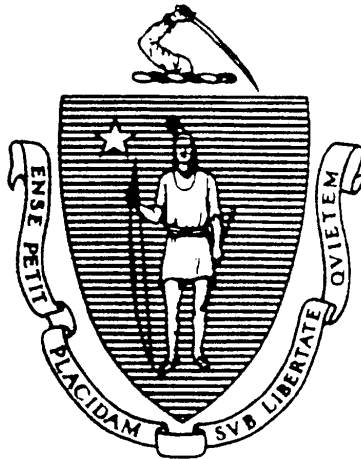


Massachusetts Sentencing Commission

Survey of Sentencing Practices FY 2009



June 2010

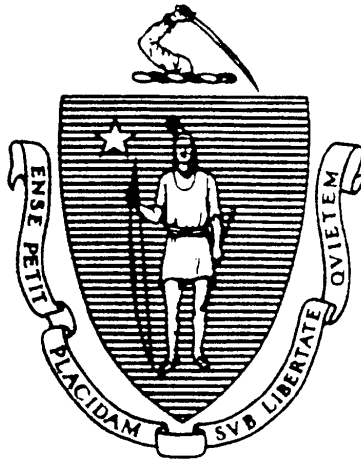
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Massachusetts Sentencing Commission

Survey of Sentencing Practices



FY 2009

June 2010

MASSACHUSETTS SENTENCING COMMISSION

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Executive Summary

The legislation which established the Massachusetts Sentencing Commission (commission) directed the commission to conduct a comprehensive survey of sentencing practices. This report updates earlier surveys of sentencing practices which began as part of the process of formulating sentencing guidelines. The present survey considers those individuals convicted in the courts of the commonwealth during FY 2009. 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 50,233 convicted defendants in FY 2009:
- Of the 50,233 convictions in FY 2009:
 - 91.9% were in the district court and
 - 8.1% were in the superior court;
- Of the incarcerated defendants, 88.6% were sentenced to a house of correction and 11.4% were sentenced to the Department of Correction (DOC);
- Of the incarcerated superior court defendants, 32.1% were sentenced to a house of correction and 67.9% were sentenced to the DOC;
- For state prison sentences, the median minimum state prison sentence was 36.0 months and the median maximum state prison sentence was 48.0 months;
- For house of correction sentences, the median sentence length was 5.3 months;
- Of the incarcerated defendants, 36.0% also had a period of post release probation supervision imposed through a split or from & after probation sentence;
- Of the incarcerated superior court defendants, 51.5% also had a period of post release probation supervision.
- There were an estimated 836 convictions for mandatory drug offenses of which 34.9% were sentenced to a house of correction and 65.1% to the DOC.

- For those defendants convicted of offenses assigned to the sentencing guidelines grid:
- The overall incarceration rate was 40.2%:
 - the district court incarceration rate was 36.6%;
 - the superior court incarceration rate was 78.5%;
- With respect to the sentencing zones on the sentencing guidelines grid:
 - 5.7% of the defendants were classified in the incarceration zone;
 - 64.9% of the defendants were classified in the discretionary zone;
 - 28.7% of the defendants were classified in the intermediate sanctions zone; and,
 - 0.7% 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 5,333 convictions for OUI offenses; and,
 - There were an estimated 332 convictions for mandatory firearms offenses.
- For all convicted defendants:
 - 15.9% of all convicted defendants were female;
 - 84.1% of all convicted defendants were male;
 - The mean age of convicted defendants at the time of disposition was 33.8 years, and ranged from 16 years to 89 years.
 - 62.8% of all convicted defendants were white;
 - 18.5% of all convicted defendants were black;
 - 15.5% 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.
 - 28.5% of defendants convicted of mandatory drug offenses were white and 71.2% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (34.0% were black, 36.0% were hispanic, and 1.2% were other races). The race was unknown for 0.4% of these defendants.

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**MASSACHUSETTS SENTENCING COMMISSION
SURVEY OF SENTENCING PRACTICES
FY 2009**

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 legislation was re-filed for the 2009-2010 legislative session and hearings were held March 2, 2009 and July 27, 2009.¹²

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*.¹³ 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 Filed for the 2009-2010 legislative session as Senate No. 1679 and House No. 1518.

¹³ 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.¹⁴

The commission included a survey of sentencing practices when completing its 1996 recommendations.¹⁵ 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 2009.

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.¹⁶

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.

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 referring to the proposed guidelines during sentencing.¹⁷ The commission maintains the *Felony and Misdemeanor Master Crime List* which contains basic sentencing information

¹⁴ G.L. c. 211E § 3(c).

¹⁵ Massachusetts Sentencing Commission, *op. cit.*

¹⁶ G.L. c. 211E § 3(f).

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

for those criminal offenses which are punishable by an imprisonment term and serves as a reference guide to the proposed sentencing guidelines for those offenses.¹⁸

Information Resource

The commission is also responsible to:

. . . serve as a clearinghouse for the collection, preparation, and dissemination of information on sentencing practices and assist courts, departments, and agencies in the development, maintenance, and coordination of sound sentencing practices.¹⁹

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

Pilot Projects

The commission conducted pilot projects in the superior court and at three district court sites to consider the impact of the proposed sentencing guidelines on court operations and to assess the use of sentencing guidelines as a framework for sentencing defendants to intermediate sanctions.²⁰ These pilot projects combine to encourage the voluntary use of the guidelines and to develop knowledge that will be useful for full implementation of sentencing guidelines. The commission supports the development of intermediate sanctions and completed a data demonstration project in conjunction with the Office of Community Corrections that developed a data collection strategy to support future research and evaluation efforts of these new sentencing options.²¹

¹⁸ Massachusetts Sentencing Commission, *Felony and Misdemeanor Master Crime List*, February 2009.

¹⁹ G.L. c. 211E § 1(c)(7).

²⁰ Massachusetts Sentencing Commission, *Special Report to the Commission: Superior Court Pilot Sentencing Project - Report of Findings*, May 1996; Massachusetts Sentencing Commission, *Special Report to the Commission: Sentencing Guidelines District Court Pilot Project, Findings from the Lynn District Court*, May 1997; and Massachusetts Sentencing Commission, *Special Report to the Commission: Sentencing Guidelines District Court Pilot Project: Findings from the Haverhill District Court*, July 1997. Other pilot sites included Worcester Central District Court and the Hampden Superior Court.

²¹ Massachusetts Sentencing Commission and Office of Community Corrections, *Community Corrections Centers Data Demonstration Project*, March 2001.

PART II. SURVEY OF SENTENCING PRACTICES

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

SENTENCING PRACTICES: OVERVIEW

Sentencing Practices: Court Department

Fiscal Year 2009 (FY 2009) covers the period July 1, 2008 through June 30, 2009. During this period there were an estimated 50,233 convictions in the courts of the Commonwealth. As indicated in Table 1, there were 46,160 convictions in the district court, representing 91.9% of all convictions, and 4,073 convictions in the superior court, representing 8.1% of all convictions.

Table 1. Month of Conviction by Court Department

Month of Conviction	District Court	Superior Court	All Courts
July 2008	4,002	319	4,321
August 2008	3,830	228	4,058
September 2008	4,274	408	4,682
October 2008	4,422	378	4,800
November 2008	3,417	242	3,659
December 2008	3,725	350	4,075
January 2009	3,956	382	4,338
February 2009	3,601	306	3,907
March 2009	3,911	411	4,322
April 2009	3,650	318	3,968
May 2009	3,542	327	3,869
June 2009	3,830	404	4,234
Total	46,160	4,073	50,233

Sentencing Practices: County

There are fourteen counties in Massachusetts. As indicated in Table 2, the number of convictions ranged from 74 in Nantucket County to 9,034 in Worcester County. Eight of the fourteen counties (Worcester, Suffolk, Middlesex, Essex, Hampden, Bristol, Plymouth and Norfolk) accounted for 89.1% of all convictions in Massachusetts.

Table 2. County of Conviction by Court Department

County of Conviction	District Court	Superior Court	All Courts
Barnstable	1,687	154	1,841
Berkshire	1,281	152	1,433
Bristol	4,757	266	5,023
Dukes	198	0	198
Essex	5,431	358	5,789
Franklin	712	96	808
Hampden	4,883	690	5,573
Hampshire	973	141	1,114
Middlesex	5,710	632	6,342
Nantucket	74	0	74
Norfolk	2,443	284	2,727
Plymouth	3,058	212	3,270
Suffolk	6,389	618	7,007
Worcester	8,564	470	9,034
Total	46,160	4,073	50,233

Sentencing Practices: Truth-in-Sentencing Reform

Sentencing reform legislation, commonly known as truth-in-sentencing legislation, became effective on July 1, 1994. During FY 2009, 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	96	0.2%	21	0.5%	117	0.2%
New Law	46,064	99.8%	4,052	99.5%	50,116	99.8%
Total	46,160	100.0%	4,073	100.0%	50,233	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 467 and the mean number of charges resulting in conviction was 2.1. Overall, 28,257, or 56.3% of the defendants were convicted of a single charge and 21,976 or 43.7% were convicted of two or more charges. The proportion of defendants convicted of multiple charges was higher in the superior court than in the district court:

- 19,120 or 41.4% of the district court defendants were convicted of two or more charges and the mean number of charges for all district court defendants was 1.9; and,
- 2,856 or 70.1% of the superior court defendants were convicted of two or more charges and the mean number of charges for all superior court defendants was 3.7.

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

Number of Charges	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
One	27,040	58.6%	1,217	29.9%	28,257	56.3%
Two	9,724	21.1%	1,008	24.7%	10,732	21.4%
Three	4,452	9.6%	568	13.9%	5,020	10.0%
Four	2,098	4.5%	391	9.6%	2,489	5.0%
Five to Nine	2,383	5.2%	665	16.3%	3,048	6.1%
Ten or More	463	1.0%	224	5.5%	687	1.4%
Total	46,160	100.0%	4,073	100.0%	50,233	100.0%
Highest	74		467		467	
Mean	1.9		3.7		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 60 defendants received a sentence to life. Of the 60 convicted defendants who received a life sentence, 53 were convicted of murder and seven were convicted of other offenses (four for rape of child, two for rape of child with force, and one for home invasion).

Table 5. Type of Sentence Imposed by Court Department

Type of Sentence	District Court	Superior Court	All Courts
Life		60	60
State Prison		2,144	2,144
Other DOC		4	4
House of Correction	11,817	662	12,479
House of Correction / Split	4,229	381	4,610
Probation	21,740	802	22,542
Fine	6,256	11	6,267
Other	2,118	9	2,127
Total	46,160	4,073	50,233

Sentencing Practices: Penalty Structure

In Massachusetts, felonies are defined as any offense punishable by imprisonment in the state prison, and misdemeanors are all other offenses.²² For many felonies, judges have the option to sentence an offender to state prison or to a house of correction. Table 6 shows the penalty structure associated with the governing offense by court department. For purposes of this analysis, governing offenses were divided into four categories: felony with no house of correction alternative (e.g. robbery), felony with house of correction alternative (and no district court jurisdiction) (e.g. mayhem), felony with house of correction alternative (and district court or joint jurisdiction)(e.g. A&B with dangerous weapon), and misdemeanor (e.g. A&B).

As indicated in Table 6, 34.7% of all defendants were convicted of felonies and 65.3% of all defendants were convicted of misdemeanors. As expected, the penalty structure associated with the governing offense differed by court department:

- of those defendants convicted in the district court, 29.8% were convicted of felonies and 70.2% were convicted of misdemeanors;
- of those defendants convicted in the superior court, 90.3% were convicted of felonies and 9.7% were convicted of misdemeanors; and,
- of those defendants convicted in the superior court, 56.8% were convicted of offenses with district court jurisdiction (felonies with joint jurisdiction or misdemeanors).

Table 6. Penalty Structure of Governing Offense by Court Department

Penalty Structure	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Felony / No House Alternative	0	0.0%	1,220	30.0%	1,220	2.4%
Felony / House Alternative / No District Court Jurisdiction	0	0.0%	541	13.3%	541	1.1%
Felony / House Alternative / District Court Jurisdiction	13,772	29.8%	1,916	47.0%	15,688	31.2%
Sub-Total Felonies	13,772	29.8%	3,677	90.3%	17,449	34.7%
Misdemeanor	32,388	70.2%	396	9.7%	32,784	65.3%
Total	46,160	100.0%	4,073	100.0%	50,233	100.0%

²² 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, 52.2% were convicted of felonies and 47.8% were convicted of misdemeanors;
- Of defendants convicted in the district court and sentenced to incarceration, 43.8% were convicted of felonies and 56.2% were convicted of misdemeanors;
- Of defendants convicted in the superior court and sentenced to incarceration, 93.9% were convicted of felonies and 6.1% were convicted of misdemeanors.
- Of all defendants sentenced to incarceration, 17,089 (88.6%) were sentenced to houses of correction and 2,208 (11.4%) 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, 2,208 (67.9%) were sentenced to the DOC and 1,043 (32.1%) 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%	1,108	34.1%	1,108	5.7%
Felony / House Alternative / No District Court Jurisdiction						
Sentenced to DOC	0	0.0%	337	10.4%	337	1.7%
Sentenced to House of Correction	0	0.0%	173	5.3%	173	0.9%
Felony / House Alternative / District Court Jurisdiction						
Sentenced to DOC	0	0.0%	763	23.5%	763	4.0%
Sentenced to House of Correction	7,026	43.8%	671	20.6%	7,697	39.9%
Sub-Total Felonies	7,026	43.8%	3,052	93.9%	10,078	52.2%
Misdemeanor / House						
	9,020	56.2%	199	6.1%	9,219	47.8%
Total	16,046	100.0%	3,251	100.0%	19,297	100.0%

All Sentences to DOC	0	0.0%	2,208	67.9%	2,208	11.4%
All Sentences to Houses of Correction	16,046	100.0%	1,043	32.1%	17,089	88.6%
Total	16,046	100.0%	3,251	100.0%	19,297	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 52.9 months and ranged from 6.0 months to 480.0 months (or 40 years). The median minimum state prison sentence was 36.0 months. The mean maximum sentence imposed was 65.2 months and ranged from 6.03 months to 600.0 months (or 50 years). The median maximum state prison sentence was 48.03 months.

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

Sentence Length	Minimum		Maximum	
	N	%	N	%
Under 24 Months	163	7.6%	79	3.7%
24 to 35 Months	407	19.0%	243	11.3%
36 to 47 Months	638	29.8%	535	25.0%
48 to 59 Months	237	11.1%	250	11.7%
60 to 71 Months	290	13.5%	389	18.1%
72 to 83 Months	69	3.2%	122	5.7%
84 to 95 Months	63	2.9%	138	6.4%
96 to 107 Months	64	3.0%	65	3.0%
108 to 119 Months	21	1.0%	28	1.3%
120 to 179 Months	129	6.0%	194	9.0%
180 to 239 Months	51	2.4%	64	3.0%
240 Months or More	12	0.6%	37	1.7%
Total	2,144	100.0%	2,144	100.0%
Lowest	6.0 Months		6.03 Months	
Highest	480.0 Months		600.0 Months	
Mean	52.9 Months		65.2 Months	
Median	36.0 Months		48.03 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 42.9% of the state prison sentences imposed, the minimum sentence was at least 90% of the maximum sentence, including 55.3% of those sentenced for mandatory drug offenses and 59.5% of those sentenced for mandatory non-grid offenses. It was estimated that 74.2% 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 40.4% of all state prison sentences, the difference between the minimum and maximum sentences was one day, including 54.0% of those sentenced for mandatory drug offenses, 57.8% of those sentences for mandatory non-grid offenses, and 33.1% of those sentenced for other grid offenses. Overall, 40.4% of all state prison sentences had a difference of one day between the minimum and maximum, sentences which preclude parole consideration. Based on sentence structure, 59.6% of defendants sentenced to state prison could be considered for parole release and supervision at the end of that sentence and 40.4% would not be eligible for parole consideration. The largest difference between a minimum and maximum state prison sentence was 120 months during FY 2009.

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%	0	0.0%	0	0.0%	0	0.0%
20% to 29%	0	0.0%	5	0.4%	0	0.0%	5	0.2%
30% to 39%	1	0.2%	20	1.4%	0	0.0%	21	1.0%
40% to 49%	0	0.0%	8	0.6%	0	0.0%	8	0.4%
50% to 59%	15	2.8%	88	6.2%	2	1.2%	105	4.9%
60% to 69%	71	13.1%	301	21.1%	21	12.1%	393	18.3%
70% to 79%	88	16.2%	227	15.9%	22	12.7%	337	15.7%
80% to 89%	68	12.5%	262	18.4%	25	14.5%	355	16.6%
90% and Over	301	55.3%	516	36.2%	103	59.5%	920	42.9%
Total	544	100.0%	1,427	100.0%	173	100.0%	2,144	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	294	54.0%	472	33.1%	100	57.8%	866	40.4%
2 Days to 5 Months	1	0.2%	3	0.2%	0	0.0%	4	0.2%
6 to 11 Months	30	5.5%	111	7.8%	16	9.2%	157	7.3%
12 to 23 Months	101	18.6%	362	25.4%	22	12.7%	485	22.6%
24 to 35 Months	94	17.3%	337	23.6%	26	15.0%	457	21.3%
36 to 47 Months	20	3.7%	74	5.2%	6	3.5%	100	4.7%
48 to 59 Months	2	0.4%	22	1.5%	1	0.6%	25	1.2%
60 to 119 Months	2	0.4%	43	3.0%	2	1.2%	47	2.2%
120 Months or More	0	0.0%	3	0.2%	0	0.0%	3	0.1%
Total	544	100.0%	1,427	100.0%	173	100.0%	2,144	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 451 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 5.3 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 17.1 months. The median house of correction sentence imposed in the district court was 4.0 months while the median house of correction sentence imposed in the superior court was 18.0 months. It is estimated that 12,396 or 74.5% 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	2,097	13.4%	15	1.4%	2,112	12.7%
1 Month	2,110	13.5%	20	1.9%	2,130	12.8%
2 Months	1,703	10.9%	24	2.3%	1,727	10.4%
3 to 5 Months	2,332	14.9%	47	4.5%	2,379	14.3%
6 to 8 Months	3,117	20.0%	113	10.9%	3,230	19.4%
9 to 11 Months	698	4.5%	30	2.9%	728	4.4%
12 to 14 Months	1,793	11.5%	219	21.1%	2,012	12.1%
15 to 17 Months	111	0.7%	20	1.9%	131	0.8%
18 to 20 Months	792	5.1%	143	13.8%	935	5.6%
21 to 23 Months	9	0.1%	6	0.6%	15	0.1%
24 to 26 Months	598	3.8%	212	20.4%	810	4.9%
27 to 29 Months	2	0.0%	1	0.1%	3	0.0%
30 Months	237	1.5%	189	18.2%	426	2.6%
Total	15,599	100.0%	1,039	100.0%	16,638	100.0%
Lowest	1 Day		1 Day		1 Day	
Highest	30.0 Months		30.0 Months		30.0 Months	
Mean	6.4 Months		17.1 Months		7.1 Months	
Median	4.0 Months		18.0 Months		5.3 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, 40.4% of state prison sentences had a difference of one day between minimum and maximum sentence. Therefore, an estimated 59.6% of defendants sentenced to state prison could be considered for parole release and supervision at the end of that sentence. Under proposed sentencing guidelines, all defendants sentenced to the state prison pursuant to the guidelines would be eligible for parole consideration.

For those defendants sentenced to a house of correction, parole eligibility is established at one-half of the sentence length. In general, those defendants with a sentence of 60 days or more are eligible for consideration for parole release. An estimated 74.5% 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 36.0% 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 5,280 or 32.9% of the incarceration sentences imposed in the district court involved some period of post-release probation supervision; and,
- an estimated 1,673 or 51.5% of the incarceration sentences imposed in the superior court involved some period of post-release probation supervision, including:
 - 72.5% of those sentenced to houses of correction from the superior court; and,
 - 41.5% of those sentenced to the DOC.

Of those defendants convicted of two or more charges and sentenced to incarceration, 5,350 or 45.2% had a sentence that included from & after probation, including 3,836 or 40.7% of the district court defendants with two or more convictions and 1,514 or 62.9% 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			2	0.1%	2	0.0%
Without From & After Probation			58	1.8%	58	0.3%
Sub-Total			60	1.8%	60	0.3%
State Prison						
With From & After Probation			915	28.1%	915	4.7%
Without From & After Probation			1,229	37.8%	1,229	6.4%
Sub-Total			2,144	65.9%	2,144	11.1%
Other DOC						
Split or From & After Probation			0	0.0%	0	0.0%
Without Split or From & After Probation			4	0.1%	4	0.0%
Sub-Total			4	0.1%	4	0.0%
House of Correction						
With From & After Probation	1,051	6.5%	375	11.5%	1,426	7.4%
Without From & After Probation	10,766	67.1%	287	8.8%	11,053	57.3%
Sub-Total	11,817	73.6%	662	20.4%	12,479	64.7%
House of Correction / Split	4,229	26.4%	381	11.7%	4,610	23.9%
Total All Sentences	16,046	100.0%	3,251	100.0%	19,297	100.0%
Jurisdiction						
House of Correction						
Split or From & After Probation	5,280	32.9%	756	72.5%	6,036	35.3%
Without Split or From & After Probation	10,766	67.1%	287	27.5%	11,053	64.7%
Sub-Total	16,046	100.0%	1,043	100.0%	17,089	100.0%
Department of Correction						
Split or From & After Probation			917	41.5%	917	41.5%
Without Split or From & After Probation			1,291	58.5%	1,291	58.5%
Sub-Total			2,208	100.0%	2,208	100.0%
All Jurisdictions						
Split or From & After Probation	5,280	32.9%	1,673	51.5%	6,953	36.0%
Without Split or From & After Probation	10,766	67.1%	1,578	48.5%	12,344	64.0%
Total	16,046	100.0%	3,251	100.0%	19,297	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 22,542 or 76.4% of the probation sentences began as a non-incarcerative sentence and 6,953 or 23.6% 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, 80.5% of the probation sentences began as a non-incarcerative sentence and 19.5% will begin after a period of incarceration; and,
- in the superior court, 32.4% of the probation sentences began as a non-incarcerative sentence and 67.6% 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	21,740	80.5%	802	32.4%	22,542	76.4%
Split or From & After Probation	5,280	19.5%	1,673	67.6%	6,953	23.6%
Total	27,020	100.0%	2,475	100.0%	29,495	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 296 or 72.5% of the incarcerated defendants convicted of a sex offense had a sentence which included a period of post-release probation supervision. In contrast 1,099 or 28.2% of incarcerated drug defendants had a sentence which included a period of post-release probation supervision. Therefore, in superior court, probation tends to be used less as an alternative to incarceration and more as a means of post-incarceration supervision, particularly for sex offenders.

Table 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	2,625	54.4%	2,197	45.6%	4,822	100.0%
Sex	112	27.5%	296	72.5%	408	100.0%
Property	2,925	65.1%	1,567	34.9%	4,492	100.0%
Drug Offenses	2,795	71.8%	1,099	28.2%	3,894	100.0%
Motor Vehicle	2,165	65.5%	1,142	34.5%	3,307	100.0%
Weapons	304	49.0%	317	51.0%	621	100.0%
Public Order	570	84.9%	101	15.1%	671	100.0%
Other	848	78.4%	234	21.6%	1,082	100.0%
Total	12,344	64.0%	6,953	36.0%	19,297	100.0%
District Court						
Person	2,154	57.2%	1,611	42.8%	3,765	100.0%
Sex	49	33.6%	97	66.4%	146	100.0%
Property	2,799	67.8%	1,331	32.2%	4,130	100.0%
Drug Offenses	2,047	73.9%	722	26.1%	2,769	100.0%
Motor Vehicle	2,133	66.8%	1,060	33.2%	3,193	100.0%
Weapons	208	56.4%	161	43.6%	369	100.0%
Public Order	566	85.5%	96	14.5%	662	100.0%
Other	810	80.0%	202	20.0%	1,012	100.0%
Sub-Total	10,766	67.1%	5,280	32.9%	16,046	100.0%
Superior Court						
Person	471	44.6%	586	55.4%	1,057	100.0%
Sex	63	24.0%	199	76.0%	262	100.0%
Property	126	34.8%	236	65.2%	362	100.0%
Drug Offenses	748	66.5%	377	33.5%	1,125	100.0%
Motor Vehicle	32	28.1%	82	71.9%	114	100.0%
Weapons	96	38.1%	156	61.9%	252	100.0%
Public Order	4	44.4%	5	55.6%	9	100.0%
Other	38	54.3%	32	45.7%	70	100.0%
Sub-Total	1,578	48.5%	1,673	51.5%	3,251	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 14,226 or 30.8% of all district court convictions, followed by property offenses (10,333 or 22.4% of all district court convictions), and person offenses (8,233 or 17.8% of all district court convictions). In the superior court the most frequently occurring offenses were drug offenses which accounted for 1,402 or 34.4% of all superior court convictions followed by person offenses which accounted for 1,256 or 30.8% 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, 595 defendants were classified as sex offenders on the basis of governing offense and an additional 31 defendants were classified as sex offenders on the basis of a conviction for a secondary offense (these 31 defendants were convicted of some other type of offense as the governing offense). Thus, a total of 626 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	8,233	17.8%	1,256	30.8%	9,489	18.9%
Sex	286	0.6%	309	7.6%	595	1.2%
Property	10,333	22.4%	532	13.1%	10,865	21.6%
Drug	6,691	14.5%	1,402	34.4%	8,093	16.1%
Motor Vehicle	14,226	30.8%	134	3.3%	14,360	28.6%
Weapons	682	1.5%	278	6.8%	960	1.9%
Public Order	2,681	5.8%	14	0.3%	2,695	5.4%
Other	3,028	6.6%	148	3.6%	3,176	6.3%
Total	46,160	100.0%	4,073	100.0%	50,233	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	9,489	1,370	10,859
Sex	595	31	626
Property	10,865	2,341	13,206
Drug	8,093	1,418	9,511
Motor Vehicle	14,360	2,297	16,657
Weapons	960	620	1,580
Public Order	2,695	2,399	5,094
Other	3,176	3,660	6,836
District Court			
Person	8,233	1,121	9,354
Sex	286	22	308
Property	10,333	2,080	12,413
Drug	6,691	1,288	7,979
Motor Vehicle	14,226	2,190	16,416
Weapons	682	339	1,021
Public Order	2,681	2,343	5,024
Other	3,028	3,207	6,235
Superior Court			
Person	1,256	249	1,505
Sex	309	9	318
Property	532	261	793
Drug	1,402	130	1,532
Motor Vehicle	134	107	241
Weapons	278	281	559
Public Order	14	56	70
Other	148	453	601

Type of Offense: Sex Offenses. There were an estimated 595 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 (286 in the district court and 309 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:
 - 54.1% were convicted of an offense involving a child victim;
 - 29.7% were convicted of an offense involving an adult victim; and,
 - 16.1% were convicted of some other sex offense.

- of the 309 sex offenders convicted in the superior court:
 - 70.2% were convicted of an offense involving a child victim;
 - 27.5% were convicted of an offense involving an adult victim; and,
 - 2.3% 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	5.5%	17	2.9%
Rape	0	0.0%	29	9.4%	29	4.9%
Assault w/I Rape	0	0.0%	8	2.6%	8	1.3%
A&B Indecent	92	32.2%	28	9.1%	120	20.2%
A&B Indecent, Mentally Incapacitated	0	0.0%	1	0.3%	1	0.2%
Incest	0	0.0%	2	0.6%	2	0.3%
Sub-Total	92	32.2%	85	27.5%	177	29.7%
Offense with Child Victim						
Rape of Child, Forcible	0	0.0%	36	11.7%	36	6.1%
Rape of Child	0	0.0%	101	32.7%	101	17.0%
Rape of Child, 2nd Offense	0	0.0%	1	0.3%	1	0.2%
Assault w/I Rape, Child	0	0.0%	3	1.0%	3	0.5%
A&B Indecent Child	73	25.5%	36	11.7%	109	18.3%
A&B Indecent Child, 2nd	0	0.0%	2	0.6%	2	0.3%
Act Unnatural, Child	1	0.3%	1	0.3%	2	0.3%
Inducing Minor Prostitution	0	0.0%	2	0.6%	2	0.3%
Enticing Child	4	1.4%	4	1.3%	8	1.3%
Inducing Minor Sex	4	1.4%	3	1.0%	7	1.2%
Child Pornography	0	0.0%	2	0.6%	2	0.3%
Child Pornography, Possess	18	6.3%	23	7.4%	41	6.9%
Child Pornography, Poss., 2nd Offense	0	0.0%	1	0.3%	1	0.2%
Child Pornography, Poss., 3rd Offense	0	0.0%	1	0.3%	1	0.2%
Obscene Material to a Minor	5	1.7%	1	0.3%	6	1.0%
Sub-Total	105	36.7%	217	70.2%	322	54.1%
Other Sex Offense						
Open and Gross	89	31.1%	7	2.3%	96	16.1%
Sub-Total	89	31.1%	7	2.3%	96	16.1%
Total	286	100.0%	309	100.0%	595	100.0%

Type of Offense: Drug Offenses. There were an estimated 8,093 defendants convicted of a drug offense as the governing offense. These defendants were further classified as to the nature of the drug offense (distribution or possession) and the class of substance involved in the offense (Class A, Class B, Class C, Class D, or Class E).^{23, 24} A number of drug offenses were not assigned to either category (conspiracy, forging prescription, larceny of drug, inhaling toxic vapors, and giving drugs to prisoners).

Table 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, 2,761 or 41.3% of the drug offenses were classified as distribution offenses, 3,790 or 56.6% were classified as possession offenses, and 140 or 2.1% were not assigned to either category;
- in the superior court, 1,258 or 89.7% of the drug offenses were classified as distribution offenses, 92 or 6.6% were classified as possession offenses, and 52 or 3.7% were not assigned to either category;
- in the district court, the most frequently occurring drug offense involved distribution of a Class B substance which accounted for 1,460 or 21.8% 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 948 or 67.6% of all drug offenses in the superior court.

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

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

Table 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	566	8.5%	269	19.2%	835	10.3%
Class B	1,460	21.8%	948	67.6%	2,408	29.8%
Class C	42	0.6%	4	0.3%	46	0.6%
Class D	647	9.7%	36	2.6%	683	8.4%
Class E	18	0.3%	1	0.1%	19	0.2%
Other Distribution Offenses	28	0.4%	0	0.0%	28	0.3%
Sub-Total	2,761	41.3%	1,258	89.7%	4,019	49.7%
Possession Offenses						
Class A	873	13.0%	16	1.1%	889	11.0%
Class B	1,434	21.4%	58	4.1%	1,492	18.4%
Class C	93	1.4%	1	0.1%	94	1.2%
Class D	1,288	19.2%	17	1.2%	1,305	16.1%
Class E	96	1.4%	0	0.0%	96	1.2%
Hypodermic/Syringe	6	0.1%	0	0.0%	6	0.1%
Sub-Total	3,790	56.6%	92	6.6%	3,882	48.0%
Other Drug Offenses						
	140	2.1%	52	3.7%	192	2.4%
Total	6,691	100.0%	1,402	100.0%	8,093	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 836 defendants convicted of mandatory drug offenses during FY 2009. Four offenses, distribution of cocaine, distribution within a school zone,²⁵ trafficking cocaine 14 to 28 grams, and trafficking cocaine 28 to 100 grams, accounted for 682 or 81.6% of the convictions for mandatory drug offenses in FY 2009.

A frequently occurring mandatory drug offense is distribution in a school zone, with 207 convictions or 24.8% 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 529 or 63.3% of the defendants convicted of mandatory drug offenses were classified as criminal history groups A or B, and 307 or 36.7% were classified as criminal history groups C, D, or E.

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

Table 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	4	4	1	0	12
Sub-Total	3	4	4	1	0	12
Level 7 (7 to 10 Year Mandatory)						
Traffic Heroin 100 to 200 grams	4	1	0	1	0	6
Traffic Heroin 28 to 100 grams	3	3	1	1	0	8
Traffic Cocaine 100 to 200 grams	12	10	7	3	0	32
Sub-Total	19	14	8	5	0	46
Level 6 (5 Year Mandatory)						
Traffic Heroin 14 to 28 grams	10	1	4	2	0	17
Traffic Cocaine 28 to 100 grams	43	20	18	13	0	94
Distribute Class A, 2nd Offense	0	2	7	8	0	17
Distribute Cocaine, 2nd Offense	0	6	7	7	0	20
Sub-Total	53	29	36	30	0	148
Level 5 (3 Year Mandatory)						
Traffic Marijuana 100 to 2,000 pounds	2	0	0	0	0	2
Traffic Cocaine 14 to 28 grams	40	56	16	11	0	123
Distribute Class B, 2nd Offense	1	9	11	11	0	32
Sub-Total	43	65	27	22	0	157
Level 4 (1 to 2 Year Mandatory)						
Distribute Cocaine	83	83	57	35	0	258
Traffic Marijuana 50 to 100 pounds	5	2	0	1	0	8
Distribution w/i School or Park	26	15	8	8	0	57
Sub-Total	114	100	65	44	0	323
Sub-Total Superior Court	232	212	140	102	0	686
District Court						
Distribution w/i School or Park	37	48	31	34	0	150
Total	269	260	171	136	0	836

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, 142 or 20.7% were sentenced to a house of correction and 544 or 79.3% were sentenced to the DOC. Of all convictions for mandatory drug offenses, 292 or 34.9% were sentenced to a house of correction and 544 or 65.1% 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	150	100.0%	142	20.7%	292	34.9%
Department of Correction	0	0.0%	544	79.3%	544	65.1%
Total	150	100.0%	686	100.0%	836	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 44,154 or 87.9% of all defendants were convicted of offenses for which the sentencing guidelines grid applied and 6,079 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: 5,333 or 10.6% of all defendants were convicted of OUI offenses; 332 or 0.7% were convicted of mandatory firearms offenses; and, 414 or 0.8% 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	40,366	87.4%	3,788	93.0%	44,154	87.9%
Not Assigned to Grid						
OUI Offenses	5,255	11.4%	78	1.9%	5,333	10.6%
Mandatory Gun Offenses	128	0.3%	204	5.0%	332	0.7%
Non-jailable Offenses	411	0.9%	3	0.1%	414	0.8%
Sub-total	5,794	12.6%	285	7.0%	6,079	12.1%
Total	46,160	100.0%	4,073	100.0%	50,233	100.0%

SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID

In this section, the sentencing practices related to the 44,154 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 44,154 convicted defendants:

- an estimated 2,534 or 5.7% were classified within the incarceration zone;
- an estimated 28,647 or 64.9% were classified within the discretionary zone;
- an estimated 12,681 or 28.7% were classified within the intermediate sanction zone; and,
- an estimated 292 or 0.7% 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: 66.3% of the defendants convicted in the district court and 49.9% 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 43.6% of the defendants convicted in the superior court were classified in the incarceration zone compared to 2.2% 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: 31.0% of the defendants convicted in the district court were classified in the intermediate sanctions zone compared to 4.0% of the defendants convicted in the superior court.

Offense Seriousness Level. Most defendants were convicted of offenses in the lower levels of offense seriousness: an estimated 36,985 or 83.8% of the convicted defendants were assigned to offense seriousness levels 1 through 3; an estimated 6,436 or 14.6% of the convicted defendants were assigned to offense seriousness levels 4 through 6; and, an estimated 441 or 1.0% of the convicted defendants were assigned to offense seriousness levels 7 through 9.

The most frequently occurring offense seriousness level was level 3 with an estimated 14,554 of all convictions (33.0%). In the district court, level 3 was the most frequently occurring offense seriousness level, accounting for an estimated 14,028 or 34.8% of all district court convictions. In the superior court, level 4 was the most frequently occurring offense seriousness level, accounting for an estimated 1,300 or 34.3% 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 16,267 or 36.8% of all convicted defendants. The most serious criminal history group, Group E, accounted for 40 of the convicted defendants.

Grid Cell. The most frequently occurring grid cell was “2A”: 5,630 or 12.8% of all convicted defendants were assigned to grid cell “2A”. In the district court, the most frequently occurring grid cell was “2A”: 5,497 or 13.6% 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, shoplifting, CSA possession Class D, and CSA possession Class B. In the superior court, the most frequently occurring grid cell was “4A”: 454 or 12.0% 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.

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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	29	5	15	4	0	53	1.4%	9	29	5	15	4	0	53	0.1%
8	0	0	0	0	0	0	0.0%	8	68	26	24	18	1	137	3.6%	8	68	26	24	18	1	137	0.3%
7	0	0	0	0	0	0	0.0%	7	104	53	40	53	1	251	6.6%	7	104	53	40	53	1	251	0.6%
6	8	2	0	0	0	10	0.0%	6	263	142	145	143	4	697	18.4%	6	271	144	145	143	4	707	1.6%
5	225	209	185	164	2	785	1.9%	5	152	112	87	115	0	466	12.3%	5	377	321	272	279	2	1,251	2.8%
4	1,194	858	606	517	3	3,178	7.9%	4	454	301	232	312	1	1,300	34.3%	4	1,648	1,159	838	829	4	4,478	10.1%
3	4,566	3,637	2,840	2,968	17	14,028	34.8%	3	264	97	80	85	0	526	13.9%	3	4,830	3,734	2,920	3,053	17	14,554	33.0%
2	5,497	3,602	2,480	2,298	8	13,885	34.4%	2	133	54	37	22	0	246	6.5%	2	5,630	3,656	2,517	2,320	8	14,131	32.0%
1	3,173	2,318	1,542	1,247	2	8,282	20.5%	1	10	6	2	0	0	18	0.5%	1	3,183	2,324	1,544	1,247	2	8,300	18.8%
N.A.	66	48	30	53	1	198	0.5%	N.A.	61	7	13	13	0	94	2.5%	N.A.	127	55	43	66	1	292	0.7%
Total	14,729	10,674	7,683	7,247	33	40,366	100.0%	Total	1,538	803	675	765	7	3,788	100.0%	Total	16,267	11,477	8,358	8,012	40	44,154	100.0%
%	36.5%	26.4%	19.0%	18.0%	0.1%	100.0%		%	40.6%	21.2%	17.8%	20.2%	0.2%	100.0%		%	36.8%	26.0%	18.9%	18.1%	0.1%	100.0%	

Sentencing Zone	N	%
Incarceration Zone	881	2.2%
Discretionary Zone	26,757	66.3%
Intermediate Sanction Zone	12,530	31.0%
Unassigned	198	0.5%
Total	40,366	100.0%

Sentencing Zone	N	%
Incarceration Zone	1,653	43.6%
Discretionary Zone	1,890	49.9%
Intermediate Sanction Zone	151	4.0%
Unassigned	94	2.5%
Total	3,788	100.0%

Sentencing Zone	N	%
Incarceration Zone	2,534	5.7%
Discretionary Zone	28,647	64.9%
Intermediate Sanction Zone	12,681	28.7%
Unassigned	292	0.7%
Total	44,154	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 2009, the estimated incarceration rate was 40.2%: 17,738 defendants received a sentence to incarceration out of 44,154 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 20.0% and the incarceration rate for defendants convicted of offenses at offense seriousness level 8 was 94.2%; and,
- the incarceration rate for defendants in criminal history group A was 27.2% and the incarceration rate for defendants in criminal history group D was 58.8%.

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 85.2%;
- for defendants in the discretionary zone, the incarceration rate was 45.6%; and,
- for defendants in the intermediate sanction zone, the incarceration rate was 18.8%.

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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	29	5	15	4	0	53	9	29	5	15	4	0	53	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	68	26	24	18	1	137	8	61	25	24	18	1	129	8	89.7%	96.2%	100.0%	100.0%	100.0%	94.2%
7	104	53	40	53	1	251	7	92	50	40	53	1	236	7	88.5%	94.3%	100.0%	100.0%	100.0%	94.0%
6	271	144	145	143	4	707	6	220	133	137	140	4	634	6	81.2%	92.4%	94.5%	97.9%	100.0%	89.7%
5	377	321	272	279	2	1,251	5	201	205	190	222	2	820	5	53.3%	63.9%	69.9%	79.6%	100.0%	65.5%
4	1,648	1,159	838	829	4	4,478	4	855	782	639	689	4	2,969	4	51.9%	67.5%	76.3%	83.1%	100.0%	66.3%
3	4,830	3,734	2,920	3,053	17	14,554	3	1,377	1,570	1,577	1,952	11	6,487	3	28.5%	42.0%	54.0%	63.9%	64.7%	44.6%
2	5,630	3,656	2,517	2,320	8	14,131	2	1,146	1,233	1,053	1,170	7	4,609	2	20.4%	33.7%	41.8%	50.4%	87.5%	32.6%
1	3,183	2,324	1,544	1,247	2	8,300	1	401	485	354	418	0	1,658	1	12.6%	20.9%	22.9%	33.5%	0.0%	20.0%
N.A.	127	55	43	66	1	292	N.A.	49	28	22	44	0	143	N.A.	38.6%	50.9%	51.2%	66.7%	0.0%	49.0%
Total	16,267	11,477	8,358	8,012	40	44,154	Total	4,431	4,516	4,051	4,710	30	17,738	Total	27.2%	39.3%	48.5%	58.8%	75.0%	40.2%

Sentencing Zone	N
Incarceration Zone	2,534
Discretionary Zone	28,647
Intermediate Sanction Zone	12,681
Unassigned	292
Total	44,154

Sentencing Zone	N
Incarceration Zone	2,159
Discretionary Zone	13,050
Intermediate Sanction Zone	2,386
Unassigned	143
Total	17,738

Sentencing Zone	Incarceration Rate
Incarceration Zone	85.2%
Discretionary Zone	45.6%
Intermediate Sanction Zone	18.8%
Unassigned	49.0%
Total	40.2%

District Court Incarceration Rates. Table 24 shows incarceration rates by grid cell assignment for all defendants convicted in district court. For FY 2009, the estimated district court incarceration rate was 36.6%: 14,765 defendants received a sentence to incarceration out of 40,366 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 19.9% and the incarceration rate for defendants convicted of offenses at offense seriousness level 4 was 59.0%; and,
- the incarceration rate for defendants in criminal history group A was 23.3% and the incarceration rate for defendants in criminal history group D was 55.2%.

District court incarceration rates varied by sentencing zone:

- district court defendants in the incarceration zone had an incarceration rate of 72.1%;
- 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%.

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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	0	9	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
8	0	0	0	0	0	0	8	0	0	0	0	0	0	8	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
7	0	0	0	0	0	0	7	0	0	0	0	0	0	7	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
6	8	2	0	0	0	10	6	7	2	0	0	0	9	6	87.5%	100.0%	N.A.	N.A.	N.A.	90.0%
5	225	209	185	164	2	785	5	86	104	110	119	2	421	5	38.2%	49.8%	59.5%	72.6%	100.0%	53.6%
4	1,194	858	606	517	3	3,178	4	525	528	428	392	3	1,876	4	44.0%	61.5%	70.6%	75.8%	100.0%	59.0%
3	4,566	3,637	2,840	2,968	17	14,028	3	1,276	1,516	1,518	1,881	11	6,202	3	27.9%	41.7%	53.5%	63.4%	64.7%	44.2%
2	5,497	3,602	2,480	2,298	8	13,885	2	1,103	1,205	1,031	1,158	7	4,504	2	20.1%	33.5%	41.6%	50.4%	87.5%	32.4%
1	3,173	2,318	1,542	1,247	2	8,282	1	399	483	352	418	0	1,652	1	12.6%	20.8%	22.8%	33.5%	0.0%	19.9%
N.A.	66	48	30	53	1	198	N.A.	29	25	12	35	0	101	N.A.	43.9%	52.1%	40.0%	66.0%	0.0%	51.0%
Total	14,729	10,674	7,683	7,247	33	40,366	Total	3,425	3,863	3,451	4,003	23	14,765	Total	23.3%	36.2%	44.9%	55.2%	69.7%	36.6%

Sentencing Zone	N
Incarceration Zone	881
Discretionary Zone	26,757
Intermediate Sanction Zone	12,530
Unassigned	198
Total	40,366

Sentencing Zone	N
Incarceration Zone	635
Discretionary Zone	11,692
Intermediate Sanction Zone	2,337
Unassigned	101
Total	14,765

Sentencing Zone	Incarceration Rate
Incarceration Zone	72.1%
Discretionary Zone	43.7%
Intermediate Sanction Zone	18.7%
Unassigned	51.0%
Total	36.6%

Superior Court Incarceration Rates. Table 25 shows incarceration rates by grid cell assignment for all defendants convicted in superior court. For FY 2009, the estimated superior court incarceration rate was 78.5%: 2,973 defendants received a sentence to incarceration out of 3,788 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 42.7% and the incarceration rate for defendants convicted of offenses in offense seriousness level 8 was 94.2%; and,
- the incarceration rate for defendants in criminal history group A was 65.4% and the incarceration rate for defendants in criminal history group D was 92.4%.

The incarceration rate varied by sentencing zone:

- superior court defendants in the incarceration zone had an incarceration rate of 92.2%;
- superior court defendants in the discretionary zone had an incarceration rate of 71.9%; and,
- superior court defendants in the intermediate sanction zone had an incarceration rate of 32.5%.

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	29	5	15	4	0	53	9	29	5	15	4	0	53	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	68	26	24	18	1	137	8	61	25	24	18	1	129	8	89.7%	96.2%	100.0%	100.0%	100.0%	94.2%
7	104	53	40	53	1	251	7	92	50	40	53	1	236	7	88.5%	94.3%	100.0%	100.0%	100.0%	94.0%
6	263	142	145	143	4	697	6	213	131	137	140	4	625	6	81.0%	92.3%	94.5%	97.9%	100.0%	89.7%
5	152	112	87	115	0	466	5	115	101	80	103	0	399	5	75.7%	90.2%	92.0%	89.6%	N.A.	85.6%
4	454	301	232	312	1	1,300	4	330	254	211	297	1	1,093	4	72.7%	84.4%	90.9%	95.2%	100.0%	84.1%
3	264	97	80	85	0	526	3	101	54	59	71	0	285	3	38.3%	55.7%	73.8%	83.5%	N.A.	54.2%
2	133	54	37	22	0	246	2	43	28	22	12	0	105	2	32.3%	51.9%	59.5%	54.5%	N.A.	42.7%
1	10	6	2	0	0	18	1	2	2	2	0	0	6	1	20.0%	33.3%	100.0%	N.A.	N.A.	33.3%
N.A.	61	7	13	13	0	94	N.A.	20	3	10	9	0	42	N.A.	32.8%	42.9%	76.9%	69.2%	N.A.	44.7%
Total	1,538	803	675	765	7	3,788	Total	1,006	653	600	707	7	2,973	Total	65.4%	81.3%	88.9%	92.4%	100.0%	78.5%

Sentencing Zone	N
Incarceration Zone	1,653
Discretionary Zone	1,890
Intermediate Sanction Zone	151
Unassigned	94
Total	3,788

Sentencing Zone	N
Incarceration Zone	1,524
Discretionary Zone	1,358
Intermediate Sanction Zone	49
Unassigned	42
Total	2,973

Sentencing Zone	Incarceration Rate
Incarceration Zone	92.2%
Discretionary Zone	71.9%
Intermediate Sanction Zone	32.5%
Unassigned	44.7%
Total	78.5%

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 85.9% of current sentences fall within the proposed guidelines and 14.1% of current sentences fall outside of proposed guidelines (an estimated 3.9% 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 7, where an estimated 75.6% of all sentences were outside of the proposed ranges (44.4% 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 50.1% of the current mandatory drug sentences were within the sentencing guidelines ranges and that 49.9% were outside of the sentencing guidelines (including 2.2% below the proposed guidelines and 47.8% above the proposed guidelines); and,
- when comparing the sentences imposed for all other offenses it was estimated that 86.6% were within the sentencing guidelines ranges and 13.4% were outside of the sentencing guidelines (including 3.9% below the ranges and 9.5% above the ranges); and,
- for all offenses at levels 6 through 8, 41.1% of the sentences were below the guideline ranges, 27.4% were within, and 31.5% were above;
- for mandatory drug offenses at levels 6 through 8, 0.5% were below the guideline ranges, 37.4% were within, and 62.1% were above; and,
- for all other offenses at levels 6 through 8, 50.8% were below the guideline ranges, 25.0% were within, and 24.2% 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%	53	100.0%	0	0.0%	53	100.0%
Level 8	32	29.4%	31	28.4%	46	42.2%	109	100.0%
Level 7	111	44.4%	61	24.4%	78	31.2%	250	100.0%
Level 6	293	41.7%	199	28.3%	211	30.0%	703	100.0%
Level 5	575	46.3%	475	38.3%	191	15.4%	1,241	100.0%
Level 4	633	14.2%	3,278	73.7%	539	12.1%	4,450	100.0%
Level 3	3	0.0%	13,233	97.2%	379	2.8%	13,615	100.0%
Level 2	0	0.0%	12,229	88.3%	1,623	11.7%	13,852	100.0%
Level 1	0	0.0%	6,992	84.5%	1,284	15.5%	8,276	100.0%
Total	1,647	3.9%	36,551	85.9%	4,351	10.2%	42,549	100.0%
Other Offenses								
Level 9	0	0.0%	53	100.0%	0	0.0%	53	100.0%
Level 8	32	33.0%	30	30.9%	35	36.1%	97	100.0%
Level 7	110	53.9%	48	23.5%	46	22.5%	204	100.0%
Level 6	293	52.8%	136	24.5%	126	22.7%	555	100.0%
Level 5	562	51.8%	445	41.1%	77	7.1%	1,084	100.0%
Level 4	629	15.8%	2,967	74.6%	382	9.6%	3,978	100.0%
Level 3	3	0.0%	13,233	97.2%	379	2.8%	13,615	100.0%
Level 2	0	0.0%	12,229	88.3%	1,623	11.7%	13,852	100.0%
Level 1	0	0.0%	6,992	84.5%	1,284	15.5%	8,276	100.0%
Total	1,629	3.9%	36,133	86.6%	3,952	9.5%	41,714	100.0%
Mandatory Drug Offenses								
Level 9	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 8	0	0.0%	1	8.3%	11	91.7%	12	100.0%
Level 7	1	2.2%	13	28.3%	32	69.6%	46	100.0%
Level 6	0	0.0%	63	42.6%	85	57.4%	148	100.0%
Level 5	13	8.3%	30	19.1%	114	72.6%	157	100.0%
Level 4	4	0.8%	311	65.9%	157	33.3%	472	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	18	2.2%	418	50.1%	399	47.8%	835	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 6,079 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 332 convictions where the governing offense was a mandatory firearms offense in FY 2009. Table 27 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

Mandatory Firearms Offense	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Firearm, Carry w/o License	128	100.0%	110	53.9%	238	71.7%
Firearm, Carry w/o License, 2nd Offense	0	0.0%	3	1.5%	3	0.9%
Firearm, Possess Large Capacity	0	0.0%	21	10.3%	21	6.3%
Firearm, Possess Machine Gun / Sawed off Shotgun	0	0.0%	11	5.4%	11	3.3%
Armed Career Criminal, 1 Prior	0	0.0%	47	23.0%	47	14.2%
Armed Career Criminal , 2 Priors	0	0.0%	8	3.9%	8	2.4%
Armed Career Criminal , 3 Priors	0	0.0%	1	0.5%	1	0.3%
Firearms Trafficking, 3 to 9 Weapons	0	0.0%	1	0.5%	1	0.3%
Firearm, Use in Felony	0	0.0%	2	1.0%	2	0.6%
Total	128	100.0%	204	100.0%	332	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 5,333 convictions for OUI offenses in FY 2009. This includes convictions involving the operation of motor vehicles

or boats and includes convictions involving the use of alcohol or drugs. Convictions for operating a motor vehicle after license suspended for an OUI offense are also included in this analysis. Defendants charged with an OUI offense that resulted in a disposition of continued without a finding (CWOFF) were not included in this sample, as a CWOFF disposition was not considered a conviction for the purposes of the survey of sentencing practices. Table 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%	34	43.6%	34	0.6%
House of Correction Sentence						
Less than 1 month	47	0.9%	0	0.0%	47	0.9%
1 Month	63	1.2%	0	0.0%	63	1.2%
2 Months	263	5.0%	0	0.0%	263	4.9%
3 to 5 Months	175	3.3%	1	1.3%	176	3.3%
6 to 8 Months	324	6.2%	3	3.8%	327	6.1%
9 to 11 Months	31	0.6%	0	0.0%	31	0.6%
12 to 14 Months	119	2.3%	10	12.8%	129	2.4%
15 to 17 Months	5	0.1%	0	0.0%	5	0.1%
18 to 20 Months	27	0.5%	3	3.8%	30	0.6%
21 to 23 Months	0	0.0%	0	0.0%	0	0.0%
24 to 26 Months	54	1.0%	9	11.5%	63	1.2%
27 to 29 Months	0	0.0%	0	0.0%	0	0.0%
30 Months	42	0.8%	14	17.9%	56	1.1%
Missing Sentence Information	3	0.1%	0	0.0%	3	0.1%
Sub-Total	1,153	21.9%	40	51.3%	1,193	22.4%
Probation	3,221	61.3%	4	5.1%	3,225	60.5%
Fine	792	15.1%	0	0.0%	792	14.9%
Other	89	1.7%	0	0.0%	89	1.7%
Total	5,255	100.0%	78	100.0%	5,333	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.²⁶

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

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

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

²⁶ G.L. c. 211E § 3 (e).

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

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

²⁹ *Ibid.*, p. 92.

Sentencing Practices: Defendant Gender

Table 29 shows the gender of defendants by court department. Of all convicted defendants, 15.9% were female and 84.1% were male. Of the defendants convicted in district court, 38,610 or 83.6% were male and 7,550 or 16.4% were female; and, of the defendants convicted in superior court, 3,641 or 89.4% were male and 432 or 10.6% were female.

Table 29. Defendant Gender by Court Department

Gender	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Male	38,610	83.6%	3,641	89.4%	42,251	84.1%
Female	7,550	16.4%	432	10.6%	7,982	15.9%
Total	46,160	100.0%	4,073	100.0%	50,233	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	8,435	88.9%	1,054	11.1%	9,489	100.0%
Sex Offenses	583	98.0%	12	2.0%	595	100.0%
Property Offenses	8,453	77.8%	2,412	22.2%	10,865	100.0%
Drug Offenses						
Mandatory / Distribution	763	91.3%	73	8.7%	836	100.0%
Non-Mandatory / Distribution	2,786	87.5%	397	12.5%	3,183	100.0%
Possession	3,342	86.1%	540	13.9%	3,882	100.0%
Other Drug Offense	119	62.0%	73	38.0%	192	100.0%
Sub-total Drug	7,010	86.6%	1,083	13.4%	8,093	100.0%
Motor Vehicle	7,818	87.1%	1,155	12.9%	8,973	100.0%
Weapons	597	95.1%	31	4.9%	628	100.0%
Public Order and Other Offenses	4,335	78.7%	1,176	21.3%	5,511	100.0%
Sub-total Grid	37,231	84.3%	6,923	15.7%	44,154	100.0%
Not Assigned to Grid						
OUI Offenses	4,320	81.0%	1,013	19.0%	5,333	100.0%
Mandatory Firearms	329	99.1%	3	0.9%	332	100.0%
Non-jailable	371	89.6%	43	10.4%	414	100.0%
Sub-Total No Grid	5,020	82.6%	1,059	17.4%	6,079	100.0%
Grand Total	42,251	84.1%	7,982	15.9%	50,233	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 33.8 years and the median age at disposition was 32 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	2,952	206	3,158
20 to 24	8,915	834	9,749
25 to 29	8,326	797	9,123
30 to 34	5,986	586	6,572
35 to 39	5,558	481	6,039
40 to 44	5,297	420	5,717
45 to 49	4,511	322	4,833
50 to 54	2,656	222	2,878
55 to 59	1,161	109	1,270
60 and older	798	96	894
Total	46,160	4,073	50,233
Youngest	17 Years	16 Years	16 Years
Oldest	88 Years	89 Years	89 Years
Mean	33.8 Years	33.6 Years	33.8 Years
Median	32 Years	31 Years	32 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, 62.8% of the convicted defendants were white, 18.5% were black, 15.5% 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, 64.0% were white, and 34.3% were racial/ethnic minorities (18.1% were black, 14.8% were hispanic, and 1.4% were other races). The race was unknown for 1.7% of the defendants convicted in the district court. Of the defendants convicted in the superior court, 48.7% were white, and 50.1% were racial/ethnic minorities (24.2% were black, 23.1% were hispanic, and 2.8% were other races). The race was unknown for 1.2% 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	29,564	64.0%	1,984	48.7%	31,548	62.8%
Black	8,333	18.1%	985	24.2%	9,318	18.5%
Hispanic	6,822	14.8%	942	23.1%	7,764	15.5%
Other	658	1.4%	114	2.8%	772	1.5%
Unknown	783	1.7%	48	1.2%	831	1.7%
Total	46,160	100.0%	4,073	100.0%	50,233	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:

- 62.8% of all defendants were white, 35.5% of all defendants were racial/ethnic minorities (18.5% were black, 15.5% were hispanic, and 1.5% were other races), and the race was unknown for 1.7% of all defendants; and,
- 28.5% of defendants convicted of mandatory drug offenses were white, and 71.2% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (34.0% were black, 36.0% were hispanic, and 1.2% were other races).

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

- 49.4% of defendants convicted of all drug offenses were white and 49.5% were racial/ethnic minorities;
- 61.2% of defendants convicted of possession offenses were white and 37.9% were racial/ethnic minorities;
- 39.0% of defendants convicted of non-mandatory distribution offenses were white and 59.7% were racial/ethnic minorities; and,
- 28.5% of defendants convicted of mandatory distribution offenses were white and 71.2% were racial/ethnic minorities.

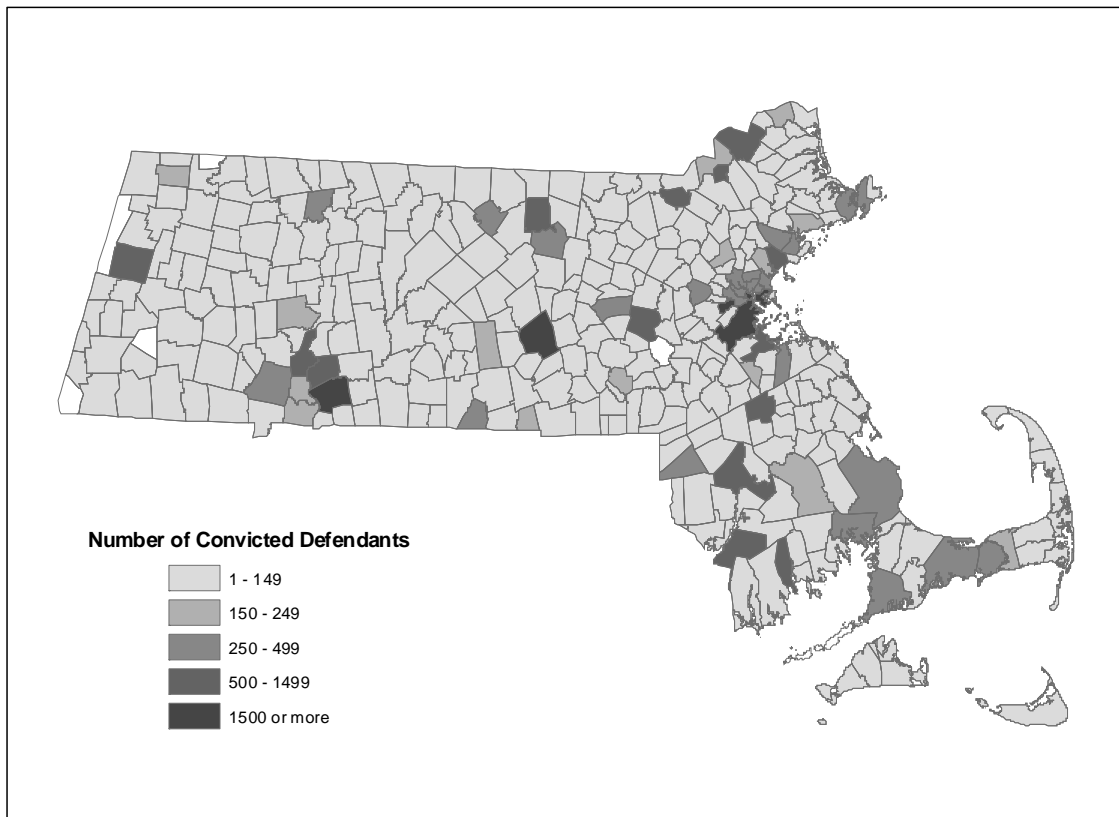
Table 33. Defendant Race by Type of Offense and Grid Assignment

Offense Type and Grid Assignment	White		Black		Hispanic		Other		Unknown		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Sentencing Grid												
Person Offenses	5,634	59.4%	2,010	21.2%	1,547	16.3%	166	1.7%	132	1.4%	9,489	100.0%
Sex Offenses	386	64.9%	83	13.9%	92	15.5%	14	2.4%	20	3.4%	595	100.0%
Property Offenses	7,321	67.4%	1,905	17.5%	1,363	12.5%	173	1.6%	103	0.9%	10,865	100.0%
Drug Offenses												
Mandatory / Distribution	238	28.5%	284	34.0%	301	36.0%	10	1.2%	3	0.4%	836	100.0%
Non-Mandatory / Distribution	1,240	39.0%	939	29.5%	914	28.7%	48	1.5%	42	1.3%	3,183	100.0%
Possession	2,376	61.2%	829	21.4%	601	15.5%	40	1.0%	36	0.9%	3,882	100.0%
Other Drug Offense	147	76.6%	20	10.4%	18	9.4%	6	3.1%	1	0.5%	192	100.0%
Sub-total Drug	4,001	49.4%	2,072	25.6%	1,834	22.7%	104	1.3%	82	1.0%	8,093	100.0%
Motor Vehicle												
Weapons	281	44.7%	180	28.7%	133	21.2%	21	3.3%	13	2.1%	628	100.0%
Public Order and Other Offenses	3,466	62.9%	1,064	19.3%	799	14.5%	68	1.2%	114	2.1%	5,511	100.0%
Sub-total Grid	26,843	60.8%	8,817	20.0%	7,180	16.3%	681	1.5%	633	1.4%	44,154	100.0%
Not Assigned to Grid												
OUI Offenses	4,357	81.7%	302	5.7%	430	8.1%	74	1.4%	170	3.2%	5,333	100.0%
Mandatory Firearms	74	22.3%	158	47.6%	81	24.4%	15	4.5%	4	1.2%	332	100.0%
Non-jailable	274	66.2%	41	9.9%	73	17.6%	2	0.5%	24	5.8%	414	100.0%
Sub-Total No Grid	4,705	77.4%	501	8.2%	584	9.6%	91	1.5%	198	3.3%	6,079	100.0%
Grand Total	31,548	62.8%	9,318	18.5%	7,764	15.5%	772	1.5%	831	1.7%	50,233	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 47,063 defendants (or 93.7% of the survey population). The remaining defendants resided out-of-state (4.4%), resided in a correctional facility (1.6%), or were reported as homeless with no community identified (0.3%). 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 2009. 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 2009, or the period July 1, 2008, through June 30, 2009 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 2009 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 2009, 60 defendants were classified in the life sentence group including seven convicted of offenses other than murder. Of the seven defendants sentenced to life for offenses other than murder, none were sentenced as habitual offenders.

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

A further distinction was made between split sentences to be served at the DOC (state prison / split sentence) and split sentences to be served at a house of correction (house of correction / split sentence). State prison / split sentences were those sentences with a minimum suspended term; a maximum suspended term of more than 30 months; or, split sentences with no sentence length information but convicted in a superior court. Although state prison / split sentences can no longer be given for offenses committed after July 1, 1994, some cases were sentenced in FY 2009 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 2009, there were no 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 2,144 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 2009

for offenses occurring prior to that time and thus a reformatory sentence could be imposed. In FY 2009 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 2009, four defendants were sentenced as habitual offenders and 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:

[sentence-length-years * 12] + [sentence-length-months] + [sentence-length-days / 30].

When calculating mean sentence length, cases with missing information were excluded from the analysis. There were a total of 451 cases with missing sentence length information, representing approximately 2.3% of the incarceration sentences. The number of cases with missing sentence length information is noted in Table 34.

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

Defendant Characteristic	Sentencing Guidelines Grid	Other
House of Correction Sentence	436	2
House of Correction / Split Sentence	12	1
Other DOC	0	0
District Court	444	3
Superior Court	4	0
Old Law	1	0
New Law	447	3
Mandatory Offense	1	2
Other Offense	447	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 2009 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 44,154 defendants convicted of offenses assigned to the sentencing grid, 43,196 or 97.8% had all of their convictions at or below the level of the governing offense and 958 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 266 or 27.8% of these cases. Table 36 shows the specific offense associated with the highest offense seriousness level for the 958 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	53	100.0%	0	0.0%	53	100.0%
8	137	100.0%	0	0.0%	137	100.0%
7	240	95.6%	11	4.4%	251	100.0%
6	683	96.6%	24	3.4%	707	100.0%
5	1,226	98.0%	25	2.0%	1,251	100.0%
4	4,406	98.4%	72	1.6%	4,478	100.0%
3	14,385	98.8%	169	1.2%	14,554	100.0%
2	13,875	98.2%	256	1.8%	14,131	100.0%
1	7,899	95.2%	401	4.8%	8,300	100.0%
N.A.	292	100.0%	0	0.0%	292	100.0%
Total	43,196	97.8%	958	2.2%	44,154	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	53
8	0	0	0	0	0	0	0	0	137	0
7	0	0	0	0	0	0	0	240	11	0
6	0	0	0	0	0	0	683	8	16	0
5	0	0	0	0	0	1,226	12	2	11	0
4	0	0	0	0	4,406	43	16	6	7	0
3	0	0	0	14,385	53	88	24	3	1	0
2	0	0	13,875	199	35	16	3	1	2	0
1	0	7,899	266	110	17	8	0	0	0	0
N.A.	292	0	0	0	0	0	0	0	0	0
Total	292	7,899	14,141	14,694	4,511	1,381	738	260	185	53

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

Level	Offense - Highest Level	N	Level	Offense - Highest Level	N	Level	Offense - Highest Level	N	Level	Offense - Highest Level	N
8	Armed Assault In Dwell House	8	5	A&B Child w/Injury	1	3	A&B	92	2	Accost / Annoy Person Opp. Sex	1
8	Arm Aslt w/i Murder - Firearm	2	5	A&B Aggravated	1	3	A&B Dangerous Weapon	12	2	Assault	4
8	Burglary, Armed	2	5	A&B Indecent Child	5	3	A&B Domestic	4	2	B&E w/i Misdemeanor	3
8	Home Invasion	31	5	Burglary	8	3	A&B w/i Intimidate	1	2	Compulsory Insurance Violation	107
8	Rape Of Child w/Force	5	5	Common Thief	2	3	Assault Dangerous Weapon	10	2	Counterfeit/Alter MV Document	6
8	Sub-Total	48	5	CSA Traffic Cocaine 014 to 028	1	3	B&E	25	2	Distribute Class D	2
			5	Entice Child	1	3	Burning Motor Vehicle	1	2	Distribute Paraphernalia	1
7	Armed Assault w/i Murder	3	5	Intimidation	118	3	Burning Property	1	2	Failure to Appear	3
7	Armed Robbery Gun	8	5	Perjury or Suborn	1	3	Carrying Dangerous Weapon	18	2	Firearm Store Improper	1
7	Assault w/i Rape Child	1	5	Robbery Unarmed	14	3	Contempt of Court	1	2	False Alarm	1
7	Confine and Put in Fear	1	5	Stalking Violation of Rest. Order	2	3	Distribute Class C	1	2	False Report Of Crime	1
7	Incest	3	5	Sub-Total	154	3	Forgery And Uttering	5	2	Firearm Possess w/o Permit	1
7	Mayhem	1				3	Fraud	1	2	Fireworks	3
7	Rape	2	4	A&B Elderly / Disabled w/Injury	3	3	Interfere Police or Firefighter	3	2	Larceny Less	3
7	Throw or Place Explosives	1	4	A&B Guard	1	3	Larceny Building	4	2	Operate After Suspension 2nd	4
7	Sub-Total	20	4	A&B Collect Loan	1	3	Larceny More	38	2	Operate to Endanger	13
			4	A&B Indecent	1	3	Larceny MV	2	2	Possession Class A	4
6	Armed Assault w/i Rob	10	4	Assault w/i Rob	2	3	Leaving Scene Personal Injury	4	2	Possession Class B	14
6	Armed Robbery	30	4	Distribute Class A	6	3	Leaving Scene Property Damage	39	2	Possession Class C	3
6	Assault To Kill or Maim	1	4	Distribute Class B	37	3	Mal Dest Property More	2	2	Possession Class D	11
6	Burning Dwelling House	3	4	Distribtuion School	1	3	Possess Burglariou Tools	5	2	Possession Hypodermic / Syringe	1
6	Child Pornography	8	4	Escape	2	3	Possession Class A 2nd	1	2	Property Destruction	15
6	Rape Of Child	3	4	Extortion	1	3	Possession Class D 2nd	1	2	Impersonate/Disguise	1
6	Sub-Total	55	4	Fraud - Identity	22	3	Receiving Stolen Goods MV	6	2	Receiving Stolen Goods	8
			4	Giving Prisoner Cont Sub	1	3	Receiving Stolen Goods Over	3	2	Resisting Arrest	29
4	Assault Weapon, Possess	1	4	Harassment	2	3	Reckless Endangerment	1	2	Tagging Property	1
5	Firearms Trafficking (3 to 9)	1	4	Larceny Person	22	3	Restraining Order Violation	18	2	True Name Law	2
	Sub-Total	2	4	Larceny Person + 65	1	3	Sex Offender Fail Register	7	2	Use Without Authority	4
			4	Stalking	1	3	Throw Object On Public Way	1	2	Sub-Total	246
2	OUI, 2nd	4	4	Sub-Total	104	3	Unnatural Acts	1			
3	OUI, 3rd	1				3	Sub-Total	308			
2	OUI	14									
2	OUI - Drugs	2									
	Sub-Total	21									

Criminal History Group

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Juvenile Criminal History

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

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

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

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

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

Youthful Offender Dispositions

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

During FY 2009 there were 398 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

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

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 2009, 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 2009 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 2009, 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 2009 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 1,605 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. Beginning in FY 2009 the status of the secondary conviction (open or closed) was evaluated in making the determination of a post-release probation supervision status.

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	42,803	92.7%	3,604	88.5%	46,407	92.4%
Homeless (city identified)	496	1.1%	28	0.7%	524	1.0%
No Specific Street Address (city identified)	122	0.3%	10	0.2%	132	0.3%
Sub-Total	43,421	94.1%	3,642	89.4%	47,063	93.7%
No Massachusetts City or Town Assigned						
Out of State Resident	1,997	4.3%	224	5.5%	2,221	4.4%
Correctional Facility	618	1.3%	189	4.6%	807	1.6%
Homeless or Shelter (city not identified)	124	0.3%	18	0.4%	142	0.3%
Sub-Total	2,739	5.9%	431	10.6%	3,170	6.3%
Total	46,160	100.0%	4,073	100.0%	50,233	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 207 convictions, or 24.8% 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 207 defendants for whom the school zone offense was the governing offense; and,
- There were 87 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:
 - 68 had a mandatory drug offense as the governing offense; and,
 - 19 had some other offense as the governing offense.

The second portion of the table considers the nature of the underlying drug offense and the sentence imposed for that offense for those 294 defendants with one or more convictions of distribution in a school zone. Of these 294 defendants:

- the underlying drug offense was a mandatory drug offense for 80 defendants; and,
- the underlying drug offense was a non-mandatory drug offense for 214 defendants.
- 213 had a house of correction sentence imposed for the underlying drug offense and of these sentences 151 were for 1 day; and,

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

The final portion of the table shows the racial composition of the 294 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 109 defendants were convicted of this offense including 77 in criminal history group A, 11 in criminal history group B, 13 in criminal history group C, 8 in criminal history group D, and none in criminal history group E. Of the 109 convicted defendants, a total of 65 received a sentence of incarceration, for an overall incarceration rate of 60%. Of the 77 defendants in criminal history group A, a total of 43 received a sentence of incarceration, for an incarceration rate of 56%; of the 11 defendants in criminal history group B, a total of 8 received a sentence of incarceration for an incarceration rate of 73%; of the 13 defendants in criminal history group C, 7 received a sentence of incarceration for an incarceration rate of 54%; of the 8 defendants in criminal history group D, 7 received a sentence of incarceration, for an incarceration rate of 88%; 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 73 convictions for Indecent A&B on Child in the district court. Of these 73 convictions, 36 resulted in a sentence to incarceration for an overall incarceration rate of 49%. 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 36 convictions for Indecent A&B on Child in the superior court. Of these 36 convictions, 29 resulted in a sentence to incarceration for an overall incarceration rate of 81%. 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 44 defendants sentenced to the state prison in FY 2009. The mean minimum state prison sentence for armed assault w/i murder was 67.0 months and the median minimum sentence for armed assault w/i murder was 57.0 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 44 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 80.9 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 448 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 8.3 months and the median house of correction sentence was 6.0 months. The number of convicted defendants and the mean and median sentence length are also shown for each criminal history group.

Type of Offense

Table 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 9,489 defendants convicted of person offenses with an incarceration rate of 51%;
- there were 595 defendants convicted of sex offenses with an incarceration rate of 69%;
- there were 628 defendants convicted of weapons offenses with an incarceration rate of 46%;
- there were 10,865 defendants convicted of property offenses with an incarceration rate of 41%;
- there were 8,093 defendants convicted of drug offenses with an incarceration rate of 48%;
- there were 8,973 defendants convicted of motor vehicle offenses with an incarceration rate of 23%;
- there were 2,816 defendants convicted of other offenses with an incarceration rate of 38%; and,
- there were 2,695 defendants convicted of public order offenses with an incarceration rate of 25%.

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	150	98.0%	57	40.4%	207	70.4%
Governing Offense: Other Mandatory Drug	0	0.0%	68	48.2%	68	23.1%
Governing Offense: All Other Offenses	3	2.0%	16	11.3%	19	6.5%
Total	153	100.0%	141	100.0%	294	100.0%
Underlying Offense of Conviction						
Trafficking Cocaine 14-28 grams	0	0.0%	14	9.9%	14	4.8%
Trafficking Cocaine 28-100 grams	0	0.0%	11	7.8%	11	3.7%
Trafficking Cocaine 100-200 grams	0	0.0%	7	5.0%	7	2.4%
Trafficking Cocaine 200+ grams	0	0.0%	3	2.1%	3	1.0%
Trafficking Heroin 14-28 grams	0	0.0%	3	2.1%	3	1.0%
Trafficking Heroin 28-100 grams	0	0.0%	1	0.7%	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	38	24.8%	13	9.2%	51	17.3%
Distribution Class A, 2nd Offender	0	0.0%	4	2.8%	4	1.4%
Distribution Class B	90	58.8%	40	28.4%	130	44.2%
Distribution Class B, 2nd Offender	0	0.0%	2	1.4%	2	0.7%
Distribution Cocaine / Mandatory	0	0.0%	30	21.3%	30	10.2%
Distribution Cocaine / 2nd	0	0.0%	5	3.5%	5	1.7%
Distribution Class C	2	1.3%	1	0.7%	3	1.0%
Distribution Class D	22	14.4%	7	5.0%	29	9.9%
Distribution Class D, 2nd Offender	0	0.0%	0	0.0%	0	0.0%
Distribution Class E	1	0.7%	0	0.0%	1	0.3%
Total	153	100.0%	141	100.0%	294	100.0%
Sentence Imposed / Underlying Drug Offense						
House of Correction Sentence						
1 Day	116	75.8%	35	24.8%	151	51.4%
2 Days to 5 Months	6	3.9%	1	0.7%	7	2.4%
6 Months to 11 Months	5	3.3%	7	5.0%	12	4.1%
12 Months to 17 Months	11	7.2%	11	7.8%	22	7.5%
18 Months to 23 Months	1	0.7%	2	1.4%	3	1.0%
24 Months or More	12	7.8%	5	3.5%	17	5.8%
Unknown	1	0.7%	0	0.0%	1	0.3%
Sub-Total	152	99.3%	61	43.3%	213	72.4%
DOC Sentence	0	0.0%	79	56.0%	79	26.9%
Other	1	0.7%	1	0.7%	2	0.7%
Total	153	100.0%	141	100.0%	294	100.0%
Defendant Race						
White	41	26.8%	37	26.2%	78	26.5%
Black	60	39.2%	69	48.9%	129	43.9%
Hispanic	49	32.0%	33	23.4%	82	27.9%
Other	2	1.3%	1	0.7%	3	1.0%
Unknown	1	0.7%	1	0.7%	2	0.7%
Total	153	100.0%	141	100.0%	294	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	29	5	15	4	0	53	29	5	15	4	0	53	100%	100%	100%	100%		100%
9	Sub-Total	29	5	15	4	0	53	29	5	15	4	0	53	100%	100%	100%	100%	100%	100%
8	Manslaughter	22	8	7	6	0	43	22	8	7	6	0	43	100%	100%	100%	100%		100%
8	Assault In Dwelling	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
8	Armed Assault In Dwell House	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
8	Rape, Aggravated	6	3	1	6	1	17	6	3	1	6	1	17	100%	100%	100%	100%	100%	100%
8	Rape Of Child w/Force	22	6	6	2	0	36	20	5	6	2	0	33	91%	83%	100%	100%		92%
8	Armed Assault w/i Murder - Firearm	7	3	1	2	0	13	7	3	1	2	0	13	100%	100%	100%	100%		100%
8	Home Invasion	4	0	3	1	0	8	0	0	3	1	0	4	0%		100%	100%		50%
8	Burglary, Armed	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
8	Traffic Cocaine 200+	3	4	4	1	0	12	3	4	4	1	0	12	100%	100%	100%	100%		100%
8	Sub-Total	68	26	24	18	1	137	61	25	24	18	1	129	90%	96%	100%	100%	100%	94%
7	Murder, Attempted	5	1	1	2	0	9	4	0	1	2	0	7	80%	0%	100%	100%		78%
7	Mayhem	6	3	2	1	0	12	6	3	2	1	0	12	100%	100%	100%	100%		100%
7	A&B Child w/Injury Substantial	9	1	1	0	0	11	9	1	1	0	0	11	100%	100%	100%			100%
7	Hostage Taking by Prisoner	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
7	Rape	17	2	5	5	0	29	15	2	5	5	0	27	88%	100%	100%	100%		93%
7	Rape of Child 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
7	Assault w/i Rape Child	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
7	Incest	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
7	Armed Robbery Gun	21	13	16	23	1	74	15	13	16	23	1	68	71%	100%	100%	100%	100%	92%
7	Armed Assault w/i Murder	21	13	4	10	0	48	19	11	4	10	0	44	90%	85%	100%	100%		92%
7	Carjacking, Armed	2	1	1	0	0	4	2	1	1	0	0	4	100%	100%	100%			100%
7	Confine And Put In Fear	1	2	1	5	0	9	1	2	1	5	0	9	100%	100%	100%	100%		100%
7	Traffic Heroin 028-100	3	3	1	1	0	8	3	3	1	1	0	8	100%	100%	100%	100%		100%
7	Traffic Heroin 100-200	4	1	0	1	0	6	4	1	0	1	0	6	100%	100%		100%		100%
7	Traffic Cocaine 100-200	12	10	7	3	0	32	12	10	7	3	0	32	100%	100%	100%	100%		100%
7	Throw or Place Explosives	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
7	Sub-Total	104	53	40	53	1	251	92	50	40	53	1	236	88%	94%	100%	100%	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	8	2	0	0	0	10	6	2	0	0	0	8	75%	100%				80%
6	A&B Elderly / Disabled Ser Injury	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
6	A&B Aggravated - Serious Injury	3	3	1	1	0	8	3	3	1	1	0	8	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon	25	21	15	25	0	86	25	21	15	25	0	86	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon + 60	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
6	A&B DW, Aggravated w/Injury	9	3	3	4	0	19	8	3	3	4	0	18	89%	100%	100%	100%		95%
6	Assault To Kill or Maim	3	2	3	2	0	10	3	2	2	2	0	9	100%	100%	67%	100%		90%
6	Rape Of Child	69	14	13	5	0	101	57	13	12	4	0	86	83%	93%	92%	80%		85%
6	Assault w/i Rape	3	0	4	1	0	8	3	0	4	1	0	8	100%		100%	100%		100%
6	Indecent A&B On Child 2nd	0	0	2	0	0	2	0	0	2	0	0	2		100%				100%
6	Indecent A&B Mentally Retarded	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	Child Pornography	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
6	Child Pornography Possess 3rd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
6	Robbery Unarmed + 60	2	7	3	2	1	15	2	6	3	2	1	14	100%	86%	100%	100%	100%	93%
6	Armed Robbery	60	47	52	58	2	219	32	41	48	56	2	179	53%	87%	92%	97%	100%	82%
6	Armed Assault w/i Rob	6	3	3	10	1	23	4	2	1	10	1	18	67%	67%	33%	100%	100%	78%
6	Armed Aslt w/i Rob Over 65	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
6	Carjacking	4	1	1	2	0	8	3	1	1	2	0	7	75%	100%	100%	100%		88%
6	Kidnapping	7	2	2	0	0	11	7	2	2	0	0	11	100%	100%	100%			100%
6	Harassment, 2nd	0	0	2	0	0	2	0	0	2	0	0	2		100%				100%
6	Burning Dwelling House	5	4	2	2	0	13	4	3	2	2	0	11	80%	75%	100%	100%		85%
6	Distribute Class A 2nd	0	2	7	8	0	17	0	2	7	8	0	17		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	6	7	7	0	20	0	6	7	7	0	20		100%	100%	100%		100%
6	Traffic Heroin 014-028	10	1	4	2	0	17	10	1	4	2	0	17	100%	100%	100%	100%		100%
6	Traffic Cocaine 028-100	43	20	18	13	0	94	43	20	18	13	0	94	100%	100%	100%	100%		100%
6	MV Homicide - OUI Felony	8	1	1	0	0	10	8	1	1	0	0	10	100%	100%	100%			100%
6	Possess Explosive Device	2	1	1	0	0	4	1	1	1	0	0	3	50%	100%	100%			75%
6	Sub-Total	271	144	145	143	4	707	220	133	137	140	4	634	81%	92%	94%	98%	100%	90%

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
5	A&B Child w/Injury	13	5	5	2	0	25	7	2	4	1	0	14	54%	40%	80%	50%		56%
5	A&B Aggravated	25	15	11	8	0	59	7	11	9	6	0	33	28%	73%	82%	75%		56%
5	A&B DW, Aggravated	15	7	7	6	0	35	12	7	7	6	0	32	80%	100%	100%	100%		91%
5	Indecent A&B On Child	77	11	13	8	0	109	43	8	7	7	0	65	56%	73%	54%	88%		60%
5	Entice Child	5	2	1	0	0	8	3	1	1	0	0	5	60%	50%	100%			63%
5	Unnatural Acts Child	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
5	Robbery Unarmed	23	19	27	41	0	110	12	12	25	40	0	89	52%	63%	93%	98%		81%
5	Intimidation	157	184	169	159	2	671	62	89	100	116	2	369	39%	48%	59%	73%	100%	55%
5	Stalking Violation of Rest. Order	1	1	3	5	0	10	1	1	3	5	0	10	100%	100%	100%	100%		100%
5	Stalking 2nd	0	0	1	0	0	1	0	0	1	0	0	1		100%				100%
5	Common & Notorious Thief	0	0	1	6	0	7	0	0	1	6	0	7			100%	100%		100%
5	Burglary	6	3	3	13	0	25	5	3	3	11	0	22	83%	100%	100%	85%		88%
5	Counterfeit Equipment	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
5	Gaming Enterprise	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
5	Distribute Class B 2nd	1	9	11	11	0	32	1	9	11	11	0	32	100%	100%	100%	100%		100%
5	Traffic Cocaine 014-028	40	56	16	11	0	123	40	56	16	11	0	123	100%	100%	100%	100%		100%
5	Traffic Mar 100-2000	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
5	Inducing Minor To Prostitution	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
5	Guard Sex w/ Prisoner	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
5	Perjury or Suborn	6	4	1	1	0	12	3	3	0	1	0	7	50%	75%	0%	100%		58%
5	Possess Molotov Cocktail	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
5	Sex Offender Fail Register 2nd	0	1	2	8	0	11	0	0	1	1	0	2		0%	50%	13%		18%
5	Sub-Total	377	321	272	279	2	1251	201	205	190	222	2	820	53%	64%	70%	80%	100%	66%

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	25	17	19	19	0	80	6	4	11	13	0	34	24%	24%	58%	68%		43%
4	Assault Aggravated	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
4	A&B w/i Intimidate	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	A&B Guard	2	5	9	22	0	38	2	4	8	21	0	35	100%	80%	89%	95%		92%
4	A&B Dangerous Weapon	67	59	68	48	0	242	67	59	68	48	0	242	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
4	A&B To Collect Loan	0	1	0	2	0	3	0	0	0	1	0	1		0%		50%		33%
4	Indecent A&B	52	31	17	19	1	120	26	22	13	18	1	80	50%	71%	76%	95%	100%	67%
4	Child Pornography Possess 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
4	Assault w/i Rob	3	2	4	3	0	12	3	1	3	3	0	10	100%	50%	75%	100%		83%
4	Stalking	10	7	7	4	0	28	4	5	6	3	0	18	40%	71%	86%	75%		64%
4	Harassment	27	13	9	4	0	53	11	5	4	3	0	23	41%	38%	44%	75%		43%
4	Larceny More	7	3	3	7	0	20	7	3	3	7	0	20	100%	100%	100%	100%		100%
4	Larceny More + 60	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
4	Larceny Person	161	131	70	97	1	460	74	88	49	69	1	281	46%	67%	70%	71%	100%	61%
4	Larceny Person + 65	1	3	3	1	0	8	1	1	3	0	0	5	100%	33%	100%	0%		63%
4	Larceny MV 2nd	0	0	0	6	0	6	0	0	0	6	0	6				100%		100%
4	Fraud - Identity	64	46	48	49	0	207	14	16	26	32	0	88	22%	35%	54%	65%		43%
4	B&E	5	5	14	95	0	119	5	5	14	95	0	119	100%	100%	100%	100%		100%
4	Enter Dwelling w/I Felony	1	0	1	8	0	10	1	0	0	8	0	9	100%		0%	100%		90%
4	B&E DT Armed w/i Felony	0	2	0	2	0	4	0	2	0	2	0	4		100%		100%		100%
4	Receiving Stolen Goods Over	0	0	3	4	0	7	0	0	3	4	0	7			100%	100%		100%
4	Receiving Stolen Goods MV 2nd	0	0	0	8	0	8	0	0	0	8	0	8				100%		100%
4	Burning Building	2	1	1	1	0	5	1	0	1	1	0	3	50%	0%	100%	100%		60%
4	Burning to Defraud	1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%
4	Distribute Class A	277	194	138	133	0	742	142	138	104	110	0	494	51%	71%	75%	83%		67%
4	Distribute Class B	747	464	302	188	2	1703	310	264	203	130	2	909	41%	57%	67%	69%	100%	53%
4	Distribute Cocaine	83	83	57	35	0	258	83	83	57	35	0	258	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	5	2	0	1	0	8	5	2	0	1	0	8	100%	100%		100%		100%
4	Larceny Cont Sub	2	3	0	0	0	5	1	1	0	0	0	2	50%	33%				40%
4	Giving Prisoner Cont Sub	8	3	0	2	0	13	2	0	0	2	0	4	25%	0%		100%		31%
4	Control Substance School	63	63	39	42	0	207	63	63	39	42	0	207	100%	100%	100%	100%		100%
4	MV Homicide - Reckless	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
4	MV Homicide - OUI	5	1	0	0	0	6	4	1	0	0	0	5	80%	100%				83%
4	Leaving Scene Death	3	0	1	1	0	5	3	0	1	1	0	5	100%		100%	100%		100%
4	OUI Serious Inj, Fel	10	4	3	2	0	19	10	4	3	2	0	19	100%	100%	100%	100%		100%
4	Derive Support From Prostitute	1	0	2	1	0	4	1	0	2	1	0	4	100%		100%	100%		100%
4	Assault Weapon, Possess	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Gun Serial Number, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Firearm Sale Violation	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Escape	4	14	16	17	0	51	1	11	14	15	0	41	25%	79%	88%	88%		80%
4	Extortion	2	0	1	1	0	4	1	0	1	1	0	3	50%		100%	100%		75%
4	Bomb Hoax	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Hoax Device	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	DNA Tamper	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Tax Law Violation	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
4	Sub-Total	1648	1159	838	829	4	4478	855	782	639	689	4	2969	52%	67%	76%	83%	100%	66%

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	1528	1126	854	769	4	4281	404	466	463	494	4	1831	26%	41%	54%	64%	100%	43%
3	A&B Domestic	34	15	14	11	0	74	8	9	8	6	0	31	24%	60%	57%	55%		42%
3	A&B w/I Intimidate	5	1	2	0	0	8	1	0	1	0	0	2	20%	0%	50%			25%
3	Reckless Endangerment	27	9	6	1	0	43	8	4	4	1	0	17	30%	44%	67%	100%		40%
3	Permit Injury to Child	3	0	0	1	0	4	2	0	0	1	0	3	67%			100%		75%
3	A&B Ambulance	1	4	2	2	0	9	1	2	1	1	0	5	100%	50%	50%	50%		56%
3	A&B Dangerous Weapon	301	223	132	112	0	768	85	102	58	62	0	307	28%	46%	44%	55%		40%
3	A&B Dangerous Weapon + 60	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Assault Dangerous Weapon	211	161	135	121	1	629	100	68	92	70	0	330	47%	42%	68%	58%	0%	52%
3	Unnatural Acts	1	2	1	0	0	4	0	1	0	0	0	1	0%	50%	0%			25%
3	Child Pornography Possess	35	5	1	0	0	41	15	4	1	0	0	20	43%	80%	100%			49%
3	Kidnapping	6	1	2	1	0	10	1	1	2	1	0	5	17%	100%	100%	100%		50%
3	Violation Of Civil Rights	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
3	Restraining Order Violation	226	288	274	260	1	1049	69	118	140	169	1	497	31%	41%	51%	65%	100%	47%
3	Larceny	12	20	14	14	0	60	12	20	14	14	0	60	100%	100%	100%	100%		100%
3	Larceny More	668	566	467	520	3	2224	155	187	230	303	2	877	23%	33%	49%	58%	67%	39%
3	Larceny More + 60	9	3	3	1	0	16	4	3	2	0	0	9	44%	100%	67%	0%		56%
3	Larceny Building	36	43	27	71	0	177	7	18	12	51	0	88	19%	42%	44%	72%		50%
3	Larceny Firearm	3	1	2	0	0	6	2	1	2	0	0	5	67%	100%	100%			83%
3	Larceny MV	41	34	29	35	1	140	19	25	20	31	1	96	46%	74%	69%	89%	100%	69%
3	Embezzlement	5	0	0	0	0	5	5	0	0	0	0	5	100%					100%
3	Credit Card Misuse - More	9	5	7	11	0	32	4	2	7	9	0	22	44%	40%	100%	82%		69%
3	Defrauding Insurer	33	11	6	7	0	57	3	2	3	3	0	11	9%	18%	50%	43%		19%
3	Fraud	32	19	16	18	0	85	6	6	8	10	0	30	19%	32%	50%	56%		35%
3	MV - Sales Violation	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
3	Possess Burglariious Tools	39	41	31	68	0	179	10	20	20	48	0	98	26%	49%	65%	71%		55%
3	B&E	503	429	326	404	2	1664	220	230	219	296	1	966	44%	54%	67%	73%	50%	58%
3	Mal Dest Property More	56	36	34	28	0	154	16	17	18	23	0	74	29%	47%	53%	82%		48%
3	Receiving Stolen Goods Over	40	59	34	52	1	186	13	28	23	40	1	105	33%	47%	68%	77%	100%	56%
3	Receiving Stolen Goods MV	78	63	55	81	0	277	24	41	33	60	0	158	31%	65%	60%	74%		57%
3	Receiving Stolen Goods 2nd	0	1	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Forgery And Uttering	114	134	91	103	1	443	35	45	38	56	1	175	31%	34%	42%	54%	100%	40%
3	Counterfeit	9	2	7	2	0	20	0	1	3	0	0	4	0%	50%	43%	0%		20%
3	Burning Property	5	5	1	0	0	11	2	4	1	0	0	7	40%	80%	100%			64%
3	Burning Motor Vehicle	4	1	0	0	0	5	2	0	0	0	0	2	50%	0%				40%
3	Illegal Lottery	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
3	Gaming Register Bets	7	1	0	0	0	8	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	5	9	10	8	0	32	1	2	5	2	0	10	20%	22%	50%	25%		31%
3	Possession Class A Heroin 2nd	3	8	8	7	0	26	1	5	3	3	0	12	33%	63%	38%	43%		46%
3	Possession Class B 2nd	10	24	19	30	0	83	3	10	14	21	0	48	30%	42%	74%	70%		58%
3	Possession Class C 2nd	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
3	Possession Class D 2nd	16	8	14	8	0	46	2	2	6	5	0	15	13%	25%	43%	63%		33%
3	Distribute Class C	12	12	9	10	0	43	3	7	4	5	0	19	25%	58%	44%	50%		44%
3	Distribute Class D 2nd	8	6	3	4	0	21	4	4	1	3	0	12	50%	67%	33%	75%		57%
3	Distribute Class E 2nd	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
3	MV Homicide	28	2	3	0	0	33	7	1	3	0	0	11	25%	50%	100%			33%
3	Leaving Scene Property Damage	346	199	100	69	1	715	52	50	43	32	0	177	15%	25%	43%	46%	0%	25%
3	Leaving Scene Personal Injury	119	20	19	13	0	171	18	5	9	7	0	39	15%	25%	47%	54%		23%
3	Possess Master Key MV	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
3	OUI Serious Inj, Misd	19	1	1	1	0	22	7	1	1	0	0	9	37%	100%	100%	0%		41%
3	OUI - Child Endangerment	30	8	0	0	0	38	4	4	0	0	0	8	13%	50%				21%
3	Inducing Minor To Sex	6	0	1	0	0	7	0	0	0	0	0	0	0%		0%			0%
3	Gun Serial Number	9	2	1	0	0	12	6	2	1	0	0	9	67%	100%	100%			75%
3	Firearm Loaded while OUI	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%			50%
3	Nonsupport	4	4	2	0	0	10	0	2	1	0	0	3	0%	50%	50%			30%
3	Interfere Police or Firefighter	4	2	3	3	0	12	2	0	1	3	0	6	50%	0%	33%	100%		50%
3	Failure to Appear Felony	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
3	Carrying Dangerous Weapon	85	68	49	32	0	234	18	24	25	18	0	85	21%	35%	51%	56%		36%
3	Contempt Of Court	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Cruelty To Animals	11	5	3	1	0	20	4	4	1	1	0	10	36%	80%	33%	100%		50%
3	Sex Offender Fail Register	19	42	100	171	2	334	5	18	34	100	0	157	26%	43%	34%	58%	0%	47%
3	Vandalize - Graves	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
3	Sub-Total	4830	3734	2920	3053	17	14554	1377	1570	1577	1952	11	6487	29%	42%	54%	64%	65%	45%

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	53	42	44	39	0	178	14	16	27	23	0	80	26%	38%	61%	59%		45%
2	Accost / Annoy Person Opposite Sex	10	7	3	6	0	26	1	2	1	5	0	9	10%	29%	33%	83%		35%
2	Larceny	38	33	27	14	0	112	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny Less	236	164	108	109	1	618	56	51	42	50	1	200	24%	31%	39%	46%	100%	32%
2	Larceny Less +60	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
2	Shoplifting	586	537	383	458	2	1966	25	78	90	165	1	359	4%	15%	23%	36%	50%	18%
2	Credit Card Misuse	25	22	15	25	0	87	3	11	7	18	0	39	12%	50%	47%	72%		45%
2	MV - False Report Of Theft	4	2	2	3	0	11	0	0	1	0	0	1	0%	0%	50%	0%		9%
2	Defrauding Innkeeper	0	0	2	2	0	4	0	0	1	0	0	1			50%	0%		25%
2	Failure To Return Leased Prop	12	13	2	2	0	29	0	2	0	1	0	3	0%	15%	0%	50%		10%
2	B&E MV	6	9	6	5	0	26	2	4	1	2	0	9	33%	44%	17%	40%		35%
2	B&E w/i Misdemeanor	44	26	14	15	0	99	13	10	6	6	0	35	30%	38%	43%	40%		35%
2	Property Destruction	186	112	103	99	0	500	33	25	40	51	0	149	18%	22%	39%	52%		30%
2	Injure Building Riot	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Tagging Property	26	5	1	3	0	35	3	1	0	1	0	5	12%	20%	0%	33%		14%
2	Receiving Stolen Goods	152	154	97	128	0	531	29	64	55	82	0	230	19%	42%	57%	64%		43%
2	Counterfeit	3	0	1	1	0	5	0	0	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	Gaming Use of Telephone	10	1	1	0	0	12	0	0	0	0	0	0	0%	0%	0%			0%
2	Fraud - Electric, Phone or Cable	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Property Violation	8	5	6	1	0	20	3	2	4	1	0	10	38%	40%	67%	100%		50%
2	Possession Class A	155	138	106	110	0	509	48	48	44	52	0	192	31%	35%	42%	47%		38%
2	Possession Class A Heroin	105	70	60	40	0	275	33	30	36	31	0	130	31%	43%	60%	78%		47%
2	Possession Class B	499	354	280	274	2	1409	137	128	107	127	2	501	27%	36%	38%	46%	100%	36%
2	Possession Class C	30	25	20	17	0	92	12	8	10	10	0	40	40%	32%	50%	59%		43%
2	Possession Class D	514	239	130	68	1	952	87	75	53	27	1	243	17%	31%	41%	40%	100%	26%
2	Possession Class D Marijuana 2nd	7	11	7	4	0	29	2	5	2	1	0	10	29%	45%	29%	25%		34%
2	Distribute Counterfeit Substance	1	6	6	13	0	26	0	4	3	7	0	14	0%	67%	50%	54%		54%
2	Distribute Class D	384	139	67	38	0	628	102	63	30	24	0	219	27%	45%	45%	63%		35%
2	Distribute Class E	4	5	3	3	0	15	2	1	1	2	0	6	50%	20%	33%	67%		40%
2	Possession Hypodermic/Syringe	5	0	1	0	0	6	0	0	1	0	0	1	0%		100%			17%
2	Presence Class A	15	18	9	5	0	47	3	5	4	2	0	14	20%	28%	44%	40%		30%
2	Forge Prescription	36	29	11	21	0	97	11	6	4	9	0	30	31%	21%	36%	43%		31%
2	Distribute Paraphenalia	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Operate to Endanger	1021	269	147	102	0	1539	101	71	55	52	0	279	10%	26%	37%	51%		18%
2	Use Without Authority	53	33	29	46	0	161	17	11	18	27	0	73	32%	33%	62%	59%		45%
2	Use w/o Authority 2nd	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Ignition Interlock Violation	3	1	0	1	0	5	3	1	0	1	0	5	100%	100%		100%		100%
2	Habitual Traffic Offender	30	49	31	20	0	130	8	19	14	8	0	49	27%	39%	45%	40%		38%
2	Racing	4	0	2	0	0	6	0	0	1	0	0	1	0%		50%			17%
2	Operate After Suspension 2nd	178	336	274	247	1	1036	65	173	169	174	1	582	37%	51%	62%	70%	100%	56%
2	Compulsory Insurance Violation	318	174	92	82	1	667	44	47	30	34	1	156	14%	27%	33%	41%	100%	23%
2	Altering MV ID Number	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Counterfeit/Alter MV Document	23	22	12	10	0	67	8	4	6	6	0	24	35%	18%	50%	60%		36%
2	False Statement On Application	6	5	2	2	0	15	1	3	0	1	0	5	17%	60%	0%	50%		33%
2	Prostitution	129	175	96	56	0	456	44	74	43	25	0	186	34%	42%	45%	45%		41%
2	Common Night Walker 3rd	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
2	Induce Female To Prostitution	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Keeping A House Of Ill Fame	2	2	0	0	0	4	0	1	0	0	0	1	0%	50%				25%

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	Open And Gross	41	19	14	22	0	96	14	10	6	19	0	49	34%	53%	43%	86%		51%
2	Obscene Material to Minor	2	4	0	0	0	6	1	2	0	0	0	3	50%	50%				50%
2	Failure To Disperse	2	0	1	0	0	3	1	0	0	0	0	1	50%		0%			33%
2	Firearm Possess w/o Permit	199	62	26	10	0	297	100	44	15	6	0	165	50%	71%	58%	60%		56%
2	Possess Mace	6	0	1	1	0	8	2	0	0	0	0	2	33%		0%	0%		25%
2	Possess Ammunition	7	3	2	0	0	12	5	1	1	0	0	7	71%	33%	50%			58%
2	Firearm Carry, School	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
2	Firearm Store Improper	15	4	0	0	0	19	3	1	0	0	0	4	20%	25%				21%
2	Escape Work Release Program	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Escape Lockup	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Aiding An Escape	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Impersonate/Disguise	5	1	4	3	0	13	1	1	2	2	0	6	20%	100%	50%	67%		46%
2	Failure to Appear	10	3	12	4	0	29	4	1	8	1	0	14	40%	33%	67%	25%		48%
2	Possess Stun Gun	12	2	3	1	0	18	1	0	2	0	0	3	8%	0%	67%	0%		17%
2	Possess Dangerous Weapon	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	False Alarm	6	2	1	0	0	9	4	2	0	0	0	6	67%	100%	0%			67%
2	Fireworks	6	1	2	0	0	9	0	0	0	0	0	0	0%	0%	0%			0%
2	Violation Of Explosives	4	0	0	1	0	5	1	0	0	1	0	2	25%			100%		40%
2	Disrupt Court Proceedings	0	3	2	1	0	6	0	0	1	1	0	2		0%	50%	100%		33%
2	Contributing To Delinquency	9	3	1	2	0	15	1	0	1	1	0	3	11%	0%	100%	50%		20%
2	Mistreat Police Animal	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Work Compensation Fail Have	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
2	Resisting Arrest	319	277	215	182	0	993	77	107	91	95	0	370	24%	39%	42%	52%		37%
2	Curfew	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	False Report Of Crime	17	9	7	6	0	39	4	2	0	4	0	10	24%	22%	0%	67%		26%
2	Hazardous Materials	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
2	Disconnect Sprinkler System	0	3	0	1	0	4	0	2	0	1	0	3		67%		100%		75%
2	Clean Water Act Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Record w/o Manufacturer	3	2	1	2	0	8	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	True Name Law	28	21	20	13	0	82	15	16	17	12	0	60	54%	76%	85%	92%		73%
2	Home Imp Contractor Violation	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
2	Wetlands Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Sub-Total	5630	3656	2517	2320	8	14131	1146	1233	1053	1170	7	4609	20%	34%	42%	50%	88%	33%

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	1	0	2	0	0	3	1	0	2	0	0	3	100%		100%			100%
1	Threatening	104	101	63	80	0	348	36	48	33	41	0	158	35%	48%	52%	51%		45%
1	Defrauding Victualer	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
1	Vandalism	51	38	24	20	0	133	11	15	9	12	0	47	22%	39%	38%	60%		35%
1	Trespassing	231	221	175	241	0	868	36	65	62	108	0	271	16%	29%	35%	45%		31%
1	Gaming	1	0	0	1	0	2	0	0	0	0	0	0	0%				0%	0%
1	Unauthorized Access of Computer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Possession Class D Marijuana	168	61	32	17	0	278	19	23	13	4	0	59	11%	38%	41%	24%		21%
1	Possession Class E	33	21	20	22	0	96	11	7	6	13	0	37	33%	33%	30%	59%		39%
1	Inhaling Toxic Vapors	2	2	0	0	0	4	1	0	0	0	0	1	50%	0%				25%
1	Attaching Wrong MV Plates	57	20	17	12	0	106	2	3	4	2	0	11	4%	15%	24%	17%		10%
1	Operate After Suspension	1641	1252	782	515	1	4191	168	195	134	110	0	607	10%	16%	17%	21%	0%	14%
1	Obstruct Emergency Veh	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
1	Violation Aircraft Restriction	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	MV - Impersonate/Other License	2	0	1	0	0	3	1	0	1	0	0	2	50%		100%			67%
1	RV On Public Way	8	5	1	0	0	14	0	0	0	0	0	0	0%	0%	0%			0%
1	Common Night Walker	10	24	9	10	0	53	2	10	3	5	0	20	20%	42%	33%	50%		38%
1	Indecent Exposure	30	6	10	19	0	65	7	2	3	10	0	22	23%	33%	30%	53%		34%
1	Lewd And Lacivious	11	5	8	3	0	27	0	2	1	3	0	6	0%	40%	13%	100%		22%
1	Disorderly Conduct	739	527	379	295	0	1940	96	107	78	104	0	385	13%	20%	21%	35%		20%
1	Smoking on MBTA	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Possess Air Rifle w/o FID Card	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
1	Firearm Discharge	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
1	Accessory Before & After	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
1	Annoying Phone Calls	17	10	8	5	1	41	3	3	2	2	0	10	18%	30%	25%	40%	0%	24%
1	Failure To Obey Police Officer	8	1	0	1	0	10	0	0	0	0	0	0	0%	0%		0%		0%
1	Obstructing Justice	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
1	License Law Violation (Not MV)	4	2	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
1	Alcohol, Procure for Minor	32	16	11	3	0	62	5	4	2	2	0	13	16%	25%	18%	67%		21%
1	Alcohol, Transporting	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Throwing Glass On Public Way	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Cigarette/Match Thrown Fr Veh	6	0	0	0	0	6	0	0	0	0	0	0	0%					0%
1	Business Practice	2	2	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
1	Employment Practices	9	5	1	0	0	15	1	1	0	0	0	2	11%	20%	0%			13%
1	Health Code Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Remove Token from Grave	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Improper Disposal of Body	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	Sub-Total	3183	2324	1544	1247	2	8300	401	485	354	418	0	1658	13%	21%	23%	34%	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	4	1	0	0	7	0	3	0	0	0	3	0%	75%	0%			43%
0	Attempt B&E	2	2	0	3	0	7	0	0	0	2	0	2	0%	0%		67%		29%
0	Conspiracy Violate CSA	45	7	6	15	0	73	14	5	3	9	0	31	31%	71%	50%	60%		42%
0	Conspiracy	15	6	5	6	0	32	6	1	3	4	0	14	40%	17%	60%	67%		44%
0	Attempt To Commit Crime	42	34	24	40	1	141	21	18	11	27	0	77	50%	53%	46%	68%	0%	55%
0	Accessory Before	5	0	2	0	0	7	3	0	2	0	0	5	60%		100%			71%
0	Accessory After	16	2	5	2	0	25	5	1	3	2	0	11	31%	50%	60%	100%		44%
0	Sub-Total	127	55	43	66	1	292	49	28	22	44	0	143	39%	51%	51%	67%	0%	49%

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

Table 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						
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	2	2	0	0	0	4	2	2	0	0	0	4	100%	100%				100%
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	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	Assault To Kill or Maim	0	0	0	0	0	0	0	0	0	0	0	0						
6	Rape Of Child	0	0	0	0	0	0	0	0	0	0	0	0						
6	Assault w/i Rape	0	0	0	0	0	0	0	0	0	0	0	0						
6	Indecent A&B On Child 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
6	Indecent A&B Mentally Retarded	0	0	0	0	0	0	0	0	0	0	0	0						
6	Child Pornography	0	0	0	0	0	0	0	0	0	0	0	0						
6	Child Pornography Possess 3rd	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	4	0	0	0	0	4	3	0	0	0	0	3	75%					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	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	Possess Explosive Device	0	0	0	0	0	0	0	0	0	0	0	0						
6	Sub-Total	8	2	0	0	0	10	7	2	0	0	0	9	88%	100%				90%

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
5	A&B Child w/Injury	10	5	4	2	0	21	5	2	3	1	0	11	50%	40%	75%	50%		52%
5	A&B Aggravated	21	14	8	7	0	50	4	10	6	5	0	25	19%	71%	75%	71%		50%
5	A&B DW, Aggravated	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
5	Indecent A&B On Child	52	8	9	4	0	73	23	5	5	3	0	36	44%	63%	56%	75%		49%
5	Entice Child	1	2	1	0	0	4	0	1	1	0	0	2	0%	50%	100%			50%
5	Unnatural Acts Child	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
5	Robbery Unarmed	0	0	0	0	0	0	0	0	0	0	0	0						
5	Intimidation	141	178	161	146	2	628	54	84	93	105	2	338	38%	47%	58%	72%	100%	54%
5	Stalking Violation of Rest. Order	0	1	1	4	0	6	0	1	1	4	0	6		100%	100%	100%		100%
5	Stalking 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
5	Common & Notorious Thief	0	0	0	0	0	0	0	0	0	0	0	0						
5	Burglary	0	0	0	0	0	0	0	0	0	0	0	0						
5	Counterfeit Equipment	0	0	0	0	0	0	0	0	0	0	0	0						
5	Gaming Enterprise	0	0	0	0	0	0	0	0	0	0	0	0						
5	Distribute Class B 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
5	Traffic Cocaine 014-028	0	0	0	0	0	0	0	0	0	0	0	0						
5	Traffic Mar 100-2000	0	0	0	0	0	0	0	0	0	0	0	0						
5	Inducing Minor To Prostitution	0	0	0	0	0	0	0	0	0	0	0	0						
5	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	Possess Molotov Cocktail	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	225	209	185	164	2	785	86	104	110	119	2	421	38%	50%	59%	73%	100%	54%

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	24	15	17	17	0	73	5	3	10	11	0	29	21%	20%	59%	65%		40%
4	Assault Aggravated	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
4	A&B w/i Intimidate	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Guard	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Dangerous Weapon	26	41	53	39	0	159	26	41	53	39	0	159	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	A&B To Collect Loan	0	1	0	2	0	3	0	0	0	1	0	1		0%		50%		33%
4	Indecent A&B	39	23	14	15	1	92	19	16	10	14	1	60	49%	70%	71%	93%	100%	65%
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	Stalking	10	6	5	3	0	24	4	4	4	2	0	14	40%	67%	80%	67%		58%
4	Harassment	24	13	8	4	0	49	10	5	3	3	0	21	42%	38%	38%	75%		43%
4	Larceny More	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny More + 60	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny Person	148	122	67	92	1	430	67	82	46	64	1	260	45%	67%	69%	70%	100%	60%
4	Larceny Person + 65	1	3	3	1	0	8	1	1	3	0	0	5	100%	33%	100%	0%		63%
4	Larceny MV 2nd	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
4	Fraud - Identity	62	46	45	46	0	199	13	16	24	29	0	82	21%	35%	53%	63%		41%
4	B&E	0	0	0	0	0	0	0	0	0	0	0	0						
4	Enter Dwelling w/i Felony	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
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	0	0	4	0	4	0	0	0	4	0	4				100%		100%
4	Burning Building	0	0	0	0	0	0	0	0	0	0	0	0						
4	Burning to Defraud	1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%
4	Distribute Class A	213	132	94	89	0	528	95	81	65	67	0	308	45%	61%	69%	75%		58%
4	Distribute Class B	587	385	253	147	1	1373	236	215	164	102	1	718	40%	56%	65%	69%	100%	52%
4	Distribute Cocaine	0	0	0	0	0	0	0	0	0	0	0	0						
4	Traffic Mar 50-100	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny Cont Sub	2	2	0	0	0	4	1	1	0	0	0	2	50%	50%				50%
4	Giving Prisoner Cont Sub	3	2	0	1	0	6	0	0	0	1	0	1	0%	0%		100%		17%
4	Control Substance School	37	48	31	34	0	150	37	48	31	34	0	150	100%	100%	100%	100%		100%
4	MV Homicide - Reckless	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
4	MV Homicide - OUI	4	1	0	0	0	5	3	1	0	0	0	4	75%	100%				80%
4	Leaving Scene Death	0	0	0	0	0	0	0	0	0	0	0	0						
4	OUI Serious Inj, Fel	4	3	1	1	0	9	4	3	1	1	0	9	100%	100%	100%	100%		100%
4	Derive Support From Prostitute	0	0	0	0	0	0	0	0	0	0	0	0						
4	Assault Weapon, Possess	0	0	0	0	0	0	0	0	0	0	0	0						
4	Gun Serial Number, Felony	0	0	0	0	0	0	0	0	0	0	0	0						
4	Firearm Sale Violation	0	0	0	0	0	0	0	0	0	0	0	0						
4	Escape	4	14	13	16	0	47	1	11	12	14	0	38	25%	79%	92%	88%		81%
4	Extortion	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
4	Bomb Hoax	0	0	0	0	0	0	0	0	0	0	0	0						
4	Hoax Device	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	DNA Tamper	0	0	0	0	0	0	0	0	0	0	0	0						
4	Tax Law Violation	0	0	0	0	0	0	0	0	0	0	0	0						
4	Sub-Total	1194	858	606	517	3	3178	525	528	428	392	3	1876	44%	62%	71%	76%	100%	59%

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	1481	1105	832	752	4	4174	384	452	444	479	4	1763	26%	41%	53%	64%	100%	42%
3	A&B Domestic	34	15	14	11	0	74	8	9	8	6	0	31	24%	60%	57%	55%		42%
3	A&B w/I Intimidate	2	1	2	0	0	5	1	0	1	0	0	2	50%	0%	50%			40%
3	Reckless Endangerment	23	8	6	1	0	38	7	3	4	1	0	15	30%	38%	67%	100%		39%
3	Permit Injury to Child	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	A&B Ambulance	1	4	2	2	0	9	1	2	1	1	0	5	100%	50%	50%	50%		56%
3	A&B Dangerous Weapon	284	220	127	112	0	743	85	102	58	62	0	307	30%	46%	46%	55%		41%
3	A&B Dangerous Weapon + 60	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Assault Dangerous Weapon	195	151	122	116	1	585	87	59	80	66	0	292	45%	39%	66%	57%	0%	50%
3	Unnatural Acts	1	2	1	0	0	4	0	1	0	0	0	1	0%	50%	0%			25%
3	Child Pornography Possess	17	1	0	0	0	18	2	0	0	0	0	2	12%	0%				11%
3	Kidnapping	2	1	2	1	0	6	1	1	2	1	0	5	50%	100%	100%	100%		83%
3	Violation Of Civil Rights	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
3	Restraining Order Violation	225	288	272	257	1	1043	68	118	138	166	1	491	30%	41%	51%	65%	100%	47%
3	Larceny	12	20	14	14	0	60	12	20	14	14	0	60	100%	100%	100%	100%		100%
3	Larceny More	614	543	460	513	3	2133	142	182	228	299	2	853	23%	34%	50%	58%	67%	40%
3	Larceny More + 60	5	1	2	1	0	9	3	1	1	0	0	5	60%	100%	50%	0%		56%
3	Larceny Building	36	42	25	64	0	167	7	17	10	46	0	80	19%	40%	40%	72%		48%
3	Larceny Firearm	3	1	2	0	0	6	2	1	2	0	0	5	67%	100%	100%			83%
3	Larceny MV	40	33	26	31	1	131	18	24	17	27	1	87	45%	73%	65%	87%	100%	66%
3	Embezzlement	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Credit Card Misuse - More	7	5	6	8	0	26	3	2	6	6	0	17	43%	40%	100%	75%		65%
3	Defrauding Insurer	18	8	4	5	0	35	0	0	2	2	0	4	0%	0%	50%	40%		11%
3	Fraud	27	16	15	18	0	76	6	6	8	10	0	30	22%	38%	53%	56%		39%
3	MV - Sales Violation	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
3	Possess Burglariious Tools	38	41	30	66	0	175	10	20	19	46	0	95	26%	49%	63%	70%		54%
3	B&E	482	422	321	395	2	1622	208	226	216	292	1	943	43%	54%	67%	74%	50%	58%
3	Mal Dest Property More	55	35	33	24	0	147	15	16	17	19	0	67	27%	46%	52%	79%		46%
3	Receiving Stolen Goods Over	37	54	31	49	1	172	13	27	21	37	1	99	35%	50%	68%	76%	100%	58%
3	Receiving Stolen Goods MV	77	62	55	78	0	272	24	40	33	57	0	154	31%	65%	60%	73%		57%
3	Receiving Stolen Goods 2nd	0	1	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Forgery And Uttering	110	131	90	99	1	431	34	42	37	52	1	166	31%	32%	41%	53%	100%	39%
3	Counterfeit	6	2	6	2	0	16	0	1	2	0	0	3	0%	50%	33%	0%		19%
3	Burning Property	5	4	1	0	0	10	2	3	1	0	0	6	40%	75%	100%			60%
3	Burning Motor Vehicle	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
3	Illegal Lottery	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
3	Gaming Register Bets	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
3	Possession Class A 2nd	5	9	10	8	0	32	1	2	5	2	0	10	20%	22%	50%	25%		31%
3	Possession Class A Heroin 2nd	3	8	8	7	0	26	1	5	3	3	0	12	33%	63%	38%	43%		46%
3	Possession Class B 2nd	10	23	19	29	0	81	3	10	14	20	0	47	30%	43%	74%	69%		58%
3	Possession Class C 2nd	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
3	Possession Class D 2nd	16	8	13	8	0	45	2	2	5	5	0	14	13%	25%	38%	63%		31%
3	Distribute Class C	10	11	9	10	0	40	2	6	4	5	0	17	20%	55%	44%	50%		43%
3	Distribute Class D 2nd	7	5	3	3	0	18	3	3	1	2	0	9	43%	60%	33%	67%		50%
3	Distribute Class E 2nd	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
3	MV Homicide	23	2	2	0	0	27	3	1	2	0	0	6	13%	50%	100%			22%
3	Leaving Scene Property Damage	345	199	99	69	1	713	51	50	42	32	0	175	15%	25%	42%	46%	0%	25%
3	Leaving Scene Personal Injury	118	20	19	13	0	170	17	5	9	7	0	38	14%	25%	47%	54%		22%
3	Possess Master Key MV	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
3	OUI Serious Inj, Misd	15	1	1	1	0	18	5	1	1	0	0	7	33%	100%	100%	0%		39%
3	OUI - Child Endangerment	28	8	0	0	0	36	4	4	0	0	0	8	14%	50%				22%
3	Inducing Minor To Sex	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
3	Gun Serial Number	9	2	1	0	0	12	6	2	1	0	0	9	67%	100%	100%			75%
3	Firearm Loaded while OUI	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%			50%
3	Nonsupport	4	4	2	0	0	10	0	2	1	0	0	3	0%	50%	50%			30%
3	Interfere Police or Firefighter	4	2	3	3	0	12	2	0	1	3	0	6	50%	0%	33%	100%		50%
3	Failure to Appear Felony	0	0	0	0	0	0	0	0	0	0	0	0						
3	Carrying Dangerous Weapon	85	68	48	32	0	233	18	24	24	18	0	84	21%	35%	50%	56%		36%
3	Contempt Of Court	0	0	0	0	0	0	0	0	0	0	0	0						
3	Cruelty To Animals	9	5	3	1	0	18	3	4	1	1	0	9	33%	80%	33%	100%		50%
3	Sex Offender Fail Register	19	41	97	163	2	322	5	17	32	92	0	146	26%	41%	33%	56%	0%	45%
3	Vandalize - Graves	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
3	Sub-Total	4566	3637	2840	2968	17	14028	1276	1516	1518	1881	11	6202	28%	42%	53%	63%	65%	44%

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	53	42	42	39	0	176	14	16	25	23	0	78	26%	38%	60%	59%		44%
2	Accost / Annoy Person Opposite Sex	10	7	2	6	0	25	1	2	0	5	0	8	10%	29%	0%	83%		32%
2	Larceny	38	33	27	14	0	112	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny Less	229	163	108	109	1	610	55	51	42	50	1	199	24%	31%	39%	46%	100%	33%
2	Larceny Less +60	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
2	Shoplifting	586	537	383	458	2	1966	25	78	90	165	1	359	4%	15%	23%	36%	50%	18%
2	Credit Card Misuse	25	22	15	25	0	87	3	11	7	18	0	39	12%	50%	47%	72%		45%
2	MV - False Report Of Theft	4	2	2	3	0	11	0	0	1	0	0	1	0%	0%	50%	0%		9%
2	Defrauding Innkeeper	0	0	2	2	0	4	0	0	1	0	0	1			50%	0%		25%
2	Failure To Return Leased Prop	12	13	2	2	0	29	0	2	0	1	0	3	0%	15%	0%	50%		10%
2	B&E MV	6	9	6	5	0	26	2	4	1	2	0	9	33%	44%	17%	40%		35%
2	B&E w/i Misdemeanor	43	26	14	14	0	97	13	10	6	6	0	35	30%	38%	43%	43%		36%
2	Property Destruction	186	112	103	99	0	500	33	25	40	51	0	149	18%	22%	39%	52%		30%
2	Injure Building Riot	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Tagging Property	26	5	1	3	0	35	3	1	0	1	0	5	12%	20%	0%	33%		14%
2	Receiving Stolen Goods	152	153	94	127	0	526	29	64	54	82	0	229	19%	42%	57%	65%		44%
2	Counterfeit	1	0	1	1	0	3	0	0	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	Gaming Use of Telephone	0	0	0	0	0	0	0	0	0	0	0	0						
2	Fraud - Electric, Phone or Cable	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Property Violation	8	5	6	1	0	20	3	2	4	1	0	10	38%	40%	67%	100%		50%
2	Possession Class A	155	136	106	110	0	507	48	48	44	52	0	192	31%	35%	42%	47%		38%
2	Possession Class A Heroin	100	67	56	38	0	261	33	28	34	29	0	124	33%	42%	61%	76%		48%
2	Possession Class B	469	340	274	268	2	1353	131	120	104	125	2	482	28%	35%	38%	47%	100%	36%
2	Possession Class C	29	25	20	17	0	91	11	8	10	10	0	39	38%	32%	50%	59%		43%
2	Possession Class D	512	235	129	68	1	945	86	73	53	27	1	240	17%	31%	41%	40%	100%	25%
2	Possession Class D Marijuana 2nd	7	11	7	4	0	29	2	5	2	1	0	10	29%	45%	29%	25%		34%
2	Distribute Counterfeit Substance	1	6	6	13	0	26	0	4	3	7	0	14	0%	67%	50%	54%		54%
2	Distribute Class D	364	138	67	38	0	607	96	62	30	24	0	212	26%	45%	45%	63%		35%
2	Distribute Class E	4	5	3	3	0	15	2	1	1	2	0	6	50%	20%	33%	67%		40%
2	Possession Hypodermic/Syringe	5	0	1	0	0	6	0	0	1	0	0	1	0%		100%			17%
2	Presence Class A	15	18	9	5	0	47	3	5	4	2	0	14	20%	28%	44%	40%		30%
2	Forge Prescription	34	29	11	20	0	94	11	6	4	8	0	29	32%	21%	36%	40%		31%
2	Distribute Paraphenalia	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	Operate to Endanger	1020	267	146	99	0	1532	100	70	55	51	0	276	10%	26%	38%	52%		18%
2	Use Without Authority	51	32	29	46	0	158	17	11	18	27	0	73	33%	34%	62%	59%		46%
2	Use w/o Authority 2nd	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Ignition Interlock Violation	3	1	0	1	0	5	3	1	0	1	0	5	100%	100%		100%		100%
2	Habitual Traffic Offender	30	49	29	20	0	128	8	19	13	8	0	48	27%	39%	45%	40%		38%
2	Racing	4	0	2	0	0	6	0	0	1	0	0	1	0%		50%			17%
2	Operate After Suspension 2nd	178	336	274	247	1	1036	65	173	169	174	1	582	37%	51%	62%	70%	100%	56%
2	Compulsory Insurance Violation	318	174	92	82	1	667	44	47	30	34	1	156	14%	27%	33%	41%	100%	23%
2	Altering MV ID Number	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Counterfeit/Alter MV Document	23	22	12	9	0	66	8	4	6	5	0	23	35%	18%	50%	56%		35%
2	False Statement On Application	5	5	2	2	0	14	1	3	0	1	0	5	20%	60%	0%	50%		36%
2	Prostitution	129	175	96	56	0	456	44	74	43	25	0	186	34%	42%	45%	45%		41%
2	Common Night Walker 3rd	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
2	Induce Female To Prostitution	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Keeping A House Of Ill Fame	0	2	0	0	0	2	0	1	0	0	0	1		50%				50%

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	Open And Gross	39	18	12	20	0	89	13	9	4	17	0	43	33%	50%	33%	85%		48%
2	Obscene Material to Minor	2	3	0	0	0	5	1	1	0	0	0	2	50%	33%				40%
2	Failure To Disperse	2	0	1	0	0	3	1	0	0	0	0	1	50%		0%			33%
2	Firearm Possess w/o Permit	171	46	22	7	0	246	83	34	12	4	0	133	49%	74%	55%	57%		54%
2	Possess Mace	6	0	1	1	0	8	2	0	0	0	0	2	33%		0%	0%		25%
2	Possess Ammunition	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
2	Firearm Carry, School	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
2	Firearm Store Improper	14	4	0	0	0	18	2	1	0	0	0	3	14%	25%				17%
2	Escape Work Release Program	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Escape Lockup	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Aiding An Escape	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Impersonate/Disguise	5	1	3	3	0	12	1	1	1	2	0	5	20%	100%	33%	67%		42%
2	Failure to Appear	10	1	9	3	0	23	4	0	6	0	0	10	40%	0%	67%	0%		43%
2	Possess Stun Gun	12	2	3	1	0	18	1	0	2	0	0	3	8%	0%	67%	0%		17%
2	Possess Dangerous Weapon	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	False Alarm	6	2	1	0	0	9	4	2	0	0	0	6	67%	100%	0%			67%
2	Fireworks	6	1	2	0	0	9	0	0	0	0	0	0	0%	0%	0%			0%
2	Violation Of Explosives	4	0	0	1	0	5	1	0	0	1	0	2	25%			100%		40%
2	Disrupt Court Proceedings	0	3	1	1	0	5	0	0	0	1	0	1		0%	0%	100%		20%
2	Contributing To Delinquency	9	3	1	2	0	15	1	0	1	1	0	3	11%	0%	100%	50%		20%
2	Mistreat Police Animal	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Work Compensation Fail Have	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
2	Resisting Arrest	316	277	212	181	0	986	75	107	88	95	0	365	24%	39%	42%	52%		37%
2	Curfew	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	False Report Of Crime	15	9	7	6	0	37	3	2	0	4	0	9	20%	22%	0%	67%		24%
2	Hazardous Materials	0	0	0	0	0	0	0	0	0	0	0	0						
2	Disconnect Sprinkler System	0	3	0	1	0	4	0	2	0	1	0	3		67%		100%		75%
2	Clean Water Act Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Record w/o Manufacturer	3	2	1	2	0	8	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	True Name Law	26	21	19	13	0	79	14	16	17	12	0	59	54%	76%	89%	92%		75%
2	Home Imp Contractor Violation	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
2	Wetlands Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Sub-Total	5497	3602	2480	2298	8	13885	1103	1205	1031	1158	7	4504	20%	33%	42%	50%	88%	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	1	0	2	0	0	3	1	0	2	0	0	3	100%		100%			100%
1	Threatening	102	101	62	80	0	345	35	48	32	41	0	156	34%	48%	52%	51%		45%
1	Defrauding Victualer	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
1	Vandalism	51	38	24	20	0	133	11	15	9	12	0	47	22%	39%	38%	60%		35%
1	Trespassing	231	221	175	241	0	868	36	65	62	108	0	271	16%	29%	35%	45%		31%
1	Gaming	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
1	Unauthorized Access of Computer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Possession Class D Marijuana	163	58	31	17	0	269	18	23	12	4	0	57	11%	40%	39%	24%		21%
1	Possession Class E	33	21	20	22	0	96	11	7	6	13	0	37	33%	33%	30%	59%		39%
1	Inhaling Toxic Vapors	2	2	0	0	0	4	1	0	0	0	0	1	50%	0%				25%
1	Attaching Wrong MV Plates	57	20	17	12	0	106	2	3	4	2	0	11	4%	15%	24%	17%		10%
1	Operate After Suspension	1640	1252	782	515	1	4190	168	195	134	110	0	607	10%	16%	17%	21%	0%	14%
1	Obstruct Emergency Veh	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
1	Violation Aircraft Restriction	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	MV - Impersonate/Other License	2	0	1	0	0	3	1	0	1	0	0	2	50%		100%			67%
1	RV On Public Way	8	5	1	0	0	14	0	0	0	0	0	0	0%	0%	0%			0%
1	Common Night Walker	10	24	9	10	0	53	2	10	3	5	0	20	20%	42%	33%	50%		38%
1	Indecent Exposure	30	6	10	19	0	65	7	2	3	10	0	22	23%	33%	30%	53%		34%
1	Lewd And Lacivious	11	4	8	3	0	26	0	2	1	3	0	6	0%	50%	13%	100%		23%
1	Disorderly Conduct	739	526	379	295	0	1939	96	106	78	104	0	384	13%	20%	21%	35%		20%
1	Smoking on MBTA	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Possess Air Rifle w/o FID Card	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
1	Firearm Discharge	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
1	Accessory Before & After	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
1	Annoying Phone Calls	17	10	8	5	1	41	3	3	2	2	0	10	18%	30%	25%	40%	0%	24%
1	Failure To Obey Police Officer	8	1	0	1	0	10	0	0	0	0	0	0	0%	0%		0%		0%
1	Obstructing Justice	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
1	License Law Violation (Not MV)	4	2	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
1	Alcohol, Procure for Minor	32	16	11	3	0	62	5	4	2	2	0	13	16%	25%	18%	67%		21%
1	Alcohol, Transporting	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Throwing Glass On Public Way	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Cigarette/Match Thrown Fr Veh	6	0	0	0	0	6	0	0	0	0	0	0	0%					0%
1	Business Practice	1	2	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
1	Employment Practices	8	4	1	0	0	13	1	0	0	0	0	1	13%	0%	0%			8%
1	Health Code Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Remove Token from Grave	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Improper Disposal of Body	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
1	Sub-Total	3173	2318	1542	1247	2	8282	399	483	352	418	0	1652	13%	21%	23%	34%	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	2	4	1	0	0	7	0	3	0	0	0	3	0%	75%	0%			43%
0	Attempt B&E	2	2	0	3	0	7	0	0	0	2	0	2	0%	0%		67%		29%
0	Conspiracy Violate CSA	16	4	2	10	0	32	8	4	0	7	0	19	50%	100%	0%	70%		59%
0	Conspiracy	7	5	3	5	0	20	2	1	1	3	0	7	29%	20%	33%	60%		35%
0	Attempt To Commit Crime	38	33	23	35	1	130	19	17	10	23	0	69	50%	52%	43%	66%	0%	53%
0	Accessory Before	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
0	Accessory After	0	0	0	0	0	0	0	0	0	0	0	0						
0	Sub-Total	66	48	30	53	1	198	29	25	12	35	0	101	44%	52%	40%	66%	0%	51%

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	Total	A	B	C	D	E	Total	0	0	0	0	0	0
9	Murder	29	5	15	4	0	53	29	5	15	4	0	53	100%	100%	100%	100%	100%	100%
9	Sub-Total	29	5	15	4	0	53	29	5	15	4	0	53	100%	100%	100%	100%	100%	100%
8	Manslaughter	22	8	7	6	0	43	22	8	7	6	0	43	100%	100%	100%	100%	100%	100%
8	Assault In Dwelling	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
8	Armed Assault In Dwell House	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
8	Rape, Aggravated	6	3	1	6	1	17	6	3	1	6	1	17	100%	100%	100%	100%	100%	100%
8	Rape Of Child w/Force	22	6	6	2	0	36	20	5	6	2	0	33	91%	83%	100%	100%		92%
8	Armed Assault w/i Murder - Firearm	7	3	1	2	0	13	7	3	1	2	0	13	100%	100%	100%	100%		100%
8	Home Invasion	4	0	3	1	0	8	0	0	3	1	0	4	0%		100%	100%		50%
8	Burglary, Armed	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
8	Traffic Cocaine 200+	3	4	4	1	0	12	3	4	4	1	0	12	100%	100%	100%	100%		100%
8	Sub-Total	68	26	24	18	1	137	61	25	24	18	1	129	90%	96%	100%	100%	100%	94%
7	Murder, Attempted	5	1	1	2	0	9	4	0	1	2	0	7	80%	0%	100%	100%		78%
7	Mayhem	6	3	2	1	0	12	6	3	2	1	0	12	100%	100%	100%	100%		100%
7	A&B Child w/Injury Substantial	9	1	1	0	0	11	9	1	1	0	0	11	100%	100%	100%			100%
7	Hostage Taking by Prisoner	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
7	Rape	17	2	5	5	0	29	15	2	5	5	0	27	88%	100%	100%	100%		93%
7	Rape of Child 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
7	Assault w/i Rape Child	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
7	Incest	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
7	Armed Robbery Gun	21	13	16	23	1	74	15	13	16	23	1	68	71%	100%	100%	100%	100%	92%
7	Armed Assault w/i Murder	21	13	4	10	0	48	19	11	4	10	0	44	90%	85%	100%	100%		92%
7	Carjacking, Armed	2	1	1	0	0	4	2	1	1	0	0	4	100%	100%	100%			100%
7	Confine And Put In Fear	1	2	1	5	0	9	1	2	1	5	0	9	100%	100%	100%	100%		100%
7	Traffic Heroin 028-100	3	3	1	1	0	8	3	3	1	1	0	8	100%	100%	100%	100%		100%
7	Traffic Heroin 100-200	4	1	0	1	0	6	4	1	0	1	0	6	100%	100%		100%		100%
7	Traffic Cocaine 100-200	12	10	7	3	0	32	12	10	7	3	0	32	100%	100%	100%	100%		100%
7	Throw or Place Explosives	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
7	Sub-Total	104	53	40	53	1	251	92	50	40	53	1	236	88%	94%	100%	100%	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	Total	A	B	C	D	E	Total	0	0	0	0	0	0
6	Manslaughter	8	2	0	0	0	10	6	2	0	0	0	8	75%	100%				80%
6	A&B Elderly / Disabled Ser Injury	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
6	A&B Aggravated - Serious Injury	1	1	1	1	0	4	1	1	1	1	0	4	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon	25	21	15	25	0	86	25	21	15	25	0	86	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon + 60	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
6	A&B DW, Aggravated w/Injury	8	3	3	4	0	18	7	3	3	4	0	17	88%	100%	100%	100%		94%
6	Assault To Kill or Maim	3	2	3	2	0	10	3	2	2	2	0	9	100%	100%	67%	100%		90%
6	Rape Of Child	69	14	13	5	0	101	57	13	12	4	0	86	83%	93%	92%	80%		85%
6	Assault w/i Rape	3	0	4	1	0	8	3	0	4	1	0	8	100%		100%	100%		100%
6	Indecent A&B On Child 2nd	0	0	2	0	0	2	0	0	2	0	0	2		100%				100%
6	Indecent A&B Mentally Retarded	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	Child Pornography	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
6	Child Pornography Possess 3rd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
6	Robbery Unarmed + 60	2	7	3	2	1	15	2	6	3	2	1	14	100%	86%	100%	100%	100%	93%
6	Armed Robbery	60	47	52	58	2	219	32	41	48	56	2	179	53%	87%	92%	97%	100%	82%
6	Armed Assault w/i Rob	6	3	3	10	1	23	4	2	1	10	1	18	67%	67%	33%	100%	100%	78%
6	Armed Aslt w/i Rob Over 65	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
6	Carjacking	0	1	1	2	0	4	0	1	1	2	0	4		100%	100%	100%		100%
6	Kidnapping	7	2	2	0	0	11	7	2	2	0	0	11	100%	100%	100%			100%
6	Harassment, 2nd	0	0	2	0	0	2	0	0	2	0	0	2		100%				100%
6	Burning Dwelling House	5	4	2	2	0	13	4	3	2	2	0	11	80%	75%	100%	100%		85%
6	Distribute Class A 2nd	0	2	7	8	0	17	0	2	7	8	0	17		100%	100%	100%		100%
6	Distribute Cocaine 2nd	0	6	7	7	0	20	0	6	7	7	0	20		100%	100%	100%		100%
6	Traffic Heroin 014-028	10	1	4	2	0	17	10	1	4	2	0	17	100%	100%	100%	100%		100%
6	Traffic Cocaine 028-100	43	20	18	13	0	94	43	20	18	13	0	94	100%	100%	100%	100%		100%
6	MV Homicide - OUI Felony	7	1	1	0	0	9	7	1	1	0	0	9	100%	100%	100%			100%
6	Possess Explosive Device	2	1	1	0	0	4	1	1	1	0	0	3	50%	100%	100%			75%
6	Sub-Total	263	142	145	143	4	697	213	131	137	140	4	625	81%	92%	94%	98%	100%	90%

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	Total	A	B	C	D	E	Total	0	0	0	0	0	0
5	A&B Child w/Injury	3	0	1	0	0	4	2	0	1	0	0	3	67%		100%			75%
5	A&B Aggravated	4	1	3	1	0	9	3	1	3	1	0	8	75%	100%	100%	100%		89%
5	A&B DW, Aggravated	15	7	6	5	0	33	12	7	6	5	0	30	80%	100%	100%	100%		91%
5	Indecent A&B On Child	25	3	4	4	0	36	20	3	2	4	0	29	80%	100%	50%	100%		81%
5	Entice Child	4	0	0	0	0	4	3	0	0	0	0	3	75%					75%
5	Unnatural Acts Child	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	Robbery Unarmed	23	19	27	41	0	110	12	12	25	40	0	89	52%	63%	93%	98%		81%
5	Intimidation	16	6	8	13	0	43	8	5	7	11	0	31	50%	83%	88%	85%		72%
5	Stalking Violation of Rest. Order	1	0	2	1	0	4	1	0	2	1	0	4	100%		100%	100%		100%
5	Stalking 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	Common & Notorious Thief	0	0	1	6	0	7	0	0	1	6	0	7			100%	100%		100%
5	Burglary	6	3	3	13	0	25	5	3	3	11	0	22	83%	100%	100%	85%		88%
5	Counterfeit Equipment	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
5	Gaming Enterprise	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
5	Distribute Class B 2nd	1	9	11	11	0	32	1	9	11	11	0	32	100%	100%	100%	100%		100%
5	Traffic Cocaine 014-028	40	56	16	11	0	123	40	56	16	11	0	123	100%	100%	100%	100%		100%
5	Traffic Mar 100-2000	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
5	Inducing Minor To Prostitution	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
5	Guard Sex w/ Prisoner	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
5	Perjury or Suborn	6	4	1	1	0	12	3	3	0	1	0	7	50%	75%	0%	100%		58%
5	Possess Molotov Cocktail	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
5	Sex Offender Fail Register 2nd	0	1	2	8	0	11	0	0	1	1	0	2		0%	50%	13%		18%
5	Sub-Total	152	112	87	115	0	466	115	101	80	103	0	399	76%	90%	92%	90%		86%

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	Total	A	B	C	D	E	Total	0	0	0	0	0	0
4	A&B Elderly / Disabled w/Injury	1	2	2	2	0	7	1	1	1	2	0	5	100%	50%	50%	100%		71%
4	Assault Aggravated	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B w/i Intimidate	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	A&B Guard	2	5	9	22	0	38	2	4	8	21	0	35	100%	80%	89%	95%		92%
4	A&B Dangerous Weapon	41	18	15	9	0	83	41	18	15	9	0	83	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	A&B To Collect Loan	0	0	0	0	0	0	0	0	0	0	0	0						
4	Indecent A&B	13	8	3	4	0	28	7	6	3	4	0	20	54%	75%	100%	100%		71%
4	Child Pornography Possess 2nd	0	0	1	0	0	1	0	0	1	0	0	1				100%		100%
4	Assault w/i Rob	3	2	4	3	0	12	3	1	3	3	0	10	100%	50%	75%	100%		83%
4	Stalking	0	1	2	1	0	4	0	1	2	1	0	4			100%	100%	100%	100%
4	Harassment	3	0	1	0	0	4	1	0	1	0	0	2	33%			100%		50%
4	Larceny More	7	3	3	7	0	20	7	3	3	7	0	20	100%	100%	100%	100%		100%
4	Larceny More + 60	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
4	Larceny Person	13	9	3	5	0	30	7	6	3	5	0	21	54%	67%	100%	100%		70%
4	Larceny Person + 65	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny MV 2nd	0	0	0	4	0	4	0	0	0	4	0	4				100%		100%
4	Fraud - Identity	2	0	3	3	0	8	1	0	2	3	0	6	50%		67%	100%		75%
4	B&E	5	5	14	95	0	119	5	5	14	95	0	119	100%	100%	100%	100%		100%
4	Enter Dwelling w/i Felony	1	0	1	7	0	9	1	0	0	7	0	8	100%		0%	100%		89%
4	B&E DT Armed w/i Felony	0	2	0	2	0	4	0	2	0	2	0	4		100%		100%		100%
4	Receiving Stolen Goods Over	0	0	3	4	0	7	0	0	3	4	0	7			100%	100%		100%
4	Receiving Stolen Goods MV 2nd	0	0	0	4	0	4	0	0	0	4	0	4				100%		100%
4	Burning Building	2	1	1	1	0	5	1	0	1	1	0	3	50%	0%	100%	100%		60%
4	Burning to Defraud	0	0	0	0	0	0	0	0	0	0	0	0						
4	Distribute Class A	64	62	44	44	0	214	47	57	39	43	0	186	73%	92%	89%	98%		87%
4	Distribute Class B	160	79	49	41	1	330	74	49	39	28	1	191	46%	62%	80%	68%	100%	58%
4	Distribute Cocaine	83	83	57	35	0	258	83	83	57	35	0	258	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	5	2	0	1	0	8	5	2	0	1	0	8	100%	100%	100%	100%		100%
4	Larceny Cont Sub	0	1	0	0	0	1	0	0	0	0	0	0			0%			0%
4	Giving Prisoner Cont Sub	5	1	0	1	0	7	2	0	0	1	0	3	40%	0%		100%		43%
4	Control Substance School	26	15	8	8	0	57	26	15	8	8	0	57	100%	100%	100%	100%		100%
4	MV Homicide - Reckless	0	0	0	0	0	0	0	0	0	0	0	0						
4	MV Homicide - OUI	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Leaving Scene Death	3	0	1	1	0	5	3	0	1	1	0	5	100%		100%	100%		100%
4	OUI Serious Inj, Fel	6	1	2	1	0	10	6	1	2	1	0	10	100%	100%	100%	100%		100%
4	Derive Support From Prostitute	1	0	2	1	0	4	1	0	2	1	0	4	100%		100%	100%		100%
4	Assault Weapon, Possess	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Gun Serial Number, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Firearm Sale Violation	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Escape	0	0	3	1	0	4	0	0	2	1	0	3			67%	100%		75%
4	Extortion	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
4	Bomb Hoax	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Hoax Device	0	0	0	0	0	0	0	0	0	0	0	0						
4	DNA Tamper	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
4	Tax Law Violation	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
4	Sub-Total	454	301	232	312	1	1300	330	254	211	297	1	1093	73%	84%	91%	95%	100%	84%

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	Total	A	B	C	D	E	Total	0	0	0	0	0	0
3	A&B	47	21	22	17	0	107	20	14	19	15	0	68	43%	67%	86%	88%		64%
3	A&B Domestic	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B w/I Intimidate	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
3	Reckless Endangerment	4	1	0	0	0	5	1	1	0	0	0	2	25%	100%				40%
3	Permit Injury to Child	2	0	0	1	0	3	1	0	0	1	0	2	50%			100%		67%
3	A&B Ambulance	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B Dangerous Weapon	17	3	5	0	0	25	0	0	0	0	0	0	0%	0%	0%			0%
3	A&B Dangerous Weapon + 60	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Assault Dangerous Weapon	16	10	13	5	0	44	13	9	12	4	0	38	81%	90%	92%	80%		86%
3	Unnatural Acts	0	0	0	0	0	0	0	0	0	0	0	0						
3	Child Pornography Possess	18	4	1	0	0	23	13	4	1	0	0	18	72%	100%	100%			78%
3	Kidnapping	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
3	Violation Of Civil Rights	0	0	0	0	0	0	0	0	0	0	0	0						
3	Restraining Order Violation	1	0	2	3	0	6	1	0	2	3	0	6	100%		100%	100%		100%
3	Larceny	0	0	0	0	0	0	0	0	0	0	0	0						
3	Larceny More	54	23	7	7	0	91	13	5	2	4	0	24	24%	22%	29%	57%		26%
3	Larceny More + 60	4	2	1	0	0	7	1	2	1	0	0	4	25%	100%	100%			57%
3	Larceny Building	0	1	2	7	0	10	0	1	2	5	0	8		100%	100%	71%		80%
3	Larceny Firearm	0	0	0	0	0	0	0	0	0	0	0	0						
3	Larceny MV	1	1	3	4	0	9	1	1	3	4	0	9	100%	100%	100%	100%		100%
3	Embezzlement	4	0	0	0	0	4	4	0	0	0	0	4	100%					100%
3	Credit Card Misuse - More	2	0	1	3	0	6	1	0	1	3	0	5	50%		100%	100%		83%
3	Defrauding Insurer	15	3	2	2	0	22	3	2	1	1	0	7	20%	67%	50%	50%		32%
3	Fraud	5	3	1	0	0	9	0	0	0	0	0	0	0%	0%	0%			0%
3	MV - Sales Violation	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possess Burglariious Tools	1	0	1	2	0	4	0	0	1	2	0	3	0%		100%	100%		75%
3	B&E	21	7	5	9	0	42	12	4	3	4	0	23	57%	57%	60%	44%		55%
3	Mal Dest Property More	1	1	1	4	0	7	1	1	1	4	0	7	100%	100%	100%	100%		100%
3	Receiving Stolen Goods Over	3	5	3	3	0	14	0	1	2	3	0	6	0%	20%	67%	100%		43%
3	Receiving Stolen Goods MV	1	1	0	3	0	5	0	1	0	3	0	4	0%	100%		100%		80%
3	Receiving Stolen Goods 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Forgery And Uttering	4	3	1	4	0	12	1	3	1	4	0	9	25%	100%	100%	100%		75%
3	Counterfeit	3	0	1	0	0	4	0	0	1	0	0	1	0%		100%			25%
3	Burning Property	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
3	Burning Motor Vehicle	1	1	0	0	0	2	1	0	0	0	0	1	100%	0%				50%
3	Illegal Lottery	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Gaming Register Bets	7	1	0	0	0	8	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	Total	A	B	C	D	E	Total	0	0	0	0	0	0
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	0	0	0	0	0	0	0	0	0	0						
3	Possession Class B 2nd	0	1	0	1	0	2	0	0	0	1	0	1	0%		100%		50%	
3	Possession Class C 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Class D 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
3	Distribute Class C	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
3	Distribute Class D 2nd	1	1	0	1	0	3	1	1	0	1	0	3	100%	100%		100%		100%
3	Distribute Class E 2nd	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	MV Homicide	5	0	1	0	0	6	4	0	1	0	0	5	80%		100%			83%
3	Leaving Scene Property Damage	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
3	Leaving Scene Personal Injury	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Possess Master Key MV	0	0	0	0	0	0	0	0	0	0	0	0						
3	OUI Serious Inj, Misd	4	0	0	0	0	4	2	0	0	0	0	2	50%					50%
3	OUI - Child Endangerment	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
3	Inducing Minor To Sex	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
3	Gun Serial Number	0	0	0	0	0	0	0	0	0	0	0	0						
3	Firearm Loaded while OUI	0	0	0	0	0	0	0	0	0	0	0	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	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
3	Carrying Dangerous Weapon	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
3	Contempt Of Court	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Cruelty To Animals	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
3	Sex Offender Fail Register	0	1	3	8	0	12	0	1	2	8	0	11		100%	67%	100%		92%
3	Vandalize - Graves	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Sub-Total	264	97	80	85	0	526	101	54	59	71	0	285	38%	56%	74%	84%	54%	

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	Total	A	B	C	D	E	Total	0	0	0	0	0	0		
2	Assault	0	0	2	0	0	2	0	0	2	0	0	2							100%	100%
2	Accost / Annoy Person Opposite Sex	0	0	1	0	0	1	0	0	1	0	0	1							100%	100%
2	Larceny	0	0	0	0	0	0	0	0	0	0	0	0								
2	Larceny Less	7	1	0	0	0	8	1	0	0	0	0	1	14%	0%						13%
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	0	0	0	0	0	0	0	0	0	0								
2	MV - False Report Of Theft	0	0	0	0	0	0	0	0	0	0	0	0								
2	Defrauding Innkeeper	0	0	0	0	0	0	0	0	0	0	0	0								
2	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	1	0	0	1	0	2	0	0	0	0	0	0	0%						0%	0%
2	Property Destruction	0	0	0	0	0	0	0	0	0	0	0	0								
2	Injure Building Riot	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	0	1	3	1	0	5	0	0	1	0	0	1		0%	33%	0%				20%
2	Counterfeit	2	0	0	0	0	2	0	0	0	0	0	0	0%							0%
2	Setting Fire Land	0	0	0	0	0	0	0	0	0	0	0	0								
2	Gaming Use of Telephone	10	1	1	0	0	12	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	0	2	0	0	0	2	0	0	0	0	0	0		0%						0%
2	Possession Class A Heroin	5	3	4	2	0	14	0	2	2	2	0	6	0%	67%	50%	100%				43%
2	Possession Class B	30	14	6	6	0	56	6	8	3	2	0	19	20%	57%	50%	33%				34%
2	Possession Class C	1	0	0	0	0	1	1	0	0	0	0	1	100%							100%
2	Possession Class D	2	4	1	0	0	7	1	2	0	0	0	3	50%	50%	0%					43%
2	Possession Class D Marijuana 2nd	0	0	0	0	0	0	0	0	0	0	0	0								
2	Distribute Counterfeit Substance	0	0	0	0	0	0	0	0	0	0	0	0								
2	Distribute Class D	20	1	0	0	0	21	6	1	0	0	0	7	30%	100%						33%
2	Distribute Class E	0	0	0	0	0	0	0	0	0	0	0	0								
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	2	0	0	1	0	3	0	0	0	1	0	1	0%			100%				33%
2	Distribute Paraphenalia	0	0	0	0	0	0	0	0	0	0	0	0								
2	Operate to Endanger	1	2	1	3	0	7	1	1	0	1	0	3	100%	50%	0%	33%				43%
2	Use Without Authority	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%						0%
2	Use w/o Authority 2nd	0	0	0	0	0	0	0	0	0	0	0	0								
2	Ignition Interlock Violation	0	0	0	0	0	0	0	0	0	0	0	0								
2	Habitual Traffic Offender	0	0	2	0	0	2	0	0	1	0	0	1			50%					50%
2	Racing	0	0	0	0	0	0	0	0	0	0	0	0								
2	Operate After Suspension 2nd	0	0	0	0	0	0	0	0	0	0	0	0								
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	0	0	0	1	0	1	0	0	0	1	0	1							100%	100%
2	False Statement On Application	1	0	0	0	0	1	0	0	0	0	0	0	0%							0%
2	Prostitution	0	0	0	0	0	0	0	0	0	0	0	0								
2	Common Night Walker 3rd	0	0	0	0	0	0	0	0	0	0	0	0								
2	Induce Female To Prostitution	0	0	0	0	0	0	0	0	0	0	0	0								
2	Keeping A House Of Ill Fame	2	0	0	0	0	2	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	Total	A	B	C	D	E	Total	0	0	0	0	0	0
2	Open And Gross	2	1	2	2	0	7	1	1	2	2	0	6	50%	100%	100%	100%		86%
2	Obscene Material to Minor	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
2	Failure To Disperse	0	0	0	0	0	0	0	0	0	0	0	0						
2	Firearm Possess w/o Permit	28	16	4	3	0	51	17	10	3	2	0	32	61%	63%	75%	67%		63%
2	Possess Mace	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possess Ammunition	6	3	1	0	0	10	4	1	0	0	0	5	67%	33%	0%			50%
2	Firearm Carry, School	0	0	0	0	0	0	0	0	0	0	0	0						
2	Firearm Store Improper	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
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	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Impersonate/Disguise	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Failure to Appear	0	2	3	1	0	6	0	1	2	1	0	4		50%	67%	100%		67%
2	Possess Stun Gun	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possess Dangerous Weapon	0	0	0	0	0	0	0	0	0	0	0	0						
2	False Alarm	0	0	0	0	0	0	0	0	0	0	0	0						
2	Fireworks	0	0	0	0	0	0	0	0	0	0	0	0						
2	Violation Of Explosives	0	0	0	0	0	0	0	0	0	0	0	0						
2	Disrupt Court Proceedings	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Contributing To Delinquency	0	0	0	0	0	0	0	0	0	0	0	0						
2	Mistreat Police Animal	0	0	0	0	0	0	0	0	0	0	0	0						
2	Work Compensation Fail Have	0	0	0	0	0	0	0	0	0	0	0	0						
2	Resisting Arrest	3	0	3	1	0	7	2	0	3	0	0	5	67%		100%	0%		71%
2	Curfew	0	0	0	0	0	0	0	0	0	0	0	0						
2	False Report Of Crime	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
2	Hazardous Materials	1	1	0	0	0	2	0	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	Clean Water Act Violation	1	0	0	0	0	1	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	True Name Law	2	0	1	0	0	3	1	0	0	0	0	1	50%		0%			33%
2	Home Imp Contractor Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Wetlands Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Sub-Total	133	54	37	22	0	246	43	28	22	12	0	105	32%	52%	59%	55%		43%

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	Total	A	B	C	D	E	Total	0	0	0	0	0	0
1	Obscene Materials	0	0	0	0	0	0	0	0	0	0	0	0						
1	Threatening	2	0	1	0	0	3	1	0	1	0	0	2	50%		100%			67%
1	Defrauding Victualer	0	0	0	0	0	0	0	0	0	0	0	0						
1	Vandalism	0	0	0	0	0	0	0	0	0	0	0	0						
1	Trespassing	0	0	0	0	0	0	0	0	0	0	0	0						
1	Gaming	0	0	0	0	0	0	0	0	0	0	0	0						
1	Unauthorized Access of Computer	0	0	0	0	0	0	0	0	0	0	0	0						
1	Possession Class D Marijuana	5	3	1	0	0	9	1	0	1	0	0	2	20%	0%	100%			22%
1	Possession Class E	0	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	0						
1	Attaching Wrong MV Plates	0	0	0	0	0	0	0	0	0	0	0	0						
1	Operate After Suspension	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Obstruct Emergency Veh	0	0	0	0	0	0	0	0	0	0	0	0						
1	Violation Aircraft Restriction	0	0	0	0	0	0	0	0	0	0	0	0						
1	MV - Impersonate/Other License	0	0	0	0	0	0	0	0	0	0	0	0						
1	RV On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
1	Common Night Walker	0	0	0	0	0	0	0	0	0	0	0	0						
1	Indecent Exposure	0	0	0	0	0	0	0	0	0	0	0	0						
1	Lewd And Lacivious	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Disorderly Conduct	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
1	Smoking on MBTA	0	0	0	0	0	0	0	0	0	0	0	0						
1	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	0	0	0	0	0	0						
1	Firearm Discharge	0	0	0	0	0	0	0	0	0	0	0	0						
1	Accessory Before & After	0	0	0	0	0	0	0	0	0	0	0	0						
1	Annoying Phone Calls	0	0	0	0	0	0	0	0	0	0	0	0						
1	Failure To Obey Police Officer	0	0	0	0	0	0	0	0	0	0	0	0						
1	Obstructing Justice	0	0	0	0	0	0	0	0	0	0	0	0						
1	License Law Violation (Not MV)	0	0	0	0	0	0	0	0	0	0	0	0						
1	Alcohol, Procure for Minor	0	0	0	0	0	0	0	0	0	0	0	0						
1	Alcohol, Transporting	0	0	0	0	0	0	0	0	0	0	0	0						
1	Throwing Glass On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	0	0	0	0	0	0						
1	Business Practice	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Employment Practices	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
1	Health Code Violation	0	0	0	0	0	0	0	0	0	0	0	0						
1	Remove Token from Grave	0	0	0	0	0	0	0	0	0	0	0	0						
1	Improper Disposal of Body	0	0	0	0	0	0	0	0	0	0	0	0						
1	Sub-Total	10	6	2	0	0	18	2	2	2	0	0	6	20%	33%	100%			33%

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	Total	A	B	C	D	E	Total	0	0	0	0	0	0
0	Attempt Larceny	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	Conspiracy Violate CSA	29	3	4	5	0	41	6	1	3	2	0	12	21%	33%	75%	40%		29%
0	Conspiracy	8	1	2	1	0	12	4	0	2	1	0	7	50%	0%	100%	100%		58%
0	Attempt To Commit Crime	4	1	1	5	0	11	2	1	1	4	0	8	50%	100%	100%	80%		73%
0	Accessory Before	4	0	1	0	0	5	3	0	1	0	0	4	75%		100%			80%
0	Accessory After	16	2	5	2	0	25	5	1	3	2	0	11	31%	50%	60%	100%		44%
0	Sub-Total	61	7	13	13	0	94	20	3	10	9	0	42	33%	43%	77%	69%		45%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
9	Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
9	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Manslaughter	22	8	7	6	0	43	130.4	100.5	130.3	122.0	.	123.6	120.0	72.0	120.0	114.0	.	120.0
8	Assault In Dwelling	0	0	1	0	0	1	.	.	180.0	.	.	180.0	.	.	180.0	.	.	180.0
8	Armed Assault In Dwell House	1	1	1	0	0	3	216.0	132.0	120.0	.	.	156.0	216.0	132.0	120.0	.	.	132.0
8	Rape, Aggravated	6	3	1	6	1	17	152.0	176.0	132.0	192.0	60.0	163.8	144.0	120.0	132.0	180.0	60.0	144.0
8	Rape Of Child w/Force	19	5	5	2	0	31	74.8	50.4	100.8	144.0	.	79.5	72.0	36.0	96.0	144.0	.	72.0
8	Armed Assault w/i Murder - Firearm	7	3	1	2	0	13	97.7	60.0	60.0	138.0	.	92.3	84.0	60.0	60.0	138.0	.	84.0
8	Home Invasion	0	0	2	1	0	3	.	.	360.0	300.0	.	340.0	.	.	360.0	300.0	.	300.0
8	Burglary, Armed	2	1	0	0	0	3	168.0	144.0	.	.	.	160.0	168.0	144.0	.	.	.	144.0
8	Traffic Cocaine 200+	3	4	4	1	0	12	180.0	180.0	186.0	180.0	.	182.0	180.0	180.0	180.0	180.0	.	180.0
8	Sub-Total	60	25	22	18	1	126	116.3	110.4	153.3	162.7	60.0	127.8	114.0	96.0	162.0	144.0	60.0	120.0
7	Murder, Attempted	4	0	1	2	0	7	60.0	.	84.0	60.0	.	63.4	54.0	.	84.0	60.0	.	60.0
7	Mayhem	5	3	2	1	0	11	98.4	56.0	90.0	48.0	.	80.7	72.0	60.0	90.0	48.0	.	60.0
7	A&B Child w/Injury Substantial	5	0	1	0	0	6	54.0	.	48.0	.	.	53.0	60.0	.	48.0	.	.	54.0
7	Hostage Taking by Prisoner	0	0	0	1	0	1	.	.	.	216.0	.	216.0	.	.	216.0	.	.	216.0
7	Rape	15	2	5	4	0	26	66.4	54.0	158.4	75.0	.	84.5	60.0	54.0	180.0	54.0	.	66.0
7	Rape of Child 2nd	0	0	0	1	0	1	.	.	.	120.0	.	120.0	.	.	120.0	.	.	120.0
7	Assault w/i Rape Child	1	1	1	0	0	3	60.0	84.0	240.0	.	.	128.0	60.0	84.0	240.0	.	.	84.0
7	Incest	0	1	0	0	0	1	.	144.0	.	.	.	144.0	.	144.0	.	.	.	144.0
7	Armed Robbery Gun	15	13	16	23	1	68	45.6	40.2	87.0	90.0	240.0	72.2	36.0	36.0	60.0	72.0	240.0	60.0
7	Armed Assault w/i Murder	19	11	4	10	0	44	64.2	54.5	99.0	73.2	.	67.0	48.0	54.0	90.0	66.0	.	57.0
7	Carjacking, Armed	2	1	1	0	0	4	120.0	60.0	144.0	.	.	111.0	120.0	60.0	144.0	.	.	102.0
7	Confine And Put In Fear	1	2	1	5	0	9	24.0	30.0	36.0	51.6	.	42.0	24.0	30.0	36.0	54.0	.	36.0
7	Traffic Heroin 028-100	3	3	1	1	0	8	84.0	84.0	84.0	84.0	.	84.0	84.0	84.0	84.0	84.0	.	84.0
7	Traffic Heroin 100-200	4	1	0	1	0	6	120.0	120.0	.	120.0	.	120.0	120.0	120.0	.	120.0	.	120.0
7	Traffic Cocaine 100-200	12	10	7	3	0	32	123.7	126.0	123.4	128.0	.	124.8	120.0	120.0	120.0	120.0	.	120.0
7	Throw or Place Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Sub-Total	86	48	40	52	1	227	74.9	70.4	106.5	85.6	240.0	82.7	60.0	60.0	120.0	60.0	240.0	60.0

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
6	Manslaughter	3	1	0	0	0	4	30.0	48.0	.	.	.	34.5	36.0	48.0	.	.	.	39.0
6	A&B Elderly / Disabled Ser Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B Aggravated - Serious Injury	0	0	1	1	0	2	.	.	48.0	48.0	.	48.0	.	.	48.0	48.0	.	48.0
6	A&B Dangerous Weapon	25	21	15	24	0	85	41.2	36.6	43.7	40.5	.	40.3	36.0	36.0	36.0	36.0	.	36.0
6	A&B Dangerous Weapon + 60	0	2	0	0	0	2	.	54.0	.	.	.	54.0	.	54.0	.	.	.	54.0
6	A&B DW, Aggravated w/Injury	6	2	3	3	0	14	55.0	54.0	60.0	40.0	.	52.7	48.0	54.0	36.0	30.0	.	48.0
6	Assault To Kill or Maim	2	2	2	2	0	8	66.0	51.0	60.0	39.0	.	54.0	66.0	51.0	60.0	39.0	.	51.0
6	Rape Of Child	31	11	8	2	0	52	64.8	71.5	75.8	84.0	.	68.7	48.0	36.0	54.0	84.0	.	48.0
6	Assault w/i Rape	3	0	4	0	0	7	120.0	.	60.0	.	.	85.7	84.0	.	60.0	.	.	60.0
6	Indecent A&B On Child 2nd	0	0	2	0	0	2	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0
6	Indecent A&B Mentally Retarded	1	0	0	0	0	1	72.0	.	.	.	.	72.0	72.0	.	.	.	.	72.0
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Child Pornography Possess 3rd	0	0	0	1	0	1	.	.	.	120.0	.	120.0	.	.	.	120.0	.	120.0
6	Robbery Unarmed + 60	2	6	3	2	1	14	30.0	29.0	34.0	60.0	48.0	36.0	30.0	24.0	30.0	60.0	48.0	33.0
6	Armed Robbery	32	41	48	56	2	179	34.3	38.1	47.4	70.5	114.0	50.9	36.0	36.0	45.0	60.0	114.0	36.0
6	Armed Assault w/i Rob	4	2	1	10	1	18	19.5	36.0	48.0	74.4	29.0	53.9	15.0	36.0	48.0	72.0	29.0	42.0
6	Armed Aslt w/i Rob Over 65	0	0	1	0	0	1	.	.	60.0	.	.	60.0	.	.	60.0	.	.	60.0
6	Carjacking	0	1	1	2	0	4	.	84.0	48.0	48.0	.	57.0	.	84.0	48.0	48.0	.	54.0
6	Kidnapping	7	1	2	0	0	10	48.9	60.0	57.0	.	.	51.6	48.0	60.0	57.0	.	.	54.0
6	Harassment, 2nd	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
6	Burning Dwelling House	2	2	2	2	0	8	24.0	54.0	87.0	60.0	.	56.3	24.0	54.0	87.0	60.0	.	60.0
6	Distribute Class A 2nd	0	2	7	8	0	17	.	60.0	63.4	61.5	.	62.1	.	60.0	60.0	60.0	.	60.0
6	Distribute Cocaine 2nd	0	6	7	7	0	20	.	65.0	88.3	70.3	.	75.0	.	60.0	66.0	60.0	.	60.0
6	Traffic Heroin 014-028	10	1	4	2	0	17	60.0	60.0	60.0	60.0	.	60.0	60.0	60.0	60.0	60.0	.	60.0
6	Traffic Cocaine 028-100	43	20	18	13	0	94	69.5	67.5	64.7	68.3	.	68.0	60.0	60.0	60.0	60.0	.	60.0
6	MV Homicide - OUI Felony	1	0	1	0	0	2	36.0	.	72.0	.	.	54.0	36.0	.	72.0	.	.	54.0
6	Possess Explosive Device	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
6	Sub-Total	173	121	131	135	4	564	53.8	48.8	55.8	63.2	76.3	55.6	48.0	42.0	60.0	60.0	78.0	60.0

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

Level	Governing Offense	All Defendants					Total	Incarcerated Defendants					Total	Incarceration Rate						
		A	B	C	D	E		A	B	C	D	E		0	0	0	0	0	0	
5	A&B Child w/Injury	0	0	0	0	0	0
5	A&B Aggravated	1	0	2	1	0	4	48.0	.	30.0	48.0	.	39.0	48.0	.	30.0	48.0	.	42.0	
5	A&B DW, Aggravated	6	4	5	4	0	19	43.0	34.5	68.4	54.0	.	50.2	48.0	39.0	48.0	54.0	.	48.0	
5	Indecent A&B On Child	4	2	2	4	0	12	51.0	54.0	33.0	57.0	.	50.5	54.0	54.0	33.0	54.0	.	42.0	
5	Entice Child	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
5	Unnatural Acts Child	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0	
5	Robbery Unarmed	12	12	25	40	0	89	22.5	27.0	35.5	42.9	.	35.9	24.0	27.0	36.0	42.0	.	36.0	
5	Intimidation	6	3	6	10	0	25	39.0	22.0	24.0	42.0	.	34.6	36.0	24.0	24.0	36.0	.	36.0	
5	Stalking Violation of Rest. Order	1	0	0	1	0	2	36.0	.	.	36.0	.	36.0	36.0	.	.	36.0	.	36.0	
5	Stalking 2nd	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0	
5	Common & Notorious Thief	0	0	1	5	0	6	.	.	60.0	64.8	.	64.0	.	.	60.0	36.0	.	48.0	
5	Burglary	5	3	3	11	0	22	38.4	40.0	52.0	63.8	.	53.2	36.0	48.0	48.0	54.0	.	48.0	
5	Counterfeit Equipment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B 2nd	1	9	11	11	0	32	36.0	41.3	40.9	42.0	.	41.3	36.0	36.0	36.0	36.0	.	36.0	
5	Traffic Cocaine 014-028	40	56	16	11	0	123	37.5	37.4	38.3	39.8	.	37.8	36.0	36.0	36.0	36.0	.	36.0	
5	Traffic Mar 100-2000	2	0	0	0	0	2	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
5	Inducing Minor To Prostitution	2	0	0	0	0	2	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
5	Guard Sex w/ Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Perjury or Suborn	1	1	0	1	0	3	48.0	72.0	.	24.0	.	48.0	48.0	72.0	.	24.0	.	48.0	
5	Possess Molotov Cocktail	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Sex Offender Fail Register 2nd	0	0	1	1	0	2	.	.	60.0	36.0	.	48.0	.	.	60.0	36.0	.	48.0	
5	Sub-Total	82	90	74	100	0	346	36.5	36.6	39.3	46.5	.	40.0	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	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
4	A&B Elderly / Disabled w/Injury	0	0	1	2	0	3	.	.	12.0	24.0	.	20.0	.	.	12.0	24.0	.	12.0
4	Assault Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B w/i Intimidate	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	A&B Guard	2	4	8	21	0	35	24.0	18.0	16.5	19.1	.	18.7	24.0	18.0	15.0	12.0	.	12.0
4	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Indecent A&B	2	0	0	2	0	4	36.0	.	.	48.0	.	42.0	36.0	.	.	48.0	.	48.0
4	Child Pornography Possess 2nd	0	0	1	0	0	1	.	.	60.0	.	60.0	.	.	60.0	.	.	60.0	60.0
4	Assault w/i Rob	3	1	3	3	0	10	20.0	24.0	44.0	44.0	.	34.8	24.0	24.0	30.0	36.0	.	30.0
4	Stalking	0	1	1	1	0	3	.	36.0	30.0	36.0	.	34.0	.	36.0	30.0	36.0	.	36.0
4	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	7	3	3	7	0	20	25.7	28.0	20.0	25.7	.	25.2	24.0	24.0	24.0	24.0	.	24.0
4	Larceny More + 60	0	0	0	2	0	2	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
4	Larceny Person	1	0	2	2	0	5	24.0	.	18.0	30.0	.	24.0	24.0	.	18.0	30.0	.	24.0
4	Larceny Person + 65	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny MV 2nd	0	0	0	4	0	4	.	.	.	45.0	.	45.0	.	.	.	30.0	.	30.0
4	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	5	5	14	93	0	117	55.2	31.2	31.3	49.2	.	46.5	60.0	24.0	33.0	36.0	.	36.0
4	Enter Dwelling w/I Felony	0	0	0	5	0	5	.	.	.	54.0	.	54.0	.	.	.	36.0	.	36.0
4	B&E DT Armed w/i Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods Over	0	0	3	4	0	7	.	.	28.0	34.5	.	31.7	.	.	24.0	30.0	.	24.0
4	Receiving Stolen Goods MV 2nd	0	0	0	4	0	4	.	.	.	90.0	.	90.0	.	.	.	90.0	.	90.0
4	Burning Building	0	0	1	1	0	2	.	.	48.0	20.0	.	34.0	.	.	48.0	20.0	.	34.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	21	36	28	32	0	117	32.6	38.7	38.6	34.5	.	36.4	36.0	36.0	36.0	36.0	.	36.0
4	Distribute Class B	22	23	19	16	1	81	27.8	30.5	33.2	31.1	36.0	30.6	24.0	30.0	36.0	30.0	36.0	30.0
4	Distribute Cocaine	31	56	43	29	0	159	25.2	33.0	34.7	38.1	.	32.9	24.0	36.0	36.0	36.0	.	36.0
4	Traffic Mar 50-100	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	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	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
4	Control Substance School	8	6	2	5	0	21	32.3	29.0	30.0	38.4	.	32.6	30.0	30.0	30.0	36.0	.	30.0
4	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Leaving Scene Death	0	0	1	1	0	2	.	.	60.0	30.0	.	45.0	.	.	60.0	30.0	.	45.0
4	OUI Serious Inj, Fel	0	0	2	1	0	3	.	.	63.0	24.0	.	50.0	.	.	63.0	24.0	.	54.0
4	Derive Support From Prostitute	1	0	2	1	0	4	72.0	.	36.0	24.0	.	42.0	72.0	.	36.0	24.0	.	36.0
4	Assault Weapon, Possess	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Gun Serial Number, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Firearm Sale Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Escape	0	0	1	1	0	2	.	.	24.0	24.0	.	24.0	.	.	24.0	24.0	.	24.0
4	Extortion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Bomb Hoax	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	DNA Tamper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	1	0	0	1	.	.	12.0	.	12.0	.	.	.	12.0	.	.	12.0
4	Sub-Total	103	135	136	240	1	615	29.8	33.2	33.7	40.4	36.0	35.6	24.0	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	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
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	Permit Injury to Child	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	5	7	6	1	0	19	28.0	30.0	24.0	48.0	.	28.5	24.0	30.0	24.0	48.0	.	24.0
3	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Child Pornography Possess	2	2	1	0	0	5	24.0	33.0	36.0	.	30.0	24.0	33.0	36.0	.	.	.	36.0
3	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Violation Of Civil Rights	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Restraining Order Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny Building	0	0	0	3	0	3	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
3	Larceny Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny MV	0	0	2	2	0	4	.	.	36.0	30.0	.	33.0	.	.	36.0	30.0	.	36.0
3	Embezzlement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Credit Card Misuse - More	0	0	1	3	0	4	.	.	24.0	30.0	.	28.5	.	.	24.0	36.0	.	30.0
3	Defrauding Insurer	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
3	Fraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglariious Tools	0	0	1	1	0	2	.	.	24.0	60.0	.	42.0	.	.	24.0	60.0	.	42.0
3	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Mal Dest Property More	0	1	1	2	0	4	.	24.0	12.0	24.0	.	21.0	.	24.0	12.0	24.0	.	18.0
3	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods MV	0	1	0	3	0	4	.	24.0	.	40.0	.	36.0	.	24.0	.	36.0	.	30.0
3	Receiving Stolen Goods 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Forgery And Uttering	0	0	1	4	0	5	.	.	24.0	60.0	.	52.8	.	.	24.0	48.0	.	36.0
3	Counterfeit	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
3	Burning Property	0	1	0	0	0	1	.	18.0	.	.	.	18.0	.	18.0	.	.	.	18.0
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
3	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A Heroin 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class C 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class C	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	Possess Master Key MV	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	1	0	1	0	2	.	12.0	.	24.0	.	18.0	.	12.0	.	24.0	.	18.0
3	Carrying Dangerous Weapon	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
3	Contempt Of Court	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sex Offender Fail Register	0	0	0	5	0	5	.	.	.	33.6	.	33.6	.	.	.	36.0	.	36.0
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sub-Total	8	13	15	26	0	62	27.3	27.2	26.4	37.2	.	31.2	27.0	24.0	24.0	36.0	.	33.0

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
2	Assault	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less +60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Shoplifting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Credit Card Misuse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Defrauding Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Return Leased Prop	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E w/i Misdemeanor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Property Destruction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Injure Building Riot	0	0	0	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	Gaming Use of Telephone	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	.	.	.	.	.	.	.	.	.	.	.	.
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	1	0	1	.	.	.	30.0	.	30.0	.	.	30.0	.	30.0	
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Common Night Walker 3rd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
2	Open And Gross	0	1	1	2	0	4	.	30.0	30.0	21.0	.	25.5	.	30.0	30.0	21.0	.	27.0
2	Obscene Material to Minor	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
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	Failure to Appear	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Stun Gun	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Alarm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disrupt Court Proceedings	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Contributing To Delinquency	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	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	Curfew	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Hazardous Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disconnect Sprinkler System	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Clean Water Act Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	True Name Law	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Home Imp Contractor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Wetlands Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Sub-Total	0	2	1	3	0	6	.	33.0	30.0	24.0	.	28.0	.	33.0	30.0	24.0	.	30.0

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
1	Obscene Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Threatening	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Defrauding Victualer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Vandalism	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Trespassing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	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	Attaching Wrong MV Plates	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Operate After Suspension	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstruct Emergency Veh	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	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	Smoking on MBTA	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Firearm Discharge	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Accessory Before & After	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Annoying Phone Calls	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstructing Justice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	License Law Violation (Not MV)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Procure for Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Health Code Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Remove Token from Grave	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Improper Disposal of Body	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	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
0	Attempt Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy Violate CSA	4	0	1	2	0	7	54.0	.	36.0	60.0	.	53.1	42.0	.	36.0	60.0	.	36.0
0	Conspiracy	1	0	1	0	0	2	36.0	.	48.0	.	.	42.0	36.0	.	48.0	.	.	42.0
0	Attempt To Commit Crime	0	0	1	4	0	5	.	.	36.0	40.0	.	39.2	.	.	36.0	36.0	.	36.0
0	Accessory Before	2	0	1	0	0	3	60.0	.	24.0	.	.	48.0	60.0	.	24.0	.	.	36.0
0	Accessory After	3	0	3	2	0	8	42.0	.	38.0	30.0	.	37.5	36.0	.	36.0	30.0	.	36.0
0	Sub-Total	10	0	7	8	0	25	49.8	.	36.9	42.5	.	43.8	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	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
9	Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
9	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Manslaughter	22	8	7	6	0	43	164.7	118.5	154.3	146.0	.	151.8	150.0	102.0	144.0	132.0	.	144.0
8	Assault In Dwelling	0	0	1	0	0	1	.	.	204.0	.	.	204.0	.	.	204.0	.	.	204.0
8	Armed Assault In Dwell House	1	1	1	0	0	3	240.0	168.0	144.0	.	.	184.0	240.0	168.0	144.0	.	.	168.0
8	Rape, Aggravated	6	3	1	6	1	17	188.0	216.0	180.0	253.0	84.0	209.3	168.0	144.0	180.0	240.0	84.0	180.0
8	Rape Of Child w/Force	19	5	5	2	0	31	98.5	63.6	148.8	174.0	.	105.9	96.0	60.0	120.0	174.0	.	96.0
8	Armed Assault w/i Murder - Firearm	7	3	1	2	0	13	126.9	80.0	72.0	150.0	.	115.4	120.0	84.0	72.0	150.0	.	96.0
8	Home Invasion	0	0	2	1	0	3	.	.	432.0	360.0	.	408.0	.	.	432.0	360.0	.	360.0
8	Burglary, Armed	2	1	0	0	0	3	198.0	144.0	.	.	.	180.0	198.0	144.0	.	.	.	156.0
8	Traffic Cocaine 200+	3	4	4	1	0	12	180.0	186.0	198.0	180.0	.	188.0	180.0	180.0	198.0	180.0	.	180.0
8	Sub-Total	60	25	22	18	1	126	144.8	128.4	185.5	199.0	84.0	155.9	144.0	120.0	180.0	180.0	84.0	144.0
7	Murder, Attempted	4	0	1	2	0	7	72.0	.	120.0	72.0	.	78.9	66.0	.	120.0	72.0	.	72.0
7	Mayhem	5	3	2	1	0	11	115.2	80.0	111.0	60.0	.	99.8	84.0	84.0	111.0	60.0	.	84.0
7	A&B Child w/Injury Substantial	5	0	1	0	0	6	74.4	.	60.0	.	.	72.0	60.0	.	60.0	.	.	60.0
7	Hostage Taking by Prisoner	0	0	0	1	0	1	.	.	.	240.0	.	240.0	.	.	240.0	.	.	240.0
7	Rape	15	2	5	4	0	26	94.0	81.0	204.0	84.0	.	112.6	96.0	81.0	240.0	72.0	.	96.0
7	Rape of Child 2nd	0	0	0	1	0	1	.	.	.	144.0	.	144.0	.	.	144.0	.	.	144.0
7	Assault w/i Rape Child	1	1	1	0	0	3	84.0	144.0	300.0	.	.	176.0	84.0	144.0	300.0	.	.	144.0
7	Incest	0	1	0	0	0	1	.	192.0	.	.	.	192.0	.	192.0	.	.	.	192.0
7	Armed Robbery Gun	15	13	16	23	1	68	60.0	56.3	108.4	104.9	240.0	88.5	48.0	48.0	84.0	84.0	240.0	78.0
7	Armed Assault w/i Murder	19	11	4	10	0	44	78.1	66.0	115.5	88.8	.	80.9	54.0	60.0	105.0	78.0	.	60.0
7	Carjacking, Armed	2	1	1	0	0	4	138.0	72.0	180.0	.	.	132.0	138.0	72.0	180.0	.	.	126.0
7	Confine And Put In Fear	1	2	1	5	0	9	24.0	48.0	36.0	64.8	.	53.3	24.0	48.0	36.0	60.0	.	60.0
7	Traffic Heroin 028-100	3	3	1	1	0	8	96.0	92.0	84.0	96.0	.	93.0	84.0	84.0	84.0	96.0	.	84.0
7	Traffic Heroin 100-200	4	1	0	1	0	6	141.0	120.0	.	120.0	.	134.0	132.0	120.0	.	120.0	.	120.0
7	Traffic Cocaine 100-200	12	10	7	3	0	32	123.8	136.8	126.9	144.0	.	130.4	120.0	120.0	120.0	144.0	.	120.0
7	Throw or Place Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Sub-Total	86	48	40	52	1	227	90.1	86.0	127.7	99.9	240.0	98.8	84.0	72.0	120.0	84.0	240.0	84.0

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
6	Manslaughter	3	1	0	0	0	4	44.0	84.0	.	.	.	54.0	36.0	84.0	.	.	.	48.0
6	A&B Elderly / Disabled Ser Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B Aggravated - Serious Injury	0	0	1	1	0	2	.	.	60.0	48.0	.	54.0	.	.	60.0	48.0	.	54.0
6	A&B Dangerous Weapon	25	21	15	24	0	85	62.2	48.9	52.0	50.5	.	53.8	60.0	36.0	48.0	39.0	.	48.0
6	A&B Dangerous Weapon + 60	0	2	0	0	0	2	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0
6	A&B DW, Aggravated w/Injury	6	2	3	3	0	14	64.0	66.0	80.0	60.0	.	66.9	60.0	66.0	60.0	60.0	.	60.0
6	Assault To Kill or Maim	2	2	2	2	0	8	78.0	78.0	78.0	42.0	.	69.0	78.0	78.0	78.0	42.0	.	66.0
6	Rape Of Child	31	11	8	2	0	52	84.0	96.5	105.0	120.0	.	91.3	60.0	60.0	66.0	120.0	.	60.0
6	Assault w/i Rape	3	0	4	0	0	7	132.0	.	75.0	.	.	99.4	96.0	.	66.0	.	.	72.0
6	Indecent A&B On Child 2nd	0	0	2	0	0	2	.	.	33.0	.	.	33.0	.	.	33.0	.	.	33.0
6	Indecent A&B Mentally Retarded	1	0	0	0	0	1	96.0	.	.	.	.	96.0	96.0	.	.	.	.	96.0
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Child Pornography Possess 3rd	0	0	0	1	0	1	.	.	.	180.0	.	180.0	.	.	.	180.0	.	180.0
6	Robbery Unarmed + 60	2	6	3	2	1	14	30.0	39.0	48.0	84.0	84.0	49.3	30.0	42.0	36.0	84.0	84.0	42.0
6	Armed Robbery	32	41	48	56	2	179	48.0	51.9	60.3	86.5	123.0	65.1	36.0	48.0	60.0	72.0	123.0	60.0
6	Armed Assault w/i Rob	4	2	1	10	1	18	33.0	42.0	60.0	89.4	29.0	66.6	36.0	42.0	60.0	87.0	29.0	48.0
6	Armed Aslt w/i Rob Over 65	0	0	1	0	0	1	.	.	84.0	.	.	84.0	.	.	84.0	.	.	84.0
6	Carjacking	0	1	1	2	0	4	.	120.0	60.0	54.0	.	72.0	.	120.0	60.0	54.0	.	60.0
6	Kidnapping	7	1	2	0	0	10	63.4	60.0	63.0	.	.	63.0	60.0	60.0	63.0	.	.	60.0
6	Harassment, 2nd	0	0	1	0	0	1	.	.	48.0	.	.	48.0	.	.	48.0	.	.	48.0
6	Burning Dwelling House	2	2	2	2	0	8	36.0	69.0	108.0	78.0	.	72.8	36.0	69.0	108.0	78.0	.	72.0
6	Distribute Class A 2nd	0	2	7	8	0	17	.	66.0	77.2	69.0	.	72.0	.	66.0	72.0	60.0	.	60.0
6	Distribute Cocaine 2nd	0	6	7	7	0	20	.	68.0	101.2	87.4	.	86.4	.	60.0	72.0	84.0	.	72.0
6	Traffic Heroin 014-028	10	1	4	2	0	17	65.4	84.0	72.0	66.0	.	68.1	60.0	84.0	72.0	66.0	.	60.0
6	Traffic Cocaine 028-100	43	20	18	13	0	94	82.1	79.8	70.7	79.4	.	79.0	72.0	69.0	66.0	84.0	.	72.0
6	MV Homicide - OUI Felony	1	0	1	0	0	2	60.0	.	84.0	.	.	72.0	60.0	.	84.0	.	.	72.0
6	Possess Explosive Device	1	0	0	0	0	1	60.0	.	.	.	.	60.0	60.0	.	.	.	.	60.0
6	Sub-Total	173	121	131	135	4	564	68.6	62.5	68.4	77.4	89.8	69.5	60.0	60.0	60.0	72.0	102.0	60.0

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
5	A&B Child w/Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	A&B Aggravated	1	0	2	1	0	4	60.0	.	39.0	60.0	.	49.5	60.0	.	39.0	60.0	.	57.0
5	A&B DW, Aggravated	6	4	5	4	0	19	52.0	39.0	87.6	75.0	.	63.5	60.0	39.0	84.0	84.0	.	60.0
5	Indecent A&B On Child	4	2	2	4	0	12	75.0	66.0	33.0	63.0	.	62.5	78.0	66.0	33.0	54.0	.	54.0
5	Entice Child	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
5	Unnatural Acts Child	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
5	Robbery Unarmed	12	12	25	40	0	89	34.5	34.5	49.0	55.1	.	47.8	36.0	36.0	48.0	48.0	.	48.0
5	Intimidation	6	3	6	10	0	25	52.0	26.0	33.0	51.6	.	44.2	36.0	30.0	30.0	48.0	.	36.0
5	Stalking Violation of Rest. Order	1	0	0	1	0	2	48.0	.	.	54.0	.	51.0	48.0	.	.	54.0	.	51.0
5	Stalking 2nd	0	0	1	0	0	1	.	.	48.0	.	.	48.0	.	.	48.0	.	.	48.0
5	Common & Notorious Thief	0	0	1	5	0	6	.	.	84.0	79.2	.	80.0	.	.	84.0	36.0	.	60.0
5	Burglary	5	3	3	11	0	22	60.0	56.0	64.0	85.1	.	72.6	72.0	72.0	60.0	60.0	.	66.0
5	Counterfeit Equipment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B 2nd	1	9	11	11	0	32	36.0	48.0	43.1	45.3	.	45.0	36.0	36.0	36.0	36.0	.	36.0
5	Traffic Cocaine 014-028	40	56	16	11	0	123	46.1	44.9	46.1	45.3	.	45.5	36.0	36.0	42.0	36.0	.	36.0
5	Traffic Mar 100-2000	2	0	0	0	0	2	42.0	.	.	.	.	42.0	42.0	.	.	.	.	42.0
5	Inducing Minor To Prostitution	2	0	0	0	0	2	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
5	Guard Sex w/ Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Perjury or Suborn	1	1	0	1	0	3	48.0	96.0	.	36.0	.	60.0	48.0	96.0	.	36.0	.	48.0
5	Possess Molotov Cocktail	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Sex Offender Fail Register 2nd	0	0	1	1	0	2	.	.	60.0	36.0	.	48.0	.	.	60.0	36.0	.	48.0
5	Sub-Total	82	90	74	100	0	346	47.4	44.4	49.2	57.9	.	50.0	42.0	36.0	48.0	48.0	.	42.0

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
4	A&B Elderly / Disabled w/Injury	0	0	1	2	0	3	.	.	36.0	24.0	.	28.0	.	.	36.0	24.0	.	36.0
4	Assault Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B w/i Intimidate	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	36.0	.	36.0	
4	A&B Guard	2	4	8	21	0	35	24.0	18.0	19.5	27.2	.	24.2	24.0	18.0	21.0	24.0	.	24.0
4	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Indecent A&B	2	0	0	2	0	4	42.0	.	.	60.0	.	51.0	42.0	.	.	60.0	.	60.0
4	Child Pornography Possess 2nd	0	0	1	0	0	1	.	.	60.0	.	60.0	.	60.0	.	60.0	.	60.0	
4	Assault w/i Rob	3	1	3	3	0	10	20.0	24.0	62.0	60.0	.	45.0	24.0	24.0	42.0	60.0	.	36.0
4	Stalking	0	1	1	1	0	3	.	48.0	30.0	36.0	.	38.0	.	48.0	30.0	36.0	.	36.0
4	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	7	3	3	7	0	20	29.2	40.0	24.0	30.9	.	30.6	24.0	36.0	24.0	30.0	.	24.0
4	Larceny More + 60	0	0	0	2	0	2	.	.	.	66.0	.	66.0	.	.	66.0	.	66.0	
4	Larceny Person	1	0	2	2	0	5	36.0	.	18.0	39.0	.	30.0	36.0	.	18.0	39.0	.	36.0
4	Larceny Person + 65	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny MV 2nd	0	0	0	4	0	4	.	.	.	48.0	.	48.0	.	.	36.0	.	36.0	
4	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	5	5	14	93	0	117	75.6	45.6	42.9	60.6	.	58.5	72.0	36.0	36.0	54.0	.	48.0
4	Enter Dwelling w/I Felony	0	0	0	5	0	5	.	.	.	60.0	.	60.0	.	.	36.0	.	36.0	
4	B&E DT Armed w/i Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods Over	0	0	3	4	0	7	.	.	36.0	42.0	.	39.4	.	.	36.0	36.0	.	36.0
4	Receiving Stolen Goods MV 2nd	0	0	0	4	0	4	.	.	.	99.0	.	99.0	.	.	90.0	.	90.0	
4	Burning Building	0	0	1	1	0	2	.	.	60.0	30.0	.	45.0	.	.	60.0	30.0	.	45.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	21	36	28	32	0	117	45.2	46.3	48.9	41.6	.	45.4	42.0	48.0	48.0	36.0	.	48.0
4	Distribute Class B	22	23	19	16	1	81	37.6	36.5	39.2	37.9	36.0	37.7	36.0	36.0	36.0	36.0	36.0	36.0
4	Distribute Cocaine	31	56	43	29	0	159	34.5	42.4	43.0	47.2	.	41.9	36.0	36.0	36.0	36.0	.	36.0
4	Traffic Mar 50-100	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	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	.	.	.	12.0	.	12.0	.	.	12.0	.	12.0	
4	Control Substance School	8	6	2	5	0	21	42.0	30.0	33.0	51.6	.	40.0	42.0	30.0	33.0	48.0	.	36.0
4	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Leaving Scene Death	0	0	1	1	0	2	.	.	60.0	36.0	.	48.0	.	.	60.0	36.0	.	48.0
4	OUI Serious Inj, Fel	0	0	2	1	0	3	.	.	78.0	36.0	.	64.0	.	.	78.0	36.0	.	60.0
4	Derive Support From Prostitute	1	0	2	1	0	4	96.0	.	60.0	24.0	.	60.0	96.0	.	60.0	24.0	.	60.0
4	Assault Weapon, Possess	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Gun Serial Number, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Firearm Sale Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Escape	0	0	1	1	0	2	.	.	24.0	36.0	.	30.0	.	.	24.0	36.0	.	30.0
4	Extortion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Bomb Hoax	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	DNA Tamper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	1	0	0	1	.	.	12.0	.	12.0	.	12.0	.	12.0	.	12.0	
4	Sub-Total	103	135	136	240	1	615	39.7	41.2	42.2	49.5	36.0	44.4	36.0	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	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
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	Permit Injury to Child	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	5	7	6	1	0	19	38.8	41.2	32.0	60.0	.	38.6	36.0	36.0	36.0	60.0	.	36.0
3	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Child Pornography Possess	2	2	1	0	0	5	24.0	42.0	60.0	.	38.4	24.0	42.0	60.0	.	.	.	36.0
3	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Violation Of Civil Rights	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Restraining Order Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny Building	0	0	0	3	0	3	.	.	.	34.0	.	34.0	.	.	.	36.0	.	36.0
3	Larceny Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny MV	0	0	2	2	0	4	.	.	36.0	54.0	.	45.0	.	.	36.0	54.0	.	42.0
3	Embezzlement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Credit Card Misuse - More	0	0	1	3	0	4	.	.	24.0	34.0	.	31.5	.	.	24.0	36.0	.	30.0
3	Defrauding Insurer	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
3	Fraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglariou Tools	0	0	1	1	0	2	.	.	36.0	96.0	.	66.0	.	.	36.0	96.0	.	66.0
3	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Mal Dest Property More	0	1	1	2	0	4	.	36.0	24.0	42.0	.	36.0	.	36.0	24.0	42.0	.	30.0
3	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods MV	0	1	0	3	0	4	.	36.0	.	44.0	.	42.0	.	36.0	.	36.0	.	36.0
3	Receiving Stolen Goods 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Forgery And Uttering	0	0	1	4	0	5	.	.	36.0	84.0	.	74.4	.	.	36.0	90.0	.	60.0
3	Counterfeit	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
3	Burning Property	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
3	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A Heroin 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class C 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class C	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	Possess Master Key MV	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	1	0	1	0	2	.	12.0	.	30.0	.	21.0	.	12.0	.	30.0	.	21.0
3	Carrying Dangerous Weapon	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
3	Contempt Of Court	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sex Offender Fail Register	0	0	0	5	0	5	.	.	.	50.4	.	50.4	.	.	48.0	.	48.0	
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sub-Total	8	13	15	26	0	62	34.8	36.9	33.6	51.5	.	41.9	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	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
2	Assault	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less +60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Shoplifting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Credit Card Misuse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Defrauding Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Return Leased Prop	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E w/i Misdemeanor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Property Destruction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Injure Building Riot	0	0	0	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	Gaming Use of Telephone	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	.	.	.	.	.	.	.	.	.	.	.	.
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	1	0	1	.	.	.	36.0	.	36.0	.	.	36.0	.	36.0	
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Common Night Walker 3rd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
2	Open And Gross	0	1	1	2	0	4	.	36.0	36.0	21.0	.	28.5	.	36.0	36.0	21.0	.	30.0
2	Obscene Material to Minor	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
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	Failure to Appear	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Stun Gun	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Alarm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disrupt Court Proceedings	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Contributing To Delinquency	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	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	Curfew	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Hazardous Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disconnect Sprinkler System	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Clean Water Act Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	True Name Law	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Home Imp Contractor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Wetlands Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Sub-Total	0	2	1	3	0	6	.	36.0	36.0	26.0	.	31.0	.	36.0	36.0	24.0	.	36.0

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
1	Obscene Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Threatening	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Defrauding Victualer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Vandalism	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Trespassing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	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	Attaching Wrong MV Plates	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Operate After Suspension	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstruct Emergency Veh	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	Common Night Walker	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Indecent Exposure	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Lewd And Lacious	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Disorderly Conduct	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Smoking on MBTA	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Firearm Discharge	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Accessory Before & After	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Annoying Phone Calls	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstructing Justice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	License Law Violation (Not MV)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Procure for Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Health Code Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Remove Token from Grave	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Improper Disposal of Body	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	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	0	0	0	0	0	0
0	Attempt Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy Violate CSA	4	0	1	2	0	7	73.5	.	36.0	60.0	.	64.3	57.0	.	36.0	60.0	.	54.0
0	Conspiracy	1	0	1	0	0	2	48.0	.	72.0	.	.	60.0	48.0	.	72.0	.	.	60.0
0	Attempt To Commit Crime	0	0	1	4	0	5	.	.	60.0	49.5	.	51.6	.	.	60.0	51.0	.	60.0
0	Accessory Before	2	0	1	0	0	3	60.0	.	72.0	.	.	64.0	60.0	.	72.0	.	.	72.0
0	Accessory After	3	0	3	2	0	8	50.2	.	50.0	36.0	.	46.6	36.5	.	60.0	36.0	.	48.3
0	Sub-Total	10	0	7	8	0	25	61.3	.	55.7	48.8	.	55.7	51.0	.	60.0	51.0	.	60.0

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 Dwelling House	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Rape, Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Rape Of Child w/Force	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	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	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
7	A&B Child w/Injury Substantial	4	1	0	0	0	5	21.0	30.0	.	.	.	22.8	21.0	30.0	.	.	.	24.0
7	Hostage Taking by Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Rape of Child 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Assault w/i Rape Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Incest	0	1	0	0	0	1	.	30.0	.	.	.	30.0	.	30.0	.	.	.	30.0
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	Confine And Put In Fear	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Traffic Heroin 028-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Traffic Heroin 100-200	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Traffic Cocaine 100-200	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Throw or Place Explosives	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
7	Sub-Total	6	2	0	0	0	8	22.0	30.0	.	.	.	24.0	24.0	30.0	.	.	.	24.0

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	3	1	0	0	0	4	24.7	12.0	.	.	.	21.5	24.0	12.0	.	.	.	22.0
6	A&B Elderly / Disabled Ser Injury	0	1	0	0	0	1	.	30.0	.	.	.	30.0	.	30.0	.	.	.	30.0
6	A&B Aggravated - Serious Injury	3	3	0	0	0	6	11.0	7.3	.	.	.	9.1	1.9	9.0	.	.	.	5.5
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	2	1	0	1	0	4	11.0	6.0	.	18.0	.	11.5	11.0	6.0	.	18.0	.	11.0
6	Assault To Kill or Maim	1	0	0	0	0	1	30.0	.	.	.	.	30.0	30.0	.	.	.	.	30.0
6	Rape Of Child	24	2	2	2	0	30	23.5	27.0	21.0	27.0	.	23.8	27.0	27.0	21.0	27.0	.	24.0
6	Assault w/i Rape	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
6	Indecent A&B On Child 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Indecent A&B Mentally Retarded	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Child Pornography Possess 3rd	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	3	0	0	0	0	3	8.7	.	.	.	.	8.7	12.0	.	.	.	.	12.0
6	Kidnapping	0	1	0	0	0	1	.	18.0	.	.	.	18.0	.	18.0	.	.	.	18.0
6	Harassment, 2nd	0	0	1	0	0	1	.	.	17.5	.	.	17.5	.	.	17.5	.	.	17.5
6	Burning Dwelling House	2	1	0	0	0	3	21.0	30.0	.	.	.	24.0	21.0	30.0	.	.	.	24.0
6	Distribute Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Distribute Cocaine 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Traffic Heroin 014-028	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Traffic Cocaine 028-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	MV Homicide - OUI Felony	7	1	0	0	0	8	19.7	30.0	.	.	.	21.0	18.0	30.0	.	.	.	21.0
6	Possess Explosive Device	0	1	1	0	0	2	.	30.0	30.0	.	.	30.0	.	30.0	30.0	.	.	30.0
6	Sub-Total	45	12	4	4	0	65	20.6	19.3	22.4	24.0	.	20.7	24.0	21.0	21.0	24.0	.	24.0

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
5	A&B Child w/Injury	7	2	4	1	0	14	9.7	22.5	9.3	8.2	.	11.3	6.0	22.5	9.0	8.2	.	7.4
5	A&B Aggravated	6	11	7	5	0	29	6.6	11.9	11.8	9.2	.	10.3	3.0	10.0	5.0	6.0	.	6.0
5	A&B DW, Aggravated	6	3	2	2	0	13	13.2	9.0	21.0	21.0	.	14.6	12.0	6.0	21.0	21.0	.	12.0
5	Indecent A&B On Child	39	6	5	3	0	53	17.3	15.8	22.8	13.5	.	17.5	18.0	12.1	30.0	6.0	.	18.0
5	Entice Child	2	1	1	0	0	4	13.5	17.4	18.0	.	15.6	13.5	17.4	18.0	.	.	.	17.7
5	Unnatural Acts Child	0	1	0	0	0	1	.	12.0	.	.	12.0	.	12.0	.	.	.	.	12.0
5	Robbery Unarmed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Intimidation	54	83	92	103	2	334	7.4	7.2	8.8	9.8	6.2	8.5	6.0	6.0	6.0	8.0	6.2	6.0
5	Stalking Violation of Rest. Order	0	1	3	4	0	8	.	12.0	20.2	16.5	.	17.3	.	12.0	18.6	18.0	.	18.0
5	Stalking 2nd	0	0	0	0	0	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	Counterfeit Equipment	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Traffic Cocaine 014-028	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Traffic Mar 100-2000	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Inducing Minor To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Guard Sex w/ Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Perjury or Suborn	2	2	0	0	0	4	24.0	9.0	.	.	.	16.5	24.0	9.0	.	.	.	18.0
5	Possess Molotov Cocktail	0	2	0	0	0	2	.	18.0	.	.	.	18.0	.	18.0	.	.	.	18.0
5	Sex Offender Fail Register 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Sub-Total	117	112	114	119	2	464	11.5	8.8	10.2	10.4	6.2	10.2	6.0	6.0	9.0	9.0	6.2	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
4	A&B Elderly / Disabled w/Injury	6	4	10	11	0	31	7.9	10.0	7.1	6.3	.	7.3	1.7	10.5	5.5	6.0	.	6.0
4	Assault Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B w/i Intimidate	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Guard	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Dangerous Weapon	67	59	67	47	0	240	15.6	17.6	17.9	18.7	.	17.4	12.1	18.0	18.0	18.0	.	18.0
4	A&B Dangerous Weapon + 60	1	0	0	1	0	2	24.0	.	.	12.0	.	18.0	24.0	.	.	12.0	.	18.0
4	A&B To Collect Loan	0	0	0	1	0	1	.	.	.	1.2	.	1.2	.	.	.	1.2	.	1.2
4	Indecent A&B	23	22	13	16	1	75	10.9	15.4	15.6	13.2	30.0	13.8	9.0	12.8	12.0	12.2	30.0	12.0
4	Child Pornography Possess 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Assault w/i Rob	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Stalking	4	4	5	2	0	15	12.2	3.5	15.2	10.5	.	10.7	11.5	3.0	12.0	10.5	.	11.0
4	Harassment	11	5	4	2	0	22	7.1	5.4	8.0	3.8	.	6.6	3.0	3.0	4.0	3.8	.	3.0
4	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny Person	73	87	47	67	1	275	8.7	9.9	12.4	9.4	1.0	9.8	6.0	9.0	12.0	9.0	1.0	9.0
4	Larceny Person + 65	1	1	3	0	0	5	0.9	6.0	12.0	.	.	8.6	0.9	6.0	12.0	.	.	6.0
4	Larceny MV 2nd	0	0	0	2	0	2	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
4	Fraud - Identity	14	16	26	32	0	88	7.9	6.7	8.0	11.7	.	9.1	6.0	6.0	6.5	12.0	.	9.5
4	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Enter Dwelling w/I Felony	1	0	0	3	0	4	12.0	.	.	15.0	.	14.3	12.0	.	.	12.0	.	12.0
4	B&E DT Armed w/i Felony	0	2	0	2	0	4	.	18.0	.	21.5	.	19.8	.	18.0	.	21.5	.	21.5
4	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods MV 2nd	0	0	0	4	0	4	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
4	Burning Building	1	0	0	0	0	1	17.1	.	.	.	.	17.1	17.1	.	.	.	.	17.1
4	Burning to Defraud	1	0	1	1	0	3	6.0	.	3.0	24.0	.	11.0	6.0	.	3.0	24.0	.	6.0
4	Distribute Class A	117	102	75	78	0	372	10.3	12.5	13.1	13.9	.	12.2	9.0	12.0	12.0	12.0	.	12.0
4	Distribute Class B	282	241	179	111	1	814	9.8	10.9	13.4	12.1	6.0	11.2	7.0	10.0	12.0	12.0	6.0	10.8
4	Distribute Cocaine	52	27	14	6	0	99	19.0	17.3	21.0	20.0	.	18.9	18.0	12.0	21.2	21.0	.	18.0
4	Traffic Mar 50-100	5	2	0	0	0	7	15.6	21.0	.	.	.	17.1	12.0	21.0	.	.	.	12.0
4	Larceny Cont Sub	1	1	0	0	0	2	6.0	2.0	.	.	.	4.0	6.0	2.0	.	.	.	4.0
4	Giving Prisoner Cont Sub	2	0	0	1	0	3	12.0	.	.	4.0	.	9.3	12.0	.	.	4.0	.	6.0
4	Control Substance School	55	57	37	36	0	185	24.2	24.5	24.0	24.5	.	24.3	24.0	24.0	24.0	24.0	.	24.0
4	MV Homicide - Reckless	2	0	0	0	0	2	8.0	.	.	.	.	8.0	8.0	.	.	.	.	8.0
4	MV Homicide - OUI	4	1	0	0	0	5	18.0	30.0	.	.	.	20.4	21.0	30.0	.	.	.	24.0
4	Leaving Scene Death	3	0	0	0	0	3	20.0	.	.	.	.	20.0	18.0	.	.	.	.	18.0
4	OUI Serious Inj, Fel	10	4	1	1	0	16	16.2	16.5	30.0	6.0	.	16.5	18.0	16.5	30.0	6.0	.	18.0
4	Derive Support From Prostitute	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Assault Weapon, Possess	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
4	Gun Serial Number, Felony	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
4	Firearm Sale Violation	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
4	Escape	1	11	13	14	0	39	0.7	3.8	5.7	8.3	.	6.0	0.7	2.0	3.0	6.0	.	3.0
4	Extortion	1	0	1	1	0	3	30.0	.	2.0	8.0	.	13.3	30.0	.	2.0	8.0	.	8.0
4	Bomb Hoax	0	0	0	1	0	1	.	.	.	3.0	.	3.0	.	.	.	3.0	.	3.0
4	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	DNA Tamper	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Sub-Total	741	646	496	441	3	2327	12.2	13.0	14.3	13.6	12.3	13.2	12.0	12.0	12.0	12.0	6.0	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	396	455	450	486	4	1791	4.6	5.9	7.5	8.6	5.0	6.7	3.0	4.0	6.0	6.0	3.5	6.0
3	A&B Domestic	8	9	8	6	0	31	4.9	3.4	5.3	11.0	.	5.7	2.5	3.0	6.0	12.0	.	3.0
3	A&B w/I Intimidate	1	0	1	0	0	2	6.0	.	12.0	.	.	9.0	6.0	.	12.0	.	.	9.0
3	Reckless Endangerment	8	4	4	1	0	17	3.4	14.3	9.5	3.0	.	7.4	2.6	15.0	11.6	3.0	.	4.8
3	Permit Injury to Child	2	0	0	1	0	3	13.0	.	.	18.0	.	14.7	13.0	.	.	18.0	.	14.0
3	A&B Ambulance	1	2	1	1	0	5	3.0	3.6	0.7	3.0	.	2.8	3.0	3.6	0.7	3.0	.	3.0
3	A&B Dangerous Weapon	85	102	55	61	0	303	4.0	4.6	4.5	5.0	.	4.5	3.6	4.1	6.0	6.0	.	4.2
3	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Assault Dangerous Weapon	92	60	84	69	0	305	6.4	7.2	8.4	10.1	.	8.0	3.0	6.0	6.0	6.0	.	6.0
3	Unnatural Acts	0	1	0	0	0	1	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0
3	Child Pornography Possess	13	2	0	0	0	15	5.8	10.5	.	.	.	6.4	4.0	10.5	.	.	.	6.0
3	Kidnapping	1	1	2	1	0	5	0.3	6.0	6.0	3.3	.	4.3	0.3	6.0	6.0	3.3	.	3.3
3	Violation Of Civil Rights	1	1	0	0	0	2	2.0	3.0	.	.	.	2.5	2.0	3.0	.	.	.	2.5
3	Restraining Order Violation	67	114	139	167	1	488	3.8	4.3	6.8	8.2	2.0	6.3	2.0	3.0	6.0	6.0	2.0	6.0
3	Larceny	9	20	12	14	0	55	4.6	3.4	6.1	8.2	.	5.4	1.7	2.5	5.7	7.5	.	3.0
3	Larceny More	151	185	228	299	2	865	5.1	6.0	7.3	8.4	6.0	7.0	3.0	6.0	6.0	6.0	6.0	6.0
3	Larceny More + 60	3	3	2	0	0	8	6.0	10.0	10.0	.	.	8.5	6.0	12.0	10.0	.	.	6.0
3	Larceny Building	6	17	12	48	0	83	6.2	7.9	10.0	9.3	.	8.9	5.0	6.0	10.5	6.0	.	6.0
3	Larceny Firearm	2	1	2	0	0	5	8.7	12.0	21.0	.	.	14.3	8.7	12.0	21.0	.	.	12.0
3	Larceny MV	19	24	18	28	1	90	4.1	6.8	12.1	13.0	24.0	9.4	2.9	6.0	10.5	12.0	24.0	6.0
3	Embezzlement	5	0	0	0	0	5	11.4	.	.	.	.	11.4	8.0	.	.	.	.	8.0
3	Credit Card Misuse - More	4	2	6	6	0	18	2.4	1.3	12.2	19.0	.	11.1	1.5	1.3	12.0	21.0	.	9.0
3	Defrauding Insurer	3	2	3	2	0	10	22.0	8.5	5.3	9.0	.	11.7	30.0	8.5	6.0	9.0	.	7.0
3	Fraud	6	6	8	10	0	30	5.4	6.0	6.5	6.4	.	6.1	4.6	6.0	6.0	6.0	.	6.0
3	MV - Sales Violation	1	0	0	0	0	1	2.0	.	.	.	.	2.0	2.0	.	.	.	.	2.0
3	Possess Burglariou Tools	10	20	19	47	0	96	5.7	8.4	6.6	9.5	.	8.3	3.3	8.0	4.2	6.0	.	6.0
3	B&E	217	224	214	293	1	949	6.1	7.3	10.3	11.1	24.0	8.9	4.2	6.0	9.0	12.0	24.0	6.0
3	Mal Dest Property More	13	15	15	21	0	64	5.0	10.5	6.4	13.4	.	9.4	3.0	6.0	6.0	12.0	.	6.0
3	Receiving Stolen Goods Over	12	27	23	40	1	103	4.8	8.6	12.0	12.4	2.0	10.3	4.0	6.0	8.0	12.0	2.0	7.0
3	Receiving Stolen Goods MV	21	39	33	55	0	148	5.1	6.9	8.1	12.0	.	8.8	3.0	6.0	6.0	12.0	.	6.0
3	Receiving Stolen Goods 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Forgery And Uttering	34	45	35	51	1	166	4.6	5.6	6.4	8.6	6.0	6.5	3.0	4.0	6.0	6.0	6.0	6.0
3	Counterfeit	0	1	2	0	0	3	.	1.0	2.5	.	.	2.0	.	1.0	2.5	.	.	2.0
3	Burning Property	2	3	1	0	0	6	1.6	1.1	2.5	.	.	1.5	1.6	1.3	2.5	.	.	1.7
3	Burning Motor Vehicle	2	0	0	0	0	2	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
3	Illegal Lottery	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
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	2	5	2	0	10	9.0	4.9	6.2	12.0	.	7.4	9.0	4.9	6.0	12.0	.	7.5
3	Possession Class A Heroin 2nd	1	5	3	3	0	12	6.0	7.6	2.7	9.0	.	6.6	6.0	6.0	3.0	6.0	.	6.0
3	Possession Class B 2nd	3	10	9	19	0	41	2.4	2.8	6.5	6.2	.	5.2	3.0	2.6	6.0	6.0	.	3.0
3	Possession Class C 2nd	0	0	0	2	0	2	.	.	.	5.5	.	5.5	.	.	.	5.5	.	5.5
3	Possession Class D 2nd	2	2	5	5	0	14	2.0	1.0	6.8	3.2	.	4.0	2.0	1.0	6.0	2.0	.	2.0
3	Distribute Class C	2	7	3	5	0	17	2.0	10.6	5.2	4.2	.	6.7	2.0	12.0	2.0	6.0	.	6.0
3	Distribute Class D 2nd	4	4	1	3	0	12	12.0	18.0	18.0	11.0	.	14.3	10.5	15.0	18.0	12.0	.	12.0
3	Distribute Class E 2nd	2	0	0	0	0	2	9.6	.	.	.	.	9.6	9.6	.	.	.	.	9.6
3	MV Homicide	7	1	3	0	0	11	17.1	30.0	10.2	.	.	16.4	15.0	30.0	12.0	.	.	15.0
3	Leaving Scene Property Damage	51	49	43	32	0	175	4.1	4.5	6.0	5.3	.	4.9	2.0	3.0	6.0	3.0	.	3.0
3	Leaving Scene Personal Injury	18	5	9	7	0	39	5.5	10.8	11.3	13.6	.	9.0	5.1	6.0	9.0	12.0	.	6.0
3	Possess Master Key MV	0	1	0	0	0	1	.	18.0	.	.	.	18.0	.	18.0	.	.	.	18.0
3	OUI Serious Inj, Misd	7	1	1	0	0	9	9.4	6.0	9.0	.	.	9.0	6.0	6.0	9.0	.	.	6.0
3	OUI - Child Endangerment	4	4	0	0	0	8	3.2	2.5	.	.	.	2.9	3.0	3.0	.	.	.	3.0
3	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gun Serial Number	6	2	1	0	0	9	16.1	18.0	18.0	.	.	16.7	18.0	18.0	18.0	.	.	18.0
3	Firearm Loaded while OUI	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
3	Nonsupport	0	2	1	0	0	3	.	9.0	12.0	.	.	10.0	.	9.0	12.0	.	.	12.0
3	Interfere Police or Firefighter	1	0	1	3	0	5	3.5	.	16.0	5.0	.	6.9	3.5	.	16.0	2.0	.	3.5
3	Failure to Appear Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Carrying Dangerous Weapon	18	22	23	17	0	80	3.4	4.2	5.5	3.6	.	4.3	1.8	2.0	6.0	3.0	.	2.3
3	Contempt Of Court	1	0	0	0	0	1	0.8	.	.	.	.	0.8	0.8	.	.	.	.	0.8
3	Cruelty To Animals	4	4	1	1	0	10	3.6	5.0	3.0	3.0	.	4.0	2.5	3.5	3.0	3.0	.	3.0
3	Sex Offender Fail Register	5	18	32	95	0	150	4.4	7.0	6.6	8.1	.	7.5	1.2	6.0	6.0	6.0	.	6.0
3	Vandalize - Graves	2	0	0	0	0	2	8.0	.	.	.	.	8.0	8.0	.	.	.	.	8.0
3	Sub-Total	1334	1524	1520	1901	11	6290	5.2	6.1	7.8	9.1	8.2	7.2	3.0	6.0	6.0	6.0	6.0	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	11	14	24	22	0	71	1.3	4.2	8.0	6.6	.	5.8	1.0	3.0	6.0	6.0	.	4.0
2	Accost / Annoy Person Opposite Sex	1	2	1	5	0	9	2.0	2.5	6.0	4.2	.	3.8	2.0	2.5	6.0	6.0	.	3.0
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less	55	48	42	50	1	196	1.7	3.4	4.5	5.0	3.0	3.6	1.0	2.0	3.0	4.5	3.0	2.1
2	Larceny Less +60	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
2	Shoplifting	21	74	87	157	1	340	2.4	2.6	3.1	4.3	3.0	3.5	1.0	1.0	1.2	3.0	3.0	2.0
2	Credit Card Misuse	3	11	6	18	0	38	6.3	4.3	4.2	7.9	.	6.1	6.0	2.4	2.0	9.0	.	6.0
2	MV - False Report Of Theft	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
2	Defrauding Innkeeper	0	0	1	0	0	1	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0
2	Failure To Return Leased Prop	0	2	0	1	0	3	.	2.0	.	3.0	.	2.3	.	2.0	.	3.0	.	3.0
2	B&E MV	2	4	1	2	0	9	1.3	4.1	6.0	4.0	.	3.7	1.3	4.5	6.0	4.0	.	3.0
2	B&E w/i Misdemeanor	11	10	5	6	0	32	2.0	3.1	2.4	3.5	.	2.7	1.0	2.5	1.9	3.1	.	2.0
2	Property Destruction	31	23	39	51	0	144	2.5	2.1	3.8	4.2	.	3.4	1.7	1.3	3.0	2.5	.	2.0
2	Injure Building Riot	1	0	0	0	0	1	3.0	.	.	.	.	3.0	3.0	.	.	.	.	3.0
2	Tagging Property	3	1	0	1	0	5	1.5	1.0	.	6.0	.	2.3	1.5	1.0	.	6.0	.	1.5
2	Receiving Stolen Goods	28	63	55	81	0	227	4.5	5.8	7.0	8.2	.	6.8	2.0	3.0	6.0	6.0	.	4.2
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Setting Fire Land	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Gaming Use of Telephone	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fraud - Electric, Phone or Cable	0	0	0	1	0	1	.	.	.	18.0	.	18.0	.	.	.	18.0	.	18.0
2	Property Violation	3	2	4	1	0	10	6.9	6.5	7.8	12.0	.	7.7	1.7	6.5	9.0	12.0	.	9.0
2	Possession Class A	47	47	44	52	0	190	3.2	4.0	5.7	4.7	.	4.4	2.0	3.0	4.5	3.0	.	3.0
2	Possession Class A Heroin	28	30	36	29	0	123	2.8	5.8	5.1	5.8	.	4.9	2.0	5.5	4.0	5.9	.	4.0
2	Possession Class B	130	120	101	120	2	473	2.9	3.8	4.5	4.3	0.7	3.8	2.0	2.5	3.0	3.0	0.7	3.0
2	Possession Class C	12	8	10	10	0	40	4.0	5.1	3.1	3.7	.	3.9	2.0	6.0	3.0	3.0	.	3.0
2	Possession Class D	84	74	50	25	1	234	2.5	2.6	2.7	3.3	9.0	2.7	1.0	2.0	2.0	2.0	9.0	2.0
2	Possession Class D Marijuana 2nd	1	4	2	1	0	8	1.0	2.2	7.0	1.0	.	3.1	1.0	2.3	7.0	1.0	.	2.3
2	Distribute Counterfeit Substance	0	3	3	7	0	13	.	3.5	1.3	2.1	.	2.2	.	2.5	1.0	1.8	.	2.0
2	Distribute Class D	100	61	29	24	0	214	6.9	7.4	7.2	10.2	.	7.4	6.0	6.0	6.0	8.0	.	6.0
2	Distribute Class E	2	1	1	2	0	6	1.9	6.0	4.0	3.5	.	3.5	1.9	6.0	4.0	3.5	.	3.5
2	Possession Hypodermic/Syringe	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Presence Class A	3	5	4	2	0	14	2.0	1.0	4.0	3.5	.	2.4	2.0	1.0	4.0	3.5	.	2.0
2	Forge Prescription	11	6	4	9	0	30	2.0	4.1	5.3	9.7	.	5.2	1.3	3.2	6.0	11.0	.	3.0
2	Distribute Paraphenalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Operate to Endanger	98	70	55	52	0	275	3.1	4.7	4.8	6.7	.	4.5	2.0	3.0	2.3	6.0	.	3.0
2	Use Without Authority	16	11	18	27	0	72	3.3	5.7	4.6	6.0	.	5.0	3.0	6.0	2.0	3.0	.	3.0
2	Use w/o Authority 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Ignition Interlock Violation	3	1	0	1	0	5	7.3	6.0	.	5.0	.	6.6	6.0	6.0	.	5.0	.	6.0
2	Habitual Traffic Offender	7	18	14	8	0	47	2.0	2.1	3.4	4.6	.	2.9	1.0	1.4	2.0	2.5	.	2.0
2	Racing	0	0	1	0	0	1	.	.	0.5	.	.	0.5	.	.	0.5	.	.	0.5
2	Operate After Suspension 2nd	65	172	168	171	1	577	2.1	2.5	2.7	2.9	2.0	2.7	2.0	2.0	2.0	2.0	2.0	2.0
2	Compulsory Insurance Violation	36	44	29	33	0	142	1.5	2.1	1.8	3.3	.	2.2	0.6	1.0	0.8	2.0	.	1.0
2	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Counterfeit/Alter MV Document	8	3	6	5	0	22	3.4	0.8	2.6	9.0	.	4.1	3.0	1.0	3.0	6.0	.	3.0
2	False Statement On Application	1	3	0	1	0	5	11.0	4.0	.	9.0	.	6.4	11.0	3.0	.	9.0	.	6.0
2	Prostitution	39	66	39	24	0	168	1.7	3.0	3.2	3.8	.	2.9	1.0	2.0	2.0	3.0	.	2.0
2	Common Night Walker 3rd	0	1	0	1	0	2	.	1.8	.	18.0	.	9.9	.	1.8	.	18.0	.	9.9
2	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Keeping A House Of Ill Fame	0	1	0	0	0	1	.	2.0	.	.	.	2.0	.	2.0	.	.	.	2.0

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	Open And Gross	14	9	5	17	0	45	5.9	5.8	5.6	9.3	.	7.1	3.5	4.0	2.0	6.0	.	4.0
2	Obscene Material to Minor	1	1	0	0	0	2	30.0	6.0	.	.	.	18.0	30.0	6.0	.	.	.	18.0
2	Failure To Disperse	1	0	0	0	0	1	1.1	.	.	.	.	1.1	1.1	.	.	.	.	1.1
2	Firearm Possess w/o Permit	99	42	15	6	0	162	12.0	15.6	10.2	12.0	.	12.8	12.0	18.0	9.0	12.0	.	12.0
2	Possess Mace	2	0	0	0	0	2	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
2	Possess Ammunition	5	1	1	0	0	7	9.4	24.0	6.0	.	.	11.0	6.0	24.0	6.0	.	.	6.0
2	Firearm Carry, School	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Store Improper	3	1	0	0	0	4	6.2	3.0	.	.	.	5.4	5.0	3.0	.	.	.	4.0
2	Escape Work Release Program	0	0	1	0	0	1	.	.	0.3	.	.	0.3	.	.	0.3	.	.	0.3
2	Escape Lockup	0	0	1	0	0	1	.	.	1.7	.	.	1.7	.	.	1.7	.	.	1.7
2	Aiding An Escape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Impersonate/Disguise	1	1	2	2	0	6	0.2	10.0	7.5	7.5	.	6.7	0.2	10.0	7.5	7.5	.	6.5
2	Failure to Appear	4	1	8	1	0	14	2.5	6.0	4.3	12.0	.	4.4	1.5	6.0	3.5	12.0	.	4.0
2	Possess Stun Gun	1	0	2	0	0	3	6.0	.	3.5	.	.	4.3	6.0	.	3.5	.	.	6.0
2	Possess Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Alarm	4	2	0	0	0	6	1.1	6.0	.	.	.	2.7	0.5	6.0	.	.	.	1.9
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Violation Of Explosives	1	0	0	1	0	2	5.0	.	.	30.0	.	17.5	5.0	.	.	30.0	.	17.5
2	Disrupt Court Proceedings	0	0	1	1	0	2	.	.	12.0	3.0	.	7.5	.	.	12.0	3.0	.	7.5
2	Contributing To Delinquency	1	0	1	1	0	3	1.0	.	12.0	2.0	.	5.0	1.0	.	12.0	2.0	.	2.0
2	Mistreat Police Animal	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Work Compensation Fail Have	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Resisting Arrest	72	105	88	87	0	352	2.9	3.1	5.0	5.0	.	4.0	1.1	3.0	3.0	3.0	.	3.0
2	Curfew	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	4	2	0	4	0	10	1.6	0.6	.	6.8	.	3.4	0.7	0.6	.	6.0	.	2.0
2	Hazardous Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disconnect Sprinkler System	0	2	0	1	0	3	.	9.0	.	2.0	.	6.7	.	9.0	.	2.0	.	6.0
2	Clean Water Act Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	True Name Law	9	14	17	12	0	52	1.1	2.5	2.0	2.2	.	2.0	1.0	2.5	1.0	2.0	.	1.0
2	Home Imp Contractor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Wetlands Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Sub-Total	1083	1184	1023	1133	6	4429	4.0	4.1	4.3	5.0	3.1	4.4	2.0	2.0	3.0	3.0	2.5	2.6

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
1	Obscene Materials	1	0	2	0	0	3	30.0	.	6.0	.	.	14.0	30.0	.	6.0	.	.	6.0
1	Threatening	34	46	33	40	0	153	2.5	3.0	3.4	3.5	.	3.1	2.0	3.0	3.0	3.0	.	3.0
1	Defrauding Victualer	0	0	0	1	0	1	.	.	.	1.0	.	1.0	.	.	.	1.0	.	1.0
1	Vandalism	11	13	9	12	0	45	2.8	4.3	6.0	4.3	.	4.3	1.1	1.0	3.0	2.5	.	2.0
1	Trespassing	32	62	60	102	0	256	0.7	0.6	0.8	0.7	.	0.7	0.9	0.7	1.0	1.0	.	1.0
1	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Unauthorized Access of Computer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Possession Class D Marijuana	16	17	10	3	0	46	3.0	1.7	3.0	4.5	.	2.6	2.5	1.3	3.0	6.0	.	1.8
1	Possession Class E	11	7	6	13	0	37	1.4	1.0	3.8	2.9	.	2.3	1.3	1.0	3.0	3.0	.	1.9
1	Inhaling Toxic Vapors	1	0	0	0	0	1	5.0	.	.	.	.	5.0	5.0	.	.	.	.	5.0
1	Attaching Wrong MV Plates	1	3	4	2	0	10	0.3	0.3	0.3	0.2	.	0.3	0.3	0.3	0.3	0.2	.	0.3
1	Operate After Suspension	150	186	129	102	0	567	0.3	0.3	0.3	0.3	.	0.3	0.3	0.3	0.3	0.3	.	0.3
1	Obstruct Emergency Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Violation Aircraft Restriction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	MV - Impersonate/Other License	1	0	1	0	0	2	0.1	.	0.3	.	.	0.2	0.1	.	0.3	.	.	0.2
1	RV On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Common Night Walker	2	7	3	4	0	16	3.5	1.7	2.2	0.7	.	1.8	3.5	1.0	3.0	0.7	.	1.0
1	Indecent Exposure	7	2	3	9	0	21	1.0	1.0	0.9	2.5	.	1.6	1.0	1.0	1.0	1.0	.	1.0
1	Lewd And Lacious	0	2	1	3	0	6	.	0.9	6.0	3.3	.	3.0	.	0.9	6.0	3.0	.	2.0
1	Disorderly Conduct	87	105	76	98	0	366	1.5	1.9	2.1	1.7	.	1.8	1.0	1.0	1.0	1.0	.	1.0
1	Smoking on MBTA	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Possess Air Rifle w/o FID Card	0	0	1	0	0	1	.	.	0.4	.	.	0.4	.	.	0.4	.	.	0.4
1	Firearm Discharge	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Accessory Before & After	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Annoying Phone Calls	3	2	2	2	0	9	1.4	1.5	2.5	1.7	.	1.7	0.7	1.5	2.5	1.7	.	2.0
1	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstructing Justice	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
1	License Law Violation (Not MV)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Procure for Minor	5	4	2	2	0	13	3.0	1.3	6.0	1.6	.	2.7	3.0	1.0	6.0	1.6	.	3.0
1	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Employment Practices	1	1	0	0	0	2	6.0	3.0	.	.	.	4.5	6.0	3.0	.	.	.	4.5
1	Health Code Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Remove Token from Grave	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Improper Disposal of Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Sub-Total	363	457	342	394	0	1556	1.2	1.2	1.5	1.5	.	1.3	0.3	0.3	0.5	0.8	.	0.4

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	3	0	0	0	3	.	10.7	.	.	.	10.7	.	12.0	.	.	.	12.0
0	Attempt B&E	0	0	0	2	0	2	.	.	.	7.0	.	7.0	.	.	.	7.0	.	7.0
0	Conspiracy Violate CSA	10	5	2	7	0	24	11.4	2.5	18.1	8.0	.	9.1	6.3	1.2	18.1	9.0	.	6.0
0	Conspiracy	5	1	2	4	0	12	16.4	9.0	6.0	5.4	.	10.4	12.0	9.0	6.0	4.5	.	7.5
0	Attempt To Commit Crime	20	18	10	22	0	70	7.5	4.8	5.6	6.4	.	6.2	6.0	3.5	4.5	6.0	.	6.0
0	Accessory Before	1	0	1	0	0	2	15.1	.	6.0	.	.	10.6	15.1	.	6.0	.	.	10.6
0	Accessory After	2	1	0	0	0	3	15.0	12.0	.	.	.	14.0	15.0	12.0	.	.	.	12.0
0	Sub-Total	38	28	15	35	0	116	10.3	5.4	7.4	6.7	.	7.6	6.0	4.5	6.0	6.0	.	6.0

Table 45 Governing Offense by Type 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
Person	A&B	1528	1126	854	769	4	4281	404	466	463	494	4	1831	26%	41%	54%	64%	100%	43%
Person	A&B Aggravated	25	15	11	8	0	59	7	11	9	6	0	33	28%	73%	82%	75%		56%
Person	A&B Aggravated - Serious Injury	3	3	1	1	0	8	3	3	1	1	0	8	100%	100%	100%	100%		100%
Person	A&B Ambulance	1	4	2	2	0	9	1	2	1	1	0	5	100%	50%	50%	50%		56%
Person	A&B Child w/Injury	13	5	5	2	0	25	7	2	4	1	0	14	54%	40%	80%	50%		56%
Person	A&B Child w/Injury Substantial	9	1	1	0	0	11	9	1	1	0	0	11	100%	100%	100%			100%
Person	A&B Dangerous Weapon	393	303	215	185	0	1096	177	182	141	135	0	635	45%	60%	66%	73%		58%
Person	A&B Dangerous Weapon + 60	3	2	0	1	0	6	1	2	0	1	0	4	33%	100%		100%		67%
Person	A&B Domestic	34	15	14	11	0	74	8	9	8	6	0	31	24%	60%	57%	55%		42%
Person	A&B DW, Aggravated	15	7	7	6	0	35	12	7	7	6	0	32	80%	100%	100%	100%		91%
Person	A&B DW, Aggravated w/Injury	9	3	3	4	0	19	8	3	3	4	0	18	89%	100%	100%	100%		95%
Person	A&B Elderly / Disabled Ser Injury	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Person	A&B Elderly / Disabled w/Injury	25	17	19	19	0	80	6	4	11	13	0	34	24%	24%	58%	68%		43%
Person	A&B Guard	2	5	9	22	0	38	2	4	8	21	0	35	100%	80%	89%	95%		92%
Person	A&B To Collect Loan	0	1	0	2	0	3	0	0	0	1	0	1		0%		50%		33%
Person	A&B w/i Intimidate	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Person	A&B w/I Intimidate	5	1	2	0	0	8	1	0	1	0	0	2	20%	0%	50%			25%
Person	Armed Aslt w/i Rob Over 65	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
Person	Armed Assault In Dwell House	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
Person	Armed Assault w/i Murder	21	13	4	10	0	48	19	11	4	10	0	44	90%	85%	100%	100%		92%
Person	Armed Assault w/i Murder - Firearm	7	3	1	2	0	13	7	3	1	2	0	13	100%	100%	100%	100%		100%
Person	Armed Assault w/i Rob	6	3	3	10	1	23	4	2	1	10	1	18	67%	67%	33%	100%	100%	78%
Person	Armed Robbery	60	47	52	58	2	219	32	41	48	56	2	179	53%	87%	92%	97%	100%	82%
Person	Armed Robbery Gun	21	13	16	23	1	74	15	13	16	23	1	68	71%	100%	100%	100%	100%	92%
Person	Assault	53	42	44	39	0	178	14	16	27	23	0	80	26%	38%	61%	59%		45%
Person	Assault Aggravated	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Person	Assault Dangerous Weapon	211	161	135	121	1	629	100	68	92	70	0	330	47%	42%	68%	58%	0%	52%
Person	Assault In Dwelling	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Person	Assault To Kill or Maim	3	2	3	2	0	10	3	2	2	2	0	9	100%	100%	67%	100%		90%
Person	Assault w/i Rob	3	2	4	3	0	12	3	1	3	3	0	10	100%	50%	75%	100%		83%

Table 45 Governing Offense by Type 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
Person	Carjacking	4	1	1	2	0	8	3	1	1	2	0	7	75%	100%	100%	100%		88%
Person	Carjacking, Armed	2	1	1	0	0	4	2	1	1	0	0	4	100%	100%	100%			100%
Person	Confine And Put In Fear	1	2	1	5	0	9	1	2	1	5	0	9	100%	100%	100%	100%		100%
Person	Extortion	2	0	1	1	0	4	1	0	1	1	0	3	50%		100%	100%		75%
Person	Harassment	27	13	9	4	0	53	11	5	4	3	0	23	41%	38%	44%	75%		43%
Person	Harassment, 2nd	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
Person	Home Invasion	4	0	3	1	0	8	0	0	3	1	0	4	0%		100%	100%		50%
Person	Hostage Taking by Prisoner	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Person	Intimidation	157	184	169	159	2	671	62	89	100	116	2	369	39%	48%	59%	73%	100%	55%
Person	Kidnapping	13	3	4	1	0	21	8	3	4	1	0	16	62%	100%	100%	100%		76%
Person	Manslaughter	30	10	7	6	0	53	28	10	7	6	0	51	93%	100%	100%	100%		96%
Person	Mayhem	6	3	2	1	0	12	6	3	2	1	0	12	100%	100%	100%	100%		100%
Person	Murder	29	5	15	4	0	53	29	5	15	4	0	53	100%	100%	100%	100%		100%
Person	Murder, Attempted	5	1	1	2	0	9	4	0	1	2	0	7	80%	0%	100%	100%		78%
Person	Permit Injury to Child	3	0	0	1	0	4	2	0	0	1	0	3	67%			100%		75%
Person	Reckless Endangerment	27	9	6	1	0	43	8	4	4	1	0	17	30%	44%	67%	100%		40%
Person	Restraining Order Violation	226	288	274	260	1	1049	69	118	140	169	1	497	31%	41%	51%	65%	100%	47%
Person	Robbery Unarmed	23	19	27	41	0	110	12	12	25	40	0	89	52%	63%	93%	98%		81%
Person	Robbery Unarmed + 60	2	7	3	2	1	15	2	6	3	2	1	14	100%	86%	100%	100%	100%	93%
Person	Stalking	10	7	7	4	0	28	4	5	6	3	0	18	40%	71%	86%	75%		64%
Person	Stalking 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Person	Stalking Violation of Rest. Order	1	1	3	5	0	10	1	1	3	5	0	10	100%	100%	100%	100%		100%
Person	Threatening	104	101	63	80	0	348	36	48	33	41	0	158	35%	48%	52%	51%		45%
Person	Violation Of Civil Rights	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
Person	Sub-Total	3132	2454	2008	1882	13	9489	1134	1169	1212	1295	12	4822	36%	48%	60%	69%	92%	51%

Table 45 Governing Offense by Type 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
Sex	Assault w/i Rape	3	0	4	1	0	8	3	0	4	1	0	8	100%		100%	100%		100%
Sex	Assault w/i Rape Child	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
Sex	Child Pornography	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Sex	Child Pornography Possess	35	5	1	0	0	41	15	4	1	0	0	20	43%	80%	100%			49%
Sex	Child Pornography Possess 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Sex	Child Pornography Possess 3rd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Sex	Entice Child	5	2	1	0	0	8	3	1	1	0	0	5	60%	50%	100%			63%
Sex	Incest	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
Sex	Indecent A&B	52	31	17	19	1	120	26	22	13	18	1	80	50%	71%	76%	95%	100%	67%
Sex	Indecent A&B Mentally Retarded	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Sex	Indecent A&B On Child	77	11	13	8	0	109	43	8	7	7	0	65	56%	73%	54%	88%		60%
Sex	Indecent A&B On Child 2nd	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
Sex	Inducing Minor To Prostitution	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Sex	Inducing Minor To Sex	6	0	1	0	0	7	0	0	0	0	0	0	0%		0%			0%
Sex	Obscene Material to Minor	2	4	0	0	0	6	1	2	0	0	0	3	50%	50%				50%
Sex	Open And Gross	41	19	14	22	0	96	14	10	6	19	0	49	34%	53%	43%	86%		51%
Sex	Rape	17	2	5	5	0	29	15	2	5	5	0	27	88%	100%	100%	100%		93%
Sex	Rape Of Child	69	14	13	5	0	101	57	13	12	4	0	86	83%	93%	92%	80%		85%
Sex	Rape of Child 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Sex	Rape Of Child w/Force	22	6	6	2	0	36	20	5	6	2	0	33	91%	83%	100%	100%		92%
Sex	Rape, Aggravated	6	3	1	6	1	17	6	3	1	6	1	17	100%	100%	100%	100%	100%	100%
Sex	Unnatural Acts Child	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
Sex	Sub-Total	341	101	81	70	2	595	207	74	61	64	2	408	61%	73%	75%	91%	100%	69%
Weapons	Assault Weapon, Possess	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Weapons	Carrying Dangerous Weapon	85	68	49	32	0	234	18	24	25	18	0	85	21%	35%	51%	56%		36%
Weapons	Firearm Carry, School	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
Weapons	Firearm Discharge	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
Weapons	Firearm Loaded while OUI	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%			50%
Weapons	Firearm Possess w/o Permit	199	62	26	10	0	297	100	44	15	6	0	165	50%	71%	58%	60%		56%
Weapons	Firearm Sale Violation	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Weapons	Firearm Store Improper	15	4	0	0	0	19	3	1	0	0	0	4	20%	25%				21%
Weapons	Gun Serial Number	9	2	1	0	0	12	6	2	1	0	0	9	67%	100%	100%			75%
Weapons	Gun Serial Number, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Weapons	Possess Air Rifle w/o FID Card	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
Weapons	Possess Ammunition	7	3	2	0	0	12	5	1	1	0	0	7	71%	33%	50%			58%
Weapons	Possess Dangerous Weapon	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Weapons	Possess Explosive Device	2	1	1	0	0	4	1	1	1	0	0	3	50%	100%	100%			75%
Weapons	Possess Mace	6	0	1	1	0	8	2	0	0	0	0	2	33%		0%	0%		25%
Weapons	Possess Molotov Cocktail	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
Weapons	Possess Stun Gun	12	2	3	1	0	18	1	0	2	0	0	3	8%	0%	67%	0%		17%
Weapons	Throw or Place Explosives	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
Weapons	Violation Of Explosives	4	0	0	1	0	5	1	0	0	1	0	2	25%			100%		40%
Weapons	Sub-Total	351	147	85	45	0	628	142	75	47	25	0	289	40%	51%	55%	56%		46%

Table 45 Governing Offense by Type 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
Property	Attempt B&E	2	2	0	3	0	7	0	0	0	2	0	2	0%	0%		67%		29%
Property	Attempt Larceny	2	4	1	0	0	7	0	3	0	0	0	3	0%	75%	0%			43%
Property	B&E	508	434	340	499	2	1783	225	235	233	391	1	1085	44%	54%	69%	78%	50%	61%
Property	B&E DT Armed w/i Felony	0	2	0	2	0	4	0	2	0	2	0	4		100%		100%		100%
Property	B&E MV	6	9	6	5	0	26	2	4	1	2	0	9	33%	44%	17%	40%		35%
Property	B&E w/i Misdemeanor	44	26	14	15	0	99	13	10	6	6	0	35	30%	38%	43%	40%		35%
Property	Burglary	6	3	3	13	0	25	5	3	3	11	0	22	83%	100%	100%	85%		88%
Property	Burglary, Armed	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
Property	Burning Building	2	1	1	1	0	5	1	0	1	1	0	3	50%	0%	100%	100%		60%
Property	Burning Dwelling House	5	4	2	2	0	13	4	3	2	2	0	11	80%	75%	100%	100%		85%
Property	Burning Motor Vehicle	4	1	0	0	0	5	2	0	0	0	0	2	50%	0%				40%
Property	Burning Property	5	5	1	0	0	11	2	4	1	0	0	7	40%	80%	100%			64%
Property	Burning to Defraud	1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%
Property	Common & Notorious Thief	0	0	1	6	0	7	0	0	1	6	0	7			100%	100%		100%
Property	Counterfeit	12	2	8	3	0	25	0	1	3	0	0	4	0%	50%	38%	0%		16%
Property	Counterfeit Equipment	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Property	Credit Card Misuse	25	22	15	25	0	87	3	11	7	18	0	39	12%	50%	47%	72%		45%
Property	Credit Card Misuse - More	9	5	7	11	0	32	4	2	7	9	0	22	44%	40%	100%	82%		69%
Property	Defrauding Innkeeper	0	0	2	2	0	4	0	0	1	0	0	1			50%	0%		25%
Property	Defrauding Insurer	33	11	6	7	0	57	3	2	3	3	0	11	9%	18%	50%	43%		19%
Property	Defrauding Victualer	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
Property	Embezzlement	5	0	0	0	0	5	5	0	0	0	0	5	100%					100%
Property	Enter Dwelling w/I Felony	1	0	1	8	0	10	1	0	0	8	0	9	100%		0%	100%		90%
Property	Failure To Return Leased Prop	12	13	2	2	0	29	0	2	0	1	0	3	0%	15%	0%	50%		10%
Property	False Alarm	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
Property	Forgery And Uttering	114	134	91	103	1	443	35	45	38	56	1	175	31%	34%	42%	54%	100%	40%
Property	Fraud	32	19	16	18	0	85	6	6	8	10	0	30	19%	32%	50%	56%		35%
Property	Fraud - Electric, Phone or Cable	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Property	Fraud - Identity	64	46	48	49	0	207	14	16	26	32	0	88	22%	35%	54%	65%		43%
Property	Injure Building Riot	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%

Table 45 Governing Offense by Type 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
Property	Larceny	50	53	41	28	0	172	12	20	14	14	0	60	24%	38%	34%	50%	35%	
Property	Larceny Building	36	43	27	71	0	177	7	18	12	51	0	88	19%	42%	44%	72%	50%	
Property	Larceny Firearm	3	1	2	0	0	6	2	1	2	0	0	5	67%	100%	100%		83%	
Property	Larceny Less	236	164	108	109	1	618	56	51	42	50	1	200	24%	31%	39%	46%	100%	32%
Property	Larceny Less +60	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%		50%	
Property	Larceny More	675	569	470	527	3	2244	162	190	233	310	2	897	24%	33%	50%	59%	67%	40%
Property	Larceny More + 60	9	3	3	3	0	18	4	3	2	2	0	11	44%	100%	67%	67%	61%	
Property	Larceny MV	41	34	29	35	1	140	19	25	20	31	1	96	46%	74%	69%	89%	100%	69%
Property	Larceny MV 2nd	0	0	0	6	0	6	0	0	0	6	0	6				100%	100%	
Property	Larceny Person	161	131	70	97	1	460	74	88	49	69	1	281	46%	67%	70%	71%	100%	61%
Property	Larceny Person + 65	1	3	3	1	0	8	1	1	3	0	0	5	100%	33%	100%	0%	63%	
Property	Mal Dest Property More	56	36	34	28	0	154	16	17	18	23	0	74	29%	47%	53%	82%	48%	
Property	MV - False Report Of Theft	4	2	2	3	0	11	0	0	1	0	0	1	0%	0%	50%	0%	9%	
Property	Possess Burglariious Tools	39	41	31	68	0	179	10	20	20	48	0	98	26%	49%	65%	71%	55%	
Property	Property Destruction	186	112	103	99	0	500	33	25	40	51	0	149	18%	22%	39%	52%	30%	
Property	Property Violation	8	5	6	1	0	20	3	2	4	1	0	10	38%	40%	67%	100%	50%	
Property	Receiving Stolen Goods	152	154	97	128	0	531	29	64	55	82	0	230	19%	42%	57%	64%	43%	
Property	Receiving Stolen Goods 2nd	0	1	0	0	0	1	0	0	0	0	0	0		0%			0%	
Property	Receiving Stolen Goods MV	78	63	55	81	0	277	24	41	33	60	0	158	31%	65%	60%	74%	57%	
Property	Receiving Stolen Goods MV 2nd	0	0	0	8	0	8	0	0	0	8	0	8				100%	100%	
Property	Receiving Stolen Goods Over	40	59	37	56	1	193	13	28	26	44	1	112	33%	47%	70%	79%	100%	58%
Property	Record w/o Manufacturer	3	2	1	2	0	8	0	0	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	586	537	383	458	2	1966	25	78	90	165	1	359	4%	15%	23%	36%	50%	18%
Property	Tagging Property	26	5	1	3	0	35	3	1	0	1	0	5	12%	20%	0%	33%	14%	
Property	Tax Law Violation	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%		33%	
Property	Unauthorized Access of Computer	1	0	0	0	0	1	0	0	0	0	0	0	0%				0%	
Property	Vandalism	51	38	24	20	0	133	11	15	9	12	0	47	22%	39%	38%	60%	35%	
Property	Vandalize - Graves	3	0	0	0	0	3	2	0	0	0	0	2	67%				67%	
Property	Sub-Total	3348	2801	2095	2609	12	10865	837	1038	1017	1591	9	4492	25%	37%	49%	61%	75%	41%

Table 45 Governing Offense by Type 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
Drug	Conspiracy Violate CSA	45	7	6	15	0	73	14	5	3	9	0	31	31%	71%	50%	60%		42%
Drug	Control Substance School	63	63	39	42	0	207	63	63	39	42	0	207	100%	100%	100%	100%		100%
Drug	Distribute Class A	277	194	138	133	0	742	142	138	104	110	0	494	51%	71%	75%	83%		67%
Drug	Distribute Class A 2nd	0	2	7	8	0	17	0	2	7	8	0	17		100%	100%	100%		100%
Drug	Distribute Class B	747	464	302	188	2	1703	310	264	203	130	2	909	41%	57%	67%	69%	100%	53%
Drug	Distribute Class B 2nd	1	9	11	11	0	32	1	9	11	11	0	32	100%	100%	100%	100%		100%
Drug	Distribute Class C	12	12	9	10	0	43	3	7	4	5	0	19	25%	58%	44%	50%		44%
Drug	Distribute Class D	384	139	67	38	0	628	102	63	30	24	0	219	27%	45%	45%	63%		35%
Drug	Distribute Class D 2nd	8	6	3	4	0	21	4	4	1	3	0	12	50%	67%	33%	75%		57%
Drug	Distribute Class E	4	5	3	3	0	15	2	1	1	2	0	6	50%	20%	33%	67%		40%
Drug	Distribute Class E 2nd	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
Drug	Distribute Cocaine	83	83	57	35	0	258	83	83	57	35	0	258	100%	100%	100%	100%		100%
Drug	Distribute Cocaine 2nd	0	6	7	7	0	20	0	6	7	7	0	20		100%	100%	100%		100%
Drug	Distribute Counterfeit Substance	1	6	6	13	0	26	0	4	3	7	0	14	0%	67%	50%	54%		54%
Drug	Distribute Paraphenalia	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Drug	Forge Prescription	36	29	11	21	0	97	11	6	4	9	0	30	31%	21%	36%	43%		31%
Drug	Giving Prisoner Cont Sub	8	3	0	2	0	13	2	0	0	2	0	4	25%	0%		100%		31%
Drug	Inhaling Toxic Vapors	2	2	0	0	0	4	1	0	0	0	0	1	50%	0%				25%
Drug	Larceny Cont Sub	2	3	0	0	0	5	1	1	0	0	0	2	50%	33%				40%
Drug	Possession Class A	155	138	106	110	0	509	48	48	44	52	0	192	31%	35%	42%	47%		38%
Drug	Possession Class A 2nd	5	9	10	8	0	32	1	2	5	2	0	10	20%	22%	50%	25%		31%
Drug	Possession Class A Heroin	105	70	60	40	0	275	33	30	36	31	0	130	31%	43%	60%	78%		47%
Drug	Possession Class A Heroin 2nd	3	8	8	7	0	26	1	5	3	3	0	12	33%	63%	38%	43%		46%
Drug	Possession Class B	499	354	280	274	2	1409	137	128	107	127	2	501	27%	36%	38%	46%	100%	36%
Drug	Possession Class B 2nd	10	24	19	30	0	83	3	10	14	21	0	48	30%	42%	74%	70%		58%
Drug	Possession Class C	30	25	20	17	0	92	12	8	10	10	0	40	40%	32%	50%	59%		43%
Drug	Possession Class C 2nd	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
Drug	Possession Class D	514	239	130	68	1	952	87	75	53	27	1	243	17%	31%	41%	40%	100%	26%
Drug	Possession Class D 2nd	16	8	14	8	0	46	2	2	6	5	0	15	13%	25%	43%	63%		33%
Drug	Possession Class D Marijuana	168	61	32	17	0	278	19	23	13	4	0	59	11%	38%	41%	24%		21%
Drug	Possession Class D Marijuana 2nd	7	11	7	4	0	29	2	5	2	1	0	10	29%	45%	29%	25%		34%
Drug	Possession Class E	33	21	20	22	0	96	11	7	6	13	0	37	33%	33%	30%	59%		39%
Drug	Possession Hypodermic/Syringe	5	0	1	0	0	6	0	0	1	0	0	1	0%		100%			17%
Drug	Presence Class A	15	18	9	5	0	47	3	5	4	2	0	14	20%	28%	44%	40%		30%
Drug	Traffic Cocaine 014-028	40	56	16	11	0	123	40	56	16	11	0	123	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 028-100	43	20	18	13	0	94	43	20	18	13	0	94	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 100-200	12	10	7	3	0	32	12	10	7	3	0	32	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 200+	3	4	4	1	0	12	3	4	4	1	0	12	100%	100%	100%	100%		100%
Drug	Traffic Heroin 014-028	10	1	4	2	0	17	10	1	4	2	0	17	100%	100%	100%	100%		100%
Drug	Traffic Heroin 028-100	3	3	1	1	0	8	3	3	1	1	0	8	100%	100%	100%	100%		100%
Drug	Traffic Heroin 100-200	4	1	0	1	0	6	4	1	0	1	0	6	100%	100%		100%		100%
Drug	Traffic Mar 100-2000	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Drug	Traffic Mar 50-100	5	2	0	1	0	8	5	2	0	1	0	8	100%	100%		100%		100%
Drug	Sub-Total	3364	2117	1432	1175	5	8093	1222	1102	828	737	5	3894	36%	52%	58%	63%	100%	48%

Table 45 Governing Offense by Type 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
Motor Vehicle	Altering MV ID Number	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle	Attaching Wrong MV Plates	57	20	17	12	0	106	2	3	4	2	0	11	4%	15%	24%	17%	10%	
Motor Vehicle	Compulsory Insurance Violation	318	174	92	82	1	667	44	47	30	34	1	156	14%	27%	33%	41%	100%	23%
Motor Vehicle	Counterfeit/Alter MV Document	23	22	12	10	0	67	8	4	6	6	0	24	35%	18%	50%	60%	36%	
Motor Vehicle	False Statement On Application	6	5	2	2	0	15	1	3	0	1	0	5	17%	60%	0%	50%	33%	
Motor Vehicle	Habitual Traffic Offender	30	49	31	20	0	130	8	19	14	8	0	49	27%	39%	45%	40%	38%	
Motor Vehicle	Ignition Interlock Violation	3	1	0	1	0	5	3	1	0	1	0	5	100%	100%		100%	100%	
Motor Vehicle	Leaving Scene Death	3	0	1	1	0	5	3	0	1	1	0	5	100%		100%	100%	100%	
Motor Vehicle	Leaving Scene Personal Injury	119	20	19	13	0	171	18	5	9	7	0	39	15%	25%	47%	54%	23%	
Motor Vehicle	Leaving Scene Property Damage	346	199	100	69	1	715	52	50	43	32	0	177	15%	25%	43%	46%	0%	25%
Motor Vehicle	MV - Impersonate/Other License	2	0	1	0	0	3	1	0	1	0	0	2	50%		100%		67%	
Motor Vehicle	MV - Sales Violation	3	0	0	0	0	3	1	0	0	0	0	1	33%				33%	
Motor Vehicle	MV Homicide	28	2	3	0	0	33	7	1	3	0	0	11	25%	50%	100%		33%	
Motor Vehicle	MV Homicide - OUI	5	1	0	0	0	6	4	1	0	0	0	5	80%	100%			83%	
Motor Vehicle	MV Homicide - OUI Felony	8	1	1	0	0	10	8	1	1	0	0	10	100%	100%	100%		100%	
Motor Vehicle	MV Homicide - Reckless	3	0	0	0	0	3	2	0	0	0	0	2	67%				67%	
Motor Vehicle	Obstruct Emergency Veh	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%			0%	
Motor Vehicle	Operate After Suspension	1641	1252	782	515	1	4191	168	195	134	110	0	607	10%	16%	17%	21%	0%	14%
Motor Vehicle	Operate After Suspension 2nd	178	336	274	247	1	1036	65	173	169	174	1	582	37%	51%	62%	70%	100%	56%
Motor Vehicle	Operate to Endanger	1021	269	147	102	0	1539	101	71	55	52	0	279	10%	26%	37%	51%	18%	
Motor Vehicle	OUI - Child Endangerment	30	8	0	0	0	38	4	4	0	0	0	8	13%	50%			21%	
Motor Vehicle	OUI Serious Inj, Fel	10	4	3	2	0	19	10	4	3	2	0	19	100%	100%	100%	100%	100%	
Motor Vehicle	OUI Serious Inj, Misd	19	1	1	1	0	22	7	1	1	0	0	9	37%	100%	100%	0%	41%	
Motor Vehicle	Possess Master Key MV	0	1	0	0	0	1	0	1	0	0	0	1		100%			100%	
Motor Vehicle	Racing	4	0	2	0	0	6	0	0	1	0	0	1	0%		50%		17%	
Motor Vehicle	RV On Public Way	8	5	1	0	0	14	0	0	0	0	0	0	0%	0%	0%		0%	
Motor Vehicle	Use w/o Authority 2nd	1	0	0	0	0	1	0	0	0	0	0	0	0%				0%	
Motor Vehicle	Use Without Authority	53	33	29	46	0	161	17	11	18	27	0	73	32%	33%	62%	59%	45%	
Motor Vehicle	Violation Aircraft Restriction	1	0	0	0	0	1	0	0	0	0	0	0	0%				0%	
Motor Vehicle	Sub-Total	3923	2405	1518	1123	4	8973	534	595	493	457	2	2081	14%	25%	32%	41%	50%	23%

Table 45 Governing Offense by Type 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
Other	Accessory After	16	2	5	2	0	25	5	1	3	2	0	11	31%	50%	60%	100%		44%
Other	Accessory Before	5	0	2	0	0	7	3	0	2	0	0	5	60%		100%			71%
Other	Accessory Before & After	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Other	Aiding An Escape	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Alcohol, Procure for Minor	32	16	11	3	0	62	5	4	2	2	0	13	16%	25%	18%	67%		21%
Other	Alcohol, Transporting	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Attempt To Commit Crime	42	34	24	40	1	141	21	18	11	27	0	77	50%	53%	46%	68%	0%	55%
Other	Bomb Hoax	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Other	Business Practice	2	2	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
Other	Cigarette/Match Thrown Fr Veh	6	0	0	0	0	6	0	0	0	0	0	0	0%					0%
Other	Clean Water Act Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Conspiracy	15	6	5	6	0	32	6	1	3	4	0	14	40%	17%	60%	67%		44%
Other	Contempt Of Court	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Other	Contributing To Delinquency	9	3	1	2	0	15	1	0	1	1	0	3	11%	0%	100%	50%		20%
Other	Curfew	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Disconnect Sprinkler System	0	3	0	1	0	4	0	2	0	1	0	3		67%		100%		75%
Other	DNA Tamper	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Other	Employment Practices	9	5	1	0	0	15	1	1	0	0	0	2	11%	20%	0%			13%
Other	Escape	4	14	16	17	0	51	1	11	14	15	0	41	25%	79%	88%	88%		80%
Other	Escape Lockup	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Other	Escape Work Release Program	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Other	Failure to Appear	10	3	12	4	0	29	4	1	8	1	0	14	40%	33%	67%	25%		48%
Other	Failure to Appear Felony	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
Other	Failure To Disperse	2	0	1	0	0	3	1	0	0	0	0	1	50%		0%			33%
Other	Failure To Obey Police Officer	8	1	0	1	0	10	0	0	0	0	0	0	0%	0%		0%		0%
Other	False Alarm	4	2	1	0	0	7	3	2	0	0	0	5	75%	100%	0%			71%
Other	Fireworks	6	1	2	0	0	9	0	0	0	0	0	0	0%	0%	0%			0%
Other	Gaming	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
Other	Gaming Enterprise	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
Other	Gaming Register Bets	7	1	0	0	0	8	0	0	0	0	0	0	0%	0%				0%
Other	Gaming Use of Telephone	10	1	1	0	0	12	0	0	0	0	0	0	0%	0%	0%			0%
Other	Guard Sex w/ Prisoner	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Hazardous Materials	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Other	Health Code Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Hoax Device	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Home Imp Contractor Violation	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%

Table 45 Governing Offense by Type 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		
Other	Illegal Lottery	1	0	1	0	0	2	0	0	1	0	0	1	0%	100%			50%			
Other	Impersonate/Disguise	5	1	4	3	0	13	1	1	2	2	0	6	20%	100%	50%	67%	46%			
Other	Interfere Police or Firefighter	4	2	3	3	0	12	2	0	1	3	0	6	50%	0%	33%	100%	50%			
Other	License Law Violation (Not MV)	4	2	0	0	0	6	0	0	0	0	0	0	0%	0%			0%			
Other	Nonsupport	4	4	2	0	0	10	0	2	1	0	0	3	0%	50%	50%			30%		
Other	Obstructing Justice	1	0	0	1	0	2	0	0	0	1	0	1	0%	100%			50%			
Other	Perjury or Suborn	6	4	1	1	0	12	3	3	0	1	0	7	50%	75%	0%	100%	58%			
Other	Resisting Arrest	319	277	215	182	0	993	77	107	91	95	0	370	24%	39%	42%	52%	37%			
Other	Sex Offender Fail Register	19	42	100	171	2	334	5	18	34	100	0	157	26%	43%	34%	58%	0%	47%		
Other	Sex Offender Fail Register 2nd	0	1	2	8	0	11	0	0	1	1	0	2	0%			50%	13%	18%		
Other	Throwing Glass On Public Way	0	1	0	0	0	1	0	0	0	0	0	0	0%							
Other	Trespassing	231	221	175	241	0	868	36	65	62	108	0	271	16%	29%	35%	45%	31%			
Other	True Name Law	28	21	20	13	0	82	15	16	17	12	0	60	54%	76%	85%	92%	73%			
Other	Wetlands Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%							
Other	Work Compensation Fail Have	0	0	1	0	0	1	0	0	0	0	0	0	0%			0%				
Other	Sub-Total	828	673	609	703	3	2816	192	254	256	379	0	1081	23%	38%	42%	54%	0%	38%		
Public Order	Accost / Annoy Person Opposite Sex	10	7	3	6	0	26	1	2	1	5	0	9	10%	29%	33%	83%	35%			
Public Order	Annoying Phone Calls	17	10	8	5	1	41	3	3	2	2	0	10	18%	30%	25%	40%	0%	24%		
Public Order	Common Night Walker	10	24	9	10	0	53	2	10	3	5	0	20	20%	42%	33%	50%	38%			
Public Order	Common Night Walker 3rd	0	1	0	1	0	2	0	1	0	1	0	2	100%			100%	100%			
Public Order	Cruelty To Animals	11	5	3	1	0	20	4	4	1	1	0	10	36%	80%	33%	100%	50%			
Public Order	Derive Support From Prostitute	1	0	2	1	0	4	1	0	2	1	0	4	100%	100%			100%	100%		
Public Order	Disorderly Conduct	739	527	379	295	0	1940	96	107	78	104	0	385	13%	20%	21%	35%	20%			
Public Order	Disrupt Court Proceedings	0	3	2	1	0	6	0	0	1	1	0	2	0%			50%	100%	33%		
Public Order	False Report Of Crime	17	9	7	6	0	39	4	2	0	4	0	10	24%	22%	0%	67%	26%			
Public Order	Improper Disposal of Body	0	0	0	1	0	1	0	0	0	0	0	0	0%			0%				
Public Order	Indecent Exposure	30	6	10	19	0	65	7	2	3	10	0	22	23%	33%	30%	53%	34%			
Public Order	Induce Female To Prostitution	0	1	0	0	0	1	0	0	0	0	0	0	0%							
Public Order	Keeping A House Of Ill Fame	2	2	0	0	0	4	0	1	0	0	0	1	0%	50%			25%			
Public Order	Lewd And Lacivious	11	5	8	3	0	27	0	2	1	3	0	6	0%	40%	13%	100%	22%			
Public Order	Mistreat Police Animal	0	1	0	0	0	1	0	0	0	0	0	0	0%							
Public Order	Obscene Materials	1	0	2	0	0	3	1	0	2	0	0	3	100%	100%			100%			
Public Order	Prostitution	129	175	96	56	0	456	44	74	43	25	0	186	34%	42%	45%	45%	41%			
Public Order	Remove Token from Grave	1	0	0	0	0	1	0	0	0	0	0	0	0%							
Public Order	Smoking on MBTA	0	1	0	0	0	1	0	0	0	0	0	0	0%			0%				
Public Order	Unnatural Acts	1	2	1	0	0	4	0	1	0	0	0	1	0%	50%	0%	25%				
Public Order	Sub-Total	980	779	530	405	1	2695	163	209	137	162	0	671	17%	27%	26%	40%	0%	25%		