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Felony Sentences in State Courts, 1992

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In 1992 State courts convicted nearly 900,000 adults of a felony. Forty-four 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 30% were sentenced to straight probation with no jail or prison time to serve. These findings come from a survey that is done every 2 years and that provides the only detailed description of the sentences felons receive in State courts nationwide.

National Judicial Reporting Program

The National Judicial Reporting Program (NJRP) compiles detailed information on the sentences and characteristics of convicted felons. Previous surveys of felony sentencing in State courts were conducted in 1986, 1988, and 1990.¹

¹See *Felony Sentences in State Courts, 1986*, NCJ-115210, February 1989; *Felony Sentences in State Courts, 1988*, NCJ-126923, December 1990; and *Felony Sentences in State Courts, 1990*, NCJ-140186, March 1993.

Highlights

- State courts convicted 893,600 adults of a felony in 1992.
- From 1988 to 1992 the volume of felony convictions rose 34%. Convictions rose the most for aggravated assault (up 57%) and drug trafficking (up 53%).
- The growth in convictions outpaced that in adult arrests. Despite the relatively large increase in convictions, processing was not slower in 1992 than in 1988. In both years average elapsed time from arrest to sentencing was around 7 months.
- The proportions of felons sentenced to incarceration or probation in 1992 were generally unchanged from 1988. Prison sentences accounted for 44% of felony sentences in both years.
- Drug traffickers (19%) and drug possessors (12%) together made up 31% of felons convicted in State courts in 1992. Violent offenders—consisting of murderers (1%), rapists (2%), robbers (6%), assaulters (7%), and others convicted of a violent crime (2%)—made up 18%. Burglars (13%) and larcenists (13%) made up most of the rest.
- State courts sentenced 44% of convicted felons to a State prison, 26% to a local jail, and 30% to straight probation with no jail or prison time to serve.
- State courts sentenced to death 2% of those convicted of murder.
- Felons sentenced to a State prison in 1992 had an average sentence of 6½ years but were likely to serve roughly a third of that sentence—or about 2½ years—before release, assuming that current release policies continued.
- The average sentence to local jail was 7 months. The average probation sentence was about 4 years. In addition, a fine was imposed on 18% of convicted felons, restitution on 16%, community service on 6%, and treatment was ordered for 7%.
- Of the total number of convicted felons in 1992, 92% had pleaded guilty to their crime. The remaining 8% had been found guilty at trial.
- Nationally, of the felons convicted in 1992, 52% were white, 47% were black, and 1% were of other races.

The 1992 survey was based on a sample of 300 counties selected to be nationally representative. All but 1 of the 300 were in the 1988 and 1990 surveys. The 300 include the District of Columbia and at least 1 county from every State except, by chance, Vermont. Among the 300 sampled counties, 2 sentenced no felons during 1992. The 1992 survey excluded Federal courts and those State or local courts that did not adjudicate adult felony cases.

Table 1. Estimated number of felony convictions in State courts, 1992

Most serious conviction offense	Felony convictions	
	Number	Percent
All offenses	893,630	100 %
Violent offenses	165,099	18.4%
Murder/manslaughter	12,548	1.4
Murder	9,079	1.0
Manslaughter ^a	3,469	.4
Rape	21,655	2.4
Robbery	51,878	5.8
Armed	13,810	1.5
Unarmed	20,154	2.3
Unspecified	17,914	2.0
Aggravated assault	58,969	6.6
Other violent ^b	20,049	2.2
Property offenses	297,494	33.5%
Burglary	114,630	12.9
Residential	16,649	1.9
Nonresidential	45,159	5.1
Unspecified	52,822	5.9
Larceny	119,000	13.4
Motor vehicle theft	19,332	2.2
Other theft ^c	99,668	11.2
Fraud/forgery ^d	63,864	7.2
Fraud ^d	30,245	3.4
Forgery	33,619	3.8
Drug offenses	280,232	31.3%
Possession	109,426	12.2
Trafficking	170,806	19.1
Marijuana	16,376	1.8
Other	125,333	14.0
Unspecified	29,097	3.3
Weapons offenses	26,422	3.0%
Other offenses^e	124,383	13.8%

Note: Detail may not sum to total because of rounding. Data specifying the conviction offense were available for 893,630 cases.
^aManslaughter is defined as nonnegligent manslaughter only. Where a case was known to be murder or nonnegligent manslaughter, but which of the two was unknown (a small number of cases), the case was classified under manslaughter.
^bIncludes offenses such as negligent manslaughter, sexual assault, and kidnaping.
^cIncludes a small number of convictions with unspecified offenses.
^dIncludes embezzlement.
^eComposed of nonviolent offenses such as receiving stolen property and vandalism.

Federal courts convicted 41,673 persons of a felony in 1992.² That number represents 4% of the combined State and Federal total number of felony convictions during 1992. The 1992 survey included only offenses that State penal codes defined as felonies. Felonies are widely defined as crimes that have the potential of being punished by more than 1 year in prison.

Felony conviction offenses

A total of 893,600 persons were convicted of a felony in State courts in 1992, including 165,000 (or 18% of the total) for a violent felony; 297,000 (34%) for the property offenses of burglary, larceny, fraud, and forgery; 280,000 (31%) for drug

²In 1992 the State court in one county, Los Angeles, accounted for nearly 44,000 felony convictions, more than in all the Nation's Federal courts combined.

Source of Federal statistics: Federal Justice Statistics Program, unpublished 1992 data.

offenses; and 26,000 (3%) for weapons offenses (table 1). The remaining 124,000 (14%) consisted of persons convicted of nonviolent offenses such as receiving stolen property and escaping custody. Marijuana trafficking convictions were 2% of the conviction total, and marijuana possession convictions were less than 1% of the total.

Sentences for felonies

In 1992, 70% of all convicted felons were sentenced to a period of confinement — 44% to State prisons and 26% to local jails (table 2). The difference between prison and jail sentences is that jail sentences are for short-term confinement (usually for a year or less) in a county or city facility, while prison sentences are for long-term confinement (usually for over a year) in a State facility.

An estimated 30% of all convicted felons were sentenced to straight probation with no jail or prison time to serve.

Table 2. Types of felony sentences imposed by State courts, by offense, 1992

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

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed — prison being the most severe, followed by jail, then probation. Prison includes death sentences. Data on sentence type were available for 886,359 cases.

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

Sentence length

An offender convicted of multiple offenses receives a sentence for each offense. If multiple prison sentences are imposed, the court then decides whether the convicted felon will serve the sentences concurrently (at the same time) or consecutively (one after another). For persons with consecutive sentences, the total time is the sum of the sentence lengths, and for persons with concurrent sentences,

the total time is the same as the longest sentence. For persons convicted of a single offense, the total time refers simply to the sentence for that offense. Whenever an offender received a prison sentence range, such as 5 to 10 years, the total time refers to the maximum.

For the Nation in 1992, the mean felony sentence to incarceration (prison or jail) was 4 years and 5 months; the median was 2 years (table 3).

Prison sentences

In 1992 the mean length of sentences to State prison was just over 6½ years; the median term was 4 years. The mean prison sentence for murder and nonnegligent manslaughter was just under 21 years; the median was 24 years.

Among persons convicted of murder or nonnegligent manslaughter, 25% were sentenced to life in prison, and 1.6% were sentenced to death.

Among those convicted of murder specifically (not including nonnegligent manslaughter), 34% were sentenced to life, and 2.2% were sentenced to death.³

Life sentences as a percentage of all sentences in 1992 were —

	Percent sentenced to life in prison
All offenses	.7%
Murder	25.0
Rape	2.3
Robbery	1.1
Aggravated assault	.3
Other violent	.2
Burglary	.2
Larceny	--
Fraud	--
Drug possession	.3
Drug trafficking	.5
Weapons	.2
Other	.1

--Less than 0.05%.

³Not all persons convicted of murder were subject to the death penalty. Thirty-six States authorized the death penalty in 1992. Within those 36, only certain types of murder were capital offenses.

Table 3. Lengths of felony sentences imposed by State courts, by offense and type of sentence, 1992

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

Note: See note on table 2. Means exclude sentences to death or to life in prison. Sentence length data were available for 854,592 incarceration and probation sentences.

^aIncludes nonnegligent manslaughter.

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

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

^eComposed of nonviolent offenses such as receiving stolen property.

Jail and probation sentences

Among felons who received a sentence to local jail in 1992, the mean sentence was 7 months, and the median was 5 months. Probation sentences had a mean length of just under 4 years and a median of 3 years.

Estimated prison time to be served

The amount of time felons actually serve in prison is typically a fraction of the total sentence received.

Two primary reasons explain the difference between sentences received and time served:

- In States that impose indeterminate sentences, a judge specifies the minimum and/or maximum sentence length, but a parole board decides when the prisoner will actually be released.

- In most but not all States, prisoners gain early release through time credits that they receive automatically or that are granted them for good behavior or special achievements — provisions that are intended to help correctional officials to manage institutional populations.

For both types of sentence reduction, released offenders usually serve the remaining portion of their sentences under supervision in the community. Based on data collected by BJS in its National Corrections Reporting Program, inmates released from prisons in 27 States in 1992 had served an average of 38% of their total sentence in prison (table 4). The percentage of sentence served ranged from a high of 50% for those convicted of rape to a low of 27% for those convicted of drug possession. Applying these percentages to State prison sentences received in 1992, it is estimated that felons sentenced in 1992 would serve about 2½ years, or 38% of their average 6½ -year prison sentence.

Table 4. Estimated time to be served in State prison, 1992

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

Note: Means and sentence-served percentages exclude sentences to death or to life in prison.

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

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

^cIncludes nonnegligent manslaughter.

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

^eIncludes motor vehicle theft.

^fIncludes forgery and embezzlement.

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

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

In 1992 men comprised nearly 50% of the adult U.S. population but 87%

of persons convicted of a felony and 93% of persons convicted of a violent felony (table 5). Whites were 86% of the adult U.S. population but 52% of persons convicted of a felony and

48% of the persons convicted of a violent felony. Corresponding figures for blacks were 11% of the adult U.S. population but 47% of convicted felons and 50% of felons convicted of a

Table 5. Demographic characteristics of persons convicted of felonies by State courts, 1992

Most serious conviction offense	Percent of convicted felons														
	Total	Sex		Race			Age at sentencing							Mean	Median
		Male	Female	White	Black	Other	13-19	20-29	30-39	40-49	50-59	60+			
All offenses	100%	87%	13%	52%	47%	1%	9%	46%	31%	10%	3%	1%	30	28	
Violent offenses	100%	93%	7%	48%	50%	2%	13%	46%	27%	9%	3%	2%	29	27	
Murder ^a	100	90	10	41	58	1	18	46	23	9	3	1	28	25	
Rape	100	98	2	66	30	4	6	38	33	13	6	4	33	31	
Robbery	100	94	6	34	65	1	18	53	23	5	1	--	26	25	
Aggravated assault	100	90	10	50	48	2	10	45	29	10	4	2	30	28	
Other violent ^b	100	93	7	72	27	1	7	37	32	15	5	4	33	31	
Property offenses	100%	83%	17%	58%	41%	1%	11%	48%	29%	9%	2%	1%	29	27	
Burglary	100	95	5	60	39	1	14	52	26	7	1	--	27	25	
Larceny ^c	100	81	19	57	42	1	12	46	29	10	2	1	29	27	
Fraud ^d	100	62	38	57	42	1	4	45	35	12	3	1	31	30	
Drug offenses	100%	85%	15%	44%	55%	1%	7%	46%	34%	10%	2%	1%	30	29	
Possession	100	83	17	44	55	1	7	42	37	12	2	--	31	30	
Trafficking	100	86	14	44	55	1	7	49	33	9	2	--	30	28	
Weapons offenses	100%	96%	4%	39%	60%	1%	13%	49%	25%	10%	2%	1%	29	27	
Other offenses^e	100%	90%	10%	64%	34%	2%	7%	41%	34%	13%	4%	1%	31	30	

Note: Data on sex were available for 781,681 cases; on race, 550,405; and on age, 712,679. --Less than 0.5%.

^aIncludes nonnegligent manslaughter.

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

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

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

Felony convictions and sentences relative to the numbers of arrests, 1992

Using data from the NJRP and the FBI's Uniform Crime Reports (UCR) on offenses and arrests, the number of felony convictions in 1992 was compared with the number of crimes reported to police for offenses likely to be felonies and the number of arrests made for these crimes in 1992. These numbers are aggregates and should not be interpreted as representing the disposition of individual cases tracked across processing

stages of the criminal justice system. In fact, a person arrested for a specific offense may be convicted of a different crime. Nevertheless, the comparisons illustrate the approximate odds of conviction and a prison sentence, given an arrest for a felony.

For example, the FBI reports that in 1992 about 19,246 adults were arrested for murder (including non-negligent manslaughter). NJRP data

show that 12,548 persons were convicted of murder and 11,670 murderers received a prison sentence. Together the data show that for every 100 persons arrested for murder in the United States in 1992, 65 were convicted of murder, and 61 were sentenced to prison for that offense. Corresponding figures for drug traffickers were 55 convictions and 26 prison sentences for every 100 arrests for drug trafficking.

Offense	Uniform Crime Reports				For 100 arrests			
	Number of crimes reported to police	Number of adults arrested	Number of felony convictions	Number of felony sentences		Number of felony convictions	Number of felony sentences	
				Incarceration	Prison		Incarceration	Prison
Murder*	23,760	19,246	12,548	12,172	11,670	65	63	61
Rape	109,060	32,805	21,655	18,840	14,725	66	57	45
Robbery	672,480	127,729	51,878	45,653	38,390	41	36	30
Aggravated assault	1,126,970	432,650	58,969	42,458	25,946	14	10	6
Burglary	2,979,900	279,416	114,630	85,973	59,608	41	31	21
Motor vehicle theft	1,610,800	110,063	19,332	14,112	7,926	18	13	7
Drug trafficking	...	311,005	170,806	128,105	81,987	55	41	26

Note: The offenses selected have the greatest comparability across reporting series. A majority, but not all of the presented offenses, are felonies. The offense designations

in convictions and sentences came from the most serious offense.

...Data not available.

*Includes nonnegligent manslaughter.

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

violent crime. The other races (American Indians, Alaska Natives, Asians, and Pacific Islanders) represented 3% of the U.S. population but 1% of convicted felons and 2% of those convicted of a violent crime.

Persons in their twenties represented about 24% of the adult U.S. population but 46% of convicted felons. The mean or average age of felons was 30 years; the median was 28.

Number of felony conviction offenses

At time of sentencing, the vast majority of felons sentenced in 1992 (79%) were sentenced for a single felony offense (table 6). An estimated 16% were sentenced for two felony offenses, and the remaining 5% were sentenced for three or more. The number of offenses totals about 1.1 million felony conviction offenses

for which 893,600 felons were convicted and sentenced in 1992.

The greater the number of felony conviction offenses, the more severe was the sentence. The likelihood of a prison sentence rose from 40% for those convicted of one felony, to 55% for two, and to 59% for three or more (table 7).

Table 6. Number of conviction offenses of felons in State courts, by the most serious conviction offense, 1992

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

Note: Data on number of convictions were available for 872,559 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 7. Convicted felons sentenced to prison by State courts, by number of conviction offenses, 1992

Most serious conviction offense	Percent of convicted felons sentenced to prison for 1, 2, or 3 or more felony conviction offenses		
	One	Two	Three or more
All offenses	40%	55%	59%
Violent offenses	53%	69%	77%
Murder ^a	91	95	97
Rape	61	77	80
Robbery	70	79	86
Aggravated assault	39	55	62
Other violent ^b	35	49	64
Property offenses	38%	51%	50%
Burglary	48	58	63
Larceny ^c	36	48	44
Fraud ^d	27	38	37
Drug offenses	39%	52%	54%
Possession	32	42	37
Trafficking	44	55	57
Weapons offenses	36%	52%	57%
Other offenses^e	34%	41%	34%

Note: See note on tables 2 and 6. Data on number of felony conviction offenses were available for 376,592 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.

**Trends in the United States:
1988 to 1992**

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

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

45% and prison sentences rose 41%. (Trends from 1988 to 1992 for specific offenses are shown in the table below.)

Despite the relatively large increase in convictions, cases generally took no longer in 1992 than in 1988. In both years, average elapsed time from arrest to sentencing was around 7 months. There was no indication that to keep pace with the 1988 processing time courts disposed a larger percentage of 1992 cases by guilty plea. In both years guilty pleas accounted for about 92% of felony convictions.

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

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

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

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

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

Trends in the 75 largest counties: 1986 to 1992

There are over 3,000 counties in the United States, but crime is heavily concentrated in just 75 of them, the Nation's most populous urban jurisdictions. These 75 have 37% of the U.S. population but in 1992 accounted for about half of the crimes reported to police, half of all arrests, and half of all felony convictions.

Offense	Percent of 1992 U.S. total accounted for by 75 largest counties		
	Reported crimes	Adult arrests	Felony convictions
All	48%	47%	47%
Murder ^a	58	55	52
Rape	42	42	39
Robbery	71	65	63
Aggravated assault	52	49	48
Burglary	45	46	42
Larceny ^b	48	45	44
Drug trafficking	...	58	50
Other felonies	45

...Data not available.

^aIncludes nonnegligent manslaughter.

^bIncludes motor vehicle theft.

Sources: *Crime in the United States, 1992* (FBI, 1993) and machine-readable data for that publication provided counts of reported crimes and arrests; NJRP provided conviction data.

Data from a 1992 survey done for the National Pretrial Reporting Program (NPRP) provide information on adjudication outcomes in the 75 largest counties. NPRP data indicate that following the filing of 1992 felony charges in State courts, 14% of felony defendants were convicted of a misdemeanor, 27% were dismissed

Offense	Adjudication outcome, 1992				
	Total	Percent of felony defendants in 75 largest counties			Other outcome
		Convicted of Felony	Misdemeanor	Dismissed or acquitted	
All	100%	54%	14%	27%	5%
Murder ^a	100	70	2	28	0
Rape	100	54	9	35	2
Robbery	100	56	8	35	1
Aggravated assault	100	36	15	44	5
Burglary	100	64	11	22	3
Larceny ^b	100	49	20	24	8
Drug trafficking	100	68	10	18	4
Other felonies	100	51	15	26	8

^aIncludes nonnegligent manslaughter.

^bIncludes motor vehicle theft.

Source: NPRP.

or acquitted, and 5% had other outcomes (for example, adjudication deferred or case diverted from the justice system). The remaining 54% were convicted of a felony.

Data from the 1992 National Judicial Reporting Program provide additional information about those convicted of a felony in the 75 largest counties.

- The courts in the Nation's 75 largest urban counties convicted 71% more felons in 1992 than in 1986. The rise over the 6 years in the number of convictions outpaced the rise in adult arrests:

Violent crime (murder, rape, robbery, and assault), among adults —

The number of arrests up 30%,
The number of convictions up 48%.

Murder arrests up 12%,
convictions up 40%.

Rape arrests down 11%,
convictions up 20%.

Robbery arrests up 10%,
convictions up 33%.

Assault arrests up 45%,
convictions up 88%.

Nonviolent crime, such as burglary and drug trafficking, among adults —

Burglary arrests down 2%,
convictions up 28%.

Drug trafficking arrests up 51%,
convictions up 116%.

Offense	Felony sentences to prison in 75 largest counties			
	1986	1988	1990	1992
All	42%	44%	47%	46%
Murder ^a	92	92	92	92
Rape	69	69	68	66
Robbery	71	71	69	71
Aggravated assault	44	42	43	42
Burglary	51	57	57	54
Larceny ^b	37	42	43	42
Drug trafficking	36	40	45	45
Other felonies	28	33	37	37

^aIncludes nonnegligent manslaughter.

^bIncludes motor vehicle theft.

Source: NJRP.

- Despite the increased volume of convictions, the amount of time that courts took to dispose of cases (as indicated by elapsed time from arrest to sentencing) declined from 1986 to 1992. For felonies generally, the average time from arrest to sentencing was about 6 months (187 days) in 1992, down from about 7 months (220 days) in 1986. However, murder and rape, the two specific crimes most frequently decided by trials rather than guilty pleas, had no measurable decline in elapsed time. The remaining crimes had declines in case processing time of 3 weeks or longer.

- The percentage of violent crimes resulting in a prison sentence was essentially unchanged from 1986 to 1992. For nonviolent crimes this percentage generally rose from 1986 to 1990 but remained stable from 1990 to 1992.

Offense	Felony convictions in 75 largest counties			
	1986	1988	1990	1992
All	244,753	320,087	395,042	417,620
Murder ^a	4,635	4,859	5,438	6,493
Rape	7,016	6,723	7,131	8,391
Robbery	24,495	24,436	30,981	32,517
Aggravated assault	15,221	18,131	24,118	28,545
Burglary	37,744	42,976	47,110	48,354
Larceny ^b	37,951	44,493	49,451	52,736
Drug trafficking	39,806	64,160	90,773	86,004
Other felonies	77,885	114,309	140,040	154,580

^aIncludes nonnegligent manslaughter.

^bIncludes motor vehicle theft.

Source: NJRP.

The mean sentence to prison also increased from just under 6 years for those convicted of one felony to just over 8 years for those convicted of two or more (table 8).

Method of conviction

Of the 893,630 convicted felons, the vast majority — nearly 821,000,

representing 92% of those sentenced for a felony in 1992 — pleaded guilty. The rest were found guilty either by a jury or by a judge in a bench trial (tables 9 and 10). Persons convicted of murder were the least likely to have pleaded guilty (59%) and the most likely to have been convicted by a jury (33%). Contrary to popular belief, however, neither murder nor violent

crime generally accounts for most jury trials. Of all jury trial felony convictions in 1992, 44% (16,680 cases) were for violent crime; 56% (20,913 cases) were for nonviolent crime. The single felony category most frequently decided by juries was drug trafficking (6,728 cases, or 18% of all jury convictions), not murder (4,076 cases, or 11%).

Table 8. Mean sentence lengths for felony sentences imposed by State courts, by number of conviction offenses, 1992

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

Note: See note tables 2 and 3. Means exclude sentences to death or life imprisonment. Sentence length data were available for 829,910 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 9. Number of felony convictions in State courts, by offense and type of conviction, 1992

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

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

^aIncludes nonnegligent manslaughter.

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

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

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

Murderers convicted by a jury were the most likely to have received a life sentence (47%) or the death penalty (4%).

Type of conviction	Type of sentence for murder or nonnegligent manslaughter			
	Total	Life	Death	Other
Total	100%	26%	2%	72%
Trial	100	42	4	54
Jury	100	47	4	49
Bench	100	14	--	86
Guilty plea	100	15	--	85

--Less than 0.5%.

Case processing time

Mean elapsed time from arrest to sentencing in 1992 was nearly 7 months (table 11). Median time was slightly under 5 months. Jury trial cases took the most time — 10 months on average from arrest to sentencing. Cases disposed by guilty plea took the least amount of time — a little over 6½ months on average.

Table 10. Offense of felons convicted in State courts, by type of conviction, 1992

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

Note: Data on conviction type were available for 703,787 cases.

^aIncludes nonnegligent manslaughter.

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

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

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

Additional penalties

Besides being sentenced to incarceration or probation, 37% or more of convicted felons also were ordered to pay a fine, pay victim restitution, receive treatment, perform community service, or comply with some other additional penalty (for example, undergo house

arrest or appear periodically for drug testing). A fine was imposed on at least 18% of convicted felons (table 12).

Minimum estimates of percentages receiving other penalties are 16% restitution, 7% some form of treatment, and 6% community service.

Table 11. Mean and median number of days between arrest and sentencing for felony cases disposed by State courts, 1992

Most serious conviction offense	Number of days between arrest and sentencing for cases disposed by					
	Total	Total	Trial	Jury	Bench	Guilty plea
Mean						
All offenses	199 days	244 days	300 days	216 days	199 days	
Violent offenses	227 days	300 days	330 days	246 days	214 days	
Murder ^a	339	393	405	351	308	
Rape	253	336	357	267	237	
Robbery	204	275	280	266	196	
Aggravated assault	212	259	313	206	206	
Other violent ^b	237	278	285	229	232	
Property offenses	180 days	212 days	253 days	212 days	180 days	
Burglary	174	184	209	192	175	
Larceny ^c	179	235	315	221	176	
Fraud ^d	197	235	242	247	193	
Drug offenses	201 days	222 days	281 days	216 days	209 days	
Possession	200	190	199	211	213	
Trafficking	202	254	304	225	206	
Weapons offenses	206 days	241 days	279 days	205 days	211 days	
Other offenses^e	194 days	190 days	275 days	157 days	195 days	
Median						
All offenses	138 days	184 days	231 days	171 days	139 days	
Violent offenses	172 days	234 days	268 days	192 days	160 days	
Murder ^a	274	315	326	273	253	
Rape	188	259	282	204	175	
Robbery	151	218	230	199	144	
Aggravated assault	160	208	240	173	155	
Other violent ^b	186	212	272	188	184	
Property offenses	125 days	152 days	167 days	164 days	123 days	
Burglary	119	137	156	142	123	
Larceny ^c	116	164	187	168	118	
Fraud ^d	130	170	125	185	132	
Drug offenses	146 days	171 days	214 days	173 days	141 days	
Possession	134	155	169	172	142	
Trafficking	140	192	220	182	141	
Weapons offenses	148 days	192 days	232 days	164 days	151 days	
Other offenses^e	138 days	147 days	230 days	128 days	140 days	

Note: Grand total includes all cases, whether or not conviction type was known. Data on elapsed time were available for 429,999 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.

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 it was to be in the sample.

The survey used a two-stage, stratified cluster sampling design. In the first stage the Nation's 3,109 counties or county equivalents were divided into 8 strata. Strata 1 and 2 consisted solely of the 75 largest counties in the United States as defined by the 1985 resident population. Strata 3 through 8 consisted of the remaining 3,034 counties.

Because the 75 largest counties account for a disproportionately large amount of serious crime in the Nation,

they were given a greater chance of being selected than the remaining counties.

Stratum 1 consisted of the 19 counties with the largest number of felony convictions in 1985, plus 12 counties whose participation in the survey had been prearranged. Every county in stratum 1 was selected for the sample. Stratum 2 consisted of the 44 most populous counties that were not in stratum 1. The 44 were ordered by their number of felony convictions in 1985, and then approximately every other county was selected. Stratum 2 thus contributed 23 counties to the sample. Altogether, 54 out of the 75 largest counties were sampled.

Data on 1985 felony convictions were obtained from a mail survey described in *State Felony Courts and Felony Laws* (NCJ-106273) and Census of State Felony Courts, 1985 (codebook for ICPSR 8667). The 54 sampled counties in the 1992 NJRP survey were the same 54 as in the 1986 and

1988 surveys. The 3,034 counties not among the 75 largest were placed into 6 strata defined by the total number of felony convictions in 1985 and then arrayed within stratum by region, and within region from largest to smallest on felony conviction totals. Sampling specifications for the 6 strata are given in the Appendix table on page 16.

The final sample thus included 246 counties from among the 3,034 counties outside the 75 largest. One of the 246 did not participate. That county was then replaced by another in the same stratum. Case-level data were successfully obtained on convicted felons sentenced in 1992 from these 300 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.

Table 12. Percent of felons sentenced to additional penalty by State courts, 1992

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

Note: Where the data indicated affirmatively that a particular additional penalty was imposed, the case was coded accordingly. Where the data did not indicate affirmatively or negatively, the case was treated as not having an additional penalty. These procedures provide a conservative estimate of the prevalence of additional penalties. Note also that a person receiving more than one kind of additional penalty appears under more than one table heading. Data on additional penalty were available for 893,630 cases.

^aIncludes nonnegligent manslaughter.

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

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

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

Before the sample of cases was drawn, each felon sentenced in the sampled county in 1992 was placed into 1 of the 11 offense categories identified above. If the felon was convicted of more than one felony offense, the offense category was the most serious offense. The hierarchy from most to least serious offense was murder, rape, robbery, aggravated assault, burglary, drug trafficking, weapons, forgery/fraud/embezzlement, larceny/motor vehicle theft, drug possession, all other felonies. The hierarchy was determined from an analysis of two factors that reflect how seriously the justice system treats different offenses: the sentence length imposed and the time actually served in prison before release. In general, the higher the offense is in the hierarchy, the more serious it is in terms of the two factors.

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

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

Sampling error

NJRP data were obtained from a sample and not from a complete enumeration; consequently, they are subject to sampling error. A standard error, which is a measure of sampling error, is associated with each number in the report. In general, if the difference between two numbers is at least twice the standard error of that difference (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%. Standard errors for each table in the report are on pages 13 through 16.

Sources of data

State courts were the source of NJRP data for about 80% of the 300 counties sampled. For other counties, sources included prosecutors' offices, sentencing commissions, and statistical agencies. Individual-level NJRP records were obtained through a variety of collection methods, including magnetic tape (61% of the counties) and field collection (12%).

Photocopies of official documents and survey questionnaires completed by court officials were additional data sources (27%).

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 the 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 where it was impractical to target sentences in 1992, the target was felons convicted in 1992. Hence, in some of the cases the data pertain 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 murder and nonnegligent manslaughter excludes involuntary or negligent manslaughter, conspiracies to commit murder, solicitation of murder, and attempted murder.

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

Robbery: the unlawful taking of property that is in the immediate possession of another, by force or the threat of force. Includes forcible purse

snatching, but excludes nonforcible purse snatching, which is classified as larceny/theft. Includes attempts.

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

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

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

Larceny and motor vehicle theft: Larceny is the unlawful taking of property other than a motor vehicle from the possession of another, by stealth, without force or deceit. Includes 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 is the unlawful taking of a self-propelled road vehicle owned by another. Includes the theft of automobiles, trucks, and motorcycles, but not the theft of boats, aircraft, or farm equipment (classified as larceny/theft). Also includes receiving, possessing, stripping, transporting, and reselling stolen vehicles as well as unauthorized use of a vehicle (joyriding). Includes attempts.

Fraud, forgery, and embezzlement: using deceit or intentional misrepresentation to unlawfully deprive a

person of his or her property or legal rights. Includes offenses such as check fraud, confidence game, counterfeiting, and credit card fraud. Includes attempts.

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

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

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

Other felonies: all felony offenses not listed above. Includes receiving stolen property, driving while intoxicated or other traffic offenses, bribery,

obstructing justice, escaping from custody, family offenses (such as child neglect, contributing to the delinquency of a minor, nonpayment of child support), and nonviolent sexual offenses (such as statutory rape, incest, pornography offenses, pimping, prostitution). Includes attempts.

Estimate of 1 standard error for table 1		
Most serious conviction offense	Error in felony convictions	
	Number	Percent
All offenses	23,114	
Violent offenses	4,270	0.2%
Murder/manslaughter	492	0.1
Murder	369	--
Manslaughter	293	--
Rape	1,220	0.1
Robbery	1,231	0.1
Armed	610	0.1
Unarmed	847	0.1
Unspecified	1,115	0.1
Aggravated assault	2,070	0.2
Other violent	1,095	0.1
Property offenses	8,183	0.4%
Burglary	3,303	0.2
Residential	1,221	0.1
Nonresidential	2,333	0.3
Unspecified	3,174	0.3
Larceny	4,007	0.3
Motor vehicle theft	1,328	0.1
Other theft	3,400	0.3
Fraud/forgery	2,148	0.2
Fraud	1,485	0.1
Forgery	1,278	0.1
Drug offenses	8,675	0.5%
Possession	4,445	0.4
Trafficking	6,188	0.5
Marijuana	1,376	0.1
Other	5,473	0.5
Unspecified	2,900	0.3
Weapons offenses	923	0.1%
Other offenses	5,465	0.4%

--Less than 0.05%.

Estimate of 1 standard error for table 2			
Most serious conviction offense	Error in percent of felons sentenced to		
	Incarceration	Jail	Probation
All offenses	0.9%	1.2%	1.1%
Violent offenses	0.8%	1.0%	0.8%
Murder	0.6	0.5	0.4
Rape	2.1	2.3	1.1
Robbery	0.7	0.6	0.5
Aggravated assault	1.0	1.5	1.2
Other violent	1.0	1.5	1.2
Property offenses	1.0%	1.3%	1.2%
Burglary	1.0	1.2	1.1
Larceny	1.0	1.5	1.4
Fraud	1.5	1.5	1.7
Drug offenses	1.1%	1.5%	1.2%
Possession	1.2	1.8	1.7
Trafficking	1.3	1.5	1.2
Weapons offenses	1.0%	1.1%	1.3%
Other offenses	1.3%	1.8%	1.6%

Estimate of 1 standard error for table 3			
Most serious conviction offense	Error in maximum sentence length in months for felons sentenced to		
	Incarceration	Jail	Probation
Mean			
All offenses	2.9 mo	0.3 mo	1.2 mo
Violent offenses	3.4 mo	0.3 mo	1.4 mo
Murder	8.8	1.1	5.5
Rape	10.1	0.6	3.1
Robbery	3.1	0.4	2.2
Aggravated assault	4.1	0.3	2.0
Other violent	6.8	0.4	2.1
Property offenses	4.0 mo	0.4 mo	1.4 mo
Burglary	3.5	0.5	1.9
Larceny	2.4	0.4	1.4
Fraud	15.1	0.4	1.5
Drug offenses	2.3 mo	0.3 mo	1.7 mo
Possession	5.1	0.1	2.6
Trafficking	2.1	0.4	1.6
Weapons offenses	6.2 mo	0.3 mo	1.0 mo
Other offenses	7.2 mo	0.3 mo	1.4 mo

Estimate of 1 standard error for table 5

Most serious conviction offense	Error in percent of convicted felons										
	Sex		Race			Age at sentencing					
	Male	Female	White	Black	Other	13-19	20-29	30-39	40-49	50-59	60+
All offenses	0.2%	0.2%	1.3%	1.4%	0.2%	0.2%	0.3%	0.3%	0.2%	0.1%	--
Violent offenses	0.2%	0.2%	1.3%	1.3%	0.5%	0.3%	0.4%	0.4%	0.2%	0.2%	0.1%
Murder	0.8	0.8	1.8	1.8	0.2	0.8	1.1	1.0	0.7	0.5	0.2
Rape	0.3	0.3	2.8	2.1	2.8	0.5	1.1	1.0	0.7	0.5	0.4
Robbery	0.3	0.3	1.3	1.4	0.2	0.5	0.6	0.6	0.3	0.1	--
Aggravated assault	0.4	0.4	1.2	1.2	0.4	0.4	0.6	0.6	0.3	0.3	0.2
Other violent	0.8	0.8	2.3	2.3	0.4	0.8	1.5	1.5	1.3	0.8	0.7
Property offenses	0.4%	0.4%	1.3%	1.3%	0.2%	0.4%	0.5%	0.5%	0.2%	0.1%	0.1%
Burglary	0.3	0.3	1.5	1.5	0.4	0.6	0.8	0.6	0.4	0.1	--
Larceny	0.6	0.6	1.5	1.5	0.2	0.6	0.7	0.7	0.4	0.2	0.1
Fraud	0.8	0.8	1.5	1.5	0.1	0.3	0.8	0.8	0.5	0.3	0.1
Drug offenses	0.4%	0.4%	1.8%	1.9%	0.1%	0.3%	0.6%	0.5%	0.3%	0.1%	0.1%
Possession	0.5	0.5	1.9	2.0	0.1	0.5	0.7	0.7	0.5	0.2	0.1
Trafficking	0.5	0.5	1.9	2.0	0.1	0.3	0.7	0.6	0.4	0.2	0.1
Weapons offenses	0.3%	0.3%	1.8%	1.8%	0.2%	0.6%	0.8%	0.7%	0.6%	0.2%	0.2%
Other offenses	0.5%	0.5%	1.5%	1.5%	0.3%	0.4%	0.7%	0.7%	0.5%	0.3%	0.2%

--Less than 0.05%.

Estimate of 1 standard error for table 6

Most serious conviction offense	Error in percent of convicted felons with 1, 2, or 3 or more felony conviction offenses		
	One	Two	Three or more
All offenses	0.6%	0.4%	0.4%
Violent offenses	0.6%	0.4%	0.4%
Murder	1.4	1.1	0.8
Rape	1.4	1.0	0.9
Robbery	0.7	0.6	0.5
Aggravated assault	0.9	0.6	0.6
Other violent	1.4	1.1	0.8
Property offenses	0.8%	0.5%	0.5%
Burglary	1.1	0.9	0.7
Larceny	0.6	0.5	0.4
Fraud	1.1	0.7	0.8
Drug offenses	0.7%	0.5%	0.4%
Possession	0.6	0.4	0.3
Trafficking	0.9	0.7	0.6
Weapons offenses	0.9%	0.6%	0.5%
Other offenses	0.7%	0.5%	0.5%

Estimate of 1 standard error for table 7

Most serious conviction offense	Error in percent of convicted felons sentenced to prison for 1, 2, or 3 or more felony conviction offenses		
	One	Two	Three or more
All offenses	0.9%	0.9%	1.8%
Violent offenses	0.9%	1.0%	2.0%
Murder	0.8	0.7	0.5
Rape	2.4	2.6	2.9
Robbery	0.8	1.1	1.3
Aggravated assault	1.0	1.7	3.7
Other violent	1.9	4.1	7.2
Property offenses	1.0%	1.3%	1.9%
Burglary	1.1	1.6	2.7
Larceny	1.1	1.9	3.8
Fraud	1.7	1.9	2.3
Drug offenses	1.2%	1.4%	2.7%
Possession	1.2	2.3	5.2
Trafficking	1.5	1.5	3.2
Weapons offenses	1.1%	1.8%	3.5%
Other offenses	1.4%	2.1%	3.5%

Estimate of 1 standard error for table 8

Most serious conviction offense	Error in maximum sentence (in months) for felons sentenced to		
	Prison	Jail	Probation
One conviction offense			
All offenses	2.8 mo	0.3 mo	1.3 mo
Violent offenses	2.7 mo	0.3 mo	1.4 mo
Murder	8.0	1.3	6.0
Rape	8.0	0.7	3.1
Robbery	2.8	0.5	2.2
Aggravated assault	2.4	0.3	1.9
Other violent	4.4	0.5	2.0
Property offenses	3.3 mo	0.4 mo	1.4 mo
Burglary	3.0	0.4	2.2
Larceny	2.8	0.4	1.5
Fraud	16.1	0.4	1.3
Drug offenses	2.7 mo	0.3 mo	1.8 mo
Possession	5.8	0.1	2.8
Trafficking	2.2	0.5	1.5
Weapons offenses	8.3 mo	0.2 mo	1.0 mo
Other offenses	8.4 mo	0.3 mo	1.4 mo
Two or more conviction offenses			
All offenses	3.3 mo	0.4 mo	2.1 mo
Violent offenses	6.6 mo	0.4 mo	3.1 mo
Murder	18.3	1.3	20.5
Rape	19.8	0.6	6.6
Robbery	6.0	1.0	6.0
Aggravated assault	8.4	0.4	3.4
Other violent	22.2	0.8	9.2
Property offenses	4.0 mo	0.6 mo	2.6 mo
Burglary	3.1	1.0	3.1
Larceny	2.7	0.7	3.2
Fraud	18.6	0.5	3.6
Drug offenses	2.8 mo	0.6 mo	2.8 mo
Possession	4.7	0.4	3.4
Trafficking	3.2	0.8	3.3
Weapons offenses	4.8 mo	1.4 mo	1.8 mo
Other offenses	2.7 mo	1.2 mo	3.3

Estimate of 1 standard error for table 9

Most serious conviction offense	Error in number of felons convicted by		
	Trial		Guilty plea
	Jury	Bench	
All offenses	2,478	4,756	21,619
Violent offenses	622	709	3,954
Murder	186	49	314
Rape	191	88	1,075
Robbery	185	147	1,082
Aggravated assault	275	286	1,950
Other violent	147	284	851
Property offenses	859	1,627	8,067
Burglary	481	686	3,072
Larceny	266	881	3,765
Fraud	183	156	2,054
Drug offenses	736	2,156	7,338
Possession	232	2,017	3,356
Trafficking	562	340	5,223
Weapons offenses	165	52	894
Other offenses	427	655	4,567

Estimate of 1 standard error for table 10

Most serious conviction offense	Error in percent of felons convicted by		
	Trial		Guilty plea
	Jury	Bench	
All offenses	0.3%	0.7%	0.8%
Violent offenses	0.4%	0.5%	0.7%
Murder	1.6	0.5	1.5
Rape	1.1	0.5	1.3
Robbery	0.4	0.4	0.6
Aggravated assault	0.6	0.6	0.9
Other violent	0.9	1.8	2.1
Property offenses	0.4%	0.7%	0.8%
Burglary	0.5	0.7	0.9
Larceny	0.3	1.0	1.0
Fraud	0.4	0.3	0.5
Drug offenses	0.3%	1.0%	1.1%
Possession	0.3	2.3	2.3
Trafficking	0.4	0.3	0.6
Weapons offenses	0.7%	0.3%	0.8%
Other offenses	0.5%	0.7%	0.9%

Estimate of 1 standard error for table 11

Most serious conviction offense	Error in number of days between arrest and sentencing for cases disposed by				
	Total	Trial			Guilty plea
		Total	Jury	Bench	
Mean					
All offenses	5 days	11 days	10 days	8 days	6 days
Violent offenses	4 days	9 days	11 days	9 days	5 days
Murder	10	15	20	20	15
Rape	10	16	22	17	12
Robbery	5	11	13	17	5
Aggravated assault	5	12	16	12	5
Other violent	10	26	35	21	12
Property offenses	5 days	14 days	19 days	17 days	5 days
Burglary	5	14	16	21	6
Larceny	6	19	42	22	6
Fraud	7	26	44	34	8
Drug offenses	7 days	14 days	23 days	7 days	8 days
Possession	8	14	27	8	10
Trafficking	7	17	27	13	8
Weapons offenses	6 days	11 days	15 days	7 days	7 days
Other offenses	7 days	17 days	21 days	20 days	7 days

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Estimate of 1 standard error for table 12

Most serious conviction offense	Error in percent of felons with an additional penalty of				
	Fine	Resti-tution	Treat-ment	Community service	Other
All offenses	1.2%	0.9%	0.5%	0.5%	0.9%
Violent offenses	1.2%	1.0%	0.6%	0.3%	0.7%
Murder	2.1	1.3	0.3	0.3	0.6
Rape	2.6	2.4	2.0	0.3	1.3
Robbery	0.8	0.8	0.3	0.2	0.6
Aggravated assault	1.4	1.1	0.6	0.5	0.8
Other violent	2.2	1.2	1.5	1.1	1.8
Property offenses	1.3%	1.2%	0.5%	0.5%	0.9%
Burglary	1.2	1.3	0.6	0.6	0.9
Larceny	1.4	1.2	0.5	0.6	1.0
Fraud	1.6	1.8	0.9	0.8	1.1
Drug offenses	1.3%	1.0%	0.8%	0.7%	0.9%
Possession	1.6	0.8	1.5	1.5	1.6
Trafficking	1.4	1.3	0.5	0.4	0.9
Weapons offenses	1.3%	0.8%	0.4%	0.5%	0.8%
Other offenses	2.1%	1.2%	0.7%	0.8%	1.6%

Appendix table. Sampled counties for NJRP, 1992

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

*Includes 2 counties with an unknown number of convictions.