



## Bureau of Justice Statistics

*State Court Processing Statistics*

# Felony Defendants in Large Urban Counties, 1996

*Arrest charges*

*Demographic characteristics*

*Criminal history*

*Pretrial release and detention*

*Adjudication*

*Sentencing*



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# Felony Defendants in Large Urban Counties, 1996

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## Highlights

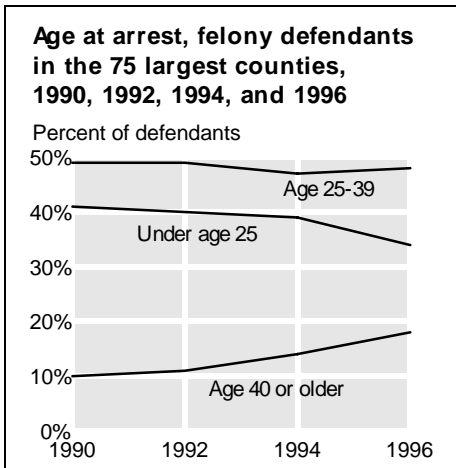
### State Court Processing Statistics

Every 2 years, as part of its State Court Processing Statistics (SCPS) program, the Bureau of Justice Statistics tracks a sample of felony cases filed during the month of May in 40 of the Nation's 75 largest counties. The most recent SCPS study analyzed cases filed during May 1996.

#### Trends in processing of felony defendants, 1990-96

Since 1990, the proportion of defendants charged with a violent offense has remained at about one-fourth. From 1992 to 1996, the proportion of drug defendants increased from 3 in 10 to about 3 in 8. In each year, approximately 1 in 3 defendants have been charged with a property crime and 1 in 12 with a public-order offense.

In 1996, the percentage of defendants age 40 or older was 18%, an increase from the 1994 level of 14%, and nearly twice the 10% found in the 1990 study. At the same time, the percentage of defendants under age 25 in 1996 was lower than in previous years.



Defendant demographics have been relatively consistent in terms of race and gender since 1990. The percentage of female defendants has been near 15% in all years. Non-Hispanic blacks have accounted for about half of defendants each year while non-Hispanic whites and Hispanics have comprised about a fourth each.

Since 1990, roughly 3 in 8 defendants have had an active criminal justice

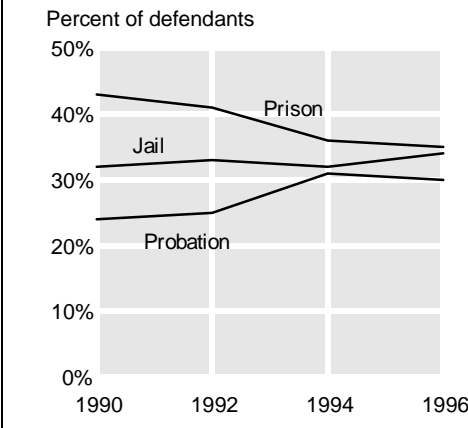
status at the time of arrest in each of the SCPS studies. The percentage of defendants with a felony arrest record was higher in 1996 (60%) than in previous years when it averaged about 55%. The proportion of defendants with a felony conviction record has also increased somewhat — from 36% in 1990 to 40% in 1996.

Since 1990, the proportion of felony defendants released prior to case disposition has been fairly consistent, ranging from 62% to 65%. Likewise, the proportion of released defendants charged with misconduct such as failure to appear in court or rearrest has remained at just under one-third. Failure-to-appear rates have held steady at just under one-fourth.

After reaching a high of 61% in the 1994 study, the felony conviction rate for 1996 decreased to 55%. This rate was similar to that found in 1992, but higher than the 50% felony conviction rate in the 1990 study. The percentage of defendants convicted of a felony or a misdemeanor was 70% in 1996, similar to the conviction rates for 1994 (72%) and 1990 (68%), but higher than the 64% of defendants convicted in the 1990 SCPS study.

For defendants convicted of a felony, sentences were less likely to involve incarceration in 1994 (68%) and 1996 (69%) than in 1990 (75%) or 1992 (74%). This was primarily because of a drop in the percentage of defendants

#### Most severe sentence received by defendants convicted of a felony in the 75 largest counties, 1990, 1992, 1994, and 1996



sentenced to prison, and an increase in the use of probation as the most severe sentence. In all years, about a third of felony convictions resulted in a jail sentence.

#### Felony defendants in large urban counties, 1996

##### Arrest charges

An estimated 54,579 felony cases were filed in the State courts of the Nation's 75 largest counties during May 1996. A fourth of the defendants in these cases were charged with a violent offense, usually assault (11.4%) or robbery (7.1%). A small percentage of defendants were charged with murder (0.9%) or rape (1.5%).

About 2 in 3 defendants were charged with either a drug (37%) or property (31%) offense. Half of drug defendants, 18.5% of defendants overall, were charged with drug trafficking. A majority of property defendants were charged with theft (12.3% of all defendants) or burglary (8.1%). Eight percent of all defendants were charged with a public-order offense. Often these charges were weapons-related (2.8% of all defendants) or driving-related (2.7%).

##### Demographic characteristics

Eighty-four percent of defendants were male, with the largest percentages among those charged with rape (100%), murder (96%), a weapons offense (95%), or a driving-related offense (95%). Women accounted for about a fourth of the defendants charged with a property offense other than burglary.

Blacks comprised about two-thirds of the defendants charged with robbery or a weapons offense. Whites accounted for about two-thirds of those charged with a driving-related felony.

About half of defendants were under age 30. Nineteen percent were under age 21, including 32% of those charged with murder, and 38% of those charged with robbery. Four percent of defendants were under age 18, including 15% of robbery defendants and 10% of murder defendants.

### Criminal history

At the time of arrest, more than a third of defendants had an active criminal justice status such as probation (16%), release pending disposition of a prior case (13%), or parole (6%). Robbery defendants (43%) were the most likely to have a criminal justice status.

Nearly three-fourths of all defendants had been arrested previously (72%), with 43% having at least five prior arrest charges. Sixty percent of defendants had a felony arrest record.

An estimated 40% of defendants had at least one prior conviction for a felony. Eighteen percent had a prior conviction for a violent felony, including about a fourth of murder, weapons, and robbery defendants.

### Pretrial release and detention

Thirty-seven percent of all defendants were detained until the court disposed of their case, including 6% who were denied bail. A majority of defendants charged with murder (84%), robbery (61%), or burglary (53%) were detained. Sixty-one percent of murder defendants were denied bail.

Fifty-three percent of the defendants with an active criminal justice status were detained until case disposition, compared to 27% of those without such a status. Defendants on parole (73%) were the most likely to be detained, followed by those on probation (58%).

Released defendants were most likely to be released on personal recognizance (38% of all releases). The next most common type of pretrial release was surety bond (28%), followed by deposit bond (11%) and conditional release (9%).

Nearly a third (31%) of released defendants committed one or more types of pretrial misconduct while in a release status. Twenty-two percent failed to appear in court as scheduled, and 16% were rearrested for a new offense.

### Adjudication

About a fourth of all defendants had their case adjudicated within 1 month of arrest, and about half within 3 months. At the end of the 1-year study period, 86% of all cases had been adjudicated.

Seventy percent of the cases adjudicated within 1 year resulted in a conviction. Conviction rates were highest for defendants charged with a driving-related offense (80%) or drug trafficking (78%) and lowest for defendants charged with assault (53%).

Fifty-five percent of all defendants were convicted of a felony, and 15% of a misdemeanor. Felony conviction rates were highest for defendants originally charged with drug trafficking (68%), murder (62%), burglary (62%), a driving-related offense (61%), or a weapons offense (59%). Assault defendants (33%) had the lowest felony conviction rate.

Ninety-four percent of convictions occurring during the 1-year study period were obtained through a guilty plea. Nearly 4 in 5 guilty pleas were to a felony. About half of murder convictions resulted from guilty pleas and about half from trial verdicts. Overall, 77% of trials resulted in a guilty verdict, including 86% of murder trials.

### Sentencing

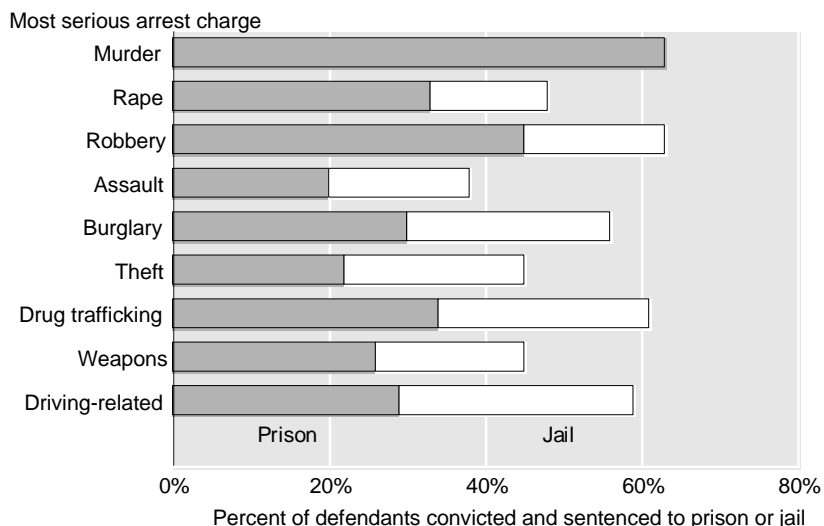
A majority (66%) of convicted defendants were sentenced within 1 day of adjudication. About two-thirds of all sentences were either to prison (30%) or jail (37%). Two-thirds of all jail sentences included a probation term. Nearly all convicted defendants who did not receive an incarceration sentence were placed on probation.

Thirty-five percent of the defendants convicted of a felony were sentenced to prison, including all of those convicted of murder. A majority of robbery (71%) and rape (56%) convictions resulted in prison sentences.

More than half of those with multiple prior felony convictions (58%) were sentenced to prison following a felony conviction in the current case, compared to about a fifth of those with no prior felony convictions (21%).

Excluding life sentences, the mean prison sentence imposed on defendants convicted of a violent felony was 8 years, and the median was 5 years. For those convicted of a nonviolent offense, the mean was 4 years and the median was 3 years. Murder (30 years) and rape (8 years) convictions carried the longest median prison sentences. About a fourth of convicted murderers received a life sentence.

**Probability of being convicted and sentenced to incarceration for felony defendants in the 75 largest counties, 1996**



Since 1988, the Bureau of Justice Statistics (BJS) has sponsored a biennial data collection on the processing of felony defendants in the State courts of the Nation's 75 most populous counties. Previously known as the National Pretrial Reporting Program, this data collection series was renamed the State Court Processing Statistics (SCPS) program to better reflect the wide range of data elements collected.

The SCPS program collects data on the demographic characteristics, criminal history, pretrial processing, adjudication, and sentencing of felony defendants. The SCPS data do not include Federal defendants. The reader should refer to the annual BJS *Compendium of Federal Justice Statistics* for information on the processing of Federal defendants.

The 1996 SCPS collected data for 15,474 felony cases filed during May 1996 in 40 large counties. These cases, which were tracked for up to 1 year, were part of a 2-stage sample that was representative of the estimated 54,579 felony cases filed in the Nation's 75 most populous counties during that month.

In 1996, the 75 largest counties accounted for 37% of the U.S. population. According to the FBI's Uniform Crime Reports program for 1996, these jurisdictions accounted for 50% of all reported serious violent crimes in the United States, including 63% of all robberies. They accounted for 40% of all reported serious property crimes.

According to the BJS National Judicial Reporting Program, 43% of all felony convictions in 1996 occurred in the 75 largest counties. For national estimates pertaining to felony convictions, see the BJS report *Felony Sentences in State Courts, 1996*.

## Arrest charges

About a fourth of the defendants charged with a felony in the 75 largest counties during May 1996 had been arrested for a violent offense (24.7%) (table 1). Nearly half of those charged with a violent felony, 11.4% of defendants overall, faced charges for assault, and almost a third, 7.1% of defendants overall, were charged with robbery. Murder defendants comprised about 3% of the defendants charged with a violent felony, and about 1% of all felony defendants. Rape defendants represented nearly 6% of the defendants charged with a violent felony, 1.5% of all felony defendants (See *Methodology* for the specific crimes included in each offense category.)

For more than a third of all defendants, the most serious arrest charge was a drug offense (36.8%). About half of drug defendants were charged with drug trafficking. Overall, defendants were more likely to be charged with drug trafficking (18.5%) or other drug offenses (18.2%) than any other type of offense (figure 1).

**Table 1. Felony defendants, by most serious arrest charge, 1996**

Most serious arrest charge	Felony defendants in the 75 largest counties	
	Number	Percent
All offenses	54,335	100.0%
<b>Violent offenses</b>	<b>13,434</b>	<b>24.7%</b>
Murder	465	0.9
Rape	788	1.5
Robbery	3,880	7.1
Assault	6,184	11.4
Other violent	2,117	3.9
<b>Property offenses</b>	<b>16,710</b>	<b>30.8%</b>
Burglary	4,407	8.1
Theft	6,706	12.3
Other property	5,597	10.3
<b>Drug offenses</b>	<b>19,986</b>	<b>36.8%</b>
Trafficking	10,075	18.5
Other drug	9,912	18.2
<b>Public-order offenses</b>	<b>4,205</b>	<b>7.7%</b>
Weapons	1,524	2.8
Driving-related	1,484	2.7
Other public-order	1,197	2.2

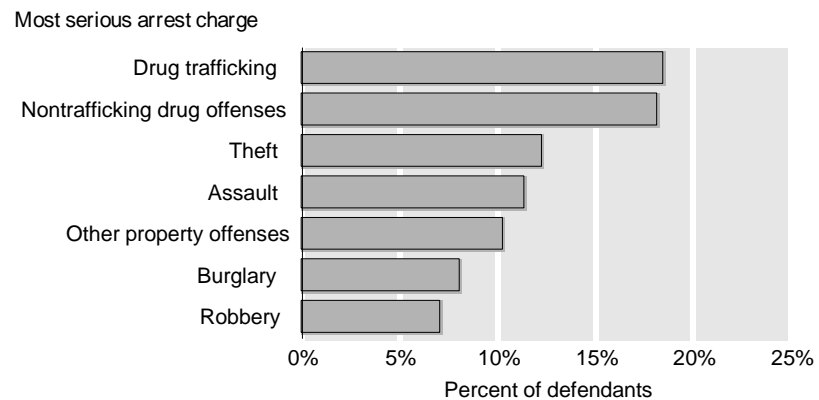
Note: Data for the specific arrest charge were available for 99.6% of all cases. Detail may not add to total because of rounding.

Nearly a third of all felony defendants were charged with a property offense (30.8%). About 2 in 5 property defendants, 12.3% of defendants overall, were charged with theft, and just over a fourth, 8.1% overall, were charged with burglary.

Defendants charged with a public-order offense comprised 7.7% of all defendants. About two-thirds of public-order defendants faced a weapons or driving-related charge.

The percentage of felony defendants in the 75 largest counties that faced a drug-related charge increased from 1994 to 1996 as it did from 1992 to 1994. The proportion charged with a violent or public-order felony was about the same in 1996 as in 1990, 1992, or 1994. The percentage of defendants charged with a property offense in 1996 was similar to that for 1994, but less than in 1992 (figure 2).

**The most frequently charged offenses of felony defendants in the 75 largest counties, 1996**



See *Methodology* for specific crimes included in each offense category.

Figure 1

**Most serious arrest charge of felony defendants in the 75 largest counties, 1988, 1990, 1992, 1994, and 1996**

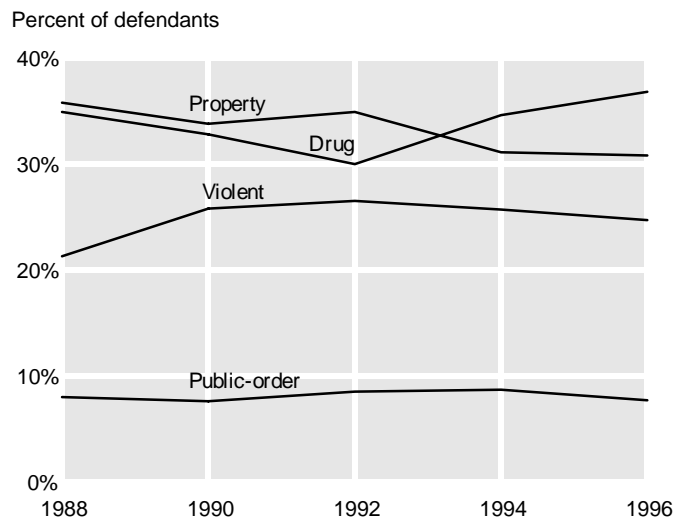


Figure 2

Slightly more than half of all felony defendants (54%) faced at least one additional charge and 39% were charged with at least one additional felony (table 2). Nearly two-thirds of defendants whose most serious arrest charge was drug trafficking (65%), rape (64%), or robbery (63%) were charged with one or more additional offenses.

Defendants whose most serious arrest charge was drug trafficking (57%) or rape (56%) were the most likely to face at least 1 additional felony charge. Just over half of murder (53%) or robbery (52%) defendants also faced 1 or more additional felony charges. About a fourth of the defendants charged with a public-order offense (26%), or with a drug offense other than trafficking (23%) faced multiple felony charges.

**Table 2. Level of second most serious charge of felony defendants, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties				
		Total	No other charges	Most serious additional charge		
				Total	Felony	Misde-meanor
All offenses	54,323	100%	46%	54%	39%	16%
Violent offenses	13,430	100%	41%	59%	43%	16%
Murder	465	100	46	54	53	1
Rape	788	100	36	64	56	9
Robbery	3,876	100	37	63	52	11
Assault	6,184	100	41	59	38	21
Other violent	2,117	100	45	55	35	20
Property offenses	16,702	100%	50%	50%	37%	13%
Burglary	4,407	100	39	61	46	14
Theft	6,702	100	55	45	35	10
Other property	5,593	100	53	47	32	14
Drug offenses	19,986	100%	44%	56%	40%	16%
Trafficking	10,075	100	35	65	57	8
Other drug	9,912	100	54	46	23	23
Public-order offenses	4,205	100%	48%	52%	26%	26%
Weapons	1,524	100	47	53	29	24
Driving-related	1,484	100	44	56	29	27
Other public-order	1,197	100	56	44	18	26

Note: Data for the most serious arrest charge and the next most serious arrest charge were available for 99.5% of all cases. Detail may not add to total because of rounding.



## Demographic characteristics

Overall, 84% of felony defendants in the 75 largest counties were male (table 3). Men comprised the largest percentages among defendants charged with rape (100%), murder (96%), weapons (95%), driving-related offenses (95%), robbery (93%), or burglary (91%). Women accounted for 16% of defendants, including about a fourth of the defendants charged with property offenses other than burglary.

Without consideration of Hispanic origin, which was reported poorly in some jurisdictions (see *Methodology*), 58% of defendants were black, 40% were white, and 2% other races. Blacks comprised the largest percentages among defendants charged with robbery (69%), weapons offenses (64%), murder (63%), drug trafficking (63%), and assault (61%). Whites accounted for two-thirds of the defendants facing driving-related charges (figure 3).

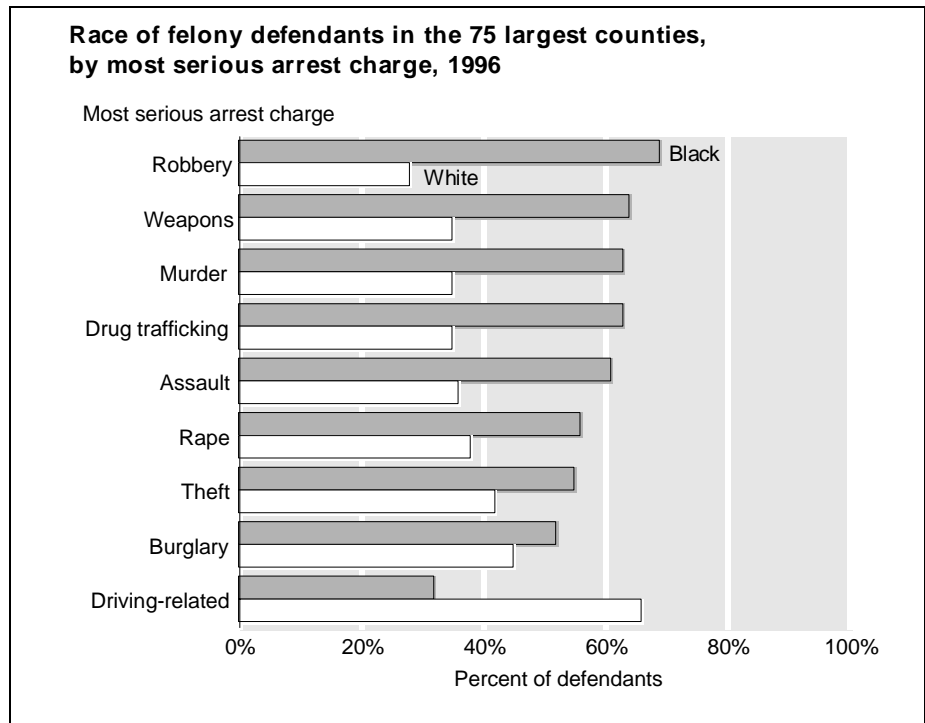


Figure 3

**Table 3. Gender and race of felony defendants, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties			Number of defendants	Percent of felony defendants in the 75 largest counties			
		Total	Male	Female		Total	Black	White	Other
All offenses	54,296	100%	84%	16%	48,728	100%	58%	40%	2%
Violent offenses	13,427	100%	88%	12%	12,116	100%	61%	36%	3%
Murder	462	100	96	4	379	100	63	35	2
Rape	788	100	100	0	737	100	56	38	7
Robbery	3,880	100	93	7	3,426	100	69	28	3
Assault	6,184	100	82	18	5,673	100	61	36	3
Other violent	2,114	100	87	13	1,901	100	47	49	4
Property offenses	16,694	100%	79%	21%	15,215	100%	54%	43%	3%
Burglary	4,404	100	91	9	3,948	100	52	45	3
Theft	6,696	100	78	22	6,140	100	55	42	3
Other property	5,594	100	71	29	5,127	100	55	43	2
Drug offenses	19,969	100%	84%	16%	17,624	100%	61%	37%	1%
Trafficking	10,063	100	85	15	8,956	100	63	35	2
Other drug	9,906	100	82	18	8,668	100	59	40	1
Public-order offenses	4,205	100%	91%	9%	3,773	100%	47%	51%	2%
Weapons	1,524	100	95	5	1,375	100	64	35	1
Driving-related	1,484	100	95	5	1,294	100	32	66	2
Other public-order	1,197	100	81	19	1,103	100	44	54	2

Note: Data on gender of defendants were available for 99.9% of all cases and data on race of defendants were available for 90% of all cases. Without consideration of Hispanic origin, Bureau of the Census data for 1996 indicate that the racial distribution of the population of the 75 largest counties was 75% white, 17% black, and 7% other races. Detail may not add to total because of rounding.

About a fourth of defendants were Hispanic (24%), including nearly a third of those charged with a driving-related offense (32%) or drug trafficking (30%) (table 4). Non-Hispanic whites also comprised about a fourth of defendants (23%), including two-fifths of those charged with a driving-related offense. Non-Hispanic blacks accounted for half of all defendants, including a majority of those charged with robbery (60%), drug trafficking (54%), or weapons offenses (54%).

The average age of defendants at the time of arrest was 31 years (table 5). By specific offense, the average age ranged from 27 years for robbery defendants to 34 for those charged with a driving-related offense.

Within each of the four major offense categories (violent, property, drug, and public-order), about half of the defendants were under age 30. Eighteen percent of defendants were age 40 or older, including 27% of those charged with a driving-related offense. Four percent of defendants were under age 18, including 15% of robbery and 10% of murder defendants.

**Table 4. Race and Hispanic origin of felony defendants, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties				
		Total	Black non-Hispanic	White non-Hispanic	Other non-Hispanic	Hispanic, any race
All offenses	42,654	100%	50%	23%	3%	24%
<b>Violent offenses</b>	10,702	100%	52%	21%	4%	23%
Murder	320	100	51	19	2	28
Rape	598	100	51	19	8	22
Robbery	3,147	100	60	14	3	23
Assault	4,878	100	53	20	3	24
Other violent	1,759	100	39	37	4	20
<b>Property offenses</b>	12,429	100%	48%	28%	3%	20%
Burglary	3,344	100	45	27	4	24
Theft	4,947	100	49	27	4	19
Other property	4,138	100	49	30	3	18
<b>Drug offenses</b>	16,250	100%	53%	20%	2%	26%
Trafficking	8,193	100	54	14	2	30
Other drug	8,058	100	51	25	1	22
<b>Public-order offenses</b>	3,273	100%	38%	30%	2%	30%
Weapons	1,122	100	54	19	1	25
Driving-related	1,197	100	24	42	2	32
Other public-order	953	100	36	29	3	33

Note: Data on both race and Hispanic origin of defendants were available for 79% of all cases. According to the Bureau of the Census data for 1996, the overall percentage of the population of the 75 largest counties was 61% white non-Hispanic, 15% black non-Hispanic, 7% other race non-Hispanic, and 17% Hispanics of any race. Detail may not add to total because of rounding.

**Table 5. Age at arrest of felony defendants, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties								Average age at arrest
		Total	Under 18	18-20	21-24	25-29	30-34	35-39	40 or older	
All offenses	54,287	100%	4%	15%	15%	18%	17%	13%	18%	31 yrs.
<b>Violent offenses</b>	13,421	100%	7%	16%	15%	17%	16%	11%	17%	31 yrs.
Murder	465	100	10	22	20	14	12	8	14	33
Rape	788	100	7	11	17	19	19	8	19	31
Robbery	3,875	100	15	23	16	16	13	8	10	27
Assault	6,181	100	4	14	14	17	17	14	20	32
Other violent	2,112	100	4	8	15	16	19	13	25	34
<b>Property offenses</b>	16,696	100%	4%	16%	15%	18%	18%	13%	16%	31 yrs.
Burglary	4,401	100	3	17	14	17	20	13	15	30
Theft	6,704	100	4	18	14	17	17	14	16	30
Other property	5,591	100	4	13	17	20	17	13	17	31
<b>Drug offenses</b>	19,968	100%	3%	15%	16%	17%	17%	15%	18%	31 yrs.
Trafficking	10,075	100	3	17	17	17	15	14	17	31
Other drug	9,893	100	3	12	14	17	18	16	19	32
<b>Public-order offenses</b>	4,203	100%	2%	11%	14%	20%	17%	14%	22%	32 yrs.
Weapons	1,524	100	4	19	20	21	14	9	15	29
Driving-related	1,481	100	0	4	9	20	23	16	27	34
Other public-order	1,197	100	1	8	14	20	15	17	24	34

Note: Data on age of defendants were available for 99.5% of all cases. Detail may not add to total because of rounding.

About half of robbery (53%) and murder (52%) defendants were under age 25, compared to a third of defendants overall (figure 4). Defendants charged with assault (32%) or driving-related offenses (14%) were the least likely to be under age 25.

Robbery defendants (38%) were twice as likely as defendants overall (19%) to be under age 21. Murder defendants (32%) were also much more likely to be under age 21 than other defendants. Defendants charged with a driving-related offense (5%) were the least likely to be this young.

Males formed a higher percentage of defendants under age 18 (93%) than of other age groups (table 6). More than two-thirds of the defendants under age 18 were black, compared to three-fifths or less in other age groups.

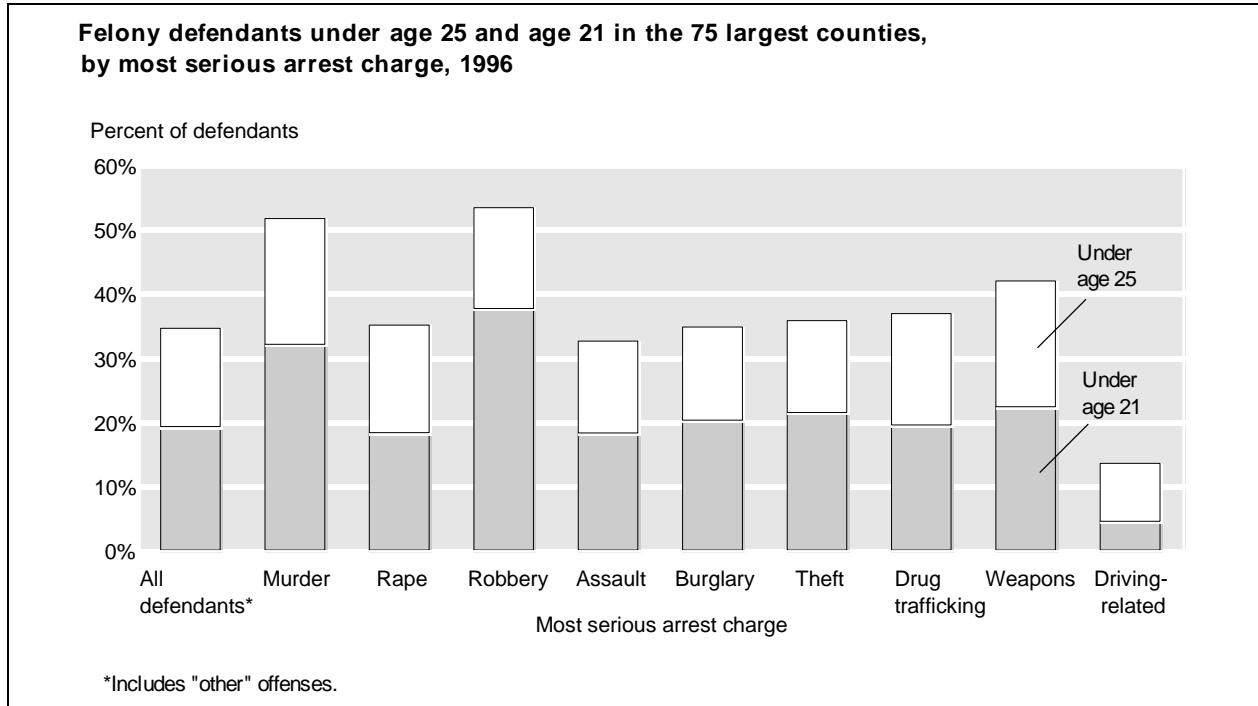


Figure 4

**Table 6. Gender and race of felony defendants, by age at arrest, 1996**

Age at arrest	Number of defendants	Percent of felony defendants in the 75 largest counties			Number of defendants	Percent of felony defendants in the 75 largest counties			
		Total	Male	Female		Total	Black	White	Other
All ages	54,248	100%	84%	16%	48,683	100%	58%	40%	2%
Under 18	2,250	100%	93%	7%	2,163	100%	71%	28%	1%
18-20	8,146	100	90	10	7,297	100	60	37	3
21-24	8,316	100	86	14	7,370	100	60	37	3
25-29	9,496	100	81	19	8,474	100	57	41	2
30-34	9,209	100	79	21	8,340	100	56	41	3
35-39	7,291	100	81	19	6,638	100	58	41	2
40 or older	9,540	100	85	15	8,400	100	53	45	2

Note: Data on defendant age and gender were available for 99.8% of all cases. Data on defendant age and race were available for 90% of all cases. Detail may not add to total because of rounding.

Black males comprised the largest proportion of defendants in each age group (figure 5). This effect was most pronounced in the under 18 age category where black males (67%) accounted for more than twice the percentage accounted for by white males (26%). It was least pronounced in the over 40 age category, where black males (45%) accounted for a proportion of defendants much closer to that accounted for by white males (37%).

Black females comprised a slightly higher percentage than white females in most of the age categories, but for no more than 13% of the defendants in any single age category.

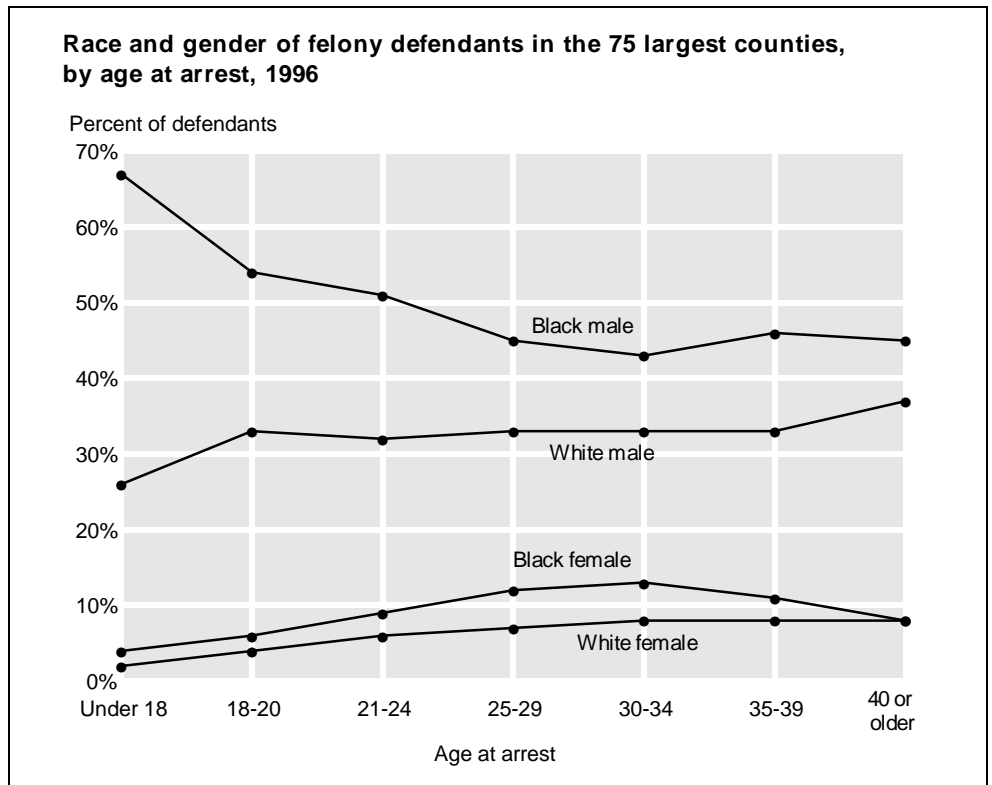


Figure 5

## Criminal history

### Criminal justice status at time of arrest

Thirty-six percent of felony defendants had an active criminal justice status at the time of their arrest on the current felony charge (table 7). Among defendants charged with a violent offense, a third had a criminal justice status, ranging from more than two-fifths of robbery defendants (43%) to about a fourth of assault defendants (26%).

Thirty-five percent of property defendants had a criminal justice status, including 41% of burglary defendants. Among drug defendants, 38% had a criminal justice status overall. Those charged with drug trafficking (40%) were slightly more likely to have a criminal justice status than those charged with other drug offenses (36%).

Thirty-nine percent of public-order defendants had an active criminal justice status at the time of the current arrest. This included 36% of those charged with a weapons offense, 40% of those charged with a driving-related offense, and 41% of those charged with other public-order offenses.

About 1 in 11 defendants with a criminal justice status had more than one type of status. When just the most serious criminal justice status is considered, 16% of defendants were on probation, 13% had been released pending disposition of a previous case, and 6% were on parole at the time of the current arrest. Allowing for defendants with multiple criminal justice statuses, 16% were on probation, 14% had been released on a prior case, and 6% were on parole.

**Table 7. Criminal justice status of felony defendants at time of arrest, by most serious arrest charge, 1996**

Most serious current arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties with an active criminal justice status at the time of arrest					
		Total	Probation	Pretrial release	Parole	In custody	Other
All offenses	48,057	36%	16%	13%	6%	1%	--
<b>Violent offenses</b>	11,830	33%	14%	12%	5%	1%	1%
Murder	379	37	9	18	7	3	0
Rape	697	30	14	8	5	2	0
Robbery	3,424	43	17	16	9	1	--
Assault	5,514	26	12	9	4	2	0
Other violent	1,816	33	18	11	3	1	0
<b>Property offenses</b>	14,888	35%	16%	12%	6%	1%	--
Burglary	3,969	41	21	11	8	2	--
Theft	5,966	38	17	13	6	1	--
Other property	4,953	27	11	12	4	1	--
<b>Drug offenses</b>	17,789	38%	16%	14%	7%	--	--
Trafficking	8,823	40	14	18	7	--	--
Other drug	8,966	36	18	10	7	--	--
<b>Public-order offenses</b>	3,550	39%	17%	13%	5%	3%	--
Weapons	1,332	36	15	12	9	1	--
Driving-related	1,202	40	22	14	4	--	1
Other public-order	1,016	41	14	14	3	10	0

Note: Data on criminal justice status at time of arrest were available for 88% of all cases. Nine percent of defendants with a criminal justice status had more than 1 type of status. For those cases, the status indicated is the most serious. Detail may not add to total because of rounding.  
--Less than 0.5%.

Defendants charged with robbery (8%) or a weapons offense (8%) were more than twice as likely as those charged with a driving-related offense (3%) or assault (3%) to have been on parole at the time of their arrest on the current charges (figure 6). Five percent of murder and rape defendants were parolees at the time of arrest.

Defendants charged with a driving-related offense (19%) or burglary (19%) were more likely than other defendants to have been on probation at the time of arrest. Those charged with murder (8%) were the least likely to have been on probation.

Defendants charged with drug trafficking (19%), robbery (18%), or murder (17%) were the most likely to have been on release pending disposition of a prior case when they were arrested on the current felony charge. These defendants were nearly twice as likely as those charged with assault (10%) or rape (10%) to have had such a status at the time of the current arrest.

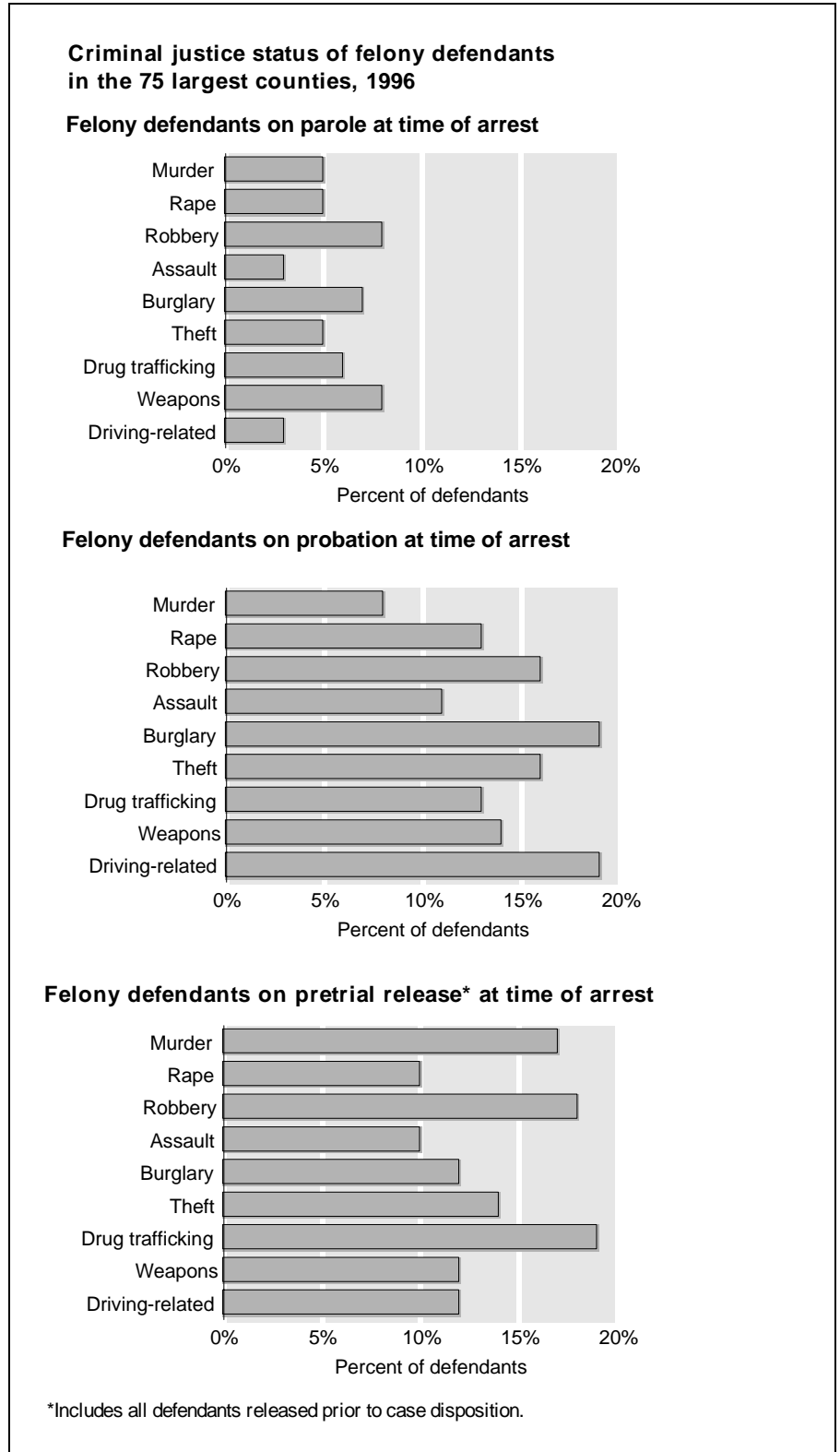


Figure 6

## Prior arrests

Nearly three-fourths of all defendants had at least one prior felony or misdemeanor arrest (table 8). By general offense category, the percentage of defendants with a prior arrest ranged from 67% of those currently charged with a violent offense to 77% of those charged with a drug offense.

Among defendants charged with a violent offense, those charged with robbery (72%) or murder (71%) were the most likely to have a prior arrest record, and those charged with rape (55%) the least likely.

Among property defendants, 79% of those charged with burglary had been arrested previously, compared to 72% of theft defendants, and 61% of those charged with other property offenses.

Among public-order defendants, about four-fifths of those charged with a driving-related felony (79%) had an arrest record. About three-fourths of weapons defendants (73%) had been arrested previously as had about two-thirds of those charged with other public-order offenses (68%).

Among defendants with an arrest record, nearly all had been arrested more than once, and a majority had at least 5 prior arrest charges. Overall, 63% of defendants had two or more prior arrest charges, and 43% had five or more. Defendants charged with burglary (52%) were the most likely to have five or more prior arrest charges.

Twenty-six percent of all defendants had 10 or more prior arrest charges. This included 34% of burglary defendants, 29% of robbery and theft defendants, and 28% of defendants charged with drug trafficking.

**Table 8. Number of prior arrest charges of felony defendants, by most serious current arrest charge, 1996**

Most serious current arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties						
		Total	Without prior arrest	With prior arrest				
				Total	Number of prior arrest charges			
					1	2-4	5-9	10 or more
All offenses	50,678	100%	28%	72%	10%	20%	17%	26%
Violent offenses	12,484	100%	33%	67%	9%	18%	15%	24%
Murder	385	100	29	71	10	23	15	23
Rape	721	100	45	55	9	19	10	18
Robbery	3,586	100	28	72	8	18	17	29
Assault	5,816	100	36	64	9	18	16	22
Other violent	1,977	100	31	69	13	18	14	24
Property offenses	15,758	100%	30%	70%	10%	18%	16%	26%
Burglary	4,201	100	21	79	8	18	18	34
Theft	6,340	100	28	72	10	18	16	29
Other property	5,217	100	39	61	11	19	15	16
Drug offenses	18,736	100%	23%	77%	10%	21%	20%	27%
Trafficking	9,411	100	24	76	9	21	19	28
Other drug	9,325	100	22	78	10	21	21	26
Public-order offenses	3,699	100%	27%	73%	9%	22%	18%	25%
Weapons	1,386	100	27	73	11	22	17	24
Driving-related	1,204	100	21	79	7	26	21	26
Other public-order	1,109	100	32	68	11	17	15	24

Note: Data on prior arrests were available for 93% of all cases. Detail may not add to total because of rounding.

About two-thirds of the defendants under the age of 18 had no previous arrests (figure 7). This proportion dropped to 2 in 5 among defendants age 18 to 20, about a fourth among those in the 21-to-24 age group, and about a fifth among those age 25 to 49. About a third of those age 50 or older had no arrest record.

About a fifth of the defendants age 18 to 20 had 5 or more prior arrests. This proportion rose to more than a third of defendants in the 21-to-24 age range, and about half in the 25-to-49 age range. In the latter age range, defendants were more than twice as likely to have five or more prior arrests as no prior arrests.

Among defendants with an arrest record, about 5 in 6 had been arrested at least once for a felony (table 9). Overall, three-fifths of defendants had a felony arrest record (60%). Nearly half had multiple prior felony arrest charges (47%), including 25% with five or more.

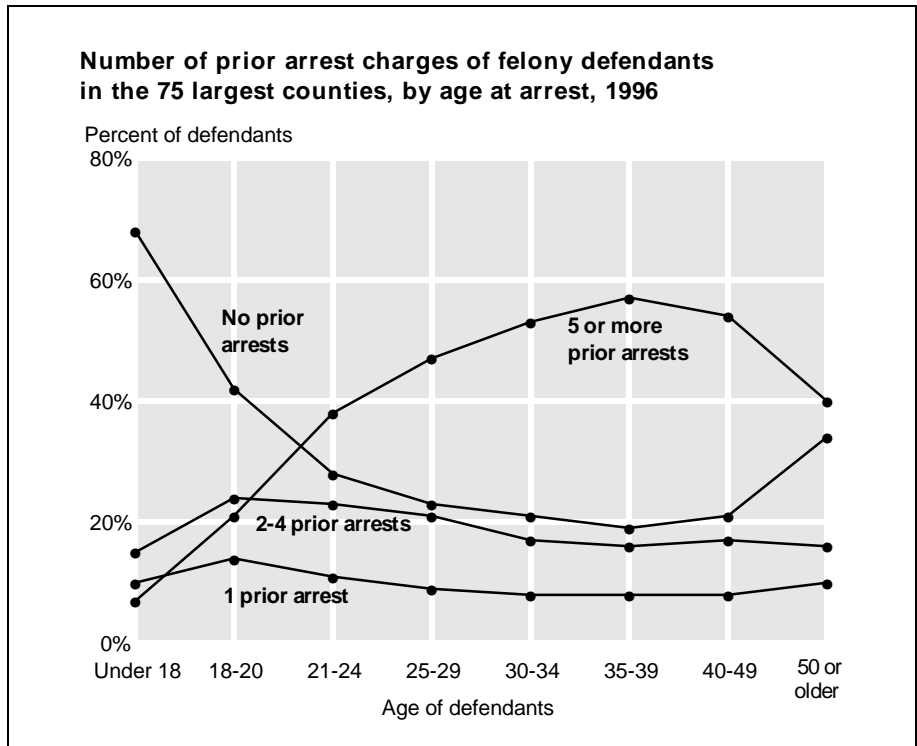


Figure 7

**Table 9. Number of prior felony arrest charges of felony defendants, by most serious current arrest charge, 1996**

Most serious current arrest charge	Number of defendants	Total	Percent of felony defendants in the 75 largest counties							
			Without prior felony arrest			With prior felony arrest				
			Total	Non-felony arrests	No prior arrests	Total	Number of prior felony charges			
					1	2-4	5-9	10 or more		
All offenses	50,933	100%	40%	12%	28%	60%	13%	22%	14%	11%
Violent offenses	12,546	100%	46%	13%	33%	54%	12%	19%	13%	10%
Murder	385	100	42	12	29	58	14	24	10	11
Rape	723	100	58	14	45	42	9	19	10	5
Robbery	3,609	100	38	10	28	62	11	22	17	12
Assault	5,848	100	48	12	36	52	13	18	12	9
Other violent	1,980	100	49	18	31	51	13	17	13	8
Property offenses	15,806	100%	42%	12%	30%	58%	13%	20%	13%	12%
Burglary	4,201	100	32	11	21	68	13	20	18	17
Theft	6,366	100	40	12	28	60	13	20	14	13
Other property	5,240	100	52	13	39	48	12	19	9	7
Drug offenses	18,845	100%	35%	12%	23%	65%	13%	25%	16%	11%
Trafficking	9,451	100	35	11	24	65	12	25	17	12
Other drug	9,394	100	35	13	22	65	15	24	15	10
Public-order offenses	3,736	100%	41%	15%	26%	59%	13%	24%	12%	9%
Weapons	1,397	100	38	11	27	62	15	23	16	9
Driving-related	1,220	100	41	21	21	59	15	27	10	7
Other public-order	1,119	100	46	14	32	54	10	23	8	13

Note: Data on prior felony arrests were available for 94% of all cases. Detail may not add to total because of rounding.



Just over half of the defendants facing a current charge for a violent felony had been previously arrested for a felony, including 62% of robbery defendants and 58% of murder defendants. Twenty-nine percent of robbery defendants had 5 or more prior felony arrest charges, including 12% with 10 or more.

Nearly three-fifths of property defendants (58%) had one or more prior felony arrests. Those charged with burglary (68%) were the most likely to have a felony arrest record. About a third of burglary defendants had at least 5 prior felony arrest charges, and a sixth had 10 or more.

About two-thirds of drug defendants (65%) had at least 1 prior felony arrest. About a fourth had five or more prior felony arrest charges, including 29% of those whose most serious current charge was drug trafficking.

About three-fifths of public-order defendants also had been previously arrested for a felony, and a fifth had five or more prior felony charges. A fourth of weapons defendants had at least five prior felony charges.

### Prior convictions

Fifty-nine percent of felony defendants in the 75 largest counties were known to have at least one prior conviction for a misdemeanor or a felony (table 10). About three-fourths of those with a conviction record, accounting for 44% of defendants overall, had more than one prior conviction. Twenty-two percent of all defendants had five or more prior convictions.

Among defendants charged with a violent offense, more than half (54%) had at least one prior conviction, with robbery defendants (58%) the most likely to have a conviction record, and rape defendants (46%) the least likely.

Forty-five percent of robbery defendants had more than one prior conviction, and 23% had at least five.

More than half of property defendants (57%) had been convicted previously, including about two-thirds of burglary defendants (68%). A majority of burglary defendants (57%) had multiple prior convictions, including 31% with five or more.

About three-fifths of drug defendants (62%) had at least one prior conviction. Nearly half had two or more prior convictions (47%), and about a fourth had five or more (23%). These percentages did not vary significantly by type of drug offense.

Among public-order defendants, 62% had a conviction record, and 24% had five or more. Sixty-nine percent of defendants facing driving-related charges had at least one prior conviction of some type, and 57% had multiple prior convictions.

**Table 10. Number of prior convictions of felony defendants, by most serious current arrest charge, 1996**

Most serious current arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties						
		Total	Without prior conviction	With prior conviction				
				Total	Number of prior convictions			
					1	2-4	5-9	10 or more
All offenses	50,008	100%	41%	59%	14%	22%	13%	9%
Violent offenses	12,312	100%	46%	54%	13%	21%	12%	8%
Murder	382	100	48	52	17	18	7	9
Rape	704	100	54	46	15	17	9	5
Robbery	3,558	100	42	58	12	22	14	9
Assault	5,737	100	48	52	13	20	12	7
Other violent	1,930	100	44	56	14	20	13	8
Property offenses	15,599	100%	43%	57%	13%	21%	13%	10%
Burglary	4,157	100	32	68	11	26	19	12
Theft	6,266	100	42	58	14	18	14	12
Other property	5,177	100	52	48	14	19	8	6
Drug offenses	18,439	100%	38%	62%	16%	24%	14%	9%
Trafficking	9,320	100	38	62	15	24	12	10
Other drug	9,119	100	37	63	16	24	15	9
Public-order offenses	3,657	100%	38%	62%	15%	24%	15%	9%
Weapons	1,390	100	39	61	18	23	12	6
Driving-related	1,178	100	31	69	12	28	18	11
Other public-order	1,090	100	42	58	13	20	14	10

Note: Data on number of prior convictions were available for 92% of all cases. Detail may not add to total because of rounding.

**Table 11. Number of prior felony convictions of felony defendants, by most serious current arrest charge, 1996**

Most serious current arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties								
		Total	Without prior felony conviction			With prior felony conviction				
			Total	Nonfelony only	No prior convictions	Total	Number of prior felony convictions			
						1	2-4	5-9	10 or more	
All offenses	50,557	100%	60%	19%	41%	40%	16%	18%	4%	2%
Violent offenses	12,468	100%	65%	19%	46%	35%	14%	15%	4%	2%
Murder	389	100	64	16	48	36	15	14	3	4
Rape	714	100	71	18	54	29	14	13	2	--
Robbery	3,598	100	60	18	42	40	15	19	4	2
Assault	5,802	100	66	18	48	34	14	15	3	2
Other violent	1,965	100	69	24	44	31	12	12	4	2
Property offenses	15,716	100%	60%	17%	43%	40%	15%	17%	6%	2%
Burglary	4,183	100	51	19	32	49	17	22	8	2
Theft	6,315	100	58	16	42	42	15	18	7	2
Other property	5,218	100	70	18	52	30	13	12	3	2
Drug offenses	18,651	100%	57%	19%	38%	43%	17%	20%	4%	2%
Trafficking	9,396	100	57	19	38	43	17	19	4	2
Other drug	9,255	100	56	19	37	44	17	20	4	2
Public-order offenses	3,722	100%	58%	21%	38%	42%	18%	18%	3%	2%
Weapons	1,401	100	54	14	39	46	21	20	3	3
Driving-related	1,215	100	62	31	31	38	16	18	1	3
Other public-order	1,106	100	60	18	42	40	17	16	5	2

Note: Data on number of prior felony convictions were available for 93% of all cases. Detail may not add to total because of rounding. --Less than 0.5%.

About two-thirds of the defendants with a conviction record, 40% of defendants overall, had at least one prior conviction for a felony (table 11).

About a third of defendants whose current charge was for a violent felony (35%) had previously been convicted of a felony. Among these defendants, the percentage with a prior felony conviction ranged from 40% among those charged with robbery to 29% of those charged with rape.

About two-fifths of defendants whose most serious current arrest charge was for a drug (43%), public-order (42%), or property (40%) offense had been previously convicted of a felony.

Among property defendants, those charged with burglary (49%) were the most likely to have a felony conviction record. Among public-order defendants, those facing weapons charges (46%) were the most likely to have a prior felony conviction.

A majority of the defendants with a felony conviction record, 24% of defendants overall, had multiple prior felony convictions. Six percent of all defendants had five or more prior felony convictions.

By specific offense, burglary (32%) and theft (27%) defendants were the most likely to have multiple prior felony convictions, while defendants charged with assault (20%) or rape (15%) were the least likely.

Eighty-five percent of defendants under age 18 at the time of the current arrest had no prior adult convictions (figure 8). Eleven percent had been previously convicted of at least one felony, while 4% had a prior conviction for at least one misdemeanor but no felonies. In the 18-to-20 age range, 59% of defendants had no prior convictions, while 26% had at least one prior felony conviction.

A majority of the defendants age 21 or older had a conviction record, and defendants 25 or older were more likely to have a felony conviction record than no prior convictions at all.

For about a third of the defendants with a prior felony conviction, 13% of defendants overall, their criminal history included at least one conviction for a violent felony (table 12). About a sixth of the defendants currently charged with a violent offense had a prior conviction for a violent felony.

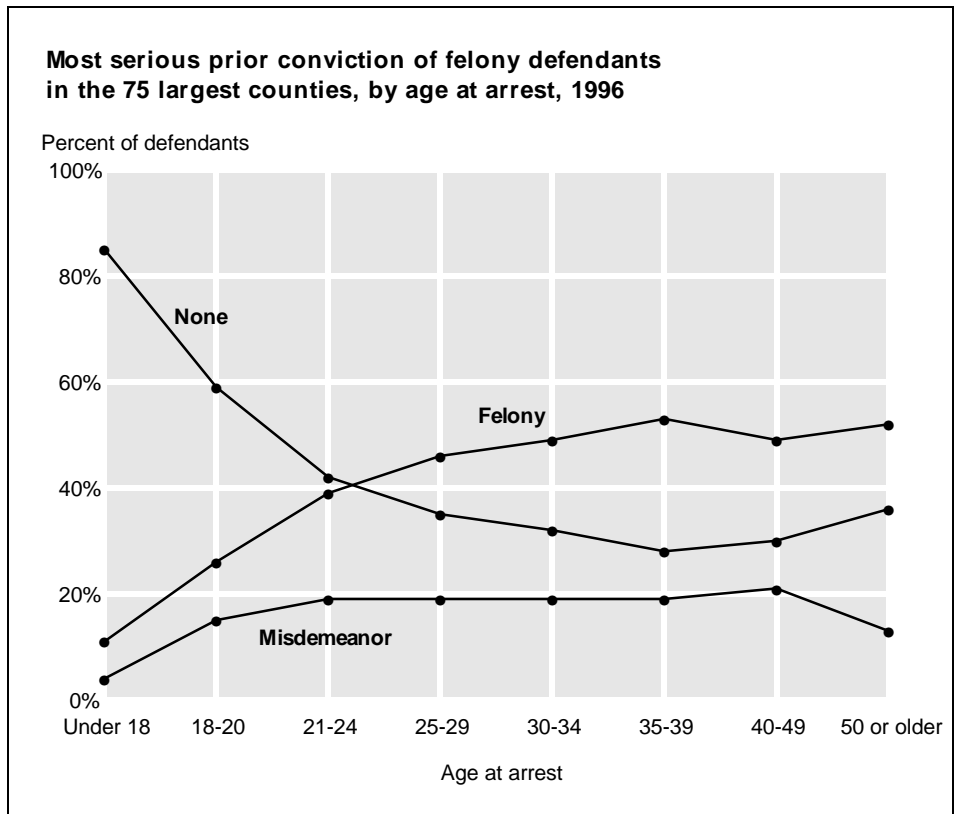


Figure 8

**Table 12. Most serious prior conviction of felony defendants, by most serious current arrest charge, 1996**

Most serious current arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties						
		Total	Without prior conviction	Most serious prior conviction				Misdemeanor
				Total	Felony			
				Total	Violent	Nonviolent		
All offenses	50,442	100%	41%	59%	40%	13%	28%	19%
Violent offenses	12,419	100%	46%	54%	35%	16%	20%	19%
Murder	385	100	48	52	36	17	19	16
Rape	710	100	54	46	29	14	16	17
Robbery	3,599	100	42	58	40	18	23	18
Assault	5,780	100	48	52	34	16	19	18
Other violent	1,944	100	44	56	31	14	18	24
Property offenses	15,720	100%	43%	57%	40%	11%	29%	18%
Burglary	4,181	100	32	68	49	15	34	19
Theft	6,324	100	42	58	42	12	30	17
Other property	5,215	100	52	48	30	7	23	18
Drug offenses	18,583	100%	38%	62%	43%	11%	32%	19%
Trafficking	9,390	100	38	62	43	11	32	19
Other drug	9,193	100	37	63	44	12	32	19
Public-order offenses	3,719	100%	38%	62%	42%	15%	27%	21%
Weapons	1,408	100	39	61	46	18	28	15
Driving-related	1,205	100	31	69	39	7	31	30
Other public-order	1,105	100	42	58	40	18	22	18

Note: Data on most serious prior conviction were available for 93% of all cases. Detail may not add to total because of rounding.

By specific arrest charge, the percentage of defendants previously convicted of a violent felony ranged from 29% of murder defendants to 15% of defendants charged with a driving-related offense (figure 9).

The most serious prior conviction was a nonviolent felony for about 1 in 3 defendants charged with burglary (32%). This was also the case for more than a fourth of defendants charged with drug trafficking (29%), theft (28%), or a driving-related offense (28%).

Defendants charged with a driving-related offense (28%) were about twice as likely as other defendants to have a conviction record that consisted only of misdemeanors.

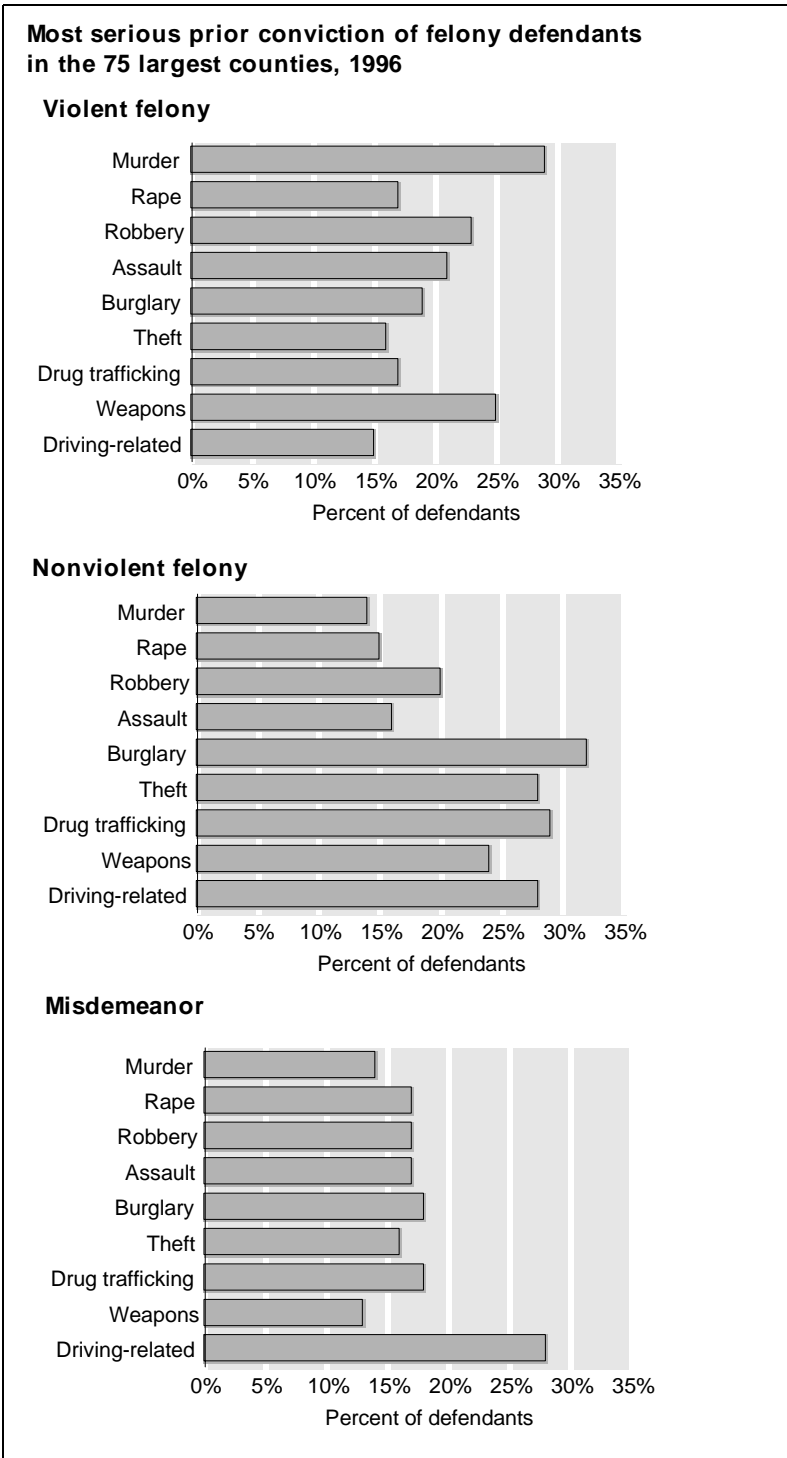


Figure 9

## Pretrial release and detention

### Rates of release and detention

An estimated 63% of felony defendants in the 75 largest counties were released prior to the final disposition of their case (table 13). By general offense category, defendants charged with a violent offense (55%) were less likely to be released than those whose most serious arrest charge was a public-order (71%), drug (66%), or property (65%) offense.

Within the violent offense category, release rates varied greatly. Just 16% of murder defendants were released compared to 66% of those charged with assault. Fifty-one percent of rape defendants and 39% of robbery defendants were released before the court disposed of their case.

Among defendants charged with a property offense, about half of those charged with burglary (47%) were released, compared to two-thirds of theft (66%) defendants and about three-fourths (77%) of those charged with other property offenses.

Among drug defendants, those charged with drug trafficking (62%) were less likely to be released than those charged with other drug offenses (71%). Among public-order defendants, those charged with a driving-related offense (78%) were the most likely to be released.

Among the 37% of defendants who were detained in jail until case disposition, about 5 in 6 had a bail amount set but did not post the money required to secure release. Detained murder defendants were the exception to this rule, as about three-fourths of them, 61% of all murder defendants overall, were ordered held without bail (figure 10). Overall, 6% of felony defendants in the 75 largest counties were denied bail.

**Table 13. Felony defendants released before or detained until case disposition, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Percent of defendants in the 75 largest counties		
		Total	Released before case disposition	Detained until case disposition
All offenses	51,234	100%	63%	37%
<b>Violent offenses</b>	12,589	100%	55%	45%
Murder	412	100	16	84
Rape	750	100	51	49
Robbery	3,686	100	39	61
Assault	5,776	100	66	34
Other violent	1,965	100	63	37
<b>Property offenses</b>	15,592	100%	65%	35%
Burglary	4,154	100	47	53
Theft	6,246	100	66	34
Other property	5,192	100	77	23
<b>Drug offenses</b>	19,050	100%	66%	34%
Trafficking	9,643	100	62	38
Other drug	9,407	100	71	29
<b>Public-order offenses</b>	4,003	100%	71%	29%
Weapons	1,482	100	69	31
Driving-related	1,420	100	78	22
Other public-order	1,101	100	66	34

Note: Data on detention/release outcome were available for 94% of all cases. Detail may not add to total because of rounding.

**Pretrial detention of felony defendants in the 75 largest counties, by most serious arrest charge, 1996**

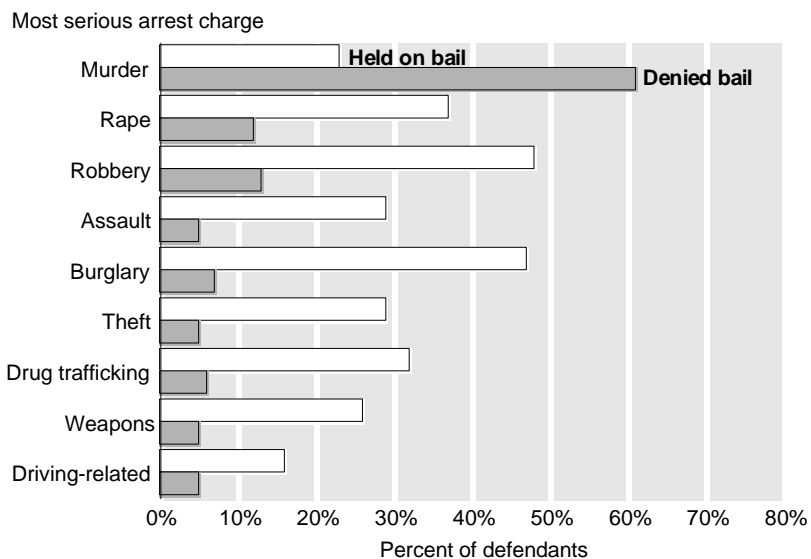


Figure 10

**Table 14. Type of pretrial release or detention of felony defendants, by most serious arrest charge, 1996**

Most serious arrest charge	Percent of felony defendants in the 75 largest counties											Detained until case disposition	
	Released before case disposition						Nonfinancial release						
	Financial release			Nonfinancial release			Total non-financial	Recognizance	Con-conditional	Un-secured	Emergency release	Held on bail	Denied bail
All offenses	29%	18%	7%	2%	2%	34%							
Violent offenses	29%	19%	6%	2%	2%	26%	19%	5%	1%	--	35%	10%	
Murder	16	7	4	0	5	5	0	4	1	0	23	61	
Rape	31	13	9	4	4	22	14	7	1	0	37	12	
Robbery	18	11	4	1	2	25	21	3	1	--	48	13	
Assault	37	25	8	2	2	28	22	5	2	--	29	5	
Other violent	28	20	5	2	2	28	18	9	2	0	33	4	
Property offenses	28%	17%	7%	2%	2%	36%	24%	7%	5%	1%	30%	5%	
Burglary	22	14	5	2	2	24	15	6	3	1	47	6	
Theft	31	20	6	3	2	36	22	10	5	1	29	5	
Other property	28	16	8	2	2	45	34	5	7	1	19	4	
Drug offenses	28%	18%	7%	1%	2%	37%	25%	5%	6%	1%	29%	5%	
Trafficking	30	21	7	1	1	31	23	5	2	1	32	6	
Other drug	26	15	7	2	2	42	27	5	9	1	25	4	
Public-order offenses	31%	18%	9%	3%	1%	40%	29%	6%	5%	--	22%	7%	
Weapons	32	14	13	3	2	32	18	4	10	--	26	5	
Driving-related	30	20	5	3	2	41	31	7	2	0	16	5	
Other public-order	21	14	6	1	--	34	28	5	1	0	23	12	

Note: Data on type of pretrial release or detention were available for 90% of all cases. Detail may not add to total because of rounding. --Less than 0.5%.

A majority of the defendants released prior to case disposition, 34% of defendants overall, were released under nonfinancial conditions that did not require the posting of bail (see *Methodology* for definitions related to pretrial release) (table 14). Release on personal recognizance, granted to 24% of all defendants and 38% of released defendants, was the type of release used most often (figure 11).

Other nonfinancial types of release included conditional release (6% of all defendants and 9% of released defendants), and release on unsecured bond (4% and 7%).

Twenty-nine percent of defendants secured release through financial terms that involved the posting of a financial bond in the form of money or property. The most common type of financial release was surety bond (18% of all defendants and 29% of released defendants), which involves the services of a commercial bail bond

agent. Other types of financial release included deposit bond (7% of all defendants and 11% of released defendants), full cash bond (2% and 3%), and property bond (2% and 3%). These bonds are posted directly with the court without the use of a bail bond agent.

About 1% of defendants were released prior to case disposition as the result of an emergency release used to relieve jail crowding. Such releases did not involve the use of any of the types of release mentioned above.

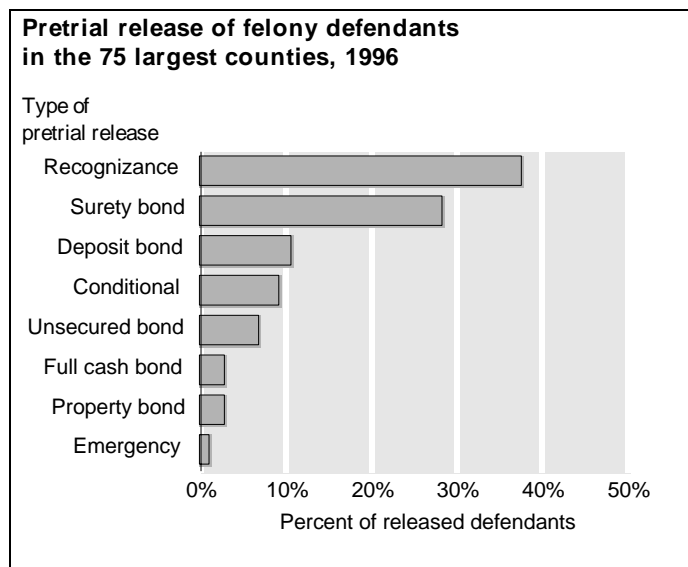


Figure 11

## Bail amounts

About 3 in 5 felony defendants had a bail amount set by the court, and were required to post all or part of that amount to secure release while their case was pending. The remainder were granted nonfinancial release (34%), ordered held without bail (6%), or were part of an emergency release (1%). About half of those with a bail amount had it set at \$10,000 or more, including 25% who had it set at \$25,000 or more (table 15).

Among defendants with a bail amount set, those charged with a violent offense (40%) were about twice as likely as other defendants to have it set at \$25,000 or more. Three-fourths of murder defendants with a bail amount had it set at \$25,000 or more, as did just over half of robbery defendants (57%) and nearly half of rape defendants (47%).

Among property defendants with a bail amount set, those charged with burglary (27%) were about twice as likely to have bail set at \$25,000 or more as other property defendants. Among drug defendants, those charged with drug trafficking (27%) were about twice as likely to have bail set at \$25,000 or more as other drug defendants (13%).

Overall, defendants who were detained until case disposition had a median bail amount 3 times that of defendants who secured release (\$15,000 versus \$5,000) (table 16). The mean bail amount for detained defendants (\$50,000) was more than 5 times that of defendants who secured release (\$9,300).

Detained murder defendants had the highest median (\$100,000) and mean (\$198,400) bail amounts. Overall, the median bail amount for murder defendants was \$50,000 and the mean was \$133,100. Robbery defendants had an overall median bail amount of \$25,000 and an overall mean bail amount of \$75,900.

**Table 15. Bail amount set for felony defendants, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties with a bail amount of:				
		Total	Under \$5,000	\$5,000-\$9,999	\$10,000-\$24,999	\$25,000 or more
All offenses	28,527	100%	30%	19%	26%	25%
Violent offenses	7,613	100%	18%	16%	26%	40%
Murder	126	100	0	6	19	75
Rape	477	100	9	13	32	47
Robbery	2,265	100	12	9	22	57
Assault	3,539	100	24	22	27	27
Other violent	1,205	100	17	15	26	42
Property offenses	8,687	100%	38%	21%	24%	17%
Burglary	2,787	100	24	21	28	27
Theft	3,533	100	43	20	23	14
Other property	2,367	100	48	22	20	10
Drug offenses	10,224	100%	31%	20%	28%	21%
Trafficking	5,623	100	23	19	31	27
Other drug	4,601	100	41	22	24	13
Public-order offenses	2,004	100%	34%	21%	24%	21%
Weapons	850	100	29	22	27	22
Driving-related	656	100	38	20	22	19
Other public-order	498	100	34	22	23	20

Note: Data on bail amount were available for 98% of all defendants for whom a bail amount was set. Table excludes defendants given nonfinancial release. Detail may not add to 100% because of rounding.

**Table 16. Median and mean bail amounts set for felony defendants, by pretrial release/detention outcome and most serious arrest charge, 1996**

Most serious arrest charge	Felony defendants in the 75 largest counties					
	Median bail amount			Mean bail amount		
	Total	Released	Detained	Total	Released	Detained
All offenses	\$10,000	\$5,000	\$15,000	\$31,000	\$9,300	\$50,000
Violent offenses	\$15,000	\$7,500	\$30,000	\$52,400	\$12,400	\$82,100
Murder	50,000	25,000	100,000	133,100	24,200	198,400
Rape	20,000	10,000	35,000	63,500	20,700	93,600
Robbery	25,000	10,000	35,000	75,900	13,500	94,000
Assault	10,000	5,000	20,000	35,500	10,800	64,600
Other violent	20,000	7,500	35,000	45,100	13,000	74,100
Property offenses	\$5,000	\$3,000	\$10,000	\$17,800	\$6,000	\$28,000
Burglary	10,000	5,000	15,000	25,800	7,200	34,100
Theft	5,000	2,500	10,000	15,900	6,100	25,900
Other property	5,000	2,500	7,500	11,000	5,200	19,600
Drug offenses	\$7,500	\$5,000	\$10,000	\$29,400	\$10,300	\$46,700
Trafficking	10,000	7,500	15,000	37,600	14,500	56,700
Other drug	5,000	2,500	10,000	19,400	5,700	33,400
Public-order offenses	\$5,000	\$5,000	\$13,000	\$15,600	\$8,200	\$25,400
Weapons	7,500	5,000	15,000	16,600	8,200	26,700
Driving-related	5,000	5,000	10,000	13,900	7,700	25,400
Other public-order	5,000	5,000	10,000	16,000	8,900	23,400

Note: Data on bail amount were available for 98% of all defendants for whom a bail amount was set. Bail amounts have been rounded to the nearest hundred dollars. Table excludes defendants given nonfinancial release.

Overall, just under half (47%) of defendants who were required to post bail to secure release did so. About 7 in 10 defendants with a bail set at under \$5,000 posted the amount needed for release, as did about 6 in 10 defendants with a bail amount of \$5,000 to \$9,999 (figure 12). In contrast, about 1 in 8 of those with bail set at \$50,000 or more, and a fourth of those with a bail amount of at least \$25,000 but less than \$50,000 were able to meet the financial conditions required for release.

Among defendants given financial release, the average bail amount was highest for those released on property bond (a median of \$7,500 and a mean of \$12,400), and lowest for those released on full cash bond (a median of \$1,000 and a mean of \$2,900).

Defendants released on surety and deposit bond both had a median bail amount of \$5,000. The mean for both was just under \$10,000.

Unlike those released on full cash bond, defendants released on deposit bond generally posted 10% of the full bail amount with the court to secure release. However, they remained liable to the court for the full bail amount if they violated the terms of release.

Those released on surety bond paid a similar fee to a bail bond agent, who assumed liability to the court for the full bail amount if the defendant violated the terms of release.

Type of release bond	Bail amount	
	Median	Mean
Surety	\$5,000	\$9,500
Deposit	5,000	9,800
Full cash	1,000	2,900
Property	7,500	12,400

Unsecured \$5,000 \$10,000

Defendants released on an unsecured bond had a median bail amount of \$5,000 and a mean bail amount of \$10,000. These defendants did not have to post any of this amount, but like those on financial release, they were liable for the full bail amount if they violated the terms of release.

**Probability of release for felony defendants in the 75 largest counties, by bail amount set, 1996**

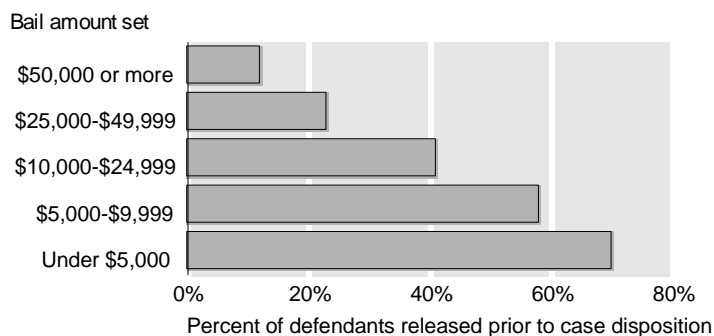


Figure 12

### Time from arrest to release

Among defendants who were released prior to case disposition, about half were released within 1 day (49%), and about four-fifths were released within 1 week (79%) (table 17). Nearly all releases during the 1-year study occurred within a month of arrest (92%).

By general offense category, defendants charged with a violent (41%) or

drug (45%) offense were less likely to be released within 1 day of arrest than those charged with a public-order (57%) or property (56%) offense.

More than half of the defendants released after being charged with a property offense other than burglary, or a public-order offense that was not weapons-related were released within 1 day of their arrest.

**Table 17. Time from arrest to release for felony defendants released before case disposition, by most serious arrest charge, 1996**

Most serious arrest charge	Released felony defendants in the 75 largest counties			
	Number of defendants	Percent who were released within:		
		1 day	1 week	1 month
All offenses	31,514	49%	79%	92%
Violent offenses	6,807	41%	72%	89%
Murder	67	24	42	66
Rape	368	38	62	83
Robbery	1,421	29	65	84
Assault	3,741	44	75	91
Other violent	1,210	48	73	89
Property offenses	9,828	56%	79%	92%
Burglary	1,881	42	70	89
Theft	4,043	58	83	95
Other property	3,904	60	80	90
Drug offenses	12,117	45%	79%	93%
Trafficking	5,749	40	77	92
Other drug	6,368	51	83	94
Public-order offenses	2,762	57%	82%	95%
Weapons	970	47	79	94
Driving-related	1,081	59	83	95
Other public-order	711	68	85	95

Note: Data on time from arrest to release were available for 97% of all cases. Release data were collected for 1 year.



Defendants charged with murder typically waited the longest to be released. For example, after 1 month, 66% of all murder defendant releases had occurred, compared to more than 90% of the releases of other defendants.

When differences among types of offense are held constant, defendants released under financial terms generally took longer to secure their release than those who were released under nonfinancial conditions. Among defendants who were released under financial conditions, the amount of time from arrest to pretrial release tended to increase as the bail amount did.

### Criminal history and probability of release

Court decisions about bail and pretrial release are primarily based on the judgment of whether a defendant will appear in court as scheduled and whether there is potential danger to

the community from crimes that a defendant may commit if released. Many States have established specific criteria to be considered by the courts when setting release conditions.

The SCPS data illustrate how release rates vary with some of these factors. For example, 73% of the defendants without an active criminal justice status at the time of their arrest for the current offense were released prior to case disposition, compared to 47% of those with such a status (table 18). Defendants on parole (27%) at the time of arrest were the least likely to be released. This compared with 42% of those on probation and 66% of those released pending disposition of a prior case.

Eighty-one percent of the defendants with no prior arrests were released, compared to 57% of those who had been previously arrested. Among defendants with an arrest record,

those who had never missed a court appearance (62%) had a higher probability of being released than those who had failed to appear at least once during a previous case (53%).

Eighty percent of defendants without a prior conviction were released prior to disposition of the current case, compared to 53% of those with a conviction record. Among defendants with a conviction record, release rates ranged from 66% for those with a single prior conviction to 43% for those with five or more.

Less than half of the defendants with one or more prior felony convictions (47%) were released prior to disposition of the current case, compared to nearly two-thirds of those whose prior convictions involved only misdemeanors (65%). Those with a prior conviction for a violent felony (47%) had the same release rate as those whose most serious prior conviction was for a nonviolent felony (47%).

**Table 18. Percent of felony defendants who were released prior to case disposition, by criminal history, 1996**

Criminal history	Felony defendants in the 75 largest counties							
	Number of defendants	Released prior to case disposition				Detained until case disposition		
		Total released	Financial release	Non-financial release	Emergency release	Total	Held on bail	Denied bail
<b>Criminal justice status</b>								
Any type	16,576	47%	23%	23%	1%	53%	42%	12%
On parole	2,679	27	13	13	1	73	55	17
On probation	7,319	42	24	18	1	58	48	10
Open FTA warrant	2,076	56	21	34	1	44	31	13
On pretrial release*	3,826	66	29	35	2	34	26	8
None	29,312	73	34	38	1	27	24	3
<b>Court appearance history</b>								
With prior arrest(s)	35,266	57%	27%	29%	1%	43%	35%	8%
With prior failure to appear	18,532	53	21	31	1	47	39	8
Made all prior appearances	14,035	62	35	27	1	38	31	7
No prior arrests	13,320	81	34	46	--	19	16	3
<b>Number of prior convictions</b>								
With prior conviction(s)	28,315	53%	26%	26%	1%	47%	39%	8%
5 or more	10,669	43	21	22	1	57	48	9
2-4	10,526	54	28	26	1	46	37	9
1	6,712	66	31	34	1	34	27	7
None	19,680	80	34	45	1	20	16	4
<b>Most serious prior conviction</b>								
Any type of felony	21,084	47%	25%	22%	1%	53%	44%	10%
Violent felony	8,597	47	24	23	1	53	41	11
Nonviolent felony	12,487	47	25	21	1	53	44	9
Misdemeanor	8,827	65	27	37	1	35	31	4

Note: Detail may not add to total because of rounding.

--Less than 0.5%.

\*Includes all defendants released prior to case disposition.

## Conduct of released defendants

Among defendants who were released prior to case disposition, nearly a third committed some type of misconduct while in a release status (table 19). This may have been in the form of a failure to appear in court, an arrest for a new offense, or some other violation of release conditions that resulted in the revocation of that release by the court.

By original offense category, the proportion of defendants charged with pretrial misconduct ranged from about two-fifths among drug defendants (39%), to about a fourth of defendants charged with a public-order (24%) or violent offense (23%). Twenty-nine percent of property defendants committed some type of pretrial misconduct.

**Table 19. Released felony defendants committing misconduct, by most serious arrest charge, 1996**

Most serious arrest charge	Released felony defendants in the 75 largest counties	
	Number	Percent with misconduct
All offenses	32,503	31%
<b>Violent offenses</b>	6,936	23%
Murder	67	18
Rape	379	12
Robbery	1,443	34
Assault	3,810	21
Other violent	1,237	21
<b>Property offenses</b>	10,069	29%
Burglary	1,947	35
Theft	4,132	32
Other property	3,989	25
<b>Drug offenses</b>	12,642	39%
Trafficking	5,932	40
Other drug	6,710	38
<b>Public-order offenses</b>	2,857	24%
Weapons	1,021	23
Driving-related	1,114	25
Other public-order	722	21

Note: Types of misconduct included failure to appear in court, rearrest for a new offense, or a technical violation of release conditions that resulted in the revocation of pretrial release. Data were collected for up to 1 year.

The widest range of misconduct rates was found within the violent offense category, ranging from 34% of robbery defendants to 12% of rape defendants.

### *Failure to appear in court*

Nearly four-fifths of the defendants who were released prior to case disposition made all scheduled court appearances (78%). Bench warrants for failing to appear in court were issued for the remaining 22% (table 20).

A higher percentage of released drug defendants (29%) and property defendants (22%) failed to appear in court than defendants charged with violent (14%) or public-order (14%) offenses.

Within the violent offense category, failure-to-appear rates were higher for defendants charged with robbery (20%) than for other defendants. About a fourth of the defendants who failed to appear in court, 6% of all defendants, were still fugitives at the end of the 1-year study period. The remainder were returned to the court (either voluntarily or not) before the end of the study.

Defendants released after being charged with a drug (8%) or property (6%) offense were about twice as likely to be a fugitive after 1 year as defendants released after being charged with other offenses. No released murder defendants were in a fugitive status at the end of the 1-year study period.

**Table 20. Released felony defendants who failed to make a scheduled court appearance, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Percent of released felony defendants in the 75 largest counties who: Made all court appearances	Failed to appear in court		
			Total	Returned to court	Remained a fugitive
All offenses	31,786	78%	22%	17%	6%
<b>Violent offenses</b>	6,816	86%	14%	12%	3%
Murder	67	88	12	12	0
Rape	376	94	6	4	2
Robbery	1,428	80	20	17	4
Assault	3,745	86	14	11	3
Other violent	1,200	87	13	10	3
<b>Property offenses</b>	9,915	78%	22%	16%	6%
Burglary	1,914	77	23	18	5
Theft	4,093	77	23	16	7
Other property	3,908	80	20	16	4
<b>Drug offenses</b>	12,226	71%	29%	21%	8%
Trafficking	5,834	72	28	20	8
Other drug	6,391	70	30	22	8
<b>Public-order offenses</b>	2,829	86%	14%	11%	4%
Weapons	1,017	85	15	10	5
Driving-related	1,094	85	15	11	4
Other public-order	718	87	13	10	3

Note: Data on the court appearance record for the current case were available for 98% of cases involving a defendant released prior to case disposition. All defendants who failed to appear in court and were not returned to the court during the 1-year study period are counted as fugitives. Some of these defendants may have been returned to the court at a later date. Detail may not add to total because of rounding.

**Rearrest for a new offense**

Overall, 16% of released defendants were rearrested for a new offense allegedly committed while they awaited disposition of their original case (table 21). Sixty-two percent of these defendants, 10% of all released defendants, were charged with a new felony. Sixty-three percent of the new felony arrests were for the same type of offense as the original charge.

By original arrest offense category, released drug defendants (20%) had the highest rearrest rate. This included 23% of defendants released after being charged with drug trafficking (figure 13). Robbery defendants (22%) also had a higher rearrest rate than the overall average. Defendants released after being charged with murder (6%) or rape (8%) were the least likely to be rearrested.

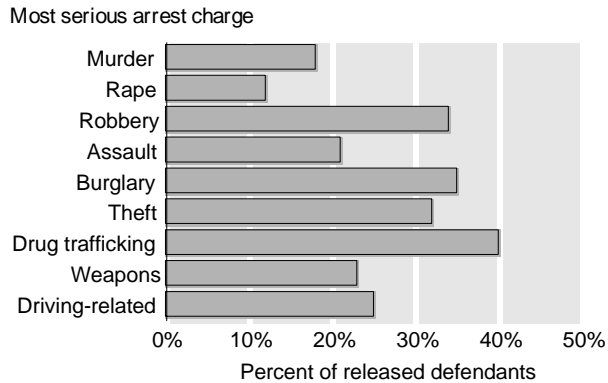
**Table 21. Released felony defendants who were rearrested prior to case disposition, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Percent of released felony defendants in the 75 largest counties				
		Total	Not rearrested	Rearrested		
				Total	Felony	Misde-meanor
All offenses	31,508	100%	84%	16%	10%	6%
Violent offenses	6,771	100%	87%	13%	7%	6%
Murder	63	100	94	6	6	0
Rape	376	100	92	8	3	5
Robbery	1,408	100	78	22	13	9
Assault	3,727	100	89	11	6	5
Other violent	1,196	100	90	10	4	6
Property offenses	9,850	100%	86%	14%	9%	5%
Burglary	1,895	100	83	17	10	8
Theft	4,071	100	84	16	11	6
Other property	3,885	100	89	11	7	4
Drug offenses	12,086	100%	80%	20%	13%	7%
Trafficking	5,763	100	77	23	15	8
Other drug	6,323	100	82	18	11	7
Public-order offenses	2,802	100%	88%	12%	8%	4%
Weapons	1,003	100	88	12	6	6
Driving-related	1,088	100	88	12	10	2
Other public-order	711	100	88	12	6	6

Note: Rearrest data were available for 97% of released defendants. Rearrest data were collected for 1 year. Rearrests occurring after the end of this 1-year study period are not included in the table. Information on rearrests occurring in jurisdictions other than the one granting the pretrial release was not always available. Detail may not add to total because of rounding.

**Misconduct prior to case disposition by released felony defendants in the 75 largest counties, 1996**

**Committing any type of misconduct**



**Rearrested for a new felony**

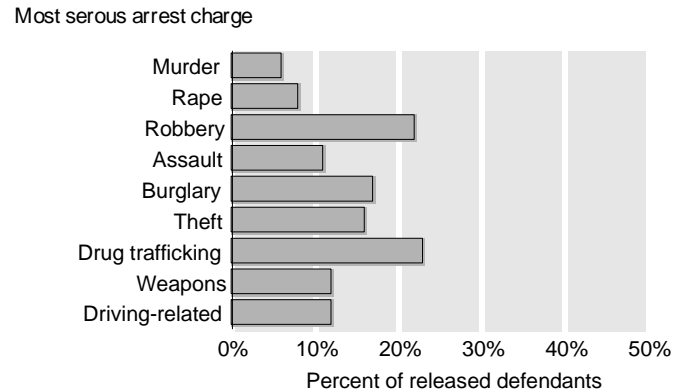


Figure 13

# Adjudication

## Time from arrest to adjudication

For about half of felony defendants in the 75 largest counties, adjudication of their case occurred within 3 months of arrest, and about 6 in 7 cases were adjudicated within 1 year of arrest (table 22). The median time from arrest to adjudication for murder defendants was greater than 1 year, a considerably longer time than for other defendants. An estimated 58% of murder defendants were awaiting adjudication of their case after 1 year, compared to a maximum of 19% in any other offense category.

After murder defendants, the longest median time from arrest to adjudication was for rape defendants (142 days). This was about twice the median time for defendants charged with burglary (70 days) or a public-order offense that was not weapons-related or driving-related (69 days).

For each offense other than murder (for which medians could not be calculated), the median time from arrest to adjudication was shorter for detained defendants than for those released pending case disposition (figure 14).

The median time from arrest to adjudication was about 2 months longer for defendants released after being charged with rape, robbery, or assault than for those detained. Among those charged with a weapons offense, theft, drug trafficking, or a driving-related offense the median was about 3 months longer for those released than for those detained.

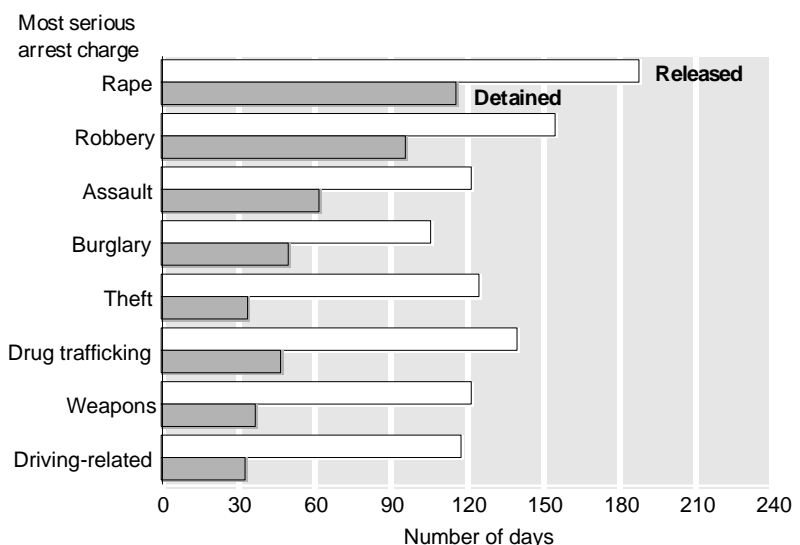
Excluding murder defendants, the longest median time from arrest to adjudication among released defendants was for those charged with rape (188 days), robbery (155 days), or drug trafficking (140 days). Detained driving-related defendants (33 days) had the shortest adjudication time.

**Table 22. Time from arrest to adjudication for felony defendants, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Felony defendants in the 75 largest counties					
		Median number of days	Cumulative percent of cases adjudicated within:				
			1 week	1 month	3 months	6 months	1 year
All offenses	53,108	89 days	9%	26%	51%	71%	86%
Violent offenses	13,089	105 days	7%	23%	45%	67%	85%
Murder	425	--	3	5	9	22	42
Rape	784	142	6	14	34	60	81
Robbery	3,788	111	7	22	45	66	85
Assault	6,045	94	7	26	48	71	86
Other violent	2,046	95	6	25	47	71	88
Property offenses	16,388	75 days	10%	28%	56%	76%	88%
Burglary	4,347	70	8	30	59	80	91
Theft	6,588	76	11	28	55	75	87
Other property	5,453	82	10	25	53	76	88
Drug offenses	19,504	90 days	9%	27%	50%	68%	83%
Trafficking	9,845	90	9	26	50	70	85
Other drug	9,660	90	8	27	50	67	81
Public-order offenses	4,127	84 days	8%	26%	52%	75%	89%
Weapons	1,505	98	5	22	49	73	88
Driving-related	1,480	85	7	24	51	74	90
Other public-order	1,141	69	13	34	57	81	91

Note: Data on time from arrest to adjudication were available for 98% of all cases. The median time from arrest to adjudication includes cases still pending at the end of the study. Knowing the exact times for these cases would not change the medians reported. --The median time from arrest to adjudication for murder defendants extended beyond the 1-year study period and could not be calculated.

**Median time from arrest to adjudication for felony defendants in the 75 largest counties, by pretrial detention-release outcome, 1996**



Note: Murder defendants are excluded because their median time from arrest to adjudication exceeded the 1-year study period, and could not be calculated.

Figure 14

**Table 23. Adjudication outcome for felony defendants, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties										
		Convicted							Not convicted			Other outcome*
		Total convicted	Felony			Misdemeanor			Total	Dis-missed	Ac- quitted	
	Total	Plea	Trial	Total	Plea	Trial	Total					
All offenses	45,744	70%	55%	52%	4%	15%	14%	1%	30%	29%	1%	--
Violent offenses	11,126	60%	44%	39%	5%	16%	15%	1%	39%	38%	2%	1%
Murder	184	64	62	32	29	2	2	0	36	31	5	0
Rape	633	62	57	50	7	5	4	--	37	36	1	1
Robbery	3,236	70	57	51	6	13	13	--	29	28	1	1
Assault	5,260	53	33	29	4	20	18	1	47	45	2	--
Other violent	1,813	63	47	44	3	16	15	1	37	35	2	0
Property offenses	14,493	72%	55%	52%	3%	17%	16%	--	28%	27%	1%	--
Burglary	3,936	75	62	58	5	13	12	1	24	22	2	--
Theft	5,726	71	55	52	3	15	15	--	29	28	1	--
Other property	4,832	71	50	48	2	21	21	--	29	29	--	--
Drug offenses	16,386	74%	63%	61%	3%	10%	10%	--	26%	25%	1%	--
Trafficking	8,490	78	68	64	4	11	10	1	21	20	1	--
Other drug	7,896	68	59	57	2	10	10	--	31	30	1	--
Public-order offenses	3,739	74%	53%	50%	3%	21%	21%	--	25%	24%	1%	--
Weapons	1,320	73	59	55	4	13	12	1	27	25	2	--
Driving-related	1,351	80	61	58	3	20	20	0	20	18	1	--
Other public-order	1,067	69	37	34	2	32	32	--	31	29	1	--

Note: Fourteen percent of all cases were still pending adjudication at the end of the 1-year study period, and are excluded from the table. Data on adjudication outcome were available for 98% of those cases that had been adjudicated. Detail may not add to total because of rounding.

--Less than 0.5%.

\*Includes diversion and deferred adjudication.

**Adjudication outcome**

Seventy percent of the defendants who had their cases adjudicated within 1 year of arrest were convicted (table 23). A large majority of these convictions were for a felony, with 55% of all defendants eventually convicted of a felony.

Three-fifths of defendants whose most serious arrest charge was a violent offense (60%) were eventually convicted of a felony or a misdemeanor, compared to about three-fourths of those originally charged with a property (72%), drug (74%), or public-order (74%) offense. Defendants whose most serious arrest charge was a driving-related felony (80%) had the highest overall conviction rate, and defendants charged with felony assault (53%) had the lowest.

The probability of being convicted of a felony was highest for defendants whose most serious arrest charge was drug trafficking (68%). The next highest felony conviction rates were found

among defendants whose original arrest charge was murder (62%), burglary (62%), or a driving-related offense (61%). The lowest felony conviction rate was for assault defendants (33%).

In most cases where the defendant was not convicted, it was because the charges against the defendant were dismissed by the prosecutor or the court. Dismissal occurred in 29% of all cases. Defendants charged with assault (45%) were more than twice as likely as those charged with a driving-related offense (18%) or drug trafficking (20%) to have their case dismissed.

Less than 1% of all cases had other outcomes such as diversion or deferred adjudication. No murder defendants had their cases handled in this manner, nor did more than 1% of the defendants in any other offense category.

Nearly four-fifths of the defendants who were detained until case disposition (78%) were eventually convicted of some offense, compared to about

two-thirds of those who were released pending disposition (66%) (table 24). An estimated 69% of detained defendants were convicted of a felony, compared to 49% of released defendants.

**Table 24. Adjudication outcome for felony defendants, by detention-release outcome and most serious arrest charge, 1996**

Most serious arrest charge	Number of de-fendants	Convicted	
		Total	Felony
<b>Released defendants</b>			
All offenses	25,996	66%	49%
Violent offenses	5,592	52%	32%
Property offenses	8,258	71	52
Drug offenses	9,668	69	57
Public-order offenses	2,477	74	49
<b>Detained defendants</b>			
All offenses	17,384	78%	69%
Violent offenses	4,950	72%	61%
Property offenses	5,311	79	67
Drug offenses	6,023	84	78
Public-order offenses	1,099	77	67

**Table 25. Adjudication outcome for felony defendants, by number and type of arrest charges, 1996**

Additional charges filed	Number of defendants	Percent of felony defendants in the 75 largest counties										
		Total convicted	Convicted						Not convicted			Other outcome*
			Total	Felony Plea	Trial	Misdemeanor Total	Plea	Trial	Total	Dis-missed	Acquitted	
Additional felony	17,703	75%	64%	59%	5%	11%	11%	--	25%	23%	1%	--
No additional felony	28,017	67	50	47	3	17	16	1	33	32	1	--
Misdemeanor(s) only	7,529	66	37	35	3	28	26	2	34	33	1	--
No additional charges	20,488	67	54	52	3	12	12	--	33	32	1	--

Note: Fourteen percent of all cases were still pending adjudication at the end of the 1-year study period. Data on adjudication outcome were available for 98% of those cases that had been adjudicated. --Less than 0.5%. \*Includes diversion and deferred adjudication.

Adjudication outcome was related to some extent to the number and type of the original arrest charges filed. Three-fourths of defendants who were originally charged with more than 1 felony were eventually convicted of some offense compared to about two-thirds of the defendants who had no additional felony charges (table 25).

Sixty-four percent of defendants whose original arrest charges included more than one felony were eventually convicted of a felony compared to 50% of those with no additional felony charges. Among the defendants who had no additional felony charges but were charged with one or more misdemeanors, 37% were convicted of a felony. Defendants in this latter group were about twice as likely as other defendants to eventually be convicted of a misdemeanor, usually by pleading guilty to such a charge instead of the original felony charge.

Overall, about two-thirds of defendants entered a guilty plea at some point, with 52% pleading guilty to a felony, and 14% to a misdemeanor.

About two-thirds of defendants charged with a nonviolent offense entered a guilty plea, and about half pleaded guilty to a felony. Defendants charged with a driving-related offense (77%) were the most likely to enter a guilty plea (figure 15). A majority of the defendants in each nonviolent offense category pleaded guilty to a felony, including 64% of those charged with drug trafficking.

Among defendants charged with a violent offense, robbery defendants (64%) had the highest overall plea rate, and murder defendants (35%) had the lowest. About half of robbery (51%) and rape (50%) defendants pleaded guilty to a felony, compared to about a third of murder (33%) and assault (29%) defendants.

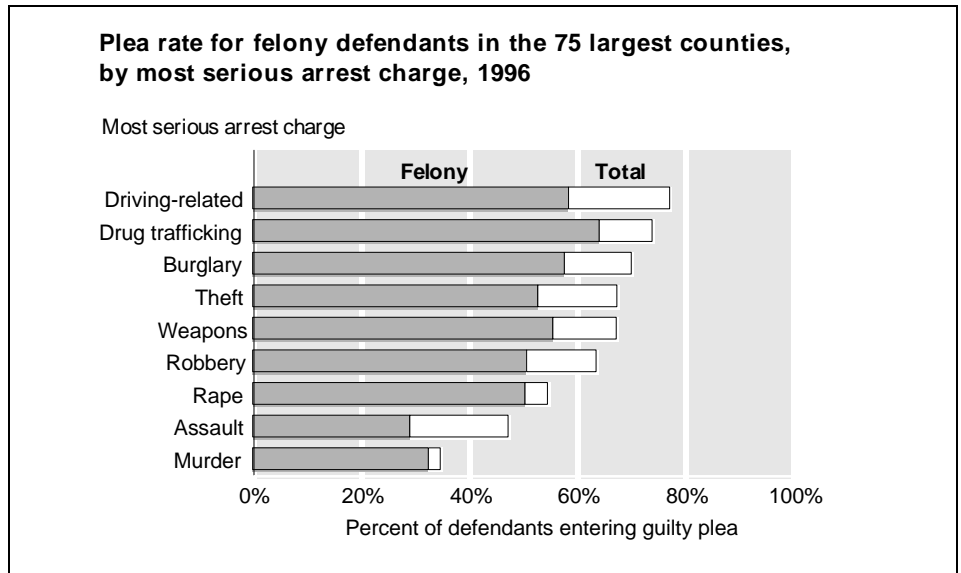


Figure 15

An estimated 6% of the cases adjudicated within 1 year went to trial. These cases were evenly split between bench trials and jury trials. An estimated 77% of all trials ended with a guilty verdict, and 23% with an acquittal. Jury trials (84%) were more likely to result in a conviction than bench trials (72%). About 3 in 4 jury trials resulted in a felony conviction compared to 3 in 5 bench trials.

Type of trial	Percent of trials resulting in a conviction		
	Total	Felony	Misdemeanor
Total	77%	67%	10%
Bench	72	60	12
Jury	84	76	7

A third of defendants facing murder charges went to trial, compared to less than a tenth of defendants charged with other offenses (figure 16).

Regardless of the method of adjudication, defendants who were convicted were usually convicted of the same felony offense as the original arrest

charge. This was most likely to be the case when the original arrest charge was for a nonviolent offense.

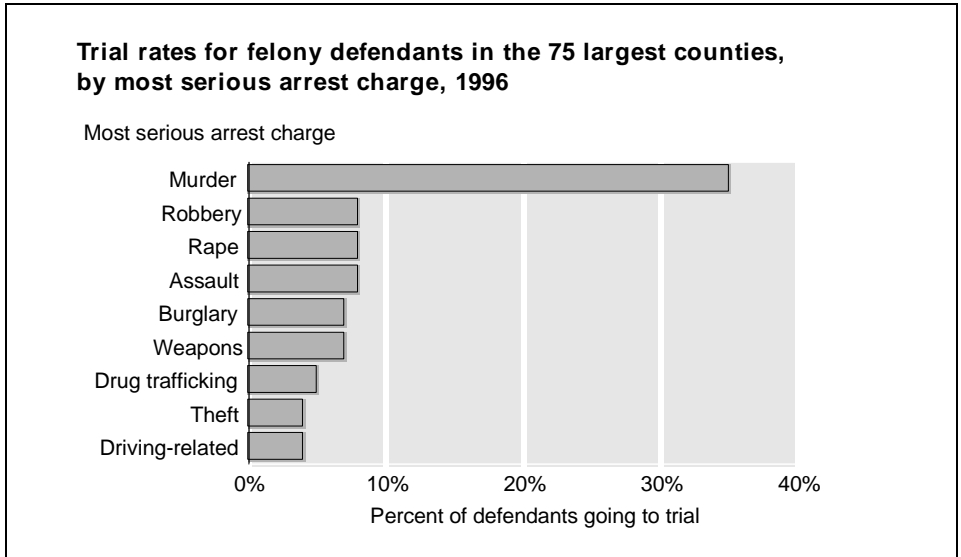


Figure 16

**Table 26. Conviction offense of defendants arrested for a violent offense and subsequently convicted, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties convicted of:									
		Total	Total felony	Violent felony						Non-violent felony	Misdemeanor
				Total violent	Murder	Rape	Robbery	Assault	Other		
Murder	118	100%	97%	97%	<b>59%</b>	0%	6%	13%	19%	0%	3%
Rape	391	100	93	90	0	<b>62</b>	0	6	22	2	7
Robbery	2,248	100	81	69	0	0	<b>62</b>	6	1	13	19
Assault	2,744	100	62	55	--	--	--	<b>48</b>	6	8	38

Note: Detail may not add to total because of rounding.  
--Less than 0.5%.

**Table 27. Conviction offense of defendants arrested for a nonviolent offense and subsequently convicted, by most serious arrest charge, 1996**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties convicted of:											
		Total	Total felony	Nonviolent felony								Violent felony	Misdemeanor
				Total nonviolent	Burglary	Theft	Drug trafficking	Weapons	Driving-related	Other			
Burglary	2,969	100%	83%	82%	<b>68%</b>	8%	--	0	--	7%	1%	17%	
Theft	4,031	100	79	79	1	<b>68</b>	--	--	9	--	--	21	
Drug trafficking	6,580	100	87	87	0	0	<b>75</b>	1	--	11	--	13	
Weapons	960	100	83	82	0	0	0	<b>82</b>	0	0	1	17	
Driving-related	1,084	100	77	77	0	0	0	1	<b>75</b>	1	--	23	

Note: Detail may not add to total because of rounding.  
--Less than 0.5%.

Among defendants arrested for murder and later convicted, 59% were convicted of murder (table 26). The corresponding percentages for other violent offenses were as follows: rape (62%), robbery (62%), and assault (48%).

Among defendants who were charged with a nonviolent offense and later convicted, the percentage whose conviction offense corresponded with their most serious arrest charge were as follows: weapons offense (82%), drug trafficking (75%), driving-related offense (75%), burglary (68%), and theft (68%) (table 27).

For most offenses a smaller percentage of defendants were in each felony conviction offense category than were

in the original distribution by arrest charge (tables 1 and 28). The biggest drop was in the violent felony category, which accounted for about 25% of all defendants by arrest charge, but just 14% of them by conviction charge.

Much of this change can be accounted for by the fact that about 11% of all defendants were originally facing felony assault charges, but just 5% of all convictions were for such an offense. Overall, 20% of convicted defendants were convicted at the misdemeanor level, including 38% of those convicted after being originally charged with felony assault.

Given arrest, about three-fifths of the defendants whose most serious arrest

charge was for a driving-related offense (59%), a weapons offense (59%), or drug trafficking (58%) were eventually convicted of that same offense (figure 17). About half of the defendants originally charged with burglary or theft were eventually convicted of those offenses.

Among defendants whose most serious arrest charge was for a violent offense, less than half were eventually convicted of that same felony offense. About two-fifths of defendants originally charged with robbery (43%), rape (39%), or murder (37%) were eventually convicted of those offenses. About a fourth of defendants originally charged with felony assault were eventually convicted of that offense (25%).

**Table 28. Felony defendants, by conviction offense, 1996**

Most serious conviction offense	Felony defendants in the 75 largest counties	
	Number	Percent
All offenses	31,943	100.0%
All felonies	25,454	79.7%
<b>Violent offenses</b>	<b>4,339</b>	<b>13.6%</b>
Murder	74	0.2
Rape	257	0.8
Robbery	1,442	4.5
Assault	1,554	4.9
Other violent	1,031	3.2
<b>Property offenses</b>	<b>8,237</b>	<b>25.8%</b>
Burglary	2,165	6.7
Theft	3,230	10.1
Other property	2,866	8.9
<b>Drug offenses</b>	<b>10,298</b>	<b>32.2%</b>
Trafficking	5,194	16.2
Other drug	5,100	16.0
<b>Public-order offenses</b>	<b>2,437</b>	<b>7.6%</b>
Weapons	1,015	3.1
Driving-related	897	2.8
Other public-order	540	1.7
<b>Other felonies</b>	<b>143</b>	<b>0.4%</b>
Misdemeanors	6,488	20.3%

Note: Data on conviction offense were available for 100% of cases involving defendants who had been convicted.

**Conviction probabilities for felony defendants in the 75 largest counties, by most serious arrest charge, 1996**

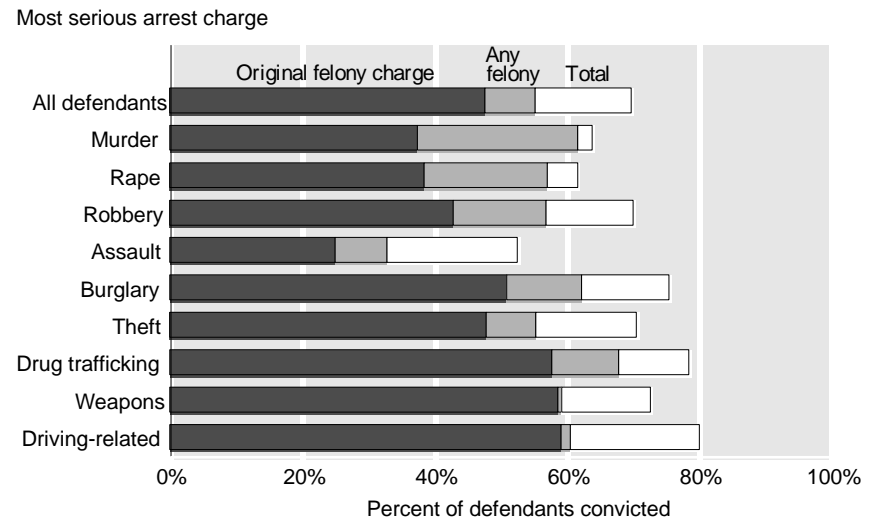


Figure 17



## Case processing statistics

Among the approximately 46,000 cases with a known adjudication outcome that occurred within 1 year of arrest, about 30,000 were disposed by a guilty plea (figure 18). About a fourth of these pleas occurred within 1 month of arrest and about three-fifths within 3 months of arrest.

The next most common type of adjudication, dismissal of the charges against the defendant, occurred in about 13,000 cases. About half of all dismissals occurred within the first month after arrest and three-fourths within 3 months.

Trials occurred in about 2,400 cases. About 1 in 10 trials were completed within a month of arrest and about 1 in 3 within 3 months of arrest.

Guilty pleas accounted for nearly all (94%) of the 32,000 convictions obtained within 1 year of arrest (figure 19). This included about 23,700 felony pleas and about 6,400 misdemeanor pleas. About a fourth of the felony pleas occurred within 1 month of arrest, and more than half were obtained within 3 months of arrest. About two-fifths of the misdemeanor pleas were obtained with 1 month of arrest, and about two-thirds within 3 months.

Of the approximately 1,900 trial convictions obtained within 1 year, nearly all were for a felony, with just 250 trials resulting in a misdemeanor conviction. Nearly a third of all trial convictions occurred within 3 months of arrest, and almost two-thirds within 6 months of arrest.

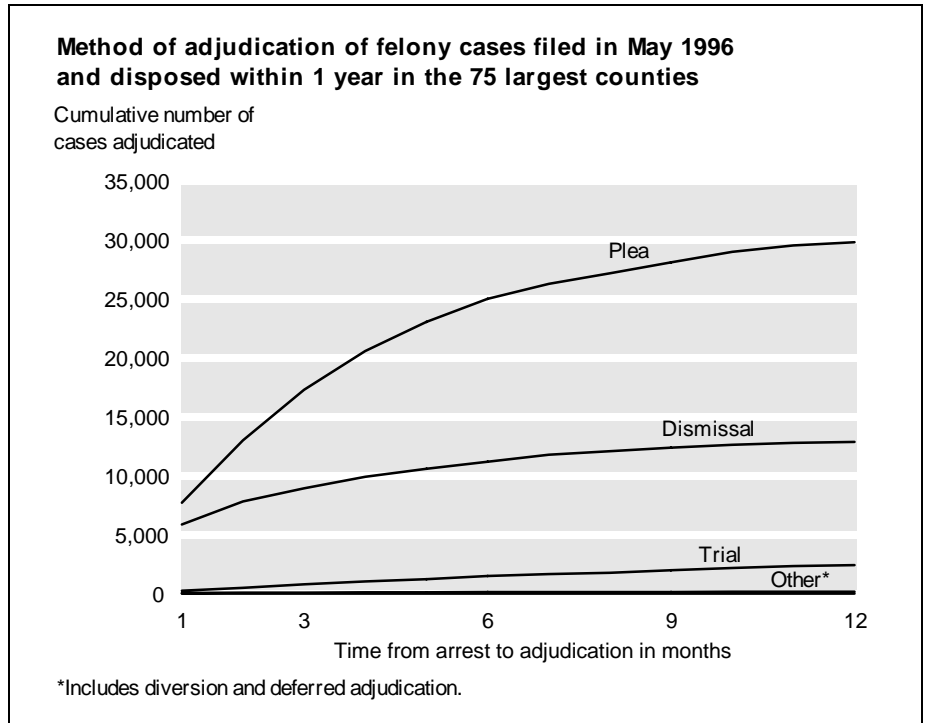


Figure 18

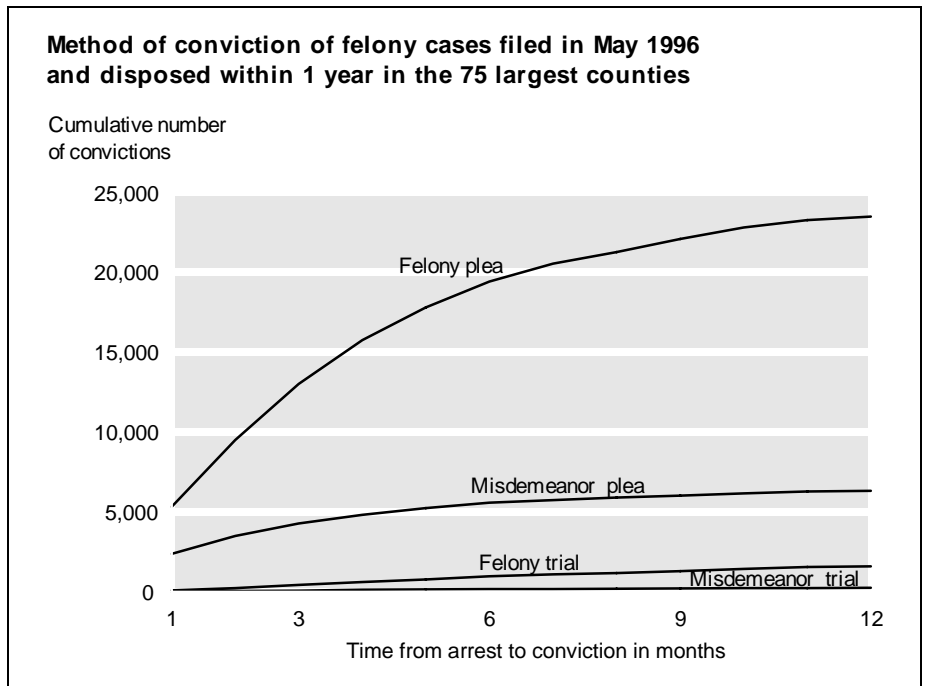


Figure 19

## Sentencing

### Time from conviction to sentencing

About 2 in 3 convicted defendants were sentenced within 1 day of adjudication (table 29). Defendants convicted of a misdemeanor (88%) were more likely to be sentenced this quickly than those convicted of a felony (60%).

Sentencing after a felony conviction was more likely to occur within 1 day if the conviction was for a nonviolent offense (62%) than if it was for a violent offense (50%). Within the violent offense category, the percentage of convicted defendants sentenced within 1 day ranged from 34% of those convicted of murder to 56% of those convicted of felony assault or robbery.

About 5 in 6 convicted defendants received their sentence within 30 days, including 79% of those convicted of a felony and 92% of those convicted of a misdemeanor. Nearly all convicted defendants were sentenced within 60 days, including 97% of those convicted of a misdemeanor and 92% of those convicted of a felony.

**Table 29. Time from conviction to sentencing for convicted defendants, by most serious conviction offense, 1996**

Most serious conviction offense	Number of defendants	Percent of convicted defendants in the 75 largest counties who were sentenced within:				
		Total	0-1 day	2-30 days	31-60 days	61 days or more
All offenses	30,696	100%	66%	16%	12%	7%
All felonies	24,398	100%	60%	19%	14%	8%
Violent offenses	4,102	100%	50%	21%	18%	10%
Murder	70	100	34	34	23	9
Rape	246	100	47	16	23	14
Robbery	1,320	100	56	21	15	9
Assault	1,475	100	56	20	17	8
Other violent	991	100	37	26	22	15
Property offenses	8,018	100%	66%	15%	11%	8%
Burglary	2,097	100	64	18	11	7
Theft	3,157	100	64	15	12	9
Other property	2,764	100	69	13	11	7
Drug offenses	9,813	100%	59%	21%	13%	7%
Trafficking	4,888	100	52	25	14	9
Other drug	4,925	100	66	17	12	5
Public-order offenses	2,342	100%	62%	13%	16%	9%
Weapons	983	100	66	17	11	6
Driving-related	846	100	55	12	22	11
Other public-order	513	100	67	10	14	10
Misdemeanors	6,298	100%	88%	4%	5%	3%

Note: Data on time from conviction to sentencing were available for 96% of cases that had reached sentencing. Total for all felonies includes cases that could not be classified into 1 of the 4 major offense categories. Detail may not add to total because of rounding.

## Type and length of sentence

About two-thirds of all convicted defendants were sentenced to incarceration in a State prison or local jail (table 30). Sixty-nine percent of the defendants convicted of a felony were sentenced to incarceration, compared to 57% of those convicted of a misdemeanor.

About half of the incarceration sentences following a felony conviction, 35% of felony sentences overall, were to State prison. All murder convictions resulted in a prison sentence, as did a majority of robbery (71%) and rape (56%) convictions.

Although less than half of defendants convicted of drug trafficking (44%), burglary (43%), felony assault (40%),

or a weapons offense (37%) were sentenced to prison, this was still the most likely type of sentence for such defendants.

Nearly all of the incarceration sentences resulting from a misdemeanor conviction, 54% of all misdemeanor sentences, were to jail. Two-thirds of jail sentences included a probation term to be served in addition to the jail time. This was more likely to be the case for defendants convicted of a felony (75%) than those convicted of a misdemeanor (39%).

Among defendants who were convicted but not sentenced to incarceration, 98% of those convicted of a felony and 84% of those convicted of a misdemeanor received a probation term. Probation sentences may have

included a fine, payment of restitution, and/or completion of a community service requirement.

Overall, about a third of convicted defendants received a sentence to probation (31%) without any incarceration. About a third of defendants convicted of theft, a felony drug offense other than trafficking, a felony public-order offense that was not driving-related, or a misdemeanor received a probation term without incarceration.

An estimated 2% of all defendants, 1% of those convicted of a felony, were ordered to pay a fine but were not sentenced to a term of incarceration or probation. These fines may have been in addition to court-ordered restitution and/or community service.

**Table 30. Most severe type of sentence received by convicted defendants, by most serious conviction offense, 1996**

Most serious conviction offense	Number of defendants	Percent of convicted defendants in the 75 largest counties sentenced to:						
		Total	Incarceration			Nonincarceration		
			Total	Prison	Jail	Total	Probation	Fine
All offenses	28,775	100%	67%	30%	37%	33%	31%	2%
All felonies	24,229	100%	69%	35%	34%	31%	30%	1%
Violent offenses	4,073	100%	80%	51%	29%	20%	20%	--
Murder	66	100	100	100	0	0	0	0
Rape	243	100	77	56	21	23	23	0
Robbery	1,307	100	90	71	19	10	10	--
Assault	1,455	100	73	40	33	27	26	--
Other violent	1,002	100	76	36	40	24	24	0
Property offenses	7,943	100%	62%	30%	32%	38%	38%	--
Burglary	2,093	100	74	43	31	26	25	1
Theft	3,121	100	66	32	34	34	34	--
Other property	2,728	100	48	17	31	52	52	1
Drug offenses	9,761	100%	72%	34%	38%	28%	28%	1%
Trafficking	4,915	100	78	44	34	22	22	--
Other drug	4,846	100	65	23	42	35	34	1
Public-order offenses	2,317	100%	69%	34%	35%	31%	29%	2%
Weapons	962	100	64	37	27	36	34	2
Driving-related	850	100	75	35	40	25	21	3
Other public-order	506	100	66	27	40	34	32	1
Misdemeanors	4,547	100%	57%	3%	54%	43%	36%	7%

Note: Data on type of sentence were available for 90% of cases involving defendants who had been convicted. Sixty-seven percent of jail sentences and 5% of prison sentences included a probation term. Twenty-three percent of prison sentences, 31% of jail sentences, and 29% of probation sentences included a fine. Fines may have included restitution or community service. Total for all felonies includes cases that could not be classified into 1 of the 4 major offense categories. Prison category includes 7 defendants who received a death sentence. Detail may not add to total because of rounding. --Less than 0.5%.

Among persons arrested and charged with a felony by the prosecutor, murder defendants had the highest probability of eventually being convicted and sentenced to prison (63%) (figure 20). The next highest probability of an eventual prison sentence was for defendants charged with robbery (45%). About a third of defendants originally charged with drug trafficking (34%) or rape (33%) were eventually convicted and sentenced to prison. Defendants originally charged with felony assault (20%) or theft (22%) were the least likely to be eventually sentenced to prison.

Defendants originally charged with a driving-related offense (30%), drug trafficking (27%), or burglary (26%) were the most likely to be eventually convicted and receive a jail sentence. No murder defendants were convicted and sentenced to jail.

A majority of defendants charged with murder (63%), robbery (63%), drug trafficking (61%), a driving-related offense (59%), or burglary (56%) were eventually convicted and sentenced to either prison or jail. Assault (38%) defendants were the least likely to be eventually convicted and sentenced to some type of incarceration.

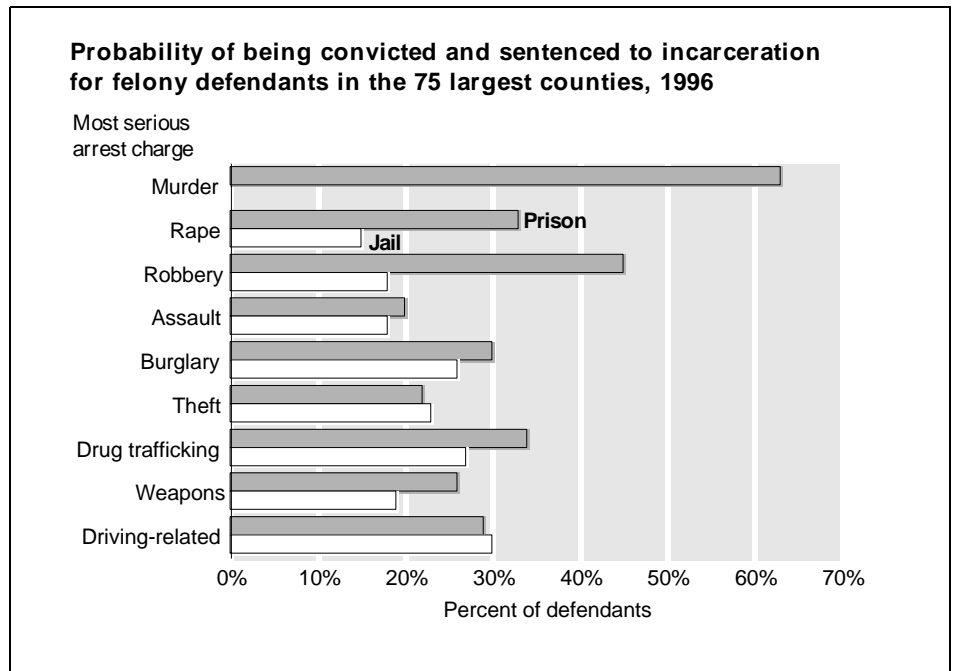


Figure 20

**Table 31. Length of prison sentence received by defendants convicted of a felony, by most serious conviction offense, 1996**

Most serious felony conviction offense	Felony defendants in the 75 largest counties convicted of a felony and sentenced to prison									
	Number of defendants	Number of months		Percent receiving a maximum sentence length in months of:						
		Mean	Median	Total	1-24	25-48	49-72	73-120	Over 120*	Life
All offenses	8,502	58	36	100%	35%	32%	15%	11%	7%	1%
Violent offenses	2,051	93	60	100%	18%	27%	19%	18%	16%	2%
Murder	51	435	360	100	0	0	0	8	69	23
Rape	131	132	96	100	2	19	18	30	28	3
Robbery	926	94	60	100	12	26	21	22	18	1
Assault	581	67	48	100	24	30	18	15	10	2
Other violent	362	69	44	100	31	34	16	11	9	1
Property offenses	2,346	50	36	100%	42%	31%	12%	10%	4%	--
Burglary	902	65	41	100	33	30	12	16	9	--
Theft	988	39	24	100	52	26	14	6	2	0
Other property	456	41	36	100	38	44	8	7	1	1
Drug offenses	3,271	47	36	100%	35%	36%	17%	9%	3%	--
Trafficking	2,156	54	42	100	23	40	21	11	4	--
Other drug	1,115	33	24	100	59	27	8	4	2	1
Public-order offenses	783	34	24	100%	50%	35%	10%	3%	1%	1%
Weapons	357	37	32	100	42	41	10	2	1	3
Driving-related	292	30	24	100	60	28	8	4	0	0
Other public-order	134	33	30	100	49	33	15	3	0	0

Note: Data on length of prison sentence were available for 99% of all cases in which a defendant received a prison sentence. Five percent of prison sentences included a probation term and 23% included a fine. Total for all offenses includes cases that could not be classified into 1 of the 4 major offense categories. Detail may not add to total because of rounding. --Less than 0.5%. \*Excludes life sentences.

Among defendants convicted of a felony and sentenced to prison, the mean sentence was 58 months and the median was 36 months (table 31). By general conviction offense category, defendants convicted of a violent felony received the longest prison sentences (a mean of 93 months and a median of 60 months), and those convicted of a public-order felony the shortest (a mean of 34 months and a median of 24 months).

By specific conviction offense, murderers received the longest prison terms, a mean of 435 months and a median of 360 months. Next were defendants convicted of rape with a mean prison sentence of 132 months, and a median of 96 months.

Median sentences for other felony convictions included 60 months for robbery, 48 months for assault, 42 months for drug trafficking, 41 months for burglary, 32 months for weapons offenses, 24 months for theft, and 24 months for driving-related offenses (figure 21).

Twenty-three percent of all murder convictions resulted in a life sentence, compared to a maximum of 3% of the defendants convicted of any other offense. In addition to those receiving life sentences, 69% of the defendants

convicted of murder were sentenced to more than 10 years in prison. About 1 in 4 rape convictions, 1 in 6 robbery convictions, and 1 in 10 felony assault convictions resulted in a prison term of more than 10 years.

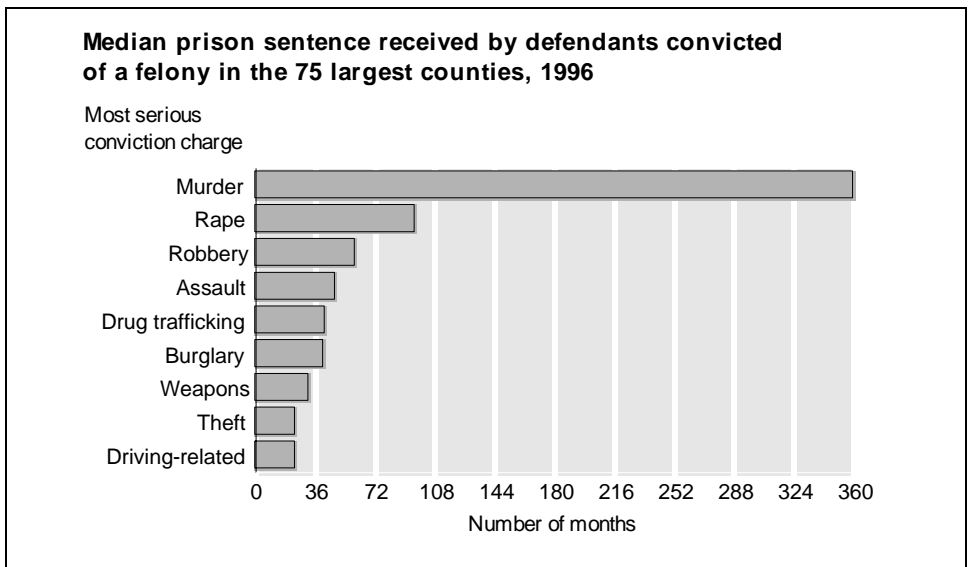


Figure 21

For defendants convicted of a felony and subsequently sentenced to jail, the mean jail term was 6 months and the median was 5 months (table 32). Misdemeanor convictions resulted in a mean jail term of 3 months and a median of 2 months.

Excluding murder (for which all sentences were to prison), and rape (for which few cases resulted in a jail sentence), defendants sentenced to jail for robbery received the longest average sentence (a mean of 9 months and a median of 12 months).

About 2% of all jail sentences for a felony conviction were for a period greater than 1 year, including 9% of those that followed a conviction for robbery. The longest jail sentence recorded during the study was for about 5 years.

**Table 32. Length of jail sentence received by convicted defendants, by most serious conviction offense, 1996**

Most serious conviction offense	Felony defendants in the 75 largest counties sentenced to jail									
	Number of defendants	Number of months		Percent receiving a maximum sentence in months of :						
		Mean	Median	Total	1 or less	2-3	4-6	7-9	10-12	Over 12
All offenses	10,743	5	4	100%	24%	23%	28%	7%	17%	1%
All felonies	8,284	6	5	100%	17%	23%	31%	8%	20%	2%
Violent offenses*	1,180	7	6	100%	14%	18%	26%	10%	29%	3%
Robbery	247	9	12	100	3	15	20	5	48	9
Assault	485	6	6	100	20	18	23	11	25	2
Other violent	397	7	6	100	12	21	28	12	24	3
Property offenses	2,552	6	6	100%	16%	19%	33%	9%	20%	2%
Burglary	648	7	6	100	8	21	30	15	22	3
Theft	1,053	6	6	100	17	16	36	8	20	2
Other property	851	5	4	100	21	22	31	6	17	2
Drug offenses	3,698	5	4	100%	17%	27%	32%	8%	16%	1%
Trafficking	1,653	6	6	100	14	22	36	9	19	1
Other drug	2,045	5	3	100	20	32	28	6	14	1
Public-order offenses	802	5	4	100%	19%	26%	28%	6%	21%	1%
Weapons	258	5	4	100	19	27	30	8	16	0
Driving-related	343	6	6	100	18	17	29	4	30	2
Other public-order	201	4	3	100	21	41	21	6	11	0
Misdemeanors	2,459	3	2	100%	47%	23%	18%	3%	9%	--

Note: Data on length of jail sentence were available for 100% of all cases in which a defendant received a jail sentence.

Sixty-seven percent of sentences to jail included a probation term and 31% included a fine.

Detail may not add to total because of rounding.

\*Murder and rape have been excluded from the detail because no murder convictions and few rape convictions resulted in a jail sentence. The total for violent offenses, however, does include these cases.

--Less than 0.5%.

For defendants sentenced to probation without incarceration for a felony involving a violent, property, or drug offense, the median sentence length was 36 months. For felony public-order convictions, and misdemeanors the median was 24 months (table 33). Two percent of defendants convicted of a felony were given a probation term of greater than 5 years.

An estimated 21% of defendants sentenced to probation were also required to pay a fine. Some probation sentences were also supplemented by one or more special conditions. For example, 21% of the defendants who received a probation sentence were required to perform a specified number of hours of community service work (table 34).

Twenty-one percent of offenders sentenced to probation were required to pay restitution, including 40% of those convicted for a property-related felony. Six percent of probation sentences included a requirement that the defendant enter a drug treatment program. Defendants convicted of a drug-related felony (12%) were the most likely to have this requirement.

**Table 33. Length of probation sentence received by convicted defendants, by most serious conviction offense, 1996**

Most serious conviction offense	Number of defendants	Median months	Felony defendants in the 75 largest counties sentenced to probation						
			Percent receiving a sentence in months of :						
			Total	1-12	13-24	25-36	37-48	49-60	Over 60
All offenses	8,872	36	100%	17%	30%	32%	3%	16%	2%
All felonies	7,229	36	100%	13%	31%	31%	4%	20%	2%
Violent offenses	804	36	100	16	20	30	4	25	5
Property offenses	3,000	36	100	14	29	31	4	21	1
Drug offenses	2,718	36	100	10	35	33	3	17	1
Public-order offenses	673	24	100	18	33	25	3	20	1
Misdemeanors	1,644	24	100%	37%	25%	36%	1%	1%	1%

Note: Data on length of probation sentence were available for 100% of all cases in which the most severe type of sentence a defendant received was probation. Total for felonies includes cases that could not be classified into 1 of the 4 felony offense categories. Detail may not add to total because of rounding.  
 --Less than 0.5%.

**Table 34. Conditions of probation sentence received by convicted defendants, by most serious conviction offense, 1996**

Most serious conviction offense	Number of defendants	Felony defendants in the 75 largest counties sentenced to probation				
		Percent whose sentence to probation included				
		Community service	Restitution	Intensive supervision	Electronic monitoring	Drug treatment
All offenses	8,922	21%	21%	11%	7%	6%
All felonies	7,260	21%	22%	11%	6%	8%
Violent offenses	806	15	15	18	9	6
Property offenses	3,020	24	40	6	3	5
Drug offenses	2,720	21	6	13	9	12
Public-order offenses	680	17	11	11	5	6
Misdemeanors	1,662	19%	19%	12%	10%	2%

Note: Total for felonies includes cases that could not be classified into 1 of the 4 felony offense categories. A defendant may have received more than one type of probation condition. Not all defendants sentenced to probation received probation conditions. Detail may not add to total because of rounding.  
 --Less than 0.5%.

### Prior record and felony sentencing

For defendants convicted of a felony on their current charge, the probability of receiving a sentence to incarceration was highest if they had multiple prior felony convictions (85%) (table 35).

Defendants with multiple prior felony convictions and whose current conviction was for a violent felony were the most likely of all defendants to be sentenced to incarceration (91%).

About three-fourths of defendants with just one prior felony conviction (76%) or only prior misdemeanor convictions (72%), were sentenced to incarceration following a felony conviction in the current case. About half of those with no prior convictions of any type (52%) received an incarceration sentence for a felony conviction.

Defendants with no prior convictions whose current felony conviction was for a property offense were the least likely overall to be sentenced to incarceration (39%).

A majority (58%) of the defendants with more than one prior felony conviction were sentenced to prison for a new felony conviction, including 71% of those whose current conviction was for a violent offense. Nearly half (45%) of the defendants with a single prior felony conviction were sentenced to prison following a felony conviction in the current case, including 65% of those convicted of a violent felony.

Overall, less than a fourth of defendants with no prior felony convictions received a prison sentence for a felony conviction in the current case. However, 40% of the defendants with no

prior felony convictions received a prison sentence if the current conviction was for a violent felony.

Defendants with a prior conviction record that consisted of only misdemeanors were more likely than other defendants to receive a jail sentence after being convicted of a felony (49%) on the current charge. This was most likely to be the case if the current conviction was for a nonviolent offense.

Defendants with no prior convictions of any kind were the most likely to receive a probation sentence (47%). Three-fifths of defendants convicted of a property-related felony and who had no prior convictions received a probation sentence.

**Table 35. Most severe type of sentence received by defendants convicted of a felony, by prior conviction record, 1996**

Prior conviction record and most serious current felony conviction	Number of defendants	Percent of defendants in the 75 largest counties convicted of a felony and sentenced to:						
		Total	Incarceration			Nonincarceration		
			Total	Prison	Jail	Total	Probation	Fine
<b>More than 1 prior felony conviction</b>								
All offenses	5,989	100%	85%	58%	26%	15%	15%	--
Violent offenses	738	100	91	71	20	9	8	1
Property offenses	2,086	100	83	58	25	17	17	--
Drug offenses	2,605	100	85	55	30	15	14	--
Public-order offenses	529	100	83	61	22	17	16	1
<b>1 prior felony conviction</b>								
All offenses	4,102	100%	76%	45%	31%	24%	23%	1%
Violent offenses	667	100	84	65	19	16	16	1
Property offenses	1,219	100	74	40	33	26	26	--
Drug offenses	1,793	100	75	41	34	25	25	1
Public-order offenses	408	100	79	44	34	21	21	0
<b>Prior misdemeanor convictions only</b>								
All offenses	4,153	100%	72%	23%	49%	28%	28%	--
Violent offenses	731	100	79	40	39	21	21	0
Property offenses	1,307	100	66	17	49	34	34	--
Drug offenses	1,705	100	72	19	53	28	27	--
Public-order offenses	382	100	71	22	49	29	29	0
<b>No prior convictions</b>								
All offenses	7,949	100%	52%	20%	32%	48%	47%	1%
Violent offenses	1,545	100	72	40	32	28	28	0
Property offenses	2,782	100	39	11	28	61	60	1
Drug offenses	2,947	100	55	19	36	45	44	1
Public-order offenses	634	100	46	18	28	54	51	3

Note: Data on prior conviction record and type of sentence were available for 91% of all cases. Sentences to incarceration may have also included a probation term. Sentences to prison, jail, or probation may have included a fine, restitution, or community service. Fines may have included restitution or community service. Detail may not add to total because of rounding. --Less than 0.5%.



Defendants convicted of a violent felony were much more likely to be sentenced to prison than jail or probation if they had at least one prior felony conviction (figure 22). Those without a prior felony conviction were only slightly more likely to be sentenced to prison than jail.

Among defendants convicted of a nonviolent felony, prison was also the most likely sentence for those with prior felony convictions. However, this effect was much more pronounced for those with multiple prior felonies than those with a single prior felony.

Jail was the most probable sentence for a nonviolent felony among defendants who had a prior conviction record that consisted of only misdemeanors. Probation was the most likely sentence if they had no conviction record at all.

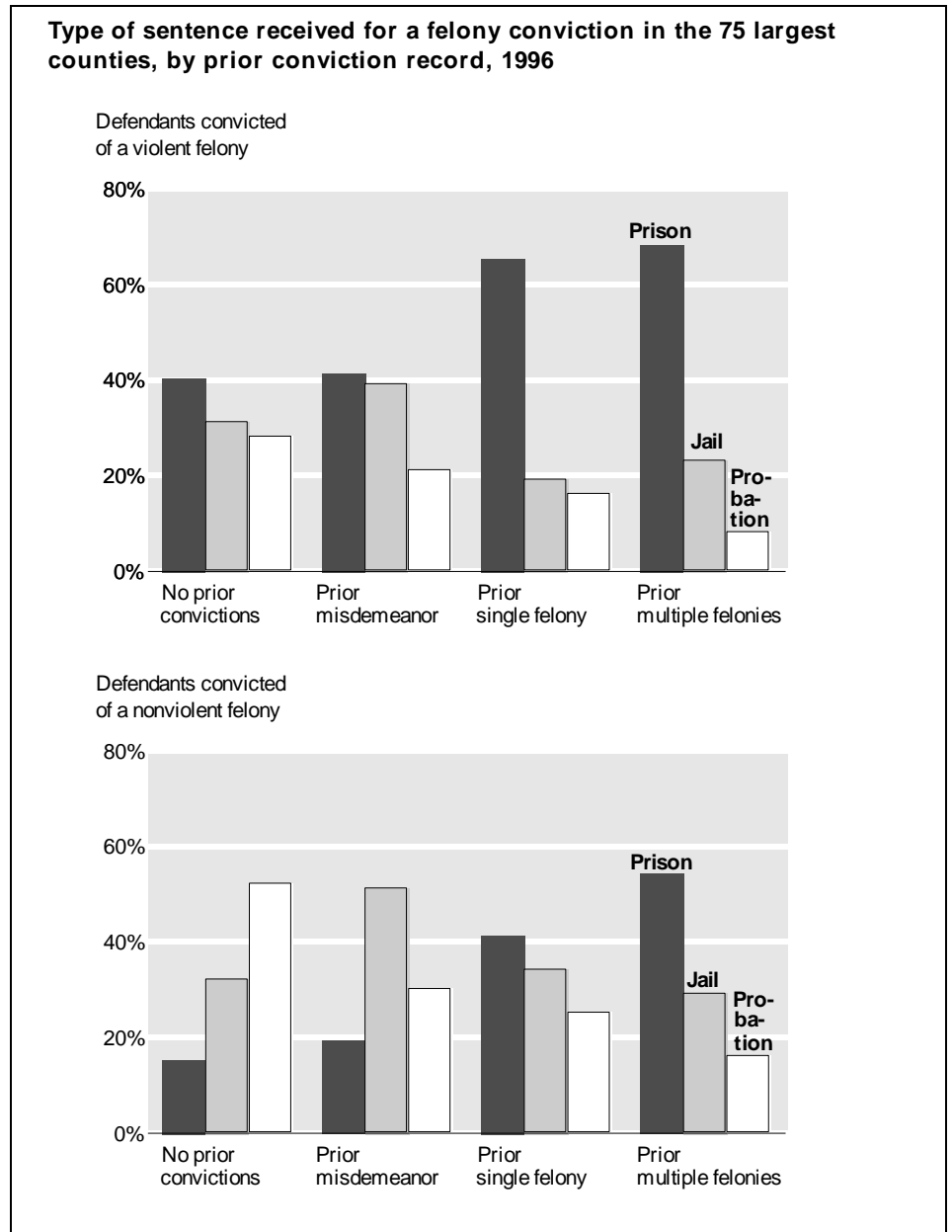


Figure 22

## Methodology

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The SCPS sample was designed and selected by the U.S. Bureau of the Census under BJS supervision. It is a 2-stage stratified sample, with 40 of the 75 most populous counties selected at the first stage and a systematic sample of State court felony filings (defendants) within each county selected at the second stage. The 40 counties were divided into 4 first-stage strata based on court filing information obtained through a telephone survey. Twelve counties were included in the sample with certainty because of their large number of court filings. The remaining counties were allocated to the three noncertainty strata based on the variance of felony court dispositions.

The second-stage sampling (filings) was designed to represent all defendants who had felony cases filed with the court during the month of May 1996. The participating jurisdictions provided data for every felony case filed on selected days during that month. Depending on the first-stage stratum in which it had been placed, each jurisdiction provided data for 1, 2, or 4 weeks' filings in May 1996. Data from jurisdictions that were not required to provide a full month of filings were weighted to represent the full month (see Appendix Table A).

Data on 15,474 sample felony cases were collected from the 40 sampled jurisdictions. This sample represented 54,579 weighted cases filed during the month of May 1996 in the 75 most populous counties. A small number of cases (64 unweighted, 244 weighted) were omitted from the analysis because they could not be classified into one of the four major crime categories (violent, property, drug, public-order).

This report is based on data collected from the following counties and independent cities: Alabama (Jefferson); Arizona (Maricopa, Pima); California (Alameda, Los Angeles, Orange, Sacramento, San Bernardino, San Francisco, Santa Clara, Ventura); Florida (Broward, Dade, Hillsborough, Orange); Georgia (Fulton); Hawaii (Honolulu); Illinois (Cook, DuPage); Indiana (Marion); Kentucky (Jefferson); Maryland (Baltimore (city)); Michigan (Wayne); Missouri (Jackson, St. Louis); New York (Bronx, Erie, Kings, Monroe, New York, Queens, Suffolk); Ohio (Hamilton); Pennsylvania (Allegheny, Philadelphia); Tennessee (Shelby); Texas (Dallas, Harris); Washington (King); and Wisconsin (Milwaukee).

Because the data came from a sample, a sampling error (standard error) is associated with each reported number. In general, if the difference between two numbers is greater than twice the standard error for that difference, we can say that we are 95% confident of a real difference and that the apparent difference is not simply the result of using a sample rather than the entire population. All differences discussed in this report were statistically significant at or above the 95-percent confidence level.

### Race and Hispanic origin

Several jurisdictions did not provide complete reporting for defendants' Hispanic origin. As a result, the overall reporting level for race combined with Hispanic origin was 79%, compared to 90% for race alone. Because of this underreporting, the categories of race alone account for more defendants than the categories that include both race and Hispanic origin. A large preponderance of the defendants with a Hispanic origin were white, although the category includes all races.

### Offense categories

Felony offenses were classified into 13 categories for this report. These categories were further divided into the four major crime categories of violent, property, drug, and public-order offenses. The following listings contain a representative summary of most of the crimes contained in each category; however, these lists are not meant to be exhaustive. All offenses, except for murder, include attempts and conspiracies to commit.

#### Violent offenses

*Murder* — Includes homicide, nonnegligent manslaughter, and voluntary homicide. Does not include attempted murder (classified as felony assault), negligent homicide, involuntary homicide, or vehicular manslaughter, which are classified as *other violent offenses*.

*Rape* — Includes forcible intercourse, sodomy, or penetration with a foreign object. Does not include statutory rape or nonforcible acts with a minor or someone unable to give legal consent, nonviolent sexual offenses, or commercialized sex offenses.

*Robbery* — Includes the unlawful taking of anything of value by force or threat of force.

*Assault* — Includes aggravated assault, aggravated battery, attempted murder, assault with a deadly weapon, felony assault or battery on a law enforcement officer, and other felony assaults. Does not include extortion, coercion, or intimidation.

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*Other violent offenses* — Includes vehicular manslaughter, involuntary manslaughter, negligent or reckless homicide, nonviolent or nonforcible sexual assault, kidnaping, unlawful imprisonment, child or spouse abuse, cruelty to a child, reckless endangerment, hit-and-run with bodily injury, intimidation, and extortion.

### **Property offenses**

*Burglary* — Includes any type of entry into a residence, industry, or business with or without the use of force with the intent to commit a felony or theft. Does not include possession of burglary tools, trespassing, or unlawful entry for which the intent is not known.

*Theft* — Includes grand theft, grand larceny, motor vehicle theft, and any other felony theft. Does not include receiving or buying stolen property, fraud, forgery, or deceit.

*Other property offenses* — Includes receiving or buying stolen property, forgery, fraud, embezzlement, arson, reckless burning, damage to property, criminal mischief, vandalism, bad checks, counterfeiting, criminal trespassing, possession of burglary tools, and unlawful entry.

### **Drug offenses**

*Drug trafficking* — Includes trafficking, sales, distribution, possession with intent to distribute or sell, manufacturing, and smuggling of controlled substances. Does not include possession of controlled substances.

*Other drug offenses* — Includes possession of controlled substances, prescription violations, possession of drug paraphernalia, and other drug law violations.

### **Public-order offenses**

*Weapons* — Includes the unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly weapon or accessory.

*Driving-related* — Includes driving under the influence of drugs or alcohol, driving with a suspended or revoked license, and any other felony in the motor vehicle code.

*Other public-order offenses* — Includes flight/escape, parole or probation violations, prison contraband, habitual offender, obstruction of justice, rioting, libel, slander, treason, perjury, prostitution/pandering, bribery, and tax law violations.

### **Terms related to pretrial release**

*Released defendant* — Includes any defendant who was released from custody prior to the disposition of his or her case by the court. Includes defendants who were detained for some period of time before being released and defendants who were returned to custody after being released because of a violation of the conditions of pretrial release. The terms "on pretrial release" and "released pending disposition" are both used in this report to refer to all released defendants.

*Detained defendant* — Includes any defendant who remained in custody from the time of arrest until the disposition of his or her case by the court. This report also refers to detained defendants as "not released."

*Failure to appear* — Occurs when a court issues a bench warrant for a defendant's arrest because he or she has missed a scheduled court appearance.

### **Types of financial release**

*Surety bond* — A bail bond company signs a promissory note to the court for the full bail amount and charges the defendant a fee for the service (usually 10% of the full bail amount). If the defendant fails to appear, the bond company is liable to the court for the full bail amount. Frequently the bond company requires collateral from the defendant in addition to the fee.

*Deposit bond* — The defendant deposits a percentage (usually 10%) of the full bail amount with the court. The percentage of the bail is returned after the disposition of the case, but the court often retains a small portion for administrative costs. If the defendant fails to appear in court, he or she is liable to the court for the full amount of the bail.

*Full cash bond* — The defendant posts the full bail amount in cash with the court. If the defendant makes all court appearances, the cash is returned. If the defendant fails to appear in court, the bond is forfeited.

*Property bond* — Involves an agreement made by a defendant as a condition of pretrial release requiring that property valued at the full bail amount be posted as an assurance of his or her appearance in court. If the defendant fails to appear in court, the property is forfeited. Also known as "collateral bond."

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## **Types of nonfinancial release**

*Release on recognizance (ROR)* — The court releases the defendant on a signed agreement that he or she will appear in court as required. In this report, the ROR category includes citation releases in which arrestees are released pending their first court appearance on a written order issued by law enforcement or jail personnel.

*Unsecured bond* — The defendant pays no money to the court but is liable for the full amount of bail should he or she fail to appear in court.

*Conditional release* — Defendants are released under conditions and are usually monitored or supervised by a pretrial services agency. In some cases, such as those involving a third-party custodian or drug monitoring and treatment, another agency may be involved in the supervision of the defendant. Conditional release sometimes includes an unsecured bond.

## **Other type of release**

*Emergency release* — Defendants are released in response to a court order placing limits on a jail's population.

## Appendix

**Appendix table A. Population, sampling weights, and number of cases, by SCPS jurisdiction, 1996**

County (State)	Population	Sampling weights			Number of cases	
		Filings	County	Total	Unweighted	Weighted
Jefferson (AL)	662,000	2	2.00	4.00	300	1,200
Maricopa (AZ)	2,614,000	2	1.33	2.67	835	2,227
Pima (AZ)	779,000	1	3.30	3.30	348	1,148
Alameda (CA)	1,356,000	2	2.00	4.00	319	1,276
Los Angeles (CA)	9,056,000	4	1.00	4.00	1,375	5,500
Orange (CA)	2,606,000	2	1.33	2.67	522	1,392
Sacramento (CA)	1,116,000	2	1.33	2.67	398	1,061
San Bernardino (CA)	1,589,000	2	1.33	2.67	360	960
San Francisco (CA)	735,000	2	2.00	4.00	295	1,180
Santa Clara (CA)	1,594,000	2	1.33	2.67	356	949
Ventura (CA)	711,000	1	3.30	3.30	166	548
Broward (FL)	1,440,000	2	1.33	2.67	415	1,107
Dade (FL)	2,106,000	4	1.00	4.00	474	1,896
Hillsborough (FL)	893,000	2	1.33	2.67	329	877
Orange (FL)	763,000	2	2.00	4.00	427	1,708
Fulton (GA)	716,000	2	2.00	4.00	450	1,800
Honolulu (HI)	873,000	1	3.30	3.30	172	568
Cook (IL)	5,190,000	4	1.00	4.00	678	2,712
DuPage (IL)	860,000	1	3.30	3.30	147	485
Marion (IN)	815,000	1	3.30	3.30	635	2,095
Jefferson (KY)	671,000	4	1.00	4.00	132	528
Baltimore (city) (MD)	672,000	2	1.33	2.67	483	1,288
Wayne (MI)	2,137,000	4	1.00	4.00	203	812
Jackson (MO)	650,000	1	3.30	3.30	398	1,313
St. Louis (MO)	1,003,000	1	3.30	3.30	371	1,224
Bronx (NY)	1,191,000	4	1.00	4.00	512	2,048
Erie (NY)	953,000	2	2.00	4.00	85	340
Kings (NY)	2,266,000	4	1.00	4.00	632	2,528
Monroe (NY)	720,000	1	3.30	3.30	213	703
New York (NY)	1,533,000	4	1.00	4.00	515	2,060
Queens (NY)	1,973,000	4	1.00	4.00	276	1,104
Suffolk (NY)	1,355,000	1	3.30	3.30	240	792
Hamilton (OH)	856,000	2	2.00	4.00	265	1,060
Allegheny (PA)	1,293,000	2	1.33	2.67	138	368
Philadelphia (PA)	1,472,000	4	1.00	4.00	324	1,296
Shelby (TN)	864,000	2	2.00	4.00	414	1,656
Dallas (TX)	1,989,000	4	1.00	4.00	142	568
Harris (TX)	3,107,000	4	1.00	4.00	428	1,712
King (WA)	1,618,000	2	2.00	4.00	199	796
Milwaukee (WI)	927,000	1	3.30	3.30	439	1,449

Note: In 14 of the 40 counties included in the 1996 SCPS study, prosecutors did not screen out any felony arrests before filing charges. In these counties, the SCPS sample cases are representative of all felony cases received by prosecutors, and any cases screened out by the prosecutor are included in the SCPS dismissal category. These counties are Jefferson (AL); Maricopa (AZ); Pima (AZ); Hillsborough (FL); Fulton (GA); Marion (IN); Jefferson (KY); Baltimore (city) (MD); Monroe (NY); Suffolk (NY); Hamilton (OH); Allegheny (PA); Shelby (TN); and Dallas (TX). In the other 26 SCPS jurisdictions, felony arrests were reviewed by prosecutors before the decision to file felony charges was made. In these jurisdictions, the SCPS sample cases do not include those in which a person was arrested for a felony but felony charges were not filed. Weights are rounded to second decimal place.

**Appendix table B. Most serious arrest charge of felony defendants, by SCPS jurisdiction, 1996**

County (State)	Percent of felony defendants within categories of most serious arrest charge				
	Total	Violent offenses	Property offenses	Drug offenses	Public-order offenses
Total	100%	25%	31%	37%	8%
Jefferson (AL)	100%	18%	34%	45%	4%
Maricopa (AZ)	100	22	29	39	10
Pima (AZ)	100	26	26	38	10
Alameda (CA)	100	18	24	55	4
Los Angeles (CA)	100	23	28	43	6
Orange (CA)	100	13	26	55	5
Sacramento (CA)	100	32	29	26	14
San Bernardino (CA)	100	27	28	39	6
San Francisco (CA)	100%	17%	19%	59%	5%
Santa Clara (CA)	100	19	28	46	8
Ventura (CA)	100	22	29	41	8
Broward (FL)	100	15	34	45	7
Dade (FL)	100	36	32	26	6
Hillsborough (FL)	100	27	29	38	6
Orange (FL)	100	29	38	28	6
Fulton (GA)	100	38	26	34	2
Honolulu (HI)	100%	23%	42%	29%	6%
Cook (IL)	100	9	18	66	7
DuPage (IL)	100	7	65	14	14
Marion (IN)	100	21	43	28	8
Jefferson (KY)	100	36	36	27	2
Baltimore (city) (MD)	100	26	33	40	0
Wayne (MI)	100	33	31	27	9
Jackson (MO)	100	13	49	31	8
St. Louis (MO)	100%	15%	56%	15%	14%
Bronx (NY)	100	24	15	53	8
Erie (NY)	100	32	25	32	12
Kings (NY)	100	34	18	37	11
Monroe (NY)	100	23	46	20	11
New York (NY)	100	28	25	41	6
Queens (NY)	100	37	32	21	10
Suffolk (NY)	100	17	35	18	30
Hamilton (OH)	100%	27%	46%	20%	7%
Allegheny (PA)	100	38	42	11	9
Philadelphia (PA)	100	38	32	22	8
Shelby (TN)	100	28	32	31	10
Dallas (TX)	100	28	34	32	6
Harris (TX)	100	26	36	29	8
King (WA)	100	29	27	41	4
Milwaukee (WI)	100	31	34	23	11

Note: Detail may not add to 100% because of rounding.

**Appendix table C. Sex and age of felony defendants,  
by SCPS jurisdiction, 1996**

County (State)	Percent of felony defendants							
	Sex			Age at arrest				
	Total	Male	Female	Total	Under 21	21-29	30-39	40 older
Total	100%	84%	16%	100%	19%	33%	30%	18%
Jefferson (AL)	100%	80%	20%	100%	14%	32%	31%	23%
Maricopa (AZ)	100	84	16	100	15	35	33	17
Pima (AZ)	100	87	13	100	20	32	29	19
Alameda (CA)	100	81	19	100	14	34	33	19
Los Angeles (CA)	100	89	11	100	12	30	31	27
Orange (CA)	100	77	23	100	11	37	35	17
Sacramento (CA)	100	78	22	100	11	33	39	17
San Bernardino (CA)	100	83	17	100	15	33	35	18
San Francisco (CA)	100%	83%	17%	100%	12%	32%	35%	21%
Santa Clara (CA)	100	85	15	100	15	39	32	13
Ventura (CA)	100	81	19	100	16	37	30	16
Broward (FL)	100	81	19	100	15	35	31	19
Dade (FL)	100	86	14	100	14	33	34	19
Hillsborough (FL)	100	76	24	100	16	36	32	16
Orange (FL)	100	80	20	100	22	36	31	11
Fulton (GA)	100	82	18	100	18	30	30	22
Honolulu (HI)	100%	79%	21%	100%	11%	30%	45%	15%
Cook (IL)	100	87	13	100	26	36	25	13
DuPage (IL)	100	80	20	100	26	28	34	12
Marion (IN)	100	81	19	100	26	34	25	14
Jefferson (KY)	100	89	11	100	26	33	23	19
Baltimore (city) (MD)	100	84	16	100	21	35	30	14
Wayne (MI)	100	87	13	100	21	35	24	21
Jackson (MO)	100	76	24	100	14	36	33	18
St. Louis (MO)	100%	78%	22%	100%	20%	32%	33%	15%
Bronx (NY)	100	83	17	100	23	28	31	18
Erie (NY)	100	89	11	100	40	29	21	9
Kings (NY)	100	84	16	100	24	28	29	19
Monroe (NY)	100	82	18	100	34	28	27	11
New York (NY)	100	88	12	100	22	26	33	19
Queens (NY)	100	91	9	100	29	31	28	12
Suffolk (NY)	100	89	11	100	24	36	25	15
Hamilton (OH)	100%	77%	23%	100%	18%	35%	32%	14%
Allegheny (PA)	100	86	14	100	14	29	41	16
Philadelphia (PA)	100	86	14	100	24	34	26	16
Shelby (TN)	100	86	14	100	23	37	29	11
Dallas (TX)	100	84	16	100	20	23	39	18
Harris (TX)	100	79	21	100	23	34	25	19
King (WA)	100	83	17	100	11	39	29	21
Milwaukee (WI)	100	90	10	100	24	39	26	12

Note: Detail may not add to 100% because of rounding.

**Appendix table D. Race and Hispanic origin of felony defendants, by SCPS jurisdiction, 1996**

County (State)	Percent of felony defendants								
	Race				Race and Hispanic origin				
	Total	Black	White	Other	Total	Black, non-Hispanic	White, non-Hispanic	Other, non-Hispanic	Hispanic, any race
Total	100%	58%	40%	2%	100%	50%	23%	3%	24%
Jefferson (AL)	100%	74%	26%	0%	...	...	...	...	...
Maricopa (AZ)	100	21	74	5	100	16	44	5	35
Pima (AZ)	100	13	83	4	100	13	43	4	40
Alameda (CA)	100	77	19	4	100	64	16	3	17
Los Angeles (CA)	...	...	...	...	100	28	17	2	53
Orange (CA)	...	...	...	...	100	7	46	4	43
Sacramento (CA)	100	32	65	3	100	32	46	3	19
San Bernardino (CA)	100	34	65	2	...	...	...	...	...
San Francisco (CA)	100%	45%	51%	4%	...	...	...	...	...
Santa Clara (CA)	...	...	...	...	100	14	29	7	50
Ventura (CA)	100%	8	91	1	100	8	40	1	51
Broward (FL)	100	55	45	0	100	54	36	0	10
Dade (FL)	100	56	44	--	100	52	13	--	34
Hillsborough (FL)	100	51	49	--	100	50	41	--	8
Orange (FL)	100	52	48	0	...	...	...	...	...
Fulton (GA)	100	93	7	0	100	93	6	0	1
Honolulu (HI)	100%	10%	29%	62%	...	...	...	...	...
Cook (IL)	100	76	24	--	100	76	14	--	9
DuPage (IL)	100	23	75	2	...	...	...	...	...
Marion (IN)	100	65	35	1	100	65	32	1	3
Jefferson (KY)	100	51	49	0	100	51	49	0	0
Baltimore (city) (MD)	100	88	11	1	100	88	11	1	--
Wayne (MI)	100	90	10	1	...	...	...	...	...
Jackson (MO)	100	64	36	1	100	62	35	1	3
St. Louis (MO)	100%	55%	45%	--	...	...	...	...	...
Bronx (NY)	100	53	47	1	100	42	5	1	53
Erie (NY)	100	77	21	1	100	73	17	1	9
Kings (NY)	100	63	36	1	100	60	12	1	27
Monroe (NY)	100	74	25	1	100	62	22	1	15
New York (NY)	100	61	37	3	100	53	11	3	34
Queens (NY)	100	51	45	4	100	46	17	4	33
Suffolk (NY)	100	45	54	1	100	39	45	1	15
Hamilton (OH)	100%	66%	33%	1%	100%	65%	33%	1%	2%
Allegheny (PA)	100	57	43	1	...	...	...	...	...
Philadelphia (PA)	100	70	30	1	100	69	19	1	12
Shelby (TN)	100	84	15	--	...	...	...	...	...
Dallas (TX)	100	53	46	1	100	52	28	1	18
Harris (TX)	100	49	51	1	100	48	29	1	22
King (WA)	100	37	59	4	100	38	47	4	11
Milwaukee (WI)	100	73	24	2	...	...	...	...	...

Note: Detail may not add to 100% because of rounding.  
 ...Data were available for less than two-thirds of all cases.  
 --Less than 0.5%.



**Appendix table E. Felony defendants released before or detained until case disposition, by SCPS jurisdiction, 1996**

County (State)	Percent of felony defendants										Detained until case disposition		
	Released before case disposition												
	Total	Financial release				Nonfinancial release							
		Surety bond	Deposit bond	Full cash bond	Property bond	Recognizance*	Condi-tional	Un-secured bond	Emer-gency release				
Total	Held on bail	Denied bail											
Total	63%	18%	7%	2%	2%	24%	6%	4%	1%	37%	30%	6%	
Jefferson (AL)	79%	27%	0%	2	38%	2%	1%	8%	0%	21%	19%	2%	
Maricopa (AZ)	76	11	9	--	0	40	15	1	0	24	14	10	
Pima (AZ)	63	9	0	4	0	31	19	0	0	37	37	0	
Alameda (CA)	60	26	0	0	0	33	0	0	0	40	23	17	
Los Angeles (CA)	31	10	0	0	0	20	--	0	0	69	69	1	
Orange (CA)	47	11	0	1	0	35	0	0	0	53	51	2	
Sacramento (CA)	53	27	0	--	0	25	0	0	0	47	26	21	
San Bernardino (CA)	37	10	--	0	0	22	4	0	0	63	61	2	
San Francisco (CA)	76%	21%	0%	2%	0%	50%	3%	0%	0%	24%	24%	0%	
Santa Clara (CA)	52	18	0	1	0	17	16	0	0	48	46	2	
Ventura (CA)	54	21	0	1	0	18	14	0	0	46	38	8	
Broward (FL)	74	45	--	12	0	2	8	0	7	26	15	11	
Dade (FL)	51	12	10	2	3	3	17	3	0	49	37	12	
Hillsborough (FL)	79	63	0	3	0	10	3	0	0	21	10	11	
Orange (FL)	68	56	0	5	0	2	5	0	0	32	26	6	
Fulton (GA)	75	47	0	3	7	7	--	10	0	25	17	9	
Honolulu (HI)	58%	16%	0%	12%	0%	3%	19%	0%	8%	42%	40%	2%	
Cook (IL)	73	--	34	--	0	0	5	27	7	27	26	1	
DuPage (IL)	72	0	69	0	0	1	1	0	0	28	28	0	
Marion (IN)	82	34	6	1	0	36	4	0	0	18	12	6	
Jefferson (KY)	73	0	23	1	2	43	4	0	1	27	26	1	
Baltimore (city) (MD)	54	28	--	0	4	13	8	--	0	46	38	8	
Wayne (MI)	68	1	41	0	0	0	0	21	5	32	20	12	
Jackson (MO)	79	10	19	0	--	4	0	45	0	21	20	1	
St. Louis (MO)	70%	10%	23%	1%	10%	3%	0%	23%	0%	30%	21%	9%	
Bronx (NY)	76	0	0	0	0	76	0	0	0	24	19	5	
Erie (NY)	54	10	0	4	0	38	0	1	0	46	46	0	
Kings (NY)	80	0	0	0	0	80	0	0	0	20	11	9	
Monroe (NY)	65	0	0	1	0	48	16	0	0	35	28	7	
New York (NY)	69	0	0	0	0	69	0	0	0	31	18	13	
Queens (NY)	79	0	0	0	0	79	0	0	0	21	12	10	
Suffolk (NY)	74	1	2	11	0	59	--	0	0	26	12	15	
Hamilton (OH)	58%	2%	20%	0%	10%	4%	22%	0%	0%	42%	37%	6%	
Allegheny (PA)	80	6	27	15	0	31	0	0	0	20	18	2	
Philadelphia (PA)	75	14	27	0	0	11	17	6	0	25	21	4	
Shelby (TN)	65	52	0	0	0	--	13	0	0	35	34	1	
Dallas (TX)	51	43	0	1	0	2	0	3	0	49	47	1	
Harris (TX)	49	42	0	1	0	--	2	3	0	51	35	16	
King (WA)	53	10	1	0	0	26	17	0	0	47	47	0	
Milwaukee (WI)	60	0	--	10	0	37	12	--	--	40	30	10	

Note: Detail may not add to 100% because of rounding.  
 \*Released on own recognizance.  
 --Less than 0.5%.

**Appendix table F. Adjudication outcome for felony defendants, by SCPS jurisdiction, 1996**

County (State)	Adjudicated within 1 year	Percent of felony defendants						
		Adjudication outcome						
		Convicted			Not convicted			Other outcome*
Total	Felony	Misde-meanor	Total	Dismissed	Acquitted			
Total	86%	70%	55%	15%	30%	29%	1%	--
Jefferson (AL)	49%	62%	47%	15%	38%	38%	0%	0%
Maricopa (AZ)	86	56	48	8	44	43	--	--
Pima (AZ)	96	46	44	2	54	52	1	0
Alameda (CA)	81	82	71	12	17	17	0	--
Los Angeles (CA)	95	85	79	6	15	15	--	1
Orange (CA)	88	83	75	8	17	16	1	0
Sacramento (CA)	93	80	58	22	20	19	1	0
San Bernardino (CA)	91	83	69	15	16	16	1	1
San Francisco (CA)	74%	80%	57%	22%	19%	19%	0%	1%
Santa Clara (CA)	86	87	81	6	13	13	0	--
Ventura (CA)	89	88	85	3	12	11	1	0
Broward (FL)	87	74	71	2	26	26	1	--
Dade (FL)	91	59	52	7	40	30	10	--
Hillsborough (FL)	90	73	64	10	27	26	--	0
Orange (FL)	94	73	59	14	27	26	1	--
Fulton (GA)	79	37	32	5	63	63	0	0
Honolulu (HI)	75%	88%	87%	1%	12%	10%	2%	0%
Cook (IL)	84	60	58	2	40	36	4	0
DuPage (IL)	85	94	92	2	6	6	1	0
Marion (IN)	87	51	40	11	49	47	2	0
Jefferson (KY)	91	63	25	38	37	37	0	0
Baltimore (city) (MD)	84	37	27	10	63	60	2	--
Wayne (MI)	88	67	65	2	33	29	4	0
Jackson (MO)	80	62	57	5	38	38	--	0
St. Louis (MO)	95%	86%	78%	8%	14%	14%	1	0%
Bronx (NY)	81	69	29	40	30	29	--	1
Erie (NY)	94	73	28	46	25	25	0	1
Kings (NY)	93	62	21	41	37	37	0	1
Monroe (NY)	80	65	38	28	35	34	1	0
New York (NY)	91	63	35	29	36	36	--	1
Queens (NY)	89	65	26	39	34	34	0	1
Suffolk (NY)	91	98	74	24	2	2	0	0
Hamilton (OH)	96%	68%	48%	20%	31%	31%	1%	--
Allegheny (PA)	79	83	66	17	17	17	0	1
Philadelphia (PA)	72	52	43	9	48	42	6	0
Shelby (TN)	72	75	42	33	25	25	--	0
Dallas (TX)	77	83	74	8	17	17	1	0
Harris (TX)	77	79	64	16	20	20	--	1
King (WA)	97	85	85	0	13	13	1	1
Milwaukee (WI)	89	87	81	6	13	13	1	0

Note: Detail may not add to 100% because of rounding.

--Less than 0.5%.

\*Includes diversion and deferred adjudication.

**Appendix table G. Most severe type of sentence received by defendants convicted of a felony, by SCPS jurisdiction, 1996**

County (State)	Percent of felony defendants					
	Incarceration			Nonincarceration		
	Total	Prison	Jail	Total	Probation	Fine
Total	69%	35%	34%	31%	30%	1%
Jefferson (AL)	27%	27%	0%	73%	71%	2%
Maricopa (AZ)	59	26	33	41	40	--
Pima (AZ)	59	47	12	41	41	0
Alameda (CA)	94	29	65	6	6	0
Los Angeles (CA)	89	47	42	11	11	--
Orange (CA)	83	34	49	17	17	0
Sacramento (CA)	88	35	53	12	12	0
San Bernardino (CA)	91	46	45	9	9	0
San Francisco (CA)	65%	9%	55%	35%	34%	1%
Santa Clara (CA)	93	22	71	7	7	0
Ventura (CA)	96	38	58	4	4	0
Broward (FL)	37	18	19	63	62	1
Dade (FL)	64	9	55	36	34	2
Hillsborough (FL)	33	16	17	67	66	1
Orange (FL)	47	15	32	53	53	--
Fulton (GA)	44	24	21	56	56	0
Honolulu (HI)	84%	43%	41%	16%	16%	0%
Cook (IL)	45	43	2	55	55	0
DuPage (IL)	55	28	27	45	44	1
Marion (IN)	73	37	36	27	24	3
Jefferson (KY)	63	56	7	37	37	0
Baltimore (city) (MD)	75	39	36	25	25	0
Wayne (MI)	40	28	13	60	60	0
Jackson (MO)	41	37	4	59	59	0
St. Louis (MO)	51%	33%	18%	49%	48%	1%
Bronx (NY)	72	63	9	28	28	0
Erie (NY)	80	40	40	20	20	0
Kings (NY)	85	47	38	15	15	0
Monroe (NY)	52	28	25	48	48	0
New York (NY)	79	59	20	21	21	0
Queens (NY)	69	54	15	31	31	0
Suffolk (NY)	79	32	47	21	17	4
Hamilton (OH)	55%	37%	17%	45%	42%	2%
Allegheny (PA)	49	16	33	51	51	0
Philadelphia (PA)	47	19	28	53	53	0
Shelby (TN)	86	56	30	14	13	2
Dallas (TX)	53	27	26	47	46	1
Harris (TX)	84	38	46	16	16	--
King (WA)	92	38	54	8	6	3
Milwaukee (WI)	75	42	33	25	24	1

Note: Sentences to incarceration may have also included a probation term. Sentences to prison, jail, and probation may have included a fine, restitution, or community service. Fines included restitution or community service in some instances.

Detail may not add to 100% because of rounding.

--Less than 0.5%.