48.0	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Domestic	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B w/I Intimidate	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Reckless Endangerment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Ambulance	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	1	4	4	0	11	30.0	27.0	39.0	36.0	.	35.2	30.0	27.0	39.0	36.0	.	36.0
3	Assault Dangerous Weapon + 60	2	0	0	0	0	2	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
3	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Child Pornography Possess	3	0	0	1	0	4	52.0	.	.	42.0	.	49.5	60.0	.	.	42.0	.	51.0
3	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Violation Of Civil Rights	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Restraining Order Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny Building	0	1	2	1	0	4	.	36.0	27.0	48.0	.	34.5	.	36.0	27.0	48.0	.	36.0
3	Larceny Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny MV	0	0	0	2	0	2	.	.	.	84.0	.	84.0	.	.	.	84.0	.	84.0
3	Embezzlement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Credit Card Misuse - More	0	0	0	2	0	2	.	.	.	42.0	.	42.0	.	.	.	42.0	.	42.0
3	Defrauding Insurer	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
3	Fraud	1	1	0	0	0	2	30.0	24.0	.	.	.	27.0	30.0	24.0	.	.	.	27.0
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglariious Tools	0	0	0	4	0	4	.	.	.	49.5	.	49.5	.	.	.	27.0	.	27.0
3	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Mal Dest Property More	0	0	0	1	0	1	.	.	.	108.0	.	108.0	.	.	.	108.0	.	108.0
3	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods MV	0	0	1	1	0	2	.	.	36.0	36.0	.	36.0	.	.	36.0	36.0	.	36.0
3	Receiving Stolen Goods 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Forgery And Uttering	1	2	0	1	0	4	30.0	60.0	.	60.0	.	52.5	30.0	60.0	.	60.0	.	48.0
3	Counterfeit	0	1	0	0	0	1	.	42.0	.	.	.	42.0	.	42.0	.	.	.	42.0
3	Burning Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A Heroin 2nd	0	0	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	1	0	0	0	0	1	36.0	.	.	.	.	.	36.0	36.0	.	.	.	36.0
3	Distribute Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class E 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Leaving Scene Property Damage	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Leaving Scene Personal Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI Serious Inj. Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI - Child Endangerment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gun Serial Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Firearm Loaded while OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Nonsupport	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Interfere Police or Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Failure to Appear Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Carrying Dangerous Weapon	0	1	0	0	0	1	.	30.0	.	.	.	30.0	.	30.0	.	.	.	30.0
3	Contempt Of Court	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Animal Kill or Poison	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Throw Object On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sex Offender Fail Register	0	0	1	2	0	3	.	.	24.0	36.0	.	32.0	.	24.0	36.0	.	36.0	
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sub-Total	11	7	8	19	0	45	37.1	39.9	33.8	50.5	.	42.6	36.0	36.0	36.0	36.0	.	36.0

Table 43 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 + 60	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	Failure To Return Leased Prop	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E w/i Misdemeanor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Property Destruction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Tagging Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Receiving Stolen Goods	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Setting Fire Land	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Lottery Ticket Altering	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fraud - Electric, Phone or Cable	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Property Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class A Heroin	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class C	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Class D Marijuana 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Counterfeit Substance	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Class E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possession Hypodermic/Syringe	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Presence Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Forge Prescription	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Distribute Paraphenalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Operate to Endanger	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Use Without Authority	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Use w/o Authority 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Ignition Interlock Violation	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	0	0	2	0	0	2	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
2	Obscene Material to Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Possess w/o Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Mace	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Ammunition	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm 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	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	Mistreat Police Animal	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	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	Wiretap, Possess Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Unregistered Contractor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	True Name Law	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Home Imp Contractor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Sub-Total	0	0	2	0	0	2	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0

Table 43 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	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	Tramp / Beggar	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	Violation Aircraft Restriction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	MV - Impersonate/Other License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	RV On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Parking Ticket Mutilate	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Common Night Walker	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Indecent Exposure	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Lewd And 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	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	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy Violate CSA	0	0	1	2	0	3	.	.	180.0	60.0	.	100.0	.	.	180.0	60.0	.	96.0
0	Solicit Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy	0	0	0	2	0	2	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
0	Attempt To Commit Crime	0	1	0	1	0	2	.	60.0	.	24.0	.	42.0	.	60.0	.	24.0	.	42.0
0	Accessory Before	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Accessory After	3	1	2	2	0	8	38.0	84.0	30.0	42.0	.	42.8	36.0	84.0	30.0	42.0	.	36.0
0	Sub-Total	3	2	3	7	0	15	38.0	72.0	80.0	42.9	.	53.2	36.0	72.0	36.0	36.0	.	36.0

Table 44 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 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Rape Of Child w/Force	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Armed Assault w/i Murder - Firearm	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	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	A&B Child w/Injury Substantial	2	0	0	0	0	2	16.0	.	.	.	.	16.0	16.0	.	.	.	.	16.0
7	Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Assault w/i Rape Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Incest	0	1	0	0	0	1	.	18.0	.	.	.	18.0	.	18.0	.	.	.	18.0
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	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Kidnapping Extortion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Kidnapping Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Confine And Put In Fear	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Traffic Heroin 028-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Traffic Heroin 100-200	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Traffic Cocaine 100-200	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Sub-Total	2	1	0	0	0	3	16.0	18.0	.	.	.	16.7	16.0	18.0	.	.	.	18.0

Table 44 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	0	0	0	0	2	27.0	.	.	.	.	27.0	27.0	.	.	.	.	27.0
6	A&B Elderly / Disabled Ser Injury	1	0	0	0	0	1	30.0	.	.	.	.	30.0	30.0	.	.	.	.	30.0
6	A&B Aggravated - Serious Injury	5	1	0	0	0	6	13.8	9.0	.	.	.	13.0	12.0	9.0	.	.	.	10.5
6	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B DW, Aggravated w/Injury	3	0	1	0	0	4	16.7	.	18.0	.	.	17.0	24.0	.	18.0	.	.	21.0
6	Assault To Kill or Maim	3	0	0	0	0	3	24.0	.	.	.	.	24.0	30.0	.	.	.	.	30.0
6	Rape Of Child	16	8	4	1	0	29	16.8	18.5	18.7	30.0	.	18.0	15.0	18.0	16.5	30.0	.	18.0
6	Assault w/i Rape	2	0	0	0	0	2	21.0	.	.	.	.	21.0	21.0	.	.	.	.	21.0
6	Indecent A&B On Child 2nd	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	Armed Aslt w/i Rob Over 65	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Carjacking	2	4	1	1	0	8	7.5	15.0	30.0	6.0	.	13.9	7.5	15.0	30.0	6.0	.	10.5
6	Kidnapping	2	0	0	0	0	2	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
6	Harassment, 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Burning Dwelling House	1	2	0	0	0	3	18.0	21.0	.	.	.	20.0	18.0	21.0	.	.	.	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	MV Homicide - OUI Felony	5	0	1	0	0	6	18.0	.	12.0	.	.	17.0	18.0	.	12.0	.	.	15.0
6	Sub-Total	42	15	7	2	0	66	18.0	17.3	19.3	18.0	.	18.0	18.0	18.0	18.0	18.0	.	18.0
5	A&B Child w/Injury	11	2	3	2	0	18	11.8	13.5	9.0	15.0	.	11.9	6.0	13.5	6.0	15.0	.	9.0
5	A&B Aggravated	9	9	7	9	0	34	6.6	7.0	14.1	11.4	.	9.5	4.2	3.0	12.0	12.0	.	6.0
5	A&B DW, Aggravated	4	1	2	0	0	7	11.5	24.0	15.0	.	.	14.3	9.0	24.0	15.0	.	.	12.0
5	Indecent A&B On Child	41	12	12	9	0	74	18.5	18.3	17.1	23.5	.	18.8	18.0	21.0	18.0	25.7	.	18.0
5	Entice Child	2	2	0	1	0	5	12.0	9.8	.	15.0	.	11.7	12.0	9.8	.	15.0	.	12.0
5	Robbery Unarmed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Intimidation	50	64	96	83	0	293	7.0	6.4	9.2	9.7	.	8.4	6.0	6.0	6.0	7.8	.	6.0
5	Stalking Violation of Rest. Order	1	2	2	1	0	6	30.0	12.0	24.0	12.0	.	19.0	30.0	12.0	24.0	12.0	.	18.0
5	Common & Notorious Thief	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
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	Guard Sex w/ Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Perjury or Suborn	0	2	0	0	0	2	.	15.0	.	.	.	15.0	.	15.0	.	.	.	15.0
5	Sex Offender Fail Register 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Sub-Total	118	94	122	106	0	440	11.9	8.7	10.6	11.4	.	10.7	9.5	6.0	8.0	9.0	.	7.9

Table 44 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	12	7	6	11	0	36	7.2	5.6	8.7	12.0	.	8.6	6.0	2.0	8.5	12.0	.	6.0
4	Assault Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Child Conspiracy	0	1	0	0	0	1	.	0.3	.	.	.	0.3	.	0.3	.	.	.	0.3
4	A&B Guard	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Dangerous Weapon	69	55	65	53	0	242	16.8	18.8	17.8	18.3	.	17.8	18.0	18.0	15.0	18.0	.	18.0
4	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Indecent A&B	34	16	8	15	0	73	12.1	12.4	9.0	13.1	.	12.0	11.5	10.5	9.0	12.0	.	12.0
4	Photograph Nude Person	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Child Pornography Possess 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Assault w/i Rob	0	2	0	1	0	3	.	15.1	.	12.0	.	14.0	.	15.1	.	12.0	.	12.0
4	Kidnapping	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
4	Stalking	4	1	5	3	0	13	3.2	3.0	6.2	6.7	.	5.1	2.7	3.0	6.0	6.0	.	4.0
4	Harassment	10	10	4	6	0	30	11.6	5.1	2.8	9.2	.	7.7	9.5	5.1	3.0	8.5	.	6.0
4	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny Person	73	91	48	71	1	284	10.8	7.7	11.2	11.7	20.0	10.1	7.6	6.0	9.0	12.0	20.0	8.5
4	Larceny Person + 65	0	3	3	3	0	9	.	7.8	24.0	20.9	.	17.6	.	4.0	24.0	20.7	.	18.0
4	Larceny MV 2nd	0	0	1	0	0	1	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0
4	Fraud - Identity	21	24	17	33	0	95	3.6	5.9	6.4	10.0	.	6.9	1.0	6.0	6.0	12.0	.	6.0
4	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Enter Dwelling w/I Felony	0	0	0	1	0	1	.	.	.	6.0	.	6.0	.	.	.	6.0	.	6.0
4	B&E DT Armed w/i Felony	4	0	3	2	0	9	16.5	.	16.1	24.0	.	18.0	18.0	.	12.2	24.0	.	18.0
4	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods MV 2nd	0	1	2	4	0	7	.	12.0	21.0	15.0	.	16.3	.	12.0	21.0	12.0	.	12.0
4	Forge Commonwealth Note	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Burning Building	2	0	0	0	0	2	1.0	.	.	.	.	1.0	1.0	.	.	.	.	1.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	94	84	60	66	0	304	9.4	12.6	13.5	14.1	.	12.1	6.0	12.0	12.0	12.0	.	12.0
4	Distribute Class B	277	246	167	121	0	811	10.2	11.2	12.2	13.3	.	11.4	9.0	9.0	12.0	12.0	.	12.0
4	Distribute Cocaine	53	27	21	14	0	115	19.1	21.3	20.3	19.3	.	19.8	18.0	24.0	24.0	16.5	.	19.8
4	Traffic Mar 50-100	1	0	0	0	0	1	30.0	.	.	.	.	30.0	30.0	.	.	.	.	30.0
4	Larceny Cont Sub	0	0	0	2	0	2	.	.	.	9.0	.	9.0	.	.	.	9.0	.	9.0
4	Giving Prisoner Cont Sub	0	1	2	1	0	4	.	3.0	4.5	3.7	.	3.9	.	3.0	4.5	3.7	.	3.3
4	Control Substance School	67	71	48	30	1	217	24.4	24.3	24.1	24.2	24.0	24.3	24.0	24.0	24.0	24.0	24.0	24.0
4	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - Reckless	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
4	MV Homicide - OUI	6	0	1	0	0	7	15.2	.	24.0	.	.	16.4	15.0	.	24.0	.	.	18.0
4	Leaving Scene Death	2	0	0	1	0	3	21.0	.	.	30.0	.	24.0	21.0	.	.	30.0	.	30.0
4	OUI Serious Inj. Fel	15	4	1	0	0	20	12.0	12.0	6.0	.	.	11.7	6.0	6.0	6.0	.	.	6.0
4	OUI - Child Endangerment 2nd	0	1	0	0	0	1	.	12.0	.	.	.	12.0	.	12.0	.	.	.	12.0
4	Derive Support From Prostitute	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Firearm Sale Violation	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
4	Escape	4	4	12	9	0	29	1.6	2.3	5.2	4.4	.	4.1	1.4	1.8	2.5	3.0	.	3.0
4	Bribery	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
4	Extortion	1	0	1	0	0	2	30.0	.	24.0	.	.	27.0	30.0	.	24.0	.	.	27.0
4	Bomb Hoax	0	0	0	1	0	1	.	.	.	6.0	.	6.0	.	.	.	6.0	.	6.0
4	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Disinter Body	0	0	1	1	0	2	.	.	30.0	6.0	.	18.0	.	.	30.0	6.0	.	18.0
4	Sub-Total	750	650	477	450	2	2329	12.6	13.0	14.1	14.2	22.0	13.3	12.0	12.0	12.0	12.0	22.0	12.0

Table 44 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	421	485	433	504	2	1845	4.7	6.0	7.1	8.2	9.5	6.6	3.0	4.0	6.0	6.0	9.5	6.0
3	A&B Domestic	11	11	6	9	0	37	5.9	6.6	6.0	13.2	.	7.9	3.0	3.0	4.5	12.0	.	4.6
3	A&B w/I Intimidate	0	1	0	0	0	1	.	2.8	.	.	.	2.8	.	2.8	.	.	.	2.8
3	Reckless Endangerment	2	2	1	0	0	5	10.7	4.0	3.0	.	.	6.5	10.7	4.0	3.0	.	.	6.0
3	A&B Ambulance	0	2	0	1	0	3	.	3.0	.	12.0	.	6.0	.	3.0	.	12.0	.	3.0
3	A&B Dangerous Weapon	96	108	75	69	0	348	3.9	4.3	4.8	4.3	.	4.3	3.0	4.1	6.0	4.0	.	4.0
3	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Assault Dangerous Weapon	85	79	68	85	0	317	9.8	6.6	10.5	9.9	.	9.2	6.0	4.2	9.0	6.0	.	6.0
3	Assault Dangerous Weapon + 60	3	0	0	1	0	4	26.0	.	.	18.0	.	24.0	30.0	.	.	18.0	.	24.0
3	Unnatural Acts	1	2	0	0	0	3	1.0	3.3	.	.	.	2.5	1.0	3.3	.	.	.	1.0
3	Child Pornography Possess	10	1	1	1	0	13	7.0	6.0	24.0	21.0	.	9.3	6.0	6.0	24.0	21.0	.	6.0
3	Kidnapping	1	0	0	1	0	2	5.0	.	.	12.0	.	8.5	5.0	.	.	12.0	.	8.5
3	Violation Of Civil Rights	0	0	1	0	0	1	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0
3	Restraining Order Violation	65	120	137	157	0	479	3.6	5.5	6.6	7.5	.	6.2	2.1	3.8	6.0	6.0	.	6.0
3	Larceny	20	15	10	12	0	57	3.9	3.9	5.9	3.9	.	4.2	2.0	2.0	5.0	2.5	.	2.0
3	Larceny More	139	188	184	281	1	793	5.4	5.7	7.4	8.8	0.3	7.1	3.0	6.0	6.0	6.0	0.3	6.0
3	Larceny More + 60	0	2	0	0	0	2	.	4.5	.	.	.	4.5	.	4.5	.	.	.	4.5
3	Larceny Building	20	24	27	37	0	108	6.5	8.8	7.8	11.2	.	9.0	5.1	7.5	6.0	12.0	.	6.0
3	Larceny Firearm	4	1	1	1	0	7	7.4	4.2	6.0	24.0	.	9.1	5.6	4.2	6.0	24.0	.	6.0
3	Larceny MV	22	21	21	35	1	100	5.3	7.7	9.3	13.2	1.0	9.4	4.0	6.0	9.0	12.0	1.0	9.0
3	Embezzlement	1	0	1	0	0	2	6.0	.	30.0	.	.	18.0	6.0	.	30.0	.	.	18.0
3	Credit Card Misuse - More	5	2	3	10	0	20	12.6	15.0	12.0	14.8	.	13.9	12.0	15.0	12.0	15.0	.	12.0
3	Defrauding Insurer	7	3	2	1	0	13	5.4	5.2	9.0	6.0	.	6.0	5.0	6.0	9.0	6.0	.	6.0
3	Fraud	3	8	4	13	0	28	4.7	7.0	8.3	9.2	.	7.9	6.0	7.5	9.0	12.0	.	7.5
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglariious Tools	14	18	24	40	0	96	4.3	8.7	9.8	10.8	.	9.2	3.0	9.0	9.0	9.0	.	9.0
3	B&E	150	248	221	309	1	929	5.9	7.8	9.8	11.8	18.0	9.3	3.0	6.0	9.0	12.0	18.0	6.0
3	Mal Dest Property More	18	17	22	27	0	84	7.2	7.1	8.5	11.1	.	8.8	5.5	6.0	10.5	12.0	.	6.0
3	Receiving Stolen Goods Over	21	20	27	32	0	100	9.8	11.1	10.1	13.0	.	11.2	6.0	7.4	6.0	12.0	.	7.6
3	Receiving Stolen Goods MV	42	48	32	54	0	176	5.9	7.1	9.8	10.1	.	8.2	6.0	6.0	10.0	7.0	.	6.0
3	Receiving Stolen Goods 2nd	0	0	0	3	0	3	.	.	.	2.7	.	2.7	.	.	.	2.0	.	2.0
3	Forgery And Uttering	19	54	49	61	0	183	4.5	4.9	6.0	8.1	.	6.2	3.0	3.0	6.0	6.0	.	6.0
3	Counterfeit	2	1	1	3	0	7	1.9	6.0	12.0	4.7	.	5.1	1.9	6.0	12.0	6.0	.	6.0
3	Burning Property	3	0	2	1	0	6	2.9	.	7.5	12.0	.	6.0	2.6	.	7.5	12.0	.	4.5
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

Table 44 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Possession Class A 2nd	1	1	5	5	0	12	1.6	6.0	9.7	6.7	.	7.5	1.6	6.0	6.0	6.0	.	6.0
3	Possession Class A Heroin 2nd	1	4	7	7	0	19	6.0	5.0	7.6	9.0	.	7.5	6.0	5.1	4.2	6.0	.	6.0
3	Possession Class B 2nd	2	13	18	15	0	48	1.2	4.2	5.6	8.0	.	5.8	1.2	3.0	6.0	6.0	.	6.0
3	Possession Class C 2nd	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
3	Possession Class D 2nd	5	5	7	3	0	20	2.4	9.0	7.1	4.3	.	6.0	1.0	9.0	2.8	4.0	.	5.0
3	Distribute Class C	2	3	5	7	0	17	7.5	12.0	4.5	8.6	.	7.9	7.5	6.0	2.9	6.0	.	6.0
3	Distribute Class D 2nd	6	8	6	1	0	21	11.7	11.0	12.1	6.0	.	11.3	12.0	12.0	7.0	6.0	.	12.0
3	Distribute Class E 2nd	1	0	2	1	0	4	12.0	.	15.0	18.0	.	15.0	12.0	.	15.0	18.0	.	15.0
3	MV Homicide	11	0	0	3	0	14	8.2	.	.	13.8	.	9.4	6.0	.	.	15.4	.	8.0
3	Leaving Scene Property Damage	48	53	47	36	0	184	3.5	4.1	6.1	8.4	.	5.3	2.0	2.3	6.0	6.0	.	3.0
3	Leaving Scene Personal Injury	15	10	8	10	0	43	8.0	7.1	10.4	8.4	.	8.3	6.0	6.0	9.0	6.0	.	6.0
3	OUI Serious Inj. Misd	8	2	1	0	0	11	9.9	9.0	3.0	.	.	9.1	11.0	9.0	3.0	.	.	10.0
3	OUI - Child Endangerment	3	0	0	0	0	3	3.0	.	.	.	.	3.0	3.0	.	.	.	.	3.0
3	Inducing Minor To Sex	1	0	1	0	0	2	24.0	.	10.0	.	.	17.0	24.0	.	10.0	.	.	17.0
3	Gun Serial Number	10	4	1	2	0	17	15.1	15.6	18.0	24.0	.	16.4	18.0	14.5	18.0	24.0	.	18.0
3	Firearm Loaded while OUI	3	0	0	0	0	3	8.1	.	.	.	.	8.1	6.0	.	.	.	.	6.0
3	Nonsupport	7	0	0	0	0	7	9.2	.	.	.	.	9.2	6.0	.	.	.	.	6.0
3	Interfere Police or Firefighter	0	2	0	0	0	2	.	0.7	.	.	.	0.7	.	0.7	.	.	.	0.7
3	Failure to Appear Felony	0	2	0	0	0	2	.	21.0	.	.	.	21.0	.	21.0	.	.	.	21.0
3	Carrying Dangerous Weapon	29	19	17	24	0	89	4.8	6.2	6.9	5.1	.	5.6	2.0	6.0	6.0	3.5	.	4.0
3	Contempt Of Court	0	1	0	0	0	1	.	0.3	.	.	.	0.3	.	0.3	.	.	.	0.3
3	Cruelty To Animals	1	2	0	0	0	3	3.0	3.5	.	.	.	3.3	3.0	3.5	.	.	.	3.0
3	Animal Kill or Poison	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
3	Throw Object On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sex Offender Fail Register	3	22	55	108	2	190	4.1	3.0	5.1	7.4	6.5	6.1	6.0	2.5	3.0	6.0	6.5	6.0
3	Vandalize - Graves	1	0	0	0	0	1	5.9	.	.	.	.	5.9	5.9	.	.	.	.	5.9
3	Sub-Total	1344	1633	1533	1970	7	6487	5.6	6.3	7.6	9.1	7.3	7.3	3.0	6.0	6.0	6.0	4.0	6.0

Table 44 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	10	18	9	16	0	53	2.2	4.2	8.6	4.3	.	4.6	2.0	3.0	3.8	4.6	.	3.0
2	Accost / Annoy Person Opposite Sex	6	2	4	3	0	15	3.7	1.5	5.0	5.0	.	4.0	4.0	1.5	6.0	6.0	.	6.0
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less	41	39	40	51	0	171	2.7	3.6	3.4	4.7	.	3.6	1.0	3.0	2.6	4.0	.	3.0
2	Larceny Less +60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Shoplifting	21	68	57	134	0	280	1.1	3.1	3.5	4.1	.	3.5	1.0	2.0	3.0	3.0	.	2.2
2	Credit Card Misuse	4	12	9	8	0	33	1.7	4.6	6.7	5.6	.	5.1	1.0	4.5	6.0	6.0	.	4.0
2	MV - False Report Of Theft	1	0	0	0	0	1	9.0	.	.	.	.	9.0	9.0	.	.	.	.	9.0
2	Defrauding Innkeeper	1	1	0	1	0	3	0.0	6.0	.	1.0	.	2.3	0.0	6.0	.	1.0	.	1.0
2	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Return Leased Prop	2	1	2	1	0	6	1.5	2.0	3.5	4.0	.	2.7	1.5	2.0	3.5	4.0	.	2.0
2	B&E MV	2	1	1	2	0	6	1.7	1.0	6.0	6.0	.	3.7	1.7	1.0	6.0	6.0	.	4.5
2	B&E w/i Misdemeanor	8	8	4	10	0	30	2.5	3.5	2.6	4.2	.	3.3	1.8	3.5	2.0	5.5	.	3.0
2	Property Destruction	39	44	40	38	0	161	4.1	4.3	3.5	5.4	.	4.3	2.5	2.3	2.8	3.0	.	2.7
2	Tagging Property	2	3	3	1	0	9	3.5	6.7	5.7	9.0	.	5.9	3.5	6.0	6.0	9.0	.	6.0
2	Receiving Stolen Goods	46	54	39	81	0	220	4.2	4.0	5.6	6.8	.	5.3	2.5	3.0	4.0	5.0	.	3.0
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Setting Fire Land	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Lottery Ticket Altering	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
2	Fraud - Electric, Phone or Cable	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Property Violation	4	1	2	3	0	10	1.4	1.2	9.0	4.4	.	3.8	1.0	1.2	9.0	6.0	.	2.3
2	Possession Class A	47	64	41	58	0	210	4.0	4.6	4.3	5.5	.	4.6	3.0	3.5	3.0	6.0	.	3.0
2	Possession Class A Heroin	39	25	20	21	0	105	4.4	6.3	5.8	7.9	.	5.8	6.0	6.0	4.2	5.0	.	6.0
2	Possession Class B	174	175	121	143	2	615	3.4	3.8	5.0	4.7	9.0	4.1	2.0	3.0	4.0	4.0	9.0	3.0
2	Possession Class C	3	12	10	9	0	34	2.7	4.2	4.0	3.1	.	3.7	3.0	4.5	3.5	1.7	.	3.0
2	Possession Class D	107	98	64	30	0	299	2.2	3.0	3.2	3.2	.	2.8	1.0	2.0	3.0	2.0	.	2.0
2	Possession Class D Marijuana 2nd	2	4	8	5	0	19	1.5	4.1	3.3	4.1	.	3.5	1.5	3.6	2.5	4.2	.	3.0
2	Distribute Counterfeit Substance	1	4	6	9	0	20	3.0	4.5	5.5	4.1	.	4.5	3.0	3.0	4.0	3.0	.	3.0
2	Distribute Class D	89	68	30	12	0	199	6.8	8.4	9.1	12.0	.	8.0	6.0	6.0	6.0	12.0	.	6.0
2	Distribute Class E	6	1	1	1	0	9	3.3	6.0	9.0	9.0	.	4.9	2.5	6.0	9.0	9.0	.	6.0
2	Possession Hypodermic/Syringe	7	1	0	3	0	11	1.9	3.0	.	3.3	.	2.4	1.1	3.0	.	3.0	.	1.6
2	Presence Class A	2	2	5	1	0	10	1.5	6.0	3.2	2.0	.	3.3	1.5	6.0	2.9	2.0	.	2.5
2	Forge Prescription	5	2	3	5	0	15	5.4	3.5	5.0	9.0	.	6.3	4.2	3.5	6.0	9.0	.	6.0
2	Distribute Paraphenalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

Table 44 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Operate to Endanger	67	71	46	53	0	237	3.9	5.0	4.5	6.6	.	4.9	2.0	3.0	3.0	4.4	.	3.0
2	Use Without Authority	26	30	28	25	0	109	2.7	4.3	4.6	5.8	.	4.4	2.0	3.0	3.0	6.0	.	3.0
2	Use w/o Authority 2nd	0	0	0	1	0	1	.	.	.	3.0	.	3.0	.	.	.	3.0	.	3.0
2	Ignition Interlock Violation	0	1	0	1	0	2	.	5.0	.	6.0	.	5.5	.	5.0	.	6.0	.	5.5
2	Habitual Traffic Offender	7	16	17	19	0	59	2.0	4.8	4.6	8.0	.	5.4	0.3	1.2	2.0	6.0	.	2.2
2	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Operate After Suspension 2nd	63	221	148	173	0	605	1.5	2.5	2.9	3.0	.	2.6	1.2	2.0	2.0	2.0	.	2.0
2	Compulsory Insurance Violation	35	45	30	28	0	138	1.7	2.1	1.8	1.9	.	1.9	1.0	1.0	1.0	1.0	.	1.0
2	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Counterfeit/Alter MV Document	4	7	5	6	0	22	10.8	4.4	3.1	4.5	.	5.3	9.5	3.3	2.0	3.5	.	2.5
2	False Statement On Application	0	3	0	1	0	4	.	0.8	.	12.0	.	3.6	.	1.0	.	12.0	.	1.0
2	Prostitution	44	67	37	21	0	169	2.1	2.7	2.8	3.2	.	2.6	1.1	1.8	3.0	2.0	.	2.0
2	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	11	6	11	6	1	35	8.2	17.0	9.0	12.4	7.0	10.7	6.0	16.5	10.0	12.0	7.0	10.0
2	Obscene Material to Minor	0	2	0	0	0	2	.	15.8	.	.	.	15.8	.	15.8	.	.	.	15.8
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Possess w/o Permit	77	48	22	4	0	151	12.5	12.6	12.6	11.4	.	12.5	12.0	12.0	12.0	13.5	.	12.0
2	Possess Mace	1	1	0	0	0	2	12.0	3.0	.	.	.	7.5	12.0	3.0	.	.	.	7.5
2	Possess Ammunition	4	2	0	0	0	6	8.0	15.0	.	.	.	10.3	9.0	15.0	.	.	.	12.0
2	Firearm Carry, School	1	1	0	0	0	2	12.0	4.0	.	.	.	8.0	12.0	4.0	.	.	.	8.0
2	Firearm Store Improper	1	2	0	0	0	3	12.0	8.5	.	.	.	9.7	12.0	8.5	.	.	.	12.0
2	Escape Work Release Program	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Escape Lockup	0	0	0	2	0	2	.	.	.	4.0	.	4.0	.	.	.	4.0	.	4.0
2	Aiding An Escape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Impersonate/Disguise	1	1	2	1	0	5	1.0	12.0	3.4	3.0	.	4.6	1.0	12.0	3.4	3.0	.	3.0
2	False Statement	0	1	1	0	0	2	.	6.0	6.0	.	.	6.0	.	6.0	6.0	.	.	6.0
2	Failure to Appear	2	3	3	6	0	14	3.0	1.8	5.3	2.8	.	3.2	3.0	2.0	3.0	1.6	.	2.6
2	Possess Stun Gun	1	1	1	0	0	3	6.0	18.0	6.0	.	.	10.0	6.0	18.0	6.0	.	.	6.0
2	False Alarm	1	4	3	2	0	10	6.0	4.3	4.0	2.0	.	3.9	6.0	4.5	3.0	2.0	.	3.0
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disrupt Court Proceedings	1	0	1	0	0	2	6.0	.	2.0	.	.	4.0	6.0	.	2.0	.	.	4.0
2	Contributing To Delinquency	1	3	1	0	0	5	3.0	2.7	12.0	.	.	4.6	3.0	3.0	12.0	.	.	3.0
2	Mistreat Police Animal	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Work Compensation Fail Have	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Resisting Arrest	61	92	83	100	0	336	3.3	3.7	4.4	4.4	.	4.0	2.0	2.0	3.0	3.0	.	2.0
2	DNA Refuse	0	1	0	0	0	1	.	2.0	.	.	.	2.0	.	2.0	.	.	.	2.0
2	False Report Of Crime	2	4	5	1	0	12	6.2	1.9	5.6	6.0	.	4.5	6.2	0.7	6.0	6.0	.	4.5
2	Disconnect Sprinkler System	0	3	1	0	0	4	.	1.7	1.0	.	.	1.5	.	1.0	1.0	.	.	1.0
2	Wiretap, Possess Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Unregistered Contractor	0	1	0	0	0	1	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0
2	True Name Law	14	17	13	20	0	64	2.0	3.6	4.2	3.8	.	3.4	0.6	1.0	2.0	2.6	.	1.5
2	Home Imp Contractor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Sub-Total	1094	1362	977	1117	3	4553	4.1	4.2	4.4	4.8	8.3	4.4	2.0	2.1	3.0	3.0	7.0	3.0

Table 44 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	3	1	1	0	0	5	6.3	4.6	6.0	.	.	5.9	4.0	4.6	6.0	.	.	4.6
1	Threatening	38	32	42	46	0	158	2.7	2.8	3.4	3.8	.	3.2	2.3	2.5	3.0	4.0	.	3.0
1	Defrauding Victualer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Timber, Cut Unlawful	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Vandalism	7	18	18	17	0	60	1.9	4.1	5.0	2.8	.	3.7	2.0	1.3	2.5	1.0	.	1.9
1	Setting Fire In Open	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Trespassing	54	81	80	100	0	315	0.7	0.7	0.6	0.7	.	0.7	1.0	1.0	0.7	1.0	.	1.0
1	Tramp / Beggar	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	40	23	17	13	0	93	2.6	1.7	3.4	3.1	.	2.6	1.6	1.0	3.0	2.0	.	2.0
1	Possession Class E	8	9	8	11	0	36	0.8	1.8	3.1	3.1	.	2.3	0.9	1.0	2.0	3.0	.	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	3	4	3	4	0	14	0.3	0.2	0.3	0.3	.	0.3	0.3	0.2	0.3	0.3	.	0.3
1	Operate After Suspension	131	177	146	116	0	570	0.3	0.3	0.3	0.3	.	0.3	0.3	0.3	0.3	0.3	.	0.3
1	Violation Aircraft Restriction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	MV - Impersonate/Other License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	RV On Public Way	0	0	1	0	0	1	.	.	2.0	.	.	2.0	.	.	2.0	.	.	2.0
1	Parking Ticket Mutilate	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Common Night Walker	8	12	9	4	0	33	1.0	2.1	1.8	2.0	.	1.7	1.0	1.0	1.7	0.9	.	1.0
1	Indecent Exposure	0	6	4	13	0	23	.	2.3	1.3	3.5	.	2.8	.	2.0	1.0	3.0	.	2.0
1	Lewd And Lacious	2	1	1	2	0	6	6.0	6.0	6.0	4.0	.	5.3	6.0	6.0	6.0	4.0	.	6.0
1	Disorderly Conduct	74	79	97	108	0	358	1.3	1.7	1.7	2.1	.	1.7	1.0	1.0	1.0	1.0	.	1.0
1	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Firearm Discharge	4	0	0	0	0	4	2.8	.	.	.	.	2.8	3.0	.	.	.	.	3.0
1	Annoying Phone Calls	1	1	3	4	0	9	3.0	3.0	3.0	1.7	.	2.4	3.0	3.0	3.0	1.3	.	3.0
1	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstructing Justice	0	1	1	0	0	2	.	1.0	12.0	.	.	6.5	.	1.0	12.0	.	.	6.5
1	License Law Violation (Not MV)	1	0	0	0	0	1	0.3	.	.	.	.	0.3	0.3	.	.	.	.	0.3
1	Alcohol, Procure for Minor	4	4	3	1	0	12	2.1	5.3	0.8	6.0	.	3.2	1.0	4.0	0.9	6.0	.	1.0
1	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	1	0	0	1	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0
1	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Sub-Total	378	449	435	439	0	1701	1.2	1.2	1.5	1.6	.	1.4	0.5	0.3	0.6	1.0	.	0.6

Table 44 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	0	0	0	1	0	1	.	.	.	6.0	.	6.0	.	.	.	6.0	.	6.0
0	Attempt B&E	0	1	1	2	0	4	.	3.0	4.2	5.0	.	4.3	.	3.0	4.2	5.0	.	3.6
0	Conspiracy Violate CSA	5	9	4	5	0	23	8.7	6.2	7.1	6.5	.	7.0	4.3	4.2	6.6	6.0	.	4.3
0	Solicit Felony	3	0	0	0	0	3	18.0	.	.	.	.	18.0	18.0	.	.	.	.	18.0
0	Conspiracy	7	3	2	4	0	16	10.1	7.0	6.0	17.5	.	10.9	9.0	6.0	6.0	19.5	.	7.5
0	Attempt To Commit Crime	7	14	15	23	0	59	4.2	7.7	5.3	8.4	.	6.9	3.0	6.0	3.0	6.5	.	6.0
0	Accessory Before	0	0	2	0	0	2	.	.	7.5	.	.	7.5	.	.	7.5	.	.	7.5
0	Accessory After	4	3	1	1	0	9	17.8	16.0	10.5	18.0	.	16.4	21.0	18.0	10.5	18.0	.	18.0
0	Sub-Total	26	30	25	36	0	117	10.3	7.9	6.0	9.1	.	8.4	6.0	6.0	6.0	6.3	.	6.0

Table 45 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	1565	1124	845	766	5	4305	434	493	440	511	3	1881	28%	44%	52%	67%	60%	44%
Person	A&B Aggravated	23	15	12	13	0	63	10	10	7	10	0	37	43%	67%	58%	77%		59%
Person	A&B Aggravated - Serious Injury	11	1	0	1	1	14	5	1	0	1	1	8	45%	100%		100%	100%	57%
Person	A&B Ambulance	0	3	0	1	0	4	0	2	0	1	0	3		67%		100%		75%
Person	A&B Child Conspiracy	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Person	A&B Child w/Injury	18	6	4	2	0	30	11	4	4	2	0	21	61%	67%	100%	100%		70%
Person	A&B Child w/Injury Substantial	7	1	0	0	0	8	7	1	0	0	0	8	100%	100%				100%
Person	A&B Dangerous Weapon	406	291	245	204	0	1146	183	185	158	147	0	673	45%	64%	64%	72%		59%
Person	A&B Dangerous Weapon + 60	3	0	1	1	0	5	1	0	1	1	0	3	33%		100%	100%		60%
Person	A&B Domestic	51	16	19	12	0	98	12	11	6	9	0	38	24%	69%	32%	75%		39%
Person	A&B DW, Aggravated	9	6	3	6	0	24	7	6	3	6	0	22	78%	100%	100%	100%		92%
Person	A&B DW, Aggravated w/Injury	9	2	3	2	0	16	4	2	3	2	0	11	44%	100%	100%	100%		69%
Person	A&B Elderly / Disabled Ser Injury	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Person	A&B Elderly / Disabled w/Injury	24	15	7	18	0	64	12	7	6	12	0	37	50%	47%	86%	67%		58%
Person	A&B Guard	0	2	6	15	0	23	0	2	5	13	0	20		100%	83%	87%		87%
Person	A&B To Collect Loan	0	2	0	1	0	3	0	0	0	1	0	1		0%		100%		33%
Person	A&B w/I Intimidate	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
Person	Armed Aslt w/i Rob Over 65	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Person	Armed Assault In Dwell House	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
Person	Armed Assault w/i Murder	15	10	6	6	0	37	14	10	6	6	0	36	93%	100%	100%	100%		97%
Person	Armed Assault w/i Murder - Firearm	11	8	5	1	0	25	11	8	5	1	0	25	100%	100%	100%	100%		100%
Person	Armed Assault w/i Rob	12	7	4	4	0	27	8	5	4	4	0	21	67%	71%	100%	100%		78%
Person	Armed Robbery	66	48	56	61	2	233	44	45	52	58	2	201	67%	94%	93%	95%	100%	86%
Person	Armed Robbery Gun	23	19	19	16	0	77	20	18	19	15	0	72	87%	95%	100%	94%		94%
Person	Assault	59	62	30	27	0	178	11	19	11	16	0	57	19%	31%	37%	59%		32%
Person	Assault Aggravated	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Person	Assault Dangerous Weapon	213	154	119	133	0	619	87	82	73	91	0	333	41%	53%	61%	68%		54%
Person	Assault Dangerous Weapon + 60	6	0	0	1	0	7	5	0	0	1	0	6	83%			100%		86%
Person	Assault In Dwelling	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Person	Assault To Kill or Maim	3	0	5	3	0	11	3	0	5	3	0	11	100%		100%	100%		100%
Person	Assault w/i Rob	1	3	6	6	0	16	0	3	3	6	0	12	0%	100%	50%	100%		75%
Person	Carjacking	5	5	2	6	0	18	4	4	2	6	0	16	80%	80%	100%	100%		89%
Person	Carjacking, Armed	1	1	0	4	0	6	1	1	0	4	0	6	100%	100%		100%		100%
Person	Confine And Put In Fear	1	0	0	2	0	3	0	0	0	2	0	2	0%			100%		67%
Person	Extortion	2	0	3	1	0	6	1	0	3	1	0	5	50%		100%	100%		83%
Person	Harassment	22	22	7	11	0	62	10	10	5	6	0	31	45%	45%	71%	55%		50%
Person	Harassment, 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Person	Home Invasion	5	2	4	2	0	13	4	2	4	2	0	12	80%	100%	100%	100%		92%
Person	Intimidation	140	156	149	135	0	580	56	74	102	91	0	323	40%	47%	68%	67%		56%
Person	Kidnapping	13	3	2	5	0	23	9	3	2	4	0	18	69%	100%	100%	80%		78%
Person	Kidnapping Child	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Person	Kidnapping Extortion	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Person	Manslaughter	38	11	4	10	0	63	38	10	4	10	0	62	100%	91%	100%	100%		98%
Person	Mayhem	2	3	2	3	1	11	1	3	2	3	1	10	50%	100%	100%	100%	100%	91%
Person	Murder	25	6	9	6	0	46	25	6	9	6	0	46	100%	100%	100%	100%		100%
Person	Murder, Attempted	2	2	0	1	0	5	2	2	0	1	0	5	100%	100%		100%		100%

Table 45 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	Reckless Endangerment	20	8	2	5	0	35	2	2	1	0	0	5	10%	25%	50%	0%		14%
Person	Restraining Order Violation	241	281	262	224	0	1008	70	126	140	158	0	494	29%	45%	53%	71%		49%
Person	Robbery Unarmed	18	20	31	42	1	112	7	14	26	41	1	89	39%	70%	84%	98%	100%	79%
Person	Robbery Unarmed + 60	3	2	3	4	0	12	3	1	3	4	0	11	100%	50%	100%	100%		92%
Person	Stalking	8	7	9	7	0	31	4	1	5	3	0	13						
Person	Stalking Violation of Rest. Order	1	2	2	2	0	7	1	2	2	2	0	7	100%	100%	100%	100%		100%
Person	Threatening	116	86	80	76	0	358	38	34	44	47	0	163	33%	40%	55%	62%		46%
Person	Violation Of Civil Rights	1	1	1	1	0	4	0	0	1	0	0	1	0%	0%	100%	0%		25%
Person	Sub-Total	3205	2417	1967	1851	10	9450	1168	1213	1166	1312	8	4867	36%	50%	59%	71%	80%	52%
Sex	Assault w/i Rape	6	3	0	1	0	10	5	3	0	1	0	9	83%	100%		100%		90%
Sex	Assault w/i Rape Child	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Sex	Child Pornography	6	0	0	0	0	6	0	0	0	0	0	0	0%					0%
Sex	Child Pornography Possess	25	3	1	2	0	31	13	1	1	2	0	17	52%	33%	100%	100%		55%
Sex	Child Pornography Possess 2nd	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
Sex	Entice Child	11	2	0	1	0	14	4	2	0	1	0	7	36%	100%		100%		50%
Sex	Incest	3	2	0	0	0	5	1	1	0	0	0	2	33%	50%				40%
Sex	Indecent A&B	69	21	14	21	0	125	36	16	10	17	0	79	52%	76%	71%	81%		63%
Sex	Indecent A&B On Child	81	17	16	11	0	125	50	13	14	10	0	87	62%	76%	88%	91%		70%
Sex	Indecent A&B On Child 2nd	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
Sex	Inducing Minor To Sex	8	1	1	0	0	10	1	0	1	0	0	2	13%	0%	100%			20%
Sex	Obscene Material to Minor	3	2	0	0	0	5	0	2	0	0	0	2						
Sex	Open And Gross	28	20	21	10	1	80	11	6	14	6	1	38	39%	30%	67%	60%	100%	48%
Sex	Rape	12	3	4	6	1	26	11	3	4	6	1	25	92%	100%	100%	100%	100%	96%
Sex	Rape 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Sex	Rape Of Child	59	17	12	8	0	96	53	14	11	7	0	85	90%	82%	92%	88%		89%
Sex	Rape Of Child w/Force	15	6	6	3	0	30	14	6	6	3	0	29	93%	100%	100%	100%		97%
Sex	Rape, Aggravated	4	2	5	6	0	17	4	2	5	6	0	17	100%	100%	100%	100%		100%
Sex	Sub-Total	331	100	83	70	2	586	204	70	69	60	2	405	62%	70%	83%	86%	100%	69%
Weapons	Carrying Dangerous Weapon	111	54	41	52	0	258	30	22	17	24	0	93	27%	41%	41%	46%		36%
Weapons	Firearm Carry, School	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
Weapons	Firearm Discharge	7	2	0	0	0	9	4	0	0	0	0	4	57%	0%				44%
Weapons	Firearm Loaded while OUI	4	0	0	0	0	4	3	0	0	0	0	3	75%					75%
Weapons	Firearm Possess w/o Permit	197	81	27	8	0	313	79	50	22	4	0	155	40%	62%	81%	50%		50%
Weapons	Firearm Sale Violation	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
Weapons	Firearm Store Improper	21	4	1	0	0	26	1	2	0	0	0	3	5%	50%	0%			12%
Weapons	Gun Serial Number	15	5	2	2	0	24	10	4	1	2	0	17	67%	80%	50%	100%		71%
Weapons	Possess Air Rifle w/o FID Card	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Weapons	Possess Ammunition	7	2	1	0	0	10	4	2	0	0	0	6	57%	100%	0%			60%
Weapons	Possess Mace	8	3	2	0	0	13	1	1	0	0	0	2	13%	33%	0%			15%
Weapons	Possess Stun Gun	6	3	5	0	0	14	1	1	1	0	0	3	17%	33%	20%			21%
Weapons	Violation Of Explosives	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Weapons	Sub-Total	384	156	80	62	0	682	135	84	42	30	0	291	35%	54%	53%	48%		43%

Table 45 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	1	3	3	2	0	9	0	1	2	2	0	5	0%	33%	67%	100%		56%
Property	Attempt Larceny	2	1	1	1	0	5	1	0	0	1	0	2						
Property	B&E	459	446	324	503	2	1734	157	260	234	394	1	1046	34%	58%	72%	78%	50%	60%
Property	B&E DT Armed w/i Felony	5	0	3	3	0	11	4	0	3	3	0	10	80%		100%	100%		91%
Property	B&E MV	7	3	1	3	0	14	4	1	1	2	0	8	57%	33%	100%	67%		57%
Property	B&E w/i Misdemeanor	53	28	11	12	0	104	9	9	4	10	0	32	17%	32%	36%	83%		31%
Property	Burglary	12	0	8	6	0	26	5	0	8	6	0	19	42%		100%	100%		73%
Property	Burglary, Armed	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
Property	Burning Building	4	1	0	1	0	6	3	0	0	1	0	4	75%	0%		100%		67%
Property	Burning Dwelling House	7	5	2	0	0	14	5	3	2	0	0	10	71%	60%	100%			71%
Property	Burning Motor Vehicle	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
Property	Burning Property	6	1	4	3	0	14	3	0	2	1	0	6	50%	0%	50%	33%		43%
Property	Burning to Defraud	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Common & Notorious Thief	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
Property	Counterfeit	10	5	5	6	0	26	2	3	1	3	0	9	20%	60%	20%	50%		35%
Property	Credit Card Misuse	36	38	17	14	0	105	4	12	9	8	0	33	11%	32%	53%	57%		31%
Property	Credit Card Misuse - More	7	5	6	15	0	33	5	2	3	12	0	22	71%	40%	50%	80%		67%
Property	Defrauding Innkeeper	3	3	0	1	0	7	1	1	0	1	0	3	33%	33%		100%		43%
Property	Defrauding Insurer	22	5	4	2	0	33	8	3	2	1	0	14	36%	60%	50%	50%		42%
Property	Defrauding Victualer	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Property	Embezzlement	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
Property	Enter Dwelling w/I Felony	3	2	1	6	0	12	1	0	0	6	0	7	33%	0%	0%	100%		58%
Property	Failure To Return Leased Prop	10	9	9	2	0	30	2	1	3	1	0	7	20%	11%	33%	50%		23%
Property	False Alarm	1	1	2	0	0	4	1	1	2	0	0	4	100%	100%	100%			100%
Property	False Statement	1	1	1	0	0	3	0	1	1	0	0	2	0%	100%	100%			67%
Property	Forge Commonwealth Note	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Forgery And Uttering	122	164	95	98	0	479	22	56	49	63	0	190	18%	34%	52%	64%		40%
Property	Fraud	20	25	12	17	0	74	4	9	4	13	0	30	20%	36%	33%	76%		41%
Property	Fraud - Electric, Phone or Cable	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Property	Fraud - Identity	72	66	34	43	0	215	21	24	17	33	0	95	29%	36%	50%	77%		44%

Table 45 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	64	57	30	39	0	190	21	15	10	12	0	58	33%	26%	33%	31%		31%
Property	Larceny + 60	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Property	Larceny Building	60	54	46	54	0	214	21	26	29	38	0	114	35%	48%	63%	70%		53%
Property	Larceny Firearm	7	2	1	1	0	11	4	1	1	1	0	7	57%	50%	100%	100%		64%
Property	Larceny Less	235	163	134	107	2	641	43	42	42	51	0	178	18%	26%	31%	48%	0%	28%
Property	Larceny Less +60	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Larceny More	620	537	405	481	2	2045	150	194	190	297	1	832	24%	36%	47%	62%	50%	41%
Property	Larceny More + 60	9	2	0	2	0	13	0	2	0	0	0	2	0%	100%		0%		15%
Property	Larceny MV	54	40	30	42	1	167	23	21	21	37	1	103	43%	53%	70%	88%	100%	62%
Property	Larceny MV 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Property	Larceny Person	184	141	72	92	1	490	78	93	49	74	1	295	42%	66%	68%	80%	100%	60%
Property	Larceny Person + 65	4	5	3	4	0	16	0	3	3	4	0	10	0%	60%	100%	100%		63%
Property	Mal Dest Property More	64	49	31	40	0	184	18	20	23	29	0	90	28%	41%	74%	73%		49%
Property	MV - False Report Of Theft	7	1	1	1	0	10	1	0	0	0	0	1	14%	0%	0%	0%		10%
Property	Possess Burglariou Tools	48	36	43	64	0	191	14	18	24	46	0	102	29%	50%	56%	72%		53%
Property	Property Destruction	202	122	104	104	0	532	39	44	40	38	0	161	19%	36%	38%	37%		30%
Property	Property Violation	13	4	11	6	0	34	4	1	2	3	0	10	31%	25%	18%	50%		29%
Property	Receiving Stolen Goods	161	149	96	136	0	542	47	54	41	82	0	224	29%	36%	43%	60%		41%
Property	Receiving Stolen Goods 2nd	0	1	0	3	0	4	0	0	0	3	0	3		0%		100%		75%
Property	Receiving Stolen Goods MV	101	84	61	74	0	320	46	49	35	57	0	187	46%	58%	57%	77%		58%
Property	Receiving Stolen Goods MV 2nd	0	1	2	10	0	13	0	1	2	10	0	13		100%	100%	100%		100%
Property	Receiving Stolen Goods Over	54	40	41	43	1	179	23	21	31	35	0	110	43%	53%	76%	81%	0%	61%
Property	Record w/o Manufacturer	2	2	1	2	0	7	0	0	0	0	0	0	0%	0%	0%	0%		0%
Property	Setting Fire In Open	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
Property	Setting Fire Land	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Shoplifting	530	473	348	425	1	1777	27	70	64	139	0	300	5%	15%	18%	33%	0%	17%
Property	Tagging Property	18	10	3	1	0	32	2	3	3	1	0	9	11%	30%	100%	100%		28%
Property	Tax Law Violation	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
Property	Timber, Cut Unlawful	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Property	Unauthorized Access of Computer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Property	Vandalism	27	38	34	33	0	132	7	18	18	17	0	60	26%	47%	53%	52%		45%
Property	Vandalize - Graves	2	0	0	0	0	2	1	0	0	0	0	1						
Property	Welfare Violation	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
Property	Sub-Total	3344	2829	2045	2505	10	10733	832	1083	978	1537	4	4434	25%	38%	48%	61%	40%	41%

Table 45 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	24	24	8	10	0	66	5	9	6	7	0	27	21%	38%	75%	70%		41%
Drug	Control Substance School	77	78	53	39	1	248	77	78	53	39	1	248	100%	100%	100%	100%	100%	100%
Drug	Distribute Class A	266	173	124	118	0	681	119	116	98	93	0	426	45%	67%	79%	79%		63%
Drug	Distribute Class A 2nd	0	3	2	9	0	14	0	3	2	9	0	14		100%	100%	100%		100%
Drug	Distribute Class B	808	482	262	194	0	1746	307	281	181	143	0	912	38%	58%	69%	74%		52%
Drug	Distribute Class B 2nd	1	9	7	20	0	37	1	9	7	20	0	37	100%	100%	100%	100%		100%
Drug	Distribute Class C	14	15	18	12	0	59	3	3	5	7	0	18	21%	20%	28%	58%		31%
Drug	Distribute Class D	382	147	70	32	0	631	93	69	30	13	0	205	24%	47%	43%	41%		32%
Drug	Distribute Class D 2nd	8	11	9	1	0	29	6	9	6	1	0	22	75%	82%	67%	100%		76%
Drug	Distribute Class E	11	2	9	1	0	23	6	1	1	1	0	9	55%	50%	11%	100%		39%
Drug	Distribute Class E 2nd	1	0	2	1	0	4	1	0	2	1	0	4	100%		100%	100%		100%
Drug	Distribute Cocaine	86	77	61	53	0	277	86	77	61	53	0	277	100%	100%	100%	100%		100%
Drug	Distribute Cocaine 2nd	0	10	9	10	0	29	0	10	9	10	0	29		100%	100%	100%		100%
Drug	Distribute Counterfeit Substance	2	8	10	15	0	35	1	4	6	10	0	21	50%	50%	60%	67%		60%
Drug	Distribute Paraphenalia	1	1	1	0	0	3	0	0	0	0	0	0	0%	0%	0%			0%
Drug	Forge Prescription	41	27	13	11	0	92	6	3	3	5	0	17	15%	11%	23%	45%		18%
Drug	Giving Prisoner Cont Sub	1	2	2	3	0	8	0	1	2	2	0	5	0%	50%	100%	67%		63%
Drug	Inhaling Toxic Vapors	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Drug	Larceny Cont Sub	5	1	0	2	0	8	0	0	0	2	0	2	0%	0%		100%		25%
Drug	Possession Class A	153	158	109	111	1	532	47	65	42	58	0	212	31%	41%	39%	52%	0%	40%
Drug	Possession Class A 2nd	3	5	5	12	0	25	1	1	5	6	0	13	33%	20%	100%	50%		52%
Drug	Possession Class A Heroin	121	87	54	40	0	302	41	34	21	21	0	117	34%	39%	39%	53%		39%
Drug	Possession Class A Heroin 2nd	4	11	13	7	0	35	1	5	7	7	0	20	25%	45%	54%	100%		57%
Drug	Possession Class B	562	451	283	287	3	1586	184	182	127	147	2	642	33%	40%	45%	51%	67%	40%
Drug	Possession Class B 2nd	7	33	30	26	0	96	2	16	21	16	0	55	29%	48%	70%	62%		57%
Drug	Possession Class C	23	28	21	20	0	92	4	12	10	9	0	35	17%	43%	48%	45%		38%
Drug	Possession Class C 2nd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Drug	Possession Class D	674	319	174	92	1	1260	116	99	65	31	0	311	17%	31%	37%	34%	0%	25%
Drug	Possession Class D 2nd	23	18	15	5	0	61	5	5	7	3	0	20	22%	28%	47%	60%		33%
Drug	Possession Class D Marijuana	243	106	60	35	1	445	44	25	18	14	0	101	18%	24%	30%	40%	0%	23%
Drug	Possession Class D Marijuana 2nd	16	14	18	6	0	54	5	5	10	5	0	25	31%	36%	56%	83%		46%
Drug	Possession Class E	36	28	19	19	0	102	9	9	8	11	0	37	25%	32%	42%	58%		36%
Drug	Possession Hypodermic/Syringe	17	3	2	3	0	25	8	1	0	3	0	12	47%	33%	0%	100%		48%
Drug	Presence Class A	11	10	11	7	1	40	2	2	5	1	0	10	18%	20%	45%	14%	0%	25%
Drug	Traffic Cocaine 014-028	63	50	35	26	2	176	63	50	35	26	2	176	100%	100%	100%	100%	100%	100%
Drug	Traffic Cocaine 028-100	47	26	24	16	0	113	47	26	24	16	0	113	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 100-200	11	4	3	6	0	24	11	4	3	6	0	24	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 200+	3	3	2	2	0	10	3	3	2	2	0	10	100%	100%	100%	100%		100%
Drug	Traffic Heroin 014-028	3	1	1	0	0	5	3	1	1	0	0	5	100%	100%	100%			100%
Drug	Traffic Heroin 028-100	5	2	3	0	0	10	5	2	3	0	0	10	100%	100%	100%			100%
Drug	Traffic Heroin 100-200	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
Drug	Traffic Mar 50-100	2	0	2	0	0	4	2	0	2	0	0	4	100%		100%			100%
Drug	Sub-Total	3757	2428	1545	1251	10	8991	1315	1221	889	798	5	4228	35%	50%	58%	64%	50%	47%

Table 45 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	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Motor Vehicle	Attaching Wrong MV Plates	74	38	16	18	0	146	3	4	3	5	0	15	4%	11%	19%	28%		10%
Motor Vehicle	Compulsory Insurance Violation	362	233	131	98	0	824	52	51	31	29	0	163						
Motor Vehicle	Counterfeit/Alter MV Document	44	28	9	11	1	93	5	7	5	6	0	23	11%	25%	56%	55%	0%	25%
Motor Vehicle	False Statement On Application	5	6	2	2	0	15	0	3	0	1	0	4	0%	50%	0%	50%		27%
Motor Vehicle	Habitual Traffic Offender	29	46	40	39	0	154	7	16	19	20	0	62	24%	35%	48%	51%		40%
Motor Vehicle	Ignition Interlock Violator	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
Motor Vehicle	Leaving Scene Death	2	0	0	1	1	4	2	0	0	1	1	4	100%			100%	100%	100%
Motor Vehicle	Leaving Scene Personal Injury	99	33	10	15	0	157	15	11	8	10	0	44	15%	33%	80%	67%		28%
Motor Vehicle	Leaving Scene Property Damage	364	188	118	81	0	751	50	54	47	36	0	187	14%	29%	40%	44%		25%
Motor Vehicle	Motor Boat Skier Violation	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
Motor Vehicle	MV - Impersonate/Other License	0	1	1	2	0	4	0	0	0	0	0	0		0%	0%	0%		0%
Motor Vehicle	MV - Sales Violation	0	1	0	1	0	2	0	0	0	0	0	0		0%		0%		0%
Motor Vehicle	MV Homicide	36	1	1	3	0	41	11	0	0	3	0	14	31%	0%	0%	100%		34%
Motor Vehicle	MV Homicide - OUI	8	0	1	0	0	9	6	0	1	0	0	7	75%		100%			78%
Motor Vehicle	MV Homicide - OUI Felony	6	1	1	0	0	8	6	1	1	0	0	8	100%	100%	100%			100%
Motor Vehicle	MV Homicide - Reckless	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
Motor Vehicle	Operate After Suspension	1773	1325	822	608	6	4534	169	188	152	134	0	643	10%	14%	18%	22%	0%	14%
Motor Vehicle	Operate After Suspension 2nd	195	386	255	257	0	1093	63	224	151	175	0	613	32%	58%	59%	68%		56%
Motor Vehicle	Operate to Endanger	1003	299	138	106	0	1546	72	71	46	54	0	243	7%	24%	33%	51%		16%
Motor Vehicle	OUI - Child Endangerment	27	0	0	0	0	27	3	0	0	0	0	3	11%					11%
Motor Vehicle	OUI - Child Endangerment 2nd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Motor Vehicle	OUI Serious Inj, Fel	15	5	2	0	0	22	15	5	2	0	0	22	100%	100%	100%			100%
Motor Vehicle	OUI Serious Inj, Misd	21	4	2	0	0	27	8	2	1	0	0	11	38%	50%	50%			41%
Motor Vehicle	Parking Ticket Mutilate	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Motor Vehicle	Racing	3	4	1	0	0	8	0	0	0	0	0	0	0%	0%	0%			0%
Motor Vehicle	RV On Public Way	11	5	4	1	0	21	0	0	1	0	0	1	0%	0%	25%	0%		5%
Motor Vehicle	Use w/o Authority 2nd	0	0	0	3	0	3	0	0	0	1	0	1				33%		33%
Motor Vehicle	Use Without Authority	72	62	42	44	0	220	32	32	28	28	0	120	44%	52%	67%	64%		55%
Motor Vehicle	Violation Aircraft Restriction	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Motor Vehicle	Sub-Total	4155	2670	1597	1291	8	9721	520	671	496	504	1	2192	13%	25%	31%	39%	13%	23%

Table 45 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	5	4	3	0	29	7	4	3	3	0	17	41%	80%	75%	100%		59%
Other	Accessory Before	1	0	2	0	0	3	0	0	2	0	0	2	0%		100%			67%
Other	Aiding An Escape	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Alcohol, Procure for Minor	37	13	5	3	0	58	4	4	3	1	0	12	11%	31%	60%	33%		21%
Other	Alcohol, Transporting	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
Other	Attempt To Commit Crime	31	37	29	38	0	135	7	15	15	24	0	61	23%	41%	52%	63%		45%
Other	Bomb Hoax	1	1	0	2	0	4	0	0	0	2	0	2	0%	0%		100%		50%
Other	Bribery	4	0	1	1	0	6	0	0	1	0	0	1	0%		100%	0%		17%
Other	Business Practice	2	0	1	0	0	3	0	0	1	0	0	1	0%		100%			33%
Other	Cigarette/Match Thrown Fr Veh	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Other	Conspiracy	16	7	4	8	0	35	7	3	2	6	0	18	44%	43%	50%	75%		51%
Other	Contempt Of Court	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Other	Contributing To Delinquency	8	6	4	1	0	19	2	4	2	0	0	8	25%	67%	50%	0%		42%
Other	Disconnect Sprinkler System	1	3	1	1	0	6	0	3	1	0	0	4	0%	100%	100%	0%		67%
Other	DNA Refuse	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Other	Employment Practices	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Other	Escape	5	9	15	12	0	41	4	4	13	9	0	30	80%	44%	87%	75%		73%
Other	Escape Lockup	0	0	1	2	0	3	0	0	0	2	0	2			0%	100%		67%
Other	Escape Work Release Program	0	0	0	1	0	1	0	0	0	0	0	0						0%
Other	Failure to Appear	7	10	6	9	0	32	2	3	3	6	0	14	29%	30%	50%	67%		44%
Other	Failure to Appear Felony	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
Other	Failure To Disperse	8	0	0	0	0	8	0	0	0	0	0	0	0%					0%
Other	Failure To Obey Police Officer	6	9	0	0	0	15	0	0	0	0	0	0	0%	0%				0%
Other	False Alarm	2	3	2	2	0	9	0	3	1	2	0	6	0%	100%	50%	100%		67%
Other	Fireworks	9	8	2	0	0	19	0	0	0	0	0	0	0%	0%	0%			0%
Other	Gaming	2	2	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
Other	Gaming Enterprise	3	0	0	1	0	4	0	0	0	1	0	1	0%			100%		25%
Other	Gaming Register Bets	4	3	1	0	0	8	0	0	0	0	0	0	0%	0%	0%			0%
Other	Guard Sex w/ Prisoner	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
Other	Hoax Device	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Home Imp Contractor Violation	1	2	2	0	0	5	0	0	0	0	0	0	0%	0%	0%			0%
Other	Impersonate/Disguise	7	2	3	1	0	13	1	1	2	1	0	5	14%	50%	67%	100%		38%
Other	Interfere Police or Firefighter	1	5	1	3	0	10	0	2	0	0	0	2	0%	40%	0%	0%		20%
Other	License Law Violation (Not MV)	3	2	1	1	0	7	1	0	0	0	0	1	33%	0%	0%	0%		14%
Other	Lottery Ticket Altering	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Other	Nonsupport	8	4	0	0	0	12	7	0	0	0	0	7	88%	0%				58%
Other	Obstructing Justice	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
Other	Perjury or Suborn	6	6	0	0	0	12	0	5	0	0	0	5	0%	83%				42%
Other	Resisting Arrest	300	253	194	199	0	946	65	98	90	106	0	359	22%	39%	46%	53%		38%
Other	Sex Offender Fail Register	15	36	112	194	4	361	3	22	58	110	2	195	20%	61%	52%	57%	50%	54%
Other	Sex Offender Fail Register 2nd	0	0	1	2	0	3	0	0	1	1	0	2			100%	50%		67%
Other	Solicit Felony	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
Other	Throw Object On Public Way	2	0	0	1	0	3	0	0	0	0	0	0	0%			0%		0%
Other	Trespassing	307	266	213	245	1	1032	58	87	85	103	0	333	19%	33%	40%	42%	0%	32%
Other	True Name Law	33	32	20	27	0	112	14	19	16	20	0	69	42%	59%	80%	74%		62%
Other	Unlicensed Massage / Bath	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Unregistered Contractor	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
Other	Wiretap, Possess Device	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Other	Work Compensation Fail Have	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
Other	Sub-Total	867	732	626	759	5	2989	187	284	300	398	2	1171	22%	39%	48%	52%	40%	39%

Table 45 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	10	5	8	4	0	27	6	2	4	3	0	15	60%	40%	50%	75%		56%
Public Order	Animal Kill or Poison	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Public Order	Annoying Phone Calls	14	15	9	10	0	48	1	2	3	4	0	10	7%	13%	33%	40%		21%
Public Order	Common Night Walker	16	26	18	5	0	65	10	14	10	5	0	39	63%	54%	56%	100%		60%
Public Order	Cruelty To Animals	9	8	1	1	0	19	2	2	0	0	0	4	22%	25%	0%	0%		21%
Public Order	Derive Support From Prostitute	0	0	2	2	0	4	0	0	2	2	0	4			100%	100%		100%
Public Order	Disinter Body	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
Public Order	Disorderly Conduct	752	495	380	334	0	1961	84	85	100	111	0	380	11%	17%	26%	33%		19%
Public Order	Disrupt Court Proceedings	4	2	2	1	0	9	1	1	2	0	0	4	25%	50%	100%	0%		44%
Public Order	False Report Of Crime	16	13	7	3	0	39	2	4	5	1	0	12	13%	31%	71%	33%		31%
Public Order	Indecent Exposure	10	19	12	20	0	61	0	6	4	13	0	23	0%	32%	33%	65%		38%
Public Order	Induce Female To Prostitution	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%			50%
Public Order	Lewd And Lacivious	5	4	4	3	0	16	2	1	2	2	0	7	40%	25%	50%	67%		44%
Public Order	Mistreat Police Animal	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
Public Order	Obscene Materials	7	1	1	0	0	9	3	1	1	0	0	5	43%	100%	100%			56%
Public Order	Photograph Nude Person	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Public Order	Prostitution	125	163	97	53	0	438	48	73	43	23	0	187	38%	45%	44%	43%		43%
Public Order	Tramp / Beggar	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Public Order	Unnatural Acts	1	2	0	0	0	3	1	2	0	0	0	3	100%	100%				100%
Public Order	Sub-Total	974	754	544	438	0	2710	161	193	178	165	0	697	17%	26%	33%	38%		26%