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Felony Sentences in State Courts, 2000

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In 2000 State courts convicted almost 925,000 adults of a felony. Forty percent of convicted felons were sentenced to a State prison, and 28% were sentenced to a local jail (usually for a year or less). The remaining 32% were sentenced to probation. These findings come from a survey conducted every 2 years and is the Nation's sole source of statistical information on the sentences felons receive in State courts nationwide.

National Judicial Reporting Program

The "National Judicial Reporting Program" (NJRP) compiles detailed information on the sentences and characteristics of convicted felons. Previous national surveys of felony sentencing in State courts have been conducted every two years since 1986.¹

¹See *Felony Sentences in State Courts, 1986*, NCJ 115210, February 1989; *Felony Sentences in State Courts, 1988*, NCJ 126923, December 1990; *Felony Sentences in State Courts, 1990*, NCJ 140186, March 1993; *Felony Sentences in State Courts, 1992*, NCJ 151167, January 1995; *Felony Sentences in State Courts, 1994*, NCJ 163391, January 1997; *Felony Sentences in State Courts, 1996*, NCJ 173939, May 1999; *Felony Sentences in State Courts, 1998*, NCJ 190103, October 2001.

Highlights

- In 2000 State courts convicted an estimated 924,700 adults of a felony. Federal courts convicted 59,123, bringing the combined U.S. total to 983,823. State courts accounted for 94% of the national total.
- Drug offenders were 34.6% of felons convicted in State courts in 2000. Property offenders made up 28.3%; violent offenders, 18.7%; and those convicted of weapon offenses and other nonviolent crimes made up the rest (18.4%).
- State courts sentenced 40% of convicted felons to a State prison, 28% to a local jail, and 32% to straight probation with no jail or prison time to serve.
- The average State court sentence to local jail was 6 months. The average probation sentence was 3 years and 2 months. A fine was imposed on 25% of convicted felons, restitution on 14%, community service on 5%, and treatment was ordered for 7%.
- The average sentence length to State prison has decreased since 1992 (6½ years versus 4½ years), but felons sentenced in 2000 were likely to serve more of that sentence before release (38% versus 55%).
- Guilty pleas accounted for 95% of felony convictions in State courts in 2000. Trial convictions accounted for the remaining 5%.
- Nationally, of the felons convicted in State courts in 2000, 54% were white, 44% were black, and 2% were other races. The median age of felons convicted in State courts in 2000 was 30.
- Females accounted for an increasing portion of felons convicted in State courts. In 1992, females were 13% of convicted felons; in 2000, 17%.
- The median time from arrest to State court sentencing in 2000 was about 5 months. An estimated 86% of convicted felons were sentenced within 1 year of arrest.

The 2000 survey was based on a sample of 344 counties (out of the Nation's approximately 3,100 counties) selected to be nationally representative. The 344 included the District of Columbia and at least 1 county from every State except, by chance, Delaware, Montana, and Wyoming. The 2000 survey excluded Federal courts and

those State or local courts that did not adjudicate adult felony cases.

According to the BJS Federal Justice Statistics Program, Federal courts convicted 59,123 persons of a felony in 2000 (see page 3).² That number represents 6% of the combined State and Federal total number of felony convictions during 2000.

319,700 (34.6%) for drug offenses; and 28,200 (3.1%) for weapon offenses (table 1). The remaining 141,600 (15.3%) consisted of persons convicted of nonviolent offenses such as receiving stolen property and escaping custody. Marijuana trafficking convictions were 2.7% of the conviction total, and marijuana possession convictions were 3.7% of the total.

Table 1. Estimated number of felony convictions in State courts, 2000

Most serious conviction offense	Felony convictions in State courts	
	Number	Percent
All offenses	924,700	100%
Violent offenses	173,200	18.7%
Murder	8,600	0.9
Murder	6,400	0.7
Manslaughter ^a	2,100	0.2
Sexual assault ^b	31,500	3.4
Rape	10,600	1.1
Other sexual assault	20,900	2.3
Robbery	36,800	4.0
Armed	10,400	1.1
Unarmed	11,000	1.2
Unspecified	15,300	1.7
Aggravated assault	79,400	8.6
Other violent ^c	17,000	1.8
Property offenses	262,000	28.3%
Burglary	79,300	8.6
Residential	10,900	1.2
Nonresidential	16,300	1.8
Unspecified	52,100	5.6
Larceny	100,000	10.8
Motor vehicle theft	11,900	1.3
Other theft ^d	88,100	9.5
Fraud	82,700	8.9
Fraud ^e	40,500	4.4
Forgery	42,200	4.6
Drug offenses	319,700	34.6%
Possession	116,300	12.6
Trafficking	203,400	22.0
Marijuana	25,300	2.7
Other	54,400	5.9
Unspecified	123,700	13.4
Weapon offenses	28,200	3.1%
Other offenses^f	141,600	15.3%

Note: Detail may not sum to total because of rounding. This table is based on an estimated 924,700 cases.

^aDefined 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.

^bIncludes rape.

^cIncludes offenses such as negligent manslaughter and kidnaping.

^dWhen vehicle theft could not be distinguished from other theft, the case was coded as "other theft." This results in a conservative estimate of vehicle thefts.

^eIncludes embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

The 2000 survey included only offenses that State penal codes defined as felonies. Felonies are widely defined as crimes with the potential of being punished by more than 1 year in prison.

Felony conviction offenses

An estimated 924,700 persons were convicted of a felony in State courts in 2000, including 173,200 (or 18.7% of the total) for a violent felony; 262,000 (28.3%) for property offenses of burglary, larceny, fraud, and forgery;

²By comparison, the State court in 1 county, Los Angeles, accounted for about 41,000 felony convictions in 2000.

Sentences for felonies

In 2000, 68% of all convicted felons were sentenced to a period of confinement — 40% to State prisons and 28% to local jails (table 2). Jail sentences are for short-term confinement (usually for a year or less) in a county or city facility, while prison sentences are for long-term confinement (usually for over a year) in a State facility. An estimated 32% of all convicted felons were sentenced to probation with no jail or prison time to serve.

Table 2. Distribution of types of felony sentences imposed by State courts, by offense, 2000

Most serious conviction offense	Total	Percent of felons sentenced to —			Probation
		Total	Prison	Jail	
All offenses	100%	68%	40%	28%	32%
Violent offenses	100%	78%	54%	24%	22%
Murder ^a	100	95	93	2	5
Sexual assault ^b	100	84	64	20	16
Rape	100	90	70	20	10
Other sexual assault	100	80	60	20	20
Robbery	100	89	74	15	11
Aggravated assault	100	71	40	31	29
Other violent ^c	100	71	42	29	29
Property offenses	100%	64%	37%	27%	36%
Burglary	100	76	52	24	24
Larceny ^d	100	63	33	30	37
Motor vehicle theft	100	73	41	32	27
Fraud ^e	100	54	29	25	46
Drug offenses	100%	67%	38%	29%	33%
Possession	100	64	33	31	36
Trafficking	100	69	41	28	31
Weapon offenses	100%	70%	41%	29%	30%
Other offenses^f	100%	66%	32%	34%	34%

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 919,387 cases.

^aIncludes nonnegligent manslaughter.

^bIncludes rape.

^cIncludes offenses such as negligent manslaughter and kidnaping.

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

Sentence length

An offender convicted of multiple offenses receives a sentence for each offense. If multiple prison sentences are imposed, the court then decides whether the convicted felon will serve the sentences concurrently (at the same time) or consecutively (one after another). For persons with consecutive sentences, the total time is the sum of

the sentence lengths, and for persons with concurrent sentences, the total time is the same as the longest sentence. For persons convicted of a single offense, the total time refers simply to the sentence for that offense. Whenever an offender received a prison sentence range, such as 5 to 10 years, the total time refers to the maximum.

For the Nation in 2000, the mean felony sentence to incarceration (prison or jail) was 3 years; the median was 1 year and 4 months (table 3).

State prison sentences

In 2000 the mean length of sentences to State prison was almost 4 years and 7 months; the median term was 3 years. The mean prison sentence for

Comparison of felony convictions in State and Federal courts, 2000

Most serious conviction offense	Felony convictions			Federal felony convictions as percent of total	Percent of felons sentenced to incarceration (prison or jail) —		Mean maximum sentence length (in months) for felons sentenced to incarceration (prison or jail) —	
	Total	State	Federal		State	Federal	State	Federal
All offenses	983,823	924,700	59,123	6.0%	68%	83%	36 mo	58 mo
Violent offenses	175,756	173,200	2,556	1.5%	78%	92%	66 mo	86 mo
Murder	8,883	8,600	283	3.2	95	88	242	94
Sexual assault	31,811	31,500	311	1.0	84	89	87	85
Rape	10,686	10,600	86	0.8	90	92	110	134
Other sexual assault	21,125	20,900	225	1.1	80	88	73	65
Robbery	38,379	36,800	1,579	4.1	89	97	82	93
Aggravated assault	79,653	79,400	253	0.3	71	74	37	33
Other violent	17,130	17,000	130	0.8	71	86	33	77
Property offenses	273,986	262,000	11,986	4.4%	64%	59%	27 mo	23 mo
Burglary	79,357	79,300	57	0.1	76	79	39	33
Larceny	101,533	100,000	1,533	1.5	63	52	21	27
Motor vehicle theft	12,039	11,900	139	1.2	73	74	18	28
Other theft	89,494	88,100	1,394	1.6	61	49	21	27
Fraud	93,096	82,700	10,396	11.2	54	60	21	23
Fraud	49,594	40,500	9,094	18.3	50	61	20	23
Forgery	43,502	42,200	1,302	3.0	57	58	22	20
Drug offenses	343,906	319,700	24,206	7.0%	67%	92%	30 mo	76 mo
Possession	118,231	116,300	1,931	1.6	64	89	20	81
Trafficking	225,675	203,400	22,275	9.9	69	93	35	75
Weapon offenses	32,396	28,200	4,196	13.0%	70%	91%	25 mo	91 mo
Other offenses	157,779	141,600	16,179	10.3%	66%	83%	22 mo	33 mo

The vast majority of all felony convictions in the United States occur in State courts. Overall, Federal courts account for a relatively small number.

- In 2000 Federal courts convicted 59,123 persons of a violent, property, drug, or other felony. State courts convicted an estimated 924,700 bringing the combined U.S. total to 983,823 felons convicted. Federal courts accounted for 6% of the national total.

- Violent offenses comprised 4% of felony convictions in Federal courts but 19% of those in State courts.

- In 2000, 83% of felons convicted in Federal courts were sentenced to incarceration. The remaining 17% received probation. State courts sentenced 68% of felons to incarceration (prison or jail) and 32% to straight probation.

- The average Federal incarceration sentence was just under 5 years in 2000. By contrast, State incarceration sentences (prison or jail) had an average of 3 years.

- Federal drug offenders received incarceration terms that were about twice the length of drug offenders in State courts (6 years and 4 months versus 2 years and 6 months).

- In 2000 Federal offenders released from prison served an average of 91% of their prison term before release. Felons convicted in State courts served a significantly smaller proportion of their total incarceration sentence. For instance, State prisoners (not including felons sentenced to jail) served about 55% of their total prison sentence in 2000.

Source of Federal data: Federal statistics shown in the above table are from the same database that was used to create tables 5.1 and 5.2 of the BJS publication *Compendium of Federal Statistics, 2000* (NCJ 194067). Tables 5.1 and 5.2 figures differ from the above figures because of differences in how offenses were defined.

murder and nonnegligent manslaughter was nearly 20 years and 8 months; the median was 24 years and 3 months.

Life sentences are rare among convicted felons, whether measured as a percentage of all sentences (0.4%) or as a percentage just of prison

sentences (1%). However, among the 8,600 persons convicted of murder or nonnegligent manslaughter, 23.3% were sentenced to life in prison.

Table 3. Average felony sentence lengths in State courts, by offense and type of sentence, 2000

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to —			
	Incarceration			Probation
Mean	Total	Prison	Jail	Probation
All offenses	36 mo	55 mo	6 mo	38 mo
Violent offenses	66 mo	91 mo	7 mo	44 mo
Murder ^a	242	248	18	64
Sexual assault ^b	87	108	8	64
Rape	110	136	8	79
Other sexual assault	73	92	8	61
Robbery	82	94	11	52
Aggravated assault	37	59	6	40
Other violent ^c	33	50	7	36
Property offenses	27 mo	42 mo	6 mo	38 mo
Burglary	39	52	7	41
Larceny ^d	21	34	6	37
Motor vehicle theft	18	27	5	37
Fraud ^e	21	34	6	37
Drug offenses	30 mo	47 mo	6 mo	36 mo
Possession	20	34	5	33
Trafficking	35	52	7	39
Weapon offenses	25 mo	38 mo	7 mo	36 mo
Other offenses^f	22 mo	38 mo	6 mo	40 mo
Median				
All offenses	16 mo	36 mo	5 mo	36 mo
Violent offenses	36 mo	60 mo	6 mo	36 mo
Murder ^a	264	291	12	60
Sexual assault ^b	48	70	6	60
Rape	72	96	6	60
Other sexual assault	36	60	6	60
Robbery	60	61	10	48
Aggravated assault	16	36	5	36
Other violent ^c	16	34	5	36
Property offenses	12 mo	27 mo	5 mo	36 mo
Burglary	24	36	6	36
Larceny ^d	12	24	5	36
Motor vehicle theft	12	24	4	36
Fraud ^e	12	24	4	36
Drug offenses	12 mo	36 mo	5 mo	36 mo
Possession	10	24	3	24
Trafficking	18	36	6	36
Weapon offenses	16 mo	24 mo	6 mo	36 mo
Other offenses^f	12 mo	24 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 852,616 cases.

^aIncludes nonnegligent manslaughter.

^bIncludes rape.

^cIncludes offenses such as negligent manslaughter and kidnaping.

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

	Life sentences as a percent of —	
	All sentences ^a	All prison sentences
All offenses	.4%	1.0%
Murder ^b	23.3	25.5
Sexual assault	1.6	2.4
Rape	2.5	3.4
Other sexual assault	1.1	1.7
Robbery	.9	1.1
Aggravated assault	.3	.7
Other violent	.3	.7
Burglary	.1	.3
Larceny	--	.1
Motor vehicle theft	.1	.2
Fraud	--	.1
Drug possession	.2	.7
Drug trafficking	.1	.2
Weapons	.2	.4
Other	.1	.2

--Less than 0.05%.

^aIncludes sentences to probation and jail as well as prison.

^bIncludes nonnegligent manslaughter.

In 2000 about 2% of the 8,600 persons convicted of murder or nonnegligent manslaughter were sentenced to death. Not all 8,600 were subject to the death penalty. Twelve States did not authorize the death penalty in 2000. In the 38 States that did, only certain types of murder were capital offenses.

In summary, of the 8,600 persons convicted of murder or nonnegligent manslaughter in 2000, about 23% received a life sentence, 2% were sentenced to the death penalty, and the remaining 75% received a probation or an incarceration sentence expressed in days, months, or years.

Jail and probation sentences

Among felons who received a sentence to local jail in 2000, the mean sentence was just over 6 months, and the median was 5 months. Probation sentences had a mean length of about 3 years and 2 months and a median of 3 years (table 3).

Estimated State prison time to be served

The amount of time felons actually serve in prison is typically some fraction of the total sentence received. Two primary reasons explain the difference between sentences received and time served:

In States that impose indeterminate sentences, a judge specifies the minimum and/or maximum sentence length, but a parole board decides when the prisoner will actually be released. In 2000 about a quarter of prison releases were determined by a parole board decision.

In most but not all States, prisoners gain early release through time credits that they receive automatically or that are granted to them for good behavior or special achievements — provisions that are intended to help correctional officials manage institutional populations.

For both types of sentence reduction, released offenders usually serve the remaining portion of their sentences under supervision in the community.

Table 4. Estimated time to be served in State prison, by offense, 2000

Most serious conviction offense	Mean prison sentence	To be served in prison, estimated —	
		Percent of sentence ^a	Time ^b
All offenses	55 mo	55%	30 mo
Violent offenses	91 mo	62%	56 mo
Murder ^c	248	64	158
Sexual assault ^d	108	64	69
Rape	136	65	88
Other sexual assault	92	64	58
Robbery	94	58	55
Aggravated assault	59	64	38
Other violent ^e	50	61	31
Property offenses	42 mo	56%	23 mo
Burglary	52	55	29
Larceny ^f	34	59	20
Motor vehicle theft	27	63	17
Fraud ^g	34	51	17
Drug offenses	47 mo	49%	23 mo
Possession	34	49	17
Trafficking	52	49	26
Weapon offenses	38 mo	67%	25 mo
Other offenses^h	38 mo	53%	20 mo

^aPercentages are based on data from 219,044 persons released from State prisons in 2000 (National Corrections Reporting Program, 2000 tables 2-8 and 2-12). These percentages included credited jail time.

^bDerived by multiplying the percentage of sentence to be served by the mean sentence imposed.

^cIncludes nonnegligent manslaughter.

^dIncludes rape.

^eIncludes offenses such as negligent manslaughter and kidnapping.

^fIncludes motor vehicle theft.

^gIncludes forgery and embezzlement.

^hComposed of nonviolent offenses such as receiving stolen property and vandalism.

Felony convictions and sentences in State courts relative to the number of arrests, 2000

The number of State felony convictions in 2000 was compared to the number of crimes reported to police and the number of arrests made for these crimes in 2000. Comparisons are limited to crimes likely to be felonies.

These aggregate numbers should not be interpreted as tracking individual cases through the criminal justice system.

Nevertheless, the comparisons illustrate the approximate odds of conviction and a prison sentence, given an arrest for a felony.

For example, the FBI reports that in 2000 almost 12,000 adults were arrested for murder (including nonnegligent manslaughter). That year, 8,600 persons were convicted of murder, and 7,998

murderers received a prison sentence. For every 100 persons arrested for murder in 2000, 72 were convicted and 67 were sentenced to prison for that offense. Corresponding findings for drug traffickers were 78 convictions and 32 prison sentences for every 100 arrests.

Offense	Uniform Crime Reports ^a		Number of felony convictions ^b	For 100 arrests				
	Number of crimes reported to the police	Number of adults arrested		Number of felony sentences ^b		Number of felony convictions	Number of felony sentences	
				Incarceration	Prison		Incarceration	Prison
Murder ^c	15,517	11,997	8,600	8,170	7,998	72	68	67
Rape	90,186	22,964	10,600	9,540	7,420	46	42	32
Robbery	407,842	79,279	36,800	32,752	27,232	46	41	34
Aggravated assault	910,744	411,917	79,400	56,374	31,760	19	14	8
Burglary	2,049,946	194,195	79,300	60,268	41,236	41	31	21
Motor vehicle theft	1,165,559	97,384	11,900 ^d	8,687	4,879	12	9	5
Drug trafficking	...	261,402	203,400	140,346	83,394	78	54	32

Note: The offenses selected have the greatest comparability across reporting series and are widely defined across the States as felonies. The offense designations in convictions and sentences came from the most serious offense.

...Data are not available.

^aSource: *Crime in the United States, 2000* (FBI, 1999).

^bNumbers for felony convictions, incarcerations, and prison sentences were derived from tables 1 and 2 of this report.

^cIncludes nonnegligent manslaughter.

^dConservative estimate.

To calculate time to be served by felons sentenced in 2000, the fraction of their sentence they might reasonably be expected to serve was obtained from records of inmates released from prison in a recent year. Life sentences and death sentences were excluded because it is not possible to specify the percentage served. The percentage of the sentence that released inmates had served was applied to felons sentenced to prison in 2000.

Based on data collected by BJS in its "National Corrections Reporting Program," inmates released from prisons in 2000 had served an average of 55% of their total sentence in prison (table 4). The percentage of sentence served ranged from 67% for those convicted of weapon offenses to a low of 49% for those convicted of a drug offense.

Applying these percentages to State prison sentences received in 2000, it is estimated that felons sentenced in

2000 would serve about 2½ years, or 55% of their average 4½ year prison sentence.

Since life sentences and death are rare for most types of crimes, this method gives reasonably sound estimates of time to be served for most offenses (assuming, among other things, that prison release policies applicable to persons sentenced in 2000 are not markedly different from those governing recent releases). However, life sentences and death are not rare for murder, though they are rare for nonnegligent manslaughter. Consequently, time to be served shown for "murder and nonnegligent manslaughter" perhaps substantially underestimates the amount of time all persons convicted of these offenses are likely to serve since the time only applies to persons not receiving a life or death sentence.

Convicted felon populations: Sex, race, and age

In 2000 men comprised 48% of adults (age 18 or older) in the U.S. population but 83% of persons convicted of a felony and 90% of persons convicted of a violent felony (table 5). Whites were 79% of the adult U.S. population but 54% of persons convicted of a felony and 53% of the persons convicted of a violent felony. Corresponding figures for blacks were 12% of the adult U.S. population but 44% of convicted felons and 44% of felons convicted of a violent crime. The other races (American Indians, Alaska Natives, Asians, and Pacific Islanders) represented 9% of the U.S. population but 2% of convicted felons and 3% of those convicted of a violent crime.

Persons in their twenties represented about 18% of the adult U.S. population but 39% of convicted felons. The mean age of felons was 32 years; the median was 30.

Table 5. Demographic characteristics of persons convicted of felonies by State courts, by offense, 2000

Most serious conviction offense	Percent of convicted felons												Mean	Median
	Total	Sex		Race			Age at sentencing							
		Male	Female	White	Black	Other	Under 20	20-29	30-39	40-49	50-59	60+		
All offenses	100%	83%	17%	54%	44%	2%	8%	39%	30%	18%	4%	1%	32 yr	30 yr
Violent offenses	100%	90%	10%	53%	44%	3%	10%	42%	27%	15%	4%	2%	31 yr	29 yr
Murder ^a	100	91	9	43	54	3	9	49	23	13	4	2	30	27
Sexual assault ^b	100	98	2	68	28	4	7	35	29	18	7	4	34	32
Rape	100	98	2	64	35	1	8	34	30	17	7	4	34	32
Other sexual assault	100	98	2	70	25	5	7	35	29	18	7	4	34	32
Robbery	100	93	7	35	64	1	21	50	20	8	1	--	26	23
Aggravated assault	100	86	14	55	42	3	8	41	29	16	5	1	32	30
Other violent ^c	100	89	11	67	31	2	7	37	31	19	5	1	33	32
Property offenses	100%	75%	25%	59%	39%	2%	9%	40%	30%	17%	3%	1%	31 yr	30 yr
Burglary	100	92	8	62	36	2	17	43	25	13	2	--	28	26
Larceny ^d	100	75	25	58	40	2	8	38	31	18	4	1	32	31
Motor vehicle theft	100	90	10	63	32	5	13	48	27	10	2	--	28	26
Fraud ^e	100	59	41	58	40	2	3	39	35	18	4	1	33	32
Drug offenses	100%	83%	17%	46%	53%	1%	6%	40%	30%	19%	4%	1%	32 yr	31 yr
Possession	100	81	19	49	50	1	4	34	33	23	5	1	33	33
Trafficking	100	84	16	44	55	1	6	43	28	18	4	1	31	30
Weapon offenses	100%	95%	5%	44%	54%	2%	10%	47%	23%	14%	4%	2%	31 yr	28 yr
Other offenses^f	100%	88%	12%	66%	32%	2%	6%	34%	33%	20%	6%	1%	33 yr	33 yr

Note: Data on sex were available for 712,835 cases; on race, 618,843; and on age, 765,902. --Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes rape.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

Number of felony conviction offenses

At time of sentencing, almost three-quarters of felons sentenced in 2000 were sentenced for a single felony offense (table 6). An estimated 16% were sentenced for two felony offenses, and the remaining 10% were sentenced for three or more. The number of offenses totaled about 1.3 million felony conviction offenses for which 924,700 felons were convicted and sentenced in 2000.³

The greater the number of felony conviction offenses, the more severe was the sentence. The likelihood of a State prison sentence rose from 38% for those convicted of one felony to 44% for two felonies and 50% for three or more (table 7). The mean

³The 1.3 million figure pertains to current, not past, convictions.

sentence to State prison also increased from about 4 years for those convicted of one felony to 5 years and 9 months for those convicted of two or more (table 8).

Method of conviction

Of the estimated 924,700 convicted felons, the vast majority — about 879,200, representing 95% of those sentenced for a felony in 2000 — pleaded guilty. The rest were found guilty either by a jury or by a judge in a bench trial (tables 9 and 10). Persons convicted of murder were the least likely to have pleaded guilty (58%) and the most likely to have been convicted by a jury (38%). In 2000 violent crime accounted for most jury trials. Of all jury trial felony convictions in 2000, 52% (15,300 cases) were for violent crime; 48% (14,000 cases) were for nonviolent crime. Juries convicted

3,200 persons of murder in 2000, and 4,700 of aggravated assault.

Murderers convicted by a jury were the most likely to have received a life sentence (43%) or the death penalty (4%). Most of these murders were not subject to the death penalty.

Type of conviction	Type of sentence for murder or nonnegligent manslaughter			
	Total	Life	Death	Other*
Total	100%	23%	2%	75%
Trial	100	41	4	55
Jury	100	43	4	53
Bench	100	20	1	79
Guilty plea	100	15	1	84

*Includes a probation or an incarceration sentence expressed in days, months, or years.

Juries accounted for an estimated 61% of life and death sentences for murder or nonnegligent manslaughter in 2000 (not in table).⁴

⁴Juries seldom impose a sentence. With rare exception, sentencing in a jury trial is the responsibility of the judge.

Table 6. Distribution of the number of felony conviction offenses for persons sentenced in State courts, by most serious offense, 2000

Most serious conviction offense	Percent of convicted felons with —			
	Total	One felony conviction	Two felony convictions	Three or more felony convictions
All offenses	100%	74%	16%	10%
Violent offenses	100%	68%	18%	14%
Murder ^a	100	59	22	19
Sexual assault ^b	100	67	19	14
Robbery	100	67	17	16
Aggravated	100	68	18	14
Other violent ^c	100	77	14	9
Property offenses	100%	70%	17%	13%
Burglary	100	62	21	17
Larceny ^d	100	82	12	6
Fraud ^e	100	65	18	17
Drug offenses	100%	75%	16%	9%
Possession	100	83	12	5
Trafficking	100	72	17	11
Weapon offenses	100%	76%	16%	8%
Other offenses^f	100%	86%	11%	3%

Note: This table is based on an estimated 924,743 cases. The number of convictions pertains to current, not past, convictions.

^aIncludes nonnegligent manslaughter.

^bIncludes rape.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 7. Convicted felons sentenced to prison by State courts, by number of conviction offenses, 2000

Most serious conviction offense	Percent of felons sentenced to prison following —		
	One felony conviction	Two felony convictions	Three or more felony convictions
All offenses	38%	44%	50%
Violent offenses	50%	61%	66%
Murder ^a	92	95	96
Sexual assault ^b	58	73	77
Robbery	70	81	82
Aggravated assault	37	45	52
Other violent ^c	40	50	47
Property offenses	35%	40%	46%
Burglary	50	52	59
Larceny ^d	31	37	41
Fraud ^e	27	29	35
Drug offenses	38%	38%	41%
Possession	34	31	32
Trafficking	41	41	44
Weapon offenses	39%	48%	42%
Other offenses^f	31%	35%	43%

Note: See note on table 2. This table is based on an estimated 919,387 cases. The number of convictions pertains to current, not past, convictions.

^aIncludes nonnegligent manslaughter.

^bIncludes rape.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 8. Mean sentence lengths for State felony sentences imposed, by the number and category of the conviction offense, 2000

Most serious conviction offense	Mean maximum sentence length (in months) for felons sentenced to —			
	Incarceration			Probation
	Total	Prison	Jail	
One conviction offense				
All offenses	31 mo	49 mo	6 mo	38 mo
Violent offenses	56 mo	79 mo	7 mo	43 mo
Murder ^a	219	226	21	60
Sexual assault ^b	67	86	9	59
Robbery	71	83	11	53
Aggravated assault	33	55	6	38
Other violent ^c	30	46	7	36
Property offenses	25 mo	38 mo	6 mo	37 mo
Burglary	37	50	8	41
Larceny ^d	19	31	6	36
Fraud ^e	19	30	6	36
Drug offenses	28 mo	44 mo	6 mo	36 mo
Possession	20	33	4	32
Trafficking	34	50	7	39
Weapon offenses	24 mo	35 mo	7 mo	35 mo
Other offenses^f	21 mo	37 mo	6 mo	40 mo
Two or more conviction offenses				
All offenses	46 mo	69 mo	6 mo	40 mo
Violent offenses	86 mo	111 mo	7 mo	49 mo
Murder ^a	277	282	10	74
Sexual assault ^b	123	144	8	82
Robbery	103	114	11	49
Aggravated assault	44	66	6	44
Other violent ^c	42	62	7	36
Property offenses	33 mo	49 mo	6 mo	40 mo
Burglary	42	56	6	41
Larceny ^d	28	44	6	39
Fraud ^e	24	39	5	39
Drug offenses	33 mo	53 mo	6 mo	37 mo
Possession	22	38	5	36
Trafficking	37	57	6	38
Weapon offenses	30 mo	46 mo	6 mo	38 mo
Other offenses^f	27 mo	42 mo	6 mo	43 mo

Note: See notes on tables 2 and 3. This table is based on an estimated 852,616 cases. The number of convictions pertains to current, not past, convictions.

^aIncludes nonnegligent manslaughter.

^bIncludes rape.

^cIncludes offenses such as negligent manslaughter and kidnaping.

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

Case processing time

The median time from arrest to State court sentencing in 2000 was about 5 months (table 11). In 2000, 9% of all convicted felons in State courts were sentenced within the first 30 days following their arrest, and 58% of felons were sentenced within 6 months. An estimated 86% of convicted felons were sentenced within 1 year of arrest.

On average, murder cases took the most time to process in 2000. Half of all felons convicted of murder in State courts were sentenced more than a year after their arrest.

Table 9. Estimated number of felony convictions in State courts, by offense and type of conviction, 2000

Most serious conviction offense	Estimated number of felons convicted by —				
	Total	Trial			Guilty plea
Total		Jury	Bench		
All offenses	924,700	45,700	29,300	16,400	879,200
Violent offenses	173,200	19,700	15,300	4,400	153,500
Murder ^a	8,600	3,600	3,200	400	5,000
Sexual assault ^b	31,500	3,700	3,100	600	27,800
Rape	10,600	2,100	1,700	400	8,600
Other sexual assault	20,900	1,700	1,400	300	19,300
Robbery	36,800	4,100	3,100	1,100	32,700
Aggravated assault	79,400	6,800	4,700	2,100	72,600
Other violent ^c	17,000	1,500	1,200	300	15,500
Property offenses	262,000	7,000	3,700	3,300	255,000
Burglary	79,300	2,800	1,800	1,000	76,500
Larceny ^d	100,000	2,600	1,300	1,300	97,400
Motor vehicle theft	11,900	300	200	100	11,700
Fraud ^e	82,700	1,700	700	1,100	81,100
Drug offenses	319,700	12,000	6,300	5,800	307,400
Possession	116,300	3,300	1,400	1,900	112,700
Trafficking	203,400	8,700	4,800	3,900	194,700
Weapon offenses	28,200	2,100	1,000	1,100	26,100
Other offenses^f	141,600	4,800	3,000	1,800	137,200

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

This table is based on an estimated 558,871 cases. However, figures are adjusted for cases missing a designation of conviction type.

^aIncludes nonnegligent manslaughter.

^bIncludes rape.

^cIncludes offenses such as negligent manslaughter and kidnaping.

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

Additional penalties

Besides being sentenced to incarceration or probation, 39% or more of convicted felons also were ordered to pay a fine, pay victim restitution, receive treatment, perform community service, or comply with some other additional penalty (for example, undergo house arrest or appear periodically for drug testing). A fine was imposed on at least 25% of convicted felons (table 12).

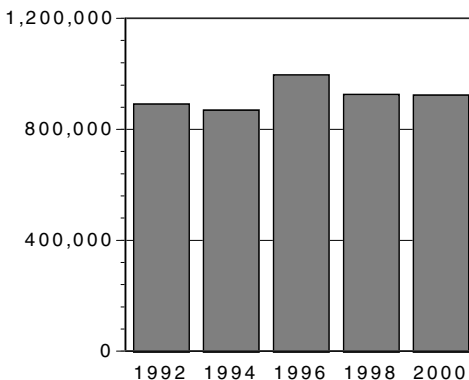
Estimates of the percentages of felons receiving other penalties are 14% restitution, 7% some form of treatment, and 5% community service. (See note on table 12.)

Trends in the United States: 1992 to 2000

Number of convictions increasing

State courts convicted an estimated 924,700 adults of a felony in 2000. That total is about 3% greater than the number convicted in 1992.

Number of felony convictions in State courts



	Estimated number of felony convictions
1992	893,600
1994	872,200
1996	998,000
1998	927,700
2000	924,700

Increasing likelihood of arrest leading to conviction

The likelihood of a felony arrest leading to a felony conviction is approximated by dividing the number of adult felony convictions in a year by the number of adult felony arrests that year. In 2000, for example, robbery convictions totaled 36,800, and robbery arrests totaled 79,279, indicating about a 46% likelihood of conviction for robbery.

Table 10. Distribution of types of felony convictions in State courts, by offense, 2000

Most serious conviction offense	Percent of felons convicted by —				Guilty plea
	Total	Trial			
		Total	Jury	Bench	
All offenses	100%	5%	3%	2%	95%
Violent offenses	100%	11%	9%	2%	89%
Murder ^a	100	42	38	4	58
Sexual assault ^b	100	12	10	2	88
Rape	100	19	16	3	81
Other sexual assault	100	8	7	1	92
Robbery	100	11	8	3	89
Aggravated assault	100	9	6	3	91
Other violent ^c	100	9	7	2	91
Property offenses	100%	3%	2%	1%	97%
Burglary	100	3	2	1	97
Larceny ^d	100	3	2	1	97
Motor vehicle theft	100	2	1	1	98
Fraud ^e	100	2	1	1	98
Drug offenses	100%	4%	2%	2%	96%
Possession	100	3	1	2	97
Trafficking	100	4	2	2	96
Weapon offenses	100%	7%	3%	4%	93%
Other offenses^f	100%	3%	2%	1%	97%

Note: This table is based on an estimated 558,871 cases. However, figures are adjusted for cases missing a designation of conviction type.

^aIncludes nonnegligent manslaughter.

^bIncludes rape.

^cIncludes offenses such as negligent manslaughter and kidnaping.

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 11. Time between arrest and sentencing for persons convicted of a felony in State courts, by offense, 2000

Most serious conviction offense	Median time (in days)	Following arrest, cumulative percent sentenced within —				
		1 week	1 month	3 months	6 months	1 year
All offenses	153	2%	9%	30%	58%	86%
Violent offenses	186	1%	5%	22%	48%	81%
Murder ^a	369	--	1	3	13	50
Sexual assault ^b	220	1	2	13	39	79
Rape	219	1	3	14	41	78
Other sexual assault						
assault	220	1	2	12	37	79
Robbery	197	1	4	19	46	82
Aggravated assault	163	2	8	27	55	84
Other violent ^c	155	2	6	27	57	85
Property offenses	142	2%	9%	31%	62%	88%
Burglary	145	1	9	30	61	87
Larceny ^d	134	2	11	35	64	88
Motor vehicle theft	90	3	16	50	78	93
Fraud ^e	153	2	7	27	59	88
Drug offenses	145	2%	11%	34%	59%	86%
Possession	118	4	18	42	65	89
Trafficking	158	1	8	30	56	85
Weapon offenses	151	1%	9%	31%	58%	86%
Other offenses^f	153	2%	8%	28%	58%	88%

Note: This table is based on an estimated 434,047 cases.

--Less than 0.5%.

^aIncludes nonnegligent manslaughter.

^bIncludes rape.

^cIncludes offenses such as negligent manslaughter and kidnaping.

^dIncludes motor vehicle theft.

^eIncludes forgery and embezzlement.

^fComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 12. Felons sentenced to an additional penalty by State courts, by offense, 2000

Most serious conviction offense	Percent of felons with an additional penalty of —				
	Fine	Restitution	Treatment ^a	Community service	Other
All offenses	25%	14%	7%	5%	7%
Violent offenses	20%	13%	7%	4%	7%
Murder ^b	9	11	3	1	3
Sexual assault ^c	19	11	9	3	8
Rape	14	10	8	2	8
Other sexual assault	22	11	9	4	8
Robbery	13	13	3	3	4
Aggravated assault	22	13	8	6	10
Other violent ^d	36	15	6	5	4
Property offenses	24%	26%	7%	6%	7%
Burglary	21	24	6	5	6
Larceny ^e	24	25	6	7	9
Motor vehicle theft	19	27	5	5	19
Fraud ^f	27	31	8	6	7
Drug offenses	27%	6%	7%	6%	7%
Possession	20	4	12	7	12
Trafficking	31	6	5	5	4
Weapon offenses	19%	6%	4%	5%	8%
Other offenses^g	27%	10%	7%	6%	9%

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 an estimated 924,743 cases.

^aIncludes any type of counseling, rehabilitation, treatment, or mental hospital confinement.

^bIncludes nonnegligent manslaughter.

^cIncludes rape.

^dIncludes offenses such as negligent manslaughter and kidnaping.

^eIncludes motor vehicle theft.

^fIncludes forgery and embezzlement.

^gComposed of nonviolent offenses such as receiving stolen property and vandalism.

Approximate likelihood of felony arrest leading to felony conviction

	1992	1996	2000
Murder	65%	71%	72%
Robbery	41	40	46
Aggravated assault	14	16	19
Burglary	41	41	41
Drug trafficking	55	66	78

Since 1992 the likelihood of an arrest leading to a conviction has generally risen.

Guilty pleas

In 1992 guilty pleas accounted for 92% of all felony convictions, and trials accounted for the remaining 8%. Corresponding figures for 2000 were 95% guilty pleas and 5% trials.

Aging of convicted felons

The average age of the American population is rising, a trend reflected in the changing average age of convicted felons. In 1992, persons age 30 or older comprised 76% of adults (age 18 and older) in the U.S. population and accounted for 45% of persons convicted; in 2000, persons age 30 or older comprised 78% of adults in the U.S. population and accounted for 53% of persons convicted. The median age of convicted felons was 28 years in 1992 but 30 years in 2000.

Changing racial composition of convicted felons

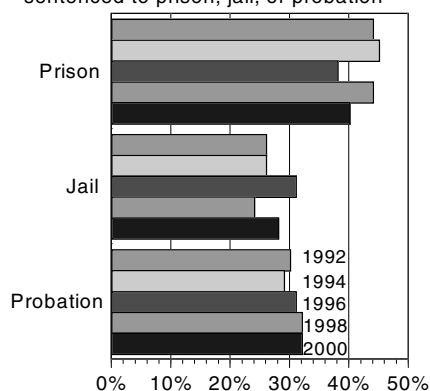
Blacks, American Indians, Alaska Natives, Asians, and Pacific Islanders comprise a growing fraction of the U.S. population but a decreasing percentage of convicted felons. In 1992, the races other than whites were 14% of persons age 18 or older and 48% of persons convicted of a felony. In 2000 those same racial groups accounted for 21% of U.S. adults and 46% of those convicted.

Prison sentences less likely

The percentage of felons receiving a State prison sentence in 1992 was 44%. In 2000 the percentage receiving prison sentences dropped to 40%. The drop in prison sentences was accompanied by an increase in the percentage receiving jail and probation.

Of all felony offenses, drug trafficking had one of the largest decreases in the percentage sentenced to prison between 1992 and 2000 (from 48% in 1992 to 41% in 2000).

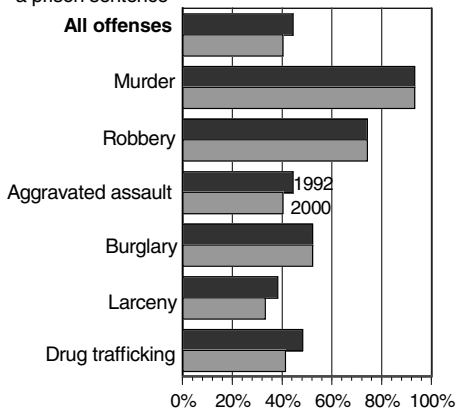
Percent of convicted felons sentenced to prison, jail, or probation



Percent of convicted felons sentenced to prison, jail, or probation

	1992	2000
Prison	44%	40%
Jail	26	28
Probation	30	32

Percent of convicted felons who received a prison sentence



Percent of convicted felons who received a prison sentence

	1992	1996	2000
All offenses	44%	38%	40%
Murder	93	92	93
Robbery	74	73	74
Aggravated assault	44	42	40
Burglary	52	45	52
Larceny	38	31	33
Drug trafficking	48	39	41

Shorter imposed prison sentences and a growing fraction of sentence served before release

Prior to being discharged, inmates released from State prison in 1992 had served, on average, a third of the sentence imposed on them by the court. In 2000 inmates were released after serving approximately half of their court-imposed sentence. While prisoners are serving a growing percentage of their court-imposed sentence, the average court-imposed sentence has been decreasing.

In 1992 the typical felon received a 6½ year sentence and (assuming a person sentenced in 1992 will serve the same fraction of his/her sentence as was typical among persons released in 1992) would serve 38% of that sentence before release, or 2½ years. By contrast, in 2000 the typical felon received a 4½ year sentence but (assuming a person sentenced in 2000 will serve the same fraction of his/her sentence as was typical among persons released in 2000) would serve 55% of that sentence before release, or 2½ years.

Average imposed prison sentence length (in months)

	1992	1996	2000
All offenses	79 mo	62 mo	55 mo
Murder	251	257	248
Robbery	117	101	94
Aggravated assault	87	69	59
Burglary	76	60	52
Larceny	53	40	34
Drug trafficking	72	55	52

Percent of imposed prison sentence actually served

	1992	1996	2000
All offenses	38%	45%	55%
Murder	44	50	64
Robbery	46	47	58
Aggravated assault	48	54	64
Burglary	35	42	55
Larceny	33	44	59
Drug trafficking	34	42	49

Estimated actual time to be served in prison (in months)

	1992	1996	2000
All offenses	30 mo	28 mo	30 mo
Murder	110	128	158
Robbery	54	48	55
Aggravated assault	42	38	38
Burglary	27	25	29
Larceny	17	17	20
Drug trafficking	24	23	26

Methodology

Sampling

The 2000 NJRP sample consisted of 429,471 persons convicted of a felony in State courts in 344 counties selected to be nationally representative. Of these convicted felons, 272,889 cases were in the 75 largest counties. Additional details on the sampling are in the BJS publication *Felony Sentences in State Courts, 1996* (NCJ 173939).

Sampling error

NJRP data were obtained from a sample and not from a complete enumeration; consequently, they 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 (the criterion used in this report), 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 3.6%. Standard errors for each table in the report are available on the Internet: <<http://www.ojp.usdoj.gov/bjs/abstract/fssc00.htm>>. Standard errors did not take into account missing data, which are sometimes substantial for certain tables.

Sources of data

State courts were the source of NJRP data for about 61% of the 344 counties sampled. For other counties, sources included statistical agencies, sentencing commissions, department of public safety, probation departments, state police departments, and department of corrections. Individual-level NJRP records were obtained either electronically (83% of the counties) or through manual data collection (17%).

Electronic methods of data submission included diskettes, magnetic tape, and Internet transmission. Manual methods included photocopies of official documents, survey questionnaires completed by court officials, and on-site collections by Census Bureau staff. All data were collected by the U.S. Census Bureau.

Targeted population

The survey targeted and recorded initial sentences imposed in 2000. 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. If a prison sentence was initially imposed but immediately suspended in its entirety, the case was coded as probation because that was the actual sentence.

Because the year of conviction was not a defining characteristic, some cases in the sample were of persons convicted before 2000 but not sentenced until 2000.

In 2 counties sampled from Florida, 10 counties from Minnesota, 21 from Pennsylvania, and 1 from Virginia it was impractical to target sentences in 2000. Cases sampled from these counties were all sentenced in 1999.

The 2000 conviction data that were submitted by four Illinois counties — McHenry, Rock Island, St. Clair, and Sangamon — were very different from prior years' NJRP data files as well as other court data sources. Consequently, the conviction data submitted by these counties for the 1998 NJRP survey were used in place of the 2000 data.

In 2000 Missouri was unable to provide data for seven counties in the sample (Andrew, Boone, Franklin, Jasper, Madison, Oregon, and St. Charles). These counties were replaced with seven others in the same respective strata (Lawrence and Bath Counties, Kentucky; Lafourche Parish, Louisiana; Cole County, Missouri; Lancaster County, Virginia; and Mercer and Northumberland Counties, Pennsylvania).

The second stage weights for two sampled counties from Florida — St. Lucie and Hillsborough — were adjusted to account for less than a full year of reporting.

Crime definitions

Crime definitions are in the BJS publication *Felony Sentences in State Courts, 1996* (NCJ 173939).

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

The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Lawrence A. Greenfeld is director.

BJS Bulletins present the first release of findings from permanent data collection programs. This Bulletin was written by Matthew R. Durose and Patrick A. Langan of BJS. Mark Motivans of BJS assisted with tabulating the Federal data. Erica Schmitt and Maureen Henneberg assisted with verification. Tina Dorsey edited the report; Jayne Robinson prepared it for final printing.

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