



WISCONSIN SENTENCING COMMISSION

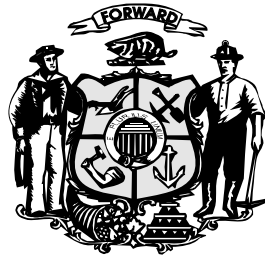
SEMI-ANNUAL REPORT #4

SENTENCING IN WISCONSIN: Drug Trafficking

March 2007

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THE WISCONSIN SENTENCING COMMISSION

The Wisconsin Sentencing Commission is an independent, bipartisan agency composed of 21 members representing all three branches of government; prosecution and defense; criminal justice practitioners; and citizens, including a victims' rights representative. Its members are selected by the governor, the legislature, the attorney general, the courts, and the state bar association. Those members selected by the governor serve a three-year, renewable term. All other appointments are indeterminate and serve at the pleasure of their respective agencies.

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EXECUTIVE SUMMARY

OVERVIEW

Section 973.30(1)(i) of Wisconsin Statutes requires the Wisconsin Sentencing Commission (WSC) to submit biannual reports that contain criminal sentencing statistics imposed in the state. Each of these reports must include statewide information, as well as information for five designated geographic areas: 1) Dane & Rock Counties; 2) Calumet, Winnebago, Outagamie, and Brown Counties; 3) Milwaukee County; 4) Racine & Kenosha Counties; and 5) All other counties in the state. The Commission's previous three reports provided sentencing information on burglary, robbery, and sexual assault of a child, and can be found online at <http://wsc.wi.gov>. For its fourth biannual report, the Commission chose to explore sentencing practices related to drug trafficking (manufacturing, distribution, and delivery).

Using sentencing data mined from the Wisconsin Circuit Court Consolidated Court Automation Programs (CCAP) and the Wisconsin Department of Corrections (DOC), this report analyzed convicted drug offenses in Wisconsin committed after January 31, 2003 and sentenced before October 1, 2006. The report includes court cases with §961.41(1) or §961.41(1m) as the major/controlling offense conviction. Additionally, only records that were found in both CCAP and DOC were used in the report.

The information that follows includes summary statistics on national, state, and regional sentencing practices related to drug manufacturing, distribution, and delivery. The report begins with an analysis of national and statewide averages on sentence and offender characteristics. It then examines statewide averages for drug trafficking by felony classification levels (FC - FI). Finally, the report drills down and examines regional statistics within each of the seven felony classes. These statistics include sentence types (prison vs. probation), sentence lengths, and offender characteristics such as race, gender, age, and prior criminal history.

MAJOR FINDINGS

National vs. State

- **Sentence Type:** There was a sizeable difference between the types of sentences – incarceration vs. non-incarceration – given to drug trafficking convictions nationwide and Wisconsin. Nationwide, 68% of these convictions were sentenced to a term of confinement. In Wisconsin, the amount dropped to 43%.
- **Sentence Length:** Sentence lengths for prison and probation were nearly identical between the national average and that of Wisconsin. The average prison term was 3 years for the national average and 2 years for Wisconsin. Similarly, the average probation term for both the national average and Wisconsin was 3 years.
- **Race:** The racial distribution of drug traffickers nationwide and in Wisconsin was somewhat different. In Wisconsin, 41% were White and 57% were Black. Nationwide, 51% were White and 47% were Black. Offenders from other racial categories other than White and Black comprised 2% in both the U.S. and Wisconsin.
- **Gender:** The percentage of male offenders was nearly identical between the national rate and Wisconsin. Nationwide, 85% percent of drug traffickers were male. In Wisconsin, this amount increased slightly to 87%.

- Age: There was a slight difference between the average age of drug traffickers nationwide and in Wisconsin. Nationwide, offenders average 29 years of age. This drops to 26 years in Wisconsin. Offenders were predominantly between the ages of 20 and 29 in both the U.S. and Wisconsin.

Wisconsin: Felony Classification Levels

- Cases: Class F, G, and I felonies comprised nearly three-quarters of all convictions (73%). Convictions for Class E felonies comprised 11% of the total. The remaining 16% was split roughly evenly between Class C, D, and H felonies (5%, 6%, 6%, respectively).
- Sentence Type: As to be expected, a positive relationship was found between the sentence types and the severity of the offense. For example, 74% of Class C convictions (most severe) were sentenced to prison, yet the amount dropped to 17% for Class I convictions (least severe).
- Sentence Length: Similar to sentence types, a positive relationship was also found between the sentence length and the severity of the offense. For example, the average term of confinement for Class C felony convictions was 3.5 years. Yet, this average dropped to 1.5 years for Class I convictions.
- Race: Sizeable variations were found in the racial compositions between the seven classification levels. For example, Hispanic offenders comprised 30% of all Class C convictions, yet only 6% of Class G. Conversely, Black offenders comprised 79% of all Class G convictions, yet only 19% of Class H. The percentage of White offenders is considerably greater for Class H and I convictions than any of the other five severity levels.
- Gender: The majority of offenders in all seven classification levels – nearly 90% – were male.
- Age: Noticeable differences were found between the age groups of offenders and the severity levels of the convictions. For example, offenders between the ages of 18 and 22 are considerably more likely to be convicted of a Class I offense (49%) than a Class C offense (18%). Conversely, offenders between the ages of 30 and 39 are more likely to be convicted of a Class C offense (31%) than a Class I offense (13%). The percentage of offenders between the ages of 23 and 29 was generally consistent throughout the seven severity levels.
- Criminal History: A moderately sharp division was found between Classes C through G and Classes H through I with respect to prior criminal histories. Nearly the same percentage of offenders (approximately 45%) with Class C through G convictions had prior felony convictions. Yet this percent dropped to 31% for Class H or I convictions. These trends were also found in prior prison sentence percentages.

Wisconsin: Geographic Regions

- Cases: Fifty percent of the drug convictions occurred in the Milwaukee Region. Twenty-five percent occurred in the Rest of State Region, and the remaining 25% was split somewhat evenly between the other three regions.

- Sentence Type: There were considerable differences found in the distribution of sentence types – prison vs. probation – between the five regions. For example, in two regions (Milwaukee & Racine/Kenosha) over 50% of the convicted drug trafficking cases were sentenced to prison. Conversely, the Fox River Valley & Rest of State Regions sentenced less than 25% of these cases to prison.
- Sentence Length: Average lengths and ranges of confinement, extended supervision, and probation were nearly identical across all five regions.
- Race: Sizeable variations were found in the racial compositions between the five regions. For example, White offenders comprised 55% of convictions in the Fox River Valley Region, yet only 9% in the Milwaukee Region. Conversely, Black offenders comprised 81% of convictions in the Milwaukee Region, yet only 16% in the Rest of State Region. The percentage of Hispanic offenders was relatively similar throughout all five regions.
- Gender: The majority of offenders – nearly 85% in all five regions – were male.
- Age: Percentages of age group distributions were nearly identical throughout all five regions.
- Criminal History: Although there were relatively slight percentage differences between the five regions with regards to prior felony convictions, this disparity increased somewhat for percentages of prior prison sentences.

INTRODUCTION

PURPOSE

Section 973.30(1)(i) of Wisconsin Statutes requires the Wisconsin Sentencing Commission (WSC) to submit biannual reports containing criminal sentencing statistics imposed in the state. Each of these reports must contain statewide information, as well as information for five designated geographic areas: 1) Dane and Rock Counties; 2) Calumet, Winnebago, Outagamie, and Brown Counties; 3) Milwaukee County; 4) Racine and Kenosha Counties; and 5) All Other Counties in the State. The Commission's previous three reports provided sentencing information on burglary, robbery, and sexual assault of a child, and can be found online at <http://wsc.wi.gov>. For its fourth biannual report, the Commission chose to explore sentencing practices related to drug trafficking (manufacturing, distribution, and delivery).

STRUCTURE

The information that follows includes summary statistics on national, state, and regional sentencing practices related to drug manufacturing, distribution, and delivery. The report begins with an analysis of national and statewide averages on sentence and offender characteristics. It then examines statewide averages for drug trafficking by felony classification levels (FC - FI). Finally, the report drills down and examines regional statistics within each of the seven felony classes. These statistics include sentence types (prison vs. probation), sentence lengths, and offender characteristics such as race, gender, age, and prior criminal history.

Although this report provides a fairly extensive summary of sentencing statistics, criminal sentencing in the State of Wisconsin involves the examination of many different factors. These factors include, but are not limited to, prior criminal history, case convictions, case adjustments, mental and physical health, drug and/or alcohol dependency, employment history, education, family support, and ties to the community. One must keep this in mind when examining the statistical tables on race. Without a more detailed analysis of these additional elements and their affect of sentencing decisions, it is not possible to report any definitive conclusions at this time. Rather, a future report by the Commission devoted to race and sentencing will address the issue in greater detail.

DATA

This report analyzed convicted drug offenses in Wisconsin committed after January 31, 2003 and sentenced before October 1, 2006. The data used for this report were extracted from two separate justice-related data systems. The first system, the Consolidated Court Automation Programs (CCAP), was used to collect data on case and sentencing information. The second system, the Corrections Accounting Cashiers Unit (CACU), was used to collect data on offender demographics and prior criminal histories. Cases from these two systems were matched on case number and county number, and integrated into the Commission's database.

Identifying the correct cases to use in this report required creating a set of data parameters. First, only felony offenses committed on or after February 1, 2003 (Truth-In-Sentencing enactment date) and sentenced before October 1, 2006 were included in this report. Second, the report only contains cases with guilty judgments; this excludes deferred, dismissed, not guilty, or amended judgments. Finally, the report only includes cases where the major offense was either §961.41(1) or §961.41(1m).

In addition to data parameters, it is also necessary to provide a list of definitions and clarifications:

PROBATION/PRISON: Probation and prison categories are mutually exclusive. This means that offenders sentenced to probation with a prison sentence imposed and stayed were only counted in the probation totals, not in the prison and extended supervision totals. Although this group of offenders was given a prison/extended supervision sentence, unless their probation was revoked, they did not actually serve the sentence. And without the ability at this time to accurately identify probation revocations or whether or not an offender actually served time in prison, only the probation sentence could be confidently ascertained.

RACE: For this report race and ethnicity were combined into four groups: White (Non-Hispanic), Black (Non-Hispanic), Hispanic, and Other Minority. The category of Other Minority combines American Indian and Asian/Pacific Islander. The category of Hispanic is also a combination of sorts. Since Race and Ethnicity are separate categories on current state forms, a Hispanic individual may be classified as any race (though the vast majority of Hispanic individuals are classified as White). In keeping with the methodology of the U.S. Census Bureau, all individuals of Hispanic ethnicity, regardless of race, are merged into the single category of Hispanic.

SENTENCE LENGTH: The median, as opposed to the mean/average, was used as the measure of central tendency to reduce the amount of distortion commonly caused by outlying sentences.

DRUG TRAFFICKING

OVERVIEW

Over the past 30 years, the U.S. has witnessed various drug epidemics, and, with each, the nature and rates of drug-related crimes have changed. As powder cocaine and crack cocaine became popular in the 1980s, the nature of the drug-crime relationship changed. Rates of violent crimes, especially those related to drug distribution and marketing, increased markedly and the term “systemic violence” was applied to this new type of drug-related crime¹.

Since 1987, when the “war on drugs” intensified in the United States, the prison population has increased exponentially². During this same period, the proportion of prisoners sentenced for drug offenses rose significantly throughout the country. Not surprisingly, the relationship between drug use and criminal behavior has been a major source of concern for policymakers and researchers, as well as the general public, for over a decade.

Changes in drug-related sentencing practices, such as mandatory minimums, the three-strikes law, and differential penalties for possession of powder and crack cocaine, were credited with much of the increase in prison population³. The increase in drug arrests and prosecutions fundamentally changed the composition of the imprisoned population in the country, with a majority of prisoners incarcerated for drug-related crimes by early 1990s.

According to the most recent federal government report on sentencing statistics, the largest percentage of felony state court convictions in 2002 was attributed to drug-related crimes. These crimes constituted 32% of all felony convictions – 63% for “trafficking”, 37% for “possession.”⁴ As is evident in these numbers, drug-related offenses continue to pervade state criminal justice systems, including Wisconsin’s.

Undoubtedly, drug-related crimes (and subsequent sentencing practices) vary from state to state, as well as from city to city. To gain a better perspective of Wisconsin’s rates, we must first compare them to national averages. Using data collected by the U.S. Bureau of Justice Statistics and those collected by the Wisconsin Sentencing Commission, the following section compares national and state sentencing rates.

MAJOR FINDINGS

- **Sentence Type:** There was a sizeable difference between the types of sentences – incarceration vs. non-incarceration – given to drug trafficking convictions nationwide and Wisconsin. Nationwide, 68% of these convictions were sentenced to a term of confinement. In Wisconsin, the amount dropped to 43%.
- **Sentence Length:** Sentence lengths for prison and probation were nearly identical between the national average and that of Wisconsin. The average prison term was 3

¹ Goldstein, Paul J., Henry H. Brownstein, Patrick J. Ryan, and Patricia A. Bellucci. 1989. Crack and homicide in New York City, 1988: A conceptually based event analysis. *Contemporary Drug Problems* 16 (Winter): 651–687.

² U.S. Department of Justice, National Institute of Justice. 1998. Arrestee Drug Abuse Monitoring program: 1997 annual report on adult and juvenile arrestees. Research Report, NCJ 171672. Washington, D.C.

³ Blumstein, Alfred. 1995a. Prisons. In *Crime*, edited by James Q. Wilson and Joan Petersilia. San Francisco: Institute for Contemporary Studies.

⁴ U.S. Department of Justice, Bureau of Justice Statistics. 2005. Felony Sentences in State Courts, 2002. Research Report, NCJ 206916. Washington, D.C.

years for the national average and 2 years for Wisconsin. Similarly, the average probation term for both the national average and Wisconsin was 3 years.

- Race: The racial distribution of drug traffickers nationwide and in Wisconsin was somewhat different. In Wisconsin, 41% were White and 57% were Black. Nationwide, 51% were White and 47% were Black. Offenders from other racial categories other than White and Black comprised 2% in both the U.S. and Wisconsin.
- Gender: The percentage of male offenders was nearly identical between the national rate and Wisconsin. Nationwide, 85% percent of drug traffickers were male. In Wisconsin, this amount increased slightly to 87%.
- Age: There was a slight difference between the average age of drug traffickers nationwide and in Wisconsin. Nationwide, offenders average 29 years of age. This drops to 26 years in Wisconsin. Offenders were predominantly between the ages of 20 and 29 in both the U.S. and Wisconsin.

SUMMARY STATISTICS

Below are summary sentencing statistics on criminal offenses related to drug trafficking (manufacturing, distributing, and delivery). National averages represent adults felony convictions sentenced in state courts. These data were collected through a nationally representative survey of 300 counties in 2002⁵. State averages represent controlling offense convictions for drug trafficking offenses committed in Wisconsin after January 31, 2003 and sentenced before October 1, 2006.

Drug Trafficking: Nationwide vs. Wisconsin

SENTENCE CHARACTERISTICS		
SENTENCE TYPE	U.S.	WI
Incarceration ¹	68%	43%
Non-Incarceration ²	32%	57%
AVERAGE LENGTH ³	U.S.	WI
Prison	3 yrs	2 yrs
Probation	3 yrs	3 yrs

¹ Incarceration = Straight Prison OR Jail Time.

² Non-Incarceration: U.S = Straight Probation; WI = Probation + Jail Time (when applicable).

³ Average = Median (50th percentile).

OFFENDER CHARACTERISTICS		
RACE	U.S.	WI
White	51%	41%
Black	47%	57%
Other	2%	2%
GENDER	U.S.	WI
Male	85%	87%
Female	15%	13%
AGE	U.S.	WI
Average ¹	29 yrs	26 yrs
< 20 yrs	6%	11%
20 – 29 yrs	45%	53%
30 – 39 yrs	27%	20%
40 – 49 yrs	17%	13%
50 – 59 yrs	4%	3%
> 59 yrs	1%	< 1%

¹ Average = Median (50th percentile).

⁵ U.S. Department of Justice, Bureau of Justice Statistics. 2005. State Court Sentencing of Convicted Felons, 2002: Statistical Tables. Research Report, NCJ 208910. Washington, D.C.

DRUG TRAFFICKING: FELONY CLASS LEVELS

OVERVIEW

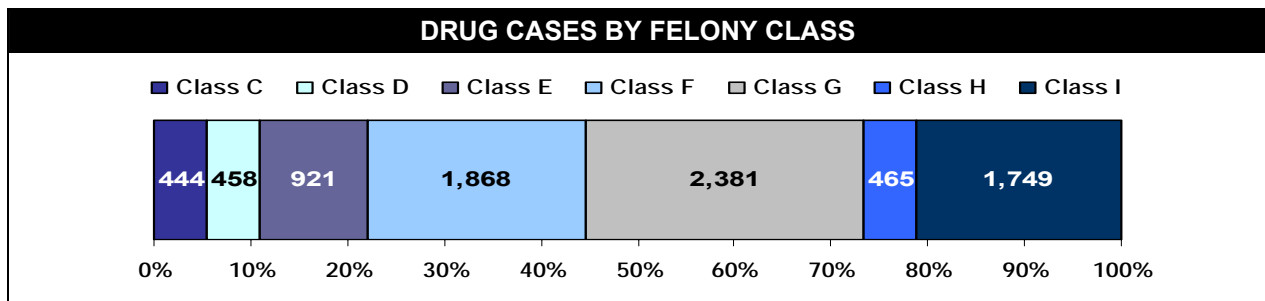
In the State of Wisconsin, the criminal code separates drug trafficking offenses by type and severity level. This division allows the State to identify and separate the nuances of each crime and place them into the felony classification system accordingly. Drug offenses are placed along a spectrum of seven classification levels; from most severe (Class A) to least severe (Class I). Below is a grid containing the different types of drugs and amounts associated with each of the classification levels for §961.41(1) or §961.41(1m) offenses.

DRUG TYPE	FELONY CLASS								
	A	B	C	D	E	F	G	H	I
COCAINE & COCAINE BASE			> 40 grams	> 15-40 grams	> 5-15 grams	> 1-5 grams	≤ 1 grams		
HEROIN			> 50 grams	> 10-50 grams	> 3-10 grams	≤ 3 grams			
METHAMPHETAMINE			> 50 grams	> 10-50 grams	> 3-10 grams	≤ 3 grams			
LSD					> 5 grams	> 1-5 grams	≤ 1 gram		
THC					> 10,000 grams	> 2,500-10,000 grams	> 1,000-2,500 grams	> 200-1,000 grams	≤ 200 grams

MAJOR FINDINGS

- **Cases:** Class F, G, and I felonies comprised nearly three-quarters of all convictions (73%). Convictions for Class E felonies comprised 11% of the total. The remaining 16% was split roughly evenly between Class C, D, and H felonies (5%, 6%, 6%, respectively).
- **Sentence Type:** As to be expected, a positive relationship was found between the sentence types and the severity of the offense. For example, 74% of Class C convictions (most severe) were sentenced to prison, yet the amount dropped to 17% for Class I convictions (least severe).
- **Sentence Length:** Similar to sentence types, a positive relationship was also found between the sentence length and the severity of the offense. For example, the average term of confinement for Class C felony convictions was 3.5 years. Yet, this average dropped to 1.5 years for Class I convictions.

- Race: Sizeable variations were found in the racial compositions between the seven classification levels. For example, Hispanic offenders comprised 30% of all Class C convictions, yet only 6% of Class G. Conversely, Black offenders comprised 79% of all Class G convictions, yet only 19% of Class H. The percentage of White offenders is considerably greater for Class H and I convictions than any of the other five severity levels.
- Gender: The majority of offenders in all seven classification levels – nearly 90% – were male.
- Age: Noticeable differences were found between the age groups of offenders and the severity levels of the convictions. For example, offenders between the ages of 18 and 22 are considerably more likely to be convicted of a Class I offense (49%) than a Class C offense (18%). Conversely, offenders between the ages of 30 and 39 are more likely to be convicted of a Class C offense (31%) than a Class I offense (13%). The percentage of offenders between the ages of 23 and 29 was generally consistent throughout the seven severity levels.
- Criminal History: A moderately sharp division was found between Classes C through G and Classes H through I with respect to prior criminal histories. Nearly the same percentage of offenders (approximately 45%) with Class C through G convictions had prior felony convictions. Class H or I convictions also had a similar percentage of offenders with prior felony convictions (31%). These trends were also found in prior prison sentence percentages.



Total Cases = 8,286

SENTENCE CHARACTERISTICS BY FELONY CLASS							
Sentence Type ¹	C	D	E	F	G	H	I
Prison	74%	62%	49%	50%	47%	20%	17%
Probation	26%	38%	51%	49%	53%	78%	80%
Sentence Length ²	C	D	E	F	G	H	I
Average							
Confinement	3.5 yrs	2.5 yrs	2 yrs	2 yrs	1.5 yrs	1.5 yrs	1.5 yrs
Ext. Supervision	5 yrs	4 yrs	3 yrs	3 yrs	2 yrs	2.5 yrs	2 yrs
Probation	5 yrs	4 yrs	3.5 yrs	3 yrs	3 yrs	3 yrs	3 yrs
Range							
Confinement	2.5 – 5	2 – 3.5	1.5 – 3	1.5 – 3	1 – 2	1 – 2	1 – 1.5
Ext. Supervision	3 – 6	3 – 5	2.5 – 4	2 – 4	2 – 3	1.5 – 3	1 – 2
Probation	4 – 5	3 – 5	3 – 5	3 – 4	3 – 4	2.5 – 3	2 – 3

¹ Prison = Initial Confinement + Extended Supervision; Probation = Sentence Withheld OR Sentence Imposed & Stayed.

² Average = Median (50th percentile); Range = Inter-Quartile (25th & 75th percentiles).

OFFENDER CHARACTERISTICS BY FELONY CLASS							
Offender	C	D	E	F	G	H	I
Race							
White	22%	32%	39%	29%	14%	68%	55%
Black	45%	49%	48%	62%	79%	19%	37%
Hispanic	30%	16%	11%	7%	6%	10%	6%
Other	3%	3%	2%	2%	1%	3%	2%
Gender							
Male	92%	88%	85%	88%	84%	88%	91%
Female	8%	12%	15%	12%	16%	12%	9%
Age							
< 18	1%	1%	1%	2%	3%	0%	4%
18 - 22	18%	28%	24%	31%	29%	37%	49%
23 - 29	37%	35%	35%	32%	27%	32%	26%
30 - 39	31%	21%	23%	20%	20%	15%	13%
> 39	13%	15%	17%	15%	21%	16%	8%
Criminal History							
Prior Felony Conviction	44%	41%	46%	44%	45%	31%	31%
Prior Prison Sentence	30%	26%	26%	26%	28%	12%	13%

DRUG TRAFFICKING: GEOGRAPHIC REGIONS

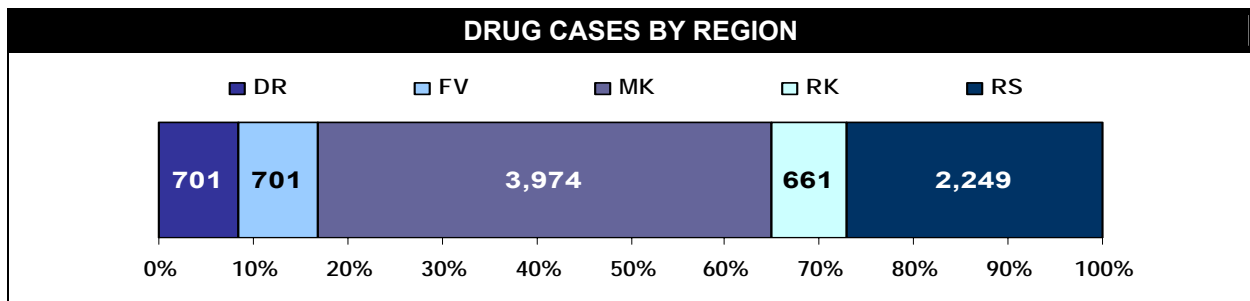
OVERVIEW

Like most, the State of Wisconsin is both demographically and geographically diverse. Some counties are significantly small in size with fairly homogenous populations, while others are considerably larger with greater heterogeneity. As one might imagine, these differences can significantly affect crime rates and sentencing practices. To gain a better understanding of differences between various areas in the State, this report separates statistical information by severity level and geographic region. Below is a list of the five separate regions used in this report.

- ❖ **Region 1:** *Dane & Rock Counties (DR)*
- ❖ **Region 2:** *Calumet, Winnebago, Outagamie, & Brown Counties (FV)*
- ❖ **Region 3:** *Milwaukee County (MK)*
- ❖ **Region 4:** *Racine & Kenosha Counties (RK)*
- ❖ **Region 5:** *Rest of State (RS)*

MAJOR FINDINGS

- **Cases:** Fifty percent of the convicted drug cases occurred in the Milwaukee Region. Twenty-five percent occurred in the Rest of State Region, and the remaining 25% was split somewhat evenly between the other three regions.
- **Sentence Type:** There were considerable differences found in the distribution of sentence types – prison vs. probation – between the five regions. For example, in two regions (Milwaukee & Racine/Kenosha) over 50% of the convicted drug trafficking cases were sentenced to prison. Conversely, the Fox River Valley & Rest of State Regions sentenced less than 25% of these cases to prison.
- **Sentence Length:** Average lengths and ranges of confinement, extended supervision, and probation were nearly identical across all five regions.
- **Race:** Sizeable variations were found in the racial compositions between the five regions. For example, White offenders comprised 55% of convictions in the Fox River Valley Region, yet only 9% in the Milwaukee Region. Conversely, Black offenders comprised 81% of convictions in the Milwaukee Region, yet only 16% in the Rest of State Region. The percentage of Hispanic offenders was relatively similar throughout all five regions.
- **Gender:** The majority of offenders – nearly 85% in all five regions – were male.
- **Age:** Percentages of age group distributions were nearly identical throughout all five regions.
- **Criminal History:** Although there were relatively slight percentage differences between the five regions with regards to prior felony convictions, this disparity increased somewhat for percentages of prior prison sentences.



Total Cases = 8,286

SENTENCE CHARACTERISTICS BY REGION

Sentence Type ¹	DR	FV	MK	RK	RS
Prison	34%	29%	53%	52%	27%
Probation	65%	70%	45%	47%	73%
Sentence Length ²	DR	FV	MK	RK	RS
Average					
Confinement	2 yrs	2 yrs	2 yrs	2 yrs	2 yrs
Ext. Supervision	3 yrs	3 yrs	2.5 yrs	3 yrs	3 yrs
Probation	4 yrs	3 yrs	3 yrs	3 yrs	3 yrs
Range					
Confinement	1.5 – 3	1.5 – 3	1 – 2.5	1.5 – 3	1.5 – 4
Ext. Supervision	2 – 4	2 – 4	2 – 3.5	2 – 3	2 – 5
Probation	3 – 5	3 – 4	2.5 – 3	2 – 4	2.5 – 4

¹ Prison = Initial Confinement + Extended Supervision; Probation = Sentence Withheld OR Sentence Imposed & Stayed.

² Average = Median (50th percentile); Range = Inter-Quartile (25th & 75th percentiles).

OFFENDER CHARACTERISTICS BY REGION

Offender	DR	FV	MK	RK	RS
Race/Ethnicity					
White	33%	55%	9%	26%	71%
Black	61%	32%	81%	65%	16%
Hispanic	5%	8%	10%	9%	8%
Other	1%	5%	1%	0%	4%
Gender					
Male	85%	81%	89%	88%	86%
Female	15%	19%	11%	12%	14%
Age					
< 18	3%	1%	2%	4%	2%
18 - 22	36%	36%	31%	30%	36%
23 - 29	33%	25%	31%	35%	28%
30 - 39	16%	20%	21%	18%	17%
> 39	12%	18%	15%	13%	17%
Criminal History					
Prior Felony Conviction	44%	37%	44%	42%	34%
Prior Prison Sentence	21%	17%	30%	24%	13%

Offenses

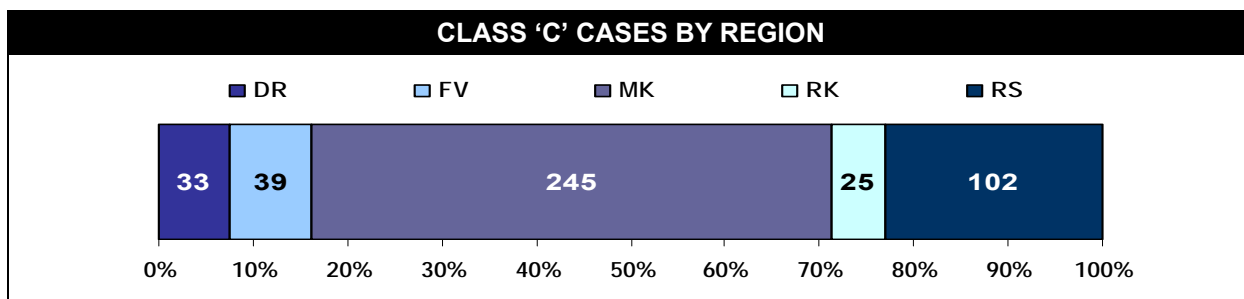
- ❖ Cocaine (> 40 grams)
- ❖ Heroin (> 50 grams)
- ❖ Methamphetamine (> 50 grams)

Penalties

- **Maximum Prison Term = 40 years**
 - Maximum Term of Initial Confinement = 25 years
 - Maximum Term of Extended Supervision = 15 years
- **Maximum Fine = \$100,000**

Major Findings

- Cases: The majority of Class C drug trafficking convictions occurred in the Milwaukee Region (55%). The Rest of State Region had the second highest percentage (23%). The remaining 22% was split somewhat evenly between the other three regions.
- Sentence Type: There were considerable differences found in the distribution of sentence types – prison vs. probation – between the five regions. For example, in two regions (Milwaukee & Racine/Kenosha) over 80% of convicted Class C drug cases were sentenced to prison. Conversely, in the Fox Valley Region 33% of these cases were sentenced to prison.
- Sentence Length: Average lengths and ranges of confinement, extended supervision, and probation were relatively similar across all five regions.
- Race: There were sizeable variations found in the racial compositions between the five regions. For example, among the four racial categories, White offenders were the highest percentage in the Rest of State Region; Black offenders were the highest percentage in the Dane/Rock, Milwaukee, & Racine/Kenosha Regions; and Hispanic offenders were the highest percentage in the Fox Valley Region.
- Gender: The majority of offenders – nearly 90% in all five regions – were male.
- Age: Variations were found in age group percentages between the regions. While a large percentage of offenders fell between the ages of 23 and 29 in all of the five regions, the distribution among the other age groups did not always remain consistent.
- Criminal History: Although there were considerable percentage differences between the five regions with regards to prior felony convictions, this disparity diminished somewhat for percentages of prior prison sentences.



Total Cases = 444

SENTENCE CHARACTERISTICS BY REGION

Sentence Type ¹	DR	FV	MK	RK	RS
Prison	45%	37%	82%	88%	64%
Probation	55%	63%	18%	12%	35%
Sentence Length ²	DR	FV	MK	RK	RS
Average					
Confinement	3 yrs	3 yrs	3 yrs	4 yrs	4 yrs
Ext. Supervision	3 yrs	4 yrs	5 yrs	3 yrs	5 yrs
Probation	5 yrs	5 yrs	4 yrs	5 yrs	5 yrs
Range					
Confinement	2 – 5	2.5 – 4	2.5 – 5	2.5 – 6	3 – 6
Ext. Supervision	3 – 4	3 – 5	3 – 6	2.5 – 6	4 – 6
Probation	5 – 6	4 – 6	3 – 5	4 – 8	5 – 5.5

¹ Prison = Initial Confinement + Extended Supervision; Probation = Sentence Withheld OR Sentence Imposed & Stayed.

² Average = Median (50th percentile); Range = Inter-Quartile (25th & 75th percentiles).

OFFENDER CHARACTERISTICS BY REGION

Offender	DR	FV	MK	RK	RS
Race/Ethnicity					
White	33%	28%	11%	16%	45%
Black	40%	18%	61%	56%	14%
Hispanic	24%	44%	25%	28%	39%
Other	3%	10%	3%	0%	2%
Gender					
Male	88%	90%	94%	92%	88%
Female	12%	10%	6%	8%	12%
Age					
< 18	3%	0%	1%	0%	0%
18 - 22	37%	31%	13%	20%	20%
23 - 29	24%	28%	40%	40%	34%
30 - 39	18%	33%	38%	16%	22%
> 39	18%	8%	8%	24%	24%
Criminal History					
Prior Felony Conviction	48%	33%	49%	60%	32%
Prior Prison Sentence	21%	23%	36%	32%	19%

Offenses

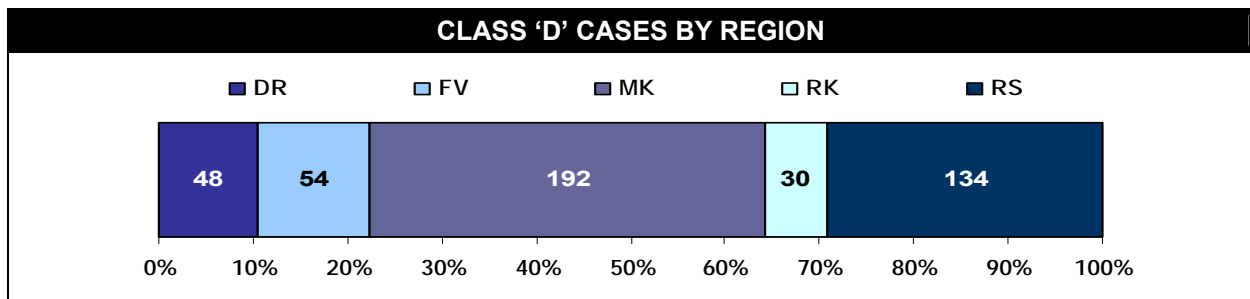
- ❖ Cocaine & Cocaine Base (15 – 40 grams)
- ❖ Heroin (10 – 50 grams)
- ❖ Methamphetamine (10 – 50 grams)

Penalties

- **Maximum Prison Term = 25 years**
 - Maximum Term of Initial Confinement = 15 years
 - Maximum Term of Extended Supervision = 10 years
- **Maximum Fine = \$100,000**

Major Findings

- Cases: The largest percentage of Class D drug trafficking cases occurred in the Milwaukee Region (42%). The Rest of State Region had the second highest percentage (29%). The remaining 29% was split somewhat evenly between the other three regions.
- Sentence Type: There were considerable differences found in the distribution of sentence types – prison vs. probation – between the five regions. For example, in two regions (Milwaukee & Racine/Kenosha) a high percentage of convicted Class D drug cases were sentenced to prison (77% and 97%, respectively). Conversely, in the Fox Valley Region 39% of these cases were sentenced to prison.
- Sentence Length: Average lengths and ranges of confinement and extended supervision were relatively similar across all five regions. Yet, average lengths and ranges varied somewhat for probation sentences. For example, average probation lengths ranged from 2.5 years (Racine/Kenosha Region) to 5 years (Dane/Rock & Rest of State Regions).
- Race: There were sizeable variations found in the racial compositions between the five regions. For example, among the four racial categories, the highest percentage of offenders in the Fox Valley & Rest of State Regions was White; the highest percentage of offenders in the Dane/Rock & Milwaukee Regions was Black; and the highest percentage of offenders in the Racine/Kenosha Region was Hispanic.
- Gender: The distribution of male and female offenders differed somewhat between the five regions. For example, 97% of offenders in the Racine/Kenosha Region were male, yet this percentage dropped to 77% in the Dane/Rock Region.
- Age: Variations were found in age group percentages between the regions. While a large percentage of offenders fell between the ages of 23 and 29 in all of the five regions, the distribution among the other age groups did not always remain consistent.
- Criminal History: There were considerable percentage differences between the five regions with regards to prior felony convictions and prior prison sentences.



Total Cases = 458

SENTENCE CHARACTERISTICS BY REGION					
Sentence Type ¹	DR	FV	MK	RK	RS
Prison	48%	39%	77%	97%	49%
Probation	42%	61%	23%	3%	51%
Sentence Length ²	DR	FV	MK	RK	RS
Average					
Confinement	2.5 yrs	3 yrs	2.5 yrs	2.5 yrs	3 yrs
Ext. Supervision	4 yrs	4 yrs	3 yrs	4 yrs	4 yrs
Probation	5 yrs	4 yrs	3 yrs	2.5 yrs	5 yrs
Range					
Confinement	1.5 – 3	2 – 4	1.5 – 3	1.5 – 3	2 – 4
Ext. Supervision	2.5 – 5	3 – 5	2.5 – 5	2.5 – 4	3 – 5
Probation	5 – 6	3 – 5	3 – 4	2.5 – 2.5	3 – 7

¹ Prison = Initial Confinement + Extended Supervision; Probation = Sentence Withheld OR Sentence Imposed & Stayed.

² Average = Median (50th percentile); Range = Inter-Quartile (25th & 75th percentiles).

OFFENDER CHARACTERISTICS BY REGION					
Offender	DR	FV	MK	RK	RS
Race/Ethnicity					
White	25%	46%	15%	27%	54%
Black	60%	26%	74%	33%	23%
Hispanic	15%	17%	9%	40%	21%
Other	0%	11%	2%	0%	2%
Gender					
Male	77%	83%	91%	97%	87%
Female	23%	17%	9%	3%	13%
Age					
< 18	2%	2%	0%	0%	2%
18 - 22	27%	30%	30%	20%	28%
23 - 29	35%	28%	33%	46%	38%
30 - 39	23%	24%	22%	17%	19%
> 39	13%	16%	15%	17%	13%
Criminal History					
Prior Felony Conviction	44%	46%	46%	27%	34%
Prior Prison Sentence	21%	28%	33%	20%	16%

Offenses

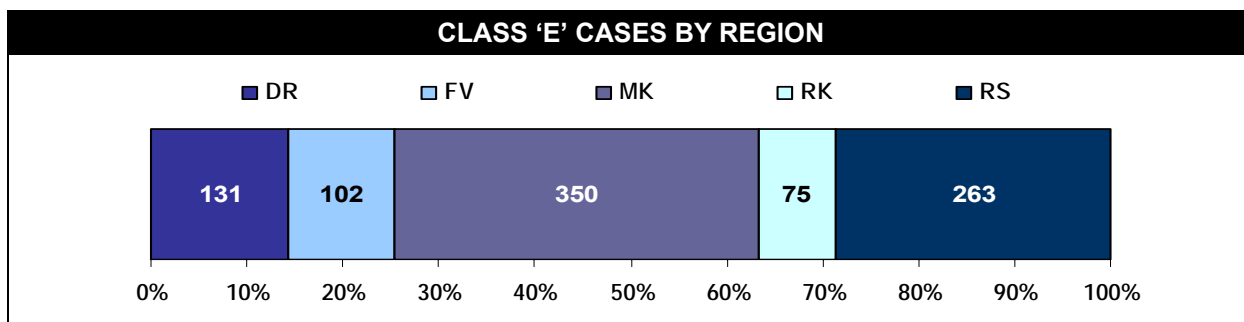
- ❖ Cocaine (5 – 15 grams)
- ❖ Heroin (3 – 10 grams)
- ❖ Methamphetamine (3 – 10 grams)
- ❖ LSD (> 5 grams)
- ❖ THC (> 10,000 grams)

Penalties

- **Maximum Prison Term = 15 years**
 - Maximum Term of Initial Confinement = 10 years
 - Maximum Term of Extended Supervision = 5 years
- **Maximum Fine = \$50,000**

Major Findings

- Cases: The largest percentage of Class E cases occurred in the Milwaukee Region (38%). The Rest of State Region had the second highest percentage (29%). The remaining 33% was split somewhat evenly between the other three regions.
- Sentence Type: There were considerable differences found in the distribution of sentence types – prison vs. probation – between the five regions. For example, in two regions (Milwaukee & Racine/Kenosha Regions) nearly 65% of convicted Class E drug cases were sentenced to prison. Conversely, in the Fox Valley Region 28% of these cases were sentenced to prison.
- Sentence Length: Average lengths and ranges of confinement, extended supervision, and probation were relatively similar across all five regions.
- Race: There were sizeable differences found in the racial compositions between the five regions. For example, among the four racial categories, the highest percentage of offenders in the Fox Valley & Rest of State Regions was White; the highest percentage of offenders in the Dane/Rock, Milwaukee, & Racine/Kenosha Regions was Black.
- Gender: The distribution of male and female offenders differed somewhat between the five regions. For example, 93% of offenders in the Racine/Kenosha Region were male, yet this percentage dropped to 76% in the Fox Valley Region.
- Age: Variations were found in age group percentages between the regions. While a large percentage of offenders fell between the ages of 23 and 29 in all of the five regions, the distribution among the other age groups did not always remain consistent.
- Criminal History: Although there were relatively slight percentage differences between the five regions with regards to prior felony convictions, this disparity increased somewhat for percentages of prior prison sentences.



Total Cases = 921

SENTENCE CHARACTERISTICS BY REGION

Sentence Type ¹	DR	FV	MK	RK	RS
Prison	46%	28%	63%	64%	34%
Probation	54%	72%	36%	33%	65%
Sentence Length ²	DR	FV	MK	RK	RS
Average					
Confinement	2 yrs	2 yrs	2 yrs	2 yrs	3 yrs
Ext. Supervision	3 yrs	3 yrs	3 yrs	3 yrs	4 yrs
Probation	4 yrs	3.5 yrs	3 yrs	4 yrs	4 yrs
Range					
Confinement	1.5 – 3	1.5 – 2	1.5 – 3	1.5 – 3	2 – 4
Ext. Supervision	2 – 4	2.5 – 4	2 – 4	3 – 4	3 – 5
Probation	3 – 5	3 – 5	3 – 4	3 – 5	3 – 5

¹ Prison = Initial Confinement + Extended Supervision; Probation = Sentence Withheld OR Sentence Imposed & Stayed.

² Average = Median (50th percentile); Range = Inter-Quartile (25th & 75th percentiles).

OFFENDER CHARACTERISTICS BY REGION

Offender	DR	FV	MK	RK	RS
Race/Ethnicity					
White	31%	61%	16%	36%	66%
Black	63%	27%	70%	55%	16%
Hispanic	5%	8%	13%	9%	13%
Other	1%	4%	1%	0%	5%
Gender					
Male	86%	76%	89%	93%	81%
Female	14%	24%	11%	7%	19%
Age					
< 18	1%	1%	1%	1%	1%
18 - 22	31%	29%	21%	28%	22%
23 - 29	36%	24%	39%	35%	33%
30 - 39	17%	27%	24%	27%	24%
> 39	15%	19%	15%	9%	20%
Criminal History					
Prior Felony Conviction	51%	40%	48%	52%	41%
Prior Prison Sentence	28%	19%	34%	27%	18%

Offenses

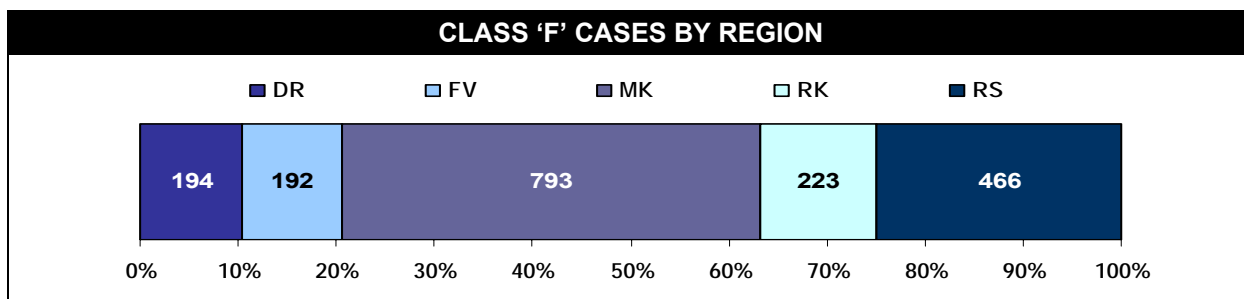
- ❖ Cocaine (1 – 5 grams)
- ❖ Heroin (< 3 grams)
- ❖ Methamphetamine (< 3 grams)
- ❖ LSD (1 – 5 grams)
- ❖ THC (2,500 – 10,000 grams)

Penalties

- **Maximum Prison Term = 12.5 years**
 - Maximum Term of Initial Confinement = 7.5 years
 - Maximum Term of Extended Supervision = 5 years
- **Maximum Fine = \$25,000**

Major Findings

- Cases: The largest percentage of Class F cases occurred in the Milwaukee Region (42%). The Rest of State Region had the second highest percentage (25%). The remaining 33% was split nearly evenly between the other three regions.
- Sentence Type: There were considerable differences found in the distribution of sentence types – prison vs. probation – between the five regions. For example, in two regions (Milwaukee & Racine/Kenosha) nearly 65% of convicted Class F drug cases were sentenced to prison. Conversely, in the remaining three regions cases were sentenced to prison roughly 33% of the time.
- Sentence Length: Average lengths and ranges of confinement, extended supervision, and probation were relatively similar across all five regions.
- Race: The racial compositions between the five regions were somewhat similar. The highest percentage of offenders in all but one region (Rest of State) was Black; the highest percentage of offenders in the Rest of State Region was White.
- Gender: The distribution of male and female offenders differed somewhat between the five regions. For example, 92% of offenders in the Milwaukee Regions were male, yet this percentage dropped to 78% in the Fox Valley Region.
- Age: The age group distributions remained relatively consistent between the five regions.
- Criminal History: Aside from the Milwaukee Region, the percentages of prior felony convictions and prior prison sentences were relatively similar between the regions.



Total Cases = 1,868

SENTENCE CHARACTERISTICS BY REGION

Sentence Type ¹	DR	FV	MK	RK	RS
Prison	37%	36%	62%	65%	34%
Probation	62%	64%	67%	64%	66%
Sentence Length ²	DR	FV	MK	RK	RS
Average					
Confinement	2 yrs	2 yrs	2 yrs	2 yrs	2.5 yrs
Ext. Supervision	3 yrs	3 yrs	2.5 yrs	2.5 yrs	4 yrs
Probation	4 yrs	4 yrs	3 yrs	3 yrs	4 yrs
Range					
Confinement	1.5 – 3	2 – 3	1.5 – 2.5	1.5 – 2.5	2 – 4
Ext. Supervision	2 – 4	2 – 3.5	2 – 3.5	1.5 – 3	2.5 – 5
Probation	3 – 5	3 – 5	3 – 3.5	3 – 4	3 – 5

¹ Prison = Initial Confinement + Extended Supervision; Probation = Sentence Withheld OR Sentence Imposed & Stayed.

² Average = Median (50th percentile); Range = Inter-Quartile (25th & 75th percentiles).

OFFENDER CHARACTERISTICS BY REGION

Offender	DR	FV	MK	RK	RS
Race/Ethnicity					
White	22%	39%	8%	18%	69%
Black	75%	51%	81%	77%	21%
Hispanic	2%	5%	9%	5%	5%
Other	1%	5%	2%	0%	5%
Gender					
Male	87%	78%	92%	91%	85%
Female	13%	22%	8%	9%	15%
Age					
< 18	5%	1%	2%	4%	2%
18 - 22	32%	28%	33%	30%	29%
23 - 29	34%	31%	31%	37%	31%
30 - 39	15%	24%	21%	16%	20%
> 39	14%	16%	13%	13%	18%
Criminal History					
Prior Felony Conviction	44%	42%	47%	48%	36%
Prior Prison Sentence	21%	20%	33%	29%	16%

FELONY CLASS G

Offenses

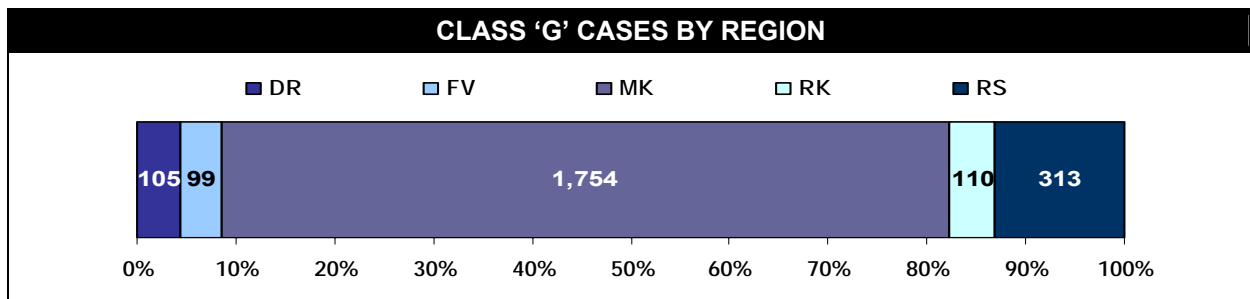
- ❖ Cocaine (< 1 gram)
- ❖ LSD (< 1 gram)
- ❖ THC (1,000 – 2,500 grams)

Penalties

- **Maximum Prison Term = 10 years**
 - *Maximum Term of Initial Confinement = 5 years*
 - *Maximum Term of Extended Supervision = 5 years*
- **Maximum Fine = \$25,000**

Major Findings

- Cases: The majority of Class G cases occurred in the Milwaukee Region (74%). The remaining 26% was split somewhat evenly between the other four regions.
- Sentence Type: There were considerable differences found in the distribution of sentence types – prison vs. probation – between the five regions. For example, in two regions (Milwaukee & Racine/Kenosha) nearly 50% of convicted Class G drug cases were sentenced to prison. Conversely, 22% of these cases in the Fox Valley Region were sentenced to prison.
- Sentence Length: Average lengths and ranges of confinement, extended supervision, and probation were relatively similar across all five regions.
- Race: The racial compositions between the five regions were somewhat similar. Other than the Rest of State Region (where the highest percentage of offenders was White), the highest percentage of offenders in all of the other four regions was Black.
- Gender: The distribution of male and female offenders differed somewhat between the five regions. For example, 86% of offenders in the Milwaukee Region were male, yet this percentage dropped to 72% in the Dane/Rock Region.
- Age: The age group distributions remained relatively consistent between the five regions.
- Criminal History: Although there were relatively slight percentage differences between the five regions with regards to prior felony convictions, this disparity increased somewhat for percentages of prior prison sentences.



Total Cases = 2,381

SENTENCE CHARACTERISTICS BY REGION					
Sentence Type¹	DR	FV	MK	RK	RS
Prison	33%	22%	52%	49%	29%
Probation	67%	76%	47%	51%	69%
Sentence Length²	DR	FV	MK	RK	RS
Average					
Confinement	2 yrs	2 yrs	1.5 yrs	2 yrs	2 yrs
Ext. Supervision	3 yrs	2.5 yrs	2 yrs	2.5 yrs	3 yrs
Probation	4 yrs	3 yrs	3 yrs	3 yrs	3 yrs
Range					
Confinement	1.5 – 2.5	1.5 – 3	1 – 2	1.5 – 2.5	1.5 – 3
Ext. Supervision	2 – 4	2 – 3	2 – 3	2 – 3	2 – 4.5
Probation	3 – 5	3 – 4	2.5 – 3	3 – 4	3 – 5

¹ Prison = Initial Confinement + Extended Supervision; Probation = Sentence Withheld OR Sentence Imposed & Stayed.

² Average = Median (50th percentile); Range = Inter-Quartile (25th & 75th percentiles).

OFFENDER CHARACTERISTICS BY REGION					
Offender	DR	FV	MK	RK	RS
Race/Ethnicity					
White	29%	38%	4%	16%	55%
Black	66%	57%	90%	79%	35%
Hispanic	4%	4%	6%	5%	7%
Other	1%	1%	0%	0%	3%
Gender					
Male	72%	73%	86%	77%	80%
Female	28%	26%	14%	23%	20%
Age					
< 18	2%	1%	3%	7%	1%
18 - 22	32%	29%	30%	22%	24%
23 - 29	34%	26%	26%	23%	32%
30 - 39	19%	17%	20%	24%	18%
> 39	13%	27%	21%	24%	25%
Criminal History					
Prior Felony Conviction	47%	36%	46%	46%	40%
Prior Prison Sentence	26%	17%	32%	25%	16%

Offenses

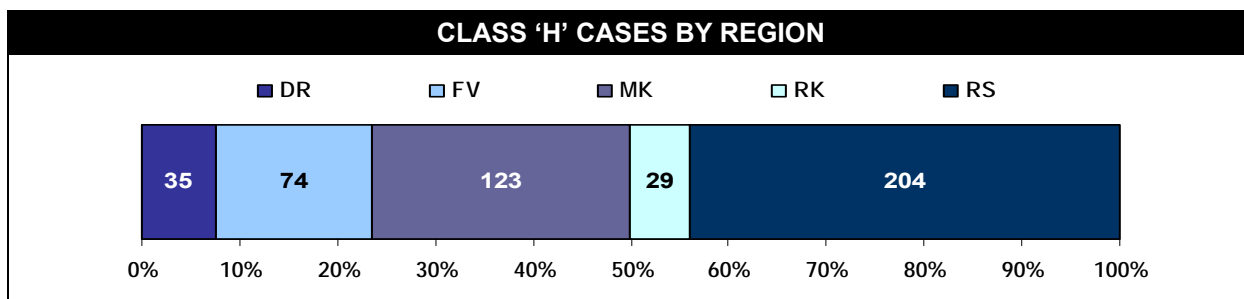
- ❖ THC (200 – 1,000 grams)

Penalties

- **Maximum Prison Term = 6 years**
 - *Maximum Term of Initial Confinement = 3 years*
 - *Maximum Term of Extended Supervision = 3 years*
- **Maximum Fine = \$10,000**

Major Findings

- Cases: The largest percentage of Class H cases occurred in the Rest of State Region (44%). The Milwaukee Region had the second highest percentage (26%). Followed by the Fox Valley (16%), Dane/Rock (7%), and Racine/Kenosha (6%) Regions.
- Sentence Type: There were considerable differences found in the distribution of sentence types – prison vs. probation – between the five regions. For example, in three regions (Dane/Rock, Fox Valley, & Rest of State) over 80% of convicted Class H drug cases were sentenced to probation. Conversely, roughly 60% of these cases in the Milwaukee and Racine/Kenosha Regions were sentenced to probation.
- Sentence Length: Average lengths and ranges of confinement, extended supervision, and probation were nearly identical across all five regions.
- Race: The racial compositions between the five regions were relatively similar. Other than the Milwaukee Region (where the highest percentage of offenders was Black), the highest percentage of offenders in all of the other four regions was White.
- Gender: The majority of offenders – nearly 90% in all five regions – were male.
- Age: Variations were found in age group percentages between the regions. While a large percentage of offenders fell between the ages of 23 and 29 in all of the five regions, the distribution among the other age groups did not always remain consistent.
- Criminal History: There were considerable percentage differences between the five regions with regards to prior felony convictions and prior prison sentences.



Total Cases = 465

SENTENCE CHARACTERISTICS BY REGION

Sentence Type ¹	DR	FV	MK	RK	RS
Prison	17%	15%	37%	38%	10%
Probation	80%	84%	60%	62%	89%
Sentence Length ²	DR	FV	MK	RK	RS
Average					
Confinement	1.5 yrs	1.5 yrs	1.5 yrs	1.5 yrs	1.5 yrs
Ext. Supervision	2.5 yrs	2 yrs	2 yrs	2 yrs	2.5 yrs
Probation	3 yrs	3 yrs	3 yrs	3 yrs	3 yrs
Range					
Confinement	1 – 5	1 – 2	1 – 2	1 – 1.5	1 – 2.5
Ext. Supervision	2 – 3	2 – 3	1.5 – 3	1.5 – 3	2 – 3
Probation	3 – 4	2.5 – 4	2 – 3	2 – 3	3 – 4

¹ Prison = Initial Confinement + Extended Supervision; Probation = Sentence Withheld OR Sentence Imposed & Stayed.

² Average = Median (50th percentile); Range = Inter-Quartile (25th & 75th percentiles).

OFFENDER CHARACTERISTICS BY REGION

Offender	DR	FV	MK	RK	RS
Race/Ethnicity					
White	74%	76%	32%	52%	88%
Black	14%	8%	49%	27%	4%
Hispanic	9%	8%	19%	21%	4%
Other	3%	8%	0%	0%	4%
Gender					
Male	91%	86%	89%	83%	89%
Female	9%	14%	11%	17%	11%
Age					
< 18	0%	0%	0%	0%	0%
18 - 22	43%	39%	24%	17%	45%
23 - 29	29%	27%	49%	45%	23%
30 - 39	11%	11%	16%	21%	15%
> 39	17%	23%	11%	17%	17%
Criminal History					
Prior Felony Conviction	40%	32%	35%	24%	26%
Prior Prison Sentence	14%	8%	20%	14%	7%

Offenses

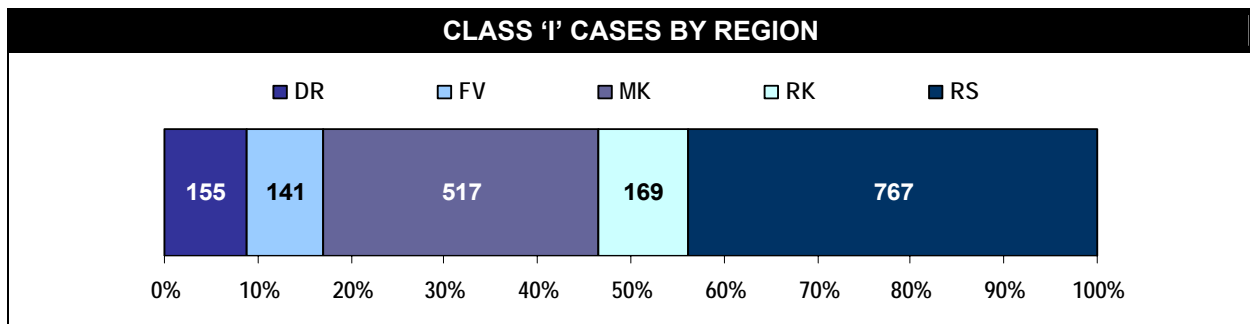
- ❖ THC (< 200 grams)

Penalties

- **Maximum Prison Term = 3.5 years**
 - *Maximum Term of Initial Confinement = 1.5 years*
 - *Maximum Term of Extended Supervision = 2 years*
- **Maximum Fine = \$10,000**

Major Findings

- Cases: The largest percentage of Class I cases occurred in the Rest of State Region (44%). The Milwaukee Region had the second highest percentage (30%). The remaining 26% was split nearly evenly between the other three regions.
- Sentence Type: The distribution of sentence types – prison vs. probation – was relatively consistent between the five regions.
- Sentence Length: Average lengths and ranges of confinement, extended supervision, and probation were nearly identical across all five regions.
- Race: There were sizeable variations found in the racial compositions between the five regions. For example, in the Fox Valley and Rest of State Regions nearly 85% of offenders were White. Yet in the Milwaukee Region, this amount dropped to less than 15%.
- Gender: The majority of offenders – nearly 90% in all five regions – were male.
- Age: The majority of offenders in all five regions fell between the ages of 18 and 22. The age group distribution remained relatively consistent throughout all five regions.
- Criminal History: The percentages of prior felony convictions and prior prison sentences were relatively similar between the five regions.



Total Cases = 1,749

SENTENCE CHARACTERISTICS BY REGION

Sentence Type ¹	DR	FV	MK	RK	RS
Prison	18%	20%	18%	21%	14%
Probation	79%	79%	74%	78%	84%
Sentence Length ²	DR	FV	MK	RK	RS
Average					
Confinement	1.5 yrs	1.5 yrs	1 yrs	1 yrs	1.5 yrs
Ext. Supervision	1.5 yrs	2 yrs	2 yrs	1.5 yrs	2 yrs
Probation	3 yrs	3 yrs	2.5 yrs	2 yrs	3 yrs
Range					
Confinement	1 – 1.5	1.5 – 1.5	1 – 1.5	1 – 1.5	1 – 1.5
Ext. Supervision	1 – 2	1.5 – 2	1 – 2	1 – 2	1.5 – 2
Probation	3 – 3	2 – 3	2 – 3	2 – 3	2 – 3

¹ Prison = Initial Confinement + Extended Supervision; Probation = Sentence Withheld OR Sentence Imposed & Stayed.

² Average = Median (50th percentile); Range = Inter-Quartile (25th & 75th percentiles).

OFFENDER CHARACTERISTICS BY REGION

Offender	DR	FV	MK	RK	RS
Race/Ethnicity					
White	45%	87%	12%	35%	83%
Black	52%	8%	77%	59%	8%
Hispanic	2%	1%	10%	6%	4%
Other	1%	4%	1%	0%	5%
Gender					
Male	92%	88%	93%	89%	90%
Female	8%	12%	7%	11%	10%
Age					
< 18	4%	2%	5%	5%	3%
18 - 22	47%	58%	47%	42%	51%
23 - 29	33%	15%	29%	36%	22%
30 - 39	12%	11%	14%	11%	13%
> 39	4%	14%	5%	6%	11%
Criminal History					
Prior Felony Conviction	36%	29%	33%	31%	29%
Prior Prison Sentence	12%	9%	18%	16%	10%

CONCLUSION

The proliferation of drug manufacturing and distribution has had a significant impact on the criminal justice system over the past 20 years. As a result of the “war on drugs”, state and federal prison populations have increased exponentially. Changes in drug-related sentencing policies, such as mandatory minimums, three-strikes laws, and differential penalties for possession of powder and crack cocaine have been credited with much of this increase. Not surprisingly, the relationship between drug use and criminal behavior has been a major source of concern for policymakers and researchers, alike.

Drug trafficking offenses have had a nationwide impact on the system, yet some geographic regions have been disproportionately affected by the problem. Subsequently, sentencing practices have varied between the different states. Compared to the national average, the percentage of convicted drug trafficking cases sentenced to confinement in Wisconsin is substantially smaller (68% and 43%, respectively). Yet, sentence lengths for prison and probation were nearly identical between the national average and that in Wisconsin.

Similar to state variations, differences were also found between Wisconsin’s five geographic regions. For example, 50% of the drug trafficking convictions occurred in the Milwaukee Region. Twenty-five percent occurred in the Rest of State Region, and the remaining 25% was split somewhat evenly between the other three regions. A disparity was also found in the distribution of sentence types – prison vs. probation – between the five regions. For example, in two regions (Milwaukee & Racine/Kenosha) over 50% of the convicted drug trafficking cases were sentenced to prison. Conversely, in the Fox Valley and Rest of State Regions less than 25% of these cases were sentenced to prison. Yet unlike sentence types, sentence lengths and ranges of confinement, extended supervision, and probation were nearly identical across all five regions.

Results of this analysis provide insight into drug trafficking offenses, offenders, and common sentencing practices. Overall, it appears as though the most noticeable disparities were found in sentence types (prison vs. probation), not lengths. This is especially true in Wisconsin where the percentages of prison sentences varied widely between regions for all seven offense severity levels.