



## Bureau of Justice Statistics

# State Court Sentencing of Convicted Felons, 1994

### In State Courts

**Felony sentencing**

**Felons sentenced to probation**

**Felony case processing**

**Regional variation in  
adjudication and sentencing**

**Juveniles transferred to adult court**



---

# State Court Sentencing of Convicted Felons, 1994

**By Jodi M. Brown**  
*Statistician, Bureau of Justice Statistics*

**and**

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

**March 1998, NCJ- 164614**

## Regional variation in adjudication and sentencing, 1994

In this chapter, criminal justice processing in the South is compared to the rest of the Nation. The comparisons are based on data from 141 counties in the South and 159 counties outside the South. The county-level data on the 141 were combined to represent the South. The data on the 159 were combined to represent non-Southern places. While the samples were not drawn with the intention of forming samples representative of their regions, the data on the 141 Southern counties and the 159 non-southern counties are the most extensive existing data on the two areas of the Nation and should, therefore, prove informative.

### Likelihood of conviction if arrested

#### *Data sources*

A comparison of convictions and arrests was made using conviction data from the National Judicial Reporting Program and arrest data from the FBI's Uniform Crime Reports (UCR). 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 felony conviction given arrest.

#### *Likelihood of conviction*

Certain crimes are almost exclusively defined in law as felonies. Six of them are murder, rape, robbery, aggravated assault, burglary, and drug trafficking. Arrests for these crimes are, by definition, almost always felony arrests. The number of felony convictions for every 100 adult arrests for these crimes forms a measure of the approximate

likelihood of an arrest leading to conviction. In 1994, the likelihood of an adult felony arrest resulting in adult felony conviction was greater in the South (44%) than outside the south (34%) (table 5.1). The biggest regional difference was for drug trafficking: 82% conviction rate for arrested drug traffickers in the South, versus 51% elsewhere.

### Likelihood of State prison sentence if convicted

#### *Data source*

Data on 1994 felony convictions and sentences are from the National Judicial Reporting Program.

#### *Likelihood of prison sentence*

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 49% of the felons they convicted in 1994 (table 5.2). That compares to 43% in State courts elsewhere.

In general, a pattern of more severe sentencing in the South held true for most types of offenses (excluding weapons offenses), although to a lesser extent for violent offenses. Specifically, convicted felons in the South were more likely to receive a prison sentence than those outside the South for all offenses except robbery, drug trafficking, and weapons offenses. However, the likelihood of a prison sentence for robbery, drug trafficking and weapons offenses differed less than 3% between the South and the rest of the Nation.

### Length of State prison sentence

#### *Data source*

Data on felony sentence lengths are from the 1994 National Judicial Reporting Program.

#### *Prison sentence length*

Felony prison sentences were longer in the South than elsewhere. Overall, the average prison sentence in the South in 1994 was 84 months (7 years), compared to 59 months (almost 5 years) outside the South (table 5.3). The average State prison sentence was longer in the South for every offense except murder.

The shorter sentence length for murder in the South is misleading because life sentences are not included in the calculation of sentence length. The South sentenced one in four of its murderers to life; the other regions sentenced one in five to life imprisonment.

#### *Summary*

Various measures of the criminal case processing all indicate that, in 1994, the likelihood of punishment was greater in the South than elsewhere in the Nation. The likelihood of arrest leading to conviction, the likelihood of a prison sentence if convicted, and the length of the prison sentence were all greater in the South.

**Table 5.1. Number of felony convictions in State courts, per 100 adult arrests, for offenses widely defined as felonies, by region, 1994**

Most serious arrest offense	Number of felons convicted per 100 adult arrests	
	South	Outside the South
All offenses <sup>a</sup>	44	34
<b>Violent offenses</b>	27	23
Murder <sup>b</sup>	63	62
Rape	51	64
Robbery	47	40
Aggravated assault	18	13
<b>Nonviolent offenses</b>	64	45
Burglary	46	37
Drug trafficking	82	51

Note: The data in this table are based on 300 counties (141 in the South and 159 outside the South). The data are not weighted to form national estimates. Instead, they were first weighted to form county estimates and then the data from the 141 counties in the South were combined to form estimates for the South; the data from the 159 outside the South were combined to form estimates for the rest of the Nation.

<sup>a</sup>Includes murder, robbery, aggravated assault, burglary, and drug trafficking.

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

Source: Crime in the United States, 1994 (FBI, 1995), provided data on reported crime and arrests.

**Table 5.2. Convicted felons sentenced to prison, by region, 1994**

Most serious arrest offense	Percent of felons sentenced to prison	
	South	Outside the South
<b>All offenses</b>	49%	43%
<b>Violent offenses</b>	61%	60%
Murder <sup>a</sup>	95	95
Rape	77	69
Robbery	74	76
Aggravated assault	44	43
Other violent <sup>b</sup>	48	42
<b>Property offenses</b>	45%	38%
Burglary	52	51
Larceny <sup>c</sup>	42	36
Fraud <sup>d</sup>	41	21
<b>Drug offenses</b>	48%	39%
Possession	53	29
Trafficking	46	46
<b>Weapons offenses</b>	43%	44%
<b>Other offenses<sup>e</sup></b>	44%	35%

Note: See note on table 5.1

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

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

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

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

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

**Table 5.3. Mean prison sentence lengths imposed by State courts, by region, 1994**

Most serious arrest offense	Mean prison sentence length (in months) for felons	
	South	Outside the South
<b>All offenses</b>	84	59
<b>Violent offenses</b>	129	108
Murder <sup>a</sup>	264	274
Rape	183	142
Robbery	130	98
Aggravated assault	83	68
Other violent <sup>b</sup>	82	67
<b>Property offenses</b>	70	43
Burglary	84	53
Larceny <sup>c</sup>	61	32
Fraud <sup>d</sup>	58	38
<b>Drug offenses</b>	76	44
Possession	76	31
Trafficking	77	51
<b>Weapons offenses</b>	53	42
<b>Other offenses<sup>e</sup></b>	52	35

Note: See note on table 5.1.

Mean excludes sentences to death or to life in prison.

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

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

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

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

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