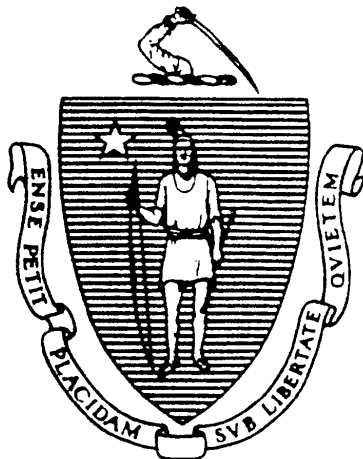


Massachusetts Sentencing Commission

Survey of Sentencing Practices FY 2011



May 2012

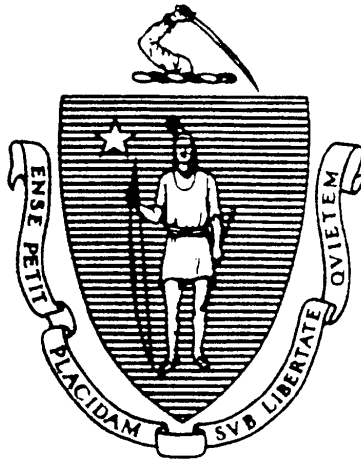
**Massachusetts Sentencing Commission
Three Center Plaza, 7th Floor
Boston, MA 02108**

Voice: (617) 788-6867

Fax: (617) 788-6885

Massachusetts Sentencing Commission

Survey of Sentencing Practices



FY 2011

May 2012

MASSACHUSETTS SENTENCING COMMISSION

Honorable Robert A. Mulligan

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

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

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

Staff

Linda K. Holt
Research Director

Lee M. Kavanagh
Research Analyst

Elizabeth K. Marini
Executive Assistant

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Executive Summary

The legislation which established the Massachusetts Sentencing Commission (commission) directed the commission to conduct a comprehensive survey of sentencing practices. This report updates earlier surveys of sentencing practices which began as part of the process of formulating sentencing guidelines. The present survey considers those individuals convicted in the courts of the commonwealth during FY 2011. 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 43,120 convicted defendants in FY 2011:
- Of the 43,120 convictions in FY 2011:
 - 90.7% were in the district court and
 - 9.3% were in the superior court;
- Of the incarcerated defendants, 87.0% were sentenced to a house of correction and 13.0% were sentenced to the Department of Correction (DOC);
- Of the incarcerated superior court defendants, 33.0% were sentenced to a house of correction and 67.0% 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, 38.1% also had a period of post release probation supervision imposed through a split or from & after probation sentence;
- Of the incarcerated superior court defendants, 53.9% also had a period of post release probation supervision.
- There were an estimated 722 convictions for mandatory drug offenses of which 37.3% were sentenced to a house of correction and 62.7% to the DOC.

- For those defendants convicted of offenses assigned to the sentencing guidelines grid:
 - The overall incarceration rate was 40.6%:
 - the district court incarceration rate was 36.5%;
 - the superior court incarceration rate was 79.6%;
 - With respect to the sentencing zones on the sentencing guidelines grid:
 - 6.3% of the defendants were classified in the incarceration zone;
 - 65.7% of the defendants were classified in the discretionary zone;
 - 27.4% of the defendants were classified in the intermediate sanctions zone; and,
 - 0.6% of the defendants were not classified to a sentencing zone;
- For those defendants convicted of offenses not assigned to the sentencing grid:
 - There were an estimated 4,339 convictions for OUI offenses; and,
 - There were an estimated 421 convictions for mandatory firearms offenses.
- For all convicted defendants:
 - 16.4% of all convicted defendants were female;
 - 83.6% of all convicted defendants were male;
 - The mean age of convicted defendants at the time of disposition was 34.2 years, and ranged from 17 years to 91 years.
 - 63.9% of all convicted defendants were white;
 - 17.9% of all convicted defendants were black;
 - 15.1% of all convicted defendants were hispanic;
 - 1.5% of all convicted defendants were of other races; and,
 - the race was unknown for 1.5% of the defendants.
 - 27.6% of defendants convicted of mandatory drug offenses were white and 72.4% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (34.5% were black, 37.1% were hispanic, and 0.8% were other races).

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**MASSACHUSETTS SENTENCING COMMISSION
SURVEY OF SENTENCING PRACTICES
FY 2011**

PART I. THE MASSACHUSETTS SENTENCING COMMISSION

BACKGROUND OF THE SENTENCING COMMISSION

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

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

¹ St. 1993, c. 432 §1(a).

² St. 1993, c. 432 § 2.

³ St. 1996, c. 12.

⁴ Massachusetts Sentencing Commission, *Report to the General Court*, April 10, 1996.

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

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

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

⁸ The guidelines legislation was reported out of the Criminal Justice Committee as House 4596 and was engrossed as House 4642 on October 9, 2001 by a vote of 126 to 19.

the 2003-2004 legislative session.⁹ A hearing on this legislation was held on May 21, 2003 but the guidelines legislation did not come to a vote during that session. Sentencing guidelines legislation was filed for consideration during the 2005-2006 legislative session and hearings were held November 22, 2005.¹⁰ Sentencing guidelines legislation was filed for the 2007-2008 legislative session and hearings were held November 13, 2007.¹¹ Sentencing guidelines legislation was filed for the 2009-2010 legislative session and those bills were referred for further study.¹² Sentencing guidelines legislation was filed for the 2011-2012 legislative session and those bills were referred to the Committee on the Judiciary.¹³

Sentencing Guidelines Grid

The proposed sentencing guidelines are in the form of a sentencing guidelines grid. The vertical axis of the grid is comprised of nine levels of offense seriousness, ranging from level 1, the lowest level of offense seriousness, to level 9, the highest level of offense seriousness. The horizontal axis of the grid is comprised of five categories of defendant criminal history, ranging from criminal history category A, “No/Minor Record” to criminal history category E, “Serious Violent Record”. The resulting grid, comprising a total of forty-five cells, is also divided into three sentencing zones: the “incarceration zone”; the “discretionary zone”; and, the “intermediate sanction” zone. A detailed description of proposed sentencing guidelines can be found in the *Report to the General Court*.¹⁴ The sentencing guidelines grid is shown in Figure 1. The definition of the criminal history groups is contained in Appendix A.

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

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

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

¹² Filed for the 2009-2010 legislative session as Senate Nos. 1679 and 1860 (referred to study on October 24, 2010 by S. 2631) and House No. 1518 (referred to study on May 19, 2010 by H. 4691).

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

¹⁴ Massachusetts Sentencing Commission, *op. cit.*

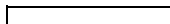
Figure 1. Sentencing Guidelines Grid

Level	Illustrative Offense	Sentence Range				
9	Murder	Life	Life	Life	Life	Life
8	Rape of Child with Force Aggravated+ Rape Armed Burglary	96 - 144 Mos.	108 - 162 Mos.	120 - 180 Mos.	144 - 216 Mos.	204 - 306 Mos.
7	Armed Robbery (Gun) Rape Mayhem	60 - 90 Mos.	68 - 102 Mos.	84 - 126 Mos.	108 - 162 Mos.	160 - 240 Mos.
6	Manslaughter (Invol) Armed Robbery (No gun) A&B DW (Sign. injury)	40 - 60 Mos.	45 - 67 Mos.	50 - 75 Mos.	60 - 90 Mos.	80 - 120 Mos.
5	Unarmed Robbery Stalking (Viol. of Order) Unarmed Burglary Larceny (\$50,000+)	12 - 36 Mos. IS-IV IS-III IS-II	24 - 36 Mos. IS-IV IS-III IS-II	36 - 54 Mos.	48 - 72 Mos.	60 - 90 Mos.
4	Larceny From a Person A&B DW (Mod. injury) B&E (Dwelling) Larceny (\$10,000-\$50,000)	0 - 24 Mos. IS-IV IS-III IS-II	3 - 30 Mos. IS-IV IS-III IS-II	6 - 30 Mos. IS-IV IS-III IS-II	20 - 30 Mos.	24 - 36 Mos.
3	A&B DW (No/minor injury) B&E (Not dwelling) Larceny (\$250 to \$10,000)	0 - 12 Mos. IS-IV IS-III IS-II IS-I	0 - 15 Mos. IS-IV IS-III IS-II IS-I	0 - 18 Mos. IS-IV IS-III IS-II IS-I	0 - 24 Mos. IS-IV IS-III IS-II	6 - 24 Mos. IS-IV IS-III IS-II
2	Assault Larceny Under \$250	IS-III IS-II IS-I	0 - 6 Mos. IS-III IS-II IS-I	0 - 6 Mos. IS-III IS-II IS-I	0 - 9 Mos. IS-IV IS-III IS-II IS-I	0 - 12 Mos. IS-IV IS-III IS-II IS-I
1	Operate After Suspension Disorderly Conduct Vandalism	IS-II IS-I	IS-III IS-II IS-I	IS-III IS-II IS-I	0 - 3 Mos. IS-IV IS-III IS-II IS-I	0 - 6 Mos. IS-IV IS-III IS-II IS-I
	Criminal History Scale	A No/Minor Record	B Moderate Record	C Serious Record	D Violent or Repetitive	E Serious Violent

Sentencing Zone



Incarceration Zone



Discretionary Zone (Incarceration/Intermediate Sanctions)



Intermediate Sanction Zone

Intermediate Sanction Level

IS-IV 24-Hour Restriction

IS-III Daily Accountability

IS-II Standard Supervision

IS-I Financial Accountability

The numbers in each cell represent the range from which the judge selects the maximum sentence (Not More Than);
The minimum sentence (Not Less Than) is 2/3rds of the maximum sentence and constitutes the initial parole eligibility date.

CURRENT ROLE OF THE SENTENCING COMMISSION

The mission of the commission is to promote truth-in-sentencing by formulating uniform sentencing policies, developing systematic sentencing guidelines, and integrating intermediate sanctions within the sentencing guidelines.

Monitoring

In developing the sentencing guidelines, the legislation directed the commission to conduct a comprehensive survey of sentencing practices:

The commission shall conduct an empirical study in order to ascertain, to the extent practical, a survey of those individuals appearing before the commonwealth's criminal courts, and those committed to probation, prison and jail. It should also include the average sentence imposed for all offenses prior to the promulgation by the commission of the sentencing guidelines, and the length of prison terms actually served in those cases.¹⁵

The commission included a survey of sentencing practices when completing its 1996 recommendations.¹⁶ The original survey of sentencing practices covered the period of FY 1994, or July 1, 1993 through June 30, 1994. This report continues the published series of annual surveys of sentencing practices by providing data for FY 2011.

Further, the commission has ongoing responsibilities for monitoring sentencing practices:

The commission periodically shall assess the impact of the sentencing guidelines in order to determine the type and amount of correctional resources needed. In particular, the commission shall examine the impact of said guidelines on intermediate sanctions and correctional institutions and may consult with all appropriate authorities for this purpose.¹⁷

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

¹⁵ G.L. c. 211E § 3(c).

¹⁶ Massachusetts Sentencing Commission, *op. cit.*

¹⁷ G.L. c. 211E § 3(f).

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

Training

The proposed sentencing guidelines are currently in voluntary use in many courts. The commission is involved in training court practitioners in the use of sentencing guidelines. The commission developed a *Sentencing Guide* for use by court practitioners when referring to the proposed guidelines during sentencing.²⁰ The commission maintains the *Felony and Misdemeanor Master Crime List* which contains basic sentencing information for those criminal offenses which are punishable by an imprisonment term and serves as a reference guide to the proposed sentencing guidelines for those offenses.²¹

Information Resource

The commission is also responsible to:

. . . serve as a clearinghouse for the collection, preparation, and dissemination of information on sentencing practices and assist courts, departments, and agencies in the development, maintenance, and coordination of sound sentencing practices.²²

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

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

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

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

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

²² G.L. c. 211E § 1(c)(7).

PART II. SURVEY OF SENTENCING PRACTICES

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

SENTENCING PRACTICES: OVERVIEW

Sentencing Practices: Court Department

Fiscal Year 2011 (FY 2011) covers the period July 1, 2010 through June 30, 2011. During this period there were an estimated 43,120 convictions in the courts of the Commonwealth. As indicated in Table 1, there were 39,098 convictions in the district court, representing 90.7% of all convictions, and 4,022 convictions in the superior court, representing 9.3% of all convictions.

Table 1. Month of Conviction by Court Department

Month of Conviction	District Court	Superior Court	All Courts
July 2010	3,171	284	3,455
August 2010	3,368	245	3,613
September 2010	3,513	379	3,892
October 2010	3,224	297	3,521
November 2010	3,128	341	3,469
December 2010	3,055	354	3,409
January 2011	3,150	329	3,479
February 2011	3,023	312	3,335
March 2011	3,738	424	4,162
April 2011	3,151	281	3,432
May 2011	3,290	394	3,684
June 2011	3,287	382	3,669
Total	39,098	4,022	43,120

Sentencing Practices: County

There are fourteen counties in Massachusetts. As indicated in Table 2, the number of convictions ranged from 40 in Nantucket County to 7,481 in Worcester County. Eight of the fourteen counties (Worcester, Suffolk, Middlesex, Hampden, Essex, Bristol, Plymouth and Norfolk) accounted for 88.7% of all convictions in Massachusetts.

Table 2. County of Conviction by Court Department

County of Conviction	District Court	Superior Court	All Courts
Barnstable	1,704	125	1,829
Berkshire	1,039	171	1,210
Bristol	3,983	378	4,361
Dukes	142	0	142
Essex	4,334	391	4,725
Franklin	723	73	796
Hampden	4,427	661	5,088
Hampshire	786	69	855
Middlesex	4,766	568	5,334
Nantucket	40	0	40
Norfolk	2,344	248	2,592
Plymouth	2,918	204	3,122
Suffolk	4,873	672	5,545
Worcester	7,019	462	7,481
Total	39,098	4,022	43,120

Sentencing Practices: Truth-in-Sentencing Reform

Sentencing reform legislation, commonly known as truth-in-sentencing legislation, became effective on July 1, 1994. During FY 2011, 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	50	0.1%	9	0.2%	59	0.1%
New Law	39,048	99.9%	4,013	99.8%	43,061	99.9%
Total	39,098	100.0%	4,022	100.0%	43,120	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 253 and the mean number of charges resulting in conviction was 2.1. Overall, 24,476, or 56.8% of the defendants were convicted of a single charge and 18,644 or 43.2% 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:

- 15,803 or 40.4% of the district court defendants were convicted of two or more charges and the mean number of charges for all district court defendants was 1.9; and,
- 2,841 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 3.6.

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

Number of Charges	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
One	23,295	59.6%	1,181	29.4%	24,476	56.8%
Two	8,152	20.9%	1,042	25.9%	9,194	21.3%
Three	3,479	8.9%	537	13.4%	4,016	9.3%
Four	1,683	4.3%	382	9.5%	2,065	4.8%
Five to Nine	2,084	5.3%	650	16.2%	2,734	6.3%
Ten or More	405	1.0%	230	5.7%	635	1.5%
Total	39,098	100.0%	4,022	100.0%	43,120	100.0%
Highest	90		253		253	
Mean	1.9		3.6		2.1	

Sentencing Practices: Type of Sentence Imposed

Table 5 shows the type of sentence imposed for all convicted defendants: life, state prison, other DOC, house of correction, house of correction / split, probation, fine, and other. The most frequently imposed type of sentence was probation.

As indicated in Table 5, the type of sentence imposed differed in the district court and the superior court. The district court can not impose sentences to the state prison. Therefore, there are no district court sentences of life, state prison, or other DOC. All sentencing options are available in the superior court.

An estimated 46 defendants received a sentence to life. Of the 46 convicted defendants who received a life sentence, 44 were convicted of murder and two were convicted of other offenses (one for rape of child and one for home invasion). Of the 44 defendants convicted of murder, 24 were convicted of first-degree murder and 20 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		46	46
State Prison		2,139	2,139
Other DOC		8	8
House of Correction	9,822	724	10,546
House of Correction / Split	3,783	356	4,139
Probation	17,417	736	18,153
Fine	6,134	6	6,140
Other	1,942	7	1,949
Total	39,098	4,022	43,120

Sentencing Practices: Penalty Structure

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

As indicated in Table 6, 35.1% of all defendants were convicted of felonies and 64.9% of all defendants were convicted of misdemeanors. As expected, the penalty structure associated with the governing offense differed by court department:

- of those defendants convicted in the district court, 29.4% were convicted of felonies and 70.6% were convicted of misdemeanors;
- of those defendants convicted in the superior court, 91.0% were convicted of felonies and 9.0% were convicted of misdemeanors; and,
- of those defendants convicted in the superior court, 58.1% 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%	1,128	28.0%	1,128	2.6%
Felony / House Alternative / No District Court Jurisdiction	0	0.0%	556	13.8%	556	1.3%
Felony / House Alternative / District Court Jurisdiction	11,490	29.4%	1,976	49.1%	13,466	31.2%
Sub-Total Felonies	11,490	29.4%	3,660	91.0%	15,150	35.1%
Misdemeanor	27,608	70.6%	362	9.0%	27,970	64.9%
Total	39,098	100.0%	4,022	100.0%	43,120	100.0%

²³ G.L. c. 274 § 1.

Sentencing Practices: Jurisdiction of Incarceration Sentences

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

- Of all defendants sentenced to incarceration, 54.6% were convicted of felonies and 45.4% were convicted of misdemeanors;
- Of defendants convicted in the district court and sentenced to incarceration, 45.2% were convicted of felonies and 54.8% were convicted of misdemeanors;
- Of defendants convicted in the superior court and sentenced to incarceration, 93.7% were convicted of felonies and 6.3% were convicted of misdemeanors.
- Of all defendants sentenced to incarceration, 14,685 (87.0%) were sentenced to houses of correction and 2,193 (13.0%) 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, 2,193 (67.0%) were sentenced to the DOC and 1,080 (33.0%) were sentenced to houses of correction.

Table 7. Jurisdiction Status by Penalty Structure and Court Department

Penalty Structure	District Court		Superior Court		Total	
	N	%	N	%	N	%
Felonies						
Felony / No House Alternative	0	0.0%	1,018	31.1%	1,018	6.0%
Felony / House Alternative / No District Court Jurisdiction						
Sentenced to DOC	0	0.0%	335	10.2%	335	2.0%
Sentenced to House of Correction	0	0.0%	173	5.3%	173	1.0%
Felony / House Alternative / District Court Jurisdiction						
Sentenced to DOC	0	0.0%	840	25.7%	840	5.0%
Sentenced to House of Correction	6,148	45.2%	701	21.4%	6,849	40.6%
Sub-Total Felonies	6,148	45.2%	3,067	93.7%	9,215	54.6%
Misdemeanor / House	7,457	54.8%	206	6.3%	7,663	45.4%
Total	13,605	100.0%	3,273	100.0%	16,878	100.0%
All Sentences to DOC	0	0.0%	2,193	67.0%	2,193	13.0%
All Sentences to Houses of Correction	13,605	100.0%	1,080	33.0%	14,685	87.0%
Total	13,605	100.0%	3,273	100.0%	16,878	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 51.0 months and ranged from 11.0 months to 480.0 months (or 40 years). The median minimum state prison sentence was 36.0 months. The mean maximum sentence imposed was 63.0 months and ranged from 11.0 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	134	6.3%	55	2.6%
24 to 35 Months	439	20.5%	242	11.3%
36 to 47 Months	664	31.0%	560	26.2%
48 to 59 Months	248	11.6%	292	13.7%
60 to 71 Months	279	13.0%	383	17.9%
72 to 83 Months	69	3.2%	120	5.6%
84 to 95 Months	79	3.7%	142	6.6%
96 to 107 Months	54	2.5%	52	2.4%
108 to 119 Months	17	0.8%	42	2.0%
120 to 179 Months	108	5.0%	174	8.1%
180 to 239 Months	40	1.9%	49	2.3%
240 Months or More	8	0.4%	28	1.3%
Total	2,139	100.0%	2,139	100.0%
Lowest	11.0 Months		11.0 Months	
Highest	480.0 Months		540.0 Months	
Mean	51.0 Months		63.0 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 33 state prison sentences for non-drug mandatories that were assigned to the grid (e.g. Vehicular Homicide, Leaving Scene of Injury and Death, Stalking in Violation of Restraining Order, Stalking, 2nd, A&B Indecent Child, 2nd, A&B Indecent Child Aggravated, Rape of Child Aggravated, and Receiving Stolen Motor Vehicle, 2nd). The category of “mandatory non-grid offenses” includes mandatory firearms and OUI offenses. Table 10 shows the difference between the minimum and maximum sentences for all convicted defendants with state prison sentences by type of offense.

In 43.8% of the state prison sentences imposed, the minimum sentence was at least 90% of the maximum sentence, including 51.7% of those sentenced for mandatory drug offenses and 52.7% of those sentenced for mandatory non-grid offenses. It was estimated that 73.3% of state prison sentences for offenses assigned to the sentencing grid, had a minimum to maximum ratio that was narrower than the two-thirds ratio called for under the proposed guidelines legislation, that is the minimum sentence was at least 70% of the maximum sentence.

In 41.6% of all state prison sentences, the difference between the minimum and maximum sentences was one day, including 49.4% of those sentenced for mandatory drug offenses, 51.2% of those sentences for mandatory non-grid offenses, and 37.9% of those sentenced for other grid offenses. Overall, 41.6% of all state prison sentences had a difference of one day between the minimum and maximum, sentences which preclude parole consideration. Based on sentence structure, 58.4% of defendants sentenced to state prison could be considered for parole release and supervision at the end of that sentence and 41.6% would not be eligible for parole consideration. The largest difference between a minimum and maximum state prison sentence was 138 months during FY 2011.

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

Minimum-to-Maximum Ratio	Mandatory Drug		Other Grid Offenses		Other Mandatory (Non-Grid) Offenses		Total	
	N	%	N	%	N	%	N	%
1% to 9%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
10% to 19 %	0	0.0%	1	0.1%	0	0.0%	1	0.0%
20% to 29%	0	0.0%	6	0.4%	0	0.0%	6	0.3%
30% to 39%	0	0.0%	16	1.1%	0	0.0%	16	0.7%
40% to 49%	1	0.2%	10	0.7%	2	1.0%	13	0.6%
50% to 59%	15	3.3%	106	7.2%	4	1.9%	125	5.8%
60% to 69%	65	14.3%	296	20.0%	25	12.1%	386	18.0%
70% to 79%	78	17.2%	227	15.3%	32	15.5%	337	15.8%
80% to 89%	60	13.2%	223	15.1%	35	16.9%	318	14.9%
90% and Over	234	51.7%	594	40.2%	109	52.7%	937	43.8%
Total	453	100.0%	1,479	100.0%	207	100.0%	2,139	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	224	49.4%	560	37.9%	106	51.2%	890	41.6%
2 Days to 5 Months	4	0.9%	6	0.4%	1	0.5%	11	0.5%
6 to 11 Months	23	5.1%	82	5.5%	20	9.7%	125	5.8%
12 to 23 Months	92	20.3%	354	23.9%	41	19.8%	487	22.8%
24 to 35 Months	89	19.6%	328	22.2%	32	15.5%	449	21.0%
36 to 47 Months	14	3.1%	89	6.0%	4	1.9%	107	5.0%
48 to 59 Months	3	0.7%	27	1.8%	2	1.0%	32	1.5%
60 to 119 Months	4	0.9%	31	2.1%	1	0.5%	36	1.7%
120 Months or More	0	0.0%	2	0.1%	0	0.0%	2	0.1%
Total	453	100.0%	1,479	100.0%	207	100.0%	2,139	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 384 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 7.5 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 6.7 months while the mean house of correction sentence imposed in the superior court was 18.0 months. The median house of correction sentence imposed in the district court was 5.0 months while the median house of correction sentence imposed in the superior court was 18.0 months. It is estimated that 10,948 or 76.6% 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	1,548	11.7%	7	0.7%	1,555	10.9%
1 Month	1,785	13.5%	13	1.2%	1,798	12.6%
2 Months	1,453	11.0%	23	2.1%	1,476	10.3%
3 to 5 Months	1,946	14.7%	57	5.3%	2,003	14.0%
6 to 8 Months	2,694	20.4%	99	9.2%	2,793	19.5%
9 to 11 Months	643	4.9%	54	5.0%	697	4.9%
12 to 14 Months	1,595	12.1%	173	16.1%	1,768	12.4%
15 to 17 Months	108	0.8%	24	2.2%	132	0.9%
18 to 20 Months	660	5.0%	165	15.3%	825	5.8%
21 to 23 Months	15	0.1%	7	0.7%	22	0.2%
24 to 26 Months	558	4.2%	221	20.6%	779	5.4%
27 to 29 Months	1	0.0%	0	0.0%	1	0.0%
30 Months	220	1.7%	232	21.6%	452	3.2%
Total	13,226	100.0%	1,075	100.0%	14,301	100.0%
Lowest	1 Day		1 Day		1 Day	
Highest	30.0 Months		30.0 Months		30.0 Months	
Mean	6.7 Months		18.0 Months		7.5 Months	
Median	5.0 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 2011 an estimated 2,152 mandatory sentences were imposed representing 5.0% of all sentences. This includes 1,114 (or 2.8%) of sentences imposed in the district court and 1,038 (or 25.8%) of sentences imposed in the superior court Department. Mandatory sentences were most frequently imposed for motor vehicle offenses (Operating Under the Influence), drug offenses, and weapons offenses. Less frequently, mandatory sentences were imposed for person, property, sex, and public order offenses.

Table 13 shows the mandatory status of the sentence imposed for the governing offense for those defendants sentenced to incarceration by the jurisdiction of the incarceration sentence. In FY 2011 an estimated 1,415 mandatory sentences were imposed to houses of correction, representing 9.6% of all sentences to houses of correction and 737 mandatory sentences were imposed to the DOC, representing 33.6% 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	5	0.4%	50	4.8%	55	2.6%
Sex	0	0.0%	11	1.1%	11	0.5%
Property	1	0.1%	3	0.3%	4	0.2%
Drug	121	10.9%	601	57.9%	722	33.6%
Motor Vehicle	860	77.2%	79	7.6%	939	43.6%
Weapons	127	11.4%	294	28.3%	421	19.6%
Public Order	0	0.0%	0	0.0%	0	0.0%
Other	0	0.0%	0	0.0%	0	0.0%
Total	1,114	100.0%	1,038	100.0%	2,152	100.0%

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

Jurisdiction and Mandatory Status	District Court		Superior Court		Total	
	N	%	N	%	N	%
Houses of Correction						
Non-Mandatory	12,491	91.8%	779	72.1%	13,270	90.4%
Mandatory	1,114	8.2%	301	27.9%	1,415	9.6%
Sub-Total	13,605	100.0%	1,080	100.0%	14,685	100.0%
Department of Correction						
Non-Mandatory	0	N.A.	1,456	66.4%	1,456	66.4%
Mandatory	0	N.A.	737	33.6%	737	33.6%
Sub-Total	0	N.A.	2,193	100.0%	2,193	100.0%
All Sentences to Incarceration						
Non-Mandatory	12,491	91.8%	2,235	68.3%	14,726	87.2%
Mandatory	1,114	8.2%	1,038	31.7%	2,152	12.8%
Total	13,605	100.0%	3,273	100.0%	16,878	100.0%

Sentencing Practices: Post-Release Supervision

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

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

For those defendants sentenced to state prison, parole eligibility is established at the minimum sentence and final release is established at the maximum sentence. As discussed earlier, a common sentencing practice is the imposition of state prison sentences with a difference between the minimum and maximum sentence of one day, a sentence which precludes parole consideration. Overall, 41.6% of state prison sentences had a difference of one day between minimum and maximum sentence. Therefore, an estimated 58.4% 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 76.6% 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 38.1% 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 4,671 or 34.3% of the incarceration sentences imposed in the district court involved some period of post-release probation supervision; and,
- an estimated 1,763 or 53.9% of the incarceration sentences imposed in the superior court involved some period of post-release probation supervision, including:
 - 70.6% of those sentenced to houses of correction from the superior court; and,
 - 45.6% of those sentenced to the DOC.

Of those defendants convicted of two or more charges and sentenced to incarceration, 4,888 or 47.0% had a sentence that included from & after probation, including 3,284 or 41.3% of the district court defendants with two or more convictions and 1,604 or 65.7% of the superior court defendants with two or more convictions.

Table 14. Post-Release Probation Supervision by Type of Sentence, Jurisdiction and Court Department

Post-Release Probation Supervision Status	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Type of Sentence						
Life						
With From & After Probation			3	0.1%	3	0.0%
Without From & After Probation			43	1.3%	43	0.3%
Sub-Total			46	1.4%	46	0.3%
State Prison						
With From & After Probation			995	30.4%	995	5.9%
Without From & After Probation			1,144	35.0%	1,144	6.8%
Sub-Total			2,139	65.4%	2,139	12.7%
Other DOC						
Split or From & After Probation			3	0.1%	3	0.0%
Without Split or From & After Probation			5	0.2%	5	0.0%
Sub-Total			8	0.2%	8	0.0%
House of Correction						
With From & After Probation	888	6.5%	406	12.4%	1,294	7.7%
Without From & After Probation	8,934	65.7%	318	9.7%	9,252	54.8%
Sub-Total	9,822	72.2%	724	22.1%	10,546	62.5%
House of Correction / Split	3,783	27.8%	356	10.9%	4,139	24.5%
Total All Sentences	13,605	100.0%	3,273	100.0%	16,878	100.0%
Jurisdiction						
House of Correction						
Split or From & After Probation	4,671	34.3%	762	70.6%	5,433	37.0%
Without Split or From & After Probation	8,934	65.7%	318	29.4%	9,252	63.0%
Sub-Total	13,605	100.0%	1,080	100.0%	14,685	100.0%
Department of Correction						
Split or From & After Probation			1,001	45.6%	1,001	45.6%
Without Split or From & After Probation			1,192	54.4%	1,192	54.4%
Sub-Total			2,193	100.0%	2,193	100.0%
All Jurisdictions						
Split or From & After Probation	4,671	34.3%	1,763	53.9%	6,434	38.1%
Without Split or From & After Probation	8,934	65.7%	1,510	46.1%	10,444	61.9%
Total	13,605	100.0%	3,273	100.0%	16,878	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 18,153 or 73.8% of the probation sentences began as a non-incarcerative sentence and 6,434 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, 78.9% of the probation sentences began as a non-incarcerative sentence and 21.1% will begin after a period of incarceration; and,
- in the superior court, 29.5% of the probation sentences began as a non-incarcerative sentence and 70.5% will begin after a period of incarceration.

Table 15. Type of Probation Sentence Imposed by Court Department

Type of Probation Sentence Imposed	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Probation Sentence	17,417	78.9%	736	29.5%	18,153	73.8%
Split or From & After Probation	4,671	21.1%	1,763	70.5%	6,434	26.2%
Total	22,088	100.0%	2,499	100.0%	24,587	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 274 or 71.5% of the incarcerated defendants convicted of a sex offense had a sentence which included a period of post-release probation supervision. In contrast 876 or 29.7% of incarcerated drug defendants had a sentence which included a period of post-release probation supervision. Therefore, in superior court, probation tends to be used less as an alternative to incarceration and more as a means of post-incarceration supervision, particularly for sex offenders.

Table 16. Post-Release Probation Supervision by Type of Offense and Court Department

Type of Offense and Court Department	No Post Release Probation		Post Release Probation		Total	
	N	%	N	%	N	%
All Courts						
Person	2,475	52.9%	2,208	47.1%	4,683	100.0%
Sex	109	28.5%	274	71.5%	383	100.0%
Property	2,810	64.0%	1,580	36.0%	4,390	100.0%
Drug Offenses	2,069	70.3%	876	29.7%	2,945	100.0%
Motor Vehicle	1,739	66.5%	878	33.5%	2,617	100.0%
Weapons	303	43.3%	397	56.7%	700	100.0%
Public Order	256	85.6%	43	14.4%	299	100.0%
Other	683	79.3%	178	20.7%	861	100.0%
Total	10,444	61.9%	6,434	38.1%	16,878	100.0%
District Court						
Person	2,023	56.8%	1,541	43.2%	3,564	100.0%
Sex	48	31.2%	106	68.8%	154	100.0%
Property	2,694	67.0%	1325	33.0%	4,019	100.0%
Drug Offenses	1,385	71.9%	541	28.1%	1,926	100.0%
Motor Vehicle	1,701	67.6%	815	32.4%	2,516	100.0%
Weapons	195	56.0%	153	44.0%	348	100.0%
Public Order	254	86.4%	40	13.6%	294	100.0%
Other	634	80.9%	150	19.1%	784	100.0%
Sub-Total	8,934	65.7%	4,671	34.3%	13,605	100.0%
Superior Court						
Person	452	40.4%	667	59.6%	1,119	100.0%
Sex	61	26.6%	168	73.4%	229	100.0%
Property	116	31.3%	255	68.7%	371	100.0%
Drug Offenses	684	67.1%	335	32.9%	1,019	100.0%
Motor Vehicle	38	37.6%	63	62.4%	101	100.0%
Weapons	108	30.7%	244	69.3%	352	100.0%
Public Order	2	40.0%	3	60.0%	5	100.0%
Other	49	63.6%	28	36.4%	77	100.0%
Sub-Total	1,510	46.1%	1,763	53.9%	3,273	100.0%

Sentencing Practices: Type of Offense

The governing offense was used to classify all convicted defendants to a type of offense group: person, sex, property, drug, motor vehicle, weapons, public order, and other offenses. Consideration of the type of offense is another way to contrast the volume and characteristics of cases in the district court and the superior court. In this section the type of offense of the governing offense and secondary offenses is presented. Additional analysis of the type of offense for sex and drug offenses is also presented.

Type of Offense: Governing Offense. Table 17 shows the type of offense by court department. The type of offense varied by court department. In the district court the most frequently occurring offenses were motor vehicle which accounted for 12,073 or 30.9% of all district court convictions, followed by property offenses (9,767 or 25.0% of all district court convictions), and person offenses (7,637 or 19.5% of all district court convictions). In the superior court the most frequently occurring offenses were person offenses which accounted for 1,344 or 33.4% of all superior court convictions followed by drug offenses which accounted for 1,245 or 31.0% 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, 536 defendants were classified as sex offenders on the basis of governing offense and an additional 41 defendants were classified as sex offenders on the basis of a conviction for a secondary offense (these 41 defendants were convicted of some other type of offense as the governing offense). Thus, a total of 577 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	7,637	19.5%	1,344	33.4%	8,981	20.8%
Sex	259	0.7%	277	6.9%	536	1.2%
Property	9,767	25.0%	517	12.9%	10,284	23.8%
Drug	4,383	11.2%	1,245	31.0%	5,628	13.1%
Motor Vehicle	12,073	30.9%	115	2.9%	12,188	28.3%
Weapons	591	1.5%	385	9.6%	976	2.3%
Public Order	2,138	5.5%	8	0.2%	2,146	5.0%
Other	2,250	5.8%	131	3.3%	2,381	5.5%
Total	39,098	100.0%	4,022	100.0%	43,120	100.0%

Table 18. Type of Offense: Governing Offense and Secondary Offense

Type of Offense and Court Department	Governing Offense	Other than Governing Offense	Total All Offenses of Conviction
All Courts			
Person	8,981	1,225	10,206
Sex	536	41	577
Property	10,284	2,038	12,322
Drug	5,628	865	6,493
Motor Vehicle	12,188	1,708	13,896
Weapons	976	595	1,571
Public Order	2,146	1,861	4,007
Other	2,381	2,861	5,242
District Court			
Person	7,637	962	8,599
Sex	259	27	286
Property	9,767	1,783	11,550
Drug	4,383	765	5,148
Motor Vehicle	12,073	1,612	13,685
Weapons	591	302	893
Public Order	2,138	1,808	3,946
Other	2,250	2,451	4,701
Superior Court			
Person	1,344	263	1,607
Sex	277	14	291
Property	517	255	772
Drug	1,245	100	1,345
Motor Vehicle	115	96	211
Weapons	385	293	678
Public Order	8	53	61
Other	131	410	541

Type of Offense: Sex Offenses. There were an estimated 536 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 (259 in the district court and 277 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:
 - 52.6% were convicted of an offense involving a child victim;
 - 31.0% were convicted of an offense involving an adult victim; and,
 - 16.4% were convicted of some other sex offense.

- of the 277 sex offenders convicted in the superior court:
 - 67.5% were convicted of an offense involving a child victim;
 - 30.7% 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	%
Offense with Adult Victim						
Rape, Aggravated	0	0.0%	13	4.7%	13	2.4%
Rape	0	0.0%	33	11.9%	33	6.2%
Rape, 2nd	0	0.0%	1	0.4%	1	0.2%
Assault w/i Rape	0	0.0%	7	2.5%	7	1.3%
A&B Indecent	81	31.3%	27	9.7%	108	20.1%
Incest	0	0.0%	4	1.4%	4	0.7%
Sub-Total	81	31.3%	85	30.7%	166	31.0%
Offense with Child Victim						
Rape of Child, Forcible	0	0.0%	31	11.2%	31	5.8%
Rape of Child	0	0.0%	75	27.1%	75	14.0%
Rape of Child, Aggravated	0	0.0%	8	2.9%	8	1.5%
Assault w/I Rape, Child	0	0.0%	2	0.7%	2	0.4%
A&B Indecent Child	59	22.8%	32	11.6%	91	17.0%
A&B Indecent Child, 2nd	0	0.0%	2	0.7%	2	0.4%
A&B Indecent Child, Aggravated	0	0.0%	1	0.4%	1	0.2%
Enticing Child	8	3.1%	0	0.0%	8	1.5%
Inducing Minor Sex	7	2.7%	2	0.7%	9	1.7%
Child Pornography	0	0.0%	7	2.5%	7	1.3%
Child Pornography, Possess	20	7.7%	24	8.7%	44	8.2%
Child Pornography, Possess, 2nd	0	0.0%	1	0.4%	1	0.2%
Obscene Material to a Minor	1	0.4%	2	0.7%	3	0.6%
Sub-Total	95	36.7%	187	67.5%	282	52.6%
Other Sex Offense						
Open and Gross	83	32.0%	5	1.8%	88	16.4%
Sub-Total	83	32.0%	5	1.8%	88	16.4%
Total	259	100.0%	277	100.0%	536	100.0%

Type of Offense: Drug Offenses. There were an estimated 5,628 defendants convicted of a drug offense as the governing offense. These defendants were further classified as to the nature of the drug offense (distribution or possession) and the class of substance involved in the offense (Class A, Class B, Class C, Class D, or Class E).^{24, 25} A number of drug offenses were not assigned to either category (conspiracy, forging prescription, larceny of drug, inhaling toxic vapors, and giving drugs to prisoners).

Table 20 shows the nature of drug offense and class of substance by court department. There is a difference in the nature of drug offenses convicted in the district court and the superior court:

- in the district court, 2,140 or 48.8% of the drug offenses were classified as distribution offenses, 2,111 or 48.2% were classified as possession offenses, and 132 or 3.0% were not assigned to either category;
- in the superior court, 1,140 or 91.6% of the drug offenses were classified as distribution offenses, 61 or 4.9% were classified as possession offenses, and 44 or 3.5% were not assigned to either category;
- in the district court, the most frequently occurring drug offense involved distribution of a Class B substance which accounted for 1,106 or 25.2% 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 805 or 64.7% of all drug offenses in the superior court.

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

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

Table 20. Drug Offenses: Nature of Offense and Class of Substance by Court Department

Drug Offense	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Distribution Offenses						
Class A	457	10.4%	289	23.2%	746	13.3%
Class B	1,106	25.2%	805	64.7%	1,911	34.0%
Class C	56	1.3%	4	0.3%	60	1.1%
Class D	471	10.7%	37	3.0%	508	9.0%
Class E	33	0.8%	3	0.2%	36	0.6%
Other Distribution Offenses	17	0.4%	2	0.2%	19	0.3%
Sub-Total	2,140	48.8%	1,140	91.6%	3,280	58.3%
Possession Offenses						
Class A	662	15.1%	24	1.9%	686	12.2%
Class B	1,034	23.6%	36	2.9%	1,070	19.0%
Class C	93	2.1%	0	0.0%	93	1.7%
Class D	217	5.0%	1	0.1%	218	3.9%
Class E	103	2.3%	0	0.0%	103	1.8%
Hypodermic/Syringe	2	0.0%	0	0.0%	2	0.0%
Sub-Total	2,111	48.2%	61	4.9%	2,172	38.6%
Other Drug Offenses						
	132	3.0%	44	3.5%	176	3.1%
Total	4,383	100.0%	1,245	100.0%	5,628	100.0%

Type of Offense: Mandatory Drug Offenses. In this section, some of the characteristics of sentences imposed for mandatory drug offenses are discussed. Those defendants convicted of mandatory drug offenses were assigned to the sentencing guidelines grid and were included in all previously stated statistics.

Table 21 shows the number of defendants convicted of mandatory drug offenses by governing offense, offense seriousness level, criminal history group, and court department. There were an estimated 722 defendants convicted of mandatory drug offenses during FY 2011. Four offenses, distribution of cocaine, distribution within a school zone,²⁶ trafficking cocaine 14 to 28 grams, and trafficking cocaine 28 to 100 grams, accounted for 606 or 83.9% of the convictions for mandatory drug offenses in FY 2011.

A frequently occurring mandatory drug offense is distribution in a school zone, with 190 convictions or 26.3% 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 421 or 58.3% of the defendants convicted of mandatory drug offenses were classified as criminal history groups A or B, and 301 or 41.7% were classified as criminal history groups C, D, or E.

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

Table 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	6	1	3	0	0	10
Sub-Total	7	1	3	0	0	11
Level 7 (7 to 10 Year Mandatory)						
Traffic Heroin 100 to 200 grams	1	0	1	1	0	3
Traffic Heroin 28 to 100 grams	4	5	0	1	0	10
Traffic Cocaine 100 to 200 grams	9	2	2	1	0	14
Sub-Total	14	7	3	3	0	27
Level 6 (5 Year Mandatory)						
Traffic Heroin 14 to 28 grams	6	8	6	6	0	26
Traffic Cocaine 28 to 100 grams	31	21	13	8	0	73
Distribute Class A, 2nd Offense	0	2	6	3	0	11
Distribute Cocaine, 2nd Offense	0	3	5	8	0	16
Induce Minor to Distribute	1	0	0	0	0	1
Sub-Total	38	34	30	25	0	127
Level 5 (3 Year Mandatory)						
Traffic Marijuana 100 to 2,000 pounds	1	0	0	0	0	1
Traffic Cocaine 14 to 28 grams	35	31	15	10	0	91
Distribute Class B, 2nd Offense	1	2	5	12	0	20
Distribute Class C, 2nd Offense	0	0	0	1	0	1
Sub-Total	37	33	20	23	0	113
Level 4 (1 to 2 Year Mandatory)						
Distribute Cocaine	80	67	57	46	2	252
Traffic Marijuana 50 to 100 pounds	2	0	0	0	0	2
Distribution w/i School or Park	20	17	18	14	0	69
Sub-Total	102	84	75	60	2	323
Sub-Total Superior Court	198	159	131	111	2	601
District Court						
Distribution w/i School or Park	24	40	33	24	0	121
Total	222	199	164	135	2	722

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, 148 or 24.6% were sentenced to a house of correction and 453 or 75.4% were sentenced to the DOC. Of all convictions for mandatory drug offenses, 269 or 37.3% were sentenced to a house of correction and 453 or 62.7% 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	121	100.0%	148	24.6%	269	37.3%
Department of Correction	0	0.0%	453	75.4%	453	62.7%
Total	121	100.0%	601	100.0%	722	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 38,127 or 88.4% of all defendants were convicted of offenses for which the sentencing guidelines grid applied and 4,993 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: 4,339 or 10.1% of all defendants were convicted of OUI offenses; 421 or 1.0% were convicted of mandatory firearms offenses; and, 233 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	34,451	88.1%	3,676	91.4%	38,127	88.4%
Not Assigned to Grid						
OUI Offenses	4,287	11.0%	52	1.3%	4,339	10.1%
Mandatory Gun Offenses	127	0.3%	294	7.3%	421	1.0%
Non-jailable Offenses	233	0.6%	0	0.0%	233	0.5%
Sub-total	4,647	11.9%	346	8.6%	4,993	11.6%
Total	39,098	100.0%	4,022	100.0%	43,120	100.0%

SENTENCING PRACTICES: OFFENSES ASSIGNED TO THE GRID

In this section, the sentencing practices related to the 38,127 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 38,127 convicted defendants:

- an estimated 2,387 or 6.3% were classified within the incarceration zone;
- an estimated 25,037 or 65.7% were classified within the discretionary zone;
- an estimated 10,457 or 27.4% were classified within the intermediate sanction zone; and,
- an estimated 246 or 0.6% were not classified into a specific zone.

In both the district court and the superior court, the most frequently occurring classification was the discretionary zone on the sentencing guidelines grid: 67.3% of the defendants convicted in the district court and 50.3% of the defendants convicted in the superior court were classified in the discretionary zone. Defendants convicted in superior court were more likely than their district court counterparts to be classified within the incarceration zone on the sentencing guidelines grid: an estimated 43.9% of the defendants convicted in the superior court were classified in the incarceration zone compared to 2.2% of the defendants convicted in the district court. Defendants convicted in district court were more likely to be classified within the intermediate sanction zone on the sentencing guidelines grid than their superior court counterparts: 30.0% of the defendants convicted in the district court were classified in the intermediate sanctions zone compared to 3.3% 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 31,629 or 83.0% of the convicted defendants were assigned to offense seriousness levels 1 through 3; an estimated 5,840 or 15.3% of the convicted defendants were assigned to offense seriousness levels 4 through 6; and, an estimated 412 or 1.1% of the convicted defendants were assigned to offense seriousness levels 7 through 9.

The most frequently occurring offense seriousness level was level 3 with an estimated 13,167 of all convictions (34.5%). In the district court, level 3 was the most frequently occurring offense seriousness level, accounting for an estimated 12,616 or 36.6% of all district court convictions. In the superior court, level 4 was the most frequently occurring offense seriousness level, accounting for an estimated 1,205 or 32.8% of all superior court convictions.

Criminal History Group. Most convicted defendants were assigned to the less serious criminal history groups on the sentencing guidelines grid. The most frequently assigned criminal history group was Group A, No/Minor Record, which accounted for 14,056 or 36.9% of all convicted defendants. The most serious criminal history group, Group E, accounted for 39 of the convicted defendants.

Grid Cell. The most frequently occurring grid cell was “3A”: 4,425 or 11.6% of all convicted defendants were assigned to grid cell “3A”. In the district court, the most frequently occurring grid cell was “2A”: 4,271 or 12.4% 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, CSA possession class B, and resisting arrest. In the superior court, the most frequently occurring grid cell was “4A”: 430 or 11.7% 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 cocaine, and CSA distribution Class A.

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	22	10	6	4	2	44	1.2%	9	22	10	6	4	2	44	0.1%
8	0	0	0	0	0	0	0.0%	8	73	22	17	20	0	132	3.6%	8	73	22	17	20	0	132	0.3%
7	0	0	0	0	0	0	0.0%	7	102	56	33	45	0	236	6.4%	7	102	56	33	45	0	236	0.6%
6	1	3	2	0	0	6	0.0%	6	269	145	138	160	1	713	19.4%	6	270	148	140	160	1	719	1.9%
5	226	198	188	136	0	748	2.2%	5	166	99	94	125	0	484	13.2%	5	392	297	282	261	0	1,232	3.2%
4	993	760	487	442	2	2,684	7.8%	4	430	275	231	266	3	1,205	32.8%	4	1,423	1,035	718	708	5	3,889	10.2%
3	4,144	3,192	2,614	2,650	16	12,616	36.6%	3	281	101	67	102	0	551	15.0%	3	4,425	3,293	2,681	2,752	16	13,167	34.5%
2	4,271	2,860	2,057	1,944	10	11,142	32.3%	2	114	49	26	20	1	210	5.7%	2	4,385	2,909	2,083	1,964	11	11,352	29.8%
1	2,862	1,937	1,266	1,034	4	7,103	20.6%	1	3	2	2	0	0	7	0.2%	1	2,865	1,939	1,268	1,034	4	7,110	18.6%
N.A.	54	35	27	36	0	152	0.4%	N.A.	45	25	15	9	0	94	2.6%	N.A.	99	60	42	45	0	246	0.6%
Total	12,551	8,985	6,641	6,242	32	34,451	100.0%	Total	1,505	784	629	751	7	3,676	100.0%	Total	14,056	9,769	7,270	6,993	39	38,127	100.0%
%	36.4%	26.1%	19.3%	18.1%	0.1%	100.0%		%	40.9%	21.3%	17.1%	20.4%	0.2%	100.0%		%	36.9%	25.6%	19.1%	18.3%	0.1%	100.0%	

Sentencing Zone	N	%	Sentencing Zone	N	%	Sentencing Zone	N	%
Incarceration Zone	774	2.2%	Incarceration Zone	1,613	43.9%	Incarceration Zone	2,387	6.3%
Discretionary Zone	23,189	67.3%	Discretionary Zone	1,848	50.3%	Discretionary Zone	25,037	65.7%
Intermediate Sanction Zone	10,336	30.0%	Intermediate Sanction Zone	121	3.3%	Intermediate Sanction Zone	10,457	27.4%
Unassigned	152	0.4%	Unassigned	94	2.6%	Unassigned	246	0.6%
Total	34,451	100.0%	Total	3,676	100.0%	Total	38,127	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 2011, the estimated incarceration rate was 40.6%: 15,495 defendants received a sentence to incarceration out of 38,127 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 16.2% and the incarceration rate for defendants convicted of offenses at offense seriousness level 8 was 96.2%; and,
- the incarceration rate for defendants in criminal history group A was 27.4% and the incarceration rate for defendants in criminal history group D was 58.1%.

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 84.4%;
- for defendants in the discretionary zone, the incarceration rate was 46.3%; and,
- for defendants in the intermediate sanction zone, the incarceration rate was 16.8%.

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	22	10	6	4	2	44	9	22	10	6	4	2	44	9	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
8	73	22	17	20	0	132	8	70	21	17	19	0	127	8	95.9%	95.5%	100.0%	95.0%	N.A.	96.2%
7	102	56	33	45	0	236	7	87	49	33	45	0	214	7	85.3%	87.5%	100.0%	100.0%	N.A.	90.7%
6	270	148	140	160	1	719	6	209	141	131	158	1	640	6	77.4%	95.3%	93.6%	98.8%	100.0%	89.0%
5	392	297	282	261	0	1,232	5	214	202	205	216	0	837	5	54.6%	68.0%	72.7%	82.8%	N.A.	67.9%
4	1,423	1,035	718	708	5	3,889	4	718	723	552	563	5	2,561	4	50.5%	69.9%	76.9%	79.5%	100.0%	65.9%
3	4,425	3,293	2,681	2,752	16	13,167	3	1,341	1,549	1,420	1,808	10	6,128	3	30.3%	47.0%	53.0%	65.7%	62.5%	46.5%
2	4,385	2,909	2,083	1,964	11	11,352	2	885	982	857	931	3	3,658	2	20.2%	33.8%	41.1%	47.4%	27.3%	32.2%
1	2,865	1,939	1,268	1,034	4	7,110	1	270	353	244	285	2	1,154	1	9.4%	18.2%	19.2%	27.6%	50.0%	16.2%
N.A.	99	60	42	45	0	246	N.A.	38	30	31	33	0	132	N.A.	38.4%	50.0%	73.8%	73.3%	N.A.	53.7%
Total	14,056	9,769	7,270	6,993	39	38,127	Total	3,854	4,060	3,496	4,062	23	15,495	Total	27.4%	41.6%	48.1%	58.1%	59.0%	40.6%

Sentencing Zone	N
Incarceration Zone	2,387
Discretionary Zone	25,037
Intermediate Sanction Zone	10,457
Unassigned	246
Total	38,127

Sentencing Zone	N
Incarceration Zone	2,014
Discretionary Zone	11,597
Intermediate Sanction Zone	1,752
Unassigned	132
Total	15,495

Sentencing Zone	Incarceration
Incarceration Zone	84.4%
Discretionary Zone	46.3%
Intermediate Sanction Zone	16.8%
Unassigned	53.7%
Total	40.6%

District Court Incarceration Rates. Table 26 shows incarceration rates by grid cell assignment for all defendants convicted in district court. For FY 2011, the estimated district court incarceration rate was 36.5%: 12,568 defendants received a sentence to incarceration out of 34,451 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 16.2% and the incarceration rate for defendants convicted of offenses at offense seriousness level 4 was 58.2%; and,
- the incarceration rate for defendants in criminal history group A was 22.7% and the incarceration rate for defendants in criminal history group D was 53.9%.

District court incarceration rates varied by sentencing zone:

- district court defendants in the incarceration zone had an incarceration rate of 71.1%;
- district court defendants in the discretionary zone had an incarceration rate of 44.1%; and,
- district court defendants in the intermediate sanction zone had an incarceration rate of 16.5%.

Survey of Sentencing Practices

Table 26. Incarceration Status by Grid Cell Assignment, District Court

ALL DEFENDANTS							INCARCERATED DEFENDANTS							INCARCERATION RATE						
	A	B	C	D	E	N		A	B	C	D	E	N		A	B	C	D	E	Total
9	0	0	0	0	0	0	9	0	0	0	0	0	0	9	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
8	0	0	0	0	0	0	8	0	0	0	0	0	0	8	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
7	0	0	0	0	0	0	7	0	0	0	0	0	0	7	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
6	1	3	2	0	0	6	6	0	2	1	0	0	3	6	0.0%	66.7%	50.0%	N.A.	N.A.	50.0%
5	226	198	188	136	0	748	5	97	113	123	104	0	437	5	42.9%	57.1%	65.4%	76.5%	N.A.	58.4%
4	993	760	487	442	2	2,684	4	415	484	342	318	2	1,561	4	41.8%	63.7%	70.2%	71.9%	100.0%	58.2%
3	4,144	3,192	2,614	2,650	16	12,616	3	1,205	1,486	1,377	1,716	10	5,794	3	29.1%	46.6%	52.7%	64.8%	62.5%	45.9%
2	4,271	2,860	2,057	1,944	10	11,142	2	846	950	838	914	2	3,550	2	19.8%	33.2%	40.7%	47.0%	20.0%	31.9%
1	2,862	1,937	1,266	1,034	4	7,103	1	269	351	242	285	2	1,149	1	9.4%	18.1%	19.1%	27.6%	50.0%	16.2%
N.A.	54	35	27	36	0	152	N.A.	16	15	17	26	0	74	N.A.	29.6%	42.9%	63.0%	72.2%	N.A.	48.7%
Total	12,551	8,985	6,641	6,242	32	34,451	Total	2,848	3,401	2,940	3,363	16	12,568	Total	22.7%	37.9%	44.3%	53.9%	50.0%	36.5%

ALL DEFENDANTS		INCARCERATED DEFENDANTS		INCARCERATION RATE	
Sentencing Zone	N	Sentencing Zone	N	Sentencing Zone	Incarceration Rate
Incarceration Zone	774	Incarceration Zone	550	Incarceration Zone	71.1%
Discretionary Zone	23,189	Discretionary Zone	10,236	Discretionary Zone	44.1%
Intermediate Sanction Zone	10,336	Intermediate Sanction Zone	1,708	Intermediate Sanction Zone	16.5%
Unassigned	152	Unassigned	74	Unassigned	48.7%
Total	34,451	Total	12,568	Total	36.5%

Superior Court Incarceration Rates. Table 27 shows incarceration rates by grid cell assignment for all defendants convicted in superior court. For FY 2011, the estimated superior court incarceration rate was 79.6%: 2,927 defendants received a sentence to incarceration out of 3,676 convicted defendants. Superior court incarceration rates were similar in pattern to overall incarceration rates.

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

- the incarceration rate for defendants convicted of offenses in offense seriousness level 2 was 51.4% and the incarceration rate for defendants convicted of offenses in offense seriousness level 8 was 96.2%; and,
- the incarceration rate for defendants in criminal history group A was 66.8% and the incarceration rate for defendants in criminal history group D was 93.1%.

The incarceration rate varied by sentencing zone:

- superior court defendants in the incarceration zone had an incarceration rate of 90.8%;
- superior court defendants in the discretionary zone had an incarceration rate of 73.6%; and,
- superior court defendants in the intermediate sanction zone had an incarceration rate of 36.4%.

Survey of Sentencing Practices

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

	ALL DEFENDANTS						INCARCERATED DEFENDANTS						INCARCERATION RATE							
	A	B	C	D	E	N	A	B	C	D	E	N	A	B	C	D	E	Rate		
9	22	10	6	4	2	44	9	22	10	6	4	2	44	9	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
8	73	22	17	20	0	132	8	70	21	17	19	0	127	8	95.9%	95.5%	100.0%	95.0%	N.A.	96.2%
7	102	56	33	45	0	236	7	87	49	33	45	0	214	7	85.3%	87.5%	100.0%	100.0%	N.A.	90.7%
6	269	145	138	160	1	713	6	209	139	130	158	1	637	6	77.7%	95.9%	94.2%	98.8%	100.0%	89.3%
5	166	99	94	125	0	484	5	117	89	82	112	0	400	5	70.5%	89.9%	87.2%	89.6%	N.A.	82.6%
4	430	275	231	266	3	1,205	4	303	239	210	245	3	1,000	4	70.5%	86.9%	90.9%	92.1%	100.0%	83.0%
3	281	101	67	102	0	551	3	136	63	43	92	0	334	3	48.4%	62.4%	64.2%	90.2%	N.A.	60.6%
2	114	49	26	20	1	210	2	39	32	19	17	1	108	2	34.2%	65.3%	73.1%	85.0%	100.0%	51.4%
1	3	2	2	0	0	7	1	1	2	2	0	0	5	1	33.3%	100.0%	100.0%	N.A.	N.A.	71.4%
N.A.	45	25	15	9	0	94	N.A.	22	15	14	7	0	58	N.A.	48.9%	60.0%	93.3%	77.8%	N.A.	61.7%
Total	1,505	784	629	751	7	3,676	Total	1,006	659	556	699	7	2,927	Total	66.8%	84.1%	88.4%	93.1%	100.0%	79.6%

Sentencing Zone	N
Incarceration Zone	1,613
Discretionary Zone	1,848
Intermediate Sanction Zone	121
Unassigned	94
Total	3,676

Sentencing Zone	N
Incarceration Zone	1,464
Discretionary Zone	1,361
Intermediate Sanction Zone	44
Unassigned	58
Total	2,927

Sentencing Zone	Incarceration
Incarceration Zone	90.8%
Discretionary Zone	73.6%
Intermediate Sanction Zone	36.4%
Unassigned	61.7%
Total	79.6%

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 85.9% of current sentences fall within the proposed guidelines and 14.1% of current sentences fall outside of proposed guidelines (an estimated 4.2% were below the guidelines and an estimated 9.9% were above the guidelines). For most district court cases, guideline ranges are deliberately broad and departures are relatively rare. As indicated in the table, the proportion of sentences that fell outside the proposed guidelines varied by offense seriousness level and type of offense:

- the proportion of sentences outside of the guidelines was the lowest at offense seriousness level 3, where an estimated 3.7% of all sentences were outside of the proposed guidelines and almost all of those sentences were above the proposed ranges (For most cells, the lower limit of the range is zero);
- the proportion of sentences outside of the guidelines was the highest at offense seriousness level 7, where an estimated 72.8% of all sentences were outside of the proposed ranges (47.0% were below the proposed guidelines and 25.9% were above the proposed guidelines);
- when comparing the sentences imposed for mandatory drug offenses with the proposed sentencing guidelines, it was estimated that 47.8% of the current mandatory drug sentences were within the sentencing guidelines ranges and that 52.2% were outside of the sentencing guidelines (including 2.9% below the proposed guidelines and 49.3% above the proposed guidelines); and,
- when comparing the sentences imposed for all other offenses it was estimated that 86.6% were within the sentencing guidelines ranges and 13.4% were outside of the sentencing guidelines (including 4.3% below the ranges and 9.1% above the ranges); and,
- for all offenses at levels 6 through 8, 43.0% of the sentences were below the guideline ranges, 29.2% were within, and 27.8% were above;
- for mandatory drug offenses at levels 6 through 8, 0.0% were below the guideline ranges, 32.7% were within, and 67.3% were above; and,
- for all other offenses at levels 6 through 8, 51.2% were below the guideline ranges, 28.5% were within, and 20.3% were above.

Table 28. Comparison of Existing Sentences and Proposed Guidelines by Offense Seriousness Level and Type of Offense

Type of Offense and Offense Seriousness Level	Below		Within		Above		Total	
	N	%	N	%	N	%	N	%
All Offenses								
Level 9	0	0.0%	44	100.0%	0	0.0%	44	100.0%
Level 8	27	29.7%	26	28.6%	38	41.8%	91	100.0%
Level 7	109	46.8%	64	27.5%	60	25.8%	233	100.0%
Level 6	309	43.5%	213	30.0%	188	26.5%	710	100.0%
Level 5	571	46.5%	501	40.8%	156	12.7%	1,228	100.0%
Level 4	542	14.0%	2,780	71.9%	545	14.1%	3,867	100.0%
Level 3	2	0.0%	11,895	96.3%	454	3.7%	12,351	100.0%
Level 2	0	0.0%	9,828	88.4%	1,290	11.6%	11,118	100.0%
Level 1	0	0.0%	6,194	87.3%	903	12.7%	7,097	100.0%
Total	1,560	4.2%	31,545	85.9%	3,634	9.9%	36,739	100.0%
Other Offenses								
Level 9	0	0.0%	44	100.0%	0	0.0%	44	100.0%
Level 8	27	33.8%	26	32.5%	27	33.8%	80	100.0%
Level 7	109	52.9%	56	27.2%	41	19.9%	206	100.0%
Level 6	309	53.0%	166	28.5%	108	18.5%	583	100.0%
Level 5	556	49.9%	478	42.9%	81	7.3%	1,115	100.0%
Level 4	536	15.7%	2,513	73.4%	374	10.9%	3,423	100.0%
Level 3	2	0.0%	11,895	96.3%	454	3.7%	12,351	100.0%
Level 2	0	0.0%	9,828	88.4%	1,290	11.6%	11,118	100.0%
Level 1	0	0.0%	6,194	87.3%	903	12.7%	7,097	100.0%
Total	1,539	4.3%	31,200	86.6%	3,278	9.1%	36,017	100.0%
Mandatory Drug Offenses								
Level 9	0	N.A.	0	N.A.	0	N.A.	0	N.A.
Level 8	0	0.0%	0	0.0%	11	100.0%	11	100.0%
Level 7	0	0.0%	8	29.6%	19	70.4%	27	100.0%
Level 6	0	0.0%	47	37.0%	80	63.0%	127	100.0%
Level 5	15	13.3%	23	20.4%	75	66.4%	113	100.0%
Level 4	6	1.4%	267	60.1%	171	38.5%	444	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	21	2.9%	345	47.8%	356	49.3%	722	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 4,993 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 421 convictions where the governing offense was a mandatory firearms offense in FY 2011. 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	127	100.0%	176	59.9%	303	72.0%
Firearm, Carry w/o License, 2nd Offense	0	0.0%	6	2.0%	6	1.4%
Firearm, Possess Large Capacity	0	0.0%	35	11.9%	35	8.3%
Firearm, Poss Machine Gun / Sawed off Shotgun	0	0.0%	11	3.7%	11	2.6%
Firearm Trafficking, 3 to 9	0	0.0%	1	0.3%	1	0.2%
Firearm Trafficking, 10 to 19	0	0.0%	1	0.3%	1	0.2%
Armed Career Criminal, 1 Prior	0	0.0%	56	19.0%	56	13.3%
Armed Career Criminal , 2 Priors	0	0.0%	5	1.7%	5	1.2%
Armed Career Criminal , 3 Priors	0	0.0%	1	0.3%	1	0.2%
Firearm, Use in Felony	0	0.0%	2	0.7%	2	0.5%
Total	127	100.0%	294	100.0%	421	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 4,339 convictions for OUI

offenses in FY 2011. 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%	24	46.2%	24	0.6%
House of Correction Sentence						
Less than 1 month	43	1.0%	0	0.0%	43	1.0%
1 Month	56	1.3%	0	0.0%	56	1.3%
2 Months	189	4.4%	0	0.0%	189	4.4%
3 to 5 Months	129	3.0%	0	0.0%	129	3.0%
6 to 8 Months	268	6.3%	3	5.8%	271	6.2%
9 to 11 Months	25	0.6%	1	1.9%	26	0.6%
12 to 14 Months	98	2.3%	7	13.5%	105	2.4%
15 to 17 Months	5	0.1%	0	0.0%	5	0.1%
18 to 20 Months	26	0.6%	1	1.9%	27	0.6%
21 to 23 Months	1	0.0%	0	0.0%	1	0.0%
24 to 26 Months	34	0.8%	6	11.5%	40	0.9%
27 to 29 Months	0	0.0%	0	0.0%	0	0.0%
30 Months	28	0.7%	10	19.2%	38	0.9%
Missing Sentence Information	8	0.2%	0	0.0%	8	0.2%
Sub-Total	910	21.2%	28	53.8%	938	21.6%
Probation	2,556	59.6%	0	0.0%	2,556	58.9%
Fine	751	17.5%	0	0.0%	751	17.3%
Other	70	1.6%	0	0.0%	70	1.6%
Total	4,287	100.0%	52	100.0%	4,339	100.0%

SENTENCING PRACTICES: DEMOGRAPHIC CHARACTERISTICS

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

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

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

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

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

²⁷ G.L. c. 211E § 3 (e).

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

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

³⁰ *Ibid.*, p. 92.

Sentencing Practices: Defendant Gender

Table 31 shows the gender of defendants by court department. Of all convicted defendants, 16.4% were female and 83.6% were male. Of the defendants convicted in district court, 32,417 or 82.9% were male and 6,681 or 17.1% were female; and, of the defendants convicted in superior court, 3,627 or 90.2% were male and 395 or 9.8% were female.

Table 31. Defendant Gender by Court Department

Gender	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Male	32,417	82.9%	3,627	90.2%	36,044	83.6%
Female	6,681	17.1%	395	9.8%	7,076	16.4%
Total	39,098	100.0%	4,022	100.0%	43,120	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	7,989	89.0%	992	11.0%	8,981	100.0%
Sex Offenses	529	98.7%	7	1.3%	536	100.0%
Property Offenses	7,827	76.1%	2,457	23.9%	10,284	100.0%
Drug Offenses						
Mandatory / Distribution	678	93.9%	44	6.1%	722	100.0%
Non-Mandatory / Distribution	2,244	87.7%	314	12.3%	2,558	100.0%
Possession	1,809	83.3%	363	16.7%	2,172	100.0%
Other Drug Offense	123	69.9%	53	30.1%	176	100.0%
Sub-total Drug	4,854	86.2%	774	13.8%	5,628	100.0%
Motor Vehicle						
Weapons	524	94.4%	31	5.6%	555	100.0%
Public Order and Other Offenses	3,486	80.0%	869	20.0%	4,355	100.0%
Sub-total Grid	31,967	83.8%	6,160	16.2%	38,127	100.0%
Not Assigned to Grid						
OUI Offenses	3,467	79.9%	872	20.1%	4,339	100.0%
Mandatory Firearms	416	98.8%	5	1.2%	421	100.0%
Non-jailable	194	83.3%	39	16.7%	233	100.0%
Sub-Total No Grid	4,077	81.7%	916	18.3%	4,993	100.0%
Grand Total	36,044	83.6%	7,076	16.4%	43,120	100.0%

Sentencing Practices: Defendant Age at Disposition

The age of defendants at the time of disposition ranged from 17 years to 91 years. The mean age at disposition was 34.2 years and the median age at disposition was 32 years. Table 33 shows the age at disposition for all defendants by court department.

Table 33. Defendant Age at Disposition by Court Department

Age at Disposition	District Court	Superior Court	All Courts
19 and younger	2,075	232	2,307
20 to 24	7,355	877	8,232
25 to 29	6,921	807	7,728
30 to 34	5,596	570	6,166
35 to 39	4,365	429	4,794
40 to 44	4,361	389	4,750
45 to 49	3,922	305	4,227
50 to 54	2,520	199	2,719
55 to 59	1,192	111	1,303
60 and older	791	103	894
Total	39,098	4,022	43,120
Youngest	17 Years	17 Years	17 Years
Oldest	91 Years	86 Years	91 Years
Mean	34.3 Years	33.2 Years	34.2 Years
Median	32 Years	30 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, 63.9% of the convicted defendants were white, 17.9% were black, 15.1% were hispanic, and 1.5% 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, 65.7% were white, and 32.7% were racial/ethnic minorities (17.0% were black, 14.2% were hispanic, and 1.5% 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, 46.5% were white, and 52.5% were racial/ethnic minorities (26.1% were black, 24.3% were hispanic, and 2.1% were other races). The race was unknown for 1.0% 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	25,703	65.7%	1,871	46.5%	27,574	63.9%
Black	6,659	17.0%	1,051	26.1%	7,710	17.9%
Hispanic	5,549	14.2%	977	24.3%	6,526	15.1%
Other	571	1.5%	84	2.1%	655	1.5%
Unknown	616	1.6%	39	1.0%	655	1.5%
Total	39,098	100.0%	4,022	100.0%	43,120	100.0%

Table 35 shows defendant race by grid assignment, type of offense, and mandatory status for drug offenses. The racial composition of convicted defendants varied by type of offense and grid assignment particularly among defendants convicted of mandatory drug offenses:

- 63.9% of all defendants were white, 34.5% of all defendants were racial/ethnic minorities (17.9% were black, 15.1% were hispanic, and 1.5% were other races), and the race was unknown for 1.5% of all defendants; and,
- 27.6% of defendants convicted of mandatory drug offenses were white, and 72.4% of defendants convicted of mandatory drug offenses were racial/ethnic minorities (34.5% were black, 37.1% were hispanic, and 0.8% were other races).

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

- 50.2% of defendants convicted of all drug offenses were white and 48.8% were racial/ethnic minorities;
- 66.7% of defendants convicted of possession offenses were white and 32.6% were racial/ethnic minorities;
- 41.2% of defendants convicted of non-mandatory distribution offenses were white and 57.3% were racial/ethnic minorities; and,
- 27.6% of defendants convicted of mandatory distribution offenses were white and 72.4% were racial/ethnic minorities.

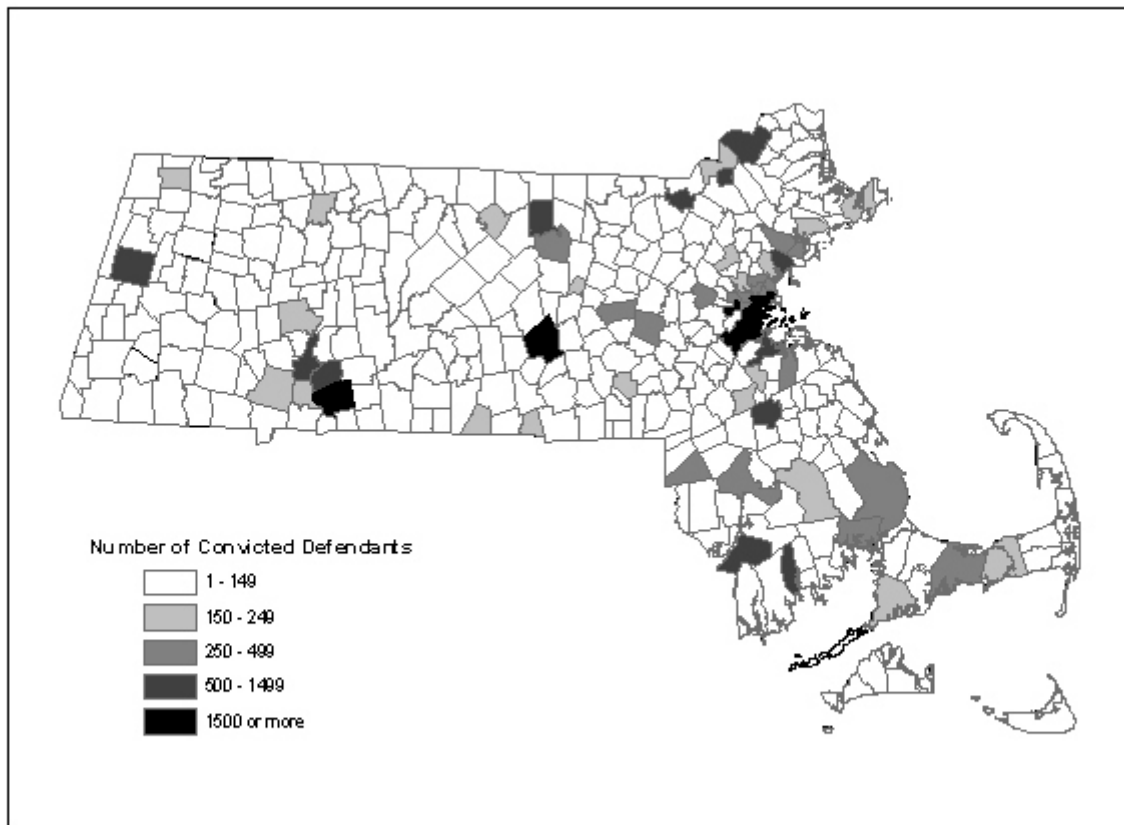
Table 35. Defendant Race by Type of Offense and Grid Assignment

Offense Type and Grid Assignment	White		Black		Hispanic		Other		Unknown		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Sentencing Grid												
Person Offenses	5,504	61.3%	1,804	20.1%	1,426	15.9%	134	1.5%	113	1.3%	8,981	100.0%
Sex Offenses	333	62.1%	79	14.7%	91	17.0%	17	3.2%	16	3.0%	536	100.0%
Property Offenses	7,165	69.7%	1,740	16.9%	1,120	10.9%	158	1.5%	101	1.0%	10,284	100.0%
Drug Offenses												
Mandatory / Distribution	199	27.6%	249	34.5%	268	37.1%	6	0.8%	0	0.0%	722	100.0%
Non-Mandatory / Distribution	1,054	41.2%	763	29.8%	681	26.6%	23	0.9%	37	1.4%	2,558	100.0%
Possession	1,448	66.7%	364	16.8%	318	14.6%	25	1.2%	17	0.8%	2,172	100.0%
Other Drug Offense	127	72.2%	15	8.5%	31	17.6%	2	1.1%	1	0.6%	176	100.0%
Sub-total Drug	2,828	50.2%	1,391	24.7%	1,298	23.1%	56	1.0%	55	1.0%	5,628	100.0%
Motor Vehicle												
Weapons	4,855	62.3%	1,297	16.7%	1,371	17.6%	119	1.5%	146	1.9%	7,788	100.0%
Public Order and Other Offenses	275	49.5%	159	28.6%	96	17.3%	11	2.0%	14	2.5%	555	100.0%
Sub-total Grid	2,824	64.8%	766	17.6%	625	14.4%	65	1.5%	75	1.7%	4,355	100.0%
23,784	62.4%	7,236	19.0%	6,027	15.8%	560	1.5%	520	1.4%	38,127	100.0%	
Not Assigned to Grid												
OUI Offenses	3,527	81.3%	240	5.5%	365	8.4%	78	1.8%	129	3.0%	4,339	100.0%
Mandatory Firearms	96	22.8%	205	48.7%	103	24.5%	15	3.6%	2	0.5%	421	100.0%
Non-jailable	167	71.7%	29	12.4%	31	13.3%	2	0.9%	4	1.7%	233	100.0%
Sub-Total No Grid	3,790	75.9%	474	9.5%	499	10.0%	95	1.9%	135	2.7%	4,993	100.0%
Grand Total	27,574	63.9%	7,710	17.9%	6,526	15.1%	655	1.5%	655	1.5%	43,120	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 40,633 defendants (or 94.2% of the survey population). The remaining defendants resided out-of-state (3.8%), resided in a correctional facility (1.6%), or were reported as homeless with no community identified (0.3%). The methodology used to classify defendants to a last known address can be found in Appendix A.

Figure 2. Defendant Last Known Address



PART III. SUMMARY

The survey of sentencing practices is a comprehensive study of defendants convicted in the courts of the commonwealth during FY 2011. In the survey, the offense of conviction and the criminal history of the defendant are linked with the sentencing outcome using the framework of the proposed sentencing guidelines grid. The survey notes the type of sentence imposed, the incarceration rate, and the sentence length for those defendants sentenced to a period of incarceration. The survey of sentencing practices provides a rich source of data for use by the commission in meeting its on-going responsibilities to monitor sentencing practices and to develop sentencing policy. Other criminal justice policy makers and members of the public interested in sentencing issues may find the survey useful as well.

APPENDIX A. METHOD

Data Collection Method

The survey of sentencing practices is based on an analysis of the Court Activity Record Information (CARI) database maintained by the Office of the Commissioner of Probation. The commission uses a copy of the database maintained at the Criminal History Systems Board (CHSB) for purposes of conducting this analysis.

The CARI database includes records of all criminal charges arraigned in adult criminal courts throughout the Commonwealth, including the superior court, district court, Boston Municipal Court, and US District Courts located within Massachusetts. The existence of this database affords the commission with a centralized source of information regarding current sentencing decisions in combination with a comprehensive set of information regarding the adult and juvenile criminal history of all defendants.

The analysis focuses on the disposition field in the database in order to identify those charges that resulted in conviction and the sentences resulting from those convictions. Further analysis focuses on the offense as it is recorded in the database along with any accompanying descriptive information in order to identify the offense of conviction.

Conviction Definition

For purposes of conducting the survey of sentencing practices, only charges resulting in conviction are included in the analysis. A consistent definition of conviction is applied throughout the analysis. A vocabulary table including a sub-set of “words” is applied to an analysis of the disposition field of the CARI database to indicate convicted charges. Dispositions that are considered convictions include: guilty filed, guilty, probation, fine, house of correction commitment, state prison commitment, split sentence, and suspended sentence. Dispositions that are not considered convictions include: continued without finding, filed (absent a finding of guilt), dismissed, not guilty, and nol prossed.

Only those charges that were disposed of during the sampling time period were included in the construction of the sample. Charges that were excluded from the sample include:

- Charges that were disposed of with a result other than conviction during the sampling time period;
- Charges that were pending during the sampling time period; and,
- Charges that were arraigned during the sampling period but which were disposed of after the sampling period.

Sampling Frame

The date at which a determination of conviction / non-conviction was initially entered for the charge is referred to as the disposition date. The disposition date was identified through an analysis of the disposition field and is the date preceding the first conviction or disposition word for the charge. The charges selected for further analysis are those which reached a final disposition during a selected time frame.

If a sentence was subject to a revise & revoke procedure subsequent to the initial disposition date, the date on which the sentence was revised & revoked was considered the disposition date and the revised sentence was used in the further construction of the sample.

For the present survey, those charges reaching final disposition and resulting in conviction during FY 2011, or the period July 1, 2010 through June 30, 2011 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 2011 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 2011, 46 defendants were classified in the life sentence group including two convicted of offenses other than murder. Of the two defendants sentenced to life for offenses other than murder, none was sentenced as habitual offenders.

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

A further distinction was made between split sentences to be served at the DOC (state prison / split sentence) and split sentences to be served at a house of correction (house of correction / split sentence). State prison / split sentences were those sentences with a minimum suspended term; a maximum suspended term of more than 30 months; or, split sentences with no sentence length information but convicted in a superior court. Although state prison / split sentences can no longer be given for offenses committed after July 1, 1994, some cases were sentenced in FY 2011 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 2011, there were no state prison / split sentences imposed. House of correction / split sentences were those split sentences with no minimum suspended term; split sentences with a maximum suspended term of 30 months or less; or, split sentences with no sentence length information but convicted in a district court.

State Prison Sentences. State prison sentences are those sentences with one or more valid incarceration words with some additional characteristics. State prison sentences are those sentences with a minimum and a maximum term of incarceration of any length; one or more words specifying a state sentence with no minimum or maximum sentence length; or incarceration sentences with no sentence length information imposed by a superior court. Of the 2,139 defendants classified as state prison sentences, none were sentenced as an habitual offender.

Other DOC Sentences. This category includes state prison / split sentences, reformatory sentences, and some habitual offender sentences. Reformatory sentences were those incarceration sentences with no minimum term of incarceration and a maximum term of incarceration greater than 30 months. Although reformatory sentences can no longer be given for offenses committed after July 1, 1994, some cases were sentenced in FY 2011 for offenses occurring prior to that time and thus a reformatory sentence could be imposed. In FY 2011 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 2011, six defendants were sentenced as habitual offenders and classified in the “Other DOC” group. Two other defendants were classified in the “other DOC” group including a defendant whose sentencing was continued, and a defendant with state prison time served ordered.

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

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

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

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

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

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

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

Sentence Length

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

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

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

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

When calculating mean sentence length, cases with missing information were excluded from the analysis. There were a total of 385 cases with missing sentence length

information, representing approximately 2.3% of the incarceration sentences. The number of cases with missing sentence length information is noted in Table 36.

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

Defendant Characteristic	Sentencing Guidelines	Other
House of Correction Sentence	355	7
House of Correction / Split Sentence	20	2
Other DOC	1	0
District Court	371	8
Superior Court	5	1
Old Law	2	0
New Law	374	9
Mandatory Offense	0	1
Other Offense	376	8

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 2011 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 38,127 defendants convicted of offenses assigned to the sentencing grid, 37,306 or 97.8% had all of their convictions at or below the level of the governing offense and 821 or 2.2% had one or more convictions at a level higher than the governing offense. The most frequently occurring was a defendant assigned to offense level 1 who was also convicted of an offense assigned to offense level 2. For example, a defendant who had a probation sentence for driving after suspension (level 1) and a guilty filed for compulsory insurance violation (level 2) would be assigned to the lower offense level. Defendants assigned to level 1 with one or more convictions at level 2 accounted for 166 or 20.2% of these cases. Table 38 shows the specific offense associated with the highest offense seriousness level for the 821 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	44	100.0%	0	0.0%	44	100.0%
8	132	100.0%	0	0.0%	132	100.0%
7	228	96.6%	8	3.4%	236	100.0%
6	695	96.7%	24	3.3%	719	100.0%
5	1,202	97.6%	30	2.4%	1,232	100.0%
4	3,819	98.2%	70	1.8%	3,889	100.0%
3	12,975	98.5%	192	1.5%	13,167	100.0%
2	11,121	98.0%	231	2.0%	11,352	100.0%
1	6,844	96.3%	266	3.7%	7,110	100.0%
N.A.	246	100.0%	0	0.0%	246	100.0%
Total	37,306	97.8%	821	2.2%	38,127	100.0%

Offense Level	Maximum Offense Level (All Convictions)									
	0	1	2	3	4	5	6	7	8	9
9	0	0	0	0	0	0	0	0	0	44
8	0	0	0	0	0	0	0	0	132	0
7	0	0	0	0	0	0	0	228	8	0
6	0	0	0	0	0	0	695	8	16	0
5	0	0	0	0	0	1,202	15	11	4	0
4	0	0	0	0	3,819	38	24	5	3	0
3	0	0	0	12,975	47	90	40	6	9	0
2	0	0	11,121	192	28	6	4	1	0	0
1	0	6,844	166	86	6	8	0	0	0	0
N.A.	246	0	0	0	0	0	0	0	0	0
Total	246	6,844	11,287	13,253	3,900	1,344	778	259	172	44

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

Offense - Highest Level	#	Offense - Highest Level	#	Offense - Highest Level	#	Offense - Highest Level	#
Level 8		Level 5		Level 3		Level 2	
Armed Assault In Dwell House	4	A&B Child w/Injury	1	A&B	62	Assault	4
Rape Of Child w/Force	4	A&B Aggravated	2	A&B Domestic	2	Larceny	1
Armed Assault w/i Murder - Firearm	1	Indecent A&B On Child	3	Reckless Endangerment	1	B&E w/i Misdemeanor	1
Home Invasion	29	Entice Child	1	A&B Dangerous Weapon	11	Property Destruction	1
Burglary, Armed	2	Robbery Unarmed	12	Assault Dangerous Weapon	11	Tagging Property	1
Total	40	Intimidation	112	Unnatural Acts	1	Receiving Stolen Goods	8
		Stalking Violation of Rest. Order	2	Restraining Order Violation	15	Property Violation	2
		Common & Notorious Thief	2	Harassment Order Violation	1	Possession Class A	3
Level 7		Burglary	6	Larceny More	29	Possession Class B	8
Murder, Attempted	5	Traffic Cocaine 014-028	1	Larceny Building	1	Possession Class C	1
Mayhem	4	Total	142	Larceny Firearm	1	Possession Class D	2
Rape	2			Larceny MV	1	Operate to Endanger	17
Incest	1	Level 4		Fraud	3	Use Without Authority	2
Armed Robbery Gun	10	A&B Elderly / Disabled w/Injury	2	Possess Burglariou Tools	3	Compulsory Insurance Violation	73
Armed Assault w/i Murder	7	A&B Guard	1	B&E	34	Counterfeit/Alter MV Document	1
Confine And Put In Fear	2	Assault w/i Rob	2	Mal Dest Property More	3	Prostitution	4
Total	31	Stalking	2	Receiving Stolen Goods MV	6	Firearm Possess w/o Permit	3
		Harassment	12	Forgery And Uttering	13	Failure to Appear	1
Level 6		Larceny Person	24	Possession Class B 2nd	1	Resisting Arrest	18
Manslaughter	1	Fraud - Identity	10	Distribute Class C	2	Total	151
Assault To Kill or Maim	4	Distribute Class A	3	Leaving Scene Property Damage	36	Other - OUI Grid	
Rape Of Child	3	Distribute Class B	17	Leaving Scene Personal Injury	2	Level 3	1
Assault w/i Rape	2	Larceny Cont Sub	1	OUI - Child Endangerment	1	Level 2	15
Indecent A&B Mentally Retarded	1	Escape	4	Ignition Interlock Violation	1		
Child Pornography	9	Bribery	3	Gun Serial Number	3		
Robbery Unarmed +60	1	Total	81	Nonsupport	1		
Armed Robbery	39			Interfere Police or Firefighter	4		
Armed Assault w/i Rob	13			Carrying Dangerous Weapon	24		
Carjacking	3			Sex Offender Fail Register	4		
Kidnapping Level 6	7			Total	277		
Total	83						

Criminal History Group

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Juvenile Criminal History

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

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

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

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

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

Youthful Offender Dispositions

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

During FY 2011 there were 333 cases where a defendant sentenced as an adult also had a prior adjudication under the youthful offender law that could affect the classification of the defendant into a criminal history group. Adjudications under the youthful offender law were classified as to the type of sentence imposed: adult sentence, combination adult/DYS sentence, or DYS sentence. For some records, the disposition information on multiple records was used to assign the sentence type.

- all adjudications under the youthful offender act for offenses classified in levels 7, 8, or 9 were counted as convictions for purposes of classifying the defendant into one of five criminal history groups;
- adjudications under the youthful offender act for which an adult sentence was imposed for offenses classified in levels 1 through 6 as convictions were counted for purposes of classifying the defendant into one of five criminal history groups; and,
- adjudications under the youthful offender act for which a combination adult/DYS sentence or a DYS sentence was imposed for an offense classified in levels 1 through 6 were not counted for purposes of criminal history group classification.

In evaluating the youthful offender criminal record a set of assumptions parallel to the adult model were followed: only those offenses resulting in an adjudication as a youthful offender were considered; an incident based approach was applied to counting adjudications (only one adjudication per arraignment event); and, the most serious charge for which the juvenile was adjudicated at each arraignment event counts towards the criminal history. Some further assumptions used in the construction of the youthful offender criminal history model include:

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

- the disposition date of the youthful offender adjudication was considered and had to be prior to the disposition of the adult record;
- there was no constraint on the types of offenses that could be indicted as youthful offenders;
- descriptive information available in the record was considered in assigning the offense seriousness level;
- adjudicated cases with the same arraignment date were assigned to the same sentence type in a hierarchical fashion (adult, combination, DYS);
- cases were assigned to the adult sentence group if there was any term of incarceration that was committed, including split sentences or incarcerations that occurred as the result of a violation of probation;
- cases were assigned to the combination sentence group if there was any term of incarceration that was suspended; and,
- cases were assigned to the DYS sentence group if there was a committed or suspended term to DYS, probation with no term, or delinquent filed.

Sentencing Guidelines Grid Assignment

Consistent with the classification under proposed guidelines, most cases were assigned to the sentencing guidelines grid. Those cases assigned to the sentencing guidelines grid include all cases where the sentencing guidelines grid would have been considered if the sentencing guidelines had been enacted along with those defendants convicted of murder. Those cases not assigned to the sentencing guidelines grid include convictions for OUI offenses, mandatory firearms offenses, and offenses for which a sentence of imprisonment is not provided by statute. In constructing the FY 1999 Survey of Sentencing Practices data base the grid assignment of certain offenses was modified. All data from the period FY 1994 to FY 1998 were restated to be consistent with these changed definitions.

Sentencing for the offense of murder would not be changed under the proposed sentencing guidelines. However, murder is used to illustrate level 9 on the sentencing guidelines grid and those defendants convicted of murder have been included as level 9 for purposes of statistical reporting in this survey of sentencing practices.

The method should not be considered a comprehensive compilation of OUI sentencing. Many first offense OUI cases are disposed of through a CWOFF and thus were not included

in this sample. The method should not be considered a comprehensive compilation of sentencing for non-jailable offenses. Many charges and convictions for non-jailable offenses were not systematically included as part of the CARI database.

For each case assigned to the sentencing guidelines grid, the intersection of the offense seriousness level and criminal history group constitutes the grid cell for the defendant. Each of the grid cells is further assigned to one of three sentencing zones: incarceration, discretionary, or intermediate sanctions.

A number of cases were placed in an unassigned level of offense seriousness. These cases involve convictions for offenses for which the commission recommended that the offense seriousness level be contingent on the associated criminal activity. Convictions involving an attempt, conspiracy, or accessory are placed into this unassigned level of offense seriousness category.

Truth-in-Sentencing Definition

During FY 2011, 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 2011 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 2011, 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 2011 there were no district court incarceration sentences to the jurisdiction of the DOC.

Comparison of Existing Sentencing and Proposed Sentencing Guidelines

The actual sentence imposed was compared to the sentencing guidelines range for all cases assigned to the sentencing guidelines grid in order to estimate whether the sentence was below the guideline range, within the guideline range, or above the guideline range. The method used to assign the cases was:

- all incarceration sentences imposed in the intermediate sanction zone were considered above the range and all non-incarceration sentences imposed in the incarceration zone were considered below the range;
- for incarceration sentences in the discretionary zone and the incarceration zone the length of the sentence was compared with the sentencing range using the following method:
 - all life sentences at offense level 9 and grid cell “8E” were considered to be within the range and all other life sentences were considered to be above the range;
 - the minimum sentence of all “old law” state prison sentences was compared to the range;
 - the maximum sentence of all “new law” state prison sentences was compared to the range;
 - the committed portion of all state prison / split sentences was compared to the range;
 - the sentence length of all house of correction sentences was compared to the range;
 - the committed portion of all house of correction / split sentences was compared to the range
- the comparative analysis was not completed for 1,365 individuals. Excluded from the comparative analysis were all reformatory sentences, all cases not assigned to an offense seriousness level, all incarceration sentences with missing sentence length, and defendants convicted of offenses where statutory minimum

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

Post-Release Probation Supervision

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

Demographic Characteristics

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

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

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

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

Table 39. Last Known Address Category by Court Department

Last Known Address Category	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Massachusetts City or Town Assigned						
Specific Street Address	36,487	93.3%	3,524	87.6%	40,011	92.8%
Homeless (city identified)	471	1.2%	35	0.9%	506	1.2%
No Specific Street Address (city identified)	107	0.3%	9	0.2%	116	0.3%
Sub-Total	37,065	94.8%	3,568	88.7%	40,633	94.2%
No Massachusetts City or Town Assigned						
Out of State Resident	1,428	3.7%	212	5.3%	1,640	3.8%
Correctional Facility	474	1.2%	225	5.6%	699	1.6%
Homeless or Shelter (city not identified)	131	0.3%	17	0.4%	148	0.3%
Sub-Total	2,033	5.2%	454	11.3%	2,487	5.8%
Total	39,098	100.0%	4,022	100.0%	43,120	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 190 convictions, or 26.3% 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 190 defendants for whom the school zone offense was the governing offense; and,
- There were 65 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:
 - 53 had a mandatory drug offense as the governing offense; and,
 - 12 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 255 defendants with one or more convictions of distribution in a school zone. Of these 255 defendants:

- the underlying drug offense was a mandatory drug offense for 72 defendants; and,
- the underlying drug offense was a non-mandatory drug offense for 183 defendants.
- 199 had a house of correction sentence imposed for the underlying drug offense and of these sentences 116 were for 1 day; and,
- 55 had a DOC sentence imposed for the underlying drug offense.

The final portion of the table shows the racial composition of the 255 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 91 defendants were convicted of this offense including 62 in criminal history group A, 9 in criminal history group B, 7 in criminal history group C, 13 in criminal history group D, and none in criminal history group E. Of the 91 convicted defendants, a total of 72 received a sentence of incarceration, for an overall incarceration rate of 79%. Of the 62 defendants in criminal history group A, a total of 45 received a sentence of incarceration, for an incarceration rate of 73%; of the 9 defendants in criminal history group B, a total of 8 received a sentence of incarceration for an incarceration rate of 89%; of the 7 defendants in criminal history group C, 6 received a sentence of incarceration for an incarceration rate of 86%; of the 13 defendants in criminal history group D, 13 received a sentence of incarceration, for an incarceration rate of 100%; and, there were no defendants in criminal history group E.

Table 42 shows the same information for defendants convicted in district court. For example, as indicated in Table 42, there were a total of 59 convictions for Indecent A&B on Child in the district court. Of these 59 convictions, 47 resulted in a sentence to incarceration for an overall incarceration rate of 80%. 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 32 convictions for Indecent A&B on Child in the superior court. Of these 32 convictions, 25 resulted in a sentence to incarceration for an overall incarceration rate of 78%. 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 39 defendants sentenced to the state prison in FY 2011. The mean minimum state prison sentence for armed assault w/i murder was 66.9 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 39 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 87.9 months and the median sentence for armed assault w/i murder was 84.0 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 375 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 71 defendants convicted of this offense and sentenced to a term of incarceration in a house of correction. The mean house of correction sentence was 7.7 months and the median house of correction sentence was 6.0 months. The number of convicted defendants and the mean and median sentence length are also shown for each criminal history group.

Type of Offense

Table 47 shows information on incarceration rates by type of offense, for those offenses assigned to the sentencing grid. All offenses were assigned to a type of offense: person, sex, property, drug, motor vehicle, weapons, public order, and other. As indicated in Table 47:

- there were 8,981 defendants convicted of person offenses with an incarceration rate of 52%;
- there were 536 defendants convicted of sex offenses with an incarceration rate of 71%;
- there were 555 defendants convicted of weapons offenses with an incarceration rate of 50%;
- there were 10,284 defendants convicted of property offenses with an incarceration rate of 43%;
- there were 5,628 defendants convicted of drug offenses with an incarceration rate of 52%;
- there were 7,788 defendants convicted of motor vehicle offenses with an incarceration rate of 21%;
- there were 2,209 defendants convicted of other offenses with an incarceration rate of 39%; and,
- there were 2,146 defendants convicted of public order offenses with an incarceration rate of 14%.

Table 40. Mandatory Drug Offenses: Selected Characteristics of Defendants Convicted of Distribution in School Zone by Court Department

	District Court		Superior Court		All Courts	
	N	%	N	%	N	%
Governing Offense						
Governing Offense: School Zone	121	99.2%	69	51.9%	190	74.5%
Governing Offense: Other Mandatory Drug or Firearms	1	0.8%	52	39.1%	53	20.8%
Governing Offense: All Other Offenses	0	0.0%	12	9.0%	12	4.7%
Total	122	100.0%	133	100.0%	255	100.0%
Underlying Offense of Conviction						
Trafficking Cocaine 14-28 grams	0	0.0%	9	6.8%	9	3.5%
Trafficking Cocaine 28-100 grams	0	0.0%	2	1.5%	2	0.8%
Trafficking Cocaine 100-200 grams	0	0.0%	2	1.5%	2	0.8%
Trafficking Cocaine 200+ grams	0	0.0%	3	2.3%	3	1.2%
Trafficking Heroin 14-28 grams	0	0.0%	3	2.3%	3	1.2%
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%	1	0.8%	1	0.4%
Trafficking Marijuana 50 to 100 pounds	0	0.0%	1	0.8%	1	0.4%
Induce Minor to Distribute	0	0.0%	1	0.8%	1	0.4%
Distribution Class A	34	27.9%	28	21.1%	62	24.3%
Distribution Class A, 2nd Offender	0	0.0%	4	3.0%	4	1.6%
Distribution Class B	70	57.4%	26	19.5%	96	37.6%
Distribution Class B, 2nd Offender	0	0.0%	6	4.5%	6	2.4%
Distribution Cocaine / Mandatory	0	0.0%	35	26.3%	35	13.7%
Distribution Cocaine / 2nd	0	0.0%	5	3.8%	5	2.0%
Distribution Class C	2	1.6%	0	0.0%	2	0.8%
Distribution Class D	15	12.3%	6	4.5%	21	8.2%
Distribution Class D, 2nd Offender	0	0.0%	1	0.8%	1	0.4%
Distribution Class E	1	0.8%	0	0.0%	1	0.4%
Total	122	100.0%	133	100.0%	255	100.0%
Sentence Imposed / Underlying Drug Offense						
House of Correction Sentence						
1 Day	79	64.8%	37	27.8%	116	45.5%
2 Days to 5 Months	4	3.3%	0	0.0%	4	1.6%
6 Months to 11 Months	15	12.3%	10	7.5%	25	9.8%
12 Months to 17 Months	12	9.8%	23	17.3%	35	13.7%
18 Months to 23 Months	0	0.0%	0	0.0%	0	0.0%
24 Months or More	10	8.2%	8	6.0%	18	7.1%
Unknown	1	0.8%	0	0.0%	1	0.4%
Sub-Total	121	99.2%	78	58.6%	199	78.0%
DOC Sentence	0	0.0%	55	41.4%	55	21.6%
Other	1	0.8%	0	0.0%	1	0.4%
Total	122	100.0%	133	100.0%	255	100.0%
Defendant Race						
White	33	27.0%	36	27.1%	69	27.1%
Black	47	38.5%	57	42.9%	104	40.8%
Hispanic	40	32.8%	40	30.1%	80	31.4%
Other	2	1.6%	0	0.0%	2	0.8%
Unknown	0	0.0%	0	0.0%	0	0.0%
Total	122	100.0%	133	100.0%	255	100.0%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
9	Murder	22	10	6	4	2	44	22	10	6	4	2	44	100%	100%	100%	100%	100%	100%	
	Sub-Total	22	10	6	4	2	44	22	10	6	4	2	44	100%	100%	100%	100%	100%	100%	
8	Manslaughter	20	8	4	3	0	35	20	8	4	3	0	35	100%	100%	100%	100%		100%	
	Assault In Dwelling	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%	
	Armed Assault In Dwell House	4	1	0	2	0	7	4	1	0	2	0	7	100%	100%		100%		100%	
	Rape, Aggravated	8	2	1	2	0	13	8	2	1	2	0	13	100%	100%	100%	100%		100%	
	Rape 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%	
	Rape Of Child w/Force	20	4	5	2	0	31	19	4	5	2	0	30	95%	100%	100%	100%		97%	
	Armed Assault w/i Murder - Firearm	12	4	4	6	0	26	12	4	4	6	0	26	100%	100%	100%	100%		100%	
	Home Invasion	1	1	0	1	0	3	0	0	0	1	0	1	0%	0%		100%		33%	
	Burglary, Armed	0	1	0	3	0	4	0	1	0	2	0	3		100%		67%		75%	
	Traffic Heroin 200+	1	0	0	0	0	1	1	0	0	0	0	1	100%						100%
	Traffic Cocaine 200+	6	1	3	0	0	10	6	1	3	0	0	10	100%	100%	100%				100%
	Sub-Total	73	22	17	20	0	132	70	21	17	19	0	127	96%	95%	100%	95%			96%
	7	Murder, Attempted	4	6	2	3	0	15	3	6	2	3	0	14	75%	100%	100%	100%		93%
		Mayhem	7	2	1	4	0	14	7	2	1	4	0	14	100%	100%	100%	100%		100%
		A&B Child w/Injury Substantial	7	3	0	0	0	10	4	3	0	0	0	7	57%	100%				70%
Rape		16	2	3	12	0	33	14	1	3	12	0	30	88%	50%	100%	100%		91%	
Rape of Child Aggravated		5	2	1	0	0	8	5	2	1	0	0	8	100%	100%	100%			100%	
Assault w/i Rape Child		2	0	0	0	0	2	1	0	0	0	0	1	50%					50%	
Incest		3	0	0	1	0	4	3	0	0	1	0	4	100%			100%		100%	
Robbery Unarmed +60 2nd		0	0	1	0	0	1	0	0	1	0	0	1			100%			100%	
Armed Robbery Gun		24	19	13	15	0	71	18	17	13	15	0	63	75%	89%	100%	100%		89%	
Armed Assault w/i Murder		18	14	8	3	0	43	17	11	8	3	0	39	94%	79%	100%	100%		91%	
Carjacking, Armed		0	0	0	4	0	4	0	0	0	4	0	4				100%		100%	
Kidnapping Child		2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%	
Traffic Heroin 028-100		4	5	0	1	0	10	4	5	0	1	0	10	100%	100%		100%		100%	
Traffic Heroin 100-200		1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%	
Traffic Cocaine 100-200		9	2	2	1	0	14	9	2	2	1	0	14	100%	100%	100%	100%		100%	
Throw or Place Explosives		0	0	1	0	0	1	0	0	1	0	0	1			100%			100%	
Sub-Total		102	56	33	45	0	236	87	49	33	45	0	214	85%	88%	100%	100%			91%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	8	5	3	0	0	16	8	5	3	0	0	16	100%	100%	100%			100%
	A&B Elderly / Disabled Ser Injury	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	A&B Aggravated - Serious Injury	7	5	2	3	0	17	6	4	2	2	0	14	86%	80%	100%	67%		82%
	A&B Dangerous Weapon	23	16	15	29	0	83	23	16	15	29	0	83	100%	100%	100%	100%		100%
	A&B Dangerous Weapon + 60	0	3	1	1	0	5	0	3	1	1	0	5		100%	100%	100%		100%
	A&B DW, Aggravated w/Injury	13	3	2	6	0	24	10	3	1	6	0	20	77%	100%	50%	100%		83%
	Assault To Kill or Maim	5	1	1	6	0	13	5	1	1	6	0	13	100%	100%	100%	100%		100%
	Rape Of Child	47	9	12	7	0	75	39	9	11	7	0	66	83%	100%	92%	100%		88%
	Assault w/i Rape	4	2	0	1	0	7	4	2	0	1	0	7	100%	100%		100%		100%
	Indecent A&B On Child 2nd	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
	Indecent A&B on Child Aggravated	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Child Pornography	7	0	0	0	0	7	0	0	0	0	0	0	0%					0%
	Robbery Unarmed +60	2	3	4	7	0	16	2	2	4	7	0	15	100%	67%	100%	100%		94%
	Armed Robbery	73	40	47	55	1	216	42	39	42	55	1	179	58%	98%	89%	100%	100%	83%
	Armed Assault w/i Rob	10	11	11	3	0	35	7	8	10	3	0	28	70%	73%	91%	100%		80%
	Armed Aslt w/i Rob Over 65	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Carjacking	2	2	3	2	0	9	2	2	2	2	0	8	100%	100%	67%	100%		89%
	Kidnapping	2	5	4	5	0	16	2	5	4	5	0	16	100%	100%	100%	100%		100%
	Kidnapping Level 6	1	1	2	1	0	5	0	1	2	1	0	4	0%	100%	100%	100%		80%
	Burning Dwelling House	14	4	2	5	0	25	8	3	2	4	0	17	57%	75%	100%	80%		68%
	Distribute Class A 2nd	0	2	6	3	0	11	0	2	6	3	0	11		100%	100%	100%		100%
	Distribute Cocaine 2nd	0	3	5	8	0	16	0	3	5	8	0	16		100%	100%	100%		100%
	Traffic Heroin 014-028	6	8	6	6	0	26	6	8	6	6	0	26	100%	100%	100%	100%		100%
	Traffic Cocaine 028-100	31	21	13	8	0	73	31	21	13	8	0	73	100%	100%	100%	100%		100%
	Induce Minor To Distribute	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	MV Homicide - OUI Felony	12	2	0	1	0	15	12	2	0	1	0	15	100%	100%		100%		100%
	Possess Explosive Device	1	1	1	0	0	3	0	1	1	0	0	2	0%	100%	100%			67%
	Sub-Total	270	148	140	160	1	719	209	141	131	158	1	640	77%	95%	94%	99%	100%	89%

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	19	6	5	6	0	36	8	6	4	4	0	22	42%	100%	80%	67%		61%
	A&B Aggravated	23	15	14	7	0	59	9	11	12	5	0	37	39%	73%	86%	71%		63%
	A&B DW, Aggravated	23	15	5	9	0	52	16	9	4	7	0	36	70%	60%	80%	78%		69%
	Indecent A&B On Child	62	9	7	13	0	91	45	8	6	13	0	72	73%	89%	86%	100%		79%
	Entice Child	6	1	0	1	0	8	2	1	0	1	0	4	33%	100%		100%		50%
	Robbery Unarmed	35	25	26	54	0	140	21	21	25	50	0	117	60%	84%	96%	93%		84%
	Intimidation	169	185	185	127	0	666	71	106	121	97	0	395	42%	57%	65%	76%		59%
	Stalking Violation of Rest. Order	2	0	6	2	0	10	2	0	6	2	0	10	100%		100%	100%		100%
	Stalking 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Common & Notorious Thief	0	2	1	5	0	8	0	2	1	5	0	8		100%	100%	100%		100%
	Burglary	3	2	4	6	0	15	1	2	3	6	0	12	33%	100%	75%	100%		80%
	Counterfeit Equipment	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Gaming Enterprise	1	0	2	1	0	4	0	0	0	0	0	0	0%		0%	0%		0%
	Distribute Class C 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Distribute Class B 2nd	1	2	5	12	0	20	1	2	5	12	0	20	100%	100%	100%	100%		100%
	Traffic Cocaine 014-028	35	31	15	10	0	91	35	31	15	10	0	91	100%	100%	100%	100%		100%
	Traffic Mar 100-2000	1	0	0	0	0	1	1	0	0	0	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	10	4	5	0	0	19	2	3	1	0	0	6	20%	75%	20%			32%
	Possess Molotov Cocktail	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Sex Offender Fail Register 2nd	0	0	1	6	0	7	0	0	1	2	0	3			100%	33%		43%	
Sub-Total		392	297	282	261	0	1,232	214	202	205	216	0	837	55%	68%	73%	83%		68%

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	30	24	16	25	0	95	8	16	11	17	0	52	27%	67%	69%	68%		55%
	Assault Aggravated	0	2	0	2	0	4	0	1	0	1	0	2		50%		50%		50%
	A&B Guard	0	3	7	14	0	24	0	1	7	11	0	19		33%	100%	79%		79%
	A&B Dangerous Weapon	50	55	36	42	0	183	50	55	36	42	0	183	100%	100%	100%	100%		100%
	A&B To Collect Loan	5	2	2	0	0	9	3	2	0	0	0	5	60%	100%	0%			56%
	Indecent A&B	56	21	16	14	1	108	34	15	13	13	1	76	61%	71%	81%	93%	100%	70%
	Photograph Nude Person	6	0	0	0	0	6	4	0	0	0	0	4	67%					67%
	Child Pornography Possess 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Assault w/i Rob	0	0	2	3	0	5	0	0	2	3	0	5			100%	100%		100%
	Stalking	11	4	2	7	0	24	3	1	1	3	0	8	27%	25%	50%	43%		33%
	Harassment	30	26	15	13	0	84	5	13	7	7	0	32	17%	50%	47%	54%		38%
	Larceny More	8	5	6	12	0	31	8	5	6	12	0	31	100%	100%	100%	100%		100%
	Larceny More + 60	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Larceny Person	190	132	87	83	0	492	91	88	67	67	0	313	48%	67%	77%	81%		64%
	Larceny Person + 65	3	2	2	0	0	7	0	2	0	0	0	2	0%	100%	0%			29%
	Fraud - Identity	51	49	35	41	0	176	18	20	23	27	0	88	35%	41%	66%	66%		50%
	B&E	5	8	21	62	0	96	5	8	21	62	0	96	100%	100%	100%	100%		100%
	Enter Dwelling w/I Felony	4	2	0	4	0	10	1	2	0	4	0	7	25%	100%		100%		70%
	Receiving Stolen Goods Over	0	0	0	3	0	3	0	0	0	3	0	3				100%		100%
	Receiving Stolen Goods MV 2nd	0	0	0	4	0	4	0	0	0	4	0	4				100%		100%
	Forge Commonwealth Note	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Burning Building	4	2	1	0	0	7	3	2	1	0	0	6	75%	100%	100%			86%
	Attempt Arson	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
	Distribute Class A	244	166	129	103	0	642	114	119	95	72	0	400	47%	72%	74%	70%		62%
	Distribute Class B	555	377	213	175	2	1,322	223	226	138	116	2	705	40%	60%	65%	66%	100%	53%
	Distribute Cocaine	80	67	57	46	2	252	80	67	57	46	2	252	100%	100%	100%	100%	100%	100%
	Traffic Mar 50-100	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	Larceny Cont Sub	0	1	1	1	0	3	0	0	0	0	0	0		0%	0%	0%		0%
	Giving Prisoner Cont Sub	3	3	1	2	0	9	0	1	1	2	0	4	0%	33%	100%	100%		44%
	Control Substance School	44	57	51	38	0	190	44	57	51	38	0	190	100%	100%	100%	100%		100%
	MV Homicide - Reckless	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
	MV Homicide - OUI	3	1	0	0	0	4	2	0	0	0	0	2	67%	0%				50%
	Leaving Scene Death	5	5	1	0	0	11	5	5	1	0	0	11	100%	100%	100%			100%
	OUI Serious Inj, Fel	9	3	2	0	0	14	8	3	2	0	0	13	89%	100%	100%			93%
	Assault Weapon, Possess	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Firearm Sale Violation	1	3	0	0	0	4	0	2	0	0	0	2	0%	67%				50%
	Escape	5	8	11	11	0	35	3	8	9	10	0	30	60%	100%	82%	91%		86%
	Injure Firefighter	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Bribery	3	0	1	0	0	4	0	0	1	0	0	1	0%		100%			25%
	Extortion	3	4	2	0	0	9	0	3	2	0	0	5	0%	75%	100%			56%
	Bomb Hoax	0	1	1	2	0	4	0	1	0	2	0	3		100%	0%	100%		75%
	Hoax Device	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Tax Law Violation	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
	Sub-Total	1,423	1,035	718	708	5	3,889	718	723	552	563	5	2,561	50%	70%	77%	80%	100%	66%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	1,418	966	789	705	4	3,882	399	451	416	452	4	1,722	28%	47%	53%	64%	100%	44%
	A&B Domestic	33	18	13	15	0	79	13	7	7	14	0	41	39%	39%	54%	93%		52%
	A&B w/I Intimidate	1	2	2	1	0	6	0	0	1	1	0	2	0%	0%	50%	100%		33%
	Reckless Endangerment	27	14	6	2	0	49	6	7	4	2	0	19	22%	50%	67%	100%		39%
	A&B Ambulance	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	A&B Dangerous Weapon	250	166	122	109	0	647	73	70	55	59	0	257	29%	42%	45%	54%		40%
	A&B Dangerous Weapon + 60	1	0	3	0	0	4	1	0	1	0	0	2	100%		33%			50%
	Assault Dangerous Weapon	223	137	127	104	0	591	91	78	71	80	0	320	41%	57%	56%	77%		54%
	Assault Dangerous Weapon + 60	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
	Unnatural Acts	0	3	2	0	0	5	0	0	2	0	0	2		0%	100%			40%
	Child Pornography Possess	34	6	0	4	0	44	12	4	0	4	0	20	35%	67%		100%		45%
	Kidnapping	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
	Violation Of Civil Rights	1	0	1	1	0	3	0	0	0	0	0	0	0%		0%	0%		0%
	Restraining Order Violation	250	264	282	243	0	1,039	84	119	150	149	0	502	34%	45%	53%	61%		48%
	Harassment Order Violation	7	9	6	5	0	27	3	4	1	1	0	9	43%	44%	17%	20%		33%
	Larceny	15	12	10	13	0	50	15	12	10	13	0	50	100%	100%	100%	100%		100%
	Larceny More	573	523	410	489	0	1,995	141	209	187	305	0	842	25%	40%	46%	62%		42%
	Larceny More + 60	8	5	2	6	0	21	1	4	2	5	0	12	13%	80%	100%	83%		57%
	Larceny Building	76	64	42	70	0	252	22	32	25	51	0	130	29%	50%	60%	73%		52%
	Larceny Firearm	4	4	2	0	0	10	4	2	2	0	0	8	100%	50%	100%			80%
	Larceny MV	27	18	18	31	1	95	12	18	14	26	1	71	44%	100%	78%	84%	100%	75%
	Embezzlement	16	0	1	0	0	17	12	0	1	0	0	13	75%		100%			76%
	Credit Card Misuse - More	4	4	0	5	0	13	4	2	0	5	0	11	100%	50%		100%		85%
	Defrauding Insurer	18	5	4	8	0	35	4	2	1	6	0	13	22%	40%	25%	75%		37%
	Fraud	29	20	22	15	0	86	7	10	6	11	0	34	24%	50%	27%	73%		40%
	Possess Burglarious Tools	31	34	29	36	1	131	12	18	17	26	1	74	39%	53%	59%	72%	100%	56%
	B&E	532	474	352	413	0	1,771	233	277	236	307	0	1,053	44%	58%	67%	74%		59%
	Mal Dest Property More	40	28	32	23	0	123	6	14	17	17	0	54	15%	50%	53%	74%		44%
	Receiving Stolen Goods Over	37	20	27	33	0	117	16	9	15	25	0	65	43%	45%	56%	76%		56%
	Receiving Stolen Goods MV	53	51	38	71	1	214	19	35	30	58	1	143	36%	69%	79%	82%	100%	67%
	Receiving Stolen Goods 2nd	0	0	1	6	0	7	0	0	0	4	0	4			0%	67%		57%
	Forgery And Uttering	104	93	69	75	0	341	33	37	31	46	0	147	32%	40%	45%	61%		43%
	Counterfeit	7	2	3	2	0	14	0	0	3	1	0	4	0%	0%	100%	50%		29%
	Burning Property	3	6	1	0	0	10	0	1	0	0	0	1	0%	17%	0%			10%
	Attempt Burn Property	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Burning Motor Vehicle	4	0	0	1	0	5	1	0	0	1	0	2	25%			100%		40%
	Illegal Lottery	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Gaming Register Bets	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%

Table 41 Governing Offense by Grid Cell Assignment and Incarceration Status, 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
	Possession Class A 2nd	1	6	7	10	0	24	1	5	4	5	0	15	100%	83%	57%	50%		63%
	Possession Class A Heroin 2nd	2	5	2	3	0	12	0	2	2	3	0	7	0%	40%	100%	100%		58%
	Possession Class B 2nd	5	14	13	12	0	44	3	7	6	6	0	22	60%	50%	46%	50%		50%
	Possession Class D 2nd	2	6	0	2	0	10	0	3	0	0	0	3	0%	50%		0%		30%
	Distribute Class C	18	14	17	8	0	57	2	5	9	5	0	21	11%	36%	53%	63%		37%
	Distribute Class D 2nd	7	5	6	2	0	20	5	1	2	0	0	8	71%	20%	33%	0%		40%
	Distribute Class E 2nd	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	MV Homicide	17	4	2	1	0	24	6	2	1	1	0	10	35%	50%	50%	100%		42%
	Leaving Scene Property Damage	278	165	84	62	2	591	36	44	30	30	0	140	13%	27%	36%	48%	0%	24%
	Leaving Scene Personal Injury	98	28	18	8	1	153	11	6	9	6	1	33	11%	21%	50%	75%	100%	22%
	OUI Serious Inj, Misd	15	3	1	0	0	19	7	2	1	0	0	10	47%	67%	100%			53%
	OUI - Child Endangerment	29	2	1	0	0	32	3	1	0	0	0	4	10%	50%	0%			13%
	Ignition Interlock Violation	3	2	3	3	0	11	2	2	3	3	0	10	67%	100%	100%	100%		91%
	Inducing Minor To Sex	7	2	0	0	0	9	1	1	0	0	0	2	14%	50%				22%
	Gun Serial Number	9	12	0	0	0	21	7	11	0	0	0	18	78%	92%				86%
	Firearm Loaded while OUI	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Nonsupport	4	2	0	0	0	6	1	2	0	0	0	3	25%	100%				50%
	Interfere Police or Firefighter	3	1	0	5	0	9	0	1	0	3	0	4	0%	100%		60%		44%
	Failure to Appear Felony	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
	Carrying Dangerous Weapon	64	50	44	38	1	197	21	21	24	21	0	87	33%	42%	55%	55%	0%	44%
	Contempt Of Court	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
	Cruelty To Animals	12	1	0	4	0	17	3	0	0	1	0	4	25%	0%		25%		24%
	Throw Object On Public Way	1	2	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
	Sex Offender Fail Register	11	19	66	104	5	205	3	9	23	53	2	90	27%	47%	35%	51%	40%	44%
	Vandalize - Graves	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Wiretapping	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Corporate books-falsify entry	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Sub-Total	4,425	3,293	2,681	2,752	16	13,167	1,341	1,549	1,420	1,808	10	6,128	30%	47%	53%	66%	63%	47%

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	71	63	39	43	0	216	19	26	18	20	0	83	27%	41%	46%	47%		38%
	Accost / Annoy Person Opposite Sex	7	5	3	3	0	18	2	2	2	3	0	9	29%	40%	67%	100%		50%
	Larceny	26	20	17	8	1	72	0	0	0	0	0	0	0%	0%	0%	0%	0%	0%
	Larceny Less	226	154	97	123	0	600	55	43	41	63	0	202	24%	28%	42%	51%		34%
	Larceny Less +60	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
	Shoplifting	668	498	396	431	5	1,998	33	75	80	121	0	309	5%	15%	20%	28%	0%	15%
	Credit Card Misuse	35	22	19	9	0	85	7	8	14	5	0	34	20%	36%	74%	56%		40%
	MV - False Report Of Theft	8	2	0	1	0	11	0	0	0	0	0	0	0%	0%		0%		0%
	Defrauding Innkeeper	0	1	3	0	0	4	0	1	2	0	0	3		100%	67%			75%
	Welfare Violation	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Failure To Return Leased Prop	10	9	0	9	0	28	3	5	0	4	0	12	30%	56%		44%		43%
	B&E MV	1	1	0	1	0	3	1	1	0	0	0	2	100%	100%		0%		67%
	B&E w/i Misdemeanor	33	13	21	11	0	78	6	3	10	4	0	23	18%	23%	48%	36%		29%
	Attempt B&E	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Property Destruction	154	117	95	77	0	443	41	36	40	42	0	159	27%	31%	42%	55%		36%
	Tagging Property	20	4	4	0	0	28	3	1	2	0	0	6	15%	25%	50%			21%
	Receiving Stolen Goods	189	142	104	131	0	566	45	62	58	80	0	245	24%	44%	56%	61%		43%
	Setting Fire Land	1	1	0	1	0	3	0	0	0	0	0	0	0%	0%		0%		0%
	Lottery Ticket Altering	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Gaming Use of Telephone	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
	Fraud - Electric, Phone or Cable	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Property Violation	8	7	3	9	0	27	3	1	2	2	0	8	38%	14%	67%	22%		30%
	Possession Class A	150	115	86	89	1	441	46	45	38	44	1	174	31%	39%	44%	49%	100%	39%
	Possession Class A Heroin	73	57	29	28	1	188	26	25	17	16	1	85	36%	44%	59%	57%	100%	45%
	Possession Class B	321	279	218	206	2	1,026	100	107	102	106	1	416	31%	38%	47%	51%	50%	41%
	Possession Class C	37	20	17	19	0	93	13	10	5	8	0	36	35%	50%	29%	42%		39%
	Possession Class D	101	26	17	5	0	149	15	4	7	0	0	26	15%	15%	41%	0%		17%
	Possession Class D Marijuana 2nd	1	2	1	0	0	4	1	0	0	0	0	1	100%	0%	0%			25%
	Distribute Counterfeit Substance	3	2	5	7	0	17	2	0	0	6	0	8	67%	0%	0%	86%		47%
	Distribute Class D	265	103	63	33	0	464	61	46	31	16	0	154	23%	45%	49%	48%		33%
	Distribute Class E	10	7	9	8	0	34	1	1	4	5	0	11	10%	14%	44%	63%		32%
	Possession Hypodermic/Syringe	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
	Presence Class A	5	10	3	3	0	21	1	6	0	2	0	9	20%	60%	0%	67%		43%
	Forge Prescription	26	24	19	15	0	84	5	5	8	8	0	26	19%	21%	42%	53%		31%
	Distribute Paraphenalia	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
	Operate to Endanger	853	253	135	92	0	1,333	74	52	43	43	0	212	9%	21%	32%	47%		16%
	Use Without Authority	48	27	32	25	0	132	23	15	16	14	0	68	48%	56%	50%	56%		52%
	Use w/o Authority 2nd	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
	Ignition Interlock Permit	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Habitual Traffic Offender	20	38	30	25	0	113	1	14	13	12	0	40	5%	37%	43%	48%		35%
	Racing	11	0	0	0	0	11	0	0	0	0	0	0	0%					0%
	Operate After Suspension 2nd	124	275	207	225	0	831	46	157	123	145	0	471	37%	57%	59%	64%		57%
	Compulsory Insurance Violation	220	107	74	49	1	451	36	25	26	15	0	102	16%	23%	35%	31%	0%	23%
	Altering MV ID Number	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
	Counterfeit/Alter MV Document	22	8	11	8	0	49	4	3	7	3	0	17	18%	38%	64%	38%		35%
	False Statement On Application	6	5	0	1	0	12	2	2	0	1	0	5	33%	40%		100%		42%
	Prostitution	76	97	63	35	0	271	21	30	26	20	0	97	28%	31%	41%	57%		36%
	Common Night Walker 3rd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Induce Female To Prostitution	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Open And Gross	29	27	10	22	0	88	6	14	5	18	0	43	21%	52%	50%	82%		49%
	Obscene Material to Minor	0	2	1	0	0	3	0	1	1	0	0	2		50%	100%			67%
	Firearm Possess w/o Permit	152	65	14	9	0	240	79	40	13	7	0	139	52%	62%	93%	78%		58%
	Possess Mace	3	2	0	0	0	5	1	1	0	0	0	2	33%	50%				40%
	Possess Ammunition	21	7	6	2	0	36	7	6	3	1	0	17	33%	86%	50%	50%		47%
	Firearm Store Improper	16	2	1	0	0	19	2	1	0	0	0	3	13%	50%	0%			16%
	Conceal or Harbor Fleeing Child	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
	Escape Lockup	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Aiding An Escape	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Impersonate/Disguise	6	4	3	2	0	15	1	1	2	1	0	5	17%	25%	67%	50%		33%
	False Statement	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
	Failure to Appear	8	5	4	1	0	18	4	0	0	1	0	5	50%	0%	0%	100%		28%
	Possess Stun Gun	11	4	3	1	0	19	4	1	0	1	0	6	36%	25%	0%	100%		32%
	False Alarm	1	1	2	3	0	7	0	0	1	1	0	2	0%	0%	50%	33%		29%
	Fireworks	6	5	1	0	0	12	0	0	0	0	0	0	0%	0%	0%			0%
	Violation Of Explosives	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Disrupt Court Proceedings	3	0	0	1	0	4	0	0	0	1	0	1	0%			100%		25%
	Contributing To Delinquency	1	6	1	0	0	8	0	2	0	0	0	2	0%	33%	0%			25%
	Mistreat Police Animal	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
	Resisting Arrest	257	242	193	164	0	856	67	94	81	74	0	316	26%	39%	42%	45%		37%
	False Report Of Crime	11	8	6	9	0	34	1	2	2	2	0	7	9%	25%	33%	22%		21%
	Hazardous Materials	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Clean Water Act Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Wiretap, Possess Device	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	True Name Law	12	8	14	14	0	48	12	7	11	13	0	43	100%	88%	79%	93%		90%
	Home Imp Contractor Violation	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
	Wetlands Violation	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Sub-Total	4,385	2,909	2,083	1,964	11	11,352	885	982	857	931	3	3,658	20%	34%	41%	47%	27%	32%

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	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
	Threatening	93	67	68	69	0	297	32	32	30	41	0	135	34%	48%	44%	59%	45%	
	Defrauding Victualer	0	1	3	1	1	6	0	0	0	1	1	2	0%	0%	100%	100%	33%	
	Vandalism	29	31	29	27	0	116	10	13	15	15	0	53	34%	42%	52%	56%	46%	
	Setting Fire In Open	0	0	1	0	0	1	0	0	1	0	0	1	100%				100%	
	Trespassing	217	158	132	182	1	690	47	53	42	91	1	234	22%	34%	32%	50%	100%	34%
	Gaming	0	1	0	0	0	1	0	0	0	0	0	0	0%				0%	
	Unauthorized Access of Computer	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
	Possession Class D Marijuana	34	8	8	5	0	55	3	6	0	2	0	11	9%	75%	0%	40%	20%	
	Possession Class E	41	30	20	12	0	103	12	13	13	7	0	45	29%	43%	65%	58%	44%	
	Inhaling Toxic Vapors	7	1	0	0	0	8	0	1	0	0	0	1	0%	100%			13%	
	Attaching Wrong MV Plates	97	25	17	13	0	152	3	2	5	2	0	12	3%	8%	29%	15%	8%	
	Operate After Suspension	1,503	1,143	694	469	0	3,809	130	164	107	74	0	475	9%	14%	15%	16%	12%	
	Obstruct Emergency Veh	5	2	0	1	0	8	0	1	0	0	0	1	0%	50%		0%	13%	
	MV - Impersonate/Other License	0	0	1	0	0	1	0	0	0	0	0	0	0%		0%		0%	
	RV On Public Way	2	3	0	0	0	5	0	1	0	0	0	1	0%	33%			20%	
	Common Night Walker	7	23	13	10	0	53	3	12	4	6	0	25	43%	52%	31%	60%	47%	
	Indecent Exposure	17	16	10	12	0	55	3	5	1	7	0	16	18%	31%	10%	58%	29%	
	Lewd And Lacivious	7	4	1	1	0	13	1	1	0	1	0	3	14%	25%	0%	100%	23%	
	Disorderly Conduct	744	390	250	211	2	1,597	19	39	19	33	0	110	3%	10%	8%	16%	0%	7%
	Smoking on MBTA	0	1	0	0	0	1	0	0	0	0	0	0	0%	0%			0%	
	Disturb Peace, 2nd Offense	1	7	7	12	0	27	1	3	1	2	0	7	100%	43%	14%	17%	26%	
	Possess Air Rifle w/o FID Card	1	0	0	0	0	1	0	0	0	0	0	0	0%				0%	
	Firearm Discharge	3	1	1	0	0	5	1	0	0	0	0	1	33%	0%	0%		20%	
	Annoying Phone Calls	16	13	6	5	0	40	3	4	2	2	0	11	19%	31%	33%	40%	28%	
	Failure To Obey Police Officer	1	2	0	0	0	3	0	0	0	0	0	0	0%	0%			0%	
	Obstructing Justice	1	0	0	0	0	1	0	0	0	0	0	0	0%				0%	
	License Law Violation (Not MV)	3	0	0	0	0	3	0	0	0	0	0	0	0%				0%	
	Alcohol, Procure for Minor	25	9	7	3	0	44	2	3	4	1	0	10	8%	33%	57%	33%	23%	
	Throwing Glass On Public Way	1	0	0	0	0	1	0	0	0	0	0	0	0%				0%	
	Cigarette/Match Thrown Fr Veh	2	1	0	0	0	3	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	3	1	0	1	0	5	0	0	0	0	0	0	0%	0%		0%	0%		
Unlicensed Massage / Bath	2	0	0	0	0	2	0	0	0	0	0	0	0%				0%		
Sub-Total	2,865	1,939	1,268	1,034	4	7,110	270	353	244	285	2	1,154	9%	18%	19%	28%	50%	16%	
0	Attempt Larceny	1	1	2	0	0	4	1	0	0	0	1	100%	0%	0%			25%	
	Attempt B&E	1	1	2	0	0	4	0	1	2	0	3	0%	100%	100%			75%	
	Conspiracy Violate CSA	34	20	9	9	0	72	12	7	7	7	0	33	35%	35%	78%	78%	46%	
	Conspiracy	16	6	3	4	0	29	5	1	2	3	0	11	31%	17%	67%	75%	38%	
	Attempt To Commit Crime	29	23	21	30	0	103	11	13	15	21	0	60	38%	57%	71%	70%	58%	
	Accessory Before	0	1	0	1	0	2	0	1	0	1	0	2	100%			100%	100%	
	Accessory After	18	8	5	1	0	32	9	7	5	1	0	22	50%	88%	100%	100%	69%	
	Sub-Total	99	60	42	45	0	246	38	30	31	33	0	132	38%	50%	74%	73%	54%	

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	0	0	0	0	0	0	0	
	Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
8	Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Assault In Dwelling	0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	
	Rape, Aggravated	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Rape 2nd	0	0	0	0	0	0	0	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	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	0	0	0	0	0	0	0	
	Home Invasion	0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	
	Traffic Heroin 200+	0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	
	Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	7	Murder, Attempted	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		Mayhem	0	0	0	0	0	0	0	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	0	0	0	0	0	0	0
Rape		0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	
Assault w/i Rape Child		0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	
Robbery Unarmed +60 2nd		0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	
Armed Assault w/i Murder		0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	
Kidnapping Child		0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	
Traffic Heroin 100-200		0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	
Throw or Place Explosives		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sub-Total		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	A&B Elderly / Disabled Ser Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	A&B Aggravated - Serious Injury	1	1	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0
	A&B Dangerous Weapon	0	0	0	0	0	0	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	0	0	0	0	0	0
	A&B DW, Aggravated w/Injury	0	0	0	0	0	0	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	0	0	0	0	0	0
	Rape Of Child	0	0	0	0	0	0	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	0	0	0	0	0	0
	Indecent A&B On Child 2nd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Indecent A&B on Child Aggravated	0	0	0	0	0	0	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	0	0	0	0	0	0
	Robbery Unarmed +60	0	0	0	0	0	0	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	0	0	0	0	0	0
	Armed Assault w/i Rob	0	0	0	0	0	0	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	0	0	0	0	0	0
	Carjacking	0	2	2	0	0	4	0	2	1	0	0	3	100%	50%			75%	
	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						
	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						
	Induce Minor To Distribute	0	0	0	0	0	0	0	0	0	0	0	0						
	MV Homicide - OUI Felony	0	0	0	0	0	0	0	0	0	0	0	0						
	Possess Explosive Device	0	0	0	0	0	0	0	0	0	0	0	0						
	Sub-Total	1	3	2	0	0	6	0	2	1	0	0	3	0%	67%	50%			50%

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	18	3	1	3	0	25	7	3	1	2	0	13	39%	100%	100%	67%		52%
	A&B Aggravated	18	12	10	4	0	44	6	8	8	3	0	25	33%	67%	80%	75%		57%
	A&B DW, Aggravated	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
	Indecent A&B On Child	43	6	2	8	0	59	32	5	2	8	0	47	74%	83%	100%	100%		80%
	Entice Child	6	1	0	1	0	8	2	1	0	1	0	4	33%	100%		100%		50%
	Robbery Unarmed	0	0	0	0	0	0	0	0	0	0	0	0						
	Intimidation	140	175	170	119	0	604	50	96	107	89	0	342	36%	55%	63%	75%		57%
	Stalking Violation of Rest. Order	0	0	4	1	0	5	0	0	4	1	0	5			100%	100%		100%
	Stalking 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	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						
	Counterfeit Equipment	0	0	0	0	0	0	0	0	0	0	0	0						
	Gaming Enterprise	0	0	0	0	0	0	0	0	0	0	0	0						
	Distribute Class C 2nd	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						
	Traffic Mar 100-2000	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						
	Possess Molotov Cocktail	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						
	Sub-Total	226	198	188	136	0	748	97	113	123	104	0	437	43%	57%	65%	76%		58%

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	28	23	15	22	0	88	7	15	10	14	0	46	25%	65%	67%	64%		52%
	Assault Aggravated	0	1	0	2	0	3	0	0	0	1	0	1		0%			50%	33%
	A&B Guard	0	1	1	2	0	4	0	0	1	2	0	3		0%	100%	100%		75%
	A&B Dangerous Weapon	20	45	28	35	0	128	20	45	28	35	0	128	100%	100%	100%	100%		100%
	A&B To Collect Loan	5	2	2	0	0	9	3	2	0	0	0	5	60%	100%	0%			56%
	Indecent A&B	41	18	13	9	0	81	22	13	12	9	0	56	54%	72%	92%	100%		69%
	Photograph Nude Person	4	0	0	0	0	4	2	0	0	0	0	2	50%					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	9	2	2	5	0	18	2	0	1	1	0	4	22%	0%	50%	20%		22%
	Harassment	25	25	15	13	0	78	3	12	7	7	0	29	12%	48%	47%	54%		37%
	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	168	126	84	74	0	452	78	82	64	59	0	283	46%	65%	76%	80%		63%
	Larceny Person + 65	1	1	2	0	0	4	0	1	0	0	0	1	0%	100%	0%			25%
	Fraud - Identity	47	49	34	41	0	171	15	20	22	27	0	84	32%	41%	65%	66%		49%
	B&E	0	0	0	0	0	0	0	0	0	0	0	0						
	Enter Dwelling w/I Felony	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
	Receiving Stolen Goods Over	0	0	0	0	0	0	0	0	0	0	0	0						
	Receiving Stolen Goods MV 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Forge Commonwealth Note	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Burning Building	0	0	0	0	0	0	0	0	0	0	0	0						
	Attempt Arson	0	0	0	0	0	0	0	0	0	0	0	0						
	Distribute Class A	177	107	75	64	0	423	66	66	48	37	0	217	37%	62%	64%	58%		51%
	Distribute Class B	422	305	170	138	2	1,037	160	177	106	91	2	536	38%	58%	62%	66%	100%	52%
	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	0	1	1	1	0	3	0	0	0	0	0	0		0%	0%	0%		0%
	Giving Prisoner Cont Sub	2	2	1	2	0	7	0	1	1	2	0	4	0%	50%	100%	100%		57%
	Control Substance School	24	40	33	24	0	121	24	40	33	24	0	121	100%	100%	100%	100%		100%
	MV Homicide - Reckless	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
	MV Homicide - OUI	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	Leaving Scene Death	0	0	0	0	0	0	0	0	0	0	0	0						
	OUI Serious Inj, Fel	7	3	1	0	0	11	6	3	1	0	0	10	86%	100%	100%			91%
	Assault Weapon, Possess	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	5	7	9	9	0	30	3	7	7	8	0	25	60%	100%	78%	89%		83%
	Injure Firefighter	0	0	0	0	0	0	0	0	0	0	0	0						
	Bribery	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	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	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Tax Law Violation	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
	Sub-Total	993	760	487	442	2	2,684	415	484	342	318	2	1,561	42%	64%	70%	72%	100%	58%

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	1,367	948	775	686	4	3,780	374	438	406	434	4	1,656	27%	46%	52%	63%	100%	44%
	A&B Domestic	33	18	13	15	0	79	13	7	7	14	0	41	39%	39%	54%	93%		52%
	A&B w/I Intimidate	1	2	2	1	0	6	0	0	1	1	0	2	0%	0%	50%	100%		33%
	Reckless Endangerment	22	13	5	2	0	42	6	7	4	2	0	19	27%	54%	80%	100%		45%
	A&B Ambulance	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	A&B Dangerous Weapon	234	158	117	108	0	617	73	70	55	59	0	257	31%	44%	47%	55%		42%
	A&B Dangerous Weapon + 60	1	0	2	0	0	3	1	0	1	0	0	2	100%		50%			67%
	Assault Dangerous Weapon	187	125	117	93	0	522	62	68	64	69	0	263	33%	54%	55%	74%		50%
	Assault Dangerous Weapon + 60	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Unnatural Acts	0	3	1	0	0	4	0	0	1	0	0	1		0%	100%			25%
	Child Pornography Possess	17	3	0	0	0	20	3	3	0	0	0	6	18%	100%				30%
	Kidnapping	1	1	0	0	0	2	1	1	0	0	0	2	100%	100%				100%
	Violation Of Civil Rights	1	0	1	1	0	3	0	0	0	0	0	0	0%		0%	0%		0%
	Restraining Order Violation	248	261	280	240	0	1,029	83	116	148	146	0	493	33%	44%	53%	61%		48%
	Harassment Order Violation	7	9	6	5	0	27	3	4	1	1	0	9	43%	44%	17%	20%		33%
	Larceny	12	12	10	12	0	46	12	12	10	12	0	46	100%	100%	100%	100%		100%
	Larceny More	522	514	405	485	0	1,926	130	204	186	301	0	821	25%	40%	46%	62%		43%
	Larceny More + 60	3	3	2	5	0	13	0	3	2	4	0	9	0%	100%	100%	80%		69%
	Larceny Building	73	63	42	64	0	242	20	32	25	45	0	122	27%	51%	60%	70%		50%
	Larceny Firearm	1	4	2	0	0	7	1	2	2	0	0	5	100%	50%	100%			71%
	Larceny MV	25	17	15	29	1	87	10	17	11	24	1	63	40%	100%	73%	83%	100%	72%
	Embezzlement	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
	Credit Card Misuse - More	3	4	0	4	0	11	3	2	0	4	0	9	100%	50%		100%		82%
	Defrauding Insurer	15	4	4	8	0	31	2	1	1	6	0	10	13%	25%	25%	75%		32%
	Fraud	23	18	22	15	0	78	5	10	6	11	0	32	22%	56%	27%	73%		41%
	Possess Burglarious Tools	31	34	29	33	1	128	12	18	17	23	1	71	39%	53%	59%	70%	100%	55%
	B&E	513	462	347	400	0	1,722	221	269	233	299	0	1,022	43%	58%	67%	75%		59%
	Mal Dest Property More	31	24	30	18	0	103	3	10	15	12	0	40	10%	42%	50%	67%		39%
	Receiving Stolen Goods Over	30	17	25	29	0	101	13	7	14	22	0	56	43%	41%	56%	76%		55%
	Receiving Stolen Goods MV	52	50	37	67	1	207	18	34	29	54	1	136	35%	68%	78%	81%	100%	66%
	Receiving Stolen Goods 2nd	0	0	1	6	0	7	0	0	0	4	0	4			0%	67%		57%
	Forgery And Uttering	98	92	65	66	0	321	29	37	28	39	0	133	30%	40%	43%	59%		41%
	Counterfeit	6	2	3	2	0	13	0	0	3	1	0	4	0%	0%	100%	50%		31%
	Burning Property	3	5	1	0	0	9	0	1	0	0	0	1	0%	20%	0%			11%
	Attempt Burn Property	0	0	0	0	0	0	0	0	0	0	0	0						
	Burning Motor Vehicle	4	0	0	1	0	5	1	0	0	1	0	2	25%			100%		40%
	Illegal Lottery	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Gaming Register Bets	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
	Possession Class A 2nd	1	6	6	10	0	23	1	5	3	5	0	14	100%	83%	50%	50%		61%
	Possession Class A Heroin 2nd	2	4	0	3	0	9	0	1	0	3	0	4	0%	25%		100%		44%
	Possession Class B 2nd	4	12	12	11	0	39	2	5	6	5	0	18	50%	42%	50%	45%		46%
	Possession Class D 2nd	2	6	0	2	0	10	0	3	0	0	0	3	0%	50%		0%		30%
	Distribute Class C	17	13	16	8	0	54	2	4	8	5	0	19	12%	31%	50%	63%		35%
	Distribute Class D 2nd	7	5	6	2	0	20	5	1	2	0	0	8	71%	20%	33%	0%		40%
	Distribute Class E 2nd	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	MV Homicide	14	3	0	0	0	17	4	2	0	0	0	6	29%	67%				35%
	Leaving Scene Property Damage	277	163	84	62	2	588	35	43	30	30	0	138	13%	26%	36%	48%	0%	23%
	Leaving Scene Personal Injury	98	26	18	8	1	151	11	5	9	6	1	32	11%	19%	50%	75%	100%	21%
	OUI Serious Inj, Misd	13	3	1	0	0	17	7	2	1	0	0	10	54%	67%	100%			59%
	OUI - Child Endangerment	29	2	1	0	0	32	3	1	0	0	0	4	10%	50%	0%			13%
	Ignition Interlock Violation	3	2	3	2	0	10	2	2	3	2	0	9	67%	100%	100%	100%		90%
	Inducing Minor To Sex	6	1	0	0	0	7	1	1	0	0	0	2	17%	100%				29%
	Gun Serial Number	7	6	0	0	0	13	5	6	0	0	0	11	71%	100%				85%
	Firearm Loaded while OUI	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Nonsupport	4	2	0	0	0	6	1	2	0	0	0	3	25%	100%				50%
	Interfere Police or Firefighter	3	1	0	5	0	9	0	1	0	3	0	4	0%	100%		60%		44%
	Failure to Appear Felony	0	0	0	0	0	0	0	0	0	0	0	0						
	Carrying Dangerous Weapon	61	50	44	37	1	193	19	21	24	20	0	84	31%	42%	55%	54%	0%	44%
	Contempt Of Court	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
	Cruelty To Animals	12	1	0	4	0	17	3	0	0	1	0	4	25%	0%		25%		24%
	Throw Object On Public Way	1	2	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
	Sex Offender Fail Register	11	17	64	98	5	195	3	7	21	47	2	80	27%	41%	33%	48%	40%	41%
	Vandalize - Graves	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	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						
	Sub-Total	4,144	3,192	2,614	2,650	16	12,616	1,205	1,486	1,377	1,716	10	5,794	29%	47%	53%	65%	63%	46%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	70	63	39	42	0	214	18	26	18	19	0	81	26%	41%	46%	45%		38%
	Accost / Annoy Person Opposite Sex	6	5	3	3	0	17	1	2	2	3	0	8	17%	40%	67%	100%		47%
	Larceny	26	20	17	8	1	72	0	0	0	0	0	0	0%	0%	0%	0%	0%	0%
	Larceny Less	224	154	97	123	0	598	55	43	41	63	0	202	25%	28%	42%	51%		34%
	Larceny Less +60	1	0	0	1	0	2	0	0	0	0	0	0	0%			0%		0%
	Shoplifting	668	498	396	431	5	1,998	33	75	80	121	0	309	5%	15%	20%	28%	0%	15%
	Credit Card Misuse	34	22	19	9	0	84	7	8	14	5	0	34	21%	36%	74%	56%		40%
	MV - False Report Of Theft	8	2	0	1	0	11	0	0	0	0	0	0	0%	0%		0%		0%
	Defrauding Innkeeper	0	1	3	0	0	4	0	1	2	0	0	3		100%	67%			75%
	Welfare Violation	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Failure To Return Leased Prop	10	9	0	9	0	28	3	5	0	4	0	12	30%	56%		44%		43%
	B&E MV	1	1	0	1	0	3	1	1	0	0	0	2	100%	100%		0%		67%
	B&E w/i Misdemeanor	33	13	21	10	0	77	6	3	10	3	0	22	18%	23%	48%	30%		29%
	Attempt B&E	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Property Destruction	153	117	95	77	0	442	41	36	40	42	0	159	27%	31%	42%	55%		36%
	Tagging Property	20	4	4	0	0	28	3	1	2	0	0	6	15%	25%	50%			21%
	Receiving Stolen Goods	186	141	104	131	0	562	45	61	58	80	0	244	24%	43%	56%	61%		43%
	Setting Fire Land	1	1	0	1	0	3	0	0	0	0	0	0	0%	0%		0%		0%
	Lottery Ticket Altering	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Gaming Use of Telephone	0	0	0	0	0	0	0	0	0	0	0	0						0%
	Fraud - Electric, Phone or Cable	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Property Violation	8	7	3	9	0	27	3	1	2	2	0	8	38%	14%	67%	22%		30%
	Possession Class A	145	114	86	89	1	435	46	45	38	44	1	174	32%	39%	44%	49%	100%	40%
	Possession Class A Heroin	66	55	27	26	1	175	24	24	16	15	1	80	36%	44%	59%	58%	100%	46%
	Possession Class B	305	273	212	204	1	995	95	106	98	105	0	404	31%	39%	46%	51%	0%	41%
	Possession Class C	37	20	17	19	0	93	13	10	5	8	0	36	35%	50%	29%	42%		39%
	Possession Class D	101	26	17	5	0	149	15	4	7	0	0	26	15%	15%	41%	0%		17%
	Possession Class D Marijuana 2nd	1	2	1	0	0	4	1	0	0	0	0	1	100%	0%	0%			25%
	Distribute Counterfeit Substance	2	2	5	7	0	16	2	0	0	6	0	8	100%	0%	0%	86%		50%
	Distribute Class D	247	97	59	33	0	436	56	41	28	16	0	141	23%	42%	47%	48%		32%
	Distribute Class E	7	7	9	8	0	31	0	1	4	5	0	10	0%	14%	44%	63%		32%
	Possession Hypodermic/Syringe	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
	Presence Class A	5	9	3	3	0	20	1	5	0	2	0	8	20%	56%	0%	67%		40%
	Forge Prescription	26	24	19	13	0	82	5	5	8	6	0	24	19%	21%	42%	46%		29%
	Distribute Paraphenalia	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%

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

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
	Operate to Endanger	850	252	131	91	0	1,324	73	52	40	42	0	207	9%	21%	31%	46%		16%
	Use Without Authority	48	26	32	25	0	131	23	14	16	14	0	67	48%	54%	50%	56%		51%
	Use w/o Authority 2nd	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
	Ignition Interlock Permit	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Habitual Traffic Offender	20	38	30	25	0	113	1	14	13	12	0	40	5%	37%	43%	48%		35%
	Racing	11	0	0	0	0	11	0	0	0	0	0	0	0%					0%
	Operate After Suspension 2nd	124	275	207	225	0	831	46	157	123	145	0	471	37%	57%	59%	64%		57%
	Compulsory Insurance Violation	220	107	74	49	1	451	36	25	26	15	0	102	16%	23%	35%	31%	0%	23%
	Altering MV ID Number	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
	Counterfeit/Alter MV Document	20	8	10	8	0	46	2	3	6	3	0	14	10%	38%	60%	38%		30%
	False Statement On Application	6	4	0	1	0	11	2	2	0	1	0	5	33%	50%		100%		45%
	Prostitution	76	97	63	35	0	271	21	30	26	20	0	97	28%	31%	41%	57%		36%
	Common Night Walker 3rd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Induce Female To Prostitution	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
	Open And Gross	29	25	10	19	0	83	6	12	5	16	0	39	21%	48%	50%	84%		47%
	Obscene Material to Minor	0	1	0	0	0	1	0	0	0	0	0	0	0%					0%
	Firearm Possess w/o Permit	127	47	10	7	0	191	65	28	9	5	0	107	51%	60%	90%	71%		56%
	Possess Mace	3	2	0	0	0	5	1	1	0	0	0	2	33%	50%				40%
	Possess Ammunition	10	3	5	1	0	19	2	2	3	0	0	7	20%	67%	60%	0%		37%
	Firearm Store Improper	13	2	1	0	0	16	2	1	0	0	0	3	15%	50%	0%			19%
	Conceal or Harbor Fleeing Child	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
	Escape Lockup	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Aiding An Escape	0	0	0	0	0	0	0	0	0	0	0	0						
	Impersonate/Disguise	6	4	3	2	0	15	1	1	2	1	0	5	17%	25%	67%	50%		33%
	False Statement	0	0	0	0	0	0	0	0	0	0	0	0						
	Failure to Appear	8	5	3	1	0	17	4	0	0	1	0	5	50%	0%	0%	100%		29%
	Possess Stun Gun	11	4	3	1	0	19	4	1	0	1	0	6	36%	25%	0%	100%		32%
	False Alarm	1	1	2	3	0	7	0	0	1	1	0	2	0%	0%	50%	33%		29%
	Fireworks	6	5	1	0	0	12	0	0	0	0	0	0	0%	0%	0%			0%
	Violation Of Explosives	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Disrupt Court Proceedings	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
	Contributing To Delinquency	1	6	1	0	0	8	0	2	0	0	0	2	0%	33%	0%			25%
	Mistreat Police Animal	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
	Resisting Arrest	256	239	192	160	0	847	66	91	80	70	0	307	26%	38%	42%	44%		36%
	False Report Of Crime	9	8	6	9	0	32	1	2	2	2	0	7	11%	25%	33%	22%		22%
	Hazardous Materials	0	0	0	0	0	0	0	0	0	0	0	0						
	Clean Water Act Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Wiretap, Possess Device	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	True Name Law	12	8	13	14	0	47	12	7	10	13	0	42	100%	88%	77%	93%		89%
	Home Imp Contractor Violation	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
	Wetlands Violation	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Sub-Total	4,271	2,860	2,057	1,944	10	11,142	846	950	838	914	2	3,550	20%	33%	41%	47%	20%	32%

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	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
	Threatening	93	67	67	69	0	296	32	32	29	41	0	134	34%	48%	43%	59%	45%	
	Defrauding Victualer	0	1	3	1	1	6	0	0	0	1	1	2	0%	0%	100%	100%	33%	
	Vandalism	29	31	29	27	0	116	10	13	15	15	0	53	34%	42%	52%	56%	46%	
	Setting Fire In Open	0	0	1	0	0	1	0	0	1	0	0	1	0%	0%	100%	100%	100%	
	Trespassing	217	158	132	182	1	690	47	53	42	91	1	234	22%	34%	32%	50%	100%	34%
	Gaming	0	1	0	0	0	1	0	0	0	0	0	0	0%	0%	0%	0%	0%	
	Unauthorized Access of Computer	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%	0%	0%	0%	
	Possession Class D Marijuana	34	7	8	5	0	54	3	5	0	2	0	10	9%	71%	0%	40%	19%	
	Possession Class E	41	30	20	12	0	103	12	13	13	7	0	45	29%	43%	65%	58%	44%	
	Inhaling Toxic Vapors	7	1	0	0	0	8	0	1	0	0	0	1	0%	100%	0%	0%	13%	
	Attaching Wrong MV Plates	97	25	17	13	0	152	3	2	5	2	0	12	3%	8%	29%	15%	8%	
	Operate After Suspension	1,502	1,142	693	469	0	3,806	129	163	106	74	0	472	9%	14%	15%	16%	12%	
	Obstruct Emergency Veh	5	2	0	1	0	8	0	1	0	0	0	1	0%	50%	0%	0%	13%	
	MV - Impersonate/Other License	0	0	1	0	0	1	0	0	0	0	0	0	0%	0%	0%	0%	0%	
	RV On Public Way	2	3	0	0	0	5	0	1	0	0	0	1	0%	33%	0%	0%	20%	
	Common Night Walker	7	23	13	10	0	53	3	12	4	6	0	25	43%	52%	31%	60%	47%	
	Indecent Exposure	17	16	10	12	0	55	3	5	1	7	0	16	18%	31%	10%	58%	29%	
	Lewd And Lacivious	7	4	1	1	0	13	1	1	0	1	0	3	14%	25%	0%	100%	23%	
	Disorderly Conduct	743	390	250	211	2	1,596	19	39	19	33	0	110	3%	10%	8%	16%	0%	7%
	Smoking on MBTA	0	1	0	0	0	1	0	0	0	0	0	0	0%	0%	0%	0%	0%	
	Disturb Peace, 2nd Offense	1	7	7	12	0	27	1	3	1	2	0	7	100%	43%	14%	17%	26%	
	Possess Air Rifle w/o FID Card	1	0	0	0	0	1	0	0	0	0	0	0	0%	0%	0%	0%	0%	
	Firearm Discharge	3	1	1	0	0	5	1	0	0	0	0	1	33%	0%	0%	0%	20%	
	Annoying Phone Calls	16	13	6	5	0	40	3	4	2	2	0	11	19%	31%	33%	40%	28%	
	Failure To Obey Police Officer	1	2	0	0	0	3	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	0%	0%	0%	0%	0%	
	License Law Violation (Not MV)	3	0	0	0	0	3	0	0	0	0	0	0	0%	0%	0%	0%	0%	
	Alcohol, Procure for Minor	25	9	7	3	0	44	2	3	4	1	0	10	8%	33%	57%	33%	23%	
	Throwing Glass On Public Way	1	0	0	0	0	1	0	0	0	0	0	0	0%	0%	0%	0%	0%	
	Cigarette/Match Thrown Fr Veh	2	1	0	0	0	3	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%	0%	0%	0%		
Employment Practices	3	1	0	1	0	5	0	0	0	0	0	0	0%	0%	0%	0%	0%		
Unlicensed Massage / Bath	2	0	0	0	0	2	0	0	0	0	0	0	0%	0%	0%	0%	0%		
Sub-Total		2,862	1,937	1,266	1,034	4	7,103	269	351	242	285	2	1,149	9%	18%	19%	28%	50%	16%
0	Attempt Larceny	0	1	2	0	0	3	0	0	0	0	0	0	0%	0%	0%	0%	0%	
	Attempt B&E	1	1	2	0	0	4	0	1	2	0	0	3	0%	100%	100%	0%	75%	
	Conspiracy Violate CSA	15	9	2	6	0	32	4	2	1	5	0	12	27%	22%	50%	83%	38%	
	Conspiracy	11	2	2	4	0	19	3	0	1	3	0	7	27%	0%	50%	75%	37%	
	Attempt To Commit Crime	27	21	19	25	0	92	9	11	13	17	0	50	33%	52%	68%	68%	54%	
	Accessory Before	0	0	0	1	0	1	0	0	0	1	0	1	0%	0%	0%	100%	100%	
	Accessory After	0	1	0	0	0	1	0	1	0	0	0	1	0%	100%	0%	0%	100%	
	Sub-Total		54	35	27	36	0	152	16	15	17	26	0	74	30%	43%	63%	72%	49%

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	22	10	6	4	2	44	22	10	6	4	2	44	100%	100%	100%	100%	100%	100%	
	Sub-Total	22	10	6	4	2	44	22	10	6	4	2	44	100%	100%	100%	100%	100%	100%	
8	Manslaughter	20	8	4	3	0	35	20	8	4	3	0	35	100%	100%	100%	100%		100%	
	Assault In Dwelling	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%	
	Armed Assault In Dwell House	4	1	0	2	0	7	4	1	0	2	0	7	100%	100%		100%		100%	
	Rape, Aggravated	8	2	1	2	0	13	8	2	1	2	0	13	100%	100%	100%	100%		100%	
	Rape 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%	
	Rape Of Child w/Force	20	4	5	2	0	31	19	4	5	2	0	30	95%	100%	100%	100%		97%	
	Armed Assault w/i Murder - Firearm	12	4	4	6	0	26	12	4	4	6	0	26	100%	100%	100%	100%		100%	
	Home Invasion	1	1	0	1	0	3	0	0	0	1	0	1	0%	0%		100%		33%	
	Burglary, Armed	0	1	0	3	0	4	0	1	0	2	0	3		100%		67%		75%	
	Traffic Heroin 200+	1	0	0	0	0	1	1	0	0	0	0	1	100%						100%
	Traffic Cocaine 200+	6	1	3	0	0	10	6	1	3	0	0	10	100%	100%	100%				100%
	Sub-Total	73	22	17	20	0	132	70	21	17	19	0	127	96%	95%	100%	95%			96%
	7	Murder, Attempted	4	6	2	3	0	15	3	6	2	3	0	14	75%	100%	100%	100%		93%
		Mayhem	7	2	1	4	0	14	7	2	1	4	0	14	100%	100%	100%	100%		100%
		A&B Child w/Injury Substantial	7	3	0	0	0	10	4	3	0	0	0	7	57%	100%				70%
Rape		16	2	3	12	0	33	14	1	3	12	0	30	88%	50%	100%	100%		91%	
Rape of Child Aggravated		5	2	1	0	0	8	5	2	1	0	0	8	100%	100%	100%			100%	
Assault w/i Rape Child		2	0	0	0	0	2	1	0	0	0	0	1	50%					50%	
Incest		3	0	0	1	0	4	3	0	0	1	0	4	100%			100%		100%	
Robbery Unarmed +60 2nd		0	0	1	0	0	1	0	0	1	0	0	1			100%			100%	
Armed Robbery Gun		24	19	13	15	0	71	18	17	13	15	0	63	75%	89%	100%	100%		89%	
Armed Assault w/i Murder		18	14	8	3	0	43	17	11	8	3	0	39	94%	79%	100%	100%		91%	
Carjacking, Armed		0	0	0	4	0	4	0	0	0	4	0	4				100%		100%	
Kidnapping Child		2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%	
Traffic Heroin 028-100		4	5	0	1	0	10	4	5	0	1	0	10	100%	100%		100%		100%	
Traffic Heroin 100-200		1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%	
Traffic Cocaine 100-200		9	2	2	1	0	14	9	2	2	1	0	14	100%	100%	100%	100%		100%	
Throw or Place Explosives		0	0	1	0	0	1	0	0	1	0	0	1			100%			100%	
Sub-Total		102	56	33	45	0	236	87	49	33	45	0	214	85%	88%	100%	100%			91%

Table 43 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	A	B	C	D	E	T
6	Manslaughter	8	5	3	0	0	16	8	5	3	0	0	16	100%	100%	100%			100%
	A&B Elderly / Disabled Ser Injury	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	A&B Aggravated - Serious Injury	6	4	2	3	0	15	6	4	2	2	0	14	100%	100%	100%	67%		93%
	A&B Dangerous Weapon	23	16	15	29	0	83	23	16	15	29	0	83	100%	100%	100%	100%		100%
	A&B Dangerous Weapon + 60	0	3	1	1	0	5	0	3	1	1	0	5		100%	100%	100%		100%
	A&B DW, Aggravated w/Injury	13	3	2	6	0	24	10	3	1	6	0	20	77%	100%	50%	100%		83%
	Assault To Kill or Maim	5	1	1	6	0	13	5	1	1	6	0	13	100%	100%	100%	100%		100%
	Rape Of Child	47	9	12	7	0	75	39	9	11	7	0	66	83%	100%	92%	100%		88%
	Assault w/i Rape	4	2	0	1	0	7	4	2	0	1	0	7	100%	100%		100%		100%
	Indecent A&B On Child 2nd	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
	Indecent A&B on Child Aggravated	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Child Pornography	7	0	0	0	0	7	0	0	0	0	0	0	0%					0%
	Robbery Unarmed +60	2	3	4	7	0	16	2	2	4	7	0	15	100%	67%	100%	100%		94%
	Armed Robbery	73	40	47	55	1	216	42	39	42	55	1	179	58%	98%	89%	100%	100%	83%
	Armed Assault w/i Rob	10	11	11	3	0	35	7	8	10	3	0	28	70%	73%	91%	100%		80%
	Armed Aslt w/i Rob Over 65	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Carjacking	2	0	1	2	0	5	2	0	1	2	0	5	100%		100%	100%		100%
	Kidnapping	2	5	4	5	0	16	2	5	4	5	0	16	100%	100%	100%	100%		100%
	Kidnapping Level 6	1	1	2	1	0	5	0	1	2	1	0	4	0%	100%	100%	100%		80%
	Burning Dwelling House	14	4	2	5	0	25	8	3	2	4	0	17	57%	75%	100%	80%		68%
	Distribute Class A 2nd	0	2	6	3	0	11	0	2	6	3	0	11		100%	100%	100%		100%
	Distribute Cocaine 2nd	0	3	5	8	0	16	0	3	5	8	0	16		100%	100%	100%		100%
	Traffic Heroin 014-028	6	8	6	6	0	26	6	8	6	6	0	26	100%	100%	100%	100%		100%
	Traffic Cocaine 028-100	31	21	13	8	0	73	31	21	13	8	0	73	100%	100%	100%	100%		100%
	Induce Minor To Distribute	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	MV Homicide - OUI Felony	12	2	0	1	0	15	12	2	0	1	0	15	100%	100%		100%		100%
	Possess Explosive Device	1	1	1	0	0	3	0	1	1	0	0	2	0%	100%	100%			67%
	Sub-Total	269	145	138	160	1	713	209	139	130	158	1	637	78%	96%	94%	99%	100%	89%

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	1	3	4	3	0	11	1	3	3	2	0	9	100%	100%	75%	67%		82%
	A&B Aggravated	5	3	4	3	0	15	3	3	4	2	0	12	60%	100%	100%	67%		80%
	A&B DW, Aggravated	22	14	4	9	0	49	16	9	3	7	0	35	73%	64%	75%	78%		71%
	Indecent A&B On Child	19	3	5	5	0	32	13	3	4	5	0	25	68%	100%	80%	100%		78%
	Entice Child	0	0	0	0	0	0	0	0	0	0	0	0						
	Robbery Unarmed	35	25	26	54	0	140	21	21	25	50	0	117	60%	84%	96%	93%		84%
	Intimidation	29	10	15	8	0	62	21	10	14	8	0	53	72%	100%	93%	100%		85%
	Stalking Violation of Rest. Order	2	0	2	1	0	5	2	0	2	1	0	5	100%		100%	100%		100%
	Stalking 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Common & Notorious Thief	0	2	1	5	0	8	0	2	1	5	0	8		100%	100%	100%		100%
	Burglary	3	2	4	6	0	15	1	2	3	6	0	12	33%	100%	75%	100%		80%
	Counterfeit Equipment	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Gaming Enterprise	1	0	2	1	0	4	0	0	0	0	0	0	0%		0%	0%		0%
	Distribute Class C 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Distribute Class B 2nd	1	2	5	12	0	20	1	2	5	12	0	20	100%	100%	100%	100%		100%
	Traffic Cocaine 014-028	35	31	15	10	0	91	35	31	15	10	0	91	100%	100%	100%	100%		100%
	Traffic Mar 100-2000	1	0	0	0	0	1	1	0	0	0	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	10	4	5	0	0	19	2	3	1	0	0	6	20%	75%	20%			32%
	Possess Molotov Cocktail	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Sex Offender Fail Register 2nd	0	0	1	6	0	7	0	0	1	2	0	3			100%	33%		43%
	Sub-Total	166	99	94	125	0	484	117	89	82	112	0	400	70%	90%	87%	90%		83%

Table 43 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	2	1	1	3	0	7	1	1	1	3	0	6	50%	100%	100%	100%		86%
	Assault Aggravated	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	A&B Guard	0	2	6	12	0	20	0	1	6	9	0	16		50%	100%	75%		80%
	A&B Dangerous Weapon	30	10	8	7	0	55	30	10	8	7	0	55	100%	100%	100%	100%		100%
	A&B To Collect Loan	0	0	0	0	0	0	0	0	0	0	0	0						
	Indecent A&B	15	3	3	5	1	27	12	2	1	4	1	20	80%	67%	33%	80%	100%	74%
	Photograph Nude Person	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	Child Pornography Possess 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
	Assault w/i Rob	0	0	2	3	0	5	0	0	2	3	0	5			100%	100%		100%
	Stalking	2	2	0	2	0	6	1	1	0	2	0	4	50%	50%		100%		67%
	Harassment	5	1	0	0	0	6	2	1	0	0	0	3	40%	100%				50%
	Larceny More	8	5	6	12	0	31	8	5	6	12	0	31	100%	100%	100%	100%		100%
	Larceny More + 60	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Larceny Person	22	6	3	9	0	40	13	6	3	8	0	30	59%	100%	100%	89%		75%
	Larceny Person + 65	2	1	0	0	0	3	0	1	0	0	0	1	0%	100%				33%
	Fraud - Identity	4	0	1	0	0	5	3	0	1	0	0	4	75%		100%			80%
	B&E	5	8	21	62	0	96	5	8	21	62	0	96	100%	100%	100%	100%		100%
	Enter Dwelling w/I Felony	2	2	0	4	0	8	0	2	0	4	0	6	0%	100%		100%		75%
	Receiving Stolen Goods Over	0	0	0	3	0	3	0	0	0	3	0	3				100%		100%
	Receiving Stolen Goods MV 2nd	0	0	0	3	0	3	0	0	0	3	0	3				100%		100%
	Forge Commonwealth Note	0	0	0	0	0	0	0	0	0	0	0	0						
	Burning Building	4	2	1	0	0	7	3	2	1	0	0	6	75%	100%	100%			86%
	Attempt Arson	3	0	0	0	0	3	2	0	0	0	0	2	67%					67%
	Distribute Class A	67	59	54	39	0	219	48	53	47	35	0	183	72%	90%	87%	90%		84%
	Distribute Class B	133	72	43	37	0	285	63	49	32	25	0	169	47%	68%	74%	68%		59%
	Distribute Cocaine	80	67	57	46	2	252	80	67	57	46	2	252	100%	100%	100%	100%	100%	100%
	Traffic Mar 50-100	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
	Larceny Cont Sub	0	0	0	0	0	0	0	0	0	0	0	0						
	Giving Prisoner Cont Sub	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
	Control Substance School	20	17	18	14	0	69	20	17	18	14	0	69	100%	100%	100%	100%		100%
	MV Homicide - Reckless	0	0	0	0	0	0	0	0	0	0	0	0						
	MV Homicide - OUI	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
	Leaving Scene Death	5	5	1	0	0	11	5	5	1	0	0	11	100%	100%	100%			100%
	OUI Serious Inj, Fel	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
	Assault Weapon, Possess	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Firearm Sale Violation	1	3	0	0	0	4	0	2	0	0	0	2	0%	67%				50%
	Escape	0	1	2	2	0	5	0	1	2	2	0	5		100%	100%	100%		100%
	Injure Firefighter	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Bribery	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
	Extortion	3	4	2	0	0	9	0	3	2	0	0	5	0%	75%	100%			56%
	Bomb Hoax	0	1	1	2	0	4	0	1	0	2	0	3		100%	0%	100%		75%
	Hoax Device	0	0	0	0	0	0	0	0	0	0	0	0						
	Tax Law Violation	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
	Sub-Total	430	275	231	266	3	1,205	303	239	210	245	3	1,000	70%	87%	91%	92%	100%	83%

Table 43 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	A	B	C	D	E	T
3	A&B	51	18	14	19	0	102	25	13	10	18	0	66	49%	72%	71%	95%		65%
	A&B Domestic	0	0	0	0	0	0	0	0	0	0	0	0						
	A&B w/I Intimidate	0	0	0	0	0	0	0	0	0	0	0	0						
	Reckless Endangerment	5	1	1	0	0	7	0	0	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	16	8	5	1	0	30	0	0	0	0	0	0	0%	0%	0%	0%		0%
	A&B Dangerous Weapon + 60	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	Assault Dangerous Weapon	36	12	10	11	0	69	29	10	7	11	0	57	81%	83%	70%	100%		83%
	Assault Dangerous Weapon + 60	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Unnatural Acts	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Child Pornography Possess	17	3	0	4	0	24	9	1	0	4	0	14	53%	33%		100%		58%
	Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0						
	Violation Of Civil Rights	0	0	0	0	0	0	0	0	0	0	0	0						
	Restraining Order Violation	2	3	2	3	0	10	1	3	2	3	0	9	50%	100%	100%	100%		90%
	Harassment Order Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Larceny	3	0	0	1	0	4	3	0	0	1	0	4	100%			100%		100%
	Larceny More	51	9	5	4	0	69	11	5	1	4	0	21	22%	56%	20%	100%		30%
	Larceny More + 60	5	2	0	1	0	8	1	1	0	1	0	3	20%	50%		100%		38%
	Larceny Building	3	1	0	6	0	10	2	0	0	6	0	8	67%	0%		100%		80%
	Larceny Firearm	3	0	0	0	0	3	3	0	0	0	0	3	100%					100%
	Larceny MV	2	1	3	2	0	8	2	1	3	2	0	8	100%	100%	100%	100%		100%
	Embezzlement	14	0	1	0	0	15	11	0	1	0	0	12	79%		100%			80%
	Credit Card Misuse - More	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
	Defrauding Insurer	3	1	0	0	0	4	2	1	0	0	0	3	67%	100%				75%
	Fraud	6	2	0	0	0	8	2	0	0	0	0	2	33%	0%				25%
	Possess Burglarious Tools	0	0	0	3	0	3	0	0	0	3	0	3				100%		100%
	B&E	19	12	5	13	0	49	12	8	3	8	0	31	63%	67%	60%	62%		63%
	Mal Dest Property More	9	4	2	5	0	20	3	4	2	5	0	14	33%	100%	100%	100%		70%
	Receiving Stolen Goods Over	7	3	2	4	0	16	3	2	1	3	0	9	43%	67%	50%	75%		56%
	Receiving Stolen Goods MV	1	1	1	4	0	7	1	1	1	4	0	7	100%	100%	100%	100%		100%
	Receiving Stolen Goods 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Forgery And Uttering	6	1	4	9	0	20	4	0	3	7	0	14	67%	0%	75%	78%		70%
	Counterfeit	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Burning Property	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Attempt Burn Property	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Burning Motor Vehicle	0	0	0	0	0	0	0	0	0	0	0	0						
	Illegal Lottery	0	0	0	0	0	0	0	0	0	0	0	0						
	Gaming Register Bets	1	0	0	0	0	1	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	
	Possession Class A 2nd	0	0	1	0	0	1	0	0	1	0	0	1						100%	100%
	Possession Class A Heroin 2nd	0	1	2	0	0	3	0	1	2	0	0	3			100%	100%			100%
	Possession Class B 2nd	1	2	1	1	0	5	1	2	0	1	0	4	100%	100%	0%	100%			80%
	Possession Class D 2nd	0	0	0	0	0	0	0	0	0	0	0	0							
	Distribute Class C	1	1	1	0	0	3	0	1	1	0	0	2	0%	100%	100%				67%
	Distribute Class D 2nd	0	0	0	0	0	0	0	0	0	0	0	0							
	Distribute Class E 2nd	0	0	0	0	0	0	0	0	0	0	0	0							
	MV Homicide	3	1	2	1	0	7	2	0	1	1	0	4	67%	0%	50%	100%			57%
	Leaving Scene Property Damage	1	2	0	0	0	3	1	1	0	0	0	2	100%	50%					67%
	Leaving Scene Personal Injury	0	2	0	0	0	2	0	1	0	0	0	1		50%					50%
	OUI Serious Inj, Misd	2	0	0	0	0	2	0	0	0	0	0	0	0%						0%
	OUI - Child Endangerment	0	0	0	0	0	0	0	0	0	0	0	0							
	Ignition Interlock Violation	0	0	0	1	0	1	0	0	0	1	0	1						100%	100%
	Inducing Minor To Sex	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%					0%
	Gun Serial Number	2	6	0	0	0	8	2	5	0	0	0	7	100%	83%					88%
	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							
	Failure to Appear Felony	2	0	0	1	0	3	2	0	0	1	0	3	100%					100%	100%
	Carrying Dangerous Weapon	3	0	0	1	0	4	2	0	0	1	0	3	67%					100%	75%
	Contempt Of Court	0	0	0	0	0	0	0	0	0	0	0	0							
	Cruelty To Animals	0	0	0	0	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	2	2	6	0	10	0	2	2	6	0	10		100%	100%	100%			100%
	Vandalize - Graves	0	0	0	0	0	0	0	0	0	0	0	0							
	Wiretapping	0	0	0	0	0	0	0	0	0	0	0	0							
	Corporate books-falsify entry	2	0	0	0	0	2	0	0	0	0	0	0	0%						0%
	Sub-Total	281	101	67	102	0	551	136	63	43	92	0	334	48%	62%	64%	90%			61%

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	1	0	0	1	0	2	1	0	0	1	0	2	100%			100%		100%
	Accost / Annoy Person Opposite Sex	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Larceny	0	0	0	0	0	0	0	0	0	0	0	0						
	Larceny Less	2	0	0	0	0	2	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	0	0	0	0	0	0	0	0	0	0						
	Credit Card Misuse	1	0	0	0	0	1	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						
	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	1	0	1	0	0	0	1	0	1				100%		100%
	Attempt B&E	0	0	0	0	0	0	0	0	0	0	0	0						
	Property Destruction	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Tagging Property	0	0	0	0	0	0	0	0	0	0	0	0						
	Receiving Stolen Goods	3	1	0	0	0	4	0	1	0	0	0	1	0%	100%				25%
	Setting Fire Land	0	0	0	0	0	0	0	0	0	0	0	0						
	Lottery Ticket Altering	0	0	0	0	0	0	0	0	0	0	0	0						
	Gaming Use of Telephone	3	0	0	0	0	3	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	5	1	0	0	0	6	0	0	0	0	0	0	0%	0%				0%
	Possession Class A Heroin	7	2	2	2	0	13	2	1	1	1	0	5	29%	50%	50%	50%		38%
	Possession Class B	16	6	6	2	1	31	5	1	4	1	1	12	31%	17%	67%	50%	100%	39%
	Possession Class C	0	0	0	0	0	0	0	0	0	0	0	0						
	Possession Class D	0	0	0	0	0	0	0	0	0	0	0	0						
	Possession Class D Marijuana 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Distribute Counterfeit Substance	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Distribute Class D	18	6	4	0	0	28	5	5	3	0	0	13	28%	83%	75%			46%
	Distribute Class E	3	0	0	0	0	3	1	0	0	0	0	1	33%					33%
	Possession Hypodermic/Syringe	0	0	0	0	0	0	0	0	0	0	0	0						
	Presence Class A	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Forge Prescription	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
	Distribute Paraphenalia	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 to Endanger	3	1	4	1	0	9	1	0	3	1	0	5	33%	0%	75%	100%		56%
	Use Without Authority	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
	Use w/o Authority 2nd	0	0	0	0	0	0	0	0	0	0	0	0						
	Ignition Interlock Permit	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						
	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	2	0	1	0	0	3	2	0	1	0	0	3	100%		100%			100%
	False Statement On Application	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	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						
	Open And Gross	0	2	0	3	0	5	0	2	0	2	0	4		100%		67%		80%
	Obscene Material to Minor	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
	Firearm Possess w/o Permit	25	18	4	2	0	49	14	12	4	2	0	32	56%	67%	100%	100%		65%
	Possess Mace	0	0	0	0	0	0	0	0	0	0	0	0						
	Possess Ammunition	11	4	1	1	0	17	5	4	0	1	0	10	45%	100%	0%	100%		59%
	Firearm Store Improper	3	0	0	0	0	3	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						
	Aiding An Escape	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
	Impersonate/Disguise	0	0	0	0	0	0	0	0	0	0	0	0						
	False Statement	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
	Failure to Appear	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
	Possess Stun Gun	0	0	0	0	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	1	0	1	0	0	0	1	0	1				100%		100%
	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						
	Resisting Arrest	1	3	1	4	0	9	1	3	1	4	0	9	100%	100%	100%	100%		100%
	False Report Of Crime	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
	Hazardous Materials	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Clean Water Act Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	Wiretap, Possess Device	0	0	0	0	0	0	0	0	0	0	0	0						
	True Name Law	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
	Home Imp Contractor Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Wetlands Violation	0	0	0	0	0	0	0	0	0	0	0	0						
	Sub-Total	114	49	26	20	1	210	39	32	19	17	1	108	34%	65%	73%	85%	100%	51%

Table 43 Governing Offense by Grid Cell Assignment and Incarceration Status, Superior Court

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	Total	A	B	C	D	E	Total	A	B	C	D	E	T
1	Obscene Materials	0	0	0	0	0	0	0	0	0	0	0	0						
	Threatening	0	0	1	0	0	1	0	0	1	0	0	1					100%	100%
	Defrauding Victualer	0	0	0	0	0	0	0	0	0	0	0	0						
	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						
	Gaming	0	0	0	0	0	0	0	0	0	0	0	0						
	Unauthorized Access of Computer	0	0	0	0	0	0	0	0	0	0	0	0						
	Possession Class D Marijuana	0	1	0	0	0	1	0	1	0	0	0	1			100%			100%
	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						
	Attaching Wrong MV Plates	0	0	0	0	0	0	0	0	0	0	0	0						
	Operate After Suspension	1	1	1	0	0	3	1	1	1	0	0	3	100%	100%	100%			100%
	Obstruct Emergency Veh	0	0	0	0	0	0	0	0	0	0	0	0						
	MV - Impersonate/Other License	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	0	0	0	0	0	0	0%					0%
	Smoking on MBTA	0	0	0	0	0	0	0	0	0	0	0	0						
	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	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
	License Law Violation (Not MV)	0	0	0	0	0	0	0	0	0	0	0	0						
	Alcohol, Procure for Minor	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						
Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	0	0	0	0	0	0							
Business Practice	0	0	0	0	0	0	0	0	0	0	0	0							
Employment Practices	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							
Sub-Total		3	2	2	0	0	7	1	2	2	0	0	5	33%	100%	100%			71%
0	Attempt Larceny	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
	Attempt B&E	0	0	0	0	0	0	0	0	0	0	0	0						
	Conspiracy Violate CSA	19	11	7	3	0	40	8	5	6	2	0	21	42%	45%	86%	67%		53%
	Conspiracy	5	4	1	0	0	10	2	1	1	0	0	4	40%	25%	100%			40%
	Attempt To Commit Crime	2	2	2	5	0	11	2	2	2	4	0	10	100%	100%	100%	80%		91%
	Accessory Before	0	1	0	0	0	1	0	1	0	0	0	1			100%			100%
	Accessory After	18	7	5	1	0	31	9	6	5	1	0	21	50%	86%	100%	100%		68%
	Sub-Total		45	25	15	9	0	94	22	15	14	7	0	58	49%	60%	93%	78%		62%

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	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Manslaughter	20	8	4	2	0	34	119.4	129.0	141.0	108.0	.	123.5	120.0	120.0	150.0	108.0	.	120.0	
	Assault In Dwelling	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Armed Assault In Dwell House	4	1	0	2	0	7	153.0	120.0	.	168.0	.	152.6	138.0	120.0	.	168.0	.	156.0	
	Rape, Aggravated	8	2	1	2	0	13	157.5	186.0	144.0	174.0	.	163.4	132.0	186.0	144.0	174.0	.	144.0	
	Rape 2nd	0	0	0	1	0	1	.	.	.	120.0	.	120.0	.	.	.	120.0	.	120.0	
	Rape Of Child w/Force	19	4	5	2	0	30	84.0	90.0	165.6	114.0	.	100.4	60.0	90.0	96.0	114.0	.	72.0	
	Armed Assault w/i Murder - Firearm	12	4	4	6	0	26	85.0	153.0	75.0	90.0	.	95.1	72.0	150.0	72.0	90.0	.	84.0	
	Home Invasion	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Burglary, Armed	0	1	0	2	0	3	.	144.0	.	162.0	.	156.0	.	144.0	.	162.0	.	144.0	
	Traffic Heroin 200+	1	0	0	0	0	1	180.0	.	.	.	.	180.0	180.0	.	.	.	.	180.0
	Traffic Cocaine 200+	6	1	3	0	0	10	180.0	180.0	180.0	.	.	180.0	180.0	180.0	180.0	.	.	180.0	
	Sub-Total	70	21	17	17	0	125	116.2	134.3	139.8	124.2	.	123.6	114.0	120.0	96.0	120.0	.	120.0	
	7	Murder, Attempted	3	6	2	3	0	14	64.0	55.0	60.0	84.0	.	63.9	72.0	54.0	60.0	84.0	.	66.0
		Mayhem	4	2	1	4	0	11	81.0	108.0	180.0	75.0	.	92.7	66.0	108.0	180.0	66.0	.	84.0
		A&B Child w/Injury Substantial	2	1	0	0	0	3	36.0	60.0	.	.	.	44.0	36.0	60.0	.	.	.	48.0
Rape		14	1	3	11	0	29	56.6	60.0	68.0	73.1	.	64.1	54.0	60.0	60.0	60.0	.	60.0	
Rape of Child Aggravated		5	2	1	0	0	8	120.0	120.0	120.0	.	.	120.0	120.0	120.0	120.0	.	.	120.0	
Assault w/i Rape Child		1	0	0	0	0	1	300.0	.	.	.	.	300.0	300.0	.	.	.	.	300.0
Incest		3	0	0	1	0	4	84.0	.	.	108.0	.	90.0	96.0	.	.	108.0	.	96.0	
Robbery Unarmed +60 2nd		0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0	
Armed Robbery Gun		18	17	13	15	0	63	50.6	45.2	56.3	62.0	.	53.0	42.0	42.0	60.0	60.0	.	48.0	
Armed Assault w/i Murder		17	11	8	3	0	39	60.4	62.2	66.0	124.0	.	66.9	48.0	60.0	60.0	120.0	.	60.0	
Carjacking, Armed		0	0	0	3	0	3	.	.	.	92.0	.	92.0	.	.	.	84.0	.	84.0	
Kidnapping Child		1	0	0	0	0	1	72.0	.	.	.	.	72.0	72.0	.	.	.	.	72.0
Traffic Heroin 028-100		4	5	0	1	0	10	87.0	86.4	.	84.0	.	86.4	84.0	84.0	.	84.0	.	84.0	
Traffic Heroin 100-200		1	0	1	1	0	3	120.0	.	144.0	120.0	.	128.0	120.0	.	144.0	120.0	.	120.0	
Traffic Cocaine 100-200		9	2	2	1	0	14	125.3	120.0	138.0	120.0	.	126.0	120.0	120.0	138.0	120.0	.	120.0	
Throw or Place Explosives		0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0	
Sub-Total		82	47	33	43	0	205	74.8	64.5	71.3	78.3	.	72.6	60.0	60.0	60.0	72.0	.	60.0	

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	5	4	2	0	0	11	62.4	72.0	81.0	.	.	69.3	48.0	54.0	81.0	.	.	48.0
	A&B Elderly / Disabled Ser Injury	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
	A&B Aggravated - Serious Injury	5	2	2	2	0	11	30.0	24.0	36.0	42.0	.	32.2	30.0	24.0	36.0	42.0	.	36.0
	A&B Dangerous Weapon	23	16	15	29	0	83	41.0	39.8	34.8	37.0	.	38.2	36.0	36.0	36.0	36.0	.	36.0
	A&B Dangerous Weapon + 60	0	3	1	1	0	5	.	38.0	60.0	48.0	.	44.4	.	36.0	60.0	48.0	.	48.0
	A&B DW, Aggravated w/Injury	6	3	1	4	0	14	59.0	34.0	120.0	40.5	.	52.7	54.0	36.0	120.0	36.0	.	39.0
	Assault To Kill or Maim	4	1	1	6	0	12	43.5	48.0	60.0	58.0	.	52.5	39.0	48.0	60.0	66.0	.	54.0
	Rape Of Child	26	6	7	7	0	46	66.7	68.0	64.3	87.4	.	69.7	48.0	72.0	48.0	84.0	.	54.0
	Assault w/i Rape	2	2	0	1	0	5	124.0	93.0	.	120.0	.	110.8	124.0	93.0	.	120.0	.	120.0
	Indecent A&B On Child 2nd	0	0	0	2	0	2	.	.	.	180.0	.	180.0	.	.	.	180.0	.	180.0
	Indecent A&B on Child Aggravated	1	0	0	0	0	1	180.0	.	.	.	.	180.0	180.0	.	.	.	.	180.0
	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Robbery Unarmed +60	2	2	4	7	0	15	72.0	44.5	28.5	35.1	.	39.5	72.0	44.5	27.0	24.0	.	24.0
	Armed Robbery	42	39	42	55	1	179	35.1	34.6	45.7	59.5	36.0	45.0	36.0	36.0	36.0	48.0	36.0	36.0
	Armed Assault w/i Rob	7	8	10	3	0	28	28.3	43.5	43.8	46.0	.	40.1	24.0	42.0	36.0	42.0	.	36.0
	Armed Aslt w/i Rob Over 65	0	1	0	0	0	1	.	84.0	.	.	.	84.0	.	84.0	.	.	.	84.0
	Carjacking	2	0	1	2	0	5	24.0	.	60.0	66.0	.	48.0	24.0	.	60.0	66.0	.	48.0
	Kidnapping	2	5	4	5	0	16	28.5	45.6	52.2	32.4	.	41.0	28.5	48.0	54.0	36.0	.	36.0
	Kidnapping Level 6	0	1	2	1	0	4	.	24.0	78.0	24.0	.	51.0	.	24.0	78.0	24.0	.	42.0
	Burning Dwelling House	5	1	2	4	0	12	38.4	66.0	42.0	70.5	.	52.0	36.0	66.0	42.0	66.0	.	48.0
	Distribute Class A 2nd	0	2	6	3	0	11	.	60.0	70.0	96.0	.	75.3	.	60.0	66.0	60.0	.	60.0
	Distribute Cocaine 2nd	0	3	5	8	0	16	.	60.0	60.0	69.8	.	64.9	.	60.0	60.0	60.0	.	60.0
	Traffic Heroin 014-028	6	8	6	6	0	26	62.0	61.5	60.0	62.0	.	61.4	60.0	60.0	60.0	60.0	.	60.0
	Traffic Cocaine 028-100	31	21	13	8	0	73	73.2	68.6	73.4	77.3	.	72.3	60.0	60.0	72.0	84.0	.	60.0
	Induce Minor To Distribute	1	0	0	0	0	1	60.0	.	.	.	.	60.0	60.0	.	.	.	.	60.0
	MV Homicide - OUI Felony	8	1	0	1	0	10	50.3	30.0	.	48.0	.	48.0	39.0	30.0	.	48.0	.	39.0
	Possess Explosive Device	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
	Sub-Total	178	129	125	156	1	589	52.3	48.7	51.9	57.8	36.0	52.8	45.0	48.0	48.0	48.0	36.0	48.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
5	A&B Child w/Injury	0	1	3	1	0	5	.	21.7	36.0	48.0	.	35.5	.	21.7	30.0	48.0	.	30.0
	A&B Aggravated	0	1	1	2	0	4	.	36.0	18.0	30.0	.	28.5	.	36.0	18.0	30.0	.	30.0
	A&B DW, Aggravated	5	8	3	6	0	22	60.0	54.8	48.0	60.0	.	56.5	36.0	45.0	36.0	42.0	.	39.0
	Indecent A&B On Child	6	2	2	3	0	13	51.0	36.0	60.0	68.0	.	54.0	45.0	36.0	60.0	60.0	.	36.0
	Entice Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Robbery Unarmed	20	21	25	50	0	116	23.4	25.4	38.4	51.7	.	39.2	22.5	24.0	36.0	48.0	.	36.0
	Intimidation	9	6	7	4	0	26	27.3	34.0	36.0	36.0	.	32.5	24.0	30.0	36.0	42.0	.	33.0
	Stalking Violation of Rest. Order	1	0	2	1	0	4	36.0	.	42.0	23.0	.	35.8	36.0	.	42.0	23.0	.	36.0
	Stalking 2nd	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
	Common & Notorious Thief	0	2	1	5	0	8	.	42.0	24.0	74.4	.	60.0	.	42.0	24.0	96.0	.	54.0
	Burglary	1	2	3	6	0	12	12.0	54.0	34.0	44.0	.	40.5	12.0	54.0	36.0	36.0	.	36.0
	Counterfeit Equipment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class C 2nd	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
	Distribute Class B 2nd	1	2	5	12	0	20	60.0	48.0	39.6	40.5	.	42.0	60.0	48.0	36.0	36.0	.	36.0
	Traffic Cocaine 014-028	35	31	15	10	0	91	37.9	38.3	36.8	40.3	.	38.1	36.0	36.0	36.0	36.0	.	36.0
	Traffic Mar 100-2000	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Guard Sex w/ Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Perjury or Suborn	0	3	0	0	0	3	.	52.0	.	.	.	52.0	.	24.0	.	.	.	24.0
	Possess Molotov Cocktail	0	0	1	0	0	1	.	.	48.0	.	.	48.0	.	.	48.0	.	.	48.0
	Sex Offender Fail Register 2nd	0	0	1	2	0	3	.	.	36.0	48.0	.	44.0	.	.	36.0	48.0	.	36.0
	Sub-Total	79	79	69	104	0	331	35.3	37.2	38.3	49.2	.	40.8	36.0	36.0	36.0	36.0	.	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	1	0	0	0	0	1	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
	Assault Aggravated	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
	A&B Guard	0	0	6	8	0	14	.	.	20.2	34.5	.	28.4	.	.	21.0	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	7	0	1	0	1	9	27.4	.	24.0	.	24.0	26.7	24.0	.	24.0	.	24.0	24.0
	Photograph Nude Person	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Child Pornography Possess 2nd	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
	Assault w/i Rob	0	0	2	3	0	5	.	.	24.0	32.0	.	28.8	.	.	24.0	36.0	.	24.0
	Stalking	1	0	0	1	0	2	36.0	.	.	24.0	.	30.0	36.0	.	.	24.0	.	30.0
	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny More	8	5	6	12	0	31	24.8	36.0	34.0	34.5	.	32.1	24.0	36.0	36.0	36.0	.	36.0
	Larceny More + 60	1	0	0	0	0	1	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
	Larceny Person	0	0	2	1	0	3	.	.	33.0	24.0	.	30.0	.	.	33.0	24.0	.	24.0
	Larceny Person + 65	0	1	0	0	0	1	.	36.0	.	.	.	36.0	.	36.0	.	.	.	36.0
	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	B&E	5	8	21	61	0	95	39.6	42.0	34.6	50.0	.	45.3	36.0	36.0	36.0	48.0	.	36.0
	Enter Dwelling w/I Felony	0	2	0	4	0	6	.	24.0	.	51.0	.	42.0	.	24.0	.	48.0	.	30.0
	Receiving Stolen Goods Over	0	0	0	2	0	2	.	.	.	33.0	.	33.0	.	.	.	33.0	.	33.0
	Receiving Stolen Goods MV 2nd	0	0	0	2	0	2	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
	Forge Commonwealth Note	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Burning Building	2	1	1	0	0	4	48.0	24.0	84.0	.	.	51.0	48.0	24.0	84.0	.	.	48.0
	Attempt Arson	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class A	18	36	38	25	0	117	37.0	32.2	36.5	38.6	.	35.7	36.0	36.0	36.0	36.0	.	36.0
	Distribute Class B	28	26	22	18	0	94	33.4	33.0	27.8	32.7	.	31.8	36.0	30.0	24.0	30.0	.	30.0
	Distribute Cocaine	36	33	38	35	2	144	28.2	31.6	37.0	38.2	36.0	33.9	24.0	36.0	36.0	36.0	36.0	36.0
	Traffic Mar 50-100	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Giving Prisoner Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Control Substance School	5	5	11	9	0	30	33.6	36.0	39.8	33.3	.	36.2	30.0	30.0	36.0	36.0	.	30.0
	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Leaving Scene Death	2	3	0	0	0	5	45.0	46.0	.	.	.	45.6	45.0	42.0	.	.	.	42.0
	OUI Serious Inj, Fel	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Assault Weapon, Possess	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Sale Violation	0	1	0	0	0	1	.	84.0	.	.	.	84.0	.	84.0	.	.	.	84.0
	Escape	0	1	2	1	0	4	.	12.0	63.0	60.0	.	49.5	.	12.0	63.0	60.0	.	36.0
	Injure Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Extortion	0	1	2	0	0	3	.	30.0	33.0	.	.	32.0	.	30.0	33.0	.	.	30.0
	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	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	115	124	152	183	3	577	32.4	33.5	34.9	41.4	32.0	36.2	30.0	36.0	36.0	36.0	30.0	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Domestic	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	.	.	.	.	.	.	.	.	.	.	.	.
	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	6	3	4	8	0	21	35.0	32.0	27.0	32.4	.	32.0	36.0	36.0	30.0	30.0	.	36.0
	Assault Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Child Pornography Possess	1	0	0	4	0	5	48.0	.	.	31.5	.	34.8	48.0	.	.	33.0	.	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	1	0	0	4	0	5	24.0	.	.	27.0	.	26.4	24.0	.	.	24.0	.	24.0
	Larceny Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny MV	0	1	1	2	0	4	.	18.0	12.0	54.0	.	34.5	.	18.0	12.0	54.0	.	21.0
	Embezzlement	5	0	1	0	0	6	43.2	.	120.0	.	.	56.0	48.0	.	120.0	.	.	48.0
	Credit Card Misuse - More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Defrauding Insurer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fraud	1	0	0	0	0	1	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
	Possess Burglarious Tools	0	0	0	2	0	2	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Mal Dest Property More	0	1	1	4	0	6	.	36.0	54.0	55.5	.	52.0	.	36.0	54.0	60.0	.	57.0
	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Receiving Stolen Goods MV	0	0	1	4	0	5	.	.	24.0	37.5	.	34.8	.	.	24.0	36.0	.	36.0
	Receiving Stolen Goods 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Forgery And Uttering	0	0	2	7	0	9	.	.	24.0	34.3	.	32.0	.	.	24.0	36.0	.	36.0
	Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Burning Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Attempt Burn Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Gaming Register Bets	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
	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 D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class C	0	0	0	0	0	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	1	0	1	.	.	.	42.0	.	42.0	.	.	42.0	.	42.0	
	Inducing Minor To Sex	0	0	0	0	0	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	.	.	.	.	.	.	.	.	.	.	.	.
	Failure to Appear Felony	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	12.0	.	12.0	
	Carrying Dangerous Weapon	0	0	0	0	0	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	1	4	0	5	.	.	36.0	33.0	.	33.6	.	36.0	36.0	.	36.0	
	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Wiretapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Corporate books-falsify entry	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	14	5	11	41	0	71	39.0	30.0	36.5	35.9	.	36.2	39.0	36.0	36.0	36.0	.	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
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	.	.	.	.	.	.	.	.	.	.	.	.
	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	.	.	.	.	.	.	.	.	.	.	.	.
	Attempt B&E	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	.	.	.	.	.	.	.	.	.	.	.	.
	Setting Fire Land	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Lottery Ticket Altering	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Gaming Use of Telephone	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	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Hypodermic/Syringe	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Presence Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Forge Prescription	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
	Distribute Paraphenalia	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 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	.	.	.	.	.	.	.	.	.	.	.	.
	Ignition Interlock Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Habitual Traffic Offender	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	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	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
	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	.	.	.	.	.	.	.	.	.	.	.	.
	Open And Gross	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	30.0	.	30.0	
	Obscene Material to Minor	0	0	1	0	0	1	.	.	30.0	.	.	30.0	.	.	30.0	.	30.0	
	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 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	.	.	.	.	.	.	.	.	.	.	.	.
	Aiding An Escape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Impersonate/Disguise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	False Statement	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	.	.	.	.	.	.	.	.	.	.	.	.
	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Hazardous Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Clean Water Act Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Wiretap, Possess Device	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	.	.	.	.	.	.	.	.	.	.	.	.
	Wetlands Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	0	0	2	2	0	4	.	.	27.0	27.0	.	27.0	.	.	27.0	27.0	.	27.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
1	Obscene Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Threatening	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Defrauding Victualer	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	.	.	.	.	.	.	.	.	.	.	.	.
	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	.	.	.	.	.	.	.	.	.	.	.	.
	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	.	.	.	.	.	.	.	.	.	.	.	.
	MV - Impersonate/Other License	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	.	.	.	.	.	.	.	.	.	.	.	.
	Smoking on MBTA	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	.	.	.	.	.	.	.	.	.	.	.	.
	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Sub-Total		0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Attempt B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Conspiracy Violate CSA	4	0	4	2	0	10	33.0	.	36.0	126.0	.	52.8	30.0	.	36.0	126.0	.	36.0	
	Conspiracy	1	0	1	0	0	2	72.0	.	26.0	.	.	49.0	72.0	.	26.0	.	.	49.0	
	Attempt To Commit Crime	0	0	2	3	0	5	.	.	24.0	26.0	.	25.2	.	.	24.0	24.0	.	24.0	
	Accessory Before	0	1	0	0	0	1	.	12.0	.	.	.	12.0	.	12.0	.	.	.	12.0	
	Accessory After	5	3	3	1	0	12	34.7	34.0	36.0	24.0	.	34.0	36.0	36.0	36.0	24.0	.	36.0	
	Sub-Total		10	4	10	6	0	30	37.7	28.5	32.6	59.0	.	39.0	36.0	27.0	31.0	30.0	.	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
9	Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Manslaughter	20	8	4	2	0	34	143.6	147.8	168.0	132.0	.	146.7	120.0	132.0	180.0	132.0	.	126.0	
	Assault In Dwelling	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Armed Assault In Dwell House	4	1	0	2	0	7	180.0	120.0	.	210.0	.	180.0	168.0	120.0	.	210.0	.	180.0	
	Rape, Aggravated	8	2	1	2	0	13	202.5	234.0	180.0	210.0	.	206.8	180.0	234.0	180.0	210.0	.	180.0	
	Rape 2nd	0	0	0	1	0	1	.	.	.	120.0	.	120.0	.	.	.	120.0	.	120.0	
	Rape Of Child w/Force	19	4	5	2	0	30	107.4	120.0	211.2	150.0	.	129.2	84.0	126.0	144.0	150.0	.	96.0	
	Armed Assault w/i Murder - Firearm	12	4	4	6	0	26	109.0	186.0	93.0	100.0	.	116.3	96.0	180.0	90.0	102.0	.	96.0	
	Home Invasion	0	0	0	0	0	0
	Burglary, Armed	0	1	0	2	0	3	.	180.0	.	198.0	.	192.0	.	180.0	.	198.0	.	180.0	
	Traffic Heroin 200+	1	0	0	0	0	1	180.0	180.0	180.0	180.0
	Traffic Cocaine 200+	6	1	3	0	0	10	182.0	216.0	204.0	.	.	192.0	180.0	216.0	216.0	.	.	.	180.0
	Sub-Total	70	21	17	17	0	125	140.4	161.4	170.1	148.2	.	149.1	120.0	144.0	144.0	144.0	.	132.0	
	7	Murder, Attempted	3	6	2	3	0	14	76.0	65.0	66.0	84.0	.	71.6	84.0	66.0	66.0	84.0	.	72.0
		Mayhem	4	2	1	4	0	11	117.0	138.0	240.0	108.0	.	128.7	96.0	138.0	240.0	90.0	.	120.0
		A&B Child w/Injury Substantial	2	1	0	0	0	3	42.0	84.0	.	.	.	56.0	42.0	84.0	.	.	.	60.0
Rape		14	1	3	11	0	29	74.1	60.0	76.0	100.4	.	83.8	72.0	60.0	60.0	84.0	.	84.0	
Rape of Child Aggravated		5	2	1	0	0	8	124.8	150.0	120.0	.	.	130.5	120.0	150.0	120.0	.	.	120.0	
Assault w/i Rape Child		1	0	0	0	0	1	360.0	.	.	.	.	360.0	360.0	.	.	.	.	360.0
Incest		3	0	0	1	0	4	104.0	.	.	156.0	.	117.0	108.0	.	.	156.0	.	114.0	
Robbery Unarmed +60 2nd		0	0	1	0	0	1	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0	
Armed Robbery Gun		18	17	13	15	0	63	64.3	62.1	69.7	76.4	.	67.7	60.0	60.0	60.0	72.0	.	60.0	
Armed Assault w/i Murder		17	11	8	3	0	39	78.4	82.9	89.3	156.0	.	87.9	66.0	84.0	78.0	144.0	.	84.0	
Carjacking, Armed		0	0	0	3	0	3	.	.	.	104.0	.	104.0	.	.	.	102.0	.	102.0	
Kidnapping Child		1	0	0	0	0	1	96.0	.	.	.	.	96.0	96.0	.	.	.	.	96.0
Traffic Heroin 028-100		4	5	0	1	0	10	102.0	100.8	.	132.0	.	104.4	102.0	84.0	.	132.0	.	102.0	
Traffic Heroin 100-200		1	0	1	1	0	3	120.0	.	144.0	144.0	.	136.0	120.0	.	144.0	144.0	.	144.0	
Traffic Cocaine 100-200		9	2	2	1	0	14	138.7	120.0	168.0	120.0	.	138.9	120.0	120.0	168.0	120.0	.	120.0	
Throw or Place Explosives		0	0	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0	
Sub-Total		82	47	33	43	0	205	91.2	81.3	87.5	99.2	.	90.0	84.0	84.0	72.0	96.0	.	84.0	

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	5	4	2	0	0	11	79.2	78.0	87.0	.	.	80.2	72.0	60.0	87.0	.	.	72.0
	A&B Elderly / Disabled Ser Injury	0	0	0	1	0	1	.	.	.	72.0	.	72.0	.	.	72.0	.	72.0	
	A&B Aggravated - Serious Injury	5	2	2	2	0	11	46.8	42.0	60.0	42.0	.	47.5	48.0	42.0	60.0	42.0	.	48.0
	A&B Dangerous Weapon	23	16	15	29	0	83	54.0	54.4	42.0	45.3	.	48.9	48.0	54.0	36.0	36.0	.	42.0
	A&B Dangerous Weapon + 60	0	3	1	1	0	5	.	52.0	96.0	60.0	.	62.4	.	48.0	96.0	60.0	.	60.0
	A&B DW, Aggravated w/Injury	6	3	1	4	0	14	78.0	52.0	180.0	49.5	.	71.6	60.0	60.0	180.0	54.0	.	60.0
	Assault To Kill or Maim	4	1	1	6	0	12	55.5	60.0	84.0	70.0	.	65.5	48.0	60.0	84.0	78.0	.	66.0
	Rape Of Child	26	6	7	7	0	46	86.3	102.0	77.2	108.0	.	90.3	66.0	96.0	60.0	120.0	.	78.0
	Assault w/i Rape	2	2	0	1	0	5	136.0	108.0	.	132.0	.	124.0	136.0	108.0	.	132.0	.	132.0
	Indecent A&B On Child 2nd	0	0	0	2	0	2	.	.	.	285.0	.	285.0	.	.	285.0	.	285.0	
	Indecent A&B on Child Aggravated	1	0	0	0	0	1	240.0	.	.	.	.	240.0	240.0	.	.	.	.	240.0
	Child Pornography	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Robbery Unarmed +60	2	2	4	7	0	15	96.0	44.5	39.0	45.4	.	50.3	96.0	44.5	42.0	36.0	.	48.0
	Armed Robbery	42	39	42	55	1	179	46.6	46.0	56.0	73.9	36.0	57.0	45.0	48.0	48.0	60.0	36.0	48.0
	Armed Assault w/i Rob	7	8	10	3	0	28	43.7	55.5	53.4	78.0	.	54.2	36.0	48.0	39.0	84.0	.	48.0
	Armed Aslt w/i Rob Over 65	0	1	0	0	0	1	.	108.0	.	.	.	108.0	.	108.0	.	.	.	108.0
	Carjacking	2	0	1	2	0	5	36.0	.	84.0	78.0	.	62.4	36.0	.	84.0	78.0	.	48.0
	Kidnapping	2	5	4	5	0	16	28.5	60.0	67.2	34.8	.	50.0	28.5	60.0	66.0	36.0	.	48.0
	Kidnapping Level 6	0	1	2	1	0	4	.	36.0	90.0	36.0	.	63.0	.	36.0	90.0	36.0	.	48.0
	Burning Dwelling House	5	1	2	4	0	12	48.0	96.0	60.0	85.5	.	66.5	48.0	96.0	60.0	84.0	.	60.0
	Distribute Class A 2nd	0	2	6	3	0	11	.	60.0	86.0	96.0	.	84.0	.	60.0	84.0	60.0	.	84.0
	Distribute Cocaine 2nd	0	3	5	8	0	16	.	68.0	62.4	78.8	.	71.6	.	60.0	60.0	72.0	.	60.0
	Traffic Heroin 014-028	6	8	6	6	0	26	68.0	67.5	70.0	76.0	.	70.2	66.0	60.0	66.0	78.0	.	66.0
	Traffic Cocaine 028-100	31	21	13	8	0	73	88.5	87.2	91.5	92.3	.	89.1	84.0	84.0	87.0	93.0	.	84.0
	Induce Minor To Distribute	1	0	0	0	0	1	84.0	.	.	.	.	84.0	84.0	.	.	.	.	84.0
	MV Homicide - OUI Felony	8	1	0	1	0	10	69.8	36.0	.	48.0	.	64.2	48.0	36.0	.	48.0	.	48.0
	Possess Explosive Device	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
	Sub-Total	178	129	125	156	1	589	67.0	62.5	63.9	71.1	36.0	66.4	60.0	60.0	60.0	60.0	36.0	60.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
5	A&B Child w/Injury	0	1	3	1	0	5	.	21.7	44.0	60.0	.	42.7	.	21.7	36.0	60.0	.	36.0
	A&B Aggravated	0	1	1	2	0	4	.	48.0	48.0	30.0	.	39.0	.	48.0	48.0	30.0	.	42.0
	A&B DW, Aggravated	5	8	3	6	0	22	76.6	70.5	56.0	75.0	.	71.1	60.0	60.0	36.0	48.0	.	60.0
	Indecent A&B On Child	6	2	2	3	0	13	65.0	48.0	78.0	80.0	.	67.9	63.0	48.0	78.0	84.0	.	60.0
	Entice Child	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Robbery Unarmed	20	21	25	50	0	116	35.3	38.0	50.4	64.1	.	51.5	36.0	36.0	36.0	54.0	.	36.0
	Intimidation	9	6	7	4	0	26	35.3	48.0	48.0	45.0	.	43.2	36.0	42.0	60.0	42.0	.	36.0
	Stalking Violation of Rest. Order	1	0	2	1	0	4	42.0	.	48.0	23.0	.	40.3	42.0	.	48.0	23.0	.	39.0
	Stalking 2nd	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
	Common & Notorious Thief	0	2	1	5	0	8	.	54.0	60.0	93.6	.	79.5	.	54.0	60.0	96.0	.	78.0
	Burglary	1	2	3	6	0	12	12.0	78.0	38.0	54.0	.	50.5	12.0	78.0	36.0	36.0	.	36.0
	Counterfeit Equipment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class C 2nd	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	.	36.0	.	36.0
	Distribute Class B 2nd	1	2	5	12	0	20	72.0	60.0	43.2	42.5	.	45.9	72.0	60.0	36.0	36.0	.	36.0
	Traffic Cocaine 014-028	35	31	15	10	0	91	43.7	44.9	48.0	46.3	.	45.1	36.0	36.0	48.0	42.0	.	44.0
	Traffic Mar 100-2000	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Guard Sex w/ Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Perjury or Suborn	0	3	0	0	0	3	.	60.0	.	.	.	60.0	.	36.0	.	.	.	36.0
	Possess Molotov Cocktail	0	0	1	0	0	1	.	.	60.0	.	.	60.0	.	.	60.0	.	.	60.0
	Sex Offender Fail Register 2nd	0	0	1	2	0	3	.	.	48.0	54.0	.	52.0	.	.	48.0	54.0	.	48.0
	Sub-Total	79	79	69	104	0	331	44.2	47.8	49.5	59.5	.	50.9	36.0	36.0	48.0	48.0	.	44.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	1	0	0	0	0	1	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
	Assault Aggravated	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
	A&B Guard	0	0	6	8	0	14	.	.	31.0	42.0	.	37.3	.	.	27.0	42.0	.	36.0
	A&B Dangerous Weapon	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B To Collect Loan	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Indecent A&B	7	0	1	0	1	9	39.4	.	36.0	.	36.0	38.7	36.0	.	36.0	.	36.0	36.0
	Photograph Nude Person	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Child Pornography Possess 2nd	0	0	0	1	0	1	.	.	.	60.0	.	60.0	.	.	.	60.0	.	60.0
	Assault w/i Rob	0	0	2	3	0	5	.	.	36.0	32.0	.	33.6	.	.	36.0	36.0	.	36.0
	Stalking	1	0	0	1	0	2	48.0	.	.	30.0	.	39.0	48.0	.	.	30.0	.	39.0
	Harassment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny More	8	5	6	12	0	31	38.3	45.6	49.7	41.5	.	42.9	36.0	36.0	60.0	39.0	.	36.0
	Larceny More + 60	1	0	0	0	0	1	72.0	.	.	.	.	72.0	72.0	.	.	.	.	72.0
	Larceny Person	0	0	2	1	0	3	.	.	39.0	48.0	.	42.0	.	.	39.0	48.0	.	48.0
	Larceny Person + 65	0	1	0	0	0	1	.	60.0	.	.	.	60.0	.	60.0	.	.	.	60.0
	Fraud - Identity	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	B&E	5	8	21	61	0	95	49.2	57.0	48.9	59.1	.	56.2	48.0	60.0	36.0	48.0	.	48.0
	Enter Dwelling w/I Felony	0	2	0	4	0	6	.	27.0	.	51.0	.	43.0	.	27.0	.	48.0	.	33.0
	Receiving Stolen Goods Over	0	0	0	2	0	2	.	.	.	45.0	.	45.0	.	.	.	45.0	.	45.0
	Receiving Stolen Goods MV 2nd	0	0	0	2	0	2	.	.	.	90.0	.	90.0	.	.	.	90.0	.	90.0
	Forge Commonwealth Note	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Burning Building	2	1	1	0	0	4	54.0	24.0	120.0	.	.	63.0	54.0	24.0	120.0	.	.	54.0
	Attempt Arson	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class A	18	36	38	25	0	117	44.7	42.8	43.6	43.0	.	43.4	42.0	36.0	36.0	36.0	.	36.0
	Distribute Class B	28	26	22	18	0	94	39.8	41.3	36.0	36.4	.	38.7	36.0	36.0	36.0	36.0	.	36.0
	Distribute Cocaine	36	33	38	35	2	144	36.6	37.3	46.1	48.2	42.0	42.2	36.0	36.0	39.0	48.0	42.0	36.0
	Traffic Mar 50-100	1	0	0	0	0	1	36.0	.	.	.	.	36.0	36.0	.	.	.	.	36.0
	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Giving Prisoner Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Control Substance School	5	5	11	9	0	30	42.0	46.8	53.5	38.7	.	46.0	36.0	36.0	48.0	36.0	.	36.0
	MV Homicide - Reckless	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	MV Homicide - OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Leaving Scene Death	2	3	0	0	0	5	54.0	58.0	.	.	.	56.4	54.0	60.0	.	.	.	60.0
	OUI Serious Inj, Fel	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Assault Weapon, Possess	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Sale Violation	0	1	0	0	0	1	.	84.0	.	.	.	84.0	.	84.0	.	.	.	84.0
	Escape	0	1	2	1	0	4	.	12.0	66.0	84.0	.	57.0	.	12.0	66.0	84.0	.	48.0
	Injure Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Bribery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Extortion	0	1	2	0	0	3	.	36.0	45.0	.	.	42.0	.	36.0	45.0	.	.	36.0
	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	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	115	124	152	183	3	577	40.8	42.2	44.9	49.2	40.0	44.8	36.0	36.0	36.0	42.0	36.0	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Domestic	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	.	.	.	.	.	.	.	.	.	.	.	.
	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	6	3	4	8	0	21	44.0	40.0	27.0	34.8	.	36.7	48.0	36.0	30.0	33.0	.	36.0
	Assault Dangerous Weapon + 60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Unnatural Acts	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Child Pornography Possess	1	0	0	4	0	5	48.0	.	.	42.0	.	43.2	48.0	.	.	48.0	.	48.0
	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	1	0	0	4	0	5	48.0	.	.	36.0	.	38.4	48.0	.	.	30.0	.	36.0
	Larceny Firearm	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny MV	0	1	1	2	0	4	.	18.0	12.0	66.0	.	40.5	.	18.0	12.0	66.0	.	21.0
	Embezzlement	5	0	1	0	0	6	66.0	.	144.0	.	79.0	72.0	.	144.0	.	72.0		
	Credit Card Misuse - More	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Defrauding Insurer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fraud	1	0	0	0	0	1	48.0	.	.	.	.	48.0	48.0	.	.	.	.	48.0
	Possess Burglariious Tools	0	0	0	2	0	2	.	.	.	48.0	.	48.0	.	.	.	48.0	.	48.0
	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Mal Dest Property More	0	1	1	4	0	6	.	36.0	54.0	61.5	.	56.0	.	36.0	54.0	60.0	.	57.0
	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Receiving Stolen Goods MV	0	0	1	4	0	5	.	.	36.0	58.5	.	54.0	.	.	36.0	60.0	.	48.0
	Receiving Stolen Goods 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Forgery And Uttering	0	0	2	7	0	9	.	.	30.0	39.4	.	37.4	.	.	30.0	36.0	.	36.0
Counterfeit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Burning Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Attempt Burn Property	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Burning Motor Vehicle	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Gaming Register Bets	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
	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 D 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class C	0	0	0	0	0	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	1	0	1	.	.	.	42.0	.	42.0	.	.	42.0	.	42.0	
	Inducing Minor To Sex	0	0	0	0	0	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	.	.	.	.	.	.	.	.	.	.	.	.
	Failure to Appear Felony	0	0	0	1	0	1	.	.	.	12.0	.	12.0	.	.	12.0	.	12.0	
	Carrying Dangerous Weapon	0	0	0	0	0	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	1	4	0	5	.	.	36.0	36.0	.	36.0	.	36.0	36.0	.	36.0	
	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Wiretapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Corporate books-falsify entry	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	14	5	11	41	0	71	52.7	34.8	40.9	43.2	.	44.2	54.0	36.0	36.0	36.0	.	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	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	.	.	.	.	.	.	.	.	.	.	.	.
	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	.	.	.	.	.	.	.	.	.	.	.	.
	Attempt B&E	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	.	.	.	.	.	.	.	.	.	.	.	.
	Setting Fire Land	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Lottery Ticket Altering	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Gaming Use of Telephone	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	.	.	.	.	.	.	.	.	.	.	.	.
Possession Hypodermic/Syringe	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Presence Class A	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Forge Prescription	0	0	0	1	0	1	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0	
Distribute Paraphernalia	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 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	.	.	.	.	.	.	.	.	.	.	.	.
	Ignition Interlock Permit	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Habitual Traffic Offender	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	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	1	0	0	1	.	.	36.0	.	.	36.0	.	.	36.0	.	.	36.0
	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	.	.	.	.	.	.	.	.	.	.	.	.
	Open And Gross	0	0	0	1	0	1	.	.	.	36.0	.	36.0	.	.	36.0	.	36.0	
	Obscene Material to Minor	0	0	1	0	0	1	.	.	36.0	.	36.0	.	.	36.0	.	36.0	36.0	
	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 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	.	.	.	.	.	.	.	.	.	.	.	.
	Aiding An Escape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Impersonate/Disguise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	False Statement	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	.	.	.	.	.	.	.	.	.	.	.	.
	Resisting Arrest	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	False Report Of Crime	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Hazardous Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Clean Water Act Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Wiretap, Possess Device	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	.	.	.	.	.	.	.	.	.	.	.	.
	Wetlands Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	0	0	2	2	0	4	.	.	36.0	30.0	.	33.0	.	.	36.0	30.0	.	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Threatening	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Defrauding Victualer	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	.	.	.	.	.	.	.	.	.	.	.	.
	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	.	.	.	.	.	.	.	.	.	.	.	.
	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	.	.	.	.	.	.	.	.	.	.	.	.
	MV - Impersonate/Other License	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 Lacious	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disorderly Conduct	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Smoking on MBTA	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	.	.	.	.	.	.	.	.	.	.	.	.
	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Sub-Total		0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
0	Attempt Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Attempt B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Conspiracy Violate CSA	4	0	4	2	0	10	36.0	.	60.0	150.0	.	68.4	36.0	.	66.0	150.0	.	54.0
	Conspiracy	1	0	1	0	0	2	96.0	.	30.0	.	.	63.0	96.0	.	30.0	.	.	63.0
	Attempt To Commit Crime	0	0	2	3	0	5	.	.	30.0	40.0	.	36.0	.	.	30.0	36.0	.	36.0
	Accessory Before	0	1	0	0	0	1	.	24.0	.	.	.	24.0	.	24.0	.	.	.	24.0
	Accessory After	5	3	3	1	0	12	40.7	46.0	40.0	36.0	.	41.5	36.0	48.0	42.0	36.0	.	36.0
	Sub-Total		10	4	10	6	0	30	44.4	40.5	45.0	76.0	.	50.4	36.0	39.0	39.0	48.0	.	36.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence						
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T	
9	Murder	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
8	Manslaughter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Assault In Dwelling	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 2nd	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	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	7	Murder, Attempted	0	0	0	0	0	0
		Mayhem	3	0	0	0	0	3	18.7	18.7	24.0	.	.	.	24.0
		A&B Child w/Injury Substantial	2	2	0	0	0	4	18.0	24.0	21.0	18.0	24.0	.	.	24.0
Rape		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		0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Robbery Unarmed +60 2nd		0	0	0	0	0	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	.	.	.	.	.	.	.	.	.	.	.	.
Kidnapping Child		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		0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Sub-Total		5	2	0	0	0	7	18.4	24.0	20.0	24.0	24.0	.	.	.	24.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
6	Manslaughter	3	1	1	0	0	5	14.7	30.0	30.0	.	.	20.8	14.0	30.0	30.0	.	.	24.0
	A&B Elderly / Disabled Ser Injury	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Aggravated - Serious Injury	1	2	0	0	0	3	30.0	10.0	.	.	.	16.7	30.0	10.0	.	.	.	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	4	0	0	1	0	5	16.7	.	.	5.0	.	14.4	18.0	.	.	5.0	.	18.0
	Assault To Kill or Maim	1	0	0	0	0	1	30.0	.	.	.	.	30.0	30.0	.	.	.	.	30.0
	Rape Of Child	11	3	4	0	0	18	18.6	30.0	22.5	.	.	21.4	18.0	30.0	24.0	.	.	24.0
	Assault w/i Rape	2	0	0	0	0	2	27.0	.	.	.	.	27.0	27.0	.	.	.	.	27.0
	Indecent A&B On Child 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Indecent A&B on Child Aggravated	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	0	2	1	0	0	3	.	13.5	12.0	.	.	13.0	.	13.5	12.0	.	.	12.0
	Kidnapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Kidnapping Level 6	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Burning Dwelling House	3	2	0	0	0	5	22.0	21.0	.	.	.	21.6	30.0	21.0	.	.	.	30.0
	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	.	.	.	.	.	.	.	.	.	.	.	.
	Induce Minor To Distribute	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	MV Homicide - OUI Felony	4	1	0	0	0	5	19.5	24.0	.	.	.	20.4	21.0	24.0	.	.	.	24.0
	Possess Explosive Device	0	1	0	0	0	1	.	18.0	.	.	.	18.0	.	18.0	.	.	.	18.0
	Sub-Total	29	12	6	1	0	48	19.8	20.9	22.0	5.0	.	20.0	18.0	21.0	24.0	5.0	.	21.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
5	A&B Child w/Injury	8	5	1	3	0	17	16.5	16.0	24.0	20.0	.	17.4	15.0	18.0	24.0	24.0	.	18.0
	A&B Aggravated	9	10	11	3	0	33	9.2	10.6	10.9	3.7	.	9.7	6.0	10.5	9.0	4.0	.	6.0
	A&B DW, Aggravated	11	1	1	1	0	14	20.5	30.0	18.0	24.0	.	21.2	24.0	30.0	18.0	24.0	.	24.0
	Indecent A&B On Child	39	6	4	10	0	59	16.4	11.0	19.4	19.8	.	16.6	15.0	7.7	20.9	21.0	.	16.2
	Entice Child	2	1	0	1	0	4	13.5	12.0	.	4.0	.	10.8	13.5	12.0	.	4.0	.	8.0
	Robbery Unarmed	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Intimidation	61	98	114	93	0	366	8.5	7.2	9.6	10.7	.	9.0	6.0	6.0	9.0	9.0	.	6.0
	Stalking Violation of Rest. Order	1	0	4	1	0	6	30.0	.	18.0	30.0	.	22.0	30.0	.	15.0	30.0	.	24.0
	Stalking 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Common & Notorious Thief	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Burglary	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Counterfeit Equipment	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Gaming Enterprise	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Distribute Class C 2nd	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	.	.	.	.	.	.	.	.	.	.	.	.
	Traffic Mar 100-2000	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Guard Sex w/ Prisoner	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Perjury or Suborn	2	0	1	0	0	3	10.0	.	18.0	.	12.7	10.0	.	18.0	.	.	.	12.0
	Possess Molotov Cocktail	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sex Offender Fail Register 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	133	121	136	112	0	502	12.6	8.2	10.4	11.8	.	10.8	12.0	6.0	9.0	9.0	.	9.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
4	A&B Elderly / Disabled w/Injury	7	16	11	17	0	51	9.7	6.4	7.5	12.3	.	9.1	6.0	6.0	6.0	6.0	.	6.0
	Assault Aggravated	0	0	0	1	0	1	.	.	.	30.0	.	30.0	.	.	.	30.0	.	30.0
	A&B Guard	0	1	1	3	0	5	.	30.0	1.0	8.0	.	11.0	.	30.0	1.0	6.0	.	6.0
	A&B Dangerous Weapon	50	55	36	42	0	183	18.1	17.3	19.1	17.6	.	17.9	18.0	12.0	18.0	18.0	.	18.0
	A&B To Collect Loan	3	2	0	0	0	5	2.7	2.9	.	.	.	2.8	3.3	2.9	.	.	.	3.3
	Indecent A&B	27	15	12	13	0	67	12.0	13.3	14.0	13.5	.	13.0	9.0	12.0	12.0	12.0	.	12.0
	Photograph Nude Person	4	0	0	0	0	4	11.3	.	.	.	.	11.3	9.0	.	.	.	.	9.0
	Child Pornography Possess 2nd	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Assault w/i Rob	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Stalking	2	1	1	2	0	6	4.0	1.5	3.0	9.0	.	5.1	4.0	1.5	3.0	9.0	.	3.5
	Harassment	5	13	7	7	0	32	4.9	8.0	5.7	6.4	.	6.7	2.0	6.0	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	91	87	64	64	0	306	10.9	10.7	10.8	12.8	.	11.2	6.0	9.0	9.0	12.0	.	9.0
	Larceny Person + 65	0	1	0	0	0	1	.	2.0	.	.	.	2.0	.	2.0	.	.	.	2.0
	Fraud - Identity	18	19	23	27	0	87	4.3	8.9	10.7	14.9	.	10.3	1.9	6.0	6.0	12.0	.	6.0
	B&E	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Enter Dwelling w/I Felony	1	0	0	0	0	1	1.1	.	.	.	.	1.1	1.1	.	.	.	.	1.1
	Receiving Stolen Goods Over	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Receiving Stolen Goods MV 2nd	0	0	0	2	0	2	.	.	.	24.0	.	24.0	.	.	.	24.0	.	24.0
	Forge Commonwealth Note	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Burning Building	1	1	0	0	0	2	24.0	24.0	.	.	.	24.0	24.0	24.0	.	.	.	24.0
	Attempt Arson	2	0	0	0	0	2	30.0	.	.	.	.	30.0	30.0	.	.	.	.	30.0
	Distribute Class A	94	83	56	46	0	279	10.7	10.2	13.4	13.6	.	11.6	7.6	9.0	12.0	12.5	.	12.0
	Distribute Class B	189	198	115	97	2	601	9.1	11.3	11.5	12.2	6.5	10.8	6.0	11.5	12.0	12.0	6.5	9.0
	Distribute Cocaine	44	34	19	11	0	108	19.6	21.7	23.1	20.2	.	20.9	18.0	24.0	24.0	18.0	.	24.0
	Traffic Mar 50-100	1	0	0	0	0	1	30.0	.	.	.	.	30.0	30.0	.	.	.	.	30.0
	Larceny Cont Sub	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Giving Prisoner Cont Sub	0	1	1	2	0	4	.	1.0	3.0	3.5	.	2.8	.	1.0	3.0	3.5	.	2.0
	Control Substance School	39	52	40	29	0	160	24.2	24.2	24.6	24.4	.	24.3	24.0	24.0	24.0	24.0	.	24.0
	MV Homicide - Reckless	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
	MV Homicide - OUI	2	0	0	0	0	2	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
	Leaving Scene Death	3	2	1	0	0	6	14.0	24.0	12.0	.	.	17.0	12.0	24.0	12.0	.	.	15.0
	OUI Serious Inj, Fel	8	3	2	0	0	13	7.5	12.0	21.0	.	.	10.6	6.0	12.0	21.0	.	.	12.0
	Assault Weapon, Possess	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Sale Violation	0	1	0	0	0	1	.	18.0	.	.	.	18.0	.	18.0	.	.	.	18.0
	Escape	3	7	7	9	0	26	5.0	7.9	5.1	4.5	.	5.6	6.0	6.0	6.0	3.0	.	6.0
	Injure Firefighter	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Bribery	0	0	1	0	0	1	.	.	6.0	.	.	6.0	.	.	6.0	.	.	6.0
	Extortion	0	2	0	0	0	2	.	7.0	.	.	.	7.0	.	7.0	.	.	.	7.0
	Bomb Hoax	0	1	0	2	0	3	.	6.0	.	30.0	.	22.0	.	6.0	.	30.0	.	30.0
	Hoax Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Tax Law Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	595	595	397	374	2	1963	12.2	13.1	13.9	14.3	6.5	13.2	11.0	12.0	12.0	12.0	6.5	12.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
3	A&B	382	441	408	440	4	1675	5.2	5.9	7.0	8.5	7.8	6.7	3.0	4.0	6.0	6.0	9.0	6.0
	A&B Domestic	13	7	7	14	0	41	4.2	3.3	6.7	8.4	.	5.9	1.9	2.0	6.0	7.5	.	3.4
	A&B w/I Intimidate	0	0	1	1	0	2	.	.	6.0	12.0	.	9.0	.	.	6.0	12.0	.	9.0
	Reckless Endangerment	6	7	4	1	0	18	6.8	11.8	10.2	6.0	.	9.5	4.5	9.0	5.0	6.0	.	6.0
	A&B Ambulance	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	A&B Dangerous Weapon	72	70	55	58	0	255	3.7	3.7	4.8	4.4	.	4.1	3.0	3.0	4.1	5.0	.	3.0
	A&B Dangerous Weapon + 60	1	0	1	0	0	2	6.0	.	2.2	.	.	4.1	6.0	.	2.2	.	.	4.1
	Assault Dangerous Weapon	85	73	66	70	0	294	9.7	8.9	8.7	9.6	.	9.2	6.0	6.0	6.0	6.0	.	6.0
	Assault Dangerous Weapon + 60	1	0	0	0	0	1	7.9	.	.	.	.	7.9	7.9	.	.	.	.	7.9
	Unnatural Acts	0	0	1	0	0	1	.	.	30.0	.	.	30.0	.	.	30.0	.	.	30.0
	Child Pornography Possess	11	4	0	0	0	15	13.5	13.5	.	.	.	13.5	9.0	12.0	.	.	.	12.0
	Kidnapping	1	1	0	0	0	2	2.3	0.5	.	.	.	1.4	2.3	0.5	.	.	.	1.4
	Violation Of Civil Rights	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Restraining Order Violation	82	115	146	147	0	490	3.8	5.3	6.6	8.9	.	6.5	2.0	3.3	6.0	6.0	.	5.8
	Harassment Order Violation	3	4	1	1	0	9	2.9	7.1	6.0	4.0	.	5.2	1.8	5.0	6.0	4.0	.	4.0
	Larceny	15	12	10	12	0	49	5.9	4.8	8.4	9.0	.	6.9	6.0	2.6	7.5	12.0	.	6.0
	Larceny More	135	205	181	305	0	826	5.3	5.3	7.5	9.0	.	7.2	3.0	3.1	6.0	6.0	.	6.0
	Larceny More + 60	1	4	2	5	0	12	2.0	5.8	24.0	12.4	.	11.2	2.0	6.0	24.0	11.5	.	7.0
	Larceny Building	20	32	25	47	0	124	6.1	6.6	8.3	11.4	.	8.7	4.5	6.0	6.0	12.0	.	6.0
	Larceny Firearm	4	2	2	0	0	8	16.3	21.0	15.0	.	.	17.1	18.0	21.0	15.0	.	.	18.0
	Larceny MV	12	14	13	24	1	64	5.6	8.0	11.2	11.4	2.0	9.3	3.3	6.0	12.0	9.0	2.0	6.0
	Embezzlement	7	0	0	0	0	7	10.6	.	.	.	.	10.6	9.0	.	.	.	.	9.0
	Credit Card Misuse - More	4	2	0	5	0	11	8.6	4.5	.	16.6	.	11.5	9.0	4.5	.	12.0	.	12.0
	Defrauding Insurer	4	2	1	6	0	13	10.8	18.0	6.0	5.5	.	9.1	6.0	18.0	6.0	6.0	.	6.0
	Fraud	6	10	6	11	0	33	3.9	5.5	11.7	9.5	.	7.7	2.0	4.2	9.0	9.0	.	6.0
	Possess Burglariious Tools	12	18	16	24	1	71	4.0	7.4	7.9	9.6	12.0	7.7	2.0	6.0	6.0	8.5	12.0	6.0
	B&E	225	274	234	303	0	1036	6.9	8.4	9.4	12.3	.	9.5	6.0	6.0	8.0	12.0	.	6.0
	Mal Dest Property More	5	12	15	12	0	44	7.4	6.4	10.2	12.6	.	9.5	7.1	6.0	9.0	9.0	.	7.1
	Receiving Stolen Goods Over	16	9	14	25	0	64	6.9	12.7	10.6	11.7	.	10.4	6.0	12.0	12.0	9.0	.	8.5
	Receiving Stolen Goods MV	18	35	29	53	1	136	8.3	9.0	10.7	11.1	20.0	10.1	6.0	9.0	12.0	12.0	20.0	9.0
	Receiving Stolen Goods 2nd	0	0	0	4	0	4	.	.	.	6.5	.	6.5	.	.	.	6.0	.	6.0
	Forgery And Uttering	32	36	29	39	0	136	4.9	4.8	9.4	10.1	.	7.3	3.0	2.5	9.0	9.0	.	6.0
	Counterfeit	0	0	3	1	0	4	.	.	0.8	3.0	.	1.3	.	.	1.0	3.0	.	1.0
	Burning Property	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0
	Attempt Burn Property	0	0	1	0	0	1	.	.	24.0	.	.	24.0	.	.	24.0	.	.	24.0
	Burning Motor Vehicle	1	0	0	1	0	2	6.0	.	.	6.0	.	6.0	6.0	.	.	6.0	.	6.0
	Illegal Lottery	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Gaming Register Bets	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
	Possession Class A 2nd	1	5	4	5	0	15	1.0	3.6	4.5	4.6	.	4.0	1.0	3.0	4.5	3.0	.	3.0
	Possession Class A Heroin 2nd	0	2	2	3	0	7	.	5.5	21.0	10.0	.	11.9	.	5.5	21.0	12.0	.	12.0
	Possession Class B 2nd	3	7	6	6	0	22	8.0	7.1	5.7	12.4	.	8.3	9.0	6.0	4.5	12.0	.	6.0
	Possession Class D 2nd	0	3	0	0	0	3	.	5.3	.	.	.	5.3	.	4.0	.	.	.	4.0
	Distribute Class C	2	5	9	5	0	21	4.5	3.3	8.0	10.8	.	7.2	4.5	2.0	6.0	9.0	.	6.0
	Distribute Class D 2nd	5	1	2	0	0	8	9.2	12.0	12.0	.	10.3	12.0	12.0	12.0	.	.	.	12.0
	Distribute Class E 2nd	1	0	0	0	0	1	12.0	.	.	.	.	12.0	12.0	.	.	.	.	12.0
	MV Homicide	6	2	1	1	0	10	9.4	21.0	4.5	6.9	.	11.0	7.8	21.0	4.5	6.9	.	7.9
	Leaving Scene Property Damage	36	44	29	30	0	139	3.7	4.2	6.5	6.5	.	5.0	1.9	3.0	6.0	2.5	.	2.9
	Leaving Scene Personal Injury	10	6	9	6	1	32	6.1	7.2	8.4	6.7	12.0	7.2	6.0	6.0	6.0	6.0	12.0	6.0
	OUI Serious Inj, Misd	7	2	1	0	0	10	8.9	21.0	30.0	.	13.4	9.0	21.0	30.0	.	.	.	12.0
	OUI - Child Endangerment	3	1	0	0	0	4	4.0	3.0	.	.	.	3.8	3.0	3.0	.	.	.	3.0
	Ignition Interlock Violation	2	2	3	2	0	9	15.0	6.0	6.0	6.0	.	8.0	15.0	6.0	6.0	6.0	.	6.0
	Inducing Minor To Sex	1	1	0	0	0	2	6.0	12.0	.	.	.	9.0	6.0	12.0	.	.	.	9.0
	Gun Serial Number	7	11	0	0	0	18	17.6	16.3	.	.	.	16.8	18.0	18.0	.	.	.	18.0
	Firearm Loaded while OUI	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Nonsupport	1	2	0	0	0	3	9.0	2.0	.	.	.	4.3	9.0	2.0	.	.	.	3.0
	Interfere Police or Firefighter	0	1	0	3	0	4	.	1.0	.	3.1	.	2.6	.	1.0	.	3.0	.	2.3
	Failure to Appear Felony	2	0	0	0	0	2	21.0	.	.	.	.	21.0	21.0	.	.	.	.	21.0
	Carrying Dangerous Weapon	20	20	24	21	0	85	5.5	7.2	6.1	6.3	.	6.3	3.0	6.0	5.0	3.0	.	4.0
	Contempt Of Court	0	1	0	1	0	2	.	8.0	.	3.0	.	5.5	.	8.0	.	3.0	.	5.5
	Cruelty To Animals	3	0	0	1	0	4	7.2	.	.	0.9	.	5.6	3.0	.	.	0.9	.	2.0
	Throw Object On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sex Offender Fail Register	2	9	21	48	2	82	3.0	9.7	4.9	9.1	6.0	7.9	3.0	6.0	6.0	6.0	6.0	6.0
	Vandalize - Graves	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Wiretapping	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Corporate books-falsify entry	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	1286	1515	1382	1741	10	5934	6.0	6.6	7.8	9.5	8.9	7.6	3.7	6.0	6.0	6.0	9.0	6.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
2	Assault	18	26	17	20	0	81	3.8	3.3	6.0	6.5	.	4.7	2.5	2.0	4.2	3.0	.	2.3
	Accost / Annoy Person Opposite Sex	2	2	2	3	0	9	4.5	4.0	1.3	3.0	.	3.2	4.5	4.0	1.3	3.0	.	3.0
	Larceny	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Larceny Less	53	42	40	62	0	197	3.0	3.0	4.1	4.8	.	3.8	2.0	2.0	3.0	3.0	.	2.0
	Larceny Less +60	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Shoplifting	27	71	80	118	0	296	1.3	2.4	3.1	4.6	.	3.4	1.0	1.0	2.0	3.0	.	2.0
	Credit Card Misuse	7	8	14	5	0	34	5.2	4.6	6.5	8.7	.	6.1	3.0	4.8	6.0	9.0	.	6.0
	MV - False Report Of Theft	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Defrauding Innkeeper	0	1	2	0	0	3	.	1.0	2.0	.	1.7	.	1.0	2.0	.	.	.	1.0
	Welfare Violation	1	0	0	0	0	1	12.0	.	.	.	12.0	12.0	.	.	.	.	.	12.0
	Failure To Return Leased Prop	2	4	0	4	0	10	1.5	3.0	.	1.1	.	1.9	1.5	2.4	.	0.7	.	1.5
	B&E MV	1	1	0	0	0	2	1.0	6.0	.	.	.	3.5	1.0	6.0	.	.	.	3.5
	B&E w/i Misdemeanor	6	3	9	4	0	22	2.4	4.3	3.3	5.1	.	3.5	1.7	4.0	2.0	5.5	.	3.2
	Attempt B&E	1	0	0	0	0	1	2.0	.	.	.	2.0	2.0	.	.	.	.	.	2.0
	Property Destruction	35	33	39	41	0	148	3.3	5.8	3.7	5.7	.	4.6	1.4	3.0	2.0	3.0	.	2.0
	Tagging Property	3	1	2	0	0	6	0.3	1.0	3.5	.	1.5	0.2	1.0	3.5	.	.	.	0.8
	Receiving Stolen Goods	41	62	57	74	0	234	4.2	4.9	5.2	7.0	.	5.5	2.0	4.0	6.0	6.0	.	4.0
	Setting Fire Land	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Lottery Ticket Altering	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Gaming Use of Telephone	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Fraud - Electric, Phone or Cable	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Property Violation	3	1	2	2	0	8	5.0	1.0	3.1	3.0	.	3.5	6.2	1.0	3.1	3.0	.	3.0
	Possession Class A	46	44	36	44	1	171	2.9	4.0	4.8	4.9	1.6	4.1	2.0	3.0	5.5	6.0	1.6	3.0
	Possession Class A Heroin	25	20	16	16	1	78	5.5	4.0	5.2	6.7	7.8	5.3	5.0	3.0	5.1	5.1	7.8	5.0
	Possession Class B	93	101	96	101	1	392	3.7	4.1	4.2	4.3	2.9	4.1	2.0	3.0	3.0	3.0	2.9	3.0
	Possession Class C	12	8	5	7	0	32	3.0	3.5	5.4	4.9	.	3.9	1.6	2.0	6.0	6.0	.	3.0
	Possession Class D	15	4	7	0	0	26	2.0	4.8	3.5	.	2.9	1.0	6.0	3.5	.	.	.	2.5
	Possession Class D Marijuana 2nd	1	0	0	0	0	1	6.0	.	.	.	6.0	6.0	.	.	.	.	.	6.0
	Distribute Counterfeit Substance	2	0	0	6	0	8	1.5	.	.	4.6	.	3.8	1.5	.	.	3.5	.	2.9
	Distribute Class D	59	44	31	16	0	150	5.0	7.2	10.8	9.3	.	7.3	3.0	6.0	10.0	6.0	.	6.0
	Distribute Class E	1	1	4	5	0	11	0.0	0.6	4.5	3.1	.	3.1	0.0	0.6	4.0	3.0	.	3.0
	Possession Hypodermic/Syringe	1	0	0	0	0	1	1.0	.	.	.	1.0	1.0	.	.	.	.	.	1.0
	Presence Class A	1	6	0	2	0	9	2.0	4.3	.	3.5	.	3.9	2.0	2.5	.	3.5	.	2.0
	Forge Prescription	5	5	8	7	0	25	5.5	5.2	8.8	7.1	.	6.9	1.3	6.0	7.0	6.0	.	6.0
	Distribute Paraphernalia	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
	Operate to Endanger	71	52	43	42	0	208	3.5	4.0	5.8	8.8	.	5.2	2.0	2.2	3.0	6.0	.	3.0
	Use Without Authority	19	14	16	14	0	63	4.2	4.4	5.5	5.3	.	4.8	3.0	3.0	3.0	2.5	.	3.0
	Use w/o Authority 2nd	0	0	1	1	0	2	.	.	6.0	6.0	.	6.0	.	.	6.0	6.0	.	6.0
	Ignition Interlock Permit	0	0	0	1	0	1	.	.	.	1.8	.	1.8	.	.	.	1.8	.	1.8
	Habitual Traffic Offender	1	12	13	11	0	37	3.0	3.8	4.6	3.4	.	4.0	3.0	3.0	3.0	3.0	.	3.0
	Racing	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Operate After Suspension 2nd	45	157	123	145	0	470	1.8	2.4	3.0	3.2	.	2.7	1.0	2.0	2.0	2.0	.	2.0
	Compulsory Insurance Violation	30	24	23	15	0	92	1.4	1.4	1.6	4.5	.	1.9	0.9	0.8	1.0	2.7	.	1.0
	Altering MV ID Number	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Counterfeit/Alter MV Document	4	3	6	3	0	16	5.4	4.1	9.2	5.9	.	6.7	4.0	2.7	9.0	6.0	.	6.0
	False Statement On Application	2	2	0	1	0	5	0.7	3.4	.	1.0	.	1.8	0.7	3.4	.	1.0	.	0.8
	Prostitution	15	30	21	19	0	85	2.0	3.5	3.3	3.5	.	3.2	1.0	3.0	2.0	3.0	.	2.0
	Common Night Walker 3rd	0	0	0	1	0	1	.	.	.	6.0	.	6.0	.	.	.	6.0	.	6.0
	Induce Female To Prostitution	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Open And Gross	6	14	5	17	0	42	7.4	7.5	13.2	8.0	.	8.4	8.5	6.0	12.0	6.0	.	6.0
	Obscene Material to Minor	0	1	0	0	0	1	.	3.0	.	.	.	3.0	.	3.0	.	.	.	3.0
	Firearm Possess w/o Permit	77	39	13	7	0	136	12.0	12.7	15.0	11.9	.	12.5	12.0	12.0	15.0	12.0	.	12.0
	Possess Mace	1	1	0	0	0	2	6.0	2.0	.	.	.	4.0	6.0	2.0	.	.	.	4.0
	Possess Ammunition	7	6	3	1	0	17	13.9	10.0	13.3	18.0	.	12.7	12.0	7.0	12.0	18.0	.	12.0
	Firearm Store Improper	2	1	0	0	0	3	3.8	3.0	.	.	.	3.5	3.8	3.0	.	.	.	3.0
	Conceal or Harbor Fleeing Child	0	0	1	0	0	1	.	.	12.0	.	.	12.0	.	.	12.0	.	.	12.0
	Escape Lockup	1	0	0	0	0	1	0.5	.	.	.	.	0.5	0.5	.	.	.	.	0.5
	Aiding An Escape	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Impersonate/Disguise	1	1	2	0	0	4	1.0	1.0	1.5	.	.	1.2	1.0	1.0	1.5	.	.	1.0
	False Statement	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Failure to Appear	4	0	0	1	0	5	0.4	.	.	1.0	.	0.5	0.3	.	.	1.0	.	0.3
	Possess Stun Gun	4	1	0	1	0	6	5.3	6.0	.	6.0	.	5.5	6.0	6.0	.	6.0	.	6.0
	False Alarm	0	0	1	1	0	2	.	.	1.5	4.0	.	2.8	.	.	1.5	4.0	.	2.8
	Fireworks	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Violation Of Explosives	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disrupt Court Proceedings	0	0	0	1	0	1	.	.	.	6.0	.	6.0	.	.	.	6.0	.	6.0
	Contributing To Delinquency	0	2	0	0	0	2	.	3.5	.	.	.	3.5	.	3.5	.	.	.	3.5
	Mistreat Police Animal	0	1	1	0	0	2	.	0.9	1.0	.	1.0	.	0.9	1.0	.	.	.	1.0
	Resisting Arrest	60	90	78	68	0	296	2.6	4.0	4.8	4.7	.	4.1	1.1	1.9	3.0	3.0	.	2.0
	False Report Of Crime	1	2	2	2	0	7	0.2	0.7	6.5	4.2	.	3.3	0.2	0.7	6.5	4.2	.	1.0
	Hazardous Materials	1	0	0	0	0	1	6.0	.	.	.	.	6.0	6.0	.	.	.	.	6.0
	Clean Water Act Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Wiretap, Possess Device	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	True Name Law	12	6	9	12	0	39	2.3	2.7	3.6	2.6	.	2.8	1.5	1.5	2.0	2.5	.	2.0
	Home Imp Contractor Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Wetlands Violation	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Sub-Total	825	947	828	901	3	3504	4.2	4.2	4.7	5.1	4.1	4.5	2.0	2.0	3.0	3.0	2.9	3.0

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

Level	Governing Offense	Incarcerated Defendants						Mean Sentence						Median Sentence					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
1	Obscene Materials	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Threatening	31	30	30	40	0	131	3.0	2.6	3.8	3.5	.	3.2	2.0	2.0	3.0	3.0	.	3.0
	Defrauding Victualer	0	0	0	1	1	2	.	.	.	1.0	0.1	0.6	.	.	.	1.0	0.1	0.6
	Vandalism	10	13	15	15	0	53	5.5	2.0	4.7	4.7	.	4.2	2.1	1.0	3.0	3.0	.	2.0
	Setting Fire In Open	0	0	1	0	0	1	.	.	1.0	.	.	1.0	.	.	1.0	.	.	1.0
	Trespassing	44	47	34	84	1	210	0.7	0.7	0.7	0.7	1.0	0.7	0.8	1.0	1.0	0.8	1.0	0.9
	Gaming	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Unauthorized Access of Computer	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Possession Class D Marijuana	3	6	0	2	0	11	2.3	3.4	.	2.4	.	2.9	2.5	3.0	.	2.4	.	3.0
	Possession Class E	12	13	12	7	0	44	1.8	3.4	3.3	3.8	.	3.0	1.3	3.0	3.0	4.0	.	3.0
	Inhaling Toxic Vapors	0	1	0	0	0	1	.	6.0	.	.	.	6.0	.	6.0	.	.	.	6.0
	Attaching Wrong MV Plates	1	2	5	2	0	10	0.3	0.3	0.3	0.3	.	0.3	0.3	0.3	0.3	0.3	.	0.3
	Operate After Suspension	113	152	98	71	0	434	0.3	0.3	0.3	0.3	.	0.3	0.3	0.3	0.3	0.3	.	0.3
	Obstruct Emergency Veh	0	1	0	0	0	1	.	2.0	.	.	.	2.0	.	2.0	.	.	.	2.0
	MV - Impersonate/Other License	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	RV On Public Way	0	1	0	0	0	1	.	0.3	.	.	.	0.3	.	0.3	.	.	.	0.3
	Common Night Walker	3	11	4	5	0	23	1.6	1.8	3.5	1.7	.	2.0	1.5	1.0	3.0	1.0	.	1.3
	Indecent Exposure	2	5	1	7	0	15	4.3	2.3	3.0	2.6	.	2.8	4.3	1.9	3.0	3.0	.	3.0
	Lewd And Lacious	1	1	0	1	0	3	6.0	1.4	.	0.3	.	2.6	6.0	1.4	.	0.3	.	1.4
	Disorderly Conduct	16	39	19	32	0	106	1.7	1.4	1.4	2.1	.	1.7	1.1	1.0	1.3	2.0	.	1.0
	Smoking on MBTA	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Disturb Peace, 2nd Offense	1	3	1	2	0	7	0.7	0.5	3.0	2.0	.	1.3	0.7	0.5	3.0	2.0	.	1.0
	Possess Air Rifle w/o FID Card	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
	Firearm Discharge	1	0	0	0	0	1	1.3	.	.	.	.	1.3	1.3	.	.	.	.	1.3
	Annoying Phone Calls	3	4	2	2	0	11	1.1	1.5	2.5	1.9	.	1.6	1.0	1.0	2.5	1.9	.	1.7
	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	2	3	4	1	0	10	1.1	4.7	3.2	4.0	.	3.3	1.1	3.0	3.1	4.0	.	3.0
	Throwing Glass On Public Way	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Cigarette/Match Thrown Fr Veh	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Business Practice	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Employment Practices	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Unlicensed Massage / Bath	0	0	0	0	0	0	.	.	.	.	.	.	.	.	.	.	.	.
Sub-Total		243	332	226	272	2	1075	1.2	1.1	1.5	1.6	0.6	1.3	0.3	0.3	0.3	1.0	0.6	0.3
0	Attempt Larceny	1	0	0	0	0	1	5.0	.	.	.	.	5.0	5.0	.	.	.	.	5.0
	Attempt B&E	0	1	2	0	0	3	.	5.0	12.0	.	.	9.7	.	5.0	12.0	.	.	12.0
	Conspiracy Violate CSA	8	7	3	5	0	23	10.6	10.7	7.3	7.8	.	9.6	7.2	10.0	4.5	9.5	.	8.4
	Conspiracy	4	1	1	3	0	9	3.2	4.0	3.0	12.0	.	6.2	3.0	4.0	3.0	9.0	.	3.0
	Attempt To Commit Crime	11	12	13	18	0	54	6.3	9.5	5.1	8.0	.	7.3	3.0	6.0	2.6	5.0	.	6.0
	Accessory Before	0	0	0	1	0	1	.	.	.	2.0	.	2.0	.	.	.	2.0	.	2.0
	Accessory After	4	4	2	0	0	10	9.9	13.8	22.5	.	.	14.0	10.5	11.5	22.5	.	.	13.5
	Sub-Total		28	25	21	27	0	101	7.6	10.1	7.7	8.2	.	8.4	5.5	6.0	4.5	6.0	.

Table 47 Governing Offense by Type and Incarceration Status, All Courts

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Person	A&B	1,418	966	789	705	4	3,882	399	451	416	452	4	1,722	28%	47%	53%	64%	100%	44%
Person	A&B Aggravated	23	15	14	7	0	59	9	11	12	5	0	37	39%	73%	86%	71%		63%
Person	A&B Aggravated - Serious Injury	7	5	2	3	0	17	6	4	2	2	0	14	86%	80%	100%	67%		82%
Person	A&B Ambulance	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Person	A&B Child w/Injury	19	6	5	6	0	36	8	6	4	4	0	22	42%	100%	80%	67%		61%
Person	A&B Child w/Injury Substantial	7	3	0	0	0	10	4	3	0	0	0	7	57%	100%				70%
Person	A&B Dangerous Weapon	323	237	173	180	0	913	146	141	106	130	0	523	45%	59%	61%	72%		57%
Person	A&B Dangerous Weapon + 60	1	3	4	1	0	9	1	3	2	1	0	7	100%	100%	50%	100%		78%
Person	A&B Domestic	33	18	13	15	0	79	13	7	7	14	0	41	39%	39%	54%	93%		52%
Person	A&B DW, Aggravated	23	15	5	9	0	52	16	9	4	7	0	36	70%	60%	80%	78%		69%
Person	A&B DW, Aggravated w/Injury	13	3	2	6	0	24	10	3	1	6	0	20	77%	100%	50%	100%		83%
Person	A&B Elderly / Disabled Ser Injury	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Person	A&B Elderly / Disabled w/Injury	30	24	16	25	0	95	8	16	11	17	0	52	27%	67%	69%	68%		55%
Person	A&B Guard	0	3	7	14	0	24	0	1	7	11	0	19		33%	100%	79%		79%
Person	A&B To Collect Loan	5	2	2	0	0	9	3	2	0	0	0	5	60%	100%	0%			56%
Person	A&B w/I Intimidate	1	2	2	1	0	6	0	0	1	1	0	2	0%	0%	50%	100%		33%
Person	Armed Aslt w/i Rob Over 65	0	1	0	0	0	1	0	1	0	0	0	1		100%				100%
Person	Armed Assault In Dwell House	4	1	0	2	0	7	4	1	0	2	0	7	100%	100%		100%		100%
Person	Armed Assault w/i Murder	18	14	8	3	0	43	17	11	8	3	0	39	94%	79%	100%	100%		91%
Person	Armed Assault w/i Murder - Firearm	12	4	4	6	0	26	12	4	4	6	0	26	100%	100%	100%	100%		100%
Person	Armed Assault w/i Rob	10	11	11	3	0	35	7	8	10	3	0	28	70%	73%	91%	100%		80%
Person	Armed Robbery	73	40	47	55	1	216	42	39	42	55	1	179	58%	98%	89%	100%	100%	83%
Person	Armed Robbery Gun	24	19	13	15	0	71	18	17	13	15	0	63	75%	89%	100%	100%		89%
Person	Assault	71	63	39	43	0	216	19	26	18	20	0	83	27%	41%	46%	47%		38%
Person	Assault Aggravated	0	2	0	2	0	4	0	1	0	1	0	2		50%		50%		50%
Person	Assault Dangerous Weapon	223	137	127	104	0	591	91	78	71	80	0	320	41%	57%	56%	77%		54%
Person	Assault Dangerous Weapon + 60	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
Person	Assault In Dwelling	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Person	Assault To Kill or Maim	5	1	1	6	0	13	5	1	1	6	0	13	100%	100%	100%	100%		100%
Person	Assault w/i Rob	0	0	2	3	0	5	0	0	2	3	0	5			100%	100%		100%
Person	Carjacking	2	2	3	2	0	9	2	2	2	2	0	8	100%	100%	67%	100%		89%
Person	Carjacking, Armed	0	0	0	4	0	4	0	0	0	4	0	4				100%		100%
Person	Extortion	3	4	2	0	0	9	0	3	2	0	0	5	0%	75%	100%			56%
Person	Harassment	30	26	15	13	0	84	5	13	7	7	0	32	17%	50%	47%	54%		38%
Person	Harassment Order Violation	7	9	6	5	0	27	3	4	1	1	0	9	43%	44%	17%	20%		33%
Person	Home Invasion	1	1	0	1	0	3	0	0	0	1	0	1	0%	0%		100%		33%
Person	Injure Firefighter	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Person	Intimidation	169	185	185	127	0	666	71	106	121	97	0	395	42%	57%	65%	76%		59%
Person	Kidnapping	3	6	4	5	0	18	3	6	4	5	0	18	100%	100%	100%	100%		100%
Person	Kidnapping Child	2	1	0	0	0	3	1	0	0	0	0	1	50%	0%				33%
Person	Kidnapping Level 6	1	1	2	1	0	5	0	1	2	1	0	4	0%	100%	100%	100%		80%
Person	Manslaughter	28	13	7	3	0	51	28	13	7	3	0	51	100%	100%	100%	100%		100%
Person	Mayhem	7	2	1	4	0	14	7	2	1	4	0	14	100%	100%	100%	100%		100%
Person	Murder	22	10	6	4	2	44	22	10	6	4	2	44	100%	100%	100%	100%	100%	100%
Person	Murder, Attempted	4	6	2	3	0	15	3	6	2	3	0	14	75%	100%	100%	100%		93%
Person	Reckless Endangerment	27	14	6	2	0	49	6	7	4	2	0	19	22%	50%	67%	100%		39%
Person	Restraining Order Violation	250	264	282	243	0	1,039	84	119	150	149	0	502	34%	45%	53%	61%		48%
Person	Robbery Unarmed	35	25	26	54	0	140	21	21	25	50	0	117	60%	84%	96%	93%		84%
Person	Robbery Unarmed +60	2	3	4	7	0	16	2	2	4	7	0	15	100%	67%	100%	100%		94%
Person	Robbery Unarmed +60 2nd	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Person	Stalking	11	4	2	7	0	24	3	1	1	3	0	8	27%	25%	50%	43%		33%
Person	Stalking 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Person	Stalking Violation of Rest. Order	2	0	6	2	0	10	2	0	6	2	0	10	100%		100%	100%		100%
Person	Threatening	93	67	68	69	0	297	32	32	30	41	0	135	34%	48%	44%	59%		45%
Person	Violation Of Civil Rights	1	0	1	1	0	3	0	0	0	0	0	0	0%		0%	0%		0%
Person	Sub-Total	3,047	2,238	1,915	1,774	7	8,981	1,134	1,192	1,118	1,232	7	4,683	37%	53%	58%	69%	100%	52%

Table 47 Governing Offense by Type and Incarceration Status, All Courts

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Sex	Assault w/i Rape	4	2	0	1	0	7	4	2	0	1	0	7	100%	100%		100%		100%
Sex	Assault w/i Rape Child	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
Sex	Child Pornography	7	0	0	0	0	7	0	0	0	0	0	0	0%					0%
Sex	Child Pornography Possess	34	6	0	4	0	44	12	4	0	4	0	20	35%	67%		100%		45%
Sex	Child Pornography Possess 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Sex	Entice Child	6	1	0	1	0	8	2	1	0	1	0	4	33%	100%		100%		50%
Sex	Incest	3	0	0	1	0	4	3	0	0	1	0	4	100%			100%		100%
Sex	Indecent A&B	56	21	16	14	1	108	34	15	13	13	1	76	61%	71%	81%	93%	100%	70%
Sex	Indecent A&B On Child	62	9	7	13	0	91	45	8	6	13	0	72	73%	89%	86%	100%		79%
Sex	Indecent A&B On Child 2nd	0	0	0	2	0	2	0	0	0	2	0	2				100%		100%
Sex	Indecent A&B on Child Aggravated	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Sex	Inducing Minor To Sex	7	2	0	0	0	9	1	1	0	0	0	2	14%		50%			22%
Sex	Obscene Material to Minor	0	2	1	0	0	3	0	1	1	0	0	2		50%	100%			67%
Sex	Open And Gross	29	27	10	22	0	88	6	14	5	18	0	43	21%	52%	50%	82%		49%
Sex	Rape	16	2	3	12	0	33	14	1	3	12	0	30	88%	50%	100%	100%		91%
Sex	Rape 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Sex	Rape Of Child	47	9	12	7	0	75	39	9	11	7	0	66	83%	100%	92%	100%		88%
Sex	Rape of Child Aggravated	5	2	1	0	0	8	5	2	1	0	0	8	100%	100%	100%			100%
Sex	Rape Of Child w/Force	20	4	5	2	0	31	19	4	5	2	0	30	95%	100%	100%	100%		97%
Sex	Rape, Aggravated	8	2	1	2	0	13	8	2	1	2	0	13	100%	100%	100%	100%		100%
Sex	Sub-Total	307	89	56	83	1	536	194	64	46	78	1	383	63%	72%	82%	94%	100%	71%
Weapons	Assault Weapon, Possess	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Weapons	Carrying Dangerous Weapon	64	50	44	38	1	197	21	21	24	21	0	87	33%	42%	55%	55%	0%	44%
Weapons	Firearm Discharge	3	1	1	0	0	5	1	0	0	0	0	1	33%	0%	0%			20%
Weapons	Firearm Loaded while OUI	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Weapons	Firearm Possess w/o Permit	152	65	14	9	0	240	79	40	13	7	0	139	52%	62%	93%	78%		58%
Weapons	Firearm Sale Violation	1	3	0	0	0	4	0	2	0	0	0	2	0%	67%				50%
Weapons	Firearm Store Improper	16	2	1	0	0	19	2	1	0	0	0	3	13%	50%	0%			16%
Weapons	Gun Serial Number	9	12	0	0	0	21	7	11	0	0	0	18	78%	92%				86%
Weapons	Possess Air Rifle w/o FID Card	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Weapons	Possess Ammunition	21	7	6	2	0	36	7	6	3	1	0	17	33%	86%	50%	50%		47%
Weapons	Possess Explosive Device	1	1	1	0	0	3	0	1	1	0	0	2	0%	100%	100%			67%
Weapons	Possess Mace	3	2	0	0	0	5	1	1	0	0	0	2	33%	50%				40%
Weapons	Possess Molotov Cocktail	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Weapons	Possess Stun Gun	11	4	3	1	0	19	4	1	0	1	0	6	36%	25%	0%	100%		32%
Weapons	Throw or Place Explosives	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Weapons	Violation Of Explosives	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Weapons	Sub-Total	285	147	72	50	1	555	122	84	43	30	0	279	43%	57%	60%	60%	0%	50%

Table 47 Governing Offense by Type and Incarceration Status, All Courts

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Property	Attempt Arson	3	0	0	0	0	3	2	0	0	0	0	2	67%					
Property	Attempt B&E	2	1	2	0	0	5	1	1	2	0	0	4	50%	100%	100%	80%		
Property	Attempt Burn Property	0	0	1	0	0	1	0	0	1	0	0	1	100%					
Property	Attempt Larceny	1	1	2	0	0	4	1	0	0	0	0	1	100%	0%	0%	25%		
Property	B&E	537	482	373	475	0	1,867	238	285	257	369	0	1,149	44%	59%	69%	78%	62%	
Property	B&E MV	1	1	0	1	0	3	1	1	0	0	0	2	100%	100%	0%		67%	
Property	B&E w/i Misdemeanor	33	13	21	11	0	78	6	3	10	4	0	23	18%	23%	48%	36%	29%	
Property	Burglary	3	2	4	6	0	15	1	2	3	6	0	12	33%	100%	75%	100%	80%	
Property	Burglary, Armed	0	1	0	3	0	4	0	1	0	2	0	3	100%					
Property	Burning Building	4	2	1	0	0	7	3	2	1	0	0	6	75%	100%	100%	86%		
Property	Burning Dwelling House	14	4	2	5	0	25	8	3	2	4	0	17	57%	75%	100%	80%	68%	
Property	Burning Motor Vehicle	4	0	0	1	0	5	1	0	0	1	0	2	25%	100%		40%		
Property	Burning Property	3	6	1	0	0	10	0	1	0	0	0	1	0%	17%	0%	10%		
Property	Common & Notorious Thief	0	2	1	5	0	8	0	2	1	5	0	8	100%					
Property	Corporate books-falsify entry	2	0	0	0	0	2	0	0	0	0	0	0	0%					
Property	Counterfeit	7	2	3	2	0	14	0	0	3	1	0	4	0%	0%	100%	50%	29%	
Property	Counterfeit Equipment	1	0	0	0	0	1	0	0	0	0	0	0	0%					
Property	Credit Card Misuse	35	22	19	9	0	85	7	8	14	5	0	34	20%	36%	74%	56%	40%	
Property	Credit Card Misuse - More	4	4	0	5	0	13	4	2	0	5	0	11	100%	50%	100%		85%	
Property	Defrauding Innkeeper	0	1	3	0	0	4	0	1	2	0	0	3	100%					
Property	Defrauding Insurer	18	5	4	8	0	35	4	2	1	6	0	13	22%	40%	25%	75%	37%	
Property	Defrauding Victualer	0	1	3	1	1	6	0	0	0	1	1	2	0%		0%	100%	100%	33%
Property	Embezzlement	16	0	1	0	0	17	12	0	1	0	0	13	75%	100%		76%		
Property	Enter Dwelling w/I Felony	4	2	0	4	0	10	1	2	0	4	0	7	25%	100%	100%		70%	
Property	Failure To Return Leased Prop	10	9	0	9	0	28	3	5	0	4	0	12	30%	56%	44%		43%	
Property	Forge Commonwealth Note	1	0	0	0	0	1	0	0	0	0	0	0	0%					
Property	Forgery And Uttering	104	93	69	75	0	341	33	37	31	46	0	147	32%	40%	45%	61%	43%	
Property	Fraud	29	20	22	15	0	86	7	10	6	11	0	34	24%	50%	27%	73%	40%	
Property	Fraud - Electric, Phone or Cable	1	0	0	0	0	1	0	0	0	0	0	0	0%					
Property	Fraud - Identity	51	49	35	41	0	176	18	20	23	27	0	88	35%	41%	66%	66%	50%	

Table 47 Governing Offense by Type and Incarceration Status, All Courts

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Property	Larceny	41	32	27	21	1	122	15	12	10	13	0	50	37%	38%	37%	62%	0%	41%
Property	Larceny Building	76	64	42	70	0	252	22	32	25	51	0	130	29%	50%	60%	73%		52%
Property	Larceny Firearm	4	4	2	0	0	10	4	2	2	0	0	8	100%	50%	100%			80%
Property	Larceny Less	226	154	97	123	0	600	55	43	41	63	0	202	24%	28%	42%	51%		34%
Property	Larceny Less +60	1	0	0	1	0	2	0	0	0	0	0	0	0%					0%
Property	Larceny More	581	528	416	501	0	2,026	149	214	193	317	0	873	26%	41%	46%	63%		43%
Property	Larceny More + 60	9	5	2	6	0	22	2	4	2	5	0	13	22%	80%	100%	83%		59%
Property	Larceny MV	27	18	18	31	1	95	12	18	14	26	1	71	44%	100%	78%	84%	100%	75%
Property	Larceny Person	190	132	87	83	0	492	91	88	67	67	0	313	48%	67%	77%	81%		64%
Property	Larceny Person + 65	3	2	2	0	0	7	0	2	0	0	0	2	0%	100%	0%			29%
Property	Mal Dest Property More	40	28	32	23	0	123	6	14	17	17	0	54	15%	50%	53%	74%		44%
Property	MV - False Report Of Theft	8	2	0	1	0	11	0	0	0	0	0	0	0%	0%		0%		0%
Property	Possess Burglariious Tools	31	34	29	36	1	131	12	18	17	26	1	74	39%	53%	59%	72%	100%	56%
Property	Property Destruction	154	117	95	77	0	443	41	36	40	42	0	159	27%	31%	42%	55%		36%
Property	Property Violation	8	7	3	9	0	27	3	1	2	2	0	8	38%	14%	67%	22%		30%
Property	Receiving Stolen Goods	189	142	104	131	0	566	45	62	58	80	0	245	24%	44%	56%	61%		43%
Property	Receiving Stolen Goods 2nd	0	0	1	6	0	7	0	0	0	4	0	4			0%	67%		57%
Property	Receiving Stolen Goods MV	53	51	38	71	1	214	19	35	30	58	1	143	36%	69%	79%	82%	100%	67%
Property	Receiving Stolen Goods MV 2nd	0	0	0	4	0	4	0	0	0	4	0	4				100%		100%
Property	Receiving Stolen Goods Over	37	20	27	36	0	120	16	9	15	28	0	68	43%	45%	56%	78%		57%
Property	Setting Fire In Open	0	0	1	0	0	1	0	0	1	0	0	1			100%			100%
Property	Setting Fire Land	1	1	0	1	0	3	0	0	0	0	0	0	0%	0%		0%		0%
Property	Shoplifting	668	498	396	431	5	1,998	33	75	80	121	0	309	5%	15%	20%	28%	0%	15%
Property	Tagging Property	20	4	4	0	0	28	3	1	2	0	0	6	15%	25%	50%			21%
Property	Tax Law Violation	4	1	0	0	0	5	0	0	0	0	0	0	0%	0%				0%
Property	Unauthorized Access of Computer	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Property	Vandalism	29	31	29	27	0	116	10	13	15	15	0	53	34%	42%	52%	56%		46%
Property	Vandalize - Graves	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Property	Welfare Violation	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Property	Sub-Total	3,291	2,599	2,019	2,365	10	10,284	890	1,067	989	1,440	4	4,390	27%	41%	49%	61%	40%	43%

Table 47 Governing Offense by Type and Incarceration Status, All Courts

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Drug	Conspiracy Violate CSA	34	20	9	9	0	72	12	7	7	7	0	33	35%	35%	78%	78%		46%
Drug	Control Substance School	44	57	51	38	0	190	44	57	51	38	0	190	100%	100%	100%	100%		100%
Drug	Distribute Class A	244	166	129	103	0	642	114	119	95	72	0	400	47%	72%	74%	70%		62%
Drug	Distribute Class A 2nd	0	2	6	3	0	11	0	2	6	3	0	11		100%	100%	100%		100%
Drug	Distribute Class B	555	377	213	175	2	1,322	223	226	138	116	2	705	40%	60%	65%	66%	100%	53%
Drug	Distribute Class B 2nd	1	2	5	12	0	20	1	2	5	12	0	20	100%	100%	100%	100%		100%
Drug	Distribute Class C	18	14	17	8	0	57	2	5	9	5	0	21	11%	36%	53%	63%		37%
Drug	Distribute Class C 2nd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Drug	Distribute Class D	265	103	63	33	0	464	61	46	31	16	0	154	23%	45%	49%	48%		33%
Drug	Distribute Class D 2nd	7	5	6	2	0	20	5	1	2	0	0	8	71%	20%	33%	0%		40%
Drug	Distribute Class E	10	7	9	8	0	34	1	1	4	5	0	11	10%	14%	44%	63%		32%
Drug	Distribute Class E 2nd	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Drug	Distribute Cocaine	80	67	57	46	2	252	80	67	57	46	2	252	100%	100%	100%	100%	100%	100%
Drug	Distribute Cocaine 2nd	0	3	5	8	0	16	0	3	5	8	0	16		100%	100%	100%		100%
Drug	Distribute Counterfeit Substance	3	2	5	7	0	17	2	0	0	6	0	8	67%	0%	0%	86%		47%
Drug	Distribute Paraphenalia	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Drug	Forge Prescription	26	24	19	15	0	84	5	5	8	8	0	26	19%	21%	42%	53%		31%
Drug	Giving Prisoner Cont Sub	3	3	1	2	0	9	0	1	1	2	0	4	0%	33%	100%	100%		44%
Drug	Induce Minor To Distribute	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Drug	Inhaling Toxic Vapors	7	1	0	0	0	8	0	1	0	0	0	1	0%	100%				13%
Drug	Larceny Cont Sub	0	1	1	1	0	3	0	0	0	0	0	0		0%	0%	0%		0%
Drug	Possession Class A	150	115	86	89	1	441	46	45	38	44	1	174	31%	39%	44%	49%	100%	39%
Drug	Possession Class A 2nd	1	6	7	10	0	24	1	5	4	5	0	15	100%	83%	57%	50%		63%
Drug	Possession Class A Heroin	73	57	29	28	1	188	26	25	17	16	1	85	36%	44%	59%	57%	100%	45%
Drug	Possession Class A Heroin 2nd	2	5	2	3	0	12	0	2	2	3	0	7	0%	40%	100%	100%		58%
Drug	Possession Class B	321	279	218	206	2	1,026	100	107	102	106	1	416	31%	38%	47%	51%	50%	41%
Drug	Possession Class B 2nd	5	14	13	12	0	44	3	7	6	6	0	22	60%	50%	46%	50%		50%
Drug	Possession Class C	37	20	17	19	0	93	13	10	5	8	0	36	35%	50%	29%	42%		39%
Drug	Possession Class D	101	26	17	5	0	149	15	4	7	0	0	26	15%	15%	41%	0%		17%
Drug	Possession Class D 2nd	2	6	0	2	0	10	0	3	0	0	0	3	0%	50%		0%		30%
Drug	Possession Class D Marijuana	34	8	8	5	0	55	3	6	0	2	0	11	9%	75%	0%	40%		20%
Drug	Possession Class D Marijuana 2nd	1	2	1	0	0	4	1	0	0	0	0	1	100%	0%	0%			25%
Drug	Possession Class E	41	30	20	12	0	103	12	13	13	7	0	45	29%	43%	65%	58%		44%
Drug	Possession Hypodermic/Syringe	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
Drug	Presence Class A	5	10	3	3	0	21	1	6	0	2	0	9	20%	60%	0%	67%		43%
Drug	Traffic Cocaine 014-028	35	31	15	10	0	91	35	31	15	10	0	91	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 028-100	31	21	13	8	0	73	31	21	13	8	0	73	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 100-200	9	2	2	1	0	14	9	2	2	1	0	14	100%	100%	100%	100%		100%
Drug	Traffic Cocaine 200+	6	1	3	0	0	10	6	1	3	0	0	10	100%	100%	100%			100%
Drug	Traffic Heroin 014-028	6	8	6	6	0	26	6	8	6	6	0	26	100%	100%	100%	100%		100%
Drug	Traffic Heroin 028-100	4	5	0	1	0	10	4	5	0	1	0	10	100%	100%		100%		100%
Drug	Traffic Heroin 100-200	1	0	1	1	0	3	1	0	1	1	0	3	100%		100%	100%		100%
Drug	Traffic Heroin 200+	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Drug	Traffic Mar 100-2000	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Drug	Traffic Mar 50-100	2	0	0	0	0	2	2	0	0	0	0	2	100%					100%
Drug	Sub-Total	2,170	1,501	1,057	892	8	5,628	870	844	653	571	7	2,945	40%	56%	62%	64%	88%	52%

Table 47 Governing Offense by Type and Incarceration Status, All Courts

Level	Governing Offense	All Defendants						Incarcerated Defendants						Incarceration Rate					
		A	B	C	D	E	T	A	B	C	D	E	T	A	B	C	D	E	T
Motor Vehicle	Altering MV ID Number	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Motor Vehicle	Attaching Wrong MV Plates	97	25	17	13	0	152	3	2	5	2	0	12	3%	8%	29%	15%		8%
Motor Vehicle	Compulsory Insurance Violation	220	107	74	49	1	451	36	25	26	15	0	102	16%	23%	35%	31%	0%	23%
Motor Vehicle	Counterfeit/Alter MV Document	22	8	11	8	0	49	4	3	7	3	0	17	18%	38%	64%	38%		35%
Motor Vehicle	False Statement On Application	6	5	0	1	0	12	2	2	0	1	0	5	33%	40%		100%		42%
Motor Vehicle	Habitual Traffic Offender	20	38	30	25	0	113	1	14	13	12	0	40	5%	37%	43%	48%		35%
Motor Vehicle	Ignition Interlock Permit	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Motor Vehicle	Ignition Interlock Violator	3	2	3	3	0	11	2	2	3	3	0	10	67%	100%	100%	100%		91%
Motor Vehicle	Leaving Scene Death	5	5	1	0	0	11	5	5	1	0	0	11	100%	100%	100%			100%
Motor Vehicle	Leaving Scene Personal Injury	98	28	18	8	1	153	11	6	9	6	1	33	11%	21%	50%	75%	100%	22%
Motor Vehicle	Leaving Scene Property Damage	278	165	84	62	2	591	36	44	30	30	0	140	13%	27%	36%	48%	0%	24%
Motor Vehicle	MV - Impersonate/Other License	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Motor Vehicle	MV Homicide	17	4	2	1	0	24	6	2	1	1	0	10	35%	50%	50%	100%		42%
Motor Vehicle	MV Homicide - OUI	3	1	0	0	0	4	2	0	0	0	0	2	67%	0%				50%
Motor Vehicle	MV Homicide - OUI Felony	12	2	0	1	0	15	12	2	0	1	0	15	100%	100%		100%		100%
Motor Vehicle	MV Homicide - Reckless	2	0	0	0	0	2	1	0	0	0	0	1	50%					50%
Motor Vehicle	Obstruct Emergency Veh	5	2	0	1	0	8	0	1	0	0	0	1	0%	50%		0%		13%
Motor Vehicle	Operate After Suspension	1,503	1,143	694	469	0	3,809	130	164	107	74	0	475	9%	14%	15%	16%		12%
Motor Vehicle	Operate After Suspension 2nd	124	275	207	225	0	831	46	157	123	145	0	471	37%	57%	59%	64%		57%
Motor Vehicle	Operate to Endanger	853	253	135	92	0	1,333	74	52	43	43	0	212	9%	21%	32%	47%		16%
Motor Vehicle	OUI - Child Endangerment	29	2	1	0	0	32	3	1	0	0	0	4	10%	50%	0%			13%
Motor Vehicle	OUI Serious Inj, Fel	9	3	2	0	0	14	8	3	2	0	0	13	89%	100%	100%			93%
Motor Vehicle	OUI Serious Inj, Misd	15	3	1	0	0	19	7	2	1	0	0	10	47%	67%	100%			53%
Motor Vehicle	Racing	11	0	0	0	0	11	0	0	0	0	0	0	0%					0%
Motor Vehicle	RV On Public Way	2	3	0	0	0	5	0	1	0	0	0	1	0%	33%				20%
Motor Vehicle	Use w/o Authority 2nd	0	0	1	1	0	2	0	0	1	1	0	2			100%	100%		100%
Motor Vehicle	Use Without Authority	48	27	32	25	0	132	23	15	16	14	0	68	48%	56%	50%	56%		52%
Motor Vehicle	Sub-Total	3,383	2,102	1,314	985	4	7,788	412	503	388	352	1	1,656	12%	24%	30%	36%	25%	21%

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	18	8	5	1	0	32	9	7	5	1	0	22	50%	88%	100%	100%	69%	
Other	Accessory Before	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
Other	Aiding An Escape	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Other	Alcohol, Procure for Minor	25	9	7	3	0	44	2	3	4	1	0	10	8%	33%	57%	33%		23%
Other	Attempt To Commit Crime	29	23	21	30	0	103	11	13	15	21	0	60	38%	57%	71%	70%		58%
Other	Bomb Hoax	0	1	1	2	0	4	0	1	0	2	0	3		100%	0%	100%		75%
Other	Bribery	3	0	1	0	0	4	0	0	1	0	0	1	0%		100%			25%
Other	Business Practice	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Cigarette/Match Thrown Fr Veh	2	1	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
Other	Clean Water Act Violation	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Conceal or Harbor Fleeing Child	1	1	1	0	0	3	0	0	1	0	0	1	0%	0%	100%			33%
Other	Conspiracy	16	6	3	4	0	29	5	1	2	3	0	11	31%	17%	67%	75%		38%
Other	Contempt Of Court	0	1	0	1	0	2	0	1	0	1	0	2		100%		100%		100%
Other	Contributing To Delinquency	1	6	1	0	0	8	0	2	0	0	0	2	0%	33%	0%			25%
Other	Employment Practices	3	1	0	1	0	5	0	0	0	0	0	0	0%	0%		0%		0%
Other	Escape	5	8	11	11	0	35	3	8	9	10	0	30	60%	100%	82%	91%		86%
Other	Escape Lockup	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Other	Failure to Appear	8	5	4	1	0	18	4	0	0	1	0	5	50%	0%	0%	100%		28%
Other	Failure to Appear Felony	2	0	0	1	0	3	2	0	0	1	0	3	100%			100%		100%
Other	Failure To Obey Police Officer	1	2	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
Other	False Alarm	1	1	2	3	0	7	0	0	1	1	0	2	0%	0%	50%	33%		29%
Other	False Statement	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Other	Fireworks	6	5	1	0	0	12	0	0	0	0	0	0	0%	0%	0%			0%
Other	Gaming	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Other	Gaming Enterprise	1	0	2	1	0	4	0	0	0	0	0	0	0%		0%	0%		0%
Other	Gaming Register Bets	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Gaming Use of Telephone	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Other	Guard Sex w/ Prisoner	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Hazardous Materials	1	0	0	0	0	1	1	0	0	0	0	1	100%					100%
Other	Hoax Device	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Other	Home Imp Contractor Violation	1	1	0	0	0	2	0	0	0	0	0	0	0%	0%				0%
Other	Illegal Lottery	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Other	Impersonate/Disguise	6	4	3	2	0	15	1	1	2	1	0	5	17%	25%	67%	50%		33%
Other	Interfere Police or Firefighter	3	1	0	5	0	9	0	1	0	3	0	4	0%	100%		60%		44%
Other	License Law Violation (Not MV)	3	0	0	0	0	3	0	0	0	0	0	0	0%					0%
Other	Lottery Ticket Altering	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Other	Nonsupport	4	2	0	0	0	6	1	2	0	0	0	3	25%	100%				50%
Other	Obstructing Justice	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Perjury or Suborn	10	4	5	0	0	19	2	3	1	0	0	6	20%	75%	20%			32%
Other	Resisting Arrest	257	242	193	164	0	856	67	94	81	74	0	316	26%	39%	42%	45%		37%
Other	Sex Offender Fail Register	11	19	66	104	5	205	3	9	23	53	2	90	27%	47%	35%	51%	40%	44%
Other	Sex Offender Fail Register 2nd	0	0	1	6	0	7	0	0	1	2	0	3			100%	33%		43%
Other	Throw Object On Public Way	1	2	0	0	0	3	0	0	0	0	0	0	0%	0%				0%
Other	Throwing Glass On Public Way	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Trespassing	217	158	132	182	1	690	47	53	42	91	1	234	22%	34%	32%	50%	100%	34%
Other	True Name Law	12	8	14	14	0	48	12	7	11	13	0	43	100%	88%	79%	93%		90%
Other	Unlicensed Massage / Bath	2	0	0	0	0	2	0	0	0	0	0	0	0%					0%
Other	Wetlands Violation	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Other	Wiretap, Possess Device	0	0	1	0	0	1	0	0	0	0	0	0			0%			0%
Other	Wiretapping	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Other	Sub-Total	665	524	475	539	6	2,209	171	207	199	280	3	860	26%	40%	42%	52%	50%	39%

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	7	5	3	3	0	18	2	2	2	3	0	9	29%	40%	67%	100%		50%
Public Order	Annoying Phone Calls	16	13	6	5	0	40	3	4	2	2	0	11	19%	31%	33%	40%		28%
Public Order	Common Night Walker	7	23	13	10	0	53	3	12	4	6	0	25	43%	52%	31%	60%		47%
Public Order	Common Night Walker 3rd	0	0	0	1	0	1	0	0	0	1	0	1				100%		100%
Public Order	Cruelty To Animals	12	1	0	4	0	17	3	0	0	1	0	4	25%	0%		25%		24%
Public Order	Disorderly Conduct	744	390	250	211	2	1,597	19	39	19	33	0	110	3%	10%	8%	16%	0%	7%
Public Order	Disrupt Court Proceedings	3	0	0	1	0	4	0	0	0	1	0	1	0%			100%		25%
Public Order	Disturb Peace, 2nd Offense	1	7	7	12	0	27	1	3	1	2	0	7	100%	43%	14%	17%		26%
Public Order	False Report Of Crime	11	8	6	9	0	34	1	2	2	2	0	7	9%	25%	33%	22%		21%
Public Order	Indecent Exposure	17	16	10	12	0	55	3	5	1	7	0	16	18%	31%	10%	58%		29%
Public Order	Induce Female To Prostitution	0	0	0	1	0	1	0	0	0	0	0	0				0%		0%
Public Order	Lewd And Lacivious	7	4	1	1	0	13	1	1	0	1	0	3	14%	25%	0%	100%		23%
Public Order	Mistreat Police Animal	0	1	1	0	0	2	0	1	1	0	0	2		100%	100%			100%
Public Order	Obscene Materials	1	0	0	0	0	1	0	0	0	0	0	0	0%					0%
Public Order	Photograph Nude Person	6	0	0	0	0	6	4	0	0	0	0	4	67%					67%
Public Order	Prostitution	76	97	63	35	0	271	21	30	26	20	0	97	28%	31%	41%	57%		36%
Public Order	Smoking on MBTA	0	1	0	0	0	1	0	0	0	0	0	0		0%				0%
Public Order	Unnatural Acts	0	3	2	0	0	5	0	0	2	0	0	2		0%	100%			40%
Public Order	Sub-Total	908	569	362	305	2	2,146	61	99	60	79	0	299	7%	17%	17%	26%	0%	14%