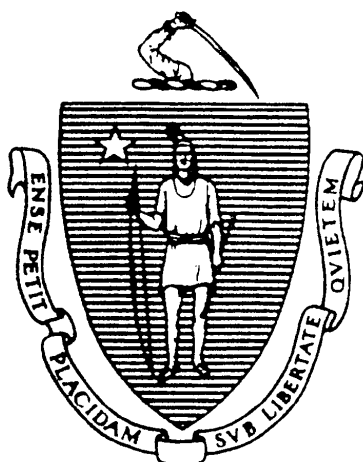


# **Massachusetts Sentencing Commission**

## **Survey of Sentencing Practices FY 2012**



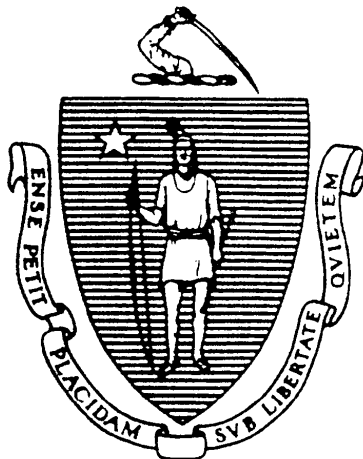
**June 2014**

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# **Massachusetts Sentencing Commission**

## **Survey of Sentencing Practices**



**FY 2012**

**June 2014**



## **Acknowledgments**

The Massachusetts Sentencing Commission would like to acknowledge the assistance of the many individuals and agencies who assisted in the preparation of this survey of sentencing practices. In particular, the commission is indebted to the staff of the Office of the Commissioner of Probation who maintain and update the Court Activity Record Information (CARI) database. Probation staff at many of the court sites provided assistance in completing this survey of sentencing practices by collecting additional defendant demographic information thereby substantially improving the quality of the data available for this report. The commission would also like to acknowledge the continued assistance of James F. Slater, III, Acting Commissioner of the Department of Criminal Justice Information Services and his staff. The commission made extensive use of the computing facilities of the Department of Criminal Justice Information Systems in the development of the survey methodology and in the data collection phase of the project.



## **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 2012. 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 40,990 convicted defendants in FY 2012:
- Of the 40,990 convictions in FY 2012:
  - 91.2% were in the district court and
  - 8.8% were in the superior court;
- Of the incarcerated defendants, 87.6% were sentenced to a house of correction and 12.4% were sentenced to the Department of Correction (DOC);
- Of the incarcerated superior court defendants, 31.5% were sentenced to a house of correction and 68.5% were sentenced to the DOC;
- For state prison sentences, the median minimum state prison sentence was 36.0 months and the median maximum state prison sentence was 48.0 months;
- For house of correction sentences, the median sentence length was 6.0 months;
- Of the incarcerated defendants, 36.8% also had a period of post release probation supervision imposed through a split or from & after probation sentence;
- Of the incarcerated superior court defendants, 54.9% also had a period of post release probation supervision.
- There were an estimated 592 convictions for mandatory drug offenses of which 33.1% were sentenced to a house of correction and 66.9% to the DOC.

- For those defendants convicted of offenses assigned to the sentencing guidelines grid:
  - The overall incarceration rate was 42.1%:
    - the district court incarceration rate was 38.2%;
    - the superior court incarceration rate was 81.4%;
  - With respect to the sentencing zones on the sentencing guidelines grid:
    - 6.2% of the defendants were classified in the incarceration zone;
    - 66.0% of the defendants were classified in the discretionary zone;
    - 27.1% 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 4,221 convictions for OUI offenses; and,
  - There were an estimated 341 convictions for mandatory firearms offenses.
- For all convicted defendants:
  - 16.9% of all convicted defendants were female;
  - 83.1% of all convicted defendants were male;
  - The mean age of convicted defendants at the time of disposition was 34.5 years, and ranged from 17 years to 89 years.
  - 65.5% of all convicted defendants were white;
  - 17.1% of all convicted defendants were black;
  - 14.4% of all convicted defendants were hispanic;
  - 1.6% of all convicted defendants were of other races; and,
  - the race was unknown for 1.5% of the defendants.
  - 25.8% of defendants convicted of mandatory drug offenses were white and 74.2% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (38.7% were black, 34.5% were hispanic, and 1.0% were other races).



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**MASSACHUSETTS SENTENCING COMMISSION  
SURVEY OF SENTENCING PRACTICES  
FY 2012**

**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”<sup>1</sup> whose purpose was “to recommend sentencing policies and practices for the commonwealth.”<sup>2</sup> Legislation pertaining to the commission was later codified in the Massachusetts General Laws as c. 211E.<sup>3</sup> The commission submitted its recommended sentencing guidelines in April 1996.<sup>4</sup> 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.<sup>5</sup> 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.<sup>6, 7</sup> 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.<sup>8</sup> Sentencing guidelines legislation was filed for consideration during

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<sup>1</sup> St. 1993, c. 432 §1(a).

<sup>2</sup> St. 1993, c. 432 § 2.

<sup>3</sup> St. 1996, c. 12.

<sup>4</sup> Massachusetts Sentencing Commission, *Report to the General Court*, April 10, 1996.

<sup>5</sup> Filed for the 1997-1998 legislative session as Senate No. 135 and House No. 2634.

<sup>6</sup> Filed for the 1999-2000 legislative session as Senate No. 198 and House No. 1521.

<sup>7</sup> Filed for the 2001-2002 legislative session as Senate No. 1004 and House No. 3497.

<sup>8</sup> 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.<sup>9</sup> 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.<sup>10</sup> Sentencing guidelines legislation was filed for the 2007-2008 legislative session and hearings were held November 13, 2007.<sup>11</sup> Sentencing guidelines legislation was filed for the 2009-2010 legislative session and those bills were referred for further study.<sup>12</sup> Sentencing guidelines legislation was filed for the 2011-2012 and the 2013-2014 legislative sessions and those bills were referred to the Committee on the Judiciary.<sup>13</sup>

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

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<sup>9</sup> Filed for the 2003-2004 legislative session as Senate No. 219 and House Nos. 2749, 2750, and 3302.

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

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

<sup>12</sup> 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).

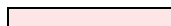
<sup>13</sup> Filed for the 2011-2012 legislative session as Senate No. 743 and House No. 1340. Filed for the 2013-2014 legislative session as House No. 1466.

<sup>14</sup> Massachusetts Sentencing Commission, *op. cit.*

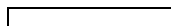
**Figure 1. Sentencing Guidelines Grid**

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.<sup>15</sup>

The commission included a survey of sentencing practices when completing its 1996 recommendations.<sup>16</sup> 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 2012.

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.<sup>17</sup>

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

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<sup>15</sup> G.L. c. 211E § 3(c).

<sup>16</sup> Massachusetts Sentencing Commission, *op. cit.*

<sup>17</sup> G.L. c. 211E § 3(f).



the impact of truth-in-sentencing reform.<sup>18</sup> In FY 2002, the commission completed a comprehensive recidivism study as directed by the legislature in House 4100.<sup>19</sup>

## **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.<sup>20</sup> 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.<sup>21</sup>

## **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.<sup>22</sup>

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

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

<sup>19</sup> Massachusetts Sentencing Commission, *Comprehensive Recidivism Study*, June 2002.

<sup>20</sup> Massachusetts Sentencing Commission, *Sentencing Guide*, February 1998.

<sup>21</sup> Massachusetts Sentencing Commission, *Felony and Misdemeanor Master Crime List*, February 2009.

<sup>22</sup> 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 2012 (FY 2012) covers the period July 1, 2011 through June 30, 2012. During this period there were an estimated 40,990 convictions in the courts of the Commonwealth. As indicated in Table 1, there were 37,380 convictions in the district court, representing 91.2% of all convictions, and 3,610 convictions in the superior court, representing 8.8% of all convictions.

**Table 1. Month of Conviction by Court Department**

<b>Month of Conviction</b>	<b>District Court</b>	<b>Superior Court</b>	<b>All Courts</b>
July 2011	2,912	176	3,088
August 2011	3,200	216	3,416
September 2011	3,218	280	3,498
October 2011	3,135	271	3,406
November 2011	3,030	273	3,303
December 2011	2,818	305	3,123
January 2012	3,342	344	3,686
February 2012	3,087	342	3,429
March 2012	3,233	389	3,622
April 2012	3,038	297	3,335
May 2012	3,256	365	3,621
June 2012	3,111	352	3,463
Total	37,380	3,610	40,990

**Sentencing Practices: County**

There are fourteen counties in Massachusetts. As indicated in Table 2, the number of convictions ranged from 41 in Nantucket County to 7,567 in Worcester County. Eight of the fourteen counties (Worcester, Suffolk, Middlesex, Essex, Hampden, Bristol, Plymouth and Norfolk) accounted for 89.0% of all convictions in Massachusetts.

**Table 2. County of Conviction by Court Department**

County of Conviction	District Court	Superior Court	All Courts
Barnstable	1,648	103	1,751
Berkshire	929	126	1,055
Bristol	3,790	360	4,150
Dukes	153	0	153
Essex	4,422	396	4,818
Franklin	603	67	670
Hampden	3,957	497	4,454
Hampshire	795	64	859
Middlesex	4,413	521	4,934
Nantucket	41	0	41
Norfolk	2,234	271	2,505
Plymouth	2,801	219	3,020
Suffolk	4,351	662	5,013
Worcester	7,243	324	7,567
Total	37,380	3,610	40,990

**Sentencing Practices: Truth-in-Sentencing Reform**

Sentencing reform legislation, commonly known as truth-in-sentencing legislation, became effective on July 1, 1994. During FY 2012, an estimated 0.1% of all cases were sentenced under pre-truth-in-sentencing provisions (old law) and 99.9% 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	51	0.1%	8	0.2%	59	0.1%
New Law	37,329	99.9%	3,602	99.8%	40,931	99.9%
Total	37,380	100.0%	3,610	100.0%	40,990	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 209 and the mean number of charges resulting in conviction was 2.1. Overall, 23,385, or 57.1% of the defendants were convicted of a single charge and 17,605 or 42.9% were convicted of two or more charges. The proportion of defendants convicted of multiple charges was higher in the superior court than in the district court:

- 15,055 or 40.3% of the district court defendants were convicted of two or more charges and the mean number of charges for all district court defendants was 2.0; and,
- 2,550 or 70.6% of the superior court defendants were convicted of two or more charges and the mean number of charges for all superior court defendants was 3.5.

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

Number of Charges	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
One	22,325	59.7%	1,060	29.4%	23,385	57.1%
Two	7,808	20.9%	899	24.9%	8,707	21.2%
Three	3,296	8.8%	515	14.3%	3,811	9.3%
Four	1,608	4.3%	336	9.3%	1,944	4.7%
Five to Nine	1,943	5.2%	615	17.0%	2,558	6.2%
Ten or More	400	1.1%	185	5.1%	585	1.4%
Total	37,380	100.0%	3,610	100.0%	40,990	100.0%
Highest	209		103		209	
Mean	2.0		3.5		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 62 defendants received a sentence to life. Of the 62 convicted defendants who received a life sentence, 54 were convicted of murder and eight were convicted of other offenses (two each for rape aggravated, rape of child, and forcible rape of child) and one each for rape of child aggravated and armed robbery with gun. Of the 54 defendants convicted of murder, 36 were convicted of first-degree murder and 18 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		62	62
State Prison		1,984	1,984
Other DOC		6	6
House of Correction	9,868	591	10,459
House of Correction / Split	3,662	352	4,014
Probation	16,478	602	17,080
Fine	5,561	4	5,565
Other	1,811	9	1,820
Total	37,380	3,610	40,990

## 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.<sup>23</sup> 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, 34.8% of all defendants were convicted of felonies and 65.2% of all defendants were convicted of misdemeanors. As expected, the penalty structure associated with the governing offense differed by court department:

- of those defendants convicted in the district court, 29.3% were convicted of felonies and 70.7% were convicted of misdemeanors;
- of those defendants convicted in the superior court, 91.7% were convicted of felonies and 8.3% were convicted of misdemeanors; and,
- of those defendants convicted in the superior court, 58.9% 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%	1,063	29.4%	1,063	2.6%
Felony / House Alternative / No District Court Jurisdiction	0	0.0%	419	11.6%	419	1.0%
Felony / House Alternative / District Court Jurisdiction	10,951	29.3%	1,830	50.7%	12,781	31.2%
Sub-Total Felonies	10,951	29.3%	3,312	91.7%	14,263	34.8%
Misdemeanor	26,429	70.7%	298	8.3%	26,727	65.2%
Total	37,380	100.0%	3,610	100.0%	40,990	100.0%

<sup>23</sup> 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, 53.4% were convicted of felonies and 46.6% were convicted of misdemeanors;
- Of defendants convicted in the district court and sentenced to incarceration, 44.3% were convicted of felonies and 55.7% were convicted of misdemeanors;
- Of defendants convicted in the superior court and sentenced to incarceration, 94.4% were convicted of felonies and 5.6% were convicted of misdemeanors.
- Of all defendants sentenced to incarceration, 14,473 (87.6%) were sentenced to houses of correction and 2,052 (12.4%) were sentenced to the DOC;
- Of those defendants convicted in the district court, all were sentenced to houses of correction; and,
- Of those defendants convicted in the superior court, 2,052 (68.5%) were sentenced to the DOC and 943 (31.5%) 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	%
<b>Felonies</b>						
Felony / No House Alternative	0	0.0%	970	32.4%	970	5.9%
Felony / House Alternative / No District Court Jurisdiction						
Sentenced to DOC	0	0.0%	269	9.0%	269	1.6%
Sentenced to House of Correction	0	0.0%	126	4.2%	126	0.8%
Felony / House Alternative / District Court Jurisdiction						
Sentenced to DOC	0	0.0%	813	27.1%	813	4.9%
Sentenced to House of Correction	6,000	44.3%	650	21.7%	6,650	40.2%
Sub-Total Felonies	6,000	44.3%	2,828	94.4%	8,828	53.4%
<b>Misdemeanor / House</b>	7,530	55.7%	167	5.6%	7,697	46.6%
Total	13,530	100.0%	2,995	100.0%	16,525	100.0%
All Sentences to DOC	0	0.0%	2,052	68.5%	2,052	12.4%
All Sentences to Houses of Correction	13,530	100.0%	943	31.5%	14,473	87.6%
Total	13,530	100.0%	2,995	100.0%	16,525	100.0%

## **Sentencing Practices: State Prison Sentences**

In this section some of the characteristics of state prison sentences are discussed. Life sentences and other DOC sentences are not included in this analysis, even though the defendants were sentenced to the jurisdiction of the DOC. Both male and female defendants are included in this analysis. The analysis includes offenders sentenced for mandatory firearms and OUI offenses.

*Minimum and Maximum Sentence Length.* State prison sentences have both a minimum (not less than) and a maximum (not more than) term. For example, a defendant may be sentenced to a term of 72 to 108 months (6 to 9 years) in the state prison. Parole eligibility is set at the minimum sentence and minimum sentences to the state prison are generally 1 year or more.

Table 8 shows the minimum and maximum sentence length for state prison sentences. The mean minimum sentence imposed was 52.3 months and ranged from 12.0 months to 360.0 months (or 30 years). The median minimum state prison sentence was 36.0 months. The mean maximum sentence imposed was 63.6 months and ranged from 12.0 months to 540.0 months (or 45 years). The median maximum state prison sentence was 48.0 months.



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

Sentence Length	Minimum		Maximum	
	N	%	N	%
Under 24 Months	120	6.0%	59	3.0%
24 to 35 Months	387	19.5%	207	10.4%
36 to 47 Months	591	29.8%	505	25.5%
48 to 59 Months	236	11.9%	257	13.0%
60 to 71 Months	269	13.6%	381	19.2%
72 to 83 Months	71	3.6%	112	5.6%
84 to 95 Months	74	3.7%	126	6.4%
96 to 107 Months	60	3.0%	73	3.7%
108 to 119 Months	34	1.7%	27	1.4%
120 to 179 Months	97	4.9%	168	8.5%
180 to 239 Months	32	1.6%	42	2.1%
240 Months or More	13	0.7%	27	1.4%
Total	1,984	100.0%	1,984	100.0%
Lowest	12.0 Months		12.0 Months	
Highest	360.0 Months		540.0 Months	
Mean	52.3 Months		63.6 Months	
Median	36.0 Months		48.0 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 29 state prison sentences for non-drug mandatories that were assigned to the grid (e.g. Rape of Child Aggravated, Vehicular Homicide, Receiving Stolen Motor Vehicle, 2nd, Derive Support from Prostitute, Stalking in Violation of Restraining Order, and OUI Resulting in Serious Injury). 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 45.1% of the state prison sentences imposed, the minimum sentence was at least 90% of the maximum sentence, including 60.6% of those sentenced for mandatory drug offenses and 53.8% of those sentenced for mandatory non-grid offenses. It was estimated that 75.6% 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 42.9% of all state prison sentences, the difference between the minimum and maximum sentences was one day, including 59.3% of those sentenced for mandatory drug offenses, 53.3% of those sentences for mandatory non-grid offenses, and 36.6% of those sentenced for other grid offenses. Overall, 42.9% of all state prison sentences had a difference of one day between the minimum and maximum, sentences which preclude parole consideration. Based on sentence structure, 57.1% of defendants sentenced to state prison could be considered for parole release and supervision at the end of that sentence and 42.9% would not be eligible for parole consideration. The largest difference between a minimum and maximum state prison sentence was 180 months during FY 2012.

**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%	1	0.1%	0	0.0%	1	0.1%
30% to 39%	2	0.5%	12	0.9%	0	0.0%	14	0.7%
40% to 49%	1	0.3%	9	0.7%	0	0.0%	10	0.5%
50% to 59%	5	1.3%	72	5.2%	4	1.9%	81	4.1%
60% to 69%	45	11.4%	286	20.8%	28	13.2%	359	18.1%
70% to 79%	54	13.6%	209	15.2%	28	13.2%	291	14.7%
80% to 89%	49	12.4%	247	18.0%	38	17.9%	334	16.8%
90% and Over	240	60.6%	540	39.2%	114	53.8%	894	45.1%
Total	396	100.0%	1,376	100.0%	212	100.0%	1,984	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	235	59.3%	503	36.6%	113	53.3%	851	42.9%
2 Days to 5 Months	0	0.0%	5	0.4%	0	0.0%	5	0.3%
6 to 11 Months	14	3.5%	79	5.7%	27	12.7%	120	6.0%
12 to 23 Months	70	17.7%	376	27.3%	36	17.0%	482	24.3%
24 to 35 Months	64	16.2%	295	21.4%	31	14.6%	390	19.7%
36 to 47 Months	12	3.0%	71	5.2%	2	0.9%	85	4.3%
48 to 59 Months	0	0.0%	19	1.4%	1	0.5%	20	1.0%
60 to 119 Months	1	0.3%	25	1.8%	2	0.9%	28	1.4%
120 Months or More	0	0.0%	3	0.2%	0	0.0%	3	0.2%
Total	396	100.0%	1,376	100.0%	212	100.0%	1,984	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 313 defendants with missing sentence information were excluded from the analysis.

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

House of correction sentences ranged from 1 day to 30 months. The mean house of correction sentence was 7.0 months and the median house of correction sentence was 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 6.3 months while the mean house of correction sentence imposed in the superior court was 16.9 months. The median house of correction sentence imposed in the district court was 4.0 months while the median house of correction sentence imposed in the superior court was 18.0 months. It is estimated that 10,698 or 75.6% 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	1,607	12.2%	7	0.7%	1,614	11.4%
1 Month	1,822	13.8%	26	2.8%	1,848	13.1%
2 Months	1,521	11.5%	18	1.9%	1,539	10.9%
3 to 5 Months	1,994	15.1%	48	5.1%	2,042	14.4%
6 to 8 Months	2,692	20.4%	100	10.6%	2,792	19.7%
9 to 11 Months	648	4.9%	45	4.8%	693	4.9%
12 to 14 Months	1,565	11.8%	180	19.1%	1,745	12.3%
15 to 17 Months	112	0.8%	15	1.6%	127	0.9%
18 to 20 Months	616	4.7%	153	16.2%	769	5.4%
21 to 23 Months	10	0.1%	2	0.2%	12	0.1%
24 to 26 Months	450	3.4%	182	19.3%	632	4.5%
27 to 29 Months	1	0.0%	1	0.1%	2	0.0%
30 Months	180	1.4%	165	17.5%	345	2.4%
Total	13,218	100.0%	942	100.0%	14,160	100.0%
Lowest	1 Day		1 Day		1 Day	
Highest	30.0 Months		30.0 Months		30.0 Months	
Mean	6.3 Months		16.9 Months		7.0 Months	
Median	4.0 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 2012 an estimated 1,911 mandatory sentences were imposed representing 4.7% of all sentences. This includes 990 (or 2.6%) of sentences imposed in the district court and 921 (or 25.5%) of sentences imposed in the superior court. 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 2012 an estimated 1,219 mandatory sentences were imposed to houses of correction, representing 8.4% of all sentences to houses of correction and 692 mandatory sentences were imposed to the DOC, representing 33.7% 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%	57	6.2%	60	3.1%
Sex	0	0.0%	13	1.4%	13	0.7%
Property	3	0.3%	6	0.7%	9	0.5%
Drug	81	8.2%	511	55.5%	592	31.0%
Motor Vehicle	825	83.3%	69	7.5%	894	46.8%
Weapons	78	7.9%	263	28.6%	341	17.8%
Public Order	0	0.0%	2	0.2%	2	0.1%
Other	0	0.0%	0	0.0%	0	0.0%
Total	990	100.0%	921	100.0%	1,911	100.0%

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

<b>Jurisdiction and Mandatory Status</b>	<b>District Court</b>		<b>Superior Court</b>		<b>Total</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>Houses of Correction</b>						
Non-Mandatory	12,540	92.7%	714	75.7%	13,254	91.6%
Mandatory	990	7.3%	229	24.3%	1,219	8.4%
Sub-Total	13,530	100.0%	943	100.0%	14,473	100.0%
<b>Department of Correction</b>						
Non-Mandatory	0	N.A.	1,360	66.3%	1,360	66.3%
Mandatory	0	N.A.	692	33.7%	692	33.7%
Sub-Total	0	N.A.	2,052	100.0%	2,052	100.0%
<b>All Sentences to Incarceration</b>						
Non-Mandatory	12,540	92.7%	2,074	69.2%	14,614	88.4%
Mandatory	990	7.3%	921	30.8%	1,911	11.6%
Total	13,530	100.0%	2,995	100.0%	16,525	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, 42.9% of state prison sentences had a difference of one day between minimum and maximum sentence. Therefore, an estimated 57.1% of defendants sentenced to state prison could be considered for parole release and supervision at the end of that sentence. Under proposed sentencing guidelines, all defendants sentenced to the state prison pursuant to the guidelines would be eligible for parole consideration.

For those defendants sentenced to a house of correction, parole eligibility is established at one-half of the sentence length. In general, those defendants with a sentence of 60 days or more are eligible for consideration for parole release. An estimated 75.6% 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 36.8% of the incarceration sentences also involved a period of post-release probation supervision through the use of a split sentence or from & after probation sentence. The proportion of incarceration sentences involving a period of post-release probation supervision was higher in the superior court than in the district court:

- an estimated 4,428 or 32.7% of the incarceration sentences imposed in the district court involved some period of post-release probation supervision; and,
- an estimated 1,645 or 54.9% of the incarceration sentences imposed in the superior court involved some period of post-release probation supervision, including:
  - 72.7% of those sentenced to houses of correction from the superior court; and,
  - 46.7% of those sentenced to the DOC.

Of those defendants convicted of two or more charges and sentenced to incarceration, 4,638 or 46.7% had a sentence that included from & after probation, including 3,123 or 40.6% of the district court defendants with two or more convictions and 1,515 or 67.9% 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	%
<b>Type of Sentence</b>						
Life						
With From & After Probation			3	0.1%	3	0.0%
Without From & After Probation			59	2.0%	59	0.4%
Sub-Total			62	2.1%	62	0.4%
State Prison						
With From & After Probation			952	31.8%	952	5.8%
Without From & After Probation			1,032	34.5%	1,032	6.2%
Sub-Total			1,984	66.2%	1,984	12.0%
Other DOC						
Split or From & After Probation			4	0.1%	4	0.0%
Without Split or From & After Probation			2	0.1%	2	0.0%
Sub-Total			6	0.2%	6	0.0%
House of Correction						
With From & After Probation	766	5.7%	334	11.2%	1,100	6.7%
Without From & After Probation	9,102	67.3%	257	8.6%	9,359	56.6%
Sub-Total	9,868	72.9%	591	19.7%	10,459	63.3%
House of Correction / Split	3,662	27.1%	352	11.8%	4,014	24.3%
Total All Sentences	13,530	100.0%	2,995	100.0%	16,525	100.0%
<b>Jurisdiction</b>						
<b>House of Correction</b>						
Split or From & After Probation	4,428	32.7%	686	72.7%	5,114	35.3%
Without Split or From & After Probation	9,102	67.3%	257	27.3%	9,359	64.7%
Sub-Total	13,530	100.0%	943	100.0%	14,473	100.0%
<b>Department of Correction</b>						
Split or From & After Probation			959	46.7%	959	46.7%
Without Split or From & After Probation			1,093	53.3%	1,093	53.3%
Sub-Total			2,052	100.0%	2,052	100.0%
<b>All Jurisdictions</b>						
Split or From & After Probation	4,428	32.7%	1,645	54.9%	6,073	36.8%
Without Split or From & After Probation	9,102	67.3%	1,350	45.1%	10,452	63.2%
Total	13,530	100.0%	2,995	100.0%	16,525	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 17,080 or 73.8% of the probation sentences began as a non-incarcerative sentence and 6,073 or 26.2% will begin after a period of incarceration. The type of probation sentence varied by court department. Among district court defendants, most probation sentences were imposed as non-incarcerative sentences and among superior court defendants most probation sentences were imposed as a post-incarcerative portion of the sentence:

- in the district court, 78.8% of the probation sentences began as a non-incarcerative sentence and 21.2% will begin after a period of incarceration; and,
- in the superior court, 26.8% of the probation sentences began as a non-incarcerative sentence and 73.2% will begin after a period of incarceration.

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 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	16,478	78.8%	602	26.8%	17,080	73.8%
Split or From & After Probation	4,428	21.2%	1,645	73.2%	6,073	26.2%
Total	20,906	100.0%	2,247	100.0%	23,153	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 232 or 66.3% of the incarcerated defendants convicted of a sex offense had a sentence which included a period of post-release probation supervision. In contrast 832 or 30.2% of incarcerated drug defendants had a sentence which included a period of post-release probation supervision.

**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	%
<b>All Courts</b>						
Person	2,504	55.1%	2,044	44.9%	4,548	100.0%
Sex	118	33.7%	232	66.3%	350	100.0%
Property	3,032	66.0%	1,561	34.0%	4,593	100.0%
Drug Offenses	1,920	69.8%	832	30.2%	2,752	100.0%
Motor Vehicle	1,639	66.2%	836	33.8%	2,475	100.0%
Weapons	254	43.4%	331	56.6%	585	100.0%
Public Order	237	83.5%	47	16.5%	284	100.0%
Other	748	79.7%	190	20.3%	938	100.0%
<b>Total</b>	<b>10,452</b>	<b>63.2%</b>	<b>6,073</b>	<b>36.8%</b>	<b>16,525</b>	<b>100.0%</b>
<b>District Court</b>						
Person	2,087	59.3%	1,432	40.7%	3,519	100.0%
Sex	45	39.1%	70	60.9%	115	100.0%
Property	2,895	68.8%	1313	31.2%	4,208	100.0%
Drug Offenses	1,351	72.3%	517	27.7%	1,868	100.0%
Motor Vehicle	1,620	67.6%	778	32.4%	2,398	100.0%
Weapons	158	58.5%	112	41.5%	270	100.0%
Public Order	233	83.8%	45	16.2%	278	100.0%
Other	713	81.6%	161	18.4%	874	100.0%
<b>Sub-Total</b>	<b>9,102</b>	<b>67.3%</b>	<b>4,428</b>	<b>32.7%</b>	<b>13,530</b>	<b>100.0%</b>
<b>Superior Court</b>						
Person	417	40.5%	612	59.5%	1,029	100.0%
Sex	73	31.1%	162	68.9%	235	100.0%
Property	137	35.6%	248	64.4%	385	100.0%
Drug Offenses	569	64.4%	315	35.6%	884	100.0%
Motor Vehicle	19	24.7%	58	75.3%	77	100.0%
Weapons	96	30.5%	219	69.5%	315	100.0%
Public Order	4	66.7%	2	33.3%	6	100.0%
Other	35	54.7%	29	45.3%	64	100.0%
<b>Sub-Total</b>	<b>1,350</b>	<b>45.1%</b>	<b>1,645</b>	<b>54.9%</b>	<b>2,995</b>	<b>100.0%</b>

## 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 11,038 or 29.5% of all district court convictions, followed by property offenses (9,841 or 26.3% of all district court convictions), and person offenses (7,272 or 19.5% of all district court convictions). In the superior court the most frequently occurring offenses were person offenses which accounted for 1,208 or 33.5% of all superior court convictions followed by drug offenses which accounted for 1,084 or 30.0% 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, 492 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 513 defendants were classified as sex offenders on the basis of this expanded classification.

**Table 17. Type of Offense by Court Department**

Type of Offense	District Court		Superior Court		Total	
	N	%	N	%	N	%
Person	7,272	19.5%	1,208	33.5%	8,480	20.7%
Sex	219	0.6%	273	7.6%	492	1.2%
Property	9,841	26.3%	504	14.0%	10,345	25.2%
Drug	4,250	11.4%	1,084	30.0%	5,334	13.0%
Motor Vehicle	11,038	29.5%	85	2.4%	11,123	27.1%
Weapons	508	1.4%	335	9.3%	843	2.1%
Public Order	1,921	5.1%	9	0.2%	1,930	4.7%
Other	2,331	6.2%	112	3.1%	2,443	6.0%
Total	37,380	100.0%	3,610	100.0%	40,990	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
<b>All Courts</b>			
Person	8,480	1,121	9,601
Sex	492	21	513
Property	10,345	1,830	12,175
Drug	5,334	913	6,247
Motor Vehicle	11,123	1,552	12,675
Weapons	843	523	1,366
Public Order	1,930	1,720	3,650
Other	2,443	2,871	5,314
<b>District Court</b>			
Person	7,272	890	8,162
Sex	219	13	232
Property	9,841	1,606	11,447
Drug	4,250	789	5,039
Motor Vehicle	11,038	1,467	12,505
Weapons	508	270	778
Public Order	1,921	1,665	3,586
Other	2,331	2,454	4,785
<b>Superior Court</b>			
Person	1,208	231	1,439
Sex	273	8	281
Property	504	224	728
Drug	1,084	124	1,208
Motor Vehicle	85	85	170
Weapons	335	253	588
Public Order	9	55	64
Other	112	417	529

*Type of Offense: Sex Offenses.* There were an estimated 492 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 (219 in the district court and 273 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:
  - 60.2% were convicted of an offense involving a child victim;
  - 26.4% were convicted of an offense involving an adult victim; and,
  - 13.4% were convicted of some other sex offense.
- of the 273 sex offenders convicted in the superior court:
  - 71.1% were convicted of an offense involving a child victim;
  - 27.1% were convicted of an offense involving an adult victim; and,
  - 1.8% 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	%
<b>Offense with Adult Victim</b>						
Rape, Aggravated	0	0.0%	20	7.3%	20	4.1%
Rape	0	0.0%	20	7.3%	20	4.1%
Assault w/i Rape	0	0.0%	7	2.6%	7	1.4%
A&B Indecent	56	25.6%	23	8.4%	79	16.1%
A&B Indecent +60	0	0.0%	1	0.4%	1	0.2%
Incest	0	0.0%	3	1.1%	3	0.6%
Sub-Total	56	25.6%	74	27.1%	130	26.4%
<b>Offense with Child Victim</b>						
Rape of Child, Forcible	0	0.0%	27	9.9%	27	5.5%
Rape of Child	0	0.0%	75	27.5%	75	15.2%
Rape of Child, 2nd	0	0.0%	1	0.4%	1	0.2%
Rape of Child, Aggravated	0	0.0%	13	4.8%	13	2.6%
Assault w/I Rape, Child	0	0.0%	2	0.7%	2	0.4%
A&B Indecent Child	61	27.9%	31	11.4%	92	18.7%
Acts Unnatural, Child	1	0.5%	1	0.4%	2	0.4%
Enticing Child	6	2.7%	3	1.1%	9	1.8%
Inducing Minor Sex	6	2.7%	1	0.4%	7	1.4%
Child Pornography	0	0.0%	6	2.2%	6	1.2%
Child Pornography, Possess	27	12.3%	31	11.4%	58	11.8%
Child Pornography, Possess, 2nd	0	0.0%	2	0.7%	2	0.4%
Obscene Material to a Minor	1	0.5%	1	0.4%	2	0.4%
Sub-Total	102	46.6%	194	71.1%	296	60.2%
<b>Other Sex Offense</b>						
Open and Gross	61	27.9%	5	1.8%	66	13.4%
Sub-Total	61	27.9%	5	1.8%	66	13.4%
Total	219	100.0%	273	100.0%	492	100.0%



*Type of Offense: Drug Offenses.* There were an estimated 5,334 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).<sup>24, 25</sup> 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, 1,944 or 45.7% of the drug offenses were classified as distribution offenses, 2,179 or 51.3% were classified as possession offenses, and 127 or 3.0% were not assigned to either category;
- in the superior court, 999 or 92.2% of the drug offenses were classified as distribution offenses, 32 or 3.0% were classified as possession offenses, and 53 or 4.9% were not assigned to either category;
- in the district court, the most frequently occurring drug offense involved possession of a Class B substance which accounted for 1,046 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 698 or 64.4% of all drug offenses in the superior court.

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<sup>24</sup> 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.

<sup>25</sup> 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	%
<b>Distribution Offenses</b>						
Class A	461	10.8%	253	23.3%	714	13.4%
Class B	924	21.7%	698	64.4%	1,622	30.4%
Class C	40	0.9%	2	0.2%	42	0.8%
Class D	462	10.9%	41	3.8%	503	9.4%
Class E	44	1.0%	4	0.4%	48	0.9%
Other Distribution Offenses	13	0.3%	1	0.1%	14	0.3%
Sub-Total	1,944	45.7%	999	92.2%	2,943	55.2%
<b>Possession Offenses</b>						
Class A	754	17.7%	5	0.5%	759	14.2%
Class B	1,046	24.6%	24	2.2%	1,070	20.1%
Class C	103	2.4%	1	0.1%	104	1.9%
Class D	166	3.9%	2	0.2%	168	3.1%
Class E	110	2.6%	0	0.0%	110	2.1%
Sub-Total	2,179	51.3%	32	3.0%	2,211	41.5%
<b>Other Drug Offenses</b>	127	3.0%	53	4.9%	180	3.4%
<b>Total</b>	<b>4,250</b>	<b>100.0%</b>	<b>1,084</b>	<b>100.0%</b>	<b>5,334</b>	<b>100.0%</b>

*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 592 defendants convicted of mandatory drug offenses during FY 2012. Four offenses, distribution of cocaine, distribution within a school zone,<sup>26</sup> trafficking cocaine 14 to 28 grams, and trafficking cocaine 28 to 100 grams, accounted for 459 or 77.5% of the convictions for mandatory drug offenses in FY 2012.

A frequently occurring mandatory drug offense is distribution in a school zone, with 126 convictions or 21.3% of all mandatory drug convictions. A sentence for distribution within a school zone is required to be a minimum of two years to be served from & after the sentence for the underlying offense. The method employed in the current analysis considers distribution within a school zone to be the governing offense only when the sentence imposed for the distribution within a school zone charge was longer than the sentence imposed for the underlying drug charge. Therefore, there were additional defendants convicted of distribution in a school zone who are not otherwise reported in this category. Additional statistical information on school zone offenders can be found in Appendix B.

An estimated 340 or 57.4% of the defendants convicted of mandatory drug offenses were classified as criminal history groups A or B, and 252 or 42.6% were classified as criminal history groups C, D, or E.

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<sup>26</sup> 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. Sections 30 and 31 of Chapter 192 of the Acts of 2012 reduced the distance requirement to 300 feet and limited the time of the offense to 5:00 a.m. to midnight. While requiring a sentence of incarceration, parole eligibility was established for some offenders sentenced to a house of correction.

**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	1	0	0	0	0	1
Traffic Cocaine 200+ grams	4	1	1	0	0	6
Sub-Total	5	1	1	0	0	7
Level 7 (7 to 10 Year Mandatory)						
Traffic Heroin 100 to 200 grams	1	0	0	1	0	2
Traffic Heroin 28 to 100 grams	4	3	1	5	0	13
Traffic Cocaine 100 to 200 grams	6	4	5	3	0	18
Sub-Total	11	7	6	9	0	33
Level 6 (5 Year Mandatory)						
Traffic Heroin 14 to 28 grams	17	3	3	3	0	26
Traffic Cocaine 28 to 100 grams	27	8	18	4	0	57
Distribute Class A, 2nd Offense	0	2	3	7	0	12
Distribute Cocaine, 2nd Offense	0	7	8	11	0	26
Distribute Cocaine, Minor	0	0	0	1	0	1
Sub-Total	44	20	32	26	0	122
Level 5 (3 Year Mandatory)						
Traffic Cocaine 14 to 28 grams	41	21	17	9	0	88
Distribute Class B, 2nd Offense	0	6	6	10	0	22
Distribute Class B, Minor	0	0	0	1	0	1
Sub-Total	41	27	23	20	0	111
Level 4 (1 to 2 Year Mandatory)						
Distribute Cocaine	47	49	50	42	0	188
Traffic Marijuana 50 to 100 pounds	5	0	0	0	0	5
Distribution w/i School or Park	15	18	7	5	0	45
Sub-Total	67	67	57	47	0	238
Sub-Total Superior Court	168	122	119	102	0	511
District Court						
Distribution w/i School or Park	26	24	22	9	0	81
Total	194	146	141	111	0	592

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, 115 or 22.5% were sentenced to a house of correction and 396 or 77.5% were sentenced to the DOC. Of all convictions for mandatory drug offenses, 196 or 33.1% were sentenced to a house of correction and 396 or 66.9% 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	81	100.0%	115	22.5%	196	33.1%
Department of Correction	0	0.0%	396	77.5%	396	66.9%
Total	81	100.0%	511	100.0%	592	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 36,237 or 88.4% of all defendants were convicted of offenses for which the sentencing guidelines grid applied and 4,753 or 11.6% 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: 4,221 or 10.3% of all defendants were convicted of OUI offenses; 341 or 0.8% were convicted of mandatory firearms offenses; and, 191 or 0.5% 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	32,941	88.1%	3,296	91.3%	36,237	88.4%
Not Assigned to Grid						
OUI Offenses	4,170	11.2%	51	1.4%	4,221	10.3%
Mandatory Gun Offenses	78	0.2%	263	7.3%	341	0.8%
Non-jailable Offenses	191	0.5%	0	0.0%	191	0.5%
Sub-total	4,439	11.9%	314	8.7%	4,753	11.6%
Total	37,380	100.0%	3,610	100.0%	40,990	100.0%

## **SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID**

In this section, the sentencing practices related to the 36,237 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 36,237 convicted defendants:

- an estimated 2,241 or 6.2% were classified within the incarceration zone;
- an estimated 23,906 or 66.0% were classified within the discretionary zone;
- an estimated 9,833 or 27.1% were classified within the intermediate sanction zone; and,
- an estimated 257 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: 67.7% of the defendants convicted in the district court and 48.2% of the defendants convicted in the superior court were classified in the discretionary zone. Defendants convicted in superior court were more likely than their district court counterparts to be classified within the incarceration zone on the sentencing guidelines grid: an estimated 45.8% 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: 29.5% of the defendants convicted in the district court were classified in the intermediate sanctions zone compared to 3.2% 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 30,270 or 83.5% of the convicted defendants were assigned to offense seriousness levels 1 through 3; an estimated 5,332 or 14.7% of the convicted defendants were assigned to offense seriousness levels 4 through 6; and, an estimated 378 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 12,590 of all convictions (34.7%). In the district court, level 3 was the most frequently occurring offense seriousness level, accounting for an estimated 12,101 or 36.7% of all district court convictions. In the superior court, level 4 was the most frequently occurring offense seriousness level, accounting for an estimated 1,072 or 32.5% 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 13,356 or 36.9% of all convicted defendants. The most serious criminal history group, Group E, accounted for 26 of the convicted defendants.

*Grid Cell.* The most frequently occurring grid cell was “2A”: 4,513 or 12.5% of all convicted defendants were assigned to grid cell “2A”. In the district court, the most frequently occurring grid cell was “2A”: 4,424 or 13.4% 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, Larceny Less, and Possession of Class B. In the superior court, the most frequently occurring grid cell was “4A”: 354 or 10.7% 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	27	16	6	5	0	54	1.6%	9	27	16	6	5	0	54	0.1%
8	0	0	0	0	0	0	0.0%	8	58	17	20	25	1	121	3.7%	8	58	17	20	25	1	121	0.3%
7	0	0	0	0	0	0	0.0%	7	78	36	39	49	1	203	6.2%	7	78	36	39	49	1	203	0.6%
6	2	1	2	3	0	8	0.0%	6	250	121	119	146	3	639	19.4%	6	252	122	121	149	3	647	1.8%
5	224	192	181	142	0	739	2.2%	5	149	85	102	115	1	452	13.7%	5	373	277	283	257	1	1,191	3.3%
4	948	641	434	399	0	2,422	7.4%	4	354	243	199	275	1	1,072	32.5%	4	1,302	884	633	674	1	3,494	9.6%
3	3,954	3,046	2,533	2,561	7	12,101	36.7%	3	254	73	76	86	0	489	14.8%	3	4,208	3,119	2,609	2,647	7	12,590	34.7%
2	4,424	2,927	1,976	1,859	8	11,194	34.0%	2	89	26	32	11	0	158	4.8%	2	4,513	2,953	2,008	1,870	8	11,352	31.3%
1	2,435	1,699	1,171	1,003	4	6,312	19.2%	1	11	4	0	1	0	16	0.5%	1	2,446	1,703	1,171	1,004	4	6,328	17.5%
N.A.	47	44	29	45	0	165	0.5%	N.A.	52	14	12	14	0	92	2.8%	N.A.	99	58	41	59	0	257	0.7%
Total	12,034	8,550	6,326	6,012	19	32,941	100.0%	Total	1,322	635	605	727	7	3,296	100.0%	Total	13,356	9,185	6,931	6,739	26	36,237	100.0%
%	36.5%	26.0%	19.2%	18.3%	0.1%	100.0%		%	40.1%	19.3%	18.4%	22.1%	0.2%	100.0%		%	36.9%	25.3%	19.1%	18.6%	0.1%	100.0%	

Sentencing Zone	N	%
Incarceration Zone	730	2.2%
Discretionary Zone	22,317	67.7%
Intermediate Sanction Zone	9,729	29.5%
Unassigned	165	0.5%
Total	32,941	100.0%

Sentencing Zone	N	%
Incarceration Zone	1,511	45.8%
Discretionary Zone	1,589	48.2%
Intermediate Sanction Zone	104	3.2%
Unassigned	92	2.8%
Total	3,296	100.0%

Sentencing Zone	N	%
Incarceration Zone	2,241	6.2%
Discretionary Zone	23,906	66.0%
Intermediate Sanction Zone	9,833	27.1%
Unassigned	257	0.7%
Total	36,237	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 2012, the estimated incarceration rate was 42.1%: 15,263 defendants received a sentence to incarceration out of 36,237 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 17.9% and the incarceration rate for defendants convicted of offenses at offense seriousness level 8 was 93.4%; and,
- the incarceration rate for defendants in criminal history group A was 28.8% and the incarceration rate for defendants in criminal history group D was 59.8%.

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

- for defendants in the incarceration zone, the incarceration rate was 85.8%;
- for defendants in the discretionary zone, the incarceration rate was 47.9%; and,
- for defendants in the intermediate sanction zone, the incarceration rate was 17.8%.

**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	27	16	6	5	0	54	9	27	16	6	5	0	54	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	58	17	20	25	1	121	8	50	17	20	25	1	113	8	86.2%	100.0%	100.0%	100.0%	100.0%	93.4%
7	78	36	39	49	1	203	7	66	35	38	49	1	189	7	84.6%	97.2%	97.4%	100.0%	100.0%	93.1%
6	252	122	121	149	3	647	6	214	107	116	143	3	583	6	84.9%	87.7%	95.9%	96.0%	100.0%	90.1%
5	373	277	283	257	1	1,191	5	213	187	215	213	1	829	5	57.1%	67.5%	76.0%	82.9%	100.0%	69.6%
4	1,302	884	633	674	1	3,494	4	652	604	488	554	1	2,299	4	50.1%	68.3%	77.1%	82.2%	100.0%	65.8%
3	4,208	3,119	2,609	2,647	7	12,590	3	1,400	1,504	1,507	1,759	4	6,174	3	33.3%	48.2%	57.8%	66.5%	57.1%	49.0%
2	4,513	2,953	2,008	1,870	8	11,352	2	925	1,017	878	937	4	3,761	2	20.5%	34.4%	43.7%	50.1%	50.0%	33.1%
1	2,446	1,703	1,171	1,004	4	6,328	1	260	313	252	308	0	1,133	1	10.6%	18.4%	21.5%	30.7%	0.0%	17.9%
N.A.	99	58	41	59	0	257	N.A.	36	33	22	37	0	128	N.A.	36.4%	56.9%	53.7%	62.7%	N.A.	49.8%
Total	13,356	9,185	6,931	6,739	26	36,237	Total	3,843	3,833	3,542	4,030	15	15,263	Total	28.8%	41.7%	51.1%	59.8%	57.7%	42.1%

Sentencing Zone	N
Incarceration Zone	2,241
Discretionary Zone	23,906
Intermediate Sanction Zone	9,833
Unassigned	257
Total	36,237

Sentencing Zone	N
Incarceration Zone	1,923
Discretionary Zone	11,462
Intermediate Sanction Zone	1,750
Unassigned	128
Total	15,263

Sentencing Zone	Incarceration Rate
Incarceration Zone	85.8%
Discretionary Zone	47.9%
Intermediate Sanction Zone	17.8%
Unassigned	49.8%
Total	42.1%

*District Court Incarceration Rates.* Table 26 shows incarceration rates by grid cell assignment for all defendants convicted in district court. For FY 2012, the estimated district court incarceration rate was 38.2%: 12,580 defendants received a sentence to incarceration out of 32,941 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 17.9% and the incarceration rate for defendants convicted of offenses at offense seriousness level 4 was 57.7%; and,
- the incarceration rate for defendants in criminal history group A was 24.3% and the incarceration rate for defendants in criminal history group D was 55.9%.

District court incarceration rates varied by sentencing zone:

- district court defendants in the incarceration zone had an incarceration rate of 72.3%;
- district court defendants in the discretionary zone had an incarceration rate of 46.0%; and,
- district court defendants in the intermediate sanction zone had an incarceration rate of 17.6%.

**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	2	1	2	3	0	8	6	2	0	2	3	0	7	6	100.0%	0.0%	100.0%	100.0%	N.A.	87.5%
5	224	192	181	142	0	739	5	97	112	116	108	0	433	5	43.3%	58.3%	64.1%	76.1%	N.A.	58.6%
4	948	641	434	399	0	2,422	4	405	389	306	297	0	1,397	4	42.7%	60.7%	70.5%	74.4%	N.A.	57.7%
3	3,954	3,046	2,533	2,561	7	12,101	3	1,265	1,449	1,448	1,687	4	5,853	3	32.0%	47.6%	57.2%	65.9%	57.1%	48.4%
2	4,424	2,927	1,976	1,859	8	11,194	2	889	1,003	855	930	4	3,681	2	20.1%	34.3%	43.3%	50.0%	50.0%	32.9%
1	2,435	1,699	1,171	1,003	4	6,312	1	258	311	252	308	0	1,129	1	10.6%	18.3%	21.5%	30.7%	0.0%	17.9%
N.A.	47	44	29	45	0	165	N.A.	14	24	15	27	0	80	N.A.	29.8%	54.5%	51.7%	60.0%	N.A.	48.5%
Total	12,034	8,550	6,326	6,012	19	32,941	Total	2,930	3,288	2,994	3,360	8	12,580	Total	24.3%	38.5%	47.3%	55.9%	42.1%	38.2%

Sentencing Zone	N
Incarceration Zone	730
Discretionary Zone	22,317
Intermediate Sanction Zone	9,729
Unassigned	165
Total	32,941

Sentencing Zone	N
Incarceration Zone	528
Discretionary Zone	10,262
Intermediate Sanction Zone	1,710
Unassigned	80
Total	12,580

Sentencing Zone	Incarceration Rate
Incarceration Zone	72.3%
Discretionary Zone	46.0%
Intermediate Sanction Zone	17.6%
Unassigned	48.5%
Total	38.2%

*Superior Court Incarceration Rates.* Table 27 shows incarceration rates by grid cell assignment for all defendants convicted in superior court. For FY 2012, the estimated superior court incarceration rate was 81.4%: 2,683 defendants received a sentence to incarceration out of 3,296 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 50.6% and the incarceration rate for defendants convicted of offenses in offense seriousness level 8 was 93.4%; and,
- the incarceration rate for defendants in criminal history group A was 69.1% and the incarceration rate for defendants in criminal history group D was 92.2%.

The incarceration rate varied by sentencing zone:

- superior court defendants in the incarceration zone had an incarceration rate of 92.3%;
- superior court defendants in the discretionary zone had an incarceration rate of 75.5%; and,
- superior court defendants in the intermediate sanction zone had an incarceration rate of 38.5%.

**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	27	16	6	5	0	54	9	27	16	6	5	0	54	9	100.0%	100.0%	100.0%	100.0%	N.A.	100.0%
8	58	17	20	25	1	121	8	50	17	20	25	1	113	8	86.2%	100.0%	100.0%	100.0%	100.0%	93.4%
7	78	36	39	49	1	203	7	66	35	38	49	1	189	7	84.6%	97.2%	97.4%	100.0%	100.0%	93.1%
6	250	121	119	146	3	639	6	212	107	114	140	3	576	6	84.8%	88.4%	95.8%	95.9%	100.0%	90.1%
5	149	85	102	115	1	452	5	116	75	99	105	1	396	5	77.9%	88.2%	97.1%	91.3%	100.0%	87.6%
4	354	243	199	275	1	1,072	4	247	215	182	257	1	902	4	69.8%	88.5%	91.5%	93.5%	100.0%	84.1%
3	254	73	76	86	0	489	3	135	55	59	72	0	321	3	53.1%	75.3%	77.6%	83.7%	N.A.	65.6%
2	89	26	32	11	0	158	2	36	14	23	7	0	80	2	40.4%	53.8%	71.9%	63.6%	N.A.	50.6%
1	11	4	0	1	0	16	1	2	2	0	0	0	4	1	18.2%	50.0%	N.A.	0.0%	N.A.	25.0%
N.A.	52	14	12	14	0	92	N.A.	22	9	7	10	0	48	N.A.	42.3%	64.3%	58.3%	71.4%	N.A.	52.2%
Total	1,322	635	605	727	7	3,296	Total	913	545	548	670	7	2,683	Total	69.1%	85.8%	90.6%	92.2%	100.0%	81.4%

Sentencing Zone	N
Incarceration Zone	1,511
Discretionary Zone	1,589
Intermediate Sanction Zone	104
Unassigned	92
Total	3,296

Sentencing Zone	N
Incarceration Zone	1,395
Discretionary Zone	1,200
Intermediate Sanction Zone	40
Unassigned	48
Total	2,683

Sentencing Zone	Incarceration Rate
Incarceration Zone	92.3%
Discretionary Zone	75.5%
Intermediate Sanction Zone	38.5%
Unassigned	52.2%
Total	81.4%

### **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 85.7% of current sentences fall within the proposed guidelines and 14.3% of current sentences fall outside of proposed guidelines (an estimated 4.2% were below the guidelines and an estimated 10.1% 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 3.5% of all sentences were outside of the proposed guidelines and almost all of those sentences were above the proposed ranges (For most cells, the lower limit of the range is zero);
- the proportion of sentences outside of the guidelines was the highest at offense seriousness level 7, where an estimated 79.8% of all sentences were outside of the proposed ranges (52.2% were below the proposed guidelines and 27.6% were above the proposed guidelines);
- when comparing the sentences imposed for mandatory drug offenses with the proposed sentencing guidelines, it was estimated that 48.3% of the current mandatory drug sentences were within the sentencing guidelines ranges and that 51.7% were outside of the sentencing guidelines (including 3.0% below the proposed guidelines and 48.6% above the proposed guidelines); and,
- when comparing the sentences imposed for all other offenses it was estimated that 86.3% were within the sentencing guidelines ranges and 13.7% were outside of the sentencing guidelines (including 4.2% below the ranges and 9.5% above the ranges); and,
- for all offenses at levels 6 through 8, 41.0% of the sentences were below the guideline ranges, 29.6% were within, and 29.4% were above;
- for mandatory drug offenses at levels 6 through 8, 2.5% were below the guideline ranges, 42.6% were within, and 54.9% were above; and,
- for all other offenses at levels 6 through 8, 49.1% were below the guideline ranges, 26.9% were within, and 24.0% 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	%
<b>All Offenses</b>								
Level 9	0	0.0%	54	100.0%	0	0.0%	54	100.0%
Level 8	21	22.8%	37	40.2%	34	37.0%	92	100.0%
Level 7	106	52.2%	41	20.2%	56	27.6%	203	100.0%
Level 6	257	40.1%	199	31.0%	185	28.9%	641	100.0%
Level 5	562	47.7%	449	38.1%	166	14.1%	1,177	100.0%
Level 4	507	14.6%	2,487	71.5%	485	13.9%	3,479	100.0%
Level 3	1	0.0%	11,472	96.5%	421	3.5%	11,894	100.0%
Level 2	0	0.0%	9,801	88.0%	1,338	12.0%	11,139	100.0%
Level 1	0	0.0%	5,444	86.3%	865	13.7%	6,309	100.0%
Total	1,454	4.2%	29,984	85.7%	3,550	10.1%	34,988	100.0%
<b>Other Offenses</b>								
Level 9	0	0.0%	54	100.0%	0	0.0%	54	100.0%
Level 8	21	24.7%	37	43.5%	27	31.8%	85	100.0%
Level 7	102	60.0%	30	17.6%	38	22.4%	170	100.0%
Level 6	257	49.5%	141	27.2%	121	23.3%	519	100.0%
Level 5	553	51.9%	421	39.5%	92	8.6%	1,066	100.0%
Level 4	502	15.9%	2,298	72.7%	360	11.4%	3,160	100.0%
Level 3	1	0.0%	11,472	96.5%	421	3.5%	11,894	100.0%
Level 2	0	0.0%	9,801	88.0%	1,338	12.0%	11,139	100.0%
Level 1	0	0.0%	5,444	86.3%	865	13.7%	6,309	100.0%
Total	1,436	4.2%	29,698	86.3%	3,262	9.5%	34,396	100.0%
<b>Mandatory Drug Offenses</b>								
Level 9	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 8	0	0.0%	0	0.0%	7	100.0%	7	100.0%
Level 7	4	12.1%	11	33.3%	18	54.5%	33	100.0%
Level 6	0	0.0%	58	47.5%	64	52.5%	122	100.0%
Level 5	9	8.1%	28	25.2%	74	66.7%	111	100.0%
Level 4	5	1.6%	189	59.2%	125	39.2%	319	100.0%
Level 3	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 2	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 1	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Total	18	3.0%	286	48.3%	288	48.6%	592	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 4,753 defendants representing 11.6% 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 341 convictions where the governing offense was a mandatory firearms offense in FY 2012. 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	78	100.0	134	51.0%	212	62.2%
Firearm, Carry w/o License, 2nd Offense	0	0.0%	7	2.7%	7	2.1%
Firearm, Carry w/o License, 3rd Offense	0	0.0%	2	0.8%	2	0.6%
Firearm, Carry with Ammunition	0	0.0%	1	0.4%	1	0.3%
Firearm, Possess Large Capacity	0	0.0%	0	0.0%	0	0.0%
Firearm, Possess Machine Gun / Sawed off	0	0.0%	15	5.7%	15	4.4%
Assault Weapon, Possess	0	0.0%	34	12.9%	34	10.0%
Firearm Trafficking, 3 to 9	0	0.0%	3	1.1%	3	0.9%
Firearm Trafficking, 10 to 19	0	0.0%	0	0.0%	0	0.0%
Armed Career Criminal, 1 Prior	0	0.0%	61	23.2%	61	17.9%
Armed Career Criminal , 2 Priors	0	0.0%	5	1.9%	5	1.5%
Armed Career Criminal , 3 Priors	0	0.0%	0	0.0%	0	0.0%
Firearm, Use in Felony	0	0.0%	1	0.4%	1	0.3%
Total	78	100.0	263	100.0	341	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 4,221 convictions for OUI offenses in FY 2012. 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%	29	56.9%	29	0.7%
House of Correction Sentence						
Less than 1 month	44	1.1%	0	0.0%	44	1.0%
1 Month	55	1.3%	0	0.0%	55	1.3%
2 Months	190	4.6%	0	0.0%	190	4.5%
3 to 5 Months	110	2.6%	2	3.9%	112	2.7%
6 to 8 Months	264	6.3%	3	5.9%	267	6.3%
9 to 11 Months	23	0.6%	0	0.0%	23	0.5%
12 to 14 Months	95	2.3%	6	11.8%	101	2.4%
15 to 17 Months	5	0.1%	0	0.0%	5	0.1%
18 to 20 Months	23	0.6%	2	3.9%	25	0.6%
21 to 23 Months	0	0.0%	0	0.0%	0	0.0%
24 to 26 Months	28	0.7%	2	3.9%	30	0.7%
27 to 29 Months	0	0.0%	0	0.0%	0	0.0%
30 Months	31	0.7%	5	9.8%	36	0.9%
Missing Sentence Information	4	0.1%	0	0.0%	4	0.1%
Sub-Total	872	20.9%	20	39.2%	892	21.1%
Probation	2,571	61.7%	2	3.9%	2,573	61.0%
Fine	664	15.9%	0	0.0%	664	15.7%
Other	63	1.5%	0	0.0%	63	1.5%
Total	4,170	100.0%	51	100.0%	4,221	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.<sup>27</sup>

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.<sup>28</sup> 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.<sup>29</sup> 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.<sup>30</sup>

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

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<sup>27</sup> G.L. c. 211E § 3 (e).

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

<sup>29</sup> 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.

<sup>30</sup> *Ibid.*, p. 92.

**Sentencing Practices: Defendant Gender**

Table 31 shows the gender of defendants by court department. Of all convicted defendants, 16.9% were female and 83.1% were male. Of the defendants convicted in district court, 30,774 or 82.3% were male and 6,606 or 17.7% were female; and, of the defendants convicted in superior court, 3,303 or 91.5% were male and 307 or 8.5% were female.

**Table 31. Defendant Gender by Court Department**

Gender	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Male	30,774	82.3%	3,303	91.5%	34,077	83.1%
Female	6,606	17.7%	307	8.5%	6,913	16.9%
Total	37,380	100.0%	3,610	100.0%	40,990	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	7,487	88.3%	993	11.7%	8,480	100.0%
Sex Offenses	487	99.0%	5	1.0%	492	100.0%
Property Offenses	7,948	76.8%	2,397	23.2%	10,345	100.0%
Drug Offenses						
Mandatory / Distribution	561	94.8%	31	5.2%	592	100.0%
Non-Mandatory / Distribution	2,071	88.1%	280	11.9%	2,351	100.0%
Possession	1,825	82.5%	386	17.5%	2,211	100.0%
Other Drug Offense	121	67.2%	59	32.8%	180	100.0%
Sub-total Drug	4,578	85.8%	756	14.2%	5,334	100.0%
Motor Vehicle	5,873	85.6%	991	14.4%	6,864	100.0%
Weapons	461	91.8%	41	8.2%	502	100.0%
Public Order and Other Offenses	3,370	79.9%	850	20.1%	4,220	100.0%
Sub-total Grid	30,204	83.4%	6,033	16.6%	36,237	100.0%
Not Assigned to Grid						
OUI Offenses	3,368	79.8%	853	20.2%	4,221	100.0%
Mandatory Firearms	337	98.8%	4	1.2%	341	100.0%
Non-jailable	168	88.0%	23	12.0%	191	100.0%
Sub-Total No Grid	3,873	81.5%	880	18.5%	4,753	100.0%
Grand Total	34,077	83.1%	6,913	16.9%	40,990	100.0%

**Sentencing Practices: Defendant Age at Disposition**

The age of defendants at the time of disposition ranged from 17 years to 89 years. The mean age at disposition was 34.5 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	1,690	141	1,831
20 to 24	6,915	748	7,663
25 to 29	6,870	679	7,549
30 to 34	5,667	604	6,271
35 to 39	3,999	393	4,392
40 to 44	4,125	334	4,459
45 to 49	3,553	290	3,843
50 to 54	2,468	217	2,685
55 to 59	1,267	106	1,373
60 and older	826	98	924
Total	37,380	3,610	40,990
Youngest	17 Years	17 Years	17 Years
Oldest	89 Years	83 Years	89 Years
Mean	34.5 Years	33.9 Years	34.5 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 1.5% 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, 65.5% of the convicted defendants were white, 17.1% were black, 14.4% were hispanic, and 1.6% were other races. The race was unknown for 1.5% 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, 67.1% were white, and 31.3% were racial/ethnic minorities (16.2% were black, 13.6% were hispanic, and 1.6% were other races). The race was unknown for 1.6% of the defendants convicted in the district court. Of the defendants convicted in the superior court, 48.3% were white, and 50.9% were racial/ethnic minorities (26.7% were black, 22.3% were hispanic, and 1.9% 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	25,086	67.1%	1,742	48.3%	26,828	65.5%
Black	6,039	16.2%	963	26.7%	7,002	17.1%
Hispanic	5,079	13.6%	806	22.3%	5,885	14.4%
Other	590	1.6%	68	1.9%	658	1.6%
Unknown	586	1.6%	31	0.9%	617	1.5%
Total	37,380	100.0%	3,610	100.0%	40,990	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:

- 65.5% of all defendants were white, 33.0% of all defendants were racial/ethnic minorities (17.1% were black, 14.4% were hispanic, and 1.6% were other races), and the race was unknown for 1.5% of all defendants; and,
- 25.8% of defendants convicted of mandatory drug offenses were white, and 74.2% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (38.7% were black, 34.5% were hispanic, and 1.0% were other races).

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

- 53.8% of defendants convicted of all drug offenses were white and 45.4% were racial/ethnic minorities;
- 69.1% of defendants convicted of possession offenses were white and 30.3% were racial/ethnic minorities;
- 44.5% of defendants convicted of non-mandatory distribution offenses were white and 54.3% were racial/ethnic minorities; and,
- 25.8% of defendants convicted of mandatory distribution offenses were white and 74.2% were racial/ethnic minorities.

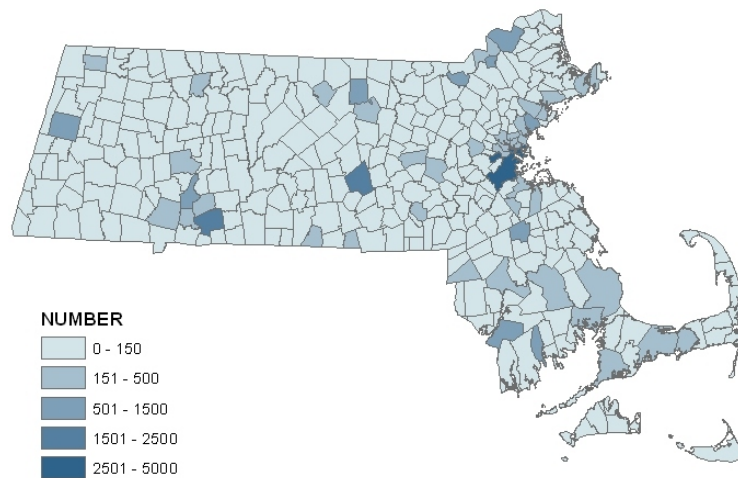
**Table 35. Defendant Race by Type of Offense and Grid Assignment**

Offense Type and Grid Assignment	White		Black		Hispanic		Other		Unknown		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Sentencing Grid												
Person Offenses	5,262	62.1%	1,718	20.3%	1,250	14.7%	125	1.5%	125	1.5%	8,480	100.0%
Sex Offenses	325	66.1%	70	14.2%	73	14.8%	8	1.6%	16	3.3%	492	100.0%
Property Offenses	7,262	70.2%	1,653	16.0%	1,179	11.4%	158	1.5%	93	0.9%	10,345	100.0%
Drug Offenses												
Mandatory / Distribution	153	25.8%	229	38.7%	204	34.5%	6	1.0%	0	0.0%	592	100.0%
Non-Mandatory / Distribution	1,046	44.5%	627	26.7%	610	25.9%	39	1.7%	29	1.2%	2,351	100.0%
Possession	1,528	69.1%	326	14.7%	318	14.4%	25	1.1%	14	0.6%	2,211	100.0%
Other Drug Offense	142	78.9%	22	12.2%	14	7.8%	1	0.6%	1	0.6%	180	100.0%
Sub-total Drug	2,869	53.8%	1,204	22.6%	1,146	21.5%	71	1.3%	44	0.8%	5,334	100.0%
Motor Vehicle	4,459	65.0%	1,031	15.0%	1,112	16.2%	130	1.9%	132	1.9%	6,864	100.0%
Weapons	249	49.6%	128	25.5%	107	21.3%	7	1.4%	11	2.2%	502	100.0%
Public Order and Other Offenses	2,764	65.5%	770	18.2%	569	13.5%	61	1.4%	56	1.3%	4,220	100.0%
Sub-total Grid	23,190	64.0%	6,574	18.1%	5,436	15.0%	560	1.5%	477	1.3%	36,237	100.0%
Not Assigned to Grid												
OUI Offenses	3,442	81.5%	227	5.4%	340	8.1%	81	1.9%	131	3.1%	4,221	100.0%
Mandatory Firearms	61	17.9%	183	53.7%	77	22.6%	16	4.7%	4	1.2%	341	100.0%
Non-jailable	135	70.7%	18	9.4%	32	16.8%	1	0.5%	5	2.6%	191	100.0%
Sub-Total No Grid	3,638	76.5%	428	9.0%	449	9.4%	98	2.1%	140	2.9%	4,753	100.0%
Grand Total	26,828	65.5%	7,002	17.1%	5,885	14.4%	658	1.6%	617	1.5%	40,990	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 38,389 defendants (or 93.7% of the survey population). The remaining defendants resided out-of-state (4.0%), resided in a correctional facility (1.9%), or were reported as homeless with no community identified (0.4%). 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 2012. 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 Department of Criminal Justice Information Services (DCJIS) 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 2012, or the period July 1, 2010 through June 30, 2012 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 2012 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 2012, 62 defendants were classified in the life sentence group including eight convicted of offenses other than murder. Of the eight defendants sentenced to life for offenses other than murder, three were sentenced as habitual offenders.

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

A further distinction was made between split sentences to be served at the DOC (state prison / split sentence) and split sentences to be served at a house of correction (house of correction / split sentence). State prison / split sentences were those sentences with a minimum suspended term; a maximum suspended term of more than 30 months; or, split sentences with no sentence length information but convicted in a superior court. Although state prison / split sentences can no longer be given for offenses committed after July 1, 1994, some cases were sentenced in FY 2012 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 2012, three state prison / split sentences were imposed. House of correction / split sentences were those split sentences with no minimum suspended term; split sentences with a maximum suspended term of 30 months or less; or, split sentences with no sentence length information but convicted in a district court.

*State Prison Sentences.* State prison sentences are those sentences with one or more valid incarceration words with some additional characteristics. State prison sentences are those sentences with a minimum and a maximum term of incarceration of any length; one or more words specifying a state sentence with no minimum or maximum sentence length; or incarceration sentences with no sentence length information imposed by a superior court. Of the 1,984 defendants classified as state prison sentences, one was sentenced as an habitual offender.

*Other DOC Sentences.* This category includes state prison / split sentences, reformatory sentences, and some habitual offender sentences. Reformatory sentences were those incarceration sentences with no minimum term of incarceration and a maximum term of incarceration greater than 30 months. Although reformatory sentences can no longer be given for offenses committed after July 1, 1994, some cases were sentenced in FY 2012 for offenses occurring prior to that time and thus a reformatory sentence could be imposed. In FY 2012 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 2012, three defendants were sentenced as habitual offenders and classified in the “Other DOC” group.

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

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

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

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



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

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

### *Sentence Length*

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

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

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

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

When calculating mean sentence length, cases with missing information were excluded from the analysis. There were a total of 313 cases with missing sentence length information, representing approximately 1.9% 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	307	2
House of Correction / Split Sentence	2	2
Other DOC	0	0
District Court	308	4
Superior Court	1	0
Old Law	0	0
New Law	309	4
Mandatory Offense	0	2
Other Offense	309	2

*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 2012 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 36,237 defendants convicted of offenses assigned to the sentencing grid, 35,480 or 97.9% had all of their convictions at or below the level of the governing offense and 757 or 2.1% had one or more convictions at a level higher than the governing offense. The most frequently occurring was a defendant assigned to offense level 2 who was also convicted of an offense assigned to offense level 3. For example, a defendant who had a probation sentence for leaving the scene (level 3) and house of correction sentence for operating negligent (level 2) would be assigned to the lower offense level. Defendants assigned to level 2 with one or more convictions at level 3 accounted for 162 or 21.4% of these cases. Table 38 shows the specific offense associated with the highest offense seriousness level for the 757 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	
	N	%	N	%	N	%
9	54	100.0%	0	0.0%	54	100.0%
8	121	100.0%	0	0.0%	121	100.0%
7	194	95.6%	9	4.4%	203	100.0%
6	615	95.1%	32	4.9%	647	100.0%
5	1,162	97.6%	29	2.4%	1,191	100.0%
4	3,423	98.0%	71	2.0%	3,494	100.0%
3	12,390	98.4%	200	1.6%	12,590	100.0%
2	11,152	98.2%	200	1.8%	11,352	100.0%
1	6,112	96.6%	216	3.4%	6,328	100.0%
N.A.	257	100.0%	0	0.0%	257	100.0%
Total	35,480	97.9%	757	2.1%	36,237	100.0%

	Maximum Offense Level (All Convictions)										
Offense Level	0	1	2	3	4	5	6	7	8	9	
9	0	0	0	0	0	0	0	0	0	0	54
8	0	0	0	0	0	0	0	0	121	0	
7	0	0	0	0	0	0	0	194	9	0	
6	0	0	0	0	0	0	615	5	27	0	
5	0	0	0	0	0	1,162	19	4	6	0	
4	0	0	0	0	3,423	29	32	8	2	0	
3	0	0	0	12,390	58	93	35	10	4	0	
2	0	0	11,152	162	25	13	0	0	0	0	
1	0	6,112	128	77	6	5	0	0	0	0	
N.A.	257	0	0	0	0	0	0	0	0	0	
Total	257	6,112	11,280	12,629	3,512	1,302	701	221	169	54	



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

Offense - Highest Level	#	Offense - Highest Level	#	Offense - Highest Level	#	Offense - Highest Level	#
<b>Level 8</b>		<b>Level 5</b>		<b>Level 3</b>		<b>Level 2</b>	
Home Invasion	41	Intimidation	114	A&B	50	Compulsory Insurance Violation	48
Rape Of Child w/Force	4	Robbery Unarmed	14	Larceny More	32	Resisting Arrest	17
Armed Assault w/i Murder - Firearm	2	Burglary	6	B&E	32	Possession Class A	7
Armed Assault In Dwell House	1	Common & Notorious Thief	4	Leaving Scene Property Damage	29	Possession Class B	7
Total	48	A&B DW, Aggravated	2	Carrying Dangerous Weapon	16	Operate to Endanger	6
		Total	140	Restraining Order Violation	13	Counterfeit/Alter MV Document	5
<b>Level 7</b>				Forgery And Uttering	10	Property Destruction	5
Armed Robbery Gun	14	<b>Level 4</b>		A&B Dangerous Weapon	9	Assault	3
Armed Assault w/i Murder	6	Distribute Class B	31	Assault Dangerous Weapon	7	Larceny Less	3
Murder, Attempted	4	Larceny Person	19	Possess Burglary Tools	7	B&E w/i Misdemeanor	2
Rape	1	Fraud - Identity	11	Larceny Building	6	Distribute Class D	2
Drug for Sexual Intercourse	1	Harassment	9	Receiving Stolen Goods MV	5	Prostitution	2
Confine And Put In Fear	1	Distribute Class A	8	Reckless Endangerment	3	Receiving Stolen Goods	2
Total	27	Escape	4	Leaving Scene Personal Injury	3	Accost / Annoy Person Opposite Sex	1
		A&B Elderly / Disabled w/Injury	2	Interfere Police or Firefighter	3	False Report Of Crime	1
<b>Level 6</b>		Stalking	2	Harassment Order Violation	2	Firearm Possess w/o Permit	1
Armed Robbery	37	Bribery	2	Larceny MV	2	Fireworks	1
Child Pornography	15	Burning Building	1	Receiving Stolen Goods Over	2	Larceny	1
Armed Assault w/i Rob	14	Total	89	Fraud	1	Operate After Suspension 2nd	1
Kidnapping Level 6	10			Mal Dest Property More	1	Possess Ammunition	1
Rape Of Child	4			Burning Motor Vehicle	1	Possession Class A Heroin	1
Robbery Unarmed + 60	3			Possession Class A 2nd	1	Possession Class D	1
Assault w/i Rape	1			Possession Class D 2nd	1	Property Violation	1
Carjacking	1			Gun Serial Number	1	Tagging Property	1
Burning Dwelling House	1			Cruelty To Animals	1	Use Without Authority	1
Total	86			Sex Offender Fail Register	1	Total	121
				Total	239		
						<b>Non-Grid Offenses</b>	
						<b>Level 2</b>	
						OUI	7

*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.<sup>31</sup> 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 2012 there were 348 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:

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<sup>31</sup> 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 2012, 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 2012 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 2012, 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 2012 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 1,249 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	%
<b>Massachusetts City or Town Assigned</b>						
Specific Street Address	34,511	92.3%	3,161	87.6%	37,672	91.9%
Homeless (city identified)	558	1.5%	28	0.8%	586	1.4%
No Specific Street Address (city identified)	123	0.3%	8	0.2%	131	0.3%
Sub-Total	35,192	94.1%	3,197	88.6%	38,389	93.7%
<b>No Massachusetts City or Town Assigned</b>						
Out of State Resident	1,455	3.9%	182	5.0%	1,637	4.0%
Correctional Facility	567	1.5%	217	6.0%	784	1.9%
Homeless or Shelter (city not identified)	166	0.4%	14	0.4%	180	0.4%
Sub-Total	2,188	5.9%	413	11.4%	2,601	6.3%
Total	37,380	100.0%	3,610	100.0%	40,990	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 126 convictions, or 21.3% of all mandatory drug convictions. A sentence for distribution within a school zone is required to be a minimum of two years to be served from & after the sentence for the underlying drug offense. The method employed in the current analysis considers distribution within a school zone to be the governing offense only when the sentence imposed for the distribution within a school zone charge was longer than the sentence imposed for the underlying drug charge. Therefore, there were additional offenders convicted of distribution in a school zone. Table 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 126 defendants for whom the school zone offense was the governing offense; and,
- There were 40 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:
  - 32 had a mandatory drug offense as the governing offense; and,
  - 8 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 166 defendants with one or more convictions of distribution in a school zone. Of these 166 defendants:

- the underlying drug offense was a mandatory drug offense for 46 defendants; and,
- the underlying drug offense was a non-mandatory drug offense for 120 defendants.
- 82 had a house of correction sentence imposed for the underlying drug offense and of these sentences 64 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 166 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 92 defendants were convicted of this offense including 65 in criminal history group A, 10 in criminal history group B, 14 in criminal history group C, 3 in criminal history group D, and none in criminal history group E. Of the 92 convicted defendants, a total of 65 received a sentence of incarceration, for an overall incarceration rate of 71%. Of the 65 defendants in criminal history group A, a total of 43 received a sentence of incarceration, for an incarceration rate of 66%; of the 10 defendants in criminal history group B, a total of 8 received a sentence of incarceration for an incarceration rate of 80%; of the 14 defendants in criminal history group C, 12 received a sentence of incarceration for an incarceration rate of 86%; of the 3 defendants in criminal history group D, 2 received a sentence of incarceration, for an incarceration rate of 67%; 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 61 convictions for Indecent A&B on Child in the district court. Of these 61 convictions, 38 resulted in a sentence to incarceration for an overall incarceration rate of 62%. 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 31 convictions for Indecent A&B on Child in the superior court. Of these 31 convictions, 27 resulted in a sentence to incarceration for an overall incarceration rate of 87%. 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 21 defendants sentenced to the state prison in FY 2012. The mean minimum state prison sentence for armed assault w/i murder was 67.7 months and the median minimum sentence for armed assault w/i murder was 60.0 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 21 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 81.4 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 309 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 93 defendants convicted of this offense and sentenced to a term of incarceration in a house of correction. The mean house of correction sentence was 9.8 months and the median house of correction sentence was 9.0 months. The number of convicted defendants and the mean and median sentence length are also shown for each criminal history group.

*Type of Offense*

Table 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 8,480 defendants convicted of person offenses with an incarceration rate of 54%;
- there were 492 defendants convicted of sex offenses with an incarceration rate of 71%;
- there were 502 defendants convicted of weapons offenses with an incarceration rate of 49%;
- there were 10,345 defendants convicted of property offenses with an incarceration rate of 44%;
- there were 5,334 defendants convicted of drug offenses with an incarceration rate of 52%;
- there were 6,864 defendants convicted of motor vehicle offenses with an incarceration rate of 23%;
- there were 2,290 defendants convicted of other offenses with an incarceration rate of 41%; and,
- there were 1,930 defendants convicted of public order offenses with an incarceration rate of 15%.



**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	%
<b>Governing Offense</b>						
Governing Offense: School Zone	81	98.8%	45	53.6%	126	75.9%
Governing Offense: Other Mandatory Drug or	0	0.0%	32	38.1%	32	19.3%
Governing Offense: All Other Offenses	1	1.2%	7	8.3%	8	4.8%
<b>Total</b>	<b>82</b>	<b>100.0%</b>	<b>84</b>	<b>100.0%</b>	<b>166</b>	<b>100.0%</b>
<b>Underlying Offense of Conviction</b>						
Trafficking Cocaine 14-28 grams	0	0.0%	3	3.6%	3	1.8%
Trafficking Cocaine 28-100 grams	0	0.0%	4	4.8%	4	2.4%
Trafficking Cocaine 100-200 grams	0	0.0%	1	1.2%	1	0.6%
Trafficking Cocaine 200+ grams	0	0.0%	1	1.2%	1	0.6%
Trafficking Heroin 14-28 grams	0	0.0%	0	0.0%	0	0.0%
Trafficking Heroin 28-100 grams	0	0.0%	0	0.0%	0	0.0%
Trafficking Heroin 100-200 grams	0	0.0%	0	0.0%	0	0.0%
Trafficking Heroin 200+ grams	0	0.0%	0	0.0%	0	0.0%
Trafficking Marijuana 50 to 100 pounds	0	0.0%	1	1.2%	1	0.6%
Induce Minor to Distribute	0	0.0%	0	0.0%	0	0.0%
Distribution Class A	21	25.6%	8	9.5%	29	17.5%
Distribution Class A, 2nd Offender	0	0.0%	1	1.2%	1	0.6%
Distribution Class B	51	62.2%	22	26.2%	73	44.0%
Distribution Class B, 2nd Offender	0	0.0%	2	2.4%	2	1.2%
Distribution Cocaine / Mandatory	0	0.0%	25	29.8%	25	15.1%
Distribution Cocaine / 2nd	0	0.0%	8	9.5%	8	4.8%
Distribution Class C	0	0.0%	0	0.0%	0	0.0%
Distribution Class D	9	11.0%	7	8.3%	16	9.6%
Distribution Class D, 2nd Offender	0	0.0%	1	1.2%	1	0.6%
Distribution Class E	1	1.2%	0	0.0%	1	0.6%
<b>Total</b>	<b>82</b>	<b>100.0%</b>	<b>84</b>	<b>100.0%</b>	<b>166</b>	<b>100.0%</b>
<b>Sentence Imposed / Underlying Drug</b>						
<b>House of Correction Sentence</b>						
1 Day	64	78.0%	15	17.9%	79	47.6%
2 Days to 5 Months	5	6.1%	2	2.4%	7	4.2%
6 Months to 11 Months	7	8.5%	9	10.7%	16	9.6%
12 Months to 17 Months	5	6.1%	22	26.2%	27	16.3%
18 Months to 23 Months	0	0.0%	0	0.0%	0	0.0%
24 Months or More	1	1.2%	4	4.8%	5	3.0%
Unknown	0	0.0%	0	0.0%	0	0.0%
<b>Sub-Total</b>	<b>82</b>	<b>100.0%</b>	<b>52</b>	<b>61.9%</b>	<b>134</b>	<b>80.7%</b>
<b>DOC Sentence</b>	<b>0</b>	<b>0.0%</b>	<b>32</b>	<b>38.1%</b>	<b>32</b>	<b>19.3%</b>
<b>Other</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>
<b>Total</b>	<b>82</b>	<b>100.0%</b>	<b>84</b>	<b>100.0%</b>	<b>166</b>	<b>100.0%</b>
<b>Defendant Race</b>						
White	21	25.6%	20	23.8%	41	24.7%
Black	30	36.6%	46	54.8%	76	45.8%
Hispanic	30	36.6%	17	20.2%	47	28.3%
Other	1	1.2%	1	1.2%	2	1.2%
Unknown	0	0.0%	0	0.0%	0	0.0%
<b>Total</b>	<b>82</b>	<b>100.0%</b>	<b>84</b>	<b>100.0%</b>	<b>166</b>	<b>100.0%</b>

**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	27	16	6	5	0	54	27	16	6	5	0	54	100%	100%	100%	100%		100%
	<b>Sub-Total</b>	<b>27</b>	<b>16</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>54</b>	<b>27</b>	<b>16</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>54</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>		<b>100%</b>
8	Manslaughter	19	6	8	5	0	38	19	6	8	5	0	38	100%	100%	100%	100%		100%
	Armed Assault In Dwell House	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Rape, Aggravated	6	3	3	7	1	20	6	3	3	7	1	20	100%	100%	100%	100%	100%	100%
	Rape Of Child w/Force	16	3	2	6	0	27	15	3	2	6	0	26	94%	100%	100%	100%		96%
	Armed Assault w/i Murder - Firearm	4	4	4	3	0	15	4	4	4	3	0	15	100%	100%	100%	100%		100%
	Home Invasion	6	0	2	2	0	10	1	0	2	2	0	5	17%		100%	100%		50%
	Burglary, Armed	2	0	0	1	0	3	0	0	0	1	0	1	0%			100%		33%
	Traffic Heroin 200+	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Traffic Cocaine 200+	4	1	1	0	0	6	4	1	1	0	0	6	100%	100%	100%			100%
	<b>Sub-Total</b>	<b>58</b>	<b>17</b>	<b>20</b>	<b>25</b>	<b>1</b>	<b>121</b>	<b>50</b>	<b>17</b>	<b>20</b>	<b>25</b>	<b>1</b>	<b>113</b>	<b>86%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>93%</b>
7	Murder, Attempted	2	1	2	2	0	7	2	1	2	2	0	7	100%	100%	100%	100%		100%
	Mayhem	5	1	2	3	0	11	4	1	2	3	0	10	80%	100%	100%	100%		91%
	A&B Child w/Injury Substantial	4	0	0	0	0	4	4	0	0	0	0	4	100%					100%
	Rape	11	5	2	2	0	20	8	5	2	2	0	17	73%	100%	100%	100%		85%
	Rape of Child 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Rape of Child Aggravated	7	1	3	2	0	13	7	1	3	2	0	13	100%	100%	100%	100%		100%
	Assault w/i Rape Child	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
	Incest	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
	Armed Robbery Gun	24	12	16	16	1	69	17	12	15	16	1	61	71%	100%	94%	100%	100%	88%
	Armed Assault w/i Murder	6	4	5	7	0	22	5	4	5	7	0	21	83%	100%	100%	100%		95%
	Carjacking, Armed	3	4	1	1	0	9	3	4	1	1	0	9	100%	100%	100%	100%		100%
	Confine And Put In Fear	0	1	2	4	0	7	0	0	2	4	0	6		0%	100%	100%		86%
	Traffic Heroin 028-100	4	3	1	5	0	13	4	3	1	5	0	13	100%	100%	100%	100%		100%
	Traffic Heroin 100-200	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
	Traffic Cocaine 100-200	6	4	5	3	0	18	6	4	5	3	0	18	100%	100%	100%	100%		100%
	Throw or Place Explosives	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	<b>Sub-Total</b>	<b>78</b>	<b>36</b>	<b>39</b>	<b>49</b>	<b>1</b>	<b>203</b>	<b>66</b>	<b>35</b>	<b>38</b>	<b>49</b>	<b>1</b>	<b>189</b>	<b>85%</b>	<b>97%</b>	<b>97%</b>	<b>100%</b>	<b>100%</b>	<b>93%</b>

**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	0	0	0	0	9	9	0	0	0	0	9	100%					100%
	A&B Aggravated - Serious Injury	3	3	5	5	0	16	2	2	5	5	0	14	67%	67%	100%	100%		88%
	A&B Dangerous Weapon	19	10	18	29	0	76	19	10	18	29	0	76	100%	100%	100%	100%		100%
	A&B Dangerous Weapon + 60	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
	A&B DW, Aggravated w/Injury	14	10	3	3	0	30	11	9	3	2	0	25	79%	90%	100%	67%		83%
	Assault To Kill or Maim	1	0	1	3	0	5	0	0	1	2	0	3	0%		100%	67%		60%
	Rape Of Child	55	10	6	4	0	75	49	10	4	4	0	67	89%	100%	67%	100%		89%
	Assault w/i Rape	1	2	2	2	0	7	1	2	2	2	0	7	100%	100%	100%	100%		100%
	Child Pornography	4	1	0	1	0	6	0	0	0	1	0	1	0%	0%		100%		17%
	Robbery Unarmed + 60	2	0	2	3	0	7	1	0	1	2	0	4	50%		50%	67%		57%
	Armed Robbery	64	46	37	57	3	207	47	40	35	55	3	180	73%	87%	95%	96%	100%	87%
	Armed Assault w/i Rob	11	9	6	7	0	33	7	4	6	7	0	24	64%	44%	100%	100%		73%
	Armed Aslt w/i Rob Over 65	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
	Carjacking	1	0	3	3	0	7	1	0	3	3	0	7	100%		100%	100%		100%
	Kidnapping	5	3	2	2	0	12	5	3	2	2	0	12	100%	100%	100%	100%		100%
	Kidnapping Level 6	2	1	1	0	0	4	2	1	1	0	0	4	100%	100%	100%			100%
	Violation Of Civil Rights, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Burning Dwelling House	5	3	0	3	0	11	4	2	0	2	0	8	80%	67%		67%		73%
	Distribute Class A 2nd	0	2	3	7	0	12	0	2	3	7	0	12		100%	100%	100%		100%
	Distribute Cocaine 2nd	0	7	8	11	0	26	0	7	8	11	0	26		100%	100%	100%		100%
	Traffic Heroin 014-028	17	3	3	3	0	26	17	3	3	3	0	26	100%	100%	100%	100%		100%
	Traffic Cocaine 028-100	27	8	18	4	0	57	27	8	18	4	0	57	100%	100%	100%	100%		100%
	Distribute Cocaine Minor	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	MV Homicide - OUI Felony	10	3	1	0	0	14	10	3	1	0	0	14	100%	100%	100%			100%
	Possess Explosive Device	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	<b>Sub-Total</b>	<b>252</b>	<b>122</b>	<b>121</b>	<b>149</b>	<b>3</b>	<b>647</b>	<b>214</b>	<b>107</b>	<b>116</b>	<b>143</b>	<b>3</b>	<b>583</b>	<b>85%</b>	<b>88%</b>	<b>96%</b>	<b>96%</b>	<b>100%</b>	<b>90%</b>

**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	17	11	3	2	0	33	4	6	2	2	0	14	24%	55%	67%	100%		42%
	A&B Aggravated	20	12	12	9	0	53	11	9	9	7	0	36	55%	75%	75%	78%		68%
	A&B DW, Aggravated	12	10	13	8	0	43	11	8	12	7	0	38	92%	80%	92%	88%		88%
	Indecent A&B On Child	65	10	14	3	0	92	43	8	12	2	0	65	66%	80%	86%	67%		71%
	Indecent A&B +60	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Entice Child	3	2	3	1	0	9	3	1	2	1	0	7	100%	50%	67%	100%		78%
	Unnatural Acts Child	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
	Robbery Unarmed	23	17	37	41	1	119	9	12	37	39	1	98	39%	71%	100%	95%	100%	82%
	Intimidation	177	178	171	155	0	681	81	106	112	122	0	421	46%	60%	65%	79%		62%
	Stalking Violation of Rest. Order	1	1	2	2	0	6	1	1	2	2	0	6	100%	100%	100%	100%		100%
	Common & Notorious Thief	1	1	1	2	0	5	1	1	1	2	0	5	100%	100%	100%	100%		100%
	Burglary	4	3	0	7	0	14	4	3	0	6	0	13	100%	100%		86%		93%
	Distribute Class B 2nd	0	6	6	10	0	22	0	6	6	10	0	22		100%	100%	100%		100%
	Traffic Cocaine 014-028	41	21	17	9	0	88	41	21	17	9	0	88	100%	100%	100%	100%		100%
	Distribute Class B Minor	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Guard Sex w/ Prisoner	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Perjury or Suborn	4	2	1	0	0	7	2	2	0	0	0	4	50%	100%	0%			57%
	Bribery - Level 5	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
	Sex Offender Fail Register 2nd	0	3	2	6	0	11	0	3	2	2	0	7		100%	100%	33%		64%
	<b>Sub-Total</b>	<b>373</b>	<b>277</b>	<b>283</b>	<b>257</b>	<b>1</b>	<b>1,191</b>	<b>213</b>	<b>187</b>	<b>215</b>	<b>213</b>	<b>1</b>	<b>829</b>	<b>57%</b>	<b>68%</b>	<b>76%</b>	<b>83%</b>	<b>100%</b>	<b>70%</b>

**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	38	25	16	19	0	98	15	13	11	18	0	57	39%	52%	69%	95%		58%
	Assault Aggravated	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
	A&B Guard	0	4	7	17	0	28	0	3	5	13	0	21		75%	71%	76%		75%
	A&B Dangerous Weapon	45	47	38	44	0	174	45	47	38	44	0	174	100%	100%	100%	100%		100%
	A&B To Collect Loan	3	2	2	0	0	7	0	0	0	0	0	0	0%	0%	0%			0%
	Indecent A&B	40	12	11	16	0	79	19	8	8	13	0	48	48%	67%	73%	81%		61%
	Photograph Nude Person	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
	Child Pornography Possess 2nd	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
	Assault w/i Rob	0	3	1	5	0	9	0	2	1	5	0	8		67%	100%	100%		89%
	Stalking	7	4	3	5	0	19	4	2	2	3	0	11	57%	50%	67%	60%		58%
	Harassment	28	20	16	10	0	74	11	5	11	5	0	32	39%	25%	69%	50%		43%
	Larceny More	6	3	2	10	0	21	6	3	2	10	0	21	100%	100%	100%	100%		100%
	Larceny More + 60	2	0	0	5	0	7	2	0	0	5	0	7	100%			100%		100%
	Larceny Person	157	145	92	89	0	483	89	101	70	58	0	318	57%	70%	76%	65%		66%
	Larceny Person + 65	6	2	0	1	0	9	5	2	0	1	0	8	83%	100%		100%		89%
	Larceny MV 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Fraud - Identity	54	36	21	29	0	140	16	16	14	24	0	70	30%	44%	67%	83%		50%
	B&E	6	10	17	88	0	121	6	10	17	88	0	121	100%	100%	100%	100%		100%
	Enter Dwelling w/I Felony	2	0	0	7	0	9	1	0	0	6	0	7	50%			86%		78%
	B&E DT Armed w/i Felony	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Receiving Stolen Goods Over	1	0	0	3	0	4	1	0	0	3	0	4	100%			100%		100%
	Receiving Stolen Goods MV 2nd	0	0	0	8	0	8	0	0	0	8	0	8				100%		100%
	Burning Building	7	1	0	0	0	8	3	1	0	0	0	4	43%	100%				50%
	Distribute Class A	246	163	110	113	0	632	114	109	84	87	0	394	46%	67%	76%	77%		62%
	Distribute Class B	516	293	196	129	0	1,134	192	172	126	90	0	580	37%	59%	64%	70%		51%
	Distribute Cocaine	47	49	50	42	0	188	47	49	50	42	0	188	100%	100%	100%	100%		100%
	Traffic Mar 50-100	5	0	0	0	0	5	5	0	0	0	0	5	100%					100%
	Larceny Cont Sub	1	3	2	0	0	6	1	2	1	0	0	4	100%	67%	50%			67%
	Giving Prisoner Cont Sub	4	3	2	3	0	12	3	2	2	1	0	8	75%	67%	100%	33%		67%
	Control Substance School	41	42	29	14	0	126	41	42	29	14	0	126	100%	100%	100%	100%		100%
	MV Homicide - Reckless	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
	MV Homicide - OUI	4	1	0	0	0	5	4	1	0	0	0	5	100%	100%				100%
	Leaving Scene Death	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	OUI Serious Inj, Fel	10	2	2	2	0	16	10	2	2	2	0	16	100%	100%	100%	100%		100%
	Derive Support From Prostitute	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
	Gun Serial Number, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Firearm Sale Violation	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
	Escape	4	10	10	11	1	36	2	9	10	10	1	32	50%	90%	100%	91%	100%	89%
	Bribery	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Extortion	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
	Bomb Hoax	2	1	2	0	0	5	2	0	1	0	0	3	100%	0%	50%			60%
	Hoax Device	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Tax Law Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Disinter Body	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	<b>Sub-Total</b>	<b>1,302</b>	<b>884</b>	<b>633</b>	<b>674</b>	<b>1</b>	<b>3,494</b>	<b>652</b>	<b>604</b>	<b>488</b>	<b>554</b>	<b>1</b>	<b>2,299</b>	<b>50%</b>	<b>68%</b>	<b>77%</b>	<b>82%</b>	<b>100%</b>	<b>66%</b>

**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	1,344	973	782	655	4	3,758	423	441	431	428	3	1,726	31%	45%	55%	65%	75%	46%
	A&B w/I Intimidate	3	1	2	0	0	6	1	1	2	0	0	4	33%	100%	100%			67%
	Reckless Endangerment	32	5	6	5	0	48	10	1	2	4	0	17	31%	20%	33%	80%		35%
	Permit Injury to Child	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
	A&B Ambulance	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
	A&B Dangerous Weapon	256	131	111	84	0	582	90	58	60	54	0	262	35%	44%	54%	64%		45%
	A&B Dangerous Weapon + 60	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Assault Dangerous Weapon	173	136	115	119	0	543	78	77	78	76	0	309	45%	57%	68%	64%		57%
	Assault Dangerous Weapon + 60	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
	Unnatural Acts	4	3	1	4	0	12	1	1	0	4	0	6	25%	33%	0%	100%		50%
	Child Pornography Possess	48	5	4	1	0	58	22	3	3	1	0	29	46%	60%	75%	100%		50%
	Kidnapping	1	2	0	2	0	5	0	1	0	0	0	1	0%	50%		0%		20%
	Violation Of Civil Rights	1	2	1	1	0	5	1	2	1	1	0	5	100%	100%	100%	100%		100%
	Restraining Order Violation	229	249	237	220	1	936	90	116	134	140	1	481	39%	47%	57%	64%	100%	51%
	Harassment Order Violation	25	16	11	20	0	72	8	7	1	11	0	27	32%	44%	9%	55%		38%
	Larceny	12	13	13	15	0	53	12	13	13	15	0	53	100%	100%	100%	100%		100%
	Larceny More	607	498	397	511	1	2,014	178	233	204	332	0	947	29%	47%	51%	65%	0%	47%
	Larceny More + 60	4	2	1	1	0	8	2	1	1	1	0	5	50%	50%	100%	100%		63%
	Larceny Building	74	51	41	55	0	221	29	28	25	39	0	121	39%	55%	61%	71%		55%
	Larceny from Truck	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	Larceny Firearm	4	1	2	1	0	8	4	1	2	1	0	8	100%	100%	100%	100%		100%
	Larceny MV	22	18	24	34	0	98	7	8	19	25	0	59	32%	44%	79%	74%		60%
	Embezzlement	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
	Credit Card Misuse - More	3	4	3	9	0	19	2	2	3	9	0	16	67%	50%	100%	100%		84%
	Defrauding Insurer	10	7	5	2	0	24	1	2	1	1	0	5	10%	29%	20%	50%		21%
	Fraud	33	20	20	15	0	88	11	6	12	9	0	38	33%	30%	60%	60%		43%
	Possess Burglarious Tools	22	36	43	56	0	157	6	20	35	40	0	101	27%	56%	81%	71%		64%
	B&E	481	446	374	392	0	1,693	206	276	261	298	0	1,041	43%	62%	70%	76%		61%
	Mal Dest Property More	50	30	20	29	0	129	22	15	11	17	0	65	44%	50%	55%	59%		50%
	Receiving Stolen Goods Over	35	36	42	36	0	149	16	17	29	28	0	90	46%	47%	69%	78%		60%
	Receiving Stolen Goods MV	47	45	35	52	0	179	14	24	24	43	0	105	30%	53%	69%	83%		59%
	Receiving Stolen Goods 2nd	0	0	0	2	0	2	0	0	0	1	0	1				50%		50%
	Forgery And Uttering	91	89	79	80	0	339	23	32	45	46	0	146	25%	36%	57%	58%		43%
	Counterfeit	2	6	1	0	0	9	0	2	0	0	0	2	0%	33%	0%			22%

**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
	Burning Property	5	1	3	3	0	12	2	0	1	2	0	5	40%	0%	33%	67%		42%
	Burning Motor Vehicle	0	1	2	0	0	3	0	0	1	0	0	1		0%	50%			33%
	Possession Class A 2nd	2	7	3	9	0	21	0	2	1	3	0	6	0%	29%	33%	33%		29%
	Possession Class A Heroin 2nd	3	5	3	2	0	13	1	0	1	1	0	3	33%	0%	33%	50%		23%
	Possession Class B 2nd	3	11	16	21	0	51	1	6	7	10	0	24	33%	55%	44%	48%		47%
	Possession Class C 2nd	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
	Possession Class D 2nd	1	2	1	0	0	4	1	1	0	0	0	2	100%	50%	0%			50%
	Distribute Class C	17	6	8	11	0	42	2	2	6	9	0	19	12%	33%	75%	82%		45%
	Distribute Class D 2nd	2	4	5	1	0	12	2	3	3	1	0	9	100%	75%	60%	100%		75%
	Distribute Class E 2nd	1	1	4	1	0	7	1	1	3	1	0	6	100%	100%	75%	100%		86%
	MV Homicide	19	0	0	1	0	20	5	0	0	1	0	6	26%			100%		30%
	Leaving Scene Property Damage	298	139	87	50	0	574	54	44	32	25	0	155	18%	32%	37%	50%		27%
	Leaving Scene Personal Injury	77	26	9	14	0	126	15	7	5	11	0	38	19%	27%	56%	79%		30%
	OUI Serious Inj, Misd	17	5	0	0	0	22	5	4	0	0	0	9	29%	80%				41%
	OUI - Child Endangerment	24	4	0	0	0	28	7	2	0	0	0	9	29%	50%				32%
	Ignition Interlock Violation	1	3	0	0	0	4	1	3	0	0	0	4	100%	100%				100%
	Inducing Minor To Sex	6	1	0	0	0	7	1	0	0	0	0	1	17%	0%				14%
	Possess Firearm Silencer	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
	Gun Serial Number	6	1	1	0	0	8	5	0	0	0	0	5	83%	0%	0%			63%
	Firearm Loaded while OUI	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Nonsupport	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Interfere Police or Firefighter	5	5	3	0	0	13	3	1	2	0	0	6	60%	20%	67%			46%
	Carrying Dangerous Weapon	60	52	38	43	0	193	20	29	15	21	0	85	33%	56%	39%	49%		44%
	Contempt Of Court	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Cruelty To Animals	7	1	2	2	0	12	1	0	0	2	0	3	14%	0%	0%	100%		25%
	Throw Object On Public Way	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
	Sex Offender Fail Register	17	16	50	85	1	169	6	9	30	46	0	91	35%	56%	60%	54%	0%	54%
	Vandalize - Graves	4	1	2	0	0	7	1	1	2	0	0	4	25%	100%	100%			57%
	Wiretapping	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
	Corporate books-falsify entry	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	<b>Sub-Total</b>	<b>4,208</b>	<b>3,119</b>	<b>2,609</b>	<b>2,647</b>	<b>7</b>	<b>12,590</b>	<b>1,400</b>	<b>1,504</b>	<b>1,507</b>	<b>1,759</b>	<b>4</b>	<b>6,174</b>	<b>33%</b>	<b>48%</b>	<b>58%</b>	<b>66%</b>	<b>57%</b>	<b>49%</b>

**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	68	60	41	35	0	204	18	17	16	12	0	63	26%	28%	39%	34%		31%
	Accost / Annoy Person Opposite Sex	10	8	6	3	0	27	3	3	3	1	0	10	30%	38%	50%	33%		37%
	Larceny	30	29	22	16	0	97	0	0	1	0	0	1	0%	0%	5%	0%		1%
	Larceny Less	335	212	105	105	0	757	82	75	41	48	0	246	24%	35%	39%	46%		32%
	Larceny Less +60	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Shoplifting	663	536	431	487	4	2,121	34	77	105	174	2	392	5%	14%	24%	36%	50%	18%
	Credit Card Misuse	32	12	11	9	0	64	10	9	5	7	0	31	31%	75%	45%	78%		48%
	MV - False Report Of Theft	5	0	0	0	0	5	0	0	0	0	0	0	0%					0%
	Defrauding Innkeeper	1	2	1	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
	Welfare Violation	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
	Concealing Property To Defraud	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Failure To Return Leased Prop	12	11	3	4	0	30	4	2	1	3	0	10	33%	18%	33%	75%		33%
	B&E MV	2	1	0	1	0	4	0	0	0	0	0	0	0%	0%		0%		0%
	B&E w/i Misdemeanor	32	17	11	11	0	71	7	3	4	7	0	21	22%	18%	36%	64%		30%
	Property Destruction	137	113	99	67	0	416	34	27	51	33	0	145	25%	24%	52%	49%		35%
	Tagging Property	12	4	5	2	0	23	2	1	2	1	0	6	17%	25%	40%	50%		26%
	Receiving Stolen Goods	152	156	112	114	1	535	56	73	63	76	1	269	37%	47%	56%	67%	100%	50%
	Counterfeit	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Setting Fire Land	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	Fraud - Electric, Phone or Cable	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Property Violation	5	5	5	5	0	20	1	2	2	0	0	5	20%	40%	40%	0%		25%
	Possession Class A	165	135	105	83	0	488	55	55	47	43	0	200	33%	41%	45%	52%		41%
	Possession Class A Heroin	66	49	40	35	0	190	28	20	23	19	0	90	42%	41%	58%	54%		47%
	Possession Class B	336	291	210	181	1	1,019	91	135	112	91	0	429	27%	46%	53%	50%	0%	42%
	Possession Class C	37	31	14	20	0	102	17	12	8	7	0	44	46%	39%	57%	35%		43%
	Possession Class D	91	19	14	8	0	132	12	6	3	4	0	25	13%	32%	21%	50%		19%
	Possession Class D Marijuana 2nd	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Distribute Counterfeit Substance	1	1	3	8	0	13	1	0	2	5	0	8	100%	0%	67%	63%		62%
	Distribute Class D	264	126	57	23	0	470	60	49	27	9	0	145	23%	39%	47%	39%		31%
	Distribute Class E	16	7	11	6	0	40	2	5	7	4	0	18	13%	71%	64%	67%		45%
	Presence Class A	15	16	8	8	0	47	6	8	5	2	0	21	40%	50%	63%	25%		45%
	Forge Prescription	27	26	11	16	0	80	9	8	3	7	0	27	33%	31%	27%	44%		34%
	Distribute Paraphenalia	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Operate to Endanger	933	231	128	93	0	1,385	84	55	51	56	0	246	9%	24%	40%	60%		18%
	Use Without Authority	40	33	28	26	0	127	16	16	16	15	0	63	40%	48%	57%	58%		50%
	Use w/o Authority 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Habitual Traffic Offender	16	45	23	20	0	104	4	12	8	9	0	33	25%	27%	35%	45%		32%
	Racing	10	2	1	0	0	13	0	1	1	0	0	2	0%	50%	100%			15%



**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
	Operate After Suspension 2nd	110	212	162	171	1	656	42	123	103	123	1	392	38%	58%	64%	72%	100%	60%
	Compulsory Insurance Violation	203	78	54	56	0	391	33	20	16	26	0	95	16%	26%	30%	46%		24%
	Altering MV ID Number	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Counterfeit/Alter MV Document	19	8	13	7	0	47	3	1	7	5	0	16	16%	13%	54%	71%		34%
	False Statement On Application	4	4	2	1	0	11	2	1	2	1	0	6	50%	25%	100%	100%		55%
	Prostitution	89	99	40	41	0	269	35	39	14	18	0	106	39%	39%	35%	44%		39%
	Common Night Walker 3rd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Induce Female To Prostitution	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Keeping A House Of Ill Fame	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Open And Gross	24	13	8	21	0	66	7	6	5	18	0	36	29%	46%	63%	86%		55%
	Obscene Material to Minor	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
	Firearm Possess w/o Permit	139	48	24	4	0	215	72	30	18	4	0	124	52%	63%	75%	100%		58%
	Possess Mace	6	0	2	0	0	8	1	0	1	0	0	2	17%		50%			25%
	Possess Ammunition	16	8	4	1	1	30	6	1	2	0	0	9	38%	13%	50%	0%	0%	30%
	Firearm Carry, School	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Firearm Store Improper	11	9	0	0	0	20	1	2	0	0	0	3	9%	22%				15%
	Conceal or Harbor Fleeing Child	2	0	1	0	0	3	1	0	1	0	0	2	50%		100%			67%
	Escape Lockup	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Impersonate/Disguise	1	2	5	0	0	8	0	1	4	0	0	5	0%	50%	80%			63%
	Failure to Appear	7	6	5	5	0	23	4	4	2	2	0	12	57%	67%	40%	40%		52%
	Possess Stun Gun	3	3	2	0	0	8	1	1	2	0	0	4	33%	33%	100%			50%
	False Alarm	2	4	2	3	0	11	0	2	0	1	0	3	0%	50%	0%	33%		27%
	Fireworks	3	0	1	0	0	4	0	0	0	0	0	0	0%		0%			0%
	Violation Of Explosives	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Disrupt Court Proceedings	4	1	4	2	0	11	0	0	1	2	0	3	0%	0%	25%	100%		27%
	Contributing To Delinquency	1	4	0	1	0	6	0	0	0	1	0	1	0%	0%		100%		17%
	Mistreat Police Animal	2	2	1	0	0	5	1	0	0	0	0	1	50%	0%	0%			20%
	Election Law Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Resisting Arrest	291	250	158	149	0	848	49	99	83	87	0	318	17%	40%	53%	58%		38%
	Compound / Conceal Felony	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	False Report Of Crime	29	5	3	4	0	41	11	1	0	1	0	13	38%	20%	0%	25%		32%
	Hazardous Materials	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Disconnect Sprinkler System	0	2	2	2	0	6	0	2	1	2	0	5		100%	50%	100%		83%
	Clean Water Act Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Record w/o Manufacturer	4	0	1	2	0	7	0	0	0	2	0	2	0%		0%	100%		29%
	True Name Law	16	9	6	12	0	43	14	9	6	10	0	39	88%	100%	100%	83%		91%
	Home Imp Contractor Violation	1	2	0	0	0	3	1	0	0	0	0	1	100%	0%				33%
	<b>Sub-Total</b>	<b>4,513</b>	<b>2,953</b>	<b>2,008</b>	<b>1,870</b>	<b>8</b>	<b>11,352</b>	<b>925</b>	<b>1,017</b>	<b>878</b>	<b>937</b>	<b>4</b>	<b>3,761</b>	<b>20%</b>	<b>34%</b>	<b>44%</b>	<b>50%</b>	<b>50%</b>	<b>33%</b>

**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	Obscene Materials	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
	Threatening	80	65	75	86	0	306	27	29	31	49	0	136	34%	45%	41%	57%		44%
	Vandalism	33	28	31	21	0	113	6	15	11	13	0	45	18%	54%	35%	62%		40%
	Setting Fire In Open	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Trespassing	236	181	168	231	1	817	55	68	63	106	0	292	23%	38%	38%	46%	0%	36%
	Use Motorboat w/o Authority	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Gaming	3	2	0	1	0	6	0	1	0	0	0	1	0%	50%		0%		17%
	Unauthorized Access of Computer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Possession Class D Marijuana	25	3	3	0	0	31	1	0	3	0	0	4	4%	0%	100%			13%
	Possession Class E	21	34	18	37	0	110	9	19	8	24	0	60	43%	56%	44%	65%		55%
	Inhaling Toxic Vapors	5	3	0	0	0	8	1	2	0	0	0	3	20%	67%				38%
	Disturb Correctional Institution	1	1	2	2	0	6	1	1	1	2	0	5	100%	100%	50%	100%		83%
	Attaching Wrong MV Plates	69	15	11	10	0	105	4	1	2	1	0	8	6%	7%	18%	10%		8%
	Operate After Suspension	1,261	959	592	388	1	3,201	126	135	97	75	0	433	10%	14%	16%	19%	0%	14%
	Obstruct Emergency Veh	4	0	0	1	0	5	0	0	0	0	0	0	0%			0%		0%
	RV On Public Way	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
	Common Night Walker	10	24	17	6	0	57	7	8	11	2	0	28	70%	33%	65%	33%		49%
	Indecent Exposure	13	8	8	11	0	40	4	3	4	5	0	16	31%	38%	50%	45%		40%
	Lewd And Lacivious	3	4	3	2	0	12	0	2	2	1	0	5	0%	50%	67%	50%		42%
	Disorderly Conduct	619	345	227	190	1	1,382	11	19	15	25	0	70	2%	6%	7%	13%	0%	5%
	Disturb Peace, 2nd Offense	3	8	5	10	0	26	1	4	0	3	0	8	33%	50%	0%	30%		31%
	Possess Air Rifle w/o FID Card	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Firearm Discharge	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
	Annoying Phone Calls	3	2	6	3	0	14	0	0	3	1	0	4	0%	0%	50%	33%		29%
	Failure To Obey Police Officer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Obstructing Justice	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
	License Law Violation (Not MV)	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
	Alcohol, Procure for Minor	26	11	3	2	1	43	5	2	1	0	0	8	19%	18%	33%	0%	0%	19%
	Alcohol, Transporting	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
	Throwing Glass On Public Way	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	Business Practice	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Employment Practices	7	3	1	0	0	11	0	1	0	0	0	1	0%	33%	0%			9%
	Child Labor Violation	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Landlord Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Fail To Comply With Dog Order	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Unlicensed Massage / Bath	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Improper Disposal of Body	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	<b>Sub-Total</b>	<b>2,446</b>	<b>1,703</b>	<b>1,171</b>	<b>1,004</b>	<b>4</b>	<b>6,328</b>	<b>260</b>	<b>313</b>	<b>252</b>	<b>308</b>	<b>0</b>	<b>1,133</b>	<b>11%</b>	<b>18%</b>	<b>22%</b>	<b>31%</b>	<b>0%</b>	<b>18%</b>

**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	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
	Conspiracy Violate CSA	34	13	10	17	0	74	8	6	5	10	0	29	24%	46%	50%	59%		39%
	Conspiracy	19	2	7	4	0	32	8	0	6	3	0	17	42%	0%	86%	75%		53%
	Attempt To Commit Crime	33	38	21	37	0	129	13	24	10	23	0	70	39%	63%	48%	62%		54%
	Accessory Before	1	2	2	1	0	6	0	0	1	1	0	2	0%	0%	50%	100%		33%
	Accessory After	11	3	0	0	0	14	7	3	0	0	0	10	64%	100%				71%
	<b>Sub-Total</b>	<b>99</b>	<b>58</b>	<b>41</b>	<b>59</b>	<b>0</b>	<b>257</b>	<b>36</b>	<b>33</b>	<b>22</b>	<b>37</b>	<b>0</b>	<b>128</b>	<b>36%</b>	<b>57%</b>	<b>54%</b>	<b>63%</b>		<b>50%</b>

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

**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						
	A&B Aggravated - Serious Injury	0	1	1	1	0	3	0	0	1	1	0	2	0%	100%	100%			67%
	A&B Dangerous Weapon	0	0	0	0	0	0	0	0	0	0	0	0						
	A&B Dangerous Weapon + 60	0	0	0	0	0	0	0	0	0	0	0	0						
	A&B DW, Aggravated w/Injury	0	0	0	0	0	0	0	0	0	0	0	0						
	Assault To Kill or Maim	0	0	0	0	0	0	0	0	0	0	0	0						
	Rape Of Child	0	0	0	0	0	0	0	0	0	0	0	0						
	Assault w/i Rape	0	0	0	0	0	0	0	0	0	0	0	0						
	Child Pornography	0	0	0	0	0	0	0	0	0	0	0	0						
	Robbery Unarmed + 60	0	0	0	0	0	0	0	0	0	0	0	0						
	Armed Robbery	0	0	0	0	0	0	0	0	0	0	0	0						
	Armed Assault w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0						
	Armed Aslt w/i Rob Over 65	0	0	0	0	0	0	0	0	0	0	0	0						
	Carjacking	1	0	1	2	0	4	1	0	1	2	0	4	100%		100%	100%		100%
	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0						
	Kidnapping Level 6	0	0	0	0	0	0	0	0	0	0	0	0						
	Violation Of Civil Rights, Felony	0	0	0	0	0	0	0	0	0	0	0	0						
	Burning Dwelling House	0	0	0	0	0	0	0	0	0	0	0	0						
	Distribute Class A 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Distribute Cocaine 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Traffic Heroin 014-028	0	0	0	0	0	0	0	0	0	0	0	0						
	Traffic Cocaine 028-100	0	0	0	0	0	0	0	0	0	0	0	0						
	Distribute Cocaine Minor	0	0	0	0	0	0	0	0	0	0	0	0						
	MV Homicide - OUI Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Possess Explosive Device	0	0	0	0	0	0	0	0	0	0	0	0						
	<b>Sub-Total</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>8</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>7</b>	<b>100%</b>	<b>0%</b>	<b>100%</b>	<b>100%</b>		<b>88%</b>

**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	13	6	3	2	0	24	2	2	2	2	0	8	15%	33%	67%	100%		33%
	A&B Aggravated	15	11	7	6	0	39	7	8	4	4	0	23	47%	73%	57%	67%		59%
	A&B DW, Aggravated	0	2	0	2	0	4	0	2	0	1	0	3		100%		50%		75%
	Indecent A&B On Child	41	8	12	0	0	61	21	6	11	0	0	38	51%	75%	92%			62%
	Indecent A&B +60	0	0	0	0	0	0	0	0	0	0	0	0						
	Entice Child	2	2	2	0	0	6	2	1	1	0	0	4	100%	50%	50%			67%
	Unnatural Acts Child	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Robbery Unarmed	0	0	0	0	0	0	0	0	0	0	0	0						
	Intimidation	152	162	156	131	0	601	64	92	97	100	0	353	42%	57%	62%	76%		59%
	Stalking Violation of Rest. Order	0	1	1	1	0	3	0	1	1	1	0	3		100%	100%	100%		100%
	Common & Notorious Thief	0	0	0	0	0	0	0	0	0	0	0	0						
	Burglary	0	0	0	0	0	0	0	0	0	0	0	0						
	Distribute Class B 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Traffic Cocaine 014-028	0	0	0	0	0	0	0	0	0	0	0	0						
	Distribute Class B Minor	0	0	0	0	0	0	0	0	0	0	0	0						
	Guard Sex w/ Prisoner	0	0	0	0	0	0	0	0	0	0	0	0						
	Perjury or Suborn	0	0	0	0	0	0	0	0	0	0	0	0						
	Bribery - Level 5	0	0	0	0	0	0	0	0	0	0	0	0						
	Sex Offender Fail Register 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	<b>Sub-Total</b>	<b>224</b>	<b>192</b>	<b>181</b>	<b>142</b>	<b>0</b>	<b>739</b>	<b>97</b>	<b>112</b>	<b>116</b>	<b>108</b>	<b>0</b>	<b>433</b>	<b>43%</b>	<b>58%</b>	<b>64%</b>	<b>76%</b>		<b>59%</b>

**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	36	24	15	17	0	92	13	12	10	16	0	51	36%	50%	67%	94%		55%
	Assault Aggravated	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	A&B Guard	0	0	3	7	0	10	0	0	1	4	0	5			33%	57%		50%
	A&B Dangerous Weapon	20	36	31	37	0	124	20	36	31	37	0	124	100%	100%	100%	100%		100%
	A&B To Collect Loan	1	1	2	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
	Indecent A&B	29	8	7	12	0	56	14	4	5	9	0	32	48%	50%	71%	75%		57%
	Photograph Nude Person	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
	Child Pornography Possess 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Assault w/i Rob	0	0	0	0	0	0	0	0	0	0	0	0						
	Stalking	5	4	2	5	0	16	3	2	1	3	0	9	60%	50%	50%	60%		56%
	Harassment	28	19	16	9	0	72	11	4	11	5	0	31	39%	21%	69%	56%		43%
	Larceny More	0	0	0	0	0	0	0	0	0	0	0	0						
	Larceny More + 60	0	0	0	0	0	0	0	0	0	0	0	0						
	Larceny Person	142	131	80	84	0	437	78	89	58	54	0	279	55%	68%	73%	64%		64%
	Larceny Person + 65	6	1	0	1	0	8	5	1	0	1	0	7	83%	100%		100%		88%
	Larceny MV 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Fraud - Identity	51	35	21	28	0	135	16	16	14	23	0	69	31%	46%	67%	82%		51%
	B&E	0	0	0	0	0	0	0	0	0	0	0	0						
	Enter Dwelling w/I Felony	0	0	0	0	0	0	0	0	0	0	0	0						
	B&E DT Armed w/i Felony	0	0	0	0	0	0	0	0	0	0	0	0						
	Receiving Stolen Goods Over	0	0	0	0	0	0	0	0	0	0	0	0						
	Receiving Stolen Goods MV 2nd	0	0	0	3	0	3	0	0	0	3	0	3			100%			100%
	Burning Building	0	0	0	0	0	0	0	0	0	0	0	0						
	Distribute Class A	187	111	66	76	0	440	75	64	44	55	0	238	40%	58%	67%	72%		54%
	Distribute Class B	393	230	153	98	0	874	129	123	94	68	0	414	33%	53%	61%	69%		47%
	Distribute Cocaine	0	0	0	0	0	0	0	0	0	0	0	0						
	Traffic Mar 50-100	0	0	0	0	0	0	0	0	0	0	0	0						
	Larceny Cont Sub	1	2	2	0	0	5	1	1	1	0	0	3	100%	50%	50%			60%
	Giving Prisoner Cont Sub	2	3	1	2	0	8	1	2	1	0	0	4	50%	67%	100%	0%		50%
	Control Substance School	26	24	22	9	0	81	26	24	22	9	0	81	100%	100%	100%	100%		100%
	MV Homicide - Reckless	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
	MV Homicide - OUI	3	1	0	0	0	4	3	1	0	0	0	4	100%	100%				100%
	Leaving Scene Death	0	0	0	0	0	0	0	0	0	0	0	0						
	OUI Serious Inj, Fel	6	0	2	2	0	10	6	0	2	2	0	10	100%		100%	100%		100%
	Derive Support From Prostitute	0	0	0	0	0	0	0	0	0	0	0	0						
	Gun Serial Number, Felony	0	0	0	0	0	0	0	0	0	0	0	0						
	Firearm Sale Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Escape	4	10	10	9	0	33	2	9	10	8	0	29	50%	90%	100%	89%		88%
	Bribery	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Extortion	0	0	0	0	0	0	0	0	0	0	0	0						
	Bomb Hoax	0	0	0	0	0	0	0	0	0	0	0	0						
	Hoax Device	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Tax Law Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Disinter Body	0	0	0	0	0	0	0	0	0	0	0	0						
	<b>Sub-Total</b>	<b>948</b>	<b>641</b>	<b>434</b>	<b>399</b>	<b>0</b>	<b>2,422</b>	<b>405</b>	<b>389</b>	<b>306</b>	<b>297</b>	<b>0</b>	<b>1,397</b>	<b>43%</b>	<b>61%</b>	<b>71%</b>	<b>74%</b>		<b>58%</b>

**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	1,293	953	767	639	4	3,656	398	424	417	413	3	1,655	31%	44%	54%	65%	75%	45%
	A&B w/I Intimidate	2	1	2	0	0	5	1	1	2	0	0	4	50%	100%	100%			80%
	Reckless Endangerment	28	5	6	5	0	44	7	1	2	4	0	14	25%	20%	33%	80%		32%
	Permit Injury to Child	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	A&B Ambulance	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
	A&B Dangerous Weapon	244	130	111	84	0	569	90	58	60	54	0	262	37%	45%	54%	64%		46%
	A&B Dangerous Weapon + 60	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Assault Dangerous Weapon	150	124	102	113	0	489	57	67	69	70	0	263	38%	54%	68%	62%		54%
	Assault Dangerous Weapon + 60	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Unnatural Acts	3	3	1	4	0	11	0	1	0	4	0	5	0%	33%	0%	100%		45%
	Child Pornography Possess	24	2	1	0	0	27	5	1	1	0	0	7	21%	50%	100%			26%
	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0						
	Violation Of Civil Rights	0	2	1	1	0	4	0	2	1	1	0	4		100%	100%	100%		100%
	Restraining Order Violation	229	246	237	217	1	930	90	113	134	138	1	476	39%	46%	57%	64%	100%	51%
	Harassment Order Violation	25	16	11	20	0	72	8	7	1	11	0	27	32%	44%	9%	55%		38%
	Larceny	9	13	13	15	0	50	9	13	13	15	0	50	100%	100%	100%	100%		100%
	Larceny More	548	487	393	504	1	1,933	154	228	202	327	0	911	28%	47%	51%	65%	0%	47%
	Larceny More + 60	1	2	1	0	0	4	0	1	1	0	0	2	0%	50%	100%			50%
	Larceny Building	73	51	38	52	0	214	28	28	23	36	0	115	38%	55%	61%	69%		54%
	Larceny from Truck	0	0	0	0	0	0	0	0	0	0	0	0						
	Larceny Firearm	4	1	1	1	0	7	4	1	1	1	0	7	100%	100%	100%	100%		100%
	Larceny MV	20	18	23	29	0	90	6	8	18	21	0	53	30%	44%	78%	72%		59%
	Embezzlement	0	0	0	0	0	0	0	0	0	0	0	0						
	Credit Card Misuse - More	3	4	2	9	0	18	2	2	2	9	0	15	67%	50%	100%	100%		83%
	Defrauding Insurer	6	6	5	2	0	19	0	2	1	1	0	4	0%	33%	20%	50%		21%
	Fraud	25	20	20	13	0	78	10	6	12	9	0	37	40%	30%	60%	69%		47%
	Possess Burglarious Tools	22	36	40	50	0	148	6	20	33	34	0	93	27%	56%	83%	68%		63%
	B&E	468	438	359	381	0	1,646	200	269	249	290	0	1,008	43%	61%	69%	76%		61%
	Mal Dest Property More	39	28	18	27	0	112	11	13	9	15	0	48	28%	46%	50%	56%		43%
	Receiving Stolen Goods Over	28	35	39	36	0	138	11	16	26	28	0	81	39%	46%	67%	78%		59%
	Receiving Stolen Goods MV	46	45	34	48	0	173	13	24	23	39	0	99	28%	53%	68%	81%		57%
	Receiving Stolen Goods 2nd	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Forgery And Uttering	86	88	78	76	0	328	23	32	44	42	0	141	27%	36%	56%	55%		43%
	Counterfeit	2	6	1	0	0	9	0	2	0	0	0	2	0%	33%	0%			22%



**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
	Burning Property	5	1	2	3	0	11	2	0	0	2	0	4	40%	0%	0%	67%		36%
	Burning Motor Vehicle	0	1	1	0	0	2	0	0	0	0	0	0		0%	0%			0%
	Possession Class A 2nd	2	7	2	9	0	20	0	2	1	3	0	6	0%	29%	50%	33%		30%
	Possession Class A Heroin 2nd	3	5	3	2	0	13	1	0	1	1	0	3	33%	0%	33%	50%		23%
	Possession Class B 2nd	3	11	16	21	0	51	1	6	7	10	0	24	33%	55%	44%	48%		47%
	Possession Class C 2nd	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
	Possession Class D 2nd	1	2	1	0	0	4	1	1	0	0	0	2	100%	50%	0%			50%
	Distribute Class C	16	5	8	11	0	40	2	1	6	9	0	18	13%	20%	75%	82%		45%
	Distribute Class D 2nd	2	3	3	1	0	9	2	3	1	1	0	7	100%	100%	33%	100%		78%
	Distribute Class E 2nd	1	0	4	0	0	5	1	0	3	0	0	4	100%		75%			80%
	MV Homicide	17	0	0	1	0	18	5	0	0	1	0	6	29%			100%		33%
	Leaving Scene Property Damage	298	139	86	50	0	573	54	44	32	25	0	155	18%	32%	37%	50%		27%
	Leaving Scene Personal Injury	75	25	9	14	0	123	14	6	5	11	0	36	19%	24%	56%	79%		29%
	OUI Serious Inj, Misd	15	5	0	0	0	20	3	4	0	0	0	7	20%	80%				35%
	OUI - Child Endangerment	24	4	0	0	0	28	7	2	0	0	0	9	29%	50%				32%
	Ignition Interlock Violation	1	3	0	0	0	4	1	3	0	0	0	4	100%	100%				100%
	Inducing Minor To Sex	5	1	0	0	0	6	1	0	0	0	0	1	20%	0%				17%
	Possess Firearm Silencer	0	0	0	0	0	0	0	0	0	0	0	0						
	Gun Serial Number	6	1	1	0	0	8	5	0	0	0	0	5	83%	0%	0%			63%
	Firearm Loaded while OUI	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Nonsupport	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Interfere Police or Firefighter	5	5	3	0	0	13	3	1	2	0	0	6	60%	20%	67%			46%
	Carrying Dangerous Weapon	59	51	37	40	0	187	19	28	14	18	0	79	32%	55%	38%	45%		42%
	Contempt Of Court	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Cruelty To Animals	7	1	1	2	0	11	1	0	0	2	0	3	14%	0%	0%	100%		27%
	Throw Object On Public Way	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
	Sex Offender Fail Register	17	13	49	78	1	158	6	6	29	41	0	82	35%	46%	59%	53%	0%	52%
	Vandalize - Graves	4	1	2	0	0	7	1	1	2	0	0	4	25%	100%	100%			57%
	Wiretapping	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Corporate books-falsify entry	0	0	0	0	0	0	0	0	0	0	0	0						
	<b>Sub-Total</b>	<b>3,954</b>	<b>3,046</b>	<b>2,533</b>	<b>2,561</b>	<b>7</b>	<b>12,101</b>	<b>1,265</b>	<b>1,449</b>	<b>1,448</b>	<b>1,687</b>	<b>4</b>	<b>5,853</b>	<b>32%</b>	<b>48%</b>	<b>57%</b>	<b>66%</b>	<b>57%</b>	<b>48%</b>

**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	66	58	40	34	0	198	17	17	15	12	0	61	26%	29%	38%	35%		31%
	Accost / Annoy Person Opposite Sex	10	8	5	3	0	26	3	3	3	1	0	10	30%	38%	60%	33%		38%
	Larceny	30	29	22	16	0	97	0	0	1	0	0	1	0%	0%	5%	0%		1%
	Larceny Less	333	212	105	104	0	754	82	75	41	48	0	246	25%	35%	39%	46%		33%
	Larceny Less +60	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Shoplifting	663	536	430	487	4	2,120	34	77	105	174	2	392	5%	14%	24%	36%	50%	18%
	Credit Card Misuse	31	12	10	9	0	62	10	9	5	7	0	31	32%	75%	50%	78%		50%
	MV - False Report Of Theft	5	0	0	0	0	5	0	0	0	0	0	0	0%					0%
	Defrauding Innkeeper	1	2	1	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
	Welfare Violation	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
	Concealing Property To Defraud	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Failure To Return Leased Prop	12	11	3	4	0	30	4	2	1	3	0	10	33%	18%	33%	75%		33%
	B&E MV	2	1	0	1	0	4	0	0	0	0	0	0	0%	0%		0%		0%
	B&E w/i Misdemeanor	32	17	11	11	0	71	7	3	4	7	0	21	22%	18%	36%	64%		30%
	Property Destruction	137	113	98	67	0	415	34	27	50	33	0	144	25%	24%	51%	49%		35%
	Tagging Property	12	4	5	2	0	23	2	1	2	1	0	6	17%	25%	40%	50%		26%
	Receiving Stolen Goods	151	156	111	113	1	532	56	73	62	75	1	267	37%	47%	56%	66%	100%	50%
	Counterfeit	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Setting Fire Land	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	Fraud - Electric, Phone or Cable	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Property Violation	5	5	5	5	0	20	1	2	2	0	0	5	20%	40%	40%	0%		25%
	Possession Class A	164	135	105	83	0	487	55	55	47	43	0	200	34%	41%	45%	52%		41%
	Possession Class A Heroin	65	49	40	35	0	189	27	20	23	19	0	89	42%	41%	58%	54%		47%
	Possession Class B	323	289	203	179	1	995	88	135	107	89	0	419	27%	47%	53%	50%	0%	42%
	Possession Class C	37	31	14	19	0	101	17	12	8	7	0	44	46%	39%	57%	37%		44%
	Possession Class D	90	19	14	8	0	131	11	6	3	4	0	24	12%	32%	21%	50%		18%
	Possession Class D Marijuana 2nd	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Distribute Counterfeit Substance	1	1	3	7	0	12	1	0	2	4	0	7	100%	0%	67%	57%		58%
	Distribute Class D	248	120	53	23	0	444	58	46	24	9	0	137	23%	38%	45%	39%		31%
	Distribute Class E	14	7	11	6	0	38	2	5	7	4	0	18	14%	71%	64%	67%		47%
	Presence Class A	13	16	8	8	0	45	6	8	5	2	0	21	46%	50%	63%	25%		47%
	Forge Prescription	26	26	11	16	0	79	9	8	3	7	0	27	35%	31%	27%	44%		34%
	Distribute Paraphenalia	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Operate to Endanger	931	231	128	93	0	1,383	84	55	51	56	0	246	9%	24%	40%	60%		18%
	Use Without Authority	40	33	28	26	0	127	16	16	16	15	0	63	40%	48%	57%	58%		50%
	Use w/o Authority 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Habitual Traffic Offender	16	45	23	20	0	104	4	12	8	9	0	33	25%	27%	35%	45%		32%
	Racing	10	2	1	0	0	13	0	1	1	0	0	2	0%	50%	100%			15%

**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
	Operate After Suspension 2nd	110	212	162	171	1	656	42	123	103	123	1	392	38%	58%	64%	72%	100%	60%
	Compulsory Insurance Violation	203	78	54	56	0	391	33	20	16	26	0	95	16%	26%	30%	46%		24%
	Altering MV ID Number	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Counterfeit/Alter MV Document	18	8	13	7	0	46	2	1	7	5	0	15	11%	13%	54%	71%		33%
	False Statement On Application	3	4	2	1	0	10	1	1	2	1	0	5	33%	25%	100%	100%		50%
	Prostitution	89	99	40	41	0	269	35	39	14	18	0	106	39%	39%	35%	44%		39%
	Common Night Walker 3rd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Induce Female To Prostitution	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Keeping A House Of Ill Fame	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Open And Gross	24	10	7	20	0	61	7	3	4	17	0	31	29%	30%	57%	85%		51%
	Obscene Material to Minor	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Firearm Possess w/o Permit	112	37	14	3	0	166	53	22	10	3	0	88	47%	59%	71%	100%		53%
	Possess Mace	6	0	2	0	0	8	1	0	1	0	0	2	17%		50%			25%
	Possess Ammunition	11	7	4	1	1	24	4	1	2	0	0	7	36%	14%	50%	0%	0%	29%
	Firearm Carry, School	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Firearm Store Improper	11	9	0	0	0	20	1	2	0	0	0	3	9%	22%				15%
	Conceal or Harbor Fleeing Child	2	0	1	0	0	3	1	0	1	0	0	2	50%		100%			67%
	Escape Lockup	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Impersonate/Disguise	1	2	5	0	0	8	0	1	4	0	0	5	0%	50%	80%			63%
	Failure to Appear	5	6	5	3	0	19	2	4	2	1	0	9	40%	67%	40%	33%		47%
	Possess Stun Gun	2	3	2	0	0	7	1	1	2	0	0	4	50%	33%	100%			57%
	False Alarm	2	4	2	3	0	11	0	2	0	1	0	3	0%	50%	0%	33%		27%
	Fireworks	3	0	1	0	0	4	0	0	0	0	0	0	0%		0%			0%
	Violation Of Explosives	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Disrupt Court Proceedings	4	1	4	2	0	11	0	0	1	2	0	3	0%	0%	25%	100%		27%
	Contributing To Delinquency	1	4	0	1	0	6	0	0	0	1	0	1	0%	0%		100%		17%
	Mistreat Police Animal	2	2	1	0	0	5	1	0	0	0	0	1	50%	0%	0%			20%
	Election Law Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Resisting Arrest	291	249	155	149	0	844	49	99	81	87	0	316	17%	40%	52%	58%		37%
	Compound / Conceal Felony	0	0	0	0	0	0	0	0	0	0	0	0						
	False Report Of Crime	27	5	3	4	0	39	9	1	0	1	0	11	33%	20%	0%	25%		28%
	Hazardous Materials	0	0	0	0	0	0	0	0	0	0	0	0						
	Disconnect Sprinkler System	0	2	2	2	0	6	0	2	1	2	0	5		100%	50%	100%		83%
	Clean Water Act Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Record w/o Manufacturer	4	0	1	2	0	7	0	0	0	2	0	2	0%		0%	100%		29%
	True Name Law	16	9	6	12	0	43	14	9	6	10	0	39	88%	100%	100%	83%		91%
	Home Imp Contractor Violation	0	2	0	0	0	2	0	0	0	0	0	0		0%				0%
	<b>Sub-Total</b>	<b>4,424</b>	<b>2,927</b>	<b>1,976</b>	<b>1,859</b>	<b>8</b>	<b>11,194</b>	<b>889</b>	<b>1,003</b>	<b>855</b>	<b>930</b>	<b>4</b>	<b>3,681</b>	<b>20%</b>	<b>34%</b>	<b>43%</b>	<b>50%</b>	<b>50%</b>	<b>33%</b>

**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	Obscene Materials	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
	Threatening	77	65	75	86	0	303	26	29	31	49	0	135	34%	45%	41%	57%		45%
	Vandalism	33	28	31	21	0	113	6	15	11	13	0	45	18%	54%	35%	62%		40%
	Setting Fire In Open	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Trespassing	236	181	168	231	1	817	55	68	63	106	0	292	23%	38%	38%	46%	0%	36%
	Use Motorboat w/o Authority	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Gaming	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
	Unauthorized Access of Computer	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Possession Class D Marijuana	24	3	3	0	0	30	1	0	3	0	0	4	4%	0%	100%			13%
	Possession Class E	21	34	18	37	0	110	9	19	8	24	0	60	43%	56%	44%	65%		55%
	Inhaling Toxic Vapors	5	3	0	0	0	8	1	2	0	0	0	3	20%	67%				38%
	Disturb Correctional Institution	1	1	2	2	0	6	1	1	1	2	0	5	100%	100%	50%	100%		83%
	Attaching Wrong MV Plates	69	15	11	10	0	105	4	1	2	1	0	8	6%	7%	18%	10%		8%
	Operate After Suspension	1,261	959	592	388	1	3,201	126	135	97	75	0	433	10%	14%	16%	19%	0%	14%
	Obstruct Emergency Veh	4	0	0	1	0	5	0	0	0	0	0	0	0%			0%		0%
	RV On Public Way	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
	Common Night Walker	10	24	17	6	0	57	7	8	11	2	0	28	70%	33%	65%	33%		49%
	Indecent Exposure	13	8	8	11	0	40	4	3	4	5	0	16	31%	38%	50%	45%		40%
	Lewd And Lacivious	3	4	3	2	0	12	0	2	2	1	0	5	0%	50%	67%	50%		42%
	Disorderly Conduct	618	345	227	190	1	1,381	10	19	15	25	0	69	2%	6%	7%	13%	0%	5%
	Disturb Peace, 2nd Offense	3	8	5	10	0	26	1	4	0	3	0	8	33%	50%	0%	30%		31%
	Possess Air Rifle w/o FID Card	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Firearm Discharge	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
	Annoying Phone Calls	3	2	6	3	0	14	0	0	3	1	0	4	0%	0%	50%	33%		29%
	Failure To Obey Police Officer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Obstructing Justice	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
	License Law Violation (Not MV)	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
	Alcohol, Procure for Minor	25	11	3	2	1	42	5	2	1	0	0	8	20%	18%	33%	0%	0%	19%
	Alcohol, Transporting	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
	Throwing Glass On Public Way	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	Business Practice	0	0	0	0	0	0	0	0	0	0	0	0						
	Employment Practices	6	0	1	0	0	7	0	0	0	0	0	0	0%		0%			0%
	Child Labor Violation	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Landlord Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Fail To Comply With Dog Order	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Unlicensed Massage / Bath	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Improper Disposal of Body	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	<b>Sub-Total</b>	<b>2,435</b>	<b>1,699</b>	<b>1,171</b>	<b>1,003</b>	<b>4</b>	<b>6,312</b>	<b>258</b>	<b>311</b>	<b>252</b>	<b>308</b>	<b>0</b>	<b>1,129</b>	<b>11%</b>	<b>18%</b>	<b>22%</b>	<b>31%</b>	<b>0%</b>	<b>18%</b>

**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	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
	Conspiracy Violate CSA	12	4	4	7	0	27	1	2	2	4	0	9	8%	50%	50%	57%		33%
	Conspiracy	4	2	4	3	0	13	1	0	3	2	0	6	25%	0%	75%	67%		46%
	Attempt To Commit Crime	29	36	20	35	0	120	12	22	10	21	0	65	41%	61%	50%	60%		54%
	Accessory Before	1	2	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
	Accessory After	0	0	0	0	0	0	0	0	0	0	0	0						
	<b>Sub-Total</b>	<b>47</b>	<b>44</b>	<b>29</b>	<b>45</b>	<b>0</b>	<b>165</b>	<b>14</b>	<b>24</b>	<b>15</b>	<b>27</b>	<b>0</b>	<b>80</b>	<b>30%</b>	<b>55%</b>	<b>52%</b>	<b>60%</b>		<b>48%</b>

**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	27	16	6	5	0	54	27	16	6	5	0	54	100%	100%	100%	100%		100%
	<b>Sub-Total</b>	<b>27</b>	<b>16</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>54</b>	<b>27</b>	<b>16</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>54</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>		<b>100%</b>
8	Manslaughter	19	6	8	5	0	38	19	6	8	5	0	38	100%	100%	100%	100%		100%
	Armed Assault In Dwell House	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Rape, Aggravated	6	3	3	7	1	20	6	3	3	7	1	20	100%	100%	100%	100%	100%	100%
	Rape Of Child w/Force	16	3	2	6	0	27	15	3	2	6	0	26	94%	100%	100%	100%		96%
	Armed Assault w/i Murder - Firearm	4	4	4	3	0	15	4	4	4	3	0	15	100%	100%	100%	100%		100%
	Home Invasion	6	0	2	2	0	10	1	0	2	2	0	5	17%		100%	100%		50%
	Burglary, Armed	2	0	0	1	0	3	0	0	0	1	0	1	0%			100%		33%
	Traffic Heroin 200+	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Traffic Cocaine 200+	4	1	1	0	0	6	4	1	1	0	0	6	100%	100%	100%			100%
	<b>Sub-Total</b>	<b>58</b>	<b>17</b>	<b>20</b>	<b>25</b>	<b>1</b>	<b>121</b>	<b>50</b>	<b>17</b>	<b>20</b>	<b>25</b>	<b>1</b>	<b>113</b>	<b>86%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>93%</b>
7	Murder, Attempted	2	1	2	2	0	7	2	1	2	2	0	7	100%	100%	100%	100%		100%
	Mayhem	5	1	2	3	0	11	4	1	2	3	0	10	80%	100%	100%	100%		91%
	A&B Child w/Injury Substantial	4	0	0	0	0	4	4	0	0	0	0	4	100%					100%
	Rape	11	5	2	2	0	20	8	5	2	2	0	17	73%	100%	100%	100%		85%
	Rape of Child 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Rape of Child Aggravated	7	1	3	2	0	13	7	1	3	2	0	13	100%	100%	100%	100%		100%
	Assault w/i Rape Child	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
	Incest	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
	Armed Robbery Gun	24	12	16	16	1	69	17	12	15	16	1	61	71%	100%	94%	100%	100%	88%
	Armed Assault w/i Murder	6	4	5	7	0	22	5	4	5	7	0	21	83%	100%	100%	100%		95%
	Carjacking, Armed	3	4	1	1	0	9	3	4	1	1	0	9	100%	100%	100%	100%		100%
	Confine And Put In Fear	0	1	2	4	0	7	0	0	2	4	0	6		0%	100%	100%		86%
	Traffic Heroin 028-100	4	3	1	5	0	13	4	3	1	5	0	13	100%	100%	100%	100%		100%
	Traffic Heroin 100-200	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
	Traffic Cocaine 100-200	6	4	5	3	0	18	6	4	5	3	0	18	100%	100%	100%	100%		100%
	Throw or Place Explosives	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	<b>Sub-Total</b>	<b>78</b>	<b>36</b>	<b>39</b>	<b>49</b>	<b>1</b>	<b>203</b>	<b>66</b>	<b>35</b>	<b>38</b>	<b>49</b>	<b>1</b>	<b>189</b>	<b>85%</b>	<b>97%</b>	<b>97%</b>	<b>100%</b>	<b>100%</b>	<b>93%</b>

**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	0	0	0	0	9	9	0	0	0	0	9	100%					100%
	A&B Aggravated - Serious Injury	3	2	4	4	0	13	2	2	4	4	0	12	67%	100%	100%	100%		92%
	A&B Dangerous Weapon	19	10	18	29	0	76	19	10	18	29	0	76	100%	100%	100%	100%		100%
	A&B Dangerous Weapon + 60	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
	A&B DW, Aggravated w/Injury	14	10	3	3	0	30	11	9	3	2	0	25	79%	90%	100%	67%		83%
	Assault To Kill or Maim	1	0	1	3	0	5	0	0	1	2	0	3	0%		100%	67%		60%
	Rape Of Child	55	10	6	4	0	75	49	10	4	4	0	67	89%	100%	67%	100%		89%
	Assault w/i Rape	1	2	2	2	0	7	1	2	2	2	0	7	100%	100%	100%	100%		100%
	Child Pornography	4	1	0	1	0	6	0	0	0	1	0	1	0%	0%		100%		17%
	Robbery Unarmed + 60	2	0	2	3	0	7	1	0	1	2	0	4	50%		50%	67%		57%
	Armed Robbery	64	46	37	57	3	207	47	40	35	55	3	180	73%	87%	95%	96%	100%	87%
	Armed Assault w/i Rob	11	9	6	7	0	33	7	4	6	7	0	24	64%	44%	100%	100%		73%
	Armed Aslt w/i Rob Over 65	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
	Carjacking	0	0	2	1	0	3	0	0	2	1	0	3			100%	100%		100%
	Kidnapping	5	3	2	2	0	12	5	3	2	2	0	12	100%	100%	100%	100%		100%
	Kidnapping Level 6	2	1	1	0	0	4	2	1	1	0	0	4	100%	100%	100%			100%
	Violation Of Civil Rights, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Burning Dwelling House	5	3	0	3	0	11	4	2	0	2	0	8	80%	67%		67%		73%
	Distribute Class A 2nd	0	2	3	7	0	12	0	2	3	7	0	12		100%	100%	100%		100%
	Distribute Cocaine 2nd	0	7	8	11	0	26	0	7	8	11	0	26		100%	100%	100%		100%
	Traffic Heroin 014-028	17	3	3	3	0	26	17	3	3	3	0	26	100%	100%	100%	100%		100%
	Traffic Cocaine 028-100	27	8	18	4	0	57	27	8	18	4	0	57	100%	100%	100%	100%		100%
	Distribute Cocaine Minor	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	MV Homicide - OUI Felony	9	3	1	0	0	13	9	3	1	0	0	13	100%	100%	100%			100%
	Possess Explosive Device	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	<b>Sub-Total</b>	<b>250</b>	<b>121</b>	<b>119</b>	<b>146</b>	<b>3</b>	<b>639</b>	<b>212</b>	<b>107</b>	<b>114</b>	<b>140</b>	<b>3</b>	<b>576</b>	<b>85%</b>	<b>88%</b>	<b>96%</b>	<b>96%</b>	<b>100%</b>	<b>90%</b>

**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	4	5	0	0	0	9	2	4	0	0	0	6	50%	80%				67%
	A&B Aggravated	5	1	5	3	0	14	4	1	5	3	0	13	80%	100%	100%	100%		93%
	A&B DW, Aggravated	12	8	13	6	0	39	11	6	12	6	0	35	92%	75%	92%	100%		90%
	Indecent A&B On Child	24	2	2	3	0	31	22	2	1	2	0	27	92%	100%	50%	67%		87%
	Indecent A&B +60	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Entice Child	1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%
	Unnatural Acts Child	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Robbery Unarmed	23	17	37	41	1	119	9	12	37	39	1	98	39%	71%	100%	95%	100%	82%
	Intimidation	25	16	15	24	0	80	17	14	15	22	0	68	68%	88%	100%	92%		85%
	Stalking Violation of Rest. Order	1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%
	Common & Notorious Thief	1	1	1	2	0	5	1	1	1	2	0	5	100%	100%	100%	100%		100%
	Burglary	4	3	0	7	0	14	4	3	0	6	0	13	100%	100%		86%		93%
	Distribute Class B 2nd	0	6	6	10	0	22	0	6	6	10	0	22		100%	100%	100%		100%
	Traffic Cocaine 014-028	41	21	17	9	0	88	41	21	17	9	0	88	100%	100%	100%	100%		100%
	Distribute Class B Minor	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Guard Sex w/ Prisoner	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Perjury or Suborn	4	2	1	0	0	7	2	2	0	0	0	4	50%	100%	0%			57%
	Bribery - Level 5	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
	Sex Offender Fail Register 2nd	0	3	2	6	0	11	0	3	2	2	0	7		100%	100%	33%		64%
	<b>Sub-Total</b>	<b>149</b>	<b>85</b>	<b>102</b>	<b>115</b>	<b>1</b>	<b>452</b>	<b>116</b>	<b>75</b>	<b>99</b>	<b>105</b>	<b>1</b>	<b>396</b>	<b>78%</b>	<b>88%</b>	<b>97%</b>	<b>91%</b>	<b>100%</b>	<b>88%</b>



**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	2	1	1	2	0	6	2	1	1	2	0	6	100%	100%	100%	100%		100%
	Assault Aggravated	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	A&B Guard	0	4	4	10	0	18	0	3	4	9	0	16		75%	100%	90%		89%
	A&B Dangerous Weapon	25	11	7	7	0	50	25	11	7	7	0	50	100%	100%	100%	100%		100%
	A&B To Collect Loan	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
	Indecent A&B	11	4	4	4	0	23	5	4	3	4	0	16	45%	100%	75%	100%		70%
	Photograph Nude Person	0	0	0	0	0	0	0	0	0	0	0	0						
	Child Pornography Possess 2nd	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
	Assault w/i Rob	0	3	1	5	0	9	0	2	1	5	0	8		67%	100%	100%		89%
	Stalking	2	0	1	0	0	3	1	0	1	0	0	2	50%		100%			67%
	Harassment	0	1	0	1	0	2	0	1	0	0	0	1		100%		0%		50%
	Larceny More	6	3	2	10	0	21	6	3	2	10	0	21	100%	100%	100%	100%		100%
	Larceny More + 60	2	0	0	5	0	7	2	0	0	5	0	7	100%			100%		100%
	Larceny Person	15	14	12	5	0	46	11	12	12	4	0	39	73%	86%	100%	80%		85%
	Larceny Person + 65	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Larceny MV 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Fraud - Identity	3	1	0	1	0	5	0	0	0	1	0	1	0%	0%		100%		20%
	B&E	6	10	17	88	0	121	6	10	17	88	0	121	100%	100%	100%	100%		100%
	Enter Dwelling w/I Felony	2	0	0	7	0	9	1	0	0	6	0	7	50%			86%		78%
	B&E DT Armed w/i Felony	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Receiving Stolen Goods Over	1	0	0	3	0	4	1	0	0	3	0	4	100%			100%		100%
	Receiving Stolen Goods MV 2nd	0	0	0	5	0	5	0	0	0	5	0	5				100%		100%
	Burning Building	7	1	0	0	0	8	3	1	0	0	0	4	43%	100%				50%
	Distribute Class A	59	52	44	37	0	192	39	45	40	32	0	156	66%	87%	91%	86%		81%
	Distribute Class B	123	63	43	31	0	260	63	49	32	22	0	166	51%	78%	74%	71%		64%
	Distribute Cocaine	47	49	50	42	0	188	47	49	50	42	0	188	100%	100%	100%	100%		100%
	Traffic Mar 50-100	5	0	0	0	0	5	5	0	0	0	0	5	100%					100%
	Larceny Cont Sub	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Giving Prisoner Cont Sub	2	0	1	1	0	4	2	0	1	1	0	4	100%		100%	100%		100%
	Control Substance School	15	18	7	5	0	45	15	18	7	5	0	45	100%	100%	100%	100%		100%
	MV Homicide - Reckless	0	0	0	0	0	0	0	0	0	0	0	0						
	MV Homicide - OUI	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Leaving Scene Death	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	OUI Serious Inj, Fel	4	2	0	0	0	6	4	2	0	0	0	6	100%	100%				100%
	Derive Support From Prostitute	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
	Gun Serial Number, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Firearm Sale Violation	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
	Escape	0	0	0	2	1	3	0	0	0	2	1	3				100%	100%	100%
	Bribery	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Extortion	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
	Bomb Hoax	2	1	2	0	0	5	2	0	1	0	0	3	100%	0%	50%			60%
	Hoax Device	0	0	0	0	0	0	0	0	0	0	0	0						
	Tax Law Violation	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Disinter Body	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	<b>Sub-Total</b>	<b>354</b>	<b>243</b>	<b>199</b>	<b>275</b>	<b>1</b>	<b>1,072</b>	<b>247</b>	<b>215</b>	<b>182</b>	<b>257</b>	<b>1</b>	<b>902</b>	<b>70%</b>	<b>88%</b>	<b>91%</b>	<b>93%</b>	<b>100%</b>	<b>84%</b>

**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	51	20	15	16	0	102	25	17	14	15	0	71	49%	85%	93%	94%		70%
	A&B w/I Intimidate	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Reckless Endangerment	4	0	0	0	0	4	3	0	0	0	0	3	75%					75%
	Permit Injury to Child	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	A&B Ambulance	0	0	0	0	0	0	0	0	0	0	0	0						
	A&B Dangerous Weapon	12	1	0	0	0	13	0	0	0	0	0	0	0%	0%				0%
	A&B Dangerous Weapon + 60	0	0	0	0	0	0	0	0	0	0	0	0						
	Assault Dangerous Weapon	23	12	13	6	0	54	21	10	9	6	0	46	91%	83%	69%	100%		85%
	Assault Dangerous Weapon + 60	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Unnatural Acts	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Child Pornography Possess	24	3	3	1	0	31	17	2	2	1	0	22	71%	67%	67%	100%		71%
	Kidnapping	1	2	0	2	0	5	0	1	0	0	0	1	0%	50%		0%		20%
	Violation Of Civil Rights	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Restraining Order Violation	0	3	0	3	0	6	0	3	0	2	0	5		100%		67%		83%
	Harassment Order Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Larceny	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
	Larceny More	59	11	4	7	0	81	24	5	2	5	0	36	41%	45%	50%	71%		44%
	Larceny More + 60	3	0	0	1	0	4	2	0	0	1	0	3	67%			100%		75%
	Larceny Building	1	0	3	3	0	7	1	0	2	3	0	6	100%		67%	100%		86%
	Larceny from Truck	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	Larceny Firearm	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Larceny MV	2	0	1	5	0	8	1	0	1	4	0	6	50%		100%	80%		75%
	Embezzlement	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
	Credit Card Misuse - More	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Defrauding Insurer	4	1	0	0	0	5	1	0	0	0	0	1	25%	0%				20%
	Fraud	8	0	0	2	0	10	1	0	0	0	0	1	13%			0%		10%
	Possess Burglarious Tools	0	0	3	6	0	9	0	0	2	6	0	8			67%	100%		89%
	B&E	13	8	15	11	0	47	6	7	12	8	0	33	46%	88%	80%	73%		70%
	Mal Dest Property More	11	2	2	2	0	17	11	2	2	2	0	17	100%	100%	100%	100%		100%
	Receiving Stolen Goods Over	7	1	3	0	0	11	5	1	3	0	0	9	71%	100%	100%			82%
	Receiving Stolen Goods MV	1	0	1	4	0	6	1	0	1	4	0	6	100%		100%	100%		100%
	Receiving Stolen Goods 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Forgery And Uttering	5	1	1	4	0	11	0	0	1	4	0	5	0%	0%	100%	100%		45%
	Counterfeit	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
	Burning Property	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Burning Motor Vehicle	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Possession Class A 2nd	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	Possession Class A Heroin 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Possession Class B 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Possession Class C 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Possession Class D 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Distribute Class C	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
	Distribute Class D 2nd	0	1	2	0	0	3	0	0	2	0	0	2		0%	100%			67%
	Distribute Class E 2nd	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
	MV Homicide	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Leaving Scene Property Damage	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	Leaving Scene Personal Injury	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
	OUI Serious Inj, Misd	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	OUI - Child Endangerment	0	0	0	0	0	0	0	0	0	0	0	0						
	Ignition Interlock Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Inducing Minor To Sex	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Possess Firearm Silencer	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
	Gun Serial Number	0	0	0	0	0	0	0	0	0	0	0	0						
	Firearm Loaded while OUI	0	0	0	0	0	0	0	0	0	0	0	0						
	Nonsupport	0	0	0	0	0	0	0	0	0	0	0	0						
	Interfere Police or Firefighter	0	0	0	0	0	0	0	0	0	0	0	0						
	Carrying Dangerous Weapon	1	1	1	3	0	6	1	1	1	3	0	6	100%	100%	100%	100%		100%
	Contempt Of Court	0	0	0	0	0	0	0	0	0	0	0	0						
	Cruelty To Animals	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	Throw Object On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
	Sex Offender Fail Register	0	3	1	7	0	11	0	3	1	5	0	9		100%	100%	71%		82%
	Vandalize - Graves	0	0	0	0	0	0	0	0	0	0	0	0						
	Wiretapping	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Corporate books-falsify entry	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	<b>Sub-Total</b>	<b>254</b>	<b>73</b>	<b>76</b>	<b>86</b>	<b>0</b>	<b>489</b>	<b>135</b>	<b>55</b>	<b>59</b>	<b>72</b>	<b>0</b>	<b>321</b>	<b>53%</b>	<b>75%</b>	<b>78%</b>	<b>84%</b>		<b>66%</b>

**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	2	2	1	1	0	6	1	0	1	0	0	2	50%	0%	100%	0%		33%
	Accost / Annoy Person Opposite Sex	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	Larceny	0	0	0	0	0	0	0	0	0	0	0	0						
	Larceny Less	2	0	0	1	0	3	0	0	0	0	0	0	0%			0%		0%
	Larceny Less +60	0	0	0	0	0	0	0	0	0	0	0	0						
	Shoplifting	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	Credit Card Misuse	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
	MV - False Report Of Theft	0	0	0	0	0	0	0	0	0	0	0	0						
	Defrauding Innkeeper	0	0	0	0	0	0	0	0	0	0	0	0						
	Welfare Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Concealing Property To Defraud	0	0	0	0	0	0	0	0	0	0	0	0						
	Failure To Return Leased Prop	0	0	0	0	0	0	0	0	0	0	0	0						
	B&E MV	0	0	0	0	0	0	0	0	0	0	0	0						
	B&E w/i Misdemeanor	0	0	0	0	0	0	0	0	0	0	0	0						
	Property Destruction	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Tagging Property	0	0	0	0	0	0	0	0	0	0	0	0						
	Receiving Stolen Goods	1	0	1	1	0	3	0	0	1	1	0	2	0%		100%	100%		67%
	Counterfeit	0	0	0	0	0	0	0	0	0	0	0	0						
	Setting Fire Land	0	0	0	0	0	0	0	0	0	0	0	0						
	Fraud - Electric, Phone or Cable	0	0	0	0	0	0	0	0	0	0	0	0						
	Property Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Possession Class A	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Possession Class A Heroin	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Possession Class B	13	2	7	2	0	24	3	0	5	2	0	10	23%	0%	71%	100%		42%
	Possession Class C	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Possession Class D	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Possession Class D Marijuana 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Distribute Counterfeit Substance	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Distribute Class D	16	6	4	0	0	26	2	3	3	0	0	8	13%	50%	75%			31%
	Distribute Class E	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Presence Class A	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Forge Prescription	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Distribute Paraphenalia	0	0	0	0	0	0	0	0	0	0	0	0						
	Operate to Endanger	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Use Without Authority	0	0	0	0	0	0	0	0	0	0	0	0						
	Use w/o Authority 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Habitual Traffic Offender	0	0	0	0	0	0	0	0	0	0	0	0						
	Racing	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
	Operate After Suspension 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Compulsory Insurance Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Altering MV ID Number	0	0	0	0	0	0	0	0	0	0	0	0						
	Counterfeit/Alter MV Document	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	False Statement On Application	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Prostitution	0	0	0	0	0	0	0	0	0	0	0	0						
	Common Night Walker 3rd	0	0	0	0	0	0	0	0	0	0	0	0						
	Induce Female To Prostitution	0	0	0	0	0	0	0	0	0	0	0	0						
	Keeping A House Of Ill Fame	0	0	0	0	0	0	0	0	0	0	0	0						
	Open And Gross	0	3	1	1	0	5	0	3	1	1	0	5		100%	100%	100%		100%
	Obscene Material to Minor	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Firearm Possess w/o Permit	27	11	10	1	0	49	19	8	8	1	0	36	70%	73%	80%	100%		73%
	Possess Mace	0	0	0	0	0	0	0	0	0	0	0	0						
	Possess Ammunition	5	1	0	0	0	6	2	0	0	0	0	2	40%	0%				33%
	Firearm Carry, School	0	0	0	0	0	0	0	0	0	0	0	0						
	Firearm Store Improper	0	0	0	0	0	0	0	0	0	0	0	0						
	Conceal or Harbor Fleeing Child	0	0	0	0	0	0	0	0	0	0	0	0						
	Escape Lockup	0	0	0	0	0	0	0	0	0	0	0	0						
	Impersonate/Disguise	0	0	0	0	0	0	0	0	0	0	0	0						
	Failure to Appear	2	0	0	2	0	4	2	0	0	1	0	3	100%			50%		75%
	Possess Stun Gun	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	False Alarm	0	0	0	0	0	0	0	0	0	0	0	0						
	Fireworks	0	0	0	0	0	0	0	0	0	0	0	0						
	Violation Of Explosives	0	0	0	0	0	0	0	0	0	0	0	0						
	Disrupt Court Proceedings	0	0	0	0	0	0	0	0	0	0	0	0						
	Contributing To Delinquency	0	0	0	0	0	0	0	0	0	0	0	0						
	Mistreat Police Animal	0	0	0	0	0	0	0	0	0	0	0	0						
	Election Law Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Resisting Arrest	0	1	3	0	0	4	0	0	2	0	0	2		0%	67%			50%
	Compound / Conceal Felony	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	False Report Of Crime	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	Hazardous Materials	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Disconnect Sprinkler System	0	0	0	0	0	0	0	0	0	0	0	0						
	Clean Water Act Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Record w/o Manufacturer	0	0	0	0	0	0	0	0	0	0	0	0						
	True Name Law	0	0	0	0	0	0	0	0	0	0	0	0						
	Home Imp Contractor Violation	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	<b>Sub-Total</b>	<b>89</b>	<b>26</b>	<b>32</b>	<b>11</b>	<b>0</b>	<b>158</b>	<b>36</b>	<b>14</b>	<b>23</b>	<b>7</b>	<b>0</b>	<b>80</b>	<b>40%</b>	<b>54%</b>	<b>72%</b>	<b>64%</b>		<b>51%</b>

**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	Obscene Materials	0	0	0	0	0	0	0	0	0	0	0	0						
	Threatening	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
	Vandalism	0	0	0	0	0	0	0	0	0	0	0	0						
	Setting Fire In Open	0	0	0	0	0	0	0	0	0	0	0	0						
	Trespassing	0	0	0	0	0	0	0	0	0	0	0	0						
	Use Motorboat w/o Authority	0	0	0	0	0	0	0	0	0	0	0	0						
	Gaming	2	1	0	1	0	4	0	1	0	0	0	1	0%	100%		0%		25%
	Unauthorized Access of Computer	0	0	0	0	0	0	0	0	0	0	0	0						
	Possession Class D Marijuana	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Possession Class E	0	0	0	0	0	0	0	0	0	0	0	0						
	Inhaling Toxic Vapors	0	0	0	0	0	0	0	0	0	0	0	0						
	Disturb Correctional Institution	0	0	0	0	0	0	0	0	0	0	0	0						
	Attaching Wrong MV Plates	0	0	0	0	0	0	0	0	0	0	0	0						
	Operate After Suspension	0	0	0	0	0	0	0	0	0	0	0	0						
	Obstruct Emergency Veh	0	0	0	0	0	0	0	0	0	0	0	0						
	RV On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
	Common Night Walker	0	0	0	0	0	0	0	0	0	0	0	0						
	Indecent Exposure	0	0	0	0	0	0	0	0	0	0	0	0						
	Lewd And Lacivious	0	0	0	0	0	0	0	0	0	0	0	0						
	Disorderly Conduct	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Disturb Peace, 2nd Offense	0	0	0	0	0	0	0	0	0	0	0	0						
	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	0	0	0	0	0	0						
	Firearm Discharge	0	0	0	0	0	0	0	0	0	0	0	0						
	Annoying Phone Calls	0	0	0	0	0	0	0	0	0	0	0	0						
	Failure To Obey Police Officer	0	0	0	0	0	0	0	0	0	0	0	0						
	Obstructing Justice	0	0	0	0	0	0	0	0	0	0	0	0						
	License Law Violation (Not MV)	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Alcohol, Procure for Minor	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Alcohol, Transporting	0	0	0	0	0	0	0	0	0	0	0	0						
	Throwing Glass On Public Way	0	0	0	0	0	0	0	0	0	0	0	0						
	Business Practice	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Employment Practices	1	3	0	0	0	4	0	1	0	0	0	1	0%	33%				25%
	Child Labor Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Landlord Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Fail To Comply With Dog Order	0	0	0	0	0	0	0	0	0	0	0	0						
	Unlicensed Massage / Bath	0	0	0	0	0	0	0	0	0	0	0	0						
	Improper Disposal of Body	0	0	0	0	0	0	0	0	0	0	0	0						
	<b>Sub-Total</b>	<b>11</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>16</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>18%</b>	<b>50%</b>		<b>0%</b>		<b>25%</b>

**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						
	Conspiracy Violate CSA	22	9	6	10	0	47	7	4	3	6	0	20	32%	44%	50%	60%		43%
	Conspiracy	15	0	3	1	0	19	7	0	3	1	0	11	47%		100%	100%		58%
	Attempt To Commit Crime	4	2	1	2	0	9	1	2	0	2	0	5	25%	100%	0%	100%		56%
	Accessory Before	0	0	2	1	0	3	0	0	1	1	0	2			50%	100%		67%
	Accessory After	11	3	0	0	0	14	7	3	0	0	0	10	64%	100%				71%
	<b>Sub-Total</b>	<b>52</b>	<b>14</b>	<b>12</b>	<b>14</b>	<b>0</b>	<b>92</b>	<b>22</b>	<b>9</b>	<b>7</b>	<b>10</b>	<b>0</b>	<b>48</b>	<b>42%</b>	<b>64%</b>	<b>58%</b>	<b>71%</b>		<b>52%</b>

**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	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>
8	Manslaughter	19	6	8	5	0	38	117.8	106.0	151.5	170.4	.	129.9	120.0	114.0	138.0	180.0	.	120.0
	Armed Assault In Dwell House	0	0	0	1	0	1	.	.	.	120.0	.	120.0	.	.	.	120.0	.	120.0
	Rape, Aggravated	6	3	3	4	1	17	151.5	100.0	172.0	198.0	144.0	156.5	141.0	108.0	144.0	192.0	144.0	120.0
	Rape Of Child w/Force	14	3	1	6	0	24	107.1	96.0	120.0	138.0	.	114.0	108.0	96.0	120.0	120.0	.	108.0
	Armed Assault w/i Murder - Firearm	4	4	4	3	0	15	84.0	114.0	108.0	136.0	.	108.8	90.0	102.0	108.0	108.0	.	96.0
	Home Invasion	1	0	2	2	0	5	240.0	.	240.0	300.0	.	264.0	240.0	.	240.0	300.0	.	240.0
	Burglary, Armed	0	0	0	1	0	1	.	.	.	144.0	.	144.0	.	.	.	144.0	.	144.0
	Traffic Heroin 200+	1	0	0	0	0	1	180.0	.	.	.	.	180.0	180.0	.	.	.	.	180.0
	Traffic Cocaine 200+	4	1	1	0	0	6	180.0	180.0	180.0	.	.	180.0	180.0	180.0	180.0	.	.	180.0
	<b>Sub-Total</b>	<b>49</b>	<b>17</b>	<b>19</b>	<b>22</b>	<b>1</b>	<b>108</b>	<b>125.0</b>	<b>109.4</b>	<b>154.7</b>	<b>170.2</b>	<b>144.0</b>	<b>137.1</b>	<b>120.0</b>	<b>108.0</b>	<b>144.0</b>	<b>162.0</b>	<b>144.0</b>	<b>120.0</b>
7	Murder, Attempted	2	1	2	2	0	7	60.0	36.0	60.0	45.0	.	52.3	60.0	36.0	60.0	45.0	.	42.0
	Mayhem	3	1	2	3	0	9	88.0	36.0	69.0	88.0	.	78.0	60.0	36.0	69.0	108.0	.	60.0
	A&B Child w/Injury Substantial	1	0	0	0	0	1	108.0	.	.	.	.	108.0	108.0	.	.	.	.	108.0
	Rape	8	5	2	2	0	17	72.8	69.6	90.0	54.0	.	71.6	60.0	60.0	90.0	54.0	.	60.0
	Rape of Child 2nd	0	0	0	1	0	1	.	.	.	144.0	.	144.0	.	.	.	144.0	.	144.0
	Rape of Child Aggravated	7	1	3	1	0	12	152.6	120.0	120.0	216.0	.	147.0	120.0	120.0	120.0	216.0	.	120.0
	Assault w/i Rape Child	1	0	0	1	0	2	300.0	.	.	48.0	.	174.0	300.0	.	.	48.0	.	174.0
	Incest	0	0	0	1	0	1	.	.	.	120.0	.	120.0	.	.	.	120.0	.	120.0
	Armed Robbery Gun	16	12	15	16	1	60	44.3	44.5	54.8	74.3	108.0	56.0	48.0	36.0	48.0	66.0	108.0	48.0
	Armed Assault w/i Murder	5	4	5	7	0	21	47.8	37.5	72.0	96.0	.	67.7	36.0	33.0	48.0	96.0	.	60.0
	Carjacking, Armed	3	4	1	1	0	9	74.0	46.5	48.0	36.0	.	54.7	72.0	45.0	48.0	36.0	.	48.0
	Confine And Put In Fear	0	0	2	4	0	6	.	.	90.0	39.0	.	56.0	.	.	90.0	42.0	.	48.0
	Traffic Heroin 028-100	4	3	1	5	0	13	87.0	88.0	84.0	86.4	.	86.8	84.0	84.0	84.0	84.0	.	84.0
	Traffic Heroin 100-200	1	0	0	1	0	2	120.0	.	.	156.0	.	138.0	120.0	.	.	156.0	.	138.0
	Traffic Cocaine 100-200	6	4	5	3	0	18	124.0	120.0	120.0	120.0	.	121.3	120.0	120.0	120.0	120.0	.	120.0
	Throw or Place Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>57</b>	<b>35</b>	<b>38</b>	<b>48</b>	<b>1</b>	<b>179</b>	<b>84.6</b>	<b>61.5</b>	<b>76.1</b>	<b>83.1</b>	<b>108.0</b>	<b>78.0</b>	<b>72.0</b>	<b>48.0</b>	<b>69.0</b>	<b>78.0</b>	<b>108.0</b>	<b>72.0</b>



**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	5	0	0	0	0	5	57.6	.	.	.	.	57.6	48.0	.	.	.	.	48.0
	A&B Aggravated - Serious Injury	1	1	4	3	0	9	36.0	36.0	31.5	36.0	.	34.0	36.0	36.0	33.0	36.0	.	36.0
	A&B Dangerous Weapon	19	10	18	29	0	76	37.8	40.2	36.2	34.8	.	36.6	36.0	36.0	30.0	30.0	.	32.0
	A&B Dangerous Weapon + 60	0	0	1	1	0	2	.	.	48.0	30.0	.	39.0	.	.	48.0	30.0	.	39.0
	A&B DW, Aggravated w/Injury	8	8	3	2	0	21	49.8	63.0	46.0	48.0	.	54.1	48.0	48.0	30.0	48.0	.	48.0
	Assault To Kill or Maim	0	0	1	2	0	3	.	.	72.0	60.0	.	64.0	.	.	72.0	60.0	.	72.0
	Rape Of Child	37	10	3	3	0	53	57.7	82.8	42.0	76.0	.	62.6	48.0	54.0	48.0	60.0	.	48.0
	Assault w/i Rape	1	2	2	2	0	7	48.0	66.0	96.0	174.0	.	102.9	48.0	66.0	96.0	174.0	.	72.0
	Child Pornography	0	0	0	1	0	1	.	.	.	120.0	.	120.0	.	.	.	120.0	.	120.0
	Robbery Unarmed + 60	1	0	1	2	0	4	48.0	.	72.0	33.0	.	46.5	48.0	.	72.0	33.0	.	42.0
	Armed Robbery	47	40	34	55	3	179	36.4	39.1	57.4	63.7	96.0	50.3	36.0	36.0	48.0	60.0	84.0	48.0
	Armed Assault w/i Rob	7	4	6	7	0	24	42.9	72.0	43.0	51.4	.	50.3	36.0	72.0	45.0	48.0	.	45.0
	Armed Aslt w/i Rob Over 65	1	0	1	0	0	2	66.0	.	36.0	.	.	51.0	66.0	.	36.0	.	.	51.0
	Carjacking	0	0	2	1	0	3	.	.	54.0	72.0	.	60.0	.	.	54.0	72.0	.	72.0
	Kidnapping	4	3	1	1	0	9	51.0	32.0	12.0	24.0	.	37.3	60.0	24.0	12.0	24.0	.	24.0
	Kidnapping Level 6	2	1	1	0	0	4	54.0	72.0	36.0	.	.	54.0	54.0	72.0	36.0	.	.	54.0
	Violation Of Civil Rights, Felony	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
	Burning Dwelling House	1	0	0	2	0	3	96.0	.	.	54.0	.	68.0	96.0	.	.	54.0	.	60.0
	Distribute Class A 2nd	0	2	3	7	0	12	.	60.0	68.0	73.7	.	70.0	.	60.0	60.0	60.0	.	60.0
	Distribute Cocaine 2nd	0	7	8	11	0	26	.	61.7	60.0	65.5	.	62.8	.	60.0	60.0	60.0	.	60.0
	Traffic Heroin 014-028	17	3	3	3	0	26	60.0	60.0	60.0	60.0	.	60.0	60.0	60.0	60.0	60.0	.	60.0
	Traffic Cocaine 028-100	27	8	18	4	0	57	76.2	63.0	65.3	63.0	.	70.0	72.0	60.0	60.0	60.0	.	60.0
	Distribute Cocaine Minor	0	0	0	1	0	1	.	.	.	72.0	.	72.0	.	.	.	72.0	.	72.0
	MV Homicide - OUI Felony	5	2	1	0	0	8	39.6	66.0	36.0	.	.	45.8	36.0	66.0	36.0	.	.	36.0
	Possess Explosive Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>184</b>	<b>101</b>	<b>111</b>	<b>137</b>	<b>3</b>	<b>536</b>	<b>51.4</b>	<b>52.4</b>	<b>53.2</b>	<b>57.9</b>	<b>96.0</b>	<b>53.8</b>	<b>48.0</b>	<b>48.0</b>	<b>60.0</b>	<b>60.0</b>	<b>84.0</b>	<b>48.0</b>

**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	2	2	0	0	0	4	30.0	42.0	.	.	.	36.0	30.0	42.0	.	.	.	36.0
	A&B Aggravated	3	1	3	3	0	10	44.0	36.0	28.0	34.0	.	35.4	48.0	36.0	24.0	36.0	.	36.0
	A&B DW, Aggravated	10	2	10	6	0	28	49.2	51.0	42.6	57.0	.	48.6	48.0	51.0	39.0	66.0	.	48.0
	Indecent A&B On Child	8	1	1	2	0	12	57.0	60.0	72.0	30.0	.	54.0	42.0	60.0	72.0	30.0	.	42.0
	Indecent A&B +60	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
	Entice Child	1	0	1	0	0	2	12.0	.	43.0	.	.	27.5	12.0	.	43.0	.	.	27.5
	Unnatural Acts Child	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
	Robbery Unarmed	9	12	37	39	1	98	34.7	24.0	37.5	45.7	120.0	39.7	24.0	24.0	36.0	36.0	120.0	36.0
	Intimidation	5	6	11	20	0	42	30.0	36.0	45.8	41.1	.	40.3	30.0	36.0	36.0	36.0	.	36.0
	Stalking Violation of Rest. Order	1	0	0	1	0	2	36.0	.	.	36.0	.	36.0	36.0	.	.	36.0	.	36.0
	Common & Notorious Thief	1	1	0	2	0	4	60.0	48.0	.	120.0	.	87.0	60.0	48.0	.	120.0	.	60.0
	Burglary	4	3	0	6	0	13	69.0	48.0	.	62.0	.	60.9	66.0	36.0	.	54.0	.	60.0
	Distribute Class B 2nd	0	6	6	10	0	22	.	38.0	46.0	48.0	.	44.7	.	36.0	42.0	48.0	.	36.0
	Traffic Cocaine 014-028	41	21	17	9	0	88	38.1	37.1	40.2	40.0	.	38.5	36.0	36.0	36.0	36.0	.	36.0
	Distribute Class B Minor	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
	Guard Sex w/ Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Perjury or Suborn	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Bribery - Level 5	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sex Offender Fail Register 2nd	0	3	2	2	0	7	.	42.0	48.0	45.0	.	44.6	.	42.0	48.0	45.0	.	42.0
	<b>Sub-Total</b>	<b>86</b>	<b>58</b>	<b>89</b>	<b>102</b>	<b>1</b>	<b>336</b>	<b>41.7</b>	<b>36.4</b>	<b>40.5</b>	<b>46.9</b>	<b>120.0</b>	<b>42.3</b>	<b>36.0</b>	<b>36.0</b>	<b>36.0</b>	<b>36.0</b>	<b>120.0</b>	<b>36.0</b>

**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	1	0	0	2	0	3	36.0	.	.	24.0	.	28.0	36.0	.	.	24.0	.	24.0
	Assault Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Guard	0	2	3	6	0	11	.	18.0	22.0	43.0	.	32.7	.	18.0	24.0	18.0	.	24.0
	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Indecent A&B	1	1	2	0	0	4	24.0	24.0	42.0	.	.	33.0	24.0	24.0	42.0	.	.	30.0
	Photograph Nude Person	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Child Pornography Possess 2nd	0	0	1	1	0	2	.	.	60.0	60.0	.	60.0	.	.	60.0	60.0	.	60.0
	Assault w/i Rob	0	2	1	5	0	8	.	33.0	24.0	26.4	.	27.8	.	33.0	24.0	24.0	.	24.0
	Stalking	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny More	6	3	2	9	0	20	29.0	28.0	36.0	30.0	.	30.0	27.0	24.0	36.0	36.0	.	36.0
	Larceny More + 60	2	0	0	5	0	7	42.0	.	.	42.0	.	42.0	42.0	.	.	30.0	.	36.0
	Larceny Person	0	0	1	2	0	3	.	.	48.0	18.0	.	28.0	.	.	48.0	18.0	.	24.0
	Larceny Person + 65	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny MV 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	B&E	6	10	16	87	0	119	42.0	33.6	39.0	49.4	.	46.3	36.0	24.0	30.0	48.0	.	36.0
	Enter Dwelling w/I Felony	1	0	0	6	0	7	30.0	.	.	36.0	.	35.1	30.0	.	.	36.0	.	36.0
	B&E DT Armed w/i Felony	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
	Receiving Stolen Goods Over	1	0	0	3	0	4	24.0	.	.	40.0	.	36.0	24.0	.	.	36.0	.	36.0
	Receiving Stolen Goods MV 2nd	0	0	0	4	0	4	.	.	.	42.0	.	42.0	.	.	.	42.0	.	42.0
	Burning Building	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class A	20	30	33	26	0	109	41.1	37.8	35.5	38.1	.	37.8	36.0	36.0	36.0	36.0	.	36.0
	Distribute Class B	21	31	16	17	0	85	33.7	28.6	31.5	39.5	.	32.6	36.0	30.0	36.0	36.0	.	36.0
	Distribute Cocaine	16	28	39	32	0	115	30.8	33.6	36.8	36.8	.	35.2	33.0	36.0	36.0	36.0	.	36.0
	Traffic Mar 50-100	2	0	0	0	0	2	33.0	.	.	.	.	33.0	33.0	.	.	.	.	33.0
	Larceny Cont Sub	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
	Giving Prisoner Cont Sub	1	0	0	1	0	2	18.0	.	.	30.0	.	24.0	18.0	.	.	30.0	.	24.0
	Control Substance School	0	5	1	0	0	6	.	33.6	30.0	.	.	33.0	.	36.0	30.0	.	.	33.0
	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Leaving Scene Death	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	OUI Serious Inj, Fel	0	1	0	0	0	1	.	30.0	.	.	.	30.0	.	30.0	.	.	.	30.0
	Derive Support From Prostitute	0	0	1	1	0	2	.	.	36.0	36.0	.	36.0	.	.	36.0	36.0	.	36.0
	Gun Serial Number, Felony	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Firearm Sale Violation	0	1	0	0	0	1	.	48.0	.	.	.	48.0	.	48.0	.	.	.	48.0
	Escape	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Extortion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Bomb Hoax	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disinter Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>80</b>	<b>115</b>	<b>116</b>	<b>209</b>	<b>0</b>	<b>520</b>	<b>34.9</b>	<b>33.0</b>	<b>35.8</b>	<b>42.0</b>	<b>.</b>	<b>37.5</b>	<b>36.0</b>	<b>36.0</b>	<b>36.0</b>	<b>36.0</b>	<b>.</b>	<b>36.0</b>

**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	.	.	.	.	.	.	.	.	.	.	.	.
	A&B w/I Intimidate	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Reckless Endangerment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Permit Injury to Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Ambulance	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Assault Dangerous Weapon	4	4	4	4	0	16	37.5	39.0	33.0	40.5	.	37.5	36.0	36.0	30.0	39.0	.	36.0
	Assault Dangerous Weapon + 60	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Child Pornography Possess	6	1	1	0	0	8	28.0	12.0	48.0	.	.	28.5	30.0	12.0	48.0	.	.	30.0
	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Violation Of Civil Rights	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Restraining Order Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Harassment Order Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny Building	0	0	0	1	0	1	.	.	.	54.0	.	54.0	.	.	.	54.0	.	54.0
	Larceny from Truck	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny Firearm	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
	Larceny MV	1	0	0	4	0	5	36.0	.	.	55.5	.	51.6	36.0	.	.	54.0	.	36.0
	Embezzlement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Credit Card Misuse - More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Defrauding Insurer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Burglarious Tools	0	0	1	6	0	7	.	.	60.0	49.0	.	50.6	.	.	60.0	54.0	.	60.0
	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Mal Dest Property More	9	1	1	2	0	13	12.0	12.0	12.0	24.0	.	13.8	12.0	12.0	12.0	24.0	.	12.0
	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Receiving Stolen Goods MV	0	0	1	4	0	5	.	.	12.0	33.0	.	28.8	.	.	12.0	24.0	.	12.0
	Receiving Stolen Goods 2nd	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
	Forgery And Uttering	0	0	1	3	0	4	.	.	24.0	34.0	.	31.5	.	.	24.0	30.0	.	27.0
	Counterfeit	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
	Burning Property	0	0	1	0	0	1	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0
	Burning Motor Vehicle	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class A Heroin 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class C 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class C	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
	Distribute Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class E 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Leaving Scene Property Damage	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Leaving Scene Personal Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	OUI Serious Inj, Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	OUI - Child Endangerment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Ignition Interlock Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Firearm Silencer	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Gun Serial Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Loaded while OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Nonsupport	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Interfere Police or Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Carrying Dangerous Weapon	1	0	0	3	0	4	30.0	.	.	40.0	.	37.5	30.0	.	.	36.0	.	36.0
	Contempt Of Court	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Throw Object On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sex Offender Fail Register	0	0	0	2	0	2	.	.	.	33.0	.	33.0	.	.	.	33.0	.	33.0
	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Wiretapping	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Corporate books-falsify entry	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	<b>Sub-Total</b>	<b>24</b>	<b>7</b>	<b>12</b>	<b>31</b>	<b>0</b>	<b>74</b>	<b>25.0</b>	<b>30.9</b>	<b>31.5</b>	<b>40.3</b>	<b>.</b>	<b>33.0</b>	<b>24.0</b>	<b>36.0</b>	<b>27.0</b>	<b>36.0</b>	<b>.</b>	<b>36.0</b>

**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	.	.	.	.	.	.	.	.	.	.	.	.
	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny Less	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny Less +60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Shoplifting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Credit Card Misuse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Defrauding Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Concealing Property To Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Failure To Return Leased Prop	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	B&E MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	B&E w/i Misdemeanor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Property Destruction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Tagging Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Receiving Stolen Goods	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Setting Fire Land	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fraud - Electric, Phone or Cable	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Property Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class A Heroin	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class C	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class D Marijuana 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Counterfeit Substance	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Presence Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Forge Prescription	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Paraphenalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Operate to Endanger	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Use Without Authority	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Use w/o Authority 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Habitual Traffic Offender	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Racing	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
	Operate After Suspension 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Compulsory Insurance Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Counterfeit/Alter MV Document	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Common Night Walker 3rd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Open And Gross	0	1	1	0	0	2	.	24.0	24.0	.	.	24.0	.	24.0	24.0	.	.	24.0
	Obscene Material to Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Possess w/o Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Mace	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Ammunition	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Carry, School	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Store Improper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Conceal or Harbor Fleeing Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Escape Lockup	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Impersonate/Disguise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Failure to Appear	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Stun Gun	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	False Alarm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disrupt Court Proceedings	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Contributing To Delinquency	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Mistreat Police Animal	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Election Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Compound / Conceal Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Hazardous Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disconnect Sprinkler System	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Clean Water Act Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	True Name Law	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Home Imp Contractor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	.	<b>24.0</b>	<b>24.0</b>	.	.	<b>24.0</b>	.	<b>24.0</b>	<b>24.0</b>	.	.	<b>24.0</b>

**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	Obscene Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Threatening	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Vandalism	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Setting Fire In Open	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Trespassing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Use Motorboat w/o Authority	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Unauthorized Access of Computer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class D Marijuana	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Inhaling Toxic Vapors	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disturb Correctional Institution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Attaching Wrong MV Plates	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Operate After Suspension	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Obstruct Emergency Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	RV On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Common Night Walker	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Indecent Exposure	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Lewd And Lacivious	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disorderly Conduct	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disturb Peace, 2nd Offense	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Discharge	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Annoying Phone Calls	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Obstructing Justice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	License Law Violation (Not MV)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Alcohol, Procure for Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Child Labor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Landlord Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fail To Comply With Dog Order	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Improper Disposal of Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	.	.	.	.	.	.	.	.	.	.	.	.



**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	.	.	.	.	.	.	.	.	.	.	.	.
	Conspiracy Violate CSA	0	1	0	2	0	3	.	24.0	.	87.0	.	66.0	.	24.0	.	87.0	.	30.0
	Conspiracy	6	0	2	1	0	9	35.0	.	36.0	24.0	.	34.0	24.0	.	36.0	24.0	.	24.0
	Attempt To Commit Crime	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
	Accessory Before	0	0	1	1	0	2	.	.	24.0	24.0	.	24.0	.	.	24.0	24.0	.	24.0
	Accessory After	1	1	0	0	0	2	60.0	36.0	.	.	.	48.0	60.0	36.0	.	.	.	48.0
	<b>Sub-Total</b>	<b>7</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>17</b>	<b>38.6</b>	<b>30.0</b>	<b>32.0</b>	<b>50.4</b>	<b>.</b>	<b>39.9</b>	<b>24.0</b>	<b>30.0</b>	<b>24.0</b>	<b>30.0</b>	<b>.</b>	<b>24.0</b>

**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	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>	<b>.</b>
8	Manslaughter	19	6	8	5	0	38	138.3	133.0	166.5	194.4	.	150.8	144.0	144.0	150.0	216.0	.	150.0
	Armed Assault In Dwell House	0	0	0	1	0	1	.	.	.	120.0	.	120.0	.	.	.	120.0	.	120.0
	Rape, Aggravated	6	3	3	4	1	17	164.5	120.0	216.0	225.0	180.0	180.9	150.0	132.0	180.0	210.0	180.0	144.0
	Rape Of Child w/Force	14	3	1	6	0	24	131.6	136.0	144.0	174.0	.	143.3	126.0	132.0	144.0	180.0	.	138.0
	Armed Assault w/i Murder - Firearm	4	4	4	3	0	15	105.0	129.0	126.0	148.0	.	125.6	120.0	126.0	120.0	108.0	.	120.0
	Home Invasion	1	0	2	2	0	5	300.0	.	270.0	420.0	.	336.0	300.0	.	270.0	420.0	.	300.0
	Burglary, Armed	0	0	0	1	0	1	.	.	.	180.0	.	180.0	.	.	.	180.0	.	180.0
	Traffic Heroin 200+	1	0	0	0	0	1	180.0	.	.	.	.	180.0	180.0	.	.	.	.	180.0
	Traffic Cocaine 200+	4	1	1	0	0	6	180.0	180.0	180.0	.	.	180.0	180.0	180.0	180.0	.	.	180.0
	<b>Sub-Total</b>	<b>49</b>	<b>17</b>	<b>19</b>	<b>22</b>	<b>1</b>	<b>108</b>	<b>144.4</b>	<b>133.1</b>	<b>176.2</b>	<b>204.6</b>	<b>180.0</b>	<b>160.8</b>	<b>144.0</b>	<b>132.0</b>	<b>156.0</b>	<b>180.0</b>	<b>180.0</b>	<b>144.0</b>
7	Murder, Attempted	2	1	2	2	0	7	72.0	60.0	60.0	48.0	.	60.0	72.0	60.0	60.0	48.0	.	60.0
	Mayhem	3	1	2	3	0	9	112.0	60.0	102.0	108.0	.	102.7	84.0	60.0	102.0	120.0	.	84.0
	A&B Child w/Injury Substantial	1	0	0	0	0	1	144.0	.	.	.	.	144.0	144.0	.	.	.	.	144.0
	Rape	8	5	2	2	0	17	96.0	96.0	105.0	66.0	.	93.5	96.0	84.0	105.0	66.0	.	96.0
	Rape of Child 2nd	0	0	0	1	0	1	.	.	.	216.0	.	216.0	.	.	.	216.0	.	216.0
	Rape of Child Aggravated	7	1	3	1	0	12	169.7	120.0	144.0	240.0	.	165.0	144.0	120.0	144.0	240.0	.	144.0
	Assault w/i Rape Child	1	0	0	1	0	2	360.0	.	.	72.0	.	216.0	360.0	.	.	72.0	.	216.0
	Incest	0	0	0	1	0	1	.	.	.	144.0	.	144.0	.	.	.	144.0	.	144.0
	Armed Robbery Gun	16	12	15	16	1	60	55.5	63.0	66.8	94.5	108.0	71.1	54.0	57.0	60.0	81.0	108.0	60.0
	Armed Assault w/i Murder	5	4	5	7	0	21	62.4	42.0	80.4	118.3	.	81.4	48.0	42.0	54.0	96.0	.	60.0
	Carjacking, Armed	3	4	1	1	0	9	96.0	54.0	48.0	48.0	.	66.7	108.0	60.0	48.0	48.0	.	60.0
	Confine And Put In Fear	0	0	2	4	0	6	.	.	102.0	48.0	.	66.0	.	.	102.0	54.0	.	60.0
	Traffic Heroin 028-100	4	3	1	5	0	13	90.0	108.0	84.0	94.8	.	95.6	90.0	120.0	84.0	90.0	.	90.0
	Traffic Heroin 100-200	1	0	0	1	0	2	120.0	.	.	168.0	.	144.0	120.0	.	.	168.0	.	144.0
	Traffic Cocaine 100-200	6	4	5	3	0	18	124.0	141.0	129.6	128.0	.	130.0	120.0	132.0	120.0	120.0	.	120.0
	Throw or Place Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>57</b>	<b>35</b>	<b>38</b>	<b>48</b>	<b>1</b>	<b>179</b>	<b>99.2</b>	<b>78.5</b>	<b>88.3</b>	<b>100.6</b>	<b>108.0</b>	<b>93.3</b>	<b>96.0</b>	<b>60.0</b>	<b>81.0</b>	<b>87.0</b>	<b>108.0</b>	<b>84.0</b>

**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	5	0	0	0	0	5	74.4	.	.	.	.	74.4	84.0	.	.	.	.	84.0
	A&B Aggravated - Serious Injury	1	1	4	3	0	9	36.0	48.0	46.5	52.0	.	47.3	36.0	48.0	45.0	60.0	.	48.0
	A&B Dangerous Weapon	19	10	18	29	0	76	46.5	48.6	45.5	43.1	.	45.2	36.0	36.0	36.0	36.0	.	36.0
	A&B Dangerous Weapon + 60	0	0	1	1	0	2	.	.	72.0	42.0	.	57.0	.	.	72.0	42.0	.	57.0
	A&B DW, Aggravated w/Injury	8	8	3	2	0	21	65.3	78.0	54.0	72.0	.	69.2	60.0	72.0	30.0	72.0	.	60.0
	Assault To Kill or Maim	0	0	1	2	0	3	.	.	96.0	72.0	.	80.0	.	.	96.0	72.0	.	84.0
	Rape Of Child	37	10	3	3	0	53	73.5	103.2	56.0	96.0	.	79.4	60.0	78.0	48.0	84.0	.	60.0
	Assault w/i Rape	1	2	2	2	0	7	48.0	90.0	144.0	210.0	.	133.7	48.0	90.0	144.0	210.0	.	96.0
	Child Pornography	0	0	0	1	0	1	.	.	.	240.0	.	240.0	.	.	.	240.0	.	240.0
	Robbery Unarmed + 60	1	0	1	2	0	4	84.0	.	84.0	39.0	.	61.5	84.0	.	84.0	39.0	.	63.0
	Armed Robbery	47	40	34	55	3	179	47.5	50.5	70.1	78.7	96.0	62.9	48.0	48.0	60.0	72.0	84.0	60.0
	Armed Assault w/i Rob	7	4	6	7	0	24	61.7	93.0	60.0	66.9	.	68.0	48.0	96.0	60.0	60.0	.	60.0
	Armed Aslt w/i Rob Over 65	1	0	1	0	0	2	66.0	.	60.0	.	.	63.0	66.0	.	60.0	.	.	63.0
	Carjacking	0	0	2	1	0	3	.	.	75.0	96.0	.	82.0	.	.	75.0	96.0	.	96.0
	Kidnapping	4	3	1	1	0	9	58.5	48.0	24.0	36.0	.	48.7	66.0	48.0	24.0	36.0	.	48.0
	Kidnapping Level 6	2	1	1	0	0	4	72.0	72.0	48.0	.	.	66.0	72.0	72.0	48.0	.	.	66.0
	Violation Of Civil Rights, Felony	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Burning Dwelling House	1	0	0	2	0	3	120.0	.	.	72.0	.	88.0	120.0	.	.	72.0	.	84.0
	Distribute Class A 2nd	0	2	3	7	0	12	.	96.0	72.0	78.9	.	80.0	.	96.0	72.0	72.0	.	72.0
	Distribute Cocaine 2nd	0	7	8	11	0	26	.	65.2	63.0	74.7	.	68.6	.	60.0	60.0	72.0	.	60.0
	Traffic Heroin 014-028	17	3	3	3	0	26	62.8	68.0	60.0	80.0	.	65.1	60.0	60.0	60.0	84.0	.	60.0
	Traffic Cocaine 028-100	27	8	18	4	0	57	90.7	69.0	74.7	78.0	.	81.7	84.0	60.0	72.0	78.0	.	84.0
	Distribute Cocaine Minor	0	0	0	1	0	1	.	.	.	96.0	.	96.0	.	.	.	96.0	.	96.0
	MV Homicide - OUI Felony	5	2	1	0	0	8	62.4	72.0	36.0	.	.	61.5	60.0	72.0	36.0	.	.	60.0
	Possess Explosive Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>184</b>	<b>101</b>	<b>111</b>	<b>137</b>	<b>3</b>	<b>536</b>	<b>63.9</b>	<b>64.6</b>	<b>64.7</b>	<b>72.0</b>	<b>96.0</b>	<b>66.4</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>	<b>60.0</b>	<b>84.0</b>	<b>60.0</b>

**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	2	2	0	0	0	4	30.0	54.0	.	.	.	42.0	30.0	54.0	.	.	.	42.0
	A&B Aggravated	3	1	3	3	0	10	60.0	48.0	32.0	34.0	.	42.6	60.0	48.0	36.0	36.0	.	36.0
	A&B DW, Aggravated	10	2	10	6	0	28	64.8	51.0	51.6	85.0	.	63.4	69.0	51.0	48.0	96.0	.	51.0
	Indecent A&B On Child	8	1	1	2	0	12	67.5	72.0	120.0	42.0	.	68.0	60.0	72.0	120.0	42.0	.	60.0
	Indecent A&B +60	0	0	0	1	0	1	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
	Entice Child	1	0	1	0	0	2	24.0	.	44.0	.	.	34.0	24.0	.	44.0	.	.	34.0
	Unnatural Acts Child	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
	Robbery Unarmed	9	12	37	39	1	98	45.3	30.5	50.9	59.4	144.0	52.2	36.0	27.0	42.0	48.0	144.0	39.0
	Intimidation	5	6	11	20	0	42	42.0	56.0	52.4	55.5	.	53.2	36.0	60.0	48.0	54.0	.	48.0
	Stalking Violation of Rest. Order	1	0	0	1	0	2	48.0	.	.	48.0	.	48.0	48.0	.	.	48.0	.	48.0
	Common & Notorious Thief	1	1	0	2	0	4	84.0	60.0	.	156.0	.	114.0	84.0	60.0	.	156.0	.	78.0
	Burglary	4	3	0	6	0	13	87.0	64.0	.	77.0	.	77.1	90.0	48.0	.	78.0	.	84.0
	Distribute Class B 2nd	0	6	6	10	0	22	.	50.0	50.0	49.2	.	49.7	.	54.0	48.0	48.0	.	48.0
	Traffic Cocaine 014-028	41	21	17	9	0	88	45.3	44.3	46.9	44.0	.	45.2	36.0	36.0	48.0	36.0	.	36.0
	Distribute Class B Minor	0	0	0	1	0	1	.	.	.	84.0	.	84.0	.	.	.	84.0	.	84.0
	Guard Sex w/ Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Perjury or Suborn	1	0	0	0	0	1	60.0	.	.	.	.	60.0	60.0	.	.	.	.	60.0
	Bribery - Level 5	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sex Offender Fail Register 2nd	0	3	2	2	0	7	.	42.0	51.0	45.0	.	45.5	.	42.0	51.0	45.0	.	42.0
	<b>Sub-Total</b>	<b>86</b>	<b>58</b>	<b>89</b>	<b>102</b>	<b>1</b>	<b>336</b>	<b>52.0</b>	<b>45.5</b>	<b>50.2</b>	<b>59.4</b>	<b>144.0</b>	<b>52.9</b>	<b>43.5</b>	<b>48.0</b>	<b>48.0</b>	<b>48.0</b>	<b>144.0</b>	<b>48.0</b>

**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	1	0	0	2	0	3	60.0	.	.	30.0	.	40.0	60.0	.	.	30.0	.	36.0
	Assault Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Guard	0	2	3	6	0	11	.	18.0	36.0	56.0	.	43.6	.	18.0	36.0	30.0	.	24.0
	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Indecent A&B	1	1	2	0	0	4	24.0	24.0	48.0	.	.	36.0	24.0	24.0	48.0	.	.	36.0
	Photograph Nude Person	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Child Pornography Possess 2nd	0	0	1	1	0	2	.	.	60.0	60.0	.	60.0	.	.	60.0	60.0	.	60.0
	Assault w/i Rob	0	2	1	5	0	8	.	57.0	24.0	33.6	.	38.3	.	57.0	24.0	36.0	.	36.0
	Stalking	1	0	0	0	0	1	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny More	6	3	2	9	0	20	37.0	40.0	54.0	36.7	.	39.0	36.0	36.0	54.0	36.0	.	36.0
	Larceny More + 60	2	0	0	5	0	7	54.0	.	.	55.2	.	54.9	54.0	.	.	48.0	.	48.0
	Larceny Person	0	0	1	2	0	3	.	.	48.0	18.0	.	28.0	.	.	48.0	18.0	.	24.0
	Larceny Person + 65	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny MV 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	B&E	6	10	16	87	0	119	48.0	43.2	47.3	62.1	.	57.8	48.0	42.0	33.0	60.0	.	60.0
	Enter Dwelling w/I Felony	1	0	0	6	0	7	30.0	.	.	55.0	.	51.4	30.0	.	.	54.0	.	48.0
	B&E DT Armed w/i Felony	0	0	0	1	0	1	.	.	.	72.0	.	72.0	.	.	.	72.0	.	72.0
	Receiving Stolen Goods Over	1	0	0	3	0	4	30.0	.	.	56.0	.	49.5	30.0	.	.	60.0	.	54.0
	Receiving Stolen Goods MV 2nd	0	0	0	4	0	4	.	.	.	42.0	.	42.0	.	.	.	42.0	.	42.0
	Burning Building	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class A	20	30	33	26	0	109	50.7	46.8	43.3	46.6	.	46.4	48.0	39.0	42.0	39.0	.	42.0
	Distribute Class B	21	31	16	17	0	85	41.4	33.9	41.3	45.9	.	39.5	36.0	36.0	36.0	42.0	.	36.0
	Distribute Cocaine	16	28	39	32	0	115	37.1	40.5	45.2	43.7	.	42.5	36.0	36.0	42.0	36.0	.	36.0
	Traffic Mar 50-100	2	0	0	0	0	2	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Larceny Cont Sub	0	1	0	0	0	1	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0
	Giving Prisoner Cont Sub	1	0	0	1	0	2	18.0	.	.	36.0	.	27.0	18.0	.	.	36.0	.	27.0
	Control Substance School	0	5	1	0	0	6	.	40.8	30.0	.	.	39.0	.	42.0	30.0	.	.	39.0
	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Leaving Scene Death	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	OUI Serious Inj, Fel	0	1	0	0	0	1	.	48.0	.	.	.	48.0	.	48.0	.	.	.	48.0
	Derive Support From Prostitute	0	0	1	1	0	2	.	.	48.0	36.0	.	42.0	.	.	48.0	36.0	.	42.0
	Gun Serial Number, Felony	1	0	0	0	0	1	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
	Firearm Sale Violation	0	1	0	0	0	1	.	48.0	.	.	.	48.0	.	48.0	.	.	.	48.0
	Escape	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Extortion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Bomb Hoax	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disinter Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>80</b>	<b>115</b>	<b>116</b>	<b>209</b>	<b>0</b>	<b>520</b>	<b>42.8</b>	<b>40.7</b>	<b>44.2</b>	<b>52.2</b>	<b>.</b>	<b>46.4</b>	<b>36.0</b>	<b>36.0</b>	<b>42.0</b>	<b>48.0</b>	<b>.</b>	<b>36.0</b>

**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	.	.	.	.	.	.	.	.	.	.	.	.
	A&B w/I Intimidate	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Reckless Endangerment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Permit Injury to Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Ambulance	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Assault Dangerous Weapon	4	4	4	4	0	16	40.5	42.0	42.0	46.5	.	42.8	42.0	39.0	42.0	45.0	.	42.0
	Assault Dangerous Weapon + 60	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	.	12.0	.	12.0
	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Child Pornography Possess	6	1	1	0	0	8	36.0	12.0	60.0	.	.	36.0	36.0	12.0	60.0	.	.	36.0
	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Violation Of Civil Rights	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Restraining Order Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Harassment Order Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny Building	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
	Larceny from Truck	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny Firearm	0	0	1	0	0	1	.	.	48.0	.	.	48.0	.	.	48.0	.	.	48.0
	Larceny MV	1	0	0	4	0	5	48.0	.	.	66.0	.	62.4	48.0	.	.	66.0	.	48.0
	Embezzlement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Credit Card Misuse - More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Defrauding Insurer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Burglarious Tools	0	0	1	6	0	7	.	.	84.0	60.0	.	63.4	.	.	84.0	60.0	.	60.0
	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Mal Dest Property More	9	1	1	2	0	13	12.0	12.0	18.0	24.0	.	14.3	12.0	12.0	18.0	24.0	.	12.0
	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Receiving Stolen Goods MV	0	0	1	4	0	5	.	.	24.0	36.0	.	33.6	.	.	24.0	24.0	.	24.0
	Receiving Stolen Goods 2nd	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
	Forgery And Uttering	0	0	1	3	0	4	.	.	24.0	48.0	.	42.0	.	.	24.0	48.0	.	36.0
	Counterfeit	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
	Burning Property	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
	Burning Motor Vehicle	0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
	Possession Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class A Heroin 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class C 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class C	0	1	0	0	0	1	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0
	Distribute Class D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class E 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	MV Homicide	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Leaving Scene Property Damage	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Leaving Scene Personal Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	OUI Serious Inj, Misd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	OUI - Child Endangerment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Ignition Interlock Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Inducing Minor To Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Firearm Silencer	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Gun Serial Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Loaded while OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Nonsupport	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Interfere Police or Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Carrying Dangerous Weapon	1	0	0	3	0	4	30.0	.	.	48.0	.	43.5	30.0	.	.	48.0	.	42.0
	Contempt Of Court	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Cruelty To Animals	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Throw Object On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sex Offender Fail Register	0	0	0	2	0	2	.	.	.	33.0	.	33.0	.	.	.	33.0	.	33.0
	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Wiretapping	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Corporate books-falsify entry	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	<b>Sub-Total</b>	<b>24</b>	<b>7</b>	<b>12</b>	<b>31</b>	<b>0</b>	<b>74</b>	<b>28.0</b>	<b>36.0</b>	<b>41.5</b>	<b>47.2</b>	<b>.</b>	<b>39.0</b>	<b>27.0</b>	<b>36.0</b>	<b>36.0</b>	<b>48.0</b>	<b>.</b>	<b>36.0</b>

**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	.	.	.	.	.	.	.	.	.	.	.	.
	Accost / Annoy Person Opposite Sex	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny Less	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny Less +60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Shoplifting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Credit Card Misuse	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Defrauding Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Welfare Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Concealing Property To Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Failure To Return Leased Prop	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	B&E MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	B&E w/i Misdemeanor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Property Destruction	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Tagging Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Receiving Stolen Goods	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Setting Fire Land	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fraud - Electric, Phone or Cable	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Property Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class A Heroin	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class C	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class D Marijuana 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Counterfeit Substance	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class D	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Presence Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Forge Prescription	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Paraphernalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Operate to Endanger	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Use Without Authority	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Use w/o Authority 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Habitual Traffic Offender	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Racing	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
	Operate After Suspension 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Compulsory Insurance Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Counterfeit/Alter MV Document	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	False Statement On Application	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Common Night Walker 3rd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Open And Gross	0	1	1	0	0	2	.	36.0	36.0	.	.	36.0	.	36.0	36.0	.	.	36.0
	Obscene Material to Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Possess w/o Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Mace	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Ammunition	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Carry, School	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Store Improper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Conceal or Harbor Fleeing Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Escape Lockup	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Impersonate/Disguise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Failure to Appear	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Stun Gun	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	False Alarm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disrupt Court Proceedings	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Contributing To Delinquency	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Mistreat Police Animal	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Election Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Compound / Conceal Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Hazardous Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disconnect Sprinkler System	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Clean Water Act Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Record w/o Manufacturer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	True Name Law	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Home Imp Contractor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	.	<b>36.0</b>	<b>36.0</b>	.	.	<b>36.0</b>	.	<b>36.0</b>	<b>36.0</b>	.	.	<b>36.0</b>

**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	Obscene Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Threatening	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Vandalism	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Setting Fire In Open	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Trespassing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Use Motorboat w/o Authority	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Unauthorized Access of Computer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class D Marijuana	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Inhaling Toxic Vapors	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disturb Correctional Institution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Attaching Wrong MV Plates	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Operate After Suspension	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Obstruct Emergency Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	RV On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Common Night Walker	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Indecent Exposure	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Lewd And Lacivious	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disorderly Conduct	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disturb Peace, 2nd Offense	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Discharge	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Annoying Phone Calls	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Obstructing Justice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	License Law Violation (Not MV)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Alcohol, Procure for Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Child Labor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Landlord Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fail To Comply With Dog Order	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Improper Disposal of Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	.	.	.	.	.	.	.	.	.	.	.	.

**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	.	.	.	.	.	.	.	.	.	.	.	.
	Conspiracy Violate CSA	0	1	0	2	0	3	.	24.0	.	105.0	.	78.0	.	24.0	.	105.0	.	30.0
	Conspiracy	6	0	2	1	0	9	43.0	.	48.0	30.0	.	42.7	30.0	.	48.0	30.0	.	30.0
	Attempt To Commit Crime	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
	Accessory Before	0	0	1	1	0	2	.	.	36.0	24.0	.	30.0	.	.	36.0	24.0	.	30.0
	Accessory After	1	1	0	0	0	2	72.0	48.0	.	.	.	60.0	72.0	48.0	.	.	.	60.0
	<b>Sub-Total</b>	<b>7</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>17</b>	<b>47.1</b>	<b>36.0</b>	<b>44.0</b>	<b>58.8</b>	<b>.</b>	<b>48.7</b>	<b>30.0</b>	<b>36.0</b>	<b>36.0</b>	<b>30.0</b>	<b>.</b>	<b>30.0</b>

**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	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	.	.	.	.	.	.	.	.	.	.	.	.
8	Manslaughter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Armed Assault In Dwell House	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Rape, Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Rape Of Child w/Force	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Armed Assault w/i Murder - Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Home Invasion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Burglary, Armed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Traffic Heroin 200+	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Traffic Cocaine 200+	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	.	.	.	.	.	.	.	.	.	.	.	.
7	Murder, Attempted	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Mayhem	1	0	0	0	0	1	18.0	.	.	.	.	18.0	18.0	.	.	.	.	18.0
	A&B Child w/Injury Substantial	3	0	0	0	0	3	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
	Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Rape of Child 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Rape of Child Aggravated	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Assault w/i Rape Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Incest	2	0	0	0	0	2	30.0	.	.	.	.	30.0	30.0	.	.	.	.	30.0
	Armed Robbery Gun	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Armed Assault w/i Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Carjacking, Armed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Confine And Put In Fear	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Traffic Heroin 028-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Traffic Heroin 100-200	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Traffic Cocaine 100-200	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Throw or Place Explosives	2	0	0	0	0	2	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
	<b>Sub-Total</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>17.3</b>	.	.	.	.	<b>17.3</b>	<b>15.0</b>	.	.	.	.	<b>15.0</b>

**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	4	0	0	0	0	4	19.5	.	.	.	.	19.5	21.0	.	.	.	.	21.0
	A&B Aggravated - Serious Injury	1	1	1	2	0	5	24.0	18.0	6.0	13.5	.	15.0	24.0	18.0	6.0	13.5	.	15.0
	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B DW, Aggravated w/Injury	3	1	0	0	0	4	18.0	30.0	.	.	.	21.0	18.0	30.0	.	.	.	24.0
	Assault To Kill or Maim	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Rape Of Child	11	0	1	0	0	12	22.5	.	30.0	.	.	23.1	24.0	.	30.0	.	.	24.0
	Assault w/i Rape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Robbery Unarmed + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Armed Robbery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Armed Assault w/i Rob	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Armed Aslt w/i Rob Over 65	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Carjacking	1	0	1	2	0	4	12.0	.	24.0	6.5	.	12.3	12.0	.	24.0	6.5	.	12.0
	Kidnapping	1	0	1	1	0	3	12.1	.	13.6	13.6	.	13.1	12.1	.	13.6	13.6	.	13.6
	Kidnapping Level 6	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Violation Of Civil Rights, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Burning Dwelling House	3	2	0	0	0	5	26.0	16.5	.	.	.	22.2	30.0	16.5	.	.	.	24.0
	Distribute Class A 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Cocaine 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Traffic Heroin 014-028	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Traffic Cocaine 028-100	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Cocaine Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	MV Homicide - OUI Felony	5	1	0	0	0	6	19.2	30.0	.	.	.	21.0	18.0	30.0	.	.	.	21.0
	Possess Explosive Device	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0
	<b>Sub-Total</b>	<b>29</b>	<b>6</b>	<b>4</b>	<b>5</b>	<b>0</b>	<b>44</b>	<b>20.7</b>	<b>19.5</b>	<b>18.4</b>	<b>10.7</b>	<b>.</b>	<b>19.2</b>	<b>24.0</b>	<b>21.0</b>	<b>18.8</b>	<b>12.0</b>	<b>.</b>	<b>18.0</b>

**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	2	4	2	2	0	10	12.0	11.8	6.0	18.0	.	11.9	12.0	10.0	6.0	18.0	.	12.0
	A&B Aggravated	8	7	6	4	0	25	9.9	10.1	12.0	3.6	.	9.4	6.0	12.0	12.0	2.6	.	6.0
	A&B DW, Aggravated	1	6	2	1	0	10	6.0	19.0	16.0	3.0	.	15.5	6.0	19.5	16.0	3.0	.	13.5
	Indecent A&B On Child	35	6	10	0	0	51	13.4	16.0	15.6	.	.	14.2	12.0	15.0	15.0	.	.	12.0
	Indecent A&B +60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Entice Child	2	1	1	1	0	5	12.5	18.0	12.0	30.0	.	17.0	12.5	18.0	12.0	30.0	.	18.0
	Unnatural Acts Child	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
	Robbery Unarmed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Intimidation	75	96	98	99	0	368	7.2	7.4	9.6	10.3	.	8.7	5.0	6.0	7.4	8.0	.	6.0
	Stalking Violation of Rest. Order	0	1	2	1	0	4	.	12.0	21.0	18.0	.	18.0	.	12.0	21.0	18.0	.	18.0
	Common & Notorious Thief	0	0	1	0	0	1	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0
	Burglary	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class B 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Traffic Cocaine 014-028	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class B Minor	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Guard Sex w/ Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Perjury or Suborn	1	2	0	0	0	3	4.0	3.5	.	.	.	3.7	4.0	3.5	.	.	.	4.0
	Bribery - Level 5	1	0	0	0	0	1	24.0	.	.	.	.	24.0	24.0	.	.	.	.	24.0
	Sex Offender Fail Register 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>126</b>	<b>123</b>	<b>122</b>	<b>108</b>	<b>0</b>	<b>479</b>	<b>9.4</b>	<b>8.7</b>	<b>10.6</b>	<b>10.4</b>	<b>.</b>	<b>9.7</b>	<b>6.0</b>	<b>6.0</b>	<b>9.0</b>	<b>8.0</b>	<b>.</b>	<b>6.0</b>

**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	14	13	11	16	0	54	6.9	5.3	8.7	11.5	.	8.2	6.0	3.0	3.3	10.5	.	6.0
	Assault Aggravated	0	0	2	0	0	2	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0
	A&B Guard	0	1	2	7	0	10	.	2.0	2.0	6.0	.	4.8	.	2.0	2.0	3.0	.	3.0
	A&B Dangerous Weapon	45	47	38	44	0	174	17.4	16.1	15.6	17.2	.	16.6	18.0	12.0	12.0	15.0	.	14.0
	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Indecent A&B	17	7	6	13	0	43	9.6	13.7	21.0	21.0	.	15.3	9.0	12.0	24.0	24.0	.	12.0
	Photograph Nude Person	1	1	0	0	0	2	2.0	12.0	.	.	.	7.0	2.0	12.0	.	.	.	7.0
	Child Pornography Possess 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Assault w/i Rob	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Stalking	3	2	2	3	0	10	3.7	4.2	15.0	14.7	.	9.3	3.0	4.2	15.0	14.0	.	6.0
	Harassment	11	5	11	5	0	32	5.2	10.1	5.6	5.8	.	6.2	6.0	12.0	6.0	6.0	.	6.0
	Larceny More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny More + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny Person	87	101	69	55	0	312	7.8	9.9	12.8	13.2	.	10.5	6.0	9.0	12.0	12.0	.	9.0
	Larceny Person + 65	5	2	0	1	0	8	10.8	9.0	.	6.0	.	9.8	12.0	9.0	.	6.0	.	9.0
	Larceny MV 2nd	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
	Fraud - Identity	15	16	14	24	0	69	4.5	9.3	10.5	13.5	.	10.0	4.0	10.5	9.0	12.0	.	8.0
	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Enter Dwelling w/I Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	B&E DT Armed w/i Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Receiving Stolen Goods MV 2nd	0	0	0	4	0	4	.	.	.	23.3	.	23.3	.	.	.	24.0	.	24.0
	Burning Building	3	1	0	0	0	4	16.0	18.0	.	.	.	16.5	18.0	18.0	.	.	.	18.0
	Distribute Class A	94	79	51	61	0	285	8.6	11.2	11.0	11.6	.	10.4	6.0	9.0	9.0	12.0	.	9.0
	Distribute Class B	168	141	109	73	0	491	9.5	10.4	11.1	11.9	.	10.5	9.0	9.0	12.0	9.0	.	9.0
	Distribute Cocaine	31	21	11	10	0	73	18.8	21.5	22.4	21.0	.	20.4	18.0	24.0	24.0	21.0	.	18.0
	Traffic Mar 50-100	3	0	0	0	0	3	16.0	.	.	.	.	16.0	12.0	.	.	.	.	12.0
	Larceny Cont Sub	0	1	1	0	0	2	.	6.0	7.0	.	.	6.5	.	6.0	7.0	.	.	6.5
	Giving Prisoner Cont Sub	2	2	2	0	0	6	2.0	1.2	12.5	.	.	5.2	2.0	1.2	12.5	.	.	2.0
	Control Substance School	41	37	28	14	0	120	24.3	24.2	24.2	24.4	.	24.3	24.0	24.0	24.0	24.0	.	24.0
	MV Homicide - Reckless	1	0	0	0	0	1	1.0	.	.	.	.	1.0	1.0	.	.	.	.	1.0
	MV Homicide - OUI	4	1	0	0	0	5	27.0	6.0	.	.	.	22.8	27.0	6.0	.	.	.	24.0
	Leaving Scene Death	2	0	0	0	0	2	23.5	.	.	.	.	23.5	23.5	.	.	.	.	23.5
	OUI Serious Inj, Fel	10	1	2	2	0	15	10.6	12.0	18.0	9.0	.	11.5	8.0	12.0	18.0	9.0	.	12.0
	Derive Support From Prostitute	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Gun Serial Number, Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Sale Violation	1	0	0	0	0	1	1.0	.	.	.	.	1.0	1.0	.	.	.	.	1.0
	Escape	2	9	10	9	0	30	3.5	5.6	7.2	9.0	.	7.0	3.5	6.0	6.0	6.0	.	6.0
	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Extortion	2	1	0	0	0	3	18.0	12.0	.	.	.	16.0	18.0	12.0	.	.	.	12.0
	Bomb Hoax	2	0	1	0	0	3	21.0	.	18.0	.	.	20.0	21.0	.	18.0	.	.	18.0
	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disinter Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>564</b>	<b>489</b>	<b>370</b>	<b>342</b>	<b>0</b>	<b>1765</b>	<b>11.3</b>	<b>12.2</b>	<b>13.0</b>	<b>13.8</b>	<b>.</b>	<b>12.4</b>	<b>9.0</b>	<b>12.0</b>	<b>12.0</b>	<b>12.0</b>	<b>.</b>	<b>12.0</b>

**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	410	436	425	427	3	1701	5.0	5.5	7.1	7.9	16.0	6.4	3.0	4.0	6.0	6.0	12.0	4.0
	A&B w/I Intimidate	1	1	2	0	0	4	15.0	12.0	3.3	.	.	8.4	15.0	12.0	3.3	.	.	9.0
	Reckless Endangerment	10	1	2	4	0	17	6.2	6.0	12.0	9.0	.	7.5	6.0	6.0	12.0	9.0	.	6.0
	Permit Injury to Child	0	0	1	0	0	1	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0
	A&B Ambulance	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Dangerous Weapon	88	58	60	54	0	260	3.8	4.1	4.1	4.9	.	4.1	3.0	3.0	3.2	6.0	.	3.0
	A&B Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Assault Dangerous Weapon	71	72	74	71	0	288	10.3	7.9	9.0	8.4	.	8.9	6.0	6.0	6.0	6.0	.	6.0
	Assault Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Unnatural Acts	1	1	0	3	0	5	18.0	3.0	.	1.2	.	4.9	18.0	3.0	.	0.8	.	2.0
	Child Pornography Possess	16	2	2	1	0	21	16.8	16.5	30.0	6.0	.	17.5	15.0	16.5	30.0	6.0	.	18.0
	Kidnapping	0	1	0	0	0	1	.	9.0	.	.	.	9.0	.	9.0	.	.	.	9.0
	Violation Of Civil Rights	1	2	1	1	0	5	3.0	6.0	12.0	3.0	.	6.0	3.0	6.0	12.0	3.0	.	6.0
	Restraining Order Violation	84	114	131	137	1	467	3.2	4.9	6.5	7.3	3.0	5.7	2.0	3.0	6.0	6.0	3.0	3.6
	Harassment Order Violation	8	7	1	11	0	27	2.7	3.2	0.5	3.6	.	3.1	2.5	1.7	0.5	3.0	.	3.0
	Larceny	12	12	13	15	0	52	6.3	4.7	4.7	8.8	.	6.2	5.5	5.0	6.0	6.0	.	6.0
	Larceny More	177	232	204	326	0	939	6.4	6.1	7.5	8.6	.	7.4	4.0	5.0	6.0	6.0	.	6.0
	Larceny More + 60	2	1	1	1	0	5	18.0	9.0	6.0	30.0	.	16.2	18.0	9.0	6.0	30.0	.	12.0
	Larceny Building	28	28	25	38	0	119	6.4	5.4	6.9	8.7	.	7.0	6.0	6.0	6.0	6.0	.	6.0
	Larceny from Truck	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny Firearm	4	1	1	1	0	7	15.0	6.0	2.0	21.0	.	12.7	18.0	6.0	2.0	21.0	.	18.0
	Larceny MV	6	8	19	21	0	54	5.1	4.8	9.6	11.7	.	9.2	2.0	2.2	12.0	12.0	.	8.0
	Embezzlement	2	0	0	0	0	2	4.5	.	.	.	.	4.5	4.5	.	.	.	.	4.5
	Credit Card Misuse - More	2	2	3	9	0	16	6.0	7.5	14.0	18.0	.	14.4	6.0	7.5	12.0	18.0	.	13.5
	Defrauding Insurer	1	2	1	1	0	5	2.0	10.5	15.0	5.0	.	8.6	2.0	10.5	15.0	5.0	.	9.0
	Fraud	11	6	12	9	0	38	5.6	9.2	7.0	8.9	.	7.4	6.0	9.0	7.5	8.0	.	6.0
	Possess Burglarious Tools	6	20	33	34	0	93	9.6	9.3	10.1	10.0	.	9.8	7.5	6.0	10.0	9.0	.	9.0
	B&E	200	270	257	298	0	1025	6.1	7.8	10.1	11.2	.	9.0	4.0	6.0	8.0	12.0	.	6.0
	Mal Dest Property More	13	12	10	15	0	50	7.2	12.8	12.3	13.5	.	11.4	2.3	7.5	12.0	9.0	.	9.0
	Receiving Stolen Goods Over	16	16	29	27	0	88	8.8	10.3	9.2	11.5	.	10.0	3.0	10.5	9.0	9.0	.	9.0
	Receiving Stolen Goods MV	14	24	23	39	0	100	5.4	6.3	8.3	12.3	.	9.0	6.0	6.0	9.0	12.0	.	6.0
	Receiving Stolen Goods 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Forgery And Uttering	22	32	44	43	0	141	4.4	6.6	8.8	9.9	.	7.9	3.0	5.3	7.0	11.0	.	6.0
	Counterfeit	0	2	0	0	0	2	.	4.0	.	.	.	4.0	.	4.0	.	.	.	4.0



**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
	Burning Property	2	0	0	2	0	4	7.0	.	.	9.0	.	8.0	7.0	.	.	9.0	.	9.0
	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class A 2nd	0	2	1	3	0	6	.	4.0	4.0	9.0	.	6.5	.	4.0	4.0	9.0	.	6.0
	Possession Class A Heroin 2nd	1	0	1	1	0	3	4.2	.	4.7	1.0	.	3.3	4.2	.	4.7	1.0	.	4.2
	Possession Class B 2nd	1	6	7	9	0	23	6.0	6.5	7.9	7.8	.	7.4	6.0	6.0	6.0	8.0	.	6.0
	Possession Class C 2nd	0	1	0	1	0	2	.	0.3	.	3.0	.	1.7	.	0.3	.	3.0	.	1.7
	Possession Class D 2nd	1	1	0	0	0	2	0.3	1.0	.	.	.	0.6	0.3	1.0	.	.	.	0.6
	Distribute Class C	2	1	6	9	0	18	6.5	6.0	6.8	5.0	.	5.8	6.5	6.0	5.8	4.0	.	5.8
	Distribute Class D 2nd	2	3	3	1	0	9	18.0	17.0	21.0	12.0	.	18.0	18.0	18.0	24.0	12.0	.	18.0
	Distribute Class E 2nd	1	1	3	1	0	6	1.8	12.0	10.3	12.0	.	9.5	1.8	12.0	7.0	12.0	.	9.5
	MV Homicide	5	0	0	1	0	6	8.0	.	.	6.0	.	7.7	6.0	.	.	6.0	.	6.0
	Leaving Scene Property Damage	52	43	31	24	0	150	3.9	5.0	5.9	6.2	.	5.0	3.0	3.0	3.9	5.0	.	3.0
	Leaving Scene Personal Injury	14	7	5	11	0	37	4.3	9.3	7.4	14.1	.	8.6	4.0	12.0	6.0	18.0	.	6.0
	OUI Serious Inj, Misd	5	4	0	0	0	9	9.4	5.4	.	.	.	7.6	9.0	3.1	.	.	.	6.0
	OUI - Child Endangerment	7	2	0	0	0	9	3.4	2.5	.	.	.	3.2	3.0	2.5	.	.	.	3.0
	Ignition Interlock Violation	1	3	0	0	0	4	6.0	6.7	.	.	.	6.5	6.0	6.0	.	.	.	6.0
	Inducing Minor To Sex	1	0	0	0	0	1	1.0	.	.	.	.	1.0	1.0	.	.	.	.	1.0
	Possess Firearm Silencer	1	0	0	0	0	1	18.0	.	.	.	.	18.0	18.0	.	.	.	.	18.0
	Gun Serial Number	5	0	0	0	0	5	13.2	.	.	.	.	13.2	12.0	.	.	.	.	12.0
	Firearm Loaded while OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Nonsupport	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Interfere Police or Firefighter	3	1	2	0	0	6	2.4	2.0	1.0	.	.	1.9	1.6	2.0	1.0	.	.	1.3
	Carrying Dangerous Weapon	17	26	15	18	0	76	2.4	5.9	5.1	5.8	.	4.9	1.5	3.5	6.0	3.0	.	3.0
	Contempt Of Court	1	0	0	0	0	1	0.2	.	.	.	.	0.2	0.2	.	.	.	.	0.2
	Cruelty To Animals	1	0	0	2	0	3	12.0	.	.	4.0	.	6.7	12.0	.	.	4.0	.	6.0
	Throw Object On Public Way	1	0	0	0	0	1	3.0	.	.	.	.	3.0	3.0	.	.	.	.	3.0
	Sex Offender Fail Register	6	9	30	43	0	88	3.8	11.4	7.8	8.4	.	8.2	2.5	12.0	6.0	6.0	.	6.0
	Vandalize - Graves	1	1	2	0	0	4	1.0	12.0	15.0	.	.	10.8	1.0	12.0	15.0	.	.	12.0
	Wiretapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Corporate books-falsify entry	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
	<b>Sub-Total</b>	<b>1338</b>	<b>1474</b>	<b>1480</b>	<b>1712</b>	<b>4</b>	<b>6008</b>	<b>5.8</b>	<b>6.3</b>	<b>7.9</b>	<b>8.9</b>	<b>12.8</b>	<b>7.3</b>	<b>3.0</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>	<b>9.0</b>	<b>6.0</b>

**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	17	16	16	12	0	61	3.2	4.5	4.2	6.9	.	4.5	2.0	3.2	3.0	6.0	.	3.0
	Accost / Annoy Person Opposite Sex	3	3	3	1	0	10	2.6	6.0	3.9	3.0	.	4.0	1.6	6.0	3.0	3.0	.	4.5
	Larceny	0	0	1	0	0	1	.	.	3.0	.	.	3.0	.	.	3.0	.	.	3.0
	Larceny Less	80	74	40	46	0	240	3.0	3.3	4.4	5.1	.	3.7	2.0	3.0	3.0	5.5	.	2.2
	Larceny Less +60	0	1	0	0	0	1	.	12.0	.	.	.	12.0	.	12.0	.	.	.	12.0
	Shoplifting	31	74	103	171	2	381	1.4	3.0	3.8	4.3	2.5	3.6	1.0	2.0	2.0	3.0	2.5	2.0
	Credit Card Misuse	7	9	5	7	0	28	2.4	6.3	3.7	5.0	.	4.5	2.0	6.0	4.0	3.0	.	3.5
	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Defrauding Innkeeper	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Welfare Violation	0	1	0	0	0	1	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0
	Concealing Property To Defraud	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Failure To Return Leased Prop	4	2	1	3	0	10	2.6	3.7	3.0	5.1	.	3.6	2.1	3.7	3.0	3.0	.	3.0
	B&E MV	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	B&E w/i Misdemeanor	7	3	4	7	0	21	2.4	2.7	6.0	2.5	.	3.2	1.0	1.0	6.0	1.9	.	2.0
	Property Destruction	33	26	49	32	0	140	2.7	3.4	7.3	4.5	.	4.9	2.0	2.5	3.7	2.3	.	2.5
	Tagging Property	2	1	2	1	0	6	1.0	1.0	1.1	1.1	.	1.1	1.0	1.0	1.1	1.1	.	1.0
	Receiving Stolen Goods	52	72	63	76	1	264	4.4	5.6	6.9	7.7	9.0	6.3	3.0	4.5	6.0	6.0	9.0	6.0
	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Setting Fire Land	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
	Fraud - Electric, Phone or Cable	0	1	0	0	0	1	.	4.0	.	.	.	4.0	.	4.0	.	.	.	4.0
	Property Violation	1	2	2	0	0	5	2.0	9.0	2.0	.	.	4.8	2.0	9.0	2.0	.	.	3.0
	Possession Class A	52	54	47	43	0	196	3.8	4.1	5.8	5.2	.	4.7	3.0	3.0	6.0	6.0	.	4.0
	Possession Class A Heroin	24	20	21	18	0	83	4.5	3.7	5.5	4.6	.	4.6	4.1	3.0	6.0	3.0	.	4.2
	Possession Class B	86	129	109	88	0	412	3.7	3.3	4.0	4.6	.	3.8	3.0	2.4	3.0	3.0	.	3.0
	Possession Class C	17	12	8	7	0	44	2.6	3.0	3.4	4.1	.	3.1	1.4	1.5	1.8	1.4	.	1.4
	Possession Class D	11	6	3	4	0	24	2.1	2.0	2.7	2.8	.	2.3	1.0	1.0	2.0	2.6	.	1.5
	Possession Class D Marijuana 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Counterfeit Substance	1	0	2	5	0	8	6.0	.	6.5	4.2	.	5.0	6.0	.	6.5	3.1	.	4.6
	Distribute Class D	59	47	27	7	0	140	5.0	6.5	7.6	5.9	.	6.0	3.0	6.0	6.0	6.0	.	4.0
	Distribute Class E	2	5	7	4	0	18	2.5	6.2	3.3	4.9	.	4.4	2.5	9.0	2.0	5.0	.	3.5
	Presence Class A	6	8	5	2	0	21	4.1	2.5	2.6	0.3	.	2.8	2.3	1.5	1.0	0.3	.	1.0
	Forge Prescription	8	8	3	7	0	26	3.9	5.1	3.1	7.9	.	5.3	3.2	4.0	3.0	6.0	.	4.3
	Distribute Paraphenalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Operate to Endanger	83	55	50	56	0	244	2.8	5.3	5.6	8.4	.	5.2	2.0	3.0	4.0	6.0	.	3.0
	Use Without Authority	16	15	16	14	0	61	3.5	4.6	3.3	6.0	.	4.3	3.0	2.9	2.0	5.0	.	3.0
	Use w/o Authority 2nd	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
	Habitual Traffic Offender	4	12	7	9	0	32	1.7	2.0	2.5	3.4	.	2.4	1.7	1.0	2.0	3.0	.	2.0
	Racing	0	1	1	0	0	2	.	2.0	1.0	.	.	1.5	.	2.0	1.0	.	.	1.5

**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
	Operate After Suspension 2nd	42	123	103	122	1	391	1.6	2.9	2.3	3.3	6.0	2.7	1.0	2.0	2.0	2.0	6.0	2.0
	Compulsory Insurance Violation	29	19	16	25	0	89	1.2	2.4	1.1	2.4	.	1.8	0.9	1.0	1.0	1.0	.	1.0
	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Counterfeit/Alter MV Document	3	1	6	5	0	15	3.4	3.5	5.1	6.5	.	5.1	4.0	3.5	5.0	6.0	.	4.0
	False Statement On Application	2	1	2	1	0	6	3.4	12.0	4.5	2.0	.	5.0	3.4	12.0	4.5	2.0	.	3.9
	Prostitution	32	34	14	15	0	95	2.0	2.0	3.1	4.5	.	2.5	1.0	1.0	2.0	1.5	.	1.0
	Common Night Walker 3rd	0	1	0	0	0	1	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0
	Induce Female To Prostitution	1	0	0	0	0	1	3.5	.	.	.	.	3.5	3.5	.	.	.	.	3.5
	Keeping A House Of Ill Fame	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Open And Gross	7	5	4	16	0	32	4.8	10.5	6.3	9.6	.	8.3	3.8	9.0	6.0	6.0	.	6.0
	Obscene Material to Minor	0	0	1	1	0	2	.	.	30.0	24.0	.	27.0	.	.	30.0	24.0	.	27.0
	Firearm Possess w/o Permit	71	30	18	4	0	123	11.1	14.9	15.5	13.5	.	12.7	12.0	18.0	18.0	12.0	.	12.0
	Possess Mace	1	0	1	0	0	2	0.6	.	12.0	.	.	6.3	0.6	.	12.0	.	.	6.3
	Possess Ammunition	6	1	2	0	0	9	7.4	4.0	9.0	.	.	7.4	5.3	4.0	9.0	.	.	6.0
	Firearm Carry, School	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Store Improper	1	2	0	0	0	3	4.0	2.0	.	.	.	2.6	4.0	2.0	.	.	.	2.0
	Conceal or Harbor Fleeing Child	1	0	1	0	0	2	1.0	.	12.0	.	.	6.5	1.0	.	12.0	.	.	6.5
	Escape Lockup	0	0	1	0	0	1	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0
	Impersonate/Disguise	0	1	4	0	0	5	.	2.0	5.6	.	.	4.9	.	2.0	6.5	.	.	6.0
	Failure to Appear	4	4	2	2	0	12	1.5	3.3	2.0	7.0	.	3.1	1.2	1.5	2.0	7.0	.	2.0
	Possess Stun Gun	1	1	2	0	0	4	1.0	6.0	3.9	.	.	3.7	1.0	6.0	3.9	.	.	3.9
	False Alarm	0	2	0	1	0	3	.	3.5	.	6.0	.	4.3	.	3.5	.	6.0	.	6.0
	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Violation Of Explosives	1	0	0	0	0	1	2.2	.	.	.	.	2.2	2.2	.	.	.	.	2.2
	Disrupt Court Proceedings	0	0	1	2	0	3	.	.	2.0	4.5	.	3.7	.	.	2.0	4.5	.	3.0
	Contributing To Delinquency	0	0	0	1	0	1	.	.	.	2.0	.	2.0	.	.	.	2.0	.	2.0
	Mistreat Police Animal	1	0	0	0	0	1	0.7	.	.	.	.	0.7	0.7	.	.	.	.	0.7
	Election Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Resisting Arrest	46	94	76	85	0	301	2.8	3.4	5.2	4.5	.	4.1	2.0	2.0	3.0	2.0	.	2.0
	Compound / Conceal Felony	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	False Report Of Crime	11	1	0	1	0	13	2.3	0.3	.	0.8	.	2.1	1.0	0.3	.	0.8	.	1.0
	Hazardous Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disconnect Sprinkler System	0	2	1	2	0	5	.	4.0	12.0	10.5	.	8.2	.	4.0	12.0	10.5	.	9.0
	Clean Water Act Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Record w/o Manufacturer	0	0	0	2	0	2	.	.	.	7.5	.	7.5	.	.	.	7.5	.	7.5
	True Name Law	14	8	5	9	0	36	1.8	1.7	1.0	2.6	.	1.9	1.5	0.8	0.7	2.0	.	1.0
	Home Imp Contractor Violation	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
	<b>Sub-Total</b>	<b>882</b>	<b>987</b>	<b>856</b>	<b>914</b>	<b>4</b>	<b>3643</b>	<b>3.8</b>	<b>4.1</b>	<b>4.8</b>	<b>5.0</b>	<b>5.0</b>	<b>4.4</b>	<b>2.0</b>	<b>2.5</b>	<b>3.0</b>	<b>3.0</b>	<b>4.5</b>	<b>3.0</b>

**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	Obscene Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Threatening	26	28	31	47	0	132	2.5	3.3	3.7	3.6	.	3.4	1.7	3.0	3.3	3.0	.	3.0
	Vandalism	4	14	11	13	0	42	3.7	3.8	2.6	4.5	.	3.7	2.5	2.5	1.0	2.5	.	2.3
	Setting Fire In Open	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Trespassing	51	65	60	101	0	277	0.6	0.8	0.7	0.7	.	0.7	0.7	1.0	1.0	1.0	.	1.0
	Use Motorboat w/o Authority	1	0	0	0	0	1	3.0	.	.	.	.	3.0	3.0	.	.	.	.	3.0
	Gaming	0	1	0	0	0	1	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0
	Unauthorized Access of Computer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class D Marijuana	1	0	3	0	0	4	0.3	.	0.9	.	.	0.8	0.3	.	0.7	.	.	0.5
	Possession Class E	7	18	7	21	0	53	2.4	3.2	2.5	2.4	.	2.7	2.0	3.0	2.0	1.5	.	2.0
	Inhaling Toxic Vapors	1	2	0	0	0	3	6.0	3.4	.	.	.	4.2	6.0	3.4	.	.	.	6.0
	Disturb Correctional Institution	1	1	1	2	0	5	3.0	2.0	3.0	2.0	.	2.4	3.0	2.0	3.0	2.0	.	3.0
	Attaching Wrong MV Plates	4	1	1	0	0	6	0.2	0.1	0.3	.	.	0.2	0.2	0.1	0.3	.	.	0.2
	Operate After Suspension	111	128	88	72	0	399	0.3	0.3	0.3	0.3	.	0.3	0.3	0.3	0.3	0.3	.	0.3
	Obstruct Emergency Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	RV On Public Way	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0
	Common Night Walker	6	8	10	2	0	26	1.2	2.4	2.2	1.5	.	2.0	1.0	1.0	3.0	1.5	.	1.0
	Indecent Exposure	4	3	4	5	0	16	2.8	2.2	2.3	3.1	.	2.7	2.5	0.3	1.2	3.0	.	2.0
	Lewd And Lacivious	0	2	2	1	0	5	.	6.0	6.0	6.0	.	6.0	.	6.0	6.0	6.0	.	6.0
	Disorderly Conduct	11	18	13	20	0	62	0.9	1.7	1.3	2.1	.	1.6	1.0	1.0	1.0	1.0	.	1.0
	Disturb Peace, 2nd Offense	1	4	0	3	0	8	0.2	2.5	.	0.7	.	1.5	0.2	2.0	.	1.0	.	0.6
	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Discharge	1	1	0	0	0	2	3.0	0.8	.	.	.	1.9	3.0	0.8	.	.	.	1.9
	Annoying Phone Calls	0	0	3	1	0	4	.	.	2.7	2.0	.	2.5	.	.	3.0	2.0	.	2.5
	Failure To Obey Police Officer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Obstructing Justice	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
	License Law Violation (Not MV)	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Alcohol, Procure for Minor	5	2	1	0	0	8	4.4	0.7	12.0	.	.	4.4	6.0	0.7	12.0	.	.	4.5
	Alcohol, Transporting	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Employment Practices	0	1	0	0	0	1	.	5.0	.	.	.	5.0	.	5.0	.	.	.	5.0
	Child Labor Violation	0	0	0	1	0	1	.	.	.	1.0	.	1.0	.	.	.	1.0	.	1.0
	Landlord Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fail To Comply With Dog Order	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Improper Disposal of Body	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	<b>Sub-Total</b>	<b>235</b>	<b>299</b>	<b>235</b>	<b>289</b>	<b>0</b>	<b>1058</b>	<b>1.0</b>	<b>1.4</b>	<b>1.3</b>	<b>1.5</b>	<b>.</b>	<b>1.3</b>	<b>0.3</b>	<b>0.3</b>	<b>0.5</b>	<b>1.0</b>	<b>.</b>	<b>0.3</b>

**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	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Conspiracy Violate CSA	8	5	5	8	0	26	10.9	7.3	5.6	4.6	.	7.3	6.8	3.0	6.0	3.5	.	4.5
	Conspiracy	2	0	4	2	0	8	12.7	.	7.5	3.9	.	7.9	12.7	.	2.0	3.9	.	2.0
	Attempt To Commit Crime	13	23	9	22	0	67	5.7	6.3	6.6	9.0	.	7.1	4.0	4.0	6.0	8.5	.	6.0
	Accessory Before	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Accessory After	6	2	0	0	0	8	15.2	19.0	.	.	.	16.2	15.0	19.0	.	.	.	15.0
	<b>Sub-Total</b>	<b>29</b>	<b>30</b>	<b>18</b>	<b>32</b>	<b>0</b>	<b>109</b>	<b>9.6</b>	<b>7.3</b>	<b>6.5</b>	<b>7.6</b>	<b>.</b>	<b>7.9</b>	<b>6.0</b>	<b>5.0</b>	<b>4.5</b>	<b>6.0</b>	<b>.</b>	<b>6.0</b>

**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	1,344	973	782	655	4	3,758	423	441	431	428	3	1,726	31%	45%	55%	65%	75%	46%
Person	A&B Aggravated	20	12	12	9	0	53	11	9	9	7	0	36	55%	75%	75%	78%		68%
Person	A&B Aggravated - Serious Injury	3	3	5	5	0	16	2	2	5	5	0	14	67%	67%	100%	100%		88%
Person	A&B Ambulance	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
Person	A&B Child w/Injury	17	11	3	2	0	33	4	6	2	2	0	14	24%	55%	67%	100%		42%
Person	A&B Child w/Injury Substantial	4	0	0	0	0	4	4	0	0	0	0	4	100%					100%
Person	A&B Dangerous Weapon	320	188	167	157	0	832	154	115	116	127	0	512	48%	61%	69%	81%		62%
Person	A&B Dangerous Weapon + 60	0	1	1	1	0	3	0	0	1	1	0	2		0%	100%	100%		67%
Person	A&B DW, Aggravated	12	10	13	8	0	43	11	8	12	7	0	38	92%	80%	92%	88%		88%
Person	A&B DW, Aggravated w/Injury	14	10	3	3	0	30	11	9	3	2	0	25	79%	90%	100%	67%		83%
Person	A&B Elderly / Disabled w/Injury	38	25	16	19	0	98	15	13	11	18	0	57	39%	52%	69%	95%		58%
Person	A&B Guard	0	4	7	17	0	28	0	3	5	13	0	21		75%	71%	76%		75%
Person	A&B To Collect Loan	3	2	2	0	0	7	0	0	0	0	0	0	0%	0%	0%			0%
Person	A&B w/I Intimidate	3	1	2	0	0	6	1	1	2	0	0	4	33%	100%	100%			67%
Person	Armed Aslt w/i Rob Over 65	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
Person	Armed Assault In Dwell House	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Person	Armed Assault w/i Murder	6	4	5	7	0	22	5	4	5	7	0	21	83%	100%	100%	100%		95%
Person	Armed Assault w/i Murder - Firearm	4	4	4	3	0	15	4	4	4	3	0	15	100%	100%	100%	100%		100%
Person	Armed Assault w/i Rob	11	9	6	7	0	33	7	4	6	7	0	24	64%	44%	100%	100%		73%
Person	Armed Robbery	64	46	37	57	3	207	47	40	35	55	3	180	73%	87%	95%	96%	100%	87%
Person	Armed Robbery Gun	24	12	16	16	1	69	17	12	15	16	1	61	71%	100%	94%	100%	100%	88%
Person	Assault	68	60	41	35	0	204	18	17	16	12	0	63	26%	28%	39%	34%		31%
Person	Assault Aggravated	0	0	2	0	0	2	0	0	2	0	0	2			100%			100%
Person	Assault Dangerous Weapon	173	136	115	119	0	543	78	77	78	76	0	309	45%	57%	68%	64%		57%
Person	Assault Dangerous Weapon + 60	1	0	0	1	0	2	0	0	0	1	0	1	0%			100%		50%
Person	Assault To Kill or Maim	1	0	1	3	0	5	0	0	1	2	0	3	0%		100%	67%		60%
Person	Assault w/i Rob	0	3	1	5	0	9	0	2	1	5	0	8		67%	100%	100%		89%

**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	1	0	3	3	0	7	1	0	3	3	0	7	100%		100%	100%		100%
Person	Carjacking, Armed	3	4	1	1	0	9	3	4	1	1	0	9	100%	100%	100%	100%		100%
Person	Confine And Put In Fear	0	1	2	4	0	7	0	0	2	4	0	6		0%	100%	100%		86%
Person	Extortion	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
Person	Harassment	28	20	16	10	0	74	11	5	11	5	0	32	39%	25%	69%	50%		43%
Person	Harassment Order Violation	25	16	11	20	0	72	8	7	1	11	0	27	32%	44%	9%	55%		38%
Person	Home Invasion	6	0	2	2	0	10	1	0	2	2	0	5	17%		100%	100%		50%
Person	Intimidation	177	178	171	155	0	681	81	106	112	122	0	421	46%	60%	65%	79%		62%
Person	Kidnapping	6	5	2	4	0	17	5	4	2	2	0	13	83%	80%	100%	50%		76%
Person	Kidnapping Level 6	2	1	1	0	0	4	2	1	1	0	0	4	100%	100%	100%			100%
Person	Manslaughter	28	6	8	5	0	47	28	6	8	5	0	47	100%	100%	100%	100%		100%
Person	Mayhem	5	1	2	3	0	11	4	1	2	3	0	10	80%	100%	100%	100%		91%
Person	Murder	27	16	6	5	0	54	27	16	6	5	0	54	100%	100%	100%	100%		100%
Person	Murder, Attempted	2	1	2	2	0	7	2	1	2	2	0	7	100%	100%	100%	100%		100%
Person	Permit Injury to Child	1	0	1	0	0	2	0	0	1	0	0	1	0%		100%			50%
Person	Reckless Endangerment	32	5	6	5	0	48	10	1	2	4	0	17	31%	20%	33%	80%		35%
Person	Restraining Order Violation	229	249	237	220	1	936	90	116	134	140	1	481	39%	47%	57%	64%	100%	51%
Person	Robbery Unarmed	23	17	37	41	1	119	9	12	37	39	1	98	39%	71%	100%	95%	100%	82%
Person	Robbery Unarmed + 60	2	0	2	3	0	7	1	0	1	2	0	4	50%		50%	67%		57%
Person	Stalking	7	4	3	5	0	19	4	2	2	3	0	11	57%	50%	67%	60%		58%
Person	Stalking Violation of Rest. Order	1	1	2	2	0	6	1	1	2	2	0	6	100%	100%	100%	100%		100%
Person	Threatening	80	65	75	86	0	306	27	29	31	49	0	136	34%	45%	41%	57%		44%
Person	Violation Of Civil Rights	1	2	1	1	0	5	1	2	1	1	0	5	100%	100%	100%	100%		100%
Person	Violation Of Civil Rights, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Person	<b>Sub-Total</b>	<b>2,822</b>	<b>2,107</b>	<b>1,833</b>	<b>1,708</b>	<b>10</b>	<b>8,480</b>	<b>1,132</b>	<b>1,082</b>	<b>1,125</b>	<b>1,200</b>	<b>9</b>	<b>4,548</b>	<b>40%</b>	<b>51%</b>	<b>61%</b>	<b>70%</b>	<b>90%</b>	<b>54%</b>

**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	1	2	2	2	0	7	1	2	2	2	0	7	100%	100%	100%	100%		100%
Sex	Assault w/i Rape Child	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
Sex	Child Pornography	4	1	0	1	0	6	0	0	0	1	0	1	0%	0%		100%		17%
Sex	Child Pornography Possess	48	5	4	1	0	58	22	3	3	1	0	29						
Sex	Child Pornography Possess 2nd	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
Sex	Entice Child	3	2	3	1	0	9	3	1	2	1	0	7	100%	50%	67%	100%		78%
Sex	Incest	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
Sex	Indecent A&B	40	12	11	16	0	79	19	8	8	13	0	48	48%	67%	73%	81%		61%
Sex	Indecent A&B +60	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Sex	Indecent A&B On Child	65	10	14	3	0	92	43	8	12	2	0	65	66%	80%	86%	67%		71%
Sex	Inducing Minor To Sex	6	1	0	0	0	7	1	0	0	0	0	1	17%	0%				14%
Sex	Obscene Material to Minor	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
Sex	Open And Gross	24	13	8	21	0	66	7	6	5	18	0	36	29%	46%	63%	86%		55%
Sex	Rape	11	5	2	2	0	20	8	5	2	2	0	17	73%	100%	100%	100%		85%
Sex	Rape Of Child	55	10	6	4	0	75	49	10	4	4	0	67	89%	100%	67%	100%		89%
Sex	Rape of Child 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Sex	Rape of Child Aggravated	7	1	3	2	0	13	7	1	3	2	0	13	100%	100%	100%	100%		100%
Sex	Rape Of Child w/Force	16	3	2	6	0	27	15	3	2	6	0	26	94%	100%	100%	100%		96%
Sex	Rape, Aggravated	6	3	3	7	1	20	6	3	3	7	1	20	100%	100%	100%	100%	100%	100%
Sex	Unnatural Acts Child	1	0	1	0	0	2	1	0	1	0	0	2	100%		100%			100%
Sex	<b>Sub-Total</b>	<b>290</b>	<b>68</b>	<b>61</b>	<b>72</b>	<b>1</b>	<b>492</b>	<b>185</b>	<b>50</b>	<b>49</b>	<b>65</b>	<b>1</b>	<b>350</b>	<b>64%</b>	<b>74%</b>	<b>80%</b>	<b>90%</b>	<b>100%</b>	<b>71%</b>
Weapons	Carrying Dangerous Weapon	60	52	38	43	0	193	20	29	15	21	0	85	33%	56%	39%	49%		44%
Weapons	Firearm Carry, School	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Weapons	Firearm Discharge	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
Weapons	Firearm Loaded while OUI	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Weapons	Firearm Possess w/o Permit	139	48	24	4	0	215	72	30	18	4	0	124						
Weapons	Firearm Sale Violation	2	1	0	0	0	3	1	1	0	0	0	2	50%	100%				67%
Weapons	Firearm Store Improper	11	9	0	0	0	20	1	2	0	0	0	3	9%	22%				15%
Weapons	Gun Serial Number	6	1	1	0	0	8	5	0	0	0	0	5	83%	0%	0%			63%
Weapons	Gun Serial Number, Felony	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Weapons	Possess Air Rifle w/o FID Card	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Weapons	Possess Ammunition	16	8	4	1	1	30	6	1	2	0	0	9	38%	13%	50%	0%	0%	30%
Weapons	Possess Explosive Device	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Weapons	Possess Firearm Silencer	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
Weapons	Possess Mace	6	0	2	0	0	8	1	0	1	0	0	2	17%		50%			25%
Weapons	Possess Stun Gun	3	3	2	0	0	8	1	1	2	0	0	4	33%	33%	100%			50%
Weapons	Throw or Place Explosives	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Weapons	Violation Of Explosives	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Weapons	<b>Sub-Total</b>	<b>258</b>	<b>124</b>	<b>71</b>	<b>48</b>	<b>1</b>	<b>502</b>	<b>115</b>	<b>66</b>	<b>38</b>	<b>25</b>	<b>0</b>	<b>244</b>	<b>45%</b>	<b>53%</b>	<b>54%</b>	<b>52%</b>	<b>0%</b>	<b>49%</b>



**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 Larceny	1	0	1	0	0	2	0	0	0	0	0	0	0%		0%			0%
Property	B&E	487	456	391	480	0	1,814	212	286	278	386	0	1,162	44%	63%	71%	80%		64%
Property	B&E DT Armed w/i Felony	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Property	B&E MV	2	1	0	1	0	4	0	0	0	0	0	0	0%	0%		0%		0%
Property	B&E w/i Misdemeanor	32	17	11	11	0	71	7	3	4	7	0	21						
Property	Burglary	4	3	0	7	0	14	4	3	0	6	0	13	100%	100%		86%		93%
Property	Burglary, Armed	2	0	0	1	0	3	0	0	0	1	0	1	0%			100%		33%
Property	Burning Building	7	1	0	0	0	8	3	1	0	0	0	4	43%	100%				50%
Property	Burning Dwelling House	5	3	0	3	0	11	4	2	0	2	0	8	80%	67%		67%		73%
Property	Burning Motor Vehicle	0	1	2	0	0	3	0	0	1	0	0	1		0%	50%			33%
Property	Burning Property	5	1	3	3	0	12	2	0	1	2	0	5	40%	0%	33%	67%		42%
Property	Common & Notorious Thief	1	1	1	2	0	5	1	1	1	2	0	5	100%	100%	100%	100%		100%
Property	Concealing Property To Defraud	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Property	Corporate books-falsify entry	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Property	Counterfeit	2	7	1	0	0	10	0	2	0	0	0	2	0%	29%	0%			20%
Property	Credit Card Misuse	32	12	11	9	0	64	10	9	5	7	0	31	31%	75%	45%	78%		48%
Property	Credit Card Misuse - More	3	4	3	9	0	19	2	2	3	9	0	16	67%	50%	100%	100%		84%
Property	Defrauding Innkeeper	1	2	1	0	0	4	0	0	0	0	0	0	0%	0%	0%			0%
Property	Defrauding Insurer	10	7	5	2	0	24	1	2	1	1	0	5	10%	29%	20%	50%		21%
Property	Embezzlement	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
Property	Enter Dwelling w/I Felony	2	0	0	7	0	9	1	0	0	6	0	7	50%			86%		78%
Property	Failure To Return Leased Prop	12	11	3	4	0	30	4	2	1	3	0	10	33%	18%	33%	75%		33%
Property	Forgery And Uttering	91	89	79	80	0	339	23	32	45	46	0	146	25%	36%	57%	58%		43%
Property	Fraud	33	20	20	15	0	88	11	6	12	9	0	38	33%	30%	60%	60%		43%
Property	Fraud - Electric, Phone or Cable	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Property	Fraud - Identity	54	36	21	29	0	140	16	16	14	24	0	70	30%	44%	67%	83%		50%
Property	Larceny	42	42	35	31	0	150	12	13	14	15	0	54	29%	31%	40%	48%		36%
Property	Larceny Building	74	51	41	55	0	221	29	28	25	39	0	121	39%	55%	61%	71%		55%
Property	Larceny Firearm	4	1	2	1	0	8	4	1	2	1	0	8	100%	100%	100%	100%		100%
Property	Larceny from Truck	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Property	Larceny Less	335	212	105	105	0	757	82	75	41	48	0	246	24%	35%	39%	46%		32%
Property	Larceny Less +60	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Property	Larceny More	613	501	399	521	1	2,035	184	236	206	342	0	968	30%	47%	52%	66%	0%	48%
Property	Larceny More + 60	6	2	1	6	0	15	4	1	1	6	0	12	67%	50%	100%	100%		80%
Property	Larceny MV	22	18	24	34	0	98	7	8	19	25	0	59	32%	44%	79%	74%		60%

**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 MV 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Property	Larceny Person	157	145	92	89	0	483	89	101	70	58	0	318	57%	70%	76%	65%		66%
Property	Larceny Person + 65	6	2	0	1	0	9	5	2	0	1	0	8	83%	100%		100%		89%
Property	Mal Dest Property More	50	30	20	29	0	129	22	15	11	17	0	65	44%	50%	55%	59%		50%
Property	MV - False Report Of Theft	5	0	0	0	0	5	0	0	0	0	0	0	0%					0%
Property	Possess Burglarious Tools	22	36	43	56	0	157	6	20	35	40	0	101	27%	56%	81%	71%		64%
Property	Property Destruction	137	113	99	67	0	416	34	27	51	33	0	145	25%	24%	52%	49%		35%
Property	Property Violation	5	5	5	5	0	20	1	2	2	0	0	5	20%	40%	40%	0%		25%
Property	Receiving Stolen Goods	152	156	112	114	1	535	56	73	63	76	1	269	37%	47%	56%	67%	100%	50%
Property	Receiving Stolen Goods 2nd	0	0	0	2	0	2	0	0	0	1	0	1				50%		50%
Property	Receiving Stolen Goods MV	47	45	35	52	0	179	14	24	24	43	0	105	30%	53%	69%	83%		59%
Property	Receiving Stolen Goods MV 2nd	0	0	0	8	0	8	0	0	0	8	0	8				100%		100%
Property	Receiving Stolen Goods Over	36	36	42	39	0	153	17	17	29	31	0	94	47%	47%	69%	79%		61%
Property	Record w/o Manufacturer	4	0	1	2	0	7	0	0	0	2	0	2	0%		0%	100%		29%
Property	Setting Fire In Open	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Setting Fire Land	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Property	Shoplifting	663	536	431	487	4	2,121	34	77	105	174	2	392	5%	14%	24%	36%	50%	18%
Property	Tagging Property	12	4	5	2	0	23	2	1	2	1	0	6	17%	25%	40%	50%		26%
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	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Property	Vandalism	33	28	31	21	0	113	6	15	11	13	0	45	18%	54%	35%	62%		40%
Property	Vandalize - Graves	4	1	2	0	0	7	1	1	2	0	0	4	25%	100%	100%			57%
Property	Welfare Violation	1	1	0	0	0	2	0	1	0	0	0	1	0%	100%				50%
<b>Property</b>	<b>Sub-Total</b>	<b>3,228</b>	<b>2,640</b>	<b>2,079</b>	<b>2,392</b>	<b>6</b>	<b>10,345</b>	<b>917</b>	<b>1,107</b>	<b>1,079</b>	<b>1,487</b>	<b>3</b>	<b>4,593</b>	<b>28%</b>	<b>42%</b>	<b>52%</b>	<b>62%</b>	<b>50%</b>	<b>44%</b>

**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	34	13	10	17	0	74	8	6	5	10	0	29	24%	46%	50%	59%		39%
Drug	Control Substance School	41	42	29	14	0	126	41	42	29	14	0	126	100%	100%	100%	100%		100%
Drug	Distribute Class A	246	163	110	113	0	632	114	109	84	87	0	394	46%	67%	76%	77%		62%
Drug	Distribute Class A 2nd	0	2	3	7	0	12	0	2	3	7	0	12		100%	100%	100%		100%
Drug	Distribute Class B	516	293	196	129	0	1,134	192	172	126	90	0	580	37%	59%	64%	70%		51%
Drug	Distribute Class B 2nd	0	6	6	10	0	22	0	6	6	10	0	22						
Drug	Distribute Class B Minor	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Drug	Distribute Class C	17	6	8	11	0	42	2	2	6	9	0	19	12%	33%	75%	82%		45%
Drug	Distribute Class D	264	126	57	23	0	470	60	49	27	9	0	145	23%	39%	47%	39%		31%
Drug	Distribute Class D 2nd	2	4	5	1	0	12	2	3	3	1	0	9	100%	75%	60%	100%		75%
Drug	Distribute Class E	16	7	11	6	0	40	2	5	7	4	0	18	13%	71%	64%	67%		45%
Drug	Distribute Class E 2nd	1	1	4	1	0	7	1	1	3	1	0	6	100%	100%	75%	100%		86%
Drug	Distribute Cocaine	47	49	50	42	0	188	47	49	50	42	0	188	100%	100%	100%	100%		100%
Drug	Distribute Cocaine 2nd	0	7	8	11	0	26	0	7	8	11	0	26		100%	100%	100%		100%
Drug	Distribute Cocaine Minor	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Drug	Distribute Counterfeit Substance	1	1	3	8	0	13	1	0	2	5	0	8	100%	0%	67%	63%		62%
Drug	Distribute Paraphenalia	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Drug	Forge Prescription	27	26	11	16	0	80	9	8	3	7	0	27	33%	31%	27%	44%		34%
Drug	Giving Prisoner Cont Sub	4	3	2	3	0	12	3	2	2	1	0	8	75%	67%	100%	33%		67%
Drug	Inhaling Toxic Vapors	5	3	0	0	0	8	1	2	0	0	0	3	20%	67%				38%
Drug	Larceny Cont Sub	1	3	2	0	0	6	1	2	1	0	0	4	100%	67%	50%			67%
Drug	Possession Class A	165	135	105	83	0	488	55	55	47	43	0	200	33%	41%	45%	52%		41%
Drug	Possession Class A 2nd	2	7	3	9	0	21	0	2	1	3	0	6	0%	29%	33%	33%		29%
Drug	Possession Class A Heroin	66	49	40	35	0	190	28	20	23	19	0	90	42%	41%	58%	54%		47%
Drug	Possession Class A Heroin 2nd	3	5	3	2	0	13	1	0	1	1	0	3	33%	0%	33%	50%		23%
Drug	Possession Class B	336	291	210	181	1	1,019	91	135	112	91	0	429	27%	46%	53%	50%	0%	42%
Drug	Possession Class B 2nd	3	11	16	21	0	51	1	6	7	10	0	24	33%	55%	44%	48%		47%
Drug	Possession Class C	37	31	14	20	0	102	17	12	8	7	0	44	46%	39%	57%	35%		43%
Drug	Possession Class C 2nd	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
Drug	Possession Class D	91	19	14	8	0	132	12	6	3	4	0	25	13%	32%	21%	50%		19%
Drug	Possession Class D 2nd	1	2	1	0	0	4	1	1	0	0	0	2	100%	50%	0%			50%
Drug	Possession Class D Marijuana	25	3	3	0	0	31	1	0	3	0	0	4	4%	0%	100%			13%
Drug	Possession Class D Marijuana 2nd	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Drug	Possession Class E	21	34	18	37	0	110	9	19	8	24	0	60	43%	56%	44%	65%		55%
Drug	Presence Class A	15	16	8	8	0	47	6	8	5	2	0	21	40%	50%	63%	25%		45%
Drug	Traffic Cocaine 014-028	41	21	17	9	0	88	41	21	17	9	0	88	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 028-100	27	8	18	4	0	57	27	8	18	4	0	57	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 100-200	6	4	5	3	0	18	6	4	5	3	0	18	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 200+	4	1	1	0	0	6	4	1	1	0	0	6	100%	100%	100%			100%
Drug	Traffic Heroin 014-028	17	3	3	3	0	26	17	3	3	3	0	26	100%	100%	100%	100%		100%
Drug	Traffic Heroin 028-100	4	3	1	5	0	13	4	3	1	5	0	13	100%	100%	100%	100%		100%
Drug	Traffic Heroin 100-200	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
Drug	Traffic Heroin 200+	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Drug	Traffic Mar 50-100	5	0	0	0	0	5	5	0	0	0	0	5	100%					100%
<b>Drug</b>	<b>Sub-Total</b>	<b>2,094</b>	<b>1,399</b>	<b>995</b>	<b>845</b>	<b>1</b>	<b>5,334</b>	<b>812</b>	<b>772</b>	<b>628</b>	<b>540</b>	<b>0</b>	<b>2,752</b>	<b>39%</b>	<b>55%</b>	<b>63%</b>	<b>64%</b>	<b>0%</b>	<b>52%</b>

**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	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Motor Vehicle	Attaching Wrong MV Plates	69	15	11	10	0	105	4	1	2	1	0	8	6%	7%	18%	10%		8%
Motor Vehicle	Compulsory Insurance Violation	203	78	54	56	0	391	33	20	16	26	0	95	16%	26%	30%	46%		24%
Motor Vehicle	Counterfeit/Alter MV Document	19	8	13	7	0	47	3	1	7	5	0	16	16%	13%	54%	71%		34%
Motor Vehicle	False Statement On Application	4	4	2	1	0	11	2	1	2	1	0	6	50%	25%	100%	100%		55%
Motor Vehicle	Habitual Traffic Offender	16	45	23	20	0	104	4	12	8	9	0	33	25%	27%	35%	45%		32%
Motor Vehicle	Ignition Interlock Violation	1	3	0	0	0	4	1	3	0	0	0	4	100%	100%				100%
Motor Vehicle	Leaving Scene Death	2	0	0	0	0	2	2	0	0	0	0	2						
Motor Vehicle	Leaving Scene Personal Injury	77	26	9	14	0	126	15	7	5	11	0	38	19%	27%	56%	79%		30%
Motor Vehicle	Leaving Scene Property Damage	298	139	87	50	0	574	54	44	32	25	0	155	18%	32%	37%	50%		27%
Motor Vehicle	MV Homicide	19	0	0	1	0	20	5	0	0	1	0	6	26%			100%		30%
Motor Vehicle	MV Homicide - OUI	4	1	0	0	0	5	4	1	0	0	0	5	100%	100%				100%
Motor Vehicle	MV Homicide - OUI Felony	10	3	1	0	0	14	10	3	1	0	0	14	100%	100%	100%			100%
Motor Vehicle	MV Homicide - Reckless	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
Motor Vehicle	Obstruct Emergency Veh	4	0	0	1	0	5	0	0	0	0	0	0	0%			0%		0%
Motor Vehicle	Operate After Suspension	1,261	959	592	388	1	3,201	126	135	97	75	0	433	10%	14%	16%	19%	0%	14%
Motor Vehicle	Operate After Suspension 2nd	110	212	162	171	1	656	42	123	103	123	1	392	38%	58%	64%	72%	100%	60%
Motor Vehicle	Operate to Endanger	933	231	128	93	0	1,385	84	55	51	56	0	246	9%	24%	40%	60%		18%
Motor Vehicle	OUI - Child Endangerment	24	4	0	0	0	28	7	2	0	0	0	9	29%	50%				32%
Motor Vehicle	OUI Serious Inj. Fel	10	2	2	2	0	16	10	2	2	2	0	16	100%	100%	100%	100%		100%
Motor Vehicle	OUI Serious Inj. Misd	17	5	0	0	0	22	5	4	0	0	0	9	29%	80%				41%
Motor Vehicle	Racing	10	2	1	0	0	13	0	1	1	0	0	2	0%	50%	100%			15%
Motor Vehicle	RV On Public Way	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
Motor Vehicle	Use w/o Authority 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Motor Vehicle	Use Without Authority	40	33	28	26	0	127	16	16	16	15	0	63	40%	48%	57%	58%		50%
<b>Motor Vehicle</b>	<b>Sub-Total</b>	<b>3,136</b>	<b>1,772</b>	<b>1,114</b>	<b>840</b>	<b>2</b>	<b>6,864</b>	<b>428</b>	<b>432</b>	<b>344</b>	<b>350</b>	<b>1</b>	<b>1,555</b>	<b>14%</b>	<b>24%</b>	<b>31%</b>	<b>42%</b>	<b>50%</b>	<b>23%</b>

**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	11	3	0	0	0	14	7	3	0	0	0	10	64%	100%				71%
Other	Accessory Before	1	2	2	1	0	6	0	0	1	1	0	2	0%	0%	50%	100%		33%
Other	Alcohol, Procure for Minor	26	11	3	2	1	43	5	2	1	0	0	8	19%	18%	33%	0%	0%	19%
Other	Alcohol, Transporting	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
Other	Attempt To Commit Crime	33	38	21	37	0	129	13	24	10	23	0	70	39%	63%	48%	62%		54%
Other	Bomb Hoax	2	1	2	0	0	5	2	0	1	0	0	3	100%	0%	50%			60%
Other	Bribery	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Bribery - Level 5	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
Other	Business Practice	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Child Labor Violation	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Other	Clean Water Act Violation	1	0	0	0	0	1	0	0	0	0	0	0						0%
Other	Compound / Conceal Felony	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Conceal or Harbor Fleeing Child	2	0	1	0	0	3	1	0	1	0	0	2	50%		100%			67%
Other	Conspiracy	19	2	7	4	0	32	8	0	6	3	0	17	42%	0%	86%	75%		53%
Other	Contempt Of Court	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Other	Contributing To Delinquency	1	4	0	1	0	6	0	0	0	1	0	1	0%	0%		100%		17%
Other	Disconnect Sprinkler System	0	2	2	2	0	6	0	2	1	2	0	5		100%	50%	100%		83%
Other	Election Law Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Employment Practices	7	3	1	0	0	11	0	1	0	0	0	1	0%	33%	0%			9%
Other	Escape	4	10	10	11	1	36	2	9	10	10	1	32	50%	90%	100%	91%	100%	89%
Other	Escape Lockup	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Other	Failure to Appear	7	6	5	5	0	23	4	4	2	2	0	12	57%	67%	40%	40%		52%
Other	Failure To Obey Police Officer	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Other	False Alarm	2	4	2	3	0	11	0	2	0	1	0	3	0%	50%	0%	33%		27%
Other	Fireworks	3	0	1	0	0	4	0	0	0	0	0	0	0%		0%			0%
Other	Gaming	3	2	0	1	0	6	0	1	0	0	0	1	0%	50%		0%		17%
Other	Guard Sex w/ Prisoner	1	0	0	0	0	1	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	Hoax Device	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Home Imp Contractor Violation	1	2	0	0	0	3	1	0	0	0	0	1	100%	0%				33%
Other	Impersonate/Disguise	1	2	5	0	0	8	0	1	4	0	0	5	0%	50%	80%			63%
Other	Interfere Police or Firefighter	5	5	3	0	0	13	3	1	2	0	0	6	60%	20%	67%			46%
Other	Landlord Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	License Law Violation (Not MV)	4	0	0	0	0	4	0	0	0	0	0	0	0%					0%
Other	Nonsupport	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Obstructing Justice	1	2	0	0	0	3	0	1	0	0	0	1	0%	50%				33%
Other	Perjury or Suborn	4	2	1	0	0	7	2	2	0	0	0	4	50%	100%	0%			57%
Other	Resisting Arrest	291	250	158	149	0	848	49	99	83	87	0	318	17%	40%	53%	58%		38%
Other	Sex Offender Fail Register	17	16	50	85	1	169	6	9	30	46	0	91	35%	56%	60%	54%	0%	54%
Other	Sex Offender Fail Register 2nd	0	3	2	6	0	11	0	3	2	2	0	7		100%	100%	33%		64%
Other	Throw Object On Public Way	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
Other	Throwing Glass On Public Way	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Other	Trespassing	236	181	168	231	1	817	55	68	63	106	0	292	23%	38%	38%	46%	0%	36%
Other	True Name Law	16	9	6	12	0	43	14	9	6	10	0	39	88%	100%	100%	83%		91%
Other	Unlicensed Massage / Bath	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Wiretapping	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
<b>Other</b>	<b>Sub-Total</b>	<b>722</b>	<b>560</b>	<b>452</b>	<b>552</b>	<b>4</b>	<b>2,290</b>	<b>176</b>	<b>241</b>	<b>224</b>	<b>295</b>	<b>1</b>	<b>937</b>	<b>24%</b>	<b>43%</b>	<b>50%</b>	<b>53%</b>	<b>25%</b>	<b>41%</b>

**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	10	8	6	3	0	27	3	3	3	1	0	10	30%	38%	50%	33%		37%
Public Order	Annoying Phone Calls	3	2	6	3	0	14	0	0	3	1	0	4	0%	0%	50%	33%		29%
Public Order	Common Night Walker	10	24	17	6	0	57	7	8	11	2	0	28	70%	33%	65%	33%		49%
Public Order	Common Night Walker 3rd	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Public Order	Cruelty To Animals	7	1	2	2	0	12	1	0	0	2	0	3	14%	0%	0%	100%		25%
Public Order	Derive Support From Prostitute	0	0	1	1	0	2	0	0	1	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	619	345	227	190	1	1,382	11	19	15	25	0	70	2%	6%	7%	13%	0%	5%
Public Order	Disrupt Court Proceedings	4	1	4	2	0	11	0	0	1	2	0	3	0%	0%	25%	100%		27%
Public Order	Disturb Correctional Institution	1	1	2	2	0	6	1	1	1	2	0	5	100%	100%	50%	100%		83%
Public Order	Disturb Peace, 2nd Offense	3	8	5	10	0	26	1	4	0	3	0	8	33%	50%	0%	30%		31%
Public Order	Fail To Comply With Dog Order	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Public Order	False Report Of Crime	29	5	3	4	0	41	11	1	0	1	0	13	38%	20%	0%	25%		32%
Public Order	Improper Disposal of Body	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Public Order	Indecent Exposure	13	8	8	11	0	40	4	3	4	5	0	16	31%	38%	50%	45%		40%
Public Order	Induce Female To Prostitution	1	0	0	0	0	1	1	0	0	0	0	1						
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	3	4	3	2	0	12	0	2	2	1	0	5	0%	50%	67%	50%		42%
Public Order	Mistreat Police Animal	2	2	1	0	0	5	1	0	0	0	0	1	50%	0%	0%			20%
Public Order	Obscene Materials	3	1	0	0	0	4	0	0	0	0	0	0	0%	0%				0%
Public Order	Photograph Nude Person	3	1	0	0	0	4	1	1	0	0	0	2	33%	100%				50%
Public Order	Prostitution	89	99	40	41	0	269	35	39	14	18	0	106	39%	39%	35%	44%		39%
Public Order	Unnatural Acts	4	3	1	4	0	12	1	1	0	4	0	6	25%	33%	0%	100%		50%
<b>Public Order</b>	<b>Sub-Total</b>	<b>806</b>	<b>515</b>	<b>326</b>	<b>282</b>	<b>1</b>	<b>1,930</b>	<b>78</b>	<b>83</b>	<b>55</b>	<b>68</b>	<b>0</b>	<b>284</b>	<b>10%</b>	<b>16%</b>	<b>17%</b>	<b>24%</b>	<b>0%</b>	<b>15%</b>