



# Bureau of Justice Statistics Technical Report

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# Assessing the Accuracy of State Prisoner Statistics

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Included in the wide array of statistics routinely compiled and disseminated by the Bureau of Justice Statistics (BJS) are those describing persons sentenced to State prisons during the year. Prisoner characteristics are available in two different sources: BJS reports that are based on State prison records, and BJS reports that use data from State court records. This report investigates the extent to which prisoner characteristics from one source match those from the other. Results of the investigation indicate a close correspondence between court and prison records.

The need for the investigation arises because the court records and the prison records are not from geographically identical places. For example, in 1992 the prison records are from 37 States, and the court records are from a sample of 300 counties scientifically drawn to be nationally representative.

## State prison records

Since 1926 the Federal Government has been regularly compiling national prisoner statistics from records that State prisons voluntarily submit. These statistics give information on persons

sentenced to State prisons during the year: their age, race, sex, the length of their prison sentence, and the offense they committed.

These statistics serve as one of the Nation's most valuable sources of information on its prison population. They answer such questions as whether blacks are a growing fraction of the persons being sent to prison (they are); whether prison sentences are getting longer (generally they are not); and whether imprisonment of violent offenders accounts for much of the recent increase in the prison population (it does).

## State court records

In 1986 the Federal Government expanded its data gathering to include State courts. The data, voluntarily sent by State courts, serve as the sole source of national information on two major roles of courts: convicting and sentencing criminals. The data are from annual records that State courts keep on each person convicted of a felony offense.

The data show how many people are convicted in the year; the crimes they are convicted of; their age, race, and sex; and what sentence the court imposed. Among other things, the data reveal that a substantial number of the violent offenders convicted in State

courts each year get probation rather than a prison sentence; that about 50% of convicted felons (a category that includes both violent and nonviolent criminals) are sentenced to State prison; and that, compared to women, men generally receive longer prison sentences, longer jail sentences, and longer probation sentences.

## State court records compared to State prison records

In the State court records, convicted felons who received a prison sentence are distinguishable from those who received other sentences. Consequently, characteristics of persons sent to prison in a particular year *according to State court records* can be compared to characteristics of persons who entered prison that same year *according to State prison records*.

The comparison is instructive. To the extent that characteristics of one match characteristics of the other, confidence is enhanced in each as a reliable source of national records on convicted offenders. The comparison covers offenders sentenced to State prison in 1992. In general, results indicate a close correspondence between the two sources. What State prison records indicate about persons sent to prison generally mirrors what State court records show.

## Results

### Conviction offense

State prison records and State court records both show that, among persons

sentenced to State prisons in 1992, robbery was the conviction offense for 10% and larceny was for 11% (table 1). Percentages differed for most other offenses, but usually by small amounts.

### Race of prisoners

Both sources show that, among all persons sentenced to State prisons in 1992, 45% were white, 54% were black, and 1% were other races (table 1). Among whites, 7% were persons sentenced for robbery according to both prison and court records (table 3). Among blacks, 12% were robbers according to court records, nearly identical to what prison records show (13%) (table 3). Such small differences between court and prison records characterized most offenses.

### Sex of prisoners

State prison records and State court records both show that males were 91% of the persons sentenced to prison in 1992. Court records show that burglars were 16% of all male offenders sentenced to prison, and prison records show 14%, a difference of 2 percentage points (table 2). Differences of this size or less characterized most other offenses, for males and females alike (table 2).

Characteristic	Percent of persons sentenced to prison in 1992 according to —	
	Court records	Prison records
<b>Sex</b>	100%	100%
Male	91	91
Female	9	9
Number of cases	349,722	288,211
<b>Race</b>	100%	100%
White	45	45
Black	54	54
Other	1	1
Number of cases	264,742	288,211
<b>Age</b>	100%	100%
13-17	1	1
18-24	31	34
25-29	22	22
30-34	20	18
35-44	20	18
45-54	5	5
55 or older	1	1
Mean age	30 yrs	30 yrs
Number of cases	322,164	288,211
<b>Most serious conviction offense</b>		
<b>All offenses</b>	100%	100%
<b>Violent offenses</b>	26%	29%
Murder <sup>a</sup>	3	2
Rape	4	2
Robbery	10	10
Assault	7	8
Other violent <sup>b</sup>	2	6
<b>Property offenses</b>	31%	27%
Burglary	15	13
Larceny <sup>c</sup>	11	11
Fraud <sup>d</sup>	5	3
<b>Drug offenses</b>	29%	26%
Possession	9	7
Trafficking	20	19
<b>Weapons offenses</b>	3%	2%
<b>Other offenses<sup>e</sup></b>	11%	16%
Number of cases	390,917	288,211

Note: The number of court records is estimated from the sample, and the number of prisoners is that submitted by 37 States. Detail may not sum to total because of rounding.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property.

**Table 2. Court records compared to prison records: Percent of State prison sentences, by sex and most serious conviction offense, 1992**

Most serious conviction offense	Male		Female	
	Court records	Prison records	Court records	Prison records
<b>All offenses</b>	100%	100%	100%	100%
<b>Violent offenses</b>	26%	30%	15%	16%
Murder <sup>a</sup>	3	3	3	2
Rape	4	3	1	0
Robbery	10	10	5	5
Assault	7	8	5	5
Other violent <sup>b</sup>	2	6	1	3
<b>Property offenses</b>	31%	27%	39%	34%
Burglary	16	14	6	5
Larceny <sup>c</sup>	11	10	17	17
Fraud <sup>d</sup>	4	3	16	12
<b>Drug offenses</b>	29%	25%	36%	32%
Possession	9	7	14	8
Trafficking	20	18	22	24
<b>Weapons offenses</b>	3%	3%	1%	1%
<b>Other offenses<sup>e</sup></b>	11%	15%	9%	17%
Number of cases	319,063	261,188	30,660	24,640

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

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property.

**Table 3. Court records compared to prison records: Percent of State prison sentences, by race and most serious conviction offense, 1992**

Most serious conviction offense	White		Black		Other	
	Court records	Prison records	Court records	Prison records	Court records	Prison records
<b>All offenses</b>	100%	100%	100%	100%	100%	100'
<b>Violent offenses</b>	23%	28%	25%	29%	46%	41'
Murder <sup>a</sup>	3	3	3	3	4	5
Rape	5	3	2	2	18	4
Robbery	7	7	12	13	12	11
Assault	6	7	7	8	11	12
Other violent <sup>b</sup>	3	9	1	4	1	9
<b>Property offenses</b>	39%	34%	27%	24%	32%	28'
Burglary	19	17	13	11	19	15
Larceny <sup>c</sup>	13	12	11	10	11	10
Fraud <sup>d</sup>	7	5	4	3	2	3
<b>Drug offenses</b>	23%	18%	36%	30%	8%	12'
Possession	8	4	12	9	4	3
Trafficking	15	14	25	22	4	10
<b>Weapons offenses</b>	2%	2%	3%	3%	2%	2'
<b>Other offenses<sup>e</sup></b>	14%	19%	8%	14%	13%	19'
Number of cases	118,326	117,936	143,844	143,168	2,572	2,542

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property.

### Age of prisoners

State prison records and State court records both show that the average

**Table 4. Court records compared to prison records: Mean ages of State prisoners, by most serious conviction offense, 1992**

Most serious conviction offense	Average age of persons sentenced to prison in 1992 according to —	
	Court records	Prison records
<b>All offenses</b>	30 yrs	30 yrs
<b>Violent offenses</b>	29 yrs	29 yrs
Murder <sup>a</sup>	28	28
Rape	33	33
Robbery	26	26
Assault	29	29
Other violent <sup>b</sup>	34	33
<b>Property offenses</b>	30 yrs	29 yrs
Burglary	28	28
Larceny <sup>c</sup>	30	30
Fraud <sup>d</sup>	32	32
<b>Drug offenses</b>	30 yrs	30 yrs
Possession	31	30
Trafficking	30	30
<b>Weapons offenses</b>	28 yrs	29 yrs
<b>Other offenses<sup>e</sup></b>	32 yrs	29 yrs
Number of cases	322,165	285,921

Note: Means exclude sentences to death or to life.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property.

age of prisoners sentenced in 1992 was 30 years (table 1). Nearly a quarter of all persons sentenced in 1992 were between the ages of 25 and 29 years. The percentages that were in other age categories generally differed between the two sources, but usually by no more than 2 percentage points.

According to both sets of records the average age of persons sentenced for murder in 1992 was 28 (table 4). For most offense categories, State prison records and State court records agreed on the average age of sentenced persons. Where differences existed, they were usually no more than 1 year.

**Table 5. Court records compared to prison records: Mean State prison sentence lengths, by most serious conviction offense, 1992**

Most serious conviction offense	Average prison sentence length (in months) for persons sentenced to prison in 1992 according to —	
	Court records	Prison records
<b>All offenses</b>	85 mo	79 mo
<b>Violent offenses</b>	130 mo	117 mo
Murder <sup>a</sup>	253	265
Rape	170	176
Robbery	119	107
Assault	93	82
Other violent <sup>b</sup>	96	112
<b>Property offenses</b>	71 mo	66 mo
Burglary	80	77
Larceny <sup>c</sup>	58	53
Fraud <sup>d</sup>	69	62
<b>Drug offenses</b>	72 mo	71 mo
Possession	62	71
Trafficking	75	72
<b>Weapons offenses</b>	54 mo	51 mo
<b>Other offenses<sup>e</sup></b>	62 mo	52 mo
Number of cases	349,434	293,162

Note: Means exclude sentences to death or to life in prison. Ohio data from the NCRP are excluded due to a coding error.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property.

### Prison sentence length

The biggest difference between the two sets of records is prisoner sentence length. Court-recorded sentence lengths averaged 6 months longer than prison-recorded sentence lengths. For example, the average prison sentence length for rape was nearly 14 years 8 months according to court records and 14 years 2 months according to prison records (table 5). Court-recorded

sentence lengths were longer than prison recorded sentence lengths for males, females, whites, and blacks (table 6).

The 6-month difference between court records and prison records found for 1992 is not found for other years. In 1990 the court records were 3 months longer than the prison records: 6 years 9 months in court records versus

6 years 6 months in prison records. In 1994, the prison records were longer than the court records by 2 months: 6 years 7 months in prison records versus 6 years 5 months in court records.

*Number of persons sentenced to prison in 1992*

Using the most comparable figures, 1992 court records indicate 349,400 persons were sent to prison with

sentences greater than a year; prison records indicate 293,200 persons (table 5), a difference of 16%. Nearly all of the difference is explained by the fact that 13 States are not included in the data compiled from prison records. Had all 50 States been included in the prison records, it is estimated that the prison records would have indicated 338,600 prison sentences, leaving a difference of 4%.

**Table 6. Court records compared to prison records: Mean sentence lengths for persons sentenced to prison in 1992, by sex, race, and most serious conviction offense**

Most serious conviction offense	Average sentence length (in months) for persons sentenced to prison							
	Sex				Race			
	Male		Female		White		Black	
	Court records	Prison records	Court records	Prison records	Court records	Prison records	Court records	Prison records
<b>All offenses</b>	87 mo	80 mo	59 mo	59 mo	79 mo	72 mo	89 mo	83 mo
<b>Violent offenses</b>	129 mo	118 mo	96 mo	92 mo	125 mo	111 mo	128 mo	122 mo
Murder <sup>a</sup>	257	272	191	189	231	242	248	277
Rape	167	176	110	202	167	168	166	191
Robbery	117	108	77	81	111	98	117	112
Assault	95	83	73	66	87	74	93	87
Other violent <sup>b</sup>	99	113	73	92	102	111	87	119
<b>Property offenses</b>	74 mo	67 mo	47 mo	51 mo	72 mo	64 mo	72 mo	66 mo
Burglary	81	77	50	58	85	74	75	79
Larceny <sup>c</sup>	59	54	40	45	57	51	60	53
Fraud <sup>d</sup>	83	64	53	57	65	63	94	62
<b>Drug offenses</b>	74 mo	73 mo	59 mo	60 mo	63 mo	60 mo	76 mo	77 mo
Possession	64	72	50	58	51	58	69	73
Trafficking	78	73	64	61	68	61	79	78
<b>Weapons offenses</b>	55 mo	52 mo	44 mo	41 mo	54 mo	44 mo	51 mo	54 mo
<b>Other offenses<sup>e</sup></b>	63 mo	53 mo	53 mo	45 mo	46 mo	48 mo	97 mo	58 mo
Number of cases	285,740	269,106	26,343	23,687	106,064	121,069	126,721	146,716

Note: Means exclude sentences to death or life in prison. Ohio data from the NCRP are excluded due to a coding error.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes offenses such as negligent manslaughter, sexual assault, and kidnaping.

<sup>c</sup>Includes motor vehicle theft.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property.

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## Methodology

### Significance tests

All comparisons discussed in this report were statistically significant at the 95% confidence level. In general, if the difference between two numbers is at least twice the standard error of that difference, there is at least 95% confidence that the two numbers do in fact differ.

### Data sources

Data for this report were drawn from two BJS statistical programs: the National Corrections Reporting Program (NCRP) based on prison records, and the National Judicial Reporting Program (NJRP) based on court records.

Data in this report shown under the heading *prison records* in tables 1 through 4 are from the Bureau of Justice Statistics (BJS) statistical report *National Corrections Reporting Program, 1992* (NCJ 145862, October 1994, calculated from tables 1-4, 1-5, 1-6, 1-7, 1-9). Sentence lengths in tables 5 and 6 under the heading *prison records* were produced specifically for this report based on analysis of the 1992 NCRP database.

Data shown under the heading *court records* in tables 1 through 6 are tabulated from the 1992 NJRP database. For more information on the 1992 NJRP, see *State Court Sentencing of Convicted Felons, 1992*, BJS Report, NCJ 152696, May 1996.

Average sentence length for 1990 and 1994 were not based on previously published figures, but on new analyses of the court and prison databases for these years. For published figures and more information on 1990 and 1994 data, see *National Judicial Reporting Program, 1990*, BJS Report, NCJ 145323; *State Court Sentencing of Convicted Felons, 1994*, BJS Report, NCJ 164614, March 1998; *National Corrections Reporting Program, 1990*, BJS Report, NCJ 141879; *National*

*Corrections Reporting Program, 1994*, BJS Report, forthcoming.

### Comparability

Because of numerous differences between procedures used to collect NJRP and NCRP data, the two will not give identical results:

- The NJRP data are based on a sample survey of persons sentenced to prison for a felony offense in State courts in 1992. The sample consisted of 300 counties selected to be nationally representative.
- The NCRP data pertain to persons entering State prison in 1992 directly from a sentence by a court. The data were volunteered by 38 states.
- NJRP data are limited to persons convicted of a felony, whereas NCRP data pertain to all persons entering State prison, whether convicted of a felony or a misdemeanor.

The two data sources use similar, but not identical, definitions of the term "most serious conviction offense." For the NCRP, if the entering prisoner was convicted of more than one offense, the prisoner's "most serious conviction offense" was the offense with the longest sentence. For the NJRP, if the felon was convicted of more than one felony offense, the offense designation for the felon was the most serious offense. The hierarchy from most to least serious offense was murder, rape, robbery, aggravated assault, burglary, drug trafficking, weapons, forgery/fraud/embezzlement, larceny/motor vehicle theft, drug possession, and all other felonies. The hierarchy was determined from an analysis of two factors that reflect how seriously the justice system treats different offenses: the sentence length imposed and the time actually served in prison before release. In general, the higher the offense is in the hierarchy, the more serious it is in terms of the two factors.

### Sentence length

Information on average sentence lengths given in tables 5 and 6 of this report were not obtained from existing BJS publications of 1992 data from the NCRP and the NJRP. The reason is that these publications define average sentence length differently:

- Persons receiving consecutive sentences are treated one way in the 1992 NCRP publication's measure of average sentence length and a different way in the 1992 NJRP's measure. In the NJRP publication, the sentences for the different offenses are summed. For example, the NJRP measure treats a person receiving a 10-year sentence for rape and a consecutive 5-year sentence for robbery as a 15-year sentence. By contrast, the person is treated as a 10-year sentence in the NCRP measure because the NCRP measure counts just the longest sentence.

- Unlike the 1992 NJRP publication, the 1992 NCRP publication does not include probationers and parolees returned to prison with new sentences.

- Unlike the 1992 NJRP publication, the 1992 NCRP publication excludes prisoners with sentences of a year or less.

To make average sentence length (shown in tables 5 and 6) more comparable between the NCRP and the NJRP, 1992 prison sentence length data were subjected to an analysis in which average sentence length was defined the same way for this report:

- Maximum sentence length for consecutive sentences was defined as the sum of the consecutive sentences a person receives.

- Probationers and parolees returned to prison with new sentences were included.

- Only sentences over a year were included.

Using a common definition, the NCRP gave an estimated average sentence length of 6 years 7 months (table 5) and the NJRP gave 7 years 1 month (table 5), a difference of 6 months. When the common definition was not used, the two differed by 10 months (5 years 7 months according to the 1992 NCRP publication versus 6 years 7 months according to the 1992 NJRP publication). Therefore, using a common definition (table 5) narrowed the difference.

Even with the use of a common definition, differences remain between the NCRP and the NJRP. For example, California (which has relatively short sentences) accounts for a greater fraction of the NCRP cases than the NJRP cases. The 6-month difference (table 5) between the NCRP and the NJRP would be reduced to 4 months if California accounted for the same fraction of the NCRP as the NJRP. No doubt other differences exist between the two that affect comparisons of average sentence length.

*Estimate of the number of persons sentenced to prison in 1992 according to prisoner data*

The 293,162 figure for the 37 States plus an estimate for the 13 missing States forms a national estimate of persons admitted. To obtain the national estimate, a prisoner database was located that gave an aggregate count of the number of persons sentenced to prison in 1992 for each of the 50 States (Correctional Populations in the United States, 1992, NCJ 146413, January 1995, tables 5.10a, 5.16). According to the database, the 13 States accounted for 12% of prison admissions nationwide in 1992. Using the 12% figure as a basis for estimation, it is estimated that 338,000 persons were sentenced to prison nationwide in 1992.

The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Jan M. Chaiken, Ph.D., is director.

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Readers who want further information about the National Judicial Reporting Program and the National Corrections Reporting Program should access the BJS Internet Web site: <http://www.ojp.usdoj.gov/bjs/>

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 may be accessed through the BJS Web site. When at the archive site, search for data sets ICPSR 6038, 6509, 6855, 6141, 6400, and 6681.