

Federal Imprisonment Trends for Women 1994-95 to 1998-99

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SUMMARY

Concern has been raised that, if the federal women's offender population continues to grow at recent rates, the Correctional Service of Canada may need to add significant accommodation capacity. However, the cause of this recent growth is not fully understood. This report examines two leading indicators of the criminal justice process that may indicate changing incarceration rates for adult women in Canada: 1) trends in police reports of laying of charges against adult women, and; 2) the conviction and sentencing patterns of adult women appearing in adult criminal court.

The examination of police reports over the period from 1994 to 1998 found that fewer adult women are being charged. The total number of adult women charged each year decreased by about 6,300 between this period. Charges for major crimes such as homicide, attempted murder, robbery, and major assaults also decreased. However, charges for drug trafficking/importation have increased significantly. Small but significant increases were also recorded in charges for break and enter and fraud and related offences for cases where there were multiple charges.

The reports from the participating Provincial Adult Criminal Courts show about 9% fewer cases dealt with in 1998-99 than in 1994-95. The number of adult women convicted and sent to prison by the courts also decreased slightly. However, while overall prison sentences were down, sentences to federal terms showed an increase:

- The number of cases sentenced to a prison term of "under 2 years" fell by nearly 1,000 cases (from about 7,800 to nearly 6,900 between 1994-95 and 1998-99);
- The number of cases sentenced annually to "2-years or more" was numerically much smaller, only 55 cases in 1994-95, but it increased nearly 1.7 times to 148 cases by 1998-99.

This suggests that judges may be sentencing adult women to longer sentences. However, some countervailing trends are also at work.

The overall pool of adult women cases at risk of a federal sentence may actually have declined somewhat since 1994-95. If we combine the number of cases of women (charged with major crimes) raised to Superior Court, with the number of adult women actually sentenced to 2-years or more in provincial /territorial courts, the total "at-risk" pool actually declines. The estimate of the total "at-risk" pool, derived in this way, decreases from about 1,600 cases to under 800 cases over the five years. At present however, there are no statistics on the outcome of Superior Court trials.

The opening of new federal women institutions to serve the Atlantic and Prairie regions where there previously had been no federal regional establishment may have influenced the number of federal sentences in those specific regions. As

new federal women institutions were opened in the Prairie and Atlantic regions (especially in Alberta, PEI and Nova Scotia), the number of federal sentences has increased.

There is also some evidence of a convergence in sentences for major crime to adult men and women. This trend is still pretty weak in the data, but if it strengthens and persists over the long-term, then there will be significant implications for the Correctional Service of Canada as well as for Provincial/Territorial prison systems. All will need to re-examine their offender population accommodation plans for federal women.

The statistics examined here cover the relatively short period from 1994 to 1999. This timeframe is too short to really derive a solid trend. In Atlantic Region for example, all the federal sentencing increase appears in 1998-99. It is therefore premature to predict a large growth trend in the federal women population. Moreover, the statistics show some contradictory patterns (there are fewer overall crime convictions, but longer sentences). These patterns will need to be closely monitored over the next few years to see which pattern will dominate.

Finally, the adult criminal court survey database is still relatively new, and trends that appear today may turn out to be statistical artifacts of the way the data is being collected.

In the meantime it would seem prudent to accommodate the recent increases (federal women warrant of committal admissions actually declined in 1999-2000) through incremental expansion of the existing federally sentenced women's facilities. This may prove sufficient to meet immediate needs, and the longer-term accommodation pressures may never materialize.

ACKNOWLEDGMENTS

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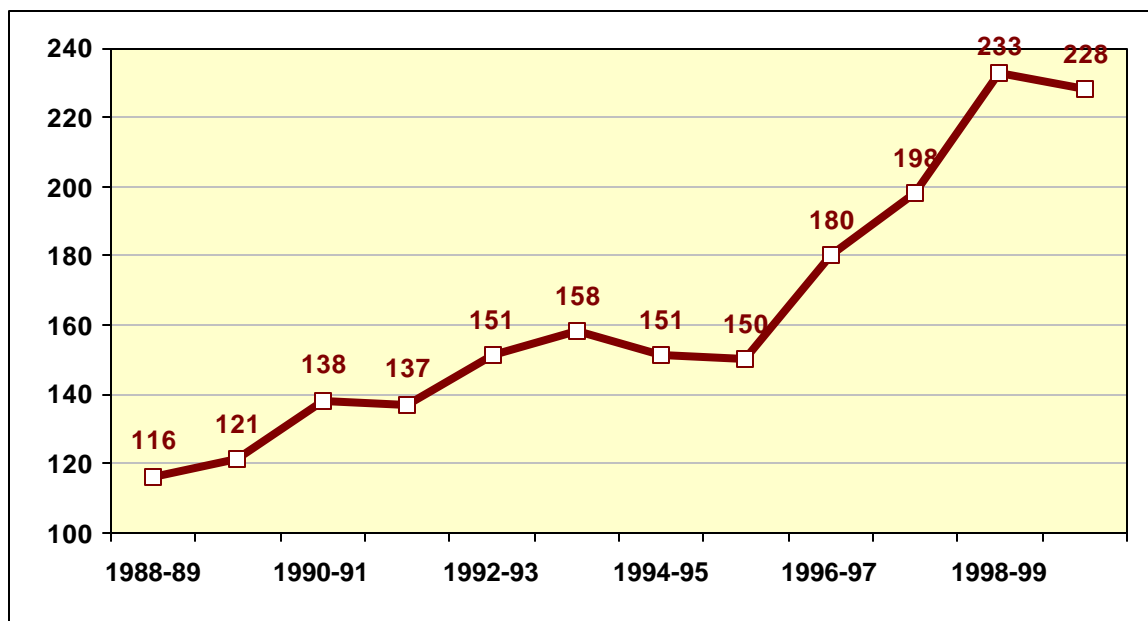
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PART I. CRIME AND SENTENCING TRENDS

1. Background

Women offender admissions to federal custody have generally increased throughout the past decade. However, in the last few years - especially the period from 1995-96 to 1998-99 — the number of federal women offender "warrant of committal" (WoC) admissions was much greater than before. A warrant of committal admission represents a new sentence from the court, as opposed to a revocation of a previous release to community supervision. For this reason, WoC admissions are a good indicator of crime and sentencing trends in society. The increase of warrant of committal admissions since 1995-96, has been a cause for concern although admissions declined slightly in 1999-2000. These growth trends are illustrated in Figure 1 (below).

Figure 1 Annual federal female offenders "warrant of committal" admissions



Source: Research Branch, CSC.

In response to the rapid growth, concern has been raised that the Correctional Service of Canada will be required to add significant cell-space in federal women's facilities to accommodate the more rapidly growing population.

2. Will Women Offender Court Admissions Continue to Increase?

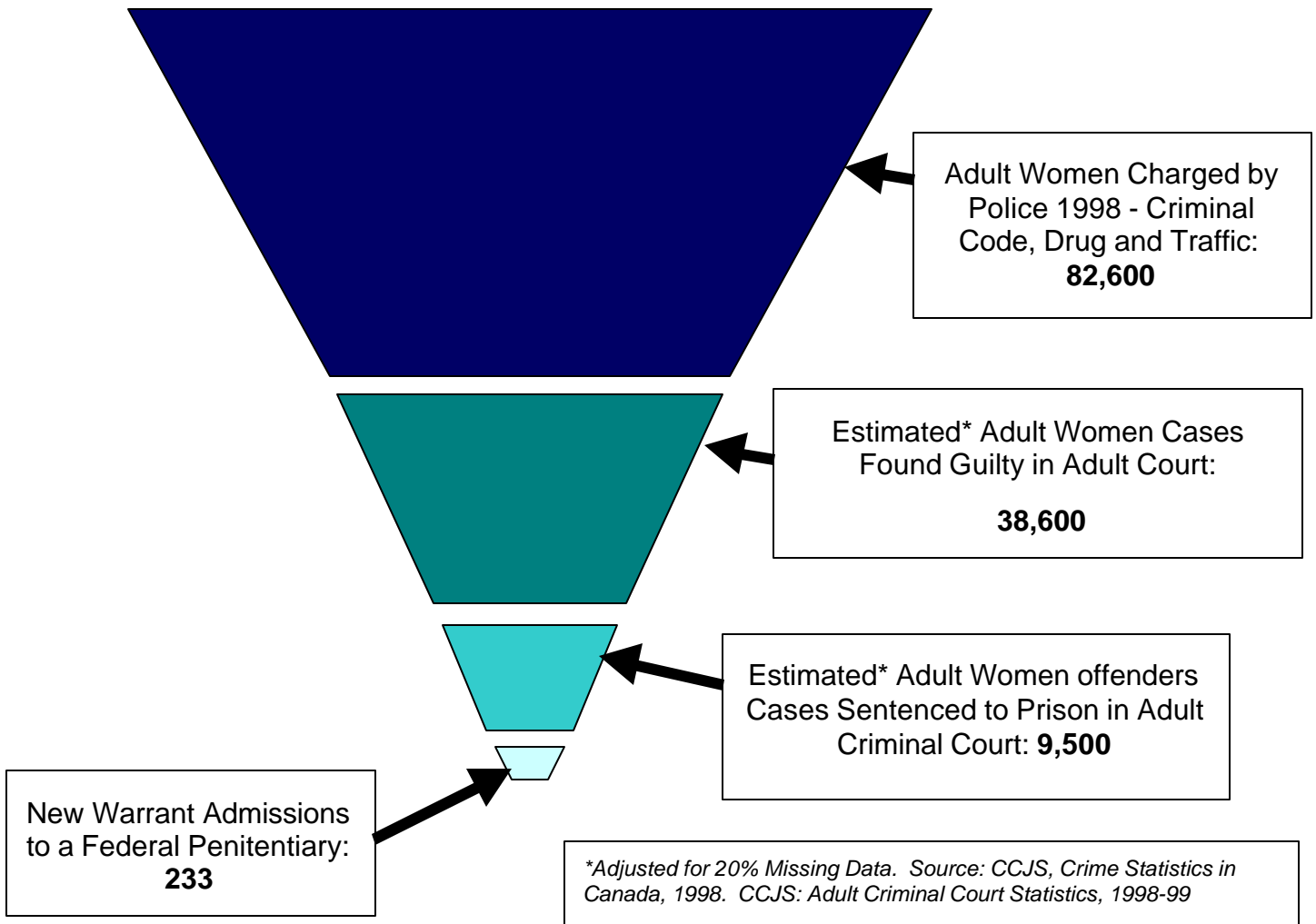
Before committing to a costly expansion of the federal women's facilities, it seems prudent to ask whether this recent growth represent a genuine long-term trend as opposed to a temporary growth spurt that may soon pass. Indeed, the number of admissions (228) for FY 1999-2000 is somewhat lower than the peak (233) reached in the previous year.

The question — whether recent admission growth indicate a longer-term trend or a temporary spurt — is difficult to answer from the existing police and court reported data. Both survey sources have limitations that restrict in various ways our ability to determine trends for adult women in the criminal justice process. We will identify these limitations in the context that they occur.

Although we can conceptualize the criminal justice process as a system, it is a mistake to think of it in purely mechanical terms, e.g., a process where an action leads to a mechanical reaction at the next step down the line. The criminal justice system has been likened to a *funnel*, with a very large number of reported (and unreported) criminal incidents at the top end, which then get reduced as the funnel narrows, to only a small flow that exits into the prison system at the bottom.

The following figure illustrates the parts of the crime funnel for which we have official statistics as of 1998-99 (a year as typical as any).

Figure 2 Women crime funnel, 1998-99¹



¹ For more information on the crime funnel, see: *The Safe Return of Offenders to the Community: Statistical Overview*. Research Branch, Correctional Service of Canada. April, 2000.

As cases are processed through the system, we see that the funnel narrows considerably. A certain amount of discretion is used at each step in the criminal justice process. The answers to questions such as: What activities get reported as a crime? Is there sufficient evidence to lay a charge? Does the evidence support a conviction? What sentence is appropriate?, are variables that reduce the cases that get processed through the funnel.

A great deal of room exists for choice and therefore slippage in this process. This is why it would be a mistake to view the criminal justice system as a mechanical process rather than a funnel. An increase or reduction in crimes committed, or persons charged by police, at the front-end of the funnel need not translate — immediately or directly — into a proportionate increase or decrease in prison sentences at the back-end. As a practical matter, of course, it is unlikely that large and persistent changes in crime and court sentencing trends will not eventually be reflected in incarceration trends although the changes may not happen immediately or to exactly the same degree because of other mitigating factors.

3. Are Adult Women Committing more Crimes?

Are adult women committing more crimes? The short answer appears to be No! The overall number of cases that police have charged has declined. It should be noted that we are looking at the reports of police charges rather than crime incidents because only the charge reports indicate whether the person was an adults (men and women).

In a previous study, the Research Branch examined trends in the number of adult women charged by police from 1992 through 1996. We found there that:²

² *Adult Female Offenders in Canada: Recent Trends*. Colleen Anne Dell and Roger Boe. Research Branch, Correctional Service Canada, Research Brief No. B-21, May, 1998. For a review of women offenders Young Offender trends for a similar period, see: *Women offenders Young Offenders in Canada: Revised Edition*, by Colleen Anne Dell and Roger Boe. Research Branch, Correctional Service Canada. Research Report No. R-80, December, 1998.

1. At the national and regional level, the number of adult women charged had decreased;
2. By offence category, there was a notable decrease in the number of adult women charged with property and other crimes, and a slight decrease in drug and violent offences.

This report extends that analysis of police charges from calendar years 1994 through 1998, and looks at the adult court sentencing data for a similar period (fiscal year data, for 1994-95 to 1998-99).

Beginning with the Uniform Crime Reporting survey (Canadian Centre for Justice Statistics), data for the period between 1994 and 1998 confirms a downward trend in the number of adult women charged by police. Table 1 shows the number of adult women in Canada charged by police for Criminal Code offences, Criminal Code Traffic, and Federal Statute Drug offences since 1994.

Table 1 Adult women charged by police for all Criminal Code and Drug crimes

Adult Women	1994	1995	1996	1997	1998
Total Criminal Code Offences	73,299	71,730	72,459	68,038	68,140
Criminal Code Traffic	10,139	9,711	9,358	8,786	8,903
Total Drugs	5,441	5,153	5,225	5,111	5,485
Total Criminal Code, Traffic and Drugs	88,879	86,594	87,042	81,935	82,528
Source: CCJS: Canadian Crime Statistics, 1998 (Crime Indicator Database).					

Between 1994 and 1998, the total number of adult women charged by police with one of the included crimes fell by about 6,300 cases or **-7%** (e.g., from about 88,900 to about 82,600 cases).

These totals do not provide a total indication of the pool of women adults who were "at-risk" of receiving a federal prison sentence — most women cases represent minor or petty crimes. These cases, if they received a prison sentence at all, would most likely receive a sentence to a provincial/territorial prison.

Defining "major crimes"

We can improve the estimate of the federal "at-risk" cases by focusing on the number of adult women charged for "major crimes". For our purposes, major crimes for adult women include *homicide, attempted murder, robbery, major assaults* (i.e., aggravated, where a weapon was used, which caused bodily harm, etc.) and *major drug* (e.g., trafficking/importation) crimes.

Trends related only to major crimes are illustrated in the following table:

Table 2 Adult women charged by police for "major crimes"

Adult Women	1994	1995	1996	1997	1998
Homicide and Related	61	62	58	56	55
Attempted Murder	80	75	67	61	64
Robbery	570	570	652	513	538
Major Assault	4,634	4,335	4,364	4,342	4,585
Traffic/Import Drugs	2,709	2,657	2,818	2,943	3,027
Total Major Charges	8,054	7,699	7,959	7,915	8,269
Source: CCJS: Canadian Crime Statistics, 1998 (Crime Indicator Database).					

Looking only at major crimes, the patterns for adult women charged by police presents a somewhat more complex picture:

- Charges for the violent crime categories (homicides, attempted murders, robbery, and major assault) are down over the five years since 1994.
- Only charges for major drug crimes (trafficking or importation) show an upward trend since 1994.

Although fewer adult women were charged overall by police in 1998 than in 1994, and fewer women were charged for major violent crimes, there were about

11% more women charged in 1998 for major drug crimes (trafficking and importation). These major crimes are ones that are most likely to draw a federal sentence upon conviction.

4. Are More Women Being Sentenced to Prison?

We have seen that the police reports show adult women offenders are being charged at a lower rate since 1994, although charge rates for major drug crimes are increasing. Data from the Adult Criminal Court Survey (from CCJS) is now available covering the fiscal years from 1994-95 to 1998-99. These data shed light on case processing activities at the court level of the women crime funnel.

Adult criminal court survey (ACCS) data are available for about 80% of Canada's provincial/territorial adult criminal courts for 1994-95 to 1998-99.³ The survey indicates that, since 1994-95 fewer adult women cases are being processed in courts each year. The total number of cases involving women offenders decreased by about -9%, from nearly 65,000 cases in 1994-95 to 59,000 cases by 1998-99.⁴ This trend is consistent with the police data for the same period, showing police charges of adult women down -7% (Table 2).

The adult provincial criminal court reports also indicate that judges are tending to sentence fewer adult women cases to a prison term. The number of cases with a prison sentence (Table 3) declined from about 8,200 in 1994-95 to just under 7,600 by 1998-99. However, the number sentenced to prison in 1998-99 is slightly higher than in 1997-98.

³ Note: New Brunswick, Manitoba and British Columbia are not yet participants in the ACCS survey. Based on their representation in the population of Canada, they would likely represent about 20% of adult provincial/territorial criminal court caseload. Therefore the CCJS estimates that the current ACCS data represent about 80% of the provincial/territorial adult criminal court caseload in Canada

⁴ Note that there is a slight mis-match when aligning the two data series since data for the Adult Criminal Court Survey (ACCS) is collected for fiscal years (April 1 to March 31) whereas the police reported UCR data is collected on a calendar year (January-December) basis.

Table 3 Adult Courts are sentencing fewer adult women to prison

Cases	1994-95	1995-96	1996-97	1997-98	1998-99
Total Women with a Prison Sentences	8,187	7,865	7,613	7,250	7,598
Total Women Adult Court Cases	64,826	63,521	61,112	60,339	59,002
Women Imprisonment Ratio	12.6%	12.4%	12.5%	12.0%	12.9%
Source: CCJS: Adult Criminal Court Statistics, 1998-99 (and Crime Indicator Database). ACCS data currently represent about 80% of provincial/territorial adult criminal court caseload.					

The number of cases tried in court declined a little faster than the number of cases that receive a prison sentence, which has reduced the overall imprisonment ratio. However, this ratio increased in 1998-99.

5. The Number of 2-Year Sentences Has Increased

In Canada, the federal corrections system (Correctional Service of Canada) has jurisdiction over all adults sentenced by a court to a prison term of 2-years or more. Federal sentences usually represents no more than **3%** of all sentences in adult criminal courts. Therefore, the vast majority of all persons who receive a prison sentenced come under the correctional jurisdiction of the sentencing province or territory.⁵ The number of cases in adult criminal courts who receive a sentence of 2-years or more (usually about 3%) is critical for the Correctional Service of Canada.

⁵ According to the report, *Adult Correctional Services in Canada, 1997-98* (CCJS), there were approximately 99,000 men and women offenders admitted under sentence to a provincial or territorial prison, whereas 4,400 offenders were admitted by way of court warrant to a federal institution. The ratio of provincial/territorial sentenced admissions to federal warrant of committal admissions is therefore about 22-to-1.

The federal women prison population is likely to grow if more adult women are convicted of crimes that typically receive a federal sentence, or if a larger proportion of other cases start to receive a sentence of 2-years and more.

The ACCS survey indicates that the number of women cases receiving a provincial prison sentence has actually been decreasing. Table 4 shows sentences given to adult women offenders.

It should be noted that cases that represent the most serious crimes have historically been raised for trial in Superior Courts. The ACCS data suggest that this pattern may be changing. We assume there is a higher probability of a conviction in Superior Court leading to a federal sentence (2-years or more) because of the seriousness of the offences. However, no statistics on the number of cases raised from adult provincial/territorial criminal courts to Superior Courts are currently collected which limits the analysis to an examination of the counts.

Also, the ACCS database is relatively new and has not yet been widely analyzed. We are therefore not aware of all the potential anomalies that may exist in the data series. One anomaly we are aware of concerns the number of cases Quebec reported as being raised to Superior Court in 1994-95. Quebec data shows 378 cases raised in 1994-95, but only 6 or fewer in each of the following years. The total for 1994-95 therefore represents something different than in subsequent years. In the table we have estimated 370 fewer total cases in Canada (e.g., 1,520 rather than the 1,890 that are shown in the data file) to reflect what is likely an anomaly in 1994-95 data for Quebec. Using this estimate does not change the major national trend, which shows a substantial decrease in cases raised to Superior Court over the period.

Table 4 Women Imprisoned with Longer Sentences

Cases	1994-95	1995-96	1996-97	1997-98	1998-99
1 month or less	5,140	4,902	4,899	4,694	4,728
>1 to 6 months	2,262	2,160	1,975	1,792	1,824
>6 to 12 months	248	241	226	226	221
>1 to <2 years	108	118	117	77	112
Total Under 2 years	7,758	7,421	7,217	6,789	6,885
2 years or more	55	86	95	111	148
Cases Raised to Superior Court	1,520 (1,890*)	1,098	871	862	591
<p>Source: CCJS, Adult Criminal Court Statistics, 1998-99 (and Crime Indicator Database). ACCS data represent about 80% of provincial/territorial adult criminal court caseload.</p> <p>* NB: There is reason to believe that this reported number is about 370 cases too high. Quebec reported 378 cases in 1994-95 but 6 or fewer in subsequent years. We use this latter number as an estimate, which does not change the major trend (a substantial decrease in cases raised to Superior Court).</p>					

The ACCS survey indicates a consistent decrease since 1994-95 in the number of cases that receive prison sentences under 2 years, as well as a considerable decrease in the number of cases raised to Superior Court each year.

The number of cases sentenced to a federal term, although it is relatively quite small, has increased by 170% (from **55** to **148** cases).

If we combine the number of adult women cases sentenced to 2-years or more plus the number raised to Superior Courts, the pool of potentially "at-risk" cases has **decreased by about 50%** (from about 1,600 to fewer than 800). This reduction in the overall "at-risk" pool is illustrated in Table 5.

Table 5 The Women pool "at-risk" of a federal incarceration

Cases	1994-95	1995-96	1996-97	1997-98	1998-99
Sentenced to 2 years or more	55	86	95	111	148
Cases Raised to Superior Court	1,520*	1,098	871	862	591
Total	1,575*	1,184	966	973	739
Source: CCJS, Adult Criminal Court Statistics, 1998-99 (and Crime Indicator Database). ACCS data represent about 80% of provincial/territorial adult criminal court caseload. * Estimated, see previous Table.					

6. Adult Women Sentencing for Major Crimes

To determine what types of crime typically account for the bulk of federal women sentences, we examined sentencing trends for our "major crimes".

For our purposes, major crimes for women include homicide, attempted murder, robbery, major assault, and drug trafficking/importation. A review of the sentencing statistics in the ACCS data indicates that these are the crimes most likely to result in a federal sentence. Also these are the ones that produce the largest number of 2-year or more sentences for adult women sentenced to prison in provincial/territorial adult criminal courts.

Table 6 Adult women processed for Major Crimes

Adult Women Cases	1994-95	1995-96	1996-97	1997-98	1998-99
- Total Cases					
Homicide	41	54	44	52	64
Attempted Murder	33	36	42	38	34
Robbery	324	290	334	286	350
Major Assault	2,373	2,561	2,743	2,840	3,078
Trafficking / Importing Drugs	1,620	1,626	1,607	1,187	1,405
Total Major Cases	4,391	4,567	4,770	4,403	4,931
- Cases Found Guilty					
Homicide	4	10	6	8	21
Attempted Murder	2	3	7	12	6
Robbery	110	124	185	127	164
Major Assault	877	1,079	1,262	1,385	1,485
Trafficking / Importing Drugs	457	556	579	425	473
Total Guilty Cases	1,450	1,772	2,039	1,957	2,149
- Cases Raised to Superior Court					
Homicide	27	31	22	30	15
Attempted Murder	11	6	8	6	4
Robbery	57	38	26	45	24
Major Assault	286	130	88	70	57
Trafficking / Importing Drugs	360	269	239	181	116
Total to Superior Court	741*	474	383	332	216
Source: CCJS, Adult Criminal Court Statistics, 1998-99 (and Crime Indicator Database). ACCS data represent about 80% of provincial/territorial adult criminal court caseload.					
* NB: There is reason to believe that this number is too high. Due to a reporting anomaly, Quebec reported 378 cases in 1994-95 but 6 or fewer the following years. The true number may therefore be closer to 500 cases. This does not change the major trend, which is a substantial decrease in cases raised to Superior Court.					

The data in Table 6 confirm the trends seen earlier: more adult women cases were tried for major crimes since 1994-95, significantly more cases were found guilty each year, but fewer cases were raised to Superior Courts.

Table 7 examines these same cases, by the number who were sentenced to prison terms of "1-to<2 years", and to "2-years and more".

Table 7 Adult Women cases sentenced to prison for 1-Year or more

Women Cases	1994-95	1995-96	1996-97	1997-98	1998-99
- Total Guilty Cases					
Homicide	4	10	6	8	21
Attempted Murder	2	3	7	12	6
Robbery	110	124	185	127	164
Major Assault	877	1,079	1,262	1,385	1,485
Trafficking / Importing Drugs	457	556	579	425	473
	1,450	1,772	2,039	1,957	2,149
- Sentenced >1 to <2 years					
Homicide	1	2	1	0	0
Attempted Murder	1	0	0	0	1
Robbery	19	14	22	9	8
Major Assault	9	12	10	7	10
Trafficking / Importing Drugs	30	39	28	16	21
	60	67	61	32	40
- Sentenced 2 years or more					
Homicide	0	5	2	5	14
Attempted Murder	0	2	1	0	2
Robbery	13	17	20	18	25
Major Assault	3	10	10	8	7
Trafficking / Importing Drugs	15	23	35	26	48
	31	57	68	57	96
Source: CCJS, Adult Criminal Court Statistics, 1998-99 (and Crime Indicator Database). ACCS data represent about 80% of provincial/territorial adult criminal court caseload.					

When we compare these statistics with those in Table 5, we see that major crime cases account for 96 (Table 7) of the 148 (Table 5) cases that received a federal sentence in 1998-99.

Overall, adult women cases with a conviction for a major crime increased significantly between 1994-95 and 1998-99 (from about 1,450 cases convicted to nearly 2,150 cases with a conviction).

- The number of cases sentenced to a term of ">1 to <2 years" fell by one-third (from **60** to **40** cases), whereas;
- The number of cases sentenced to "2-years or more" increased three fold (from **31** to **96** cases) during the same period.

As previously noted, major crimes have a higher probability of leading to a federal sentence. However, adult women offenders also receive federal sentences for less serious crimes.

A review of other (non-major) crime categories reported in the ACCS data identified only a few specific additional offences that contribute more than a handful cases receiving a sentence of "2-years or more" each year. Two of these were "break and enter" (B&E) and "fraud and related". For these two crimes, convicted adult women cases receive a sentence of 2-years or more mainly in those instances where there were multiple charges. This is illustrated in Table 8.

Table 8 Other Crimes Which Net "2-Years or More" Sentences

- Guilty Decision	1994-95	1995-96	1996-97	1997-98	1998-99
Total Cases					
Break and Enter	0	3	3	5	8
Fraud and Related	4	6	8	22	18
- Single Charge Cases					
Break and Enter	0	0	0	1	1
Fraud and Related	1	4	4	3	1
- Multiple Charge Cases					
Break and Enter	0	3	3	4	7
Fraud and Related	3	2	4	19	17
Source: CCJS, Adult Criminal Court Statistics, 1998-99 (and Crime Indicator Database). ACCS data represent about 80% of provincial/territorial adult criminal court caseload.					

Although small in absolute numbers, these two crimes contribute materially to the total number of federal sentences in 1998-99. There was a significant rise in the number of adult women cases receiving a sentence of "2-years or more" for B&E and fraud for multiple-charge cases (e.g., from 3 to 24) annually.

Adult criminal court sentences of "2-years or more", for major crimes of homicide, attempted murder, robbery, major assault and major drug crimes accounted for a total of **96** federal women admissions in 1998-99, up from **31** in 1994-95 (see Table 7). To this can be added the numbers sentenced to federal time in 1998-99 for all B&E and fraud charges (e.g., **26** cases, up from **4** in 1994-95);

The combined convictions account for **120** cases in 1998-99 (up from **34** in 1994-95); these account for an **additional 87 federally sentences cases** over the total of five years earlier.

If we adjusted the ACCS data to compensate for the ACCS survey under-representation, the pro-rated data would produce an estimated increase of about 108 cases⁶ each year sentences to a federal term in 1998-99 over 1994-95.

Between 1994-95 and 1998-99, federal women warrant of committal admissions increased from 151 to 233 cases -- an increase of **82** additional warrant of committal admissions in 1998-99.

We conclude that adult women who are convicted of major crimes were significantly more likely to be given a federal sentence in 1998-99 than in 1994-95. This must be tempered with the fact that significantly fewer serious women adult court cases each year were raised to Superior Courts for trial and sentencing. For example, as indicated in Table 6, just 216 cases were raised in 1998-99 versus more than 500 cases in 1994-95 (adjusted for possible Quebec data anomalies in 1994-95).

⁶ It should be noted that the primary unit of analysis in the ACCS survey is the "case", defined as one or more charges laid against the same person and disposed of in court on the same day. Therefore, the estimate of 108 federally sentenced cases is not exactly equivalent to additional persons.

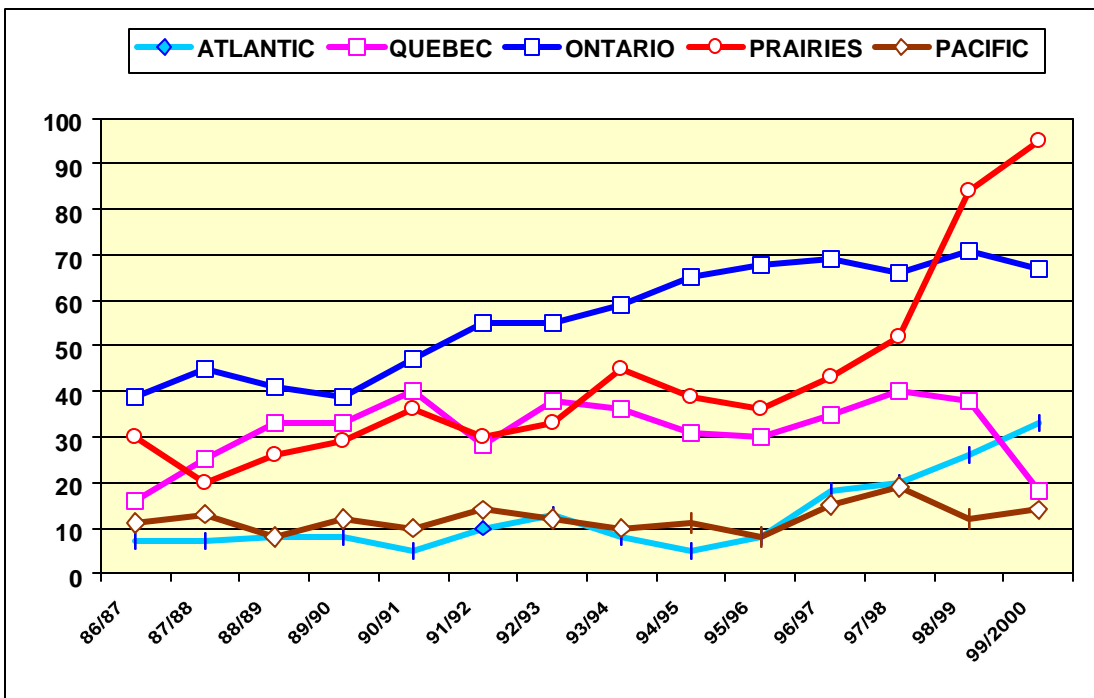
PART II. OTHER FACTORS EFFECTING FEDERAL WOMEN TRENDS

1. Regional Variations

a) Annual "WOC" admissions

The various administrative regions of the CSC have traditionally experienced different levels of annual admissions for federally sentenced women offenders. Much of this difference is explained by the difference in the population base of each region. However, even accounting for population differences, admission patterns have been found to vary both within and between regions over time. This can be seen in Figure 3, which indicates the uneven rates of growth amongst the Regions especially over the past two to three years.

Figure 3 Annual Federal Women WOC Admissions, by Region



Whereas the number of annual federal women "WOC" admissions have somewhat decreased in three regions, they have grown significantly in two others. In particular, the three regions with long established facilities for federal

women (e.g., Quebec, first at Maison Tanguay and now replaced by Joliette ; Ontario with Prison for Women, now replaced by Grand Valley; and Pacific with the shared provincial facility at Burnaby Correctional Centre for Women), have all shown a recent decline in "WOC" admissions. The Prairies and Atlantic regions with newly established Federal Institution for Women have both witnessed a significant increase in annual admissions.

Moreover, the number of new admissions from the Provincial Criminal Court since 1996-97 in the Prairie Region has reached annual levels never before experience in that region. A similar pattern can be observed for the Atlantic Region since 1997-98. We assume that this recent growth in the number of annual federal women WOC admissions in the latter two regions is related to the opening and location of a new federal facility in those regions.

b) ACCS sentence statistics

The annual sentencing patterns from provincial/territorial adult criminal courts has also been found to vary considerably across various regions. Before examining these distributions however, it is imperative to note that the data reported from the ACCS for some regions is incomplete or unavailable.⁷ In terms of the ACCS statistics, we found that:

1. As reflected in Figure 4, the Atlantic Region showed no significant increase in the number of women cases that received a sentence of 2-years or more - until 1998-99. The number that year jumps significantly (from about 5 to 25 cases). Nova Institution in Truro, Nova Scotia, opened in November 1995, with an initial rated capacity of 28 inmates.

⁷ These data represent trends rather than total counts in that: 1) case outcome statistics are not available from Superior Courts, and; 2) the existing court data is incomplete. Atlantic Region is without New Brunswick; Prairie Region is missing Manitoba data, plus data for the NWT in two years; and Pacific Region is omitted because there is no data for British Columbia.

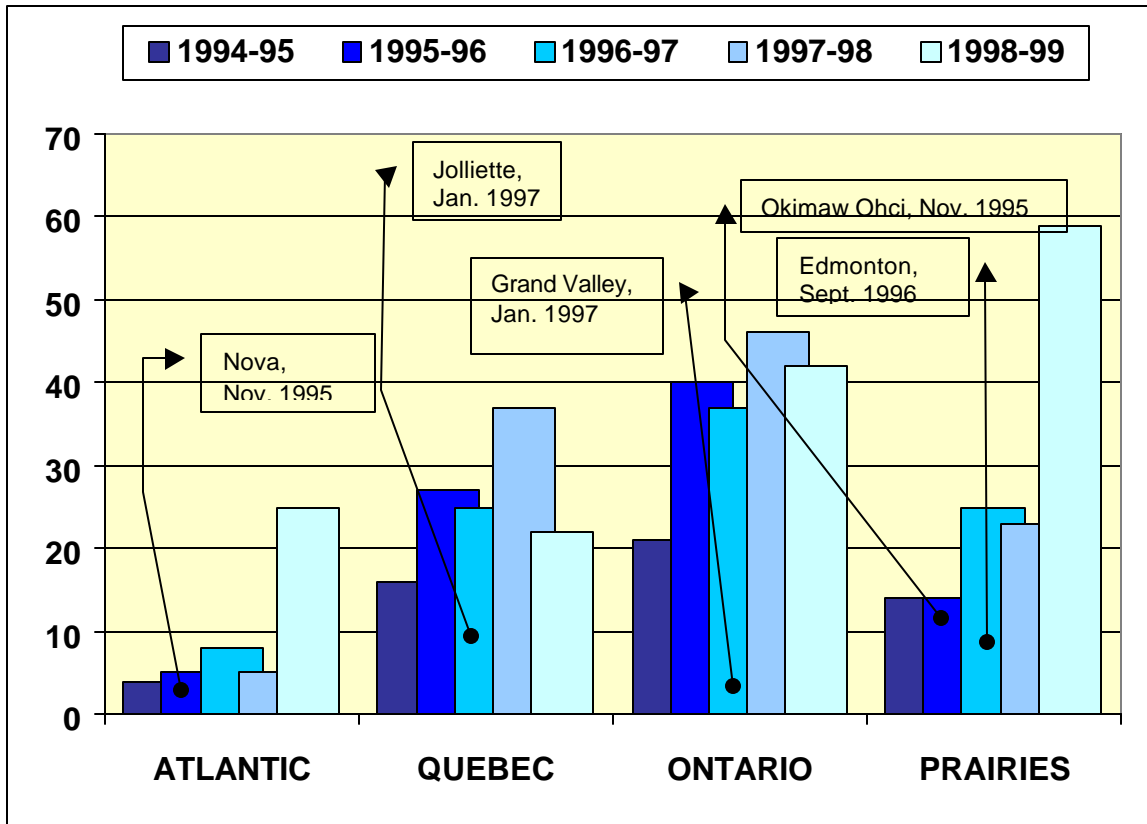
2. Quebec had seen a steady increase from 16 to 37 federal case admissions from the court (for 1994-95 to 1997-98 respectively), but the number slipped back to just over 20 cases in 1998-99. Joliette Institution started receiving transfers in January 1997. It had a rated capacity of 76 inmates.
3. In Ontario, the number of women who received 2-years or more sentences nearly doubled between 1994-95 and 1995-96, from 20 to 40 cases. It then stabilized at around 40 cases per year. The Prison for Women in Kingston (P4W) has been winding down for several years, with transfers to regional facilities as they open. Grand Valley Institution in Kitchener opened January, 1997, and has a rated capacity of 70 inmates.
4. In Prairie Region the number of women cases receiving sentences of 2-years or more increases by fits and starts. No change is evident in the first two years, then a large jump in 1996-97 followed by a slight fall in 1997-98, and finally a large jump again in 1998-99 (more than doubling in number, from 23 to 59 cases). Okimaw Ohci Healing Lodge opened August, 1995 with 21 inmates and has a rated capacity of 30. Edmonton Institution for Women opened in November, 1995 with 35 inmates, and has a rated capacity of 56 inmates.
5. As indicated, regional analysis is not possible for Pacific Region, as British Columbia does not yet participate in the ACCS survey.

Comparing the pattern of growth relative to facility openings, as we have done Figure 3 indicates a weak association between the opening of a new regional federal women institution in a region and an increase of court sentences of 2-years or more.

It has been suggested that adult provincial/territorial court judges may take into account the availability of the "new" federal facilities for women when considering their sentence. There may be less reluctance on the part of provincial/territorial court judges to impose a federal sentence where previously they imposed a sentence of "2-years less a day" or under, for example, now that a new federal

women institution is located in their region. This indicates a view that judges were previously reluctant to sentence a woman to a federal sentence, if it had to be served out of province, and a reluctance to send women to the Prison for Women (P4W).

Figure 4 Adult women sentence to 2-Year or More in each Region



In Figure 4, we see that the increase in federal sentences in the Atlantic Region in the year followed several years after the opening of Nova Institution (Nova officially opened in November 1995, but ACCS statistics record a significant increase only in 1998-99, the most recent year for which we have survey data). Similarly, there are distinct increases in the number of court sentences of 2-years or more in the years following the opening of, first, Okimaw Ochi (November 1995) and then the Edmonton Institution for Women (September 1996) in the Prairie Region. However, a systematic increase in the number of adult women receiving a federal sentence in either Quebec or Ontario is less apparent during

this period. We may speculate that this is as a result of the pre-existence of a sizeable women institutional population in these two provinces that pre-dates the opening of the new federal institutions. For example, Maison Tanguay, a provincial facility, housed federal women offenders in Quebec, and the Prison for Women (P4W) in Kingston, Ontario, was the only Canadian penitentiary for women for many years.

2. Comparisons to Male Court Cases

Comparisons of men and women offender case processing through the provincial/territorial adult court systems may provide some useful insight as to whether there is a trend in adult criminal courts towards treating women's cases the same as men's cases. Statistical studies of the sentencing of women undertaken elsewhere have suggested that,

"...for virtually every type of offence, women are treated more leniently than men." ⁸

This seems to be generally the case in Canada as well. Nevertheless, our analysis suggests a tendency for adult criminal courts to impose prison sentences more often, or longer sentences to prison, for adult women convicted of major crimes in recent years. The question is, is there a convergence in sentencing trends shown in the ACCS statistics for adult men and women?

Appendix A (at the end of this report) provides a detailed comparison of court processing patterns for some select major offences for both adult men and women. Comparative sentencing data are shown below for the 5 major crimes that have earlier been identified. We have also added in the appendix the two other crimes (B&E and Fraud) where we found a pattern of women getting a federal sentence on multiple charges.

⁸ Carol Hedderman and Loraine Gelsthorpe, *Understanding the Sentencing of women*. Home Office Research and Statistics Directorate. London, Home Office. HO Research Study 170, 1997.

We don't intend to analyze the data here, however, some specific observations may be informative:

- For major crimes, male court cases often outnumber women cases nearly 10-to-1. This corresponds pretty much with police reported charging patterns for male and women adults.⁹
- For *homicide* cases, adult women are now (1998-99) nearly as likely to receive a prison sentence (23% of all cases versus 25%), and proportionately slightly more likely than men to receive a federal sentence (22% of all cases versus 20%). Both latter rates have increased over five years, with the women's rate converging quite rapidly toward the men's rate.
- For *attempted murder*, the proportion of total women's cases who receive a prison sentence in 1998-99 is about equal with men (15%), though about one-third fewer women's cases (6% versus 9%) received a federal sentence. There is no trend for the latter rate for women.
- For *robbery* cases, adult women in 1998-99 were about half as likely (28% versus 43%) as men to be sent to prison and even less likely to receive a federal sentence (7% versus 17%). The latter rate for women has been rising slightly.
- For *major assault* cases, adult women in 1998-99 were about half as likely as men to receive a prison sentence (14% versus 28%), but only one-fifth as likely to receive a federal sentence (0.2% versus 1.0%). There does not appear to be a trend in the latter rate, either for men or women's statistics.
- For *major drug (trafficking and importation)* crimes, adult women in 1998-99 were about half as likely (17% versus 31%) as men to receive a prison sentence, but if sentences the proportion going to federal prison was more similar (3% versus 4%). Over the five years, the trend is for the women's rate to converge towards the men's rate (e.g., from 1% to 3% whereas the men's rates have fluctuated between 3-4% throughout the period).

Overall, there may be some trend towards convergence in the probability of women and men going to prison, and of their also receiving a federal prison sentence, if charged for one of the major crimes listed here. However, caution has to be used when interpreting these adult court statistics, because the number adult women's cases is quite small and can fluctuate significantly from one year to another.

⁹ See Table 3.3 in *Canadian Crime Statistics, 1998*. CCJS, 1999 (Cat. 85-205-XPE).

CONCLUSIONS

Some shift in provincial/territorial adult criminal court sentencing is apparent. More adult women convicted of major crimes are being sentenced to "2-years or more", each year, while fewer are being sentenced to "1<2-years". This increase explains the significant increase in the number of women offender admissions the Correctional Service of Canada has experienced since 1995-96 (Figure 1).

Overall, the number of adult women's cases with a conviction for a major crime has increased significantly since 1994-95 (from 1,450 to nearly 2,150 cases).

- This has resulted in fewer shorter sentences. The number of cases sentenced to a term of ">1 to <2 years" has fallen by about one-third (from 60 to 40 cases) since 1994-95, whereas;
- It has resulted in more long sentences. The number of cases sentenced to "2-years or more" has increased three-fold (from 31 to 96 cases) during the same period.
- These two trends suggest that judges are adopting a "tougher" approach towards the sentencing of adult women convicted of a major crime.
- However, this "get tough" explanation is somewhat contradicted by the decline in the number of women's cases raised to Superior Court each year. The number of adult women who are having their cases raised to Superior Courts (because they have committed more major crimes for which the Superior Court has jurisdiction, or because they elect for a Superior Court trial) has decreased significantly. This could happen if either the Crown or the Defense is electing fewer higher court trials.
- It may also be that the Provincial Adult Criminal Courts are using the opportunity of the opening of a new federal women's institution in their region to impose a federal sentence in cases where previously there may have been greater hesitation. There may be less reluctance on the part of judges to impose a federal sentence on convicted women now that an alternative to P4W is available, moreover, an alternative that is new and closer to home.
- Finally, there is some evidence of a general convergence between men and women adult sentencing - women charged with a major crime were more likely in 1998-99 than in 1994-95 to receive a prison -- including a federal -- sentence. If this is indeed a trend, and not just coincidental, then the Correctional Service of Canada will certainly need to re-examine its accommodation plans and forecasts for federal women offenders. However, these events have not persisted long enough to establish a real indication of a new trend.

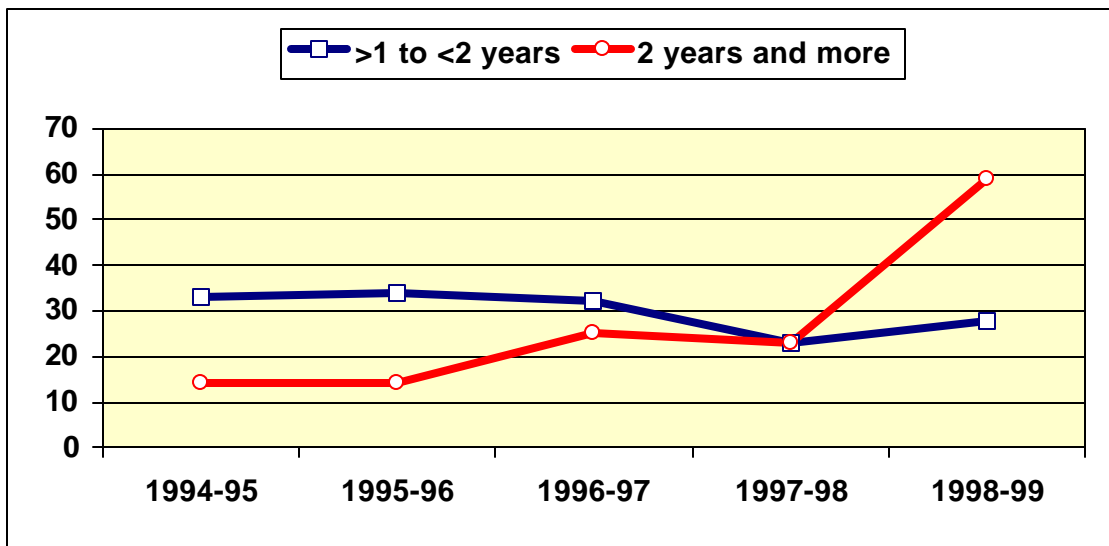
Addendum I. ACCS Statistics for Saskatchewan, Alberta and NWT

- A specific concern was raised about the rapid growth that has occurred in the federal women population in Prairie Region in recent years. In this addendum, we will briefly review the adult criminal court sentencing statistics for those jurisdictions in Prairie Region (Saskatchewan, Alberta and the Northwest Territories) that currently provide data for the ACCS survey.

Note: because of the smaller caseload of individual jurisdictions, we examine all cases rather than just cases involving major crimes. Manitoba data is missing for all years. Data for the NWT is missing for 1996-97 only.

- Overall, the number of adult women sentenced to prison terms of one-year or more increases significantly from 1994-95 to 1998-99. However, as Figure 5 illustrates, all this increase occurred in federal sentences (2 years or more), and the largest increase occurred in 1998-99 alone although there had been a small upward trend previous to 1998-99.

Figure 5 Women cases sentenced to 1-year or more



- As is shown in the following table, total women's cases processed through adult criminal courts in the three jurisdictions has decreased since 1994-95, as has the number of adult women found guilty, and the number sentenced to prison. However, the numbers in 1998-99 are slightly higher than in 1997-98, in all three jurisdictions.

PROCESSING OF ADULT WOMEN CRIMINAL COURT CASES IN PRAIRIE REGION					
Distribution of Cases					
Prairie Region	1994-95	1995-96	1996-97	1997-98	1998-99
Total					
Total	16,769	16,241	15,719	14,887	15,529
Guilty	10,799	10,387	9,706	8,514	8,691
Prison	1,881	1,812	1,694	1,583	1,645
>1 to <2 years	33	34	32	23	28
2 years or more	14	14	25	23	59
Superior Court	472	383	289	268	101
Saskatchewan					
Total	4,953	4,987	4,828	4,583	4,986
Guilty	3,349	3,349	3,146	2,644	2,895
Prison	497	437	467	406	389
>1 to <2 years	5	13	12	8	9
2 years or more	4	0	6	2	8
Superior Court	80	71	46	48	58
Alberta					
Total	11,589	10,870	10,891	9,820	10,052
Guilty	7,287	6,746	6,560	5,497	5,456
Prison	1,358	1,325	1,227	1,101	1,187
>1 to <2 years	26	20	20	13	18
2 years or more	10	14	19	21	51
Superior Court	388	308	243	214	40
Northwest Territories					
Total	227	384	...	484	491
Guilty	163	292	...	373	340
Prison	26	50	...	76	69
>1 to <2 years	2	1	...	2	1
2 years or more	0	0	...	0	0
Superior Court	4	4	...	6	3
Note: Data for the NWT is not available for FY 1996-97. This will have some impact on the trends.					

- Just as we have seen elsewhere, however, the numbers of adult women who receive a federal sentence – 2-years or more -- in the Prairie Region each year has increased fairly steadily (data for the NWT was not reported for 1996-97). The increase was particularly notable in 1998-99, where federal sentences reached **59** cases, up from **23** cases the previous year.
- Also as we have found elsewhere, the number of cases raised annually to Superior Court has declined significantly in the three Prairies jurisdictions. The greatest proportional decline has occurred in Alberta courts (down from 3% to 0.4% by 1998-99). Conversely, the largest proportional increase in federal sentences (from 0.1% to 0.5%) has also occurred in Alberta.

- The increase in federal sentences in Prairie Region has occurred mainly in Alberta, with the greatest increase in just one year - 1998-99. Thus there is no indication whether this may become a trend, or a temporary phenomena.

PROCESSING OF ADULT WOMEN CRIMINAL COURT CASES IN PRAIRIE REGION %					
% Distribution of Cases					
Prairie Region Total	1994-95	1995-96	1996-97	1997-98	1998-99
Total N	16,769	16,241	15,719	14,887	15,529
Guilty %	64%	64%	62%	57%	56%
Prison %	11%	11%	11%	11%	11%
>1 to <2 years %	0.2%	0.2%	0.2%	0.2%	0.2%
2 years or more %	0.1%	0.1%	0.2%	0.2%	0.4%
Superior Court %	3%	2%	2%	2%	1%
Saskatchewan					
Total N	4,953	4,987	4,828	4,583	4,986
Guilty %	68%	67%	65%	58%	58%
Prison %	10%	9%	10%	9%	8%
>1 to <2 years %	0.1%	0.3%	0.2%	0.2%	0.2%
2 years or more %	0.1%	0.0%	0.1%	0.0%	0.2%
Superior Court %	2%	1%	1%	1%	1%
Alberta					
Total N	11,589	10,870	10,891	9,820	10,052
Guilty %	63%	62%	60%	56%	54%
Prison %	12%	12%	11%	11%	12%
>1 to <2 years %	0.2%	0.2%	0.2%	0.1%	0.2%
2 years or more %	0.1%	0.1%	0.2%	0.2%	0.5%
Superior Court %	3%	3%	2%	2%	0.4%
Northwest Territories					
Total N	227	384	...	484	491
Guilty %	72%	76%	...	77%	69%
Prison %	11%	13%	...	16%	14%
>1 to <2 years %	0.9%	0.3%	...	0.4%	0.2%
2 years or more %	0.0%	0.0%	...	0.0%	0.0%
Superior Court %	2%	1%	...	1%	1%
Note: Data for the NWT is not available for FY 1996-97. This will have some impact on the trends.					

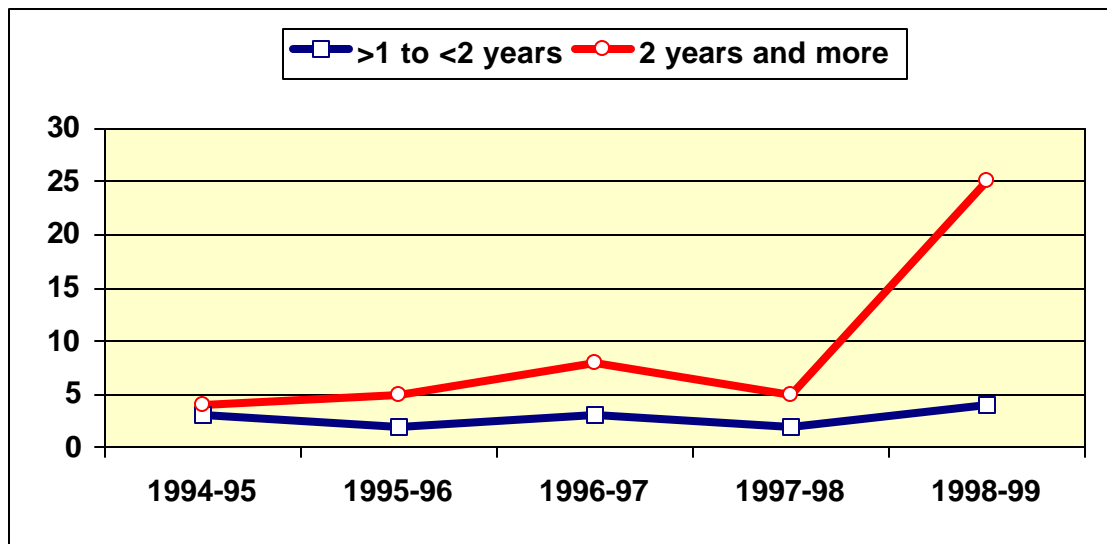
Addendum II. ACCS Statistics for Newfoundland, Prince Edward Island and Nova Scotia

- Since the issue of the rapid growth that was occurring in the federal women offender population in Prairie Region was first raised, concern has also emerged about a recent rapid increase in federal women admissions in Atlantic Region. In this addendum, we will briefly review the adult criminal court sentencing statistics for those jurisdictions in Atlantic Region (Newfoundland, Prince Edward Island and Nova Scotia) that currently provide data for the ACCS survey.

Note: because of the smaller caseload of individual jurisdictions, we examine all cases rather than just cases involving major crimes. Also, New Brunswick data is missing for all years.

- the total number of women offender cases processed through adult criminal courts in the three jurisdictions has increased from 1994-95 to 1998-99. However, the number who received a prison sentence was up substantially in 1998-99 from 1997-98, from 331 to 408. Most of this increase, according to the survey, was in the number of cases that received a federal sentence (increasing from 5 to 25 in just one year as shown in Figure 6 below).

Figure 6 Women cases sentenced to 1-year of more



- The largest increases in federal sentences in Atlantic Region occurred in the Prince Edward Island courts, followed by Nova Scotia courts. There is little evidence of a significant increase in Newfoundland. The increase is mainly in the most recent year - 1998-99. Overall, very little change is observed in the number of adult women who received a sentence of ">1 to <2 years". The number of cases raised annually to Superior Court has declined significantly in the Atlantic Region. Because of the one-shot nature of the increase, it is difficult to say much about a "trend", but the data certainly needs monitoring.

PROCESSING OF ADULT WOMEN CRIMINAL COURT CASES IN ATLANTIC REGION					
Distribution of Cases					
Atlantic Region	1994-95	1995-96	1996-97	1997-98	1998-99
Total					
Total	3,308	4,091	4,074	4,274	4,044
Guilty	2,180	2,491	2,412	2,184	2,133
Prison	309	366	353	331	408
>1 to <2 years	3	2	3	2	4
2 years or more	4	5	8	5	25
Superior Court	63	82	59	64	43
Newfoundland					
Total	703	1,210	1,145	1,133	1,057
Guilty	531	879	854	804	752
Prison	106	165	149	118	139
>1 to <2 years	0	0	1	1	1
2 years or more	0	2	3	0	4
Superior Court	16	33	24	21	10
Prince Edward Island					
Total	179	160	189	216	141
Guilty	139	132	135	143	94
Prison	37	31	44	62	55
>1 to <2 years	0	0	1	0	1
2 years or more	0	0	1	3	12
Superior Court	0	0	2	5	4
Nova Scotia					
Total	2,426	2,721	2,740	2,925	2,846
Guilty	1,510	1,480	1,423	1,237	1,287
Prison	166	170	160	151	214
>1 to <2 years	3	2	1	1	2
2 years or more	4	3	4	2	9
Superior Court	47	49	33	38	29
Note: Data is not available for New Brunswick. This will have some impact on the trends.					

PROCESSING OF ADULT WOMEN CRIMINAL COURT CASES IN ATLANTIC REGION %					
% Distribution of Cases					
Atlantic Region Total	1994-95	1995-96	1996-97	1997-98	1998-99
Total N	3,308	4,091	4,074	4,274	4,044
Guilty %	66%	61%	59%	51%	53%
Prison %	9%	9%	9%	8%	10%
>1 to <2 years %	0.1%	0.0%	0.1%	0.0%	0.1%
2 years or more %	0.1%	0.1%	0.2%	0.1%	0.6%
Superior Court %	2%	2%	1%	1%	1%
Newfoundland					
Total N	703	1,210	1,145	1,133	1,057
Guilty %	76%	73%	75%	71%	71%
Prison %	15%	14%	13%	10%	13%
>1 to <2 years %	0.0%	0.0%	0.1%	0.1%	0.1%
2 years or more %	0.0%	0.2%	0.3%	0.0%	0.4%
Superior Court %	2%	3%	2%	2%	1%
Prince Edward Island					
Total N	179	160	189	216	141
Guilty %	78%	83%	71%	66%	67%
Prison %	21%	19%	23%	29%	39%
>1 to <2 years %	0.0%	0.0%	1%	0.0%	1%
2 years or more %	0.0%	0.0%	1%	1%	9%
Superior Court %	0.0%	0.0%	1%	2%	3%
Nova Scotia					
Total N	2,426	2,721	2,740	2,925	2,846
Guilty %	62%	54%	52%	42%	45%
Prison %	7%	6%	6%	5%	8%
>1 to <2 years %	0.1%	0.1%	0.0%	0.0%	0.1%
2 years or more %	0.2%	0.1%	0.1%	0.1%	0.3%
Superior Court %	2%	2%	1%	1%	1%
Note: Data for New Brunswick is not available. This will have some impact on the trends.					

Appendix A. Master Tables - Canada

Comparison of Women and Male Adult Court Processing for Selected Major Crimes, 1994-95 to 1998-99 - Distribution of Total Cases

	Women					Men				
	1994-95	1995-96	1996-97	1997-98	1998-99	1994-95	1995-96	1996-97	1997-98	1998-99
Homicide										
Total Cases	41	54	44	52	64	371	377	376	336	409
Found Guilty	4	10	6	8	15	63	64	63	71	103
Prison	1	9	4	5	15	57	54	55	57	103
>1 to <2 years	1	2	1	0	0	4	3	6	6	7
2 years or more	0	5	2	5	14	44	45	41	47	81
Raised to Sup.Crt.	27	31	22	30	15	215	221	222	182	139
Attempt. Murder										
Total Cases	33	36	42	38	34	342	351	348	366	315
Found Guilty	2	3	7	12	6	31	43	72	53	66
Prison	2	2	3	3	5	21	33	64	38	47
>1 to <2 years	1	0	0	0	1	1	3	6	7	9
2 years or more	0	2	1	0	2	18	25	47	24	29
Raised to Sup.Crt.	11	6	8	6	4	116	100	101	99	77
Robbery										
Total Cases	324	290	334	286	350	3,424	3,646	3,745	3,675	4,213
Found Guilty	110	124	185	127	164	1,470	1,869	2,047	2,056	2,352
Prison	87	90	115	87	98	1,320	1,610	1,679	1,607	1,831
>1 to <2 years	19	14	22	9	8	275	327	309	302	319
2 years or more	13	17	20	18	25	605	721	698	633	735
Raised to Sup.Crt.	57	38	26	45	24	757	478	474	423	357
Major Assault										
Total Cases	2,373	2,561	2,743	2,840	3,078	16,057	16,741	17,460	18,422	18,224
Found Guilty	877	1,079	1,262	1,385	1,485	6,279	7,840	8,991	9,525	9,798
Prison	298	391	379	379	432	3,861	4,380	4,769	4,718	5,023
>1 to <2 years	9	12	10	7	10	199	213	207	245	224
2 years or more	3	10	10	8	7	147	161	166	172	175
Raised to Sup.Crt.	286	130	88	70	57	2,531	1,130	789	776	449
Common Assault										
Total Cases	6,945	6,849	6,298	6,719	6,696	46,508	44,763	40,589	41,206	39,357
Found Guilty	2,859	2,863	2,607	2,680	2,761	24,676	24,128	21,862	22,061	21,748
Prison	400	400	340	318	345	7,594	7,572	6,602	6,516	6,674
>1 to <2 years	1	1	1	0	0	30	35	46	47	51
2 years or more	2	0	1	0	0	27	14	32	15	15
Raised to Sup.Crt.	66	28	21	6	7	994	276	197	163	103
Break & Enter										
Total Cases	726	729	757	812	786	13,962	13,918	14,107	13,761	12,874
Found Guilty	313	322	387	408	414	8,248	8,943	9,627	9,396	8,958
Prison	121	122	160	153	152	5,676	6,080	6,115	5,730	5,699
>1 to <2 years	3	2	6	4	6	618	626	588	595	558
2 years or more	0	3	3	5	8	431	486	401	430	543
Raised to Sup.Crt.	66	37	27	42	10	1,596	695	572	466	276
Fraud & Related										
Total Cases	6,618	6,309	5,832	5,627	5,749	15,824	14,973	14,173	13,471	14,358
Found Guilty	3,621	3,579	3,432	3,264	3,242	9,146	9,167	8,764	8,376	8,878
Prison	941	944	721	573	670	3,728	3,628	3,243	2,909	3,556
>1 to <2 years	20	17	18	13	23	99	113	101	84	93
2 years or more	4	6	8	22	18	74	66	57	41	110
Raised to Sup.Crt.	431	245	191	145	155	966	467	365	343	273
Traff./ Import Drugs										
Total Cases	1,620	1,626	1,607	1,187	1,405	7,624	7,621	7,900	5,912	6,382
Found Guilty	457	556	579	425	473	3,261	4,094	4,450	3,350	3,391
Prison	304	347	311	201	245	2,548	3,013	2,873	1,827	1,978
>1 to <2 years	30	39	28	16	21	238	279	274	153	147
2 years or more	15	23	35	26	48	213	239	279	204	284
Raised to Sup.Crt.	360	269	239	181	116	2,037	1,284	1,125	830	686

Comparison of Women and Male Adult Court Processing for Selected Major Crimes, 1994-95 to 1998-99 - % Distribution of Total Cases

	Women					Men				
	1994-95	1995-96	1996-97	1997-98	1998-99	1994-95	1995-96	1996-97	1997-98	1998-99
Homicide										
Total Cases	41	54	44	52	64	371	377	376	336	409
Found Guilty	10%	19%	14%	15%	23%	17%	17%	17%	21%	25%
Prison	2%	17%	9%	10%	23%	15%	14%	15%	17%	25%
>1 to <2 years	2%	4%	2%	0%	0%	1%	1%	2%	2%	2%
2 years or more	0%	9%	5%	10%	22%	12%	12%	11%	14%	20%
Raised to Sup.Crt.	66%	57%	50%	58%	23%	58%	59%	59%	54%	34%
Attemp. Murder	1994-95	1995-96	1996-97	1997-98	1998-99	1994-95	1995-96	1996-97	1997-98	1998-99
Total Cases	33	36	42	38	34	342	351	348	366	315
Found Guilty	6%	8%	17%	32%	18%	9%	12%	21%	14%	21%
Prison	6%	6%	7%	8%	15%	6%	9%	18%	10%	15%
>1 to <2 years	3%	0%	0%	0%	3%	0%	1%	2%	2%	3%
2 years or more	0%	6%	2%	0%	6%	5%	7%	14%	7%	9%
Raised to Sup.Crt.	33%	17%	19%	16%	12%	34%	28%	29%	27%	24%
Robbery	1994-95	1995-96	1996-97	1997-98	1998-99	1994-95	1995-96	1996-97	1997-98	1998-99
Total Cases	324	290	334	286	350	3,424	3,646	3,745	3,675	4,213
Found Guilty	34%	43%	55%	44%	47%	43%	51%	55%	56%	56%
Prison	27%	31%	34%	30%	28%	39%	44%	45%	44%	43%
>1 to <2 years	6%	5%	7%	3%	2%	8%	9%	8%	8%	8%
2 years or more	4%	6%	6%	6%	7%	18%	20%	19%	17%	17%
Raised to Sup.Crt.	18%	13%	8%	16%	7%	22%	13%	13%	12%	8%
Major Assault	1994-95	1995-96	1996-97	1997-98	1998-99	1994-95	1995-96	1996-97	1997-98	1998-99
Total Cases	2,373	2,561	2,743	2,840	3,078	16,057	16,741	17,460	18,422	18,224
Found Guilty	37%	42%	46%	49%	48%	39%	47%	51%	52%	54%
Prison	13%	15%	14%	13%	14%	24%	26%	27%	26%	28%
>1 to <2 years	0.4%	0.5%	0.4%	0.2%	0.3%	1.2%	1.3%	1.2%	1.3%	1.2%
2 years or more	0.1%	0.4%	0.4%	0.3%	0.2%	0.9%	1.0%	1.0%	0.9%	1.0%
Raised to Sup.Crt.	12%	5%	3%	2%	2%	16%	7%	5%	4%	2%
Common Assault	1994-95	1995-96	1996-97	1997-98	1998-99	1994-95	1995-96	1996-97	1997-98	1998-99
Total Cases	6,945	6,849	6,298	6,719	6,696	46,508	44,763	40,589	41,206	39,357
Found Guilty	41%	42%	41%	40%	41%	53%	54%	54%	54%	55%
Prison	6%	6%	5%	5%	5%	16%	17%	16%	16%	17%
>1 to <2 years	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%	0.1%	0.1%
2 years or more	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.1%	0.0%	0.0%
Raised to Sup.Crt.	1.0%	0.4%	0.3%	0.1%	0.1%	2.1%	0.6%	0.5%	0.4%	0.3%
Break & Enter	1994-95	1995-96	1996-97	1997-98	1998-99	1994-95	1995-96	1996-97	1997-98	1998-99
Total Cases	726	729	757	812	786	13,962	13,918	14,107	13,761	12,874
Found Guilty	43%	44%	51%	50%	53%	59%	64%	68%	62%	70%
Prison	17%	17%	21%	19%	19%	41%	44%	43%	42%	44%
>1 to <2 years	0.4%	0.3%	0.8%	0.5%	0.8%	4.4%	4.5%	4.2%	4.3%	4.3%
2 years or more	0.0%	0.4%	0.4%	0.6%	1.0%	3.1%	3.5%	2.8%	3.1%	4.2%
Raised to Sup.Crt.	9%	5%	4%	5%	1%	11%	5%	4%	3%	2%
Fraud & Related	1994-95	1995-96	1996-97	1997-98	1998-99	1994-95	1995-96	1996-97	1997-98	1998-99
Total Cases	6,618	6,309	5,832	5,627	5,749	15,824	14,973	14,173	13,471	14,358
Found Guilty	55%	57%	59%	58%	56%	58%	61%	62%	62%	62%
Prison	14%	15%	12%	10%	12%	24%	24%	23%	22%	25%
>1 to <2 years	0.3%	0.3%	0.3%	0.2%	0.4%	0.6%	0.8%	0.7%	0.6%	0.6%
2 years or more	0.1%	0.1%	0.1%	0.4%	0.3%	0.5%	0.4%	0.4%	0.3%	0.8%
Raised to Sup.Crt.	7%	4%	3%	3%	3%	6%	3%	3%	3%	2%
Traff./ Import Drugs	1994-95	1995-96	1996-97	1997-98	1998-99	1994-95	1995-96	1996-97	1997-98	1998-99
Total Cases	1,620	1,626	1,607	1,187	1,405	7,624	7,621	7,900	5,912	6,382
Found Guilty	28%	34%	36%	36%	34%	43%	54%	56%	57%	53%
Prison	19%	21%	19%	17%	17%	33%	40%	36%	31%	31%
>1 to <2 years	2%	2%	2%	1%	1%	3%	4%	3%	3%	2%
2 years or more	1%	1%	2%	2%	3%	3%	3%	4%	3%	4%
Raised to Sup.Crt.	22%	17%	15%	15%	8%	27%	17%	14%	14%	11%

APPENDIX A

Comparison of Women and Male Adult Court Processing for Selected Major Crimes, 1994-95 to 1998-99 - Distribution of Total Cases

	Women					Men				
	1994-95	1995-96	1996-97	1997-98	1998-99	1994-95	1995-96	1996-97	1997-98	1998-99
Homicide										
Total Cases	41	54	44	52	64	371	377	376	336	409
Found Guilty	4	10	6	8	15	63	64	63	71	103
Prison	1	9	4	5	15	57	54	55	57	103
>1 to <2 years	1	2	1	0	0	4	3	6	6	7
2 years or more	0	5	2	5	14	44	45	41	47	81
Raised to Sup.Crt.	27	31	22	30	15	215	221	222	182	139
Attemp. Murder										
Total Cases	33	36	42	38	34	342	351	348	366	315
Found Guilty	2	3	7	12	6	31	43	72	53	66
Prison	2	2	3	3	5	21	33	64	38	47
>1 to <2 years	1	0	0	0	1	1	3	6	7	9
2 years or more	0	2	1	0	2	18	25	47	24	29
Raised to Sup.Crt.	11	6	8	6	4	116	100	101	99	77
Robbery										
Total Cases	324	290	334	286	350	3,424	3,646	3,745	3,675	4,213
Found Guilty	110	124	185	127	164	1,470	1,869	2,047	2,056	2,352
Prison	87	90	115	87	98	1,320	1,610	1,679	1,607	1,831
>1 to <2 years	19	14	22	9	8	275	327	309	302	319
2 years or more	13	17	20	18	25	605	721	698	633	735
Raised to Sup.Crt.	57	38	26	45	24	757	478	474	423	357
Major Assault										
Total Cases	2,373	2,561	2,743	2,840	3,078	16,057	16,741	17,460	18,422	18,224
Found Guilty	877	1,079	1,262	1,385	1,485	6,279	7,840	8,991	9,525	9,798
Prison	298	391	379	379	432	3,861	4,380	4,769	4,718	5,023
>1 to <2 years	9	12	10	7	10	199	213	207	245	224
2 years or more	3	10	10	8	7	147	161	166	172	175
Raised to Sup.Crt.	286	130	88	70	57	2,531	1,130	789	776	449
Common Assault										
Total Cases	6,945	6,849	6,298	6,719	6,696	46,508	44,763	40,589	41,206	39,357
Found Guilty	2,859	2,863	2,607	2,680	2,761	24,676	24,128	21,862	22,061	21,748
Prison	400	400	340	318	345	7,594	7,572	6,602	6,516	6,674
>1 to <2 years	1	1	1	0	0	30	35	46	47	51
2 years or more	2	0	1	0	0	27	14	32	15	15
Raised to Sup.Crt.	66	28	21	6	7	994	276	197	163	103
Break & Enter										
Total Cases	726	729	757	812	786	13,962	13,918	14,107	13,761	12,874
Found Guilty	313	322	387	408	414	8,248	8,943	9,627	9,396	8,958
Prison	121	122	160	153	152	5,676	6,080	6,115	5,730	5,699
>1 to <2 years	3	2	6	4	6	618	626	588	595	558
2 years or more	0	3	3	5	8	431	486	401	430	543
Raised to Sup.Crt.	66	37	27	42	10	1,596	695	572	466	276
Fraud & Related										
Total Cases	6,618	6,309	5,832	5,627	5,749	15,824	14,973	14,173	13,471	14,358
Found Guilty	3,621	3,579	3,432	3,264	3,242	9,146	9,167	8,764	8,376	8,878
Prison	941	944	721	573	670	3,728	3,628	3,243	2,909	3,556
>1 to <2 years	20	17	18	13	23	99	113	101	84	93
2 years or more	4	6	8	22	18	74	66	57	41	110
Raised to Sup.Crt.	431	245	191	145	155	966	467	365	343	273
Traff./ Import Drugs										
Total Cases	1,620	1,626	1,607	1,187	1,405	7,624	7,621	7,900	5,912	6,382
Found Guilty	457	556	579	425	473	3,261	4,094	4,450	3,350	3,391
Prison	304	347	311	201	245	2,548	3,013	2,873	1,827	1,978
>1 to <2 years	30	39	28	16	21	238	279	274	153	147
2 years or more	15	23	35	26	48	213	239	279	204	284
Raised to Sup.Crt.	360	269	239	181	116	2,037	1,284	1,125	830	686

Comparison of Women and Male Adult Court Processing for Selected Major Crimes, 1994-95 to 1998-99 - % Distribution of Total Cases

	Women					Men				
	1994-95	1995-96	1996-97	1997-98	1998-99	1994-95	1995-96	1996-97	1997-98	1998-99
Homicide										
Total Cases	41	54	44	52	64	371	377	376	336	409
Found Guilty	10%	19%	14%	15%	23%	17%	17%	17%	21%	25%
Prison	2%	17%	9%	10%	23%	15%	14%	15%	17%	25%
>1 to <2 years	2%	4%	2%	0%	0%	1%	1%	2%	2%	2%
2 years or more	0%	9%	5%	10%	22%	12%	12%	11%	14%	20%
Raised to Sup.Crt.	66%	57%	50%	58%	23%	58%	59%	59%	54%	34%
Attempt. Murder										
Total Cases	33	36	42	38	34	342	351	348	366	315
Found Guilty	6%	8%	17%	32%	18%	9%	12%	21%	14%	21%
Prison	6%	6%	7%	8%	15%	6%	9%	18%	10%	15%
>1 to <2 years	3%	0%	0%	0%	3%	0%	1%	2%	2%	3%
2 years or more	0%	6%	2%	0%	6%	5%	7%	14%	7%	9%
Raised to Sup.Crt.	33%	17%	19%	16%	12%	34%	28%	29%	27%	24%
Robbery										
Total Cases	324	290	334	286	350	3,424	3,646	3,745	3,675	4,213
Found Guilty	34%	43%	55%	44%	47%	43%	51%	55%	56%	56%
Prison	27%	31%	34%	30%	28%	39%	44%	45%	44%	43%
>1 to <2 years	6%	5%	7%	3%	2%	8%	9%	8%	8%	8%
2 years or more	4%	6%	6%	6%	7%	18%	20%	19%	17%	17%
Raised to Sup.Crt.	18%	13%	8%	16%	7%	22%	13%	13%	12%	8%
Major Assault										
Total Cases	2,373	2,561	2,743	2,840	3,078	16,057	16,741	17,460	18,422	18,224
Found Guilty	37%	42%	46%	49%	48%	39%	47%	51%	52%	54%
Prison	13%	15%	14%	13%	14%	24%	26%	27%	26%	28%
>1 to <2 years	0.4%	0.5%	0.4%	0.2%	0.3%	1.2%	1.3%	1.2%	1.3%	1.2%
2 years or more	0.1%	0.4%	0.4%	0.3%	0.2%	0.9%	1.0%	1.0%	0.9%	1.0%
Raised to Sup.Crt.	12%	5%	3%	2%	2%	16%	7%	5%	4%	2%
Common Assault										
Total Cases	6,945	6,849	6,298	6,719	6,696	46,508	44,763	40,589	41,206	39,357
Found Guilty	41%	42%	41%	40%	41%	53%	54%	54%	54%	55%
Prison	6%	6%	5%	5%	5%	16%	17%	16%	16%	17%
>1 to <2 years	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%	0.1%	0.1%
2 years or more	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.1%	0.0%	0.0%
Raised to Sup.Crt.	1.0%	0.4%	0.3%	0.1%	0.1%	2.1%	0.6%	0.5%	0.4%	0.3%
Break & Enter										
Total Cases	726	729	757	812	786	13,962	13,918	14,107	13,761	12,874
Found Guilty	43%	44%	51%	50%	53%	59%	64%	68%	68%	70%
Prison	17%	17%	21%	19%	19%	41%	44%	43%	42%	44%
>1 to <2 years	0.4%	0.3%	0.8%	0.5%	0.8%	4.4%	4.5%	4.2%	4.3%	4.3%
2 years or more	0.0%	0.4%	0.4%	0.6%	1.0%	3.1%	3.5%	2.8%	3.1%	4.2%
Raised to Sup.Crt.	9%	5%	4%	5%	1%	11%	5%	4%	3%	2%
Fraud & Related										
Total Cases	6,618	6,309	5,832	5,627	5,749	15,824	14,973	14,173	13,471	14,358
Found Guilty	55%	57%	59%	58%	56%	58%	61%	62%	62%	62%
Prison	14%	15%	12%	10%	12%	24%	24%	23%	22%	25%
>1 to <2 years	0.3%	0.3%	0.3%	0.2%	0.4%	0.6%	0.8%	0.7%	0.6%	0.6%
2 years or more	0.1%	0.1%	0.1%	0.4%	0.3%	0.5%	0.4%	0.4%	0.3%	0.8%
Raised to Sup.Crt.	7%	4%	3%	3%	3%	6%	3%	3%	3%	2%
Traff./ Import Drugs										
Total Cases	1,620	1,626	1,607	1,187	1,405	7,624	7,621	7,900	5,912	6,382
Found Guilty	28%	34%	36%	36%	34%	43%	54%	56%	57%	53%
Prison	19%	21%	19%	17%	17%	33%	40%	36%	31%	31%
>1 to <2 years	2%	2%	2%	1%	1%	3%	4%	3%	3%	2%
2 years or more	1%	1%	2%	2%	3%	3%	3%	4%	3%	4%
Raised to Sup.Crt.	22%	17%	15%	15%	8%	27%	17%	14%	14%	11%