

Mandatory Term of Imprisonment for Fentanyl!

January 13, 2023



TRANSFORMING LIVES.
INFLUENCING CHANGE.
STRENGTHEN COMMUNITY.

Overview

- Considerations being given to creating a bill for mandatory one-year imprisonment terms for manufacturing or delivering fentanyl.
- Following is community supervision data for suspended or deferred sentence types (i.e. “probation”) sentenced in North Dakota.
 - Because of how the data is entered, we included all offense descriptions that contained words “opiate, opium, and fentanyl” and a separate analysis to capture delivery and manufacture-related offenses.
 - Due to the difficulty to discern, individuals who have a probation sentence after imprisonment are included in the data.

Deaths on Supervision

- All adults under community supervision.

2019 P/P Cause Of Death	Total	Percent
CAUSE_OF_DEATH		
Automobile Crash	2	5%
Homicide	2	5%
Long Term Alcohol or Drug Use	4	9%
Natural Causes/Accident	8	18%
Overdose	12	27%
Suicide	8	18%
Unknown	8	18%
Grand Total	44	100%
Total Behavioral Health	24	55%

2020 P/P Cause of Death	Total	Percent
CAUSE_OF_DEATH		
Automobile Crash	5	6%
Homicide	4	5%
Long Term Alcohol or Drug Use	4	5%
Natural Causes/Accident	22	27%
Other	1	1%
Overdose	24	29%
Suicide	7	8%
Unknown	17	20%
Grand Total	83	100%
Total Behavioral Health	35	42%

2021 P/P Cause of Death	Total	Percent
CAUSE_OF_DEATH		
Automobile Crash	11	14%
Homicide	2	3%
Long Term Alcohol or Drug Use	4	5%
Natural Causes/Accident	16	20%
Other	7	9%
Overdose	19	24%
Suicide	8	10%
Unknown	12	15%
Grand Total	79	100%
Total Behavioral Health	31	39%

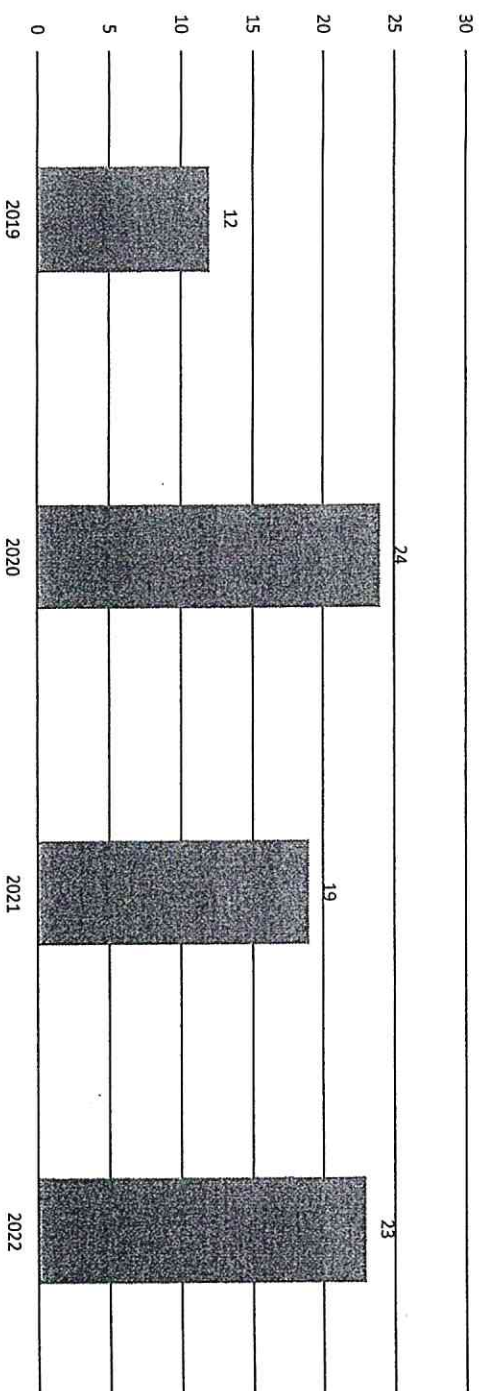
2022 P/P Cause of Death	Total	Percent
CAUSE_OF_DEATH		
Automobile Crash	6	8%
Homicide	4	5%
Long Term Alcohol or Drug Use	1	1%
Natural Causes/Accident	18	24%
Other	3	4%
Overdose	23	31%
Suicide	5	7%
Unknown	14	19%
Grand Total	74	100%
Total Behavioral Health	29	39%

* Cause of death collection in Docstars started in 2019

Deaths on Supervision-Overdose

- All adults under community supervision.

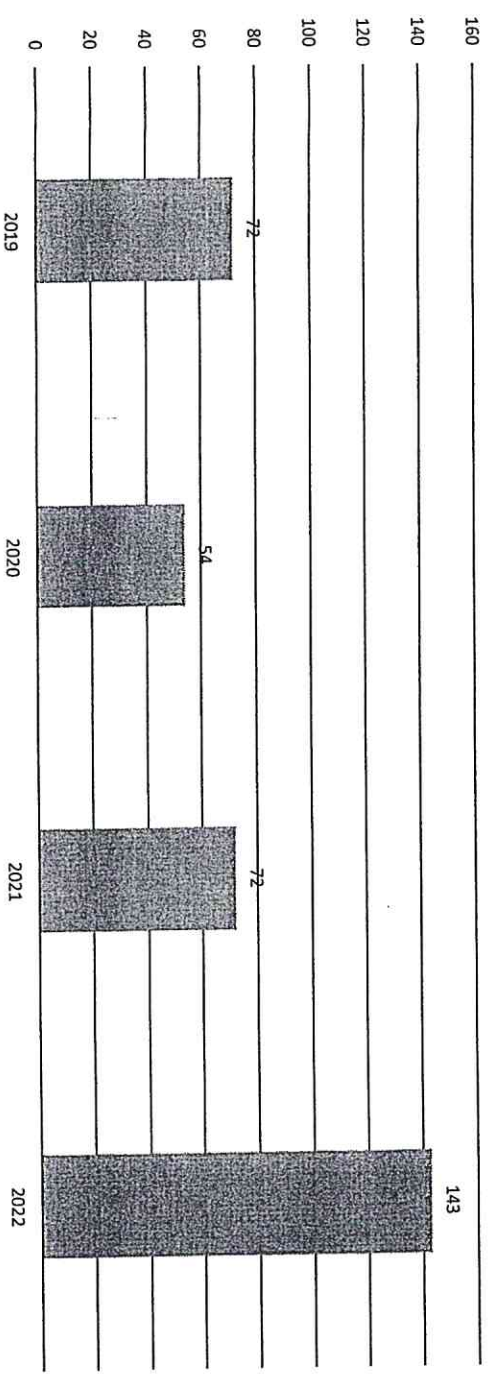
P/P Supervised Adult Overdose Deaths



* Cause of death collection in Docstars started in 2019

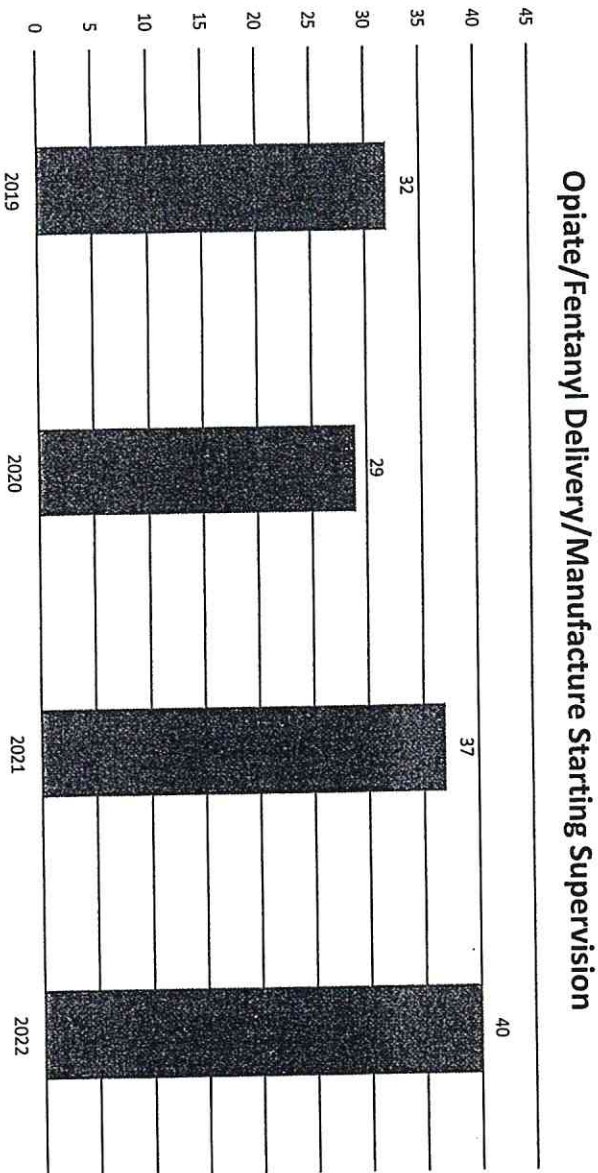
Supervision Admissions – All Opiate/Fentanyl Offenses

- Adults under probation supervision who had “opiate” or “fentanyl” in the offense description, by case start date.



Supervision Admissions – Delivery/Manufacture

- Adults under probation community supervision who had “opiate” or “fentanyl” in the offense description, along with delivery, manufacture, and related offenses.



Supervision Terminations-Delivery/Manufacture

- Adults under community supervision who had "opiate" or "fentanyl" in the offense description and delivery/manufacture and related offenses, by case termination date, who completed supervision without revocation or death.

Case terminations CY 2019			Case terminations CY 2020		
Termination Type	Total	Percent	Termination Type	Total	Percent
Abscinded (Active Petition To Revoke)	1	4%	Abscinded (Active Petition To Revoke)	1	3%
Death	2	8%	Death	5	15%
Dismissal (Deferred Imp.)	1	4%	Expiration (Susp. Sentence)	13	38%
Expiration (Susp. Sentence)	7	29%	Revocation	13	38%
Revocation	9	38%	Termination (Deferred Imp.)	1	3%
Termination-Positive (Susp. Sent)	4	17%	Termination-Positive (Susp. Sent)	1	3%
Grand Total	24	100%	Grand Total	34	100%
Not Revoked, death, or active revocation	12	50%	Not Revoked, death, or active revocation	15	44%

Supervision Terminations-Delivery/Manufacture

- Adults under community supervision who had "opiate" or "fentanyl" in the offense description and delivery/manufacture and related offenses, by case termination date, who completed supervision without revocation or death.

Case terminations CY 2021

Termination Type	Total	Percent
Absconded (Active Petition To Revoke)	1	3%
Death	1	3%
Expiration (Susp. Sentence)	19	49%
Revocation	11	28%
Termination-Negative (Susp. Sent)	1	3%
Termination-Positive (Susp. Sent)	6	15%
Grand Total	39	100%
Not Revoked, death, or active revocation	26	67%

Case terminations CY 2022

Termination Type	Total	Percent
Absconded (Active Petition To Revoke)	2	4%
Dismissal (Deferred Imp.)	1	2%
Expiration (Susp. Sentence)	20	38%
Other	2	4%
Revocation	17	33%
Termination-Negative (Susp. Sent)	2	4%
Termination-Positive (Susp. Sent)	8	15%
Grand Total	52	100%
Not Revoked, death, or active revocation	33	63%

Current Individual Count

- On January 9, 2023, there were **87** individuals with a probation sentence who have at least one supervised offense with "opiates, opium, or fentanyl" in the offense description and delivery/manufacture and related offenses.

Expect 6300 to successfully complete

DOCR Adult Facility Admissions

DOCR ADULT FACILITY ADMISSIONS

Admissions for Manufacture, Delivery, Possession w/Intent to Manufacture or Deliver

2019	CY Admissions	Avg Court-Ordered Sentence in Yrs	New Admission	Probation Revocation	Parole Revocation	Fentanyl	Opiates/Opioids	Other	Total	Avg Court-Ordered Sentence in Yrs
Male	1220	2.88	635	348	200	2	211	42	255	3.44
Female	310	2.12	151	81	74	0	66	6	72	2.89
Total	1530	2.73	786	429	274	2	277	48	327	3.32

2020	CY Admissions	Avg Court-Ordered Sentence in Yrs	New Admission	Probation Revocation	Parole Revocation	Fentanyl	Opiates/Opioids	Other	Total	Avg Court-Ordered Sentence in Yrs
Male	738	3.18	410	171	127	2	135	22	159	3.61
Female	198	2.29	96	69	22	1	43	8	52	2.11
Total	936	2.99	506	240	149	3	178	30	211	3.24

2021	CY Admissions	Avg Court-Ordered Sentence in Yrs	New Admission	Probation Revocation	Parole Revocation	Fentanyl	Opiates/Opioids	Other	Total	Avg Court-Ordered Sentence in Yrs
Male	1205	3.02	738	266	180	21	185	44	250	3.45
Female	286	2.32	103	110	38	1	67	6	74	2.39
Total	1491	2.89	841	376	218	22	252	50	324	3.21

2022	CY Admissions	Avg Court-Ordered Sentence in Yrs	New Admission	Probation Revocation	Parole Revocation	Fentanyl	Opiates/Opioids	Other	Total	Avg Court-Ordered Sentence in Yrs
Male	1149	3.16	574	345	190	46	158	32	236	3.17
Female	302	2.27	133	118	31	14	50	2	66	2.50
Total	1451	2.98	707	463	221	60	208	34	302	3.04

Opiates/Opioids - Buprenorphine, Heroin, Methamphetamine, Hydrocodone, Hydromorphone, Oxycodone, Suboxone, Tramadol

Other - Alprazolam, Benzodiazepines, Carisoprodol, Cocaine, Gabapentin, LSD, Marijuana, THC, Hashish, Hashish Oil, MDMA, Methamphetamine, Medifull, Pilocybin, Xanax

Prepared 1/8/2023

Questions?

F. N. at ^{present} 40 years
\$ 7 million

391 on parole presently

7 million in treatment

6370 ever not being served
lack of services