



Bureau of Justice Statistics

State Court Sentencing of Convicted Felons, 1992

In State courts:

Felony sentencing

Felons convicted

Felons sentenced to probation

Felony case processing

*Regional variation in
adjudication and sentencing*

Trends in drug trafficking



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By **Patrick A. Langan, Ph.D.**
Statistician, Bureau of Justice Statistics

and

Robyn L. Cohen
Statistician, Bureau of Justice Statistics

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Jan M. Chaiken, Ph.D.

Director

This report was prepared by Patrick A. Langan and Robyn L. Cohen, with assistance from Jodi M. Brown, of the Bureau of Justice Statistics. Ida Hines and Dorothea Proctor assisted with verification. Tom Hester and Priscilla Middleton edited the report. Priscilla Middleton, Ida Hines, and Jayne E. Robinson produced the report. Marilyn Marbrook, assisted by Yvonne Boston, supervised publication of this report.

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The data and the report, as well as others from the Bureau of Justice Statistics, are available through the Internet —

<http://www.ojp.usdoj.gov/bjs/>

Highlights

Trends in felony sentencing in the United States

From 1988 to 1992 the volume of felony convictions rose 34%. The greatest increases in the number of convictions were for aggravated assault (up 57%) and drug trafficking (up 53%). The number of convictions for murder, rape, and robbery each rose about 39% (page 2).

Despite the relatively large increase in convictions, processing was not slower in 1992 than in 1988. In both years average elapsed time from arrest to sentencing was around 7 months (page 2).

The proportions of felons sentenced to incarceration or probation in 1992 were generally unchanged from 1988. Prison sentences accounted for 44% of felony sentences in both years (page 2).

Trends in drug trafficking

In 1986 drug traffickers accounted for 11% of all entries to State prisons. In 1988 that number grew to 16% and in 1990 to 22%. In 1992 it stayed at about that level, 21% (table 6.2).

In 1986 drug traffickers were 1 in every 8 persons entering prison and in 1992, 1 in every 5 (table 6.2).

From 1986 to 1990 a growing percentage of convicted drug traffickers received a prison sentence. Since then, the percentage has risen only slightly.

Felony sentences in State courts

- In 1992 State courts convicted 894,000 persons of murder, rape, robbery, drug trafficking, and other felony offenses (table 1.1). Courts sentenced 44% of them to prison, 26% to jail (usually for a year or less), and 30% to probation (table 1.2).

- Drug traffickers (19%) and drug possessors (12%) together made up 31% of felons convicted in State courts in 1992. Violent offenders — murderers (1%), rapists (2%), robbers (6%), assaulters (7%), and others convicted of a violent crime (2%) — together made up 18%. Burglars (13%) and larcenists (13%) made up most of the rest (table 1.1).

- State courts sentenced to State prison 60% of the felons convicted of a violent offense, 42% convicted of a property offense, 42% convicted of a drug offense, and 40% of those felons convicted of a weapons offense in 1992 (table 1.2).

Regional variation in adjudication and sentencing

- State courts in the South sentenced to a State prison 57% of the felons they convicted in 1992. That compares to 41% in State courts elsewhere (table 5.2).

- Felony prison sentences were longer on average in the South than elsewhere. The average State prison sentence in the South in 1992 was 94 months (about 8 years), compared to 57 months (about 5 years) outside the South (table 5.3).

Felons sentenced to probation

- State courts sentenced to probation an estimated 494,000 convicted felons (table 3.1).

- Nationwide, probation sentences had an average length of about 3¾ years (table 3.3).

Profile of felons convicted

- The average age of felons convicted in 1992 was 30 years (table 2.3).

- Of the approximately 894,000 felons convicted in State courts nationwide, 777,000 (87%) were men, and 116,000 (13%) were women (table 2.2). Approximately 20% of the men and 10% of the women were convicted of a violent felony that year (table 2.2).

- Among all felons convicted nationwide, about 465,000 (52%) were white, 420,000 (47%) were black, and an estimated 9,000 (1%) were of other races (American Indian, Alaska Native, Asian, or Pacific Islander) (table 2.1).

Felony case processing

- An estimated 75% of felons convicted by a jury received a prison sentence, compared to 48% of those convicted by a judge and 44% of those who pleaded guilty (table 4.4).

- Prison sentences were much longer for felons convicted by a jury trial (190 months) than for felons who pleaded guilty (72 months) or were convicted by a judge (88 months) (table 4.5).

- In 43% of jury trial convictions nationwide, felons were found guilty of multiple offenses. Twenty-three percent of the guilty pleas and 17% of the bench trial convictions involved multiple offenses (table 4.7).

- The average time from arrest to conviction was less than 6 months. The longest average time was for murder or nonnegligent manslaughter, about 10½ months, and the shortest, almost 5 months, for burglary and larceny (table 4.9).

- Cases decided by juries had a mean elapsed time of about 10 months; those disposed by guilty plea or a bench trial, a mean of 6¾ months (table 4.11).

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The National Judicial Reporting Program

The National Judicial Reporting Program (NJRP), a biennial sample survey, compiles information on the sentences that felons receive in State courts nationwide and on the characteristics of the felons. Surveys of felony sentencing in State courts were previously conducted in 1986 (see *Felony Sentences in State Courts, 1986*, BJS Bulletin, NCJ-115210, February 1989), 1988 (see *Felony Sentences in State Courts, 1988*, BJS Bulletin, NCJ-126923, December 1990), 1990 (see *Felony Sentences in State Courts, 1990*, BJS Bulletin, NCJ-140186, March 1993), and in 1992 (see *Felony Sentences in State Courts, 1992*, BJS Bulletin, NCJ-151167, January 1995).

The 1992 survey was based on a sample of 300 counties selected to be nationally representative. The sample consisted of the same jurisdictions as in the 1990 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 1992. The 1992 survey excluded Federal courts and those State or local courts that did not adjudicate felony cases. Federal courts convicted 41,673 persons of a felony offense in 1992. That number represents about 5% of the combined State and Federal total number of felony convictions during 1992.

The 1992 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.

The term "felony" is not uniform in either its usage or definition in the United States. Two jurisdictions (Maine and New Jersey) do not use the term to classify their criminal offenses, and six others offer no explicit definition of the term, even though they use it as a criminal designation. In the 43 States that use and define *felony*, common elements do exist. With few exceptions, criminal codes define felonies by reference to place of imprisonment. Most often, felony definitions identify the place of imprisonment but not the duration, as

in Idaho, where a felony is a "crime punishable by death or by imprisonment in the State prison." Nearly as frequent is a definition that specifies the duration of imprisonment but not the place, as in Georgia, where a felony is a "crime punishable by death, by imprisonment for life, or by imprisonment for more than 12 months."

This publication summarizes results from the 1992 survey. Each of the sections addresses a different aspect of felony convictions in State courts during 1992.

Felony sentences in State courts, 1992

In 1992 State courts convicted 894,000 persons of murder, rape, robbery, drug trafficking, and other felony offenses. Courts sentenced 44% of them to prison, 26% to jail (usually for a year or less), and the remaining 30% to probation (table 1.2).

Other results include the following:

- Drug traffickers (19%) and drug possessors (12%) together made up 31% of felons convicted in State courts in 1992. 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 (13%) made up most of the rest (table 1.1).
- The average sentence to local jail was 7 months. The average probation sentence was nearly 4 years (table 1.3).
- Felons sentenced to State prison in 1992 had an average sentence of

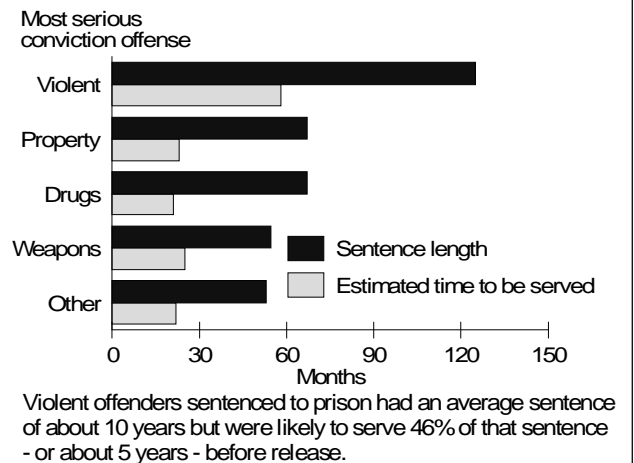
6½ years but were expected to serve a third of that sentence — or about 2½ years — before release (table 1.5). State courts nationwide sentenced to life 25% of those convicted of murder or nonnegligent manslaughter (table 1.4).

- The 894,000 felons sentenced in 1992 were convicted altogether of about 1.1 million felonies. The number of felony convictions exceeds the number of convicted felons because 16% of the felons were convicted of two felony charges and 5% were convicted of three or more (table 1.6).
- The likelihood of a prison sentence rose from 40% for those convicted of one felony, to

55% for two, and to 59% for three or more (table 1.7). The mean sentence to incarceration also increased from 3 years and 9 months for those convicted of one felony to 6 years for those convicted of two or more (table 1.8).

- A fine was imposed on 18% of convicted felons, restitution on 16%,

Average sentence to State prison and estimated time to be served for a felony, 1992



Trends in the United States: 1988 to 1992

From 1988 to 1992 the volume of felony convictions rose 34%. The number of convictions for murder, rape, and robbery each rose about 39%. The greatest increases in the number of convictions were for aggravated assault (up 57%) and drug trafficking (up 53%).

Offense	1988-92 percent change in number of felony —		
	Adult arrests	Convictions	Prison sentences
Murder	-1%	+34%	+37%
Rape	-1	+39	+37
Robbery	+10	+39	+37
Aggravated assault	+19	+57	+53
Burglary	-9	+13	+9
Drug trafficking	+8	+53	+79

Sources: *Crime in the United States, 1988* (FBI, 1989) and *1992* (FBI, 1993), provided data on arrests, and NJRP provided data on convictions and sentences.

The number of convictions and prison sentences rose more than that of adult arrests. For example, regarding violent crime, adult arrests went up 15%, but felony convictions rose 45% and prison sentences rose 41%.

Despite the relatively large increase in convictions, cases generally took no longer in 1992 than in 1988. In both years, average elapsed time from arrest to sentencing was around 7 months.

There was no indication that to keep pace with the 1988 processing time courts disposed a larger percentage of 1992 cases by guilty plea. In both years guilty pleas accounted for about 92% of felony convictions.

The only demographic change identified over this period was in the racial distribution of defendants. Roughly corresponding to changes in the racial distribution of persons arrested, the number of black felons as a percentage of all persons convicted rose from 41% in 1988 to 47% in 1992.

Sentencing patterns were generally unchanged except for drug traffickers. Prison sentences overall accounted for 44% of sentences in both 1988 and 1992. The average prison sentence was about 6½ years in 1992, not significantly different from what it was in 1988.

The percentage of drug traffickers receiving a prison sentence rose from 41% in 1988 to 48% in 1992, and the average prison sentence rose from 5½ years in 1988 to 6 years in 1992.

Table 1.1. Estimated number of felony convictions in State courts, 1992

Most serious conviction offense	Felony convictions	
	Number	Percent
All offenses	893,630	100.0%
Violent offenses	165,099	18.4%
Murder/manslaughter	12,548	1.4
Murder	9,079	1.0
Manslaughter ^a	3,469	.4
Rape	21,655	2.4
Robbery	51,878	5.8
Armed	13,810	1.5
Unarmed	20,154	2.3
Unspecified	17,914	2.0
Aggravated assault	58,969	6.6
Other violent ^b	20,049	2.2
Property offenses	297,494	33.5%
Burglary	114,630	12.9
Residential	16,649	1.9
Nonresidential	45,159	5.1
Unspecified	52,822	5.9
Larceny	119,000	13.4
Motor vehicle theft	19,332	2.2
Other theft ^c	99,668	11.2
Fraud/forgery ^d	63,864	7.2
Fraud ^d	30,245	3.4
Forgery	33,619	3.8
Drug offenses	280,232	31.3%
Possession	109,426	12.2
Trafficking	170,806	19.1
Marijuana	16,376	1.8
Other	125,333	14.0
Unspecified	29,097	3.3
Weapons offenses	26,422	3.0%
Other offenses^e	124,383	13.8%

Note: Detail may not sum to total because of rounding. Data specifying the conviction offense were available for 893,630 cases.

^aManslaughter is defined as nonnegligent manslaughter only. Where a case was known to be either murder or nonnegligent manslaughter, but which of the two was unknown (a small number of cases), the case was classified under manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes a small number of convictions with unspecified offenses.

^dIncludes embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

community service on 6%, and treatment was ordered for 7% (table 1.9).

Table 1.2. Types of felony sentences imposed by State courts, by offense, 1992

Most serious conviction offense	Percent of felons sentenced to —				
	Total	Incarceration		Jail	Probation
All offenses	100%	70%	44%	26%	30%
Violent offenses	100%	81%	60%	21%	19%
Murder ^a	100	97	93	4	3
Rape	100	87	68	19	13
Robbery	100	88	74	14	12
Aggravated assault	100	72	44	28	28
Other violent ^b	100	68	39	29	32
Property offenses	100%	66%	42%	24%	34%
Burglary	100	75	52	23	25
Larceny ^c	100	65	38	27	35
Fraud ^d	100	52	31	21	48
Drug offenses	100%	70%	42%	28%	30%
Possession	100	62	33	29	38
Trafficking	100	75	48	27	25
Weapons offenses	100%	66%	40%	26%	34%
Other offenses^e	100%	65%	35%	30%	35%

Note: See note on table 1.1. 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. Prison includes death sentences. Data on sentence type were available for 886,359 cases.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 1.3. Mean and median sentence lengths for felony sentences imposed by State courts, 1992

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to —			
	Incarceration			Probation
	Total	Prison	Jail	
Mean sentence				
All offenses	53 mo	79 mo	7 mo	47 mo
Violent offenses	95 mo	125 mo	8 mo	52 mo
Murder ^a	238	251	10	78
Rape	130	164	8	71
Robbery	101	117	11	62
Aggravated assault	56	87	7	45
Other violent ^b	55	88	6	52
Property offenses	45 mo	67 mo	7 mo	47 mo
Burglary	56	76	8	55
Larceny ^c	34	53	7	43
Fraud ^d	44	69	6	44
Drug offenses	43 mo	67 mo	6 mo	48 mo
Possession	32	55	4	45
Trafficking	50	72	8	51
Weapons offenses	36 mo	55 mo	6 mo	38 mo
Other offenses^e	32 mo	53 mo	6 mo	42 mo
Median sentence				
All offenses	24 mo	48 mo	5 mo	36 mo
Violent offenses	60 mo	84 mo	6 mo	36 mo
Murder ^a	252	288	10	60
Rape	72	108	6	60
Robbery	66	84	9	60
Aggravated assault	24	60	6	36
Other violent ^b	24	60	4	36
Property offenses	24 mo	42 mo	5 mo	36 mo
Burglary	36	48	6	36
Larceny ^c	18	36	4	36
Fraud ^d	24	36	3	36
Drug offenses	24 mo	48 mo	5 mo	36 mo
Possession	12	36	3	36
Trafficking	36	48	6	36
Weapons offenses	16 mo	36 mo	4 mo	24 mo
Other offenses^e	12 mo	28 mo	4 mo	36 mo

Note: See note on table 1.2. Means exclude sentences to death or to life in prison. Sentence length data were available for 854,592 incarceration and probation sentences.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 1.4. Estimated percent of felons sentenced to life in prison, 1992

Most serious conviction offense	Percent sentenced to life
All offenses	.7%
Murder ^a	25.0
Rape	2.3
Robbery	1.1
Aggravated assault	.3
Other violent ^b	.2
Burglary	.2
Larceny ^c	--
Fraud ^d	--
Drug possession	.3
Drug trafficking	.5
Weapons	.2
Other ^e	.1

--Less than 0.05%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eIncludes such offenses as being an habitual offender.

Table 1.5. Estimated time to be served in State prison, 1992

Most serious conviction offense	Percent of sentence served in prison ^a	Mean prison sentence	Estimated time to be served in prison ^b
All offenses	38%	79 mo	30 mo
Violent offenses	46%	125 mo	58 mo
Murder ^c	44	251	110
Rape	50	164	82
Robbery	46	117	54
Aggravated assault	48	87	42
Other violent ^d	46	88	40
Property offenses	34%	67 mo	23 mo
Burglary	35	76	27
Larceny ^e	33	53	17
Fraud ^f	30	69	21
Drug offenses	32%	67 mo	21 mo
Possession	27	55	15
Trafficking	34	72	24
Weapons offenses	46%	55 mo	25 mo
Other offenses^g	42%	53 mo	22 mo

Note: See note on tables 1.1, 1.2, and 1.3. Means and sentence-served percentages exclude sentences to death or to life in prison.

^aPercent of sentence served includes credited jail time. Sentence length data were available for 382,011 new court commitments in 27 States. Percent of sentence served was tabulated from data in the National Corrections Reporting Program that accounted for almost 86% of persons released from State prisons in 1992.

^bDerived by multiplying the percent of sentence actually served by the mean sentence imposed.

^cIncludes nonnegligent manslaughter.

^dIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^eIncludes motor vehicle theft.

^fIncludes forgery and embezzlement.

^gComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 1.6. Number of offenses for which convicted and sentenced in 1992 in State courts, by most serious felony conviction offense

Most serious conviction offense	Percent of convicted felons with —			
	Total	One felony conviction	Two felony convictions	Three or more felony convictions
All offenses	100%	79%	16%	5%
Violent offenses	100%	71%	20%	9%
Murder ^a	100	64	25	11
Rape	100	65	22	13
Robbery	100	67	23	10
Aggravated assault	100	74	19	7
Other violent ^b	100	81	14	5
Property offenses	100%	77%	17%	6%
Burglary	100	70	23	7
Larceny ^c	100	86	11	3
Fraud ^d	100	72	19	9
Drug offenses	100%	81%	15%	4%
Possession	100	90	9	1
Trafficking	100	75	19	6
Weapons offenses	100%	80%	16%	4%
Other offenses^e	100%	88%	10%	2%

Note: See note on table 1.1. Data on number of convictions were available for 872,559 cases. Number of convictions pertains to current convictions, not past convictions.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 1.7. Percent sentenced to prison by State courts, by number of offenses for which convicted and sentenced in 1992, and by most serious felony conviction offense

Most serious conviction offense	Percent of convicted felons sentenced to prison with —		
	One felony conviction	Two felony convictions	Three or more felony convictions
All offenses	40%	55%	59%
Violent offenses	53%	69%	77%
Murder ^a	91	95	97
Rape	61	77	80
Robbery	70	79	86
Aggravated assault	39	55	62
Other violent ^b	35	49	64
Property offenses	38%	51%	50%
Burglary	48	58	63
Larceny ^c	36	48	44
Fraud ^d	27	38	37
Drug offenses	39%	52%	54%
Possession	32	42	37
Trafficking	44	55	57
Weapons offenses	36%	52%	57%
Other offenses^e	34%	41%	34%

Note: See note on tables 1.1 and 1.2. Data on number of felony conviction offenses were available for 376,592 cases. Number of convictions pertains to current convictions, not past convictions.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 1.8. Mean sentence lengths for felony sentences imposed, by number of offenses for which convicted and sentenced in 1992, and by most serious conviction offense

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to —			
	Total	Prison	Jail	Probation
One conviction offense				
All offenses	45 mo	70 mo	6 mo	45 mo
Violent offenses	75 mo	105 mo	7 mo	50 mo
Murder ^a	217	232	10	73
Rape	91	122	8	66
Robbery	85	101	10	60
Aggravated assault	43	72	7	43
Other violent ^b	44	74	6	48
Property offenses	40 mo	62 mo	7 mo	45 mo
Burglary	49	70	7	56
Larceny ^c	33	52	7	42
Fraud ^d	40	68	5	42
Drug offenses	40 mo	64 mo	6 mo	46 mo
Possession	31	54	4	44
Trafficking	46	69	8	47
Weapons offenses	33 mo	53 mo	5 mo	37 mo
Other offenses^e	32 mo	54 mo	6 mo	42 mo
Two or more conviction offenses				
All offenses	73 mo	98 mo	9 mo	55 mo
Violent offenses	130 mo	158 mo	9 mo	64 mo
Murder ^a	276	286	10	110
Rape	190	223	9	82
Robbery	124	139	13	70
Aggravated assault	81	111	8	52
Other violent ^b	90	130	6	80
Property offenses	54 mo	72 mo	8 mo	52 mo
Burglary	63	80	10	53
Larceny ^c	37	54	8	50
Fraud ^d	52	74	7	52
Drug offenses	54 mo	76 mo	8 mo	62 mo
Possession	37	57	6	51
Trafficking	58	79	9	66
Weapons offenses	44 mo	58 mo	8 mo	42 mo
Other offenses^e	31 mo	47 mo	9 mo	46 mo

Note: See note on tables 1.1, 1.2, and 1.3. Means exclude sentences to death or life in prison. Where the sentence imposed was a range, the maximum was used to calculate the mean. Sentence length data were available for 829,910 cases. Number of convictions pertains to current convictions, not past convictions.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 1.9. Felons sentenced to additional penalty by State courts, 1992

Most serious conviction offense	Percent of felons with an additional penalty of —				
	Fine	Restitution	Treatment	Community service	Other
All offenses	18%	16%	7%	6%	10%
Violent offenses	12%	14%	7%	4%	9%
Murder ^a	9	8	2	1	3
Rape	13	12	10	2	8
Robbery	7	12	3	2	6
Aggravated assault	14	18	9	7	11
Other violent ^b	18	11	15	8	13
Property offenses	15%	26%	6%	7%	9%
Burglary	13	24	6	6	9
Larceny ^c	16	23	5	7	9
Fraud ^d	17	35	5	9	9
Drug offenses	20%	9%	8%	6%	9%
Possession	20	6	11	8	10
Trafficking	20	12	6	4	9
Weapons offenses	14%	7%	4%	5%	7%
Other offenses^e	27%	13%	7%	6%	13%

Note: See note on table 1.1. 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. Data on additional penalty were available for 893,630 cases.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Profile of felons convicted in State courts, 1992

The 1992 National Judicial Reporting Program compiled demographic data (sex, race, and age) as well as sentencing information for persons convicted of a felony in State courts. This section summarizes results from that collection.

White defendants were 52% of those convicted of a felony in State courts; black felons were 47%; and persons of other races (American Indians, Alaska Natives, Asians, and Pacific Islanders), 1% (table 2.1).

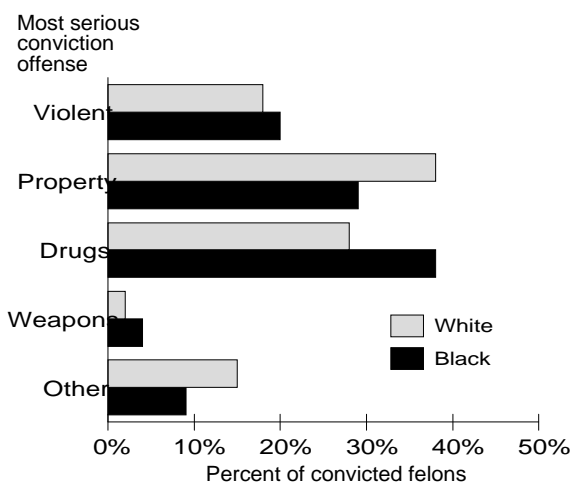
Among persons convicted of a felony, white felons were less likely than blacks to be sent to prison: 42% of convicted white defendants received a prison sentence, 56% of black defendants, and 52% of defendants of other races (table 2.5).

Among persons sentenced to prison, blacks received a State prison sentence 7 months longer than that of whites: 81 months for blacks and 74 months for whites (table 2.7).

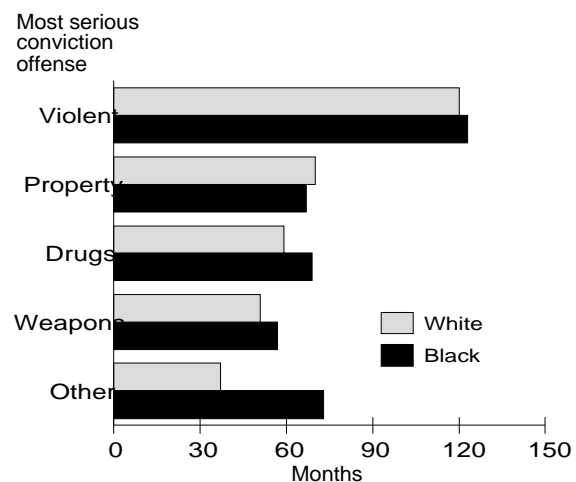
However, when the national data are disaggregated and tabulated separately by region, the 7-month racial disparity in sentence lengths disappears. In two regions — the Northeast and the West — whites and blacks received identical overall sentences: 63 months in the Northeast and 44 months in the West. In the other two there were differences, but they were small (less than 7 months), not statistically significant, and mixed in direction. Average sentences in the South were 94 months for whites and 95 months for blacks. Averages in the Midwest were 72 months for whites and 69 months for blacks.

Why the disparity disappeared once the data were disaggregated probably has to do with two facts: (1) on average the South metes out longer sentences than the rest of the Nation (table 5.3), and (2) half of all convicted blacks but a third of convicted whites were sentenced in the South (mirroring the fact that about half the black population and a third of the white population resides in the South - table 2.14). The racial comparison based on aggregated statistics masks these important differences relevant to sentencing. But the racial comparison based on disaggregated statistics takes the differences into account.

Offense distribution of persons convicted of a felony in State courts, by race, 1992



Average sentence to State prison for a felony imposed by State courts, by offense and race, 1992



Drug offenses comprised 38% of the conviction offenses of blacks versus 28% of the conviction offenses of whites. State prison sentences were generally similar between the races.

Other findings were —

- In 1992 men comprised 87% of persons convicted of a felony (table 2.1). An estimated 48% of males received a State prison sentence, compared to 30% of females (table 2.4). As a result of this sentencing difference, males comprised a larger percentage of the total sentenced to prison (91%) than the total convicted (87%).
- Among all felons convicted nationwide, about 465,000 (52%) were white, 420,000 (47%) were black, and an estimated 9,000 (1%) were of other races (American Indian, Alaska Native, Asian, or Pacific Islander) (table 2.1).
- The most serious conviction offense was a violent felony in 13% of cases for women, and 23% of cases for men. Among convicted whites 19% had a violent felony conviction offense; among blacks 23% (table 2.8).
- The average age of felons convicted in 1992 was 30 years (table 2.3).
- Men sentenced to prison nationwide had an average sentence length of 6 years and 8 months, while women nationwide had an average prison sentence of 5 years (table 2.6).
- Men nationwide were sentenced to local jail for an average of 7 months, and women for 6 months (table 2.6). The larger proportion of violent conviction offenses for men partly explains their greater likelihood of a sentence to incarceration and longer average sentences.

Table 2.1. Sex, race, and age of persons convicted of felonies in State courts by offense, 1992

Most serious conviction offense	Percent of convicted felons who were											
	Total	Sex		Race			Age					
		Male	Female	White	Black	Other	14-19	20-29	30-39	40-49	50-59	60+
All offenses	100%	87%	13%	52%	47%	1%	9%	46%	31%	10%	3%	1%
Violent offenses	100%	93%	7%	48%	50%	2%	13%	46%	27%	9%	3%	2%
Murder ^a	100	90	10	41	58	1	18	46	23	9	3	1
Rape	100	98	2	66	30	4	6	38	33	13	6	4
Robbery	100	94	6	34	65	1	18	53	23	5	1	--
Aggravated assault	100	90	10	50	48	2	10	45	29	10	4	2
Other violent ^b	100	93	7	72	27	1	7	37	32	15	5	4
Property offenses	100%	83%	17%	58%	41%	1%	11%	48%	29%	9%	2%	1%
Burglary	100	95	5	60	39	1	14	52	26	7	1	--
Larceny ^c	100	81	19	57	42	1	12	46	29	10	2	1
Fraud ^d	100	62	38	57	42	1	4	45	35	12	3	1
Drug offenses	100%	85%	15%	44%	55%	1%	7%	46%	34%	10%	2%	1%
Possession	100	83	17	44	55	1	7	42	37	12	2	--
Trafficking	100	86	14	44	55	1	7	49	33	9	2	--
Weapons offenses	100%	96%	4%	39%	60%	1%	13%	49%	25%	10%	2%	1%
Other offenses^e	100%	90%	10%	64%	34%	2%	7%	41%	34%	13%	4%	1%

Note: See note on table 1.1. Detail may not sum to total because of rounding. Data on sex were available for 781,681 cases; on race, 550,405; and on age, 712,679.

--Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.2. Offenses of felons convicted in State courts, by sex, race, and age, 1992

Most serious conviction offense	Percent of convicted felons											
	Total	Sex		Race			Age					
		Male	Female	White	Black	Other	14-19	20-29	30-39	40-49	50-59	60+
All offenses	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Violent offenses	18%	20%	10%	18%	20%	37%	25%	19%	17%	18%	23%	36%
Murder ^a	1	2	1	1	2	1	3	1	1	1	2	2
Rape	2	3	--	3	2	16	2	2	3	3	6	10
Robbery	6	7	3	4	9	5	12	7	5	3	2	1
Aggravated assault	7	7	5	7	7	13	7	7	6	7	9	13
Other violent ^b	2	2	1	3	1	3	2	2	2	3	5	10
Property offenses	34%	32%	43%	38%	29%	30%	39%	35%	31%	30%	26%	17%
Burglary	13	14	5	15	11	15	20	15	11	9	5	2
Larceny ^c	14	13	18	15	12	13	16	13	12	13	13	10
Fraud ^d	7	5	20	8	6	2	3	7	8	9	8	5
Drug offenses	33%	31%	35%	28%	38%	8%	22%	32%	35%	32%	27%	20%
Possession	13	12	15	11	15	4	9	11	15	15	11	8
Trafficking	20	19	20	17	23	4	14	21	20	17	17	12
Weapons offenses	2%	3%	1%	2%	4%	2%	4%	3%	2%	3%	3%	5%
Other offenses^e	13%	14%	11%	15%	9%	24%	10%	12%	15%	17%	21%	22%

Note: See note on tables 1.1 and 2.1. Detail may not sum to total because of rounding.

--Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnapping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.3. Average age of convicted felons in State courts, 1992

Most serious conviction offense	Average age in years	
	Mean	Median
All offenses	30 yrs	28 yrs
Violent offenses	29 yrs	27 yrs
Murder ^a	28	25
Rape	33	31
Robbery	26	25
Aggravated assault	30	28
Other violent ^b	33	31
Property offenses	29 yrs	27 yrs
Burglary	27	25
Larceny ^c	29	27
Fraud ^d	31	30
Drug offenses	30 yrs	29 yrs
Possession	31	30
Trafficking	30	28
Weapons offenses	29 yrs	27 yrs
Other offenses^e	31 yrs	30 yrs

Note: See note on tables 1.1 and 2.1.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.4. Types of sentences imposed by State courts, by sex of felons, 1992

Most serious conviction offense	Percent of felons sentenced to —						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
Male							
All offenses	100%	74%	48%	27%	26%	25%	1%
Violent offenses	100%	83%	61%	22%	17%	17%	1%
Murder ^a	100	97	93	4	3	3	--
Rape	100	87	67	20	13	13	--
Robbery	100	89	74	15	11	11	--
Aggravated assault	100	76	46	30	24	23	1
Other violent ^b	100	70	40	30	30	30	1
Property offenses	100%	72%	46%	26%	28%	27%	1%
Burglary	100	77	54	23	23	22	1
Larceny ^c	100	71	41	29	29	29	1
Fraud ^d	100	61	37	24	39	38	1
Drug offenses	100%	75%	45%	29%	25%	25%	1%
Possession	100	68	37	31	32	31	1
Trafficking	100	79	51	28	21	21	--
Weapons offenses	100%	69%	42%	27%	31%	30%	1%
Other offenses^e	100%	68%	37%	31%	32%	30%	1%
Female							
All offenses	100%	56%	30%	27%	44%	43%	1%
Violent offenses	100%	69%	42%	27%	31%	31%	1%
Murder ^a	100	92	84	8	8	8	0
Rape	100	78	42	36	22	22	0
Robbery	100	77	54	23	23	23	1
Aggravated assault	100	60	30	31	40	39	1
Other violent ^b	100	66	29	37	34	33	--
Property offenses	100%	50%	27%	23%	50%	49%	2%
Burglary	100	67	37	30	33	33	--
Larceny ^c	100	53	27	26	47	46	2
Fraud ^d	100	43	23	20	57	55	2
Drug offenses	100%	61%	31%	30%	39%	38%	1%
Possession	100	58	27	31	42	41	1
Trafficking	100	64	34	30	36	36	1
Weapons offenses	100%	51%	27%	25%	49%	48%	1%
Other offenses^e	100%	54%	26%	28%	46%	44%	2%

Note: See note on tables 1.1 and 2.1. Detail may not sum to total because of rounding. Data on sentence type by sex were available for 775,026 cases; and by race, 538,727. Some estimates in this table are based on as few as 1 case and are therefore unreliable.

--Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.5. Types of sentences imposed by State courts, by race of felons, 1992

Most serious conviction offense	Percent of felons sentenced to —						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
White							
All offenses	100%	74%	42%	32%	26%	26%	1%
Violent offenses	100%	81%	55%	25%	19%	19%	1%
Murder ^a	100	97	90	7	3	3	--
Rape	100	86	62	24	14	14	1
Robbery	100	89	72	18	11	10	1
Aggravated assault	100	73	39	34	27	26	1
Other violent ^b	100	71	45	26	29	28	1
Property offenses	100%	70%	43%	28%	30%	29%	1%
Burglary	100	78	52	26	22	22	--
Larceny ^c	100	69	37	33	31	30	1
Fraud ^d	100	58	36	22	42	41	1
Drug offenses	100%	75%	34%	41%	25%	24%	1%
Possession	100	69	29	40	31	30	1
Trafficking	100	80	37	42	20	20	1
Weapons offenses	100%	72%	38%	35%	28%	27%	1%
Other offenses^e	100%	71%	38%	32%	29%	28%	1%
Black							
All offenses	100%	75%	56%	19%	25%	24%	1%
Violent offenses	100%	85%	69%	17%	15%	14%	--
Murder ^a	100	97	94	2	4	4	0
Rape	100	90	82	8	10	10	--
Robbery	100	90	77	13	10	9	--
Aggravated assault	100	78	53	24	22	22	1
Other violent ^b	100	72	44	28	28	28	0
Property offenses	100%	72%	53%	19%	28%	28%	1%
Burglary	100	80	63	17	20	19	1
Larceny ^c	100	72	51	21	28	28	1
Fraud ^d	100	55	38	17	45	44	1
Drug offenses	100%	74%	54%	20%	26%	26%	1%
Possession	100	66	44	23	34	33	1
Trafficking	100	79	60	18	21	21	--
Weapons offenses	100%	68%	50%	19%	32%	31%	1%
Other offenses^e	100%	70%	52%	18%	30%	29%	1%

Note: See note on tables 1.1, 1.2, and 2.1. Detail may not sum to total because of rounding. Data on sentence type by sex were available for 775,026 cases; and by race, 538,727. Some estimates in this table are based on as few as 1 case and are therefore unreliable. --Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.6. Mean sentence lengths for felony sentences imposed by State courts, by sex of felons, 1992

Most serious conviction offense	Maximum sentence length in months for felons sentenced to —			
	Incarceration			Probation
	Total	Prison	Jail	
Male				
All offenses	54 mo	80 mo	7 mo	47 mo
Violent offenses	94 mo	125 mo	8 mo	53 mo
Murder ^a	241	254	10	70
Rape	125	161	8	70
Robbery	99	115	11	63
Aggravated assault	57	89	7	44
Other violent ^b	57	91	6	52
Property offenses	47 mo	69 mo	7 mo	47 mo
Burglary	57	78	8	55
Larceny ^c	34	54	7	42
Fraud ^d	49	76	6	44
Drug offenses	45 mo	68 mo	7 mo	48 mo
Possession	33	56	4	43
Trafficking	51	74	8	52
Weapons offenses	33 mo	50 mo	5 mo	39 mo
Other offenses^e	32 mo	52 mo	7 mo	43 mo
Female				
All offenses	35 mo	60 mo	6 mo	43 mo
Violent offenses	60 mo	94 mo	6 mo	49 mo
Murder ^a	187	203	15	98
Rape	64	105	8	50
Robbery	58	77	9	66
Aggravated assault	36	67	5	39
Other violent ^b	33	65	6	60
Property offenses	32 mo	55 mo	5 mo	42 mo
Burglary	29	49	5	47
Larceny ^c	28	48	6	40
Fraud ^d	37	64	4	43
Drug offenses	30 mo	53 mo	6 mo	47 mo
Possession	22	43	4	41
Trafficking	36	60	8	52
Weapons offenses	139 mo	257 mo	3 mo	32 mo
Other offenses^e	21 mo	37 mo	5 mo	38 mo

Note: See note on tables 1.1, 1.2, and 2.1. Detail may not sum to total because of rounding. Data on sentence type by sex were available for 775,026 cases; and by race, 538,727. Some estimates in this table are based on as few as 1 case and are therefore unreliable.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.7. Mean sentence lengths for felony sentences imposed by State courts, by race of felons, 1992

Most serious conviction offense	Maximum sentence length in months for felons sentenced to —			
	Total	Incarceration Prison	Jail	Probation
White				
All offenses	45 mo	74 mo	7 mo	45 mo
Violent offenses	84 mo	120 mo	8 mo	51 mo
Murder ^a	208	229	12	71
Rape	120	163	9	73
Robbery	90	110	11	59
Aggravated assault	47	81	7	43
Other violent ^b	62	93	7	53
Property offenses	45 mo	70 mo	8 mo	45 mo
Burglary	58	82	9	53
Larceny ^c	31	53	7	41
Fraud ^d	45	68	7	41
Drug offenses	30 mo	59 mo	6 mo	45 mo
Possession	22	47	4	42
Trafficking	35	65	8	48
Weapons offenses	29 mo	51 mo	5 mo	36 mo
Other offenses^e	23 mo	37 mo	7 mo	41 mo
Black				
All offenses	63 mo	81 mo	7 mo	49 mo
Violent offenses	101 mo	123 mo	8 mo	54 mo
Murder ^a	241	248	8	86
Rape	148	161	9	61
Robbery	100	115	11	70
Aggravated assault	62	86	7	42
Other violent ^b	49	77	5	66
Property offenses	51 mo	67 mo	7 mo	49 mo
Burglary	58	72	8	63
Larceny ^c	40	53	8	42
Fraud ^d	62	86	6	45
Drug offenses	52 mo	69 mo	7 mo	49 mo
Possession	39	58	4	42
Trafficking	59	75	9	56
Weapons offenses	43 mo	57 mo	5 mo	34 mo
Other offenses^e	56 mo	73 mo	8 mo	50 mo

Note: See note on tables 1.1, 1.2, and 1.3. Data on sentence length by sex were available for 557,592 cases; and by race, 400,207. Some estimates in this table are based on as few as 1 case and are therefore unreliable.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.8. Offenses of felons sentenced to incarceration or prison, by sex and race, in State courts, 1992

Most serious conviction offense	Percent of convictions				
	Total	Sex		Race	
		Male	Female	White	Black
Sentenced to incarceration					
All offenses	100%	100%	100%	100%	100%
Violent offenses	21%	23%	13%	19%	23%
Murder ^a	2	2	2	2	2
Rape	3	3	1	4	2
Robbery	8	8	4	5	10
Aggravated assault	7	7	6	7	7
Other violent ^b	2	2	1	3	1
Property offenses	32%	31%	38%	36%	28%
Burglary	14	15	6	16	12
Larceny ^c	12	12	17	14	11
Fraud ^d	5	4	15	6	5
Drug offenses	32%	31%	38%	28%	38%
Possession	11	11	16	10	13
Trafficking	21	20	22	18	24
Weapons offenses	3%	3%	1%	2%	3%
Other offenses^e	12%	13%	10%	14%	8%
Sentenced to prison					
All offenses	100%	100%	100%	100%	100%
Violent offenses	25%	26%	15%	23%	25%
Murder ^a	3	3	3	3	3
Rape	4	4	1	5	2
Robbery	10	10	5	7	12
Aggravated assault	7	7	5	6	7
Other violent ^b	2	2	1	3	1
Property offenses	32%	31%	39%	39%	27%
Burglary	15	16	6	19	13
Larceny ^c	11	11	17	13	11
Fraud ^d	5	4	16	7	4
Drug offenses	30%	29%	36%	23%	36%
Possession	10	9	14	8	12
Trafficking	20	20	22	15	25
Weapons offenses	3%	3%	1%	2%	3%
Other offenses^e	11%	11%	9%	14%	8%

Note: See note on tables 1.1, 1.2, and 2.1. Detail may not sum to total because of rounding.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.9. Offenses of felons sentenced to jail or probation, by sex and race, in State courts, 1992

Most serious conviction offense	Percent of convictions				
	Total	Sex		Race	
		Male	Female	White	Black
Sentenced to jail					
All offenses	100%	100%	100%	100%	100%
Violent offenses	16%	16%	11%	14%	18%
Murder ^a	--	--	--	--	--
Rape	2	2	--	2	1
Robbery	4	4	2	2	6
Aggravated assault	8	8	6	7	9
Other violent ^b	2	3	2	2	2
Property offenses	31%	30%	38%	33%	29%
Burglary	11	12	6	13	10
Larceny ^c	14	14	18	15	13
Fraud ^d	6	4	15	5	6
Drug offenses	36%	34%	40%	36%	41%
Possession	14	13	18	14	18
Trafficking	21	20	22	22	23
Weapons offenses	3%	3%	1%	2%	4%
Other offenses^e	15%	17%	11%	15%	9%
Sentenced to probation					
All offenses	100%	100%	100%	100%	100%
Violent offenses	12%	14%	8%	13%	12%
Murder ^a	--	--	--	--	--
Rape	1	1	--	2	1
Robbery	2	3	2	2	3
Aggravated assault	6	6	5	7	6
Other violent ^b	2	3	1	3	1
Property offenses	38%	35%	49%	43%	33%
Burglary	11	13	4	13	9
Larceny ^c	15	14	20	17	13
Fraud ^d	11	8	26	12	11
Drug offenses	31%	31%	31%	26%	40%
Possession	15	15	15	13	20
Trafficking	16	16	16	13	20
Weapons offenses	3%	4%	1%	2%	5%
Other offenses^e	15%	17%	11%	17%	11%

Note: See note on tables 1.1, 1.2, and 2.1. Detail may not sum to total because of rounding.

--Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.10. Percent of all convicted felons sentenced to incarceration or prison, by sex and race, 1992

Most serious conviction offense	Percent receiving designated sentence			
	White		Black	
	Male	Female	Male	Female
Sentenced to incarceration				
All offenses	76%	59%	78%	58%
Violent offenses	82%	66%	87%	69%
Murder ^a	97	94	97	92
Rape	86	**	90	**
Robbery	90	76	91	79
Aggravated assault	75	58	80	59
Other violent ^b	72	63	71	77
Property offenses	74%	54%	76%	52%
Burglary	78	71	81	67
Larceny ^c	71	56	76	57
Fraud ^d	65	47	63	45
Drug offenses	77%	65%	76%	62%
Possession	70	63	68	58
Trafficking	82	67	80	66
Weapons offenses	73%	46%	69%	55%
Other offenses^e	72%	57%	72%	57%
Sentenced to prison				
All offenses	44%	30%	59%	38%
Violent offenses	56%	40%	71%	47%
Murder ^a	91	82	95	84
Rape	63	**	82	**
Robbery	73	57	79	57
Aggravated assault	40	27	56	34
Other violent ^b	47	24	43	54
Property offenses	45%	29%	57%	35%
Burglary	52	42	64	44
Larceny ^c	39	25	54	39
Fraud ^d	41	29	45	29
Drug offenses	35%	28%	56%	38%
Possession	30	27	46	31
Trafficking	39	29	62	44
Weapons offenses	38%	18%	50%	38%
Other offenses^e	39%	29%	53%	38%

Note: See note on tables 1.1, 1.2, and 2.1. Detail may not sum to total because of rounding.

**Not calculated.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.11. Percent of all convicted felons sentenced to jail or probation, by sex and race, 1992

Most serious conviction offense	Percent receiving designated sentence			
	White		Black	
	Male	Female	Male	Female
Sentenced to jail				
All offenses	32%	30%	18%	21%
Violent offenses	25%	27%	16%	22%
Murder ^a	6	12	2	8
Rape	24	**	8	**
Robbery	18	19	13	22
Aggravated assault	35	30	24	26
Other violent ^b	25	40	28	23
Property offenses	28%	25%	19%	18%
Burglary	26	29	17	23
Larceny ^c	33	31	22	18
Fraud ^d	24	19	18	16
Drug offenses	42%	37%	19%	24%
Possession	41	36	22	26
Trafficking	43	38	18	22
Weapons offenses	35%	29%	19%	17%
Other offenses^e	33%	28%	18%	19%
Sentenced to probation				
All offenses	24%	41%	23%	42%
Violent offenses	19%	34%	13%	31%
Murder ^a	3	6	3	8
Rape	14	**	10	**
Robbery	10	24	9	21
Aggravated assault	25	42	20	41
Other violent ^b	29	37	29	23
Property offenses	27%	47%	24%	48%
Burglary	22	29	19	33
Larceny ^c	29	44	24	43
Fraud ^d	35	53	37	55
Drug offenses	23%	35%	24%	38%
Possession	30	37	32	43
Trafficking	18	33	20	34
Weapons offenses	27%	54%	31%	45%
Other offenses^e	28%	43%	28%	43%

Note: See note on tables 1.1, 1.2, and 2.1. Data on sentence type by sex and race were available for 538,669 cases.

**Not calculated.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.12. Mean State felony sentence lengths, by sex, race, and type of felony sentences, 1992

Most serious conviction offense	Mean sentence length in months for felons who were —			
	White		Black	
	Male	Female	Male	Female
Sentenced to incarceration				
All offenses	46 mo	32 mo	65 mo	40 mo
Violent offenses	85 mo	58 mo	103 mo	65 mo
Murder ^a	212	179	245	199
Rape	120	**	148	**
Robbery	93	54	102	59
Aggravated assault	47	38	65	35
Other violent ^b	64	28	46	90
Property offenses	47 mo	34 mo	54 mo	31 mo
Burglary	59	29	59	34
Larceny ^c	33	19	42	29
Fraud ^d	43	49	76	33
Drug offenses	31 mo	26 mo	54 mo	36 mo
Possession	22	19	42	26
Trafficking	35	31	61	44
Weapons offenses	29 mo	16 mo	34 mo	244 mo
Other offenses^e	24 mo	20 mo	59 mo	26 mo
Sentenced to prison				
All offenses	75 mo	58 mo	84 mo	59 mo
Violent offenses	121 mo	95 mo	125 mo	92 mo
Murder ^a	231	204	251	216
Rape	163	**	162	**
Robbery	112	68	117	78
Aggravated assault	82	75	89	57
Other violent ^b	95	59	73	119
Property offenses	71 mo	58 mo	70 mo	44 mo
Burglary	83	45	72	50
Larceny ^c	55	35	56	38
Fraud ^d	63	77	102	50
Drug offenses	60 mo	53 mo	71 mo	55 mo
Possession	48	41	59	45
Trafficking	65	61	76	61
Weapons offenses	51 mo	35 mo	45 mo	358 mo
Other offenses^e	38 mo	36 mo	77 mo	36 mo

Note: See note on tables 1.1, 1.2, and 2.1. Data on sentence length by sex and race were available for 534,919 cases.

**Not calculated.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnapping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.13. Mean State felony sentence lengths, by sex, race, and type of felony sentences, 1992

Most serious conviction offense	Mean sentence length in months for felons who were —			
	White		Black	
	Male	Female	Male	Female
Sentenced to jail				
All offenses	7 mo	6 mo	7 mo	6 mo
Violent offenses	8 mo	7 mo	9 mo	6 mo
Murder ^a	10	22	7	8
Rape	9	**	9	**
Robbery	12	9	11	8
Aggravated assault	7	5	7	5
Other violent ^b	7	8	5	2
Property offenses	8 mo	6 mo	8 mo	6 mo
Burglary	10	6	8	5
Larceny ^c	7	7	7	8
Fraud ^d	8	6	7	4
Drug offenses	7 mo	6 mo	7 mo	6 mo
Possession	4	3	4	4
Trafficking	8	8	9	8
Weapons offenses	5 mo	3 mo	5 mo	3 mo
Other offenses^e	7 mo	4 mo	8 mo	5 mo
Sentenced to probation				
All offenses	46 mo	43 mo	50 mo	46 mo
Violent offenses	52 mo	46 mo	55 mo	50 mo
Murder ^a	76	53	76	125
Rape	74	**	62	**
Robbery	59	61	69	74
Aggravated assault	44	34	43	38
Other violent ^b	51	72	65	98
Property offenses	46 mo	41 mo	51 mo	44 mo
Burglary	53	51	64	55
Larceny ^c	42	39	43	39
Fraud ^d	41	41	43	47
Drug offenses	44 mo	49 mo	50 mo	45 mo
Possession	42	43	42	39
Trafficking	46	55	57	51
Weapons offenses	37 mo	28 mo	35 mo	29 mo
Other offenses^e	43 mo	33 mo	48 mo	55 mo

Note: See note on tables 1.1, 1.2, and 2.1. Data on sentence length by sex and race were available for 534,919 cases.

**Not calculated.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 2.14. Population percent of U.S. residents, by region and race, 1990

Race	Total	South	Outside the South			
			Total	Northeast	Midwest	West
Total	100%	34%	66%	20%	24%	21%
White	100	33	67	21	26	20
Black	100	53	47	19	19	9
Other	100	21	79	16	10	52
Total	100%	100%	100%	100%	100%	100%
White	80	77	82	83	87	76
Black	12	19	9	11	10	5
Other	8	5	9	6	3	19

Note: Detail may not sum to total because of rounding.
Source: *Statistical Abstract of the United States, 1994.*

Felons sentenced to probation in State courts, 1992

The detailed statistics on sentences to probation presented in the tables of this section differ from probation statistics elsewhere in the report. As used elsewhere, a sentence to probation only includes "straight probation." Excluded are probation sentences combined with a term of confinement in a prison or jail. In this section, the probation definition is expanded to include such "split sentences."

Defined that way, probation sentences comprised 56% of all sentences imposed on felons in 1992 (table 3.2).

Other probation findings from the 1992 survey included the following:

- State courts sentenced to probation an estimated 494,000 convicted felons (table 3.1).
- Nationwide, probation sentences had an average length of about 3¾ years (table 3.3).

- The average jail sentence of probationers was 6 months; the average prison sentence, 4 years and 3 months (table 3.4).

- The average age of probationers nationwide was 29 years (table 3.10). Females made up 17% of all felons placed on probation (table 3.6). Whites were 57% of probationers, and blacks were 41% (table 3.8).

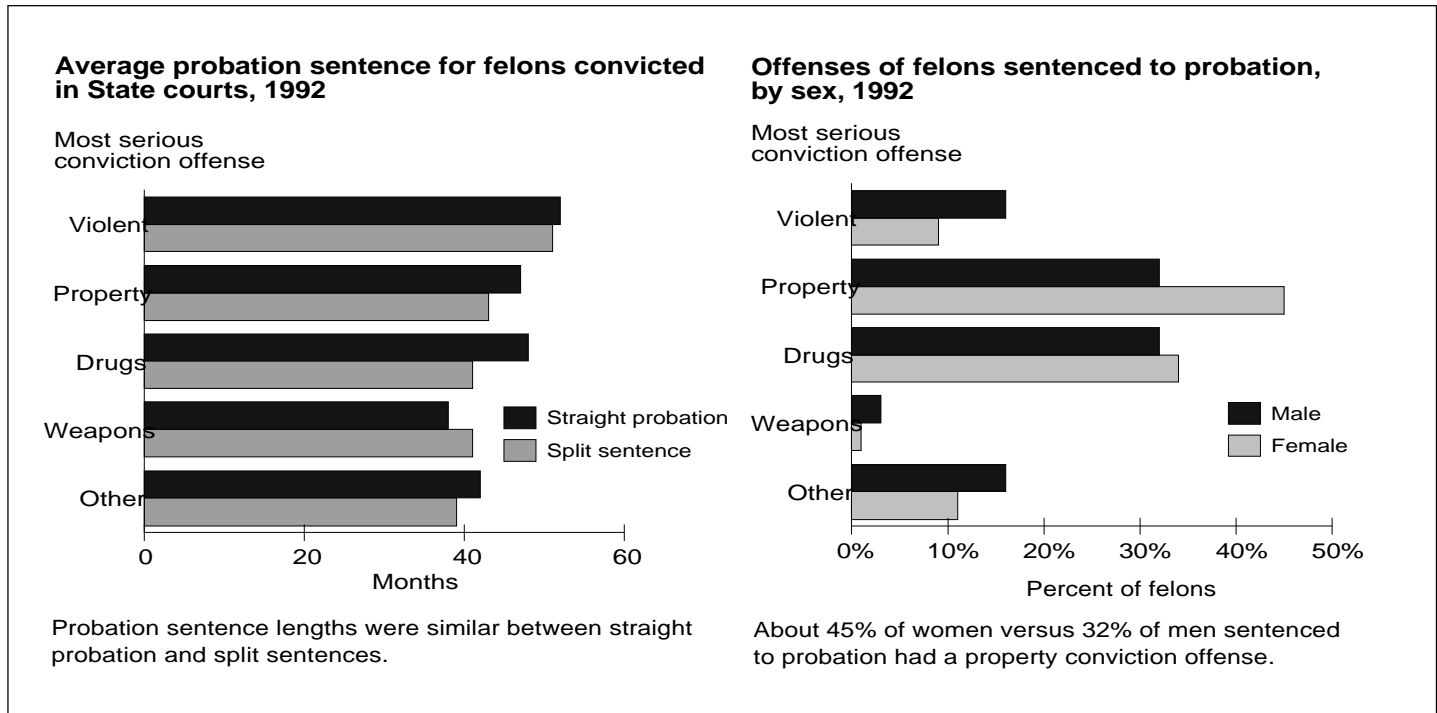


Table 3.1. Estimated number of felony convictions in State courts, by type of sentence, 1992

Most serious conviction offense	1992 felony convictions		Percent of felony convictions by —					
			Sentence type within offense			Offense within sentence type		
	Total	Probation	Total	Probation	No probation	Total	Probation	No probation
All offenses	893,630	493,853	100%	55%	45%	100%	100%	100%
Violent offenses	165,099	69,835	100%	42%	58%	19%	14%	24%
Murder ^a	12,548	1,568	100	13	88	1	--	3
Rape	21,655	8,574	100	40	60	2	2	3
Robbery	51,878	14,535	100	28	72	6	3	9
Aggravated assault	58,969	32,783	100	56	44	7	7	7
Other violent ^b	20,049	12,375	100	62	38	2	3	2
Property offenses	297,494	170,403	100%	57%	43%	33%	35%	32%
Burglary	114,630	55,807	100	49	51	13	11	15
Larceny ^c	119,000	70,742	100	60	41	13	14	12
Fraud ^d	63,864	43,855	100	69	31	7	9	5
Drug offenses	280,232	162,603	100%	58%	42%	31%	33%	29%
Possession	109,426	68,709	100	63	37	12	14	10
Trafficking	170,806	93,894	100	55	45	19	19	19
Weapons offenses	26,422	14,663	100%	56%	45%	3%	3%	3%
Other offenses^e	124,383	76,350	100%	62%	39%	14%	16%	12%

Note: Detail may not sum to total because of rounding. In this table persons are counted as probation cases so long as their sentences included probation and without regard to whether a term of incarceration was also included. Dates on sentence type and conviction offense were available for 892,611 cases.
--Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 3.2. Felony convictions in State courts, by type of sentence to probation or incarceration, 1992

Most serious conviction offense	Percent of felony convictions by type of —							
	Probation sentence				Nonprobation sentence			
	Straight probation	Split sentence			No incarceration	Incarceration		
Total		Prison	Jail	Total		Prison	Jail	
All offenses	30%	26%	7%	20%	1%	43%	37%	6%
Violent offenses	19%	24%	7%	16%	1%	57%	52%	5%
Murder ^a	3	9	6	3	--	87	86	1
Rape	13	27	11	17	--	60	57	2
Robbery	11	17	6	11	--	71	68	4
Aggravated assault	27	29	8	21	1	43	36	7
Other violent ^b	32	31	7	24	1	37	32	5
Property offenses	33%	25%	6%	18%	1%	41%	36%	6%
Burglary	25	24	7	17	1	50	45	5
Larceny ^c	34	26	5	21	1	39	33	6
Fraud ^d	47	22	7	16	2	29	24	5
Drug offenses	30%	29%	8%	22%	1%	41%	34%	6%
Possession	37	26	4	22	1	36	29	7
Trafficking	25	31	10	21	--	44	38	6
Weapons offenses	33%	23%	4%	18%	1%	43%	36%	8%
Other offenses^e	33%	28%	6%	23%	2%	37%	29%	8%

Note: See note on table 3.1. Detail may not sum to total because of rounding. Data on sentence type and conviction offense were available for 886,351 cases.

--Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 3.3. Average probation sentence for felons convicted in State courts, 1992

Most serious conviction offense	Probation sentence (in months) in case of —				
	Total	Straight probation	Split sentence of probation with		
			Total	Prison	Jail
Mean sentence					
All offenses	45 mo	47 mo	43 mo	45 mo	42 mo
Violent offenses	51 mo	52 mo	51 mo	55 mo	49 mo
Murder ^a	78	78	77	90	54
Rape	65	71	62	63	61
Robbery	53	62	47	49	45
Aggravated assault	45	45	45	52	43
Other violent ^b	55	52	57	46	61
Property offenses	45 mo	47 mo	43 mo	46 mo	42 mo
Burglary	51	55	47	52	45
Larceny ^c	41	43	39	40	39
Fraud ^d	43	44	42	43	41
Drug offenses	45 mo	48 mo	41 mo	44 mo	40 mo
Possession	42	45	37	36	37
Trafficking	47	51	44	46	43
Weapons offenses	39 mo	38 mo	41 mo	38 mo	42 mo
Other offenses^e	41 mo	42 mo	39 mo	29 mo	41 mo
Median sentence					
All offenses	36 mo	36 mo	36 mo	36 mo	36 mo
Violent offenses	36 mo	36 mo	36 mo	48 mo	36 mo
Murder ^a	60	60	60	60	60
Rape	60	60	60	60	60
Robbery	36	60	36	48	36
Aggravated assault	36	36	36	36	36
Other violent ^b	36	36	36	36	36
Property offenses	36 mo	36 mo	36 mo	36 mo	36 mo
Burglary	36	36	36	36	36
Larceny ^c	36	36	36	36	36
Fraud ^d	36	36	36	36	36
Drug offenses	36 mo	36 mo	36 mo	36 mo	36 mo
Possession	36	36	36	36	36
Trafficking	36	36	36	36	36
Weapons offenses	36 mo	24 mo	36 mo	36 mo	36 mo
Other offenses^e	36 mo	36 mo	36 mo	24 mo	36 mo

Note: See note on table 3.1. Probation sentence length was known in 100% of probation cases.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 3.4. Average State court sentence to incarceration for felony probationers and nonprobationers, 1992

Most serious conviction offense	Maximum incarceration sentence length in months for —					
	Probationers			Nonprobationers		
	Total	Prison	Jail	Total	Prison	Jail
Mean sentence						
All offenses	18 mo	51 mo	6 mo	53 mo	79 mo	7 mo
Violent offenses	26 mo	66 mo	7 mo	95 mo	125 mo	8 mo
Murder ^a	82	123	9	238	251	10
Rape	40	91	8	130	164	8
Robbery	32	68	10	101	117	11
Aggravated assault	18	50	6	56	87	7
Other violent ^b	16	49	5	55	88	6
Property offenses	17 mo	50 mo	6 mo	45 mo	67 mo	7 mo
Burglary	21	53	7	56	76	8
Larceny ^c	12	39	6	34	53	7
Fraud ^d	21	58	5	44	69	6
Drug offenses	17 mo	48 mo	6 mo	43 mo	67 mo	6 mo
Possession	10	42	4	32	55	4
Trafficking	21	50	7	50	72	8
Weapons offenses	11 mo	33 mo	6 mo	36 mo	55 mo	6 mo
Other offenses^e	13 mo	39 mo	5 mo	32 mo	53 mo	6 mo
Median sentence						
All offenses	6 mo	36 mo	4 mo	24 mo	48 mo	5 mo
Violent offenses	9 mo	42 mo	6 mo	48 mo	72 mo	6 mo
Murder ^a	24	75	10	180	180	10
Rape	12	48	6	72	96	6
Robbery	12	48	9	60	84	9
Aggravated assault	6	36	5	24	60	6
Other violent ^b	6	32	4	24	60	4
Property offenses	6 mo	36 mo	4 mo	24 mo	42 mo	5 mo
Burglary	8	36	6	36	48	6
Larceny ^c	6	24	4	18	36	4
Fraud ^d	6	36	3	24	36	3
Drug offenses	6 mo	36 mo	4 mo	24 mo	48 mo	5 mo
Possession	4	24	3	12	36	3
Trafficking	8	36	6	36	48	6
Weapons offenses	6 mo	24 mo	4 mo	16 mo	36 mo	4 mo
Other offenses^e	6 mo	15 mo	4 mo	12 mo	27 mo	4 mo

Note: See note on table 3.1. Means exclude sentences to death or to life in prison. Data on sentence length and sentence type were available for 850,754 cases.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 3.5. Number of conviction offenses of felons sentenced to probation in State courts, by the most serious conviction offense, 1992

Most serious conviction offense	Percent of felons sentenced to probation when their conviction offenses numbered —			
	One or more	One	Two	Three or more
All offenses	56%	58%	48%	45%
Violent offenses	43%	47%	35%	29%
Murder ^a	13	14	13	5
Rape	40	45	34	26
Robbery	28	31	25	20
Aggravated assault	56	59	47	45
Other violent ^b	62	64	55	49
Property offenses	58%	60%	52%	52%
Burglary	49	51	46	42
Larceny ^c	60	61	52	59
Fraud ^d	70	72	64	63
Drug offenses	58%	60%	50%	50%
Possession	63	64	55	64
Trafficking	55	58	48	47
Weapons offenses	56%	58%	49%	45%
Other offenses^e	62%	62%	57%	65%

Note: See note on table 3.1. Data on number of convictions were available for 485,627 cases.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 3.6. Sex of felons sentenced to probation or nonprobation in State courts, by the most serious conviction offense, 1992

Most serious conviction offense	Percent of probation sentences			Percent of probation sentences		
	All	Male	Female	All	Male	Female
All offenses	100%	83%	17%	100%	91%	9%
Violent offenses	100%	90%	10%	100%	95%	5%
Murder ^a	100	83	17	100	92	9
Rape	100	98	3	100	99	1
Robbery	100	91	10	100	95	5
Aggravated assault	100	87	13	100	93	7
Other violent ^b	100	92	8	100	95	6
Property offenses	100%	77%	23%	100%	89%	11%
Burglary	100	93	7	100	97	3
Larceny ^c	100	78	22	100	87	13
Fraud ^d	100	57	43	100	73	27
Drug offenses	100%	82%	18%	100%	89%	11%
Possession	100	81	19	100	87	13
Trafficking	100	83	17	100	90	10
Weapons offenses	100%	95%	6%	100%	97%	3%
Other offenses^e	100%	87%	13%	100%	93%	7%

Note: See note on tables 2.1 and 3.1. Detail may not sum to total because of rounding. Data on sentence type by sex were available for 780,835 cases.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 3.7. Offenses of felons sentenced to probation or nonprobation in State courts, by sex, 1992

Most serious conviction offense	Percent of probation sentences			Percent of nonprobation sentences		
	All	Male	Female	All	Male	Female
All offenses	100%	100%	100%	100%	100%	100%
Violent offenses	15%	16%	9%	24%	25%	15%
Murder ^a	--	--	--	3	3	3
Rape	2	2	--	3	4	--
Robbery	3	4	2	10	10	5
Aggravated assault	7	7	5	7	7	5
Other violent ^b	3	3	1	2	2	1
Property offenses	34%	33%	45%	32%	31%	39%
Burglary	11	13	5	15	16	6
Larceny ^c	14	13	19	12	12	18
Fraud ^d	9	6	22	5	4	15
Drug offenses	33%	32%	34%	30%	29%	37%
Possession	14	13	15	11	10	16
Trafficking	19	19	19	19	19	21
Weapons offenses	3%	3%	1%	3%	3%	1%
Other offenses^e	15%	16%	11%	12%	12%	9%

Note: See note on tables 2.1 and 3.1. Detail may not sum to total because of rounding. Data on sentence type by race were available for 549,740 cases.

--Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 3.8. Race of felons sentenced to probation or nonprobation in State courts, by the most serious conviction offense, 1992

Most serious conviction offense	Percent of probation sentences				Percent of nonprobation sentences			
	All	White	Black	Other	All	White	Black	Other
All offenses	100%	57%	41%	1%	100%	47%	53%	1%
Violent offenses	100%	55%	42%	3%	100%	44%	55%	1%
Murder ^a	100	46	53	2	100	40	59	1
Rape	100	70	22	8	100	63	35	1
Robbery	100	39	61	1	100	33	66	1
Aggravated assault	100	55	43	2	100	45	54	1
Other violent ^b	100	73	26	2	100	70	29	1
Property offenses	100%	62%	36%	1%	100%	54%	45%	1%
Burglary	100	65	33	2	100	55	44	1
Larceny ^c	100	62	37	2	100	52	48	1
Fraud ^d	100	59	41	1	100	56	44	--
Drug offenses	100%	50%	49%	1%	100%	37%	63%	--
Possession	100	50	49	1	100	37	63	--
Trafficking	100	51	49	1	100	37	63	--
Weapons offenses	100%	44%	55%	1%	100%	33%	66%	1%
Other offenses^e	100%	68%	30%	2%	100%	60%	39%	1%

Note: See note on tables 2.1 and 3.1. Detail may not sum to total because of rounding. Data on sentence type by race were available for 549,740 cases. --Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 3.9. The most serious conviction offense, by race of felons sentenced to probation or nonprobation in State courts, 1992

Most serious conviction offense	Percent of probation sentences				Percent of nonprobation sentences			
	All	White	Black	Other	All	White	Black	Other
All offenses	100%	100%	100%	100%	100%	100%	100%	100%
Violent offenses	15%	15%	15%	26%	24%	22%	25%	33%
Murder ^a	--	--	1	1	3	2	3	4
Rape	2	2	1	11	3	4	2	5
Robbery	3	2	5	2	9	7	12	14
Aggravated assault	7	7	8	11	7	6	7	9
Other violent ^b	2	3	1	2	2	2	1	1
Property offenses	34%	37%	30%	35%	33%	38%	29%	35%
Burglary	12	13	9	16	16	18	13	19
Larceny ^c	14	15	12	15	13	14	11	15
Fraud ^d	9	9	9	4	5	6	4	1
Drug offenses	35%	31%	41%	18%	30%	24%	35%	11%
Possession	15	13	17	10	11	9	13	6
Trafficking	20	18	24	8	19	15	22	5
Weapons offenses	3%	2%	4%	3%	3%	2%	4%	2%
Other offenses^e	13%	16%	10%	18%	11%	14%	8%	19%

Note: See note on tables 2.1, 3.1, and 3.9. Detail may not sum to total because of rounding.

--Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 3.10. Average age of felons sentenced to probation or nonprobation in State courts, 1992

Most serious conviction offense	Age at time of sentencing			
	Probation		Nonprobation	
	Mean	Median	Mean	Median
All offenses	29 years	28 years	30 years	28 years
Violent offenses	30 years	28 years	29 years	27 years
Murder ^a	30	28	28	25
Rape	33	33	33	31
Robbery	25	22	27	25
Aggravated assault	31	29	29	28
Other violent ^b	33	31	34	31
Property offenses	28 years	26 years	30 years	27 years
Burglary	25	23	29	26
Larceny ^c	28	26	30	28
Fraud ^d	31	29	32	30
Drug offenses	30 years	29 years	30 years	29 years
Possession	30	30	31	30
Trafficking	29	28	30	28
Weapons offenses	29 years	27 years	29 years	26 years
Other offenses^e	31 years	29 years	32 years	30 years

Note: See note on tables 2.1 and 3.1.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 3.11. Felons sentenced to probation in State courts, by age at sentencing, 1992

Most serious conviction offense	Percent of felon age group who received a probation sentence			
	Under 20	20-29	30-39	40 or older
All offenses	61%	54%	51%	54%
Violent offenses	42%	40%	42%	48%
Murder ^a	12	12	13	17
Rape	47	44	36	45
Robbery	39	28	24	26
Aggravated assault	51	53	56	59
Other violent ^b	78	61	60	58
Property offenses	69%	58%	49%	52%
Burglary	66	50	37	32
Larceny ^c	73	61	51	51
Fraud ^d	75	71	63	70
Drug offenses	64%	57%	55%	55%
Possession	65	62	59	57
Trafficking	63	54	52	53
Weapons offenses	63%	51%	49%	62%
Other offenses^e	70%	61%	58%	60%

Note: See note on tables 2.1 and 3.1.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

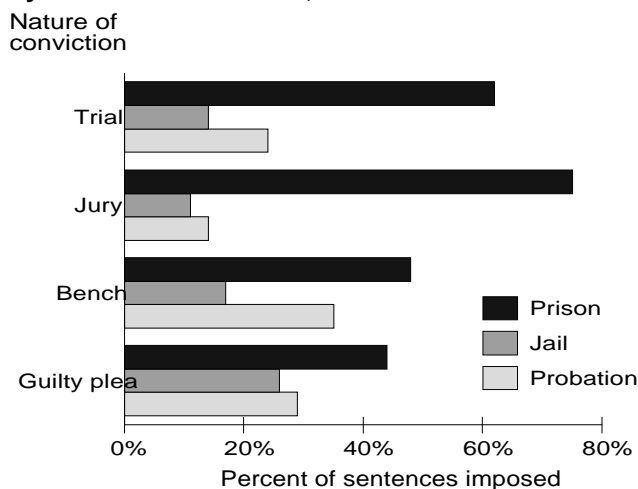
^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Felony case processing in State courts, 1992

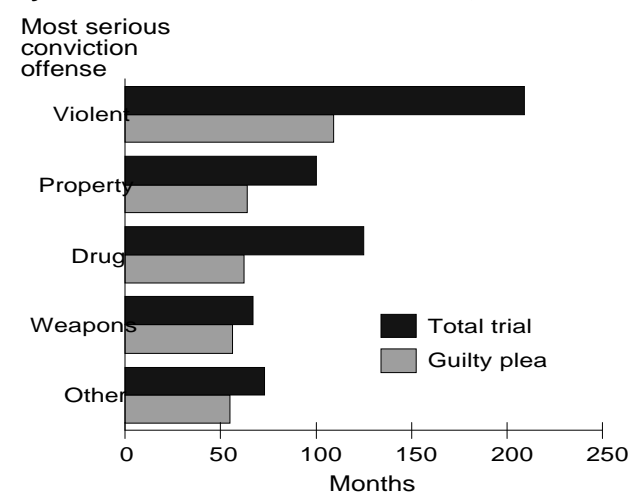
- Nationwide in 1992, 92% of convictions were the product of a guilty plea (table 4). That number is not the same as the percentage of felony convictions that involved a plea bargain between the prosecution and the defense. Plea bargains, in which the defendant agrees to plead guilty in exchange for dropped or reduced charges or in exchange for a reduced sentence, is a common practice in the criminal justice system. The proportion of those who pleaded guilty as part of a plea bargain is not known.
- An estimated 821,000 persons pleaded guilty to a felony offense. Persons convicted of murder were the least likely to have pleaded guilty and the most likely to have been convicted by a jury (table 4.1). Murderers convicted by a jury were the most likely of all convicted defendants to have received a life sentence (47%) or the death penalty (4%) (table 4.6).
- Of felons convicted in State courts, 4% were found guilty by a jury, and 4% were found guilty by a judge in a bench trial (table 4.2). The most serious offenses — the violent crimes of murder, rape, robbery, aggravated assault, and other violent offenses — comprised about 19% of all felony convictions but an estimated 46% of all jury trials (table 4.3).
- Convictions for murder or nonnegligent manslaughter, had the lowest percentage of guilty pleas (59%) (table 4.2).
- Sentences to prison or jail occurred in 86% of jury convictions, 65% of bench trial convictions (decided by a judge alone), and 70% of guilty pleas (table 4.4).
- An estimated 75% of felons convicted by a jury received a prison sentence, compared to 48% of those convicted by a judge and 44% of those who pleaded guilty (table 4.4).
- Prison sentences were much longer for felons convicted by a jury trial (190 months) than for felons who pleaded guilty (72 months) or were convicted by a judge (88 months) (table 4.5).
- Felons sentenced to jail in a jury trial received a mean or average sentence of 11 months. The mean jail sentence in a bench trial was 7 months; in a guilty plea, 7 months (table 4.5).
- An estimated 51% of felons convicted of murder or nonnegligent manslaughter by a jury were sentenced to life in prison or to death. Such sentences for murder or nonnegligent manslaughter occurred in about 14% of the bench trials and 15% of the guilty pleas (table 4.6).
- In 43% of jury trial convictions nationwide, felons were found guilty of multiple offenses. Twenty-three percent of the guilty pleas and 17% of the bench trial convictions involved multiple offenses (table 4.7).

Types of sentences imposed by State courts, by nature of conviction, 1992



A prison sentence resulted in 62% of trial convictions versus 44% of guilty plea convictions.

Average sentence to State prison, by offense and nature of conviction, 1992



The average sentence to prison for drug offenses was about 10 years for trial convictions versus 5 years for guilty pleas.

The following findings on elapsed time are based on cases with complete disposition information. Because small differences exist between cases with complete information and cases with incomplete information, these statistics may differ from other elapsed-time statistics derived from the survey:

- Mean elapsed time from date of arrest to date of felony conviction was about 6 months. Jury cases took the longest time (about 9 months). Guilty plea cases took almost as much time (about 169 days) as bench trial cases (192 days). The longest average time was for murder or nonnegligent manslaughter, about 10½ months, and the shortest, almost 5 months, for burglary and larceny (table 4.9).

- Mean elapsed time from conviction to sentencing for persons convicted of a felony was about 1 month, regardless of the method of conviction (table 4.10).

- Mean elapsed time from arrest to sentencing in 1992 was nearly 7 months, unchanged from 1988; the median was nearly 5 months, also unchanged (table 4.11).

- Cases decided by juries had a mean elapsed time from arrest to sentencing of about 10 months; those disposed by guilty plea or a bench trial, a mean of 6¾ months (table 4.11).

Table 4.1. Number of felony convictions in State courts, by type of conviction, 1992

Most serious conviction offense	Number of felons convicted by —				Guilty plea
	Total	Total	Trial Jury	Bench	
All offenses	893,630	72,968	37,593	35,376	820,662
Violent offenses	165,101	25,336	16,680	8,656	139,765
Murder ^a	12,549	5,122	4,076	1,046	7,427
Rape	21,655	3,952	3,023	929	17,703
Robbery	51,879	6,085	3,860	2,225	45,794
Aggravated assault	58,969	7,462	4,409	3,053	51,507
Other violent ^b	20,049	2,716	1,312	1,404	17,333
Property offenses	297,494	16,154	7,473	8,681	281,340
Burglary	114,630	7,412	3,759	3,652	107,218
Larceny ^c	119,000	6,717	2,668	4,049	112,283
Fraud ^d	63,864	2,025	1,045	980	61,839
Drug offenses	280,231	21,230	8,567	12,663	259,001
Possession	109,426	9,878	1,839	8,039	99,548
Trafficking	170,805	11,352	6,728	4,624	159,453
Weapons offenses	26,422	2,331	1,205	1,126	24,091
Other offenses^e	124,382	7,917	3,668	4,249	116,465

Note: See note on tables 1.1 and 3.6. Detail may not sum to total because of rounding. Data on type of conviction were available for 703,787 cases. Table figures include estimates for cases missing a designation on type of conviction.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 4.2. Offenses of felons convicted in State courts, by type of conviction, 1992

Most serious conviction offense	Percent of felons convicted by —				Guilty plea
	Total	Trial			
		Total	Jury	Bench	
All offenses	100%	8%	4%	4%	92%
Violent offenses	100%	15%	10%	5%	85%
Murder ^a	100	41	33	8	59
Rape	100	18	14	4	82
Robbery	100	12	8	4	88
Aggravated assault	100	13	8	5	87
Other violent ^b	100	14	7	7	86
Property offenses	100%	5%	2%	3%	95%
Burglary	100	6	3	3	94
Larceny ^c	100	6	2	4	94
Fraud ^d	100	3	2	1	97
Drug offenses	100%	8%	3%	5%	92%
Possession	100	9	2	7	91
Trafficking	100	7	4	3	93
Weapons offenses	100%	9%	5%	4%	91%
Other offenses^e	100%	6%	3%	3%	94%

Note: See note on tables 1.1, 3.6, and 4.1. Detail may not sum to total because of rounding. Data on conviction type were available for 703,787 cases.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 4.3. Offenses of felons convicted in State courts, by nature of conviction, 1992

Most serious conviction offense	Percent convicted by —				Guilty plea
	Total	Total	Jury	Bench	
All offenses	100%	100%	100%	100%	100%
Violent offenses	19%	36%	46%	26%	18%
Murder ^a	1	7	11	3	1
Rape	2	6	9	3	2
Robbery	6	9	11	7	6
Aggravated assault	7	11	13	9	7
Other violent ^b	2	4	3	4	2
Property offenses	33%	22%	20%	25%	34%
Burglary	13	10	10	11	13
Larceny ^c	13	9	7	11	13
Fraud ^d	7	3	3	3	8
Drug offenses	31%	28%	22%	35%	32%
Possession	12	13	5	21	12
Trafficking	19	16	18	13	20
Weapons offenses	3%	4%	4%	4%	3%
Other offenses^e	14%	10%	9%	11%	13%

Note: See note on tables 1.1, 3.6, and 4.1. Detail may not sum to total because of rounding.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 4.4. Types of sentences imposed by State courts, by nature of conviction, 1992

Most serious conviction offense	Total	Percent of felons sentenced to —					
		Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
Trial							
All offenses	100%	76%	62%	14%	24%	24%	1%
Violent offenses	100%	89%	79%	10%	11%	11%	--
Murder ^a	100	98	98	1	2	1	--
Rape	100	92	85	7	9	9	0
Robbery	100	92	85	7	8	8	--
Aggravated assault	100	82	66	16	18	18	--
Other violent ^b	100	83	62	21	17	17	1
Property offenses	100%	68%	53%	15%	32%	31%	1%
Burglary	100	76	62	14	24	24	0
Larceny ^c	100	64	48	17	36	35	1
Fraud ^d	100	51	40	12	49	44	5
Drug offenses	100%	66%	51%	15%	34%	34%	1%
Possession	100	49	31	18	51	51	0
Trafficking	100	80	68	12	20	19	1
Weapons offenses	100%	70%	58%	12%	30%	30%	--
Other offenses^e	100%	72%	49%	24%	28%	26%	1%
Jury							
All offenses	100%	86%	75%	11%	14%	14%	1%
Violent offenses	100%	94%	87%	7%	6%	6%	--
Murder ^a	100	99	98	1	1	1	--
Rape	100	95	89	6	5	5	0
Robbery	100	96	92	4	4	4	--
Aggravated assault	100	88	72	16	12	12	0
Other violent ^b	100	88	79	9	12	11	1
Property offenses	100%	75%	58%	16%	25%	25%	1%
Burglary	100	80	65	15	20	20	0
Larceny ^c	100	72	52	20	28	27	2
Fraud ^d	100	61	48	12	39	37	3
Drug offenses	100%	84%	75%	9%	16%	15%	1%
Possession	100	74	58	16	26	26	0
Trafficking	100	87	80	7	13	12	1
Weapons offenses	100%	76%	66%	10%	24%	24%	--
Other offenses^e	100%	76%	56%	20%	24%	22%	2%

Table 4.4. (cont.) Types of sentences imposed by State courts, by nature of conviction, 1992

Most serious conviction offense	Percent of felons sentenced to —						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
Bench							
All offenses	100%	65%	48%	17%	35%	35%	--
Violent offenses	100%	80%	65%	15%	20%	19%	--
Murder ^a	100	96	94	2	4	4	--
Rape	100	80	71	9	20	20	0
Robbery	100	85	72	13	15	15	0
Aggravated assault	100	73	56	17	27	27	1
Other violent ^b	100	78	47	31	22	22	0
Property offenses	100%	63%	49%	13%	37%	37%	1%
Burglary	100	72	59	13	28	28	0
Larceny ^c	100	59	45	15	41	41	0
Fraud ^d	100	41	31	11	59	51	8
Drug offenses	100%	53%	35%	19%	47%	47%	0%
Possession	100	43	24	19	57	57	0
Trafficking	100	70	52	18	30	30	0
Weapons offenses	100%	63%	50%	14%	37%	37%	0%
Other offenses^e	100%	69%	42%	27%	31%	31%	--
Guilty plea							
All offenses	100%	70%	44%	26%	30%	29%	1%
Violent offenses	100%	79%	56%	23%	21%	21%	1%
Murder ^a	100	95	89	6	5	5	--
Rape	100	85	63	23	15	14	--
Robbery	100	88	72	16	12	12	--
Aggravated assault	100	71	41	30	29	29	1
Other violent ^b	100	68	36	31	32	32	1
Property offenses	100%	67%	42%	25%	33%	32%	1%
Burglary	100	76	52	23	24	24	1
Larceny ^c	100	66	38	28	34	33	1
Fraud ^d	100	53	32	21	47	46	2
Drug offenses	100%	70%	42%	28%	30%	29%	1%
Possession	100	63	33	30	37	36	1
Trafficking	100	75	48	27	25	25	1
Weapons offenses	100%	67%	39%	28%	33%	33%	1%
Other offenses^e	100%	67%	36%	31%	33%	32%	2%

Note: See note on tables 1.1, 1.2, and 3.6. Detail may not sum to total because of rounding. Data on conviction type were available for 738,166 cases. Some estimates in this table are based on as few as 1 case and are therefore unreliable.

--Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property

Table 4.5. Average felony sentence lengths in State courts, by nature of conviction, 1992

Most serious conviction offense	Maximum sentence length in months for convictions by —									
	Total		Total		Trial Jury		Bench		Guilty plea	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median
Sentences to prison										
All offenses	79 mo	48 mo	150 mo	75 mo	190 mo	108 mo	88 mo	60 mo	72 mo	48 mo
Violent offenses	125 mo	72 mo	209 mo	120 mo	251 mo	144 mo	121 mo	72 mo	109 mo	72 mo
Murder ^a	251	180	327	240	360	240	252	240	230	180
Rape	164	96	266	180	292	240	173	120	139	84
Robbery	117	84	198	120	249	168	92	72	106	72
Aggravated assault	87	60	138	72	173	90	76	60	78	60
Other violent ^b	88	60	157	82	202	96	93	48	75	60
Property offenses	67 mo	42 mo	100 mo	60 mo	120 mo	60 mo	80 mo	60 mo	64 mo	40 mo
Burglary	76	48	110	72	120	80	100	60	74	48
Larceny ^c	53	36	92	60	133	60	60	48	48	36
Fraud ^d	69	36	74	36	86	48	55	36	72	36
Drug offenses	67 mo	48 mo	125 mo	72 mo	161 mo	96 mo	71 mo	48 mo	62 mo	48 mo
Possession	55	36	92	48	156	64	58	48	50	33
Trafficking	72	48	137	84	162	108	81	60	66	48
Weapons offenses	55 mo	36 mo	67 mo	36 mo	78 mo	42 mo	52 mo	36 mo	56 mo	36 mo
Other offenses^e	53 mo	27 mo	73 mo	42 mo	97 mo	60 mo	45 mo	30 mo	55 mo	30 mo
Sentences to jail										
All offenses	7 mo	5 mo	9 mo	5 mo	11 mo	6 mo	7 mo	3 mo	7 mo	6 mo
Violent offenses	8 mo	6 mo	10 mo	6 mo	11 mo	6 mo	10 mo	6 mo	8 mo	6 mo
Murder ^a	10	10	6	4	7	7	5	4	9	10
Rape	8	6	16	7	17	6	16	12	8	6
Robbery	11	9	16	12	16	10	16	23	11	9
Aggravated assault	7	6	9	6	9	6	8	5	7	5
Other violent ^b	6	4	6	6	4	3	7	6	6	4
Property offenses	7 mo	5 mo	8 mo	3 mo	12 mo	6 mo	5 mo	2 mo	7 mo	5 mo
Burglary	8	6	13	6	18	9	6	3	8	6
Larceny ^c	7	4	5	2	7	2	4	1	7	5
Fraud ^d	6	3	4	3	5	6	4	2	6	3
Drug offenses	6 mo	5 mo	6 mo	3 mo	12 mo	6 mo	5 mo	2 mo	7 mo	5 mo
Possession	4	3	3	2	7	6	2	1	4	3
Trafficking	8	6	11	4	14	6	9	3	8	6
Weapons offenses	6 mo	4 mo	8 mo	4 mo	15 mo	6 mo	3 mo	1 mo	6 mo	4 mo
Other offenses^e	6 mo	4 mo	10 mo	7 mo	8 mo	6 mo	12 mo	9 mo	7 mo	6 mo

Table 4.5. (cont.) Average felony sentence lengths in State courts, by nature of conviction, 1992

Most serious conviction offense	Maximum sentence length in months for convictions by —									
	Total		Total		Trial		Bench		Guilty plea	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median
Sentences to probation										
All offenses	47 mo	36 mo	66 mo	48 mo	44 mo	30 mo	75 mo	60 mo	47 mo	36 mo
Violent offenses	52 mo	36 mo	71 mo	48 mo	52 mo	48 mo	82 mo	48 mo	51 mo	36 mo
Murder ^a	78	60	170	60	65	60	239	240	69	60
Rape	71	60	71	48	78	48	65	36	70	60
Robbery	62	60	93	48	54	48	108	60	62	60
Aggravated assault	45	36	58	36	48	36	65	36	43	36
Other violent ^b	52	36	73	36	37	36	90	48	51	36
Property offenses	47 mo	36 mo	60 mo	48 mo	40 mo	36 mo	72 mo	60 mo	47 mo	36 mo
Burglary	55	36	69	48	47	48	85	72	56	36
Larceny ^c	43	36	59	36	35	30	71	60	43	36
Fraud ^d	44	36	43	30	37	30	47	36	45	36
Drug offenses	48 mo	36 mo	76 mo	60 mo	49 mo	30 mo	81 mo	72 mo	47 mo	36 mo
Possession	45	36	73	72	36	30	77	72	42	36
Trafficking	51	36	82	36	58	36	95	36	51	36
Weapons offenses	38 mo	24 mo	34 mo	24 mo	32 mo	24 mo	35 mo	24 mo	39 mo	30 mo
Other offenses^e	42 mo	36 mo	51 mo	36 mo	38 mo	30 mo	58 mo	36 mo	45 mo	36 mo

Note: See note on tables 1.1, 1.2, 1.3, and 3.6. Some estimates in this table are based on as few as 1 case and are therefore unreliable.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 4.6. Sentences for felons convicted of murder or nonnegligent manslaughter in State courts, by nature of conviction, 1992

Nature of conviction	Type of sentence			
	Total	Life	Death	Other*
All	100%	26%	2%	72%
Trial	100	42	4	54
Jury	100	47	4	49
Bench	100	14	--	86
Guilty plea	100	15	--	85

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

--Less than 0.5%.

*Includes sentences to incarceration or probation.

Table 4.7. Number of felony offenses for which convicted and sentenced in 1992, by nature of conviction, 1992

Nature of conviction	Percent convicted of —		
	Total	One offense	Two or more offenses
All	100%	77%	23%
Trial	100	70	30
Jury	100	57	43
Bench	100	84	17
Guilty plea	100	77	23

Note: See note on tables 1.6 and 3.6. Detail may not sum to total because of rounding.

Table 4.8. Types of sentences imposed by State courts, by number of conviction offenses and nature of conviction, 1992

Nature of conviction	Percent of felons sentenced to —						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
Convicted of one offense							
All	100%	68%	41%	27%	32%	31%	1%
Trial	100	72	56	16	28	27	1
Jury	100	87	74	13	13	12	1
Bench	100	61	44	17	39	39	--
Guilty plea	100	68	40	28	32	31	1
Convicted of multiple offenses							
All	100%	77%	55%	22%	23%	22%	1%
Trial	100	84	73	11	16	16	--
Jury	100	84	76	8	16	15	--
Bench	100	82	64	18	18	18	--
Guilty plea	100	77	54	23	23	23	1

Note: See note on tables 1.2, 1.6, and 3.6. Detail may not sum to total because of rounding.
 --Less than 0.5%.

Table 4.9. Average number of days between arrest and conviction for felony cases in State courts, by nature of conviction, 1992

Most serious conviction offense	Number of days between arrest and conviction for cases disposed by —				
	Total	Total	Trial Jury	Bench	Guilty plea
Mean number of days					
All offenses	173 days	226 days	268 days	192 days	169 days
Violent offenses	198 days	265 days	295 days	217 days	187 days
Murder ^a	314	355	364	322	289
Rape	217	299	321	248	199
Robbery	178	244	247	239	170
Aggravated assault	189	236	283	183	182
Other violent ^b	197	199	230	182	196
Property offenses	156 days	205 days	228 days	190 days	154 days
Burglary	152	179	186	173	151
Larceny ^c	152	226	274	201	147
Fraud ^d	172	221	236	210	170
Drug offenses	177 days	210 days	252 days	190 days	174 days
Possession	177	174	186	173	178
Trafficking	176	242	269	215	172
Weapons offenses	182 days	212 days	245 days	188 days	179 days
Other offenses^e	166 days	177 days	247 days	142 days	166 days
Median number of days					
All offenses	120 days	165 days	204 days	144 days	116 days
Violent offenses	147 days	204 days	230 days	160 days	139 days
Murder ^a	246	280	287	256	227
Rape	165	235	259	176	147
Robbery	131	192	198	174	124
Aggravated assault	141	181	217	147	134
Other violent ^b	155	160	230	144	153
Property offenses	107 days	140 days	147 days	139 days	105 days
Burglary	107	119	144	115	106
Larceny ^c	101	156	147	156	98
Fraud ^d	113	139	125	142	112
Drug offenses	119 days	156 days	178 days	143 days	116 days
Possession	115	129	162	125	112
Trafficking	122	170	196	164	118
Weapons offenses	128 days	176 days	232 days	150 days	123 days
Other offenses^e	117 days	138 days	200 days	115 days	116 days

Note: See note on table 1.1. Data were available for 695,019 cases. Some estimates in this table are based on as few as 1 case and are therefore unreliable.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnapping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 4.10. Average number of days between conviction and sentencing for felony cases in State courts, by nature of conviction, 1992

Most serious conviction offense	Number of days between conviction and sentencing for cases disposed by —				
	Total	Trial			Guilty plea
		Total	Jury	Bench	
Mean number of days					
All offenses	27 days	28 days	34 days	22 days	27 days
Violent offenses	27 days	33 days	38 days	24 days	26 days
Murder ^a	31	40	42	32	25
Rape	34	37	42	25	33
Robbery	24	28	33	20	23
Aggravated assault	23	30	36	22	22
Other violent ^b	37	35	37	33	37
Property offenses	22 days	31 days	30 days	32 days	22 days
Burglary	22	26	24	28	22
Larceny ^c	22	37	42	35	22
Fraud ^d	23	29	26	31	22
Drug offenses	34 days	22 days	28 days	18 days	35 days
Possession	27	18	11	19	28
Trafficking	37	25	32	17	38
Weapons offenses	28 days	22 days	33 days	13 days	28 days
Other offenses^e	26 days	18 days	34 days	8 days	26 days
Median number of days					
All offenses	0 days	0 days	0 days	0 days	0 days
Violent offenses	0 days	0 days	0 days	0 days	0 days
Murder ^a	0	0	0	0	0
Rape	0	0	1	0	0
Robbery	0	0	0	0	0
Aggravated assault	0	0	0	0	0
Other violent ^b	0	16	0	20	0
Property offenses	0 days	0 days	0 days	0 days	0 days
Burglary	0	0	0	0	0
Larceny ^c	0	0	0	0	0
Fraud ^d	0	0	0	0	0
Drug offenses	0 days	0 days	0 days	0 days	0 days
Possession	0	0	0	0	0
Trafficking	0	0	0	0	0
Weapons offenses	0 days	0 days	0 days	0 days	0 days
Other offenses^e	0 days	0 days	0 days	0 days	0 days

Note: See note on tables 1.1 and 4.9. Data were available for 695,019 cases. Some estimates in this table are based on as few as 1 case and are therefore unreliable.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 4.11. Average number of days between arrest and sentencing for felony cases in State courts, by nature of conviction, 1992

Most serious conviction offense	Number of days between arrest and sentencing for cases disposed by —				
	Total	Trial		Bench	Guilty plea
	Total	Jury			
Mean number of days					
All offenses	203 days	255 days	300 days	216 days	199 days
Violent offenses	227 days	298 days	330 days	246 days	215 days
Murder ^a	339	393	405	351	308
Rape	254	331	357	267	237
Robbery	205	275	280	266	196
Aggravated assault	214	264	313	206	206
Other violent ^b	234	249	285	229	232
Property offenses	182 days	228 days	253 days	212 days	180 days
Burglary	177	199	209	192	175
Larceny ^c	181	254	315	221	176
Fraud ^d	195	245	242	247	193
Drug offenses	211 days	237 days	281 days	216 days	209 days
Possession	213	209	199	211	213
Trafficking	209	264	304	225	206
Weapons offenses	213 days	237 days	279 days	205 days	211 days
Other offenses^e	195 days	199 days	275 days	157 days	195 days
Median number of days					
All offenses	143 days	191 days	231 days	171 days	139 days
Violent offenses	171 days	233 days	268 days	192 days	160 days
Murder ^a	274	308	326	273	253
Rape	185	259	282	204	175
Robbery	153	211	230	199	144
Aggravated assault	162	210	240	173	155
Other violent ^b	190	211	272	188	184
Property offenses	125 days	164 days	167 days	164 days	123 days
Burglary	124	149	156	142	123
Larceny ^c	121	168	187	168	118
Fraud ^d	133	183	125	185	132
Drug offenses	147 days	182 days	214 days	173 days	141 days
Possession	147	172	169	172	142
Trafficking	146	209	220	182	141
Weapons offenses	156 days	193 days	232 days	164 days	151 days
Other offenses^e	141 days	154 days	230 days	128 days	140 days

Note: See note on tables 1.1 and 4.9. Data were available for 695,019 cases. Some estimates in this table are based on as few as 1 case and are therefore unreliable.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Regional variation in adjudication and sentencing, 1992

Likelihood of conviction if arrested

Data sources

A comparison of convictions and arrests was made using data from the National Judicial Reporting Program and the FBI's Uniform Crime Reports (UCR). The number of felony convictions in 1992 was compared to the number of adult arrests for offenses likely to be felonies: murder (including nonnegligent manslaughter), robbery, aggravated assault, burglary, and drug trafficking. The numbers are aggregates and should not be interpreted as representing the disposition of individual cases tracked across processing stages of the criminal justice system. Nevertheless, the comparisons illustrate the approximate odds of conviction given an arrest for a felony.

Higher likelihood of conviction in the South

Nationally, an estimated 35% of adult arrests for a felony resulted in a felony conviction in 1992. For violent felonies it was 21%; for other offenses, 48% (table 5.1). The lower likelihood for violent felonies is largely attributable to aggravated assault arrests, which are unlikely to result in a felony conviction.

The likelihood of felony conviction given arrest was greater in the South (41%) than elsewhere (31%) (table 5.1). The greater likelihood in the South was true not only for all offenses combined but also for individual offenses.

Likelihood of State prison sentence if convicted

Data source

Data on 1992 felony convictions and sentences are from the National Judicial Reporting Program.

Higher likelihood of prison sentence in the South

From among prison, jail, and probation, the most severe sentence is prison. Compared to convicted felons outside the South, those convicted in the South stood a greater chance of receiving a prison sentence. State courts in the South sentenced to prison 57% of the felons they convicted in 1992. That compares to 41% in State courts elsewhere (table 5.2).

In general, the pattern of more severe sentencing in the South held true for all types of offenses, although to a lesser extent for violent offenses. For a particularly serious crime, such as murder, the convicted felon is almost certain to be sent to prison, regardless of where the sentencing occurs. For less serious felonies such as property offenses, there exists greater regional variation in sentencing practices.

Length of State prison sentence

Data source

Data on felony sentence lengths are from the 1992 National Judicial Reporting Program.

Prison sentences longer in the South

Felony prison sentences were longer in the South than elsewhere. The average State prison sentence in the South in 1992 was 94 months (about 8 years), compared to 57 months (about 5 years) outside the South (table 5.3). The pattern of longer prison sentences in the South generally holds true regardless of the offense.

Table 5.1. Number of felony convictions in State courts per 100 adult arrests, for offenses widely defined as felonies, by region, 1992

Most serious arrest offense	Number of felony convictions per 100 adult arrests		
	Total	South	Outside the South
All offenses^a	35	41	31
Violent offenses	21	24	20
Murder ^b	65	73	59
Robbery	41	51	36
Aggravated assault	14	15	13
Nonviolent offenses	48	59	42
Burglary	41	48	37
Drug trafficking	55	70	47

^aIncludes murder, robbery, aggravated assault, burglary, and drug trafficking.

^bIncludes nonnegligent manslaughter.

Source: *Crime in the United States, 1992* (FBI, 1993), provided data on reported crime and arrests.

Table 5.2. Convicted felons sentenced to prison, by region, 1992

Most serious arrest offense	Percent of felons sentenced to prison	
	South	Outside the South
All offenses	57%	41%
Violent offenses	67%	59%
Murder ^a	92	93
Rape	81	62
Robbery	81	71
Aggravated assault	49	43
Other violent ^b	51	40
Property offenses	55%	39%
Burglary	63	49
Larceny ^c	52	34
Fraud ^d	46	25
Drug offenses	57%	34%
Possession	46	30
Trafficking	63	37
Weapons offenses	45%	45%
Other offenses^e	51%	37%

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 5.3. Mean prison sentence lengths imposed by State courts, by region, 1992

Most serious arrest offense	Mean prison sentence length in months for felons	
	South	Outside the South
All offenses	94 mo	57 mo
Violent offenses	138 mo	105 mo
Murder ^a	215	263
Rape	212	116
Robbery	140	88
Aggravated assault	94	71
Other violent ^b	81	95
Property offenses	85 mo	42 mo
Burglary	97	51
Larceny ^c	68	31
Fraud ^d	90	38
Drug offenses	82 mo	42 mo
Possession	78	24
Trafficking	83	52
Weapons offenses	84 mo	38 mo
Other offenses^e	77 mo	30 mo

Note: Mean excludes sentences to death or to life in prison.

^aIncludes nonnegligent manslaughter.

^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Trends in drug trafficking, 1986-94

Trends in drug trafficking arrests

From 1986 to 1989 adult arrests for drug trafficking rose. Since then, the number has generally fallen. In the peak year, 1989, an estimated 406,000 adults were arrested nationwide for drug trafficking (table 6.1). In the latest year of available data, 1994, 319,000 were arrested, or 22% fewer than in 1989.

In short, drug trafficking arrests rose through the late 1980's and have generally fallen since.

Trends in drug trafficking convictions

Biennial data exist since 1986 on convictions for drug trafficking. They show a large increase in drug trafficking convictions from 1986 to 1988, followed by a large increase from 1988 to 1990, followed then by a modest increase from 1990 to the latest year of available data, 1992 (table 6.2).

In short, drug trafficking convictions rose substantially through the late 1980's but have risen only slightly in the 1990's.

Trends in drug traffickers as percentages of all convictions

In 1986, 13% of all State court felony convictions were for drug trafficking. The number rose to 17% in 1988 and to 20% in 1990. In 1992 it stayed at about that same level, 19%.

Trends in likelihood of conviction given arrest for drug trafficking

The likelihood of conviction given arrest can be approximated by relating the number of convictions to the number of arrests. Accordingly, in 1986, for every 100 arrests for drug trafficking there were 41 convictions. In 1988 it was about the same: 39 convictions for every 100 arrests. But in 1990 it rose substantially, to 53 convictions per 100 arrests. In 1992 it stayed at about that same level, 55 convictions per 100 arrests.

In short, the likelihood of conviction given arrest for drug trafficking rose considerably from 1986 to 1990 but has risen only slightly since then.

Trends in likelihood of prison sentence given conviction for drug trafficking

In 1986, 37% of convicted drug traffickers received a prison sentence. In 1988 about the same percentage were sent to prison, 41%. But in 1990 that rate rose considerably, to 52%, and it remained at about that level in 1992, 55%.

In short, from 1986 to 1990 a growing percentage of convicted drug traffickers received a prison sentence. Since then, the percentage has risen only slightly.

Trends in drug traffickers as percentages of prison entries

In 1986 drug traffickers accounted for 11% of all entries to State prisons. In 1988 that number grew to 16% and in 1990 to 22%. In 1992, 21% of entering inmates were traffickers.

Overview of recent national trends in the justice system response to drug trafficking

The period from the mid-1980's to the late 1980's was characterized by markedly rising risk of apprehension, prosecution, and imprisonment and was followed by a leveling-off period. However risk is measured — whether by the number of arrests, the number of convictions, the number of convictions relative to arrests, or the percentage of convictions receiving prison — risk rose through the late 1980's and, except for arrests, has stayed at about that level since.

In 1986 drug traffickers were 1 in every 8 persons entering prison, and in 1992, 1 in every 5. This change, over a short period of years, resulted not just from police making more arrests, but also from prosecutors pursuing charges and obtaining convictions against a larger fraction of those arrested and from judges sentencing to prison a larger fraction of those convicted.

Drug traffickers and violent offenders: 1992 felony sentences compared

State courts nationwide sentenced convicted violent offenders more severely than convicted drug traffickers:

- 48% of drug traffickers and 60% of violent offenders received a prison sentence (table 1.2).
- Average prison sentences were 6 years for drug traffickers and 10½ years for violent offenders (table 1.3).

However, not all State courts sentenced violent felony offenders more severely than drug traffickers, according to survey results from the 1992 National Judicial Reporting Program. Of the 300 counties that participated in the survey, courts in 274 convicted at least 1 drug trafficker and 1 violent offender in 1992.

Seventy-four of the 274 — or 27% of the courts — sentenced a greater fraction of drug traffickers than violent offenders to prison:

- In the 74 courts where prison sentences were imposed more often for drug traffickers than violent offenders, prison sentences were imposed on 76% of convicted drug traffickers and 55% of convicted violent offenders.

These results suggest that about a quarter of the Nation's State courts imprison a higher percentage of drug traffickers than violent offenders.

In some courts, longer prison sentences were imposed on drug traffickers than on violent offenders. Of the 246 courts that sentenced to prison at least one drug trafficker and one violent offender in 1992, 30 — or 12% — on average sentenced drug traffickers to longer terms of imprisonment than violent offenders:

- In the 30 State courts where sentences were longer for drug traffickers than violent offenders, the average prison sentence imposed was nearly 12 years for drug traffickers and 9 years for violent offenders.

Table 6.1. Trends in drug trafficking arrests, convictions, and sentences, 1986-94

Year	Drug trafficking				
	Number of adult arrests	Number of State court felony convictions	Number of State prison sentences	Number of convictions per 100 arrests	Percent of convictions to State prison
1986	186,164	76,437	28,151	41	37%
1987	220,083	--	--	--	--
1988	288,038	111,950	45,656	39	41
1989	405,896	--	--	--	--
1990	316,739	168,360	82,496	53	52
1991	310,353	--	--	--	--
1992	311,005	170,806	81,987	55	55
1993	301,060	--	--	--	--
1994	318,607	--	--	--	--

--Detail not available.

Table 6.2. Convicted drug traffickers as percent of all State court felony convictions and sentenced drug traffickers as percent of all convicted felons sentenced to State prison, 1986-92

Year	Drug trafficking convictions as percent of all felony convictions in State courts	Drug traffickers as percent of all State prison sentences
1986	13%	11%
1988	17	16
1990	20	22
1992	19	21

Methodology

Sampling

Except for 1 county (replaced by another county), the sample of 300 counties drawn for the 1988 survey was also used in the 1992 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 that county 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* (ICPSR-8667).

The 54 sampled counties in the 1992 NJRP survey were the same 54 as in the 1986, 1988, and 1990 NJRP 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. The final sample included 246 counties from among the 3,034 counties outside the 75 largest. Case-level data were successfully obtained on convicted felons sentenced in 1992 from these 300 sampled counties. (Two of the 300 had no felony convictions during the survey period.)

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 105,657 cases. Of these, 72,943 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.

Sampling error

NJRP data were obtained from a sample and not from a complete enumeration. Consequently, estimates 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 (the criterion used in this report), 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.

National estimates of the number of convictions for individual crime categories and for the aggregate total had a coefficient of variation of 3%.

Missing data

Unless otherwise stated, computations of statistics shown in the report's tables excluded sample cases that were missing data for the particular variables being tabulated.

Sources of data

For about 80% of the 300 counties sampled, NJRP data were obtained directly from the State courts. Other sources included prosecutor offices, and courts and prosecutor offices combined. Individual-level NJRP records were obtained through a variety of collection methods, including magnetic tape (61% of the counties), field collection (12%), printouts and other

documents, and manually completed forms.

Data collection for 235 counties was performed by the U.S. Bureau of the Census and for 65 counties by the National Association of Criminal Justice Planners.

Targeted population

The survey targeted and recorded initial sentences imposed in 1992. 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 1992 but not sentenced until 1992. In a few counties in which it was impractical to target sentences in 1992, the target was felons convicted in 1992. In some of the cases, the data relate to sentences imposed after 1992.

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 of 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"), but 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 a 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 pocket picking, nonforcible 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: The unlawful taking of a self-propelled road vehicle owned by another. Includes the theft of automobiles, trucks, and motorcycles, but excludes 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 possession: Includes possession of an illegal drug, but excludes "possession with intent to sell." Includes attempts.

Drug trafficking: includes manufacturing, distributing, selling, smuggling, or "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, and nonpayment of child support), and nonviolent

sexual offenses (such as statutory rape, incest, pornography offenses, pimping, and prostitution). Includes attempts.

Regions

This report refers to regions that consist of the following States:

Northeast

Connecticut
Maine
Massachusetts
New Hampshire
New Jersey
New York
Pennsylvania
Rhode Island
Vermont

Midwest

Illinois
Indiana
Iowa
Kansas
Michigan
Minnesota
Missouri
Nebraska
North Dakota
Ohio
South Dakota
Wisconsin

South

Alabama
Arkansas
Delaware
Dist. of Col.
Florida
Georgia
Kentucky
Louisiana
Maryland
Mississippi
North Carolina
Oklahoma
South Carolina
Tennessee
Texas
Virginia
West Virginia

West

Alaska
Arizona
California
Colorado
Hawaii
Idaho
Montana
Nevada
New Mexico
Oregon
Utah
Washington
Wyoming

NJRP data consistent with other national data

The National Judicial Reporting Program compiles information on the sentences that courts impose on felons. Some of the sentences are to prison, while others are to jail or probation. The NJRP is largely based on court and prosecutor records. A separate statistical series based on prison records, the National Corrections Reporting Program (NCRP), compiles information on persons entering prison.

Informative comparisons can be made between felons sentenced in 1992 to prison according to the NJRP and persons entering prison in 1992 according to the NCRP. Though the two series are based on different sources, the two should give a matching profile of persons sent to prison. To the extent that findings from one series resemble those from the other, confidence is enhanced in each.

For various reasons a perfect match should not be expected. The two series are not identical in their geographical coverage. The NJRP is national, while the NCRP in 1992 gathered data from 38 State departments of corrections. The NJRP is subject to sampling variability, but the NCRP is not. The 1992 NJRP is based on samples of sentenced felons drawn from court and prosecutor records in 300 counties selected to be nationally representative. Consequently, there is a margin of error in the NJRP offender profiles that normally arises whenever a sample is drawn. The NCRP, however, uses no sample but is based on individual prison records.

Comparisons of NJRP and NCRP 1992 demographic profiles of persons receiving a State prison sentence produce nearly identical results —

	Percent of prison sentences	
	NJRP	NCRP*
Sex		
Male	91.2%	91.3%
Female	8.8	8.7
Race		
White	44.9%	44.7%
Black	54.5	54.3
Other	.6	1.0

*National Corrections Reporting Program, 1992, BJS, NCJ-145862, October 1994, p. 12.