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Statistical Tables

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Felony Sentences in State Courts, 2006 – Statistical Tables

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The National Judicial Reporting Program (NJRP) compiles detailed information on the sentences that felons receive in state courts nationwide and on characteristics of the felons. The survey excludes federal courts and state or local courts that do not adjudicate adult felony cases. NJRP surveys have been conducted every 2 years since 1986. This publication presents findings from the 2006 survey.

The 2006 NJRP was based on a sample of state courts in 300 counties selected to be nationally representative. The survey included offenses that state penal codes defined as felonies. Felonies are widely defined as crimes with the potential of being punished by more than 1 year in prison.

In 2006, state courts sentenced an estimated 1,132,290 persons for a felony conviction. That total represents a 37% increase from the number of felony offenders sentenced in 1990. The number of sentenced felons in 2006 per 100,000 adult residents (18 or older) in the United States was 503. The corresponding rate in 1990 was 447.

Number and rate of persons sentenced for a felony in state courts

	Estimated number	Rate per 100,000 residents age 18 or older
1990	829,340	447
1994	872,220	448
1998	927,720	454
2002	1,051,000	489
2006	1,132,290	503

Note: See *Methodology* for source of resident population estimates.

During this 16-year period, state courts experienced a rise in the average age of persons sentenced for a felony, a trend that is reflected in the overall U.S. population. In 1990, persons age 30 or older accounted for 74% of U.S. adult residents and 42% of felony offenders in state courts (not in table). By comparison, persons age 30 or older comprised 78% of the adult U.S. population in 2006 and 53% of felons sentenced in state courts that year. The average age of sentenced felons rose from 29 years in 1990 to 33 years in 2006.

Supplemental statistical tables providing confidence intervals and case totals for estimates will be forthcoming.

Highlights

- In 2006 an estimated 69% of all persons convicted of a felony in state courts were sentenced to a period of confinement—41% to state prison and 28% to local jails.
- State prison sentences averaged 4 years and 11 months in 2006.
- Men (83%) accounted for a larger percentage of persons convicted of a felony, compared to their percentage (49%) of the adult population (not shown in table).
- Most (94%) felony offenders sentenced in 2006 pleaded guilty.

Section 1. Felony Sentences in State Court

- State courts sentenced an estimated 1,132,290 persons for a felony in 2006, including 206,140 (or 18% of all felony convictions) for a violent felony (table 1.1). A drug crime was the most serious conviction offense for about a third of felons sentenced in state courts that year.
- In 2006 an estimated 69% of all persons convicted of a felony in state courts were sentenced to a period of confinement—41% to state prison and 28% to local jails (table 1.2). Jail sentences are usually a year or less in a county or city facility, while prison sentences are usually more than a year and are served in a state facility.
- Among persons sentenced for a felony in state courts nationwide in 2006, an estimated 27% received a probation sentence with no jail or prison time. Four percent of felons were not sentenced to any incarceration or probation, but received a sentence that included fines, restitution, treatment, community service, or some other penalty (for example, house arrest or periodic drug testing).
- State prison sentences averaged 4 years and 11 months in 2006 (table 1.3). Persons convicted of a violent felony received the longest prison sentences in 2006, compared to property, drug, weapon, and other felonies.
- Felony sentences to jail averaged 6 months (table 1.3). Among felons who were sentenced in state courts to probation and no incarceration, the average probation sentence was 3 years and 2 months.
- Life sentences accounted for less than 1% (0.3%) of the 1.1 million felony sentences in state courts during 2006 (table 1.4). However, among the estimated 8,670 persons sentenced for murder or nonnegligent manslaughter that year, 23% received life in prison.
- Among the estimated 460,000 persons sentenced to prison via state courts, 0.8% received life sentences (table 1.4).
- In 2006 an estimated 38% of persons sentenced for a felony in state courts were ordered to pay a fine as part of their sentence (table 1.5). Approximately 1 in 4 property offenders was ordered to make restitution and 23% of offenders convicted of drug possession were sentenced to treatment. Approximately 1 in 5 rape offenders was sentenced to treatment.
- State courts accounted for the vast majority of all felony sentences in the United States during 2006. According to the BJS Federal Justice Statistics Program, federal courts sentenced about 73,000 persons for a felony in 2006, which represented about 6% of the combined state and federal total (table 1.6).
- The average felony sentence to incarceration (prison or jail) in state courts was about 3 years in 2006, compared to almost 5 years and 6 months in federal courts (table 1.6). Federal felony drug offenders received incarceration terms (7 years and 3 months) that were more than twice the length of incarceration terms of state felony drug offenders (2 years and 7 months).

Statistical Tables - Sentences

- 1.1. Estimated number of felony convictions in state courts, 2006
 - 1.2. Types of felony sentences imposed in state courts, by offense, 2006
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 - 1.6. Comparison of felony convictions in state and federal courts, 2006
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Table 1.1. Estimated number of felony convictions in state courts, 2006

Most serious conviction offense	Number	Percent
All offenses	1,132,290	100 %
Violent offenses	206,140	18.2 %
Murder/Nonnegligent manslaughter	8,670	0.8
Murder	6,240	0.6
Nonnegligent manslaughter ^a	2,420	0.2
Sexual assault	33,200	2.9
Rape	14,720	1.3
Other sexual assault ^b	18,480	1.6
Robbery	41,740	3.7
Armed	9,660	0.9
Unarmed	8,990	0.8
Unspecified	23,090	2.0
Aggravated assault	100,560	8.9
Other violent ^c	21,980	1.9
Property offenses	321,570	28.4 %
Burglary	99,910	8.8
Residential	23,870	2.1
Nonresidential	18,230	1.6
Unspecified	57,810	5.1
Larceny ^d	125,390	11.1
Motor vehicle theft	18,660	1.6
Other theft	106,740	9.4
Fraud/Forgery	96,260	8.5
Fraud ^e	49,250	4.3
Forgery	47,010	4.2
Drug offenses	377,860	33.4 %
Possession	165,360	14.6
Trafficking	212,490	18.8
Marijuana	25,170	2.2
Other	75,170	6.6
Unspecified	112,150	9.9
Weapon offenses	38,010	3.4 %
Other specified offenses^f	188,730	16.7 %

Note: Detail may not sum to total because of rounding. Numbers are rounded to the nearest 10 in this and subsequent tables.

^aBJS classified a small number of cases as nonnegligent manslaughter when it was unclear if the conviction offense was murder or nonnegligent manslaughter.

^bIncludes offenses such as forcible acts with an adult or minor not involving intercourse and nonforcible acts with a minor (statutory rape or incest with a minor) or with someone unable to give legal consent.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dWhen vehicle theft could not be distinguished from other theft, the case was coded as "other theft," resulting in a conservative estimate of vehicle thefts.

^eIncludes embezzlement.

^fComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 1.2. Types of felony sentences imposed in state courts, by offense, 2006

Most serious conviction offense	Percent of felons sentenced to—						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
All offenses	100 %	69	41	28	31	27	4
Violent offenses	100 %	77	54	23	23	20	3
Murder/Nonnegligent manslaughter	100 %	95	93	2	5	3	2
Sexual assault	100 %	81	64	18	19	16	3
Rape	100 %	86	72	15	14	10	4
Other sexual assault ^a	100 %	77	58	20	23	20	2
Robbery	100 %	85	71	14	15	13	2
Aggravated assault	100 %	72	43	30	28	25	3
Other violent ^b	100 %	70	39	30	30	26	4
Property offenses	100 %	67	38	29	33	29	4
Burglary	100 %	73	49	24	27	24	3
Larceny	100 %	69	34	34	31	28	3
Motor vehicle theft	100 %	83	42	41	17	15	2
Fraud/Forgery ^c	100 %	59	32	27	41	35	6
Drug offenses	100 %	65	38	28	35	30	4
Possession	100 %	63	33	31	37	33	4
Trafficking	100 %	67	41	26	33	29	4
Weapon offenses	100 %	73	45	28	27	25	2
Other specified offenses^d	100 %	70	36	34	30	27	3

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed, with prison being the most severe, followed by jail, probation, and then other sentences, such as a fine, community service, or house arrest. Prison includes death sentences. In this table "probation" is defined as straight probation. Detail may not sum to total because of rounding. Data on sentence type were reported for 98% of the estimated total of 1,132,290 convicted felons. Percentages are based on reported data.

^aIncludes offenses such as statutory rape and incest with a minor.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 1.2.1. Estimated number of felony convictions in state courts, by offense and type of sentence, 2006

Most serious conviction offense	Estimated number of felons sentenced to—				
	Total	Incarceration		Nonincarceration	
		Prison	Jail	Probation	Other
All offenses	1,132,290	460,600	321,450	309,730	40,510
Violent offenses	206,140	110,730	48,190	41,580	5,640
Murder/Nonnegligent manslaughter	8,670	8,080	160	240	180
Sexual assault	33,200	21,210	5,810	5,230	940
Rape	14,720	10,540	2,180	1,480	530
Other sexual assault ^a	18,750	10,840	3,680	3,810	420
Robbery	41,740	29,670	5,950	5,460	660
Aggravated assault	100,560	43,100	29,630	24,880	2,960
Other violent ^b	21,980	8,660	6,640	5,770	900
Property offenses	321,570	122,880	93,220	92,820	12,650
Burglary	99,910	48,960	24,080	23,880	2,990
Larceny	125,390	42,900	43,200	35,240	4,050
Motor vehicle theft	18,660	7,810	7,650	2,800	400
Fraud/Forgery ^c	96,260	31,020	25,930	33,700	5,610
Drug offenses	377,860	141,780	105,500	114,690	15,890
Possession	165,360	53,910	50,700	54,160	6,580
Trafficking	212,490	87,870	54,790	60,520	9,310
Weapon offenses	38,010	17,030	10,660	9,530	790
Other specified offenses^d	188,730	68,180	63,890	51,120	5,530

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed, with prison being the most severe, followed by jail, probation, and then other sentences, such as a fine, community service, or house arrest. Prison includes death sentences. In this table "probation" is defined as straight probation. Detail may not sum to total because of rounding. Data on sentence type were reported for 98% of the estimated total of 1,132,290 convicted felons. About 2% of felony convictions were missing information on sentence type. Those cases were distributed proportionately among prison, jail, probation, and other sentences, based on the distribution of known cases.

^aIncludes offenses such as statutory rape and incest with a minor.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 1.3. Mean and median felony sentence lengths in state courts, by offense and type of sentence, 2006

Most serious conviction offense	Maximum sentence length (in months) for felons sentenced to—			
	Total	Incarceration		Probation
		Prison	Jail	
Mean				
All offenses	38 mo.	59 mo.	6 mo.	38 mo.
Violent offenses	71 mo.	96 mo.	7 mo.	44 mo.
Murder/Nonnegligent manslaughter	244	250	10	71
Sexual assault	106	129	8	58
Rape	138	162	8	60
Other sexual assault ^a	78	98	8	57
Robbery	87	101	10	51
Aggravated assault	41	62	6	40
Other violent ^b	38	59	7	42
Property offenses	30 mo.	47 mo.	6 mo.	38 mo.
Burglary	41	57	7	42
Larceny	22	38	6	37
Motor vehicle theft	19	31	6	35
Fraud/Forgery ^c	28	45	5	37
Drug offenses	31 mo.	50 mo.	5 mo.	37 mo.
Possession	23	38	5	36
Trafficking	38	57	6	38
Weapon offenses	32 mo.	48 mo.	6 mo.	37 mo.
Other specified offenses^d	24 mo.	41 mo.	5 mo.	36 mo.
Median				
All offenses	17 mo.	36 mo.	5 mo.	36 mo.
Violent offenses	36 mo.	60 mo.	6 mo.	36 mo.
Murder/Nonnegligent manslaughter	264	267	12	60
Sexual assault	60	84	6	48
Rape	96	120	6	36
Other sexual assault ^a	44	60	6	48
Robbery	60	72	9	60
Aggravated assault	24	42	6	36
Other violent ^b	18	36	6	36
Property offenses	15 mo.	32 mo.	6 mo.	36 mo.
Burglary	24	36	6	36
Larceny	12	24	6	36
Motor vehicle theft	12	24	6	36
Fraud/Forgery ^c	12	29	4	36
Drug offenses	14 mo.	36 mo.	4 mo.	36 mo.
Possession	12	24	4	36
Trafficking	21	36	5	36
Weapon offenses	23 mo.	36 mo.	6 mo.	36 mo.
Other specified offenses^d	12 mo.	26 mo.	4 mo.	24 mo.

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed, with prison being the most severe, followed by jail, then probation. In this table "probation" is defined as straight probation. Means exclude sentences to death or life in prison or on probation. Data on sentence length were reported for 95% of incarceration sentences and 93% of probation sentences.

^aIncludes offenses such as statutory rape and incest with a minor.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 1.4. Estimated percent of felons sentenced to life in state prison, by offense, 2006

Most serious conviction offense	All sentences ^a	All prison sentences
Total estimated number	1,132,290	460,600
All offenses	0.3 %	0.8 %
Violent offenses	1.7 %	3.1 %
Murder/Nonnegligent manslaughter	23.1	25.0
Sexual assault	2.0	3.0
Rape	3.8	5.3
Other sexual assault ^b	0.5	0.8
Robbery	1.0	1.5
Aggravated assault	0.3	0.6
Other violent ^c	0.2	0.4
Non-violent offenses^d	0.0 %	0.1 %

Note: Data on sentence length were reported for 95% of incarceration sentences. Percentages based on the maximum sentence imposed.

^aIncludes sentences to probation and jail as well as prison.

^bIncludes offenses such as statutory rape and incest with a minor.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dIncludes offenses such as burglary, larceny, fraud, drug possession, drug trafficking, and weapon offenses.

Table 1.5. Felons sentenced to an additional penalty in state courts, by offense, 2006

Most serious conviction offense	Percent of felons with an additional penalty of—				
	Fine	Restitution	Treatment ^a	Community service	Other
All offenses	38 %	18 %	11 %	11 %	2 %
Violent offenses	36 %	18 %	11 %	12 %	2 %
Murder/Nonnegligent manslaughter	28	13	8	7	1
Sexual assault	37	18	15	13	2
Rape	38	24	21	19	2
Other sexual assault ^b	36	14	11	9	3
Robbery	26	18	10	9	1
Aggravated assault	40	18	10	12	1
Other violent ^c	36	17	13	15	3
Property offenses	37 %	27 %	11 %	12 %	2 %
Burglary	34	27	11	12	2
Larceny	35	26	11	13	3
Motor vehicle theft	34	28	20	22	3
Fraud/Forgery ^d	42	29	10	11	3
Drug offenses	41 %	14 %	13 %	11 %	2 %
Possession	36	19	23	20	2
Trafficking	45	11	5	4	2
Weapon offenses	27 %	8 %	5 %	7 %	1 %
Other specified offenses^e	40 %	13 %	9 %	10 %	2 %

Note: Where the data indicated affirmatively that a particular additional penalty was imposed, the case was coded accordingly. Where the data did not indicate affirmatively or negatively, the case was treated as not having an additional penalty. These procedures provide a conservative estimate of the prevalence of additional penalties. A felon receiving more than one kind of additional penalty appears under more than one table heading.

^aIncludes any type of counseling, rehabilitation, treatment, or mental hospital confinement.

^bIncludes offenses such as statutory rape and incest with a minor.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dIncludes embezzlement.

^eComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 1.6. Comparison of felony convictions in state and federal courts, 2006

Most serious conviction offense	Felony convictions			Federal felony convictions as percent of total	Percent of felons sentenced to prison or jail—		Mean maximum sentence length (in months) for felons sentenced to prison or jail—	
	Total	State	Federal		State	Federal	State	Federal
All offenses	1,205,273	1,132,290	72,983	6.1 %	69 %	86 %	38 mo.	65 mo.
Violent offenses	208,591	206,140	2,451	1.2 %	77 %	94 %	71 mo.	108 mo.
Murder/Nonnegligent manslaughter	8,816	8,670	146	1.7	95	96	244	124
Sexual assault	33,566	33,200	366	1.1	81	93	106	176
Rape	14,820	14,720	100	0.7	86	85	138	182
Other sexual assault ^a	18,746	18,480	266	1.4	77	96	78	174
Robbery	43,063	41,740	1,323	3.1	85	98	87	105
Aggravated assault	101,074	100,560	514	0.5	72	87	41	53
Other violent ^b	22,082	21,980	102	0.5	70	91	38	150
Property offenses	332,492	321,570	10,922	3.3 %	67 %	59 %	30 mo.	29 mo.
Burglary	99,959	99,910	49	0.0	73	82	41	31
Larceny	126,357	125,390	967	0.8	69	48	22	20
Motor vehicle theft	18,692	18,660	32	0.2	83	84	19	43
Other theft	107,675	106,740	935	0.9	66	46	23	18
Fraud/Forgery	106,166	96,260	9,906	9.3	59	60	28	29
Fraud ^c	58,074	49,250	8,824	15.2	56	60	25	30
Forgery	48,092	47,010	1,082	2.2	63	63	31	24
Drug offenses	405,221	377,860	27,361	6.8 %	65 %	93 %	31 mo.	87 mo.
Possession	165,534	165,360	174	0.1	63	60	23	48
Trafficking	239,677	212,490	27,187	11.3	67	93	38	87
Weapon offenses	46,841	38,010	8,831	18.9 %	73 %	93 %	32 mo.	88 mo.
Other specified offenses^d	212,148	188,730	23,418	11.0 %	70 %	86 %	24 mo.	34 mo.

Note: Federal statistics were computed using the Administrative Office of U.S. Courts' criminal data from the BJS Federal Justice Statistics Program website (<http://fjsrc.urban.org>).

^aIncludes offenses such as statutory rape and incest with a minor.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Section 2. Felony Offenses in State Court

- In 2006 an estimated 93% of convicted felons were sentenced for a completed offense, and 7% were sentenced for an attempted offense (table 2.1). By definition, murders were completed crimes.
- About 3 out of 4 felons sentenced in 2006 (77%) were sentenced for a single offense (table 2.2). An estimated 15% were sentenced for two felony offenses, and 7% were sentenced for three or more felonies. The overall number of conviction offenses totaled about 1.5 million for which 1,132,290 felons were sentenced in 2006 (not in table).
- In 2006 the likelihood of receiving a state prison sentence was 37% for persons convicted of one felony, increasing to 51% for two felonies or 63% for three or more felonies (table 2.3).
- The mean sentence to state prison in 2006 increased from 4 years and 2 months for those convicted of one felony to 6 years and 6 months for those convicted of two or more felonies (table 2.4).

Statistical Tables - Offenses

2.1. Estimated percent of felons sentenced in state courts for a completed or attempted offense, 2006

2.2. Number of felony convictions for persons sentenced in state courts, by most serious offense, 2006

2.3. Convicted felons sentenced to prison in state courts, by number of convictions, 2006

2.4. Mean length of felony sentences imposed in state courts, by number of convictions and offense, 2006

Table 2.1. Estimated percent of felons sentenced in state courts for a completed or attempted offense, 2006

Most serious conviction offense	Percent of felons sentenced for—		
	Total	Completed offense	Attempted offense
All offenses	100 %	93	7
Violent offenses	100 %	91	9
Murder/Nonnegligent manslaughter	100 %	100	0
Sexual assault	100 %	89	11
Rape	100 %	88	12
Other sexual assault ^a	100 %	90	10
Robbery	100 %	84	16
Aggravated assault ^b	100 %	93	7
Other violent ^c	100 %	97	3
Property offenses	100 %	94	6
Burglary	100 %	92	8
Larceny	100 %	95	5
Motor vehicle theft	100 %	94	6
Fraud/Forgery ^d	100 %	93	7
Drug offenses	100 %	94	6
Possession	100 %	96	4
Trafficking	100 %	92	8
Weapon offenses	100 %	93	7
Other specified offenses^e	100 %	96	4

Note: Data on whether the offense was completed or attempted were reported for 60% of convicted felons.

^aIncludes offenses such as statutory rape and incest with a minor.

^bIncludes attempted murder.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dIncludes embezzlement.

^eComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 2.2. Number of felony convictions for persons sentenced in state courts, by most serious offense, 2006

Most serious conviction offense	Total	Percent of felons sentenced for—		
		One felony conviction	Two felony convictions	Three or more felony convictions
All offenses	100 %	77	15	7
Violent offenses	100 %	71	19	11
Murder/Nonnegligent manslaughter	100 %	60	22	18
Sexual assault ^a	100 %	65	20	15
Robbery	100 %	66	21	13
Aggravated assault	100 %	73	18	9
Other violent ^b	100 %	83	13	4
Property offenses	100 %	72	18	10
Burglary	100 %	62	23	15
Larceny	100 %	84	12	4
Fraud/Forgery ^c	100 %	67	20	13
Drug offenses	100 %	80	14	6
Possession	100 %	88	10	2
Trafficking	100 %	73	18	9
Weapon offenses	100 %	78	17	5
Other specified offenses^d	100 %	90	8	2

Note: Data on number of conviction offenses were reported for 100% of convicted felons. The number of convictions is based on current convictions only. Detail may not sum to total because of rounding.

^aIncludes rape.

^bincludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 2.3. Convicted felons sentenced to prison in state courts, by number of convictions, 2006

Most serious conviction offense	Percent of felons sentenced to prison for—		
	One felony conviction	Two felony convictions	Three or more felony convictions
All offenses	37 %	51 %	63 %
Violent offenses	48 %	63 %	78 %
Murder/Nonnegligent manslaughter	93	90	96
Sexual assault ^a	58	70	83
Robbery	65	79	86
Aggravated assault	37	52	68
Other violent ^b	35	57	63
Property offenses	34 %	46 %	56 %
Burglary	44	53	64
Larceny	32	46	52
Fraud/Forgery ^c	27	40	49
Drug offenses	34 %	47 %	60 %
Possession	31	46	54
Trafficking	37	48	61
Weapon offenses	41 %	56 %	67 %
Other specified offenses^d	35 %	45 %	48 %

Note: Data on the number of conviction offenses and sentence type were reported for 98% of convicted felons. The number of convictions is based on current convictions only.

^aIncludes rape.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 2.4. Mean length of felony sentences imposed in state courts, by number of convictions and offense, 2006

Most serious conviction offense	Mean maximum sentence length (in months) for felons sentenced to—			
	Total	Incarceration Prison	Jail	Probation
One conviction offense				
All offenses	31 mo.	50 mo.	6 mo.	37 mo.
Violent offenses	55 mo.	79 mo.	7 mo.	43 mo.
Murder/Nonnegligent manslaughter	225	229	10	62
Sexual assault ^a	76	96	8	55
Robbery	69	83	10	50
Aggravated assault	33	54	6	39
Other violent ^b	31	50	7	41
Property offenses	25 mo.	42 mo.	6 mo.	36 mo.
Burglary	36	53	7	40
Larceny	20	35	6	36
Fraud/Forgery ^c	22	39	5	35
Drug offenses	26 mo.	44 mo.	5 mo.	36 mo.
Possession	20	36	5	36
Trafficking	32	51	6	37
Weapon offenses	28 mo.	43 mo.	6 mo.	36 mo.
Other specified offenses^d	23 mo.	40 mo.	5 mo.	35 mo.
Two or more conviction offenses				
All offenses	59 mo.	78 mo.	6 mo.	43 mo.
Violent offenses	104 mo.	125 mo.	7 mo.	49 mo.
Murder/Nonnegligent manslaughter	274	283	10	95
Sexual assault ^a	156	175	7	67
Robbery	119	128	10	58
Aggravated assault	58	77	7	42
Other violent ^b	67	85	7	49
Property offenses	41 mo.	55 mo.	6 mo.	43 mo.
Burglary	48	61	7	45
Larceny	32	47	6	42
Fraud/Forgery ^c	37	52	6	41
Drug offenses	49 mo.	65 mo.	6 mo.	40 mo.
Possession	37	51	5	38
Trafficking	53	70	6	41
Weapon offenses	46 mo.	60 mo.	7 mo.	41 mo.
Other specified offenses^d	33 mo.	49 mo.	6 mo.	42 mo.

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed, with prison being the most severe, followed by jail, then probation. In this table "probation" is defined as straight probation. Means exclude sentences to death or life in prison or on probation. The number of convictions is based on current convictions only.

^aIncludes rape.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Section 3. Felony Offenders in State Court

- In 2006 persons in their twenties accounted for 40% of convicted felons, which was more than double their percentage of the U.S. adult population (18%) (table 3.1). The average age of persons sentenced for a felony in state courts in 2006 was 33 years.
- Men (83%) accounted for a larger percentage of persons convicted of a felony (table 3.2), compared to their percentage (49%) of the adult population (not shown in table). Whites comprised 82% of adults in the U.S. population, compared to 60% of persons convicted of a felony. Blacks comprised 12% of the adult population, but 38% of convicted felons.
- Females comprised a relatively large proportion of persons sentenced for a property crime in 2006—about 1 in 4—compared to the proportion of female felons sentenced for other crimes (table 3.2). Approximately 1 in 5 drug offenders and 1 in 10 violent offenders was female.
- In 2006 an estimated 72% of males convicted of a felony in state courts were sentenced to either prison or jail, compared to 60% of females (table 3.3).
- In 2006 similar proportions of whites (66%) and blacks (72%) convicted of a felony in state courts were sentenced to a period of confinement (table 3.4).
- In 2006 men sentenced to state prison nationwide had an average sentence length of 5 years and 1 month, while women had an average prison sentence of 3 years and 9 months (table 3.5).
- Among felony offenders sentenced to state prison during 2006, the average sentence received by blacks (5 years and 3 months) was not significantly different from the average sentence received by whites (5 years) (table 3.6).
- Among females sentenced in state courts to straight probation with no jail or prison time to serve, the average probation term received by white and black offenders in 2006 was about 3 years (table 3.7).

Statistical Tables - Offenders

- 3.1. Age of persons convicted of felonies in state courts, by offense, 2006
 - 3.2. Gender and race of persons convicted of felonies in state courts, by offense, 2006
 - 3.3. Types of felony sentences imposed in state courts, by offense and gender of felons, 2006
 - 3.4. Types of felony sentences imposed in state courts, by offense and race of felons, 2006
 - 3.5. Mean length of felony sentences imposed in state courts, by offense and gender of felons, 2006
 - 3.6. Mean length of felony sentences imposed in state courts, by offense and race of felons, 2006
 - 3.7. Mean length of felony sentences imposed in state courts, by offense and combined categories of race and gender, 2006
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Table 3.1. Age of persons convicted of felonies in state courts, by offense, 2006

Most serious conviction offense	Age at sentencing								
	Mean	Median	Total	Under 20	20-29	30-39	40-49	50-59	60+
All offenses	33 yr.	31 yr.	100 %	7	40	26	20	6	1
Violent offenses	31 yr.	29 yr.	100 %	11	42	24	16	5	2
Murder/Nonnegligent manslaughter	31	28	100 %	7	48	23	14	6	2
Sexual assault	34	32	100 %	8	35	24	19	8	5
Rape	34	32	100 %	10	34	27	18	7	4
Other sexual assault ^a	35	33	100 %	7	36	22	20	9	6
Robbery	27	24	100 %	21	48	18	11	2	--
Aggravated assault	32	30	100 %	9	41	26	18	6	1
Other violent ^b	32	30	100 %	7	41	26	19	5	2
Property offenses	32 yr.	30 yr.	100 %	9	40	26	19	5	1
Burglary	29	26	100 %	16	44	21	15	4	--
Larceny	33	32	100 %	7	37	26	21	7	1
Motor vehicle theft	29	26	100 %	13	49	24	11	3	--
Fraud/Forgery ^c	34	32	100 %	3	39	31	21	6	1
Drug offenses	33 yr.	31 yr.	100 %	4	41	26	21	7	1
Possession	34	32	100 %	4	37	27	24	7	1
Trafficking	33	30	100 %	5	43	26	19	7	1
Weapon offenses	30 yr.	27 yr.	100 %	10	48	22	13	5	1
Other specified offenses^d	35 yr.	33 yr.	100 %	5	34	27	23	8	2

Note: Data on age were reported for 87% of convicted felons.

--Less than 0.5%.

^aIncludes offenses such as statutory rape and incest with a minor.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 3.2. Gender and race of persons convicted of felonies in state courts, by offense, 2006

Most serious conviction offense	Percent of convicted felons					
	Total	Gender		Race		
		Male	Female	White	Black	Other ^a
All offenses	100 %	83	17	60	38	2
Violent offenses	100 %	89	11	58	39	3
Murder/Nonnegligent manslaughter	100 %	90	10	46	51	3
Sexual assault	100 %	97	3	74	24	2
Rape	100 %	96	4	70	28	2
Other sexual assault ^b	100 %	97	3	77	21	2
Robbery	100 %	91	9	42	57	1
Aggravated assault	100 %	86	14	59	39	3
Other violent ^c	100 %	88	12	69	28	3
Property offenses	100 %	75	25	65	33	2
Burglary	100 %	90	10	66	32	2
Larceny	100 %	75	25	64	34	2
Motor vehicle theft	100 %	86	14	70	26	5
Fraud/Forgery ^d	100 %	59	41	66	32	2
Drug offenses	100 %	82	18	55	44	1
Possession	100 %	80	20	62	36	2
Trafficking	100 %	83	17	50	49	1
Weapon offenses	100 %	95	5	43	55	2
Other specified offenses^e	100 %	87	13	67	30	3

Note: Data on gender were reported for 86% of convicted felons and data on race for 74%. Detail may not sum to total because of rounding. Racial categories include persons of Latino or Hispanic origin.

^aIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

^bIncludes offenses such as statutory rape and incest with a minor.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dIncludes embezzlement.

^eComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 3.3. Types of felony sentences imposed in state courts, by offense and gender of felons, 2006

Most serious conviction offense	Percent of felons sentenced to—						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
Male							
All offenses	100 %	72	43	29	28	24	4
Violent offenses	100 %	80	56	24	20	18	3
Murder/Nonnegligent manslaughter	100 %	96	94	1	4	2	2
Sexual assault ^a	100 %	82	64	18	18	14	3
Robbery	100 %	86	71	15	14	12	2
Aggravated assault	100 %	76	45	30	24	22	3
Other violent ^b	100 %	73	41	32	27	23	4
Property offenses	100 %	72	42	30	28	25	4
Burglary	100 %	75	50	25	25	21	3
Larceny	100 %	73	38	35	27	24	3
Fraud/Forgery ^c	100 %	64	35	29	36	30	6
Drug offenses	100 %	68	39	29	32	27	4
Possession	100 %	67	34	34	33	28	5
Trafficking	100 %	69	43	26	31	27	4
Weapon offenses	100 %	77	47	31	23	20	2
Other specified offenses^d	100 %	72	37	35	28	25	3
Female							
All offenses	100 %	60	28	32	40	35	5
Violent offenses	100 %	64	35	29	36	31	5
Murder/Nonnegligent manslaughter	100 %	88	84	4	12	10	1
Sexual assault ^a	100 %	69	48	21	31	26	6
Robbery	100 %	72	52	20	28	24	4
Aggravated assault	100 %	61	27	34	39	33	6
Other violent ^b	100 %	59	30	29	41	37	5
Property offenses	100 %	59	27	32	41	36	5
Burglary	100 %	72	39	32	28	26	2
Larceny	100 %	60	24	36	40	36	5
Fraud/Forgery ^c	100 %	56	26	30	44	38	6
Drug offenses	100 %	58	27	31	42	36	5
Possession	100 %	60	24	35	40	35	5
Trafficking	100 %	57	29	28	43	38	5
Weapon offenses	100 %	68	34	34	32	28	5
Other specified offenses^d	100 %	63	27	37	37	32	5

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed, with prison being the most severe, followed by jail, probation, and then other sentences, such as a fine, community service, or house arrest. Prison includes death sentences. In this table "probation" is defined as straight probation. Detail may not sum to total because of rounding.

^aIncludes rape.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 3.4. Types of felony sentences imposed in state courts, by offense and race of felons, 2006

Most serious conviction offense	Percent of felons sentenced to—						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
White							
All offenses	100 %	66	37	29	34	29	4
Violent offenses	100 %	74	52	23	26	22	3
Murder/Nonnegligent manslaughter	100 %	93	92	2	7	4	3
Sexual assault ^a	100 %	81	64	16	19	16	4
Robbery	100 %	83	70	14	17	15	2
Aggravated assault	100 %	69	40	29	31	27	3
Other violent ^b	100 %	68	40	28	32	27	4
Property offenses	100 %	65	36	29	35	30	5
Burglary	100 %	71	46	25	29	25	4
Larceny	100 %	66	32	34	34	30	4
Fraud/Forgery ^c	100 %	59	31	27	41	35	6
Drug offenses	100 %	61	31	30	39	34	5
Possession	100 %	63	28	35	37	33	4
Trafficking	100 %	59	33	26	41	35	6
Weapon offenses	100 %	73	45	28	27	23	4
Other specified offenses^d	100 %	69	34	35	31	27	4
Black							
All offenses	100 %	72	45	27	28	25	4
Violent offenses	100 %	78	58	20	22	19	3
Murder/Nonnegligent manslaughter	100 %	95	93	2	5	3	2
Sexual assault ^a	100 %	80	65	15	20	16	4
Robbery	100 %	86	71	14	14	12	2
Aggravated assault	100 %	72	46	26	28	23	4
Other violent ^b	100 %	68	37	31	32	28	4
Property offenses	100 %	69	41	28	31	27	4
Burglary	100 %	78	57	20	22	20	3
Larceny	100 %	69	36	33	31	28	3
Fraud/Forgery ^c	100 %	60	30	30	40	35	5
Drug offenses	100 %	70	43	27	30	25	4
Possession	100 %	71	38	33	29	24	5
Trafficking	100 %	70	46	25	30	26	4
Weapon offenses	100 %	73	45	28	27	25	2
Other specified offenses^d	100 %	70	38	31	30	27	3

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed—prison being the most severe, followed by jail, probation, and then other sentences, such as a fine, community service, or house arrest. Prison includes death sentences. In this table "probation" is defined as straight probation. Detail may not sum to total because of rounding. Racial categories include persons of Latino or Hispanic origin.

^aIncludes rape.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 3.5. Mean length of felony sentences imposed in state courts, by offense and gender of felons, 2006

Most serious conviction offense	Mean maximum sentence length for felons sentenced to—			
	Total	Prison	Jail	Probation
Male				
All offenses	40 mo.	61 mo.	6 mo.	37 mo.
Violent offenses	74 mo.	100 mo.	7 mo.	45 mo.
Murder/Nonnegligent manslaughter	252	256	11	78
Sexual assault ^a	109	133	9	59
Robbery	90	105	10	50
Aggravated assault	43	64	7	40
Other violent ^b	39	59	7	44
Property offenses	31 mo.	48 mo.	6 mo.	37 mo.
Burglary	42	58	7	39
Larceny	22	37	6	35
Fraud/Forgery ^c	26	42	6	35
Drug offenses	32 mo.	51 mo.	5 mo.	36 mo.
Possession	22	37	5	34
Trafficking	39	58	6	38
Weapon offenses	32 mo.	48 mo.	7 mo.	34 mo.
Other specified offenses^d	25 mo.	42 mo.	5 mo.	34 mo.
Female				
All offenses	25 mo.	45 mo.	5 mo.	36 mo.
Violent offenses	45 mo.	75 mo.	6 mo.	40 mo.
Murder/Nonnegligent manslaughter	200	212	10	59
Sexual assault ^a	63	83	6	68
Robbery	55	71	10	50
Aggravated assault	28	54	6	35
Other violent ^b	40	68	6	40
Property offenses	22 mo.	40 mo.	5 mo.	37 mo.
Burglary	28	46	6	42
Larceny	17	34	5	36
Fraud/Forgery ^c	23	41	5	36
Drug offenses	22 mo.	41 mo.	5 mo.	35 mo.
Possession	17	34	4	33
Trafficking	27	46	5	36
Weapon offenses	24 mo.	41 mo.	5 mo.	29 mo.
Other specified offenses^d	20 mo.	41 mo.	5 mo.	30 mo.

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed, with prison being the most severe, followed by jail, then probation. In this table "probation" is defined as straight probation. Means exclude sentences to death or life in prison or on probation.

^aIncludes rape.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 3.6. Mean length of felony sentences imposed in state courts, by offense and race of felons, 2006

Most serious conviction offense	Mean maximum sentence length for felons sentenced to—			
	Total	Incarceration		Probation
		Prison	Jail	
White				
All offenses	37 mo.	60 mo.	6 mo.	37 mo.
Violent offenses	73 mo.	99 mo.	7 mo.	44 mo.
Murder/Nonnegligent manslaughter	259	264	13	76
Sexual assault ^a	114	135	8	59
Robbery	86	100	10	50
Aggravated assault	41	63	6	39
Other violent ^b	44	65	7	41
Property offenses	29 mo.	46 mo.	6 mo.	37 mo.
Burglary	40	56	7	41
Larceny	22	38	6	36
Fraud/Forgery ^c	25	40	6	36
Drug offenses	29 mo.	50 mo.	5 mo.	34 mo.
Possession	20	38	4	33
Trafficking	36	58	6	35
Weapon offenses	34 mo.	51 mo.	6 mo.	33 mo.
Other specified offenses^d	25 mo.	45 mo.	5 mo.	36 mo.
Black				
All offenses	42 mo.	63 mo.	6 mo.	37 mo.
Violent offenses	83 mo.	108 mo.	7 mo.	44 mo.
Murder/Nonnegligent manslaughter	259	265	9	70
Sexual assault ^a	124	146	10	56
Robbery	99	114	9	49
Aggravated assault	46	66	6	38
Other violent ^b	39	60	7	49
Property offenses	32 mo.	49 mo.	6 mo.	36 mo.
Burglary	48	62	7	37
Larceny	22	35	6	35
Fraud/Forgery ^c	26	44	5	35
Drug offenses	34 mo.	51 mo.	6 mo.	38 mo.
Possession	23	38	5	35
Trafficking	39	56	6	39
Weapon offenses	34 mo.	49 mo.	7 mo.	34 mo.
Other specified offenses^d	24 mo.	39 mo.	5 mo.	28 mo.

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed, with prison being the most severe, followed by jail, then probation. In this table "probation" is defined as straight probation. Means exclude sentences to death or life in prison or on probation. Racial categories include persons of Latino or Hispanic origin.

^aIncludes rape.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 3.7. Mean length of felony sentences imposed in state courts, by offense and combined categories of race and gender, 2006

Most serious conviction offense	Mean maximum sentence length for persons who were—			
	White		Black	
	Male	Female	Male	Female
Sentenced to incarceration^a				
All offenses	40 mo.	25 mo.	45 mo.	25 mo.
Violent offenses	75 mo.	52 mo.	88 mo.	41 mo.
Murder/Nonnegligent manslaughter	265	225	266	175
Sexual assault ^b	115	72	125	32
Robbery	89	61	101	54
Aggravated assault	42	30	48	29
Other violent ^c	43	55	41	17
Property offenses	31 mo.	22 mo.	35 mo.	23 mo.
Burglary	41	29	50	34
Larceny	24	17	23	19
Fraud/Forgery ^d	27	22	27	23
Drug offenses	31 mo.	22 mo.	36 mo.	22 mo.
Possession	21	17	25	15
Trafficking	39	26	40	27
Weapon offenses	34 mo.	24 mo.	34 mo.	24 mo.
Other offenses^e	26 mo.	22 mo.	25 mo.	20 mo.
Sentenced to prison				
All offenses	62 mo.	46 mo.	65 mo.	45 mo.
Violent offenses	100 mo.	82 mo.	111 mo.	70 mo.
Murder/Nonnegligent manslaughter	268	238	271	191
Sexual assault ^b	136	90	147	59
Robbery	102	75	116	72
Aggravated assault	63	55	68	54
Other violent ^c	63	80	62	34
Property offenses	48 mo.	38 mo.	50 mo.	42 mo.
Burglary	57	44	63	57
Larceny	39	34	36	35
Fraud/Forgery ^d	42	38	45	43
Drug offenses	52 mo.	42 mo.	53 mo.	40 mo.
Possession	39	35	39	30
Trafficking	61	46	57	46
Weapon offenses	51 mo.	42 mo.	50 mo.	41 mo.
Other offenses^e	44 mo.	46 mo.	39 mo.	38 mo.

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Table 3.7. Mean length of felony sentences imposed in state courts, by offense and combined categories of race and gender, 2006 (cont.)

Most serious conviction offense	Mean sentence length for persons who were—			
	White		Black	
	Male	Female	Male	Female
Sentenced to jail				
All offenses	6 mo.	5 mo.	6 mo.	5 mo.
Violent offenses	7 mo.	6 mo.	8 mo.	6 mo.
Murder/Nonnegligent manslaughter	17	8 ^	7	11 ^
Sexual assault ^b	8	6	10	8
Robbery	10	10	9	9
Aggravated assault	7	5	7	6
Other violent ^c	7	6	7	7
Property offenses	6 mo.	5 mo.	7 mo.	5 mo.
Burglary	7	7	7	5
Larceny	6	5	7	5
Fraud/Forgery ^d	6	5	6	5
Drug offenses	5 mo.	5 mo.	6 mo.	5 mo.
Possession	5	4	5	5
Trafficking	6	6	6	5
Weapon offenses	6 mo.	4 mo.	7 mo.	6 mo.
Other specified offenses^e	6 mo.	5 mo.	6 mo.	5 mo.
Sentenced to probation				
All offenses	37 mo.	35 mo.	37 mo.	36 mo.
Violent offenses	44 mo.	40 mo.	45 mo.	39 mo.
Murder/Nonnegligent manslaughter	102	50	66	83 ^
Sexual assault ^b	57	78	57	37
Robbery	50	52	49	47
Aggravated assault	40	34	39	36
Other violent ^c	42	37	50	44
Property offenses	37 mo.	37 mo.	36 mo.	35 mo.
Burglary	40	44	38	31
Larceny	36	37	35	35
Fraud/Forgery ^d	35	36	35	35
Drug offenses	35 mo.	34 mo.	38 mo.	38 mo.
Possession	34	31	35	39
Trafficking	36	35	39	37
Weapon offenses	34 mo.	29 mo.	34 mo.	27 mo.
Other specified offenses^e	36 mo.	31 mo.	29 mo.	27 mo.

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed, with prison being the most severe, followed by jail, then probation. In this table "probation" is defined as straight probation. Means exclude sentences to death or life in prison or on probation. Racial categories include persons of Latino or Hispanic origin.

[^]Estimate is based on 10 or fewer sample cases.

^aIncludes prison and jail sentences.

^bIncludes rape.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dIncludes embezzlement.

^eComprises nonviolent offenses such as vandalism and receiving stolen property.

Section 4. Felony Adjudication in State Court

- Most (94%) felony offenders sentenced in 2006 pleaded guilty (table 4.1). The rest were found guilty by a jury (4%) or by a judge in a bench trial (2%). Persons convicted of murder were the least likely to have pleaded guilty (61%) and the most likely to have been convicted in a trial (39%).
- During 2006 an estimated 89% of persons who were convicted of a violent felony either by a jury or judge were sentenced to time in prison or jail, compared to 76% of violent offenders who pleaded guilty (table 4.2).
- Prison sentences imposed in state courts were longer for felons convicted in a trial (8 years and 4 months) than for felons who pleaded guilty (3 years and 11 months) in 2006 (table 4.3).
- Among persons convicted of murder or non-negligent manslaughter, sentences to life in prison or death occurred more often in trial convictions (47%) than in guilty pleas (13%) in 2006 (table 4.4).
- Among felons sentenced in state courts during 2006, an estimated 4% were sentenced within 1 month following their arrest, 14% were sentenced within 3 months of their arrest, 33% were sentenced within 6 months of their arrest, and 67% were sentenced within 12 months of their arrest (table 4.5). The median time from arrest to sentencing for all felony convictions was 265 days. The median days from arrest to sentencing was longest for murder (505 days) and sexual assault (348 days) convictions.

Statistical Tables - Adjudication

4.1. Types of felony convictions in state courts, by offense, 2006

4.2. Types of felony sentences imposed in state courts, by offense and type of conviction, 2006

4.3. Mean length of felony sentences imposed in state courts, by offense and type of conviction, 2006

4.4. Types of sentences imposed on felons convicted of murder or nonnegligent manslaughter, by type of conviction, 2006

4.5. Time between arrest and sentencing for persons convicted of a felony in state courts, by offense, 2006

Table 4.1. Types of felony convictions in state courts, by offense, 2006

Most serious conviction offense	Percent of felons convicted by—				
	Total	Trial ^a			Guilty Plea
		Total	Jury	Bench	
All offenses	100 %	6	4	2	94
Violent offenses	100 %	10	8	2	90
Murder/Nonnegligent manslaughter	100 %	39	36	2	61
Sexual assault	100 %	12	10	2	88
Rape	100 %	16	13	3	84
Other sexual assault ^b	100 %	9	8	2	91
Robbery	100 %	11	9	2	89
Aggravated assault	100 %	8	5	3	92
Other violent ^c	100 %	7	5	2	93
Property offenses	100 %	5	3	2	95
Burglary	100 %	6	4	2	94
Larceny	100 %	5	3	2	95
Motor vehicle theft	100 %	4	4	--	96
Fraud/Forgery ^d	100 %	5	3	2	95
Drug offenses	100 %	4	3	2	96
Possession	100 %	2	1	1	98
Trafficking	100 %	6	3	2	94
Weapon offenses	100 %	7	5	2	93
Other specified offenses^e	100 %	3	3	1	97

Note: Data on type of conviction were reported for 56% of convicted felons. Detail may not sum to the total because of rounding.

--Less than 0.5%.

^aAbout 5% of trial convictions were missing information on the type of trial (jury or bench). Those cases were distributed proportionately between jury and bench convictions based on the distribution of the known cases.

^bIncludes offenses such as statutory rape and incest with a minor.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dIncludes embezzlement.

^eComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 4.2. Types of felony sentences imposed in state courts, by offense and type of conviction, 2006

Most serious conviction offense	Percent of felons sentenced to—						
	Total	Incarceration			Nonincarceration		
		Total	Prison	Jail	Total	Probation	Other
Trial							
All offenses	100 %	81	62	19	19	14	5
Violent offenses	100 %	89	76	13	11	7	5
Murder/Nonnegligent manslaughter	100 %	96	95	1	4	0	3
Sexual assault ^a	100 %	89	81	8	11	5	5
Robbery	100 %	96	87	9	4	2	2
Aggravated assault	100 %	81	61	20	19	12	7
Other violent ^b	100 %	87	63	23	13	10	3
Property offenses	100 %	78	55	22	22	17	5
Burglary	100 %	86	69	17	14	10	4
Larceny	100 %	73	45	28	27	21	6
Fraud/Forgery ^c	100 %	72	49	23	28	22	6
Drug offenses	100 %	73	55	18	27	20	7
Possession	100 %	81	46	35	19	15	3
Trafficking	100 %	71	57	14	29	21	8
Weapon offenses	100 %	88	67	21	12	9	4
Other specified offenses^d	100 %	85	54	31	15	11	4
Guilty plea							
All offenses	100 %	68	37	31	32	29	3
Violent offenses	100 %	76	49	26	24	22	2
Murder/Nonnegligent manslaughter	100 %	95	93	2	5	4	2
Sexual assault ^a	100 %	82	62	20	18	17	1
Robbery	100 %	84	65	19	16	15	1
Aggravated assault	100 %	70	39	31	30	27	2
Other violent ^b	100 %	70	36	34	30	26	4
Property offenses	100 %	64	34	30	36	32	3
Burglary	100 %	73	46	27	27	25	2
Larceny	100 %	66	29	37	34	31	3
Fraud/Forgery ^c	100 %	55	29	27	45	40	5
Drug offenses	100 %	66	35	30	34	31	3
Possession	100 %	62	30	33	38	35	2
Trafficking	100 %	68	39	29	32	28	4
Weapon offenses	100 %	73	41	32	27	25	2
Other specified offenses^d	100 %	69	32	38	31	28	3

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed, with prison being the most severe, followed by jail, probation, and then other sentences, such as a fine, community service, or house arrest. Prison includes death sentences. In this table "probation" is defined as straight probation. Detail may not sum to total because of rounding.

^aIncludes rape.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Table 4.3. Mean length of felony sentences imposed in state courts, by offense and type of conviction, 2006

Most serious conviction offense	Mean maximum sentence length for felons sentenced to—			
	Total	Incarceration		Probation
		Prison	Jail	
Trial				
All offenses	78 mo.	100 mo.	6 mo.	39 mo.
Violent offenses	127 mo.	149 mo.	6 mo.	40 mo.
Murder/Nonnegligent manslaughter	267	275	9 ^	42 ^
Sexual assault ^a	158	172	6	42
Robbery	146	161	7	61
Aggravated assault	75	98	6	39
Other violent ^b	63	83	7	30
Property offenses	50 mo.	68 mo.	6 mo.	41 mo.
Burglary	68	83	6	46
Larceny	34	51	6	43
Fraud/Forgery ^c	42	59	6	36
Drug offenses	63 mo.	81 mo.	6 mo.	38 mo.
Possession	36	59	4	21
Trafficking	70	85	7	40
Weapon offenses	56 mo.	71 mo.	8 mo.	46 mo.
Other specified offenses^d	38 mo.	54 mo.	6 mo.	28 mo.
Guilty plea				
All offenses	29 mo.	47 mo.	6 mo.	37 mo.
Violent offenses	53 mo.	73 mo.	7 mo.	44 mo.
Murder/Nonnegligent manslaughter	192	195	7	80
Sexual assault ^a	80	96	9	67
Robbery	64	76	10	54
Aggravated assault	33	51	6	39
Other violent ^b	31	48	7	36
Property offenses	24 mo.	38 mo.	6 mo.	36 mo.
Burglary	32	45	7	40
Larceny	18	33	6	34
Fraud/Forgery ^c	22	35	5	35
Drug offenses	26 mo.	42 mo.	5 mo.	36 mo.
Possession	19	34	5	34
Trafficking	30	46	6	38
Weapon offenses	27 mo.	43 mo.	7 mo.	35 mo.
Other specified offenses^d	19 mo.	34 mo.	5 mo.	34 mo.

Note: For persons receiving a combination of sentences, the sentence designation came from the most severe penalty imposed, with prison being the most severe, followed by jail, then probation. In this table "probation" is defined as straight probation. Means exclude sentences to death or life in prison or on probation.

^ Estimate is based on 10 or fewer sample cases.

^a Includes rape.

^b Includes offenses such as negligent manslaughter and kidnapping.

^c Includes embezzlement.

^d Comprises nonviolent offenses such as vandalism and receiving stolen property.

Table 4.4. Types of sentences imposed on felons convicted of murder or nonnegligent manslaughter, by type of conviction, 2006

Type of conviction	Total	Life	Death	Other*
Total	100 %	23	2	75
Trial	100 %	41	6	53
Jury	100	41	7	52
Bench	100	22	0	78
Guilty plea	100 %	12	1	87

Note: Zero represents no cases in sample.

*Includes a probation or an incarceration sentence expressed in days, months, or years.

Table 4.5. Time between arrest and sentencing for persons convicted of a felony in state courts, by offense, 2006

Most serious conviction offense	Median time (in days)	Following arrest, cumulative percent sentenced within—			
		1 month	3 months	6 months	1 year
All offenses	265	4 %	14 %	33 %	67 %
Violent offenses	295	2 %	9 %	26 %	62 %
Murder/Nonnegligent manslaughter	505	1	3	8	31
Sexual assault ^a	348	1	5	19	54
Robbery	282	1	7	25	65
Aggravated assault	279	2	10	29	65
Other violent ^b	244	4	14	35	72
Property offenses	237	3 %	15 %	38 %	70 %
Burglary	234	3	15	39	71
Larceny	220	5	18	41	71
Fraud/Forgery ^c	261	2	12	33	66
Drug offenses	271	6 %	15 %	32 %	66 %
Possession	257	9	20	35	68
Trafficking	282	3	12	30	64
Weapon offenses	253	4 %	15 %	34 %	69 %
Other specified offenses^d	253	3 %	14 %	34 %	69 %

Note: Data on time to dispose of felonies were reported for 33% of convicted felons.

^aIncludes rape.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cIncludes embezzlement.

^dComprises nonviolent offenses such as vandalism and receiving stolen property.

Methodology

Targeted population

Through a nationally representative sample of state courts, the 2006 National Judicial Reporting Program (NJRP) compiled individual-level data on felony sentences that occurred in calendar year 2006. Because the year of conviction was not a defining characteristic, some cases in the sample were of persons convicted before 2006 but not sentenced until 2006. If the same person was sentenced for a felony more than once during the reporting period, then each event was counted separately.

The survey targeted and recorded initial sentences imposed during 2006. If a person received prison but the judge suspended that sentence on the same day, the sentence was coded as probation because that was the actual sentence. Any change to a sentence after the initial sentencing date (such as probation revocation) was ignored.

Sampling

The same sample of 300 counties drawn for the 2002 survey was used in the 2004 and 2006 surveys. While there were 3,141 counties or county equivalents in the nation in 2002, 36 reported their NJRP data in combination with another county or county equivalent. This left 3,105 jurisdictions to be divided into 20 strata. Each county was assigned to one stratum by meeting the conditions for that stratum.

The survey used a stratified cluster sampling design. The largest 75 counties in the United States (as defined by the 2000 resident population) were separated from the 3,105 jurisdictions (appendix table). Each state was then assigned a cost-factor (1, 3, or 5) which reflected the overall cost of collecting their 2000 NJRP data. Counties in states where data collection is not costly were assigned a 1. Counties in states where data collection is moderately costly were assigned a 3. Counties in states where data collection is costly were assigned a 5.

Counties in each cost-factor group were then separated into categories based on the size of their 2000 population. Among the nation's largest 75 counties, those assigned a cost-factor 1 were separated into 2 strata (defined by year 2000 population size), cost-factor 3 counties remained in one stratum, and cost-factor 5 counties were separated into 2 strata (defined by year 2000 population size). Among counties that were not one of the nation's largest 75, those assigned a cost-factor of 1 were separated into 5 strata (defined by year 2000 population size). Cost-factor 3 counties were separated into 4 strata (defined by year 2000 population size), and cost-factor 5 counties were separated into 5 strata (defined by year 2000 population size). Because the 75 largest counties account for a disproportionately large amount of serious crime in the Nation, they were given a greater chance of being selected than the remaining counties.

Altogether, 58 out of the 75 largest counties were sampled. All 36 counties in strata 0, 11, and 12 were selected for the sample. Strata 31, 51, and 52 consisted of the remaining 22 counties sampled from the largest 75 counties. Strata 111, 112, 113, 114, 115, 131, 132, 133, 134, 151, 152, 153, 154, and 155 included 242 counties sampled from among the 3,030 not among the 75 largest.

The final sample thus included 300 counties (58 out of the 75 largest counties, and 242 out of the remaining 3,030 counties). Seven of the 300 counties did not participate and were replaced by other counties. The 300 included at least one county from every state except, by chance, Nevada, South Dakota, and Wyoming. Two of the 300 had no felony convictions during the 2006 survey period. In total, the 2006 survey obtained case-level data on 494,055 convicted felons in 300 counties selected to represent the estimated 1,132,292 persons convicted of a felony in state courts that year. Of these sampled cases, 344,147 were in the 75 largest counties.

The 36 sampled counties in strata 0, 11, and 12 were self-representing only, and their sampled cases therefore had a sampling weight of 1. The remaining strata were selected to represent their respective strata so that the sampled felony conviction cases had weights greater than 1.

Sampling error

NJRP data were obtained from a sample and not from a complete enumeration; consequently, they are subject to sampling error. A standard error, which is a measure of sampling error, is associated with each number in these statistical tables. In general, if the difference between two numbers is at least twice the standard error of that difference, there is at least 95% confidence that the two numbers do in fact differ; that is, the apparent difference is not simply the result of surveying a sample rather than the entire population. All differences discussed in this report were statistically significant at or above the 95% confidence interval.

Sources of data

State courts were the source of NJRP data for about 44% of the 300 counties sampled. For other counties, sources included prosecutors' offices, sentencing commissions, and statistical agencies.

For 298 of the 300 counties sampled, individual-level NJRP records were obtained in electronic format. The other two jurisdictions provided data through photocopies of official documents. All data were collected and processed by the U.S. Census Bureau.

Resident population estimates were obtained from the National Center for Health Statistics. Bridged-race intercensal estimates for 1990 through 1999 for United States resident population by county, single-year of age, sex, race, and Hispanic origin, were prepared by the U.S. Census Bureau with support from the National Cancer Institute. Data are available on the Internet at <<http://www.cdc.gov/nchs/about/major/dvs/popbridge/popbridge.htm>> (released on July 26, 2004). Estimates of the resident population of the United States for 2000 through 2007, by year, county, age, bridged race, Hispanic origin, and sex (vintage 2007) were prepared under a collaborative arrangement with the U.S. Census Bureau; released August 7, 2008. Data are available on the Internet at: <<http://www.cdc.gov/nchs/about/major/dvs/popbridge/popbridge.htm>> (accessed September 5, 2008).

Missing data

Not all jurisdictions were able to provide data for 2006. Data from 12 Minnesota counties for the 2006 survey pertain to sentences imposed in 2005. Fifteen additional counties were unable to provide complete data files for the 2006 survey—San Bernardino, Sonoma, and Ventura Counties, California; Boulder, Colorado; Duval, Florida; DuPage, Illinois; Cumberland, Maine; Belknap, New Hampshire; Putnam, West Virginia; and Canadian, Comanche, McClain, Rogers, Tulsa, and Washington Counties, Oklahoma. Consequently, the latest available data for these jurisdictions were used in place of the 2006 data. For 14 of the 15 counties, files submitted for the 2004 NJRP were used for the 2006 survey. Data submitted for the 2002 NJRP were used for San Bernardino County.

Sentencing data obtained from Montgomery County, Ohio, were not submitted electronically and required manual coding. To expedite data processing, a systematic sample of cases was drawn from the court records.

Percentages are based on reported data only. However, estimated numbers in table 1.2.1 are adjusted for cases missing a designation of sentence type. The proportion of cases with valid data are presented in the footnotes of each table.

Appendix table. NJRP sampling design

Stratum	Total number of counties in stratum	Defining characteristics of each county in this stratum in 2000	Approximate sampling rate	Number of counties sampled
1 of 75 most populous counties in 2000				
	0	11 Population greater than 1,900,000	1 in 1	11
Not in stratum 0				
Cost-factor of 1 - not sampled				
11	12	Population between 900,001 and 1,900,000	1 in 1	12
12	13	Population between 679,001 and 900,000	1 in 1	13
Cost-factor of 3				
31	15	Population between 679,001 and 1,900,000	nearly 1 in 1	13
Cost-factor of 5				
51	10	Population between 1,000,001 and 1,900,000	1 in 3	3
52	14	Population between 679,001 and 1,000,000	1 in 2	6
Not 1 of 75 most populous counties in 2000				
Cost-factor of 1				
111	193	Population between 97,001 and 679,000	1 in 1	106
112	168	Population between 54,001 and 97,000	1 in 8	20
113	309	Population between 25,001 and 54,000	1 in 11	26
114	231	Population between 16,001 and 25,000	1 in 23	10
115	497	Population between 1 and 16,000	1 in 33	15
Cost-factor of 3				
131	107	Population between 97,001 and 679,000	1 in 4	23
132	88	Population between 44,001 and 97,000	1 in 17	5
133	234	Population between 15,001 and 44,000	1 in 39	6
134	336	Population between 1 and 15,000	1 in 112	3
Cost-factor of 5				
151	81	Population between 160,001 and 679,000	1 in 7	11
152	146	Population between 64,001 and 160,000	1 in 18	8
153	220	Population between 31,001 and 64,000	1 in 44	5
154	140	Population between 18,001 and 31,000	1 in 70	2
155	280	Population between 1 and 18,000	1 in 140	2

Crime definitions

Aggravated assault: Aggravated assault is (1) intentionally and without legal justification causing serious bodily injury with or without a deadly weapon or (2) using a deadly or dangerous weapon to threaten, attempt, or cause bodily injury, regardless of the degree of injury. Aggravated assault includes attempted murder, aggravated battery, felonious assault, and assault with a deadly weapon.

Burglary: Burglary is the unlawful entry of a fixed structure used for regular residence, industry, or business, with or without the use of force, to commit a felony or theft. Burglary includes attempts.

Drug possession: Drug possession includes possession of an illegal drug, but excludes possession with intent to sell drugs. Drug possession includes attempts.

Drug trafficking: Drug trafficking includes manufacturing, distributing, selling, smuggling, and possession with intent to sell drugs. Drug trafficking includes attempts.

Fraud, forgery, and embezzlement: Fraud, forgery, and embezzlement includes using deceit or intentional misrepresentation to unlawfully deprive a person of his or her property or legal rights. Fraud, forgery, and embezzlement includes offenses such as check fraud, confidence games, counterfeiting, and credit card fraud. Fraud, forgery, and embezzlement includes attempts.

Larceny: Larceny is the unlawful taking of property from the possession of another, by stealth, without force or deceit. Larceny includes pocket picking, nonforcible purse snatching, shoplifting, and thefts from motor vehicles. Larceny excludes motor vehicle theft, receiving or reselling stolen property (fencing), and thefts through fraud or deceit. Larceny includes attempts.

Motor vehicle theft: Motor vehicle theft is the attempted or actual unlawful taking of a self-propelled road vehicle owned by another. Includes the theft of automobiles, trucks, and motorcycles, but not the theft of boats, aircraft, or farm equipment (classified as larceny/theft). Also includes receiving, possessing, stripping, transporting, and reselling stolen vehicles, and unauthorized use of a vehicle (joyriding).

Murder: Murder is (1) intentionally causing the death of another person without extreme provocation or legal justification or (2) causing the death of another while committing or attempting to commit another crime.

Nonnegligent (or voluntary) manslaughter: Nonnegligent manslaughter is intentionally and without legal justification causing the death of another when acting under extreme provocation. The combined category of murder and nonnegligent manslaughter excludes involuntary or negligent manslaughter, conspiracies to commit murder, solicitation of murder, and attempted murder.

Other specified offenses: This category includes all felony offenses not included in other categories of this list, such as receiving stolen property, driving while intoxicated or other traffic offenses, bribery, obstructing justice, escaping from custody, family offenses (such as child neglect, contributing to the delinquency of a minor, nonpayment of child support), and non-violent sexual offenses (such as pornography offenses, pimping, prostitution). Other specified offenses include attempts to commit any of the felonies included in the category.

Other violent: Other violent offenses includes completed and attempted offenses such as kidnapping, extortion, and negligent manslaughter. Murder, nonnegligent manslaughter, rape, other sexual assault, robbery, and aggravated assault are excluded.

Rape and other sexual assault: Rape is forcible intercourse (vaginal, anal, or oral) with a female or male. Includes forcible sodomy or penetration with a foreign object (sometimes called “deviate sexual assault”); excludes statutory rape or any other nonforcible sexual acts with a minor or with someone unable to give legal or factual consent. Rape includes attempts. **Other sexual assault** includes (1) forcible or violent sexual acts not involving intercourse with an adult or minor, (2) nonforcible sexual acts with a minor (such as statutory rape or incest with a minor), and (3) nonforcible sexual acts with someone unable to give legal or factual consent because of mental or physical defect or intoxication. Other sexual assault includes attempts.

Robbery: Robbery is the unlawful taking of property that is in the immediate possession of another by force or the threat of force. Robbery includes forcible purse snatching, but excludes nonforcible purse snatching, which is classified as larceny or theft. Robbery includes attempts.

Weapon offenses: Weapon offenses include unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly or dangerous weapon or accessory.

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