



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

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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

The volume of felony convictions in State courts fluctuated during the period 1988-94. The decline from 1992 to 1994 (894,000 to 872,000) reversed the upward trend after 1988 (page 3).

Though 1994 had considerably more convictions than 1988, there were indications that courts were able to handle the increased workload. In 1988 the typical convicted felon was sentenced 7 months after arrest; in 1994, just under 6½ months. Despite the increased volume of work, courts actually processed cases a little faster in 1994 than in 1988 (page 3).

The proportions of felons sentenced to incarceration or probation in 1994 were generally unchanged from 1988. Prison sentences accounted for 44% of felony sentences in 1988 and 45% in 1994 (page 3).

Persons age 30 or older comprised 40% of persons convicted in 1988 but 47% in 1994. The median age of convicted felons was 27 years in 1988 but 29 years in 1994. A notable exception to the trend was the younger age of convicted murderers. Teenagers accounted for 10% of convicted murderers in 1988 but 18% in 1994 (page 3).

Juveniles transferred to adult court

In 1994 a total of 872,000 adults was convicted of a felony in State courts. Of them, an estimated 12,000 were juveniles who had been transferred to adult courts. These transfers occurred in one of two ways: either the case was excluded by statute from the jurisdiction of the juvenile court (because of the serious charge against the defendant or because of the defendant's lengthy prior record), or the juvenile was transferred at the discretion of the juvenile court or the prosecutor.

- Transferred juveniles differed from other convicted felons in terms of conviction offenses. Over half (53%) of transferred juveniles had a violent offense as their conviction offense (table 6.4). That compares to 19% among all persons convicted of a felony in State courts in 1994 (table 6.1)

- Compared to convicted adults in their first year of adulthood, transferred juveniles were generally more likely to receive a prison sentence. For rape, for example, the percentage receiving a prison sentence was 84% of transferred juveniles and 71% of young adults; for assault, 81% of transferred juveniles and 60% of young adults (table 6.7).

- Compared to convicted adults in their first year of adulthood, transferred juveniles received longer prison sentences. For example, the average prison sentence for assault was 6.5 years among transferred juveniles and about 5.5 years among adults in their first year of adulthood (table 6.7).

Felony sentences in State courts

- In 1994 State courts convicted over 870,000 adults of murder, rape, robbery, drug trafficking, and other felony offenses (table 1.1). Forty-five percent of convicted felons were sentenced to a State prison, and 26% were sentenced to a local jail (usually for a year or less). The remaining 29% were sentenced to straight probation with no jail or prison time to serve (table 1.2).

- Drug traffickers (19%) and drug possessors (12.5%) together made up 31.4% of felons convicted in State courts in 1994. Violent offenders, consisting of murderers (1.4%), rapists (2.3%), robbers (5.3%), assaulters (7.5%), and others convicted of a violent crime (2.4%) together made up 18.9%. Burglars (11.2%) and larce-

nists (13%) made up most of the rest (table 1.1).

- State courts sentenced to State prison 62% of felons convicted of a violent offense, 42% convicted of a property offense, 42% convicted of a drug offense, and 42% of those felons convicted of a weapons offense in 1994 (table 1.2).

Regional variation in adjudication and sentencing

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

- 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. The average State prison sentence was longer in the South for every offense except murder (table 5.3).

Felons sentenced to probation

- State courts sentenced to probation an estimated 430,000 convicted felons (table 3.1).

- Nationwide, probation sentences had an average length of about 3¹/₃ years (table 3.3).

Profile of felons convicted

- The average age of felons convicted in 1994 was 30 years (table 2.3).

- In 1994 men comprised 85% of persons convicted of a felony (table 2.1). An estimated 50% of males received a State prison sentence, compared to 33% of females (table 2.4).

Felony case processing

- An estimated 58% of felons convicted by a jury received a prison sentence, compared to 58% 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 (12 years) than for felons who pleaded guilty (5 years) or were convicted at trial by a judge (7 years) (table 4.5).
- In 39% of jury trial convictions nationwide, felons were found guilty of multiple offenses. Eighteen percent of the guilty pleas and 21% of the bench trial convictions involved multiple offenses (table 4.7).
- 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 about 5½ months and bench trials took almost 8 months. The longest average time was for murder or nonnegligent manslaughter, about 11 months; and the shortest, 5 months for drug possession (table 4.9).
- Cases decided by juries had a mean elapsed time from arrest to sentencing of about 10 months; those disposed by bench trial had a mean of 8½ months; those disposed by guilty plea had a mean of 6 months (table 4.11).

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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 characteristics of the felons. Surveys of felony sentencing in State courts were previously conducted in 1986 (see *Felony Sentences in State Courts, 1986*, BJS, NCJ-115210, February 1989), 1988 (see *Felony Sentences in State Courts, 1988*, BJS, NCJ-126923, December 1990), 1990 (see *Felony Sentences in State Courts, 1990*, BJS, NCJ-149077, September 1994), and in 1992 (see *Felony Sentences in State Courts, 1992*, BJS, NCJ-151167, January 1995).

The 1994 survey was based on a sample of 300 counties selected to be nationally representative. The sample consisted of virtually the same jurisdictions as in the 1988 survey and included the District of Columbia and at least one county from every State except, by chance, Vermont. Among sampled counties, two sentenced no felons during 1994. The 1994 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 1994. That number represents about 5% of the combined State and Federal total number of felony convictions during 1994.

The 1994 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 the term 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 1994 survey. Each of the sections addresses a different aspect of felony convictions in State courts during 1994.

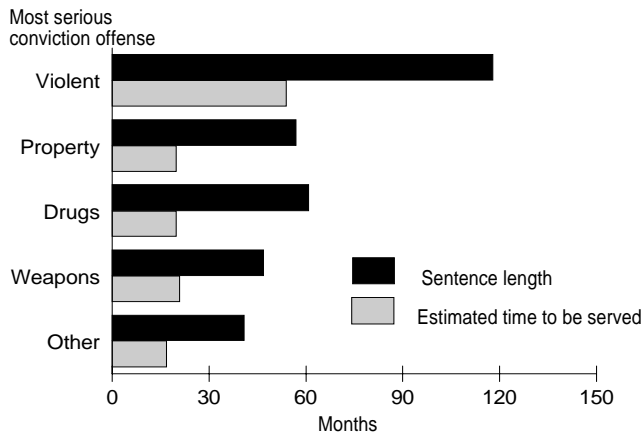
Felony sentences in State courts, 1994

In 1994 State courts convicted over 870,000 adults of murder, rape, robbery, drug trafficking, and other felony offenses. Forty-five percent of convicted felons were sentenced to a State prison, and 26% were sentenced to a local jail (usually for a year or less). The remaining 29% were sentenced to straight probation with no jail or prison time to serve (table 1.2).

Other results include the following:

- Drug traffickers (19%) and drug possessors (12.5%) together made up 31.4% of felons convicted in State courts in 1994. Violent offenders, consisting of murderers (1.4%), rapists (2.3%), robbers (5.3%), assaulters (7.5%), and others convicted of a violent crime (2.4%) together made up 18.9%. Burglars (11.2%) and larcenists (13%) made up most of the rest (table 1.1).
- The average sentence to local jail was 6 months. The average probation sentence was just over 3 years (table 1.3).
- Felons sentenced to State prison in 1994 had an average sentence of nearly 6 years but were expected to serve over a third of that sentence — or 2 years and 3 months — before release (table 1.5). State courts nationwide sentenced to life 24% of those convicted of murder or nonnegligent manslaughter (table 1.4).
- The 872,000 felons sentenced in 1994 were convicted altogether of about 1 million felonies. The number of felony convictions exceeds the number of convicted felons because 14% 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 43% for those convicted of one felony, to 52% for two, and 58% for three or more (table 1.7). The mean sentence to incarceration also increased from 3½ years for those convicted of one felony to almost 6 years for those convicted of two or more (table 1.8).
- A fine was imposed on 21% of convicted felons, restitution on 18%, community service on 7%, and treatment was ordered for 7% (table 1.9).

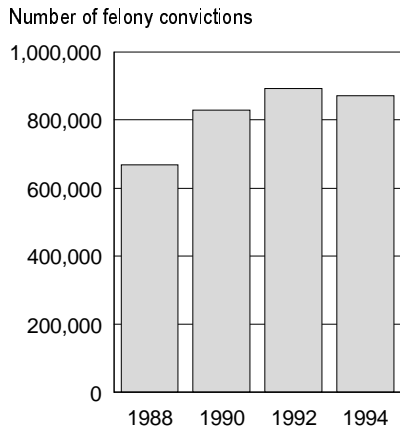
Average sentence to State prison and estimated time to be served for a felony, 1994



Violent offenders sentenced to prison had an average sentence of about 10 years but were likely to serve 46% of that sentence -- or about 4 1/2 years - before release.

**Trends in the United States:
1988 to 1994**

Number of convictions Felony convictions in State courts have fluctuated over the years. The decline from 1992 to 1994 reverses the upward trend after 1988.



1988 667,366 1992 893,630
1990 829,344 1994 872,217

Likelihood of arrest leading to conviction The likelihood of a felony arrest leading to a felony conviction is approximated by dividing the number of adult felony convictions in a year by the number of adult felony arrests that year. In 1994, for example, robbery convictions totaled 46,028, and robbery arrests totaled 117,157, indicating a likelihood of conviction of about 39% for robbery.

	Approximate likelihood of felony arrest leading to felony conviction			
	1988	1990	1992	1994
Murder	48%	55%	65%	65%
Robbery	32	37	41	39
Aggravated assault	10	13	14	14
Burglary	33	38	41	39
Drug trafficking	39	53	55	52

Although the Nation's annual arrest statistics do not distinguish felony from misdemeanor arrests, this method for estimating the likelihood of conviction from aggregate statistics is still valid for certain crimes — such as robbery — that are always or nearly always defined in State law as felonies.

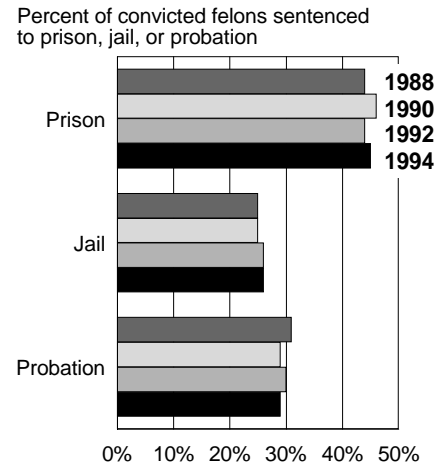
Conviction rates for these crimes have generally shown similar trends over time. Conviction rates rose from 1988 to 1992 and then fell slightly from 1992 to 1994.

Case processing time Though 1994 had considerably more convictions than 1988, there were indications that courts were able to keep up with the increased workload. One measure of how well courts keep pace is the amount of time taken to dispose of a case. In 1988 the typical convicted felon was sentenced 7 months after being arrested. In 1994 it took just under 6½ months, indicating that, despite the increased volume of work, courts actually processed cases a little faster in 1994 than they did in 1988.

Guilty pleas An indirect measure of how well courts keep pace with a growing workload is the percentage of cases disposed by guilty plea. Since guilty pleas take less time than trials, a rising workload might exert pressure on prosecutors and judges to dispose of more cases by plea rather than trial. While that would help courts to keep pace, a check of the data did not uncover evidence of more guilty pleas. In 1988 guilty pleas accounted for 91% of all felony convictions, and trials accounted for the remaining 9%. Corresponding figures for 1994 were 89% guilty pleas and 11% trials. Guilty pleas are a declining rather than a rising percentage of the total.

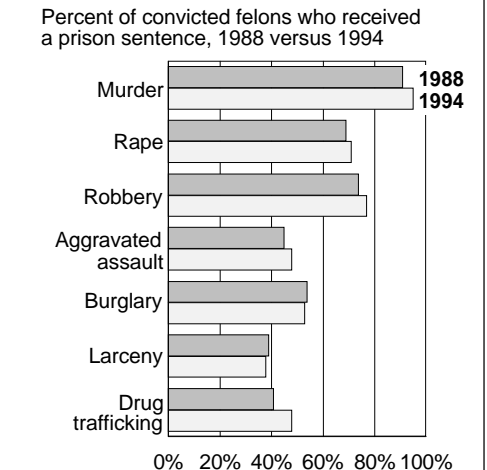
Age of convicted felons The average age of the American population is rising, a trend reflected in the changing ages of convicted felons. Persons age 30 or older comprised 40% of persons convicted in 1988 but 47% in 1994. The median age of convicted felons was 27 years in 1988 but 29 years in 1994. A notable exception to the trend is the younger age of convicted murderers. Teenagers accounted for 10% of convicted murderers in 1988 but 18% in 1994.

Race of convicted felons In 1988 blacks were 41% of persons convicted of a felony. In 1994 they were 48%. Part of the increase is attributable to



	Percent of convicted felons who received a prison sentence			
	1988	1990	1992	1994
All offenses	44%	46%	44%	45%
Murder	91	91	93	95
Rape	69	67	68	71
Robbery	75	73	74	77
Aggravated assault	45	45	44	48
Burglary	54	54	52	53
Larceny	39	40	38	38
Drug trafficking	41	49	48	48

large numbers of persons convicted



of drug trafficking, 63% of whom were black.

Table 1.1. Estimated number of felony convictions in State courts, 1994

Most serious conviction offense	Felony convictions	
	Number	Percent
All offenses	872,217	100.0%
Violent offenses	164,583	18.9%
Murder/manslaughter	12,007	1.4
Murder	8,924	1.0
Manslaughter ^a	3,083	.3
Rape	20,068	2.3
Robbery	46,028	5.3
Armed	13,319	1.5
Unarmed	14,801	1.7
Unspecified	17,907	2.1
Aggravated assault	65,174	7.5
Other violent ^b	21,307	2.4
Property offenses	275,198	31.6%
Burglary	98,109	11.2
Residential	13,300	1.5
Nonresidential	34,152	3.9
Unspecified	50,657	5.8
Larceny	113,026	13.0
Motor vehicle theft	21,049	2.4
Other theft ^c	91,977	10.5
Fraud/forgery ^d	64,063	7.3
Fraud ^d	28,268	3.2
Forgery	35,796	4.1
Drug offenses	274,245	31.4%
Possession	108,815	12.5
Trafficking	165,430	19.0
Marijuana	15,931	1.8
Other	104,181	11.9
Unspecified	45,318	5.2
Weapons offenses	31,010	3.6%
Other offenses^e	127,180	14.6%

Note: Detail may not sum to total because of rounding. Data specifying the conviction offense were available for 872,217 cases.

^aManslaughter is defined as nonnegligent manslaughter only. A small number of cases were classified as nonnegligent manslaughter when it was unclear if the conviction offense was murder or non-negligent 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 vandalism.

Table 1.2. Offense, by type of felony sentences imposed by State courts, 1994

Most serious conviction offense	Total	Percent of felons sentenced to —			Probation
		Incarceration			
		Total	Prison	Jail	
All offenses	100%	71%	45%	26%	29%
Violent offenses	100%	82%	62%	20%	18%
Murder ^a	100	97	95	2	3
Rape	100	88	71	17	12
Robbery	100	88	77	11	12
Aggravated assault	100	75	48	27	25
Other violent ^b	100	75	45	30	25
Property offenses	100%	68%	42%	26%	32%
Burglary	100	75	53	22	25
Larceny ^c	100	66	38	28	34
Fraud ^d	100	60	32	28	40
Drug offenses	100%	69%	42%	27%	31%
Possession	100	66	34	32	34
Trafficking	100	71	48	23	29
Weapons offenses	100%	69%	42%	27%	31%
Other offenses^e	100%	66%	36%	30%	34%

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 867,709 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 vandalism.

Table 1.3. Mean and median sentence lengths for felony sentences imposed by State courts, by offense, 1994

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to —			
	Total	Incarceration Prison	Jail	Probation
Mean sentence				
All offenses	49 mo	71 mo	6 mo	40 mo
Violent offenses	93 mo	118 mo	6 mo	45 mo
Murder ^a	262	269	7	59
Rape	133	158	7	60
Robbery	104	116	9	51
Aggravated assault	54	79	6	42
Other violent ^b	47	70	6	43
Property offenses	39 mo	57 mo	6 mo	42 mo
Burglary	52	69	7	47
Larceny ^c	29	45	6	40
Fraud ^d	32	51	5	41
Drug offenses	40 mo	61 mo	6 mo	38 mo
Possession	28	50	4	37
Trafficking	48	66	7	40
Weapons offenses	31 mo	47 mo	5 mo	32 mo
Other offenses^e	26 mo	41 mo	5 mo	36 mo
Median sentence				
All offenses	24 mo	48 mo	4 mo	36 mo
Violent offenses	60 mo	72 mo	6 mo	36 mo
Murder ^a	300	300	6	60
Rape	84	120	6	48
Robbery	72	84	9	48
Aggravated assault	36	54	4	36
Other violent ^b	24	48	5	36
Property offenses	24 mo	42 mo	4 mo	36 mo
Burglary	36	49	6	36
Larceny ^c	16	36	4	36
Fraud ^d	24	36	3	36
Drug offenses	24 mo	48 mo	4 mo	30 mo
Possession	12	36	3	24
Trafficking	36	48	6	36
Weapons offenses	18 mo	36 mo	4 mo	24 mo
Other offenses^e	12 mo	30 mo	3 mo	30 mo

Note: See note on table 1.2. Means exclude sentences to death or to life in prison. Sentence length data were available for 834,124 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 vandalism.

Table 1.4. Estimated percent of felons sentenced to life in prison, by offense, 1994

Most serious conviction offense	Life sentences as a percent of —	
	All sentences	All prison sentences
All offenses	.5%	1.1%
Murder ^a	23.7	25.5
Rape	1.6	2.2
Robbery	.9	1.1
Aggravated assault	.2	.4
Other violent ^b	.4	.8
Burglary	.2	.4
Larceny ^c	--	--
Fraud ^d	0	0
Drug possession	.1	.3
Drug trafficking	.2	.3
Weapons	.2	.3
Other	--	--

Note: Not all persons convicted of murder were subject to the death penalty. Thirty-seven States authorized the death penalty in 1994. Within those 37, only certain types of murder were capital offenses.

--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.

^eIncludes such offenses as being a habitual offender.

Table 1.5. Estimated time to be served in State prison, by offense, 1994

Most serious conviction offense	Mean prison sentence	Estimated percent of sentence to be served in prison ^a	Estimated time to be served in prison ^b
All offenses	71 mo	38%	27 mo
Violent offenses	118 mo	46%	54 mo
Murder ^c	269	47	127
Rape	158	54	85
Robbery	116	44	51
Aggravated assault	79	46	36
Other violent ^d	70	47	33
Property offenses	57 mo	36%	20 mo
Burglary	69	35	24
Larceny ^e	45	37	17
Fraud ^f	51	33	17
Drug offenses	61 mo	33%	20 mo
Possession	50	34	17
Trafficking	66	32	21
Weapons offenses	47 mo	45%	21 mo
Other offenses^g	41 mo	42%	17 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.

^aPercentages are based on data from 222,526 persons released from State prisons in 1993 (National Corrections Reporting Program, 1993; tables 2-8 and 2-12). These percentages included credited jail time.

^bDerived by multiplying the percentage of sentence to be 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 vandalism.

Table 1.6. Offense, by number of felony convictions for each convicted person in State courts, 1994

Most serious conviction offense	Percent of convicted felons with —			
	Total	One felony conviction	Two felony convictions	Three or more felony convictions
All offenses	100%	81%	14%	5%
Violent offenses	100%	73%	19%	8%
Murder ^a	100	66	22	12
Rape	100	68	19	13
Robbery	100	71	21	8
Aggravated assault	100	77	18	5
Other violent ^b	100	79	14	7
Property offenses	100%	79%	16%	5%
Burglary	100	73	21	6
Larceny ^c	100	86	11	3
Fraud ^d	100	74	17	9
Drug offenses	100%	84%	12%	4%
Possession	100	91	7	2
Trafficking	100	79	16	5
Weapons offenses	100%	79%	16%	5%
Other offenses^e	100%	89%	9%	2%

Note: See note on table 1.1. Data on number of convictions were available for 852,796 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 vandalism.

Table 1.7. Convicted felons sentenced to prison by State courts, by number of conviction offenses and most serious offense, 1994

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	43%	52%	58%
Violent offenses	57%	69%	79%
Murder ^a	93	97	98
Rape	68	71	82
Robbery	73	83	91
Aggravated assault	44	56	65
Other violent ^b	42	52	54
Property offenses	40%	46%	51%
Burglary	52	53	63
Larceny ^c	36	41	47
Fraud ^d	30	37	42
Drug offenses	41%	50%	48%
Possession	34	40	26
Trafficking	46	53	54
Weapons offenses	40%	52%	43%
Other offenses^e	36%	35%	44%

Note: See note on tables 1.1 and 1.2.
Data on number of felony conviction offenses were available for 848,763 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 vandalism.

Table 1.8. Mean sentence length for felony sentences imposed by State courts, by the number and category of the conviction offenses, 1994

Most serious conviction offense	Mean maximum sentence length (in months) for felons sentenced to —			
	Total	Incarceration Prison	Jail	Probation
One conviction offense				
All offenses	42 mo	64 mo	6 mo	39 mo
Violent offenses	76 mo	102 mo	6 mo	45 mo
Murder ^a	232	240	7	63
Rape	105	129	6	57
Robbery	88	101	9	50
Aggravated assault	43	67	6	41
Other violent ^b	44	67	6	43
Property offenses	36 mo	55 mo	6 mo	41 mo
Burglary	50	67	7	46
Larceny ^c	28	44	6	39
Fraud ^d	29	49	5	40
Drug offenses	38 mo	59 mo	6 mo	38 mo
Possession	28	49	4	37
Trafficking	46	64	7	39
Weapons offenses	28 mo	43 mo	5 mo	33 mo
Other offenses^e	25 mo	40 mo	5 mo	36 mo
Two or more conviction offenses				
All offenses	70 mo	93 mo	6 mo	44 mo
Violent offenses	129 mo	152 mo	7 mo	49 mo
Murder ^a	325	330	8	37
Rape	184	207	8	71
Robbery	127	134	10	55
Aggravated assault	85	113	6	45
Other violent ^b	52	70	5	42
Property offenses	47 mo	64 mo	7 mo	47 mo
Burglary	58	73	8	48
Larceny ^c	37	54	6	48
Fraud ^d	37	55	5	46
Drug offenses	51 mo	69 mo	6 mo	42 mo
Possession	33	58	4	37
Trafficking	56	72	7	44
Weapons offenses	43 mo	58 mo	6 mo	30 mo
Other offenses^e	32 mo	53 mo	5 mo	41 mo

Note: See note on tables 1.1, 1.2, and 1.3.

Means exclude sentences to death or life in prison.

Sentence length data were available for 566,179 cases.

The 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 vandalism.

Table 1.9. Penalties added to felony sentences by State courts, by offense, 1994

Most serious conviction offense	Percent of felons with an additional penalty of —				
	Fine	Restitution	Treatment	Community service	Other
All offenses	21%	18%	7%	7%	8%
Violent offenses	16%	17%	6%	4%	6%
Murder ^a	9	9	1	1	4
Rape	17	14	7	3	4
Robbery	12	13	2	2	4
Aggravated assault	19	20	8	5	6
Other violent ^b	23	20	12	8	12
Property offenses	19%	29%	5%	8%	7%
Burglary	17	27	5	6	6
Larceny ^c	20	26	5	8	9
Fraud ^d	21	38	5	10	7
Drug offenses	24%	11%	10%	6%	7%
Possession	23	8	12	8	10
Trafficking	25	14	9	5	6
Weapons offenses	16%	9%	4%	6%	6%
Other offenses^e	28%	14%	9%	10%	14%

Note: See note on tables 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. A person receiving more than one kind of additional penalty appears under more than one table heading.

Data on additional penalties were available for 872,217 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 vandalism.

Profile of felons convicted in State courts, 1994

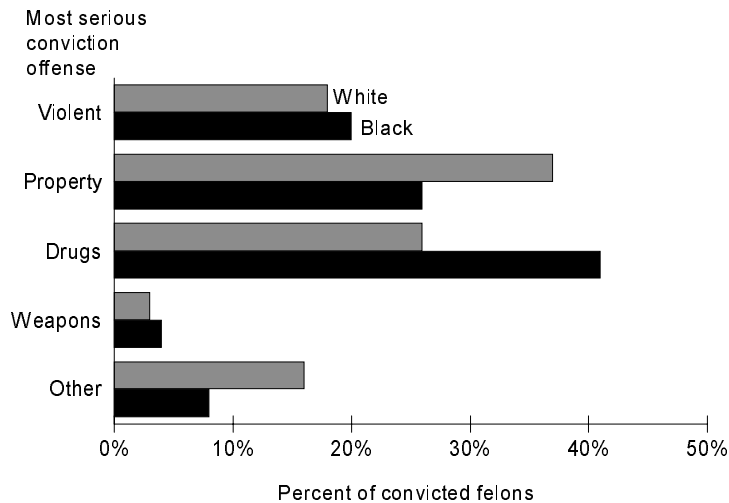
The 1994 National Judicial Reporting Program compiled demographic data (sex, race, and age) as well as sentencing information for persons convicted of a felony in State courts. This section summarizes results from that collection.

White defendants were 51% of those convicted of a felony in State courts; black felons were 48%; and persons of other races (American Indians, Alaska Natives, Asians, and Pacific Islanders), 1% (table 2.1).

Among persons convicted, white felons were less likely than blacks to be sent to prison: 42% of convicted white defendants received a prison sentence; 55% of blacks defendants (table 2.5).

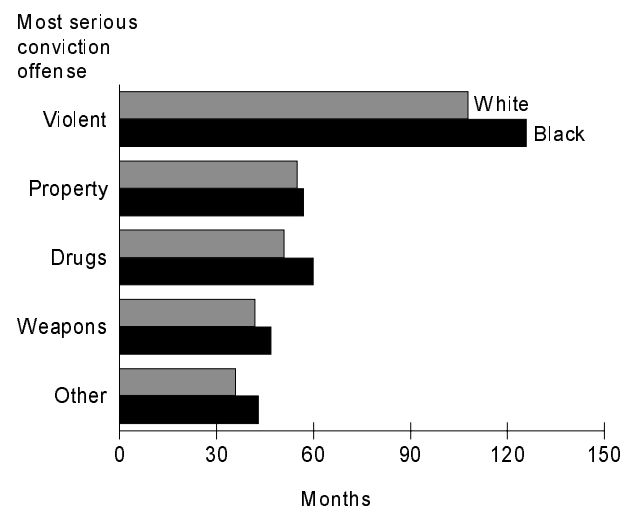
The average State prison sentence was 11 months longer for blacks than whites: 75 months for blacks and 64 months for whites.

Offense distribution of persons convicted of a felony in State courts, by race, 1994



Drug offenses comprised 41% of the conviction offenses of blacks versus 26% of the conviction offenses of whites.

Average sentence to State prison for a felony imposed by State courts, by offense and race, 1994



State prison sentences were generally similar between the races.

Other findings were —

- In 1994 men comprised 85% of persons convicted of a felony (table 2.1). An estimated 50% of males received a State prison sentence, compared to 33% of females (table 2.4).
- The most serious conviction offense was a violent felony in 13% of cases for women, and 24% of cases for men. Among convicted whites, 20% had a violent felony conviction offense; among blacks, 24% (table 2.8).
- The average age of felons convicted in 1994 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 4½ years (table 2.6).
- Men nationwide were sentenced to local jail for an average of 7 months, and women for 5 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. Offense, by sex, race, and age of felons convicted in State courts, 1994

Most serious conviction offense	Total	Percent of convicted felons who were										
		Sex		Race			Age					
		Male	Female	White	Black	Other	13-19	20-29	30-39	40-49	50-59	60+
All offenses	100%	85%	15%	51%	48%	1%	10%	43%	31%	12%	3%	1%
Violent offenses	100%	92%	8%	48%	51%	1%	14%	44%	27%	10%	3%	2%
Murder ^a	100	89	11	37	62	1	18	45	22	10	4	1
Rape	100	97	3	64	35	1	7	34	33	16	6	4
Robbery	100	94	6	28	71	1	23	51	21	5	--	--
Aggravated assault	100	89	11	53	46	1	11	44	29	11	4	1
Other violent ^b	100	89	11	73	26	1	6	40	31	15	5	3
Property offenses	100%	81%	19%	59%	40%	1%	11%	44%	31%	11%	2%	1%
Burglary	100	93	7	59	40	1	15	47	29	8	1	--
Larceny ^c	100	80	20	59	40	1	11	43	30	12	3	1
Fraud ^d	100	61	39	61	38	1	4	41	37	14	3	1
Drug offenses	100%	83%	17%	41%	59%	--	7%	43%	34%	12%	3%	1%
Possession	100	81	19	46	53	1	7	41	37	12	2	1
Trafficking	100	84	16	37	63	--	7	45	32	12	3	1
Weapons offenses	100%	95%	5%	37%	62%	1%	14%	50%	23%	9%	3%	1%
Other offenses^e	100%	87%	13%	67%	31%	2%	6%	39%	36%	14%	4%	1%

Note: See note on table 1.2. Detail may not sum to total because of rounding. Data on sex were available for 616,160 cases; on race, 490,838; and on age, 710,795. --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 vandalism.

Table 2.2. Sex, race, and age of felons convicted in State courts, by offense, 1994

Most serious conviction offense	Percent of convicted felons											
	Total	Sex		Race			Age					
		Male	Female	White	Black	Other	13-19	20-29	30-39	40-49	50-59	60+
All offenses	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Violent offenses	19%	21%	11%	18%	20%	21%	27%	20%	16%	17%	23%	35%
Murder ^a	1	2	1	1	2	1	3	1	1	1	2	2
Rape	2	3	--	3	2	2	2	2	2	3	5	11
Robbery	6	7	2	3	8	5	13	7	4	2	1	2
Aggravated assault	7	8	5	8	8	10	8	8	7	7	10	11
Other violent ^b	2	2	2	3	1	2	2	2	2	3	4	9
Property offenses	31%	29%	40%	37%	26%	33%	35%	32%	31%	30%	26%	21%
Burglary	11	13	5	14	10	13	17	12	10	8	6	4
Larceny ^c	13	12	16	15	11	16	15	13	12	14	12	10
Fraud ^d	7	5	18	9	6	4	3	7	8	9	8	7
Drug offenses	32%	32%	37%	26%	41%	16%	23%	32%	34%	33%	29%	22%
Possession	12	12	16	12	14	11	9	12	15	14	11	8
Trafficking	19	20	21	15	27	5	14	20	20	20	18	14
Weapons offenses	4%	4%	1%	3%	4%	3%	5%	4%	3%	3%	3%	3%
Other offenses^e	14%	14%	11%	16%	8%	27%	10%	13%	16%	17%	19%	20%

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 kidnaping.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 2.3. Average age of convicted felons in State courts, 1994

Most serious conviction offense	Average age in years	
	Mean	Median
All offenses	30 yrs	29 yrs
Violent offenses	29	27
Murder ^a	28	25
Rape	34	32
Robbery	26	24
Aggravated assault	30	28
Other violent ^b	33	31
Property offenses	30 yrs	28 yrs
Burglary	28	26
Larceny ^c	30	28
Fraud ^d	32	30
Drug offenses	30 yrs	29 yrs
Possession	31	30
Trafficking	30	29
Weapons offenses	28 yrs	26 yrs
Other offenses^e	32 yrs	31 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 vandalism.

Table 2.4. Sex of felons and offense, by types of State court sentences imposed, 1994

Most serious conviction offense	Percent of felons sentenced to —						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
Male							
All offenses	100%	74%	50%	24%	26%	22%	5%
Violent offenses	100%	83%	67%	16%	17%	14%	3%
Murder ^a	100	98	97	2	2	1	--
Rape	100	88	74	14	12	11	1
Robbery	100	88	78	10	12	9	3
Aggravated assault	100	77	54	23	23	18	4
Other violent ^b	100	74	50	25	26	21	4
Property offenses	100%	71%	47%	24%	29%	23%	6%
Burglary	100	75	55	21	25	19	5
Larceny ^c	100	69	42	27	31	24	7
Fraud ^d	100	66	39	27	34	28	6
Drug offenses	100%	72%	45%	27%	28%	23%	5%
Possession	100	69	37	32	31	29	2
Trafficking	100	73	50	23	27	20	7
Weapons offenses	100%	74%	49%	25%	26%	22%	4%
Other offenses^e	100%	68%	41%	27%	32%	28%	4%
Female							
All offenses	100%	64%	33%	31%	36%	31%	5%
Violent offenses	100%	76%	47%	29%	24%	19%	5%
Murder ^a	100	93	89	4	7	5	2
Rape	100	97	71	26	3	3	--
Robbery	100	86	67	19	14	13	1
Aggravated assault	100	68	30	38	32	26	6
Other violent ^b	100	73	39	34	27	20	7
Property offenses	100%	59%	31%	28%	41%	36%	5%
Burglary	100	72	43	29	28	23	4
Larceny ^c	100	60	28	32	40	34	6
Fraud ^d	100	54	31	24	46	41	5
Drug offenses	100%	68%	33%	36%	32%	27%	4%
Possession	100	68	26	42	32	29	2
Trafficking	100	68	37	30	32	26	6
Weapons offenses	100%	67%	28%	39%	33%	30%	3%
Other offenses^e	100%	60%	27%	33%	40%	35%	4%

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

Table 2.5. Race of felons and offense, by types of State court sentences imposed, 1994

Most serious conviction offense	Percent of felons sentenced to —						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
White							
All offenses	100%	73%	42%	31%	27%	22%	5%
Violent offenses	100%	81%	58%	24%	19%	15%	4%
Murder ^a	100	99	96	3	1	1	--
Rape	100	89	73	16	11	10	1
Robbery	100	87	74	14	13	9	4
Aggravated assault	100	78	48	30	22	18	4
Other violent ^b	100	72	41	30	28	22	7
Property offenses	100%	71%	43%	28%	29%	23%	6%
Burglary	100	76	52	25	24	19	5
Larceny ^c	100	69	39	30	31	24	7
Fraud ^d	100	67	37	30	33	27	6
Drug offenses	100%	72%	33%	39%	28%	22%	6%
Possession	100	72	27	45	28	25	3
Trafficking	100	72	38	35	28	19	8
Weapons offenses	100%	74%	37%	37%	26%	20%	5%
Other offenses^e	100	68%	38%	30%	32%	28%	4%
Black							
All offenses	100%	74%	55%	20%	26%	21%	5%
Violent offenses	100%	86%	72%	14%	14%	10%	4%
Murder ^a	100	97	96	1	3	2	--
Rape	100	89	81	8	11	9	3
Robbery	100	90	80	10	10	7	4
Aggravated assault	100	80	57	23	20	14	6
Other violent ^b	100	84	60	23	16	15	2
Property offenses	100%	73%	51%	22%	27%	21%	6%
Burglary	100	77	60	17	23	15	8
Larceny ^c	100	72	47	26	28	22	6
Fraud ^d	100	67	43	24	33	28	5
Drug offenses	100%	69%	50%	19%	31%	25%	6%
Possession	100	68	45	23	32	32	1
Trafficking	100	70	52	18	30	22	8
Weapons offenses	100%	70%	50%	20%	30%	26%	5%
Other offenses^e	100%	74%	49%	25%	26%	23%	3%

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

Table 2.6. Mean length of felony State court sentences imposed, by sex of felons and offense, 1994

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to —			Probation
	Incarceration			
	Total	Prison	Jail	
Male				
All offenses	51 mo	72 mo	7 mo	38 mo
Violent offenses	94 mo	116 mo	8 mo	45 mo
Murder ^a	262	268	9	57
Rape	127	150	7	58
Robbery	101	112	10	49
Aggravated assault	59	82	7	41
Other violent ^b	49	69	8	43
Property offenses	42 mo	59 mo	7 mo	41 mo
Burglary	53	69	8	46
Larceny ^c	31	46	7	37
Fraud ^d	35	54	6	38
Drug offenses	41 mo	60 mo	6 mo	34 mo
Possession	27	45	5	32
Trafficking	49	67	8	35
Weapons offenses	33 mo	47 mo	6 mo	33 mo
Other offenses^e	28 mo	42 mo	7 mo	36 mo
Female				
All offenses	31 mo	54 mo	5 mo	38 mo
Violent offenses	60 mo	95 mo	5 mo	39 mo
Murder ^a	189	198	3	47
Rape	109	147	5	31
Robbery	61	76	8	46
Aggravated assault	24	49	5	39
Other violent ^b	55	98	6	32
Property offenses	28 mo	47 mo	5 mo	39 mo
Burglary	34	53	5	37
Larceny ^c	24	44	6	37
Fraud ^d	29	48	4	40
Drug offenses	28 mo	51 mo	5 mo	38 mo
Possession	18	39	4	38
Trafficking	36	58	7	39
Weapons offenses	17 mo	33 mo	5 mo	33 mo
Other offenses^e	16 mo	29 mo	5 mo	34 mo

Note: See note on tables 1.1, 1.2, 1.3 and 2.1. Detail may not sum to total because of rounding. 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 vandalism.

Table 2.7. Mean length of felony State court sentences imposed, by race of felons and offense, 1994

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to —			
	Total	Incarceration		Probation
		Prison	Jail	
White				
All offenses	40 mo	64 mo	6 mo	37 mo
Violent offenses	79 mo	108 mo	7 mo	42 mo
Murder ^a	229	238	8	56
Rape	124	149	7	53
Robbery	98	115	9	53
Aggravated assault	46	71	6	39
Other violent ^b	46	74	7	40
Property offenses	37 mo	55 mo	7 mo	39 mo
Burglary	47	65	9	45
Larceny ^c	29	46	7	36
Fraud ^d	31	51	6	36
Drug offenses	27 mo	51 mo	6 mo	35 mo
Possession	20	46	4	33
Trafficking	33	54	7	37
Weapons offenses	23 mo	42 mo	5 mo	32 mo
Other offenses^e	23 mo	36 mo	6 mo	32 mo
Black				
All offenses	58 mo	75 mo	7 mo	31 mo
Violent offenses	107 mo	126 mo	8 mo	37 mo
Murder ^a	286	291	6	47
Rape	148	159	8	50
Robbery	108	119	10	40
Aggravated assault	66	89	7	32
Other violent ^b	56	73	8	41
Property offenses	42 mo	57 mo	6 mo	34 mo
Burglary	56	69	7	36
Larceny ^c	32	45	7	33
Fraud ^d	34	49	5	36
Drug offenses	46 mo	60 mo	7 mo	29 mo
Possession	31	43	5	28
Trafficking	54	68	8	30
Weapons offenses	36 mo	47 mo	6 mo	22 mo
Other offenses^e	31 mo	43 mo	6 mo	28 mo

Note: See note on tables 1.1, 1.2, and 1.3. 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 man-

slaughter, sexual assault, and kidnaping.
^cIncludes motor vehicle theft.
^dIncludes forgery and embezzlement.
^eComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 2.8. Sex and race of felons sentenced to incarceration or prison by State courts, by offense, 1994

Most serious conviction offense	Percent of convictions				
	Total	Sex		Race	
		Male	Female	White	Black
Incarceration					
All offenses	100%	100%	100%	100%	100%
Violent offenses	22%	24%	13%	20%	24%
Murder ^a	2	2	2	1	2
Rape	3	3	1	3	2
Robbery	7	8	3	4	10
Aggravated assault	8	8	6	9	8
Other violent ^b	2	2	2	3	1
Property offenses	31%	28%	36%	36%	26%
Burglary	12	13	6	14	10
Larceny ^c	12	11	15	14	10
Fraud ^d	7	4	15	8	5
Drug offenses	32%	31%	39%	26%	38%
Possession	12	11	17	11	13
Trafficking	20	20	22	14	25
Weapons offenses	3%	4%	1%	3%	4%
Other offenses^e	12%	13%	11%	15%	8%
Prison					
All offenses	100%	100%	100%	100%	100%
Violent offenses	26%	28%	16%	24%	27%
Murder ^a	3	3	3	2	3
Rape	3	4	1	5	2
Robbery	9	10	5	5	12
Aggravated assault	9	9	5	9	8
Other violent ^b	2	2	2	3	1
Property offenses	31%	28%	37%	38%	25%
Burglary	13	14	7	17	11
Larceny ^c	11	10	14	14	9
Fraud ^d	6	4	17	7	5
Drug offenses	30%	29%	37%	20%	37%
Possession	10	9	13	7	12
Trafficking	20	20	24	13	26
Weapons offenses	3%	4%	1%	2%	4%
Other offenses^e	11%	11%	9%	15%	7%

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

Table 2.9. Sex and race of felons sentenced to jail or probation by State courts, by offense, 1994

Most serious conviction offense	Percent of convictions				
	Total	Sex		Race	
		Male	Female	White	Black
Jail					
All offenses	100%	100%	100%	100%	100%
Violent offenses	14%	15%	10%	14%	15%
Murder ^a	--	--	--	--	--
Rape	1	2	--	1	1
Robbery	2	3	1	1	4
Aggravated assault	8	8	6	8	9
Other violent ^b	2	2	2	3	1
Property offenses	32%	30%	35%	34%	30%
Burglary	10	11	5	11	9
Larceny ^c	14	13	17	15	14
Fraud ^d	8	6	13	8	7
Drug offenses	36%	36%	42%	33%	40%
Possession	17	16	22	17	16
Trafficking	19	20	20	16	24
Weapons offenses	4%	4%	1%	3%	4%
Other offenses^e	14%	16%	12%	16%	11%
Probation					
All offenses	100%	100%	100%	100%	100%
Violent offenses	12%	13%	7%	12%	11%
Murder ^a	--	--	--	--	--
Rape	1	1	--	1	1
Robbery	2	3	1	1	3
Aggravated assault	6	7	5	7	6
Other violent ^b	2	2	1	3	1
Property offenses	34%	32%	46%	39%	27%
Burglary	10	12	4	12	9
Larceny ^c	14	14	19	17	11
Fraud ^d	9	6	23	11	7
Drug offenses	37%	34%	33%	27%	48%
Possession	14	14	15	12	17
Trafficking	22	20	19	15	31
Weapons offenses	4%	4%	1%	2%	5%
Other offenses^e	14%	17%	13%	19%	8%

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 vandalism.

Table 2.10. Percent of convicted felons sentenced by State courts to incarceration or prison, by sex, race, and offense, 1994

Most serious conviction offense	Percent receiving designated sentence			
	White		Black	
	Male	Female	Male	Female
Sentenced to incarceration				
All offenses	73%	68%	76%	66%
Violent offenses	80%	81%	87%	74%
Murder ^a	99	100	99	87
Rape	89	--	88	--
Robbery	86	88	90	87
Aggravated assault	77	75	82	66
Other violent ^b	71	77	84	74
Property offenses	71%	65%	76%	60%
Burglary	75	76	77	71
Larceny ^c	68	63	75	63
Fraud ^d	69	62	75	55
Drug offenses	72%	69%	70%	69%
Possession	71	69	69	72
Trafficking	72	70	71	66
Weapons offenses	73%	71%	73%	67%
Other offenses^e	70%	68%	77%	65%
Sentence to prison				
All offenses	45%	30%	58%	39%
Violent offenses	60%	43%	74%	51%
Murder ^a	97	91	97	86
Rape	74	--	81	--
Robbery	74	69	81	66
Aggravated assault	53	22	61	38
Other violent ^b	43	39	61	45
Property offenses	46%	32%	55%	36%
Burglary	52	42	61	48
Larceny ^c	41	26	51	33
Fraud ^d	39	34	50	36
Drug offenses	34%	24%	52%	41%
Possession	28	18	47	40
Trafficking	38	30	54	41
Weapons offenses	41%	31%	54%	30%
Other offenses^e	42%	28%	54%	28%

Note: See note on tables 1.1, 1.2, and 2.1.

Detail may not sum to total because of rounding. 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 vandalism.

Table 2.11. Percent of convicted felons sentenced by State courts to jail or probation, by sex, race, and offense, 1994

Most serious conviction offense	Percent receiving designated sentence			
	White		Black	
	Male	Female	Male	Female
Sentenced to jail				
All offenses	28%	38%	18%	27%
Violent offenses	20%	38%	13%	23%
Murder ^a	2	9	1	1
Rape	15	--	7	--
Robbery	13	18	8	21
Aggravated assault	24	53	21	28
Other violent ^b	28	38	23	29
Property offenses	26%	32%	21%	24%
Burglary	23	33	16	22
Larceny ^c	27	37	24	30
Fraud ^d	29	28	25	19
Drug offenses	38%	45%	18%	28%
Possession	44	51	22	32
Trafficking	34	39	17	25
Weapons offenses	32%	40%	19%	37%
Other offenses^e	28%	40%	23%	37%
Sentenced to probation				
All offenses	27%	32%	24%	34%
Violent offenses	20%	19%	13%	26%
Murder ^a	1	0	1	13
Rape	11	--	12	--
Robbery	14	12	10	13
Aggravated assault	23	25	18	34
Other violent ^b	29	23	16	26
Property offenses	29%	35%	24%	40%
Burglary	25	24	23	29
Larceny ^c	32	37	25	37
Fraud ^d	31	38	25	45
Drug offenses	28%	31%	30%	31%
Possession	29	31	31	28
Trafficking	28	30	29	34
Weapons offenses	27%	29%	27%	33%
Other offenses^e	30%	32%	23%	35%

Note: See note on tables 1.1, 1.2, and 2.1.

--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 vandalism.

Table 2.12. Mean length of State felony incarceration and prison sentences, by sex and race of felons, 1994

Most serious conviction offense	Mean sentence length (in months) for felons who were —			
	White		Black	
	Male	Female	Male	Female
Sentenced to incarceration				
All offenses	43 mo	25 mo	61 mo	34 mo
Violent offenses	83 mo	53 mo	110 mo	62 mo
Murder ^a	248	170	295	179
Rape	126	--	143	--
Robbery	103	47	109	62
Aggravated assault	52	14	71	33
Other violent ^b	45	58	54	52
Property offenses	40 mo	26 mo	45 mo	30 mo
Burglary	50	33	59	30
Larceny ^c	31	19	33	29
Fraud ^d	34	30	38	31
Drug offenses	27 mo	20 mo	47 mo	34 mo
Possession	20	12	31	24
Trafficking	32	27	55	41
Weapons offenses	26 mo	16 mo	35 mo	15 mo
Other offenses^e	25 mo	12 mo	34 mo	15 mo
Sentenced to prison				
All offenses	66 mo	51 mo	77 mo	53 mo
Violent offenses	109 mo	96 mo	127 mo	88 mo
Murder ^a	255	189	301	183
Rape	150	--	154	--
Robbery	119	58	118	80
Aggravated assault	72	39	93	53
Other violent ^b	69	113	71	77
Property offenses	57 mo	48 mo	59 mo	45 mo
Burglary	67	56	72	41
Larceny ^c	46	39	45	46
Fraud ^d	52	50	53	45
Drug offenses	50 mo	46 mo	61 mo	52 mo
Possession	45	34	42	39
Trafficking	52	53	70	61
Weapons offenses	42 mo	34 mo	46 mo	26 mo
Other offenses^e	37 mo	22 mo	45 mo	30 mo

Note: See note on tables 1.1, 1.2, and 2.1.

--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 vandalism.

Table 2.13. Mean length of State felony sentences to jail and probation, by sex and race of felons, 1994

Most serious conviction offense	Mean sentence length (in months) or felons who were —			
	White		Black	
	Male	Female	Male	Female
Sentenced to jail				
All offenses	7 mo	5 mo	7 mo	6 mo
Violent offenses	8 mo	5 mo	8 mo	8 mo
Murder ^a	11	2	6	4
Rape	7	--	9	--
Robbery	10	8	10	9
Aggravated assault	7	4	7	5
Other violent ^b	8	6	8	9
Property offenses	8 mo	5 mo	7 mo	7 mo
Burglary	9	6	7	5
Larceny ^c	7	6	7	8
Fraud ^d	7	4	5	5
Drug offenses	6 mo	5 mo	7 mo	7 mo
Possession	4	4	5	5
Trafficking	8	6	8	8
Weapons offenses	5 mo	4 mo	6 mo	5 mo
Other offenses^e	7 mo	4 mo	7 mo	4 mo
Sentenced to probation				
All offenses	36 mo	34 mo	31 mo	34 mo
Violent offenses	42 mo	38 mo	37 mo	37 mo
Murder ^a	59	--	53	44
Rape	54	--	50	--
Robbery	55	33	41	45
Aggravated assault	38	42	32	36
Other violent ^b	40	31	41	29
Property offenses	39 mo	36 mo	35 mo	37 mo
Burglary	46	31	37	35
Larceny ^c	35	38	33	34
Fraud ^d	35	35	33	40
Drug offenses	34 mo	37 mo	29 mo	31 mo
Possession	31	34	28	31
Trafficking	37	39	30	31
Weapons offenses	33 mo	29 mo	24 mo	25 mo
Other offenses^e	31 mo	23 mo	28 mo	29 mo

Note: See note on tables 1.1, 1.2, and 2.1.

--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 vandalism.

Felons sentenced to probation in State courts, 1994

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 included "straight probation." Excluded were 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 50% of all sentences imposed on felons in 1994 (table 3.2).

Other probation findings from the 1994 survey included:

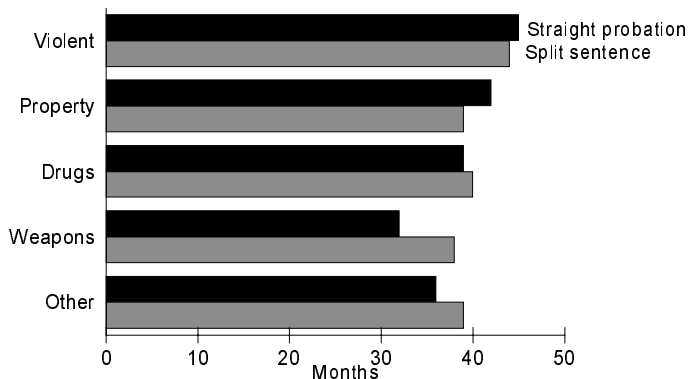
- State courts sentenced to probation an estimated 430,000 convicted felons (table 3.1).
- Nationwide, probation sentences had an average length of about 3¹/₃ years (table 3.3).

- The average jail sentence was 5 months; the average prison sentence, 4 years and 2 months (table 3.4).

- The average age of probationers nationwide was 30 years (table 3.10). Females made up 17% of all felons placed on probation (table 3.7). Whites were 56% of probationers, and blacks were 43% (table 3.8).

Average probation sentence for felons convicted in State courts, 1994

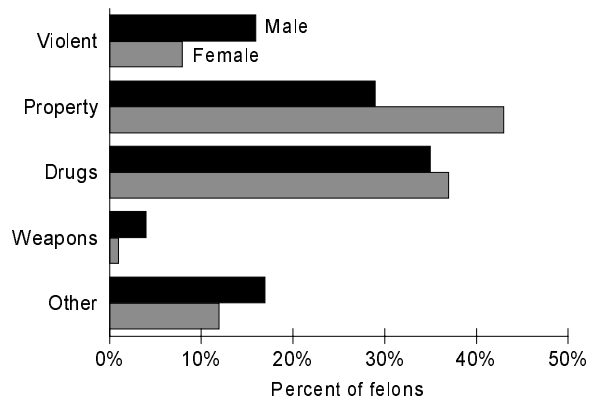
Most serious conviction offense



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

Offense distribution of felons sentenced to probation, by sex, 1994

Most serious conviction offense



About 43% of women versus 35% of men sentenced to probation had a property conviction offense.

Table 3.1. Estimated number of felony convictions in State courts, by whether sentenced to probation and by offense, 1994

Most serious conviction offense	1994 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
All offenses	872,216	429,694	100%	49%	51%	100%	100%	100%
Violent offenses	164,583	60,426	100%	37%	63%	19%	14%	24%
Murder ^a	12,007	1,176	100	10	90	1	--	2
Rape	20,068	7,101	100	35	65	2	2	3
Robbery	46,028	10,980	100	24	76	5	3	8
Aggravated assault	65,174	30,375	100	47	53	7	7	8
Other violent ^b	21,307	10,793	100	51	49	2	3	2
Property offenses	275,198	138,459	100%	50%	50%	32%	32%	31%
Burglary	98,109	42,810	100	44	56	11	10	12
Larceny ^c	113,026	57,707	100	51	49	13	13	13
Fraud ^d	64,063	37,942	100	59	41	7	9	6
Drug offenses	274,245	144,481	100%	53%	47%	31%	34%	29%
Possession	108,815	67,697	100	62	38	12	16	9
Trafficking	165,430	76,784	100	46	54	19	18	20
Weapons offenses	31,010	15,532	100%	50%	50%	4%	4%	3%
Other offenses^e	127,180	70,796	100%	56%	44%	15%	16%	13%

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.
 --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 vandalism.

Table 3.2. Felony convictions in State courts, by type of sentence to probation or incarceration and offense, 1994

Most serious conviction offense	Percent of felony convictions by type of —							
	Straight probation	Probation sentence			No incarceration	Nonprobation sentence		
		Total	Split sentence	Jail		Total	Incarceration	Jail
All offenses	26%	24%	8%	16%	4%	47%	37%	10%
Violent offenses	15%	22%	9%	13%	3%	60%	53%	7%
Murder ^a	3	7	6	1	1	90	89	1
Rape	11	24	12	12	1	63	59	4
Robbery	10	14	8	6	3	73	69	5
Aggravated assault	21	26	9	17	4	50	40	10
Other violent ^b	21	30	9	20	4	45	35	10
Property offenses	28%	23%	8%	15%	5%	45%	34%	10%
Burglary	21	23	9	14	4	52	45	7
Larceny ^c	29	22	6	16	5	44	31	12
Fraud ^d	35	25	9	16	6	35	24	11
Drug offenses	27%	26%	8%	18%	4%	43%	34%	9%
Possession	32	30	7	23	1	36	27	9
Trafficking	23	23	9	14	6	48	39	9
Weapons offenses	27%	23%	7%	17%	4%	46%	36%	11%
Other offenses^e	31%	25%	9%	17%	3%	41%	28%	13%

Note: See note on table 3.1.

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 vandalism.

Table 3.3. Average probation sentence of felons convicted in State courts, by offense, 1994

Most serious conviction offense	Probation sentence (in months) in case of —				
	Total	Straight probation	Split sentence		
			Total	Prison	Jail
Mean sentence					
All offenses	40 mo	40 mo	40 mo	45 mo	37 mo
Violent offenses	45 mo	45 mo	44 mo	50 mo	41 mo
Murder ^a	54	59	52	54	42
Rape	56	60	54	59	48
Robbery	48	51	47	50	42
Aggravated assault	41	42	41	46	39
Other violent ^b	43	43	42	47	40
Property offenses	41 mo	42 mo	39 mo	43 mo	37 mo
Burglary	44	47	41	45	38
Larceny ^c	39	40	36	41	34
Fraud ^d	41	41	40	44	38
Drug offenses	39 mo	39 mo	40 mo	46 mo	37 mo
Possession	38	37	38	43	36
Trafficking	41	40	42	48	38
Weapons offenses	35 mo	32 mo	38 mo	43 mo	36 mo
Other offenses^e	37 mo	36 mo	39 mo	41 mo	37 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	36
Rape	48	48	48	60	36
Robbery	36	48	36	60	36
Aggravated assault	36	36	36	36	36
Other violent ^b	36	36	36	48	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	30 mo	36 mo	48 mo	36 mo
Possession	36	24	36	36	36
Trafficking	36	36	36	48	36
Weapons offenses	36 mo	24 mo	36 mo	36 mo	36 mo
Other offenses^e	36 mo	30 mo	36 mo	36 mo	36 mo

Note: See note on table 3.1.

Means exclude 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 vandalism.

Table 3.4. Average State court sentence to incarceration for felons receiving sentences with or without probation, by offense, 1994

Most serious conviction offense	Maximum incarceration sentence length (in months) for —					
	Split sentence			Incarceration without probation		
	Total	Prison	Jail	Total	Prison	Jail
Mean sentence						
All offenses	21 mo	50 mo	5 mo	63 mo	76 mo	7 mo
Violent offenses	31 mo	65 mo	6 mo	115 mo	127 mo	7 mo
Murder ^a	97	116	6	281	284	9
Rape	46	83	6	168	174	8
Robbery	46	73	8	115	121	10
Aggravated assault	21	51	5	71	85	7
Other violent ^b	21	48	6	64	76	7
Property offenses	26 mo	58 mo	6 mo	64 mo	71 mo	9 mo
Burglary	22	52	6	48	58	7
Larceny ^c	17	45	5	35	45	7
Fraud ^d	22	51	4	38	51	6
Drug offenses	19 mo	48 mo	5 mo	53 mo	64 mo	7 mo
Possession	13	40	4	41	52	4
Trafficking	25	52	6	59	70	9
Weapons offenses	16 mo	43 mo	4 mo	39 mo	48 mo	7 mo
Other offenses^e	15 mo	35 mo	5 mo	32 mo	43 mo	6 mo
Median sentence						
All offenses	6 mo	36 mo	4 mo	36 mo	48 mo	6 mo
Violent offenses	12 mo	48 mo	5 mo	72 mo	84 mo	6 mo
Murder ^a	60	72	6	300	300	12
Rape	12	60	6	120	120	6
Robbery	23	60	7	84	84	10
Aggravated assault	8	36	4	48	60	6
Other violent ^b	8	36	4	36	48	6
Property offenses	12 mo	48 mo	5 mo	48 mo	54 mo	6 mo
Burglary	7	36	4	36	42	6
Larceny ^c	6	36	4	24	36	6
Fraud ^d	6	40	2	24	36	4
Drug offenses	6 mo	36 mo	4 mo	36 mo	48 mo	6 mo
Possession	4	36	3	24	36	3
Trafficking	9	48	6	36	48	6
Weapons offenses	6 mo	36 mo	3 mo	24 mo	36 mo	6 mo
Other offenses^e	6 mo	24 mo	3 mo	24 mo	32 mo	5 mo

Note: See note on table 3.1.

Means exclude 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 vandalism.

Table 3.5. Number of conviction offenses for felons sentenced to probation in State courts, by offense, 1994

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	50%	51%	44%	46%
Violent offenses	38%	40%	32%	27%
Murder ^a	10	13	6	3
Rape	36	40	33	26
Robbery	25	27	19	15
Aggravated assault	49	50	44	45
Other violent ^b	51	52	50	41
Property offenses	51%	51%	48%	51%
Burglary	44	45	42	41
Larceny ^c	51	51	53	53
Fraud ^d	60	61	55	59
Drug offenses	53%	54%	46%	57%
Possession	62	62	56	77
Trafficking	47	47	43	52
Weapons offenses	50%	51%	46%	56%
Other offenses^e	56%	56%	56%	56%

Note: See note on table 3.1.

^aIncludes nonnegligent manslaughter, sexual assault, and kidnaping.

^bIncludes offenses such as negligent manslaughter.

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 3.6. Sex of felons sentenced to probation or to incarceration without probation in State courts, by offense, 1994

Most serious conviction offense	Percent of sentences to probation			Percent of sentences to incarceration without probation		
	All	Male	Female	All	Male	Female
All offenses	100%	100%	100%	100%	100%	100%
Violent offenses	14%	16%	8%	24%	25%	15%
Murder ^a	--	--	--	3	3	2
Rape	2	2	--	3	3	1
Robbery	3	3	2	9	9	4
Aggravated assault	7	7	5	8	8	6
Other violent ^b	2	3	1	2	2	2
Property offenses	31%	29%	43%	30%	30%	36%
Burglary	10	11	4	13	14	6
Larceny ^c	13	12	16	12	11	17
Fraud ^d	8	6	22	6	4	13
Drug offenses	35%	35%	37%	31%	30%	37%
Possession	16	16	18	9	9	14
Trafficking	19	19	19	21	21	23
Weapons offenses	3%	4%	1%	4%	4%	1%
Other offenses^e	16%	17%	12%	11%	11%	11%

Note: See note on tables 2.1 and 3.1.

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 vandalism.

Table 3.7. Offense of felons sentenced to probation or to incarceration without probation in State courts, by sex of felons, 1994

Most serious conviction offense	Percent of sentences to probation			Percent of sentences to incarceration without probation		
	All	Male	Female	All	Male	Female
All offenses	100	83%	17%	100	87%	13%
Violent offenses	100	91%	9%	100	92%	8%
Murder ^a	100	80	20	100	90	10
Rape	100	99	1	100	96	4
Robbery	100	91	9	100	95	5
Aggravated assault	100	88	12	100	90	10
Other violent ^b	100	92	8	100	87	13
Property offenses	100%	77%	23%	100	85%	15%
Burglary	100	92	8	100	94	6
Larceny ^c	100	78	22	100	83	17
Fraud ^d	100	55	45	100	69	31
Drug offenses	100%	82%	18%	100	84%	16%
Possession	100	81	19	100	80	20
Trafficking	100	82	18	100	86	14
Weapons offenses	100%	95%	5%	100	96%	4%
Other offenses^e	100%	87%	13%	100	88%	12%

Note: See note on tables 2.1 and 3.1. 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 vandalism.

Table 3.8. Offense of felons sentenced to probation or to incarceration without probation in State courts, by race of felons, 1994

Most serious conviction offense	Percent of sentences to probation				Percent of sentences to incarceration without probation			
	All	White	Black	Other	All	White	Black	Other
All offenses	100%	56%	43%	1%	100%	47%	52%	1%
Violent offenses	100%	57%	42%	1%	100%	44%	56%	1%
Murder ^a	100	34	65	1	100	37	62	1
Rape	100	68	31	1	100	62	37	1
Robbery	100	34	66	1	100	27	72	1
Aggravated assault	100	58	40	1	100	49	50	1
Other violent ^b	100	76	23	1	100	71	29	--
Property offenses	100%	63%	36%	1%	100%	57%	43%	1%
Burglary	100	65	34	1	100	55	44	1
Larceny ^c	100	63	36	1	100	57	42	1
Fraud ^d	100	61	38	1	100	61	39	--
Drug offenses	100%	45%	55%	--	100%	36%	63%	--
Possession	100	48	51	1	100	44	55	1
Trafficking	100	42	57	--	100	33	67	--
Weapons offenses	100%	43%	56%	1%	100%	32%	67%	1%
Other offenses^e	100%	72%	26%	2%	100%	61%	37%	1%

Note: See note on tables 2.1 and 3.1.
 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 vandalism.

Table 3.9. Race of felons sentenced to probation or to incarceration without probation in State courts, by offense, 1994

Most serious conviction offense	Percent of sentences to probation				Percent of sentences to incarceration without probation			
	All	White	Black	Other	All	White	Black	Other
All offenses	100%	100%	100%	100%	100%	100%	100%	100%
Violent offenses	14%	14%	14%	17%	23%	21%	25%	26%
Murder ^a	--	--	--	--	2	2	3	3
Rape	2	2	1	1	3	3	2	4
Robbery	3	2	4	2	8	5	11	9
Aggravated assault	7	7	7	11	9	9	8	10
Other violent ^b	2	3	1	3	2	3	1	1
Property offenses	32%	36%	27%	35%	32%	38%	26%	30%
Burglary	10	12	8	15	13	15	11	11
Larceny ^c	13	14	11	14	13	15	10	17
Fraud ^d	9	9	8	6	6	8	5	3
Drug offenses	36%	29%	46%	15%	30%	23%	37%	18%
Possession	17	15	21	11	9	8	10	10
Trafficking	19	14	25	4	21	15	27	7
Weapons offenses	4%	3%	5%	4%	3%	2%	4%	2%
Other offenses^e	14%	18%	9%	29%	11%	15%	8%	24%

Note: See note on tables 2.1 and 3.1.

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 vandalism.

Table 3.10. Average age of felons sentenced to probation or to incarceration without probation in State courts, by offense, 1994

Most serious conviction offense	Age at time of sentencing			
	Probation		Incarceration without probation ^a	
	Mean	Median	Mean	Median
All offenses	30 yrs	28 yrs	30 yrs	29 yrs
Violent offenses	30 yrs	28 yrs	29 yrs	27 yrs
Murder ^b	29	27	28	25
Rape	34	31	34	32
Robbery	24	22	26	24
Aggravated assault	30	29	29	28
Other violent ^c	32	30	33	32
Property offenses	29 yrs	27 yrs	30 yrs	29 yrs
Burglary	27	24	29	28
Larceny ^d	29	26	31	30
Fraud ^e	31	30	32	31
Drug offenses	30 yrs	29 yrs	31 yrs	29 yrs
Possession	31	30	31	30
Trafficking	30	28	31	29
Weapons offenses	28 yrs	26 yrs	28 yrs	26 yrs
Other offenses^f	32 yrs	31 yrs	31 yrs	30 yrs

Note: See note on tables 2.1 and 3.1.

^aIncludes a small number who received only a fine, community service, treatment, or other type sanction without probation.

^bIncludes nonnegligent manslaughter.

^cIncludes offenses such as negligent

manslaughter, sexual assault, and kidnaping.

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 3.11. Felons sentenced to probation in State courts, by offense and age at sentencing, 1994

Most serious conviction offense	Percent of felons age group who received a probation sentence			
	Under 20	20-29	30-39	40 or older
All offenses	52%	47%	46%	48%
Violent offenses	34%	33%	35%	38%
Murder ^a	9	8	13	7
Rape	45	34	32	35
Robbery	32	21	20	20
Aggravated assault	36	43	43	47
Other violent ^b	65	52	47	45
Property offenses	59%	51%	43%	44%
Burglary	57	45	32	35
Larceny ^c	62	52	43	42
Fraud ^d	58	59	56	55
Drug offenses	60%	50%	50%	50%
Possession	67	60	60	59
Trafficking	56	44	42	45
Weapons offenses	58%	43%	47%	53%
Other offenses^e	57%	53%	53%	58%

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 vandalism.

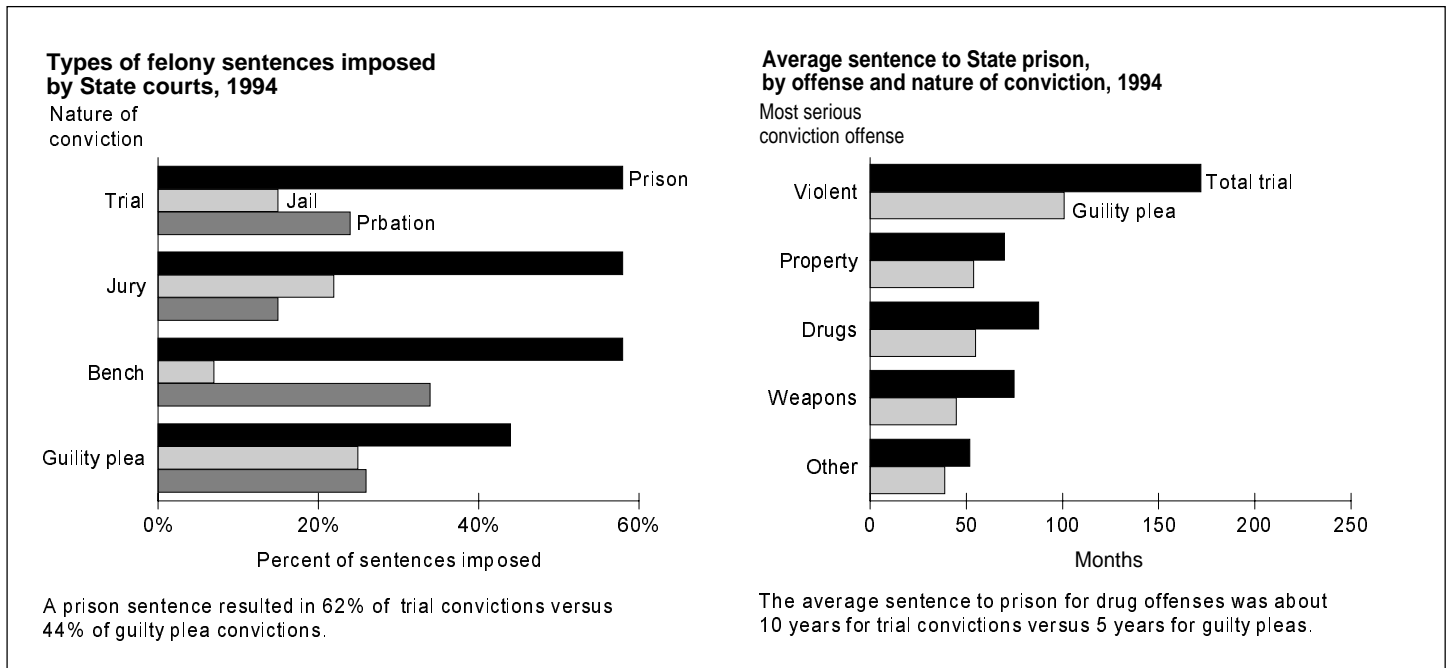
Felony case processing in State courts, 1994

- Nationwide in 1994, 89% of convictions were the product of a guilty plea (table 4.2). 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 773,000 persons pleaded guilty to a felony offense. Of all felony offenses, persons convicted of murder were the least likely to have pleaded guilty (58%) and the most likely to have been convicted by a jury (35%) (table 4.2).
- Of felons convicted in State courts, 6% were found guilty by a jury, and 5% 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 as-

sault, and other violent offenses — comprised about 19% of all felony convictions but an estimated 45% of all jury trials (table 4.3).

- Sentences to prison or jail occurred in 81% of jury convictions, 65% of bench trial convictions (decided by a judge alone), and 69% of guilty pleas (table 4.4).
- An estimated 58% of felons convicted by a jury received a prison sentence, compared to 58% 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 (12 years) than for felons who pleaded guilty (5 years) or were convicted by a judge (7 years) (table 4.5).
- Felons sentenced to jail in a jury trial received a mean or average sentence of 6 months. The mean jail sentence in a bench trial was 5 months; in a guilty plea, 6 months (table 4.5).

- Murderers convicted by a jury were the most likely of all convicted defendants to have received a life sentence (41%) or the death penalty (4%). Sentences to life in prison or death for murder or nonnegligent manslaughter occurred in about 11% of the bench trials and 18% of the guilty pleas (table 4.6).
- In 39% of jury trial convictions nationwide, felons were found guilty of multiple offenses. Eighteen percent of the guilty pleas and 21% of the bench trial convictions involved multiple offenses (table 4.7).



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 about 5½ months and bench trials took 8 months. The longest average time was for murder or nonnegligent manslaughter, about 11 months, and the shortest, 5 months for drug possession (table 4.9).

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

- Mean elapsed time from arrest to sentencing in 1994 was just over 6 months; the median was nearly 5 months (table 4.11).

- Cases decided by juries had a mean elapsed time from arrest to sentencing of about 10 months; those disposed by bench trial had a mean of 8½ months; those disposed by guilty plea had a mean of 6 months (table 4.11).

Table 4.1. Number of felony convictions in State courts, by offense and the nature of conviction, 1994

Most serious conviction offense	Total	Number of felons convicted by—			Guilty plea
		Trial			
		Total	Jury	Bench	
All offenses	872,217	98,833	51,860	46,973	773,384
Violent offenses	164,584	33,258	23,088	10,170	131,326
Murder ^a	12,007	5,091	4,211	880	6,916
Rape	20,068	5,081	3,910	1,171	14,987
Robbery	46,028	6,742	4,303	2,439	39,286
Aggravated assault	65,174	11,560	7,394	4,166	53,614
Other violent ^b	21,307	4,784	3,270	1,514	16,523
Property offenses	275,198	26,971	13,175	13,796	248,227
Burglary	98,109	10,436	5,369	5,067	87,673
Larceny ^c	113,026	11,050	4,819	6,231	101,976
Fraud ^d	64,063	5,485	2,987	2,498	58,578
Drug offenses	274,245	22,643	8,236	14,407	251,602
Possession	108,815	6,859	1,610	5,249	101,956
Trafficking	165,430	15,784	6,626	9,158	149,646
Weapons offenses	31,010	2,973	1,426	1,547	28,037
Other offenses^e	127,180	12,987	5,935	7,052	114,193

Note: See note on table 1.1.

Detail may not sum to total because of rounding.

Data on type of conviction were available for 676,809 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 vandalism.

Table 4.2. Offense of felons convicted in State courts, by the nature of conviction, 1994

Most serious conviction offense	Percent of felons convicted by —				Guilty plea
	Total	Trial		Bench	
		Total	Jury	Bench	
All offenses	100%	11%	6%	5%	89%
Violent offenses	100%	20%	14%	6%	80%
Murder ^a	100	42	35	7	58
Rape	100	25	19	6	75
Robbery	100	15	10	5	85
Aggravated assault	100	18	11	7	82
Other violent ^b	100	22	15	7	78
Property offenses	100%	10%	5%	5%	90%
Burglary	100	11	6	5	89
Larceny ^c	100	10	4	6	90
Fraud ^d	100	9	5	4	91
Drug offenses	100%	8%	3%	5%	92%
Possession	100	6	1	5	94
Trafficking	100	10	4	6	90
Weapons offenses	100%	10%	5%	5%	90%
Other offenses^e	100%	10%	5%	5%	90%

Note: See note on tables 1.1 and 4.1.

Data on conviction type were available for 676,809 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 vandalism.

Table 4.3. Nature of conviction of felons convicted in State courts, by offense, 1994

Most serious conviction offense	Percent convicted by —				Guilty plea
	Total	Total	Trial Jury	Bench	
All offenses	100%	100%	100%	100%	100%
Violent offenses	19%	34%	45%	22%	17%
Murder ^a	1	5	8	2	1
Rape	2	5	8	3	2
Robbery	5	7	8	5	5
Aggravated assault	8	12	14	9	7
Other violent ^b	2	5	6	3	2
Property offenses	32%	28%	26%	31%	32%
Burglary	12	11	11	11	12
Larceny ^c	13	11	9	14	13
Fraud ^d	7	6	6	6	8
Drug offenses	31%	23%	16%	30%	32%
Possession	12	6	3	10	12
Trafficking	20	17	13	21	20
Weapons offenses	4%	3%	3%	3%	4%
Other offenses^e	14%	12%	11%	14%	14%

Note: See note on tables 1.1, 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 vandalism.

Table 4.4. Offense of felons convicted in State courts, by the nature of conviction and types of sentences imposed, 1994

Most serious conviction offense	Percent of felons sentenced to —						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
Trial							
All offenses	100%	73%	58%	15%	27%	24%	3%
Violent offenses	100%	87%	74%	13%	13%	11%	2%
Murder ^a	100	97	97	1	3	2	1
Rape	100	91	77	13	9	8	1
Robbery	100	91	86	5	9	6	3
Aggravated assault	100	80	65	15	20	18	2
Other violent ^b	100	85	53	32	15	12	3
Property offenses	100%	67%	48%	19%	33%	28%	5%
Burglary	100	75	62	13	25	23	2
Larceny ^c	100	66	44	22	34	30	4
Fraud ^d	100	55	28	26	45	32	13
Drug offenses	100%	65%	55%	9%	35%	34%	1%
Possession	100	57	51	7	43	41	1
Trafficking	100	67	57	10	33	31	1
Weapons offenses	100%	73%	53%	20%	27%	25%	2%
Other offenses^e	100%	65%	42%	23%	35%	33%	2%
Jury							
All offenses	100%	81%	58%	22%	19%	15%	4%
Violent offenses	100%	91%	75%	16%	9%	6%	2%
Murder ^a	100	97	97	1	3	2	1
Rape	100	94	78	16	6	5	2
Robbery	100	93	87	6	7	2	5
Aggravated assault	100	86	67	18	14	12	2
Other violent ^b	100	90	46	44	10	7	3
Property offenses	100%	73%	41%	32%	27%	20%	7%
Burglary	100	79	58	21	21	18	3
Larceny ^c	100	72	32	41	28	21	6
Fraud ^d	100	62	24	38	38	22	17
Drug offenses	100%	69%	54%	16%	31%	28%	2%
Possession	100	67	47	20	33	30	4
Trafficking	100	70	55	15	30	28	2
Weapons offenses	100%	82%	56%	26%	18%	15%	3%
Other offenses^e	100%	75%	39%	36%	25%	23%	2%

Table 4.4. (cont.) Offense of felons convicted in State courts, by the nature of conviction and types of sentences imposed, 1994

Most serious conviction offense	Percent of felons sentenced to —						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
Bench							
All offenses	100%	65%	58%	7%	35%	34%	1%
Violent offenses	100%	78%	72%	6%	22%	21%	1%
Murder ^a	100	97	96	1	3	3	0
Rape	100	80	76	3	20	20	--
Robbery	100	87	86	1	13	13	0
Aggravated assault	100	70	60	10	30	29	--
Other violent ^b	100	73	68	5	27	23	4
Property offenses	100%	62%	55%	7%	38%	35%	3%
Burglary	100	71	67	4	29	28	--
Larceny ^c	100	62	54	7	38	36	2
Fraud ^d	100	46	34	12	54	45	9
Drug offenses	100%	62%	56%	5%	38%	37%	1%
Possession	100	55	52	3	45	45	--
Trafficking	100	65	59	6	35	34	1%
Weapons offenses	100%	65%	50%	15%	35%	35%	--
Other offenses^e	100%	57%	44%	13%	43%	42%	1%
Guilty plea							
All offenses	100%	69%	44%	25%	31%	26%	5%
Violent offenses	100%	79%	60%	19%	21%	17%	4%
Murder ^a	100	96	93	3	4	4	0
Rape	100	86	70	16	14	13	1
Robbery	100	86	75	11	14	11	3
Aggravated assault	100	73	47	25	27	23	5
Other violent ^b	100	73	45	28	27	23	4
Property offenses	100%	66%	42%	25%	34%	28%	6%
Burglary	100	74	52	21	26	21	5
Larceny ^c	100	64	37	28	36	29	7
Fraud ^d	100	59	34	25	41	35	6
Drug offenses	100%	67%	41%	26%	33%	28%	5%
Possession	100	64	32	32	36	34	2
Trafficking	100	69	47	22	31	24	7
Weapons offenses	100%	68%	43%	25%	32%	28%	4%
Other offenses^e	100%	67%	38%	29%	33%	29%	4%

Note: See note on tables 1.1 and 1.2.
 Detail may not sum to total because of rounding.
 Some estimates in this table are based on as few as 1 case and are therefore unreliable.
 --Less than .05%.
^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 vandalism.

Table 4.5. Average felony sentence length in State courts, by the nature of conviction, types of sentences imposed, and offense, 1994

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 prison										
All offenses	71 mo	48 mo	114 mo	60 mo	143 mo	87 mo	84 mo	60 mo	63 mo	48 mo
Violent offenses	116 mo	72 mo	172 mo	120 mo	191 mo	156 mo	131 mo	84 mo	101 mo	60 mo
Murder ^a	263	300	335	**	362	**	280	240	224	240
Rape	159	120	239	144	225	144	236	168	131	102
Robbery	114	84	163	120	194	180	111	84	105	72
Aggravated assault	78	49	111	72	126	81	84	60	68	48
Other violent ^b	71	48	88	60	94	60	87	48	65	36
Property offenses	56 mo	42 mo	70 mo	48 mo	76 mo	48 mo	66 mo	60 mo	54 mo	40 mo
Burglary	69	60	85	60	87	60	83	60	67	54
Larceny ^c	43	36	52	36	67	36	46	27	42	36
Fraud ^d	49	36	59	36	45	36	74	60	48	36
Drug offenses	58 mo	48 mo	88 mo	60 mo	114 mo	72 mo	75 mo	60 mo	55 mo	37 mo
Possession	45	36	72	60	61	36	79	60	42	32
Trafficking	64	48	93	60	123	84	73	60	60	48
Weapons offenses	48 mo	36 mo	75 mo	60 mo	95 mo	60 mo	54 mo	48 mo	45 mo	36 mo
Other offenses^e	41 mo	28 mo	52 mo	36 mo	59 mo	36 mo	49 mo	48 mo	39 mo	24 mo
Sentences to jail										
All offenses	6 mo	4 mo	5 mo	4 mo	6 mo	3 mo	5 mo	4 mo	6 mo	4 mo
Violent offenses	6 mo	5 mo	6 mo	4 mo	5 mo	2 mo	7 mo	6 mo	6 mo	6 mo
Murder ^a	7	6	4	1	8	12	1	1	7	6
Rape	7	6	5	4	3	1	10	6	7	6
Robbery	9	8	9	9	10	12	6	6	9	8
Aggravated assault	6	4	5	4	5	3	6	5	6	4
Other violent ^b	6	5	5	3	4	1	10	12	6	5
Property offenses	6 mo	4 mo	6 mo	4 mo	7 mo	1 mo	5 mo	4 mo	6 mo	4 mo
Burglary	7	6	5	3	6	1	3	1	7	6
Larceny ^c	6	4	6	4	7	1	7	6	6	4
Fraud ^d	5	3	6	5	6	6	5	4	5	3
Drug offenses	6 mo	4 mo	5 mo	4 mo	5 mo	2 mo	5 mo	4 mo	6 mo	4 mo
Possession	4	3	5	3	4	2	4	4	4	3
Trafficking	7	6	5	4	5	4	5	4	7	6
Weapons offenses	5 mo	4 mo	6 mo	5 mo	7 mo	6 mo	7 mo	3 mo	5 mo	4 mo
Other offenses^e	6 mo	3 mo	5 mo	2 mo	5 mo	3 mo	4 mo	1 mo	6 mo	3 mo

Table 4.5. (cont.) Average felony sentence length in State courts, by the nature of conviction, types of sentences imposed, and offense, 1994

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	40 mo	36 mo	48 mo	36 mo	45 mo	36 mo	49 mo	48 mo	37 mo	30 mo
Violent offenses	44 mo	36 mo	50 mo	36 mo	50 mo	36 mo	50 mo	36 mo	43 mo	36 mo
Murder ^a	59	60	63	60	69	60	35	39	57	60
Rape	58	48	64	60	65	48	65	60	57	48
Robbery	49	48	69	60	57	60	73	60	48	48
Aggravated assault	40	36	44	30	45	30	42	24	40	36
Other violent ^b	42	36	49	60	41	30	49	60	41	36
Property offenses	40 mo	36 mo	54 mo	48 mo	47 mo	36 mo	5 mo	60 mo	39 mo	36 mo
Burglary	44	36	57	60	53	48	59	60	42	36
Larceny ^c	39	24	50	48	37	30	53	60	38	24
Fraud ^d	39	36	57	36	44	30	64	60	37	36
Drug offenses	36 mo	24 mo	45 mo	36 mo	46 mo	36 mo	46 mo	36 mo	35 mo	24 mo
Possession	34	24	47	36	44	30	48	48	33	24
Trafficking	37	30	45	36	47	36	44	36	37	30
Weapons offenses	31 mo	24 mo	30 mo	24 mo	29 mo	24 mo	27 mo	24 mo	31 mo	24 mo
Other offenses^e	35 mo	24 mo	43 mo	48 mo	36 mo	30 mo	45 mo	60 mo	34 mo	24 mo

Note: See note on tables 1.1, 1.2 and 1.3.

**Because the median includes felons sentenced to life in prison, the median sentence to prison is greater than 50 years.

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 vandalism.

Table 4.6. Nature of conviction in State courts, by the type of sentences imposed on felons convicted of murder or nonnegligent manslaughter, 1994

Nature of conviction	Type of sentence			
	Total	Life	Death	Other*
All	100%	25%	2%	73%
Trial	100	38	3	59
Jury	100	41	4	55
Bench	100	11	--	89
Guilty plea	100	17	1	85

Note: Detail may not sum to total because of rounding.
 --Less than 0.5%.
 *Includes sentences to incarceration or probation.

Table 4.7. Nature of conviction in State courts, by the number of felony conviction offenses, 1994

Nature of conviction	Percent convicted of —		
	Total	One offense	Two or more offenses
All	100%	80%	20%
Trial	100	70	30
Jury	100	61	39
Bench	100	79	21
Guilty plea	100	82	18

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

Table 4.8. Percent of conviction offenses of felons convicted in State courts, by the nature of conviction and types of sentences imposed, 1994

Nature of conviction	Percent of felons sentenced to —						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
Convicted of one offense							
All	100%	68%	43%	25%	32%	27%	5%
Trial	100	70	52	17	30	28	3
Jury	100	75	54	21	25	21	4
Bench	100	61	53	9	39	37	2
Guilty plea	100	68	42	26	32	27	5
Convicted of multiple offenses							
All	100%	75%	54%	21%	25%	21%	4%
Trial	100	84	64	19	16	14	2
Jury	100	88	61	27	12	9	4
Bench	100	73	68	5	27	26	--
Guilty plea	100	73	52	21	27	22	5

Note: See note on tables 1.2 and 1.6.
 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 the nature of conviction, 1994

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	249 days	273 days	235 days	165 days
Violent offenses	215 days	273 days	285 days	252 days	203 days
Murder ^a	329	362	356	398	307
Rape	232	312	295	347	214
Robbery	200	242	263	218	193
Aggravated assault	206	234	245	214	201
Other violent ^b	196	285	346	262	178
Property offenses	163 days	233 days	249 days	229 days	158 days
Burglary	157	230	263	219	151
Larceny ^c	162	226	205	229	155
Fraud ^d	175	269	320	259	171
Drug offenses	162 days	241 days	271 days	232 days	155 days
Possession	149	222	245	218	142
Trafficking	169	253	279	242	163
Weapons offenses	166 days	243 days	279 days	215 days	159 days
Other offenses^e	166 days	235 days	231 days	236 days	159 days
Median number of days					
All offenses	123 days	184 days	219 days	167 days	116 days
Violent offenses	157 days	215 days	233 days	185 days	148 days
Murder ^a	272	315	309	364	253
Rape	177	251	254	247	159
Robbery	157	197	232	167	151
Aggravated assault	147	166	173	146	144
Other violent ^b	142	235	319	219	122
Property offenses	114 days	167 days	200 days	154 days	111 days
Burglary	114	164	200	154	110
Larceny ^c	113	167	175	167	107
Fraud ^d	115	154	224	154	114
Drug offenses	112 days	167 days	202 days	162 days	108 days
Possession	103	159	181	159	98
Trafficking	118	182	202	164	112
Weapons offenses	125 days	187 days	203 days	161 days	120 days
Other offenses^e	117 days	182 days	191 days	181 days	113 days

Note: See note on table 1.1.

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 vandalism.

Table 4.10. Average number of days between conviction and sentencing for felony cases in State courts, by the nature of conviction, 1994

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	26 days	20 days	23 days	18 days	27 days
Violent offenses	22 days	22 days	24 days	15 days	22 days
Murder ^a	21	27	28	14	18
Rape	15	13	14	11	15
Robbery	22	18	20	14	22
Aggravated assault	22	26	30	18	21
Other violent ^b	33	20	23	15	36
Property offenses	27 days	17 days	17 days	18 days	28 days
Burglary	27	20	19	21	27
Larceny ^c	27	17	21	15	28
Fraud ^d	28	13	7	18	29
Drug offenses	26 days	22 days	30 days	19 days	26 days
Possession	25	21	40	18	25
Trafficking	26	22	27	20	26
Weapons offenses	23 days	22 days	27 days	19 days	23 days
Other offenses^e	33 days	20 days	19 days	20 days	35 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	0	0	0
Robbery	0	0	0	0	0
Aggravated assault	0	0	0	0	0
Other violent ^b	0	0	0	0	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 table 1.1 .

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 vandalism.

Table 4.11. Average number of days between arrest and sentencing for felony cases in State courts, by the nature of conviction, 1994

Most serious conviction offense	Number of days between arrest and sentencing for cases disposed by —				
	Total	Total	Trial		Guilty plea
			Jury	Bench	
Mean					
All offenses	190 days	269 days	302 days	257 days	190 days
Violent offenses	226 days	290 days	311 days	266 days	219 days
Murder ^a	344	380	378	405	316
Rape	245	316	306	355	225
Robbery	206	253	275	234	206
Aggravated assault	218	261	282	229	220
Other violent ^b	210	300	383	276	201
Property offenses	179 days	250 days	274 days	251 days	181 days
Burglary	173	252	286	246	173
Larceny ^c	177	239	231	246	179
Fraud ^d	193	285	357	280	193
Drug offenses	180 days	263 days	310 days	252 days	185 days
Possession	165	239	294	237	166
Trafficking	192	278	315	263	197
Weapons offenses	180 days	270 days	303 days	240 days	182 days
Other offenses^e	188 days	266 days	267 days	269 days	186 days
Median					
All offenses	143 days	201 days	251 days	184 days	136 days
Violent offenses	174 days	228 days	260 days	207 days	163 days
Murder ^a	281	325	324	368	265
Rape	191	260	264	270	170
Robbery	170	199	238	178	165
Aggravated assault	168	184	197	169	157
Other violent ^b	161	242	371	227	143
Property offenses	132 days	177 days	239 days	173 days	128 days
Burglary	130	182	248	168	126
Larceny ^c	133	173	198	175	128
Fraud ^d	133	168	291	167	131
Drug offenses	138 days	189 days	232 days	183 days	133 days
Possession	123	167	278	169	118
Trafficking	149	206	232	196	142
Weapons offenses	143 days	202 days	207 days	173 days	136 days
Other offenses^e	132 days	208 days	240 days	212 days	127 days

Note: Note: See note on table 1.1.

Grand total includes all cases, whether or not conviction type was known.

Data on time to dispose of felonies were available for 376,086 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 vandalism.

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 ^a	44	34
Violent offenses	27	23
Murder ^b	63	62
Rape	51	64
Robbery	47	40
Aggravated assault	18	13
Nonviolent offenses	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.

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

^bIncludes 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
All offenses	49%	43%
Violent offenses	61%	60%
Murder ^a	95	95
Rape	77	69
Robbery	74	76
Aggravated assault	44	43
Other violent ^b	48	42
Property offenses	45%	38%
Burglary	52	51
Larceny ^c	42	36
Fraud ^d	41	21
Drug offenses	48%	39%
Possession	53	29
Trafficking	46	46
Weapons offenses	43%	44%
Other offenses^e	44%	35%

Note: See note on table 5.1

^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 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
All offenses	84	59
Violent offenses	129	108
Murder ^a	264	274
Rape	183	142
Robbery	130	98
Aggravated assault	83	68
Other violent ^b	82	67
Property offenses	70	43
Burglary	84	53
Larceny ^c	61	32
Fraud ^d	58	38
Drug offenses	76	44
Possession	76	31
Trafficking	77	51
Weapons offenses	53	42
Other offenses^e	52	35

Note: See note on table 5.1.

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 vandalism.

Juveniles transferred to adult court, 1994

In 1994 an estimated 872,000 adults were convicted of a felony in State courts. Of them, approximately 21,000 were persons under age 18. Though under 18, these 21,000 were not handled in juvenile courts. Instead, they were prosecuted and adjudicated as adults.

Prosecution of persons under 18 as adults was not the norm in most States in 1994. In that year 39 States and the District of Columbia defined adulthood as beginning at age 18. The remaining 11 States set the lower age limit for adult prosecution below age 18.

Specifically, 16- and 17-year-olds were adults in the eyes of the law in three States (Connecticut, New York and North Carolina); 17-year-olds were considered adults in eight States (Georgia, Illinois, Louisiana, Massa-

*For additional information on juveniles prosecuted in adult courts, see the BJS Special Report *Juveniles Prosecuted in State Criminal Courts*, NCJ-164265, March 1997.

chusetts, Michigan, Missouri, Texas and South Carolina).

In exceptional cases in 1994, defendants below a State's lower-age limit were prosecuted as adults rather than as juveniles. Such cases were either statutorily excluded from juvenile court jurisdiction or waived to adult court at the discretion of authorities (juvenile courts or prosecutors). Commonly excluded cases were murders and other serious violent offenses. In addition, several States excluded juveniles charged with felonies if they had prior adjudications or convictions.

To summarize, persons below age 18 who were prosecuted and adjudicated as adults in 1994 fell into two broad categories. One consisted of defendants in the 11 States where, by definition, all 16- and 17-year-old defendants were prosecuted as adults. The other consisted of the exceptional cases:

defendants below the age at which adult prosecution normally begins in their State. For simplicity the latter are referred to as *transferred cases*. As the term is used here, *transferred* covers **both** cases excluded from juvenile court by statute **and** cases transferred to adult court at the discretion of the juvenile court or the prosecutor.

To examine severity of sentencing of offenses for persons under age 18 treated as adults, three sets of comparisons are made:

- between those under 18 and those 18 or over
- between persons under 18 who were transferred to adult court and persons who were 16- and 17-year-olds in States where, by definition, all 16- and/or 17-year-olds were handled as adults
- between persons under 18 who were transferred to adult court, and persons who were in their first year of adulthood in their State (age 16 in the 3 States where, in 1994, adulthood began at age 16; age 17 in the 8 States where adulthood began at age 17; age 18 in the 39 States and the District of Columbia where adulthood began at age 18).

Findings are summarized below:

- A larger percentage of those under 18 (40%) than of those 18 or over (19%) had a violent crime as their conviction offense (table 6.1).
- Among defendants convicted of aggravated assaults, 72% of those under age 18 received a prison sentence, compared to 49% of those 18 or older. For the other 11 detailed offense categories there were only varying small differences between the two age groups in their likelihood of receiving a prison sentence (table 6.2).
- Among defendants sentenced to prison, those under age 18 had about the same length of sentence as older defendants for property and drug crimes. However, for weapons and violent offenses, defendants under age 18 received longer sentences on average than those age 18 or older (table 6.3).
- For robbery, defendants under age 18 received an average prison sentence of about 10½ years — 15 months longer than the average sentence of older defendants (table 6.3).
- Among defendants sentenced to jail or probation, those under age 18 generally had longer sentences on average than those age 18 or older (table 6.3).

Cases transferred to adult court consisted of —

- Felons under 16 in the three States where age 16 defendants are treated as adults
- Felons under 17 in the eight States where age 17 defendants are treated as adults
- Felons under 18 in the 39 States and the District of Columbia where adulthood begins at age 18.

In 1994, such transferred cases totaled approximately 10,500 juveniles convicted of a felony in State courts. The 21,000 persons under age 18 convicted of a felony in State courts nationwide in 1994, therefore, consisted of 10,500 transferred juveniles plus defendants age 16 or 17, who were legally defined as adult.

The estimate of 10,500 transferred juveniles is probably conservative, as can be explained by an illustration. Imagine a defendant in Maryland (a State where, by definition in 1994, adulthood began at age 18) who was age 18 at conviction but age 17 at arrest. Such a difference in age between arrest and conviction is not unusual, since conviction typically occurs 5 months after arrest. The defendant would properly be classified as a transferred juvenile because he was under age 18 at arrest.

Suppose the defendant's age at arrest were unknown, as was true for 57% of defendants in the court database. In that case, the transferred juvenile defendant would have been misclassified as an adult. Such misclassifications occurred, not only in the 39 States where adulthood began at 18 but also in the 11 States where it began at 16 or 17.

To estimate the number of possible misclassifications, defendants were selected for investigation who met two criteria:

- were, at time of conviction/sentencing, in their first year of adulthood, as defined by their State
- had a known age at both arrest and conviction/sentencing.

In the three States where adulthood begins at 16, none of the defendants age 16 at conviction or sentencing were under 16 at arrest. In the eight States where adulthood begins at 17,

6% of the defendants age 17 at conviction or sentencing were under 17 at arrest. In the 39 States and the District of Columbia where adulthood begins at 18, 28% were age 18 at conviction or sentencing but under 18 at arrest. Overall, 24% of defendants in their first year of adulthood (at time of conviction or sentencing) were juvenile at arrest.

These 24%, all of whom were in their first year of adulthood at time of conviction or sentencing, were correctly classified as "transferred juveniles" only because their age at arrest was known. Unfortunately, many other defendants in their first year of adulthood at conviction/sentencing did not have a known age at arrest. Assuming that 24% of such defendants were juveniles at arrest, their initial classification as "adult" was incorrect. Their correct classification is "transferred juveniles." When correction was made for such initial misclassification:

- The result was an estimated 1,300 cases of suspected transferred juveniles who were mistakenly classified as adults. When the 1,300 are added to the original estimate of 10,500 transferred juveniles, the total is nearly 12,000 transferred juveniles.

The additional 1,300 came from reclassifying certain defendants in their *first* year of adulthood (based on age at conviction or sentencing) as transferred juveniles rather than as adults by definition. Conceivably, some defendants who were in their second year (or even third year) of adulthood at conviction or sentencing were below the age of adulthood at arrest, but such cases were found to be rare (1% of persons in their second year of adulthood were juvenile at arrest). Consequently, no correction was made for them.

- Among convicted felons under age 18, transferred cases had more serious offenses than those under 18 who were adult by legal definition. About half of the offenses of transferred cases were violent, compared to about a quarter of the offenses of 16- and 17-year-olds who were adults by definition (table 6.4).

- For about half of the 12 detailed categories of offenses, transferred cases were more likely to receive a prison sentence than other persons under 18 who were convicted as adults (table 6.5). The sentences were also longer for transferred defendants than for those defined as adults (table 6.6). For the other half of offenses, the persons under age 18 but treated as adults were more likely to receive a prison sentence than the transferred cases. Therefore, the data do not support the general conclusion that transferred cases received more severe sentences than other defendants who were under 18 and adjudicated as adults.

When defendants who were transferred to adult court were compared with defendants in the first year of adulthood, as defined by their State, a clear pattern was found. In general, transferred juveniles were more likely to receive a prison sentence, and they received a longer prison sentence, than defendants in their first year of adulthood (table 6.7).

For example, among those convicted of aggravated assault, 81% of transferred juveniles received a prison sentence, and the average imposed sentence was 6.5 years. By comparison, 60% of convicted assaulters in their first year of adulthood received a prison sentence, and the average was about 5.5 years.

Table 6.1. Convicted felons younger than 18 compared to felons age 18 or older: most serious offense of felons convicted in State courts, 1994

Most serious convicted offense	Percent of felons convicted as adults who were —		
	Total	Under 18 ^a	18 or over
All offenses	100%	100%	100%
Violent offenses	18.9%	40.4%	18.6%
Murder ^b	1.4	5.0	1.3
Rape	2.3	1.7	2.2
Robbery	5.3	22.1	5.2
Aggravated assault	7.5	10.5	7.4
Other violent ^c	2.4	1.0	2.5
Property offenses	31.6%	27.3%	31.5%
Burglary	11.2	16.4	11.2
Larceny ^d	13.0	9.7	12.9
Fraud ^e	7.3	1.2	7.4
Drug offenses	31.4%	18.5%	32.0%
Possession	12.5	4.9	12.7
Trafficking	19.0	13.6	19.4
Weapons offenses	3.6%	6.1%	3.5%
Other offenses^f	14.6%	7.7%	14.3%
Total number of felons^g	872,218	21,076	851,142

^aIncludes felons who were younger than 18 at arrest, conviction, or sentencing.

^bIncludes nonnegligent manslaughter.

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

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

^gTotals include estimates for cases where age was unknown.

Table 6.2. Convicted felons younger than 18 compared to felons age 18 or older: most serious offense, by the type of felony sentences imposed in State courts, 1994

Most serious conviction offense	Percent of felons convicted as adults who were under 18 and sentenced to ^a —					Percent of felons convicted as adults who were 18 and over and sentenced to —				
	Total	Incarceration			Probation	Total	Incarceration			Probation
		Total	Prison	Jail			Total	Prison	Jail	
All offenses	100%	73%	59%	14%	28%	100%	72%	46%	27%	28%
Violent offenses	100%	84%	76%	8%	16%	100%	83%	62%	21%	17%
Murder ^b	100	99	97	2	1	100	97	95	2	3
Rape	100	93	85	8	7	100	89	72	17	11
Robbery	100	81	74	7	20	100	89	77	12	11
Aggravated assault	100	87	72	14	14	100	77	49	28	23
Other violent ^c	100	54	49	5	47	100	77	45	32	23
Property offenses	100%	63%	45%	18%	37%	100%	70%	42%	27%	30%
Burglary	100	68	57	11	32	100	76	53	34	24
Larceny ^d	100	56	27	29	44	100	68	38	30	32
Fraud ^e	100	50	22	29	50	100	63	33	30	37
Drug offenses	100%	61%	47%	14%	39%	100%	71%	43%	29%	29%
Possession	100	47	33	14	53	100	70	36	34	30
Trafficking	100	66	51	15	34	100	72	47	25	28
Weapons offenses	100%	71%	48%	23%	29%	100%	72%	44%	28%	28%
Other offenses^f	100%	75%	55%	20%	25%	100%	67%	37%	30%	33%
Total number of felons ^g	21,076	15,283	12,362	2,921	5,792	851,142	616,344	387,452	228,892	234,798

^aIncludes felons who were younger than 18 either at arrest, conviction, or sentencing.

^bIncludes nonnegligent manslaughter.

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

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

^gTotals include estimates for cases where age was unknown.

Table 6.3. Convicted felons younger than 18 compared to felons age 18 or older: mean length of felony sentences imposed in State courts, by the type of sentence and most serious offense, 1994

Most serious conviction offense	Mean maximum sentence length in months for felons convicted as adults and sentenced to —		
	Prison	Jail	Probation
Under age 18^a			
All offenses	100 mo	8 mo	46 mo
Violent offenses	135 mo	11 mo	54 mo
Murder ^b	284	11	52
Rape	161	9	54
Robbery	127	13	57
Aggravated assault	81	10	50
Other violent ^c	127	4	40
Property offenses	60 mo	7 mo	49 mo
Burglary	62	10	50
Larceny ^d	53	6	51
Fraud ^e	51	8	34
Drug offenses	66 mo	8 mo	40 mo
Possession	50	5	35
Trafficking	69	9	43
Weapons offenses	66 mo	9 mo	41 mo
Other offenses^f	61 mo	7 mo	38 mo
Age 18 or over			
All offenses	69 mo	6 mo	36 mo
Violent offenses	115 mo	7 mo	42 mo
Murder ^b	258	7	54
Rape	149	7	54
Robbery	112	9	46
Aggravated assault	81	6	38
Other violent ^c	70	7	42
Property offenses	56 mo	6 mo	38 mo
Burglary	67	7	42
Larceny ^d	45	6	36
Fraud ^e	51	5	38
Drug offenses	60 mo	6 mo	34 mo
Possession	48	4	32
Trafficking	66	7	35
Weapons offenses	46 mo	5 mo	29 mo
Other offenses^f	40 mo	6 mo	34 mo

^aIncludes felons who were younger than 18 at arrest, conviction, or sentencing.

^bIncludes nonnegligent manslaughter.

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

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 6.4. Transferred juveniles compared to felons under 18 and adults by State definition: most serious offense of felons convicted in State courts, 1994

Most serious conviction offense	Percent of felons convicted who were under 18 ^a		
	Total	Transferred to adult court ^b	Adult by State definition ^c
All offenses	100%	100%	100%
Violent offenses	40%	53%	28%
Murder ^d	5	7	3
Rape	2	2	2
Robbery	22	28	17
Larceny ^f	10	8	12
Aggravated assault	1	16	5
Other violent ^e	1	1	1
Property offenses	27%	24%	31%
Burglary	16	15	18
Larceny ^f	10	8	12
Fraud ^g	1	1	1
Drug offenses	19%	13%	24%
Possession	5	3	7
Trafficking	14	10	17
Weapons offenses	6%	4%	8%
Other offenses^h	8%	6%	9%

^aIncludes felons who were younger than 18 at arrest, conviction, or sentencing.

^bTransferred cases consist both of cases statutorily excluded from juvenile court jurisdiction and cases transferred to adult court at the discretion of the juvenile court or the prosecutor.

^cIncludes 16- and 17-year -olds in samples from 11 States that define 16- or 17-year -olds as adults. Note that "adult by State definition" includes some defendants who are actually transferred juveniles. Such defendants could not be excluded because their age at arrest was unknown.

^dIncludes nonnegligent manslaughter.

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

^fIncludes motor vehicle theft.

^gIncludes forgery and embezzlement.

^hComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 6.5. Transferred juveniles compared to felons under 18 and adults by State definition: most serious offense, by the types of felony sentences imposed in State courts, 1994

Most serious conviction offense	Percent of convicted felons who were under 18, transferred to adult court, and sentenced to ^{a,b} —					Percent of convicted felons who were under 18, adult by State definition, and sentenced to ^{a,c} —				
	Total	Incarceration			Probation	Total	Incarceration			Probation
		Total	Prison	Jail			Total	Prison	Jail	
All offenses	100%	80%	63%	16%	21%	100%	66%	54%	11%	34%
Violent offenses	100%	88%	78%	10%	12%	100%	77%	73%	5%	23%
Murder ^d	100	99	97	2	1	100	99	97	1	1
Rape	100	90	84	6	10	100	96	85	11	5
Robbery	100	84	75	9	16	100	75	70	4	26
Aggravated assault	100	90	74	16	10	100	76	68	8	24
Other violent ^e	100	86	71	14	14	100	36	36		64
Property offenses	100%	65%	42%	23%	36%	100%	62%	47%	14%	39%
Burglary	100	65	46	18	36	100	70	65	6	30
Larceny ^f	100	64	36	28	36	100	50	21	29	50
Fraud ^g	100	70	21	49	30	100	30	22	9	70
Drug offenses	100%	70%	45%	25%	30%	100%	56%	47%	9%	44%
Possession	100	65	37	28	35	100	40	31	9	60
Trafficking	100	71	47	24	29	100	63	54	9	37
Weapons offenses	100%	69%	49%	20%	31%	100%	72%	47%	25%	28%
Other offenses^h	100%	91%	67%	24%	9%	100%	64%	47%	16%	36%

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

^aIncludes felons who were younger than 18 at arrest, conviction, or sentencing.

^bTransferred cases consist both of cases statutorily excluded from juvenile court jurisdiction and cases transferred to adult court at the discretion of the juvenile court or the prosecutor.

^cIncludes 16- and 17-year-olds in samples from 11 States that define 16- or 17-year-olds as adults.

Note that "adult by State definition" includes some defendants who are actually transferred juveniles.

Such defendants could not be excluded because their age at arrest was unknown.

^dIncludes nonnegligent manslaughter.

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

^fIncludes motor vehicle theft.

^gIncludes forgery and embezzlement.

^hComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 6.6. Transferred juveniles compared to felons under 18 and adults by State definition: mean length of felony sentences imposed in State courts, by the type of sentence and most serious offense, 1994

Most serious conviction offense	Mean maximum sentence length (in months) for felons under 18 sentenced to ^a —		
	Prison	Jail	Probation
Transferred to adult court^b			
All offenses	111 mo	8 mo	51 mo
Violent offenses	139 mo	10 mo	57 mo
Murder ^c	287	10	46
Rape	200	3	54
Robbery	139	10	59
Aggravated assault	75	10	52
Other violent ^d	130	4	...
Property offenses	50 mo	8 mo	45 mo
Burglary	52	10	52
Larceny ^e	45	6	32
Fraud ^f	44	9	14
Drug offenses	80 mo	7 mo	52 mo
Possession	66	4	45
Trafficking	83	8	54
Weapons offenses	66 mo	9 mo	47 mo
Other offenses^g	61 mo	7 mo	51 mo
Adult by State definition^h			
All offenses	87 mo	8 mo	44 mo
Violent offenses	128 mo	15 mo	52 mo
Murder ^c	279	12	60
Rape	117	12	53
Robbery	107	22	55
Aggravated assault	102	6	49
Other violent ^d	124	...	40
Property offenses	67 mo	6 mo	51 mo
Burglary	68	11	48
Larceny ^e	62	5	54
Fraud ^f	57	4	43
Drug offenses	58 mo	9 mo	37 mo
Possession	42	5	33
Trafficking	62	10	40
Weapons offenses	62 mo	9 mo	38 mo
Other offenses^g	68 mo	7 mo	36 mo

... No cases in the sample.

^aIncludes felons who were younger than 18 at arrest, conviction, or sentencing.

^bTransferred cases consist of both cases statutorily excluded from juvenile court jurisdiction and cases transferred to adult court at the discretion of the juvenile court or the prosecutor.

^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 vandalism.

^hIncludes 16- and 17-year-olds in samples from 11 States that define 16- or 17-year-olds as adults. Note that "adult by State definition" includes some defendants who are actually transferred juveniles. Such defendants could not be excluded because their age at arrest was unknown.

Table 6.7. Transferred juveniles compared to felons in their first year of adulthood: percent sentenced to prison and mean prison sentence imposed in State courts, by most serious offense, 1994

Most serious conviction offense	Percent of convicted felons sentenced to prison who were —		Mean maximum sentence length (in months) for convicted felons sentenced to prison who were —	
	Defendants in their first year of adulthood by State definition ^a	Transferred juveniles ^b	Defendants in their first year of adulthood by State definition ^a	Transferred juveniles ^b
All offenses	46%	65%	85 mo	101 mo
Violent offenses	70%	78%	116 mo	124 mo
Murder ^c	96	98	241	303
Rape	62	84	123	190
Robbery	76	71	122	109
Aggravated assault	60	81	65	78
Other violent ^d	41	80	77	111
Property offenses	36%	43%	59 mo	50 mo
Burglary	45	52	68	53
Larceny ^e	27	31	43	44
Fraud ^f	16	21	41	44
Drug offenses	36%	57%	57 mo	89 mo
Possession	25	45	42	66
Trafficking	41	61	60	97
Weapons offenses	31%	52%	57 mo	73 mo
Other offenses^g	27%	69%	46 mo	55 mo

^aIn 1994 the first year of adulthood was defined as age 16 in 3 States, age 17 in 8 States, and age 18 in 39 States and the District of Columbia. Note that those "in their first year of adulthood" include some defendants who were actually transferred juveniles. Such defendants could not be excluded because their age at arrest was unknown.

^bTransferred cases consist both of cases statutorily excluded from juvenile court jurisdiction and cases transferred to adult court at the discretion of the juvenile court or the prosecutor.

^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 vandalism.

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 prosecutors' offices, and courts and prosecutors' 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 that year. 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 prosecutors' 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 1994 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 1994 NJRP is based on samples of sentenced felons drawn from court and prosecutors' 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 1994 NJRP and 1992 NCRP demographic profiles of persons receiving a State prison sentence

	Percent of prison sentences	
	NJRP	NCRP*
Sex		
Male	90.9%	91.3%
Female	9.1	8.7
Race		
White	41.4%	44.7%
Black	57.9	54.3
Other	0.7	1.0

*National Corrections Reporting Program, 1992,

produce nearly identical results —