



Bureau of Justice Statistics

State Court Processing Statistics

Felony Defendants in Large Urban Counties, 1994

Arrest charges

Demographic characteristics

Criminal history

Pretrial release and detention

Adjudication

Sentencing



Felony Defendants in Large Urban Counties, 1994

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Data presented in this report may be obtained from the National Archive of Criminal Justice Data at the University of Michigan, 1-800-999-0960. The report and data are available on the Internet at:
<http://www.ojp.usdoj.gov/bjs>

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Highlights

As a part of its State Court Processing Statistics program, the Bureau of Justice Statistics tracked a sample of felony cases filed during May 1994 in the Nation's 75 largest counties. Compared to a similar study of cases filed in May 1992, the 1994 study found a slightly higher proportion of drug defendants, while the proportion of property defendants was down slightly.

Defendants in 1992 and 1994 were similar in terms of demographic characteristics, criminal history, and pretrial misconduct rates. Court processing of cases was also similar in terms of pretrial detention rates, adjudication outcome, and sentencing.

Arrest charges

An estimated 53,099 felony cases were filed in the State courts of the Nation's 75 largest counties during May 1994. A fourth of the defendants in these cases were charged with a violent offense, usually assault (12%) or robbery (8%). A small percentage of defendants were charged with murder (1%) or rape (1%).

About 2 in 3 defendants were charged with either a drug (35%) or property (31%) offense. Two-fifths of drug defendants, 15% of defendants overall, were charged with drug trafficking. A majority of property defendants were charged with theft (11% of all defendants) or burglary (9%). Nine percent of all defendants were charged with a public-order offense. Often these charges were weapons-related (4% of all defendants) or driving-related (2%).

Demographic characteristics

Eighty-five percent of defendants were male, with the largest percentages among those charged with rape (97%), a weapons offense (95%), robbery (93%) or a driving-related offense (93%). Women accounted for about a fourth of the defendants charged with a property offense other than burglary.

Blacks comprised nearly three-fourths of the defendants charged with robbery or a weapons offense. Whites accounted for about three-fourths of those charged with a driving-related felony.

A majority (57%) of defendants were under age 30. Twenty-one percent were under age 21, including about two-fifths of murder (42%) and robbery (38%) defendants. Five percent of defendants were under age 18, including 16% of murder defendants and 15% of robbery defendants.

Criminal history

At the time of arrest, about 3 in 8 defendants had an active criminal justice status such as probation (17%), release pending disposition of a prior case (15%), or parole (8%). Robbery defendants (49%) were the most likely to have a criminal justice status, and rape defendants (17%) the least likely.

About two-thirds of all defendants had been arrested previously, with 39% having at least five prior arrest

charges. Fifty-six percent of defendants had a felony arrest record, including 63% of burglary defendants.

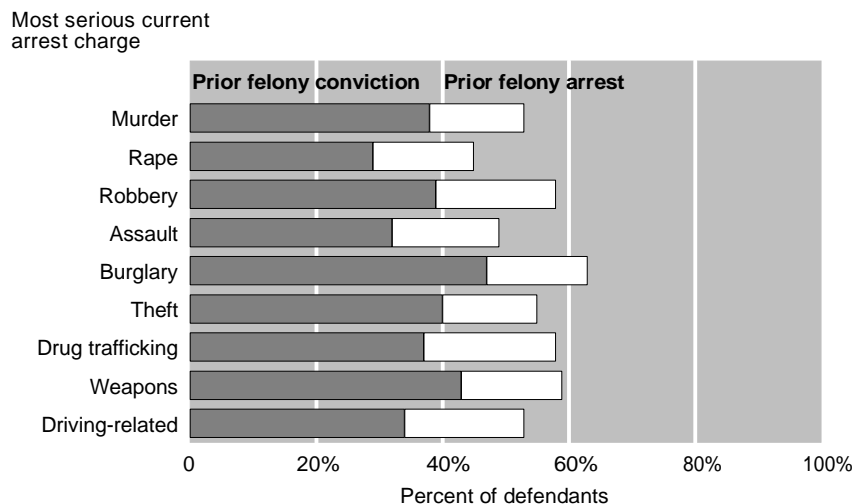
An estimated 38% of defendants had at least one prior conviction for a felony, including nearly half of burglary defendants. Thirteen percent of all defendants had a prior conviction for a violent felony, including a fifth of murder and robbery defendants.

Pretrial release and detention

An estimated 38% of all defendants were detained until the court disposed of their case, including 7% who were denied bail. A majority of defendants charged with murder (79%), robbery (57%), or burglary (53%) were detained. Forty-three percent of murder defendants were denied bail.

Fifty-six percent of the defendants with an active criminal justice status were detained until case disposition, compared to 30% of those without such a status. Defendants on parole (76%) were the most likely to be detained, followed by those on probation (57%).

Felony arrest and conviction record of felony defendants in the 75 largest counties, 1994



Released defendants were most likely to be released on personal recognizance, which accounted for 41% of all releases. The next most common type of pretrial release was surety bond (25%), followed by conditional release (11%) and deposit bond (9%).

About a third of released defendants committed one or more types of pretrial misconduct that resulted in the revocation of their release. Twenty-four percent failed to appear in court as scheduled, and 15% were rearrested for a new offense.

Adjudication

About a fourth of all defendants had their case adjudicated within 1 month of arrest, and about half within 3 months. At the end of the 1-year study period, 87% of all cases had been adjudicated.

Nearly three-fourths of the cases adjudicated within 1 year resulted in a conviction. Conviction rates were highest for defendants charged with a driving-related offense (86%) or drug trafficking (81%) and lowest for defendants charged with assault (53%).

Sixty-one percent of all defendants were convicted of a felony, and 11% of a misdemeanor. Felony conviction rates were highest for defendants originally charged with drug trafficking (73%), a driving-related offense (70%), murder (67%), burglary (67%), or a weapons offense (67%). Assault defendants (41%) had the lowest felony conviction rate.

Ninety-two percent of convictions occurring during the 1-year study period were obtained through a guilty plea. About 5 in 6 guilty pleas were to a felony. Murder defendants (32%) were the most likely to have their case adjudicated by trial. About 4 in 5 trials resulted in a guilty verdict, including 7 in 8 murder trials.

Sentencing

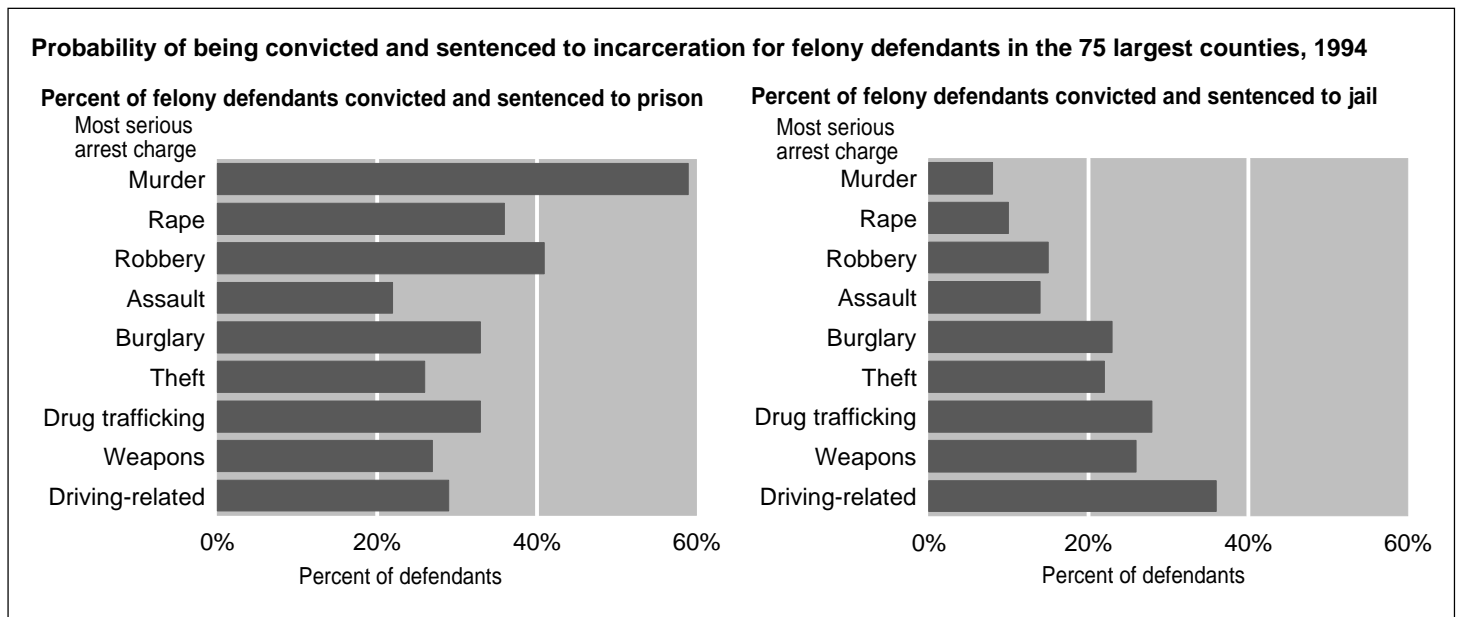
A majority (62%) of convicted defendants were sentenced within 1 day of adjudication. About two-thirds of all sentences were either to a State prison (32%) or a local jail (34%). Two-thirds of all jail sentences included a probation term. Nearly all convicted defendants who did not receive an incarceration sentence were placed on probation.

Thirty-six percent of the defendants convicted of a felony were sentenced to prison, including all of those convicted of murder. A large majority of the defendants convicted of robbery (70%) or rape (69%) also received prison sentences.

A majority of those with multiple prior felony convictions were sentenced to prison following a felony conviction in the current case, as were about half of those with a single prior felony conviction. About a fourth of those without prior felony convictions received a prison term.

The mean prison sentence for defendants convicted of a violent felony was about 9 years, and the median was 6 years. Defendants convicted of murder (20 years) or rape (10 years) had the longest median prison sentences. About a fifth of convicted murderers received a life sentence.

The median prison sentence for defendants convicted of a nonviolent felony was 3 years, ranging from 4 years for those convicted of drug trafficking to 1½ years for those convicted of a driving-related offense.



Since 1988, the Bureau of Justice Statistics (BJS) has sponsored a biennial data collection on the processing of felony defendants in the State courts of the Nation's 75 most populous counties. Previously known as the National Pretrial Reporting Program, this data collection series was renamed the State Court Processing Statistics (SCPS) program to better reflect the wide range of data elements collected.

The SCPS program collects data on the demographic characteristics, criminal history, pretrial processing, adjudication, and sentencing of felony defendants. The SCPS data do not include Federal defendants. The reader should refer to the annual BJS *Compendium of Federal Justice Statistics* for information on the processing of Federal defendants.

The 1994 SCPS collected data for 14,691 felony cases filed during May 1994 in 39 large counties. These cases, which were tracked for up to 1 year, were part of a 2-stage sample that was representative of the estimated 53,099 felony cases filed in the Nation's 75 most populous counties during that month.

In 1994, the 75 largest counties accounted for 36% of the U.S. population. According to the FBI's Uniform Crime Reports program for 1994, these jurisdictions accounted for 52% of all reported serious violent crimes in the United States, including 63% of all robberies. They accounted for 43% of all reported serious property crimes.

According to the BJS National Judicial Reporting Program, about half of all felony convictions in 1994 occurred in the 75 largest counties. For national estimates on felony convictions, see the BJS report *Felony Sentences in State Courts, 1994*.

Arrest charges

About a fourth of the defendants charged with a felony in the 75 largest counties during May 1994 had been arrested for a violent offense (25.7%) (table 1). Nearly half of those charged with a violent felony, 11.6% of defendants overall, faced charges for assault, and almost a third, 7.8% of defendants overall, were charged with robbery. Murder and rape defendants each comprised about 4% of the defendants charged with a violent felony, and 1% each of all felony defendants. (See *Methodology* for the specific crimes included in each offense category.)

For about a third of all defendants, the most serious arrest charge was a drug offense (34.6%). About 2 in 5 drug defendants were charged with drug trafficking. Overall, defendants were more likely to be charged with drug trafficking (14.6%) or other drug offenses (20%) than any other type of offense (figure 1).

Table 1. Felony defendants, by most serious arrest charge, 1994

| Most serious arrest charge | Felony defendants in the 75 largest counties | |
|------------------------------|--|--------------|
| | Number | Percent |
| All offenses | 52,610 | 100.0% |
| Violent offenses | 13,512 | 25.7% |
| Murder | 521 | 1.0 |
| Rape | 543 | 1.0 |
| Robbery | 4,081 | 7.8 |
| Assault | 6,128 | 11.6 |
| Other violent | 2,239 | 4.3 |
| Property offenses | 16,346 | 31.1% |
| Burglary | 4,629 | 8.8 |
| Theft | 5,893 | 11.2 |
| Other property | 5,824 | 11.1 |
| Drug offenses | 18,182 | 34.6% |
| Trafficking | 7,672 | 14.6 |
| Other drug | 10,510 | 20.0 |
| Public-order offenses | 4,570 | 8.7% |
| Weapons | 2,021 | 3.8 |
| Driving-related | 1,281 | 2.4 |
| Other public-order | 1,267 | 2.4 |

Note: Data for the specific arrest charge were available for 99% of all cases. Detail may not add to total because of rounding.

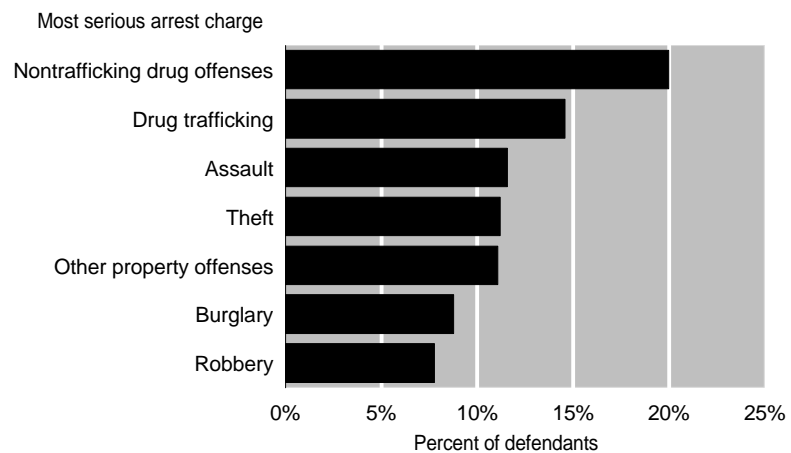
Approximately a third of all felony defendants were charged with a property offense (31.1%). Just over a third of property defendants, 11.2% of defendants overall, were charged with theft, and just over a fourth, 8.8% overall, were charged with burglary.

Defendants charged with a public-order offense comprised 8.7% of all defendants. Nearly half of these defendants faced weapons charges, and

nearly a third were charged with a driving-related felony.

Compared with data collected for felony cases filed in May 1992 in the 75 largest counties, the percentage of defendants facing drug charges was up slightly and the percentage of property cases was down by about the same amount (figure 2). The proportion charged with a violent or public-order felony was similar to 1992.

The most frequently charged offenses of felony defendants in the 75 largest counties, 1994



See Methodology for specific crimes included in each offense category.

Figure 1

Most serious arrest charge of felony defendants in the 75 largest counties, 1988, 1990, 1992, and 1994

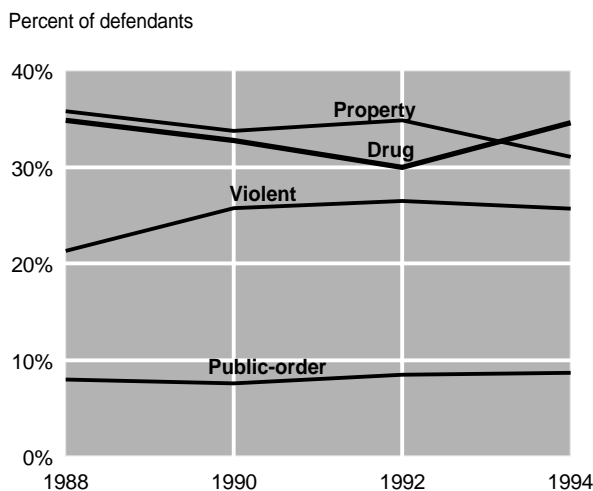


Figure 2

More than half of all felony defendants (57%) faced at least one additional charge and 42% were charged with at least one additional felony (table 2). About two-thirds of defendants whose most serious arrest charge was rape (68%), driving-related (67%), robbery (65%), or assault (64%) were charged with one or more additional offenses.

About three-fifths of rape defendants (61%) were charged with at least one additional felony, as were about half of those charged with robbery (54%) or murder (51%). Less than two-fifths of defendants charged with theft (35%), drug offenses other than trafficking (35%), weapons offenses (34%), or other public-order offenses (23%) faced multiple felony charges.

Table 2. Level of second most serious charge of felony defendants, by most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties | | | | |
|----------------------------|----------------------|---|------------------|--------------------------------|--------|-------------|
| | | Total | No other charges | Most serious additional charge | | |
| | | | | Total | Felony | Misdemeanor |
| All offenses | 52,363 | 100% | 43% | 57% | 42% | 15% |
| Violent offenses | 13,462 | 100% | 37% | 63% | 46% | 17% |
| Murder | 521 | 100 | 46 | 54 | 51 | 3 |
| Rape | 539 | 100 | 32 | 68 | 61 | 7 |
| Robbery | 4,057 | 100 | 35 | 65 | 54 | 11 |
| Assault | 6,120 | 100 | 36 | 64 | 40 | 25 |
| Other violent | 2,224 | 100 | 42 | 58 | 47 | 11 |
| Property offenses | 16,239 | 100% | 45% | 55% | 42% | 12% |
| Burglary | 4,613 | 100 | 40 | 60 | 48 | 13 |
| Theft | 5,845 | 100 | 53 | 47 | 35 | 11 |
| Other property | 5,781 | 100 | 42 | 58 | 45 | 13 |
| Drug offenses | 18,132 | 100% | 45% | 55% | 40% | 14% |
| Trafficking | 7,649 | 100 | 40 | 60 | 47 | 13 |
| Other drug | 10,483 | 100 | 50 | 50 | 35 | 15 |
| Public-order offenses | 4,530 | 100% | 47% | 53% | 35% | 18% |
| Weapons | 2,009 | 100 | 49 | 51 | 34 | 17 |
| Driving-related | 1,261 | 100 | 33 | 67 | 48 | 19 |
| Other public-order | 1,259 | 100 | 57 | 43 | 23 | 19 |

Note: Data for the most serious arrest charge and the next most serious arrest charge were available for 99.5% of all cases. Detail may not add to total because of rounding.

Demographic characteristics

Overall, 85% of felony defendants in the 75 largest counties were male (table 3). Men comprised the largest percentages among defendants charged with rape (97%), weapons offenses (95%), murder (94%), robbery (93%), driving-related offenses (93%), or burglary (91%). Women accounted for 15% of defendants, including about a fourth of the defendants charged with property offenses other than burglary.

Without consideration of Hispanic origin, which was poorly reported in some jurisdictions (see *Methodology*), 56% of defendants were black, and 42% were white. Blacks comprised the largest percentages among defendants charged with robbery (74%), weapons offenses (71%), murder (64%), and drug offenses (62%). Whites accounted for three-fourths of the defendants facing driving-related charges and half of those charged with theft or burglary (figure 3).

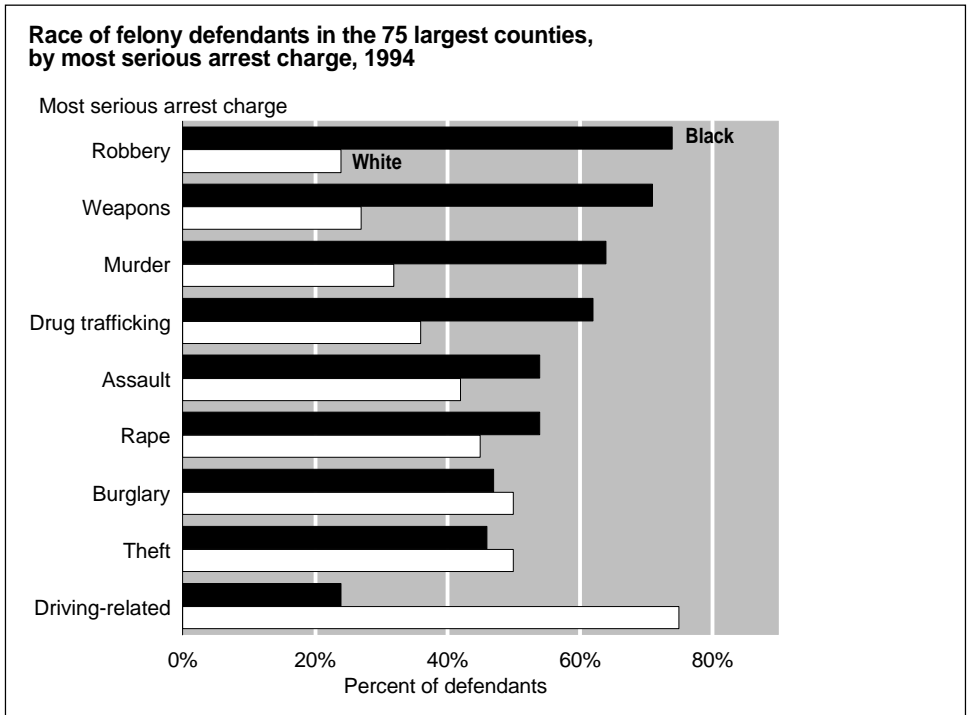


Figure 3

Table 3. Sex and race of felony defendants, by most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties | | | Number of defendants | Percent of felony defendants in the 75 largest counties | | | |
|----------------------------|----------------------|---|------|--------|----------------------|---|-------|-------|----|
| | | Sex | | Race | | | | | |
| | | Total | Male | Female | Total | Black | White | Other | |
| All offenses | 52,343 | 100% | 85% | 15% | 44,987 | 100% | 56% | 42% | 3% |
| Violent offenses | 13,417 | 100% | 88% | 12% | 11,778 | 100% | 59% | 38% | 3% |
| Murder | 521 | 100 | 94 | 6 | 476 | 100 | 64 | 32 | 4 |
| Rape | 532 | 100 | 97 | 3 | 497 | 100 | 54 | 46 | 1 |
| Robbery | 4,063 | 100 | 93 | 7 | 3,458 | 100 | 74 | 24 | 2 |
| Assault | 6,091 | 100 | 84 | 16 | 5,467 | 100 | 54 | 43 | 3 |
| Other violent | 2,209 | 100 | 90 | 10 | 1,881 | 100 | 44 | 53 | 3 |
| Property offenses | 16,259 | 100% | 81% | 19% | 14,471 | 100% | 48% | 49% | 3% |
| Burglary | 4,609 | 100 | 91 | 9 | 4,060 | 100 | 47 | 50 | 3 |
| Theft | 5,867 | 100 | 77 | 23 | 5,390 | 100 | 46 | 50 | 4 |
| Other property | 5,783 | 100 | 77 | 23 | 5,020 | 100 | 51 | 46 | 3 |
| Drug offenses | 18,115 | 100% | 85% | 15% | 15,039 | 100% | 62% | 37% | 2% |
| Trafficking | 7,642 | 100 | 87 | 13 | 6,470 | 100 | 62 | 36 | 3 |
| Other drug | 10,473 | 100 | 83 | 17 | 8,569 | 100 | 62 | 37 | 1 |
| Public-order offenses | 4,552 | 100% | 91% | 9% | 3,699 | 100% | 52% | 46% | 2% |
| Weapons | 2,013 | 100 | 95 | 5 | 1,729 | 100 | 71 | 27 | 2 |
| Driving-related | 1,281 | 100 | 93 | 7 | 884 | 100 | 24 | 75 | 1 |
| Other public-order | 1,257 | 100 | 83 | 17 | 1,086 | 100 | 44 | 52 | 3 |

Note: Data on sex of defendants were available for 99% of all cases and data on race of defendants were available for 86% of all cases. Without consideration of Hispanic origin, Bureau of the Census data for 1994 indicate that the racial distribution of the population of the 75 largest counties was 75% white, 17% black, and 7% other races. Detail may not add to total because of rounding.

Where reported, 27% of defendants were Hispanic, including 40% of those charged with a driving-related offense and 37% of those charged with drug trafficking. Non-Hispanic whites also comprised about a fourth of all defendants, including 41% of those charged with a driving-related offense. Non-Hispanic blacks accounted for 43% of all defendants, including a majority of those charged with robbery (57%), weapons offenses (57%), or murder (53%).

The average age of defendants at the time of arrest was 29 years (table 5). By specific offense, the average age ranged from 25 years for murder and robbery defendants to 33 for those charged with a driving-related offense. Within each of the four major offense categories, a majority of the defendants were under age 30.

Fourteen percent of defendants were age 40 or older, including 21% of those charged with a driving-related offense. Five percent of defendants were under age 18, including 16% of murder defendants and 15% of robbery defendants. In 37 States and the District of Columbia, persons under age 18

charged with a criminal offense are considered juveniles. In 10 States the upper age limit for original juvenile court jurisdiction is 16 and in 3 States, the upper limit is 15. In all States numerous exceptions to the age criterion

permit prosecutors to proceed against a juvenile as an adult in criminal court.*

* *Juveniles Prosecuted in State Criminal Courts*, BJS Selected Findings, NCJ-164265, March 1997.

Table 4. Race and Hispanic origin of felony defendants, by most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties | | | | |
|----------------------------|----------------------|---|--------------------|--------------------|--------------------|--------------------|
| | | Total | Black non-Hispanic | White non-Hispanic | Other non-Hispanic | Hispanic, any race |
| All offenses | 39,169 | 100% | 43% | 26% | 3% | 27% |
| Violent offenses | 10,397 | 100% | 47% | 25% | 3% | 25% |
| Murder | 381 | 100 | 53 | 21 | 5 | 20 |
| Rape | 411 | 100 | 43 | 39 | 1 | 17 |
| Robbery | 3,157 | 100 | 57 | 13 | 3 | 27 |
| Assault | 4,820 | 100 | 45 | 29 | 4 | 23 |
| Other violent | 1,628 | 100 | 32 | 33 | 4 | 31 |
| Property offenses | 11,840 | 100% | 38% | 36% | 4% | 22% |
| Burglary | 3,333 | 100 | 36 | 35 | 4 | 26 |
| Theft | 4,147 | 100 | 38 | 39 | 5 | 18 |
| Other property | 4,359 | 100 | 40 | 34 | 3 | 23 |
| Drug offenses | 13,598 | 100% | 46% | 19% | 2% | 32% |
| Trafficking | 4,953 | 100 | 44 | 15 | 3 | 37 |
| Other drug | 8,645 | 100 | 48 | 21 | 1 | 30 |
| Public-order offenses | 3,335 | 100% | 39% | 29% | 3% | 30% |
| Weapons | 1,423 | 100 | 57 | 16 | 3 | 23 |
| Driving-related | 935 | 100 | 18 | 41 | 1 | 40 |
| Other public-order | 976 | 100 | 32 | 36 | 4 | 29 |

Note: Data on both race and Hispanic origin of defendants were available for 74% of all cases. According to the Bureau of the Census data for 1994, the overall percentage of the population of the 75 largest counties was 61% white non-Hispanic, 15% black non-Hispanic, 7% other race non-Hispanic, and 17% Hispanics of all races. Detail may not add to total because of rounding.

Table 5. Age at arrest of felony defendants, by most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties | | | | | | | | Average age at arrest |
|----------------------------|----------------------|---|----------|-------|-------|-------|-------|-------|-------------|-----------------------|
| | | Total | Under 18 | 18-20 | 21-24 | 25-29 | 30-34 | 35-39 | 40 or older | |
| All offenses | 52,377 | 100% | 5% | 16% | 18% | 19% | 17% | 12% | 14% | 29 yrs. |
| Violent offenses | 13,403 | 100% | 9% | 17% | 17% | 18% | 15% | 11% | 13% | 28 yrs. |
| Murder | 521 | 100 | 16 | 26 | 24 | 9 | 9 | 6 | 10 | 25 |
| Rape | 535 | 100 | 5 | 11 | 11 | 15 | 17 | 23 | 17 | 32 |
| Robbery | 4,041 | 100 | 15 | 23 | 17 | 18 | 13 | 8 | 6 | 25 |
| Assault | 6,085 | 100 | 6 | 16 | 18 | 18 | 16 | 11 | 14 | 29 |
| Other violent | 2,220 | 100 | 4 | 11 | 15 | 19 | 18 | 12 | 21 | 32 |
| Property offenses | 16,267 | 100% | 4% | 16% | 18% | 19% | 17% | 13% | 14% | 29 yrs. |
| Burglary | 4,623 | 100 | 4 | 19 | 19 | 19 | 17 | 12 | 10 | 28 |
| Theft | 5,859 | 100 | 3 | 16 | 18 | 19 | 16 | 12 | 16 | 30 |
| Other property | 5,786 | 100 | 4 | 14 | 16 | 19 | 19 | 13 | 14 | 30 |
| Drug offenses | 18,146 | 100% | 3% | 15% | 18% | 18% | 18% | 14% | 14% | 29 yrs. |
| Trafficking | 7,663 | 100 | 2 | 17 | 21 | 19 | 16 | 12 | 12 | 29 |
| Other drug | 10,483 | 100 | 3 | 13 | 16 | 18 | 20 | 15 | 14 | 30 |
| Public-order offenses | 4,560 | 100% | 4% | 13% | 18% | 20% | 16% | 12% | 16% | 30 yrs. |
| Weapons | 2,021 | 100 | 6 | 20 | 23 | 19 | 12 | 10 | 9 | 27 |
| Driving-related | 1,281 | 100 | -- | 5 | 12 | 24 | 23 | 15 | 21 | 33 |
| Other public-order | 1,258 | 100 | 4 | 10 | 17 | 18 | 17 | 12 | 22 | 32 |

Note: Data on age of defendants were available for 99.5% of all cases. Detail may not add to total because of rounding. --Less than 0.5%.

A majority of murder (66%) and robbery (55%) defendants were under age 25, compared to 38% of defendants overall (figure 4). Defendants charged with rape (27%) or driving-related offenses (17%) were the least likely to be under age 25.

Murder defendants (42%) were twice as likely as defendants overall (21%) to be under age 21. Robbery defendants (38%) were also much more likely to be under age 21 than other defendants. Defendants charged with a driving-related offense (6%) were the least likely to be this young.

Males formed a higher percentage of defendants under age 21 (91%) than of other age groups (table 6). About two-thirds of the defendants under age 18 were black, compared to just over half in other age groups.

Felony defendants under age 25 and age 21 in the 75 largest counties, by most serious arrest charge, 1994

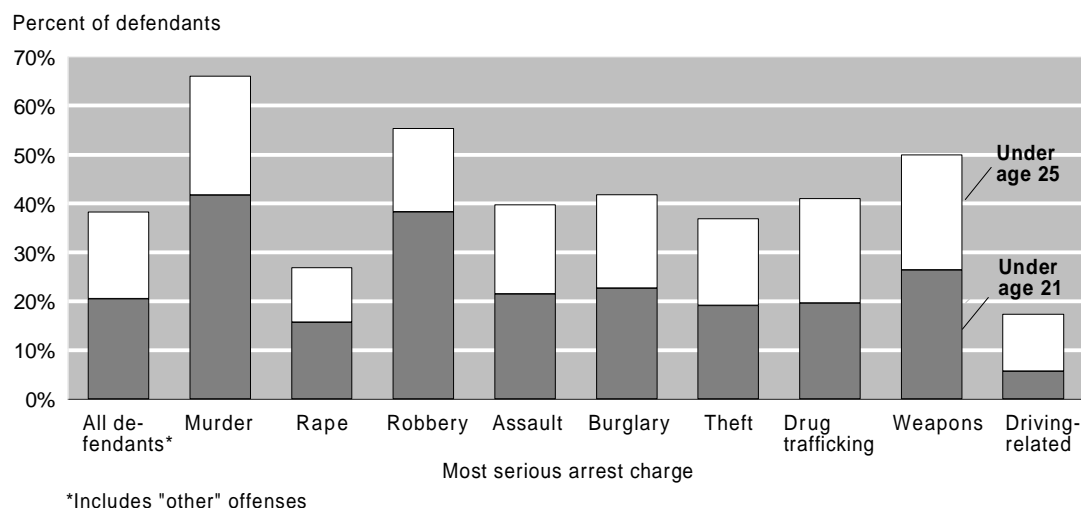


Figure 4

Table 6. Sex and race of felony defendants, by age at arrest, 1994

| Age at arrest | Number of defendants | Percent of felony defendants in the 75 largest counties | | | | | | | |
|---------------|----------------------|---|------|--------|----------------------|-------|-------|-------|-------|
| | | Total | Sex | | Number of defendants | Total | Race | | |
| | | | Male | Female | | | Black | White | Other |
| All ages | 52,211 | 100% | 85% | 15% | 44,905 | 100% | 56% | 42% | 3% |
| Under 18 | 2,436 | 100% | 92% | 8% | 2,044 | 100% | 68% | 30% | 2% |
| 18-20 | 8,275 | 100 | 91 | 9 | 7,096 | 100 | 57 | 40 | 4 |
| 21-24 | 9,276 | 100 | 87 | 13 | 7,859 | 100 | 55 | 42 | 2 |
| 25-29 | 9,703 | 100 | 84 | 16 | 8,197 | 100 | 55 | 42 | 3 |
| 30-34 | 8,953 | 100 | 81 | 19 | 7,728 | 100 | 55 | 42 | 2 |
| 35-39 | 6,478 | 100 | 81 | 19 | 5,742 | 100 | 57 | 41 | 2 |
| 40 or older | 7,091 | 100 | 84 | 16 | 6,239 | 100 | 51 | 47 | 2 |

Note: Data on defendant age and sex were available for 99% of all cases. Data on defendant age and race were available for 85% of all cases. Detail may not add to total because of rounding. --Less than 0.5%.

Black males comprised the largest proportion of defendants in each age group (figure 5). This effect was most pronounced in the under 18 age category where black males (64%) accounted for more than twice the percentage accounted for by white males (27%). It was least pronounced in the over 40 age category, where black males (43%) accounted for a proportion of defendants similar to that accounted for by white males (40%).

Black females comprised a slightly higher percentage than white females in most of the age categories, but for no more than 11% of the defendants in any single age category.

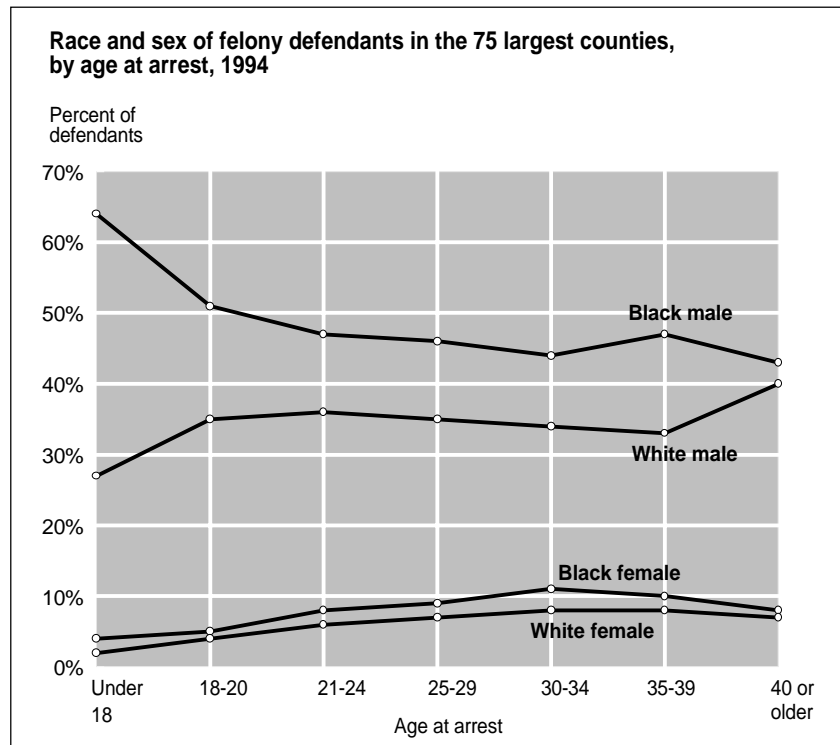


Figure 5

Criminal history

Criminal justice status at time of arrest

About 3 in 8 felony defendants had an active criminal justice status at the time of their arrest on the current felony charge (table 7). Among defendants charged with a violent offense, 35% had a criminal justice status, ranging from 49% of robbery defendants to 17% of rape defendants.

Thirty-seven percent of property defendants had a criminal justice status, ranging from 41% of burglary defendants to 34% of theft defendants. Among drug defendants, 39% had a criminal justice status overall. Those charged with drug trafficking (37%) were slightly less likely to have a criminal justice status than those charged with other drug offenses (41%).

Nearly half of public-order defendants (45%) had an active criminal justice status at the time of the current arrest. This included 42% of those charged with a weapons offense, 39% of those charged with a driving-related offense, and 56% of those charged with other public-order offenses.

About 1 in 10 defendants with a criminal justice status had more than one type of status. When just the most serious criminal justice status is considered, 16% of defendants were on probation, 12% had been released pending disposition of a previous case, and 8% were on parole at the time of the current arrest. Allowing for defendants with multiple criminal justice statuses, 17% were on probation, 15% had been released on a prior case, and 8% were on parole.

Table 7. Criminal justice status of felony defendants at time of arrest, by most serious current arrest charge, 1994

| Most serious current arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties with an active criminal justice status at the time of arrest | | | | | |
|------------------------------------|----------------------|--|------------|------------------|--------|------------|---------|
| | | Total | Pro-bation | Pretrial release | Parole | In custody | Escapee |
| All offenses | 41,903 | 38% | 16% | 12% | 8% | 1% | -- |
| Violent offenses | 10,614 | 35% | 13% | 13% | 7% | 2% | -- |
| Murder | 447 | 38 | 14 | 10 | 8 | 4 | 1 |
| Rape | 425 | 17 | 10 | 5 | 2 | 0 | 1 |
| Robbery | 3,043 | 49 | 15 | 19 | 13 | 1 | -- |
| Assault | 4,888 | 31 | 12 | 12 | 5 | 2 | -- |
| Other violent | 1,811 | 28 | 15 | 6 | 5 | 1 | 0 |
| Property offenses | 13,012 | 37% | 17% | 11% | 7% | 1% | -- |
| Burglary | 3,758 | 41 | 21 | 9 | 10 | 1 | 0 |
| Theft | 4,941 | 34 | 19 | 7 | 6 | 1 | -- |
| Other property | 4,313 | 37 | 13 | 17 | 6 | 2 | -- |
| Drug offenses | 14,911 | 39% | 18% | 13% | 8% | -- | -- |
| Trafficking | 6,447 | 37 | 19 | 11 | 6 | -- | 0 |
| Other drug | 8,463 | 41 | 17 | 15 | 8 | 1 | -- |
| Public-order offenses | 3,366 | 45% | 18% | 13% | 11% | 2% | 3% |
| Weapons | 1,532 | 42 | 17 | 13 | 11 | 1 | 0 |
| Driving-related | 866 | 39 | 20 | 11 | 8 | -- | 0 |
| Other public-order | 969 | 56 | 17 | 14 | 13 | 4 | 9 |

Note: Data on criminal justice status at time of arrest were available for 80% of all cases. Nine percent of defendants with a criminal justice status had more than 1 type of status. For those cases, the status indicated is the most serious. Detail may not add to total because of rounding. --Less than 0.5%.

Defendants charged with robbery (13%), a weapons offense (11%), or burglary (10%) were about twice as likely as those charged with theft (6%), drug trafficking (6%), or assault (5%) to have been on parole at the time of their arrest for the current charged offense (figure 6). Rape defendants (2%) were the least likely to have been a parolee at the time of arrest.

Defendants charged with burglary (22%), drug trafficking (20%), or a driving-related offense (20%) were more likely than other defendants to have been on probation at the time of arrest. Those charged with rape (11%), assault (12%), or murder (14%) were the least likely to have been on probation.

An estimated 1 in 4 robbery defendants had been released pending disposition of a earlier case when they were arrested on the current felony charge. This was the case for 16% of weapons defendants and 15% of murder defendants. Six percent of rape defendants had such a status at the time of the current arrest.

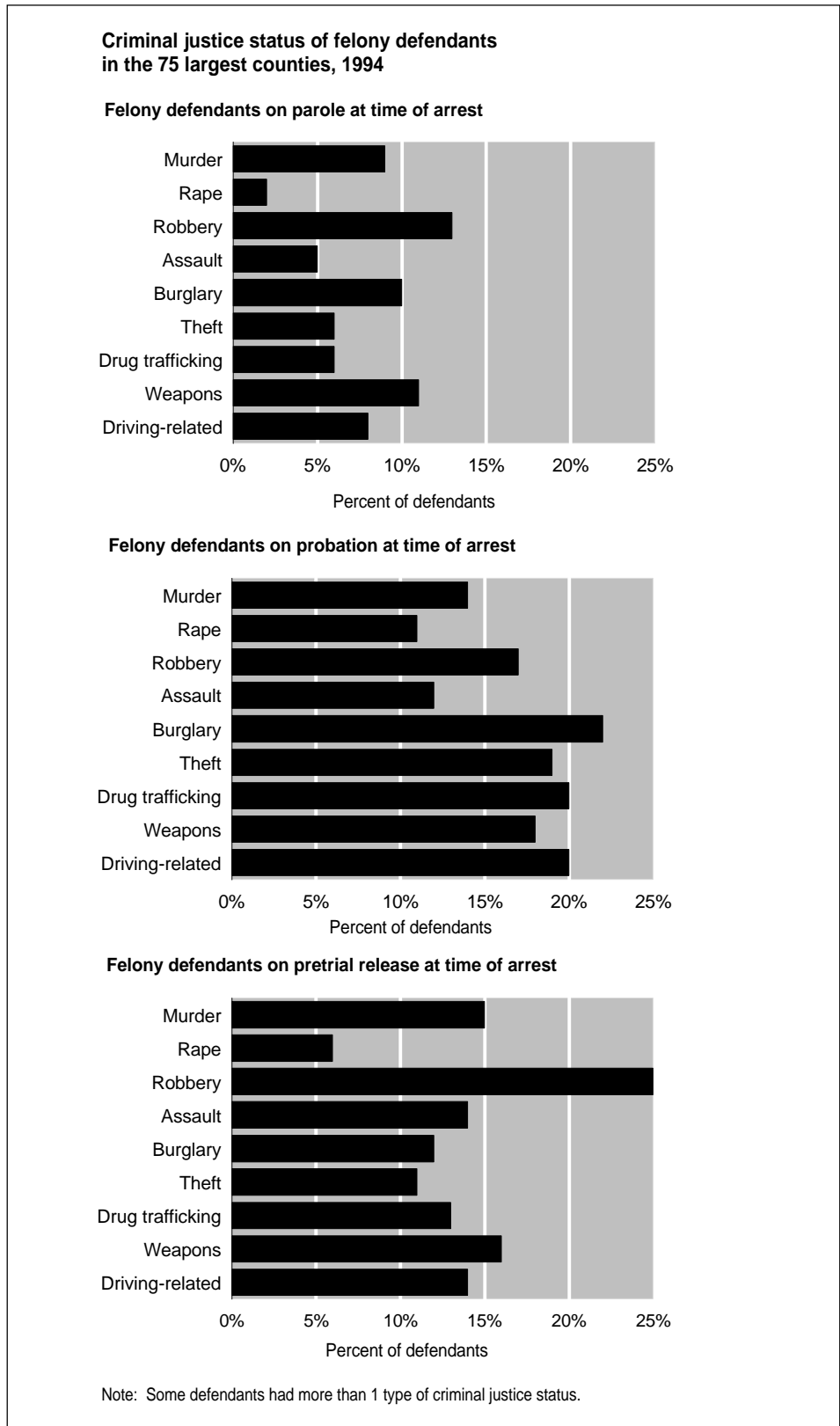


Figure 6

Prior arrests

About two-thirds of all defendants had at least one prior arrest for either a misdemeanor or a felony (table 8). By general offense category, the percentage of defendants with a prior arrest record ranged from 62% of those whose current charge was a violent offense to 72% of those charged with a drug offense or a public-order offense.

Among defendants charged with a violent offense, those charged with robbery (67%) were the most likely to have a prior arrest record, and those charged with rape (53%) the least likely.

Among property defendants, three-fourths of those charged with burglary (75%) had been arrested previously, compared to about two-thirds of theft defendants (66%), and three-fifths of those charged with other property offenses (60%).

Among public-order defendants, about two-thirds of those charged with a weapons offense (68%) had been arrested previously, compared to about three-fourths of those charged with other public-order offenses.

Among defendants with an arrest record, nearly all had been arrested

more than once, and a majority had at least 5 prior arrest charges. Overall, 59% of defendants had two or more prior arrest charges, and 39% had five or more. Defendants charged with burglary (48%) or a driving-related offense (46%) were the most likely to have five or more prior arrest charges.

Twenty-three percent of all defendants had 10 or more prior arrest charges. This included 29% of burglary defendants, 28% of defendants charged with a driving-related offense, 27% of theft defendants, and 26% of robbery defendants.

Table 8. Number of prior arrest charges of felony defendants, by most serious current arrest charge, 1994

| Most serious current arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties | | | | | | |
|------------------------------------|----------------------|---|----------------------|-------------------|-----|-----|-----|------------|
| | | Total | Without prior arrest | With prior arrest | | | | |
| | | | | Total | 1 | 2-4 | 5-9 | 10 or more |
| All offenses | 49,637 | 100% | 32% | 68% | 9% | 19% | 16% | 23% |
| Violent offenses | 12,770 | 100% | 38% | 62% | 9% | 18% | 14% | 21% |
| Murder | 485 | 100 | 41 | 59 | 11 | 20 | 15 | 14 |
| Rape | 519 | 100 | 47 | 53 | 12 | 16 | 10 | 15 |
| Robbery | 3,886 | 100 | 33 | 67 | 8 | 17 | 16 | 26 |
| Assault | 5,789 | 100 | 40 | 60 | 8 | 19 | 13 | 21 |
| Other violent | 2,091 | 100 | 40 | 60 | 10 | 20 | 12 | 18 |
| Property offenses | 15,387 | 100% | 34% | 66% | 8% | 18% | 15% | 26% |
| Burglary | 4,388 | 100 | 25 | 75 | 7 | 20 | 19 | 29 |
| Theft | 5,556 | 100 | 34 | 66 | 9 | 17 | 13 | 27 |
| Other property | 5,444 | 100 | 40 | 60 | 8 | 17 | 13 | 22 |
| Drug offenses | 17,264 | 100% | 28% | 72% | 10% | 20% | 17% | 23% |
| Trafficking | 7,255 | 100 | 30 | 70 | 10 | 21 | 17 | 22 |
| Other drug | 10,009 | 100 | 27 | 73 | 10 | 20 | 18 | 24 |
| Public-order offenses | 4,217 | 100% | 28% | 72% | 11% | 21% | 18% | 22% |
| Weapons | 1,924 | 100 | 32 | 68 | 10 | 22 | 17 | 19 |
| Driving-related | 1,148 | 100 | 24 | 76 | 8 | 21 | 19 | 28 |
| Other public-order | 1,144 | 100 | 26 | 74 | 14 | 21 | 19 | 20 |

Note: Data on prior arrests were available for 94% of all cases. Detail may not add to total because of rounding.

Three-fourths of the defendants under the age of 18 had no previous arrests (figure 7). This proportion dropped to half among defendants age 18 to 20, a third among those in the 21-to-24 age group, and about a fourth among those age 25 to 49.

A small proportion of defendants under the age of 21 had 5 or more prior arrests; however, this proportion rose to a third of defendants in the 21-to-24 age range, and about half in the 25-to-49 age range. In the latter age range, defendants were about twice as likely to have five or more prior arrests as no prior arrests.

Among defendants with an arrest record, about 5 in 6 had been arrested at least once for a felony (table 9). Overall, a majority of defendants had a felony arrest record (56%). Nearly half had multiple prior felony arrest charges (44%), including 22% with five or more.

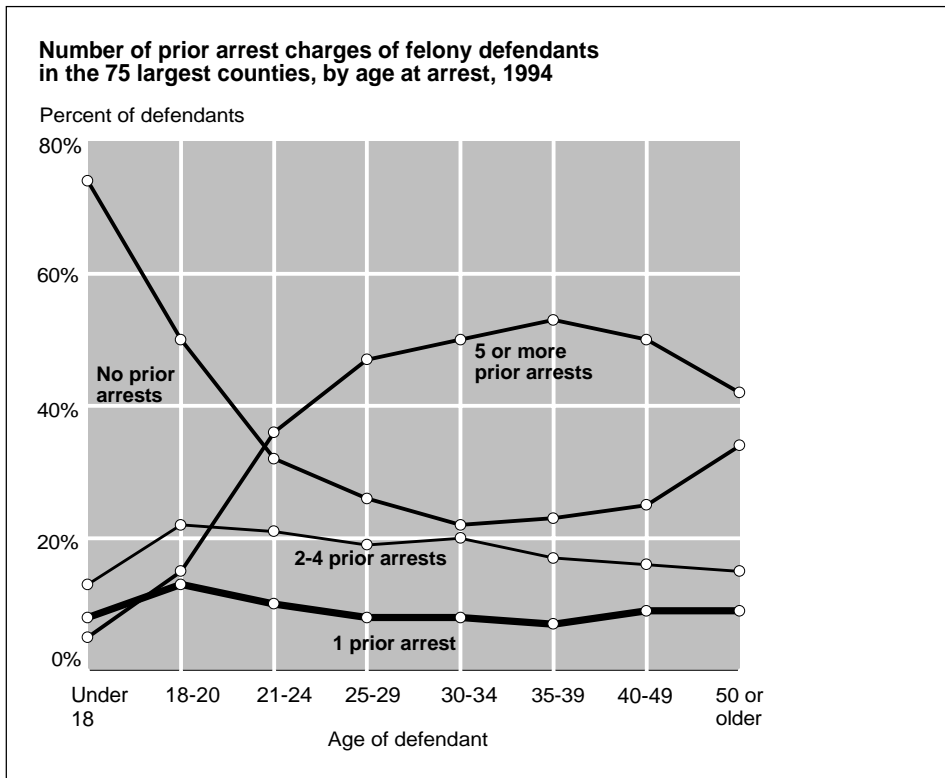


Figure 7

Table 9. Number of prior felony arrest charges of felony defendants, by most serious current arrest charge, 1994

| Most serious current arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties | | | | | | | | |
|------------------------------------|----------------------|---|-----------------------------|--------------------|------------------|--------------------------|--------------------------------|-----|-----|-----|
| | | Total | Without prior felony arrest | | | With prior felony arrest | | | | |
| | | | Total | Non-felony arrests | No prior arrests | Total | Number of prior felony charges | | | |
| 1 | 2-4 | 5-9 | 10 or more | | | | | | | |
| All offenses | 50,266 | 100% | 44% | 12% | 32% | 56% | 12% | 21% | 13% | 9% |
| Violent offenses | 12,882 | 100% | 49% | 11% | 38% | 51% | 12% | 20% | 11% | 9% |
| Murder | 493 | 100 | 47 | 7 | 40 | 53 | 13 | 25 | 6 | 8 |
| Rape | 519 | 100 | 55 | 9 | 46 | 45 | 17 | 14 | 8 | 5 |
| Robbery | 3,904 | 100 | 42 | 9 | 33 | 58 | 11 | 21 | 15 | 12 |
| Assault | 5,851 | 100 | 51 | 11 | 40 | 49 | 12 | 20 | 10 | 8 |
| Other violent | 2,114 | 100 | 56 | 16 | 40 | 44 | 11 | 17 | 9 | 8 |
| Property offenses | 15,602 | 100% | 45% | 11% | 34% | 55% | 11% | 21% | 14% | 10% |
| Burglary | 4,447 | 100 | 37 | 12 | 25 | 63 | 10 | 24 | 17 | 12 |
| Theft | 5,635 | 100 | 45 | 11 | 34 | 55 | 12 | 20 | 13 | 10 |
| Other property | 5,521 | 100 | 51 | 11 | 40 | 49 | 10 | 19 | 12 | 9 |
| Drug offenses | 17,501 | 100% | 41% | 13% | 28% | 59% | 13% | 23% | 14% | 8% |
| Trafficking | 7,322 | 100 | 42 | 12 | 30 | 58 | 13 | 24 | 13 | 8 |
| Other drug | 10,179 | 100 | 40 | 13 | 27 | 60 | 13 | 23 | 15 | 8 |
| Public-order offenses | 4,281 | 100% | 42% | 14% | 28% | 58% | 15% | 23% | 13% | 7% |
| Weapons | 1,948 | 100 | 41 | 9 | 32 | 59 | 13 | 26 | 12 | 8 |
| Driving-related | 1,161 | 100 | 47 | 23 | 24 | 53 | 14 | 19 | 12 | 8 |
| Other public-order | 1,172 | 100 | 40 | 14 | 26 | 60 | 18 | 22 | 16 | 5 |

Note: Data on prior felony arrests were available for 96% of all cases. Detail may not add to total because of rounding.

About half of the defendants facing a current charge for a violent felony had been previously arrested for a felony, including a majority of those facing charges for robbery (58%) or murder (53%). Twenty-seven percent of robbery defendants had 5 or more prior felony arrest charges, including 12% with 10 or more.

A majority of property defendants (55%) had one or more prior felony arrests. Those charged with burglary (63%) were the most likely to have a felony arrest record. Twenty-nine percent of burglary defendants had at least 5 prior felony arrest charges, and 12% had 10 or more.

About three-fifths of drug defendants had at least 1 prior felony arrest, and about a fifth had five or more prior felony arrest charges. This distribution did not differ significantly between defendants whose most serious current charge was drug trafficking and those charged with other types of drug offenses.

About three-fifths of public-order defendants also had been previously arrested for a felony, and a fifth had five or more prior felony charges. Defendants whose current charge was for a driving-related felony (53%) were slightly less likely than other public-order defendants to have a felony arrest record.

Prior convictions

Fifty-five percent of felony defendants in the 75 largest counties were known to have at least one prior conviction for a misdemeanor or a felony (table 10). About three-fourths of those with a conviction record, accounting for 42% of defendants overall, had more than one prior conviction. About a fifth of all defendants had five or more prior convictions.

Among defendants charged with a violent offense, half had at least one prior conviction, with robbery defendants (56%) the most likely to have a conviction record, and rape defendants

(43%) the least likely. Forty-one percent of robbery defendants had more than one prior conviction, and 22% had at least five.

More than half of property defendants (55%) had been convicted previously, including nearly two-thirds of burglary defendants (63%). About half of burglary defendants (52%) had more than one prior conviction, and about a fourth (27%) had five or more.

A majority of drug defendants (57%) also had at least one prior conviction. About two-fifths had two or more prior convictions, and one-fifth had five or more. These percentages did not vary significantly by type of drug offense.

Among public-order defendants, 61% had a conviction record, and 21% had five or more. About two-thirds of defendants charged with a driving-related felony had at least one prior conviction of some type, and more than half had multiple prior convictions.

Table 10. Number of prior convictions of felony defendants, by most serious current arrest charge, 1994

| Most serious current arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties | | | | | | |
|------------------------------------|----------------------|---|--------------------------|-----------------------|-----------------------------|-----|-----|------------|
| | | Total | Without prior conviction | With prior conviction | | | | |
| | | | | Total | Number of prior convictions | | | |
| | | | | | 1 | 2-4 | 5-9 | 10 or more |
| All offenses | 49,497 | 100% | 45% | 55% | 13% | 21% | 13% | 8% |
| Violent offenses | 12,727 | 100% | 50% | 50% | 13% | 18% | 12% | 7% |
| Murder | 496 | 100 | 50 | 50 | 14 | 20 | 11 | 4 |
| Rape | 513 | 100 | 57 | 43 | 13 | 15 | 10 | 4 |
| Robbery | 3,919 | 100 | 44 | 56 | 14 | 19 | 13 | 9 |
| Assault | 5,748 | 100 | 52 | 48 | 12 | 17 | 11 | 7 |
| Other violent | 2,052 | 100 | 51 | 49 | 13 | 19 | 9 | 7 |
| Property offenses | 15,362 | 100% | 45% | 55% | 10% | 21% | 14% | 10% |
| Burglary | 4,389 | 100 | 37 | 63 | 11 | 25 | 16 | 11 |
| Theft | 5,525 | 100 | 44 | 56 | 11 | 19 | 15 | 11 |
| Other property | 5,448 | 100 | 52 | 48 | 10 | 21 | 10 | 8 |
| Drug offenses | 17,187 | 100% | 43% | 57% | 16% | 22% | 13% | 7% |
| Trafficking | 7,245 | 100 | 43 | 57 | 15 | 22 | 13 | 7 |
| Other drug | 9,943 | 100 | 42 | 58 | 16 | 22 | 12 | 8 |
| Public-order offenses | 4,221 | 100% | 39% | 61% | 16% | 24% | 14% | 7% |
| Weapons | 1,938 | 100 | 42 | 58 | 17 | 24 | 11 | 5 |
| Driving-related | 1,145 | 100 | 34 | 66 | 11 | 27 | 17 | 10 |
| Other public-order | 1,137 | 100 | 37 | 63 | 19 | 21 | 15 | 8 |

Note: Data on number of prior convictions were available for 94% of all cases. Detail may not add to total because of rounding.

Table 11. Number of prior felony convictions of felony defendants, by most serious current arrest charge, 1994

| Most serious current arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties | | | | | | | | |
|------------------------------------|----------------------|---|-------|-----------------|------------------------------|-------|------------------------------------|-----|------------|----|
| | | Without prior felony conviction | | | With prior felony conviction | | | | | |
| | | Total | Total | Non-felony only | No prior convictions | Total | Number of prior felony convictions | | | |
| | | | | | | 1 | 2-4 | 5-9 | 10 or more | |
| All offenses | 50,437 | 100% | 62% | 17% | 45% | 38% | 15% | 17% | 4% | 1% |
| Violent offenses | 12,912 | 100% | 66% | 17% | 50% | 34% | 14% | 15% | 4% | 1% |
| Murder | 502 | 100 | 62 | 11 | 50 | 38 | 16 | 17 | 4 | 1 |
| Rape | 516 | 100 | 71 | 14 | 57 | 29 | 14 | 14 | 1 | 0 |
| Robbery | 3,950 | 100 | 61 | 16 | 44 | 39 | 14 | 18 | 5 | 2 |
| Assault | 5,850 | 100 | 68 | 16 | 52 | 32 | 13 | 13 | 4 | 1 |
| Other violent | 2,094 | 100 | 70 | 19 | 51 | 30 | 14 | 12 | 3 | -- |
| Property offenses | 15,644 | 100% | 61% | 16% | 45% | 39% | 13% | 18% | 6% | 2% |
| Burglary | 4,458 | 100 | 53 | 16 | 37 | 47 | 16 | 21 | 7 | 2 |
| Theft | 5,634 | 100 | 60 | 16 | 44 | 40 | 12 | 19 | 7 | 2 |
| Other property | 5,552 | 100 | 69 | 16 | 52 | 31 | 12 | 15 | 3 | 1 |
| Drug offenses | 17,572 | 100% | 61% | 17% | 43% | 39% | 17% | 18% | 4% | 1% |
| Trafficking | 7,354 | 100 | 63 | 19 | 43 | 37 | 17 | 16 | 3 | 1 |
| Other drug | 10,218 | 100 | 59 | 17 | 42 | 41 | 17 | 19 | 4 | 1 |
| Public-order offenses | 4,309 | 100% | 60% | 21% | 39% | 40% | 18% | 17% | 4% | 1% |
| Weapons | 1,969 | 100 | 57 | 15 | 42 | 43 | 19 | 20 | 3 | 1 |
| Driving-related | 1,165 | 100 | 66 | 31 | 34 | 34 | 17 | 11 | 5 | -- |
| Other public-order | 1,175 | 100 | 60 | 23 | 37 | 40 | 16 | 19 | 4 | -- |

Note: Data on number of prior felony convictions were available for 96% of all cases. Detail may not add to total because of rounding. --Less than 0.5%.

About two-thirds of the defendants with a conviction record, an estimated 38% of defendants overall, had at least one prior conviction for a felony (table 11).

About a third of defendants whose current charge was for a violent felony had previously been convicted of a felony. Robbery (39%) and murder (38%) defendants were more likely to have a felony conviction record than assault (32%) or rape (29%) defendants.

About two-fifths of defendants whose most serious current arrest charge was for a public-order (40%), property (39%), or drug (39%) offense had been previously convicted of a felony.

Among property defendants, those charged with burglary (47%) were the most likely to have a felony conviction record. Among public-order defendants, those facing weapons charges (43%) were the most likely to have a prior felony conviction.

A majority of the defendants with a felony conviction record, 22% of defendants overall, had multiple prior felony convictions. Five percent of all defendants had five or more prior felony convictions.

Burglary (30%) and theft (28%) defendants were the most likely to have multiple prior felony convictions and 9% of these defendants had five or more. Defendants charged with a driving-related offense (16%) or rape (15%) were the least likely to have multiple prior felony convictions.

Ninety percent of defendants under age 18 at the time of the current offense had no prior adult convictions, while 7% had been previously convicted of at least one felony and 3% of at least one misdemeanor but no felonies (figure 8). In the 18-to-20 age range, 67% of defendants had no prior convictions, and 19% had at least one prior felony conviction.

A majority of the defendants age 21 or older had a conviction record, and defendants in the 25 to 49 age range were more likely to have a felony conviction record than no prior convictions at all.

For about a third of the defendants with a prior felony conviction, 13% of defendants overall, their criminal history included at least one conviction for a violent felony (table 12). About a sixth of the defendants whose most serious current arrest charge was for a violent offense had a prior conviction for a violent felony. About 1 in 10 drug defendants had a prior conviction for a violent felony.

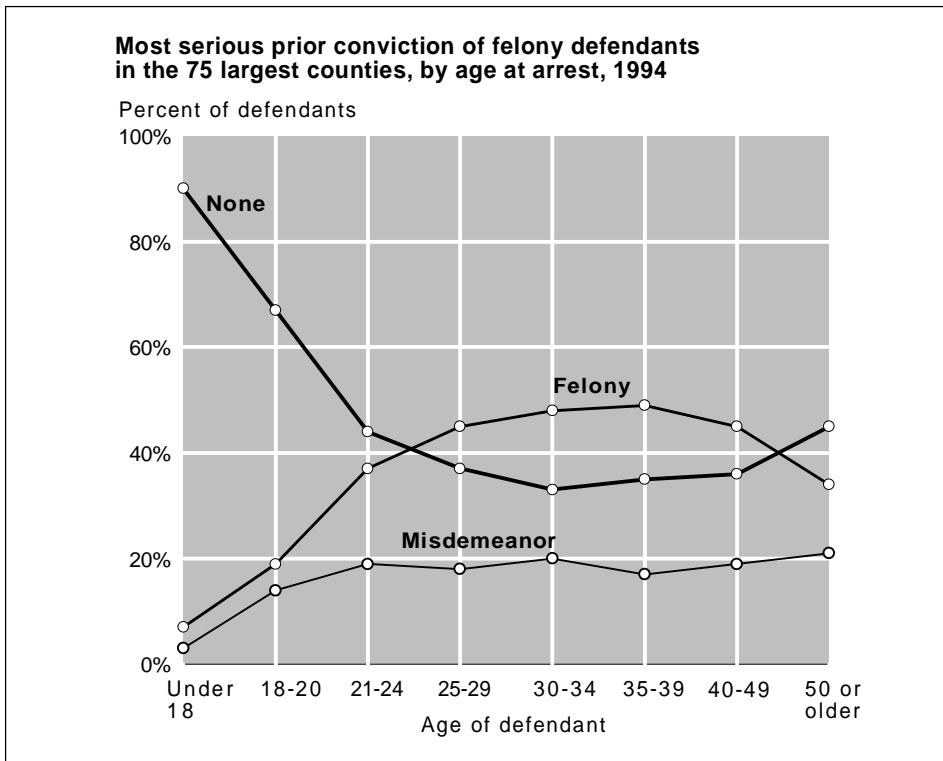


Figure 8

Table 12. Most serious prior conviction of felony defendants, by most serious current arrest charge, 1994

| Most serious current arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties | | | | | | |
|------------------------------------|----------------------|---|--------------------------|-------------------------------|-------|----------------|-------------------|-------------|
| | | Total | Without prior conviction | Most serious prior conviction | | | | Misdemeanor |
| | | | | Total | Total | Felony Violent | Felony Nonviolent | |
| All offenses | 50,222 | 100% | 45% | 55% | 38% | 13% | 25% | 17% |
| Violent offenses | 12,875 | 100% | 50% | 50% | 34% | 17% | 17% | 16% |
| Murder | 499 | 100 | 50 | 50 | 39 | 20 | 19 | 11 |
| Rape | 516 | 100 | 57 | 43 | 29 | 17 | 12 | 14 |
| Robbery | 3,950 | 100 | 44 | 56 | 39 | 20 | 19 | 16 |
| Assault | 5,821 | 100 | 52 | 48 | 32 | 17 | 16 | 16 |
| Other violent | 2,089 | 100 | 51 | 49 | 30 | 14 | 17 | 19 |
| Property offenses | 15,604 | 100% | 45% | 55% | 39% | 13% | 26% | 16% |
| Burglary | 4,451 | 100 | 37 | 63 | 47 | 16 | 31 | 16 |
| Theft | 5,618 | 100 | 44 | 56 | 40 | 14 | 26 | 16 |
| Other property | 5,536 | 100 | 52 | 48 | 32 | 10 | 22 | 16 |
| Drug offenses | 17,454 | 100% | 43% | 57% | 40% | 10% | 30% | 17% |
| Trafficking | 7,319 | 100 | 43 | 57 | 38 | 9 | 29 | 19 |
| Other drug | 10,135 | 100 | 42 | 58 | 41 | 11 | 30 | 17 |
| Public-order offenses | 4,289 | 100% | 39% | 61% | 40% | 15% | 25% | 21% |
| Weapons | 1,961 | 100 | 42 | 58 | 43 | 18 | 25 | 15 |
| Driving-related | 1,163 | 100 | 34 | 66 | 35 | 9 | 25 | 31 |
| Other public-order | 1,165 | 100 | 37 | 63 | 40 | 16 | 24 | 23 |

Note: Data on most serious prior conviction were available for 95% of all cases. Detail may not add to total because of rounding.

By specific arrest charge, the percentage of defendants previously convicted of a violent felony ranged from 20% of murder and robbery defendants to 9% of defendants charged with drug trafficking or a driving-related offense (figure 9).

The most serious prior conviction was a nonviolent felony for about 3 in 10 defendants charged with burglary (31%) or drug trafficking (29%). This was also the case for about a fourth of defendants charged with theft (26%), a weapons offense (25%), or a driving-related offense (25%).

Defendants charged with a driving-related offense were the only group whose most serious prior conviction was about as likely to be a misdemeanor (31%) as a felony (34%). These defendants were about twice as likely as other defendants to have a conviction record that consisted only of misdemeanors.

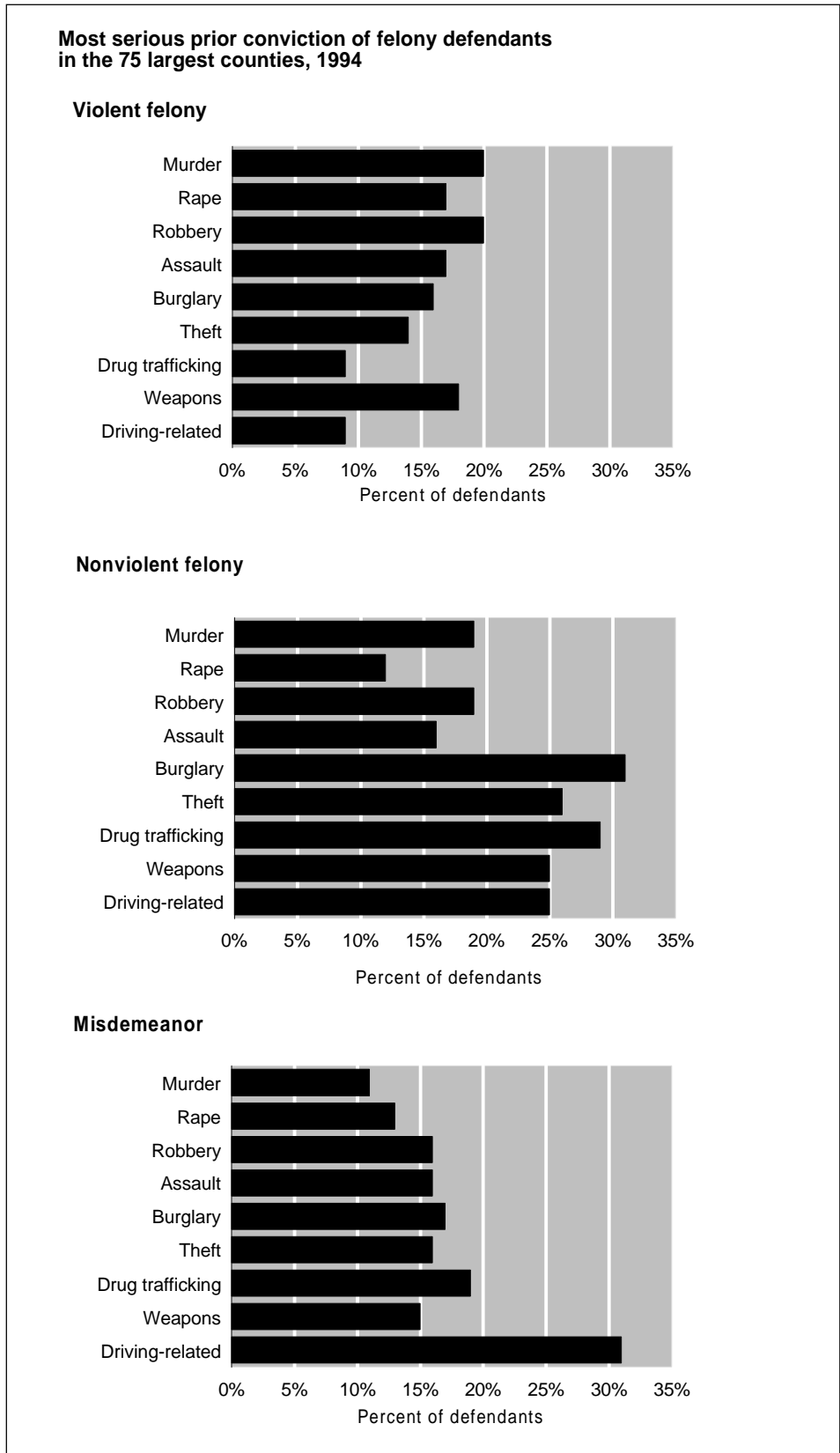


Figure 9

Pretrial release and detention

Rates of release and detention

An estimated 62% of felony defendants in the 75 largest counties were released prior to the final disposition of their case (table 13). By general offense category, defendants charged with a violent offense (55%) were less likely to be released than those whose most serious arrest charge was a drug (66%), property (64%), or public-order (64%) offense.

Within the violent offense category, release rates varied greatly. Just 21% of murder defendants were released compared to 66% of those charged with assault. Fifty-three percent of rape defendants and 43% of robbery defendants were released before the court disposed of their case.

Among defendants charged with a property offense, about half of those charged with burglary were released, compared to about two-thirds of theft defendants and about three-fourths of those charged with other property offenses.

Among drug defendants, those charged with drug trafficking (61%) were less likely to be released than those charged with other drug offenses (70%). Among public-order defendants, those charged with a driving-related offense (70%) were the most likely to be released.

Among the 38% of defendants who were detained in jail until case disposition, a large majority (82%) had a bail amount set but did not post the money required to secure release. Detained murder defendants were the exception to this rule, as a majority of them, 43% of all murder defendants overall, were ordered held without bail (figure 10). Overall, 7% of felony defendants in the 75 largest counties were denied bail.

Table 13. Felony defendants released before or detained until case disposition, by most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Total | Percent of defendants in the 75 largest counties | |
|------------------------------|----------------------|-------|--|---------------------------------|
| | | | Released before case disposition | Detained until case disposition |
| All offenses | 50,241 | 100% | 62% | 38% |
| Violent offenses | 12,897 | 100% | 55% | 45% |
| Murder | 500 | 100 | 21 | 79 |
| Rape | 525 | 100 | 53 | 47 |
| Robbery | 3,842 | 100 | 43 | 57 |
| Assault | 5,858 | 100 | 66 | 34 |
| Other violent | 2,172 | 100 | 56 | 44 |
| Property offenses | 15,574 | 100% | 64% | 36% |
| Burglary | 4,417 | 100 | 47 | 53 |
| Theft | 5,720 | 100 | 68 | 32 |
| Other property | 5,436 | 100 | 74 | 26 |
| Drug offenses | 17,491 | 100% | 66% | 34% |
| Trafficking | 7,468 | 100 | 61 | 39 |
| Other drug | 10,023 | 100 | 70 | 30 |
| Public-order offenses | 4,279 | 100% | 64% | 36% |
| Weapons | 1,967 | 100 | 64 | 36 |
| Driving-related | 1,210 | 100 | 70 | 30 |
| Other public-order | 1,101 | 100 | 56 | 44 |

Note: Data on detention/release outcome were available for 95% of all cases. Detail may not add to total because of rounding.

Pretrial detention of felony defendants in the 75 largest counties, by most serious arrest charge, 1994

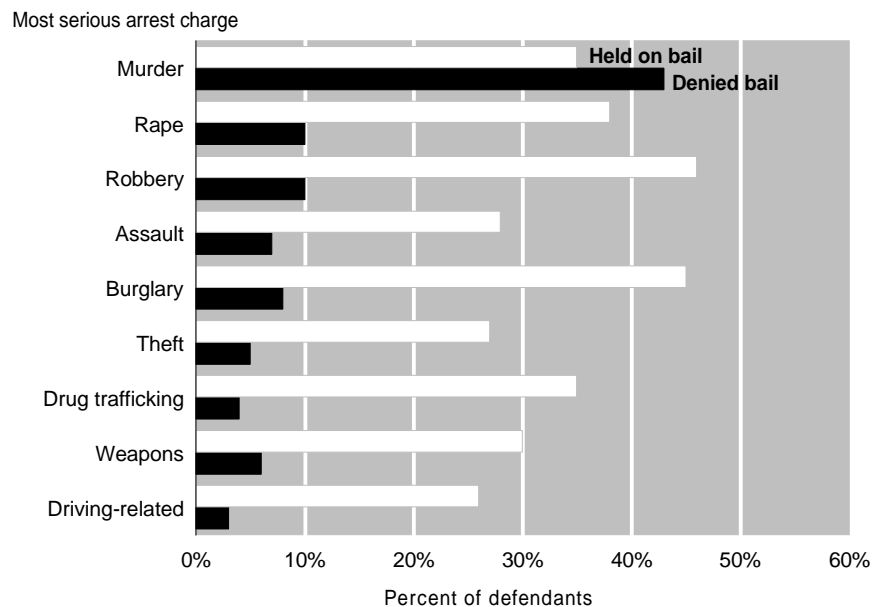


Figure 10

Table 14. Type of pretrial release or detention of felony defendants, by most serious arrest charge, 1994

| Most serious arrest charge | Percent of felony defendants in the 75 largest counties | | | | | | | | | | | |
|----------------------------|---|-------------|--------------|----------------|---------------|----------------------|--------------|---------------|-------------|---------------------|---------------------------------|-------------|
| | Released before case disposition | | | | | | | | | | Detained until case disposition | |
| | Financial release | | | | | Nonfinancial release | | | | | Held on bail | Denied bail |
| | Total financial | Surety bond | Deposit bond | Full cash bond | Property bond | Total non-financial | Recognizance | Con- ditional | Un- secured | Emer- gency release | | |
| All offenses | 25% | 15% | 6% | 3% | 1% | 36% | 26% | 7% | 4% | 1% | 31% | 7% |
| Violent offenses | 26% | 17% | 5% | 3% | 1% | 29% | 24% | 4% | 1% | -- | 36% | 9% |
| Murder | 14 | 8 | 3 | 0 | 3 | 8 | 6 | 1 | 0 | 0 | 35 | 43 |
| Rape | 25 | 11 | 6 | 4 | 4 | 27 | 17 | 8 | 2 | 0 | 38 | 10 |
| Robbery | 17 | 11 | 3 | 2 | 1 | 26 | 23 | 2 | 1 | -- | 46 | 10 |
| Assault | 32 | 20 | 7 | 5 | 1 | 33 | 28 | 4 | 1 | -- | 28 | 7 |
| Other violent | 30 | 22 | 5 | 3 | 1 | 26 | 18 | 7 | 1 | 0 | 38 | 5 |
| Property offenses | 24% | 14% | 5% | 3% | 2% | 40% | 28% | 7% | 4% | 1% | 30% | 6% |
| Burglary | 19 | 12 | 4 | 2 | 1 | 27 | 17 | 7 | 2 | 1 | 45 | 8 |
| Theft | 29 | 17 | 5 | 5 | 2 | 39 | 23 | 8 | 7 | 1 | 27 | 5 |
| Other property | 24 | 14 | 6 | 3 | 2 | 50 | 41 | 6 | 2 | -- | 20 | 6 |
| Drug offenses | 24% | 15% | 5% | 2% | 1% | 39% | 26% | 8% | 6% | 3% | 28% | 6% |
| Trafficking | 30 | 20 | 5 | 3 | 1 | 30 | 18 | 7 | 4 | 1 | 35 | 4 |
| Other drug | 20 | 12 | 5 | 1 | 1 | 46 | 31 | 8 | 7 | 4 | 24 | 7 |
| Public-order offenses | 28% | 15% | 9% | 4% | 1% | 35% | 28% | 6% | -- | 1% | 28% | 8% |
| Weapons | 33 | 17 | 11 | 3 | 2 | 29 | 23 | 6 | 1 | 2 | 30 | 6 |
| Driving-related | 28 | 18 | 6 | 4 | 1 | 42 | 35 | 7 | 0 | 0 | 26 | 3 |
| Other public-order | 22 | 10 | 7 | 4 | 1 | 34 | 27 | 7 | 0 | 0 | 28 | 16 |

Note: Data on type of pretrial release or detention were available for 91% of all cases. Detail may not add to total because of rounding. --Less than 0.5%.

A majority of the defendants released prior to case disposition, 36% of defendants overall, were released under nonfinancial conditions that did not require the posting of bail (see *Methodology* for definitions of terms related to pretrial release) (table 14). Release on personal recognizance, granted to 26% of all defendants and 41% of released defendants, was the type of release used most often (figure 11).

Other nonfinancial types of release included conditional release (7% of all defendants and 10% of released defendants), and release on unsecured bond (4% and 6%).

A fourth of all defendants secured release through financial terms that involved the posting of a financial bond in the form of money or property. The most common type of financial release was surety bond (15% of all defendants and 25% of released defendants), which involves the services of a commercial bail bond agent.

Other types of financial release included deposit bond (6% of all defendants and 9% of released defendants), full cash bond (3% and 5%), and property bond (1% and 2%). These bonds are posted directly with the court without the use of a bail bond agent.

About 1% of all defendants (2% of released defendants) were released prior to case disposition as the result of an emergency release used to relieve jail crowding. Such releases did not involve the use of any of the types of release mentioned above.

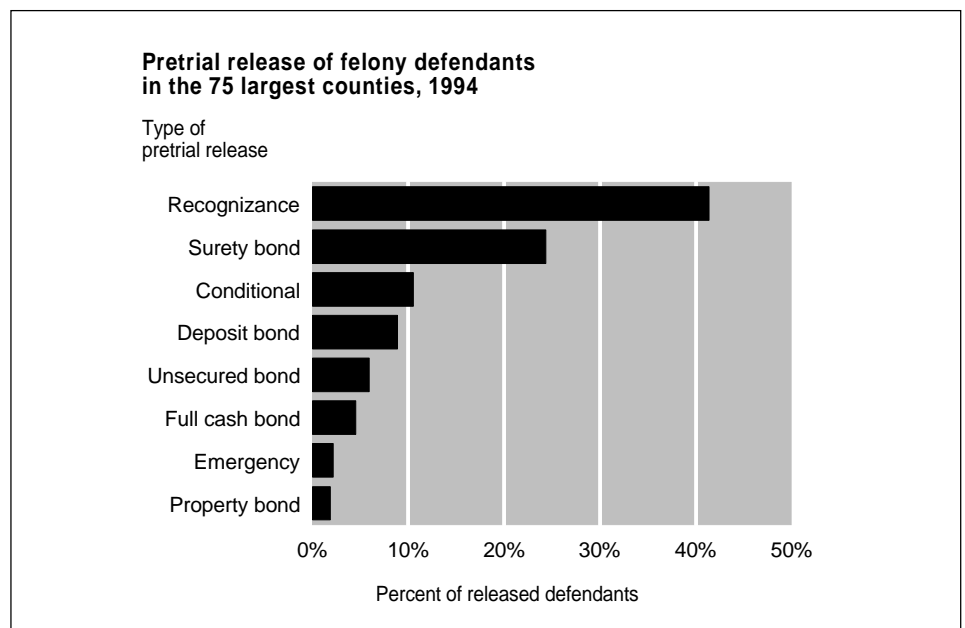


Figure 11

Bail amounts

Just over half of all defendants had a bail amount set by the court, and were required to post all or part of that amount to secure release while their case was pending. The remainder were granted nonfinancial release (36%), ordered held without bail (7%), or were part of an emergency release (1%). About half of those with a bail amount had it set at \$10,000 or more, including 26% who had it set at \$25,000 or more (table 15).

Among defendants with a bail amount set, those charged with a violent offense (40%) were about twice as likely as other defendants to have it set at \$25,000 or more. Nearly three-fourths of murder defendants (71%) with a bail amount had it set at \$25,000 or more, as did about half of rape (53%) and robbery (52%) defendants.

Among property defendants with a bail amount set, those charged with burglary (28%) were about twice as likely to have their bail set at \$25,000 or more as other property defendants (15%). Among drug defendants, 25% of those charged with drug trafficking had bail set at \$25,000 or more, compared to 15% of other drug defendants.

Overall, defendants who were detained until case disposition had a median bail amount 3 times that of defendants who secured release (\$15,000 versus \$5,000) (table 16). The mean bail amount for detained defendants (\$50,300) was about 5 times that of defendants who secured release (\$9,400).

Detained murder defendants had the highest median (\$235,500) and mean (\$370,400) bail amounts. Overall, the median bail amount for murder defendants was \$100,000 and the mean

was \$275,000. Rape and robbery defendants each had an overall median bail amount of \$25,000; and an overall mean bail amount of just under \$50,000.

Table 15. Bail amount set for felony defendants, by most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Total | Percent of felony defendants in the 75 largest counties with a bail amount of: | | | |
|----------------------------|----------------------|-------|--|-----------------|-------------------|------------------|
| | | | Under \$5,000 | \$5,000-\$9,999 | \$10,000-\$24,999 | \$25,000 or more |
| All offenses | 26,691 | 100% | 29% | 21% | 24% | 26% |
| Violent offenses | 7,632 | 100% | 21% | 18% | 21% | 40% |
| Murder | 239 | 100 | 9 | 1 | 19 | 71 |
| Rape | 321 | 100 | 11 | 13 | 23 | 53 |
| Robbery | 2,266 | 100 | 13 | 12 | 23 | 52 |
| Assault | 3,381 | 100 | 31 | 24 | 20 | 25 |
| Other violent | 1,425 | 100 | 16 | 17 | 22 | 45 |
| Property offenses | 8,046 | 100% | 38% | 20% | 23% | 20% |
| Burglary | 2,715 | 100 | 27 | 20 | 25 | 28 |
| Theft | 3,067 | 100 | 43 | 22 | 20 | 15 |
| Other property | 2,264 | 100 | 44 | 19 | 23 | 15 |
| Drug offenses | 8,784 | 100% | 27% | 24% | 29% | 20% |
| Trafficking | 4,655 | 100 | 20 | 20 | 35 | 25 |
| Other drug | 4,129 | 100 | 35 | 28 | 23 | 15 |
| Public-order offenses | 2,229 | 100% | 33% | 22% | 22% | 23% |
| Weapons | 1,110 | 100 | 30 | 22 | 25 | 23 |
| Driving-related | 592 | 100 | 35 | 18 | 21 | 26 |
| Other public-order | 527 | 100 | 38 | 24 | 18 | 20 |

Note: Data on bail amount were available for 98% of all defendants for whom a bail amount was set. Table excludes defendants given nonfinancial release. Detail may not add to 100% because of rounding.

Table 16. Median and mean bail amounts set for felony defendants, by pretrial release/detention outcome and most serious arrest charge, 1994

| Most serious arrest charge | Felony defendants in the 75 largest counties | | | | | |
|----------------------------|--|----------|----------|------------------|----------|----------|
| | Median bail amount | | | Mean bail amount | | |
| | Total | Released | Detained | Total | Released | Detained |
| All offenses | \$10,000 | \$5,000 | \$15,000 | \$32,600 | \$9,400 | \$50,300 |
| Violent offenses | \$13,000 | \$5,000 | \$25,000 | \$53,500 | \$12,400 | \$81,400 |
| Murder | 100,000 | 20,000 | 235,500 | 275,000 | 24,600 | 370,400 |
| Rape | 25,000 | 10,000 | 50,000 | 46,500 | 18,700 | 64,260 |
| Robbery | 25,000 | 10,000 | 25,000 | 48,200 | 19,600 | 56,300 |
| Assault | 7,500 | 5,000 | 20,000 | 39,800 | 8,600 | 74,300 |
| Other violent | 20,000 | 7,500 | 40,000 | 59,000 | 14,600 | 92,500 |
| Property offenses | \$5,000 | \$3,000 | \$10,000 | \$21,900 | \$7,000 | \$33,500 |
| Burglary | 10,000 | 5,000 | 13,000 | 23,400 | 7,300 | 29,600 |
| Theft | 5,000 | 2,500 | 10,000 | 25,600 | 7,100 | 45,200 |
| Other property | 5,000 | 3,000 | 10,000 | 14,900 | 6,600 | 24,300 |
| Drug offenses | \$7,500 | \$5,000 | \$10,000 | \$27,800 | \$10,000 | \$42,200 |
| Trafficking | 10,000 | 7,500 | 17,500 | 37,800 | 12,500 | 59,000 |
| Other drug | 5,000 | 5,000 | 7,500 | 16,700 | 7,200 | 24,000 |
| Public-order offenses | \$5,500 | \$3,000 | \$15,000 | \$18,400 | \$6,600 | \$28,700 |
| Weapons | 7,500 | 5,000 | 15,000 | 16,400 | 6,400 | 25,900 |
| Driving-related | 7,000 | 2,500 | 20,000 | 22,400 | 6,100 | 37,700 |
| Other public-order | 5,000 | 2,500 | 10,000 | 18,000 | 7,900 | 25,000 |

Note: Data on bail amount were available for 98% of all defendants for whom a bail amount was set. Bail amounts have been rounded to the nearest hundred dollars. Table excludes defendants given nonfinancial release.

Overall, less than half (43%) of defendants who had a bail amount set posted the amount of money or property required to secure release. About two-thirds of the defendants with a bail set at under \$5,000 posted the amount needed for release, as did about half of those with a bail amount of \$5,000 to \$9,999 (figure 12). In contrast, just a 10th of those with bail set at \$50,000 or more, and a 4th of those with a bail amount of at least \$25,000 but less than \$50,000 were able to meet the financial conditions required for release.

Among defendants given financial release, the average bail amount was highest for those released on property bond (a median of \$10,000 and a mean of \$13,100), and lowest for those released on full cash bond (a median of \$1,000 and a mean of \$4,400).

Defendants released on surety and deposit bond both had a median bail amount of \$5,000; however, the mean bail amount was higher for those released on deposit bond (\$12,300 versus \$9,000).

Unlike those released on full cash bond, defendants released on surety or deposit bond generally posted 10% of the full bail amount to secure release. However, they remained liable to the bail bond agent or the court for the full bail amount if they violated the terms of release.

| Type of release bond | Bail amount | |
|----------------------|-------------|---------|
| | Median | Mean |
| Surety | \$5,000 | \$9,000 |
| Deposit | 5,000 | 12,300 |
| Full cash | 1,000 | 4,400 |
| Property | 10,000 | 13,100 |

Unsecured \$10,000 \$15,900

Defendants released on an unsecured bond had a median bail amount of \$10,000 and a mean bail amount of \$15,900. These defendants did not have to post any of this amount, but like those on financial release, they were liable for the full bail amount if they violated the terms of release.

Probability of release for felony defendants in the 75 largest counties, by bail amount set, 1994

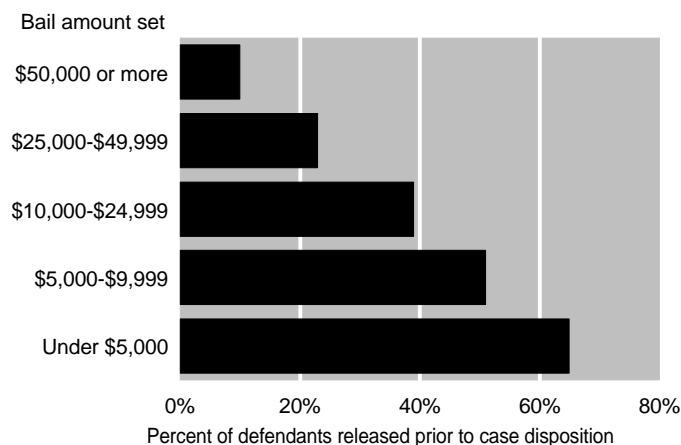


Figure 12

Time from arrest to release

Among defendants who were released prior to case disposition, about half were released within 1 day (51%), and about four-fifths were released within 1 week (79%) (table 17). Nearly all releases during the 1-year study occurred within a month of arrest (92%).

By general offense category, defendants charged with violent (47%) or

drug offenses (48%) were the least likely to be released within 1 day of arrest, and those charged with a property offense (58%) were the most likely.

More than half of the defendants released after being charged with assault, a property offense other than burglary, or a public-order offense that was not weapons-related were released within 1 day of their arrest.

Table 17. Time from arrest to release for felony defendants released before case disposition, by most serious arrest charge, 1994

| Most serious arrest charge | Released felony defendants in the 75 largest counties | | | |
|----------------------------|---|----------------------------------|--------|---------|
| | Number of defendants | Percent who were released within | | |
| | | 1 day | 1 week | 1 month |
| All offenses | 30,616 | 51% | 79% | 92% |
| Violent offenses | 6,924 | 47% | 76% | 90% |
| Murder | 102 | 11 | 38 | 53 |
| Rape | 269 | 46 | 75 | 93 |
| Robbery | 1,585 | 36 | 71 | 86 |
| Assault | 3,777 | 54 | 81 | 93 |
| Other violent | 1,191 | 42 | 72 | 88 |
| Property offenses | 9,756 | 58% | 81% | 93% |
| Burglary | 1,989 | 50 | 73 | 89 |
| Theft | 3,808 | 62 | 83 | 94 |
| Other property | 3,959 | 59 | 83 | 94 |
| Drug offenses | 11,262 | 48% | 79% | 93% |
| Trafficking | 4,500 | 45 | 75 | 92 |
| Other drug | 6,761 | 50 | 83 | 94 |
| Public-order offenses | 2,674 | 52% | 80% | 93% |
| Weapons | 1,252 | 46 | 79 | 93 |
| Driving-related | 809 | 56 | 84 | 95 |
| Other public-order | 612 | 59 | 77 | 91 |

Note: Data on time from arrest to release were available for 98% of all cases. Release data were collected for 1 year. Detail may not add to total because of rounding.

Defendants charged with murder typically waited the longest to be released. For example, while more than a third of the released defendants in each specific offense category other than murder were released within 1 day of arrest, just 1 in 9 releases of murder defendants occurred this quickly. After a month, about half of all murder defendant releases had occurred, compared to about 90% of the releases of other defendants.

When differences among types of offense are held constant, defendants released under financial terms generally took longer to secure their release than those who were released under nonfinancial conditions. Among defendants who were released under financial conditions, the amount of time from arrest to pretrial release tended to increase as the bail amount did.

Defendant criminal history and probability of pretrial release

Court decisions about bail and pretrial release are primarily based on the judgment of whether a defendant will

appear in court as scheduled and whether there is potential danger to the community from crimes that a defendant may commit if released. Many States have established specific criteria to be considered by the courts when setting release conditions and bail.

The SCPS data illustrate how release rates vary with some of these factors. For example, 70% of the defendants without an active criminal justice status at the time of their arrest for the current offense were released prior to case disposition, compared to 44% of those with such a status (table 18). Defendants on parole (24%) at the time of arrest were the least likely to be released. This compared with 43% of those on probation and 62% of those released pending disposition of a prior case.

Four-fifths of the defendants with no prior arrests were released, compared to about half of those who had been previously arrested. Among defendants who had an arrest record, those

who had never missed a court appearance (57%) had a slightly higher probability of being released than those who had failed to appear at least once during a previous case (49%).

Seventy-eight percent of defendants without a prior conviction were released prior to disposition of the current case, compared to 50% of those with a conviction record. Among those with a conviction record, release rates ranged from 62% for those with a single prior conviction to 40% for those with five or more.

Less than half of the defendants with one or more prior felony convictions (45%) were released prior to disposition of the current case, compared to about three-fifths of those whose prior convictions involved only misdemeanors (62%). Those with a prior conviction for a violent felony (41%) were slightly less likely to be released than those whose most serious prior conviction was for a nonviolent felony (47%).

Table 18. Percent of felony defendants who were released prior to case disposition, by criminal history, 1994

| Criminal history | Number of defendants | Felony defendants in the 75 largest counties Released prior to case disposition | | | | Detained until case disposition | | |
|--------------------------------------|----------------------|--|-------------------|-----------------------|-------------------|---------------------------------|--------------|-------------|
| | | Total released | Financial release | Non-financial release | Emergency release | Total | Held on bail | Denied bail |
| Criminal justice status | | | | | | | | |
| Any type | 15,261 | 44% | 18% | 25% | 1% | 56% | 43% | 13% |
| On parole | 3,041 | 24 | 10 | 14 | 1 | 76 | 57 | 19 |
| On probation | 6,688 | 43 | 20 | 22 | 1 | 57 | 46 | 11 |
| On pretrial release | 4,841 | 62 | 21 | 38 | 2 | 38 | 27 | 11 |
| None | 25,329 | 70 | 32 | 35 | 2 | 30 | 27 | 3 |
| Court appearance history | | | | | | | | |
| With prior arrest(s) | 27,684 | 53% | 22% | 29% | 1% | 47% | 39% | 9% |
| With prior failure to appear | 16,935 | 49 | 16 | 32 | 2 | 51 | 41 | 9 |
| Made all prior appearances | 10,749 | 57 | 30 | 26 | 1 | 43 | 34 | 9 |
| No prior arrests | 15,525 | 80 | 29 | 49 | 1 | 20 | 17 | 3 |
| Number of prior convictions | | | | | | | | |
| With prior conviction(s) | 25,910 | 50% | 22% | 27% | 1% | 50% | 41% | 9% |
| 5 or more | 9,797 | 40 | 17 | 22 | 1 | 60 | 50 | 10 |
| 2-4 | 9,811 | 52 | 23 | 27 | 1 | 48 | 38 | 10 |
| 1 | 6,302 | 62 | 26 | 33 | 3 | 38 | 31 | 7 |
| None | 21,575 | 78 | 29 | 47 | 2 | 22 | 18 | 4 |
| Most serious prior conviction | | | | | | | | |
| Any type of felony | 18,342 | 45% | 20% | 23% | 1% | 55% | 44% | 12% |
| Violent felony | 6,407 | 41 | 18 | 22 | 1 | 59 | 46 | 14 |
| Nonviolent felony | 11,935 | 47 | 21 | 24 | 2 | 53 | 42 | 11 |
| Misdemeanor | 8,281 | 62 | 26 | 34 | 1 | 38 | 35 | 4 |

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

Conduct of released defendants

Among defendants who were released prior to case disposition, about a third were charged with committing some type of misconduct while in a release status (table 19). This may have been in the form of a failure to appear in court, an arrest for a new offense, or some other violation of release conditions that resulted in the revocation of that release by the court.

By original offense category, the proportion of defendants charged with pretrial misconduct ranged from about two-fifths among drug defendants (39%), to about a fourth of defendants charged with a public-order (26%) or violent offense (23%). About a third of property defendants were charged with pretrial misconduct.

The widest range of misconduct rates was found within the violent offense category, with robbery defendants (30%) having a higher pretrial misconduct rate than other defendants.

Failure to appear in court

About three-fourths of the defendants who were released prior to case disposition made all scheduled court appearances (76%). Bench warrants for failing to appear in court were issued for the remaining 24% (table 20).

A higher percentage of released drug defendants (29%) and property defendants (25%) failed to appear in court than defendants charged with violent (15%) or public-order (18%) offenses.

Within the violent offense category, failure-to-appear rates were higher for defendants charged with robbery (19%) or assault (16%) than for other defendants. Among public-order defendants, those released after being charged with a driving-related offense (23%) were more likely to fail to appear in court than other defendants.

Nearly a third of the defendants who failed to appear in court, 7% of all defendants, were still fugitives at the end of the 1-year study period. The remainder were returned to the court (either voluntarily or not) before the end of the study.

Defendants released after being charged with a drug (9%) or property (8%) offense were about twice as likely to be a fugitive after 1 year as defendants released after being charged with a violent offense. No released murder defendants were in a fugitive status at the end of the 1-year study period.

Table 19. Released felony defendants charged with misconduct, by most serious arrest charge, 1994

| Most serious arrest charge | Released felony defendants in the 75 largest counties | |
|------------------------------|---|---------------------------------|
| | Number | Percent charged with misconduct |
| All offenses | 31,391 | 32% |
| Violent offenses | 7,111 | 23% |
| Murder | 106 | 19 |
| Rape | 277 | 19 |
| Robbery | 1,661 | 30 |
| Assault | 3,840 | 23 |
| Other violent | 1,227 | 17 |
| Property offenses | 10,001 | 32% |
| Burglary | 2,070 | 33 |
| Theft | 3,906 | 34 |
| Other property | 4,026 | 30 |
| Drug offenses | 11,559 | 39% |
| Trafficking | 4,583 | 38 |
| Other drug | 6,976 | 39 |
| Public-order offenses | 2,720 | 26% |
| Weapons | 1,256 | 26 |
| Driving-related | 852 | 29 |
| Other public-order | 612 | 23 |

Note: Types of misconduct included failure to appear in court, rearrest for a new offense, or a technical violation of release conditions that resulted in the revocation of pretrial release. Data were collected for up to 1 year. Misconduct occurring after the end of the 1-year study period is not included in the table.

Table 20. Released felony defendants who failed to make a scheduled court appearance, by most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Percent of released felony defendants in the 75 largest counties who — | | | | |
|------------------------------|----------------------|--|---------------------------|-------------------|---------------------|--|
| | | Made all court appearances | Failed to appear in court | | | |
| | | | Total | Returned to court | Remained a fugitive | |
| All offenses | 31,154 | 76% | 24% | 17% | 7% | |
| Violent offenses | 7,059 | 85% | 15% | 11% | 4% | |
| Murder | 106 | 92 | 8 | 8 | 0 | |
| Rape | 277 | 90 | 10 | 9 | 2 | |
| Robbery | 1,661 | 81 | 19 | 14 | 5 | |
| Assault | 3,799 | 84 | 16 | 11 | 5 | |
| Other violent | 1,216 | 90 | 10 | 7 | 3 | |
| Property offenses | 9,911 | 75% | 25% | 18% | 8% | |
| Burglary | 2,042 | 76 | 24 | 17 | 7 | |
| Theft | 3,873 | 73 | 27 | 19 | 8 | |
| Other property | 3,996 | 76 | 24 | 17 | 8 | |
| Drug offenses | 11,490 | 71% | 29% | 20% | 9% | |
| Trafficking | 4,568 | 73 | 27 | 18 | 9 | |
| Other drug | 6,922 | 69 | 31 | 22 | 9 | |
| Public-order offenses | 2,693 | 82% | 18% | 13% | 6% | |
| Weapons | 1,242 | 84 | 16 | 11 | 5 | |
| Driving-related | 848 | 77 | 23 | 16 | 7 | |
| Other public-order | 603 | 85 | 15 | 10 | 4 | |

Note: Data on the court appearance record for the current case were available for 99% of cases involving a defendant released prior to case disposition. All defendants who failed to appear in court and were not returned to the court during the 1-year study period are counted as fugitives. Some of these defendants may have been returned to the court at a later date. Detail may not add to total because of rounding.

Rearrest for a new offense

Overall, 15% of released defendants were rearrested for a new offense al-

legedly committed while they awaited disposition of their original case (table 21). Nearly two-thirds (64%) of these

defendants, 9% of all released defendants, were charged with a new felony. Sixty-two percent of the new felony arrests were for the same type of offense as the original charge.

By original arrest offense category, released drug defendants (18%) had the highest rearrest rate. This included 19% of drug trafficking defendants and 17% awaiting disposition on other drug charges. Robbery defendants (18%) were the only other group with a rearrest rate higher than the overall average.

By most serious original arrest charge, defendants released pending disposition of drug trafficking (13%) or robbery (12%) charges were more likely than other defendants to be rearrested for a new felony (figure 13). Those released after being charged with assault (6%) or a driving-related offense (5%) were less likely.

Table 21. Released felony defendants who were rearrested prior to case disposition, by most serious arrest charge, 1994

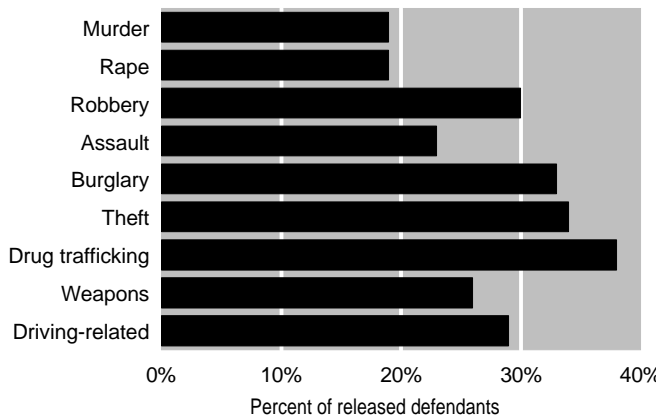
| Most serious arrest charge | Number of defendants | Percent of released felony defendants in the 75 largest counties | | | | |
|----------------------------|----------------------|--|----------------|------------|--------|-------------|
| | | Total | Not rearrested | Rearrested | | |
| | | | | Total | Felony | Misdemeanor |
| All offenses | 29,555 | 100% | 85% | 15% | 9% | 5% |
| Violent offenses | 6,835 | 100% | 88% | 12% | 7% | 5% |
| Murder | 98 | 100 | 92 | 8 | 8 | 0 |
| Rape | 273 | 100 | 91 | 9 | 8 | 1 |
| Robbery | 1,607 | 100 | 82 | 18 | 12 | 6 |
| Assault | 3,674 | 100 | 89 | 11 | 6 | 5 |
| Other violent | 1,182 | 100 | 90 | 10 | 5 | 5 |
| Property offenses | 9,459 | 100% | 86% | 14% | 9% | 5% |
| Burglary | 1,971 | 100 | 86 | 14 | 9 | 6 |
| Theft | 3,669 | 100 | 86 | 14 | 9 | 5 |
| Other property | 3,819 | 100 | 88 | 12 | 8 | 4 |
| Drug offenses | 10,700 | 100% | 82% | 18% | 11% | 6% |
| Trafficking | 4,303 | 100 | 81 | 19 | 13 | 6 |
| Other drug | 6,397 | 100 | 83 | 17 | 10 | 6 |
| Public-order offenses | 2,562 | 100% | 89% | 11% | 7% | 4% |
| Weapons | 1,195 | 100 | 89 | 11 | 8 | 3 |
| Driving-related | 789 | 100 | 87 | 13 | 5 | 8 |
| Other public-order | 578 | 100 | 90 | 10 | 8 | 1 |

Note: Rearrest data were available for 94% of released defendants. Rearrest data were collected for 1 year. Rearrests occurring after the end of this 1-year study period are not included in the table. Information on rearrests occurring in jurisdictions other than the one granting the pretrial release was not always available. Detail may not add to total because of rounding.

Misconduct prior to case disposition by released felony defendants in the 75 largest counties, 1994

Charged with any type of misconduct

Most serious arrest charge



Rearrested for a new felony

Most serious arrest charge

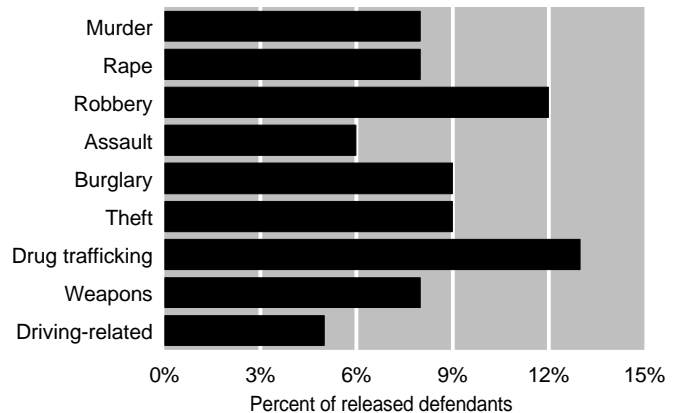


Figure 13

Adjudication

Time from arrest to adjudication

For about half of felony defendants in the 75 largest counties, adjudication of their case occurred within 3 months of arrest, and 7 in 8 cases were adjudicated within 1 year of arrest (table 22). The median time from arrest to adjudication was considerably longer for murder defendants (313 days) than for defendants charged with other offenses. An estimated 42% of murder defendants were awaiting adjudication of their case after 1 year, compared to a maximum of 16% in any other offense category.

After murder defendants, the longest median times from arrest to adjudication were for defendants whose most serious arrest charge was rape (133 days) or robbery (108 days). The shortest, 56 days, was for defendants whose most serious arrest charge was a public-order offense that was not weapons or driving-related.

For all offenses except murder, the median time from arrest to adjudication was shorter for detained defendants than for those released pending case disposition (figure 14). Among murder defendants, those detained until case disposition had a median time from arrest to adjudication of 331 days, compared to 244 days for those released.

The median time from arrest to adjudication was more than a month and a half longer for defendants released after being charged with rape, robbery, or assault than for those detained. Among those charged with a weapons offense, theft, drug trafficking, or a driving-related offense the median was more than 3 months longer for those released than for those detained.

Excluding murder defendants, the longest median time from arrest to adjudication among released defendants was for those charged with rape (152 days), a driving-related offense (147 days), or drug trafficking (145 days). Detained theft defendants (31 days) had the shortest adjudication time.

Table 22. Time from arrest to adjudication for felony defendants, by most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Felony defendants in the 75 largest counties | | | | | |
|----------------------------|----------------------|--|--|---------|----------|----------|--------|
| | | Median number of days | Cumulative percent of cases adjudicated within | | | | |
| | | | 1 week | 1 month | 3 months | 6 months | 1 year |
| All offenses | 50,552 | 89 days | 6% | 25% | 51% | 72% | 87% |
| Violent offenses | 13,116 | 106 days | 5% | 22% | 45% | 68% | 86% |
| Murder | 515 | 313 | 3 | 7 | 18 | 33 | 58 |
| Rape | 530 | 133 | 0 | 13 | 38 | 63 | 88 |
| Robbery | 4,028 | 108 | 7 | 24 | 46 | 68 | 88 |
| Assault | 5,870 | 99 | 5 | 22 | 47 | 70 | 87 |
| Other violent | 2,173 | 99 | 4 | 25 | 48 | 71 | 88 |
| Property offenses | 15,706 | 82 days | 7% | 27% | 53% | 76% | 88% |
| Burglary | 4,479 | 73 | 6 | 27 | 57 | 77 | 90 |
| Theft | 5,650 | 91 | 5 | 26 | 50 | 73 | 86 |
| Other property | 5,577 | 82 | 9 | 27 | 53 | 77 | 89 |
| Drug offenses | 17,285 | 85 days | 7% | 26% | 52% | 72% | 85% |
| Trafficking | 7,431 | 95 | 3 | 21 | 49 | 69 | 84 |
| Other drug | 9,854 | 77 | 9 | 29 | 55 | 74 | 86 |
| Public-order offenses | 4,445 | 82 days | 8% | 29% | 53% | 75% | 88% |
| Weapons | 1,976 | 87 | 5 | 28 | 51 | 71 | 85 |
| Driving-related | 1,266 | 107 | 5 | 20 | 45 | 70 | 88 |
| Other public-order | 1,203 | 56 | 14 | 39 | 65 | 85 | 93 |

Note: Data on time from arrest to adjudication were available for 96% of all cases. The median time from arrest to adjudication includes cases still pending at the end of the study. Knowing the exact times for these cases would not change the medians reported.

Median time from arrest to adjudication for felony defendants in the 75 largest counties, by pretrial detention-release outcome, 1994

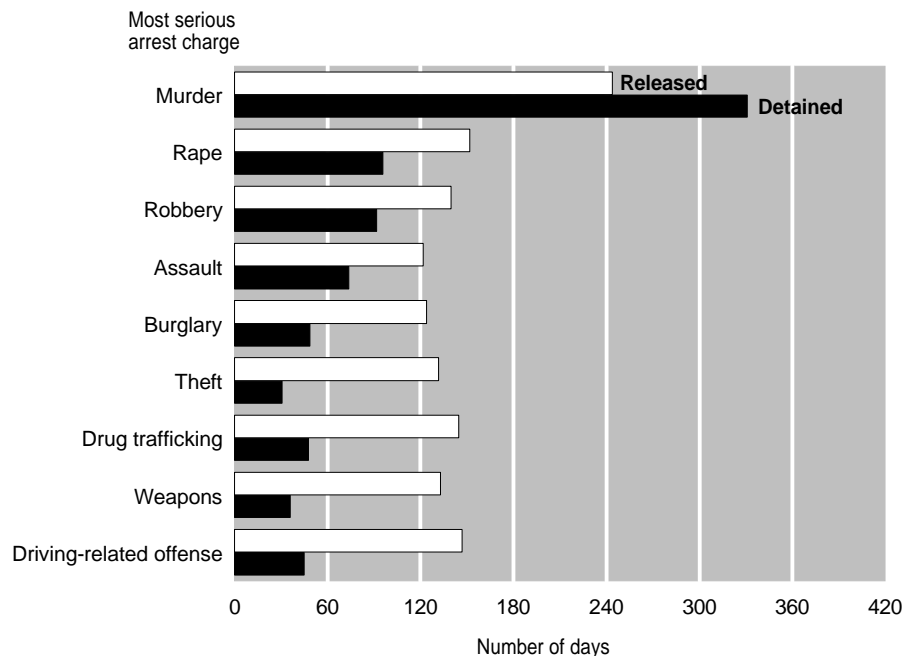


Figure 14

Table 23. Adjudication outcome for felony defendants, by most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties | | | | | | | | | | |
|----------------------------|----------------------|---|--------|-------|------|-------------|-------|---------------|-------------|----------------|-------------|----------------|
| | | Convicted | | | | | | Not convicted | | | | |
| | | Total convicted | Felony | | | Misdemeanor | | | Total | Dis-missed | Ac- quitted | Other outcome* |
| | Total | Plea | Trial | Total | Plea | Trial | Total | Dis-missed | Ac- quitted | Other outcome* | | |
| All offenses | 44,170 | 72% | 61% | 56% | 4% | 11% | 11% | -- | 26% | 25% | 1% | 2% |
| Violent offenses | 11,390 | 60% | 49% | 42% | 7% | 11% | 10% | 1% | 38% | 36% | 2% | 2% |
| Murder | 303 | 70 | 67 | 41 | 27 | 3 | 1 | 2 | 30 | 26 | 4 | 0 |
| Rape | 469 | 61 | 58 | 50 | 7 | 3 | 3 | 0 | 38 | 35 | 3 | 2 |
| Robbery | 3,540 | 64 | 57 | 51 | 6 | 7 | 6 | -- | 35 | 33 | 1 | 2 |
| Assault | 5,158 | 53 | 41 | 34 | 7 | 12 | 11 | 1 | 45 | 42 | 3 | 2 |
| Other violent | 1,921 | 69 | 53 | 48 | 5 | 16 | 15 | 1 | 30 | 27 | 2 | 1 |
| Property offenses | 13,994 | 76% | 63% | 59% | 4% | 14% | 13% | -- | 22% | 21% | 1% | 2% |
| Burglary | 4,020 | 78 | 67 | 62 | 5 | 11 | 10 | -- | 21 | 21 | 1 | 1 |
| Theft | 4,955 | 77 | 63 | 58 | 4 | 14 | 14 | -- | 21 | 21 | 1 | 2 |
| Other property | 5,019 | 75 | 60 | 57 | 3 | 15 | 15 | -- | 23 | 22 | 1 | 2 |
| Drug offenses | 14,854 | 76% | 66% | 63% | 3% | 9% | 10% | -- | 22% | 21% | 1% | 1% |
| Trafficking | 6,293 | 81 | 73 | 69 | 5 | 8 | 7 | 1 | 18 | 17 | 1 | 1 |
| Other drug | 8,561 | 73 | 62 | 59 | 2 | 11 | 11 | -- | 25 | 24 | 1 | 2 |
| Public-order offenses | 3,932 | 77% | 65% | 62% | 3% | 12% | 12% | -- | 22% | 21% | 1% | 1% |
| Weapons | 1,695 | 75 | 67 | 64 | 3 | 8 | 8 | 0 | 24 | 22 | 1 | 1 |
| Driving-related | 1,116 | 86 | 70 | 67 | 3 | 16 | 16 | -- | 14 | 14 | -- | -- |
| Other public-order | 1,122 | 72 | 57 | 55 | 2 | 15 | 14 | -- | 27 | 27 | 1 | 1 |

Note: Thirteen percent of all cases were still pending adjudication at the end of the 1-year study period, and are excluded from the table. Data on adjudication outcome were available for 96% of those cases that had

been adjudicated. Detail may not add to total because of rounding.

--Less than 0.5%.

*Includes diversion and deferred adjudication.

Adjudication outcome

Nearly three-fourths (72%) of the defendants who had their cases adjudicated within 1 year of arrest were convicted (table 23). A large majority of these convictions were for a felony, with 61% of all defendants eventually convicted of a felony.

Three-fifths of defendants whose most serious arrest charge was a violent offense (60%) were eventually convicted of a felony or a misdemeanor, compared to about three-fourths of those originally charged with a property (76%), drug (76%), or public-order (77%) offense. Defendants whose most serious arrest charge was a driving-related felony (86%) had the highest conviction rate, and defendants charged with felony assault (53%) had the lowest.

The probability of being convicted of a felony was highest for defendants whose most serious arrest charge was drug trafficking (73%), a driving-related

offense (70%), murder (67%), burglary (67%) or a weapons offense (67%). The lowest felony conviction rate was for assault defendants (41%).

In most cases where the defendant was not convicted, it was because the charges against the defendant were dismissed by the prosecutor or the court. Dismissal occurred in a fourth of all cases. Defendants charged with assault (42%) were the most likely to have their case dismissed, while those facing drug trafficking (17%) or driving-related (14%) charges were the least likely.

About 2% of all cases had other outcomes such as diversion or deferred adjudication. No murder defendants had their cases handled in this manner, nor did more than 2% of the defendants in any other offense category.

About four-fifths of the defendants who were detained until case disposition were eventually convicted of some offense, compared to about two-thirds of those who were released pending disposition (table 24). An estimated 71% of detained defendants were convicted of a felony, compared to 55% of released defendants.

Table 24. Adjudication outcome for felony defendants, by detention-release outcome and most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Convicted | |
|----------------------------|----------------------|-----------|--------|
| | | Total | Felony |
| Released defendants | | | |
| All offenses | 24,577 | 67% | 55% |
| Violent offenses | 5,761 | 52% | 40% |
| Property offenses | 7,990 | 72 | 57 |
| Drug offenses | 8,618 | 72 | 62 |
| Public-order offenses | 2,208 | 75 | 61 |
| Detained defendants | | | |
| All offenses | 17,443 | 79% | 71% |
| Violent offenses | 5,082 | 69% | 62% |
| Property offenses | 5,276 | 83 | 72 |
| Drug offenses | 5,604 | 84 | 77 |
| Public-order offenses | 1,481 | 81 | 71 |

Table 25. Adjudication outcome for felony defendants, by number and type of arrest charges, 1994

| Additional charges filed | Number of defendants | Percent of felony defendants in the 75 largest counties | | | | | | | | | | |
|-----------------------------|----------------------|---|--------|-------|-------|-------------|-------|----|---------------|------------|-----------|----------------|
| | | Convicted | | | | | | | Not convicted | | | |
| | | Total convicted | Felony | | | Misdemeanor | | | Total | Dis-missed | Acquitted | Other outcome* |
| | | Total | Plea | Trial | Total | Plea | Trial | | | | | |
| Additional felony | 17,189 | 77% | 69% | 64% | 5% | 8% | 8% | -- | 22% | 21% | 1% | 1% |
| No additional felony | 26,760 | 69 | 56 | 52 | 4 | 13 | 13 | -- | 29 | 28 | 1 | 2 |
| Misdemeanor(s) only | 7,587 | 66 | 46 | 41 | 5 | 20 | 19 | 1 | 31 | 30 | 1 | 3 |
| No additional charges | 19,173 | 70 | 60 | 56 | 4 | 11 | 11 | -- | 29 | 27 | 1 | 1 |

Note: Thirteen percent of all cases were still pending adjudication at the end of the 1-year study period. Data on adjudication outcome were available for 96% of those cases that had been adjudicated.
 --Less than 0.5%.
 *Includes diversion and deferred adjudication.

Adjudication outcome was related to some extent to the number and type of the original arrest charges filed. Defendants who were originally charged with more than 1 felony (77%) were more likely to eventually be convicted of some offense than defendants with no additional felony charges (69%) (table 25).

Sixty-nine percent of defendants whose original arrest charges included more than one felony were eventually convicted of a felony compared to 56% of those with no additional felony charges. Among the defendants who had no additional felony charges but were charged with one or more misdemeanors, 46% were convicted of a felony. Defendants in this latter group were about twice as likely as other defendants to eventually be convicted of a misdemeanor, usually by pleading guilty to such a charge instead of the original felony charge.

Overall, about two-thirds of defendants entered a guilty plea at some point, with 56% pleading guilty to a felony, and 11% to a misdemeanor.

About three-fourths of defendants charged with a nonviolent offense entered a guilty plea, and about three-fifths pleaded guilty to a felony. Defendants charged with a driving-related offense (82%) were the most likely to enter a guilty plea (figure 15). A majority of the defendants in each non-violent offense category pleaded guilty to a felony, including 69% of those charged with a driving-related offense or drug trafficking.

Plea rates were generally lower for defendants charged with a violent offense, with about half entering some type of guilty plea, and two-fifths pleading guilty to a felony. Defendants charged with robbery (51%) or rape (50%) were more likely to plead guilty to a felony than those charged with murder (41%) or assault (35%).

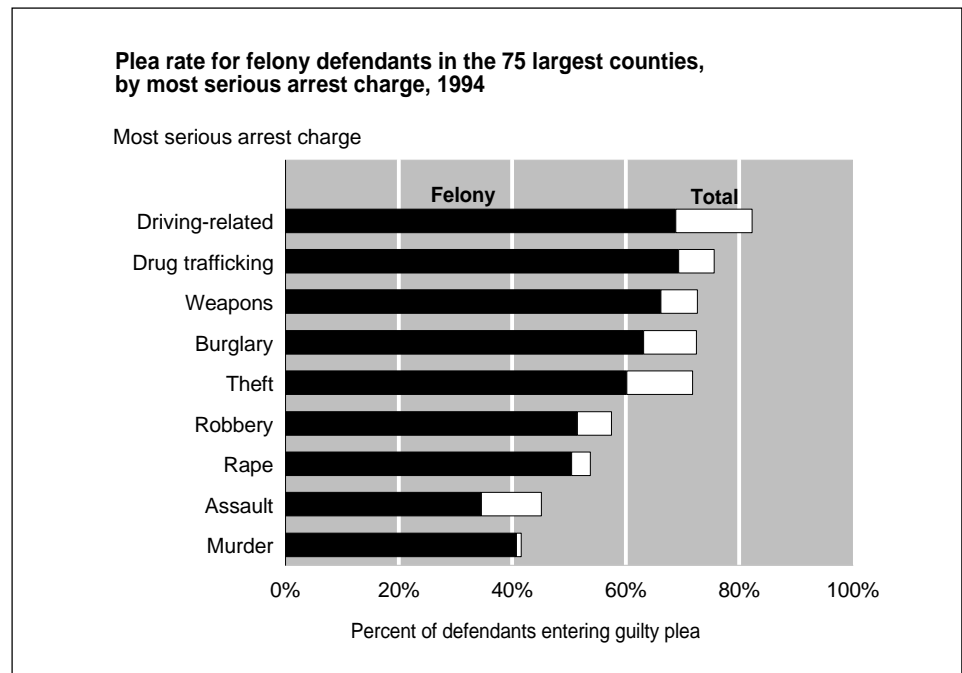


Figure 15

An estimated 6% of the cases adjudicated within 1 year went to trial. These cases were evenly split between bench trials and jury trials. Four-fifths of all trials ended with a guilty verdict, and a fifth with an acquittal. Jury trials (77%) were slightly less likely to result in a conviction than bench trials (83%).

| Type of trial | Percent of trials resulting in a conviction | | |
|---------------|---|--------|-------------|
| | Total | Felony | Misdemeanor |
| Total | 80% | 74% | 6% |
| Bench | 83 | 75 | 8 |
| Jury | 77 | 73 | 4 |

About a third of defendants facing murder charges went to trial, a much larger proportion than for defendants charged with other offenses (figure 16). About 1 in 10 defendants charged with assault or rape went to trial. Less than a 10th of other defendants had their case adjudicated by trial.

Regardless of the method of adjudication, defendants who were convicted were usually convicted of the same felony offense as the original arrest

charge. This was most likely to be the case when the original arrest charge was for a nonviolent offense.

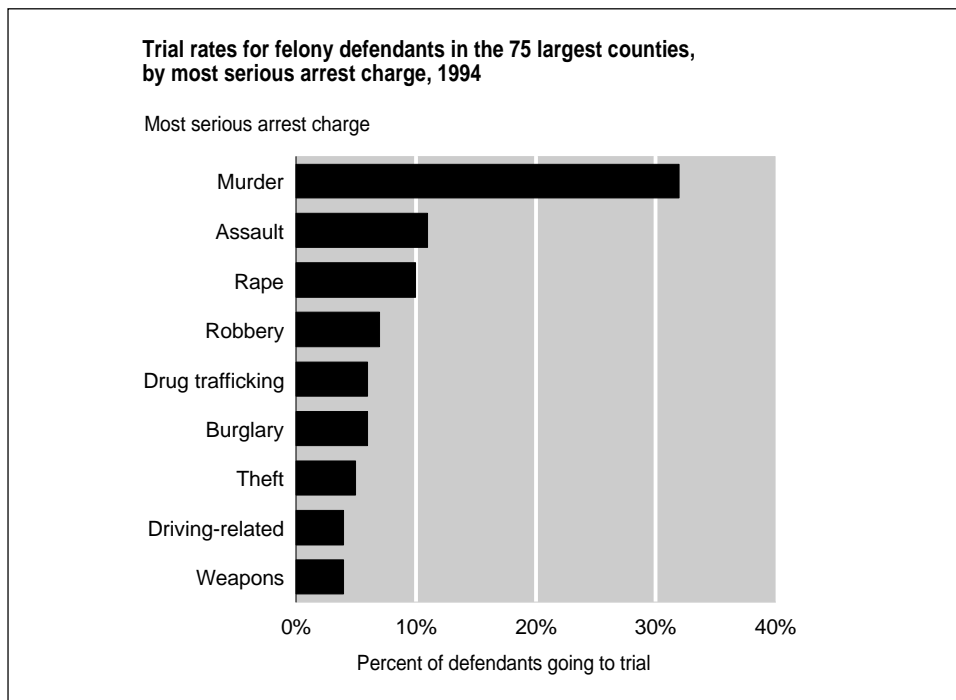


Figure 16

Table 26. Conviction offense of defendants arrested for a violent offense and subsequently convicted, by most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties convicted of: | | | | | | | | | |
|----------------------------|----------------------|---|--------------|----------------|------------|-----------|-----------|-----------|-------|--------------------|-------------|
| | | Total | Total felony | Violent felony | | | | | | Non-violent felony | Misdemeanor |
| | | | | Total violent | Murder | Rape | Robbery | Assault | Other | | |
| Murder | 212 | 100% | 99% | 90% | 60% | 0% | 12% | 13% | 4% | 9% | 1% |
| Rape | 286 | 100 | 94 | 88 | 0 | 62 | 4 | 6 | 16 | 6 | 6 |
| Robbery | 2,237 | 100 | 90 | 73 | 0 | -- | 67 | 4 | 2 | 17 | 10 |
| Assault | 2,722 | 100 | 78 | 66 | -- | 0 | 1 | 61 | 4 | 13 | 22 |

Note: Detail may not add to total because of rounding.
--Less than 0.5%.

Table 27. Conviction offense of defendants arrested for a nonviolent offense and subsequently convicted, by most serious arrest charge, 1994

| Most serious arrest charge | Number of defendants | Percent of felony defendants in the 75 largest counties convicted of: | | | | | | | | | | | |
|----------------------------|----------------------|---|--------------|-------------------|------------|-----------|------------------|-----------|-----------------|-------|----------------|-------------|-----|
| | | Total | Total felony | Nonviolent felony | | | | | | | Violent felony | Misdemeanor | |
| | | | | Total nonviolent | Burglary | Theft | Drug trafficking | Weapons | Driving-related | Other | | | |
| Burglary | 3,086 | 100% | 88% | 86% | 73% | 5% | -- | -- | -- | -- | 7% | 2% | 12% |
| Theft | 3,778 | 100 | 84 | 84 | 1 | 74 | 1 | -- | 1 | -- | 7 | -- | 16 |
| Drug trafficking | 5,057 | 100 | 92 | 91 | 0 | -- | 78 | -- | -- | -- | 13 | -- | 8 |
| Weapons | 1,276 | 100 | 91 | 91 | 0 | -- | 1 | 87 | 0 | 3 | -- | -- | 9 |
| Driving-related | 954 | 100 | 84 | 84 | 1 | 1 | 1 | -- | 77 | 4 | 0 | 0 | 16 |

Note: Detail may not add to total because of rounding.
--Less than 0.5%.

Among defendants arrested for murder and later convicted, 60% were convicted of murder (table 26). The corresponding percentages for other violent offenses were as follows: robbery (67%), rape (62%), and assault (61%).

Among defendants who were charged with a nonviolent offense and later convicted, the percentage whose conviction offense corresponded with their most serious arrest charge were as follows: weapons offense (87%), drug trafficking (78%), driving-related offense (77%), theft (74%), and burglary (73%) (table 27).

For most offenses a smaller percentage of defendants were in each felony

conviction offense category than were in the original distribution by arrest charge (tables 1 and 28). The biggest drop was in the violent felony category, which accounted for about 26% of all defendants by arrest charge, but just 16% of them by conviction charge.

Much of this change can be accounted for by the fact that about 12% of all defendants were originally facing felony assault charges, but just 6% of all convictions were for such an offense. Overall, 14% of convicted defendants were convicted at the misdemeanor level, including 22% of those originally charged with felony assault.

Given arrest, nearly two-thirds of the defendants whose most serious arrest

charge was for a weapons offense (66%), a driving-related offense (65%), or drug trafficking (62%) were eventually convicted of that same offense (figure 17). A majority (56%) of defendants originally charged with burglary and theft were eventually convicted of those offenses as well.

Among defendants whose most serious arrest charge was for a violent offense, less than half were eventually convicted of that same felony offense. About two-fifths of defendants originally charged with robbery (42%), murder (42%), or rape (38%) were eventually convicted of those offenses. About a third of defendants originally charged with felony assault were eventually convicted of that offense (32%).

Table 28. Felony defendants, by conviction offense, 1994

| Most serious conviction offense | Felony defendants in the 75 largest counties | |
|---------------------------------|--|--------------|
| | Number | Percent |
| All offenses | 31,868 | 100.0% |
| All felonies | 27,461 | 86.2% |
| Violent offenses | 4,987 | 15.7% |
| Murder | 141 | .4 |
| Rape | 195 | .6 |
| Robbery | 1,604 | 5.0 |
| Assault | 1,850 | 5.8 |
| Other violent | 1,198 | 3.8 |
| Property offenses | 9,114 | 28.6% |
| Burglary | 2,413 | 7.6 |
| Theft | 3,199 | 10.0 |
| Other property | 3,502 | 11.0 |
| Drug offenses | 9,822 | 30.8% |
| Trafficking | 4,909 | 15.4 |
| Other drug | 4,913 | 15.4 |
| Public-order offenses | 3,324 | 10.4% |
| Weapons | 1,325 | 4.2 |
| Driving-related | 859 | 2.7 |
| Other public-order | 1,140 | 3.6 |
| Other felonies | 213 | .7% |
| Misdemeanors | 4,407 | 13.8% |

Note: Data on conviction offense were available for 100% of cases involving defendants who had been convicted.

Conviction probabilities for felony defendants in the 75 largest counties, by most serious arrest charge, 1994

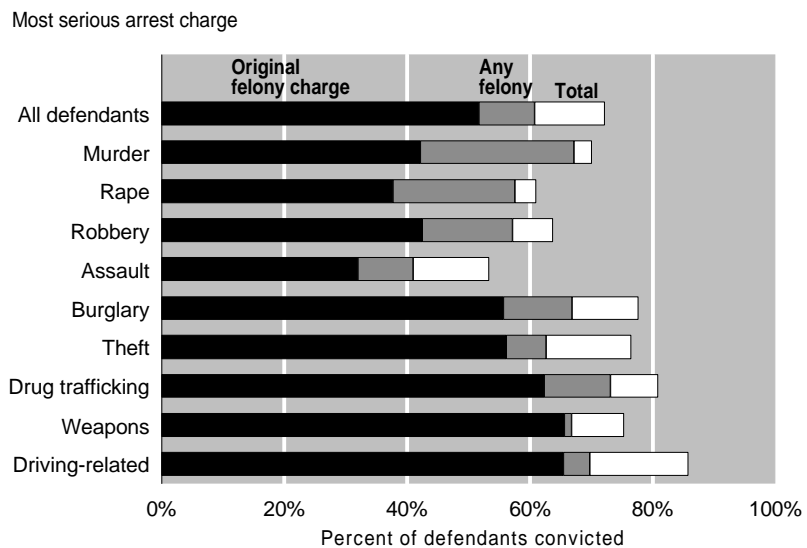


Figure 17

Case processing statistics

Among the approximately 43,000 SCPS cases with a known adjudication outcome that occurred within 1 year of arrest, about 29,000 were disposed by a guilty plea (figure 18). About a fourth of all pleas occurred within 1 month of arrest and nearly three-fifths within 3 months of arrest.

The next most common type of adjudication, dismissal of the charges against the defendant, occurred in about 11,000 cases. About two-fifths of all dismissals occurred within the first month after arrest and two-thirds within 3 months.

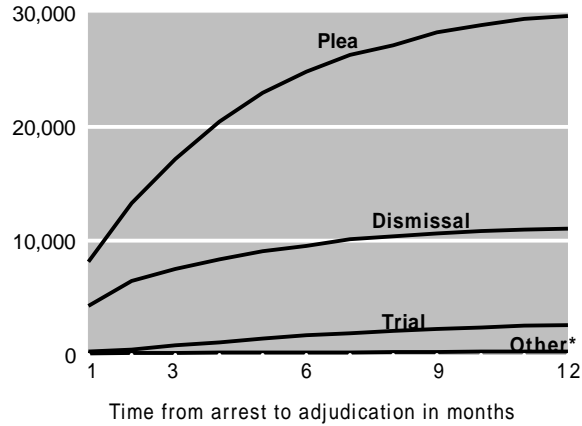
Trials occurred in about 2,600 cases. About 1 in 10 trials were completed within a month of arrest and about 1 in 3 within 3 months of arrest.

Guilty pleas accounted for nearly all (92%) of the 31,000 convictions obtained within 1 year of arrest (figure 19). This included about 24,000 felony pleas and about 5,000 misdemeanor pleas. About a fourth of the felony pleas occurred within 1 month of arrest, and more than half were obtained within 3 months of arrest. Two-fifths of the misdemeanor pleas were obtained with 1 month of arrest, and about two-thirds within 3 months.

Of the approximately 2,000 trial convictions obtained within 1 year, nearly all were for a felony, with just 161 trials resulting in a misdemeanor conviction. A third of all trial convictions occurred within 3 months of arrest, and two-thirds within 6 months of arrest.

Method of adjudication of felony cases filed in May 1994 and disposed within 1 year in the 75 largest counties

Cumulative number of cases adjudicated



*Includes diversion and deferred adjudication.

Figure 18

Method of conviction of felony cases filed in May 1994 and disposed within 1 year in the 75 largest counties

Cumulative number of convictions

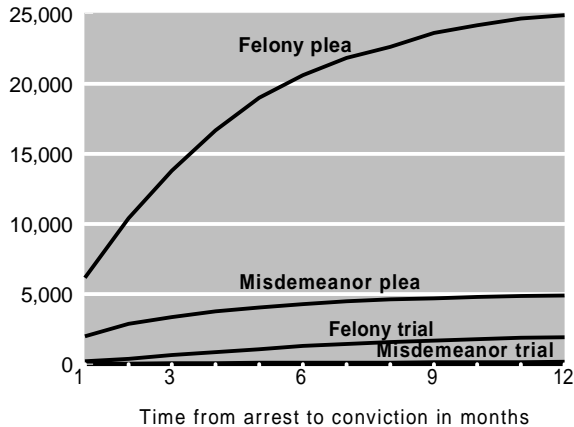


Figure 19

Sentencing

Time from conviction to sentencing

About 3 in 5 convicted defendants were sentenced within 1 day of adjudication (table 29). Defendants convicted of a misdemeanor (84%) were more likely to be sentenced this quickly than those convicted of a felony (58%).

Sentencing after a felony conviction was slightly more likely to occur within 1 day if the conviction was for a property (64%) or public-order (61%) offense than if it was for a violent (54%) or drug (53%) offense. Within the violent offense category, the percentage of convicted defendants sentenced within 1 day ranged from 23% of those convicted of murder to 63% of those convicted of felony assault.

About 4 in 5 convicted defendants received their sentence within 30 days, including 77% of those convicted of a felony and 90% of those convicted of a misdemeanor. Nearly all convicted defendants were sentenced within 60 days, including 97% of those convicted of a misdemeanor and 93% of those convicted of a felony.

Table 29. Time from conviction to sentencing for convicted defendants, by most serious conviction offense, 1994

| Most serious conviction offense | Number of defendants | Percent of convicted defendants in the 75 largest counties who were sentenced within — | | | | |
|---------------------------------|----------------------|--|---------|-----------|------------|-----------------|
| | | Total | 0-1 day | 2-30 days | 31-60 days | 61 days or more |
| All offenses | 30,870 | 100% | 62% | 17% | 14% | 7% |
| All felonies | 26,539 | 100% | 58% | 19% | 15% | 7% |
| Violent offenses | 4,682 | 100% | 54% | 16% | 20% | 9% |
| Murder | 120 | 100 | 23 | 20 | 36 | 21 |
| Rape | 188 | 100 | 57 | 14 | 17 | 11 |
| Robbery | 1,502 | 100 | 52 | 20 | 18 | 9 |
| Assault | 1,751 | 100 | 63 | 13 | 18 | 6 |
| Other violent | 1,122 | 100 | 46 | 16 | 26 | 12 |
| Property offenses | 8,891 | 100% | 64% | 16% | 13% | 7% |
| Burglary | 2,368 | 100 | 66 | 17 | 11 | 7 |
| Theft | 3,126 | 100 | 65 | 16 | 11 | 8 |
| Other property | 3,397 | 100 | 61 | 16 | 16 | 6 |
| Drug offenses | 9,499 | 100% | 53% | 24% | 15% | 8% |
| Trafficking | 4,703 | 100 | 50 | 25 | 17 | 8 |
| Other drug | 4,796 | 100 | 56 | 23 | 14 | 7 |
| Public-order offenses | 3,256 | 100% | 61% | 19% | 14% | 6% |
| Weapons | 1,276 | 100 | 52 | 23 | 15 | 10 |
| Driving-related | 853 | 100 | 56 | 24 | 16 | 4 |
| Other public-order | 1,126 | 100 | 75 | 10 | 11 | 4 |
| Misdemeanors | 4,331 | 100% | 84% | 6% | 6% | 3% |

Note: Data on time from conviction to sentencing were available for 96% of cases that had reached sentencing. Total for all felonies includes cases which could not be classified into one of the 4 major offense categories. Detail may not add to total because of rounding.

Type and length of sentence

About two-thirds of all convicted defendants were sentenced to incarceration in a State prison or local jail (table 30). Sixty-eight percent of the defendants convicted of a felony were sentenced to incarceration, compared to 57% of those convicted of a misdemeanor.

A majority of the incarceration sentences following a felony conviction, 36% of felony sentences overall, were to State prison. All murder convictions resulted in a prison sentence, as did a majority of the convictions for robbery (70%) and rape (69%). Defendants convicted of burglary (45%), drug trafficking (41%) or felony assault (39%) were also more likely to be sentenced to prison than to jail or probation.

Nearly all of the incarceration sentences resulting from a misdemeanor conviction, 52% of all misdemeanor sentences, were to jail. Two-thirds of all jail sentences included a probation term to be served in addition to the jail time. This was more likely to be the case for defendants convicted of a felony (72%) than those convicted of a misdemeanor (45%).

Among defendants who were convicted but not sentenced to incarceration, 96% of those convicted of a felony and 86% of those convicted of a misdemeanor received a probation term. Probation sentences may have included a fine, payment of restitution, and completion of a community service requirement.

Overall, about a third of convicted defendants received a sentence to probation (32%) without any incarceration. More than a third of defendants convicted of a felony property offense other than burglary, a felony drug offense other than trafficking, or a misdemeanor received a probation term without incarceration.

An estimated 2% of all defendants, 1% of those convicted of a felony, were ordered to pay a fine but were not sentenced to a term of incarceration or probation. These fines may have been in addition to court-ordered restitution and/or community service.

Table 30. Most severe type of sentence received by convicted defendants, by most serious conviction offense, 1994

| Most serious conviction offense | Number of defendants | Percent of convicted defendants in the 75 largest counties sentenced to | | | | | | |
|---------------------------------|----------------------|---|---------------|--------|------|------------------|-----------|------|
| | | Total | Incarceration | | | Nonincarceration | | |
| | | | Total | Prison | Jail | Total | Probation | Fine |
| All offenses | 28,835 | 100% | 67% | 32% | 34% | 33% | 32% | 2% |
| All felonies | 25,316 | 100% | 68% | 36% | 32% | 32% | 31% | 1% |
| Violent offenses | 4,582 | 100% | 76% | 51% | 25% | 24% | 23% | 1% |
| Murder | 124 | 100 | 100 | 100 | 0 | 0 | 0 | 0 |
| Rape | 184 | 100 | 81 | 69 | 12 | 19 | 19 | 0 |
| Robbery | 1,492 | 100 | 89 | 70 | 19 | 11 | 11 | 0 |
| Assault | 1,699 | 100 | 66 | 39 | 27 | 34 | 33 | 1 |
| Other violent | 1,083 | 100 | 72 | 34 | 37 | 28 | 27 | 2 |
| Property offenses | 8,381 | 100% | 63% | 33% | 30% | 37% | 36% | 1% |
| Burglary | 2,297 | 100 | 71 | 45 | 26 | 29 | 29 | 0 |
| Theft | 3,049 | 100 | 62 | 35 | 26 | 38 | 37 | 2 |
| Other property | 3,035 | 100 | 58 | 22 | 36 | 42 | 41 | 1 |
| Drug offenses | 9,272 | 100% | 68% | 34% | 34% | 32% | 31% | 1% |
| Trafficking | 4,589 | 100 | 75 | 41 | 34 | 25 | 25 | 1 |
| Other drug | 4,683 | 100 | 61 | 27 | 34 | 39 | 38 | 1 |
| Public-order offenses | 2,873 | 100% | 71% | 29% | 42% | 29% | 25% | 4% |
| Weapons | 1,210 | 100 | 68 | 33 | 36 | 32 | 29 | 2 |
| Driving-related | 832 | 100 | 76 | 33 | 43 | 24 | 19 | 5 |
| Other public-order | 831 | 100 | 72 | 22 | 50 | 28 | 23 | 5 |
| Misdemeanors | 3,519 | 100% | 57% | 5% | 52% | 43% | 37% | 6% |

Note: Data on type of sentence were available for 92% of cases involving defendants who had been convicted. Sixty-seven percent of jail sentences and 8% of prison sentences included a probation term. Sixteen percent of prison sentences, 18% of jail sentences, and 21% of probation sentences included a fine. Fines may have included restitution or community service. Total for all felonies includes cases that could not be classified into 1 of the 4 major offense categories. Detail may not add to total because of rounding.
--Less than 0.5%.

Among persons arrested and charged with a felony by the prosecutor, murder defendants had the highest probability of eventually being convicted and sentenced to prison (59%) (figure 20). The next highest probability of an eventual prison sentence was for defendants charged with robbery (41%) or rape (36%). About a third of defendants originally charged with drug trafficking (33%) or burglary (33%) were eventually convicted and sentenced to prison. Defendants originally charged with felony assault (22%) were the least likely to eventually be sentenced to prison.

Defendants charged with a driving-related offense were the most likely to eventually receive a jail sentence (36%). These were the only defendants categorized by offense with a greater chance of eventually being sentenced to jail than to prison.

Chances of being convicted and sentenced to either prison or jail were highest for defendants charged with murder (66%), a driving-related offense (65%), or drug trafficking (60%). A majority of defendants charged with robbery (56%), burglary (56%), or a weapons offense (53%) also were eventually convicted and sentenced to either prison or jail. Assault defendants (35%) were the least likely to be convicted and sentenced to some type of incarceration.

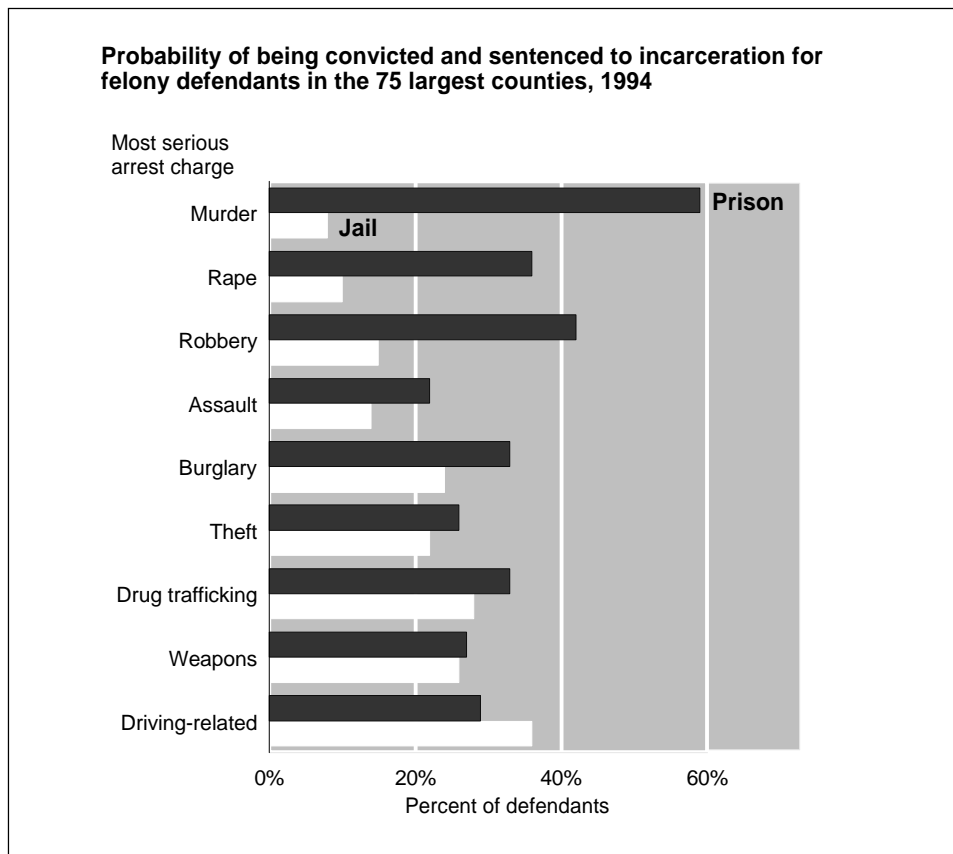


Figure 20

Table 31. Length of prison sentence received by defendants convicted of a felony, by most serious conviction offense, 1994

| Most serious felony conviction offense | Number of defendants | Felony defendants in the 75 largest counties convicted of a felony and sentenced to prison | | | | | | | | | |
|--|----------------------|--|--------|---|------|-------|-------|--------|-----------|----|------|
| | | Number of months | | Percent receiving a maximum sentence length in months of: | | | | | | | Life |
| | | Mean* | Median | Total | 1-24 | 25-48 | 49-72 | 73-120 | Over 120* | | |
| All offenses | 9,037 | 67 | 36 | 100% | 33% | 30% | 16% | 12% | 8% | 1% | |
| Violent offenses | 2,300 | 108 | 72 | 100% | 16% | 22% | 18% | 24% | 17% | 3% | |
| Murder | 124 | 286 | 240 | 100 | 0 | 10 | 0 | 10 | 59 | 21 | |
| Rape | 128 | 134 | 120 | 100 | 11 | 6 | 23 | 32 | 28 | 0 | |
| Robbery | 1,030 | 95 | 72 | 100 | 13 | 22 | 20 | 29 | 15 | 1 | |
| Assault | 657 | 100 | 60 | 100 | 21 | 21 | 20 | 21 | 15 | 2 | |
| Other violent | 361 | 83 | 48 | 100 | 23 | 34 | 14 | 15 | 11 | 2 | |
| Property offenses | 2,734 | 53 | 36 | 100% | 40% | 30% | 15% | 9% | 5% | 1% | |
| Burglary | 1,026 | 70 | 44 | 100 | 29 | 32 | 16 | 13 | 7 | 2 | |
| Theft | 1,046 | 39 | 24 | 100 | 51 | 25 | 14 | 8 | 3 | 0 | |
| Other property | 662 | 49 | 36 | 100 | 41 | 34 | 14 | 5 | 6 | 1 | |
| Drug offenses | 3,127 | 56 | 36 | 100% | 33% | 37% | 16% | 8% | 5% | 1% | |
| Trafficking | 1,879 | 62 | 48 | 100 | 23 | 40 | 20 | 10 | 6 | -- | |
| Other drug | 1,249 | 48 | 28 | 100 | 49 | 32 | 10 | 4 | 4 | 2 | |
| Public-order offenses | 826 | 36 | 24 | 100% | 54% | 27% | 11% | 5% | 2% | 0% | |
| Weapons | 374 | 36 | 30 | 100 | 46 | 33 | 15 | 6 | 0 | 0 | |
| Driving-related | 272 | 29 | 18 | 100 | 67 | 25 | 2 | 4 | 1 | 0 | |
| Other public-order | 181 | 45 | 24 | 100 | 52 | 21 | 17 | 4 | 7 | 0 | |

Note: Data on length of prison sentence were available for 92% of all cases. Eight percent of prison sentences included a probation term and 16% included a fine. Total for all offenses includes cases that could not be classified into 1 of the 4 major offense categories. Detail may not add to total because of rounding.

--Less than 0.5%.

*Excludes life sentences.

Among defendants convicted of a felony and sentenced to prison, the mean sentence was 67 months and the median was 36 months (table 31). By general conviction offense category, defendants convicted of a violent felony received the longest prison sentences (a mean of 108 months and a median of 72 months), and those convicted of a public-order felony the shortest (a mean of 36 months and a median of 24 months).

By specific felony conviction offense, murderers received the longest prison sentences — a mean of 286 months and a median of 240 months. After murder, defendants convicted of rape received the longest mean (134 months) and median (120 months) prison sentences.

Other median sentences for felony convictions included 72 months for robbery, 60 months for assault, 48 months for drug trafficking, 44 months for burglary, 30 months for weapons offenses, 24 months for theft, and 18 months for driving-related offenses (figure 21).

Twenty-one percent of all murder convictions resulted in a life sentence, compared to a maximum of 2% of the defendants convicted of any other offense. In addition to those receiving life sentences, 59% of the defendants

convicted of murder were sentenced to 10 years or more in prison. About a fourth of rape convictions and nearly a sixth of robbery and felony assault convictions resulted in a prison term of 10 years or longer.

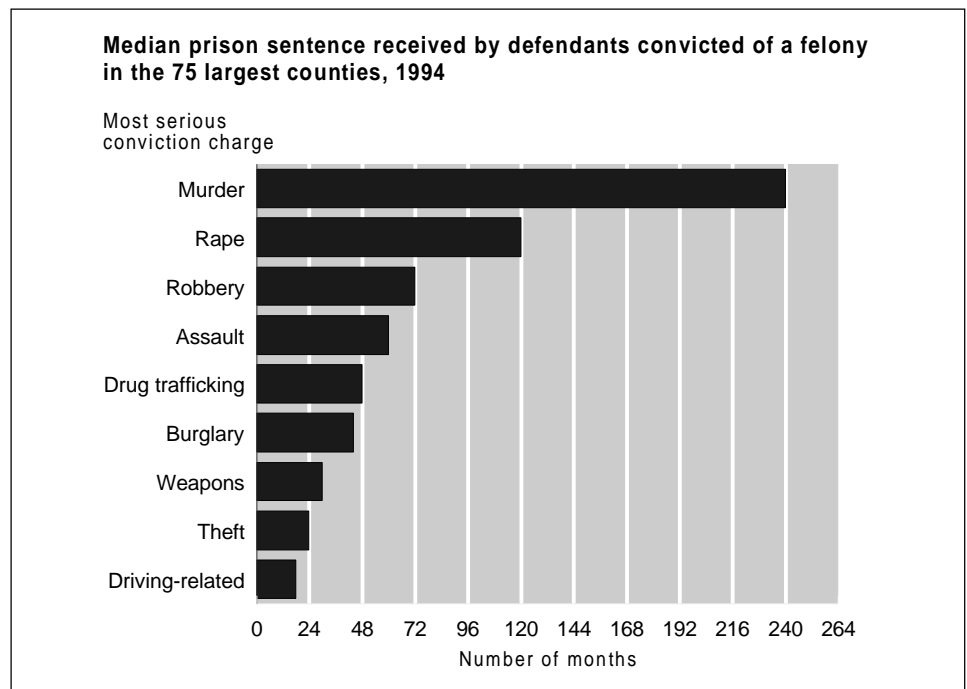


Figure 21

For defendants who were convicted of a felony and subsequently sentenced to jail, both the mean and median jail term was 6 months (table 32). Misdemeanor convictions resulted in a mean jail term of 3 months and a median of 2 months.

Excluding murder (for which all sentences were to prison), and rape (for which few cases resulted in a jail sentence), defendants sentenced to jail for robbery received the longest average sentence (a mean of 9 months and a median of 10 months).

About 3% of all jail sentences for a felony conviction were for a period greater than 1 year, including 11% of those that followed a conviction for felony assault. The longest jail sentence recorded during the study was for 3½ years.

Table 32. Length of jail sentence received by convicted defendants, by most serious conviction offense, 1994

| Most serious conviction offense | Felony defendants in the 75 largest counties sentenced to jail | | | | | | | | | |
|---------------------------------|--|------------------|--------|-------|---|-----|-----|-----|-------|---------|
| | Number of defendants | Number of months | | Total | Percent receiving a maximum sentence in months of : | | | | | |
| | | Mean | Median | | 1 or less | 2-3 | 4-6 | 7-9 | 10-12 | Over 12 |
| All offenses | 9,861 | 6 | 5 | 100% | 22% | 21% | 28% | 8% | 18% | 3% |
| All felonies | 8,032 | 6 | 6 | 100% | 17% | 21% | 30% | 8% | 21% | 3% |
| Violent offenses* | 1,163 | 8 | 6 | 100% | 11% | 16% | 24% | 12% | 32% | 6% |
| Robbery | 282 | 9 | 10 | 100 | 4 | 17 | 16 | 12 | 48 | 2 |
| Assault | 456 | 9 | 8 | 100 | 10 | 14 | 23 | 13 | 30 | 11 |
| Other violent | 403 | 6 | 6 | 100 | 19 | 15 | 31 | 11 | 22 | 3 |
| Property offenses | 2,480 | 6 | 6 | 100% | 20% | 20% | 27% | 8% | 21% | 4% |
| Burglary | 602 | 8 | 7 | 100 | 8 | 17 | 25 | 13 | 33 | 4 |
| Theft | 800 | 7 | 6 | 100 | 17 | 18 | 27 | 7 | 25 | 6 |
| Other property | 1,078 | 5 | 3 | 100 | 28 | 24 | 28 | 5 | 13 | 2 |
| Drug offenses | 3,117 | 6 | 6 | 100% | 15% | 22% | 37% | 8% | 17% | 2% |
| Trafficking | 1,541 | 7 | 6 | 100 | 13 | 15 | 39 | 10 | 20 | 3 |
| Other drug | 1,576 | 5 | 4 | 100 | 17 | 28 | 35 | 7 | 13 | -- |
| Public-order offenses | 1,207 | 5 | 4 | 100% | 23% | 21% | 27% | 7% | 21% | 1% |
| Weapons | 432 | 6 | 6 | 100 | 23 | 20 | 31 | 5 | 20 | 2 |
| Driving-related | 361 | 6 | 6 | 100 | 17 | 20 | 27 | 11 | 24 | 0 |
| Other public-order | 414 | 5 | 3 | 100 | 30 | 23 | 21 | 6 | 20 | 0 |
| Misdemeanors | 1,828 | 3 | 2 | 100% | 44% | 23% | 20% | 4% | 8% | 2% |

Note: Data on length of jail sentence were available for 97% of all cases in which a defendant received a jail sentence. Sixty-seven percent of sentences to jail included a probation term and 18% included a fine. Detail may not add to total because of rounding.

*Murder and rape have been excluded from the detail because no murder convictions and just 22 rape convictions resulted in a jail sentence. The total for violent offenses, however, does include these cases.

--Less than 0.5%.

For the third of defendants sentenced to probation without incarceration, the median probation sentence for each felony conviction offense category was 36 months, compared to 18 months for misdemeanors (table 33). Three percent of defendants convicted of a felony were given a probation term of greater than 5 years.

An estimated 21% of defendants sentenced to probation were also required

to pay a fine. Some probation sentences were also supplemented by one or more special conditions. For example, 19% of the defendants who received a probation sentence were required to perform a specified number of hours of community service work (table 34). Such a condition was most likely for defendants convicted of a felony property offense (25%).

Eighteen percent of offenders sentenced to probation were required to pay restitution, and 8% were required to enter a drug treatment program. Defendants convicted of a drug-related felony (14%) were about twice as likely as those convicted of other felonies to be required to enter a drug treatment program. Small percentages of probation sentences included intensive supervision (3%) or electronic monitoring (1%).

Table 33. Length of probation sentence received by convicted defendants, by most serious conviction offense, 1994

| Most serious conviction offense | Number of defendant | Median months | Felony defendants in the 75 largest counties sentenced to probation | | | | | | |
|---------------------------------|---------------------|---------------|---|---|-------|-------|-------|-------|---------|
| | | | Total | Percent receiving a sentence in months of : | | | | | |
| | | | | 1-12 | 13-24 | 25-36 | 37-48 | 49-60 | Over 60 |
| All offenses | 9,116 | 36 | 100% | 20% | 25% | 32% | 4% | 16% | 3% |
| All felonies | 7,808 | 36 | 100% | 16% | 26% | 32% | 5% | 19% | 3% |
| Violent offenses | 1,055 | 36 | 100 | 20 | 21 | 27 | 3 | 23 | 6 |
| Property offenses | 3,040 | 36 | 100 | 17 | 25 | 32 | 5 | 18 | 4 |
| Drug offenses | 2,918 | 36 | 100 | 12 | 29 | 31 | 6 | 18 | 3 |
| Public-order offenses | 705 | 36 | 100 | 17 | 21 | 40 | 2 | 19 | 0 |
| Misdemeanors | 1,308 | 18 | 100% | 48% | 22% | 29% | -- | 1% | 0% |

Note: Data on length of probation sentence were available for 92% of all cases in which the most severe type of sentence a defendant received was probation. Total for felonies includes cases which could not be classified into 1 of the 4 felony offense categories. Detail may not add to total because of rounding.
 --Less than 0.5%.

Table 34. Conditions of probation sentence received by convicted defendants, by most serious conviction offense, 1994

| Most serious conviction offense | Number of defendants | Felony defendants in the 75 largest counties sentenced to probation | | | | | |
|---------------------------------|----------------------|---|-------------|----------------|-----------------------|-----------------------|-------|
| | | Percent whose sentence to probation included | | | | | |
| | | Community service | Restitution | Drug treatment | Intensive supervision | Electronic monitoring | Other |
| All offenses | 9,116 | 19% | 18% | 8% | 3% | 1% | -- |
| All felonies | 7,808 | 20% | 20% | 9% | 3% | 1% | -- |
| Violent offenses | 1,055 | 16 | 15 | 6 | 5 | 2 | -- |
| Property offenses | 3,040 | 25 | 34 | 6 | 3 | 1 | -- |
| Drug offenses | 2,918 | 16 | 9 | 14 | 3 | 1 | -- |
| Public-order offenses | 705 | 20 | 11 | 7 | 5 | -- | 0 |
| Misdemeanors | 1,308 | 10% | 12% | 2% | 1% | 1% | 1% |

Note: Total for felonies includes cases which could not be classified into 1 of the 4 felony offense categories. A defendant may have received more than one type of probation condition. Not all defendants sentenced to probation received probation conditions. Detail may not add to total because of rounding.
 --Less than 0.5%.

Prior record and sentencing

For defendants convicted of a felony on their current charge, the probability of receiving a sentence to incarceration was highest if they had multiple prior felony convictions (83%) (table 35). Defendants with multiple prior felony convictions and whose current conviction was for a violent felony were the most likely of all defendants to be sentenced to incarceration (90%).

About three-fourths of defendants with one prior felony conviction (77%), about two-thirds of those with only prior misdemeanor convictions (69%), and about half of those with no conviction record (53%) also were sentenced to incarceration following a felony conviction. Defendants with no prior convictions whose current felony con-

viction was for a property offense were the least likely overall to be sentenced to incarceration (43%).

A majority of the defendants with more than one prior felony conviction (57%) were sentenced to prison for a new felony conviction, including nearly two-thirds of those whose current conviction was for a violent offense. About half of the defendants with a single prior felony conviction were sentenced to prison following a felony conviction in the current case, including 61% of those convicted of a violent felony.

Overall, just under a fourth of defendants with no prior felony convictions received a prison sentence for a felony

conviction in the current case. This included 45% of the defendants whose current conviction was for a violent felony.

Defendants with a prior conviction record that consisted of only misdemeanors were more likely than other defendants to receive a jail sentence after being convicted of a felony (44%) on the current charge. This was most likely to be the case if the current conviction was for a public-order offense (55%).

Defendants with no prior convictions of any kind were the most likely to receive a probation sentence (45%). A majority of those who were convicted of a property felony and who had no prior conviction (56%) received a probation sentence.

Table 35. Most severe type of sentence received by defendants convicted of a felony, by prior conviction record, 1994

| Prior conviction record and most serious current felony conviction | Number of defendants | Percent of defendants in the 75 largest counties convicted of a felony and sentenced to: | | | | | | |
|--|----------------------|--|---------------|--------|------|------------------|-----------|------|
| | | Total | Incarceration | | | Nonincarceration | | |
| | | | Total | Prison | Jail | Total | Probation | Fine |
| More than 1 prior felony conviction | | | | | | | | |
| All offenses | 6,401 | 100% | 83% | 57% | 26% | 17% | 16% | 1% |
| Violent offenses | 956 | 100 | 90 | 64 | 26 | 10 | 10 | -- |
| Property offenses | 2,389 | 100 | 83 | 56 | 26 | 17 | 17 | -- |
| Drug offenses | 2,405 | 100 | 82 | 56 | 26 | 18 | 18 | 1 |
| Public-order offenses | 633 | 100 | 82 | 53 | 29 | 18 | 17 | 1 |
| 1 prior felony conviction | | | | | | | | |
| All offenses | 4,150 | 100% | 77% | 48% | 29% | 23% | 22% | 1% |
| Violent offenses | 670 | 100 | 85 | 61 | 24 | 15 | 15 | 1 |
| Property offenses | 1,248 | 100 | 75 | 46 | 29 | 25 | 25 | 1 |
| Drug offenses | 1,693 | 100 | 74 | 45 | 29 | 26 | 25 | 1 |
| Public-order offenses | 509 | 100 | 81 | 46 | 35 | 19 | 18 | 1 |
| Prior misdemeanor convictions only | | | | | | | | |
| All offenses | 4,248 | 100% | 69% | 25% | 44% | 31% | 30% | 1% |
| Violent offenses | 741 | 100 | 80 | 45 | 35 | 20 | 20 | -- |
| Property offenses | 1,335 | 100 | 63 | 23 | 39 | 37 | 36 | 1 |
| Drug offenses | 1,498 | 100 | 65 | 18 | 47 | 35 | 33 | 1 |
| Public-order offenses | 639 | 100 | 77 | 22 | 55 | 23 | 22 | 2 |
| No prior convictions | | | | | | | | |
| All offenses | 9,153 | 100% | 53% | 22% | 31% | 47% | 45% | 2% |
| Violent offenses | 1,927 | 100 | 66 | 45 | 20 | 34 | 34 | 1 |
| Property offenses | 2,927 | 100 | 43 | 15 | 28 | 57 | 56 | 2 |
| Drug offenses | 3,279 | 100 | 55 | 19 | 36 | 45 | 44 | 1 |
| Public-order offenses | 919 | 100 | 58 | 9 | 48 | 42 | 35 | 7 |

Note: Data on prior conviction record and type of sentence were available for 88% of all cases. Sentences to incarceration may have also included a probation term. Sentences to prison, jail, or probation may have included a fine, restitution, or community service. Fines may have included restitution or community service. Detail may not add to total because of rounding. --Less than 0.5%.

The most probable sentence following a conviction for a violent felony in the 75 largest counties was to prison, regardless of the defendant's prior conviction record (figure 22). Jail was the next most probable sentence for those convicted of a violent felony and with a prior conviction record. Those without prior convictions were more likely to be sentenced to probation than jail following a conviction for a violent felony.

Among defendants convicted of a non-violent felony, prison was the most likely sentence for those with one or more prior felony convictions. However, jail was the most probable sentence for a nonviolent felony if the defendants had a prior conviction record of only misdemeanors and probation if they had no conviction record at all.

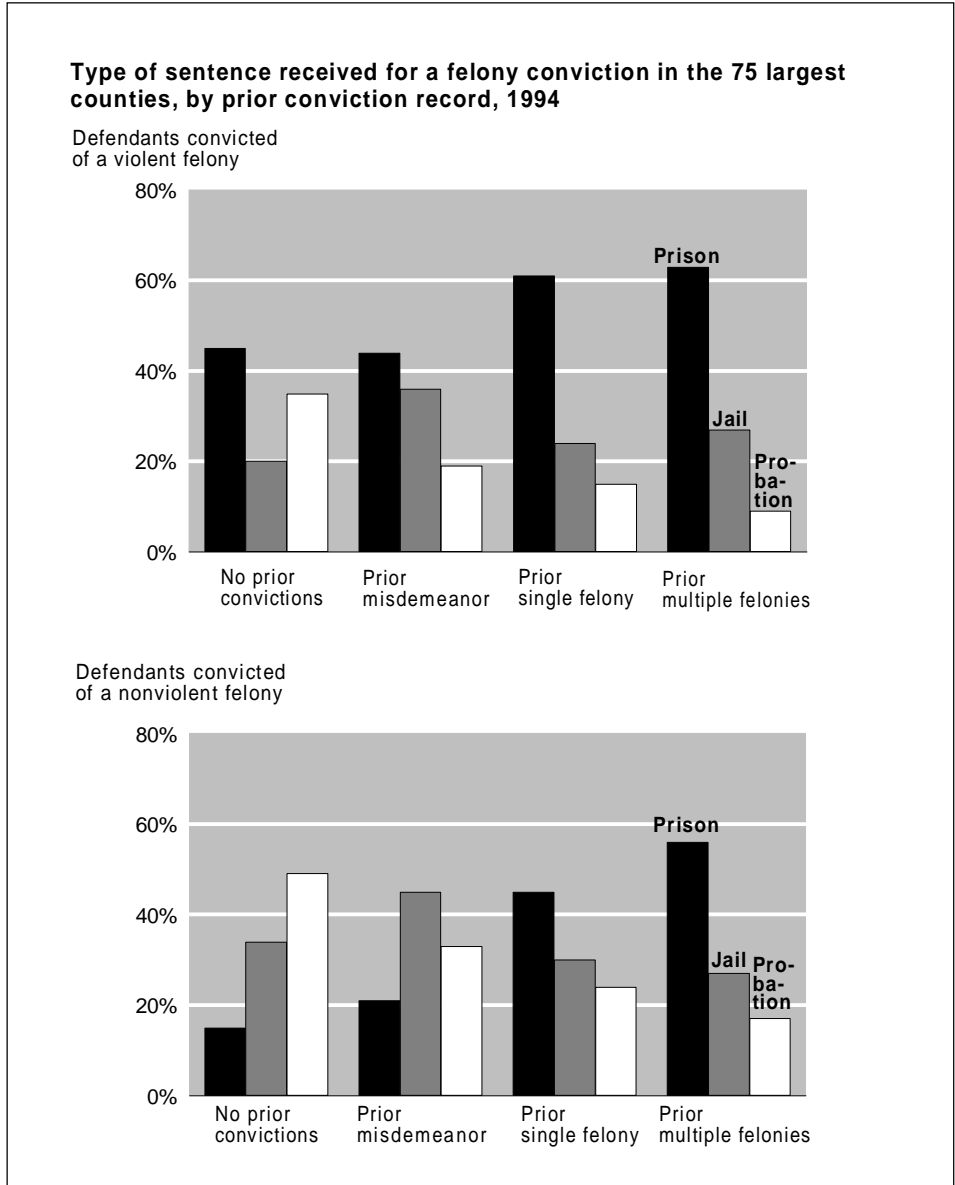


Figure 22

Methodology

The SCPS sample was designed and selected by the U.S. Bureau of the Census under BJS supervision. It is a 2-stage stratified sample, with 39 of the 75 most populous counties selected at the first stage and a systematic sample of State court felony filings (defendants) within each county selected at the second stage. The 39 counties were divided into 4 first-stage strata based on court filing information obtained through a telephone survey. Twelve counties were included in the sample with certainty because of their large number of court filings. The remaining counties were allocated to the three noncertainty strata based on the variance of felony court dispositions.

The second-stage sampling (filings) was designed to represent all defendants who had felony cases filed with the court during the month of May 1994. The participating jurisdictions provided data for every felony case filed on selected days during that month. Depending on the first-stage stratum in which it had been placed, each jurisdiction provided data for 1, 2, or 4 weeks' filings in May 1994. Data from jurisdictions that were not required to provide a full month of filings were weighted to represent the full month (see Appendix Table A).

Data on 14,691 sample felony cases were collected from the 39 sampled jurisdictions. This sample represented 53,099 weighted cases filed during the month of May 1994 in the 75 most populous counties. About 500 cases (weighted) that could not be classified into one of the four major crime categories (violent, property, drug, public-order) because of incomplete information were omitted from the analysis. Data collection was conducted by the Pretrial Services Resource Center of Washington, D.C., under the supervision of Jolanta Juszkiwicz.

This report is based on data collected from the following counties and independent cities: Alabama (Jefferson); Arizona (Maricopa, Pima); California (Alameda, Los Angeles, Sacramento, San Bernardino, San Francisco, Santa Clara, Ventura); Florida (Broward, Dade, Hillsborough, Orange); Hawaii (Honolulu); Illinois (Cook, DuPage); Kentucky (Jefferson); Maryland (Baltimore (city)); Massachusetts (Middlesex); Michigan (Wayne); Missouri (Jackson, St. Louis); New Jersey (Essex); New York (Bronx, Erie, Kings, Monroe, New York, Queens, Suffolk); Ohio (Hamilton); Pennsylvania (Allegheny, Philadelphia); Tennessee (Shelby); Texas (Dallas, Harris); Washington (King); and Wisconsin (Milwaukee).

Because the data came from a sample, a sampling error (standard error) is associated with each reported number. In general, if the difference between two numbers is greater than twice the standard error for that difference, we can say that we are 95% confident of a real difference and that the apparent difference is not simply the result of using a sample rather than the entire population. All differences discussed in this report were statistically significant at or above the 95-percent confidence level.

Race and Hispanic origin

Several jurisdictions did not provide complete reporting for defendants' Hispanic origin. As a result, the overall reporting level for race combined with Hispanic origin was 75%, compared to 85% for race alone. Because of this underreporting, the categories of race alone account for more defendants than the categories that include both race and Hispanic origin. A large preponderance of the persons with a Hispanic origin were white, although the category includes all races.

Offense categories

Felony offenses were classified into 13 categories for this report. These categories were further divided into the four major crime categories of violent, property, drug, and public-order offenses. The following listings contain a representative summary of most of the crimes contained in each category; however, these lists are not meant to be exhaustive. All offenses, except for murder, include attempts and conspiracies to commit.

Violent offenses

Murder— Includes homicide, nonnegligent manslaughter, and voluntary homicide. Does not include attempted murder (classified as felony assault), negligent homicide, involuntary homicide, or vehicular manslaughter, which are classified as *other violent offenses*.

Rape— Includes forcible intercourse, sodomy, or penetration with a foreign object. Does not include statutory rape or nonforcible acts with a minor or someone unable to give legal consent, nonviolent sexual offenses, or commercialized sex offenses.

Robbery— Includes the unlawful taking of anything of value by force or threat of force.

Assault— Includes aggravated assault, aggravated battery, attempted murder, assault with a deadly weapon, felony assault or battery on a law enforcement officer, and other felony assaults. Does not include extortion, coercion, or intimidation.

Other violent offenses — Includes vehicular manslaughter, involuntary manslaughter, negligent or reckless homicide, nonviolent or nonforcible sexual assault, kidnaping, unlawful imprisonment, child or spouse abuse, cruelty to a child, reckless endangerment, hit-and-run with bodily injury, intimidation, and extortion.

Property offenses

Burglary — Includes any type of entry into a residence, industry, or business with or without the use of force with the intent to commit a felony or theft. Does not include possession of burglary tools, trespassing, or unlawful entry for which the intent is not known.

Theft — Includes grand theft, grand larceny, motor vehicle theft, and any other felony theft. Does not include receiving or buying stolen property, fraud, forgery, or deceit.

Other property offenses — Includes receiving or buying stolen property, forgery, fraud, embezzlement, arson, reckless burning, damage to property, criminal mischief, vandalism, bad checks, counterfeiting, criminal trespassing, possession of burglary tools, and unlawful entry.

Drug offenses

Drug trafficking — Includes trafficking, sales, distribution, possession with intent to distribute or sell, manufacturing, and smuggling of controlled substances. Does not include possession of controlled substances.

Other drug offenses — Includes possession of controlled substances, prescription violations, possession of drug paraphernalia, and other drug law violations.

Public-order offenses

Weapons — Includes the unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly weapon or accessory.

Driving-related — Includes driving under the influence of drugs or alcohol, driving with a suspended or revoked license, and any other felony in the motor vehicle code.

Other public-order offenses — Includes flight/escape, parole or probation violations, prison contraband, habitual offender, obstruction of justice, rioting, libel, slander, treason, perjury, prostitution/pandering, bribery, and tax law violations.

Terms related to pretrial release

Released defendant — Includes any defendant who was released from custody prior to the disposition of his or her case by the court. Includes defendants who were detained for some period of time before being released and defendants who were returned to custody after being released because of a violation of the conditions of pretrial release. The terms "on pretrial release" and "released pending disposition" are both used in this report to refer to all released defendants.

Detained defendant — Includes any defendant who remained in custody from the time of arrest until the disposition of his or her case by the court. This report also refers to detained defendants as "not released."

Failure to appear — Occurs when a court issues a bench warrant for a defendant's arrest because he or she has missed a scheduled court appearance.

Types of financial release

Surety bond — A bail bond company signs a promissory note to the court for the full bail amount and charges the defendant a fee for the service (usually 10% of the full bail amount). If the defendant fails to appear, the bond company is liable to the court for the full bail amount. Frequently the bond company requires the defendant to post collateral in addition to the fee.

Deposit bond — The defendant deposits a percentage (usually 10%) of the full bail amount with the court. The percentage of the bail is returned after the disposition of the case, but the court often retains a small portion for administrative costs. If the defendant fails to appear in court, he or she is liable to the court for the full amount of the bail.

Full cash bond — The defendant posts the full bail amount in cash with the court. If the defendant makes all court appearances, the cash is returned. If the defendant fails to appear in court, the bond is forfeited.

Property bond — Involves an agreement made by a defendant as a condition of pretrial release requiring that property valued at the full bail amount be posted as an assurance of his or her appearance in court. If the defendant fails to appear in court, the property is forfeited. Also known as "collateral bond,"

Types of nonfinancial release

Release on recognizance (ROR)— The court releases the defendant on a signed agreement that he or she will appear in court as required. In this report, the ROR category includes citation releases in which arrestees are released pending their first court appearance on a written order issued by law enforcement or jail personnel.

Unsecured bond— The defendant pays no money to the court but is liable for the full amount of bail should he or she fail to appear in court.

Conditional release— Defendants are released under conditions and are usually supervised by a pretrial services agency. In some cases, such as those involving a third-party custodian or drug monitoring and treatment, another agency may be involved in the supervision of the defendant. Conditional release sometimes includes an unsecured bond.

Other type of release

Emergency release— Defendants are released solely in response to a court order placing limits on a jail's population.

Appendix

Appendix table A. Population, sampling weights, and number of cases, by SCPS jurisdiction, 1994

| County (State) | Population in 1994 | Sampling weights | | | Number of cases | |
|-----------------------|--------------------|------------------|--------|-------|-----------------|----------|
| | | Filings | County | Total | Unweighted | Weighted |
| Jefferson (AL) | 657,000 | 2 | 2.25 | 4.50 | 249 | 1,121 |
| Maricopa (AZ) | 2,347,000 | 2 | 1.33 | 2.67 | 656 | 1,749 |
| Pima (AZ) | 732,000 | 1 | 3.30 | 3.30 | 328 | 1,082 |
| Alameda (CA) | 1,319,000 | 2 | 2.25 | 4.50 | 336 | 1,512 |
| Los Angeles (CA) | 9,150,000 | 4 | 1.00 | 4.00 | 1,378 | 5,512 |
| Sacramento (CA) | 1,098,000 | 2 | 1.33 | 2.67 | 417 | 1,112 |
| San Bernardino (CA) | 1,554,000 | 2 | 1.33 | 2.67 | 420 | 1,120 |
| San Francisco (CA) | 735,000 | 2 | 2.25 | 4.50 | 375 | 1,688 |
| Santa Clara (CA) | 1,557,000 | 2 | 1.33 | 2.67 | 459 | 1,224 |
| Ventura (CA) | 703,000 | 1 | 3.30 | 3.30 | 184 | 607 |
| Broward (FL) | 1,383,000 | 2 | 1.33 | 2.67 | 327 | 872 |
| Dade (FL) | 2,025,000 | 4 | 1.00 | 4.00 | 514 | 2,056 |
| Hillsborough (FL) | 874,000 | 2 | 1.33 | 2.67 | 347 | 925 |
| Orange (FL) | 738,000 | 2 | 2.25 | 4.50 | 368 | 1,656 |
| Honolulu (HI) | 874,000 | 1 | 3.30 | 3.30 | 204 | 673 |
| Cook (IL) | 5,141,000 | 4 | 1.00 | 4.00 | 701 | 2,804 |
| DuPage (IL) | 843,000 | 1 | 3.30 | 3.30 | 197 | 650 |
| Jefferson (KY) | 672,000 | 4 | 1.00 | 4.00 | 104 | 416 |
| Baltimore (city) (MD) | 712,000 | 2 | 1.33 | 2.67 | 399 | 1,064 |
| Middlesex (MA) | 1,403,000 | 1 | 3.30 | 3.30 | 659 | 2,175 |
| Wayne (MI) | 2,065,000 | 4 | 1.00 | 4.00 | 201 | 804 |
| Jackson (MO) | 635,000 | 1 | 3.30 | 3.30 | 278 | 917 |
| St. Louis (MO) | 1,005,000 | 1 | 3.30 | 3.30 | 349 | 1,152 |
| Essex (NJ) | 765,000 | 2 | 1.33 | 2.67 | 378 | 1,008 |
| Bronx (NY) | 1,192,000 | 4 | 1.00 | 4.00 | 477 | 1,908 |
| Erie (NY) | 968,000 | 2 | 2.25 | 4.50 | 120 | 540 |
| Kings (NY) | 2,272,000 | 4 | 1.00 | 4.00 | 578 | 2,312 |
| Monroe (NY) | 727,000 | 1 | 3.30 | 3.30 | 212 | 700 |
| New York (NY) | 1,507,000 | 4 | 1.00 | 4.00 | 564 | 2,256 |
| Queens (NY) | 1,965,000 | 4 | 1.00 | 4.00 | 289 | 1,156 |
| Suffolk (NY) | 1,349,000 | 1 | 3.30 | 3.30 | 272 | 898 |
| Hamilton (OH) | 868,000 | 2 | 2.25 | 4.50 | 224 | 1,008 |
| Allegheny (PA) | 1,321,000 | 2 | 1.33 | 2.67 | 103 | 275 |
| Philadelphia (PA) | 1,524,000 | 4 | 1.00 | 4.00 | 365 | 1,460 |
| Shelby (TN) | 858,000 | 2 | 2.25 | 4.50 | 350 | 1,575 |
| Dallas (TX) | 1,942,000 | 4 | 1.00 | 4.00 | 233 | 932 |
| Harris (TX) | 3,045,000 | 4 | 1.00 | 4.00 | 361 | 1,444 |
| King (WA) | 1,588,000 | 2 | 2.25 | 4.50 | 259 | 1,166 |
| Milwaukee (WI) | 938,000 | 1 | 3.30 | 3.30 | 328 | 1,082 |

Note: In 14 of the 39 counties included in the 1994 SCPS study, prosecutors did not screen out any felony arrests before filing charges. In these counties, the SCPS sample cases are representative of all felony cases received by prosecutors, and any cases screened out by the prosecutor are included in the SCPS dismissal category. These counties are Jefferson, AL; Maricopa, AZ; Pima, AZ; Hillsborough, FL; Jefferson, KY; Baltimore (city), MD; Middlesex, MA; Erie, NY; Monroe, NY; Suffolk, NY; Hamilton, OH; Allegheny, PA; Shelby, TN; and Dallas, TX. In the other 25 SCPS jurisdictions, felony arrests were reviewed by prosecutors before the decision to file felony charges was made. In these jurisdictions, the SCPS sample cases do not include those in which a person was arrested for a felony but felony charges were not filed. Weights are rounded to second decimal place.

Appendix table B. Most serious arrest charge of felony defendants, by SCPS jurisdiction, 1994

| County (State) | Percent of felony defendants within categories of most serious arrest charge | | | | |
|-----------------------|---|------------------|-------------------|---------------|-----------------------|
| | Total | Violent offenses | Property offenses | Drug offenses | Public-order offenses |
| Total | 100% | 26% | 31% | 35% | 9% |
| Jefferson (AL) | 100% | 18% | 37% | 40% | 5% |
| Maricopa (AZ) | 100 | 21 | 34 | 34 | 11 |
| Pima (AZ) | 100 | 28 | 29 | 32 | 11 |
| Alameda (CA) | 100 | 18 | 27 | 47 | 8 |
| Los Angeles (CA) | 100 | 23 | 27 | 39 | 10 |
| Sacramento (CA) | 100 | 27 | 26 | 37 | 11 |
| San Bernardino (CA) | 100 | 20 | 38 | 32 | 10 |
| San Francisco (CA) | 100 | 16 | 31 | 42 | 10 |
| Santa Clara (CA) | 100% | 18% | 26% | 48% | 8% |
| Ventura (CA) | 100 | 19 | 18 | 53 | 10 |
| Broward (FL) | 100 | 24 | 27 | 42 | 6 |
| Dade (FL) | 100 | 32 | 31 | 32 | 5 |
| Hillsborough (FL) | 100 | 31 | 31 | 31 | 7 |
| Orange (FL) | 100 | 31 | 37 | 27 | 5 |
| Honolulu (HI) | 100 | 27 | 40 | 26 | 6 |
| Cook (IL) | 100 | 11 | 21 | 65 | 3 |
| DuPage (IL) | 100% | 14% | 54% | 18% | 13% |
| Jefferson (KY) | 100 | 30 | 42 | 22 | 6 |
| Baltimore (city) (MD) | 100 | 23 | 32 | 45 | 1 |
| Middlesex (MA) | 100 | 42 | 41 | 15 | 2 |
| Wayne (MI) | 100 | 26 | 27 | 25 | 22 |
| Jackson (MO) | 100 | 26 | 43 | 18 | 14 |
| St. Louis (MO) | 100 | 15 | 52 | 15 | 18 |
| Essex (NJ) | 100 | 40 | 19 | 31 | 10 |
| Bronx (NY) | 100% | 24% | 19% | 48% | 9% |
| Erie (NY) | 100 | 27 | 47 | 20 | 7 |
| Kings (NY) | 100 | 39 | 19 | 27 | 15 |
| Monroe (NY) | 100 | 25 | 35 | 27 | 13 |
| New York (NY) | 100 | 28 | 26 | 38 | 8 |
| Queens (NY) | 100 | 32 | 32 | 24 | 12 |
| Suffolk (NY) | 100 | 19 | 43 | 14 | 24 |
| Hamilton (OH) | 100 | 17 | 40 | 35 | 8 |
| Allegheny (PA) | 100% | 36% | 37% | 25% | 2% |
| Philadelphia (PA) | 100 | 48 | 31 | 21 | 0 |
| Shelby (TN) | 100 | 21 | 39 | 37 | 3 |
| Dallas (TX) | 100 | 27 | 36 | 30 | 6 |
| Harris (TX) | 100 | 29 | 32 | 30 | 8 |
| King (WA) | 100 | 30 | 26 | 36 | 8 |
| Milwaukee (WI) | 100 | 24 | 34 | 30 | 12 |

Note: Detail may not add to 100% because of rounding.

**Appendix table C. Sex and age of felony defendants,
by SCPS jurisdiction, 1994**

| County (State) | Percent of felony defendants | | | | | | | |
|-----------------------|------------------------------|------|--------|---------------|----------|-------|-------|-------------|
| | Sex | | | Age at arrest | | | | |
| | Total | Male | Female | Total | Under 21 | 21-29 | 30-39 | 40 or older |
| Total | 100% | 85% | 15% | 100% | 21% | 36% | 30% | 14% |
| Jefferson (AL) | 100% | 82% | 18% | 100% | 18% | 37% | 30% | 14% |
| Maricopa (AZ) | 100 | 84 | 16 | 100 | 18 | 43 | 29 | 10 |
| Pima (AZ) | 100 | 84 | 16 | 100 | 15 | 39 | 30 | 15 |
| Alameda (CA) | 100 | 81 | 19 | 100 | 13 | 34 | 33 | 21 |
| Los Angeles (CA) | 100 | 87 | 13 | 100 | 15 | 37 | 32 | 16 |
| Sacramento (CA) | 100 | 86 | 14 | 100 | 12 | 38 | 35 | 15 |
| San Bernardino (CA) | 100 | 81 | 19 | 100 | 16 | 41 | 32 | 11 |
| San Francisco (CA) | 100 | 84 | 16 | 100 | 14 | 33 | 33 | 21 |
| Santa Clara (CA) | 100% | 83% | 17% | 100% | 18% | 46% | 27% | 8% |
| Ventura (CA) | 100 | 83 | 17 | 100 | 16 | 31 | 36 | 16 |
| Broward (FL) | 100 | 83 | 17 | 100 | 16 | 39 | 30 | 15 |
| Dade (FL) | 100 | 88 | 12 | 100 | 17 | 36 | 34 | 14 |
| Hillsborough (FL) | 100 | 82 | 18 | 100 | 23 | 32 | 27 | 18 |
| Orange (FL) | 100 | 84 | 16 | 100 | 19 | 37 | 30 | 14 |
| Honolulu (HI) | 100 | 84 | 16 | 100 | 13 | 38 | 33 | 16 |
| Cook (IL) | 100 | 85 | 15 | 100 | 23 | 35 | 31 | 11 |
| DuPage (IL) | 100% | 78% | 22% | 100% | 22% | 35% | 28% | 14% |
| Jefferson (KY) | 100 | 81 | 19 | 100 | 16 | 38 | 34 | 13 |
| Baltimore (city) (MD) | 100 | 86 | 14 | 100 | 23 | 38 | 29 | 10 |
| Middlesex (MA) | 100 | 82 | 18 | 100 | 23 | 36 | 28 | 14 |
| Wayne (MI) | 100 | 88 | 12 | 100 | 14 | 40 | 25 | 20 |
| Jackson (MO) | 100 | 84 | 16 | 100 | 24 | 34 | 29 | 13 |
| St. Louis (MO) | 100 | 87 | 13 | 100 | 24 | 33 | 30 | 13 |
| Essex (NJ) | 100 | 88 | 12 | 100 | 22 | 41 | 29 | 8 |
| Bronx (NY) | 100% | 87% | 13% | 100% | 27% | 31% | 30% | 11% |
| Erie (NY) | 100 | 86 | 14 | 100 | 33 | 34 | 23 | 11 |
| Kings (NY) | 100 | 87 | 13 | 100 | 29 | 32 | 28 | 11 |
| Monroe (NY) | 100 | 84 | 16 | 100 | 35 | 29 | 29 | 7 |
| New York (NY) | 100 | 87 | 13 | 100 | 20 | 32 | 31 | 17 |
| Queens (NY) | 100 | 89 | 11 | 100 | 30 | 37 | 24 | 9 |
| Suffolk (NY) | 100 | 89 | 11 | 100 | 28 | 38 | 21 | 13 |
| Hamilton (OH) | 100 | 79 | 21 | 100 | 13 | 38 | 36 | 13 |
| Allegheny (PA) | 100% | 87% | 13% | 100% | 17% | 40% | 28% | 15% |
| Philadelphia (PA) | 100 | 88 | 12 | 100 | 27 | 43 | 22 | 9 |
| Shelby (TN) | 100 | 92 | 8 | 100 | 21 | 42 | 27 | 11 |
| Dallas (TX) | 100 | 82 | 18 | 100 | 25 | 30 | 26 | 18 |
| Harris (TX) | 100 | 84 | 16 | 100 | 32 | 34 | 22 | 12 |
| King (WA) | 100 | 84 | 16 | 100 | 19 | 32 | 32 | 17 |
| Milwaukee (WI) | 100 | 84 | 16 | 100 | 18 | 44 | 30 | 8 |

Note: Detail may not add to 100% because of rounding.

**Appendix table D. Race and Hispanic origin of felony defendants,
by SCPS jurisdiction, 1994**

| County (State) | Percent of felony defendants | | | | | | | | | |
|-----------------------|------------------------------|-------|-------|-------|--------------------------|---------------------|---------------------|---------------------|--------------------|--|
| | Race | | | | Race and Hispanic origin | | | | | |
| | Total | Black | White | Other | Total | Black, non-Hispanic | White, non-Hispanic | Other, non-Hispanic | Hispanic, any race | |
| Total | 100% | 56% | 42% | 3% | 100% | 43% | 26% | 3% | 27% | |
| Jefferson (AL) | 100% | 62% | 38% | 0% | ... | ... | ... | ... | ... | |
| Maricopa (AZ) | 100 | 14 | 83 | 3 | 100% | 11% | 53% | 2% | 34% | |
| Pima (AZ) | 100 | 14 | 83 | 3 | 100 | 13 | 38 | 4 | 46 | |
| Alameda (CA) | 100 | 66 | 30 | 4 | ... | ... | ... | ... | ... | |
| Los Angeles (CA) | ... | ... | ... | ... | 100 | 34 | 20 | 1 | 44 | |
| Sacramento (CA) | 100 | 35 | 63 | 2 | 100 | 30 | 44 | 3 | 22 | |
| San Bernardino (CA) | 100 | 30 | 69 | 1 | ... | ... | ... | ... | ... | |
| San Francisco (CA) | 100 | 47 | 53 | 1 | ... | ... | ... | ... | ... | |
| Santa Clara (CA) | ... | ... | ... | ... | 100% | 10% | 25% | 11% | 53% | |
| Ventura (CA) | 100 | 11 | 89 | 0 | ... | ... | ... | ... | ... | |
| Broward (FL) | 100 | 47 | 51 | 2 | 100 | 46 | 43 | 2 | 9% | |
| Dade (FL) | 100 | 54 | 46 | 0 | 100 | 49 | 13 | 0 | 38 | |
| Hillsborough (FL) | 100 | 48 | 52 | 1 | 100 | 47 | 43 | 1 | 9 | |
| Orange (FL) | 100 | 46 | 52 | 1 | 100 | 46 | 48 | 1 | 5 | |
| Honolulu (HI) | 100 | 9 | 23 | 68 | ... | ... | ... | ... | ... | |
| Cook (IL) | 100 | 85 | 15 | 0 | 100 | 78 | 11 | 0 | 11 | |
| DuPage (IL) | 100% | 22% | 77% | 1% | ... | ... | ... | ... | ... | |
| Jefferson (KY) | 100 | 54 | 44 | 2 | 100 | 54 | 44 | 2 | 0 | |
| Baltimore (city) (MD) | 100 | 90 | 9 | -- | ... | ... | ... | ... | ... | |
| Middlesex (MA) | 100 | 18 | 79 | 3 | 100 | 17 | 65 | 3 | 15 | |
| Wayne (MI) | 100 | 93 | 7 | 0 | ... | ... | ... | ... | ... | |
| Jackson (MO) | 100 | 62 | 38 | 0 | 100 | 58 | 36 | 0 | 6 | |
| St. Louis (MO) | 100 | 61 | 39 | 0 | 100 | 59 | 39 | 0 | 2 | |
| Essex (NJ) | 100 | 78 | 21 | 1 | 100 | 75 | 9 | 1 | 15 | |
| Bronx (NY) | ... | ... | ... | ... | 100% | 36% | 6% | 1 | 57% | |
| Erie (NY) | 100 | 70 | 30 | 0 | 100 | 72 | 22 | 0 | 6 | |
| Kings (NY) | 100 | 85 | 15 | 0 | 100 | 62 | 8 | 0 | 30 | |
| Monroe (NY) | 100 | 84 | 16 | 1 | 100 | 78 | 12 | 1 | 9 | |
| New York (NY) | 100 | 74 | 26 | 1 | 100 | 49 | 11 | 1 | 39 | |
| Queens (NY) | 100 | 56 | 39 | 5 | 100 | 47 | 13 | 5 | 35 | |
| Suffolk (NY) | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| Hamilton (OH) | 100 | 69 | 31 | -- | 100 | 69 | 31 | -- | 0 | |
| Allegheny (PA) | 100% | 58% | 41% | 1% | ... | ... | ... | ... | ... | |
| Philadelphia (PA) | 100 | 66 | 33 | 1 | ... | ... | ... | ... | ... | |
| Shelby (TN) | 100 | 76 | 24 | 0 | ... | ... | ... | ... | ... | |
| Dallas (TX) | 100 | 52 | 46 | 2 | 100 | 51 | 28 | 2 | 20 | |
| Harris (TX) | 100 | 45 | 54 | 2 | 100 | 44 | 35 | 2 | 19 | |
| King (WA) | 100 | 32 | 61 | 7 | 100 | 31 | 53 | 7 | 9 | |
| Milwaukee (WI) | 100 | 72 | 27 | 1 | ... | ... | ... | ... | ... | |

Note: Detail may not add to 100% because of rounding.
 --Less than 0.5%.
 ...Data were available for fewer than two-thirds of all cases.

Appendix table E. Felony defendants released before or detained until case disposition, by SCPS jurisdiction, 1994

| County (State) | Percent of felony defendants | | | | | | | | | | Detained until case disposition | | |
|-----------------------|----------------------------------|-------------------|----------------|---------------|---------------|----------------------|----------------|----|----|-------------------|---------------------------------|--------------|-------------|
| | Released before case disposition | | | | | | | | | | | | |
| | Total | Financial release | | | | Nonfinancial release | | | | Emergency release | Total | Held on bail | Denied bail |
| Surety bond | | Deposit bond | Full cash bond | Property bond | Recognizance* | Conditional | Unsecured bond | | | | | | |
| Total | 62% | 15% | 6% | 3% | 1% | 26% | 7% | 4% | 1% | 38% | 31% | 7% | |
| Jefferson (AL) | 78% | 32% | 0% | -- | 28% | 14% | 2% | 1% | 0% | 22% | 17% | 5% | |
| Maricopa (AZ) | 71 | 7 | 5 | 3 | -- | 43 | 12 | 0 | 0 | 29 | 15 | 14 | |
| Pima (AZ) | 61 | 7 | 0 | 4 | -- | 25 | 25 | 0 | 0 | 39 | 39 | -- | |
| Alameda (CA) | 48 | 10 | 0 | -- | 0 | 35 | 3 | 0 | 0 | 52 | 40 | 13 | |
| Los Angeles (CA) | 31 | 10 | 0 | 0 | 0 | 20 | -- | 0 | 0 | 69 | 68 | 2 | |
| Sacramento (CA) | 44 | 24 | 0 | 1 | 0 | 19 | 0 | 0 | 0 | 56 | 47 | 9 | |
| San Bernardino (CA) | 47 | 18 | -- | 1 | 0 | 24 | 4 | 0 | 0 | 53 | 48 | 5 | |
| San Francisco (CA) | 61 | 14 | 0 | 3 | 0 | 29 | 15 | 0 | 0 | 39 | 37 | 2 | |
| Santa Clara (CA) | 59% | 13% | 0% | 1% | 1% | 26% | 18% | 0% | 0% | 41% | 38% | 3% | |
| Ventura (CA) | 54 | 29 | 0 | 3 | 0 | 22 | 0 | 0 | 0 | 46 | 46 | -- | |
| Broward (FL) | 59 | 39 | 0 | 9 | 0 | 1 | 10 | 0 | 0 | 41 | 31 | 9 | |
| Dade (FL) | 50 | 15 | 3 | 1 | 0 | 7 | 23 | -- | 0 | 50 | 40 | 11 | |
| Hillsborough (FL) | 72 | 52 | 0 | 4 | 0 | 14 | 2 | 0 | 0 | 28 | 10 | 18 | |
| Orange (FL) | 64 | 57 | 0 | 2 | 0 | 3 | 2 | 0 | 0 | 36 | 28 | 8 | |
| Honolulu (HI) | 59 | 26 | 0 | 11 | 0 | 2 | 17 | 0 | 2 | 41 | 39 | 2 | |
| Cook (IL) | 72 | 0 | 19 | 0 | 0 | 1 | 6 | 29 | 16 | 28 | 25 | 3 | |
| DuPage (IL) | 77% | 0% | 67% | 0% | 0% | 7% | 1% | 0% | 1% | 23% | 19% | 5% | |
| Jefferson (KY) | 74 | 0 | 10 | 0 | 1 | 54 | 4 | 0 | 4 | 26 | 25 | 2 | |
| Baltimore (city) (MD) | 55 | 25 | 0 | 1 | 6 | 14 | 9 | 0 | 0 | 45 | 38 | 7 | |
| Middlesex (MA) | 80 | 3 | -- | 18 | 0 | 57 | -- | -- | 0 | 20 | 17 | 4 | |
| Wayne (MI) | 76 | 2 | 38 | 0 | 0 | 18 | 0 | 0 | 17 | 24 | 15 | 9 | |
| Jackson (MO) | 64 | 17 | 16 | 3 | 0 | 9 | 14 | 4 | 0 | 36 | 35 | -- | |
| St. Louis (MO) | 65 | 8 | 14 | 11 | 13 | 20 | 0 | 0 | 0 | 35 | 17 | 18 | |
| Essex (NJ) | 98 | 18 | 54 | 1 | 0 | 24 | 0 | 1 | 0 | 2 | -- | 2 | |
| Bronx (NY) | 70% | 0% | 0% | 0% | 0% | 70% | 0% | 0% | 0% | 30% | 20% | 10% | |
| Erie (NY) | 82 | 1 | 1 | 3 | 0 | 77 | 0 | 0 | 0 | 18 | 18 | 0 | |
| Kings (NY) | 75 | 0 | 0 | 0 | 0 | 75 | 0 | 0 | 0 | 25 | 16 | 9 | |
| Monroe (NY) | 81 | 1 | 7 | 4 | 0 | 47 | 21 | 0 | 0 | 19 | 16 | 3 | |
| New York (NY) | 76 | 0 | 0 | 0 | 0 | 76 | 0 | 0 | 0 | 24 | 13 | 11 | |
| Queens (NY) | 74 | 0 | 0 | 0 | 0 | 74 | 0 | 0 | 0 | 26 | 14 | 12 | |
| Suffolk (NY) | 80 | 0 | 0 | 18 | 0 | 62 | -- | 0 | 0 | 20 | 20 | 0 | |
| Hamilton (OH) | 67 | 3 | 25 | -- | 7 | 5 | 25 | 0 | 0 | 33 | 32 | 2 | |
| Allegheny (PA) | 79% | 11% | 16% | 12% | 2% | 37% | 0% | 0% | 1% | 21% | 17% | 5% | |
| Philadelphia (PA) | 76 | 12 | 11 | 0 | 0 | 2 | 1 | 49 | 1 | 24 | 14 | 10 | |
| Shelby (TN) | 65 | 52 | 0 | 0 | 0 | 13 | -- | 0 | 0 | 35 | 34 | 1 | |
| Dallas (TX) | 70 | 57 | 0 | -- | 0 | 0 | 12 | -- | 0 | 30 | 21 | 9 | |
| Harris (TX) | 45 | 34 | 0 | 1 | 0 | 0 | 0 | 9 | 0 | 55 | 32 | 24 | |
| King (WA) | 66 | 14 | 1 | 0 | 0 | 37 | 12 | 2 | 0 | 34 | 26 | 8 | |
| Milwaukee (WI) | 60 | 0 | -- | 13 | 0 | 15 | 31 | -- | 0 | 40 | 39 | 2 | |

Note: Detail may not add to 100% because of rounding.
 *Released on own recognizance.
 --Less than 0.5%.

Appendix table F. Adjudication outcome for felony defendants, by SCPS jurisdiction, 1994

| County (State) | Adjudicated within 1 year | Percent of felony defendants | | | | | | |
|-----------------------|---------------------------|------------------------------|-------|-----------|---------------|-----|----|----------------|
| | | Adjudication outcome | | | | | | |
| | | Convicted | | | Not convicted | | | Other outcome* |
| Total | Felony | Misde-meanor | Total | Dismissed | Acquitted | | | |
| Total | 87% | 72% | 61% | 11% | 26% | 25% | 1% | 2% |
| Jefferson (AL) | 63% | 68% | 59% | 8% | 31% | 31% | 1% | 1% |
| Maricopa (AZ) | 84 | 87 | 71 | 16 | 12 | 12 | -- | -- |
| Pima (AZ) | 97 | 50 | 46 | 4 | 50 | 49 | 2 | 0 |
| Alameda (CA) | 90 | 80 | 67 | 13 | 20 | 20 | 0 | 0 |
| Los Angeles (CA) | 92 | 81 | 75 | 6 | 19 | 18 | 1 | 0 |
| Sacramento (CA) | 96 | 79 | 64 | 15 | 18 | 17 | 1 | 3 |
| San Bernardino (CA) | 96 | 82 | 64 | 18 | 16 | 16 | 0 | 2 |
| San Francisco (CA) | 78 | 80 | 62 | 19 | 17 | 17 | 1 | 2 |
| Santa Clara (CA) | 82% | 90% | 83% | 7% | 7% | 7% | 1% | 2% |
| Ventura (CA) | 93 | 87 | 80 | 7 | 11 | 11 | 0 | 2 |
| Broward (FL) | 91 | 78 | 70 | 9 | 21 | 21 | 0 | -- |
| Dade (FL) | 89 | 52 | 49 | 2 | 44 | 43 | 2 | 4 |
| Hillsborough (FL) | 90 | 73 | 61 | 12 | 27 | 25 | 2 | 0 |
| Orange (FL) | 96 | 69 | 63 | 6 | 28 | 28 | 1 | 3 |
| Honolulu (HI) | 87 | 88 | 86 | 2 | 12 | 7 | 5 | 0 |
| Cook (IL) | 84 | 62 | 58 | 3 | 38 | 35 | 3 | -- |
| DuPage (IL) | 87% | 94% | 89% | 5% | 4% | 3% | 1% | 2% |
| Jefferson (KY) | 85 | 63 | 17 | 45 | 38 | 38 | 0 | 0 |
| Baltimore (city) (MD) | 83 | 54 | 37 | 17 | 45 | 44 | 1 | 1 |
| Middlesex (MA) | 84 | 52 | 49 | 2 | 48 | 47 | 1 | 0 |
| Wayne (MI) | 82 | 70 | 64 | 6 | 29 | 24 | 5 | 1 |
| Jackson (MO) | 91 | 70 | 63 | 7 | 30 | 30 | 1 | 0 |
| St. Louis (MO) | 88 | 98 | 94 | 4 | 2 | 2 | 0 | 0 |
| Essex (NJ) | 90 | 71 | 62 | 10 | 20 | 19 | 1 | 9 |
| Bronx (NY) | 85% | 69% | 46% | 23% | 31% | 31% | 0% | 0% |
| Erie (NY) | 91 | 42 | 12 | 30 | 32 | 32 | 0 | 26 |
| Kings (NY) | 92 | 64 | 48 | 16 | 34 | 33 | -- | 3 |
| Monroe (NY) | 83 | 69 | 34 | 35 | 23 | 21 | 1 | 8 |
| New York (NY) | 88 | 59 | 47 | 12 | 40 | 39 | -- | 1 |
| Queens (NY) | 89 | 77 | 66 | 11 | 23 | 23 | -- | 0 |
| Suffolk (NY) | 64 | 74 | 41 | 33 | 19 | 19 | 0 | 7 |
| Hamilton (OH) | 92 | 77 | 50 | 26 | 23 | 21 | 2 | 0 |
| Allegheny (PA) | 76% | 82% | 65% | 18% | 11% | 8% | 4% | 6% |
| Philadelphia (PA) | 72 | 48 | 47 | 2 | 49 | 43 | 6 | 2 |
| Shelby (TN) | 68 | 79 | 43 | 36 | 21 | 21 | 0 | 0 |
| Dallas (TX) | 92 | 71 | 66 | 4 | 29 | 27 | 2 | 0 |
| Harris (TX) | 89 | 73 | 63 | 11 | 26 | 24 | 2 | -- |
| King (WA) | 98 | 90 | 80 | 10 | 10 | 8 | 2 | -- |
| Milwaukee (WI) | 93 | 90 | 82 | 9 | 9 | 8 | 1 | -- |

Note: Detail may not add to 100% because of rounding.

--Less than 0.5%.

*Includes diversion and deferred adjudication.

Appendix table G. Most severe type of sentence received by defendants convicted of a felony, by SCPS jurisdiction, 1994

| County (State) | Percent of felony defendants | | | | | |
|-----------------------|------------------------------|--------|------|------------------|-----------|------|
| | Incarceration | | | Nonincarceration | | |
| | Total | Prison | Jail | Total | Probation | Fine |
| Total | 68% | 36% | 32% | 32% | 31% | 1% |
| Jefferson (AL) | 34% | 34% | 0% | 66% | 59% | 7% |
| Maricopa (AZ) | 57 | 30 | 27 | 43 | 42 | 1 |
| Pima (AZ) | 73 | 59 | 14 | 27 | 27 | 0 |
| Alameda (CA) | 84 | 28 | 56 | 16 | 16 | 0 |
| Los Angeles (CA) | 84 | 41 | 43 | 16 | 16 | 0 |
| Sacramento (CA) | 90 | 42 | 48 | 10 | 10 | -- |
| San Bernardino (CA) | 86 | 44 | 42 | 14 | 14 | 0 |
| San Francisco (CA) | 95 | 26 | 69 | 5 | 5 | 0 |
| Santa Clara (CA) | 91% | 25% | 66% | 9% | 9% | 0% |
| Ventura (CA) | 98 | 37 | 61 | 2 | 2 | 0 |
| Broward (FL) | 38 | 22 | 16 | 62 | 62 | 0 |
| Dade (FL) | 63 | 13 | 50 | 37 | 30 | 7 |
| Hillsborough (FL) | 36 | 28 | 8 | 64 | 64 | 0 |
| Orange (FL) | 46 | 16 | 30 | 54 | 54 | 0 |
| Honolulu (HI) | 54 | 52 | 2 | 46 | 45 | 1 |
| Cook (IL) | 45 | 38 | 7 | 55 | 55 | 0 |
| DuPage (IL) | 55% | 32% | 23% | 45% | 45% | 0% |
| Jefferson (KY) | 75 | 75 | 0 | 25 | 25 | 0 |
| Baltimore (city) (MD) | 81 | 58 | 23 | 19 | 19 | 0 |
| Middlesex (MA) | 44 | 1 | 43 | 56 | 54 | 1 |
| Wayne (MI) | 41 | 23 | 18 | 59 | 58 | 1 |
| Jackson (MO) | 42 | 39 | 4 | 58 | 57 | 1 |
| St. Louis (MO) | 41 | 34 | 7 | 59 | 56 | 3 |
| Essex (NJ) | 51 | 43 | 9 | 49 | 46 | 2 |
| Bronx (NY) | 73% | 35% | 38% | 27% | 24% | 2% |
| Erie (NY) | 67 | 33 | 33 | 33 | 33 | 0 |
| Kings (NY) | 87 | 23 | 64 | 13 | 10 | 3 |
| Monroe (NY) | 69 | 47 | 22 | 31 | 31 | 0 |
| New York (NY) | 74 | 36 | 37 | 26 | 23 | 3 |
| Queens (NY) | 64 | 35 | 29 | 36 | 30 | 6 |
| Suffolk (NY) | 71 | 51 | 20 | 29 | 19 | 10 |
| Hamilton (OH) | 65 | 49 | 15 | 35 | 35 | 0 |
| Allegheny (PA) | 66% | 34% | 32% | 34% | 34% | 0% |
| Philadelphia (PA) | 65 | 52 | 12 | 35 | 35 | 0 |
| Shelby (TN) | 82 | 81 | 1 | 18 | 14 | 3 |
| Dallas (TX) | 40 | 35 | 5 | 60 | 60 | 1 |
| Harris (TX) | 83 | 67 | 16 | 17 | 17 | 0 |
| King (WA) | 84 | 35 | 50 | 16 | 13 | 3 |
| Milwaukee (WI) | 71 | 44 | 27 | 29 | 27 | 2 |

Note: Sentences to incarceration may have also included a probation term. Sentences to prison, jail, and probation may have included a fine, restitution, or community service. Fines included restitution or community service in some instances. Detail may not add to 100% because of rounding.
 --Less than 0.5%.