



State Court Sentencing of Convicted Felons, 1998 Statistical Tables

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

Table 3.1. Estimated number of felony convictions in State courts, by whether sentenced to probation and by offense, 1998

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 %	47 %	53 %	18 %	15 %	22 %
Murder/a	100	13	87	1	--	2
Sexual assault/b	100	48	52	3	3	4
Robbery	100	32	68	4	2	7
Aggravated assault	100	57	43	8	8	8
Other violent/c	100	55	45	2	2	2
Property offenses	100 %	62 %	38 %	30 %	33 %	27 %
Burglary	100	55	45	9	9	10
Larceny/d	100	60	40	12	12	11
Fraud/e	100	71	29	9	12	6
Drug offenses	100 %	57 %	43 %	34 %	34 %	34 %
Possession	100	62	38	13	14	11
Trafficking	100	54	46	21	20	23
Weapon offenses	100 %	55 %	45 %	3 %	3 %	4 %
Other offenses/f	100 %	60 %	40 %	14 %	15 %	13 %

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

This table is based on an estimated 926,537 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.

-- 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.

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Table 3.2. Felony convictions in State courts, by type of sentence to probation or incarceration and offense, 1998

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	30 %	28 %	13 %	15 %	2 %	40 %	31 %	9 %
Violent offenses	20 %	27 %	14 %	13 %	2 %	51 %	44 %	7 %
Murder/a	3	10	9	1	1	86	86	1
Sexual assault/b	16	32	21	11	2	50	46	4
Robbery	12	21	14	7	1	67	62	5
Aggravated assault	27	31	14	17	2	41	32	9
Other violent/c	28	27	10	17	5	40	31	8
Property offenses	33 %	29 %	15 %	14 %	2 %	36 %	28 %	8 %
Burglary	23	31	17	15	2	44	37	6
Larceny/d	34	27	12	14	2	37	27	10
Fraud/e	43	28	15	13	2	27	20	7
Drug offenses	29 %	28 %	13 %	15 %	2 %	41 %	29 %	11 %
Possession	33	29	12	17	2	35	24	12
Trafficking	27	27	13	14	2	44	32	11
Weapon offenses	31 %	25 %	11 %	14 %	3 %	41 %	31 %	10 %
Other offenses/f	34 %	27 %	9 %	18 %	2 %	36 %	26 %	11 %

Note: See note on table 3.1.

-- 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, 1998 -- Statistical tables

Table 3.3. Average probation sentence of felons convicted in State courts, by offense, 1998

Most serious conviction offense	Probation sentence (in months) in case of --				
	Total	Straight probation	Split sentence		
			Total	Prison	Jail
Mean sentence					
All offenses	41 mo	40 mo	42 mo	47 mo	37 mo
Violent offenses	52 mo	47 mo	55 mo	68 mo	42 mo
Murder/a	74	60	79	81	61
Sexual assault/b	77	67	82	94	59
Robbery	55	59	52	56	44
Aggravated assault	45	41	48	61	38
Other violent/c	38	39	37	39	36
Property offenses	40 mo	39 mo	41 mo	45 mo	36 mo
Burglary	44	44	44	48	40
Larceny/d	38	38	39	46	33
Fraud/e	39	39	38	41	36
Drug offenses	38 mo	38 mo	37 mo	38 mo	35 mo
Possession	35	36	33	36	31
Trafficking	40	40	39	39	39
Weapon offenses	36 mo	35 mo	38 mo	44 mo	34 mo
Other offenses/f	41 mo	40 mo	41 mo	43 mo	40 mo

Table 3.3. Average probation sentence of felons convicted in State courts, by offense, 1998 (cont.)

Most serious conviction offense	Probation sentence (in months) in case of --				
	Total	Straight probation	Split sentence		
			Total	Prison	Jail
Median sentence					
All offenses	36 mo	36 mo	36 mo	36 mo	36 mo
Violent offenses	36 mo	36 mo	36 mo	48 mo	36 mo
Murder/a	60	60	60	60	60
Sexual assault/b	60	60	60	60	60
Robbery	48	60	36	36	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	36	36
Fraud/e	36	36	36	36	36
Drug offenses	36 mo	36 mo	36 mo	36 mo	36 mo
Possession	36	25	36	30	36
Trafficking	36	36	36	36	36
Weapon offenses	36 mo	30 mo	36 mo	24 mo	36 mo
Other offenses/f	36 mo	36 mo	36 mo	36 mo	36 mo

Note: See note on table 3.1.

Means exclude sentences to death or to life in prison.

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 3.4. Average State court sentence to incarceration for felons receiving sentences with or without probation, by offense, 1998

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	23 mo	42 mo	5 mo	50 mo	64 mo	7 mo
Violent offenses	38 mo	65 mo	6 mo	98 mo	112 mo	9 mo
Murder/a	127	138	10	278	282	12
Sexual assault/b	54	74	6	118	129	10
Robbery	62	82	8	104	112	13
Aggravated assault	23	46	5	60	75	8
Other violent/c	22	48	6	47	58	7
Property offenses	21 mo	35 mo	4 mo	38 mo	48 mo	7 mo
Burglary	25	41	5	49	57	8
Larceny/d	17	31	4	30	39	7
Fraud/e	20	33	3	35	45	6
Drug offenses	20 mo	38 mo	5 mo	39 mo	51 mo	6 mo
Possession	16	32	4	26	36	5
Trafficking	23	41	5	45	58	7
Weapon offenses	19 mo	35 mo	6 mo	35 mo	44 mo	7 mo
Other offenses/f	15 mo	32 mo	4 mo	32 mo	43 mo	8 mo
Median sentence						
All offenses	8 mo	24 mo	3 mo	26 mo	36 mo	6 mo
Violent offenses	12 mo	38 mo	4 mo	60 mo	67 mo	6 mo
Murder/a	84	96	8	324	336	8
Sexual assault/b	24	51	6	72	83	9
Robbery	24	60	6	72	72	12
Aggravated assault	9	30	4	36	48	6
Other violent/c	8	24	4	24	36	6
Property offenses	9 mo	24 mo	3 mo	24 mo	36 mo	6 mo
Burglary	10	24	4	36	41	6
Larceny/d	8	24	3	21	24	6
Fraud/e	8	24	3	24	36	5
Drug offenses	8 mo	24 mo	3 mo	24 mo	36 mo	6 mo
Possession	6	24	3	16	24	4
Trafficking	8	24	4	32	42	6
Weapon offenses	12 mo	24 mo	4 mo	24 mo	35 mo	6 mo
Other offenses/f	6 mo	20 mo	3 mo	23 mo	36 mo	6 mo

Note: See note on table 3.1.

Means exclude sentences to death or life in prison.

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 3.5. Number of conviction offenses for felons sentenced to probation in State courts, by offense, 1998

Most serious conviction offense	Percent of felons sentenced to probation when their conviction offenses numbered --			
	One or more	One	Two	Three or more
All offenses	57 %	58 %	56 %	53 %
Violent offenses	47 %	49 %	45 %	37 %
Murder/a	13	14	12	12
Sexual assault/b	48	51	44	35
Robbery	32	33	32	29
Aggravated assault	58	59	56	50
Other violent/c	54	53	62	50
Property offenses	62 %	62 %	61 %	63 %
Burglary	55	54	55	59
Larceny/d	60	60	59	59
Fraud/e	71	72	69	68
Drug offenses	57 %	57 %	58 %	53 %
Possession	62	61	65	60
Trafficking	53	53	55	52
Weapon offenses	55 %	56 %	55 %	53 %
Other offenses/f	61 %	61 %	60 %	58 %

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, 1998 -- Statistical tables

Table 3.6. Gender of felons receiving probation or a sentence without probation in State courts, by offense, 1998

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	15 %	16 %	9 %	22 %	23 %	12 %
Murder/a	--	--	--	2	2	1
Sexual assault/b	3	3	1	4	4	1
Robbery	2	3	1	7	7	3
Aggravated assault	8	8	6	8	8	6
Other violent/c	2	2	1	2	2	1
Property offenses	33 %	29 %	46 %	27 %	26 %	38 %
Burglary	9	10	4	10	11	5
Larceny/d	12	11	17	11	10	17
Fraud/e	12	8	26	6	5	17
Drug offenses	34 %	35 %	33 %	34 %	33 %	40 %
Possession	14	14	15	12	11	16
Trafficking	21	21	18	22	22	24
Weapon offenses	3 %	4 %	1 %	4 %	4 %	1 %
Other offenses/f	15 %	16 %	10 %	13 %	14 %	9 %

Note: See note on tables 2.1 and 3.1.

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, 1998 -- Statistical tables

Table 3.7. Offense of felons receiving probation or a sentence without probation in State courts, by gender, 1998

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 %	87 %	13 %	100 %	93 %	7 %
Murder/a	100	83	17	100	93	7
Sexual assault/b	100	96	4	100	98	2
Robbery	100	88	12	100	94	6
Aggravated assault	100	83	17	100	90	10
Other violent/c	100	87	13	100	90	10
Property offenses	100 %	70 %	30 %	100 %	83 %	17 %
Burglary	100	91	9	100	94	6
Larceny/d	100	72	28	100	81	19
Fraud/e	100	54	46	100	68	32
Drug offenses	100 %	80 %	20 %	100 %	86 %	14 %
Possession	100	77	23	100	83	17
Trafficking	100	81	19	100	87	13
Weapon offenses	100 %	92 %	8 %	100 %	96 %	4 %
Other offenses/f	100 %	87 %	13 %	100 %	91 %	9 %

Note: See note on tables 2.1 and 3.1.

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, 1998 -- Statistical tables

Table 3.8. Offense of felons receiving probation or a sentence without probation in State courts, by race, 1998

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 %	58 %	40 %	2 %	100 %	51 %	49 %	1 %
Violent offenses	100 %	58 %	38 %	4 %	100 %	49 %	50 %	1 %
Murder/a	100	59	39	2	100	39	60	1
Sexual assault/b	100	70	21	9	100	67	31	1
Robbery	100	37	62	2	100	34	65	1
Aggravated assault	100	58	38	3	100	53	45	2
Other violent/c	100	69	29	2	100	64	36	--
Property offenses	100 %	62 %	36 %	2 %	100 %	58 %	41 %	1 %
Burglary	100	66	32	2	100	61	38	1
Larceny/d	100	58	39	3	100	55	44	1
Fraud/e	100	62	37	2	100	60	39	1
Drug offenses	100 %	51 %	48 %	1 %	100 %	41 %	59 %	-- %
Possession	100	56	43	1	100	52	47	--
Trafficking	100	47	52	1	100	35	65	--
Weapon offenses	100 %	50 %	48 %	1 %	100 %	47 %	52 %	1 %
Other offenses/f	100 %	69 %	29 %	3 %	100 %	63 %	35 %	2 %

Note: See note on tables 1.1, 1.2, and 2.1.

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.

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

Table 3.9. Race of felons receiving probation or a sentence without probation in State courts, by offense, 1998

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	14 %	14 %	14 %	27 %	21 %	20 %	21 %	30 %
Murder/a	--	--	--	--	2	2	2	3
Sexual assault/b	3	3	1	11	4	5	2	5
Robbery	3	2	4	2	7	5	9	8
Aggravated assault	7	7	7	12	7	7	6	13
Other violent/c	2	2	1	2	2	2	1	1
Property offenses	34 %	36 %	30 %	34 %	28 %	32 %	23 %	29 %
Burglary	9	11	7	8	10	12	8	12
Larceny/d	13	13	12	16	11	12	10	13
Fraud/e	12	13	11	9	7	8	5	5
Drug offenses	35 %	30 %	42 %	18 %	35 %	28 %	42 %	16 %
Possession	13	13	14	6	12	12	11	6
Trafficking	21	17	28	12	23	16	31	11
Weapon offenses	3 %	3 %	4 %	2 %	3 %	3 %	4 %	3 %
Other offenses/f	14 %	17 %	10 %	19 %	13 %	16 %	9 %	21 %

Note: See note on tables 2.1 and 3.1.

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.

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

Table 3.10. Average age of felons receiving probation or a sentence without probation in State courts, by offense, 1998

Most serious conviction offense	Probation		Sentence without probation	
	Mean	Median	Mean	Median
All offenses	31 yr	29 yr	32 yr	31 yr
Violent offenses	31 yr	29 yr	30 yr	28 yr
Murder/a	31	29	29	26
Sexual assault/b	33	30	35	34
Robbery	26	22	27	25
Aggravated assault	32	30	31	29
Other violent/c	32	31	31	30
Property offenses	30 yr	28 yr	32 yr	31 yr
Burglary	27	23	30	29
Larceny/d	30	28	32	32
Fraud/e	32	31	33	32
Drug offenses	31 yr	30 yr	32 yr	32 yr
Possession	32	32	34	34
Trafficking	31	29	31	30
Weapon offenses	30 yr	27 yr	30 yr	28 yr
Other offenses/f	32 yr	32 yr	33 yr	33 yr

Note: See note on tables 2.1 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, 1998 -- Statistical tables

Table 3.11. Felons sentenced to probation in State courts, by offense and age at sentencing, 1998

Most serious conviction offense	Percent of felons age group who received a probation sentence			
	Under 20	20-29	30-39	40 or older
All offenses	66 %	59 %	55 %	56 %
Violent offenses	48 %	46 %	47 %	50 %
Murder/a	17	9	19	14
Sexual assault/b	67	53	45	42
Robbery	41	31	28	29
Aggravated assault	57	57	57	62
Other violent/c	49	54	53	55
Property offenses	74 %	65 %	57 %	57 %
Burglary	72	57	44	45
Larceny/d	73	64	54	53
Fraud/e	82	74	69	70
Drug offenses	68 %	59 %	55 %	56 %
Possession	72	64	59	57
Trafficking	67	57	52	56
Weapon offenses	64 %	55 %	53 %	58 %
Other offenses/f	72 %	61 %	58 %	60 %

Note: See note on tables 2.1 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 vandalism.