

State of New York  
DEPARTMENT OF CORRECTIONS  
AND COMMUNITY SUPERVISION

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**STATISTICAL OVERVIEW**  
**Year 2012 Court Commitments**



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# Statistical Overview

## Year 2012 Court Commitments

This document describes the characteristics of offenders admitted to the New York State Department of Corrections and Community Supervision during calendar year 2012 (N=26,422). The report concentrates on inmates admitted into a state correctional facility for the first time on their current sentence (14,087). This overview presents information on various points such as commitment offense, felony class category of commitment offense, age at commitment, county of commitment and minimum sentence length. For comparative purposes, multiple tables throughout the report show trends in admission data across the five year period of 2008 through 2012. One table however (Table 8.3) uses a thirty-three year period (1980 through 2012) to illustrate the long-term trend in proportion of new court commitments by gender.

# Introduction

In April 2011, the former New York State Department of Correctional Services merged with the former New York State Division of Parole to form the New York State Department of Corrections and Community Supervision (DOCCS). As a result of this merger, this report will include information on all offenders<sup>1</sup> under the jurisdiction of DOCCS who are incarcerated in a correctional facility<sup>2</sup> or a parole program facility<sup>3</sup>. Incarcerated offenders<sup>4</sup> include both inmates<sup>5</sup> admitted to a correctional facility as well as incarcerated parolees<sup>6</sup> admitted to DOCCS correctional or parole program facilities.

**Inmate Categories:** Prior reports in this series included New Court Commitments, Technical Parole Violators, and Other Admissions<sup>7</sup>. New court commitments are offenders admitted to a DOCCS correctional facility for the first time on their current sentence during calendar year 2012. New court commitments are the primary focus of this report. Technical parole violators are offenders who have had their community supervision status revoked and were given a time assessment by an Administrative Law Judge (ALJ)<sup>8</sup>. They must serve this time assessment in a DOCCS correctional facility. There are two types of technical parole violators in this report who are classified as inmates: technical parole violators who had their community supervision status revoked and must be incarcerated in a DOCCS correctional facility to serve their time assessment; and technical parole violators who had their community supervision status revoked and are participating in an Alternative Drug Treatment Program (ADP). ADP technical parole violators had their community supervision status revoked, however, in lieu of serving the full amount of their time assessment in prison, these offenders were offered the opportunity to participate in a drug treatment program on a voluntary basis. If they successfully complete the program (either 90 days at the Willard Drug Treatment Campus or 45 days at the Edgecombe Residential Treatment Facility), these offenders are released from incarceration upon completion of the program and restored to community supervision. If they do not successfully complete the drug treatment program, they must serve the remainder of their parole violation time assessment in a correctional facility.

**Incarcerated Parolees:** In addition to the inmate classifications listed, incarcerated parolees are also included in this report. Incarcerated parolees consist of the following three categories:

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<sup>1</sup> An offender is defined as a convicted felon under the jurisdiction of DOCCS.

<sup>2</sup> A correctional facility is a traditional prison in which incarcerated offenders are housed.

<sup>3</sup> A parole program facility is a facility that houses a specialized treatment program for offenders under community supervision or returned to prison for violating conditions of parole.

<sup>4</sup> Incarcerated offenders are offenders who are either owned by a correctional facility or a parole program facility.

<sup>5</sup> An inmate is an incarcerated offender who is not under community supervision.

<sup>6</sup> An incarcerated parolee is an incarcerated offender who is under community supervision.

<sup>7</sup> Other admissions include returns from court ordered discharge, returned escapees, returned absconders from temporary release arrest, returns from erroneous internal administrative discharge, and returns with a stay of release.

<sup>8</sup> A time assessment reflects a decision of an ALJ presiding over a parole revocation hearing. The time assessment is the period of time that an offender will have to serve in a correctional facility as a consequence of violating the conditions of parole.

Willard Judicially Sanctioned Parolees<sup>9</sup>, Willard Technical Parole Violators<sup>10</sup>, and Parole Diversion Program Participants<sup>11</sup>.

**Offender Admissions During Calendar Year 2012:** The admissions table below shows that there were 26,422 total admissions to DOCCS facilities during calendar year 2012. Among these admissions, 23,736 (90%) represent inmate admissions and 2,686 (10%) represent incarcerated parolee admissions.

**OFFENDER STATUS AT ADMISSION  
DURING CALENDAR YEAR 2012**

	<b>NUMBER</b>	<b>PERCENT</b>
<b>INMATE ADMISSIONS</b>		
NEW COURT COMMITMENTS	14,087	53.3%
TECHNICAL PAROLE VIOLATORS	7,456	28.2%
ALTERNATE DRUG TREATMENT PROGRAM CASES	1,805	6.8%
OTHER ADMISSIONS	388	1.5%
<b>SUBTOTAL</b>	<b>23,736</b>	<b>89.8%</b>
<b>INCARCERATED PAROLEE ADMISSIONS</b>		
WILLARD JUDICIALLY SANCTIONED	553	2.1%
WILLARD PAROLE VIOLATOR	1,099	4.2%
PAROLE DIVERSION PROGRAM PARTICIPANTS	1,034	3.9%
<b>SUBTOTAL</b>	<b>2,686</b>	<b>10.2%</b>
<b>GRAND TOTAL</b>	<b>26,422</b>	<b>100.0%</b>

<sup>9</sup> Willard Judicially Sanctioned parolees were sentenced by the court to the Willard Drug Treatment campus as an alternative to incarceration in a DOCCS general confinement facility and participate in the program as incarcerated parolees.

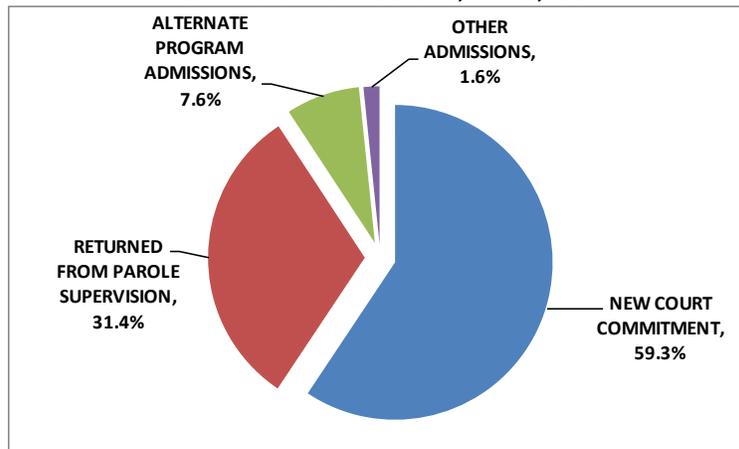
<sup>10</sup> Willard technical parole violators are technical parole violators who were revoked and restored to community supervision status and are participating in the Willard Alternative Drug Treatment Program as incarcerated parolees.

<sup>11</sup> There are two types of Parole Diversion Program (PDP) participants. The first type of PDP participant consists of technical parole violators who had a parole warrant lodged against them and who agreed to participate in a 45 day Alternative Drug Treatment Program at the Edgecombe Correctional Facility in lieu of proceeding with a parole revocation hearing. If they successfully complete the program, the parole warrant is lifted and they are restored to community supervision status. If they fail to successfully complete the program, they are transferred from the PDP facility to the county jail where they have a parole revocation hearing presided over by an ALJ. The second type of PDP participant consists of parolees whose Parole Officer believed they were in danger of relapsing because of some specific behavior or environmental condition. These parolees were given a choice of either having a parole warrant lodged against them and proceeding with a parole revocation hearing or having the conditions of their parole administratively modified by their Parole Officer and approved by the Parole Officer's Supervising Parole Officer. The modified conditions include participation in the PDP. If the parolee successfully completes the PDP they are returned to community supervision. If they do not successfully complete the PDP parole warrants are lodged against them and they are remanded to a county jail to await a parole revocation hearing. The issuance of the parole warrant for failure to successfully complete the PDP is reviewed by the Quality Control section of the DOCCS Central Office Internal Operations Unit.

## Section 1: Type of Admission

There were a total of 23,736 inmate admissions to Department of Corrections and Community Supervision facilities during 2012. Of the total admissions, 14,087 (59%) were new court commitments, another 7,456 (31%) were returned parole violators, 1,805 (8%) were alternate program admissions and 388 (2%) were other admissions. The remainder of this report will focus on new court commitments only.<sup>12</sup>

**Figure 1**  
**Type of Admission**  
**2012 Total Admissions, N=23,736**



**TABLE 1**  
**ADMISSION TYPE BY SEX; 2012 INMATE ADMISSIONS**

	MALE		FEMALE		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>NEW COURT COMMITMENTS</b>						
NEW COMMITMENTS	13,066	58.7%	1,021	68.4%	14,087	59.3%
<b>SUBTOTAL</b>	13,066	58.7%	1,021	68.4%	14,087	59.3%
<b>RETURNED FROM PAROLE SUPERVISION</b>						
RETURN POST RELEASE SUPERVISION VIOLATOR	4,034	18.1%	174	11.7%	4,208	17.7%
RETURN PAROLE VIOLATOR	2,172	9.8%	170	11.4%	2,342	9.9%
RETURN CONDITIONAL RELEASE VIOLATOR	877	3.9%	29	1.9%	906	3.8%
<b>SUBTOTAL</b>	7,083	31.8%	373	25.0%	7,456	31.4%
<b>ALTERNATE PROGRAM ADMISSIONS</b>						
ALT - 90 ADMISSIONS	1,626	7.3%	56	3.8%	1,682	7.1%
ALT - 45 ADMISSIONS	123	.6%	0	.0%	123	.5%
<b>SUBTOTAL</b>	1,749	7.9%	56	3.8%	1,805	7.6%
<b>OTHER ADMISSIONS</b>						
RETURN FROM COURT ORDERED DISCHARGE	51	.2%	6	.4%	57	.2%
RETURN FROM COURT ORDERED RELEASE	0	.0%	1	.1%	1	.0%
RETURN ESCAPEE	1	.0%	0	.0%	1	.0%
RETURN ABSCONDER FROM TEMPORARY RELEASE	11	.0%	1	.1%	12	.1%
RETURN FROM OFFICE OF MENTAL HEALTH	189	.8%	30	2.0%	219	.9%
RETURN FROM OTHER AGENCY	41	.2%	3	.2%	44	.2%
RETURN FROM TEMPORARY RELEASE ARREST	19	.1%	1	.1%	20	.1%
RETURN ERROR DISCHARGE	4	.0%	0	.0%	4	.0%
RETURN WITH STAY OF RELEASE	27	.1%	0	.0%	27	.1%
RETURN ERROR DISCHARGE	3	.0%	0	.0%	3	.0%
<b>SUBTOTAL</b>	346	1.6%	42	2.8%	388	1.6%
<b>GRAND TOTAL</b>	22,244	100.0%	1,492	100.0%	23,736	100.0%

<sup>12</sup> In some DOCCS publications Willard Judicially sanctioned cases are included as new court commitments since they are being admitted to a DOCCS facility for the first time on their current sentence. However, since this report series focuses on “inmate” new commitments, they are excluded from most of this report.

## Section 2: Commitment Offense

The total number of new court commitments decreased by 1,724 (15,811 to 14,087) or 11% between 2008 and 2012. Within offense type, the greatest change occurred among drug admissions which declined by 39%, from 5,190 in 2008 to 3,189 in 2012. In contrast, violent felony admissions increased 8% over the same five-year period from 4,912 to 5,295.

**TABLE 2  
VIOLENT FELONY STATUS AND CRIME  
BY YEAR RECEIVED: 2008-2012 NEW COURT COMMITMENTS**

	2008		2009		2010		2011		2012		TOTAL	
	NUMBER	PERCENT										
<b>VIOLENT FELONY</b>												
MURDER	193	1.2%	164	1.1%	173	1.2%	149	1.0%	154	1.1%	833	1.1%
ATTEMPTED MURDER	109	.7%	126	.8%	122	.8%	111	.8%	131	.9%	599	.8%
MANSLAUGHTER 1ST	197	1.2%	170	1.1%	187	1.3%	176	1.2%	191	1.4%	921	1.2%
RAPE 1ST	140	.9%	153	1.0%	114	.8%	134	.9%	138	1.0%	679	.9%
ROBBERY 1ST	537	3.4%	499	3.3%	527	3.6%	519	3.6%	452	3.2%	2,534	3.4%
ROBBERY 2ND	766	4.8%	861	5.6%	819	5.6%	754	5.2%	732	5.2%	3,932	5.3%
ASSAULT 1ST	267	1.7%	326	2.1%	318	2.2%	306	2.1%	302	2.1%	1,519	2.0%
ASSAULT 2ND	486	3.1%	506	3.3%	471	3.2%	481	3.3%	488	3.5%	2,432	3.3%
BURGLARY 1ST	133	.8%	146	1.0%	158	1.1%	135	.9%	147	1.0%	719	1.0%
BURGLARY 2ND	715	4.5%	757	4.9%	814	5.5%	877	6.0%	929	6.6%	4,092	5.5%
ARSON 1ST,2ND	26	.2%	33	.2%	33	.2%	40	.3%	28	.2%	160	.2%
SODOMY 1ST	108	.7%	95	.6%	106	.7%	89	.6%	91	.6%	489	.7%
SEX AB - 1ST, AG 2	253	1.6%	256	1.7%	242	1.6%	237	1.6%	240	1.7%	1,228	1.6%
WEAPONS OFFENSES	876	5.5%	1,067	7.0%	1,145	7.8%	1,028	7.1%	1,065	7.6%	5,181	7.0%
KIDNAPPING 1ST, 2ND	14	.1%	22	.1%	32	.2%	33	.2%	23	.2%	124	.2%
OTHER VFO SEX OFFENSES	72	.5%	118	.8%	124	.8%	153	1.1%	137	1.0%	604	.8%
OTHER VIOLENT FELONIES	20	.1%	20	.1%	22	.1%	32	.2%	47	.3%	141	.2%
<b>SUBTOTAL</b>	<b>4,912</b>	<b>31.1%</b>	<b>5,319</b>	<b>34.7%</b>	<b>5,407</b>	<b>36.6%</b>	<b>5,254</b>	<b>36.2%</b>	<b>5,295</b>	<b>37.6%</b>	<b>26,187</b>	<b>35.2%</b>
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	45	.3%	40	.3%	44	.3%	42	.3%	43	.3%	214	.3%
OTHER HOMICIDE	43	.3%	53	.3%	63	.4%	48	.3%	47	.3%	254	.3%
ROBBERY 3RD	490	3.1%	544	3.6%	525	3.6%	436	3.0%	459	3.3%	2,454	3.3%
ATT ASSAULT 2ND	214	1.4%	239	1.6%	249	1.7%	234	1.6%	243	1.7%	1,179	1.6%
CONSPIRACY 2,3,4	108	.7%	76	.5%	80	.5%	107	.7%	128	.9%	499	.7%
OTHER WEAPONS	320	2.0%	266	1.7%	287	1.9%	279	1.9%	269	1.9%	1,421	1.9%
OTHER SEX OFFENSES	280	1.8%	288	1.9%	244	1.7%	245	1.7%	237	1.7%	1,294	1.7%
OTHER COERCIVE	183	1.2%	192	1.3%	192	1.3%	161	1.1%	156	1.1%	884	1.2%
<b>SUBTOTAL</b>	<b>1,683</b>	<b>10.6%</b>	<b>1,698</b>	<b>11.1%</b>	<b>1,684</b>	<b>11.4%</b>	<b>1,552</b>	<b>10.7%</b>	<b>1,582</b>	<b>11.2%</b>	<b>8,199</b>	<b>11.0%</b>
<b>DRUG OFFENSES</b>												
DRUG SALE	2,736	17.3%	2,275	14.8%	2,068	14.0%	1,990	13.7%	1,689	12.0%	10,758	14.4%
DRUG POSSESSION	2,454	15.5%	2,049	13.4%	1,688	11.4%	1,520	10.5%	1,500	10.6%	9,211	12.4%
<b>SUBTOTAL</b>	<b>5,190</b>	<b>32.8%</b>	<b>4,324</b>	<b>28.2%</b>	<b>3,756</b>	<b>25.5%</b>	<b>3,510</b>	<b>24.2%</b>	<b>3,189</b>	<b>22.6%</b>	<b>19,969</b>	<b>26.8%</b>
<b>PROPERTY AND OTHER OFFENSES</b>												
BURGLARY 3RD	892	5.6%	913	6.0%	864	5.9%	976	6.7%	995	7.1%	4,640	6.2%
GRAND LARCENY	727	4.6%	735	4.8%	671	4.5%	768	5.3%	686	4.9%	3,587	4.8%
FORGERY	306	1.9%	260	1.7%	219	1.5%	274	1.9%	228	1.6%	1,287	1.7%
STOLEN PROPERTY	256	1.6%	240	1.6%	189	1.3%	183	1.3%	216	1.5%	1,084	1.5%
DRIVE INTOXICATED	574	3.6%	591	3.9%	584	4.0%	630	4.3%	511	3.6%	2,890	3.9%
CONTEMPT 1ST	161	1.0%	158	1.0%	219	1.5%	220	1.5%	209	1.5%	967	1.3%
ALL OTHER FELONIES	479	3.0%	461	3.0%	527	3.6%	526	3.6%	595	4.2%	2,588	3.5%
<b>SUBTOTAL</b>	<b>3,395</b>	<b>21.5%</b>	<b>3,358</b>	<b>21.9%</b>	<b>3,273</b>	<b>22.2%</b>	<b>3,577</b>	<b>24.7%</b>	<b>3,440</b>	<b>24.4%</b>	<b>17,043</b>	<b>22.9%</b>
<b>YOUTHFUL OFFENDER</b>												
YOUTHFUL OFFENDER	617	3.9%	603	3.9%	594	4.0%	580	4.0%	552	3.9%	2,946	4.0%
<b>SUBTOTAL</b>	<b>617</b>	<b>3.9%</b>	<b>603</b>	<b>3.9%</b>	<b>594</b>	<b>4.0%</b>	<b>580</b>	<b>4.0%</b>	<b>552</b>	<b>3.9%</b>	<b>2,946</b>	<b>4.0%</b>
<b>JUVENILE OFFENDER</b>												
JUVENILE OFFENDER	14	.1%	20	.1%	40	.3%	23	.2%	29	.2%	126	.2%
<b>SUBTOTAL</b>	<b>14</b>	<b>.1%</b>	<b>20</b>	<b>.1%</b>	<b>40</b>	<b>.3%</b>	<b>23</b>	<b>.2%</b>	<b>29</b>	<b>.2%</b>	<b>126</b>	<b>.2%</b>
<b>GRAND TOTAL</b>	<b>15,811</b>	<b>100.0%</b>	<b>15,322</b>	<b>100.0%</b>	<b>14,754</b>	<b>100.0%</b>	<b>14,496</b>	<b>100.0%</b>	<b>14,087</b>	<b>100.0%</b>	<b>74,470</b>	<b>100.0%</b>

## Section 3: Felony Offender Status

Individuals sentenced as first felony offenders have either been convicted of a felony for the first time or have had a prior conviction for a Class A-1 violent felony offense. Offenders convicted of Class A-1 violent felony crimes cannot be sentenced as a second felony offender since the penalties for A-1 violent felony crimes are already the most severe. A second felony offender is an individual who was convicted of a felony offense and had previously been convicted of a felony offense within ten years of the current felony conviction. A persistent felony offender is an offender who was convicted of a felony offense, and had previously been convicted of two felony offenses within ten years of the current felony conviction.

More than half (58%) of the new court commitments received in 2012 were sentenced as first felony offenders. Among offenders committed to state prison for a violent felony offense, there was a higher concentration of individuals sentenced as first felony offenders (70%) when compared with other crimes. Almost all (96%) of the Persistent Felony Offenders were committed for VFO crimes.

**TABLE 3  
CRIME BY FELONY STATUS (ROW PERCENTAGES): 2012 NEW COURT COMMITMENTS**

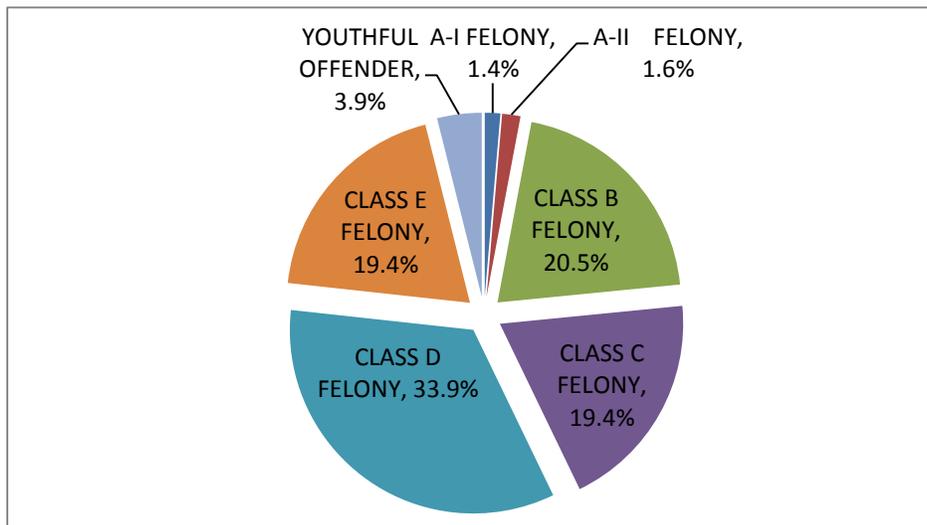
	FIRST FELONY OFFENDER		SECOND FELONY OFFENDER		PERSISTENT FELONY OFFENDER		Total	
	NUMBER	ROW PERCENT	NUMBER	ROW PERCENT	NUMBER	ROW PERCENT	NUMBER	ROW PERCENT
<b>VIOLENT FELONY</b>								
MURDER	154	100.0%	0	.0%	0	.0%	154	100.0%
ATTEMPTED MURDER	102	77.9%	27	20.6%	2	1.5%	131	100.0%
MANSLAUGHTER 1ST	151	79.1%	39	20.4%	1	.5%	191	100.0%
RAPE 1ST	114	82.6%	22	15.9%	2	1.4%	138	100.0%
ROBBERY 1ST	300	66.4%	142	31.4%	10	2.2%	452	100.0%
ROBBERY 2ND	486	66.4%	234	32.0%	12	1.6%	732	100.0%
ASSAULT 1ST	224	74.2%	76	25.2%	2	.7%	302	100.0%
ASSAULT 2ND	317	65.0%	167	34.2%	4	.8%	488	100.0%
BURGLARY 1ST	93	63.3%	48	32.7%	6	4.1%	147	100.0%
BURGLARY 2ND	553	59.5%	348	37.5%	28	3.0%	929	100.0%
ARSON 1ST,2ND	19	67.9%	9	32.1%	0	.0%	28	100.0%
SODOMY 1ST	73	80.2%	18	19.8%	0	.0%	91	100.0%
SEX AB - 1ST, AG 2	212	88.3%	25	10.4%	3	1.3%	240	100.0%
WEAPONS OFFENSES	723	67.9%	335	31.5%	7	.7%	1,065	100.0%
KIDNAPPING 1ST, 2ND	15	65.2%	7	30.4%	1	4.3%	23	100.0%
OTHER VFO SEX OFFENSES	111	81.0%	24	17.5%	2	1.5%	137	100.0%
OTHER VIOLENT FELONIES	37	78.7%	9	19.1%	1	2.1%	47	100.0%
<b>SUBTOTAL</b>	<b>3,684</b>	<b>69.6%</b>	<b>1,530</b>	<b>28.9%</b>	<b>81</b>	<b>1.5%</b>	<b>5,295</b>	<b>100.0%</b>
<b>OTHER COERCIVE</b>								
MANSLAUGHTER 2ND	38	88.4%	5	11.6%	0	.0%	43	100.0%
OTHER HOMICIDE	40	85.1%	7	14.9%	0	.0%	47	100.0%
ROBBERY 3RD	177	38.6%	281	61.2%	1	.2%	459	100.0%
ATT ASSAULT 2ND	75	30.9%	168	69.1%	0	.0%	243	100.0%
CONSPIRACY 2,3,4	75	58.6%	53	41.4%	0	.0%	128	100.0%
OTHER WEAPONS	46	17.1%	223	82.9%	0	.0%	269	100.0%
OTHER SEX OFFENSES	182	76.8%	54	22.8%	1	.4%	237	100.0%
OTHER COERCIVE	96	61.5%	60	38.5%	0	.0%	156	100.0%
<b>SUBTOTAL</b>	<b>729</b>	<b>46.1%</b>	<b>851</b>	<b>53.8%</b>	<b>2</b>	<b>.1%</b>	<b>1,582</b>	<b>100.0%</b>
<b>DRUG OFFENSES</b>								
DRUG SALE	671	39.7%	1,018	60.3%	0	.0%	1,689	100.0%
DRUG POSSESSION	653	43.5%	847	56.5%	0	.0%	1,500	100.0%
<b>SUBTOTAL</b>	<b>1,324</b>	<b>41.5%</b>	<b>1,865</b>	<b>58.5%</b>	<b>0</b>	<b>.0%</b>	<b>3,189</b>	<b>100.0%</b>
<b>PROPERTY AND OTHER OFFENSES</b>								
BURGLARY 3RD	400	40.2%	595	59.8%	0	.0%	995	100.0%
GRAND LARCENY	293	42.7%	393	57.3%	0	.0%	686	100.0%
FORGERY	92	40.4%	136	59.6%	0	.0%	228	100.0%
STOLEN PROPERTY	80	37.0%	135	62.5%	1	.5%	216	100.0%
DRIVE INTOXICATED	507	99.2%	4	.8%	0	.0%	511	100.0%
CONTEMPT 1ST	65	31.1%	144	68.9%	0	.0%	209	100.0%
ALL OTHER FELONIES	347	58.3%	248	41.7%	0	.0%	595	100.0%
<b>SUBTOTAL</b>	<b>1,784</b>	<b>51.9%</b>	<b>1,655</b>	<b>48.1%</b>	<b>1</b>	<b>.0%</b>	<b>3,440</b>	<b>100.0%</b>
<b>YOUTHFUL/JUVENILE</b>								
YOUTHFUL OFFENDER	552	100.0%	0	.0%	0	.0%	552	100.0%
JUVENILE OFFENDER	29	100.0%	0	.0%	0	.0%	29	100.0%
<b>SUBTOTAL</b>	<b>581</b>	<b>100.0%</b>	<b>0</b>	<b>.0%</b>	<b>0</b>	<b>.0%</b>	<b>581</b>	<b>100.0%</b>
<b>GRAND TOTAL</b>	<b>8,102</b>	<b>57.5%</b>	<b>5,901</b>	<b>41.9%</b>	<b>84</b>	<b>.6%</b>	<b>14,087</b>	<b>100.0%</b>

## Section 4: Felony Class Category

The New York State Penal Law classifies felonies for the purpose of sentencing into five categories as follows: Class A, B, C, D, and E. Class A represents the most severe offenses, and Class E the least. Class A felonies are further sub-classified for the purpose of sentencing as A-I and A-II.<sup>13</sup> Three percent (3%) of 2012 new court commitments were Class A-I or Class A-II felons. Most (85%) Class A-II felons (193 of 227) were committed for drug crimes. The remaining 15% of Class A-II offenders (N=34) represent predatory sex offenders (as defined by NYS Penal Law Sections 130.95 and 130.96 enacted in 2007). Most of the A-I felons (82%) were convicted of Violent Felony Offenses.

Class D felons were the largest felony class, comprising 34% of the new court commitments in 2012.

**Figure 4  
Felony Class Category  
2012 New Commitment Population, N=14,087**



**TABLE 4.1 COMMITMENT CRIME BY FELONY CLASS: 2012 NEW COURT COMMITMENTS**

	A-I FELONY	A-II FELONY	CLASS B FELONY	CLASS C FELONY	CLASS D FELONY	CLASS E FELONY	YOUTHFUL OFFENDER	TOTAL
VIOLENT FELONY	157	34	1,161	1,789	2,130	24	0	5,295
OTHER COERCIVE	0	0	90	101	612	779	0	1,582
DRUG OFFENSES	29	193	1,550	700	557	160	0	3,189
PROPERTY AND OTHER OFFENSES	0	0	62	138	1,476	1,764	0	3,440
YOUTHFUL OFFENDER	0	0	0	0	0	0	552	552
JUVENILE OFFENDER	6	0	20	3	0	0	0	29
TOTAL	192	227	2,883	2,731	4,775	2,727	552	14,087
PERCENT	1.4%	1.6%	20.5%	19.4%	33.9%	19.4%	3.9%	100.0%

<sup>13</sup> New York State Penal Law, Article 55. *2011 New York Law Enforcement Handbook*.

**TABLE 4.2  
CRIME BY FELONY CRIME CLASS BY FELONY OFFENDER STATUS: 2012 NEW COURT COMMITMENTS (1 OF 2)**

	FIRST FELONY OFFENDER								SECOND FELONY OFFENDER						
	A-I FELONY	A-II FELONY	CLASS B FELONY	CLASS C FELONY	CLASS D FELONY	CLASS E FELONY	YOUTHFUL OFFENDER	SUBTOTAL	A-I FELONY	A-II FELONY	CLASS B FELONY	CLASS C FELONY	CLASS D FELONY	CLASS E FELONY	SUBTOTAL
<b>VIOLENT FELONY</b>															
MURDER	154	0	0	0	0	0	0	154	0	0	0	0	0	0	0
ATTEMPTED MURDER	1	0	101	0	0	0	0	102	0	0	0	27	0	0	27
MANSLAUGHTER 1ST	0	0	151	0	0	0	0	151	0	0	37	2	0	0	39
RAPE 1ST	0	0	87	27	0	0	0	114	0	0	13	9	0	0	22
ROBBERY 1ST	0	0	195	105	0	0	0	300	0	0	81	61	0	0	142
ROBBERY 2ND	0	0	0	196	290	0	0	486	0	0	0	105	129	0	234
ASSAULT 1ST	0	0	149	75	0	0	0	224	0	0	31	45	0	0	76
ASSAULT 2ND	0	0	0	14	303	0	0	317	0	0	0	6	161	0	167
BURGLARY 1ST	0	0	66	27	0	0	0	93	0	0	36	12	0	0	48
BURGLARY 2ND	0	0	1	292	260	0	0	553	0	0	0	177	171	0	348
ARSON 1ST,2ND	2	0	10	7	0	0	0	19	0	0	4	5	0	0	9
SODOMY 1ST	0	0	50	23	0	0	0	73	0	0	13	5	0	0	18
SEX AB - 1ST, AG 2	0	0	57	6	146	3	0	212	0	0	4	0	21	0	25
WEAPONS OFFENSES	0	0	10	385	324	4	0	723	0	0	4	167	154	10	335
KIDNAPPING 1ST, 2ND	0	0	11	4	0	0	0	15	0	0	6	1	0	0	7
OTHER VFO SEX OFFENSES	0	23	0	1	87	0	0	111	0	9	0	0	14	1	24
OTHER VIOLENT FELONIES	0	0	0	1	32	4	0	37	0	0	0	0	8	1	9
<b>SUBTOTAL</b>	<b>4.3%</b>	<b>.6%</b>	<b>24.1%</b>	<b>31.6%</b>	<b>39.1%</b>	<b>.3%</b>	<b>.0%</b>	<b>100.0%</b>	<b>.0%</b>	<b>.6%</b>	<b>16.7%</b>	<b>38.9%</b>	<b>43.0%</b>	<b>.8%</b>	<b>100.0%</b>
<b>OTHER COERCIVE</b>															
MANSLAUGHTER 2ND	0	0	0	38	0	0	0	38	0	0	0	5	0	0	5
OTHER HOMICIDE	0	0	16	4	13	7	0	40	0	0	3	0	2	2	7
ROBBERY 3RD	0	0	0	0	145	32	0	177	0	0	0	0	180	101	281
ATT ASSAULT 2ND	0	0	0	0	0	75	0	75	0	0	0	0	0	168	168
CONSPIRACY 2,3,4	0	0	49	5	4	17	0	75	0	0	11	6	5	31	53
OTHER WEAPONS	0	0	0	0	34	12	0	46	0	0	0	0	134	89	223
OTHER SEX OFFENSES	0	0	8	4	24	146	0	182	0	0	2	1	5	46	54
OTHER COERCIVE	0	0	1	30	41	24	0	96	0	0	0	8	24	28	60
<b>SUBTOTAL</b>	<b>.0%</b>	<b>.0%</b>	<b>10.2%</b>	<b>11.1%</b>	<b>35.8%</b>	<b>42.9%</b>	<b>.0%</b>	<b>100.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>1.9%</b>	<b>2.4%</b>	<b>41.1%</b>	<b>54.6%</b>	<b>100.0%</b>
<b>DRUG OFFENSES</b>															
DRUG SALE	9	68	401	121	62	10	0	671	3	23	525	244	171	52	1,018
DRUG POSSESSION	10	88	284	129	125	17	0	653	7	14	340	206	199	81	847
<b>SUBTOTAL</b>	<b>1.4%</b>	<b>11.8%</b>	<b>51.7%</b>	<b>18.9%</b>	<b>14.1%</b>	<b>2.0%</b>	<b>.0%</b>	<b>100.0%</b>	<b>.5%</b>	<b>2.0%</b>	<b>46.4%</b>	<b>24.1%</b>	<b>19.8%</b>	<b>7.1%</b>	<b>100.0%</b>
<b>PROPERTY AND OTHER</b>															
BURGLARY 3RD	0	0	0	0	347	53	0	400	0	0	0	0	418	177	595
GRAND LARCENY	0	0	17	87	79	110	0	293	0	0	2	21	77	293	393
FORGERY	0	0	0	7	75	10	0	92	0	0	0	4	81	51	136
STOLEN PROPERTY	0	0	1	1	17	61	0	80	0	0	0	2	19	114	135
DRIVE INTOXICATED	0	0	0	0	160	347	0	507	0	0	0	0	4	0	4
CONTEMPT 1ST	0	0	0	0	0	65	0	65	0	0	0	0	0	144	144
ALL OTHER FELONIES	0	0	39	13	95	200	0	347	0	0	3	3	103	139	248
<b>SUBTOTAL</b>	<b>.0%</b>	<b>.0%</b>	<b>3.2%</b>	<b>6.1%</b>	<b>43.3%</b>	<b>47.4%</b>	<b>.0%</b>	<b>100.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.3%</b>	<b>1.8%</b>	<b>42.4%</b>	<b>55.5%</b>	<b>100.0%</b>
<b>YOUTHFUL OFFENDER</b>															
YOUTHFUL OFFENDER	0	0	0	0	0	0	552	552	0	0	0	0	0	0	0
<b>SUBTOTAL</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>
<b>JUVENILE OFFENDER</b>															
JUVENILE OFFENDER	6	0	20	3	0	0	0	29	0	0	0	0	0	0	0
<b>SUBTOTAL</b>	<b>20.7%</b>	<b>.0%</b>	<b>69.0%</b>	<b>10.3%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>100.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>
<b>TOTAL</b>	<b>182</b>	<b>179</b>	<b>1,724</b>	<b>1,605</b>	<b>2,663</b>	<b>1,197</b>	<b>552</b>	<b>8,102</b>	<b>10</b>	<b>46</b>	<b>1,142</b>	<b>1,095</b>	<b>2,080</b>	<b>1,528</b>	<b>5,901</b>

(Continued)

**TABLE 4.2  
CRIME BY FELONY CRIME CLASS BY FELONY OFFENDER STATUS: 2012 NEW COURT COMMITMENTS (2 OF 2)**

	PERSISTENT FELONY OFFENDER						TOTAL							
	A-II FELONY	CLASS B FELONY	CLASS C FELONY	CLASS D FELONY	CLASS E FELONY	SUBTOTAL	A-I FELONY	A-II FELONY	CLASS B FELONY	CLASS C FELONY	CLASS D FELONY	CLASS E FELONY	YOUTHFUL OFFENDER	SUBTOTAL
<b>VIOLENT FELONY</b>														
MURDER	0	0	0	0	0	0	154	0	0	0	0	0	0	154
ATTEMPTED MURDER	0	2	0	0	0	2	1	0	130	0	0	0	0	131
MANSLAUGHTER 1ST	0	1	0	0	0	1	0	0	189	2	0	0	0	191
RAPE 1ST	0	2	0	0	0	2	0	0	102	36	0	0	0	138
ROBBERY 1ST	0	7	3	0	0	10	0	0	283	169	0	0	0	452
ROBBERY 2ND	0	0	5	7	0	12	0	0	0	306	426	0	0	732
ASSAULT 1ST	0	0	2	0	0	2	0	0	180	122	0	0	0	302
ASSAULT 2ND	0	0	0	4	0	4	0	0	0	20	468	0	0	488
BURGLARY 1ST	0	4	2	0	0	6	0	0	106	41	0	0	0	147
BURGLARY 2ND	0	0	15	13	0	28	0	0	1	484	444	0	0	929
ARSON 1ST,2ND	0	0	0	0	0	0	0	0	14	12	0	0	0	28
SODOMY 1ST	0	0	0	0	0	0	0	0	63	28	0	0	0	91
SEX AB - 1ST, AG 2	0	0	0	3	0	3	0	0	61	6	170	3	0	240
WEAPONS OFFENSES	0	0	4	3	0	7	0	0	14	556	481	14	0	1,065
KIDNAPPING 1ST, 2ND	0	1	0	0	0	1	0	0	18	5	0	0	0	23
OTHER VFO SEX OFFENSES	2	0	0	0	0	2	0	34	0	1	101	1	0	137
OTHER VIOLENT FELONIES	0	0	0	0	1	1	0	0	0	1	40	6	0	47
<b>SUBTOTAL</b>	<b>2.5%</b>	<b>21.0%</b>	<b>38.3%</b>	<b>37.0%</b>	<b>1.2%</b>	<b>100.0%</b>	<b>3.0%</b>	<b>.6%</b>	<b>21.9%</b>	<b>33.8%</b>	<b>40.2%</b>	<b>.5%</b>	<b>.0%</b>	<b>100.0%</b>
<b>OTHER COERCIVE</b>														
MANSLAUGHTER 2ND	0	0	0	0	0	0	0	0	0	43	0	0	0	43
OTHER HOMICIDE	0	0	0	0	0	0	0	0	19	4	15	9	0	47
ROBBERY 3RD	0	0	0	1	0	1	0	0	0	0	326	133	0	459
ATT ASSAULT 2ND	0	0	0	0	0	0	0	0	0	0	0	243	0	243
CONSPIRACY 2,3,4	0	0	0	0	0	0	0	0	60	11	9	48	0	128
OTHER WEAPONS	0	0	0	0	0	0	0	0	0	0	168	101	0	269
OTHER SEX OFFENSES	0	0	0	0	1	1	0	0	10	5	29	193	0	237
OTHER COERCIVE	0	0	0	0	0	0	0	0	1	38	65	52	0	156
<b>SUBTOTAL</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>50.0%</b>	<b>50.0%</b>	<b>100.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>5.7%</b>	<b>6.4%</b>	<b>38.7%</b>	<b>49.2%</b>	<b>.0%</b>	<b>100.0%</b>
<b>DRUG OFFENSES</b>														
DRUG SALE	0	0	0	0	0	0	12	91	926	365	233	62	0	1,689
DRUG POSSESSION	0	0	0	0	0	0	17	102	624	335	324	98	0	1,500
<b>SUBTOTAL</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.9%</b>	<b>6.1%</b>	<b>48.6%</b>	<b>22.0%</b>	<b>17.5%</b>	<b>5.0%</b>	<b>.0%</b>	<b>100.0%</b>
<b>PROPERTY AND OTHER</b>														
BURGLARY 3RD	0	0	0	0	0	0	0	0	0	0	765	230	0	995
GRAND LARCENY	0	0	0	0	0	0	0	0	19	108	156	403	0	686
FORGERY	0	0	0	0	0	0	0	0	0	11	156	61	0	228
STOLEN PROPERTY	0	0	0	1	0	1	0	0	1	3	37	175	0	216
DRIVE INTOXICATED	0	0	0	0	0	0	0	0	0	0	164	347	0	511
CONTEMPT 1ST	0	0	0	0	0	0	0	0	0	0	0	209	0	209
ALL OTHER FELONIES	0	0	0	0	0	0	0	0	42	16	198	339	0	595
<b>SUBTOTAL</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>100.0%</b>	<b>.0%</b>	<b>100.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>1.8%</b>	<b>4.0%</b>	<b>42.9%</b>	<b>51.3%</b>	<b>.0%</b>	<b>100.0%</b>
<b>YOUTHFUL OFFENDER</b>														
YOUTHFUL OFFENDER	0	0	0	0	0	0	0	0	0	0	0	0	552	552
<b>SUBTOTAL</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>100.0%</b>	<b>100.0%</b>
<b>JUVENILE OFFENDER</b>														
JUVENILE OFFENDER	0	0	0	0	0	0	6	0	20	3	0	0	0	29
<b>SUBTOTAL</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>20.7%</b>	<b>.0%</b>	<b>69.0%</b>	<b>10.3%</b>	<b>.0%</b>	<b>.0%</b>	<b>.0%</b>	<b>100.0%</b>
<b>TOTAL</b>	<b>2</b>	<b>17</b>	<b>31</b>	<b>32</b>	<b>2</b>	<b>84</b>	<b>192</b>	<b>227</b>	<b>2,883</b>	<b>2,731</b>	<b>4,775</b>	<b>2,727</b>	<b>552</b>	<b>14,087</b>

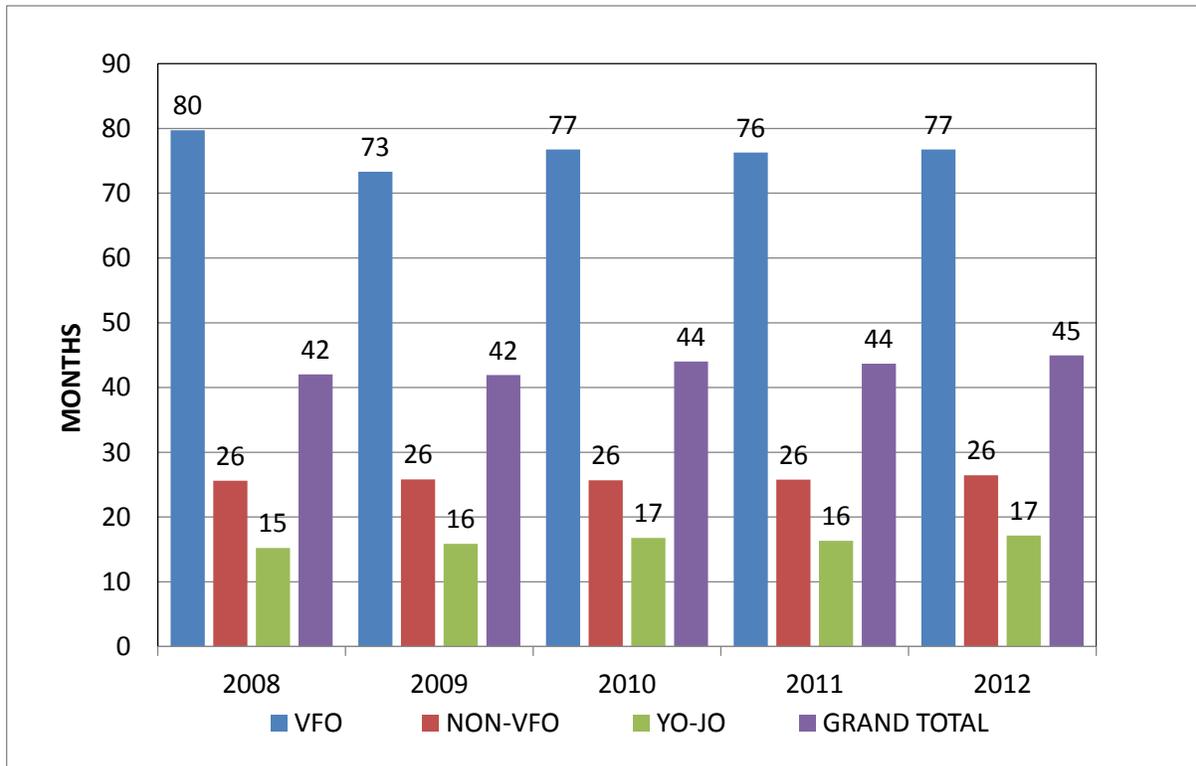
## Section 5: Minimum and Maximum Sentences

In general, a minimum sentence reflects the shortest period of time that a person must serve before being considered for release to Community Supervision.

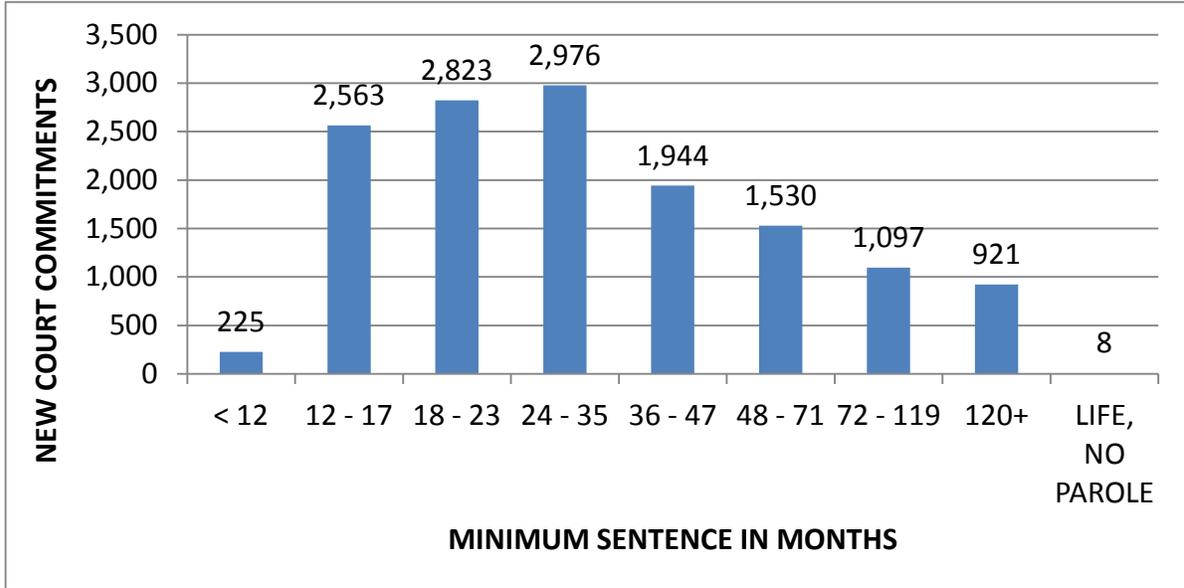
The average minimum sentence for violent felony commitments decreased slightly from 80 months in 2008 to 77 months in 2012. The average minimum sentence for non-violent felony offenders remained stable at 26 months between 2008 and 2012 (see Table 5.3 and Fig. 5.1). However, the overall minimum sentence for all types of crime increased from 42 to 45 months between 2008 and 2012 as a result of the increase in the proportion of violent felony offenders among new commitments.

Twenty five percent of the 2012 new court commitments had a maximum sentence of three years (see Figure 5.4 and Table 5.5). The average maximum sentence for Violent Felony commitments decreased slightly from 89 months in 2008 to 86 months in 2012 while the overall maximum sentence for all crime types increased from 57 to 61 months between 2008 and 2012 (see Figure 5.3).

**Figure 5.1**  
**Average Minimum Sentence by Crime Type**  
**2008-2012 New Court Commitments**



**Figure 5.2**  
**Minimum Sentence in Months**  
**2012 New Court Commitments, N=14,087**



**TABLE 5.1**  
**MINIMUM SENTENCE BY CRIME**  
**2012 NEW COURT COMMITMENTS**

MINIMUM SENTENCE	VIOLENT FELONY OFFENSES	OTHER COERCIVE OFFENSES	DRUG OFFENSES	PROPERTY AND OTHER OFFENSES	YOUTHFUL & JUVENILE OFFENDERS	TOTAL	PERCENT
< 12 MONTHS	0	0	213	0	12	225	1.6%
12 - 17 MONTHS	14	391	413	1,267	478	2,563	18.2%
18 - 23 MONTHS	752	406	795	846	24	2,823	20.0%
24 - 35 MONTHS	696	503	798	934	45	2,976	21.1%
36 - 47 MONTHS	1,004	166	495	269	10	1,944	13.8%
48 - 71 MONTHS	1,066	64	311	84	5	1,530	10.9%
72 - 119 MONTHS	894	35	138	27	3	1,097	7.8%
120+ MONTHS	861	17	26	13	4	921	6.5%
LIFE, NO PAROLE	8	0	0	0	0	8	.1%
<b>GRAND TOTAL</b>	<b>5,295</b>	<b>1,582</b>	<b>3,189</b>	<b>3,440</b>	<b>581</b>	<b>14,087</b>	<b>100.0%</b>

**TABLE 5.2  
AVERAGE AND MEDIAN MINIMUM SENTENCE (IN MONTHS) BY CRIME  
AND FELONY OFFENDER STATUS: 2012 NEW COURT COMMITMENTS**

	FIRST FELONY OFFENDER			SECOND FELONY OFFENDER			PERSISTENT FELONY OFFENDER			TOTAL		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
<b>VIOLENT FELONY</b>												
MURDER	154	350.0	300.0	0	0.0	0.0	0	0.0	0.0	154	350.0	300.0
ATTEMPTED MURDER	102	110.5	92.5	27	152.2	134.0	2	438.0	438.0	131	124.1	103.0
MANSLAUGHTER 1ST	151	171.2	185.0	39	168.3	175.0	1	342.0	342.0	191	171.5	185.0
RAPE 1ST	114	124.4	103.0	22	148.1	123.0	2	300.0	300.0	138	130.7	103.0
ROBBERY 1ST	300	70.5	51.0	142	108.2	93.0	10	283.2	258.0	452	87.0	72.0
ROBBERY 2ND	486	33.7	31.0	234	60.2	51.0	12	179.0	174.0	732	44.6	36.0
ASSAULT 1ST	224	84.9	72.0	76	107.5	82.0	2	192.0	192.0	302	91.3	72.0
ASSAULT 2ND	317	32.7	31.0	167	50.1	51.0	4	189.0	162.0	488	39.9	31.0
BURGLARY 1ST	93	81.1	67.0	48	144.0	123.0	6	246.0	246.0	147	108.3	87.0
BURGLARY 2ND	553	39.9	36.0	348	61.3	51.0	28	182.8	186.0	929	52.2	41.0
ARSON 1ST,2ND	19	84.4	51.0	9	98.2	72.0	0	0.0	0.0	28	88.9	67.0
SODOMY 1ST	73	116.2	93.0	18	149.0	133.5	0	0.0	0.0	91	122.7	103.0
SEX AB - 1ST, AG 2	212	63.9	41.0	25	82.8	51.0	3	268.0	180.0	240	68.4	41.0
WEAPONS OFFENSES	723	37.6	36.0	335	58.9	51.0	7	176.6	180.0	1,065	45.2	36.0
KIDNAPPING 1ST, 2ND	15	103.0	82.0	7	122.0	103.0	1	240.0	240.0	23	114.7	103.0
OTHER VFO SEX OFFENSES	111	127.3	36.0	24	144.8	56.5	2	918.0	918.0	137	141.9	41.0
OTHER VIOLENT FELONIES	37	35.8	31.0	9	35.0	35.0	1	36.0	36.0	47	35.7	31.0
<b>SUBTOTAL</b>	<b>3,684</b>	<b>73.2</b>	<b>41.0</b>	<b>1,530</b>	<b>77.2</b>	<b>61.0</b>	<b>81</b>	<b>230.7</b>	<b>192.0</b>	<b>5,295</b>	<b>76.8</b>	<b>51.0</b>
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	38	36.9	36.0	5	70.8	90.0	0	0.0	0.0	43	40.8	36.0
OTHER HOMICIDE	40	29.9	24.0	7	60.9	42.0	0	0.0	0.0	47	34.5	28.0
ROBBERY 3RD	177	18.0	16.0	281	28.5	24.0	1	180.0	180.0	459	24.8	24.0
ATT ASSAULT 2ND	75	13.6	12.0	168	21.0	18.0	0	0.0	0.0	243	18.7	18.0
CONSPIRACY 2,3,4	75	40.2	24.0	53	37.1	24.0	0	0.0	0.0	128	38.9	24.0
OTHER WEAPONS	46	18.3	14.0	223	25.3	24.0	0	0.0	0.0	269	24.1	24.0
OTHER SEX OFFENSES	182	26.6	21.0	54	34.8	31.0	1	180.0	180.0	237	29.1	21.0
OTHER COERCIVE	96	18.5	12.0	60	28.9	24.0	0	0.0	0.0	156	22.5	18.0
<b>SUBTOTAL</b>	<b>729</b>	<b>23.7</b>	<b>16.0</b>	<b>851</b>	<b>27.7</b>	<b>24.0</b>	<b>2</b>	<b>180.0</b>	<b>180.0</b>	<b>1,582</b>	<b>26.0</b>	<b>21.0</b>
<b>DRUG OFFENSES</b>												
DRUG SALE	671	28.3	21.0	1,018	34.9	31.0	0	0.0	0.0	1,689	32.3	26.0
DRUG POSSESSION	653	27.7	21.0	847	34.1	26.0	0	0.0	0.0	1,500	31.3	26.0
<b>SUBTOTAL</b>	<b>1,324</b>	<b>28.0</b>	<b>21.0</b>	<b>1,865</b>	<b>34.6</b>	<b>30.0</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>	<b>3,189</b>	<b>31.8</b>	<b>26.0</b>
<b>PROPERTY AND OTHER OFFENSES</b>												
BURGLARY 3RD	400	19.0	16.0	595	28.6	24.0	0	0.0	0.0	995	24.7	24.0
GRAND LARCENY	293	21.5	16.0	393	23.5	18.0	0	0.0	0.0	686	22.6	18.0
FORGERY	92	19.2	16.0	136	26.4	24.0	0	0.0	0.0	228	23.5	24.0
STOLEN PROPERTY	80	18.9	12.0	135	21.8	18.0	1	300.0	300.0	216	22.0	18.0
DRIVE INTOXICATED	507	14.7	12.0	4	27.5	27.0	0	0.0	0.0	511	14.8	12.0
CONTEMPT 1ST	65	13.2	12.0	144	20.4	18.0	0	0.0	0.0	209	18.1	18.0
ALL OTHER FELONIES	347	17.9	12.0	248	26.8	24.0	0	0.0	0.0	595	21.6	18.0
<b>SUBTOTAL</b>	<b>1,784</b>	<b>17.8</b>	<b>12.0</b>	<b>1,655</b>	<b>25.7</b>	<b>24.0</b>	<b>1</b>	<b>300.0</b>	<b>300.0</b>	<b>3,440</b>	<b>21.6</b>	<b>18.0</b>
<b>YOUTHFUL OFFENDER</b>												
YOUTHFUL OFFENDER	552	15.0	15.0	0	0.0	0.0	0	0.0	0.0	552	15.0	15.0
<b>SUBTOTAL</b>	<b>552</b>	<b>15.0</b>	<b>15.0</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>	<b>552</b>	<b>15.0</b>	<b>15.0</b>
<b>JUVENILE OFFENDER</b>												
JUVENILE OFFENDER	29	57.8	40.0	0	0.0	0.0	0	0.0	0.0	29	57.8	40.0
<b>SUBTOTAL</b>	<b>29</b>	<b>57.8</b>	<b>40.0</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>	<b>29</b>	<b>57.8</b>	<b>40.0</b>
<b>GRAND TOTAL</b>	<b>8,102</b>	<b>45.1</b>	<b>24.0</b>	<b>5,901</b>	<b>42.1</b>	<b>30.0</b>	<b>84</b>	<b>230.3</b>	<b>192.0</b>	<b>14,087</b>	<b>45.0</b>	<b>26.0</b>

Note: Life without parole sentences treated as 45 years (540) months for this table.

**TABLE 5.3  
CRIME BY AVERAGE MINIMUM SENTENCE BY FELONY OFFENDER STATUS; 2008-2012 NEW COURT COMMITMENTS**

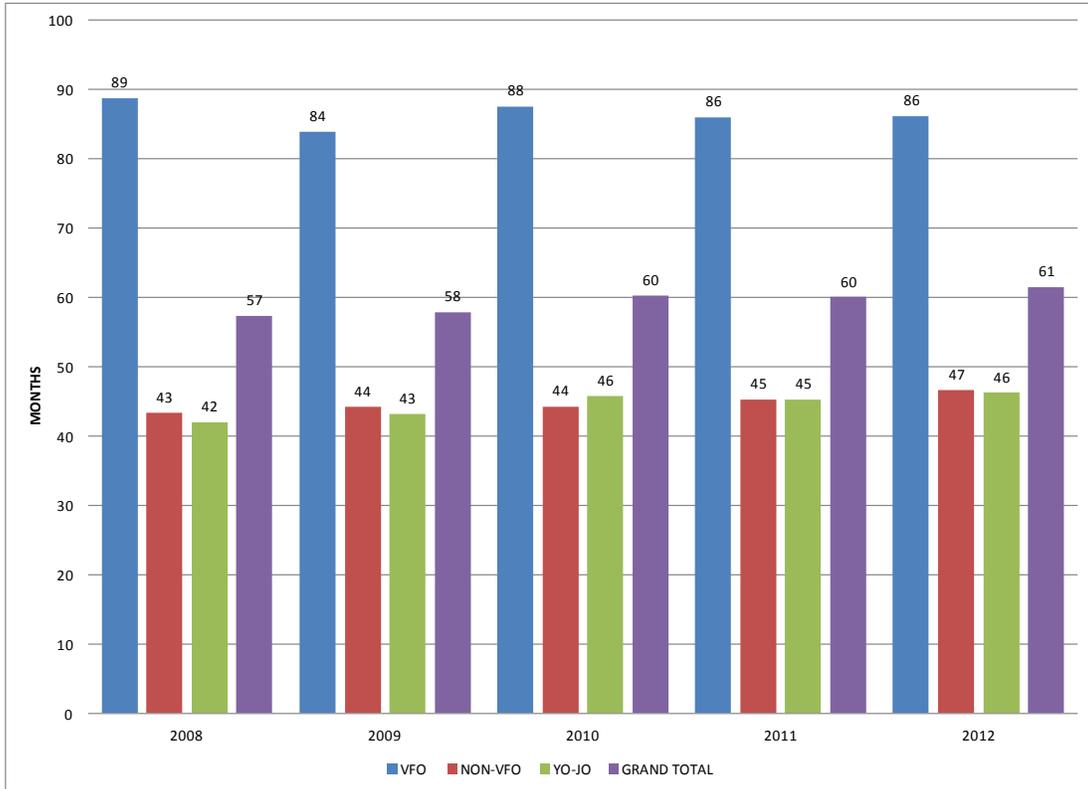
	2008			2009			2010			2011			2012			2008-2012 TOTAL		
	FIRST FELONY	2ND-PERSIST FELONY	TOTAL															
	AVERAGE	AVERAGE	AVERAGE															
<b>VFO</b>																		
MURDER	348.3	0.0	348.3	327.5	0.0	327.5	327.4	0.0	327.4	392.4	0.0	392.4	350.0	0.0	350.0	348.1	0.0	348.1
ATTEMPTED MURDER	196.4	183.8	194.0	130.9	164.2	139.6	145.3	144.0	145.0	111.6	147.4	119.0	110.5	171.9	124.1	138.1	162.1	143.4
MANSLAUGHTER 1ST	163.9	181.9	169.1	161.9	180.4	165.5	172.4	183.8	174.5	185.1	184.7	183.4	171.2	172.6	171.5	170.9	180.4	173.0
RAPE 1ST	105.5	161.0	116.6	110.4	134.6	115.3	95.7	186.1	119.5	117.0	172.4	128.6	124.4	160.8	130.7	111.4	162.7	122.0
ROBBERY 1ST	71.4	126.1	89.8	65.1	111.0	80.6	70.3	124.1	88.6	69.4	129.1	89.9	70.5	119.8	87.0	69.4	122.2	87.3
ROBBERY 2ND	33.9	70.3	45.6	34.7	63.2	42.9	35.8	65.7	45.6	37.0	64.6	45.9	33.7	66.0	44.6	35.0	65.9	44.9
ASSAULT 1ST	79.1	118.0	89.3	76.7	114.2	86.1	78.1	107.7	85.9	74.0	113.8	83.8	84.9	109.6	91.3	78.5	112.5	87.2
ASSAULT 2ND	30.1	48.3	35.3	30.8	49.6	36.9	32.8	50.1	38.0	30.9	46.5	36.2	32.7	53.4	39.9	31.4	49.6	37.3
BURGLARY 1ST	80.2	138.0	99.3	91.3	123.2	101.3	92.6	142.2	112.4	83.6	173.1	118.1	81.1	155.4	108.3	85.9	147.1	108.0
BURGLARY 2ND	40.2	67.8	53.1	38.4	76.1	54.7	38.6	78.1	56.1	39.4	70.2	52.5	39.9	70.3	52.2	39.3	72.5	53.7
ARSON 1ST,2ND	69.8	132.3	91.5	71.7	87.9	76.1	128.9	95.6	123.8	94.0	87.8	91.8	84.4	98.2	88.9	92.7	99.4	94.6
SODOMY 1ST	102.3	183.2	112.8	117.7	187.4	127.3	105.5	168.5	120.9	102.4	157.2	108.6	116.2	149.0	122.7	108.5	168.3	118.4
SEX AB - 1ST, AG 2	55.3	66.9	56.6	62.8	93.5	67.0	69.4	57.9	67.5	61.1	84.1	64.1	63.9	102.7	68.4	62.3	80.0	64.7
WEAPONS OFFENSES	36.8	60.1	44.2	34.5	61.7	43.4	36.8	62.9	45.0	37.6	64.1	45.4	37.6	61.4	45.2	36.3	62.1	44.7
KIDNAPPING 1ST, 2ND	89.6	93.0	89.9	121.9	171.3	128.6	117.7	177.9	136.5	118.1	149.3	128.5	103.0	136.8	114.7	112.2	155.2	123.7
OTHER VFO SEX OFFENSES	86.5	248.5	120.3	77.1	198.8	95.6	78.3	144.6	95.4	73.2	101.1	76.9	127.3	204.3	141.9	88.7	173.6	104.3
OTHER VIOLENT FELONIES	27.9	41.6	31.3	32.0	41.0	32.5	39.3	29.3	36.5	52.9	71.8	58.2	35.8	35.1	35.7	38.1	45.9	39.8
<b>SUBTOTAL</b>	76.3	87.6	79.7	69.1	83.4	73.3	72.1	87.2	76.8	72.6	84.7	76.3	73.2	85.0	76.8	72.6	85.5	76.5
<b>NON-VFO</b>																		
MANSLAUGHTER 2ND	43.9	75.0	49.5	38.2	66.0	39.6	38.0	67.5	43.3	37.7	59.1	41.3	36.9	70.8	40.8	38.9	68.0	43.0
OTHER HOMICIDE	25.6	41.0	27.8	26.8	31.2	27.6	29.5	75.0	35.3	33.5	43.2	34.7	29.9	60.9	34.5	29.1	49.8	32.2
ROBBERY 3RD	17.3	28.1	23.8	18.3	28.8	24.8	18.2	29.5	25.3	17.9	29.8	24.8	18.0	29.0	24.8	17.9	29.0	24.7
ATT ASSAULT 2ND	15.1	20.2	18.5	13.8	21.2	19.1	14.0	20.9	18.9	14.9	20.6	19.3	13.6	21.0	18.7	14.3	20.8	18.9
CONSPIRACY 2,3,4	26.7	37.9	30.9	26.7	41.8	34.1	30.3	42.9	35.2	41.3	55.5	48.8	40.2	37.1	38.9	33.6	43.6	38.0
OTHER WEAPONS	19.9	25.8	24.4	18.3	26.3	24.6	16.6	24.6	22.8	16.6	25.9	24.0	18.3	25.3	24.1	18.0	25.6	24.0
OTHER SEX OFFENSES	22.9	27.2	24.1	22.4	27.8	23.4	25.2	28.6	26.0	25.4	30.9	26.6	26.6	37.4	29.1	24.4	30.1	25.7
OTHER COERCIVE	19.2	29.0	23.4	20.7	29.0	24.5	18.5	32.3	24.3	22.2	30.0	25.0	18.5	28.9	22.5	19.8	29.9	23.9
DRUG SALE	23.3	33.8	29.3	25.3	33.1	30.0	26.8	32.8	30.5	25.1	34.2	30.6	28.3	34.9	32.3	25.5	33.7	30.4
DRUG POSSESSION	23.8	32.1	28.5	26.9	32.6	30.2	25.3	32.5	29.3	25.5	32.8	29.4	27.7	34.1	31.3	25.7	32.7	29.6
BURGLARY 3RD	18.1	27.6	24.0	18.2	27.7	23.9	18.1	29.3	24.8	19.6	27.8	24.6	19.0	28.6	24.7	18.6	28.2	24.4
GRAND LARCENY	20.5	24.2	22.7	19.9	24.2	22.4	19.7	26.3	23.5	20.1	23.7	22.3	21.5	23.5	22.6	20.3	24.3	22.7
FORGERY	18.4	25.6	22.9	18.7	28.6	25.0	18.4	24.3	22.1	17.2	27.0	23.5	19.2	26.4	23.5	18.4	26.4	23.4
STOLEN PROPERTY	15.2	21.8	20.1	16.0	22.8	21.1	15.4	21.3	19.5	16.9	21.9	20.3	18.9	23.8	22.0	16.6	22.3	20.6
DRIVE INTOXICATED	14.7	20.4	14.8	14.4	59.0	14.7	14.4	20.0	14.5	14.2	76.0	14.5	14.7	27.5	14.8	14.5	31.9	14.6
CONTEMPT 1ST	14.9	20.6	18.1	14.0	19.5	16.9	13.5	20.0	17.4	15.0	20.3	18.0	13.2	20.4	18.1	14.2	20.2	17.7
ALL OTHER FELONIES	18.9	23.8	21.2	17.1	23.4	20.1	17.7	24.0	20.4	17.1	28.0	21.7	17.9	26.8	21.6	17.7	25.2	21.0
<b>SUBTOTAL</b>	21.0	29.6	25.6	21.5	29.5	25.8	21.3	29.5	25.7	21.2	29.8	25.8	22.4	30.0	26.4	21.4	29.7	25.9
<b>YO-JO</b>																		
YOUTHFUL OFFENDER	14.4	0.0	14.4	14.5	0.0	14.5	14.4	0.0	14.4	15.1	0.0	15.1	15.0	0.0	15.0	14.7	0.0	14.7
JUVENILE OFFENDER	52.9	0.0	52.9	56.4	0.0	56.4	52.6	0.0	52.6	48.6	0.0	48.6	57.8	0.0	57.8	53.7	0.0	53.7
<b>SUBTOTAL</b>	15.2	0.0	15.2	15.9	0.0	15.9	16.8	0.0	16.8	16.3	0.0	16.3	17.1	0.0	17.1	16.3	0.0	16.3
<b>GRAND TOTAL</b>	42.2	41.8	42.0	41.7	42.2	41.9	43.5	44.7	44.0	43.3	44.2	43.7	45.1	44.8	45.0	43.1	43.5	43.3

**TABLE 5.4  
CRIME CLASS BY MINIMUM SENTENCE BY FELONY OFFENDER STATUS:  
2008-2012 NEW COURT COMMITMENTS**

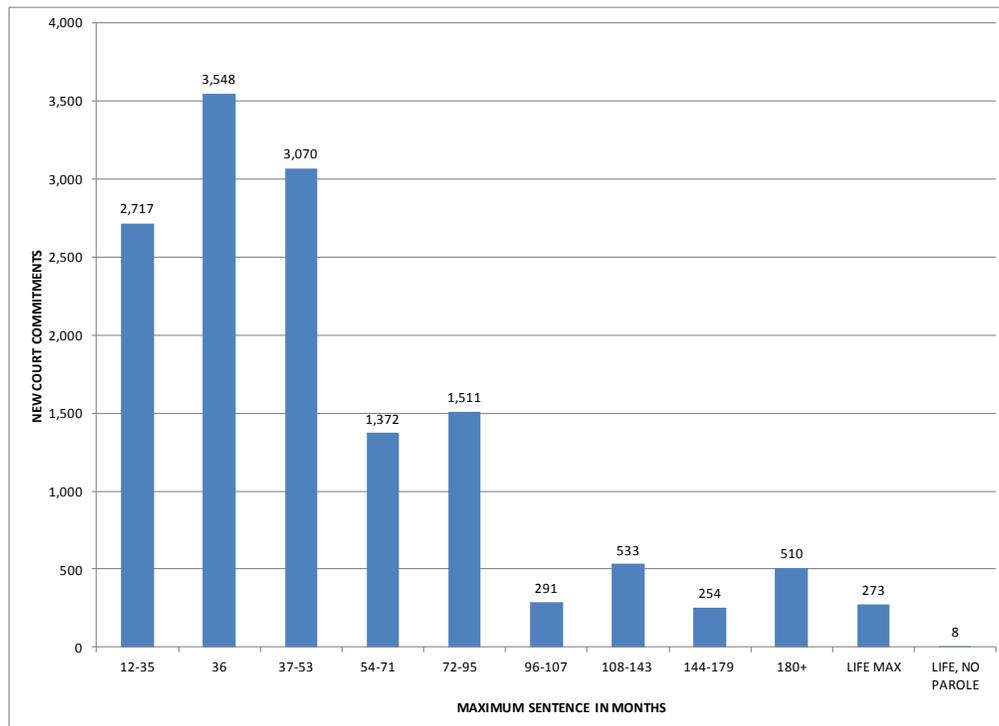
	2008			2009			2010			2011			2012			TOTAL		
	NUMBER	AVERAGE	MEDIAN															
<b>FIRST FELONY</b>																		
<b>VIOLENT FELONY</b>																		
A-I FELONY	198	372.2	300.0	171	327.8	300.0	186	339.1	300.0	157	388.4	300.0	157	348.1	300.0	869	354.9	300.0
A-II FELONY	12	279.2	180.0	15	278.7	240.0	16	277.7	210.0	20	246.8	228.0	23	466.1	216.0	86	321.3	216.0
CLASS B FELONY	853	113.3	93.0	910	111.1	82.0	941	111.2	82.0	880	113.4	87.0	888	116.9	93.0	4,472	113.2	87.0
CLASS C FELONY	976	49.7	41.0	1,077	49.2	36.0	1,086	49.5	41.0	1,138	49.1	41.0	1,163	49.6	36.0	5,440	49.4	41.0
CLASS D FELONY	1,386	28.9	21.0	1,572	28.8	21.0	1,507	29.1	21.0	1,431	29.2	21.0	1,442	29.5	21.0	7,338	29.1	21.0
CLASS E FELONY	12	16.8	15.0	11	15.6	15.0	7	22.1	21.0	6	16.2	15.0	11	17.4	15.0	47	17.4	15.0
YOUTHFUL OFFENDER	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0
<b>SUBTOTAL</b>	<b>3,437</b>	<b>76.3</b>	<b>41.0</b>	<b>3,756</b>	<b>69.1</b>	<b>36.0</b>	<b>3,743</b>	<b>72.1</b>	<b>41.0</b>	<b>3,632</b>	<b>72.6</b>	<b>41.0</b>	<b>3,684</b>	<b>73.2</b>	<b>41.0</b>	<b>18,252</b>	<b>72.6</b>	<b>41.0</b>
<b>NON-VIOLENT FELONY</b>																		
A-I FELONY	11	105.5	82.0	38	110.5	93.0	20	95.9	84.5	20	94.8	82.0	19	105.8	93.0	108	103.6	92.0
A-II FELONY	195	44.8	36.0	197	43.8	41.0	189	42.5	36.0	176	38.8	35.0	156	44.2	41.0	913	42.8	36.0
CLASS B FELONY	1,283	23.0	21.0	992	24.6	21.0	906	25.9	21.0	912	26.0	21.0	816	28.9	21.0	4,909	25.4	21.0
CLASS C FELONY	592	25.5	21.0	491	25.2	21.0	416	25.4	21.0	377	26.8	24.0	439	27.4	24.0	2,315	26.0	21.0
CLASS D FELONY	1,474	18.5	15.0	1,350	18.1	15.0	1,304	18.1	16.0	1,326	18.7	16.0	1,221	19.4	16.0	6,675	18.5	16.0
CLASS E FELONY	1,171	14.8	12.0	1,239	14.9	12.0	1,221	15.3	12.0	1,265	15.1	12.0	1,186	15.0	12.0	6,082	15.0	12.0
YOUTHFUL OFFENDER	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0
<b>SUBTOTAL</b>	<b>4,726</b>	<b>21.0</b>	<b>16.0</b>	<b>4,307</b>	<b>21.5</b>	<b>16.0</b>	<b>4,056</b>	<b>21.3</b>	<b>16.0</b>	<b>4,076</b>	<b>21.2</b>	<b>16.0</b>	<b>3,837</b>	<b>22.4</b>	<b>16.0</b>	<b>21,002</b>	<b>21.4</b>	<b>16.0</b>
<b>YO/JO</b>																		
A-I FELONY	2	156.0	156.0	5	135.6	126.0	7	132.9	108.0	5	104.4	108.0	6	118.0	126.0	25	126.0	108.0
A-II FELONY	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0
CLASS B FELONY	11	36.4	40.0	12	33.3	32.0	28	36.9	34.0	18	33.1	36.0	20	43.9	38.0	89	37.1	36.0
CLASS C FELONY	1	28.0	28.0	3	16.7	16.0	4	29.8	26.0	0	0.0	0.0	3	30.7	28.0	11	26.3	24.0
CLASS D FELONY	0	0.0	0.0	0	0.0	0.0	1	20.0	20.0	0	0.0	0.0	0	0.0	0.0	1	20.0	20.0
CLASS E FELONY	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0
YOUTHFUL OFFENDER	617	14.4	12.0	603	14.5	12.0	594	14.4	12.0	580	15.1	12.0	552	15.0	15.0	2,946	14.7	12.0
<b>SUBTOTAL</b>	<b>631</b>	<b>15.2</b>	<b>12.0</b>	<b>623</b>	<b>15.9</b>	<b>12.0</b>	<b>634</b>	<b>16.8</b>	<b>12.0</b>	<b>603</b>	<b>16.3</b>	<b>15.0</b>	<b>581</b>	<b>17.1</b>	<b>16.0</b>	<b>3,072</b>	<b>16.3</b>	<b>12.0</b>
<b>2ND &amp; PERSIST FELONY</b>																		
<b>VIOLENT FELONY</b>																		
A-I FELONY	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0
A-II FELONY	4	795.0	420.0	10	311.8	282.0	9	351.8	300.0	4	303.0	234.0	11	421.6	300.0	38	403.0	300.0
CLASS B FELONY	300	164.8	146.5	276	157.4	134.0	320	160.1	134.0	303	166.4	133.0	273	163.3	154.0	1,472	162.5	139.0
CLASS C FELONY	543	86.1	72.0	616	83.8	72.0	640	88.1	72.0	590	85.8	72.0	626	83.1	72.0	3,015	85.4	72.0
CLASS D FELONY	601	48.4	41.0	649	48.9	41.0	678	49.8	46.0	715	48.6	46.0	688	51.2	46.0	3,331	49.4	46.0
CLASS E FELONY	27	28.1	26.0	12	37.8	33.5	17	29.3	31.0	10	31.6	31.0	13	28.8	31.0	79	30.4	31.0
YOUTHFUL OFFENDER	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0
<b>SUBTOTAL</b>	<b>1,475</b>	<b>87.6</b>	<b>62.0</b>	<b>1,563</b>	<b>83.4</b>	<b>62.0</b>	<b>1,664</b>	<b>87.2</b>	<b>62.0</b>	<b>1,622</b>	<b>84.7</b>	<b>62.0</b>	<b>1,611</b>	<b>85.0</b>	<b>62.0</b>	<b>7,935</b>	<b>85.5</b>	<b>62.0</b>
<b>NON-VIOLENT FELONY</b>																		
A-I FELONY	12	160.9	154.0	18	163.8	123.0	15	170.5	144.0	7	220.3	165.0	10	174.6	154.0	62	173.0	144.0
A-II FELONY	58	82.2	78.0	46	78.5	77.0	53	74.8	62.0	41	75.1	72.0	37	79.8	72.0	235	78.2	72.0
CLASS B FELONY	755	49.0	41.0	878	41.4	36.0	963	37.1	31.0	955	40.3	31.0	886	40.0	31.0	4,437	41.2	36.0
CLASS C FELONY	1,066	32.2	31.0	776	31.9	31.0	613	31.9	31.0	554	33.5	36.0	500	33.7	36.0	3,509	32.5	31.0
CLASS D FELONY	2,010	26.8	24.0	1,776	28.3	24.0	1,490	30.0	25.0	1,472	29.3	24.0	1,424	30.3	25.0	8,172	28.8	24.0
CLASS E FELONY	1,641	19.6	18.0	1,579	20.1	18.0	1,523	20.3	18.0	1,534	20.4	18.0	1,517	20.4	18.0	7,794	20.2	18.0
YOUTHFUL OFFENDER	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0
<b>SUBTOTAL</b>	<b>5,542</b>	<b>29.6</b>	<b>24.0</b>	<b>5,073</b>	<b>29.5</b>	<b>24.0</b>	<b>4,657</b>	<b>29.5</b>	<b>24.0</b>	<b>4,563</b>	<b>29.8</b>	<b>24.0</b>	<b>4,374</b>	<b>30.0</b>	<b>24.0</b>	<b>24,209</b>	<b>29.7</b>	<b>24.0</b>
<b>GRAND TOTAL</b>	<b>15,811</b>	<b>42.0</b>	<b>24.0</b>	<b>15,322</b>	<b>41.9</b>	<b>25.0</b>	<b>14,754</b>	<b>44.0</b>	<b>26.0</b>	<b>14,496</b>	<b>43.7</b>	<b>26.0</b>	<b>14,087</b>	<b>45.0</b>	<b>26.0</b>	<b>74,470</b>	<b>43.3</b>	<b>25.0</b>

NOTE: LIFE WITHOUT PAROLE SENTENCES ARE TREATED AS 45 YEARS (540 MONTHS) FOR THIS TABLE.

**Figure 5.3**  
**Average Maximum Sentence by Crime Type**  
**2008-2012 New Court Commitments**



**Figure 5.4**  
**Maximum Sentence in Months**  
**2012 New Court Commitments, N=14,087**



**TABLE 5.5  
MAXIMUM SENTENCE BY CRIME  
2012 NEW COURT COMMITMENTS**

	VIOLENT FELONY	OTHER COERCIVE	DRUG OFFENSES	PROPERTY AND OTHER OFFENSES	YO & JO	TOTAL	
12-35 MONTHS	897	99	1,702	1	18	2,717	19.3%
36 MONTHS	486	602	496	1,688	276	3,548	25.2%
37-53 MONTHS	1,019	434	453	916	248	3,070	21.8%
54-71 MONTHS	863	82	240	187	0	1,372	9.7%
72-95 MONTHS	610	231	178	475	17	1,511	10.7%
96-107 MONTHS	204	15	42	28	2	291	2.1%
108-143 MONTHS	346	51	46	77	13	533	3.8%
144-179 MONTHS	177	27	12	36	2	254	1.8%
180 AND OVER	424	39	16	31	0	510	3.6%
LIFE MAX	261	2	4	1	5	273	1.9%
LIFE, NO PAROLE	8	0	0	0	0	8	.1%
<b>GRAND TOTAL</b>	<b>5,295</b>	<b>1,582</b>	<b>3,189</b>	<b>3,440</b>	<b>581</b>	<b>14,087</b>	<b>100.0%</b>

**TABLE 5.6  
AVERAGE AND MEDIAN MAXIMUM SENTENCE (IN MONTHS) BY CRIME AND FELONY OFFENDER STATUS: 2012 NEW COURT COMMITMENTS**

	FIRST FELONY OFFENDER			SECOND FELONY OFFENDER			PERSISTENT FELONY OFFENDER			Total		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
<b>VIOLENT FELONY</b>												
MURDER	154	312.5	300.0	0	0.0	0.0	0	0.0	0.0	154	312.5	300.0
ATTEMPTED MURDER	102	128.5	108.0	27	177.8	156.0	2	300.0	300.0	131	141.2	120.0
MANSLAUGHTER 1ST	151	200.9	216.0	39	196.3	204.0	1	300.0	300.0	191	200.5	216.0
RAPE 1ST	114	146.6	120.0	22	172.6	144.0	2	300.0	300.0	138	152.9	120.0
ROBBERY 1ST	300	82.4	60.0	142	126.5	108.0	10	300.0	300.0	452	101.1	84.0
ROBBERY 2ND	486	39.4	36.0	234	70.5	60.0	12	300.0	300.0	732	53.6	42.0
ASSAULT 1ST	224	99.2	84.0	76	125.5	96.0	2	300.0	300.0	302	107.1	84.0
ASSAULT 2ND	317	38.0	36.0	167	58.6	60.0	4	300.0	300.0	488	47.2	36.0
BURGLARY 1ST	93	94.7	78.0	48	168.1	144.0	6	300.0	300.0	147	127.0	102.0
BURGLARY 2ND	553	46.7	42.0	348	71.5	60.0	28	300.0	300.0	929	63.7	48.0
ARSON 1ST,2ND	19	102.3	60.0	9	114.7	84.0	0	0.0	0.0	28	106.3	78.0
SODOMY 1ST	73	137.2	108.0	18	174.0	156.0	0	0.0	0.0	91	144.5	120.0
SEX AB - 1ST, AG 2	212	74.6	48.0	25	96.7	60.0	3	300.0	300.0	240	79.7	48.0
WEAPONS OFFENSES	723	43.8	42.0	335	68.9	60.0	7	300.0	300.0	1,065	53.4	42.0
KIDNAPPING 1ST, 2ND	15	120.4	96.0	7	142.3	120.0	1	300.0	300.0	23	134.9	120.0
OTHER VFO SEX OFFENSES	111	96.3	42.0	24	145.2	66.0	2	300.0	300.0	137	107.8	48.0
OTHER VIOLENT FELONIES	37	43.6	36.0	9	42.7	42.0	1	300.0	300.0	47	48.9	36.0
<b>SUBTOTAL</b>	<b>3,684</b>	<b>80.0</b>	<b>48.0</b>	<b>1,530</b>	<b>89.9</b>	<b>72.0</b>	<b>81</b>	<b>300.0</b>	<b>300.0</b>	<b>5,295</b>	<b>86.2</b>	<b>60.0</b>
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	38	104.8	108.0	5	141.6	180.0	0	0.0	0.0	43	109.1	108.0
OTHER HOMICIDE	40	89.0	72.0	7	121.7	84.0	0	0.0	0.0	47	93.8	72.0
ROBBERY 3RD	177	51.0	48.0	281	56.7	48.0	1	300.0	300.0	459	55.0	48.0
ATT ASSAULT 2ND	75	39.0	36.0	168	41.5	36.0	0	0.0	0.0	243	40.7	36.0
CONSPIRACY 2,3,4	75	87.5	72.0	53	69.8	48.0	0	0.0	0.0	128	80.2	54.0
OTHER WEAPONS	46	48.7	36.0	223	49.5	48.0	0	0.0	0.0	269	49.3	48.0
OTHER SEX OFFENSES	182	44.2	36.0	54	48.6	36.0	1	300.0	300.0	237	46.3	36.0
OTHER COERCIVE	96	51.9	36.0	60	57.6	48.0	0	0.0	0.0	156	54.1	48.0
<b>SUBTOTAL</b>	<b>729</b>	<b>56.7</b>	<b>48.0</b>	<b>851</b>	<b>53.2</b>	<b>48.0</b>	<b>2</b>	<b>300.0</b>	<b>300.0</b>	<b>1,582</b>	<b>55.1</b>	<b>48.0</b>
<b>DRUG OFFENSES</b>												
DRUG SALE	671	33.7	24.0	1,018	40.9	36.0	0	0.0	0.0	1,689	38.0	30.0
DRUG POSSESSION	653	33.2	24.0	847	40.1	30.0	0	0.0	0.0	1,500	37.1	30.0
<b>SUBTOTAL</b>	<b>1,324</b>	<b>33.5</b>	<b>24.0</b>	<b>1,865</b>	<b>40.5</b>	<b>36.0</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>	<b>3,189</b>	<b>37.6</b>	<b>30.0</b>
<b>PROPERTY AND OTHER</b>												
BURGLARY 3RD	400	54.9	48.0	595	57.0	48.0	0	0.0	0.0	995	56.1	48.0
GRAND LARCENY	293	62.0	48.0	393	47.2	36.0	0	0.0	0.0	686	53.5	36.0
FORGERY	92	54.9	48.0	136	52.6	48.0	0	0.0	0.0	228	53.6	48.0
STOLEN PROPERTY	80	49.9	36.0	135	43.7	36.0	1	300.0	300.0	216	47.2	36.0
DRIVE INTOXICATED	507	43.3	36.0	4	70.5	66.0	0	0.0	0.0	511	43.5	36.0
CONTEMPT 1ST	65	38.7	36.0	144	40.2	36.0	0	0.0	0.0	209	39.7	36.0
ALL OTHER FELONIES	347	50.1	36.0	248	52.1	48.0	0	0.0	0.0	595	50.9	36.0
<b>SUBTOTAL</b>	<b>1,784</b>	<b>51.0</b>	<b>36.0</b>	<b>1,655</b>	<b>51.0</b>	<b>48.0</b>	<b>1</b>	<b>300.0</b>	<b>300.0</b>	<b>3,440</b>	<b>51.1</b>	<b>48.0</b>
<b>YOUTHFUL OFFENDER</b>												
YOUTHFUL OFFENDER	552	41.4	36.0	0	0.0	0.0	0	0.0	0.0	552	41.4	36.0
<b>JUVENILE OFFENDER</b>												
JUVENILE OFFENDER	29	138.6	120.0	0	0.0	0.0	0	0.0	0.0	29	138.6	120.0
<b>GRAND TOTAL</b>	<b>8,102</b>	<b>61.5</b>	<b>42.0</b>	<b>5,901</b>	<b>58.1</b>	<b>48.0</b>	<b>84</b>	<b>300.0</b>	<b>300.0</b>	<b>14,087</b>	<b>61.5</b>	<b>42.0</b>

NOTES: Life maximum sentences treated as 25 years (300 months) for this table.  
Life without parole sentences treated as 45 years (540 months) for this table.

TABLE 5.7  
 CRIME BY AVERAGE MAXIMUM SENTENCE BY FELONY OFFENDER STATUS; 2008-2012 NEW COURT COMMITMENTS

	2008			2009			2010			2011			2012			2008-2012 TOTAL		
	FIRST FELONY	2ND-PERSIST	TOTAL	FIRST FELONY	2ND-PERSIST	TOTAL	FIRST FELONY	2ND-PERSIST	TOTAL	FIRST FELONY	2ND-PERSIST	TOTAL	FIRST FELONY	2ND-PERSIST	TOTAL	FIRST FELONY	2ND-PERSIST	TOTAL
	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE
<b>VFO</b>																		
MURDER	318.7	.	318.7	317.6	.	317.6	316.6	.	316.6	327.4	.	327.4	312.5	.	312.5	318.4	.	318.4
ATTEMPTED MURDER	160.6	214.6	171.0	146.4	181.8	155.7	144.4	168.2	149.5	127.5	174.8	137.3	128.5	186.2	141.2	141.2	184.1	150.6
MANSLAUGHTER 1ST	192.8	211.5	198.2	194.3	214.4	198.2	204.4	213.1	206.1	218.0	216.8	217.7	200.9	198.9	200.5	202.1	210.7	204.0
RAPE 1ST	126.3	148.1	130.7	131.5	159.5	137.2	113.0	193.6	134.2	136.9	201.6	150.4	146.6	183.3	152.9	131.8	176.9	141.2
ROBBERY 1ST	84.1	148.5	105.8	76.2	128.1	93.8	82.8	142.9	103.2	81.6	148.9	104.7	82.4	137.9	101.1	81.5	141.5	101.8
ROBBERY 2ND	39.7	82.9	53.6	40.4	76.5	50.8	41.7	81.6	54.8	43.0	81.1	55.4	39.4	81.7	53.6	40.8	80.8	53.6
ASSAULT 1ST	92.7	138.8	104.8	89.6	132.7	100.5	91.3	126.1	100.4	86.7	135.3	98.8	99.2	130.0	107.1	91.8	132.4	102.2
ASSAULT 2ND	34.9	60.3	42.3	35.9	58.9	43.3	38.3	61.1	45.1	35.8	54.4	42.2	38.0	64.2	47.2	36.6	59.8	44.0
BURGLARY 1ST	94.9	162.0	117.1	107.5	145.4	119.5	108.2	165.8	131.2	97.7	185.0	131.3	94.7	182.8	127.0	100.8	168.9	125.4
BURGLARY 2ND	46.8	85.7	64.9	45.0	92.7	65.7	45.5	98.7	69.0	45.9	86.7	63.4	46.7	88.5	63.7	46.0	90.4	65.3
ARSON 1ST,2ND	81.4	154.7	106.8	83.8	102.7	88.9	134.4	111.6	130.9	86.8	102.4	92.3	102.3	114.7	106.3	99.6	116.1	104.4
SODOMY 1ST	120.4	222.9	133.7	137.4	170.8	141.9	125.9	198.0	143.5	120.3	183.6	127.4	137.2	174.0	144.5	127.9	190.8	138.3
SEX AB - 1ST, AG 2	66.1	81.9	68.0	73.6	109.4	78.5	82.2	67.7	79.8	71.9	102.6	75.9	74.6	118.5	79.7	73.5	94.7	76.3
WEAPONS OFFENSES	43.0	71.1	52.0	40.2	73.4	51.0	42.8	75.1	53.0	41.6	76.9	53.6	43.8	73.7	53.4	42.3	74.1	52.6
KIDNAPPING 1ST, 2ND	104.8	108.0	105.0	140.8	200.0	148.9	103.4	202.8	134.4	142.9	175.6	153.8	120.4	162.0	134.9	123.8	180.7	138.9
OTHER VFO SEX OFFENSES	99.5	126.4	105.1	86.8	199.3	103.9	87.3	137.4	100.3	87.2	107.4	89.9	96.3	157.1	107.8	90.6	145.2	100.6
OTHER VIOLENT FELONIES	35.2	51.6	39.3	39.5	48.0	39.9	47.3	40.0	45.3	70.2	84.0	74.1	43.6	68.4	48.9	47.8	64.1	51.4
<b>SUBTOTAL</b>	<b>82.8</b>	<b>102.4</b>	<b>88.7</b>	<b>78.0</b>	<b>98.0</b>	<b>83.9</b>	<b>80.5</b>	<b>103.5</b>	<b>87.6</b>	<b>79.4</b>	<b>100.7</b>	<b>86.0</b>	<b>80.0</b>	<b>100.4</b>	<b>86.2</b>	<b>80.1</b>	<b>101.0</b>	<b>86.4</b>
<b>NON-VFO</b>																		
MANSLAUGHTER 2ND	122.8	142.5	126.3	107.5	132.0	108.8	111.0	135.0	115.4	112.1	118.3	113.1	104.8	141.6	109.1	111.6	134.0	114.7
OTHER HOMICIDE	70.4	82.0	72.0	76.9	62.4	74.2	85.6	114.0	89.2	99.7	89.0	98.4	89.0	121.7	93.8	84.6	92.3	85.7
ROBBERY 3RD	49.9	55.8	53.4	51.0	57.1	54.8	51.2	57.9	55.5	50.6	59.5	55.8	51.0	57.6	55.0	50.7	57.5	54.9
ATT ASSAULT 2ND	40.4	39.9	40.0	40.2	42.2	41.6	39.0	41.5	40.7	40.5	41.1	41.0	39.0	41.5	40.7	39.8	41.3	40.8
CONSPIRACY 2,3,4	73.1	71.1	72.3	66.9	77.7	72.2	70.4	76.3	72.7	94.6	97.3	96.0	87.5	69.8	80.2	79.5	79.4	79.4
OTHER WEAPONS	49.9	50.3	50.2	46.9	51.5	50.5	43.1	48.4	47.2	46.6	50.9	50.0	48.7	49.5	49.3	47.1	50.1	49.4
OTHER SEX OFFENSES	52.4	45.6	50.5	46.7	47.0	46.8	46.3	42.2	45.4	44.6	44.0	44.5	44.2	53.1	46.3	46.9	46.3	46.8
OTHER COERCIVE	55.5	57.2	56.2	59.6	56.7	58.3	53.9	59.3	56.2	58.2	55.7	57.3	51.9	57.6	54.1	55.9	57.3	56.5
DRUG SALE	30.2	41.1	36.4	31.1	39.3	36.0	31.8	38.5	35.9	29.5	40.0	35.8	33.7	40.9	38.0	31.1	40.0	36.4
DRUG POSSESSION	30.5	38.6	35.1	33.2	39.0	36.5	30.8	38.1	34.8	31.0	38.3	35.0	33.2	40.1	37.1	31.7	38.8	35.7
BURGLARY 3RD	50.9	54.9	53.4	51.0	54.7	53.2	52.2	58.4	55.9	57.2	55.4	56.1	54.9	57.0	56.1	53.3	56.0	55.0
GRAND LARCENY	58.0	48.0	52.1	57.8	48.4	52.3	56.8	47.8	51.6	56.9	47.1	51.1	62.0	47.2	53.5	58.3	47.7	52.1
FORGERY	52.6	51.2	51.7	52.1	55.6	54.3	52.2	48.6	50.0	48.7	53.4	51.7	54.9	52.6	53.6	52.1	52.4	52.3
STOLEN PROPERTY	41.2	42.6	42.2	44.6	45.3	45.1	44.3	42.5	43.1	48.6	43.9	45.3	49.9	45.6	47.2	45.8	44.0	44.5
DRIVE INTOXICATED	43.8	49.1	43.9	43.1	111.0	43.6	43.2	52.5	43.3	42.5	148.0	43.0	43.3	70.5	43.5	43.2	71.0	43.4
CONTEMPT 1ST	43.3	41.3	42.1	39.0	39.1	39.1	39.1	40.1	39.7	43.5	40.6	41.9	38.7	40.2	39.7	40.9	40.3	40.5
ALL OTHER FELONIES	51.8	47.1	49.5	49.5	46.1	47.9	50.1	46.4	48.5	48.3	53.0	50.3	50.1	52.1	50.9	49.9	49.0	49.5
<b>SUBTOTAL</b>	<b>41.6</b>	<b>44.9</b>	<b>43.4</b>	<b>42.9</b>	<b>45.3</b>	<b>44.2</b>	<b>43.3</b>	<b>45.2</b>	<b>44.3</b>	<b>43.8</b>	<b>46.6</b>	<b>45.3</b>	<b>46.0</b>	<b>47.2</b>	<b>46.6</b>	<b>43.4</b>	<b>45.8</b>	<b>44.7</b>
<b>YO-JO</b>																		
YOUTHFUL OFFENDER	40.1	.	40.1	40.3	.	40.3	40.3	.	40.3	41.5	.	41.5	41.4	.	41.4	40.7	.	40.7
JUVENILE OFFENDER	131.6	.	131.6	132.6	.	132.6	128.4	.	128.4	142.2	.	142.2	138.6	.	138.6	134.3	.	134.3
<b>SUBTOTAL</b>	<b>42.1</b>	<b>.</b>	<b>42.1</b>	<b>43.3</b>	<b>.</b>	<b>43.3</b>	<b>45.8</b>	<b>.</b>	<b>45.8</b>	<b>45.3</b>	<b>.</b>	<b>45.3</b>	<b>46.3</b>	<b>.</b>	<b>46.3</b>	<b>44.5</b>	<b>.</b>	<b>44.5</b>
<b>GRAND TOTAL</b>	<b>57.7</b>	<b>57.0</b>	<b>57.4</b>	<b>58.1</b>	<b>57.7</b>	<b>57.9</b>	<b>60.0</b>	<b>60.5</b>	<b>60.2</b>	<b>59.5</b>	<b>60.8</b>	<b>60.0</b>	<b>61.5</b>	<b>61.5</b>	<b>61.5</b>	<b>59.3</b>	<b>59.4</b>	<b>59.4</b>

NOTE: LIFE WITHOUT PAROLE SENTENCES ARE TREATED AS 45 YEARS (540 MONTHS) FOR THIS TABLE.

**TABLE 5.8  
CRIME CLASS BY MAXIMUM SENTENCE BY FELONY OFFENDER STATUS:  
2008-2012 NEW COURT COMMITMENTS**

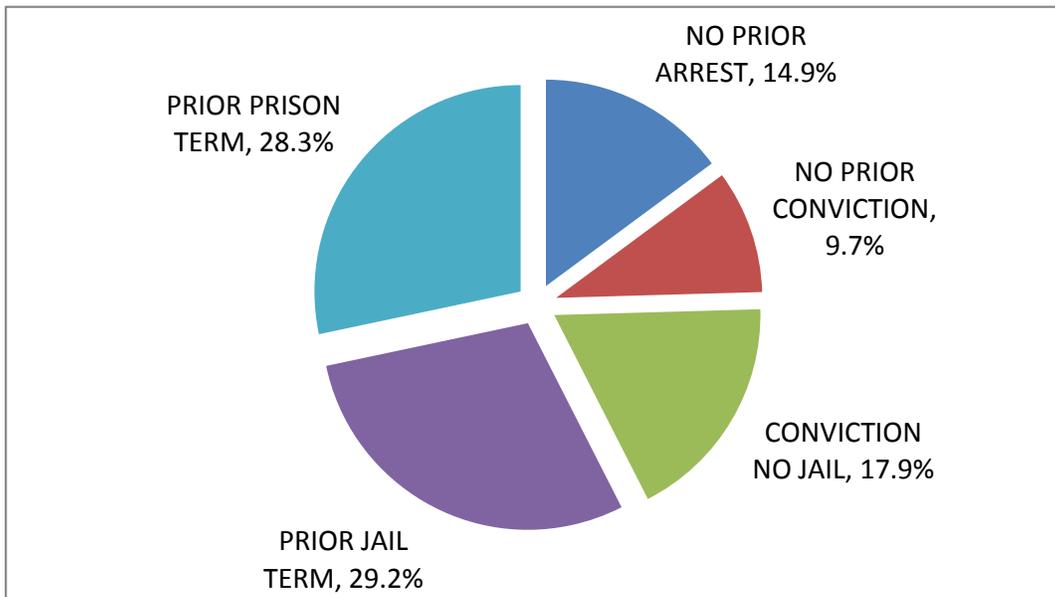
	2008			2009			2010			2011			2012			TOTAL		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
<b>FIRST FELONY OFFENDER</b>																		
<b>VFO</b>																		
A-I FELONY	198	318.2	300.0	171	316.8	300.0	186	315.5	300.0	157	326.0	300.0	157	312.2	300.0	869	317.7	300.0
A-II FELONY	12	300.0	300.0	15	300.0	300.0	16	300.0	300.0	20	300.0	300.0	23	292.2	300.0	86	297.9	300.0
CLASS B FELONY	853	133.7	108.0	910	131.0	102.0	941	131.0	96.0	880	133.2	108.0	888	137.0	108.0	4,472	133.1	108.0
CLASS C FELONY	976	58.2	48.0	1,077	57.7	42.0	1,086	58.2	48.0	1,138	57.4	48.0	1,163	58.0	42.0	5,440	57.9	48.0
CLASS D FELONY	1,386	33.8	24.0	1,572	33.5	24.0	1,507	33.9	24.0	1,431	33.9	24.0	1,442	34.2	24.0	7,338	33.9	24.0
CLASS E FELONY	12	28.5	18.0	11	25.1	18.0	7	29.1	24.0	6	24.0	18.0	11	28.4	24.0	47	27.2	24.0
YOUTHFUL OFFENDER	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.
<b>SUBTOTAL</b>	<b>3,437</b>	<b>82.8</b>	<b>48.0</b>	<b>3,756</b>	<b>78.0</b>	<b>42.0</b>	<b>3,743</b>	<b>80.5</b>	<b>48.0</b>	<b>3,632</b>	<b>79.4</b>	<b>48.0</b>	<b>3,684</b>	<b>80.0</b>	<b>48.0</b>	<b>18,252</b>	<b>80.1</b>	<b>48.0</b>
<b>NON-VFO</b>																		
A-I FELONY	11	132.0	96.0	38	128.8	108.0	20	112.2	99.0	20	115.2	96.0	19	124.7	108.0	108	122.8	108.0
A-II FELONY	195	60.4	42.0	197	56.2	48.0	189	50.7	42.0	176	48.0	42.0	156	54.8	48.0	913	54.1	48.0
CLASS B FELONY	1,283	32.4	24.0	992	32.8	24.0	906	36.0	24.0	912	37.0	24.0	816	43.4	30.0	4,909	35.8	24.0
CLASS C FELONY	592	46.8	36.0	491	50.9	36.0	416	51.8	36.0	377	53.3	36.0	439	52.2	36.0	2,315	50.7	36.0
CLASS D FELONY	1,474	45.6	36.0	1,350	45.9	36.0	1,304	46.6	36.0	1,326	48.4	36.0	1,221	50.0	36.0	6,675	47.2	36.0
CLASS E FELONY	1,171	39.9	36.0	1,239	39.7	36.0	1,221	39.9	36.0	1,265	39.4	36.0	1,186	39.0	36.0	6,082	39.6	36.0
YOUTHFUL OFFENDER	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.
<b>SUBTOTAL</b>	<b>4,726</b>	<b>41.6</b>	<b>36.0</b>	<b>4,307</b>	<b>42.9</b>	<b>36.0</b>	<b>4,056</b>	<b>43.3</b>	<b>36.0</b>	<b>4,076</b>	<b>43.8</b>	<b>36.0</b>	<b>3,837</b>	<b>46.0</b>	<b>36.0</b>	<b>21,002</b>	<b>43.4</b>	<b>36.0</b>
<b>YO-JO</b>																		
A-I FELONY	2	300.0	300.0	5	300.0	300.0	7	300.0	300.0	5	300.0	300.0	6	274.0	300.0	25	293.8	300.0
A-II FELONY	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.
CLASS B FELONY	11	105.3	108.0	12	83.5	84.0	28	95.6	102.0	18	98.3	108.0	20	105.0	108.0	89	97.8	108.0
CLASS C FELONY	1	84.0	84.0	3	50.0	48.0	4	78.0	78.0	0	.	.	3	92.0	84.0	11	74.7	72.0
CLASS D FELONY	0	.	.	0	.	.	1	48.0	48.0	0	.	.	0	.	.	1	48.0	48.0
CLASS E FELONY	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.
YOUTHFUL OFFENDER	617	40.1	36.0	603	40.3	36.0	594	40.3	36.0	580	41.5	36.0	552	41.4	36.0	2,946	40.7	36.0
<b>SUBTOTAL</b>	<b>631</b>	<b>42.1</b>	<b>36.0</b>	<b>623</b>	<b>43.3</b>	<b>36.0</b>	<b>634</b>	<b>45.8</b>	<b>36.0</b>	<b>603</b>	<b>45.3</b>	<b>36.0</b>	<b>581</b>	<b>46.3</b>	<b>36.0</b>	<b>3,072</b>	<b>44.5</b>	<b>36.0</b>
<b>SECOND &amp; PERSISTANT FELONS</b>																		
<b>VFO</b>																		
A-I FELONY	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.
A-II FELONY	4	300.0	300.0	10	300.0	300.0	9	300.0	300.0	4	300.0	300.0	11	300.0	300.0	38	300.0	300.0
CLASS B FELONY	300	188.5	171.0	276	179.9	162.0	320	182.1	156.0	303	190.4	156.0	273	186.8	180.0	1,472	185.6	162.0
CLASS C FELONY	543	101.4	84.0	616	97.9	84.0	640	105.6	84.0	590	102.1	84.0	626	99.9	84.0	3,015	101.4	84.0
CLASS D FELONY	601	62.1	48.0	649	61.1	48.0	678	63.5	54.0	715	61.0	54.0	688	64.3	54.0	3,331	62.4	54.0
CLASS E FELONY	27	34.4	36.0	12	44.0	39.0	17	37.1	36.0	10	61.8	36.0	13	54.5	36.0	79	43.2	36.0
YOUTHFUL OFFENDER	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.
<b>SUBTOTAL</b>	<b>1,475</b>	<b>102.4</b>	<b>72.0</b>	<b>1,563</b>	<b>98.0</b>	<b>72.0</b>	<b>1,664</b>	<b>103.5</b>	<b>72.0</b>	<b>1,622</b>	<b>100.7</b>	<b>72.0</b>	<b>1,611</b>	<b>100.4</b>	<b>72.0</b>	<b>7,935</b>	<b>101.0</b>	<b>72.0</b>
<b>NON-VFO</b>																		
A-I FELONY	12	188.0	180.0	18	191.1	144.0	15	199.2	168.0	7	257.1	192.0	10	204.0	180.0	62	202.0	168.0
A-II FELONY	58	100.8	90.0	46	101.1	96.0	53	87.3	72.0	41	87.7	84.0	37	98.9	84.0	235	95.2	84.0
CLASS B FELONY	755	59.7	48.0	878	49.6	42.0	963	43.9	36.0	955	48.9	36.0	886	48.3	36.0	4,437	49.7	42.0
CLASS C FELONY	1,066	41.1	36.0	776	40.3	36.0	613	40.7	36.0	554	42.7	42.0	500	43.7	42.0	3,509	41.5	36.0
CLASS D FELONY	2,010	45.3	48.0	1,776	48.9	48.0	1,490	51.7	48.0	1,472	52.8	48.0	1,424	54.6	48.0	8,172	50.2	48.0
CLASS E FELONY	1,641	37.1	36.0	1,579	38.1	36.0	1,523	38.4	36.0	1,534	38.6	36.0	1,517	38.3	36.0	7,794	38.1	36.0
YOUTHFUL OFFENDER	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.	0	.	.
<b>SUBTOTAL</b>	<b>5,542</b>	<b>44.9</b>	<b>36.0</b>	<b>5,073</b>	<b>45.3</b>	<b>36.0</b>	<b>4,657</b>	<b>45.2</b>	<b>36.0</b>	<b>4,563</b>	<b>46.6</b>	<b>36.0</b>	<b>4,374</b>	<b>47.2</b>	<b>36.0</b>	<b>24,209</b>	<b>45.8</b>	<b>36.0</b>
<b>GRAND TOTAL</b>	<b>15,811</b>	<b>57.4</b>	<b>42.0</b>	<b>15,322</b>	<b>57.9</b>	<b>42.0</b>	<b>14,754</b>	<b>60.2</b>	<b>42.0</b>	<b>14,496</b>	<b>60.0</b>	<b>42.0</b>	<b>14,087</b>	<b>61.5</b>	<b>42.0</b>	<b>74,470</b>	<b>59.4</b>	<b>42.0</b>

NOTE: LIFE WITHOUT PAROLE SENTENCES ARE TREATED AS 45 YEARS (540 MONTHS) FOR THIS TABLE.

## Section 6: Prior Adult Criminal Record

Almost 58% of new court commitments in 2012 had served a prior period of time in jail (29%) or prison (28%).

**Figure 6**  
**Prior Criminal Record**  
**2012 New Court Commitments, N=14,087**



**TABLE 6.1**  
**OFFENSE TYPE BY PRIOR ADULT CRIMINAL RECORD: 2012 NEW COURT COMMITMENTS**

	NO PRIOR ARREST	NO PRIOR CONVICTION	CONVICTION NO JAIL	PRIOR JAIL TERM	PRIOR PRISON TERM	TOTAL
VIOLENT FELONY	1,139	663	899	1,474	1,120	5,295
OTHER COERCIVE	208	122	252	480	520	1,582
DRUG OFFENSES	293	205	559	933	1,199	3,189
PROPERTY AND OTHER	220	201	746	1,126	1,147	3,440
YO & JO	237	171	71	99	3	581
<b>TOTAL</b>	<b>2,097</b>	<b>1,362</b>	<b>2,527</b>	<b>4,112</b>	<b>3,989</b>	<b>14,087</b>
<b>PERCENT</b>	<b>14.9%</b>	<b>9.7%</b>	<b>17.9%</b>	<b>29.2%</b>	<b>28.3%</b>	<b>100.0%</b>

## Section 7: Drug Commitments

Just over half (53%) of the new court commitments admitted in 2012 for a drug offense were committed for drug sale (see Table 7.1).

The Drug Law Reform Act that was enacted in 2009 contributed to the 39% decrease (5,190 to 3,189) in drug commitments between 2008 and 2012 (see Table 7.2). Specifically, this legislation provides judges with sentencing discretion for certain drug offenders with substance abuse problems. This has diverted some drug offenders from prison to drug treatment programs in the community.<sup>14</sup> A possible example of these diversions can be seen in Table 7.3. The number of Class B first felony offenders has decreased by 43% from 2008 to 2012 (1,198 to 685). In contrast, the average maximum sentence of the 685 Class B drug offenders admitted during 2012 was 31.2 months which was 3 months higher than in 2008 (see Table 7.4). This increase in sentence length is due, in part, to an increase in diversions from prison among Class B drug felons, who are now eligible for probation.

**TABLE 7.1  
FELONY CRIME CLASS BY DRUG SALE OR POSSESSION:  
2012 NEW COURT COMMITMENTS**

FELONY CLASS	DRUG SALE	DRUG POSSESSION	Total
A-I FELONY	12	17	29
A-II FELONY	91	102	193
CLASS B FELONY	926	624	1,550
CLASS C FELONY	365	335	700
CLASS D FELONY	233	324	557
CLASS E FELONY	62	98	160
<b>TOTAL</b>	1,689	1,500	3,189
<b>PERCENT</b>	53.0%	47.0%	100.0%

**TABLE 7.2  
DRUG CRIME CONVICTIONS BY CRIME CLASS AND YEAR RECEIVED: 2012 NEW COURT COMMITMENTS**

FELONY CLASS	2008		2009		2010		2011		2012		TOTAL	
	NUMBER	PERCENT										
A-I FELONY	23	.4%	56	1.3%	35	.9%	27	.8%	29	.9%	170	.9%
A-II FELONY	253	4.9%	243	5.6%	242	6.4%	217	6.2%	193	6.1%	1,148	5.7%
CLASS B FELONY	1,941	37.4%	1,798	41.6%	1,777	47.3%	1,735	49.4%	1,550	48.6%	8,801	44.1%
CLASS C FELONY	1,433	27.6%	1,033	23.9%	801	21.3%	728	20.7%	700	22.0%	4,695	23.5%
CLASS D FELONY	1,323	25.5%	987	22.8%	735	19.6%	650	18.5%	557	17.5%	4,252	21.3%
CLASS E FELONY	217	4.2%	207	4.8%	166	4.4%	153	4.4%	160	5.0%	903	4.5%
<b>GRAND TOTAL</b>	5,190	100.0%	4,324	100.0%	3,756	100.0%	3,510	100.0%	3,189	100.0%	19,969	100.0%

<sup>14</sup> The Drug Law Reform Act of 2009 removed mandatory sentencing for Class B, first felony drug offenders as well as Class C, D, and E second felony drug offenders with no history of violent convictions.

**TABLE 7.3  
DRUG CRIME CONVICTIONS BY CRIME CLASS, FELONY OFFENDER STATUS, AND YEAR RECEIVED: 2008-2012 NEW COURT COMMITMENTS**

	2008		2009		2010		2011		2012		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT								
<b>FIRST FELONY OFFENDER</b>												
A-I FELONY	11	.2%	38	.9%	20	.5%	20	.6%	19	.6%	108	.5%
A-II FELONY	195	3.8%	197	4.6%	189	5.0%	176	5.0%	156	4.9%	913	4.6%
CLASS B FELONY	1,198	23.1%	930	21.5%	826	22.0%	813	23.2%	685	21.5%	4,452	22.3%
CLASS C FELONY	421	8.1%	300	6.9%	238	6.3%	225	6.4%	250	7.8%	1,434	7.2%
CLASS D FELONY	378	7.3%	277	6.4%	228	6.1%	229	6.5%	187	5.9%	1,299	6.5%
CLASS E FELONY	37	.7%	45	1.0%	39	1.0%	33	.9%	27	.8%	181	.9%
<b>SUBTOTAL</b>	<b>2,240</b>	<b>43.2%</b>	<b>1,787</b>	<b>41.3%</b>	<b>1,540</b>	<b>41.0%</b>	<b>1,496</b>	<b>42.6%</b>	<b>1,324</b>	<b>41.5%</b>	<b>8,387</b>	<b>42.0%</b>
<b>SECOND AND PERSISTENT FELONY</b>												
A-I FELONY	12	.2%	18	.4%	15	.4%	7	.2%	10	.3%	62	.3%
A-II FELONY	58	1.1%	46	1.1%	53	1.4%	41	1.2%	37	1.2%	235	1.2%
CLASS B FELONY	743	14.3%	868	20.1%	951	25.3%	922	26.3%	865	27.1%	4,349	21.8%
CLASS C FELONY	1,012	19.5%	733	17.0%	563	15.0%	503	14.3%	450	14.1%	3,261	16.3%
CLASS D FELONY	945	18.2%	710	16.4%	507	13.5%	421	12.0%	370	11.6%	2,953	14.8%
CLASS E FELONY	180	3.5%	162	3.7%	127	3.4%	120	3.4%	133	4.2%	722	3.6%
<b>SUBTOTAL</b>	<b>2,950</b>	<b>56.8%</b>	<b>2,537</b>	<b>58.7%</b>	<b>2,216</b>	<b>59.0%</b>	<b>2,014</b>	<b>57.4%</b>	<b>1,865</b>	<b>58.5%</b>	<b>11,582</b>	<b>58.0%</b>
<b>TOTAL</b>	<b>5,190</b>	<b>100.0%</b>	<b>4,324</b>	<b>100.0%</b>	<b>3,756</b>	<b>100.0%</b>	<b>3,510</b>	<b>100.0%</b>	<b>3,189</b>	<b>100.0%</b>	<b>19,969</b>	<b>100.0%</b>

Notes: Life maximum sentences treated as 25 years (300 months) for this table.

**TABLE 7.4  
DRUG CRIME CONVICTIONS AND SENTENCES (IN MONTHS) BY CRIME CLASS AND YEAR RECEIVED: 2008-2012 NEW COURT COMMITMENTS**

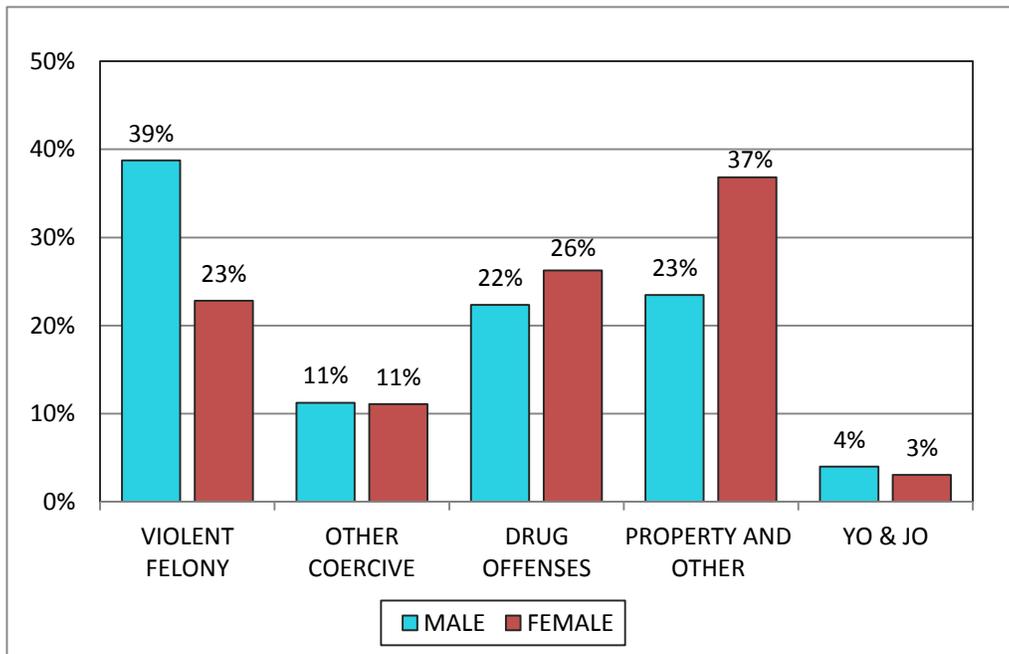
	2008			2009			2010			2011			2012		
	NUMBER	AVE MIN	AVE MAX												
<b>FIRST FELONY OFFENDER</b>															
A-I FELONY	11	105.5	132.0	38	110.5	128.8	20	95.9	112.2	20	94.8	115.2	19	105.8	124.7
A-II FELONY	195	44.8	60.4	197	43.8	56.2	189	42.5	50.7	176	38.8	48.0	156	44.2	54.8
CLASS B FELONY	1,198	22.2	28.0	930	24.1	28.9	826	24.7	29.4	813	23.9	28.0	685	26.3	31.2
CLASS C FELONY	421	22.4	28.6	300	21.4	27.1	238	22.2	27.3	225	23.8	28.7	250	25.9	30.5
CLASS D FELONY	378	16.9	22.3	277	15.8	19.8	228	17.2	21.0	229	16.9	20.3	187	17.6	21.0
CLASS E FELONY	37	12.8	18.6	45	13.8	19.6	39	14.2	20.3	33	12.6	15.7	27	13.5	16.9
<b>SUBTOTAL</b>	<b>2,240</b>	<b>23.6</b>	<b>30.4</b>	<b>1,787</b>	<b>26.1</b>	<b>32.1</b>	<b>1,540</b>	<b>26.1</b>	<b>31.3</b>	<b>1,496</b>	<b>25.3</b>	<b>30.2</b>	<b>1,324</b>	<b>28.0</b>	<b>33.5</b>
<b>SECOND AND PERSISTENT FELONY</b>															
A-I FELONY	12	160.9	188.0	18	163.8	191.1	15	170.5	199.2	7	220.3	257.1	10	174.6	204.0
A-II FELONY	58	82.2	100.8	46	78.5	101.1	53	74.8	87.3	41	75.1	87.7	37	79.8	98.9
CLASS B FELONY	743	48.5	58.3	868	40.9	48.3	951	36.3	42.6	922	37.7	44.0	865	39.0	45.6
CLASS C FELONY	1,012	31.1	37.6	733	30.8	36.8	563	29.7	35.0	503	32.1	37.8	450	31.7	37.2
CLASS D FELONY	945	21.1	25.7	710	22.0	26.4	507	23.8	27.9	421	23.3	27.4	370	24.7	28.8
CLASS E FELONY	180	18.3	22.0	162	19.3	22.8	127	20.0	23.1	120	19.7	23.1	133	20.0	23.1
<b>SUBTOTAL</b>	<b>2,950</b>	<b>33.0</b>	<b>39.9</b>	<b>2,537</b>	<b>32.9</b>	<b>39.2</b>	<b>2,216</b>	<b>32.7</b>	<b>38.3</b>	<b>2,014</b>	<b>33.6</b>	<b>39.3</b>	<b>1,865</b>	<b>34.6</b>	<b>40.5</b>
<b>TOTAL</b>	<b>5,190</b>	<b>28.9</b>	<b>35.8</b>	<b>4,324</b>	<b>30.1</b>	<b>36.3</b>	<b>3,756</b>	<b>30.0</b>	<b>35.4</b>	<b>3,510</b>	<b>30.1</b>	<b>35.4</b>	<b>3,189</b>	<b>31.8</b>	<b>37.6</b>

Note: Life maximum sentences treated as 25 years (300 months) for this table.

## Section 8: Gender

Males made up 93% of 2012 new court commitments and 96% of Violent Felony new commitments. The proportion of men who were violent felony offenders (39%) was significantly higher than the proportion of women who were violent felony offenders (23%). In contrast, women were more likely than men to be committed for Property and Other Offenses (37% and 23%, respectively).

**Figure 8**  
**Commitment Crime by Gender**  
**2012 New Court Commitments, N=14,087**



**TABLE 8.1**  
**CRIME TYPE BY GENDER**  
**2012 NEW COURT COMMITMENTS**

	MALE	FEMALE	TOTAL
VIOLENT FELONY	5,062	233	5,295
OTHER COERCIVE	1,469	113	1,582
DRUG OFFENSES	2,921	268	3,189
PROPERTY AND OTHER	3,064	376	3,440
YO & JO	550	31	581
<b>TOTAL</b>	<b>13,066</b>	<b>1,021</b>	<b>14,087</b>
<b>PERCENT</b>	<b>92.8%</b>	<b>7.2%</b>	<b>100.0%</b>

**TABLE 8.2  
CRIME TYPE BY CRIME BY GENDER  
2012 NEW COURT COMMITMENTS**

	MALE		FEMALE		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>VIOLENT FELONY</b>						
MURDER	149	1.1%	5	.5%	154	1.1%
ATTEMPTED MURDER	123	.9%	8	.8%	131	.9%
MANSLAUGHTER 1ST	169	1.3%	22	2.2%	191	1.4%
RAPE 1ST	138	1.1%	0	.0%	138	1.0%
ROBBERY 1ST	439	3.4%	13	1.3%	452	3.2%
ROBBERY 2ND	701	5.4%	31	3.0%	732	5.2%
ASSAULT 1ST	277	2.1%	25	2.4%	302	2.1%
ASSAULT 2ND	447	3.4%	41	4.0%	488	3.5%
BURGLARY 1ST	142	1.1%	5	.5%	147	1.0%
BURGLARY 2ND	873	6.7%	56	5.5%	929	6.6%
ARSON 1ST,2ND	25	.2%	3	.3%	28	.2%
SODOMY 1ST	89	.7%	2	.2%	91	.6%
SEX AB - 1ST, AG 2	238	1.8%	2	.2%	240	1.7%
WEAPONS OFFENSES	1,049	8.0%	16	1.6%	1,065	7.6%
KIDNAPPING 1ST, 2ND	23	.2%	0	.0%	23	.2%
OTHER VFO SEX OFFENSES	134	1.0%	3	.3%	137	1.0%
OTHER VIOLENT FELONIES	46	.4%	1	.1%	47	.3%
<b>SUBTOTAL</b>	<b>5,062</b>	<b>38.7%</b>	<b>233</b>	<b>22.8%</b>	<b>5,295</b>	<b>37.6%</b>
<b>OTHER COERCIVE</b>						
MANSLAUGHTER 2ND	34	.3%	9	.9%	43	.3%
OTHER HOMICIDE	41	.3%	6	.6%	47	.3%
ROBBERY 3RD	437	3.3%	22	2.2%	459	3.3%
ATT ASSAULT 2ND	218	1.7%	25	2.4%	243	1.7%
CONSPIRACY 2,3,4	107	.8%	21	2.1%	128	.9%
OTHER WEAPONS	262	2.0%	7	.7%	269	1.9%
OTHER SEX OFFENSES	231	1.8%	6	.6%	237	1.7%
OTHER COERCIVE	139	1.1%	17	1.7%	156	1.1%
<b>SUBTOTAL</b>	<b>1,469</b>	<b>11.2%</b>	<b>113</b>	<b>11.1%</b>	<b>1,582</b>	<b>11.2%</b>
<b>DRUG OFFENSES</b>						
DRUG SALE	1,537	11.8%	152	14.9%	1,689	12.0%
DRUG POSSESSION	1,384	10.6%	116	11.4%	1,500	10.6%
<b>SUBTOTAL</b>	<b>2,921</b>	<b>22.4%</b>	<b>268</b>	<b>26.2%</b>	<b>3,189</b>	<b>22.6%</b>
<b>PROPERTY AND OTHER</b>						
BURGLARY 3RD	956	7.3%	39	3.8%	995	7.1%
GRAND LARCENY	561	4.3%	125	12.2%	686	4.9%
FORGERY	177	1.4%	51	5.0%	228	1.6%
STOLEN PROPERTY	190	1.5%	26	2.5%	216	1.5%
DRIVE INTOXICATED	453	3.5%	58	5.7%	511	3.6%
CONTEMPT 1ST	204	1.6%	5	.5%	209	1.5%
ALL OTHER FELONIES	523	4.0%	72	7.1%	595	4.2%
<b>SUBTOTAL</b>	<b>3,064</b>	<b>23.5%</b>	<b>376</b>	<b>36.8%</b>	<b>3,440</b>	<b>24.4%</b>
<b>YOUTHFUL OFFENDER</b>						
YOUTHFUL OFFENDER	521	4.0%	31	3.0%	552	3.9%
<b>JUVENILE OFFENDER</b>						
JUVENILE OFFENDER	29	.2%	0	.0%	29	.2%
<b>TOTAL</b>	<b>13,066</b>	<b>100.0%</b>	<b>1,021</b>	<b>100.0%</b>	<b>14,087</b>	<b>100.0%</b>

The proportion of new commitments who were women has fluctuated since 1980, with the lowest level occurring in 1983 (3.5%) and the highest in 1991 (9.4%). In 2012, 7.2% of new commitments were women.

TABLE 8  
NEW COURT COMMITMENTS BY GENDER: 1980-2012

COMMITMENT YEAR	NUMBER OF WOMEN	PERCENT OF NEW COURT COMMITMENTS	NUMBER OF MEN	PERCENT OF NEW COURT COMMITMENTS
1980	284	3.6%	7,675	96.4%
1981	405	3.9%	9,896	96.1%
1982	377	3.6%	10,032	96.4%
1983	438	3.5%	12,051	96.5%
1984	523	4.3%	11,719	95.7%
1985	495	4.0%	11,925	96.0%
1986	721	4.8%	14,213	95.2%
1987	802	5.1%	14,903	94.9%
1988	1,014	5.8%	16,372	94.2%
1989	1,612	7.5%	19,923	92.5%
1990	1,683	7.3%	21,432	92.7%
1991	2,264	9.4%	21,856	90.6%
1992	1,888	7.5%	23,267	92.5%
1993	1,881	7.6%	23,017	92.4%
1994	1,796	7.8%	21,357	92.2%
1995	1,835	8.0%	21,145	92.0%
1996	1,711	8.1%	19,481	91.9%
1997	1,682	8.1%	19,121	91.9%
1998	1,543	7.9%	17,954	92.1%
1999	1,498	7.8%	17,666	92.2%
2000	1,337	7.2%	17,226	92.8%
2001	1,212	7.3%	15,287	92.7%
2002	1,213	7.1%	15,796	92.9%
2003	1,157	6.7%	16,181	93.3%
2004	1,129	6.9%	15,259	93.1%
2005	1,207	7.4%	15,156	92.6%
2006	1,259	7.5%	15,608	92.5%
2007	1,274	7.4%	15,974	92.6%
2008	1,148	7.3%	14,663	92.7%
2009	1,037	6.8%	14,285	93.2%
2010	919	6.2%	13,835	93.8%
2011	1,052	7.3%	13,444	92.7%
2012	1,021	7.2%	13,066	92.8%

## Section 9: Race/Ethnic Status Adjusted by Birthplace

Over the 2008 to 2012 period, the largest proportion of new court commitments has been African-Americans. However, the proportion of African-Americans and Hispanics decreased during the same five-year period from 47% to 45% and 26% to 24% respectively. In contrast, White new court commitments increased from 25% in 2008 to 28% in 2012.

Within offense categories, there were some changes in the racial/ethnic composition of the new court commitments between 2008 and 2012. For example, among drug offenders, the proportion of Whites increased from 13% in 2008 to 18% in 2012, while the corresponding proportion of African-Americans decreased from 55% to 50%. In comparison, the proportion of Whites amongst violent felony admissions increased slightly between 2008 and 2012, while the proportion of African-Americans had a small decrease from 51% to 50% during that same five-year period.

**TABLE 9.1  
RACE/ETHNIC STATUS BY CRIME TYPE (NUMBER AND COLUMN PERCENTAGES)  
2008-2012 NEW COURT COMMITMENTS**

	VIOLENT FELONY		OTHER COERCIVE		DRUG OFFENSES		PROPERTY AND OTHER OFFENSES		YO & JO		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>2008</b>												
WHITE	965	19.6%	525	31.2%	664	12.8%	1,665	49.0%	138	21.9%	3,957	25.0%
BLACK	2,525	51.4%	725	43.1%	2,839	54.7%	1,058	31.2%	316	50.1%	7,463	47.2%
HISPANIC	1,342	27.3%	381	22.6%	1,607	31.0%	584	17.2%	163	25.8%	4,077	25.8%
OTHER	62	1.3%	42	2.5%	60	1.2%	74	2.2%	11	1.7%	249	1.6%
UNKNOWN	18	.4%	10	.6%	20	.4%	14	.4%	3	.5%	65	.4%
<b>TOTAL</b>	<b>4,912</b>	<b>100.0%</b>	<b>1,683</b>	<b>100.0%</b>	<b>5,190</b>	<b>100.0%</b>	<b>3,395</b>	<b>100.0%</b>	<b>631</b>	<b>100.0%</b>	<b>15,811</b>	<b>100.0%</b>
<b>2009</b>												
WHITE	1,007	18.9%	521	30.7%	576	13.3%	1,604	47.8%	155	24.9%	3,863	25.2%
BLACK	2,769	52.1%	756	44.5%	2,259	52.2%	1,069	31.8%	311	49.9%	7,164	46.8%
HISPANIC	1,454	27.3%	376	22.1%	1,438	33.3%	586	17.5%	135	21.7%	3,989	26.0%
OTHER	74	1.4%	31	1.8%	42	1.0%	80	2.4%	17	2.7%	244	1.6%
UNKNOWN	15	.3%	14	.8%	9	.2%	19	.6%	5	.8%	62	.4%
<b>TOTAL</b>	<b>5,319</b>	<b>100.0%</b>	<b>1,698</b>	<b>100.0%</b>	<b>4,324</b>	<b>100.0%</b>	<b>3,358</b>	<b>100.0%</b>	<b>623</b>	<b>100.0%</b>	<b>15,322</b>	<b>100.0%</b>
<b>2010</b>												
WHITE	978	18.1%	504	29.9%	522	13.9%	1,592	48.6%	162	25.6%	3,758	25.5%
BLACK	2,798	51.7%	731	43.4%	1,853	49.3%	961	29.4%	310	48.9%	6,653	45.1%
HISPANIC	1,507	27.9%	411	24.4%	1,300	34.6%	613	18.7%	145	22.9%	3,976	26.9%
OTHER	94	1.7%	29	1.7%	49	1.3%	70	2.1%	12	1.9%	254	1.7%
UNKNOWN	30	.6%	9	.5%	32	.9%	37	1.1%	5	.8%	113	.8%
<b>TOTAL</b>	<b>5,407</b>	<b>100.0%</b>	<b>1,684</b>	<b>100.0%</b>	<b>3,756</b>	<b>100.0%</b>	<b>3,273</b>	<b>100.0%</b>	<b>634</b>	<b>100.0%</b>	<b>14,754</b>	<b>100.0%</b>
<b>2011</b>												
WHITE	1,062	20.2%	484	31.2%	566	16.1%	1,784	49.9%	140	23.2%	4,036	27.8%
BLACK	2,598	49.4%	660	42.5%	1,654	47.1%	1,041	29.1%	309	51.2%	6,262	43.2%
HISPANIC	1,431	27.2%	356	22.9%	1,195	34.0%	612	17.1%	136	22.6%	3,730	25.7%
OTHER	78	1.5%	28	1.8%	40	1.1%	69	1.9%	7	1.2%	222	1.5%
UNKNOWN	85	1.6%	24	1.5%	55	1.6%	71	2.0%	11	1.8%	246	1.7%
<b>TOTAL</b>	<b>5,254</b>	<b>100.0%</b>	<b>1,552</b>	<b>100.0%</b>	<b>3,510</b>	<b>100.0%</b>	<b>3,577</b>	<b>100.0%</b>	<b>603</b>	<b>100.0%</b>	<b>14,496</b>	<b>100.0%</b>
<b>2012</b>												
WHITE	1,106	20.9%	477	30.2%	578	18.1%	1,703	49.5%	132	22.7%	3,996	28.4%
BLACK	2,621	49.5%	707	44.7%	1,581	49.6%	1,058	30.8%	314	54.0%	6,281	44.6%
HISPANIC	1,402	26.5%	366	23.1%	968	30.4%	554	16.1%	126	21.7%	3,416	24.2%
OTHER	153	2.9%	29	1.8%	53	1.7%	113	3.3%	6	1.0%	354	2.5%
UNKNOWN	13	.2%	3	.2%	9	.3%	12	.3%	3	.5%	40	.3%
<b>TOTAL</b>	<b>5,295</b>	<b>100.0%</b>	<b>1,582</b>	<b>100.0%</b>	<b>3,189</b>	<b>100.0%</b>	<b>3,440</b>	<b>100.0%</b>	<b>581</b>	<b>100.0%</b>	<b>14,087</b>	<b>100.0%</b>

## Section 10: Age at Admission

Average age at admission has remained stable, at 33 years old, over the period 2008 through 2012. The most notable changes in the age distribution of new court commitments between 2008 and 2012 occurred in the 40-49 and 50-59 age groups, with the 40-49 age group trending downward and the 50-59 age group trending upward.

**TABLE 10.1  
AGE AT COMMITMENT BY YEAR RECEIVED  
2008-2012 NEW COURT COMMITMENTS**

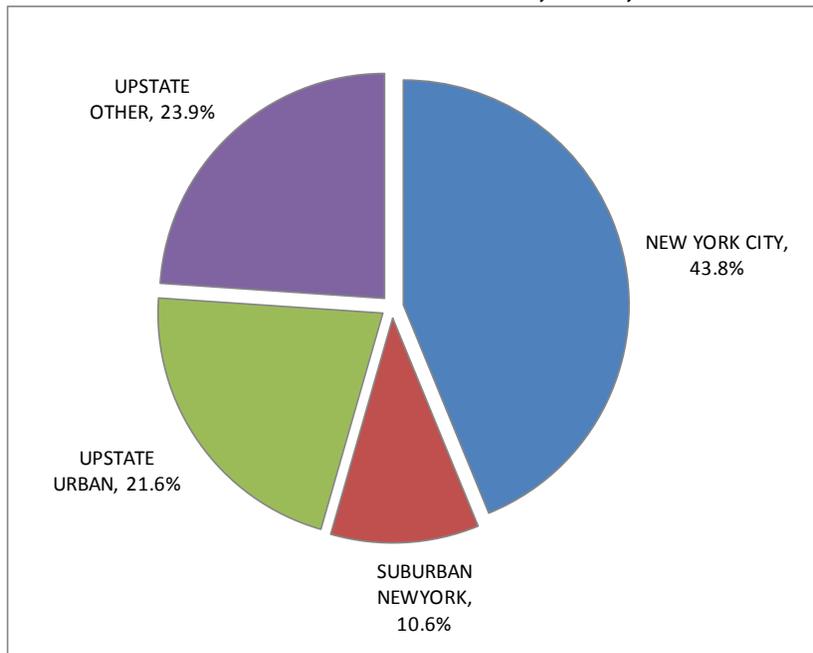
AGE AT COMMITMENT	2008	2009	2010	2011	2012	TOTAL
16 YR	50 .3%	69 .5%	73 .5%	73 .5%	49 .3%	314 .4%
17 YR	294 1.9%	310 2.0%	286 1.9%	280 1.9%	209 1.5%	1,379 1.9%
18 YR	518 3.3%	541 3.5%	487 3.3%	425 2.9%	422 3.0%	2,393 3.2%
19 YR	661 4.2%	681 4.4%	595 4.0%	546 3.8%	475 3.4%	2,958 4.0%
20 YR	695 4.4%	733 4.8%	670 4.5%	654 4.5%	603 4.3%	3,355 4.5%
21 YR	747 4.7%	737 4.8%	718 4.9%	662 4.6%	632 4.5%	3,496 4.7%
22-24	2,024 12.8%	1,884 12.3%	1,942 13.2%	1,873 12.9%	1,887 13.4%	9,610 12.9%
25-29	2,780 17.6%	2,722 17.8%	2,690 18.2%	2,618 18.1%	2,639 18.7%	13,449 18.1%
30-34	2,052 13.0%	2,014 13.1%	1,964 13.3%	2,070 14.3%	2,041 14.5%	10,141 13.6%
35-39	1,759 11.1%	1,546 10.1%	1,441 9.8%	1,367 9.4%	1,377 9.8%	7,490 10.1%
40-49	3,055 19.3%	2,879 18.8%	2,719 18.4%	2,611 18.0%	2,444 17.3%	13,708 18.4%
50-59	974 6.2%	1,036 6.8%	970 6.6%	1,073 7.4%	1,099 7.8%	5,152 6.9%
60 +	202 1.3%	170 1.1%	199 1.3%	244 1.7%	210 1.5%	1,025 1.4%
GRAND TOTAL	15,811	15,322	14,754	14,496	14,087	74,470
AVERAGE	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
	32.7	32.5	32.5	32.9	32.9	32.7

## Section 11: County and Region of Commitment

Between 2008 and 2012, the percentage of new court commitments from Suburban New York City decreased from 13% to 11%, whereas commitments from Upstate Other increased from 21% to 24%. It is noteworthy that not only did Upstate Other show an increase in new court commitments between 2008 and 2012, Upstate Other also had the largest proportion of female new court commitments in 2012 (10%) (see Table 11.2).

The largest proportion of new court commitments from New York City, Suburban New York City, and Upstate Urban indictment counties were committed for violent felony offenses. Of these three indictment county regions, Suburban New York City had the highest proportion of violent felony offender commitments at 45%. In contrast, the largest group of new court commitments from Upstate Other indictment counties were committed for property and other crimes (40%) (see Table 11.3).

**Figure 11**  
**Region of Commitment of New York State**  
**2012 New Court Commitments, N=14,087**



**TABLE 11.1**  
**REGION OF COMMITMENT BY YEAR RECEIVED**  
**2008-2012 NEW COURT COMMITMENTS**

	2008		2009		2010		2011		2012		TOTAL	
	NUMBER	PERCENT										
NEW YORK CITY	6,906	43.7%	7,117	46.5%	6,845	46.4%	6,521	45.0%	6,170	43.8%	33,559	45.1%
SUBURBAN NEWYORK	2,103	13.3%	1,804	11.8%	1,689	11.4%	1,601	11.0%	1,500	10.6%	8,697	11.7%
UPSTATE URBAN	3,537	22.4%	3,379	22.1%	3,187	21.6%	3,124	21.6%	3,046	21.6%	16,273	21.9%
UPSTATE OTHER	3,264	20.6%	3,021	19.7%	3,033	20.6%	3,249	22.4%	3,371	23.9%	15,938	21.4%
GRAND TOTAL	15,810	100.0%	15,321	100.0%	14,754	100.0%	14,495	100.0%	14,087	100.0%	74,467	100.0%

**TABLE 11.2  
REGION OF THE STATE AND COUNTY OF COMMITMENT BY GENDER  
2012 NEW COURT COMMITMENTS**

	MALE		FEMALE		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>NEW YORK CITY</b>						
BRONX	1,002	93.6%	69	6.4%	1,071	100.0%
KINGS	1,292	96.2%	51	3.8%	1,343	100.0%
NEW YORK	2,303	92.5%	187	7.5%	2,490	100.0%
QUEENS	1,050	95.5%	50	4.5%	1,100	100.0%
RICHMOND	163	98.2%	3	1.8%	166	100.0%
<b>SUBTOTAL</b>	<b>5,810</b>	<b>94.2%</b>	<b>360</b>	<b>5.8%</b>	<b>6,170</b>	<b>100.0%</b>
<b>SUBURBAN NEWYORK</b>						
NASSAU	419	94.2%	26	5.8%	445	100.0%
ROCKLAND	110	93.2%	8	6.8%	118	100.0%
SUFFOLK	528	92.0%	46	8.0%	574	100.0%
WESTCHESTER	337	92.8%	26	7.2%	363	100.0%
<b>SUBTOTAL</b>	<b>1,394</b>	<b>92.9%</b>	<b>106</b>	<b>7.1%</b>	<b>1,500</b>	<b>100.0%</b>
<b>UPSTATE URBAN</b>						
ALBANY	451	93.0%	34	7.0%	485	100.0%
BROOME	182	88.3%	24	11.7%	206	100.0%
ERIE	521	95.4%	25	4.6%	546	100.0%
MONROE	604	93.9%	39	6.1%	643	100.0%
NIAGARA	112	92.6%	9	7.4%	121	100.0%
ONEIDA	288	89.4%	34	10.6%	322	100.0%
ONONDAGA	405	91.6%	37	8.4%	442	100.0%
RENSSELAER	93	95.9%	4	4.1%	97	100.0%
SCHENECTADY	171	92.9%	13	7.1%	184	100.0%
<b>SUBTOTAL</b>	<b>2,827</b>	<b>92.8%</b>	<b>219</b>	<b>7.2%</b>	<b>3,046</b>	<b>100.0%</b>
<b>UPSTATE OTHER</b>						
ALLEGANY	22	84.6%	4	15.4%	26	100.0%
CATTARAUGUS	76	95.0%	4	5.0%	80	100.0%
CAYUGA	131	88.5%	17	11.5%	148	100.0%
CHAUTAUQUA	88	92.6%	7	7.4%	95	100.0%
CHEMUNG	96	93.2%	7	6.8%	103	100.0%
CHENANGO	31	91.2%	3	8.8%	34	100.0%
CLINTON	125	82.8%	26	17.2%	151	100.0%
COLUMBIA	38	88.4%	5	11.6%	43	100.0%
CORTLAND	41	85.4%	7	14.6%	48	100.0%
DELAWARE	32	84.2%	6	15.8%	38	100.0%
DUTCHESS	196	90.7%	20	9.3%	216	100.0%
ESSEX	24	88.9%	3	11.1%	27	100.0%
FRANKLIN	55	84.6%	10	15.4%	65	100.0%
FULTON	58	95.1%	3	4.9%	61	100.0%
GENESEE	88	87.1%	13	12.9%	101	100.0%
GREENE	39	81.3%	9	18.8%	48	100.0%
HERKIMER	40	88.9%	5	11.1%	45	100.0%
JEFFERSON	89	85.6%	15	14.4%	104	100.0%
LEWIS	23	92.0%	2	8.0%	25	100.0%
LIVINGSTON	62	86.1%	10	13.9%	72	100.0%
MADISON	35	92.1%	3	7.9%	38	100.0%
MONTGOMERY	43	95.6%	2	4.4%	45	100.0%
ONTARIO	114	87.7%	16	12.3%	130	100.0%
ORANGE	225	95.3%	11	4.7%	236	100.0%
ORLEANS	62	91.2%	6	8.8%	68	100.0%
OSWEGO	136	93.8%	9	6.2%	145	100.0%
OTSEGO	57	90.5%	6	9.5%	63	100.0%
PUTNAM	34	89.5%	4	10.5%	38	100.0%
ST LAWRENCE	80	88.9%	10	11.1%	90	100.0%
SARATOGA	97	87.4%	14	12.6%	111	100.0%
SCHOHARIE	14	100.0%	0	.0%	14	100.0%
SCHUYLER	10	100.0%	0	.0%	10	100.0%
SENECA	25	96.2%	1	3.8%	26	100.0%
STEUZEN	93	87.7%	13	12.3%	106	100.0%
SULLIVAN	99	97.1%	3	2.9%	102	100.0%
TIOGA	28	93.3%	2	6.7%	30	100.0%
TOMPKINS	47	97.9%	1	2.1%	48	100.0%
ULSTER	193	91.0%	19	9.0%	212	100.0%
WARREN	90	78.9%	24	21.1%	114	100.0%
WASHINGTON	82	89.1%	10	10.9%	92	100.0%
WAYNE	56	90.3%	6	9.7%	62	100.0%
WYOMING	33	100.0%	0	.0%	33	100.0%
YATES	28	100.0%	0	.0%	28	100.0%
<b>SUBTOTAL</b>	<b>3,035</b>	<b>90.0%</b>	<b>336</b>	<b>10.0%</b>	<b>3,371</b>	<b>100.0%</b>
<b>GRAND TOTAL</b>	<b>13,066</b>	<b>92.8%</b>	<b>1,021</b>	<b>7.2%</b>	<b>14,087</b>	<b>100.0%</b>

**TABLE 11.3  
CRIME BY REGION OF COMMITMENT  
2012 NEW COURT COMMITMENTS**

	NEW YORK CITY	SUBURBAN NEWYORK	UPSTATE URBAN	UPSTATE OTHER	TOTAL
<b>VIOLENT FELONY</b>					
MURDER	87	15	32	20	154
ATTEMPTED MURDER	96	13	14	8	131
MANSLAUGHTER 1ST	124	16	37	14	191
RAPE 1ST	52	21	38	27	138
ROBBERY 1ST	263	59	100	30	452
ROBBERY 2ND	473	91	122	46	732
ASSAULT 1ST	194	35	45	28	302
ASSAULT 2ND	233	70	91	94	488
BURGLARY 1ST	58	19	41	29	147
BURGLARY 2ND	270	160	272	227	929
ARSON 1ST,2ND	13	2	11	2	28
SODOMY 1ST	29	8	23	31	91
SEX AB - 1ST, AG 2	90	25	54	71	240
WEAPONS OFFENSES	541	120	324	80	1,065
KIDNAPPING 1ST, 2ND	13	2	4	4	23
OTHER VFO SEX OFFENSES	32	20	34	51	137
OTHER VIOLENT FELONIES	13	3	13	18	47
<b>SUBTOTAL</b>	2,581	679	1,255	780	5,295
	41.8%	45.3%	41.2%	23.1%	37.6%
<b>OTHER COERCIVE</b>					
MANSLAUGHTER 2ND	14	12	5	12	43
OTHER HOMICIDE	12	10	11	14	47
ROBBERY 3RD	263	52	85	59	459
ATT ASSAULT 2ND	85	26	66	66	243
CONSPIRACY 2,3,4	89	18	11	10	128
OTHER WEAPONS	160	24	39	46	269
OTHER SEX OFFENSES	62	19	53	103	237
OTHER COERCIVE	37	24	46	49	156
<b>SUBTOTAL</b>	722	185	316	359	1,582
	11.7%	12.3%	10.4%	10.6%	11.2%
<b>DRUG OFFENSES</b>					
DRUG SALE	915	203	201	370	1,689
DRUG POSSESSION	584	120	410	386	1,500
<b>SUBTOTAL</b>	1,499	323	611	756	3,189
	24.3%	21.5%	20.1%	22.4%	22.6%
<b>PROPERTY AND OTHER</b>					
BURGLARY 3RD	325	65	221	384	995
GRAND LARCENY	329	62	120	175	686
FORGERY	71	17	49	91	228
STOLEN PROPERTY	67	18	40	91	216
DRIVE INTOXICATED	8	44	134	325	511
CONTEMPT 1ST	66	12	55	76	209
ALL OTHER FELONIES	232	51	109	203	595
<b>SUBTOTAL</b>	1,098	269	728	1,345	3,440
	17.8%	17.9%	23.9%	39.9%	24.4%
<b>YOUTHFUL OFFENDER</b>					
YOUTHFUL OFFENDER	255	42	125	130	552
	4.1%	2.8%	4.1%	3.9%	3.9%
<b>JUVENILE OFFENDER</b>					
JUVENILE OFFENDER	15	2	11	1	29
	.2%	.2%	.4%	.0%	.2%
<b>GRAND TOTAL</b>	6,170	1,500	3,046	3,371	14,087
	100.0%	100.0%	100.0%	100.0%	100.0%

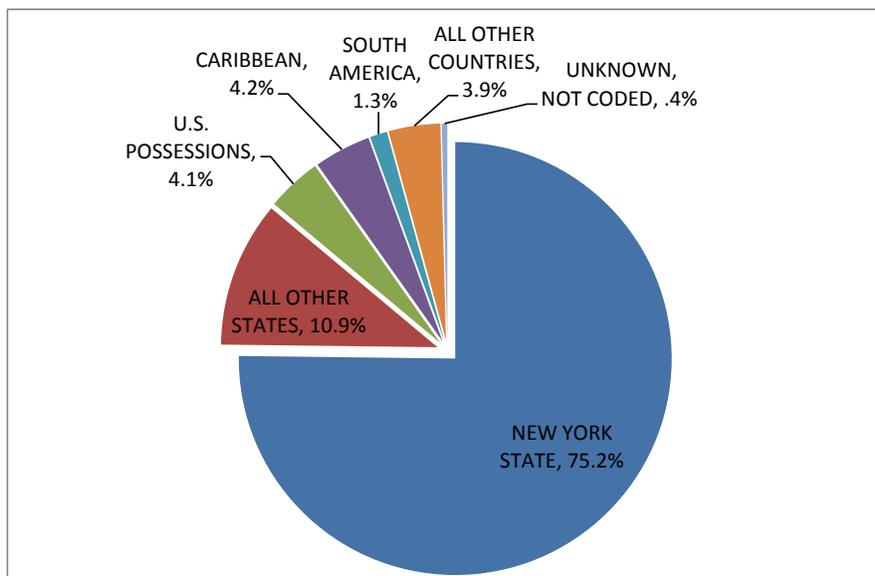
## Section 12: Country of Birth

In 2012, 90% of the new court commitments were born in the United States or in U.S. possessions, 4% in Caribbean nations, 1% in South America, and 4% in all other countries (see Figure 12 and Table 12.1). Among foreign-born new court commitments, 45% were born in one of the countries within the Caribbean region with 22% of foreign-born offenders having been born in the Dominican Republic (see Tables 12.2 and 12.3).

Native-born new court commitments were less likely to be committed for violent felony offenses than foreign-born new court commitments (36% versus 50%). In contrast, native-born new court commitments were more likely to be committed for property and other offenses than foreign-born new court commitments (25% versus 18%) (see Table 12.1).

Of the foreign born new court commitments, those born in Cuba and Dominican Republic were more likely to be committed for drug crimes while the majority of those born in the remaining top ten countries of origin were convicted of Violent Felony Offenses (see Table 12.3).

**Figure 12**  
**Country of Birth**  
**2012 New Court Commitments, N=14,087**



**TABLE 12.1  
COMMITMENT CRIME BY PLACE OF BIRTH  
2012 NEW COURT COMMITMENTS**

	NATIVE BORN				FOREIGN BORN				UNKNOWN POB	GRAND TOTAL
	NEW YORK STATE	UNITED STATES	U.S. POSSESSIONS	SUBTOTAL	CARIBBEAN	SOUTH AMERICA	ALL OTHER COUNTRIES	SUBTOTAL	REGION UNKNOWN	
VIOLENT FELONY	3,902 73.7%	504 9.5%	210 4.0%	4,616 87.2%	250 4.7%	103 1.9%	313 5.9%	666 12.6%	13 .2%	5,295 100.0%
OTHER COERCIVE	1,258 79.5%	156 9.9%	59 3.7%	1,473 93.1%	46 2.9%	14 .9%	44 2.8%	104 6.6%	5 .3%	1,582 100.0%
DRUG OFFENSES	2,324 72.9%	363 11.4%	204 6.4%	2,891 90.7%	197 6.2%	27 .8%	54 1.7%	278 8.7%	20 .6%	3,189 100.0%
PROPERTY AND OTHER OFFENSES	2,612 75.9%	476 13.8%	100 2.9%	3,188 92.7%	81 2.4%	37 1.1%	115 3.3%	233 6.8%	19 .6%	3,440 100.0%
YOUTHFUL/JUVENILE	496 85.4%	34 5.9%	7 1.2%	537 92.4%	24 4.1%	1 .2%	18 3.1%	43 7.4%	1 .2%	581 100.0%
<b>TOTAL</b>	10,592	1,533	580	12,705	598	182	544	1,324	58	14,087
<b>PERCENT</b>	75.2%	10.9%	4.1%	90.2%	4.2%	1.3%	3.9%	9.4%	.4%	100.0%

**TABLE 12.2  
FOREIGN BORN INMATES  
BY REGION OF BIRTH AND COUNTRY OF ORIGIN  
2012 NEW COURT COMMITMENTS**

	Frequency	Percent
NORTH AMERICA	153	11.6%
CARRIBEAN	598	45.2%
CENTRAL AMERICA	147	11.1%
SOUTH AMERICA	182	13.7%
EUROPE	110	8.3%
AFRICA	40	3.0%
NEAR EAST	18	1.4%
ASIA	67	5.1%
SOUTH PACIFIC	9	0.7%
Total	1,324	100.0%

**TABLE 12.3**  
**TOP TEN COUNTRIES OF ORIGIN**  
**OF FOREIGN-BORN INMATES BY COMMITMENT OFFENSE**  
**2012 NEW COURT COMMITMENTS**

	VFO OR COERCIVE		DRUG		PROPERTY & OTHER		YO & JO		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DOMINICAN REPUBLIC	102	34.8%	145	49.5%	31	10.6%	15	5.1%	293	100.0%
MEXICO	116	82.3%	7	5.0%	12	8.5%	6	4.3%	141	100.0%
JAMAICA	92	66.7%	25	18.1%	13	9.4%	8	5.8%	138	100.0%
ECUADOR	43	74.1%	6	10.3%	8	13.8%	1	1.7%	58	100.0%
GUYANA	33	60.0%	4	7.3%	18	32.7%	0	.0%	55	100.0%
TRINIDAD & TOBAGO	34	68.0%	2	4.0%	14	28.0%	0	.0%	50	100.0%
EL SALVADOR	41	83.7%	2	4.1%	5	10.2%	1	2.0%	49	100.0%
HONDURAS	41	85.4%	5	10.4%	0	.0%	2	4.2%	48	100.0%
HAITI	31	70.5%	4	9.1%	8	18.2%	1	2.3%	44	100.0%
CUBA	12	31.6%	18	47.4%	8	21.1%	0	.0%	38	100.0%
<b>TOTAL</b>	545	59.6%	218	23.9%	117	12.8%	34	3.7%	914	100.0%

## Section 13: Marital Status

Among 2012 new court commitments, 73% reported that they were single; 2% reported common law marriages; 15% reported that they were married, and 10% were divorced, separated or widowed.

The majority of both male and female new court commitments were not married (74% and 67% respectively). Female new court commitments were, however, more likely than their male counterparts to have been divorced, widowed, or separated (16% versus 10%)(see Table 13).

**TABLE 13  
MARITAL STATUS BY GENDER  
2012 NEW COURT COMMITMENTS**

	MALE		FEMALE		TOTAL	
<b>NOT MARRIED</b>						
SINGLE	9,589	73.8%	688	67.4%	10,277	73.3%
<b>SUBTOTAL</b>	9,589	73.8%	688	67.4%	10,277	73.3%
<b>MARRIED</b>						
COMMON LAW	236	1.8%	4	.4%	240	1.7%
MARRIED	1,879	14.5%	166	16.3%	2,045	14.6%
<b>SUBTOTAL</b>	2,115	16.3%	170	16.7%	2,285	16.3%
<b>DIVORCED-SEPARATED-WIDOWED</b>						
DIVORCED	735	5.7%	96	9.4%	831	5.9%
SEPARATED	479	3.7%	45	4.4%	524	3.7%
WIDOWED	75	.6%	22	2.2%	97	.7%
<b>SUBTOTAL</b>	1,289	9.9%	163	16.0%	1,452	10.4%
<b>GRAND TOTAL</b>	12,993	100.0%	1,021	100.0%	14,014	100.0%

\* Marital status is self-reported unless otherwise documented.

In 2012, 73 cases did not have marital status recorded.

## Section 14: Jail Time

Time spent in local jail prior to commitment to state prison is credited toward service of the minimum term. Average jail time served by new court commitments increased between 2008 and 2012 from 7.1 months to 8.2 months. This increase was largely due to the increases in average jail time in the Violent Felony Offender and Other Coercive crime categories (see Table 14.1).

Jail time among Upstate Urban and Upstate Rural commitments was fairly stable between 2008 and 2012. However, there were significant increases in average jail time for the New York City and Suburban New York City regions during the five-year period (from 9.0 to 10.6 months and 7.6 to 9.7 months, respectively) (see Table 14.2).

**TABLE 14.1**  
**CRIME BY AVERAGE JAILTIME (IN MONTHS)**  
**2008-2012 NEW COURT COMMITMENTS**

	2008	2009	2010	2011	2012	TOTAL
	AVG	AVG	AVG	AVG	AVG	AVG
<b>VIOLENT FELONY</b>						
MURDER	19.2	18.4	20.7	22.5	21.6	20.4
ATTEMPTED MURDER	14.8	14.8	16.2	17.2	16.6	15.9
MANSLAUGHTER 1ST	18.6	20.7	19.3	22.8	23.2	20.9
RAPE 1ST	9.8	10.6	12.4	13.1	11.1	11.3
ROBBERY 1ST	10.5	11.1	11.7	12.1	12.7	11.6
ROBBERY 2ND	8.3	8.6	9.1	9.8	10.3	9.2
ASSAULT 1ST	12.0	11.4	11.3	12.7	12.8	12.0
ASSAULT 2ND	8.9	9.0	9.0	9.8	9.7	9.3
BURGLARY 1ST	11.1	12.2	13.0	14.0	12.3	12.5
BURGLARY 2ND	7.8	8.2	8.5	8.2	8.5	8.3
ARSON 1ST,2ND	8.7	13.8	9.5	11.1	13.0	11.3
SODOMY 1ST	8.3	9.6	9.6	9.6	9.4	9.3
SEX AB - 1ST, AG 2	7.3	7.7	8.6	8.7	7.9	8.0
WEAPONS OFFENSES	7.9	7.9	8.0	8.1	8.4	8.1
KIDNAPPING 1ST, 2ND	9.6	10.0	9.9	12.9	16.8	11.9
OTHER VFO SEX OFFENSES	5.8	7.7	7.5	7.5	8.9	7.7
OTHER VIOLENT FELONIES	6.0	6.6	7.6	7.7	7.2	7.1
<b>SUBTOTAL</b>	<b>9.7</b>	<b>9.8</b>	<b>10.2</b>	<b>10.6</b>	<b>10.8</b>	<b>10.2</b>
<b>OTHER COERCIVE</b>						
MANSLAUGHTER 2ND	9.2	7.5	12.1	10.5	13.4	10.6
OTHER HOMICIDE	4.5	5.1	8.0	4.7	7.8	6.1
ROBBERY 3RD	7.1	7.6	7.6	7.7	8.4	7.7
ATT ASSAULT 2ND	7.1	7.2	8.2	7.3	7.9	7.6
CONSPIRACY 2,3,4	10.8	9.7	11.2	14.5	12.5	11.9
OTHER WEAPONS	6.4	7.1	7.1	7.3	7.2	7.0
OTHER SEX OFFENSES	5.5	6.0	5.3	6.3	7.1	6.0
OTHER COERCIVE	6.5	6.5	5.9	7.7	7.0	6.7
<b>SUBTOTAL</b>	<b>6.9</b>	<b>7.1</b>	<b>7.4</b>	<b>7.8</b>	<b>8.3</b>	<b>7.5</b>
<b>DRUG OFFENSES</b>						
DRUG SALE	6.4	6.8	6.8	6.9	6.7	6.7
DRUG POSSESSION	5.5	6.4	5.9	5.8	5.9	5.9
<b>SUBTOTAL</b>	<b>6.0</b>	<b>6.6</b>	<b>6.4</b>	<b>6.4</b>	<b>6.3</b>	<b>6.3</b>
<b>PROPERTY AND OTHER</b>						
BURGLARY 3RD	6.1	6.5	6.4	6.5	6.4	6.4
GRAND LARCENY	5.9	5.6	5.9	5.9	6.5	5.9
FORGERY	6.0	5.6	5.7	5.7	5.8	5.8
STOLEN PROPERTY	5.8	6.8	6.6	6.4	6.2	6.3
DRIVE INTOXICATED	3.5	3.6	3.6	3.7	4.1	3.7
CONTEMPT 1ST	6.7	6.3	6.1	6.4	7.0	6.5
ALL OTHER FELONIES	5.4	5.9	6.3	6.4	6.8	6.2
<b>SUBTOTAL</b>	<b>5.5</b>	<b>5.7</b>	<b>5.7</b>	<b>5.8</b>	<b>6.1</b>	<b>5.8</b>
<b>YO &amp; JO</b>						
YOUTHFUL OFFENDER	6.2	5.6	5.7	6.2	6.7	6.1
JUVENILE OFFENDER	7.2	15.5	12.9	15.1	12.9	13.1
<b>SUBTOTAL</b>	<b>6.2</b>	<b>6.0</b>	<b>6.2</b>	<b>6.6</b>	<b>7.0</b>	<b>6.4</b>
<b>GRAND TOTAL</b>	<b>7.1</b>	<b>7.5</b>	<b>7.7</b>	<b>7.9</b>	<b>8.2</b>	<b>7.7</b>

**TABLE 14.2**  
**REGION OF COMMITMENT**  
**BY JAILTIME IN MONTHS AND BY YEAR RECEIVED**  
**2008-2012 NEW COURT COMMITMENTS**

	2008	2009	2010	2011	2012	TOTAL
	Mean	Mean	Mean	Mean	Mean	Mean
NEW YORK CITY	9.0	9.5	9.6	10.1	10.6	9.7
SUBURBAN NEWYORK	7.6	8.4	9.2	9.3	9.7	8.7
UPSTATE URBAN	5.2	5.1	5.4	5.5	5.7	5.4
UPSTATE OTHER	5.0	5.2	5.1	5.4	5.4	5.2
<b>GRAND TOTAL</b>	7.1	7.5	7.7	7.9	8.2	7.7

## Section 15: Life Without Parole

A person convicted of the crimes of murder in the first degree or aggravated murder may be sentenced to life imprisonment without the possibility of parole. Consequently, persons sentenced to Life Without Parole (LWOP) are not eligible for early release on parole or for conditional release.

In 2012, eight offenders were admitted to DOCCS prison facilities with a Life Without Parole sentence. There were two admissions from each of the four regions of commitment; New York City, Suburban New York, Upstate Urban and Upstate Other. All eight of the offenders admitted were male.

Of the 64 offenders admitted to DOCCS in the five-year period 2008-2012 with a Life Without Parole sentence, the youngest offender was 22 years old at admission to DOCCS, while the oldest was 61 years old. Almost 44% of these admissions were convicted of crimes in New York City.

**TABLE 15.1  
CHARACTERISTICS OF LIFE WITHOUT PAROLE CASES; 2008-2012 NEW COURT COMMITMENTS**

CHARACTERISTICS	YEAR RECEIVED					TOTAL	
	2008	2009	2010	2011	2012	NUMBER	PERCENT
	NUMBER	NUMBER	NUMBER	NUMBER	NUMBER		
<b>COMMITMENT OFFENSE</b>							
MURDER 1ST	14	10	12	17	7	60	93.8%
AGGRAVATED MURDER	1	2	0	0	1	4	6.3%
<b>TOTAL</b>	<b>15</b>	<b>12</b>	<b>12</b>	<b>17</b>	<b>8</b>	<b>64</b>	<b>100.0%</b>
<b>GENDER</b>							
MEN	15	11	12	15	8	61	95.3%
WOMEN	0	1	0	2	0	3	4.7%
<b>TOTAL</b>	<b>15</b>	<b>12</b>	<b>12</b>	<b>17</b>	<b>8</b>	<b>64</b>	<b>100.0%</b>
<b>RACE/ETHNIC STATUS ADJUSTED BY BIRTHPLACE</b>							
WHITE	6	3	2	7	3	21	32.8%
AFRICAN-AMERICAN	5	8	7	6	2	28	43.8%
HISPANIC	4	0	3	3	2	12	18.8%
OTHER	0	1	0	1	1	3	4.7%
<b>TOTAL</b>	<b>15</b>	<b>12</b>	<b>12</b>	<b>17</b>	<b>8</b>	<b>64</b>	<b>100.0%</b>
<b>AGE AT ADMISSION</b>							
20 YR	0	0	0	0	0	0	0.0%
21 YR	0	0	0	0	0	0	0.0%
22-24	2	0	1	3	0	6	9.4%
25-29	2	1	4	3	5	15	23.4%
30-34	2	3	3	5	0	13	20.3%
35-39	2	3	2	2	0	9	14.1%
40-49	4	3	2	3	2	14	21.9%
50-59	2	2	0	1	1	6	9.4%
60+	1	0	0	0	0	1	1.6%
<b>TOTAL</b>	<b>15</b>	<b>12</b>	<b>12</b>	<b>17</b>	<b>8</b>	<b>64</b>	<b>100.0%</b>
<b>REGION OF COMMITMENT</b>							
NEW YORK CITY	10	6	6	4	2	28	43.8%
SUBURBAN NEW YORK	1	0	5	4	2	12	18.8%
UPSTATE URBAN	2	4	1	3	2	12	18.8%
UPSTATE OTHER	2	2	0	6	2	12	18.8%
<b>TOTAL</b>	<b>15</b>	<b>12</b>	<b>12</b>	<b>17</b>	<b>8</b>	<b>64</b>	<b>100.0%</b>

## Section 16: Determinate Sentencing

A determinate sentence is a sentence whose length is fixed by a judge at sentencing. Offenders must serve at least sixth-sevenths of this determinate sentence before they are eligible for conditional release to the community. The remaining 1/7<sup>th</sup> of the sentence represents “good time.” If an inmate is administratively determined to have violated prison rules, that inmate may lose a portion of his or her good time. If that loss of good time is not restored at some point, the inmate will serve more than the mandated sixth-sevenths of the judicially imposed determinate sentence.

Fifty-nine (59%) of the 2012 new court commitments were sentenced to a determinate sentence while 41% were sentenced to an indeterminate sentence. Fifty-nine percent of new court commitments with a determinate sentence were first felony offenders (see Table 16.1).

According to Table 16.3, in 2012, 99% of drug commitments and 95% of violent felony offenders who were committed to state prison received determinate or fixed length sentences.

**TABLE 16.1**  
**AGGREGATE MINIMUM SENTENCE BY DETERMINATE SENTENCING STATUS AND CRIME CLASS**  
**2012 NEW COURT COMMITMENTS**

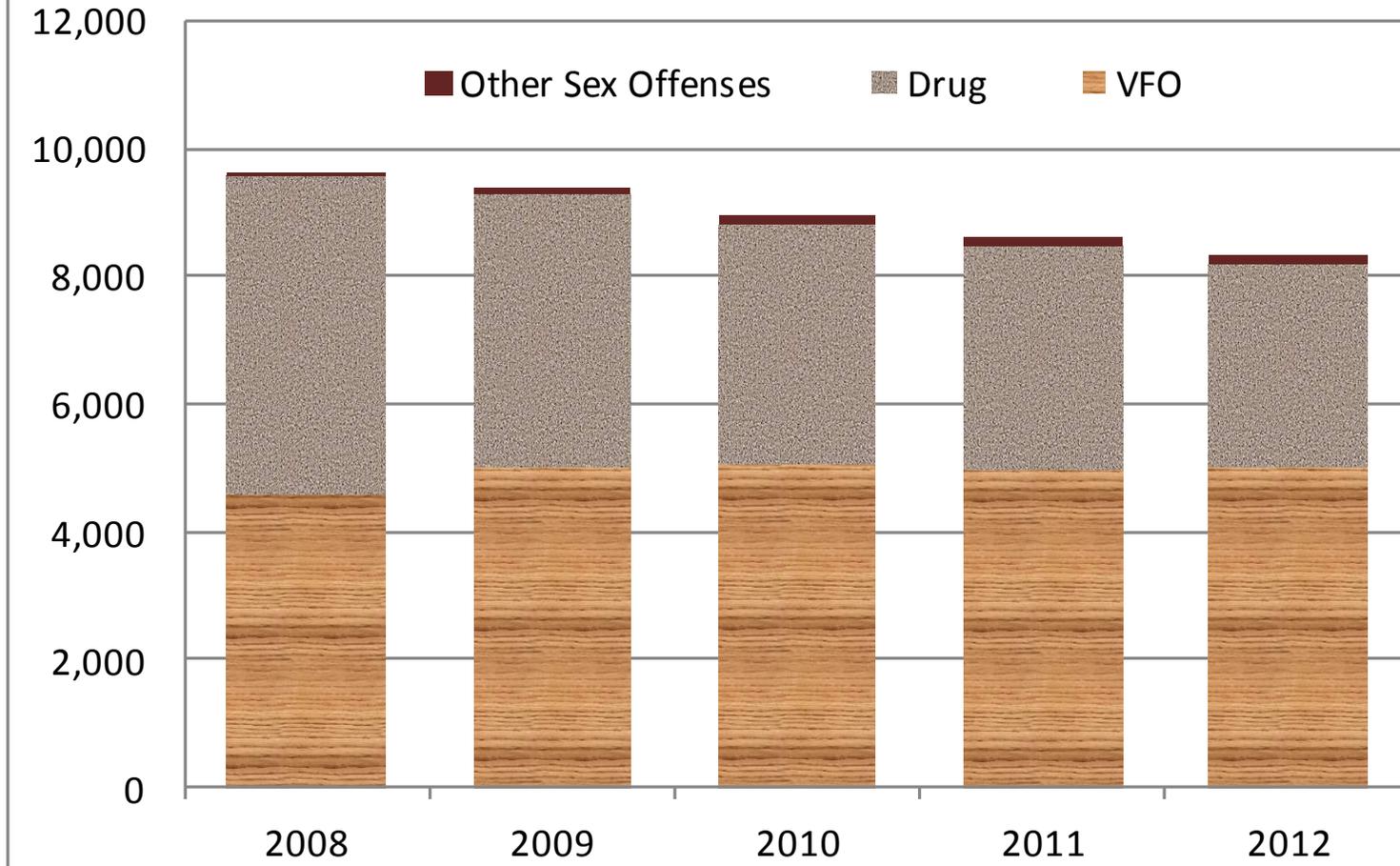
	INDETERMINATE			DETERMINATE			TOTAL		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
<b>FIRST FELONY OFFENDER</b>									
A-I FELONY	164	339.0	300.0	18	98.4	93.0	182	315.2	300.0
A-II FELONY	24	446.4	216.0	155	44.5	41.0	179	98.4	41.0
CLASS B FELONY	159	42.7	36.0	1,565	77.6	51.0	1,724	74.4	51.0
CLASS C FELONY	195	28.3	24.0	1,410	45.6	36.0	1,605	43.5	36.0
CLASS D FELONY	1,034	19.2	16.0	1,629	28.4	21.0	2,663	24.8	21.0
CLASS E FELONY	1,060	14.0	12.0	137	23.1	21.0	1,197	15.0	12.0
YOUTHFUL OFFENDER	532	15.0	16.0	20	14.7	10.0	552	15.0	15.0
<b>SUBTOTAL</b>	3,168	38.3	16.0	4,934	49.5	36.0	8,102	45.1	24.0
<b>Column Percentage</b>	55.3%			59.0%			57.5%		
<b>SECOND OR PERSISTENT FELONY OFFENDER</b>									
A-I FELONY	0	.	.	10	174.6	154.0	10	174.6	154.0
A-II FELONY	12	392.5	282.0	36	80.0	72.0	48	158.1	77.0
CLASS B FELONY	40	179.0	132.0	1,119	65.1	41.0	1,159	69.1	41.0
CLASS C FELONY	80	111.7	72.0	1,046	57.3	51.0	1,126	61.1	51.0
CLASS D FELONY	1,081	36.0	24.0	1,031	38.3	31.0	2,112	37.1	31.0
CLASS E FELONY	1,345	20.1	18.0	185	23.3	21.0	1,530	20.5	18.0
<b>SUBTOTAL</b>	2,558	33.9	24.0	3,427	52.9	41.0	5,985	44.8	30.0
<b>Column Percentage</b>	44.7%			41.0%			42.5%		
<b>GRAND TOTAL</b>	5,726	36.3	18.0	8,361	50.9	36.0	14,087	45.0	26.0
<b>Row Percent of Grand Total</b>	40.6%			59.4%			100.0%		

**TABLE 16.2**  
**AGGREGATE MINIMUM SENTENCES FOR DETERMINATE CASES BY CRIME CATEGORY AND CLASS**  
**2008-2012 NEW COURT COMMITMENTS**

	2008		2009		2010		2011		2012	
	NUMBER	AVERAGE								
<b>VFO</b>										
A-II FELONY	0	.	0	.	0	.	0	.	1	103.0
CLASS B FELONY	1,115	123.3	1,153	118.7	1,228	120.6	1,154	124.2	1,140	125.3
CLASS C FELONY	1,487	59.2	1,666	59.1	1,670	59.3	1,693	58.4	1,757	58.8
CLASS D FELONY	1,937	33.5	2,184	33.2	2,146	34.1	2,117	34.5	2,093	34.6
CLASS E FELONY	32	26.0	20	29.3	20	28.7	14	25.4	18	25.8
<b>SUBTOTAL</b>	4,571	63.7	5,023	61.4	5,064	63.4	4,978	63.4	5,009	63.7
<b>Other Offenses*</b>										
CLASS B FELONY	0	.	1	26.0	0	.	0	.	1	154.0
CLASS C FELONY	2	51.0	0	.	0	.	0	.	0	.
CLASS D FELONY	4	34.5	4	37.5	2	46.0	0	.	5	52.4
CLASS E FELONY	11	24.3	4	31.5	5	22.6	3	32.7	3	31.0
YOUTHFUL OFFENDER	1	15.0	4	19.5	1	21.0	1	10.0	5	25.8
<b>SUBTOTAL</b>	18	29.0	13	29.2	8	28.3	4	27.0	14	45.6
<b>Drug</b>										
A-I FELONY	21	126.7	55	125.2	35	127.9	26	125.3	28	125.6
A-II FELONY	244	52.4	237	50.3	241	49.5	215	45.6	190	51.0
CLASS B FELONY	1,864	32.0	1,766	31.9	1,764	30.8	1,730	31.3	1,543	33.3
CLASS C FELONY	1,359	28.3	999	28.1	788	27.6	722	29.6	696	29.7
CLASS D FELONY	1,258	19.6	962	20.1	724	21.8	641	21.0	554	22.3
CLASS E FELONY	204	17.5	195	18.0	160	18.9	150	18.2	159	18.9
YOUTHFUL OFFENDER	36	12.6	30	11.4	23	13.2	20	14.8	15	11.0
<b>SUBTOTAL</b>	4,986	28.5	4,244	29.8	3,735	29.9	3,504	30.0	3,185	31.6
<b>Other Sex Offenses</b>										
CLASS C FELONY	2	82.0	3	58.0	1	82.0	0	.	3	92.3
CLASS D FELONY	11	59.5	6	47.3	7	30.3	8	58.0	8	83.6
CLASS E FELONY	64	26.5	110	25.7	130	28.9	135	28.9	142	27.5
<b>SUBTOTAL</b>	77	32.7	119	27.6	138	29.4	143	30.5	153	31.7
<b>GRAND TOTAL</b>	9,652	45.2	9,399	46.7	8,945	48.8	8,629	49.3	8,361	50.9

\*The Class A-2 crime appearing in the Violent Offense category was enacted by the New York State Legislature and became effective on June 23, 2006. The minimum determinate sentence for this predatory sexual offense against a child is 10 years while the maximum determinate sentence that can be imposed for this crime is 25 years.

**Figure 16.1**  
**Commitments with Determinate Sentences by Crime, 2008-2012**



**TABLE 16.3**  
**SENTENCE TYPE BY CRIME CATEGORY FOR VFO AND DRUG OFFENSES**  
**2008-2012 NEW COURT COMMITMENTS**

	2008		2009		2010		2011		2012	
	NUMBER	PERCENT								
<b>VIOLENT FELONY</b>										
INDETERMINATE	341	6.9%	296	5.6%	343	6.3%	276	5.3%	286	5.4%
DETERMINATE	4,571	93.1%	5,023	94.4%	5,064	93.7%	4,978	94.7%	5,009	94.6%
<b>SUBTOTAL</b>	4,912	100.0%	5,319	100.0%	5,407	100.0%	5,254	100.0%	5,295	100.0%
<b>DRUG OFFENSES</b>										
INDETERMINATE	240	4.6%	110	2.5%	44	1.2%	26	.7%	19	.6%
DETERMINATE	4,950	95.4%	4,214	97.5%	3,712	98.8%	3,484	99.3%	3,170	99.4%
<b>SUBTOTAL</b>	5,190	100.0%	4,324	100.0%	3,756	100.0%	3,510	100.0%	3,189	100.0%
<b>TOTAL</b>										
INDETERMINATE	581	5.8%	406	4.2%	387	4.2%	302	3.4%	305	3.6%
DETERMINATE	9,521	94.2%	9,237	95.8%	8,776	95.8%	8,462	96.6%	8,179	96.4%
<b>SUBTOTAL</b>	10,102	100.0%	9,643	100.0%	9,163	100.0%	8,764	100.0%	8,484	100.0%

# APPENDIX A

**APPENDIX A-1: SENTENCE TO PRISON FOR NON-DRUG FIRST FELONY OFFENSE**  
**RANGE OF MINIMUM AND MAXIMUM SENTENCES ACCORDING TO FELONY CLASS CATEGORY <sup>1</sup>**

<b>FELONY CLASS</b>	<b>VIOLENT FELONY OFFENSE (1978 - 1995)</b>	<b>VIOLENT FELONY OFFENSE (Oct. 1995-Aug. 1998) <sup>2</sup></b>	<b>VIOLENT FELONY OFFENSE (After Sep. 1998) <sup>3</sup></b>	<b>NON-VIOLENT FELONY SEX OFFENSE (After Apr. 2007) <sup>4</sup></b>	<b>PREDATORY SEXUAL ASSAULT (After Apr. 2007) <sup>4</sup></b>	<b>ALL OTHER FELONY OFFENSES</b>
<b>A-I Felony</b>						
Maximum	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	Life, Death or Life Without Parole <sup>5</sup>
Minimum						15 - 25 years (for offenders with Life maximum) (minimum sentence fixed by court)
<b>A-II Felony</b>						
Maximum	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	Life	Life
Minimum					10 - 25 (minimum sentence fixed by court)	3 - 8 1/3 (minimum sentence fixed by court)
<b>Class B Felony</b>						
Maximum	6 - 25	6 - 25	5-25 (determinate)	5-25 (determinate)	N/A (Not Available)	3 - 25 <sup>6</sup>
Minimum	2 - 8 1/3 (Minimum = 1/3 of maximum sentence)	3 - 12 1/2 (Minimum = 1/2 of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence		1 - 8 1/3 (Minimum = 1/3 of maximum sentence)
<b>Class C Felony</b>						
Maximum	4 1/2 - 15	4 1/2 - 15	3 1/2 - 15 (determinate)	3 1/2 - 15 (determinate)	N/A (Not Available)	3 - 15
Minimum	1 1/2 - 5 (Minimum = 1/3 of maximum sentence)	2 1/4 - 7 1/2 (Minimum = 1/2 of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence		1 - 5 (Minimum = 1/3 of maximum sentence)
<b>Class D Felony</b>						
Maximum	3 - 7	3 - 7	2 - 7 (determinate)	2 - 7 (determinate)	N/A (Not Available)	3 - 7
Minimum	1 - 2 1/3 (Minimum = 1 year up to 1/3 of maximum)	1 1/2 - 3 1/2 (Minimum = 1/2 of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence		1 - 2 1/3 (Minimum = 1/3 of maximum sentence)
<b>Class E Felony</b>						
Maximum	3 - 4	3 - 4	1 1/2 to 4 (determinate)	1 1/2 to 4 (determinate)	N/A (Not Available)	3 - 4
Minimum	1 - 1 1/3 (Minimum = 1 year up to 1/3 of maximum)	1 1/2 - 2 (Minimum = 1/2 year of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence		1 - 1 1/3 (Minimum = 1/3 of maximum sentence)

<sup>1</sup> For more detail see Article 70, Sentences of Imprisonment, New York State Penal law or New York State Sentence Charts, West Publishing Co. 2004.

<sup>2</sup> Sentences Pursuant to Sentencing Reform Act of 1995.

<sup>3</sup> Sentences pursuant to changes in NYS Penal law effective September 1, 1998 (Jenna's Law).

<sup>4</sup> Sentences pursuant to Sex Offender Management and Treatment Act (SOMTA) effective April 13, 2007.

<sup>5</sup> Death or Life Without Parole is permitted for Murder 1 crimes committed on or after September 1, 1995.

**APPENDIX A-2: SENTENCES TO PRISON FOR NON-DRUG SECOND FELONY OFFENSE**  
**RANGE OF MINIMUM AND MAXIMUM SENTENCES ACCORDING TO FELONY CLASS CATEGORY**

FELONY CLASS	SECOND VIOLENT FELONY OFFENSE (1978 - 1995) <sup>1</sup>	SECOND VIOLENT FELONY OFFENSE (After Oct. 1995)	VIOLENT SECOND FELONY OFFENSE (After Oct. 1995)	NON-VIOLENT SEX OFFENSE (Has Prior Non-Violent Felony Conviction) (After April 2007) <sup>2</sup>	NON-VIOLENT SEX OFFENSE (Has Prior Violent Felony Conviction) (After Apr. 2007) <sup>2</sup>	PREDATORY SEXUAL ASSAULT (After April 2007) <sup>2</sup>	ALL OTHER FELONY OFFENSES <sup>3</sup>
<b>A-I Felony</b>							
Maximum	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)
Minimum	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)		N/A (Not Available)
<b>A-II Felony</b>							
Maximum	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	Life	N/A (Not Available)
Minimum	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	N/A (Not Available)	10 - 25 (minimum sentence fixed by court)	N/A (Not Available)
<b>Class B Felony</b>							
Maximum	12 - 25	10 - 25 (determinate)	8 - 25 (determinate)	8 - 25 (determinate)	9 - 25 (determinate)	N/A (Not Available)	9 - 25
Minimum	6 - 12 1/2 (Minimum = 1/2 of Maximum)	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence		4 1/2 - 12 1/2 (Minimum = 1/2 of maximum sentence)
<b>Class C Felony</b>							
Maximum	8 - 15	7 - 15 (determinate)	5 - 15 (determinate)	5 - 15 (determinate)	6 - 15 (determinate)	N/A (Not Available)	6 - 15
Minimum	4 - 7 1/2 (Minimum = 1/2 of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence		3 - 7 1/2 (Minimum = 1/2 of maximum sentence)
<b>Class D Felony</b>							
Maximum	5 - 7	5 - 7 (determinate)	3 - 7 (determinate)	3 - 7 (determinate)	4 - 7 (determinate)	N/A (Not Available)	4 - 7
Minimum	2 1/2 - 3 1/2 (Minimum = 1/2 of maximum)	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence		2 - 3 1/2 (Minimum = 1/2 of maximum sentence)
<b>Class E Felony</b>							
Maximum	4 years	3 - 4 (determinate)	2 - 4 (determinate)	2 - 4 (determinate)	2 1/2 - 4 (determinate)	N/A (Not Available)	3 - 4
Minimum	2 years (Minimum = 1/2 of maximum)	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence		1 1/2 - 2 (Minimum = 1/2 of maximum sentence)

<sup>1</sup> For offenders in this category, both the instant offense and at least one prior offense are violent felony crimes. Where the instant offense is a violent felony crime and the prior offense is not a violent crime, the sentence ranges used by the court (for class B through E) would be those listed under "Violent Second Felony Offense."

<sup>2</sup> Sentences pursuant to the Sex Offender Management and Treatment Act (SOMTA) took effect on April 13, 2007.

<sup>3</sup> Under Penal Law 70.07 ("Sentence of Imprisonment for Second Child Sexual Assault Felony Offender"), there are various enhanced sentences for such child sexual assault felonies, where the victim is a child less than fifteen years old. Certain sentences must be indeterminate, whereas certain other sentences must be determinate (see chart A-5 for specification of such enhanced sentences).

**APPENDIX A-3: SENTENCES TO PRISON FOR DRUG FELONY OFFENSE**  
**RANGE OF MINIMUM AND MAXIMUM SENTENCES ACCORDING TO FELONY CLASS CATEGORY**

<b>FELONY CLASS</b>	<b>1st Felony Drug Offender (Prior to Jan. 2005)</b>	<b>1st Felony Drug Offender (After Jan. 2005) <sup>2</sup></b>	<b>2nd Felony Drug Offender (Has Prior Violent Felony Conviction) (After Jan. 2005) <sup>4</sup></b>	<b>2nd Felony Drug Offender (No Prior Violent Felony Conviction) (Jan. 2005 to Apr. 2009) <sup>4</sup></b>	<b>2nd Felony Drug Offender (No Prior Violent Felony Conviction) (After Apr. 2009) <sup>5</sup></b>
<b>A-I Felony</b>					
Maximum	Life	8 - 20 (determinate)	15 - 30 (determinate)	12 - 24 (determinate)	12 - 24 (determinate)
Minimum	15 - 25 years (for offenders with Life maximum) (minimum sentence fixed by court)	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence
<b>A-II Felony</b>					
Maximum	Life	3 - 10 (determinate)	8 - 17 (determinate)	6-14 (determinate)	6-14 (determinate)
Minimum	3 - 8 1/3 (minimum sentence fixed by court)	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence
<b>Class B Felony</b>					
Maximum	3 - 25 <sup>1</sup>	1 - 9 (determinate) <sup>3</sup>	6 - 15 (determinate)	3 1/2 - 12 (determinate)	2 - 12 (determinate)
Minimum	1 - 8 1/3 (Minimum = 1/3 of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence
<b>Class C Felony</b>					
Maximum	3 - 15	1 - 5 1/2 (determinate)	3 1/2 - 9	2 - 8 (determinate)	1 - 8 (determinate)
Minimum	1 - 5 (Minimum = 1/3 of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence
<b>Class D Felony</b>					
Maximum	3 - 7	1 - 2 1/2 (determinate)	2 1/2 - 4 1/2	1 1/2 - 4 (determinate)	1 1/2 - 4 (determinate)
Minimum	1 - 2 1/3 (Minimum = 1/3 of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence
<b>Class E Felony</b>					
Maximum	3 - 4	1 - 1 1/2 (determinate)	2 - 2 1/2	1 1/2 - 2 (determinate)	1 1/2 - 2 (determinate)
Minimum	1 - 1 1/3 (Minimum = 1/3 of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence	6/7 of determinate sentence

<sup>1</sup> For Class B Sale of Drugs on School Grounds (committed before January 13, 2005) the maximum sentence range is 6 - 25 years. The minimum is 1/3 the maximum sentence.

<sup>2</sup> Sentences pursuant to Drug Law Reform Act of 2004, effective January 13, 2005.

<sup>3</sup> For Class B Sale of Drugs on School Grounds (committed after January 13, 2005), the range of determinate sentences is 2 to 9 years.

<sup>4</sup> Sentences pursuant to Drug Law Reform Act of 2004, signed December 2004, effective date for new sentences January 13, 2005.

<sup>5</sup> Sentences pursuant to the Drug Law Reform Act of 2009 took effect on April 7, 2009.

**APPENDIX A-4: SENTENCES TO STATE PRISON FOR PERSISTENT FELONY OFFENSES**

**RANGE OF MINIMUM AND MAXIMUM SENTENCES ACCORDING TO FELONY CLASS CATEGORY**

*(Sentencing as a Persistent Felon Unavailable for Drug Offenders after January 2005 )<sup>1</sup>*

<b>FELONY CLASS</b>	<b>VIOLENT FELONY OFFENSE (1978 - 1995)<sup>2</sup></b>	<b>VIOLENT FELONY OFFENSE (After Oct. 1995)<sup>2</sup></b>	<b>PREDATORY SEXUAL ASSAULT (After Apr. 2007)<sup>4</sup></b>	<b>ALL OTHER FELONY OFFENSES<sup>3</sup></b>
<b>Class A-2 Felony</b>				
Maximum	N/A (Not Available)	N/A (Not Available)	Life	N/A (Not Available)
Minimum	N/A (Not Available)	N/A (Not Available)	10 - 25 (minimum sentence fixed by court)	N/A (Not Available)
<b>Class B Felony</b>				
Maximum	Life	Life	N/A (Not Available)	9 - 25 Life Optional
Minimum	10 - 25 (minimum sentence fixed by judge)	20 - 25 (minimum sentence fixed by judge)	N/A (Not Available)	4 1/2 - 12 1/2 (Minimum = 1/2 of maximum sentence)
<b>Class C Felony</b>				
Maximum	Life	Life	N/A (Not Available)	6 - 15 Life Optional
Minimum	8 - 25 (minimum sentence fixed by judge)	16 - 25 (minimum sentence fixed by judge)	N/A (Not Available)	3 - 7 1/2 (Minimum = 1/2 of maximum sentence)
<b>Class D Felony</b>				
Maximum	Life	Life	N/A (Not Available)	4 - 7 Life Optional
Minimum	6 - 25 (minimum sentence fixed by judge)	12 - 25 (minimum sentence fixed by judge)	N/A (Not Available)	2 - 3 1/2 (Minimum = 1/2 of maximum sentence)
<b>Class E Felony</b>				
Maximum	Life	Life	N/A (Not Available)	3 - 4 Life Optional
Minimum	Statute does not specify minimum term	Statute does not specify minimum term	N/A (Not Available)	1 1/2 - 2 (Minimum = 1/2 of maximum sentence)

<sup>1</sup> Sentencing as a "Persistent Felon Offender" was no longer available for drug offenders whose drug crime was committed after January 13, 2005 pursuant to Drug Law Reform Act of 2004.

<sup>2</sup> To be sentenced as a "Persistent Violent Felony Offender," the instant offense and at least two prior offenses must be legislatively designated violent felonies.

<sup>3</sup> A person convicted of a third felony could be sentenced as a second felony offender.

<sup>4</sup> Sentences pursuant to the Sex Offender Management and Treatment Act (SOMTA) took effect on April 13, 2007.

**APPENDIX A-5: RANGE OF MINIMUM AND MAXIMUM  
SENTENCES BY FELONY CLASS CATEGORY  
JUVENILE OFFENDERS**

<b>AGES</b>	<b>CRIME CLASSIFICATION</b>	<b>SPECIFIC CRIME</b>	<b>MINIMUM SENTENCE RANGE</b>	<b>MAXIMUM SENTENCE RANGE</b>
13	A-I	Murder 2nd (except Felony Murder)	5 - 9 Years	Life
14, 15	A-I	Murder 2nd (Felony Murder included but restricted to felonies listed below)	5 - 9 Years	Life
14, 15	A-I	Arson 1st Kidnapping 1st	4 - 6 Years	12 - 15 Years
14, 15	B-Violent	Aggravated Sexual Abuse Arson 2nd Attempt Kidnapping 1st Attempt Murder 2nd Burglary 1st Manslaughter 1st Rape 1st (non-consensual) Robbery 1st Sodomy 1st (non-consensual)	1/3 Maximum Sentence	3 - 10 Years
14, 15	C-Violent	Assault 1st (intentional) Burglary 2nd (weapon or injury) Robbery 2nd (weapon or injury)	1/3 Maximum Sentence	3 - 7 Years

**APPENDIX A-6: Range of Sentences Under Second Child Sexual Assault**

<b>Current Conviction - Sexual Assault Against a Child</b>	<b>If Prior Felony Conviction was for Sexual Assault Against a Child</b>	<b>Then Sentence Must Be:</b>
Class B Felony	Class B or C Felony	Indeterminate: 15 - 25 to Life
Class B Felony	Class D or E Felony	Determinate: 12 to 30 years
Class C Felony	Class B or C Felony	Determinate: 12 to 30 years or Indeterminate: 15 - 25 years
Class C Felony	Class D or E Felony	Determinate: 10 to 25 years
Class D Felony	Any Felony	Determinate: 5 to 15 years
Class E Felony	Any Felony	Determinate: 4 to 12 years

<sup>1</sup> Penal Law 70.07 became effective February 1, 2001.

## **APPENDIX B**

## **CRIME CODE TABLE**

The Crime Code Table presents various criminal offenses specified in the New York State Penal Law as well as other State statutes. The Penal Law section is indicated along with the effective dates for this section. For felony offenses the felony class is also indicated. The offenses are arranged by order of the unique crime code used by the Department of Correctional Services. In addition, a crime type designation is provided. These types include: VFO – violent felony offenses as designated in the Penal Law; CVO – other crimes of a coercive/violent nature not designated as a VFO; PDO – property, drug and other felonies; MIS – misdemeanors; VIO – violations.

Crime Code	Crime Description	Effective Date	Repeal Date	Legal	Authority	Crime Class	Crime Type	VFO
100	MURDER (DEG'LESS PRIOR 9-1-74)	19670901	.	PL	125.25	A	VFO	NO
101	MURDER 1ST	19740901	.	PL	125.27	A	VFO	NO
102	MURDER 2ND	19740901	.	PL	125.25	A	VFO	Y-Attem only
103	AGGRAVATED MURDER	20051221	.	PL	125.26	A	VFO	NO
201	MANSLAUGHTER 1ST	19780901	.	PL	125.20	B	VFO	YES
202	MANSLAUGHTER 2ND	19670901	.	PL	125.15	C	CVO	NO
203	ABORTION 1ST	19670901	.	PL	125.45	D	CVO	NO
204	ABORTION 2ND	19670901	.	PL	125.40	E	CVO	NO
205	AGGRAV MANSLAUGHTER 1ST DEG	20051221	.	PL	125.22	B	VFO	YES
206	AGGRAV MANSLAUGHTER 2ND DEG	20051221	.	PL	125.21	C	VFO	YES
300	CRIM NEGLIGENT HOMICIDE	19670901	.	PL	125.10	E	CVO	NO
301	VEHICULAR MANSLAUGHTER 2ND	19851101	.	PL	125.12	D	CVO	NO
302	VEHICULAR MANSLAUGHTER 1ST	19851101	.	PL	125.13	C	CVO	NO
303	AGGRAV CRIM NEGLIGENT	20051221	.	PL	125.11	C	VFO	YES
304	AGGR VEHICULAR HOMICIDE	20071101	.	PL	125.14	B	CVO	NO
401	RAPE 1ST	19780901	.	PL	130.35	B	VFO	YES
402	RAPE 2ND	19670901	20070412	PL	130.30	D	CVO	NO
403	RAPE 3RD	19670901	.	PL	130.25	E	CVO	NO
404	RAPE 2ND	20070413	.	PL	130.30	D	VFO	Y-exclude atts
501	ROBBERY 1ST	19670901	.	PL	160.15	B	VFO	YES
502	ROBBERY 2ND	19780901	.	PL	160.10	C	VFO	YES
503	ROBBERY 3RD	19670901	.	PL	160.05	D	CVO	NO
600	ASSAULT 1ST DEGREE	19961101	.	PL	120.10	B	VFO	YES
601	ASSAULT 1ST	19670901	19961031	PL	120.10	C	VFO	YES
602	ASSAULT 2ND	19670901	.	PL	120.05	D	VFO	Y-exclude atts
604	RECKLESS ENDANGERMENT 1ST	19670901	.	PL	120.25	D	CVO	NO
607	PROM A SUICIDE ATTEMPT	19670901	.	PL	120.30	E	CVO	NO
608	AGGRAV ASSAULT/PEACE OFF.	19810702	.	PL	120.11	B	VFO	YES
610	VEHICULAR ASSAULT 2ND	19851101	.	PL	120.03	E	CVO	NO
611	VEHICULAR ASSLT 1ST	19851101	.	PL	120.04	D	CVO	NO
612	AGGR ASLT ON PERSON 11 YRS	19901101	.	PL	120.12	E	CVO	NO
613	MENACING 1ST	19921101	.	PL	120.13	E	CVO	NO
614	GANG ASSAULT 1ST	19961101	.	PL	120.07	B	VFO	YES
615	GANG ASSAULT 2ND	19961101	.	PL	120.06	C	VFO	YES
616	ASLT:POLICE OFF/FIREMAN/EMT	19961101	.	PL	120.08	C	VFO	YES
617	ASLT BY OPER OF A VESSEL	19860805	.	NAV	49.00	E	CVO	NO
618	STALKING 1ST SUB 1	19991201	.	PL	120.60	D	VFO	Y-exclude atts
619	STALKING 2ND	19991201	.	PL	120.55	E	CVO	NO
621	MENACING POLIE/PEACE OFFICER	20051221	.	PL	120.18	D	VFO	Y-exclude atts
622	RECK ASLT CHILD	20061101	.	PL	120.02	D	VFO	Y-exclude atts
623	RECK ASLT CHILD:DAY CARE PROV	19981101	.	PL	120.01	E	CVO	NO
624	LURING A CHILD TO COMMIT CRIME	20081004	.	PL	120.70	E	CVO	NO
625	LURING A CHID TO COMMIT B FEL	20081004	.	PL	120.70	D	CVO	NO
626	LURING A CHILD TO COMMIT A FEL	20081004	.	PL	120.70	C	CVO	NO
627	AGGR VEHICULAR ASSAULT	20071101	.	PL	120.04-A	C	CVO	NO
628	STALKING 1ST SUB 2	19991201	.	PL	120.60	D	CVO	NO
629	ASSAULT ON A JUDGE	20111117	.	PL	120.09	C	VFO	YES
630	LV SCENE ACC - BOAT	19860805	.	NAV	47.00	E	CVO	NO
631	STRANGULATION 1ST	20101111	.	PL	121.13	C	VFO	YES
632	STRANGULATION 2ND	20101111	.	PL	121.12	D	VFO	Y-exclude atts
701	BURGLARY 1ST	19780901	.	PL	140.30	B	VFO	YES
702	BURGLARY 2ND	19670901	.	PL	140.25	C	VFO	YES
703	BURGLARY 3RD	19670901	.	PL	140.20	D	PDO	NO
800	FAIL TO REG:SEX OFF 1ST OFF	19960121	20070816	COR	0168-T	A	CVO	NO
801	SEX OFFENDER REG VIOL-2ND OFF	19960121	.	COR	0168-T	D	CVO	NO
802	SEX OFFENDER REG VIOL-1ST OFF	20070817	.	COR	0168-T	E	CVO	NO
1001	GRAND LARCENY-NOT AUTO 1ST	19670901	19861031	PL	155.40	C	PDO	NO
1002	GRAND LARCENY-NOT AUTO 2ND	19670901	19861031	PL	155.35	D	PDO	NO
1003	GRAND LARCENY-NOT AUTO 3RD	19670901	19861031	PL	155.30	E	PDO	NO
1004	GRAND LARCENY-NOT AUTO 1ST	19861101	.	P	155.42	B	PDO	NO
1005	GRAND LARCENY-NOT AUTO 2ND	19861101	.	PL	155.40	C	PDO	NO
1006	GRAND LARCENY-NOT AUTO 3RD	19861101	.	PL	155.35	D	PDO	NO
1007	GRAND LARCENY-NOT AUTO 4TH	19861101	.	PL	155.30	E	PDO	NO

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1010	COMPUTER TRESPASS	19861101	.	PL	156.10	E	PDO	NO
1011	COMPUTER TAMPERING 1ST	19861101	19931031	PL	156.25	E	PDO	NO
1012	UNLAW DUP COMP RELATED MATL	19861101	.	PL	156.30	E	PDO	NO
1013	CRIM POSS COMP RELATED MATL	19861101	.	PL	156.35	E	PDO	NO
1014	WELFARE FRAUD-4TH	19951101	.	PL	158.10	E	PDO	NO
1015	WELFARE FRAUD-3RD	19951101	.	PL	158.15	D	PDO	NO
1016	WELFARE FRAUD-2ND	19951101	.	PL	158.20	C	PDO	NO
1022	CRIM POSS BENEFIT CARD-2ND	19951101	.	PL	158.45	D	PDO	NO
1023	CRIM POSS BENEFIT CARD-3RD	19951101	.	PL	158.40	E	PDO	NO
1031	COMPUTER TAMPERING 1ST	19931101	.	PL	156.27	C	PDO	NO
1032	COMP TAMP-2ND:DEST DATA>\$3000	19931101	.	PL	156.26	D	PDO	NO
1033	COMPUTER TAMPERING-3RD	19931101	.	PL	156.25	E	PDO	NO
1301	GRAND LARCENY-AUTO 1ST	19670901	19861031	PL	155.40	C	PDO	NO
1302	GRAND LARCENY-AUTO 2ND	19670901	19861031	PL	155.35	D	PDO	NO
1303	GRAND LARCENY-AUTO 3RD	19670901	19861031	PL	155.30	E	PDO	NO
1304	UNAUTH USE OF MV 1ST	19820901	.	PL	165.08	D	PDO	NO
1305	UNAUTH USE OF MV 2ND	19820901	.	PL	165.06	E	PDO	NO
1306	AUTO STRIPPING-1ST	19841101	19961031	PL	165.10	E	PDO	NO
1307	GRAND LARCENY-AUTO 1ST	19861101	.	PL	155.42	B	PDO	NO
1308	GRAND LARCENY-AUTO 2ND	19861101	.	PL	155.40	C	PDO	NO
1309	GRAND LARCENY-AUTO 3RD	19861101	.	PL	155.35	D	PDO	NO
1310	GRAND LARCENY-AUTO 4TH	19861101	.	PL	155.30	E	PDO	NO
1311	AUTO STRIPPING-1ST	19961101	.	PL	165.11	D	PDO	NO
1312	AUTO STRIPPING-2ND	19961101	.	PL	165.10	E	PDO	NO
1401	CRIM POSS STOLEN PROP 1ST	19670901	19861031	PL	165.50	D	PDO	NO
1402	CRIM POSS STOLEN PROP 2ND	19670901	19761031	PL	165.45	E	PDO	NO
1404	UNLAW USE, SECRET SCI MAT	19670901	.	PL	165.07	E	PDO	NO
1405	CRIM POSS STOLEN PROP 1ST	19861101	.	PL	165.54	B	PDO	NO
1406	CRIM POSS STOLEN PROP 2ND	19861101	.	PL	165.52	C	PDO	NO
1407	CRIM POSS STOLEN PROP 3RD	19861101	.	PL	165.50	D	PDO	NO
1408	CRIM POSS STOLEN PROP 4TH	19861101	.	PL	165.45	E	PDO	NO
1411	TRADEMARK COUNTERFEIT 1ST	19921101	.	PL	165.73	C	PDO	NO
1412	TRADEMARK COUNTERFEIT 2ND	19921101	.	PL	165.72	E	PDO	NO
1413	POSS SKIMMER DEVICE-1ST	20081101	.	PL	190.86	E	PDO	NO
1501	TAMPER W/ PUBLIC RECORDS 1ST	19670901	.	PL	175.25	D	PDO	NO
1502	FALSIFY BUS RECORDS 1ST	19670901	.	PL	175.10	E	PDO	NO
1503	OFFER FALSE INST FILING 1ST	19670901	.	PL	175.35	E	PDO	NO
1504	ISSUING A FALSE CERT	19670901	.	PL	175.40	E	PDO	NO
1505	CRIM USURY 2ND	19760901	.	PL	190.40	E	PDO	NO
1506	UNLAW CONCEALING A WILL	19670901	.	PL	190.30	E	PDO	NO
1515	CRIM IMPERSONATION 1ST	19800901	.	PL	190.26	E	PDO	NO
1520	CRIM USURY 1ST	19760901	.	PL	190.42	C	PDO	NO
1521	SCHEME TO DEFRAUD 1ST	19770101	.	PL	190.65	E	PDO	NO
1525	FAIL TO REG AS BROKER/ADVISOR	19591001	.	GB	359-E	E	PDO	NO
1526	CRIM USE ACCESS DEVICE-1ST	19961101	.	PL	190.76	E	PDO	NO
1527	IDENTITY THEFT 1ST	20021101	.	PL	190.80	D	PDO	NO
1528	IDENTITY THEFT 2ND	20021101	.	PL	190.79	E	PDO	NO
1529	UNLAWFUL POSS PERS ID-1ST	20021101	.	PL	190.83	D	PDO	NO
1530	UNLAWFUL POSS PERS ID-2ND	20021101	.	PL	190.82	E	PDO	NO
1531	MONEY LAUNDERING-1ST	20001101	.	PL	470.20	B	PDO	NO
1532	MONEY LAUNDERING-2ND	20001101	.	PL	470.15	C	PDO	NO
1533	MONEY LAUNDERING-3D	20001101	.	PL	470.10	D	PDO	NO
1534	MONEY LAUNDERING-4TH	20001101	.	PL	470.05	E	PDO	NO
1535	MONEY LAUNDER-SUPP TERROR 1	20040723	.	PL	470.24	B	PDO	NO
1536	MONEY LAUNDER-SUPP TERROR 2	20040723	.	PL	470.23	C	PDO	NO
1537	MONEY LAUNDER-SUPP TERROR 3	20040723	.	PL	470.22	D	PDO	NO
1538	MONEY LAUNDER-SUPP TERROR 4	20040723	.	PL	470.21	E	PDO	NO
1539	OBSTRUCT GOVT ADMIN:SPRAY DEV	19961101	.	PL	195.08	D	PDO	NO
1540	INSURANCE FRAUD 1ST	19811101	19861031	PL	176.20	D	PDO	NO
1541	INSURANCE FRAUD 2ND	19811101	19861031	PL	176.15	E	PDO	NO
1544	INSURANCE FRAUD 1ST	19861101	.	PL	176.30	B	PDO	NO
1545	INSURANCE FRAUD 2ND	19861101	.	PL	176.25	C	PDO	NO
1546	INSURANCE FRAUD 3RD	19861101	.	PL	176.20	D	PDO	NO
1547	INSURANCE FRAUD 4TH	19861101	.	PL	176.15	E	PDO	NO

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1549	DEFRAUDING THE GOV'T	19861101	.	PL	195.20	E	PDO	NO
1550	ENTERPRISE CORRUPTION	19861101	.	PL	460.20	B	PDO	NO
1551	FALSE RETURN-CORP TAXES	19851101	20090406	TAX	1805.00	E	PDO	NO
1552	FRAUD IN SALE OF SECURITIES	19820901	.	GB	352-C	E	PDO	NO
1553	UNAUTH PRACTICE OF PROFESSION	19760823	.	ED	6512.00	E	PDO	NO
1554	FALSE TAX RETURN - PERSONAL	19851101	20090406	TAX	1804.00	E	PDO	NO
1555	REPEAT FAILURE: FILE PERSONL TAX	19851101	20090406	TAX	1802.00	E	PDO	NO
1556	MONEY LAUNDERING 1ST	19881101	20001031	PL	470.15	D	PDO	NO
1557	MONEY LAUNDERING 2ND	19881101	20001031	PL	470.10	E	PDO	NO
1558	MISUSE OF FOOD STAMPS	19670901	.	SW	147.00	E	PDO	NO
1559	CONTRACTS FOR MONOPOLY	19750701	.	GB	341.00	E	PDO	NO
1560	MOTOR FUEL TAX-FELONY	19851101	.	TAX	1812.00	E	PDO	NO
1561	REPEATED FAILURE TO FILE CORP	19851101	.	TAX	1803.00	E	PDO	NO
1562	CIG TAX-POSS/TRANS>20K ILL CIG	20001114	.	TAX	1814.00	E	PDO	NO
1563	LIEN LAW	19670901	.	LL	079-A	D	PDO	NO
1564	UNAUTH COMM SOLICIT CONTRIB	19670901	.	EL	14-126	E	PDO	NO
1565	CIG TAX-ATT TO EVADE OR DEFEAT	19851101	.	TAX	1814.00	E	PDO	NO
1566	CIG TAX-POSS/TRANS-30k ILL CIG	20090407	.	TAX	1814.00	D	PDO	NO
1567	MED ASSIST PROV PROH PRACTICES	19981101	.	SW	366-D	E	PDO	NO
1570	AGGR INSURANCE FRAUD 4TH	19961009	.	PL	176.35	D	PDO	NO
1571	RESIDENTIAL MORTG FRAUD-1ST	20081101	.	PL	187.25	B	PDO	NO
1572	RESIDENTIAL MORTG FRAUD-2ND	20081101	.	PL	187.20	C	PDO	NO
1576	HEALTH CARE FRAUD-2ND DEGREE	20061101	.	PL	177.20	C	PDO	NO
1578	HEALTH CARE FRAUD-4TH DEGREE	20061101	.	PL	177.10	E	PDO	NO
1580	FALSE RETURNS/REPORTS NYC	19850101	.	AC	11-4004	E	PDO	NO
1581	LEGISLATOR RECEIVING BRIBE	19670901	.	POL	076	D	PDO	NO
1582	UNLAW FEE PAYMT LEG OFF EMPLOY	19670901	.	POL	077	E	PDO	NO
1590	FRAUDULENT PRACTICES	19670901	.	WC	0114	E	PDO	NO
1592	CRIMINAL TAX FRAUD-2ND DEGREE	20090407	.	TAX	1805.00	C	PDO	NO
1593	CRIMINAL TAX FRAUD-3RD DEGREE	20090407	.	TAX	1804.00	D	PDO	NO
1594	CRIMINAL TAX FRAUD-4TH DEGREE	20090407	.	TAX	1803.00	E	PDO	NO
1595	FAILURE TO FILE INCOME TAX	20100811	.	TAX	1808.00	E	PDO	NO
1600	FORGERY 1ST	19670901	.	PL	170.15	C	PDO	NO
1601	CRIM POSS FORGED INST 1ST	19670901	.	PL	170.30	C	PDO	NO
1602	FORGERY 2ND	19670901	.	PL	170.10	D	PDO	NO
1603	CRIM POSS FORGED INST 2ND	19670901	.	PL	170.25	D	PDO	NO
1604	CRIM POSS FORGERY DEVICES	19670901	.	PL	170.40	D	PDO	NO
1608	UNLAW USING SLUGS 1ST	19670901	.	PL	170.60	E	PDO	NO
1609	FORGERY OF VEHICLE ID. NUMBER	19710401	.	PL	170.65	E	PDO	NO
1610	ILLEGAL POSS VEH ID NO PLATE	19710401	.	PL	170.70	E	PDO	NO
1612	AGGRAVATED IDENTITY THEFT	20081104	.	PL	190.80-A	D	PDO	NO
1700	ARSON 1ST	19710901	.	PL	150.20	A	VFO	Y-Attem only
1701	ARSON 2ND	19710901	.	PL	150.15	B	VFO	YES
1702	ARSON 3RD	19710901	.	PL	150.10	C	CVO	NO
1703	ARSON 4TH	19710901	.	PL	150.05	E	CVO	NO
1711	AGGRAVATED USE PYROTECHNICS 1	20031101	.	PL	405.18	D	VFO	Y-exclude atts
1801	PROM PROSTITUTION 1ST	19780901	.	PL	230.32	B	PDO	NO
1802	PROM PROSTITUTION 2ND	19780901	.	PL	230.30	C	PDO	NO
1803	PROM PROSTITUTION 3RD	19780901	.	PL	230.25	D	PDO	NO
1807	PATRONIZING A PROSTITUTE 1ST	19780901	.	PL	230.06	D	CVO	NO
1808	PATRONIZING A PROSTITUTE 2ND	19780901	.	PL	230.05	E	PDO	NO
1814	COMPELLING PROSTITUTION	20051101	.	PL	230.33	B	PDO	NO
1815	SEX TRAFFICKING	20071101	.	PL	230.34	B	PDO	NO
1901	SODOMY 1ST	19670901	20031031	PL	130.50	B	VFO	YES
1902	SODOMY 2ND	19670901	20031031	PL	130.45	D	CVO	NO
1903	SODOMY 3RD	19670901	20031031	PL	130.40	E	CVO	NO
1905	SEXUAL ABUSE 1ST	19670901	.	PL	130.65	D	VFO	Y-exclude atts
1907	INCEST	19670901	20061031	PL	255.25	E	CVO	NO
1910	AGGRAVATED SEXUAL ABUSE	19780901	19881031	PL	130.70	B	VFO	YES
1911	AGGRAVATED SEXUAL ABUSE 1ST	19881101	.	PL	130.70	B	VFO	YES
1912	AGGRAVATED SEXUAL ABUSE 2ND	19881101	.	PL	130.67	C	VFO	YES
1913	AGGRAVATED SEXUAL ABUSE 3RD	19961101	.	PL	130.66	D	VFO	Y-exclude atts
1914	COURSE SEX CONDUCT-CHILD 1ST	19960801	.	PL	130.75	B	VFO	YES
1915	COURSE SEX CONDUCT-CHILD 2ND	19960801	.	PL	130.80	D	VFO	Y-exclude atts

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1916	FEMALE GENITAL MUTILATION	19971101	.	PL	130.85	E	CVO	NO
1917	PERSISTENT SEXUAL ABUSE	20010201	.	PL	130.53	E	VFO	YES
1918	FACILIT SEX OFF/CONTROL SUB	20010201	20070412	PL	130.90	D	PDO	NO
1919	AGGRAVATED SEXUAL ABUSE 4TH	20010201	20070412	PL	130.65-A	E	PDO	NO
1920	AGGRAVATED SEXUAL ABUSE 4TH	20070413	.	PL	130.65-A	E	VFO	Y-exclude atts
1921	CRIM SEXUAL ACT 1ST	20031101	.	PL	130.50	B	VFO	YES
1922	CRIM SEXUAL ACT 2ND	20031101	20070412	PL	130.45	D	CVO	NO
1923	CRIM SEXUAL ACT 3RD	20031101	.	PL	130.40	E	CVO	NO
1924	PREDATORY SEXUAL ASSAULT	20060623	.	PL	130.95	A	VFO	NO
1925	PRED SEX ASSAULT AGAINST CHILD	20060623	.	PL	130.96	A	VFO	NO
1926	INCEST-1ST DEGREE	20061101	.	PL	255.27	B	VFO	YES
1927	INCEST-2ND DEGREE	20061101	.	PL	255.26	D	CVO	NO
1928	INCEST-3RD DEGREE	20061101	.	PL	255.25	E	CVO	NO
1929	CRIM SEXUAL ACT 2ND	20070413	.	PL	130.45	D	VFO	Y-exclude atts
1930	FORCIBLE TOUCHING	20010201	.	PL	130.52	A	CVO	NO
1938	FACILIT SEX OFF/CONTROL SUBST	20070413	.	PL	130.90	D	VFO	Y-exclude atts
1959	SELL/ISSUE NY INSTRMNT W/O LIC	19670901	.	BL	0650	E	PDO	NO
2000	CRIM SALE DANGEROUS DRUG 1ST	19690901	19730831	PL	220.44	A	PDO	NO
2001	CRIM SALE DANGEROUS DRUG 3RD	19670901	19690901	PL	220.30	D	PDO	NO
2003	CRIM POSS DANGEROUS DRUG 5TH	19690901	19830831	PL	220.10	E	PDO	NO
2004	CRIM POSS DANGEROUS DRUG 2ND	19690901	19730831	PL	220.22	B	PDO	NO
2005	CRIM POSS DANGEROUS DRUG 3RD	19670901	19690831	PL	220.20	E	PDO	NO
2006	CRIM POSS DANGEROUS DRUG 3RD	19690901	19730831	PL	220.20	C	PDO	NO
2007	CRIM POSS DANGEROUS DRUG 1ST	19700424	19730831	PL	220.23	A	PDO	NO
2008	USE OF DRUG PARAPHERNALIA 1ST	19670901	.	PL	220.55	D	PDO	NO
2010	CRIM INJECT OF A NARC DRUG	19710901	.	PL	220.46	E	PDO	NO
2011	IMIT CONTROL SUBS-2ND VIOL	19820901	.	PHL	3383.00	E	PDO	NO
2012	CRIM POSS PRECURSORS	19730901	.	PL	220.60	E	PDO	NO
2013	CRIM SALE CONTR SUBSTANCE 1ST	19730901	.	PL	220.43	A	PDO	NO
2014	CRIM POSS CONTR SUBSTANCE 1ST	19730901	.	PL	220.21	A	PDO	NO
2015	CRIM SALE CONTR SUBSTANCE 2ND	19730901	.	PL	220.41	A	PDO	NO
2016	CRIM POSS CONTR SUBSTANCE 2ND	19730901	.	PL	220.18	A	PDO	NO
2017	CRIM SALE CONTR SUBSTANCE 3RD	19790901	.	PL	220.39	B	PDO	NO
2018	CRIM POSS CONTR SUBSTANCE 3RD	19790901	.	PL	220.16	B	PDO	NO
2019	CRIM SALE CONTR SUBSTANCE 4TH	19730901	19790831	PL	220.37	B	PDO	NO
2020	CRIM POSS CONTR SUBSTANCE 4TH	19730901	19790831	PL	220.12	B	PDO	NO
2021	CRIM SALE CONTR SUBSTANCE 4TH	19790901	.	PL	220.34	C	PDO	NO
2022	CRIM POSS CONTR SUBSTANCE 4TH	19790901	.	PL	220.09	C	PDO	NO
2023	CRIM SALE CONTR SUBSTANCE 5TH	19790901	.	PL	220.31	D	PDO	NO
2024	CRIM POS CONTR SUBSTANCE 5TH	19790901	.	PL	220.06	D	PDO	NO
2025	CRIM POSS CONTR SUBSTANCE 6TH	19790901	19851031	PL	220.05	E	PDO	NO
2027	CRIM SALE MARIJUANA 1ST	19770729	.	PL	221.55	C	PDO	NO
2028	CRIM POSS MARIJUANA 1ST	19770729	.	PL	221.30	C	PDO	NO
2029	CRIM SALE MARIJUANA 2ND	19770729	.	PL	221.50	D	PDO	NO
2030	CRIM POSS MARIJUANA 2ND	19770729	.	PL	221.25	D	PDO	NO
2031	CRIM SALE MARIJUANA 3RD	19770729	.	PL	221.45	E	PDO	NO
2032	CRIM POSS MARIJUANA 3RD	19770729	.	PL	221.20	E	PDO	NO
2039	CRIM SALE CONTR SUB - SCHOOL	19861101	.	PL	220.44	B	PDO	NO
2040	CRIM SALE PRESCRIPTION	19861101	.	PL	220.65	C	PDO	NO
2041	CRIM POSS METH MANUF MATERIAL1	20051001	.	PL	220.71	E	PDO	NO
2042	CRIM POSS PRECURSORS OF METH	20051001	.	PL	220.72	E	PDO	NO
2043	UNLAWFUL MANUFACTURE METH-3RI	20051001	.	PL	220.73	D	PDO	NO
2044	UNLAWFUL MANUFACTURE METH-2N	20051001	.	PL	220.74	C	PDO	NO
2045	UNLAWFUL MANUFACTURE METH-1S	20051001	.	PL	220.75	B	PDO	NO
2046	UNL DISPOSAL METH LAB MATERIAL	20051001	.	PL	220.76	E	PDO	NO
2047	CRIM SALE CONTR SUBS TO CHILD	20091101	.	PL	220.48	B	PDO	NO
2048	OPERATE MAJOR DRUG TRAFFICKER	20091101	.	PL	220.77	A	PDO	NO
2049	USE CHILD COMMIT CONTR SUB OFF	20061101	.	PL	220.28	E	PDO	NO
2091	CRIM SALE DANGEROUS DRUG 3RD	19690901	19730831	PL	220.35	C	PDO	NO
2092	CRIM SALE CONTR SUBSTANCE 3RD	19730901	19790831	PL	220.39	A	PDO	NO
2093	CRIM POSS CONTR SUBSTANCE 3RD	19730901	19790831	PL	220.16	A	PDO	NO
2094	CRIM SALE DANGEROUS DRUG 2ND	19690901	19730831	PL	220.40	B	PDO	NO
2095	CRIM POSS DANGEROUS DRUG 2ND	19670901	19690901	PL	220.15	D	PDO	NO
2096	CRIM SALE DANGEROUS DRUG 2ND	19670901	19690831	PL	220.35	C	PDO	NO

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2097	CRIM POSS DANGEROUS DRUG 4TH	19690901	19730831	PL	220.15	D	PDO	NO
2098	CRIM POSS CONTRL SUBST-6TH	19730901	19790831	PL	220.06	D	PDO	NO
2099	CRIM SALE DANGEROUS DRUG 4TH	19690901	19730831	PL	220.30	D	PDO	NO
2100	CRIM POSS WEAP 1ST	19740901	.	PL	265.04	B	VFO	YES
2101	CRIM POSS WEAP 3RD SUB 4-8 VFO	19740901	.	PL	265.02	D	VFO	YES
2102	MFG/TRANS/ETC DANGEROUS WEAPO	19670901	.	PL	265.10	D	CVO	NO
2103	PROHIBITED USE OF WEAPONS	19670901	.	PL	265.35	D	CVO	NO
2104	PROHIBITED USE OF WEAPONS	19740901	.	PL	265.35	E	CVO	NO
2108	CRIM POSS WEAP 2ND	19780901	.	PL	265.03	C	VFO	YES
2109	POSSESS DANGEROUS WEAPON-FEL	19670901	19740831	PL	265.05	D	VFO	NO
2111	CRIM POSS WEAP 3RD SUB 1,2,3	19740901	.	PL	265.02	D	CVO	NO
2112	AGGRAVATED CRIM POSS WEAPON	20130316	.	PL	265.19	C	VFO	YES
2113	CRIM POSS WEAP 3RD SUB 9,10	20130316	.	PL	265.02	D	VFO	Y-exclude atts
2116	CRIM SALE FIREARM 3RD-DEG	20051221	.	PL	265.11	D	VFO	Y-exclude atts
2117	CRIM SALE FIREARM 1ST-DEG	19991101	.	PL	265.13	B	VFO	YES
2118	CRIM SALE FIREARM 2ND-DEG	19991101	.	PL	265.12	C	VFO	YES
2119	CRIM SALE OF FIREARM 3 PRE-06	19991101	20051220	PL	265.11	D	CVO	NO
2120	CRIM SALE FIREARM/AID MINOR	19991101	.	PL	265.14	C	VFO	YES
2122	CRIM USE OF FIREARMS 1ST	19800812	.	PL	265.09	B	VFO	YES
2122	CRIM USE OF FIREARMS 2ND	19800812	.	PL	265.08	C	VFO	YES
2123	CRIM SALE FIREARM 1ST	19800812	19911031	PL	265.12	D	VFO	Y-exclude atts
2124	CRIM SALE FIREARMS 2ND	19800812	19911031	PL	265.11	E	CVO	NO
2125	UNLAW WEARING BODY VEST	19841101	.	PL	270.20	E	CVO	NO
2126	POSSESS EXPLOSIVES W/O LIC	19840901	.	LAB	458.00	D	PDO	NO
2127	CRIM SALE FIREARM 1ST DEG	19911101	19911031	PL	265.13	C	VFO	YES
2128	CRIM SALE FIREARM 2ND DEG	19911101	19991031	PL	265.12	D	VFO	Y-exclude atts
2129	CRIM SALE FIREARM 3RD DEG	19911101	19991031	PL	265.11	E	CVO	NO
2130	CRIM SALE FIREARM/AID OF MINOR	19911101	19991031	PL	265.14	D	VFO	Y-exclude atts
2131	ILGL STORAGE OF EXPLOSIVES	19840901	.	LAB	453.00	E	PDO	NO
2132	ILGL CONSTR/MAINT OF MAGAZINE	19840901	.	LAB	454.00	E	PDO	NO
2140	CRIM SALE FIREARM TO A MINOR	19991101	.	PL	265.16	C	CVO	NO
2141	FLEE OFFICER IN MOTOR VEH-2ND	20061101	.	PL	270.30	E	CVO	NO
2142	FLEE OFFICER IN MOTOR VEH-1ST	20061101	.	PL	270.35	D	CVO	NO
2202	DWI: ALCOHOL OR DRUGS 2 OFF	19881101	.	VTL	1192.00	E	PDO	NO
2203	DWI: ALCOHOL OR DRUGS 3RD OFF	19961101	.	VTL	1192.00	D	PDO	NO
2204	AGGRAV DWI:1 PRIOR CONV-10 YRS	20061101	.	VTL	1192.00	E	PDO	NO
2205	AGGRAV DWI:2 PRIOR CONV-10 YRS	20061101	.	VTL	1192.00	D	PDO	NO
2206	AGG DWI: WITH CHILD-1ST OFFENSE	20091218	.	VTL	1192.00	E	PDO	NO
2300	OBSCENITY 2ND	19820901	.	PL	235.06	E	PDO	NO
2301	OBSCENITY 1ST	19820901	.	PL	235.07	D	PDO	NO
2302	DISSEM INDECENT MAT. TO MINORS	19690901	19961031	PL	235.21	E	PDO	NO
2306	DISSEM INDECENT MAT MINOR 1ST	19961101	.	PL	235.22	D	PDO	NO
2307	DISSEM INDECENT MAT MINOR 2ND	19961101	.	PL	235.21	E	PDO	NO
2400	ABANDONMENT OF CHILD	19670901	.	PL	260.00	E	CVO	NO
2402	NON-SUPPORT CHILD 1ST DEGREE	19970901	.	PL	260.06	E	PDO	NO
2501	USE OF CHILD IN A SEXUAL PERF	19771109	.	PL	263.04	C	CVO	NO
2502	PROM OBSCENE SEX PERF BY CHILD	19771109	.	PL	263.10	D	CVO	NO
2503	PROM SEXUAL PERF BY A CHILD	19771109	.	PL	263.15	D	CVO	NO
2507	POSS OBSCENE SEX PERF BY CHILD	19961101	.	PL	263.11	E	CVO	NO
2508	POSS A SEX PERF BY A CHILD	19961101	.	PL	263.16	E	CVO	NO
2509	FACILITATE SEX PERFRM BY CHILD	20081101	.	PL	263.30	B	CVO	NO
2511	ENDANG VUL/ELDER: 1ST DEGREE	19981101	.	PL	260.34	D	CVO	NO
2512	ENDANG VUL/ELDER: 2ND DEGREE	19981101	.	PL	260.32	E	CVO	NO
2600	MFG/SALE ILLICIT ALC BEV SUBSQ	19670901	.	ABC	155.00	E	PDO	NO
2705	ANIMAL FIGHTING-FELONY	19841101	.	AM	351.00	E	PDO	NO
2706	THEFT OF SERVICES	19921101	.	PL	165.15	E	PDO	NO
2802	DRIV IMP/DRUGS-SUBSQ OFFENSE	19881101	.	VTL	1192.00	E	PDO	NO
2803	DRIV IMP/DRUGS 3RD OFF	19961101	.	VTL	1192.00	D	PDO	NO
2903	LV SCENE OF ACC W/O REPORTING	19800901	.	VTL	0600	E	PDO	NO
2904	AGGR UNLIC OPER VTL511.3 1ST	19851101	.	VTL	0511	E	PDO	NO
2905	UNLICENSED VEHICLE DISMANTLING	19841101	19961031	PL	165.10	E	PDO	NO
2906	SELL MV/TRLR/PART W/ CHANG NUME	19830727	.	VTL	0421	E	PDO	NO
2907	MAKE FALSE REPORT RE STOLEN MV	19670901	.	VTL	0426	E	PDO	NO
2908	OFFENSES RE CERT OF TITLE	19720701	.	VTL	2130.00	E	PDO	NO

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2909	UNLAW VEHICLE DISMANTLER	19800901	.	VTL	0415-A	E	PDO	NO
2910	LV SCENE OF ACCIDENT - DEATH	20051101	.	VTL	600.00	D	PDO	NO
3009	FALSLEY REPORTING INCIDENT 1ST	19770901	20010916	PL	240.00	E	PDO	NO
3010	PLACING A FALSE BOMB-1ST	19991201	20010916	PL	240.62	E	PDO	NO
3011	FALSLEY REPORTING INCIDENT-1ST	20010917	.	PL	240.60	D	VFO	Y-exclude atts
3012	FALSLEY REPORTING INCIDENT-2ND	20010917	.	PL	240.55	E	VFO	Y-exclude atts
3013	AGGR HARASSMENT 1ST	19820901	.	PL	240.31	E	PDO	NO
3014	CRIM NUISANCE 1ST	19891101	.	PL	240.46	E	PDO	NO
3015	AGG HAR:EMPLOYEE BY INMATE	19960607	.	PL	240.32	E	PDO	NO
3016	PLACING FALSE BOMB	20010917	.	PL	240.63	D	VFO	Y-exclude atts
3017	PLACE FALSE BOMB-1ST	20010917	.	PL	240.62	D	VFO	Y-exclude atts
3018	PLACE FALSE BOMB-2ND	20010917	.	PL	240.61	E	VFO	Y-exclude atts
3019	AGGRAVATED FAMILY OFFENSE	20130123	.	PL	240.75	E	PDO	NO
3021	HINDER PROSECUTION TERRORISM 1	20010917	.	PL	490.35	B	VFO	YES
3022	HINDER PROSECUTION TERRORISM 2	20010917	.	PL	490.30	C	VFO	YES
3023	SUPPORT ACT OF TERRORISM 1ST	20010917	.	PL	490.15	C	VFO	YES
3024	SUPPORT ACT OF TERRORISM 2ND	20010917	.	PL	490.10	D	VFO	Y-exclude atts
3025	MAKE TERRORISTIC THREAT	20010917	.	PL	490.20	D	VFO	Y-exclude atts
3031	CRIM USE CHEM/BIOLOG WEAPON-1ST	20040727	.	PL	490.55	A	VFO	NO
3032	CRIM USE CHEM/BIOLOG WEAPON-2ND	20040727	.	PL	490.50	A	VFO	NO
3033	CRIM USE CHEM/BIOLOG WEAPON-3RD	20040727	.	PL	490.47	B	VFO	YES
3034	CRIM POSS CHEM/BIOLOG WEAPON-1ST	20040727	.	PL	490.45	A	VFO	NO
3035	CRIM POSS CHEM/BIOLOG WEAPON-2ND	20040727	.	PL	490.40	B	VFO	YES
3036	CRIM POSS CHEM/BIOLOG WEAPON-3RD	20040727	.	PL	490.37	C	VFO	YES
3301	PROM GAMB LOTT/POLICY 1ST	19670901	.	PL	225.10	E	PDO	NO
3302	PROM GAMB BOOKMAKING 1ST	19670901	.	PL	225.10	E	PDO	NO
3303	POSS GAMB RCDS LOOT/POLICY 1ST	19670901	.	PL	225.20	E	PDO	NO
3304	POSS GAMB RCDS BOOKMAKING 1ST	19670901	.	PL	225.20	E	PDO	NO
3401	CRIM MISCHIEF 2ND	19710901	.	PL	145.10	D	PDO	NO
3402	CRIM MISCHIEF 3RD	19710901	.	PL	145.05	E	PDO	NO
3404	CRIM TAMPERING 1ST	19670901	.	PL	145.20	D	PDO	NO
3406	CRIM MISCHIEF 1ST	19710901	.	PL	145.12	B	PDO	NO
3409	TAMPER W/ CONSUMER PROD 1ST	19861101	.	PL	145.45	E	PDO	NO
3410	CEMETERY DESECRATION 1ST	19971101	.	PL	145.23	E	PDO	NO
3501	CRIM TRESPASS 1ST	19690901	.	PL	140.17	D	PDO	NO
3601	UNLAW POSS MEDICAL WASTE 1ST	19890707	.	ECL	71-4404	E	PDO	NO
3602	UNLAW POSS HAZARDOUS WASTE 2ND	19810721	.	ECL	71-2707	E	PDO	NO
3603	WILLFULLY SETS FOREST FIRE	19720901	.	ECL	09-1105	E	PDO	NO
3604	ENDNGR PUB HLTH/SFTY/ENVRT 3RD	19861101	.	ECL	71-2712	E	PDO	NO
3605	UNLAW RELEASE MED WASTE 2ND	19890722	.	ECL	71-4407	E	PDO	NO
3606	RELEASE OF SOLID WASTE 2ND OFF	19960101	.	ECL	71-2703	E	PDO	NO
3607	ENDNGR PUB HLTH/SFTY/ENVRT 1ST	19861101	.	ECL	71-2714	C	PDO	NO
3901	ESCPAE 1ST	19670901	.	PL	205.15	D	PDO	NO
3902	ESCAPE 2ND	19670901	.	PL	205.10	E	PDO	NO
3904	ABSCOND FROM TEMP RELEASE 1ST	19720621	.	PL	205.17	E	PDO	NO
3907	PROM PRISON CONTRABAND 1ST	19670901	.	PL	205.25	D	PDO	NO
3909	HINDERING PROSECUTION 1ST	19670901	.	PL	205.65	D	PDO	NO
3910	HINDERING PROSECUTION 2ND	19670901	.	PL	205.60	E	PDO	NO
3912	ABSCOND COMMUNITY TREAT FAC	19860724	.	PL	205.19	E	PDO	NO
4001	KIDNAPPING 1ST	19670901	.	PL	135.25	A	VFO	Y-Attem only
4002	KIDNAPPING 2ND	19670901	.	PL	135.20	B	VFO	YES
4003	UNLAW IMPRISONMENT 1ST	19670901	.	PL	135.10	E	CVO	NO
4004	CUSTODIAL INTERFERENCE 1ST	19670901	.	PL	135.50	E	CVO	NO
4005	SUBSTITUTION OF CHILDREN	19670901	.	PL	135.55	E	CVO	NO
4006	COERCION 1ST	19670901	.	PL	135.65	D	CVO	NO
4010	BODY STEALING	19670901	20061031	PHL	4216.00	E	PDO	NO
4011	BODY STEALING	20061101	.	PHL	4216.00	D	PDO	NO
4012	OPENING GRAVES	19971101	20061031	PHL	4218.00	E	PDO	NO
4020	LABOR TRAFFICKING	20071101	.	PL	135.35	D	CVO	NO
4200	AGG. CRIMINAL CONTEMPT	19960901	.	PL	215.52	D	PDO	NO
4201	BAIL JUMPING 2ND	19830908	.	PL	215.56	E	PDO	NO
4202	TAMPER W/ PHYS EVIDENCE	19670901	.	PL	215.40	E	PDO	NO
4203	CRIM CONTEMPT 1ST	19720901	.	PL	215.51	E	PDO	NO
4204	UNLAW GRAND JURY DISCLOSURE	19770719	.	PL	215.70	E	PDO	NO

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4215	TAMPER W/ A WITNESS 3RD	19820901	.	PL	215.11	E	PDO	NO
4216	TAMPER W/ A WITNESS 1ST	19820901	.	PL	215.13	B	PDO	NO
4217	TAMPER W/ A WITNESS 2ND	19820901	.	PL	215.12	D	PDO	NO
4218	BAIL JUMPING 1ST	19830908	.	PL	215.57	D	PDO	NO
4300	BIGAMY	19670901	.	PL	255.15	E	PDO	NO
4601	PERJURY 1ST	19670901	.	PL	210.15	D	PDO	NO
4602	PERJURY 2ND	19670901	.	PL	210.10	E	PDO	NO
4603	MAKE APP SWORN FALSE STATE 1ST	19670901	.	PL	210.40	E	PDO	NO
4800	BRIBERY 2ND	19730901	19861031	PL	200.00	D	PDO	NO
4801	BRIBERY 1ST	19730901	.	PL	200.04	B	PDO	NO
4802	BRIBE REC 1ST	19730901	.	PL	200.12	B	PDO	NO
4803	REWARDING OFF. MISCONDUCT 1ST	19730901	.	PL	200.22	C	PDO	NO
4804	BRIBE REC 2ND	19730901	19861031	PL	200.10	D	PDO	NO
4805	REC. REW., OFF. MISCONDUCT 1ST	19730901	.	PL	200.27	C	PDO	NO
4806	REWARDING OFF. MISCONDUCT 2ND	19730901	.	PL	200.20	E	PDO	NO
4807	REC. REW., OFF. MISCONDUCT 2ND	19730901	.	PL	200.25	E	PDO	NO
4808	BRIBE REC BY A JUROR	19670901	.	PL	215.20	D	PDO	NO
4809	BRIBE REC BY A WITNESS	19670901	.	PL	215.05	D	PDO	NO
4810	BRIBING A JUROR	19851101	.	PL	215.19	D	PDO	NO
4811	BRIBING A WITNESS	19670901	.	PL	215.00	D	PDO	NO
4812	SPORTS BRIBING	19670901	.	PL	180.40	D	PDO	NO
4813	SPORTS BRIBE RECEIVING	19670901	.	PL	180.45	E	PDO	NO
4814	COMMERCIAL BRIBING 1ST	19830901	.	PL	180.03	E	PDO	NO
4815	COMMERCIAL BRIBE REC 1ST	19830901	.	PL	180.08	E	PDO	NO
4818	BRIBING A LABOR OFFICIAL	19670901	.	PL	180.15	D	PDO	NO
4819	BRIBE REC BY A LABOR OFFICIAL	19670901	.	PL	180.25	D	PDO	NO
4820	BRIBE GIVING FOR PUBLIC OFFICE	19670901	.	PL	200.45	D	PDO	NO
4821	BRIBE REC FOR PUBLIC OFFICE	19670901	.	PL	200.50	D	PDO	NO
4826	TAMPER W/ SPORTS CONTEST 1ST	19820926	.	PL	180.51	E	PDO	NO
4827	IMP INTGRTY PARIMUTUEL BET 2ND	19820926	.	PL	180.52	E	PDO	NO
4828	IMP INTGRTY PARIMUTUEL BET 1ST	19820926	.	PL	180.53	D	PDO	NO
4829	INTIMIDATN, VICTIM/WITNESS 2ND	19851101	.	PL	215.16	D	VFO	Y-exclude atts
4830	INTIMIDATN, VICTIM/WITNESS 3RD	19851101	.	PL	215.15	E	PDO	NO
4831	BRIBERY 2ND	19861101	.	PL	200.03	C	PDO	NO
4832	BRIBERY 3RD	19861101	.	PL	200.00	D	PDO	NO
4833	BRIBE REC 2ND	19861101	.	PL	200.11	C	PDO	NO
4834	BRIBE REC 3RD	19861101	.	PL	200.10	D	PDO	NO
4835	INTIMIDATN, VICTIM/WITNESS 1ST	19851101	.	PL	215.17	B	VFO	YES
5301	CRIM DIVERSION PRESCRIP-1ST	19951101	.	PL	178.25	C	PDO	NO
5302	CRIM DIVERSION PRESCRIP-2ND	19951101	.	PL	178.20	D	PDO	NO
5303	CRIM DIVERSION PRESCRIP-3RD	19951101	.	PL	178.15	E	PDO	NO
5400	EAVESDROPPING	19670901	.	PL	250.05	E	PDO	NO
5407	UNLAWFUL SURVEILLANCE 1ST	20030811	.	PL	250.50	D	PDO	NO
5408	UNLAW SURVEILLANCE 2ND (SUB 1)	20030811	.	PL	250.45	E	PDO	NO
5409	UNLAW SURVEILLANCE 2ND (2,3,4)	20030811	.	PL	250.45	E	PDO	NO
5410	DISSEM UNLAW SURV IMAGE 1ST	20030811	.	PL	250.60	E	PDO	NO
6001	RIOT 1ST	19670901	.	PL	240.06	E	PDO	NO
6002	CRIM ANARCHY	19670901	.	PL	240.15	E	PDO	NO
6400	CONSPIRACY 1ST	19730901	19780831	PL	105.15	B	PDO	NO
6401	CONSPIRACY 1ST	19780901	.	PL	105.17	A	VFO	NO
6402	CONSPIRACY 2ND	19780901	.	PL	105.15	B	PDO	NO
6403	CONSPIRACY 3RD	19780901	.	PL	105.13	D	PDO	NO
6404	CONSPIRACY 4TH	19780901	.	PL	105.10	E	PDO	NO
6500	CRIM SOLICITATION 1ST	19780901	.	PL	100.13	C	PDO	NO
6501	CRIM SOLICITATION 2ND	19780901	.	PL	100.10	D	PDO	NO
6502	CRIM SOLICITATION 3RD	19780901	.	PL	100.08	E	PDO	NO
6600	CRIM FACILITATION 1ST	19780901	.	PL	115.08	B	PDO	NO
6601	CRIM FACILITATION 2ND	19780901	.	PL	115.05	C	PDO	NO
6602	CRIM FACILITATION 3RD	19780901	.	PL	115.01	E	PDO	NO
6700	UNAUTH TRANSFER OF RECD SOUND	19901101	.	PL	275.10	E	PDO	NO
6704	FAIL DISCLOSE ORIGIN REC-1ST	19901101	.	PL	275.40	E	PDO	NO
6705	UNAUTH RECORDING-1ST:ADV SALE	19901101	.	PL	275.30	E	PDO	NO
7001	JO - AGG SEXUAL ABUSE 1ST	19881101	.	PL	130.70	B	VFO	YES
7002	JO - ARSON 1ST	19710901	.	PL	150.20	A	VFO	Y-Attem only

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7003	JO - ARSON 2ND	19710901	.	PL	150.15	B	VFO	YES
7004	JO - ASSAULT 1ST DEGREE	19670901	19961031	PL	120.10	C	VFO	YES
7005	JO - BURGLARY 1ST	19670901	.	PL	140.30	B	VFO	YES
7006	JO - BURGLARY 2ND	19670901	.	PL	140.25	C	VFO	YES
7007	JO - KIDNAPPING 1ST	19670901	.	PL	135.25	A	VFO	Y-Attem only
7008	JO - MANSLAUGHTER 1ST	19670901	.	PL	125.20	B	VFO	YES
7009	JO - MURDER 2ND	19740901	.	PL	125.25	A	VFO	Y-Attem only
7010	JO - RAPE 1ST	19670901	.	PL	130.35	B	VFO	YES
7011	JO - ROBBERY 1ST	19670901	.	PL	160.15	B	VFO	YES
7012	JO - ROBBERY 2ND	19670901	.	PL	160.10	C	VFO	YES
7013	JO - SODOMY 1ST	19670901	20031031	PL	130.50	B	VFO	YES
7014	JO - ASSAULT 1ST DEGREE	19961101	.	PL	120.10	B	VFO	YES
7015	JO - CRIM POSS WEAP 2ND SCHOOL	19981101	.	PL	265.03	C	VFO	YES
7016	JO - CRIM POSS WEAP 3RD SCHOOL	19981101	.	PL	265.02	D	VFO	Y-exclude atts
7017	JO - CRIMINAL SEXUAL ACT 1ST	20031101	.	PL	130.50	B	VFO	YES
8000	YOUTHFUL OFFENDER	19841128	.				PDO	NO
8001	YO - MURDER	19841128	.				VFO	NO
8002	YO - MANSLAUGHTER	19841128	.				VFO	NO
8003	YO - CRIM NEGLIGENT HOMICIDE	19841128	.				CVO	NO
8004	YO - RAPE	19841128	.				VFO	NO
8005	YO - ROBBERY	19841128	.				VFO	NO
8006	YO - ASSAULT	19841128	.				VFO	NO
8007	YO - BURGLARY	19841128	.				VFO	NO
8010	YO - GRAND LARCENY (NOT AUTO)	19841128	.				PDO	NO
8013	YO - GRAND LARCENY (AUTO)	19841128	.				PDO	NO
8014	YO - CRIM POSS STOLEN PROP	19841128	.				PDO	NO
8015	YO - FRAUD	19841128	.				PDO	NO
8016	YO - FORGERY	19841128	.				PDO	NO
8017	YO - ARSON	19841128	.				CVO	NO
8018	YO - PROMOTING PROSTITUTION	19841128	.				PDO	NO
8019	YO - SODOMY/SEXUAL ABUSE	19841128	20031031				VFO	NO
8020	YO - DRUG OFFENSE	19841128	.				PDO	NO
8021	YO - DANGEROUS WEAPONS	19841128	.				VFO	NO
8022	YO - DRIVING WHILE INTOXICATED	19841128	.				PDO	NO
8024	YO - ABANDMNT/NONSUPPORT CHILD	19841128	.				CVO	NO
8026	YO - MFG/SALE ILLICIT ALC BEV	19841128	.				PDO	NO
8028	YO - DRIVING WHILE IMP/DRUGS	19841128	.				PDO	NO
8033	YO - PROG GAMB LOTTERY/POLICY	19841128	.				PDO	NO
8034	YO - CRIMINAL MISCHIEF	19841128	.				PDO	NO
8035	YO - CRIMINAL TRESPASS	19841128	.				PDO	NO
8039	YO - ESC/ABS, RES. ARREST	19841128	.				PDO	NO
8040	YO - KIDNAPPING	19841128	.				VFO	NO
8042	YO - TAMPERING WITH A WITNESS	19900110	.				PDO	NO
8043	YOUTHFUL OFFENDER - J.O.	19841128	.				VFO	NO
8044	YO - CRIM SEXUAL ACT/SEX ABUSE	20031101	.				VFO	NO
9400	SEX MOTV FEL AGGRAVATED MURDE	20070413	20120516	PL	125.26	A	VFO	NO
9401	SEX MOTV FEL ARSON 1ST	20070413	20120517	PL	150.20	A	VFO	Y-Attem only
9402	SEX MOTV FEL ARSON 2ND	20070413	20120517	PL	150.15	B	VFO	YES
9403	SEX MOTV FEL ASSUALT 1ST	20070413	20120517	PL	120.10	B	VFO	YES
9404	SEX MOTV FELONY ASSAULT 2ND	20070413	20120517	PL	120.05	D	VFO	Y-exclude atts
9405	SEX MOTV FEL BURGLARY 1ST	20070413	20120517	PL	140.30	B	VFO	YES
9406	SEX MOTV FEL BURGLARY 2ND	20070413	20130115	PL	140.25	C	VFO	YES
9407	SEX MOTV FEL BURGLARY 3RD	20070413	20120517	PL	140.20	D	PDO	NO
9408	SEX MOTV FEL GANG ASSAULT 1ST	20070413	20120517	PL	120.07	B	VFO	YES
9409	SEX MOTV FEL GANG ASSAULT 2ND	20070413	20120517	PL	120.06	C	CVO	YES
9410	SEX MOTV FEL KIDNAPPING 1ST	20070413	20120517	PL	135.25	A	VFO	Y-Attem only
9411	SEX MOTV FEL KIDNAPPING 2ND	20070413	20120517	PL	135.20	B	VFO	YES
9412	SEX MOTV FEL MANSLAUGHTER 1ST	20070413	20120517	PL	125.20	B	VFO	YES
9413	SEX MOTV FEL MANSLAUGHTER 2ND	20070413	20120517	PL	125.15	C	CVO	NO
9414	SEX MOTV FEL MURDER 1ST	20070413	20120517	PL	125.27	A	VFO	NO
9415	SEX MOTV FEL MURDER 2ND	20070413	20120517	PL	125.25	A	VFO	Y-Attem only
9416	SEX MOTV FEL PROM PROST 1ST	20070413	20120517	PL	230.32	B	PDO	NO
9417	SEX MOTV FEL PROM PROST 2ND	20070413	20120517	PL	230.30	C	PDO	NO
9418	SEX MOTV FEL ROBBERY 1ST	20070413	20120517	PL	160.15	B	VFO	YES

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