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# State Court Sentencing of Convicted Felons, 1998 Statistical Tables

<http://www.ojp.usdoj.gov/bjs/abstract/scscfst.htm>

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**State Court Sentencing of Convicted Felons, 1998 -- Statistical Tables**

**Table 1.1. Estimated number of felony convictions in State courts, 1998**

Most serious conviction offense	Felony convictions in State courts	
	Number	Percent
<b>All offenses</b>	927,717	100 %
<b>Violent offenses</b>	164,584	17.8 %
Murder /a	9,158	1.0
Murder	6,944	0.7
Manslaughter	2,127	0.2
Sexual assault /b	29,693	3.2
Rape	11,622	1.3
Other sexual assault	18,071	1.9
Robbery	38,784	4.2
Armed	11,977	1.3
Unarmed	10,358	1.1
Unspecified	16,450	1.8
Aggravated assault	71,060	7.7
Other violent /c	15,889	1.7
<b>Property offenses</b>	283,002	30.5 %
Burglary	87,957	9.5
Residential	12,542	1.4
Nonresidential	20,419	2.2
Unspecified	54,996	5.9
Larceny /d	107,621	11.6
Motor vehicle theft	14,368	1.5
Other theft	93,253	10.1
Fraud /e	87,424	9.4
Fraud	43,975	4.7
Forgery	43,449	4.7
<b>Drug offenses</b>	314,626	33.9 %
Possession	119,443	12.9
Trafficking	195,183	21.0
Marijuana	22,975	2.5
Other	54,633	5.9
Unspecified	117,575	12.7
<b>Weapon offenses</b>	31,904	3.4 %
<b>Other offenses /f</b>	133,601	14.4 %

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

This table is based on an estimated 927,717 cases.

a/ Includes manslaughter, defined as nonnegligent manslaughter only. A small number of cases were classified as nonnegligent manslaughter when it was unclear if the conviction offense was murder or nonnegligent manslaughter.

b/ Includes rape.

c/ Includes offenses such as negligent manslaughter and kidnaping.

d/ In a small number of cases, the type of larceny - vehicle theft versus other theft - was unknown.

They were classified as "other theft".

e/ Includes embezzlement.

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

**State Court Sentencing of Convicted Felons, 1998 -- Statistical tables**

**Table 1.2. Types of felony sentences imposed by State courts, by offense, 1998**

Most serious conviction offense	Percent of felons sentenced to --				
	Total	Incarceration			Probation
		Total	Prison	Jail	
<b>All offenses</b>	100 %	68 %	44 %	24 %	32 %
<b>Violent offenses</b>	100 %	78 %	59 %	19 %	22 %
Murder /a	100	96	94	2	4
Sexual assault /b	100	82	67	15	18
Rape	100	84	70	14	16
Other sexual assault	100	80	64	16	20
Robbery	100	88	76	12	12
Aggravated assault	100	72	46	26	28
Other violent /c	100	67	41	26	33
<b>Property offenses</b>	100 %	65 %	43 %	22 %	35 %
Burglary	100	75	54	21	25
Larceny /d	100	64	40	24	36
Motor vehicle theft	100	76	43	33	24
Fraud /e	100	55	35	20	45
<b>Drug Offenses</b>	100 %	68 %	42 %	26 %	32 %
Possession	100	65	36	29	35
Trafficking	100	71	45	26	29
<b>Weapon offenses</b>	100 %	66 %	42 %	24 %	34 %
<b>Other offenses /f</b>	100 %	63 %	35 %	28 %	37 %

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed -- prison being the most severe, followed by jail, then probation. Prison includes death sentences. Felons receiving a sentence other than incarceration or probation are classified under "probation". This table is based on an estimated 921,328 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.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.3. Lengths of felony sentences imposed by State courts, by offense and type of sentence, 1998**

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to --			
	Incarceration			Probation
	Total	Prison	Jail	
<b>Mean</b>				
<b>All offenses</b>	39 mo	57 mo	6 mo	41 mo
<b>Violent offenses</b>	77 mo	100 mo	7 mo	52 mo
Murder /a	258	263	11	60
Sexual assault /b	94	111	8	67
Rape	125	147	8	68
Other sexual assault	74	88	8	67
Robbery	94	106	10	59
Aggravated assault	44	66	6	41
Other violent /c	37	56	6	72
<b>Property offenses</b>	31 mo	44 mo	5 mo	39 mo
Burglary	39	52	6	44
Larceny /d	25	37	5	38
Motor vehicle theft	22	35	5	38
Fraud /e	27	40	4	39
<b>Drug offenses</b>	31 mo	47 mo	5 mo	38 mo
Possession	21	35	4	36
Trafficking	37	54	6	40
<b>Weapon offenses</b>	29 mo	42 mo	6 mo	35 mo
<b>Other offenses /f</b>	25 mo	40 mo	6 mo	40 mo

**Table 1.3. Lengths of felony sentences imposed by State courts, by offense and type of sentence, 1998 (cont.)**

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to --			
	Incarceration			Probation
	Total	Prison	Jail	
<b>Median</b>				
<b>All offenses</b>	18 mo	36 mo	4 mo	36 mo
<b>Violent offenses</b>	36 mo	60 mo	6 mo	36 mo
Murder /a	288	300	8	60
Sexual assault /b	60	66	6	60
Rape	72	100	6	60
Other sexual assault	48	60	6	60
Robbery	60	72	9	60
Aggravated assault	24	42	4	36
Other violent /c	16	36	4	36
<b>Property offenses</b>	16 mo	30 mo	4 mo	36 mo
Burglary	24	36	4	36
Larceny /d	12	24	4	36
Motor vehicle theft	12	24	4	36
Fraud /e	12	24	3	36
<b>Drug offenses</b>	14 mo	36 mo	4 mo	36 mo
Possession	12	24	3	25
Trafficking	19	36	4	36
<b>Weapon offenses</b>	18 mo	30 mo	4 mo	30 mo
<b>Other offenses /f</b>	12 mo	27 mo	4 mo	36 mo

Note: See note on table 2.

Means exclude sentences to death or to life in prison.

This table is based on an estimated 921,328 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.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.4. Estimated percent of felons sentenced to life in State prison, by offense, 1998**

Most serious conviction offense	Life sentences as a percent of --	
	All sentences	All prison sentences
<b>All offenses</b>	0.5 %	1.1 %
Murder	25.5	27.4
Sexual assault	1.8	2.7
Rape	3.9	5.5
Other sexual assault	0.5	0.7
Robbery	1.2	1.6
Aggravated assault	0.5	1.1
Other violent	0.2	0.6
Burglary	0.3	0.5
Larceny	0.1	0.2
Motor vehicle theft	0.1	0.2
Fraud	--	--
Drug possession	0.2	0.6
Drug trafficking	0.1	0.2
Weapons	0.2	0.6
Other	0.1	0.2

--Less than 0.05%

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.5. Estimated time to be served in State prison, by offense, 1998**

Most serious conviction offense	Mean prison sentence	To be served in prison, estimated --	
		Percent of sentence /a	Time /b
<b>All offenses</b>	57 mo	47 %	27 mo
<b>Violent Offenses</b>	100 mo	54 %	54 mo
Murder /c	263	52	136
Sexual assault /d	111	56	62
Rape	147	58	81
Other sexual assault	88	55	45
Robbery	106	51	54
Aggravated assault	66	57	38
Other violent /e	56	55	31
<b>Property Offenses</b>	44 mo	45 %	20 mo
Burglary	52	45	24
Larceny /f	37	45	17
Motor vehicle theft	35	43	15
Fraud /g	40	42	17
<b>Drug Offenses</b>	47 mo	41 %	19 mo
Possession	35	40	14
Trafficking	54	41	22
<b>Weapon offenses</b>	42 mo	60 %	25 mo
<b>Other offenses /h</b>	40 mo	51 %	20 mo

a/ Percentages are based on data from 237,443 persons released from State prisons in 1998 (National Corrections Reporting Program, 1998 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.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.6. Number of offenses for felons convicted and sentenced in 1998 in State courts, by most serious felony conviction offense, 1998**

Most serious conviction offense	Total	Percent of convicted felons with --		
		One felony conviction	Two felony convictions	Three or more felony convictions
<b>All Offenses</b>	100 %	78 %	16 %	6 %
<b>Violent Offenses</b>	100 %	72 %	20 %	8 %
Murder /a	100	60	25	15
Sexual assault /b	100	69	21	10
Robbery	100	68	20	12
Aggravated assault	100	74	19	7
Other violent /c	100	82	15	3
<b>Property Offenses</b>	100 %	74 %	18 %	8 %
Burglary	100	63	25	12
Larceny /d	100	86	12	2
Fraud /e	100	71	19	10
<b>Drug Offenses</b>	100 %	80 %	16 %	4 %
Possession	100	89	10	1
Trafficking	100	74	20	6
<b>Weapon offenses</b>	100 %	79 %	16 %	5 %
<b>Other offenses /f</b>	100 %	91 %	8 %	1 %

Note: This table is based on an estimated 899,882 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.



## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.7. Convicted felons sentenced to prison by State courts, by number of conviction offenses, 1998**

Most serious conviction offense	Percent of felons sentenced to prison following --			
	Total	One felony conviction	Two felony convictions	Three or more felony convictions
<b>All Offenses</b>	100 %	41 %	53 %	64 %
<b>Violent Offenses</b>	100 %	54 %	68 %	81 %
Murder /a	100	94	96	96
Sexual assault /b	100	61	76	84
Robbery	100	71	83	91
Aggravated assault	100	42	55	66
Other violent /c	100	41	43	61
<b>Property Offenses</b>	100 %	39 %	50 %	59 %
Burglary	100	49	59	69
Larceny /d	100	38	46	53
Fraud /e	100	32	41	48
<b>Drug Offenses</b>	100 %	40 %	47 %	57 %
Possession	100	36	38	45
Trafficking	100	43	50	59
<b>Weapon offenses</b>	100 %	40 %	50 %	54 %
<b>Other offenses /f</b>	100 %	34 %	45 %	51 %

Note: See note on table 2. This table is based on an estimated 893,536.

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, 1998 -- Statistical tables**

**Table 1.8. Mean sentence lengths for State felony sentences imposed, by the number and category of the conviction offense, 1998**

Most serious conviction offense	Mean maximum sentence length (in months) for felons sentenced to --			
	Incarceration			
	Total	Prison	Jail	Probation
<b>All offenses</b>	34 mo	51 mo	6 mo	40 mo
<b>Violent offenses</b>	62 mo	82 mo	7 mo	53 mo
Murder /a	219	223	13	59
Sexual assault /b	73	88	8	68
Robbery	74	84	11	61
Aggravated assault	39	61	6	41
Other violent /c	35	51	6	83
<b>Property offenses</b>	28 mo	41 mo	6 mo	39 mo
Burglary	37	51	6	43
Larceny /d	24	35	6	37
Fraud /e	25	37	5	38
<b>Drug offenses</b>	29 mo	45 mo	5 mo	39 mo
Possession	21	34	4	36
Trafficking	36	53	6	41
<b>Weapon offenses</b>	26 mo	38 mo	6 mo	34 mo
<b>Other offenses /f</b>	25 mo	39 mo	6 mo	40 mo
<b>Two or more conviction offenses</b>				
<b>All offenses</b>	57 mo	75 mo	5 mo	41 mo
<b>Violent offenses</b>	115 mo	135 mo	6 mo	48 mo
Murder /a	321	327	10	63
Sexual assault /b	136	151	7	68
Robbery	135	144	8	53
Aggravated assault	59	77	5	44
Other violent /c	51	77	7	33
<b>Property offenses</b>	38 mo	49 mo	5 mo	43 mo
Burglary	43	53	6	45
Larceny /d	32	45	5	42
Fraud /e	32	44	4	42
<b>Drug offenses</b>	38 mo	53 mo	5 mo	38 mo
Possession	27	40	4	36
Trafficking	41	56	5	39
<b>Weapon offenses</b>	39 mo	52 mo	7 mo	37 mo
<b>Other offenses /f</b>	30 mo	43 mo	6 mo	40 mo

Note: See notes on tables 2 and 3.

## State Court Sentencing of Convicted Felons, 1998 -- Statistical tables

**Table 1.9. Felons sentenced to an additional penalty by State courts, by offense, 1998**

Most serious conviction offense	Percent of felons with an additional penalty of --				
	Fine	Restitution	Treatment	Community Service	Other
<b>All offenses</b>	21 %	13 %	6 %	6 %	7 %
<b>Violent offenses</b>	18 %	13 %	5 %	5 %	6 %
Murder /a	9	10	1	3	2
Sexual assault /b	16	11	8	4	7
Rape	12	10	9	3	8
Other sexual assault	18	12	8	4	5
Robbery	12	13	3	3	5
Aggravated assault	21	14	6	7	6
Other violent /c	22	15	5	6	9
<b>Property offenses</b>	21 %	24 %	5 %	8 %	7 %
Burglary	19	23	5	6	7
Larceny /d	21	21	4	7	9
Motor vehicle theft	12	21	5	5	17
Fraud /e	24	29	5	11	5
<b>Drug offenses</b>	22 %	6 %	6 %	6 %	7 %
Possession	19	5	10	8	9
Trafficking	24	7	4	5	5
<b>Weapon offenses</b>	18 %	5 %	4 %	6 %	6 %
<b>Other offenses /f</b>	24 %	9 %	6 %	6 %	10 %

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 estimated 927,717 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.