



## Bureau of Justice Statistics

# Compendium of Federal Justice Statistics, 1994

### Federal criminal case processing, 1994



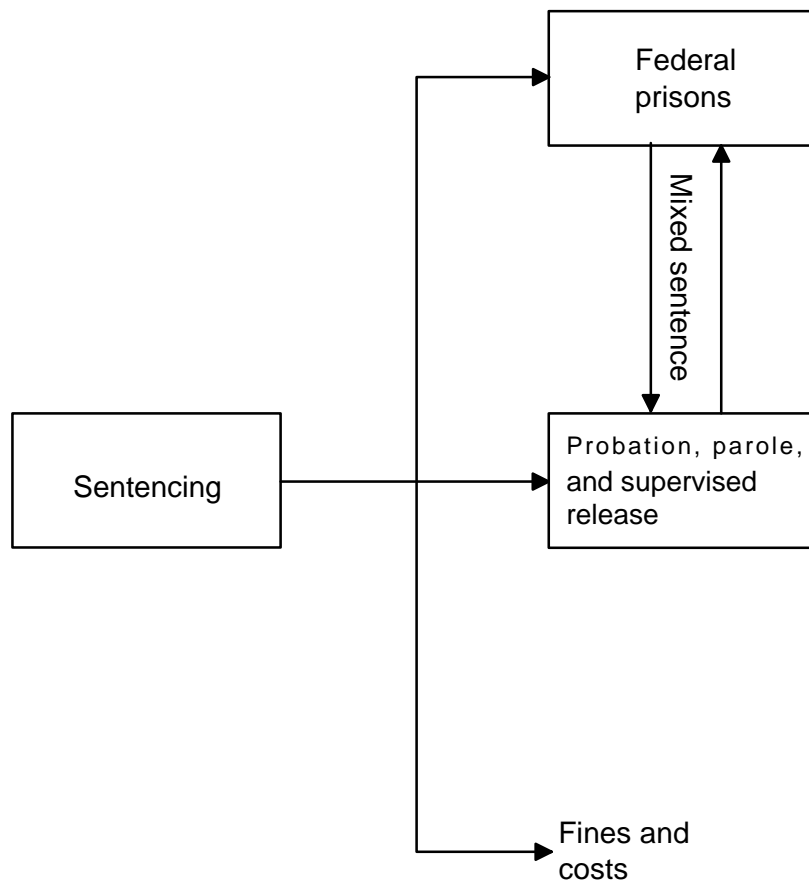
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Depending upon the type and severity of the offense, convicted offenders may be sentenced to incarceration, probation, a fine, or a combination of sanctions such as a split or mixed sentence (imprisonment as well as a period of probation supervision).<sup>1</sup> The Federal sentencing guidelines require a term of supervised release following service of any prison sentence of more than 1 year. In addition, courts have discretion to impose supervised release in any other case.

Except where otherwise indicated, tables in this chapter are based on the most serious offense of conviction. They are not directly comparable with tables in earlier chapters that are based on the most serious offense investigated or most serious offense charged (see *Methodology*, p.89).

#### **Offenders convicted and sentences imposed (table 4.1)**

Of the 50,701 offenders sentenced during 1994, 33,022 (65%) were sentenced to prison, 15,284 (30%) were sentenced to probation, and 4,043 (8%) were ordered to pay only a fine.<sup>2</sup>

The likelihood of a convicted felon being sentenced to prison was 78%. However the likelihood of being sentenced to prison varied widely by specific offense. Violent and drug offenders were more likely to receive prison sentences (93% compared to 91%) than were either property offenders or public-order offenders (58% compared to 76%).

Among public-order offenders, persons convicted of weapons, immigration, and escape offenses were about as likely as violent and drug offenders to receive prison sentences (90%, 86%, and 92%, respectively).

Among property offenders, burglars and persons convicted of arson and explosives offenders were also

almost as likely as violent and drug offenders to receive prison sentences (90% compared to 86%).

Overall, 30% of convicted offenders were sentenced to probation. Twenty-five percent of felons and 48% of misdemeanants were sentenced to probation terms. Among felons, persons convicted of postal law violations (65%), tax violations (64%), and gambling violations (71%) were among the most likely to be given probation.

While less than 1% of all convicted felons were ordered to pay only a fine, felons convicted of antitrust (40%) and obscene material (32%) offenses were most likely to be so ordered. Fines generally were reserved for misdemeanor offenders, 34% of whom were ordered to pay fines.

#### **Average prison sentences imposed (table 4.2)**

Average lengths of sentences imposed varied among major offense categories. For all offenders given prison terms, the average term of imprisonment imposed was 61 months. Persons convicted of felonies received an average prison term of 64 months.

Among major offense categories, property offenders received the shortest sentences, on average, while violent offenders' received the longest (26 months compared to 90 months). Drug offenders received 83 months, on average, and public-order offenders received 51 months. The 2,901 weapons offenders comprised 41% of all public-order offenders sent to prison, and they received an average prison term of 81 months.

#### **Relationship between sentence imposed and method of case disposition (table 4.3)**

Of the 50,701 offenders convicted, 46,349 (91%) were convicted by guilty plea while the remainder (9%) were convicted at trial. Sixty-three percent of the offenders convicted by guilty plea received some prison while 87% of the offenders convicted at trial received prison. Across

offense categories, offenders convicted by plea were less likely to receive prison than those convicted at trial.

The difference in the likelihood of receiving prison by mode of conviction varied among offense categories. For violent offenders there was a 5 percentage point difference in the likelihood of receiving a prison term based on the mode of conviction. Ninety-three percent of violent offenders convicted by plea received prison as did 98% of those convicted at trial. By contrast, for fraudulent property offenders and regulatory public-order offenders, there was a 30 percentage point difference in the likelihood of receiving prison based on conviction by guilty plea or by trial.

The average prison term imposed on defendants convicted at trial was longer than the term imposed on defendants convicted by plea. Defendants convicted at trial received 133 months on average, while those convicted by plea received an average 53 months. For drug offenders, the difference in average prison sentences between those convicted at trial versus those convicted by plea was 100 months. For fraudulent property offenders, the difference was nearly 24 months.

#### **Characteristics of offenders sentenced to prison (tables 4.4–4.6)**

The majority of persons sentenced to prison during 1994 were male (84%), white (63%), non-Hispanic (75%), and U.S. citizens (78%). The percentage sentenced to prison was not uniform across all categories of age, race, sex, education, and ethnicity. Similarly, the average sentences imposed were not uniform across categories of age, race, sex, education, or ethnicity (table 4.5). However, conclusions about the effect that offender characteristics may have had on sentencing cannot be drawn from the aggregate patterns in the data. Such an assessment would require detailed information for each category showing the presence or absence of factors that are legally

<sup>1</sup>For a definition of mixed sentences, see *Glossary*, p.93.

<sup>2</sup>Offenders given an intermediate sanction such as intermittent confinement or community confinement that also included probation supervision are counted among offenders given probation.

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intended to affect sentencing, such as offense severity, weapon use, role in the offense, victim injury, dollar loss, and so forth.

One such study of the factors affecting sentencing found that “nearly all of the aggregate differences among sentences for whites, blacks, and Hispanics during 1989–90 can be attributed to characteristics of offenses and offenders that current law and sentencing guidelines establish as legitimate considerations in sentencing decisions.”<sup>3</sup>

Average sentences imposed were longest for males (64 months), blacks (84 months), non-Hispanics (64 months), and U.S. citizens (65 months). These longer terms are due in large part because these categories of offenders (males, blacks, non-Hispanics, and U.S. citizens) are more highly concentrated in the offense types (table 4.4) that also are associated with longer average sentences (table 4.2). For example, incarceration rates for blacks exceed those of whites in the violent, drug, and nonregulatory public-order offense categories. These offenses are associated with longer average sentences (table 4.2) than are property offenses or regulatory public-order offenses — the categories in which whites' incarceration rates exceed those of blacks.

In general, within categories of offender characteristics, average prison terms were longer for violent and drug offenses than for property and regulatory public-order offenses. These two offense categories generally are considered to be more serious under the Federal sentencing guidelines than are property and regulatory public-order offenses. As a result, for aggregate tables like those presented in this chapter, persons with a certain characteristic may appear to receive more severe

sentences on average. The primary reason for the longer averages is the larger number of serious offenses that made up the average sentences.

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<sup>3</sup>Douglas C. McDonald and Kenneth E. Carlson, *Sentencing in the Federal Courts: Does Race Matter?*, Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, December 1993 (NCJ-145328).

**Table 4.1. Sentence types in cases terminated, by offense, October 1, 1993—September 30, 1994**

Most serious offense of conviction	Total offenders sentenced <sup>a</sup>	Percent of offenders convicted and sentenced to			
		Incarceration <sup>b</sup>	Probation <sup>c</sup>	Split or mixed sentence <sup>d</sup>	Fine (only)
<b>All offenses<sup>e</sup></b>	50,701	65.1%	30.1%	4.9%	8.0%
<b>Felonies</b>	39,624	78.4%	25.1%	5.8%	0.6%
<b>Violent offenses</b>	2,704	93.1%	13.6%	7.6%	0.1%
Murder <sup>f</sup>	161	91.3	10.6	2.5	—
Negligent manslaughter	20	70.0	30.0	5.0	—
Assault	311	82.3	21.9	6.4	1.0
Robbery	1,872	96.7	11.0	8.2	—
Rape	171	89.5	20.5	9.9	—
Other sex offenses <sup>f</sup>	76	68.4	34.2	5.3	—
Kidnaping	75	92.0	10.7	5.3	—
Threats against the President	18	94.4	16.7	11.1	—
<b>Property offenses</b>	11,113	57.7%	44.6%	5.6%	1.1%
<b>Fraudulent</b>	8,671	56.1%	45.7%	5.6%	1.3%
Embezzlement	1,051	50.8	46.7	5.6	1.8
Fraud <sup>f</sup>	6,547	57.1	45.3	5.8	1.4
Forgery	409	48.7	56.2	5.1	—
Counterfeiting	664	59.6	42.3	4.4	0.6
<b>Other</b>	2,442	63.2%	40.4%	5.6%	0.5%
Burglary	146	89.7	16.4	6.8	—
Larceny <sup>f</sup>	1,458	51.2	51.1	4.1	0.4
Motor vehicle theft	405	85.7	22.2	9.1	0.2
Arson and explosives	162	85.8	21.6	8.0	—
Transportation of stolen property	234	67.1	32.5	5.1	0.9
Other property offenses <sup>f</sup>	37	59.5	43.2	10.8	8.1
<b>Drug offenses</b>	16,400	91.3%	12.3%	5.0%	0.1%
Trafficking	16,197	91.6	12.0	5.0	0.1
Possession and other drug offenses	203	65.0	36.0	3.9	0.5
<b>Public-order offenses</b>	9,407	76.2%	27.8%	6.8%	1.1%
<b>Regulatory</b>	1,309	49.2%	47.7%	3.8%	4.9%
Agriculture	48	47.9	56.3	10.4	4.2
Antitrust	82	7.3	53.7	1.2	40.2
Food and drug	61	37.7	52.5	1.6	11.5
Transportation	73	52.1	39.7	1.4	8.2
Civil rights	62	72.6	41.9	14.5	—
Communications	50	26.0	78.0	4.0	—
Custom laws	75	46.7	45.3	4.0	10.7
Postal laws	34	35.3	64.7	2.9	2.9
Other regulatory offenses	824	54.5	45.1	3.3	0.8
<b>Other</b>	8,098	80.6%	24.6%	7.2%	0.5%
Weapons	3,232	89.8	16.7	7.5	0.2
Immigration offenses	2,152	86.3	19.0	8.9	0.3
Tax law violations <sup>f</sup>	712	44.1	63.5	9.0	1.1
Bribery	275	44.7	52.4	0.7	0.7
Perjury, contempt, and intimidation	237	67.1	38.0	5.5	—
National defense	27	66.7	40.7	11.1	3.7
Escape	451	91.8	11.8	4.4	—
Racketeering and extortion	779	84.2	19.1	5.3	0.3
Gambling	166	30.7	70.5	3.0	0.6
Obscene material <sup>f</sup>	25	20.0	56.0	8.0	32.0
Migratory birds	5	40.0	40.0	—	—
All other felonies <sup>f</sup>	37	64.9	37.8	5.4	2.7
<b>Misdemeanors<sup>f</sup></b>	11,072	17.6%	48.1%	2.0%	34.2%
Fraudulent property offense	1,332	20.0	73.9	2.3	4.7
Larceny	1,384	11.5	71.6	2.5	18.7
Drug possession <sup>f</sup>	1,485	40.5	55.7	2.8	4.5
Immigration	539	70.9	19.1	0.6	5.0
Traffic offenses	4,443	4.1	26.5	1.3	68.8
Other misdemeanors	1,889	18.9	65.6	2.9	16.8
<b>Unknown or indeterminable offense</b>	5	80.0%	20.0%	—	—

Note: For further information, see *Chapter notes*, item 1, p. 57.

—Too few cases to obtain statistically reliable data.

<sup>a</sup>Includes offenders receiving incarceration, probation, split or mixed sentences, and fines. Not represented in the percentage columns, but also included in the totals, are offenders receiving deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentences.

<sup>b</sup>All sentences to incarceration, including split, mixed, life, and indeterminate.

<sup>c</sup>Includes offenders with split and mixed sentences.

<sup>d</sup>Sentences to probation combined with incarceration.

<sup>e</sup>Total includes offenders whose sentence could not be determined and defendants for whom offense categories could not be determined.

<sup>f</sup>In this table, "Murder" includes nonnegligent manslaughter; "Other sex offenses" may include some nonviolent offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unknown or unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

**Table 4.2. Type and length of sentences imposed, by offense, October 1, 1993—September 30, 1994**

Most serious offense of conviction	Offenders convicted and sentenced in cases terminated during 1994							
	Total	Number			Sentence length			
		Incarceration <sup>a</sup>	Probation <sup>b</sup>	Fine (only)	Incarceration <sup>c</sup>		Probation <sup>c</sup>	
				Mean	Median	Mean	Median	
<b>All offenses</b>	50,701	33,022	15,284	4,043	61.2 mo	36 mo	34.0 mo	36 mo
<b>Felonies</b>	39,624	31,070	9,960	252	64.3 mo	37 mo	40.0 mo	36 mo
<b>Violent offenses</b>	2,704	2,518	369	3	89.8 mo	63 mo	43.0 mo	36 mo
Murder <sup>d</sup>	161	147	17	0	133.5	97	41.4	36
Negligent manslaughter	20	14	6	0	17.6	14	44.0	36
Assault	311	256	68	3	49.0	36	38.7	36
Robbery	1,872	1,810	206	0	93.9	70	44.5	36
Rape	171	153	35	0	68.5	33	47.7	48
Other sex offenses <sup>d</sup>	76	52	26	0	54.9	37	36.0	36
Kidnaping	75	69	8	0	162.1	136	43.5	36
Threats against the President	18	17	3	0	26.2	18	44.0	36
<b>Property offenses</b>	11,113	6,411	4,952	127	26.0 mo	15 mo	38.9 mo	36 mo
<b>Fraudulent</b>	8,671	4,868	3,966	115	19.7 mo	12 mo	38.6 mo	36 mo
Embezzlement	1,051	534	491	19	12.6	6	37.8	36
Fraud <sup>d</sup>	6,547	3,739	2,964	92	21.0	14	38.6	36
Forgery	409	199	230	0	20.8	12	41.6	36
Counterfeiting	664	396	281	4	17.1	12	37.3	36
<b>Other</b>	2,442	1,543	986	12	45.9 mo	23 mo	40.3 mo	36 mo
Burglary	146	131	24	0	53.8	37	43.0	36
Larceny <sup>d</sup>	1,458	747	745	6	26.0	14	40.3	36
Motor vehicle theft	405	347	90	1	89.2	60	39.0	36
Arson and explosives	162	139	35	0	67.8	46	41.1	36
Transportation of stolen property	234	157	76	2	25.4	20	41.4	36
Other property offenses <sup>d</sup>	37	22	16	3	17.5	10	35.3	36
<b>Drug offenses</b>	16,400	14,973	2,020	21	83.3 mo	60 mo	49.0 mo	48 mo
Trafficking	16,197	14,841	1,947	20	83.7	60	49.6	48
Possession and other drug offenses	203	132	73	1	44.1	24	32.3	36
<b>Public-order offenses</b>	9,407	7,168	2,619	101	50.7 mo	24 mo	34.7 mo	36 mo
<b>Regulatory</b>	1,309	644	625	64	29.9 mo	18 mo	36.4 mo	36 mo
Agriculture	48	23	27	2	14.7	8	41.3	36
Antitrust	82	6	44	33	—	—	38.1	36
Food and drug	61	23	32	7	21.0	18	30.5	36
Transportation	73	38	29	6	19.6	18	41.8	36
Civil rights	62	45	26	0	49.7	37	37.7	36
Communications	50	13	39	0	22.5	21	32.0	36
Custom laws	75	35	34	8	21.0	15	37.4	36
Postal laws	34	12	22	1	32.5	18	29.0	36
Other regulatory offenses	824	449	372	7	31.2	18	36.7	36
<b>Other</b>	8,098	6,524	1,994	37	52.7 mo	25 mo	34.2 mo	36 mo
Weapons	3,232	2,901	539	7	81.0	56	38.8	36
Immigration offenses	2,152	1,857	409	7	23.5	24	27.2	24
Tax law violations <sup>d</sup>	712	314	452	8	15.6	12	35.9	36
Bribery	275	123	144	2	22.0	13	33.0	36
Perjury, contempt, and intimidation	237	159	90	0	31.4	19	34.1	36
National defense	27	18	11	1	48.9	20	42.5	48
Escape	451	414	53	0	22.8	15	29.2	36
Racketeering and extortion	779	656	149	2	62.1	44	39.7	36
Gambling	166	51	117	1	34.8	12	27.3	24
Obscene material <sup>d</sup>	25	5	14	8	—	—	37.7	36
Migratory birds	5	2	2	0	—	—	—	—
All other felonies <sup>d</sup>	37	24	14	1	11.3	4	29.4	30
<b>Misdemeanors<sup>d</sup></b>	11,072	1,948	5,323	3,791	11.9 mo	4 mo	22.8 mo	12 mo
Fraudulent property offense	1,332	266	985	62	7.6	3	32.3	36
Larceny	1,384	159	991	259	12.4	6	19.6	12
Drug possession <sup>d</sup>	1,485	602	827	67	19.0	6	22.9	18
Immigration	539	382	103	27	4.9	2	25.0	24
Traffic offenses	4,443	182	1,178	3,059	7.0	3	14.9	12
Other misdemeanors	1,889	357	1,239	317	12.7	6	24.9	24
<b>Unknown or indeterminable offense</b>	5	4	1	0	—	—	—	—

Note: Total includes offenders with an indeterminable sentence and defendants with an indeterminable offense category. Total exceeds sum of individual sanctions, as split and mixed sentences are counted in both prison and probation. See *Chapter notes*, item 1, p. 57.

—Too few cases to obtain statistically reliable data

<sup>a</sup>All sentences to incarceration, including split, mixed, life, and indeterminate sentences.

<sup>b</sup>Includes offenders with split and mixed sentences.

<sup>c</sup>Excludes life sentences, death sentences, and indeterminate sentences (1% of all incarcerations).

<sup>d</sup>In this table, "Murder" includes nonnegligent manslaughter; "Other sex offenses" may include

some nonviolent offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unknown or unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

**Table 4.3. Sentences imposed on convicted offenders, by offense of conviction and method of disposition, October 1, 1993—September 30, 1994**

Offense of conviction and method of disposition	Number of convicted offenders	Number of offenders in terminated cases convicted and sentenced to:				Percent of convicted offenders	Offenders sentenced to some incarceration	
		Incarceration <sup>a</sup>	Probation <sup>b</sup>	Fine (only)	Sentence length <sup>c</sup>			
					Mean		Median	
<b>All offenses</b>	50,701	33,022	15,284	4,043	65.1%	61.2 mo	36 mo	
Guilty plea <sup>d</sup>	46,349	29,242	14,678	3,818	63.1	52.5	30	
Trial	4,352	3,780	606	225	86.9	133.3	100	
<b>Felonies</b>	39,624	31,070	9,960	252	78.4%	64.3 mo	37 mo	
Guilty plea	35,714	27,358	9,521	239	76.6	55.3	34	
Trial	3,910	3,712	439	13	94.9	135.4	105	
<b>Violent offenses</b>	2,704	2,518	369	3	93.1%	89.8 mo	63 mo	
Guilty plea	2,405	2,225	350	3	92.5	81.6	60	
Trial	299	293	19	0	98.0	156.2	120	
<b>Property offenses</b>								
<b>Fraudulent</b>	8,671	4,868	3,966	115	56.1%	19.7 mo	12 mo	
Guilty plea	8,149	4,431	3,851	113	54.4	17.6	12	
Trial	522	437	115	2	83.7	41.3	27	
<b>Other</b>	2,442	1,543	986	12	63.2%	45.9 mo	23 mo	
Guilty plea	2,249	1,367	948	10	60.8	41.5	21	
Trial	193	176	38	2	91.2	81.7	47	
<b>Drug offenses</b>	16,400	14,973	2,020	21	91.3%	83.3 mo	60 mo	
Guilty plea	14,387	12,976	1,891	19	90.2	71.2	57	
Trial	2,013	1,997	129	2	99.2	171.0	141	
<b>Public-order offenses</b>								
<b>Regulatory</b>	1,309	644	625	64	49.2%	29.9 mo	18 mo	
Guilty plea	1,205	564	596	59	46.8	25.0	16	
Trial	104	80	29	5	76.9	65.0	40	
<b>Other</b>	8,098	6,524	1,994	37	80.6%	52.7 mo	25 mo	
Guilty plea	7,319	5,795	1,885	35	79.2	45.0	24	
Trial	779	729	109	2	93.6	116.0	70	
<b>Misdemeanors</b>	11,072	1,948	5,323	3,791	17.6%	11.9 mo	4 mo	
Guilty plea <sup>d</sup>	10,630	1,880	5,156	3,579	17.7	11.2	4	
Trial	442	68	167	212	15.4	29.2	7	
<b>Unknown or indeterminable offense</b>	5	4	1	0	—	—	—	

Note: Total includes offenders whose sentence could not be determined. Total includes defendants for whom offense category could not be determined. For further information, see *Chapter notes*, item 1, p. 57.

—Too few cases to obtain statistically reliable data.

<sup>a</sup>All sentences to incarceration, including split, mixed, life, and indeterminate, sentences.

<sup>b</sup>Includes offenders with split and mixed sentences.

<sup>c</sup>Excludes life sentences and death sentences and indeterminate sentences (1% of all incarceration).

<sup>d</sup>Includes nolo contendere.



**Table 4.4. Convicted offenders sentenced to incarceration, by offense and offender characteristics, October 1, 1993—September 30, 1994**

Offender characteristic	Total number of offenders	Percent of all convicted offenders who were incarcerated in cases terminated during 1994								
		All offenses <sup>a</sup>	Violent offenses	Felonies			Drug offenses	Public-order offenses		Misdemeanors
				Property offenses	Fraudulent	Other		Regulatory	Other	
<b>All offenders<sup>a</sup></b>	40,538	77.2%	95.9%	58.0%	43.0%	91.2%	37.2%	78.7%	31.0%	
<b>Sex</b>										
Male	34,291	81.4%	96.6%	61.8%	52.4%	93.0%	40.1%	81.7%	34.5%	
Female	6,230	54.1	82.4	48.2	18.7	77.9	25.3	50.2	15.4	
<b>Race</b>										
White	23,439	75.0%	95.3%	59.6%	46.7%	89.0%	36.9%	76.0%	33.3%	
Black	12,597	80.9	97.0	56.7	38.4	94.6	36.5	84.0	38.1	
Other	1,467	67.9	93.5	47.8	42.4	88.2	42.3	64.0	20.0	
<b>Ethnicity</b>										
Hispanic	9,889	89.1%	96.6%	58.6%	52.0%	94.9%	48.6%	89.4%	0 %	
Non-Hispanic	30,284	73.7	95.8	58.1	43.4	89.4	36.2	74.1	34.5	
<b>Age</b>										
16-18 years	251	72.1%	94.5%	45.5%	16.2%	78.1%	66.7%	84.4%	75.0%	
19-20 years	1,663	79.6	98.3	52.7	36.0	88.8	40.0	85.2	0	
21-30 years	14,572	81.6	96.9	56.4	42.8	91.9	46.0	87.6	25.0	
31-40 years	12,556	78.8	96.5	60.0	46.0	91.5	38.5	80.4	43.8	
Over 40 years	11,159	69.5	91.6	57.5	43.4	90.9	29.8	65.7	37.5	
<b>Citizenship</b>										
U.S. citizen	30,782	74.7%	95.8%	57.7%	44.3%	89.5%	36.1%	74.4%	41.9%	
Not U.S. citizen	8,862	88.5	97.9	61.5	54.2	96.3	49.2	89.2	0	
<b>Education</b>										
Less than high school graduate	15,261	85.6%	97.4%	54.8%	55.7%	93.6%	44.0%	86.6%	35.7%	
High school graduate	13,062	75.5	95.7	57.2	43.0	90.1	36.7	75.9	38.1	
Some college	7,794	70.0	94.0	58.7	37.3	88.3	34.3	69.2	40.0	
College graduate	3,076	64.8	89.2	61.3	40.9	85.8	31.6	60.5	100	
<b>Criminal record</b>										
No convictions	18,889	66.7%	90.4%	49.4%	30.6%	88.3%	26.3%	60.1%	20.0%	
Prior adult convictions <sup>b</sup>										
Never incarcerated	8,770	78.9	94.8	60.4	45.3	91.2	43.8	75.7	42.9	
Incarcerated										
13 months or less <sup>c</sup>	3,173	91.8	98.0	78.4	75.0	96.2	79.7	93.1	50.0	
More than 13 months	8,334	96.4	99.5	88.9	90.3	97.9	85.7	97.4	100 %	

Note: Excludes corporations. Includes life sentences and indeterminate sentences. Offenders are classified by the most serious offense of conviction. The percentages in this table report the percent of convicted persons having a particular characteristic who were incarcerated. For example, 81.4% of all convicted males were incarcerated, and 96.6% of males convicted of a violent offense were incarcerated. Offender characteristics are not comparable to the 1993 and prior compendia; see *Chapter notes*, item 2, p. 57.

<sup>a</sup>Includes offenders for whom offense or characteristics are unknown.

<sup>b</sup>Prior adult convictions are limited to those used in calculating guideline sentences; see *Chapter notes*, item 3, p. 57.

<sup>c</sup>Classifications of lengths of prior sentences of incarceration differ from the 1993 and prior compendia and are not directly comparable to those earlier years; see *Chapter notes*, item 3, p. 57.

**Table 4.5. Average incarceration sentence lengths imposed, by offense and offender characteristics, October 1, 1993—September 30, 1994**

Offender characteristic	Mean sentence length for offenders convicted of:							
	All offenses <sup>a</sup>	Violent offenses	Felonies		Drug offenses	Public-order offenses		Misdemeanors
			Fraudulent	Other		Regulatory	Other	
<b>All offenders<sup>a</sup></b>	61.4 mo	95.9 mo	15.8 mo	20.8 mo	81.1 mo	16.1 mo	45.0 mo	8.7 mo
<b>Sex</b>								
Male	64.4 mo	97.6 mo	17.3 mo	22.2 mo	83.7 mo	17.0 mo	46.2 mo	9.7 mo
Female	36.3	58.5	10.6	11.0	58.3	9.7	26.5	0.7
<b>Race</b>								
White	50.4 mo	86.4 mo	16.3 mo	23.0 mo	66.4 mo	16.4 mo	40.8 mo	15.3 mo
Black	83.6	113.4	15.6	17.3	106.7	14.9	61.6	3.4
Other	49.9	71.1	13.7	15.6	78.7	14.4	29.6	0.1
<b>Ethnicity</b>								
Hispanic	55.4 mo	85.6 mo	11.9 mo	17.7 mo	70.6 mo	18.8 mo	29.4 mo	...
Non-Hispanic	63.9	96.7	16.2	21.2	87.1	15.5	54.3	9.1
<b>Age</b>								
16-18 years	64.9 mo	119.1 mo	5.8 mo	16.8 mo	49.8 mo	41.5 mo	39.8 mo	2.2 mo
19-20 years	61.1	85.6	8.3	26.1	71.3	23.9	35.0	...
21-30 years	64.0	95.5	12.2	21.1	81.8	14.9	43.0	5.1
31-40 years	62.0	95.7	15.6	17.2	80.3	15.7	50.0	17.2
Over 40 years	57.3	98.1	19.0	23.2	83.9	16.6	45.5	...
<b>Citizenship</b>								
U.S. citizen	65.0 mo	96.7 mo	16.5 mo	21.4 mo	84.8 mo	16.9 mo	56.8 mo	9.6 mo
Not U.S. citizen	51.5	73.4	11.6	16.7	72.2	10.7	26.0	...
<b>Education</b>								
Less than high school graduate	66.2 mo	103.1 mo	14.7 mo	19.4 mo	79.3 mo	16.5 mo	45.5 mo	2.8 mo
High school graduate	65.0	94.0	15.3	23.1	84.8	15.9	53.0	6.1
Some college	54.9	86.9	16.3	18.3	81.6	16.5	42.4	22.6
College graduate	39.7	74.1	18.4	24.4	71.9	13.8	33.5	...
<b>Criminal record</b>								
No convictions	48.2 mo	68.4 mo	13.7 mo	20.3 mo	66.5 mo	16.3 mo	27.0 mo	0.5 mo
Prior adult convictions <sup>b</sup>								
Never incarcerated	58.8	74.3	14.2	16.3	78.1	14.8	31.4	29.7
Incarcerated								
13 months or less <sup>c</sup>	60.8	88.8	16.1	16.0	86.3	12.9	33.4	...
More than 13 months	86.9	124.8	24.6	28.0	118.7	18.6	66.5	24.0

Note: Excludes corporations, life sentences, and indeterminate sentences. Includes prison portion of split or mixed sentences. Offender characteristics are not comparable to the 1993 and prior compendia; see *Chapter notes*, item 2, p. 57. ...No case of this type occurred in the data.

<sup>a</sup>Includes offenders for whom offense or characteristics are unknown.

<sup>b</sup>Prior adult convictions are limited to those used in calculating guideline sentences; see *Chapter notes*, item 3, p. 57.

<sup>c</sup>Classifications of lengths of prior sentences of incarceration differ from the 1993 and prior compendia and are not directly comparable to those earlier years; see *Chapter notes*, item 3, p. 57.

**Table 4.6. Median incarceration sentence lengths imposed, by offense and offender characteristics, October 1, 1993—September 30, 1994**

Offender characteristic	Mean sentence length for offenders convicted of:							
	All offenses <sup>a</sup>	Violent offenses	Felonies		Drug offenses	Public-order offenses		Misdemeanors
			Fraudulent	Other		Regulatory	Other	
<b>All offenders<sup>a</sup></b>	36.0 mo	70.0 mo	12.0 mo	12.0 mo	60.0 mo	12.0 mo	24.0 mo	2.0 mo
<b>Sex</b>								
Male	37.0 mo	72.0 mo	12.0 mo	13.0 mo	60.0 mo	12.0 mo	24.0 mo	2.0 mo
Female	18.0	41.0	6.0	6.0	36.0	5.0	18.0	0.7
<b>Race</b>								
White	28.0 mo	63.0 mo	12.0 mo	15.0 mo	48.0 mo	12.0 mo	24.0 mo	1.5 mo
Black	60.0	90.0	12.0	10.0	80.0	12.0	37.0	2.5
Other	27.0	41.0	8.0	8.5	60.0	6.0	21.0	0.1
<b>Ethnicity</b>								
Hispanic	30.0 mo	63.0 mo	7.0 mo	12.0 mo	51.0 mo	7.5 mo	24.0 mo	...
Non-Hispanic	36.0	70.0	12.0	12.0	60.0	12.0	30.0	2.0
<b>Age</b>								
16-18 years	38.0 mo	93.0 mo	3.0 mo	9.0 mo	30.0 mo	41.5 mo	18.0 mo	2.0 mo
19-20 years	41.0	63.0	6.0	14.0	60.0	13.5	24.0	...
21-30 years	37.0	71.0	10.0	12.0	60.0	10.0	24.0	3.0
31-40 years	36.0	70.0	12.0	12.0	60.0	12.0	24.0	2.0
Over 40 years	30.0	65.5	14.0	13.0	60.0	12.0	24.0	2.0
<b>Citizenship</b>								
U.S. citizen	37.0 mo	71.0 mo	12.0 mo	12.0 mo	60.0 mo	12.0 mo	33.0 mo	2.0 mo
Not U.S. citizen	28.0	51.0	6.0	12.0	57.0	6.0	21.0	...
<b>Education</b>								
Less than high school graduate	40.0 mo	78.0 mo	12.0 mo	12.0 mo	60.0 mo	11.0 mo	24.0 mo	2.0 mo
High school graduate	40.0	70.0	12.0	12.0	60.0	12.0	30.0	1.0
Some college	30.0	63.0	12.0	12.0	60.0	12.0	24.0	6.0
College graduate	21.0	46.0	13.0	14.0	48.0	12.0	21.0	1.0
<b>Criminal record</b>								
No convictions	28.0 mo	50.0 mo	10.0 mo	12.0 mo	48.0 mo	10.0 mo	15.0 mo	0.7 mo
Prior adult convictions <sup>b</sup>								
Never incarcerated	36.0	51.5	12.0	8.5	60.0	8.0	18.0	9.0
Incarcerated								
13 months or less <sup>c</sup>	36.0	70.0	12.0	12.0	60.0	8.0	24.0	12.0
More than 13 months	57.0	100.0	20.0	20.0	92.0	15.5	37.0	24.0

Note: Excludes corporations, life sentences, and indeterminate sentences. Includes prison portion of split or mixed sentences. Offender characteristics are not comparable to the 1993 and prior compendia; see *Chapter notes*, item 2, p. 57. ...No case of this type occurred in the data.

<sup>a</sup>Includes offenders for whom offense or characteristics are unknown.

<sup>b</sup>Prior adult convictions are limited to those used in calculating guideline sentences; see *Chapter notes*, item 3, p. 57.

<sup>c</sup>Classifications of lengths of prior sentences of incarceration differ from the 1993 and prior compendia and are not directly comparable to those earlier years; see *Chapter notes*, item 3, p. 57.

- 1) Tables 4.1–4.3 were derived from the AOUSC criminal master data files. Only records of defendants sentenced during October 1, 1993, through September 30, 1994, were selected. Offenses shown in these tables — offenses of conviction — are based on the longest actual sentence imposed.
- 2) Tables 4.4–4.6 were derived from the United States Sentencing Commission (USSC) monitoring system files, which are limited to records of defendants sentenced under the Federal sentencing guidelines only. Only records of defendants who were sentenced during fiscal year 1994 were selected. These include defendants convicted of felonies or Class A misdemeanors. Excluded from the USSC data were defendants convicted only of Class B or C misdemeanors or infractions, defendants whose offenses were committed before November 1, 1987, and juvenile offenders. Juveniles are not subject to guidelines, and they were not included in tables 4.4–4.6; however, persons under 18 years of age who were sentenced as adults were included in these tables. Corporate defendants were excluded from them. Tables 4.4–4.6 indicate the number of records for which relevant data were available. Percentage distributions were based on records with known values of defendant characteristics and offenses. USSC offense codes were translated into the corresponding AOUSC four-digit offense codes, and these four-digit codes were then aggregated into the offense categories shown in the tables.
- 3) Criminal record, as reported in tables 4.4–4.6, is limited to the portion of a defendant's criminal record that is relevant for calculating sentences under the Federal sentencing guidelines. In general, this is limited to sentences imposed within a 15-year period prior to the current offense and offenses committed within the United States. Specifically, the number of prior adult incarcerations reported in tables 4.4–4.6 included two types of prison sentences covering different periods of time. First, it included prior sentences of imprisonment exceeding 13 months that were imposed or served (all or in part) during the 15 years prior to the commencement of the instant offense. Second, it included other prior sentences of shorter lengths imposed within 10 years of the defendant's commencement of the instant offense. Prior prison sentences not falling within these time periods or meeting these criteria were not counted.

