

ANALYSIS OF NEVADA'S FELONY SENTENCING PATTERNS

Prepared by

James Austin, Ph.D.
Executive Vice President

May 1991

130889



NATIONAL COUNCIL ON CRIME AND DELINQUENCY

Headquarters Office 685 Market Street, Suite 620 • San Francisco, CA 94105
(415) 896-6223 • Fax (415) 896-5109

Midwest Office 6409 Odana Road • Madison, WI 53719
(608) 274-8882 • Fax (608) 274-3151

East Coast Office S.I. Newhouse Center at Rutgers • 15 Washington Street,
Fourth Floor • Newark, NJ 07102
(201) 643-5805 • Fax (201) 648-1275

130889

**U.S. Department of Justice
National Institute of Justice**

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been
granted by
National Council on Crime and
Delinquency

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

TABLE OF CONTENTS

INTRODUCTION	1
METHODOLOGY	5
SUMMARY STATISTICS ON THE FELONY CONVICTIONS	6
FELONY COURT DISPOSITIONS	8
TRENDS OVER TIME	13
PRELIMINARY FINDINGS AND RECOMMENDATIONS	15
FINDINGS	16
RECOMMENDATIONS	17
APPENDIX A	

LIST OF TABLES

TABLE 1: CHANGES IN PROBATION, PAROLE & PRISON POPULATIONS, NEVADA VERSUS U.S., 1980 - 1989	2
TABLE 2: SUMMARY CHARACTERISTICS OF FELONY CONVICTIONS, CY 1990	7
TABLE 3: SENTENCE RECOMMENDATIONS FELONY CASES ONLY, JANUARY - JUNE 1990	9
TABLE 4: COMPARISON OF RECOMMENDED VERSUS ACTUAL DISPOSITIONS FOR CY 1990 FELONY CONVICTIONS	11
TABLE 5: 1990 FELONY COURT DISPOSITIONS AND PRISON SENTENCES BY DISTRICT COURT CONTROLLING FOR PSP SCORE	11
TABLE 6: CHANGES IN FELONY DISPOSITION RATES, 1984 - 1990	14

INTRODUCTION

The Nevada Legislature has requested that an evaluation of the state's sentencing practices be conducted. The need for such a study is born out of comparisons between national and Nevada trends in the growth of its correctional systems. Table 1 summarizes these comparisons for the years 1980 and 1989. On a national basis, probation populations grew the fastest (126 percent increase) followed by prison (116 percent) and parole (107 percent) populations. In comparison, Nevada's prison populations grew by 192 percent followed by parole (130 percent) and probation (47 percent). A central concern of the legislature is why Nevada's probation population has grown so slowly compared to national trends. More directly, to what extent are there offenders being sentenced to prison who could be sentenced to alternative intermediate sanctions like Intensive Supervision Programs (ISP)?

To address this issue, the Nevada Legislative Counsel Bureau contracted with the National Council on Crime and Delinquency (NCCD) to conduct a statistical analysis of felony case dispositions. In particular, the state was interested in the offense, prior record, and social characteristics of persons convicted of felony crimes and sentenced to either prison or probation; and, also examining recent trends in the court's sentencing practices.

NCCD had performed a similar analysis for the state in 1984 as part of a comprehensive legislative commission study entitled The Function of Parole in the Criminal Justice System (September 1984). In that report NCCD analyzed 1984 felony court dispositions

TABLE 1
CHANGES IN PROBATION, PAROLE & PRISON POPULATIONS
NEVADA VERSUS U.S.

1980 - 1989

	NEVADA			NATION		
	1980	1989	%	1980	1989	%
Probation	4,989	7,324	47%	1,118,097	2,523,716	126%
Parole	1,052	2,417	130%	220,438	456,797	107%
Prison	1,839	5,387	192%	329,207	710,054	116%

Source: U.S. Department of Justice, Bureau of Justice Statistics

and reached the following conclusions with respect to sentencing patterns:

1. Considerable disparity exists among the district courts in terms of prison disposition rates and sentence lengths;
2. Adoption of both sentencing and parole guidelines now being used by other states would produce substantial reductions in Nevada's projected prison population.

Since that report, the Nevada Parole and Pardon Board has adopted parole guidelines with the associated effect of increasing the rate of parole from 30 percent to its current rate of 48 percent. However, sentencing guidelines have not been adopted to date. More significantly, as will be shown later on in this report, the proportion of felony cases resulting in a prison disposition has increased from 42 percent to nearly 52 percent. This shift in felony case dispositions has been largely responsible for the substantial increases in prison admissions and ultimately prison populations.

It is also noteworthy that the Probation and Parole Department has developed and implemented objective guidelines to aid staff in making recommendations to the courts for determining whether the offender should be sentenced to prison or placed on probation. In effect, these guidelines, referred to as the Probation Success Probability scale (or PSP), are intended to produce more reliable decisions (consistency among the courts) and more valid decisions (better assessment of potential risk for failure on probation or new criminal activities). A copy of the PSP is located in Appendix A.

The Department is to be commended for developing these guidelines.¹ Adoption of objective criteria should produce a more reliable and consistent decision-making process among the nine District Courts. It would also be desirable for the guidelines to have been validated in terms of informing judges on the probability of an offender recidivating if placed on probation or eventually on parole.

A review of the PSP factors show that there items are typically found in other risk assessment instruments. However, what is not clear is how the PSP item weights and scales were determined. According to probation officials there was no validation study undertaken. Consequently, it would appear that the weights and cut-off points were largely based on the consensus of the probation staff who developed the PSP. This means that the factors and associated point scales used to assess an offenders "risk" level have not been formally validated even though they are the basis for forming recommendations to the court for determining whether an offender should be returned to the community or imprisoned.

The PSP is also used to determine the probation officer's recommended sentence length. To make such a recommendation, the the Department has created a Sentence Recommendation Selection Score form which converts the PSP raw score into a sentence length

¹ The Department has also implemented the NIC risk and needs assessment system for determining the appropriate levels of supervision and service needs. Although this study did not address that system, it is somewhat similar to the PSP.

recommendation. The use of the PSP score for such purposes underscores the importance of the PSP in all sentencing decisions. This is especially important since Nevada operates under an indeterminate sentencing structure which provides broad discretion to the courts to make a sentence length determination.

METHODOLOGY

To study current sentencing practices, NCCD requested a computer tape of all felony convictions recorded on the Probation and Parole information system since the system was implemented. This file was forwarded to NCCD for statistical analysis. It should be emphasized that this data base maintained by the Probation and Parole staff is a potentially rich resource for the state in terms of understanding how its probation and parole system is functioning. Not only does it record all sentencing data for felony and gross misdemeanor cases, it also maintains detailed data on the levels of supervision provided and termination data. These data can and should be used to monitor the performance of the system as well as developing more comprehensive population projections for not only the prison system but also for probation and parole.

NCCD's results were compared with data presented in the Probation and Parole Biennial Report. This was done to ensure that NCCD's methods and analysis were relatively consistent with the

data being presented in that report which is based on the same data base.²

SUMMARY STATISTICS ON THE FELONY CONVICTIONS

Table 2 summarizes the characteristics of the felony convictions for 1990.³ In total there were 4,500 such convictions recorded during the calendar year. The vast majority (61 percent) of all convictions emanate from District Court 8 which represents the Las Vegas metropolitan area. The next largest source of felony convictions is District 2 which represents the Reno metropolitan areas. Thus these two courts (Districts 2 and 8) produce nearly 85 percent of all the felony convictions for the state.

The most significant offender and case characteristics are as follows:

1. 90 percent of the cases are plea bargained;
2. 77 percent of the offenders are Nevada residents with another 10 percent claiming to be residents of California;
3. 84 percent are males;
4. 62 percent are White, followed by Black (27 percent) and Hispanic (8 percent);

² NCCD compared the results of its analysis with data presented in the Biennial report. In those instances where comparisons could be made, the trends reported here were nearly similar to those reported in the Biennial report.

³ The data system is a case based system meaning that more than one felony conviction is possible for a single individual during a given time period. NCCD simply analyzed all felony convictions (or cases) which is consistent with the unit of analysis used in the 1990 annual report.

TABLE 2
SUMMARY CHARACTERISTICS OF FELONY CONVICTIONS
CY 1990

Characteristic	N	%	Characteristic	N	%
Total Convictions	4,500	100%			
District			Sex		
1	138	3.1	Male	3,780	84.0
2 (Reno)	1,075	23.9	Female	720	16.0
3	156	3.5	Race		
4	84	1.9	White	2,787	61.9
5	57	1.3	Black	1,228	27.3
6	89	2.0	Indian	54	1.2
7	57	1.3	Asian	5	0.1
8 (Las Vegas)	2,759	61.4	Hispanic	358	8.0
9	76	1.7	Other	68	1.5
Plea Bargained			Age		
No	430	9.6	Average	31.4 years	
Yes	4,061	90.4	Median	29.9 years	
State Residency			Currently On Parole?		
Nevada	3,479	77.3	Yes	200	4.4
California	456	10.1	No	4,300	98.6
Arizona	57	1.3	Currently on Probation		
Other States	508	11.3	Yes	293	6.5
Prior Arrests			No	4,207	93.5
None	859	19.1	Primary Offense		
One	476	10.6	Violence	579	12.9
Two	382	8.5	Sex	23	0.5
Three +	2,783	61.6	Property	931	20.7
Prior Gross Misdemeanors			Traffic	333	7.4
None	1,483	33.0	Gaming	102	2.3
One	751	16.7	Child	110	2.4
Two	559	12.4	White Collar	367	8.2
Three +	1,707	37.9	Drugs	1,919	42.6
Prior Felonies			Weapons	63	1.4
None	2,862	63.6	Other	73	1.6
One	762	16.9	Multiple Referrals In 1990		
Two +	404	19.4	One	3,995	94.3
Prior Jail Sentence			Two	219	5.2
None	2,459	54.6	Three +	21	0.5
One	717	15.9			
Two	457	10.2			
Three +	867	19.2			
Prior Prison Sentences					
None	3,406	75.7			
One	528	11.7			
Two	271	6.0			
Three +	295	6.6			

5. Although the vast majority have been arrested previously (81 percent), the majority have no prior felony convictions (64 percent), no prior jail sentences (55 percent) and no prior prison terms (76 percent);
6. Very small percentages of these offenders were on probation (7 percent) or parole (4 percent) at the time of their arrest;
7. The most common offenses that these offenders are convicted of are non-violent drug (43 percent) and property (21 percent) crimes. Of the drug offenses, the vast majority (over 75 percent) are non-trafficking offenses; and
8. The average (mean) age is 31 years with a median age of 30 years.

FELONY COURT DISPOSITIONS

There are two major criminal court dispositions that are being used in Nevada by its criminal courts - probation or prison. As noted before, the courts dispositions are predicated in part on the probation officer's recommendations which are partially derived by the PSP score. Table 3 presents information contained in the Probation and Parole Biennial Report for felony convictions for the first six months in 1990 reflecting the probation recommended and actual court dispositions. This table shows that the Department recommended the prison disposition in nearly 64 percent of the cases with another two percent recommended for the 120 day prison review or a total prison recommended disposition rate of 66 percent.⁴ On a national basis, the prison disposition rate was

⁴ The 120 day disposition represent cases where the court sentences the offender to prison for a 120 observation period. At the end of that 120 days, the court may then re-sentenced the inmate to either prison or probation.

TABLE 3
SENTENCE RECOMMENDATIONS
FELONY CASES ONLY
JANUARY - JUNE 1990

	N	PERCENT
Total Recommendations	2,617	100.0%
Dispositional Recommendations		
Probation	882	34.0%
120 Day Reviews	59	2.0%
Prison	1,673	63.9%
Other	3	0.1%
Dispositional Recommendations by Score		
Non-Probationable	349	13.3%
Prison Scores (0-54)	1,029	39.3%
Borderline Scores (55-64)	709	27.1%
Probation Scores (65-100)	530	20.3%
Actual Versus Recommended (FY 1990)		
Probation - Recommended	1,469	38%
Probation - Sentenced	1,644	42%
Prison - Recommended	2,418	62%
Prison - Sentenced	2,132	55%

Source: State of Nevada - Department of Parole & Probation
Biennial Report/July 1, 1988 - June 30, 1990

reported to be 44 percent -- more than 11 percent below the Nevada rate of 55 percent shown in Table 3.⁵

More importantly, the Biennial report shows that although the recommended and actual dispositions are generally similar, there is a tendency for probation staff to recommend prison in greater numbers than the court actually hands out. For example, during the first six months of 1990, probation recommended prison terms in 62 percent of the cases while the court actually sentenced 55 percent of the cases. In terms of the PSP scores, approximately 40 percent of the felony cases scored in the 0-54 range which indicates a prison term recommendation to the court. Another 27 percent fall in the "Borderline" category which suggest that either a probation or prison term is warranted. Another 33 percent fall within the recommended probation disposition category reflecting offenders who should be given a probation term in most instances.

To better assess these courts' dispositional trends, an analysis was made of the 4,500 felony cases for CY 1990 (Table 4). This analysis, which updates the data presented in Table 3, again shows the tendency of probation staff to recommend prison dispositions more frequently than the courts actual sentences. It is interesting that the prison disposition rate is lower in this table as compared to the first six months shown in Table 3.

⁵ Felony Sentences in State Courts, 1988, Bureau of Justice Statistics Bulletin (December 1990), Washington, D.C.

TABLE 4
COMPARISON OF RECOMMENDED
VERSUS ACTUAL DISPOSITIONS
FOR CY 1990 FELONY CONVICTIONS

Disposition	Recommended Sentence	Actual Sentence
Probation	39.4%	46.0%
Prison	58.3%	51.8%
120 Day	2.0	0.8%
Other	1.7	1.4%

TABLE 5
1990 FELONY COURT DISPOSITIONS AND PRISON SENTENCES
BY DISTRICT COURT CONTROLLING FOR PSP SCORE

District Court	Prison 0-54 Pts		Borderline 55-64 Pts		Probation 65-100 Pts		Total Cases	
	Prison Disposition	Median Sentence	Prison Population	Median Sentence	Prison Disposition	Median Sentence	Prison Disposition	Median Sentence
1	85.4	36	50.0	24	22.8	18	49.3	28
2 (Reno)	74.8	36	31.6	24	15.8	18	43.2	36
3	78.6	48	70.6	36	33.3	24	57.7	36
4	85.7	36	60.9	36	26.9	12	60.7	36
5	88.0	36	46.7	36	47.1	42	64.7	36
6	70.3	60	36.4	24	20.0	24	44.9	36
7	85.0	72	63.6	36	0.0	36	54.4	48
8 (Las Vegas)	84.1	60	36.5	36	11.2	39	54.4	48
9	85.7	60	52.0	30	53.3	24	61.8	30
Total Cases	1,977		1,368		1,146		4,491	
Actual Prison Sentences	1,620		521		187		2,328	

* Median sentences reflect prison terms only

Significantly, there has also been a decline in the rate of prison admissions since the summer of 1990.⁶

Table 5 provides a more precise analysis of these same dispositions in that it controls for the PSP scores for each District Court.⁷ Overall, 82 percent of the cases falling within the 0-54 recommended prison disposition class actually received a prison term, 38 percent of the "Borderline" group (55-64 points), and 16 percent of the probation cases (65-100 points). Between the Borderline and Probation groups, a total of 708 case were sentenced to prison, or approximately 30 percent of all prison sentences. These results clearly show the impact of these "marginal" cases on total prison intake and the necessity for ensuring that the PSP guidelines are reliable and valid.

The other important finding from Table 5 is the extent of variation among the nine District Courts. This variation is especially striking for the two major courts - Reno and Las Vegas. Even while controlling for the PSP groups, variation in prison disposition rates continues. For example, District Court 8 has a prison disposition rate of 84 percent for cases scored in the 0-54 point range which is 9 percent above the 75 percent rate for District Court 2. More significantly, the median sentence length

⁶ These data again underscore the importance of being able to monitor court sentencing practices to better anticipate changes in court practices and their effects on prison admissions.

⁷ By controlling for PSP category, we help eliminate the effect of District Courts having different prison disposition rates and sentence lengths because of differences in offender characteristics.

for Reno is 36 months which is well below the 60 month figure for Las Vegas. These same levels of disparity for these two courts were noted in the 1984 The Function of Parole in the Criminal Justice System study. To the extent that unchecked and inappropriate disparity could be minimized, there would be a direct impact on prison admissions and prison population growth.

TRENDS OVER TIME

As indicated earlier, there has been a steady increase in the rate of felony cases receiving prison dispositions. Table 6 summarizes trends in prison disposition rates for each of the District Courts as well as for the state as a whole between 1984 and 1990. There has been a general increase in the prison disposition rate across the state from 42 percent to 52 percent. Similar to the situation described in the 1984 report, there remains considerable disparity among the courts in their disposition rates.

What are the reasons for this increasing prison disposition rate? One obvious reason are laws passed by the legislature recently which mandate a prison term. Unfortunately, the current Probation and Parole information system does not automatically identify those cases where a mandatory prison term is required. A manual review of felony convictions for the first six months of 1990 showed that approximately 11 percent of all convictions are mandatory prison terms.

TABLE 6
CHANGES IN FELONY DISPOSITION RATES*
1984 - 1990

District Court	1984	1987	1988	1989	1990
1	42.6%	56.7%	64.2%	63.4%	49.3%
2 (Reno)	39.1%	40.0%	49.8%	49.0%	43.2%
3	40.5%	47.4%	67.3%	67.5%	57.7%
4	32.4%	50.0%	70.7%	67.7%	60.7%
5	57.9%	61.5%	64.3%	51.1%	64.9%
6	47.4%	42.9%	54.6%	47.6%	44.9%
7	58.3%	64.7%	45.5%	59.0%	54.4%
8 (Las Vegas)	43.3%	48.6%	52.8%	55.8%	54.4%
9	73.8%	46.3%	54.7%	52.3%	61.8%
Total	41.5%	47.1%	53.3%	54.6%	51.8%

* All figures reflect the proportion of felony cases receiving a prison disposition.

A second possible factor could be that offenders are increasingly more criminal or possess more extensive criminal records, thus requiring more severe actions by the courts. To test this proposition, an analysis was done comparing the offense and criminal records of all felony convictions from 1987 - 1990.

This analysis found that the offender and offense characteristics of persons convicted of felony crimes have remained largely unchanged over time. Specifically, there were no changes for the following items:

1. Prior Arrests
2. Prior Felonies
3. Prior Gross Misdemeanors
4. Prior Probations Successfully Completed or Failed
5. Prior Paroles Successfully Completed or Failed
6. Prior Prison Sentences

There have been substantial changes in the types of crimes for which an offender has been convicted. Specifically, the proportion of offenders convicted of violent, sex, white collar, and property crimes have declined while the proportions for drug and traffic related crimes have increased. The largest increase in terms of percentages and numbers has been in the drug crime category.

PRELIMINARY FINDINGS AND RECOMMENDATIONS

The short term nature of this study necessarily limits the extent to which firm recommendations can be made at this time. Clearly, a more exhaustive study should be conducted to better understand the dynamics of sentencing in Nevada. However, a number of findings and associated recommendations can be made at this time.

FINDINGS

1. The use of probation in Nevada has grown at a far slower rate than has been observed for the nation as a whole.
2. This slower rate of growth cannot be explained by claims that Nevada's felony cases are becoming increasingly more severe in terms of their criminal cases or prior criminal records.⁸
3. Two major reasons for Nevada's slowing use of probation are mandatory prison term legislation and an increasing prison disposition rate.
4. The PSP scores used by probation officers to make court disposition recommendations apparently have an important influence on the court's final decisions. However, the instrument has not been formally validated.⁹ Moreover, the instrument produces a higher number of prison sentence recommendations compared to how many prison sentences are actually granted by the courts.
5. Despite the presence of the PSP, there remains considerable disparity between Nevada's two major District Courts in terms of prison dispositions and prison sentence length.

⁸ Probation Department officials reported that a major reason for the lack of growth in the probation population over the past decade was their practice of terminating cases from probation much earlier than other states. However, using data provided by the U.S., Department of Justice indicates that Nevada's probationer's spend longer times on probation compared to other states. Based on the annual exits and the daily probation reported by the Department to the U.S. Department of Justice, one can calculate the average length of stay on probation. The national average is 1.74 months compared to Nevada's 2.35 month average. The average for all western states is 2.07 months.

⁹ The Department is now in the process of conducting its own internal validation study according to probation officials. Preliminary data was provided to the author indicating that the current system may be doing a good job of separating recommended probation group from the borderline and probation denial group in terms of predicting revocation or re-conviction. However, the instrument does not perform well in predicting dishonorable discharge among all three groups nor in identifying the borderline versus denial populations. A validation study would help "fine tune" the current instrument to correct these possible deficiencies.

RECOMMENDATIONS

1. The Nevada Probation and Parole Information System should be redesigned to allow staff to identify those criminal cases involving mandated prison terms. Specifically, the field length for the offense code should be expanded so that a more precise method for flagging such cases can be completed in the future.
2. The Probation and Parole Information System should be used in the future to monitor sentencing patterns on a monthly basis, to better model prison, parole, and probation population growth.
3. The NCCD prison population projection model used in Nevada should be adjusted to model the state's probation population.
4. A validation study should be completed on the accuracy of the current PSP system. Such a study would involve a follow up study of probationers and parolees to address the following issues:
 - a. To what extent does the PSP accurately predict recidivism as measured by re-arrest and re-conviction?
 - b. Based on the validation study, to what extent should the PSP be modified in terms of the items to be used for court recommendations?
 - c. To what extent would these recommendations, if adopted, impact current prison and probation population projections?
5. Further analysis of the basis for sentencing disparity between the District Courts and especially Las Vegas and Reno should be conducted to determine how best to minimize disparity in the future.
6. Current legislative efforts to fund and implement ISP programs should include provisions that target programs for offenders currently scoring 60 points or less on the PSP instrument. This would ensure a high probability that ISP cases are being diverted from prison.
7. A follow-up evaluation should be conducted to assess the impact of newly funded ISP programs in terms of diverting offenders from prison, reducing costs, and reducing crime.

APPENDIX A

PROBATION SUCCESS PROBABILITY

Name _____ District _____ SCORE _____

Writer _____ Date _____ FY No. _____

CC No. _____

OFFENSE DATA: (60%)

PRIOR CRIMINAL HISTORY (Excluding Minor Traffic Violations):

Felony Convictions:	None (1)	One (0)	2 or more (-1)	[]
Misdemeanor Convictions (Including Gross Misdemeanor):	None (2)	1-3 (1)	4 or more (0)	[]
Pending, Unrelated Cases:	None (2)	Misd. (1)	Felony (0)	[]
Subsequent Criminal History:	None (2)	Arrest/Pending (1)	Convictions (0)	[]
Prior Incarcerations, Times in Prison:	None (3)	One (1)	2 or more (0)	[]
Times in Jail (Actual Sentences):	None (2)	2 or less (1)	3 or more (0)	[]
Juvenile Commitments (If defendant under 24):	None/or Over 24 (2)	One (1)	Two (0)	[]
Years in the Community Free of Convictions (Juvenile or Adult):	Over 5 (4)	3-5 (2)	Less than 3 (0)	[]
Prior Formal Supervision (Include Juvenile if under 24):	None (2)	One (1)	More than 1 (0)	[]
Criminal Patterns:	None/ No Record (2)	Random/ Decreased Severity (1)	Same Type or Increased Severity (0)	[]
		History of Violence (-2)		

PRESENT OFFENSE:

Circumstances of Arrest:	Voluntary (3)	Non-prob. (2) Violent (-2)	Resistive (0)	[]
Type of Offense:	Victimless (Excluding Sales) (3)	Property (2) Person (0)	Sales (1) Mult. Pers.—2 (-1)	[]
		Multiple Person 3 or More (-2)		
Psychological or Medical Crime Impact:	N/A (3)	Minor/No Treatment (2) Disability (0)	Required Medical Treatment/Psych. (1) Death (-10)	[]
Financial Crime Impact:	N/A (3)	Minimal or no loss (2)	Moderate (1)	[]
		Excessive (0)		
Controlled Substances:	N/A (3)	Simple Possession (2)	Possession for Sale/ Minor Sales (0)	[]
		Sales/Smuggling/Manufacturing (-2)		
Sophistication/Premeditation:	None (2)	Moderate (1)	High (0)	[]
Plea Bargaining Benefits to Applicant:	N/A (2)	Somewhat (1)	Significant (0)	[]
Weapon:	N/A (3)	Implied/ Concealed (0)	Brandished (-2)	[]
		Used (-4)		
Co-Offender:	Follower (2)	Equal Responsibility (1)	Leader/Coerced Others or None (0)	[]
Motive:	Unintentional (3)	Situational (2)	Under Influence/ Alcohol or Drugs (1)	[]
		Deliberate (0)		

TOTAL OFFENSE SCORE _____ POINTS x 1.2 = _____

SOCIAL DATA: (40%)**SOCIAL HISTORY:**

Age:	40 or More (3)	25-39 (2) Certified Adult (0)	Under 25 (1)	[]
Family Situation (Immediate):	Constructive Support (3)	Moderately Supportive (2) Disruptive (0)	Non-Supportive/ Non-Existent (1)	[]
Education:	College or Technical Program Completion (3)	High School Diploma/GED/ Vocational Training Certificate (2)	Incomplete (1)	[]
Employment/Program:	Continuous (or Housewife) (4)	Sporadic (2)	Almost Non-Existent (0)	[]
Military:	Honorable Discharge/ No Military Serv. (1)	Other (0)		[]
Employability:	Readily/Not Needed (2)	Could Be Developed (1)	Unemployable (0)	[]
Financial (Capable of Supporting Self and/or Dependents):	Adequate (4)	Could Be Developed (2)	Inadequate (1)	[]

COMMUNITY IMPACT:

Commitments/Ties:	Local/In-State (2)	Home State (1)	None (0)	[]
Resource Availability (Type of Adequate Programming):	Pre-Determined/Not Needed (3)	Available (2)	Unavailable (0)	[]
Substance Abuse—Alcohol:	Non-Problmic. (3)	Problmic. (2)	Excessive (0)	[]
Substance Abuse—Drugs:	No Use (3)	Occasional (1) Serious Abuser/Addict (-2)	Regular Use (0)	[]
Mental Health or Substance Abuse Program Participation:	N/A (3)	Completed (2) Failure (0)	Planned/Current (1) Refused (-1)	[]

PRE-SENTENCE ADJUSTMENT:

Honesty/Cooperation with Dept.:	Candid (2)	Reluctant (1)	Deceptive (0)	[]
Attitude Toward Supervision:	Positive (2)	Indifferent (1)	Negative (0)	[]
Attitude Toward Offense:	Confite (2)	Indifferent (1)	Denies (0)	[]

TOTAL SOCIAL SCORE _____ POINTS x 1 =

TOTAL OFFENSE AND SOCIAL SCORE COMBINED

0-54 = DENIAL

55-64 = BORDERLINE

65-100 = PROBATION