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ACQUISITIONS

Tracking Offenders, 1990

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As participants in the Offender-Based Transaction Statistics (OBTS) program of the Bureau of Justice Statistics, 11 States provided data that describe the processing of felony arrests disposed of during 1990. Of the 527,460 persons arrested in the 6 States reporting on the entire criminal justice process beginning at arrest, 85% were prosecuted. Data from all 11 States indicate that 70% of those prosecuted were convicted, with two-thirds of these convictions being for a felony. Nearly three-fourths of those convicted received a sentence to a State prison or a local jail.

OBTS collects data from States on the criminal justice processing of persons arrested for a felony. In 1990 the 11 participating States, which accounted for 32% of the resident population of the United States, were Alabama, Alaska, California, Idaho, Minnesota, Missouri, Nebraska, New Jersey, New York, Vermont, and Virginia. Collectively, these States provided data for 615,369 felony cases.

Other findings from an analysis of these felony cases include the following:

- Almost half of the more than 500,000 prosecutions reported by OBTS States in 1990 resulted in a felony conviction.

The Offender-Based Transaction Statistics (OBTS) program traces felony arrests and prosecutions through final disposition. It provides States with a means to evaluate major decision points in the criminal justice process.

This study examines felony case processing in 11 States by using OBTS data on more than a half million felony cases. The study found that less than half of the

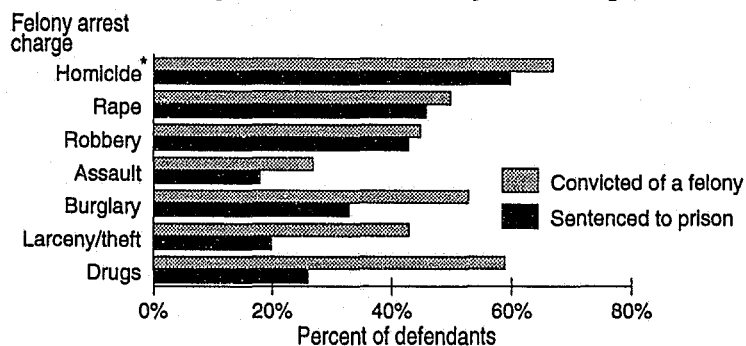
felony arrestees were subsequently convicted of a felony — about 30% of the cases were dismissed or acquitted, about 18% were misdemeanor convictions, and 4% violations of local ordinances.

On behalf of BJS, I would like to express my appreciation to officials in OBTS-participating States for their contribution of these data.

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Defendants who were convicted of a felony and who were sentenced to prison in 11 OBTS States, by the most serious felony arrest charge, 1990



*Includes murder and manslaughter.

Figure 1

- A majority of persons prosecuted for homicide (67%), driving-related offenses (61%), drug offenses (59%), and burglary (53%) were convicted of a felony.

- About four-fifths of those convicted of a felony received a sentence to a State prison or local jail. Percentages of felony sentences involving incarceration ranged from 73% for public-order offenses to 85% for those convicted of a violent crime.

• The median processing time between arrest for a felony and adjudication by a State court was 100 days. Over 90% of all cases were adjudicated within 1 year, with homicide cases taking the longest on average, a median of 207 days.

Table 1. Likelihood of prosecution after a felony arrest in 6 OBTS States, by the most serious arrest charge, 1990

Most serious arrest charge	Number of persons arrested	Percent prosecuted
All offenses	527,460	85%
Violent offenses	131,574	82%
Homicide*	4,768	90
Kidnaping	2,119	78
Rape	4,175	80
Robbery	41,463	85
Assault	56,061	81
Other violent	22,988	77
Property offenses	178,450	86%
Burglary	58,173	90
Larceny/theft	47,916	89
Motor vehicle theft	21,667	71
Arson	1,771	89
Fraud	19,742	88
Stolen property	20,630	82
Other property	8,551	88
Drug offenses	159,913	88%
Public-order offenses	57,523	83%
Weapons	22,355	82
Driving-related	9,629	97
Other public-order	25,539	77

Note: Table includes only arrest reports containing readable fingerprints and excludes 85 incidents for which the National Crime Information Center (NCIC) codes are not known. Alaska, New Jersey, and New York do not report the number of persons who may have been released by the police.

*Includes murder and manslaughter.

Introduction to OBTS

This report is based on OBTS data received from 11 States and covers felony arrest cases that terminated in calendar year 1990. State criminal record repositories provided data for all felony arrests which had a readable fingerprint identification. A majority (62%) of the arrests that originated the cases covered in this report occurred during 1990; however, 31% of the cases involved arrests that occurred in 1989, and 5% are based on arrests that occurred prior to 1989.

An OBTS record distinguishes among arrestees, incidents, and charges. The arrestee is identified through fingerprints and is assigned an identification number which can be linked to earlier records. The incident number identifies each incident so that records in multiple-charge cases can be condensed. In the latter situation, the program collects the most serious arrest charge as well as the most serious disposition by the police, prosecutor, grand jury, or court, depending on the circumstances of the particular case. Sentencing information is also collected for the conviction on the most serious charge.

Felony arrest dispositions

Data from Alaska, California, Minnesota, Missouri, New Jersey, and New York indicate that for every 100 persons arrested for a felony, 85 were prosecuted (table 1). By specific offense, the rate of prosecution was highest for those whose most serious arrest charge was a driving-related offense (97%), homicide (90%), or burglary (90%). Those arrested for motor vehicle theft (71%) were the least likely to be prosecuted.

Two-thirds of those prosecuted had been arrested for either a property offense (36%) or a drug offense (30%) (table 2). Twenty-three percent were charged with a violent felony, while about 11% were facing public-order charges.

By specific arrest offense, burglary and larceny/theft were the most frequent among property offenses, with about 11% each. Among violent offenses, assault (10%) and robbery (7%) were the most frequent. A majority of those arrested for a public-order felony were charged with a weapons offense or a driving-related offense, with those in the latter category usually facing criminal charges for an accident which caused bodily injury to another.

Table 2. The most serious arrest charge of persons prosecuted for a felony in 11 OBTS States, 1990

Most serious arrest charge	Defendants	
	Number	Percent
All offenses	532,908	100.0%
Violent offenses	122,185	22.9%
Homicide*	5,654	1.1
Kidnaping	2,395	.4
Rape	3,330	.6
Robbery	37,893	7.1
Assault	52,288	9.8
Other violent	20,625	3.9
Property offenses	192,508	36.1%
Burglary	59,845	11.2
Larceny/theft	59,033	11.1
Motor vehicle theft	17,730	3.3
Arson	1,978	.4
Fraud	26,241	4.9
Stolen property	19,344	3.6
Other property	8,337	1.6
Drug offenses	160,780	30.2%
Public-order offenses	57,443	10.8%
Weapons	20,944	3.9
Driving-related	13,054	2.4
Other public-order	23,445	4.4

Note: See note on table 1. Detail may not add to total because of rounding.

*Includes murder and manslaughter.

Demographic characteristics

Most persons prosecuted for a felony in the 11 OBTS States were men (table 3). Overall, there were nearly 6 times as many male as female defendants, and more than 80% of the offenders in each age group were male. Among defendants in different

age categories, defendants under 18 were the most likely to be male (92%).

Fifty-two percent of the defendants under age 18 were black, compared to 41% of those age 18 to 39, and 37% of those age 40 or older. Nearly half of the defendants under age 18 were

black males, compared to about a third of older defendants.

Although men predominated in all offense categories, their percentages were higher among persons arrested for a violent offense (90%) or a public-order offense (91%) (table 4). Among those prosecuted following arrest for a

Table 3. Race and sex of persons prosecuted for a felony in 11 OBTS States, by age at arrest, 1990

Age at arrest	Number of persons prosecuted	Percent of defendants											
		All defendants			Black			White			Other*		
		Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female
All ages	522,010	100%	85%	15%	41%	35%	7%	58%	50%	8%	1%	1%	--
Under 18	19,301	100%	92%	8%	52%	48%	4%	48%	45%	3%	--	--	--
18-20	89,983	100	89	11	41	36	5	58	53	6	1	1	--
21-24	101,069	100	86	14	41	34	7	59	51	8	1	1	--
25-29	116,975	100	83	17	41	34	8	58	49	9	1	--	--
30-34	86,789	100	82	18	42	34	8	57	48	10	1	--	--
35-39	52,539	100	83	17	41	33	7	59	49	10	1	1	--
Over 40	55,354	100	85	15	37	32	5	62	52	10	1	1	--

Note: Sex, race, and age were reported in 99%, 97%, and 100% of the cases, respectively. Detail may not add to total because of rounding. --Less than 0.5%.

*Includes Native Americans, Asians, and Pacific Islanders.

Table 4. Sex and race of persons prosecuted for a felony in 11 OBTS States, by the most serious arrest charge, 1990

Most serious arrest charge	Number of persons prosecuted	Percent of defendants											
		All defendants				Male				Female			
		Total	Black	White	Other*	Total	Black	White	Other*	Total	Black	White	Other*
All offenses	518,929	100%	41%	58%	1%	85%	35%	50%	1%	15%	6%	8%	--
Violent offenses	117,951	100%	48%	51%	1%	90%	42%	47%	1%	10%	6%	4%	--
Homicide ^b	5,433	100	51	48	1	91	46	44	1	9	5	4	--
Kidnaping	2,300	100	39	60	1	91	37	54	1	9	2	6	--
Rape	3,249	100	46	53	1	100	46	53	1	--	--	--	--
Robbery	37,117	100	62	37	--	92	57	35	--	8	5	3	--
Assault	50,192	100	45	54	1	86	37	49	1	14	9	5	--
Other violent	19,660	100	28	71	1	93	26	66	1	7	2	5	--
Property offenses	187,212	100%	37%	62%	1%	82%	30%	51%	1%	18%	7%	10%	--
Burglary	57,935	100	34	65	1	89	31	58	1	11	4	7	--
Larceny/theft	57,767	100	43	57	1	78	32	45	--	22	10	12	--
Motor vehicle theft	17,322	100	38	61	1	92	35	56	1	8	3	5	--
Arson	1,899	100	33	65	1	83	25	57	1	17	9	8	--
Fraud	25,487	100	34	65	1	63	20	43	1	37	14	23	--
Stolen property	18,732	100	37	62	1	88	33	55	1	12	5	7	--
Other property	8,070	100	32	67	1	92	29	62	--	8	3	5	--
Drug offenses	158,181	100%	45%	55%	--	83%	37%	45%	--	17%	7%	10%	--
Public-order offenses	55,585	100%	29%	70%	1%	91%	26%	64%	1%	9%	3%	6%	--
Weapons	20,303	100	42	57	1	94	39	54	1	6	3	3	--
Driving-related	12,856	100	12	87	2	92	11	80	1	8	1	7	--
Other public-order	22,426	100	26	73	1	86	21	64	1	14	5	9	--

Note: Sex and race were reported in 99% and 97% of the cases, respectively. Detail may not add to total because of rounding. --Less than 0.5%.

*Includes Native Americans, Asians, and Pacific Islanders.

^bIncludes murder and manslaughter.

violent felony, more than 90% of those prosecuted for robbery (92%), homicide (91%), and kidnaping (91%) were male. Among public-order defendants, men comprised 94% of those prosecuted for a weapons offense and 92% of those prosecuted for a driving-related offense.

Although the overall percentage of property defendants who were male (82%) was somewhat lower than for violent or public-order defendants, 92% of those prosecuted following an arrest for motor vehicle theft were male. The highest percentages of female defendants were among persons charged with the property offenses of fraud (37%) or larceny/theft (22%).

Overall, whites comprised 58% of those prosecuted. Among the four major categories of crime, the percentages of whites were lower for violent (51%) and drug-related (55%) offenses than for property (62%) and public-order (70%) offenses. By specific offense, whites comprised the largest group among those charged with driving-related felonies (87%). Blacks comprised a majority of those prosecuted for robbery (62%) and homicide (51%).

Seventy-five percent of those prosecuted following a felony arrest in the 11 OBTS States were between ages 18 and 34, while about 11% of defendants were at least 40 years of age (table 5).

In addition to adult felons (usually age 18 or older), the OBTS program tracks juveniles involved in serious felonies and tried as adults. Four percent of the 1990 OBTS defendants were under age 18, including 10% of those charged with robbery and 5% of those charged with homicide.

While the overall average age of defendants was 28, their average ages by specific offense ranged from 25 for persons charged with robbery or motor vehicle theft to 33 for those charged with a driving-related offense. About a third of the defendants charged with robbery or motor vehicle theft were under age 21, compared to about a fifth of defendants overall. About a fourth of defendants charged with homicide were under 21.

Table 5. Age at arrest of persons prosecuted for a felony in 11 OBTS States, by the most serious arrest charge, 1990

Most serious arrest charge	Number of persons prosecuted	Age at arrest								Average age at arrest
		Total	Under 18	18-20	21-24	25-29	30-34	35-39	40 or older	
All offenses	532,908	100%	4%	17%	19%	22%	17%	10%	11%	28 years
Violent offenses	122,183	100%	5%	18%	19%	22%	15%	9%	11%	28 years
Homicide*	5,654	100	5	21	22	19	13	8	13	28
Kidnaping	2,395	100	1	15	20	26	17	9	11	28
Rape	3,330	100	4	15	19	23	18	10	12	29
Robbery	37,893	100	10	24	22	21	13	6	4	25
Assault	52,286	100	3	16	19	21	16	10	14	29
Other violent	20,625	100	1	10	16	23	19	13	17	31
Property offenses	192,507	100%	4%	21%	19%	21%	16%	10%	9%	27 years
Burglary	59,844	100	4	23	20	21	16	9	7	27
Larceny/theft	59,033	100	5	18	18	20	17	11	11	28
Motor vehicle theft	17,730	100	4	30	22	20	12	6	5	25
Arson	1,978	100	5	17	16	17	18	10	16	30
Fraud	26,241	100	1	13	18	23	18	12	14	30
Stolen property	19,344	100	5	24	21	20	13	8	8	27
Other property	8,337	100	10	23	19	19	13	8	8	26
Drug offenses	160,775	100%	2%	15%	20%	25%	18%	11%	9%	28 years
Public-order offenses	57,443	100%	2%	14%	17%	22%	17%	11%	17%	30 years
Weapons	20,944	100	5	22	21	19	13	8	11	28
Driving-related	13,054	100	—	6	13	25	21	13	22	33
Other public-order	23,445	100	1	11	16	23	19	12	18	31

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

—Less than 0.5%.

*Includes murder and manslaughter.

Adjudication

The OBTS program collects information on the most serious charge and the most serious consequence for arrestees at each decision point in the criminal justice process. A basic program requirement is that the arrestee must have been originally charged with a felony, usually an offense punishable by imprisonment for more than 1 year.

In the six OBTS States reporting pre-adjudication dispositions, the police released 5% of the persons arrested for a felony, and grand juries or prosecutors failed to indict 11%. Of the 524,223 felony arrests prosecuted in the 11 OBTS States, 70% resulted in conviction (table 6). Of the remainder, the courts dismissed 23% of the cases, acquitted the defendant in 1%,

and rendered a judgment other than acquittal or conviction in 6%. The last category includes cases of nolle prosequi, pretrial diversion, and deferred adjudication. (Nolle prosequi is notice to the court that the prosecutor will not pursue the case — in some jurisdictions following approval by the court.)

The percentage of cases resulting in conviction varied by type of arrest offense. For example, more than 70% of the persons charged with a property, drug, or public-order felony were subsequently convicted, compared to 60% of the persons charged with a violent felony.

Persons prosecuted following an arrest for homicide (67%) were the most likely to eventually be convicted of a felony. A majority of the defendants whose most serious felony arrest

charge was driving-related (61%), drug-related (59%), or burglary (53%) were also convicted of a felony. Half of the prosecutions of persons arrested for rape or motor vehicle theft resulted in a felony conviction.

Courts dismissed about a third of the cases of persons prosecuted for violent crimes, compared to about a fifth of the cases of those prosecuted for a property, drug, or public-order offense. Overall, 40% of those prosecuted following arrest for a violent crime had their cases terminated by other than a conviction. By specific offense, assault (43%), rape (40%), robbery (38%), and weapons offenses (37%) had the highest percentages of prosecuted cases which did not result in a conviction.

Table 6. Adjudication outcome of felony cases prosecuted in 11 OBTS States, by the most serious arrest charge, 1990

Most serious arrest charge	Number of cases	Percent of defendants							
		Convicted				Not convicted			
		Total	Felony	Misdemeanor	Local ^a	Total	Dismissed	Acquitted	Other ^b
All offenses	524,223	70%	48%	18%	4%	30%	23%	1%	6%
Violent offenses	120,609	60%	38%	18%	5%	40%	34%	2%	4%
Homicide ^c	5,600	71	67	4	—	29	20	4	4
Kidnaping	2,360	63	49	13	1	37	24	2	11
Rape	3,329	60	50	8	2	40	36	3	1
Robbery	37,739	62	45	12	5	38	35	1	2
Assault	51,529	57	27	23	7	43	37	2	4
Other violent	20,052	63	41	20	1	37	27	2	7
Property offenses	189,638	74%	46%	23%	5%	26%	19%	1%	6%
Burglary	59,235	79	53	23	4	21	17	1	4
Larceny/theft	58,174	72	43	23	6	28	20	1	7
Motor vehicle theft	17,641	74	50	19	4	26	20	1	6
Arson	1,950	67	47	17	4	33	25	2	6
Fraud	25,438	71	45	21	5	29	18	1	10
Stolen property	19,103	72	42	25	5	28	22	1	5
Other property	8,097	63	18	31	14	37	31	1	5
Drug offenses	159,036	73%	59%	11%	3%	27%	19%	1%	8%
Public-order offenses	54,940	72%	48%	21%	2%	28%	21%	1%	6%
Weapons	20,726	63	44	17	2	37	29	1	6
Driving-related	11,399	88	61	25	2	12	8	1	4
Other public-order	22,815	71	45	23	3	29	21	1	7

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

—Less than 0.5%.

^aLocal ordinance violation.

^bIncludes nolle prosequi, pretrial diversion, and deferred adjudication.

^cIncludes murder and manslaughter.

Both the level and type of the charged offense were subject to change as a case moved from arrest to adjudication. Persons prosecuted and convicted were, in some cases, convicted of an offense less serious than the arrest offense (table 7). For example, just 37% of assault cases resulting in conviction were designated a felony assault at both arrest and conviction, with 3% of the convictions for other violent felonies, 7% for nonviolent felonies, and 53% for misdemeanors. Among violent offenses, homicide (68%) had the highest level of agreement between arrest and conviction charge, followed by robbery (57%).

The conviction offense matched the arrest offense in about half of the cases in which the arrest was for fraud (52%), burglary (50%), or larceny/theft (49%) (table 8). This matching also applied to about two-thirds of the

cases involving offenses that were driving-related (67%) or weapons-related (63%).

Overall, 32% of the felony prosecutions that resulted in a conviction were disposed of as misdemeanors (table 9). Such charge reductions may have occurred as a result of a plea bargain or because the evidence or testimony supported only a lesser charge. This was most evident in cases involving the prosecution of persons arrested for a violent felony: About 11% of all convictions were for a violent felony, compared to 23% of the original arrest charges.

Case processing time

For all OBTS cases, the criminal justice process begins when law enforcement authorities arrest and fingerprint

suspected offenders and ends when a final disposition removes the case from the system. In some jurisdictions the arresting agency may nullify the arrest charges, but in other jurisdictions a decision by a prosecutor or a court is required. A final disposition may be dismissal, acquittal, conviction and sentencing, or a special court ruling.

Table 7. The most serious conviction offense of persons prosecuted for selected violent felonies, in 11 OBTS States, 1990

Most serious arrest charge	Most serious conviction offense						
	Felony						Misdemeanor
	Homicide*	Rape	Robbery	Assault	Other violent	Nonviolent felony	
Homicide*	68%	--	2%	7%	2%	10%	10%
Rape	--	45	1	3	23	9	18
Robbery	--	--	57	3	--	11	29
Assault	1	--	1	37	1	7	53

Note: Detail may not add to total because of rounding.
See Appendix on page 9 for the number of persons convicted.
Misdemeanor category includes local ordinance violations.
--Less than 0.5%.
*Includes murder and manslaughter.

Table 8. The most serious conviction offense of persons prosecuted for selected nonviolent felonies, in 11 OBTS States, 1990

Most serious arrest charge	Most serious conviction offense							
	Felony						Misdemeanor	
	Burglary	Larceny/theft	Fraud	Weapons	Driving-related	Other non-violent		Violent felony
Burglary	50%	6%	1%	--	--	6%	1%	35%
Larceny/theft	1	49	1	--	--	5	--	43
Fraud	1	4	52	--	--	3	--	40
Weapons	--	--	--	63	--	3	2	30
Driving-related	--	--	--	--	67	1	1	32

Note: Detail may not add to total because of rounding.
See Appendix on page 9 for the number of persons convicted.
Misdemeanor category includes local ordinance violations.
--Less than 0.5%.

Table 9. Persons prosecuted for a felony and convicted in 11 OBTS States, by the most serious conviction offense, 1990

Most serious conviction offense	Number	Percent
All offenses	369,265	100.0%
Total felonies	252,514	68.4%
Violent offenses	39,138	10.6%
Homicide*	3,168	.9
Kidnaping	569	.2
Rape	843	.2
Robbery	13,692	3.7
Assault	12,646	3.4
Other violent	8,220	2.2
Property offenses	89,669	24.3%
Burglary	26,260	7.1
Larceny/theft	29,366	8.0
Motor vehicle theft	8,419	2.3
Arson	814	.2
Fraud	12,439	3.4
Stolen property	10,515	2.8
Other property	1,856	.5
Drug offenses	93,144	25.2%
Public-order offenses	30,563	8.3%
Weapons	10,742	2.9
Driving-related	7,348	2.0
Other public-order	12,473	3.4
Misdemeanors	116,751	31.6%

Note: Detail may not add to total because of rounding. Data were available for 97% of the cases.
*Includes murder and manslaughter.

Overall, 91% of the prosecuted OBTS cases were adjudicated within 1 year, with a median case processing time of 100 days (table 10). The median case processing time was lower for property (87 days) and public-order (91 days) offenses than for violent (109 days) and drug (120 days) offenses. By specific offense type, homicide cases took the longest to adjudicate — a median of 207 days. Other offenses with a median processing time longer than 4 months were arson (141 days) and rape (134 days).

The 1990 OBTS data include valid observations on both case processing time and level of charge at adjudication for about 493,000 felony arrests. At adjudication, two-thirds of these cases were still felonies, while a third were misdemeanors. The cumulative distribution of cases processed indicates that in each month up to a year after arrest, the courts had processed a higher percentage of cases reduced to a misdemeanor than of cases remaining at the felony level (figure 2). For example, 54% of the cases reduced to the misdemeanor level were processed within the first 3 months following arrest, compared to 43% of those that remained a felony.

Time from arrest to disposition as felonies or misdemeanors, for felony prosecutions in 11 OBTS States, 1990

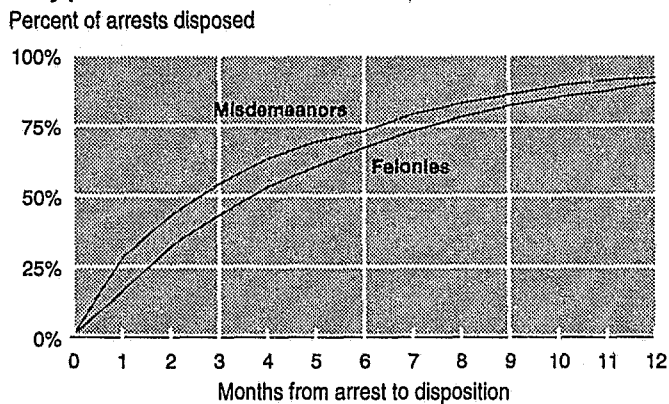


Figure 2

Table 10. Time from arrest to adjudication for felony prosecutions in 11 OBTS States, by the most serious arrest charge, 1990

Most serious arrest charge	Number of persons prosecuted	Median number of days	Percent of cases processed within					
			1 week	1 month	3 months	6 months	1 year	More than 1 year
All offenses	504,001	100	9%	20%	47%	70%	91%	9%
Violent offenses	116,321	109	8%	18%	44%	68%	91%	9%
Homicide*	4,885	207	5	10	22	44	78	22
Kidnaping	2,275	109	5	17	45	69	91	9
Rape	3,121	134	3	11	35	63	90	10
Robbery	36,315	111	8	17	43	68	92	8
Assault	50,281	101	9	20	46	70	92	8
Other violent	19,444	100	8	21	47	69	91	9
Property offenses	184,409	87	11%	24%	52%	74%	92%	8%
Burglary	57,576	82	12	24	53	76	93	7
Larceny/theft	56,509	91	12	24	50	73	92	8
Motor vehicle theft	17,017	74	9	24	57	77	92	8
Arson	1,821	141	4	11	34	60	88	12
Fraud	25,080	89	9	21	51	75	92	8
Stolen property	18,398	89	12	26	51	73	92	8
Other property	8,008	98	13	24	47	71	92	8
Drug offenses	148,300	120	8%	16%	42%	64%	88%	12%
Public-order offenses	54,971	91	10%	22%	50%	74%	92%	8%
Weapons	19,838	100	10	21	47	70	90	10
Driving-related	12,723	114	4	11	40	71	94	6
Other public-order	22,410	69	14	30	59	78	93	7

Note: Data on case processing time were available for 92% of the cases.
*Includes murder and manslaughter.

Sentencing

Sentencing reflects the specific conviction offense, which may have been less serious than the arrest charge. For the OBTS data obtained from the 11 States in 1990, 73% of those convicted were sentenced to prison or jail, and 27% received probation or some other type of sentence not involving incarceration such as a fine, restitution, or community service (table 11).

A felony conviction for a violent offense (85%) was the most likely to result in a sentence to incarceration, followed by a felony conviction for a drug offense (82%), property offense (79%), or public-order offense (73%). Among persons convicted of a violent felony, there were about six sentences to incarceration for every sentence in-

volving probation, restitution, community service, or a fine.

Persons convicted of the most serious violent crimes had the highest likelihood of receiving a sentence to incarceration: rape (95%), homicide (94%), kidnaping (90%), or robbery (90%). More than two-thirds of such convictions resulted in a prison sentence: homicide (85%), rape (76%), kidnaping (73%), and robbery (69%).

A larger percentage of those convicted of a nonviolent felony were sentenced to jail rather than prison, including 47% of those convicted of a property or public-order offense and 46% of those convicted of a drug offense. Among specific property offenses, 62% of the convictions for motor vehicle theft re-

sulted in a sentence to a local jail, as did 50% of the stolen property convictions and 48% of the convictions for larceny/theft. Some violent offenders, particularly those charged with assault (49%), were also sentenced to local jails relatively often. Defendants convicted of a misdemeanor were rarely sentenced to prison; however, 63% did receive a jail sentence.

Within each type of sentence received — probation, jail, or prison — the distribution of conviction offenses varied. For example, felons convicted of a drug offense comprised 37% of those with a prison sentence, but about 25% of those sentenced to jail or probation (table 12).

Table 11. Sentence received in 11 OBTS States, by the most serious conviction offense, 1990

Most serious conviction offense	Number of persons convicted	Most severe sentence received					
		Incarceration			Nonincarceration		
		Total	Prison ^a	Jail	Total	Probation	Other ^b
All offenses	369,265	73%	24%	49%	27%	14%	12%
Total felonies	252,514	80%	35%	45%	20%	14%	6%
Violent offenses	39,138	85%	50%	35%	15%	10%	4%
Homicide ^b	3,168	94	85	9	6	3	3
Kidnaping	569	90	73	17	10	5	5
Rape	843	95	76	19	5	5	--
Robbery	13,692	90	69	20	10	8	2
Assault	12,646	80	31	49	20	12	7
Other violent	8,220	81	29	52	19	15	4
Property offenses	89,669	79%	32%	47%	21%	14%	7%
Burglary	26,260	85	42	43	15	10	4
Larceny/theft	29,366	76	28	48	24	13	10
Motor vehicle theft	8,419	90	28	62	10	8	2
Arson	814	75	43	32	25	21	4
Fraud	12,439	72	27	45	28	21	7
Stolen property	10,515	75	25	50	25	17	8
Other property	1,856	56	27	29	44	20	24
Drug offenses	93,144	82%	35%	46%	18%	14%	5%
Public-order offenses	30,563	73%	25%	47%	27%	19%	9%
Weapons	10,742	64	24	40	36	28	9
Driving-related	7,348	84	35	49	16	14	2
Other public-order	12,473	73	21	52	27	14	13
Misdemeanors	94,455	64%	1%	63%	36%	18%	18%
Local ordinance violations	22,296	38%	--	38%	62%	--	62%

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

--Less than 0.5%.

^aIncludes fines, restitution, and community service.

^bIncludes murder and manslaughter.

Table 12. The most serious conviction offense of defendants in 11 OBTS States, by sentence received, 1990

Most serious conviction offense	Most severe sentence received		
	Prison	Jail	Probation
All offenses	100%	100%	100%
Total felonies	99%	62%	67%
Violent offenses	22%	8%	8%
Homicide [*]	3	--	--
Kidnaping	--	--	--
Rape	1	--	--
Robbery	11	2	2
Assault	4	3	3
Other violent	3	2	2
Property offenses	32%	23%	23%
Burglary	12	6	5
Larceny/theft	9	8	8
Motor vehicle theft	3	3	1
Arson	--	--	--
Fraud	4	3	5
Stolen property	3	3	3
Other property	1	--	1
Drug offenses	37%	24%	25%
Public-order offenses	9%	8%	11%
Weapons	3	2	6
Driving-related	3	2	2
Other public-order	3	4	3
Misdemeanors	1%	38%	33%

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

--Less than 0.5%.

^{*}Includes murder and manslaughter.

Persons convicted of a violent felony were nearly 3 times as prevalent among those sentenced to prison (22%) as among those given either probation or a jail term (8%). Less than 0.5% of those sentenced to jail or probation had been convicted of homicide, compared to 3% of those sent to prison. Robbers accounted for just 2% of those sentenced to probation or jail, but 11% of offenders sentenced to prison.

Persons convicted of burglary were about twice as prevalent among those sentenced to prison (12%) as among those receiving a jail sentence (6%). Just 1% of the defendants receiving a prison sentence had been convicted of a misdemeanor, compared to 38% of those receiving a jail sentence and 33% of those sentenced to probation.

Appendix

Felons and felonies

All 11 States under study provided identification numbers for both arrestees and arrest events. There were 563,988 final dispositions attributable to 510,701 felony arrestees, a ratio of 1.1 dispositions per arrestee.

Convictions

The number of persons convicted, for whom the most serious arrest charge and the most serious conviction offense were known, was as follows:

Most serious arrest charge	Number of persons convicted
Homicide*	3,972
Rape	1,981
Robbery	23,286
Assault	29,308
Burglary	46,970
Larceny/theft	41,859
Fraud	18,163
Weapons	13,150
Driving-related	10,061

*Includes murder and manslaughter.

Participating OBTS States

The appendix table lists the 11 participating OBTS States, with the rate of prosecutions per 100,000 residents and the most serious arrest charge distributed among the 4 major crime categories. The 4 most populous among the 11 participating States (California, New York, New Jersey, and Virginia) and Alabama reported prosecution rates above 600 per 100,000 residents, with New York (991) submitting the highest.

Methodology

Local criminal justice agencies record arrest data and other information on fingerprint cards and disposition documents. The agencies forward the data to a State criminal information repository that updates appropriate master records. OBTS receives data from the repositories. OBTS coverage may remain incomplete within the reporting States for several reasons. Not all law enforcement agencies fingerprint all persons arrested, and some do not submit all their fingerprint cards. Offenders sometimes surrender directly to a court and are not fingerprinted. Even when a fingerprint card is filed, the prosecutor or court may not report the final disposition.

BJs annually solicits State repositories to extract and submit data from the master records, following OBTS guidelines. Some States are in the process of automating their criminal history files and thus cannot participate. Other States do not participate because of insufficient reporting by local agencies, criminal history files not designed for statistical extraction, or lack of resources.

To ensure comparability among States, the OBTS standards use the FBI's National Crime Information Center (NCIC) offense codes. To ensure privacy, an OBTS record uses as personal identifiers only an encrypted identification number (to permit study of repeat offenders), sex, race, and age.

OBTS data are based on the year of final disposition, not on the year of arrest. Thus, an OBTS year includes arrests that occurred in an earlier year. A final disposition refers to either a decision not to prosecute or an initial court finding, not to an appeal.

Appendix table. Number and rate of felony prosecutions and type of arrest offense in 11 OBTS States, 1990

State	Number of felony prosecutions		Most serious arrest charge				
	Total	Per 100,000 residents*	Total	Violent	Property	Drug	Public-order
Alabama	26,359	652	100%	18%	43%	33%	5%
Alaska	2,187	398	100%	37	38	20	4
California	196,014	659	100	20	34	33	13
Idaho	1,161	115	100	11	40	16	32
Minnesota	10,799	247	100	23	51	21	6
Missouri	12,645	247	100	15	51	21	12
Nebraska	7,981	506	100	17	35	15	32
New Jersey	48,799	631	100	24	32	34	10
New York	178,305	991	100	29	33	29	9
Vermont	1,872	333	100	19	54	11	16
Virginia	46,794	756	100	17	49	22	12

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

*Source of resident population: U.S. Bureau of the Census.

Researchers interested in analyzing the OBTS data, disposition years 1980 through 1990, may access them through the National Archive of Criminal Justice Data (NACJD) at the University of Michigan. Information can be obtained from NACJD/ICPSR, P.O. Box 1248, Ann Arbor, MI 48106; telephone (800) 999-0960. The data set for this report is archived as 1990 OBTS ICPSR 6191.

This Bulletin was written by Jacob Perez, Ph.D., under the supervision of Brian Reaves, Ph.D. Pheny Smith, Ph.D., provided statistical review. Tom Hester edited the report. Priscilla Middleton, Marilyn Marbrook, Yvonne Boston, and Jayne Robinson produced the report.

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