





Bureau of Justice Statistics

State Court Sentencing of Convicted Felons, 2002

Statistical Tables





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Statistical Tables

http://www.ojp.usdoj.gov/bjs/abstract/scsc02st.htm

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Methodology

Sampling

Using a stratified cluster sampling design, 300 counties were selected for the 2002 National Judicial Reporting Program (NJRP). While there were 3,141 counties or county equivalents in the Nation in 2002, 36 reported their NJRP data in combination with another county or county equivalent. This left 3,105 jurisdictions to be divided into 20 strata. Each county was assigned to one stratum by meeting the conditions for that stratum.

The largest 75 counties in the United States (as defined by the 2000 resident population) were separated from the 3,105 jurisdictions (see table). Each State was then assigned a "cost-factor" (1, 3, 5) which reflected the overall cost of collecting their 2000 NJRP data. Counties in States where data collection is not costly were assigned a "1." Counties in States where data collection is moderately costly were assigned a "3." Counties in States where data collection is costly were assigned a "5."

Counties in each "cost-factor" group were then separated into categories based on the size of their 2000 population. Among the Nation's largest 75 counties, those assigned a cost-factor 1 were separated into 2 strata (defined by year 2000 population size), cost-factor 3 counties remained in one stratum, and cost-factor 5 counties were separated into 2 strata (defined by year 2000 population size). Among counties that were not one of the Nation's largest 75, those assigned a cost-factor of 1 were separated into 5 strata (defined by year 2000 population size). Cost-factor 3 counties were separated into 4 strata (defined by year 2000 population size), and cost-factor 5 counties were separated into 5 strata (defined by year 2000 population size).

Because the 75 largest counties account for a disproportionately large

NJRP sa	mpling des	sign, 2002							
Stratum	Total number of counties in stratum	Defining characteristics of each county in this stratum in 2000	Approx- mate sampling rate	Number of counties sampled					
1 of 75 most populous counties in 2000									
0	11 Not in strate	1 in 1	11						
		Cost-factor of 1 - not sampled							
11 12	12 13	Population between 900,001 and 1,900,000 Population between 679,001 and 900,000	1 in 1 1 in 1	12 13					
31	15	Cost-factor of 3	nearly 1 in 1	13					
51 52	10 14	Cost-factor of 5 Population between 1,000,001 and 1,900,000 Population between 679,001 and 1,000,000 Rous counties in 2000	0 1 in 3 1 in 2	3 6					
NOT 1 OF 7	5 most popu	Cost-factor of 1							
111 112 113 114 115	193 168 309 231 497	Population between 97,001 and 679,000 Population between 54,001 and 97,000 Population between 25,001 and 54,000 Population between 16,001 and 25,000 Population between 1 and 16,000	1 in 1 1 in 8 1 in 11 1 in 23 1 in 33	106 20 26 10 15					
		Cost-factor of 3							
131 132 133 134	107 88 234 336	Population between 97,001 and 679,000 Population between 44,001 and 97,000 Population between 15,001 and 44,000 Population between 1 and 15,000	1 in 4 1 in 17 1 in 39 1 in 112	23 5 6 3					
151 152 153 154 155	81 146 220 140 280	Cost-factor of 5 Population between 160,001 and 679,000 Population between 64,001 and 160,000 Population between 31,001 and 64,000 Population between 18,001 and 31,000 Population between 1 and 18,000	1 in 7 1 in 18 1 in 44 1 in 70 1 in 140	11 8 5 2 2					

amount of serious crime in the Nation, they were given a greater chance of being selected than the remaining counties.

Altogether, 58 out of the 75 largest counties were sampled. All 36 counties in strata 0, 11, and 12 were selected for the sample. Strata 31, 51, and 52 consisted of the remaining 22 counties sampled from the largest 75 counties. Strata 111, 112, 113, 114, 115, 131, 132, 133, 134, 151, 152, 153, 154, and 155 included 242 counties sampled from among the 3,030 not among the 75 largest.

The final sample thus included 300 counties (58 out of the 75 largest counties, and 242 out of the remaining 3,030 counties). Case-level data were successfully obtained on 455,690 convicted felons sentenced in 2002 from these 300 counties. Of these.

314,477 cases were in the 75 largest counties.

The 36 sampled counties in strata 0, 11, and 12 were self-representing only, and their sampled cases therefore had a sampling weight of 1. The remaining strata were selected to represent their respective strata so that the sampled felony conviction cases had weights greater than 1.

Sampling error

National estimates of the number of convictions for individual crime categories and for the aggregate total had a coefficient of variation of 4.1%. Standard errors for some of the tables in this report are available on the Internet:http://www.ojp.usdoj.gov/bjs/abstract/fssc02.htm. Where this report compares 2002 NJRP figures to those from prior years' NJRP data, the

differences discussed were statistically significant at the .05 level.

Sources of data

State courts were the source of NJRP data for about 44% of the 300 counties sampled. For other counties, sources included prosecutors' offices, sentencing commissions, and statistical agencies.

For 299 of the 300 counties sampled, individual-level NJRP records were obtained electronically (from diskettes or the Internet). The one remaining county provided data through photocopies of official documents. All data were collected by the U.S. Census Bureau.

Targeted population

Since it was impractical to target sentences in 2002, cases sampled from 26 Pennsylvania counties, 1 Florida county, 8 Maryland counties, 15 Michigan counties, 12 Minnesota counties, 15 New Jersey counties, and 6 Oklahoma counties were sentenced in 2001; and cases sampled from 1 Ohio county were sentenced in 2003.

The 2002 NJRP data files obtained from Miami-Dade (FL) and Dallas (TX) showed far fewer felony convictions than shown by court data sources for these counties. To correct the number of felony cases from these counties in 2002, the data were adjusted upward. The 2002 conviction data from Lake County (FL) were adjusted to account for less than a full year of reporting.

Crime definitions

Find the definitions in Felony Sentences in State Courts, 1996 http:// www.ojp.usdoj.gov/bjs/abstract/ fssc96.htm>.

Related reading

Data used in this report were also used in the BJS publication Felony Sentences in State Courts, 2002 (NCJ 206916).

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

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Data collection and processing were performed by Victoria Campbell, Martha Greene, Monica Hill, Neil MacLean, and Patricia Torreyson under the supervision of Latrice Brogsdale-Davis of the Governments Division of the U.S. Census Bureau.

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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 archive is linked to the BJS website:

State Court Sentencing of Convicted Felons, 2002 — Statistical Tables

Methodology

Felony sentences in State courts, 2002

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Table 1.1. Estimated number of felony convictions in State courts, 2002

Most serious	Felony convictions	in State courts	
conviction offense	Number	Percent	
All offenses	1,051,000	100 %	
Violent offenses	197,030	18.8 %	
Murder	8,990	0.9	
Murder	6,430	0.6	
Manslaughter /a	2,560	0.2	
Sexual assault /b	35,500	3.4	
Rape	10,980	1.0	
Other sexual assault	24,520	2.3	
Robbery	38,430	3.7	
Armed	9,540	0.9	
Unarmed	10,030	1.0	
Unspecified	18,850	1.8	
Aggravated assault	95,600	9.1	
Other violent /c	18,510	1.8	
Property offenses	325,200	30.9 %	
Burglary	100,640	9.6	
Residential	12,990	1.2	
Nonresidential	21,470	2.0	
Unspecified	66,180	6.3	
Larceny /d	124,320	11.8	
Motor vehicle theft	18,530	1.8	
Other theft	105,790	10.1	
Fraud /e	100,240	9.5	
Fraud	47,610	4.5	
Forgery	52,630	5.0	
Drug offenses	340,330	32.4 %	
Possession	127,530	12.1	
Trafficking	212,810	20.2	
Marijuana	21,340	2.0	
Other	56,530	5.4	
Unspecified	134,940	12.8	
Weapon offenses	32,470	3.1 %	
Other offenses /f	155,970	14.8 %	

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

This table is based on an estimated 1,051,002 cases.

A small number of cases were classified as nonnegligent manslaughter when

it was unclear if the conviction offense was murder or nonnegligent manslaughter.

- c/ Includes offenses such as negligent manslaughter and kidnaping.
- d/ When 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.
- e/ Includes embezzlement.
- f/ Composed of nonviolent offenses such as receiving stolen property and vandalism.

a/ Defined as nonnegligent manslaughter only.

b/ Includes rape.

Other offenses /f

Table 1.2. Distribution of types of felony sentences imposed in State courts, by offense, 2002

100 %

Percent of felons sentenced to --Most serious Incarceration Prison Probation conviction offense Total Total Jail 31 % All offenses 100 % 69 % 41 % 28 % Violent offenses 100 % 77 % 52 % 25 % 23 % Murder /a 100 95 91 4 5 Sexual assault /b 100 82 23 18 59 Rape 100 89 67 22 11 78 23 22 Other sexual assault 100 55 Robbery 100 86 15 14 71 Aggravated assault 71 29 29 100 42 Other violent /c 100 77 42 35 23 **Property offenses** 100 % 66 % 38 % 28 % 34 % Burglary 100 72 46 26 28 Larceny /d 100 67 36 31 33 Motor vehicle theft 100 76 37 39 24 Fraud /e 100 59 31 28 41 **Drug offenses** 100 % 66 % 39 % 27 % 34 % Possession 100 62 28 38 34 Trafficking 100 68 42 26 32 Weapon offenses 28 % 27 % 100 % 73 % 45 %

70 %

35 %

35 %

30 %

Table 1.2. Distribution of types of felony sentences imposed in State courts, by offense, 2002 (cont.)

Estimated number of felons sentenced to --

Most serious			Incarceration		
conviction offense	Total	Total	Prison	Jail	Probation
All offenses	1,051,000	723,140	428,090	295,040	327,870
Violent offenses	197,030	152,100	103,490	48,620	44,930
Murder /a	8,990	8,520	8,200	310	470
Sexual assault /b	35,500	28,950	20,920	8,030	6,550
Rape	10,980	9,730	7,290	2,440	1,250
Other sexual assault	24,520	19,230	13,640	5,590	5,300
Robbery	38,430	32,990	27,120	5,870	5,430
Aggravated assault	95,600	67,460	39,530	27,930	28,140
Other violent /c	18,510	14,180	7,710	6,470	4,330
Property offenses	325,200	214,900	122,750	92,160	110,290
Burglary	100,640	72,890	47,000	25,890	27,740
Larceny /d	124,320	83,100	44,440	38,660	41,220
Motor vehicle theft	18,530	14,040	6,920	7,130	4,490
Fraud /e	100,240	58,910	31,300	27,610	41,330
Drug offenses	340,330	223,730	133,460	90,270	116,600
Possession	127,530	79,570	43,450	36,120	47,960
Trafficking	212,810	144,160	90,000	54,160	68,650
Weapon offenses	32,470	23,640	14,550	9,090	8,820
Other offenses /f	155,970	108,760	53,850	54,900	47,220

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. In this table "probation" is defined as straight probation. Felons receiving a sentence other than incarceration or probation are classified under "probation." Percentages in this table are based on an estimated 1,047,931 cases. However, estimated numbers are adjusted for cases missing a designation of sentence type. 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.

Table 1.3. Average felony sentence lengths in State courts, by offense and type of sentence, 2002

Mean maximum sentence length (in months) for felons sentenced to --

Most serious			Incarcerat	ion					
conviction offense	Total		Prison		Jail		Probat	on	
All offenses	36	mo	53	mo	7	mo	38	mo	
Violent offenses	62	mo	84	mo	8	mo	43	mo	
Murder /a	217		225		10		76		
Sexual assault /b	78		100		8		54		
Rape	104		132		9		65		
Other sexual assault	65		84		8		51		
Robbery	79		91		11		52		
Aggravated assault	37		54		7		39		
Other violent /c	33		51		8		37		
Property offenses	28	mo	41	mo	7	mo	37	mo	
Burglary	36		50		7		40		
Larceny /d	22		34		6		36		
Motor vehicle theft	18		30		6		33		
Fraud /e	24		38		6		36		
Drug offenses	32	mo	48	mo	6	mo	36	mo	
Possession	22		35		5		33		
Trafficking	38		55		7		39		
Weapon offenses	28	mo	38	mo	7	mo	35	mo	
Other offenses /f	23	mo	38	mo	6	mo	37	mo	

Table 1.3. Average felony sentence lengths in State courts, by offense and type of sentence, 2002 (cont.)

Median maximum sentence length (in months) for felons sentenced to --

Most serious			Incarcerat	ion			_	
conviction offense	Total		Prison		Jail		Probati	on
All offenses	19	mo	36	mo	6	mo	36	mo
Violent offenses	36	mo	51	mo	6	mo	36	mo
Murder /a	240		240		12		60	
Sexual assault /b	48		60		6		36	
Rape	60		96		7		60	
Other sexual assault	36		60		6		36	
Robbery	52		60		12		60	
Aggravated assault	24		36		6		36	
Other violent /c	16		30		6		36	
Property offenses	16	mo	28	mo	6	mo	36	mo
Burglary	24		36		6		36	
Larceny /d	13		24		6		36	
Motor vehicle theft	12		24		6		24	
Fraud /e	12		24		5		36	
Drug offenses	18	mo	36	mo	6	mo	36	mo
Possession	12		24		3		36	
Trafficking	24		36		6		36	
Weapon offenses	24	mo	24	mo	6	mo	30	mo
Other offenses /f	12	mo	27	mo	4	mo	36	mo

Note: See note on table 1.2.

Means exclude sentences to death or to life in prison.

This table is based on an estimated 945,167 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.

Table 1.4. Estimated percent of felons sentenced to life in State prison, by offense, 2002

Life sentences as a percent of --Most serious Αll All prison conviction offense sentences* sentences All offenses 0.5 % 1.1 % Murder 24.1 26.3 Sexual assault 1.9 3.1 Rape 3.8 5.5 Other sexual assault 1.1 1.8 Robbery 1.4 1.9 Aggravated assault 0.3 0.7 Other violent 0.3 0.6 Burglary 0.2 0.4 Larceny Motor vehicle theft 0.2 Fraud Drug possession 0.3 0.9 Drug trafficking 0.2 0.5 Weapon 0.1 0.3 Other

Note: See table 1.2 for estimated number of felony sentences.

^{*}Includes sentences to probation and jail as well as prison.

⁻⁻ Less than 0.05%

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Table 1.5. Estimated time to be served in State prison, by offense, 2002

		To be served in p	orison, estimated	
Most serious	Mean prison	Percent of		
conviction offense	sentence	sentence /a	Time /b	
All offenses	53 mo	51 %	27 mo	
Violent offenses	84 mo	62 %	52 mo	
Murder /c	225	63	142	
Sexual assault /d	100	64	64	
Rape	132	68	90	
Other sexual assault	84	62	52	
Robbery	91	58	53	
Aggravated assault	54	66	36	
Other violent /e	51	61	31	
Property offenses	41 mo	49 %	20 mo	
Burglary	50	49	24	
Larceny /f	34	52	18	
Motor vehicle theft	30	49	15	
Fraud /g	38	44	17	
Drug offenses	48 mo	43 %	20 mo	
Possession	35	40	14	
Trafficking	55	45	24	
Weapon offenses	38 mo	63 %	24 mo	
Other offenses /h	38 mo	50 %	19 mo	

a/ Percentages are based on data from 259,915 persons released

from State prisons in 2001 (National Corrections Reporting Program,

2001 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.

Table 1.6. Distribution of the number of felony convictions for persons sentenced in State courts, by most serious offense, 2002

		Percent of felons sentenced for							
			One		Two		Three or		
Most serious			felony		felony		more felony	/	
conviction offense	Total		conviction	n	convictions		convictions		
All offenses	100	%	72	%	18	%	10	%	
Violent offenses	100	%	64	%	22	%	14	%	
Murder /a	100		60		22		18		
Sexual assault /b	100		63		22		15		
Robbery	100		63		22		15		
Aggravated assault	100		64		23		13		
Other violent /c	100		74		18		8		
Property offenses	100	%	68	%	19	%	13	%	
Burglary	100		57		24		19		
Larceny /d	100		79		16		5		
Fraud /e	100		65		19		16		
Drug offenses	100	%	75	%	17	%	8	%	
Possession	100		81		13		6		
Trafficking	100		71		20		9		
Weapon offenses	100	%	73	%	18	%	9	%	
Other offenses /f	100	%	83	%	13	%	4	%	

Note: This table is based on an estimated 1,051,002 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.

Table 1.7. Convicted felons sentenced to prison in State courts, by number of convictions, 2002

	Percent of feld	ons sentenced to p	orison for
	One	Two	Three or
Most serious	felony	felony	more felony
conviction offense	conviction	convictions	convictions
All offenses	38 %	45 %	56 %
Violent offenses	48 %	57 %	67 %
Murder /a	90	91	95
Sexual assault /b	54	67	69
Robbery	67	74	80
Aggravated assault	36	46	58
Other violent /c	40	44	52
Property offenses	35 %	40 %	51 %
Burglary	43	47	58
Larceny /d	34	38	48
Fraud /e	28	32	44
Drug offenses	36 %	43 %	56 %
Possession	31	41	56
Trafficking	40	44	56
Weapon offenses	44 %	45 %	53 %
Other offenses /f	34 %	36 %	50 %

Note: See note on table 1.2. This table is based on an estimated 1,047,931 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.

Table 1.8. Mean sentence lengths for State felony sentences imposed, by the number and category of the conviction offense, 2002

Mean maximum sentence length (in months) for felons sentenced to --

	(111 11101	11115 <i>)</i> 1	or reloris	Sellic	enceu i	0			_	
Most serious		lr	ncarcerat	ion			_			
conviction offense	Total		Prison		Jail		Proba	ation		
One conviction										
offense										
Official										
All offenses	32	mo	48	mo	7	mo	37	mo		
Violent offenses	55	mo	76	mo	8	mo	43	mo		
Murder /a	213		220		9		88			
Sexual assault /b	64		83		9		52			
Robbery	70		81		11		53			
Aggravated assault	33		51		7		40			
Other violent /c	32		50		8		37			
Property offenses	25	mo	38	mo	7	mo	37	mo		
Burglary	35		49		8		40			
Larceny /d	21		32		6		36			
Fraud /e	22		35		6		36			
Drug offenses	29	mo	45	mo	7	mo	36	mo		
Possession	20		33		5		32			
Trafficking	35		51		8		39			
Weapon offenses	26	mo	36	mo	7	mo	33	mo		
Other offenses /f	00	m.a	20	ma	^	m.a	07	 .		
Other onenses /f	23	mo	38	mo	6	mo	37	mo		

Table 1.8. Mean sentence lengths for State felony sentences imposed, by the number and category of the conviction offense, 2002 (cont.)

Mean maximum sentence length (in months) for felons sentenced to --

	(11111101		OI ICIOIIS		J.100a (.0			
Most serious		Ir	ncarcerat	ion			_		
conviction offense	Total		Prison		Jail		Proba	ation	
Two or more									
conviction offenses									
All offenses	45	mo	62	mo	7	mo	39	mo	
Violent offenses	73	mo	95	mo	7	mo	42	mo	
Murder /a	225		233		11		46		
Sexual assault /b	100		123		8		58		
Robbery	93		108		10		50		
Aggravated assault	42		58		6		38		
Other violent /c	36		53		8		38		
Property offenses	32	mo	46	mo	7	mo	39	mo	
Burglary	38		52		7		40		
Larceny /d	26		38		7		37		
Fraud /e	28		41		6		38		
Drug offenses	40	mo	56	mo	6	mo	38	mo	
Possession	29		40		5		40		
Trafficking	44		62		7		37		
Weapon offenses	32	mo	45	mo	6	mo	39	mo	
Other offenses /f	26	mo	40	mo	6	mo	38	mo	

Note: See note on tables 1.2 and 1.3.

This table is based on an estimated 939,800 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.

 $\ensuremath{\mathrm{f}}/$ Composed of nonviolent offenses such as receiving stolen property and vandalism.

Table 1.9. Felons sentenced to an additional penalty in State courts, by offense, 2002

	Percent of felons with an additional penalty of											
Most serious							Commur	nity				
conviction offense	Fine		Restituti	on	Treatme	nt /a	service		Other	-		
All offenses	25	%	12	%	3	%	4	%	7	%		
Violent offenses	23	%	11	%	3	%	3	%	6	%		
Murder /b	17		7		1		2		2			
Sexual assault /c	22		10		4		2		7			
Rape	21		10		4		1		6			
Other sexual assault	23		10		3		2		8			
Robbery	13		10		1		2		4			
Aggravated assault	27		11		3		3		7			
Other violent /d	26		12		2		4		9			
Property offenses	24	%	21	%	2	%	4	%	6	%		
Burglary	23		20		2		4		5			
Larceny /e	21		19		1		5		7			
Motor vehicle theft	22		19		2		3		11			
Fraud /f	28		24		2		5		8			
Drug offenses	27	%	6	%	6	%	4	%	7	%		
Possession	25		3		11		5		11			
Trafficking	27		8		2		3		5			
Weapon offenses	18	%	4	%	2	%	4	%	6	%		
Other offenses /g	29	%	10	%	3	%	4	%	8	%		

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 1,051,002 cases.

- a/ Includes any type of counseling, rehabilitation, treatment, or mental hospital confinement.
- b/ Includes nonnegligent manslaughter.
- c/ Includes rape.
- d/ Includes offenses such as negligent manslaughter and kidnaping.
- e/ Includes motor vehicle theft.
- $\ensuremath{\mathrm{f}}/$ Includes forgery and embezzlement.
- g/ Composed of nonviolent offenses such as receiving stolen property and vandalism.