

MAINE STATE LEGISLATURE

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MAINE CRIME & JUSTICE DATA BOOK 2008

Maine Statistical Analysis Center
USM Muskie School of Public Service

<http://muskie.usm.maine.edu/justiceresearch>

ABOUT THE UNIVERSITY OF SOUTHERN MAINE (USM) MUSKIE SCHOOL OF PUBLIC SERVICE

The USM Muskie School of Public Service educates leaders, informs public policy, and strengthens civic life through its graduate degree programs, research institutes and public outreach activities. By making the essential connection between research, practice, and informed public policy, the School is dedicated to improving the lives of people of all ages, in every county in Maine and every state in the nation.

ABOUT THE MAINE STATISTICAL ANALYSIS CENTER (SAC)

The Maine Statistical Analysis Center (SAC) operates as a collaborative service of the USM Muskie School of Public Service and the Maine Department of Corrections. The SAC is partially supported by the Bureau of Justice Statistics and is guided by an Advisory Group of policy makers from the Maine Administrative Office of the Courts, Maine Department of Public Safety, Maine Department of Corrections, and Maine Criminal Justice Commission.

The SAC collects, analyzes, and disseminates justice data and research reports to criminal justice professionals, policy makers, researchers, students, advocates, and the public. The Maine SAC website is located at:

<http://muskie.usm.maine.edu/justiceresearch>.

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Maine Criminal Justice Commission

Stephen P. Thomas, LCSW, Acting Chair

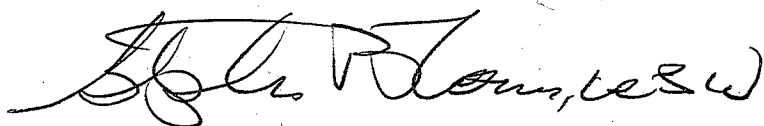
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March 5, 2009

One of the statutory charges of the Maine Criminal Justice Commission is to keep governmental entities informed of trends and existing conditions in Maine's criminal justice system. Over the years, the Commission has printed the Maine Crime and Justice Data Book, which is developed by the Maine Statistical Analysis Center at the Muskie School of Public Service. The latest version of the Data Book charts changes in crime, arrests and incarceration, and includes a new section on adult and juvenile recidivism in Maine. It will be distributed to all State Legislators and to key criminal justice policy and decision makers.

The Data Book can also be found (in convenient downloadable format) on the Maine Statistical Analysis Center website at <http://muskie.usm.maine.edu/justiceresearch>.

We hope this information will prove useful and informative to you.



Stephen P. Thomas, LCSW
Acting Chair

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INTRODUCTION

The 2008 Maine Crime and Justice Data Book presents a portrait of crime and justice indicators in the state, using the most recent Department of Public Safety, Department of Corrections and court data available for Maine. Totals were disaggregated to the state, county and municipal levels (where possible) and stratified by crime type, age of offender and gender. The data book consists of four sections, 1) Index Crimes in Maine, 2) Arrests and Clearances in Maine, 3) Courts and Corrections, and 4) Maine's Adult and Juvenile Recidivism Outcomes.

While Maine has the lowest violent crime rate in the country, certain crimes, most notably forcible rate and domestic assaults, are occurring more often. In addition, drug and alcohol arrests account for a disproportionate share of all arrests made. This report also examines the rise of incarceration rates, a trend which is having profound social and fiscal impacts on the state and counties. Finally, this report offers both adult and juvenile recidivism data for the first time.

CORRECTIONS POLICY AND PRACTICE CHANGES

Since the last Data Book was released, the state has instituted numerous policy and legislative changes in corrections. In late 2004, new law and policy changes restricted probation to felonies and a limited number of misdemeanors. In 2005, Maine was one of two states¹ chosen to begin implementing a series of evidence-based principles in community corrections as part of a National Institute of Corrections' (NIC) pilot project to improve the effectiveness of correctional management of offenders in the community. Over the last four years, the Maine Department of Corrections introduced a risk assessment instrument, the Level of Service Inventory-Revised (LSI-R) for offenders under supervision of the Department. The decision to manage its probation caseload by assessing risk helped Maine create a system that more accurately measures the likelihood an offender will re-offend. It also provides a framework to implement effective interventions to reduce recidivism.

In 2005, the Corrections Alternatives Advisory Committee (CAAC) was created to improve the efficiency and effectiveness of state and county level corrections systems, and to better manage costs. The CAAC recommended changes in the bail code and pre-trial processes as essential elements for reduction of the county jail population, which has risen dramatically over the past ten years.

¹The other state was Illinois

In 2008, the state Legislature established a State Board of Corrections (BOC) with substantial oversight and authority to address the task of unifying Maine’s correctional system. The state legislature also established a State Sentencing and Corrections Practices Council, to assist the state with policy recommendations for best practices. These changes are beginning to be reflected in correctional trend data found in this report.

DATA SOURCES

The Data Book was produced in collaboration with the Maine Department of Corrections, the Maine Department of Public Safety, the Maine Judicial Branch, the Maine Criminal Justice Commission and University of Southern Maine Muskie School of Public Service. Data sources include:

- All reported crime, arrests, and clearance rates from the Maine Department of Public Safety’s annual Crime in Maine publication;
- Court data provided by the Maine Administrative Office of the Courts;
- Corrections data from the Bureau of Justice Statistics and the Maine Department of Corrections and;
- Recidivism data from the Maine Department of Corrections.

All data are available on the Maine Statistical Analysis Center Website at:

<http://muskie.usm.maine.edu/justiceresearch>.

This analysis is part of the Maine Statistical Analysis Center’s (SAC) mission to provide criminal justice information to the general public and policy makers in Maine.

SUMMARY OF KEY FINDINGS

This report presents a number of findings about crime, arrests and incarceration in Maine.

INDEX CRIME FINDINGS

FOR THE FIRST TIME, MAINE'S RATE OF REPORTED RAPE PER 100,000 PEOPLE MATCHED THE NATIONAL AVERAGE OF 30 PER 100,000 PEOPLE. This is in part due to the fact that the national average has been on the decline over the past ten years while Maine's rate has been on the rise.

THE RATE OF REPORTED DOMESTIC VIOLENCE ASSAULTS IN MAINE INCREASED 3.9% BETWEEN 2006 AND 2007, AND INCREASED 49.7% BETWEEN 1998 AND 2007. This is an increase of 1,916 assaults. As a percentage of all assaults, domestic violence accounts for 51.2% of assaults in Maine, an increase of 36.9% since 1998, when domestic violence accounted for 37.4% of all assaults. The number of domestic violence assaults nearly quadrupled in Kennebec County, which experienced the sharpest increase. Only Sagadahoc and Hancock experienced decreases.

MAINE EXPERIENCED A DECLINE OF 3.4% IN INDEX CRIMES BETWEEN 2006 AND 2007², MORE THAN THE US AVERAGE DECLINE OF 2.0%. In 2007, Maine reported 33,796 Index crimes, a decrease of 1,198 from the previous year's total of 34,994, and below Maine's 10 year average of 34,579.

ARREST FINDINGS

OVER THE PAST TEN YEARS, ARRESTS FOR DRUG ABUSE VIOLATIONS HAVE INCREASED 23.2%. Of all drug arrests, more than three quarters (78.3%) involved possession violations, while 21.7% were for sale or the manufacturing of drugs. Half of drug arrests were for marijuana.

JUVENILE ARRESTS CONTINUE TO DECLINE, ESPECIALLY FOR INDEX CRIMES. Over the last ten years, the number of arrests for juveniles declined 39.5%, with the number of Index Crimes falling 50.2%, and the number of violent

²All Maine data are from the Department of Public Safety's Crime in Maine reports for 1998-2007 http://www.state.me.us/dps/cim/crime_in_maine/cim.htm

crime arrests falling 34.5%. As a share of juvenile crime, Index offenses accounted for 29.6% of all crimes in 2007, down from 36.3% in 1998.

COURTS & CORRECTIONS FINDINGS

IN 2007, MAINE HAD THE FEWEST JUDICIAL EMPLOYEES PER CAPITA IN THE COUNTRY AT A RATE OF 3.8 PER 10,000 PEOPLE. In Fiscal Year (FY) 2007, the Judicial Branch received \$57.9 million or 1.9% from the state's general fund.

CHILD PROTECTIVE CASES INCREASED 20.6% BETWEEN 2007 AND 2008. There were 836 child protective cases in FY 2008. Child protective cases occur when a Department of Health and Human Services caseworker can identify a child as needing the court's protection due a variety of circumstances.

MAINE CONTINUES TO HAVE THE LOWEST STATE PRISON INCARCERATION RATE PER CAPITA IN THE NATION. In 2007, Maine's 159 inmates per 100,000 residents was the lowest rate in the country. This is three times lower than the national average (506). However, from 2006 to 2007, Maine's prison population grew an estimated 4.6%. This rate is the seventh fastest growth in the country, and surpasses the national average of 1.8%.³

THE NUMBER OF INMATES UNDER THE JURISDICTION OF STATE CORRECTIONAL AUTHORITIES HAS GROWN NEARLY ONE-THIRD (31.4%) IN TEN YEARS. Since 2004, the increase in prison population appears to be driven primarily by prisoners receiving a sentence for a new crime, rather than prisoners being sent back to prison for a probation revocation.

THE NUMBER OF OFFENDERS ON PROBATION IN MAINE DECLINED 38.8 PERCENT BETWEEN 2004 AND 2008. Since 2004, probation caseloads have continued to decline, falling from 9,902 to 6,062 on November 1, 2008.

³West, H.C., and Sabol, W.J., Prisoners in 2007, Bureau of Justice Statistics Bulletin, Office of Justice Programs, U.S. Department of Justice, NCJ 224280, December, 2008.

MAINE SPENDS LESS THAN MOST STATES ON CORRECTIONS. In 2007, Maine spent \$144 million on corrections, including \$138 million from the general fund, \$3 million in federal funds, and another \$3 million in “other state funds. Maine ranked fifth lowest at 2.0 percent of total expenditures, significantly lower than the national average of 3.4 percent in 2007. In terms of expenditures from its general fund, Maine spends 4.6% of its general fund expenditures on corrections, which is eighth lowest in the nation.

RECIDIVISM FINDINGS

THE ONE-YEAR RECIDIVISM RATE OF MAINE PROBATIONERS HAS NOT INCREASED SIGNIFICANTLY OVER THE PAST THREE YEARS. The one-year recidivism rate rose slightly each year, from 21.3% of the 2004 cohort to 24.8% of the 2006 cohort. However, the number of probationers who recidivated declined from 864 to 754.

THE OVERWHELMING MAJORITY OF NEW CRIMINAL CONDUCT OCCURRED DURING THE FIRST YEAR OF SUPERVISION. Of those who entered probation in 2004, more than two thirds (70.9%) of the recidivists committed at least one new crime in their first year of probation.

OVERALL, 58% OF PRISONERS RELEASED IN 2004 HAVE BEEN RE-INCARCERATED. Of the 966 offenders released from prison in 2004, 561 had been returned to prison by May 2008.

JUVENILES ADJUDICATED FOR THE FIRST TIME IN 2005 WERE MOST LIKELY TO HAVE A SENTENCE SUSPENDED OR BE ASSIGNED COMMUNITY SERVICE. The most frequent court action for juveniles adjudicated for the first time was the suspension of determinate sentence of 30 days or less, which typically refers to an attenuated sentence in some form of confinement followed by supervision. Community service is the next most frequent court action for this population.

JUVENILE RECIDIVISM OFFENSES ARE PREDOMINANTLY PROPERTY CRIMES. Similar to the initial offense for juveniles adjudicated for the first time in 2005, 55% of recidivism offenses were property crimes. The next most frequent offense category was drug and alcohol crimes (23%). Personal crimes were the least occurring offenses within the recidivism category (19%). The overall juvenile recidivism rate for the 2005 cohort was 27%.

SECTION I: INDEX CRIMES IN MAINE

The violent crimes of murder (including non-negligent manslaughter), forcible rape, robbery, and aggravated assault and the property crimes of burglary, larceny-theft, motor vehicle theft, and arson are considered the most serious and commonly reported crimes occurring in the United States. For analytic purposes, therefore, these offenses are grouped together as Index crimes, which are reported annually by each state to the Federal Bureau of Investigation (FBI) as part of the Uniform Crime Reports (UCR). This section examines Index crimes occurring in Maine and compares them to trends in the rest of the country. All charts and tables in this section use data from the Maine Department of Public Safety's *Crime in Maine* series and the FBI's Uniform Crime Reports.

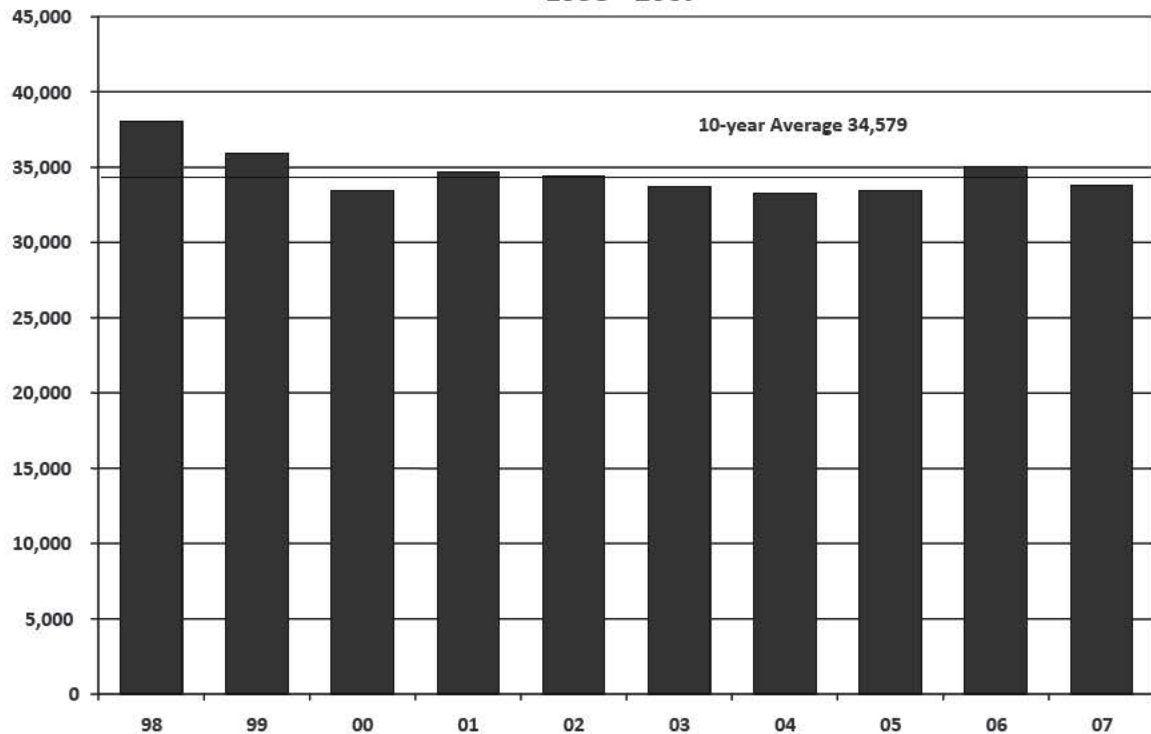
What follows is an overview of Index crime rates in Maine over the last ten years, and an examination of the trends in violent and property crimes. The violent crimes section includes data on domestic violence incidents. Domestic violence is not listed as an Index crime, but is included in this report because it has been identified as an area of critical concern by state leaders. Crime rates are disaggregated to explore the distinct developments across Maine's counties and towns and are compared to national and regional trends where applicable.

OVERVIEW

MAINE EXPERIENCED A DECLINE OF 3.4% IN INDEX CRIMES BETWEEN 2006 AND 2007¹, MORE THAN THE U.S. AVERAGE DECLINE OF 2.0%. In 2007, Maine reported 33,796 Index crimes, a decrease of 1,198 from the previous year's total of 34,994. The number of Index crimes reported in 2007 was below Maine's ten-year average (1998-2007) of 34,579. Between 2006 and 2007, Index crime rates increased in New Hampshire (0.8%) and Vermont (0.2%).

¹All Maine data are from the Department of Public Safety's *Crime in Maine* reports for 1998-2007 http://www.state.me.us/dps/cim/crime_in_maine/cim.htm

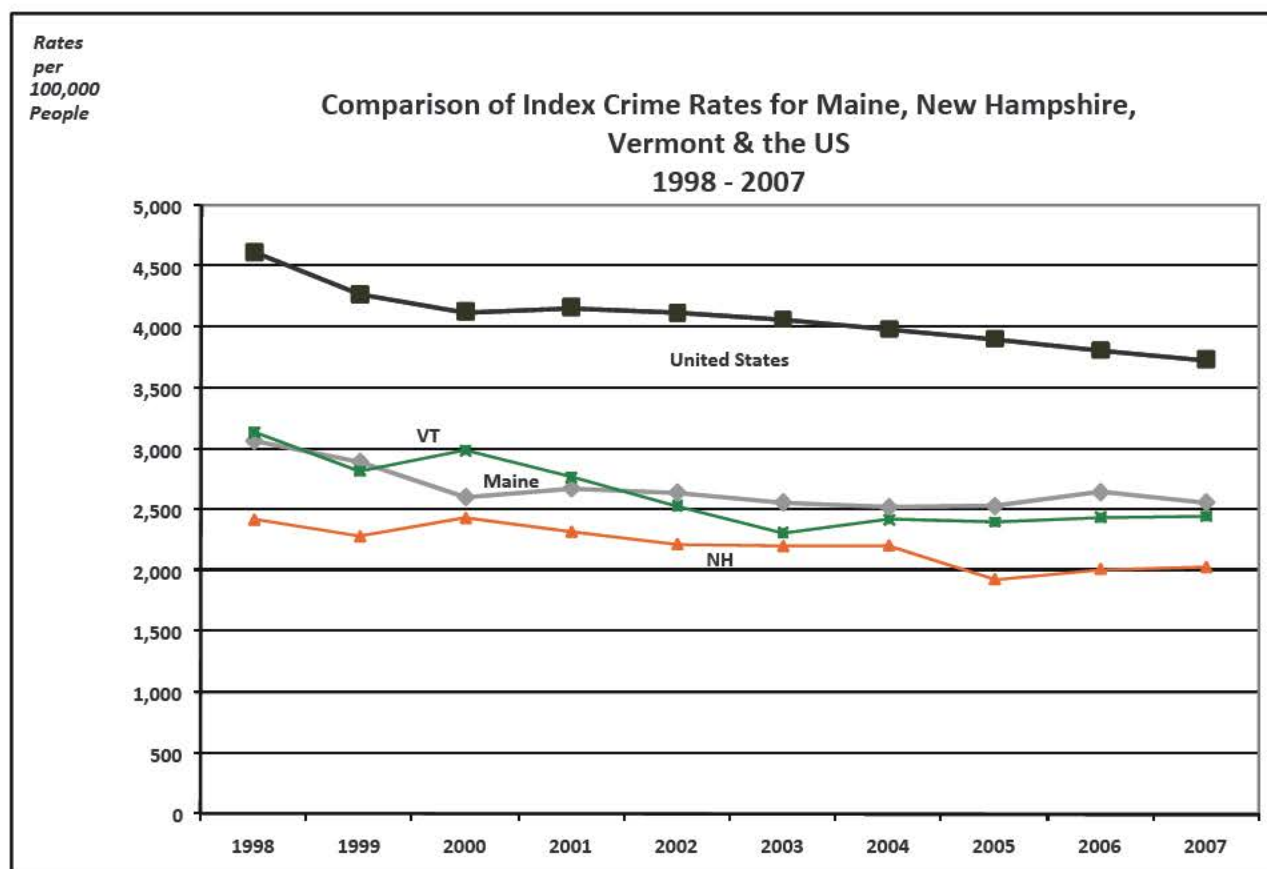
Trend: Reports of Index Crime in Maine, 1998 - 2007



MAINE'S INDEX CRIME RATE IS 31.2% LOWER THAN THE NATIONAL AVERAGE. However, Maine's 2007 Index crime rate (excluding arson) remains slightly higher than the rates in Vermont and New Hampshire. In 2007, Maine's Index crime rate per 100,000 residents was 2,566, compared to 2,447 for Vermont and 2,029 for New Hampshire. Between 1998 and 2007, the decline in Index crime rates in Maine (16.7%) and New Hampshire (16.2%) was less than the decline in Vermont (22.0%) and the U.S. overall (19.2%).

	2007 Index Crime rate per 100,000 population	2006- 2007 change	2003- 2007 change	1998- 2007 change
Maine	2,566	-3.1%	-0.5%	-16.7%
New Hampshire	2,029	0.8%	-7.9%	-16.2%
Vermont	2,447	0.2%	5.9%	-22.0%
United States	3,731	-2.0%	-8.2%	-19.2%

Most researchers suggest a combination of factors have contributed to the decline: changing demographic patterns – in particular, fewer individuals between 18 and 35 years old, which are the years when offenders most often commit crimes; the growing economy in the late 1990s; and the increase in incarceration of violent offenders. For example, the share of Maine residents 18 to 35 years old declined from 26.8 percent in 1990 to 20.5 percent in 2000. According to the Federal Bureau of Labor Statistics, the number of total non-farm jobs in Maine increased 14.3 percent from 537,000 to 614,000 between 1994 and 2004.² Finally, Maine’s prison population has increased 36.5 percent over the last ten years. If one accepts these trends as influencing crime rates, then the next section shows these trends do not apply evenly across the state.



²November to November data. See Department of Labor Bureau of Labor Statistics non-farm payroll data.

NINE MAINE COUNTIES EXPERIENCED DECLINES IN INDEX CRIMES FROM 2006 TO 2007, WHILE THE REMAINING SEVEN EXPERIENCED INCREASES. The largest percentage decreases were in Somerset County (16.3%) and Franklin County (14.9%), while the largest increase by far occurred in Piscataquis County (28.8%). One should be careful when analyzing a one-year change at the county level, since specific factors, such as crime related to one individual, can sometimes heavily influence the numeric outcomes in particularly sparsely populated counties. Nevertheless, this report monitors such changes because they can be used to chart progress if a new intervention has been implemented or identify a potential trend that needs attention.

Maine - All Index Crimes (Numeric)				
County	2006	2007	Numeric Change	Percent Change
Androscoggin	2,951	2,801	-150	-5.1%
Aroostook	1,391	1,237	-154	-11.1%
Cumberland	8,712	7,925	-787	-9.0%
Franklin	985	838	-147	-14.9%
Hancock	1,004	965	-39	-3.9%
Kennebec	3,192	3,289	97	3.0%
Knox	980	887	-93	-9.5%
Lincoln	564	597	33	5.9%
Oxford	1,366	1,419	53	3.9%
Penobscot	4,763	4,909	146	3.1%
Piscataquis	437	563	126	28.8%
Sagadahoc	763	734	-29	-3.8%
Somerset	1,643	1,376	-267	-16.3%
Waldo	676	689	13	1.9%
Washington	751	725	-26	-3.5%
York	4,816	4,842	26	0.5%
Total	34,994	33,796	-1,198	-3.4%

OVER THE PAST TEN YEARS, THE OVERALL RATE OF INDEX CRIMES HAS DECREASED BY 16.7%. Eleven of Maine's counties, over two-thirds, experienced decreases in Index crimes in that time. The largest decreases occurred in Hancock County (-34.6%) and Androscoggin County (-32.3%). However, five Maine counties, nearly one-third, experienced increases in Index crimes. Steepest among these were a 22.0% increase in Piscataquis and Waldo Counties respectively.

Maine - All Index Crimes (Population-Based)			
County	2007 Total Index Crime rate per 100,000 population	5 year change	10 year change
Androscoggin	2,614	-10.0%	-32.3%
Aroostook	1,712	-12.6%	-10.7%
Cumberland	2,896	-5.0%	-25.5%
Franklin	2,810	9.0%	-24.1%
Hancock	1,799	-22.9%	-34.6%
Kennebec	2,727	3.4%	-2.0%
Knox	2,165	-10.9%	1.9%
Lincoln	1,697	-8.8%	0.6%
Oxford	2,491	26.1%	-12.3%
Penobscot	3,357	8.2%	2.2%
Piscataquis	3,219	19.6%	23.0%
Sagadahoc	1,996	-7.7%	-24.1%
Somerset	2,650	-7.0%	-22.2%
Waldo	1,779	-6.6%	22.0%
Washington	2,204	7.6%	-4.1%
York	2,386	9.1%	-23.3%
Total	2,566	-0.5%	-16.7%

IN 2007, SIX MAINE MUNICIPALITIES REPORTED MORE THAN 1,000 INDEX CRIMES (INCLUDING ARSON).

Index crimes in these cities (Portland, Bangor, Lewiston, Augusta, Biddeford, and South Portland) totaled 9,903 crimes, or 29.3% of all Index crimes in Maine. While these municipalities account for more than one-quarter of Index crimes, they comprise less than 15% (14.7%) of the state's population.

Municipality	2007 Index Crimes
Portland	3,326
Bangor	1,954
Lewiston	1,223
Augusta	1,218
Biddeford	1,132
South Portland	1,050

When we examine the ratio of Index crimes to population, the picture of crime changes. In 2007, the five municipalities with the highest Index crime (including arson) rates per 1,000 residents were Calais, Bangor, Augusta, Milo, and Rockland. It is important to note that the Index crimes are primarily driven by property crime totals, which are non-violent in nature, and are much higher in number than violent crimes. Property crime figures often fluctuate from year to year, and municipalities currently showing a high crime rate may show a much lower one next year and vice versa.

Municipality	Population	Index Crimes	Index crimes per 1,000 population
Calais	3,253	211	64.9
Bangor	30,940	1,954	63.2
Augusta	18,572	1,128	60.7
Milo	2,414	136	56.3
Rockland	7,582	419	55.3

The next two sections examine violent and property crime separately. Both crime types show distinct trend patterns within the state, and reflect ongoing challenges for state officials.

INDEX VIOLENT CRIMES IN MAINE

Violent crimes — murder, rape, robbery and aggravated assault — are of greatest concern to the general public and policy makers. The crime trends discussed here indicate only incidents reported to police and do not reflect the number of criminals who committed them or the number of injuries inflicted.

VIOLENT CRIMES INCREASED SLIGHTLY IN MAINE FROM 2006 TO 2007. The number of violent crimes in 2006 (1,524) increased 2.1% to 1,556 in 2007. The most significant change was in the number of reported rapes, up 15.6% from 340 in 2006 to 393 in 2007, the highest number in over ten years. Aggravated assault increased by 1.7%, from 780 in 2006 to 793 in 2007. Robbery decreased by 8.9%, from 383 in 2006 to 349 in 2007, and murders remained constant at 21.

Statewide Violent Crime Totals 2006-2007			
	2006	2007	Percent Change
Murder	21	21	0.0%
Rape	340	393	15.6%
Robbery	383	349	-8.9%
Aggravated Assault	780	793	1.7%
ALL INDEX CRIMES	1,524	1,556	2.1%

MAINE'S VIOLENT CRIME RATE HAS DECLINED 7.1% SINCE 1998, WHILE THE U.S. VIOLENT CRIME RATE HAS DROPPED 17.5%. In that time, Vermont has experienced a 16.7% increase in violent crime and New Hampshire's rate has increased 27.8%. Maine's violent crime rate is the lowest in the nation and continues to be four times below the national average, while Vermont and New Hampshire's rates are also far below the national average, ranking second and third lowest respectively.

	2007 Violent Index Crime rate per 100,000 population	1-Year Change	5-Year Change	10-Year Change
Maine	118	2.3%	9.4%	-7.1%
New Hampshire	137	-1.2%	-7.9%	27.8%
Vermont	124	-9.2%	12.5%	16.7%
United States	467	-1.4%	-1.7%	-17.5%

SEVEN COUNTIES EXPERIENCED DECLINES IN VIOLENT CRIME FROM 2006 TO 2007. Sagadahoc County experienced the greatest one-year decrease (-31.8%). Somerset County (-22.4%), Penobscot County (-18.9%), Washington County (-17.6%), Waldo County (-12.5%), Knox County (-9.1%), and Cumberland County (-4.5%) also experienced decreases in violent crime in 2007.

The largest one-year increases in violent crime were in Lincoln County (64.7%) and Piscataquis County (53.8%). Aroostook County (36.0%), Oxford County (27.9%), and Franklin County (22.0%) also experienced substantial increases. Smaller increases occurred in Hancock County (6.7%), York County (6.3%), Androscoggin County (6.2%), and Kennebec County (5.3%).

County Violent Crime Totals 2006-2007				
County	2006	2007	Numeric Change	Percent Change
Androscoggin	146	155	9	6.2%
Aroostook	50	68	18	36.0%
Cumberland	469	448	-21	-4.5%
Franklin	41	50	9	22.0%
Hancock	30	32	2	6.7%
Kennebec	150	158	8	5.3%
Knox	33	30	-3	-9.1%
Lincoln	17	28	11	64.7%
Oxford	61	78	17	27.9%
Penobscot	111	90	-21	-18.9%
Piscataquis	39	60	21	53.8%
Sagadahoc	22	15	-7	-31.8%
Somerset	58	45	-13	-22.4%
Waldo	24	21	-3	-12.5%
Washington	51	42	-9	-17.6%
York	222	236	14	6.3%
Total	1,524	1,556	32	2.1%

Over the past five years, Maine has experienced a 9.4% overall increase in violent crime. This was driven in part by increases in Piscataquis County (75.0%) and Kennebec County (74.6%). In the past five years, Waldo County (-62.6%) has experienced the greatest decrease. However, over the past ten years, Maine's overall violent crime rate has decreased 7.0%. While large increases in violent crime occurred in Franklin County (249.3%) and Oxford County (132.1%) since 1998, significant decreases in Somerset County (-70.9%), Hancock County (-47.7%), Penobscot County (-40.3%) have influenced the downward trend.

County Violent Crime Rates			
County	2007 Violent Crime rate per 100,000 population	5 year change	10 year change
Androscoggin	145	20.5%	-0.3%
Aroostook	94	36.4%	25.5%
Cumberland	164	9.2%	-12.4%
Franklin	168	14.1%	249.3%
Hancock	60	-26.3%	-47.7%
Kennebec	131	74.6%	47.2%
Knox	73	6.1%	-13.9%
Lincoln	80	6.1%	62.4%
Oxford	137	22.3%	132.1%
Penobscot	62	-15.7%	-40.3%
Piscataquis	343	75.0%	19.1%
Sagadahoc	41	4.6%	-18.4%
Somerset	87	-20.5%	-70.9%
Waldo	54	-62.6%	39.0%
Washington	128	-8.1%	-5.4%
York	116	4.8%	-8.4%
Total	118	9.4%	-7.0%

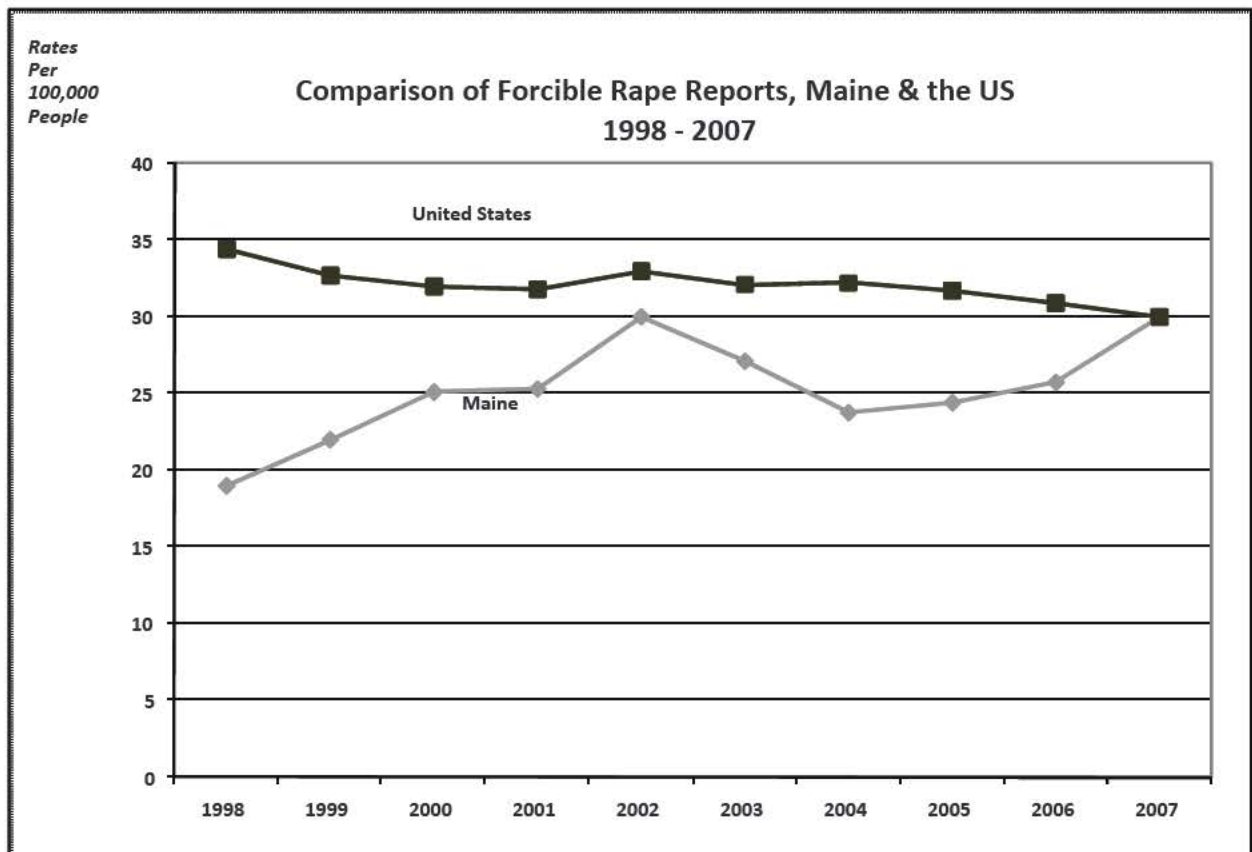
IN 2007, ONE-THIRD (33.4%) OF ALL VIOLENT CRIME REPORTED TO LAW ENFORCEMENT IN MAINE OCCURRED IN FIVE MUNICIPALITIES. Of these (Portland, Lewiston, Biddeford, Augusta, and Bangor), Portland experienced the highest number of violent crimes in 2007, at 231. This was more than twice the number of violent crimes reported in Lewiston (97), and three times the number in Biddeford (77). Robberies accounted for nearly half (44.6%) of Portland's total, while aggravated assault comprised another 44.2%. Biddeford reported the highest number of rapes (28), which accounted for more than one-third (36.3%) of the violent crime in that city. In Bangor, 52.2% of violent crimes are robberies (24). However, violent crime is by no means limited to larger municipalities in Maine. The highest rates of violent crime per 1,000 residents can be found in Milo (12.4), Calais (8.0), Wilton (5.0), Brownville (4.6), and Dover-Foxcroft (4.3). All of these rates are higher than the rates per 1,000 residents in Portland (3.7), Augusta (3.7), Biddeford (3.5), Lewiston (2.7), and Bangor (1.5). Of the 102 violent crimes committed in these five smaller towns, 95 were aggravated assaults.

Municipality	2007 Violent crimes	Murder and non-negligent manslaughter	Forcible rape	Robbery	Aggravated assault
Portland	231	1	25	103	102
Lewiston	97	2	23	34	38
Biddeford	77	0	28	21	28
Augusta	69	1	15	10	43
Bangor	46	1	4	24	17

Municipality	Population	2007 Violent Crimes	Violent crimes per 1,000 population
Milo	2,414	30	12.4
Calais	3,253	26	8.0
Wilton	4,210	21	5.0
Brownville	1,306	6	4.6
Dover-Foxcroft	4,391	19	4.3

FORCIBLE RAPE

FOR THE FIRST TIME, MAINE'S RATE OF REPORTED RAPE PER 100,000 PEOPLE MATCHED THE NATIONAL AVERAGE OF 30 PER 100,000 PEOPLE. This is in part due to the fact that the national average has been on the decline over the past ten years while Maine's rate has been on the rise. The number of rapes in 2007 (393), was 20.9% higher than the average of previous ten years (325), and 71.6% higher than the lowest year (229 in 1998). Vermont and New Hampshire have lower rates of forcible rape than Maine at rates of 20 and 25 per 100,000 people respectively. What explains the significant increase in reports of forcible rape over the past ten years, while the national trend has been declining, is unclear. While an improved climate for victims may lead to increased reporting of this crime, it is unlikely to be the sole influencing factor.



DOMESTIC VIOLENCE ASSAULTS³

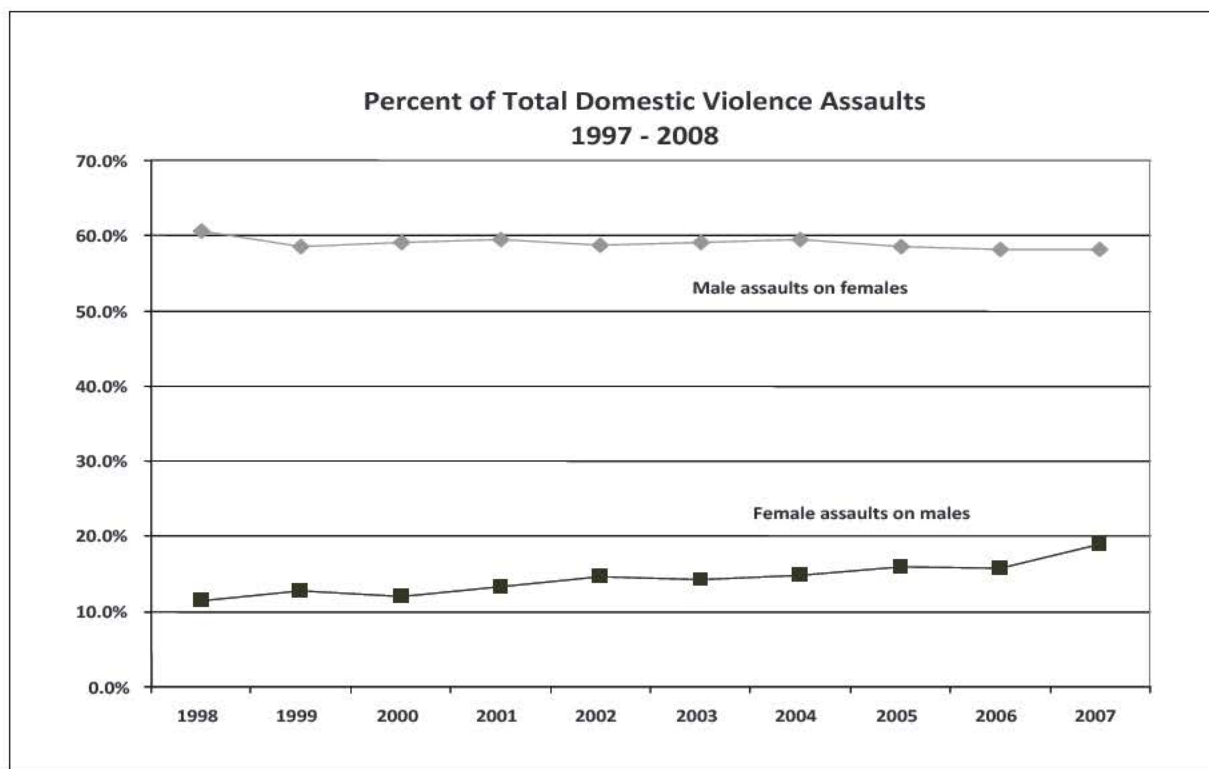
THE RATE OF REPORTED DOMESTIC VIOLENCE ASSAULTS IN MAINE INCREASED 3.9% BETWEEN 2006 AND 2007, AND INCREASED 49.7% BETWEEN 1998 AND 2007. This is an increase of 1,916 assaults. As a percentage of all assaults, domestic violence accounts for 51.2% of assaults in Maine, an increase of 36.9% since 1998, when domestic violence accounted for 37.4% of all assaults.⁴

Domestic violence assaults nearly tripled in Kennebec County (+292.3%), from 181 in 1998 to 710 in 2007. This was the largest increase in the state, followed by Lincoln County (+141.7%, from 48 to 116), Androscoggin County (+125.9%, from 340 to 768), and Oxford County (+112.9%, from 132 to 281). Only two counties experienced decreases in domestic violence assaults in this time period: Sagadahoc (-33.3%, from 129 to 86) and Hancock (-21.0%, from 119 to 94). Statewide, domestic violence assaults committed by females against males increased 148.5% between 1998 and 2007. In 1998, these assaults accounted for 11.4% of all domestic violence assaults, but in 2007 this proportion had increased to 19.0%. During the same ten years, the number of domestic violence assaults committed by males against females increased 43.7%. However, as a proportion of all assaults, domestic violence assaults committed by males against females decreased slightly, from 60.6% of all assaults in 1998, to 58.2% in 2007.

Domestic Violence Assaults – 1 and 10 Year Changes							
County	1998	2006	2007	1 Year Numeric Change	10 Year Numeric Change	1 Year Percent Change	10 Year Percent Change
Androscoggin	340	684	768	84	428	12.3%	125.9%
Aroostook	225	260	229	-31	4	-11.9%	1.8%
Cumberland	895	1,106	1,122	16	227	1.4%	25.4%
Franklin	92	139	147	8	55	5.8%	59.8%
Hancock	119	85	94	9	-25	10.6%	-21.0%
Kennebec	181	672	710	38	529	5.7%	292.3%
Knox	116	85	131	46	15	54.1%	12.9%
Lincoln	48	128	116	-12	68	-9.4%	141.7%
Oxford	132	249	281	32	149	12.9%	112.9%
Penobscot	443	435	473	38	30	8.7%	6.8%
Piscataquis	41	30	49	19	8	63.3%	19.5%
Sagadahoc	129	90	86	-4	-43	-4.4%	-33.3%
Somerset	207	307	340	33	133	10.7%	64.3%
Waldo	80	115	114	-1	34	-0.9%	42.5%
Washington	81	96	88	-8	7	-8.3%	8.6%
York	726	1,071	1,023	-48	297	-4.5%	40.9%
Total	3,855	5,552	5,771	219	1,916	3.9%	49.7%

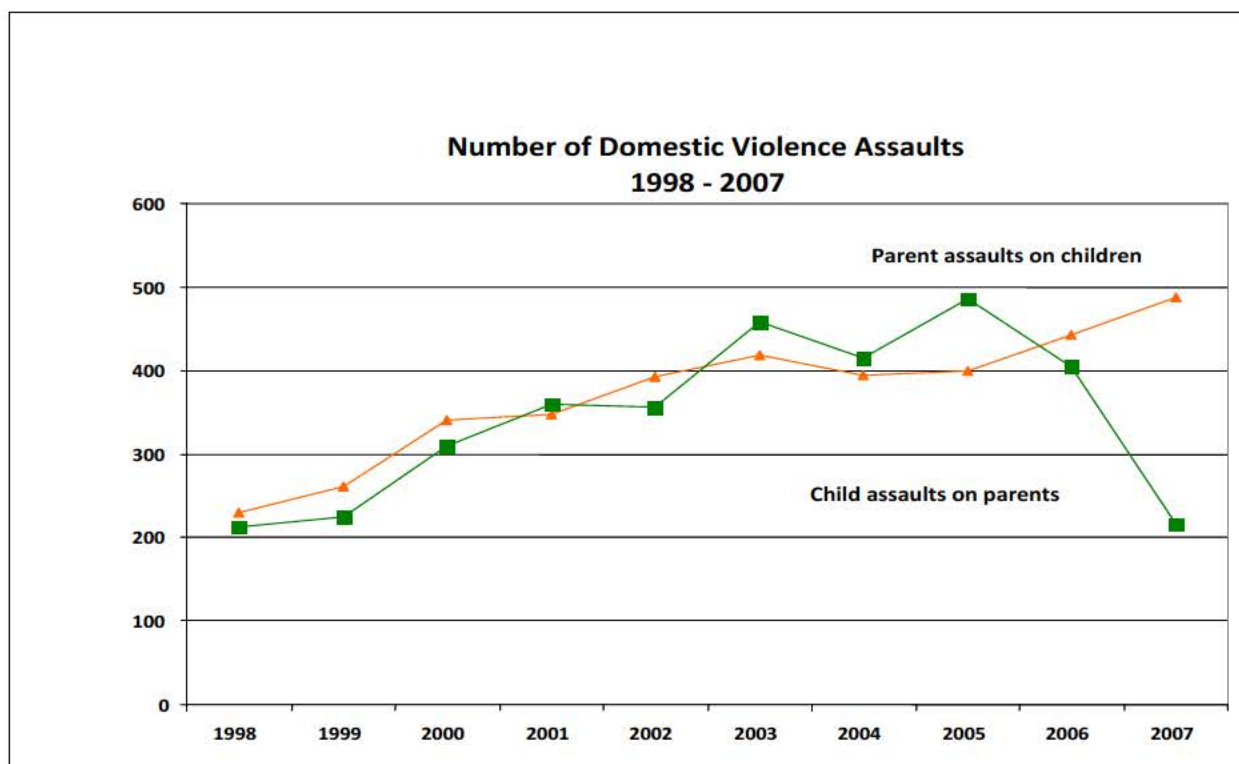
³It bears repeating that domestic violence is not an Index crime. Index crimes are eight major offenses (Murder, Rape, Robbery, Aggravated Assault, Burglary, Larceny/Theft, Motor Vehicle Robbery and Arson) which are reported annually by each state to FBI as part of the Uniform Crime Report.

⁴The Department of Public Safety defines domestic violence as violence occurring between household or family members. Data is not available on the ages of the victim or the perpetrator.



Domestic violence assaults committed by parents against children increased 112.2% over ten years, from 230 in 1998 to 488 in 1997. However, as a proportion of all domestic violence assaults, parent assaults against children increased only slightly, from 6.0% of all domestic violence assaults in 1998 to 8.5% in 2007. While domestic violence assaults committed by children against parents experienced similar growth until 2005 (213 in 1998 to 486 in 2005), child assaults on parents dropped to 216 in 2007.⁵

⁵The data does not distinguish the age of the victim, so it is impossible to determine whether parent assaults on children can be called, "child, abuse," or whether child assaults on parents can be called, "elder abuse."



FIREARMS

MAINE CONTINUES TO HAVE ONE OF THE LOWEST RATES OF FIREARM USE IN VIOLENT CRIMES IN THE COUNTRY.

As a percentage of violent crime, Maine has the second lowest rate of firearm use in the country, at 10.8%, lower than Vermont (16.3%) and New Hampshire (12.3%), but twice the rate in North Dakota (5.4%). Maine's rate of violent crime with at firearm is less than half the national average of 24.6%. In 2007, 126 violent crimes involving firearms were committed in Maine, ranking the state third lowest in the nation behind North Dakota (38) and Vermont (106).

	Total # of firearm crimes	Percent of violent crimes w/ firearm	Overall chance of being a firearm victim
North Dakota	38	5.4%	1 in 14,957
Maine	126	10.8%	1 in 10,454
Vermont	106	16.3%	1 in 5,744
New Hampshire	181	12.3%	1 in 4,928
United States ⁶	324,289	24.6%	1 in 930

In 2007, one in 10,454 Mainers was a victim of firearm violence, the second lowest rate in the country behind North Dakota. The chance of being a firearm victim in Maine is twice as low as in New Hampshire, nearly twice as low as in Vermont, and 11 times lower than the national average. However, the percentage of violent crimes that involved firearms nearly doubled (+92.9%), from 5.6% to 10.8% of the total, during this time. This increase is due to a doubling in the number of robberies involving firearms, up 102.8% in ten years, from 36 in 1998 to 73 in 2007. Aggravated assaults involving firearms also increased by 41.9% during this time (from 31 to 44), as did murders involving firearms (+12.5%, from 8 to 9). However, in 2007 these totals were still below the highest years for each category. The number of murders involving a firearm was highest in 1999 (17), while robberies involving firearms was highest in 2006 (78), and aggravated assaults involving firearms was also highest in 2006 (46). 2006 also recorded the highest total number of violent crimes with a firearm (136).

⁶U.S. totals exclude Florida, Illinois, and the District of Columbia which did not fully report firearm totals.

INDEX PROPERTY CRIMES IN MAINE

Although most discussions of crime rates focus on violent crime, it is important to note that property crimes, burglary, larceny, motor vehicle theft and arson represent the vast majority of index crimes. Overall, property crime makes up about 88% of all crime in the United States.

IN 2007, PROPERTY CRIME COMPRISED 94.7% OF ALL INDEX CRIMES IN MAINE, THE HIGHEST PROPORTION IN THE COUNTRY. This is a similar proportion to neighboring Vermont (94.9%) and New Hampshire (93.2%), and much higher than the United States as a whole (87.5%). Property crimes do not involve the threat of violence, but include property taken from one person by another or the destruction of property. Burglary, larceny-theft, motor vehicle theft, and arson are index property crimes.

OVERALL, PROPERTY CRIME IN MAINE DECLINED 11.6% OVER THE LAST TEN YEARS, FROM 36,483 CRIMES IN 1998 TO 32,240 IN 2007. During this time, all categories of property crime except arson declined. Burglary declined 19.6% from 8,300 crimes in 1998 to 6,677 crimes in 2007, motor vehicle theft declined 16.9%, from 1,517 thefts in 1998 to 1,260 in 2007, and larceny-theft declined 9.1%, from 26,464 crimes in 1998 to 24,060 in 2007. Arson was the only property crime to increase, up 20.3%, from 202 crimes in 1998 to 243 in 2007.

Statewide Property Crime Totals 2006-2007			
	2006	2007	Percent Change
Burglary	6,776	6,677	-1.5%
Larceny	25,161	24,060	-4.4%
Motor Vehicle Theft	1,340	1,260	-6.0%
Arson	193	243	25.9%
Total	33,470	32,240	-3.7%

Although Maine experienced a decline in the number of property crimes over the past decade, the relative proportion of each subcategory has remained stable. In 1998, larceny-theft comprised nearly three-quarters (72.5%) of property crimes, burglaries accounted for more than one-fifth (22.8%), motor vehicle theft comprised 4.2%, and arson made up 0.6% of property crimes. In 2007, larceny-theft accounted for 74.6% of property crimes, burglary comprised 20.7%, motor vehicle theft comprised 3.9%, and arson accounted for 0.8% of property crimes.

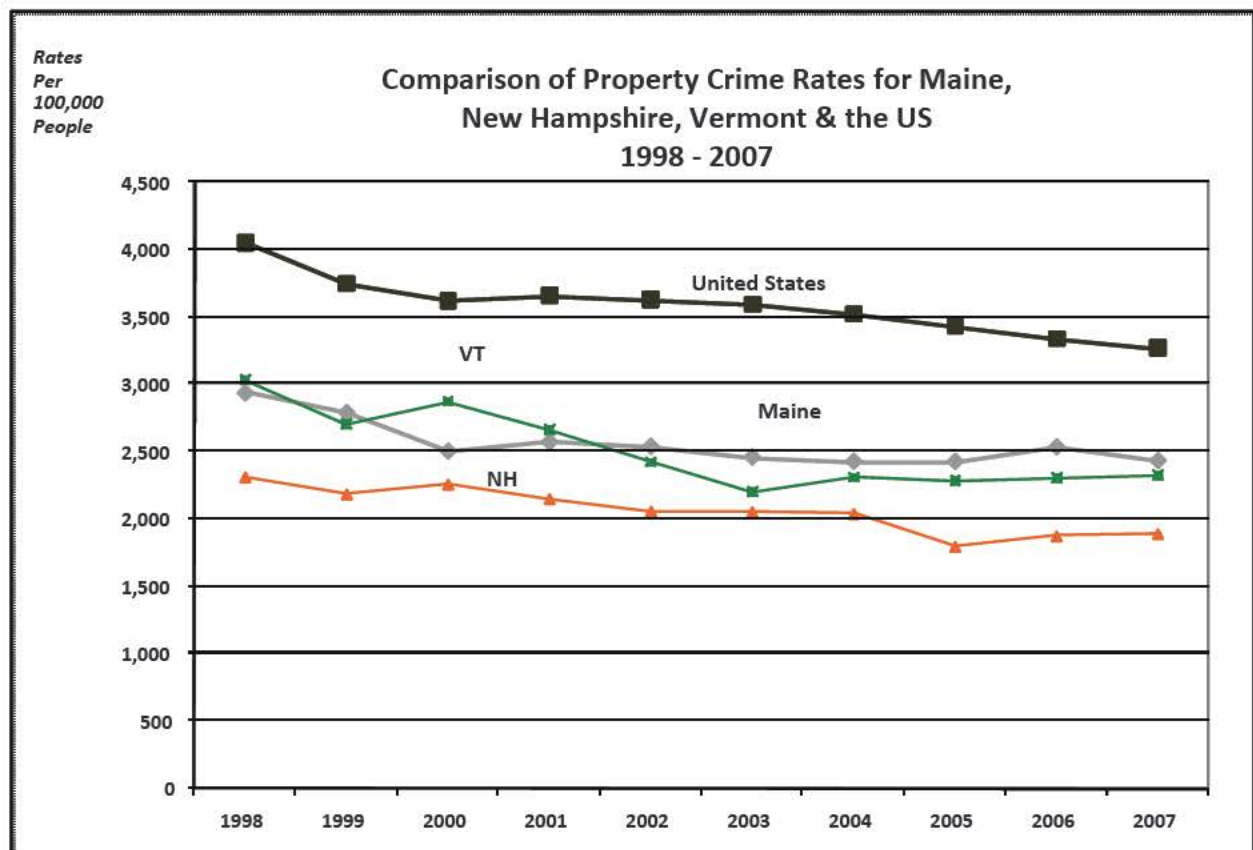
BETWEEN 2006 AND 2007, TEN COUNTIES EXPERIENCED DECREASES IN PROPERTY CRIME. The largest of these decreases occurred in Franklin County (-16.5%) and Somerset County (-16.0%), with Aroostook County (-12.8%) also decreasing significantly. Cumberland County experienced the greatest numeric decrease in property crimes, down 766 crimes from 2006. Cumberland County's decrease accounted for nearly two-thirds (62.3%) of the numeric decline statewide. Meanwhile, a large increase in property crime occurred in Piscataquis County (+26.4%).

COUNTY PROPERTY CRIME TOTALS MIRROR THE STATEWIDE TREND FROM 1998 TO 2007. The largest decreases in property crime occurred in Androscoggin County (-32.7%), Aroostook County (-27.4%), Franklin County (-26.1%), and Hancock County (-25.0%). Only five counties reported increases in property crime during this decade: Waldo County (+41.8%), Piscataquis County (+15.1%), Knox County (+15.0%), Lincoln County (+13.8%), and Penobscot County (+3.6%). Piscataquis County now has the highest rate of property crime in the state, at 3,705 per 100,000 residents, well above the statewide average of 2,364 property crimes per 100,000 residents. Aroostook County has the lowest property crime rate, at 1,439 property crimes per 100,000 residents.

BETWEEN 2006 AND 2007, TEN COUNTIES EXPERIENCED DECREASES IN PROPERTY CRIME. The largest of these decreases occurred in Franklin County (-16.5%) and Somerset County (-16.0%), and Aroostook County (-12.8%). Cumberland County experienced the greatest numeric decrease in property crimes, with 766 fewer crimes compared to 2006. Cumberland County's decrease accounted for nearly two-thirds (62.3%) of the numeric decline statewide.

County Property Crime Totals 2006-2007				
County	2006	2007	Numeric Change	Percent Change
Androscoggin	2,805	2,646	-159	-5.7%
Aroostook	1,341	1,169	-172	-12.8%
Cumberland	8,243	7,477	-766	-9.3%
Franklin	944	788	-156	-16.5%
Hancock	974	933	-41	-4.2%
Kennebec	3,042	3,131	89	2.9%
Knox	947	857	-90	-9.5%
Lincoln	547	569	22	4.0%
Oxford	1,305	1,341	36	2.8%
Penobscot	4,652	4,819	167	3.6%
Piscataquis	398	503	105	26.4%
Sagadahoc	741	719	-22	-3.0%
Somerset	1,585	1,331	-254	-16.0%
Waldo	652	668	16	2.5%
Washington	700	683	-17	-2.4%
York	4,594	4,606	12	0.3%
Total	33,470	32,240	-1,230	-3.7%

THE PROPERTY CRIME RATE PER 100,000 RESIDENTS IN MAINE IS COMPARABLE TO VERMONT'S RATE, AND 26% LOWER THAN THE NATIONAL AVERAGE. However, Maine's rate is 28% higher than New Hampshire's rate, and Maine experienced less of a decline in its property crime rate (per 100,000 residents) between 1998 and 2007 (-17.3%) than did Vermont (-23.4%), New Hampshire (-18.2%), and the nation as a whole (-19.4%).



OVER HALF THE PROPERTY CRIMES IN MAINE WERE LARCENY/THEFT. Larceny is defined as "the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another." Larceny is synonymous with "theft" and includes such crimes as shoplifting, pick-pocketing, purse-snatching, thefts from motor vehicles, thefts of motor vehicle parts and accessories, bicycle thefts, etc., in which there is not any force, violence, or fraud occurring. In 2007, larceny-thefts and burglaries accounted for 91% of the state's Index crimes. At the municipal level, the top five property crime municipalities also had the highest number of overall index crimes—Portland, Bangor, Lewiston, South Portland, and Augusta.

Property crime fluctuations are often explained by economic reasons. There is a general consensus that unemployment rates and inflation affect property crime rates. This suggests that social welfare policies – job-training programs, education and unemployment insurance benefits – may help to lower property crime rates.

A study examining property crime determinants concluded that with the increasing numbers of probationers entering and exiting the justice system each year, the probability of actual rehabilitation declines.⁷ Particularly during periods of increased unemployment, criminals with little education and even fewer job skills become more predisposed to continuing criminal activity as they are routed in and out of the justice system. Each contact with the judicial system lengthens the person's criminal record, thus making gainful employment even harder to secure.⁸

⁷Economy and Race: Interactive Determinants of Property Crime in the United States, 1958-1995: Reflections on the Supply of Property Crime, by Roy W. Ralston, American Journal of Economics and Sociology, July, 1999

⁸Ibid

IMPLICATIONS

While Maine continues to be one of the safest states in the nation, several recent trends should be examined and addressed. Because rape and sexual assault remain one of the most chronically underreported crimes - only 41% of victims report their assault⁹ - relying on law enforcement data can be unreliable when trying to measure the prevalence of the crime or gain a better understanding of trends. Multi-disciplinary initiatives, such as Sexual Assault Response Teams, which help victims/survivors navigate the legal and law enforcement systems more effectively, may lead to increased reporting, but it is still difficult to know if that is the only factor. Recent research shows that many victims/survivors are being served by Maine's nine sexual assault support programs. The numbers have increased from 2,100 in 2007 to 2,800 in 2008.¹⁰ As noted in an earlier (2004) data book, reducing violent crime means reducing violence against women, in particular domestic violence abuse and rape. Both categories are high and have grown significantly over the last few years. With more than half the murders in Maine over the last 10 years the result of domestic violence abuse, a concentrated effort to reduce domestic violence could reduce other violent crimes as well.

The focus on reducing violent crimes in Maine should not minimize the fact that property crimes remain the overwhelming share of Index crimes in the state. Reducing these kinds of crimes may require less police activity and more behavioral changes by the general public. The dominant property crime incidents in Maine (Larceny/Theft) are often crimes of opportunity, and could be reduced by either locking doors, or putting up notices that discourage potential offenders from perpetrating crimes.

Economic considerations play a role in property crime rates as well. Research by Grogger (1995) found that as wages in the low-skill market increase, young men are less likely to engage in economically motivated crimes. In this view, young men weigh the tradeoffs between wages earned in the legitimate economy and wages earned from crime and then choose the route that maximizes their situation. Grogger attempted to quantify this relationship and found that a 10 percent increase in real wages would lead to a 10 percent decrease in economically motivated crime.

⁹Rand, M. and Catalano, S. (2007). Crime Victimization, 2006. Washington D.C.: Bureau of Justice Statistics, U.S. Department of Justice.

¹⁰MECASA Center Statistics 2007-2008.

Aside from economic considerations, the state will have to ensure proper attention is paid to drug and alcohol rehabilitation resources. Drug and alcohol abuse remain at the root of many violent and property crimes and enhancing rehabilitation services will have enormous benefits to the individual and, by reducing Index crimes, to the state.

APPENDIX CHART LIST

APPENDIX A: TABLES OF CRIME TRENDS IN MAINE

Table 1: Trends in Reported Index Crimes in Maine, by Type of Offense, 1998 - 2007

Table 2: Trends in Rates of Index Crimes Per 100,000 Residents, 1998 - 2007

APPENDIX B: COMPARISON CRIME RATE CHARTS 1998 - 2007

Comparison of Homicide Reports, Maine & The US 1998 - 2007

Comparison of Forcible Rape Reports, Maine & The US 1998 - 2007

Comparison of Robbery Reports, Maine & The US 1998 - 2007

Comparison of Aggravated Assaults Reports, Maine & The US 1998 - 2007

Comparison of Burglary Reports, Maine & The US 1998 - 2007

Comparison of Larceny/Theft Reports, Maine & The US 1998 - 2007

Comparison of Motor Vehicle Reports, Maine & The US 1998 - 2007

REFERENCES

APPENDIX A: TABLES OF CRIME TRENDS IN MAINE

Table 1: Trends in Reported Index Crimes in Maine, by Type of Offense, 1998-2007

Year	Total Index Crime	Violent Crime Sub-Total	Murder	Forcible Rape	Robbery	Aggravated Assault	Property Crime Sub-Total	Burglary	Larceny-Theft	Motor Vehicle Theft	Arson
98	38,053	1,570	26	229	263	1,052	36,483	8,300	26,464	1,517	202
99	35,941	1,283	25	273	196	789	34,658	7,622	25,381	1,457	198
00	33,470	1,390	14	318	246	812	32,080	6,759	23,808	1,317	196
01	34,695	1,423	19	322	263	819	33,272	6,878	24,515	1,667	212
02	34,434	1,402	14	391	269	728	33,032	6,944	24,496	1,418	174
03	33,693	1,412	17	351	289	755	32,281	6,571	24,064	1,450	196
04	33,276	1,348	19	313	288	728	31,928	6,344	24,087	1,305	192
05	33,441	1,490	19	322	323	826	31,951	6,277	24,153	1,344	177
06	34,994	1,524	21	340	383	780	33,470	6,776	25,161	1,340	193
07	33,796	1,556	21	393	349	793	32,240	6,677	24,060	1,260	243

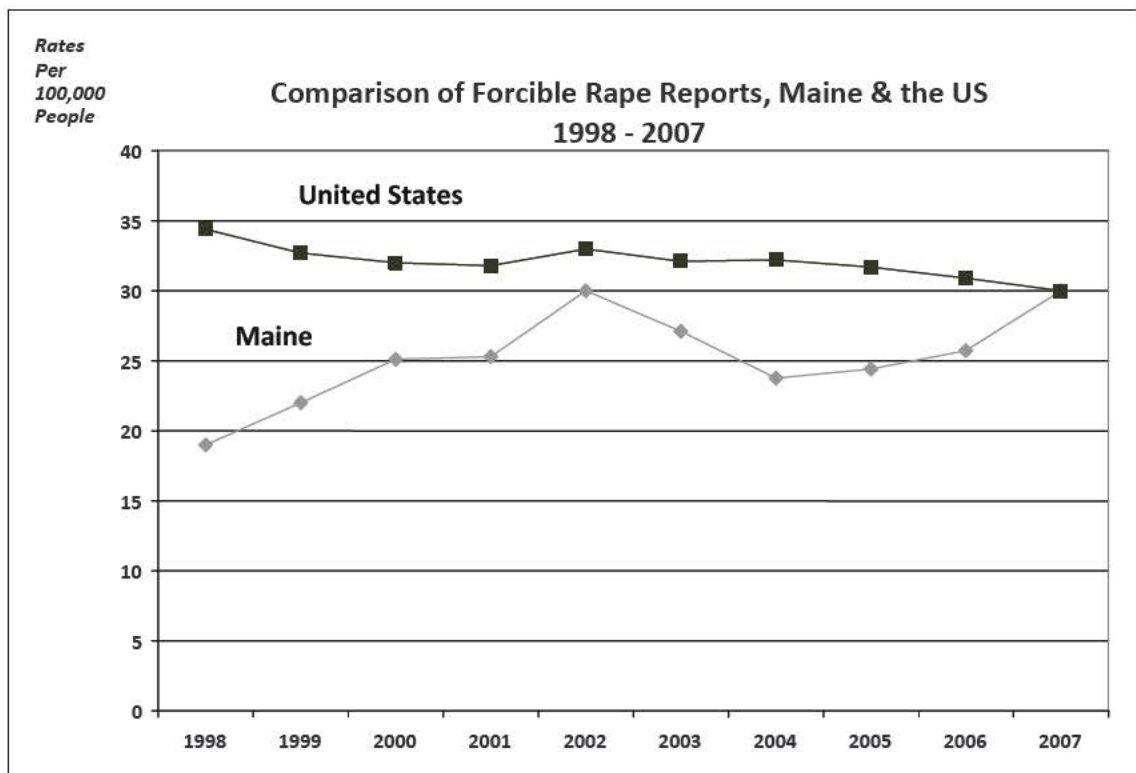
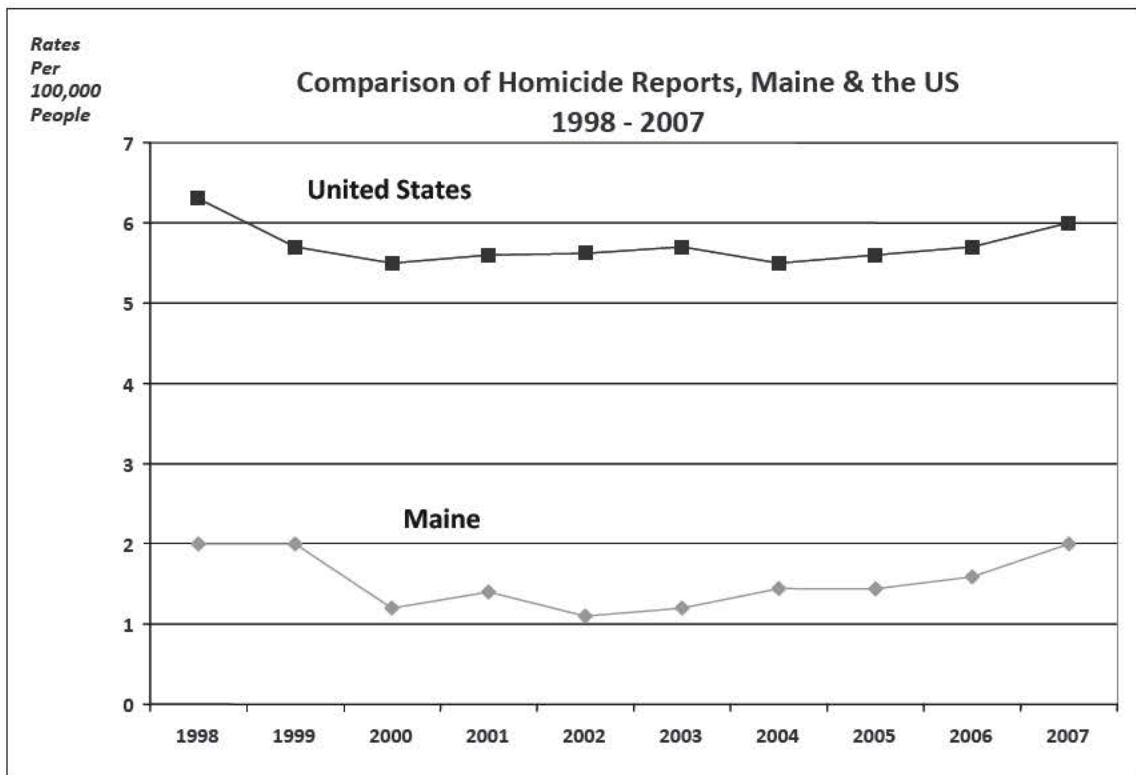
Sources: Maine Department of Public Safety, 1998-2007

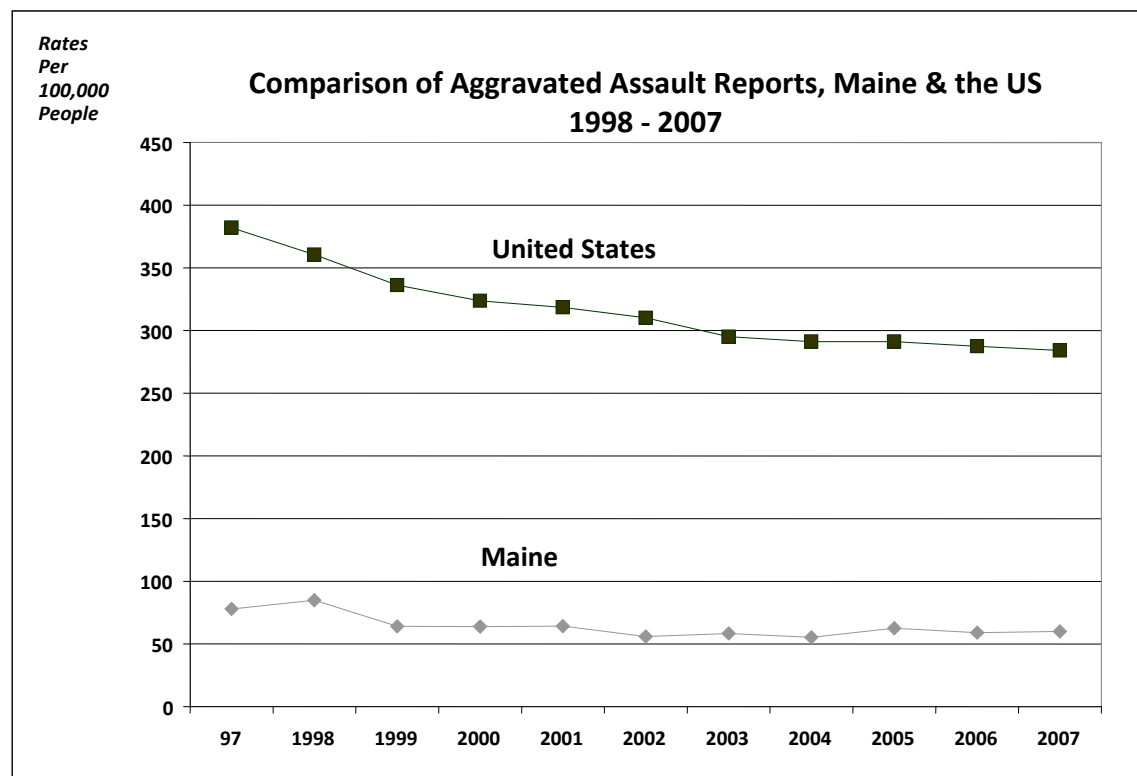
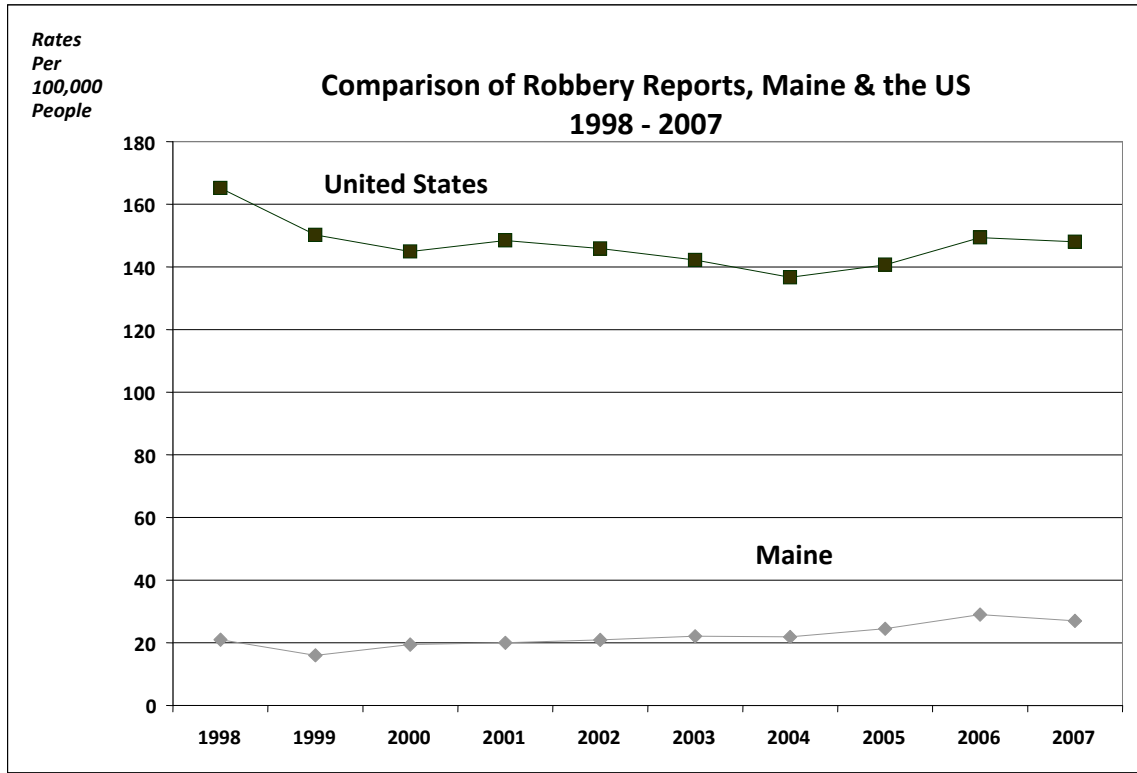
Table 2: Trends in Rates of Index Crimes Per 100,000 Residents, 1998-2007

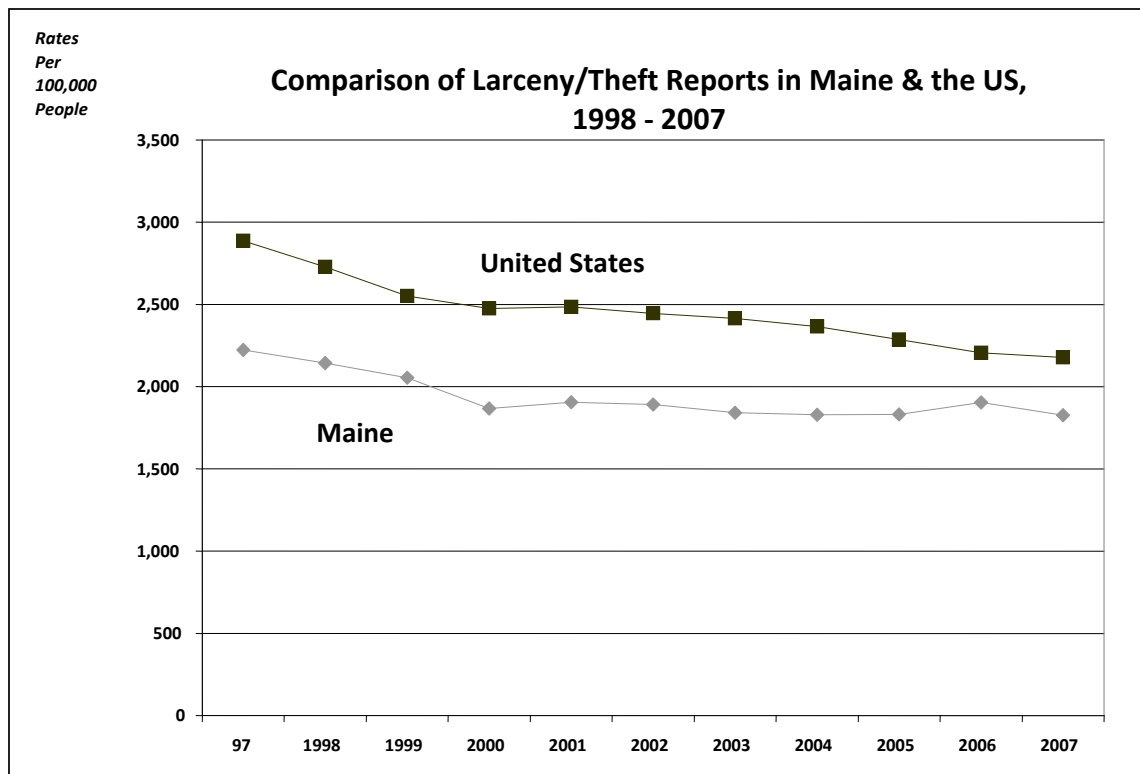
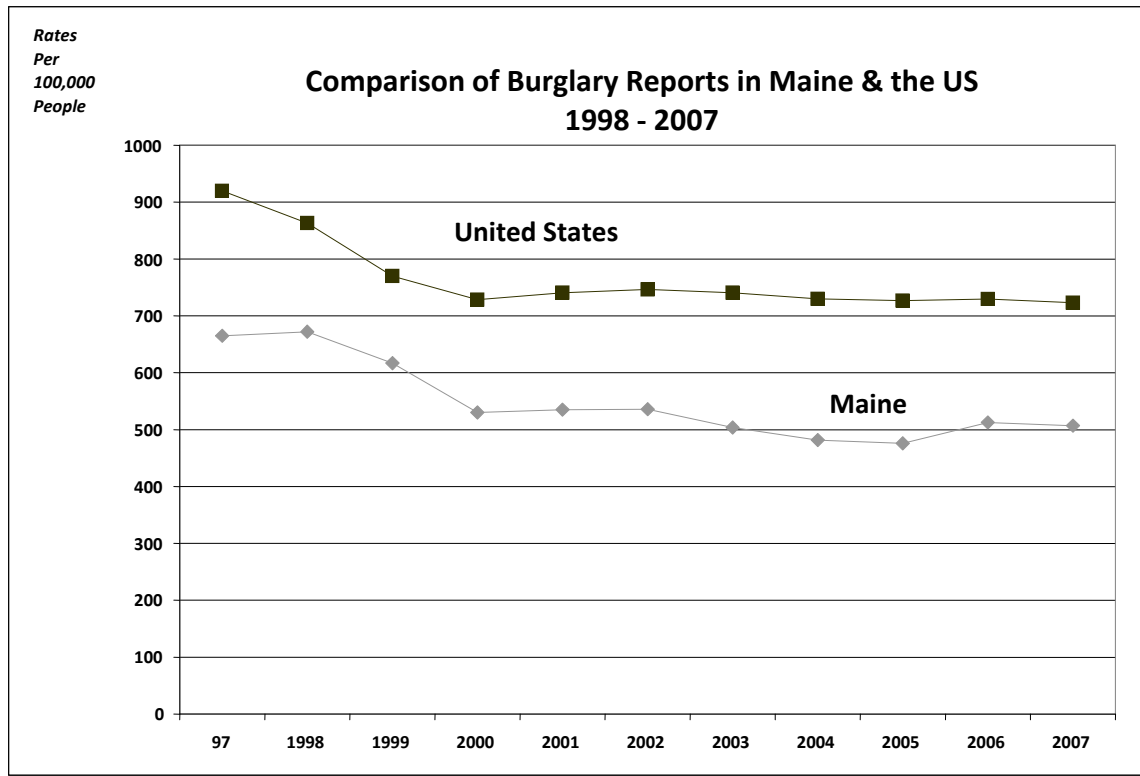
Year	Total Index Crime	Violent Crime Sub-Total	Murder	Forcible Rape	Robbery	Aggravated Assault	Property Crime Sub-Total	Burglary	Larceny-Theft	Motor Vehicle Theft	Arson
98	3,081	127	2	19	21	85	2,954	672	2,143	123	16
99	2,910	104	2	22	16	64	2,806	617	2,055	118	16
00	2,625	109	1	25	19	64	2,516	530	1,867	103	15
01	2,696	111	1	25	20	64	2,586	535	1,905	130	16
02	2,660	108	1	30	21	56	2,552	536	1,892	110	13
03	2,580	108	1	27	22	58	2,472	503	1,843	111	15
04	2,526	102	1	24	22	55	2,424	482	1,829	99	15
05	2,536	113	1	24	24	63	2,423	476	1,831	102	13
06	2,648	115	2	26	29	59	2,533	513	1,904	101	15
07	2,566	118	2	30	26	60	2,448	507	1,827	96	18

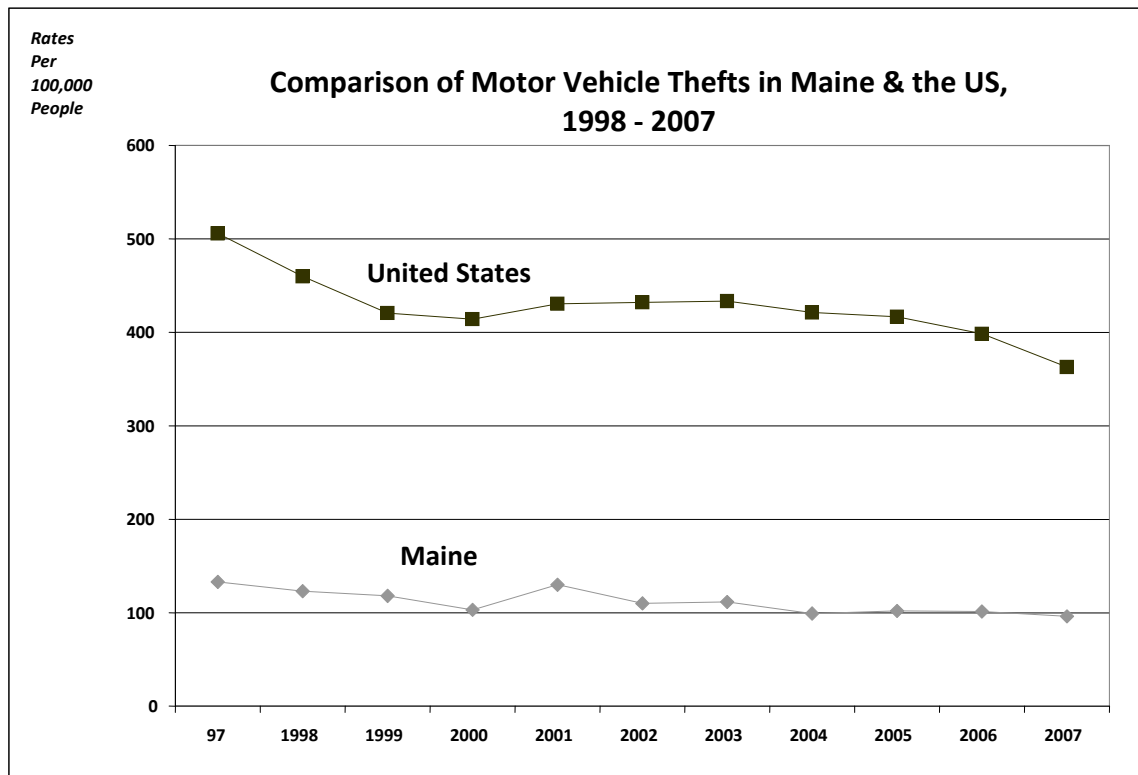
Sources: Maine Department of Public Safety, 1998-2007

APPENDIX B: COMPARISON CRIME RATE CHARTS 1998 - 2007









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SECTION II: ARRESTS AND CLEARANCES IN MAINE

Examining arrest rates and clearance of those arrested offers a chance to understand who is committing crimes in Maine. The data in this section were crimes reported to law enforcement (Index and Non-Index) which result in an arrest. The arrest data cannot be compared precisely with the data in Section I, because an individual may have been arrested several times during the year or have been arrested for a crime committed the previous year.¹ Moreover, the data should not be analyzed as an annual accounting of the number of persons arrested, but rather, as the number of arrests reported by law enforcement.

One arrest is counted for each separate occasion in which an individual is either arrested, cited or summonsed for criminal acts in Index and non-Index crimes. Index crimes include violent crimes (murder, forcible rape, robbery, and aggravated assault), and property crimes (burglary, motor vehicle theft, larceny-theft, and arson). Non-Index crimes are all other crimes for which data is gathered that are not included in national statistics (see the Uniform Crime Reporting System section at the end of the report). All charts and tables in this section use data from the Maine Department of Public Safety's *Crime in Maine* series and the FBI's Uniform Crime Reports.

MAINE EXPERIENCED AN 8.6% INCREASE IN VIOLENT CRIME BETWEEN 2006 AND 2007. The increase in violent crime arrests is attributable to the 17.2% increase in aggravated assault arrests in 2007.² In 2007, law enforcement agencies in Maine made more than 57,000 arrests for criminal infractions, excluding traffic violations. The total number of arrests for all offenses in 2007 remained relatively steady from 2006.

ARRESTS IN MAINE	1998	2002	2006	2007	1 year % change	5 year % change	10 year % change
Murder	19	13	16	21	31.3%	61.5%	10.5%
Forcible Rape	72	126	85	71	-16.5%	-43.7%	-1.4%
Robbery	146	170	186	172	-7.5%	1.2%	17.8%
Aggravated Assault	651	485	553	648	17.2%	33.6	-0.5%
VIOLENT CRIME ARRESTS	888	794	840	912	8.6%	14.9%	2.7%
Burglary	1,682	1,474	1,388	1,306	-5.9%	-11.4%	-22.4%
Larceny-Theft	6,436	5,440	5,262	6,018	14.4%	10.6%	-6.5%
Motor Vehicle Theft	462	403	296	286	-3.4%	-29.0%	-38.1%
Arson	76	68	77	70	-9.1%	2.9%	-7.9%
PROPERTY CRIME ARRESTS	8,656	7,385	7,023	7,680	9.4%	4.0%	-11.3%
TOTAL INDEX CRIME ARRESTS	9,544	8,179	7,863	8,592	9.3%	5.1%	-10.0%
TOTAL NON-INDEX CRIME ARRESTS	47,830	46,857	49,558	49,031	-1.1%	4.6%	2.5%
GRAND TOTAL ARRESTS	57,374	55,036	57,421	57,623	0.4%	4.7%	.4%

¹This report uses data from the Maine Department of Public Safety to track arrest trends over time.

²Aggravated Assaults are attempts to do physical injury to another with unlawful force or violence. These differ from simple assaults which are minor in nature and not life threatening.

From 1998 to 2007, total arrests increased by less than one percent. This was due to a 10% decrease in Index Crimes, coupled with a 2.5% increase in Non-Index Crimes, which make up 85% of crimes in Maine. Liquor law violations decreased 9.2% from 2006 to 2007, but increased 41.1% over the past 10 years. The Juvenile-only violations of Running Away and Curfew Violations or Loitering decreased 77.7% and 73.1% respectively over the past 10 years. Although the numbers are low, it is important to note that embezzlement saw the greatest increase over 10 years, 1020% from 5 to 56.

ALL NON-INDEX OFFENSE ARRESTS	2007 TOTAL	10 YEAR % CHANGE
All other Non-Traffic Offenses	17,840	2.5%
Driving Under the Influence	8,080	0.9%
Assaults	6,974	10.6%
Drug Offenses	5,717	23.2%
Liquor Law Violation	4,464	41.1%
Disorderly Conduct	1,883	-13.3%
Vandalism	1,522	19.0%
Fraud	861	-26.4%
Weapons	417	16.1%
Forgery	352	11.4%
Other Sex Offenses	258	-11.0%
Stolen Property	194	-54.6%
Crimes Against Families	140	-51.7%
Running Away*	104	-77.7%
Drunkenness	65	97.0%
Curfew Violation or Loitering*	57	-73.1%
Embezzlement	56	1020%
Prostitution	45	-52.6%
Gambling	2	100%
TOTAL ARRESTS	49,031	2.5%
* = Juvenile arrests only		

OVER THE PAST TEN YEARS, ARRESTS FOR DRUG ABUSE VIOLATIONS HAVE INCREASED 23.2 PERCENT. In 2007, drug arrests decreased 1.3% over one year to 5,717; but these arrests increased 23.2% over the past 10 years. Of all drug arrests, more than three quarters (78.3%) involved possession violations, while 21.7% were for sale or the manufacturing of drugs. Marijuana possession accounted for half (50.0%) of all drug arrests, at 2,855 in 2007, and represented 63.8% of all drug possession cases. Marijuana sale/manufacturing accounted for one third (34.9%) of all sale/manufacturing cases, while sale/manufacture of Opium, Cocaine and derivatives accounted for just under one third (32.8%).

DRUG ARRESTS 2007										
SALE/MANUFACTURING					POSSESSION					Total
Opium, cocaine and derivatives	Marijuana	Synthetic Narcotics	Other dangerous non-narcotics	Sub-totals	Opium, cocaine and derivatives	Marijuana	Synthetic Narcotics	Other dangerous non-narcotics	Sub-totals	
408	434	118	283	1,243	637	2,855	315	667	4,474	5,717

According to the Federal Drug Enforcement Administration (DEA), while marijuana remains the primary drug of abuse in Maine, the use and availability of cocaine, heroin, and diverted pharmaceuticals continue to increase. Law enforcement officials speculate that cocaine and heroin are being transported up Interstate 95 from suppliers in Massachusetts towns. While heroin use is more prevalent in southern communities, it is now found in coastal and Canadian-border communities.³ Arrests for opium, cocaine, and derivatives have increased 148.6% since 1998, while arrests for marijuana have decreased 7.2%. Further, methamphetamine use and manufacturing continue to be a concern, especially the potential of production and distribution, made possible by the rural population and Interstate 95.⁴ Since 1998, arrests for other dangerous non-narcotics, which include ecstasy and methamphetamine, have increased 95%. The DEA has seized methamphetamine labs in Maine, and has emphasized the point that Maine's land size and predominantly rural population create an ideal environment for large-scale methamphetamine manufacturing⁵.

Percent Change of Drug Arrests Between 1998-2007			
	Sale	Possession	Total
Opium, cocaine and derivatives	98.1%	194.9%	148.6%
Marijuana	7.2%	-9.6%	-7.7%
Synthetic narcotics	126.9%	173.9%	159.3%
Other dangerous non-narcotics	80.0%	102.1%	95.1%
Total	51.6%	17.1%	23.2%

³Ibid.

⁴Maine 2008 Factsheet, U.S. Drug Enforcement Administration, February 2008. <http://www.usdoj.gov/dea/pubs/states/maine.html>

⁵Ibid.

Finally, arrests for synthetic drugs such as Oxycodone products – Percocet, Roxicet and OxyContin – have increased 159.3% percent since 1998. The DEA reports many instances of doctor-shopping schemes, falsified prescriptions and pharmacy robberies of OxyContin.⁶

MAINE HAS A HIGHER OVERALL ARREST RATE PER CAPITA THAN NEW HAMPSHIRE OR VERMONT. The high number of drug arrests has pushed Maine’s overall arrest rate to 4,382 arrests per 100,000 residents in 2007, higher than New Hampshire’s arrest rate of 4,305 and Vermont’s rate of 2,748 per 100,000. Statewide, the arrest rate for all Index crimes was 653 per 100,000 in population, much higher than New Hampshire’s (295) or Vermont’s rate (371), but lower than the national average (744). This high arrest rate is somewhat surprising, given that Maine’s Index crime rate is not much higher than Vermont’s or New Hampshire’s Index crime rate. While the three states’ arrest rates for violent crimes were similar, the arrest rate for property crimes in Maine was higher than the national average, and twice as high as New Hampshire’s or Vermont’s.

STATE	Total Index and Non-Index ⁱ	Index Crime ⁱⁱ	Violent crime	Property crime
MAINE:	57,623	8,592	912	7,680
Arrests per 100,000 population	4,382	653	69	584
NEW HAMPSHIRE:	38,396	2,632	358	2,274
Arrests per 100,000 population	4,305	295	40	254
VERMONT:	16,731	2,258	438	1,820
Arrests per 100,000 population	2,748	371	72	299
UNITED STATES	14,209,365	2,207,535	597,447	1,610,088
Arrests per 100,000 population	4,743	744	200	544

ⁱ Does not include traffic arrests

ⁱⁱ Includes arson

⁶Ibid.

ARRESTS AND GENDER

This section presents some of the demographic changes in those arrested over the past decade. In particular, arrests analyzed by gender show that adult women are being arrested for a significantly higher percentage of criminal acts than in 1998.

FOR THE 10TH CONSECUTIVE YEAR, THERE WAS AN INCREASE IN THE NUMBER OF ARRESTS AMONG FEMALES. In 2007, nearly 13,000 adult women were arrested for a crime in Maine. The number of women arrested has climbed steadily over the last 10 years, increasing 39.6% during that time. The percentage increase of adult females was more than eleven times that of adult males, which grew 3.5% since 1998. In 2003, females represented 25.2% of all those arrested in Maine, the highest percentage recorded.

	Total Number of Adult Female Arrests	Total Number of Adult Male Arrests	Total Number of Adult Arrests	% of Adult Arrests Female	% of Adult Arrests Male
1998	9,121	36,528	45,649	20.0%	80.0%
1999	9,230	36,238	45,468	20.3%	79.7%
2000	9,420	36,921	46,341	20.3%	79.7%
2001	9,916	37,174	47,090	21.1%	78.9%
2002	9,961	35,788	45,749	21.8%	78.2%
2003	10,513	35,894	46,407	22.7%	77.3%
2004	10,748	36,267	47,015	22.9%	77.1%
2005	10,807	35,953	46,760	23.1%	76.9%
2006	11,868	37,786	49,654	23.9%	76.1%
2007	12,734	37,797	50,531	25.2%	74.8%

The growth of arrests in adult women is the result of arrests for non-Index crimes, which grew almost 40% in the last ten years. Arrests of women grew at a higher percentage for both Index and non-Index crimes; overall, arrests of women for Index crimes grew 68.4% since 1998, while arrests of men grew 8.1%. A 71.3% increase in arrests of women for property crimes drove this increase, while arrests of males for property crimes increased 8.0%. Arrests of women for the property crime of larceny grew 70.5%, while arrests of men for the same crime grew by 12.4%. Arrests of women for violent crimes, led by robbery, grew 30.4%, compared to 8.6% for men.

Adult Arrests In Maine					
	Number of Arrests			Percent Change	
Females	1998	2003	2007	5-Year Change	10-Year Change
Murder	2	1	1	0.0%	-50.0%
Rape	0	0	1	NA	NA
Robbery	7	11	17	54.5%	142.9%
Aggravated Assault	83	85	101	18.8%	21.7%
Violent Offenses	92	97	120	23.7%	30.4%
Burglary	71	118	131	11.0%	84.5%
Larceny-Theft	1,091	1,278	1,860	45.5%	70.5%
Motor Vehicle Theft	23	36	31	-13.9%	34.8%
Arson	3	7	13	85.7%	333.3%
Property Offenses	1,188	1,439	2,035	41.4%	71.3%
Index Offenses	1,280	1,536	2,155	40.3%	68.4%
Liquor Law Violations	463	567	922	62.6%	99.1%
Drug Offenses	534	803	1,214	51.2%	127.3%
Other Assaults	1,186	1,430	1,472	2.9%	24.1%
Driving Under the Influence	1,411	1,551	1,941	25.1%	37.6%
Drunkenness	4	13	10	-23.1%	150.0%
Embezzlement	2	15	27	80.0%	1250.0%
Sex Offenses	7	10	5	-50.0%	-28.6%
Stolen Property	60	56	38	-32.1%	-36.7%
All Offenses	9,121	10,513	12,727	21.1%	39.5%

Adult Arrests in Maine (cont.)					
	Number of Arrests			Percent Change	
Males	1998	2003	2007	5-Year Change	10-Year Change
Murder	16	12	20	66.7%	25.0%
Rape	57	71	62	-12.7%	8.8%
Robbery	104	101	134	32.7%	28.8%
Aggravated Assault	451	434	466	7.4%	3.3%
Violent Offenses	628	618	682	10.4%	8.6%
Burglary	754	687	784	14.1%	4.0%
Larceny-Theft	2,379	2,307	2,674	15.9%	12.4%
Motor Vehicle Theft	222	190	169	-11.1%	-23.9%
Arson	28	21	27	28.6%	-3.6%
Property Offenses	3,383	3,205	3,654	14.0%	8.0%
Index Offenses	4,011	3,823	4,336	13.4%	8.1%
Liquor Law Violations	1,865	1,981	2,435	22.9%	30.6%
Drug Offenses	3,416	3,468	3,931	13.4%	15.1%
Other Assaults	4,493	4,750	4,658	-1.9%	3.7%
Driving Under the Influence	6,439	5,644	6,021	6.7%	-6.5%
Drunkenness	9	47	47	0.0%	422.2%
Embezzlement	3	17	23	35.3%	666.7%
Sex Offenses	230	202	189	-6.4%	-17.8%
Stolen Property	230	182	116	-36.3%	-49.6%
All Offenses	36,528	46,407	50,531	8.9%	38.3%

Source: Maine Department of Public Safety

One of the non-Index crimes is a catchall category called “all other (except traffic).” This category represents all crimes not listed in the non-Index offenses and includes bribery, kidnapping, trespass and public nuisance. The number of arrests of adult women for this category has increased 35.5%, from 2,795 in 1998 to 3,788 in 2007. In contrast, arrests of men grew 4.9% for “all other”, to 12,136 arrests. Drug and liquor arrests consistently showed disproportionate rate increases for adult women over the last ten years. Drug arrests increased 127.3% for women, versus 15.1% for men. D U I arrests increased 37.6% for women, versus -6.5% for men. Liquor law arrests increased 99.1% for women, compared to 30.6% for men.

JUVENILES

JUVENILES ACCOUNT FOR THE LOWEST SHARE OF ALL ARRESTS IN THE LAST TEN YEARS. As the chart below shows, juvenile arrests as a share of all arrests continues to fall, and in 2007, is at its lowest level in a decade (12.3%). The state trends mirror juvenile crime trends across the United States.

Year	Total Number of Juvenile Arrests	Total Number of Adult Arrests	Total Number of Arrests	% of total arrests that are juveniles
1998	11,725	45,649	57,374	20.4%
1999	10,779	45,468	56,247	19.2%
2000	9,990	46,341	56,331	17.7%
2001	9,951	47,090	57,041	17.4%
2002	9,287	45,749	55,036	16.9%
2003	9,307	46,407	55,714	16.7%
2004	8,539	47,015	55,554	15.4%
2005	7,740	46,760	54,500	14.2%
2006	7,767	49,654	57,421	13.5%
2007	7,092	50,531	57,623	12.3%

JUVENILE ARRESTS CONTINUE TO DECLINE, ESPECIALLY FOR INDEX CRIMES. Over the last ten years, the number of arrests for juveniles declined 39.5%, with the number of Index Crimes falling 50.2%, and the number of violent crime arrests falling 34.5%. Juvenile arrests for Burglary, Larceny-Theft, and Motor Vehicle Theft each dropped more than 50% from 1998 to 2007. As a share of juvenile crime, Index offenses accounted for less than 29.6% of all crimes in 2007, down from 36.3% in 1998.

With the exception of Liquor Law Violations, Embezzlement, Sex Offenses, the number of arrests for every other offense remained the same or decreased over the past 10 years. Arrests for Stolen Property have decreased 71.8%. The two juvenile-only civil violations of Curfew and Loitering, and Runaway, have each decreased more than 70% since 1998.

JUVENILE ARRESTS IN MAINE					
	Number of Arrests			Percent Change	
	1998	2003	2007	5-Year Change	10-Year Change
Murder	1	0	0	0.0%	-100.0%
Rape	15	19	8	-57.9%	-46.7%
Robbery	35	18	21	16.7%	-40.0%
Aggravated Assault	117	78	81	3.8%	-30.8%
Violent Offenses	168	115	110	-4.3%	-34.5%
Burglary	857	459	391	-14.8%	-54.4%
Larceny-Theft	2,966	2,071	1,484	-28.3%	-50.0%
Motor Vehicle Theft	217	144	86	-40.3%	-60.4%
Arson	45	43	30	-30.2%	-33.3%
Property Offenses	4,085	2,717	1,991	-26.7%	-51.3%
Index Offenses	4,253	2,832	2,101	-25.8%	-50.6%
Liquor Law Violations	836	1,009	1,107	9.7%	32.4%
Drug Offenses	689	828	571	-31.0%	-17.1%
Other Assaults	1,222	1,107	844	-23.8%	-30.9%
Driving Under the Influence	157	162	118	-27.2%	-24.8%
Drunkenness	20	19	8	-57.9%	-60.0%
Embezzlement	0	2	6	200%	600%
Sex Offenses	53	44	64	45.5%	20.8%
Stolen Property	137	70	40	-42.9%	-70.8%
Curfew and Loitering	212	106	57	-46.2%	-73.1%
Runaway	466	195	104	-46.7%	-77.7%
ALL OFFENSES	11,725	9,307	7,092	-23.8%	-39.5%

Source: Maine Department of Public Safety

The number of juvenile drug arrests has decreased 17.1% over the past 10 years. Marijuana remains the main drug involved in juvenile drug arrests, and accounts for about the same proportion of drug arrests in 2007 as 1998, 82.3% and 81.5% respectively.

Percent Change of Drug Arrests Between 1998-2007			
	1998	2007	Percent Change
Opium, cocaine and derivatives	11	12	9.1%
Marijuana	561	470	-16.2%
Synthetic narcotics	20	10	-50.0%
Other dangerous non-narcotics	97	79	-18.6%
Total	689	571	-17.1%

WHILE THE NUMBER OF GIRLS ARRESTED HAS DECREASED OVER THE PAST 10 YEARS, THE PROPORTION HAS NOT. Since 1998, the number of female juveniles arrested has decreased 36.0%; however, the proportion of female juveniles arrested has increased 5.7%. During this time, male juvenile arrests have decreased 40.7%, while the proportion of male juveniles arrested has decreased 2.0%. The proportion of female juveniles arrested has declined from a high of 29.9% in 2004 to 28.0% in 2007. In previous years, this report has chronicled an increase in the number of girls entering the juvenile justice system, but this trend may be starting to reverse. Girls still account for a higher percentage of juvenile arrests than they did in 1998, however, since 2004 they have generally accounted for a smaller proportion of overall arrests.

	Total Number of Juvenile Female Arrests	Total Number of Juvenile Male Arrests	Total Number of Arrests ⁷	% of Juvenile Arrests Female	% of Juvenile Arrests Male
1998	3,102	8,623	11,725	26.5%	73.5%
1999	2,843	7,936	10,779	26.4%	73.6%
2000	2,749	7,241	9,990	27.5%	72.5%
2001	2,758	7,193	9,951	27.7%	72.3%
2002	2,511	6,776	9,287	27.0%	73.0%
2003	2,572	6,735	9,307	27.6%	72.4%
2004	2,552	5,987	8,539	29.9%	70.1%
2005	2,258	5,482	7,740	29.2%	70.8%
2006	2,127	5,640	7,767	27.4%	72.6%
2007	1,984	5,108	7,092	28.0%	72.0%

⁷Excludes Embezzlement

INDEX CRIME CLEARANCE RATES IN MAINE

Law enforcement agencies reporting offenses to the national Uniform Crime Report (UCR) Program can “clear” or solve them in one of two ways: by arrest or by “exceptional means.” In the UCR Program, a reporting law enforcement agency clears an offense by arrest only when all of the following conditions are met. At least one person must be:

- Arrested
- Charged with the commission of an offense
- Turned over to the court for prosecution

The UCR Program counts in the clearances the number of offenses and not the number of persons arrested. The arrest of one person may clear several crimes. Conversely, the arrest of many persons may clear only one offense. In addition, the clearances that an agency recorded in a particular calendar year such as 2007 may include offenses that occurred in previous years.⁸

In other words, if an individual commits a robbery and assault on December 1, 2007, and the arrest for the crime occurs on January 15, 2008, then the crimes would be classified as two 2007 offenses and the clearance would be classified as two 2008 clearances. A clearance does not mean the offender was convicted of the crime.

MAINE’S INDEX CRIME CLEARANCE RATES ARE HIGHER THAN THE NATIONAL RATE. Maine’s law enforcement agencies in 2007 recorded a 29.4% index crime clearance rate, which is higher than the national rate of 20.0%. In 2007, Maine cleared 58.4% of its violent crimes, and cleared 28.0% of its property crimes. Both figures were higher than the national clearance average of 44.5% for violent crimes, and 16.5% for property crimes. Violent crimes (murder, forcible rape, robbery and aggravated assault) often undergo a more vigorous investigative effort than crimes against property. Additionally, victims and/or witnesses of violent crimes often identify the perpetrators. Consequently, violent crimes tend to have higher clearance rates than property crimes.

⁸Clearance definitions taken from FBI’s Crime in the United States, 2002 http://www.fbi.gov/ucr/cius_02/html/web/offcleared/03-NC.html

Clearance rates by type and age of offender reveal that juveniles are more likely to be linked to property crimes than violent crimes. Nearly half (44.1%) of those arrested and cleared for arson were juveniles.

CLEARANCE OF INDEX CRIMES BY TYPE AND AGE OF OFFENDER, 2007

	Offenses Cleared	Percent Under 18	Percent 18 & Older
Murder	20	0%	100%
Forcible Rape	171	11.7%	88.3%
Robbery	143	13.3%	86.7%
Aggravated Assault	574	11.0%	89.0%
Burglary	1,383	20.1%	79.9%
Larceny/Theft	7,176	19.4%	80.6%
Motor Vehicle Theft	415	19.0%	81.0%
Arson	68	44.1%	55.9%
All Index Crimes	9,950	18.9%	81.1%

Source: Maine Department of Public Safety

IMPLICATIONS

This section reviews arrest and clearance data in Maine and highlights a number of trends. While marijuana still accounts for the majority of drug arrests, arrests for other types of drugs are growing rapidly. Drug abuse is seen by many residents as one of the factors most responsible for crime in Maine.⁹ Many states, including Maine, have taken the step of developing pilot drug treatment courts for adults, juveniles and families to influence fundamental changes in the lifestyle of the participants, hold them accountable to their offenses, and enable them to function better in their families and communities. In 2006, the Corrections Alternatives Advisory Committee (CAAC)¹⁰ specifically called for an increase in the use of adult drug courts as a sentencing alternative to jail/prison. The CAAC suggested that drug court be expanded to enroll more substance-abusing moderate and high-risk offenders.¹¹

For the tenth consecutive year, Maine has seen an increase in arrests of adult women. This increase is also linked to the increasing number of arrests for drug and alcohol charges. The number of incarcerated women in the state has also increased, 114% between 1999 and 2004.¹² Again, the predominance of drug and alcohol charges is troubling. With the increase in arrests and incarceration of women, law enforcement authorities will need to consider whether the state has the appropriate facilities and services for their growing female population, and the development of alternatives to incarceration for low risk offenders.

Recently, the National Institute of Corrections selected Maine as a demonstration site for the Women Offender Case Management Model (WOCMM). In 2009 and 2010, state policy makers and practitioners will be collaborating to improve case management for Maine's women, with the goal of reducing re-offending and increasing the health and well being of the women and their children. Continued study of this model will be important to surface what is working, and whether such lessons can be applied to reducing the number of women involved in the state's jails and prisons.

⁹ *Maine Crime Victimization Report: Informing Public Policy for Safer Communities*, Muskie School of Public Service, April, 2007.

¹⁰ The Corrections Alternatives Advisory Committee (CAAC) was formed in 2005 to address the increasing prison and jail populations in Maine and to address the overall costs of the state and counties' correctional systems. The CAAC issued a final report in December 2006 which can be found at: <http://www.maine.gov/corrections/caac/CAACFinalReport.pdf>

¹¹ As measured by the Level of Service Inventory –Revised, the risk assessment tool used in Maine.

¹² Frost, Green & Pranis, 2006

Finally, juvenile arrests for violent crimes continue to decline; however, like the adult population, arrests for drug and alcohol-related offenses are on the rise, marking a gradual shift in the types of offenses for which juveniles are arrested. Crime victims surveyed in the 2007 Maine Crime Victimization Report reported that 82.6% of their offenders were adults, confirming the trend that juveniles are far more likely to be arrested for non-violent offenses. In addition, the total number of arrests of juveniles is down considerably from 1998 – 2007. Two reasons may explain this trend. First, it may be an indication of law enforcement decisions to divert low risk, first time juvenile offenders, rather than arrest them. Second, it may also reflect the smaller size of the juvenile population over the last ten years. Between 1998 and 2007 the population under the age of 18 declined 8.2% from 304,496 in 1998 to 279,467 in 2007.¹³ Another trend emerging from the juvenile data is the proportion of girls arrested in Maine has grown over the past 10 years. However, since reaching a peak in 2004, the proportion of girls arrested has decreased, indicating a possible reversal of this upward trend. This trend should be monitored in the coming years.

¹³See http://ojjdp.ncjrs.gov/ojstatbb/ezapop/asp/profile_selection.asp for data

APPENDIX CHART LIST

APPENDIX A: TABLES OF ARRESTS FOR ADULTS AND JUVENILES

Arrests of Adults in Maine by Nature of Charged Offense and Gender, 1998-2007

Arrests of Juveniles in Maine by Nature of Charged Offense, 1998-2007

REFERENCES

APPENDIX A: TABLES OF ARRESTS FOR ADULTS AND JUVENILES

<i>Index Crimes</i>																		
	Total Arrests for All Index Offenses	Total Arrests for All Index Offenses	Total Arrests for All Index Offenses	Violent Crimes SubTotal	Violent Crimes SubTotal	Violent Crimes SubTotal	Murder	Murder	Murder	Manslaughter by Negligence	Manslaughter by Negligence	Manslaughter by Negligence	Rape	Rape	Rape	Robbery	Robbery	Robbery
Year	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total
1998	1,280	4,015	5,295	92	632	724	2	16	18	0	4	4	0	57	57	7	104	111
1999	1,351	4,022	5,373	84	531	615	2	15	17	0	0	0	0	92	92	6	80	86
2000	1,303	3,902	5,205	99	708	807	2	91	93	0	2	2	0	91	91	14	97	111
2001	1,332	4,013	5,345	93	697	790	3	97	100	0	4	4	0	97	97	23	138	161
2002	1,443	3,860	5,303	84	662	746	2	102	104	0	1	1	0	102	102	14	117	131
2003	1,536	3,882	5,418	97	677	774	1	71	72	0	0	0	0	71	71	11	101	112
2004	1,703	3,940	5,643	120	676	796	2	81	83	0	4	4	4	81	85	14	122	136
2005	1,800	3,896	5,696	79	683	762	0	91	91	0	0	0	2	91	93	13	145	158
2006	1,786	4,008	5,794	78	667	745	1	59	60	0	1	1	4	59	63	12	147	159
2007	19	258	277	19	258	277	1	62	63	0	0	0	1	62	63	17	134	151
<i>Index Crimes (continued)</i>																		
	Aggravated Assault	Aggravated Assault	Aggravated Assault	Property Crimes Subtotal	Property Crimes Subtotal	Property Crimes Subtotal	Burglary	Burglary	Burglary	Larceny- Theft	Larceny- Theft	Larceny-Theft	Motor Vehicle Theft	Motor Vehicle Theft	Motor Vehicle Theft	Arson	Arson	Arson
Year	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total
1998	83	451	534	1,188	3,383	4,571	71	754	825	1,091	2,379	3,470	23	222	245	3	28	31
1999	76	344	420	1,267	3,491	4,758	78	731	809	1,148	2,508	3,656	33	208	241	8	44	52
2000	83	427	510	1,204	3,194	4,398	69	745	814	1,104	2,231	3,335	19	190	209	12	28	40
2001	67	361	428	1,239	3,316	4,555	86	734	820	1,125	2,357	3,482	21	199	220	7	26	33
2002	68	340	408	1,359	3,198	4,557	92	808	900	1,236	2,179	3,415	24	187	211	7	24	31
2003	85	434	519	1,439	3,205	4,644	118	687	805	1,278	2,307	3,585	36	190	226	7	21	28
2004	100	388	488	1,583	3,264	4,847	123	703	826	1,432	2,365	3,797	26	180	206	2	16	18
2005	64	356	420	1,721	3,213	4,934	112	699	811	1,577	2,309	3,886	29	183	212	3	22	25
2006	61	401	462	1,708	3,341	5,049	128	805	933	1,543	2,335	3,878	28	169	197	9	32	41
2007	101	466	567	2,035	3,654	5,689	131	784	915	1,860	2,674	4,534	31	169	200	13	27	40
Source of Data: Maine Department of Public Safety																		

Arrests of Adults in Maine by Nature of Charged Offense and Gender, 1998-2007													
	Non-Index Offenses			Total Arrests All Non-Index Offenses			Other Assaults			Forgery & Counterfeiting			
	Total Arrests All Non-Index Offenses	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	
1998	7,841	32,513	40,354	1,186	4,493	5,679	104	160	264	595	549	1,144	
1999	7,879	32,216	40,095	1,218	4,541	5,759	95	182	277	427	571	998	
2000	8,118	33,103	41,221	1,140	4,558	5,698	136	176	312	513	601	1,114	
2001	8,584	33,249	41,833	1,290	4,920	6,210	104	181	285	524	612	1,136	
2002	8,516	32,019	40,535	1,397	4,841	6,238	109	191	300	515	574	1,089	
2003	8,977	32,071	41,048	1,430	4,750	6,180	122	183	305	478	564	1,042	
2004	9,046	32,386	41,432	1,359	4,491	5,850	127	188	315	505	496	1,001	
2005	9,008	32,135	41,143	1,352	4,560	5,912	143	219	362	403	517	920	
2006	10,082	33,822	43,904	1,420	4,677	6,097	103	246	349	348	497	845	
2007	10,579	33,361	43,940	1,472	4,658	6,130	139	202	341	392	449	841	
Non-Index Offenses (continued)													
	Embezzlement			Stolen Property			Vandalism			Weapons			
	Embezzlement	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	
1998	2	3	5	60	230	290	146	892	1,038	21	265	286	
1999	3	7	10	46	214	260	148	918	1,066	10	210	220	
2000	4	7	11	48	170	218	158	919	1,077	5	219	224	
2001	11	6	17	49	182	231	155	1,011	1,166	17	282	299	
2002	9	9	18	47	206	253	166	992	1,158	13	247	260	
2003	15	17	32	56	182	238	204	873	1,077	9	209	218	
2004	14	11	25	49	185	234	144	959	1,103	13	260	273	
2005	10	21	31	39	158	197	151	986	1,137	16	295	311	
2006	28	19	47	33	125	158	196	959	1,155	23	323	346	
2007	27	23	50	38	116	154	175	864	1,039	15	243	258	

Table 3.2: Arrests of Adults in Maine by Nature of Charged Offense and Gender, 1998-2007 (continued)																			
Non-Index Offenses (continued)																			
	Prostitution	Prostitution	Prostitution	Other Sex Offenses	Other Sex Offenses	Other Sex Offenses	Drug Offenses	Drug Offenses	Drug Offenses	Gambling	Gambling	Gambling	Gambling	Crimes Against Families	Crimes Against Families	Crimes Against Families	Crimes Against Families	Crimes Against Families	Crimes Against Families
	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Total
1998	15	79	94	7	230	237	534	3,416	3,950	0	1	1	0	60	225	285			
1999	9	44	53	3	219	222	527	3,292	3,819	0	1	1	0	60	343	403			
2000	6	16	22	8	231	239	590	3,605	4,195	1	1	2	1	69	397	466			
2001	14	55	69	9	260	269	627	3,527	4,154	1	1	2	1	84	347	431			
2002	16	21	37	13	198	211	733	3,378	4,111	0	0	0	0	72	288	360			
2003	5	7	12	10	202	212	803	3,468	4,271	0	0	0	0	71	265	336			
2004	11	15	26	13	228	241	1,013	3,803	4,816	0	0	0	0	88	240	328			
2005	10	10	20	10	227	237	943	3,684	4,627	0	2	2	0	99	369	468			
2006	11	14	25	8	214	222	1,116	4,045	5,161	4	4	8	4	71	304	375			
2007	12	32	44	5	189	194	1,215	3,931	5,146	0	2	2	0	36	99	135			
Non-Index Offenses (continued)																			
	Driving Under the Influence	Driving Under the Influence	Driving Under the Influence	Liquor Law Violation	Liquor Law Violation	Liquor Law Violation	Drunkennes	Drunkennes	Drunkennes	Disorderly Conduct	Disorderly Conduct	Disorderly Conduct	Disorderly Conduct	All other Non-Traffic Offenses	All other Non-Traffic Offenses	All other Non-Traffic Offenses	All other Non-Traffic Offenses	All other Non-Traffic Offenses	All other Non-Traffic Offenses
	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Total
1998	1,411	6,439	7,850	463	1,865	2,328	4	9	13	438	1,521	1,959	2,795	12,136	14,931				
1999	1,397	5,757	7,154	523	1,895	2,418	7	10	17	436	1,456	1,892	2,970	12,556	15,526				
2000	1,416	5,876	7,292	493	1,780	2,273	6	7	13	444	1,407	1,851	3,081	13,133	16,214				
2001	1,335	5,375	6,710	627	1,958	2,585	7	18	25	373	1,287	1,660	3,357	13,227	16,584				
2002	1,255	5,428	6,683	649	2,137	2,786	5	18	23	367	1,106	1,473	3,150	12,385	15,535				
2003	1,551	5,644	7,195	567	1,981	2,548	13	47	60	297	1,070	1,367	3,346	12,609	15,955				
2004	1,441	5,698	7,139	535	2,093	2,628	5	23	28	390	1,248	1,638	3,339	12,448	15,787				
2005	1,525	5,611	7,136	777	2,289	3,066	5	13	18	320	1,262	1,582	3,205	11,912	15,117				
2006	1,779	5,757	7,536	1,045	2,646	3,691	15	47	62	378	1,288	1,666	3,504	12,657	16,161				

Arrests of Juveniles in Maine by Nature of Charged Offense, 1998-2007

Index Crimes

Year	Index Offenses	Violent Crimes Sub-Total	Murder	Rape	Robbery	Aggravated Assault	Property Crimes Subtotal	Burglary	Larceny-Theft	Motor Vehicle Theft
1998	4,208	168	1	15	35	117	4,040	857	2,966	217
1999	3,665	158	1	13	41	103	3,507	753	2,518	236
2000	2,907	175	1	15	37	122	2,732	514	2,055	163
2001	2,966	152	-	18	31	103	2,814	512	2,107	195
2002	2,931	140	-	24	39	77	2,791	574	2,025	192
2003	2,789	115	-	19	18	78	2,674	459	2,071	144
2004	2,571	145	-	21	32	92	2,426	447	1,833	146
2005	2,366	146	1	24	28	93	2,220	422	1,696	102
2006	2,079	141	1	22	27	91	1,938	455	1,384	99
2007	2,071	110	-	8	21	81	1,961	391	1,484	86

Non-Index Offenses

Year	Non-Index Offenses	Other Assaults	Arson	Forgery & Counterfeiting	Fraud	Stolen Property	Vandalism	Weapons	Prostitution	Other Sex Offenses
1998	7,517	1,222	45	52	26	137	840	73	1	53
1999	7,113	1,173	35	48	39	117	739	61	2	55
2000	7,082	1,189	24	31	46	85	644	40	-	47
2001	6,969	1,205	42	14	19	104	641	74	1	57
2002	6,362	1,158	37	19	43	75	709	46	3	43
2003	6,420	1,011	43	30	27	70	588	37	-	44
2004	5,967	1,011	29	31	47	59	526	47	3	63
2005	5,372	979	27	28	17	37	485	45	5	55
2006	5,679	939	36	20	32	39	589	53	4	52
2007	5,015	844	30	11	20	40	483	59	1	64

Non-Index Offenses (continued)

Year	Drug Offenses	Crimes Against Families	Driving Under the Influence	Liquor Law Violation	Drunkenness	Disorderly Conduct	All Other Offenses (Except Traffic)	Curfew Violation or Loitering	Running Away	Total*
1998	689	5	157	836	20	213	2,470	212	466	11,725
1999	675	6	139	776	11	227	2,347	246	417	10,778
2000	895	14	160	816	13	200	2,276	272	330	9,989
2001	846	10	135	889	6	238	2,178	193	317	9,935
2002	766	9	134	809	8	211	1,921	144	227	9,293
2003	828	9	162	1,009	19	205	2,037	106	195	9,209
2004	806	6	135	938	10	170	1,859	69	158	8,538
2005	625	12	138	1,038	4	168	1,501	100	108	7,738
2006	634	3	189	1,228	9	179	1,458	74	141	7,758
2007	571	5	118	1,107	8	168	1,325	57	104	7,086

Source of Data: Maine Department of Public Safety

* excludes Embezzlement and Gambling

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SECTION III: COURTS AND CORRECTIONS IN MAINE

This section of the 2008 Maine Crime and Justice Data Book examines data from the judicial and corrections systems. These systems help drive the next steps in the criminal justice system after arrest. The first part of this section examines court data. All charts and tables in the Courts section use data from the Administrative Office of the Courts, while data in the Corrections section are from the Maine Department of Corrections and the Bureau of Justice Statistics. Expenditure data come from the National Association of State Budget Officers.

THE MAINE TRIAL COURTS

In 2007, Maine had the fewest judicial employees per capita in the country at a rate of 3.8 per 10,000 people. In Fiscal Year (FY) 2007, the Judicial Branch received \$57.9 million or 1.9% from the state's general fund, of which \$45.6 million were allocated to pay for the costs of operating the branch. The remainder, \$12.3 million, was processed by the Judicial Branch for payments not related to daily operation, such as constitutionally required attorneys.¹ The Judicial Branch collected \$47.2 million in revenue during FY 2007, which was 10.4% higher than FY 2006 and 48.0% higher than in FY 2003.²

There are two types of courts in Maine that oversee trials:

1. Maine District Court –28 locations, 36 judges, 8 family law magistrates
2. Maine Superior Court –16 locations, 17 justices

Maine's 28 District Courts hear both civil and criminal matters and always sit without a jury. Criminal charges in Maine District Court include misdemeanor D criminal offenses, such as assault, operating under the influence, theft of property between \$1,000 and \$2,000, and misdemeanor E criminal offenses, which include disorderly conduct, operating after suspension, and the theft of property less than \$1,000. The District Courts also hear interpersonal conflicts such as Protection from Abuse, Protection from Harassment and Child Protection cases. Finally, juvenile cases are exclusively heard in District Court.

¹Maine Judicial Branch Annual Report (2007). http://www.courts.state.me.us/maine_courts/annual_reports/index.shtml

²Ibid.

The Superior Court consists of 17 justices who may hear any kind of civil or criminal case that may be brought to trial. Superior Court is the only court that holds jury trials, and it hears all murder and felony Class A, B, and C criminal cases, as well as those Class D and E cases in which the defendant exercises the right to request a jury trial.³

THE NUMBER OF ADULT CRIMINAL CASES IN DISTRICT COURT DECLINED 3.3 PERCENT IN FISCAL YEAR 2008 TO 56,411. These cases include initial arraignments for felonies (Classes A, B and C), misdemeanors (Classes D and E) and criminal traffic offenses. Cases that proceed through Adult Drug Treatment Courts are included in these figures.

In the last year, the number of interpersonal conflict cases in District Court increased 1.2%. There are three types of interpersonal conflict involving violence between individuals. They are Protection from Harassment, Protection from Abuse and Child Protective cases.

						<u>1 year</u>	<u>5 year</u>
District Court Total						<u>% Change</u>	<u>% Change</u>
	<u>FY'04</u>	<u>FY'05</u>	<u>FY'06</u>	<u>FY'07</u>	<u>FY'08</u>	<u>FY'07 -FY'08</u>	<u>FY'04 -FY'08</u>
INTERPERSONAL CONFLICT FILINGS:							
Protection From Harassment	4,699	4,467	4,595	4,622	4,582	-0.9%	-2.5%
Protection From Abuse	6,497	6,506	6,317	6,083	6,119	0.6%	-5.8%
Child Protective (a.)	687	600	665	693	836	20.6%	21.7%
Total	11,883	11,573	11,577	11,398	11,537	1.2%	-2.9%
JUVENILE FILINGS:							
Juvenile	4,609	4,159	4,481	4,358	3,976	-8.8%	-13.7%
ADULT CRIMINAL FILINGS:							
Adult Criminal A-E, includes Criminal Trafficking	61,853	60,465	59,117	58,340	56,411	-3.3%	-8.8%

PROTECTION FROM HARASSMENT

Among the declines in interpersonal conflict filings in Fiscal Year 2008 was Protection from Harassment, which declined 0.9% from Fiscal Year 2007, and 2.5% from Fiscal Year 2004. Protection from harassment applies to conflicts between persons who are not members of the same family or household in the following situations:

³Citizen's Guide to the Court. See website http://www.courts.state.me.us/citizen_info/citizen_guide/index.html

- Persons who have been intimidated, confronted, or threatened with physical force three or more times by the same person, and were afraid, intimidated or suffered damage to property as a result.
- The harasser has committed one of several serious criminal acts against a victim, such as criminal assault, terrorizing, gross sexual assault, criminal restraint, arson, stalking, or violation of privacy (as defined by the Maine criminal code).⁴

PROTECTION FROM ABUSE

Protection from abuse applies if the person filing with the court is being abused by a spouse, former spouse, partner and/or former partner. Protection from abuse filings increased slightly in Fiscal Year 2008, increasing by 0.6% from the previous year. Overall, there were 10,701 filings of either Protection from Harassment or Protection from Abuse in District Court in FY 2008, which is a decline of 4.4% since 2004.

CHILD PROTECTIVE CASES

Children who are identified as needing the court's protection may become the subject of a child protection petition. To obtain court jurisdiction over a child, the Department of Health and Human Services caseworker must be able to show that the child is: abused, battered, neglected, sexually abused, maltreated, deprived, abandoned, uncared for, in need of aid, in need of services, or in need of assistance. There were 836 child protective cases in Fiscal Year 2008, an increase of 20.6% from 2007, and an increase of 21.7% since 2004.

THE NUMBER OF CRIMINAL FILINGS IN SUPERIOR COURT INCREASED 23.3 PERCENT IN FIVE YEARS. In fiscal year 2008, the number of criminal filings increased 1.0% from 2007. This increase is part of a large (23.3%) increase between fiscal year 2004 and 2008. That increase may be the continuing result of a change in Maine's criminal procedural

rules in 2003

that transferred

misdemeanor Class

D & E cases (assault, disorderly conduct, etc.) to Superior Court immediately upon request for jury trial. Previously, pre-trial motions were heard in District Court.

Superior Court	FY'04	FY'05	FY'06	FY'07	FY'08	1 Year % Change	5 Year % Change
Criminal Cases	12,018	12,068	14,003	14,660	14,813	1.0%	23.3%

⁴see Pine Tree Legal Assistance website: <http://www.ptla.org/harass.htm>

The next section of this report examines the state prison population, and shows that while Maine's prison population is relatively low in comparison to the national average, it increased significantly over the last three years.

CORRECTIONS (STATE PRISONS)

MAINE CONTINUES TO HAVE THE LOWEST STATE PRISON INCARCERATION RATE PER CAPITA IN THE NATION.

By the end of 2007, Maine's 159 inmates per 100,000 residents was the lowest rate in the country.⁵ Maine's incarceration rate was three times lower than the national average (506). Maine had fewer total inmates (2,222) than New Hampshire (2,943), and a comparable number to Vermont (2,145). From 2006 to 2007, Maine's state prison population grew an estimated 4.6%, continuing the growth trend of recent years. This was the seventh fastest growth in the country, and surpassed the national average of 1.8%.⁶

STATES WITH THE LOWEST NUMBER OF ADULT INMATES AND PER 100,000 RESIDENTS 2007

STATE	NUMBER OF INMATES	STATE	INMATES PER 100,000 RESIDENTS
North Dakota	1,416	MAINE	159
Wyoming	2,084	Minnesota	181
Vermont	2,145	North Dakota	221
MAINE	2,222	New Hampshire	222
New Hampshire	2,943	Rhode Island	235

THE NUMBER OF ADULT INMATES UNDER THE JURISDICTION OF STATE CORRECTIONAL AUTHORITIES HAS GROWN NEARLY ONE-THIRD (31.4%) IN TEN YEARS. The number of inmates sentenced to state prison increased each year from 1998 to 2007, with the exception of 2000 and 2004. The years 1998 (1,691 prisoners) and 2007 (2,222 inmates) also represent the lowest and highest numbers of inmates in the past ten years, respectively. Since 2004, the increase in prison population appears to be driven primarily by prisoners receiving a sentence for a new crime, rather than prisoners being sent back to prison for a probation revocation. Those who are returned to prison on a probation violation are said to have had their probation revoked, either partially, meaning they will be released back onto probation, or fully revoked, where they are to serve the remainder of their probation in prison.

⁵The rate is only for those incarcerated in state facilities.

⁶West, H.C., and Sabol, W.J., Prisoners in 2007, Bureau of Justice Statistics Bulletin, Office of Justice Programs, U.S. Department of Justice, NCJ 224280, December, 2008.

One quarter of the inmates in Maine's prisons are serving a partial or full revoked probation, down from 30% in 2004 (Rubin, 2008).

Nearly two-thirds of inmates were sentenced to state prison for a Class B or C crime (62.3%).⁷ Overall, nine percent of inmates in the state prisons have been convicted of

murder, while only two percent are in prison for a misdemeanor offense (class D & E). Maine's state prison inmates serve an average of 7.2 years. Other than the 51 inmates in prison with a life sentence, the remainder (98%) will return to the community. In addition, more than half of the prison population have, on average, a sentence of three years or less.

The highest number of convictions for crimes committed by the current Maine prison population is for drug offenses at 332, followed by sex crimes at 304, and burglary at 265. Overall, the top five categories account for 59% of the total number of prisoners incarcerated. The number of inmates in prison on 11/1/2008 for a drug offense grew 26.2% from early 2005, when data was last extracted for the previous Data Book.⁸

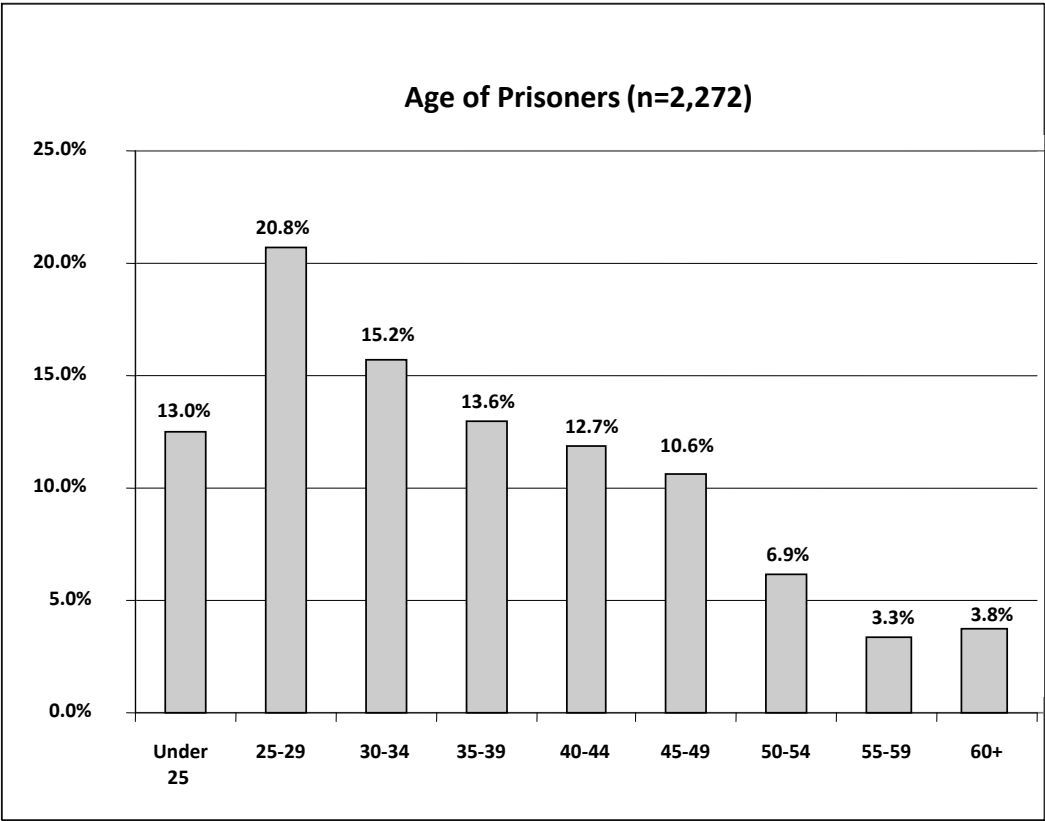
PRISONERS UNDER THE JURISDICTION OF STATE CORRECTIONAL AUTHORITIES				
YEAR	FEMALE	MALE	TOTAL	PERCENTAGE CHANGE FROM PREVIOUS YEAR
1998	63	1,628	1,691	
1999	65	1,651	1,716	1.5%
2000	66	1,613	1,679	-2.2%
2001	59	1,645	1,704	1.5%
2002	90	1,810	1,900	11.5%
2003	124	1,889	2,013	5.9%
2004	125	1,837	1,962	-2.5%
2005	129	1,894	2,023	3.1%
2006	145	1,975	2,120	4.8%
2007	152	2,070	2,222	4.6%

PRIMARY CONVICTION	CLIENT COUNT IN 2007	PERCENT
Drugs	332	14.9%
Sex Offenses	304	13.7%
Burglary	265	11.9%
Murder	208	9.4%
Assault/Threatening	198	8.9%

⁷Class A through C crimes are felonies, while D and E class crimes are misdemeanors. Murder is a felony crime, but is designated separately by the state.

⁸On 1/28/2005

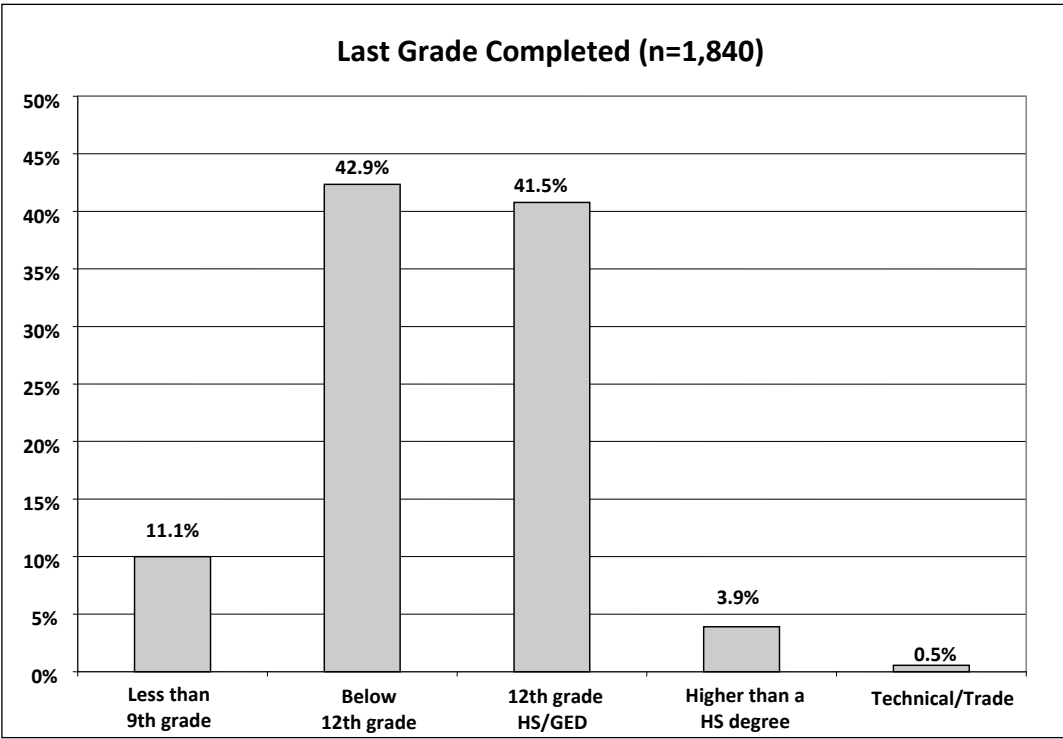
As of 11/1/2008, there are currently 2,272 state prison inmates. The youngest is 18 years old, and the oldest is 79. As the chart shows, more than one-third (33.8%) are under the age of 30 years old, and 14.0% are over the age of 50 years old. Inmates over the age of 50 represented 11.9% of the total prison population in 2005, indicating that the prison population in Maine is aging. Older inmates require a broader array of health and other services, placing more pressure on already overcrowded institutions and correctional budgets.



Of the 1,840 prisoners in adult facilities for whom education data is available, a majority of prisoners (54.1%) have less than a high school (HS) education, and nearly one-eighth (11.1%) have less than a 9th grade education. Overall, 45.9% of the inmates in Maine’s prison system have a 12th grade education or a higher level of education, compared with 89.4% across the state.⁹

⁹Estimate from 2007 American Community Survey, Census Bureau. <http://factfinder.census.gov/>

The poor education attainment level of prison inmates serves as a major barrier for many inmates when they leave prison. Many do not have sufficient levels of education to find employment, and face a difficult transition to life outside the prison gates.



CORRECTIONS AND GENDER

MAINE’S ADULT FEMALE PRISONER POPULATION CONTINUES TO INCREASE. At the end of 2007, there were 152 women in Maine’s state prisons (6.8% of the overall prison population). Maine’s female prisoner population is the lowest in the country, a distinction shared with Minnesota and Massachusetts, at 12 female prisoners per 100,000 residents. From 1998 to 2007, the increase in female prisoners was 141.3%, compared to the overall prison population increase of 31.4%.

MAINE HAS ONE OF THE LOWEST NUMBER OF JUVENILES IN RESIDENTIAL FACILITIES IN THE COUNTRY. Maine had the fourth lowest number of juveniles in a residential facility in the country in 2006, behind only Vermont, Hawaii, and New Hampshire. However, measured per 100,000 juveniles in the state, Maine comes in sixth lowest in the nation, with 152 juveniles in a residential facility per 100,000 juveniles. Vermont, Hawaii, Mississippi, North Carolina, and New Hampshire all had lower rates per 100,000 juveniles.¹⁰

STATES WITH THE LOWEST NUMBER OF JUVENILE INMATES AND PER 100,000 JUVENILES 2006

STATE	NUMBER OF INMATES	STATE	INMATES PER 100,000 JUVENILES
Vermont	54	Vermont	81
Hawaii	123	Hawaii	92
New Hampshire	189	Mississippi	128
MAINE	210	North Carolina	144
North Dakota	240	New Hampshire	148
		MAINE	152

Census of Juveniles in Residential Placement Databook

From 1997 to 2006, Maine experienced a 34.0% drop in the number of juveniles in residential facilities, nearly three times the rate of decline in the nation as a whole (11.6%), and the fifth most precipitous decline of all states (after Louisiana, Mississippi, New Mexico, and Washington). During the same period of time, Vermont experienced a 12.5% increase in the number of juveniles in residential facilities, and New Hampshire experienced a 1.6% increase.

MAINE'S JUVENILE FEMALE POPULATION IN RESIDENTIAL FACILITIES HAS DECREASED. Maine's female juvenile population in residential facilities stood at 24 in 2006, a 38.5% decrease since 1997, compared to a national rate of decrease of just 2.4% over the same time period. During those ten years, New Hampshire's female juvenile population increased 9.1% and Vermont's did not change.

¹⁰2007 juvenile data not available yet <http://www.ojjdp.ncjrs.gov/ojstatbb/cjrp/>. The inclusion criteria for the census are as follows: Younger than 21; Assigned a bed in a residential facility at the end of the day on the census reference date; Charged with an offense or court-adjudicated for an offense; In residential placement because of that offense.

CORRECTIONS (COUNTY JAILS) AND COMMUNITY CORRECTIONS (ADULT PROBATION)

In Maine, the increase in the county jail population has been noted by policy makers as a critical area in need of ongoing policy adjustments and reform. The jails are populated by two distinctly different types of inmates, those awaiting pre-trial hearings and those already convicted and sentenced. Generally, pre-trial offenders are in jail for a short period of time, and are usually released from custody, pending arraignment or other court hearing. Sentenced inmates generally are in the jails for a longer period of time, and are serving a jail sentence for a criminal conviction imposed by the court.¹¹

THE AVERAGE IN-HOUSE POPULATION OF ADULT INMATES IN MAINE'S

COUNTY JAILS HAS NEARLY DOUBLED

OVER THE LAST TEN YEARS.

Similar to the upward trend in the state's prisons,

the average inmate population in

county jails has increased dramatically

in Maine over the last ten years. The

number of female inmates in 2007 has increased 191% since 1998. Females now represent 13.3% of the average

daily population, an increase from 7.7% in 1998. Three factors have contributed to the increase in county jail

populations: 1) the increase of pre-trial offenders; 2) the increase in the number of individuals violating the terms of

their probation; 3) and a modest increase

in the sentenced population.¹² In the

last ten years, the number of pre-trial

inmates has nearly doubled (86.3%),

and now represents the majority of

inmates in the county jails. The number

of sentenced inmates has also increased,

but at a slower rate (17.8%).

AVERAGE DAILY NUMBER OF IN-HOUSE INMATES IN COUNTY JAILS

YEAR	FEMALE	MALE	TOTAL	CHANGE FROM PREVIOUS YEAR
98	76	916	992	
99	74	856	930	-6.3%
00	92	1,116	1,208	29.9%
01	89	940	1,029	-14.8%
02	133	1,273	1,406	36.6%
03	153	1,297	1,450	3.1%
04	170	1,318	1,488	2.6%
05	169	1,324	1,493	0.3%
06	177	1,407	1,584	6.1%
07	221	1,443	1,664	5.1%

AVERAGE DAILY POPULATION BY STATUS

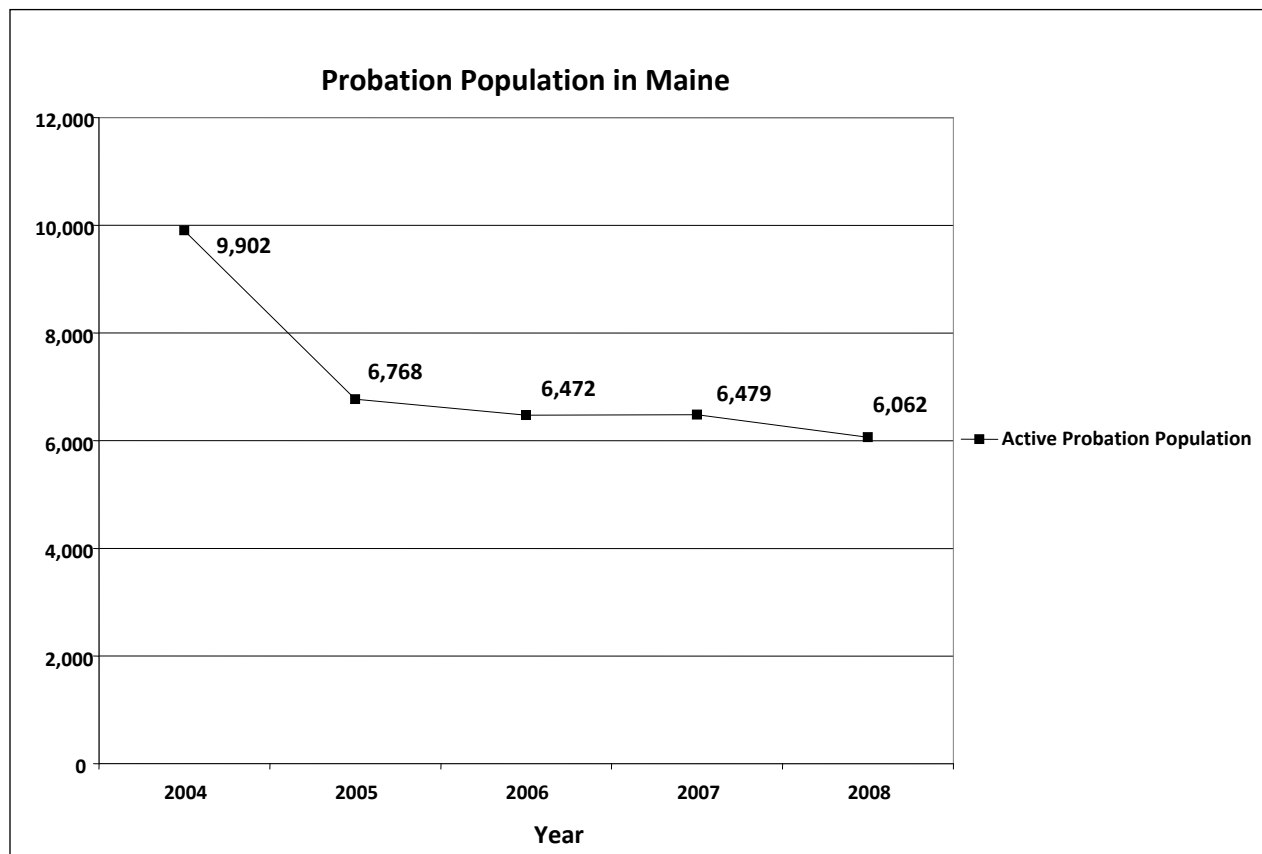
Year	Pre-trial	Sentenced	Total	% Pretrial
98	570	550	1,120	50.9%
99	614	600	1,214	50.6%
00	719	636	1,355	53.1%
01	612	526	1,138	53.8%
02	824	711	1,535	53.7%
03	887	688	1,575	56.3%
04	931	697	1,628	57.2%
05	1,021	647	1,668	61.2%
06	1,129	643	1,772	63.7%
07	1,062	648	1,710	62.1%

¹¹Persons convicted of a felony crime receiving a sentence of 9 months, or a misdemeanor crime with a sentence of 1 year or less, are incarcerated in one of the state's county jails.

¹² See CAAC final report.

PROBATION

In 2004, the Governor's Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners found that the average case load for each probation officer in Maine was 153 clients, far higher than the national average of 84 clients, and probation revocations accounted for 30% of the state's prison population. To address these findings, the Commission advocated and the Legislature passed a significant policy change which restricted probation to felonies and certain misdemeanors. As a result, the number of offenders on probation in Maine declined 31.7% between 2004 and 2005, and since 2005, probation totals have continued to decline, falling another 10.4% to 6,062 (or 94 clients per average case load) on November 1, 2008.



THE MOST FREQUENT OFFENSE COMMITTED BY OFFENDERS ENTERING PROBATION WAS FOR ASSAULT OR CRIMINAL THREATENING. Assault or criminal threatening occurred at double the rate (28.0%) of the next most frequent offense leading to a probation sentence. Despite this finding, the majority of offenses that led to a probation sentence between 2004 through 2006 were non-violent. These include operating under the influence (12.3%), drug related (11.8%), theft (8.2%) and burglary (7.6%).

EXPENDITURES

MAINE HAS AMONG THE LOWEST PERCENTAGE OF CORRECTIONS EXPENDITURES IN THE NATION. In 2007, Maine spent \$144 million on corrections, including \$138 million from the general fund, \$3 million in federal funds, and another \$3 million in “other state funds.” Overall, Maine ranked fifth lowest at 2.0% of total expenditures, significantly lower than the national average of 3.4% in 2007.¹³ In terms of expenditures from its general fund, Maine spends 4.6% of its general fund expenditures on corrections, which is eighth lowest in the nation. It should be noted that comparing corrections expenditures across states is a challenging endeavor, since certain states exclude parts of their system, while Maine is far more inclusive and includes juvenile and adult facilities and community corrections. As shown below, some of the states with a lower share of corrections expenditures exclude a variety of operations:

- West Virginia does not count Aid to Local Governments for Corrections
- Alabama does not count Aid to Local Governments for Corrections, Drug Abuse & Rehab Centers
- Minnesota partially excludes Juvenile Delinquency Counseling and Drug Abuse & Rehab Centers, and does not count Aid to Local Governments for Corrections
- Wyoming does not count Juvenile Delinquency Counseling
- New Mexico does not count Juvenile Delinquency Counseling or Juvenile Institutions
- Hawaii partially excludes Employer Contributions to Retirement & Health Benefits, excludes Juvenile Delinquency Counseling, Juvenile Institutions and Aid to Local Governments for Corrections

STATES WITH THE LOWEST SHARE OF CORRECTIONS EXPENDITURES FY 2007

STATE	CORRECTIONS EXPENDITURES AS A PERCENT OF TOTAL EXPENDITURES	STATE	CORRECTIONS GENERAL FUND EXPENDITURES AS A PERCENT OF TOTAL GENERAL FUND EXPENDITURES
West Virginia	1.0%	Minnesota	2.6%
Alabama	1.5%	Alabama	2.9%
New Mexico	1.8%	Hawaii	3.7%
North Dakota	1.9%	New Mexico	4.0%
Maine	2.0%	Connecticut, Massachusetts	4.1%
		Maine (8th lowest)	4.6%
United States	3.4%	United States	6.7%

Source: 2007 State Expenditure Report, National Association of State Budget Officers. Maine was tied with Minnesota, and Mississippi
***No data on juvenile expenditures specifically in the SBO report

¹³2007 State Expenditure Report, National Association of State Budget Officers.

Much of the variation between states in the cost of operating prisons is outside the influence of correctional officials. The cost of incarcerating one prisoner is often higher in states with a lower number of prisoners, since there are certain fixed costs that must be paid no matter the size of the population. For example, some states have higher than average medical costs, due to the lack of an economy of scale, while the average unit cost of producing a good or service (in this case patients) decreases as the volume of production increases (available medical staff). Another factor in understanding medical costs is that some states have a higher proportion of inmates being treated for drug or alcohol abuse and associated diseases. In fact, these costs go down only as the number of prisoners rises, creating a market efficiency in the prison system. Some other factors that influence the cost of housing prisoners include differences in the cost of living, variations in prevailing wage rates, climate and heating costs, and other factors.

IMPLICATIONS

While Maine has the lowest number of state prison inmates per 100,000 residents in the nation (159), the state's incarceration rate has risen 31.4% over the last ten years, and is projected to increase another 21% between 2006 and 2011 (Pew, 2008). Despite spending a smaller percentage of its general fund dollars on corrections – 4.6% -- than all but seven other states, Maine allocated \$138 million on state corrections funding in 2007, a significant and escalating cost for a rural state with low population. In 2008, Maine froze the counties' portion of its property taxes dedicated to jail costs to \$52.5 million, with the remainder to be covered by state government.

In 2005, the Corrections Alternatives Advisory Committee (CAAC) was created to improve the efficiency and effectiveness of state and county level corrections systems, and to better manage costs. The CAAC found that the average length of stay (65 days) for those pretrial defendants in a majority of Maine jails is more than three times higher than those in other states. The increasing average length of stay for pretrial offenders in Maine jails was identified as one of the major factors contributing to the increase in county jail population. The CAAC identified changes in the bail code and pre-trial processes as essential elements to reducing county jail totals, which have risen dramatically over the past ten years. The CAAC also identified a number of additional factors that affect costs. These cost drivers include the transportation costs, growing medical/pharmaceutical costs, and the lack of alternative sentencing mechanisms that could reduce jail and prison populations.

One key element in Maine's and indeed of all states' inmate populations and cost structures is the rate of recidivism, that is, the rate at which those released to their communities from prison or jail repeatedly offend and are returned to custody. The recidivist population is important because it is likely to be a major source of the future cost problems, and because it is one of the few factors affecting the long term costs and service demands that is within the policy makers' influence.

In Maine, nearly 1,000 people are released from prison each year, excluding hundreds of individuals with sentences of less than nine months who are released from county jails. Many former prisoners are at high risk to re-offend due to several factors: most have not completed high school; many have limited employment skills; and histories of substance abuse and mental health problems.

Coupled with the enormous costs accompanying incarceration at the county and state levels, Maine is rethinking how and when to incarcerate.

Over the last four years, the Maine Department of Corrections introduced a risk assessment instrument, the Level of Service Inventory- Revised (LSI-R), and case planning to its management of probationers to help reduce the likelihood of an offender recidivating (or re-offending). The decision to manage its caseload by assessing risk allowed Maine to create a system that more accurately measured the likelihood an offender will re-offend, and offered a framework to implement effective interventions.

Maine has also established a State Board of Corrections (BOC) with substantial oversight and authority of the task of unifying Maine's correctional system, and a State Sentencing and Corrections Practices Council, to assist the BOC with policy recommendations for best correctional practices. In fall 2008, the Board began developing a restructuring plan and capital construction strategies. If Maine gains the capacity to identify more effective means of reducing the recidivism rate, the costs of the new state-wide system will be reduced, and the savings redirected to urgently needed community corrections alternatives.

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SECTION IV: MAINE'S ADULT AND JUVENILE RECIDIVISM OUTCOMES

In recent years, prisoner reentry has become an important issue within the field of corrections. There has been a widespread increase in the numbers of offenders released into the community accompanied by a corresponding increase in re-offending rates in the United States. For example, the Bureau of Justice Statistics has found that of the nearly 650,000 offenders released into the community, two-thirds will be convicted of a new crime within three years.¹ In large part, how offenders fare after release from custody is the best indicator available regarding the efficacy of a correctional system. To that end, tracking, describing, and analyzing outcomes (recidivism) of released offenders is an important activity for correctional assessment.

This section will provide an overview of recidivism outcomes in Maine for both adult and juvenile offenders. The data are collected by the Maine Department of Corrections, Maine Department of Public Safety's *Crime in Maine* series and information gathered by the National Institute of Corrections and the National Institute of Justice. These data focus on adult probationers and juveniles adjudicated for the first time. Where available, panel data will be used to describe trends regarding offenders returned to the community, and national or state data will be used to compare Maine's outcomes to other locations.

ADULT RECIDIVISM OUTCOMES

The data for this section were collected by the Maine Department of Corrections and analyzed by the Maine Statistical Analysis Center. The probation data cover three cohorts of adults released into the community (2004, 2005, and 2006). These data, provided by the 35 Maine probation offices in 16 counties and four regions, include 11,954 probationers. In addition, a separate data set of 966 adult offenders who were released into the community after incarceration in one of the state's six state correctional facilities is analyzed. Recidivism outcomes and time to recidivism are calculated and implications are discussed for the State of Maine correctional system.

¹Langan, P. A., and Levin, D. J. (2002). Recidivism of prisoners released in 1994. *Bureau of Justice Statistics*. Special Reports.

THE ONE-YEAR RECIDIVISM RATE OF MAINE PROBATIONERS HAS NOT INCREASED SIGNIFICANTLY OVER THE PAST THREE YEARS. To avoid distortion in comparison of recidivism rates due to different lengths of time spent on probation, the Maine Statistical Analysis Center compared 1-year recidivism rates for each cohort.

ONE-YEAR RECIDIVISM RATES BY RISK CATEGORY AND COHORT

	2004		2005		2006		CHANGE 2004-2006
Risk Level	N	%	N	%	N	%	
Administrative	85	10.1%	51	10.5%	34	8.6%	-14.9%
Low	48	29.3%	45	22.5%	114	20.4%	-30.4%
Moderate	574	22.0%	437	23.2%	385	24.1%	9.5%
High	139	33.8%	121	36.7%	187	43.7%	29.3%
Maximum	18	48.6%	25	48.1%	34	53.1%	9.3%
Total	864	21.3%	679	23.0%	754	24.8%	16.4%

The one-year recidivism rate rose slightly each year, from 21.3% of the 2004 cohort to 24.8% of the 2006 cohort, although the number of recidivists went down from 864 to 754. Administrative risk probationers experienced a decline of 14.9%, while Low risk probationers experienced a 30.4% decline in one-year recidivism. Moderate, High and Maximum risk probationers experienced increases in one-year recidivism of 9.5%, 29.3% and 9.3%, respectively.

These initial trends reflect policy changes by MDOC to implement various aspects of evidence-based practice over the study period. For example, in 2006, MDOC “banked”² Administrative cases, supervising these very low risk probationers far less intensively than in the past. With this change, the recidivism rate went down with this sub-cohort.

The recidivism decline of Low risk probationers is due to the reclassification of many Moderate risk offenders in 2006. Moderate probationers’ LSI-R scores through 2005 ranged from 14 to 31. In 2006, Moderates who scored 14-20 were reclassified as “Low,” 21-25 remained a “Moderate” and 26 and higher were deemed “High” risk. As a result of another policy change, in 2006 probationers in the Moderate, High and Maximum categories were required to have a case plan that addressed the risk factors that could lead to a re-arrest for a new crime.

²Contact with the probation officer is minimal – occasional “reporting in” is all that is required.

THE OVERWHELMING MAJORITY OF NEW CRIMINAL CONDUCT OCCURRED DURING THE FIRST YEAR OF SUPERVISION. A 2002 Bureau of Justice Statistics study found that the first year of supervision is when most recidivism occurs, accounting for nearly two-thirds of all reoffending during the first 3 years after release from prison.³ Similar findings occur in Maine. Of those who entered probation in 2004 (the only year recidivists were examined for three years), more than two thirds (70.9%) of the recidivists committed at least one new crime in their first year of probation.

HALF OF ALL NEW CRIMES IN THE FIRST YEAR OF PROBATION OCCUR WITHIN FIVE MONTHS. The majority of recidivating events for the 2004, 2005, and 2006 cohorts occurred in the first five months of probation (50.4%). New crime arrests occurred at a rate of 2.5% per month in the first four months, before declining to 1.5% in months 9-12, demonstrating the need for heightened supervision early in the first year of probation.

Time to Recidivism			
Month	Monthly Recidivism Rate (%)	Cumulative Recidivism Rate (%)	Share of Recidivating events in Year 1 (%)
1	2.6	2.6	11.1
2	2.4	5.0	21.3
3	2.5	7.5	32.0
4	2.4	9.9	42.0
5	2.0	11.8	50.4
6	2.1	13.9	59.3
7	2.0	15.9	67.7
8	1.8	17.7	75.3
9	1.5	19.2	81.6
10	1.5	20.7	87.9
11	1.3	22.0	93.5
12	1.5	23.5	100.0

³See Lagan et al.

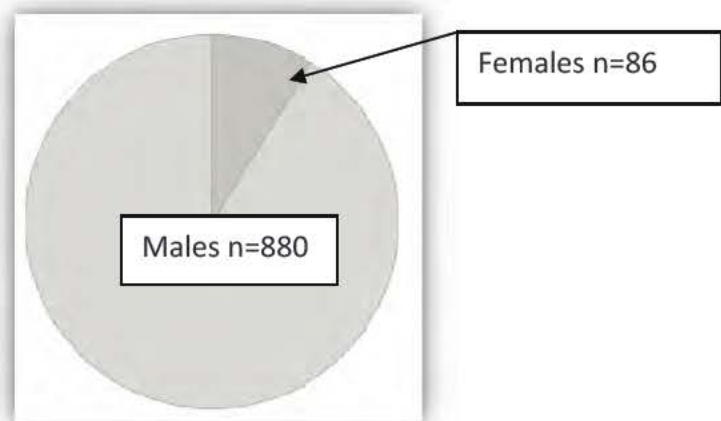
ADULT PROBATION RECIDIVISM: COMPARISONS TO OTHER STATES

The Bureau of Justice Statistics (BJS) compiles national data on probationers and parolees. Maine probationers are comparable to the 2007 national probation data on several measures. For example, about half of probationers nationally have committed a misdemeanor (51%) and most are men (77%). However, nationally, 53% of probationers are white compared to over 90% in Maine, and only 9% of the nation's probationers received a split-sentence⁴, compared with 64.7% in Maine.⁵ The raw number of probationers in Maine has also remained remarkably consistent relative to other states. From 2004 to 2006, Maine ranked 44th, 44th and 43rd in terms of probation population in the United States.⁶

Because of differing state systems and definitions of recidivism, national probation violation data are not readily available. Maine is, in some respects, a pioneer in its efforts to collect and analyze data on probation outcomes. In general, it is easier to compile outcome data for parolees or probationers because these individuals are located within a single system. However, Maine's example may assist other states' efforts to collect probation data, with an eye toward a national data reporting system. National data are essential to evaluate state correctional programs and build evidence about which practices are most effective.

ADULTS RELEASED FROM PRISON IN MAINE-2004

The Maine Department of Corrections has tracked the outcomes of offenders released into the community after incarceration during 2004 for up to four years. Data for these offenders include gender, date of initial incarceration, residence of incarceration, post-release location, and post-release events (e.g., violation, re-incarceration, etc.).



THE VAST MAJORITY OF OFFENDERS RELEASED FROM PRISON IN 2004 ARE MALES. According to the data on offenders released from prison in 2004, 91.1% are male. This ratio of male to female is higher than for the probation data, which likely includes lower risk offenders.

⁴A split-sentence consists of incarceration (either in jail or prison) followed by a period on probation

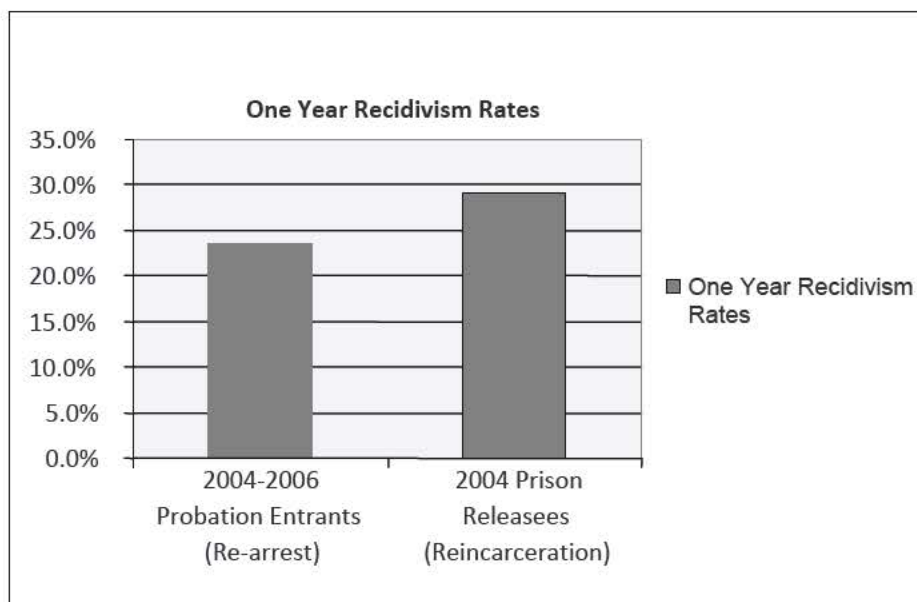
⁵Glaze, L. E., and Bonczar, T. P. (2008). Probation and Parole in the United States, 2007 Statistical Tables. Bureau of Justice Statistics. US Department of Justice.

⁶Bureau of Justice Statistics Probation and Parole in the United States, 2004-2006, <http://www.ojp.usdoj.gov/bjs/pandp.htm>

MORE THAN ONE-THIRD OF RELEASEES ARE TRANSFERRED FROM THE MAINE CORRECTIONAL CENTER. Offenders were transferred to the community from six different facilities in 2004. The facility with the most released offenders in the 2004 cohort was the Maine Correctional Center, a Medium/Minimum security facility which houses both male and female prisoners, located in Windham, Maine. This facility has a large capacity, currently housing 685 inmates.

Transfer Facility		
	Frequency	Percent
Maine Correctional Center	333	34.5
Maine State Prison	312	32.3
Bolduc Correctional Facility	129	13.4
Central Maine Pre-Release Center	74	7.7
Charleston Correctional Facility	66	6.8
Downeast Correctional Facility	52	5.4
Total	966	100.0

OVERALL 58.1% OF PRISONERS RELEASED IN 2004 HAVE BEEN RE-INCARCERATED. Of the 966 offenders released from prison in 2004, 561 had been returned to prison by May 2008. The one year re-incarceration rate was 29.1%, which is higher than the one year recidivism (re-arrest) rate of 23.5% for the probation sample analyzed above.



AVERAGE TIME TO RE-INCARCERATION WAS LESS THAN 2 YEARS. For the 2004 cohort of prisoners released into the community, the average time to re-incarceration was 467 days. The time to re-incarceration was shorter for males than for females (males=462 days, females=582 days).

JUVENILE RECIDIVISM

In collaboration with the Maine Department of Corrections (MDOC), the Maine Statistical Analysis Center issues an annual juvenile recidivism report to inform policy. The data used in the most recent report (March, 2008) are analyzed in this section to describe Maine's juvenile recidivism outcomes.

The juvenile recidivism data used in this report focuses on the 2005 cohort and trends in the juvenile recidivism cohorts 2000-2005.⁷ The 2005 cohort includes those who were adjudicated for the first time in 2005 and followed for one year.⁸

Maine juveniles resemble their counterparts across the nation. For the most part, they are male (71%), aged 16-17 (55%), and predominantly have committed property crimes (68% of Maine's juvenile felony offenses and 61% of Maine's juvenile misdemeanor offenses).⁹ Somewhat unique to Maine is the racial composition of juveniles adjudicated of offenses, which includes only 8% non-whites, compared to over 22% nationally.¹⁰

THE GEOGRAPHIC DISTRIBUTION OF JUVENILES ADJUDICATED FOR THE FIRST TIME IN 2005 WAS NOT EVEN THROUGHOUT MAINE. Of the 1,316 adjudicated individuals, Sagadahoc County had the highest rate per 1,000 juveniles, followed by Androscoggin and Hancock Counties. Overall in Maine, the rate of juveniles adjudicated for the first time actually decreased (7%) between 2004 and 2005. Rate data are of special importance here because of the geographic variation in population density throughout Maine. Certain counties are more populous than others and thus would be expected to have higher raw numbers of juvenile offenders. Rates enable us to examine the number of offenders per 1,000 juveniles in the population therefore accounting for the simplistic explanation that population is the cause of higher numbers of offenders.

⁷The 2005 juvenile cohort is the most recent available data.

⁸Adjudication is defined as a finding that a juvenile, if he or she were an adult would have been found guilty of committing an offense.

⁹A Felony offense is a more severe offense (e.g., burglary, murder, arson); a Misdemeanor is a less severe offense, generally thought to incur less harm to the victim. Please see Appendix II listing of offenses by category.

¹⁰Easy Access to Juvenile Populations: 1990-2006; <http://ojjdp.ncjrs.org/ojstatbb/ezapop/default.asp> from 2005.

Counties may have higher or lower rates of adjudicated juveniles for a number of reasons. Some research has suggested that in rural areas, juvenile justice procedures and administration is more likely to vary than in urban areas.¹¹ Certain counties also may have more juvenile justice officials, which may lead to more adjudications, independent of delinquent behavior. In any case, this variation in Maine and any relationship between rate of adjudications and recidivism are important for policy-making aimed at reducing criminal behavior.

**RATE OF JUVENILES ADJUDICATED FOR THE FIRST TIME IN 2005 BY COUNTY PER 1,000 POPULATION
(RANKED FROM HIGHEST TO LOWEST RATE)**

County	Adjudicated Juveniles	Juvenile Population 10-18 ¹²	Rate ¹³ per 1,000 Population	Percentage Change from 2004-2005
Sagadahoc	64	4,588	13.9	67%
Androscoggin	175	12,972	13.5	2%
Hancock	76	6,146	12.4	6%
Washington	48	3,886	12.4	44%
Penobscot	171	17,538	9.8	26%
Somerset	60	6,295	9.5	8%
Franklin	35	3,749	9.3	-3%
Waldo	43	4,666	9.2	1%
Piscataquis	18	2,001	9.0	-13%
Statewide	1,316	157,695	8.3	-7%
York	188	24,834	7.6	-8%
Knox	33	4,457	7.4	-50%
Kennebec	98	14,510	6.8	-14%
Cumberland	214	32,638	6.6	-4%
Aroostook	53	8,564	6.2	-54%
Lincoln	19	4,015	4.7	-57%
Oxford	21	6,838	3.1	-39%

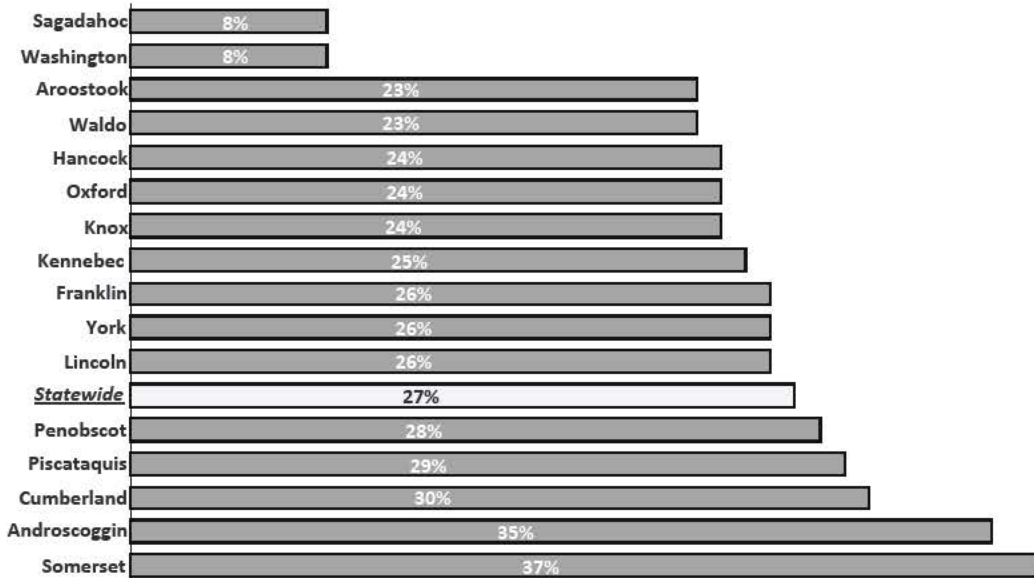
JUVENILE RECIDIVISM RATES ARE NOT EQUALLY DISTRIBUTED THROUGHOUT MAINE. Analyses indicate that certain counties have as much as four times the recidivism rate as others. Recidivism rates by county also show that counties with high rates of first time adjudications are not necessarily the counties with high recidivism rates. For example, while Somerset County had the sixth highest first time adjudication rate, it recorded the highest recidivism rate in 2005 (37%).

¹¹Feld, B. C. (1991). Justice by Geography: Urban, Suburban, and Rural Variations in Juvenile Justice Administration. *Journal of Criminal Law and Criminology*. 82 (156).

¹²Easy Access to Juvenile Populations: 1990-2006; <http://ojjdp.ncjrs.org/ojstatbb/ezapop/default.asp>

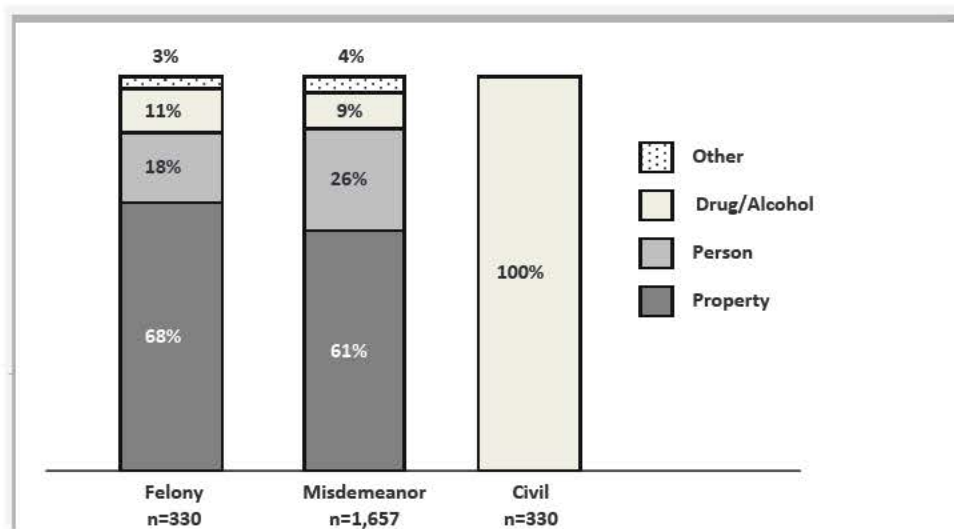
¹³The rate was calculated by dividing the number of juveniles adjudicated by the total juvenile population and multiplying by 1,000.

RECIDIVISM RATES BY COUNTY IN 2005, GROUP 1 (N = 353)



THE MAJORITY OF OFFENSES COMMITTED BY THE 2005 COHORT WERE PROPERTY CRIMES (53%), which include crimes such as theft, trespassing, vandalism and damage of property. The next most frequent offense involved drugs or alcohol (22%), while the more serious “person” crimes, which include violence against other individuals, was the least frequent offense (21%).

DISTRIBUTION OF INITIAL OFFENSES FOR THE 2005 JUVENILE COHORT



JUVENILES ADJUDICATED FOR THE FIRST TIME IN 2005 WERE MOST LIKELY TO HAVE A SENTENCE SUSPENDED OR BE ASSIGNED COMMUNITY SERVICE. Court actions in reacting to juveniles help provide context for evaluating recidivism outcomes. Evidence supports the notion that certain types of sanctions are associated with more or less recidivism¹⁴, which makes it important to analyze how the courts process juvenile cases in Maine. The most frequent court action for juveniles adjudicated for the first time was the suspension of determinate sentence of 30 days or less, which typically refers to an attenuated sentence in some form of incarceration followed by supervision. Community service is the next most frequent court action for this population.

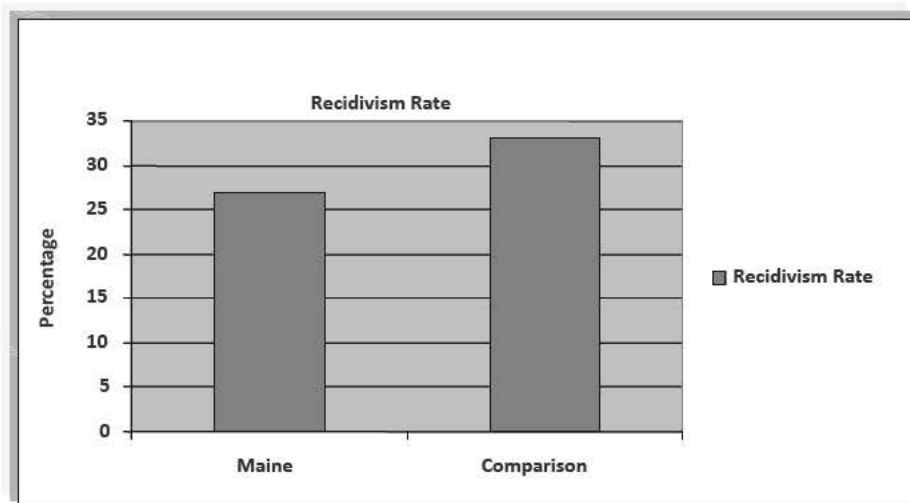
Distribution of First Time Adjudication Court Action				
		Number	Percent	Cumulative Percent
Action	Determinate Sentence of 30 days or less Suspended	337	25.6	25.6
	Community Service Work	272	20.7	46.3
	Indeterminate Commitment Suspended	258	19.6	65.9
	Fine	224	17.0	82.9
	Restitution	57	4.3	87.2
	Unconditional Discharge	52	4.0	91.2
	Determinate Sentence of 30 days or less	42	3.2	94.4
	Missing Data	24	1.8	96.2
	DHS Custody	14	1.1	97.3
	Determinate Sentence of 30 days or less Split	11	.8	98.1
	Indeterminate Commitment	9	.7	98.8
	License Suspension	7	.5	99.3
	Fine Suspended	5	.4	99.7
	Parent/Guardian Custody with Conditions	2	.2	99.8
	Custody of a Relative or Other Person	1	.1	99.9
	Full Revocation	1	.1	100.0
	Total	1316	100.0	

¹⁴Gainey RR, Payne BK, O'Toole M. Relationships Between Time in Jail, Time on Electronic Monitoring, and Recidivism: An Event History Analysis of a Jail-Based Program. Justice Quarterly. 2000;17:733.; Gendreau, P., and Goggin, C. (1993). The Effect of Prison Sentences on Recidivism. Retrieved January 1, 2009 from <http://www.prisonpolicy.org/scans/e199912.htm>

THE OVERALL RECIDIVISM RATE FOR THE 2005 JUVENILE COHORT WAS 27%. Unlike some other measures, recidivism rates cannot be practically compared between states. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) reports “there is no national recidivism rate for juveniles. Such a rate would not have much meaning since juvenile justice systems vary so much across states.”¹⁵ One factor driving this variation is differences in state operational definitions of recidivism. Some states define recidivism as re-arrest after previous arrest, some as re-incarceration, etc. Therefore, any comparison data should be taken with a measure of caution. The following comparisons are made with an “apples with apples” approach to increase understanding of Maine’s correctional system.¹⁶

The recidivism rate for the 2005 juvenile cohort was 27% (353 of 1,316). Because this measure was defined as a “re-adjudication” of a previously adjudicated juvenile, it is reasonable to compare Maine data to those states using a similar definition. Eight states use a similar definition of recidivism.¹⁷ The collective recidivism rate for these states as reported in a study conducted by the state of Virginia¹⁸ was 33% at one year, 6% higher than Maine’s rate.

MAINE’S JUVENILE RECIDIVISM RATE COMPARED TO EIGHT STATES



Source: Virginia Department of Juvenile Justice

¹⁵Snyder and Sickmund (2006). Juvenile Offenders and Victims: 2006 National Report. Office of Juvenile Justice and Delinquency Prevention.

¹⁶It should be noted that because the most commonly available measure of recidivism comes from “official” sources (e.g., police, court, correctional data), these data likely underestimate the actual recidivating behavior of youth. Much criminal behavior flies under the radar of criminal justice officials and thus never becomes part of the official record.

¹⁷The states using this definition are: AK, FL, GA, KY, MD, ND, OK, and VA.

¹⁸Virginia Department of Juvenile Justice. 2005. Juvenile recidivism in Virginia. *DJJ Research Quarterly*. Richmond, VA: VDJJ.

JUVENILE RECIDIVISM OFFENSES ARE PREDOMINANTLY PROPERTY CRIMES. Similar to the initial offense for this cohort, 55% of recidivism offenses were property crimes. The next most frequent offense category was drug and alcohol crimes (23%). Personal crimes were the least occurring offenses within the recidivism group (19%). In both cases (first time adjudication and recidivism), property crimes were the most common.

TIME TO RE-OFFENSE WAS LESS THAN HALF A YEAR. The average time from initial adjudication to subsequent offense was just over 5 months (median time=4.6 months). This suggests that most juveniles refrain from re-offending for several months.¹⁹ The causes for this variation should be the subject of further exploration. Interestingly, analyses revealed a negative correlation ($r=-.081^{20}$) between age and time to re-offense, which suggests that younger individuals re-offended more quickly than older individuals. There was no relationship between time to re-offense and gender or number of re-offenses. However, analyses revealed that those with two or more re-offenses were less likely to have committed drug/alcohol offenses, suggesting that these offenders engage in more serious acts.

JUVENILE RECIDIVISM RATE BY MONTH: 2005



¹⁹ Note: re-offending is defined as a new adjudication; offenses not resulting in official action are not included in the analyses.

²⁰ Correlation not significant at the .05 level.

JUVENILE RECIDIVISM-TRENDS

Data taken from one point in time—e.g., recidivism statistics for one cohort—is informative in terms of what is occurring at any particular area at that particular time. However, longitudinal data, or data collected over several time points, is useful in illustrating changes and trends that may be emerging. Longitudinal data are valuable to better understand the impact of changes in policies, population, or behavior. The data analyzed in this section illustrate year to year trends with respect to juvenile recidivism.

THE JUVENILE RECIDIVISM RATE IS HIGHER FOR MALES AND FEMALES IN 2005. In 2004, the overall recidivism rate was 18%. This is considerably lower than the rate of 26% in 2005. It should be noted that part of the increase in 2005 is due to a change in inclusion criteria for these data. Unlike previous years, in 2005 recidivism rates, researchers were able to track youth who were entered into the adult system. The increase seen in both genders and the overall recidivism rate is partly due to tracking juveniles into the adult system.²¹ However, when those juveniles tracked into the adult system were removed from analysis, the overall recidivism rate was still 24%—higher than the previous year.

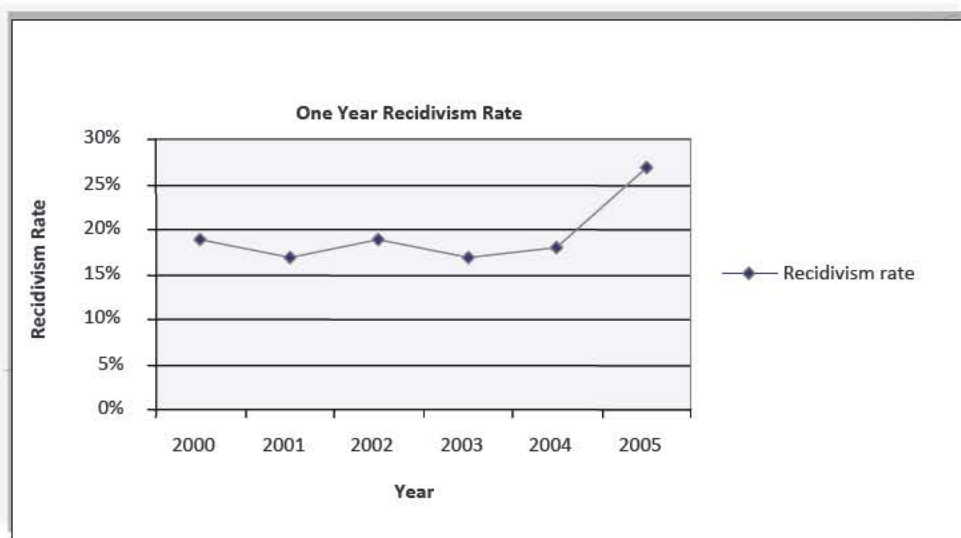
The higher rate of recidivism in 2005 is all the more noteworthy when taken in the context of data from the previous five years. The rate of one-year recidivism from 2000 to 2004 was relatively stable, fluctuating between 17 to 19%. Data from 1998 and 1999 also confirm this trend. The one-year recidivism rate for the 2005 cohort is nearly as high as previous two-year recidivism rates. Interestingly, the three-year recidivism rates have declined steadily since 2000. Further data for the 2005 cohort are required to make stronger conclusions concerning the causes of increased recidivism. One possibility for increased recidivism numbers is improvements in data reporting by the Maine Department of Corrections, facilitated by the introduction of a new correctional data system.

RECIDIVISM RATES FOR COHORTS 2000-2005 AT 1, 2 AND 3 YEARS

Recidivism Rates for Cohorts 2000-2005 at 1, 2 and 3 years						
Rate	2000	2001	2002	2003	2004	2005
1 year	269(19%)	236(17%)	245(19%)	184(17%)	227(18%)	353 (27%)
2 years	428(31%)	393(29%)	369(26%)	255(24%)	352 (28%)	
3 years	507(36%)	456(34%)	413(31%)	317(30%)		

²¹ The implications of this change are that the 2005 analysis is likely to have a wider “net” than previous years, because by not including juvenile offenders who were tracked into the adult system, recidivists from a given cohort would be lost to follow-up, thus attenuating estimates.

JUVENILE RECIDIVISM GENDER TRENDS ARE RELATIVELY CONSISTENT. The differences between males and females with respect to recidivism have not changed appreciably since 1998. From 1998 to 2001, males had recidivated at a 7% higher rate than females. From 2002 to 2003, males recidivated at a 6.5% higher rate than females. In 2005, the difference was 6%. These data suggest that despite narrowing first time adjudication rates between the genders, recidivism differences (a measure that some argue is a better indicator of criminogenic tendencies) have remained stable.



IMPLICATIONS

ADULTS

The data suggest that probation recidivism rates have not increased significantly in recent years. From 2004 to 2006, one year first time recidivism rates of the 11,954 adult probationers in Maine increased slightly from 22% in 2004 to 25% in 2006. However, the raw number of first time re-offenders (arrested for a new crime) within one year actually decreased by 20%, due to higher numbers of probationers in the 2004 cohort.²² This trend holds for probation violation rates as well, with 42%, 45% and 46% of probationers violating one or more conditions of probation within one year in the 2004, 2005, and 2006 cohorts respectively. These initial trends reflect policy changes implemented by MDOC to incorporate evidence-based principles into probation supervision practice over the period. As mentioned earlier in this section, many low risk probationers were supervised far less intensively than in the past. Higher risk probationers performed worse over the three year period, as they faced greater supervision and case planning requirements.

In view of the literature on evidence-based practices in community corrections, the worsening performance of higher risk probationers is likely due to increased supervision, without adequate service provision aimed at changing offending attitudes and behaviors. In order to successfully address this higher risk population and achieve real reductions in recidivism rates, research suggests smaller caseloads, and the placement of offenders into sufficiently intensive cognitive-behavioral interventions that target their specific criminogenic needs. These criminogenic needs are dynamic risk factors that, when addressed or changed, can positively affect the offender's risk for recidivism.²³

For the 966 prisoners released from a state correctional facility in 2004, certain findings are similar to the adult probation outcomes. The majority of offenders in both samples were male, and most of the recidivists were male as well. Yet the one year re-incarceration rate for these offenders was higher than the re-arrest rate for the 2004, 2005, and 2006 probationers. This may reflect a "riskier" sample. However, because the prison data did not include risk assessment or offense characteristics, this possibility cannot be explored.

²²As mentioned in Section III, the number of offenders on probation declined by 32% between 2004 and 2005 as a result of a policy change which restricted probation to felonies and certain misdemeanors.

²³Examples of criminogenic needs are: criminal personality; antisocial attitudes; criminal peers; substance abuse; and family.

JUVENILES

Several findings from the analysis of juvenile recidivism stand out as important from a policy perspective. While data from preceding sections of this report show that Maine is one of the safest states in the nation, certain recidivism indicators suggest that there is work to be done to improve the juvenile justice system's ability to prevent individuals from re-offending.

First and foremost, the data from the most recent year available show that recidivism rates have risen considerably from 1998 to 2005, from 20% to 27%. Raw numbers illustrate this trend even more forcefully—in 1998, there were 185 recidivists at one year. In 2005, there were 353, a 90.8% increase. Population fluctuation alone does not account for this difference.

A recent change in policy accounts for some, but not all of this increase. In previous years, juveniles who had recorded an adjudication but then found themselves in the adult system were not included in recidivism rates. This created a false ceiling for recidivism rates. In 2005, all juveniles, regardless of the system in which they were tracked, were included in the analyses. Yet, removing those juveniles who were tracked into the adult system did not lower 2005 recidivism rates to that of previous years. A possibility that cannot be assessed is that prior to 2005, more juveniles were tracked into the adult system, and thus the recidivism rates are not as divergent as the data suggest.

OVERALL

In general, the analyses reveal that while Maine is a safe state, especially in terms of first time offenders, recidivism rates have been increasing. This is an area that should be given attention in the future. It should be noted that one year recidivism rates, which were relied upon for this section, are less informative than “survival rates”, which calculate the time to recidivism for each offender. These analyses allow a more robust examination of the “half life” of certain correctional programs or court actions. That recidivism has increased for both adults and juveniles may suggest system-wide issues. Anecdotally, there is a growing awareness of the lack of cognitive behavioral therapy in many parts of the state to adequately address the anti-social, behavioral issues of higher risk offenders. The shortage of evidence-based programming to improve outcomes across Maine may play a large role in the ongoing challenge to reduce recidivism rates among those assessed at higher risk of recidivism.

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UNIFORM CRIME REPORTING SYSTEM

Uniformity in reporting under the Maine Uniform Crime Reporting System is based on the proper classification of offenses reported to or known by the police. The adoption of the National System of Uniform Crime Reporting included the utilization of the offense classifications of that system. Law enforcement in this state has made accurate application of those classifications in the reports submitted to the Maine Uniform Crime Reporting System.

In view of the need for compatibility with the National System, "offenses" under the program are not distinguished by designation of "misdemeanors," "felonies" or "violations of municipal ordinances."

The explanations of offense classifications may vary slightly from language used by those familiar with Maine state law. However, the major categories of offense classification remain the same between the national and state levels.

PART I OFFENSES

Offense data consists of information that has been extracted from reports of Part I crimes that have come to the attention of Maine law enforcement agencies. In general, Part I crimes are usually reported to law enforcement agencies. Part I crimes are comprised of the following offenses.

1. HOMICIDE

1a. Murder and Non-Negligent Manslaughter - The unlawful killing of a human being with malice aforethought.

General Rule - Any death due to a fight, quarrel, argument, assault or commission of a crime.

1b. Manslaughter by Negligence - The unlawful killing of a human being, by another, through gross negligence.

General Rule - The killing may result from the commission of an unlawful act or from a lawful act performed with gross negligence.

2. FORCIBLE RAPE

2a. Rape by Force - The carnal knowledge of a female forcibly and against her will.

General Rule - Forcible rape of a female - excluding carnal abuse (statutory rape) or other sex offenses.

2b. Attempted Forcible Rape - All assaults and attempts to rape.

3. ROBBERY - The felonious and forcible taking of the property of another, against his will, by violence or by putting him in fear. Includes all attempts.

3a. Gun - All robberies and attempted robberies involving the use of any type of firearm (revolvers, automatic pistols, shotguns, zip guns, rifles, pellet guns, etc.).

3b. Knife or Cutting Instrument - All robberies and attempted robberies involving the use of cutting or stabbing

objects (knife, razor, hatchet, axe, scissors, glass, dagger, ice pick, etc.)

3c. Other Dangerous Weapon - All robberies or attempted robberies when any other object or thing is used as a weapon. This includes clubs, bricks, jack handles, explosives, acid, etc.)

3d. Strong Arm - Hands, Fists, Feet, Etc. - All robberies which include mugging and similar offenses where no weapon is used, but strong arm tactics are employed to deprive the victim of his property. This is limited to hands, arms, fists, feet, etc. As in armed robbery, includes all attempts.

4. ASSAULT - An assault is an attempt or offer, with unlawful force or violence, to do physical injury to another.

General Rule - All assaults will be classified in the following categories excluding assaults with intent to rob or rape.

4a. Gun - All assaults and attempted assaults involving the use of any type of firearm (revolvers, automatic pistols, shotguns, zip guns).

4b. Knife or Cutting Instrument - All assaults and attempted assaults involving the use of cutting or stabbing objects including knives, razors, hatchets, axes, scissors, glass, daggers, ice picks, etc.)

4c. Other Dangerous Weapon - All assaults or attempted assaults when any other object or thing is used as a weapon (clubs, bricks, jack handles, explosives, acid, poison, burning, and cases of attempted drowning, etc.).

4d. Hands, Fists, Feet, Etc. - Aggravated - Assaults which are of an aggravated nature when hands, fists, feet, etc., are used. To be classified as aggravated assault, the attack must result in serious injury.

5. BURGLARY - Breaking and Entering - Unlawful entry or attempted forcible entry of any structure to commit a felony or larceny. **NOTE:** For Uniform Crime Reporting purposes, the terms “Burglary” and “Breaking and Entering” are considered synonymous. All such offenses and attempts are scored as burglary. Do not score the larceny.

Breaking and Entering of a motor vehicle is classified as a larceny for Uniform Crime Reporting purposes. **General Rule** - Any unlawful entry or attempted forcible entry of any dwelling house, attached structure, public building, shop, office, factory, storehouse, apartment, house trailer (considered to be a permanent structure), warehouse, mill, barn, camp, other building, ship or railroad car.

5a. Forcible Entry - All offenses where force of any kind is used to enter unlawfully a locked structure, with intent to steal or commit a felony. This includes entry by use of a master key, celluloid, or other device that leaves no outward mark but is used to open a lock. Concealment inside a building, followed by the breaking out of the structure, is also included.

5b. Unlawful Entry - No Force - Any unlawful entry without any evidence of forcible entry.

5c. Attempted Forcible Entry - When determined that forcible entry has been attempted.

6. LARCENY AND THEFT (EXCEPT AUTO THEFT) - The unlawful taking of the property of another with intent to deprive him of ownership. **General Rule** - All larcenies and thefts resulting from pocket-picking, purse snatching, shoplifting, larceny from auto, larceny of auto parts and accessories, theft of bicycles, larceny from buildings, and from coin-operated machines. Any theft that is not a robbery or the result of breaking and entering is included. Embezzlement, larceny by bailee, fraud or bad check cases are excluded.

7. MOTOR VEHICLE THEFT - The larceny or attempted larceny of a motor vehicle. **General Rule** - This classification includes the theft or attempted theft of a motor vehicle which, for Uniform Crime Reporting designation, is described as a self-propelled vehicle that runs on the surface of the land and not on rails. Excludes reported offenses where there is a lawful access to the vehicle, such as a family situation or unauthorized use by others with lawful access to the vehicle (chauffeur, employees, etc.). Includes "joy riding." Excluded from this category are airplanes, boats, farm equipment and heavy construction vehicles, which are scored in the larceny category.

8. ARSON - Includes all arrests for violations of state laws and municipal ordinances relating to arson and attempted arson. The willful or malicious burning to defraud, a dwelling house, church, college, jail, meeting house, public building, or any building, ship or vessel, motor vehicle or aircraft, contents of buildings, personal property of another, goods or chattels, crops, trees, fences, gates, lumber, woods, bogs, marshes, meadows, etc., should be scored as arson.

PART II OFFENSES

The Maine Uniform Crime Reporting System requires information on persons arrested and charged by municipal, county and state agencies on a monthly basis. In compiling data for the monthly returns, the violations of municipal ordinances as well as state laws are to be included.

9. OTHER ASSAULTS - This class is comprised of all assaults and attempted assaults which are simple or minor in nature. These "Other Assaults" are also scored on ME-UCR-1 under item 4e as an offense known to police. However, for the purpose of this return, arrests for non-aggravated assaults are scored in this class.

10. FORGERY AND COUNTERFEITING - Place in this class all offenses dealing with the making, altering, uttering or possessing, with intent to defraud, anything false in the semblance of that which is true. Include:

- Altering or forging public or other records.

- Making, altering, forging or counterfeiting bills, notes, drafts, tickets, checks, credit cards, etc.

- Forging wills, deeds, bonds, seals, etc.

- Counterfeiting coins, plates, checks, etc.

- Possessing or uttering forged or counterfeited instruments.

- Signing the name of another or fictitious person with intent to defraud.

- All attempts to commit any of the above.

11. FRAUD - Fraudulent conversion and obtaining money or property by false pretense. Include:

- Bad checks, except forgeries or counterfeiting.

- Leaving full-service gas station without paying attendant.

- Unauthorized withdrawal of money from an automatic teller machine.

- Failure to return rented VCRs or videotapes.

- 12. EMBEZZLEMENT** - Misappropriation or misapplication of money or property entrusted to one's care, custody or control.
- 13. STOLEN PROPERTY: BUYING, RECEIVING, POSSESSING** - Include in this class all offenses of buying, receiving, and possessing stolen property, as well as all attempts to commit any of these offenses.
- 14. VANDALISM** - Vandalism consists of the willful or malicious destruction, injury, disfigurement or defacement of any public or private property, real or personal, without consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, covering with filth, or any other such means as may be specified by local law. Count all arrests for the above, including attempts.
- 15. WEAPONS: CARRYING, POSSESSING** - This class deals with violations of weapons laws such as:
- Manufacture, sale or possession of deadly weapons.
 - Carrying deadly weapons.
 - Furnishing deadly weapons to minors.
 - Aliens possessing deadly weapons.
 - All attempts to commit the above.
- 16. PROSTITUTION & COMMERCIAL VICE** - Include in this class the sex offenses of a commercialized nature such as: Prostitution.
- Keeping a bawdy house, disorderly house or house of ill repute.
 - Pandering, procuring, transporting or detaining women for immoral purposes.
 - All attempts to commit the above.
- 17. SEX OFFENSES** - (Except forcible rape, prostitution, and commercialized vice). Include offenses against chastity, common decency, morals, and the like.
- Adultery and fornication.
 - Buggery.
 - Incest.
 - Indecent exposure.
 - Sodomy.
 - Statutory rape - (no force).
 - All attempts to commit any of the above.
- 18. DRUG ABUSE VIOLATIONS** - Drug abuse violation arrests are requested on the basis of the narcotics used. Include all arrests for violations of state and local ordinances, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. Make the following subdivisions of drug law arrests, keeping in mind to differentiate between sale/manufacturing and possession.

Opium or cocaine and their derivatives: morphine, heroin, codeine; Marijuana.

Synthetic narcotics, manufactured narcotics which can cause true drug addiction:

Dangerous non-narcotic drugs: barbiturates, Benzedrine.

19. GAMBLING - All charges which relate to promoting, permitting or engaging in gambling. To provide a more refined collection of gambling arrests, the following breakdown should be furnished:

Numbers and lottery.

All other (include all attempts).

20. OFFENSES AGAINST FAMILY & CHILDREN - Include here all charges of non-support and neglect of family and children.

Desertion, abandonment, or non-support.

Neglect or abuse of children.

Non-payment of alimony.

NOTE: Do not count victims of these charges children who are taken into custody for their own protection.

21. DRIVING UNDER THE INFLUENCE - This class is limited to the driving or operating of any vehicle while drunk or under the influence of liquor or narcotic drugs.

22. LIQUOR LAWS - With the exception of "Drunkenness" (Class 23) and "OUI" (Class 21), liquor law violations, state or local, are placed in this class. Do not include federal violations. Include:

Manufacturing, sale, transportation, furnishing, possessing, etc.

Maintaining unlawful drinking places.

Operating a still.

Furnishing liquor to a minor.

Illegal transportation of liquor.

Possession of liquor by a minor.

All attempts to commit any of the above.

23. DRUNKENNESS - Include in this class all offenses of drunkenness or intoxication, with the exception of "OUI" (Class 21). **NOTE:** Although "Drunkenness" and/or "Intoxication" offenses have been removed from a criminal offense category by the Maine Legislature, the category remains in the Uniform Crime Reporting Part II offenses and is to be used administratively. Persons taken into custody and/or referred to alcohol rehabilitation or "De-Tox" centers should be scored in this category by age, sex and race.

24. DISORDERLY CONDUCT - Count in this class all disorderly persons arrested except those counted in classes 1 through 23.

25. ALL OTHER OFFENSES - Include in this class every other state or local offense not included in classes 1 through 25.

Admitting minors to improper places.

Bigamy and polygamy

Blackmail and extortion.

Bribery.

Contempt of court.

Discrimination, unfair competition.

Kidnapping.

Offenses contributing to juvenile delinquency (except as provided for in classes 1 through 24), such as employment of children in immoral vocations or practices, etc.

Perjury and subornation of perjury.

Possession, repair, manufacture, etc. of burglar's tools.

Possession or sale of obscene literature, pictures, etc.

Public nuisances.

Riot and rout.

Trespass.

Unlawfully bringing contraband into prisons or hospitals.

Unlawful use, possession, etc. of explosives.

Violations of state regulatory laws and municipal ordinances.

Service of warrants.

All offenses not otherwise classified.

All attempts to commit any of the above.

26. CURFEW AND LOITERING LAWS (Juveniles) - Count all arrests made for violations of local curfew or loitering ordinances.

27. RUNAWAY (Juveniles) - For purposes of the UCR program, report in this category apprehensions for protective custody as defined by local statute. Arrest of runaways from one jurisdiction by another agency should be counted by the home jurisdiction. Do not include protective custody actions with respect to runaways taken for other jurisdictions.

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