

## Minnesota

# Gross Misdemeanor Arrests Leading to Conviction

1985 - 1988

	<u>1985</u>	<u>Percent of Total</u>	<u>1988</u>	<u>Percent of Total</u>
DUI	4,510	85%	5,165	78%
Escape	403	8%	530	8%
Prostitution	40	1%	102	2%
Weapons	60	1%	103	2%
Larceny	4	0%	253	4%
Other	<u>277</u>	<u>5%</u>	<u>459</u>	<u>7%</u>
Total	5,294	100%	6,612	100%

Minnesota Statistical Analysis Center  
Minnesota State Planning Agency

May 1991

153712

# Author's Note

This report is based on the Offender-Based Transaction Statistics (OBTS) data base. If an offender is arrested for more than one offense, e.g., robbery and aggravated assault, OBTS follows the most serious offense at arrest as determined by the Bureau of Justice Statistics. For each arrest of an offender, OBTS has one case. For this reason OBTS can only be analyzed on a case by case basis and not a individual by individual basis.

The sentences that are in OBTS are based on a combination of all convicted offenses. This analysis only shows the most serious offense at the time of arrest. For instance, the sentence an offender receives may be based on three offenses, but OBTS will only show one — the most serious offense at arrest. The sentence an offender is given is based on many factors, e.g., criminal history of the offender, severity of the crime, the number of offenses, and the number of charges. OBTS can not track all of these factors.

When using this report, all limitations listed on page 48 should be taken into consideration.

The statistical analysis, research, and writing of the *Minnesota Convicted Gross Misdemeanor Cases* was done by Daniel Storkamp. The technical production of the report was done by Sandy Henry.

## Minnesota State Planning Agency

The Minnesota State Planning Agency is responsible for assuring that the State of Minnesota will benefit from integrated programs for the development and effective use of its human, physical, and financial resources.

## Minnesota Statistical Analysis Center

The Minnesota Statistical Analysis Center conducts criminal justice analysis for policy development. The center has been operating for over ten years and is the only group to analyze all aspects of crime and the criminal justice system.

## Other Contributions

This report was prepared for the Minnesota State Legislative Auditor. Funding was in part provided by a grant from the Bureau of Justice Statistics, U.S. Department of Justice, Washington, DC.

The data base used in this analysis was obtained from the official state criminal history file maintained by the Bureau of Criminal Apprehension, Department of Public Safety.

153712

# Minnesota Convicted Gross Misdemeanor Cases

A report by the

Minnesota Statistical Analysis Center  
Minnesota State Planning Agency

May 1991

300 Centennial Office Building  
658 Cedar Street  
St. Paul, Minnesota 55155  
(612) 296-7819

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# Table of Contents

<b>Executive Summary</b>	1
<b>Demographics of Gross Misdemeanor Cases</b>	2
Arrests Overall	2
Gender	2
Race	2
Area of Arrest	2
Age at Arrest	2
Gender by Offense Type	4
Race by Offense Type	10
<b>Plea Bargaining</b>	16
Level of Offense	16
Number of Counts at Arrest, Court Disposition, and Conviction	22
Days Arrest to Court Disposition	26
<b>Sentencing Information</b>	28
Most Likely Outcome	28
Sentence	28
<b>Multiple Sentences</b>	30
Jail	30
No Prison and No Jail	30
<b>Selected Gross Misdemeanor Offenses</b>	34
DUI Offense	34
Escape Offense	36
Larceny Offense	38
Weapons Offense	40
Prostitution Offense	42
<b>Flow of Adult Criminal History Information</b>	44
<b>Convictions — Percentage Missing</b>	46
Hennepin County	46
<b>Limitations of Data Base</b>	48

# List of Displays

1. Frequency Gender, Race, Area of Arrest, and Grouped Ages. By year of disposition.	3
2. Frequency Gender of Offender by Offense. 1985	5
3. Frequency Gender of Offender by Offense. 1986	6
4. Frequency Gender of Offender by Offense. 1987	7
5. Frequency Gender of Offender by Offense. 1988	8
6. Frequency Race of Offender by Offense. 1985.	11
7. Frequency Race of Offender by Offense. 1986.	12
8. Frequency Race of Offender by Offense. 1987.	13
9. Frequency Race of Offender by Offense. 1988.	14
10. Frequency of the Level of Offense Change at Arrest to Court Disposition. 1985.	17
11. Frequency of the Level of Offense Change at Arrest to Court Disposition. 1986.	18
12. Frequency of the Level of Offense Change at Arrest to Court Disposition. 1987.	19
13. Frequency of the Level of Offense Change at Arrest to Court Disposition. 1988.	20
14. Mean Number of Counts at Arrest for Offense Type. By year of disposition.	23
15. Mean Number of Counts at Court Disposition for Offense Type. By year of disposition.	24
16. Mean Number of Counts at Conviction for Offense Type. By year of disposition.	25
17. Mean Days for Arrest to Final Court Disposition. By year of disposition.	27
18. Frequency and Mean Number of Days Sentenced. By year of disposition.	29
19. Frequency and Mean Number of Days Sentenced for Jail. By year of disposition.	31

20. Frequency and Mean Number of Days Sentenced for No Jail/No Prison. By year of disposition.	31
21. Frequency and Mean Number of Days Sentenced for DUI Offense. By year of disposition.	35
22. Frequency and Mean Number of Days Sentenced for Escape Offense. By year of disposition.	37
23. Frequency and Mean Number of Days Sentenced for Larceny Offense. By year of disposition.	39
24. Frequency and Mean Number of Days Sentenced for Weapons Offense. By year of disposition.	41
25. Frequency and Mean Number of Days Sentenced for Prostitution Offense. By year of disposition.	43
26. Flow of Adult Criminal History Information.	45
27. Convictions — Percentage Missing. Hennepin County. 1988.	47

# Executive Summary

**Demographics.** The number of gross misdemeanor arrests leading to conviction increased 25% from 1985 to 1988. Of these convictions, females have increased at a faster rate (82%) than males (19%). This may mean that the criminal justice system will need to make changes to accommodate this increase. All races have an increase in the total number of gross misdemeanor arrests leading to a conviction, but minorities have increased at a faster rate (African Americans +140%, Native Americans +63%) than nonminorities (Caucasians +20%). Nonminorities still are the most prominent group comprising over 90% of the total gross misdemeanor arrests leading to a conviction.

**Area of Arrests.** Of the gross misdemeanor arrests leading to a conviction in 1988, 59% were made on the seven-county metropolitan area (Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties). Of the arrests made in the seven-county metropolitan area, 77% were made in Minneapolis or St. Paul and 23% were in the remainder of the seven counties. This means a greater burden falls in the seven-county metropolitan criminal justice system, and especially in Hennepin (Mpls.) and Ramsey (St. Paul) counties.

**Most Occurring Offenses.** Three of every four gross misdemeanor arrests leading to conviction were for Driving Under the Influence (DUI) offenses (78% of cases in 1988). This number would be higher if all the missing fingerprint cards for DUI's were

turned in. (It is estimated that 33% of the DUI fingerprint cards are missing from the Bureau of Criminal Apprehension and subsequently are not in this report.)

**Time in System.** The average number of days from arrest to court disposition for gross misdemeanor arrests leading to conviction increased ten days from 1985 (143 days) to 1988 (152 days). The average number of days from arrest to court disposition for DUI increased 14 days from 1985 to 1988. This means the amount of time taken to process the majority of gross misdemeanor cases through the criminal justice system has increased.

**Outcomes.** The most likely outcome for a gross misdemeanor arrest leading to a conviction is a jail sentence. The outcome of jail increased from 77% of the cases in 1985 to 81% of the cases in 1988. The number of gross misdemeanor arrests receiving a jail sentence increased 31% from 1985 (4,078) to 1988 (5,325). The average sentence for jail has also increased from 43.4 days in 1985 to 53.5 days in 1988. The total number of days sentenced to jail for all gross misdemeanor arrests leading to a conviction increased 61% from 1985 (176,985)<sup>1</sup> to 1988 (284,888).<sup>2</sup> This means more gross misdemeanor arrests leading to a conviction are being sentenced to jail for longer periods of time and the total jail sentences given are increasing.

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1 1985 – Number sentenced to jail (4,078) multiplied by average number of days (43.4).

2 1988 – Number sentenced to jail (5,325) multiplied by average number of days (53.5).

# Demographics of Gross Misdemeanor Cases

## Arrests Overall (Display 1)

The total number of gross misdemeanor arrests leading to a conviction increased 25% from 1985 (5,294 arrests) to 1988 (6,612 arrests).

## Gender (Display 1)

The number of males increased 19% from 1985 (4,833) to 1988 (5,774).

The number of females increased 82% from 1985 (461) to 1988 (838).

In 1988, of the total gross misdemeanor arrests leading to a conviction, males were 87% and females were 13%.

## Race (Display 1)

The total number of gross misdemeanor arrests leading to a conviction for all races increased from 1985 to 1988.

	1985	1988	% Change
White	4,964	5,957	+ 20%
Black	184	360	+ 143%
Indian	167	272	+ 63%

Of the total gross misdemeanor arrests leading to a conviction in 1988, 90% were Caucasian, 5% were African American, 4%

were Native American, and 1% were other/unknown.

## Area of Arrest (Display 1)

Arrests made in the Metro - St. Paul/Mpls.<sup>1</sup> and Metro - Suburbs<sup>2</sup> increased between 1985 and 1988. Arrests leading to a conviction in Non-Metro counties<sup>3</sup> decreased between 1985 and 1988.

	1985	1988
Metro - St. Paul/Mpls.	43%	45%
Metro - Suburbs	12%	13%
Non - Metro Counties	46%	41%

In 1988, 58% of the total gross misdemeanor arrests leading to a conviction were made in the seven-county metropolitan area (Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties).

## Age at Arrest (Display 1)

Offenders under 25 years old decreased as a percentage of the total gross misdemeanor arrests leading to a conviction from 1985 (42%) to 1988 (33%).

Offenders 25 and older increased as a percentage of the total gross misdemeanor arrests leading to a conviction from 1985 (58%) to 1988 (67%).

- 1 All arrests made in Minneapolis or St. Paul.
- 2 All arrests made in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington counties, excluding those made in Minneapolis or St. Paul.
- 3 All arrests made in Minnesota, excluding arrests made in the seven counties stated above and non-county agencies.



**Display 1. Frequency Gender, Race, Area of Arrest, and Grouped Ages.**  
By year of disposition. 1985 – 1988.

	Year of Disposition								Total	
	1985		1986		1987		1988		Count	%
	Count	%	Count	%	Count	%	Count	%		
<b>Total</b>	5,294	100%	5,730	100%	5,862	100%	6,610	100%	23,498	100%
<b>Gender</b>										
Male	4,833	91%	5,213	91%	5,301	90%	5,774	87%	21,121	90%
Female	461	9%	517	9%	561	10%	838	13%	2,377	10%
<b>Race</b>										
White	4,964	94%	5,333	93%	5,370	92%	5,957	90%	21,624	92%
Black	148	3%	183	3%	244	4%	360	5%	935	4%
Indian	167	3%	205	4%	231	4%	272	4%	875	4%
Asian	9	0%	6	0%	12	0%	12	0%	39	0%
Unknown	6	0%	3	0%	5	0%	11	0%	25	0%
<b>Area of Arrest</b>										
Metro – St. Paul/Mpls.	1,944	37%	2,343	41%	2,451	42%	2,710	41%	9,448	40%
Metro – Suburbs	536	10%	637	11%	661	11%	805	12%	2,639	11%
Non-metro	2,092	40%	2,025	35%	2,070	35%	2,460	37%	8,647	37%
Non-county Agency	722	14%	725	13%	680	12%	637	10%	2,764	12%
<b>Age at Arrest</b>										
14 – 19 years old	350	7%	352	6%	287	5%	338	5%	1,327	6%
20 – 24 years old	1,840	35%	1,876	33%	1,800	31%	1,857	28%	7,373	31%
25 – 29 years old	1,314	25%	1,536	27%	1,715	29%	1,935	29%	6,500	28%
30 – 39 years old	1,091	21%	1,258	22%	1,345	23%	1,629	25%	5,323	23%
40 and older	699	13%	708	12%	715	12%	853	13%	2,975	13%

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**Gender by Offense Type**  
(Displays 2 - 5)

Females increased as a percentage of the total gross misdemeanor arrests leading to a conviction from 1985 (8.7%) to 1988 (12.7%).

Males decreased as a percentage of the total gross misdemeanor arrests leading to a

conviction from 1985 (91.3%) to 1988 (87.3%).

For DUI gross misdemeanor convictions, females have increased 42% from 1985 (361) to 1988 (512), where as males have increased only 12% from 1985 (4,149) to 1988 (4,653).

Display 2. Frequency Gender of Offender by Offense.  
1985.

Year of Disposition - 1985						
	Gender				Total	
	Male		Female			
DUI	4,149	92.0%	361	8.0%	4,510	100%
Escape	398	98.8%	5	1.2%	403	100%
Prostitution	4	5.4%	70	94.6%	74	100%
Obstruct Police	69	98.6%	1	1.4%	70	100%
Weapons	54	90.0%	6	10.0%	60	100%
Fraud	48	100.0%			48	100%
Taxes	37	84.1%	7	15.9%	44	100%
Obstruct Justice	33	89.2%	4	10.8%	37	100%
Contraband	12	85.7%	2	14.3	14	10-0%
Sex Offense	12	100.0%			12	100%
Damage Property	7	100.0%			7	100%
Larceny	2	50.0%	2	50.0%	4	100%
Forgery	2	66.7	1	33.3%	3	100%
Family Offense	2	66.7%	1	33.3%	3	100%
Gambling	2	100.0%			2	100%
Receiving	1	50.0%	1	50.0%	2	100%
Public Order	1	100.0%			1	100%
Vehicle Theft						
Public Peace						
Homicide						
Sexual Assault						
Embezzlement						
Obscenity						
Crimes against Person						
<b>Total</b>	<b>4,833</b>	<b>91.3%</b>	<b>461</b>	<b>8.7%</b>	<b>5,294</b>	<b>100%</b>

**Display 3. Frequency Gender of Offender by Offense.  
1986.**

Year of Disposition - 1986						
	Gender				Total	
	Male		Female			
DUI	4,438	91.4%	416	8.6%	4,854	100%
Escape	520	98.1%	10	1.9%	530	100%
Weapons	76	97.4%	2	2.6%	78	100%
Prostitution	9	12.3%	64	87.7%	73	100%
Obstruct Justice	53	82.8%	11	17.2%	64	100%
Taxes	45	86.5%	7	13.5%	52	100%
Fraud	15	83.3%	3	16.7%	18	100%
Obstruct Police	16	100.0%			16	100%
Contraband	10	83.3%	2	16.7%	12	100%
Sex Offense	8	100.0%			8	100%
Gambling	6	100.0%			6	100%
Family Offense	2	50.0%	2	50.0%	4	100%
Vehicle Theft	4	100.0%			4	100%
Damage Property	3	100.0%			3	100%
Receiving	2	100.0%			2	100%
Larceny	2	100.0%			2	100%
Forgery	1	100.0%			1	100%
Sexual Assault	1	100.0%			1	100%
Embezzlement	1	100.0%			1	100%
Crimes against Person	1	100.0%			1	100%
Public Order						
Public Peace						
Homicide						
Obscenity						
<b>Total</b>	<b>5,213</b>	<b>91.0%</b>	<b>517</b>	<b>9.0%</b>	<b>5,730</b>	<b>100%</b>

Display 4. Frequency Gender of Offender by Offense.  
1987.

Year of Disposition - 1987						
	Race				Total	
	Male		Female			
DUI	4,470	91.8%	401	8.2%	4,871	100%
Escape	512	98.5%	8	1.5%	520	100%
Prostitution	11	11.0%	89	89.0%	100	100%
Weapons	76	85.4%	13	14.6%	89	100%
Taxes	68	90.7%	7	9.3%	75	100%
Obstruct Justice	55	90.2%	6	9.8%	61	100%
Larceny	25	58.1%	18	41.9%	43	100%
Fraud	26	81.3%	6	18.8%	32	100%
Forgery	9	64.3%	5	35.7%	14	100%
Damage Property	11	91.7%	1	8.3%	12	100%
Contraband	9	75.0%	3	25.0%	12	100%
Sex Offense	10	100.0%			10	100%
Gambling	7	77.8%	2	22.2%	9	100%
Family Offense	4	66.7%	2	33.3%	6	100%
Obstruct Police	3	100.0%			3	100%
Vehicle Theft	2	100.0%			2	100%
Public Peace	2	100.0%			2	100%
Receiving	1	100.0%			1	100%
Public Order						
Homicide						
Sexual Assault						
Embezzlement						
Obscenity						
Crimes against Person						
<b>Total</b>	<b>5,301</b>	<b>90.4%</b>	<b>561</b>	<b>9.6%</b>	<b>5,862</b>	<b>100%</b>

**Display 5. Frequency Gender of Offender by Offense.  
1988.**

Year of Disposition – 1988						
	Gender				Total	
	Male		Female			
DUI	4,653	90.1%	512	9.9%	5,165	100%
Escape	511	96.4%	19	3.6%	530	100%
Larceny	150	59.3%	103	40.7%	253	100%
Weapons	95	92.2%	8	7.8%	103	100%
Prostitution	5	4.9%	97	95.1%	102	100%
Taxes	86	92.5%	7	7.5%	93	100%
Forgery	54	60.7%	35	39.3%	89	100%
Fraud	50	58.8%	35	41.2%	85	100%
Obstruct Justice	57	87.7%	8	12.3%	65	100%
Damage Property	61	95.3%	3	4.7%	64	100%
Sex Offense	14	100.0%			14	100%
Contraband	8	61.5%	5	38.5%	13	100%
Gambling	12	92.3%	1	7.7%	13	100%
Obstruct Police	9	90.0%	1	10.0%	10	100%
Family Offense			3	100.0%	3	100%
Vehicle Theft	3	100.0%			3	100%
Receiving	3	100.0%			3	100%
Public Order	2	100.0%			2	100%
Homicide	1	100.0%			1	100%
Obscenity			1	100.0%	1	100%
Public Peace						
Sexual Assault						
Embezzlement						
Crimes against Person						
<b>Total</b>	<b>5,774</b>	<b>87.3%</b>	<b>838</b>	<b>12.7%</b>	<b>6,612</b>	<b>100%</b>



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**Race by Offense Type**  
(Displays 6 - 9)

African Americans increased as a percentage of the total gross misdemeanor arrests leading to a conviction from 1985 (2.8%) to 1988 (5.4%).

Native Americans increased as a percentage of the total gross misdemeanor arrests

leading to a conviction from 1985 (3.2%) to 1988 (4.1%).

Caucasians decreased as a percentage of the total gross misdemeanor arrests leading to a conviction from 1985 (93.8%) to 1988 (90.1%).



Display 6. Frequency Race of Offender by Offense.  
1985.

Year of Disposition - 1985												
	Race										Total	
	White		Black		Indian		Asian		Unknown			
DUI	4,287	95.1%	64	1.4%	147	3.3%	9	.2%	3	.1%	4,510	100%
Escape	373	92.6%	18	4.5%	11	2.7%			1	.2%	403	100%
Prostitution	31	41.9%	38	51.4%	3	4.1%			2	2.7%	74	100%
Obstruct Police	63	90.0%	5	7.1%	2	2.9%					70	100%
Weapons	49	81.7%	11	18.3%							60	100%
Fraud	48	100.0%									48	100%
Taxes	42	95.5%	2	4.5%							44	100%
Obstruct Justice	30	81.1%	6	16.2%	1	2.7%					37	100%
Contraband	9	64.3%	2	14.3%	3	21.4%					14	100%
Sex Offense	12	100.0%									12	100%
Damage Property	7	100.0%									7	100%
Larceny	2	50.0%	2	50.0%							4	100%
Family Offense	3	100.0%									3	100%
Forgery	3	100.0%									3	100%
Gambling	2	100.0%									2	100%
Receiving	2	100.0%									2	100%
Public Order	1	100.0%									1	100%
Vehicle Theft												
Public Peace												
Homicide												
Sexual Assault												
Embezzlement												
Obscenity												
Crimes against Person												
<b>Total</b>	<b>4,964</b>	<b>93.8%</b>	<b>148</b>	<b>2.8%</b>	<b>167</b>	<b>3.2%</b>	<b>9</b>	<b>.2%</b>	<b>6</b>	<b>.1%</b>	<b>5,294</b>	<b>100%</b>

**Display 7. Frequency Race of Offender by Offense.**  
1986.

Year of Disposition - 1986

	Race										Total	
	White		Black		Indian		Asian		Unknown			
DUI	4,591	94.6%	92	1.9%	165	3.4%	3	.1%	3	.1%	4,854	100%
Escape	484	91.3%	19	3.6%	27	5.1%					530	100%
Weapons	54	69.2%	20	25.6%	3	3.8%	1	1.3%			78	100%
Prostitution	28	38.4%	40	54.8%	4	5.5%	1	1.4%			73	100%
Obstruct Justice	54	84.4%	7	10.9%	3	4.7%					64	100%
Taxes	48	92.3%	2	3.8%	2	3.8%					42	100%
Fraud	16	88.9%	1	5.6%			1	5.6%			18	100%
Obstruct Police	15	93.8%			1	6.3%					16	100%
Contraband	11	91.7%	1	8.3%							12	100%
Sex Offense	8	100.0%									8	100%
Gambling	6	100.0%									6	100%
Family Offense	4	100.0%									4	100%
Vehicle Theft	4	100.0%									4	100%
Damage Property	3	100.0%									3	100%
Receiving	2	100.0%									2	100%
Larceny	2	100.0%									2	100%
Forgery	1	100.0%									1	100%
Sexual Assault			1	100%							1	100%
Embezzlement	1	100.0%									1	100%
Crimes against Person	1	100.0%									1	100%
Public Order												
Public Peace												
Homicide												
Obscenity												
<b>Total</b>	<b>5,333</b>	<b>93.1%</b>	<b>183</b>	<b>3.2%</b>	<b>205</b>	<b>3.6%</b>	<b>6</b>	<b>.1%</b>	<b>3</b>	<b>.1%</b>	<b>5,730</b>	<b>100%</b>

Display 8. Frequency Race of Offender by Offense.  
1987.

Year of Disposition - 1987

	Race										Total	
	White		Black		Indian		Asian		Unknown			
DUI	4,574	93.9%	97	2.0%	192	3.9%	4	.1%	4	.1%	4,871	100%
Escape	467	89.8%	29	5.6%	22	4.2%	1	.2%	1	.2%	520	100%
Prostitution	39	39.0%	55	55.0%	5	5.0%	1	1.0%			100	100%
Weapons	60	67.4%	26	29.2%	2	2.2%	1	1.1%			89	100%
Taxes	65	86.7%	5	6.7%	3	4.0%	2	2.7%			75	100%
Obstruct Justice	53	86.9%	1	1.6%	5	8.2%	2	3.3%			61	100%
Larceny	25	58.1%	17	39.5%	1	2.3%					43	100%
Fraud	29	90.6%	3	9.4%							32	100%
Forgery	9	64.3%	5	35.7%							14	100%
Damage Property	8	66.7%	3	25.0%			1	8.3%			12	100%
Contraband	10	83.3%	2	16.7%							12	100%
Sex Offense	10	100.0%									10	100%
Gambling	9	100.0%									9	100%
Family Offense	5	83.3%			1	16.7%					6	100%
Obstruct Police	3	100.0%									3	100%
Public Peace	2	100.0%									2	100%
Vehicle Theft	1	50.0%	1	50.0%							2	100%
Receiving	1	100.0%									1	100%
Public Order												
Homicide												
Sexual Assault												
Embezzlement												
Obscenity												
Crimes against Person												
<b>Total</b>	<b>5,370</b>	<b>91.6%</b>	<b>244</b>	<b>4.2%</b>	<b>231</b>	<b>3.9%</b>	<b>12</b>	<b>.2%</b>	<b>5</b>	<b>.1%</b>	<b>5,862</b>	<b>100%</b>

Display 9. Frequency Race of Offender by Offense.  
1988.

Year of Disposition - 1988												
	Race										Total	
	White	Black	Indian	Asian	Unknown							
DUI	4,819	93.3%	124	2.4%	207	4.0%	7	.1%	8	.2%	5,165	100%
Escape	478	90.2%	23	4.3%	27	5.1%	1	.2%	1	.2%	530	100%
Larceny	172	68.0%	73	28.9%	6	2.4%	2	.8%			253	100%
Weapons	66	64.1%	34	33.0%	2	1.9%			1	1.0%	103	100%
Prostitution	41	40.2%	54	52.9%	6	5.9%	1	1.0%			102	100%
Taxes	82	88.2%	8	8.6%	1	1.1%	1	1.1%	1	1.1%	93	100%
Forgery	63	70.8%	18	20.2%	8	9.0%					89	100%
Fraud	71	83.5%	12	14.1%	2	2.4%					85	100%
Obstruct Justice	59	90.8%	4	6.2%	2	3.1%					65	100%
Damage Property	49	76.6%	8	12.5%	7	10.9%					64	100%
Sex Offense	14	100.0%									14	100%
Contraband	10	76.9%	2	15.4%	1	7.7%					13	100%
Gambling	12	92.3%			1	7.7%					13	100%
Obstruct Police	10	100.0%									10	100%
Family Offense	2	66.7%			1	33.3%					3	100%
Vehicle Theft	2	66.7%			1	33.3%					3	100%
Receiving	3	100.0%									3	100%
Public Order	2	100.0%									2	100%
Homicide	1	100.0%									1	100%
Obscenity	1	100.0%									1	100%
Public Peace												
Sexual Assault												
Embezzlement												
Crimes against Person												
<b>Total</b>	<b>5,957</b>	<b>90.1%</b>	<b>360</b>	<b>5.4%</b>	<b>272</b>	<b>4.1%</b>	<b>12</b>	<b>.2%</b>	<b>11</b>	<b>.2%</b>	<b>6,612</b>	<b>100%</b>



# Plea Bargaining

## Level of Offense (Displays 10 - 13)

Approximately 1% of the gross misdemeanor arrests resulted in a felony conviction for the years 1985 - 1988. A gross misdemeanor charge at the time of arrest was increased to a felony charge at the time of the court disposition (e.g., Driving Under the Influence (DUI) leads to a personal injury or death).

The percent of all gross misdemeanor arrests resulting in gross misdemeanor convictions decreased from 82% in 1985 to 76% in 1988.

The percent of all gross misdemeanor arrests resulting in misdemeanor convictions increased from 17% in 1985 to 24% in 1988.

Selected gross misdemeanor arrests:

Level at Court Disposition						
Gross Misdemeanor at Arrest	Felony Cases		Gross Misdemeanor Cases		Misdemeanor Cases	
	1985	1988	1985	1988	1985	1988
DUI	< 1%	< 1%	84%	79%	16%	21%
Escape	1%	1%	70%	75%	29%	25%
Prostitution	3%	0%	85%	88%	21%	12%
Obstructing Justice	1%	2%	93%	43%	6%	55%

Display 10. Frequency of the Level of Offense Change at Arrest to Court Disposition.  
1985.

Year of Disposition -- 1985										
	Felony		Gross Misdemeanor		Misdemeanor		Petty Misdemeanor		Total	
	Count	Row %	Count	Row %	Count	Row %	Count	Row %	Count	Row %
DUI	7	.2%	3,775	83.7%	721	16.0%	6	.1%	4,509	100%
Escape	3	.7%	281	69.7%	119	29.5%			403	100%
Prostitution	2	2.7%	63	85.1%	9	12.2%			74	100%
Obstruct Police	1	1.4%	65	92.9%	4	5.7%			70	100%
Weapons	1	1.7%	44	73.3%	15	25.0%			60	100%
Fraud			46	95.8%	2	4.2%			48	100%
Taxes	14	31.8%	23	52.3%	7	15.9%			44	100%
Obstruct Justice			21	56.8%	16	43.2%			37	100%
Contraband	4	28.6%	10	71.4%					14	100%
Sex Offense			12	100.0%					12	100%
Damage Property	1	14.3%	2	28.6%	4	57.1%			7	100%
Larceny	3	75.0%	1	25.0%					4	100%
Family Offense			2	66.7%	1	33.3%			3	100%
Forgery	3	100.0%							3	100%
Gambling			2	100.0%					2	100%
Receiving	2	100.0%							2	100%
Public Order			1	100.0%					1	100%
Vehicle Theft										
Public Peace										
Homicide										
Sexual Assault										
Embezzlement										
Obscenity										
Crimes Against Person										
<b>Total</b>	<b>41</b>	<b>.8%</b>	<b>4,348</b>	<b>82.1%</b>	<b>898</b>	<b>17.0%</b>	<b>6</b>	<b>.1%</b>	<b>5,293</b>	<b>100%</b>

Display 11. Frequency of the Level of Offense Change at Arrest to Court Disposition.  
1986.

Year of Disposition - 1986										
	Felony		Gross Misdemeanor		Misdemeanor		Petty Misdemeanor		Total	
	Count	Row %	Count	Row %	Count	Row %	Count	Row %	Count	Row %
DUI	5	.1%	3,712	76.5%	1,134	23.4%	3	.1%	4,854	100%
Escape	4	.8%	373	70.4%	152	28.7%	1	.2%	530	100%
Weapons	2	2.6%	51	65.4%	25	32.1%			78	100%
Prostitution	1	1.4%	61	83.6%	11	15.1%			73	100%
Obstruct Justice	1	1.6%	25	39.1%	38	59.4%			64	100%
Taxes	12	23.1%	32	61.5%	8	15.4%			52	100%
Fraud	2	11.1%	14	77.8%	2	11.1%			18	100%
Obstruct Police			13	81.3%	3	18.8%			16	100%
Contraband	3	25.0%	8	66.7%			1	8.3%	12	100%
Sex Offense			7	87.5%	1	12.5%			8	100%
Gambling			6	100.0%					6	100%
Family Offense			2	50.0%	2	50.0%			4	100%
Vehicle Theft	1	25.0%			3	75.0%			4	100%
Damage Property			2	66.7%	1	33.3%			3	100%
Receiving	2	100.0%							2	100%
Larceny	1	50.0%	1	50.0%					2	100%
Sexual Assault			1	100.0%					1	100%
Embezzlement					1	100.0%			1	100%
Forgery	1	100.0%							1	100%
Crimes Against Person	1	100.0%							1	100%
Public Order										
Public Peace										
Homicide										
Obscenity										
<b>Total</b>	<b>36</b>	<b>.6%</b>	<b>4,308</b>	<b>75.2%</b>	<b>1,381</b>	<b>24.1%</b>	<b>5</b>	<b>.1%</b>	<b>5,730</b>	<b>100%</b>



Display 12. Frequency of the Level of Offense Change at Arrest to Court Disposition.  
1987.

Year of Disposition - 1987										
	Felony		Gross Misdemeanor		Misdemeanor		Petty Misdemeanor		Total	
	Count	Row %	Count	Row %	Count	Row %	Count	Row %	Count	Row %
DUI	10	.2%	3,777	77.5%	1,084	22.3%			4,871	100%
Escape	3	.6%	378	72.7%	139	26.7%			520	100%
Prostitution	1	1.0%	90	90.0%	9	9.0%			100	100%
Weapons			60	67.4%	28	31.5%	1	1.1%	89	100%
Taxes	15	20.0%	47	62.7%	13	17.3%			75	100%
Obstruct Justice			26	42.6%	35	57.4%			61	100%
Larceny	4	9.3%	23	53.5%	16	37.2%			43	100%
Fraud	6	18.8%	18	56.3%	8	25.0%			32	100%
Forgery	6	42.9%	6	42.9%	2	14.3%			14	100%
Damage Property	2	16.7%	7	58.3%	3	25.0%			12	100%
Contraband	4	33.3%	7	58.3%			1	8.3%	12	100%
Sex Offense			8	80.0%	2	20.0%			10	100%
Gambling			7	77.8%	2	22.2%			9	100%
Family Offense			3	50.0%	3	50.0%			6	100%
Obstruct Police			3	100.0%					3	100%
Vehicle Theft			2	100.0%					2	100%
Public Peace			1	50.0%	1	50.0%			2	100%
Receiving					1	100.0%			1	100%
Public Order										
Homicide										
Sexual Assault										
Embezzlement										
Obscenity										
Crimes Against Person										
<b>Total</b>	<b>51</b>	<b>.9%</b>	<b>4,463</b>	<b>76.1%</b>	<b>1,346</b>	<b>23.0%</b>	<b>2</b>	<b>.0%</b>	<b>5,862</b>	<b>100%</b>

Display 13. Frequency of the Level of Offense Change at Arrest to Court Disposition.  
1988.

Year of Disposition - 1988										
	Felony		Gross Misdemeanor		Misdemeanor		Petty Misdemeanor		Total	
	Count	Row %	Count	Row %	Count	Row %	Count	Row %	Count	Row %
DUI	7	.1%	4,083	79.1%	1,075	20.8%			5,165	100%
Escape	4	.8%	396	74.7%	130	24.5%			530	100%
Larceny	8	3.2%	133	52.6%	112	44.3%			253	100%
Weapons	3	2.9%	77	74.8%	23	22.3%			103	100%
Prostitution			90	88.2%	12	11.8%			102	100%
Taxes	24	25.8%	55	59.1%	14	15.1%			93	100%
Forgery	5	5.6%	64	71.9%	20	22.5%			89	100%
Fraud	27	31.8%	38	44.7%	20	23.5%			85	100%
Obstruct Justice	1	1.5%	28	43.1	36	55.4%			65	100%
Damage Property	3	4.7%	32	50.0%	29	45.3%			64	100%
Sex Offense			13	92.9%	1	7.1%			14	100%
Contraband	1	7.7%	12	92.3%					13	100%
Gambling			10	76.9%	3	23.1%			13	100%
Obstruct Police			5	50.0%	5	50.0%			10	100%
Family Offense			3	100.0%					3	100%
Vehicle Theft	1	33.3%	2	66.7%					3	100%
Receiving	2	66.7%			1	33.3%			3	100%
Public Order			1	50.0%	1	50.0%			2	100%
Homicide	1	100.0%							1	100%
Obscenity			1	100.0%					1	100%
Public Peace										
Sexual Assault										
Embezzlement										
Crimes Against Person										
<b>Total</b>	<b>87</b>	<b>1.3%</b>	<b>5,043</b>	<b>76.3%</b>	<b>1,482</b>	<b>22.4%</b>			<b>6,612</b>	<b>100%</b>



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**Number of Counts at Arrest, Court Disposition, and Conviction**  
*(Displays 14 – 16)*

The average number of counts increased from the number at arrest (average 1.8 counts) to the number at the court disposition (average 2.5 counts).

The average number of counts decreased from the number at court disposition (average 2.5 counts) to the number at conviction (average 1.1 counts).

Display 14. Mean Number of Counts at Arrest for Offense Type.  
By year of disposition.

	Year of Disposition								Total	
	1985		1986		1987		1988			
	Count	Mean	Count	Mean	Count	Mean	Count	Mean	Count	Mean
DUI	4,510	1.8	4,854	1.8	4,871	1.8	5,165	1.8	19,400	1.8
Escape	403	1.6	530	1.8	520	1.8	530	1.9	1,983	1.8
Prostitution	74	1.0	73	1.1	100	1.1	102	1.0	349	1.1
Weapons	60	1.6	78	1.3	89	1.3	103	1.5	330	1.4
Larceny	4	1.0	2	2.0	43	1.3	253	1.3	302	1.3
Taxes	44	1.4	52	1.5	75	1.5	93	1.5	264	1.5
Obstruct Justice	37	2.0	64	1.5	61	1.7	65	1.7	227	1.7
Fraud	48	1.1	18	1.6	32	1.7	85	1.4	183	1.4
Forgery	3	1.7	1	3.0	14	1.8	89	1.7	107	1.7
Obstruct Police	70	1.1	16	1.1	3	1.0	10	1.3	99	1.1
Damage Property	7	1.7	3	2.0	12	1.4	64	1.4	86	1.5
Contraband	14	1.1	12	1.0	12	1.0	13	1.0	51	1.0
Sex Offense	12	1.0	8	1.1	10	1.2	14	1.7	44	1.3
Gambling	2	3.5	6	1.2	9	2.3	13	2.2	30	2.1
Family Offense	3	1.0	4	1.0	6	2.2	3	1.0	16	1.4
Vehicle Theft			4	1.5	2	1.5	3	2.7	9	1.9
Receiving	2	1.0	2	1.5	1	3.0	3	2.0	8	1.8
Public Order	1	1.0					2	2.0	3	1.7
Public Peace					2	2.0			2	2.0
Homicide							1	2.0	1	2.0
Sexual Assault			1	1.0					1	1.0
Embezzlement			1	1.0					1	1.0
Obscenity							1	1.0	1	1.0
Crimes Against Person			1	6.0					1	6.0
<b>Total</b>	<b>5,294</b>	<b>1.7</b>	<b>5,730</b>	<b>1.8</b>	<b>5,862</b>	<b>1.8</b>	<b>6,612</b>	<b>1.8</b>	<b>23,498</b>	<b>1.8</b>

Display 15. Mean Number of Counts at Court Disposition for Offense Type.  
By year of disposition.

	Year of Disposition								Total	
	1985		1986		1987		1988			
	Count	Mean	Count	Mean	Count	Mean	Count	Mean	Count	Mean
DUI	4,510	2.4	4,854	2.5	4,871	2.7	5,165	2.8	19,400	2.6
Escape	403	1.9	530	2.2	520	2.4	530	2.5	1,983	2.2
Prostitution	74	1.0	73	1.4	100	1.2	102	1.2	349	1.2
Weapons	60	1.7	78	1.7	89	1.7	103	1.8	330	1.7
Larceny	4	1.0	2	2.0	43	1.4	253	1.4	302	1.4
Taxes	44	1.4	52	1.5	75	1.7	93	1.7	264	1.6
Obstruct Justice	37	2.2	64	1.9	61	2.2	65	2.2	227	2.1
1.7Fraud	48	1.1	18	3.0	32	1.9	85	1.6	183	1.7
1.9Forgery	3	2.0	1	3.0	14	2.2	89	1.8	107	1.9
1.3Obstruct Police	70	1.2	16	1.7	3	1.3	10	1.5	99	1.3
1.6Damage Property	7	1.9	3	2.7	12	1.3	64	1.5	86	1.6
1.2Contraband	14	1.3	12	1.1	12	1.0	13	1.2	51	1.2
1.4Sex Offense	12	1.1	8	1.1	10	1.2	14	1.9	44	1.4
2.5Gambling	2	5.0	6	2.5	9	2.3	13	2.2	30	2.5
1.8Family Offense	3	1.7	4	1.3	6	2.3	3	1.3	16	1.8
3.1Vehicle Theft			4	3.3	2	1.5	3	4.0	9	3.1
2.0Receiving	2	1.5	2	1.5	1	3.0	3	2.3	8	2.0
2.3Public Order	1	2.0					2	2.5	3	2.3
4.5Public Peace					2	4.5			2	4.5
Homicide							1	7.0	1	7.0
Sexual Assault			1	2.0					1	2.0
Embezzlement			1	1.0					1	1.0
Obscenity							1	1.0	1	1.0
Crimes Against Person			1	6.0					1	6.0
<b>Total</b>	<b>5,294</b>	<b>2.3</b>	<b>5,730</b>	<b>2.5</b>	<b>5,862</b>	<b>2.6</b>	<b>6,612</b>	<b>2.6</b>	<b>23,498</b>	<b>2.5</b>

Display 16. Mean Number of Counts at Conviction for Offense Type.  
By year of disposition.

	By Year of Disposition								Total	
	1985		1986		1987		1988			
	Count	Mean	Count	Mean	Count	Mean	Count	Mean	Count	Mean
DUI	4,510	1.1	4,854	1.1	4,871	1.1	5,165	1.1	19,400	1.1
Escape	403	1.2	530	1.2	520	1.3	530	1.3	1,983	1.2
Prostitution	74	1.0	73	1.2	100	1.1	102	1.1	349	1.2
Weapons	60	1.2	78	1.1	89	1.2	103	1.2	330	1.2
Larceny	4	1.0	2	1.0	43	1.1	253	1.1	302	1.1
Taxes	44	1.1	52	1.1	75	1.1	93	1.1	264	1.1
Obstruct Justice	37	1.3	64	1.2	61	1.2	65	1.2	227	1.2
Fraud	48	1.0	18	1.0	32	1.3	85	1.1	183	1.1
Forgery	3	2.0	1	2.0	14	1.6	89	1.1	107	1.2
Obstruct Police	70	1.0	16	1.1	3	1.0	10	1.0	99	1.0
Damage Property	7	1.3	3	1.7	12	1.0	64	1.1	86	1.1
Contraband	14	1.1	12	1.0	12	1.0	13	1.1	51	1.1
Sex Offense	12	1.1	8	1.1	10	1.2	14	1.1	44	1.1
Gambling	2	1.0	6	1.0	9	1.4	13	1.1	30	1.2
Family Offense	3	1.0	4	1.0	6	1.2	3	1.0	16	1.1
Vehicle Theft			4	2.0	2	1.0	3	2.0	9	1.8
Receiving	2	1.5	2	1.0	1	2.0	3	1.7	8	1.5
Public Order	1	1.0					2	2.0	3	1.7
Public Peace					2	1.0			2	1.0
Homicide							1	2.0	1	2.0
Sexual Assault			1	2.0					1	2.0
Embezzlement			1	1.0					1	1.0
Obscenity							1	1.0	1	1.0
Crimes Against Person			1	2.0					1	2.0
<b>Total</b>	<b>5,294</b>	<b>1.1</b>	<b>5,730</b>	<b>1.1</b>	<b>5,862</b>	<b>1.1</b>	<b>6,612</b>	<b>1.1</b>	<b>23,498</b>	<b>1.1</b>

### Days Arrest to Court Disposition (Display 17)

The average number of days from arrest to court disposition for all gross misdemeanor arrests leading to a conviction increased ten days from 1985 (143 days) to 1988 (153 days).

The following are the most frequent gross misdemeanor arrests leading to a conviction with the average number of days from arrest to court disposition.

	Days Increased/ Decreased	Total Cases 1988
Escape	+ 62	530
Taxes	+ 43	93
Larceny	+ 42	253
Weapons	+ 42	103
DUI	+ 14	5,165
Obstructing Justice	- 44	65
Prostitution	- 82	102



Display 17. Mean Days for Arrest to Final Court Disposition.  
By year of disposition.

	Year of Disposition								Total	
	1985		1986		1987		1988			
	Count	Mean Days	Count	Mean Days	Count	Mean Days	Count	Mean Days	Count	Mean Days
DUI	4,510	149.0	4,854	156.0	4,871	155.0	5,165	163.0	19,400	156.0
Escape	403	72.4	530	102.0	520	133.0	530	133.0	1,983	112.0
Prostitution	74	178.0	73	140.0	100	136.0	102	96.5	349	134.0
Weapons	60	101.0	78	101.0	89	131.0	103	143.0	330	122.0
Larceny	4	54.3	2	96.5	43	32.8	253	96.0	302	86.4
Taxes	44	65.8	52	81.2	75	99.5	93	108.0	264	93.1
Obstruct Justice	37	159.0	64	161.0	61	111.0	65	115.0	227	134.0
Fraud	48	55.0	18	94.6	32	95.7	85	80.5	183	77.9
Forgery	3	139.0	1	31.0	14	179.0	89	76.2	107	90.9
Obstruct Police	70	243.0	16	681.0	3	1,252.0	10	73.2	99	327.0
Damage Property	7	54.1	3	53.7	12	40.0	64	73.1	86	66.2
Contraband	14	77.0	12	98.0	12	99.0	13	92.1	51	91.0
Sex Offense	12	121.0	8	253.0	10	107.0	14	162.0	44	155.0
Gambling	2	185.0	6	180.0	9	149.0	13	115.0	30	143.0
Family Offense	3	335.0	4	111.0	6	157.0	3	154.0	16	178.0
Vehicle Theft			4	108.0	2	250.0	3	257.0	9	189.0
Receiving	2	134.0	2	103.0	1	149.0	3	456.0	8	249.0
Public Order	1	186.0					2	340.0	3	289.0
Public Peace					2	398.0			2	398.0
Homicide							1	404.0	1	404.0
Sexual Assault			1	270.0					1	270.0
Embezzlement			1	88.0					1	88.0
Obscenity							1	189.0	1	189.0
Crimes Against Person			1	105.0					1	105.0
<b>Total</b>	<b>5,294</b>	<b>143.0</b>	<b>5,730</b>	<b>151.0</b>	<b>5,862</b>	<b>150.0</b>	<b>6,612</b>	<b>152.0</b>	<b>23,498</b>	<b>149.0</b>

# Sentencing Information

## Most Likely Outcome

(Display 18)

The most likely outcome for an offender with a gross misdemeanor arrest leading to a conviction was a jail sentence — 77% in 1985 and 81% in 1988.

## Sentence

(Display 18)

Of the total gross misdemeanor arrests leading to a conviction, the following sentences were received:

	Percent of Total Receiving Sentence	
	1985	1988
Prison	< 1%	< 1%
Jail	77%	81%
Prison - Suspended	< 1%	< 1%
Jail - Suspended	81%	78%
Probation	86%	91%
Fine	75%	72%

(Percents do not add up to 100 due to offenders receiving multiple sentences.)

\* A gross misdemeanor charge at the time of arrest was increased to a felony charge at the time of the court disposition (e.g. Driving Under the Influence (DUI) leads to a personal injury or death).

**Jail.** The number of offenders sentenced to jail increased 31% from 1985 (4,078) to 1988 (5,325).

The average jail sentence increased 26% from 1985 (average 43 days of jail) to 1988 (average 54 days of jail).

The total number of days sentenced to jail for gross misdemeanor arrests leading to a conviction increased 61% from 1985 (176,985 days)<sup>1</sup> to 1988 (284,888 days).<sup>2</sup>

**Incarcerated Sentence Suspended.** The number of offenders with prison sentence suspended increased 36% from 1985 (25) to 1988 (34).

The average prison sentence suspended increased 16% from 1985 (average 618 days of prison suspended) to 1987 (average 719 days of prison suspended), but decreased in 1988 (average 602 days of prison suspended).

The number of offenders with jail sentence suspended increased 11% from 1985 (4,262) to 1988 (5,143).

The average jail sentence suspended has increased 13% from 1985 (average 205 days of jail suspended) to 1988 (average 231 days of jail suspended).

**Probation.** The average probation sentence increased 10% from 1985 (average 598 days of probation) to 1988 (average 659 days of probation).

**Fine.** The average fine sentence increased 11% from 1985 (\$897 average fine) to 1988 (\$994 average fine).

1 1985 - Number sentenced to jail (4,078) multiplied by average number of days (43.4).

2 1988 - Number sentenced to jail (5,325) multiplied by average number of days (53.5).

**Display 18. Frequency and Mean Number of Days Sentenced.**  
By year of disposition.

	Year of Disposition				Total
	1985	1986	1987	1988	
<b>Jail Sentence</b>					
No Jail	1,216	1,246	1,114	1,287	4,863
Jail	4,078	4,484	4,748	5,325	18,635
<b>Prison - Suspended</b>					
No Prison - Suspended	5,269	5,710	5,832	6,578	23,389
Prison - Suspended	25	20	30	34	109
<b>Jail - Suspended</b>					
No Jail - Suspended	1,032	1,094	1,200	1,469	4,795
Jail - Suspended	4,262	4,636	4,662	5,143	18,703
<b>Probation</b>					
No Probation	716	651	561	602	2,530
Probation	4,578	5,079	5,301	6,010	20,968
<b>Fine to be Paid</b>					
No Fine	1,322	1,503	1,551	1,862	6,238
Fine	3,972	4,227	4,311	4,750	17,260
<b>Restitution</b>					
No Restitution	4,768	5,561	5,702	6,328	22,359
Restitution	526	169	160	284	1,139

Mean Number of Days	Year of Disposition				Total Average
	1985	1986	1987	1988	
Jail Sentence - Served	43.4	47.1	51.0	53.5	49.1
Prison Sentence - Stayed	617.7	705.4	718.6	601.5	656.5
Jail Sentence - Stayed	204.5	220.5	224.4	231.2	220.8
Probation Time	598.3	614.8	628.2	658.5	627.1

Mean Number of Dollars	Year of Disposition				Total Average
	1985	1986	1987	1988	
Fine	\$896.6	\$960.2	\$995.5	\$994.1	\$963.7

# Multiple Sentences

For each of the sentences that follow (jail and no prison or jail), the additional sanctions received are given.

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## **Jail** (Display 19)

Of those sentenced to jail, the number also receiving probation increased from 88% of the time in 1985 to 92% in 1988.

Of those sentenced to jail, the number also receiving a fine decreased from 74% of the time in 1985 to 73% in 1988.

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## **No Prison and No Jail** (Display 20)

Of those not sentenced to prison or jail, the number receiving stayed jail or prison sentence decreased from 72% of the time in 1985 to 66% in 1988.

Of those not sentenced to prison or jail, the number receiving probation increased from 81% of the time in 1985 to 87% in 1988.

Of those not sentenced to prison or jail, the number receiving a fine decreased from 79% of the time in 1985 to 67% in 1988.

Display 19. Frequency and Mean Number of Days Sentenced for Jail.  
By year of disposition.

	Year of Disposition				Total
	1985	1986	1987	1988	
<b>Jail Sentence</b>					
No Jail					
Jail	4,078	4,484	4,748	5,325	18,635
<b>Prison - Suspended</b>					
No Prison - Suspended	4,056	4,469	4,723	5,296	18,544
Prison - Suspended	22	15	25	29	91
<b>Jail - Suspended</b>					
No Jail - Suspended	689	738	856	1,032	3,315
Jail - Suspended	3,389	3,746	3,892	4,293	15,320
<b>Probation</b>					
No Probation	479	477	405	436	1,797
Probation	3,599	4,007	4,343	4,889	16,838
<b>Fine to be Paid</b>					
No Fine	1,056	1,186	1,264	1,429	4,935
Fine	3,022	3,298	3,484	3,896	13,700
<b>Restitution</b>					
No Restitution	3,714	4,374	4,639	5,153	17,880
Restitution	364	110	109	172	755

Mean Number of Days	Year of Disposition				Total Average
	1985	1986	1987	1988	
Jail Sentence - Served	43.4	47.1	51.0	53.5	49.1
Prison Sentence - Stayed	637.3	740.3	553.7	618.5	625.3
Jail Sentence - Stayed	226.7	240.0	242.3	249.2	240.2
Probation Time	617.8	638.5	648.6	679.0	648.4

Mean Number of Dollars	Year of Disposition				Total Average
	1985	1986	1987	1988	
Fine	\$988.2	\$1,044.8	\$1,062.7	\$1,068.2	\$1,043.5

**Display 20. Frequency and Mean Number of Days Sentenced for No Jail/No Prison. By year of disposition.**

	Year of Disposition				Total
	1985	1986	1987	1988	
<b>Jail Sentence</b>					
No Jail	1,204	1,224	1,072	1,236	4,736
Jail					
<b>Prison - Suspended</b>					
No Prison - Suspended	1,202	1,221	1,069	1,232	4,724
Prison - Suspended	2	3	3	4	12
<b>Jail - Suspended</b>					
No Jail - Suspended	335	345	329	424	1,433
Jail - Suspended	869	879	743	812	3,303
<b>Probation</b>					
No Probation	232	167	146	156	701
Probation	972	1,057	926	1,080	4,035
<b>Fine to be Paid</b>					
No Fine	257	305	268	409	1,239
Fine	947	919	804	827	3,497
<b>Restitution</b>					
No Restitution	1,045	1,167	1,027	1,128	4,367
Restitution	159	57	45	108	369

Mean Number of Days	Year of Disposition				Total Average
	1985	1986	1987	1988	
Jail Sentence - Served	0	0	0	0	0
Prison Sentence - Stayed	455.5	608.7	2,311.7	537.5	985.2
Jail Sentence - Stayed	117.1	135.8	125.6	129.6	127.1
Probation Time	521.8	523.0	528.5	562.1	534.4

Mean Number of Dollars	Year of Disposition				Total Average
	1985	1986	1987	1988	
Fine	\$601.7	\$647.6	\$674.8	\$629.0	\$637.0



# Selected Gross Misdemeanor Offenses

## DUI Offense (Display 21)

Total	1985	1988
Cases	4,510	5,165

Of the gross misdemeanor arrests leading to a conviction, DUI was the most frequent offense in 1985 (85% of the total) and 1988 (78% of the total).

	1985	Average Days	1988	Total Average
Prison*	< 1%	455.8	< 1%	564.6
Jail	79%	43.4	85%	53.9
Prison - Suspended	< 1%	711.3	< 1%	614.6
Jail - Suspended	83%	207.9	81%	243.1
Probation	88%	600.2	92%	669.8

(Percents do not add up to 100 due to offenders receiving multiple sentences.)

	1985	Average Dollars	1988	Total Average
Fine	78%	\$918.30	78%	\$1,045.20

\* A gross misdemeanor charge at the time of arrest was increased to a felony charge at the time of the court disposition (e.g., Driving Under the Influence (DUI) leads to a personal injury or death).



Display 21. Frequency and Mean Number of Days Sentenced for DUI Offense. By year of disposition.

	Year of Disposition				Total
	1985	1986	1987	1988	
<b>Jail Sentence</b>					
No Jail	967	929	773	749	3,418
Jail	3,543	3,925	4,098	4,416	15,982
<b>Prison - Suspended</b>					
No Prison - Suspended	4,495	4,841	4,856	5,140	19,332
Prison - Suspended	15	13	15	25	68
<b>Jail - Suspended</b>					
No Jail - Suspended	780	843	873	995	3,491
Jail - Suspended	3,730	4,011	3,998	4,170	15,909
<b>Probation</b>					
No Probation	555	487	362	393	1,797
Probation	3,955	4,367	4,509	4,772	17,603
<b>Fine to be Paid</b>					
No Fine	1,000	1,163	1,139	1,116	4,418
Fine	3,510	3,691	3,732	4,049	14,982
<b>Restitution</b>					
No Restitution	4,111	4,743	4,791	5,084	18,729
Restitution	399	111	80	81	671

Mean Number of Days	Year of Disposition				Total Average
	1985	1986	1987	1988	
Jail Sentence - Served	43.4	47.0	50.6	53.9	49.1
Prison Sentence - Stayed	711.3	747.4	534.3	614.6	643.6
Jail Sentence - Stayed	207.9	226.5	231.8	243.1	227.8
Probation Time	600.2	618.8	634.0	669.8	632.2

Mean Number of Dollars	Year of Disposition				Total Average
	1985	1986	1987	1988	
Fine	\$918.3	\$994.5	\$1,033.6	\$1,045.2	\$1,000.1

**Escape Offense**  
(Display 22)

Total	1985	1988
Cases	403	530

	1985	Average Days	1988	Total Average
Prison*	1%	551.5	2%	586.8
Jail	72%	49.4	76%	57.5
Prison - Suspended	< 1%	546.7	1%	491.2
Jail - Suspended	74%	187.7	72%	192.7
Probation	80%	552.7	86%	605.7

(Percents do not add up to 100 due to offenders receiving multiple sentences.)

	1985	Average Dollars	1988	Total Average
Fine	70%	\$814.00	63%	\$821.90

\* A gross misdemeanor charge at the time of arrest was increased to a felony charge at the time of the court disposition (e.g. Driving Under the Influence (DUI) leads to a personal injury or death.

Display 22. Frequency and Mean Number of Days Sentenced for Escape Offense. By year of disposition.

	Year of Disposition				Total
	1985	1986	1987	1988	
<b>Jail Sentence</b>					
No Jail	112	153	130	128	523
Jail	291	377	390	402	1,460
<b>Prison - Suspended</b>					
No Prison - Suspended	400	529	510	525	1,964
Prison - Suspended	3	1	10	5	19
<b>Jail - Suspended</b>					
No Jail - Suspended	106	125	132	147	510
Jail - Suspended	297	405	388	383	1,473
<b>Probation</b>					
No Probation	79	90	83	73	325
Probation	324	440	437	457	1,658
<b>Fine to be Paid</b>					
No Fine	119	156	148	194	617
Fine	284	374	372	336	1,366
<b>Restitution</b>					
No Restitution	350	510	492	295	1,847
Restitution	53	20	28	35	136

Mean Number of Days	Year of Disposition				Total Average
	1985	1986	1987	1988	
Jail Sentence - Served	49.4	43.7	57.1	57.5	52.2
Prison Sentence - Stayed	546.7	395.0	616.5	491.2	560.8
Jail Sentence - Stayed	187.7	188.5	180.1	192.7	187.2
Probation Time	552.7	578.8	595.1	605.7	585.4

Mean Number of Dollars	Year of Disposition				Total Average
	1985	1986	1987	1988	
Fine	\$814.0	\$787.3	\$799.7	\$821.9	\$804.7

**Larceny Offense**  
(Display 23)

Total Cases	1985	1988
	4	253

	1985	Average Days	1988	Total Average
Prison*	**	**	< 1%	570.0
Jail	**	**	57%	40.4
Prison - Suspended	**	**	< 1%	730.0
Jail - Suspended	**	**	70%	157.2
Probation	**	**	88%	535.3

(Percents do not add up to 100 due to offenders receiving multiple sentences.)

	1985	Average Dollars	1988	Total Average
Fine	**	**	31%	\$479.00

\* A gross misdemeanor charge at the time of arrest was increased to a felony charge at the time of the court disposition (e.g. Driving Under the Influence (DUI) leads to a personal injury or death.

\*\* The numbers are too small for analysis.

Display 23. Frequency and Mean Number of Days Sentenced for Larceny Offense. By year of disposition.

	Year of Disposition				Total
	1985	1986	1987	1988	
<b>Jail Sentence</b>					
No Jail	2		12	108	122
Jail	2	2	31	145	180
<b>Prison - Suspended</b>					
No Prison - Suspended	3	1	41	252	297
Prison - Suspended	1	1	2	1	5
<b>Jail - Suspended</b>					
No Jail - Suspended	3	1	18	77	99
Jail - Suspended	1	1	25	176	203
<b>Probation</b>					
No Probation	1		9	30	40
Probation	3	2	34	223	262
<b>Fine to be Paid</b>					
No Fine	4	1	35	175	215
Fine		1	8	78	87
<b>Restitution</b>					
No Restitution	3	2	40	213	258
Restitution	1		3	40	44

Mean Number of Days	Year of Disposition				Total Average
	1985	1986	1987	1988	
Jail Sentence - Served	165.0	60.0	36.6	40.4	41.3
Prison Sentence - Stayed	480.0	450.0	2,932.5	730.0	1,505.0
Jail Sentence - Stayed	40.0	90.0	168.8	157.2	157.7
Probation Time	1,336.7	912.5	595.7	535.3	555.2

Mean Number of Dollars	Year of Disposition				Total Average
	1985	1986	1987	1988	
Fine	\$0.0	\$250.0	\$643.8	\$479.0	\$491.6

**Weapons Offense**  
(Display 24)

Total	1985	1988
Cases	60	103

	1985	Average Days	1988	Total Average
Prison*	0%	0.0	0%	0.0
Jail	52%	40.0	56%	34.8
Prison - Suspended	4%	450.0	1%	1,080.0
Jail - Suspended	73%	159.0	69%	191.3
Probation	80%	509.5	83%	617.7

(Percents do not add up to 100 due to offenders receiving multiple sentences.)

	1985	Average Dollars	1988	Total Average
Fine	62%	\$668.50	55%	\$576.40

\* A gross misdemeanor charge at the time of arrest was increased to a felony charge at the time of the court disposition (e.g. Driving Under the Influence (DUI) leads to a personal injury or death.

\*\* The numbers are too small for analysis.

Display 24. Frequency and Mean Number of Days Sentenced for Weapons Offense. By year of disposition.

	Year of Disposition				Total
	1985	1986	1987	1988	
<b>Jail Sentence</b>					
No Jail	29	39	52	47	167
Jail	31	39	37	56	163
<b>Prison - Suspended</b>					
No Prison - Suspended	58	77	89	102	326
Prison - Suspended	2	1		1	4
<b>Jail - Suspended</b>					
No Jail - Suspended	16	27	38	34	115
Jail - Suspended	44	51	51	69	215
<b>Probation</b>					
No Probation	12	19	21	20	72
Probation	48	59	68	83	258
<b>Fine to be Paid</b>					
No Fine	23	33	46	48	150
Fine	37	45	43	55	180
<b>Restitution</b>					
No Restitution	55	76	86	103	320
Restitution	5	2	3		10

Mean Number of Days	Year of Disposition				Total Average
	1985	1986	1987	1988	
Jail Sentence - Served	40.0	46.7	33.6	34.8	38.4
Prison Sentence - Stayed	450.0	1,380.0		1,080.0	840.0
Jail Sentence - Stayed	159.0	149.4	140.8	191.3	162.8
Probation Time	509.5	550.5	515.4	617.7	555.2

Mean Number of Dollars	Year of Disposition				Total Average
	1985	1986	1987	1988	
Fine	\$668.5	\$551.3	\$544.2	\$576.4	\$581.4

**Prostitution Offense**  
(Display 25)

Total Cases	1985	1988
	74	102

	1985	Average Days	1988	Total Average
Prison	0%	0.0	2%	586.5
Jail	77%	33.8	83%	64.5
Prison - Suspended	0%	0.0	0%	0.0
Jail - Suspended	85%	237.2	84%	242.6
Probation	85%	666.3	88%	671.9

	1985	Average Dollars	1988	Total Average
Fine	18%	\$1,773.10	20%	\$1,227.50

\* A gross misdemeanor charge at the time of arrest was increased to a felony charge at the time of the court disposition (e.g. Driving Under the Influence (DUI) leads to a personal injury or death.

\*\* Numbers are too small for analysis.



Display 25. Frequency and Mean Number of Days Sentenced for Prostitution Offense. By year of disposition.

	Year of Disposition				Total
	1985	1986	1987	1988	
<b>Jail Sentence</b>					
No Jail	17	20	22	19	78
Jail	57	53	78	83	271
<b>Prison - Suspended</b>					
No Prison - Suspended	74	71	100	102	347
Prison - Suspended		2			2
<b>Jail - Suspended</b>					
No Jail - Suspended	11	12	24	18	65
Jail - Suspended	63	61	76	84	284
<b>Probation</b>					
No Probation	11	9	24	14	58
Probation	63	64	76	88	291
<b>Fine to be Paid</b>					
No Fine	61	66	81	82	290
Fine	13	7	19	20	59
<b>Restitution</b>					
No Restitution	74	73	100	101	348
Restitution				1	1

Mean Number of Days	Year of Disposition				Total Average
	1985	1986	1987	1988	
Jail Sentence - Served	33.8	74.1	55.7	64.5	57.4
Prison Sentence - Stayed	0	588.0	0	0	588.0
Jail Sentence - Stayed	237.2	223.6	264.0	242.6	243.0
Probation Time	666.3	644.5	693.9	671.9	670.4

Mean Number of Dollars	Year of Disposition				Total Average
	1985	1986	1987	1988	
Fine	\$1,773.1	\$607.9	\$420.0	\$1,227.5	\$1,014.2

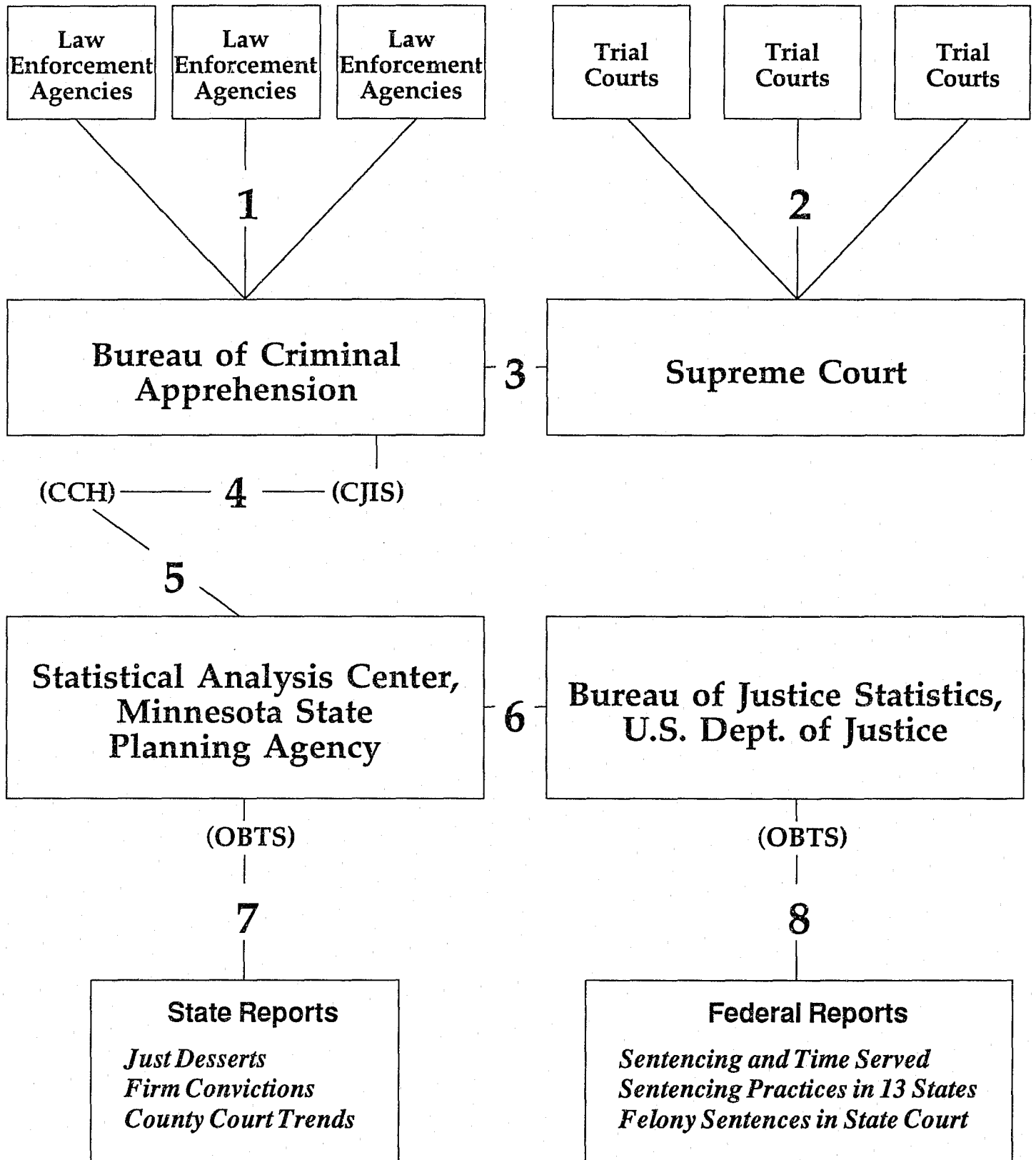
# Flow of Adult Criminal History Information

(Display 26)

The numbers below correspond to the numbers on the flow of information in the attached diagram.

1. At the time of arrest, law enforcement agencies fingerprint the arrestee. Arrest information is filled out on the fingerprint card and is sent to the Minnesota Bureau of Criminal Apprehension, where it is scanned and a criminal history file is created or updated.
2. At the time of conviction, the judge pronounces a sentence for the offender. The deputy clerk of the court takes sentencing information from the court transcript and completes the form for the Minnesota Supreme Court. This form is either entered in the Trial Court Information System (TCIS) — a computer program online with the Minnesota Supreme Court — or the form is sent to the Minnesota Supreme Court to be entered in to the State Judicial Information System (SJIS). The information from TCIS is also downloaded to SJIS.
3. A second copy of the court information is sent from the Minnesota Supreme Court to the Minnesota Bureau of Criminal Apprehension. The Minnesota Bureau of Criminal Apprehension enters the court information in to the Criminal Justice Information System (CJIS).
4. The Minnesota Bureau of Criminal Apprehension is the custodian of many data bases that fall under CJIS. One part of CJIS is the Computerized Criminal History (CCH).
5. Once every year the Minnesota Statistical Analysis Center, Minnesota State Planning Agency, runs a computer program on the CCH to get Offender-Based Transaction Statistics (OBTS). OBTS is a case-based system (not individuals) for a given year of court dispositions.
6. At the Statistical Analysis Center, Minnesota State Planning Agency, OBTS data is transformed to comply with federal regulations and is sent to the Bureau of Justice Statistics, U.S. Department of Justice for national analysis.
7. OBTS is used by the Statistical Analysis Center, Minnesota State Planning Agency, for many type of reports. Some examples are: *Just Desserts*, *Firm Convictions*, *Minnesota 2010*, and County Court Information.
8. The U.S. Bureau of Justice Statistics collects OBTS from 17 different states. This data is compiled and used in many reports. Some examples are: *Sentencing and Time Served*, *Sentencing Practices in Thirteen States*, and *Felony Sentences in State Courts*.

Display 26. Flow of Adult Criminal History Information.



# Convictions — Percentage Missing

## **Hennepin County** *(Display 27)*

The type of crime is determined by the level of offense at conviction and not the level of arrest. For instance, the arrest may be for a gross misdemeanor but the conviction is a misdemeanor. It would show up as a misdemeanor and not a gross misdemeanor.

**MOC Code – Minnesota Offense Code.** For further explanation of this MOC Code, contact the Bureau of Criminal Apprehension, Minnesota Department of

Public Safety (BCA) or the Minnesota Statistical Analysis Center, Minnesota State Planning Agency.

**Number Missing.** This is the number of fingerprint cards missing from Hennepin County (1988) on December 22, 1989; as reported by the BCA.

**Number in OBTS.** This is the number of cases in the OBTS data base on July 1990, as reported by the Minnesota Statistical Analysis Center, Minnesota State Planning Agency.

Display 27. **Convictions – Percentage Missing.**  
Hennepin County – 1988.

MOC Code	Title of MOC Codes	Number Missing		Number in OBTS		Total	
A	Assault	25	10%	232	90%	257	100%
B	Burglary	19	6%	296	94%	315	100%
C	Forgery/Counterfeiting	40	12%	282	88%	322	100%
D	Narcotics	36	9%	368	91%	404	100%
E	Escape/Flight	37	34%	71	66%	108	100%
F	Arson/Negligent Fires	1	6%	17	94%	18	100%
G	Gambling	9	100%	0	0%	9	100%
H	Homicide and Suicide	3	6%	47	94%	50	100%
I	Crime against Family	2	33%	4	67%	6	100%
J	Traffic and Accident Offense						
	Other	6	22%	21	78%	27	100%
	DUI (Gross Misdemeanor)	417	50%	424	50%	841	100%
	Aggravated Violation	298	41%	437	59%	735	100%
	DUI (Misdemeanor)	137	44%	173	56%	310	100%
	Other (Misdemeanor)	121	71%	50	29%	171	100%
K	Kidnapping/False Imprisonment	1	5%	18	95%	19	100%
L	Criminal Sexual Conduct	7	5%	143	95%	150	100%
M	Misc./Federal/Juvenile/Liquor	33	54%	28	46%	61	100%
N	Disturbing Peace/Privacy	32	57%	24	43%	56	100%
O	Obscenity	5	45%	6	55%	11	100%
P	Property Damage	29	28%	74	72%	103	100%
Q	Receiving Stolen Property	10	10%	89	90%	99	100%
R	Robbery	8	4%	182	96%	190	100%
S	Criminal Sexual Conduct	0	0%	3	100%	3	100%
T	Theft	11	2%	447	98%	458	100%
U	Theft Related	100	21%	368	79%	468	100%
V	Vehicle Theft Related	10	5%	178	95%	188	100%
W	Weapons	30	30%	70	70%	100	100%
X	Crimes Against Administration	68	29%	164	71%	232	100%
Y	Crimes Against Government	42	51%	40	49%	82	100%
Z	Sex Related	26	22%	92	78%	118	100%
	<b>Total Number of Crimes</b>	<b>1,563</b>	<b>26%</b>	<b>4,384</b>	<b>74%</b>	<b>5,911</b>	<b>100%</b>

# Limitations of Data Base

The Minnesota OBTS has many limitations: 1) the offender's prior criminal history is not contained in the OBTS; 2) data are not timely; 3) individuals are counted more than once if they are arrested twice in the same year; 4) individuals not in the Computerized Criminal History (CCH) will not be in OBTS; and 5) some of the 110 variables in OBTS are unusable for Minnesota.

The OBTS does not contain any individual's prior criminal history. One of the major factors in Minnesota's sentencing is the criminal history. The lack of this information limits the type and degree of analysis with OBTS on sentencing.

The second limitation is time delays. Before the computer program can be run on CCH for OBTS, information has to be entered into the CCH. Because of the vast amount of information being entered into the CCH, data entry has a few months lag. Another time delay is that the computer program for OBTS is only run once a year, due to the cost of running the program on the entire CCH. For that reason, OBTS is run after most of the past years data has been entered in the CCH (Usually around August 1).

The third limitation is if an individual is arrested for different crimes in the same year, this individual will be in OBTS for

each arrest. No individual can be tracked in OBTS because OBTS is a case by case data base.

The fourth limitation is that if an individual is not in the CCH data base, they will not be in OBTS. Individuals are only entered into the CCH if they have positive identification with the arrest report (a fingerprint card is present). If the fingerprint cards are not readable or if the arresting agency neglects to send the offender's fingerprint card to the BCA, that arrest will not show up on the offender's CCH and will not be in OBTS. Analysis on the preceding pages is a sample of what cases are missing for Hennepin County in 1988.

The fifth limitation is that some of the variables in OBTS are unusable. OBTS was originally created to follow a case through the criminal justice system. Each Segment was to report on cases passing through their area—arrest, prosecution, courts, corrections. In creating OBTS from the CCH, some original variables cannot be obtained.

The OBTS limitations only affect some analysis and a small portion of the entire OBTS data set. (For more information on these limitations of OBTS, contact the Minnesota Statistical Analysis Center, Minnesota State Planning Agency.)