



# Bureau of Justice Statistics Bulletin

# Felony Sentences in State Courts, 1990

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In 1990, an estimated 168,000 persons were convicted of drug trafficking, according to the most recent national survey of felony sentencing in State courts. That number is more than twice the number convicted in 1986, the year the survey was first conducted. An estimated 49% of drug traffickers received a State prison sentence in 1990, up from 37% in 1986.

Other results include the following:

- Drug traffickers (20%) and drug possessors (13%) together made up 33% of felons convicted in State courts in 1990. Violent offenders, consisting of murderers (1%), rapists (2%), robbers (6%), assaulters (7%), and others convicted of a violent crime (2%) together made up 18%. Burglars (13%) and larcenists (14%) made up most of the rest.
- State courts sentenced 46% of convicted felons to a State prison and 25% to a local jail (usually for a year or less). The remaining 29% were sentenced to straight probation with no jail or prison time to serve.
- State courts sentenced to death 2% of those convicted of murder.
- The average sentence to local jail was 8 months. The average probation sentence was about 3 1/2 years.

The 1990 National Judicial Reporting Program (NJRP), a biennial collection of sentencing data from a sample of felony trial courts in 300 counties, is designed to provide national estimates of the number of felony convictions and the types of sentences imposed after conviction. The statistical series, begun in 1986, documents an estimated 42% increase in the number of felony convictions over the period, from about 583,000 to more than 829,000 in 1990.

About 92,000 additional felony drug trafficking offenders were sentenced in 1990 compared to 1986, accounting for about 37% of the total increase during the 4-year period. In 1986 drug

- Felons sentenced to a State prison in 1990 had an average sentence of 6 1/4 years but were likely to serve a third of that sentence — or about 2 years — before release, assuming that current release policies continued.
- About 78% of felons had one felony conviction offense, 16% had two, and the remaining 6% had three or more.
- A fine was imposed on 16% of convicted felons, restitution on 16%, community service on 4%, and treatment was ordered for 7%.
- Of the total number of convicted felons in 1990, 91% had pleaded guilty to their

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trafficking accounted for 13% of felons sentenced that year compared to 20% of felons sentenced in 1990.

The 1990 NJRP, an important component of BJS's effort to provide national statistics on courts and adjudication, gives more detail than ever before on the types of felony offenses handled by State courts, including armed and unarmed robbery as well as different categories of burglary, larceny, and fraud.

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crime. The rest had been found guilty at trial.

- The average time from arrest to sentencing in 1990 was about 7 months.
- Large urban counties disproportionately accounted for felony convictions nationwide — the 75 largest urban counties had 37% of the Nation's residents but 48% of its felony convictions.
- Of the felons convicted nationally in 1990, 52% were white, 47% were black, and 1% were of other races. Males were 86% of the total. The average age of convicted felons was 29 years.

## National Judicial Reporting Program

The National Judicial Reporting Program (NJRP) is a biennial sample survey that compiles detailed information on the sentences convicted felons receive in State courts nationwide and on various characteristics of these felons. Surveys of felony sentencing in State courts were previously conducted in 1986 (see *Felony Sentences in State Courts, 1986*, Bureau

of Justice Statistics, NCJ-115210, February 1989) and in 1988 (see *Felony Sentences in State Courts, 1988*, Bureau of Justice Statistics, NCJ-126923, December 1990).

The 1990 survey was based on a sample of 300 counties selected to be nationally representative. The sample consisted of the same jurisdictions as in the 1988 survey and included the District of Columbia and at least one county from every State except, by chance, Vermont. Among sampled counties, two sentenced no felons during 1990. The 1990 survey excluded Federal courts and those State or local courts that did not adjudicate felony cases. Federal courts convicted 36,686 persons of a felony offense in 1990. That number represents 4% of the combined State and Federal total number of felony convictions during 1990.

The 1990 survey included only offenses that State penal codes defined as felonies. Felony offenses are widely defined as crimes that have the potential of being punished by more than 1 year in prison. States usually designate specific

courts to try felony offenses, although in some counties more than one court may handle such cases.

Two major improvements to the biennial survey were made in 1990. Sampling was expanded to obtain national estimates for each of three additional felony offense categories: drug possession, fraud (including forgery and embezzlement), and weapons offenses. Another improvement was the collection of additional information for selected subcategories of offenses (table 1).

### Felony conviction offenses

A total of 829,000 persons were convicted of a felony offense in State courts in 1990, including 148,000 (or 17.8% of the total) for a violent felony; 281,000 (33.9%) for the property offenses of burglary, larceny, fraud, and forgery; 275,000 (33.1%) for drug offenses; and 21,000 for weapons offenses (2.5%) (table 1). The remaining 105,000 (12.7%) consisted of persons convicted of nonviolent offenses such as receiving stolen property, weapons offenses, and escaping custody.

**Table 1. Estimated number of felony convictions in State courts, 1990**

Most serious conviction offense	Felony convictions	
	Number	Percent
<b>All offenses</b>	829,344	100%
<b>Violent offenses</b>	147,766	17.8%
Murder/manslaughter <sup>a</sup>	10,895	1.3
Murder	7,530	.9
Manslaughter <sup>b</sup>	3,365	.4
Rape	18,024	2.2
Robbery	47,446	5.7
Armed	12,402	1.5
Unarmed	18,778	2.3
Unspecified	16,266	2.0
Aggravated assault	53,861	6.5
Other violent <sup>c</sup>	17,540	2.1
<b>Property offenses</b>	280,748	33.9%
Burglary	109,750	13.2
Residential	18,659	2.2
Nonresidential	40,155	4.8
Unspecified	50,936	6.1
Larceny	113,094	13.6
Motor vehicle theft	21,065	2.5
Other theft <sup>d</sup>	92,029	11.1
Fraud <sup>e</sup> /forgery	57,904	7.0
Fraud <sup>e</sup>	26,877	3.2
Forgery	31,027	3.7
<b>Drug offenses</b>	274,613	33.1%
Possession	106,253	12.8
Trafficking	168,360	20.3
Marijuana	16,613	2.0
Other	115,796	14.0
Unspecified	35,951	4.3
<b>Weapons offenses</b>	20,733	2.5%
<b>Other offenses<sup>f</sup></b>	105,484	12.7%

Note: Detail may not sum to total due to rounding. Data specifying the conviction offense were available for 100% of the sample.

<sup>a</sup>Manslaughter defined as nonnegligent manslaughter only.

<sup>b</sup>Manslaughter defined as nonnegligent manslaughter only. Where a case was known to be murder or nonnegligent manslaughter, but which of the two was unknown (a small number of cases), the case was classified under manslaughter.

<sup>c</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>d</sup>Includes a small number unspecified.

<sup>e</sup>Includes embezzlement.

<sup>f</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 2. Types of felony sentences imposed by State courts, 1990**

Most serious conviction offense	Total	Percent of felons sentenced to			
		Total	Incarceration	Jail	Probation
<b>All offenses</b>	100%	71%	46%	25%	29%
<b>Violent offenses</b>	100%	80%	59%	21%	20%
Murder <sup>a</sup>	100	95	91	4	5
Rape	100	86	67	19	14
Robbery	100	90	73	17	10
Aggravated assault	100	72	45	27	28
Other violent <sup>b</sup>	100	67	42	25	33
<b>Property offenses</b>	100%	66%	44%	22%	34%
Burglary	100	75	54	21	25
Larceny <sup>c</sup>	100	65	40	25	35
Fraud <sup>d</sup>	100	53	33	20	47
<b>Drug offenses</b>	100%	72%	43%	29%	28%
Possession	100	64	35	29	36
Trafficking	100	77	49	28	23
<b>Weapons offenses</b>	100%	62%	38%	24%	38%
<b>Other offenses<sup>e</sup></b>	100%	66%	37%	29%	34%

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed — prison being the most severe, followed by jail, then probation. Data on sentence type were available for 99.4% of the estimated total.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Marijuana trafficking convictions were 2% of the conviction total, and marijuana possession convictions were less than 1% (0.6%) of the total.

### Sentences for felonies

In 1990, 71% of all convicted felons were sentenced to a period of confinement — 46% to State prisons and 25% to local jails (table 2). Typically prison terms are

for a period more than a year while jail terms are for a year or less. An estimated 29% of all convicted felons were sentenced to probation with no jail or prison time to serve.

### Sentence length

An offender convicted of multiple offenses receives a sentence for each offense. If the court imposes multiple prison sentences, a determination is made whether the convicted felon will serve the sentences concurrently (at the same time) or consecutively (one after another). For persons with consecutive sentences, the total time is the sum of the sentence lengths, and for persons with concurrent sentences, the total time is the same as the longest sentence. For persons convicted of a single offense the total time refers simply to the sentence for that offense. Whenever an offender received a prison sentence range, such as 5-10 years, the total time refers to the maximum.

Two ways of calculating averages are used to describe sentence length: means and medians. Means are sensitive to a few very long or very short sentences in a distribution and do not include in their calculation sentences to life in prison or to death. Median sentence length, the middle value in the range of sentences, is not influenced by extreme values and includes sentences to life in prison or to death. Median sentence lengths are nearly always shorter than the corresponding means.

For the Nation in 1990 the mean felony sentence to a period of incarceration (prison or jail) was 4 years and 4 months, unchanged from 1988; the median was 2 years, also unchanged from 1988 (table 3).

**Table 3. Mean and median sentence lengths for felony sentences imposed by State courts, 1990**

Most serious conviction offense	Maximum sentence length for felons sentenced to			
	Total	Incarceration Prison	Jail	Probation
<b>Mean sentence</b>				
<b>All offenses</b>	52 mo	75 mo	8 mo	42 mo
<b>Violent offenses</b>	91 mo	119 mo	10 mo	46 mo
Murder <sup>a</sup>	233	243	37	67
Rape	128	160	11	61
Robbery	97	115	12	50
Aggravated assault	52	78	9	43
Other violent <sup>b</sup>	57	85	7	45
<b>Property offenses</b>	47 mo	65 mo	8 mo	44 mo
Burglary	61	80	9	48
Larceny <sup>c</sup>	33	49	7	41
Fraud <sup>d</sup>	40	58	6	43
<b>Drug offenses</b>	44 mo	66 mo	9 mo	42 mo
Possession	30	49	6	39
Trafficking	52	74	10	44
<b>Weapons offenses</b>	34 mo	50 mo	7 mo	34 mo
<b>Other offenses<sup>e</sup></b>	29 mo	44 mo	9 mo	39 mo
<b>Median sentence</b>				
<b>All offenses</b>	24 mo	48 mo	5 mo	36 mo
<b>Violent offenses</b>	54 mo	72 mo	6 mo	36 mo
Murder <sup>a</sup>	240	240	12	60
Rape	72	120	6	60
Robbery	60	72	11	48
Aggravated assault	24	51	6	36
Other violent <sup>b</sup>	27	60	4	36
<b>Property offenses</b>	24 mo	48 mo	5 mo	36 mo
Burglary	36	54	6	36
Larceny <sup>c</sup>	23	36	4	36
Fraud <sup>d</sup>	24	36	3	36
<b>Drug offenses</b>	24 mo	48 mo	5 mo	36 mo
Possession	12	30	3	36
Trafficking	36	48	6	36
<b>Weapons offenses</b>	18 mo	36 mo	3 mo	24 mo
<b>Other offenses<sup>e</sup></b>	13 mo	30 mo	4 mo	36 mo

Note: See note on table 2. Means exclude sentences to death or to life in prison. Sentence length data were available for 97% of incarceration sentences and 97% of probation sentences.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

## Prison sentences

In 1990 the mean length of sentences to State prison was 6 ¼ years; the median term was 4 years. The mean prison sentence for murder and nonnegligent manslaughter was about 20 years; the median was also 20 years.

Death and life without parole were sentencing options available for capital murder in 32 States in 1990.<sup>1</sup> The number receiving life imprisonment without parole could not be determined from NJRP data. However, the data do show that, in 1990, 21.6% of all persons convicted of murder or nonnegligent manslaughter throughout the Nation were sentenced to life in prison. Among those convicted of murder specifically (not including nonnegligent manslaughter), 31% were sentenced to life and 2.2%

<sup>1</sup>Julian H. Wright, Jr., "Life without parole," *Vanderbilt Law Review*, 43, 2, 1990. Note that life without parole does not literally mean a life sentence in more than a third of the 32 States that have the option. That is, in 11 of 32 States life without parole means some specified minimum number of years a person must serve before becoming eligible for release.

were sentenced to death.<sup>2</sup> Life sentences as a percentage of all sentences in 1990 were 2.2% for violent crimes; 0.1% for property; 0.3% for drugs; 0.1% for weapons; and 0.1% for other.

In greater detail:

	Sentenced to life in prison
All offenses	.5%
Murder/mauslaughter	21.6
Rape	2.2
Robbery	.7
Aggravated assault	.2
Other violent	.3
Burglary	.1
Larceny	--
Fraud	.1
Drug possession	.5
Drug trafficking	.3
Weapons	.1
Other felonies	.1

-- Less than 0.05%

<sup>2</sup>The 2.2% figure was computed from a denominator that included cases in both States that have the death penalty and States that do not. Restricting the denominator to cases in death-penalty States, the figure is 2.5% receiving the death penalty.

## Jail sentences

Among felons who received a sentence to local jail in 1990, the mean sentence was 8 months, and the median was 5 months.

## Probation sentences

Offenders convicted of felonies in 1990 and sentenced to straight probation with no period of confinement received probation sentences with a mean length of 3 ½ years and a median of 3 years.

## Estimated prison time to be served

The amount of time felons actually serve in prison is typically a fraction of the total sentence received (table 4). Two primary reasons explain the difference between sentences received versus time served:

- States that use indeterminate sentences, for which judges specify minimum and maximum sentence length, depend on parole boards to determine when a prisoner will be released.
- In most but not all States, inmates can earn early release through time credits for good behavior or special achievements and through automatic good-time credits — provisions that are intended to help correctional officials to manage institutional populations.

For both types of sentence reduction, released offenders usually serve the remaining portion of their sentences under supervision in the community. Based upon data collected by BJS in its National Corrections Reporting Program (NCRP), inmates released from prisons in 36 States and the District of Columbia in 1989 (the most recent available data) had served an average of 33% of their total sentence in prison. The average was calculated for inmates who were new court commitments and who were released for the first time on that sentence.<sup>3</sup> The percentage of sentence served ranged from a high of 43% for those convicted of murder to a low of 27% for those convicted of drug possession or larceny. If these proportions from 1989 are applied to 1990 prison sentences, felons sentenced in 1990 would be expected to serve approximately 2 years of their average prison sentence of 6 years and 3 months.

<sup>3</sup>New court commitments were those offenders entering prison directly from a sentence by the court and not from an unsuccessful period of community supervision. Parole violators are an example of the latter.

Table 4. Estimated time to be served in State prison, 1990

Most serious conviction offense	NCRP percent of sentence served in prison <sup>a</sup>	Mean prison sentence	Estimated time to be served in prison <sup>b</sup>
All offenses	33%	75 mo	25 mo
<b>Violent offenses</b>	38%	119 mo	45 mo
Murder <sup>c</sup>	43	243	104
Rape	39	160	62
Robbery	39	115	45
Aggravated assault	33	78	26
Other violent <sup>d</sup>	34	85	29
<b>Property offenses</b>	29%	65 mo	19 mo
Burglary	32	80	26
Larceny <sup>e</sup>	27	49	13
Fraud <sup>f</sup>	28	58	16
<b>Drug offenses</b>	29%	66 mo	19 mo
Possession	27	49	13
Trafficking	31	74	23
<b>Weapons offenses</b>	40%	50 mo	20 mo
<b>Other offenses<sup>g</sup></b>	30%	44 mo	13 mo

Note: See note on table 2. Means exclude sentences to death or to life in prison.

<sup>a</sup>Percent of sentence served excludes credited jail time. Sentence length data were available for 98% of prison sentences. Percent of sentence served was calculated from table 2-8 of *National Corrections Reporting Program, 1989*, BJS report (NCJ-138222), November 1992.

<sup>b</sup>Derived by multiplying percent of sentence actually served by the mean sentence imposed.

<sup>c</sup>Includes nonnegligent manslaughter.

<sup>d</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>e</sup>Includes motor vehicle theft.

<sup>f</sup>Includes forgery and embezzlement.

<sup>g</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Convicted felon populations:  
Sex, race, and age**

In 1990 men comprised nearly half of the adult U.S. population but 86% of persons convicted of a felony and 93% of the

148,000 persons convicted of a violent felony (table 5). Whites were 86% of the adult U.S. population but 52% of persons convicted of a felony and 50% of the persons convicted of a violent felony.

Corresponding figures for blacks were 11% of the adult U.S. population but 47% of convicted felons and 48% of felons convicted of a violent crime. The other races (American Indians, Alaska

**Table 5. Demographic characteristics of persons convicted of felonies by State courts, 1990**

Most serious conviction offense	Percent of convicted felons											
	Total	Sex		Race			Age					
		Male	Female	White	Black	Other	13-19	20-29	30-39	40-49	50-59	60+
<b>All offenses</b>	100%	86%	14%	52%	47%	1%	10%	48%	30%	9%	2%	1%
<b>Violent offenses</b>	100%	93%	7%	50%	48%	2%	11%	47%	27%	10%	3%	2%
Murder <sup>a</sup>	100	90	10	42	56	2	13	45	24	11	5	2
Rape	100	99	1	65	33	2	8	37	31	14	6	4
Robbery	100	94	6	36	63	1	16	55	23	5	1	--
Aggravated assault	100	91	9	53	44	3	9	47	29	10	3	2
Other violent <sup>b</sup>	100	94	6	72	24	4	7	38	32	15	5	3
<b>Property offenses</b>	100%	83%	17%	57%	42%	1%	12%	50%	27%	8%	2%	1%
Burglary	100	95	5	57	42	1	16	54	24	5	1	--
Larceny <sup>c</sup>	100	82	18	57	42	1	13	48	28	8	2	1
Fraud <sup>d</sup>	100	62	38	58	41	1	4	46	34	12	3	1
<b>Drug offenses</b>	100%	84%	16%	43%	56%	1%	7%	48%	33%	9%	2%	1%
Possession	100	83	17	45	54	1	6	46	35	10	2	1
Trafficking	100	85	15	42	57	1	7	50	31	9	2	1
<b>Weapons offenses</b>	100%	95%	5%	42%	57%	1%	12%	48%	26%	10%	3%	1%
<b>Other offenses<sup>e</sup></b>	100%	90%	10%	65%	33%	2%	7%	44%	31%	12%	4%	2%

Note: Data on sex were available for 88% of estimated total; on race, 65%; on age, 80%.  
--Less than 0.5%.  
<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.  
<sup>c</sup>Includes motor vehicle theft.  
<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Felony convictions and sentences relative to the number of arrests, 1990**

Using data from the NJRP and from the FBI's Uniform Crime Reports (UCR) on offenses and arrests, the number of felony convictions in 1990 was compared with the number of crimes reported to police for offenses likely to be felonies and the number of arrests made for these crimes in 1990.

The numbers are aggregates and should not be interpreted as representing the disposition of individual cases tracked across criminal justice stages. Nevertheless, the comparisons do illustrate the approximate odds of a conviction and a prison sentence given an arrest for a felony.

For example, the FBI reports that in 1990 about 19,770 adults were arrested for murder (including nonnegligent

manslaughter). NJRP data show that 10,895 persons were convicted of murder and 10,350 murderers received a prison sentence. Together the data show that for every 100 persons arrested for murder in the United States in 1990, 55 were convicted of murder and 50 were sentenced to prison for that offense. Corresponding figures for drug traffickers were 52 convictions and 25 prison sentences for every 100 arrests for drug trafficking.

Offense	Uniform Crime Reports		Number of felony convictions	Number of felony sentences		For 100 arrests		
	Number of crimes reported to police	Number of adult arrests		Incarceration	Prison	Number of felony convictions	Incarceration	Prison
Murder <sup>a</sup>	23,440	19,771	10,895	10,350	9,914	55	52	50
Rape	102,560	33,286	18,024	15,501	12,076	54	47	36
Robbery	639,270	127,672	47,446	42,701	34,636	37	33	27
Aggravated assault	1,054,860	399,277	53,861	38,780	24,237	13	10	6
Burglary	3,073,900	289,842	109,750	82,313	59,265	38	28	20
Drug trafficking	...	324,235	168,360	129,637	82,496	52	40	25

Note: The offenses selected have the greatest comparability across reporting series. In the data on convictions and sentences, the offense designation

came from the most serious offense.  
...Data not available.  
<sup>a</sup>Includes nonnegligent manslaughter.

Source: *Crime in the United States, 1990* (FBI, 1991) provided data on reported crime and arrests.

Natives, Asians, and Pacific Islanders) represented 3% of the U.S. population but 1% of convicted felons and 2% of those convicted of a violent crime.

Persons in their twenties represented about 24% of the adult U.S. population but 48% of convicted felons. The mean average age of felons was 29 years. Mean and median ages by conviction offense were as follows:

Conviction offense	Age in years	
	Mean	Median
Murder	30	27
Rape	33	31
Robbery	26	25
Aggravated assault	30	28
Other violent <sup>a</sup>	33	31
Burglary	27	25
Larceny	28	27
Fraud and forgery	31	29
Drug possession	29	29
Drug trafficking	30	28
Weapons	29	27
Other felonies	31	29

### Number of felony conviction offenses

The 829,000 felons sentenced in 1990 were convicted altogether of about 1 million felonies. The number of felony convictions exceeds the number of convicted felons because 16% of the

felons had 2 conviction offenses and 6% had 3 or more (table 6). The likelihood of a prison sentence rose from 42% for those convicted of one felony, to 56% for two, and to 60% for three or more (table 7).

**Table 6. Number of conviction offenses of felons in State courts, by most serious conviction offense, 1990**

Most serious conviction offense	Percent of convicted felons, by number of felony conviction offenses			
	Total	One	Two	Three or more
<b>All offenses</b>	100%	78%	16%	6%
<b>Violent offenses</b>	100%	72%	18%	10%
Murder <sup>a</sup>	100	68	22	10
Rape	100	64	20	16
Robbery	100	68	21	11
Aggravated assault	100	75	17	8
Other violent <sup>b</sup>	100	83	12	5
<b>Property offenses</b>	100%	76%	17%	7%
Burglary	100	69	22	9
Larceny <sup>c</sup>	100	85	11	4
Fraud <sup>d</sup>	100	72	18	10
<b>Drug offenses</b>	100%	81%	15%	4%
Possession	100	88	10	2
Trafficking	100	76	19	5
<b>Weapons offenses</b>	100%	78%	17%	5%
<b>Other offenses<sup>e</sup></b>	100%	87%	10%	3%

Note: Data on number of convictions were available for 98% of the estimated total.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 7. Convicted felons sentenced to prison by State courts, by number of conviction offenses, 1990**

Most serious conviction offense	Percent of convicted felons sentenced to prison, by number of felony conviction offenses		
	One	Two	Three or more
<b>All offenses</b>	42%	56%	60%
<b>Violent offenses</b>	54%	69%	77%
Murder <sup>a</sup>	89	94	94
Rape	62	71	78
Robbery	68	77	87
Aggravated assault	39	57	62
Other violent <sup>b</sup>	33	52	70
<b>Property offenses</b>	40%	54%	53%
Burglary	49	61	63
Larceny <sup>c</sup>	38	50	48
Fraud <sup>d</sup>	29	43	41
<b>Drug offenses</b>	40%	53%	55%
Possession	34	42	27
Trafficking	45	57	61
<b>Weapons offenses</b>	33%	50%	63%
<b>Other offenses<sup>e</sup></b>	35%	45%	36%

Note: See note on tables 2 and 6.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**1986-90 trends in the 75 largest counties**

Availability of survey data for 1986, 1988, and 1990 permits a description of trends. Owing to the small sample of counties in the 1986 survey, the data are of somewhat limited value for documenting trends in State courts overall. However, trends in the courts of large urban counties (counties with populations over 600,000) can be reliably described because, by design, each survey included a large sample (the same 54 counties in all 3 years) representative of the 75 largest counties. The Nation's 75 most populous counties have 37% of the U.S. population

but in 1990 accounted for about half of all crime reported to police, half of all felony arrests, and half of all felony convictions in State courts.

Notable trends in State courts of the most populous counties are as follows:

The volume of felony convictions rose from 244,753 in 1986, to 320,087 in 1988, and to 395,042 in 1990. That is a 61% increase since 1986, representing an average annual growth rate of 15%. All offense categories increased, but the biggest increase was in drug trafficking convictions: a 128% increase since 1986, or about 32% annually. Drug trafficking

convictions accounted for 16% of felony convictions in 1986, 20% in 1988, and 23% in 1990.

Despite the growing volume of convictions, courts generally processed cases faster in 1990 than they did in 1986. In 1990, 199 days (a little over 6½ months) was the average time from arrest to sentencing. That is 3 weeks faster than in 1986, when 220 days was the average. Although processing time increased for murder and rape and was unchanged for drug trafficking over this same period, it declined for all other categories.

The use of prison sentences increased after 1986 (42% in 1986, 44% in 1988, 47% in 1990), while the use of straight probation (a sentence that involves no confinement in either a prison or jail) decreased (28% in 1986, 25% in 1988, 23% in 1990). The prison use increase occurred exclusively among nonviolent offenses. In the case of drug trafficking, the likelihood of large urban courts imposing a prison sentence went from 36% in 1986, to 40% in 1988, and to 45% in 1990.

Offense	Percent of 1990 U.S. total accounted for by largest counties			Felony convictions in the 75 largest counties			Percent sentenced to prison		
	Reported crime	Adult arrests	Felony convictions	1986	1988	1990	1986	1988	1990
All	48%	47%	48%	244,753	320,087	395,042	42%	44%	47%
Murder <sup>a</sup>	57	55	50	4,835	4,859	5,438	92	92	92
Rape	41	44	40	7,016	6,723	7,131	89	89	88
Robbery	72	68	65	24,495	24,436	30,981	71	71	69
Aggravated assault	51	48	45	15,221	18,131	24,118	44	42	43
Burglary	45	45	43	37,744	42,976	47,110	51	57	57
Larceny <sup>b</sup>	47	45	44	37,951	44,493	49,451	37	42	43
Drug trafficking	...	64	54	39,806	64,160	90,773	36	40	45
Other felonies	...	...	45	77,885	114,309	140,040	28	33	38

...Data not available.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes motor vehicle theft.

Source: *Crime in the United States, 1990*, (FBI, 1991) and machine-readable data for that publication provided data on reported crime and arrests.

The mean sentence to incarceration also increased from 3 years and 9 months for those convicted of one felony, to nearly 6 years for those convicted of two or more (table 8).

### Method of conviction

About 752,000 persons, representing 91% of those sentenced for a felony in 1990, pleaded guilty. The rest were found

guilty by a jury or by a judge in a bench trial (tables 9 and 10). Persons convicted of murder were the least likely to have pleaded guilty and the most likely to have

**Table 8. Mean sentence lengths for felony sentences imposed by State courts, by number of conviction offenses, 1990**

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to			
	Incarceration			
	Total	Prison	Jail	Probation
<b>One conviction offense</b>				
All offenses	45 mo	68 mo	8 mo	41 mo
<b>Violent offenses</b>	78 mo	106 mo	9 mo	45 mo
Murder <sup>a</sup>	225	234	30	69
Rape	97	127	11	61
Robbery	85	103	11	50
Aggravated assault	45	70	9	41
Other violent <sup>b</sup>	47	73	7	43
<b>Property offenses</b>	41 mo	60 mo	7 mo	42 mo
Burglary	55	75	8	47
Larceny <sup>c</sup>	32	47	7	40
Fraud <sup>d</sup>	33	52	6	40
<b>Drug offenses</b>	40 mo	62 mo	8 mo	41 mo
Possession	29	48	6	39
Trafficking	47	70	10	44
<b>Weapons offenses</b>	28 mo	43 mo	7 mo	33 mo
<b>Other offenses<sup>e</sup></b>	28 mo	43 mo	9 mo	39 mo
<b>Two or more conviction offenses</b>				
All offenses	70 mo	92 mo	9 mo	48 mo
<b>Violent offenses</b>	116 mo	140 mo	12 mo	50 mo
Murder <sup>a</sup>	248	261	49	46
Rape	171	205	12	58
Robbery	112	129	13	53
Aggravated assault	69	91	9	48
Other violent <sup>b</sup>	99	127	9	48
<b>Property offenses</b>	58 mo	75 mo	8 mo	51 mo
Burglary	69	86	9	52
Larceny <sup>c</sup>	40	55	9	48
Fraud <sup>d</sup>	51	69	6	53
<b>Drug offenses</b>	56 mo	77 mo	9 mo	44 mo
Possession	37	59	6	40
Trafficking	61	81	10	46
<b>Weapons offenses</b>	49 mo	64 mo	7 mo	38 mo
<b>Other offenses<sup>e</sup></b>	32 mo	47 mo	9 mo	43 mo

Note: See note on tables 2, 3, and 6. Means exclude sentences to death or life imprisonment.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 9. Number of felony convictions in State courts, by offense and type of conviction, 1990**

Most serious conviction offense	Number of felons convicted by			
	Total	Trial Jury	Bench	Guilty plea
<b>All offenses</b>	77,351	35,303	26,208	751,993
<b>Violent offenses</b>	23,103	13,532	5,603	124,661
Murder <sup>a</sup>	4,432	3,138	644	6,462
Rape	3,450	2,109	890	14,574
Robbery	5,134	2,840	1,296	42,312
Aggravated assault	7,578	4,199	2,334	46,282
Other violent <sup>b</sup>	2,509	1,246	639	15,031
<b>Property offenses</b>	19,478	8,363	7,180	261,246
Burglary	8,509	3,865	3,353	101,242
Larceny <sup>c</sup>	7,275	2,928	2,588	105,819
Fraud <sup>d</sup>	3,694	1,570	1,239	54,209
<b>Drug offenses</b>	24,357	8,905	9,709	250,256
Possession	7,606	1,964	2,858	98,646
Trafficking	16,751	6,941	6,851	151,610
<b>Weapons offenses</b>	2,352	825	1,145	18,381
<b>Other offenses<sup>e</sup></b>	8,061	3,678	2,371	97,423

Note: Data on type of conviction were available for 81% of the estimated total. Table figures include estimates for cases missing a designation on type of conviction. Consequently, detail sums to the 1990 total of 829,344 felony convictions. Also, the trial total includes trial cases missing information on whether the trial was jury versus bench. Consequently, the trial total exceeds the sum of jury plus bench.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

been convicted by a jury. Murderers convicted by a jury were the most likely to have received a life sentence (35%) or the death penalty (5%).

### Case processing time

Mean elapsed time from arrest to sentencing in 1990 was 7 months,

unchanged from 1988; the median was 5 months, also unchanged (table 11). Guilty plea cases and bench trials each took less time to complete (a mean time

Type of conviction	Type of sentence for murder or nonnegligent manslaughter			
	Total	Life	Death	Other
Trial	100	35%	4%	61%
Jury	100	35	5	60
Bench	100	9	0	91
Guilty plea	100	14	--	86

**Table 10. Offense of felons convicted in State courts, by type of conviction, 1990**

Most serious conviction offense	Percent of felons convicted by				
	Total	Total	Trial Jury	Bench	Guilty plea
<b>All offenses</b>	100%	9%	4%	3%	91%
<b>Violent offenses</b>	100%	16%	9%	4%	84%
Murder <sup>a</sup>	100	41	29	6	59
Rape	100	19	12	5	81
Robbery	100	11	6	3	89
Aggravated assault	100	14	8	4	86
Other violent <sup>b</sup>	100	14	7	4	86
<b>Property offenses</b>	100%	7%	3%	3%	93%
Burglary	100	8	4	3	92
Larceny <sup>c</sup>	100	6	3	2	94
Fraud <sup>d</sup>	100	6	3	2	94
<b>Drug offenses</b>	100%	9%	3%	4%	91%
Possession	100	7	2	3	93
Trafficking	100	10	4	4	90
<b>Weapons offenses</b>	100%	11%	4%	6%	89%
<b>Other offenses<sup>e</sup></b>	100%	8%	3%	2%	92%

Note: Data on conviction type were available for 81% of the estimated total. The trial total includes trial cases missing information on whether the trial was jury versus bench. Consequently, the trial total exceeds the sum of jury plus bench.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 11. Mean and median number of days between arrest and sentencing for felony cases disposed by State courts, 1990**

Most serious conviction offense	Number of days between arrest and sentencing for cases disposed by				
	Total	Total	Trial Jury	Bench	Guilty plea
<b>Mean number of days</b>					
<b>All offenses</b>	211 days	233 days	264 days	207 days	208 days
<b>Violent offenses</b>	231 days	276 days	282 days	239 days	223 days
Murder <sup>a</sup>	347	378	364	365	325
Rape	254	283	292	245	248
Robbery	210	209	253	222	206
Aggravated assault	218	231	237	213	216
Other violent <sup>b</sup>	237	274	263	253	231
<b>Property offenses</b>	185 days	199 days	213 days	184 days	184 days
Burglary	176	207	213	205	174
Larceny <sup>c</sup>	185	198	234	161	184
Fraud <sup>d</sup>	204	178	175	172	206
<b>Drug offenses</b>	222 days	224 days	283 days	211 days	221 days
Possession	220	190	271	191	222
Trafficking	223	241	286	219	221
<b>Weapons offenses</b>	237 days	225 days	257 days	200 days	239 days
<b>Other offenses<sup>e</sup></b>	206 days	215 days	267 days	184 days	206 days
<b>Median number of days</b>					
<b>All offenses</b>	151 days	171 days	195 days	153 days	149 days
<b>Violent offenses</b>	172 days	209 days	216 days	183 days	167 days
Murder <sup>a</sup>	281	310	286	290	263
Rape	193	216	231	189	186
Robbery	154	185	182	164	151
Aggravated assault	164	173	178	164	162
Other violent <sup>b</sup>	184	214	199	209	179
<b>Property offenses</b>	125 days	141 days	159 days	126 days	124 days
Burglary	122	150	171	139	120
Larceny <sup>c</sup>	122	136	178	126	120
Fraud <sup>d</sup>	137	133	140	119	138
<b>Drug offenses</b>	164 days	164 days	210 days	161 days	164 days
Possession	161	138	212	146	164
Trafficking	166	179	209	163	164
<b>Weapons offenses</b>	163 days	165 days	216 days	143 days	163 days
<b>Other offenses<sup>e</sup></b>	150 days	146 days	189 days	137 days	150 days

Note: Data on conviction type were available for 81% of the estimated total. Data on elapsed time were available for 59% of the estimated total. The trial total includes trial cases missing information on whether the trial was jury versus bench.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

of about 7 months) than jury trials (with an average of about 8 months and 3 weeks).

**Additional penalties**

In 1990 a fine was imposed on 16% of convicted felons, restitution on 16%, community service on 4%, and some form of treatment was ordered for 7% (table 12). Altogether, 35% of convicted felons received some form of additional penalty.

**Methodology**

*Sampling*

A sample of 300 counties was drawn for the 1990 survey. Every county in the Nation had a nonzero probability of being in the sample. In general, the more felony cases a county had, the more likely it was to be in the sample.

The survey used a two-stage, stratified cluster sampling design. In the first stage the Nation's 3,109 counties or county equivalents were divided into 8 strata. Strata 1 and 2 consisted solely of the 75

largest counties in the United States as defined by the 1985 resident population. Strata 3 through 8 consisted of the remaining 3,034 counties.

Because the 75 largest counties account for a disproportionately large amount of serious crime in the Nation, they were given a greater chance of being selected than the remaining counties.

Stratum 1 consisted of the 19 counties with the largest number of felony convictions in 1985, plus 12 counties whose participation in the survey had been prearranged. Every county in stratum 1 was selected for the sample.

Stratum 2 consisted of the 44 most populous counties that were not in stratum 1. The 44 were ordered by their number of felony convictions in 1985, and then approximately every other county was selected. Stratum 2 thus contributed 23 counties to the sample. Altogether, 54 out of the 75 largest counties were sampled. Data on 1985 felony convictions were obtained from a mail survey described in *State Felony Courts and*

*Felony Laws* (NCJ-106273) and *Census of State Felony Courts, 1985* (codebook for ICPSR 8667). The 54 sampled counties in the 1990 NJRP survey were the same 54 as in the 1986 and 1988 surveys. The 3,034 counties not among the 75 largest were placed into 6 strata defined by the total number of felony convictions in 1985 and then arrayed within stratum by region, and within region from largest to smallest on felony conviction totals. Sampling specifications for the 6 strata are given in the Appendix table on page 15.

The final sample thus included 246 counties from among the 3,034 counties outside the 75 largest. Case-level data were successfully obtained on convicted felons sentenced in 1990 from all 300 sampled counties.

The 60 sampled counties in strata 1 and 3 were self-representing only, and their sampled cases therefore had a first stage sampling weight of 1. The remaining 240 counties sampled from strata 2 and 4 through 8 were selected to represent their respective strata so that the felony conviction cases sampled had first stage weights greater than 1.

At the second stage of sampling, a systematic sample of felons sentenced for murder/nonnegligent manslaughter, rape, robbery, aggravated assault, burglary, felony larceny/motor vehicle theft, fraud/forgery/embezzlement, drug trafficking, drug possession, weapons offenses, and other offenses was selected from each county's official records. The total sample numbered 106,237 cases. Of these, 71,004 cases were in the 75 largest counties.

Rates at which cases were sampled varied by stratum and crime type. In smaller counties every felony case was taken. In larger counties all murder cases and rape cases were typically included, but other offense categories were sampled.

Before the sample of cases was drawn, each felon sentenced in the sampled county in 1990 was placed into one of the eleven offense categories identified above. If the felon was convicted of more than 1 felony offense, the offense category was the most serious offense.

**Table 12. Percent of felons sentenced to additional penalty by State courts, 1990**

Most serious conviction offense	Percent of felons with an additional penalty of				
	Fine	Resti-tution	Treat-ment	Community service	Other
<b>All offenses</b>	16%	16%	7%	4%	10%
<b>Violent offenses</b>	11%	13%	7%	4%	10%
Murder <sup>a</sup>	7	8	2	1	4
Rape	13	12	8	2	10
Robbery	6	10	3	2	5
Aggravated assault	14	18	10	6	13
Other violent <sup>b</sup>	19	12	13	7	16
<b>Property offenses</b>	13%	26%	6%	5%	11%
Burglary	12	23	5	4	9
Larceny <sup>c</sup>	15	25	6	5	12
Fraud <sup>d</sup>	14	35	4	5	11
<b>Drug offenses</b>	17%	8%	7%	4%	9%
Possession	19	6	9	5	9
Trafficking	16	10	6	3	8
<b>Weapons offenses</b>	14%	8%	5%	3%	9%
<b>Other offenses<sup>e</sup></b>	25%	13%	8%	4%	15%

Note: Where the data indicated affirmatively that a particular additional penalty was imposed, the case was coded accordingly. Where the data did not indicate affirmatively or negatively, the case was treated as not having an additional penalty. These procedures provide a conservative estimate of the prevalence of additional penalties. Note also that a person receiving more than one kind of additional penalty appears under more than one table heading.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

The hierarchy from most to least serious offense was murder, rape, robbery, aggravated assault, burglary, drug trafficking, weapons, forgery/fraud/embezzlement, larceny/motor vehicle theft, drug possession, all other felonies. The hierarchy was determined from an analysis of two factors that reflect how seriously the justice system treats different offenses: the sentence length imposed, and the time actually served in prison before release. In general, the higher the offense is in the hierarchy, the more serious it is in terms of the two factors.

Sample selection procedures gave each sentenced felon a single chance to be in the sample. However, felons who appeared in court on more than 1 day for different offenses and received a sentence at each reappearance, had more than a single chance.

At the data analysis stage, cases were aggregated according to their offense designation at time of sampling, with the single exception of "other violent." "Other violent" is a category shown in the report's tables, but it was not a category at sampling. The "other violent" category was formed from the sampling category "other felonies." That is, after sampling, sampled cases designated "other felonies" were coded either "violent," "nonviolent," or "not ascertained," based on data available on them. Cases coded "not ascertained" were rare. For data analysis purposes, cases coded "other violent" were removed from the "other felonies" category and shown separately in the report's tables.

#### **Sampling error**

NJRP data were obtained from a sample and not from a complete enumeration. Consequently they are subject to sampling error. A standard error, which is a measure of sampling error, is associated with each number in the report. In general, if the difference between two numbers is at least twice the standard error of that difference, there is at least 95% confidence that the two numbers do in fact differ; that is, the apparent difference is not simply the result of surveying a sample rather than the entire population. All differences discussed in this report had a confidence interval at or above 95%.

National estimates of the number of convictions for individual crime categories and for the aggregate total had a coefficient of variation of 3%. Standard errors for each table in the report are on pages 12 through 15.

#### **Missing data**

Computations of statistics shown in the report's tables excluded sample cases that were missing data for the particular variables being tabulated. An exception was table 9, which is based on computations that redistributed cases with missing data according to the distribution of the known cases.

#### **Sources of data**

For 71% of the 300 counties sampled, NJRP data were obtained directly from the State courts. Other sources included prosecutors' offices, sentencing commissions, and statistical agencies. Individual-level NJRP records were obtained through a variety of collection methods, including magnetic tape (44% of the counties) and field collection (20%). Data on other cases were obtained by, for example, having the clerk of the court transcribe the information onto the survey questionnaire, or by having the court send documents containing the needed information.

Data collection for 233 counties was performed by the U.S. Bureau of the Census and for 67 counties by the National Association of Criminal Justice Planners.

#### **Targeted population**

The survey targeted and recorded initial sentences imposed in 1990. If a sentence was imposed on one date and then modified at a later date, the revision was ignored. The survey recorded sentences that were actually executed and excluded suspended sentences.

Because year of conviction was not a defining characteristic some cases in the sample were of persons convicted before 1990 but not sentenced until 1990.

In a few counties where it was impractical to target sentences in 1990, the target was felons convicted in 1990. In some of the cases, the data relate to sentences imposed after 1990.

#### **Crime definitions**

**Murder and nonnegligent manslaughter:** Murder is (1) intentionally causing the death of another person without extreme provocation or legal justification or (2) causing the death of another while committing or attempting to commit another crime. Nonnegligent (or voluntary) manslaughter is intentionally and without legal justification causing the death of another when acting under extreme provocation. The combined category murder and nonnegligent manslaughter excludes involuntary or negligent manslaughter, conspiracies to commit murder, solicitation of murder, and attempted murder.

**Rape:** forcible intercourse (vaginal, anal, or oral) with a female or male. Includes forcible sodomy or penetration with a foreign object (which are sometimes called "deviate sexual assault"); excludes statutory rape or any other nonforcible sexual acts with a minor or with someone unable to give legal or factual consent. Includes attempts.

**Robbery:** the unlawful taking of property that is in the immediate possession of another, by force or the threat of force. Includes forcible purse snatching, but excludes nonforcible purse snatching, which is classified as larceny/theft. Includes attempts.

**Aggravated assault:** (1) intentionally and without legal justification causing serious bodily injury, with or without a deadly weapon, or (2) using a deadly or dangerous weapon to threaten, attempt, or cause bodily injury, regardless of the degree of injury if any. Includes "attempted murder," "aggravated battery," "felonious assault," and "assault with a deadly weapon."

**Other violent:** violent offenses excluding murder and nonnegligent manslaughter, rape, robbery, and aggravated assault. Includes offenses such as sexual assault, kidnaping, extortion, and negligent manslaughter. Includes attempts.

**Burglary:** the unlawful entry of a fixed structure used for regular residence, industry, or business, with or without the use of force, to commit a felony or theft. Includes attempts.

**Larceny and motor vehicle theft:** Larceny is the unlawful taking of property other than a motor vehicle from the possession of another, by stealth, without force or deceit. Includes pocketpicking, non-forceful purse snatching, shoplifting, and thefts from motor vehicles. Excludes receiving and/or reselling stolen property (fencing), and thefts through fraud or deceit. Includes attempts.

Motor vehicle theft is the unlawful taking of a self-propelled road vehicle owned by another. Includes the theft of automobiles, trucks, and motorcycles, but not the theft of boats, aircraft, or farm equipment (which is classified as larceny/theft). Also includes receiving, possessing, stripping, transporting, and reselling stolen vehicles, and unauthorized use of a vehicle (joyriding). Includes attempts.

**Fraud, forgery, and embezzlement:** using deceit or intentional misrepresentation to unlawfully deprive a person of his or her property or legal rights. Includes offenses such as check fraud, confidence game, counterfeiting, and credit card fraud. Includes attempts.

**Drug trafficking:** Includes manufacturing, distributing, selling, smuggling, or "possession with intent to sell." Includes attempts.

**Drug possession:** includes possession of an illegal drug, but excludes "possession with intent to sell." Includes attempts.

**Weapons offenses:** the unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly or dangerous weapon or accessory.

**Other felonies:** all felony offenses not listed above. Includes receiving stolen property, driving while intoxicated or other traffic offenses, bribery, obstructing justice, escaping from custody, family offenses (such as child neglect, contributing to the delinquency of a minor, nonpayment of child support), and nonviolent sexual offenses (such as statutory rape, incest, pornography offenses, pimping, prostitution). Includes attempts.

**Estimates of 1 standard error for table 1**

Most serious conviction offense	Felony convictions	
	Number	Percent
<b>All offenses</b>	18,795	
<b>Violent offenses</b>	3,691	0.2%
Murder/manslaughter	424	--
Murder	309	--
Manslaughter	221	--
Rape	1,018	0.1
Robbery	1,016	0.1
Armed	560	0.1
Unarmed	809	0.1
Unspecified	789	0.1
Aggravated assault	2,055	0.2
Other violent	1,085	0.1
<b>Property offenses</b>	7,313	0.4%
Burglary	3,341	0.2
Residential	1,497	0.2
Nonresidential	2,470	0.3
Unspecified	2,745	0.3
Larceny	3,296	0.3
Motor vehicle theft	1,156	0.1
Other theft	2,840	0.3
Fraud/forgery	1,923	0.2
Fraud	1,269	0.2
Forgery	1,113	0.1
<b>Drug offenses</b>	7,223	0.5%
Possession	3,548	0.3
Trafficking	4,859	0.4
Marijuana	1,105	0.1
Other	3,358	0.4
Unspecified	2,775	0.3
<b>Weapons offenses</b>	820	0.1%
<b>Other offenses</b>	4,819	0.4%

**Estimates of 1 standard error for table 3**

Most serious conviction offense	Maximum sentence length for felons sentenced to		
	Prison	Jail	Probation
<b>Mean sentence</b>			
<b>All offenses</b>	1.8 mo	0.8 mo	1.2 mo
<b>Violent offenses</b>	2.6 mo	0.8 mo	1.2 mo
Murder	7.6	9.5	6.1
Rape	7.0	1.9	2.8
Robbery	2.6	0.4	1.4
Aggravated assault	3.0	0.9	1.4
Other violent	8.4	1.0	2.2
<b>Property offenses</b>	2.1 mo	0.5 mo	1.5 mo
Burglary	2.9	0.5	1.9
Larceny	1.4	0.4	1.5
Fraud	3.4	0.8	2.3
<b>Drug offenses</b>	2.2 mo	0.9 mo	1.0 mo
Possession	2.0	1.0	1.8
Trafficking	2.8	0.9	1.4
<b>Weapons offenses</b>	2.2 mo	1.4 mo	1.0 mo
<b>Other offenses</b>	2.3 mo	1.6 mo	1.6 mo

**Estimates of 1 standard error for table 2**

Most serious conviction offense	Percent of felons sentenced to		
	Prison	Jail	Probation
<b>All offenses</b>	0.8%	0.9%	0.9%
<b>Violent offenses</b>	0.4%	0.7%	0.8%
Murder	0.8	0.4	0.7
Rape	2.3	2.3	0.9
Robbery	0.7	0.6	0.4
Aggravated assault	1.2	1.6	1.4
Other violent	2.2	2.3	2.2
<b>Property offenses</b>	1.0%	1.1%	1.1%
Burglary	1.0	1.1	1.1
Larceny	1.0	1.2	1.2
Fraud	1.4	1.3	1.6
<b>Drug offenses</b>	0.9%	1.0%	0.9%
Possession	1.1	1.3	1.5
Trafficking	1.1	1.1	1.0
<b>Weapons offenses</b>	1.3%	1.0%	1.5%
<b>Other offenses</b>	1.2%	1.6%	1.6%

**Estimates of 1 standard error for table 5**

Most serious conviction offense	Sex		Race			Age					
	Male	Female	White	Black	Other	14-19	20-29	30-39	40-49	50-59	60+
<b>All offenses</b>	0.2%	0.2%	1.2%	1.2%	0.2%	0.2%	0.3%	0.3%	0.1%	0.1%	0.1%
<b>Violent offenses</b>	0.2%	0.2%	1.3%	1.4%	0.5%	0.3%	0.4%	0.4%	0.2%	0.2%	0.1%
Murder	0.8	0.8	1.9	1.9	0.5	0.7	1.2	1.0	1.0	0.6	0.4
Rape	0.2	0.2	2.6	2.3	1.4	0.7	1.0	1.0	0.7	0.6	0.5
Robbery	0.3	0.3	1.1	1.1	0.1	0.6	0.7	0.6	0.3	0.1	--
Aggravated assault	0.4	0.4	1.5	1.6	0.6	0.4	0.6	0.6	0.4	0.2	0.1
Other violent	0.8	0.8	2.1	2.3	1.8	1.0	1.9	1.8	1.2	0.8	0.5
<b>Property offenses</b>	0.4%	0.4%	1.2%	1.2%	0.1%	0.4%	0.4%	0.4%	0.2%	0.1%	0.1%
Burglary	0.3	0.3	1.4	1.4	0.1	0.7	0.7	0.6	0.3	0.1	--
Larceny	0.6	0.6	1.3	1.4	0.1	0.6	0.6	0.6	0.4	0.1	0.1
Fraud	0.9	0.9	1.6	1.6	0.2	0.4	0.8	0.8	0.5	0.2	0.1
<b>Drug offenses</b>	0.3%	0.3%	1.3%	1.3%	0.1%	0.3%	0.4%	0.4%	0.3%	0.1%	0.1%
Possession	0.5	0.5	1.5	1.5	0.1	0.3	0.7	0.7	0.4	0.2	0.1
Trafficking	0.4	0.4	1.4	1.5	0.1	0.3	0.5	0.5	0.3	0.2	0.1
<b>Weapons offenses</b>	0.3%	0.3%	1.9%	2.0%	0.1%	0.6%	0.7%	0.7%	0.4%	0.3%	0.2%
<b>Other offenses</b>	0.5%	0.5%	1.5%	1.6%	0.3%	0.4%	0.8%	0.7%	0.5%	0.3%	0.2%

**Estimates of 1 standard error for table 6**

Most serious conviction offense	Percent of convicted felons, by number of felony conviction offenses		
	One	Two	Three or more
<b>All offenses</b>	0.6%	0.3%	0.5%
<b>Violent offenses</b>	0.7%	0.4%	0.5%
Murder	1.3	1.1	0.7
Rape	1.4	0.9	1.0
Robbery	0.7	0.6	0.5
Aggravated assault	1.0	0.6	0.7
Other violent	1.4	1.2	0.7
<b>Property offenses</b>	0.8%	0.5%	0.7%
Burglary	1.2	0.9	0.9
Larceny	0.6	0.4	0.5
Fraud	1.1	0.7	0.9
<b>Drug offenses</b>	0.6%	0.4%	0.4%
Possession	0.6	0.4	0.3
Trafficking	0.8	0.6	0.5
<b>Weapons offenses</b>	0.9%	0.7%	0.5%
<b>Other offenses</b>	1.1%	0.6%	0.9%

**Estimates of 1 standard error for table 7**

Most serious conviction offense	Percent of convicted felons sentenced to prison, by number of felony conviction offenses		
	One	Two	Three or more
<b>All offenses</b>	0.8%	0.9%	2.6%
<b>Violent offenses</b>	1.0%	1.0%	1.7%
Murder	1.1	0.9	1.0
Rape	2.5	3.9	2.4
Robbery	0.8	1.1	1.2
Aggravated assault	1.4	1.5	3.1
Other violent	2.3	4.5	6.2
<b>Property offenses</b>	0.9%	1.4%	2.3%
Burglary	1.1	1.9	2.9
Larceny	1.0	1.9	3.3
Fraud	1.5	2.1	2.5
<b>Drug offenses</b>	0.9%	1.3%	3.2%
Possession	1.1	2.0	6.2
Trafficking	1.2	1.4	2.9
<b>Weapons offenses</b>	1.3%	2.4%	4.3%
<b>Other offenses</b>	1.3%	2.4%	3.3%

**Estimates of 1 standard error for table 8**

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to		
	Prison	Jail	Probation
<b>One conviction offense</b>			
All offenses	1.8 mo	0.9 mo	1.1 mo
<b>Violent offenses</b>	2.7 mo	0.9 mo	1.3 mo
Murder	8.6	6.9	6.8
Rape	6.2	1.8	3.2
Robbery	2.8	0.4	1.5
Aggravated assault	2.9	1.1	1.4
Other violent	4.4	1.0	2.4
<b>Property offenses</b>	2.0 mo	0.6 mo	1.3 mo
Burglary	3.3	0.7	2.0
Larceny	1.5	0.5	1.5
Fraud	2.6	1.1	1.2
<b>Drug offenses</b>	2.2 mo	1.1 mo	1.4 mo
Possession	2.1	1.1	1.9
Trafficking	2.8	1.2	1.6
<b>Weapons offenses</b>	1.9 mo	1.8 mo	0.9 mo
<b>Other offenses</b>	2.5 mo	1.8 mo	1.5 mo
<b>Two or more conviction offenses</b>			
All offenses	3.2 mo	0.3 mo	3.0 mo
<b>Violent offenses</b>	5.1 mo	0.8 mo	2.4 mo
Murder	13.1	17.5	5.5
Rape	15.0	2.4	3.5
Robbery	4.7	0.9	4.0
Aggravated assault	4.8	0.6	3.5
Other violent	32.5	2.6	4.3
<b>Property offenses</b>	4.6 mo	0.3 mo	4.0 mo
Burglary	5.1	0.4	2.7
Larceny	2.7	0.5	2.8
Fraud	8.7	0.5	8.9
<b>Drug offenses</b>	4.0 mo	0.4 mo	2.4 mo
Possession	4.5	0.3	2.5
Trafficking	4.6	0.6	2.6
<b>Weapons offenses</b>	5.2 mo	0.4 mo	2.8 mo
<b>Other offenses</b>	4.3 mo	0.8 mo	4.1 mo

**Estimates of 1 standard error for table 9**

Most serious conviction offense	Number convicted by		
	Jury	Bench	Guilty plea
<b>All offenses</b>	4,977	3,439	22,931
<b>Violent offenses</b>	1,126	539	4,332
Murder	205	66	244
Rape	153	116	934
Robbery	242	95	966
Aggravated assault	507	270	1,971
Other violent	179	132	995
<b>Property offenses</b>	1,963	1,169	4,182
Burglary	766	462	3,281
Larceny	471	350	3,313
Fraud	413	246	1,835
<b>Drug offenses</b>	1,179	1,315	8,290
Possession	315	269	3,201
Trafficking	771	877	4,368
<b>Weapons offenses</b>	130	217	934
<b>Other offenses</b>	1,055	501	4,95

**Estimates of 1 standard error for table 10**

Most serious conviction offense	Percent convicted by		
	Jury	Bench	Guilty plea
<b>All offenses</b>	0.6%	0.4%	0.8%
<b>Violent offenses</b>	0.7%	0.4%	0.8%
Murder	1.7	0.6	1.8
Rape	1.0	0.8	1.4
Robbery	0.6	0.2	0.6
Aggravated assault	1.1	0.6	1.3
Other violent	1.2	0.9	1.8
<b>Property offenses</b>	0.7%	0.4%	0.8%
Burglary	0.8	0.5	1.0
Larceny	0.5	0.4	0.7
Fraud	0.8	0.5	1.1
<b>Drug offenses</b>	0.4%	0.5%	0.8%
Possession	0.4	0.3	0.8
Trafficking	0.5	0.6	0.9
<b>Weapons offenses</b>	0.6%	1.0%	1.2%
<b>Other offenses</b>	1.0%	0.5%	1.2%

**Estimates of 1 standard error for table 11**

Most serious conviction offense	Number of days between arrest and sentencing for cases disposed by			
	Total	Trial		Guilty plea
		Jury	Bench	
<b>Mean number of days</b>				
All offenses	5 days	13 days	14 days	6 days
<b>Violent offenses</b>	4 days	17 days	10 days	5 days
Murder	8	16	19	9
Rape	11	16	20	12
Robbery	4	23	19	4
Aggravated assault	6	23	12	7
Other violent	8	35	27	9
<b>Property offenses</b>	5 days	11 days	16 days	6 days
Burglary	5	12	23	5
Larceny	6	20	19	7
Fraud	7	16	20	7
<b>Drug offenses</b>	6 days	15 days	15 days	6 days
Possession	7	31	15	8
Trafficking	7	19	18	7
<b>Weapons offenses</b>	16 days	20 days	24 days	17 days
<b>Other offenses</b>	6 days	26 days	28 days	6 days

**Estimates of 1 standard error for text table on page 9**

Type of conviction	Type of sentence for murder or nonnegligent manslaughter		
	Life	Death	Other
Trial	1.9%	0.7%	2.1%
Jury	2.9	1.0	2.6
Bench	1.5	0	1.5
Guilty plea	1.2	0.1	1.2

**Estimates of 1 standard error for trend table**

Offense	Felony convictions in 75 largest counties in 1990	
	Number	Percent sentenced to prison
All	9,557	.9%
Murder	134	.4
Rape	275	1.0
Robbery	576	0.8
Aggravated assault	699	1.3
Burglary	1,817	1.1
Larceny	1,512	1.2
Drug trafficking	2,431	1.3
Other felonies	3,800	1.2

**Estimates of 1 standard error for table 12**

Most serious conviction offense	Percent of felons with an additional penalty of				
	Fine	Resti-tution	Treat-ment	Community service	Other
<b>All offenses</b>	1.1%	0.9%	0.5%	0.3%	0.8%
<b>Violent offenses</b>	1.2%	1.0%	0.6%	0.3%	0.8%
Murder	1.0	1.1	0.4	0.3	0.8
Rape	3.4	3.3	1.2	0.3	1.2
Robbery	0.5	0.7	0.4	0.2	0.6
Aggravated assault	1.5	1.2	0.9	0.4	1.0
Other violent	2.5	1.5	1.5	1.1	2.2
<b>Property offenses</b>	1.1%	1.2%	0.4%	0.4%	0.9%
Burglary	1.1	1.4	0.5	0.3	0.8
Larceny	1.3	1.2	0.6	0.5	1.0
Fraud	1.2	1.6	0.4	0.5	1.1
<b>Drug offenses</b>	1.0%	0.8%	0.7%	0.3%	0.7%
Possession	1.3	0.8	0.8	0.4	0.8
Trafficking	1.0	1.0	0.7	0.3	0.8
<b>Weapons offenses</b>	1.6%	0.9%	0.6%	0.4%	0.8%
<b>Other offenses</b>	2.2%	1.1%	0.6%	0.6%	1.4%

**Appendix table. Sampled counties for NJRP, 1990**

Stratum	Total number of counties	Number of convictions in each county	Sampling rate	Number of counties sampled
3	29*	2,000 or more	1 in 1	29
4	71	950-1,999	1 in 2	34
5	165	450-949	1 in 4	38
6	315	210-449	1 in 8	39
7	824	70-209	1 in 16	50
8	1,630	0-69	1 in 29	56

\*Includes 2 counties with unknown number of convictions.

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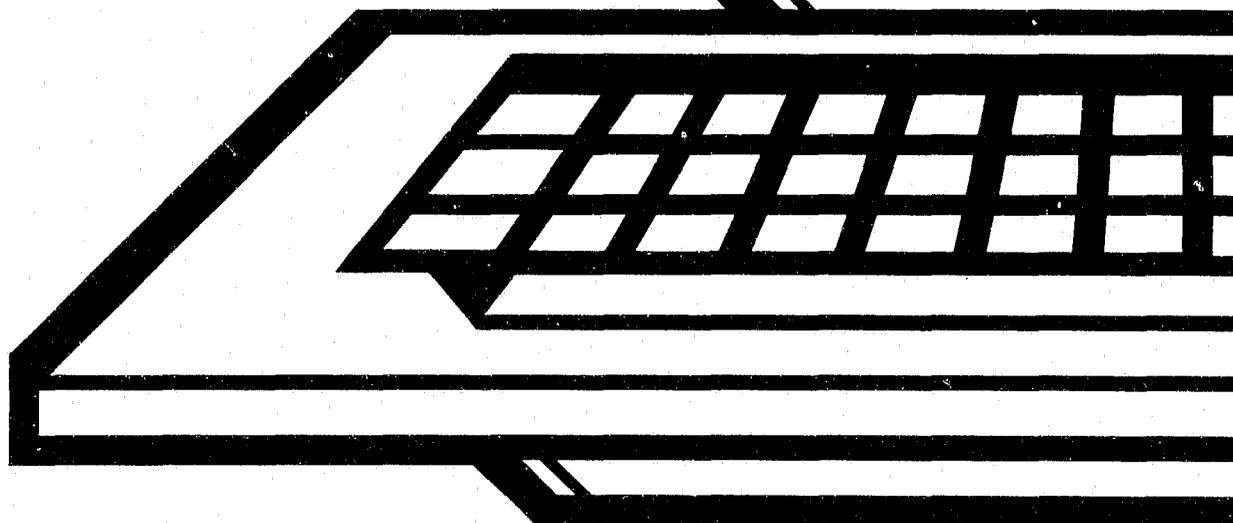
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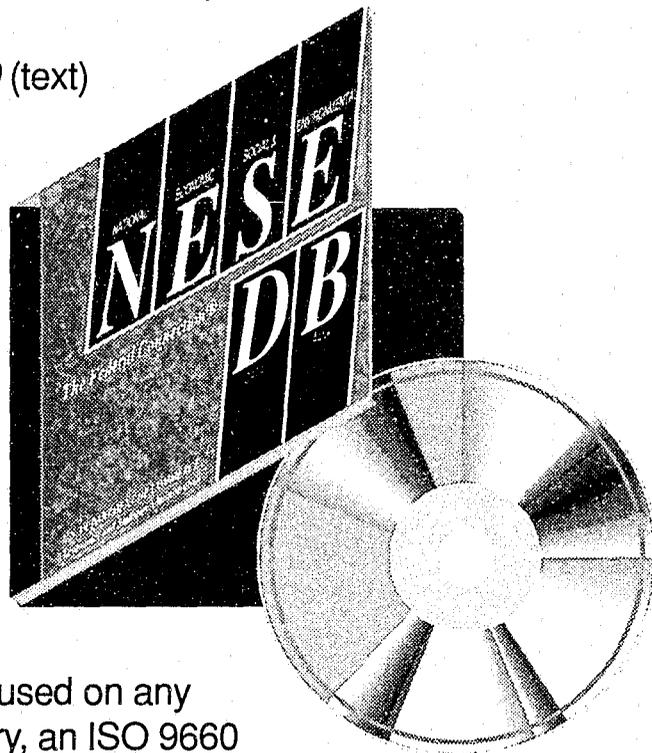


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