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To: The Joint Legislative Justice Oversight Committee

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Re: Review of Misdemeanor Probation Use / Sentencing Commission

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Between 2015 and 2019, there were 18 dockets,<sup>1</sup> representing 23 charges,<sup>2</sup> sentenced to more than two years on the maximum for a probation sentence.

The 14 final misdemeanor charges were

Simple Assault
DUI#1 - Influence
DUI#2 Greater than legal limit
False pretenses of false tokens \$900 or less
Heroin possession less than 200 mgm
Non-controlled drug – sell as controlled
Possession of child pornography
Reckless endangerment
Retail theft \$900 or less
Unlawful mischief \$250 or less
Vehicle operation – careless or negligent
Vehicle operation – excessive speed
Vehicle operation – reckless or gross negligent
Violations of conditions of release

Information<sup>3</sup>

- The range on the minimum sentence was 30 days to 9 years.
- The range on the maximum sentence was 2.5 years to 12 years.
- 14 out of the 18 dockets/individuals were sentenced to 5 years or more on the maximum.
- All defendants were white.
- No county sentenced more than 5 dockets/individuals to >2 years.
- No individuals in Essex, Orange, or Grand Isle counties were sentenced to >2 years' probation.

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<sup>1</sup> A docket represents an individual; however, an individual may have more than one docket. 18 dockets may equal 18 people, or 18 dockets may equal any number of people up to 18.

<sup>2</sup> Dockets can contain more than one charge in this case 18 dockets contained 23 charges.

<sup>3</sup> Because the numbers are so low, more detailed information might identify a person.