



Depending on the type and severity of the offense, convicted offenders may be sentenced to incarceration, probation, a fine, or a combination of sanctions such as a split or mixed sentence (imprisonment as well as a period of probation supervision).¹ The Federal sentencing guidelines call for the imposition of a term of supervised release following service of any prison sentence of more than one year. In addition, courts have discretion to impose supervised release in any other case.

For most offenders the court's sentencing decision is structured by the Sentencing Reform Act — applicable to offenses committed after November 1, 1987.² For such cases, the Federal sentencing guidelines prescribe ranges of recommended sentences for combinations of offense and offender characteristics. Imprisonment imposed under the guidelines is served in full, except for 54 days per year served that are awarded to inmates for good conduct (see 18 U.S.C. § 3624). Unlike pre-guidelines practices, prisoners sentenced under the guidelines are not eligible for release by the U.S. Parole Commission prior to the expiration of their sentences.

Sentencing guidelines provide for sentence reductions for “acceptance of responsibility,” which may be indicated by the defendant “timely notifying authorities of his intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial, and permitting the court to allocate its resources efficiently” (see U.S.S.C. §3E1.1). In addition, subject to Department of Justice policies, plea bargaining may

reduce the offender's sentence by reducing the seriousness of the offense at conviction, reducing the number of counts of conviction, stipulating to characteristics of the offense which may affect sentencing guidelines calculations, or negotiating a lesser sentence for a given charge. Except where otherwise noted, tables in this chapter are based on the most serious offense of conviction and are not directly comparable with tables in earlier chapters that are based on most serious offense investigated or most serious offense charged (see *Methodology*, p.73).

Offenders convicted and sentences imposed and sentence length (tables 4.1 and 4.2)

Eighty-three percent of all offenders in cases terminated during 1993 were convicted (see chapter 3). Of these, 60% were sentenced to incarceration only, 25% were sentenced to probation only, 5% were sentenced to both incarceration and probation, and 8% received no sentence other than a fine (table 4.1).³ (In most tables, the convicted offenders who received split or mixed sentences are included in both the probation and the incarceration data. The fine category is limited to defendants, including organizations, who were sentenced to pay a fine but were not sentenced to either prison or probation.)

Overall, 65% of convicted offenders were sentenced to incarceration, either alone or accompanied by probation or a fine. Seventy-seven percent of felons (but 17% of misdemeanants) were sentenced

to incarceration. Offenders sentenced for violent offenses, especially robbery (97%), kidnaping (96%), and murder (90%), were most likely to be incarcerated.⁴ Drug traffickers were also frequently sentenced to prison (90%). Prison sentences were frequently imposed on felons convicted of escape (89%), rape (89%), or burglary (88%).

Offenders sentenced for property felonies were less likely than other felons to be incarcerated (averaging 55%). Among these offenders, those sentenced for forgery had the lowest likelihood of being incarcerated (47%), and offenders sentenced for embezzlement or larceny were given incarceration at 49% and 50%, respectively. On the other hand, defendants sentenced for burglary or arson and explosives offenses had incarceration rates above 80%. Most offenders sentenced on drug possession charges were misdemeanants — 44% of these defendants were incarcerated, up from 36% during 1992. Conversely, 60% of the defendants sentenced for felony drug possession were incarcerated. Fewer than half of the felons sentenced for regulatory offenses were incarcerated. (A few regulatory offenders are organizations.)

Sentencing guidelines permit probation sentences only for offenders with minimum guideline sentences of 6 months or less. For the less serious of these offenders, probation terms may be up to 36 months; otherwise, they must be

¹ See glossary for the distinction between split sentences and mixed sentences.

² Pub. L. No. 98-473, 98 Stat. 1837 (1984).

³ In this chapter, fines are not mentioned if another sanction is also imposed. Statistics for numbers of fined offenders refer only to those with no other penalty.

⁴ Data on offender characteristics are obtained from selected records of sentences imposed; they are limited to defendants sentenced under the guidelines whose records were obtained by the U.S. Sentencing Commission. For 1993, these data are not directly comparable to similar tabulations in other years (see *Methodology*, p.73).

between 12 and 60 months. Thirty percent of convicted felons and 47% of misdemeanants were sentenced to probation terms. Probation was widely used for fraudulent property misdemeanors (68%), regulatory offenses (48%), and tax felonies (61%). For 7% of tax offenses, sentences included probation with a term of incarceration.

Sixty-seven percent of all offenders sentenced for traffic offenses were sentenced only to pay fines. Thirty-six percent of other misdemeanant and 2% percent of felons were sentenced to pay a fine only.

Average sentences imposed (tables 4.2, 4.3, and 4.5)

The average imposed prison sentence term for all offenders sentenced during 1993 was 61 months (63 months for felons and 10 months for misdemeanant). Half of incarcerated felons received sentences of more than 36 months. Felons convicted of violent crimes received the longest prison sentences (90 months average sentence for all violent offenses). Sentences for drug traffickers were nearly as long (82 months). Kidnaping, murder, and robbery carried the longest average prison sentences (142 months, 119 months, and 96 months, respectively). Shorter than average prison sentences were imposed for misdemeanors (means of 4 months) with immigration offenses, traffic offenses, and fraudulent property offenses also having shorter mean sentence lengths (6, 8, and 8 months respectively).

In setting probation terms, judges consider many factors about the offender's history and prospects, in addition to the seriousness of the offense. Felony probation terms are

about the same (36 months is the median term) for each type of offense.

Relationship between sentence and method of case disposition (table 4.3)

Likelihood of incarceration.

Defendants who were convicted at trial received more severe sentences than defendants who pleaded guilty. Overall, 87% of offenders convicted at trial were incarcerated (with a prison sentence alone or a sentence that included probation as well as prison), compared to 63% of offenders convicted by plea. Drug offenders who pleaded guilty were sentenced to prison at a rate of 90%, as opposed to a rate of 98% for those convicted at trial. Offenders pleading guilty to felony offenses were sentenced to prison terms at an average rate of 75%, whereas 94% of those convicted at trial were incarcerated.

Length of sentence. Offenders sentenced to incarceration as a result of guilty plea received average sentences 61% shorter than offenders convicted at trial. Felony offenders convicted at trial received sentences with an average of 132 months; the average sentence for offenders convicted by plea was about 48 months. Misdemeanor sentences were similarly shorter for defendants pleading guilty.

Characteristics of offenders sentenced to incarceration (table 4.4)

The majority of offenders sentenced to incarceration during 1993 were white (63%) and male (85%). The data indicate that the percentage sentenced to incarceration was not uniform across all categories of age, race, sex, and ethnicity. However,

accurate conclusions can not be drawn from the data about the influence of these characteristics on sentencing. Such an assessment would require detailed information for each category showing the presence or absence of factors that are legally intended to affect sentencing, such as weapon use, victim injury, dollar loss, and other specified factors.

Women were substantially less likely to be confined than men who were convicted of similar offenses. In all, 81% of men and 54% of women were sentenced to be incarcerated. Black offenders were slightly more likely to be incarcerated than white offenders for violent, drug, and public-order offenses. White property felons had a slightly higher incarceration rate than black property felons, and white misdemeanants were more likely than black misdemeanants to be incarcerated. Among violent, drug, and public-order felons, Hispanic offenders were more likely to be incarcerated than were non-Hispanic offenders within the same category of convictions. A more detailed analysis of offense characteristics might show that most of these apparent disparities reflect factors recognized as a legitimate basis for sentencing, such as weapons use and offenders' prior records.

Offenders with a history of prior convictions were substantially more likely to be sentenced to incarceration than were first offenders. Fraudulent property felons, regulatory public-order felons, and misdemeanants age 19 or 20 were slightly less likely to be incarcerated than older offenders convicted of similar offenses, perhaps in part because most of them had shorter prior records. In most other offense categories, age bore little relationship to sentence. Better educated

offenders were somewhat less likely to be incarcerated than high school dropouts, except for those convicted of fraudulent property offenses.

Relationship of prison term to offender characteristics (table 4.5)

A detailed study of factors affecting sentencing found that “nearly all of the aggregate differences among sentences for whites, blacks, and Hispanics during 1989-90 can be attributed to characteristics of offenses and offenders that current law and sentencing guidelines establish as legitimate considerations in sentencing decisions.”⁵ Over all offenses, persons over age 40 were sentenced to shorter terms than any other age group except for the relative few persons age 18 or under sentenced as adults. Over all offenses, women received sentences with an average 44% shorter than those sentences imposed on men.

Convicted offenders with no prior convictions received sentences 44% shorter than those sentences imposed on offenders who had previously served prison terms exceeding 12 months.

⁵ McDonald, Douglas C., and Kenneth E. Carlson, *Sentencing in the Federal Courts: Does Race Matter?*, Bureau of Justice Statistics, December 1993 (NCJ-145328).

Table 4.1. Sentence types in cases terminated, by offense, 1993

| Most serious offense of conviction | Total offenders sentenced | Percent of offenders convicted and sentenced to: | | | |
|--------------------------------------|---------------------------|--|------------------------|--------------------------------------|-----------|
| | | Incarceration ^a | Probation ^b | Split or mixed sentence ^c | Fine only |
| All offenses^d | 53,435 | 65.2% | 29.9% | 5.1% | 8.3% |
| Felonies | 43,260 | 76.5% | 25.9% | 5.9% | 1.8% |
| Violent offenses | 2,870 | 92.4% | 15.1% | 8.7% | .8% |
| Murder ^e | 151 | 90.1 | 13.2 | 5.3 | ... |
| Negligent manslaughter | 19 | 63.2 | — | ... | ... |
| Assault | 330 | 74.8 | 29.7 | 6.4 | .6 |
| Robbery | 2,012 | 96.9 | 11.8 | 9.6 | .6 |
| Rape | 184 | 89.1 | 16.3 | 7.6 | 2.2 |
| Other sex offenses ^e | 87 | 69.0 | 39.1 | 13.8 | 4.6 |
| Kidnaping | 74 | 95.9 | — | 1.4 | ... |
| Threats against the President | 13 | 84.6 | — | ... | ... |
| Property offenses | 12,019 | 55.2% | 46.3% | 6.0% | 2.4% |
| Fraudulent | 9,471 | 53.9% | 47.3% | 6.2% | 2.6% |
| Embezzlement | 1,264 | 49.0 | 49.1 | 7.2 | 2.7 |
| Fraud ^e | 7,164 | 55.2 | 46.8 | 6.4 | 2.7 |
| Forgery | 473 | 46.9 | 55.0 | 3.8 | .6 |
| Counterfeiting | 570 | 54.7 | 44.4 | 3.3 | 3.2 |
| Other | 2,548 | 59.8% | 42.5% | 5.2% | 1.7% |
| Burglary | 177 | 87.6 | 21.5 | 9.0 | ... |
| Larceny ^e | 1,554 | 49.5 | 52.3 | 4.6 | 1.5 |
| Motor vehicle theft | 413 | 77.5 | 23.5 | 3.1 | 1.5 |
| Arson and explosives | 119 | 81.5 | 26.9 | 9.2 | .8 |
| Transportation of stolen property | 252 | 67.9 | 33.7 | 7.9 | 3.6 |
| Other property offenses ^e | 33 | 30.3 | 57.6 | ... | 12.1 |
| Drug offenses | 18,712 | 89.6% | 13.1% | 5.2% | 1.2% |
| Trafficking | 18,511 | 89.9 | 12.9 | 5.2 | 1.1 |
| Possession and other drug offenses | 201 | 60.2 | 36.8 | 5.0 | 6.0 |
| Public-order offenses | 9,645 | 73.0% | 28.5% | 6.3% | 2.7% |
| Regulatory | 1,385 | 46.4% | 48.3% | 4.5% | 8.5% |
| Agriculture | 71 | 33.8 | 73.2 | 12.7 | 2.8 |
| Antitrust | 92 | 10.9 | 40.2 | ... | 47.8 |
| Food and drug | 109 | 43.1 | 49.5 | 2.8 | 9.2 |
| Transportation | 85 | 43.5 | 50.6 | 4.7 | 10.6 |
| Civil rights | 65 | 80.0 | 26.2 | 7.7 | 1.5 |
| Communications | 62 | 19.4 | 75.8 | 1.6 | 4.8 |
| Custom laws | 100 | 53.0 | 39.0 | 3.0 | 9.0 |
| Postal laws | 49 | 20.4 | 77.6 | ... | 2.0 |
| Other regulatory offenses | 752 | 52.8 | 45.5 | 5.1 | 5.2 |
| Other | 8,260 | 77.5% | 25.2% | 6.5% | 1.8% |
| Weapons | 3,327 | 86.7 | 18.1 | 7.0 | 1.2 |
| Immigration offenses | 2,255 | 80.8 | 21.2 | 7.8 | .8 |
| Tax law violations ^e | 752 | 42.3 | 60.8 | 7.3 | 4.0 |
| Bribery | 214 | 50.5 | 44.9 | 4.2 | 7.0 |
| Perjury, contempt, and intimidation | 241 | 66.4 | 35.7 | 4.6 | 1.7 |
| National defense | 52 | 48.1 | 40.4 | ... | 9.6 |
| Escape | 436 | 89.0 | 11.7 | 3.2 | .7 |
| Racketeering and extortion | 729 | 81.2 | 18.8 | 4.8 | 3.3 |
| Gambling | 186 | 37.1 | 65.1 | 2.7 | .5 |
| Obscene material ^f | 19 | 21.1 | 57.9 | 5.3 | 26.3 |
| Migratory birds | 8 | — | — | — | — |
| All other felonies ^e | 41 | 68.3 | 34.1 | 4.9 | 2.4 |
| Misdemeanors^e | 10,173 | 17.2% | 47.1% | 1.8% | 35.7% |
| Fraudulent property offense | 1,315 | 20.7 | 68.3 | 2.4 | 8.4 |
| Larceny | 1,388 | 11.5 | 63.8 | 2.2 | 26.2 |
| Drug possession ^e | 1,317 | 43.7 | 51.6 | 2.2 | 5.7 |
| Immigration | 404 | 68.6 | 23.3 | 1.0 | 5.2 |
| Traffic offenses | 4,129 | 4.1 | 28.8 | 1.3 | 67.3 |
| Other misdemeanors | 1,620 | 18.0 | 64.3 | 2.2 | 17.8 |

...No cases of this type occurred in the data.
 —Too few cases to obtain statistically reliable data.
^aAll sentences to incarceration, including split, mixed, life, indeterminate, and youth sentences.
^bIncludes offenders with split and mixed sentences.
^cSentences to probation combined with incarceration.
^dTotal includes 59 convicted offenders whose sentence could not be determined. Total includes 14 felony defendants for whom offense category could not be determined.
^eSee data note 1.
^fSee also data note 6.

Table 4.2. Type and length of sentences imposed, by offense, 1993

| Most serious offense of conviction | Offenders convicted and sentenced in cases terminated in 1993 | | | | | | | |
|---------------------------------------|---|----------------------------|------------------------|-------------|----------------------------|---------|------------------------|---------|
| | Total | Number | | | Sentence length | | | |
| | | Incarceration ^a | Probation ^b | Fine (only) | Incarceration ^c | | Probation ^c | |
| | | | | Mean | Median | Mean | Median | |
| All offenses | 53,435 | 34,844 | 16,003 | 4,436 | 60.6 mo | 36.0 mo | 33.8 mo | 36.0 mo |
| Felonies | 43,260 | 33,097 | 11,216 | 800 | 63.3 mo | 37.0 mo | 38.8 mo | 36.0 mo |
| Violent offenses | 2,870 | 2,651 | 432 | 22 | 89.6 mo | 65.0 mo | 40.6 mo | 36.0 mo |
| Murder ^d | 151 | 136 | 20 | 0 | 118.9 | 96.5 | 44.8 | 36.0 |
| Negligent manslaughter | 19 | 12 | 6 | 0 | 15.0 | 16.0 | — | — |
| Assault | 330 | 247 | 98 | 2 | 36.9 | 24.0 | 31.2 | 36.0 |
| Robbery | 2,012 | 1,950 | 238 | 12 | 96.4 | 74.0 | 44.0 | 36.0 |
| Rape | 184 | 164 | 30 | 4 | 74.7 | 31.5 | 43.5 | 36.0 |
| Other sex offenses ^d | 87 | 60 | 34 | 4 | 40.9 | 24.0 | 39.7 | 36.0 |
| Kidnaping | 74 | 71 | 4 | 0 | 142.0 | 93.0 | — | — |
| Threats against the President | 13 | 11 | 2 | 0 | 18.6 | 18.0 | — | — |
| Property offenses | 12,019 | 6,629 | 5,568 | 289 | 25.3 mo | 14.0 mo | 37.9 mo | 36.0 mo |
| Fraudulent | 9,471 | 5,106 | 4,484 | 245 | 19.8 mo | 12.0 mo | 37.9 mo | 36.0 mo |
| Embezzlement | 1,264 | 619 | 621 | 34 | 12.6 | 6.0 | 38.8 | 36.0 |
| Fraud ^d | 7,164 | 3,953 | 3,350 | 190 | 21.2 | 14.0 | 38.2 | 36.0 |
| Forgery | 473 | 222 | 260 | 3 | 16.5 | 12.0 | 35.1 | 36.0 |
| Counterfeiting | 570 | 312 | 253 | 18 | 18.7 | 13.0 | 34.7 | 36.0 |
| Other | 2,548 | 1,523 | 1,084 | 44 | 43.9 mo | 18.0 mo | 37.8 mo | 36.0 mo |
| Burglary | 177 | 155 | 38 | 0 | 80.5 | 46.0 | 39.3 | 36.0 |
| Larceny ^d | 1,554 | 770 | 813 | 24 | 25.3 | 12.0 | 37.8 | 36.0 |
| Motor vehicle theft | 413 | 320 | 97 | 6 | 69.0 | 24.0 | 36.7 | 36.0 |
| Arson and explosives | 119 | 97 | 32 | 1 | 63.1 | 36.5 | 37.7 | 36.0 |
| Transportation of stolen property | 252 | 171 | 85 | 9 | 32.9 | 21.0 | 40.1 | 36.0 |
| Other property offenses ^d | 33 | 10 | 19 | 4 | 99.0 | 6.0 | 28.4 | 24.0 |
| Drug offenses | 18,712 | 16,767 | 2,459 | 224 | 82.0 mo | 60.0 mo | 46.0 mo | 36.0 mo |
| Trafficking | 18,511 | 16,646 | 2,385 | 212 | 82.2 | 60.0 | 46.5 | 36.0 |
| Possession and other drug offenses | 201 | 121 | 74 | 12 | 42.9 | 26.0 | 31.2 | 24.0 |
| Public-order offenses | 9,645 | 7,041 | 2,751 | 265 | 45.2 mo | 24.0 mo | 34.1 mo | 36.0 mo |
| Regulatory | 1,385 | 642 | 669 | 118 | 22.9 mo | 15.0 mo | 33.0 mo | 36.0 mo |
| Agriculture | 71 | 24 | 52 | 2 | 8.7 | 6.0 | 26.4 | 24.0 |
| Antitrust | 92 | 10 | 37 | 44 | 7.5 | 6.0 | 37.6 | 36.0 |
| Food and drug | 109 | 47 | 54 | 10 | 12.3 | 8.0 | 29.3 | 27.0 |
| Transportation | 85 | 37 | 43 | 9 | 25.5 | 13.0 | 37.1 | 36.0 |
| Civil rights | 65 | 52 | 17 | 1 | 36.3 | 24.0 | 27.2 | 24.0 |
| Communications | 62 | 12 | 47 | 3 | 10.8 | 11.0 | 27.2 | 24.0 |
| Custom laws | 100 | 53 | 39 | 9 | 17.8 | 12.0 | 31.4 | 36.0 |
| Postal laws | 49 | 10 | 38 | 1 | 32.0 | 12.0 | 31.6 | 36.0 |
| Other regulatory offenses | 752 | 397 | 342 | 39 | 24.3 | 18.0 | 34.9 | 36.0 |
| Other | 8,260 | 6,399 | 2,082 | 147 | 47.4 mo | 24.0 mo | 34.5 mo | 36.0 mo |
| Weapons | 3,327 | 2,884 | 602 | 41 | 67.1 | 44.0 | 40.1 | 36.0 |
| Immigration offenses | 2,255 | 1,822 | 479 | 18 | 20.9 | 16.0 | 27.5 | 24.0 |
| Tax law violations ^d | 752 | 318 | 457 | 30 | 23.3 | 12.0 | 35.5 | 36.0 |
| Bribery | 214 | 108 | 96 | 15 | 24.7 | 15.0 | 31.3 | 36.0 |
| Perjury, contempt, and intimidation | 241 | 160 | 86 | 4 | 27.8 | 20.0 | 31.0 | 36.0 |
| National defense | 52 | 25 | 21 | 5 | 17.4 | 6.0 | 36.6 | 36.0 |
| Escape | 436 | 388 | 51 | 3 | 20.0 | 12.0 | 52.5 | 36.0 |
| Racketeering and extortion | 729 | 592 | 137 | 24 | 78.3 | 48.0 | 38.6 | 36.0 |
| Gambling | 186 | 69 | 121 | 1 | 35.3 | 12.0 | 23.2 | 24.0 |
| Obscene material ^d | 19 | 4 | 11 | 5 | 14.3 | 15.0 | 34.4 | 36.0 |
| Migratory birds | 8 | 1 | 7 | 0 | — | — | — | — |
| All other felonies ^d | 41 | 28 | 14 | 1 | 26.0 | 12.0 | 32.1 | 36.0 |
| Misdemeanors^d | 10,173 | 1,747 | 4,787 | 3,636 | 9.9 mo | 4.0 mo | 22.1 mo | 12.0 mo |
| Fraudulent property offense | 1,315 | 272 | 898 | 110 | 7.9 | 3.0 | 30.1 | 24.0 |
| Larceny | 1,388 | 159 | 886 | 363 | 7.5 | 4.0 | 18.5 | 12.0 |
| Drug possession ^d | 1,317 | 576 | 679 | 75 | 13.9 | 5.0 | 23.0 | 12.0 |
| Immigration | 404 | 277 | 94 | 21 | 5.5 | 3.0 | 25.8 | 24.0 |
| Traffic offenses | 4,129 | 171 | 1,188 | 2,778 | 8.4 | 3.0 | 15.9 | 12.0 |
| Other misdemeanors | 1,620 | 292 | 1,042 | 289 | 10.5 | 6.0 | 24.4 | 24.0 |

Note: Total includes 59 convicted offenders whose sentence could not be determined. Total exceeds sum of individual sanctions because split and mixed sentences are counted in both prison and probation. Total includes 14 felony defendants for whom offense category could not be determined.

—Too few cases to obtain statistically reliable data.

^aAll sentences to incarceration, including split, mixed, life, indeterminate, and youth sentences.

^bIncludes offenders with split and mixed sentences.

^cExcludes life sentences, death sentences, and indeterminate sentences (.8% of all incarcerations).

^dSee data note 1.

See also data note 6.

Table 4.3. Sentences imposed on convicted offenders, by offense of conviction and method of disposition, 1993

| Offense of conviction and method of disposition | Number of convicted offenders | Number of offenders in terminated cases convicted and sentenced to: | | | Offenders sentenced to some incarceration | | |
|---|-------------------------------|---|------------------------|-------------|---|------------------------------|---------|
| | | Incarceration ^a | Probation ^b | Fine (only) | Percent of convicted offenders | Sentence length ^c | |
| | | | | | | Mean | Median |
| All offenses | 53,435 | 34,844 | 16,003 | 4,436 | 65.2% | 60.6 mo | 36.0 mo |
| Guilty plea ^d | 48,369 | 30,460 | 15,316 | 4,196 | 63.0 | 51.8 | 30.0 |
| Trial | 5,066 | 4,384 | 687 | 240 | 86.5 | 125.4 | 97.0 |
| Felonies | 43,260 | 33,097 | 11,216 | 800 | 76.5% | 63.3 mo | 37.0 mo |
| Guilty plea | 38,611 | 28,766 | 10,707 | 745 | 74.5 | 54.3 | 33.0 |
| Trial | 4,649 | 4,331 | 509 | 55 | 93.2 | 126.6 | 97.0 |
| Violent offenses | 2,870 | 2,651 | 432 | 22 | 92.4% | 89.6 mo | 65.0 mo |
| Guilty plea | 2,516 | 2,314 | 399 | 19 | 92.0 | 80.7 | 63.0 |
| Trial | 354 | 337 | 33 | 3 | 95.2 | 153.5 | 120.0 |
| Property offenses | | | | | | | |
| Fraudulent | 9,471 | 5,106 | 4,484 | 245 | 53.9% | 19.8 mo | 12.0 mo |
| Guilty plea | 8,809 | 4,574 | 4,324 | 236 | 51.9 | 17.6 | 12.0 |
| Trial | 662 | 532 | 160 | 9 | 80.4 | 39.3 | 27.0 |
| Other | 2,548 | 1,523 | 1,084 | 44 | 59.8% | 43.9 mo | 18.0 mo |
| Guilty plea | 2,355 | 1,343 | 1,058 | 44 | 57.0 | 36.3 | 18.0 |
| Trial | 193 | 180 | 26 | 0 | 93.3 | 103.5 | 51.0 |
| Drug offenses | 18,712 | 16,767 | 2,459 | 224 | 89.6% | 82.0 mo | 60.0 mo |
| Guilty plea | 16,175 | 14,297 | 2,301 | 197 | 88.4 | 70.0 | 57.0 |
| Trial | 2,537 | 2,470 | 158 | 27 | 97.4 | 156.3 | 121.0 |
| Public-order offenses | | | | | | | |
| Regulatory | 1,385 | 642 | 669 | 118 | 46.4% | 22.9 mo | 15.0 mo |
| Guilty plea | 1,264 | 554 | 636 | 113 | 43.8 | 20.2 | 12.0 |
| Trial | 121 | 88 | 33 | 5 | 72.7 | 40.4 | 21.0 |
| Other | 8,260 | 6,399 | 2,082 | 147 | 77.5% | 47.4 mo | 24.0 mo |
| Guilty plea | 7,478 | 5,675 | 1,983 | 136 | 75.9 | 40.9 | 24.0 |
| Trial | 782 | 724 | 99 | 11 | 92.6 | 99.7 | 60.0 |
| Misdemeanors | 10,173 | 1,747 | 4,787 | 3,636 | 17.2% | 9.9 mo | 4.0 mo |
| Guilty plea | 9,756 | 1,694 | 4,609 | 3,451 | 17.4 | 9.3 | 4.0 |
| Trial | 417 | 53 | 178 | 185 | 12.7 | 30.0 | 6.0 |

Note: Total includes 59 convicted offenders whose sentence could not be determined. Total includes 14 felony defendants for whom offense category could not be determined.

^aAll sentences to incarceration, including split, mixed, life, indeterminate, and youth sentences.

^bIncludes offenders with split and mixed sentences.

^cExcludes life sentences and death sentences and indeterminate sentences (.8% of all incarceration).

^dIncludes *nolo contendere*.

See data note 6.

Table 4.4. Convicted offenders sentenced to incarceration, by offense and offender characteristics, 1993

| Offender characteristic | Total number of offenders | The percent of all convicted offenders who were incarcerated in cases terminated in 1993 | | | | | | | | |
|--------------------------------------|---------------------------|--|------------------|------------|-------|------------|---------------|-----------------------|-------|--------------|
| | | All offenses | Violent offenses | Felonies | | | Drug offenses | Public-order offenses | | Misdemeanors |
| | | | | Fraudulent | Other | Regulatory | | Other | | |
| All offenders^a | 42,039 | 76.7% | 94.5% | 56.8% | 46.7% | 90.7% | 35.1% | 77.5% | 17.5% | |
| Sex | | | | | | | | | | |
| Male | 35,649 | 80.7% | 95.2% | 60.9% | 55.2% | 92.4% | 37.2% | 80.1% | 22.0% | |
| Female | 6,368 | 54.2 | 82.4 | 46.2 | 24.2 | 77.8 | 24.9 | 51.0 | ... | |
| Race | | | | | | | | | | |
| White | 24,126 | 74.2% | 92.7% | 59.2% | 49.3% | 87.9% | 34.2% | 74.6% | 33.3% | |
| Black | 12,611 | 80.7 | 97.4 | 53.5 | 45.9 | 94.7 | 37.3 | 83.2 | 10.0 | |
| Other | 1,449 | 67.6 | 92.8 | 42.1 | 43.9 | 83.6 | 40.0 | 66.3 | 33.3 | |
| Ethnicity | | | | | | | | | | |
| Hispanic | 10,034 | 88.7% | 99.4% | 55.5% | 52.6% | 95.1% | 42.3% | 88.1% | — % | |
| Non-Hispanic | 31,671 | 73.4 | 94.2 | 57.1 | 47.1 | 88.8 | 34.9 | 73.3 | 23.8 | |
| Age | | | | | | | | | | |
| 16-18 years | 231 | 72.3% | 94.9% | 58.3% | 22.6% | 77.0% | 66.7% | 80.4% | — % | |
| 19-20 years | 1,755 | 80.5 | 97.5 | 47.5 | 44.6 | 90.4 | 44.4 | 82.0 | 16.7 | |
| 21-30 years | 15,046 | 80.4 | 95.4 | 53.9 | 47.7 | 91.2 | 40.3 | 85.3 | 10.0 | |
| 31-40 years | 13,452 | 78.0 | 95.3 | 58.2 | 50.1 | 90.8 | 34.7 | 79.2 | 33.3 | |
| Over 40 years | 11,302 | 70.0 | 90.0 | 58.1 | 44.2 | 90.7 | 30.6 | 65.8 | 20.0 | |
| Citizenship | | | | | | | | | | |
| U.S. citizen | 31,997 | 74.3% | 94.5% | 56.5% | 48.3% | 88.9% | 34.6% | 73.7% | 35.7% | |
| Not U.S. citizen | 8,946 | 87.8 | 96.6 | 58.9 | 51.3 | 96.4 | 46.8 | 86.8 | ... | |
| Education | | | | | | | | | | |
| Less than high school graduate | 15,920 | 85.3% | 96.6% | 52.0% | 61.2% | 93.6% | 46.4% | 85.6% | 16.7% | |
| High school graduate | 13,555 | 74.4 | 94.8 | 54.0 | 44.4 | 89.8 | 34.1 | 75.0 | 28.6 | |
| Some college | 7,945 | 69.4 | 91.3 | 59.1 | 41.5 | 87.3 | 28.0 | 66.6 | 45.5 | |
| College graduate | 3,225 | 65.1 | 83.8 | 62.8 | 41.6 | 83.1 | 37.3 | 60.7 | ... | |
| Criminal record | | | | | | | | | | |
| No convictions | 20,257 | 66.4% | 87.8% | 48.3% | 30.4% | 87.7% | 24.7% | 58.9% | ... % | |
| Prior adult convictions ^b | | | | | | | | | | |
| Never incarcerated | 8,897 | 79.2 | 93.5 | 60.0 | 50.5 | 91.1 | 39.8 | 74.9 | 50.0 | |
| Incarcerated ^c | | | | | | | | | | |
| 13 months or less | 3,103 | 91.3 | 98.2 | 79.3 | 76.1 | 96.3 | 68.9 | 93.5 | 50.0 | |
| More than 13 months | 8,107 | 96.3 | 98.9 | 87.7 | 92.8 | 97.7 | 90.1 | 97.1 | 50.0 | |

Note: Excludes corporations. Offenders are classified by the most serious offense of conviction.

...No case of this type occurred in the data.

—Too few cases to obtain statistically reliable data.

^aIncludes offenders for whom offense or characteristics are unknown.

^bPrior adult convictions are limited to those used in calculating guideline sentences (see *Methodology*, p.73).

^cClassifications of lengths of prior sentences differ from previous Federal justice compendia and are not directly comparable to earlier years (see *Methodology*, p.73).

See data note 7: Offender characteristics are not comparable with Federal justice compendia prior to 1993.

Table 4.5. Average incarceration sentence lengths imposed, by offense and offender characteristics, 1993

| Offender characteristic | Mean sentence length for offenders convicted of: | | | | | | | |
|--------------------------------------|--|------------------|-------------------|---------|---------------|-----------------------|---------|--------------|
| | All offenses ^a | Felonies | | | | | | Misdemeanors |
| | | Violent offenses | Property offenses | | Drug offenses | Public-order offenses | | |
| | | | Fraudulent | Other | | Regulatory | Other | |
| All offenders^a | 62.1 mo | 95.9 mo | 15.3 mo | 23.8 mo | 81.8 mo | 16.2 mo | 44.7 mo | 13.8 mo |
| Sex | | | | | | | | |
| Male | 65.2 mo | 97.7 mo | 16.7 mo | 25.7 mo | 84.5 mo | 17.0 mo | 45.7 mo | 13.8 mo |
| Female | 36.5 | 59.3 | 10.8 | 12.5 | 57.3 | 10.8 | 28.8 | — |
| Race | | | | | | | | |
| White | 52.2 mo | 89.5 mo | 16.2 mo | 24.2 mo | 69.1 mo | 18.0 mo | 41.4 mo | 16.1 mo |
| Black | 82.3 | 111.8 | 14.3 | 23.5 | 104.6 | 14.1 | 60.5 | 3.0 |
| Other | 54.4 | 74.8 | 10.7 | 19.2 | 79.4 | 10.0 | 37.0 | 19.0 |
| Ethnicity | | | | | | | | |
| Hispanic | 57.6 mo | 91.0 mo | 12.6 mo | 24.4 mo | 73.4 mo | 10.3 mo | 27.8 mo | — |
| Non-Hispanic | 63.9 | 96.2 | 15.6 | 23.8 | 86.4 | 16.9 | 54.0 | 15.1 |
| Age | | | | | | | | |
| 16-18 years | 54.7 mo | 93.9 mo | 6.1 mo | 29.4 mo | 58.8 mo | 41.5 mo | 21.5 mo | — |
| 19-20 years | 63.1 | 90.2 | 9.4 | 24.0 | 75.5 | 19.1 | 35.0 | 3.0 |
| 21-30 years | 63.4 | 91.1 | 11.7 | 24.3 | 81.7 | 16.0 | 41.2 | 9.0 |
| 31-40 years | 63.2 | 105.9 | 15.5 | 23.5 | 80.6 | 13.8 | 48.1 | 31.8 |
| Over 40 years | 59.0 | 93.9 | 18.0 | 23.4 | 86.2 | 18.4 | 48.6 | .9 |
| Citizenship | | | | | | | | |
| U.S. citizen | 65.3 mo | 96.8 mo | 15.8 mo | 24.5 mo | 85.5 mo | 16.8 mo | 56.0 mo | 15.1 mo |
| Not U.S. citizen | 53.5 | 70.5 | 12.4 | 17.2 | 72.9 | 12.8 | 24.9 | — |
| Education | | | | | | | | |
| Less than high school graduate | 66.4 mo | 100.7 mo | 15.6 mo | 26.4 mo | 80.1 mo | 16.1 mo | 43.7 mo | 3.0 mo |
| High school graduate | 66.3 | 96.6 | 14.6 | 24.1 | 85.8 | 16.1 | 54.2 | 9.6 |
| Some college | 55.0 | 85.9 | 15.3 | 20.7 | 81.5 | 14.6 | 42.4 | 21.9 |
| College graduate | 41.1 | 76.3 | 17.4 | 21.2 | 73.3 | 20.8 | 37.2 | — |
| Criminal record | | | | | | | | |
| No convictions | 49.8 mo | 65.1 mo | 13.1 mo | 17.5 mo | 68.0 mo | 14.0 mo | 28.6 mo | — |
| Prior adult convictions ^b | | | | | | | | |
| Never incarcerated | 58.4 | 71.5 | 15.0 | 17.9 | 77.0 | 14.1 | 30.4 | 39.2 |
| Incarcerated ^c | | | | | | | | |
| 13 months or less | 63.3 | 91.5 | 15.7 | 24.4 | 92.6 | 14.0 | 31.5 | 3.0 |
| More than 13 months | 88.2 | 127.9 | 23.7 | 35.1 | 121.1 | 25.7 | 66.0 | 24.0 |

Note: Excludes corporations and offenders sentenced to life sentences and indeterminate sentences for youthful or drug offenders. Includes prison portion of split or mixed sentences.

—Too few cases to obtain statistically reliable data.

^aIncludes offenders for whom offense or characteristics are unknown.

^bPrior adult convictions are limited to those used in calculating guideline sentences (see *Methodology*, p.73).

^cClassification of lengths of prior sentences differ from previous Federal justice compendia and are not directly comparable to earlier years (see *Methodology*, p.73). See data note 7: Offender characteristics are not comparable with Federal justice compendia prior to 1993.

Table 4.6. Median incarceration sentence lengths imposed, by offense and offender characteristics, 1993

| Offender characteristic | Median sentence length for offenders convicted of: | | | | | | | |
|--------------------------------------|--|------------------|-------------------|---------|---------------|-----------------------|---------|--------------|
| | All offenses ^a | Felonies | | | | | | Misdemeanors |
| | | Violent offenses | Property offenses | | Drug offenses | Public-order offenses | | |
| | | | Fraudulent | Other | | Regulatory | Other | |
| All offenders^a | 36.0 mo | 70.0 mo | 12.0 mo | 15.0 mo | 60.0 mo | 10.0 mo | 24.0 mo | 6.0 mo |
| Sex | | | | | | | | |
| Male | 37.0 mo | 71.0 mo | 12.0 mo | 15.0 mo | 60.0 mo | 10.0 mo | 24.0 mo | 6.0 mo |
| Female | 18.0 | 46.0 | 6.0 | 8.0 | 41.0 | 9.5 | 18.0 | — |
| Race | | | | | | | | |
| White | 30.0 mo | 63.0 mo | 12.0 mo | 16.0 mo | 54.0 mo | 10.0 mo | 24.0 mo | 6.0 mo |
| Black | 60.0 | 92.5 | 11.0 | 12.0 | 74.0 | 10.0 | 36.0 | 3.0 |
| Other | 30.0 | 41.0 | 6.0 | 10.5 | 60.0 | 8.0 | 18.0 | 19.0 |
| Ethnicity | | | | | | | | |
| Hispanic | 34.0 mo | 63.0 mo | 6.0 mo | 13.0 mo | 60.0 mo | 6.0 mo | 21.0 mo | — mo |
| Non-Hispanic | 36.0 | 70.0 | 12.0 | 15.0 | 60.0 | 12.0 | 30.0 | 6.0 |
| Age | | | | | | | | |
| 16-18 years | 30.0 mo | 90.0 mo | 2.0 mo | 12.0 mo | 33.0 mo | 41.5 mo | 10.0 mo | — mo |
| 19-20 years | 41.0 | 64.0 | 5.0 | 13.0 | 60.0 | 12.0 | 22.5 | 3.0 |
| 21-30 years | 37.0 | 70.0 | 9.0 | 14.0 | 60.0 | 10.0 | 24.0 | 9.0 |
| 31-40 years | 36.0 | 77.0 | 12.0 | 15.0 | 60.0 | 8.0 | 24.0 | 21.5 |
| Over 40 years | 30.0 | 63.0 | 14.0 | 15.0 | 60.0 | 12.0 | 24.0 | .5 |
| Citizenship | | | | | | | | |
| U.S. citizen | 37.0 mo | 70.0 mo | 12.0 mo | 15.0 mo | 60.0 mo | 12.0 mo | 30.0 mo | 6.0 mo |
| Not U.S. citizen | 30.0 | 51.0 | 8.0 | 10.5 | 60.0 | 6.0 | 18.0 | — |
| Education | | | | | | | | |
| Less than high school graduate | 41.0 mo | 72.0 mo | 12.0 mo | 16.0 mo | 60.0 mo | 10.0 mo | 24.0 mo | 3.0 mo |
| High school graduate | 40.0 | 71.0 | 12.0 | 13.0 | 60.0 | 12.0 | 30.0 | 7.0 |
| Some college | 30.0 | 63.0 | 12.0 | 12.0 | 60.0 | 8.0 | 24.0 | 6.0 |
| College graduate | 21.0 | 60.0 | 12.0 | 15.0 | 50.0 | 10.0 | 21.0 | — |
| Criminal record | | | | | | | | |
| No convictions | 30.0 mo | 44.5 mo | 10.0 mo | 12.0 mo | 53.0 mo | 8.0 mo | 15.0 mo | — mo |
| Prior adult convictions ^b | | | | | | | | |
| Never incarcerated | 36.0 | 54.0 | 11.0 | 12.0 | 60.0 | 8.0 | 18.0 | 39.2 |
| Incarcerated ^c | | | | | | | | |
| 13 months or less | 57.0 | 105.0 | 21.0 | 24.0 | 92.0 | 15.0 | 33.0 | 24.0 |
| More than 13 months | 36.0 | 72.5 | 12.0 | 15.0 | 63.0 | 8.0 | 24.0 | 3.0 |

Note: Excludes corporations and offenders sentenced to life sentences and indeterminate sentences for youthful or drug offenders. Includes prison portion of split or mixed sentences.

—Too few cases to obtain statistically reliable data.

^a Includes offenders for whom offense or characteristics are unknown.

^b Prior adult convictions are limited to those used in calculating guideline sentences (see *Methodology*, p.73).

^c Classifications of lengths of prior sentences differ from previous Federal justice compendia and are not directly comparable to earlier years (see *Methodology*, p.73).

See data note 7: Offender characteristics are not comparable with Federal justice compendia prior to 1993.