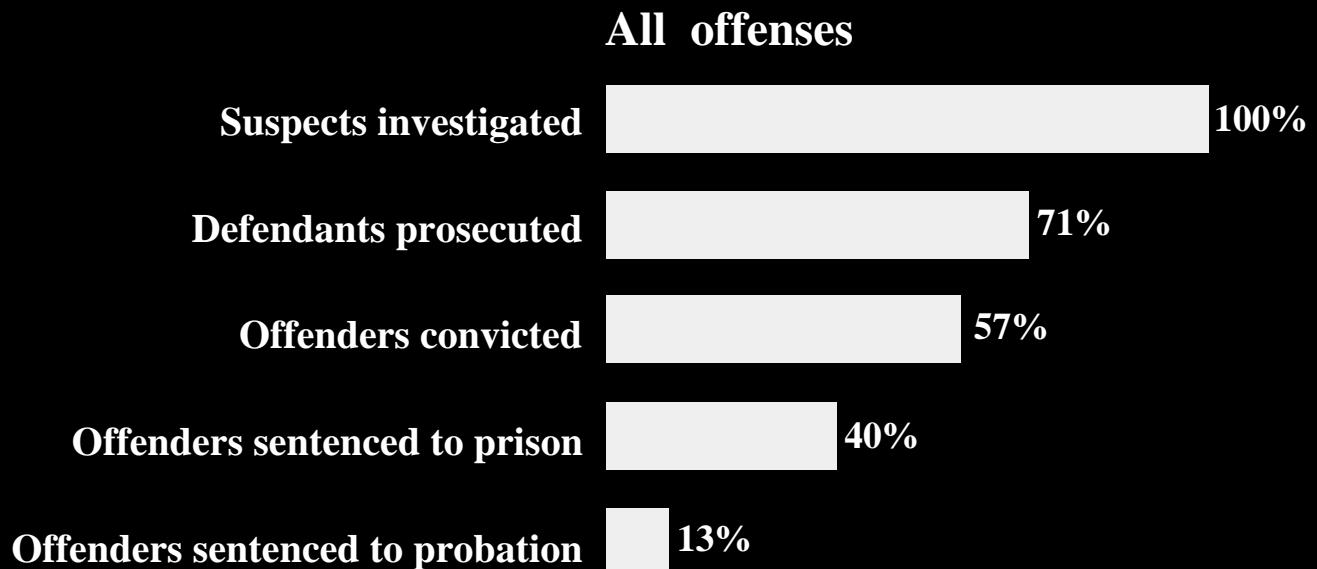




Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1997

**Federal criminal case processing in matters
concluded by United States attorneys
October 1, 1996, through September 1997**



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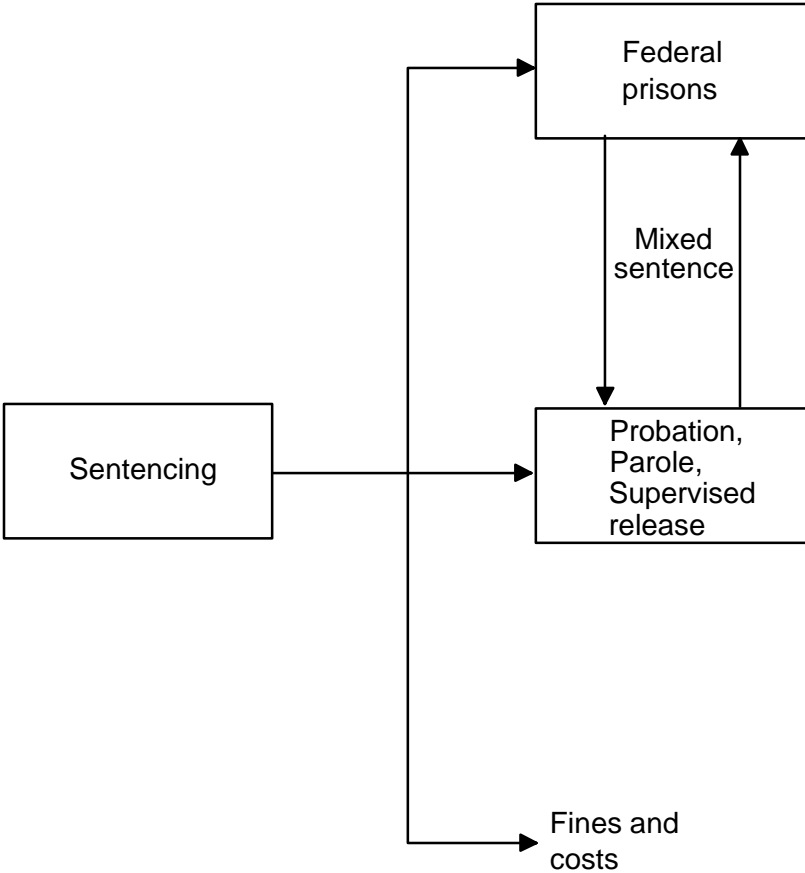
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Chapter notes **59**

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. 95).

Offenders convicted and sentences imposed (table 4.1)

Of the 56,570 offenders sentenced during 1997, 39,431 (70%) were sentenced to prison; 12,801 (23%) were sentenced to probation; and 3,184 (6%) were ordered to pay only a fine.² Of the 39,431 offenders sentenced to prison, 37,747 (96%) were convicted of felonies. Over 80% of convicted felons were sentenced to prison. Drug and violent offenders were more likely to receive prison sentences (92% and 91%, respectively) than were either public-order (81%) or property (59%) offenders (figure 4.1).

Among public-order offenders, persons convicted of weapons (93%), escape (89%), and immigration offenses (87%) were about as likely as violent and drug offenders to receive prison sentences.

Among property offenders, persons convicted of arson or the use of

¹For a definition of mixed sentences, see *Glossary*, p. 99.

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

Defendants convicted of drug and violent felonies had the highest rates of imprisonment, while those convicted of property and public-order offenses had the highest rates of probation

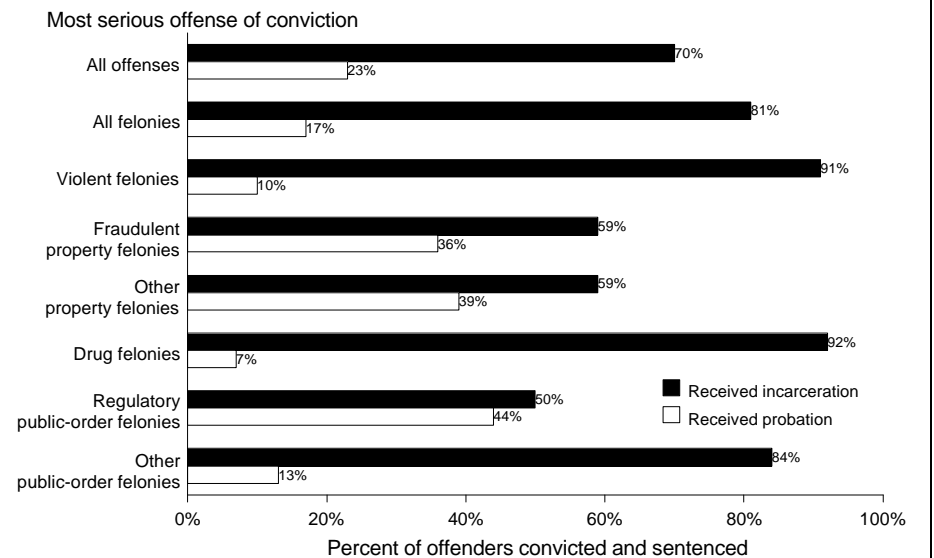


Figure 4.1. Rates of incarceration and probation for offenders convicted and sentenced in cases that terminated during October 1, 1996 - September 30, 1997

explosives (85%) were also almost as likely as violent and drug offenders to receive prison sentences.

Overall, almost 23% of convicted offenders were sentenced to probation. The percentage of misdemeanants

sentenced to probation (49%) was almost thrice more than that of convicted felons (17%). Among felons, persons convicted of postal law violations (86%), communication violations (85%), and food and drug violations

Violent and drug felons received the longest sentences

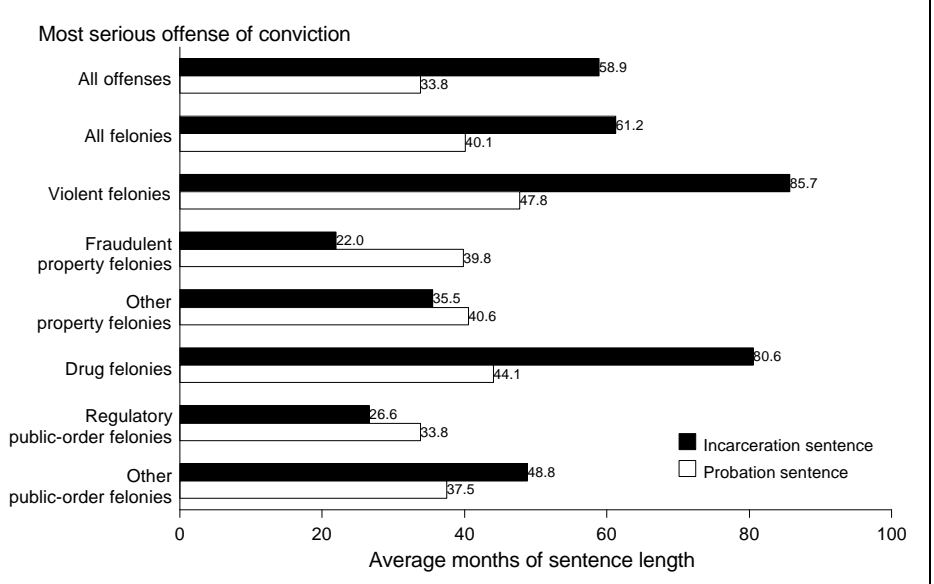


Figure 4.2. Incarceration and probation sentence lengths (in months) of offenders convicted and sentenced in cases that terminated during October 1, 1996 - September 30, 1997

(71%) were the most likely to be given probation.

While less than 1% of all convicted felons were ordered to only pay a fine, 70% of the felons convicted of anti-trust violations were so ordered. Fines generally were reserved for misdemeanor offenders, 30% of whom received fines.

Average prison sentences imposed (table 4.2)

For all offenders given prison terms, the average term of imprisonment imposed was 58.9 months (figure 4.2). Persons convicted of felonies received an average prison term of 61.2 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 (24.4 months compared to 85.7 months). Drug offenders received 80.6 months, on average, and public-order offenders received 47.5 months. The average prison term for public-order offenders was primarily attributable to sentences imposed for weapons offenders. The 2,663 weapons offenders sentenced to prison comprised over 25% of the 10,381 public-order offenders sent to prison. Weapons offenders received an average prison term of 101.8 months, and public-order offenders *other than* weapons offenders received an average prison term of 28.8 months (not shown in a table).

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

Offenders convicted by plea were less likely to receive prison sentences than those convicted at trial. Sixty-nine percent of the offenders convicted by guilty plea received some prison time, while 86% of the offenders convicted at trial received prison sentences.

For drug offenders, 92% of those convicted by plea went to prison, as did 99% of those convicted at trial. For

Defendants convicted at trial received longer sentences, on average, than those convicted by guilty plea

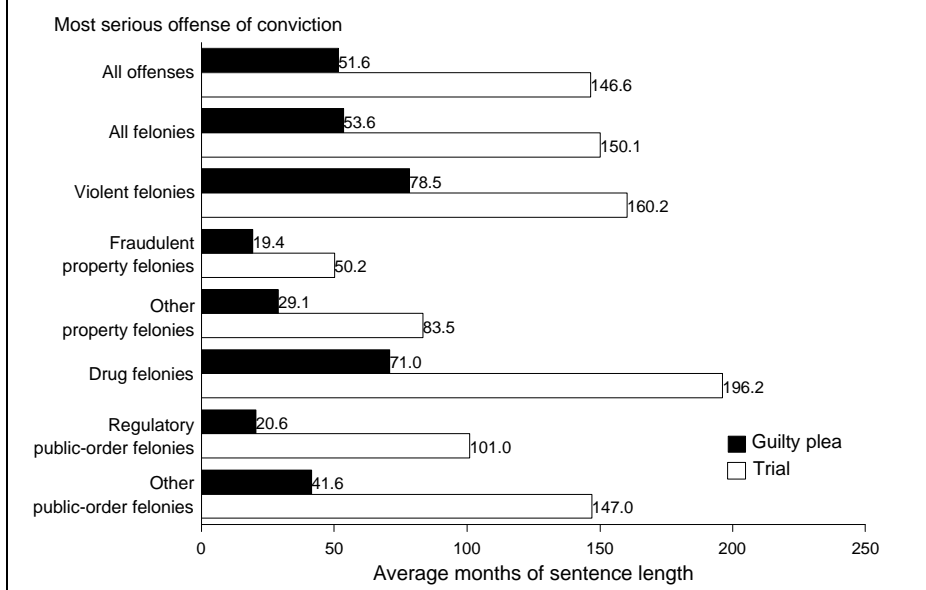


Figure 4.3. Average sentences imposed on defendants convicted at trial and defendants convicted by guilty plea, October 1, 1996 - September 30, 1997

violent offenders, 91% of those convicted by plea received prison sentences, as did 94% of those convicted at trial. For fraudulent property offenders, 57% of those convicted by plea received prison sentences, compared to 88% of those convicted at trial. And, for regulatory public-order offenders, 48% of those convicted by plea went to prison, as did 77% 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 146.6 months, on average, while those convicted by plea received an average of 51.6 months (figure 4.3). Drug offenders convicted at trial received an average of 196.2 months as compared to the 71.0 months for drug offenders convicted by a guilty plea. Violent offenders who went to trial received an average sentence of 160.2 months as compared to the 78.5 months for violent offenders convicted by guilty plea.

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

The majority of persons sentenced to prison during 1997 were male (89%), white (66%), non-Hispanic (63%), and U.S. citizens (68%). 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 (62.4 months), blacks (87.8 months), non-Hispanics (67.8 months), and U.S. citizens (68.7 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.

³Douglas 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).

Table 4.1. Sentence types in cases terminated, by offense, October 1, 1996 - September 30, 1997

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	56,570	69.7%	22.6%	1.3%	5.6%
Felonies	46,878	80.5%	17.2%	1.4%	0.6%
Violent offenses	2,876	91.1%	9.5%	1.8%	0.1%
Murder ^f	267	87.3	12.7	0.4	0
Negligent manslaughter	0	...	...	...	...
Assault	244	70.1	26.2	1.6	1.2
Robbery	1,740	97.2	4.0	2.0	0
Rape	225	85.8	16.4	2.2	0
Other sex offenses ^f	289	79.2	21.1	1.4	0.3
Kidnaping	89	94.4	5.6	2.2	0
Threats against the President	22	81.8	13.6	4.5	0
Property offenses	12,010	59.2%	36.9%	1.3%	1.1%
Fraudulent	9,919	59.2%	36.4%	1.3%	1.3%
Embezzlement	892	56.5	31.8	1.7	2.0
Fraud ^f	7,911	59.5	36.5	1.4	1.3
Forgery	166	55.4	42.8	0	1.2
Counterfeiting	950	59.6	38.3	0.7	0.3
Other	2,091	59.3%	39.3%	1.1%	0.1%
Burglary	60	63.3	36.7	1.7	0
Larceny ^f	1,349	50.8	47.7	0.9	0.2
Motor vehicle theft	126	73.0	24.6	0.8	0
Arson and explosives	200	85.0	16.5	3.5	0
Transportation of stolen property	304	75.7	23.0	0.3	0
Other property offenses ^f	52	46.2	42.3	0	0
Drug offenses	19,115	92.3%	7.0%	1.5%	0.2%
Trafficking	18,057	92.6	6.7	1.5	0.2
Possession and other drug offenses	1,058	86.9	12.1	1.3	0.3
Public-order offenses	12,877	80.6%	15.7%	1.5%	0.8%
Regulatory	1,211	49.8%	44.2%	1.1%	4.6%
Agriculture	36	22.2	69.4	0	5.6
Antitrust	30	0	30.0	0	70.0
Food and drug	42	21.4	71.4	0	4.8
Transportation	84	32.1	58.3	1.2	7.1
Civil rights	67	83.6	16.4	1.5	1.5
Communications	20	15.0	85.0	0	0
Custom laws	93	38.7	51.6	0	5.4
Postal laws	42	14.3	85.7	0	0
Other regulatory offenses	797	57.5	38.9	1.4	2.4
Other	11,666	83.8%	12.7%	1.5%	0.4%
Weapons	2,871	92.8	7.9	1.6	0
Immigration offenses	6,044	87.1	6.7	1.6	0.2
Tax law violations ^f	715	44.3	54.8	1.8	2.1
Bribery	172	45.9	52.9	2.3	1.7
Perjury, contempt, and intimidation	285	70.9	27.7	1.8	0.4
National defense	28	64.3	21.4	0	14.3
Escape	463	88.6	9.9	0.9	0.2
Racketeering and extortion	1,000	78.5	19.5	0.5	1.1
Gambling	26	46.2	50.0	0	3.8
Obscene material ^f	18	38.9	55.6	0	5.6
Migratory birds	2	—	—	—	—
All other felonies ^f	42	54.8	45.2	2.4	0
Misdemeanors^f	9,636	17.4%	48.7%	0.8%	30.1%
Fraudulent property offense	1,697	24.2	62.1	0.5	3.8
Larceny	1,198	13.8	72.9	0.8	13.2
Drug possession ^f	978	33.4	56.3	1.4	5.8
Immigration	479	50.1	18.4	0.8	8.6
Traffic offenses	3,535	6.1	28.9	0.7	64.5
Other misdemeanors	1,749	18.4	63.1	1.1	17.4
Unknown or indeterminable offense	56	8.9%	83.9%	0%	0%

Note: For further information, see *Chapter notes*, item 1, p. 59.

—Too few cases to obtain statistically reliable data.

...No cases of this type occurred in the 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 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, 1996 - September 30, 1997

Most serious offense of conviction	Offenders convicted and sentenced in cases that terminated during fiscal year 1997							
	Total	Number			Sentence length			
		Incarceration ^a	Probation ^b	Fine (only)	Incarceration ^c		Probation ^c	
				Mean	Median	Mean	Median	
All offenses	56,570	39,431	12,801	3,184	58.9 mo	30.0 mo	33.8 mo	36.0 mo
Felonies	46,878	37,747	8,063	280	61.2 mo	34.0 mo	40.1 mo	36.0 mo
Violent offenses	2,876	2,619	274	4	85.7 mo	60.0 mo	47.8 mo	36.0 mo
Murder ^d	267	233	34	0	114.8	60.0	46.1	50.0
Negligent manslaughter	0	0	0	0	...	...	...	...
Assault	244	171	64	3	37.3	24.0	36.3	36.0
Robbery	1,740	1,691	70	0	92.6	63.0	45.9	36.0
Rape	225	193	37	0	73.1	50.0	46.7	45.0
Other sex offenses ^d	289	229	61	1	36.5	19.0	63.1	48.0
Kidnaping	89	84	5	0	154.6	108.0	—	—
Threats against the President	22	18	3	0	24.3	19.5	—	—
Property offenses	12,010	7,110	4,430	131	24.4 mo	15.0 mo	40.0 mo	36.0 mo
Fraudulent	9,919	5,871	3,608	128	22.0 mo	15.0 mo	39.8 mo	36.0 mo
Embezzlement	892	504	284	18	14.5	7.0	41.6	36.0
Fraud ^d	7,911	4,709	2,889	105	22.5	15.0	39.9	36.0
Forgery	166	92	71	2	15.1	10.5	40.5	36.0
Counterfeiting	950	566	364	3	25.7	15.0	37.7	36.0
Other	2,091	1,239	822	3	35.5 mo	18.0 mo	40.6 mo	36.0 mo
Burglary	60	38	22	0	20.9	19.5	53.5	60.0
Larceny ^d	1,349	685	644	3	25.0	13.0	39.3	36.0
Motor vehicle theft	126	92	31	0	29.6	24.0	43.7	36.0
Arson and explosives	200	170	33	0	92.4	60.0	46.5	48.0
Transportation of stolen property	304	230	70	0	31.1	20.5	44.8	36.0
Other property offenses ^d	52	24	22	0	43.9	57.0	40.4	36.0
Drug offenses	19,115	17,637	1,337	39	80.6 mo	57.0 mo	44.1 mo	36.0 mo
Trafficking	18,057	16,718	1,209	36	80.8	57.0	44.9	36.0
Possession and other drug offenses	1,058	919	128	3	77.0	60.0	36.7	36.0
Public-order offenses	12,877	10,381	2,022	106	47.5 mo	24.0 mo	36.5 mo	36.0 mo
Regulatory	1,211	603	535	56	26.6 mo	15.0 mo	33.8 mo	36.0 mo
Agriculture	36	8	25	2	—	—	27.6	24.0
Antitrust	30	0	9	21	...	...	—	—
Food and drug	42	9	30	2	—	—	32.9	36.0
Transportation	84	27	49	6	23.6	12.0	30.6	24.0
Civil rights	67	56	11	1	35.6	24.0	44.7	36.0
Communications	20	3	17	0	—	—	30.9	36.0
Custom laws	93	36	48	5	15.1	11.0	40.4	36.0
Postal laws	42	6	36	0	—	—	30.7	24.0
Other regulatory offenses	797	458	310	19	26.2	15.0	34.2	36.0
Other	11,666	9,778	1,487	50	48.8 mo	24.0 mo	37.5 mo	36.0 mo
Weapons	2,871	2,663	228	1	101.8	60.0	38.6	36.0
Immigration offenses	6,044	5,262	406	12	23.0	22.0	35.5	36.0
Tax law violations ^d	715	317	392	15	20.9	15.0	37.2	36.0
Bribery	172	79	91	3	30.1	16.0	42.5	36.0
Perjury, contempt, and intimidation	285	202	79	1	34.0	24.0	38.2	36.0
National defense	28	18	6	4	69.7	28.0	—	—
Escape	463	410	46	1	19.9	12.0	36.8	36.0
Racketeering and extortion	1,000	785	195	11	77.3	51.0	39.6	36.0
Gambling	26	12	13	1	24.5	24.0	36.9	36.0
Obscene material ^d	18	7	10	1	—	—	—	—
Migratory birds	2	0	2	0	...	...	—	—
All other felonies ^d	42	23	19	0	17.0	13.0	32.2	24.0
Misdemeanors^d	9,636	1,679	4,691	2,904	9.9 mo	3.0 mo	22.8 mo	12.0 mo
Fraudulent property offense	1,697	411	1,053	64	3.8	1.0	33.2	36.0
Larceny	1,198	165	873	158	7.0	4.0	19.2	12.0
Drug possession ^d	978	327	551	57	21.4	6.0	21.2	12.0
Immigration	479	240	88	41	6.8	2.5	27.7	24.0
Traffic offenses	3,535	215	1,023	2,280	9.3	2.0	13.8	12.0
Other misdemeanors	1,749	321	1,103	304	10.1	6.0	24.6	24.0
Unknown or indeterminable offense	56	5	47	0	—	—	42.3 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. 59.

^aToo few cases to obtain statistically reliable data. ... No cases of this type occurred in the data.
^bAll sentences to incarceration, including split, mixed, life, and indeterminate sentences.
^cIncludes offenders with split and mixed sentences.
^dExcludes life sentences, death sentences, and indeterminate sentences (1% of all incarcerations).
^eIn 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 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, 1996 - September 30, 1997

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	56,570	39,431	12,801	3,184	69.7%	58.9 mo	30.0 mo
Guilty plea ^d	52,789	36,178	12,457	2,988	68.5	51.6	30.0
Trial	3,781	3,253	344	196	86.0	146.6	96.5
Felonies	46,878	37,747	8,063	280	80.5%	61.2 mo	34.0 mo
Guilty plea	43,546	34,572	7,894	277	79.4	53.6	30.0
Trial	3,332	3,175	169	3	95.3	150.1	98.0
Violent offenses	2,876	2,619	274	4	91.1%	85.7 mo	60.0 mo
Guilty plea	2,600	2,359	256	4	90.7	78.5	57.0
Trial	276	260	18	0	94.2	160.2	110.5
Property offenses							
Fraudulent	9,919	5,871	3,608	128	59.2%	22.0 mo	15.0 mo
Guilty plea	9,349	5,369	3,541	126	57.4	19.4	13.0
Trial	570	502	67	2	88.1	50.2	30.0
Other	2,091	1,239	822	3	59.3%	35.5 mo	18.0 mo
Guilty plea	1,925	1,085	812	3	56.4	29.1	18.0
Trial	166	154	10	0	92.8	83.5	48.0
Drug offenses	19,115	17,637	1,337	39	92.3%	80.6 mo	57.0 mo
Guilty plea	17,590	16,127	1,314	39	91.7	71.0	48.0
Trial	1,525	1,510	23	0	99.0	196.2	165.0
Public-order offenses							
Regulatory	1,211	603	535	56	49.8%	26.6 mo	15.0 mo
Guilty plea	1,149	555	519	56	48.3	20.6	15.0
Trial	62	48	16	0	77.4	101.0	41.0
Other	11,666	9,778	1,487	50	83.8%	48.8 mo	24.0 mo
Guilty plea	10,933	9,077	1,452	49	83.0	41.6	24.0
Trial	733	701	35	1	95.6	147.0	80.0
Misdemeanors	9,636	1,679	4,691	2,904	17.4%	9.9 mo	3.0 mo
Guilty plea ^d	9,189	1,601	4,518	2,711	17.4	9.8	3.0
Trial	447	78	173	193	17.4	12.5	6.0
Unknown or indeterminable offense	56	5	47	0	8.9%	—	—

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. 59.

— 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, 1996 - September 30, 1997

Offender characteristic	Total number of convicted offenders	Percent of all convicted offenders who were incarcerated in cases terminated during 1997							
		All offenses ^a	Violent offenses	Felonies		Drug offenses	Public-order offenses		Misdemeanors
				Fraudulent	Other		Regulatory	Other	
All offenders^a	56,570	69.7%	91.1%	59.2%	59.3%	92.3%	49.8%	83.9%	17.4%
Sex									
Male	42,116	78.4%	92.3%	63.0%	66.4%	94.1%	55.0%	86.5%	26.2%
Female	7,445	53.8	81.6	50.1	33.2	81.5	47.6	54.0	14.3
Race									
White	31,784	74.6%	90.1%	60.9%	60.4%	91.1%	53.3%	83.6%	25.5%
Black	13,799	79.4	96.9	59.0	56.1	95.4	57.1	89.7	23.0
Other	2,382	63.0	86.7	54.3	58.7	86.4	49.3	63.2	18.5
Ethnicity									
Hispanic	16,633	83.2%	92.6%	58.6%	65.0%	93.9%	68.2%	88.4%	35.6%
Non-Hispanic	32,540	71.0	91.6	60.0	58.6	91.6	47.0	79.5	18.6
Age									
16-18 years	427	52.0%	84.4%	44.4%	66.7%	80.7%	66.7%	64.7%	9.8%
19-20 years	2,068	73.5	95.5	50.3	59.0	92.7	55.8	89.4	17.4
21-30 years	18,237	78.8	93.4	58.5	57.5	93.2	60.0	89.2	22.0
31-40 years	14,733	77.5	92.2	61.9	61.2	92.6	57.6	87.0	24.0
Over 40 years	12,902	68.9	88.1	59.4	58.9	91.5	45.4	72.9	19.8
Citizenship									
U.S. citizen	34,020	73.0%	92.0%	59.7%	57.6%	91.3%	49.2%	79.5%	19.9%
Not U.S. citizen	14,384	81.8	83.3	60.7	73.6	95.4	65.1	89.1	34.5
Education									
Less than high school graduate	18,822	85.2%	93.8%	62.0%	69.1%	94.3%	64.2%	88.9%	33.4%
High school graduate	13,552	74.4	93.5	58.6	55.4	91.6	56.1	82.5	21.1
Some college	9,358	68.7	89.4	59.4	53.8	90.1	47.4	74.8	17.0
College graduate	3,585	59.5	75.3	60.2	61.4	85.7	38.6	60.8	12.4
Criminal record									
No convictions	22,588	63.6%	83.2%	50.9%	45.1%	89.4%	48.7%	62.5%	17.6%
Prior adult convictions ^b	24,847	87.2	96.3	73.4	73.0	95.3	66.5	94.3	36.7

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, 78.4% of all convicted males were incarcerated, and 92.3% 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. 59.

^aIncludes offenders for whom offense or characteristics are unknown.

^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 59. 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. 59.

Table 4.5. Average incarceration sentence lengths imposed, by offense and offender characteristics, October 1, 1996 - September 30, 1997

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	58.9 mo	85.7 mo	22.0 mo	35.5 mo	80.6 mo	26.6 mo	48.8 mo	9.9 mo
Sex								
Male	62.4 mo	87.0 mo	23.3 mo	37.2 mo	84.0 mo	27.9 mo	50.6 mo	11.0 mo
Female	35.5	51.0	16.2	17.5	52.6	13.7	30.0	7.2
Race								
White	48.0 mo	76.6 mo	22.8 mo	39.5 mo	64.1 mo	23.2 mo	39.6 mo	8.7 mo
Black	87.8	103.5	20.8	26.9	109.4	36.8	91.6	15.9
Other	47.6	73.3	16.9	20.9	69.1	18.8	44.9	8.5
Ethnicity								
Hispanic	45.7 mo	93.2 mo	17.1 mo	30.7 mo	64.1 mo	17.3 mo	28.8 mo	7.9 mo
Non-Hispanic	67.8	84.0	22.5	35.2	92.0	31.0	77.3	13.0
Age								
16-18 years	44.6 mo	95.7 mo	5.8 mo	18.3 mo	39.1 mo	15.8 mo	38.7 mo	7.0 mo
19-20 years	52.9	82.4	13.5	19.5	57.6	23.8	51.7	4.7
21-30 years	63.8	86.4	17.1	30.9	83.3	24.0	50.7	12.9
31-40 years	59.4	88.9	20.6	34.4	79.2	21.5	50.4	12.6
Over 40 years	56.7	75.4	26.1	41.6	82.8	31.2	49.5	14.2
Citizenship								
U.S. citizen	68.7 mo	85.3 mo	22.8 mo	35.4 mo	87.8 mo	27.3 mo	78.9 mo	14.3 mo
Not U.S. citizen	41.1	77.6	16.7	31.1	63.7	22.1	26.8	6.2
Education								
Less than high school graduate	62.8 mo	93.0 mo	19.1 mo	40.5 mo	79.1 mo	23.6 mo	46.2 mo	14.8 mo
High school graduate	65.9	80.7	20.5	32.3	82.9	26.7	71.8	15.1
Some college	59.8	86.5	23.0	30.4	82.7	24.1	66.6	15.9
College graduate	41.0	46.1	25.4	37.6	72.9	22.6	47.2	14.3
Criminal record								
No convictions	45.0 mo	57.9 mo	20.4 mo	33.6 mo	59.8 mo	22.2 mo	35.0 mo	6.8 mo
Prior adult convictions ^b	70.8	97.9	23.4	35.5	97.8	31.4	56.4	15.3

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. 59.

^aIncludes offenders for whom offense or characteristics are unknown.
^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 59. 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. 59.

Table 4.6. Median incarceration sentence lengths imposed, by offense and offender characteristics, October 1, 1996 - September 30, 1997

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	30.0 mo	60.0 mo	15.0 mo	18.0 mo	57.0 mo	15.0 mo	24.0 mo	3.0 mo
Sex								
Male	36.0 mo	60.0 mo	15.0 mo	20.0 mo	60.0 mo	15.0 mo	24.0 mo	3.0 mo
Female	21.0	37.5	12.0	12.0	36.0	12.0	15.0	2.0
Race								
White	27.0 mo	51.0 mo	15.0 mo	21.0 mo	41.0 mo	15.0 mo	24.0 mo	3.0 mo
Black	60.0	70.0	12.0	12.0	75.0	21.0	60.0	6.0
Other	24.0	44.0	12.0	12.0	41.0	12.0	24.0	5.5
Ethnicity								
Hispanic	24.0 mo	57.0 mo	11.0 mo	21.0 mo	42.0 mo	12.5 mo	24.0 mo	1.0 mo
Non-Hispanic	37.0	57.0	15.0	18.0	60.0	18.0	42.0	6.0
Age								
16-18 years	23.0 mo	49.0 mo	4.0 mo	18.0 mo	24.0 mo	15.5 mo	9.0 mo	3.0 mo
19-20 years	30.0	50.0	7.5	12.0	37.0	12.0	24.0	2.0
21-30 years	36.0	60.0	12.0	15.0	57.0	15.0	24.0	4.0
31-40 years	33.0	63.0	14.0	18.0	57.0	17.0	24.0	5.0
Over 40 years	30.0	51.0	15.0	21.0	57.0	15.0	24.0	6.0
Citizenship								
U.S. citizen	37.0 mo	57.0 mo	15.0 mo	18.0 mo	60.0 mo	18.0 mo	46.0 mo	6.0 mo
Not U.S. citizen	24.0	46.0	12.0	21.0	40.0	12.0	24.0	1.0
Education								
Less than high school graduate	37.0 mo	63.0 mo	12.0 mo	21.0 mo	51.0 mo	15.0 mo	24.0 mo	5.0 mo
High school graduate	37.0	57.0	13.0	15.0	57.0	18.0	37.0	6.0
Some college	33.0	57.0	15.0	18.0	60.0	15.0	33.0	6.0
College graduate	22.0	24.0	15.0	19.5	48.0	13.0	21.0	6.0
Criminal record								
No convictions	27.0 mo	37.0 mo	12.0 mo	15.0 mo	37.0 mo	14.0 mo	12.0 mo	2.0 mo
Prior adult convictions ^b	41.0	70.0	16.0	20.0	66.0	18.0	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. 59.

^aIncludes offenders for whom offense or characteristics are unknown.
^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 59. 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. 59.

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, 1996, through September 30, 1997, 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.

