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# State Court Sentencing of Convicted Felons, 1998 Statistical Tables

<http://www.ojp.usdoj.gov/bjs/abstract/scsc98st.htm>

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December 2001, NCJ 190637

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**State Court Sentencing of Convicted Felons, 1998 -- Statistical Tables**

**Table 1.1. Estimated number of felony convictions in State courts, 1998**

Most serious conviction offense	Felony convictions in State courts	
	Number	Percent
<b>All offenses</b>	927,717	100 %
<b>Violent offenses</b>	164,584	17.8 %
Murder /a	9,158	1.0
Murder	6,944	0.7
Manslaughter	2,127	0.2
Sexual assault /b	29,693	3.2
Rape	11,622	1.3
Other sexual assault	18,071	1.9
Robbery	38,784	4.2
Armed	11,977	1.3
Unarmed	10,358	1.1
Unspecified	16,450	1.8
Aggravated assault	71,060	7.7
Other violent /c	15,889	1.7
<b>Property offenses</b>	283,002	30.5 %
Burglary	87,957	9.5
Residential	12,542	1.4
Nonresidential	20,419	2.2
Unspecified	54,996	5.9
Larceny /d	107,621	11.6
Motor vehicle theft	14,368	1.5
Other theft	93,253	10.1
Fraud /e	87,424	9.4
Fraud	43,975	4.7
Forgery	43,449	4.7
<b>Drug offenses</b>	314,626	33.9 %
Possession	119,443	12.9
Trafficking	195,183	21.0
Marijuana	22,975	2.5
Other	54,633	5.9
Unspecified	117,575	12.7
<b>Weapon offenses</b>	31,904	3.4 %
<b>Other offenses /f</b>	133,601	14.4 %

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

This table is based on an estimated 927,717 cases.

a/ Includes manslaughter, defined as nonnegligent manslaughter only. A small number of cases were classified as nonnegligent manslaughter when it was unclear if the conviction offense was murder or nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ In a small number of cases, the type of larceny - vehicle theft versus other theft - was unknown.

They were classified as "other theft".

e/ Includes embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

**State Court Sentencing of Convicted Felons, 1998 -- Statistical tables**

**Table 1.2. Types of felony sentences imposed by State courts, by offense, 1998**

Most serious conviction offense	Percent of felons sentenced to --				
	Total	Incarceration			Probation
		Total	Prison	Jail	
<b>All offenses</b>	100 %	68 %	44 %	24 %	32 %
<b>Violent offenses</b>	100 %	78 %	59 %	19 %	22 %
Murder /a	100	96	94	2	4
Sexual assault /b	100	82	67	15	18
Rape	100	84	70	14	16
Other sexual assault	100	80	64	16	20
Robbery	100	88	76	12	12
Aggravated assault	100	72	46	26	28
Other violent /c	100	67	41	26	33
<b>Property offenses</b>	100 %	65 %	43 %	22 %	35 %
Burglary	100	75	54	21	25
Larceny /d	100	64	40	24	36
Motor vehicle theft	100	76	43	33	24
Fraud /e	100	55	35	20	45
<b>Drug Offenses</b>	100 %	68 %	42 %	26 %	32 %
Possession	100	65	36	29	35
Trafficking	100	71	45	26	29
<b>Weapon offenses</b>	100 %	66 %	42 %	24 %	34 %
<b>Other offenses /f</b>	100 %	63 %	35 %	28 %	37 %

Note: 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 death sentences. Felons receiving a sentence other than incarceration or probation are classified under "probation". This table is based on an estimated 921,328 cases.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.3. Lengths of felony sentences imposed by State courts, by offense and type of sentence, 1998**

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to --			
	Incarceration			Probation
	Total	Prison	Jail	
<b>Mean</b>				
<b>All offenses</b>	39 mo	57 mo	6 mo	41 mo
<b>Violent offenses</b>	77 mo	100 mo	7 mo	52 mo
Murder /a	258	263	11	60
Sexual assault /b	94	111	8	67
Rape	125	147	8	68
Other sexual assault	74	88	8	67
Robbery	94	106	10	59
Aggravated assault	44	66	6	41
Other violent /c	37	56	6	72
<b>Property offenses</b>	31 mo	44 mo	5 mo	39 mo
Burglary	39	52	6	44
Larceny /d	25	37	5	38
Motor vehicle theft	22	35	5	38
Fraud /e	27	40	4	39
<b>Drug offenses</b>	31 mo	47 mo	5 mo	38 mo
Possession	21	35	4	36
Trafficking	37	54	6	40
<b>Weapon offenses</b>	29 mo	42 mo	6 mo	35 mo
<b>Other offenses /f</b>	25 mo	40 mo	6 mo	40 mo

**State Court Sentencing of Convicted Felons, 1998 -- Statistical tables**

**Table 1.3. Lengths of felony sentences imposed by State courts, by offense and type of sentence, 1998 (cont.)**

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to --			
	Incarceration			Probation
	Total	Prison	Jail	
<b>Median</b>				
<b>All offenses</b>	18 mo	36 mo	4 mo	36 mo
<b>Violent offenses</b>	36 mo	60 mo	6 mo	36 mo
Murder /a	288	300	8	60
Sexual assault /b	60	66	6	60
Rape	72	100	6	60
Other sexual assault	48	60	6	60
Robbery	60	72	9	60
Aggravated assault	24	42	4	36
Other violent /c	16	36	4	36
<b>Property offenses</b>	16 mo	30 mo	4 mo	36 mo
Burglary	24	36	4	36
Larceny /d	12	24	4	36
Motor vehicle theft	12	24	4	36
Fraud /e	12	24	3	36
<b>Drug offenses</b>	14 mo	36 mo	4 mo	36 mo
Possession	12	24	3	25
Trafficking	19	36	4	36
<b>Weapon offenses</b>	18 mo	30 mo	4 mo	30 mo
<b>Other offenses /f</b>	12 mo	27 mo	4 mo	36 mo

Note: See note on table 2.

Means exclude sentences to death or to life in prison.

This table is based on an estimated 921,328 cases.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.4. Estimated percent of felons sentenced to life in State prison, by offense, 1998**

Most serious conviction offense	Life sentences as a percent of --	
	All sentences	All prison sentences
<b>All offenses</b>	0.5 %	1.1 %
Murder	25.5	27.4
Sexual assault	1.8	2.7
Rape	3.9	5.5
Other sexual assault	0.5	0.7
Robbery	1.2	1.6
Aggravated assault	0.5	1.1
Other violent	0.2	0.6
Burglary	0.3	0.5
Larceny	0.1	0.2
Motor vehicle theft	0.1	0.2
Fraud	--	--
Drug possession	0.2	0.6
Drug trafficking	0.1	0.2
Weapons	0.2	0.6
Other	0.1	0.2

--Less than 0.05%



## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.5. Estimated time to be served in State prison, by offense, 1998**

Most serious conviction offense	Mean prison sentence	To be served in prison, estimated --	
		Percent of sentence /a	Time /b
<b>All offenses</b>	57 mo	47 %	27 mo
<b>Violent Offenses</b>	100 mo	54 %	54 mo
Murder /c	263	52	136
Sexual assault /d	111	56	62
Rape	147	58	81
Other sexual assault	88	55	45
Robbery	106	51	54
Aggravated assault	66	57	38
Other violent /e	56	55	31
<b>Property Offenses</b>	44 mo	45 %	20 mo
Burglary	52	45	24
Larceny /f	37	45	17
Motor vehicle theft	35	43	15
Fraud /g	40	42	17
<b>Drug Offenses</b>	47 mo	41 %	19 mo
Possession	35	40	14
Trafficking	54	41	22
<b>Weapon offenses</b>	42 mo	60 %	25 mo
<b>Other offenses /h</b>	40 mo	51 %	20 mo

a/ Percentages are based on data from 237,443 persons released from State prisons in 1998 (National Corrections Reporting Program, 1998 tables 2-8 and 2-12). These percentages included credited jail time.

b/ Derived by multiplying the percentage of sentence to be served by the mean sentence imposed.

c/ Includes nonnegligent manslaughter.

d/ Includes rape.

e/ Includes offenses such as negligent manslaughter and kidnaping.

f/ Includes motor vehicle theft.

g/ Includes forgery and embezzlement.

h/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.6. Number of offenses for felons convicted and sentenced in 1998 in State courts, by most serious felony conviction offense, 1998**

Most serious conviction offense	Total	Percent of convicted felons with --		
		One felony conviction	Two felony convictions	Three or more felony convictions
<b>All Offenses</b>	100 %	78 %	16 %	6 %
<b>Violent Offenses</b>	100 %	72 %	20 %	8 %
Murder /a	100	60	25	15
Sexual assault /b	100	69	21	10
Robbery	100	68	20	12
Aggravated assault	100	74	19	7
Other violent /c	100	82	15	3
<b>Property Offenses</b>	100 %	74 %	18 %	8 %
Burglary	100	63	25	12
Larceny /d	100	86	12	2
Fraud /e	100	71	19	10
<b>Drug Offenses</b>	100 %	80 %	16 %	4 %
Possession	100	89	10	1
Trafficking	100	74	20	6
<b>Weapon offenses</b>	100 %	79 %	16 %	5 %
<b>Other offenses /f</b>	100 %	91 %	8 %	1 %

Note: This table is based on an estimated 899,882 cases.

The number of convictions pertains to current, not past, convictions.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.7. Convicted felons sentenced to prison by State courts, by number of conviction offenses, 1998**

Most serious conviction offense	Percent of felons sentenced to prison following --			
	Total	One felony conviction	Two felony convictions	Three or more felony convictions
<b>All Offenses</b>	100 %	41 %	53 %	64 %
<b>Violent Offenses</b>	100 %	54 %	68 %	81 %
Murder /a	100	94	96	96
Sexual assault /b	100	61	76	84
Robbery	100	71	83	91
Aggravated assault	100	42	55	66
Other violent /c	100	41	43	61
<b>Property Offenses</b>	100 %	39 %	50 %	59 %
Burglary	100	49	59	69
Larceny /d	100	38	46	53
Fraud /e	100	32	41	48
<b>Drug Offenses</b>	100 %	40 %	47 %	57 %
Possession	100	36	38	45
Trafficking	100	43	50	59
<b>Weapon offenses</b>	100 %	40 %	50 %	54 %
<b>Other offenses /f</b>	100 %	34 %	45 %	51 %

Note: See note on table 2. This table is based on an estimated 893,536.

The number of convictions pertains to current, not past, convictions.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

**State Court Sentencing of Convicted Felons, 1998 -- Statistical tables**

**Table 1.8. Mean sentence lengths for State felony sentences imposed, by the number and category of the conviction offense, 1998**

Most serious conviction offense	Mean maximum sentence length (in months) for felons sentenced to --			
	Incarceration			
	Total	Prison	Jail	Probation
<b>All offenses</b>	34 mo	51 mo	6 mo	40 mo
<b>Violent offenses</b>	62 mo	82 mo	7 mo	53 mo
Murder /a	219	223	13	59
Sexual assault /b	73	88	8	68
Robbery	74	84	11	61
Aggravated assault	39	61	6	41
Other violent /c	35	51	6	83
<b>Property offenses</b>	28 mo	41 mo	6 mo	39 mo
Burglary	37	51	6	43
Larceny /d	24	35	6	37
Fraud /e	25	37	5	38
<b>Drug offenses</b>	29 mo	45 mo	5 mo	39 mo
Possession	21	34	4	36
Trafficking	36	53	6	41
<b>Weapon offenses</b>	26 mo	38 mo	6 mo	34 mo
<b>Other offenses /f</b>	25 mo	39 mo	6 mo	40 mo
<b>Two or more conviction offenses</b>				
<b>All offenses</b>	57 mo	75 mo	5 mo	41 mo
<b>Violent offenses</b>	115 mo	135 mo	6 mo	48 mo
Murder /a	321	327	10	63
Sexual assault /b	136	151	7	68
Robbery	135	144	8	53
Aggravated assault	59	77	5	44
Other violent /c	51	77	7	33
<b>Property offenses</b>	38 mo	49 mo	5 mo	43 mo
Burglary	43	53	6	45
Larceny /d	32	45	5	42
Fraud /e	32	44	4	42
<b>Drug offenses</b>	38 mo	53 mo	5 mo	38 mo
Possession	27	40	4	36
Trafficking	41	56	5	39
<b>Weapon offenses</b>	39 mo	52 mo	7 mo	37 mo
<b>Other offenses /f</b>	30 mo	43 mo	6 mo	40 mo

Note: See notes on tables 2 and 3.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.9. Felons sentenced to an additional penalty by State courts, by offense, 1998**

Most serious conviction offense	Percent of felons with an additional penalty of --				
	Fine	Restitution	Treatment	Community Service	Other
<b>All offenses</b>	21 %	13 %	6 %	6 %	7 %
<b>Violent offenses</b>	18 %	13 %	5 %	5 %	6 %
Murder /a	9	10	1	3	2
Sexual assault /b	16	11	8	4	7
Rape	12	10	9	3	8
Other sexual assault	18	12	8	4	5
Robbery	12	13	3	3	5
Aggravated assault	21	14	6	7	6
Other violent /c	22	15	5	6	9
<b>Property offenses</b>	21 %	24 %	5 %	8 %	7 %
Burglary	19	23	5	6	7
Larceny /d	21	21	4	7	9
Motor vehicle theft	12	21	5	5	17
Fraud /e	24	29	5	11	5
<b>Drug offenses</b>	22 %	6 %	6 %	6 %	7 %
Possession	19	5	10	8	9
Trafficking	24	7	4	5	5
<b>Weapon offenses</b>	18 %	5 %	4 %	6 %	6 %
<b>Other offenses /f</b>	24 %	9 %	6 %	6 %	10 %

Note: 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. A felon receiving more than one kind of additional penalty appears under more than one table heading. This table is based on estimated 927,717 cases.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 2.1. Demographic characteristics of persons convicted of felonies by State courts, by offense, 1998

Most serious conviction offense	Percent of convicted felons											
	Gender			Race			Age at sentencing					60 or older
	Total	Male	Female	White	Black	Other	13-19	20-29	30-39	40-49	50-59	
<b>All offenses</b>	100 %	83 %	17 %	55 %	44 %	1 %	9 %	39 %	32 %	16 %	3 %	1 %
<b>Violent offenses</b>	100 %	90 %	10 %	53 %	44 %	3 %	12 %	41 %	28 %	13 %	4 %	2 %
Murder /a	100	92	8	42	57	1	12	49	21	12	4	2
Sexual assault /b	100	97	3	69	26	5	7	34	31	16	8	4
Rape	100	98	2	67	32	1	6	36	32	16	7	3
Other sexual assault	100	96	4	70	23	7	7	34	30	16	8	5
Robbery	100	92	8	35	64	1	22	47	22	8	1	--
Aggravated assault	100	86	14	56	41	3	9	40	30	15	4	2
Other violent /c	100	89	11	67	32	1	9	39	28	17	5	2
<b>Property offenses</b>	100 %	75 %	25 %	60 %	38 %	2 %	10 %	40 %	32 %	14 %	3 %	1 %
Burglary	100	92	8	64	35	1	17	43	27	11	2	--
Larceny /d	100	76	24	57	41	2	10	39	31	16	3	1
Motor vehicle theft	100	91	9	69	27	4	18	48	26	7	1	--
Fraud /e	100	58	42	62	37	1	4	39	36	16	4	1
<b>Drug offenses</b>	100 %	82 %	18 %	46 %	53 %	1 %	7 %	39 %	33 %	17 %	3 %	1 %
Possession	100	79	21	55	44	1	5	34	36	20	4	1
Trafficking	100	84	16	42	57	1	8	43	30	15	3	1
<b>Weapon offenses</b>	100 %	94 %	6 %	49 %	50 %	1 %	10 %	47 %	26 %	12 %	4 %	1 %
<b>Other offenses /f</b>	100 %	88 %	12 %	67 %	31 %	2 %	7 %	35 %	34 %	18 %	5 %	1 %

Note: Data on sex were available for 773,028 cases; on race, 647,483; and on age, 748,225.

--Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 2.2. Gender, race, and age of felons convicted in State courts, by offense, 1998

Most serious conviction offense	Percent of convicted felons												
	Gender						Age at sentencing						
	Total	Male	Female	White	Black	Other	13-19	20-29	30-39	40-49	50-59	60 or older	
<b>All offenses</b>	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %
<b>Violent offenses</b>	18 %	19 %	10 %	17 %	17 %	28 %	23 %	18 %	15 %	15 %	20 %	31 %	
Murder /a	1	1	--	1	1	1	1	1	1	1	1	2	
Sexual assault /b	3	4	1	4	2	10	2	3	3	3	7	14	
Rape	1	2	--	1	1	1	1	1	1	1	2	4	
Other sexual assault	2	2	--	2	1	9	2	2	2	2	5	10	
Robbery	4	5	2	3	6	4	10	5	3	2	1	1	
Aggravated assault	8	8	6	7	7	12	8	8	7	7	9	12	
Other violent /c	2	2	1	2	1	2	2	2	2	2	3	3	
<b>Property offenses</b>	31 %	28 %	44 %	34 %	27 %	33 %	36 %	31 %	31 %	28 %	26 %	19 %	
Burglary	9	10	4	11	8	9	18	10	8	7	5	3	
Larceny /d	12	11	17	13	11	15	14	12	12	12	11	9	
Motor vehicle theft	2	2	1	2	1	4	3	2	1	1	--	--	
Fraud /e	9	7	23	11	8	8	4	10	11	10	10	7	
<b>Drug offenses</b>	34 %	34 %	35 %	29 %	42 %	18 %	26 %	35 %	36 %	39 %	33 %	26 %	
Possession	13	12	15	12	13	6	8	12	16	18	14	9	
Trafficking	21	22	20	17	29	11	18	23	20	21	19	17	
<b>Weapon offenses</b>	3 %	4 %	1 %	3 %	4 %	2 %	4 %	4 %	3 %	2 %	3 %	4 %	
<b>Other offenses /f</b>	14 %	15 %	9 %	17 %	10 %	19 %	11 %	12 %	15 %	15 %	18 %	20 %	

Note: See note on tables 1.1, and 2.1.

Detail may not sum to total because of rounding.

Some estimates in this table are based on as few as 1 case and are therefore unreliable.

Racial categories include Hispanics.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 2.3. Average age of convicted felons in State courts, by offense, 1998**

Most serious conviction offense	Average age in years	
	Mean	Median
<b>All offenses</b>	31 yr	30 yr
<b>Violent offenses</b>	31 yr	29 yr
Murder/a	30	26
Sexual assault/b	34	32
Rape	34	32
Other sexual assault	34	33
Robbery	26	24
Aggravated assault	31	30
Other violent/c	32	30
<b>Property offenses</b>	31 yr	29 yr
Burglary	28	26
Larceny/d	31	30
Motor vehicle theft	27	25
Fraud/e	32	31
<b>Drug offenses</b>	32 yr	31 yr
Possession	33	33
Trafficking	31	29
<b>Weapon offenses</b>	30 yr	27 yr
<b>Other offenses/f</b>	33 yr	32 yr

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.



State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 2.4. Offense and gender of felons convicted in State courts, by type of sentence imposed, 1998

Most serious conviction offense	Percent of felons sentenced to --						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
<b>Male</b>							
<b>All offenses</b>	100 %	72 %	47 %	25 %	28 %	26 %	2 %
<b>Violent offenses</b>	100 %	81 %	61 %	19 %	19 %	18 %	2 %
Murder /a	100	96	95	2	4	3	1
Sexual assault /b	100	83	68	15	17	15	2
Robbery	100	88	77	12	12	11	1
Aggravated assault	100	76	49	27	24	23	1
Other violent /c	100	70	44	26	30	26	4
<b>Property offenses</b>	100 %	71 %	47 %	23 %	29 %	27 %	2 %
Burglary	100	77	56	21	23	21	2
Larceny /d	100	70	43	26	30	28	2
Fraud /e	100	62	40	22	38	36	2
<b>Drug offenses</b>	100 %	71 %	44 %	27 %	29 %	26 %	2 %
Possession	100	70	39	31	30	28	2
Trafficking	100	72	46	25	28	26	2
<b>Weapon offenses</b>	100 %	69 %	44 %	25 %	31 %	28 %	3 %
<b>Other offenses /f</b>	100 %	68 %	37 %	30 %	32 %	30 %	2 %
<b>Female</b>							
<b>All offenses</b>	100 %	57 %	33 %	24 %	43 %	40 %	2 %
<b>Violent offenses</b>	100 %	63 %	41 %	23 %	37 %	34 %	2 %
Murder /a	100	91	87	4	9	9	--
Sexual assault /b	100	76	58	18	24	22	3
Robbery	100	81	63	18	19	18	1
Aggravated assault	100	57	30	27	43	41	2
Other violent /c	100	51	32	20	49	42	6
<b>Property offenses</b>	100 %	52 %	32 %	20 %	48 %	46 %	2 %
Burglary	100	73	44	29	27	26	2
Larceny /d	100	53	30	22	47	45	2
Fraud /e	100	48	31	17	52	49	3
<b>Drug offenses</b>	100 %	63 %	34 %	29 %	37 %	34 %	3 %
Possession	100	65	32	33	35	33	2
Trafficking	100	62	35	27	38	35	3
<b>Weapon offenses</b>	100 %	49 %	28 %	21 %	51 %	48 %	3 %
<b>Other offenses/f</b>	100 %	54 %	27 %	28 %	46 %	43 %	3 %

Note: See note on tables 1.1, and 2.1.

Detail may not sum to total because of rounding.

Some estimates in this table are based on as few as 1 case and are therefore unreliable.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 2.5. Offense and race of felons, by type of sentence imposed, 1998

Most serious conviction offense	Percent of felons sentenced to --						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
<b>White</b>							
<b>All offenses</b>	100 %	67 %	42 %	25 %	33 %	31 %	3 %
<b>Violent offenses</b>	100 %	76 %	54 %	22 %	24 %	21 %	2 %
Murder /a	100	94	92	2	6	6	--
Sexual assault /b	100	81	67	14	19	17	3
Robbery	100	87	73	15	13	12	1
Aggravated assault	100	71	41	30	29	27	2
Other violent /c	100	66	37	29	34	30	5
<b>Property offenses</b>	100 %	63 %	40 %	23 %	37 %	34 %	3 %
Burglary	100	74	51	23	26	24	2
Larceny /d	100	62	36	26	38	34	3
Fraud /e	100	53	34	19	47	44	3
<b>Drug offenses</b>	100 %	65 %	33 %	32 %	35 %	32 %	3 %
Possession	100	67	31	36	33	30	3
Trafficking	100	64	35	29	36	33	3
<b>Weapon offenses</b>	100 %	67 %	39 %	27 %	33 %	28 %	6 %
<b>Other offenses /f</b>	100 %	64 %	34 %	30 %	36 %	34 %	3 %
<b>Black</b>							
<b>All offenses</b>	100 %	73 %	55 %	18 %	27 %	26 %	1 %
<b>Violent offenses</b>	100 %	81 %	67 %	13 %	19 %	18 %	1 %
Murder /a	100	96	95	1	3	3	1
Sexual assault /b	100	84	75	9	16	14	2
Robbery	100	87	77	10	13	12	--
Aggravated assault	100	74	54	19	26	25	1
Other violent /c	100	64	47	17	36	31	6
<b>Property offenses</b>	100 %	70 %	52 %	18 %	30 %	29 %	1 %
Burglary	100	81	64	17	19	18	1
Larceny /d	100	68	48	20	32	30	1
Fraud /e	100	62	45	17	38	37	1
<b>Drug offenses</b>	100 %	73 %	51 %	23 %	27 %	24 %	2 %
Possession	100	72	47	25	28	25	2
Trafficking	100	74	52	21	26	24	2
<b>Weapon offenses</b>	100 %	70 %	51 %	19 %	30 %	28 %	2 %
<b>Other offenses/f</b>	100 %	69 %	44 %	25 %	31 %	29 %	2 %

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

Detail may not sum to total because of rounding.

Some estimates in this table are based on as few as 1 case and are therefore unreliable.

Racial categories include Hispanics.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 2.6. Mean length of felony State court sentences imposed, by offense and gender of felons, 1998**

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to --			
	Total	Incarceration		Probation
		Prison	Jail	
<b>Male</b>				
<b>All offenses</b>	40 mo	57 mo	6 mo	40 mo
<b>Violent offenses</b>	78 mo	100 mo	7 mo	50 mo
Murder /a	270	275	11	57
Sexual assault /b	92	109	8	73
Robbery	93	105	11	62
Aggravated assault	45	66	6	42
Other violent /c	34	51	6	38
<b>Property offenses</b>	31 mo	44 mo	6 mo	39 mo
Burglary	39	51	6	43
Larceny /d	25	37	6	36
Fraud /e	28	40	5	38
<b>Drug offenses</b>	31 mo	46 mo	6 mo	37 mo
Possession	21	34	4	33
Trafficking	37	53	6	40
<b>Weapon offenses</b>	28 mo	40 mo	6 mo	34 mo
<b>Other offenses/f</b>	24 mo	37 mo	6 mo	40 mo
<b>Female</b>				
<b>All offenses</b>	28 mo	44 mo	5 mo	39 mo
<b>Violent offenses</b>	51 mo	76 mo	6 mo	44 mo
Murder /a	189	199	13	70
Sexual assault /b	53	69	6	57
Robbery	57	69	10	60
Aggravated assault	35	60	5	43
Other violent /c	51	79	5	33
<b>Property offenses</b>	25 mo	37 mo	4 mo	39 mo
Burglary	28	44	5	42
Larceny /d	22	35	5	38
Fraud /e	26	37	4	39
<b>Drug offenses</b>	26 mo	43 mo	5 mo	39 mo
Possession	19	34	4	38
Trafficking	31	49	6	39
<b>Weapon offenses</b>	32 mo	51 mo	5 mo	32 mo
<b>Other offenses/f</b>	21 mo	36 mo	4 mo	34 mo

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

Detail may not sum to total because of rounding.

Some estimates in this table as based on as few as 1 case and are therefore unreliable.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnapping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 2.7. Mean length of felony State court sentence imposed, by offense and race of felons, 1998**

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to --			
	Incarceration			Probation
	Total	Prison	Jail	
<b>White</b>				
<b>All offenses</b>	35 mo	54 mo	5 mo	39 mo
<b>Violent offenses</b>	70 mo	96 mo	6 mo	49 mo
Murder /a	277	283	10	57
Sexual assault /b	92	109	7	78
Robbery	79	92	9	51
Aggravated assault	41	67	5	42
Other violent /c	33	54	6	39
<b>Property offenses</b>	29 mo	42 mo	5 mo	40 mo
Burglary	36	49	6	45
Larceny /d	24	37	5	37
Fraud /e	26	38	4	40
<b>Drug offenses</b>	26 mo	46 mo	4 mo	34 mo
Possession	18	34	4	32
Trafficking	32	54	5	36
<b>Weapon offenses</b>	26 mo	40 mo	5 mo	37 mo
<b>Other offenses /f</b>	24 mo	38 mo	5 mo	41 mo
<b>Black</b>				
<b>All offenses</b>	45 mo	59 mo	7 mo	39 mo
<b>Violent offenses</b>	97 mo	114 mo	9 mo	50 mo
Murder /a	269	274	14	67
Sexual assault /b	117	129	9	60
Robbery	109	119	13	67
Aggravated assault	55	72	7	44
Other violent /c	39	51	7	34
<b>Property offenses</b>	34 mo	44 mo	6 mo	39 mo
Burglary	47	57	7	43
Larceny /d	27	36	7	39
Fraud /e	30	40	4	38
<b>Drug offenses</b>	34 mo	46 mo	6 mo	36 mo
Possession	24	33	5	37
Trafficking	39	52	7	36
<b>Weapon offenses</b>	33 mo	42 mo	8 mo	33 mo
<b>Other offenses /f</b>	25 mo	35 mo	6 mo	38 mo

Note: Some estimates in this table are based on as few as 1 case and are therefore unreliable.

Racial categories include Hispanics.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 2.8. Gender and race of felons sentenced to incarceration or prison by State courts, by offense, 1998**

Most serious conviction offense	Percent of convictions				
	Total	Gender		Race	
		Male	Female	White	Black
<b>Incarceration</b>					
<b>All offenses</b>	100 %	100 %	100 %	100 %	100 %
<b>Violent offenses</b>	20 %	22 %	11 %	19 %	19 %
Murder /a	1	1	1	1	2
Sexual assault /b	4	4	1	5	2
Robbery	5	6	3	4	8
Aggravated assault	8	8	6	8	7
Other violent /c	2	2	1	2	1
<b>Property offenses</b>	29 %	27 %	40 %	33 %	26 %
Burglary	10	11	5	13	9
Larceny /d	11	10	15	12	11
Fraud /e	8	6	19	9	7
<b>Drug offenses</b>	34 %	34 %	39 %	29 %	42 %
Possession	12	12	17	13	13
Trafficking	22	21	22	16	29
<b>Weapon offenses</b>	3 %	4 %	1 %	3 %	4 %
<b>Other offenses /f</b>	13 %	14 %	9 %	16 %	9 %
<b>Prison</b>					
<b>All offenses</b>	100 %	100 %	100 %	100 %	100 %
<b>Violent offenses</b>	24 %	25 %	13 %	23 %	22 %
Murder /a	2	2	1	2	2
Sexual assault /b	5	5	1	6	3
Robbery	7	8	4	5	9
Aggravated assault	8	8	6	8	7
Other violent /c	2	2	1	2	1
<b>Property offenses</b>	30 %	28 %	42 %	35 %	27 %
Burglary	12	12	5	14	9
Larceny /d	10	10	16	12	10
Fraud /e	8	6	22	9	7
<b>Drug offenses</b>	32 %	31 %	36 %	25 %	40 %
Possession	10	10	15	10	11
Trafficking	22	21	22	15	29
<b>Weapon offenses</b>	3 %	4 %	1 %	3 %	4 %
<b>Other offenses /f</b>	11 %	12 %	8 %	14 %	8 %

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

Detail may not sum to total because of rounding.

Some estimates in this table are based on as few as 1 case and are therefore unreliable.

Racial categories include Hispanics.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 2.9. Gender and race of felons sentenced to jail or probation by State courts, by offense, 1998

Most serious conviction offense	Percent of convictions				
	Total	Gender		Race	
		Male	Female	White	Black
<b>Jail</b>					
<b>All offenses</b>	100 %	100 %	100 %	100 %	100 %
<b>Violent offenses</b>	14 %	24 %	17 %	21 %	22 %
Murder /a	--	--	--	--	--
Sexual assault /b	2	4	1	3	2
Robbery	2	4	2	2	6
Aggravated assault	8	14	12	12	12
Other violent /c	2	3	2	4	2
<b>Property offenses</b>	28 %	41 %	63 %	46 %	47 %
Burglary	8	14	8	15	12
Larceny /d	12	18	27	19	22
Fraud /e	8	9	28	12	13
<b>Drug offenses</b>	38 %	60 %	74 %	54 %	91 %
Possession	15	25	36	26	31
Trafficking	22	35	38	28	60
<b>Weapon offenses</b>	3 %	6 %	2 %	4 %	7 %
<b>Other offenses /f</b>	17 %	29 %	18 %	28 %	24 %
<b>Probation</b>					
<b>All offenses</b>	100 %	100 %	100 %	100 %	100 %
<b>Violent offenses</b>	12 %	21 %	9 %	12 %	13 %
Murder /a	--	--	--	--	--
Sexual assault /b	2	4	--	2	1
Robbery	2	3	1	1	3
Aggravated assault	7	11	6	6	7
Other violent /c	2	3	1	2	2
<b>Property offenses</b>	34 %	45 %	49 %	37 %	30 %
Burglary	7	13	3	9	6
Larceny /d	13	18	19	14	13
Fraud /e	13	14	28	15	12
<b>Drug offenses</b>	34 %	55 %	31 %	30 %	42 %
Possession	14	21	13	12	13
Trafficking	20	34	18	18	29
<b>Weapon offenses</b>	4 %	7 %	1 %	3 %	4 %
<b>Other offenses /f</b>	16 %	27 %	10 %	18 %	11 %

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

Detail may not sum to total because of rounding.

-- Less than 0.5%.

Some estimates in this table are based on as few as 1 case and are therefore unreliable.

Racial categories include Hispanics.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 2.10. Percent of convicted felons sentenced by State courts to incarceration or prison, by gender, race, and offense, 1998**

Most serious conviction offense	Percent receiving designated sentence			
	White		Black	
	Male	Female	Male	Female
<b>Sentenced to incarceration</b>				
<b>All offenses</b>	69 %	55 %	76 %	61 %
<b>Violent offenses</b>	77 %	64 %	82 %	61 %
Murder/a	94	91	94	86
Sexual assault/b	81	77	84	46
Robbery	88	78	87	82
Aggravated assault	73	60	78	52
Other violent/c	67	48	64	53
<b>Property offenses</b>	68 %	50 %	76 %	57 %
Burglary	74	71	82	76
Larceny/d	66	50	75	54
Fraud/e	59	46	68	58
<b>Drug offenses</b>	67 %	60 %	74 %	68 %
Possession	68	64	74	68
Trafficking	66	57	74	68
<b>Weapon offenses</b>	68 %	47 %	72 %	51 %
<b>Other offenses/f</b>	64 %	53 %	69 %	58 %
<b>Sentenced to prison</b>				
<b>All offenses</b>	42 %	29 %	56 %	40 %
<b>Violent offenses</b>	55 %	38 %	70 %	42 %
Murder/a	92	89	93	83
Sexual assault/b	67	59	75	36
Robbery	74	61	78	63
Aggravated assault	43	28	59	33
Other violent/c	38	27	48	32
<b>Property offenses</b>	44 %	29 %	57 %	40 %
Burglary	51	43	67	45
Larceny/d	40	25	54	37
Fraud/e	39	28	50	42
<b>Drug offenses</b>	35 %	27 %	52 %	42 %
Possession	33	26	49	39
Trafficking	36	29	53	43
<b>Weapon offenses</b>	40 %	28 %	53 %	27 %
<b>Other offenses/f</b>	35 %	25 %	45 %	32 %

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

Racial categories include Hispanics.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 2.11. Percent of convicted felons sentenced by State courts to jail or probation, by gender, race, and offense, 1998

Most serious conviction offense	Percent receiving designated sentence			
	White		Black	
	Male	Female	Male	Female
<b>Sentenced to jail</b>				
<b>All offenses</b>	27 %	26 %	20 %	21 %
<b>Violent offenses</b>	22 %	25 %	13 %	19 %
Murder/a	2	3	1	3
Sexual assault/b	14	17	9	9
Robbery	14	17	9	18
Aggravated assault	30	31	19	20
Other violent/c	29	21	16	21
<b>Property offenses</b>	24 %	21 %	18 %	17 %
Burglary	23	28	16	31
Larceny/d	26	26	21	17
Fraud/e	21	17	18	16
<b>Drug offenses</b>	32 %	33 %	22 %	26 %
Possession	35	37	25	28
Trafficking	29	28	21	24
<b>Weapon offenses</b>	28 %	19 %	19 %	24 %
<b>Other offenses/f</b>	30 %	28 %	24 %	26 %
<b>Sentenced to probation</b>				
<b>All offenses</b>	31 %	44 %	24 %	38 %
<b>Violent offenses</b>	22 %	36 %	17 %	39 %
Murder/a	6	9	3	12
Sexual assault/b	19	21	15	54
Robbery	12	22	12	18
Aggravated assault	27	40	22	47
Other violent/c	32	52	35	44
<b>Property offenses</b>	32 %	50 %	24 %	43 %
Burglary	25	29	18	24
Larceny/d	34	50	25	46
Fraud/e	40	54	32	42
<b>Drug offenses</b>	33 %	39 %	25 %	32 %
Possession	31	35	26	32
Trafficking	34	43	25	32
<b>Weapon offenses</b>	32 %	53 %	28 %	49 %
<b>Other offenses/f</b>	34 %	46 %	28 %	38 %

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

Racial categories include Hispanics.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.



State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 2.12. Mean length of State felony sentences to incarceration or prison, by gender and race of felons, 1998

Most serious conviction offense	Mean sentence length (in months) for persons who were --			
	White		Black	
	Male	Female	Male	Female
<b>Sentenced to incarceration</b>				
<b>All offenses</b>	36 mo	24 mo	46 mo	31 mo
<b>Violent offenses</b>	71 mo	54 mo	100 mo	47 mo
Murder/a	278	288	284	128
Sexual assault/b	93	46	119	33
Robbery	81	55	110	57
Aggravated assault	41	41	58	33
Other violent/c	34	29	36	41
<b>Property offenses</b>	30 mo	22 mo	36 mo	28 mo
Burglary	35	25	47	36
Larceny/d	25	19	28	25
Fraud/e	28	23	29	30
<b>Drug offenses</b>	27 mo	20 mo	34 mo	31 mo
Possession	19	15	24	23
Trafficking	33	25	39	35
<b>Weapon offenses</b>	26 mo	29 mo	34 mo	30 mo
<b>Other offenses/f</b>	24 mo	19 mo	25 mo	19 mo
<b>Sentenced to prison</b>				
<b>All offenses</b>	56 mo	42 mo	60 mo	43 mo
<b>Violent offenses</b>	96 mo	85 mo	116 mo	64 mo
Murder/a	284	298	288	133
Sexual assault/b	109	59	131	40
Robbery	94	67	120	68
Aggravated assault	65	81	75	49
Other violent/c	55	48	45	65
<b>Property offenses</b>	43 mo	35 mo	45 mo	38 mo
Burglary	48	38	56	58
Larceny/d	37	34	36	33
Fraud/e	40	34	38	40
<b>Drug offenses</b>	47 mo	39 mo	46 mo	45 mo
Possession	34	31	33	34
Trafficking	56	45	51	50
<b>Weapon offenses</b>	40 mo	46 mo	42 mo	49 mo
<b>Other offenses/f</b>	38 mo	34 mo	35 mo	30 mo

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

Racial categories include Hispanics.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 2.13 Mean length of State felony sentences to jail or probation, by gender and race of felons, 1998

Most serious conviction offense	Mean sentence length (in months) for persons who were --			
	White		Black	
	Male	Female	Male	Female
<b>Sentenced to jail</b>				
<b>All offenses</b>	5 mo	4 mo	7 mo	6 mo
<b>Violent offenses</b>	6 mo	5 mo	9 mo	8 mo
Murder/a	8	28	15	7
Sexual assault/b	8	5	9	3
Robbery	9	8	13	13
Aggravated assault	5	4	7	7
Other violent/c	7	5	7	6
<b>Property offenses</b>	5 mo	4 mo	6 mo	5 mo
Burglary	6	5	7	5
Larceny/d	5	4	7	6
Fraud/e	4	4	5	4
<b>Drug offenses</b>	4 mo	4 mo	7 mo	6 mo
Possession	4	4	5	5
Trafficking	5	5	7	7
<b>Weapon offenses</b>	5 mo	4 mo	9 mo	7 mo
<b>Other offenses/f</b>	5 mo	4 mo	6 mo	5 mo
<b>Sentenced to probation</b>				
<b>All offenses</b>	40 mo	38 mo	39 mo	40 mo
<b>Violent offenses</b>	50 mo	45 mo	51 mo	47 mo
Murder/a	56	64	67	74
Sexual assault/b	79	61	61	50
Robbery	52	44	67	76
Aggravated assault	41	47	45	44
Other violent/c	40	32	34	36
<b>Property offenses</b>	39 mo	41 mo	40 mo	39 mo
Burglary	45	45	43	35
Larceny/d	36	38	39	40
Fraud/e	38	41	40	38
<b>Drug offenses</b>	34 mo	35 mo	35 mo	41 mo
Possession	32	31	33	54
Trafficking	35	37	36	35
<b>Weapon offenses</b>	38 mo	36 mo	34 mo	33 mo
<b>Other offenses/f</b>	42 mo	35 mo	40 mo	32 mo

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

Racial categories include Hispanics.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

**State Court Sentencing of Convicted Felons, 1998 -- Statistical tables**

**Table 3.1. Estimated number of felony convictions in State courts, by whether sentenced to probation and by offense, 1998**

Most serious conviction offense	Sentence type within offense			Offense within sentence type		
	Total	Probation	No probation	Total	Probation	No probation
<b>All offenses</b>	100 %	57 %	43 %	100 %	100 %	100 %
<b>Violent offenses</b>	100 %	47 %	53 %	18 %	15 %	22 %
Murder/a	100	13	87	1	--	2
Sexual assault/b	100	48	52	3	3	4
Robbery	100	32	68	4	2	7
Aggravated assault	100	57	43	8	8	8
Other violent/c	100	55	45	2	2	2
<b>Property offenses</b>	100 %	62 %	38 %	30 %	33 %	27 %
Burglary	100	55	45	9	9	10
Larceny/d	100	60	40	12	12	11
Fraud/e	100	71	29	9	12	6
<b>Drug offenses</b>	100 %	57 %	43 %	34 %	34 %	34 %
Possession	100	62	38	13	14	11
Trafficking	100	54	46	21	20	23
<b>Weapon offenses</b>	100 %	55 %	45 %	3 %	3 %	4 %
<b>Other offenses/f</b>	100 %	60 %	40 %	14 %	15 %	13 %

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

This table is based on an estimated 926,537 cases.

In this table persons are counted as probation cases so long as their sentences included probation and without regard to whether a term of incarceration was also included.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 3.2. Felony convictions in State courts, by type of sentence to probation or incarceration and offense, 1998**

Most serious conviction offense	Percent of felony convictions by type of --							
	Probation sentence				Nonprobation sentence			
	Straight probation	Total	Split sentence Prison	Jail	No incarceration	Total	Incarceration Prison	Jail
<b>All offenses</b>	30 %	28 %	13 %	15 %	2 %	40 %	31 %	9 %
<b>Violent offenses</b>	20 %	27 %	14 %	13 %	2 %	51 %	44 %	7 %
Murder/a	3	10	9	1	1	86	86	1
Sexual assault/b	16	32	21	11	2	50	46	4
Robbery	12	21	14	7	1	67	62	5
Aggravated assault	27	31	14	17	2	41	32	9
Other violent/c	28	27	10	17	5	40	31	8
<b>Property offenses</b>	33 %	29 %	15 %	14 %	2 %	36 %	28 %	8 %
Burglary	23	31	17	15	2	44	37	6
Larceny/d	34	27	12	14	2	37	27	10
Fraud/e	43	28	15	13	2	27	20	7
<b>Drug offenses</b>	29 %	28 %	13 %	15 %	2 %	41 %	29 %	11 %
Possession	33	29	12	17	2	35	24	12
Trafficking	27	27	13	14	2	44	32	11
<b>Weapon offenses</b>	31 %	25 %	11 %	14 %	3 %	41 %	31 %	10 %
<b>Other offenses/f</b>	34 %	27 %	9 %	18 %	2 %	36 %	26 %	11 %

Note: See note on table 3.1.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 3.3. Average probation sentence of felons convicted in State courts, by offense, 1998**

Most serious conviction offense	Probation sentence (in months) in case of --				
	Total	Straight probation	Split sentence		
			Total	Prison	Jail
<b>Mean sentence</b>					
<b>All offenses</b>	41 mo	40 mo	42 mo	47 mo	37 mo
<b>Violent offenses</b>	52 mo	47 mo	55 mo	68 mo	42 mo
Murder/a	74	60	79	81	61
Sexual assault/b	77	67	82	94	59
Robbery	55	59	52	56	44
Aggravated assault	45	41	48	61	38
Other violent/c	38	39	37	39	36
<b>Property offenses</b>	40 mo	39 mo	41 mo	45 mo	36 mo
Burglary	44	44	44	48	40
Larceny/d	38	38	39	46	33
Fraud/e	39	39	38	41	36
<b>Drug offenses</b>	38 mo	38 mo	37 mo	38 mo	35 mo
Possession	35	36	33	36	31
Trafficking	40	40	39	39	39
<b>Weapon offenses</b>	36 mo	35 mo	38 mo	44 mo	34 mo
<b>Other offenses/f</b>	41 mo	40 mo	41 mo	43 mo	40 mo

**Table 3.3. Average probation sentence of felons convicted in State courts, by offense, 1998 (cont.)**

Most serious conviction offense	Probation sentence (in months) in case of --				
	Total	Straight probation	Split sentence		
			Total	Prison	Jail
<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/a	60	60	60	60	60
Sexual assault/b	60	60	60	60	60
Robbery	48	60	36	36	36
Aggravated assault	36	36	36	36	36
Other violent/c	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/d	36	36	36	36	36
Fraud/e	36	36	36	36	36
<b>Drug offenses</b>	36 mo	36 mo	36 mo	36 mo	36 mo
Possession	36	25	36	30	36
Trafficking	36	36	36	36	36
<b>Weapon offenses</b>	36 mo	30 mo	36 mo	24 mo	36 mo
<b>Other offenses/f</b>	36 mo	36 mo	36 mo	36 mo	36 mo

Note: See note on table 3.1.

Means exclude sentences to death or to life in prison.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

**State Court Sentencing of Convicted Felons, 1998 -- Statistical tables**

**Table 3.4. Average State court sentence to incarceration for felons receiving sentences with or without probation, by offense, 1998**

Most serious conviction offense	Maximum incarceration sentence length (in months) for --					
	Split sentence			Incarceration without probation		
	Total	Prison	Jail	Total	Prison	Jail
<b>Mean sentence</b>						
<b>All offenses</b>	23 mo	42 mo	5 mo	50 mo	64 mo	7 mo
<b>Violent offenses</b>	38 mo	65 mo	6 mo	98 mo	112 mo	9 mo
Murder/a	127	138	10	278	282	12
Sexual assault/b	54	74	6	118	129	10
Robbery	62	82	8	104	112	13
Aggravated assault	23	46	5	60	75	8
Other violent/c	22	48	6	47	58	7
<b>Property offenses</b>	21 mo	35 mo	4 mo	38 mo	48 mo	7 mo
Burglary	25	41	5	49	57	8
Larceny/d	17	31	4	30	39	7
Fraud/e	20	33	3	35	45	6
<b>Drug offenses</b>	20 mo	38 mo	5 mo	39 mo	51 mo	6 mo
Possession	16	32	4	26	36	5
Trafficking	23	41	5	45	58	7
<b>Weapon offenses</b>	19 mo	35 mo	6 mo	35 mo	44 mo	7 mo
<b>Other offenses/f</b>	15 mo	32 mo	4 mo	32 mo	43 mo	8 mo
<b>Median sentence</b>						
<b>All offenses</b>	8 mo	24 mo	3 mo	26 mo	36 mo	6 mo
<b>Violent offenses</b>	12 mo	38 mo	4 mo	60 mo	67 mo	6 mo
Murder/a	84	96	8	324	336	8
Sexual assault/b	24	51	6	72	83	9
Robbery	24	60	6	72	72	12
Aggravated assault	9	30	4	36	48	6
Other violent/c	8	24	4	24	36	6
<b>Property offenses</b>	9 mo	24 mo	3 mo	24 mo	36 mo	6 mo
Burglary	10	24	4	36	41	6
Larceny/d	8	24	3	21	24	6
Fraud/e	8	24	3	24	36	5
<b>Drug offenses</b>	8 mo	24 mo	3 mo	24 mo	36 mo	6 mo
Possession	6	24	3	16	24	4
Trafficking	8	24	4	32	42	6
<b>Weapon offenses</b>	12 mo	24 mo	4 mo	24 mo	35 mo	6 mo
<b>Other offenses/f</b>	6 mo	20 mo	3 mo	23 mo	36 mo	6 mo

Note: See note on table 3.1.

Means exclude sentences to death or life in prison.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 3.5. Number of conviction offenses for felons sentenced to probation in State courts, by offense, 1998**

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>	57 %	58 %	56 %	53 %
<b>Violent offenses</b>	47 %	49 %	45 %	37 %
Murder/a	13	14	12	12
Sexual assault/b	48	51	44	35
Robbery	32	33	32	29
Aggravated assault	58	59	56	50
Other violent/c	54	53	62	50
<b>Property offenses</b>	62 %	62 %	61 %	63 %
Burglary	55	54	55	59
Larceny/d	60	60	59	59
Fraud/e	71	72	69	68
<b>Drug offenses</b>	57 %	57 %	58 %	53 %
Possession	62	61	65	60
Trafficking	53	53	55	52
<b>Weapon offenses</b>	55 %	56 %	55 %	53 %
<b>Other offenses/f</b>	61 %	61 %	60 %	58 %

Note: See note on table 3.1.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.



## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 3.6. Gender of felons receiving probation or a sentence without probation in State courts, by offense, 1998**

Most serious conviction offense	Percent of sentences to probation			Percent of sentences without probation		
	All	Male	Female	All	Male	Female
<b>All offenses</b>	100 %	100 %	100 %	100 %	100 %	100 %
<b>Violent offenses</b>	15 %	16 %	9 %	22 %	23 %	12 %
Murder/a	--	--	--	2	2	1
Sexual assault/b	3	3	1	4	4	1
Robbery	2	3	1	7	7	3
Aggravated assault	8	8	6	8	8	6
Other violent/c	2	2	1	2	2	1
<b>Property offenses</b>	33 %	29 %	46 %	27 %	26 %	38 %
Burglary	9	10	4	10	11	5
Larceny/d	12	11	17	11	10	17
Fraud/e	12	8	26	6	5	17
<b>Drug offenses</b>	34 %	35 %	33 %	34 %	33 %	40 %
Possession	14	14	15	12	11	16
Trafficking	21	21	18	22	22	24
<b>Weapon offenses</b>	3 %	4 %	1 %	4 %	4 %	1 %
<b>Other offenses/f</b>	15 %	16 %	10 %	13 %	14 %	9 %

Note: See note on tables 2.1 and 3.1.

Detail may not sum to total because of rounding.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 3.7. Offense of felons receiving probation or a sentence without probation in State courts, by gender, 1998**

Most serious conviction offense	Percent of sentences to probation			Percent of sentences without probation		
	All	Male	Female	All	Male	Female
<b>All offenses</b>	100 %	79 %	21 %	100 %	88 %	12 %
<b>Violent offenses</b>	100 %	87 %	13 %	100 %	93 %	7 %
Murder/a	100	83	17	100	93	7
Sexual assault/b	100	96	4	100	98	2
Robbery	100	88	12	100	94	6
Aggravated assault	100	83	17	100	90	10
Other violent/c	100	87	13	100	90	10
<b>Property offenses</b>	100 %	70 %	30 %	100 %	83 %	17 %
Burglary	100	91	9	100	94	6
Larceny/d	100	72	28	100	81	19
Fraud/e	100	54	46	100	68	32
<b>Drug offenses</b>	100 %	80 %	20 %	100 %	86 %	14 %
Possession	100	77	23	100	83	17
Trafficking	100	81	19	100	87	13
<b>Weapon offenses</b>	100 %	92 %	8 %	100 %	96 %	4 %
<b>Other offenses/f</b>	100 %	87 %	13 %	100 %	91 %	9 %

Note: See note on tables 2.1 and 3.1.

Detail may not sum to total because of rounding.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 3.8. Offense of felons receiving probation or a sentence without probation in State courts, by race, 1998**

Most serious conviction offense	Percent of sentences to probation				Percent of sentences without probation			
	All	White	Black	Other	All	White	Black	Other
<b>All offenses</b>	100 %	58 %	40 %	2 %	100 %	51 %	49 %	1 %
<b>Violent offenses</b>	100 %	58 %	38 %	4 %	100 %	49 %	50 %	1 %
Murder/a	100	59	39	2	100	39	60	1
Sexual assault/b	100	70	21	9	100	67	31	1
Robbery	100	37	62	2	100	34	65	1
Aggravated assault	100	58	38	3	100	53	45	2
Other violent/c	100	69	29	2	100	64	36	--
<b>Property offenses</b>	100 %	62 %	36 %	2 %	100 %	58 %	41 %	1 %
Burglary	100	66	32	2	100	61	38	1
Larceny/d	100	58	39	3	100	55	44	1
Fraud/e	100	62	37	2	100	60	39	1
<b>Drug offenses</b>	100 %	51 %	48 %	1 %	100 %	41 %	59 %	-- %
Possession	100	56	43	1	100	52	47	--
Trafficking	100	47	52	1	100	35	65	--
<b>Weapon offenses</b>	100 %	50 %	48 %	1 %	100 %	47 %	52 %	1 %
<b>Other offenses/f</b>	100 %	69 %	29 %	3 %	100 %	63 %	35 %	2 %

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

Detail may not sum to total because of rounding.

Racial categories include Hispanics.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 3.9. Race of felons receiving probation or a sentence without probation in State courts, by offense, 1998**

Most serious conviction offense	Percent of sentences to probation				Percent of sentences without probation			
	All	White	Black	Other	All	White	Black	Other
<b>All offenses</b>	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %
<b>Violent offenses</b>	14 %	14 %	14 %	27 %	21 %	20 %	21 %	30 %
Murder/a	--	--	--	--	2	2	2	3
Sexual assault/b	3	3	1	11	4	5	2	5
Robbery	3	2	4	2	7	5	9	8
Aggravated assault	7	7	7	12	7	7	6	13
Other violent/c	2	2	1	2	2	2	1	1
<b>Property offenses</b>	34 %	36 %	30 %	34 %	28 %	32 %	23 %	29 %
Burglary	9	11	7	8	10	12	8	12
Larceny/d	13	13	12	16	11	12	10	13
Fraud/e	12	13	11	9	7	8	5	5
<b>Drug offenses</b>	35 %	30 %	42 %	18 %	35 %	28 %	42 %	16 %
Possession	13	13	14	6	12	12	11	6
Trafficking	21	17	28	12	23	16	31	11
<b>Weapon offenses</b>	3 %	3 %	4 %	2 %	3 %	3 %	4 %	3 %
<b>Other offenses/f</b>	14 %	17 %	10 %	19 %	13 %	16 %	9 %	21 %

Note: See note on tables 2.1 and 3.1.

Detail may not sum to total because of rounding.

Racial categories include Hispanics.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 3.10. Average age of felons receiving probation or a sentence without probation in State courts, by offense, 1998**

Most serious conviction offense	Probation		Sentence without probation	
	Mean	Median	Mean	Median
<b>All offenses</b>	31 yr	29 yr	32 yr	31 yr
<b>Violent offenses</b>	31 yr	29 yr	30 yr	28 yr
Murder/a	31	29	29	26
Sexual assault/b	33	30	35	34
Robbery	26	22	27	25
Aggravated assault	32	30	31	29
Other violent/c	32	31	31	30
<b>Property offenses</b>	30 yr	28 yr	32 yr	31 yr
Burglary	27	23	30	29
Larceny/d	30	28	32	32
Fraud/e	32	31	33	32
<b>Drug offenses</b>	31 yr	30 yr	32 yr	32 yr
Possession	32	32	34	34
Trafficking	31	29	31	30
<b>Weapon offenses</b>	30 yr	27 yr	30 yr	28 yr
<b>Other offenses/f</b>	32 yr	32 yr	33 yr	33 yr

Note: See note on tables 2.1 and 3.1.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 3.11. Felons sentenced to probation in State courts, by offense and age at sentencing, 1998**

Most serious conviction offense	Percent of felons age group who received a probation sentence			
	Under 20	20-29	30-39	40 or older
<b>All offenses</b>	66 %	59 %	55 %	56 %
<b>Violent offenses</b>	48 %	46 %	47 %	50 %
Murder/a	17	9	19	14
Sexual assault/b	67	53	45	42
Robbery	41	31	28	29
Aggravated assault	57	57	57	62
Other violent/c	49	54	53	55
<b>Property offenses</b>	74 %	65 %	57 %	57 %
Burglary	72	57	44	45
Larceny/d	73	64	54	53
Fraud/e	82	74	69	70
<b>Drug offenses</b>	68 %	59 %	55 %	56 %
Possession	72	64	59	57
Trafficking	67	57	52	56
<b>Weapon offenses</b>	64 %	55 %	53 %	58 %
<b>Other offenses/f</b>	72 %	61 %	58 %	60 %

Note: See note on tables 2.1 and 3.1.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c /Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 4.1. Number of felony convictions in State courts, by offense and type of conviction, 1998**

Most serious conviction offense	Number of felons convicted by --				Guilty plea
	Total	Trial			
		Total	Jury	Bench	
<b>All offenses</b>	927,717	55,711	30,482	25,229	872,001
<b>Violent offenses</b>	164,584	21,462	15,515	5,947	143,119
Murder /a	9,158	4,098	3,471	626	5,059
Sexual assault /b	29,693	4,121	3,214	907	25,572
Rape	11,622	2,352	1,874	478	9,271
Other sexual assault	18,071	1,784	1,351	434	16,285
Robbery	38,784	4,679	3,191	1,487	34,104
Aggravated assault	71,060	7,377	4,898	2,479	63,683
Other violent /c	15,889	1,187	740	448	14,702
<b>Property offenses</b>	283,002	11,598	4,609	6,990	271,402
Burglary	87,957	3,389	1,902	1,487	84,568
Larceny /d	107,621	5,052	1,743	3,309	102,569
Motor vehicle theft	14,368	439	169	270	13,927
Fraud /e	87,424	3,157	964	2,193	84,265
<b>Drug Offenses</b>	314,626	15,164	6,365	8,799	299,462
Possession	119,443	5,410	1,628	3,782	114,035
Trafficking	195,183	9,754	4,738	5,017	185,427
<b>Weapon offenses</b>	31,904	2,233	1,135	1,098	29,671
<b>Other offenses /f</b>	133,601	5,254	2,857	2,396	128,347

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

This table is based on an estimated 598,996 cases. However, figures are adjusted for cases missing a designation of conviction type.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 4.2. Percent of felons convicted in State courts, by offense and type of conviction, 1998**

Most serious conviction offense	Percent of felons convicted by --				
	Total	Trial		Bench	Guilty plea
		Total	Jury		
<b>All offenses</b>	100 %	6 %	3 %	3 %	94 %
<b>Violent offenses</b>	100 %	13 %	9 %	4 %	87 %
Murder /a	100	45	38	7	55
Sexual assault /b	100	14	11	3	86
Rape	100	20	16	4	80
Other sexual assault	100	10	8	2	90
Robbery	100	12	8	4	88
Aggravated assault	100	10	7	3	90
Other violent /c	100	7	5	2	93
<b>Property offenses</b>	100 %	4 %	2 %	2 %	96 %
Burglary	100	4	2	2	96
Larceny /d	100	5	2	3	95
Motor vehicle theft	100	3	1	2	97
Fraud /e	100	4	1	3	96
<b>Drug Offenses</b>	100 %	5 %	2 %	3 %	95 %
Possession	100	5	2	3	95
Trafficking	100	5	2	3	95
<b>Weapon offenses</b>	100 %	7 %	4 %	3 %	93 %
<b>Other offenses /f</b>	100 %	4 %	2 %	2 %	96 %

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

This table is based on an estimated 598,996 cases. However, figures are adjusted for cases missing a designation of conviction type.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.



## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 4.3. Type of conviction of felons convicted in State courts, by offense, 1998**

Most serious conviction offense	Percent convicted by --				
	Total	Trial		Bench	Guilty plea
		Total	Jury		
<b>All offenses</b>	100 %	100 %	100 %	100 %	100 %
<b>Violent offenses</b>	18 %	39 %	51 %	24 %	16 %
Murder /a	1	7	11	2	1
Sexual assault /b	3	7	11	4	3
Robbery	4	8	10	6	4
Aggravated assault	8	13	16	10	7
Other violent /c	2	2	2	2	2
<b>Property offenses</b>	31 %	21 %	15 %	28 %	31 %
Burglary	9	6	6	6	10
Larceny /d	12	9	6	13	12
Fraud /e	9	6	3	9	10
<b>Drug offenses</b>	34 %	27 %	21 %	35 %	34 %
Possession	13	10	5	15	13
Trafficking	21	18	16	20	21
<b>Weapons offenses</b>	3 %	4 %	4 %	4 %	3 %
<b>Other offenses /f</b>	14 %	9 %	9 %	9 %	15 %

Note: See note on tables 1.1 and 4.1.

Detail may not sum to total because of rounding.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 4.4. Offense of felons convicted in State courts, by the type of conviction and type of sentence imposed, 1998

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 %	88 %	76 %	12 %	12 %	11 %	1 %
<b>Violent offenses</b>	100 %	94 %	86 %	8 %	6 %	5 %	1 %
Murder /a	100	99	98	1	1	1	--
Sexual assault /b	100	95	89	6	5	5	1
Robbery	100	97	91	6	3	3	--
Aggravated assault	100	90	78	12	10	9	1
Other violent /c	100	84	70	14	16	15	1
<b>Property offenses</b>	100 %	85 %	73 %	12 %	15 %	14 %	1 %
Burglary	100	89	79	10	11	10	1
Larceny /d	100	86	73	13	14	13	1
Fraud /e	100	78	65	12	22	21	1
<b>Drug offenses</b>	100 %	84 %	72 %	12 %	16 %	15 %	1 %
Possession	100	80	63	17	20	19	2
Trafficking	100	86	77	9	13	13	1
<b>Weapon offenses</b>	100 %	77 %	65 %	13 %	23 %	21 %	2 %
<b>Other offenses /f</b>	100 %	83 %	59 %	24 %	17 %	15 %	2 %
<b>Jury</b>							
<b>All offenses</b>	100 %	91 %	81 %	11 %	9 %	8 %	1 %
<b>Violent offenses</b>	100 %	95 %	90 %	6 %	5 %	4 %	-- %
Murder /a	100	99	98	1	1	1	--
Sexual assault /b	100	97	93	4	3	3	--
Robbery	100	98	95	3	2	2	--
Aggravated assault	100	92	79	13	8	7	1
Other violent /c	100	81	70	10	19	18	1
<b>Property offenses</b>	100 %	85 %	70 %	16 %	15 %	14 %	1 %
Burglary	100	92	85	6	9	9	--
Larceny /d	100	86	64	22	14	13	1
Fraud /e	100	75	54	22	25	24	1
<b>Drug offenses</b>	100 %	89 %	78 %	12 %	11 %	10 %	1 %
Possession	100	84	60	24	16	15	1
Trafficking	100	91	84	7	9	8	--
<b>Weapon offenses</b>	100 %	81 %	68 %	13 %	19 %	16 %	3 %
<b>Other offenses /f</b>	100 %	87 %	61 %	26 %	13 %	12 %	1 %
<b>Bench</b>							
<b>All offenses</b>	100 %	84 %	72 %	11 %	16 %	16 %	1 %
<b>Violent offenses</b>	100 %	92 %	83 %	10 %	8 %	7 %	-- %
Murder /a	100	99	98	1	2	1	1
Sexual assault /b	100	96	89	7	4	4	--
Robbery	100	95	86	9	5	5	--
Aggravated assault	100	87	76	11	13	12	1
Other violent /c	100	92	69	23	9	9	--
<b>Property offenses</b>	100 %	85 %	76 %	9 %	15 %	15 %	1 %
Burglary	100	88	77	11	12	12	--
Larceny /d	100	89	79	10	11	11	--
Fraud /e	100	77	70	7	23	21	1
<b>Drug offenses</b>	100 %	80 %	66 %	13 %	20 %	20 %	-- %
Possession	100	79	60	19	21	21	1
Trafficking	100	80	71	9	20	20	--

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 4.4. Offense of felons convicted in State courts, by the type of conviction and type of sentence imposed, 1998 (cont.)

Most serious conviction offense	Percent of felons sentenced to --						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
<b>Weapon offenses</b>	100 %	72 %	60 %	12 %	28 %	27 %	1 %
<b>Other offenses /f</b>	100 %	79 %	64 %	15 %	21 %	20 %	1 %
<b>Guilty plea</b>							
<b>All offenses</b>	100 %	63 %	41 %	23 %	37 %	34 %	2 %
<b>Violent offenses</b>	100 %	73 %	53 %	20 %	27 %	25 %	2 %
Murder /a	100	95	94	2	5	4	--
Sexual assault /b	100	77	62	15	23	21	2
Robbery	100	85	72	13	15	14	1
Aggravated assault	100	66	40	26	34	32	2
Other violent /c	100	60	36	24	40	32	8
<b>Property offenses</b>	100 %	61 %	40 %	21 %	39 %	37 %	2 %
Burglary	100	72	52	20	28	26	2
Larceny /d	100	59	35	25	41	38	3
Fraud /e	100	53	36	17	47	45	2
<b>Drug offenses</b>	100 %	63 %	40 %	23 %	37 %	34 %	2 %
Possession	100	58	35	23	42	39	3
Trafficking	100	66	43	23	34	32	2
<b>Weapon offenses</b>	100 %	60 %	37 %	23 %	40 %	36 %	4 %
<b>Other offenses /f</b>	100 %	60 %	31 %	29 %	40 %	38 %	2 %

Note: See note on tables 1.1 and 1.2.

Detail may not sum to total because of rounding.

Some estimates in this table as based on as few as 1 case and are therefore unreliable.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 4.5. Average felony sentence length in State courts, by the type of conviction, type of sentence imposed, and offense, 1998

Most serious conviction offense	Maximum sentence length (in months) for convictions by --										
	Total		Trial				Bench		Guilty plea		
	Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median	
<b>Sentences to prison</b>											
<b>All offenses</b>	59 mc	36 mo	116 mo	61 mo	155 mo	120 mo	89 mo	60 mo	53 mo	36 mo	
<b>Violent offenses</b>	108 mc	60 mo	194 mo	144 mo	218 mo	180 mo	178 mo	120 mo	90 mo	60 mo	
Murder /a	273	300	368	600	390	**	318	360	214	240	
Sexual assault /b	119	72	213	180	218	180	213	120	99	60	
Robbery	112	72	188	132	194	156	216	144	100	72	
Aggravated assault	71	48	117	72	135	96	107	72	61	44	
Other violent /c	64	36	117	60	150	75	75	60	56	36	
<b>Property offenses</b>	46 mc	32 mo	65 mo	44 mo	83 mo	60 mo	60 mo	36 mo	44 mo	30 mo	
Burglary	54	36	89	64	91	84	105	72	52	36	
Larceny /d	40	24	51	36	71	36	45	36	39	24	
Fraud /e	41	24	60	42	85	48	54	36	40	24	
<b>Drug offenses</b>	48 mc	36 mo	73 mo	60 mo	94 mo	72 mo	64 mo	48 mo	46 mo	36 mo	
Possession	36	24	44	36	59	60	42	24	35	24	
Trafficking	54	36	85	60	101	84	78	60	51	36	
<b>Weapon offenses</b>	44 mc	36 mo	60 mo	48 mo	61 mo	48 mo	64 mo	48 mo	42 mo	30 mo	
<b>Other offenses /f</b>	40 mc	30 mo	52 mo	36 mo	67 mo	49 mo	39 mo	24 mo	39 mo	30 mo	
<b>Sentences to jail</b>											
<b>All offenses</b>	6 mc	4 mo	8 mo	6 mo	6 mo	5 mo	11 mo	8 mo	6 mo	4 mo	
<b>Violent offenses</b>	7 mc	6 mo	9 mo	6 mo	8 mo	6 mo	14 mo	12 mo	7 mo	6 mo	
Murder /a	14	10	14	10	9	8	29	30	14	10	
Sexual assault /b	8	6	7	3	7	4	8	4	8	6	
Robbery	11	9	15	12	14	10	21	23	11	9	
Aggravated assault	6	4	8	6	7	6	14	12	6	4	
Other violent /c	7	5	7	3	7	6	7	3	8	6	
<b>Property offenses</b>	6 mc	4 mo	6 mo	4 mo	5 mo	4 mo	9 mo	8 mo	6 mo	4 mo	
Burglary	7	4	7	6	4	2	13	12	7	4	
Larceny /d	6	4	6	4	4	2	8	6	6	4	
Fraud /e	5	3	6	5	6	6	6	4	5	3	
<b>Drug offenses</b>	6 mc	4 mo	9 mo	6 mo	6 mo	3 mo	10 mo	6 mo	6 mo	4 mo	
Possession	4	3	4	3	4	3	4	3	4	3	
Trafficking	7	4	13	12	8	6	17	18	7	4	
<b>Weapon offenses</b>	7 mc	5 mo	10 mo	9 mo	6 mo	4 mo	15 mo	12 mo	7 mo	5 mo	
<b>Other offenses /f</b>	6 mc	4 mo	8 mo	6 mo	6 mo	6 mo	13 mo	12 mo	6 mo	4 mo	

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 4.5. Average felony sentence length in State courts, by the type of conviction, type of sentence imposed, and offense, 1998 (cont.)

Most serious conviction offense	Maximum sentence length (in months) for convictions by --										
	Total		Total		Trial		Bench		Guilty plea		
	Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median	
<b>Sentences to probation</b>											
<b>All offenses</b>	39 mc	36 mo	39 mo	36 mo	39 mo	36 mo	39 mo	30 mo	39 mo	36 mo	
<b>Violent offenses</b>	46 mc	36 mo	53 mo	36 mo	52 mo	36 mo	52 mo	36 mo	46 mo	36 mo	
Murder /a	61	60	44	36	53	60	36	36	62	60	
Sexual assault /b	71	60	66	36	48	36	51	48	71	60	
Robbery	51	48	49	48	43	36	53	60	51	48	
Aggravated assault	40	36	46	36	40	36	53	36	40	36	
Other violent /c	38	36	75	60	86	120	42	30	37	36	
<b>Property offenses</b>	38 mc	36 mo	37 mo	36 mo	36 mo	36 mo	37 mo	36 mo	38 mo	36 mo	
Burglary	43	36	37	36	29	24	36	36	43	36	
Larceny /d	36	36	39	36	44	48	38	36	36	36	
Fraud /e	38	36	36	36	34	36	37	36	38	36	
<b>Drug offenses</b>	38 mc	36 mo	40 mo	30 mo	39 mo	36 mo	41 mo	24 mo	38 mo	36 mo	
Possession	35	24	32	24	36	36	28	24	35	24	
Trafficking	41	36	47	30	40	36	51	24	40	36	
<b>Weapon offenses</b>	33 mc	24 mo	27 mo	24 mo	26 mo	24 mo	26 mo	24 mo	33 mo	24 mo	
<b>Other offenses /f</b>	39 mc	36 mo	31 mo	24 mo	31 mo	24 mo	31 mo	24 mo	40 mo	36 mo	

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

\*\* Because the median includes felons sentenced to life in prison, the median sentence to prison is greater than 50 years.

Some estimates in this table as based on as few as 1 case and are therefore unreliable.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 4.6. Type of conviction in State courts, by the type of sentence imposed on felons convicted of murder or nonnegligent manslaughter, 1998**

Type of conviction	Type of sentence for murder or nonnegligent manslaughter			
	Total	Life	Death	Other*
Total	100 %	26 %	1 %	73 %
Trial	100	38	2	60
Jury	100	40	3	57
Bench	100	16	0	84
Guilty plea	100	16	1	83

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

\*Includes sentences to incarceration or probation.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 4.7. Type of conviction in State courts,  
by number of felony conviction offenses, 1998**

Type of conviction	Percent convicted of --		
	Total	One offense	Two or more offenses
Total	100 %	77 %	23 %
Trial	100	71	29
Jury	100	66	34
Bench	100	78	22
Guilty plea	100	78	22

Note: See note on table 1.6.

Detail may not sum to total because of rounding.

**State Court Sentencing of Convicted Felons, 1998 -- Statistical tables**

**Table 4.8. Percent of conviction offenses of felons convicted in State courts, by type of conviction and type of sentences imposed, 1998**

Type of conviction	Percent of felons sentenced to --						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
<b>Convicted of one offense</b>							
Total	100 %	63 %	39 %	24 %	37 %	35 %	2 %
Trial	100	86	73	13	14	13	1
Jury	100	90	76	14	10	10	1
Bench	100	84	71	13	16	16	0
Guilty plea	100	62	38	24	38	36	3
<b>Convicted of multiple offenses</b>							
Total	100 %	71 %	55 %	17 %	29 %	27 %	1 %
Trial	100	91	85	6	9	8	1
Jury	100	94	89	5	6	5	1
Bench	100	84	78	6	16	15	1
Guilty plea	100	70	52	18	30	29	2

Note: See note on tables 1.2 and 1.6.  
Detail may not sum to total because of rounding.



## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 4.9. Time between arrest and conviction for felony cases in State courts, by type of conviction, 1998**

Most serious conviction offense	Time between arrest and conviction			
	Median number of days	Cumulative percent of felons convicted within:		
		1 month	6 months	1 year
<b>Total</b>				
<b>All offenses</b>	130 days	16 %	67 %	89 %
<b>Violent offenses</b>	160 days	13 %	58 %	84 %
Murder /a	340	5	21	51
Sexual assault /b	179	9	51	82
Robbery	150	14	60	87
Aggravated assault	154	14	62	87
Other violent /c	132	14	69	91
<b>Property offenses</b>	123 days	14 %	70 %	90 %
Burglary	124	15	70	91
Larceny /d	122	15	71	91
Fraud /e	122	10	68	89
<b>Drug offenses</b>	125 days	20 %	69 %	89 %
Possession	113	26	71	89
Trafficking	129	16	68	89
<b>Weapon offenses</b>	142 days	15 %	67 %	88 %
<b>Other offenses /f</b>	123 days	15 %	68 %	89 %
<b>Trial</b>				
<b>All offenses</b>	226 days	5 %	38 %	73 %
<b>Violent offenses</b>	262 days	5 %	32 %	67 %
Murder /a	373	4	16	47
Sexual assault /b	277	4	31	68
Robbery	232	3	36	75
Aggravated assault	222	6	39	72
Other violent /c	235	7	30	76
<b>Property offenses</b>	190 days	3 %	48 %	79 %
Burglary	206	4	42	76
Larceny /d	164	3	55	82
Fraud /e	216	3	42	79
<b>Drug offenses</b>	221 days	6 %	37 %	75 %
Possession	189	9	48	78
Trafficking	238	5	32	73
<b>Weapon offenses</b>	208 days	3 %	43 %	74 %
<b>Other offenses /f</b>	192 days	3 %	47 %	77 %

**Table 4.9. Time between arrest and conviction for felony cases in State courts, by type of conviction, 1998 (cont.)**

Most serious conviction offense	Time between arrest and conviction			
	Median number of days	Cumulative percent of felons convicted within:		
		1 month	6 months	1 year
<b>Guilty plea</b>				
<b>All offenses</b>	125 days	14 %	67 %	89 %
<b>Violent offenses</b>	148 days	13 %	59 %	86 %
Murder /a	308	9	31	57
Sexual assault /b	164	10	54	83
Robbery	139	15	61	88
Aggravated assault	147	12	60	86
Other violent /c	126	13	69	92
<b>Property offenses</b>	121 days	11 %	69 %	90 %
Burglary	122	11	69	91
Larceny /d	120	11	70	90
Fraud /e	120	10	70	90
<b>Drug offenses</b>	121 days	17 %	67 %	89 %
Possession	109	22	68	88
Trafficking	125	15	67	89
<b>Weapon offenses</b>	139 days	11 %	64 %	87 %
<b>Other offenses /f</b>	121 days	15 %	68 %	90 %

Note: This table is only based on an estimated 372,293 cases.

Many of these cases are concentrated in a relatively small number of counties.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

**State Court Sentencing of Convicted Felons, 1998 -- Statistical tables**

**Table 4.10. Time between conviction and sentencing for felony cases in State courts, by type of conviction, 1998**

Most serious conviction offense	Percent of felons sentenced within:			
	Total	0-1 day	2-60 days	61 days or more
<b>Total</b>				
<b>All offenses</b>	100 %	59 %	25 %	16 %
<b>Violent offenses</b>	100 %	54 %	28 %	18 %
Murder /a	100	43	29	28
Sexual assault /b	100	51	26	23
Robbery	100	48	30	21
Aggravated assault	100	57	28	14
Other violent /c	100	61	26	13
<b>Property offenses</b>	100 %	61 %	24 %	15 %
Burglary	100	63	23	14
Larceny /d	100	57	27	16
Fraud /e	100	64	21	15
<b>Drug offenses</b>	100 %	62 %	23 %	15 %
Possession	100	59	26	15
Trafficking	100	64	21	15
<b>Weapon offenses</b>	100 %	60 %	26 %	14 %
<b>Other offenses /f</b>	100 %	55 %	29 %	17 %
<b>Trial</b>				
<b>All offenses</b>	100 %	41 %	32 %	27 %
<b>Violent offenses</b>	100 %	36 %	33 %	32 %
Murder /a	100	38	34	29
Sexual assault /b	100	39	27	34
Robbery	100	28	38	34
Aggravated assault	100	37	34	29
Other violent /c	100	39	20	42
<b>Property offenses</b>	100 %	48 %	28 %	24 %
Burglary	100	45	33	22
Larceny /d	100	44	30	26
Fraud /e	100	58	21	21
<b>Drug offenses</b>	100 %	48 %	27 %	25 %
Possession	100	48	24	28
Trafficking	100	48	29	23
<b>Weapon offenses</b>	100 %	34 %	37 %	28 %
<b>Other offenses /f</b>	100 %	34 %	41 %	26 %

**Table 4.10. Time between conviction and sentencing for felony cases in State courts, by type of conviction, 1998 (cont.)**

Most serious conviction offense	Percent of felons sentenced within:			
	Total	0-1 day	2-60 days	61 days or more
<b>Guilty plea</b>				
<b>All offenses</b>	100 %	57 %	26 %	17 %
<b>Violent offenses</b>	100 %	52 %	30 %	18 %
Murder /a	100	46	25	29
Sexual assault /b	100	52	28	20
Robbery	100	45	34	21
Aggravated assault	100	56	30	14
Other violent /c	100	58	27	15
<b>Property offenses</b>	100 %	59 %	25 %	16 %
Burglary	100	63	23	14
Larceny /d	100	54	28	18
Fraud /e	100	62	22	16
<b>Drug offenses</b>	100 %	59 %	24 %	17 %
Possession	100	52	28	20
Trafficking	100	63	22	15
<b>Weapon offenses</b>	100 %	57 %	27 %	17 %
<b>Other offenses /f</b>	100 %	53 %	30 %	17 %

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

This table is only based on an estimated 469,626 cases.

Many of these cases are concentrated in a relatively small number of counties.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

Table 4.11. Mean and median number of days between arrest and sentencing for felony cases disposed by State courts, 1998

Most serious conviction offense	Number of days between arrest and sentencing for cases disposed by --				
	Total	Trial			Guilty Plea
		Total	Jury	Bench	
<b>Mean</b>					
<b>All Offenses</b>	214 days	352 days	379 days	328 days	216 days
<b>Violent Offenses</b>	254 days	401 days	413 days	381 days	248 days
Murder /a	472	537	526	595	452
Sexual assault /b	289	396	398	398	277
Rape	294	400	391	423	290
Other sexual assault	285	389	409	342	270
Robbery	245	353	360	337	238
Aggravated assault	230	344	356	322	235
Other violent /c	192	377	401	343	202
<b>Property Offenses</b>	206 days	313 days	329 days	300 days	208 days
Burglary	195	324	327	324	197
Larceny /d	205	294	295	292	211
Motor vehicle theft	189	236	229	232	229
Fraud /e	219	331	388	291	215
<b>Drug Offenses</b>	203 days	327 days	351 days	324 days	210 days
Possession	200	309	307	322	216
Trafficking	205	336	363	324	206
<b>Weapon offenses</b>	211 days	323 days	356 days	300 days	220 days
<b>Other offenses /f</b>	208 days	319 days	340 days	287 days	213 days
<b>Median</b>					
<b>All Offenses</b>	149 days	278 days	300 days	256 days	153 days
<b>Violent Offenses</b>	189 days	320 days	333 days	290 days	184 days
Murder /a	399	469	463	578	379
Sexual assault /b	221	319	313	359	209
Rape	227	340	317	387	220
Other sexual assault	220	301	311	232	203
Robbery	187	283	298	258	179
Aggravated assault	172	265	276	256	173
Other violent /c	147	277	316	271	161
<b>Property Offenses</b>	144 days	245 days	263 days	222 days	148 days
Burglary	137	249	253	223	144
Larceny /d	141	229	259	214	148
Motor vehicle theft	122	224	140	229	143
Fraud /e	155	268	280	248	152
<b>Drug Offenses</b>	136 days	264 days	281 days	259 days	144 days
Possession	122	245	231	259	142
Trafficking	143	273	287	261	145
<b>Weapon offenses</b>	145 days	249 days	265 days	249 days	152 days
<b>Other offenses /f</b>	145 days	250 days	276 days	227 days	152 days

Note: The grand total includes all cases, whether or not conviction type was known. Data by conviction type are based on an estimated 356,822 cases. "379" days between arrest and sentencing for jury trials is based on data from 125 counties; 328" days for bench trials, 42 counties; and "216" days for guilty pleas, 167 counties.  
a/ Includes nonnegligent manslaughter.  
b/ Includes rape.  
c/ Includes offenses such as negligent manslaughter and kidnaping.  
d/ Includes motor vehicle theft.  
e/ Includes forgery and embezzlement.  
f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.