



# National Judicial Reporting Program, 1990

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## Foreword

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This report describes the number and characteristics of felons convicted in State courts in 1990 in the Nation overall. The report is based on data that were collected for the National Judicial Reporting Program (NJRP), a biennial statistical program which obtains information on felons convicted in State courts. The previous NJRP surveys compiled information on convicted felons in 1986 and 1988. In its third year of operation, 1990, NJRP collected information on a sample of 300 counties that were representative of the Nation as a whole.

The Bureau of Justice Statistics would like to express its sincere gratitude to all the respondents who participated in the survey. Because of the cooperation of these individuals, facts to guide sentencing policies are available to criminal justice professionals, lawmakers, researchers, and the general public.

Lawrence A. Greenfeld  
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# Introduction

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The National Judicial Reporting Program (NJRP) is a biennial sample survey that compiles detailed information on the sentences that convicted felons receive in State courts nationwide and on various characteristics of the felons. Surveys of felony sentencing in State courts were previously conducted in 1986 (see *Felony Sentences in State Courts, 1986*, Bureau of Justice Statistics, NCJ-115210, February 1989) and in 1988 (see *Felony Sentences in State Courts, 1988*, Bureau of Justice Statistics, NCJ-126923, December 1990).

The 1990 survey was based on a sample of 300 counties selected to be nationally representative. The sample consisted of the same jurisdictions as in the 1988 survey and included the District of Columbia and at least one county from every State except, by chance, Vermont. Among sampled counties, two sentenced no felons during 1990. The 1990 survey excluded Federal courts and those State or local courts that did not adjudicate felony cases. Federal courts convicted 36,686 persons of a felony offense in 1990. That number represents 4% of the combined State and Federal total number of felony convictions during 1990.

The 1990 survey included only offenses that State penal codes defined as felonies. Felony offenses are widely defined as crimes that have the potential of being punished by more than 1 year in prison. States usually designate specific courts to try felony offenses, although in some counties more than one court may handle such cases.

The term felony is not uniform in either its usage or definition in the United States. Two jurisdictions (Maine and New Jersey) do not use the term to classify their criminal offenses and six others offer no explicit definition of the term, even though they use it as a criminal designation. In the 43 States that use and define the term *felony*, common elements do exist. With few exceptions, criminal codes define felonies by reference to place of imprisonment. Most often, felony definitions identify the

place of imprisonment but not the duration, as in Idaho, where a felony is a "crime punishable by death or by imprisonment in the State prison." Nearly as frequent is a definition that specifies the duration of imprisonment but not the place, as in Georgia, where a felony is a "crime punishable by death, by imprisonment for life, or by imprisonment for more than 12 months."

This publication summarizes results from the 1990 survey. Each of the four sections addresses a different aspect of felony convictions in State courts during 1990.

The four sections of this publication are —

I. *Felony sentences in State courts*, which describes the number of felony offenders in State courts and the sentences they received.

II. *Profile of felons convicted in State courts*, which describes the sex, race, and age of convicted felons.

III. *Felons sentenced to probation in State courts*, which focuses on the most frequent type of sentence, probation. This section describes the number of felons sentenced to probation in State courts, the type of crime for which felons were sentenced to probation, and the demographic characteristics of probationers.

IV. *Felony case processing in State courts*, which describes the number of felons convicted by trial and by guilty plea in State courts, compares sentences in cases convicted by these different methods, and presents the average time required to process felony cases.

## Sampling

A sample of 300 counties was drawn for the 1990 survey. Before sampling, every county in the Nation had a nonzero probability of being in the sample. In general, the more felony cases a county had, the more likely that county was to be in the sample.

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

Because the 75 largest counties account for a disproportionately large amount of serious crime in the Nation, they were given a greater chance of being selected than the remaining counties.

Stratum 1 consisted of the 19 counties with the largest number of felony convictions in 1985, plus 12 counties whose participation in the survey had been prearranged. Every county in stratum 1 was selected for the sample.

Stratum 2 consisted of the 44 most populous counties that were not in stratum 1. The 44 were ordered by their number of felony convictions in 1985, and then approximately every other county was selected. Stratum 2 thus contributed 23 counties to the sample. Altogether, 54 out of the 75 largest counties were sampled. Data on 1985 felony convictions were obtained from a mail survey described in *State Felony Courts and Felony Laws* (NCJ-106273) and *Census of State Felony Courts, 1985* (ICPSR-8667). The 54 sampled counties in the 1990 NJRP survey were the same 54 as in the 1986 NJRP survey.

The 3,034 counties not among the 75 largest were placed into 6 strata defined by the total number of felony convictions in 1985 and then arrayed within stratum by region, and within region from largest

to smallest on felony conviction totals. The final sample included 246 counties from among the 3,034 counties outside the 75 largest. Case-level data were successfully obtained on convicted felons sentenced in 1990 from all 300 sampled counties.

The 31 sampled counties in stratum 1 and the 29 counties in stratum 3 were self-representing only, and their sampled cases therefore had a first stage sampling weight of 1. The remaining 240 counties sampled from strata 2 and 4 through 8 were selected to represent their respective strata so that the felony conviction cases sampled had first stage weights greater than 1.

At the second stage of sampling, a systematic sample of felons sentenced for murder/nonnegligent manslaughter, rape, robbery, aggravated assault, burglary, felony larceny/motor vehicle theft, drug trafficking, and other offenses was selected from each county's official records. The total sample numbered 106,237 cases. Of these, 71,004 cases were in the 75 largest counties.

Rates at which cases were sampled varied by stratum and crime type. In smaller counties every felony case was taken. In larger counties all murder cases and rape cases were typically included, but other offense categories were sampled.

## Sampling error

NJRP data were obtained from a sample and not from a complete enumeration. Consequently, estimates are subject to sampling error. A standard error, which is a measure of sampling error, is associated with each number in the report. In general, if the difference between two numbers is at least twice the standard error of that difference, there is at least 95% confidence that the two numbers do in fact differ; that is, the apparent difference is not simply the result of surveying a sample rather than the entire population.

National estimates of the number of convictions for individual crime categories and for the aggregate total had a coefficient of variation of 3%.

## Missing data

Computations of statistics shown in the report's tables excluded sample cases that were missing data for the particular variables being tabulated. Table 4.1 was an exception. Its statistics are based on computations that redistributed cases with missing data according to the distribution of the known cases.

## Sources of data

For 71% of the 300 counties sampled, NJRP data were obtained directly from the State courts. Other sources included prosecutor offices, and courts and prosecutor offices combined. Individual-level NJRP records were obtained through a variety of collection methods, including magnetic tape (44% of the counties), field collection (20%), printouts and other documents, and manually completed forms.

Data collection for 233 counties was performed by the U.S. Bureau of the Census and for 67 counties by the National Association of Criminal Justice Planners.

## Targeted population

The survey targeted and recorded initial sentences imposed in 1990. If a sentence was imposed on one date and then modified at a later date, the revision was ignored. The survey recorded sentences that were actually executed and excluded suspended sentences.

Because year of conviction was not a defining characteristic some cases in the sample were of persons convicted before 1990 but not sentenced until 1990. In a few counties where it was impractical to target sentences in 1990, the target was felons convicted in 1990. In some of the cases, the data relate to sentences imposed after 1990.

## Crime definitions

### *Murder and nonnegligent manslaughter:*

Murder is (1) intentionally causing the death of another person without extreme provocation or legal justification or (2) causing the death of another while committing or attempting to commit another crime. Nonnegligent (or voluntary) manslaughter is intentionally and without legal justification causing the death of another when acting under extreme provocation. The combined category murder and nonnegligent manslaughter excludes involuntary or negligent manslaughter, conspiracies to commit murder, solicitation of murder, and attempted murder.

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

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

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

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

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

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

### *Larceny and motor vehicle theft:*

Larceny is the unlawful taking of property other than a motor vehicle from the possession of another, by stealth, without force or deceit. Includes pocketpicking, non-forcible purse snatching, shoplifting, and thefts from motor vehicles. Excludes receiving and/or reselling stolen property (fencing), and thefts through fraud or deceit. Includes attempts.

Motor vehicle theft is the unlawful taking of a self-propelled road vehicle owned by another. Includes the theft of automobiles, trucks, and motorcycles, but not the theft of boats, aircraft, or farm equipment (which is classified as larceny/theft). Also includes receiving, possessing, stripping, transporting, and reselling stolen vehicles, and unauthorized use of a vehicle (joyriding). Includes attempts.

### *Fraud, forgery, and embezzlement:*

using deceit or intentional misrepresentation to unlawfully deprive a person of his or her property or legal rights. Includes offenses such as check fraud, confidence game, counterfeiting, and credit card fraud. Includes attempts.

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

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

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

*Other felonies:* all felony offenses not listed above. Includes receiving stolen property, driving while intoxicated or other traffic offenses, bribery, obstructing justice, escaping from custody, family offenses (such as child neglect, contributing to the delinquency of a minor, nonpayment of child support), and nonviolent sexual offenses (such as statutory rape, incest, pornography offenses, pimping, prostitution). Includes attempts.



### Felony sentences in State courts, 1990

In 1990 State courts convicted 829,000 persons of murder, rape, robbery, drug trafficking, and other felony offenses. Courts sentenced 46% of them to prison, 25% to jail (usually for a year or less), and the remaining 29% to probation.

An estimated 168,000 persons were convicted of drug trafficking in State courts in 1990. That was more than twice the number convicted just 4 years earlier, in 1986, when the survey was first done. Drug traffickers comprised 20% of the felony conviction total in 1990, substantially greater than their 13% representation in 1986.

The estimated 80,000 drug traffickers sentenced to State prison in 1990 comprised 1 in 5 prison sentences that year. The estimated 30,000 drug traffickers sentenced to State prison in 1986 accounted for 1 in 10 prison sentences that year. The 80,000 in 1990 was nearly triple the number in 1986. Over the same period police doubled the number of arrests for trafficking in cocaine and heroin (and increased drug trafficking arrests generally by 75%).

Thus, the increase in drug trafficking arrests was too small to account for all the growth in the number of drug traffickers sentenced to prison.

Statistics about prosecution and sentencing trends further explain a portion of the growth. For every 100 arrests for drug trafficking, State courts convicted 41 felons of drug trafficking in 1986 and 52 felons in 1990. This increase in conviction, given arrest, suggests increased prosecution. Moreover, during the same period the likelihood of prison, given conviction, increased. The percentage of drug trafficking convictions receiving a State prison sentence rose from 37% in 1986 to 49% in 1990.

Other results include the following:

Drug traffickers (20%) and drug possessors (13%) together made up 33% of felons convicted in State courts in 1990. Violent offenders, consisting of murderers (1%), rapists (2%), robbers (6%), assaulters (7%), and others convicted of a violent crime (2%) together made up 18%. Burglars (13%) and larcenists (14%) made up most of the rest.

- The average sentence to local jail was 8 months. The average probation sentence was about 3½ years.

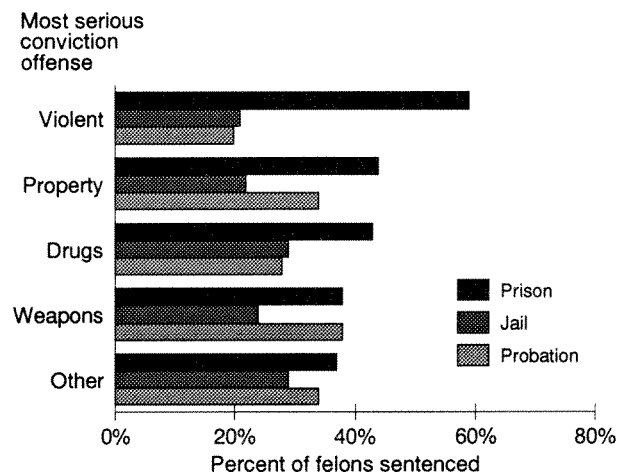
- Felons sentenced to a State prison in 1990 had an average sentence of 6 ¼ years but were expected to serve a third of that sentence — or about 2 years — before release. State courts nationwide sentenced to life 22% of those convicted of murder or nonnegligent manslaughter.

- The 829,000 felons sentenced in 1990 were convicted altogether of about 1 million felonies. The number of felony convictions exceeds the number of convicted felons because 16% of the felons were convicted of 2 felony charges and 6% were convicted of 3 or more.

- The likelihood of a prison sentence rose from 42% for those convicted of one felony, to 56% for two, and to 60% for three or more. The mean sentence to incarceration also increased from 3 years and 9 months for those convicted of one felony, to nearly 6 years for those convicted of two or more.

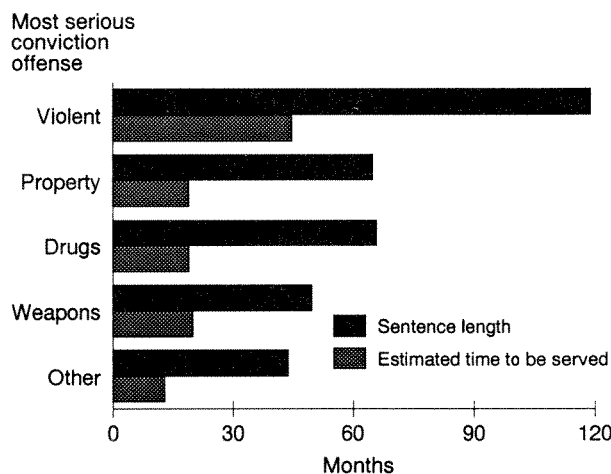
- A fine was imposed on 16% of convicted felons, restitution on 16%, community service on 4%, and treatment was ordered for 7%.

**Types of felony sentences imposed by State courts, 1990**



Most convicted drug offenders (57%) did not receive a prison sentence.

**Average sentence to State prison and estimated time to be served for a felony, 1990**



Violent offenders sentenced to prison had an average sentence of about 10 years but were likely to serve 38% of that sentence - or about 4 years - before release.

**Table 1.1. Estimated number of felony convictions  
in State courts, 1990**

Most serious conviction offense	Felony convictions	
	Number	Percent
<b>All offenses</b>	829,344	100%
<b>Violent offenses</b>	147,766	17.8%
Murder/manslaughter <sup>a</sup>	10,895	1.3
Murder	7,530	.9
Manslaughter <sup>b</sup>	3,365	.4
Rape	18,024	2.2
Robbery	47,446	5.7
Armed	12,402	1.5
Unarmed	18,778	2.3
Unspecified	16,266	2.0
Aggravated assault	53,861	6.5
Other violent <sup>c</sup>	17,540	2.1
<b>Property offenses</b>	280,748	33.9%
Burglary	109,750	13.2
Residential	18,659	2.2
Nonresidential	40,155	4.8
Unspecified	50,936	6.1
Larceny	113,094	13.6
Motor vehicle theft	21,065	2.5
Other theft <sup>d</sup>	92,029	11.1
Fraud <sup>e</sup> /forgery	57,904	7.0
Fraud <sup>e</sup>	26,877	3.2
Forgery	31,027	3.7
<b>Drug offenses</b>	274,613	33.1%
Possession	106,253	12.8
Trafficking	168,360	20.3
Marijuana	16,613	2.0
Other	115,796	14.0
Unspecified	35,951	4.3
<b>Weapons offenses</b>	20,733	2.5%
<b>Other offenses<sup>f</sup></b>	105,484	12.7%

Note: Detail may not sum to total due to rounding. Data specifying the conviction offense were available for 100% of the sample.

<sup>a</sup>Manslaughter defined as nonnegligent manslaughter only.

<sup>b</sup>Manslaughter defined as nonnegligent manslaughter only. Where a case was known to be murder or nonnegligent manslaughter, but of the two was unknown ( a small number of cases), the case was classified under manslaughter.

<sup>c</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>d</sup>Includes a small number unspecified.

<sup>e</sup>Includes embezzlement.

<sup>f</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 1.2. Types of felony sentences imposed by State courts, 1990**

Most serious conviction offense	Total	Percent of felons sentenced to			
		Incarceration		Probation	
		Total	Prison	Jail	
<b>All offenses</b>	100%	71%	46%	25%	29%
<b>Violent offenses</b>	100%	80%	59%	21%	20%
Murder <sup>a</sup>	100	95	91	4	5
Rape	100	86	67	19	14
Robbery	100	90	73	17	10
Aggravated assault	100	72	45	27	28
Other violent <sup>b</sup>	100	67	42	25	33
<b>Property offenses</b>	100%	66%	44%	22%	34%
Burglary	100	75	54	21	25
Larceny <sup>c</sup>	100	65	40	25	35
Fraud <sup>d</sup>	100	53	33	20	47
<b>Drug offenses</b>	100%	72%	43%	29%	28%
Possession	100	64	35	29	36
Trafficking	100	77	49	28	23
<b>Weapons offenses</b>	100%	62%	38%	24%	38%
<b>Other offenses<sup>e</sup></b>	100%	66%	37%	29%	34%

Note: See note on table 1.1. For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed — prison being the most severe, followed by jail, then probation. Prison includes sentences to death. Data on sentence type were available for 99.4% of the estimated total.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 1.3. Mean and median sentence lengths for felony sentences imposed by State courts, 1990**

Most serious conviction offense	Maximum sentence length in months for felons sentenced to			
	Total	Incarceration	Jail	Probation
<b>Mean sentence</b>				
<b>All offenses</b>	52 mo	75 mo	8 mo	42 mo
<b>Violent offenses</b>	91 mo	119 mo	10 mo	46 mo
Murder <sup>a</sup>	233	243	37	67
Rape	128	160	11	61
Robbery	97	115	12	50
Aggravated assault	52	78	9	43
Other violent <sup>b</sup>	57	85	7	45
<b>Property offenses</b>	47 mo	65 mo	8 mo	44 mo
Burglary	61	80	9	48
Larceny <sup>c</sup>	33	49	7	41
Fraud <sup>d</sup>	40	58	6	43
<b>Drug offenses</b>	44 mo	66 mo	9 mo	42 mo
Possession	30	49	6	39
Trafficking	52	74	10	44
<b>Weapons offenses</b>	34 mo	50 mo	7 mo	34 mo
<b>Other offenses<sup>e</sup></b>	29 mo	44 mo	9 mo	39 mo
<b>Median sentence</b>				
<b>All offenses</b>	24 mo	48 mo	5 mo	36 mo
<b>Violent offenses</b>	54 mo	72 mo	6 mo	36 mo
Murder <sup>a</sup>	240	240	12	60
Rape	72	120	6	60
Robbery	60	72	11	48
Aggravated assault	24	51	6	36
Other violent <sup>b</sup>	27	60	4	36
<b>Property offenses</b>	24 mo	48 mo	5 mo	36 mo
Burglary	36	54	6	36
Larceny <sup>c</sup>	23	36	4	36
Fraud <sup>d</sup>	24	36	3	36
<b>Drug offenses</b>	24 mo	48 mo	5 mo	36 mo
Possession	12	30	3	36
Trafficking	36	48	6	36
<b>Weapons offenses</b>	18 mo	36 mo	3 mo	24 mo
<b>Other offenses<sup>e</sup></b>	13 mo	30 mo	4 mo	36 mo

Note: See note on tables 1.1 and 1.2. Means exclude sentences to death or to life in prison. Sentence length data were available for 97% of incarceration sentences and 97% of probation sentences.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 1.4. Estimated percent of felons sentenced to life in prison, 1990**

Offense	Percent sentenced to life
All offenses	.5%
Murder <sup>a</sup>	21.6
Rape	2.2
Robbery	.7
Aggravated assault	.2
Other violent <sup>b</sup>	.3
Burglary	.1
Larceny <sup>c</sup>	--
Fraud <sup>d</sup>	.1
Possession	.5
Trafficking	.3
Weapons offenses	.1
Other offenses <sup>e</sup>	.1

--Less than 0.05%.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 1.5. Estimated time to be served in State prison, 1990**

Most serious conviction offense	NCRP percent of sentence served in prison <sup>a</sup>	Mean prison sentence	Estimated time to be served in prison <sup>b</sup>
<b>All offenses</b>	33%	75 mo	25 mo
<b>Violent offenses</b>	38%	119 mo	45 mo
Murder <sup>c</sup>	43	243	104
Rape	39	160	62
Robbery	39	115	45
Aggravated assault	33	78	26
Other violent <sup>d</sup>	34	85	29
<b>Property offenses</b>	29%	65 mo	19 mo
Burglary	32	80	26
Larceny <sup>e</sup>	27	49	13
Fraud <sup>f</sup>	28	58	16
<b>Drug offenses</b>	29%	66 mo	19 mo
Possession	27	49	13
Trafficking	31	74	23
<b>Weapons offenses</b>	40%	50 mo	20 mo
<b>Other offenses<sup>g</sup></b>	30%	44 mo	13 mo

Note: See note on tables 1.1, 1.2, and 1.3.

<sup>a</sup>Percent of sentence served excludes credited jail time. Sentence length data were available for 98% of prison sentences. Percent of sentence served was calculated from table 2-8 of *National Corrections Reporting Program, 1989*, BJS, (NCJ-138222), November 1992.

<sup>b</sup>Derived by multiplying percent of sentence actually served by the mean sentence imposed.

<sup>c</sup>Includes nonnegligent manslaughter.

<sup>d</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>e</sup>Includes motor vehicle theft.

<sup>f</sup>Includes forgery and embezzlement.

<sup>g</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 1.6. Number of conviction offenses of felons in State courts, by most serious conviction offense, 1990**

Most serious conviction offense	Percent of convicted felons, by number of felony conviction offenses			
	Total	One	Two	Three or more
<b>All offenses</b>	100%	78%	16%	6%
<b>Violent offenses</b>	100%	72%	18%	10%
Murder <sup>a</sup>	100	68	22	10
Rape	100	64	20	16
Robbery	100	68	21	11
Aggravated assault	100	75	17	8
Other violent <sup>b</sup>	100	83	12	5
<b>Property offenses</b>	100%	76%	17%	7%
Burglary	100	69	22	9
Larceny <sup>c</sup>	100	85	11	4
Fraud <sup>d</sup>	100	72	18	10
<b>Drug offenses</b>	100%	81%	15%	4%
Possession	100	88	10	2
Trafficking	100	76	19	5
<b>Weapons offenses</b>	100%	78%	17%	5%
<b>Other offenses<sup>e</sup></b>	100%	87%	10%	3%

Note: See note on table 1.1. Data on number of convictions were available for 98% of the estimated total.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 1.7. Convicted felons sentenced to prison  
by State courts, by number of conviction offenses,  
1990**

Most serious conviction offense	Percent of convicted felons sentenced to prison, by number of felony conviction offenses		
	One	Two	Three or more
<b>All offenses</b>	42%	56%	60%
<b>Violent offenses</b>	54%	69%	77%
Murder <sup>a</sup>	89	94	94
Rape	62	71	78
Robbery	68	77	87
Aggravated assault	39	57	62
Other violent <sup>b</sup>	38	52	70
<b>Property offenses</b>	40%	54%	53%
Burglary	49	61	63
Larceny <sup>c</sup>	38	50	48
Fraud <sup>d</sup>	29	43	41
<b>Drug offenses</b>	40%	53%	55%
Possession	34	42	27
Trafficking	45	57	61
<b>Weapons offenses</b>	33%	50%	63%
<b>Other offenses<sup>e</sup></b>	35%	45%	36%

Note: See note on tables 1.1, 1.2, and 2.7.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.



**Table 1.8. Mean sentence lengths for felony sentences imposed by State courts, by number of conviction offenses, 1990**

Most serious conviction offense	Maximum sentence length in months for felons sentenced to			
	Incarceration		Probation	
	Total	Prison	Jail	
<b>One conviction offense</b>				
<b>All offenses</b>	45 mo	68 mo	8 mo	41 mo
<b>Violent offenses</b>	78 mo	106 mo	9 mo	45 mo
Murder <sup>a</sup>	225	234	30	69
Rape	97	127	11	61
Robbery	85	103	11	50
Aggravated assault	45	70	9	41
Other violent <sup>b</sup>	47	73	7	43
<b>Property offenses</b>	41 mo	60 mo	7 mo	42 mo
Burglary	55	75	8	47
Larceny <sup>c</sup>	32	47	7	40
Fraud <sup>d</sup>	33	52	6	40
<b>Drug offenses</b>	40 mo	62 mo	8 mo	41 mo
Possession	29	48	6	39
Trafficking	47	70	10	44
<b>Weapons offenses</b>	28 mo	43 mo	7 mo	33 mo
<b>Other offenses<sup>e</sup></b>	28 mo	43 mo	9 mo	39 mo
<b>Two or more conviction offenses</b>				
<b>All offenses</b>	70 mo	92 mo	9 mo	48 mo
<b>Violent offenses</b>	116 mo	140 mo	12 mo	50 mo
Murder <sup>a</sup>	248	261	49	46
Rape	171	205	12	58
Robbery	112	129	13	53
Aggravated assault	69	91	9	48
Other violent <sup>b</sup>	99	127	9	48
<b>Property offenses</b>	58 mo	75 mo	8 mo	51 mo
Burglary	69	86	9	52
Larceny <sup>c</sup>	40	55	9	48
Fraud <sup>d</sup>	51	69	6	53
<b>Drug offenses</b>	56 mo	77 mo	9 mo	44 mo
Possession	37	59	6	40
Trafficking	61	81	10	46
<b>Weapons offenses</b>	49 mo	64 mo	7 mo	38 mo
<b>Other offenses<sup>e</sup></b>	32 mo	47 mo	9 mo	43 mo

Note: See note on tables 1.1, 1.2, 1.3, and 2.7. Means exclude sentences to death or to life imprisonment.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 1.9. Felons sentenced to additional penalty by State courts, 1990**

Most serious conviction offense	Percent of felons with an additional penalty of				
	Fine	Resti- tution	Treat- ment	Community service	Other
<b>All offenses</b>	16%	16%	7%	4%	10%
<b>Violent offenses</b>	11%	13%	7%	4%	10%
Murder <sup>a</sup>	7	8	2	1	4
Rape	13	12	8	2	10
Robbery	6	10	3	2	5
Aggravated assault	14	18	10	6	13
Other violent <sup>b</sup>	19	12	13	7	16
<b>Property offenses</b>	13%	26%	6%	5%	11%
Burglary	12	23	5	4	9
Larceny <sup>c</sup>	15	25	6	5	12
Fraud <sup>d</sup>	14	35	4	5	11
<b>Drug offenses</b>	17%	8%	7%	4%	9%
Possession	19	6	9	5	9
Trafficking	16	10	6	3	8
<b>Weapons offenses</b>	14%	8%	5%	3%	9%
<b>Other offenses<sup>e</sup></b>	25%	13%	8%	4%	15%

Note: See note on table 1.1. Where the data indicated affirmatively that a particular additional penalty was imposed, the case was coded accordingly. Where the data did not indicate affirmatively or negatively, the case was treated as not having an additional penalty. These procedures provide a conservative estimate of the prevalence of additional penalties. Note also that a person receiving more than one kind of additional penalty

appears under more than one table heading.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

### Profile of felons convicted in State courts, 1990

The 1990 National Judicial Reporting Program (NJRP) compiled demographic data (sex, race, and age), as well as sentencing information for persons convicted of a felony in State courts. This section summarizes results from that collection.

A separate statistical series, the 1990 National Corrections Reporting Program (NCRP), compiled detailed demographic and sentencing data on persons sentenced to prisons in 35 States. Comparison between NJRP and NCRP results provided independent verification of the findings from both statistical series. The NJRP is largely based on court and prosecutor records, while the NCRP data are submitted by 35 State departments of corrections. To the extent that the findings from one series mirror findings from the other, confidence is enhanced in the results from both.

Demographic profiles of persons receiving a State prison sentence were nearly identical between the 1990 NJRP and 1990 NCRP —

	Percent of prison sentences	
	NJRP	NCRP*
Sex		
Male	90.8%	91.6%
Female	9.2	8.4
Race		
White	45.8%	45.3%
Black	53.6	53.9
Other	.6	.8

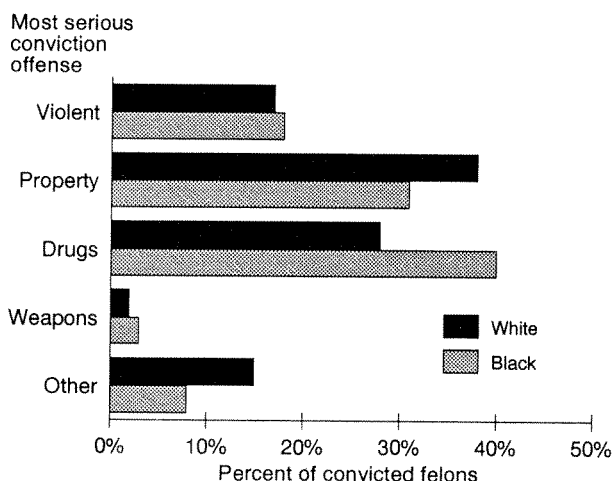
According to the NJRP, white defendants were 52% of all those convicted of a felony in State courts; black felons were 47%; and persons of other races (American Indians, Alaskan Natives, Asians, and Pacific Islanders), 1%. Among persons convicted, white felons were less likely than blacks to be sent to prison: 42% of convicted white defendants received a prison sentence, 54% of black defendants, and 47% of defendants of other races.

\*National Corrections Reporting Program, 1990, BJS. NCJ-141879, May 1993, p. 9.

Reasons for sentencing differences between whites and blacks could not be fully investigated because the NJRP survey did not collect information on many of the legal factors that judges weigh when deciding which sentence to impose — factors such as whether the defendant used a gun and whether the defendant had ever before been convicted of a felony.

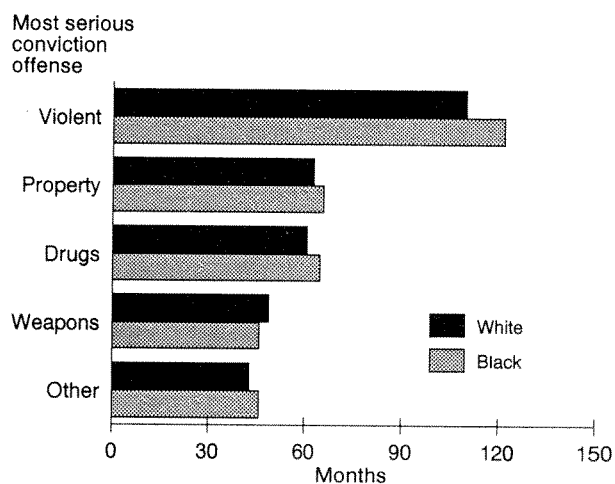
One reason that could be investigated for the racial difference in sentencing derives from two facts: (1) courts in the South sentence to prison a larger percentage of convicted felons (61% of persons convicted of felony Index crimes sentenced to prison in 1990) than do courts in other regions (47% sentenced in 1990) and (2) the South is where the majority of blacks live (53% of the black population versus 33% of the white population) and where blacks have the majority of their felony convictions (among black defendants, 52% of their 1990 felony convictions for Index crimes). The concentration of blacks in

### Offense distribution of persons convicted of a felony in State courts, by race, 1990



Drug offenses comprised 40% of the conviction offenses of blacks versus 28% of the conviction offenses of whites.

### Average sentence to State prison for a felony imposed by State courts, by offense and race, 1990



State prison sentences were generally similar between the races.

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the region of the country with the highest imprisonment rate for a felony conviction therefore partly explains the racial difference in sentencing.

Other findings from the 1990 NJRP were:

- In 1990 men comprised 86% of persons convicted of a felony. An estimated 48% of males received a State prison sentence, compared to 31% of females. As a result of this sentencing difference, males comprised a larger percentage of the total sentenced to prison (91%) than the total convicted (86%).

- Of the approximate 829,000 felons convicted in State courts nationwide, 713,000 (86%) were men and 116,000 were women. Approximately 137,000 men and 10,000 women were convicted of a violent felony that year.

- Among all felons convicted nationwide, about 431,000 (52%) were white, 390,000 (47%) were black, and an

estimated 8,000 (1%) were of other races (American Indian, Alaskan Native, Asian, or Pacific Islander).

- The most serious conviction offense was a violent felony in 11% of cases for women, and 22% of cases for men. Among convicted whites, 20% had a violent felony conviction offense; among blacks, 21%.

- The average age of felons convicted in 1990 was 29 years.

- Men sentenced to prison nationwide had an average sentence length of 6 years and 5 months, while women nationwide had an average prison sentence of 4 years and 9 months.

- Men nationwide were sentenced to local jail for an average of 9 months, and women 8 months. The larger proportion of violent conviction offenses for men partly explains their greater likelihood of a sentence to incarceration and longer average sentences.

**Table 2.1. Demographic characteristics of persons convicted of felonies in State courts, 1990**

Most serious conviction offense	Total	Percent of convicted felons who were										
		Sex		Race			Age					
		Male	Female	White	Black	Other	13-19	20-29	30-39	40-49	50-59	60+
<b>All offenses</b>	100%	86%	14%	52%	47%	1%	10%	48%	30%	9%	2%	1%
<b>Violent offenses</b>	100%	93%	7%	50%	48%	2%	11%	47%	27%	10%	3%	2%
Murder <sup>a</sup>	100	90	10	42	56	2	13	45	24	11	5	2
Rape	100	99	1	65	33	2	8	37	31	14	6	4
Robbery	100	94	6	36	63	1	16	55	23	5	1	--
Aggravated assault	100	91	9	53	44	3	9	47	29	10	3	2
Other violent <sup>b</sup>	100	94	6	72	24	4	7	38	32	15	5	3
<b>Property offenses</b>	100%	83%	17%	57%	42%	1%	12%	50%	27%	8%	2%	1%
Burglary	100	95	5	57	42	1	16	54	23	6	1	--
Larceny <sup>c</sup>	100	82	18	57	42	1	13	48	28	8	2	1
Fraud <sup>d</sup>	100	62	38	58	41	1	4	46	34	12	3	1
<b>Drug offenses</b>	100%	84%	16%	43%	56%	1%	7%	48%	33%	9%	2%	1%
Possession	100	83	17	45	54	1	6	46	35	10	2	1
Trafficking	100	85	15	42	57	1	7	50	31	9	2	1
<b>Weapons offenses</b>	100%	95%	5%	42%	57%	1%	12%	48%	26%	10%	3%	1%
<b>Other offenses<sup>e</sup></b>	100%	90%	10%	65%	33%	2%	7%	44%	31%	12%	4%	2%

Note: See note on table 1.1. Data on sex were available for 88% of estimated total; on race 65%, on age, 80%.  
--Less than 0.5%.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 2.2. Offense distribution of felons convicted in State courts, by sex, race, and age, 1990**

Most serious conviction offense	Percent of convicted felons who were											
	Total	Sex		Race			Age					
		Male	Female	White	Black	Other	13-19	20-29	30-39	40-49	50-59	60+
<b>All offenses</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
<b>Violent offenses</b>	18%	19%	9%	17%	18%	33%	21%	18%	17%	18%	23%	30%
Murder <sup>a</sup>	1	1	1	1	2	2	2	1	1	2	3	3
Rape	2	3	--	3	1	5	2	2	2	3	6	8
Robbery	6	6	3	4	8	5	10	7	5	3	1	1
Aggravated assault	7	7	4	7	6	15	6	6	7	7	10	12
Other violent <sup>b</sup>	2	2	1	2	1	6	1	2	2	3	4	6
<b>Property offenses</b>	34%	33%	43%	38%	31%	32%	44%	35%	31%	29%	23%	17%
Burglary	13	15	5	15	12	11	22	15	10	8	4	3
Larceny <sup>c</sup>	14	13	19	15	13	16	19	14	13	12	11	9
Fraud <sup>d</sup>	7	5	19	8	6	5	3	6	8	9	8	5
<b>Drug offenses</b>	33%	32%	38%	28%	40%	15%	23%	34%	37%	34%	29%	22%
Possession	13	12	16	11	15	5	8	12	16	16	10	7
Trafficking	20	20	22	17	25	10	15	22	22	19	19	15
<b>Weapons offenses</b>	2%	3%	1%	2%	3%	1%	3%	2%	2%	3%	3%	4%
<b>Other offenses<sup>e</sup></b>	13%	13%	9%	15%	8%	19%	9%	11%	13%	16%	22%	27%

Note: See note on tables 1.1 and 2.1.

--Less than 0.5%.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 2.3. Average age of convicted felons  
in State courts, 1990**

Most serious conviction offense	Average age in years	
	Mean	Median
<b>All offenses</b>	29	28
<b>Violent offenses</b>	29	27
Murder <sup>a</sup>	30	27
Rape	33	31
Robbery	26	25
Aggravated assault	30	28
Other violent <sup>b</sup>	33	31
<b>Property offenses</b>	28	27
Burglary	27	25
Larceny <sup>c</sup>	28	27
Fraud <sup>d</sup>	31	29
<b>Drug offenses</b>	30	28
Possession	30	29
Trafficking	29	28
<b>Weapons offenses</b>	29	27
<b>Other offenses<sup>e</sup></b>	31	29

Note: See note on tables 1.1 and 2.1.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 2.4. Types of sentences imposed by State courts,  
by sex and race of felons, 1990**

Most serious conviction offense	Total	Percent of felons sentenced to					
		Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
Male							
All offenses	100%	74%	48%	26%	26%	25%	1%
Violent offenses	100%	83%	61%	22%	17%	17%	--%
Murder <sup>a</sup>	100	96	92	4	4	4	--
Rape	100	86	66	20	14	14	--
Robbery	100	91	74	17	9	9	--
Aggravated assault	100	75	47	28	25	24	1
Other violent <sup>b</sup>	100	70	43	27	30	30	--
Property offenses	100%	72%	48%	24%	28%	27%	1%
Burglary	100	78	56	22	22	22	--
Larceny <sup>c</sup>	100	70	43	27	30	29	1
Fraud <sup>d</sup>	100	62	41	21	38	37	1
Drug offenses	100%	75%	46%	29%	25%	24%	1%
Possession	100	69	39	30	31	30	1
Trafficking	100	79	51	28	21	21	--
Weapons offenses	100%	67%	41%	26%	33%	32%	1%
Other offenses <sup>e</sup>	100%	68%	38%	30%	32%	30%	2%
Female							
All offenses	100%	57%	31%	26%	43%	42%	1%
Violent offenses	100%	67%	40%	27%	33%	32%	1%
Murder <sup>a</sup>	100	88	82	6	12	12	--
Rape	100	84	53	31	16	16	--
Robbery	100	79	47	32	21	20	1
Aggravated assault	100	58	27	31	42	41	1
Other violent <sup>b</sup>	100	57	40	17	43	42	1
Property offenses	100%	48%	27%	21%	52%	51%	1%
Burglary	100	65	36	29	35	34	1
Larceny <sup>c</sup>	100	49	27	22	51	50	1
Fraud <sup>d</sup>	100	43	24	19	57	56	1
Drug offenses	100%	66%	35%	31%	34%	33%	1%
Possession	100	61	30	31	39	38	1
Trafficking	100	69	39	30	31	31	--
Weapons offenses	100%	51%	26%	25%	49%	48%	1%
Other offenses <sup>e</sup>	100%	54%	28%	26%	46%	44%	2%



**Table 2.4 (cont). Types of sentences imposed by State courts,  
by sex and race of felons, 1990**

Most serious conviction offense	Total	Percent of felons sentenced to					
		Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
White							
All offenses	100%	73%	42%	31%	27%	26%	1%
Violent offenses	100%	82%	54%	28%	18%	18%	--%
Murder <sup>a</sup>	100	96	90	6	4	4	--
Rape	100	87	61	26	13	13	--
Robbery	100	91	68	23	9	9	--
Aggravated assault	100	76	41	35	23	23	1
Other violent <sup>b</sup>	100	75	44	31	25	25	--
Property offenses	100%	70%	43%	27%	30%	29%	1%
Burglary	100	78	53	25	22	22	--
Larceny <sup>c</sup>	100	69	38	31	31	30	1
Fraud <sup>d</sup>	100	59	35	24	41	40	1
Drug offenses	100%	73%	37%	36%	27%	26%	1%
Possession	100	70	31	39	30	29	1
Trafficking	100	77	41	36	23	23	--
Weapons offenses	100%	72%	40%	32%	28%	26%	2%
Other offenses <sup>e</sup>	100%	69%	35%	34%	31%	29%	2%
Black							
All offenses	100%	75%	54%	21%	25%	25%	--%
Violent offenses	100%	85%	68%	17%	15%	15%	--%
Murder <sup>a</sup>	100	95	92	3	5	5	--
Rape	100	89	78	11	11	11	--
Robbery	100	92	76	16	8	8	--
Aggravated assault	100	75	52	23	25	24	1
Other violent <sup>b</sup>	100	76	55	21	24	23	1
Property offenses	100%	73%	53%	20%	27%	27%	--%
Burglary	100	82	63	19	18	18	--
Larceny <sup>c</sup>	100	70	48	22	30	30	--
Fraud <sup>d</sup>	100	58	41	17	42	41	1
Drug offenses	100%	75%	52%	23%	25%	25%	--%
Possession	100	68	45	23	32	31	1
Trafficking	100	78	56	22	22	22	--
Weapons offenses	100%	65%	43%	22%	35%	34%	1%
Other offenses <sup>e</sup>	100%	69%	47%	22%	31%	30%	1%

Note: See note on tables 1.1, 1.2, and 2.1.

--Less than 0.5%.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 2.5. Mean sentence lengths for felony sentences imposed by State courts, by sex and race of felons, 1990**

Most serious conviction offense	Maximum sentence length in months for felons sentenced to			
	Incarceration			Probation
	Total	Prison	Jail	
<b>Male</b>				
<b>All offenses</b>	54 mo	77 mo	9 mo	43 mo
<b>Violent offenses</b>	92 mo	120 mo	10 mo	48 mo
Murder <sup>a</sup>	234	244	42	76
Rape	128	164	11	60
Robbery	98	116	12	51
Aggravated assault	52	78	9	44
Other violent <sup>b</sup>	59	89	7	47
<b>Property offenses</b>	49 mo	68 mo	10 mo	45 mo
Burglary	62	80	42	49
Larceny <sup>c</sup>	35	51	11	43
Fraud <sup>d</sup>	45	62	12	41
<b>Drug offenses</b>	45 mo	67 mo	9 mo	42 mo
Possession	32	51	6	39
Trafficking	52	74	10	45
<b>Weapons offenses</b>	34 mo	50 mo	8 mo	36 mo
<b>Other offenses<sup>e</sup></b>	29 mo	44 mo	8 mo	40 mo
<b>Female</b>				
<b>All offenses</b>	36 mo	57 mo	8 mo	43 mo
<b>Violent offenses</b>	62 mo	96 mo	9 mo	46 mo
Murder <sup>a</sup>	57	187	9	59
Rape	117	117	4	45
Robbery	73	73	9	48
Aggravated assault	75	75	11	45
Other violent <sup>b</sup>	83	83	3	43
<b>Property offenses</b>	29 mo	47 mo	6 mo	44 mo
Burglary	74	74	7	50
Larceny <sup>c</sup>	36	36	6	40
Fraud	49	49	4	46
<b>Drug offenses</b>	36 mo	58 mo	89 mo	42 mo
Possession	41	41	6	38
Trafficking	67	67	11	46
<b>Weapons offenses</b>	28 mo	48 mo	6 mo	32 mo
<b>Other offenses<sup>e</sup></b>	30 mo	43 mo	14 mo	35 mo

**Table 2.5 (cont). Mean sentence lengths for felony sentences imposed by State courts, by sex and race of felons, 1990**

Most serious conviction offense	Maximum sentence length in months for felons sentenced to Incarceration			
	Total	Prison	Jail	Probation
<b>White</b>				
<b>All offenses</b>	45 mo	71 mo	9 mo	42 mo
<b>Violent offenses</b>	76 mo	110 mo	10 mo	47 mo
Murder <sup>a</sup>	206	219	43	57
Rape	98	135	12	59
Robbery	85	110	9	46
Aggravated assault	44	74	8	42
Other violent <sup>b</sup>	62	99	8	52
<b>Property offenses</b>	42 mo	63 mo	8 mo	44 mo
Burglary	55	77	9	46
Larceny <sup>c</sup>	29	47	7	43
Fraud <sup>d</sup>	37	57	8	43
<b>Drug offenses</b>	35 mo	61 mo	9 mo	41 mo
Possession	25	47	7	38
Trafficking	41	68	10	44
<b>Weapons offenses</b>	32 mo	49 mo	11 mo	31 mo
<b>Other offenses<sup>e</sup></b>	27 mo	43 mo	10 mo	38 mo
<b>Black</b>				
<b>All offenses</b>	58 mo	76 mo	10 mo	40 mo
<b>Violent offenses</b>	99 mo	122 mo	13 mo	46 mo
Murder <sup>a</sup>	233	240	41	75
Rape	157	179	11	63
Robbery	99	116	14	46
Aggravated assault	57	77	11	44
Other violent <sup>b</sup>	65	86	8	47
<b>Property offenses</b>	51 mo	66 mo	9 mo	41 mo
Burglary	63	79	11	43
Larceny <sup>c</sup>	40	52	9	37
Fraud <sup>d</sup>	46	62	6	47
<b>Drug offenses</b>	49 mo	65 mo	10 mo	38 mo
Possession	34	48	5	33
Trafficking	56	74	13	42
<b>Weapons offenses</b>	32 mo	46 mo	5 mo	29 mo
<b>Other offenses<sup>e</sup></b>	34 mo	46 mo	8 mo	37 mo

Note: See note on tables 1.1, 1.2, 1.3, and 2.1.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 2.6. Offense distribution of felons sentenced to incarceration, prison, jail, or probation, by sex and race, State courts, 1990**

Most serious conviction offense	Percent of convictions				
	Total	Sex		Race	
		Male	Female	White	Black
Sentenced to incarceration					
All offenses	100%	100%	100%	100%	100%
Violent offenses	21%	22%	11%	20%	21%
Murder <sup>a</sup>	2	2	1	1	2
Rape	3	3	--	3	2
Robbery	7	8	4	5	10
Aggravated assault	7	7	5	7	6
Other violent <sup>b</sup>	2	2	1	3	1
Property offenses	33%	32%	36%	37%	29%
Burglary	15	16	5	17	13
Larceny <sup>c</sup>	12	12	16	14	11
Fraud <sup>d</sup>	6	4	15	6	5
Drug offenses	33%	32%	43%	27%	40%
Possession	12	11	17	10	14
Trafficking	21	21	26	17	26
Weapons offenses	2%	2%	1%	2%	2%
Other offenses <sup>e</sup>	11%	12%	9%	14%	8%
Sentenced to prison					
All offenses	100%	100%	100%	100%	100%
Violent offenses	23%	24%	12%	23%	23%
Murder <sup>a</sup>	3	3	2	2	3
Rape	3	3	--	4	2
Robbery	9	10	4	7	11
Aggravated assault	6	6	4	7	6
Other violent <sup>b</sup>	2	2	1	3	1
Property offenses	34%	33%	37%	39%	30%
Burglary	16	17	6	19	14
Larceny <sup>c</sup>	12	12	16	13	11
Fraud <sup>d</sup>	6	4	15	7	5
Drug offenses	32%	30%	42%	24%	38%
Possession	11	9	16	8	13
Trafficking	21	21	26	16	25
Weapons offenses	2%	2%	1%	2%	2%
Other offenses <sup>e</sup>	9%	11%	8%	12%	7%

**Table 2.6 (cont). Offense distribution of felons sentenced to incarceration, prison, jail, or probation, by sex and race, State courts, 1990**

Most serious conviction offense	Percent of convictions				
	Total	Sex		Race	
		Male	Female	White	Black
Sentenced to jail					
All offenses	100%	100%	100%	100%	100%
Violent offenses	16%	16%	10%	16%	15%
Murder <sup>a</sup>	--	--	--	--	--
Rape	2	2	--	2	1
Robbery	4	4	4	3	6
Aggravated assault	8	8	5	8	7
Other violent <sup>b</sup>	2	2	1	3	1
Property offenses	32%	29%	36%	34%	29%
Burglary	12	12	6	13	11
Larceny <sup>c</sup>	14	13	15	15	13
Fraud <sup>d</sup>	6	4	15	6	5
Drug offenses	37%	36%	44%	32%	44%
Possession	15	14	19	14	17
Trafficking	22	22	25	18	27
Weapons offenses	2%	3%	1%	2%	3%
Other offenses <sup>e</sup>	13%	16%	9%	16%	9%
Sentenced to probation					
All offenses	100%	100%	100%	100%	100%
Violent offenses	11%	14%	7%	12%	11%
Murder <sup>a</sup>	--	--	--	--	--
Rape	1	1	--	1	1
Robbery	2	3	1	2	3
Aggravated assault	6	7	5	6	6
Other violent <sup>b</sup>	2	3	1	2	1
Property offenses	39%	36%	52%	43%	34%
Burglary	11	13	4	13	9
Larceny <sup>c</sup>	17	15	22	18	15
Fraud <sup>d</sup>	11	8	26	12	10
Drug offenses	34%	31%	30%	27%	41%
Possession	16	14	14	13	19
Trafficking	18	17	16	14	22
Weapons offenses	3%	3%	1%	2%	4%
Other offenses <sup>e</sup>	13%	16%	10%	16%	10%

Note: See note on tables 1.1, 1.2, and 2.1

--Less than 0.5%.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

### Felons sentenced to probation in State courts, 1990

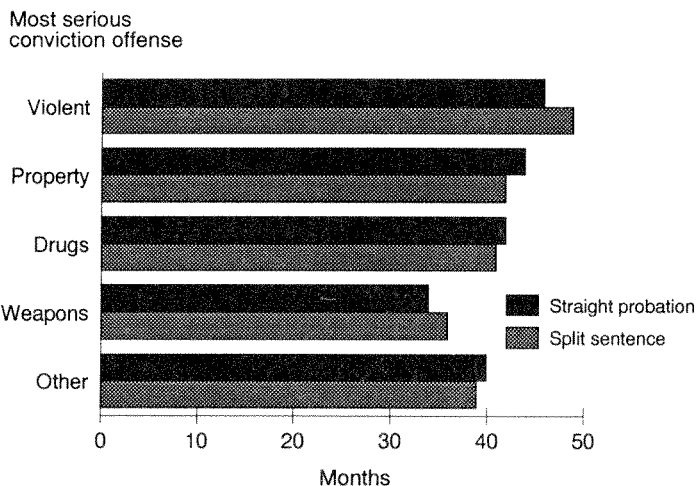
The detailed statistics about sentences to probation presented in the tables of this section differ from probation statistics elsewhere in the report. As used in other tables, a sentence to probation only included "straight probation." Excluded are probation sentences combined with a term of confinement in a prison or jail. In this section, the probation definition is expanded to include such "split sentences." With the change, the percentage of felons who received a sentence to probation increases dramatically. In 1990 straight probation was 29% of all felony sentences, but the combination of straight probation and split sentences was 54%.

When felons who received a combined probation-jail sentence were placed in the category of those sentenced to probation, the percentage of jail sentences decreased to 7% of all 1990 sentences. These 7% were persons who received a straight jail sentence without probation as part of the sentence. Most felons sentenced to jail also received a probation term. When straight jail and combined jail-probation sentences were categorized as jail sentences, jail sentences comprised 25% of all sentences in 1990.

Other probation findings from the 1990 survey were —

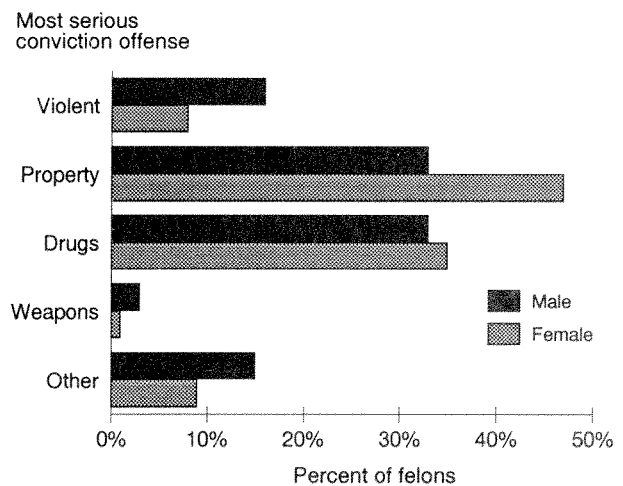
- State courts sentenced to probation an estimated 445,000 convicted felons, representing 46% of all persons convicted of a felony offense in the Nation.
- Nationwide, probation sentences had an average length of about 3 years and 7 months.
- The average jail sentence was 6 months; the average prison sentence, 4 years and 9 months.
- The average age of probationers nationwide was 29 years. Females made up 17% of all felons placed on probation. Whites were 58% of probationers, and blacks were 41%.

**Average probation sentence for felons convicted in State courts, 1990**



Probation sentence lengths were similar between straight probation and split sentences.

**Offenses of felons sentenced to probation, by sex, 1990**



About 47% of women versus 33% of men sentenced to probation had a property conviction offense.

**Table 3.1. Estimated number of felony convictions in State courts, by type of sentence, 1990**

Most serious conviction offense	1990 felony convictions		Percent of felony convictions by					
	Total	Pro-bation	Sentence type within offense			Offense within sentence type		
			Total	Pro-bation	No pro-bation	Total	Pro-bation	No pro-bation
<b>All offenses</b>	829,344	445,074	100%	54%	46%	100%	100%	100%
<b>Violent offenses</b>	147,766	63,297	100%	43%	57%	18%	14%	22%
Murder <sup>a</sup>	10,895	1,542	100	14	86	1	--	2
Rape	18,024	7,401	100	41	59	2	2	3
Robbery	47,446	14,064	100	30	70	6	3	9
Aggravated assault	53,861	29,690	100	55	45	7	7	6
Other violent <sup>b</sup>	17,540	10,601	100	60	40	2	2	2
<b>Property offenses</b>	280,748	157,037	100%	56%	44%	34%	35%	32%
Burglary	109,750	52,316	100	48	52	13	12	15
Larceny <sup>c</sup>	113,094	65,237	100	58	42	20	14	12
Fraud <sup>d</sup>	57,903	39,483	100	68	32	3	9	5
<b>Drug offenses</b>	274,613	151,320	100%	55%	45%	33%	34%	32%
Possession	106,253	64,989	100	61	39	13	15	11
Trafficking	168,360	86,331	100	51	49	20	19	21
<b>Weapons offenses</b>	20,733	11,383	100%	55%	45%	2%	3%	3%
<b>Other offenses<sup>e</sup></b>	105,484	62,038	100%	59%	41%	13%	14%	11%

Note: In this table persons are counted as probation cases so long as their sentence included probation and without regard to whether a term of incarceration was also included. Sentence type and conviction offense were known in 99.4% of the estimated total.  
 --Less than 0.5%.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 3.2. Felony convictions in State courts, by type of sentence to probation or incarceration, 1990**

Most serious conviction offense	Percent of felony convictions by type of							
	Probation sentence				Nonprobation sentence			
	Straight probation	Split sentence			No incarceration	Incarceration		
		Total	Prison	Jail		Total	Prison	Jail
<b>All offenses</b>	29%	25%	7%	18%	1%	46%	39%	7%
<b>Violent offenses</b>	19%	24%	8%	16%	--	57%	52%	5%
Murder <sup>a</sup>	5	10	7	3	1	86	85	1
Rape	14	28	12	16	--	59	56	3
Robbery	10	20	7	13	--	70	66	4
Aggravated assault	27	28	8	20	1	44	37	7
Other violent <sup>b</sup>	33	28	7	21	--	39	35	4
<b>Property offenses</b>	33%	23%	7%	16%	--	43%	37%	6%
Burglary	24	15	7	8	--	52	46	6
Larceny <sup>c</sup>	35	24	6	18	1	41	34	7
Fraud <sup>d</sup>	46	22	8	14	1	30	25	5
<b>Drug offenses</b>	28%	28%	7%	21%	1%	44%	36%	8%
Possession	35	27	5	22	1	37	30	7
Trafficking	23	28	8	20	--	49	41	8
<b>Weapons offenses</b>	37%	19%	5%	14%	1%	43%	33%	10%
<b>Other offenses<sup>e</sup></b>	33%	27%	6%	21%	2%	40%	31%	9%

Note: See note on table 3.1.

--Less than 0.5%.

<sup>a</sup>Includes nonnegligent manslaughter.<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.<sup>c</sup>Includes motor vehicle theft.<sup>d</sup>Includes forgery and embezzlement.<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.



**Table 3.3. Average probation sentence for felons convicted in State courts, 1990**

Most serious conviction offense	Probation sentence in months in case of				
	Total	Straight probation	Split sentence of probation with		
			Total	Prison	Jail
<b>Mean sentence</b>					
<b>All offenses</b>	42 mo	42 mo	42 mo	48 mo	40 mo
<b>Violent offenses</b>	48 mo	46 mo	49 mo	58 mo	45 mo
Murder <sup>a</sup>	64	67	63	69	49
Rape	64	61	65	68	63
Robbery	50	50	49	59	44
Aggravated assault	43	43	43	53	40
Other violent <sup>b</sup>	47	45	49	46	50
<b>Property offenses</b>	43 mo	44 mo	42 mo	49 mo	39 mo
Burglary	49	48	47	60	41
Larceny <sup>c</sup>	40	41	37	40	37
Fraud <sup>d</sup>	42	43	41	43	40
<b>Drug offenses</b>	41 mo	42 mo	41 mo	47 mo	38 mo
Possession	38	39	37	38	37
Trafficking	43	44	43	50	40
<b>Weapons offenses</b>	35 mo	34 mo	36 mo	39 mo	35 mo
<b>Other offenses<sup>e</sup></b>	39 mo	40 mo	39 mo	39 mo	40 mo
<b>Median sentence</b>					
<b>All offenses</b>	36 mo	36 mo	36 mo	36 mo	36 mo
<b>Violent offenses</b>	36 mo	36 mo	36 mo	48 mo	36 mo
Murder <sup>a</sup>	60	60	60	60	36
Rape	60	60	60	60	60
Robbery	36	48	36	40	36
Aggravated assault	36	36	36	36	36
Other violent <sup>b</sup>	36	36	36	36	36
<b>Property offenses</b>	36 mo	36 mo	36 mo	36 mo	36 mo
Burglary	36	36	36	36	36
Larceny <sup>c</sup>	36	36	36	36	36
Fraud <sup>d</sup>	36	36	36	36	36
<b>Drug offenses</b>	36 mo	36 mo	36 mo	36 mo	36 mo
Possession	36	36	36	36	36
Trafficking	36	36	36	36	36
<b>Weapons offenses</b>	36 mo	24 mo	36 mo	36 mo	36 mo
<b>Other offenses<sup>e</sup></b>	36 mo	36 mo	36 mo	26 mo	36 mo

Note: See note on table 3.1. Probation sentence length was known in 100% of probation cases.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 3.4. Average State court sentence to incarceration for felony probationers and nonprobationers, 1990**

Most serious conviction offense	Maximum incarceration sentence length in months for					
	Probationers			Nonprobationers		
	Total	Prison	Jail	Total	Prison	Jail
<b>Mean sentence</b>						
<b>All offenses</b>	22 mo	57 mo	7 mo	52 mo	75 mo	8 mo
<b>Violent offenses</b>	31 mo	75 mo	8 mo	91 mo	119 mo	10 mo
Murder <sup>a</sup>	115	163	12	233	243	37
Rape	44	88	10	128	160	11
Robbery	35	73	10	97	115	12
Aggravated assault	23	62	7	52	78	9
Other violent <sup>b</sup>	18	52	5	57	85	7
<b>Property offenses</b>	22 mo	54 mo	7 mo	47 mo	65 mo	8 mo
Burglary	31	73	8	61	80	9
Larceny <sup>c</sup>	14	37	6	33	49	7
Fraud <sup>d</sup>	20	43	6	40	58	6
<b>Drug offenses</b>	21 mo	58 mo	7 mo	44 mo	66 mo	9 mo
Possession	11	31	6	30	49	6
Trafficking	27	69	8	52	74	10
<b>Weapons offenses</b>	18 mo	47 mo	8 mo	34 mo	50 mo	7 mo
<b>Other offenses<sup>e</sup></b>	14 mo	30 mo	9 mo	29 mo	44 mo	9 mo
<b>Median sentence</b>						
<b>All offenses</b>	6 mo	36 mo	4 mo	24 mo	48 mo	5 mo
<b>Violent offenses</b>	12 mo	48 mo	6 mo	48 mo	72 mo	6 mo
Murder <sup>a</sup>	48	120	12	180	180	12
Rape	12	60	6	72	108	6
Robbery	12	60	9	60	72	11
Aggravated assault	6	36	5	24	48	6
Other violent <sup>b</sup>	6	48	3	24	60	4
<b>Property offenses</b>	6 mo	36 mo	4 mo	24 mo	48 mo	5 mo
Burglary	12	48	6	36	54	6
Larceny <sup>c</sup>	6	36	4	23	36	4
Fraud <sup>d</sup>	6	36	3	24	36	3
<b>Drug offenses</b>	6 mo	36 mo	4 mo	24 mo	48 mo	5 mo
Possession	4	24	3	12	30	3
Trafficking	8	48	6	36	48	6
<b>Weapons offenses</b>	6 mo	24 mo	4 mo	18 mo	36 mo	3 mo
<b>Other offenses<sup>e</sup></b>	6 mo	18 mo	4 mo	13 mo	30 mo	4 mo

Note: See note on table 3.1.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 3.5. Number of conviction offenses for felons sentenced to probation in State courts, by offense, 1990**

Most serious conviction offense	Percent of felons sentenced to probation when their conviction offenses numbered			
	One or more	One	Two	Three or more
<b>All offenses</b>	56%	54%	46%	47%
<b>Violent offenses</b>	47%	44%	36%	32%
Murder <sup>a</sup>	17	15	9	13
Rape	45	42	41	29
Robbery	32	30	27	23
Aggravated assault	59	56	47	47
Other violent <sup>b</sup>	64	61	48	41
<b>Property offenses</b>	58%	56%	52%	52%
Burglary	48	48	48	46
Larceny <sup>c</sup>	59	58	52	55
Fraud <sup>d</sup>	72	69	61	62
<b>Drug offenses</b>	58%	55%	46%	47%
Possession	63	61	49	66
Trafficking	54	52	45	43
<b>Weapons offenses</b>	57%	55%	48%	45%
<b>Other offenses<sup>e</sup></b>	60%	59%	51%	63%

Note: See note on tables 1.6 and 3.1.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 3.6. Average time between arrest and felony sentencing  
in State courts, by type of sentence and nature of conviction, 1990**

Nature of conviction	Number of days between arrest and sentence when felons received				
	Total	Probation			No probation
		Total	Straight	Split sentence	
Mean days					
All	211	211	228	194	210
Jury trial	264	230	202	263	278
Bench trial	207	200	217	177	214
Guilty plea	208	211	229	193	205
Median days					
All	151	155	168	143	146
Jury trial	195	167	153	191	210
Bench trial	153	151	158	140	156
Guilty plea	149	155	169	143	140

Note: See note on table 3.1. Data on conviction type were available for 81% of the estimated total. Data on elapsed time were available for 59% of the estimated total.

**Table 3.7. Sex of felons sentenced to probation or nonprobation  
in State courts, by the most serious conviction offense, 1990**

Most serious conviction offense	Percent of probation sentences			Percent of nonprobation sentences		
	All	Male	Female	All	Male	Female
<b>All offenses</b>	100%	83%	17%	100%	91%	9%
<b>Violent offenses</b>	100%	90%	10%	100%	95%	5%
Murder <sup>a</sup>	100	81	19	100	92	8
Rape	100	99	1	100	99	1
Robbery	100	89	11	100	95	5
Aggravated assault	100	88	12	100	93	7
Other violent <sup>b</sup>	100	94	6	100	94	6
<b>Property offenses</b>	100%	77%	23%	100%	90%	10%
Burglary	100	93	7	100	96	4
Larceny <sup>c</sup>	100	77	23	100	88	12
Fraud <sup>d</sup>	100	56	44	100	75	25
<b>Drug offenses</b>	100%	82%	18%	100%	87%	13%
Possession	100	80	20	100	86	14
Trafficking	100	83	17	100	88	12
<b>Weapons offenses</b>	100%	94%	6%	100%	97%	3%
<b>Other offenses<sup>e</sup></b>	100%	88%	12%	100%	93%	7%

Note: See note on tables 2.1 and 3.1.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 3.8. Offense distribution of felons sentenced to probation or nonprobation in State courts, by sex, 1990**

Most serious conviction offense	Percent of probation sentences			Percent of nonprobation sentences		
	All	Male	Female	All	Male	Female
<b>All offenses</b>	100%	100%	100%	100%	100%	100%
<b>Violent offenses</b>	15%	16%	8%	22%	23%	12%
Murder <sup>a</sup>	--	--	--	2	2	2
Rape	2	2	--	3	3	--
Robbery	3	4	2	9	9	4
Aggravated assault	7	7	5	6	7	5
Other violent <sup>b</sup>	2	3	1	2	2	1
<b>Property offenses</b>	36%	33%	47%	33%	32%	35%
Burglary	12	13	6	15	16	6
Larceny <sup>c</sup>	15	14	19	13	12	16
Fraud <sup>d</sup>	9	6	22	5	4	13
<b>Drug offenses</b>	33%	33%	35%	32%	31%	44%
Possession	14	13	16	11	11	17
Trafficking	19	20	19	21	20	27
<b>Weapons offenses</b>	2%	3%	1%	2%	3%	1%
<b>Other offenses<sup>e</sup></b>	14%	15%	9%	11%	11%	8%

Note: See note on tables 2.1 and 3.1.

--Less than 0.5%.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 3.9. Race of felons sentenced to probation or nonprobation in State courts, by the most serious conviction offense, 1990**

Most serious conviction offense	Percent of probation sentences				Percent of nonprobation sentences			
	All	White	Black	Other	All	White	Black	Other
<b>All offenses</b>	100%	58%	41%	1%	100%	45%	54%	1%
<b>Violent offenses</b>	100%	58%	39%	3%	100%	44%	54%	2%
Murder <sup>a</sup>	100	48	51	1	100	42	56	2
Rape	100	73	24	3	100	59	39	2
Robbery	100	43	56	1	100	33	66	1
Aggravated assault	100	58	39	3	100	48	50	2
Other violent <sup>b</sup>	100	75	19	6	100	68	31	1
<b>Property offenses</b>	100%	62%	37%	1%	100%	52%	47%	1%
Burglary	100	64	35	1	100	53	46	1
Larceny <sup>c</sup>	100	61	37	2	100	50	49	1
Fraud <sup>d</sup>	100	60	39	1	100	55	44	1
<b>Drug offenses</b>	100%	49%	50%	1%	100%	35%	65%	--%
Possession	100	51	48	1	100	36	64	--
Trafficking	100	48	51	1	100	35	65	--
<b>Weapons offenses</b>	100%	45%	54%	1%	100%	39%	61%	--%
<b>Other offenses<sup>e</sup></b>	100%	69%	29%	2%	100%	59%	40%	1%

Note: See note on tables 2.1 and 3.1.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 3.10. The most serious conviction offense, by race of felons sentenced to probation or nonprobation in State courts, 1990**

Most serious conviction offense	Percent of probation sentences				Percent of nonprobation sentences			
	All	White	Black	Other	All	White	Black	Other
<b>All offenses</b>	100%	100%	100%	100%	100%	100%	100%	100%
<b>Violent offenses</b>	15%	15%	14%	30%	22%	21%	22%	39%
Murder <sup>a</sup>	--	--	1	--	2	2	2	5
Rape	2	2	1	4	3	3	2	6
Robbery	4	3	5	3	9	7	11	9
Aggravated assault	7	7	6	15	6	7	6	16
Other violent <sup>b</sup>	2	3	1	8	2	2	1	3
<b>Property offenses</b>	36%	38%	32%	34%	34%	39%	30%	30%
Burglary	12	13	10	11	16	19	14	12
Larceny <sup>c</sup>	15	16	13	17	13	14	12	14
Fraud <sup>d</sup>	9	9	9	6	5	6	4	4
<b>Drug offenses</b>	34%	30%	42%	16%	32%	25%	38%	13%
Possession	14	13	17	6	11	9	13	5
Trafficking	20	17	25	10	21	16	25	8
<b>Weapons offenses</b>	2%	2%	3%	1%	2%	2%	3%	1%
<b>Other offenses<sup>e</sup></b>	13%	15%	9%	19%	10%	13%	7%	17%

Note: See note on tables 2.1 and 3.1.

--Less than 0.5%.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.



**Table 3.11. Average age of felons sentenced to probation or nonprobation in State courts, by the most serious conviction offense, 1990**

Most serious conviction offense	Age at time of sentencing			
	Probation		Nonprobation	
	Mean	Median	Mean	Median
<b>All offenses</b>	29 years	28 years	30 years	28 years
<b>Violent offenses</b>	30 years	28 years	29 years	27 years
Murder <sup>a</sup>	32	30	29	27
Rape	34	32	33	31
Robbery	26	22	27	25
Aggravated assault	31	29	30	28
Other violent <sup>b</sup>	33	32	32	30
<b>Property offenses</b>	28 years	26 years	29 years	27 years
Burglary	25	22	28	26
Larceny <sup>c</sup>	28	26	29	27
Fraud <sup>d</sup>	31	29	31	30
<b>Drug offenses</b>	29 years	28 years	30 years	28 years
Possession	30	29	31	29
Trafficking	29	28	30	28
<b>Weapons offenses</b>	30 years	26 years	29 years	27 years
<b>Other offenses<sup>e</sup></b>	31 years	29 years	31 years	28 years

Note: See note on tables 2.1 and 3.1.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 3.12. Felons sentenced to probation  
in State courts, by age at sentencing, 1990**

Most serious conviction offense	Percent of felons age group who received a probation sentence			
	Under 20	20-29	30-39	40 or over
<b>All offenses</b>	62%	51%	49%	54%
<b>Violent offenses</b>	45%	39%	43%	50%
Murder <sup>a</sup>	13	14	11	22
Rape	53	40	40	48
Robbery	43	28	28	30
Aggravated assault	52	51	55	60
Other violent <sup>b</sup>	58	56	61	61
<b>Property offenses</b>	68%	53%	48%	55%
Burglary	66	46	65	35
Larceny <sup>c</sup>	69	55	49	59
Fraud <sup>d</sup>	78	68	64	67
<b>Drug offenses</b>	63%	54%	51%	51%
Possession	67	59	56	57
Trafficking	61	51	48	46
<b>Weapons offenses</b>	58%	49%	49%	60%
<b>Other offenses<sup>e</sup></b>	67%	57%	55%	61%

Note: See note on tables 2.1 and 3.1.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnapping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

### Felony case processing in State courts, 1990

- Nationwide in 1990, 91% of convictions were the product of a guilty plea. That number is not the same as the percentage of felony convictions that involved a plea bargain between prosecution and defense. Plea bargains, in which the defendant agrees to plead guilty in exchange for dropped or reduced charges or in exchange for a reduced sentence, is a common practice in the criminal justice system. The proportion of those who pleaded guilty as part of a plea bargain is not known.
- An estimated 752,000 persons pleaded guilty to a felony offense. Persons convicted of murder were the least likely to have pleaded guilty and the most likely to have been convicted by a jury. Murderers convicted by a jury were the most likely to have received a life sentence (35%) or the death penalty (5%).

- Of felons convicted in State courts, 4% were found guilty by a jury, and 3% were found guilty by a judge in a bench trial. The most serious offenses — the violent crimes of murder, rape, robbery, aggravated assault and other violent offenses — comprised about 18% of all felony convictions but an estimated 39% of all jury trials.

- Convictions for larceny or fraud had the highest percentage of guilty pleas (94%), and those for murder or nonnegligent manslaughter, the lowest (59%).

- Sentences to prison or jail occurred in 80% of jury convictions, 71% of bench trial convictions (decided by a judge alone), and 70% of guilty pleas.

- An estimated 70% of felons convicted by a jury received a prison sentence, compared to 56% of those convicted by a judge and 43% of those who pleaded guilty.

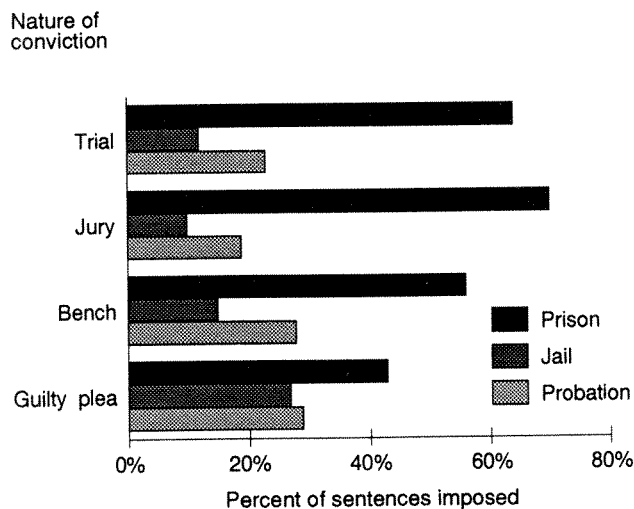
- Prison sentences were much longer for felons convicted by a jury trial (166 months) than for felons who pleaded guilty (67 months). The average sentence of felons convicted by a judge was 104 months.

- Felons sentenced to jail in a jury trial received a mean or average sentence of 9 months. The mean jail sentence in a bench trial was 6 months; in a guilty plea, 8 months.

- An estimated 40% of felons convicted of murder or nonnegligent manslaughter by a jury were sentenced to life in prison or to death. Such sentences for murder or nonnegligent manslaughter occurred in about 9% of the bench trials and 14% of the guilty pleas.

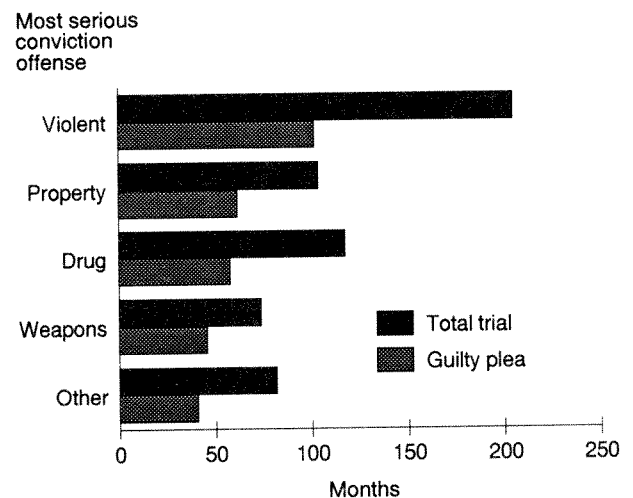
- In 39% of jury trial convictions nationwide, felons were found guilty of multiple offenses. Twenty-one percent of the guilty pleas and 23% of the bench trial convictions involved multiple offenses.

**Types of sentences imposed by State courts, by nature of conviction, 1990**



A prison sentence resulted in 64% of trial convictions versus 43% of guilty plea convictions.

**Average sentence to State prison, by offense and nature of conviction, 1990**



The average sentence to prison for drug offenses was about 10 years for trial convictions versus 5 years for guilty pleas.

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Statistics given below on elapsed times are based on cases with complete information on type of case disposition. Because small differences exist between cases with complete information and cases with incomplete information, these statistics may differ from other elapsed time statistics derived from the survey:

- Mean elapsed time from date of arrest to date of felony conviction was about 6 months. Jury cases took the longest time, about 7 months and 3 weeks. Guilty plea cases took almost as much time (about 177 days) as bench trial cases (190 days).
- Elapsed time from arrest to conviction was longest for cases of murder or nonnegligent manslaughter. On average, such cases required about 10 months for disposition.
- Mean elapsed time from conviction to sentencing for persons convicted of a felony was about 1 month regardless of the method of conviction.

- Mean elapsed time from arrest to sentencing in 1990 was 7 months, unchanged from 1988; the median was 5 months, also unchanged.
- Mean elapsed time of jury trials from arrest to sentencing was about 8 months and 3 weeks, while guilty plea and bench trial cases took a mean of about 7 months.

**Table 4.1. Number of felony convictions in State courts,  
by offense and type of conviction, 1990**

Most serious conviction offense	Number of convictions	Number of felons convicted by			Guilty plea
		Total	Trial Jury	Bench	
<b>All offenses</b>	829,344	77,351	35,303	26,208	751,993
<b>Violent offenses</b>	147,766	23,103	13,532	5,803	124,661
Murder <sup>a</sup>	10,895	4,432	3,138	644	6,462
Rape	18,024	3,450	2,109	890	14,574
Robbery	47,446	5,134	2,840	1,296	42,312
Aggravated assault	53,861	7,578	4,199	2,334	46,282
Other violent <sup>b</sup>	17,540	2,509	1,246	639	15,031
<b>Property offenses</b>	280,748	19,478	8,363	7,180	261,246
Burglary	109,750	8,509	3,865	3,353	101,242
Larceny <sup>c</sup>	113,094	7,275	2,928	2,588	105,819
Fraud <sup>d</sup>	57,904	3,694	1,570	1,239	54,209
<b>Drug offenses</b>	274,613	24,357	8,905	9,709	250,256
Possession	106,253	7,606	1,964	2,858	98,646
Trafficking	168,360	16,751	6,941	6,851	151,610
<b>Weapons offenses</b>	20,733	2,352	825	1,145	18,381
<b>Other offenses<sup>e</sup></b>	105,048	8,061	3,678	2,371	97,423

Note: See note on tables 1.1 and 3.6. Table figures include estimates for cases missing a designation on type of conviction. Consequently, the detail sums to the 1990 total of 829,344 felony convictions. Also, the trial total includes trial cases missing information on whether the trial was jury versus bench. Consequently, the trial total exceeds the sum of jury plus bench.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 4.2. Offense of felons convicted in State courts,  
by type of conviction, 1990**

Most serious conviction offense	Percent of felons convicted by				Guilty plea
	Total	Total	Trial Jury	Bench	
<b>All offenses</b>	100%	9%	4%	3%	91%
<b>Violent offenses</b>	100%	16%	9%	4%	84%
Murder <sup>a</sup>	100	41	29	6	59
Rape	100	19	12	5	81
Robbery	100	11	6	3	89
Aggravated assault	100	14	8	4	86
Other violent <sup>b</sup>	100	14	7	4	86
<b>Property offenses</b>	100%	7%	3%	3%	93%
Burglary	100	8	4	3	92
Larceny <sup>c</sup>	100	6	3	2	94
Fraud <sup>d</sup>	100	6	3	2	94
<b>Drug offenses</b>	100%	9%	3%	4%	91%
Possession	100	7	2	3	93
Trafficking	100	10	4	4	90
<b>Weapons offenses</b>	100%	11%	4%	6%	89%
<b>Other offenses<sup>e</sup></b>	100%	8%	3%	2%	92%

Note: See note on tables 1.1, 3.6, and 4.1.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 4.3. Offense of felons convicted in State courts,  
by nature of conviction, 1990**

Most serious conviction offense	Total	Percent convicted by			Guilty plea
		Total	Trial Jury	Bench	
<b>All offenses</b>	100%	100%	100%	100%	100%
<b>Violent offenses</b>	18%	31%	39%	22%	17%
Murder <sup>a</sup>	1	6	9	2	1
Rape	2	5	6	3	2
Robbery	6	7	8	5	5
Aggravated assault	7	11	12	9	6
Other violent <sup>b</sup>	2	4	4	3	2
<b>Property offenses</b>	34%	26%	24%	27%	35%
Burglary	14	12	11	13	14
Larceny <sup>c</sup>	13	9	8	10	14
Fraud <sup>d</sup>	7	5	5	5	7
<b>Drug offenses</b>	33%	31%	25%	37%	33%
Possession	13	8	5	11	13
Trafficking	20	23	20	26	20
<b>Weapons offenses</b>	3%	3%	2%	4%	3%
<b>Other offenses<sup>e</sup></b>	12%	9%	10%	9%	13%

Note: See note on tables 1.1, 3.6, and 4.1.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 4.4. Types of sentences imposed by State courts,  
by nature of conviction, 1990**

Most serious conviction offense	Percent of felons sentenced to						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
<b>Trial</b>							
<b>All offenses</b>	100%	76%	64%	12%	24%	23%	1%
<b>Violent offenses</b>	100%	85%	77%	8%	18%	14%	1%
Murder <sup>a</sup>	100	96	95	1	4	3	1
Rape	100	92	89	3	8	8	--
Robbery	100	93	87	6	7	7	--
Aggravated assault	100	73	60	13	27	26	1
Other violent <sup>b</sup>	100	82	69	13	18	18	--
<b>Property offenses</b>	100%	8%	54%	14%	32%	31%	1%
Burglary	100	77	64	13	23	23	--
Larceny <sup>c</sup>	100	64	47	17	36	36	--
Fraud <sup>d</sup>	100	53	44	9	47	43	3
<b>Drug offenses</b>	100%	77%	63%	14%	23%	22%	1%
Possession	100	71	48	23	29	28	1
Trafficking	100	79	69	10	21	21	--
<b>Weapons offenses</b>	100%	69%	55%	14%	31%	31%	--%
<b>Other offenses<sup>e</sup></b>	100%	66%	51%	15%	34%	30%	4%
<b>Jury</b>							
<b>All offenses</b>	100%	80%	70%	10%	20%	19%	1%
<b>Violent offenses</b>	100%	89%	82%	7%	11%	10%	1%
Murder <sup>a</sup>	100	98	97	1	2	1	1
Rape	100	94	90	4	6	6	--
Robbery	100	96	93	3	4	4	--
Aggravated assault	100	77	64	13	23	21	2
Other violent <sup>b</sup>	100	85	71	14	15	15	--
<b>Property offenses</b>	100%	69%	56%	13%	31%	30%	1%
Burglary	100	81	70	11	19	18	1
Larceny <sup>c</sup>	100	67	50	17	33	33	--
Fraud <sup>d</sup>	100	46	35	11	54	53	1
<b>Drug offenses</b>	100%	83%	73%	10%	17%	17%	--%
Possession	100	70	52	18	30	29	1
Trafficking	100	86	79	7	14	14	--
<b>Weapons offenses</b>	100%	74%	60%	14%	26%	26%	--%
<b>Other offenses<sup>e</sup></b>	100%	67%	53%	14%	33%	31%	2%



**Table 4.4 (cont). Types of sentences imposed by State courts, by nature of conviction, 1990**

Most serious conviction offense	Percent of felons sentenced to						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
<b>Bench</b>							
<b>All offenses</b>	100%	71%	56%	15%	29%	28%	1%
<b>Violent offenses</b>	100%	76%	67%	9%	24%	23%	1%
Murder <sup>a</sup>	100	91	90	1	9	9	
Rape	100	88	86	2	12	12	--
Robbery	100	87	75	12	13	13	--
Aggravated assault	100	64	52	12	36	35	1
Other violent <sup>b</sup>	100	76	64	12	24	24	--
<b>Property offenses</b>	100%	67%	52%	15%	33%	32%	1%
Burglary	100	72	57	15	28	28	--
Larceny <sup>c</sup>	100	62	45	17	38	38	--
Fraud <sup>d</sup>	100	64	57	7	36	31	5
<b>Drug offenses</b>	100%	71%	54%	17%	29%	28%	1%
Possession	100	71	45	26	29	27	2
Trafficking	100	71	58	13	29	28	1
<b>Weapons offenses</b>	100%	66%	52%	14%	34%	34%	--%
<b>Other offenses<sup>e</sup></b>	100%	66%	49%	17%	34%	28%	6%
<b>Guilty plea</b>							
<b>All offenses</b>	100%	70%	43%	27%	30%	29%	1%
<b>Violent offenses</b>	100%	80%	56%	24%	20%	20%	--%
Murder	100	94	90	4	6	6	--
Rape	100	85	62	23	15	15	--
Robbery	100	89	70	19	11	11	--
Aggravated assault	100	72	42	30	28	27	1
Other violent <sup>b</sup>	100	66	37	29	34	33	1
<b>Property offenses</b>	100%	67%	43%	24%	33%	32%	1%
Burglary	100	76	53	23	24	24	--
Larceny <sup>c</sup>	100	64	38	26	36	35	1
Fraud <sup>d</sup>	100	53	33	21	47	46	1
<b>Drug offenses</b>	100%	72%	41%	31%	28%	27%	1%
Possession	100	65	34	31	35	34	1
Trafficking	100	77	47	30	23	23	--
<b>Weapons offenses</b>	100%	62%	35%	27%	38%	37%	1%
<b>Other offenses<sup>e</sup></b>	100%	66%	36%	30%	34%	33%	1%

Note: See note on tables 1.1, 1.2, and 3.6.

--Less than 0.5%.

<sup>a</sup>Includes nonnegligent manslaughter.<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.<sup>c</sup>Includes motor vehicle theft.<sup>d</sup>Includes forgery and embezzlement.<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

Table 4.5. Average felony sentence lengths in State courts, by nature of conviction, 1990

Maximum sentence length in months for convictions by										
Most serious conviction offense	Total		Trial						Guilty plea	
	Mean	Median	Total		Jury		Bench		Mean	Median
			Mean	Median	Mean	Median	Mean	Median		
Sentences to prison										
All offenses	75 mo	48 mo	142 mo	72 mo	166 mo	84 mo	104 mo	60 mo	67 mo	48 mo
Violent offenses	119 mo	72 mo	205 mo	120 mo	228 mo	120 mo	148 mo	96 mo	102 mo	60 mo
Murder <sup>a</sup>	243	180	337	240	368	264	179	180	215	180
Rape	160	108	252	180	281	180	158	144	137	90
Robbery	115	72	204	144	222	144	117	120	100	72
Aggravated assault	78	48	128	72	133	84	55	60	69	48
Other violent <sup>b</sup>	85	60	126	48	160	60	mo	31	72	60
Property offenses	65 mo	48 mo	104 mo	60 mo	112 mo	60 mo	93 mo	48 mo	62 mo	48 mo
Burglary	80	54	129	72	138	84	118	60	76	54
Larceny <sup>c</sup>	49	36	72	48	76	54	68	36	46	36
Fraud <sup>d</sup>	58	36	72	36	78	48	68	36	56	36
Drug offenses	66 mo	48 mo	118 mo	60 mo	140 mo	84 mo	91 mo	60 mo	58 mo	42 mo
Possession	49	30	99	48	136	84	72	48	45	30
Trafficking	74	48	122	72	141	72	97	60	64	48
Weapons offenses	50 mo	36 mo	74 mo	60 mo	80 mo	60 mo	70 mo	60 mo	46 mo	36 mo
Other offenses <sup>e</sup>	44 mo	30 mo	82 mo	60 mo	89 mo	48 mo	71 mo	60 mo	41 mo	30 mo
Sentences to jail										
All offenses	8 mo	5 mo	7 mo	4 mo	9 mo	6 mo	6 mo	3 mo	8 mo	6 mo
Violent offenses	10 mo	6 mo	12 mo	6 mo	12 mo	6 mo	11 mo	6 mo	10 mo	6 mo
Murder <sup>a</sup>	37	12	102	12	110	12	6	6	22	12
Rape	11	6	9	1	9	1	8	9	9	6
Robbery	12	11	11	8	9	6	11	9	12	12
Aggravated assault	9	6	9	4	6	3	12	6	8	5
Other violent <sup>b</sup>	7	4	13	12	16	12	6	6	6	4
Property offenses	8 mo	5 mo	6 mo	4 mo	6 mo	6 mo	6 mo	3 mo	7 mo	5 mo
Burglary	9	6	6	6	5	6	7	6	8	6
Larceny <sup>c</sup>	7	4	6	3	7	6	5	2	7	4
Fraud <sup>d</sup>	6	3	7	6	9	6	4	2	5	3
Drug offenses	9 mo	5 mo	7 mo	3 mo	9 mo	6 mo	6 mo	2 mo	8 mo	6 mo
Possession	6	3	4	2	5	5	3	1	5	3
Trafficking	10	6	9	4	13	9	8	3	10	6
Weapons offenses	7 mo	3 mo	4 mo	3 mo	6 mo	5 mo	3 mo	2 mo	5 mo	3 mo
Other offenses <sup>e</sup>	9 mo	4 mo	6 mo	5 mo	5 mo	6 mo	6 mo	4 mo	7 mo	4 mo

Table 4.5 (cont). Average felony sentence lengths in State courts, by nature of conviction, 1990

	Maximum sentence length in months for convictions by									
Most serious conviction offense	Total		Trial						Guilty plea	
			Total		Jury		Bench			
	Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median
Sentences to probation										
All offenses	42 mo	36 mo	48 mo	36 mo	43 mo	30 mo	53 mo	30 mo	41 mo	36 mo
Violent offenses	46 mo	36 mo	52 mo	36 mo	55 mo	36 mo	49 mo	36 mo	44 mo	36 mo
Murder <sup>a</sup>	67	60	61	30	115	120	33	12	64	60
Rape	61	60	62	48	72	60	48	36	57	54
Robbery	50	48	56	40	51	40	59	48	49	48
Aggravated assault	43	36	47	30	47	30	48	24	41	36
Other violent <sup>b</sup>	45	36	66	48	73	48	56	36	43	36
Property offenses	44 mo	36 mo	53 mo	36 mo	38 mo	30 mo	69 mo	36 mo	43 mo	36 mo
Burglary	48	36	65	36	44	36	78	36	47	36
Larceny <sup>c</sup>	41	36	47	30	37	30	56	30	40	36
Fraud <sup>d</sup>	43	36	48	30	34	30	74	36	42	36
Drug offenses	42 mo	36 mo	49 mo	36 mo	51 mo	48 mo	48 mo	30 mo	40 mo	36 mo
Possession	39	36	46	30	54	48	40	24	37	36
Trafficking	44	36	50	36	48	36	51	36	43	36
Weapons offenses	34 mo	24 mo	30 mo	24 mo	35 mo	30 mo	27 mo	24 mo	34 mo	24 mo

Note: See note on tables 1.1, 1.2, 1.3, and 3.6.

<sup>a</sup>Includes nonnegligent manslaughter.<sup>b</sup>Includes offenses such as negligent manslaughter,

sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.<sup>d</sup>Includes forgery and embezzlement.<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 4.6. Sentences for felons convicted of murder or nonnegligent manslaughter in State courts, by nature of conviction, 1990**

Nature of conviction	Type of sentence			
	Total	Life	Death	Other*
All	100%	22%	2%	76%
Trial	100	35	4	61
Jury	100	35	5	60
Bench	100	9	--	91
Guilty plea	100	14	--	86

--Less than 0.5%.

\*Includes sentences to incarceration and to probation.

**Table 4.7. Number of charges for felony convictions in State courts, by nature of conviction, 1990**

Nature of conviction	Percent convicted of		
	Total	One charge	Two or more charges
All	100%	78%	22%
Trial	100	68	32
Jury	100	61	39
Bench	100	77	23
Guilty plea	100	79	21

Note: See note on tables 1.6, 2.7, and 3.6.

**Table 4.8. Types of sentences imposed by State courts, by number of conviction offenses and nature of conviction, 1990**

Nature of conviction	Percent of felons sentenced to						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
<b>Convicted of one offense</b>							
All	100%	68%	41%	27%	32%	31%	1%
Trial	100	76	61	15	24	23	1
Jury	100	84	72	12	16	15	1
Bench	100	68	51	17	32	31	1
Guilty plea	100	68	39	29	32	31	1
<b>Convicted of multiple offenses</b>							
All	100%	78%	57%	21%	22%	21%	1%
Trial	100	75	68	7	25	24	1
Jury	100	74	67	7	26	25	1
Bench	100	78	70	8	22	21	1
Guilty plea	100	78	55	23	22	21	1

Note: See note on tables 1.2, 1.6, and 3.6.

**Table 4.9. Average number of days between arrest and conviction for felony cases, by nature of conviction, in State courts, 1990**

Most serious conviction offense	Number of days between arrest and conviction for cases disposed by				
	Total	Total	Jury	Bench	Guilty plea
<b>Mean number of days</b>					
<b>All offenses</b>	179 days	214 days	234 days	190 days	177 days
<b>Violent offenses</b>	196 days	237 days	245 days	218 days	189 days
Murder <sup>a</sup>	312	331	332	328	299
Rape	205	229	244	203	200
Robbery	172	206	208	200	169
Aggravated assault	192	209	211	205	189
Other violent <sup>b</sup>	203	225	227	220	200
<b>Property offenses</b>	156 days	178 days	193 days	162 days	154 days
Burglary	148	190	196	185	146
Larceny <sup>c</sup>	154	172	206	135	153
Fraud <sup>d</sup>	173	159	165	152	174
<b>Drug offenses</b>	191 days	221 days	252 days	198 days	189 days
Possession	189	203	247	173	188
Trafficking	193	226	253	205	190
<b>Weapons offenses</b>	208 days	206 days	227 days	190 days	208 days
<b>Other offenses<sup>e</sup></b>	174 days	204 days	244 days	166 days	172 days
<b>Median number of days</b>					
<b>All offenses</b>	126 days	156 days	177 days	140 days	124 days
<b>Violent offenses</b>	145 days	181 days	191 days	161 days	139 days
Murder <sup>a</sup>	254	271	271	244	233
Rape	153	183	194	146	145
Robbery	124	145	147	144	120
Aggravated assault	144	163	163	164	141
Other violent <sup>b</sup>	163	186	189	160	156
<b>Property offenses</b>	102 days	123 days	134 days	107 days	101 days
Burglary	100	134	147	126	98
Larceny <sup>c</sup>	100	119	133	92	99
Fraud <sup>d</sup>	113	119	133	97	113
<b>Drug offenses</b>	139 days	160 days	190 days	145 days	138 days
Possession	142	167	212	143	140
Trafficking	139	158	188	145	136
<b>Weapons offenses</b>	137 days	156 days	171 days	152 days	132 days
<b>Other offenses<sup>e</sup></b>	125 days	146 days	179 days	137 days	124 days

Note: See note on table 1.1. Data are based on 80% of the estimated total.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 4.10. Average number of days between conviction and sentencing for felony cases, by nature of conviction, in State courts, 1990**

Most serious conviction offense	Number of days between conviction and sentencing for cases disposed by				
	Total	Total	Trial Jury	Bench	Guilty plea
<b>Mean number of days</b>					
<b>All offenses</b>	31 days	25 days	28 days	22 days	31 days
<b>Violent offenses</b>	32 days	30 days	33 days	24 days	32 days
Murder <sup>a</sup>	32	33	34	26	31
Rape	43	40	41	39	44
Robbery	33	30	34	19	33
Aggravated assault	26	24	27	17	26
Other violent <sup>b</sup>	33	35	33	41	32
<b>Property offenses</b>	27 days	20 days	18 days	22 days	27 days
Burglary	26	18	16	21	27
Larceny <sup>c</sup>	27	25	24	27	27
Fraud <sup>d</sup>	27	14	10	18	27
<b>Drug offenses</b>	33 days	24 days	27 days	22 days	34 days
Possession	34	24	24	24	34
Trafficking	33	24	27	22	33
<b>Weapons offenses</b>	36 days	21 days	23 days	20 days	38 days
<b>Other offenses<sup>e</sup></b>	33 days	24 days	35 days	12 days	34 days
<b>Median number of days</b>					
<b>All offenses</b>	0 days	0 days	0 days	0 days	0 days
<b>Violent offenses</b>	0 days	0 days	0 days	0 days	0 days
Murder <sup>a</sup>	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated assault	0	0	0	0	0
Other violent <sup>b</sup>	0	0	0	35	0
<b>Property offenses</b>	0 days	0 days	0 days	0 days	0 days
Burglary	0	0	0	0	0
Larceny <sup>c</sup>	0	0	0	0	0
Fraud <sup>d</sup>	0	0	0	0	0
<b>Drug offenses</b>	0 days	0 days	0 days	0 days	0 days
Possession	0	0	0	0	0
Trafficking	0	0	0	0	0
<b>Weapons offenses</b>	13 days	0 days	0 days	0 days	19 days
<b>Other offenses<sup>e</sup></b>	0 days	0 days	0 days	0 days	0 days

Note: See note on table 1.1. Data are based on 80% of the estimated total.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.

**Table 4.11. Average number of days between arrest and sentencing for felony cases, by nature of conviction, in State courts, 1990**

Most serious conviction offense	Number of days between arrest and sentencing for cases disposed by				
	Total	Total	Trial Jury	Bench	Guilty plea
<b>Mean number of days</b>					
<b>All offenses</b>	211 days	236 days	264 days	207 days	208 days
<b>Violent offenses</b>	229 days	267 days	282 days	239 days	223 days
Murder <sup>a</sup>	340	364	364	365	325
Rape	253	275	292	245	248
Robbery	209	243	253	222	206
Aggravated assault	217	227	237	213	216
Other violent <sup>b</sup>	235	259	263	253	231
<b>Property offenses</b>	185 days	197 days	213 days	184 days	184 days
Burglary	176	208	213	205	174
Larceny <sup>c</sup>	185	195	236	161	185
Fraud <sup>d</sup>	204	173	175	172	206
<b>Drug offenses</b>	223 days	239 days	283 days	211 days	221 days
Possession	222	217	271	191	222
Trafficking	223	247	286	219	221
<b>Weapons offenses</b>	237 days	221 days	257 days	200 days	239 days
<b>Other offenses<sup>e</sup></b>	207 days	223 days	267 days	184 days	206 days
<b>Median number of days</b>					
<b>All offenses</b>	151 days	173 days	195 days	153 days	149 days
<b>Violent offenses</b>	171 days	202 days	216 days	126 days	167 days
Murder <sup>a</sup>	272	286	286	290	263
Rape	192	213	231	189	186
Robbery	154	176	182	164	151
Aggravated assault	164	170	178	164	162
Other violent <sup>b</sup>	184	209	199	209	179
<b>Property offenses</b>	125 days	141 days	159 days	161 days	124 days
Burglary	122	153	171	139	120
Larceny <sup>c</sup>	122	135	178	126	120
Fraud <sup>d</sup>	136	132	140	119	138
<b>Drug offenses</b>	165 days	174 days	210 days	143 days	164 days
Possession	164	164	212	146	164
Trafficking	166	179	209	163	164
<b>Weapons offenses</b>	162 days	160 days	216 days	143 days	163 days
<b>Other offenses<sup>e</sup></b>	151 days	151 days	189 days	137 days	150 days

Note: See note on table 1.1. Data are based on 80% of the estimated total.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and driving while intoxicated.