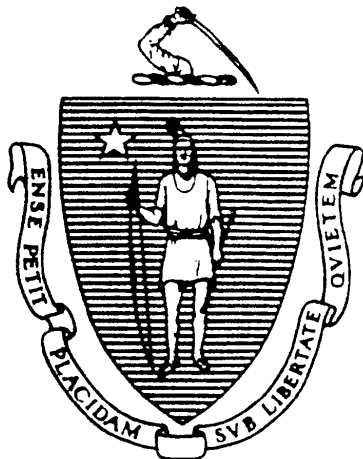


Massachusetts Sentencing Commission

Survey of Sentencing Practices FY 2010



April 2011

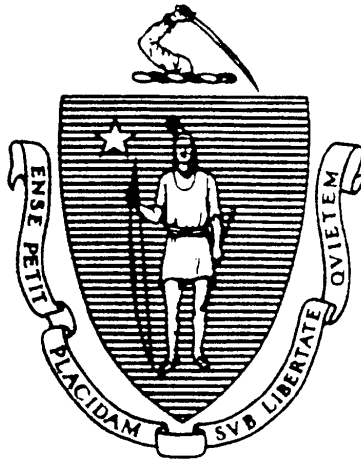
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Massachusetts Sentencing Commission

Survey of Sentencing Practices



FY 2010

April 2011

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 2010. 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 45,190 convicted defendants in FY 2010:
- Of the 45,190 convictions in FY 2010:
 - 91.8% were in the district court and
 - 8.2% were in the superior court;
- Of the incarcerated defendants, 87.9% were sentenced to a house of correction and 12.1% were sentenced to the Department of Correction (DOC);
- Of the incarcerated superior court defendants, 30.8% were sentenced to a house of correction and 69.2% were sentenced to the DOC;
- For state prison sentences, the median minimum state prison sentence was 36.0 months and the median maximum state prison sentence was 60.0 months;
- For house of correction sentences, the median sentence length was 6.0 months;
- Of the incarcerated defendants, 36.9% also had a period of post release probation supervision imposed through a split or from & after probation sentence;
- Of the incarcerated superior court defendants, 53.6% also had a period of post release probation supervision.
- There were an estimated 697 convictions for mandatory drug offenses of which 29.8% were sentenced to a house of correction and 70.2% to the DOC.

- For those defendants convicted of offenses assigned to the sentencing guidelines grid:
 - The overall incarceration rate was 40.5%:
 - the district court incarceration rate was 36.7%;
 - the superior court incarceration rate was 80.3%;
 - With respect to the sentencing zones on the sentencing guidelines grid:
 - 5.9% of the defendants were classified in the incarceration zone;
 - 65.3% of the defendants were classified in the discretionary zone;
 - 28.1% 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 4,811 convictions for OUI offenses; and,
 - There were an estimated 360 convictions for mandatory firearms offenses.
- For all convicted defendants:
 - 16.1% of all convicted defendants were female;
 - 83.9% of all convicted defendants were male;
 - The mean age of convicted defendants at the time of disposition was 34.0 years, and ranged from 17 years to 88 years.
 - 63.9% of all convicted defendants were white;
 - 18.2% of all convicted defendants were black;
 - 14.8% of all convicted defendants were hispanic;
 - 1.5% of all convicted defendants were of other races; and,
 - the race was unknown for 1.6% of the defendants.
 - 29.0% of defendants convicted of mandatory drug offenses were white and 71.0% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (36.6% were black, 33.4% were hispanic, and 1.0% were other races).

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**MASSACHUSETTS SENTENCING COMMISSION
SURVEY OF SENTENCING PRACTICES
FY 2010**

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 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 filed for consideration during the 2005-2006 legislative session and hearings were held November 22, 2005.¹⁰ Sentencing guidelines legislation was filed for the 2007-2008 legislative session and hearings were held November 13, 2007.¹¹ Sentencing guidelines legislation was filed for the 2009-2010 legislative session and those bills were referred for further study.¹² Sentencing guidelines legislation was filed for the 2011-2012 legislative session and those bills were referred to the Committee on the Judiciary.¹³

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*.¹⁴ The sentencing guidelines grid is shown in Figure 1. The definition of the criminal history groups is contained in Appendix A.

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 Nos. 1679 and 1860 (referred to study on October 24, 2010 by S. 2631) and House No. 1518 (referred to study on May 19, 2010 by H. 4691).

¹³ Filed for the 2011-2012 legislative session as Senate No. 743 and House No. 1340.

¹⁴ Massachusetts Sentencing Commission, *op. cit.*

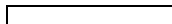
Figure 1. Sentencing Guidelines Grid

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.

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:

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.¹⁵

The commission included a survey of sentencing practices when completing its 1996 recommendations.¹⁶ 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 2010.

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.¹⁷

The commission continues to meet these ongoing monitoring requirements through publication of annual surveys of sentencing practices for each fiscal year beginning with FY 1994 and through other specialized studies of sentencing issues such as the study of

¹⁵ G.L. c. 211E § 3(c).

¹⁶ Massachusetts Sentencing Commission, *op. cit.*

¹⁷ G.L. c. 211E § 3(f).

the impact of truth-in-sentencing reform.¹⁸ In FY 2002, the commission completed a comprehensive recidivism study as directed by the legislature in House 4100.¹⁹

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.²⁰ The commission maintains the *Felony and Misdemeanor Master Crime List* which contains basic sentencing information for those criminal offenses which are punishable by an imprisonment term and serves as a reference guide to the proposed sentencing guidelines for those offenses.²¹

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.²²

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

¹⁸ Massachusetts Sentencing Commission, *Survey of Sentencing Practices: Truth-in-Sentencing Reform in Massachusetts*, October 2000.

¹⁹ Massachusetts Sentencing Commission, *Comprehensive Recidivism Study*, June 2002.

²⁰ Massachusetts Sentencing Commission, *Sentencing Guide*, February 1998.

²¹ Massachusetts Sentencing Commission, *Felony and Misdemeanor Master Crime List*, February 2009.

²² G.L. c. 211E § 1(c)(7).

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 2010 (FY 2010) covers the period July 1, 2009 through June 30, 2010. During this period there were an estimated 45,190 convictions in the courts of the Commonwealth. As indicated in Table 1, there were 41,463 convictions in the district court, representing 91.8% of all convictions, and 3,727 convictions in the superior court, representing 8.2% of all convictions.

Table 1. Month of Conviction by Court Department

Month of Conviction	District Court	Superior Court	All Courts
July 2009	3,681	277	3,958
August 2009	3,439	228	3,667
September 2009	3,739	351	4,090
October 2009	3,788	311	4,099
November 2009	3,106	303	3,409
December 2009	3,202	330	3,532
January 2010	3,508	298	3,806
February 2010	3,119	299	3,418
March 2010	3,835	405	4,240
April 2010	3,297	253	3,550
May 2010	3,351	330	3,681
June 2010	3,398	342	3,740
Total	41,463	3,727	45,190

Sentencing Practices: County

There are fourteen counties in Massachusetts. As indicated in Table 2, the number of convictions ranged from 87 in Nantucket County to 7,928 in Worcester County. Eight of the fourteen counties (Worcester, Suffolk, Middlesex, Essex, Hampden, Bristol, Plymouth and Norfolk) accounted for 88.8% of all convictions in Massachusetts.

Table 2. County of Conviction by Court Department

County of Conviction	District Court	Superior Court	All Courts
Barnstable	1,610	154	1,764
Berkshire	1,092	155	1,247
Bristol	4,151	267	4,418
Dukes	176	0	176
Essex	4,750	398	5,148
Franklin	683	73	756
Hampden	4,473	558	5,031
Hampshire	892	118	1,010
Middlesex	5,318	494	5,812
Nantucket	87	0	87
Norfolk	2,241	265	2,506
Plymouth	3,221	217	3,438
Suffolk	5,253	616	5,869
Worcester	7,516	412	7,928
Total	41,463	3,727	45,190

Sentencing Practices: Truth-in-Sentencing Reform

Sentencing reform legislation, commonly known as truth-in-sentencing legislation, became effective on July 1, 1994. During FY 2010, 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	60	0.1%	16	0.4%	76	0.2%
New Law	41,403	99.9%	3,711	99.6%	45,114	99.8%
Total	41,463	100.0%	3,727	100.0%	45,190	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 299 and the mean number of charges resulting in conviction was 2.1. Overall, 25,913, or 57.3% of the defendants were convicted of a single charge and 19,277 or 42.7% 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:

- 16,676 or 40.2% 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,
- 2,601 or 69.8% of the superior court defendants were convicted of two or more charges and the mean number of charges for all superior court defendants was 3.6.

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

Number of Charges	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
One	24,787	59.8%	1,126	30.2%	25,913	57.3%
Two	8,688	21.0%	905	24.3%	9,593	21.2%
Three	3,753	9.1%	540	14.5%	4,293	9.5%
Four	1,780	4.3%	353	9.5%	2,133	4.7%
Five to Nine	2,034	4.9%	610	16.4%	2,644	5.9%
Ten or More	421	1.0%	193	5.2%	614	1.4%
Total	41,463	100.0%	3,727	100.0%	45,190	100.0%
Highest	264		299		299	
Mean	1.9		3.6		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 54 defendants received a sentence to life. Of the 54 convicted defendants who received a life sentence, 49 were convicted of murder and five were convicted of other offenses (two for rape of child, one each for armed burglary, armed robbery, and armed assault in a dwelling). Of the 49 defendants convicted of murder, 35 were convicted of first-degree murder and 14 were convicted of second-degree murder.

Table 5. Type of Sentence Imposed by Court Department

Type of Sentence	District Court	Superior Court	All Courts
Life		54	54
State Prison		2,045	2,045
Other DOC		13	13
House of Correction	10,487	562	11,049
House of Correction / Split	3,962	379	4,341
Probation	18,973	666	19,639
Fine	6,329	5	6,334
Other	1,712	3	1,715
Total	41,463	3,727	45,190

Sentencing Practices: Penalty Structure

In Massachusetts, felonies are defined as any offense punishable by imprisonment in the state prison, and misdemeanors are all other offenses.²³ For many felonies, judges have the option to sentence an offender to state prison or to a house of correction. Table 6 shows the penalty structure associated with the governing offense by court department. For purposes of this analysis, governing offenses were divided into four categories: felony with no house of correction alternative (e.g. robbery), felony with house of correction alternative (and no district court jurisdiction) (e.g. mayhem), felony with house of correction alternative (and district court or joint jurisdiction) (e.g. A&B with dangerous weapon), and misdemeanor (e.g. A&B).

As indicated in Table 6, 34.1% of all defendants were convicted of felonies and 65.9% of all defendants were convicted of misdemeanors. As expected, the penalty structure associated with the governing offense differed by court department:

- of those defendants convicted in the district court, 29.0% were convicted of felonies and 71.0% were convicted of misdemeanors;
- of those defendants convicted in the superior court, 90.9% were convicted of felonies and 9.1% were convicted of misdemeanors; and,
- of those defendants convicted in the superior court, 56.4% were convicted of offenses with district court jurisdiction (felonies with joint jurisdiction or misdemeanors).

Table 6. Penalty Structure of Governing Offense by Court Department

Penalty Structure	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Felony / No House Alternative	0	0.0%	1,150	30.9%	1,150	2.5%
Felony / House Alternative / No District Court Jurisdiction	0	0.0%	475	12.7%	475	1.1%
Felony / House Alternative / District Court Jurisdiction	12,026	29.0%	1,763	47.3%	13,789	30.5%
Sub-Total Felonies	12,026	29.0%	3,388	90.9%	15,414	34.1%
Misdemeanor	29,437	71.0%	339	9.1%	29,776	65.9%
Total	41,463	100.0%	3,727	100.0%	45,190	100.0%

²³ G.L. c. 274 § 1.

Sentencing Practices: Jurisdiction of Incarceration Sentences

In order to consider the jurisdictional placement of offenders sentenced to incarceration for an offense assigned to the sentencing guidelines grid, Table 7 shows the penalty structure associated with the governing offense and the jurisdiction of the sentence actually imposed by court department.

- Of all defendants sentenced to incarceration, 53.0% were convicted of felonies and 47.0% were convicted of misdemeanors;
- Of defendants convicted in the district court and sentenced to incarceration, 44.4% were convicted of felonies and 55.6% were convicted of misdemeanors;
- Of defendants convicted in the superior court and sentenced to incarceration, 93.8% were convicted of felonies and 6.2% were convicted of misdemeanors.
- Of all defendants sentenced to incarceration, 15,390 (87.9%) were sentenced to houses of correction and 2,112 (12.1%) were sentenced to the DOC;
- Of those defendants convicted in the district court, all were sentenced to houses of correction; and,
- Of those defendants convicted in the superior court, 2,112 (69.2%) were sentenced to the DOC and 941 (30.8%) 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%	1,045	34.2%	1,045	6.0%
Felony / House Alternative / No District Court Jurisdiction						
Sentenced to DOC	0	0.0%	305	10.0%	305	1.7%
Sentenced to House of Correction	0	0.0%	139	4.6%	139	0.8%
Felony / House Alternative / District Court Jurisdiction						
Sentenced to DOC	0	0.0%	762	25.0%	762	4.4%
Sentenced to House of Correction	6,413	44.4%	614	20.1%	7,027	40.1%
Sub-Total Felonies	6,413	44.4%	2,865	93.8%	9,278	53.0%
Misdemeanor / House						
Misdemeanor / House	8,036	55.6%	188	6.2%	8,224	47.0%
Total	14,449	100.0%	3,053	100.0%	17,502	100.0%
All Sentences to DOC						
All Sentences to DOC	0	0.0%	2,112	69.2%	2,112	12.1%
All Sentences to Houses of Correction						
All Sentences to Houses of Correction	14,449	100.0%	941	30.8%	15,390	87.9%
Total	14,449	100.0%	3,053	100.0%	17,502	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 54.6 months and ranged from 6.0 months to 300.0 months (or 25 years). The median minimum state prison sentence was 36.0 months. The mean maximum sentence imposed was 67.3 months and ranged from 12.0 months to 360.0 months (or 30 years). The median maximum state prison sentence was 60.0 months.

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

Sentence Length	Minimum		Maximum	
	N	%	N	%
Under 24 Months	97	4.7%	58	2.8%
24 to 35 Months	404	19.8%	186	9.1%
36 to 47 Months	618	30.2%	514	25.1%
48 to 59 Months	241	11.8%	261	12.8%
60 to 71 Months	261	12.8%	401	19.6%
72 to 83 Months	89	4.4%	101	4.9%
84 to 95 Months	59	2.9%	117	5.7%
96 to 107 Months	66	3.2%	85	4.2%
108 to 119 Months	29	1.4%	31	1.5%
120 to 179 Months	107	5.2%	175	8.6%
180 to 239 Months	63	3.1%	71	3.5%
240 Months or More	11	0.5%	45	2.2%
Total	2,045	100.0%	2,045	100.0%
Lowest	6.0 Months		12.0 Months	
Highest	300.0 Months		360.0 Months	
Mean	54.6 Months		67.3 Months	
Median	36.0 Months		60.0 Months	

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

Table 9 shows the ratio of minimum to maximum sentence lengths for all convicted defendants sentenced to the state prison by type of offense. Offenses are separated into three categories: mandatory drug offenses, other grid offenses, and mandatory non-grid offenses. The category of “other grid offenses” includes 23 state prison sentences for non-drug mandatorics that were assigned to the grid (e.g. Vehicular Homicide, Leaving Scene of Injury and Death, Stalking in Violation of Restraining Order, A&B Indecent Child, 2nd, Rape of Child Aggravated, Derive Support from Prostitute, and Larceny or 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 42.0% of the state prison sentences imposed, the minimum sentence was at least 90% of the maximum sentence, including 51.6% of those sentenced for mandatory drug offenses and 55.9% of those sentenced for mandatory non-grid offenses. It was estimated that 74.4% 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 39.5% of all state prison sentences, the difference between the minimum and maximum sentences was one day, including 50.0% of those sentenced for mandatory drug offenses, 52.8% of those sentences for mandatory non-grid offenses, and 33.8% of those sentenced for other grid offenses. Overall, 39.5% 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, 60.5% of defendants sentenced to state prison could be considered for parole release and supervision at the end of that sentence and 39.5% would not be eligible for parole consideration. The largest difference between a minimum and maximum state prison sentence was 144 months during FY 2010.

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%	0	0.0%	0	0.0%	0	0.0%
30% to 39%	1	0.2%	13	1.0%	0	0.0%	14	0.7%
40% to 49%	1	0.2%	12	0.9%	0	0.0%	13	0.6%
50% to 59%	12	2.5%	70	5.1%	4	2.1%	86	4.2%
60% to 69%	64	13.2%	300	22.0%	23	11.8%	387	18.9%
70% to 79%	73	15.0%	229	16.8%	28	14.4%	330	16.1%
80% to 89%	84	17.3%	242	17.7%	31	15.9%	357	17.5%
90% and Over	251	51.6%	498	36.5%	109	55.9%	858	42.0%
Total	486	100.0%	1,364	100.0%	195	100.0%	2,045	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	243	50.0%	461	33.8%	103	52.8%	807	39.5%
2 Days to 5 Months	2	0.4%	2	0.1%	3	1.5%	7	0.3%
6 to 11 Months	27	5.6%	93	6.8%	14	7.2%	134	6.6%
12 to 23 Months	106	21.8%	336	24.6%	37	19.0%	479	23.4%
24 to 35 Months	84	17.3%	314	23.0%	30	15.4%	428	20.9%
36 to 47 Months	15	3.1%	94	6.9%	3	1.5%	112	5.5%
48 to 59 Months	6	1.2%	26	1.9%	2	1.0%	34	1.7%
60 to 119 Months	3	0.6%	35	2.6%	3	1.5%	41	2.0%
120 Months or More	0	0.0%	3	0.2%	0	0.0%	3	0.1%
Total	486	100.0%	1,364	100.0%	195	100.0%	2,045	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. 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 397 defendants with missing sentence information were excluded from the analysis.

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

House of correction sentences ranged from 1 day to 30 months. The mean house of correction sentence was 7.1 months and the median house of correction sentence was 6.0 months. Table 11 shows the sentence length of house of correction sentences by court department. Most of the house of correction sentences were imposed in the district court. The range of house of correction sentences imposed was 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 17.3 months. The median house of correction sentence imposed in the district court was 4.2 months while the median house of correction sentence imposed in the superior court was 18.0 months. It is estimated that 11,282 or 75.2% 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	1,782	12.7%	4	0.4%	1,786	11.9%
1 Month	1,916	13.6%	9	1.0%	1,925	12.8%
2 Months	1,565	11.1%	18	1.9%	1,583	10.6%
3 to 5 Months	2,076	14.8%	33	3.5%	2,109	14.1%
6 to 8 Months	2,906	20.7%	112	12.0%	3,018	20.1%
9 to 11 Months	646	4.6%	44	4.7%	690	4.6%
12 to 14 Months	1,653	11.8%	191	20.4%	1,844	12.3%
15 to 17 Months	118	0.8%	19	2.0%	137	0.9%
18 to 20 Months	646	4.6%	141	15.1%	787	5.2%
21 to 23 Months	11	0.1%	6	0.6%	17	0.1%
24 to 26 Months	509	3.6%	186	19.9%	695	4.6%
27 to 29 Months	1	0.0%	0	0.0%	1	0.0%
30 Months	230	1.6%	171	18.3%	401	2.7%
Total	14,059	100.0%	934	100.0%	14,993	100.0%
Lowest	1 Day		.5 Months		1 Day	
Highest	30.0 Months		30.0 Months		30.0 Months	
Mean	6.4 Months		17.3 Months		7.1 Months	
Median	4.2 Months		18.0 Months		6.0 Months	

Sentencing Practices: Mandatory Sentences

Certain incarceration sentences to houses of correction or the DOC are mandatory sentences. Mandatory sentences are those sentences to incarceration where the statutory penalty provisions preclude the judge from imposing any sentence other than incarceration - i.e., sentencing the defendant to probation, suspending the sentence, filing the case, or continuing the case without a finding are all statutorily prohibited. Statutory penalty provisions for these offenses also provide for a mandatory term of incarceration in a house of correction or the DOC.

Table 12 shows the mandatory status of the sentence imposed for the governing offense for all convicted defendants. In FY 2010 an estimated 2,177 mandatory sentences were imposed representing 4.8% of all sentences. This includes 1,186 (or 2.9%) of sentences imposed in the district court and 991 (or 26.6%) of sentences imposed in the superior court Department. Mandatory sentences were most frequently imposed for motor vehicle offenses (Operating Under the Influence), drug offenses, and weapons offenses. Less frequently, mandatory sentences were imposed for person, property, sex, and public order offenses.

Table 13 shows the mandatory status of the sentence imposed for the governing offense for those defendants sentenced to incarceration by the jurisdiction of the incarceration sentence. In FY 2010 and estimated 1,419 mandatory sentences were imposed to houses of correction, representing 9.2% of all sentences to houses of correction and 758 mandatory sentences were imposed to the DOC, representing 35.9% of all sentences to the DOC.

Table 12. Type of Offense for Mandatory Sentences by Court Department

Offense Type	District Court		Superior Court		Total	
	N	%	N	%	N	%
Person	3	0.3%	55	5.5%	58	2.7%
Sex	0	0.0%	2	0.2%	2	0.1%
Property	5	0.4%	9	0.9%	14	0.6%
Drug	100	8.4%	597	60.2%	697	32.0%
Motor Vehicle	958	80.8%	86	8.7%	1,044	48.0%
Weapons	120	10.1%	240	24.2%	360	16.5%
Public Order	0	0.0%	2	0.2%	2	0.1%
Other	0	0.0%	0	0.0%	0	0.0%
Total	1,186	100.0%	991	100.0%	2,177	100.0%

Table 13. Jurisdiction of Incarceration Sentence by Mandatory Status and Court Department

Jurisdiction and Mandatory Status	District Court		Superior Court		Total	
	N	%	N	%	N	%
Houses of Correction						
Non-Mandatory	13,263	91.8%	708	75.2%	13,971	90.8%
Mandatory	1,186	8.2%	233	24.8%	1,419	9.2%
Sub-Total	14,449	100.0%	941	100.0%	15,390	100.0%
Department of Correction						
Non-Mandatory	0	N.A.	1,354	64.1%	1,354	64.1%
Mandatory	0	N.A.	758	35.9%	758	35.9%
Sub-Total	0	N.A.	2,112	100.0%	2,112	100.0%
All Sentences to Incarceration						
Non-Mandatory	13,263	91.8%	2,062	67.5%	15,325	87.6%
Mandatory	1,186	8.2%	991	32.5%	2,177	12.4%
Total	14,449	100.0%	3,053	100.0%	17,502	100.0%

Sentencing Practices: Post-Release Supervision

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

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

For those defendants sentenced to state prison, parole eligibility is established at the minimum sentence and final release is established at the maximum sentence. As discussed earlier, a common sentencing practice is the imposition of state prison sentences with a difference between the minimum and maximum sentence of one day, a sentence which precludes parole consideration. Overall, 39.5% of state prison sentences had a difference of one day between minimum and maximum sentence. Therefore, an estimated 60.5% 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 75.2% 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 14 shows post-release probation supervision status by type of sentence and court department for those defendants sentenced to incarceration. It was estimated that 36.9% 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 4,815 or 33.3% of the incarceration sentences imposed in the district court involved some period of post-release probation supervision; and,
- an estimated 1,636 or 53.6% of the incarceration sentences imposed in the superior court involved some period of post-release probation supervision, including:
 - 72.6% of those sentenced to houses of correction from the superior court; and,
 - 45.1% of those sentenced to the DOC.

Of those defendants convicted of two or more charges and sentenced to incarceration, 4,892 or 46.8% had a sentence that included from & after probation, including 3,412 or 41.6% of the district court defendants with two or more convictions and 1,480 or 66.3% of the superior court defendants with two or more convictions.

Table 14. 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			52	1.7%	52	0.3%
Sub-Total			54	1.8%	54	0.3%
State Prison						
With From & After Probation			949	31.1%	949	5.4%
Without From & After Probation			1,096	35.9%	1,096	6.3%
Sub-Total			2,045	67.0%	2,045	11.7%
Other DOC						
Split or From & After Probation			2	0.1%	2	0.0%
Without Split or From & After			11	0.4%	11	0.1%
Sub-Total			13	0.4%	13	0.1%
House of Correction						
With From & After Probation	853	5.9%	304	10.0%	1,157	6.6%
Without From & After Probation	9,634	66.7%	258	8.5%	9,892	56.5%
Sub-Total	10,487	72.6%	562	18.4%	11,049	63.1%
House of Correction / Split	3,962	27.4%	379	12.4%	4,341	24.8%
Total All Sentences	14,449	100.0%	3,053	100.0%	17,502	100.0%
Jurisdiction						
House of Correction						
Split or From & After Probation	4,815	33.3%	683	72.6%	5,498	35.7%
Without Split or From & After	9,634	66.7%	258	27.4%	9,892	64.3%
Sub-Total	14,449	100.0%	941	100.0%	15,390	100.0%
Department of Correction						
Split or From & After Probation			953	45.1%	953	45.1%
Without Split or From & After			1,159	54.9%	1,159	54.9%
Sub-Total			2,112	100.0%	2,112	100.0%
All Jurisdictions						
Split or From & After Probation	4,815	33.3%	1,636	53.6%	6,451	36.9%
Without Split or From & After	9,634	66.7%	1,417	46.4%	11,051	63.1%
Total	14,449	100.0%	3,053	100.0%	17,502	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 15 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 19,639 or 75.3% of the probation sentences began as a non-incarcerative sentence and 6,451 or 24.7% will begin after a period of incarceration. The type of probation sentence varied by court department. Among district court defendants, most probation sentences were imposed as non-incarcerative sentences and among superior court defendants most probation sentences were imposed as a post-incarcerative portion of the sentence:

- in the district court, 79.8% of the probation sentences began as a non-incarcerative sentence and 20.2% will begin after a period of incarceration; and,
- in the superior court, 28.9% of the probation sentences began as a non-incarcerative sentence and 71.1% will begin after a period of incarceration.

Table 15. Type of Probation Sentence Imposed by Court Department

Type of Probation Sentence Imposed	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Probation Sentence	18,973	79.8%	666	28.9%	19,639	75.3%
Split or From & After Probation	4,815	20.2%	1,636	71.1%	6,451	24.7%
Total	23,788	100.0%	2,302	100.0%	26,090	100.0%

Table 16 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 260 or 71.4% of the incarcerated defendants convicted of a sex offense had a sentence which included a period of post-release probation supervision. In contrast 829 or 27.1% 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 16. 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	2,537	53.4%	2,215	46.6%	4,752	100.0%
Sex	104	28.6%	260	71.4%	364	100.0%
Property	2,866	64.9%	1,549	35.1%	4,415	100.0%
Drug Offenses	2,228	72.9%	829	27.1%	3,057	100.0%
Motor Vehicle	1,902	65.9%	984	34.1%	2,886	100.0%
Weapons	279	43.4%	364	56.6%	643	100.0%
Public Order	354	87.2%	52	12.8%	406	100.0%
Other	781	79.8%	198	20.2%	979	100.0%
Total	11,051	63.1%	6,451	36.9%	17,502	100.0%
District Court						
Person	2,119	56.6%	1,622	43.4%	3,741	100.0%
Sex	39	30.0%	91	70.0%	130	100.0%
Property	2,762	67.9%	1,305	32.1%	4,067	100.0%
Drug Offenses	1,561	74.9%	522	25.1%	2,083	100.0%
Motor Vehicle	1,883	67.6%	904	32.4%	2,787	100.0%
Weapons	186	53.6%	161	46.4%	347	100.0%
Public Order	352	87.1%	52	12.9%	404	100.0%
Other	732	82.2%	158	17.8%	890	100.0%
Sub-Total	9,634	66.7%	4,815	33.3%	14,449	100.0%
Superior Court						
Person	418	41.3%	593	58.7%	1,011	100.0%
Sex	65	27.8%	169	72.2%	234	100.0%
Property	104	29.9%	244	70.1%	348	100.0%
Drug Offenses	667	68.5%	307	31.5%	974	100.0%
Motor Vehicle	19	19.2%	80	80.8%	99	100.0%
Weapons	93	31.4%	203	68.6%	296	100.0%
Public Order	2	100.0%	0	0.0%	2	100.0%
Other	49	55.1%	40	44.9%	89	100.0%
Sub-Total	1,417	46.4%	1,636	53.6%	3,053	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 and drug offenses is also presented.

Type of Offense: Governing Offense. Table 17 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 12,911 or 31.1% of all district court convictions, followed by property offenses (9,925 or 23.9% of all district court convictions), and person offenses (8,007 or 19.3% of all district court convictions). In the superior court the most frequently occurring offenses were person offenses which accounted for 1,207 or 32.4% of all superior court convictions followed by drug offenses which accounted for 1,188 or 31.9% 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 18 defendants are classified by type of offense on the basis of all offenses of conviction. For example, 512 defendants were classified as sex offenders on the basis of governing offense and an additional 21 defendants were classified as sex offenders on the basis of a conviction for a secondary offense (these 21 defendants were convicted of some other type of offense as the governing offense). Thus, a total of 533 defendants were classified as sex offenders on the basis of this expanded classification.

Table 17. Type of Offense by Offense Seriousness Level and Court Department

Type of Offense	District Court		Superior Court		Total	
	N	%	N	%	N	%
Person	8,007	19.3%	1,207	32.4%	9,214	20.4%
Sex	238	0.6%	274	7.4%	512	1.1%
Property	9,925	23.9%	473	12.7%	10,398	23.0%
Drug	4,875	11.8%	1,188	31.9%	6,063	13.4%
Motor Vehicle	12,911	31.1%	109	2.9%	13,020	28.8%
Weapons	575	1.4%	317	8.5%	892	2.0%
Public Order	2,444	5.9%	5	0.1%	2,449	5.4%
Other	2,488	6.0%	154	4.1%	2,642	5.8%
Total	41,463	100.0%	3,727	100.0%	45,190	100.0%

Table 18. 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	9,214	1,307	10,521
Sex	512	21	533
Property	10,398	2,129	12,527
Drug	6,063	900	6,963
Motor Vehicle	13,020	1,744	14,764
Weapons	892	581	1,473
Public Order	2,449	1,994	4,443
Other	2,642	3,025	5,667
District Court			
Person	8,007	1,053	9,060
Sex	238	9	247
Property	9,925	1,894	11,819
Drug	4,875	804	5,679
Motor Vehicle	12,911	1,649	14,560
Weapons	575	322	897
Public Order	2,444	1,950	4,394
Other	2,488	2,609	5,097
Superior Court			
Person	1,207	254	1,461
Sex	274	12	286
Property	473	235	708
Drug	1,188	96	1,284
Motor Vehicle	109	95	204
Weapons	317	259	576
Public Order	5	44	49
Other	154	416	570

Type of Offense: Sex Offenses. There were an estimated 512 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 19 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 (238 in the district court and 274 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:
 - 54.7% were convicted of an offense involving a child victim;
 - 30.3% were convicted of an offense involving an adult victim; and,
 - 15.0% were convicted of some other sex offense.

- of the 274 sex offenders convicted in the superior court:
 - 67.5% were convicted of an offense involving a child victim;
 - 31.0% were convicted of an offense involving an adult victim; and,
 - 1.5% were convicted of some other sex offense.

Table 19. 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%	21	7.7%	21	4.1%
Rape	0	0.0%	31	11.3%	31	6.1%
Rape, 2nd	0	0.0%	1	0.4%	1	0.2%
Assault w/i Rape	0	0.0%	1	0.4%	1	0.2%
Assault w/i Rape, 2nd	0	0.0%	3	1.1%	3	0.6%
A&B Indecent	70	29.4%	25	9.1%	95	18.6%
A&B Indecent, Mentally Incapacitated	0	0.0%	1	0.4%	1	0.2%
Incest	0	0.0%	2	0.7%	2	0.4%
Sub-Total	70	29.4%	85	31.0%	155	30.3%
Offense with Child Victim						
Rape of Child, Forcible	0	0.0%	37	13.5%	37	7.2%
Rape of Child	0	0.0%	86	31.4%	86	16.8%
Rape of Child, Aggravated	0	0.0%	1	0.4%	1	0.2%
Assault w/I Rape, Child	0	0.0%	1	0.4%	1	0.2%
A&B Indecent Child	65	27.3%	28	10.2%	93	18.2%
A&B Indecent Child, 2nd	0	0.0%	3	1.1%	3	0.6%
Act Unnatural, Child	0	0.0%	1	0.4%	1	0.2%
Enticing Child	7	2.9%	7	2.6%	14	2.7%
Inducing Minor Sex	5	2.1%	2	0.7%	7	1.4%
Child Pornography	0	0.0%	3	1.1%	3	0.6%
Child Pornography, Possess	13	5.5%	16	5.8%	29	5.7%
Obscene Material to a Minor	5	2.1%	0	0.0%	5	1.0%
Sub-Total	95	39.9%	185	67.5%	280	54.7%
Other Sex Offense						
Open and Gross	73	30.7%	4	1.5%	77	15.0%
Sub-Total	73	30.7%	4	1.5%	77	15.0%
Total	238	100.0%	274	100.0%	512	100.0%

Type of Offense: Drug Offenses. There were an estimated 6,063 defendants convicted of a drug offense as the governing offense. These defendants were further classified as to the nature of the drug offense (distribution or possession) and the class of substance involved in the offense (Class A, Class B, Class C, Class D, or Class E).^{24, 25} A number of drug offenses were not assigned to either category (conspiracy, forging prescription, larceny of drug, inhaling toxic vapors, and giving drugs to prisoners).

Table 20 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, 2,344 or 48.1% of the drug offenses were classified as distribution offenses, 2,412 or 49.5% were classified as possession offenses, and 119 or 2.4% were not assigned to either category;
- in the superior court, 1,098 or 92.4% of the drug offenses were classified as distribution offenses, 54 or 4.5% were classified as possession offenses, and 36 or 3.0% 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 1,198 or 24.6% 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 818 or 68.9% of all drug offenses in the superior court.

²⁴ For purposes of this analysis, all cases involving trafficking, distribution, possession with intent to distribute, manufacturing, dispensing, or inducing minor to distribute were classified as distribution offenses. Cases convicted of distributing counterfeit substances or paraphernalia were assigned to the category of distribution offenses but no class of drug was assigned. Cases convicted of presence of Class A or hypodermic / syringe violations were assigned to the possession category.

²⁵ For purposes of this analysis all offenses involving heroin were assigned to the Class A category, all offenses involving cocaine were assigned to the Class B category, and all offenses involving marijuana were assigned to the Class D category. Cases convicted of inducing minor to distribute or distribution within a school zone were assigned to the class of substance for the underlying offense.

Table 20. 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	481	9.9%	228	19.2%	709	11.7%
Class B	1,198	24.6%	818	68.9%	2,016	33.3%
Class C	45	0.9%	3	0.3%	48	0.8%
Class D	559	11.5%	48	4.0%	607	10.0%
Class E	29	0.6%	1	0.1%	30	0.5%
Other Distribution Offenses	32	0.7%	0	0.0%	32	0.5%
Sub-Total	2,344	48.1%	1,098	92.4%	3,442	56.8%
Possession Offenses						
Class A	782	16.0%	13	1.1%	795	13.1%
Class B	1060	21.7%	35	2.9%	1,095	18.1%
Class C	93	1.9%	1	0.1%	94	1.6%
Class D	382	7.8%	5	0.4%	387	6.4%
Class E	89	1.8%	0	0.0%	89	1.5%
Hypodermic/Syringe	6	0.1%	0	0.0%	6	0.1%
Sub-Total	2,412	49.5%	54	4.5%	2,466	40.7%
Other Drug Offenses						
	119	2.4%	36	3.0%	155	2.6%
Total	4,875	100.0%	1,188	100.0%	6,063	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 21 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 697 defendants convicted of mandatory drug offenses during FY 2010. Four offenses, distribution of cocaine, distribution within a school zone,²⁶ trafficking cocaine 14 to 28 grams, and trafficking cocaine 28 to 100 grams, accounted for 549 or 78.8% of the convictions for mandatory drug offenses in FY 2010.

A frequently occurring mandatory drug offense is distribution in a school zone, with 147 convictions or 21.1% of all mandatory drug convictions. A sentence for distribution within a school zone is required to be a minimum of two years to be served from & after the sentence for the underlying offense. The method employed in the current analysis considers distribution within a school zone to be the governing offense only when the sentence imposed for the distribution within a school zone charge was longer than the sentence imposed for the underlying drug charge. Therefore, there were additional defendants convicted of distribution in a school zone who are not otherwise reported in this category. Additional statistical information on school zone offenders can be found in Appendix B.

An estimated 415 or 59.5% of the defendants convicted of mandatory drug offenses were classified as criminal history groups A or B, and 282 or 40.5% were classified as criminal history groups C, D, or E.

²⁶ The offense category distribution within a school zone includes all violations of c. 94C § 32J within defined school, park, or playground zones. This category includes all convictions of c. 94C § 32J where the underlying offense involves trafficking, manufacturing, distributing, dispensing, cultivation, selling, or possession with intent to manufacture, distribute, dispense, cultivate, or sell.

Table 21. Mandatory Drug Offenses: Governing Offense by Offense Seriousness Level, Criminal History Group, and Court Department

Governing Offense, Offense Seriousness Level and Court Department	Criminal History Group					Total
	A	B	C	D	E	
Superior Court						
Level 8 (15 Year Mandatory)						
Traffic Heroin 200+ grams	2	0	0	0	0	2
Traffic Cocaine 200+ grams	7	4	3	1	0	15
Sub-Total	9	4	3	1	0	17
Level 7 (7 to 10 Year Mandatory)						
Traffic Heroin 100 to 200 grams	2	0	0	0	0	2
Traffic Heroin 28 to 100 grams	3	3	2	2	0	10
Traffic Cocaine 100 to 200 grams	13	1	3	4	0	21
Sub-Total	18	4	5	6	0	33
Level 6 (5 Year Mandatory)						
Traffic Heroin 14 to 28 grams	12	5	8	1	0	26
Traffic Cocaine 28 to 100 grams	33	19	15	11	0	78
Distribute Class A, 2nd Offense	0	2	1	5	0	8
Distribute Cocaine, 2nd Offense	1	3	11	9	0	24
Sub-Total	46	29	35	26	0	136
Level 5 (3 Year Mandatory)						
Traffic Marijuana 100 to 2,000 pounds	2	1	0	0	0	3
Traffic Cocaine 14 to 28 grams	40	35	25	13	0	113
Distribute Class B, 2nd Offense	0	6	12	11	0	29
Distribute Class C, 2nd Offense	0	0	1	0	0	1
Distribute Class B to a Minor	0	1	0	0	0	1
Sub-Total	42	43	38	24	0	147
Level 4 (1 to 2 Year Mandatory)						
Distribute Cocaine	49	72	48	42	0	211
Traffic Marijuana 50 to 100 pounds	4	2	0	0	0	6
Distribution w/i School or Park	19	12	8	8	0	47
Sub-Total	72	86	56	50	0	264
Sub-Total Superior Court	187	166	137	107	0	597
District Court						
Distribution w/i School or Park	38	24	22	16	0	100
Total	225	190	159	123	0	697

All convictions for mandatory drug offenses include a sentence to incarceration. Table 22 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, 108 or 18.1% were sentenced to a house of correction and 489 or 81.9% were sentenced to the DOC. Of all convictions for mandatory drug offenses, 208 or 29.8% were sentenced to a house of correction and 489 or 70.2% were sentenced to the DOC.

Table 22. Mandatory Drug Offenses: Jurisdiction by Court Department

Jurisdiction	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
House of Correction	100	100.0%	108	18.1%	208	29.8%
Department of Correction	0	0.0%	489	81.9%	489	70.2%
Total	100	100.0%	597	100.0%	697	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 23, it was estimated that 39,764 or 88.0% of all defendants were convicted of offenses for which the sentencing guidelines grid applied and 5,426 or 12.0% 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: 4,811 or 10.6% of all defendants were convicted of OUI offenses; 360 or 0.8% were convicted of mandatory firearms offenses; and, 255 or 0.6% were convicted of non-jailable offenses.

Table 23. Grid Assignment by Court Department

Grid Assignment	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Assigned to Grid	36,345	87.7%	3,419	91.7%	39,764	88.0%
Not Assigned to Grid						
OUI Offenses	4,743	11.4%	68	1.8%	4,811	10.6%
Mandatory Gun Offenses	120	0.3%	240	6.4%	360	0.8%
Non-jailable Offenses	255	0.6%	0	0.0%	255	0.6%
Sub-total	5,118	12.3%	308	8.3%	5,426	12.0%
Total	41,463	100.0%	3,727	100.0%	45,190	100.0%

SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID

In this section, the sentencing practices related to the 39,764 defendants convicted of offenses for which the sentencing guidelines grid applies are discussed.

Sentencing Practices: Grid Cell Assignment

Table 24 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 39,764 convicted defendants:

- an estimated 2,363 or 5.9% were classified within the incarceration zone;
- an estimated 25,964 or 65.3% were classified within the discretionary zone;
- an estimated 11,178 or 28.1% were classified within the intermediate sanction zone; and,
- an estimated 259 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: 67.0% of the defendants convicted in the district court and 47.6% 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 46.0% 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: 30.4% of the defendants convicted in the district court were classified in the intermediate sanctions zone compared to 3.6% of the defendants convicted in the superior court.

Offense Seriousness Level. Most defendants were convicted of offenses in the lower levels of offense seriousness: an estimated 33,273 or 83.7% of the convicted defendants were assigned to offense seriousness levels 1 through 3; an estimated 5,823 or 14.6% of the convicted defendants were assigned to offense seriousness levels 4 through 6; and, an estimated 409 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 13,686 of all convictions (34.4%). In the district court, level 3 was the most frequently occurring offense seriousness level, accounting for an estimated 13,230 or 36.4% of all district court convictions. In the superior court, level 4 was the most frequently occurring offense seriousness level, accounting for an estimated 1,102 or 32.2% of all superior court convictions.

Criminal History Group. Most convicted defendants were assigned to the less serious criminal history groups on the sentencing guidelines grid. The most frequently assigned criminal history group was Group A, No/Minor Record, which accounted for 14,808 or 37.2% of all convicted defendants. The most serious criminal history group, Group E, accounted for 32 of the convicted defendants.

Grid Cell. The most frequently occurring grid cell was “2A”: 4,832 or 12.2% of all convicted defendants were assigned to grid cell “2A”. In the district court, the most frequently occurring grid cell was “2A”: 4,723 or 13.0% of all defendants convicted in the district court were assigned to grid cell “2A”. As indicated in Table 42, the four most frequently occurring offenses in grid cell “2A” in the district court were operating to endanger, shoplifting, CSA possession class B, and CSA distribution class D. In the superior court, the most frequently occurring grid cell was “4A”: 393 or 11.5% of all defendants convicted in the superior court were assigned to grid cell “4A”. As indicated in Table 43, the three most frequently occurring offenses in grid cell “4A” in the superior court were CSA distribution Class B, CSA distribution Class A, and CSA distribution cocaine.

Survey of Sentencing Practices

Table 24. Grid Cell Assignment by Court Department

DISTRICT COURT								SUPERIOR COURT								ALL COURTS							
	A	B	C	D	E	N	%		A	B	C	D	E	N	%		A	B	C	D	E	N	%
9	0	0	0	0	0	0	0.0%	9	25	9	9	6	0	49	1.4%	9	25	9	9	6	0	49	0.1%
8	0	0	0	0	0	0	0.0%	8	66	32	19	22	0	139	4.1%	8	66	32	19	22	0	139	0.3%
7	0	0	0	0	0	0	0.0%	7	90	42	36	52	1	221	6.5%	7	90	42	36	52	1	221	0.6%
6	4	1	0	2	0	7	0.0%	6	257	130	138	159	3	687	20.1%	6	261	131	138	161	3	694	1.7%
5	247	215	169	145	0	776	2.1%	5	157	90	88	118	1	454	13.3%	5	404	305	257	263	1	1,230	3.1%
4	1,107	744	476	467	3	2,797	7.7%	4	393	247	193	266	3	1,102	32.2%	4	1,500	991	669	733	6	3,899	9.8%
3	4,334	3,442	2,737	2,708	9	13,230	36.4%	3	241	86	58	70	1	456	13.3%	3	4,575	3,528	2,795	2,778	10	13,686	34.4%
2	4,723	3,151	2,108	1,974	7	11,963	32.9%	2	109	40	27	22	0	198	5.8%	2	4,832	3,191	2,135	1,996	7	12,161	30.6%
1	2,957	1,999	1,375	1,074	4	7,409	20.4%	1	11	1	3	2	0	17	0.5%	1	2,968	2,000	1,378	1,076	4	7,426	18.7%
N.A.	42	50	33	38	0	163	0.4%	N.A.	45	18	13	20	0	96	2.8%	N.A.	87	68	46	58	0	259	0.7%
Total	13,414	9,602	6,898	6,408	23	36,345	100.0%	Total	1,394	695	584	737	9	3,419	100.0%	Total	14,808	10,297	7,482	7,145	32	39,764	100.0%
%	36.9%	26.4%	19.0%	17.6%	0.1%	100.0%		%	40.8%	20.3%	17.1%	21.6%	0.3%	100.0%		%	37.2%	25.9%	18.8%	18.0%	0.1%	100.0%	

Sentencing Zone	N	%	Sentencing Zone	N	%	Sentencing Zone	N	%
Incarceration Zone	791	2.2%	Incarceration Zone	1,572	46.0%	Incarceration Zone	2,363	5.9%
Discretionary Zone	24,337	67.0%	Discretionary Zone	1,627	47.6%	Discretionary Zone	25,964	65.3%
Intermediate Sanction Zone	11,054	30.4%	Intermediate Sanction Zone	124	3.6%	Intermediate Sanction Zone	11,178	28.1%
Unassigned	163	0.4%	Unassigned	96	2.8%	Unassigned	259	0.7%
Total	36,345	100.0%	Total	3,419	100.0%	Total	39,764	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 25 shows incarceration rates by grid cell assignment for all convicted defendants. For FY 2010, the estimated incarceration rate was 40.5%: 16,089 defendants received a sentence to incarceration out of 39,764 convicted defendants.

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

- the incarceration rate for defendants convicted of offenses at offense seriousness level 1 was 17.4% and the incarceration rate for defendants convicted of offenses at offense seriousness level 8 was 96.4%; and,
- the incarceration rate for defendants in criminal history group A was 27.7% and the incarceration rate for defendants in criminal history group D was 58.4%.

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

- for defendants in the incarceration zone, the incarceration rate was 86.2%;
- for defendants in the discretionary zone, the incarceration rate was 45.9%; and,
- for defendants in the intermediate sanction zone, the incarceration rate was 17.6%.

Table 25. Incarceration Status by Grid Cell Assignment, All Courts

ALL DEFENDANTS							INCARCERATED DEFENDANTS							INCARCERATION RATE						
	A	B	C	D	E	N		A	B	C	D	E	N		A	B	C	D	E	Rate
9	25	9	9	6	0	49	9	25	9	9	6	0	49	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	66	32	19	22	0	139	8	63	31	18	22	0	134	8	95.5%	96.9%	94.7%	100.0%	N.A.	96.4%
7	90	42	36	52	1	221	7	78	42	36	51	1	208	7	86.7%	100.0%	100.0%	98.1%	100.0%	94.1%
6	261	131	138	161	3	694	6	219	119	135	154	3	630	6	83.9%	90.8%	97.8%	95.7%	100.0%	90.8%
5	404	305	257	263	1	1,230	5	221	184	194	212	1	812	5	54.7%	60.3%	75.5%	80.6%	100.0%	66.0%
4	1,500	991	669	733	6	3,899	4	754	656	493	606	4	2,513	4	50.3%	66.2%	73.7%	82.7%	66.7%	64.5%
3	4,575	3,528	2,795	2,778	10	13,686	3	1,411	1,615	1,500	1,768	7	6,301	3	30.8%	45.8%	53.7%	63.6%	70.0%	46.0%
2	4,832	3,191	2,135	1,996	7	12,161	2	996	1,139	870	985	1	3,991	2	20.6%	35.7%	40.7%	49.3%	14.3%	32.8%
1	2,968	2,000	1,378	1,076	4	7,426	1	296	378	293	324	0	1,291	1	10.0%	18.9%	21.3%	30.1%	0.0%	17.4%
N.A.	87	68	46	58	0	259	N.A.	44	40	32	44	0	160	N.A.	50.6%	58.8%	69.6%	75.9%	N.A.	61.8%
Total	14,808	10,297	7,482	7,145	32	39,764	Total	4,107	4,213	3,580	4,172	17	16,089	Total	27.7%	40.9%	47.8%	58.4%	53.1%	40.5%

ALL DEFENDANTS		INCARCERATED DEFENDANTS		INCARCERATION RATE	
Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	2,363	Incarceration Zone	2,038	Incarceration Zone	86.2%
Discretionary Zone	25,964	Discretionary Zone	11,928	Discretionary Zone	45.9%
Intermediate Sanction Zone	11,178	Intermediate Sanction Zone	1,963	Intermediate Sanction Zone	17.6%
Unassigned	259	Unassigned	160	Unassigned	61.8%
Total	39,764	Total	16,089	Total	40.5%

District Court Incarceration Rates. Table 26 shows incarceration rates by grid cell assignment for all defendants convicted in district court. For FY 2010, the estimated district court incarceration rate was 36.7%: 13,343 defendants received a sentence to incarceration out of 36,345 convicted defendants. District court incarceration rates were similar in pattern to overall incarceration rates.

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

- the incarceration rate for defendants convicted of offenses at offense seriousness level 1 was 17.3% and the incarceration rate for defendants convicted of offenses at offense seriousness level 4 was 57.1%; and,
- the incarceration rate for defendants in criminal history group A was 23.5% and the incarceration rate for defendants in criminal history group D was 54.6%.

District court incarceration rates varied by sentencing zone:

- district court defendants in the incarceration zone had an incarceration rate of 75.3%;
- district court defendants in the discretionary zone had an incarceration rate of 44.1%; and,
- district court defendants in the intermediate sanction zone had an incarceration rate of 17.4%.

Survey of Sentencing Practices

Table 26. 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	4	1	0	2	0	7	6	4	1	0	2	0	7	6	100.0%	100.0%	N.A.	100.0%	N.A.	100.0%
5	247	215	169	145	0	776	5	103	106	117	111	0	437	5	41.7%	49.3%	69.2%	76.6%	N.A.	56.3%
4	1,107	744	476	467	3	2,797	4	473	446	316	360	1	1,596	4	42.7%	59.9%	66.4%	77.1%	33.3%	57.1%
3	4,334	3,442	2,737	2,708	9	13,230	3	1,299	1,561	1,458	1,710	6	6,034	3	30.0%	45.4%	53.3%	63.1%	66.7%	45.6%
2	4,723	3,151	2,108	1,974	7	11,963	2	955	1,115	854	966	1	3,891	2	20.2%	35.4%	40.5%	48.9%	14.3%	32.5%
1	2,957	1,999	1,375	1,074	4	7,409	1	295	378	290	322	0	1,285	1	10.0%	18.9%	21.1%	30.0%	0.0%	17.3%
N.A.	42	50	33	38	0	163	N.A.	19	28	20	26	0	93	N.A.	45.2%	56.0%	60.6%	68.4%	N.A.	57.1%
Total	13,414	9,602	6,898	6,408	23	36,345	Total	3,148	3,635	3,055	3,497	8	13,343	Total	23.5%	37.9%	44.3%	54.6%	34.8%	36.7%

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	791	Incarceration Zone	596	Incarceration Zone	75.3%
Discretionary Zone	24,337	Discretionary Zone	10,736	Discretionary Zone	44.1%
Intermediate Sanction Zone	11,054	Intermediate Sanction Zone	1,918	Intermediate Sanction Zone	17.4%
Unassigned	163	Unassigned	93	Unassigned	57.1%
Total	36,345	Total	13,343	Total	36.7%

Superior Court Incarceration Rates. Table 27 shows incarceration rates by grid cell assignment for all defendants convicted in superior court. For FY 2010, the estimated superior court incarceration rate was 80.3%: 2,746 defendants received a sentence to incarceration out of 3,419 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 50.5% and the incarceration rate for defendants convicted of offenses in offense seriousness level 8 was 96.4%; and,
- the incarceration rate for defendants in criminal history group A was 68.8% and the incarceration rate for defendants in criminal history group D was 91.6%.

The incarceration rate varied by sentencing zone:

- superior court defendants in the incarceration zone had an incarceration rate of 91.7%;
- superior court defendants in the discretionary zone had an incarceration rate of 73.3%; and,
- superior court defendants in the intermediate sanction zone had an incarceration rate of 36.3%.

Survey of Sentencing Practices

Table 27. Incarceration Status by Grid Cell Assignment, Superior Court

ALL DEFENDANTS							INCARCERATED DEFENDANTS							INCARCERATION RATE						
	A	B	C	D	E	N		A	B	C	D	E	N		A	B	C	D	E	Rate
9	25	9	9	6	0	49	9	25	9	9	6	0	49	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	66	32	19	22	0	139	8	63	31	18	22	0	134	8	95.5%	96.9%	94.7%	100.0%	N.A.	96.4%
7	90	42	36	52	1	221	7	78	42	36	51	1	208	7	86.7%	100.0%	100.0%	98.1%	100.0%	94.1%
6	257	130	138	159	3	687	6	215	118	135	152	3	623	6	83.7%	90.8%	97.8%	95.6%	100.0%	90.7%
5	157	90	88	118	1	454	5	118	78	77	101	1	375	5	75.2%	86.7%	87.5%	85.6%	100.0%	82.6%
4	393	247	193	266	3	1,102	4	281	210	177	246	3	917	4	71.5%	85.0%	91.7%	92.5%	100.0%	83.2%
3	241	86	58	70	1	456	3	112	54	42	58	1	267	3	46.5%	62.8%	72.4%	82.9%	100.0%	58.6%
2	109	40	27	22	0	198	2	41	24	16	19	0	100	2	37.6%	60.0%	59.3%	86.4%	N.A.	50.5%
1	11	1	3	2	0	17	1	1	0	3	2	0	6	1	9.1%	0.0%	100.0%	100.0%	N.A.	35.3%
N.A.	45	18	13	20	0	96	N.A.	25	12	12	18	0	67	N.A.	55.6%	66.7%	92.3%	90.0%	N.A.	69.8%
Total	1,394	695	584	737	9	3,419	Total	959	578	525	675	9	2,746	Total	68.8%	83.2%	89.9%	91.6%	100.0%	80.3%

Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	1,572	Incarceration Zone	1,442	Incarceration Zone	91.7%
Discretionary Zone	1,627	Discretionary Zone	1,192	Discretionary Zone	73.3%
Intermediate Sanction Zone	124	Intermediate Sanction Zone	45	Intermediate Sanction Zone	36.3%
Unassigned	96	Unassigned	67	Unassigned	69.8%
Total	3,419	Total	2,746	Total	80.3%

Sentencing Practices: Comparing Existing Sentences and Proposed Guidelines

All existing sentences were compared with the proposed sentencing guidelines in order to estimate whether the sentence imposed was below the guideline range, within the guideline range, or above the guideline range. The method for estimating departure rates is described in Appendix A. Table 28 shows the results of this analysis. Overall, it was estimated that 86.1% of current sentences fall within the proposed guidelines and 13.9% of current sentences fall outside of proposed guidelines (an estimated 3.9% were below the guidelines and an estimated 9.9% 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 3.1% of all sentences were outside of the proposed guidelines and almost all of those sentences were above the proposed ranges (For most cells, the lower limit of the range is zero);
- the proportion of sentences outside of the guidelines was the highest at offense seriousness level 6, where an estimated 71.6% of all sentences were outside of the proposed ranges (40.1% were below the proposed guidelines and 31.5% were above the proposed guidelines);
- when comparing the sentences imposed for mandatory drug offenses with the proposed sentencing guidelines, it was estimated that 43.6% of the current mandatory drug sentences were within the sentencing guidelines ranges and that 56.4% were outside of the sentencing guidelines (including 3.3% below the proposed guidelines and 53.0% above the proposed guidelines); and,
- when comparing the sentences imposed for all other offenses it was estimated that 86.9% were within the sentencing guidelines ranges and 13.1% were outside of the sentencing guidelines (including 3.9% below the ranges and 9.1% above the ranges); and,
- for all offenses at levels 6 through 8, 38.3% of the sentences were below the guideline ranges, 28.9% were within, and 32.9% were above;
- for mandatory drug offenses at levels 6 through 8, 0.5% were below the guideline ranges, 34.2% were within, and 65.2% were above; and,
- for all other offenses at levels 6 through 8, 46.6% were below the guideline ranges, 27.7% were within, and 25.7% were above.

Table 28. 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%	49	100.0%	0	0.0%	49	100.0%
Level 8	24	22.0%	33	30.3%	52	47.7%	109	100.0%
Level 7	90	40.7%	65	29.4%	66	29.9%	221	100.0%
Level 6	276	40.1%	196	28.4%	217	31.5%	689	100.0%
Level 5	558	45.7%	488	40.0%	174	14.3%	1,220	100.0%
Level 4	556	14.4%	2,820	72.9%	493	12.7%	3,869	100.0%
Level 3	4	0.0%	12,488	96.9%	397	3.1%	12,889	100.0%
Level 2	0	0.0%	10,520	88.1%	1,417	11.9%	11,937	100.0%
Level 1	0	0.0%	6,420	86.6%	996	13.4%	7,416	100.0%
Total	1,508	3.9%	33,079	86.1%	3,812	9.9%	38,399	100.0%
Other Offenses								
Level 9	0	0.0%	49	100.0%	0	0.0%	49	100.0%
Level 8	24	26.1%	32	34.8%	36	39.1%	92	100.0%
Level 7	89	47.3%	54	28.7%	45	23.9%	188	100.0%
Level 6	276	49.7%	145	26.1%	134	24.1%	555	100.0%
Level 5	543	50.6%	456	42.5%	74	6.9%	1,073	100.0%
Level 4	549	15.6%	2,613	74.5%	346	9.9%	3,508	100.0%
Level 3	4	0.0%	12,488	96.9%	397	3.1%	12,889	100.0%
Level 2	0	0.0%	10,520	88.1%	1,417	11.9%	11,937	100.0%
Level 1	0	0.0%	6,420	86.6%	996	13.4%	7,416	100.0%
Total	1,485	3.9%	32,777	86.9%	3,445	9.1%	37,707	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	5.9%	16	94.1%	17	100.0%
Level 7	1	3.0%	11	33.3%	21	63.6%	33	100.0%
Level 6	0	0.0%	51	38.1%	83	61.9%	134	100.0%
Level 5	15	10.2%	32	21.8%	100	68.0%	147	100.0%
Level 4	7	1.9%	207	57.3%	147	40.7%	361	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	23	3.3%	302	43.6%	367	53.0%	692	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 23, there were 5,426 defendants representing 12.0% 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 360 convictions where the governing offense was a mandatory firearms offense in FY 2010. Table 29 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 29. 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	120	100.0%	122	50.8%	242	67.2%
Firearm, Carry w/o License, 2nd Offense	0	0.0%	9	3.8%	9	2.5%
Firearm, Possess Large Capacity	0	0.0%	23	9.6%	23	6.4%
Firearm, Possess Machine Gun / Sawed off Shotgun	0	0.0%	14	5.8%	14	3.9%
Armed Career Criminal, 1 Prior	0	0.0%	57	23.8%	57	15.8%
Armed Career Criminal , 2 Priors	0	0.0%	6	2.5%	6	1.7%
Armed Career Criminal , 3 Priors	0	0.0%	5	2.1%	5	1.4%
Firearm, Use in Felony	0	0.0%	4	1.7%	4	1.1%
Total	120	100.0%	240	100.0%	360	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 4,811 convictions for OUI offenses in FY 2010. 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 30 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 30. 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%	31	45.6%	31	0.6%
House of Correction Sentence						
Less than 1 month	27	0.6%	0	0.0%	27	0.6%
1 Month	56	1.2%	0	0.0%	56	1.2%
2 Months	238	5.0%	1	1.5%	239	5.0%
3 to 5 Months	109	2.3%	0	0.0%	109	2.3%
6 to 8 Months	295	6.2%	1	1.5%	296	6.2%
9 to 11 Months	26	0.5%	2	2.9%	28	0.6%
12 to 14 Months	119	2.5%	12	17.6%	131	2.7%
15 to 17 Months	4	0.1%	0	0.0%	4	0.1%
18 to 20 Months	22	0.5%	5	7.4%	27	0.6%
21 to 23 Months	0	0.0%	0	0.0%	0	0.0%
24 to 26 Months	48	1.0%	6	8.8%	54	1.1%
27 to 29 Months	0	0.0%	0	0.0%	0	0.0%
30 Months	35	0.7%	8	11.8%	43	0.9%
Missing Sentence Information	7	0.1%	1	1.5%	8	0.2%
Sub-Total	986	20.8%	36	52.9%	1,022	21.2%
Probation	2,890	60.9%	1	1.5%	2,891	60.1%
Fine	790	16.7%	0	0.0%	790	16.4%
Other	77	1.6%	0	0.0%	77	1.6%
Total	4,743	100.0%	68	100.0%	4,811	100.0%

SENTENCING PRACTICES: DEMOGRAPHIC CHARACTERISTICS

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

. . . The commission shall assure that the guidelines are neutral as to the race, sex, national origin, creed, religion and socio-economic status of offenders.²⁷

In two separate studies, the Supreme Judicial Court suggested the need for further study of the relationship between defendant demographic characteristics and sentencing outcomes. In a study of gender bias in the courts, the Supreme Judicial Court noted the need for research that would be able to relate defendant gender, crimes committed, and criminal histories with disposition and sentencing outcomes.²⁸ In a study of racial and ethnic bias in the courts, the Supreme Judicial Court indicated the need to develop a consistent set of data that would allow an analysis of the relationship between sentencing practices and defendant characteristics.²⁹ Further, the Supreme Judicial Court recommended that the commission would be an appropriate entity to conduct such an inquiry:

After discovering some troubling patterns in preliminary research, the Commission on Racial and Ethnic Bias in the Courts believes that the legislature should allocate funds to the Sentencing Commission or to the Trial Court for a comprehensive study of sentencing disparities.³⁰

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

²⁷ G.L. c. 211E § 3 (e).

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

²⁹ Supreme Judicial Court, *Equal Justice: Eliminating the Barriers, Final Report of the Commission to Study Racial and Ethnic Bias in the Courts*, Boston, September 1994, p. 92.

³⁰ *Ibid.*, p. 92.

Sentencing Practices: Defendant Gender

Table 31 shows the gender of defendants by court department. Of all convicted defendants, 16.1% were female and 83.9% were male. Of the defendants convicted in district court, 34,564 or 83.4% were male and 6,899 or 16.6% were female; and, of the defendants convicted in superior court, 3,330 or 89.3% were male and 397 or 10.7% were female.

Table 31. Defendant Gender by Court Department

Gender	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Male	34,564	83.4%	3,330	89.3%	37,894	83.9%
Female	6,899	16.6%	397	10.7%	7,296	16.1%
Total	41,463	100.0%	3,727	100.0%	45,190	100.0%

Table 32 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 32. Defendant Gender by Grid Cell Assignment

Offense Type and Grid Assignment	Male		Female		Total	
	N	%	N	%	N	%
Sentencing Grid						
Person Offenses	8,202	89.0%	1,012	11.0%	9,214	100.0%
Sex Offenses	499	97.5%	13	2.5%	512	100.0%
Property Offenses	7,966	76.6%	2,432	23.4%	10,398	100.0%
Drug Offenses						
Mandatory / Distribution	639	91.7%	58	8.3%	697	100.0%
Non-Mandatory / Distribution	2,414	87.9%	331	12.1%	2,745	100.0%
Possession	2,049	83.1%	417	16.9%	2,466	100.0%
Other Drug Offense	111	71.6%	44	28.4%	155	100.0%
Sub-total Drug	5,213	86.0%	850	14.0%	6,063	100.0%
Motor Vehicle						
Weapons	501	94.2%	31	5.8%	532	100.0%
Public Order and Other Offenses	3,913	80.1%	971	19.9%	4,884	100.0%
Sub-total Grid	33,426	84.1%	6,338	15.9%	39,764	100.0%
Not Assigned to Grid						
OUI Offenses	3,897	81.0%	914	19.0%	4,811	100.0%
Mandatory Firearms	353	98.1%	7	1.9%	360	100.0%
Non-jailable	218	85.5%	37	14.5%	255	100.0%
Sub-Total No Grid	4,468	82.3%	958	17.7%	5,426	100.0%
Grand Total	37,894	83.9%	7,296	16.1%	45,190	100.0%

Sentencing Practices: Defendant Age at Disposition

The age of defendants at the time of disposition ranged from 17 years to 88 years. The mean age at disposition was 34.0 years and the median age at disposition was 32 years. Table 33 shows the age at disposition for all defendants by court department.

Table 33. Defendant Age at Disposition by Court Department

Age at Disposition	District Court	Superior Court	All Courts
19 and younger	2,450	193	2,643
20 to 24	7,998	792	8,790
25 to 29	7,527	708	8,235
30 to 34	5,589	507	6,096
35 to 39	4,743	450	5,193
40 to 44	4,589	380	4,969
45 to 49	4,118	331	4,449
50 to 54	2,508	192	2,700
55 to 59	1,144	94	1,238
60 and older	797	80	877
Total	41,463	3,727	45,190
Youngest	17 Years	17 Years	17 Years
Oldest	88 Years	88 Years	88 Years
Mean	34.0 Years	33.5 Years	34.0 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 1.6% of the convicted defendants. Further discussion of the method used to collect defendant race can be found in Appendix A.

As indicated in Table 34, 63.9% of the convicted defendants were white, 18.2% were black, 14.8% were hispanic, and 1.5% were other races. The race was unknown for 1.6% of the convicted defendants.

Table 34 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, 65.3% were white, and 33.0% were racial/ethnic minorities (17.4% were black, 14.2% were hispanic, and 1.5% 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, 47.9% were white, and 51.2% were racial/ethnic minorities (27.5% were black, 21.5% were hispanic, and 2.1% were other races). The race was unknown for 0.9% of the defendants convicted in the superior court.

Table 34. Defendant Race By Court Department

Defendant Race	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
White	27,079	65.3%	1,785	47.9%	28,864	63.9%
Black	7,199	17.4%	1,025	27.5%	8,224	18.2%
Hispanic	5,885	14.2%	802	21.5%	6,687	14.8%
Other	604	1.5%	80	2.1%	684	1.5%
Unknown	696	1.7%	35	0.9%	731	1.6%
Total	41,463	100.0%	3,727	100.0%	45,190	100.0%

Table 35 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:

- 63.9% of all defendants were white, 34.5% of all defendants were racial/ethnic minorities (18.2% were black, 14.8% were hispanic, and 1.5% were other races), and the race was unknown for 1.6% of all defendants; and,
- 29.0% of defendants convicted of mandatory drug offenses were white, and 71.0% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (36.6% were black, 33.4% were hispanic, and 1.0% were other races).

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

- 48.2% of defendants convicted of all drug offenses were white and 50.6% were racial/ethnic minorities;
- 62.7% of defendants convicted of possession offenses were white and 36.3% were racial/ethnic minorities;
- 38.6% of defendants convicted of non-mandatory distribution offenses were white and 59.7% were racial/ethnic minorities; and,
- 29.0% of defendants convicted of mandatory distribution offenses were white and 71.0% were racial/ethnic minorities.

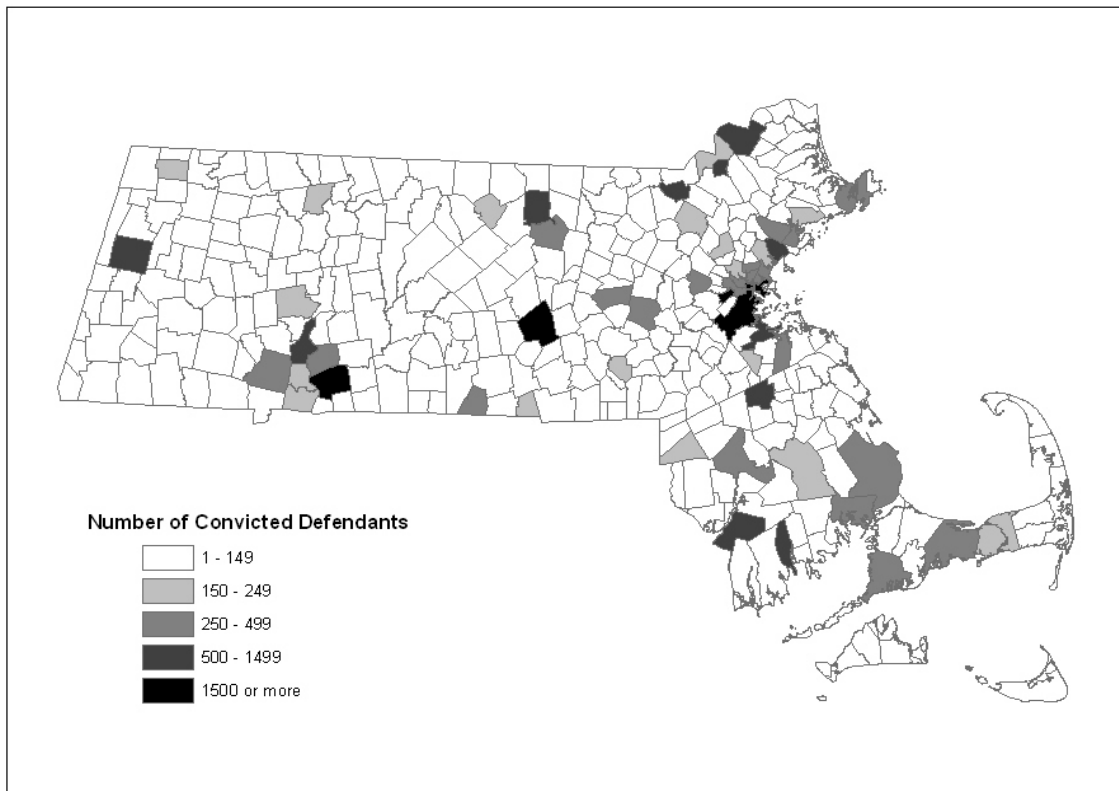
Table 35. Defendant Race by Type of Offense and Grid Assignment

Offense Type and Grid Assignment	White		Black		Hispanic		Other		Unknown		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Sentencing Grid												
Person Offenses	5,509	59.8%	1,937	21.0%	1,485	16.1%	144	1.6%	139	1.5%	9,214	100.0%
Sex Offenses	340	66.4%	68	13.3%	86	16.8%	5	1.0%	13	2.5%	512	100.0%
Property Offenses	7,225	69.5%	1,731	16.6%	1,160	11.2%	175	1.7%	107	1.0%	10,398	100.0%
Drug Offenses												
Mandatory / Distribution	202	29.0%	255	36.6%	233	33.4%	7	1.0%	0	0.0%	697	100.0%
Non-Mandatory / Distribution	1,059	38.6%	817	29.8%	783	28.5%	39	1.4%	47	1.7%	2,745	100.0%
Possession	1,547	62.7%	464	18.8%	401	16.3%	30	1.2%	24	1.0%	2,466	100.0%
Other Drug Offense	115	74.2%	20	12.9%	17	11.0%	1	0.6%	2	1.3%	155	100.0%
Sub-total Drug	2,923	48.2%	1,556	25.7%	1,434	23.7%	77	1.3%	73	1.2%	6,063	100.0%
Motor Vehicle												
Weapons	266	50.0%	151	28.4%	98	18.4%	8	1.5%	9	1.7%	532	100.0%
Public Order and Other Offenses	3,226	66.1%	948	19.4%	607	12.4%	57	1.2%	46	0.9%	4,884	100.0%
Sub-total Grid	24,659	62.0%	7,756	19.5%	6,191	15.6%	594	1.5%	564	1.4%	39,764	100.0%
Not Assigned to Grid												
OUI Offenses	3,936	81.8%	254	5.3%	394	8.2%	69	1.4%	158	3.3%	4,811	100.0%
Mandatory Firearms	83	23.1%	185	51.4%	76	21.1%	14	3.9%	2	0.6%	360	100.0%
Non-jailable	186	72.9%	29	11.4%	26	10.2%	7	2.7%	7	2.7%	255	100.0%
Sub-Total No Grid	4,205	77.5%	468	8.6%	496	9.1%	90	1.7%	167	3.1%	5,426	100.0%
Grand Total	28,864	63.9%	8,224	18.2%	6,687	14.8%	684	1.5%	731	1.6%	45,190	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 42,414 defendants (or 93.9% of the survey population). The remaining defendants resided out-of-state (4.6%), resided in a correctional facility (1.3%), 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 2010. 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 2010, or the period July 1, 2009, through June 30, 2010 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 2010 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 2010, 54 defendants were classified in the life sentence group including five convicted of offenses other than murder. Of the five defendants sentenced to life for offenses other than murder, one was 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 2010 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 2010, there was one state prison / split sentence imposed. House of correction / split sentences were those split sentences with no minimum suspended term; split sentences with a maximum suspended term of 30 months or less; or, split sentences with no sentence length information but convicted in a district court.

State Prison Sentences. State prison sentences are those sentences with one or more valid incarceration words with some additional characteristics. State prison sentences are those sentences with a minimum and a maximum term of incarceration of any length; one or more words specifying a state sentence with no minimum or maximum sentence length; or incarceration sentences with no sentence length information imposed by a superior court. Of the 2,045 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 2010 for offenses occurring prior to that time and thus a reformatory sentence could be imposed. In FY 2010 there were no reformatory sentences imposed. The sentence structure of habitual offenders is often similar to that of reformatory sentences, that is

only a single sentence length is imposed, which is the statutory maximum. These defendants were also included in the “Other DOC” group unless a life or state prison sentence was imposed. In FY 2010, nine defendants were sentenced as habitual offenders and classified in the “Other DOC” group. Three other defendants were classified in the “other DOC” group including a defendant who defaulted at sentencing, a defendant whose sentencing was continued, and a defendant convicted of deriving support from a prostitute with a single fixed term.

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

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

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

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

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

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

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

Sentence Length

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

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

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

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

When calculating mean sentence length, cases with missing information were excluded from the analysis. There were a total of 399 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 36.

Table 36. Cases with Missing Sentence Information by Selected Defendant Characteristics and Grid Assignment

Defendant Characteristic	Sentencing Guidelines Grid	Other
House of Correction Sentence	378	5
House of Correction / Split Sentence	11	3
Other DOC	1	1
District Court	383	7
Superior Court	7	2
Old Law	1	0
New Law	389	9
Mandatory Offense	3	2
Other Offense	387	7

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.

Statutory Penalty Status

All charges were classified to a statutory penalty status: felony (no house alternative, house alternative with no district court jurisdiction, house alternative with joint jurisdiction in the district court) and misdemeanor. All charges were also classified with respect to the statutory maximum penalty that could be imposed. Certain charges were assigned to the category of mandatory sentences and the mandatory minimum term that could be imposed. For purposes of the analysis, life sentences for murder were considered mandatory sentences and incarceration sentences of one months or more for Operating Under the Influence were considered mandatory sentences.

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 2010 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 18).

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 37 shows the offense seriousness level assigned to the governing offense and the highest offense seriousness level for all convicted offenses. Of the 39,764 defendants convicted of offenses assigned to the sentencing grid, 38,969 or 98.0% had all of their convictions at or below the level of the governing offense and 795 or 2.0% 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 179 or 22.5% of these cases. Table 38 shows the specific offense associated with the highest offense seriousness level for the 795 cases.

Table 37. 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		Maximum Offense Level (All Convictions)										
	N	%	N	%	N	%	0	1	2	3	4	5	6	7	8	9	
9	49	100.0%	0	0.0%	49	100.0%	0	0	0	0	0	0	0	0	0	0	49
8	139	100.0%	0	0.0%	139	100.0%	0	0	0	0	0	0	0	0	139	0	0
7	211	95.5%	10	4.5%	221	100.0%	0	0	0	0	0	0	0	211	10	0	0
6	673	97.0%	21	3.0%	694	100.0%	0	0	0	0	0	673	6	15	0	0	0
5	1,204	97.9%	26	2.1%	1,230	100.0%	0	0	0	0	1,204	11	7	8	0	0	0
4	3,823	98.1%	76	1.9%	3,899	100.0%	0	0	0	3,823	31	21	7	17	0	0	0
3	13,490	98.6%	196	1.4%	13,686	100.0%	0	0	13,490	53	92	39	7	5	0	0	0
2	11,969	98.4%	192	1.6%	12,161	100.0%	0	11,969	155	27	7	0	3	0	0	0	0
1	7,152	96.3%	274	3.7%	7,426	100.0%	0	7,152	179	73	13	9	0	0	0	0	0
N.A.	259	100.0%	0	0.0%	259	100.0%	259	0	0	0	0	0	0	0	0	0	0
Total	38,969	98.0%	795	2.0%	39,764	100.0%	259	7,152	12,148	13,718	3,916	1,343	744	241	194	49	0

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Table 38. Offense Associated with Highest Offense Level and Not Governing Offense

Level	Offense - Highest Level	#	Level	Offense - Highest Level	#	Level	Offense - Highest Level	#	Level	Offense - Highest Level	#
8	Armed Aslt In Dwl House	7	6	Assault To Kill or Maim	2	4	Harassment	7	2	Assault	2
8	Rape Of Child w/Force	3	6	Rape Of Child	1	4	Larceny Person	24	2	B&E w/i Misdemeanor	1
8	Firearmed Aslt w/i Murd	2	6	Assault w/i Rape	1	4	Stalking	3	2	Compulsory Insurance Violation	65
8	Home Invasion	36	6	Child Pornography	9	4	Firearm Sale	1	2	Counterfeit/Alter MV Document	3
8	Burglary, Armed	7	6	Robbery Unarmed + 60	2	4	Sub-Total	89	2	Distribute Class D	2
8	Sub-Total	55	6	Armed Robbery	41				2	Failure to Appear	4
			6	Armed Assault w/i Rob	5	3	A&B	63	2	False Alarm	1
7	Murder, Attempted	1	6	Carjacking	1	3	A&B Dangerous Weapon	8	2	Firearm Possess w/o Permit	2
7	Mayhem	3	6	Kidnapping	8	3	Assault Dangerous Weapon	7	2	Fireworks	1
7	Rape	2	6	Possess Explosive Device	1	3	B&E	23	2	Larceny Less	2
7	Incest	3	6	Sub-Total	71	3	Carrying Dangerous Weapon	13	2	Operate After Suspension 2nd	1
7	Armed Robbery Gun	5				3	Forgery And Uttering	6	2	Operate to Endanger	19
7	Armed Assault w/i Murder	8	5	A&B Aggravated	2	3	Gun Serial Number	2	2	Possession Class A	6
7	Carjacking, Armed	1	5	A&B DW, Aggravated	2	3	Interfere Police or Firefighter	2	2	Possession Class B	12
7	Kidnapping Child	1	5	Indecent A&B On Child	1	3	Larceny Building	2	2	Possession Class C	1
7	Confine And Put In Fear	5	5	Robbery Unarmed	10	3	Larceny More	17	2	Possession Class D	1
7	Throw or Place Explosives	1	5	Intimidation	115	3	Larceny MV	3	2	Property Destruction	6
7	Sub-Total	30	5	Stalking Viol of Rest. Order	1	3	Leaving Scene Personal Injury	6	2	Prostitution	5
			5	Common & Notorious Thief	2	3	Leaving Scene Property Damage	30	2	Receiving Stolen Goods	6
			5	Burglary	4	3	Mal Dest Property More	3	2	Resisting Arrest	22
	OUI Offenses		5	Perjury or Suborn	1	3	OUI Serious Inj. Misd	1	2	Tagging Property	2
2	OUI - Drugs	1	5	Sub-Total	138	3	Possess Burglariou Tools	10	2	True Name Law	4
2	OUI	3	5			3	Possess Firearm Silencer	1	2	Use Without Authority	6
2	Oper Und Infl Of Liq 2nd	1				3	Receiving Stolen Goods MV	7	2	Sub-Total	174
2	Sub-Total	5	4	A&B Eld / Disabled w/Injury	1	3	Receiving Stolen Goods Over	2			
			4	Burning Building	1	3	Reckless Endangerment	2			
	Mandatory Firearms		4	Distribute Class A	8	3	Restraining Order Violation	12			
			4	Distribute Class B	25	3	Sex Offender Fail Register	7			
5	Assault Weapon, Possess	1	4	Distribute Cocaine	1	3	Throw Object On Public Way	1			
4	Bartley-Fox Mandatory	4	4	Escape	2	3	Sub-Total	228			
4	Sub-Total	5	4	Fraud - Identity	16	3					

Criminal History Group

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

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

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

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

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

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

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

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

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

Multiple Prior Convictions. The criminal history scale counts multiple convictions resulting from separate charges as a single conviction if those charges have the same arraignment date. This is consistent with the policy of the commission that multiple

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

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

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

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

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

Juvenile Criminal History

Consistent with the policy established by the commission, juvenile criminal history was also considered in the construction of the criminal history scale. Adjudications of delinquency for offenses classified in levels 7, 8, and 9 were counted for purposes of classifying the defendant into one of five criminal history groups; other adjudications of

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

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

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

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

Youthful Offender Dispositions

The youthful offender law allows judges sitting in juvenile court to sentence certain juvenile offenders to an adult sentence or to a combination adult / DYS sentence.³¹ Adjudications in juvenile court under the youthful offender law were treated separately from other juvenile adjudications. Adjudications under the youthful offender law which resulted in the imposition of an adult sentence by the juvenile court were not included as convictions or sentencing events for the purposes of constructing the sample for the current survey of sentencing practices. For juveniles charged with murder, the cases are heard in adult court. If those cases resulted in a commitment to DYS, the case was not included in the sample. If those cases resulted in an adult sentence, the case was included in the sample.

During FY 2010 there were 332 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 criminal history. Some further assumptions used in the construction of the youthful offender criminal history model include:

³¹ St. 1996, c. 200 was effective for offenses committed on or after October 1, 1996 except for juveniles charged with murder. For these individuals the effective date of the law was July 27, 1996.

- 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 2010, 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 2010 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 2010, 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 2010 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 1,365 individuals. Excluded from the comparative analysis were all reformatory sentences, all cases not assigned to an offense seriousness level, all incarceration sentences with missing sentence length, and defendants convicted of offenses where statutory minimum

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

Post-Release Probation Supervision

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

Demographic Characteristics

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

Race was not universally available. All of the tables contain in the report include those defendants for whom race is missing in the statistical tabulations.

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

All last known address information was validated through a geo-coding process against a database of valid Massachusetts street names and locations. All geo-coding parameters were set to 100%. Where the initial address was not validated, a secondary address from the CARI database was used. There were some defendants who indicated a city or town as a residential address but did not provide any further street information. These cases were included in the analysis at the level of summary statistical information on cities and towns but were not included in any further geo-graphic analysis. For those individuals living in a shelter or residential treatment program, the address of the shelter or program was used. There were a small number of defendants for whom there was not enough information provided to locate the shelter. For those individuals living in hotels, campgrounds or trailer parks, the street address of the facility was used. There were a small number of defendants for whom there was not enough information provided to locate the hotel or other residential facility. Some defendants resided at a college or university dormitory. For these defendants the main address of the college or university was used for purposes of geo-coding. Some defendants provided a correctional facility as the last known address. These defendants were not included in the geo-coding analysis. Some defendants provided an out-of-state address as the last known address. These defendants were not included in the geo-coding analysis. Some defendants indicated that they were homeless. These defendants were included in the geo-coding analysis if there was an indication of a city or town in which they were homeless. Table 39 shows the assignment of all offenders to a last known address category.

Table 39. 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	38,522	92.9%	3,314	88.9%	41,836	92.6%
Homeless (city identified)	462	1.1%	15	0.4%	477	1.1%
No Specific Street Address (city identified)	92	0.2%	9	0.2%	101	0.2%
Sub-Total	39,076	94.2%	3,338	89.6%	42,414	93.9%
No Massachusetts City or Town Assigned						
Out of State Resident	1,884	4.5%	197	5.3%	2,081	4.6%
Correctional Facility	397	1.0%	176	4.7%	573	1.3%
Homeless or Shelter (city not identified)	106	0.3%	16	0.4%	122	0.3%
Sub-Total	2,387	5.8%	389	10.4%	2,776	6.1%
Total	41,463	100.0%	3,727	100.0%	45,190	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 147 convictions, or 21.1% of all mandatory drug convictions. A sentence for distribution within a school zone is required to be a minimum of two years to be served from & after the sentence for the underlying drug offense. The method employed in the current analysis considers distribution within a school zone to be the governing offense only when the sentence imposed for the distribution within a school zone charge was longer than the sentence imposed for the underlying drug charge. Therefore, there were additional offenders convicted of distribution in a school zone. Table 40 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 147 defendants for whom the school zone offense was the governing offense; and,
- There were 56 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:
 - 47 had a mandatory drug offense as the governing offense; and,
 - 9 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 203 defendants with one or more convictions of distribution in a school zone. Of these 203 defendants:

- the underlying drug offense was a mandatory drug offense for 59 defendants; and,
- the underlying drug offense was a non-mandatory drug offense for 144 defendants.
- 151 had a house of correction sentence imposed for the underlying drug offense and of these sentences 94 were for 1 day; and,
- 52 had a DOC sentence imposed for the underlying drug offense.

The final portion of the table shows the racial composition of the 203 school zone defendants.

Incarceration Status

Table 41 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 93 defendants were convicted of this offense including 67 in criminal history group A, 14 in criminal history group B, 5 in criminal history group C, 7 in criminal history group D, and none in criminal history group E. Of the 93 convicted defendants, a total of 66 received a sentence of incarceration, for an overall incarceration rate of 71%. Of the 67 defendants in criminal history group A, a total of 44 received a sentence of incarceration, for an incarceration rate of 66%; of the 14 defendants in criminal history group B, a total of 11 received a sentence of incarceration for an incarceration rate of 79%; of the 5 defendants in criminal history group C, 4 received a sentence of incarceration for an incarceration rate of 80%; of the 7 defendants in criminal history group D, 7 received a sentence of incarceration, for an incarceration rate of 100%; and, there were no defendants in criminal history group E.

Table 42 shows the same information for defendants convicted in district court. For example, as indicated in Table 42, there were a total of 65 convictions for Indecent A&B on Child in the district court. Of these 65 convictions, 41 resulted in a sentence to incarceration for an overall incarceration rate of 63%. The number of convicted defendants, the number of incarcerated defendants, and the incarceration rate is also shown for each criminal history group.

Table 43 shows the same information for defendants convicted in superior court. As indicated in Table 43, there were a total of 28 convictions for Indecent A&B on Child in the superior court. Of these 28 convictions, 25 resulted in a sentence to incarceration for an overall incarceration rate of 89%. 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 44 and Table 45 show sentence length information for those defendants sentenced to the state prison by governing offense and grid cell assignment. In Table 44 the total number of convicted defendants, the mean minimum sentence, and the median minimum

sentence are shown. For example, for the offense of armed assault w/i murder, a level 7 offense, there were 36 defendants sentenced to the state prison in FY 2010. The mean minimum state prison sentence for armed assault w/i murder was 72.7 months and the median minimum sentence for armed assault w/i murder was 48.0 months.

In Table 45 the total number of convicted defendants, the mean maximum sentence, and the median maximum sentence are shown. Again, using the example of the offense of armed assault w/i murder, a level 7 offense, there were a total of 36 defendants convicted of armed assault w/i murder and sentenced to the state prison. The mean maximum sentence for armed assault w/i murder was 90.3 months and the median sentence for armed assault w/i murder was 60.0 months.

House of Correction Sentences

Table 46 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 398 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 78 defendants convicted of this offense and sentenced to a term of incarceration in a house of correction. The mean house of correction sentence was 8.8 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 47 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 47:

- there were 9,214 defendants convicted of person offenses with an incarceration rate of 52%;
- there were 512 defendants convicted of sex offenses with an incarceration rate of 71%;
- there were 532 defendants convicted of weapons offenses with an incarceration rate of 53%;
- there were 10,398 defendants convicted of property offenses with an incarceration rate of 42%;
- there were 6,063 defendants convicted of drug offenses with an incarceration rate of 50%;
- there were 8,161 defendants convicted of motor vehicle offenses with an incarceration rate of 22%;
- there were 2,435 defendants convicted of other offenses with an incarceration rate of 40%; and,
- there were 2,449 defendants convicted of public order offenses with an incarceration rate of 17%.

Table 40. 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	100	98.0%	47	46.5%	147	72.4%
Governing Offense: Other Mandatory Drug	0	0.0%	47	46.5%	47	23.2%
Governing Offense: All Other Offenses	2	2.0%	7	6.9%	9	4.4%
Total	102	100.0%	101	100.0%	203	100.0%
Underlying Offense of Conviction						
Trafficking Cocaine 14-28 grams	0	0.0%	6	5.9%	6	3.0%
Trafficking Cocaine 28-100 grams	0	0.0%	3	3.0%	3	1.5%
Trafficking Cocaine 100-200 grams	0	0.0%	4	4.0%	4	2.0%
Trafficking Heroin 14-28 grams	0	0.0%	2	2.0%	2	1.0%
Trafficking Heroin 28-100 grams	0	0.0%	1	1.0%	1	0.5%
Trafficking Heroin 200+ grams	0	0.0%	1	1.0%	1	0.5%
Distribution Class A	27	26.5%	9	8.9%	36	17.7%
Distribution Class A, 2nd Offender	0	0.0%	2	2.0%	2	1.0%
Distribution Class B	56	54.9%	26	25.7%	82	40.4%
Distribution Class B, 2nd Offender	0	0.0%	4	4.0%	4	2.0%
Distribution Cocaine / Mandatory	0	0.0%	25	24.8%	25	12.3%
Distribution Cocaine / 2nd	0	0.0%	11	10.9%	11	5.4%
Distribution Class C	4	3.9%	0	0.0%	4	2.0%
Distribution Class D	14	13.7%	6	5.9%	20	9.9%
Distribution Class E	1	1.0%	1	1.0%	2	1.0%
Total	102	100.0%	101	100.0%	203	100.0%
Sentence Imposed / Underlying Drug Offense						
House of Correction Sentence						
1 Day	70	68.6%	24	23.8%	94	46.3%
2 Days to 5 Months	3	2.9%	1	1.0%	4	2.0%
6 Months to 11 Months	12	11.8%	7	6.9%	19	9.4%
12 Months to 17 Months	7	6.9%	10	9.9%	17	8.4%
18 Months to 23 Months	0	0.0%	1	1.0%	1	0.5%
24 Months or More	7	6.9%	6	5.9%	13	6.4%
Unknown	3	2.9%	0	0.0%	3	1.5%
Sub-Total	102	100.0%	49	48.5%	151	74.4%
DOC Sentence	0	0.0%	52	51.5%	52	25.6%
Total	102	100.0%	101	100.0%	203	100.0%
Defendant Race						
White	31	30.4%	27	26.7%	58	28.6%
Black	31	30.4%	52	51.5%	83	40.9%
Hispanic	39	38.2%	22	21.8%	61	30.0%
Other	1	1.0%	0	0.0%	1	0.5%
Total	102	100.0%	101	100.0%	203	100.0%

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	25	9	9	6	0	49	25	9	9	6	0	49	100%	100%	100%	100%		100%
9	Sub-Total	25	9	9	6	0	49	25	9	9	6	0	49	100%	100%	100%	100%		100%
8	Manslaughter	16	11	3	2	0	32	16	11	3	2	0	32	100%	100%	100%	100%		100%
8	Assault In Dwelling	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
8	Armed Assault In Dwell House	2	1	3	2	0	8	2	1	3	2	0	8	100%	100%	100%	100%		100%
8	Rape, Aggravated	9	4	2	6	0	21	9	4	2	6	0	21	100%	100%	100%	100%		100%
8	Rape 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
8	Rape Of Child w/Force	23	5	2	7	0	37	23	5	2	7	0	37	100%	100%	100%	100%		100%
8	Armed Assault w/i Murder - Firearm	3	6	5	2	0	16	3	6	5	2	0	16	100%	100%	100%	100%		100%
8	Home Invasion	2	1	1	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
8	Burglary, Armed	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
8	Traffic Heroin 200+	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
8	Traffic Cocaine 200+	7	4	3	1	0	15	7	4	3	1	0	15	100%	100%	100%	100%		100%
8	Sub-Total	66	32	19	22	0	139	63	31	18	22	0	134	95%	97%	95%	100%		96%
7	Murder, Attempted	4	0	1	0	0	5	3	0	1	0	0	4	75%		100%			80%
7	Mayhem	3	4	4	2	0	13	3	4	4	2	0	13	100%	100%	100%	100%		100%
7	A&B Child w/Injury Substantial	4	0	1	1	0	6	4	0	1	1	0	6	100%		100%	100%		100%
7	Rape	16	4	5	6	0	31	12	4	5	5	0	26	75%	100%	100%	83%		84%
7	Rape of Child Aggravated	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
7	Assault w/I Rape 2nd	0	0	1	2	0	3	0	0	1	2	0	3			100%	100%		100%
7	Assault w/i Rape Child	0	0	0	1	0	1	0	0	0	1	0	1						100%
7	Incest	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
7	Armed Robbery Gun	25	12	13	20	1	71	21	12	13	20	1	67	84%	100%	100%	100%	100%	94%
7	Armed Assault w/i Murder	14	14	4	6	0	38	12	14	4	6	0	36	86%	100%	100%	100%		95%
7	Carjacking, Armed	3	0	1	2	0	6	3	0	1	2	0	6	100%		100%	100%		100%
7	Kidnapping Extortion	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
7	Confine And Put In Fear	2	2	0	3	0	7	1	2	0	3	0	6	50%	100%		100%		86%
7	Traffic Heroin 028-100	3	3	2	2	0	10	3	3	2	2	0	10	100%	100%	100%	100%		100%
7	Traffic Heroin 100-200	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
7	Traffic Cocaine 100-200	13	1	3	4	0	21	13	1	3	4	0	21	100%	100%	100%	100%		100%
7	Throw or Place Explosives	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
7	Sub-Total	90	42	36	52	1	221	78	42	36	51	1	208	87%	100%	100%	98%	100%	94%

Table 41 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	9	1	2	1	0	13	8	0	2	0	0	10	89%	0%	100%	0%		77%
6	A&B Elderly / Disabled Ser Injury	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
6	A&B Aggravated - Serious Injury	4	1	3	3	0	11	4	1	3	3	0	11	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon	14	16	13	26	2	71	14	16	13	26	2	71	100%	100%	100%	100%	100%	100%
6	A&B Dangerous Weapon + 60	2	0	0	1	0	3	2	0	0	1	0	3	100%				100%	100%
6	A&B DW, Aggravated w/Injury	12	10	4	2	0	28	10	9	4	2	0	25	83%	90%	100%	100%		89%
6	Assault To Kill or Maim	2	2	1	2	0	7	2	2	1	2	0	7	100%	100%	100%	100%		100%
6	Rape Of Child	61	10	7	8	0	86	54	9	7	7	0	77	89%	90%	100%	88%		90%
6	Assault w/i Rape	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
6	Indecent A&B On Child 2nd	1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%
6	Indecent A&B Mentally Retarded	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
6	Child Pornography	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
6	Robbery Unarmed + 60	1	3	0	7	0	11	1	3	0	6	0	10	100%	100%		86%		91%
6	Armed Robbery	63	39	50	67	0	219	44	33	50	64	0	191	70%	85%	100%	96%		87%
6	Armed Assault w/i Rob	13	6	10	9	0	38	6	6	9	8	0	29	46%	100%	90%	89%		76%
6	Armed Aslt w/i Rob Over 65	0	0	0	0	1	1	0	0	0	0	1	1				100%		100%
6	Carjacking	4	1	1	2	0	8	4	1	1	2	0	8	100%	100%	100%	100%		100%
6	Kidnapping	3	5	2	4	0	14	3	5	2	4	0	14	100%	100%	100%	100%		100%
6	Violation Of Civil Rights, Felony	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
6	Harassment, 2nd	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
6	Burning Dwelling House	9	5	4	1	0	19	7	4	3	1	0	15	78%	80%	75%	100%		79%
6	Distribute Class A 2nd	0	2	1	5	0	8	0	2	1	5	0	8		100%	100%	100%		100%
6	Distribute Cocaine 2nd	1	3	11	9	0	24	1	3	11	9	0	24	100%	100%	100%	100%		100%
6	Traffic Heroin 014-028	12	5	8	1	0	26	12	5	8	1	0	26	100%	100%	100%	100%		100%
6	Traffic Cocaine 028-100	33	19	15	11	0	78	33	19	15	11	0	78	100%	100%	100%	100%		100%
6	MV Homicide	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	MV Homicide - OUI Felony	11	0	1	1	0	13	11	0	1	1	0	13	100%		100%	100%		100%
6	Possess Explosive Device	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	Sub-Total	261	131	138	161	3	694	219	119	135	154	3	630	84%	91%	98%	96%	100%	91%

Table 41 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	20	9	3	4	0	36	10	3	3	3	0	19	50%	33%	100%	75%		53%
5	A&B Aggravated	22	21	17	11	0	71	13	9	12	9	0	43	59%	43%	71%	82%		61%
5	A&B DW, Aggravated	16	6	4	7	0	33	13	4	3	6	0	26	81%	67%	75%	86%		79%
5	Indecent A&B On Child	67	14	5	7	0	93	44	11	4	7	0	66	66%	79%	80%	100%		71%
5	Entice Child	12	1	1	0	0	14	6	0	1	0	0	7	50%	0%	100%			50%
5	Unnatural Acts Child	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
5	Robbery Unarmed	30	14	18	35	0	97	15	9	14	31	0	69	50%	64%	78%	89%		71%
5	Intimidation	180	188	156	143	0	667	70	97	109	108	0	384	39%	52%	70%	76%		58%
5	Stalking Violation of Rest. Order	1	0	1	5	0	7	1	0	1	5	0	7	100%		100%	100%		100%
5	Stalking 2nd	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
5	Common & Notorious Thief	1	1	1	5	0	8	0	1	1	5	0	7	0%	100%	100%	100%		88%
5	Burglary	2	1	5	12	0	20	1	1	4	12	0	18	50%	100%	80%	100%		90%
5	Gaming Enterprise	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
5	Distribute Class C 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	Distribute Class B 2nd	0	6	12	11	0	29	0	6	12	11	0	29		100%	100%	100%		100%
5	Traffic Cocaine 014-028	40	35	25	13	0	113	40	35	25	13	0	113	100%	100%	100%	100%		100%
5	Traffic Mar 100-2000	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
5	Distribute Class B Minor	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
5	Perjury or Suborn	3	5	2	2	1	13	2	5	2	1	1	11	67%	100%	100%	50%	100%	85%
5	Bribery - Level 5	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
5	Possess Molotov Cocktail	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
5	Sex Offender Fail Register 2nd	0	0	4	7	0	11	0	0	2	0	0	2			50%	0%		18%
5	Sub-Total	404	305	257	263	1	1,230	221	184	194	212	1	812	55%	60%	75%	81%	100%	66%

Table 41 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	34	21	13	21	0	89	10	8	8	15	0	41	29%	38%	62%	71%		46%
4	Assault Aggravated	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
4	A&B w/i Intimidate	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
4	A&B Guard	0	5	11	14	1	31	0	5	9	12	1	27		100%	82%	86%	100%	87%
4	A&B Dangerous Weapon	62	43	46	52	1	204	62	43	46	52	1	204	100%	100%	100%	100%	100%	100%
4	A&B Dangerous Weapon + 60	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
4	A&B To Collect Loan	1	1	2	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
4	Indecent A&B	51	17	15	12	0	95	26	13	12	10	0	61	51%	76%	80%	83%		64%
4	Photograph Nude Person	4	0	0	0	0	4	1	0	0	0	0	1	25%					25%
4	Assault w/i Rob	4	1	0	1	0	6	3	1	0	1	0	5	75%	100%		100%		83%
4	Stalking	11	3	5	4	0	23	5	1	4	3	0	13	45%	33%	80%	75%		57%
4	Harassment	17	15	17	9	0	58	3	6	7	8	0	24	18%	40%	41%	89%		41%
4	Larceny More	12	5	2	13	0	32	12	5	2	13	0	32	100%	100%	100%	100%		100%
4	Larceny More + 60	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
4	Larceny Person	177	129	91	95	0	492	87	79	62	77	0	305	49%	61%	68%	81%		62%
4	Larceny Person + 65	6	4	2	1	0	13	3	2	1	1	0	7	50%	50%	50%	100%		54%
4	Larceny MV 2nd	0	0	1	4	0	5	0	0	1	4	0	5			100%	100%		100%
4	Fraud - Identity	44	49	29	35	0	157	12	29	18	21	0	80	27%	59%	62%	60%		51%
4	B&E	5	8	9	74	1	97	5	8	9	74	1	97	100%	100%	100%	100%	100%	100%
4	Enter Dwelling w/i Felony	1	0	1	6	0	8	0	0	1	6	0	7	0%		100%	100%		88%
4	B&E DT Armed w/i Felony	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	Receiving Stolen Goods Over	0	1	4	3	1	9	0	1	4	3	1	9		100%	100%	100%	100%	100%
4	Receiving Stolen Goods MV 2nd	0	1	2	6	0	9	0	1	2	6	0	9		100%	100%	100%		100%
4	Burning Building	3	0	0	3	0	6	1	0	0	2	0	3	33%			67%		50%
4	Attempt Arson	2	2	4	1	0	9	2	2	4	0	0	8	100%	100%	100%	0%		89%
4	Burning to Defraud	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Distribute Class A	251	177	110	89	0	627	128	123	86	71	0	408	51%	69%	78%	80%		65%
4	Distribute Class B	645	370	214	205	2	1,436	244	195	128	144	0	711	38%	53%	60%	70%	0%	50%
4	Distribute Cocaine	49	72	48	42	0	211	49	72	48	42	0	211	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	4	2	0	0	0	6	4	2	0	0	0	6	100%	100%				100%
4	Larceny Cont Sub	3	4	0	0	0	7	2	3	0	0	0	5	67%	75%				71%
4	Giving Prisoner Cont Sub	5	0	0	3	0	8	1	0	0	3	0	4	20%			100%		50%
4	Control Substance School	57	36	30	24	0	147	57	36	30	24	0	147	100%	100%	100%	100%		100%
4	MV Homicide - Reckless	5	0	0	0	0	5	2	0	0	0	0	2	40%					40%
4	MV Homicide - OUI	5	0	0	0	0	5	3	0	0	0	0	3	60%					60%
4	Leaving Scene Death	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	OUI Serious Inj, Fel	19	5	0	0	0	24	18	5	0	0	0	23	95%	100%				96%
4	Derive Support From Prostitute	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
4	Gun Serial Number, Felony	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Firearm Sale Violation	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
4	Escape	7	14	5	10	0	36	6	11	4	9	0	30	86%	79%	80%	90%		83%
4	Bribery	6	0	1	1	0	8	3	0	1	0	0	4	50%		100%	0%		50%
4	Extortion	1	2	1	0	0	4	0	1	1	0	0	2	0%	50%	100%			50%
4	Bomb Hoax	0	0	3	1	0	4	0	0	2	1	0	3			67%	100%		75%
4	Hoax Device	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
4	Tax Law Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
4	Disinter Body	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Sub-Total	1,500	991	669	733	6	3,899	754	656	493	606	4	2,513	50%	66%	74%	83%	67%	64%

Table 41 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	1,450	1,097	835	692	4	4,078	417	488	443	457	2	1,807	29%	44%	53%	66%	50%	44%
3	A&B Domestic	29	28	22	11	0	90	12	12	13	9	0	46	41%	43%	59%	82%		51%
3	A&B w/I Intimidate	3	2	1	0	0	6	1	1	1	0	0	3	33%	50%	100%			50%
3	Reckless Endangerment	29	14	7	4	0	54	9	5	4	2	0	20	31%	36%	57%	50%		37%
3	Permit Injury to Child	2	0	0	1	0	3	1	0	0	1	0	2	50%			100%		67%
3	A&B Ambulance	1	1	1	2	0	5	0	0	0	2	0	2	0%	0%	0%	100%		40%
3	A&B Dangerous Weapon	306	184	140	107	0	737	96	73	63	66	0	298	31%	40%	45%	62%		40%
3	A&B Dangerous Weapon + 60	2	0	1	1	0	4	0	0	0	1	0	1	0%		0%	100%		25%
3	Assault Dangerous Weapon	193	156	128	115	1	593	96	93	76	86	1	352	50%	60%	59%	75%	100%	59%
3	Assault Dangerous Weapon + 60	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
3	Unnatural Acts	1	2	0	2	0	5	0	2	0	0	0	2	0%	100%		0%		40%
3	Child Pornography Possess	23	4	2	0	0	29	12	3	1	0	0	16	52%	75%	50%			55%
3	Kidnapping	3	5	2	0	0	10	2	1	1	0	0	4	67%	20%	50%			40%
3	Violation Of Civil Rights	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
3	Restraining Order Violation	275	292	266	220	0	1,053	94	123	141	129	0	487	34%	42%	53%	59%		46%
3	Larceny	14	17	11	15	0	57	14	17	11	15	0	57	100%	100%	100%	100%		100%
3	Larceny More	586	518	425	526	0	2,055	162	207	194	314	0	877	28%	40%	46%	60%		43%
3	Larceny More + 60	5	4	2	2	0	13	3	3	1	1	0	8	60%	75%	50%	50%		62%
3	Larceny Building	54	37	36	46	0	173	18	17	19	34	0	88	33%	46%	53%	74%		51%
3	Larceny Firearm	7	3	0	0	0	10	3	3	0	0	0	6	43%	100%				60%
3	Larceny MV	33	26	20	39	1	119	13	22	16	33	1	85	39%	85%	80%	85%	100%	71%
3	Embezzlement	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
3	Credit Card Misuse - More	4	7	4	8	0	23	3	7	3	7	0	20	75%	100%	75%	88%		87%
3	Defrauding Insurer	13	4	0	9	0	26	1	0	0	4	0	5	8%	0%		44%		19%
3	Fraud	29	23	8	22	0	82	9	8	6	12	0	35	31%	35%	75%	55%		43%
3	MV - Sales Violation	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
3	Possess Burglariious Tools	42	45	25	52	0	164	14	21	17	29	0	81	33%	47%	68%	56%		49%
3	B&E	523	435	357	367	0	1,682	199	253	251	274	0	977	38%	58%	70%	75%		58%
3	Mal Dest Property More	44	40	31	21	0	136	14	20	13	14	0	61	32%	50%	42%	67%		45%
3	Receiving Stolen Goods Over	48	48	34	28	0	158	19	24	21	20	0	84	40%	50%	62%	71%		53%
3	Receiving Stolen Goods MV	72	45	45	74	0	236	23	19	28	52	0	122	32%	42%	62%	70%		52%
3	Receiving Stolen Goods 2nd	0	0	1	2	0	3	0	0	0	2	0	2			0%	100%		67%
3	Forgery And Uttering	99	102	85	88	0	374	37	47	41	47	0	172	37%	46%	48%	53%		46%
3	Counterfeit	6	4	2	2	0	14	0	1	2	2	0	5	0%	25%	100%	100%		36%
3	Burning Property	3	7	0	3	0	13	1	7	0	2	0	10	33%	100%		67%		77%
3	Burning Motor Vehicle	3	1	3	1	0	8	1	0	2	1	0	4	33%	0%	67%	100%		50%
3	Illegal Lottery	1	1	1	0	0	3	0	1	0	0	0	1	0%	100%	0%			33%
3	Gaming Register Bets	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Possession Class A 2nd	3	5	4	7	0	19	0	2	2	3	0	7	0%	40%	50%	43%		37%
3	Possession Class A Heroin 2nd	8	8	8	5	0	29	2	5	5	4	0	16	25%	63%	63%	80%		55%
3	Possession Class B 2nd	3	22	19	12	0	56	2	6	8	6	0	22	67%	27%	42%	50%		39%
3	Possession Class C 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Possession Class D 2nd	1	4	2	0	0	7	0	2	1	0	0	3	0%	50%	50%			43%
3	Distribute Class C	9	12	13	9	0	43	1	2	7	6	0	16	11%	17%	54%	67%		37%
3	Distribute Class D 2nd	5	6	4	1	0	16	4	2	2	0	0	8	80%	33%	50%	0%		50%
3	Distribute Class E 2nd	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
3	MV Homicide	24	3	1	1	0	29	10	1	1	0	0	12	42%	33%	100%	0%		41%
3	Leaving Scene Property Damage	350	189	99	70	0	708	53	65	32	29	0	179	15%	34%	32%	41%		25%
3	Leaving Scene Personal Injury	97	25	13	11	0	146	10	11	8	7	0	36	10%	44%	62%	64%		25%

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, All Courts

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Possess Master Key MV	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	OUI Serious Inj, Misd	14	2	0	0	0	16	1	0	0	0	0	1	7%	0%			6%	
3	OUI - Child Endangerment	28	3	0	3	0	34	4	1	0	2	0	7	14%	33%		67%	21%	
3	Inducing Minor To Sex	5	2	0	0	0	7	0	0	0	0	0	0	0%	0%			0%	
3	Gun Serial Number	8	2	1	2	0	13	7	1	1	2	0	11	88%	50%	100%	100%	85%	
3	Firearm Loaded while OUI	2	0	0	0	0	2	1	0	0	0	0	1	50%				50%	
3	Nonsupport	4	0	2	0	0	6	1	0	1	0	0	2	25%		50%		33%	
3	Escape DYS	0	1	0	0	0	1	0	0	0	0	0	0		0%			0%	
3	Interfere Police or Firefighter	4	4	3	7	0	18	0	2	0	1	0	3	0%	50%	0%	14%	17%	
3	Failure to Appear Felony	0	1	0	0	0	1	0	1	0	0	0	1		100%			100%	
3	Carrying Dangerous Weapon	62	47	52	34	1	196	26	21	26	14	1	88	42%	45%	50%	41%	100%	45%
3	Cruelty To Animals	12	4	7	1	0	24	2	3	3	1	0	9	17%	75%	43%	100%	38%	
3	Sex Offender Fail Register	19	34	69	153	3	278	7	11	34	75	2	129	37%	32%	49%	49%	67%	46%
3	Vandalize - Graves	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%		0%	
3	Corporate books-falsify entry	4	0	0	0	0	4	2	0	0	0	0	2	50%				50%	
3	Sub-Total	4,575	3,528	2,795	2,778	10	13,686	1,411	1,615	1,500	1,768	7	6,301	31%	46%	54%	64%	70%	46%

Table 41 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	64	61	36	42	0	203	22	21	10	28	0	81	34%	34%	28%	67%		40%
2	Accost / Annoy Person Opposite Sex	5	9	7	5	0	26	0	5	2	4	0	11	0%	56%	29%	80%		42%
2	Larceny	39	23	23	18	0	103	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny + 60	0	2	0	0	0	2	0	1	0	0	0	1		50%				50%
2	Larceny Less	208	145	105	114	1	573	44	44	41	59	0	188	21%	30%	39%	52%	0%	33%
2	Larceny Less +60	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Shoplifting	729	521	403	465	1	2,119	44	71	97	165	0	377	6%	14%	24%	35%	0%	18%
2	Credit Card Misuse	30	22	16	16	0	84	6	9	11	8	0	34	20%	41%	69%	50%		40%
2	MV - False Report Of Theft	6	0	3	0	0	9	0	0	1	0	0	1	0%		33%			11%
2	Defrauding Innkeeper	1	2	3	2	0	8	0	1	1	0	0	2	0%	50%	33%	0%		25%
2	Welfare Violation	2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%
2	Failure To Return Leased Prop	4	11	8	3	0	26	1	3	2	2	0	8	25%	27%	25%	67%		31%
2	B&E MV	1	1	0	1	0	3	0	0	0	1	0	1	0%	0%		100%		33%
2	B&E w/i Misdemeanor	42	21	19	12	0	94	6	9	5	10	0	30	14%	43%	26%	83%		32%
2	Property Destruction	156	102	83	87	0	428	36	38	39	48	0	161	23%	37%	47%	55%		38%
2	Tagging Property	12	5	3	1	0	21	2	2	1	0	0	5	17%	40%	33%	0%		24%
2	Receiving Stolen Goods	164	149	104	99	0	516	52	73	49	55	0	229	32%	49%	47%	56%		44%
2	Counterfeit	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Setting Fire Land	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
2	Gaming Use of Telephone	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
2	Fraud - Electric, Phone or Cable	1	0	1	1	0	3	0	0	0	0	0	0	0%		0%	0%		0%
2	Property Violation	13	5	7	6	0	31	6	0	5	2	0	13	46%	0%	71%	33%		42%
2	Possession Class A	174	162	98	83	0	517	56	65	44	44	0	209	32%	40%	45%	53%		40%
2	Possession Class A Heroin	77	50	39	24	0	190	31	28	19	11	0	89	40%	56%	49%	46%		47%
2	Possession Class B	362	287	192	198	0	1,039	99	132	91	101	0	423	27%	46%	47%	51%		41%
2	Possession Class C	30	26	20	17	0	93	7	12	10	8	0	37	23%	46%	50%	47%		40%
2	Possession Class D	184	72	22	16	1	295	26	25	6	3	1	61	14%	35%	27%	19%	100%	21%
2	Possession Class D Marijuana 2nd	3	2	1	1	0	7	0	1	0	0	0	1	0%	50%	0%	0%		14%
2	Distribute Counterfeit Substance	8	6	10	7	0	31	5	4	6	3	0	18	63%	67%	60%	43%		58%
2	Distribute Class D	333	136	61	33	0	563	81	58	27	19	0	185	24%	43%	44%	58%		33%
2	Distribute Class E	5	6	7	8	0	26	1	2	2	4	0	9	20%	33%	29%	50%		35%
2	Possession Hypodermic/Syringe	2	2	1	1	0	6	0	1	1	1	0	3	0%	50%	100%	100%		50%
2	Presence Class A	12	12	10	6	0	40	4	6	6	3	0	19	33%	50%	60%	50%		48%
2	Forge Prescription	29	23	13	12	0	77	6	6	4	2	0	18	21%	26%	31%	17%		23%
2	Distribute Paraphenalia	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	Operate to Endanger	947	286	132	81	0	1,446	103	78	49	34	0	264	11%	27%	37%	42%		18%
2	Use Without Authority	51	32	21	24	0	128	16	15	9	14	0	54	31%	47%	43%	58%		42%
2	Use w/o Authority 2nd	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Ignition Interlock Violation	1	1	2	0	0	4	1	0	2	0	0	3	100%	0%	100%			75%
2	Habitual Traffic Offender	26	35	31	25	0	117	6	13	14	9	0	42	23%	37%	45%	36%		36%
2	Racing	2	2	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
2	Operate After Suspension 2nd	143	295	233	223	1	895	60	168	135	149	0	512	42%	57%	58%	67%	0%	57%
2	Compulsory Insurance Violation	259	132	93	74	1	559	29	34	23	33	0	119	11%	26%	25%	45%	0%	21%
2	Altering MV ID Number	2	2	0	0	0	4	2	0	0	0	0	2	100%	0%				50%
2	Counterfeit/Alter MV Document	25	8	10	11	0	54	6	3	4	7	0	20	24%	38%	40%	64%		37%
2	False Statement On Application	10	5	1	1	0	17	5	4	0	1	0	10	50%	80%	0%	100%		59%
2	Prostitution	79	116	58	43	1	297	22	45	22	16	0	105	28%	39%	38%	37%	0%	35%
2	Common Night Walker 3rd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Induce Female To Prostitution	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%

Table 41 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	Keeping A House Of Ill Fame	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Open And Gross	32	17	12	16	0	77	9	10	7	12	0	38	28%	59%	58%	75%		49%	
2	Obscene Material to Minor	4	0	1	0	0	5	2	0	1	0	0	3	50%		100%			60%	
2	Failure To Disperse	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%	
2	Firearm Possess w/o Permit	148	59	26	8	0	241	86	37	18	5	0	146	58%	63%	69%	63%		61%	
2	Possess Mace	6	3	1	2	0	12	1	1	1	2	0	5	17%	33%	100%	100%		42%	
2	Possess Ammunition	14	8	2	1	0	25	7	5	1	1	0	14	50%	63%	50%	100%		56%	
2	Firearm Carry, School	2	0	0	1	0	3	0	0	0	1	0	1	0%			100%		33%	
2	Firearm Store Improper	13	1	2	0	0	16	2	0	1	0	0	3	15%	0%	50%			19%	
2	Conceal or Harbor Fleeing Child	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%	
2	Escape Work Release Program	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	4	4	1	3	0	12	2	2	1	3	0	8	50%	50%	100%	100%		67%	
2	Failure to Appear	5	7	6	3	0	21	4	2	4	1	0	11	80%	29%	67%	33%		52%	
2	Possess Stun Gun	3	2	2	1	0	8	0	1	1	1	0	3	0%	50%	50%	100%		38%	
2	False Alarm	4	2	2	1	0	9	2	1	0	1	0	4	50%	50%	0%	100%		44%	
2	Fireworks	10	4	2	0	0	16	0	0	0	0	0	0	0%	0%	0%			0%	
2	Violation Of Explosives	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%	
2	Disrupt Court Proceedings	4	1	0	2	0	7	1	1	0	1	0	3	25%	100%		50%		43%	
2	Contributing To Delinquency	9	4	1	1	0	15	1	1	0	0	0	2	11%	25%	0%	0%		13%	
2	Resisting Arrest	276	262	181	167	1	887	76	81	83	91	0	331	28%	31%	46%	54%	0%	37%	
2	False Report Of Crime	23	10	2	7	0	42	2	3	1	3	0	9	9%	30%	50%	43%		21%	
2	Hazardous Materials	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%	
2	CORI Law Violation	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%	
2	Clean Water Act Violation	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%	
2	Record w/o Manufacturer	0	2	0	1	0	3	0	0	0	0	0	0		0%		0%		0%	
2	True Name Law	17	21	13	18	0	69	13	16	11	17	0	57	76%	76%	85%	94%		83%	
2	Home Imp Contractor Violation	2	1	3	1	0	7	0	0	1	0	0	1	0%	0%	33%	0%		14%	
2	Sub-Total	4,832	3,191	2,135	1,996	7	12,161	996	1,139	870	985	1	3,991	21%	36%	41%	49%	14%	33%	

Table 41 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	Threatening	101	91	75	80	0	347	31	31	38	47	0	147	31%	34%	51%	59%		42%
1	Defrauding Victualer	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
1	Vandalism	21	34	25	26	0	106	5	17	7	14	0	43	24%	50%	28%	54%		41%
1	Setting Fire In Open	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Trespassing	214	191	141	185	0	731	39	68	47	86	0	240	18%	36%	33%	46%		33%
1	Use Motorboat w/o Authority	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
1	Gaming	2	1	1	0	0	4	0	1	0	0	0	1	0%	100%	0%			25%
1	Unauthorized Access of Computer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Possession Class D Marijuana	48	17	10	3	0	78	7	2	3	1	0	13	15%	12%	30%	33%		17%
1	Possession Class E	24	25	26	14	0	89	7	12	11	9	0	39	29%	48%	42%	64%		44%
1	Inhaling Toxic Vapors	7	0	0	1	0	8	1	0	0	1	0	2	14%			100%		25%
1	Disturb Correctional Institution	1	2	0	2	0	5	0	0	0	1	0	1	0%	0%		50%		20%
1	Attaching Wrong MV Plates	89	30	18	13	0	150	2	5	3	2	0	12	2%	17%	17%	15%		8%
1	Operate After Suspension	1,516	1,066	714	474	3	3,773	145	160	118	90	0	513	10%	15%	17%	19%	0%	14%
1	Obstruct Emergency Veh	3	2	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
1	MV - Impersonate/Other License	3	0	1	1	0	5	0	0	1	1	0	2	0%		100%	100%		40%
1	RV On Public Way	7	2	3	2	0	14	0	0	1	0	0	1	0%	0%	33%	0%		7%
1	Common Night Walker	12	22	18	5	0	57	4	10	9	2	0	25	33%	45%	50%	40%		44%
1	Indecent Exposure	11	22	16	9	0	58	1	5	9	6	0	21	9%	23%	56%	67%		36%
1	Lewd And Lacivious	8	6	2	3	0	19	1	2	1	2	0	6	13%	33%	50%	67%		32%
1	Disorderly Conduct	826	462	310	245	1	1,844	47	56	39	54	0	196	6%	12%	13%	22%	0%	11%
1	Smoking on MBTA	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
1	Firearm Discharge	3	1	1	1	0	6	0	1	1	1	0	3	0%	100%	100%	100%		50%
1	Annoying Phone Calls	17	19	6	11	0	53	2	5	1	6	0	14	12%	26%	17%	55%		26%
1	Failure To Obey Police Officer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Obstructing Justice	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
1	Aiding And Abetting	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
1	License Law Violation (Not MV)	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
1	Alcohol, Procure for Minor	33	4	6	0	0	43	2	2	3	0	0	7	6%	50%	50%			16%
1	Alcohol, Transporting	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
1	Cigarette/Match Thrown Fr Veh	1	0	1	0	0	2	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	5	0	1	0	0	6	0	0	0	0	0	0	0%		0%			0%
1	Health Code Violation	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
1	False Use of Insignia	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Unlicensed Massage / Bath	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Sub-Total	2,968	2,000	1,378	1,076	4	7,426	296	378	293	324	0	1,291	10%	19%	21%	30%	0%	17%

Table 41 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	0	2	2	0	0	4	0	2	1	0	0	3	100%	50%				75%
0	Attempt B&E	0	3	0	2	0	5	0	2	0	2	0	4	67%		100%			80%
0	Conspiracy Violate CSA	26	13	6	10	0	55	13	7	4	7	0	31	50%	54%	67%	70%		56%
0	Conspiracy	7	3	6	6	0	22	4	2	5	5	0	16	57%	67%	83%	83%		73%
0	Attempt To Commit Crime	35	36	26	38	0	135	18	21	16	28	0	83	51%	58%	62%	74%		61%
0	Accessory Before	5	2	1	0	0	8	4	1	1	0	0	6	80%	50%	100%			75%
0	Accessory After	14	9	5	2	0	30	5	5	5	2	0	17	36%	56%	100%	100%		57%
0	Sub-Total	87	68	46	58	0	259	44	40	32	44	0	160	51%	59%	70%	76%		62%

Table 42 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 2nd	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 Heroin 200+	0	0	0	0	0	0	0	0	0	0	0	0						
8	Traffic Cocaine 200+	0	0	0	0	0	0	0	0	0	0	0	0						
8	Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0						
7	Murder, Attempted	0	0	0	0	0	0	0	0	0	0	0	0						
7	Mayhem	0	0	0	0	0	0	0	0	0	0	0	0						
7	A&B Child w/Injury Substantial	0	0	0	0	0	0	0	0	0	0	0	0						
7	Rape	0	0	0	0	0	0	0	0	0	0	0	0						
7	Rape of Child Aggravated	0	0	0	0	0	0	0	0	0	0	0	0						
7	Assault w/I Rape 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	Kidnapping Extortion	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 42 Governing Offense by Grid Cell Assignment and Incarceration Status, District Court

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
6	Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0						
6	A&B Elderly / Disabled Ser Injury	0	0	0	0	0	0	0	0	0	0	0	0	0						
6	A&B Aggravated - Serious Injury	2	0	0	1	0	3	2	0	0	1	0	3	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	0	0	0	0	0	0	0	0	0	0	0	0							
6	Assault To Kill or Maim	0	0	0	0	0	0	0	0	0	0	0	0							
6	Rape Of Child	0	0	0	0	0	0	0	0	0	0	0	0							
6	Assault w/i Rape	0	0	0	0	0	0	0	0	0	0	0	0							
6	Indecent A&B On Child 2nd	0	0	0	0	0	0	0	0	0	0	0	0							
6	Indecent A&B Mentally Retarded	0	0	0	0	0	0	0	0	0	0	0	0							
6	Child Pornography	0	0	0	0	0	0	0	0	0	0	0	0							
6	Robbery Unarmed + 60	0	0	0	0	0	0	0	0	0	0	0	0							
6	Armed Robbery	0	0	0	0	0	0	0	0	0	0	0	0							
6	Armed Assault w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0							
6	Armed Aslt w/i Rob Over 65	0	0	0	0	0	0	0	0	0	0	0	0							
6	Carjacking	2	1	0	1	0	4	2	1	0	1	0	4	100%	100%		100%		100%	
6	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0							
6	Violation Of Civil Rights, Felony	0	0	0	0	0	0	0	0	0	0	0	0							
6	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	0	0	0	0	0	0	0	0	0	0	0	0							
6	MV Homicide - OUI Felony	0	0	0	0	0	0	0	0	0	0	0	0							
6	Possess Explosive Device	0	0	0	0	0	0	0	0	0	0	0	0							
6	Sub-Total	4	1	0	2	0	7	4	1	0	2	0	7	100%	100%		100%		100%	

Table 42 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	14	8	2	3	0	27	6	3	2	2	0	13	43%	38%	100%	67%		48%
5	A&B Aggravated	16	19	15	8	0	58	7	7	10	7	0	31	44%	37%	67%	88%		53%
5	A&B DW, Aggravated	3	1	0	0	0	4	1	0	0	0	0	1	33%	0%				25%
5	Indecent A&B On Child	47	9	4	5	0	65	27	6	3	5	0	41	57%	67%	75%	100%		63%
5	Entice Child	6	1	0	0	0	7	2	0	0	0	0	2	33%	0%				29%
5	Unnatural Acts Child	0	0	0	0	0	0	0	0	0	0	0	0						
5	Robbery Unarmed	0	0	0	0	0	0	0	0	0	0	0	0						
5	Intimidation	161	177	147	127	0	612	60	90	101	95	0	346	37%	51%	69%	75%		57%
5	Stalking Violation of Rest. Order	0	0	1	2	0	3	0	0	1	2	0	3			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	Gaming Enterprise	0	0	0	0	0	0	0	0	0	0	0	0						
5	Distribute Class C 2nd	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	Distribute Class B Minor	0	0	0	0	0	0	0	0	0	0	0	0						
5	Perjury or Suborn	0	0	0	0	0	0	0	0	0	0	0	0						
5	Bribery - Level 5	0	0	0	0	0	0	0	0	0	0	0	0						
5	Possess Molotov Cocktail	0	0	0	0	0	0	0	0	0	0	0	0						
5	Sex Offender Fail Register 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
5	Sub-Total	247	215	169	145	0	776	103	106	117	111	0	437	42%	49%	69%	77%		56%

Table 42 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	33	21	13	18	0	85	9	8	8	13	0	38	27%	38%	62%	72%		45%
4	Assault Aggravated	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
4	A&B w/i Intimidate	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B Guard	0	1	0	2	0	3	0	1	0	2	0	3		100%		100%		100%
4	A&B Dangerous Weapon	20	31	40	49	1	141	20	31	40	49	1	141	100%	100%	100%	100%	100%	100%
4	A&B Dangerous Weapon + 60	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B To Collect Loan	1	1	2	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
4	Indecent A&B	41	12	9	8	0	70	21	9	7	6	0	43	51%	75%	78%	75%		61%
4	Photograph Nude Person	4	0	0	0	0	4	1	0	0	0	0	1	25%					25%
4	Assault w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0						
4	Stalking	9	3	5	4	0	21	4	1	4	3	0	12	44%	33%	80%	75%		57%
4	Harassment	17	14	17	9	0	57	3	5	7	8	0	23	18%	36%	41%	89%		40%
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	168	123	86	89	0	466	78	74	57	71	0	280	46%	60%	66%	80%		60%
4	Larceny Person + 65	5	3	2	0	0	10	2	1	1	0	0	4	40%	33%	50%			40%
4	Larceny MV 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
4	Fraud - Identity	41	46	29	34	0	150	12	27	18	20	0	77	29%	59%	62%	59%		51%
4	B&E	0	0	0	0	0	0	0	0	0	0	0	0						
4	Enter Dwelling w/I Felony	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	B&E DT Armed w/i Felony	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	Receiving Stolen Goods Over	0	0	0	0	0	0	0	0	0	0	0	0						
4	Receiving Stolen Goods MV 2nd	0	1	1	3	0	5	0	1	1	3	0	5		100%	100%	100%		100%
4	Burning Building	0	0	0	0	0	0	0	0	0	0	0	0						
4	Attempt Arson	0	0	0	0	0	0	0	0	0	0	0	0						
4	Burning to Defraud	0	0	0	0	0	0	0	0	0	0	0	0						
4	Distribute Class A	195	136	65	58	0	454	88	86	43	43	0	260	45%	63%	66%	74%		57%
4	Distribute Class B	496	305	179	162	2	1,144	169	159	103	113	0	544	34%	52%	58%	70%	0%	48%
4	Distribute Cocaine	0	0	0	0	0	0	0	0	0	0	0	0						
4	Traffic Mar 50-100	0	0	0	0	0	0	0	0	0	0	0	0						
4	Larceny Cont Sub	2	3	0	0	0	5	2	2	0	0	0	4	100%	67%				80%
4	Giving Prisoner Cont Sub	4	0	0	3	0	7	1	0	0	3	0	4	25%			100%		57%
4	Control Substance School	38	24	22	16	0	100	38	24	22	16	0	100	100%	100%	100%	100%		100%
4	MV Homicide - Reckless	5	0	0	0	0	5	2	0	0	0	0	2	40%					40%
4	MV Homicide - OUI	5	0	0	0	0	5	3	0	0	0	0	3	60%					60%
4	Leaving Scene Death	0	0	0	0	0	0	0	0	0	0	0	0						
4	OUI Serious Inj, Fel	13	4	0	0	0	17	13	4	0	0	0	17	100%	100%				100%
4	Derive Support From Prostitute	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	7	12	5	9	0	33	6	10	4	8	0	28	86%	83%	80%	89%		85%
4	Bribery	1	0	1	1	0	3	1	0	1	0	0	2	100%		100%	0%		67%
4	Extortion	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
4	Bomb Hoax	0	0	0	0	0	0	0	0	0	0	0	0						
4	Hoax Device	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
4	Tax Law Violation	0	0	0	0	0	0	0	0	0	0	0	0						
4	Disinter Body	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Sub-Total	1,107	744	476	467	3	2,797	473	446	316	360	1	1,596	43%	60%	66%	77%	33%	57%

Table 42 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	1,398	1,080	824	676	4	3,982	389	474	435	444	2	1,744	28%	44%	53%	66%	50%	44%
3	A&B Domestic	29	28	22	11	0	90	12	12	13	9	0	46	41%	43%	59%	82%		51%
3	A&B w/I Intimidate	1	1	0	0	0	2	1	0	0	0	0	1	100%	0%				50%
3	Reckless Endangerment	22	14	6	4	0	46	8	5	3	2	0	18	36%	36%	50%	50%		39%
3	Permit Injury to Child	2	0	0	1	0	3	1	0	0	1	0	2	50%			100%		67%
3	A&B Ambulance	1	1	1	2	0	5	0	0	0	2	0	2	0%	0%	0%	100%		40%
3	A&B Dangerous Weapon	293	179	138	106	0	716	96	73	63	66	0	298	33%	41%	46%	62%		42%
3	A&B Dangerous Weapon + 60	2	0	1	1	0	4	0	0	0	1	0	1	0%		0%	100%		25%
3	Assault Dangerous Weapon	169	143	121	106	0	539	75	81	69	77	0	302	44%	57%	57%	73%		56%
3	Assault Dangerous Weapon + 60	0	0	0	0	0	0	0	0	0	0	0	0						
3	Unnatural Acts	1	2	0	2	0	5	0	2	0	0	0	2	0%	100%		0%		40%
3	Child Pornography Possess	11	2	0	0	0	13	4	2	0	0	0	6	36%	100%				46%
3	Kidnapping	2	2	2	0	0	6	2	1	1	0	0	4	100%	50%	50%			67%
3	Violation Of Civil Rights	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
3	Restraining Order Violation	271	292	265	219	0	1,047	91	123	140	128	0	482	34%	42%	53%	58%		46%
3	Larceny	13	17	10	15	0	55	13	17	10	15	0	55	100%	100%	100%	100%		100%
3	Larceny More	534	508	418	524	0	1,984	148	203	192	312	0	855	28%	40%	46%	60%		43%
3	Larceny More + 60	1	2	2	1	0	6	0	1	1	0	0	2	0%	50%	50%	0%		33%
3	Larceny Building	52	37	35	45	0	169	18	17	18	33	0	86	35%	46%	51%	73%		51%
3	Larceny Firearm	6	2	0	0	0	8	2	2	0	0	0	4	33%	100%				50%
3	Larceny MV	33	26	20	39	1	119	13	22	16	33	1	85	39%	85%	80%	85%	100%	71%
3	Embezzlement	0	0	0	0	0	0	0	0	0	0	0	0						
3	Credit Card Misuse - More	3	6	4	5	0	18	2	6	3	4	0	15	67%	100%	75%	80%		83%
3	Defrauding Insurer	12	4	0	8	0	24	1	0	0	3	0	4	8%	0%		38%		17%
3	Fraud	24	22	8	22	0	76	5	8	6	12	0	31	21%	36%	75%	55%		41%
3	MV - Sales Violation	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
3	Possess Burglariious Tools	42	45	22	51	0	160	14	21	14	29	0	78	33%	47%	64%	57%		49%
3	B&E	506	424	352	358	0	1,640	190	247	247	268	0	952	38%	58%	70%	75%		58%
3	Mal Dest Property More	43	39	31	19	0	132	14	19	13	12	0	58	33%	49%	42%	63%		44%
3	Receiving Stolen Goods Over	37	41	30	28	0	136	17	20	18	20	0	75	46%	49%	60%	71%		55%
3	Receiving Stolen Goods MV	71	45	44	68	0	228	22	19	28	47	0	116	31%	42%	64%	69%		51%
3	Receiving Stolen Goods 2nd	0	0	1	1	0	2	0	0	0	1	0	1			0%	100%		50%
3	Forgery And Uttering	97	101	85	82	0	365	36	46	41	42	0	165	37%	46%	48%	51%		45%
3	Counterfeit	6	4	2	1	0	13	0	1	2	1	0	4	0%	25%	100%	100%		31%
3	Burning Property	2	6	0	3	0	11	1	6	0	2	0	9	50%	100%		67%		82%
3	Burning Motor Vehicle	3	1	3	1	0	8	1	0	2	1	0	4	33%	0%	67%	100%		50%
3	Illegal Lottery	0	1	1	0	0	2	0	1	0	0	0	1		100%	0%			50%
3	Gaming Register Bets	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Class A 2nd	3	5	4	7	0	19	0	2	2	3	0	7	0%	40%	50%	43%		37%
3	Possession Class A Heroin 2nd	8	7	7	5	0	27	2	4	4	4	0	14	25%	57%	57%	80%		52%
3	Possession Class B 2nd	3	22	17	12	0	54	2	6	6	6	0	20	67%	27%	35%	50%		37%
3	Possession Class C 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Possession Class D 2nd	1	4	2	0	0	7	0	2	1	0	0	3	0%	50%	50%			43%
3	Distribute Class C	9	11	12	9	0	41	1	2	6	6	0	15	11%	18%	50%	67%		37%
3	Distribute Class D 2nd	5	5	4	1	0	15	4	1	2	0	0	7	80%	20%	50%	0%		47%
3	Distribute Class E 2nd	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
3	MV Homicide	20	1	0	1	0	22	9	1	0	0	0	10	45%	100%		0%		45%
3	Leaving Scene Property Damage	349	188	99	70	0	706	52	64	32	29	0	177	15%	34%	32%	41%		25%
3	Leaving Scene Personal Injury	97	25	13	11	0	146	10	11	8	7	0	36	10%	44%	62%	64%		25%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Possess Master Key MV	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	OUI Serious Inj, Misd	12	2	0	0	0	14	0	0	0	0	0	0	0%	0%				0%
3	OUI - Child Endangerment	28	3	0	3	0	34	4	1	0	2	0	7	14%	33%		67%		21%
3	Inducing Minor To Sex	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
3	Gun Serial Number	5	2	1	2	0	10	4	1	1	2	0	8	80%	50%	100%	100%		80%
3	Firearm Loaded while OUI	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Nonsupport	4	0	2	0	0	6	1	0	1	0	0	2	25%		50%			33%
3	Escape DYS	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
3	Interfere Police or Firefighter	4	4	3	7	0	18	0	2	0	1	0	3	0%	50%	0%	14%		17%
3	Failure to Appear Felony	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
3	Carrying Dangerous Weapon	57	45	48	34	1	185	23	19	23	14	1	80	40%	42%	48%	41%	100%	43%
3	Cruelty To Animals	12	4	7	1	0	24	2	3	3	1	0	9	17%	75%	43%	100%		38%
3	Sex Offender Fail Register	19	34	68	145	3	269	7	11	34	69	2	123	37%	32%	50%	48%	67%	46%
3	Vandalize - Graves	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
3	Corporate books-falsify entry	0	0	0	0	0	0	0	0	0	0	0	0						
3	Sub-Total	4,334	3,442	2,737	2,708	9	13,230	1,299	1,561	1,458	1,710	6	6,034	30%	45%	53%	63%	67%	46%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	58	61	36	40	0	195	20	21	10	26	0	77	34%	34%	28%	65%		39%
2	Accost / Annoy Person Opposite Sex	5	9	7	5	0	26	0	5	2	4	0	11	0%	56%	29%	80%		42%
2	Larceny	39	23	23	18	0	103	0	0	0	0	0	0	0%	0%	0%	0%		0%
2	Larceny + 60	0	2	0	0	0	2	0	1	0	0	0	1		50%				50%
2	Larceny Less	207	144	103	114	1	569	44	44	40	59	0	187	21%	31%	39%	52%	0%	33%
2	Larceny Less +60	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
2	Shoplifting	729	521	403	465	1	2,119	44	71	97	165	0	377	6%	14%	24%	35%	0%	18%
2	Credit Card Misuse	28	22	16	16	0	82	6	9	11	8	0	34	21%	41%	69%	50%		41%
2	MV - False Report Of Theft	6	0	2	0	0	8	0	0	1	0	0	1	0%		50%			13%
2	Defrauding Innkeeper	1	2	3	2	0	8	0	1	1	0	0	2	0%	50%	33%	0%		25%
2	Welfare Violation	2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%
2	Failure To Return Leased Prop	4	11	8	3	0	26	1	3	2	2	0	8	25%	27%	25%	67%		31%
2	B&E MV	1	1	0	1	0	3	0	0	0	1	0	1	0%	0%		100%		33%
2	B&E w/i Misdemeanor	41	21	19	11	0	92	6	9	5	9	0	29	15%	43%	26%	82%		32%
2	Property Destruction	156	102	83	86	0	427	36	38	39	47	0	160	23%	37%	47%	55%		37%
2	Tagging Property	12	5	3	1	0	21	2	2	1	0	0	5	17%	40%	33%	0%		24%
2	Receiving Stolen Goods	162	149	103	98	0	512	52	73	49	54	0	228	32%	49%	48%	55%		45%
2	Counterfeit	0	0	0	0	0	0	0	0	0	0	0	0						
2	Setting Fire Land	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
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	1	1	0	2	0	0	0	0	0	0			0%	0%		0%
2	Property Violation	13	5	7	6	0	31	6	0	5	2	0	13	46%	0%	71%	33%		42%
2	Possession Class A	173	162	97	83	0	515	56	65	44	44	0	209	32%	40%	45%	53%		41%
2	Possession Class A Heroin	73	49	39	23	0	184	28	27	19	10	0	84	38%	55%	49%	43%		46%
2	Possession Class B	347	280	186	193	0	1,006	96	129	87	97	0	409	28%	46%	47%	50%		41%
2	Possession Class C	29	26	20	17	0	92	7	12	10	8	0	37	24%	46%	50%	47%		40%
2	Possession Class D	183	70	22	16	1	292	26	25	6	3	1	61	14%	36%	27%	19%	100%	21%
2	Possession Class D Marijuana 2nd	3	2	1	1	0	7	0	1	0	0	0	1	0%	50%	0%	0%		14%
2	Distribute Counterfeit Substance	8	6	10	7	0	31	5	4	6	3	0	18	63%	67%	60%	43%		58%
2	Distribute Class D	311	130	58	31	0	530	73	56	26	17	0	172	23%	43%	45%	55%		32%
2	Distribute Class E	5	6	7	8	0	26	1	2	2	4	0	9	20%	33%	29%	50%		35%
2	Possession Hypodermic/Syringe	2	2	1	1	0	6	0	1	1	1	0	3	0%	50%	100%	100%		50%
2	Presence Class A	10	11	10	6	0	37	4	5	6	3	0	18	40%	45%	60%	50%		49%
2	Forge Prescription	26	23	13	11	0	73	5	6	4	2	0	17	19%	26%	31%	18%		23%
2	Distribute Paraphenalia	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
2	Operate to Endanger	946	285	131	80	0	1,442	103	77	48	33	0	261	11%	27%	37%	41%		18%
2	Use Without Authority	51	32	21	24	0	128	16	15	9	14	0	54	31%	47%	43%	58%		42%
2	Use w/o Authority 2nd	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
2	Ignition Interlock Violation	1	1	2	0	0	4	1	0	2	0	0	3	100%	0%	100%			75%
2	Habitual Traffic Offender	26	35	31	25	0	117	6	13	14	9	0	42	23%	37%	45%	36%		36%
2	Racing	2	2	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
2	Operate After Suspension 2nd	143	295	233	222	1	894	60	168	135	148	0	511	42%	57%	58%	67%	0%	57%
2	Compulsory Insurance Violation	259	132	93	74	1	559	29	34	23	33	0	119	11%	26%	25%	45%	0%	21%
2	Altering MV ID Number	2	2	0	0	0	4	2	0	0	0	0	2	100%	0%				50%
2	Counterfeit/Alter MV Document	24	8	10	10	0	52	6	3	4	6	0	19	25%	38%	40%	60%		37%
2	False Statement On Application	9	5	1	1	0	16	4	4	0	1	0	9	44%	80%	0%	100%		56%
2	Prostitution	79	116	58	43	1	297	22	45	22	16	0	105	28%	39%	38%	37%	0%	35%
2	Common Night Walker 3rd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Induce Female To Prostitution	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%

Table 42 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	Keeping A House Of Ill Fame	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Open And Gross	32	15	12	14	0	73	9	9	7	10	0	35	28%	60%	58%	71%		48%	
2	Obscene Material to Minor	4	0	1	0	0	5	2	0	1	0	0	3	50%		100%			60%	
2	Failure To Disperse	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%	
2	Firearm Possess w/o Permit	130	48	19	7	0	204	72	29	13	5	0	119	55%	60%	68%	71%		58%	
2	Possess Mace	6	3	1	2	0	12	1	1	1	2	0	5	17%	33%	100%	100%		42%	
2	Possess Ammunition	8	4	2	0	0	14	5	1	1	0	0	7	63%	25%	50%			50%	
2	Firearm Carry, School	2	0	0	1	0	3	0	0	0	1	0	1	0%			100%		33%	
2	Firearm Store Improper	8	1	2	0	0	11	0	0	1	0	0	1	0%	0%	50%			9%	
2	Conceal or Harbor Fleeing Child	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%	
2	Escape Work Release Program	0	0	0	0	0	0	0	0	0	0	0	0							
2	Aiding An Escape	0	0	0	0	0	0	0	0	0	0	0	0							
2	Impersonate/Disguise	4	4	1	3	0	12	2	2	1	3	0	8	50%	50%	100%	100%		67%	
2	Failure to Appear	3	6	5	3	0	17	2	1	3	1	0	7	67%	17%	60%	33%		41%	
2	Possess Stun Gun	3	2	2	1	0	8	0	1	1	1	0	3	0%	50%	50%	100%		38%	
2	False Alarm	4	2	2	1	0	9	2	1	0	1	0	4	50%	50%	0%	100%		44%	
2	Fireworks	10	4	2	0	0	16	0	0	0	0	0	0	0%	0%	0%			0%	
2	Violation Of Explosives	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%	
2	Disrupt Court Proceedings	4	1	0	2	0	7	1	1	0	1	0	3	25%	100%		50%		43%	
2	Contributing To Delinquency	9	4	1	1	0	15	1	1	0	0	0	2	11%	25%	0%	0%		13%	
2	Resisting Arrest	275	261	179	166	1	882	75	80	82	90	0	327	27%	31%	46%	54%	0%	37%	
2	False Report Of Crime	22	10	2	7	0	41	2	3	1	3	0	9	9%	30%	50%	43%		22%	
2	Hazardous Materials	0	0	0	0	0	0	0	0	0	0	0	0							
2	CORI Law Violation	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%	
2	Clean Water Act Violation	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%	
2	Record w/o Manufacturer	0	2	0	1	0	3	0	0	0	0	0	0		0%		0%		0%	
2	True Name Law	15	19	13	18	0	65	11	15	11	17	0	54	73%	79%	85%	94%		83%	
2	Home Imp Contractor Violation	2	1	2	1	0	6	0	0	0	0	0	0	0%	0%	0%	0%		0%	
2	Sub-Total	4,723	3,151	2,108	1,974	7	11,963	955	1,115	854	966	1	3,891	20%	35%	41%	49%	14%	33%	

Table 42 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	Threatening	101	91	74	78	0	344	31	31	37	45	0	144	31%	34%	50%	58%		42%
1	Defrauding Victualer	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
1	Vandalism	21	34	25	26	0	106	5	17	7	14	0	43	24%	50%	28%	54%		41%
1	Setting Fire In Open	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Trespassing	214	191	141	185	0	731	39	68	47	86	0	240	18%	36%	33%	46%		33%
1	Use Motorboat w/o Authority	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
1	Gaming	2	1	1	0	0	4	0	1	0	0	0	1	0%	100%	0%			25%
1	Unauthorized Access of Computer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Possession Class D Marijuana	46	17	10	3	0	76	6	2	3	1	0	12	13%	12%	30%	33%		16%
1	Possession Class E	24	25	26	14	0	89	7	12	11	9	0	39	29%	48%	42%	64%		44%
1	Inhaling Toxic Vapors	7	0	0	1	0	8	1	0	0	1	0	2	14%			100%		25%
1	Disturb Correctional Institution	1	1	0	2	0	4	0	0	0	1	0	1	0%	0%		50%		25%
1	Attaching Wrong MV Plates	89	30	18	13	0	150	2	5	3	2	0	12	2%	17%	17%	15%		8%
1	Operate After Suspension	1,516	1,066	714	474	3	3,773	145	160	118	90	0	513	10%	15%	17%	19%	0%	14%
1	Obstruct Emergency Veh	3	2	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
1	MV - Impersonate/Other License	3	0	1	1	0	5	0	0	1	1	0	2	0%		100%	100%		40%
1	RV On Public Way	7	2	3	2	0	14	0	0	1	0	0	1	0%	0%	33%	0%		7%
1	Common Night Walker	12	22	18	5	0	57	4	10	9	2	0	25	33%	45%	50%	40%		44%
1	Indecent Exposure	11	22	16	9	0	58	1	5	9	6	0	21	9%	23%	56%	67%		36%
1	Lewd And Lacivious	8	6	2	3	0	19	1	2	1	2	0	6	13%	33%	50%	67%		32%
1	Disorderly Conduct	826	462	310	245	1	1,844	47	56	39	54	0	196	6%	12%	13%	22%	0%	11%
1	Smoking on MBTA	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
1	Firearm Discharge	3	1	1	1	0	6	0	1	1	1	0	3	0%	100%	100%	100%		50%
1	Annoying Phone Calls	16	19	6	11	0	52	2	5	1	6	0	14	13%	26%	17%	55%		27%
1	Failure To Obey Police Officer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Obstructing Justice	0	0	0	0	0	0	0	0	0	0	0	0						
1	Aiding And Abetting	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
1	License Law Violation (Not MV)	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
1	Alcohol, Procure for Minor	27	4	5	0	0	36	2	2	2	0	0	6	7%	50%	40%			17%
1	Alcohol, Transporting	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
1	Cigarette/Match Thrown Fr Veh	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
1	Business Practice	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Employment Practices	3	0	1	0	0	4	0	0	0	0	0	0	0%		0%			0%
1	Health Code Violation	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
1	False Use of Insignia	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
1	Unlicensed Massage / Bath	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Sub-Total	2,957	1,999	1,375	1,074	4	7,409	295	378	290	322	0	1,285	10%	19%	21%	30%	0%	17%

Table 42 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	0	2	2	0	0	4	0	2	1	0	0	3	100%	50%				75%
0	Attempt B&E	0	3	0	2	0	5	0	2	0	2	0	4	67%		100%			80%
0	Conspiracy Violate CSA	9	8	4	5	0	26	4	3	2	2	0	11	44%	38%	50%	40%		42%
0	Conspiracy	3	3	3	2	0	11	2	2	2	2	0	8	67%	67%	67%	100%		73%
0	Attempt To Commit Crime	29	34	24	29	0	116	12	19	15	20	0	66	41%	56%	63%	69%		57%
0	Accessory Before	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
0	Accessory After	0	0	0	0	0	0	0	0	0	0	0	0						
0	Sub-Total	42	50	33	38	0	163	19	28	20	26	0	93	45%	56%	61%	68%		57%

Table 43 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	A	B	C	D	E	T
9	Murder	25	9	9	6	0	49	25	9	9	6	0	49	100%	100%	100%	100%		100%
9	Sub-Total	25	9	9	6	0	49	25	9	9	6	0	49	100%	100%	100%	100%		100%
8	Manslaughter	16	11	3	2	0	32	16	11	3	2	0	32	100%	100%	100%	100%		100%
8	Assault In Dwelling	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
8	Armed Assault In Dwell House	2	1	3	2	0	8	2	1	3	2	0	8	100%	100%	100%	100%		100%
8	Rape, Aggravated	9	4	2	6	0	21	9	4	2	6	0	21	100%	100%	100%	100%		100%
8	Rape 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
8	Rape Of Child w/Force	23	5	2	7	0	37	23	5	2	7	0	37	100%	100%	100%	100%		100%
8	Armed Assault w/i Murder - Firearm	3	6	5	2	0	16	3	6	5	2	0	16	100%	100%	100%	100%		100%
8	Home Invasion	2	1	1	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
8	Burglary, Armed	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
8	Traffic Heroin 200+	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
8	Traffic Cocaine 200+	7	4	3	1	0	15	7	4	3	1	0	15	100%	100%	100%	100%		100%
8	Sub-Total	66	32	19	22	0	139	63	31	18	22	0	134	95%	97%	95%	100%		96%
7	Murder, Attempted	4	0	1	0	0	5	3	0	1	0	0	4	75%		100%			80%
7	Mayhem	3	4	4	2	0	13	3	4	4	2	0	13	100%	100%	100%	100%		100%
7	A&B Child w/Injury Substantial	4	0	1	1	0	6	4	0	1	1	0	6	100%		100%	100%		100%
7	Rape	16	4	5	6	0	31	12	4	5	5	0	26	75%	100%	100%	83%		84%
7	Rape of Child Aggravated	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
7	Assault w/I Rape 2nd	0	0	1	2	0	3	0	0	1	2	0	3			100%	100%		100%
7	Assault w/i Rape Child	0	0	0	1	0	1	0	0	0	1	0	1						100%
7	Incest	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
7	Armed Robbery Gun	25	12	13	20	1	71	21	12	13	20	1	67	84%	100%	100%	100%	100%	94%
7	Armed Assault w/i Murder	14	14	4	6	0	38	12	14	4	6	0	36	86%	100%	100%	100%		95%
7	Carjacking, Armed	3	0	1	2	0	6	3	0	1	2	0	6	100%		100%	100%		100%
7	Kidnapping Extortion	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
7	Confine And Put In Fear	2	2	0	3	0	7	1	2	0	3	0	6	50%	100%		100%		86%
7	Traffic Heroin 028-100	3	3	2	2	0	10	3	3	2	2	0	10	100%	100%	100%	100%		100%
7	Traffic Heroin 100-200	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
7	Traffic Cocaine 100-200	13	1	3	4	0	21	13	1	3	4	0	21	100%	100%	100%	100%		100%
7	Throw or Place Explosives	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
7	Sub-Total	90	42	36	52	1	221	78	42	36	51	1	208	87%	100%	100%	98%	100%	94%

Table 43 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	A	B	C	D	E	T
6	Manslaughter	9	1	2	1	0	13	8	0	2	0	0	10	89%	0%	100%	0%		77%
6	A&B Elderly / Disabled Ser Injury	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
6	A&B Aggravated - Serious Injury	2	1	3	2	0	8	2	1	3	2	0	8	100%	100%	100%	100%		100%
6	A&B Dangerous Weapon	14	16	13	26	2	71	14	16	13	26	2	71	100%	100%	100%	100%	100%	100%
6	A&B Dangerous Weapon + 60	2	0	0	1	0	3	2	0	0	1	0	3	100%				100%	100%
6	A&B DW, Aggravated w/Injury	12	10	4	2	0	28	10	9	4	2	0	25	83%	90%	100%	100%		89%
6	Assault To Kill or Maim	2	2	1	2	0	7	2	2	1	2	0	7	100%	100%	100%	100%		100%
6	Rape Of Child	61	10	7	8	0	86	54	9	7	7	0	77	89%	90%	100%	88%		90%
6	Assault w/i Rape	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
6	Indecent A&B On Child 2nd	1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%
6	Indecent A&B Mentally Retarded	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
6	Child Pornography	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
6	Robbery Unarmed + 60	1	3	0	7	0	11	1	3	0	6	0	10	100%	100%		86%		91%
6	Armed Robbery	63	39	50	67	0	219	44	33	50	64	0	191	70%	85%	100%	96%		87%
6	Armed Assault w/i Rob	13	6	10	9	0	38	6	6	9	8	0	29	46%	100%	90%	89%		76%
6	Armed Aslt w/i Rob Over 65	0	0	0	0	1	1	0	0	0	0	1	1				100%		100%
6	Carjacking	2	0	1	1	0	4	2	0	1	1	0	4	100%		100%	100%		100%
6	Kidnapping	3	5	2	4	0	14	3	5	2	4	0	14	100%	100%	100%	100%		100%
6	Violation Of Civil Rights, Felony	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
6	Harassment, 2nd	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
6	Burning Dwelling House	9	5	4	1	0	19	7	4	3	1	0	15	78%	80%	75%	100%		79%
6	Distribute Class A 2nd	0	2	1	5	0	8	0	2	1	5	0	8		100%	100%	100%		100%
6	Distribute Cocaine 2nd	1	3	11	9	0	24	1	3	11	9	0	24	100%	100%	100%	100%		100%
6	Traffic Heroin 014-028	12	5	8	1	0	26	12	5	8	1	0	26	100%	100%	100%	100%		100%
6	Traffic Cocaine 028-100	33	19	15	11	0	78	33	19	15	11	0	78	100%	100%	100%	100%		100%
6	MV Homicide	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	MV Homicide - OUI Felony	11	0	1	1	0	13	11	0	1	1	0	13	100%		100%	100%		100%
6	Possess Explosive Device	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
6	Sub-Total	257	130	138	159	3	687	215	118	135	152	3	623	84%	91%	98%	96%	100%	91%

Table 43 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	A	B	C	D	E	T
5	A&B Child w/Injury	6	1	1	1	0	9	4	0	1	1	0	6	67%	0%	100%	100%		67%
5	A&B Aggravated	6	2	2	3	0	13	6	2	2	2	0	12	100%	100%	100%	67%		92%
5	A&B DW, Aggravated	13	5	4	7	0	29	12	4	3	6	0	25	92%	80%	75%	86%		86%
5	Indecent A&B On Child	20	5	1	2	0	28	17	5	1	2	0	25	85%	100%	100%	100%		89%
5	Entice Child	6	0	1	0	0	7	4	0	1	0	0	5	67%		100%			71%
5	Unnatural Acts Child	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
5	Robbery Unarmed	30	14	18	35	0	97	15	9	14	31	0	69	50%	64%	78%	89%		71%
5	Intimidation	19	11	9	16	0	55	10	7	8	13	0	38	53%	64%	89%	81%		69%
5	Stalking Violation of Rest. Order	1	0	0	3	0	4	1	0	0	3	0	4	100%			100%		100%
5	Stalking 2nd	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
5	Common & Notorious Thief	1	1	1	5	0	8	0	1	1	5	0	7	0%	100%	100%	100%		88%
5	Burglary	2	1	5	12	0	20	1	1	4	12	0	18	50%	100%	80%	100%		90%
5	Gaming Enterprise	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
5	Distribute Class C 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
5	Distribute Class B 2nd	0	6	12	11	0	29	0	6	12	11	0	29		100%	100%	100%		100%
5	Traffic Cocaine 014-028	40	35	25	13	0	113	40	35	25	13	0	113	100%	100%	100%	100%		100%
5	Traffic Mar 100-2000	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
5	Distribute Class B Minor	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
5	Perjury or Suborn	3	5	2	2	1	13	2	5	2	1	1	11	67%	100%	100%	50%	100%	85%
5	Bribery - Level 5	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
5	Possess Molotov Cocktail	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
5	Sex Offender Fail Register 2nd	0	0	4	7	0	11	0	0	2	0	0	2			50%	0%		18%
5	Sub-Total	157	90	88	118	1	454	118	78	77	101	1	375	75%	87%	88%	86%	100%	83%

Table 43 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	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	1	0	0	3	0	4	1	0	0	2	0	3	100%			67%		75%
4	Assault Aggravated	0	0	0	0	0	0	0	0	0	0	0	0						
4	A&B w/i Intimidate	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
4	A&B Guard	0	4	11	12	1	28	0	4	9	10	1	24		100%	82%	83%	100%	86%
4	A&B Dangerous Weapon	42	12	6	3	0	63	42	12	6	3	0	63	100%	100%	100%	100%		100%
4	A&B Dangerous Weapon + 60	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
4	A&B To Collect Loan	0	0	0	0	0	0	0	0	0	0	0	0						
4	Indecent A&B	10	5	6	4	0	25	5	4	5	4	0	18	50%	80%	83%	100%		72%
4	Photograph Nude Person	0	0	0	0	0	0	0	0	0	0	0	0						
4	Assault w/i Rob	4	1	0	1	0	6	3	1	0	1	0	5	75%	100%		100%		83%
4	Stalking	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
4	Harassment	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
4	Larceny More	12	5	2	13	0	32	12	5	2	13	0	32	100%	100%	100%	100%		100%
4	Larceny More + 60	0	0	1	0	0	1	0	0	1	0	0	1		100%				100%
4	Larceny Person	9	6	5	6	0	26	9	5	5	6	0	25	100%	83%	100%	100%		96%
4	Larceny Person + 65	1	1	0	1	0	3	1	1	0	1	0	3	100%	100%		100%		100%
4	Larceny MV 2nd	0	0	1	4	0	5	0	0	1	4	0	5			100%		100%	100%
4	Fraud - Identity	3	3	0	1	0	7	0	2	0	1	0	3	0%	67%		100%		43%
4	B&E	5	8	9	74	1	97	5	8	9	74	1	97	100%	100%	100%	100%	100%	100%
4	Enter Dwelling w/I Felony	0	0	1	6	0	7	0	0	1	6	0	7			100%	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	1	4	3	1	9	0	1	4	3	1	9		100%	100%	100%	100%	100%
4	Receiving Stolen Goods MV 2nd	0	0	1	3	0	4	0	0	1	3	0	4			100%		100%	100%
4	Burning Building	3	0	0	3	0	6	1	0	0	2	0	3	33%			67%		50%
4	Attempt Arson	2	2	4	1	0	9	2	2	4	0	0	8	100%	100%	100%	0%		89%
4	Burning to Defraud	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	Distribute Class A	56	41	45	31	0	173	40	37	43	28	0	148	71%	90%	96%	90%		86%
4	Distribute Class B	149	65	35	43	0	292	75	36	25	31	0	167	50%	55%	71%	72%		57%
4	Distribute Cocaine	49	72	48	42	0	211	49	72	48	42	0	211	100%	100%	100%	100%		100%
4	Traffic Mar 50-100	4	2	0	0	0	6	4	2	0	0	0	6	100%	100%				100%
4	Larceny Cont Sub	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
4	Giving Prisoner Cont Sub	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Control Substance School	19	12	8	8	0	47	19	12	8	8	0	47	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	0	0	0	0	0	0	0	0	0	0	0	0						
4	Leaving Scene Death	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
4	OUI Serious Inj, Fel	6	1	0	0	0	7	5	1	0	0	0	6	83%	100%				86%
4	Derive Support From Prostitute	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
4	Gun Serial Number, Felony	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
4	Firearm Sale Violation	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
4	Escape	0	2	0	1	0	3	0	1	0	1	0	2		50%		100%		67%
4	Bribery	5	0	0	0	0	5	2	0	0	0	0	2	40%					40%
4	Extortion	1	1	1	0	0	3	0	1	1	0	0	2	0%	100%	100%			67%
4	Bomb Hoax	0	0	3	1	0	4	0	0	2	1	0	3			67%	100%		75%
4	Hoax Device	0	0	0	0	0	0	0	0	0	0	0	0						
4	Tax Law Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
4	Disinter Body	0	0	0	0	0	0	0	0	0	0	0	0						
4	Sub-Total	393	247	193	266	3	1,102	281	210	177	246	3	917	72%	85%	92%	92%	100%	83%

Table 43 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	A	B	C	D	E	T
3	A&B	52	17	11	16	0	96	28	14	8	13	0	63	54%	82%	73%	81%		66%
3	A&B Domestic	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B w/I Intimidate	2	1	1	0	0	4	0	1	1	0	0	2	0%	100%	100%			50%
3	Reckless Endangerment	7	0	1	0	0	8	1	0	1	0	0	2	14%		100%			25%
3	Permit Injury to Child	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B Ambulance	0	0	0	0	0	0	0	0	0	0	0	0						
3	A&B Dangerous Weapon	13	5	2	1	0	21	0	0	0	0	0	0	0%	0%	0%	0%		0%
3	A&B Dangerous Weapon + 60	0	0	0	0	0	0	0	0	0	0	0	0						
3	Assault Dangerous Weapon	24	13	7	9	1	54	21	12	7	9	1	50	88%	92%	100%	100%	100%	93%
3	Assault Dangerous Weapon + 60	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
3	Unnatural Acts	0	0	0	0	0	0	0	0	0	0	0	0						
3	Child Pornography Possess	12	2	2	0	0	16	8	1	1	0	0	10	67%	50%	50%			63%
3	Kidnapping	1	3	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
3	Violation Of Civil Rights	0	0	0	0	0	0	0	0	0	0	0	0						
3	Restraining Order Violation	4	0	1	1	0	6	3	0	1	1	0	5	75%		100%	100%		83%
3	Larceny	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
3	Larceny More	52	10	7	2	0	71	14	4	2	2	0	22	27%	40%	29%	100%		31%
3	Larceny More + 60	4	2	0	1	0	7	3	2	0	1	0	6	75%	100%		100%		86%
3	Larceny Building	2	0	1	1	0	4	0	0	1	1	0	2	0%		100%	100%		50%
3	Larceny Firearm	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
3	Larceny MV	0	0	0	0	0	0	0	0	0	0	0	0						
3	Embezzlement	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
3	Credit Card Misuse - More	1	1	0	3	0	5	1	1	0	3	0	5	100%	100%		100%		100%
3	Defrauding Insurer	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
3	Fraud	5	1	0	0	0	6	4	0	0	0	0	4	80%	0%				67%
3	MV - Sales Violation	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possess Burglariious Tools	0	0	3	1	0	4	0	0	3	0	0	3			100%	0%		75%
3	B&E	17	11	5	9	0	42	9	6	4	6	0	25	53%	55%	80%	67%		60%
3	Mal Dest Property More	1	1	0	2	0	4	0	1	0	2	0	3	0%	100%		100%		75%
3	Receiving Stolen Goods Over	11	7	4	0	0	22	2	4	3	0	0	9	18%	57%	75%			41%
3	Receiving Stolen Goods MV	1	0	1	6	0	8	1	0	0	5	0	6	100%		0%	83%		75%
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Forgery And Uttering	2	1	0	6	0	9	1	1	0	5	0	7	50%	100%		83%		78%
3	Counterfeit	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
3	Burning Property	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
3	Burning Motor Vehicle	0	0	0	0	0	0	0	0	0	0	0	0						
3	Illegal Lottery	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
3	Gaming Register Bets	1	0	0	0	0	1	0	0	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	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
3	Possession Class B 2nd	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
3	Possession Class C 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Possession Class D 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	Distribute Class C	0	1	1	0	0	2	0	0	1	0	0	1		0%	100%			50%
3	Distribute Class D 2nd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
3	Distribute Class E 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
3	MV Homicide	4	2	1	0	0	7	1	0	1	0	0	2	25%	0%	100%			29%
3	Leaving Scene Property Damage	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
3	Leaving Scene Personal Injury	0	0	0	0	0	0	0	0	0	0	0	0						

Table 43 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	A	B	C	D	E	T
3	Possess Master Key MV	0	0	0	0	0	0	0	0	0	0	0	0						
3	OUI Serious Inj, Misd	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
3	OUI - Child Endangerment	0	0	0	0	0	0	0	0	0	0	0	0						
3	Inducing Minor To Sex	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
3	Gun Serial Number	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
3	Firearm Loaded while OUI	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
3	Nonsupport	0	0	0	0	0	0	0	0	0	0	0	0						
3	Escape DYS	0	0	0	0	0	0	0	0	0	0	0	0						
3	Interfere Police or Firefighter	0	0	0	0	0	0	0	0	0	0	0	0						
3	Failure to Appear Felony	0	0	0	0	0	0	0	0	0	0	0	0						
3	Carrying Dangerous Weapon	5	2	4	0	0	11	3	2	3	0	0	8	60%	100%	75%			73%
3	Cruelty To Animals	0	0	0	0	0	0	0	0	0	0	0	0						
3	Sex Offender Fail Register	0	0	1	8	0	9	0	0	0	6	0	6			0%	75%		67%
3	Vandalize - Graves	0	0	0	0	0	0	0	0	0	0	0	0						
3	Corporate books-falsify entry	4	0	0	0	0	4	2	0	0	0	0	2	50%					50%
3	Sub-Total	241	86	58	70	1	456	112	54	42	58	1	267	46%	63%	72%	83%	100%	59%

Table 43 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	A	B	C	D	E	T
2	Assault	6	0	0	2	0	8	2	0	0	2	0	4	33%			100%		50%
2	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0	0	0	0	0	0	0						
2	Larceny	0	0	0	0	0	0	0	0	0	0	0	0						
2	Larceny + 60	0	0	0	0	0	0	0	0	0	0	0	0						
2	Larceny Less	1	1	2	0	0	4	0	0	1	0	0	1	0%	0%	50%			25%
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	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
2	MV - False Report Of Theft	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
2	Defrauding Innkeeper	0	0	0	0	0	0	0	0	0	0	0	0						
2	Welfare Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	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	1	0	1	0%			100%		50%
2	Property Destruction	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Tagging Property	0	0	0	0	0	0	0	0	0	0	0	0						
2	Receiving Stolen Goods	2	0	1	1	0	4	0	0	0	1	0	1	0%		0%	100%		25%
2	Counterfeit	1	0	0	0	0	1	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	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
2	Fraud - Electric, Phone or Cable	1	0	0	0	0	1	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	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
2	Possession Class A Heroin	4	1	0	1	0	6	3	1	0	1	0	5	75%	100%		100%		83%
2	Possession Class B	15	7	6	5	0	33	3	3	4	4	0	14	20%	43%	67%	80%		42%
2	Possession Class C	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Possession Class D	1	2	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
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	22	6	3	2	0	33	8	2	1	2	0	13	36%	33%	33%	100%		39%
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	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
2	Forge Prescription	3	0	0	1	0	4	1	0	0	0	0	1	33%			0%		25%
2	Distribute Paraphenalia	0	0	0	0	0	0	0	0	0	0	0	0						
2	Operate to Endanger	1	1	1	1	0	4	0	1	1	1	0	3	0%	100%	100%	100%		75%
2	Use Without Authority	0	0	0	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	0	0	0	0	0	0	0	0	0	0						
2	Racing	0	0	0	0	0	0	0	0	0	0	0	0						
2	Operate After Suspension 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
2	Compulsory Insurance Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Altering MV ID Number	0	0	0	0	0	0	0	0	0	0	0	0						
2	Counterfeit/Alter MV Document	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
2	False Statement On Application	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
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						

Table 43 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	A	B	C	D	E	T
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	0	0	0	0	0	0						
2	Open And Gross	0	2	0	2	0	4	0	1	0	2	0	3		50%		100%		75%
2	Obscene Material to Minor	0	0	0	0	0	0	0	0	0	0	0	0						
2	Failure To Disperse	0	0	0	0	0	0	0	0	0	0	0	0						
2	Firearm Possess w/o Permit	18	11	7	1	0	37	14	8	5	0	0	27	78%	73%	71%	0%		73%
2	Possess Mace	0	0	0	0	0	0	0	0	0	0	0	0						
2	Possess Ammunition	6	4	0	1	0	11	2	4	0	1	0	7	33%	100%		100%		64%
2	Firearm Carry, School	0	0	0	0	0	0	0	0	0	0	0	0						
2	Firearm Store Improper	5	0	0	0	0	5	2	0	0	0	0	2	40%					40%
2	Conceal or Harbor Fleeing Child	0	0	0	0	0	0	0	0	0	0	0	0						
2	Escape Work Release Program	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	0	0	0	0	0	0	0	0	0	0	0	0						
2	Failure to Appear	2	1	1	0	0	4	2	1	1	0	0	4	100%	100%	100%			100%
2	Possess Stun Gun	0	0	0	0	0	0	0	0	0	0	0	0						
2	False Alarm	0	0	0	0	0	0	0	0	0	0	0	0						
2	Fireworks	0	0	0	0	0	0	0	0	0	0	0	0						
2	Violation Of Explosives	0	0	0	0	0	0	0	0	0	0	0	0						
2	Disrupt Court Proceedings	0	0	0	0	0	0	0	0	0	0	0	0						
2	Contributing To Delinquency	0	0	0	0	0	0	0	0	0	0	0	0						
2	Resisting Arrest	1	1	2	1	0	5	1	1	1	1	0	4	100%	100%	50%	100%		80%
2	False Report Of Crime	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	Hazardous Materials	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
2	CORI Law Violation	0	0	0	0	0	0	0	0	0	0	0	0						
2	Clean Water Act Violation	2	0	0	0	0	2	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	2	0	0	0	4	2	1	0	0	0	3	100%	50%				75%
2	Home Imp Contractor Violation	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
2	Sub-Total	109	40	27	22	0	198	41	24	16	19	0	100	38%	60%	59%	86%		51%

Table 43 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	A	B	C	D	E	T
1	Threatening	0	0	1	2	0	3	0	0	1	2	0	3			100%	100%		100%
1	Defrauding Victualer	0	0	0	0	0	0	0	0	0	0	0	0						
1	Vandalism	0	0	0	0	0	0	0	0	0	0	0	0						
1	Setting Fire In Open	0	0	0	0	0	0	0	0	0	0	0	0						
1	Trespassing	0	0	0	0	0	0	0	0	0	0	0	0						
1	Use Motorboat w/o Authority	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	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
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	Disturb Correctional Institution	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
1	Attaching Wrong MV Plates	0	0	0	0	0	0	0	0	0	0	0	0						
1	Operate After Suspension	0	0	0	0	0	0	0	0	0	0	0	0						
1	Obstruct Emergency Veh	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	0	0	0	0	0	0	0	0	0	0	0						
1	Disorderly Conduct	0	0	0	0	0	0	0	0	0	0	0	0						
1	Smoking on MBTA	0	0	0	0	0	0	0	0	0	0	0	0						
1	Firearm Discharge	0	0	0	0	0	0	0	0	0	0	0	0						
1	Annoying Phone Calls	1	0	0	0	0	1	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	1	0	0	1	0	0	1	0	0	1		100%				100%
1	Aiding And Abetting	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	6	0	1	0	0	7	0	0	1	0	0	1	0%		100%			14%
1	Alcohol, Transporting	0	0	0	0	0	0	0	0	0	0	0	0						
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	0	0	0	0	0	0						
1	Business Practice	0	0	0	0	0	0	0	0	0	0	0	0						
1	Employment Practices	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
1	Health Code Violation	0	0	0	0	0	0	0	0	0	0	0	0						
1	False Use of Insignia	0	0	0	0	0	0	0	0	0	0	0	0						
1	Unlicensed Massage / Bath	0	0	0	0	0	0	0	0	0	0	0	0						
1	Sub-Total	11	1	3	2	0	17	1	0	3	2	0	6	9%	0%	100%	100%		35%

Table 43 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	A	B	C	D	E	T	
0	Attempt Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0						
0	Attempt B&E	0	0	0	0	0	0	0	0	0	0	0	0	0						
0	Conspiracy Violate CSA	17	5	2	5	0	29	9	4	2	5	0	20	53%	80%	100%	100%		69%	
0	Conspiracy	4	0	3	4	0	11	2	0	3	3	0	8	50%		100%	75%		73%	
0	Attempt To Commit Crime	6	2	2	9	0	19	6	2	1	8	0	17	100%	100%	50%	89%		89%	
0	Accessory Before	4	2	1	0	0	7	3	1	1	0	0	5	75%	50%	100%			71%	
0	Accessory After	14	9	5	2	0	30	5	5	5	2	0	17	36%	56%	100%	100%		57%	
0	Sub-Total	45	18	13	20	0	96	25	12	12	18	0	67	56%	67%	92%	90%		70%	

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
9	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Manslaughter	16	11	3	2	0	32	149.3	146.2	122.0	156.0	.	146.1	162.0	120.0	108.0	156.0	.	132.0
8	Assault In Dwelling	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Armed Assault In Dwell House	1	1	2	2	0	6	132.0	120.0	120.0	120.0	.	122.0	132.0	120.0	120.0	120.0	.	120.0
8	Rape, Aggravated	9	4	2	6	0	21	126.0	102.0	162.0	154.0	.	132.9	96.0	102.0	162.0	144.0	.	120.0
8	Rape 2nd	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
8	Rape Of Child w/Force	23	5	2	7	0	37	108.0	112.8	102.0	188.6	.	123.6	96.0	96.0	102.0	180.0	.	96.0
8	Armed Assault w/i Murder - Firearm	3	6	5	2	0	16	112.0	90.0	80.4	90.0	.	91.1	72.0	72.0	72.0	90.0	.	72.0
8	Home Invasion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Burglary, Armed	1	0	0	0	0	1	120.0	.	.	.	.	120.0	120.0	.	.	.	.	120.0
8	Traffic Heroin 200+	2	0	0	0	0	2	198.0	.	.	.	.	198.0	198.0	.	.	.	.	198.0
8	Traffic Cocaine 200+	7	4	3	1	0	15	191.9	180.0	180.0	180.0	.	185.5	180.0	180.0	180.0	180.0	.	180.0
8	Sub-Total	62	31	17	21	0	131	134.4	127.7	122.1	153.1	.	134.2	120.0	120.0	120.0	144.0	.	120.0
7	Murder, Attempted	1	0	1	0	0	2	72.0	.	228.0	.	.	150.0	72.0	.	228.0	.	.	150.0
7	Mayhem	3	4	4	2	0	13	48.0	60.0	84.0	168.0	.	81.2	48.0	60.0	78.0	168.0	.	72.0
7	A&B Child w/Injury Substantial	3	0	1	1	0	5	84.0	.	36.0	144.0	.	86.4	60.0	.	36.0	144.0	.	60.0
7	Rape	12	4	5	5	0	26	75.0	66.0	103.2	112.8	.	86.3	60.0	60.0	84.0	96.0	.	66.0
7	Rape of Child Aggravated	0	0	0	1	0	1	.	.	.	120.0	.	120.0	.	.	.	120.0	.	120.0
7	Assault w/I Rape 2nd	0	0	1	2	0	3	.	.	300.0	210.0	.	240.0	.	.	300.0	210.0	.	240.0
7	Assault w/i Rape Child	0	0	0	1	0	1	.	.	.	96.0	.	96.0	.	.	.	96.0	.	96.0
7	Incest	0	0	0	2	0	2	.	.	.	120.0	.	120.0	.	.	.	120.0	.	120.0
7	Armed Robbery Gun	21	12	13	20	1	67	47.5	46.3	52.2	80.7	144.0	59.5	36.0	46.5	48.0	66.0	144.0	48.0
7	Armed Assault w/i Murder	12	14	4	6	0	36	66.0	71.1	93.0	76.0	.	72.7	66.0	48.0	84.0	42.0	.	48.0
7	Carjacking, Armed	0	0	1	2	0	3	.	.	72.0	102.0	.	92.0	.	.	72.0	102.0	.	96.0
7	Kidnapping Extortion	1	0	1	0	0	2	120.0	.	84.0	.	.	102.0	120.0	.	84.0	.	.	102.0
7	Confine And Put In Fear	1	2	0	3	0	6	144.0	42.0	.	84.0	.	80.0	144.0	42.0	.	60.0	.	54.0
7	Traffic Heroin 028-100	3	3	2	2	0	10	84.0	88.0	90.0	96.0	.	88.8	84.0	84.0	90.0	96.0	.	84.0
7	Traffic Heroin 100-200	2	0	0	0	0	2	120.0	.	.	.	.	120.0	120.0	.	.	.	.	120.0
7	Traffic Cocaine 100-200	13	1	3	4	0	21	120.0	120.0	120.0	144.0	.	124.6	120.0	120.0	120.0	144.0	.	120.0
7	Throw or Place Explosives	0	1	0	0	0	1	.	180.0	.	.	.	180.0	.	180.0	.	.	.	180.0
7	Sub-Total	72	41	36	51	1	201	76.0	65.9	87.8	102.2	144.0	83.1	72.0	48.0	72.0	96.0	144.0	72.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	6	0	2	0	0	8	146.0	.	78.0	.	.	129.0	144.0	.	78.0	.	.	144.0
6	A&B Elderly / Disabled Ser Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B Aggravated - Serious Injury	2	0	2	2	0	6	48.0	.	36.0	36.0	.	40.0	48.0	.	36.0	36.0	.	48.0
6	A&B Dangerous Weapon	14	16	13	26	2	71	40.7	40.1	35.1	36.0	24.0	37.4	36.0	36.0	36.0	36.0	24.0	36.0
6	A&B Dangerous Weapon + 60	2	0	0	1	0	3	51.0	.	.	36.0	.	46.0	51.0	.	.	36.0	.	36.0
6	A&B DW, Aggravated w/Injury	4	9	4	2	0	19	46.5	42.7	42.0	42.0	.	43.3	39.0	36.0	42.0	42.0	.	36.0
6	Assault To Kill or Maim	1	2	1	2	0	6	36.0	51.0	50.0	102.0	.	65.3	36.0	51.0	50.0	102.0	.	61.0
6	Rape Of Child	38	7	7	4	0	56	70.4	82.3	65.1	90.0	.	72.6	48.0	84.0	60.0	90.0	.	60.0
6	Assault w/i Rape	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
6	Indecent A&B On Child 2nd	1	0	1	1	0	3	30.0	.	180.0	60.0	.	90.0	30.0	.	180.0	60.0	.	60.0
6	Indecent A&B Mentally Retarded	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Robbery Unarmed + 60	1	3	0	6	0	10	36.0	38.0	.	47.0	.	43.2	36.0	36.0	.	48.0	.	42.0
6	Armed Robbery	44	33	50	63	0	190	40.2	34.4	46.0	61.8	.	47.9	36.0	36.0	42.0	48.0	.	36.0
6	Armed Assault w/i Rob	6	6	9	8	0	29	34.0	46.0	46.0	42.0	.	42.4	36.0	36.0	36.0	36.0	.	36.0
6	Armed Aslt w/i Rob Over 65	0	0	0	0	1	1	.	.	.	.	84.0	84.0	.	.	.	.	84.0	84.0
6	Carjacking	2	0	0	1	0	3	48.0	.	.	48.0	.	48.0	48.0	.	.	48.0	.	48.0
6	Kidnapping	3	5	2	4	0	14	56.0	40.8	30.0	69.0	.	50.6	36.0	36.0	30.0	60.0	.	42.0
6	Violation Of Civil Rights, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Harassment, 2nd	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
6	Burning Dwelling House	2	2	3	1	0	8	42.0	39.0	52.0	19.0	.	42.1	42.0	39.0	60.0	19.0	.	39.0
6	Distribute Class A 2nd	0	2	1	5	0	8	.	66.0	60.0	60.0	.	61.5	.	66.0	60.0	60.0	.	60.0
6	Distribute Cocaine 2nd	1	3	10	8	0	22	60.0	60.0	64.2	93.7	.	74.2	60.0	60.0	60.0	60.0	.	60.0
6	Traffic Heroin 014-028	12	5	8	1	0	26	61.0	60.0	60.0	72.0	.	60.9	60.0	60.0	60.0	72.0	.	60.0
6	Traffic Cocaine 028-100	33	19	15	11	0	78	72.4	72.0	74.4	72.0	.	72.6	60.0	60.0	72.0	72.0	.	63.0
6	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	MV Homicide - OUI Felony	4	0	1	1	0	6	40.5	.	60.0	96.0	.	53.0	36.0	.	60.0	96.0	.	48.0
6	Possess Explosive Device	1	0	0	0	0	1	96.0	.	.	.	.	96.0	96.0	.	.	.	.	96.0
6	Sub-Total	177	112	131	147	3	570	58.6	49.0	52.5	58.6	44.0	55.2	48.0	42.0	54.0	48.0	36.0	48.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
5	A&B Child w/Injury	1	0	1	1	0	3	24.0	.	36.0	24.0	.	28.0	24.0	.	36.0	24.0	.	24.0
5	A&B Aggravated	1	1	2	2	0	6	36.0	48.0	24.0	36.0	.	34.0	36.0	48.0	24.0	36.0	.	36.0
5	A&B DW, Aggravated	5	3	3	6	0	17	55.2	40.0	40.0	45.0	.	46.2	60.0	36.0	36.0	42.0	.	36.0
5	Indecent A&B On Child	5	1	1	1	0	8	42.0	36.0	60.0	84.0	.	48.8	30.0	36.0	60.0	84.0	.	36.0
5	Entice Child	2	0	1	0	0	3	39.0	.	48.0	.	.	42.0	39.0	.	48.0	.	.	48.0
5	Unnatural Acts Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Robbery Unarmed	15	9	14	31	0	69	32.4	24.0	36.4	51.7	.	40.8	24.0	24.0	36.0	48.0	.	36.0
5	Intimidation	2	4	5	9	0	20	45.0	45.0	36.0	42.7	.	41.7	45.0	42.0	36.0	36.0	.	36.0
5	Stalking Violation of Rest. Order	1	0	0	3	0	4	36.0	.	.	42.0	.	40.5	36.0	.	.	36.0	.	36.0
5	Stalking 2nd	1	0	0	1	0	2	36.0	.	.	84.0	.	60.0	36.0	.	.	84.0	.	60.0
5	Common & Notorious Thief	0	1	1	4	0	6	.	24.0	30.0	78.0	.	61.0	.	24.0	30.0	72.0	.	27.0
5	Burglary	1	1	4	11	0	17	60.0	24.0	64.5	70.4	.	65.6	60.0	24.0	60.0	48.0	.	60.0
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class C 2nd	0	0	1	0	0	1	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0
5	Distribute Class B 2nd	0	6	12	11	0	29	.	36.0	47.0	42.5	.	43.0	.	36.0	36.0	36.0	.	36.0
5	Traffic Cocaine 014-028	40	35	25	13	0	113	40.1	38.7	40.3	38.3	.	39.5	36.0	36.0	36.0	36.0	.	36.0
5	Traffic Mar 100-2000	2	1	0	0	0	3	42.0	36.0	.	.	.	40.0	42.0	36.0	.	.	.	36.0
5	Distribute Class B Minor	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
5	Perjury or Suborn	1	2	1	0	0	4	48.0	12.0	12.0	.	.	21.0	48.0	12.0	12.0	.	.	12.0
5	Bribery - Level 5	0	1	0	0	0	1	.	51.0	.	.	.	51.0	.	51.0	.	.	.	51.0
5	Possess Molotov Cocktail	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Sex Offender Fail Register 2nd	0	0	2	0	0	2	.	.	60.0	.	.	60.0	.	.	60.0	.	.	60.0
5	Sub-Total	77	66	73	93	0	309	39.8	35.9	41.4	50.5	.	42.6	36.0	36.0	36.0	36.0	.	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
4	Assault Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B w/i Intimidate	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
4	A&B Guard	0	4	9	9	1	23	.	18.0	25.3	26.4	12.0	23.9	.	18.0	24.0	24.0	12.0	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	1	0	4	3	0	8	24.0	.	27.8	26.0	.	26.6	24.0	.	25.5	24.0	.	24.0
4	Photograph Nude Person	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Assault w/i Rob	3	1	0	1	0	5	16.0	48.0	.	108.0	.	40.8	12.0	48.0	.	108.0	.	24.0
4	Stalking	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
4	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	12	5	2	13	0	32	29.0	30.0	12.0	31.8	.	29.3	24.0	36.0	12.0	36.0	.	24.0
4	Larceny More + 60	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
4	Larceny Person	0	0	1	1	0	2	.	.	24.0	42.0	.	33.0	.	.	24.0	42.0	.	33.0
4	Larceny Person + 65	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
4	Larceny MV 2nd	0	0	0	3	0	3	.	.	.	68.0	.	68.0	.	.	.	36.0	.	36.0
4	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	5	8	9	71	1	94	30.0	41.3	29.3	45.0	120.0	43.1	24.0	42.0	24.0	36.0	120.0	36.0
4	Enter Dwelling w/I Felony	0	0	1	6	0	7	.	.	36.0	52.0	.	49.7	.	.	36.0	36.0	.	36.0
4	B&E DT Armed w/i Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods Over	0	1	4	3	1	9	.	24.0	27.0	40.0	24.0	30.7	.	24.0	24.0	42.0	24.0	24.0
4	Receiving Stolen Goods MV 2nd	0	0	0	3	0	3	.	.	.	48.0	.	48.0	.	.	.	36.0	.	36.0
4	Burning Building	0	0	0	2	0	2	.	.	.	114.0	.	114.0	.	.	.	114.0	.	114.0
4	Attempt Arson	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	17	24	36	24	0	101	37.8	32.5	36.3	37.0	.	35.8	36.0	36.0	36.0	36.0	.	36.0
4	Distribute Class B	28	17	14	25	0	84	33.2	28.9	32.6	31.4	.	31.7	30.0	30.0	36.0	36.0	.	30.0
4	Distribute Cocaine	25	42	36	33	0	136	29.7	35.4	38.0	34.9	.	34.9	30.0	36.0	36.0	36.0	.	36.0
4	Traffic Mar 50-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Giving Prisoner Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Control Substance School	8	5	3	3	0	19	37.5	32.4	28.0	52.0	.	36.9	30.0	30.0	30.0	48.0	.	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	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
4	OUI Serious Inj, Fel	0	1	0	0	0	1	.	30.0	.	.	.	30.0	.	30.0	.	.	.	30.0
4	Derive Support From Prostitute	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Gun Serial Number, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Firearm Sale Violation	1	0	0	1	0	2	12.0	.	.	60.0	.	36.0	12.0	.	.	60.0	.	36.0
4	Escape	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
4	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Extortion	0	1	1	0	0	2	.	72.0	24.0	.	.	48.0	.	72.0	24.0	.	.	48.0
4	Bomb Hoax	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Disinter Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Sub-Total	102	109	123	206	3	543	31.9	33.5	33.4	40.3	52.0	35.9	30.0	36.0	36.0	36.0	24.0	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Domestic	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B w/I Intimidate	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Reckless Endangerment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	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	8	5	6	0	24	33.6	24.0	27.6	35.0	.	29.5	36.0	24.0	24.0	30.0	.	24.0
3	Assault Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Child Pornography Possess	4	1	0	0	0	5	40.5	54.0	.	.	.	43.2	39.0	54.0	.	.	.	42.0
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	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
3	Larceny Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Embezzlement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Credit Card Misuse - More	0	0	0	3	0	3	.	.	.	34.0	.	34.0	.	.	.	30.0	.	30.0
3	Defrauding Insurer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Fraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglariious Tools	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
3	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Mal Dest Property More	0	0	0	2	0	2	.	.	.	72.0	.	72.0	.	.	.	72.0	.	72.0
3	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods MV	0	0	0	5	0	5	.	.	.	45.6	.	45.6	.	.	.	36.0	.	36.0
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
3	Forgery And Uttering	1	0	0	4	0	5	60.0	.	.	45.0	.	48.0	60.0	.	.	30.0	.	36.0
3	Counterfeit	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
3	Burning Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A Heroin 2nd	0	1	0	0	0	1	.	30.0	.	.	.	30.0	.	30.0	.	.	.	30.0
3	Possession Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class C 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class C	0	0	1	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	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Possess Master Key MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI Serious Inj, Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	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	Escape DYS	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Interfere Police or Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Failure to Appear Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Carrying Dangerous Weapon	1	1	2	0	0	4	30.0	30.0	42.0	.	.	36.0	30.0	30.0	42.0	.	33.0	
3	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sex Offender Fail Register	0	0	0	4	0	4	.	.	.	30.0	.	30.0	.	.	30.0	.	30.0	
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Corporate books-falsify entry	2	0	0	0	0	2	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
3	Sub-Total	13	11	9	27	0	60	39.7	27.8	32.0	40.0	.	36.5	36.0	24.0	30.0	36.0	.	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less +60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Shoplifting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Credit Card Misuse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Fraudulent Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Return Leased Prop	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E w/i Misdemeanor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Property Destruction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Tagging Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Receiving Stolen Goods	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Setting Fire Land	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	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	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Common Night Walker 3rd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	0	0	0	2	0	2	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
2	Obscene Material to Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Possess w/o Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Mace	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Ammunition	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Carry, School	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Store Improper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Conceal or Harbor Fleeing Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Escape Work Release Program	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	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	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Hazardous Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	CORI Law Violation	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	Sub-Total	0	0	0	2	0	2	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Threatening	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Defrauding Victualer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Vandalism	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Setting Fire In Open	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Trespassing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Use Motorboat w/o Authority	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	Disturb Correctional Institution	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	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	Firearm Discharge	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Annoying Phone Calls	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstructing Justice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Aiding And Abetting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	License Law Violation (Not MV)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Procure for Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Health Code Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	False Use of Insignia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy Violate CSA	2	2	2	2	0	8	42.0	48.0	66.0	45.0	.	50.3	42.0	48.0	66.0	45.0	.	45.0
0	Conspiracy	1	0	3	2	0	6	36.0	.	40.0	36.0	.	38.0	36.0	.	48.0	36.0	.	42.0
0	Attempt To Commit Crime	1	2	0	6	0	9	24.0	15.0	.	25.8	.	23.2	24.0	15.0	.	24.0	.	24.0
0	Accessory Before	2	0	1	0	0	3	84.0	.	12.0	.	.	60.0	84.0	.	12.0	.	.	72.0
0	Accessory After	5	2	1	0	0	8	24.0	30.0	24.0	.	.	25.5	24.0	30.0	24.0	.	.	24.0
0	Sub-Total	11	6	7	10	0	34	39.3	31.0	41.1	31.7	.	36.0	24.0	24.0	24.0	27.0	.	24.0

Table 45 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
9	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Manslaughter	16	11	3	2	0	32	171.0	164.7	146.0	162.0	.	165.9	180.0	156.0	108.0	162.0	.	174.0
8	Assault In Dwelling	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Armed Assault In Dwell House	1	1	2	2	0	6	168.0	144.0	132.0	144.0	.	144.0	168.0	144.0	132.0	144.0	.	144.0
8	Rape, Aggravated	9	4	2	6	0	21	154.7	117.0	198.0	190.0	.	161.7	96.0	114.0	198.0	192.0	.	144.0
8	Rape 2nd	0	0	0	1	0	1	.	.	.	96.0	.	96.0	.	.	.	96.0	.	96.0
8	Rape Of Child w/Force	23	5	2	7	0	37	140.1	144.0	120.0	222.9	.	155.2	120.0	144.0	120.0	180.0	.	144.0
8	Armed Assault w/i Murder - Firearm	3	6	5	2	0	16	116.0	116.0	96.0	102.0	.	108.0	84.0	96.0	96.0	102.0	.	90.0
8	Home Invasion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Burglary, Armed	1	0	0	0	0	1	132.0	.	.	.	.	132.0	132.0	.	.	.	.	132.0
8	Traffic Heroin 200+	2	0	0	0	0	2	210.0	.	.	.	.	210.0	210.0	.	.	.	.	210.0
8	Traffic Cocaine 200+	7	4	3	1	0	15	202.3	195.0	192.0	204.0	.	198.4	180.0	180.0	180.0	204.0	.	180.0
8	Sub-Total	62	31	17	21	0	131	158.6	149.0	140.8	181.7	.	157.7	144.0	144.0	120.0	144.0	.	144.0
7	Murder, Attempted	1	0	1	0	0	2	120.0	.	240.0	.	.	180.0	120.0	.	240.0	.	.	180.0
7	Mayhem	3	4	4	2	0	13	68.0	96.0	102.0	198.0	.	107.1	60.0	102.0	102.0	198.0	.	96.0
7	A&B Child w/Injury Substantial	3	0	1	1	0	5	108.0	.	36.0	180.0	.	108.0	84.0	.	36.0	180.0	.	84.0
7	Rape	12	4	5	5	0	26	99.0	96.0	132.0	165.6	.	117.7	90.0	84.0	120.0	180.0	.	96.0
7	Rape of Child Aggravated	0	0	0	1	0	1	.	.	.	144.0	.	144.0	.	.	.	144.0	.	144.0
7	Assault w/I Rape 2nd	0	0	1	2	0	3	.	.	360.0	270.0	.	300.0	.	.	360.0	270.0	.	300.0
7	Assault w/i Rape Child	0	0	0	1	0	1	.	.	.	120.0	.	120.0	.	.	.	120.0	.	120.0
7	Incest	0	0	0	2	0	2	.	.	.	180.0	.	180.0	.	.	.	180.0	.	180.0
7	Armed Robbery Gun	21	12	13	20	1	67	67.3	53.5	71.1	99.3	180.0	76.8	60.0	57.0	60.0	90.0	180.0	60.0
7	Armed Assault w/i Murder	12	14	4	6	0	36	79.5	90.4	120.0	92.0	.	90.3	78.0	60.0	120.0	54.0	.	60.0
7	Carjacking, Armed	0	0	1	2	0	3	.	.	72.0	138.0	.	116.0	.	.	72.0	138.0	.	132.0
7	Kidnapping Extortion	1	0	1	0	0	2	144.0	.	120.0	.	.	132.0	144.0	.	120.0	.	.	132.0
7	Confine And Put In Fear	1	2	0	3	0	6	180.0	51.0	.	100.0	.	97.0	180.0	51.0	.	84.0	.	72.0
7	Traffic Heroin 028-100	3	3	2	2	0	10	88.0	88.0	150.0	102.0	.	103.2	84.0	84.0	150.0	102.0	.	96.0
7	Traffic Heroin 100-200	2	0	0	0	0	2	120.0	.	.	.	.	120.0	120.0	.	.	.	.	120.0
7	Traffic Cocaine 100-200	13	1	3	4	0	21	123.7	120.0	124.0	165.0	.	131.5	120.0	120.0	120.0	174.0	.	120.0
7	Throw or Place Explosives	0	1	0	0	0	1	.	216.0	.	.	.	216.0	.	216.0	.	.	.	216.0
7	Sub-Total	72	41	36	51	1	201	92.2	82.4	110.3	128.4	180.0	103.1	84.0	60.0	108.0	120.0	180.0	96.0

Table 45 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	6	0	2	0	0	8	182.0	.	90.0	.	.	159.0	192.0	.	90.0	.	.	180.0
6	A&B Elderly / Disabled Ser Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B Aggravated - Serious Injury	2	0	2	2	0	6	60.0	.	60.0	39.0	.	53.0	60.0	.	60.0	39.0	.	60.0
6	A&B Dangerous Weapon	14	16	13	26	2	71	52.7	53.3	46.2	45.9	36.0	48.7	48.0	45.0	36.0	36.0	36.0	36.0
6	A&B Dangerous Weapon + 60	2	0	0	1	0	3	90.0	.	.	36.0	.	72.0	90.0	.	.	36.0	.	84.0
6	A&B DW, Aggravated w/Injury	4	9	4	2	0	19	75.0	60.7	57.0	57.0	.	62.5	66.0	48.0	60.0	57.0	.	60.0
6	Assault To Kill or Maim	1	2	1	2	0	6	60.0	63.0	58.0	108.0	.	76.7	60.0	63.0	58.0	108.0	.	78.0
6	Rape Of Child	38	7	7	4	0	56	88.3	109.7	94.3	99.0	.	92.5	60.0	108.0	84.0	90.0	.	72.0
6	Assault w/i Rape	0	0	1	0	0	1	.	.	60.0	.	.	60.0	.	.	60.0	.	.	60.0
6	Indecent A&B On Child 2nd	1	0	1	1	0	3	60.0	.	240.0	72.0	.	124.0	60.0	.	240.0	72.0	.	72.0
6	Indecent A&B Mentally Retarded	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Robbery Unarmed + 60	1	3	0	6	0	10	72.0	50.0	.	58.0	.	57.0	72.0	54.0	.	60.0	.	60.0
6	Armed Robbery	44	33	50	63	0	190	54.4	50.2	61.1	76.7	.	62.8	48.0	48.0	60.0	60.0	.	54.0
6	Armed Assault w/i Rob	6	6	9	8	0	29	44.0	58.0	59.3	57.0	.	55.3	36.0	48.0	54.0	60.0	.	48.0
6	Armed Aslt w/i Rob Over 65	0	0	0	0	1	1	.	.	.	108.0	108.0	.	.	.	.	108.0	108.0	108.0
6	Carjacking	2	0	0	1	0	3	63.0	.	.	60.0	.	62.0	63.0	.	.	60.0	.	60.0
6	Kidnapping	3	5	2	4	0	14	88.0	52.8	36.0	87.0	.	67.7	108.0	48.0	36.0	84.0	.	60.0
6	Violation Of Civil Rights, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Harassment, 2nd	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
6	Burning Dwelling House	2	2	3	1	0	8	69.0	66.0	56.0	19.0	.	57.1	69.0	66.0	60.0	19.0	.	54.0
6	Distribute Class A 2nd	0	2	1	5	0	8	.	78.0	60.0	64.8	.	67.5	.	78.0	60.0	60.0	.	60.0
6	Distribute Cocaine 2nd	1	3	10	8	0	22	60.0	64.0	70.8	105.0	.	81.8	60.0	60.0	60.0	78.0	.	66.0
6	Traffic Heroin 014-028	12	5	8	1	0	26	68.0	64.8	67.5	96.0	.	68.3	60.0	60.0	60.0	96.0	.	60.0
6	Traffic Cocaine 028-100	33	19	15	11	0	78	87.6	84.0	89.6	82.9	.	86.5	84.0	72.0	84.0	84.0	.	84.0
6	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	MV Homicide - OUI Felony	4	0	1	1	0	6	52.5	.	60.0	120.0	.	65.0	51.0	.	60.0	120.0	.	60.0
6	Possess Explosive Device	1	0	0	0	0	1	120.0	.	.	.	.	120.0	120.0	.	.	.	.	120.0
6	Sub-Total	177	112	131	147	3	570	74.9	63.5	66.5	71.2	60.0	69.7	60.0	60.0	60.0	60.0	48.0	60.0

Table 45 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
5	A&B Child w/Injury	1	0	1	1	0	3	36.0	.	36.0	36.0	.	36.0	36.0	.	36.0	36.0	.	36.0
5	A&B Aggravated	1	1	2	2	0	6	60.0	60.0	30.0	48.0	.	46.0	60.0	60.0	30.0	48.0	.	48.0
5	A&B DW, Aggravated	5	3	3	6	0	17	72.0	48.0	48.0	56.0	.	57.9	60.0	48.0	48.0	48.0	.	48.0
5	Indecent A&B On Child	5	1	1	1	0	8	46.8	84.0	84.0	108.0	.	63.8	36.0	84.0	84.0	108.0	.	66.0
5	Entice Child	2	0	1	0	0	3	54.0	.	60.0	.	.	56.0	54.0	.	60.0	.	.	60.0
5	Unnatural Acts Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Robbery Unarmed	15	9	14	31	0	69	47.2	34.7	49.7	64.5	.	53.8	36.0	36.0	48.0	48.0	.	48.0
5	Intimidation	2	4	5	9	0	20	69.0	63.0	51.6	48.7	.	54.3	69.0	60.0	60.0	48.0	.	60.0
5	Stalking Violation of Rest. Order	1	0	0	3	0	4	36.0	.	.	48.0	.	45.0	36.0	.	.	48.0	.	42.0
5	Stalking 2nd	1	0	0	1	0	2	60.0	.	.	84.0	.	72.0	60.0	.	.	84.0	.	72.0
5	Common & Notorious Thief	0	1	1	4	0	6	.	48.0	30.0	102.0	.	81.0	.	48.0	30.0	96.0	.	48.0
5	Burglary	1	1	4	11	0	17	84.0	24.0	79.5	85.1	.	80.1	84.0	24.0	72.0	72.0	.	72.0
5	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class C 2nd	0	0	1	0	0	1	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0
5	Distribute Class B 2nd	0	6	12	11	0	29	.	40.0	53.5	44.8	.	47.4	.	36.0	39.0	42.0	.	36.0
5	Traffic Cocaine 014-028	40	35	25	13	0	113	52.1	47.3	50.4	46.2	.	49.5	51.0	48.0	48.0	36.0	.	48.0
5	Traffic Mar 100-2000	2	1	0	0	0	3	54.0	48.0	.	.	.	52.0	54.0	48.0	.	.	.	48.0
5	Distribute Class B Minor	0	1	0	0	0	1	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0
5	Perjury or Suborn	1	2	1	0	0	4	72.0	12.0	18.0	.	.	28.5	72.0	12.0	18.0	.	.	15.0
5	Bribery - Level 5	0	1	0	0	0	1	.	84.0	.	.	.	84.0	.	84.0	.	.	.	84.0
5	Possess Molotov Cocktail	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Sex Offender Fail Register 2nd	0	0	2	0	0	2	.	.	60.0	.	.	60.0	.	.	60.0	.	.	60.0
5	Sub-Total	77	66	73	93	0	309	53.1	46.0	51.5	61.0	.	53.6	48.0	48.0	48.0	48.0	.	48.0

Table 45 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Assault Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B w/i Intimidate	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
4	A&B Guard	0	4	9	9	1	23	.	24.0	32.7	33.8	12.0	30.7	.	18.0	30.0	24.0	12.0	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	1	0	4	3	0	8	48.0	.	36.8	36.0	.	37.9	48.0	.	31.5	36.0	.	36.0
4	Photograph Nude Person	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Assault w/i Rob	3	1	0	1	0	5	32.0	72.0	.	120.0	.	57.6	36.0	72.0	.	120.0	.	36.0
4	Stalking	1	0	0	0	0	1	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
4	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More	12	5	2	13	0	32	41.0	40.8	15.0	37.4	.	37.9	42.0	36.0	15.0	36.0	.	36.0
4	Larceny More + 60	0	0	1	0	0	1	.	.	48.0	.	.	48.0	.	.	48.0	.	.	48.0
4	Larceny Person	0	0	1	1	0	2	.	.	36.0	48.0	.	42.0	.	.	36.0	48.0	.	42.0
4	Larceny Person + 65	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
4	Larceny MV 2nd	0	0	0	3	0	3	.	.	.	90.0	.	90.0	.	.	.	60.0	.	60.0
4	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E	5	8	9	71	1	94	49.2	61.5	43.3	54.9	144.0	55.0	48.0	54.0	36.0	48.0	144.0	48.0
4	Enter Dwelling w/I Felony	0	0	1	6	0	7	.	.	48.0	69.0	.	66.0	.	.	48.0	54.0	.	48.0
4	B&E DT Armed w/i Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods Over	0	1	4	3	1	9	.	24.0	30.0	46.0	24.0	34.0	.	24.0	24.0	42.0	24.0	24.0
4	Receiving Stolen Goods MV 2nd	0	0	0	3	0	3	.	.	.	64.0	.	64.0	.	.	.	36.0	.	36.0
4	Burning Building	0	0	0	2	0	2	.	.	.	120.0	.	120.0	.	.	.	120.0	.	120.0
4	Attempt Arson	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
4	Burning to Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Distribute Class A	17	24	36	24	0	101	46.6	39.2	44.2	43.5	.	43.3	48.0	36.0	42.0	36.0	.	36.0
4	Distribute Class B	28	17	14	25	0	84	41.2	39.5	36.0	36.5	.	38.6	36.0	36.0	36.0	36.0	.	36.0
4	Distribute Cocaine	25	42	36	33	0	136	37.7	44.2	45.3	42.0	.	42.7	36.0	36.0	36.0	36.0	.	36.0
4	Traffic Mar 50-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Giving Prisoner Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Control Substance School	8	5	3	3	0	19	45.8	36.0	30.0	76.0	.	45.5	36.0	36.0	30.0	72.0	.	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	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
4	OUI Serious Inj, Fel	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
4	Derive Support From Prostitute	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Gun Serial Number, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Firearm Sale Violation	1	0	0	1	0	2	12.0	.	.	84.0	.	48.0	12.0	.	.	84.0	.	48.0
4	Escape	0	0	0	1	0	1	.	.	.	84.0	.	84.0	.	.	.	84.0	.	84.0
4	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Extortion	0	1	1	0	0	2	.	72.0	48.0	.	.	60.0	.	72.0	48.0	.	.	60.0
4	Bomb Hoax	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
4	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Disinter Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Sub-Total	102	109	123	206	3	543	41.5	42.6	41.1	49.0	60.0	44.6	36.0	36.0	36.0	36.0	24.0	36.0

Table 45 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B Domestic	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	A&B w/I Intimidate	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Reckless Endangerment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	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	8	5	6	0	24	45.6	34.5	36.0	40.0	.	38.5	36.0	36.0	36.0	36.0	.	36.0
3	Assault Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Child Pornography Possess	4	1	0	0	0	5	48.0	60.0	.	.	.	50.4	48.0	60.0	.	.	.	60.0
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	1	0	1	.	.	.	12.0	.	12.0	.	.	12.0	.	12.0	
3	Larceny Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Larceny MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Embezzlement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Credit Card Misuse - More	0	0	0	3	0	3	.	.	.	44.0	.	44.0	.	.	48.0	.	48.0	
3	Defrauding Insurer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Fraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglariou Tools	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	36.0	.	.	36.0	
3	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Mal Dest Property More	0	0	0	2	0	2	.	.	.	75.0	.	75.0	.	.	75.0	.	75.0	
3	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Receiving Stolen Goods MV	0	0	0	5	0	5	.	.	.	50.4	.	50.4	.	.	36.0	.	36.0	
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	48.0	.	48.0	
3	Forgery And Uttering	1	0	0	4	0	5	72.0	.	.	54.0	.	57.6	72.0	.	36.0	.	48.0	
3	Counterfeit	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	60.0	.	60.0	
3	Burning Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A Heroin 2nd	0	1	0	0	0	1	.	30.0	.	.	.	30.0	.	30.0	.	.	30.0	
3	Possession Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class C 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Distribute Class C	0	0	1	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	.	.	.	.	.	.	.	.	.	.	.	.

Table 45 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
3	Possess Master Key MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	OUI Serious Inj, Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	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	Escape DYS	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Interfere Police or Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Failure to Appear Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Carrying Dangerous Weapon	1	1	2	0	0	4	30.0	30.0	42.0	.	.	36.0	30.0	30.0	42.0	.	.	33.0	
3	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sex Offender Fail Register	0	0	0	4	0	4	.	.	.	31.5	.	31.5	.	.	33.0	.	.	33.0	
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Corporate books-falsify entry	2	0	0	0	0	2	66.0	.	.	.	.	66.0	66.0	.	.	.	.	66.0
3	Sub-Total	13	11	9	27	0	60	50.3	36.0	37.4	45.8	.	43.7	60.0	36.0	36.0	36.0	36.0	.	36.0

Table 45 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny Less +60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Shoplifting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Credit Card Misuse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Defrauding Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Return Leased Prop	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	B&E w/i Misdemeanor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Property Destruction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Tagging Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Receiving Stolen Goods	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Setting Fire Land	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	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	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Common Night Walker 3rd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

Table 45 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	0	0	0	2	0	2	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
2	Obscene Material to Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Possess w/o Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Mace	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Possess Ammunition	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Carry, School	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Store Improper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Conceal or Harbor Fleeing Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Escape Work Release Program	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	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	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Hazardous Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	CORI Law Violation	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	Sub-Total	0	0	0	2	0	2	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0

Table 45 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Threatening	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Defrauding Victualer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Vandalism	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Setting Fire In Open	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Trespassing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Use Motorboat w/o Authority	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	Disturb Correctional Institution	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	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	Firearm Discharge	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Annoying Phone Calls	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstructing Justice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Aiding And Abetting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	License Law Violation (Not MV)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Procure for Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Health Code Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	False Use of Insignia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

Table 45 State Prison Sentences: Maximum Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
0	Attempt Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Conspiracy Violate CSA	2	2	2	2	0	8	60.0	78.0	78.0	48.0	.	66.0	60.0	78.0	78.0	48.0	.	48.0
0	Conspiracy	1	0	3	2	0	6	48.0	.	40.0	48.0	.	44.0	48.0	.	48.0	48.0	.	48.0
0	Attempt To Commit Crime	1	2	0	6	0	9	36.0	21.0	.	32.8	.	30.6	36.0	21.0	.	24.0	.	24.0
0	Accessory Before	2	0	1	0	0	3	120.0	.	12.0	.	.	84.0	120.0	.	12.0	.	.	96.0
0	Accessory After	5	2	1	0	0	8	30.0	36.0	36.0	.	.	32.3	30.0	36.0	36.0	.	.	36.0
0	Sub-Total	11	6	7	10	0	34	54.0	45.0	46.3	38.9	.	46.4	36.0	36.0	36.0	36.0	.	36.0

Table 46 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
9	Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
9	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Manslaughter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Assault In Dwelling	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Armed Assault In Dwell House	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Rape, Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Rape 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Rape Of Child w/Force	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Armed Assault w/i Murder - Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Home Invasion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Burglary, Armed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Traffic Heroin 200+	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Traffic Cocaine 200+	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Murder, Attempted	2	0	0	0	0	2	18.0	.	.	.	.	18.0	18.0	.	.	.	.	18.0
7	Mayhem	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	A&B Child w/Injury Substantial	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
7	Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Rape of Child Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Assault w/I Rape 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Assault w/i Rape Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Incest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Armed Robbery Gun	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Armed Assault w/i Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
7	Carjacking, Armed	3	0	0	0	0	3	30.0	.	.	.	.	30.0	30.0	.	.	.	.	30.0
7	Kidnapping Extortion	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	0	1	0	0	0	1	.	4.5	.	.	.	4.5	.	4.5	.	.	.	4.5
7	Sub-Total	6	1	0	0	0	7	25.0	4.5	.	.	.	22.1	30.0	4.5	.	.	.	30.0

Table 46 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	2	0	0	0	0	2	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
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	2	1	1	1	0	5	6.4	24.0	6.0	24.0	.	13.4	6.4	24.0	6.0	24.0	.	12.0
6	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	A&B DW, Aggravated w/Injury	6	0	0	0	0	6	20.3	.	.	.	.	20.3	24.0	.	.	.	.	24.0
6	Assault To Kill or Maim	1	0	0	0	0	1	30.0	.	.	.	.	30.0	30.0	.	.	.	.	30.0
6	Rape Of Child	14	2	0	3	0	19	16.0	21.0	.	19.2	.	17.0	12.0	21.0	.	24.0	.	12.0
6	Assault w/i Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Indecent A&B On Child 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Indecent A&B Mentally Retarded	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Robbery Unarmed + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Armed Robbery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Armed Assault w/i Rob	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Armed Aslt w/i Rob Over 65	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Carjacking	2	1	1	1	0	5	15.0	18.0	8.9	24.0	.	16.2	15.0	18.0	8.9	24.0	.	18.0
6	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Violation Of Civil Rights, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Harassment, 2nd	0	0	1	0	0	1	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0
6	Burning Dwelling House	5	2	0	0	0	7	19.6	21.0	.	.	.	20.0	18.0	21.0	.	.	.	18.0
6	Distribute Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Distribute Cocaine 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Traffic Heroin 014-028	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Traffic Cocaine 028-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	MV Homicide	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
6	MV Homicide - OUI Felony	7	0	0	0	0	7	20.6	.	.	.	.	20.6	24.0	.	.	.	.	24.0
6	Possess Explosive Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
6	Sub-Total	40	7	3	5	0	55	18.3	22.3	15.0	21.1	.	18.9	21.0	24.0	8.9	24.0	.	24.0

Table 46 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	9	3	2	1	0	15	13.6	8.0	7.5	18.0	.	12.0	12.0	3.0	7.5	18.0	.	12.0
5	A&B Aggravated	12	8	9	7	0	36	11.2	5.4	4.6	11.6	.	8.4	9.0	4.5	6.0	12.0	.	6.0
5	A&B DW, Aggravated	8	1	0	0	0	9	17.7	16.9	.	.	.	17.6	18.0	16.9	.	.	.	16.9
5	Indecent A&B On Child	38	9	3	6	0	56	16.2	21.1	24.0	18.2	.	17.6	12.0	24.0	24.0	18.0	.	18.0
5	Entice Child	4	0	0	0	0	4	19.5	.	.	.	.	19.5	22.5	.	.	.	.	22.5
5	Unnatural Acts Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Robbery Unarmed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Intimidation	68	93	101	98	0	360	5.8	7.0	8.2	11.2	.	8.2	4.9	6.0	6.0	6.0	.	6.0
5	Stalking Violation of Rest. Order	0	0	1	2	0	3	.	.	12.0	21.0	.	18.0	.	.	12.0	21.0	.	12.0
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	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Distribute Class C 2nd	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	Distribute Class B Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Perjury or Suborn	1	3	1	1	1	7	30.0	28.0	24.0	6.0	3.0	21.0	30.0	30.0	24.0	6.0	3.0	24.0
5	Bribery - Level 5	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Possess Molotov Cocktail	2	0	0	0	0	2	21.0	.	.	.	.	21.0	21.0	.	.	.	.	21.0
5	Sex Offender Fail Register 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
5	Sub-Total	142	117	117	116	1	493	11.0	8.6	8.5	11.9	3.0	10.0	8.3	6.0	6.0	11.5	3.0	6.0

Table 46 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	10	8	8	14	0	40	4.5	11.5	7.4	6.0	.	7.0	3.0	7.5	6.0	5.0	.	5.3
4	Assault Aggravated	0	2	0	0	0	2	.	16.5	.	.	.	16.5	.	16.5	.	.	.	16.5
4	A&B w/i Intimidate	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	A&B Guard	0	1	0	3	0	4	.	12.0	.	10.0	.	10.5	.	12.0	.	12.0	.	12.0
4	A&B Dangerous Weapon	62	43	46	52	1	204	17.5	19.3	17.0	18.0	12.0	17.9	16.0	18.0	18.0	16.5	12.0	18.0
4	A&B Dangerous Weapon + 60	2	0	1	0	0	3	15.0	.	24.0	.	.	18.0	15.0	.	24.0	.	.	24.0
4	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Indecent A&B	24	13	8	7	0	52	9.2	10.8	7.7	10.4	.	9.5	6.0	8.7	5.7	6.0	.	6.0
4	Photograph Nude Person	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
4	Assault w/i Rob	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Stalking	4	1	4	3	0	12	11.0	12.0	10.8	7.0	.	10.0	12.0	12.0	6.5	9.0	.	9.5
4	Harassment	3	6	7	8	0	24	1.8	3.8	7.8	5.8	.	5.4	1.0	2.5	6.0	6.0	.	4.0
4	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Larceny Person	85	78	61	75	0	299	8.3	9.9	9.7	12.3	.	10.0	6.0	6.0	9.0	12.0	.	7.0
4	Larceny Person + 65	3	2	1	0	0	6	14.0	4.5	12.0	.	10.5	18.0	4.5	12.0	.	.	.	9.0
4	Larceny MV 2nd	0	0	1	1	0	2	.	.	12.0	24.0	.	18.0	.	.	12.0	24.0	.	18.0
4	Fraud - Identity	12	29	18	21	0	80	7.9	7.5	9.8	13.8	.	9.7	6.5	6.0	9.0	12.0	.	6.0
4	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Enter Dwelling w/I Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	B&E DT Armed w/i Felony	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0
4	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Receiving Stolen Goods MV 2nd	0	1	2	3	0	6	.	18.0	21.0	20.0	.	20.0	.	18.0	21.0	18.0	.	18.0
4	Burning Building	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
4	Attempt Arson	2	2	3	0	0	7	15.0	20.0	22.0	.	19.4	15.0	20.0	24.0	.	.	.	18.0
4	Burning to Defraud	1	0	0	0	0	1	2.0	.	.	.	.	2.0	2.0	.	.	.	.	2.0
4	Distribute Class A	109	97	50	47	0	303	11.5	11.6	12.1	12.7	.	11.8	12.0	9.7	12.0	12.0	.	12.0
4	Distribute Class B	212	172	113	117	0	614	9.5	10.8	11.7	12.2	.	10.8	6.0	9.0	12.0	12.0	.	9.0
4	Distribute Cocaine	24	30	11	9	0	74	20.3	19.0	17.9	18.0	.	19.1	24.0	18.0	17.0	12.0	.	18.0
4	Traffic Mar 50-100	4	2	0	0	0	6	15.0	27.0	.	.	.	19.0	12.0	27.0	.	.	.	18.0
4	Larceny Cont Sub	2	3	0	0	0	5	7.0	8.8	.	.	.	8.1	7.0	8.0	.	.	.	8.0
4	Giving Prisoner Cont Sub	1	0	0	3	0	4	1.0	.	.	0.8	.	0.8	1.0	.	.	1.0	.	1.0
4	Control Substance School	48	31	26	21	0	126	24.1	24.2	24.2	24.3	.	24.2	24.0	24.0	24.0	24.0	.	24.0
4	MV Homicide - Reckless	2	0	0	0	0	2	15.0	.	.	.	.	15.0	15.0	.	.	.	.	15.0
4	MV Homicide - OUI	3	0	0	0	0	3	14.0	.	.	.	.	14.0	12.0	.	.	.	.	12.0
4	Leaving Scene Death	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	OUI Serious Inj, Fel	17	4	0	0	0	21	11.2	9.0	.	.	.	10.8	6.0	9.0	.	.	.	6.0
4	Derive Support From Prostitute	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	6	11	4	8	0	29	6.3	5.7	6.8	7.6	.	6.5	4.5	3.0	6.0	6.0	.	6.0
4	Bribery	3	0	1	0	0	4	11.3	.	6.0	.	.	10.0	12.0	.	6.0	.	.	11.0
4	Extortion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Bomb Hoax	0	0	2	0	0	2	.	.	13.3	.	.	13.3	.	.	13.3	.	.	13.3
4	Hoax Device	0	0	0	2	0	2	.	.	.	13.5	.	13.5	.	.	.	13.5	.	13.5
4	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Disinter Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
4	Sub-Total	641	537	367	394	1	1940	11.9	12.5	12.9	13.4	12.0	12.6	12.0	12.0	12.0	12.0	12.0	12.0

Table 46 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	404	478	438	452	2	1774	4.5	6.1	7.2	8.6	10.0	6.7	3.0	4.6	6.0	6.0	10.0	5.0
3	A&B Domestic	12	12	12	9	0	45	4.2	5.0	3.8	7.4	.	4.9	1.5	3.9	2.5	1.9	.	3.0
3	A&B w/I Intimidate	1	1	1	0	0	3	0.8	30.0	12.0	.	.	14.3	0.8	30.0	12.0	.	.	12.0
3	Reckless Endangerment	9	5	4	2	0	20	6.9	7.3	8.3	7.0	.	7.3	3.0	6.0	9.0	7.0	.	6.0
3	Permit Injury to Child	1	0	0	1	0	2	6.0	.	.	18.0	.	12.0	6.0	.	.	18.0	.	12.0
3	A&B Ambulance	0	0	0	2	0	2	.	.	.	6.0	.	6.0	.	.	.	6.0	.	6.0
3	A&B Dangerous Weapon	94	72	62	64	0	292	3.4	4.4	4.8	4.6	.	4.2	2.3	4.6	6.0	5.0	.	4.0
3	A&B Dangerous Weapon + 60	0	0	0	1	0	1	.	.	.	1.8	.	1.8	.	.	.	1.8	.	1.8
3	Assault Dangerous Weapon	87	83	69	75	1	315	7.3	8.2	8.0	9.5	18.0	8.2	6.0	6.0	6.0	6.0	18.0	6.0
3	Assault Dangerous Weapon + 60	0	0	1	1	0	2	.	.	30.0	20.0	.	25.0	.	.	30.0	20.0	.	25.0
3	Unnatural Acts	0	2	0	0	0	2	.	1.5	.	.	.	1.5	.	1.5	.	.	.	1.5
3	Child Pornography Possess	8	2	1	0	0	11	18.4	7.5	12.0	.	.	15.8	16.5	7.5	12.0	.	.	12.0
3	Kidnapping	2	0	1	0	0	3	2.3	.	2.0	.	.	2.2	2.3	.	2.0	.	.	2.0
3	Violation Of Civil Rights	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Restraining Order Violation	91	121	140	127	0	479	3.5	4.3	6.1	8.2	.	5.7	2.0	3.0	4.6	6.0	.	4.0
3	Larceny	14	17	11	14	0	56	3.0	5.2	7.6	6.0	.	5.3	2.0	3.0	6.0	5.5	.	3.0
3	Larceny More	160	203	192	311	0	866	5.2	5.7	7.4	8.8	.	7.1	3.0	5.0	6.0	6.0	.	6.0
3	Larceny More + 60	3	3	1	1	0	8	17.0	13.2	6.0	12.0	.	13.6	12.0	12.0	6.0	12.0	.	12.0
3	Larceny Building	18	17	19	32	0	86	5.0	6.4	9.7	10.1	.	8.2	5.0	4.0	9.0	9.0	.	6.0
3	Larceny Firearm	3	3	0	0	0	6	8.3	10.3	.	.	.	9.3	6.0	4.2	.	.	.	5.1
3	Larceny MV	11	22	16	32	1	82	5.4	6.4	10.7	13.2	6.0	9.8	6.0	6.0	9.0	12.0	6.0	9.0
3	Embezzlement	2	0	0	0	0	2	21.0	.	.	.	.	21.0	21.0	.	.	.	.	21.0
3	Credit Card Misuse - More	3	7	3	4	0	17	24.0	7.8	16.0	20.0	.	15.0	30.0	12.0	12.0	19.0	.	12.0
3	Defrauding Insurer	1	0	0	4	0	5	6.0	.	.	4.3	.	4.6	6.0	.	.	5.0	.	6.0
3	Fraud	9	8	6	12	0	35	7.9	5.8	7.2	9.0	.	7.6	6.0	3.0	6.0	9.0	.	6.0
3	MV - Sales Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possess Burglarious Tools	12	21	16	29	0	78	8.2	7.4	11.0	8.7	.	8.8	6.5	6.0	6.0	6.0	.	6.0
3	B&E	197	245	249	273	0	964	6.7	8.0	9.6	11.3	.	9.1	6.0	6.0	6.0	12.0	.	6.0
3	Mal Dest Property More	14	18	13	11	0	56	7.9	6.8	7.4	10.5	.	8.0	3.0	6.0	6.0	6.0	.	6.0
3	Receiving Stolen Goods Over	19	24	21	20	0	84	7.9	10.7	12.4	11.5	.	10.7	6.0	8.7	12.0	9.0	.	9.0
3	Receiving Stolen Goods MV	20	19	28	47	0	114	4.8	7.2	9.2	12.1	.	9.3	3.9	6.0	7.5	12.0	.	6.0
3	Receiving Stolen Goods 2nd	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
3	Forgery And Uttering	35	45	40	42	0	162	4.4	6.6	6.7	11.7	.	7.5	2.0	6.0	6.0	12.0	.	6.0
3	Counterfeit	0	1	2	1	0	4	.	1.7	7.0	2.0	.	4.4	.	1.7	7.0	2.0	.	2.0
3	Burning Property	1	6	0	2	0	9	2.5	7.0	.	2.5	.	5.5	2.5	6.0	.	2.5	.	6.0
3	Burning Motor Vehicle	1	0	2	1	0	4	1.5	.	6.5	12.0	.	6.6	1.5	.	6.5	12.0	.	6.5
3	Illegal Lottery	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0
3	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Possession Class A 2nd	0	2	2	2	0	6	.	1.5	15.0	2.5	.	6.3	.	1.5	15.0	2.5	.	2.5
3	Possession Class A Heroin 2nd	2	2	4	3	0	11	8.1	2.5	10.2	14.0	.	9.5	8.1	2.5	10.5	6.0	.	6.0
3	Possession Class B 2nd	0	6	6	6	0	18	.	7.0	10.5	4.7	.	7.4	.	6.0	6.0	3.0	.	6.0
3	Possession Class C 2nd	0	0	0	1	0	1	.	.	.	1.0	.	1.0	.	.	.	1.0	.	1.0
3	Possession Class D 2nd	0	2	1	0	0	3	.	4.5	6.0	.	.	5.0	.	4.5	6.0	.	.	6.0
3	Distribute Class C	1	2	6	6	0	15	3.1	12.0	10.0	7.7	.	8.9	3.1	12.0	8.0	6.0	.	7.0
3	Distribute Class D 2nd	4	2	1	0	0	7	12.6	17.5	12.0	.	.	13.9	12.0	17.5	12.0	.	.	12.0
3	Distribute Class E 2nd	1	1	0	0	0	2	6.0	12.0	.	.	.	9.0	6.0	12.0	.	.	.	9.0
3	MV Homicide	10	1	1	0	0	12	9.4	30.0	16.0	.	.	11.7	4.5	30.0	16.0	.	.	9.0
3	Leaving Scene Property Damage	51	64	32	29	0	176	3.8	4.0	5.5	7.7	.	4.8	2.0	2.5	3.6	6.0	.	3.0
3	Leaving Scene Personal Injury	10	11	8	6	0	35	5.8	6.2	12.5	9.0	.	8.0	6.0	6.0	11.5	9.0	.	6.0

Table 46 House of Correction Sentences: Sentence by Governing Offense and Grid Cell Assignment

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	Possess Master Key MV	1	0	0	0	0	1	1.0	.	.	.	.	1.0	1.0	.	.	.	.	1.0
3	OUI Serious Inj, Misd	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
3	OUI - Child Endangerment	4	1	0	2	0	7	2.3	3.0	.	3.0	.	2.6	3.0	3.0	.	3.0	.	3.0
3	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Gun Serial Number	7	1	1	2	0	11	12.5	24.0	12.0	10.5	.	13.1	12.0	24.0	12.0	10.5	.	12.0
3	Firearm Loaded while OUI	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
3	Nonsupport	1	0	1	0	0	2	6.0	.	0.3	.	.	3.2	6.0	.	0.3	.	.	3.2
3	Escape DYS	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Interfere Police or Firefighter	0	2	0	1	0	3	.	1.1	.	1.0	.	1.1	.	1.1	.	1.0	.	1.0
3	Failure to Appear Felony	0	1	0	0	0	1	.	18.0	.	.	.	18.0	.	18.0	.	.	.	18.0
3	Carrying Dangerous Weapon	25	19	21	14	1	80	6.0	5.0	4.6	5.1	0.0	5.1	3.0	3.0	5.0	3.5	0.0	3.0
3	Cruelty To Animals	2	3	3	1	0	9	7.0	6.3	3.2	12.0	.	6.0	7.0	4.0	3.0	12.0	.	4.0
3	Sex Offender Fail Register	7	10	31	71	2	121	7.8	6.5	7.8	6.9	1.5	7.0	6.0	5.5	6.0	6.0	1.5	6.0
3	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Corporate books-falsify entry	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
3	Sub-Total	1360	1566	1466	1715	7	6114	5.4	6.4	7.7	9.1	6.7	7.2	3.0	6.0	6.0	6.0	2.0	6.0

Table 46 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	22	20	9	28	0	79	3.8	5.5	9.7	6.1	.	5.7	2.2	3.0	6.0	3.0	.	3.0
2	Accost / Annoy Person Opposite Sex	0	5	2	4	0	11	.	3.9	4.5	4.3	.	4.2	.	3.0	4.5	5.0	.	4.0
2	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Larceny + 60	0	1	0	0	0	1	.	1.0	.	.	.	1.0	.	1.0	.	.	.	1.0
2	Larceny Less	43	42	38	59	0	182	4.4	3.1	3.9	5.0	.	4.2	4.0	2.0	3.0	3.0	.	3.0
2	Larceny Less +60	1	0	0	0	0	1	2.0	.	.	.	.	2.0	2.0	.	.	.	.	2.0
2	Shoplifting	43	69	94	162	0	368	1.4	2.7	3.3	4.4	.	3.5	1.0	1.7	2.5	3.0	.	2.0
2	Credit Card Misuse	6	9	11	8	0	34	2.3	4.9	7.2	4.8	.	5.1	2.0	6.0	9.0	5.0	.	5.0
2	MV - False Report Of Theft	0	0	1	0	0	1	.	.	5.0	.	.	5.0	.	.	5.0	.	.	5.0
2	Defrauding Innkeeper	0	1	1	0	0	2	.	24.0	3.0	.	.	13.5	.	24.0	3.0	.	.	13.5
2	Welfare Violation	1	0	0	0	0	1	1.0	.	.	.	.	1.0	1.0	.	.	.	.	1.0
2	Failure To Return Leased Prop	1	3	2	2	0	8	9.0	5.0	3.5	0.7	.	4.0	9.0	2.0	3.5	0.7	.	1.5
2	B&E MV	0	0	0	1	0	1	.	.	.	4.0	.	4.0	.	.	.	4.0	.	4.0
2	B&E w/i Misdemeanor	5	8	5	9	0	27	1.7	4.4	3.5	4.2	.	3.7	1.0	6.0	2.0	4.2	.	3.0
2	Property Destruction	34	37	39	47	0	157	2.0	4.9	5.1	5.9	.	4.6	1.0	2.5	3.0	3.0	.	2.5
2	Tagging Property	1	2	1	0	0	4	4.0	1.4	24.0	.	.	7.7	4.0	1.4	24.0	.	.	3.0
2	Receiving Stolen Goods	52	71	48	55	0	226	3.7	3.6	5.1	8.0	.	5.0	2.0	3.0	4.0	6.0	.	3.2
2	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Setting Fire Land	0	1	0	1	0	2	.	1.2	.	2.3	.	1.7	.	1.2	.	2.3	.	1.7
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	6	0	5	2	0	13	2.4	.	5.4	3.5	.	3.7	2.0	.	4.0	3.5	.	3.0
2	Possession Class A	55	64	44	43	0	206	2.8	3.8	4.9	5.0	.	4.0	2.0	3.0	3.1	5.0	.	3.0
2	Possession Class A Heroin	24	25	19	9	0	77	5.0	4.5	5.4	8.0	.	5.3	5.1	4.0	5.3	6.0	.	5.0
2	Possession Class B	87	121	86	95	0	389	2.8	3.7	4.7	4.3	.	3.9	2.0	3.0	3.0	3.0	.	3.0
2	Possession Class C	7	12	10	8	0	37	3.5	6.0	2.7	3.9	.	4.2	1.0	6.0	2.1	2.7	.	2.4
2	Possession Class D	23	24	6	3	1	57	1.5	2.5	2.1	2.8	1.1	2.0	1.0	1.5	1.0	2.0	1.1	1.0
2	Possession Class D Marijuana 2nd	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0
2	Distribute Counterfeit Substance	5	4	6	3	0	18	2.3	5.2	5.3	5.3	.	4.5	2.0	4.1	3.0	6.0	.	3.0
2	Distribute Class D	81	58	24	19	0	182	6.5	6.9	8.0	8.6	.	7.0	6.0	6.0	6.0	9.0	.	6.0
2	Distribute Class E	1	2	2	4	0	9	1.0	1.5	4.9	5.4	.	3.9	1.0	1.5	4.9	5.7	.	2.4
2	Possession Hypodermic/Syringe	0	1	1	1	0	3	.	3.0	1.0	9.0	.	4.3	.	3.0	1.0	9.0	.	3.0
2	Presence Class A	4	4	6	3	0	17	2.3	4.8	4.2	2.7	.	3.6	2.5	3.4	1.5	2.0	.	2.0
2	Forge Prescription	6	6	4	2	0	18	5.0	3.7	11.3	7.5	.	6.2	4.5	4.0	9.0	7.5	.	6.0
2	Distribute Paraphenalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Operate to Endanger	100	78	49	33	0	260	4.1	5.5	6.5	6.3	.	5.2	2.0	3.0	3.0	6.0	.	3.0
2	Use Without Authority	12	14	9	14	0	49	3.8	4.2	4.5	5.1	.	4.4	3.0	3.0	2.0	4.5	.	3.0
2	Use w/o Authority 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Ignition Interlock Violation	1	0	2	0	0	3	6.0	.	7.5	.	.	7.0	6.0	.	7.5	.	.	6.0
2	Habitual Traffic Offender	6	13	13	9	0	41	2.4	6.8	1.8	4.2	.	4.0	1.5	3.0	1.0	3.0	.	2.0
2	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Operate After Suspension 2nd	58	167	133	148	0	506	1.7	2.7	2.9	3.3	.	2.8	2.0	2.0	2.0	2.0	.	2.0
2	Compulsory Insurance Violation	27	31	22	32	0	112	0.8	1.9	1.8	2.3	.	1.7	0.7	2.0	1.3	1.8	.	1.0
2	Altering MV ID Number	1	0	0	0	0	1	18.0	.	.	.	.	18.0	18.0	.	.	.	.	18.0
2	Counterfeit/Alter MV Document	4	3	4	6	0	17	2.1	5.3	4.8	5.0	.	4.3	2.0	3.3	5.0	4.0	.	3.3
2	False Statement On Application	5	4	0	1	0	10	4.8	5.0	.	3.0	.	4.7	0.3	3.5	.	3.0	.	2.0
2	Prostitution	19	43	21	14	0	97	1.4	1.9	2.9	2.3	.	2.1	1.0	1.0	1.5	2.0	.	1.0
2	Common Night Walker 3rd	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
2	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

Table 46 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	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Open And Gross	9	9	7	10	0	35	8.3	3.2	6.0	5.8	.	5.8	9.0	3.0	3.1	3.0	.	3.0
2	Obscene Material to Minor	2	0	1	0	0	3	5.0	.	2.2	.	.	4.1	5.0	.	2.2	.	.	4.0
2	Failure To Disperse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Firearm Possess w/o Permit	83	37	18	5	0	143	11.6	13.2	13.2	13.1	.	12.3	12.0	15.0	15.0	18.0	.	12.0
2	Possess Mace	1	1	1	2	0	5	0.9	6.0	3.0	7.5	.	5.0	0.9	6.0	3.0	7.5	.	3.0
2	Possess Ammunition	7	5	1	1	0	14	12.2	16.8	9.0	18.0	.	14.0	9.0	24.0	9.0	18.0	.	13.5
2	Firearm Carry, School	0	0	0	1	0	1	.	.	.	1.0	.	1.0	.	.	.	1.0	.	1.0
2	Firearm Store Improper	2	0	1	0	0	3	7.9	.	12.0	.	.	9.2	7.9	.	12.0	.	.	12.0
2	Conceal or Harbor Fleeing Child	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
2	Escape Work Release Program	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
2	Aiding An Escape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Impersonate/Disguise	2	2	1	3	0	8	1.8	1.1	0.3	5.0	.	2.6	1.8	1.1	0.3	6.0	.	2.0
2	Failure to Appear	4	2	4	1	0	11	3.1	6.5	3.3	3.0	.	3.8	3.2	6.5	3.5	3.0	.	3.0
2	Possess Stun Gun	0	1	1	1	0	3	.	6.0	6.0	12.0	.	8.0	.	6.0	6.0	12.0	.	6.0
2	False Alarm	2	1	0	1	0	4	4.0	1.0	.	6.0	.	3.8	4.0	1.0	.	6.0	.	4.0
2	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	Disrupt Court Proceedings	1	1	0	1	0	3	9.0	2.0	.	12.0	.	7.7	9.0	2.0	.	12.0	.	9.0
2	Contributing To Delinquency	1	1	0	0	0	2	1.0	1.5	.	.	.	1.2	1.0	1.5	.	.	.	1.2
2	Resisting Arrest	72	77	79	90	0	318	2.9	3.6	4.8	4.6	.	4.0	2.0	2.0	2.0	3.0	.	2.0
2	False Report Of Crime	2	3	1	3	0	9	2.0	2.4	1.0	4.2	.	2.8	2.0	1.0	1.0	6.0	.	2.0
2	Hazardous Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
2	CORI Law Violation	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	13	14	11	17	0	55	2.6	3.6	2.6	1.8	.	2.6	1.0	1.7	1.0	1.2	.	1.0
2	Home Imp Contractor Violation	0	0	1	0	0	1	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0
2	Sub-Total	943	1098	845	962	1	3849	4.2	4.2	4.6	4.8	1.1	4.4	2.0	2.0	3.0	3.0	1.1	3.0

Table 46 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	Threatening	30	30	38	47	0	145	3.2	3.1	3.4	2.5	.	3.0	2.6	2.1	3.0	2.0	.	2.1
1	Defrauding Victualer	0	0	0	1	0	1	.	.	.	0.5	.	0.5	.	.	.	0.5	.	0.5
1	Vandalism	5	17	7	14	0	43	3.5	3.5	5.0	4.9	.	4.2	5.0	3.0	6.0	4.0	.	3.0
1	Setting Fire In Open	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Trespassing	32	61	46	83	0	222	0.6	0.6	0.6	0.5	.	0.6	0.7	0.7	0.6	0.3	.	0.6
1	Use Motorboat w/o Authority	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Gaming	0	1	0	0	0	1	.	1.7	.	.	.	1.7	.	1.7	.	.	.	1.7
1	Unauthorized Access of Computer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Possession Class D Marijuana	4	2	2	1	0	9	3.2	2.0	1.7	4.0	.	2.7	3.2	2.0	1.7	4.0	.	3.0
1	Possession Class E	7	11	10	9	0	37	2.5	3.1	2.4	1.9	.	2.5	1.0	3.0	1.1	1.0	.	1.0
1	Inhaling Toxic Vapors	1	0	0	1	0	2	3.0	.	.	6.0	.	4.5	3.0	.	.	6.0	.	4.5
1	Disturb Correctional Institution	0	0	0	1	0	1	.	.	.	2.0	.	2.0	.	.	.	2.0	.	2.0
1	Attaching Wrong MV Plates	2	4	3	2	0	11	0.3	0.3	0.3	0.3	.	0.3	0.3	0.3	0.3	0.3	.	0.3
1	Operate After Suspension	121	151	107	84	0	463	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	MV - Impersonate/Other License	0	0	1	1	0	2	.	.	0.3	0.3	.	0.3	.	.	0.3	0.3	.	0.3
1	RV On Public Way	0	0	1	0	0	1	.	.	2.0	.	.	2.0	.	.	2.0	.	.	2.0
1	Common Night Walker	3	9	8	2	0	22	1.5	1.1	1.3	3.5	.	1.5	1.0	1.0	0.9	3.5	.	1.0
1	Indecent Exposure	1	5	9	6	0	21	6.0	3.7	0.9	1.2	.	1.9	6.0	6.0	1.0	0.9	.	1.0
1	Lewd And Lacivious	1	2	1	2	0	6	0.6	2.5	4.0	1.5	.	2.1	0.6	2.5	4.0	1.5	.	2.0
1	Disorderly Conduct	42	52	39	53	0	186	1.3	1.5	2.1	1.5	.	1.6	1.0	1.0	1.0	1.0	.	1.0
1	Smoking on MBTA	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Firearm Discharge	0	1	1	1	0	3	.	1.0	3.0	3.0	.	2.3	.	1.0	3.0	3.0	.	3.0
1	Annoying Phone Calls	2	4	1	6	0	13	2.0	1.5	2.0	1.8	.	1.8	2.0	1.1	2.0	1.8	.	1.5
1	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Obstructing Justice	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
1	Aiding And Abetting	0	1	0	0	0	1	.	2.2	.	.	.	2.2	.	2.2	.	.	.	2.2
1	License Law Violation (Not MV)	1	0	0	0	0	1	1.0	.	.	.	.	1.0	1.0	.	.	.	.	1.0
1	Alcohol, Procure for Minor	2	2	3	0	0	7	2.0	2.6	7.0	.	4.3	2.0	2.6	6.0	.	.	.	3.0
1	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Health Code Violation	1	0	0	0	0	1	3.0	.	.	.	.	3.0	3.0	.	.	.	.	3.0
1	False Use of Insignia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
1	Sub-Total	255	353	278	314	0	1200	1.1	1.1	1.4	1.3	.	1.2	0.3	0.3	0.3	0.4	.	0.3

Table 46 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	2	1	0	0	3	.	6.0	3.0	.	.	5.0	.	6.0	3.0	.	.	3.0
0	Attempt B&E	0	2	0	2	0	4	.	3.4	.	6.5	.	5.0	.	3.4	.	6.5	.	5.1
0	Conspiracy Violate CSA	11	5	2	5	0	23	7.4	3.5	7.5	8.4	.	6.8	6.0	2.0	7.5	6.0	.	6.0
0	Conspiracy	3	2	2	3	0	10	11.7	7.5	6.0	7.0	.	8.3	4.0	7.5	6.0	6.0	.	6.0
0	Attempt To Commit Crime	17	19	16	22	0	74	8.8	5.5	6.3	10.1	.	7.8	6.0	4.0	5.5	7.5	.	6.0
0	Accessory Before	2	1	0	0	0	3	3.1	24.0	.	.	.	10.1	3.1	24.0	.	.	.	6.0
0	Accessory After	0	3	4	2	0	9	.	16.0	21.0	21.0	.	19.3	.	12.0	21.0	21.0	.	18.0
0	Sub-Total	33	34	25	34	0	126	8.3	6.7	8.6	10.0	.	8.4	6.0	6.0	6.0	6.5	.	6.0

Table 47 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	1,450	1,097	835	692	4	4,078	417	488	443	457	2	1,807	29%	44%	53%	66%	50%	44%
Person	A&B Aggravated - Serious Injury	4	1	3	3	0	11	4	1	3	3	0	11	100%	100%	100%	100%		100%
Person	A&B Aggravated	22	21	17	11	0	71	13	9	12	9	0	43	59%	43%	71%	82%		61%
Person	A&B Ambulance	1	1	1	2	0	5	0	0	0	2	0	2	0%	0%	0%	100%		40%
Person	A&B Child w/Injury	20	9	3	4	0	36	10	3	3	3	0	19	50%	33%	100%	75%		53%
Person	A&B Child w/Injury Substantial	4	0	1	1	0	6	4	0	1	1	0	6	100%		100%	100%		100%
Person	A&B Dangerous Weapon	382	243	199	185	3	1,012	172	132	122	144	3	573	45%	54%	61%	78%	100%	57%
Person	A&B Dangerous Weapon + 60	6	0	2	2	0	10	4	0	1	2	0	7	67%		50%	100%		70%
Person	A&B Domestic	29	28	22	11	0	90	12	12	13	9	0	46	41%	43%	59%	82%		51%
Person	A&B DW, Aggravated	16	6	4	7	0	33	13	4	3	6	0	26	81%	67%	75%	86%		79%
Person	A&B DW, Aggravated w/Injury	12	10	4	2	0	28	10	9	4	2	0	25	83%	90%	100%	100%		89%
Person	A&B Elderly / Disabled Ser Injury	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
Person	A&B Elderly / Disabled w/Injury	34	21	13	21	0	89	10	8	8	15	0	41	29%	38%	62%	71%		46%
Person	A&B Guard	0	5	11	14	1	31	0	5	9	12	1	27		100%	82%	86%	100%	87%
Person	A&B To Collect Loan	1	1	2	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
Person	A&B w/i Intimidate	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Person	A&B w/I Intimidate	3	2	1	0	0	6	1	1	1	0	0	3	33%	50%	100%			50%
Person	Armed Aslt w/i Rob Over 65	0	0	0	0	1	1	0	0	0	0	1	1					100%	100%
Person	Armed Assault In Dwell House	2	1	3	2	0	8	2	1	3	2	0	8	100%	100%	100%	100%		100%
Person	Armed Assault w/i Murder - Firearm	3	6	5	2	0	16	3	6	5	2	0	16	100%	100%	100%	100%		100%
Person	Armed Assault w/i Murder	14	14	4	6	0	38	12	14	4	6	0	36	86%	100%	100%	100%		95%
Person	Armed Assault w/i Rob	13	6	10	9	0	38	6	6	9	8	0	29	46%	100%	90%	89%		76%
Person	Armed Robbery	63	39	50	67	0	219	44	33	50	64	0	191	70%	85%	100%	96%		87%
Person	Armed Robbery Gun	25	12	13	20	1	71	21	12	13	20	1	67	84%	100%	100%	100%	100%	94%
Person	Assault	64	61	36	42	0	203	22	21	10	28	0	81	34%	34%	28%	67%		40%
Person	Assault Aggravated	0	2	0	0	0	2	0	2	0	0	0	2		100%				100%
Person	Assault Dangerous Weapon	193	156	128	115	1	593	96	93	76	86	1	352	50%	60%	59%	75%	100%	59%
Person	Assault Dangerous Weapon + 60	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
Person	Assault In Dwelling	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Person	Assault To Kill or Maim	2	2	1	2	0	7	2	2	1	2	0	7	100%	100%	100%	100%		100%
Person	Assault w/i Rob	4	1	0	1	0	6	3	1	0	1	0	5	75%	100%		100%		83%

Table 47 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	4	1	1	2	0	8	100%	100%	100%	100%	100%	
Person	Carjacking, Armed	3	0	1	2	0	6	3	0	1	2	0	6	100%		100%	100%	100%	
Person	Confine And Put In Fear	2	2	0	3	0	7	1	2	0	3	0	6	50%	100%		100%		86%
Person	Extortion	1	2	1	0	0	4	0	1	1	0	0	2	0%	50%	100%			50%
Person	Harassment	17	15	17	9	0	58	3	6	7	8	0	24	18%	40%	41%	89%		41%
Person	Harassment, 2nd	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
Person	Home Invasion	2	1	1	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
Person	Intimidation	180	188	156	143	0	667	70	97	109	108	0	384	39%	52%	70%	76%		58%
Person	Kidnapping	6	10	4	4	0	24	5	6	3	4	0	18	83%	60%	75%	100%		75%
Person	Kidnapping Extortion	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
Person	Manslaughter	25	12	5	3	0	45	24	11	5	2	0	42	96%	92%	100%	67%		93%
Person	Mayhem	3	4	4	2	0	13	3	4	4	2	0	13	100%	100%	100%	100%		100%
Person	Murder	25	9	9	6	0	49	25	9	9	6	0	49	100%	100%	100%	100%		100%
Person	Murder, Attempted	4	0	1	0	0	5	3	0	1	0	0	4	75%		100%			80%
Person	Permit Injury to Child	2	0	0	1	0	3	1	0	0	1	0	2	50%			100%		67%
Person	Reckless Endangerment	29	14	7	4	0	54	9	5	4	2	0	20	31%	36%	57%	50%		37%
Person	Restraining Order Violation	275	292	266	220	0	1,053	94	123	141	129	0	487	34%	42%	53%	59%		46%
Person	Robbery Unarmed	30	14	18	35	0	97	15	9	14	31	0	69	50%	64%	78%	89%		71%
Person	Robbery Unarmed + 60	1	3	0	7	0	11	1	3	0	6	0	10	100%	100%		86%		91%
Person	Stalking	11	3	5	4	0	23	5	1	4	3	0	13	45%	33%	80%	75%		57%
Person	Stalking 2nd	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
Person	Stalking Violation of Rest. Order	1	0	1	5	0	7	1	0	1	5	0	7	100%		100%	100%		100%
Person	Threatening	101	91	75	80	0	347	31	31	38	47	0	147	31%	34%	51%	59%		42%
Person	Violation Of Civil Rights	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
Person	Violation Of Civil Rights, Felony	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Person	Sub-Total	3,096	2,409	1,945	1,753	11	9,214	1,181	1,173	1,142	1,247	9	4,752	38%	49%	59%	71%	82%	52%

Table 47 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	0	0	1	0	0	1	0	0	1	0	0	1	100%										
Sex	Assault w/I Rape 2nd	0	0	1	2	0	3	0	0	1	2	0	3	100% 100% 100%										
Sex	Assault w/i Rape Child	0	0	0	1	0	1	0	0	0	1	0	1	100%										
Sex	Child Pornography	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%	0%								
Sex	Child Pornography Possess	23	4	2	0	0	29	12	3	1	0	0	16	52%	75%	50%	55%							
Sex	Entice Child	12	1	1	0	0	14	6	0	1	0	0	7	50%	0%	100%	50%							
Sex	Incest	0	0	0	2	0	2	0	0	0	2	0	2	100%										
Sex	Indecent A&B	51	17	15	12	0	95	26	13	12	10	0	61	51%	76%	80%	83%	64%						
Sex	Indecent A&B Mentally Retarded	0	0	1	0	0	1	0	0	0	0	0	0	0%										
Sex	Indecent A&B On Child	67	14	5	7	0	93	44	11	4	7	0	66	66%	79%	80%	100%	71%						
Sex	Indecent A&B On Child 2nd	1	0	1	1	0	3	1	0	1	1	0	3	100%	100%									
Sex	Inducing Minor To Sex	5	2	0	0	0	7	0	0	0	0	0	0	0%	0%	0%								
Sex	Obscene Material to Minor	4	0	1	0	0	5	2	0	1	0	0	3	50%	100%									
Sex	Open And Gross	32	17	12	16	0	77	9	10	7	12	0	38	28%	59%	58%	75%	49%						
Sex	Rape	16	4	5	6	0	31	12	4	5	5	0	26	75%	100%	100%	83%	84%						
Sex	Rape 2nd	0	0	0	1	0	1	0	0	0	1	0	1	100%										
Sex	Rape Of Child	61	10	7	8	0	86	54	9	7	7	0	77	89%	90%	100%	88%	90%						
Sex	Rape of Child Aggravated	0	0	0	1	0	1	0	0	0	1	0	1	100%										
Sex	Rape Of Child w/Force	23	5	2	7	0	37	23	5	2	7	0	37	100%	100%	100%	100%	100%						
Sex	Rape, Aggravated	9	4	2	6	0	21	9	4	2	6	0	21	100%	100%	100%	100%	100%						
Sex	Unnatural Acts Child	0	0	1	0	0	1	0	0	0	0	0	0	0%										
Sex	Sub-Total	306	79	57	70	0	512	198	59	45	62	0	364	65%	75%	79%	89%	71%						
Weapons	Carrying Dangerous Weapon	62	47	52	34	1	196	26	21	26	14	1	88	42%	45%	50%	41%	100%	45%					
Weapons	Firearm Carry, School	2	0	0	1	0	3	0	0	0	1	0	1	0%										
Weapons	Firearm Discharge	3	1	1	1	0	6	0	1	1	1	0	3	0%	100%	100%	100%	50%						
Weapons	Firearm Loaded while OUI	2	0	0	0	0	2	1	0	0	0	0	1	50%										
Weapons	Firearm Possess w/o Permit	148	59	26	8	0	241	86	37	18	5	0	146	58%	63%	69%	63%	61%						
Weapons	Firearm Sale Violation	1	0	0	1	0	2	1	0	0	1	0	2	100%										
Weapons	Firearm Store Improper	13	1	2	0	0	16	2	0	1	0	0	3	15%	0%	50%	19%							
Weapons	Gun Serial Number	8	2	1	2	0	13	7	1	1	2	0	11	88%	50%	100%	100%	85%						
Weapons	Gun Serial Number, Felony	1	0	0	0	0	1	0	0	0	0	0	0	0%										
Weapons	Possess Ammunition	14	8	2	1	0	25	7	5	1	1	0	14	50%	63%	50%	100%	56%						
Weapons	Possess Explosive Device	1	0	0	0	0	1	1	0	0	0	0	1	100%										
Weapons	Possess Mace	6	3	1	2	0	12	1	1	1	2	0	5	17%	33%	100%	100%	42%						
Weapons	Possess Molotov Cocktail	3	0	0	0	0	3	3	0	0	0	0	3	100%										
Weapons	Possess Stun Gun	3	2	2	1	0	8	0	1	1	1	0	3	0%	50%	50%	100%	38%						
Weapons	Throw or Place Explosives	0	2	0	0	0	2	0	2	0	0	0	2	100%										
Weapons	Violation Of Explosives	1	0	0	0	0	1	0	0	0	0	0	0	0%										
Weapons	Sub-Total	268	125	87	51	1	532	135	69	50	28	1	283	50%	55%	57%	55%	100%	53%					

Table 47 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 Arson	2	2	4	1	0	9	2	2	4	0	0	8	100%	100%	100%	0%		89%
Property	Attempt B&E	0	3	0	2	0	5	0	2	0	2	0	4		67%		100%		80%
Property	Attempt Larceny	0	2	2	0	0	4	0	2	1	0	0	3		100%	50%			75%
Property	B&E	528	443	366	441	1	1,779	204	261	260	348	1	1,074	39%	59%	71%	79%	100%	60%
Property	B&E DT Armed w/i Felony	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Property	B&E MV	1	1	0	1	0	3	0	0	0	1	0	1	0%	0%		100%		33%
Property	B&E w/i Misdemeanor	42	21	19	12	0	94	6	9	5	10	0	30	14%	43%	26%	83%		32%
Property	Burglary	2	1	5	12	0	20	1	1	4	12	0	18	50%	100%	80%	100%		90%
Property	Burglary, Armed	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
Property	Burning Building	3	0	0	3	0	6	1	0	0	2	0	3	33%				67%	50%
Property	Burning Dwelling House	9	5	4	1	0	19	7	4	3	1	0	15	78%	80%	75%	100%		79%
Property	Burning Motor Vehicle	3	1	3	1	0	8	1	0	2	1	0	4	33%	0%	67%	100%		50%
Property	Burning Property	3	7	0	3	0	13	1	7	0	2	0	10	33%	100%		67%		77%
Property	Burning to Defraud	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Property	Common & Notorious Thief	1	1	1	5	0	8	0	1	1	5	0	7	0%	100%	100%	100%		88%
Property	Corporate books-falsify entry	4	0	0	0	0	4	2	0	0	0	0	2	50%					50%
Property	Counterfeit	7	4	2	2	0	15	0	1	2	2	0	5	0%	25%	100%	100%		33%
Property	Credit Card Misuse - More	4	7	4	8	0	23	3	7	3	7	0	20	75%	100%	75%	88%		87%
Property	Credit Card Misuse	30	22	16	16	0	84	6	9	11	8	0	34	20%	41%	69%	50%		40%
Property	Defrauding Innkeeper	1	2	3	2	0	8	0	1	1	0	0	2	0%	50%	33%	0%		25%
Property	Defrauding Insurer	13	4	0	9	0	26	1	0	0	4	0	5	8%	0%			44%	19%
Property	Defrauding Victualer	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Property	Embezzlement	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
Property	Enter Dwelling w/I Felony	1	0	1	6	0	8	0	0	1	6	0	7	0%		100%	100%		88%
Property	Failure To Return Leased Prop	4	11	8	3	0	26	1	3	2	2	0	8	25%	27%	25%	67%		31%
Property	False Alarm	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Property	False Use of Insignia	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Forgery And Uttering	99	102	85	88	0	374	37	47	41	47	0	172	37%	46%	48%	53%		46%
Property	Fraud - Electric, Phone or Cable	1	0	1	1	0	3	0	0	0	0	0	0	0%		0%	0%		0%
Property	Fraud - Identity	44	49	29	35	0	157	12	29	18	21	0	80	27%	59%	62%	60%		51%
Property	Fraud	29	23	8	22	0	82	9	8	6	12	0	35	31%	35%	75%	55%		43%

Table 47 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	53	40	34	33	0	160	14	17	11	15	0	57	26%	43%	32%	45%		36%
Property	Larceny + 60	0	2	0	0	0	2	0	1	0	0	0	1		50%				50%
Property	Larceny Building	54	37	36	46	0	173	18	17	19	34	0	88	33%	46%	53%	74%		51%
Property	Larceny Firearm	7	3	0	0	0	10	3	3	0	0	0	6	43%	100%				60%
Property	Larceny Less	208	145	105	114	1	573	44	44	41	59	0	188	21%	30%	39%	52%	0%	33%
Property	Larceny Less +60	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Property	Larceny More	598	523	427	539	0	2,087	174	212	196	327	0	909	29%	41%	46%	61%		44%
Property	Larceny More + 60	5	4	3	2	0	14	3	3	2	1	0	9	60%	75%	67%	50%		64%
Property	Larceny MV	33	26	20	39	1	119	13	22	16	33	1	85	39%	85%	80%	85%	100%	71%
Property	Larceny MV 2nd	0	0	1	4	0	5	0	0	1	4	0	5			100%	100%		100%
Property	Larceny Person	177	129	91	95	0	492	87	79	62	77	0	305	49%	61%	68%	81%		62%
Property	Larceny Person + 65	6	4	2	1	0	13	3	2	1	1	0	7	50%	50%	50%	100%		54%
Property	Mal Dest Property More	44	40	31	21	0	136	14	20	13	14	0	61	32%	50%	42%	67%		45%
Property	MV - False Report Of Theft	6	0	3	0	0	9	0	0	1	0	0	1	0%		33%			11%
Property	Possess Burglarious Tools	42	45	25	52	0	164	14	21	17	29	0	81	33%	47%	68%	56%		49%
Property	Property Destruction	156	102	83	87	0	428	36	38	39	48	0	161	23%	37%	47%	55%		38%
Property	Property Violation	13	5	7	6	0	31	6	0	5	2	0	13	46%	0%	71%	33%		42%
Property	Receiving Stolen Goods	164	149	104	99	0	516	52	73	49	55	0	229	32%	49%	47%	56%		44%
Property	Receiving Stolen Goods 2nd	0	0	1	2	0	3	0	0	0	2	0	2			0%	100%		67%
Property	Receiving Stolen Goods MV	72	45	45	74	0	236	23	19	28	52	0	122	32%	42%	62%	70%		52%
Property	Receiving Stolen Goods MV 2nd	0	1	2	6	0	9	0	1	2	6	0	9		100%	100%	100%		100%
Property	Receiving Stolen Goods Over	48	49	38	31	1	167	19	25	25	23	1	93	40%	51%	66%	74%	100%	56%
Property	Record w/o Manufacturer	0	2	0	1	0	3	0	0	0	0	0	0		0%		0%		0%
Property	Setting Fire In Open	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Setting Fire Land	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
Property	Shoplifting	729	521	403	465	1	2,119	44	71	97	165	0	377	6%	14%	24%	35%	0%	18%
Property	Tagging Property	12	5	3	1	0	21	2	2	1	0	0	5	17%	40%	33%	0%		24%
Property	Tax Law Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Property	Unauthorized Access of Computer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Use Motorboat w/o Authority	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Property	Vandalism	21	34	25	26	0	106	5	17	7	14	0	43	24%	50%	28%	54%		41%
Property	Vandalize - Graves	2	0	1	0	0	3	0	0	0	0	0	0	0%		0%			0%
Property	Welfare Violation	2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%
Property	Sub-Total	3,294	2,625	2,053	2,421	5	10,398	874	1,083	998	1,457	3	4,415	27%	41%	49%	60%	60%	42%

Table 47 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	26	13	6	10	0	55	13	7	4	7	0	31	50%	54%	67%	70%		56%
Drug	Control Substance School	57	36	30	24	0	147	57	36	30	24	0	147	100%	100%	100%	100%		100%
Drug	Distribute Class A	251	177	110	89	0	627	128	123	86	71	0	408	51%	69%	78%	80%		65%
Drug	Distribute Class A 2nd	0	2	1	5	0	8	0	2	1	5	0	8		100%	100%	100%		100%
Drug	Distribute Class B	645	370	214	205	2	1,436	244	195	128	144	0	711	38%	53%	60%	70%	0%	50%
Drug	Distribute Class B 2nd	0	6	12	11	0	29	0	6	12	11	0	29		100%	100%	100%		100%
Drug	Distribute Class B Minor	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Drug	Distribute Class C	9	12	13	9	0	43	1	2	7	6	0	16	11%	17%	54%	67%		37%
Drug	Distribute Class C 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Drug	Distribute Class D	333	136	61	33	0	563	81	58	27	19	0	185	24%	43%	44%	58%		33%
Drug	Distribute Class D 2nd	5	6	4	1	0	16	4	2	2	0	0	8	80%	33%	50%	0%		50%
Drug	Distribute Class E	5	6	7	8	0	26	1	2	2	4	0	9	20%	33%	29%	50%		35%
Drug	Distribute Class E 2nd	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
Drug	Distribute Cocaine	49	72	48	42	0	211	49	72	48	42	0	211	100%	100%	100%	100%		100%
Drug	Distribute Cocaine 2nd	1	3	11	9	0	24	1	3	11	9	0	24	100%	100%	100%	100%		100%
Drug	Distribute Counterfeit Substance	8	6	10	7	0	31	5	4	6	3	0	18	63%	67%	60%	43%		58%
Drug	Distribute Paraphenalia	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Drug	Forge Prescription	29	23	13	12	0	77	6	6	4	2	0	18	21%	26%	31%	17%		23%
Drug	Giving Prisoner Cont Sub	5	0	0	3	0	8	1	0	0	3	0	4	20%			100%		50%
Drug	Inhaling Toxic Vapors	7	0	0	1	0	8	1	0	0	1	0	2	14%			100%		25%
Drug	Larceny Cont Sub	3	4	0	0	0	7	2	3	0	0	0	5	67%	75%				71%
Drug	Possession Class A	174	162	98	83	0	517	56	65	44	44	0	209	32%	40%	45%	53%		40%
Drug	Possession Class A 2nd	3	5	4	7	0	19	0	2	2	3	0	7	0%	40%	50%	43%		37%
Drug	Possession Class A Heroin	77	50	39	24	0	190	31	28	19	11	0	89	40%	56%	49%	46%		47%
Drug	Possession Class A Heroin 2nd	8	8	8	5	0	29	2	5	5	4	0	16	25%	63%	63%	80%		55%
Drug	Possession Class B	362	287	192	198	0	1,039	99	132	91	101	0	423	27%	46%	47%	51%		41%
Drug	Possession Class B 2nd	3	22	19	12	0	56	2	6	8	6	0	22	67%	27%	42%	50%		39%
Drug	Possession Class C	30	26	20	17	0	93	7	12	10	8	0	37	23%	46%	50%	47%		40%
Drug	Possession Class C 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Drug	Possession Class D	184	72	22	16	1	295	26	25	6	3	1	61	14%	35%	27%	19%	100%	21%
Drug	Possession Class D 2nd	1	4	2	0	0	7	0	2	1	0	0	3	0%	50%	50%			43%
Drug	Possession Class D Marijuana	48	17	10	3	0	78	7	2	3	1	0	13	15%	12%	30%	33%		17%
Drug	Possession Class D Marijuana 2nd	3	2	1	1	0	7	0	1	0	0	0	1	0%	50%	0%	0%		14%
Drug	Possession Class E	24	25	26	14	0	89	7	12	11	9	0	39	29%	48%	42%	64%		44%
Drug	Possession Hypodermic/Syringe	2	2	1	1	0	6	0	1	1	1	0	3	0%	50%	100%	100%		50%
Drug	Presence Class A	12	12	10	6	0	40	4	6	6	3	0	19	33%	50%	60%	50%		48%
Drug	Traffic Cocaine 014-028	40	35	25	13	0	113	40	35	25	13	0	113	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 028-100	33	19	15	11	0	78	33	19	15	11	0	78	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 100-200	13	1	3	4	0	21	13	1	3	4	0	21	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 200+	7	4	3	1	0	15	7	4	3	1	0	15	100%	100%	100%	100%		100%
Drug	Traffic Heroin 014-028	12	5	8	1	0	26	12	5	8	1	0	26	100%	100%	100%	100%		100%
Drug	Traffic Heroin 028-100	3	3	2	2	0	10	3	3	2	2	0	10	100%	100%	100%	100%		100%
Drug	Traffic Heroin 100-200	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Drug	Traffic Heroin 200+	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Drug	Traffic Mar 100-2000	2	1	0	0	0	3	2	1	0	0	0	3	100%	100%				100%
Drug	Traffic Mar 50-100	4	2	0	0	0	6	4	2	0	0	0	6	100%	100%				100%
Drug	Sub-Total	2,483	1,638	1,049	890	3	6,063	954	892	632	578	1	3,057	38%	54%	60%	65%	33%	50%

Table 47 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	2	2	0	0	0	4	2	0	0	0	0	2	100%	0%				50%
Motor Vehicle	Attaching Wrong MV Plates	89	30	18	13	0	150	2	5	3	2	0	12	2%	17%	17%	15%		8%
Motor Vehicle	Compulsory Insurance Violation	259	132	93	74	1	559	29	34	23	33	0	119	11%	26%	25%	45%	0%	21%
Motor Vehicle	Counterfeit/Alter MV Document	25	8	10	11	0	54	6	3	4	7	0	20	24%	38%	40%	64%		37%
Motor Vehicle	False Statement On Application	10	5	1	1	0	17	5	4	0	1	0	10	50%	80%	0%	100%		59%
Motor Vehicle	Habitual Traffic Offender	26	35	31	25	0	117	6	13	14	9	0	42	23%	37%	45%	36%		36%
Motor Vehicle	Ignition Interlock Violation	1	1	2	0	0	4	1	0	2	0	0	3	100%	0%	100%			75%
Motor Vehicle	Leaving Scene Death	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Motor Vehicle	Leaving Scene Personal Injury	97	25	13	11	0	146	10	11	8	7	0	36	10%	44%	62%	64%		25%
Motor Vehicle	Leaving Scene Property Damage	350	189	99	70	0	708	53	65	32	29	0	179	15%	34%	32%	41%		25%
Motor Vehicle	MV - Impersonate/Other License	3	0	1	1	0	5	0	0	1	1	0	2	0%		100%	100%		40%
Motor Vehicle	MV - Sales Violation	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Motor Vehicle	MV Homicide - OUI	5	0	0	0	0	5	3	0	0	0	0	3	60%					60%
Motor Vehicle	MV Homicide - OUI Felony	11	0	1	1	0	13	11	0	1	1	0	13	100%		100%	100%		100%
Motor Vehicle	MV Homicide - Reckless	5	0	0	0	0	5	2	0	0	0	0	2	40%					40%
Motor Vehicle	MV Homicide	25	3	1	1	0	30	11	1	1	0	0	13	44%	33%	100%	0%		43%
Motor Vehicle	Obstruct Emergency Veh	3	2	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
Motor Vehicle	Operate After Suspension	1,516	1,066	714	474	3	3,773	145	160	118	90	0	513	10%	15%	17%	19%	0%	14%
Motor Vehicle	Operate After Suspension 2nd	143	295	233	223	1	895	60	168	135	149	0	512	42%	57%	58%	67%	0%	57%
Motor Vehicle	Operate to Endanger	947	286	132	81	0	1,446	103	78	49	34	0	264	11%	27%	37%	42%		18%
Motor Vehicle	OUI - Child Endangerment	28	3	0	3	0	34	4	1	0	2	0	7	14%	33%		67%		21%
Motor Vehicle	OUI Serious Inj, Fel	19	5	0	0	0	24	18	5	0	0	0	23	95%	100%				96%
Motor Vehicle	OUI Serious Inj, Misd	14	2	0	0	0	16	1	0	0	0	0	1	7%	0%				6%
Motor Vehicle	Possess Master Key MV	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Motor Vehicle	Racing	2	2	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
Motor Vehicle	RV On Public Way	7	2	3	2	0	14	0	0	1	0	0	1	0%	0%	33%	0%		7%
Motor Vehicle	Use w/o Authority 2nd	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Motor Vehicle	Use Without Authority	51	32	21	24	0	128	16	15	9	14	0	54	31%	47%	43%	58%		42%
Motor Vehicle	Sub-Total	3,640	2,126	1,375	1,015	5	8,161	490	563	401	379	0	1,833	13%	26%	29%	37%	0%	22%

Table 47 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	14	9	5	2	0	30	5	5	5	2	0	17	36%	56%	100%	100%		57%
Other	Accessory Before	5	2	1	0	0	8	4	1	1	0	0	6	80%	50%	100%			75%
Other	Aiding An Escape	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Aiding And Abetting	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Other	Alcohol, Procure for Minor	33	4	6	0	0	43	2	2	3	0	0	7	6%	50%	50%			16%
Other	Alcohol, Transporting	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
Other	Attempt To Commit Crime	35	36	26	38	0	135	18	21	16	28	0	83	51%	58%	62%	74%		61%
Other	Bomb Hoax	0	0	3	1	0	4	0	0	2	1	0	3			67%	100%		75%
Other	Bribery - Level 5	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Other	Bribery	6	0	1	1	0	8	3	0	1	0	0	4	50%		100%	0%		50%
Other	Business Practice	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Cigarette/Match Thrown Fr Veh	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
Other	Clean Water Act Violation	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
Other	Conceal or Harbor Fleeing Child	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
Other	Conspiracy	7	3	6	6	0	22	4	2	5	5	0	16	57%	67%	83%	83%		73%
Other	Contributing To Delinquency	9	4	1	1	0	15	1	1	0	0	0	2	11%	25%	0%	0%		13%
Other	CORI Law Violation	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
Other	Employment Practices	5	0	1	0	0	6	0	0	0	0	0	0	0%		0%			0%
Other	Escape	7	14	5	10	0	36	6	11	4	9	0	30	86%	79%	80%	90%		83%
Other	Escape DYS	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Other	Escape Work Release Program	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Other	Failure to Appear	5	7	6	3	0	21	4	2	4	1	0	11	80%	29%	67%	33%		52%
Other	Failure to Appear Felony	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Other	Failure To Disperse	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Other	Failure To Obey Police Officer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	False Alarm	4	2	1	1	0	8	2	1	0	1	0	4	50%	50%	0%	100%		50%
Other	Fireworks	10	4	2	0	0	16	0	0	0	0	0	0	0%	0%	0%			0%
Other	Gaming	2	1	1	0	0	4	0	1	0	0	0	1	0%	100%	0%			25%
Other	Gaming Enterprise	4	1	1	0	0	6	0	0	0	0	0	0	0%	0%	0%			0%
Other	Gaming Register Bets	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Gaming Use of Telephone	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
Other	Hazardous Materials	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Health Code Violation	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Other	Hoax Device	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
Other	Home Imp Contractor Violation	2	1	3	1	0	7	0	0	1	0	0	1	0%	0%	33%	0%		14%
Other	Illegal Lottery	1	1	1	0	0	3	0	1	0	0	0	1	0%	100%	0%			33%
Other	Impersonate/Disguise	4	4	1	3	0	12	2	2	1	3	0	8	50%	50%	100%	100%		67%
Other	Interfere Police or Firefighter	4	4	3	7	0	18	0	2	0	1	0	3	0%	50%	0%	14%		17%
Other	License Law Violation (Not MV)	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
Other	Nonsupport	4	0	2	0	0	6	1	0	1	0	0	2	25%		50%			33%
Other	Obstructing Justice	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Other	Perjury or Suborn	3	5	2	2	1	13	2	5	2	1	1	11	67%	100%	100%	50%	100%	85%
Other	Resisting Arrest	276	262	181	167	1	887	76	81	83	91	0	331	28%	31%	46%	54%	0%	37%
Other	Sex Offender Fail Register	19	34	69	153	3	278	7	11	34	75	2	129	37%	32%	49%	49%	67%	46%
Other	Sex Offender Fail Register 2nd	0	0	4	7	0	11	0	0	2	0	0	2			50%	0%		18%
Other	Trespassing	214	191	141	185	0	731	39	68	47	86	0	240	18%	36%	33%	46%		33%
Other	True Name Law	17	21	13	18	0	69	13	16	11	17	0	57	76%	76%	85%	94%		83%
Other	Unlicensed Massage / Bath	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Sub-Total	714	618	490	608	5	2,435	192	236	225	323	3	979	27%	38%	46%	53%	60%	40%

Table 47 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
Public Order	Accost / Annoy Person Opposite Sex	5	9	7	5	0	26	0	5	2	4	0	11	0%	56%	29%	80%		42%
Public Order	Annoying Phone Calls	17	19	6	11	0	53	2	5	1	6	0	14	12%	26%	17%	55%		26%
Public Order	Common Night Walker	12	22	18	5	0	57	4	10	9	2	0	25	33%	45%	50%	40%		44%
Public Order	Common Night Walker 3rd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Public Order	Cruelty To Animals	12	4	7	1	0	24	2	3	3	1	0	9	17%	75%	43%	100%		38%
Public Order	Derive Support From Prostitute	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
Public Order	Disinter Body	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Public Order	Disorderly Conduct	826	462	310	245	1	1,844	47	56	39	54	0	196	6%	12%	13%	22%	0%	11%
Public Order	Disrupt Court Proceedings	4	1	0	2	0	7	1	1	0	1	0	3	25%	100%		50%		43%
Public Order	Disturb Correctional Institution	1	2	0	2	0	5	0	0	0	1	0	1	0%	0%		50%		20%
Public Order	False Report Of Crime	23	10	2	7	0	42	2	3	1	3	0	9	9%	30%	50%	43%		21%
Public Order	Indecent Exposure	11	22	16	9	0	58	1	5	9	6	0	21	9%	23%	56%	67%		36%
Public Order	Induce Female To Prostitution	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Public Order	Keeping A House Of Ill Fame	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Public Order	Lewd And Lacivious	8	6	2	3	0	19	1	2	1	2	0	6	13%	33%	50%	67%		32%
Public Order	Photograph Nude Person	4	0	0	0	0	4	1	0	0	0	0	1	25%					25%
Public Order	Prostitution	79	116	58	43	1	297	22	45	22	16	0	105	28%	39%	38%	37%	0%	35%
Public Order	Smoking on MBTA	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Public Order	Unnatural Acts	1	2	0	2	0	5	0	2	0	0	0	2	0%	100%		0%		40%
Public Order	Sub-Total	1,007	677	426	337	2	2,449	83	138	87	98	0	406	8%	20%	20%	29%	0%	17%