



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>

By
Matthew R. Durose
Statistician

Patrick A. Langan, Ph.D.
Statistician

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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 sampling design, 2002

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

These tables were prepared by Matthew R. Durose. Erica Schmitt assisted with verification.

Sample design and selection were performed by Terri L. Carter under the supervision of Carma R. Hogue of the Economic Statistical Methods and Programming Division of the U.S. Census Bureau.

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:
<<http://www.ojp.usdoj.gov/bjs/>>

State Court Sentencing of Convicted Felons, 2002 – Statistical Tables

Methodology

Felons sentenced to probation in State courts, 2002

Table 3.1. Among felons convicted in State courts in 2002, percent sentenced to probation, by offense; and offense distribution, by type of sentence

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Table 3.8. Offense of felons receiving probation or a sentence without probation in State courts, by race of felons, 2002

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State Court Sentencing of Convicted Felons, 2002 -- Statistical Tables

Table 3.1. Among felons convicted in State courts in 2002, percent sentenced to probation, by offense; and offense distribution, by type of sentence

Most serious conviction offense	Sentence type within offense			Offense within sentence type		
	Total	Probation	No probation	Total	Probation	No probation
All offenses	100 %	57 %	43 %	100 %	100 %	100 %
Violent offenses	100 %	50 %	50 %	19 %	16 %	22 %
Murder /a	100	19	81	1	--	2
Sexual assault /b	100	49	51	3	3	4
Robbery	100	36	64	4	2	5
Aggravated assault	100	57	43	9	9	9
Other violent /c	100	56	44	2	2	2
Property offenses	100 %	60 %	40 %	31 %	33 %	29 %
Burglary	100	55	45	10	9	10
Larceny /d	100	58	42	12	12	11
Fraud /e	100	67	33	10	11	7
Drug offenses	100 %	58 %	42 %	32 %	33 %	32 %
Possession	100	63	37	12	14	10
Trafficking	100	54	46	20	19	21
Weapon offenses	100 %	51 %	49 %	3 %	3 %	4 %
Other offenses /f	100 %	57 %	43 %	15 %	15 %	15 %

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

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

Detail may not sum to total because of rounding.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

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

State Court Sentencing of Convicted Felons, 2002 -- Statistical Tables

Table 3.2. Distribution of types of State felony sentences to probation or incarceration, by offense, 2002

Most serious conviction offense	Percent of felony convictions by type of --							
	Probation sentence				Nonprobation sentence			
	Straight probation	Split sentence			No incarceration	Incarceration		
Total		Prison	Jail	Total		Prison	Jail	
All offenses	28 %	29 %	12 %	16 %	3 %	40 %	29 %	12 %
Violent offenses	21 %	29 %	13 %	17 %	2 %	48 %	40 %	8 %
Murder /a	5	14	11	3	1	81	80	1
Sexual assault /b	16	33	17	16	2	49	42	7
Robbery	13	24	14	9	2	62	56	6
Aggravated assault	27	31	11	20	3	40	31	9
Other violent /c	21	35	12	23	2	41	30	12
Property offenses	31 %	29 %	13 %	17 %	3 %	37 %	25 %	12 %
Burglary	25	31	14	17	3	41	32	9
Larceny /d	30	28	11	17	3	39	24	14
Fraud /e	37	30	13	17	4	29	19	11
Drug offenses	31 %	27 %	12 %	14 %	3 %	39 %	27 %	12 %
Possession	33	30	14	16	5	32	20	12
Trafficking	30	25	12	13	2	43	31	12
Weapon offenses	24 %	26 %	12 %	15 %	3 %	47 %	33 %	13 %
Other offenses /f	28 %	30 %	10 %	20 %	3 %	40 %	25 %	15 %

Note: See note on table 3.1.

This table is based on an estimated 1,047,931 cases.

Detail may not sum to total because of rounding.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

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

State Court Sentencing of Convicted Felons, 2002 -- Statistical Tables

Table 3.3. Average probation sentence lengths of felons convicted in State courts, by offense, 2002

Most serious conviction offense	Probation sentence (in months) in case of --				
	Total	Straight probation	Split sentence		
			Total	Prison	Jail
Mean sentence					
All offenses	40 mo	38 mo	39 mo	45 mo	37 mo
Violent offenses	49 mo	43 mo	47 mo	61 mo	41 mo
Murder /a	75	76	76	82	54
Sexual assault /b	66	54	62	76	56
Robbery	53	52	53	58	46
Aggravated assault	43	39	41	55	37
Other violent /c	41	37	40	50	37
Property offenses	40 mo	37 mo	39 mo	43 mo	38 mo
Burglary	43	40	42	46	41
Larceny /d	35	36	36	35	35
Fraud /e	42	36	39	48	37
Drug offenses	39 mo	36 mo	38 mo	42 mo	36 mo
Possession	33	33	33	36	31
Trafficking	43	39	41	47	40
Weapon offenses	32 mo	35 mo	33 mo	29 mo	33 mo
Other offenses /f	35 mo	37 mo	36 mo	37 mo	34 mo
Median sentence					
All offenses	36 mo	36 mo	36 mo	36 mo	36 mo
Violent offenses	36 mo	36 mo	36 mo	36 mo	36 mo
Murder /a	60	60	60	60	60
Sexual assault /b	48	36	36	60	36
Robbery	36	60	48	48	36
Aggravated assault	36	36	36	36	36
Other violent /c	36	36	36	36	36
Property offenses	36 mo	36 mo	36 mo	36 mo	36 mo
Burglary	36	36	36	36	36
Larceny /d	36	36	36	30	36
Fraud /e	36	36	36	32	36
Drug offenses	36 mo	36 mo	36 mo	30 mo	36 mo
Possession	24	36	30	24	36
Trafficking	36	36	36	36	36
Weapon offenses	30 mo	30 mo	30 mo	24 mo	36 mo
Other offenses /f	34 mo	36 mo	36 mo	24 mo	36 mo

Note: See note on table 3.1.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

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

State Court Sentencing of Convicted Felons, 2002 -- Statistical Tables

Table 3.4. Average incarceration sentence lengths for felons receiving sentences with or without probation, by offense, 2002

Most serious conviction offense	Maximum incarceration sentence length (in months) for --					
	Split sentence			Incarceration without probation		
	Total	Prison	Jail	Total	Prison	Jail
Mean sentence						
All offenses	21 mo	37 mo	5 mo	45 mo	60 mo	8 mo
Violent offenses	32 mo	58 mo	6 mo	79 mo	92 mo	10 mo
Murder /a	124	145	10	239	241	10
Sexual assault /b	48	76	7	97	110	10
Robbery	44	62	8	91	99	13
Aggravated assault	20	41	5	48	59	9
Other violent /c	21	41	7	42	55	10
Property offenses	18 mo	30 mo	6 mo	35 mo	46 mo	8 mo
Burglary	21	36	7	47	57	9
Larceny /d	15	27	5	26	37	8
Fraud /e	17	29	5	31	44	7
Drug offenses	20 mo	33 mo	5 mo	41 mo	55 mo	8 mo
Possession	15	26	5	28	41	5
Trafficking	23	39	6	46	61	9
Weapon offenses	17 mo	29 mo	5 mo	33 mo	42 mo	9 mo
Other offenses /f	14 mo	29 mo	5 mo	29 mo	41 mo	7 mo
Median sentence						
All offenses	12 mo	24 mo	4 mo	24 mo	36 mo	6 mo
Violent offenses	12 mo	36 mo	6 mo	48 mo	60 mo	9 mo
Murder /a	84	120	12	300	300	9
Sexual assault /b	20	48	6	60	72	9
Robbery	24	48	8	60	72	12
Aggravated assault	10	26	4	33	42	6
Other violent /c	12	24	6	24	36	9
Property offenses	12 mo	24 mo	4 mo	24 mo	36 mo	6 mo
Burglary	12	24	6	32	36	6
Larceny /d	10	24	4	18	24	6
Fraud /e	10	24	3	23	32	6
Drug offenses	12 mo	24 mo	4 mo	24 mo	36 mo	6 mo
Possession	9	24	3	16	32	4
Trafficking	12	24	5	30	48	7
Weapon offenses	12 mo	24 mo	4 mo	24 mo	30 mo	6 mo
Other offenses /f	6 mo	24 mo	4 mo	18 mo	36 mo	6 mo

Note: See note on tables 1.3 and 3.1.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

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

State Court Sentencing of Convicted Felons, 2002 -- Statistical Tables

Table 3.5. Distribution of the number of felony convictions for persons sentenced to probation in State courts, by offense, 2002

Most serious conviction offense	Percent of felons sentenced to probation for --			
	One or more felony convictions	One felony conviction	Two felony convictions	Three or more felony convictions
All offenses	57 %	56 %	59 %	57 %
Violent offenses	50 %	50 %	51 %	46 %
Murder /a	19	16	25	19
Sexual assault /b	49	51	45	47
Robbery	36	33	41	40
Aggravated assault	57	59	57	52
Other violent /c	56	55	62	53
Property offenses	60 %	58 %	63 %	63 %
Burglary	55	52	59	60
Larceny /d	58	56	64	64
Fraud /e	67	66	67	66
Drug offenses	58 %	57 %	60 %	57 %
Possession	63	63	60	67
Trafficking	54	53	60	53
Weapon offenses	51 %	49 %	55 %	56 %
Other offenses /f	57 %	56 %	63 %	59 %

Note: See note on table 3.1.

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

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

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

State Court Sentencing of Convicted Felons, 2002 -- Statistical Tables

Table 3.6. Offense distribution of convicted felons receiving sentences with or without probation in State courts, by gender of felons, 2002

Most serious conviction offense	Percent of sentences to probation			Percent of sentences without probation		
	All	Male	Female	All	Male	Female
All offenses	100 %	100 %	100 %	100 %	100 %	100 %
Violent offenses	16 %	19 %	12 %	22 %	25 %	14 %
Murder /a	--	--	--	2	2	1
Sexual assault /b	3	4	--	4	5	1
Robbery	2	3	1	5	6	3
Aggravated assault	9	10	8	9	10	8
Other violent /c	2	2	1	2	2	2
Property offenses	33 %	28 %	46 %	29 %	27 %	40 %
Burglary	9	11	5	10	12	7
Larceny /d	12	10	16	11	10	16
Fraud /e	11	7	24	7	5	18
Drug offenses	33 %	33 %	32 %	32 %	31 %	33 %
Possession	14	12	13	10	9	12
Trafficking	19	21	18	21	22	20
Weapon offenses	3 %	3 %	1 %	4 %	4 %	1 %
Other offenses /f	15 %	17 %	10 %	15 %	14 %	12 %

Note: See note on table 3.1.

This table is based on an estimated 714,307 cases.

Detail may not sum to total because of rounding.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

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

State Court Sentencing of Convicted Felons, 2002 -- Statistical Tables

Table 3.7. Offense of felons receiving probation or a sentence without probation in State courts, by gender of felons, 2002

Most serious conviction offense	Percent of sentences to probation			Percent of sentences without probation		
	All	Male	Female	All	Male	Female
All offenses	100 %	79 %	21 %	100 %	88 %	12 %
Violent offenses	100 %	86 %	14 %	100 %	93 %	7 %
Murder /a	100	84	16	100	92	8
Sexual assault /b	100	97	3	100	98	2
Robbery	100	88	12	100	94	6
Aggravated assault	100	82	18	100	90	10
Other violent /c	100	86	14	100	90	10
Property offenses	100 %	70 %	30 %	100 %	83 %	17 %
Burglary	100	89	11	100	93	7
Larceny /d	100	71	29	100	82	18
Fraud /e	100	54	46	100	68	32
Drug offenses	100 %	80 %	20 %	100 %	87 %	13 %
Possession	100	77	23	100	84	16
Trafficking	100	82	18	100	89	11
Weapon offenses	100 %	93 %	7 %	100 %	97 %	3 %
Other offenses /f	100 %	87 %	13 %	100 %	90 %	10 %

Note: See note on table 3.1.

This table is based on an estimated 714,307 cases.

Detail may not sum to total because of rounding.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

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

State Court Sentencing of Convicted Felons, 2002 -- Statistical Tables

Table 3.8. Offense of felons receiving probation or a sentence without probation in State courts, by race of felons, 2002

Most serious conviction offense	Percent of sentences to probation				Percent of sentences without probation			
	All	White	Black	Other	All	White	Black	Other
All offenses	100 %	64 %	33 %	3 %	100 %	54 %	43 %	2 %
Violent offenses	100 %	62 %	34 %	5 %	100 %	51 %	46 %	3 %
Murder /a	100	64	34	2	100	40	56	4
Sexual assault /b	100	74	22	4	100	67	29	3
Robbery	100	43	55	3	100	36	62	2
Aggravated assault	100	61	34	5	100	52	44	4
Other violent /c	100	73	22	5	100	66	29	5
Property offenses	100 %	67 %	30 %	3 %	100 %	59 %	38 %	2 %
Burglary	100	70	26	4	100	61	37	2
Larceny /d	100	66	31	3	100	57	41	2
Fraud /e	100	65	33	2	100	62	36	2
Drug offenses	100 %	59 %	38 %	3 %	100 %	47 %	51 %	2 %
Possession	100	66	30	3	100	52	46	2
Trafficking	100	55	43	2	100	46	53	2
Weapon offenses	100 %	51 %	46 %	3 %	100 %	43 %	54 %	3 %
Other offenses /f	100 %	71 %	25 %	4 %	100 %	66 %	31 %	3 %

Note: See note on table 3.1.

This table is based on an estimated 612,161 cases.

Detail may not sum to total because of rounding.

Racial categories include Hispanics.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

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

State Court Sentencing of Convicted Felons, 2002 -- Statistical Tables

Table 3.9. Offense distribution of convicted felons receiving sentences with or without probation in State courts, by race of felons, 2002

Most serious conviction offense	Percent of sentences to probation				Percent of sentences without probation			
	All	White	Black	Other	All	White	Black	Other
All offenses	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %
Violent offenses	16 %	17 %	18 %	24 %	22 %	21 %	24 %	31 %
Murder /a	--	--	--	--	2	1	2	3
Sexual assault /b	3	4	2	4	4	5	3	5
Robbery	2	2	4	2	5	4	8	5
Aggravated assault	9	9	10	15	9	9	9	14
Other violent /c	2	2	1	3	2	2	1	4
Property offenses	33 %	34 %	29 %	30 %	29 %	32 %	26 %	25 %
Burglary	9	11	8	11	10	13	10	9
Larceny /d	12	12	11	10	11	11	10	9
Fraud /e	11	11	11	8	7	8	6	6
Drug offenses	33 %	30 %	38 %	26 %	32 %	27 %	36 %	22 %
Possession	14	12	11	12	10	9	10	8
Trafficking	19	18	27	14	21	18	27	14
Weapon offenses	3 %	2 %	3 %	3 %	4 %	2 %	4 %	4 %
Other offenses /f	15 %	17 %	12 %	17 %	15 %	17 %	10 %	19 %

Note: See note on table 3.1.

This table is based on an estimated 612,161 cases.

Detail may not sum to total because of rounding.

Racial categories include Hispanics.

-- Less than 0.5%.

a/ Includes nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ Includes motor vehicle theft.

e/ Includes forgery and embezzlement.

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