



# Bureau of Justice Statistics Special Report

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## State Court Processing Statistics, 1990-2002

# Violent Felons in Large Urban Counties

By Brian A. Reaves, Ph.D.  
*BJS Statistician*

Convicted violent felons are among the most serious offenders in the criminal justice system. They are convicted of violent offenses, such as murder, rape, robbery, and assault, and given the most severe sanctions. A BJS analysis of felony convictions in the 75 most populous counties found that a majority of those committing violent felonies had —

- multiple prior arrests
- at least 1 prior felony arrest
- at least 1 prior conviction.

Additionally, the analyses found that most convicted violent felons were —

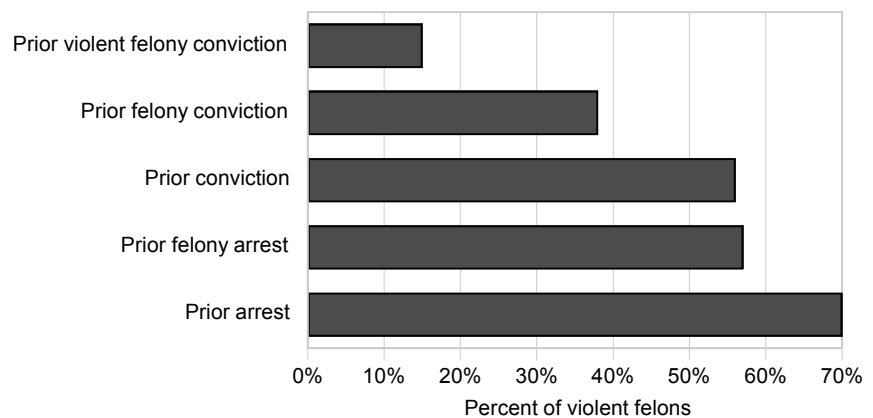
- detained from arrest through conviction
- sentenced to incarceration upon conviction
- sentenced to a prison term of 10 years or more if convicted of murder or rape.

These findings are based on data from the BJS State Court Processing Statistics (SCPS) program. The multi-year SCPS dataset includes a sample of felony cases filed during selected months in the 75 largest counties from 1990 through 2002. About half of all reported violent crimes nationwide occur in these counties. In 2002 these counties accounted for —

- 61% of robberies
- 51% of murders and non-negligent manslaughters
- 47% of aggravated assaults
- 36% of forcible rapes.

## Highlights

### Criminal history of persons convicted of a violent felony in the 75 largest counties, 1990-2002



- From 1990 to 2002, 18% of felony convictions in the 75 largest counties were for violent offenses, including 7% for assault and 6% for robbery.

- Six percent of those convicted of violent felonies were under age 18, and 25% were under age 21. Ten percent of murderers were under 18, and 30% were under 21.

- Thirty-six percent of violent felons had an active criminal justice status at the time of their arrest. This included 18% on probation, 12% on release pending disposition of a prior case, and 7% on parole.

- Seventy percent of violent felons had a prior arrest record, and 57% had at least one prior arrest for a felony. Sixty-seven percent of murderers and 73% of those convicted of robbery or assault had an arrest record.

- A majority (56%) of violent felons had a prior conviction record. Thirty-eight percent had a prior felony conviction and 15% had a previous conviction for a violent felony.

- Forty-one percent of murder convictions occurred at a trial rather than through a guilty plea. Trial convictions accounted for 12% of rape and robbery convictions and 11% of assault convictions.

- Eighty-one percent of violent felons were sentenced to incarceration with 50% going to prison and 31% to jail. Nineteen percent received a probation term without incarceration.

- Median prison sentences received included a maximum of 240 months for murder, 120 months for rape, 60 months for robbery, and 48 months for other violent felonies.

This report presents data on approximately 9,000 persons convicted of committing violent felonies. When weighted, these cases represent about 33,000 violent felons including —

- 12,950 (39.5%) convicted of aggravated assault
- 10,120 (30.9%) convicted of robbery
- 1,987 (6.1%) convicted of rape
- 1,077 (3.3%) convicted of murder or non-negligent manslaughter
- 6,650 (20.3%) convicted of other violent felonies.

**Table 1. Felony convictions in the 75 largest counties, by most serious conviction charge, selected months, 1990-2002**

Most serious conviction charge	Felony convictions	
	Number	Percent
All offenses	180,298	100.0%
<b>Violent offenses</b>	<b>32,784</b>	<b>18.2%</b>
Murder	1,077	0.6
Rape	1,987	1.1
Robbery	10,120	5.6
Assault	12,950	7.2
Other violent	6,650	3.7
<b>Property offenses</b>	<b>59,026</b>	<b>32.7%</b>
Burglary	16,878	9.4
Larceny/theft	17,827	9.9
Motor vehicle theft	6,121	3.4
Forgery	5,197	2.9
Fraud	4,021	2.2
Other property	8,981	5.0
<b>Drug offenses</b>	<b>69,053</b>	<b>38.3%</b>
Trafficking	35,341	19.6
Other drug	33,712	18.7
<b>Public-order offenses</b>	<b>18,533</b>	<b>10.3%</b>
Weapons	6,905	3.8
Driving-related	6,360	3.5
Other public-order	5,268	2.9
<b>Unclassified felonies</b>	<b>902</b>	<b>0.5%</b>

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

The full SCPS dataset used for this report included a sample of 103,000 felony cases. These cases represent about 386,000 defendants when weighted according to the sample design (see Methodology on page 9). About 180,000 of these defendants were convicted of a felony and 18.2% of these were convicted of a violent felony (table 1).

Of the total number of felony convictions, 7.2% were for assault, 5.6% for robbery, 1.1% for rape, and 0.6% for murder, including nonnegligent manslaughter. An additional 3.7% were for other violent felonies such as involuntary manslaughter, negligent homicide, and kidnaping (see Methodology for offense category definitions).

### Demographic characteristics

#### Gender

Overall, 91% of violent felons in the 75 largest counties were male, ranging from 89% of those convicted of felony assault to 99% of convicted rapists (table 2). Ninety-three percent of convicted robbers and 91% of convicted murderers were male.

**Table 2. Gender of violent felons in the 75 largest counties, by most serious conviction charge, 1990-2002**

Most serious conviction charge	Number	Percent of violent felons in the 75 largest counties		
		Total	Male	Female
All violent felonies	32,736	100%	91%	9%
Murder	1,073	100%	91%	9%
Rape	1,987	100	99	1
Robbery	10,111	100	93	7
Assault	12,934	100	89	11
Other violent	6,631	100	89	11

Note: Data on gender of violent felons were available for 99.9% of all cases.

#### Age

Six percent of violent felons were under age 18 at the time of their arrest, and 25% were under age 21 (table 3). Fourteen percent were 40 years or older. The mean age was 29.

Half of convicted murderers were younger than 25; 30% were under age 21 and 10% were under 18. Twelve percent were at least 40 years old. The mean age for those convicted of murder was 27.

A third of rapists were under age 25; 18% were under 21 and 4% were under 18. Nineteen percent were 40 or older. The mean age of those convicted of rape was 31.

A majority (56%) of robbers were under the age of 25. About 3 in 8 were under the age of 21 and 1 in 8 were under 18. Six percent were 40 years or older.

Among those convicted of assault, 4% were under 18, 22% under 21, and 40% under 25. Sixteen percent were 40 or older, and the mean age was 29.

**Table 3. Age at arrest of violent felons in the 75 largest counties, by most serious arrest charge, 1990-2002**

Most serious arrest charge	Number	Total	Percent of violent felons in the 75 largest counties							Average age at arrest
			Under 18	18-20	21-24	25-29	30-34	35-39	40 or older	
All violent felonies	32,784	100%	6%	19%	18%	18%	15%	11%	14%	29 yrs.
Murder	1,077	100%	10%	20%	20%	18%	12%	8%	12%	27 yrs.
Rape	1,987	100	4	14	15	19	15	14	19	31
Robbery	10,120	100	12	25	19	16	14	7	6	25
Assault	12,950	100	4	18	18	18	15	12	16	29
Other violent	6,650	100	2	11	16	19	16	14	22	32

Note: Data on age of defendants were available for 100% of all cases. Detail may not add to total because of rounding.

## Race and ethnicity

Forty-one percent of violent felons were black, non-Hispanic, 30% were Hispanic, and 26% were white, non-Hispanic (table 4). Blacks (46%) comprised a higher percentage of murderers than Hispanics (27%) or whites (23%).

Whites (37%) and blacks (35%) accounted for higher percentages of rapists than Hispanics (23%). Blacks accounted for 54% of robbers, twice the percentage of Hispanics (27%) and about 3 times that of whites (17%).

Blacks (39%) accounted for about two-fifths of those convicted of felony assault, compared to about a third who were Hispanic (32%), and a fourth who were white (26%).

Blacks (55%) comprised a majority of the violent felons who were under age 18 (figure 1). Blacks accounted for about two-fifths of the total in each age category from 21 through 34.

Whites accounted for 13% of the violent felons under age 18. The percentage of whites rose in each successive age category, and was about the same as for blacks in the 35 to 39 age category, and slightly higher in the 40 or older category.

Hispanics accounted for 30% of violent felons under age 18, and about a third in each age group from 18 to 29. The percentage of Hispanics was lower than that for both blacks and whites in the 35 and older age categories.

## Criminal history

### Criminal justice status at arrest

More than a third (36%) of violent felons had at least one type of active criminal justice status when arrested (table 5). Eighteen percent were on probation, 12% had been released pending disposition of a prior case, and 7% were on parole when arrested.

Robbers (45%) were the most likely to have had a criminal justice status at the time of arrest. An estimated 20% were on probation, 17% had been released pending disposition of a prior case, and 11% were on parole.

**Table 4. Race and Hispanic origin of violent felons in the 75 largest counties, by most serious conviction charge, 1990-2002**

Most serious conviction charge	Number	Percent of violent felons in the 75 largest counties				
		Total	Black, non-Hispanic	White, non-Hispanic	Other, non-Hispanic	Hispanic, any race
All violent felonies	26,589	100%	41%	26%	3%	30%
Murder	888	100%	46%	23%	4%	27%
Rape	1,545	100	35	37	5	23
Robbery	7,955	100	54	17	2	27
Assault	10,761	100	39	26	4	32
Other violent	5,441	100	28	36	5	31

Note: Data on both race and Hispanic origin of defendants were available for 81% of all cases. In 2000 the overall percentage of the population of the 75 largest counties was 58% white non-Hispanic, 14% black non-Hispanic, 9% other race non-Hispanic, and 19% Hispanics of any race. Detail may not add to total because of rounding.

**Race distribution of violent felons in the 75 largest counties, by age at arrest, 1990-2002**

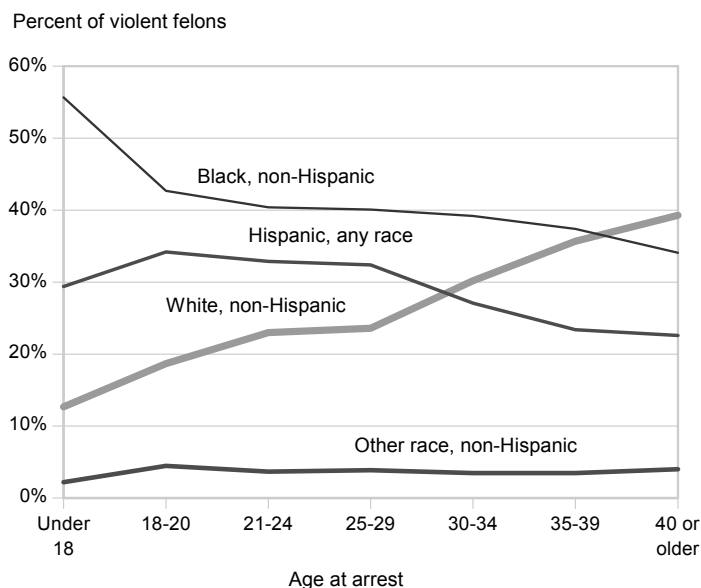


Figure 1

**Table 5. Criminal justice status of violent felons in the 75 largest counties, at the time of arrest, by most serious conviction charge, 1990-2002**

Most serious conviction charge	Number	Percent of violent felons in the 75 largest counties with an active criminal justice status at the time of arrest					
		Total	Probation	Pretrial release	Parole	In custody	Fugitive
All violent felonies	29,098	36%	18%	12%	7%	2%	2%
Murder	943	36%	15%	13%	8%	4%	3%
Rape	1,799	23	10	6	6	1	--
Robbery	8,582	45	20	17	11	2	3
Assault	11,818	35	19	11	6	2	1
Other violent	5,956	29	17	9	3	1	1

Note: Data on criminal justice status at time of arrest were available for 89% of all cases. Detail may not add to total because some defendants had more than one type of status.  
--Less than 0.5%.

Those convicted of murder (36%) or felony assault (35%) were the next most likely to have had an active criminal justice status when arrested. Fifteen percent of murderers were on probation, 13% were on pretrial release, and 8% were on parole. Nineteen percent of those later convicted of assault were on probation when arrested, 11% on pretrial release, and 6% on parole.

Rapists (23%) were the least likely among violent felons to have a criminal justice status when arrested. Ten percent were on probation, 6% were on pretrial release, and 6% were on parole at the time of their arrest.

#### Prior arrests

An estimated 70% of violent felons in the 75 largest counties had been arrested previously (table 6). Seventy-three percent of those convicted of

robbery or assault had an arrest record, as did 67% of murderers, and 53% of rapists.

Sixty percent of violent felons had multiple prior arrest charges, including 40% with 5 or more, and 23% with 10 or more. About a fourth of those convicted of robbery (26%) or assault (24%) had 10 or more prior arrest charges, as did about a fifth of murderers (21%) and a tenth of rapists (10%).

A majority (57%) of violent felons had been arrested previously for a felony (table 7). The percentage with a felony arrest record ranged from 40% of rapists to 63% of robbers. Fifty-nine percent of those convicted of assault and 58% of those convicted of murder had at least one prior felony arrest.

Forty-four percent of violent felons had more than one prior felony arrest charge, and 22% had at least five.

About half of those convicted of robbery (51%) had more than one prior felony arrest, as did nearly half of those convicted of assault (46%) or murder (44%).

Twenty-eight percent of robbers had 5 or more prior felony arrest charges and 12% had at least 10. Among murderers, 21% had 5 or more prior felony arrest charges, and 10% had 10 or more. Rapists (12%) were least likely to have five or more prior felony arrest charges.

**Table 6. Number of prior arrest charges of convicted violent felons in the 75 largest counties, by most serious conviction charge, 1990-2002**

Most serious conviction charge	Number	Percent of violent felons in the 75 largest counties						
		Total	Without prior arrest	With prior arrest				
				Total	Number of prior arrest charges			
					1	2-4	5-9	10 or more
All violent felonies	29,895	100%	30%	70%	10%	20%	17%	23%
Murder	960	100%	33%	67%	10%	20%	16%	21%
Rape	1,823	100	47	53	11	19	13	10
Robbery	9,137	100	27	73	9	20	18	26
Assault	11,815	100	27	73	11	21	17	24
Other violent	6,160	100	36	64	12	17	16	19

Note: Data on number of prior arrest charges were available for 91% of all cases. Detail may not add to total because of rounding.

**Table 7. Number of prior felony arrest charges of convicted violent felons in the 75 largest counties, by most serious conviction charge, 1990-2002**

Most serious conviction charge	Number	Percent of violent felons in the 75 largest counties						
		Total	Without prior felony arrest	With prior felony arrest				
				Total	Number of prior felony charges			
					1	2-4	5-9	10 or more
All violent felonies	29,962	100%	43%	57%	13%	22%	13%	9%
Murder	962	100%	42%	58%	14%	23%	11%	10%
Rape	1,823	100	60	40	10	19	7	5
Robbery	9,150	100	37	63	12	23	16	12
Assault	11,856	100	41	59	13	23	14	10
Other violent	6,171	100	52	48	12	19	11	6

Note: Data on number of prior felony arrest charges were available for 91% of all cases. Detail may not add to total because of rounding.

### Prior convictions

Fifty-six percent of convicted violent felons in the 75 largest counties had been previously convicted of a felony or misdemeanor (table 8). About three-fifths of those convicted of assault (60%) or robbery (59%) had at least one prior conviction. More than half of murderers (53%) had a conviction record as well. Rapists (42%) were the least likely to have already had a conviction record.

Three-fourths of the violent felons with a prior conviction record had been convicted on more than one charge. This included 21% with 5 or more prior convictions, and 7% with 10 or more.

Nearly half of those whose current conviction was for assault (46%) or robbery (45%) had multiple prior convictions. An estimated 39% of murderers and 29% of rapists had more than one prior conviction.

Twenty-three percent of those convicted of robbery or assault had five or more prior convictions, about twice the percentage among murderers (13%) and rapists (11%).

About 3 in 8 violent felons had at least one prior conviction for a felony (38%) (table 9). This included 43% of robbers, 40% of those convicted of assault, and 38% of murderers. Rapists (27%) and those convicted of other violent felonies (29%) were less likely to have already had a felony conviction.

Twenty-three percent of violent felons had more than one prior conviction for a felony, with robbers (27%) about twice as likely as rapists (14%) to have such a conviction record. Nearly a fourth of those convicted of assault (23%) or murder (23%) had multiple prior felony convictions. Five percent of violent felons had been convicted on five or more prior felony charges, including 7% of robbers.

Fifteen percent of those convicted of a violent felony during the current study had at least one prior conviction for a violent felony (table 10). For 22% of violent felons, the most serious prior

**Table 8. Number of prior convictions of violent felons in the 75 largest counties, by most serious current conviction charge, 1990-2002**

Most serious current conviction charge	Number	Percent of violent felons in the 75 largest counties						
		Total	Without prior conviction	Total	With prior conviction			
					Number of prior convictions			
					1	2-4	5-9	10 or more
All violent felonies	30,569	100%	44%	56%	14%	22%	14%	7%
Murder	1,021	100%	47%	53%	14%	25%	8%	5%
Rape	1,881	100	58	42	13	18	8	3
Robbery	9,433	100	41	59	14	22	15	8
Assault	12,069	100	40	60	14	24	16	7
Other violent	6,165	100	49	51	14	20	11	6

Note: Data on number of prior convictions were available for 93% of all cases. Detail may not add to total because of rounding.

**Table 9. Number of prior felony convictions of violent felons in the 75 largest counties, by most serious current conviction charge, 1990-2002**

Most serious current conviction charge	Number	Percent of violent felons in the 75 largest counties						
		Total	Without prior felony conviction	Total	With prior felony conviction			
					Number of prior felony convictions			
					1	2-4	5-9	10 or more
All violent felonies	30,677	100%	62%	38%	15%	17%	4%	1%
Murder	1,021	100%	62%	38%	15%	18%	4%	1%
Rape	1,885	100	73	27	12	12	2	--
Robbery	9,458	100	57	43	16	20	6	1
Assault	12,113	100	60	40	17	18	4	1
Other violent	6,201	100	71	29	14	13	2	1

Note: Data on number of prior felony convictions were available for 94% of all cases. Detail may not add to total because of rounding.  
--Less than 0.5%.

**Table 10. Most serious prior conviction of violent felons in the 75 largest counties, by most serious current conviction charge, 1990-2002**

Most serious current conviction charge	Number	Percent of violent felons in the 75 largest counties					
		Total	Without prior conviction	Total	Most serious prior conviction		
					Violent felony	Non-violent felony	Misdemeanor
All violent felonies	29,979	100%	44%	56%	15%	22%	19%
Murder	976	100%	47%	53%	17%	21%	15%
Rape	1,856	100	58	42	11	15	15
Robbery	9,242	100	41	59	17	26	16
Assault	11,782	100	40	60	17	23	20
Other violent	6,123	100	49	51	10	19	22

Note: Data on most serious prior conviction were available for 94% of all cases. Detail may not add to total because of rounding.

conviction was a nonviolent felony, and for 19% a misdemeanor.

### Pretrial release and detention

An estimated 38% of violent felons were released from custody pending disposition of the case that resulted in their conviction (table 11). Fifty percent were held on bail, and 11% were denied bail.

Among violent felons who had a bail amount set, about two-thirds were released when their bail was set at under \$5,000, compared to just 4% when it was set at \$100,000 or more.

Bail amount set	Percent released
\$100,000 or more	4 %
\$50,000-\$99,999	15
\$25,000-\$49,999	21
\$10,000-\$24,999	37
\$5,000-\$9,999	48
Under \$5,000	66

About three-fourths (73%) of those eventually convicted of murder were denied bail or had their bail set at \$100,000 or more (figure 2). One of these conditions was applied to less than a fourth of other violent felons.

As a result of these bail conditions, murderers (12%) had the lowest rate of pretrial release. About two-fifths of those eventually convicted of assault (43%) or rape (38%) were released prior to case disposition, compared to about a fourth (28%) of those eventually convicted of robbery. (See *Felony Defendants in Large Urban Counties, 2002* at <<http://www.ojp.usdoj.gov/bjs/abstract/fdluc02.htm>> for more information on pretrial release.)

### Pretrial misconduct

About 1 in 4 released violent felons committed one or more types of misconduct while in a release status (table 12). This misconduct usually involved a rearrest for a new offense (14%) or a failure to appear in court (13%).

Thirty-five percent of those eventually convicted of robbery were charged with pretrial misconduct. This included 24% rearrested for a new offense and 18% who failed to appear in court. Misconduct rates were next highest for

**Table 11. Pretrial release and detention of violent felons in the 75 largest counties, by most serious conviction charge, 1990-2002**

Most serious conviction charge	Number	Percent of violent felons in the 75 largest counties					
		Released before case disposition			Detained until case disposition		
		Total released	Financial release	Non-financial release	Total detained	Held on bail	Denied bail
All violent felonies	32,021	38%	23%	15%	62%	50%	11%
Murder	1,049	12%	9%	3%	88%	48%	40%
Rape	1,922	38	23	15	62	51	11
Robbery	9,875	28	16	12	72	59	13
Assault	12,705	43	27	16	57	47	10
Other violent	6,470	49	29	20	51	44	6

Note: Data on pretrial release outcome were available for 98% of all cases. Detail may not add to total because of rounding.

**Violent felons in the 75 largest counties who were denied bail or had bail set at \$100,000 or more, 1990-2002**

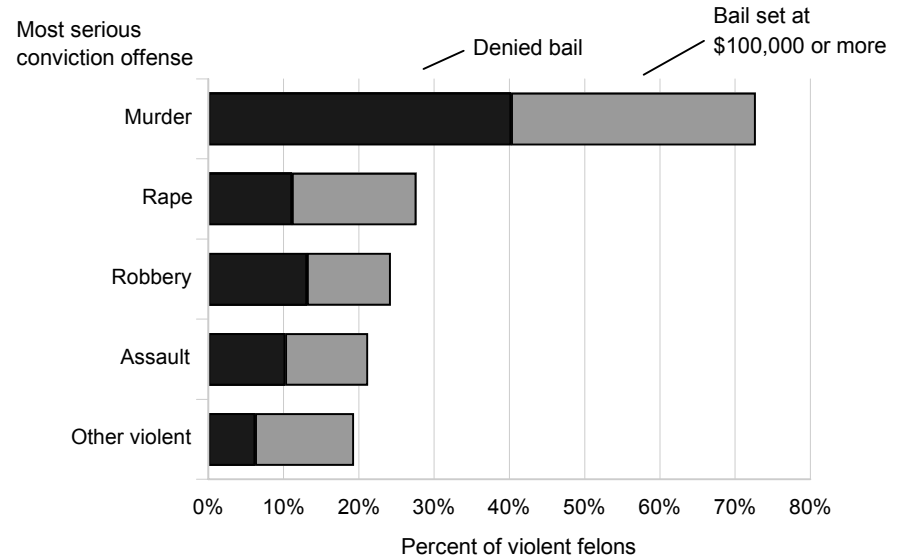


Figure 2

**Table 12. Released violent felons in the 75 largest counties committing misconduct, by most serious conviction charge, 1990-2002**

Most serious conviction charge	Number	Percent of released violent felons in the 75 largest counties		
		Charged with any type of misconduct	Failed to appear in court	Rearrested for new offense
All violent felonies	12,249	24%	13%	14%
Murder	122	17%	3%	7%
Rape	735	14	7	6
Robbery	2,767	35	18	24
Assault	5,435	23	13	13
Other violent	3,190	19	11	9

Note: Percentages are based on all released defendants. Types of misconduct included failure to appear in court, rearrest for a new offense, or a technical violation of release conditions that resulted in the revocation of pretrial release. Detail may add to more than total because defendants may have committed more than one type of misconduct. Data were collected for up to 1 year.

**Table 13. Adjudication method for violent felons in the 75 largest counties, by most serious conviction charge, 1990-2002**

Most serious conviction charge	Number	Percent of violent felons in the 75 largest counties				
		Total	Guilty plea	Trial conviction		
				Total	Bench	Jury
All violent felonies	32,653	100%	88%	12%	4%	8%
Murder	1,069	100%	59%	41%	3%	38%
Rape	1,979	100	88	12	2	10
Robbery	10,090	100	88	12	4	9
Assault	12,888	100	89	11	5	6
Other violent	6,627	100	92	8	3	5

Note: Data on adjudication method were available for 99.6% of all cases.

**Table 14. Legal representation of violent felons in the 75 largest counties, at time of conviction, by most serious conviction charge, 1990-2002**

Most serious conviction charge	Number	Percent of violent felons in the 75 largest counties				
		Total	Public defender	Private attorney	Assigned counsel	Other
All violent felonies	24,289	100%	59%	21%	20%	--%
Murder	680	100%	44%	24%	32%	0%
Rape	1,374	100	46	26	28	--
Robbery	6,875	100	60	16	24	--
Assault	10,077	100	60	21	18	--
Other violent	5,324	100	59	26	15	--

Note: Detail may not add to total because of rounding. Data on type of legal representation were available for 74% of all cases.  
--Less than 0.5%.

those eventually convicted of assault (23%). The rate was 17% for murderers and 14% for rapists.

**Adjudication**

Eighty-eight percent of violent felons were convicted through a guilty plea and 12% at trial (table 13). About two-thirds of trial convictions resulted from jury verdicts. The other third occurred as bench trials where the verdict was determined by a judge.

Murder convictions (41%) were much more likely to occur at a trial than convictions for rape (12%), robbery (12%), assault (11%), or other violent felonies (8%). This was consistent with the greater likelihood of murder defendants (44%) going to trial than defendants charged with other violent felonies (6%). (See *Felony Defendants in Large Urban Counties, 2002* at <<http://www.ojp.usdoj.gov/bjs/abstract/fdluc02.htm>> for more information on the adjudication of felony defendants.)

At the time of conviction, 59% of violent felons were represented by a public defender, 21% by a private attorney, and 20% had legal representation assigned by the court (table 14). Murder (44%) and rape (46%) defendants were less likely to have a public defender than other violent felons (60%). Robbery defendants (16%) were the least likely to have a private attorney.

Violent felons who pled guilty (60%) were more likely to have a public defender than those convicted at trial (49%) (figure 3). Assigned counsel and

**Legal representation of violent felons in the 75 largest counties, at time of conviction, by type of adjudication, 1990-2002**

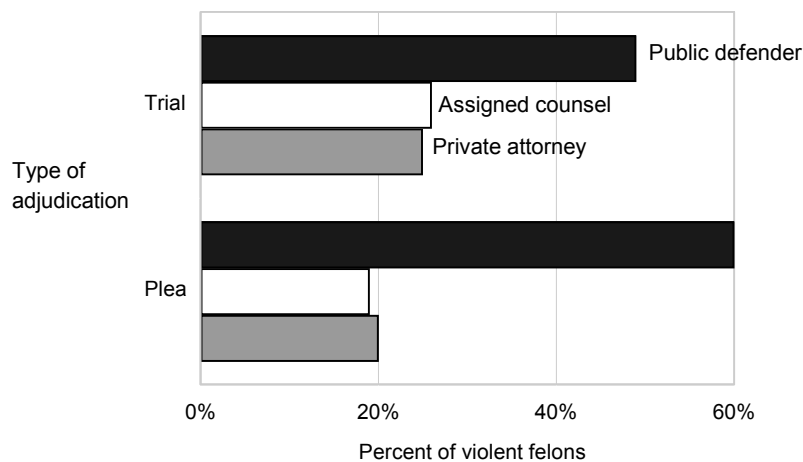


Figure 3

private attorneys were each used in about a fourth of trials and about a fifth of cases involving guilty pleas.

### Sentencing

Eighty-one percent of violent felons in the 75 largest counties were sentenced to incarceration (table 15). Half were sentenced to State prison and about a third to a local jail (31%). Nearly all murder convictions (96%) resulted in a prison sentence. About two-thirds of sentences for robbery (69%) or rape (62%) convictions were to prison and about a fifth were to jail. Felony convictions for assault resulted in equal percentages of jail and prison sentences (38%).

The mean prison sentence for a violent felony conviction was 105 months and the median was 60 months (table 16). Mean prison sentences ranged from

about 26 years for murder to about 6½ years for assault.

Median prison sentences were 20 years for murder, 10 years for rape, 5 years for robbery and 4 years for assault and other violent felonies. Two percent of violent felons received a life sentence including 22% of murderers

and 4% of those convicted of rape. Seventy-five percent of murder sentences were either to a term greater than 10 years or to life.

Among the 31% of violent felons who received a jail sentence, the mean sentence was 8 months and the median was 6 months (table 17).

**Table 15. Most severe type of sentence received by convicted felons in the 75 largest counties, by most serious conviction offense, 1990-2002**

Most serious conviction charge	Number	Percent of violent felons in the 75 largest counties sentenced to —					
		Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
All violent felonies	30,892	81%	50%	31%	19%	19%	--%
Murder	934	98%	96%	2%	2%	2%	0%
Rape	1,836	83	62	21	17	17	0
Robbery	9,480	89	69	20	11	11	--
Assault	12,364	77	38	38	23	23	--
Other violent	6,280	76	35	41	24	24	1

Note: Data on sentencing outcome were available for 94% of all cases.  
--Less than 0.5%.

**Table 16. Length of prison sentence received by violent felons in the 75 largest counties, by most serious conviction offense, 1990-2002**

Most serious conviction charge	Number	Violent felons in the 75 largest counties sentenced to prison								
		Number of months		Percent receiving a maximum sentence length in months of —						
		Mean	Median	Total	1-24	25-48	49-72	73-120	Over 120*	Life
All violent felonies	15,269	105 mos.	60 mos.	100%	19%	23%	18%	19%	19%	2%
Murder	889	308 mos.	240 mos.	100%	2%	4%	6%	14%	53%	22%
Rape	1,083	152	120	100	6	14	18	29	30	4
Robbery	6,463	100	60	100	14	22	21	21	21	1
Assault	4,679	77	48	100	25	28	18	16	11	1
Other violent	2,157	73	48	100	31	27	18	13	11	1

Note: Data on length of prison sentence were available for 98% of all cases in which a defendant received a prison sentence. Eleven percent of prison sentences included a probation term. Detail may not add to total because of rounding.  
\*Excludes life sentences.

**Table 17. Length of jail sentence received by violent felons in the 75 largest counties, by most serious conviction offense, 1990-2002**

Most serious conviction offense	Number	Violent felons in the 75 largest counties sentenced to jail							
		Number of months		Percent receiving a maximum sentence in months of —					
		Mean	Median	Total	3 or less	4-6	7-9	10-12	Over 12
All violent felonies	9,433	8 mos.	6 mos.	100%	28%	29%	10%	29%	4%
Rape	377	8 mos.	6 mos.	100%	17%	35%	11%	37%	0%
Robbery	1,828	11	9	100	13	27	11	42	7
Assault	4,671	7	6	100	32	30	10	24	4
Other violent	2,541	7	6	100	34	29	9	26	2

Note: Data on length of jail sentence were available for 98% of all cases in which a defendant received a jail sentence. Eighty percent of jail sentences included a probation term. Too few murder convictions resulted in a jail sentence to produce reliable estimates. The total for all violent felons includes these murder cases. Detail may not add to total because of rounding.



About a third of all jail sentences were for 10 months or longer, including 4% for more than 1 year.

Among the 19% of violent felons who were sentenced to probation without incarceration, 7% received a probation term that exceeded 5 years (table 18). The mean probation sentence was 42 months and the median was 36 months.

When all sentences are considered, including those not involving prison or jail, the mean amount of incarceration

received for violent felony convictions in the 75 largest counties was about 23 years for murderers, about 8 years for rapists, and about 6 years for robbers (figure 4). For assault convictions, the overall mean amount of incarceration received was about 3 years, and for other violent felonies it was about 2½ years.

The median amount of incarceration received at sentencing was 16 years for murderers, 4 years for rapists, and about 3 years for robbers. The overall median amount of incarceration

received was less than 1 year for those convicted of assault (9 months) or other violent felonies (7 months).

## Methodology

### Sample design

The SCPS sample is a 2-stage stratified sample, with 40 of the 75 most populous counties selected at stage one and a systematic sample of State court felony filings (defendants) within each county selected at stage two. The 40 counties were divided into 4 first-stage strata based on court filings.

The second-stage sampling (filings) was designed to represent all defendants who had felony cases filed with the court during the selected month. The participating jurisdictions provided data for every felony case filed on selected days during that month. Depending on the first-stage stratum in which it had been placed, each jurisdiction provided filings data for 5, 10, or 20 randomly selected business days in May. Data from jurisdictions that were not required to provide a full month of filings were weighted to represent the full month. (See the individual reports in the *Felony Defendants in Large Urban Counties* series for sampling information specific to each year of the data collection <<http://www.ojp.usdoj.gov/bjs/pubalp2.htm#dluc>>.)

Because the data came from a sample, a sampling error is associated with each reported number. In general, if the difference between two numbers is greater than twice the standard error for that difference, we can say that we are 95% confident of a real difference and that the apparent difference is not simply the result of using a sample rather than the entire population.

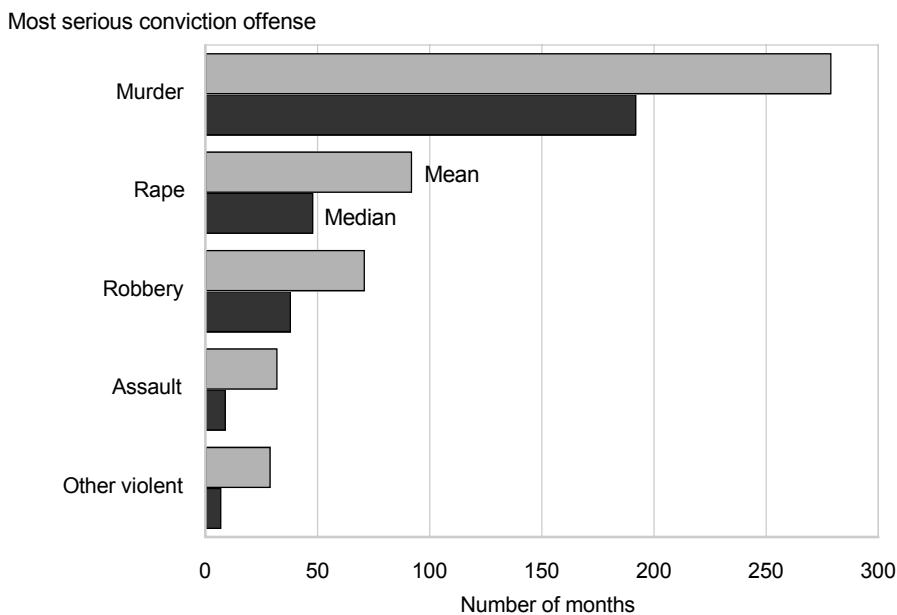
Standard errors may be used to construct confidence intervals around any percentage. For example, if the standard error for the percentage of violent felons sentenced to prison is 1.3%, then the 95% confidence interval is approximately 50% plus or minus 1.96 times 1.3% (or 47.4% to 52.6%).

**Table 18. Length of probation sentence received by violent felons in the 75 largest counties, by most serious conviction offense, 1990-2002**

Most serious conviction offense	Violent felons in the 75 largest counties sentenced to probation				Percent receiving a sentence in months of —				
	Number	Mean	Median	Total	1-12	13-24	25-48	49-60	Over 60
All violent felonies	5,749	42 mos.	36 mos.	100%	15%	22%	32%	24%	7%
Rape	312	59 mos.	60 mos.	100%	1%	16%	31%	34%	18%
Robbery	1,072	51	60	100	4	14	25	48	9
Assault	2,847	33	30	100	23	26	33	15	4
Other violent	1,496	50	36	100	12	21	36	20	10

Note: Data on length of probation sentence were available for 100% of all cases in which the most severe type of sentence a defendant received was probation. Twenty-four percent of probation sentences also included a fine. Too few murder convictions resulted in a probation sentence to produce reliable estimates. The total for all violent felons includes these murder cases. Detail may not add to total because of rounding.

**Mean and median number of months sentenced to incarceration for violent felons in the 75 largest counties, 1990-2002**



Note: Includes all sentenced violent felons with a value of zero assigned to those receiving a sentence that did not include incarceration.

Figure 4

### Offense categories

Felony offenses were classified into 18 categories for this report. These were further classified into the four major crime categories of violent, property, drug, and public-order. The following listings are a representative summary of the crimes in the violent category; however, these lists are not meant to be exhaustive. All offenses, except for murder, include attempts and conspiracies to commit.

**Murder** — Includes homicide, nonnegligent manslaughter, and voluntary homicide. Excludes attempted murder (classified as felony assault), negligent homicide, involuntary homicide, or vehicular manslaughter, which are classified as other violent offenses.

**Rape** — Includes forcible intercourse, sodomy, or penetration with a foreign object. Does not include statutory rape or nonforcible acts with a minor or someone unable to give legal consent, nonviolent sexual offenses, or commercialized sex offenses.

**Robbery** — Includes unlawful taking of anything of value by force or threat of force. Includes armed, unarmed, and aggravated robbery, carjacking, armed burglary, and armed mugging.

**Assault** — Includes aggravated assault, aggravated battery, attempted murder, assault with a deadly weapon, felony assault or battery on a law enforcement officer, and other felony assaults. Does not include extortion, coercion, or intimidation.

**Other violent offenses** — Includes vehicular manslaughter, involuntary manslaughter, negligent or reckless homicide, nonviolent or non-forcible sexual assault, kidnapping, unlawful imprisonment, child or spouse abuse, cruelty to a child, reckless endangerment, hit-and-run with bodily injury, intimidation, and extortion.

**Appendix Table A. Participating jurisdictions, State Court Processing Statistics, 1990-2002**

County (State)	1990	1992	1994	1996	1998	2000	2002
Jefferson (AL)			X	X	X	X	X
Maricopa (AZ)	X	X	X	X	X	X	X
Pima (AZ)			X	X	X	X	X
Alameda (CA)			X	X	X	X	X
Contra Costa (CA)						X	X
Los Angeles (CA)	X	X	X	X	X	X	X
Orange (CA)	X			X	X	X	X
Riverside (CA)						X	X
Sacramento (CA)	X	X	X	X	X		
San Bernardino (CA)	X	X	X	X	X	X	X
San Diego (CA)	X	X				X	X
San Francisco (CA)		X	X	X	X		
San Mateo (CA)						X	X
Santa Clara (CA)	X	X	X	X	X	X	X
Ventura (CA)			X	X	X		
New Haven (CT)						X	
Washington (DC)	X	X					
Broward (FL)	X	X	X	X	X	X	X
Duval (FL)	X	X					
Miami-Dade (FL)	X	X	X	X	X	X	X
Hillsborough (FL)	X	X	X	X	X		
Orange (FL)			X	X	X		
Palm Beach (FL)	X	X				X	X
Pinellas (FL)	X	X				X	X
Fulton (GA)	X	X		X		X	X
Honolulu (HI)	X		X	X		X	X
Cook (IL)	X	X	X	X	X	X	X
DuPage (IL)			X	X	X		
Marion (IN)				X	X	X	X
Jefferson (KY)			X	X	X		
Essex (MA)	X	X					
Middlesex (MA)			X				
Suffolk (MA)	X	X					
Baltimore (MD)						X	X
Baltimore (city) (MD)			X	X	X		
Montgomery (MD)		X			X	X	X
Macomb (MI)						X	X
Wayne (MI)	X	X	X	X	X	X	X
Jackson (MO)			X	X	X		
St. Louis (MO)	X	X	X	X	X		
Essex (NJ)	X	X	X			X	X
Bronx (NY)	X	X	X	X	X	X	X
Erie (NY)	X	X	X	X	X		
Kings (NY)	X	X	X	X	X	X	X
Monroe (NY)	X	X	X	X	X		
Nassau (NY)						X	X
New York (NY)	X	X	X	X	X		
Queens (NY)	X	X	X	X	X		
Suffolk (NY)			X	X	X		
Westchester (NY)						X	X
Franklin (OH)						X	X
Hamilton (OH)	X	X	X	X	X		
Allegheny (PA)	X	X	X	X	X		
Montgomery (PA)	X	X					X
Philadelphia (PA)	X	X	X	X	X	X	X
Shelby (TN)	X	X	X	X	X	X	X
Dallas (TX)	X	X	X	X	X	X	X
El Paso (TX)						X	X
Harris (TX)	X	X	X	X	X	X	X
Tarrant (TX)	X	X				X	X
Travis (TX)						X	X
Salt Lake (UT)	X	X				X	X
Fairfax (VA)	X	X				X	X
King (WA)	X	X	X	X	X		
Milwaukee (WI)		X	X	X	X		



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The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Jeffrey L. Sedgwick is director.

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