

final minutes

Criminal Justice Policy Commission Meeting

9:00 a.m. • Wednesday, May 2, 2018

Harry T. Gast Appropriations Room • 3rd Floor State Capitol Building
100 N. Capitol Avenue • Lansing, MI

Members Present:

Senator Bruce Caswell, Chair
Senator Patrick Colbeck
Kyle Kaminski
Sheryl Kubiak
Barbara Levine
Sarah Lightner
Laura Moody (via teleconference)
Representative Jim Runestad
Jennifer Strange
Judge Paul Stutesman
Andrew Verheek
Judge Raymond Voet

Members Excused:

Representative Vanessa Guerra
D.J. Hilson
Sheriff Lawrence Stelma

I. Call to Order and Roll Call

The Chair called the meeting to order at 9:02 a.m. and asked the clerk to take the roll. A quorum was present, and absent members were excused.

II. Approval of April 4, 2018 CJPC Meeting Minutes

The Chair asked members if there were any corrections to the proposed April 4, 2018 CJPC meeting minutes. There were none. **Commissioner Verheek moved, supported by Commissioner Kaminski, to approve the minutes of the April 4, 2018 meeting as proposed. There was no further discussion. The minutes were approved by unanimous consent.**

III. Data Subcommittee Update

The Chair began by asking members to keep in mind that the current analysis will focus on one grid only and other areas may be added if there is time. He then called on CJPC Data Administrator Grady Bridges who provided a recap of the latest discussion by the Data Subcommittee on the Commission's goals. He then proceeded with an explanation of the list of variables and data sets available (see attached for more details). Questions and comments from Commissioners were made throughout Mr. Bridges' presentation. Commissioner Kaminski inquired if there is sufficient data in the data set if status offense "none" is only used. Mr. Bridges responded that he believes there are enough observations in that category to make statistically significant conclusions and he expects the number of observations may increase when 2017 data from MDOC is included. Commissioner Kubiak pointed out that the question of sample size may become more complex depending on how the observations straddle and if they are broken down by SCAO region or county. Commissioner Levine noted the issues of not including certain data sets and looking at county size as a dividing factor. Commissioner Verheek urged caution when comparing the differences in sentencing patterns in Kent County with other large counties on the east side. Senator Colbeck asked questions to clarify the context of the data sources and suggested more unique visualization tools be added. Commissioner Kubiak suggested, in terms of scoring, it may be easier to follow if we begin with a very simple model and then add different variables to build upon that base model. A discussion and explanation of the sentencing guideline scoring variables available followed. Commissioner Strange commented that mental health data needs to be looked at even with its limitations of being self-reported. The Chair and Commissioner Levine agreed. Commissioner Levine expressed her concern with COMPAS scores and Mr. Bridges explained that he does not have COMPAS scores in the current data set, but he could look in to acquiring this information from the Department. Commissioner Verheek added that he does not think the COMPAS material would be available for the data set the Commission is working with since it has only recently been made available. Judge Stutesman clarified that COMPAS has been completed by the agents for years and it has only been since 2017 that COMPAS became part of the pre-sentencing report and is used to identify the needs of the offender and the programs he or she is eligible to receive. At the next meeting, Mr. Bridges will provide reports that include figures of areas where there are discrepancies and the contributing factors that are statistically significant. The Chair asked members to let Mr. Bridges know within one week any additional factors they

think need to be considered. Mr. Bridges shared that the objectives of the next meeting will be to review the results of his analysis and the statistically significant factors for Research Question #2 and move forward on Research Question #3. Judge Stutesman requested members receive the projected reports and charts the Friday before to allow ample time to review before the next meeting.

IV. Mental Health Subcommittee Update

No update was reported.

V. Commissioner Comments

There were no additional comments from the Commissioners.

VI. Public Comments

The Chair asked if there were any public comments. There were none.

VII. Next CJPC Meeting Date

The next CJPC meeting is scheduled for **Wednesday, June 6, 2018, at 9:00 a.m. in the Harry T. Gast Appropriations Room, 3rd Floor of the State Capitol Building.**

VIII. Adjournment

There was no further business. The Chair adjourned the meeting at 10:59 a.m.

(Minutes approved at the June 6, 2018 Criminal Justice Policy Commission meeting.)

CJPC Pilot Study Overview Sentencing Guidelines and Straddle Cell Sentencing

1. Study Goals:

Using data made available by the Michigan Department of Corrections our analysis seeks to provide answers to the following questions:

Research Question 1: To what extent are prison sentences, relative to intermediate sanctions, imposed on those who score in straddle cells on the D -Grid?

Research Question 2: For offenders with similar offense and offender characteristics, are there disparities in the rate of prison sentences? If so, what factors or characteristics are contributing to such disparities?

Research Question 3: Does the recidivism rate for those receiving a prison sentences differ significantly from those receiving intermediate sanctions?

2. Data Collection

The MDOC provided the commission with two datasets containing felony sentencing information from Jan. 1st, 2012 through Dec. 31st, 2016:

- a. BIR DEM contains demographic data associated with the sentencing event. There will be one record for each sentencing event (combinations of offender, sentence date, and sentencing county).
- b. BIR OFF the offense portion associated with the sentencing event. There could be multiple offense records for each sentencing event each potentially with their own sentencing guidelines and sentences.

3. Scope of Analysis

As discussed by the commission, the analysis in this study will focus on individuals sentenced between Jan. 1st, 2012 and Dec. 31st, 2016 and score within a straddle cell for Class D felony offenses. Furthermore, habitual offenders and those with probation violations will be excluded while considering the initial sentencing decision.

Sentencing Grid for Class D Offenses --- MCL 777.65
Includes Ranges Calculated for Habitual Offenders (MCL 777.21 (3)(a)-(c))

OV Level	PRV Level										Offender Status		
	A 0 Points		B 1-9 Points		C 10-24 Points		D 25-49 Points		E 50-74 Points			F 75+ Points	
I 0-9 Points	0	6*	0	9*	0	11*	0	17*	5	23	10	23	
		7*		11*		13*		21		28		28	HO2
		9*		13*		16*		25		34		34	HO3
		12*		18*		22		34		46		46	HO4†
II 10-24 Points	0	9*	0	11*	0	17*	5	23	10	23	19	38	
		11*		13*		21		28		28		47	HO2
		13*		16*		25		34		34		57	HO3
		18*		22		34		46		46		76	HO4†
III 25-38 Points	0	11*	0	17*	5	23	10	23	19	38	29	57	
		13*		21		28		28		47		71	HO2
		16*		25		34		34		57		85	HO3
		22		34		46		46		76		114	HO4†
IV 35-49 Points	0	17*	5	23	10	23	19	38	29	57	34	67	
		21		28		28		47		71		83	HO2
		25		34		34		57		85		100	HO3
		34		46		46		76		114		134	HO4†
V 50-74 Points	5	23	10	23	19	38	29	57	34	67	38	76	
		28		28		47		71		83		95	HO2
		34		34		57		85		100		114	HO3
		46		46		76		114		134		152	HO4†
VI 75+ Points	10	23	19	38	29	57	34	67	38	76	43	76	
		28		47		71		83		95		95	HO2
		34		57		85		100		114		114	HO3
		46		76		114		134		152		152	HO4†

† Certain fourth habitual offenders may be subject to a mandatory minimum sentence of 25 years' imprisonment. See MCL 769.12(1)(a).

Intermediate sanction cells are marked by asterisks, straddle cells are shaded, and prison cells are unmarked.
 The statutory percentage increases for habitual offenders are rounded down to the nearest whole month. The cell range may be less than the maximum possible minimum sentence by a fraction of a month.

The offense crime class roughly corresponds to the maximum term of imprisonment for all offenses in that class. For Class D offenses the maximum term of imprisonment is 10 years.

Unique Identifier Variables BIROFF - OMNI Data Source	Variable Categories	
	ID Variables	
	Case Specifics	
	Sentencing	
	SGL Scoring	
	MDOC Recs.	
Not Included		

Field #	Column Name	Type	Size	Description	OMNI Data Source
1	AUTO_NUMBE	N	16	Unique for each BIR (Links BIR records w/ BIROFF records)	Offender number + sentence date (mmddyyyy) + county code
2	SEQ_NO	N	16	First offense for BIR is 1, second offense is 2, etc.	Order/Charges/Sentences tab - charge_id

Case Specific Variables BIROFF - OMNI Data Source	Variable Categories	
	ID Variables	
	Case Specifics	
	Sentencing	
	SGL Scoring	
	MDOC Recs.	
Not Included		

Field #	Column Name	Type	Size	Description	OMNI Data Source
3	DOCKET_NUM	C	20	Docket #	Order/Charges/Sentences tab - Docket Number
4	PACC_CODE	C	15	PACC Code, e.g., "750.520F"	Order/Charges/Sentences tab - Charge
5	OFFENSE	C	37	Offense Description, e.g., "CSC, 2nd Offense"	Order/Charges/Sentences tab - Charge
6	ATTEMPT	N	16	Attempt - Yes or No (0 or 1)	Order/Charges/Sentences tab - Attempt
8	MAX_TERM	C	60	Max Sentence by statute	Order/Charges/Sentences tab - Charge
9	CIRCUIT	C	3	Circuit Court Number	Order/Charges/Sentences tab - Issue Location
10	JUDGE	C	65	Judge - Name	Order/Charges/Sentences tab - Judge
11	CODEFEND	C	75	Codefend - Named, if any	Order/Charges/Sentences tab - Victim/Codefendant
12	OFFENSE_DA	D		Date of Offense	Order/Charges/Sentences tab - Offense Date
13	ARREST_DAT	D		Date of Arrest	Order/Charges/Sentences tab - Arrest Date
14	BOND_DATE	D		Date of Bond	Order/Charges/Sentences tab - Bond Bail Date
15	CONVICT_DA	D		Date of Conviction	Order/Charges/Sentences tab - Conviction Date
16	CREDIT	C	9	Jail Credit	Order/Charges/Sentences tab - Victim/Codefendant
17	VICTIM	C	75	Victim - Name	Order/Charges/Sentences tab - Victim/Codefendant
18	ATTORNEY	C	35	Attorney - Name	Order/Charges/Sentences tab - Def Counsel
19	ATTSTATUS	C	60	Attorney Status - Appointed or Retained	Order/Charges/Sentences tab - Appointed/Retained
37	BOND	N	16	Bond (Yes or No) (1 or 0)	Order/Charges/Sentences tab - Bond Bail Type
38	PROP_B	N	16	Proposition B	Offense Categories Maintenance tab - Proposal B
82	CONSPIRACY	N	16	Conspiracy - No or Yes (0 or 1)	Order/Charges/Sentences tab - Conspiracy
83	SOLICIT	N	16	Solicit - No or Yes (0 or 1)	Order/Charges/Sentences tab - Solicit
84	STATUS_NONE	C	1	Status at Offense - None	Order/Charges/Sentence tab - Status at Time of Offense
85	STATUS_HYTA	C	1	Status at Offense - HYTA	Order/Charges/Sentence tab - Status at Time of Offense
86	STATUS_PROB	C	1	Status at Offense - Probation	Order/Charges/Sentence tab - Status at Time of Offense
87	STATUS_DIST	C	1	Status at Offense - District Court Probation	Order/Charges/Sentence tab - Status at Time of Offense
88	STATUS_DELAY	C	1	Status at Offense - Delay of Sentence	Order/Charges/Sentence tab - Status at Time of Offense
89	STATUS_PAROLE	C	1	Status at Offense - Parole	Order/Charges/Sentence tab - Status at Time of Offense
90	STATUS_JAIL	C	1	Status at Offense - Jail	Order/Charges/Sentence tab - Status at Time of Offense
91	STATUS_STATE	C	1	Status at Offense - State Prisoner	Order/Charges/Sentence tab - Status at Time of Offense
92	STATUS_BOND	C	1	Status at Offense - Bond	Order/Charges/Sentence tab - Status at Time of Offense
93	STATUS_JUV_SUPV	C	1	Status at Offense - Juvenile Court Supervision	Order/Charges/Sentence tab - Status at Time of Offense
94	STATUS_FED_PROB	C	1	Status at Offense - Federal Probation	Order/Charges/Sentence tab - Status at Time of Offense
95	STATUS_FED_PAR	C	1	Status at Offense - Federal Parole	Order/Charges/Sentence tab - Status at Time of Offense
96	RPT_TYPE	C	25	Report Type	Order/Charges/Sentence tab - Investigation Type
97	COUNTY	C	25	County Name	Order/Charges/Sentence tab - County for Issuer
98	COUNTY_CODE	C	2	County Code	Order/Charges/Sentence tab - County code for Issuer
108	PV_NEW_SEN	C	1	Probation Violation - New Sentence - Yes or No (1 or 0)	Order/Charges/Sentence tab - Calculated on Status at Offense
109	PV_TECH	C	1	Probation Violation - Technical Violation - Yes or No (1 or 0)	Order/Charges/Sentence tab - Calculated on Sentence Subtype

Sentencing Variables BIROFF - OMNI Data Source	Variable Categories
	ID Variables
	Case Specifics
	Sentencing
	SGL Scoring
	MDOC Recs. Not Included

Field #	Column Name	Type	Size	Description	OMNI Data Source
20	DISPOSITIO	C	60	Disposition, e.g., plea, bench, jury	Order/Charges/Sentences tab - Conviction Type
21	MENTAL_ILL	N	16	Guilty but Mentally Ill – Yes of No (0 or 1)	Order/Charges/Sentences tab - Guilty Mentally Ill
22	SENTENCE_T	C	60	Sentence Type: Probation; Probation HYTA; Probation 7411; Probation PA511; Probation Delayed Sentence; Probation SAI; Prison; Prison HYTA; Community Service Only; Jail Only; Fines/Costs/Restitution Only; & FIA (DSS)	Order/Charges/Sentences tab - Sentence Type
23	SENTENCE_D	D		Date of Sentence	Order/Charges/Sentences tab - Sentence Date
24	CTN	C	30	Criminal Tracking Number (CTN): Two digit county number followed by two digits for the year charged followed by a six digit number assigned by the Prosecutor followed by an 01, 02, 03, etc. extender. Each offender charged in the crime receives the same CTN except for the 01, 02, 03 etc. that makes the number unique for each co-defendant	Order/Charges/Sentences tab - CTN
25	MIN_YRS	N	16	Minimum Years	Order/Charges/Sentences tab - Minimum Years
26	MIN_MOS	N	16	Minimum Months	Order/Charges/Sentences tab - Minimum Months
27	MIN_DAYS	N	16	Minimum Days	Order/Charges/Sentences tab - Minimum Days
28	MAX_YRS	N	16	Maximum Years	Order/Charges/Sentences tab - Maximum Years
29	MAX_MOS	N	16	Maximum Months	Order/Charges/Sentences tab - Maximum Months
30	MAX_DAYS	N	16	Maximum Days	Order/Charges/Sentences tab - Maximum Days
31	LIFE	C	4	Life Sentence – "Life" if true	Order/Charges/Sentences tab - Life Flag
32	FINE	N	16	Fine – Dollar Amount	Order/Charges/Sentences tab - Special Condition/Sentence Fee
33	COST	N	16	Cost – Dollar Amount	Order/Charges/Sentences tab - Special Condition/Sentence Fee
34	REST	N	16	Restitution – Dollar Amount	Order/Charges/Sentences tab - Special Condition/Sentence Fee
35	JAIL_MOS	N	16	Jail Sentence - Number of Months	Order/Charges/Sentences tab - Probation Jail Months Field for Probation and Maximum Years or Months Field for Jail Only
36	JAIL_DAYS	N	16	Jail Sentence - Number of Days	Order/Charges/Sentences tab - Probation Jail Days Field for Probation and Maximum Days Field for Jail Only
40	OS_FEE	N	16	Oversight Supervision Fees	Order/Charges/Sentences tab - Special Condition/Sentence Fee
41	VIC_ASSMT	N	16	Victim's Rights Assessment	Order/Charges/Sentences tab - Special Condition/Sentence Fee
45	CONSEQ_SEN	N	16	Consecutive Sentence	LSG Summary Tab - Consecutive

Sentencing Guideline Scoring Variables BIROFF - OMNI Data Source	Variable Categories
	ID Variables
	Case Specifics
	Sentencing
	SGL Scoring
	MDOC Recs. Not Included

Field #	Column Name	Type	Size	Description	OMNI Data Source
7	HABITUAL	C	4	Habitual (No or 2nd, 3rd, 4th)	Order/Charges/Sentences tab - Habitual/Enhanced
43	SGL_LOW	N	16	Sentence Guideline Low	LSG Summary Tab - Guideline Range
44	SGL_HIGH	N	16	Sentence Guideline High	LSG Summary Tab - Guideline Range
46	SGL_LIFE	N	16	Sentence Guideline Life	LSG Summary Tab - Life
47	SGL_NA	C	1	Sentence Guideline Not Applicable	Calculated on guideline records
48	SGL_PRT	N	16	Sentence Guideline Prior Record Total	LSG Summary Tab - Prior Record Score
49	SGL_OVT	N	16	Sentence Guideline Offense Variable Total	LSG Summary Tab - Offense Score
50	SGL_GROUP	C	32	Sentence Guideline Crime Group	LSG Summary Tab - Crime Group
51	SGL_CLASS	C	32	Sentence Guideline Crime Class	LSG Summary Tab - Crime Class
52	SGL_PRV_1	N	10	Sentence Guideline Prior Record Variable #1	PRV Scoring Tab - PRV1
53	SGL_PRV_2	N	10	Sentence Guideline Prior Record Variable #2	PRV Scoring Tab - PRV2
54	SGL_PRV_3	N	10	Sentence Guideline Prior Record Variable #3	PRV Scoring Tab - PRV3
55	SGL_PRV_4	N	10	Sentence Guideline Prior Record Variable #4	PRV Scoring Tab - PRV4
56	SGL_PRV_5	N	10	Sentence Guideline Prior Record Variable #5	PRV Scoring Tab - PRV5
57	SGL_PRV_6	N	10	Sentence Guideline Prior Record Variable #6	PRV Scoring Tab - PRV6
58	SGL_PRV_7	N	10	Sentence Guideline Prior Record Variable #7	PRV Scoring Tab - PRV7
59	SGL_PRV_LE	C	10	Sentence Guideline Prior Record Level	LSG Summary Tab - Prior Record Level
60	SGL_OV_1	N	10	Sentence Guideline Offense Variable #1	OV Scoring Tab - OV1
61	SGL_OV_2	N	10	Sentence Guideline Offense Variable #2	OV Scoring Tab - OV2
62	SGL_OV_3	N	10	Sentence Guideline Offense Variable #3	OV Scoring Tab - OV3
63	SGL_OV_4	N	10	Sentence Guideline Offense Variable #4	OV Scoring Tab - OV4
64	SGL_OV_5	N	10	Sentence Guideline Offense Variable #5	OV Scoring Tab - OV5
65	SGL_OV_6	N	10	Sentence Guideline Offense Variable #6	OV Scoring Tab - OV6
66	SGL_OV_7	N	10	Sentence Guideline Offense Variable #7	OV Scoring Tab - OV7
67	SGL_OV_8	N	10	Sentence Guideline Offense Variable #8	OV Scoring Tab - OV8
68	SGL_OV_9	N	10	Sentence Guideline Offense Variable #9	OV Scoring Tab - OV9
69	SGL_OV_10	N	10	Sentence Guideline Offense Variable #10	OV Scoring Tab - OV10
70	SGL_OV_11	N	10	Sentence Guideline Offense Variable #11	OV Scoring Tab - OV11
71	SGL_OV_12	N	10	Sentence Guideline Offense Variable #12	OV Scoring Tab - OV12
72	SGL_OV_13	N	10	Sentence Guideline Offense Variable #13	OV Scoring Tab - OV13
73	SGL_OV_14	N	10	Sentence Guideline Offense Variable #14	OV Scoring Tab - OV14
74	SGL_OV_15	N	10	Sentence Guideline Offense Variable #15	OV Scoring Tab - OV15
75	SGL_OV_16	N	10	Sentence Guideline Offense Variable #16	OV Scoring Tab - OV16
76	SGL_OV_17	N	10	Sentence Guideline Offense Variable #17	OV Scoring Tab - OV17
77	SGL_OV_18	N	10	Sentence Guideline Offense Variable #18	OV Scoring Tab - OV18
78	SGL_OV_19	N	10	Sentence Guideline Offense Variable #19	OV Scoring Tab - OV19
79	SGL_OV_20	N	10	Sentence Guideline Offense Variable #20	OV Scoring Tab - OV20
80	SGL_OV_LEV	C	10	Sentence Guideline Offense Variable Level	LSG Summary Tab - Offense Level
81	SENTENCE_GRID_TYPE	C	20	Sentence Grid Cell (Prison Cell, Intermediate Sanction Cell, or Straddle Cell)	Sentence Grid tab in Legislative Sentence Guidelines sub-module

MDOC Recommendation Variables BIROFF - OMNI Data Source	Variable Categories
	ID Variables
	Case Specifics
	Sentencing
	SGL Scoring
	MDOC Recs.
Not Included	

Field #	Column Name	Type	Size	Description	OMNI Data Source
99	DISP_RECOMMEND	C	1	Recommended Disposition: 1=No Recommendation; 2=Jail, Fine, Costs, Restitution or any combination without Probation; 3=Probation; 4=Prison; 9=Case not referred for PSI (Should not see any of these on the export); Y=Youthful Trainee (HYTA)-Probation; C=Youthful Trainee (HYTA)-Prison; D=Delayed Sentence; O=Other (Should not see any of these on the export); B=Special Alternative Incarceration (SAI or Boot Camp) with Probation; & S=Commitment to Family Independence Agency	Recommendation tab - Recommendation Type
100	REC_MIN_YE	N	16	Recommended Minimum Years (used only for prison)	Report Assignment Details - Recommendations tab
101	REC_MIN_MO	N	16	Recommended Minimum Months (used only for prison)	Report Assignment Details - Recommendations tab
102	REC_MIN_DA	N	16	Recommended Minimum Days (used only for prison)	Report Assignment Details - Recommendations tab
103	REC_MIN_LI	C	4	Recommended Minimum Life (used only for prison)	Report Assignment Details - Recommendations tab
104	REC_MAX_YE	N	16	Recommended Maximum Years	Report Assignment Details - Recommendations tab
105	REC_MAX_MO	N	16	Recommended Maximum Months	Report Assignment Details - Recommendations tab
106	REC_MAX_DA	N	16	Recommended Maximum Days	Report Assignment Details - Recommendations tab
107	REC_MAX_LI	C	4	Recommended Maximum Life	Report Assignment Details - Recommendations tab

Not Included Variables BIROFF - OMNI Data Source	Variable Categories
	ID Variables
	Case Specifics
	Sentencing
	SGL Scoring
	MDOC Recs.
Not Included	

Field #	Column Name	Type	Size	Description	OMNI Data Source
39	COMMENT	C	230	<blank>	None
42	TODAY2	D		<blank>	None

Unique Identifiers BIRDEM - OMNI Data Source	Variable Categories
	ID Variables
	Demographics
	Criminal Record
	Current Charges
	Not Included

Field #	Variable	Type	Size	Description	OMNI Data Source
1	AUTO_NUMBER	N	16	Unique for each BIR (Links BIR records w/ BIROFF records)	Offender number + sentence date (mmdyyy) + county code
5	MDOC_NUMBER	C	6	MDOC#	Offender Number
8	LNAME	C	30	Last Name	Name tab - "working name"
9	FNAME	C	30	First Name	Name tab - "working name"
10	MI	C	30	Middle Initial	Name tab - "working name"
22	STATE_DLN	C	2	State that issued the Drivers License	Name tab - Identification Source - last updated "Driver's License" record
23	DLN	C	20	Drivers License Number	Name Tab - Identification Number - last updated "Driver license" record
24	SID	C	15	SID Number	Name Tab - Identification Number - last updated "SID" record

Demographic Variables BIRDEM - OMNI Data Source	Variable Categories
	ID Variables
	Demographics
	Criminal Record
	Current Charges
	Not Included

Field #	Variable	Type	Size	Description	OMNI Data Source
13	BIRTHPLACE	C	30	Birthplace	Name tab - Birth State/Country
14	CITIZENSHI	C	60	Citizenship, e.g., USA	Profile tab - Citizenship
15	DOB	D		Date of Birth	Name tab - Birth Date
16	AGE	C	3	Age	Calculated using DOB and sentence date
17	STREET	C	120	Street	Residence tab - Address 1, 2, 3
18	CITY	C	40	City	Residence tab - Address 1, 2, 3
19	STATE	C	2	State	Residence tab - Address 1, 2, 3
20	ZIP	C	5	Zip	Residence tab - Zip Code
21	PHONE	C	14	Phone	Residence tab - Home Phone
26	RACE	C	40	Race, e.g., White, Hispanic, etc.	Profile tab - Race
27	SEX	C	1	Sex (M or F)	Profile tab - Gender
28	HAIR	C	60	Hair Color	Profile tab - Hair Color
29	EYE	C	60	Eye Color	Profile tab - Eye Color
30	HEIGHT	C	5	Height	Profile tab - Height
31	WEIGHT	C	4	Weight	Profile tab - Weight
32	GRADE	C	20	Highest Educational Level	Education Tab - Level
33	OCCUPATION	C	60	Occupation	Employment tab - Occupation from latest employment record
34	EMPLOYED	N	16	Employed - Yes or No (1 or 0)	Employment tab - Calculated based on employment records
35	EMPLOY_WHERE	C	80	Employed - Where	Employment tab - Employer
36	HEALTHINS	N	16	Health Insurance - Yes or No (1 or 0)	Profile tab - Have Health Insurance
37	ASSETS	N	16	Assets of \$1500 or more - Yes or No (1 or 0)	Financial Tab - Calculation
38	INCOME	N	16	Monthly Income of \$75 or more - Yes or No (1 or 0)	Financial Tab - Calculation
39	MARITAL	C	60	Marital status, e.g., Married, Separated, etc	Profile tab - Marital Status
40	DEPENDANTS	C	2	Number of dependents	Profile tab - Dependents
41	RELIGION	C	30	Religion, e.g., Catholic, Protestant, Jewish, etc.	Profile tab - Religion
42	MILITARY	C	25	Military Branch	Profile tab - Military Branch
43	MILITARY_DATES	C	23	Military Dates	Military tab - Start/End Date
44	DISCHARGE	C	25	Military Discharge type	Military tab - Discharge Status
45	MARKS	C	150	Marks, Scars, Amputations, etc.	ID Marks tab - limited to 150 characters
46	DRUG	N	16	Drug Abuse - Yes or No (1 or 0)	Sub Abuse tab - "Abuse Flag" = true
47	DRUG_HOW_LONG	C	6	Drug Abuse - How Long	Sub Abuse tab - record with greatest difference between
48	ALCOHOL	N	16	Alcohol Abuse - Yes or No (1 or 0)	Sub Abuse tab - "Abuse flag" = true
49	ALC_HOW_LONG	C	6	Alcohol Abuse - How Long	Sub Abuse tab - record with greatest difference between
50	HOMOSEXUAL	N	16	Known Homosexual - Yes or No (1 or 0)	Profile tab - Known Homosexual
51	MENTAL_HEALTH	N	16	Mental Health Treatment - Yes or No (1 or 0)	Health tab - Calculated on Health records
52	PHYS_HANDICAP	N	16	Physical Handicap - Yes or No (1 or 0)	Health tab - Calculated on Health records

Criminal Record Variables BIRDEM - OMNI Data Source	Variable Categories
	ID Variables
	Demographics
	Criminal Record
	Current Charges
Not Included	

Field #	Variable	Type	Size	Description	OMNI Data Source
53	JCOMM	N	16	Juvenile Commitments, Number of	Profile tab - Juvenile Commitments
54	JPROB	N	16	Juvenile Probations, Number of	Profile tab - Juvenile Probations
55	JESC	N	16	Juvenile Escapes, Number of	Profile tab - Juvenile Escapes
56	JUV_RECORD	N	16	Juvenile Record – Yes or No (1 or 0)	Profile tab - Calculated on Juvenile fields
57	AJAIL	N	16	Adult Jail Terms, Number of	Profile tab - Adult Jail
58	APRIS	N	16	Adult Prison Terms, Number of	Profile tab - Adult Prison
59	APROB	N	16	Adult Probations, Number of	Profile tab - Adult Probation
60	AESC	N	16	Adult Escapes, Number of	Profile tab - Adult Escapes
61	CSC	N	16	CSC Convictions, Number of	Profile tab - CSC Convictions
62	FIRSTAGE	N	16	Age of First Arrest	Profile tab - First Arrest Age
63	SAI	N	16	SAI Eligibility – Yes or No (1 or 0)	Assessment Tab - SAI Eligible Screen
64	PENDING	N	16	Charges Pending – Yes or No (1 or 0)	Profile tab - Pending Charge
67	PRIOR_CON	N	16	Prior Convictions, Number of	Profile tab - Prior Felony Conviction Count
68	PRIOR_MIS_CON	N	16	Prior Misdemeanor Convictions, Number of	Profile tab - Prior Misdemeanor Convictions
90	PROB_ACTIVE	N	16	Probation Active – Yes or No (1 or 0)	Legal Documents Window - Calculated on Legal Documents records
91	PROB_FORMER	N	16	Probation Former – Yes or No (1 or 0)	Profile tab - Adult Probation
93	PAROLE_ACTIVE	N	16	Parole Active – Yes or No (1 or 0)	Legal Documents Window - Calculated on Legal Documents records
94	PAROLE_FORMER	N	16	Parole Former – Yes or No (1 or 0)	Legal Documents Window - Calculated on Legal Documents records
96	CURRENT_PRIS	N	16	Current Prison – Yes or No (1 or 0)	Legal Documents Window - Calculated on Legal Documents records

Current Offense Variables BIRDEM - OMNI Data Source	Variable Categories
	ID Variables
	Demographics
	Criminal Record
	Current Offense
Not Included	

Field #	Variable	Type	Size	Description	OMNI Data Source
69	STATUS_NONE	C	1	Status at Offense - None	Order/Charges/Sentence tab - Status at Time of Offense
70	STATUS_HYTA	C	1	Status at Offense - HYTA	Order/Charges/Sentence tab - Status at Time of Offense
71	STATUS_PROB	C	1	Status at Offense - Probation	Order/Charges/Sentence tab - Status at Time of Offense
72	STATUS_DIST	C	1	Status at Offense - District Court Probation	Order/Charges/Sentence tab - Status at Time of Offense
73	STATUS_DELAY	C	1	Status at Offense - Delay of Sentence	Order/Charges/Sentence tab - Status at Time of Offense
74	STATUS_PAROLE	C	1	Status at Offense - Parole	Order/Charges/Sentence tab - Status at Time of Offense
75	STATUS_JAIL	C	1	Status at Offense - Jail	Order/Charges/Sentence tab - Status at Time of Offense
76	STATUS_STATE	C	1	Status at Offense - State Prisoner	Order/Charges/Sentence tab - Status at Time of Offense
77	STATUS_BOND	C	1	Status at Offense - Bond	Order/Charges/Sentence tab - Status at Time of Offense
109	STATUS_JUV_SUPV	C	1	Status at Offense - Juvenile Court Supervision	Order/Charges/Sentence tab - Status at Time of Offense
110	STATUS_FED_PROB	C	1	Status at Offense - Federal Probation	Order/Charges/Sentence tab - Status at Time of Offense
111	STATUS_FED_PAR	C	1	Status at Offense - Federal Parole	Order/Charges/Sentence tab - Status at Time of Offense
78	RPT_TYPE	C	25	Report Type	Order/Charges/Sentence tab - Investigation Type
79	COUNTY_CODE	C	2	County Code	Order/Charges/Sentence tab - County code for Issuer
80	COUNTY	C	25	County Name	Order/Charges/Sentence tab - County for Issuer
81	DISP_RECOMMEND	C	1	Recommended Disposition: 1=No Recommendation; 2=Jail, Fine, Costs, Restitution or any combination without Probation; 3=Probation; 4=Prison; 9=Case not referred for PSI (Should not see any of these on the export); Y=Youthful Trainee (HYTA)-Probation; C=Youthful Trainee (HYTA)-Prison; D=Delayed Sentence; O=Other (Should not see any of these on the export); B=Special Alternative Incarceration (SAI or Boot Camp) with Probation; & S=Commitment to Family Independence Agency	Recommendation tab - Recommendation Type
82	AGENT	C	65	Agent Name	Assignment Tab - Assigned Officer
83	CASELOAD_NUMBER	C	10	Caseload Number	Assignment Tab - Assigned Officer
84	NEW_SENTENCE	N	16	Probation Violation New Sentence – Yes or No (1 or 0)	Order/Charges/Sentence tab - Calculated on Status at Offense
85	TECHNICAL	N	16	Probation Violation - Technical Violation – Yes or No (1 or 0)	Order/Charges/Sentence tab - Calculated on Sentence Subtype

Not included Variables BIRDEM - OMNI Data Source	Variable Categories
	ID Variables
	Demographics
	Criminal Record
	Current Offense
Not Included	

Field #	Variable	Type	Size	Description	OMNI Data Source
2	REPEAT_OFFENDER	C	1	<blank>	None
3	BIRSTATUS	C	2	<blank>	None
4	SSN	C	11	SSN	None
6	LOCAL_POLICE	C	10	<blank>	None
7	COMPUTER_NUMBER	C	10	<blank>	None
11	ALIAS	C	38	<blank>	None
12	GIVEN	C	30	<blank>	None
25	FBI	C	10	FBI number	None
65	PENDING_CHARGES	C	40	<blank>	None
66	PENDING_WHERE	C	40	<blank>	None
86	GUIDELOW	N	16	<blank> (See BIROFF File)	None
87	GUIDEHIGH	N	16	<blank> (See BIROFF File)	None
88	LIFE	N	16	<blank> (See BIROFF File)	None
89	GUIDENA	C	1	<blank> (See BIROFF File)	None
92	PROB_PENDING	N	16	<blank>	None
95	PAROLE_PENDING	N	16	<blank>	None
97	CURR_OFFENSE	C	50	<blank>	None
98	CURR_SENTENCE	C	30	<blank>	None
99	PLEA_AGREEMENT	C	150	<blank>	None
100	PA511_ELIGIBLE	N	16	<blank>	None
101	RECOMMENDATION	C	1	<blank>	None
102	AGENT_DEPARTURE	N	16	<blank>	None
103	TODAY	C	10	<blank>	None
104	SUP	C	40	<blank>	None
105	SPHONE	C	8	<blank>	None
106	APHONE	C	8	<blank>	None
107	TYPIST_DUE	C	10	<blank>	None
108	COURT_DUE	C	10	<blank>	None

4. Data Overview

Table 1: Number of Class D – Straddle Cell Sentences by Geographic Area

Geographic Area	Obs.	Mean	Std. Dev.	Min	Max
SCAO Region	6	971.67	488.79	375	1,688
Circuit Court	57	102.28	192.38	6	1,336
County	81	71.98	168.13	1	1,347
Individual Judge	250	23.32	25.48	1	141

Table 2: Prison Sentence Rates for Class D – Straddle Cell Sentences by Geographic Area

Geographic Area	Obs.	Mean	Std. Dev.	Min	Max
SCAO Region	6	35.85%	0.089	0.279	0.528
Circuit Court	57	38.05%	0.193	0.027	0.892
County	81	42.15%	0.228	0.000	1.000
Individual Judge	250	34.39%	0.268	0.000	1.000

Table 3: “Status at Offense” Variables

Status at Offense	Full Sample		Subset Sample*	
	Obs.	Percent	Obs.	Percent
None	211,515	56.97%	3,783	48.19%
HYTA	3,498	0.94%	68	0.87%
Probation	43,556	11.73%	1,379	17.57%
District Court Probation	26,167	7.05%	469	5.97%
Delay of Sentence	910	0.25%	21	0.27%
Parole	19,698	5.31%	699	8.90%
Jail	1,068	0.29%	10	0.13%
State Prisoner	1,810	0.49%	1	0.01%
Bond	24,249	6.53%	628	8.00%
Juvenile Court Supervision	2,629	0.71%	49	0.62%
Federal Probation	312	0.08%	24	0.31%
Federal Parole	359	0.10%	14	0.18%
Total	335,771		7,145	

* Subset Sample includes non-habitual offenders scoring in straddle cells within the D Grid.

Table 4: Sentencing Outcomes

Disposition	Full Sample		Subset Sample*	
	Obs.	Percent	Obs.	Percent
Prison	93,254	25.12%	2,831	36.06%
Jail	83,527	22.50%	1,248	15.90%
Jail & Probation	119,662	32.23%	2,769	35.27%
Probation	70,991	19.12%	970	12.36%
Other**	3,813	1.03%	32	0.41%
Total	371,247		7,850	

* Subset Sample includes non-habitual offenders scoring in straddle cells within the D Grid.

** Other Sentences include: Community Service Only, FIA (DSS), and Fines/Costs/Restitution Only.

Table 5: Race of Offender

Race	Full Sample		Subset Sample*	
	Obs.	Percent	Obs.	Percent
American Indian or Alaskan Native	3,850	1.04%	66	0.84%
Asian	1,278	0.34%	23	0.29%
Black or African American	151,425	40.79%	3,729	47.50%
Native Hawaiian or Other Pacific Island	460	0.12%	2	0.03%
White	206,638	55.66%	3,977	50.66%
Unknown	7,596	2.05%	53	0.67%
Total	371,247		7,850	

* Subset Sample includes non-habitual offenders scoring in straddle cells within the D Grid.

**Table 6: Number of Offenders and Prison Sentences
 by Offense Variable Level and Prior Record Level**

Sentencing Grid for Class D Offenses --- MCL 777.65

OV Level	PRV Level					
	A 0 Points	B 1-9 Points	C 10-24 Points	D 25-49 Points	E 50-74 Points	F 75+ Points
I 0-9 Points	-	-	-	-	1,127 Prison: 322 28.57%	1,142 Prison: 514 45.01%
II 10-24 Points	-	-	-	1,219 Prison: 310 25.43%	615 Prison: 264 42.93%	-
III 25-38 Points	-	-	421 Prison: 104 24.70%	291 Prison: 120 41.24%	-	-
IV 35-49 Points	-	144 Prison: 37 25.69%	402 Prison: 146 36.32%	-	-	-
V 50-74 Points	240 Prison: 62 25.83%	108 Prison: 37 34.26%	-	-	-	-
VI 75+ Points	121 Prison: 61 50.41%	-	-	-	-	-

Table 7: Prison Sentence Rate Regression Results
Basic Model Examples

VARIABLES	(1) Linear prison	(3) Linear prison	(2) Probit prison
PRL - B	0.0843 (0.0538)	0.0744 (0.0533)	0.243 (0.152)
PRL - C	0.190*** (0.0692)	0.174** (0.0686)	0.546*** (0.200)
PRL - D	0.356*** (0.0779)	0.334*** (0.0772)	1.008*** (0.223)
PRL - E	0.531*** (0.0814)	0.512*** (0.0806)	1.491*** (0.232)
PRL - F	0.695*** (0.0838)	0.683*** (0.0831)	1.932*** (0.239)
OVL - II	0.144*** (0.0241)	0.133*** (0.0237)	0.388*** (0.0644)
OVL - III	0.302*** (0.0396)	0.284*** (0.0391)	0.827*** (0.106)
OVL - IV	0.418*** (0.0509)	0.405*** (0.0503)	1.161*** (0.140)
OVL - V	0.503*** (0.0775)	0.487*** (0.0767)	1.409*** (0.219)
OVL - VI	0.749*** (0.0942)	0.733*** (0.0939)	2.067*** (0.262)
SCAO Region 2		0.102*** (0.0196)	
SCAO Region 3		0.0699*** (0.0230)	
SCAO Region 4		0.271*** (0.0281)	
SCAO Region 5		0.0776*** (0.0167)	
SCAO Region 6		0.0227 (0.0195)	
Constant	-0.245*** (0.0825)	-0.288*** (0.0825)	-2.057*** (0.236)
Observations	5,830	5,830	5,830
R-squared	0.032	0.051	

Robust standard errors in parentheses
 *** p<0.01, ** p<0.05, * p<0.1