



Regional variation in adjudication and sentencing, 1992

Likelihood of conviction if arrested

Data sources

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

Higher likelihood of conviction in the South

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

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

Likelihood of State prison sentence if convicted

Data source

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

Higher likelihood of prison sentence in the South

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

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

Length of State prison sentence

Data source

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

Prison sentences longer in the South

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

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

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

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

^bIncludes nonnegligent manslaughter.

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

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

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

^aIncludes nonnegligent manslaughter.

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

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

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

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

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

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

^aIncludes nonnegligent manslaughter.

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

^cIncludes motor vehicle theft.

^dIncludes forgery and embezzlement.

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