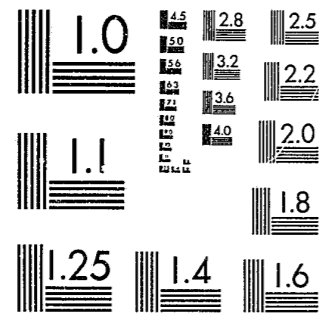


National Criminal Justice Reference Service



This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

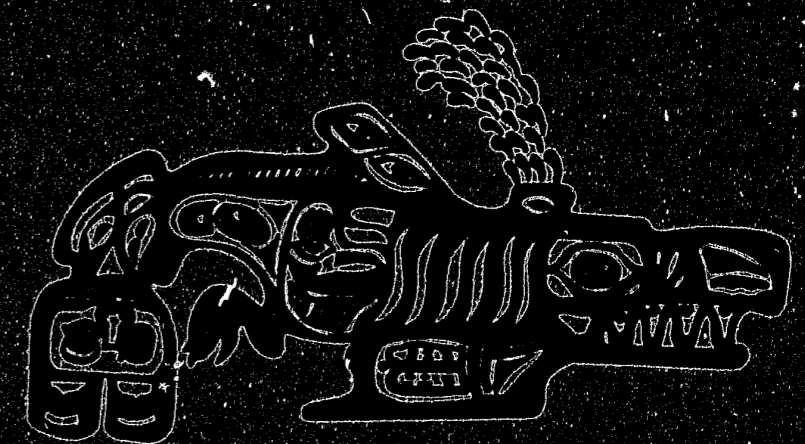
Alaska Felony Sentences: 1976-1979

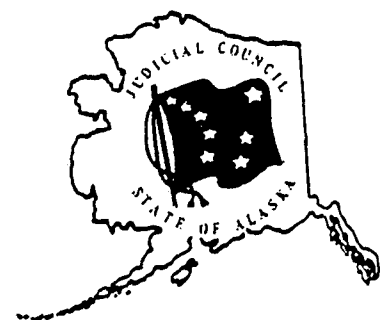
Alaska Judicial Council

November 1980

83382

Nicholas Maroules
Teresa J. White





Alaska Judicial Council

420 L Street, Suite 502
ANCHORAGE, ALASKA
99501
(907) 279-2526

ACTING EXECUTIVE DIRECTOR
TERESA J. WHITE

LAY MEMBERS
KENNETH L. BRADY
JOHN E. LONGWORTH
ROBERT H. MOSS

LAW MEMBERS
MARCUS R. CLAPP
WALTER CARPENET
JOSEPH L. YOUNG

CHAIRMAN EX OFFICIO
JAY A. RABINOWITZ
CHIEF JUSTICE
SUPREME COURT

ALASKA FELONY SENTENCES
1976-1979

November, 1980

NCJRS

MAR 20 1981

ACQUIRED

Prepared by:
Nicholas Maroules, Research Director
Teresa J. White, Executive Director

U.S. Department of Justice
National Institute of Justice

83382

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
Alaska Judicial Council

to the National Criminal Justice Reference Service (NCJRS).

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

ACKNOWLEDGMENTS

We wish to extend our special thanks to the former Executive Director of the Judicial Council, Michael Rubinstein for all of his support and assistance in this study. Thanks must also go to the Judicial Council members who took the time to suggest topics for analysis, and to read and criticize the drafts of the report.

The other Judicial Council staff members, especially Martha Bender, Sheila Vonesh, and Bunny Maletich who spent long hours typing and proofreading earned our gratitude. Finally, the research assistants: Nancy Lashnits, Eric Ostrovsky, Steve Lutze, Kevin Robinson, Eleanor River, Cindy Spanyers, Mary Lou Spartz, Jim Petit, Kevin Robinson, Terri Ellen Gordon, Dan O'Tierney, Kathy Atkinson, and Ralph Wiser carefully checked and re-checked the data on which our analysis is based. Our thanks to each of them.

The cover design by Stephanie Scowcroft of Drawing Conclusions (Juneau, Alaska) is based on a Tlingit/Haida design representing the story of the raven who rode in a whale's stomach.

TABLE OF CONTENTS

	<u>Page</u>
Introduction.....	(i)
<u>Part I: Research Design and Methodologies</u>	
A. Data Collection Methodology	1
1. Design of Forms	1
2. Choice of Cases	2
3. Coders and Coding	4
4. Final Processing	5
B. Statistical Methodology	6
 <u>Part II: Urban Alaskan Sentencing Patterns</u>	
A. Introduction	9
B. Data Base	10
C. Highlights of Major Findings	13
1. Disparity Reduced	13
2. Long-Term Effects of the Elimination of Plea Bargaining	13
a. Trials	14
b. Sentences	16
D. Analysis of Sentencing Outcomes by Class	22
1. Class 2: Violent Felonies	22
2. Class 3: Property Offenses	31
3. Class 4: Fraud Offenses	34
4. Class 5: Drug Offenses	38
5. Class 1: Murder/Kidnapping, and Class 6: "Morals" Offenses	41
E. New Urban Sentencing Patterns	42
1. Plea-Trial Sentence Differential	43
2. Relationship of Alcohol/Drugs to Criminal Behavior	45
3. Impact of Pre-Sentence Report Factors	48
4. Sentencing Outcomes by Type of Defense Counsel	50
 <u>Part III: Rural Alaskan Sentencing Patterns</u>	
A. Introduction	55
B. Analysis of Sentencing by Class	57
1. Class 2: Violent Felonies	57
2. Class 3: Property Offenses	61
3. Classes 4, 5 and 6: Fraud, Drug and "Morals" Offenses	64
 <u>C. Highlights of Rural Sentencing Patterns</u>	
1. Misdemeanor Dispositions	
2. Relationship of Alcohol/Drugs to Criminal Behavior	
3. Urban-Rural Sentence Length Differences	
 <u>APPENDIX A: URBAN TABLES</u>	
 <u>APPENDIX B: RURAL TABLES</u>	

INTRODUCTION

On July 20, 1978, the Alaska Judicial Council announced that its felony statistical study showed apparent racial disparities occurring in the sentences of Blacks and Natives convicted of property crimes (larcenies, burglaries, and receiving and concealing) and fraud crimes (forgeries, embezzlements, and bad checks). Furthermore, Blacks suffered significant disparities in their sentences for drug felonies. Additional analysis both by the Council and by the court system of the same data base and of other data pointed to the same conclusions. As a result, the Supreme Court asked the Council to study felony sentences imposed since its last date of data collection (August 24, 1976). The legislature backed the court's request with a joint resolution and special appropriation for the study.

Work began on the Judicial Council's new felony study on June 1, 1979. The methodologies for data collection and analysis are described in Part I of this report. Part II describes the findings which show that dramatic changes have occurred within the criminal justice system since 1976. Finally, Part III describes findings of rural location sentencing patterns.

PART I
RESEARCH DESIGN AND METHODOLOGIES

A. DATA COLLECTION METHODOLOGY

The legislature's mandate to the Judicial Council to review sentences imposed since the time of the Council's earlier study (August, 1974 - August, 1976) set the parameters of the present research. The study focuses on sentencing decisions made in all ten superior court locations in Alaska. This section of the report describes the process of collecting information about these sentences from the design of the data collection ("coding") forms through the final step before analysis, keypunching the data onto magnetic tape.

(1) DESIGN OF FORMS

The decision to study only those cases in which the defendant had been charged originally with a felony, and convicted and sentenced on either a felony or a misdemeanor allowed the Council to use pre-sentence reports and court case files for its primary data sources. (The third data source, Public Safety records of prior convictions was used for about twenty percent of the defendants who did not have pre-sentence reports, or whose reports did not mention the offender's criminal history). By limiting its data sources, the Council was able to collect more detailed data, especially from pre-sentence reports.

The form for collecting data, the questions asked, and the codes used were all designed to be compatible with the Council's previous studies of plea bargaining and sentencing between 1974 and 1976. In some instances (employment, income, and pre-sentence report variables especially) more precise phrasing of questions was possible. Earlier experience, and questions left unanswered by previous studies (especially about the relationships between alcohol and drug use and crime) suggested the inclusion of some new questions.

The reader of this report must keep in mind that the data sources themselves limit the amount and type of information that can be obtained. For example, sentencing transcripts in court case files do not reliably reflect every factor that influenced the judge's sentencing decision, such as the defendant's attitude. If a specific question could not be answered accurately for at least two-thirds of the cases to be studied, it was not included.

(2) CHOICE OF CASES

The original decision to study only sentences imposed for felony convictions was revised before data collection began for two reasons. First, the Council's earlier study found that a very high percentage of Native defendants pled guilty to

reduced charges, often to misdemeanors. Interviews indicated that this phenomenon might be even more prevalent in the rural areas of the state. Secondly, a consistent decline in the number of felony filings and convictions since 1972 had reduced the number of cases available for study, making it feasible to include these additional cases. The addition of seven new court locations, and a third year's worth of cases gave only 1901 cases, compared to the 1433 cases from three locations for two years available in the plea bargaining study.

The present study includes:

- * All felony charges for which a conviction was obtained, either on a misdemeanor or on a felony.
- * All such cases from: Anchorage, Fairbanks, Juneau, Ketchikan, Sitka, Kenai, Kodiak, Bethel, Barrow, and Nome. This represents all of the felony cases in the State that were known to us with the exception of a handful of cases which could not be obtained within our time limits (two in Tok, one in Valdez, and one in Cordova).
- * All such cases convicted as of August 15, 1976 through July of 1979 (depending on the date on which data collection was completed in each area).

The court system provided the Judicial Council with a computer-printed list of cases which met the criteria set out above. During the process of data collection, however, the staff located some additional cases which had not been listed. Because these cases were usually located through an on-site review of all pre-sentence reports, the extra cases may under-represent the numbers of felonies reduced to misdemeanors (pre-sentence reports are not prepared unless the conviction is for a felony).

(3) CODERS AND CODING

A dozen law-school students, University of Alaska students, and experienced data collectors were selected by the Judicial Council to collect the data. Coders spent their first month (June, 1979) in Anchorage, training for two weeks on actual court case files. Data collection in Anchorage was three-quarters completed at the end of June and the coders were sent to the other locations for July and early August. They then returned to Anchorage to complete work there.

Each coder spent about an hour with the case file and pre-sentence report, recording answers to questions on the coding form. A second coder then checked through the coding

form and case file for errors. Some of the variables required discretionary judgment, and any disagreement about a coding decision was resolved by the Judicial Council permanent staff who supervised the work. The coding supervisor also checked each coding form a second time for errors in offense codes, discrepancies in sentence variables or prior record, and missing information.

(4) FINAL PROCESSING

Completed coding forms were assigned a number by the coding supervisor at the end of the project so that defendants' names would not appear on the computer tape. Key punching, the intermediate step between data collection and computer analysis, was performed by Superior Business Services of San Francisco. This firm was chosen because of its sophisticated technology (which reduced the chances of error), its price, and its guarantee of a low error rate (.75 percent maximum). Data was punched from the coding forms directly to magnetic tape, with each form checked by an independent verification of the original recording of the data.

B. STATISTICAL METHODOLOGY

The dependent variable in this study is sentence length, defined as the length of the active prison time imposed by the court for the conviction. Suspended time was subtracted from the sentence in determining "active" time. If no active time was imposed, sentence length is zero, indicating the defendant received a suspended sentence and was placed on probation. He may also have been placed directly on probation under the terms of a suspended imposition of sentence.

For the purpose of comparing our new data with previous studies, the unit of analysis is a single felony charge against a defendant that resulted in a conviction (either felony or misdemeanor). Thus, each one of a series of multiple charges against a defendant appears as a unique case in the study.

The Judicial Council's data base included 1,349 defendants and 1,901 cases from ten locations. Before beginning analysis we organized offenses into six broad groups or classes on the basis of substantive similarities. The six classes include: (1) Murder and Kidnapping (4% of all cases); (2) Violent felonies (28%), including rape, robbery, assaults and shootings with intent to kill, manslaughter, and assault with a deadly weapon; (3) Property offenses (38%), including all burglaries and larcenies; (4) Fraud offenses (14%), including bad check and

embezzlements; (5) Drug offenses (12%); and (6) "Morals" offenses (4%); including primarily Lewd and Lascivious Acts. The analysis was conducted within each of these six classes of offense.

GOALS OF ANALYSIS

In a multivariate study of this scope, with many important factors affecting sentence variation, the statistical methods have two primary goals. The first is an attempt to "explain" sentencing by identifying the factors that contribute most significantly to an increase or decrease in sentence length. Having found these factors, a second goal of our methods is to statistically control (or adjust for) their variation while determining the effect of other factors.

We relied upon two separate statistical methods in our data analysis. The first, analysis of subpopulations, is a form of cluster analysis in which cases are grouped according to certain shared characteristics. This method facilitates a comparison of the dependent variables of mean sentence length and likelihood of receiving probation (expressed as a percentage) among the various subpopulations. The shortcoming of this method is its inability to handle many factors simultaneously. As the number of factors used in defining the subpopulations increases, the data splits into many small groups, so that the overall picture is lost.

Accordingly, the bulk of our analysis relied upon multiple regression, which can simultaneously analyze the impact of many factors on sentence variation. Multiple regression identifies the most significant factors from a pool of many. It then provides an index of the relative independent contribution of each factor while controlling for differences in the others.

PART II

URBAN/ALASKAN SENTENCING PATTERNS:
A COMPARISON OF 1976 - 1979 DATA WITH PAST STUDIES

(A) INTRODUCTION

This section of our report compares felony sentences rendered during the period between August, 1976 and August, 1979, with those studied by the Judicial Council in its analysis of the elimination of plea bargaining (August, 1974 to August, 1976). As indicated in the introduction to this report, the primary purpose of this part of the analysis concerns the extent to which the racial disparities identified in the earlier (plea bargaining) study have persisted. Since the earlier study included convictions only for the major urban centers of Alaska--Anchorage, Fairbanks and Juneau--the present comparison is limited to cases in these areas.

The method of analysis employed was virtually identical to that used in the earlier study. Thus, sentencing was analyzed (modeled) for each of the six classes of offense described in Part I. Within each class, the most significant factors associated with increases or decreases in a typical sentence were identified, and their impact determined. The result was a set of the best predictors of sentence length for each class. These models of sentencing are represented in the multiple regression tables appearing in the appendix to this report.

Further, the most significant factors within each class

were subjected to a subpopulation analysis in which mean sentences and the likelihood of receiving probation were broken down for each level of the variables. Thus, having identified, for example, race as a significant variable, this analysis would provide the mean sentence as well as the proportion of cases receiving a probationary sentence for each racial group (Blacks, Natives and Whites). The purpose of this analysis is to assist the reader in interpreting, in empirical terms, the differences indicated by the regression analysis.

(B) DATA BASE

The data for this part of the analysis includes 1,346 convictions rendered in Anchorage, Fairbanks and Juneau during the 1976-1979 period. Of these, 674 (50.1%) were sentenced in Anchorage, 534 (39.7%) in Fairbanks, and 138 (10.3%) in Juneau. During the 1974-76 study 1,443 convictions from these three cities were available.

The number and proportion of convicted cases within each class of offense for each of the five years is represented on Table I. Years I and II include data collected for the plea bargaining study (August, 1974-August, 1976); Years III, IV, and V include the 1976-79 cases. Since this data represents substantially all cases that began as felonies and resulted in

TABLE I
NUMBER OF CONVICTED OFFENSES
FOR FIVE YEARS

<u>Class of Offense:</u>	<u>Year I</u> (8/74-8/75)	<u>Year II</u> (8/75-8/76)	<u>Year III</u> (8/76-8/77)	<u>Year IV</u> (8/77-8/78)	<u>Year V</u> (8/78-8/79)
<u>Murder/Kidnapping</u> (Class 1)	13 (1.8)	12 (1.7)	17 (3.6)	14 (2.7)	18 (5.1)
<u>Violent Felonies</u> (Class 2)	219 (29.6)	201 (29.0)	157 (37.8)	127 (24.5)	81 (23.1)
<u>Property Offenses</u> (Class 3)	216 (29.2)	283 (40.8)	187 (39.1)	183 (35.3)	111 (31.7)
<u>Fraud Offenses</u> (Class 4)	125 (16.9)	70 (10.1)	54 (11.3)	94 (18.1)	56 (16.0)
<u>Drug Offenses</u> (Class 5)	144 (19.5)	111 (16.0)	48 (10.0)	86 (16.6)	58 (16.6)
<u>"Morals" Offenses</u> (Class 6)	22 (3.0)	17 (2.4)	15 (3.1)	14 (2.7)	26 (7.4)
TOTALS	739 (100%)	694 (100%)	478 (100%)	518 (100%)	350 (100%)

a conviction, it constitutes virtually the entire universe of felony convictions for this five year period. This fact is significant since typical problems of sample design, selection and sufficiency are not an issue in this analysis.

The most significant fact about this table is that it graphically demonstrates the trend towards fewer felony convictions each year. Convictions drop from 739 in Year I to 350 by Year V. Several events in Alaska criminal justice may help to account for the decrease, including intensified screening by prosecutors at the onset of the prohibition of plea bargaining, and a new program for diversion of first offenders.

Further, the distribution of offenses indicates little variation over the five years. Proportionately more murder and kidnapping (Class 1) convictions occurred in the last three years than in years I and II. Conversely, there were proportionately fewer violent felony convictions (Class 2) in the later period. These variations may reflect changes in the policies of law enforcement agencies, prosecutors or other criminal justice agencies, or changes in types of offenses committed. For the most part, however, the distribution of types of offenses has been relatively stable over the five year period.

(C) HIGHLIGHTS OF MAJOR FINDINGS

(1) Disparity Reduced

Our analysis of the 1974-1976 plea bargaining data found that Blacks and Natives convicted of property offenses (Class 3) and fraud offenses (Class 4) as well as Blacks convicted of drug offenses (Class 5) received sentences disproportionate to those of Whites convicted of the same offenses.

Analysis of our new (1976-1979) data indicates dramatic reduction in sentencing disparity by race. Racially disproportionate sentences among property and fraud offenses have completely disappeared. In addition, our analysis indicates that, other things being equal, Native defendants convicted of violent felonies (Class 2) actually receive a sentence less than those of either Blacks or Whites.

However, the disparate sentences of Blacks convicted of drug offenses have persisted over the new study period, and the magnitude of this disparity appears to be unchanged. Even among these offenses, however, the higher Black sentences appear to be largely limited to cases of heroin sale or possession (as compared to cocaine, hallucinogenic-depressant-stimulants, or marijuana).

(2) Long Term Effects of the Elimination of Plea Bargaining.

The Judicial Council's study of the "Effects of The Official Prohibition of Plea Bargaining" noted that changes in

trials and sentencing were among the most important results of the Attorney General's policy change.

(a) Trials:

Trials increased substantially in the policy's first year (August, 1974 through August, 1975). Considering only those cases that resulted in conviction, the proportion of trials increased from 10.6% in the year before the new policy to 18.3% during the year after. Our 1976-1979 data indicates that the proportion of (convicted) cases that went to trial has risen to 23.6% overall for the (new) three year period.

Moreover, the increase has not been gradual. Rather, trials peaked in the early year of our new data base (August, 1976 to August, 1977) and have since leveled off. Table II provides the overall trial rate, as well as a distribution by class of offense (for the four major classes) for five years of sentencing data.¹ Figures for individual classes indicate that among most classes of offense, the trial rate was highest between years III and IV.

¹ Classes 1 and 6 were eliminated from this analysis due to the small number of cases in each. Omitting these classes had no significant effect on the overall figures. (See Table V) Figure I graphically summarizes the data for the four major offense classes (violent, property, fraud and drug offenses).

TABLE II
 PROPORTION OF CONVICTED CASES
 THAT WENT TO TRIAL BY CLASS OF OFFENSE AND YEAR

<u>Class of Offense:</u>	<u>Year I</u> (8/74-8/75)	<u>Year II</u> (8/75-8/76)	<u>Year III</u> (8/76-8/77)	<u>Year IV</u> (8/75-8/78)	<u>Year V</u> (8/78-8/79)
<u>Violent Felonies</u> (Class 2)	18.7% (41/219)	22.9% (46/201)	40.2% (63/157)	25.2% (32/127)	34.6% (28/ 81)
<u>Property Offenses</u> (Class 3)	4.6% (10/216)	8.5% (24/281)	8.3% (16/187)	16.4% (30/183)	17.1% (19/111)
<u>Fraud Offenses</u> (Class 4)	5.6% (7/124)	5.7% (4/ 70)	13.0% (7/ 54)	19.2% (18/ 94)	14.3% (8/ 56)
<u>Drug Offenses</u> (Class 5)	1.4% (2/144)	25.2% (28/111)	29.2% (14/ 48)	31.4% (27/ 86)	17.2% (10/ 58)
		Plea Bargaining Ban			
<u>All Classes¹</u>	8.5% (60/703)	15.3% (102/665)	22.4% (100/446)	21.8% (107/490)	21.2% (65/306)

¹(Except Classes 1 & 6)

(b) Sentences:

Property, fraud and drug offense (Classes 3, 4 and 5, respectively) sentences increased in severity immediately after the prohibition of plea bargaining. No appreciable increase in sentences appeared in violent offenses (Class 2). The trend toward higher sentences has continued. Concomitant with this increase in sentence severity, a defendant's chance of receiving a probationary sentence has decreased. Tables III and IV represent, respectively, mean active sentences and the likelihood of receiving probation for the two study periods.

Mean sentences among all offense classes (with the exception of drug offenses) have risen since August of 1976 (Table III). Sentences for violent felonies (+82%) and property offenses (+92%) increased most appreciably. Fraud offense sentences rose slightly (+21%) while drug sentences actually decreased (-18%). Table IV reflects a systematic pattern of lower probation rates in the new study period.

Thus, of the violent felony convictions in the 1974-76 period, 35% received probation compared to 19.7% in the new period.

The increase in mean sentence lengths, similar to the rise in trial rates, has not been gradual. Most sentences lengthened substantially in year III (August, 1976 to August,

TABLE III
MEAN ACTIVE SENTENCES FOR SIX CLASSES
OF OFFENSES FOR TWO STUDY PERIODS
(1974-76 and 1976-79)
(In Months)

<u>Offense Class:</u>	<u>1974-76 Period</u>	<u>1976-79 Period</u>	<u>% Increase/ Decrease in Sentence Length</u>
1. <u>Murder/ Kidnapping</u>	231.4 (22)	356.1 (49)	+54%
2. <u>Violent Offense</u>	36.5 (274)	66.3 (293)	+82%
3. <u>Property Offense</u>	10.4 (257)	20.0 (283)	+92%
4. <u>Fraud Offense</u>	16.4 (99)	19.9 (136)	+21%
5. <u>Drug Offense</u>	33.1 (120)	27.3 (110)	-18%
6. <u>"Morals" Offense</u>	38.4 (22)	44.0 (37)	+15%

N = 794.0

N = 908.0

All differences significant at p = .05

TABLE IV
 PROPORTION OF CASES RECEIVING PROBATION
 FOR SIX CLASSES OF OFFENSES FOR
 TWO STUDY PERIODS
 (1974-76 and 1976-79)
 (In Percent)

Class of Offense	1974-76 Period		1976-79 Period	
	% Probation	No. of Cases	% Probation	No. of Cases
1. <u>Murder/ Kidnapping</u>	12%	3/25	0.0%	0/49
2. <u>Violent Offense</u>	35%	148/420	19.7%	72/365
3. <u>Property Offense</u>	48%	242/499	41.2%	198/481
4. <u>Fraud Offense</u>	49%	96/195	33.3%	68/204
5. <u>Drug Offense</u>	53%	135/255	42.7	82/192
6. <u>"Morals" Offense</u>	44%	17/39	32.7%	18/55

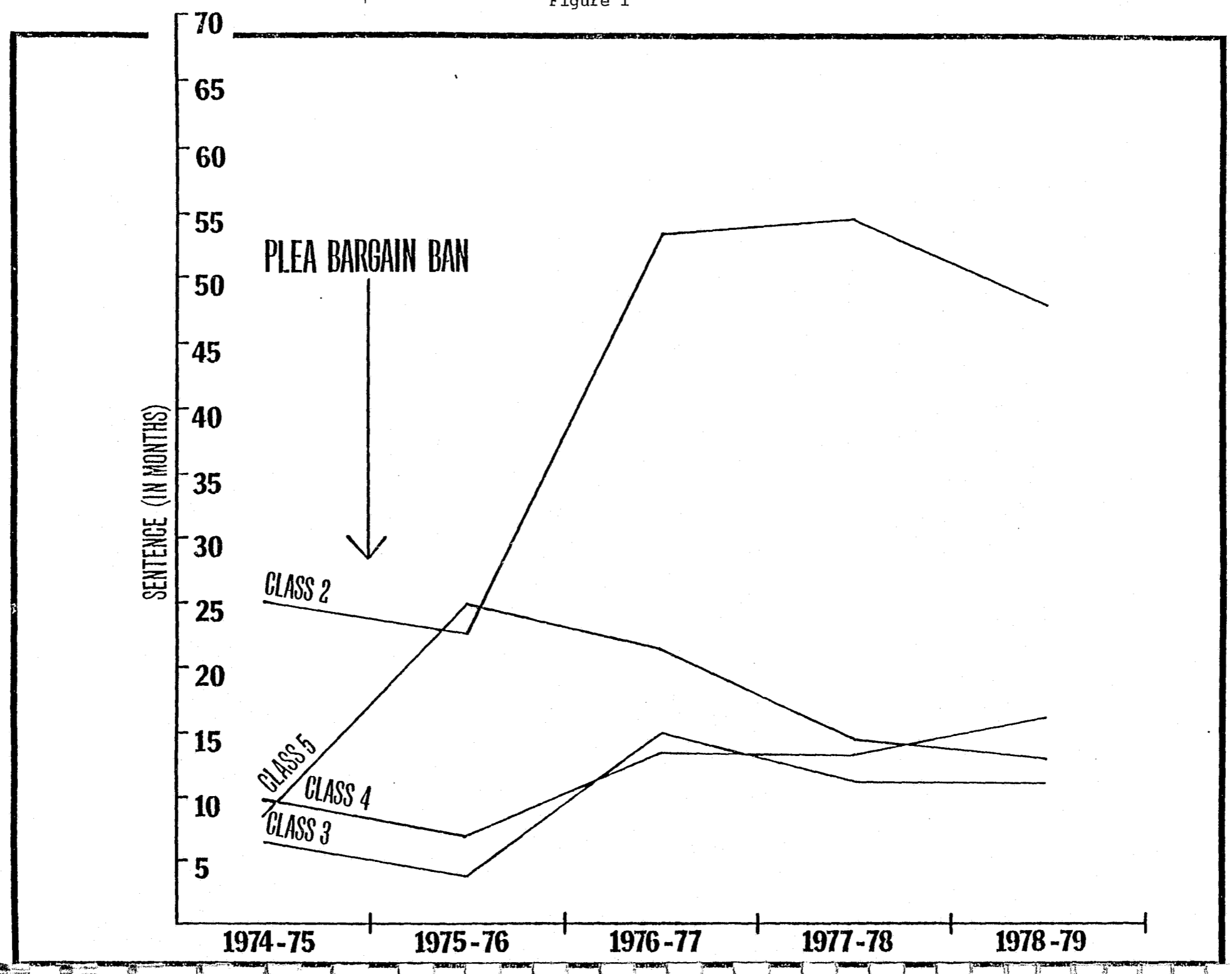
1977) and have since stayed about the same or decreased. (See Table V.) Figure I graphically summarizes this information for the four major offense classes (violent, property, fraud and drug offenses).

The patterns of increased trials and sentence severity, occurring most noticeably in the first year of the new study, strongly suggest the hypothesis that they may be long term ramifications of the 1975 plea bargaining policy. We explored other possible reasons for these findings, such as varying distribution of specific offenses within a class of offense and differences in the prior criminal histories of the defendants represented in the two study periods, but none helped to explain the findings. Since the patterns observed appear to be part of a trend begun immediately after the ban on plea bargaining, it may be reasonable to conclude that our new data have contributed to a more detailed empirical understanding of the effects of the Attorney General's policy. Our initial study included only the first year during which the policy was effective and could suggest, but not determine, the long-range effects of the policy.

TABLE V
 MEAN ACTIVE SENTENCE FOR SIX CLASSES OF
 OFFENSES FOR FIVE YEARS
 (8/1974 to 8/1979)
 (In Months)

Class of Offense:	Year I 8/74-8/75	Year II 8/75-8/76	Year III 8/76-8/77	Year IV 8/77-8/78	Year V 8/78-8/79
1. <u>Murder/ Kidnapping</u>	171.2	238.8	437.3	456.0	201.7
2. <u>Violent Offense</u>	24.8	22.7	55.0	55.1	48.1
3. <u>Property Offense</u>	6.8	4.3	14.8	10.1	10.2
4. <u>Fraud Offense</u>	8.2	6.2	13.1	11.4	16.6
5. <u>Drug Offense</u>	8.0	25.4	19.8	14.7	13.5
6. <u>"Morals" Offense</u>	25.5	16.6	38.5	28.8	28.3

Figure I



(D) ANALYSIS OF SENTENCING OUTCOMES BY CLASS

(1) Class 2: Violent Felonies:²

Table II-1 (Appendix A) reflects the charge at final disposition of the 365 cases initially charged as a Class 2 offense. About one-third of these charges at conviction are lower than the original charge filed by the prosecutor. Only one of the charges which was originally a violent felony is now in another class of offenses (trespass, a Class 3 property offense, originally a rape charge). Because the judge may consider the nature of both the original and the final charges at the time of sentencing, we use this procedure to maintain as much of the information about both charges as possible.

This table also provides the number of cases, mean active sentence, and a sentence distribution for each of the offenses. Sentence length varies considerably within many specific offenses. For example, nearly 24% of robbery convictions resulted in probation while 17% resulted in a sentence of over 60 months.

² The offenses making up Class 2 range from manslaughter (AS 11.15.040), assault with intent to kill, rape or rob (AS 11.15.160), forcible rape (AS 11.15.120), robbery (AS 11.15.240) shooting with intent to kill, wound or maim (AS 11.15.150), assault while armed (AS 11.15.190), assault with a deadly weapon (AS 11.15.220), use of firearms during the commission of certain crimes (AS 11.15.295), the arson offenses (AS 11.20.010, .020), to negligent homicide (AS 11.15.080).

Methods of Analysis

All of the study's variables were subjected to two separate "screening" procedures, including a one-way analysis of variance as well as a stepwise multiple regression for each group of factors (i.e., background, prior criminal history, offense severity, process and sentencing factors). These techniques allow the relationship of each factor to sentence length to be taken into account separately. Those with no apparent statistical significance were excluded from further analysis.

The factors surviving the initial screening were subjected to a stepwise multiple regression analysis. This technique revealed still more factors which could be excluded because they failed to demonstrate a statistically significant relationship to sentence length. Each class of offense with the exception of Classes 1 and 6 was studied using this procedure. Class 1 (murder and kidnapping) contained very few cases, and the sentences were all highly crystallized at the upper end of the sentence distribution. Similarly, there were too few Class 6 cases for this type of analysis.

Most Important Factors in Sentence Length

Tables II-2 and II-3 (Appendix A) list ten factors that survived both of the initial screening procedures and which

were identified by multiple regression analysis as most significantly associated with sentence length. They included:

1. The number of prior adult felony convictions;
2. The specific offense at conviction;
3. The number of felony convictions accompanying this conviction for which the defendant was contemporaneously sentenced;
4. The defendant's use of an alias in committing the offense;
5. Certain background information about the defendant, including (a) dishonorable discharge from the military, (b) known drug or alcohol history, and (c) race (Native);
6. Intoxication (alcohol) at the time of commission of the offense;
7. Victim's death as a result of the offense;
8. Defendant was jailed pending disposition of his case (i.e., did not make bail or release on his own recognizance);
9. The sentencing judge could be categorized as "lenient"; and
10. Characterization by the pre-sentence report of the defendant in an adverse manner.

Table II-2 of this report is included in an effort to make these factors more empirically meaningful in two ways. First, it indicates how many cases fell into each of the categories identified as most significant (e.g., how many defendants were intoxicated at the time of the offense, how many had dis-

honorable discharges). It also provides the mean active sentence and likelihood of receiving probation for each category.

For example, the first factor listed is companion convictions. Of 365 Class 2 convictions, 174 included contemporaneous convictions. The likelihood of receiving probation was 14.9% for these cases, much lower than the 24.1% for defendants convicted of only one offense. Similarly, the mean active sentence for those with a companion conviction was 91.7 months compared to 40.4 months for those with none. These means should not be confused with the estimated contributions of each factor in Table II-3. The latter (coefficient) values indicate the estimated contribution of each factor to sentence length while statistically controlling for (or taking into account) the impact of all other significant factors. Accordingly, these latter values reflect the unique, independent contribution of each factor to sentence length.

The statistics underlying each comparison define the level of statistical significance of the differences. For example, if $p=.001$, there is only one chance in a thousand that the empirical differences are due to chance or accident. The minimum accepted level of significance is .05 (in 95 out of 100 cases, the differences are not due to chance).

Table II-3 indicates the estimated contribution of each of the ten factors to sentence length, independent of all other factors. The effect of a factor on a typical sentence is shown with a plus sign (associated with an increase in sentence length) or a minus sign (associated with a decrease). The numbers following these signs indicate the magnitude, in months, of the estimated increase or decrease. For example, for each prior adult felony conviction the sentence would be 8.4 months longer, other things being equal.

Comparison and Explanation of Important Factors.

One would intuitively expect most of the factors on Table II-3 to affect sentence length. The most important factor was the specific offense of which the defendant was convicted. A sentence for rape would be 94.5 months longer than the typical Class 2³ sentence, while a conviction of assault with intent to kill, rape, or rob increased sentence length by 56.8 months, and use of a firearm in certain offenses increased a sentence by 38.4 months. Other factors which would logically be associated with an increased sentence included the defendant's

³ That is, in comparison with sentences for manslaughter, negligent homicide, robbery and ADW.

prior convictions, his failure to post bail (or be released on his own recognizance), his additional convictions, and the death of his victim. All are factors found significant in previous studies.

One factor which could not be measured in earlier studies was the defendant's intoxication at the time of the offense. It turns out to be significant, decreasing the typical sentence length by 16.4 months. This may be explained by the impact of an intoxication (mens rea) defense to specific intent offenses. Since many Class 2 offenses require that the defendants have specifically intended to commit a certain offense, a successful intoxication defense may have resulted in conviction of a lesser offense with a shorter sentence.

Effects of Judges on Sentences

Judges have been categorized as "strict," "lenient," or "other," following our procedure used in two earlier studies. The sentencing patterns of individual judges cannot be determined because most sentenced too few cases of any specific offense. However, this does not prevent a consideration of the effect of a group of judges in the class as a whole.

Twenty-nine judges imposed sentences in the 365 Class 2 cases. Those whose mean sentences were 50% or more above the overall mean sentence for the class were termed "strict." If a

judge's mean sentence length was 50% or more below the typical mean, he was termed "lenient." Only judges who had imposed sentences in at least six cases were considered. All others, along with those whose sentences were closer to the typical mean sentence, were designated "other."

The effect on sentence length was important only if the judge had been categorized as "lenient." Cases sentenced by "lenient" judges received sentences 23.1 months shorter than those sentenced by either "strict" or "other" judges, independently of any other factors significantly associated with sentence. (These judges were "lenient" only in the sense that their sentences were relatively shorter than those of other judges sentencing Class 2 cases).

Race and Sentences for Violent Felonies

The defendant's race, if Native, reduced sentence length significantly. Race had not been found to be an important factor in Class 2 in our earlier studies. The present analysis indicates that Native defendants received a sentence 15.6 months less than these imposed on Blacks and Whites, independent of the effects of all other significant factors.

The Effect of the Pre-Sentence Report.

The study included a series of variables regarding the pre-sentence report (prepared prior to sentencing for all

felony convictions). We hypothesized, based on a review of several hundred pre-sentence reports, that the recommendation of the probation officer preparing the report and his characterization of the defendant might play an important role in the sentence imposed. We hoped that it would explain some of the variation in sentences which was left after prior criminal history, the nature of the offenses, and other characteristics of the defendant and offense had been taken into account. This hypothesis was confirmed by our findings. The pre-sentence variables were often more important than any factor except the specific offense of conviction.

Two separate variables were coded, including the reporter's characterization of the defendant, and his recommendation of the sentence to be imposed. Characterizations were summarized by terms frequently used in pre-sentence reports, such as "cooperative," "anti-social, hostile," "apathetic/indifferent," "disturbed/unable to control behavior," and "professional or habitual criminal." Recommendations for sentences were summarized as probation, "taste of jail" (60 days or less), "time to serve", and "substantial" (2 years or more).

Pre-sentence report variables affected the sentences in Class 2 (violent) offenses only if the reporter had characterized the defendant in a "negative" manner (including

"anti-social," "disturbed," or "habitual criminal"). In these cases, sentence length was increased by 25.3 months after taking into account harm to the victim and all other significant factors.

A "bad" pre-sentence report characterization added more time to a typical sentence than many seemingly more weighty qualities of the defendant or offense. Thus, factors such as the number of prior felony convictions, contemporaneous convictions, and serious harm to the victim had less of an impact on sentence length than the pre-sentence reporter's comments.

Finally, the defendant's use of an alias increased his sentence very significantly (by 50.8 months). Although we collected data about aliases in earlier studies, it never appeared to be an important factor in Class 2 sentences. This result may be explained by the fact that use of an alias could be interpreted by the sentencing judge as an indication of professional or habitual criminal activity.

(2) Class 3: Property Offenses⁴

In comparison with Class 2 sentences, Table II-4 (Appendix A) indicates a higher concentration of sentences at the lower end (probation to 6 months imprisonment) of the scale. Over 40% of all Class 3 convictions resulted in probation without any active prison time.

Sentence length varied widely depending upon the specific offense. Convictions for burglary in an occupied dwelling resulted in the longest sentences. The mean active sentence for this offense was three times longer than that of any other Class 3 offense. Moreover, the likelihood of receiving probation was lowest among those convicted of this offense.

Most Important Factors in Sentence Length

The variables collected about Class 3 cases were screened using the procedures described for violent felony cases. The multiple regression technique was applied, and nine factors were found significantly associated with sentence length. The results are shown in Tables II-5 and II-6 (Appendix A). These included:

⁴ Class 3 comprises 481 charges including burglary in dwelling house occupied, burglary in a dwelling house night, and burglary in a dwelling other (AS 11.20.080), burglary not in a dwelling house (AS 11.20.100), larceny from the person (AS 11.15.250), larceny of money or property (over \$250) (AS 11.20.140), larceny in a building or vessel (AS 11.20.150), and buying, receiving or concealing stolen property (AS 11.20.350).

1. The specific offense at conviction;
2. The number of prior adult felony convictions;
3. The pre-sentence report characterization of the defendant;
4. The pre-sentence report recommendation;
5. The defendant was intoxicated on drugs at the time of the offense;
6. The defendant was jailed pending disposition of his case (i.e., did not make bail or release on own recognizance);
7. The defendant went to trial (rather than entering a plea of guilty);
8. The value of the property taken or appropriated exceeded \$1,000; and
9. The number of contemporaneous convictions.

Table II-5 compares the mean active sentence lengths and likelihood of receiving a probationary sentence for each of these factors, and Table II-6 indicates the estimated independent contribution of each factor to a typical sentence.

Effects of Individual Factors

The single most important factor was the specific offense at conviction. Burglary in an occupied dwelling resulted in a sentence 55.06 months longer than the sentence of any of the most common offenses in the class. A conviction for buying, receiving or concealing stolen property decreased a sentence by 6.09 months. As was expected, the number of prior adult felony convictions and number of contemporaneous charges were

associated with increases in sentence length (7.8 and 1.8 months for each, respectively).

Cases in which the offense involved property with a value over \$1,000 increased sentence length by 5.9 months. Distributions of property values (provided in Table II-5) suggest that the full effect of this variable was realized only when the property was valued at \$5,000 or more.

Sentence length increased by 5.6 months if the defendant was jailed pending disposition of his case (i.e., he did not make bail or OR). Convictions after trial (either jury or bench) also resulted in a longer sentence (8.9 months) than those for pleas of guilty. Finally, drug intoxication at the time of the offense resulted in the second largest contribution to sentence length among the nine factors (+15 months).

Weight of the Pre-sentence Report

Two of the significant factors in this class are products of the pre-sentence report. A recommendation of time to serve raised the sentence by 6.4 months. The pre-sentence report's characterization of the defendant, as explained in our discussion of Class 2, independently increased sentence length by 7.9 months. The magnitude of the impact of these pre-sentence report factors was greater than that of most other factors, including property value and companion convictions.

It was, however, as great as the effect of a prior felony conviction.

Many of the factors, in summary, identified by the statistical analysis concerned aspects of the defendant's criminal behavior. However, two of the nine contributors to sentence length result from the pre-sentence report's characterization of the defendant and its recommendation. Overall, the statistical "model" is a fairly good description of sentencing, explaining 46% of the overall variance.

(3) Class 4: Fraud Offenses⁵

Table II-7 (Appendix A) indicates the final dispositions of the 204 Class 4 cases. Forgery of debt was the most typical conviction (n=75), followed by embezzlement by a servant-employee (n=35) and drawing of check with insufficient funds (n=33). Other specific offenses are represented by ten or fewer cases. Sentence distributions vary widely. One third of the sentences resulted in probation, while mean sentences ranged from a fraction of a month to ten years.

⁵ Class 4 convictions totalled 204 charges of forgery of record or debt (AS 11.25.010, .020), drawing of check with insufficient funds (AS 11.20.360), and the embezzlement offenses (AS 11.20.280, .290, .330, .340).

Most Important Sentencing Factors

Eight factors were identified by multiple regression analysis as significantly associated with sentence variation, including:

1. The number of prior adult felony convictions;
2. The number of contemporaneous felony convictions;
3. The defendant's intoxication (alcohol) at the time of the offense;
4. A property value exceeding \$5,000;
5. The type of defense counsel (court-appointed);
6. The sentencing judge's categorization as "strict" or "lenient";
7. The defendant's monthly income (if under \$500/month); and
8. The pre-sentence report reference letters (whether all positive or negative).

Following the organization of the analysis developed for Classes 2 and 3, Table II-8 compares the mean active sentence lengths and likelihood of receiving probation of each of these factors, while Table II-9 represents the independent contribution of each factor to a typical sentence.

Explanation of Individual Factors

The defendant's prior criminal history had the single greatest effect on sentence length. Sentence length increased by 37.8 months for cases in which the defendant had three or more prior adult felony convictions. The breakdown of mean sentences by level of severity of prior record (Table II-8)

demonstrates a strong linear relationship to sentence length. The mean sentence of defendants with no prior record was 10.9 months compared with 12.3 months if the defendant had a prior misdemeanor record, 22.0 months if one prior felony, and 73.7 months if two or more prior felonies. (Significant at $p=.001$). The defendant's prior criminal history has been found to have a strong relationship to sentence length in each class of offense. It represents the single best predictor of increased sentence length among all factors considered in this study.

Companion (contemporaneous) convictions are also reliable predictors of increased sentence length. Sentences for fraud offenses were increased by 3.9 months for each companion conviction. Alcohol intoxication increased a typical sentence (by 12.8 months), as did a property value over \$5,000 (9.1 months).

The type of defense counsel played a significant independent role in sentence length. If the defense counsel was court-appointed (rather than privately retained or the Public Defender), sentence length increased by 15.4 months. This same factor appears significant among Class 5 (drug) convictions, and is discussed more fully in the following section of the report.

The nature of the judge at sentencing ("strict" versus "lenient") was most significant among fraud offenses. The classification of judges as strict or lenient follows exactly the same logic as noted in the context of our violent felonies analysis. It is interesting to note that a strict judge would increase a typical sentence by 11.4 months while a lenient judge reduced a sentence by only 4.4 months.

The multiple regression analysis indicates that the defendant's income significantly affected sentence length. A monthly income less than \$500 typically reduced a sentence by 4.2 months. This is the only socio-economic factor found significant in our "models" of urban sentencing patterns. While such factors are more typically important in rural locations (discussed, *infra*), urban patterns more often include only factors relating to the defendant's criminality (both the offense committed and criminal histories) and administrative or process factors (type of attorney, judge, etc.).

Finally, pre-sentence report reference letters played a large role in fraud sentences. If the reference letters were all positive, sentence length decreased by 4.8 months. If the letters were all negative, sentence length rose by 15.7 months.

(4) Class 5: Drug Offenses⁶

Table II-10 (Appendix A) summarizes the offenses of conviction for these 191 Class 5 cases. Convictions for sale of a narcotic were the most frequent (n=77) followed by possession of a narcotic (n=52). The active mean sentence for convictions of possession of a narcotic is much higher than that for sale of narcotic (38.1 and 28.5 months, respectively). Despite extensive analysis of the two offenses we could find no statistical explanation for this result.

Forty-two percent of these convictions resulted in probation. Active sentences varied widely among most offenses, especially the narcotic offenses. Unlike our plea bargaining data, no cases of possession of a narcotic for sale appeared in the new study, suggesting that either these offenses did not occur during the years of 1976-1979, or that they were not prosecuted.

⁶ There were 191 urban drug offenses that included convictions for possession of a narcotic, sale of narcotic, possession for sale of hallucinogenics depressants and/or stimulants (hereafter, HDS), sale of HDS, fraud in obtaining and disposal to a minor (AS 17.10.010;.200(a),(b),(c)).

Length of Drug Sentences: Important Factors

Tables II-11 and II-12 include seven factors found to contribute significantly to the length of drug sentences:

1. The number of prior adult felony convictions;
2. The type and amount of drug (specifically, if over 7 grms. of heroin);
3. The defendant's probation or parole status at the time of the offense;
4. The type of defense counsel;
5. The defendant's race;
6. The judge's order for a psychological exam; and
7. The number of contemporaneous convictions.

Table II-12 provides the estimated independent contribution of each factor to sentence length, while Table II-11 indicates the active mean sentence and likelihood of receiving probation for each factor.

Possession or sale of more than seven grams of heroin contributed more substantially to sentence length (+39.2 months) than any other single factor. The breakdown of mean sentences by type and amount of drug (Table II-11) shows that heroin cases had a far higher mean sentence than other cases.

The number of prior adult felony convictions, number of contemporaneous convictions, and the defendant's status on probation or parole at the time of the offense all increased sentence length (15.9, 2.2, and 24.6 months, respectively). A

comparison of sentence means in Table II-11 empirically confirms these findings.

Type of defense counsel was again important. The sentences for cases represented by a court-appointed attorney were increased by 11.9 months while those represented by the Public Defender were decreased by 8.7 months. These values were computed by comparing them to sentences for cases in which the defendant paid his own attorney. Finally, sentence length increased by 9.9 months in cases in which a psychological exam was ordered.

Race and Drug Sentences

Being Black was associated with a longer drug sentence. Other things being equal, Blacks convicted of drug offenses received a sentence 11.4 months longer than Natives and Whites. The magnitude of this impact is nearly equivalent to that found in our plea bargaining data.

We compared Black, Native and White mean sentences by specific offense, type of drug, amount of drug, prior record and the defendant's status on probation or parole. This analysis indicated that the disparate sentences of Blacks appear to be largely limited to cases involving heroin (Table II-13 Appendix A). Among cases resulting in an active prison sentence, the Black mean is higher than that of Whites only among heroin cases.

Table II-14 (also in Appendix A) compares the likelihood of receiving probation by type of drug and race. Blacks are less likely than Whites to receive a probationary sentence (all drug types except HDS). The differences are greatest among heroin offenses. Thus it seems reasonable to conclude that the major area of racial disparity is limited to narcotic offenses (possession and sale) involving heroin.

(5) Class 1: Murder and Kidnapping, and Class 6: "Morals" Offenses

Class 1 consists of 67 cases originally charged as murder or kidnapping and Class 6 includes 55 cases originally charged as "morals" offenses.⁷ Neither class has sufficient cases for a multivariate analysis such as that conducted for the other four classes. Tables II-15 and II-16 give detailed information on the final dispositions and sentences rendered within these classes (1 and 6, respectively).

⁷ Due to the very small numbers of Class 1 offenses, Table II-15, which summarizes sentence outcomes for these cases, includes cases from all ten Superior Court locations.

As would be expected, sentences for Class 1 cluster at the high end of the scale. With the exception of those cases resulting in manslaughter convictions, all sentences in this class were over 25 months in length, with the majority over 60 months. Among class 6 convictions, nearly a third of the cases resulted in a probationary sentence, while active sentences varied widely.

(E) NEW URBAN SENTENCING PATTERNS

The statistical "models" of sentencing discussed in the last section reveal systematic patterns deserving further discussion. Perhaps the most significant overall finding is the lack of socio-economic and demographic factors among the models. Only one factor in one class could be defined as socio-economic (low income, which reduces fraud sentences). Most of the factors touch on the criminality of the defendant, including past criminal history, and the offense for which the defendant was convicted. Administrative factors (type of attorney, strict or lenient judge, guilty plea or trial) and pre-sentence report factors also affect sentence length. These findings should be compared with those of Part III delineating rural sentencing patterns. There, socio-economic and background factors appear more frequently.

The other major patterns noted in urban sentencing models, included (1) plea-trial sentence differentials, (2) the relationship of alcohol and drugs to crime, (3) the impact of the pre-sentence report, and, (4) the effect of type of defense counsel.

(1) Plea-Trial Sentence Differential:

Our discussion of the ramifications of plea bargaining stated that the proportion of cases convicted at trial has risen considerably between the two study periods. In addition, the multiple regression analysis of Class 3 (property) offenses indicated that a conviction after trial resulted in sentence 8.9 months longer than that based on a plea of guilty.

When the first step of analytic screening was performed, a significant relationship between going to trial and longer sentences appeared in every offense class. The effect of trials dropped out of significance in three classes (2, 4 & 5) during stepwise multiple regression analysis. This suggests that in these classes, the length of sentence was better explained by other factors. However, the finding of significance in all classes encouraged us to look more closely at the actual differences in sentences. Table VI summarizes mean sentences for pleas of guilty and convictions after trial for all classes.

TABLE VI
 MEAN SENTENCES FOR
 SIX OFFENSE CLASSES
 FOR PLEAS AND TRIALS
 --URBAN--
 (IN MONTHS)¹

CLASS OF OFFENSE:	PLEAS		TRIALS		Significance
	mean	(n)	mean	(n)	
(1) <u>Murder/ Kidnapping</u>	355.6	(11)	356.2	(38)	None
(2) <u>Violent Felonies</u>	45.0	(242)	69.4	(123)	.001
(3) <u>Property Offenses</u>	9.7	(416)	24.9	(65)	.001
(4) <u>Fraud Offenses</u>	11.7	(171)	21.2	(33)	.05
(5) <u>Drug Offenses</u>	12.9	(141)	23.1	(51)	.05
(6) <u>"Morals" Offenses</u>	27.9	(47)	39.3	(8)	None

¹ Probationary (zero) sentences are included in this analysis.

A substantial differential exists between sentences based on pleas of guilty and those resulting from convictions after trial. It is possible, however, that these differences may be explained by other factors such as the distribution of specific offenses or severity of criminal histories of the defendants.

Thus, more serious offenses or worse offenders may have gone to trial, facts which would explain the apparent differential. To test these hypothesis, we have broken down pre-trial differences by specific offense, level of severity of prior record, location, race and custodial status of the defendant (i.e., whether the defendant made bail or was jailed prior to his conviction). We found that the differential persists among all levels of those factors. Accordingly, even if other factors explain the differences in sentences between pleas and trials in some classes, they are not explained by the most likely variables -- specific offense, severity of prior record and custodial status.

(2) Relationship of Alcohol and Drugs to Criminal Behavior:

Use of drugs and/or alcohol and criminal behavior are closely related in two ways. Known drug/alcohol histories and past criminal behavior are strongly associated, and many types of offenses are likely to be committed under the influence of alcohol and/or drugs.

Table VII summarizes the relationship between severity of criminal record and known drug/alcohol histories. Defendants described as having had drug or alcohol problems also had substantially more serious criminal histories than those without such problems. This finding suggests that serious drug or alcohol problems may be an index of recidivism.

TABLE VII
SEVERITY OF PRIOR CRIMINAL RECORD
BY DRUG/ALCOHOL HISTORY
(Urban)

Severity of Prior Record:	Neither	Alcohol Addiction History	Drug Addiction History
<u>No Priors</u>	48.5% (293)	10.5% (28)	16.1% (41)
<u>Misdemeanors Only</u>	32.5% (196)	50.9% (136)	35.0% (89)
<u>One Prior Felony</u>	15.9% (96)	23.2% (62)	21.7% (55)
<u>Two/More Prior Felonies</u>	3.1% (19)	15.4% (41)	27.2% (69)
TOTALS	100% (604)	100% (267)	100% (254)

According to the table, nearly half (48.5%) of the defendants with no known drug/alcohol history were first offenders, compared to only 10.5% and 16.1%, respectively, of those with known drug or alcohol problems. Over half (50.9%) with an alcohol history had a misdemeanor record, in contrast to 32.5% of defendants with no such history. Finally, 48.9% of those with a drug history have a felony record, compared to only 19% of those with no known history of drug (or alcohol) use.

Further, a significant proportion of most offenses are actually committed under the influence of alcohol or drugs. Table VIII, below, indicates the proportion of cases in which the defendant was reported to have used drugs, drugs in combination with alcohol, or alcohol alone at the time of his offense, for each of five classes of offense (drug offenses are eliminated from this aspect of the analysis).

TABLE VIII
FREQUENCY OF USE OF DRUGS AND ALCOHOL
AT TIME OF OFFENSE FOR FIVE OFFENSE CLASSES*

Class of Offense	Total Cases	Used Drugs	Used Drugs & Alcohol	Used Alcohol
<u>Murder/Kidnapping</u>	(N=49)	2% (1)	8.2% (4)	44.9% (22)
<u>Violent Felonies</u>	(N=365)	4.9% (18)	5.8% (21)	47.7% (174)
<u>Property Offenses</u>	(N=481)	5.2% (25)	4.2% (20)	30.8% (14)
<u>Fraud Offenses</u>	(N=204)	3.4% (7)	1.0% (2)	6.9% (14)
<u>"Morals" Offenses</u>	(N=55)	---	7.3% (4)	41.8% (23)

*Percents indicate proportion of all cases within class.

Table VIII demonstrates that alcohol use is much more closely associated with criminal behavior than is drug use. The magnitude of alcohol use is staggering in comparison with drugs. It should be mentioned, however, that the relative difficulty of detecting drug intoxication compared with alcohol use probably accounts for at least a portion of the difference. As noted in Part III of this report, alcohol intoxication at the time of the offense is even more frequent among rural locations.

(3) Impact of Pre-Sentence Report Factors:

In addition to the facts about the offender, we collected three additional items of information from the pre-sentence report: 1) the reporter's sentence recommendation, 2) the reporter's characterization of the defendant (see discussion of this factor in analysis of Class 2 sentences, above) and, 3) the type (positive or negative) of any pre-sentence report reference letters. This information was not captured in our plea bargaining data. We felt that it would be strongly associated with sentencing outcomes and thus included it in the present study.

Our analysis reveals that these factors have a significant and substantial independent effect on length of sentence. A "bad" characterization in the pre-sentence report increased a

typical sentence, other things being equal, among violent and property offenses (Classes 2 and 3). A "time to serve" recommendation increased sentence length in Class 2, while reference letters affected sentence length among fraud offenses, independent of the effects of other factors.

These results suggest that the pre-sentence report, apart from the objective information that it conveys, plays a very significant role in sentence outcomes. The magnitude of the impact is considerable in comparison with other relevant factors. Thus, among property offenses, the impact of a "bad" characterization is greater than that of a prior felony or contemporaneous conviction. Similarly, among fraud offenses, the impact of negative reference letters is greater than most other significant factors.

The effect of these pre-sentence report factors is nearly always aggravating with regard to sentence length. The only instance in which they mitigate a sentence concerns positive reference letters in the fraud offense area. It is interesting to note that while negative letters increase a sentence by 15.7 months, positive letters reduce a sentence by only 4.8 months. Likewise, "good" characterizations (e.g., "cooperative") and positive recommendations (e.g., "probation") do not have a significant impact at all.

(4) Sentencing Outcomes by Type of Defense Counsel:

The multiple regression "models" discussed above indicate that in two of the four offense classes modeled, fraud and drug offenses, and the type of defense attorney representing the defendant made a significant independent contribution to sentence length. Among both fraud and drug offense convictions, representation by a court-appointed attorney substantially increased sentence length. However, among drug convictions, representation by the Public Defender decreased a typical sentence.

We decided to analyze these differences more systematically in light of the magnitude of the contribution that this factor made to sentence length (+15.4 and +11.9 months for court-appointed attorneys among fraud and drug sentences, respectively, and -8.7 months for the Public Defender among drug sentences). Table IX, below, represents mean sentence length differences among the three attorney types (Public Defender, court-appointed and private counsel) for each of the six classes of offense. As the table shows, cases represented by a court-appointed attorney resulted in substantially longer mean sentences among all classes of offense.⁸

⁸ Sentence means for this table were computed on all sentences, including those resulting in probation. It should be noted that cases represented by court-appointed attorneys resulted in both longer active sentences and less likelihood of receiving probation.

TABLE IX
MEAN SENTENCES BY SIX OFFENSE
CLASSES BY TYPE OF DEFENSE
ATTORNEY*
(Urban)

<u>Class of Offense:</u>	<u>N</u>	<u>Public Defender</u>	<u>Court Appointed</u>	<u>Private</u>
(1) <u>Murder/ Kidnapping</u>	(N=49)	248.8 (19)	650.8 (13)	250.6 (17)
(2) <u>Violent Felonies</u> (1)	(N=365)	49.1 (170)	80.2 (90)	37.4 (103)
(3) <u>Property Offenses</u>	(N=481)	11.9 (286)	14.4 (102)	8.6 (93)
(4) <u>Fraud Offenses</u> (2)	(N=204)	11.6 (133)	26.7 (22)	11.9 (48)
(5) <u>Drug Offenses</u>	(N=191)	10.6 (70)	27.3 (30)	15.8 (91)
(6) <u>"Morals" Offenses</u>	(N= 55)	26.6 (28)	60.0 (1)	31.6 (26)

* All differences significant at at least $p=.05$ except fraud offenses (Class 4) and "morals" offense (Class 5).

Probationary (zero) sentences are included in computation of mean sentences.

(1) Two missing cases.

(2) One missing case.

We analyzed some of the most likely explanations for these differences, including: 1) court-appointed attorneys representing different types of cases; and 2) differences in the types of defendants represented by court-appointed versus the Public Defender and private counsel. One or both of these hypothesis might explain the substantial differences in sentence outcomes.

With the exception of Class 1, we found no significant differences in the specific offenses represented by each of the three attorney groups. Among Class 1 convictions court-appointed attorneys represented proportionately more murder in the first degree cases than either the Public Defender or private counsel (54.5% compared with 27.3% and 18.2%, respectively). Accordingly, the substantial differences among Class 1 mean sentences noted in Table IX are probably explained by this fact. However, specific offense does not explain the differences among the other five classes of offense.

We also considered the impact of going to trial as a possible explanation for the different sentence outcomes. Cases that resulted in conviction after trial had longer sentences than those based on pleas of guilty. We analyzed whether court-appointed attorneys went to trial more frequently than the other attorney types, which might account for their

higher sentences. We found that among fraud and drug offenses, court-appointed attorneys went to trial more often than the Public Defender or private attorneys. However, a multivariate breakdown controlling for cases involving pleas or trials indicated that this fact did not account for the higher court-appointed attorney sentences. That is, among all cases resulting in a conviction after trial, those represented by court-appointed attorneys nearly always resulted in longer sentences.

We did find that proportionately more cases represented by the court-appointed attorneys involved co-defendants. While 65% of the cases represented by court-appointed attorneys involved co-defendants, this was true for only 23.6% and 35.5% of the Public Defender and private attorneys, respectively.

We also considered the types of defendants represented by the three attorney groups. We found no significant differences on the basis of the criminal histories of the defendants represented. Further, a breakdown of mean sentences controlling for severity of prior criminal record revealed that cases represented by court-appointed attorneys nearly always resulted in longer sentences than those represented by the Public Defender or private attorneys.

Finally, we found significant differences in the distribution of attorney-type representation by racial groups. The vast majority of Native defendants (over 70%) were represented by the Public Defender (compared with 53.6% and 47.6% of Black and White cases, respectively). Blacks were proportionately more likely than either Natives or Whites to have received a court-appointed attorney (29.2% of Blacks compared to 19.3% of Natives and 16.4% of Whites), while White defendants were proportionately most likely to have retained a private attorney (35.5% of Whites compared with 17.2% of Blacks and 10.5% of Natives).

PART III
RURAL ALASKAN SENTENCING PATTERNS

(A) Introduction

As noted in our discussion of Research Design and Methodologies, our 1976-79 data base was extended to all ten Superior Court locations in the State. We thus have, for the first time, sentencing data for cases from Barrow, Nome, Bethel, Kodiak, Kenai, Sitka and Ketchikan. The purpose of this section of the report is to summarize findings of sentencing patterns among these "rural" court locations.

There were a total of 537 rural cases originally charged as a felony that resulted in conviction. Tables X and XI, below, reflect the distribution of these convictions by location and class of offense, respectively.

TABLE X
DISTRIBUTION OF RURAL CONVICTIONS
BY LOCATION

<u>Location:</u>	<u>n of cases</u>	<u>% of N</u>
Barrow	42	7.8%
Nome	69	12.8%
Bethel	116	21.6%
Kodiak	95	17.7%
Kenai	77	14.3%
Sitka	36	6.7%
Ketchikan	<u>102</u>	<u>19.0%</u>
	N=537	N=100.0%

TABLE XI
DISTRIBUTION OF RURAL CONVICTIONS
BY CLASS OF OFFENSE

<u>Offense Class:</u> ¹	<u>n of cases</u>	<u>% of N</u>
<u>Violent Felonies</u>	154	28.7%
<u>Property Offenses</u>	248	46.2%
<u>Fraud Offenses</u>	60	11.2%
<u>Drug Offenses</u>	39	7.3%
<u>"Morals" Offenses</u>	36	6.7%
	N=537	100.0%

¹ There were n=18 Class 1 convictions omitted from this analysis. The information for all (n=67) Class 1 convictions is summarized in Table II-15 (Appendix A).

As one might expect, the greatest proportion of rural convictions were rendered in Bethel (21.6%) and Ketchikan (19%), which have the highest populations among the seven rural court locations. Conversely, Sitka, Barrow, and Nome (6.7%, 7.8% and 12.8%, respectively) rendered the fewest convictions.

Table XI indicates that property offenses (Class 3) constitute the most typical rural conviction (46.2% of all convictions). In fact, the combination of property and violent (Class 2) offenses constitute nearly 75% of this data base.

(B) Analysis of Sentencing by Class:

Due to the very small numbers of fraud (Class 4), drug (Class 5) and "morals" (Class 6) offenses, very little statistical analysis of these offense classes was possible. Accordingly, the detailed "modeling" of sentencing outcomes, such as that conducted among most urban offense classes, was only possible for violent and property offenses.

(1) Class 2: Violent Felonies

Table III-1 summarizes the final dispositions and sentence outcomes for the 154 rural violent felony offenses. As this table indicates, assault with a deadly weapon was the most common Class 2 conviction (n=61 or 39.6% of all violent felony dispositions). Nearly 30% of these cases resulted in a misdemeanor disposition. This should be compared to the urban

Class 2 offenses (Table II-1), in which only 7.4% of the cases were reduced to misdemeanors.

The same screening and stepwise multiple regression procedures discussed in the analysis of urban Class 2 sentencing outcomes were relied upon in the analysis of these cases. Six factors were identified as most significantly associated with sentence variation. They include:

- (1) The specific offense of conviction;
- (2) The number of prior adult felony convictions;
- (3) The defendant's probation or parole status at the time of the offense;
- (4) The defendant's pre-trial custodial status;
- (5) Background and socio-economic factors about the defendant; and
- (6) The characterization of the defendant by the pre-sentence report writer.

Table III-3 provides the estimated independent contribution of each of these factors to sentence length, and Table III-2 indicates the number of cases, likelihood of receiving probation and mean active sentence for each factor.

Explanation of Significant Factors

The specific offense at conviction had the single greatest impact on sentence length. Conviction for rape resulted in a

sentence 55.5 months higher than the typical Class 2 sentence, while that for manslaughter/negligent homicide was 78.4 months higher. It is interesting that a conviction for manslaughter/negligent homicide resulted in a sentence longer than that for rape. Analysis of urban Class 2 sentences revealed that rape convictions resulted in the greatest contribution to sentence length.

As was found in every urban offense class analysis, the severity of a defendant's prior felony record increased sentence length. The magnitude of the contribution of each prior felony conviction was 26.9 months. Table III-2 indicates a strong positive linear relationship between severity of prior record and (mean) sentence length. Thus, cases in which the defendant was a first offender had the lowest mean sentence while those where the defendant had two or more prior felony convictions had the highest.

The custodial status of the defendant was also found to affect sentence. A typical sentence was increased by 24 months where the defendant was jailed (i.e., did not make bail or was not released on his own recognizance).

Two background/socio-economic factors regarding the defendant proved to be significantly associated with sentence length among these offenses. A "bad" discharge from the

military was found to increase sentence length by 52.9 months. This same factor was also found to significantly increase sentence among urban Class 2 offenses. Having a monthly income of less than \$500 increased sentence length by nearly 9 months. This finding is confirmed in the subpopulation breakdown of sentences and likelihood of receiving probation in Table III-2. To the extent that this factor is a proxy for indigency, its impact suggests a problematical result. However, the majority of cases for whom this information was available involved defendants with incomes of less than \$500 a month, suggesting that indigency, by itself, is not the underlying factor of significance.

As was found in the urban Class 2 analysis, a "bad" characterization of the defendant by the pre-sentence report writer increased sentence length (16.1 months). Thus, this factor has been found to affect sentences among rural as well as urban superior court locations.

The impact of having been on probation or parole at the time of commission of the offense for which the defendant was being sentenced is counter-intuitive. The multiple regression analysis indicates that having been on probation or parole decreases a sentence by 47.2 months. However, this finding is not confirmed by the breakdowns in Table III-2, which indicate

that cases in which the defendant was on probation/parole had a higher mean sentence than those in which he was not. Only 11.7% (n=18) of the cases in this analysis included defendants that were on probation/parole at the time of the offense, which suggests that the result was a statistical fluke.

(2) Class 3: Property Offenses

Table III-4 (Appendix B) summarizes sentence information regarding the final disposition of the 248 Class 3 rural offenses. Burglary not in a dwelling was the most common offense (n=81). Further, 72 cases (or 29% of all offenses) resulted in a misdemeanor conviction, compared to only 12.7% of the urban Class 3 offenses. Sentences for these offenses are considerably lower than those imposed in the urban locations, while the likelihood of receiving probation is greater.

Seven factors were identified by the multiple regression procedure as having the most significant relationship to sentence length. They include:

- (1) The defendant's probation/parole status at the time of the offense;
- (2) The defendant's pre-trial custodial status;
- (3) Factors from the pre-sentence report, including the characterization of the defendant, reference letters and the reporter's recommendation;

- (4) Factors regarding the employment status of the defendant;
- (5) The defendant's race (Native);
- (6) Whether probation or parole was revoked due to this offense; and
- (7) The number of prior convictions that were of the same type of offense (i.e., property offenses).

Table III-6 provides the estimated independent contribution of each factor to sentence length and Table III-5 indicates the frequency, likelihood of receiving probation and mean active sentence for each factor.

Explanation of Significant Factors

Two of the seven factors identified as most significantly associated with sentence variation concern the probation/parole status of the defendant. The sentences for cases in which the defendant was on probation or parole at the time of offense were increased by 5.6 months. Moreover, where probation or parole was revoked because of the (new) offense, sentence length was increased an additional 15 months. The frequency distributions provided in Table III-5 indicate that 38 cases included defendants who were on probation/parole at the time of offense. Probation/parole was revoked in 13 of these 38 cases.

In addition, sentence length was increased by 1.7 months for each prior conviction of the same offense class (property).

Sentence was also increased for cases in which the defendant was jailed (as opposed to release on bail or own recognizance) pending disposition of his case.

Three factors concerning the pre-sentence report significantly affected sentence outcomes. A "bad" characterization of the defendant by the pre-sentence report writer contributed 6.3 months to sentence. In addition, negative reference letters contributed 12.1 months while a "time to serve" recommendation added 4.2 months. All of these findings are supported by breakdowns provided in Table III-5.

The employment status of the defendants affected sentence length in two independent ways. Being unemployed for thirty days or more (at the time of sentencing) reduced a sentence by 3.3 months, while "seasonal" employment (e.g., fishing) reduced a sentence by 3.9 months. Thus, in both of the rural offense classes in which a multivariate analysis was possible, socio-economic factors have proven to be significantly associated with sentence length, independent of the effects of any of the other significant factors.

Finally, the analysis revealed that the defendant's race was significantly associated with sentence outcomes. Being Native (as opposed to Black or White) increased sentence length by 2.2 months. The magnitude of the contribution of this factor is not

great in relationship to other factors, but the impact is significant. Since this is the first time we collected data for rural court locations, it is impossible to compare these results with past sentencing patterns.

(3) Classes 4, 5 and 6: Fraud, Drug and "Morals" Offenses

As noted above, the number of Class 4, 5 and 6 cases are too small upon which to base a multivariate analysis. However, information on the final dispositions of these cases are provided in Tables III-7, III-8 and III-9 (Appendix B).

(C) Highlights of Rural Sentencing Patterns

The limited analysis that was performed on rural offenses suggested some overall patterns that were worthy of further analysis. This section summarizes this analysis with regard to: (1) the number of cases that were reduced to misdemeanors; (2) the relationship of alcohol and drugs to criminal behavior; and (3) differences in sentence length (and the likelihood of receiving probation) between urban and rural court locations.

(1) Misdemeanor Dispositions:

Table XII, below, summarizes the proportion of urban and rural cases that were reduced to misdemeanors in each of five classes of offense (Class 1 eliminated from this analysis).

TABLE XII
PROPORTION OF URBAN AND RURAL CASES
REDUCED TO MISDEMEANORS FOR FIVE
CLASSES OF OFFENSE

<u>Offense Class:</u>	<u>Urban Locations</u>	<u>Rural Locations</u>
<u>Violent Felonies</u>	7.4%	29.9%
<u>Property Offenses</u>	12.7%	45.9%
<u>Fraud Offenses</u>	3.0%	5.1%
<u>Drug Offenses</u>	0.5%	17.9%
<u>"Morals" Offenses</u>	14.5%	19.4%

As this table indicates, rural cases were consistently more likely to be reduced to misdemeanors than urban cases. The pattern persists among all classes of offense, but is particularly evident among violent and property offenses.

(2) Relationship of Alcohol/Drugs to Criminal Behavior

As was true of urban offenses, we found a very significant relationship between the use of alcohol and/or drugs and criminal behavior among the rural offenses.

Table XIII, below, represents the proportion of rural offenses that were committed under the influence of alcohol, drugs, or alcohol in combination with drugs.

TABLE XIII
 PROPORTION OF RURAL OFFENSES COMMITTED
 UNDER THE INFLUENCE OF DRUGS/ALCOHOL
 FOR FIVE OFFENSE CLASSES
 (IN PERCENTS)*

<u>Offense Class:</u>	<u>Total Cases</u>	<u>On Alcohol</u>	<u>On Drugs</u>	<u>On Drugs & Alcohol</u>
<u>Violent Felonies</u>	(N=154)	77.9%	---	2.6%
		(120)	---	(4)
<u>Property Offenses</u>	(N=248)	55.6%	1.6%	4.8%
		(138)	(4)	(12)
<u>Fraud Offenses</u>	(N=60)	16.7%	---	---
		(10)	---	---
<u>Drug Offenses</u>	(N=39)	12.8%	2.6%	---
		(5)	(1)	---
<u>"Morals" Offenses</u>	(N=36)	52.8%	2.8%	13.9%
		(19)	(1)	(5)

Significant at p=.001

* Percents indicate proportion of offenses within class.

This table indicates that use of alcohol at the time of offense is even more prevalent among rural locations than urban. In fact, the typical Class 2, 3 and 6 offense was committed under the influence of alcohol (77.9%, 55.6% and 52.8% of all offenses, respectively).

Further, as was also noted among urban offenses, there is a very significant relationship between past drug/alcohol histories (addiction) and prior criminal behavior. Table XIV summarizes this information.

TABLE XIV
 SEVERITY OF PRIOR CRIMINAL
 RECORD BY DRUG/ALCOHOL HISTORY
 (Rural)

<u>Severity of Prior Record:</u>	<u>Neither</u>	<u>Alcohol Addiction History</u>	<u>Drug Addiction History</u>
<u>No Priors</u>	56.9%	19.1%	14.6%
	(111)	(35)	(7)
<u>Misdemeanors Only</u>	29.2%	53.6%	33.3%
	(57)	(98)	(16)
<u>One Prior Felony</u>	8.7%	18.0%	33.3%
	(17)	(33)	(16)
<u>Two/More Prior Felonies</u>	5.1%	9.3%	18.8%
	(10)	(17)	(9)
<u>TOTALS</u>	100.0%	100.0%	100.0%
	(195)	(183)	(48)

p=.001

These distributions reflect the same pattern of relationship discerned among urban offenses. Thus, over half (56.9%) of the defendants with no alcohol or drug history were first offenders, compared with 19.1% and 14.6% of those with alcohol and drug histories, respectively. An alcohol addiction history is clearly associated with a prior misdemeanor record. Over half (53.6%) of those with an alcohol history had a prior misdemeanor record compared to 29.2% of those with no known history. Finally, drug addiction histories are highly associated with felony records. Again, over half (52.1%) of those with a drug history have a felony record compared to 13.8% of those defendants with no alcohol/drug history.

(3) Urban-Rural Sentence Length Differences

Our analysis indicates that sentences are considerably more severe among the urban courts than they are in rural locations. Moreover, the likelihood of receiving probation is much greater among cases sentenced in the rural courts. Table XV, below, summarizes these differences.

TABLE XV
COMPARISON OF MEAN ACTIVE
SENTENCES AND LIKELIHOOD OF RECEIVING
PROBATION FOR URBAN AND
RURAL COURTS
BY SIX OFFENSE CLASSES*

Offense Class:	Urban Courts		Rural Courts	
	% Probation	Mean Sentence	% Probation	Mean Sentence
1. <u>Murder/ Kidnapping</u>	0.0%	356.1	5.6%	319.8
2. <u>Violent Felonies</u>	19.7%	66.3	29.9%	28.1
3. <u>Property Offenses</u>	41.2%	20.0	46.0%	11.1
4. <u>Fraud Offenses</u>	33.3%	19.9	41.7%	14.9
5. <u>Drug Offenses</u>	42.7%	27.3	66.7%	3.4
6. <u>"Morals" Offense</u>	32.7%	43.9	30.8%	15.7

*Mean Sentences expressed in months; Probation expressed in percents.

As the table illustrates, mean (active) sentences are substantially higher among the urban court locations. For example, the overall mean urban Class 2 sentence is 66.3 months compared to 28.1 months for rural Class 2 convictions. Given the significant number of rural cases that are reduced to misdemeanors (noted, supra), some of those differences are due to

this fact. However, we compared felony conviction sentences only among the two locations and found that urban sentences persist in being more severe.

Conversely, the proportion of cases receiving probation is greater among rural locations. The only exception to this pattern concerns Class 6 ("morals" offenses), in which the proportion is nearly equivalent between the two locations.

APPENDIX A: URBAN TABLES

TABLE II-1
 OFFENSES AND SENTENCE DISTRIBUTIONS
 --Class 2, VIOLENT FELONIES--
 --URBAN--

Offense:	n	% of N	X Sent.	(n) Act.	Prob. %Active Time.....									
						1-6 Mo. %	7-12 %	13-24 %	25-60 %	Over 60 %	(n)	(n)	(n)	(n)	(n)
Manslaughter	12	3.3	70.64	(11)	8.3 (1)	8.3 (1)	---	16.7 (2)	33.3 (4)	33.3 (4)					
Neg. Homicide	4	1.1	72.00	(3)	25.0 (1)	---	---	---	50.0 (2)	25.0 (1)					
Rape	22	6.0	154.57	(21)	4.5 (1)	---	---	---	13.6 (3)	81.8 (18)					
Rape Attempt	3	0.8	6.00	(1)	66.7 (2)	33.3 (1)	---	---	---	---					
Robbery	92	25.2	52.63	(70)	23.9 (22)	10.9 (10)	8.7 (8)	12.0 (11)	27.2 (25)	17.4 (16)					
Robbery Attempt	14	3.8	50.55	(11)	21.4 (3)	7.1 (1)	7.1 (1)	7.1 (1)	35.7 (5)	21.4 (3)					
Shoot w/ Intent to Kill, Rape or Rob	9	2.5	116.63	(8)	11.1 (1)	---	11.1 (1)	---	11.1 (1)	66.7 (6)					
Asslt. w/ Intent to Kill, Rape or Rob	10	2.7	99.33	(9)	10.0 (1)	---	---	---	50.0 (5)	40.0 (4)					
Asslt. while Armed	1	0.3	120.00	(1)	---	---	---	---	---	100.0 (1)					
ADW	88	24.1	44.49	(67)	23.9 (21)	15.9 (14)	9.1 (8)	11.4 (10)	23.9 (21)	15.9 (14)					
Use of Firearms in Certain Offense	43	11.8	116.62	(42)	2.3 (1)	4.7 (2)	---	7.0 (3)	23.3 (10)	62.8 (27)					
Attempt to Use Firearms in Certain Offense	4	1.1	39.00	(4)	---	---	50.0 (2)	---	25.0 (1)	25.0 (1)					
Arson 1	11	3.0	65.71	(7)	36.4 (4)	36.4 (4)	---	---	---	27.3 (3)					
Arson 2	2	0.5	66.00	(2)	---	---	50.0 (1)	---	---	50.0 (1)					

TABLE II-1
 OFFENSES AND SENTENCE DISTRIBUTION
 --Class 2, VIOLENT FELONIES--
 --URBAN--
 (CONT.)

Offense:	n	% of N	X Sent	(n) Active	Prob. %	(n)Active Time.....									
							1-6 Mo. %	(n)	7-12 %	(n)	13-24 %	(n)	25-60 %	(n)	Over 60 %	(n)
Arson 3	1	0.3	12.00	(1)	---	---	100.0	(1)	---	---	---	---	---	---	---	
Burn to Defraud	1	0.3	3.00	(1)	---	---	100.0	(1)	---	---	---	---	---	---	---	
Escape	6	1.6	21.00	(4)	---	---	33.3	(2)	---	---	33.3	(2)	16.7	(1)	16.7 (1)	
Escape Attempt	1	0.3	24.00	(1)	---	---	---	---	---	---	100.0	(1)	---	---	---	
Poss. of Dang. Wpn Conv/Felon	7	1.9	10.00	(5)	28.6	(2)	28.6	(2)	28.6	(2)	---	---	14.3	(1)	---	
Failure to Render Aid	7	1.9	38.00	(4)	42.9	(3)	14.3	(1)	14.3	(1)	---	---	14.3	(1)	14.3 (1)	
Misdmr. Asslt/ Asslt/Bttry	13	3.6	3.69	(12)	7.7	(1)	92.3	(12)	---	---	---	---	---	---	---	
Misdmr carrying concealed wpn.	1	0.3	---	---	100.0	(1)	---	---	---	---	---	---	---	---	---	
Misdmr Flourshing Firearms	2	0.5	---	---	100.0	(2)	---	---	---	---	---	---	---	---	---	
Misdmr. Poss. Firearm/Intoxcat.	2	0.5	0.23	(1)	50.0	(1)	---	---	---	---	---	---	---	---	---	
Misdmr. Careless Use Firearms	6	1.6	0.19	(4)	33.3	(2)	66.7	(4)	---	---	---	---	---	---	---	
Misdmr. Reckless Driving	1	0.3	1.00	(1)	---	---	100.0	(1)	---	---	---	---	---	---	---	
Misdmr Disorderly Conduct	2	0.5	0.33	(2)	---	---	100.0	(2)	---	---	---	---	---	---	---	

p=.001

p=.001

TABLE II-2
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 2, VIOLENT OFFENSES--
 --URBAN--

Factor:	n	% of N	PROBATION		MEAN SENTENCE	(n) ACTIVE
			n	(%)		
1. Companion Cases:						
No Others	191	52.3	46	(24.1)	40.41	(145)
Others	174	47.7	26	(14.9)	91.70	(148)
				<u>p=.03</u>	<u>p=.001</u>	
2. Prior Record:¹						
No Priors	83	25.5	28	(33.7)	54.89	(55)
Misdmsr.	128	39.4	24	(18.8)	60.80	(104)
One Felony	65	20.0	6	(9.2)	63.67	(59)
Two/More Fels.	49	15.1	8	(16.3)	96.87	(41)
				<u>p=.002</u>	<u>p=.008</u>	
3. Type Attorney:²						
P.D.	170	46.6	30	(17.6)	59.67	(140)
Ct. Aptd.	90	24.7	6	(6.7)	85.98	(84)
Private	103	28.2	36	(35.0)	57.44	(67)
				<u>p=.001</u>	<u>p=.006</u>	
4. Specific Conviction:						
Mansl. N Hom.	16	4.4	2	(12.5)	70.93	(14)
Rape	22	6.0	1	(4.5)	54.57	(21)
Att. Rape	3	0.8	2	(66.7)	6.00	(1)
Robbery	106	29.0	25	(23.6)	52.34	(81)
Assault w/Intent ³	20	5.5	2	(10.0)	108.17	(18)
ADW	88	24.1	21	(23.9)	44.49	(67)

¹ (40 missing cases)

² (2 missing cases)

³ Includes Assault with Intent, Shooting with Intent, and Assault While Armed offenses.

CONTINUED

1 OF 2

TABLE II-2
PROPORTION OF CASES RECEIVING
PROBATION AND MEAN SENTENCE
BY SIGNIFICANT FACTORS
CLASS 2, VIOLENT OFFENSES--
--URBAN--
(CONT.)

Factor:	n	% of N	PROBATION		MEAN SENTENCE	(n) ACTIVE
			n	(%)		
Use of Frm. In Certain Offenses	43	11.8	1	(2.3)	116.62	(42)
Attempt	4	1.1	0	(0.0)	39.00	(4)
Arson 1 & 2	13	3.6	4	(30.8)	65.78	(9)
Other Arsons	2	0.5	0	(0.0)	7.50	(2)
Escapes	7	1.9	2	(28.6)	21.60	(5)
Poss. Wp. By Felon	7	1.9	2	(28.6)	10.00	(5)
Failure to Aid	7	1.9	3	(42.9)	38.00	(4)
Misdmr. A & B	13	3.6	1	(7.7)	3.69	(12)
Other Misdms.	14	3.8	6	(42.9)	0.33	(8)
				<u>p=.006</u>	<u>p=.001</u>	
5. <u>Victim Harm:</u> ⁴						
No Victim	11	3.0	4	(36.4)	18.29	(7)
Prop. Loss Only	113	31.0	15	(13.3)	67.93	(98)
Death	21	5.8	2	(9.5)	87.11	(19)
Ser. Bod. Inj.	75	20.5	21	(28.0)	51.72	(54)
Oth. Inj.	67	18.4	11	(16.4)	95.86	(56)
No Harm to Victim	76	20.8	19	(25.0)	43.32	(57)
				<u>p=.06</u>	<u>p=.001</u>	

⁴ 2 missing cases.

TABLE II-2
PROPORTION OF CASES RECEIVING
PROBATION AND MEAN SENTENCE
LENGTH BY SIGNIFICANT FACTORS
--Class 2, VIOLENT OFFENSES--
--URBAN--
(CONT.)

Factor:	n	% of N	PROBATION		MEAN SENTENCE	(n) ACTIVE
			n	(%)		
6. <u>Race:</u>						
Blacks	47	12.9	6	(12.8)	56.02	(41)
Native	79	21.8	16	(20.3)	50.90	(63)
White	237	65.3	49	(26.1)	74.07	(188)
				<u>Not Significant</u>	<u>p=.05</u>	
7. <u>Alias</u>						
Yes	7	1.9	0	(0.0)	140.71	(7)
No	358	98.1	72	(20.1)	64.49	(286)
				<u>Not Significant</u>	<u>p=.002</u>	
8. <u>Custodial Status of Defendant:</u>						
Own Recognizance	50	13.8	24	(48.0)	15.46	(26)
Money Bail Release	102	28.1	32	(31.4)	36.54	(70)
Jailed-No Bail	152	41.9	5	(3.3)	87.53	(147)
Jailed-Viol. Bail	8	2.2	0	(0.0)	57.43	(8)
Jailed-New Crime	26	7.2	3	(11.5)	67.17	(23)
API	3	.8	0	(0.0)	180.00	(3)
Treatment Prog.	12	3.3	8	(66.7)	37.00	(4)
Other	10	2.8	0	(0.0)	90.60	(10)
				<u>p=.001</u>	<u>p=.001</u>	
9. <u>PSR Characterization of Defendant:</u>						
Coop.	162	44.4	55	(34.0)	42.44	(107)
Anti-Social	56	15.3	2	(3.6)	82.43	(54)
Apathetic	24	6.6	2	(8.3)	46.48	(22)
Disturbed	59	16.2	5	(8.5)	87.39	(54)
Prof-habit Crim.	22	6.0	3	(13.6)	99.26	(19)
No PSR	42	11.5	5	(11.9)	75.95	(37)
				<u>p=.001</u>	<u>p=.001</u>	

TABLE II-2
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 2, VIOLENT OFFENSES--
 --URBAN--
 (CONT.)

Factor:	n	% of N	PROBATION		MEAN SENTENCE	(n) ACTIVE
			n	(%)		
10. Past Drug and/or Alcohol History: ⁵						
No evid of either	137	37.5	32	(23.4)	44.85	(105)
Alcohol Prob.	134	36.7	29	(21.6)	66.24	(105)
Heroin Addiction	18	4.9	2	(11.1)	105.13	(16)
Drug Addiction	5	1.4	0	(0.0)	98.40	(5)
Heavy Drug	18	4.9	3	(16.7)	76.80	(15)
Both Alcohol/Drugs	37	10.1	4	(10.8)	92.26	(33)
			Not Significant		p=.001	
11. Use of Alcohol/Drugs at Time of Offense: ⁶						
No Evidence	132	36.2	29	(22.0)	58.30	(103)
Alcohol	174	47.7	37	(21.3)	63.31	(137)
Drugs	18	4.9	3	(16.7)	88.80	(15)
Both	21	5.8	2	(9.5)	47.03	(19)
			Not Significant		p=.001	

⁵ 16 missing cases

⁶ 20 missing cases

TABLE II-3
 ESTIMATED CONTRIBUTION OF FACTORS TO SENTENCE LENGTH
 --VIOLENT FELONIES--
 --URBAN--

Factor:	Estimated Increase/Decrease In Typical Sentence (In Months) When Factor Present: ¹	
1. Each Prior Adult Felony Conviction	+ 8.4	
2. Specific Offense at Conviction	+ 94.5	If Rape
	+ 38.4	If Use of Weapon in Certain Offenses
	+ 56.8	If Assault with Intent to Kill, Rape or Rob
3. Each Companion Conviction	+ 13.1	
4. Defendant used Alias	+ 50.8	
5. Defendant's Characteristics:	+ 26.3	If Bad Discharge from Service
	- 14.4	If no known Drug/ Alcohol History
	- 15.6	If Native
6. On Alcohol at time of offense	- 16.4	
7. Dead Victim	+ 41.6	
8. Jailed, did not make bail	+ 16.4	
9. Lenient Judge	- 23.1	
10. "Bad" Pre-sentence Report Characterization	+ 25.3	

R² = 59%

¹ All numbers with plus or minus signs are multiple
 regresion coefficients significant at the .05 level

TABLE II-4
 OFFENSE AND SENTENCE
 DISTRIBUTIONS
 --Class 3, PROPERTY OFFENSES--
 --URBAN--

.....Active Time.....

OFFENSE:	n	% of N	X Sent	(n) Active	Prob. % (n)	1- 6 Mo. % (n)	7-12 % (n)	13-24 % (n)	25-60 % (n)	Over 60 % (n)
Burglary in Occpd Dwelling	15	3.1	84.42	(14)	6.7 (1)	---	6.7 (1)	20.0 (3)	33.3 (5)	33.3 (5)
Burglary in a Dwelling ¹	69	14.3	27.04	(44)	36.2 (25)	15.9 (11)	14.5 (10)	13.0 (9)	14.5 (10)	5.8 (4)
Burglary not in a Dwelling ²	141	29.3	15.70	(95)	32.6 (46)	34.8 (49)	3.5 (5)	15.6 (22)	13.5 (19)	---
Larceny ³	87	18.1	19.99	(52)	40.2 (35)	25.3 (22)	9.2 (8)	12.6 (11)	10.3 (9)	2.3 (2)
Larceny From a Burglary ⁴	34	7.1	11.55	(24)	29.4 (10)	41.2 (14)	14.7 (5)	5.9 (2)	8.8 (3)	---
Buying and Receiving ⁵	66	13.7	10.92	(24)	63.6 (42)	18.2 (12)	4.5 (3)	10.6 (7)	3.0 (2)	---
Malicious Mis- chief	8	1.7	25.30	(5)	37.5 (3)	37.5 (3)	---	---	12.5 (1)	12.5 (1)
Misdmr. ⁶	61	12.7	4.00	(25)	59.0 (36)	32.8 (20)	8.2 (5)	---	---	---

p=.05

p=.05

1 Includes 10 cases of burglary in a dwelling at night and 1 case of burglary in leaving a dwelling.
 2 Includes 3 attempts.
 3 Includes 2 cases of larceny from a person and 3 cases of attempted larceny.
 4 Includes 4 attempts and 1 accessory.
 5 Includes 1 case each of retention of lost property, embezzlement and stealing/removing airplane parts as well as 2 cases of felony joyriding.
 6 Includes misdemeanor: unauthorized entry, larceny, burglary/receiving stolen property, joyriding, receiving/concealing and assault.

TABLE II-5
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 3, PROPERTY OFFENSES--
 --URBAN--

<u>Factor:</u>	<u>n</u>	<u>% of N</u>	<u>PROBATION</u> <u>(n) (%)</u>	<u>MEAN</u> <u>SENTENCE</u>	<u>(n)</u> <u>ACTIVE</u>
<u>1. Defendants Prior Record:¹</u>					
No priors	132	34.0	74 (56.1)	7.09	(58)
Misdmr. Only	132	34.0	64 (48.5)	17.12	(68)
One Felony	81	20.9	23 (28.4)	23.30	(58)
Two/More Fels.	43	11.1	11 (25.6)	51.20	(32)
			<u>p=.002</u>	<u>p=.002</u>	
<u>2. PSR Characterization of Defendant:</u>					
Coop.	230	47.8	123 (53.5)	11.12	(107)
Anti-Social	40	8.3	8 (20.0)	31.91	(32)
Apathetic	62	12.9	16 (25.8)	17.59	(46)
Disturbed	48	10.0	12 (25.0)	34.68	(36)
Prof-Habit Criminal	30	6.2	3 (10.0)	33.83	(27)
No PSR	71	14.8	36 (50.7)	13.92	(35)
			<u>p=.001</u>	<u>p=.001</u>	
<u>3. Use of Alcohol/Drugs at Time of Offense:²</u>					
No Evidence	260	54.1	110 (42.3)	16.91	(150)
Alcohol	148	30.8	61 (41.2)	18.22	(87)
Drugs	25	5.2	7 (28.0)	55.72	(18)
Both	20	4.2	5 (25.0)	23.51	(15)
			<u>Not Significant</u>	<u>p=.001</u>	
<u>4. Custodial Status:</u>					
Own Recognizance	136	28.3	74 (54.4)	8.66	(62)
Money Bail Rel.	146	30.4	69 (47.3)	13.93	(77)

¹ 93 missing cases
² 28 missing cases

TABLE II-5
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 3, PROPERTY OFFENSES--
 --URBAN--
 (CONT.)

	<u>n</u>	<u>% of N</u>	<u>PROBATION</u> (n) (%)	<u>MEAN</u> <u>SENTENCE</u>	<u>(n)</u> <u>ACTIVE</u>
Jailed-No Bail	133	27.7	33 (24.8)	31.10	(100)
Jailed-Viol. Bail	15	3.1	5 (33.3)	10.43	(10)
Jailed-New Crime	27	5.6	2 (7.4)	27.48	(25)
API	1	0.2	0 (0.0)	84.00	(1)
Treatment Prog.	15	3.1	10 (66.7)	10.19	(5)
Other	8	1.7	5 (62.5)	8.00	(3)
			<u>p=.001</u>	<u>p=.001</u>	
5. <u>Trial:</u>					
Plea	416	86.5	177 (42.5)	16.96	(239)
Trial	65	13.5	21 (32.3)	36.72	(44)
			<u>Not Significant</u>	<u>p=.001</u>	
6. <u>Other Charges Pending:</u>					
No Other	299	62.2	138 (46.2)	15.09	(161)
Other Charges	182	37.8	60 (33.0)	26.56	(122)
			<u>p=.006</u>	<u>p=.002</u>	
7. <u>Value of Property</u> <u>Appropriated:³</u>					
Value Zero	23	4.8	9 (39.1)	26.36	(14)
\$.01 to 100	65	13.5	24 (36.9)	15.45	(41)
\$101 to 250	73	15.2	31 (42.5)	15.68	(42)
\$251 to 500	75	15.6	33 (44.0)	18.71	(42)
\$501 to 1,000	67	13.9	30 (44.8)	14.14	(37)
\$1,001 to 5000	109	22.7	43 (39.4)	19.56	(66)
\$5,001 & above	46	9.6	19 (41.3)	34.02	(27)
			<u>Not Significant</u>	<u>Not Significant</u>	

³ 23 missing cases.

TABLE II-6
 ESTIMATED CONTRIBUTION OF FACTORS
 TO SENTENCE LENGTH
 --PROPERTY Offenses--
 --URBAN--

<u>Factors:</u>	<u>Estimated Increase/Decrease</u> <u>In Typical Sentence (In Months)</u> <u>When Factor Present:¹</u>
1. Specific Offense:	+ 55.06 If burglary in an Occupied Dwelling
	- 6.09 If Buying/Receiving
2. Prior Adult Felony Convictions (each)	+ 7.83
3. "Bad" PSR Characterization	+ 7.88
4. PSR Recommendation of "Time to Serve"	+ 6.37
5. On Drugs at Time of Offense	+ 15.03
6. Jailed (Custodial Status)	+ 5.56
7. Trial	+ 8.97
8. Over \$1,000 value of Property	+ 5.95
9. Other charges pending (each)	+ 1.78

R² = 46%

¹ All numbers with plus or minus signs are multiple regression coefficients significant at the .05 level.

TABLE II-7
 OFFENSES AND SENTENCE DISTRIBUTION
 --Class 4, FRAUD OFFENSES--
 --URBAN--

Offense:	n	% of N	X Sent	(n) Active	Prob. % (n)Active Time.....									
						1-6 Mo.		7-12		13-24		25-60		Over 60	
						% (n)	% (n)	% (n)	% (n)	% (n)	% (n)	% (n)	% (n)	% (n)	
Forg of Record	6	2.9	1.75	(4)	33.3 (2)	66.7 (4)	---	---	---	---	---	---	---	---	
Attempt Forg. of Record	1	0.5	---	---	100.0 (1)	---	---	---	---	---	---	---	---	---	
Forg. of Debt	75	36.8	25.36	(50)	33.3 (25)	25.3 (19)	5.3 (4)	12.0 (9)	18.7 (14)	5.3 (4)	---	---	---	---	
Attempt Forg. of Debt	10	4.9	25.88	(8)	20.0 (2)	---	---	40.0 (4)	10.0 (1)	30.0 (3)	---	---	---	---	
Draw Check NSF	33	16.2	12.61	(23)	30.3 (10)	24.2 (8)	33.3 (11)	3.0 (1)	9.1 (3)	---	---	---	---	---	
Fraud use of Credit Card	4	2.0	9.00	(2)	50.0 (2)	25.0 (1)	25.0 (1)	---	---	---	---	---	---	---	
Attempt use of Credit Card	2	1.0	---	---	100.0 (2)	---	---	---	---	---	---	---	---	---	
Larceny by False Personation	1	0.5	120.00	(1)	---	---	---	---	---	---	---	---	100.0 (1)	---	
Obtaining a False Personation	9	4.4	21.83	(6)	33.3 (3)	55.6 (5)	---	---	---	---	---	---	11.1 (1)	---	
Attempt obtain. a False Person.	2	1.0	66.00	(2)	---	---	---	---	50.0 (1)	---	---	---	---	50.0 (1)	
Sale Securities	9	4.4	17.33	(9)	---	---	---	---	33.3 (3)	66.7 (6)	---	---	---	---	
Embezzlement by Serv/Employee	35	17.2	9.61	(20)	42.9 (15)	40.0 (14)	8.6 (3)	---	---	8.6 (3)	---	---	---	---	
Embezzlement/ Bailee	2	1.0	36.00	(2)	---	---	---	---	---	---	---	100.0 (2)	---	---	
Embezzlement/ Trustee	1	0.5	2.00	(1)	---	---	100.0 (1)	---	---	---	---	---	---	---	
Embezzlement/ Fiduciary	3	1.5	36.00	(3)	---	---	---	---	---	---	---	100.0 (3)	---	---	

TABLE II-7
 OFFENSES AND SENTENCE DISTRIBUTION
 --Class 4, FRAUD OFFENSES--
 --URBAN--
 (CONT.)

Offense:	n	% of N	X Sent	(n) Active	Prob. % (n)Active Time.....									
						1-6 Mo. % (n)	7-12 % (n)	13-24 % (n)	25-60 % (n)	Over 60 % (n)					
Buying/Receiving Stolen Property	1	0.5	1.00	(1)	--- ---	100.0 (1)	---	---	---	---	---	---	---	---	
Perjury/Criminal Action	2	1.0	6.00	(1)	50.0 (1)	50.0 (1)	---	---	---	---	---	---	---	---	
False Evidence Trial	2	1.0	---	---	100.0 (2)	---	---	---	---	---	---	---	---	---	
Misdemeanor/ Petty Larceny	2	1.0	0.07	(2)	---	100.0 (2)	---	---	---	---	---	---	---	---	
Misdemeanor/ Issue NSF Ck.	1	0.5	---	---	100.0 (1)	---	---	---	---	---	---	---	---	---	
Misdemeanor/ Attempt Issue NSF Check	1	0.5	---	---	100.0 (1)	---	---	---	---	---	---	---	---	---	
Attempt Concealing Evidence	1	0.5	---	---	100.0 (1)	---	---	---	---	---	---	---	---	---	
Misdemeanor/ Embz.Serv.Empl.	1	0.5	0.23	(1)	---	100.0 (1)	---	---	---	---	---	---	---	---	

Significant = .001
Significant - .001

TABLE II-8
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 4, FRAUD OFFENSES--
 --URBAN--

Factor:	n	% of N	PROBATION n (%)	MEAN SENTENCE	(n) ACTIVE
1. COMPANION CASES:					
No Other	60	29.4	32 (53.3)	9.43	(28)
One/More	144	70.6	36 (25.0)	22.65	(108)
			<u>p=.001</u>	<u>p=.01</u>	
2. PRIOR RECORD:					
No Priors	81	42.6	28 (34.6)	10.89	(53)
Misdemeanors	56	29.5	20 (35.7)	12.27	(36)
One Felony	35	18.4	9 (25.7)	22.00	(26)
Two/More					
Felonies	18	9.5	4 (22.2)	73.71	(14)
			<u>Not Significant</u>	<u>p=.001</u>	
3. TYPE ATTORNEY: ¹					
PD	133	65.2	43 (32.3)	17.17	(90)
Ct. Apptd	22	10.8	5 (22.7)	34.59	(17)
Private	48	23.5	20 (41.7)	20.51	(28)
			<u>Not Significant</u>	<u>p=.05</u>	

¹ 1 missing case

TABLE II-8
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 4, FRAUD OFFENSES--
 --URBAN--
 (CONT.)

Variable:	n	% of N	PROBATION n (%)	MEAN SENTENCE	(n) ACTIVE
4. USE OF ALCOHOL/DRUGS AT TIME OF OFFENSE: ²					
No Evidence	171	83.8	58 (33.9)	17.54	(113)
Alcohol	14	6.9	1 (7.1)	40.15	(13)
Drugs	7	3.4	6 (85.7)	12.00	(1)
Both	2	1.0	0 (0.0)	36.00	(2)
			<u>p=.005</u>	<u>p=.025</u>	
5. Total Monthly Income: ³					
Less than \$500	76	37.3	25 (32.9)	28.84	(51)
\$500 to \$1,200	33	16.2	8 (24.2)	16.82	(25)
Over \$1,200	32	15.7	14 (43.8)	21.61	(18)
At arrest Under \$500	17	8.3	6 (35.3)	8.81	(11)
At arrest \$500 to \$1,200	20	9.8	11 (55.0)	10.77	(9)
At arrest over \$1,200	16	7.8	4 (25.0)	9.00	(12)
			<u>p=.05</u>	<u>p=.03</u>	

² 10 missing cases
³ 10 missing cases

TABLE II-8
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 4, FRAUD OFFENSES--
 --URBAN--
 (CONT.)

Factor:	n	% of N	PROBATION		MEAN SENTENCE	(n) ACTIVE
			n	(%)		
6. Value of Property approp.: ⁴						
Value zero	3	1.5	2	(66.7)	1.00	(1)
\$.01 to 100	25	12.3	10	(40.0)	32.02	(15)
\$101 to 250	16	7.8	6	(37.5)	24.80	(10)
\$251 to 500	42	20.6	15	(35.7)	12.93	(27)
\$501 to 1,000	31	15.2	14	(45.2)	21.14	(17)
\$1,001 to 5,000	34	16.7	12	(35.3)	12.50	(22)
\$5,001 and above	46	22.5	6	(13.0)	24.64	(40)
			Not significant		Not Significant	
7. PSR REFERENCES:						
1/More - all pos.	62	32.3	20	(32.3)	5.27	(42)
1/More - all neg.	10	5.2	5	(50.0)	79.80	(5)
1/More - mixed	46	24.0	12	(26.1)	21.82	(34)
None	74	38.5	26	(35.1)	25.53	(48)

⁴ 7 missing cases

TABLE II-9
 ESTIMATED CONTRIBUTION OF FACTORS
 TO SENTENCE LENGTH
 --FRAUD OFFENSES--
 --URBAN--

Factors:	Estimated Increase/Decrease In Typical Sentence (In Months) When Factor Present: ¹
1. Three or more prior Adult Felony Convictions	+ 37.8
2. Each Companion Conviction	+ 3.9
3. On alcohol at time of Offense	+ 12.8
4. Over \$5,000 value of Property Taken	+ 9.1
5. Type of Defense	+ 15.4 If Court Appointed
6. Judge:	
If strict:	+ 11.3
If lenient:	- 4.4
7. Defendant's monthly income	- 4.2 If under \$500 a mo.
8. Pre-sentence report reference letters:	
	- 4.8 If all positive
	+ 15.7 If all negative

R² = 75%

¹ All numbers with plus or minus signs are multiple regression coefficients significant at least at the .05 level.

TABLE II-11
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 5, DRUG OFFENSES--
 --URBAN--

Factor:	n	% of N	PROBATION (n) (%)	MEAN SENTENCE	(n) ACTIVE
1. <u>Defendant's Prior Record:</u> ¹					
No Priors	67	(35.1)	38 (56.7)	17.86	(29)
Misdms Only	78	(40.8)	31 (39.7)	21.32	(47)
One Felony	27	(14.1)	5 (18.5)	36.56	(22)
Two/More Fels.	14	(7.3)	7 (50.0)	89.14	(7)
			<u>p=.005</u>	<u>p=.001</u>	
2. <u>Probation-Parole:</u> ²					
On Prob./Parole	25	(13.0)	5 (20.0)	56.45	(20)
Not on Either	167	(87.0)	77 (46.1)	20.79	(90)
			<u>p=.02</u>	<u>p=.001</u>	
3. <u>Defendant's Race:</u> ²					
Black	42	(21.8)	11 (26.2)	39.35	(31)
Native	12	(6.0)	7 (58.3)	12.40	(5)
White	137	(71.4)	64 (46.7)	23.37	(73)
			<u>p=.05</u>	<u>p=.05</u>	

¹ 6 missing cases = 2.7%.

² Includes Alaska probation. Alaska parole, and outside probation and parole.

³ 1 missing case = .8%.

TABLE II-11
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 5, DRUG OFFENSES--
 --URBAN--
 (CONT.)

Factor:	n	% of N	PROBATION		MEAN SENTENCE	(n) ACTIVE
			(n)	(%)		
4. Drug Type and Amount:						
Marijuana						
Less 2 oz.	6	(3.1)	0 (0.0)		11.10	(6)
2 oz. to 2 #	11	(5.7)	8 (72.7)		20.00	(3)
Over 2#	16	(8.3)	7 (43.8)		24.44	(9)
Amphet.-Barb. ⁴						
Less than 100	2	(1.0)	0 (0.0)		7.00	(2)
100 to 999	4	(2.1)	2 (50.0)		36.00	(2)
Over 1000	1	(0.5)	0 (0.0)		1.00	(1)
Hallucinogens ⁵						
Less than 20	7	(3.6)	4 (57.1)		6.11	(3)
20 to 100	0					
Over 100	3	(1.5)	2 (66.7)		12.00	(1)
Cocaine						
Less than 1 gm.	26	(13.5)	12 (46.2)		5.79	(14)
1 to 14 gms.	52	(27.1)	25 (48.1)		25.30	(27)
Over 14 gms.	21	(10.9)	7 (33.3)		32.93	(14)
Synthetic Opiates						
1 to 4 pills	5	(2.6)	0 (0.0)		18.00	(5)
			<u>p=.005</u>		<u>p=.06</u>	
5. Type of Attorney:⁶						
Public Defender	70	(36.5)	26 (37.1)		16.82	(44)
Ct Appt Attorney	30	(15.6)	7 (23.3)		35.61	(23)
Private	91	(47.4)	48 (52.7)		33.51	(43)
			<u>p=.01</u>		<u>p=.04</u>	

4 In pills, tabs, etc.
 5 In pills, hits, etc.
 6 1 case with no attorney

TABLE II-11
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 5, DRUG OFFENSES--
 --URBAN--
 (CONT.)

Factor:	n	% of N	PROBATION		MEAN SENTENCE	(n) ACTIVE
			(n)	(%)		
6. Psychological Examination:						
No Exam Ordered	170	88.5	76 (44.7)		24.78	(94)
Exam Ordered	22	11.4	6 (27.3)		41.94	(16)
			<u>Not Significant</u>		<u>Not Significant</u>	
7. Other Charges Pending:						
No Other Charges	92	47.9	49 (53.30)		23.29	(43)
Other Charges	100	52.1	33 (33.33)		29.83	(67)
			<u>Not Significant</u>		<u>Not Significant</u>	

TABLE II-12
ESTIMATED CONTRIBUTION OF FACTORS
TO SENTENCE LENGTH
--DRUG OFFENSES--
--URBAN--

<u>Factors:</u>	<u>Estimated Increase/Decrease In Typical Sentence (In Months) When Factor Present:¹</u>	
1. Each prior adult felony Conviction	+ 15.99	
2. Type and Amount of Drug	+ 39.18	If over 7 grms. of heroin
3. On probation or parole at time of Offense	+ 24.64	
4. Type of attorney	+ 11.88	If court appointed
	- 8.72	If Public Defender
5. Defendant's Race	+ 11.36	If Black
6. Psychological exam ordered	+ 9.99	
7. For each companion conviction	+ 2.16	

R² = 45%

¹ All numbers with plus or minus signs are multiple regression coefficients significant at least at the .05 level.

TABLE II-13
MEAN ACTIVE SENTENCES BY RACE AND TYPE
OF DRUG
--DRUG OFFENSES--
--URBAN--
(In Months)

<u>Type of Drug:</u>	Black		Native		White	
	mean	(n)	mean	(n)	mean	(n)
1. Heroin ¹	51.6	(20)	---	---	34.9	(8)
2. Cocaine	20.3	(9)	16.0	(3)	23.1	(43)
3. HDS	---		2.0	(1)	14.6	(7)
4. Marijuana ²	2.8	(2)	12.0	(1)	22.0	(19)

¹ Includes five cases of synthetic opiates.

² Includes one case of hashish.

TABLE II-14
 LIKELIHOOD OF RECEIVING A PROBATIONARY
 SENTENCE BY RACE AND TYPE OF DRUG
 --DRUG OFFENSES--
 --URBAN--
 (In Percents)

Type of Drug:	Black		Native		White	
	%	(n)	%	(n)	%	(n)
1. Heroin ¹	20.0%	(5/25)	100.0%	(1/1)	52.9%	(9/17)
2. Cocaine	30.8%	(4/13)	0.0%	(0/3)	48.2%	(40/83)
3. HDS	50.0%	(1/2)	---	---	22.2%	(2/9)
4. Marijuana ²	33.3%	(1/3)	85.7%	(6/7)	53.6%	(15/28)

¹ Includes nine cases of synthetic opiates.

² Includes six cases of hashish.

TABLE II-15
 OFFENSES AND SENTENCE DISTRIBUTION
 --Class 1, MURDER/KIDNAPPING--
 --ALL LOCATIONS--

Offense:	n	% of N	X Sent.	(n) Active	Prob. %Active Time.....											
						1-6 Mo.	7-12	13-24	25-60	Over 60	%	(n)	%	(n)	%	(n)	
Murder 1	13	19.4	1042.15	(13)	---	---	---	---	---	---	---	---	---	---	---	100.0	(13)
Murder 2	19	28.4	273.47	(19)	---	---	---	---	---	---	---	---	---	---	---	100.0	(19)
Attempt	1	1.5	48.00	(1)	---	---	---	---	---	---	---	100.0	(1)	---	---	---	---
Manslaughter	23	34.3	82.91	(22)	4.3	(1)	---	---	8.7	(2)	4.3	(1)	30.4	(7)	52.2	(12)	---
Neg. Hom.	1	1.5	120.00	(1)	---	---	---	---	---	---	---	---	---	---	---	100.0	(1)
Kidnapping	6	9.0	318.00	(6)	---	---	---	---	---	---	---	---	33.3	(2)	66.7	(4)	---
Consp. Kidnp.	3	4.5	60.00	(3)	---	---	---	---	---	---	---	---	100.0	(3)	---	---	---
Asslt.w/ Intent to Kill, Rape or Rob	1	1.5	60.00	(1)	---	---	---	---	---	---	---	---	100.0	(1)	---	---	---

p = .001

p = .07

TABLE II-16
 OFFENSES AND SENTENCE DISTRIBUTION
 --Class 6, "MORALS" OFFENSES--
 --URBAN--

Offense:	n	% of N	X Sent.	(n) Active	Prob. %	N=55Active Time.....										
						1-6 Mo.		7-12		13-24		25-60		Over 60		
						%	(n)	%	(n)	%	(n)	%	(n)	%	(n)	
Statutory Rape	9	16.4	73.66	(7)	22.2	(2)	22.2	(2)	---	---	---	---	11.1	(1)	44.4	(4)
Sodomy	1	1.8	144.00	(1)	---	---	---	---	---	---	---	---	---	---	100.0	(1)
Lewd & Lascivious	33	60.0	44.58	(21)	36.4	(12)	9.1	(3)	12.1	(4)	6.1	(2)	27.3	(9)	9.1	(3)
Attempted L&L	1	1.8	30.00	(1)	---	---	---	---	---	---	---	---	100.0	(1)	---	---
Contrib. to Del. Minor	3	5.5	0.53	(1)	66.7	(2)	33.3	(1)	---	---	---	---	---	---	---	---
Misdmr. Contrib. to Del. Minor	8	14.5	0.20	(1)	25.0	(2)	75.0	(6)	---	---	---	---	---	---	---	---
					<u>p=.006</u>										<u>p=.03</u>	

APPENDIX B: RURAL TABLES

7 7

TABLE III-1
 OFFENSES AND SENTENCE DISTRIBUTION
 --Class 2, VIOLENT FELONIES--
 --RURAL--

Offense:	n	% of N	X (n)		Prob.Active Time.....										
			Sent	Active		1-6 Mo.	7-12	13-24	25-60	Over 60						
					%	(n)	%	(n)	%	(n)	%	(n)	%	(n)		
Mansl. & N. Hom.	3	1.9	96.00	(3)	---	---	---	---	---	---	---	---	66.7	(2)	33.3	(1)
Rape	8	5.2	106.50	(8)	---	---	---	---	---	25.0	(2)	25.0	(2)	50.0	(4)	
Att. Rape	3	1.9	30.00	(3)	---	---	---	33.3	(1)	33.3	(1)	33.3	(1)	---	---	
Robbery	6	3.9	4.50	(6)	---	---	83.3	(5)	16.7	(1)	---	---	---	---	---	
Asslt. w/Intent	9	5.8	59.14	(7)	22.2	(2)	---	---	---	---	22.2	(2)	44.4	(4)	11.1	(1)
ADW	61	39.6	25.25	(38)	37.7	(23)	24.6	(15)	8.2	(5)	9.8	(6)	13.1	(8)	6.6	(4)
Use Firearm	1	0.6	6.00	(1)	---	---	100.0	(1)	---	---	---	---	---	---	---	---
Arson 1 & 2	3	1.9	18.13	(3)	---	---	---	---	33.3	(1)	66.7	(2)	---	---	---	---
Other Arson	1	0.6	---	---	100.0	(1)	---	---	---	---	---	---	---	---	---	---
Escape	5	3.2	20.0	(4)	20.0	(1)	---	---	40.0	(2)	---	---	40.0	(2)	---	---
Poss. Wp. Felon	5	3.2	20.00	(4)	20.0	(1)	40.0	(2)	---	---	---	---	40.0	(2)	---	---
Fail Aid	1	0.6	---	---	100.0	(1)	---	---	---	---	---	---	---	---	---	---
Larceny-Person	1	0.6	4.63	(1)	---	---	100.0	(1)	---	---	---	---	---	---	---	---
Stat. Rape	1	0.6	60.00	(1)	---	---	---	---	---	---	---	---	100.0	(1)	---	---
Misdmr. A & B	14	9.1	1.84	(9)	35.7	(5)	64.3	(9)	---	---	---	---	---	---	---	---
Other Misdmr.	32	20.8	2.92	(20)	37.5	(12)	59.4	(19)	---	---	3.1	(1)	---	---	---	---

p=.001

p=.001

TABLE III-2
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 2, VIOLENT FELONIES--
 --RURAL--

Factor:	n	% of N	PROBATION (n) (%)	MEAN SENTENCE	(n) ACTIVE
1. Each Prior Adult Felony:					
No Prior Conviction	50	35.2	20 (40.0)	17.47	(30)
Misdmsr. Only	58	40.8	15 (25.9)	19.14	(43)
One Felony	19	13.4	6 (31.6)	32.28	(13)
Two or More Fel.	15	10.6	2 (13.3)	72.92	(13)
			<u>Not Significant</u>	<u>p=.001</u>	
2. On Probation or Parole at Time of Offense:					
On Prob/Parole	8	11.7	3 (16.7)	48.87	(15)
Not on Either	136	88.3	43 (31.6)	24.70	(93)
			<u>Not Significant</u>	<u>p=.05</u>	
3. Custody Status:¹					
Own Recognizance	59	38.3	26 (44.1)	9.20	(33)
Money Bail Release	31	20.1	10 (32.3)	12.25	(21)
Jailed-No Bail	42	27.3	7 (16.7)	45.30	(35)
Jailed-Viol. Bail	8	5.2	0 (0.0)	27.33	(8)
Jailed-New Crime On	8	5.2	1 (12.5)	77.14	(7)
Treatment Program	5	3.2	2 (40.0)	41.33	(3)
4. Defendant's Characteristics:					
A. Military Status:					
Honorable Dis.	23	18.5	6 (26.1)	18.75	(17)
Gen-Med.	8	6.5	3 (37.5)	3.49	(5)
Dishonor Dis.	1	0.8	0 (0.0)	180.00	(1)
Now Serving	5	4.0	2 (40.0)	7.00	(3)
Never Served	87	70.2	21 (24.1)	37.39	(66)
			<u>Not Significant</u>	<u>p=.003</u>	

¹ One missing case

TABLE III-2
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 2, VIOLENT FELONIES--
 --RURAL--
 CONT.

Factor:	n	% of N	PROBATION (n) (%)	MEAN SENTENCE	(n) ACTIVE
B. Total Monthly Income:²					
Less than \$500	84	54.5	22 (26.2)	37.71	(62)
\$500 to \$1,200	27	17.5	8 (29.6)	20.23	(19)
Over \$1,200	13	8.4	4 (30.8)	11.00	(9)
			<u>Not Significant</u>	<u>Not Significant</u>	
5. PSR Characterization:					
Coop.	71	46.1	21 (29.6)	22.12	(50)
Anti-Social	10	6.5	2 (20.0)	46.55	(8)
Apathetic	9	5.8	1 (11.1)	31.63	(8)
Disturbed	12	7.8	3 (25.0)	75.33	(9)
Prof-Habit Criminal	5	3.2	0 (0.0)	85.00	(5)
No PSR	47	30.5	19 (40.4)	7.00	(28)
			<u>p=.001</u>	<u>p=.001</u>	

² 30 missing cases

TABLE III-3
 ESTIMATED CONTRIBUTION OF FACTORS
 TO SENTENCE LENGTH
 --Class 2, VIOLENT FELONIES--
 --RURAL--

<u>Factors:</u>	<u>Estimated Increase/Decrease In Typical Sentence (In Months) When Factor Present:¹</u>
1. Specific Conviction:	
If Rape	+ 55.5
If Manslaughter/Neg. Hom.	+ 78.4
2. Each Prior Adult Felony	+ 36.9
3. On Probation or Parole	-47.2
4. Jailed, did not make Bail	+ 24.0
5. Defendant's Characteristics:	
Bad Disch. from Service	+ 52.0
Less than \$500 Monthly Income	+ 8.9
6. Bad Pre-sentence Report Characterization	+ 16.1

R² = 69%

¹ All numbers with plus or minus signs are multiple regression coefficients significant at least as the .05 level.

TABLE III-4
 OFFENSES AND SENTENCE DISTRIBUTION
 --Class 3, PROPERTY OFFENSES--
 --RURAL--

Offense:	n	% of N	X (n)		Prob.Active Time.....									
			Sent	Active		%	(n)	1-6 Mo.	7-12	13-24	25-60	Over 60			
					%	(n)	%	(n)	%	(n)	%	(n)	%	(n)	
Burg. in Occpd	2	0.8	3.00	(2)	---	---	100.0	(2)	---	---	---	---	---	---	
Burg. in Dwell.	30	12.1	18.34	(21)	30.0	()	40.0	(12)	6.7	(2)	6.7	(2)	16.7	(5)	
Burg no in Dwell.	81	32.7	15.22	(42)	48.1	(39)	21.0	(17)	9.9	(8)	12.3	(10)	8.6	(7)	
Grand Larceny	24	9.7	7.26	(16)	33.3	(8)	45.8	(11)	4.2	(1)	16.7	(4)	---	---	
Larceny in Bldg.	28	11.3	15.35	(17)	39.3	(11)	35.7	(10)	10.7	(3)	3.6	(1)	7.1	(2)	
Buy. & Receiving	4	1.6	18.00	(1)	75.0	(3)	35.7	(10)	10.7	(3)	3.6	(1)	7.1	(2)	
Mal. Mischief	7	2.8	1.04	(2)	71.4	(5)	28.6	(2)	---	---	---	---	---	---	
Misdmr.	72	29.0	1.87	(33)	54.2	(39)	44.4	(32)	1.4	(1)	---	---	---	---	
			<u>p=.005</u>						<u>p=.01</u>						

TABLE III-5
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 3, PROPERTY OFFENSES--
 --RURAL--

Factor:	<u>n</u>	<u>% of N</u>	<u>PROBATION</u> <u>(n) (%)</u>	<u>MEAN</u> <u>SENTENCE</u>	<u>(n)</u> <u>ACTIVE</u>
1. <u>On Probation or Parole</u> <u>at Time of Offense:</u>					
On Prob/Parole	38	15.4	8 (21.1)	24.67	(30)
Not on Either	209	84.6	106 (50.7)	7.27	(103)
2. <u>Custodial Status:</u> ¹					
Own Recognizance	127	51.4	69 (54.3)	4.83	(58)
Money Bail Release	33	13.4	21 (63.6)	1.95	(12)
Jailed-No Bail	47	19.0	10 (21.3)	18.36	(37)
Jailed-Viol. Bail	19	7.7	6 (31.6)	14.98	(13)
Jailed-New Crime	7	2.8	0 (0.0)	30.00	(7)
Treatment Program	12	4.9	5 (41.7)	14.62	(7)
			<u>p=.001</u>	<u>p=.001</u>	
3. <u>PSR Characterization:</u>					
A. <u>Characterization:</u>					
Coop.	106	42.7	60 (56.6)	11.21	(46)
Anti-Social	12	4.8	1 (8.3)	11.16	(11)
Apathetic	26	10.5	9 (34.6)	10.17	(17)
Disturbed	24	9.7	6 (25.0)	23.06	(18)
Prof-Habit Cr.	12	4.8	1 (8.3)	24.90	(11)
No PSR	68	27.4	37 (54.4)	12.96	(31)
B. <u>Reference Letters:</u>					
1/More all Pos	30	12.6	15 (50.0)	11.81	(15)
1/More all Neg	4	1.7	0 (0.0)	28.50	(4)
1/More Mixed	18	7.6	8 (44.4)	5.67	(10)
None	186	78.2	85 (45.7)	10.99	(101)
			<u>Not Significant</u>	<u>p=.001</u>	

¹ Two missing cases

TABLE III-5
 PROPORTION OF CASES RECEIVING
 PROBATION AND MEAN SENTENCE
 LENGTH BY SIGNIFICANT FACTORS
 --Class 3, PROPERTY OFFENSES--
 --RURAL--
 CONT.

Factor:	<u>n</u>	<u>% of N</u>	<u>PROBATION</u> <u>(n) (%)</u>	<u>MEAN</u> <u>SENTENCE</u>	<u>(n)</u> <u>ACTIVE</u>
6. <u>Probation or Parole</u> <u>Revoked Due to this</u> <u>Offense:</u>					
Yes	13	5.3	2 (15.4)	31.90	(11)
No	231	94.7	111 (48.1)	8.93	(120)
			<u>p=.04</u>	<u>p=.001</u>	
7. <u>For Each Same Type of Prior Conviction:</u>					
Prior Convictions	38	15.4	8 (21.1)	24.67	(30)
None	209	84.6	106 (50.7)	7.27	(103)

TABLE III-6
 ESTIMATED CONTRIBUTION OF FACTORS
 TO SENTENCE LENGTH
 --Class 3, PROPERTY OFFENSES--
 --RURAL--

<u>Factors:</u>	<u>Estimated Increase/Decrease In Typical Sentence (In Months) When Factor Present:¹</u>
1. On Probation or Parole at time of Offense	+ 5.6
2. Jailed (custodial status)	+ 3.8
3. PSR:	
"Bad" characterization	+ 6.3
Negative (all)--reference letters	+ 12.1
"Time to Serve" recommendaton	+ 4.2
4. Employment:	
Unemployed 30 days or more	- 3.3
Seasonal employment	- 3.9
5. Race:	
If Native	+ 2.2
6. If probation or parole revoked due to this offense	+ 15.0
7. For each same type of prior conviction	+ 1.7

R² = 53%

¹ All numbers with plus or minus signs are multiple regression coefficients significant at the .05 level.

TABLE III-7
 OFFENSES AND SENTENCE DISTRIBUTION
 --Class 4, FRAUD OFFENSES--
 --RURAL--

Offense:	n	% of N	X (n)		Prob. % (n)Active Time.....									
			Sent	Active		1-6 Mo. % (n)	7-12 % (n)	13-24 % (n)	25-60 % (n)	Over 60 % (n)					
Forg. Debt	45	75.0	15.90	(30)	33.3 (15)	31.1 (14)	6.7 (3)	13.3 (6)	15.6 (7)	---	---	---	---		
Att. Forg. Debt	1	1.7	6.00	(1)	---	100.0 (1)	---	---	---	---	---	---	---		
Obt False Person.	1	1.7	2.00	(1)	---	100.0 (1)	---	---	---	---	---	---	---		
Embz. Serv/Emplie	5	8.3	18.00	(2)	60.0 (3)	---	20.0 (1)	20.0 (1)	---	---	---	---	---		
Embz., Bailee	1	1.7	---	---	100.0 (1)	---	---	---	---	---	---	---	---		
Emz. Publ. \$	4	6.7	0.33	(1)	75.0 (3)	25.0 (1)	---	---	---	---	---	---	---		
M. Petty Larceny	1	1.7	---	---	100.0 (1)	---	---	---	---	---	---	---	---		
M. Embz. Bailee	1	1.7	---	---	100.0 (1)	---	---	---	---	---	---	---	---		
M. Rec/Concl.	1	1.7	---	---	100.0 (1)	---	---	---	---	---	---	---	---		

Not Significant

Not Significant

TABLE III-8
 OFFENSES AND SENTENCES DISTRIBUTION
 --Class 5, DRUG OFFENSES--
 --RURAL--*

OFFENSE:	No. of Cases	Mean Sentence (Active only)		Proportion Probation	
		\bar{X}	(n)	%	(n)
Poss. Narc.	7	0.78	(3)	57.1	(4)
Poss. Nar. Sale	1	6.00	(1)	0.0	(0)
Sale Narc.	5	6.00	(1)	80.0	(4)
Fraud in Obtaining	2	---	---	100.0	(2)
Supply to Minor	1	4.00	(1)	0.0	(0)
Poss. Sale HDS	7	5.64	(4)	42.9	(3)
Sale of HDS	9	0.83	(2)	77.8	(7)
Misdemeanor	7	1.00	(1)	85.7	(6)

* Active sentence distribution omitted due to small number of active sentences.

TABLE III-9
 OFFENSES AND SENTENCE DISTRIBUTION
 --Class 6, MORALS OFFENSES--
 --RURAL--

Offense:	n	% of N	X Sent	(n) Active	Prob. % (n)Active Time.....										
						1-6 Mo.	7-12	13-24	25-60	Over 60	% (n)	% (n)	% (n)	% (n)	% (n)	
Attempt. Rape	1	2.8	---	---	100.0 (1)	---	---	---	---	---	---	---	---	---	---	---
Stat. Rape	2	5.6	60.00	(2)	---	---	---	---	---	---	100.0	(2)	---	---	---	---
Incest	2	5.6	6.50	(2)	---	50.0	(1)	50.0	(1)	---	---	---	---	---	---	---
Lew & Lascivious	21	58.3	15.84	(16)	23.8 (5)	33.3	(7)	14.3	(3)	19.0	(2)	9.5	(2)	---	---	---
Contrib. to Del.	3	8.3	---	---	100.3 (3)	---	---	---	---	---	---	---	---	---	---	---
Misdmr. Assault/ Assault & Bttry.	5	13.9	1.40	(5)	---	100.0	(5)	---	---	---	---	---	---	---	---	---
Misdmr. Contrib to Delinquency	2	5.6	---	---	100.0 (2)	---	---	---	---	---	---	---	---	---	---	---

p=.001

p=.01

END