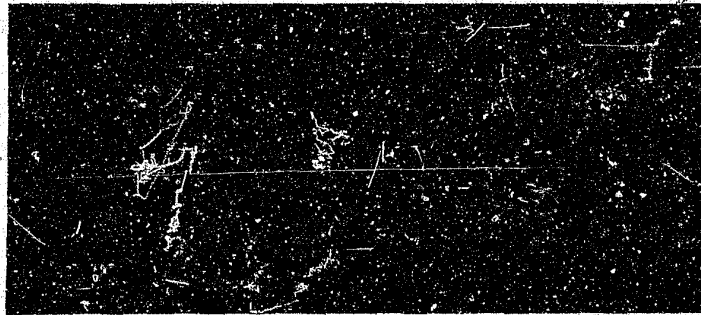


N.C. Department of Correction



MANAGEMENT INFORMATION AND RESEARCH

579436



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X
A COMPARISON OF AVERAGE TIME
SERVED BY FELONS RELEASED FROM
NORTH CAROLINA PRISONS WITH AVERAGE
TIME SERVED BY THOSE RELEASED
IN OTHER JURISDICTIONS

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The problem of comparability of criminal law among states notwithstanding, some useful comparisons can be made between North Carolina and other states with respect to time served in prison for various crime categories. The tables contained herein can be used to make such comparisons.

North Carolina's overall average time served was compared with the National Average and with that of Florida, Georgia and South Carolina. The latter states were chosen for comparative purposes; because, they, like North Carolina, rank high in incarceration rate among the states; and, North Carolina, Florida and Georgia also rank near the top in total prison stock population. These statements are based on National Prisoner Statistics data as of December 31, 1977.

The amount of time served in prison is an important factor in determining prison population, along with admissions; thus a cross-jurisdictional comparison of time served can reveal one possible reason why a state's incarceration rate is higher than that of another. The table below clearly shows that North Carolina's prisoners, on the average, spend the longest time in prison when compared with the National Average and with time spent in prison in Florida, Georgia, and South Carolina.

TABLE I. OVERALL AVERAGE MONTHS SERVED*

<u>Jurisdiction</u>	<u>Average Months Served</u>
North Carolina	31.7
National Average	18.3
Florida	25.9
Georgia	24.2
South Carolina	17.8

* See Appendix for explanatory notes.

Table II (see Appendix for explanatory notes) shows the average months served by prisoners in various jurisdictions for the crime for which they were incarcerated. Among the 17 states compared, North Carolina ranked in the top five in average months served for all crime categories except Assault with a Deadly Weapon. The time served by North Carolina prisoners for Rape and Grand Theft Auto was longer than that served in any of the other 16 states listed in the table. North Carolina ranked second in time served for Murder Second Degree, Burglary and Grand Theft and third in time served for Manslaughter and Forgery and Checks.

Finally, Table III (see Appendix for explanatory notes) contains the specific North Carolina crimes (based on North Carolina Department of Correction computer crime codes), that are subsumed under the crime categories appearing in Table II, and the average months served for each.

TABLE II. AVERAGE MONTHS SERVED FOR OFFENSES IN NORTH CAROLINA AND OTHER JURISDICTIONS*

Jurisdiction	Murder Second Degree	Man- slaughter	Robbery			Assault With a Deadly Weapon	Rape	Burglary		Grand Theft	Grand Theft Auto	Forcerv and Checks
			Unarmed	Used a Weapon	Used a Firearm			1st Degree	2nd Degree			
North Carolina FY 1977-78 Average	75.1	42.4	32.3	49.7	27.1	168.5	29.4	23.3	27.5	23.7		
National Average 1974 Median	47.5	25.3	20.6	29.7	16.4 ^c	39.6	15.7	13.8	13.1	13.2		
Arizona 1976 Average	NA ^a	NA		36 ^b	29.4	42.0	20.5	27.1	18.4	20.1		
California 1977 Median	61.0	36.0	29.0	35.0	48.5	33.0	47.0	31.0	22.0	22.0	21.0	22.0
Connecticut 1977 Average	58.0	26.2	14.6	19.5	40.1	29.4	49.8	39.5	17.9	18.9	NA	NA
Florida 1974-1976 Average	61.8	44.8	23.9	30.7	26.6	43.0	21.9	22.3	21.3	21.6		
Georgia 1977 Average	NA ^a	NA		41.8 ^b	NA	55.9	22.8		16.7	NA		
Hawaii 1961-1975 Average	NA ^a	NA		43.3 ^b	38.7 ^c	58.1	37.8		29.3	33.9		
Illinois July-Sept 1977 Avg.	NA ^a	36.5	24.0	36.7	24.2 ^c	65.0	24.2		18.3	26.1		
Indiana Jan.-Oct. 1975 Avg.	NA ^a	NA		46.0 ^b	27.0	70.0	14.0	17.0	11.0	15.0		
Minnesota 1976 Average	103.0	47.5	23.0	33.6	24.5 ^c	33.0	17.9	15.5	15.4	14.9		
Nevada 1976 Average	NA ^a	NA		31.0 ^b	49.0 ^c	62.0	24.0	15.0	17.0	20.0		
New York 1974 Median	NA ^a	32.4		20.8 ^b	20.0 ^c	31.4	19.7	17.2	20.0	21.5		
Pennsylvania 1977 Average	51.0	17.0		28.7 ^b	22.0 ^c	41.6	20.6	13.6	19.9	13.9		
South Carolina 1977 Average	NA ^a	NA		25.0 ^b	13.0	61.0	14.0	14.0	14.0	13.0		
Utah 1961-1975 Average	NA ^a	NA	54.0	73.0	34.7 ^c	47.0	22.0	21.0	NA	20.9		
Washington 1977 Median	27.0	18.0		27.1 ^b	23.9	25.2	15.0	16.3	17.6	17.6	17.4	17.1
Wisconsin 1975 Average	NA ^a	26.4		29.0	22.3	42.8	19.7	16.8	15.1	16.6		

* See Appendix for explanatory notes.

^a All murders are in a single category.

^b All types of robbery are grouped in one category.

^c Aggravated Assault/Aggravated Battery

TABLE III AVERAGE MONTHS SERVED IN NORTH CAROLINA FOR FELONIES BY PRISONERS RELEASED IN FISCAL 1977-1978*

A	B	C	D	E	F
CRIME IN OTHER JURISDICTIONS	COMPARABLE N. C. CRIMES	NUMBER OF CASES (N)	MEAN (AVERAGE) MONTHS ACTUALLY SERVED BY SINGLE & MULTIPLE SENTENCE OFFENDERS	MEAN (WEIGHTED AVERAGE) MONTHS ACTUALLY SERVED	OVERALL MEAN (WEIGHTED AVERAGE) MONTHS ACTUALLY SERVED
Murder, Second Degree	Murder, Second Degree	94	74.3		74.3
Manslaughter	Voluntary Manslaughter	107	48.7		42.0
	Involuntary Manslaughter	57	29.4		
Robbery	Used a Firearm	26	18.6	48.1	40.1
	Used a Weapon	251	51.2		
	Unarmed	Common Law Robbery	256		
Assault with a Deadly Weapon	Assaults of All Kinds (Convicted before 5-76)	104	37.8		27.1
	Assault with Deadly Weapon with Intent to Kill, Inflicting Serious Injury	14	13.4		
	Assault with Deadly Weapon Inflicting Serious Injury	72	14.4		
Rape	Rape, Forcible	16	168.5		168.5
Burglary	Burglary 1st Degree	11	198.6	115.2	28.8
	Burglary 2nd Degree	24	76.9		
	Felonious Breaking or Entering Building	729	25.6		
Grand Theft	Felonious Breaking or Entering Building with Intent to Commit Felony	41	11.6	24.9	23.7
	Felonious Larceny	193	11.8		
Grand Theft	Felonious Larceny after Breaking or Entering; and, Felonious Breaking or Entering and Larceny Consolidated for Judgment	522	25.1		27.8
	Felonious Larceny and Receiving (Consolidated)	112	37.9		
Grand Theft Auto	Felonious Larceny of Auto	77	27.8		27.8
Forgery and Checks	Forgery	194	28.7		23.8
	Uttering or Selling a Forged Instrument	53	10.7		
	Forgery and Uttering (Consolidated)	22	12.7		

* See Appendix for explanatory notes.

APPENDIX

A. Table I

1. Table I was calculated from information contained in Tables II and III.
2. In order to remove the differential effects that would result from the proportional difference of crime categories represented in each state's release cohort, a weighted average months served was calculated using the number of offenders in each crime category in North Carolina's release population as the weights. The figures, from Table III, are as follows:

<u>Crime Category</u>	<u>Number of Cases</u>	
Murder, Second Degree	94	
Manslaughter	164	
Robbery	Used a Firearm	26
	Used a Weapon, (May be a Firearm)	251
	Unarmed	256
Assault with a Deadly Weapon	190	
Rape	16	
Burglary, 1st & 2nd Degree Combined	805	
Grand Theft	827	
Grand Theft Auto	77	
Forgery and Checks	269	

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- a) Within the crime categories of Robbery and Grand Theft/Grand Theft Auto, the weights used were dependent on the specificity of the data on average time served provided by the states.
3. In some crime categories, some states did not provide data on average time served. These instances appear as "NA" in the table. In calculating overall average time served for these states, the National Average figure was substituted for the "NA" entries.

B. Table II

1. With the exception of North Carolina, the figures are from "Sentencing Practices Quarterly," December, 1977 (p. 16 and 17) published by the Judicial Council of California - Administrative Office of the Courts. They are statistics on felonies only. The states used in the publication were chosen in order to show "a comparison of California with other states for which reasonably comparable data have been obtained." ("Sentencing Practices Quarterly", December, 1977: p. 15).

2. For details on specific North Carolina offenses and the average time served for each see Table III.
3. In determining the ranking of the states within the Robbery and Burglary categories, a simple average of the time served values for the specific offenses in each was used. These averages appear in the following tables:

<u>State</u>	<u>Average of Specific Robbery Offenses</u>
North Carolina	40.1 (Column F, Table III)
California	37.5
Connecticut	24.7
Florida	27.3
Illinois	30.4
Minnesota	28.3
Utah	63.5

<u>State</u>	<u>Average of Specific Burglary Offenses</u>
California	26.5
Connecticut	28.7
Washington	16.3

4. The states that did not separate Grand Theft and Grand Theft Auto were not included in determining the rankings for these offenses.
5. The figures for North Carolina shown in Table II are taken from Table III as follows:

Murder, Second Degree		Column F
Manslaughter		Column F
Robbery	Used a Firearm	} Column E
	Used a Weapon	
	Unarmed	
Assault with a Deadly Weapon		Column E
Rape		Column F
Burglary	1st Degree	} Column F
	2nd Degree	
Grand Theft		Column F
Grand Theft Auto		Column F
Forgery and Checks		Column F

C. Table III

1. It must be noted that strict comparability of crimes among jurisdictions is not possible; however, general comparisons can be made.

2. Comparable North Carolina crimes (Column B) are based on North Carolina Department of Correction computer crime codes.
3. The small number of releases in some crime categories (Column C) reduces the reliability of the mean (average).
4. Columns E and F represent weighted averages based upon Columns C and D.
5. Data for average time actually served in North Carolina (Column D) represents felons who were admitted directly from the courts (probation revocations were excluded) and who were paroled, conditionally released, or discharged in Fiscal Year 1977-1978. In the case of multiple offenders, the entire time served was attributed to that crime for which the sentence length was longest.

END