

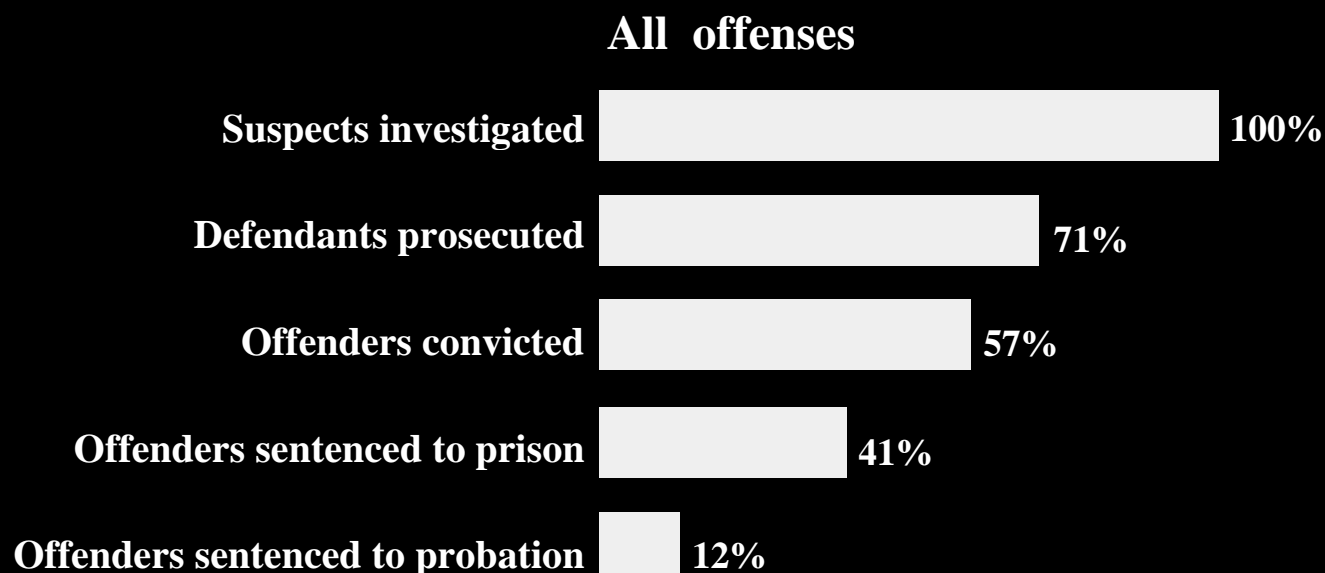


Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1998

Federal criminal case processing in matters concluded by United States attorneys

October 1, 1997, through September 30, 1998



A Federal Justice Statistics Program Report



Compendium of Federal Justice Statistics, 1998

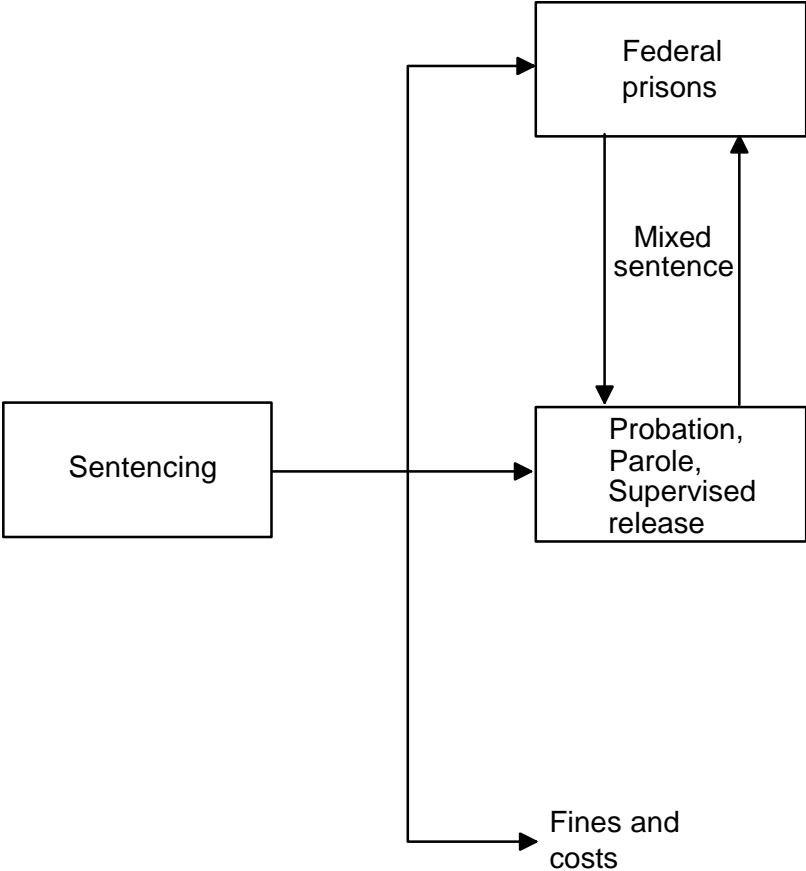
May 2000, NCJ 180258

Discussion	61
-------------------------	-----------

Tables*October 1, 1997 – September 30, 1998*

5.1. Sentence types in cases terminated, by offense	65
5.2. Type and length of sentences imposed, by offense	66
5.3. Sentences imposed on convicted offend- ers, by offense of conviction and method of disposition	67
5.4. Convicted offenders sentenced to incar- ceration, by offense and offender characteristics	68
5.5. Average incarceration sentence lengths imposed, by offense and offender characteristics	69
5.6. Median incarceration sentence lengths imposed, by offense and offender characteristics	70
Chapter notes	71

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). (For a definition of mixed sentences, see *Glossary*, p. 111.) 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. 107).

Offenders convicted and sentences imposed (table 5.1)

Of the 60,958 offenders sentenced during 1998, 43,041 (71%) were sentenced to prison; 12,744 (21%) were sentenced to probation; and 3,199 (5%) were ordered to pay only a fine. (Offenders given an intermediate sanction such as intermittent confinement or community confinement that also included probation supervision are counted among offenders given probation.) Of the 43,041 offenders sentenced to prison, 41,420 (96%) were convicted of felonies, and 82% of convicted felons were sentenced to prison. Defendants convicted of drug (92%) and violent (91%) felonies were more likely to receive prison sentences than were defendants convicted of property (60%) or public-order (83%) offenses (figure 5.1).

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

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

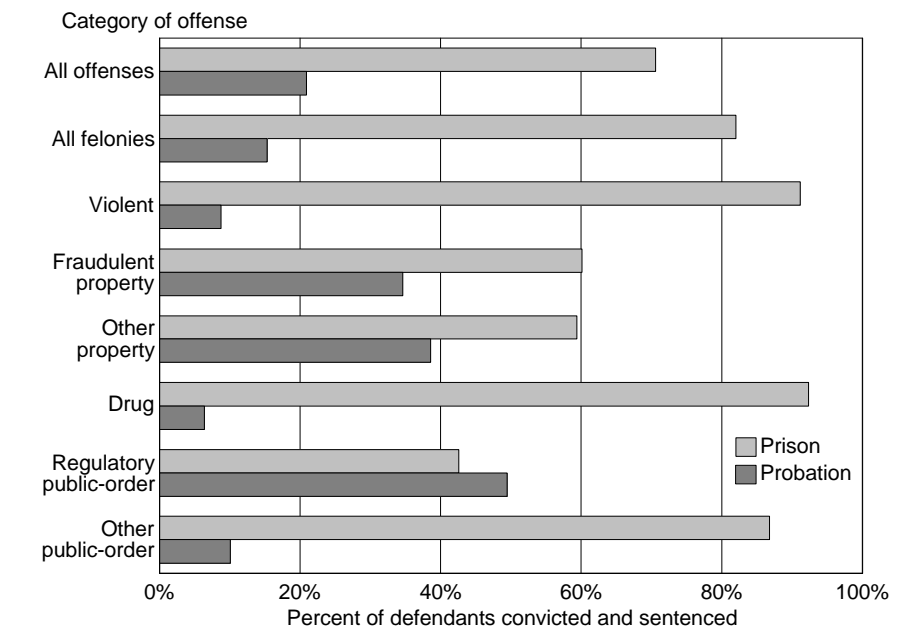


Figure 5.1. Rates of incarceration and probation for offenders convicted and sentenced in cases that terminated during October 1, 1997 - September 30, 1998

Among property offenders, persons convicted of arson or the use of explosives (87%) were also almost as likely as violent and drug offenders to receive prison sentences.

Overall, 21% of convicted offenders were sentenced to probation. The percentage of misdemeanants sentenced to probation (48%) was three times that of convicted felons (15%). Among felons, persons convicted of communication violations (86%), postal law violations (84%), and agriculture violations (68%) were the most likely to be given probation.

While less than 1% of all convicted felons were ordered to only pay a fine, 45% of the felons convicted of antitrust violations were so ordered. Fines generally were reserved for misdemeanor offenders, 28% of whom received fines.

Average prison sentences imposed (table 5.2)

For all offenders given prison terms,

the average term of imprisonment imposed was 58.8 months. Persons convicted of felonies received an average prison term of 60.6 months.

The average length of prison sentence imposed varied among major offense categories (figure 5.2). Property offenders received the shortest sentence, on average, while violent offenders received the longest (25.4 months compared to 84.2 months). Drug offenders received 78.8 months, on average, and public-order offenders received 47.3 months. The average prison term for public-order offenders was primarily attributable to sentences imposed for weapons offenders. The 2,914 weapons offenders sentenced to prison comprised 24% of the 12,218 public-order offenders sent to prison; weapons offenders received an average prison term of 100.6 months, and public-order offenders other than weapons offenders received an average prison term of 30.6 months.

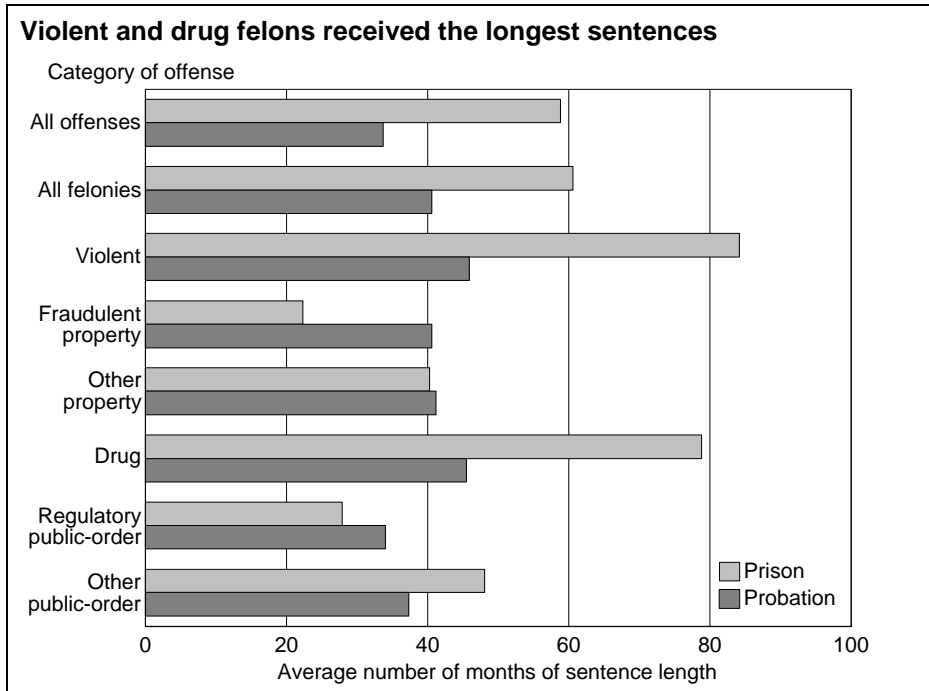


Figure 5.2. Incarceration and probation sentence lengths (in months) of offenders convicted and sentenced in cases that terminated during October 1, 1997 - September 30, 1998

Relationship between sentence imposed and mode of conviction (table 5.3)

Offenders convicted by plea were less likely to receive prison sentences than those convicted at trial. Seventy percent of the offenders convicted by guilty plea received some prison time, while 84% of the offenders convicted at trial received prison sentences.

For violent offenders, 91% of those convicted by plea received prison sentences, as did 97% of those convicted at trial. For fraudulent property offenders, 59% of those convicted by plea received prison sentences, compared to 86% of those convicted at trial. And, for regulatory public-order offenders, 41% of those convicted by plea went to prison, but 70% of those convicted at trial did.

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 148.9 months, on average, while those convicted by plea received an

average of 52.3 months (figure 5.3). Drug offenders convicted at trial received an average of 188.4 months as compared to the 71 months for drug offenders convicted by a guilty plea. Violent offenders who went to trial received an average sentence of 180.4 months as compared to the 75.8 months for those convicted by plea.

Characteristics of offenders sentenced to prison (tables 5.4-5.6)

The majority of persons sentenced to prison during 1998 were male(85%), white (67%), non-Hispanic (63%), and U.S. citizens (67%). 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 5.5). 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."*

Average sentences imposed were longest for males (61.8 months), blacks (90.2 months), non-Hispanics (69.1 months), and U.S. citizens (68.8 months). These longer terms were 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 5.4) that also are associated with longer average sentences (table 5.2). For example, incarceration rates for blacks exceeded those of whites in the violent, drug, and nonregulatory public-order offense categories. These offenses are associated with longer average sentences (table 5.2, figure 5.2) than are property offenses or misdemeanors — the categories in which whites' incarceration rates exceeded 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

*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 (NCJ145328).

sentences on average. The primary reason for the larger averages is the larger number of serious offenses that made up the average sentences.

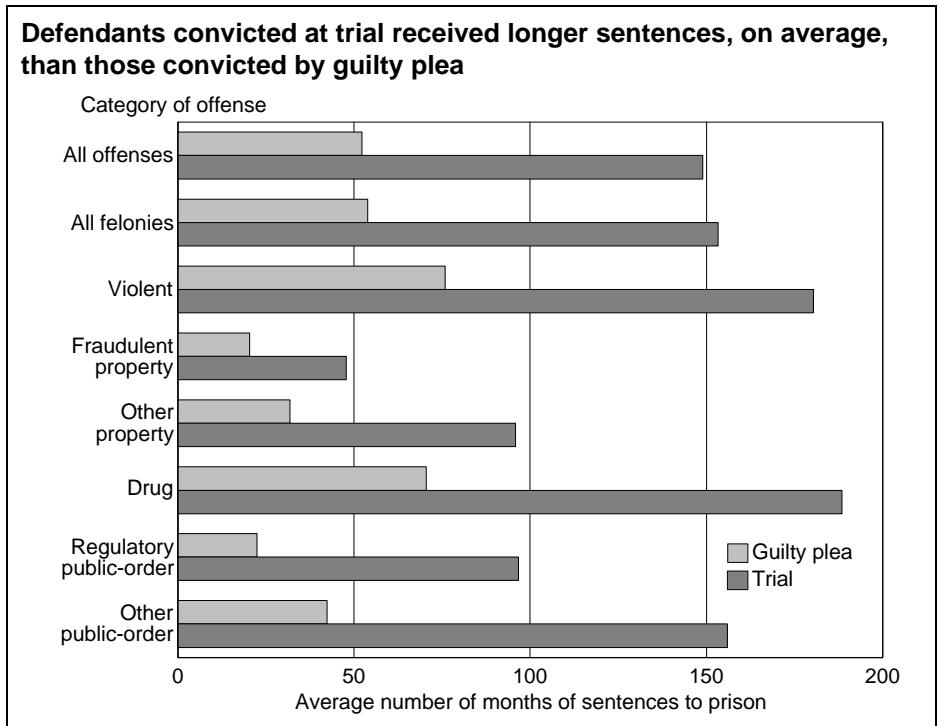


Figure 5.3. Average prison sentences imposed on defendants convicted at trial or by guilty plea, October 1, 1997 - September 30, 1998

Table 5.1. Sentence types in cases terminated, by offense, October 1, 1997 - September 30, 1998

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	60,958	70.6%	20.9%	1.0%	5.2%
Felonies	50,494	82.0%	15.3%	1.1%	0.5%
Violent offenses	3,078	91.2%	8.8%	1.2%	0.2%
Murder ^f	297	90.9	8.8	1.0	0
Negligent manslaughter	3	—	—	—	—
Assault	276	73.6	23.2	0.4	1.1
Robbery	1,780	96.1	5.1	1.6	0.1
Rape	217	86.6	13.4	0.5	0
Other sex offenses ^f	365	85.8	14.5	1.1	0
Kidnaping	113	87.6	7.1	0	0.9
Threats against the President	27	77.8	7.4	0	0
Property offenses	11,862	60.0%	35.3%	1.2%	1.1%
Fraudulent	9,752	60.1%	34.6%	1.3%	1.2%
Embezzlement	916	54.3	31.9	1.0	2.9
Fraud ^f	7,532	60.9	34.3	1.4	1.2
Forgery	147	44.9	54.4	0	0.7
Counterfeiting	1,157	61.6	36.1	0.6	0.2
Other	2,110	59.4%	38.6%	0.9%	0.4%
Burglary	93	51.6	48.4	1.1	0
Larceny ^f	1,344	51.6	46.5	1.0	0.5
Motor vehicle theft	150	76.0	21.3	0.7	0
Arson and explosives	195	86.7	10.8	0	0
Transportation of stolen property	284	71.5	26.4	1.1	0.4
Other property offenses ^f	44	61.4	36.4	2.3	2.3
Drug offenses	20,867	92.4%	6.4%	1.2%	0.2%
Trafficking	19,417	92.8	6.1	1.2	0.2
Possession and other drug offenses	1,450	87.4	10.5	0.8	0.3
Public-order offenses	14,687	83.2%	13.3%	0.8%	0.6%
Regulatory	1,187	42.6%	49.5%	0.5%	3.9%
Agriculture	44	22.7	68.2	0	6.8
Antitrust	29	13.8	41.4	0	44.8
Food and drug	32	25.0	71.9	0	3.1
Transportation	98	26.5	65.3	2.0	9.2
Civil rights	60	90.0	10.0	3.3	0
Communications	35	5.7	85.7	0	8.6
Custom laws	106	39.6	47.2	0	5.7
Postal laws	24	16.7	83.3	0	0
Other regulatory offenses	759	46.9	46.5	0.3	1.4
Other	13,500	86.8%	10.1%	0.8%	0.3%
Weapons	3,160	92.2	8.4	1.8	0.2
Immigration offenses	7,569	90.9	4.0	0.4	0.1
Tax law violations ^f	752	50.0	49.9	2.1	1.2
Bribery	172	51.2	45.9	1.2	2.3
Perjury, contempt, and intimidation	231	61.5	36.8	0.4	0.9
National defense	46	54.3	41.3	2.2	6.5
Escape	435	90.6	7.1	0.7	0.5
Racketeering and extortion	1,053	80.1	16.7	0.3	0.3
Gambling	36	41.7	55.6	0	0
Obscene material ^f	11	54.5	45.5	0	0
Migratory birds	3	—	—	—	—
All other felonies ^f	32	87.5	12.5	3.1	0
Misdemeanors^f	10,375	15.3%	47.6%	0.9%	28.4%
Fraudulent property offense	1,810	21.8	56.5	0.5	2.6
Larceny	1,280	13.5	72.3	1.1	13.8
Drug possession ^f	985	22.1	64.1	1.2	6.2
Immigration	846	35.8	14.9	0.2	1.1
Traffic offenses	3,592	4.9	29.6	1.1	65.8
Other misdemeanors	1,862	17.5	62.7	0.8	15.6
Unknown or indeterminable offense	89	34.8%	66.3%	3.4%	0%

Note: For further information, see *Chapter notes*, item 1, p. 71.

—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.

^fIn 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 5.2. Type and length of sentences imposed, by offense, October 1, 1997 - September 30, 1998

Most serious offense of conviction	Offenders convicted and sentenced in cases that terminated during fiscal year 1998							
	Total	Number			Sentence length			
		Incarceration ^a	Probation ^b	Fine (only)	Incarceration ^c		Probation ^c	
				Mean	Median	Mean	Median	
All offenses	60,958	43,041	12,744	3,199	58.8 mo	33.0 mo	33.7 mo	36.0 mo
Felonies	50,494	41,420	7,749	252	60.6 mo	35.0 mo	40.6 mo	36.0 mo
Violent offenses	3,078	2,808	272	6	84.2 mo	57.0 mo	45.9 mo	36.0 mo
Murder ^d	297	270	26	0	112.8	51.0	56.8	60.0
Negligent manslaughter	3	3	0	0	—	—
Assault	276	203	64	3	39.1	24.0	36.9	36.0
Robbery	1,780	1,711	90	2	90.8	63.0	44.8	36.0
Rape	217	188	29	0	74.5	36.0	44.6	36.0
Other sex offenses ^d	365	313	53	0	50.6	30.0	45.8	60.0
Kidnaping	113	99	8	1	136.4	72.0	—	—
Threats against the President	27	21	2	0	26.3	21.0	—	—
Property offenses	11,862	7,114	4,185	127	25.4 mo	15.0 mo	40.7 mo	36.0 mo
Fraudulent	9,752	5,860	3,371	118	22.3 mo	15.0 mo	40.6 mo	36.0 mo
Embezzlement	916	497	292	27	15.7	8.0	38.0	36.0
Fraud ^d	7,532	4,584	2,581	88	23.3	15.0	41.1	36.0
Forgery	147	66	80	1	17.9	12.0	40.7	36.0
Counterfeiting	1,157	713	418	2	20.5	14.0	39.3	36.0
Other	2,110	1,254	814	9	40.3 mo	18.5 mo	41.2 mo	36.0 mo
Burglary	93	48	45	0	27.0	24.0	47.5	48.0
Larceny ^d	1,344	693	625	7	32.6	15.0	40.7	36.0
Motor vehicle theft	150	114	32	0	28.0	21.0	37.9	36.0
Arson and explosives	195	169	21	0	102.6	57.0	40.6	36.0
Transportation of stolen property	284	203	75	1	27.8	21.0	42.2	36.0
Other property offenses ^d	44	27	16	1	28.7	16.0	48.3	36.0
Drug offenses	20,867	19,280	1,338	38	78.8 mo	57.0 mo	45.5 mo	36.0 mo
Trafficking	19,417	18,013	1,186	33	78.5	57.0	46.2	48.0
Possession and other drug offenses	1,450	1,267	152	5	84.2	60.0	40.4	36.0
Public-order offenses	14,687	12,218	1,954	81	47.3 mo	24.0 mo	36.3 mo	36.0 mo
Regulatory	1,187	506	588	46	27.9 mo	15.0 mo	34.0 mo	36.0 mo
Agriculture	44	10	30	3	—	—	30.2	36.0
Antitrust	29	4	12	13	—	—	45.0	60.0
Food and drug	32	8	23	1	—	—	30.3	24.0
Transportation	98	26	64	9	20.9	15.0	34.5	36.0
Civil rights	60	54	6	0	93.1	35.0	—	—
Communications	35	2	30	3	—	—	33.5	36.0
Custom laws	106	42	50	6	19.5	15.0	29.0	26.0
Postal laws	24	4	20	0	—	—	30.0	24.0
Other regulatory offenses	759	356	353	11	20.6	15.0	34.9	36.0
Other	13,500	11,712	1,366	35	48.1 mo	26.0 mo	37.3 mo	36.0 mo
Weapons	3,160	2,914	265	5	100.6	60.0	37.8	36.0
Immigration offenses	7,569	6,880	305	7	26.4	24.0	36.7	36.0
Tax law violations ^d	752	376	375	9	18.6	12.0	37.7	36.0
Bribery	172	88	79	4	21.2	12.0	39.1	36.0
Perjury, contempt, and intimidation	231	142	85	2	31.0	21.0	35.5	36.0
National defense	46	25	19	3	25.6	18.0	44.4	36.0
Escape	435	394	31	2	20.7	15.0	30.2	24.0
Racketeering and extortion	1,053	843	176	3	80.2	60.0	36.8	36.0
Gambling	36	15	20	0	44.3	24.0	35.1	27.0
Obscene material ^d	11	6	5	0	—	—	—	—
Migratory birds	3	1	2	0	—	—	—	—
All other felonies ^d	32	28	4	0	21.4	18.0	—	—
Misdemeanors^d	10,375	1,590	4,936	2,947	11.4 mo	4.0 mo	22.7 mo	12.0 mo
Fraudulent property offense	1,810	394	1,023	47	7.5	2.0	33.5	36.0
Larceny	1,280	173	926	177	10.8	6.0	19.4	12.0
Drug possession ^d	985	218	631	61	34.5	6.0	22.3	18.0
Immigration	846	303	126	9	5.5	3.0	15.7	6.0
Traffic offenses	3,592	176	1,062	2,363	5.8	2.0	14.1	12.0
Other misdemeanors	1,862	326	1,168	290	9.6	6.0	24.5	24.0
Unknown or indeterminable offense	89	31	59	0	31.9 mo	27.0 mo	48.2 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. 71.

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

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 5.3. Sentences imposed on convicted offenders, by offense of conviction and method of disposition, October 1, 1997 - September 30, 1998

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	60,958	43,041	12,744	3,199	70.6%	58.8 mo	33.0 mo
Guilty plea ^d	57,266	39,954	12,389	2,995	69.8	52.3	30.0
Trial	3,692	3,087	355	204	83.6	148.9	108.0
Felonies	50,494	41,420	7,749	252	82.0%	60.6 mo	35.0 mo
Guilty plea	47,360	38,432	7,591	246	81.1	53.9	30.0
Trial	3,134	2,988	158	6	95.3	153.3	117.0
Violent offenses	3,078	2,808	272	6	91.2%	84.2 mo	57.0 mo
Guilty plea	2,813	2,552	262	6	90.7	75.8	56.0
Trial	265	256	10	0	96.6	180.4	120.0
Property offenses							
Fraudulent	9,752	5,860	3,371	118	60.1%	22.3 mo	15.0 mo
Guilty plea	9,275	5,450	3,304	114	58.8	20.4	14.0
Trial	477	410	67	4	86.0	47.8	30.0
Other	2,110	1,254	814	9	59.4%	40.3 mo	18.5 mo
Guilty plea	1,932	1,085	802	8	56.2	31.8	18.0
Trial	178	169	12	1	94.9	95.9	46.0
Drug offenses	20,867	19,280	1,338	38	92.4%	78.8 mo	57.0 mo
Guilty plea	19,365	17,795	1,311	38	91.9	70.5	48.0
Trial	1,502	1,485	27	0	98.9	188.4	168.0
Public-order offenses							
Regulatory	1,187	506	588	46	42.6%	27.9 mo	15.0 mo
Guilty plea	1,134	469	574	45	41.4	22.5	15.0
Trial	53	37	14	1	69.8	96.7	36.0
Other	13,500	11,712	1,366	35	86.8%	48.1 mo	26.0 mo
Guilty plea	12,841	11,081	1,338	35	86.3	42.3	24.0
Trial	659	631	28	0	95.8	155.9	87.0
Misdemeanors	10,375	1,590	4,936	2,947	15.3%	11.4 mo	4.0 mo
Guilty plea ^d	9,820	1,493	4,740	2,749	15.2	10.5	4.0
Trial	555	97	196	198	17.5	26.0	6.0
Unknown or indeterminable offense	89	31	59	0	34.8%	31.9 mo	27.0 mo

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. 71.
 —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 sentences of life, death, and indeterminate sentences (1% of all incarceration).
^dIncludes nolo contendere.

Table 5.4. Convicted offenders sentenced to incarceration, by offense and offender characteristics, October 1, 1997 - September 30, 1998

Offender characteristic	Total number of convicted offenders	Percent of all convicted offenders who were incarcerated in cases terminated during 1998							
		All offenses ^a	Violent offenses	Felonies		Drug offenses	Public-order offenses		Misdemeanors
				Fraudulent	Other		Regulatory	Other	
All offenders^a	60,958	70.6%	91.2%	60.1%	59.4%	92.4%	42.6%	86.8%	15.3%
Male/female									
Male	44,900	80.5%	93.6%	65.4%	67.6%	94.3%	50.6%	88.7%	24.0%
Female	8,082	54.8	76.0	48.6	38.6	82.1	38.7	61.7	13.2
Race									
White	34,781	77.0%	90.9%	62.1%	63.5%	91.6%	46.2%	86.9%	22.9%
Black	14,389	79.9	96.0	60.5	56.0	95.2	58.0	91.5	19.5
Other	2,774	60.9	90.9	52.1	53.7	85.2	34.7	73.1	12.8
Ethnicity									
Hispanic	19,450	85.4%	93.1%	62.0%	65.2%	94.9%	51.8%	91.9%	33.0%
Non-Hispanic	33,213	71.8	92.4	60.8	60.5	91.1	45.3	80.5	16.0
Age									
16-18 years	458	60.7%	85.7%	50.0%	52.9%	80.4%	33.3%	75.5%	15.9%
19-20 years	2,528	74.1	95.5	51.8	54.2	92.2	71.0	88.9	15.2
21-30 years	19,663	81.3	93.6	59.0	58.8	93.8	57.3	92.5	19.3
31-40 years	15,385	79.4	93.4	63.0	63.5	93.0	47.1	89.1	23.2
Over 40 years	12,810	70.8	88.9	60.9	62.8	90.6	39.3	75.7	18.9
Citizenship									
U.S. citizen	35,121	73.5%	92.6%	60.5%	59.6%	91.3%	45.5%	80.4%	17.0%
Not U.S. citizen	16,993	84.3	89.4	63.1	73.4	95.9	52.7	92.5	30.1
Education									
Less than high school graduate	21,045	86.2%	95.3%	63.2%	65.7%	94.7%	58.6%	91.4%	32.6%
High school graduate	14,903	75.3	93.3	59.7	58.9	92.1	43.4	83.3	17.7
Some college	9,098	69.1	88.7	59.5	57.2	89.1	47.5	78.4	15.3
College graduate	3,536	61.5	81.9	62.6	61.7	84.3	33.3	64.0	14.7
Criminal record									
No convictions	23,579	65.0%	84.1%	51.2%	46.2%	89.9%	41.3%	68.6%	14.1%
Prior adult convictions ^b	27,652	87.8	96.9	74.3	74.1	95.1	62.1	94.9	35.8

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. 71.

^aIncludes offenders for whom offense or characteristics are unknown.

^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 71. 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. 71.

Table 5.5. Average incarceration sentence lengths imposed, by offense and offender characteristics, October 1, 1997 - September 30, 1998

Offender characteristic	Mean sentence length for offenders convicted of—							
	All offenses ^a	Felonies						Misdemeanors
		Violent offenses	Property offenses		Drug offenses	Public-order offenses		
			Fraudulent	Other		Regulatory	Other	
All offenders^a	58.8 mo	84.2 mo	22.3 mo	40.3 mo	78.8 mo	27.9 mo	48.1 mo	11.4 mo
Male/female								
Male	61.8 mo	85.3 mo	23.3 mo	40.1 mo	82.4 mo	29.6 mo	48.7 mo	14.0 mo
Female	36.2	54.4	16.6	19.4	50.0	21.7	34.0	9.0
Race								
White	46.7 mo	78.0 mo	22.0 mo	37.6 mo	61.8 mo	24.1 mo	36.9 mo	11.5 mo
Black	90.2	100.1	22.3	35.7	109.8	42.2	97.2	21.1
Other	50.3	69.2	18.5	29.2	68.7	25.6	47.4	5.8
Ethnicity								
Hispanic	44.7 mo	86.3 mo	19.0 mo	48.0 mo	61.3 mo	20.1 mo	30.6 mo	9.9 mo
Non-Hispanic	69.1	83.4	22.3	35.5	91.7	32.4	76.6	16.7
Age								
16-18 years	52.7 mo	107.1 mo	36.6 mo	21.9 mo	36.6 mo	5.0 mo	65.0 mo	3.4 mo
19-20 years	47.3	74.8	15.2	27.8	49.3	29.9	46.3	16.0
21-30 years	63.2	83.1	18.0	35.9	79.3	29.6	52.4	15.5
31-40 years	61.1	88.9	21.0	34.6	82.2	25.7	48.2	16.8
Over 40 years	55.7	76.8	25.9	39.3	79.8	28.1	46.2	14.2
Citizenship								
U.S. citizen	68.8 mo	83.5 mo	22.1 mo	35.7 mo	86.9 mo	30.9 mo	76.1 mo	18.3 mo
Not U.S. citizen	42.3	84.2	21.1	43.2	61.1	21.5	30.8	7.5
Education								
Less than high school graduate	60.3 mo	90.0 mo	20.2 mo	37.0 mo	75.5 mo	26.3 mo	45.4 mo	16.7 mo
High school graduate	68.1	86.5	20.8	32.0	83.6	28.2	70.6	18.1
Some college	58.5	72.8	22.3	43.6	80.3	27.6	67.9	12.7
College graduate	39.6	48.2	25.2	35.0	69.3	35.7	35.9	12.7
Criminal record								
No convictions	44.0 mo	58.4 mo	20.1 mo	35.2 mo	55.9 mo	26.6 mo	34.7 mo	10.4 mo
Prior adult convictions ^b	69.8	95.4	23.6	37.4	97.3	30.3	54.0	16.2

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. 71.

^aIncludes offenders for whom offense or characteristics are unknown.
^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 71. 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. 71.

Table 5.6. Median incarceration sentence lengths imposed, by offense and offender characteristics, October 1, 1997 - September 30, 1998

Offender characteristic	Median sentence length for offenders convicted of—							
	All offenses ^a	Felonies						Misdemeanors
		Violent offenses	Property offenses		Drug offenses	Public-order offenses		
			Fraudulent	Other		Regulatory	Other	
All offenders^a	33.0 mo	57.0 mo	15.0 mo	18.5 mo	57.0 mo	15.0 mo	26.0 mo	4.0 mo
Male/female								
Male	36.0 mo	57.0 mo	15.0 mo	21.0 mo	60.0 mo	15.5 mo	27.0 mo	5.0 mo
Female	21.0	40.0	12.0	12.0	33.0	12.0	18.0	3.0
Race								
White	27.0 mo	51.0 mo	15.0 mo	21.0 mo	41.0 mo	13.0 mo	24.0 mo	4.0 mo
Black	60.0	70.0	15.0	18.0	78.0	21.0	60.0	6.0
Other	28.0	37.0	12.0	18.0	57.0	21.0	27.0	3.0
Ethnicity								
Hispanic	27.0 mo	51.0 mo	12.0 mo	27.0 mo	41.0 mo	12.0 mo	24.0 mo	3.0 mo
Non-Hispanic	37.0	57.0	15.0	18.0	63.0	18.0	42.0	6.0
Age								
16-18 years	27.0 mo	60.0 mo	33.0 mo	16.0 mo	24.0 mo	5.0 mo	24.0 mo	1.0 mo
19-20 years	27.0	48.0	11.0	13.5	30.0	18.0	21.0	4.0
21-30 years	37.0	57.0	12.0	18.0	57.0	18.0	30.0	5.0
31-40 years	36.0	57.0	14.0	18.0	60.0	15.0	30.0	6.0
Over 40 years	30.0	51.0	16.0	24.0	57.0	13.0	24.0	6.0
Citizenship								
U.S. citizen	39.0 mo	57.0 mo	15.0 mo	18.0 mo	60.0 mo	18.0 mo	41.0 mo	6.0 mo
Not U.S. citizen	24.0	51.0	12.0	27.0	41.0	12.0	24.0	2.0
Education								
Less than high school graduate	36.0 mo	57.0 mo	14.0 mo	21.0 mo	51.0 mo	18.0 mo	27.0 mo	6.0 mo
High school graduate	41.0	58.0	15.0	18.0	60.0	15.0	41.0	6.0
Some college	30.0	48.0	14.0	18.0	57.0	15.0	30.0	6.0
College graduate	21.0	30.0	15.0	21.0	48.0	12.0	18.0	8.0
Criminal record								
No convictions	24.0 mo	36.0 mo	12.0 mo	15.0 mo	37.0 mo	12.0 mo	12.0 mo	3.0 mo
Prior adult convictions ^b	41.0	63.0	16.0	21.0	70.0	20.0	30.0	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. 71.

^aIncludes offenders for whom offense or characteristics are unknown.
^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 71. 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. 71.

Chapter notes

- 1) Tables 5.1-5.3 were derived from the AOUSC criminal master data files. Only records of defendants sentenced during October 1, 1997, through September 30, 1998, were selected. Offenses shown in these tables — offenses of conviction — are based on the longest actual sentence imposed.
- 2) Tables 5.4-5.6 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 5.4 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 5.5 and 5.6 were based on the number of records shown in table 5.4.
- 3) Criminal record, as reported in tables 5.4-5.6, 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 15 years of the current offense and sentences for offenses committed within the United States. For most defendants, the criminal history used to calculate sentencing guideline ranges is the same as their adult criminal history.