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Table 4.1. Number of felony convictions in State courts, by offense and type of conviction, 1998

Number of felons convicted by --Most serious Trial Total Bench conviction offense Total Jury Guilty plea 927.717 55,711 30,482 25,229 All offenses 872,001 Violent offenses 164,584 21,462 15,515 5,947 143,119 Murder /a 9,158 4,098 3,471 626 5.059 Sexual assault /b 29,693 4,121 3,214 907 25,572 Rape 11,622 2,352 1,874 478 9,271 16,285 Other sexual assault 18.071 1.784 1,351 434 Robbery 38,784 4,679 3,191 1,487 34,104 Aggravated assault 71,060 7,377 4,898 2,479 63,683 Other violent /c 15,889 1,187 740 448 14,702 **Property offenses** 283,002 11,598 4,609 6,990 271,402 Burglary 87,957 3,389 1,902 1,487 84,568 Larceny /d 107,621 5,052 1,743 3,309 102,569 Motor vehicle theft 14,368 439 169 270 13,927 Fraud /e 87,424 3,157 964 2,193 84,265 **Drug Offenses** 314,626 15,164 6,365 8,799 299,462 Possession 119,443 5,410 1,628 3,782 114,035 Trafficking 195,183 9,754 4,738 5,017 185,427 Weapon offenses 31,904 2,233 1,135 1,098 29,671 Other offenses /f 133,601 5,254 2,857 2,396 128,347

Note: Detail may not add to the total because of rounding.

This table is based on an estimated 598,996 cases. However, figures are adjusted for cases missing a designation of conviction type.

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.

Table 4.2. Percent of felons convicted in State courts, by offense and type of conviction, 1998

Percent of felons convicted by --Most serious Trial Total Bench Guilty plea conviction offense Total Jury 100 % 6 % 3 % All offenses 3 % 94 % % 100 % 13 % 9 % 4 87 % Violent offenses 38 Murder /a 100 45 7 55 3 86 Sexual assault /b 100 14 11 Rape 100 20 16 4 80 2 Other sexual assault 100 10 8 90 Robbery 100 12 8 4 88 7 3 Aggravated assault 90 100 10 2 Other violent /c 100 7 5 93 **Property offenses** 100 % 4 % 2 % 2 % 96 % 2 2 Burglary 100 4 96 Larceny /d 5 2 3 100 95 Motor vehicle theft 3 1 2 97 100 Fraud /e 4 1 3 96 100 **Drug Offenses** 100 % 5 % 2 % 3 % 95 % 5 2 3 Possession 100 95 Trafficking 100 5 2 3 95 Weapon offenses 100 % 7 % 4 % 3 % 93 % 96 % Other offenses /f 100 % 4 % 2 % 2 %

Note: Detail may not add to the total because of rounding.

This table is based on an estimated 598,996 cases. However, figures are adjusted for cases missing a designation of conviction type.

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.

Table 4.3. Type of conviction of felons convicted in State courts, by offense, 1998

	Percent convicted by												
Most serious					Trial								
conviction offense	Total		Total		Jury		Bench		Guilty plea				
All offenses	100	%	100	%	100	%	100	%	100	%			
Violent offenses	18	%	39	%	51	%	24	%	16	%			
Murder /a	1		7		11		2		1				
Sexual assault /b	3		7		11		4		3				
Robbery	4		8		10		6		4				
Aggravated assault	8		13		16		10		7				
Other violent /c	2		2		2		2		2				
Property offenses	31	%	21	%	15	%	28	%	31	%			
Burglary	9		6		6		6		10				
Larceny /d	12		9		6		13		12				
Fraud /e	9		6		3		9		10				
Drug offenses	34	%	27	%	21	%	35	%	34	%			
Possession	13		10		5		15		13				
Trafficking	21		18		16		20		21				
Weapons offenses	3	%	4	%	4	%	4	%	3	%			
Other offenses /f	14	%	9	%	9	%	9	%	15	%			

Note: See note on tables 1.1 and 4.1.

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.

Table 4.4. Offense of felons convicted in State courts, by the type of conviction and type of sentence imposed, 1998

Percent of felons sentenced to --Most serious Incarceration Nonincarceration Total conviction offense Prison Jail Total Probation Other Total Trial All offenses 100 % 88 % 76 % 12 % 12 % 11 % 1 % Violent offenses 100 94 86 % 8 % 6 5 % 1 % Murder /a 100 99 98 1 1 89 5 1 Sexual assault /b 100 95 6 5 97 100 91 6 3 3 Robbery Aggravated assault 100 90 78 12 10 9 1 Other violent /c 100 84 70 14 16 15 1 100 % Property offenses 85 % 73 % 12 % 15 % 14 % % Burglary 100 89 79 10 11 10 1 Larceny /d 100 86 73 13 14 13 1 Fraud /e 22 100 78 65 12 21 1 % 100 % 84 9 72 % 12 % 16 % 15 Drug offenses % 1 Possession 100 80 63 17 20 19 2 Trafficking 100 86 77 9 13 13 1 Weapon offenses 2 % 100 % 77 % 65 % 13 % 23 % 21 % Other offenses /f 100 % 83 % 59 % 24 % 17 % 15 % 2 % Jury % 81 % All offenses 100 % 91 % % 9 % % 8 11 1 % 5 Violent offenses 100 % 95 % 90 6 % 9 4 % % --Murder /a 100 99 98 1 1 1 Sexual assault /b 100 97 93 4 3 3 2 Robbery 100 98 95 3 2 --Aggravated assault 100 92 79 13 8 7 1 Other violent /c 100 81 70 10 19 18 1 100 % 85 % 70 % 16 % **Property offenses** 15 % 14 % 1 % Burglary 100 92 85 6 9 9 --Larceny /d 22 14 1 100 86 64 13 75 54 22 Fraud /e 100 25 24 1 89 0, 12 % % 100 % 78 % 11 9 10 **Drug offenses** % 1 Possession 100 84 60 24 16 15 1 Trafficking 100 91 84 7 9 8 Weapon offenses 100 % 81 % 68 % 13 % 19 % 16 % 3 % 1 % Other offenses /f 100 % 87 % 61 % 26 % 13 % 12 % **Bench** All offenses 100 % 84 % 72 % % 16 % % 1 % 11 16 Violent offenses 100 % 92 % 83 % 10 % 8 % Murder /a 99 98 2 1 100 1 1 Sexual assault /b 100 96 89 7 4 4 --Robbery 100 95 86 9 5 5 Aggravated assault 100 87 76 11 13 12 1 Other violent /c 92 69 23 9 9 100 --100 % 85 % 76 % 9 % 15 % 15 Property offenses % 1 % 100 88 12 Burglary 77 11 12 --Larceny /d 100 89 79 10 11 11 1 Fraud /e 100 77 70 7 23 21 Drug offenses 100 % 80 9 66 % 13 % 20 % 20 % % Possession 100 79 60 19 21 21 1 Trafficking 100 80 71 9 20 20

Table 4.4. Offense of felons convicted in State courts, by the type of conviction and type of sentence imposed, 1998 (cont.)

	Percent of felons sentenced to													
Most serious		Incarceration							Nonincarceration					
conviction offense	Total	al Total Prison Jail			Total	Probation		n	Other					
Weapon offenses	100	%	72	%	60	%	12	%	28	%	27	%	1	%
Other offenses /f	100	%	79	%	64	%	15	%	21	%	20	%	1	%
Guilty plea														
All offenses	100	%	63	%	41	%	23	%	37	%	34	%	2	%
Violent offenses Murder /a Sexual assault /b Robbery Aggravated assault Other violent /c	100 100 100 100 100 100	9	73 95 77 85 66 60	9	53 94 62 72 40 36	%	20 2 15 13 26 24	%	27 5 23 15 34 40	9	25 4 21 14 32 32	%	2 2 1 2 8	%
Property offenses Burglary Larceny /d Fraud /e	100 100 100 100	9	61 72 59 53	9	40 52 35 36	%	21 20 25 17	%	39 28 41 47	9	37 26 38 45	%	2 2 3 2	%
Drug offenses Possession Trafficking	100 100 100	%	63 58 66	9	40 35 43	%	23 23 23	%	37 42 34	%	34 39 32	%	2 3 2	%
Weapon offenses	100	%	60	%	37	%	23	%	40	%	36	%	4	%
Other offenses /f	100	%	60	%	31	%	29	%	40	%	38	%	2	%

Note: See note on tables 1.1 and 1.2.

Detail may not sum to total because of rounding.

Some estimates in this table as based on as few as 1 case and are therefore unreliable.

⁻⁻ 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.

Table 4.5. Average felony sentence length in State courts, by the type of conviction, type of sentence imposed, and offense, 1998

Maximum sentence length (in months) for convictions by --Trial Most serious Total Total Jury Bench Guilty plea Median Mean Median Mean conviction offense Mean Median Mean Median Mean Median Sentences to prison All offenses 59 mc 36 mo 116 mc 120 mo 89 mc 60 mo 36 mo 61 mo 155 mc 53 mc Violent offenses mo mo mo mc mc mc mo Murder /a Sexual assault /b Robberv Aggravated assault Other violent /c **Property offenses** mo mo 65 mc mo mc mo mc mo mc mo Burglary Larceny /d Fraud /e Drug offenses mo mo mo mo mc mo mc mo mc mo Possession Trafficking Weapon offenses 44 mc 36 mo 60 mc 48 mo 61 mc 48 mo 64 mc 42 mc 30 mo mo Other offenses /f 40 mc 52 mc 36 mo 49 mo 39 mc 39 mc 30 mo mo mc mo Sentences to jail All offenses 6 mc 8 mc mo 6 mo mc 5 mo 11 mc mo 6 mc mo **Violent offenses** mo mo mo mo mo mo mo mo mc mo Murder /a Sexual assault /b Robbery Aggravated assault Other violent /c **Property offenses** mo mo mc mo mc mo mc mo mc mo Burglary Larceny /d Fraud /e **Drug offenses** 10 mc mo mo mo mo mc mo mo mc mo Possession Trafficking 7 mc 7 mc Weapon offenses mo 10 mc 4 mo 15 mc 12 mo mc mo mo 4 mo Other offenses /f 6 mc 4 mo 8 mc 6 mo 6 mo 13 mc 12 mo 6 mc mc

Table 4.5. Average felony sentence length in State courts, by the type of conviction, type of sentence imposed, and offense, 1998 (cont.)

Maximum sentence length (in months) for convictions by --Trial Most serious Total Jury Bench Guilty plea Total conviction offense Mean Median Mean Median Median Mean Median Mean Median Mean Sentences to probation All offenses 39 mc 36 mo 39 mc 36 mo 39 mc 36 mo 39 mc 30 mo 39 mc 36 mo Violent offenses 46 mc 36 53 mc 36 mo 52 36 mo 52 mc 36 mo 46 mc 36 mo mo mc 36 Murder /a 61 60 44 60 36 62 60 36 53 66 Sexual assault /b 71 60 36 48 36 51 48 71 60 Robbery 51 48 49 48 43 36 53 60 51 48 36 Aggravated assault 46 36 40 36 40 36 36 53 40 Other violent /c 38 36 75 60 86 120 42 30 37 36 Property offenses 38 mc 36 mo 37 mc 36 mo 36 mc 36 mo 37 mc 36 mo 38 mc 36 mo Burglary 36 29 24 36 36 36 43 37 36 43 Larcený /d 36 36 39 36 44 48 38 36 36 36 Fraud /e 38 36 36 36 34 36 37 36 38 36 24 mo **Drug offenses** 38 36 40 mc 30 mo 39 mc 36 mo 41 38 mc 36 mo mo mo mc Possession 35 24 32 24 36 36 28 24 35 24 Trafficking 41 36 47 30 40 36 51 24 40 36 Weapon offenses 33 mc 24 mo 27 mc 24 mo 26 24 mo 26 24 mo 33 mc 24 mo mc mc Other offenses /f 39 mc 36 mo 24 mo 31 mc 24 mo 31 mc 31 mc 24 mo 40 mc 36 mo

Note: See note on tables 1.1, 1.2, and 1.3.

^{**} Because the median includes felons sentenced to life in prison, the median sentence to prison is greater than 50 years.

Some estimates in this table as based on as few as 1 case and are therefore unreliable.

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.

78

22

Table 4.7. Type of conviction in State courts, by number of felony conviction offenses, 1998

Percent convicted of --One Two or more Type of conviction Total offense offenses Total 100 % 77 % 23 % Trial 100 71 29 Jury 100 66 34 22 Bench 100 78

100

Note: See note on table 1.6.

Guilty plea

Detail may not sum to total because of rounding.

Table 4.9. Time between arrest and conviction for felony cases in State courts, by type of conviction, 1998

Time between arrest and conviction Median Cumulative percent of Most serious number felons convicted within: 1 month 6 months conviction offense of days 1 year **Total** All offenses 130 days 16 % 67 % 89 % **Violent offenses** 13 % 58 % 84 % 160 days 21 51 Murder /a 340 5 179 9 82 Sexual assault /b 51 Robbery 150 14 60 87 Aggravated assault 14 87 154 62 Other violent /c 132 14 69 91 14 % 70 % 90 % **Property offenses** 123 days 91 Burglary 70 124 15 Larceny /d 71 91 122 15 Fraud /e 122 89 10 68 89 % Drug offenses 20 % 69 % 125 days Possession 26 71 89 113 129 89 Trafficking 16 68 Weapon offenses 142 days 15 % 67 % 88 % Other offenses /f 123 days 15 % 68 % 89 % Trial All offenses 226 days 5 % 38 % 73 % **Violent offenses** 5 % 32 % 67 % 262 days Murder /a 4 16 47 373 Sexual assault /b 277 4 31 68 3 36 75 Robbery 232 Aggravated assault 6 39 72 222 Other violent /c 7 30 76 235 3 % 48 % 79 % **Property offenses** 190 days Burglary 206 4 42 76 Larceny /d 3 82 164 55 Fraud /e 3 42 79 216 6 % 37 % 75 % **Drug offenses** 221 days Possession 9 48 78 189 Trafficking 238 5 32 73 3 % 74 % Weapon offenses 208 days 43 % Other offenses /f 192 days 3 % 47 % 77 %

Table 4.9. Time between arrest and conviction for felony cases in State courts, by type of conviction, 1998 (cont.)

	Time between arrest and conviction								
	Median Cumulative percent of								
Most serious	number		felons co	nv	icted within	า:			
conviction offense	of days		1 month		6 months		1 year		
Guilty plea									
All offenses	125	days	14	%	67	%	89	%	
Violent offenses	148	days	13	%	59	%	86	%	
Murder /a	308		9		31		57		
Sexual assault /b	164		10		54		83		
Robbery	139		15		61		88		
Aggravated assault	147		12		60		86		
Other violent /c	126		13		69		92		
Property offenses	121	days	11	%	69	%	90	%	
Burglary	122	-	11		69		91		
Larceny /d	120		11		70		90		
Fraud /e	120		10		70		90		
Drug offenses	121	days	17	%	67	%	89	%	
Possession	109	,	22		68		88		
Trafficking	125		15		67		89		
Weapon offenses	139	days	11	%	64	%	87	%	
Other offenses /f	121	days	15	%	68	%	90	%	

Note: This table is only based on an estimated 372,293 cases.

Many of these cases are concentrated in a relatively small number of counties.

- 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.

Table 4.10. Time between conviction and sentencing for felony cases in State courts, by type of conviction, 1998

	Per	cent	of felon	s s	entence	d v	vithin:		
Most serious			0-1		2-60		61 days		
conviction offense	Total		day		days		or more		
Total									
All offenses	100	%	59	%	25	%	16	%	
Violent offenses	100	%	54	%	28	%	18	%	
Murder /a	100		43		29		28		
Sexual assault /b	100		51		26		23		
Robbery	100		48		30		21		
Aggravated assault Other violent /c	100 100		57 61		28 26		14 13		
Other violent /C									
Property offenses	100	%	61	%	24	%	15	%	
Burglary	100		63		23		14		
Larceny /d Fraud /e	100 100		57 64		27 21		16 15		
Drug offenses	100	%	62	%	23	%	15	%	
Possession	100		59		26		15		
Trafficking	100		64		21		15		
Weapon offenses	100	%	60	%	26	%	14	%	
Other offenses /f	100	%	55	%	29	%	17	%	
Trial									
All offenses	100	%	41	%	32	%	27	%	
Violent offenses	100	%	36	%	33	%	32	%	
Murder /a	100		38		34		29		
Sexual assault /b	100		39		27		34		
Robbery	100		28		38		34		
Aggravated assault	100		37		34		29		
Other violent /c	100		39		20		42		
Property offenses	100	%	48	%	28	%	24	%	
Burglary	100		45		33		22		
Larceny /d	100		44		30		26		
Fraud /e	100		58		21		21		
Drug offenses	100	%	48	%	27	%	25	%	
Possession	100		48		24		28		
Trafficking	100		48		29		23		
Weapon offenses	100	%	34	%	37	%	28	%	
Other offenses /f	100	%	34	%	41	%	26	%	

Table 4.10. Time between conviction and sentencing for felony cases in State courts, by type of conviction, 1998 (cont.)

	Perc	ent	of felon					
Most serious			0-1		2-60		61 days	
conviction offense	Total		day		days		or more	
Guilty plea								
All offenses	100	%	57	%	26	%	17	%
Violent offenses	100	%	52	%	30	%	18	%
Murder /a	100		46		25		29	
Sexual assault /b	100		52		28		20	
Robbery	100		45		34		21	
Aggravated assault	100		56		30		14	
Other violent /c	100		58		27		15	
Property offenses	100	%	59	%	25	%	16	%
Burglary	100		63		23		14	
Larceny /d	100		54		28		18	
Fraud /e	100		62		22		16	
Drug offenses	100	%	59	%	24	%	17	%
Possession	100		52		28		20	
Trafficking	100		63		22		15	
Weapon offenses	100	%	57	%	27	%	17	%
Other offenses /f	100	%	53	%	30	%	17	%

Note: Detail may not add to the total because of rounding.

This table is only based on an estimated 469,626 cases.

Many of these cases are concentrated in a relatively small number of counties.

- 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.

Table 4.11. Mean and median number of days between arrest and sentencing for felony cases disposed by State courts, 1998

Number of days between arrest and sentencing for cases disposed by --Most serious Trial conviction offense Total Bench **Guilty Plea** Total Jury Mean **All Offenses** 214 days 352 days 379 days 328 days 216 days **Violent Offenses** 254 days 401 days 381 248 days 413 days days Murder /a 472 537 526 595 452 Sexual assault /b 396 398 398 289 277 294 400 391 423 290 Rape Other sexual assault 285 389 409 342 270 Robbery 245 353 360 337 238 Aggravated assault 230 344 356 322 235 Other violent /c 192 377 401 343 202 **Property Offenses** 206 days 313 days 329 days 300 days 208 days Burglary 195 324 327 324 197 Larceny /d 205 294 295 292 211 Motor vehicle theft 189 236 229 229 232 388 Fraud /e 219 331 291 215 324 days 210 days **Drug Offenses** 203 days 327 351 days days Possession 200 309 307 322 216 Trafficking 205 336 363 324 206 Weapon offenses 211 days 323 days 356 days 300 days 220 days Other offenses /f 208 days 319 days 340 days 287 days 213 days Median **All Offenses** 149 days 278 days 300 days 256 days 153 days **Violent Offenses** 189 days 320 days 333 days 290 days 184 days Murder /a 399 469 463 578 379 Sexual assault /b 221 319 313 359 209 Rape 227 340 317 387 220 Other sexual assault 220 301 203 232 311 Robbery 187 283 298 258 179 Aggravated assault 172 265 276 256 173 Other violent /c 147 277 271 316 161 **Property Offenses** 222 144 days 245 days 263 days days 148 days 137 249 253 223 144 Burglary Larceny /d 141 229 259 214 148 Motor vehicle theft 122 224 140 229 143 Fraud /e 155 268 280 248 152 144 days **Drug Offenses** 136 days 264 281 259 days days days Possession 259 122 245 231 142 Trafficking 143 273 287 261 145 Weapon offenses 145 days 249 days 265 days 249 days 152 days Other offenses /f 145 days 250 days 276 days 227 days 152 days

Note: The grand total includes all cases, whether or not conviction type was known.

Data by conviction type are based on an estimated 356,822 cases. "379" days

between arrest and sentencing for jury trials is based on data from 125 counties;

^{328&}quot; days for bench trials, 42 counties; and "216" days for guilty pleas, 167 counties.

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.