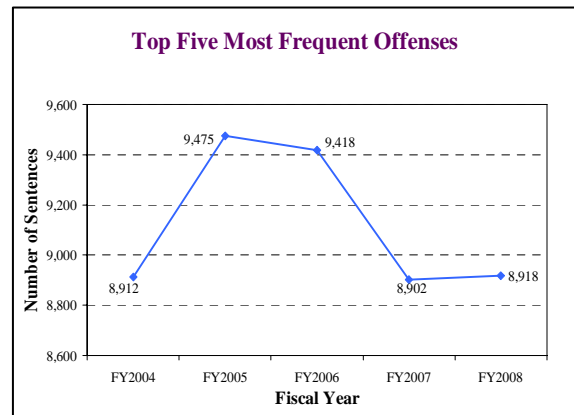
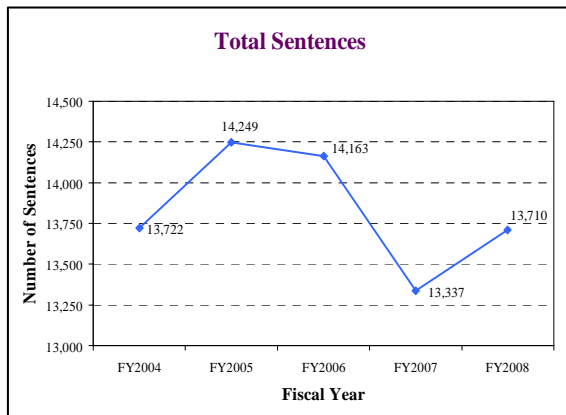


## APPENDIX II TRENDS OF SELECTED OFFENSES

### TOP FIVE MOST FREQUENT OFFENSES

The crimes of drugs, DUI, burglary, theft and forgery were the top five most frequently convicted offenses in the past five years. Of the total offenses, including incarceration, probation and county jail sentences, these top five offenses represented 64.9% in FY 2004, 66.5% in FY

2005, 66.5% in FY 2006, 66.7% in FY 2007 and 65% in FY 2008. The sentencing trends of the top five offenses from FY 2004 to FY 2008 are exhibited in the following figures and table. The sentence number of the top five offenses was up and down generally in the pattern of the total number of incarceration, probation and county jail sentences in the past five years.



### Top Five Most Frequent Offenses Incarceration, Probation and County Jail Sentences

Top Five Offenses	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Drugs	4,143	4,393	4,489	4,203	4,060
DUI*	1,511	1,739	1,601	1,573	1,773
Burglary	1,390	1,391	1,336	1,256	1,261
Theft	987	1,082	1,090	1,048	1,074
Forgery	881	870	902	822	750
<b>Subtotal</b>	<b>8,912</b>	<b>9,475</b>	<b>9,418</b>	<b>8,902</b>	<b>8,918</b>
<b>Total Offenses</b>	<b>13,722</b>	<b>14,249</b>	<b>14,163</b>	<b>13,337</b>	<b>13,710</b>

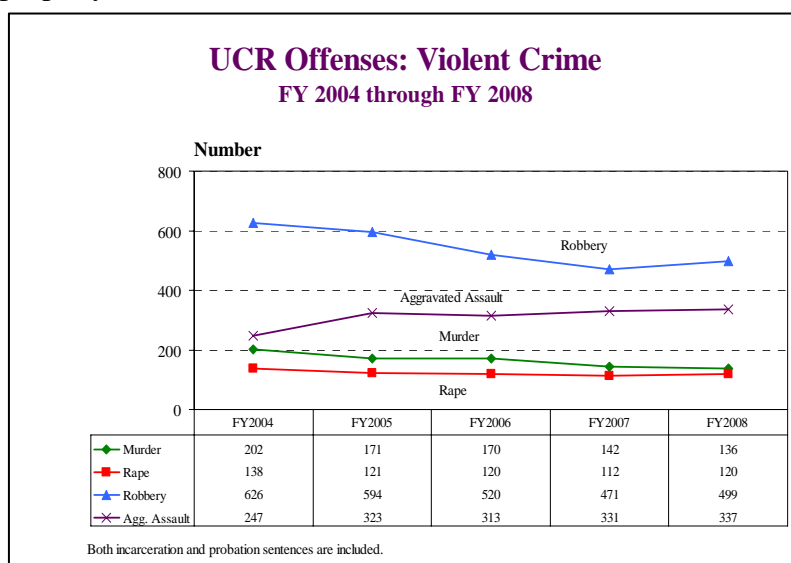
\* The offense of DUI includes county jail sentences.

## UNIFORM CRIME REPORTING (UCR) OFFENSES

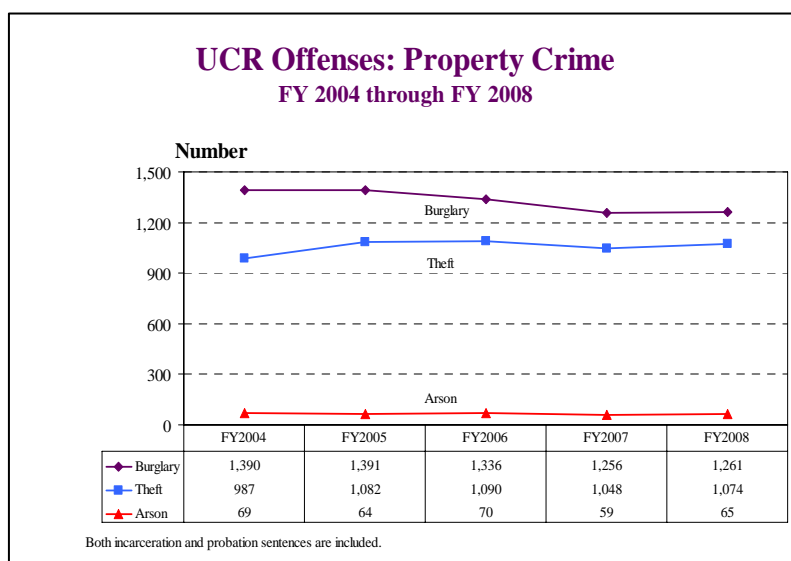
The UCR offenses include murder, rape, robbery, aggravated assault, burglary, larceny-theft/motor vehicle theft and arson. These are serious crimes by nature and/or volume, which are most likely to be reported and most likely to occur with sufficient frequency to provide an adequate basis for comparison (UCR Handbook). Murder, rape, robbery and aggravated assault are classified as violent crimes, while burglary, theft and arson are classified as property

crimes. In the following trend analyses on the UCR offenses from FY 2004 to FY 2008, murder includes capital murder, murder in the first degree, murder in the second degree, voluntary manslaughter and involuntary manslaughter; robbery includes aggravated robbery; aggravated assault includes aggravated assault on LEO; burglary includes aggravated burglary, residential, non-residential and motor vehicle burglaries; theft includes motor vehicle theft; and arson includes aggravated arson.

In FY 2008, the numbers of all violent crimes increased except the crime of murder with a decrease of 4.2% compared with FY 2007. When compared with FY 2004, all violent crimes dropped except the crime of aggravated assault with an increase of 36.4%. The crime of murder indicated the highest percentage drop (32.7%) in the past five years.



The number of all property crimes increased, as well, during FY 2008. Burglary increased by 0.4%, theft increased by 2.5% and arson increased by 10.2% over those of FY 2007. Compared with FY 2004, burglary and arson dropped by 9.3% and 5.8% respectively, while theft increased by 8.8%.



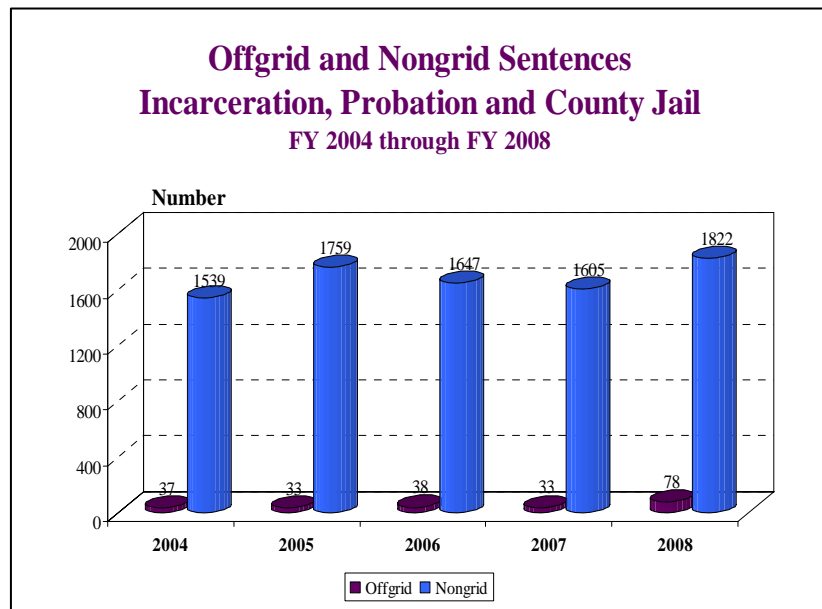
## OFFGRID AND NONGRID CRIMES

Offgrid crimes are crimes that carry “life” sentences, meaning the length of imprisonment is life. The crimes of capital murder (K.S.A. 21-3439), murder in the first degree (K.S.A. 21-3401), treason (K.S.A. 21-3801) and certain sex offenses under Jessica’s Law are designated as offgrid crimes. Persons convicted of offgrid crimes will be eligible for parole after serving 25 years in confinement for premeditated first-degree murder, or 40 or 50 years in certain premeditated first-degree murder cases, in which aggravating circumstances are found by the sentencing court. Offenders convicted of intentional second-degree murder for crimes committed prior to July 1, 1999, will be eligible for parole after serving 10 years of confinement. The Kansas law also provides for the imposition of a death penalty, under specified circumstances, for a conviction of capital murder. Felony murder and treason carry a term of life

imprisonment with a 20-year parole eligibility date.

Nongrid crimes are not assigned severity levels on either sentencing guideline grid under the Kansas Sentencing Guidelines Act (K.S.A. 21-4701, *et seq.*). The crimes of felony “driving under the influence of alcohol or drugs” (K.S.A. 8-1567), felony “domestic battery” (K.S.A. 21-3412a) and felony “cruelty to animals” (K.S.A. 2006 Supp. 21-4310 and 21-4318) are categorized as nongrid crimes. The applicable sentence of each of the nongrid crimes is specified within the individual criminal statute defining the crime. For example, the “sentence” for the crime of felony domestic battery specifies that the offender “shall be sentenced to no less than 90 days nor more than one year’s imprisonment.” Further, a felony domestic battery offender must serve at least 48 consecutive hours imprisonment before being eligible for any type of release program.

With the implementation of Jessica’s Law, the number of offgrid crimes was more than doubled in FY 2008, with an increase of 45 offenders (136%) and 41 offenders (111%), respectively, compared with those of FY 2007 and FY 2004. Nongrid sentences in FY 2008, including incarceration, probation and county jail sentences, increased by 217 (13.5%) and 283 (18.4%), respectively, compared with FY 2007 and FY 2004.

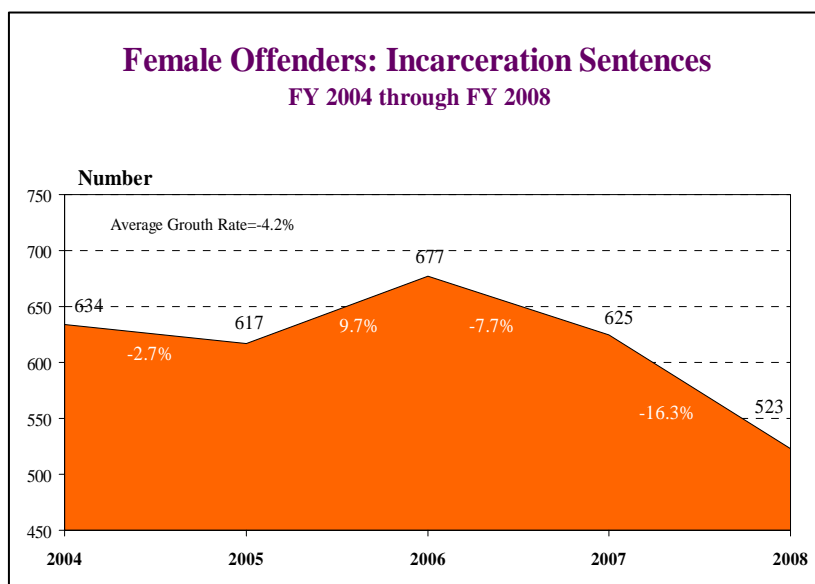


## FEMALE OFFENDERS

The admission trend of female offenders was declining in the past five years. In FY 2008, the number of female admissions decreased by 16.3% and 17.5% respectively compared with those of FY 2007 and FY 2004. This declining tendency is consistent with the pattern of total prison admissions (Page 76), which is primarily due to the implementation of Senate Bill 123. The average decrease rate in the past five years is 4.2%. On the contrary, the number of female

offenders on probation kept increasing in FY 2005, FY 2006 and FY 2008. The average growth rate is 5.1% in the past five years. This increasing pattern is similar with that of the total probation population in the past five years (Page 79), which mirrors the implementation of Senate Bill 123, as well, wherein pure drug possession offenders shall be sentenced to drug treatment programs instead of prison. Females were sentenced to prison or probation most frequently for the crimes of drugs, forgery and theft in the past five years.

The number of females incarcerated in prison decreased by 2.7% in FY 2005, 7.7% in FY 2007 and 16.3% in FY 2008 compared with those of the previous years. However, the population increased by 9.7% in FY 2006, which is the peak of female admissions to prison in the past five years.



The population of females sentenced to probation kept growing by 17.5%, 4.4% and 3.8, respectively, in FY 2005, FY 2006 and FY 2008 over those of the previous years. However it decreased by 5.4% in FY 2007 when compared with that of FY 2006.

