

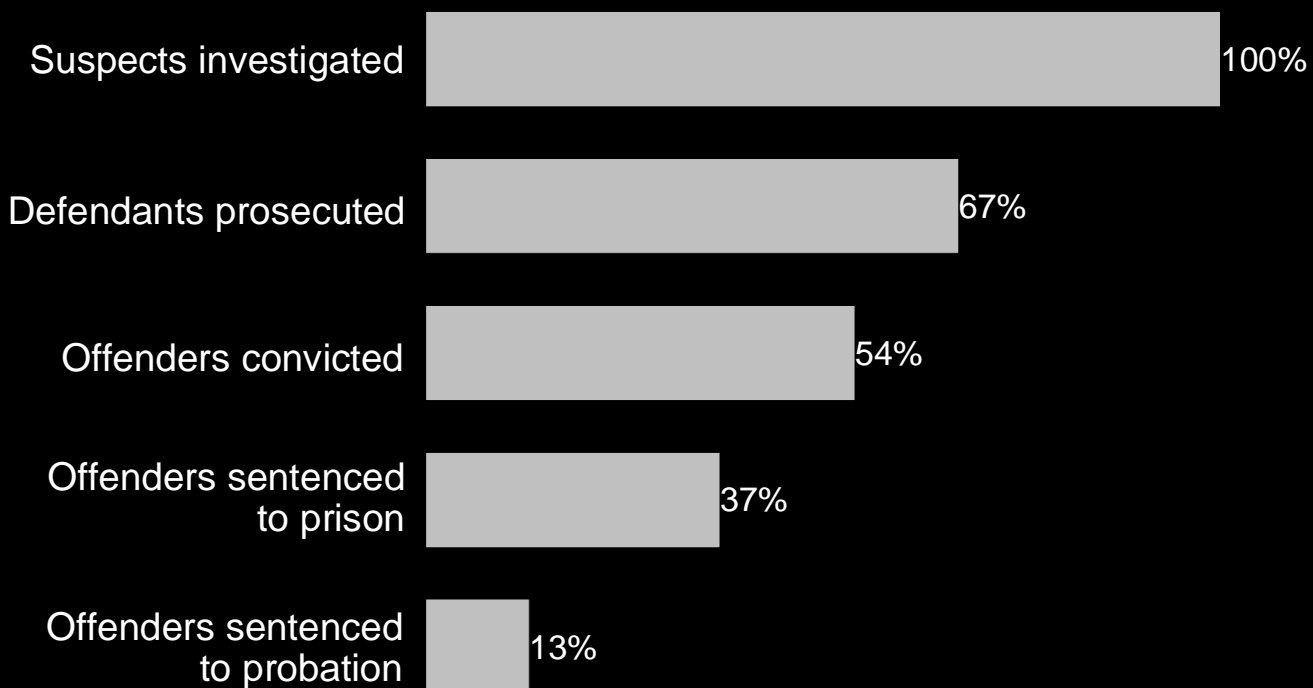


Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1996

Federal criminal case processing in matters concluded by United States attorneys, October 1, 1995 - September 30, 1996

All offenses



(reverse of front cover)

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics



Compendium of Federal Justice Statistics, 1996

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U.S. Department of Justice

Office of Justice Programs
Bureau of Justice Statistics

Jan M. Chaiken, Ph.D.
Director, BJS

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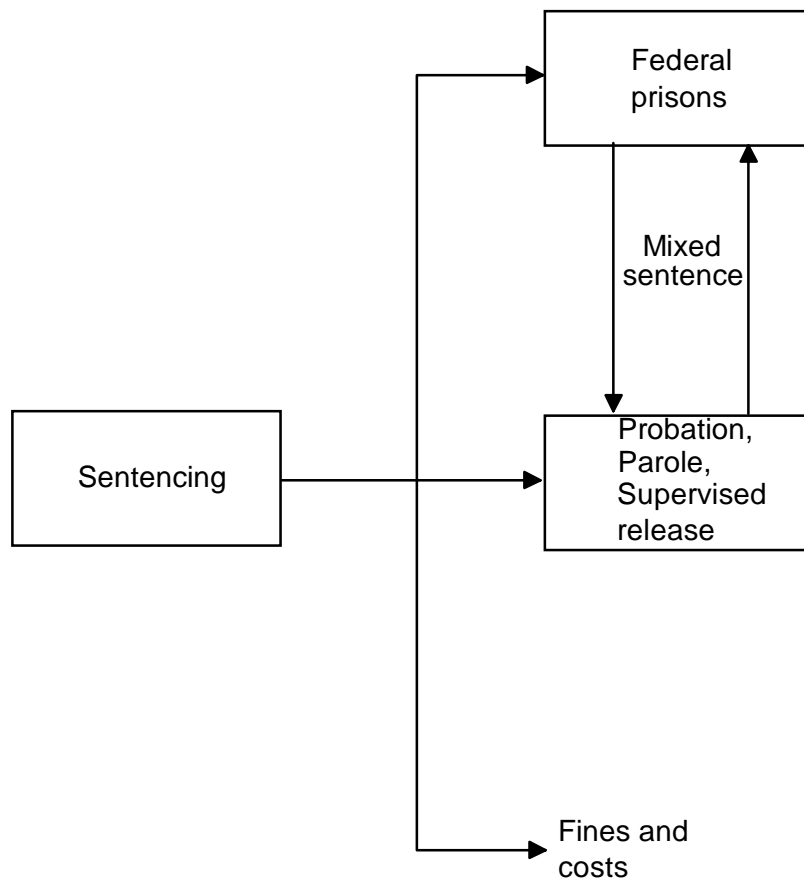
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Chapter 4

Sentencing



Depending upon 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 require a term of supervised release following service of any prison sentence of more than 1 year. In addition, courts have the discretion to impose supervised release in any other case.

Except where otherwise indicated, tables in this chapter are based on the most serious offense of conviction. They are not directly comparable with tables in earlier chapters that are based on the most serious offense investigated or most serious offense charged (see "Offense classifications" in *Methodology*, p. 91).

Offenders convicted and sentences imposed (table 4.1)

Of the 53,076 offenders sentenced during 1996, 36,373 (69%) were sentenced to prison; 12,644 (24%) were sentenced to probation; and 3,429 (7%) were ordered only to pay a fine.² Of the 36,373 offenders sentenced to prison, 34,345 (94%) were convicted of felonies. Eighty percent of convicted felons were sentenced to prison. Felony drug and violent offenders were more likely to receive prison sentences (92% and 91%, respectively) than were either public-order or property offenders (79% and 59%, respectively).

Among public-order offenders, persons convicted of civil rights (93%), escape (92%), and weapons offenses (91%) were as likely as violent and drug offenders to receive prison sentences.

¹For a definition of mixed sentences, see *Glossary*, p. 95.

²Offenders given an intermediate sanction such as intermittent confinement or community confinement that also included probation supervision are counted among offenders given probation.

Among property offenders, persons convicted of arson (87%) and burglary offenses (85%) were almost as likely as violent and drug offenders to receive prison sentences.

Overall, 24% of convicted offenders were sentenced to probation. The percentage of misdemeanants sentenced to probation (48%) was more than twice that of convicted felons (18%). Among felons, persons convicted of migratory birds (100%), postal laws (88%), communications (82%), and food and drug violations (72%) were the most likely to be given probation.

While less than 1% of all convicted felons were ordered to only pay a fine, 46% of the felons convicted of antitrust violations were so ordered. Fines generally were reserved for misdemeanor offenders, 32% of whom received fines.

Average prison sentences imposed (table 4.2)

For all offenders given prison terms, the average term of imprisonment imposed was 61.2 months. Persons convicted of felonies received an average prison term of 64.2 months.

The average length of prison sentence imposed varied among major offense categories. Property offenders received the shortest sentence, on average, while violent offenders received the longest (23.9 months compared to 92.5 months). Drug offenders received 84.5 months, on average, and public-order offenders received 50.8 months. The average prison term for public-order offenders was primarily attributable to the sentences imposed for weapons offenders. The 2,773 weapons offenders sentenced to prison comprised 30% of the 9,383 public-order offenders sent to prison; weapons offenders received an average prison term of 99.8 months, and public-order offenders *other* than weapons offenders received an average prison term of 30.3 months.

Relationship between sentence imposed and mode of conviction (table 4.3)

Offenders convicted by plea were less likely to receive prison than those convicted at trial. Sixty-seven percent of the offenders convicted by guilty plea received some prison, while 88% of the offenders convicted at trial received prison.

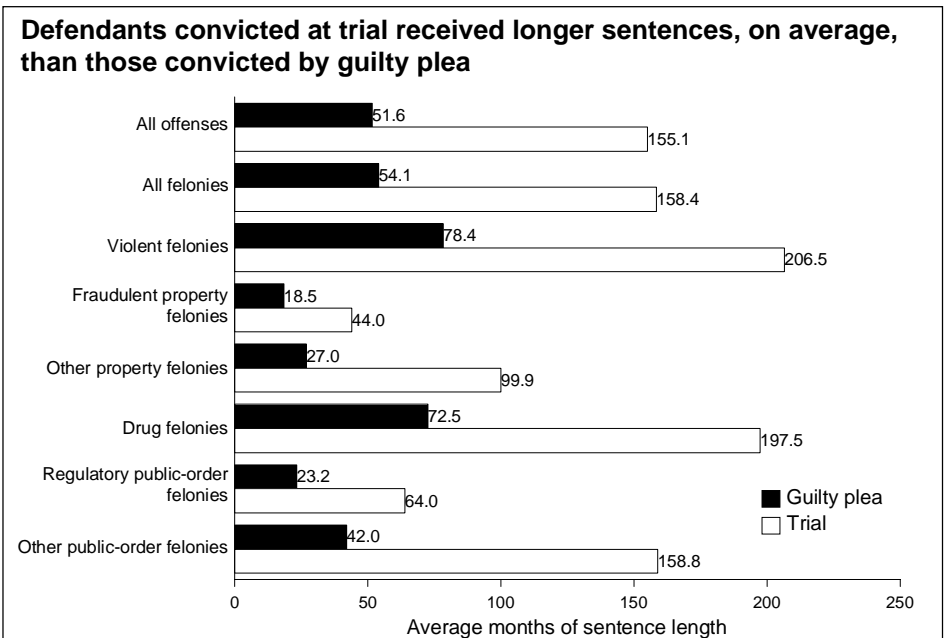


Figure 4.1. Average sentences imposed on defendants convicted at trial and defendants convicted by guilty plea, October 1, 1995 - September 30, 1996

For violent offenders, 91% of those convicted by plea received prison sentences, as did 94% of those convicted at trial. However, for fraudulent property offenders, 57% of those convicted by plea received prison compared to 88% of those convicted at trial. And, for regulatory offenders, 45% of those convicted by plea went to prison, compared with 70% of those convicted at trial.

The average prison term imposed on defendants convicted at trial was longer than the term imposed on defendants convicted by plea. Defendants convicted at trial received 155.1 months, on average, while those convicted by plea received an average of 51.6 months (figure 4.1). Drug offenders convicted at trial received an average of 197.5 months as compared to the 72.5 months for drug offenders convicted by a guilty plea. Violent offenders who went to trial received an average sentence of 206.5 months as compared to the 78.4 months for those convicted by plea.

Characteristics of offenders sentenced to prison (tables 4.4-4.6)

The majority of persons sentenced to prison during 1996 were male (89%), white (64%), non-Hispanic (57%), and U.S. citizens (69%). The percentage sentenced to prison was not uniform across all categories of age, race, sex, education, and ethnicity. Similarly, the average sentences imposed were not uniform across these categories (table 4.5). However, conclusions about the effect that characteristics may have had on sentencing cannot be drawn from the aggregate patterns in the data. 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 offense severity, weapon use, role in the offense, victim injury, dollar loss, and so forth.

One such study of the 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.”³

Average sentences imposed were longest for males (65.3 months), blacks (91.1 months), non-Hispanics (69.6 months), and U.S. citizens (69.7 months). These longer terms are due in large part because these categories of offenders (males, blacks, non-Hispanics, and U.S. citizens) are more highly concentrated in the offense types (table 4.4) that also are associated with longer average sentences (table 4.2). For example, incarceration rates for blacks exceed those of whites in the violent, drug, and nonregulatory public-order offense categories. These offenses are associated with longer average sentences (table 4.2, figure 4.2) than are

property offenses or misdemeanors — the categories in which whites' incarceration rates exceed those of blacks.

In general, within categories of offender characteristics, average prison terms were longer for violent and drug offenses than for property and regulatory public-order offenses. These two offense categories generally are considered to be more serious under the Federal sentencing guidelines than are property and regulatory public-order offenses. As a result, for aggregate tables like the ones presented in this chapter, persons with a certain characteristic may appear to receive more severe sentences on average. The primary reason for the longer averages is the larger number of serious offenses that made up the average sentences.

³ Douglas C. McDonald and Kenneth E. Carlson, *Sentencing in the Federal Courts: Does Race Matter?*, Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, December 1993 (NCJ-145328).

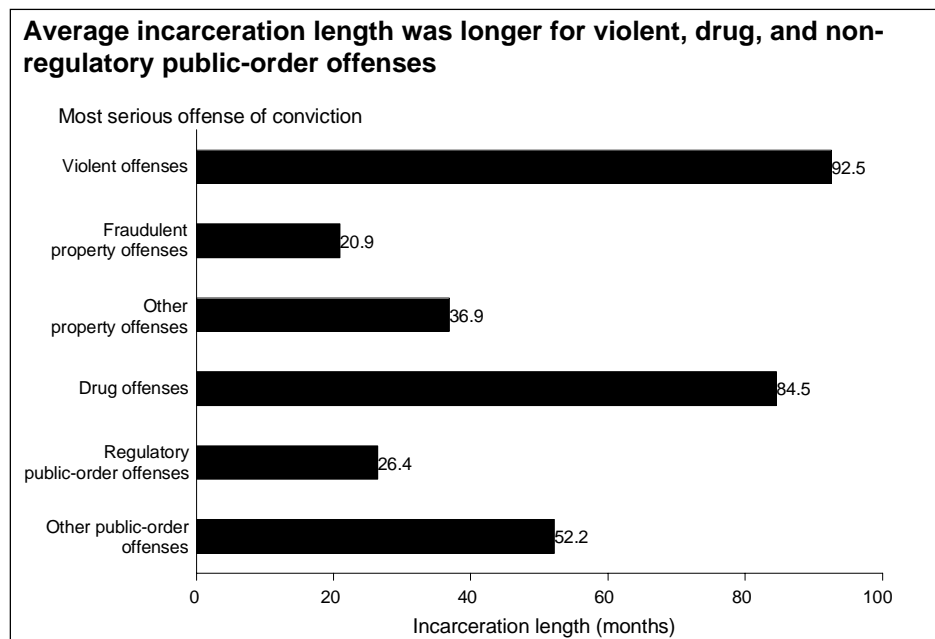


Figure 4.2. Incarceration sentence lengths (in months) of offenders convicted and sentenced in cases that terminated during October 1, 1995 - September 30, 1996

Table 4.1. Sentence types in cases terminated, by offense, October 1, 1995 - September 30, 1996

Most serious offense of conviction	Total offenders sentenced ^a	Percent of offenders convicted and sentenced to—			
		Incarceration ^b	Probation ^c	Mixed sentence ^d	Fine (only)
All offenses^e	53,076	68.5%	23.8%	1.6%	6.5%
Felonies	42,992	79.9%	18.3%	1.7%	0.6%
Violent offenses	2,660	90.9%	9.3%	1.5%	0.3%
Murder ^f	264	87.5	12.1	1.1	0.8
Negligent manslaughter	2	—	—	—	—
Assault	292	75.3	23.3	1.7	0.3
Robbery	1,578	96.0	4.6	1.5	0.1
Rape	201	87.1	13.4	1.5	0.5
Other sex offenses ^f	189	79.9	20.1	1.6	0.5
Kidnaping	107	94.4	6.5	0.9	0
Threats against the President	27	88.9	14.8	3.7	0
Property offenses	11,125	59.0%	38.1%	1.8%	1.0%
Fraudulent	9,055	58.8%	37.7%	2.0%	1.1%
Embezzlement	920	55.7	35.5	2.5	1.6
Fraud ^f	7,123	59.0	38.1	2.0	1.1
Forgery	202	55.9	42.1	1.0	0.5
Counterfeiting	810	60.6	36.0	1.0	0.7
Other	2,070	59.8%	39.8%	1.3%	0.3%
Burglary	68	85.3	16.2	1.5	0
Larceny ^f	1,311	48.2	51.3	1.4	0.4
Motor vehicle theft	121	77.7	19.8	0	0
Arson and explosives	216	86.6	12.5	1.4	0.5
Transportation of stolen property	329	77.2	23.7	1.5	0.3
Other property offenses ^f	25	48.0	48.0	0	0
Drug offenses	17,365	92.0%	7.2%	1.3%	0.2%
Trafficking	16,485	92.5	6.7	1.4	0.2
Possession and other drug offenses	880	83.6	14.8	0.8	0.5
Public-order offenses	11,842	79.2%	17.9%	2.0%	0.9%
Regulatory	1,169	46.2%	47.4%	1.0%	4.4%
Agriculture	36	36.1	63.9	5.6	5.6
Antitrust	33	6.1	42.4	0	45.5
Food and drug	39	23.1	71.8	0	5.1
Transportation	67	37.3	50.7	3.0	13.4
Civil rights	67	92.5	9.0	3.0	1.5
Communications	11	18.2	81.8	0	0
Custom laws	82	42.7	41.5	1.2	11.0
Postal laws	33	12.1	87.9	0	0
Other regulatory offenses	801	48.4	47.1	0.6	1.6
Other	10,673	82.9%	14.7%	2.1%	0.5%
Weapons	3,033	91.4	9.0	1.5	0.1
Immigration offenses	4,929	84.9	10.4	2.8	0.2
Tax law violations ^f	655	47.5	55.1	3.5	0.9
Bribery	199	52.3	39.2	0	5.5
Perjury, contempt, and intimidation	212	69.8	29.2	1.4	0.9
National defense	34	38.2	29.4	0	32.4
Escape	472	92.2	7.4	1.3	0.2
Racketeering and extortion	1,033	80.0	18.1	1.2	0.7
Gambling	30	33.3	60.0	0	6.7
Obscene material ^f	17	64.7	23.5	0	11.8
Migratory birds	11	0	100	0	0
All other felonies ^f	48	60.4	33.3	4.2	0
Misdemeanors^f	10,054	20.1%	47.5%	1.4%	31.5%
Fraudulent property offense	1,451	29.6	59.3	0.3	8.4
Larceny	1,298	13.3	70.3	1.5	16.2
Drug possession ^f	1,192	42.6	48.8	1.4	6.4
Immigration	572	54.0	32.2	1.0	4.9
Traffic offenses	3,622	6.8	27.7	1.4	65.8
Other misdemeanors	1,919	18.4	64.2	2.3	18.1
Unknown or indeterminable offense	30	26.7%	66.7%	0%	6.7%

Note: For further information, see *Chapter notes*, item 1, p. 57.

—Too few cases to obtain statistically reliable data.

^aIncludes offenders receiving incarceration, probation, split or mixed sentences, and fines. Not represented in the percentage columns, but also included in the totals, are offenders receiving deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentences.

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

^cIncludes offenders with split and mixed sentences.

^dSentences to probation combined with incarceration.

^eTotal includes offenders whose sentence could not be determined and defendants for whom offense category could not be determined.

In this table, "Murder" includes nonnegligent manslaughter; "Other sex offenses" may include some nonviolent offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unknown or unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 4.2. Type and length of sentences imposed, by offense, October 1, 1995 - September 30, 1996

Most serious offense of conviction	Offenders convicted and sentenced in cases that terminated during fiscal year 1996							
	Total	Number			Sentence length			
		Incarceration ^a	Probation ^b	Fine (only)	Incarceration ^c		Probation ^c	
					Mean	Median	Mean	Median
All offenses	53,076	36,373	12,644	3,429	61.2 mo	33.0 mo	33.1 mo	36.0 mo
Felonies	42,992	34,345	7,850	260	64.2 mo	36.0 mo	39.1 mo	36.0 mo
Violent offenses	2,660	2,419	248	7	92.5 mo	60.0 mo	43.4 mo	36.0 mo
Murder ^d	264	231	32	2	97.7	60.0	50.3	36.0
Negligent manslaughter	2	2	0	0	—	—
Assault	292	220	68	1	32.1	26.0	38.1	36.0
Robbery	1,578	1,515	72	2	104.6	66.0	43.9	36.0
Rape	201	175	27	1	72.5	46.0	47.7	54.0
Other sex offenses ^d	189	151	38	1	39.4	18.0	41.9	36.0
Kidnaping	107	101	7	0	172.1	84.0	—	—
Threats against the President	27	24	4	0	35.8	18.0	—	—
Property offenses	11,125	6,559	4,239	110	23.9 mo	15.0 mo	39.6 mo	36.0 mo
Fraudulent	9,055	5,322	3,415	103	20.9 mo	13.0 mo	39.8 mo	36.0 mo
Embezzlement	920	512	327	15	16.0	10.0	40.7	36.0
Fraud ^d	7,123	4,206	2,711	81	22.0	15.0	39.9	36.0
Forgery	202	113	85	1	14.8	10.0	38.8	36.0
Counterfeiting	810	491	292	6	18.3	14.0	38.2	36.0
Other	2,070	1,237	824	7	36.9 mo	18.0 mo	39.2 mo	36.0 mo
Burglary	68	58	11	0	26.0	18.0	30.5	36.0
Larceny ^d	1,311	632	672	5	25.8	12.0	38.9	36.0
Motor vehicle theft	121	94	24	0	37.2	18.0	38.5	36.0
Arson and explosives	216	187	27	1	91.3	58.0	38.4	24.0
Transportation of stolen property	329	254	78	1	30.1	24.0	44.6	36.0
Other property offenses ^d	25	12	12	0	16.7	11.0	33.5	36.0
Drug offenses	17,365	15,984	1,242	36	84.5 mo	60.0 mo	44.2 mo	36.0 mo
Trafficking	16,485	15,248	1,112	32	84.9	60.0	45.2	36.0
Possession and other drug offenses	880	736	130	4	76.9	57.0	35.9	36.0
Public-order offenses	11,842	9,383	2,121	107	50.8 mo	24.0 mo	34.6 mo	36
Regulatory	1,169	540	554	51	26.4 mo	16.0 mo	34.7 mo	36.0 mo
Agriculture	36	13	23	2	15.4	12.0	27.9	24.0
Antitrust	33	2	14	15	—	—	32.6	36.0
Food and drug	39	9	28	2	—	—	27.4	24.0
Transportation	67	25	34	9	33.7	18.0	36.4	36.0
Civil rights	67	62	6	1	43.5	33.0	—	—
Communications	11	2	9	0	—	—	—	—
Custom laws	82	35	34	9	19.4	18.0	40.0	36.0
Postal laws	33	4	29	0	—	—	27.1	24.0
Other regulatory offenses	801	388	377	13	24.8	15.0	35.9	36.0
Other	10,673	8,843	1,567	56	52.2 mo	24.0 mo	34.5 mo	36.0 mo
Weapons	3,033	2,773	273	2	99.8	60.0	40.4	36.0
Immigration offenses	4,929	4,183	512	12	22.9	24.0	30.2	36.0
Tax law violations ^d	655	311	361	6	31.9	15.0	37.4	36.0
Bribery	199	104	78	11	22.4	15.0	35.2	36.0
Perjury, contempt, and intimidation	212	148	62	2	38.5	20.0	28.0	24.0
National defense	34	13	10	11	74.1	30.0	—	—
Escape	472	435	35	1	21.1	15.0	31.4	36.0
Racketeering and extortion	1,033	826	187	7	73.9	48.0	35.1	36.0
Gambling	30	10	18	2	—	—	25.3	24.0
Obscene material ^d	17	11	4	2	30.5	30.0	—	—
Migratory birds	11	0	11	0	29.5	24.0
All other felonies ^d	48	29	16	0	25.3	18.0	34.1	36.0
Misdemeanors^d	10,054	2,020	4,774	3,167	11.0 mo	3.0 mo	23.3 mo	12.0 mo
Fraudulent property offense	1,451	429	860	122	5.1	2.0	34.4	36.0
Larceny	1,298	173	912	210	9.2	6.0	18.0	12.0
Drug possession ^d	1,192	508	582	76	16.0	6.0	23.1	24.0
Immigration	572	309	184	28	10.9	1.0	44.8	60.0
Traffic offenses	3,622	248	1,004	2,383	8.4	1.0	14.2	12.0
Other misdemeanors	1,919	353	1,232	348	13.8	5.0	23.7	24.0
Unknown or indeterminable offense	30	8	20	2	23.0 mo	19.0 mo	31.6 mo	36.0 mo

Note: Total includes offenders with an indeterminable sentence and defendants with an indeterminable offense category. Total exceeds sum of individual sanctions, as split and mixed sentences are counted in both prison and probation. See *Chapter notes*, item 1, p. 57.

— Too few cases to obtain statistically reliable data; ... No cases of this type occurred in the data.

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

^bIncludes offenders with split and mixed sentences.

^cExcludes life sentences, death sentences, and indeterminate sentences (1% of all incarcerations).

^dIn this table, "Murder" includes nonnegligent manslaughter; "Other sex offenses" may include

some nonviolent offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unknown or unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 4.3. Sentences imposed on convicted offenders, by offense of conviction and method of disposition, October 1, 1995 - September 30, 1996

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	53,076	36,373	12,644	3,429	68.5%	61.2 mo	33.0 mo
Guilty plea ^d	48,972	32,783	12,310	3,229	66.9	51.6	30.0
Trial	4,104	3,590	334	200	87.5	155.1	105.0
Felonies	42,992	34,345	7,850	260	79.9%	64.2 mo	36.0 mo
Guilty plea	39,299	30,835	7,670	242	78.5	54.1	33.0
Trial	3,693	3,510	180	18	95.0	158.4	110.0
Violent offenses	2,660	2,419	248	7	90.9%	92.5 mo	60.0 mo
Guilty plea	2,344	2,121	226	6	90.5	78.4	56.0
Trial	316	298	22	1	94.3	206.5	119.0
Property offenses							
Fraudulent	9,055	5,322	3,415	103	58.8%	20.9 mo	13.0 mo
Guilty plea	8,475	4,810	3,357	96	56.8	18.5	12.0
Trial	580	512	58	7	88.3	44.0	27.0
Other	2,070	1,237	824	7	59.8%	36.9 mo	18.0 mo
Guilty plea	1,877	1,060	809	6	56.5	27.0	16.0
Trial	193	177	15	1	91.7	99.9	57.0
Drug offenses	17,365	15,984	1,242	36	92.0%	84.5 mo	60.0 mo
Guilty plea	15,658	14,302	1,213	34	91.3	72.5	57.0
Trial	1,707	1,682	29	2	98.5	197.5	165.0
Public-order offenses							
Regulatory	1,169	540	554	51	46.2%	26.4 mo	16.0 mo
Guilty plea	1,105	495	537	48	44.8	23.2	15.0
Trial	64	45	17	3	70.3	64.0	37.0
Other	10,673	8,843	1,567	56	82.9%	52.2 mo	24.0 mo
Guilty plea	9,840	8,047	1,528	52	81.8	42.0	24.0
Trial	833	796	39	4	95.6	158.8	91.0
Misdemeanors	10,054	2,020	4,774	3,167	20.1%	11.0 mo	3.0 mo
Guilty plea ^d	9,644	1,941	4,620	2,985	20.1	10.7	3.0
Trial	410	79	154	182	19.3	18.0	6.0
Unknown or indeterminable offense	30	8	20	2	26.7%	—	—

Note: Total includes offenders whose sentence could not be determined. Total includes defendants for whom offense category could not be determined. For further information, see *Chapter notes*, item 1, p. 57.

—Too few cases to obtain statistically reliable data.

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

^bIncludes offenders with split and mixed sentences.

^cExcludes life sentences and death sentences and indeterminate sentences (1% of all incarceration).

^dIncludes nolo contendere.

Table 4.4. Convicted offenders sentenced to incarceration, by offense and offender characteristics, October 1, 1995 - September 30, 1996

Offender characteristic	Total number of offenders	Percent of all convicted offenders who were incarcerated in cases terminated during 1996							
		All offenses ^a	Violent offenses	Felonies		Drug offenses	Public-order offenses		Misdemeanors
				Fraudulent	Other		Regulatory	Other	
All offenders^a	53,076	68.5%	90.9%	58.8%	59.8%	92.0%	46.2%	82.9%	20.1%
Sex									
Male	37,747	79.8%	92.7%	63.4%	67.4%	93.9%	54.8%	86.3%	34.1%
Female	7,011	53.1	78.3	49.0	37.6	81.1	37.8	53.9	15.4
Race									
White	28,508	74.3%	90.0%	59.8%	62.5%	90.7%	48.9%	82.8%	32.2%
Black	13,157	80.2	96.0	60.6	56.6	95.3	57.5	88.8	20.8
Other	2,181	63.1	88.6	52.7	60.1	84.5	45.2	71.0	23.3
Ethnicity									
Hispanic	13,951	84.9%	91.7%	58.9%	66.5%	94.7%	54.2%	88.6%	52.0%
Non-Hispanic	30,689	71.5	91.8	59.6	60.1	90.9	48.9	79.8	20.3
Age									
16-18 years	314	62.7%	85.1%	37.5%	68.8%	75.6%	50.0%	85.4%	23.8%
19-20 years	1,770	75.2	96.3	56.2	55.2	92.6	61.1	88.5	24.3
21-30 years	16,312	80.0	92.9	57.6	54.6	93.8	58.3	89.9	30.8
31-40 years	13,814	78.0	92.0	61.7	64.0	91.9	52.9	85.2	31.3
Over 40 years	11,749	69.2	89.3	59.3	64.2	90.5	42.9	72.0	22.1
Citizenship									
U.S. citizen	32,009	72.8%	91.9%	59.3%	59.7%	91.0%	49.9%	80.1%	20.3%
Not U.S. citizen	12,407	83.8	90.1	60.6	70.6	95.7	53.2	88.4	53.9
Education									
Less than high school graduate	17,166	84.5%	94.4%	59.3%	66.7%	94.5%	57.6%	88.3%	42.8%
High school graduate	12,600	74.6	93.5	59.1	57.0	91.3	50.8	82.7	21.4
Some college	9,295	69.1	86.4	59.9	57.1	89.7	49.2	74.5	17.6
College graduate	3,363	60.7	81.1	59.7	65.8	87.0	40.4	62.7	15.9
Criminal record									
No convictions	20,748	63.2%	82.6%	50.6%	47.7%	89.0%	45.2%	62.1%	22.5%
Prior adult convictions ^b	23,151	87.1	96.2	73.8	74.0	95.1	65.1	93.7	38.9

Note: Excludes corporations. Includes life sentences and indeterminate sentences. Offenders are classified by the most serious offense of conviction. The percentages in this table report the percent of convicted persons having a particular characteristic who were incarcerated. For example, 79.8% of all convicted males were incarcerated, and 92.7% of males convicted of a violent offense were incarcerated. Offender characteristics are not comparable to the 1993 and prior compendia; see *Chapter notes*, item 2, p. 57.

^aIncludes offenders for whom offense or characteristics are unknown.

^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 57. Classifications of lengths of prior sentences of incarceration differ from the 1993 and prior compendia and are not directly comparable to those earlier years; see *Chapter notes*, item 3, p. 57.

Table 4.5. Average incarceration sentence lengths imposed, by offense and offender characteristics, October 1, 1995 - September 30, 1996

Offender characteristic	Mean sentence length for offenders convicted of—							
	All offenses ^a	Violent offenses	Felonies		Drug offenses	Public-order offenses		Misdemeanors
			Fraudulent	Other		Regulatory	Other	
All offenders^a	61.2 mo	92.5 mo	20.9 mo	36.9 mo	84.5 mo	26.4 mo	52.2 mo	11.0 mo
Sex								
Male	65.3 mo	95.6 mo	21.8 mo	38.7 mo	87.8 mo	27.0 mo	53.7 mo	12.0 mo
Female	37.8	44.4	16.1	18.7	57.5	24.4	36.3	9.6
Race								
White	48.9 mo	79.3 mo	21.2 mo	36.1 mo	67.4 mo	24.8 mo	40.7 mo	10.5 mo
Black	91.1	118.2	19.7	36.1	110.8	30.4	92.7	19.5
Other	55.9	78.0	16.0	35.9	84.7	35.6	63.2	6.9
Ethnicity								
Hispanic	48.9 mo	100.2 mo	19.3 mo	34.0 mo	70.9 mo	20.1 mo	27.5 mo	10.0 mo
Non-Hispanic	69.6	92.1	20.7	36.2	93.1	29.6	79.6	13.3
Age								
16-18 years	68.1 mo	130.9 mo	23.5 mo	29.5 mo	58.8 mo	21.0 mo	45.4 mo	6.8 mo
19-20 years	60.4	92.3	13.8	20.9	71.9	23.3	52.3	10.2
21-30 years	66.7	103.4	16.5	30.2	87.4	20.5	52.2	12.5
31-40 years	61.5	82.4	19.9	37.9	84.2	26.1	51.9	13.9
Over 40 years	58.1	84.1	23.8	40.8	82.0	33.5	57.4	17.9
Citizenship								
U.S. citizen	69.7 mo	90.1 mo	21.2 mo	34.3 mo	89.5 mo	29.0 mo	79.0 mo	14.5 mo
Not U.S. citizen	46.2	135.6	17.0	52.2	72.4	19.8	27.5	9.1
Education								
Less than high school graduate	64.9 mo	98.2 mo	19.6 mo	38.2 mo	83.8 mo	23.1 mo	46.3 mo	13.7 mo
High school graduate	69.7	92.9	18.9	31.8	88.2	22.9	73.5	16.6
Some college	59.8	86.9	20.5	34.9	81.9	33.5	71.4	13.6
College graduate	41.3	60.0	24.8	45.4	70.6	28.4	37.7	29.0
Criminal record								
No convictions	47.1 mo	65.8 mo	18.8 mo	38.6 mo	65.3 mo	24.4 mo	33.1 mo	11.8 mo
Prior adult convictions ^b	73.2	104.3	22.5	34.3	99.3	30.2	60.3	13.3

Note: Excludes corporations, life sentences, and indeterminate sentences. Includes prison portion of split or mixed sentences. Offender characteristics are not comparable to the 1993 and prior compendia; see *Chapter notes*, item 2, p. 57.

^aIncludes offenders for whom offense or characteristics are unknown.
^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 57. Classifications of lengths of prior sentences of incarceration differ from the 1993 and prior compendia and are not directly comparable to those earlier years; see *Chapter notes*, item 3, p. 57.

Table 4.6. Median incarceration sentence lengths imposed, by offense and offender characteristics, October 1, 1995 - September 30, 1996

Offender characteristic	Median sentence length for offenders convicted of—							
	All offenses ^a	Violent offenses	Felonies		Drug offenses	Public-order offenses		Misdemeanors
			Fraudulent	Other		Regulatory	Other	
All offenders^a	33.0 mo	60.0 mo	13.0 mo	18.0 mo	60.0 mo	16.0 mo	24.0 mo	3.0 mo
Sex								
Male	37.0 mo	60.0 mo	15.0 mo	18.0 mo	60.0 mo	16.0 mo	24.0 mo	4.0 mo
Female	21.0	30.0	11.0	10.0	37.0	15.0	18.0	2.0
Race								
White	27.0 mo	51.0 mo	14.0 mo	18.0 mo	46.0 mo	15.0 mo	24.0 mo	4.0 mo
Black	60.0	75.0	12.0	15.0	81.0	21.0	60.0	6.0
Other	24.0	39.0	12.0	18.0	58.5	18.0	27.0	3.0
Ethnicity								
Hispanic	27.0 mo	58.5 mo	10.0 mo	17.0 mo	48.0 mo	12.0 mo	24.0 mo	3.0 mo
Non-Hispanic	37.0	57.0	14.0	18.0	63.0	18.0	41.0	6.0
Age								
16-18 years	30.0 mo	70.0 mo	16.5 mo	24.0 mo	30.0 mo	21.0 mo	33.0 mo	3.0 mo
19-20 years	33.0	51.0	7.0	15.0	48.0	21.0	27.0	5.0
21-30 years	37.0	57.0	12.0	16.0	60.0	15.0	24.0	4.0
31-40 years	36.0	60.0	13.0	18.0	60.0	15.0	24.0	6.0
Over 40 years	30.0	56.0	15.0	20.0	60.0	17.5	24.0	6.0
Citizenship								
U.S. citizen	38.0 mo	60.0 mo	15.0 mo	18.0 mo	60.0 mo	18.0 mo	42.0 mo	6.0 mo
Not U.S. citizen	24.0	51.0	11.5	19.5	48.0	12.0	24.0	2.0
Education								
Less than high school graduate	37.0 mo	60.0 mo	12.0 mo	18.0 mo	60.0 mo	18.0 mo	24.0 mo	5.0 mo
High school graduate	41.0	60.0	12.0	15.0	60.0	15.0	37.0	6.0
Some college	32.0	53.5	14.0	21.0	60.0	18.0	30.5	6.0
College graduate	21.0	37.0	15.0	24.0	46.0	18.0	20.5	5.5
Criminal record								
No convictions	27.0 mo	37.0 mo	12.0 mo	18.0 mo	46.0 mo	15.0 mo	12.0 mo	3.0 mo
Prior adult convictions ^b	41.0	66.0	15.0	18.0	70.0	21.0	27.0	6.0

Note: Excludes corporations, life sentences, and indeterminate sentences. Includes prison portion of split or mixed sentences. Offender characteristics are not comparable to the 1993 and prior compendia; see *Chapter notes*, item 2, p. 57.

^aIncludes offenders for whom offense or characteristics are unknown.
^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 57. Classifications of lengths of prior sentences of incarceration differ from the 1993 and prior compendia and are not directly comparable to those earlier years; see *Chapter notes*, item 3, p. 57.

Chapter notes

- 1) Tables 4.1-4.3 were derived from the AOUSC criminal master data files. Only records of defendants sentenced during October 1, 1995, through September 30, 1996, were selected. Offenses shown in these tables — offenses of conviction — are based on the longest actual sentence imposed.
- 2) Tables 4.4-4.6 were created from AOUSC criminal master data files, supplemented with linked data on offender characteristics from two sources: the United States Sentencing Commission (USSC) monitoring system files (which are limited to records of defendants sentenced under the Federal sentencing guidelines); and the Pretrial Services Information Act System database, maintained by the Pretrial Services Agency (PSA). These two supplemental data files contain information on the characteristics of defendants. Table 4.4 indicates the number of records for which relevant data were available. Percentage distributions were based on records with known values of defendant characteristics and offenses. Means and medians in tables 4.5 and 4.6 were based on the number of records shown in table 4.4.
- 3) Criminal record, as reported in tables 4.4-4.6, is limited to prior adult convictions. For some defendants in these tables, it is further limited to the portion of their criminal record that is relevant for calculating sentences under the Federal sentencing guidelines. In general, this is limited to sentences imposed within a 15-year period prior to the current offense and offenses committed within the United States. For most defendants, the criminal history used to calculate sentencing guideline ranges is tantamount to their entire adult criminal history.

