



# **SAR Implementation**

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# The Aims of Criminal Justice Systems

Is it possible to envision an ideal sentencing system?

- How much incarceration?
- How much rehabilitation?

# Judicial Discretion or Mandated Sentencing

## Mechanisms of Legislative Control

- Felony Class

### Sentences of New Prison Admissions in 2005

Felony Class	Avg Sentence	Standard Deviation
A	17.2	7.4
B	8.4	3.6
C	4.6	2.0
D	3.1	1.1
U	15.7	9.2

- **Enhanced Sentencing**

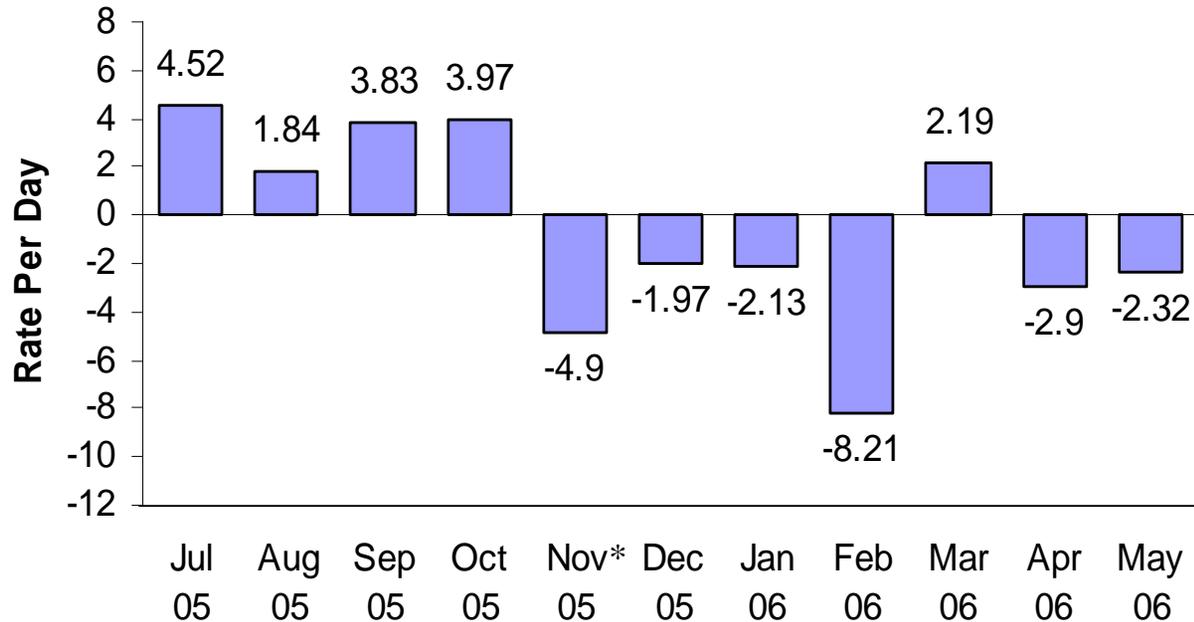
Today only 8% of incarcerated offenders have an enhanced sentence.

- **Minimum mandatory prison term**

26% of offenders admitted to prison in 2005 for a new offense had a minimum mandatory prison term.

# The Reduction in the Prison Population Since November 2005

## Institutional Population Growth in FY06



\* Statewide implementation of the SAR began in November 2005

# Statewide Implementation

- 4,886 SARs requested
- 4,184 SARs completed
- 2,482 offenders have been received by the DOC following a SAR
- Average time to complete the SAR is 35 days compared to 41 days for the PSI format.

# Court Compliance with the Recommended Presumptive Sentence

Actual sentencing is sometimes more severe than the recommended presumptive sentence.

- 7.8% fewer probation/CSS sentences than recommended
- 3.2% more 120-Day Shock sentences than recommended
- 4.6% more prison sentences than recommended

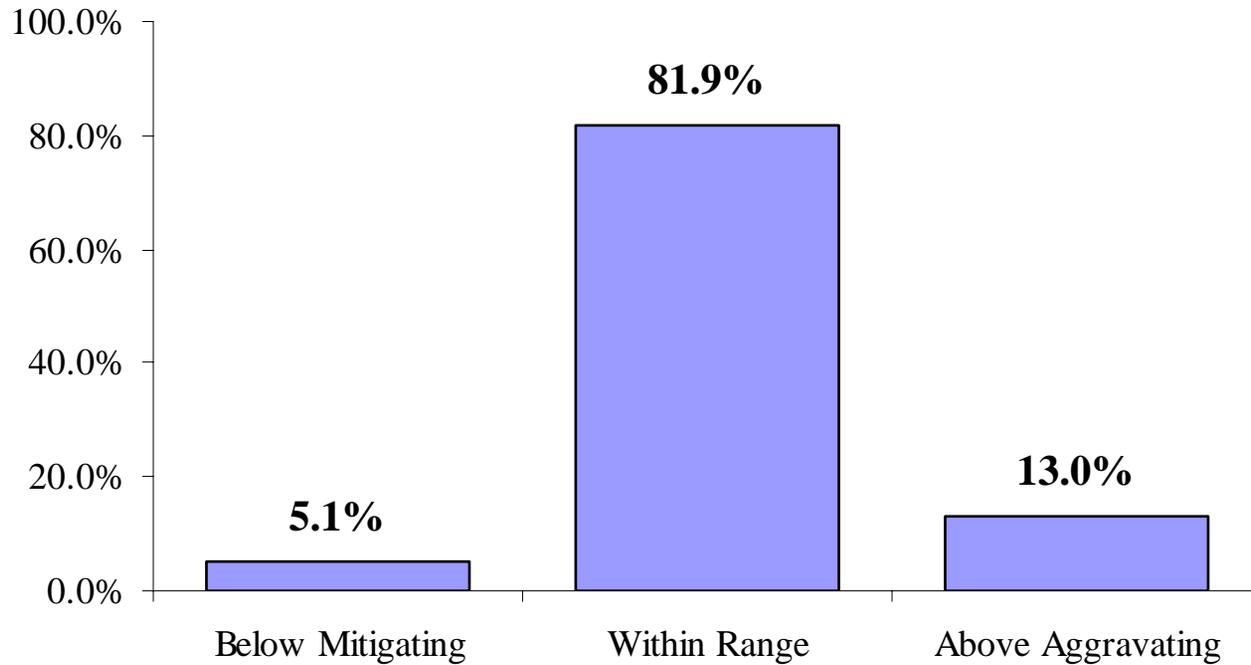
# Compliance Varies by Offense

## Percent Prison Disposition Actual vs. Presumptive

- Violent offenses are 10.5% higher
- Sex offenses are 20% higher
- For other offenses the difference is less than 4%

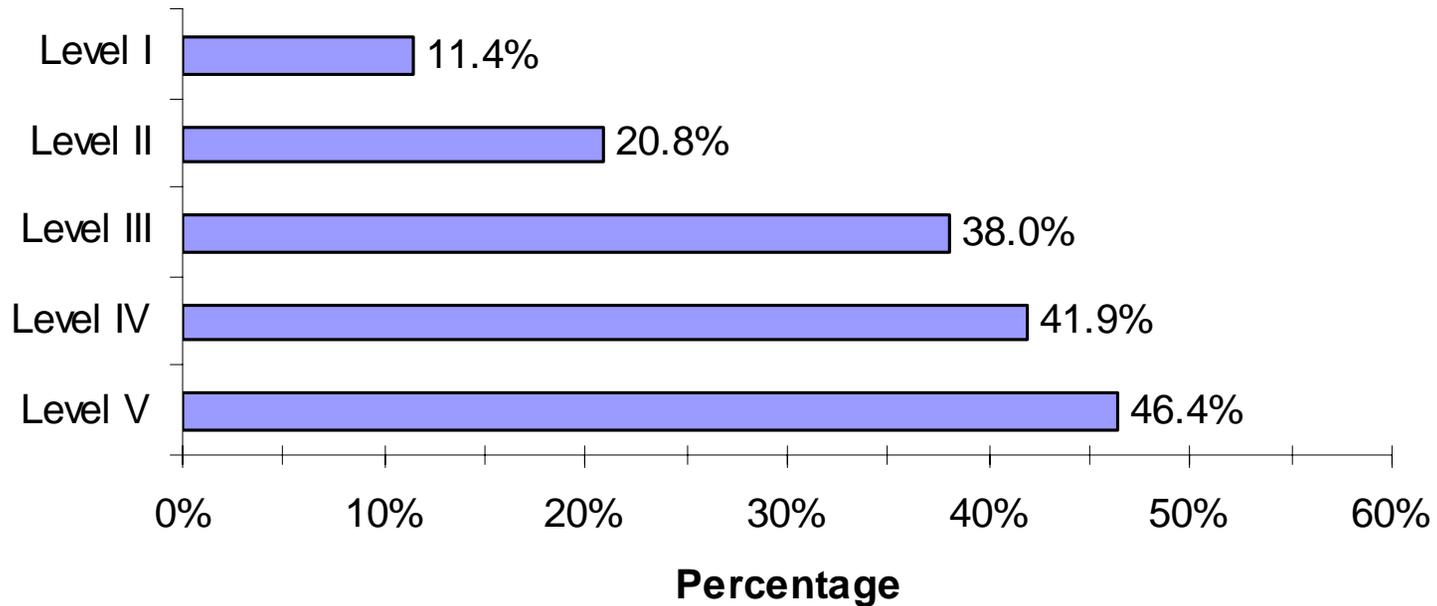
# Court Compliance with the Recommended Sentence Range

**Actual Sentences Compared to Recommended Sentence Range**



# Sentencing and the Prior Criminal History Level

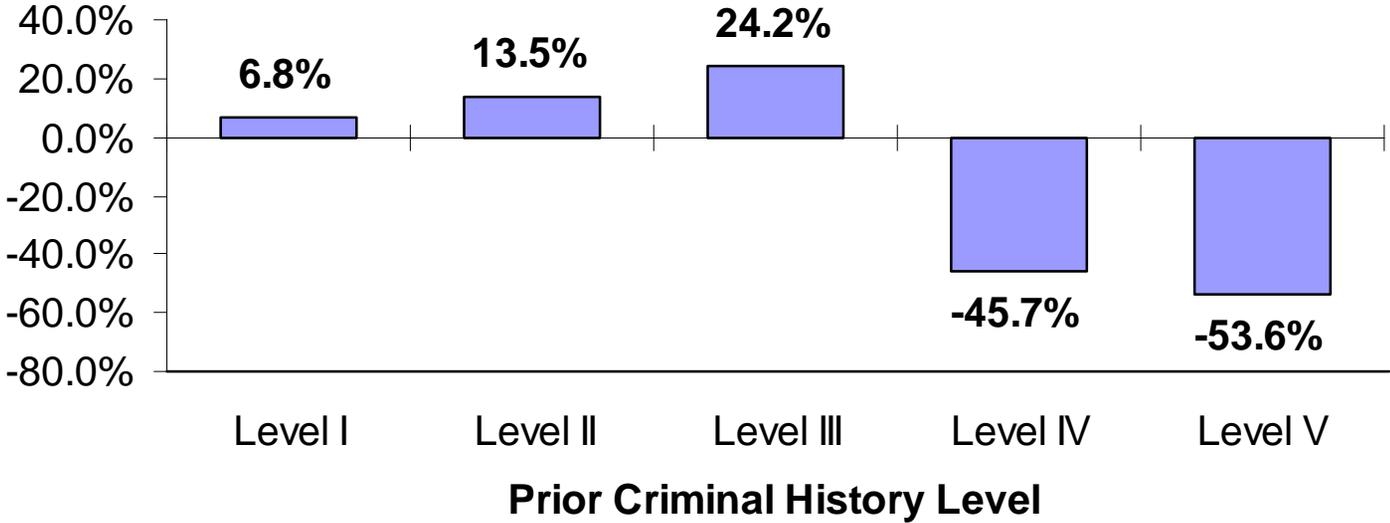
## Percent Prison Disposition



Sentencing severity increases with prior criminal history.

# Compliance and the Prior Criminal History Level

The Difference between  
the Percent of Offenders who receive a Prison Sentence and  
the Percent of Offenders who are Recommended a Prison Sentence



Sentencing does not fully reflect the prior criminal history of hardened criminals.

# Metro Areas Have Lower Compliance with the recommended sentencing range.

Jackson County	73.9%
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St. Louis County	79.5%
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St. Louis City	75.2%
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First Class Counties	82.7%
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Rural Counties	82.8%
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Scott and Mississippi counties have a 100% compliance.

# Which counties are requesting SARs

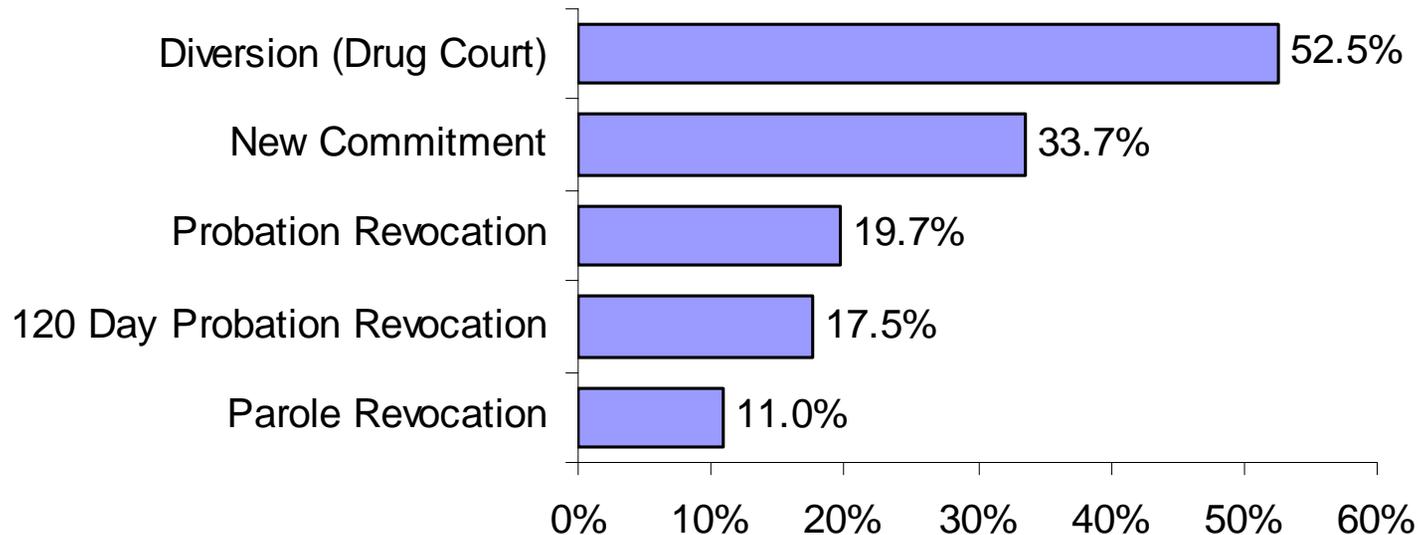
Overall 30% of new sentences have a requested pre-sentence investigation but the rate at which investigations are requested varies greatly around the state.

- Usually request SAR: Buchanan, Boone, Christian, Clay, Franklin, Jasper, Platte and Washington
- Rarely request SAR: Jackson and the St. Louis metro area (City, County and St Charles)



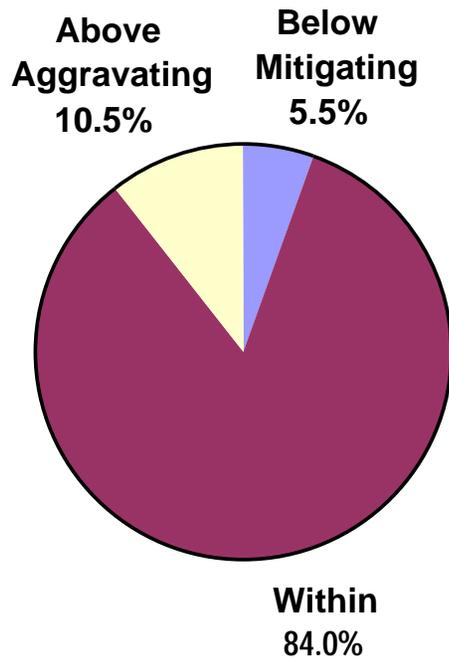
# Investigations by type of offender

## Percentage of Court Requested Investigations in New Sentences in 2005

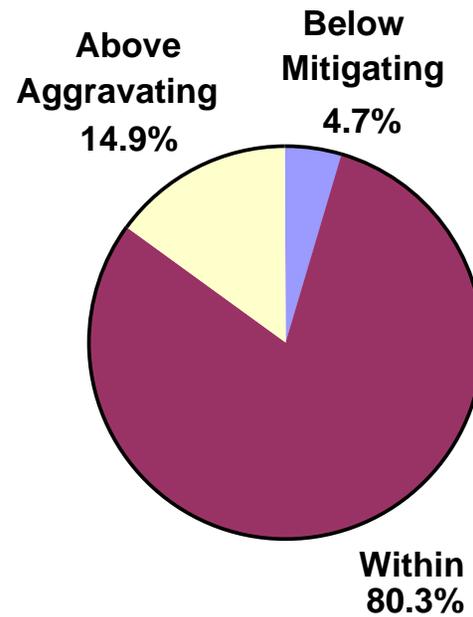


# Plea Agreements

**Plea Agreement: Yes**



**Plea Agreement: No or Not Known**



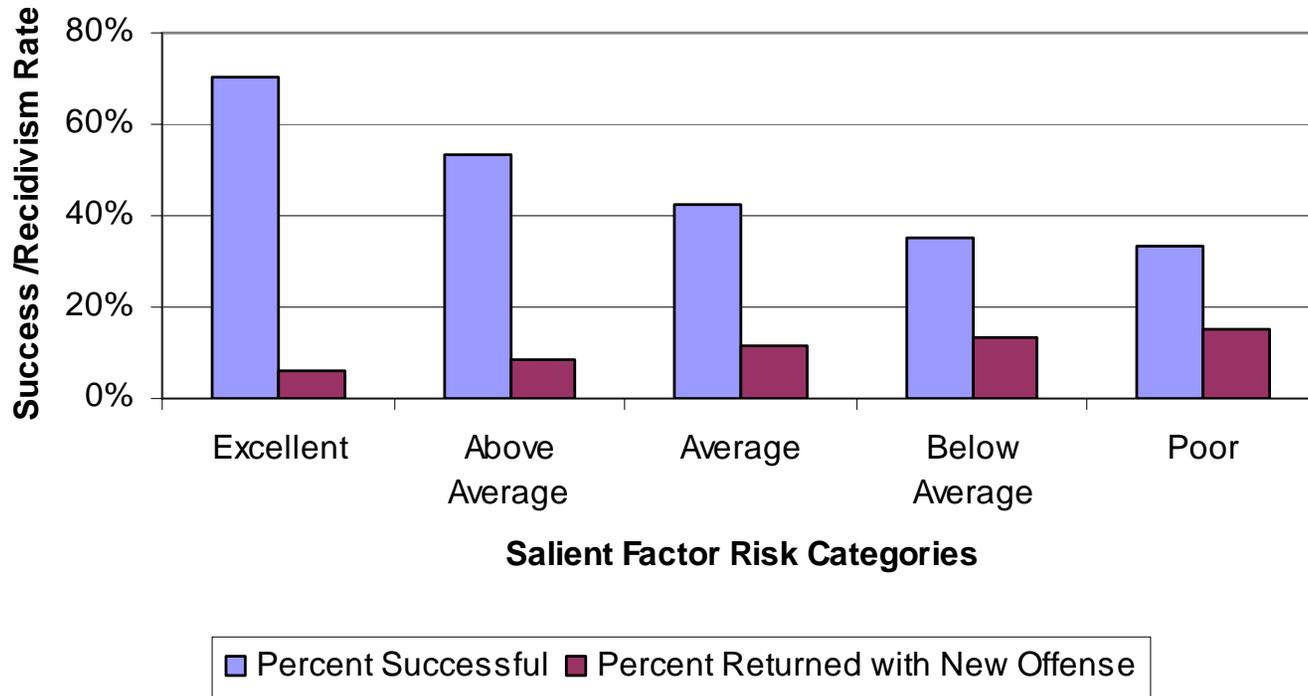
# How good is the Salient Factor Risk Assessment?

After Three Years:

- 70% of offenders that scored Excellent (lowest risk) were successful.
- 33% of offenders that scored Poor (highest risk) were successful.

Success: Offender had been discharged from the sentence or still under supervision without a revocation of parole.

# Outcome of FY01 Releases After Three Years



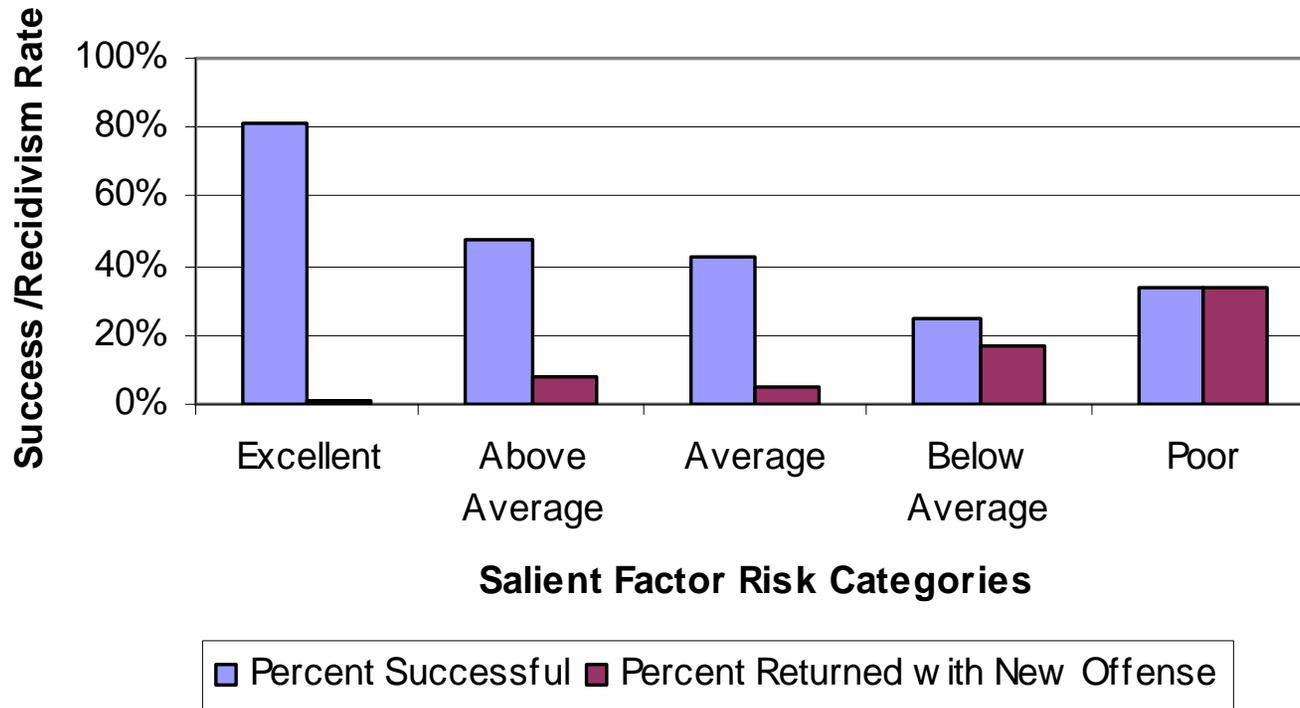
# Average Recidivism Rates for Prison Releases from 1995 to 2005.

The percent with New Conviction & Incarceration after 5 years.

- Sex Offenders 8.7%
- Other Violent Offenders 17.3%
- Non violent Offenders 21.3%

Most sex offenders score well on Risk Scales.

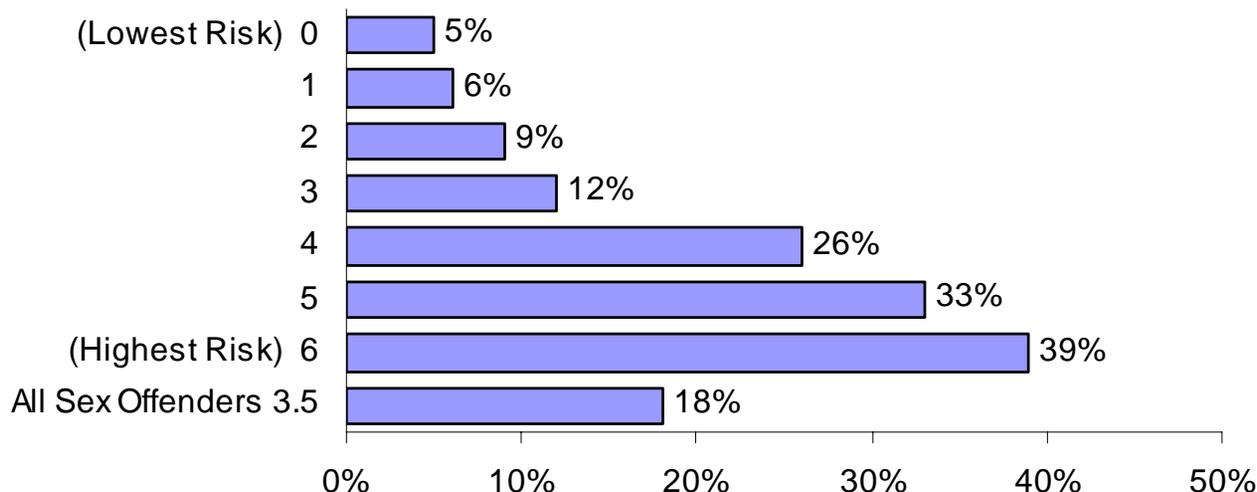
# Outcome of FY01 Releases of Sex Offenders After Three Years



# Sex Offender Assessment: STATIC-99

The Board of Probation and Parole intends to use a sex assessment instrument in fiscal year 2007 and incorporate the results into the SAR. The instrument is the STATIC-99 developed by Hanson and Thornton in 1999.

**STATIC-99 Recidivism Percentage by Risk Level**



# Proposed changes to the Recommended Sentences Changes in FY 2007

Increase the aggravating and some presumptive sentences for the two lowest prior criminal history levels.

- Murder 2nd degree
- Forcible Rape, Forcible Sodomy
- Statutory Rape 1st degree, Statutory Sodomy 1st degree
- Child Molestation 1st degree



For More Information...



## **Missouri Sentencing Advisory Commission**

[www.mosac.mo.gov](http://www.mosac.mo.gov)

Or

## **Missouri Department of Corrections**

### **Research and Evaluation Unit**

(573) 526-6511

[www.doc.mo.gov](http://www.doc.mo.gov)