

# 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).

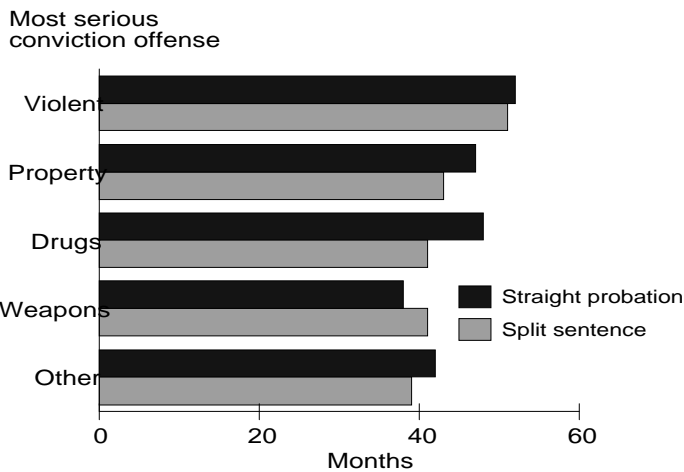
Other probation findings from the 1992 survey included the following:

- 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).

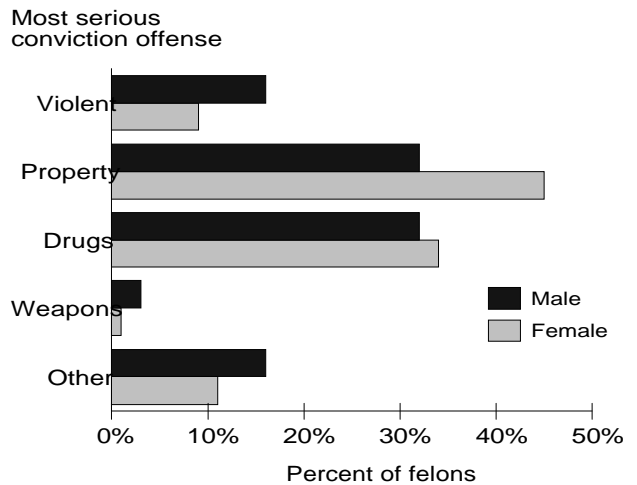
- The average age of probationers nationwide was 29 years (table 3.10). Females made up 17% of all felons placed on probation (table 3.6). Whites were 57% of probationers, and blacks were 41% (table 3.8).

**Average probation sentence for felons convicted in State courts, 1992**



Probation sentence lengths were similar between straight probation and split sentences.

**Offenses of felons sentenced to probation, by sex, 1992**



About 45% of women versus 32% of men sentenced to probation had a property conviction offense.

**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 —					
	Total	Probation	Sentence type within offense			Offense within sentence type		
			Total	Probation	No probation	Total	Probation	No probation
<b>All offenses</b>	893,630	493,853	100%	55%	45%	100%	100%	100%
<b>Violent offenses</b>	165,099	69,835	100%	42%	58%	19%	14%	24%
Murder <sup>a</sup>	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 <sup>b</sup>	20,049	12,375	100	62	38	2	3	2
<b>Property offenses</b>	297,494	170,403	100%	57%	43%	33%	35%	32%
Burglary	114,630	55,807	100	49	51	13	11	15
Larceny <sup>c</sup>	119,000	70,742	100	60	41	13	14	12
Fraud <sup>d</sup>	63,864	43,855	100	69	31	7	9	5
<b>Drug offenses</b>	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
<b>Weapons offenses</b>	26,422	14,663	100%	56%	45%	3%	3%	3%
<b>Other offenses<sup>e</sup></b>	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%.

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

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

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

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

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

**Table 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	
<b>All offenses</b>	30%	26%	7%	20%	1%	43%	37%	6%
<b>Violent offenses</b>	19%	24%	7%	16%	1%	57%	52%	5%
Murder <sup>a</sup>	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 <sup>b</sup>	32	31	7	24	1	37	32	5
<b>Property offenses</b>	33%	25%	6%	18%	1%	41%	36%	6%
Burglary	25	24	7	17	1	50	45	5
Larceny <sup>c</sup>	34	26	5	21	1	39	33	6
Fraud <sup>d</sup>	47	22	7	16	2	29	24	5
<b>Drug offenses</b>	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
<b>Weapons offenses</b>	33%	23%	4%	18%	1%	43%	36%	8%
<b>Other offenses<sup>e</sup></b>	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%.

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

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

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

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

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

**Table 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
<b>Mean sentence</b>					
<b>All offenses</b>	45 mo	47 mo	43 mo	45 mo	42 mo
<b>Violent offenses</b>	51 mo	52 mo	51 mo	55 mo	49 mo
Murder <sup>a</sup>	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 <sup>b</sup>	55	52	57	46	61
<b>Property offenses</b>	45 mo	47 mo	43 mo	46 mo	42 mo
Burglary	51	55	47	52	45
Larceny <sup>c</sup>	41	43	39	40	39
Fraud <sup>d</sup>	43	44	42	43	41
<b>Drug offenses</b>	45 mo	48 mo	41 mo	44 mo	40 mo
Possession	42	45	37	36	37
Trafficking	47	51	44	46	43
<b>Weapons offenses</b>	39 mo	38 mo	41 mo	38 mo	42 mo
<b>Other offenses<sup>e</sup></b>	41 mo	42 mo	39 mo	29 mo	41 mo
<b>Median sentence</b>					
<b>All offenses</b>	36 mo	36 mo	36 mo	36 mo	36 mo
<b>Violent offenses</b>	36 mo	36 mo	36 mo	48 mo	36 mo
Murder <sup>a</sup>	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 <sup>b</sup>	36	36	36	36	36
<b>Property offenses</b>	36 mo	36 mo	36 mo	36 mo	36 mo
Burglary	36	36	36	36	36
Larceny <sup>c</sup>	36	36	36	36	36
Fraud <sup>d</sup>	36	36	36	36	36
<b>Drug offenses</b>	36 mo	36 mo	36 mo	36 mo	36 mo
Possession	36	36	36	36	36
Trafficking	36	36	36	36	36
<b>Weapons offenses</b>	36 mo	24 mo	36 mo	36 mo	36 mo
<b>Other offenses<sup>e</sup></b>	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.

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

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

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

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

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

**Table 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
<b>Mean sentence</b>						
<b>All offenses</b>	18 mo	51 mo	6 mo	53 mo	79 mo	7 mo
<b>Violent offenses</b>	26 mo	66 mo	7 mo	95 mo	125 mo	8 mo
Murder <sup>a</sup>	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 <sup>b</sup>	16	49	5	55	88	6
<b>Property offenses</b>	17 mo	50 mo	6 mo	45 mo	67 mo	7 mo
Burglary	21	53	7	56	76	8
Larceny <sup>c</sup>	12	39	6	34	53	7
Fraud <sup>d</sup>	21	58	5	44	69	6
<b>Drug offenses</b>	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
<b>Weapons offenses</b>	11 mo	33 mo	6 mo	36 mo	55 mo	6 mo
<b>Other offenses<sup>e</sup></b>	13 mo	39 mo	5 mo	32 mo	53 mo	6 mo
<b>Median sentence</b>						
<b>All offenses</b>	6 mo	36 mo	4 mo	24 mo	48 mo	5 mo
<b>Violent offenses</b>	9 mo	42 mo	6 mo	48 mo	72 mo	6 mo
Murder <sup>a</sup>	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 <sup>b</sup>	6	32	4	24	60	4
<b>Property offenses</b>	6 mo	36 mo	4 mo	24 mo	42 mo	5 mo
Burglary	8	36	6	36	48	6
Larceny <sup>c</sup>	6	24	4	18	36	4
Fraud <sup>d</sup>	6	36	3	24	36	3
<b>Drug offenses</b>	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
<b>Weapons offenses</b>	6 mo	24 mo	4 mo	16 mo	36 mo	4 mo
<b>Other offenses<sup>e</sup></b>	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.

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

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

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

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

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

**Table 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
<b>All offenses</b>	56%	58%	48%	45%
<b>Violent offenses</b>	43%	47%	35%	29%
Murder <sup>a</sup>	13	14	13	5
Rape	40	45	34	26
Robbery	28	31	25	20
Aggravated assault	56	59	47	45
Other violent <sup>b</sup>	62	64	55	49
<b>Property offenses</b>	58%	60%	52%	52%
Burglary	49	51	46	42
Larceny <sup>c</sup>	60	61	52	59
Fraud <sup>d</sup>	70	72	64	63
<b>Drug offenses</b>	58%	60%	50%	50%
Possession	63	64	55	64
Trafficking	55	58	48	47
<b>Weapons offenses</b>	56%	58%	49%	45%
<b>Other offenses<sup>e</sup></b>	62%	62%	57%	65%

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

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

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

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

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

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

**Table 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
<b>All offenses</b>	100%	83%	17%	100%	91%	9%
<b>Violent offenses</b>	100%	90%	10%	100%	95%	5%
Murder <sup>a</sup>	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 <sup>b</sup>	100	92	8	100	95	6
<b>Property offenses</b>	100%	77%	23%	100%	89%	11%
Burglary	100	93	7	100	97	3
Larceny <sup>c</sup>	100	78	22	100	87	13
Fraud <sup>d</sup>	100	57	43	100	73	27
<b>Drug offenses</b>	100%	82%	18%	100%	89%	11%
Possession	100	81	19	100	87	13
Trafficking	100	83	17	100	90	10
<b>Weapons offenses</b>	100%	95%	6%	100%	97%	3%
<b>Other offenses<sup>e</sup></b>	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.

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

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

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

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

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

**Table 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
<b>All offenses</b>	100%	100%	100%	100%	100%	100%
<b>Violent offenses</b>	15%	16%	9%	24%	25%	15%
Murder <sup>a</sup>	--	--	--	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 <sup>b</sup>	3	3	1	2	2	1
<b>Property offenses</b>	34%	33%	45%	32%	31%	39%
Burglary	11	13	5	15	16	6
Larceny <sup>c</sup>	14	13	19	12	12	18
Fraud <sup>d</sup>	9	6	22	5	4	15
<b>Drug offenses</b>	33%	32%	34%	30%	29%	37%
Possession	14	13	15	11	10	16
Trafficking	19	19	19	19	19	21
<b>Weapons offenses</b>	3%	3%	1%	3%	3%	1%
<b>Other offenses<sup>e</sup></b>	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%.

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

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

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

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

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



**Table 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
<b>All offenses</b>	100%	57%	41%	1%	100%	47%	53%	1%
<b>Violent offenses</b>	100%	55%	42%	3%	100%	44%	55%	1%
Murder <sup>a</sup>	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 <sup>b</sup>	100	73	26	2	100	70	29	1
<b>Property offenses</b>	100%	62%	36%	1%	100%	54%	45%	1%
Burglary	100	65	33	2	100	55	44	1
Larceny <sup>c</sup>	100	62	37	2	100	52	48	1
Fraud <sup>d</sup>	100	59	41	1	100	56	44	--
<b>Drug offenses</b>	100%	50%	49%	1%	100%	37%	63%	--
Possession	100	50	49	1	100	37	63	--
Trafficking	100	51	49	1	100	37	63	--
<b>Weapons offenses</b>	100%	44%	55%	1%	100%	33%	66%	1%
<b>Other offenses<sup>e</sup></b>	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%.

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

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

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

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

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

**Table 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
<b>All offenses</b>	100%	100%	100%	100%	100%	100%	100%	100%
<b>Violent offenses</b>	15%	15%	15%	26%	24%	22%	25%	33%
Murder <sup>a</sup>	--	--	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 <sup>b</sup>	2	3	1	2	2	2	1	1
<b>Property offenses</b>	34%	37%	30%	35%	33%	38%	29%	35%
Burglary	12	13	9	16	16	18	13	19
Larceny <sup>c</sup>	14	15	12	15	13	14	11	15
Fraud <sup>d</sup>	9	9	9	4	5	6	4	1
<b>Drug offenses</b>	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
<b>Weapons offenses</b>	3%	2%	4%	3%	3%	2%	4%	2%
<b>Other offenses<sup>e</sup></b>	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%.

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

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

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

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

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

**Table 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
<b>All offenses</b>	29 years	28 years	30 years	28 years
<b>Violent offenses</b>	30 years	28 years	29 years	27 years
Murder <sup>a</sup>	30	28	28	25
Rape	33	33	33	31
Robbery	25	22	27	25
Aggravated assault	31	29	29	28
Other violent <sup>b</sup>	33	31	34	31
<b>Property offenses</b>	28 years	26 years	30 years	27 years
Burglary	25	23	29	26
Larceny <sup>c</sup>	28	26	30	28
Fraud <sup>d</sup>	31	29	32	30
<b>Drug offenses</b>	30 years	29 years	30 years	29 years
Possession	30	30	31	30
Trafficking	29	28	30	28
<b>Weapons offenses</b>	29 years	27 years	29 years	26 years
<b>Other offenses<sup>e</sup></b>	31 years	29 years	32 years	30 years

Note: See note on tables 2.1 and 3.1.

<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 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
<b>All offenses</b>	61%	54%	51%	54%
<b>Violent offenses</b>	42%	40%	42%	48%
Murder <sup>a</sup>	12	12	13	17
Rape	47	44	36	45
Robbery	39	28	24	26
Aggravated assault	51	53	56	59
Other violent <sup>b</sup>	78	61	60	58
<b>Property offenses</b>	69%	58%	49%	52%
Burglary	66	50	37	32
Larceny <sup>c</sup>	73	61	51	51
Fraud <sup>d</sup>	75	71	63	70
<b>Drug offenses</b>	64%	57%	55%	55%
Possession	65	62	59	57
Trafficking	63	54	52	53
<b>Weapons offenses</b>	63%	51%	49%	62%
<b>Other offenses<sup>e</sup></b>	70%	61%	58%	60%

Note: See note on tables 2.1 and 3.1.

<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 driving while intoxicated.