



## Bureau of Justice Statistics

*State Court Processing Statistics*

# Felony Defendants in Large Urban Counties, 1998

*Arrest charges*

*Demographic characteristics*

*Criminal history*

*Pretrial release and detention*

*Adjudication*

*Sentencing*

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# Felony Defendants in Large Urban Counties, 1998

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**U.S. Department of Justice**  
Bureau of Justice Statistics

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Data presented in this report may be obtained from the National Archive of Criminal Justice Data at the University of Michigan, 1-800-999-0960. The report and data are available on the Internet at: <http://www.ojp.usdoj.gov/bjs>

	<b>Highlights</b>	<b>iii</b>
<b>State Court Processing Statistics</b>		<b>1</b>
	<b>Arrest charges</b>	<b>2</b>
	<b>Demographic characteristics</b>	<b>4</b>
	<b>Criminal history</b>	<b>8</b>
Criminal justice status at time of arrest		8
	Prior arrests	10
	Prior convictions	12
<b>Pretrial release and detention</b>		<b>16</b>
	Rates of release and detention	16
	Bail amounts	18
	Time from arrest to release	19
Criminal history and probability of release		20
Conduct of released defendants		21
	<b>Adjudication</b>	<b>23</b>
	Time from arrest to adjudication	23
	Adjudication outcome	24
	Case processing statistics	28
	<b>Sentencing</b>	<b>29</b>
	Time from conviction to sentencing	29
	Type and length of sentence	30
	Prior record and felony sentencing	35
	<b>Methodology</b>	<b>37</b>
	<b>Appendix</b>	<b>40</b>

## Highlights

### State Court Processing Statistics

Every 2 years, as part of its State Court Processing Statistics (SCPS) program, the Bureau of Justice Statistics tracks a sample of felony cases filed during the month of May in 40 of the Nation's 75 largest counties. The most recent SCPS study analyzed cases filed during May 1998.

### Trends in processing of felony defendants, 1990-98

Since 1990, the proportion of defendants charged with a violent offense has remained at about a fourth. From 1992 to 1998, the proportion of drug defendants increased from 30% to 37%. During this period, the percentage of defendants charged with a property crime decreased from 35% to 29%. The proportion of defendants charged with a public-order offense has remained at just under 1 in 10.

In 1998, the percentage of defendants age 40 or older was 19%, nearly twice the 10% found in the 1990 study. During the same time, the percentage of defendants under age 25 decreased from 41% to 34%.

The percentage of female defendants has increased from 14% in 1990 to 18% in 1998. In 1998, non-Hispanic blacks accounted for 45% of defendants, a slightly smaller percentage than in prior years. The percentage of non-Hispanic whites and Hispanics increased slightly, but still comprised roughly a fourth each.

Since 1990, approximately 3 in 8 defendants have had an active criminal justice status at the time of arrest in each of the SCPS studies. In 1998, the percentage of defendants with a felony arrest record (60%) was the same as in 1996, but higher than in previous years when it averaged about 55%. The proportion of defendants with a felony conviction record, continuing a slightly upward trend, was 42% in 1998 — up from 36% in 1990.

Since 1990, the percentage of felony defendants released prior to case disposition has been fairly consistent, ranging from 62% to 65%, with 64% released in 1998. In 1998, for the first

time, the proportion of releases accounted for by surety bond was greater than that accounted for by release on personal recognizance.

From 1990 to 1998, the proportion of released defendants charged with misconduct such as failure to appear in court or rearrest has remained at just under a third. Failure-to-appear rates have held steady at about a fourth.

After reaching a high of 61% in the 1994 study, the felony conviction rate fell to 55% in 1996, and 52% in 1998. This rate was similar to that found in 1992, and still slightly higher than the 50% felony conviction rate in the 1990 study. Sixty-eight percent of defendants were convicted of a felony or a misdemeanor in 1998, a lower percentage than in 1994 (72%), but higher than in 1990 (64%).

For defendants convicted of a felony, sentences in 1998 (71%) were slightly more likely to involve incarceration than in 1996 (69%) and 1994 (68%). However, incarceration rates in the 1998 study were slightly lower than in 1990 (75%) or 1992 (74%).

In 1998, a felony conviction was about as likely to result in a jail sentence as a sentence to prison. In 1990, a felony conviction was more likely to result in a sentence to prison (43%) than jail (32%). The use of probation as a sentence for felony convictions in 1998 occurred with about the same frequency as in 1996 and 1994, but more frequently than in 1990 or 1992.

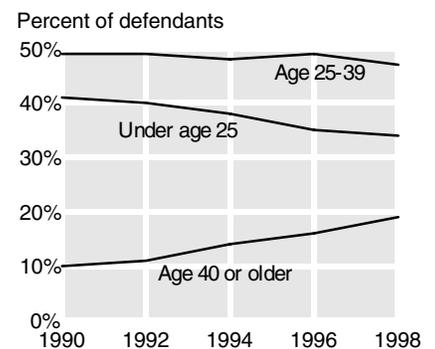
### Felony defendants in large urban counties, 1998

#### Arrest charges

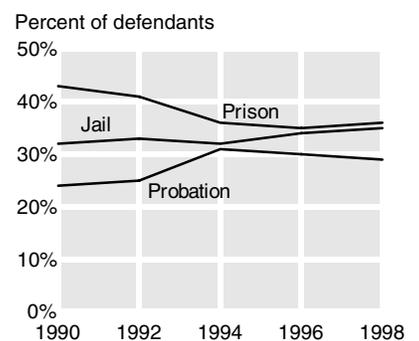
An estimated 56,606 felony cases were filed in the State courts of the Nation's 75 largest counties during May 1998. About 1 in 4 defendants were charged with a violent offense, usually assault (12.2%) or robbery (6.1%). About 1 in 50 defendants were charged with murder (0.7%) or rape (1.3%).

Two-thirds of defendants were charged with either a drug (37%) or

**Age at arrest, felony defendants in the 75 largest counties, 1990, 1992, 1994, 1996, and 1998**



**Most severe sentence received by defendants convicted of a felony in the 75 largest counties, 1990, 1992, 1994, 1996, and 1998**



property (29%) offense. Nearly half of drug defendants, 18% of defendants overall, were charged with drug trafficking. A majority of property defendants were charged with larceny/theft (9.9% of all defendants) or burglary (7.5%). About 1 in 10 defendants were charged with a public-order offense. Often these charges were driving-related (3.6%) or weapons-related (2.8%).

#### Demographic characteristics

Eighty-two percent of defendants were male, including 90% or more of those charged with rape (100%), a weapons offense (96%), a driving-related offense (91%), robbery (91%), or burglary (90%). Women accounted for about half of the defendants charged with fraud (52%), and about a third of those charged with forgery (36%), or larceny/theft (31%).

Non-Hispanic Blacks comprised a majority of the defendants charged with a weapons offense (55%), murder (54%), or robbery (53%). Non-Hispanic Whites accounted for 40% of those charged with a driving-related felony.

Half of defendants were under age 30. Eighteen percent were under age 21, including 34% of those charged with robbery and 29% of those charged with murder. Three percent of defendants were under age 18, including 11% of robbery defendants and 9% of murder defendants.

### *Criminal history*

At the time of arrest, more than a third of defendants had an active criminal justice status such as probation (16%), release pending disposition of a prior case (14%), or parole (5%). Murder (45%), robbery (44%), and drug trafficking (43%) defendants were the most likely to have had a criminal justice status when arrested.

Seventy-one percent of all defendants had been arrested previously, with 43% having at least five prior arrest charges. Sixty percent of defendants had a felony arrest record. Sixty-one percent of defendants had at least one prior conviction, including 42% with one or more felony convictions.

### *Pretrial release and detention*

Thirty-six percent of all defendants were detained until the court disposed of their case, including 7% who were denied bail. Half or more of defendants charged with murder (87%), robbery (62%), rape (53%), burglary (50%), or motor vehicle theft (50%) were detained until case disposition.

Defendants with an active criminal justice status (58%) were twice as likely to be detained until case disposition as those without such a status (29%). Defendants on parole (82%) were the most likely to be detained.

Defendants were most likely to be released on commercial surety bond (36% of all releases), followed by release on personal recognizance (30%). The next most common types

of pretrial release were conditional release (13%) and deposit bond (8%).

An estimated 31% of released defendants committed one or more types of pretrial misconduct while in a release status. Twenty-four percent failed to appear in court as scheduled. Sixteen percent were rearrested for a new offense, including 10% for a felony.

### *Adjudication*

About 3 in 10 defendants had their case adjudicated within 1 month of arrest, and more than half (54%) within 3 months. At the end of the 1-year study period, 90% of all cases had been adjudicated.

Sixty-eight percent of the cases adjudicated within 1 year resulted in a conviction. Fifty-two percent of all defendants were convicted of a felony, and 15% of a misdemeanor. Felony conviction rates were highest for defendants originally charged with murder (68%) or drug trafficking (66%). Assault defendants (34%) had the lowest felony conviction rate.

Nearly all (96%) convictions obtained during the 1-year study period were the result of a guilty plea. Nearly 4 in 5 guilty pleas were to a felony. Seventy-seven percent of trials resulted in a guilty verdict, including 83% of bench trials and 72% of jury trials.

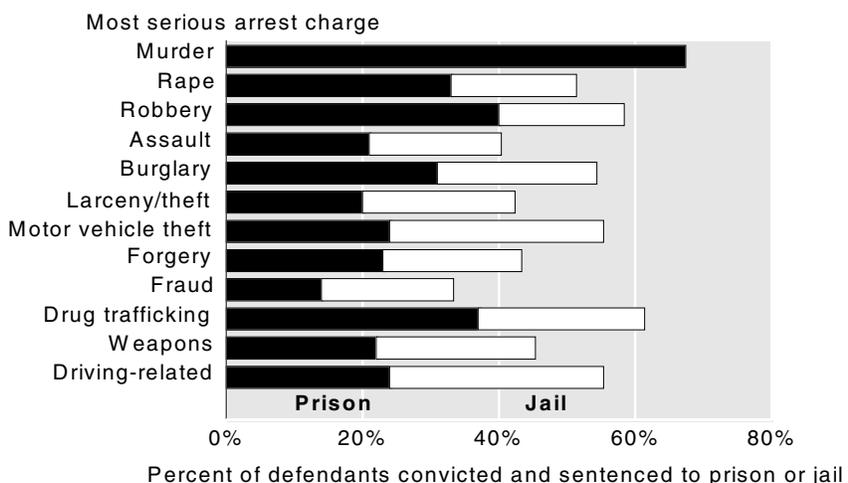
### *Sentencing*

About 3 in 5 convicted defendants were sentenced within 1 day of adjudication. About two-thirds of all sentences were either to prison (30%) or jail (38%). Two-thirds of all jail sentences included a probation term. Nearly all convicted defendants who did not receive an incarceration sentence were placed on probation.

Thirty-six percent of the defendants convicted of a felony were sentenced to prison, including all of those convicted of murder. A majority of robbery (65%) and rape (60%) convictions also resulted in prison sentences.

About three-fifths of those with multiple prior felony convictions (59%) were sentenced to prison following a felony conviction in the current case, compared to about a fifth of those with no prior felony convictions (21%). Excluding life sentences, the mean prison sentence for defendants convicted of a violent felony was about 9 years, and the median was 5 years. For those convicted of a nonviolent offense, the mean was about 4 years and the median, 2½ years. Murder (38 years) and rape (10 years) convictions carried the longest median prison sentences. About 1 in 7 convicted murderers received a life sentence.

**Probability of being convicted and sentenced to incarceration for felony defendants in the 75 largest counties, 1998**



Since 1988, the Bureau of Justice Statistics (BJS) has sponsored a biennial data collection on the processing of felony defendants in the State courts of the Nation's 75 most populous counties. Previously known as the National Pretrial Reporting Program, this data collection series was renamed the State Court Processing Statistics (SCPS) program in 1994 to better reflect the wide range of data elements collected.

The SCPS program collects data on the demographic characteristics, criminal history, pretrial processing, adjudication, and sentencing of felony defendants. The SCPS data do not include Federal defendants. The reader should refer to the annual BJS *Compendium of Federal Justice Statistics* for information on the processing of Federal defendants.

The 1998 SCPS collected data for 15,909 felony cases filed during May 1998 in 40 large counties. These cases, which were tracked for up to 1 year, were part of a 2-stage sample that was representative of the estimated 56,606 felony cases filed in the Nation's 75 most populous counties during that month. A small number of cases (31 unweighted, 111 weighted) were omitted from the analysis because they could not be classified into one of the four major crime categories (violent, property, drug, public-order).

In 1998, the 75 largest counties accounted for 37% of the U.S. population. According to the FBI's Uniform Crime Reports program for 1998, these jurisdictions accounted for 50% of all reported serious violent crimes in the United States, including 65% of all robberies. They accounted for 45% of all reported serious property crimes.

According to the BJS National Judicial Reporting Program, 40% of all felony convictions in 1998 occurred in the 75 largest counties. For national estimates pertaining to felony convictions, see the BJS report *Felony Sentences in State Courts, 1998*.

## Arrest charges

During May 1998, about a fourth of the felony defendants in the 75 largest counties were charged with a violent offense (24.0%) (table 1). About half of those charged with a violent felony, 12.2% of defendants overall, faced assault charges, and about a fourth, 6.1% of defendants overall, were charged with robbery. Murder defendants comprised 3.0% of the defendants charged with a violent felony, and 0.7% of all felony defendants. Rape defendants accounted for 5.0% of the defendants charged with a violent felony, and 1.3% of all felony defendants (See *Methodology* for the specific crimes included in each offense category.)

For about 3 in 8 defendants, the most serious arrest charge was a drug offense (37.1%). Nearly half (48%) of drug defendants were charged with drug trafficking. Overall, defendants were more likely to be charged with drug trafficking (17.7%) or other drug offenses (19.4%) than any other type of offense (figure 1).

**Table 1. Felony defendants, by most serious arrest charge, 1998**

Most serious arrest charge	Felony defendants in the 75 largest counties	
	Number	Percent
All offenses	56,495	100.0%
<b>Violent offenses</b>	<b>13,536</b>	<b>24.0%</b>
Murder	409	0.7
Rape	732	1.3
Robbery	3,442	6.1
Assault	6,896	12.2
Other violent	2,057	3.6
<b>Property offenses</b>	<b>16,545</b>	<b>29.3%</b>
Burglary	4,224	7.5
Larceny/theft	5,575	9.9
Motor vehicle theft	1,582	2.8
Forgery	1,669	3.0
Fraud	1,348	2.4
Other property	2,147	3.8
<b>Drug offenses</b>	<b>20,975</b>	<b>37.1%</b>
Trafficking	9,991	17.7
Other drug	10,984	19.4
<b>Public-order offenses</b>	<b>5,439</b>	<b>9.6%</b>
Weapons	1,583	2.8
Driving-related	2,060	3.6
Other public-order	1,795	3.2

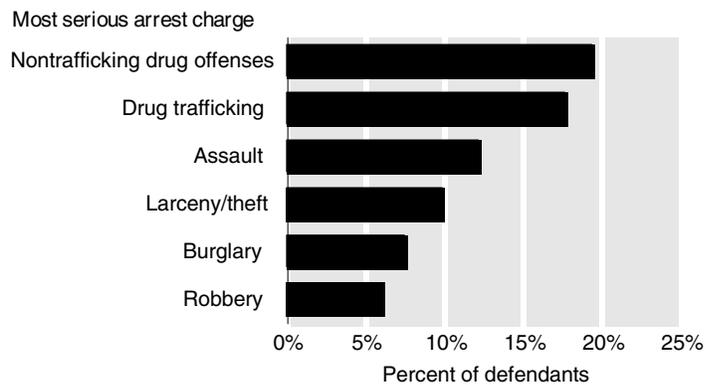
Note: Data for the specific arrest charge were available for 99.8% of all cases. Detail may not add to total because of rounding.

About 3 in 10 felony defendants were charged with a property offense (29.3%). About a third of property defendants, 9.9% of defendants overall, were charged with larceny/theft offenses, and about a fourth, 7.5% overall, were charged with burglary.

Defendants charged with a public-order offense comprised about a tenth (9.6%) of all defendants. Two-thirds of public-order defendants faced a weapons (2.8%) or driving-related (3.6%) charge.

The percentage of felony defendants in the 75 largest counties facing a drug-related charge (37.1%) was about the same as in 1996 (36.8%), but significantly higher than the low of 30% in 1992 (figure 2). The percentage of property defendants in 1998 (29.3%) continued a trend of small decreases that have occurred since a high of 34.9% in 1992. The 1998 percentage of defendants (24%) charged with a violent offense was about the same as in 1996 (24.7%) and slightly lower than the maximum of 26.5% in 1992.

**The most frequently charged offenses of felony defendants in the 75 largest counties, 1998**



See *Methodology* for specific crimes included in each offense category.

Figure 1

**Most serious arrest charge of felony defendants in the 75 largest counties, 1990, 1992, 1994, 1996, and 1998**

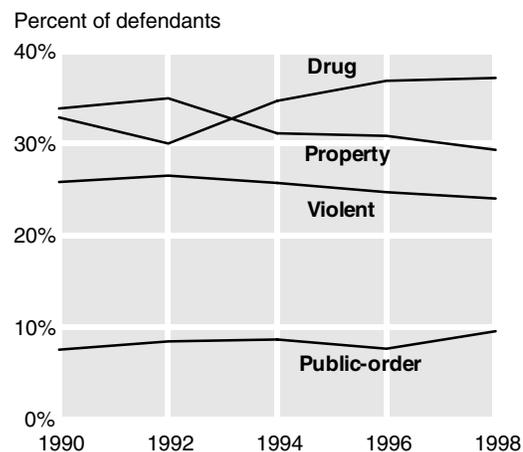


Figure 2

More than half of all felony defendants (56%) faced at least one additional charge and 37% were charged with at least one additional felony (table 2). Defendants whose most serious charge was rape (73%) were the most likely to have been charged with one or more additional offenses. More than three-fifths of defendants whose most serious arrest charge was robbery (65%), forgery (65%), drug trafficking (64%), burglary (63%), or fraud (63%) were also charged with one or more additional offenses.

Two-thirds of rape defendants faced at least 1 additional felony charge. About half of defendants charged with fraud (55%), robbery (54%), murder (53%), forgery (50%), drug trafficking (49%), or burglary (47%) also faced 1 or more additional felony charges.

Two fifths of assault defendants and about a third of those charged with a weapons-related offense (35%) or motor vehicle theft (31%) faced multiple felony charges.

**Table 2. Level of second most serious charge of felony defendants, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties				
		Total	No other charges	Most serious additional charge		
		Total		Total	Felony	Misde-meanor
All offenses	56,474	100%	44%	56%	37%	19%
Violent offenses	13,536	100%	38%	62%	45%	17%
Murder	409	100	44	56	53	3
Rape	732	100	27	73	67	6
Robbery	3,442	100	35	65	54	11
Assault	6,896	100	40	60	40	21
Other violent	2,057	100	40	60	41	19
Property offenses	16,532	100%	47%	53%	37%	16%
Burglary	4,224	100	37	63	47	16
Larceny/theft	5,567	100	62	38	26	13
Motor vehicle theft	1,582	100	52	48	31	17
Forgery	1,669	100	35	65	50	15
Fraud	1,348	100	37	63	55	9
Other property	2,143	100	43	57	31	26
Drug offenses	20,972	100%	45%	55%	34%	21%
Trafficking	9,991	100	36	64	49	15
Other drug	10,981	100	53	47	21	26
Public-order offenses	5,433	100%	50%	50%	23%	26%
Weapons	1,581	100	45	55	35	20
Driving-related	2,060	100	50	50	22	27
Other public-order	1,793	100	55	45	15	30

Note: Data for the most serious arrest charge and the next most serious arrest charge were available for 99.8% of all cases. Detail may not add to total because of rounding.

## Demographic characteristics

Overall, 82% of felony defendants in the 75 largest counties were male (table 3). Men comprised the largest percentages among defendants charged with rape (100%), weapons offenses (96%), driving-related offenses (91%), robbery (91%), or burglary (90%). Women accounted for 18% of defendants, including about half of those charged with fraud (52%), and about a third of those charged with forgery (36%) or larceny/theft (31%).

Without consideration of Hispanic origin, which was reported poorly in some jurisdictions (see *Methodology*), 57% of defendants were black, 41% were white, and 2% other races (table 3). Blacks comprised the largest percentages among defendants charged with weapons offenses (73%), robbery (70%), murder (68%), and drug trafficking (65%). Whites accounted for a majority of the defendants facing driving-related charges (58%) (figure 3).

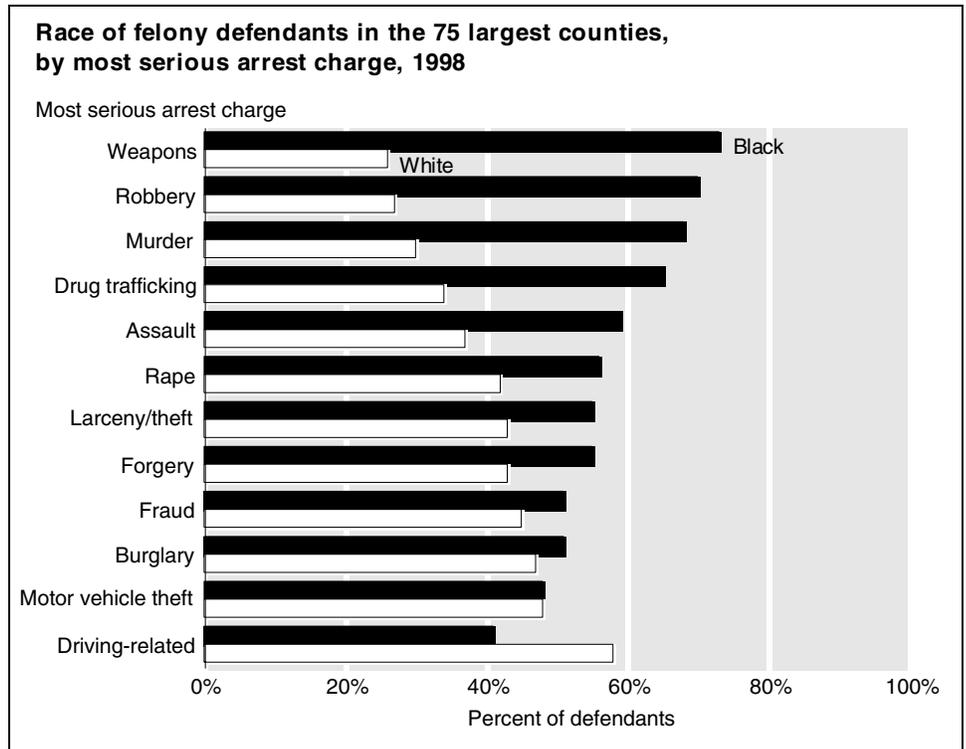


Figure 3

**Table 3. Gender and race of felony defendants, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties			Number of defendants	Percent of felony defendants in the 75 largest counties			
		Total	Male	Female		Total	Black	White	Other
All offenses	56,451	100%	82%	18%	48,700	100%	57%	41%	2%
Violent offenses	13,526	100%	86%	14%	11,695	100%	60%	36%	4%
Murder	409	100	87	13	348	100	68	30	2
Rape	732	100	100	0	664	100	56	42	1
Robbery	3,442	100	91	9	2,938	100	70	27	3
Assault	6,890	100	81	19	5,999	100	59	37	4
Other violent	2,053	100	87	13	1,746	100	47	49	4
Property offenses	16,531	100%	76%	24%	14,581	100%	53%	45%	2%
Burglary	4,218	100	90	10	3,590	100	51	47	2
Larceny/theft	5,567	100	69	31	5,087	100	55	43	2
Motor vehicle theft	1,582	100	89	11	1,315	100	48	48	3
Forgery	1,669	100	64	36	1,478	100	55	43	2
Fraud	1,348	100	48	52	1,126	100	51	45	5
Other property	2,147	100	85	15	1,986	100	54	43	3
Drug offenses	20,966	100%	82%	18%	17,706	100%	59%	39%	2%
Trafficking	9,986	100	84	16	8,469	100	65	34	2
Other drug	10,980	100	79	21	9,237	100	54	44	2
Public-order offenses	5,429	100%	91%	9%	4,717	100%	52%	46%	2%
Weapons	1,583	100	96	4	1,309	100	73	26	1
Driving-related	2,053	100	91	9	1,822	100	41	58	1
Other public-order	1,792	100	86	14	1,586	100	48	48	4

Note: Data on gender of defendants were available for 99.7% of all cases and data on race of defendants were available for 86% of all cases. Without consideration of Hispanic origin, Bureau of the Census data for 1998 indicate that the racial distribution of the population of the 75 largest counties was 76% white, 16% black, and 8% other races. Detail may not add to total because of rounding.

About a fourth of defendants were Hispanic (26%), including about a third of those charged with drug trafficking (32%) (table 4). Non-Hispanic whites comprised about a fourth of defendants (27%), including two-fifths of those charged with a driving-related offense. Non-Hispanic blacks comprised 45% of defendants, including a majority of those charged with a weapons offense (55%), murder (54%), or robbery (53%).

The average age of defendants at the time of arrest was 31 years (table 5). By specific offense, the average age ranged from 26 years for robbery defendants to 34 for those charged with a driving-related offense.

Just over half of defendants charged with a violent offense (55%) were under age 30, as were about half of property (52%), drug (48%), and public-order (47%) defendants. About a tenth of robbery (11%) and murder (9%) defendants were under age 18.

An estimated 19% of defendants were 40 or older, including about a fourth of those charged with a driving-related offenses (26%), rape (25%), fraud (25%), or a non-trafficking drug offense (24%).

**Table 4. Race and Hispanic origin of felony defendants, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties				
		Total	Black non-Hispanic	White non-Hispanic	Other non-Hispanic	Hispanic, any race
All offenses	41,427	100%	45%	27%	2%	26%
Violent offenses	10,207	100%	48%	24%	3%	26%
Murder	256	100	54	24	3	20
Rape	561	100	48	26	2	25
Robbery	2,474	100	53	17	2	27
Assault	5,338	100	47	25	3	25
Other violent	1,577	100	41	31	3	25
Property offenses	11,569	100%	42%	31%	2%	24%
Burglary	3,133	100	38	31	2	30
Larceny/theft	3,524	100	50	29	2	19
Motor vehicle theft	1,312	100	38	32	2	28
Forgery	1,194	100	42	30	2	26
Fraud	888	100	38	34	3	25
Other property	1,518	100	40	36	3	21
Drug offenses	15,726	100%	46%	25%	1%	28%
Trafficking	7,582	100	49	18	1	32
Other drug	8,144	100	43	31	1	24
Public-order offenses	3,925	100%	43%	31%	2%	25%
Weapons	1,084	100	55	16	--	29
Driving-related	1,400	100	37	40	1	22
Other public-order	1,442	100	38	34	4	25

Note: Data on both race and Hispanic origin of defendants were available for 73% of all cases. According to the Bureau of the Census data for 1998, the overall percentage of the population of the 75 largest counties was 57% white non-Hispanic, 16% black non-Hispanic, 8% other race non-Hispanic, and 19% Hispanics of any race. Detail may not add to total because of rounding. --Less than .5%.

**Table 5. Age at arrest of felony defendants, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties								Average age at arrest
		Total	Under 18	18-20	21-24	25-29	30-34	35-39	40 or older	
All offenses	56,131	100%	3%	15%	15%	17%	16%	14%	19%	31 yrs.
Violent offenses	13,481	100%	6%	17%	15%	17%	16%	12%	17%	30 yrs.
Murder	409	100	9	20	17	18	13	8	14	28
Rape	732	100	5	10	10	19	17	14	25	33
Robbery	3,431	100	11	23	20	15	15	8	9	26
Assault	6,858	100	4	15	14	17	16	13	19	31
Other violent	2,050	100	3	14	12	18	17	15	21	32
Property offenses	16,456	100%	3%	16%	15%	18%	17%	14%	17%	30 yrs.
Burglary	4,202	100	4	20	15	15	17	14	16	29
Larceny/theft	5,536	100	2	12	15	18	18	15	20	31
Motor vehicle theft	1,574	100	3	25	18	18	16	10	10	27
Forgery	1,665	100	2	15	16	21	15	15	16	30
Fraud	1,332	100	1	8	14	24	15	13	25	33
Other property	2,147	100	5	19	16	15	14	14	16	30
Drug offenses	20,767	100%	2%	15%	15%	16%	16%	15%	21%	31 yrs.
Trafficking	9,938	100	3	18	17	16	16	13	17	30
Other drug	10,828	100	2	12	13	16	16	17	24	32
Public-order offenses	5,427	100%	3%	11%	15%	18%	16%	16%	21%	32 yrs.
Weapons	1,579	100	6	19	22	18	12	9	12	27
Driving-related	2,060	100	--	5	12	19	19	19	26	34
Other public-order	1,787	100	3	8	13	16	17	20	24	33

Note: Data on age of defendants were available for 99.3% of all cases. Detail may not add to total because of rounding. --Less than .5%.

About half of robbery (53%), weapons (49%), and murder (47%) defendants were under age 25, compared to about a third of defendants overall (34%) (figure 4). Defendants charged with rape (25%), fraud (23%) or a driving-related offense (17%) were the least likely to be under age 25.

Defendants charged with robbery (34%), murder (30%), motor vehicle theft (28%), or a weapons offense (28%) were more likely to be under age 21 than other defendants. Defendants charged with a driving-related offense (6%) or fraud (9%) were the least likely to be this young.

Males formed a higher percentage of defendants under age 18 (90%) than of other age groups (table 6). The largest percentage of female defendants was in the 30 to 39 age group (22%). Sixty-six percent of the defendants under age 18 were black, compared to 61% or less in other age groups.

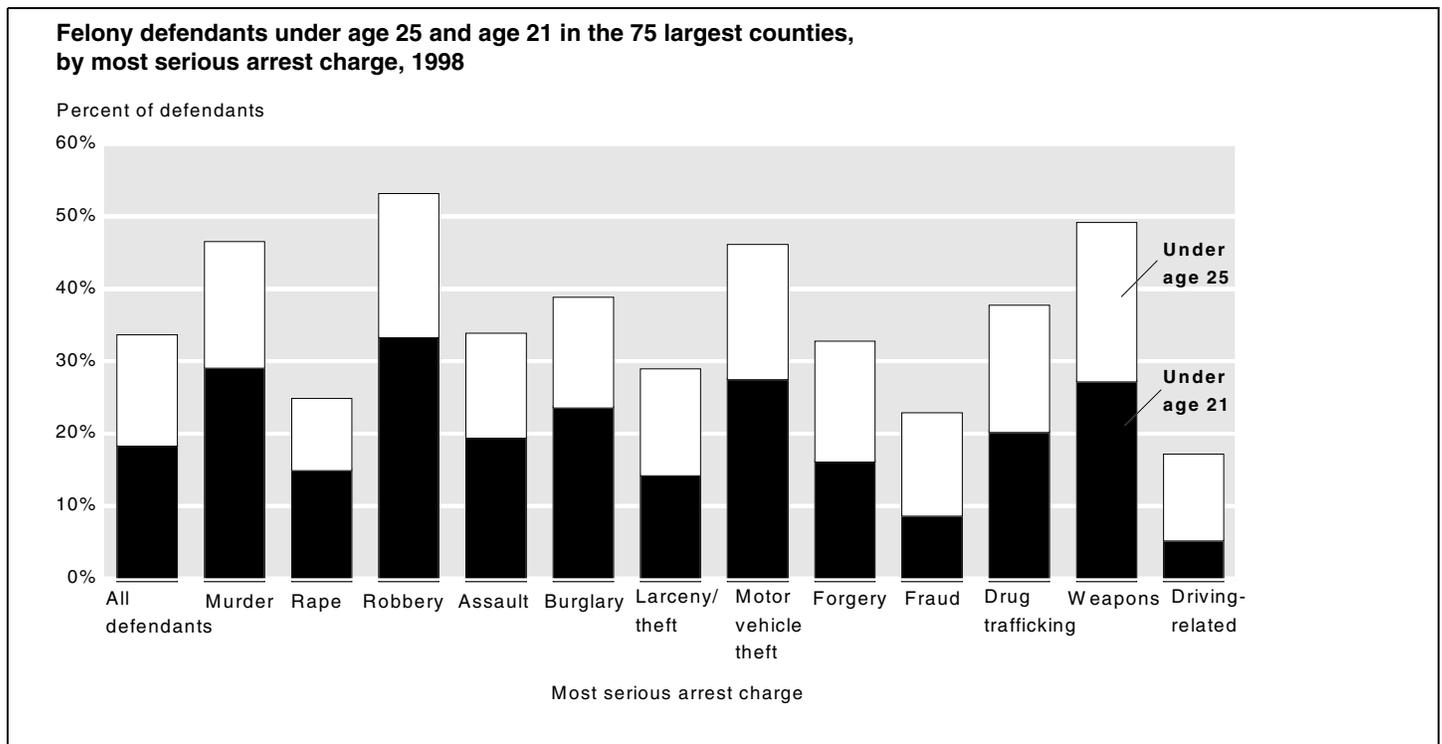


Figure 4

**Table 6. Gender and race of felony defendants, by age at arrest, 1998**

Age at arrest	Number of defendants	Percent of felony defendants in the 75 largest counties			Number of defendants	Percent of felony defendants in the 75 largest counties			
		Total	Male	Female		Total	Black	White	Other
All ages	56,091	100%	82%	18%	48,754	100%	57%	41%	2%
Under 18	1,926	100%	90%	10%	1,723	100%	66%	32%	3%
18-20	8,588	100	87	13	7,157	100	61	37	2
21-24	8,470	100	84	16	6,992	100	59	38	2
25-29	9,512	100	80	20	8,003	100	56	40	4
30-34	9,008	100	78	22	7,837	100	55	43	2
35-39	7,935	100	78	22	7,113	100	52	45	3
40 or older	10,652	100	82	18	9,750	100	56	43	2

Note: Data on defendant age and gender were available for 99% of all cases. Data on defendant age and race were available for 86% all cases. Detail may not add to total because of rounding.

Black males comprised the largest proportion of defendants in each age group (figure 5). This effect was most pronounced in the under-age-18 category in which black males (62%) accounted for more than twice the percentage of white males (28%). It was least pronounced in the age 35 to 39 category, where black males (41%) accounted for a proportion of defendants much closer to that accounted for by white males (36%).

Black females comprised a slightly higher percentage than white females in most of the age categories, but for no more than 13% of the defendants in any single age category.

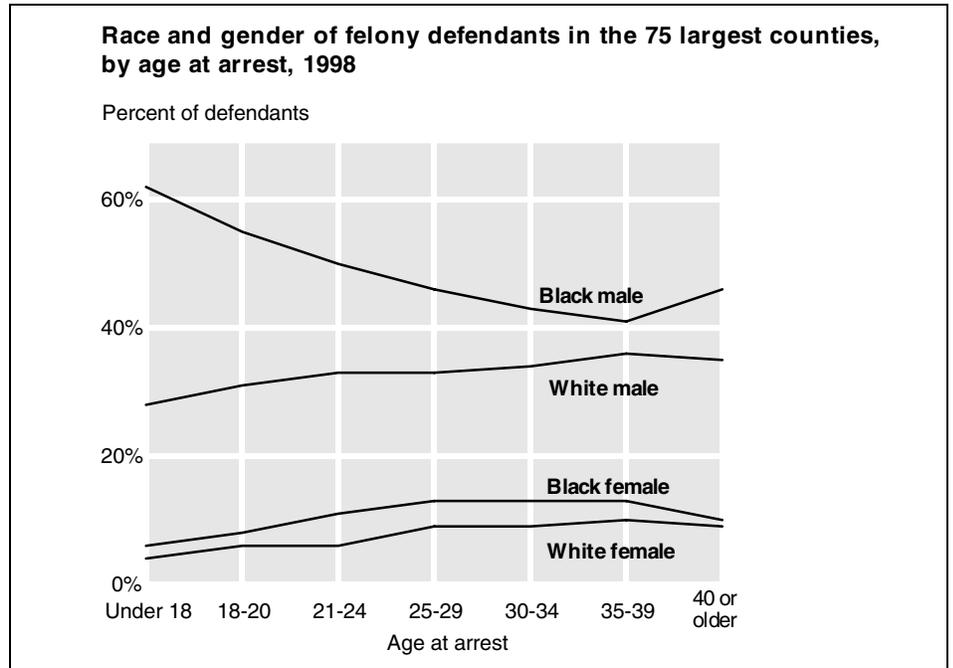


Figure 5

## Criminal history

### Criminal justice status at time of arrest

Thirty-seven percent of felony defendants had an active criminal justice status at the time of their arrest on the current felony charge (table 7). Among defendants charged with a violent offense, about a third had an active criminal justice status, ranging from more than two-fifths of murder (45%) and robbery (44%) defendants to a fourth of rape defendants (25%).

Thirty-six percent of property defendants had a criminal justice status, including about two-fifths of defendants charged with motor vehicle theft (41%) or burglary (39%). Among property defendants, those charged with fraud (26%) were the least likely to have had an active criminal justice status at the time of arrest.

Among drug defendants, 40% had a criminal justice status overall. Those charged with drug trafficking (43%) were more likely to have a criminal justice status than those charged with other drug offenses (36%).

Forty-two percent of public-order defendants had an active criminal justice status at the time of the current arrest. This included 40% of those charged with a weapons offense, 33% of those charged with a driving-related offense, and 53% of those charged with other public-order offenses.

Some defendants with a criminal justice status had more than one type of status. When just the most serious criminal justice status is considered, 16% of defendants were on probation, 14% had been released pending disposition of a previous case, and 5% were on parole at the time of the current arrest. Allowing for defendants with multiple types of criminal justice, 17% had been released on a prior case, 16% were on probation, and 5% were on parole.

**Table 7. Criminal justice status of felony defendants at time of arrest, by most serious arrest charge, 1998**

Most serious current arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties with an active criminal justice status at the time of arrest					
		Total	Probation	Pretrial release*	Parole	In custody	Other
All offenses	50,325	37%	16%	14%	5%	1%	1%
<b>Violent offenses</b>	12,257	34%	14%	14%	4%	2%	1%
Murder	360	45	23	16	2	2	1
Rape	669	25	10	7	7	1	0
Robbery	3,046	44	15	19	7	2	1
Assault	6,289	31	13	12	3	2	1
Other violent	1,893	28	13	11	2	1	1
<b>Property offenses</b>	15,087	36%	15%	13%	5%	2%	1%
Burglary	3,861	39	17	12	7	2	--
Larceny/theft	5,166	35	16	12	5	1	1
Motor vehicle theft	1,451	41	21	13	6	1	1
Forgery	1,475	34	11	16	4	2	1
Fraud	1,224	26	14	9	1	2	0
Other property	1,909	38	10	19	6	2	1
<b>Drug offenses</b>	18,068	40%	17%	16%	5%	--	1%
Trafficking	8,662	43	16	20	6	--	1
Other drug	9,406	36	19	11	5	--	1
<b>Public-order offenses</b>	4,914	42%	16%	16%	5%	4%	2%
Weapons	1,357	40	19	11	8	1	1
Driving-related	1,973	33	16	13	2	1	1
Other public-order	1,584	53	12	22	6	9	4

Note: Data on criminal justice status at time of arrest were available for 89% of all cases. Some defendants with a criminal justice status had more than 1 type of status. For those cases, the status indicated is the most serious. Detail may not add to total because of rounding. \*Includes all defendants released prior to case disposition. --Less than 0.5%.

The percent of defendants on parole at the time of their current felony arrest ranged from 7% of those charged with a weapons offense to 1% of those with charged with fraud (figure 6). Other offenses with at least 5% of the defendants on parole at the time of arrest included rape (6%), robbery (6%), burglary (6%), motor vehicle theft (6%), larceny/theft (5%), and drug trafficking (5%).

The highest percentages of defendants on probation were among those charged with murder (21%), motor vehicle theft (20%), or a weapons offense (18%). Defendants charged with rape (10%), forgery (11%), assault (12%), or fraud (13%) were less likely to have been on probation at the time of arrest.

Defendants charged with robbery (20%), drug trafficking (20%), or murder (18%) were the most likely to have been on release pending disposition of a prior case when they were arrested on the current felony charge. These defendants were about twice as likely as those charged with fraud (9%) or rape (8%) to have had such a status at the time of the current arrest.

### Criminal justice status of felony defendants in the 75 largest counties, 1998

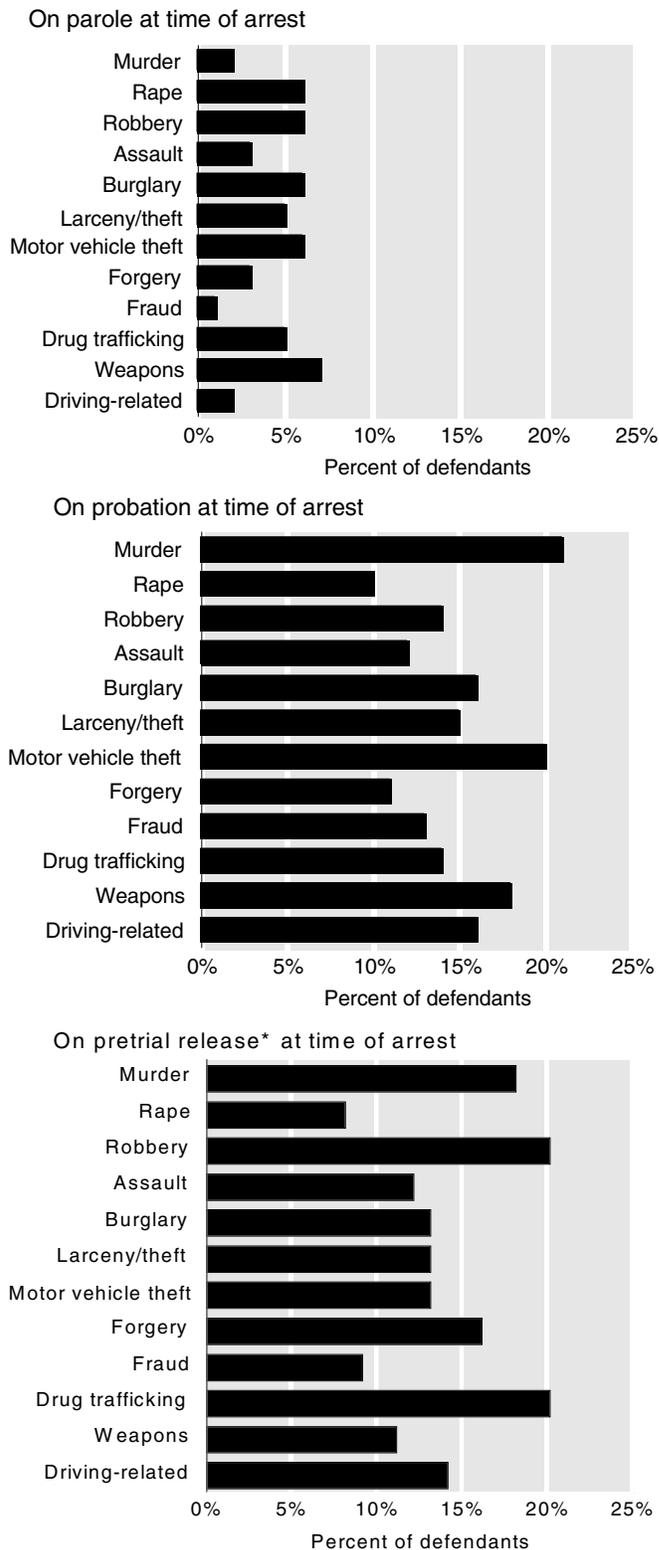


Figure 6

## Prior arrests

Seventy-one percent of all defendants had at least one prior felony or misdemeanor arrest (table 8). Defendants whose most serious current arrest charge was for a public-order (79%) or drug (75%) offense were more likely to have been previously arrested than those charged with a property (68%) or violent (67%) offense.

Among defendants charged with a violent offense, murder (81%) and robbery (73%) defendants were more likely to have an arrest record than those charged with assault (66%) or rape (61%).

Among property defendants, those charged with motor vehicle theft (78%) or burglary (77%) were the most likely to have been arrested previously, followed by those charged with larceny/theft (66%) or forgery (65%). Defendants charged with fraud (53%) were the least likely among property defendants to have one or more prior arrests.

Among public-order defendants, defendants charged with a driving-related felony (83%) were more likely to have an arrest record than those facing weapon charges (72%).

Among defendants with an arrest record, about 7 in 8 had more than one prior arrest charge, and a majority had at least five. Overall, 62% of defendants had two or more prior arrest charges, and 43% had five or more. Defendants charged with a driving-related offense (56%) or burglary (51%) were the most likely to have 5 or more prior arrest charges, and those charged with fraud (22%) the least likely.

Twenty-five percent of all defendants had 10 or more prior arrest charges. This included 33% of defendants charged with a driving-related offense, 31% of burglary defendants, 29% of defendants charged with drug trafficking, 28% of murder defendants, and 27% of robbery defendants.

**Table 8. Number of prior arrest charges of felony defendants, by most serious current arrest charge, 1998**

Most serious current arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties						
		Total	Without prior arrest	With prior arrest				
				Total	Number of prior arrest charges			
					1	2-4	5-9	10 or more
All offenses	50,203	100%	29%	71%	9%	19%	18%	25%
Violent offenses	12,338	100%	33%	67%	10%	17%	17%	23%
Murder	353	100	19	81	15	17	20	28
Rape	686	100	39	61	10	17	14	20
Robbery	3,042	100	27	73	10	16	20	27
Assault	6,361	100	34	66	8	18	17	22
Other violent	1,896	100	37	63	12	16	16	19
Property offenses	14,970	100%	32%	68%	10%	18%	16%	25%
Burglary	3,816	100	23	77	8	18	20	31
Larceny/theft	5,112	100	34	66	9	17	12	27
Motor vehicle theft	1,419	100	22	78	9	21	22	26
Forgery	1,500	100	35	65	14	19	16	16
Fraud	1,231	100	47	53	11	20	12	10
Other property	1,893	100	36	64	10	16	17	20
Drug offenses	18,079	100%	25%	75%	9%	21%	18%	27%
Trafficking	8,734	100	24	76	8	21	18	29
Other drug	9,345	100	27	73	9	21	18	25
Public-order offenses	4,815	100%	21%	79%	9%	19%	21%	29%
Weapons	1,356	100	28	72	12	21	19	20
Driving-related	1,968	100	17	83	8	20	23	33
Other public-order	1,490	100	22	78	8	18	21	31

Note: Data on prior arrests were available for 89% of all cases. Detail may not add to total because of rounding.

Two-thirds of defendants under age 18 had no previous arrests (figure 7). This proportion dropped to just under half among defendants age 18 to 20, just under a third among those in the 21-to-24 age group, a fourth in the 25-to-29 age group, and about a fifth among those age 30 to 49. About a third of those age 50 or older had no arrest record.

A fifth of the defendants age 18 to 20 had five or more prior arrests. This proportion rose to more than a third of defendants in the 21-to-24 age range, just under half in the 25-to-29 age range, and slightly more than half in the 30-to-49 age range. In the latter age range, defendants were more than twice as likely to have five or more prior arrests as no prior arrests.

Among defendants with an arrest record, about 6 in 7 had been arrested at least once for a felony. Overall, three-fifths of defendants had a felony arrest record (table 9). Nearly half of all defendants had multiple prior felony arrest charges, including 25% with five or more.

**Number of prior arrest charges of felony defendants in the 75 largest counties, by age of arrest, 1998**

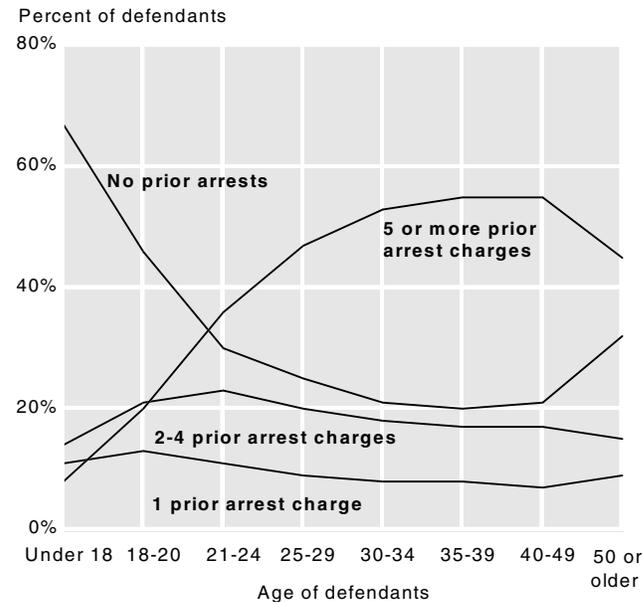


Figure 7

**Table 9. Number of prior felony arrest charges of felony defendants, by most serious current arrest charge, 1998**

Most serious current arrest charge	Number of defendants	Total	Percent of felony defendants in the 75 largest counties							
			Without prior felony arrest			With prior felony arrest				
			Total	Non-felony arrests	No prior arrests	Total	Number of prior felony charges			
					1	2-4	5-9	10 or more		
All offenses	50,203	100%	40%	11%	29%	60%	12%	22%	15%	10%
Violent offenses	12,338	100%	45%	12%	33%	55%	11%	20%	15%	9%
Murder	353	100	33	14	19	67	11	30	15	11
Rape	686	100	53	14	39	47	8	17	15	7
Robbery	3,042	100	37	10	27	63	13	20	18	12
Assault	6,361	100	47	13	34	53	11	20	14	9
Other violent	1,896	100	53	16	37	47	10	19	12	6
Property offenses	14,970	100%	43%	11%	32%	57%	11%	20%	14%	11%
Burglary	3,816	100	34	11	23	66	10	23	18	15
Larceny/theft	5,112	100	46	12	34	54	12	19	13	11
Motor vehicle theft	1,419	100	33	11	22	67	10	25	19	13
Forgery	1,500	100	46	11	35	54	14	21	12	8
Fraud	1,231	100	60	13	47	40	11	16	10	4
Other property	1,893	100	46	10	36	54	14	20	11	10
Drug offenses	18,079	100%	36%	12%	25%	64%	12%	24%	17%	10%
Trafficking	8,734	100	34	10	24	66	12	25	17	11
Other drug	9,345	100	38	11	27	62	13	24	16	9
Public-order offenses	4,815	100%	34%	14%	21%	66%	14%	26%	16%	10%
Weapons	1,356	100	34	6	28	66	16	26	15	9
Driving-related	1,968	100	36	19	17	64	13	28	15	9
Other public-order	1,490	100	33	11	22	67	13	23	20	11

Note: Data on prior felony arrests were available for 89% of all cases. Detail may not add to total because of rounding.

More than half of the defendants facing a current charge for a violent felony had been previously arrested for a felony, including 67% of murder defendants and 63% of robbery defendants. Thirty percent of robbery defendants had 5 or more prior felony arrest charges, including 12% with 10 or more.

Fifty-seven percent of property defendants had 1 or more prior felony arrests. About two-thirds of those currently charged with motor vehicle theft (67%) or burglary (66%) had a prior felony arrest record, and about a third of these defendants had at least five prior felony arrest charges. Fifteen percent of burglary defendants and 13% of motor vehicle theft defendants had 10 or more.

Sixty-four percent of drug defendants had at least one prior felony arrest charge, and 27% had five or more.

Sixty-six percent of public-order defendants had been previously arrested for a felony, including 26% with five or more prior felony charges.

### Prior convictions

Sixty-one percent of felony defendants in the 75 largest counties were known to have at least one prior conviction for a misdemeanor or a felony (table 10). About three-fourths of those with a conviction record, accounting for 46% of defendants overall, had more than one prior conviction. Twenty-three percent of all defendants had five or more prior convictions.

Among defendants charged with a violent offense, 57% had at least one prior conviction. Murder (70%), and robbery (63%) defendants were the most likely to have a conviction record, and rape defendants (51%) the least likely.

About half of robbery and murder defendants had more than one prior conviction, and about a fourth had 5 or more.

Fifty-seven percent of property defendants had been convicted previously, including 67% of burglary defendants. Fifty-four percent of burglary defendants had multiple prior convictions, including 29% with five or more.

Nearly two-thirds of drug defendants had at least one prior conviction (64%). About half (49%) had two or more, and about a fourth (24%) had at least five. These percentages did not vary significantly by type of drug offense.

Among public-order defendants, 70% had a conviction record, and 27% had five or more. Three-fourths of the defendants facing driving-related charges had at least one prior conviction of some type, and three-fifths had multiple prior convictions.

**Table 10. Number of prior convictions of felony defendants, by most serious current arrest charge, 1998**

Most serious current arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties						
		Total	Without prior conviction	With prior conviction				
				Total	Number of prior convictions			
					1	2-4	5-9	10 or more
All offenses	50,719	100%	39%	61%	15%	24%	15%	8%
Violent offenses	12,392	100%	43%	57%	14%	24%	13%	6%
Murder	354	100	30	70	23	22	14	11
Rape	691	100	49	51	10	25	9	6
Robbery	3,059	100	37	63	14	27	14	8
Assault	6,365	100	44	56	14	23	13	5
Other violent	1,923	100	47	53	16	20	11	7
Property offenses	15,149	100%	43%	57%	14%	22%	14%	8%
Burglary	3,850	100	33	67	13	25	17	12
Larceny/theft	5,139	100	45	55	12	21	14	9
Motor vehicle theft	1,471	100	35	65	15	28	15	7
Forgery	1,498	100	50	50	15	19	10	6
Fraud	1,234	100	58	42	18	15	8	2
Other property	1,957	100	46	54	15	21	13	5
Drug offenses	18,266	100%	36%	64%	15%	25%	16%	8%
Trafficking	8,849	100	35	65	16	25	16	8
Other drug	9,418	100	37	63	14	25	16	8
Public-order offenses	4,912	100%	30%	70%	16%	27%	17%	10%
Weapons	1,379	100	39	61	18	25	15	3
Driving-related	1,985	100	25	75	16	28	19	13
Other public-order	1,549	100	28	72	15	29	16	11

Note: Data on number of prior convictions were available for 90% of all cases. Detail may not add to total because of rounding.

About two-thirds of the defendants with a conviction record, 42% of defendants overall, had at least one prior conviction for a felony (table 11).

Thirty-seven percent of defendants whose current charge was for a violent felony had previously been convicted of a felony. Among these defendants, the percentage with a prior felony conviction ranged from 54% among those charged with murder to 34% of those charged with assault.

Forty percent of property defendants had a felony conviction record, including nearly half of those charged with motor vehicle theft (48%) or burglary (47%). Defendants charged with fraud (28%) were the least likely to have a prior felony conviction.

Forty-four percent of the defendants whose most serious current arrest charge was for a drug offense had been previously convicted of a felony. There was no significant variation by type of drug offense.

A majority of the defendants with a felony conviction record, 25% of defendants overall, had multiple prior felony convictions. Six percent of all defendants had five or more prior felony convictions.

By specific offense, defendants charged with burglary (33%) or motor vehicle theft (30%) were the most likely to have multiple prior felony convictions. About 1 in 10 burglary defendants had five or more such convictions. Defendants charged with fraud (13%) were the least likely to have more than one prior conviction for a felony.

**Table 11. Number of prior felony convictions of felony defendants, by most serious current arrest charge, 1998**

Most serious current arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties								
		Total	Without prior felony conviction			With prior felony conviction				
			Total	Nonfelony only	No prior convictions	Total	Number of prior felony convictions			
						1	2-4	5-9	10 or more	
All offenses	50,719	100%	58%	19%	39%	42%	17%	19%	5%	1%
Violent offenses	12,392	100%	63%	20%	43%	37%	16%	17%	4%	1%
Murder	354	100	46	16	30	54	26	20	3	4
Rape	691	100	62	14	49	38	15	17	4	1
Robbery	3,059	100	55	18	37	45	17	22	5	1
Assault	6,365	100	66	22	44	34	15	15	4	--
Other violent	1,923	100	66	20	47	34	15	14	3	1
Property offenses	15,149	100%	60%	17%	43%	40%	14%	19%	6%	1%
Burglary	3,850	100	53	20	33	47	14	23	8	2
Larceny/theft	5,139	100	62	17	45	38	14	17	7	1
Motor vehicle theft	1,471	100	52	17	35	48	18	25	5	1
Forgery	1,498	100	66	16	50	34	13	16	4	1
Fraud	1,234	100	72	14	58	28	15	10	2	--
Other property	1,957	100	62	16	46	38	16	17	4	1
Drug offenses	18,266	100%	56%	20%	36%	44%	18%	20%	5%	1%
Trafficking	8,849	100	55	20	35	45	19	20	5	1
Other drug	9,418	100	56	20	37	44	17	21	6	1
Public-order offenses	4,912	100%	51%	21%	30%	49%	22%	22%	5%	1%
Weapons	1,379	100	51	11	39	49	26	19	3	1
Driving-related	1,985	100	53	29	25	47	19	21	6	--
Other public-order	1,549	100	49	21	28	51	21	24	4	1

Note: Data on number of prior felony convictions were available for 90% of all cases. Detail may not add to total because of rounding. --Less than 0.5%.

Seventy-seven percent of defendants under age 18 at the time of the current arrest had no prior adult convictions (figure 8). Seventeen percent of these defendants had been previously convicted of at least one felony. Five percent had at least one prior conviction for a misdemeanor, but none for a felony. In the 18-to-20 age range, 62% of defendants had no prior convictions, while 23% had at least one prior felony conviction.

A majority of the defendants age 21 or older had a conviction record, and defendants ages 25 to 49 were more likely to have a felony conviction record than no prior convictions at all. About half of defendants age 30 to 49 had a felony conviction record.

For nearly a third of the defendants with a prior felony conviction, 12% of defendants overall, their criminal history included at least one conviction for a violent felony (table 12). Fifteen percent of the defendants currently charged with a violent offense had a prior conviction for a violent felony.

**Most serious prior conviction of felony defendants in the 75 largest counties, by age at arrest, 1998**

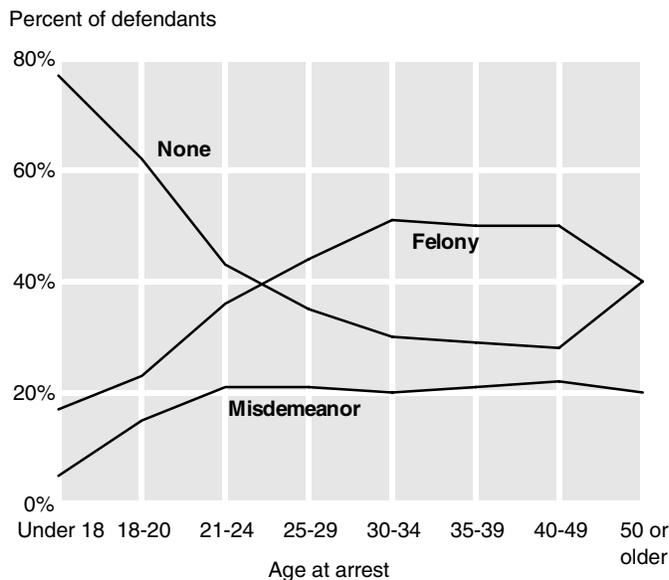


Figure 8

**Table 12. Most serious prior conviction of felony defendants, by most serious current arrest charge, 1998**

Most serious current arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties						
		Total	Without prior conviction	Most serious prior conviction				Misdemeanor
				Total	Felony			
				Total	Total	Violent	Nonviolent	
All offenses	52,616	100%	39%	61%	42%	12%	29%	19%
Violent offenses	12,808	100%	43%	57%	37%	15%	22%	20%
Murder	389	100	30	70	54	14	40	16
Rape	716	100	49	51	38	17	20	14
Robbery	3,172	100	37	63	45	19	25	18
Assault	6,534	100	44	56	34	15	19	22
Other violent	1,998	100	47	53	34	11	23	20
Property offenses	15,684	100%	43%	57%	40%	11%	29%	17%
Burglary	3,969	100	33	67	47	16	31	20
Larceny/theft	5,297	100	45	55	38	10	28	17
Motor vehicle theft	1,526	100	35	65	48	12	36	17
Forgery	1,570	100	50	50	34	7	27	16
Fraud	1,294	100	58	42	28	3	25	14
Other property	2,028	100	46	54	38	11	26	16
Drug offenses	19,056	100%	36%	64%	44%	10%	34%	20%
Trafficking	9,218	100	35	65	45	10	35	20
Other drug	9,838	100	37	63	44	11	33	20
Public-order offenses	5,068	100%	30%	70%	49%	17%	32%	21%
Weapons	1,453	100	39	61	49	18	31	11
Driving-related	2,009	100	25	75	47	12	34	29
Other public-order	1,606	100	28	72	51	21	30	21

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

By specific arrest charge, the percentage of defendants previously convicted of a violent felony was highest among those charged with robbery (19%), a weapons offense (18%), rape (17%), burglary (16%), assault (15%) or murder (14%) (figure 9). Defendants charged with fraud (3%) or forgery (7%) were the least likely to have a prior conviction for a violent felony.

The most serious prior conviction was a nonviolent felony for 40% of murder defendants. This was also the case for about a third of defendants charged with motor vehicle theft (36%), drug trafficking (35%), a driving-related offense (34%), burglary (31%), or a weapons offense (31%).

Defendants charged with a driving-related offense (28%) were more likely than other defendants to have a conviction record that consisted only of misdemeanors.

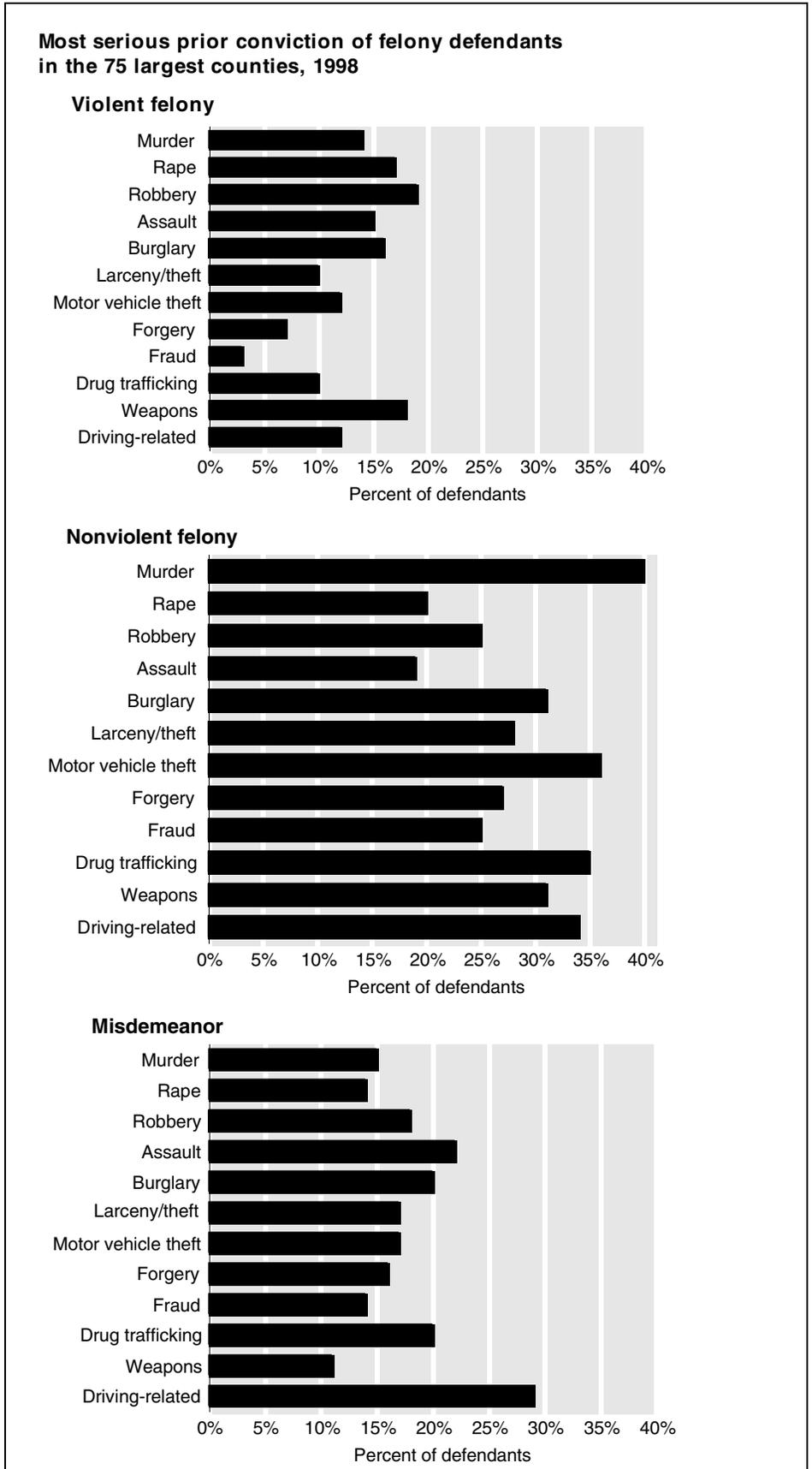


Figure 9

## Pretrial release and detention

### Rates of release and detention

An estimated 64% of felony defendants in the 75 largest counties were released prior to the final disposition of their case (table 13). By general offense category, defendants charged with a violent offense (54%) were less likely to be released than those whose most serious arrest charge was a public-order (69%), drug (68%), or property (66%) offense.

Within the violent offense category, release rates varied greatly. Just 13% of murder defendants were released compared to 62% of those charged with assault. Forty-seven percent of rape defendants and 38% of robbery defendants were released before the court disposed of their case.

Among defendants charged with a property offense, half of those charged with burglary or motor vehicle theft were released prior to case disposition. Higher proportions of those charged with fraud (84%), forgery (78%), or larceny/theft (73%) were released.

Among drug defendants, those charged with drug trafficking (63%) were less likely to be released than those charged with other drug offenses (72%). Among public-order defendants, those charged with a driving-related offense (78%) were the most likely to be released.

Among the 37% of defendants who were detained in jail until case disposition, about 4 in 5 had a bail amount set but did not post the money required to secure release. Detained murder defendants were the exception to this rule; a majority of them, 47% of murder defendants overall, were ordered held without bail (figure 10). Across all offense types, 7% of felony defendants in the 75 largest counties were denied bail.

**Table 13. Felony defendants released before or detained until case disposition, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Percent of defendants in the 75 largest counties		
		Total	Released before case disposition	Detained until case disposition
All offenses	54,458	100%	64%	36%
<b>Violent offenses</b>	13,241	100%	54%	46%
Murder	409	100	13	87
Rape	723	100	47	53
Robbery	3,386	100	38	62
Assault	6,705	100	62	38
Other violent	2,017	100	63	37
<b>Property offenses</b>	15,860	100%	66%	34%
Burglary	4,116	100	50	50
Larceny/theft	5,316	100	73	27
Motor vehicle theft	1,551	100	50	50
Forgery	1,556	100	78	22
Fraud	1,312	100	84	16
Other property	2,010	100	70	30
<b>Drug offenses</b>	20,346	100%	68%	32%
Trafficking	9,751	100	63	37
Other drug	10,595	100	72	28
<b>Public-order offenses</b>	5,011	100%	69%	31%
Weapons	1,567	100	64	36
Driving-related	1,819	100	78	22
Other public-order	1,625	100	63	37

Note: Data on detention/release outcome were available for 96% of all cases. Detail may not add to total because of rounding.

**Pretrial detention of felony defendants in the 75 largest counties, by most serious arrest charge, 1998**

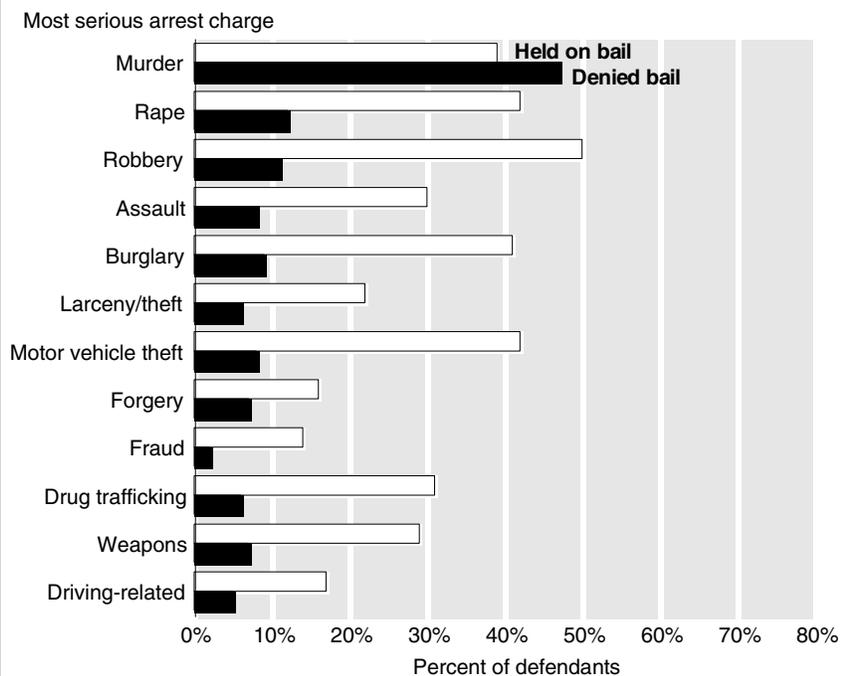


Figure 10

A majority of the defendants released prior to case disposition, 34% of defendants overall, were released under financial conditions that required the posting of bail (see *Methodology* for definitions related to pretrial release) (table 14). The most common type of financial release was surety bond (24% of all defendants and 36% of released defendants), which involves the services of a commercial bail bond agent (figure 11).

Other types of financial release were deposit bond (5% of all defendants and 8% of released defendants), full cash bond (3% and 5%), and property bond (2% and 3%). All of these types of bonds are posted directly with the court without the use of a bail bond agent.

Just under half of released defendants, 30% of defendants overall, were released under nonfinancial conditions not requiring the posting of bail.

Release on personal recognizance (18% of all defendants and 30% of released defendants), was the type of nonfinancial release used most. Other nonfinancial types of release included conditional release (8% of all defendants and 13% of released defendants), and release on unsecured bond (4% and 6%).

A small number of defendants were released prior to case disposition as the result of an emergency release used to relieve jail crowding. Such releases did not involve the use of any of the release types mentioned above.

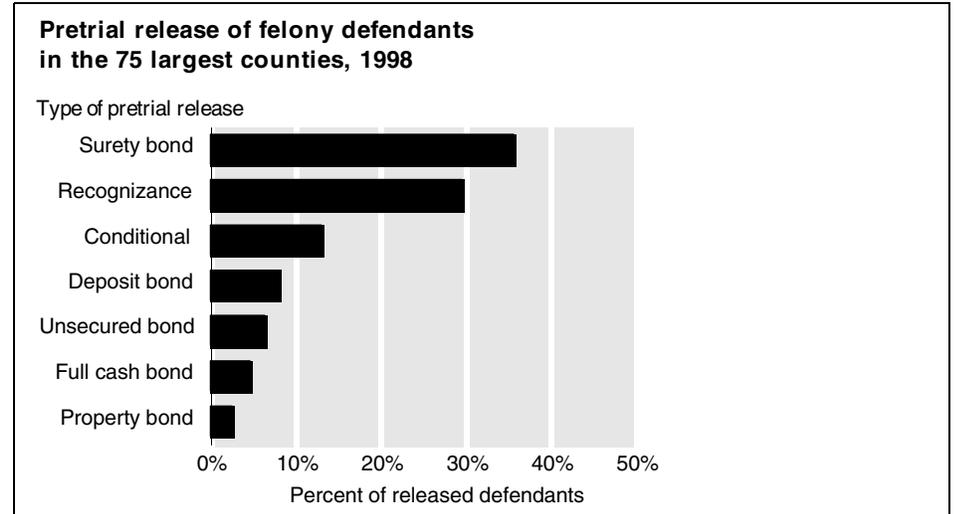


Figure 11

**Table 14. Type of pretrial release or detention of felony defendants, by most serious arrest charge, 1998**

Most serious arrest charge	Percent of felony defendants in the 75 largest counties										Detained until case disposition	
	Released before case disposition					Released after case disposition						
	Financial release					Nonfinancial release					Held on bail	Denied bail
Total financial	Surety bond	Deposit bond	Full cash bond	Property bond	Total non-financial	Recognizance	Conditional	Unsecured	Emergency release			
All offenses	34%	24%	5%	3%	2%	30%	18%	8%	4%	--%	29%	7%
Violent offenses	36%	24%	7%	3%	2%	18%	11%	5%	2%	0	36%	10%
Murder	11	4	4	1	2	2	2	1	0	0	39	47
Rape	30	19	3	6	3	17	10	7	0	0	42	12
Robbery	27	16	7	1	3	11	7	3	1	0	50	11
Assault	41	29	8	3	1	20	13	6	2	0	30	8
Other violent	41	28	6	5	2	22	13	7	2	0	30	7
Property offenses	33%	24%	4%	3%	2%	33%	20%	8%	5%	--%	28%	7%
Burglary	27	20	4	2	1	23	14	6	2	--	41	9
Larceny/theft	38	28	4	4	2	34	21	8	5	--	22	6
Motor vehicle theft	25	20	4	1	--	25	13	9	3	--	42	8
Forgery	36	26	4	5	1	41	23	14	4	--	16	7
Fraud	29	21	5	2	1	53	41	5	7	1	14	2
Other property	34	22	6	2	4	35	17	9	9	1	25	5
Drug offenses	33%	23%	5%	3%	2%	34%	21%	9%	4%	--%	27%	5%
Trafficking	36	27	5	3	1	27	16	8	3	--	31	6
Other drug	32	21	6	2	3	40	25	10	6	--	23	5
Public-order offenses	38%	26%	6%	6%	--%	30%	17%	9%	4%	--%	22%	9%
Weapons	36	21	10	5	1	27	13	7	8	--	29	7
Driving-related	45	34	5	6	--	33	19	11	3	--	17	5
Other public-order	32	22	3	6	1	31	21	8	2	--	22	15

Note: Data on specific type of pretrial release or detention were available for 87% of all cases. Detail may not add to total because of rounding. --Less than 0.5%.

## Bail amounts

Overall, 64% of felony defendants had a bail amount set by the court, and were required to post all or part of that amount to secure release while their case was pending. The remainder were granted nonfinancial release (30%), ordered held without bail (7%), or were part of an emergency release (less than 0.5%). Just under half of those with a bail amount had it set at \$10,000 or more, and a fourth had it set at \$25,000 or more (table 15).

Among defendants with a bail amount set, those charged with a violent offense (40%) were about twice as likely as other defendants to have it set at \$25,000 or more. About 9 in 10 murder defendants (91%) with a bail amount had it set at \$25,000 or more, as did about two-thirds of rape defendants (67%) and about half of robbery defendants (53%).

Among property defendants with a bail amount set, those charged with burglary (25%) were the most likely to have bail set at \$25,000 or more. Among drug defendants, those charged with drug trafficking (26%) were about twice as likely to have bail set at \$25,000 or more as other drug defendants (14%). Among public-order defendants, those charged with a weapons offense (24%) were more likely than those charged with a driving-related offense (14%) to have bail set this high.

Overall, defendants who were detained until case disposition had a median bail amount 3 times that of defendants who secured release (\$15,000 versus \$5,000) (table 16). The mean bail amount for detained defendants (\$56,900) was about 5 times that of defendants who secured release (\$11,300).

Detained murder defendants had the highest median (\$250,000) and mean (\$529,200) bail amounts. Overall, the median bail amount for murder defendants was \$250,000 and the mean was \$441,600.

**Table 15. Bail amount set for felony defendants, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties with a bail amount of:				
		Total	Under \$5,000	\$5,000-\$9,999	\$10,000-\$24,999	\$25,000 or more
All offenses	30,479	100%	34%	20%	22%	25%
Violent offenses	8,281	100%	22%	17%	20%	40%
Murder	196	100	3	2	3	91
Rape	450	100	10	7	16	67
Robbery	2,238	100	14	13	20	53
Assault	4,083	100	28	20	21	31
Other violent	1,313	100	24	20	24	32
Property offenses	8,705	100%	42%	20%	21%	17%
Burglary	2,552	100	30	21	25	25
Larceny/theft	2,963	100	52	19	18	12
Motor vehicle theft	1,010	100	37	21	24	18
Forgery	668	100	47	19	15	19
Fraud	519	100	39	20	26	14
Other property	993	100	51	20	16	13
Drug offenses	10,819	100%	34%	22%	24%	20%
Trafficking	5,508	100	24	24	27	26
Other drug	5,311	100	44	20	22	14
Public-order offenses	2,675	100%	43%	18%	19%	20%
Weapons	927	100	31	19	26	24
Driving-related	1,045	100	52	19	14	14
Other public-order	703	100	44	17	16	23

Note: Data on bail amount were available for 95% of all defendants for whom a bail amount was set. Table excludes defendants given nonfinancial release. Detail may not add to 100% because of rounding.

**Table 16. Median and mean bail amounts set for felony defendants, by pretrial release/detention outcome and most serious arrest charge, 1998**

Most serious arrest charge	Felony defendants in the 75 largest counties					
	Median bail amount			Mean bail amount		
	Total	Released	Detained	Total	Released	Detained
All offenses	\$7,500	\$5,000	\$15,000	\$33,000	\$11,300	\$56,900
Violent offenses	\$15,000	\$7,500	\$30,000	\$55,800	\$13,000	\$92,800
Murder	250,000	50,000	250,000	441,600	108,400	529,200
Rape	30,000	17,500	60,000	85,500	23,500	126,600
Robbery	25,000	8,000	35,000	57,100	14,000	75,900
Assault	10,000	5,000	25,000	39,700	10,500	73,400
Other violent	10,000	5,000	30,000	36,200	11,700	68,900
Property offenses	\$5,000	\$2,500	\$10,000	\$19,900	\$6,400	\$35,100
Burglary	8,000	5,000	15,000	29,100	8,600	42,000
Larceny/theft	3,500	2,000	10,000	13,000	5,000	27,000
Motor vehicle theft	5,500	2,500	10,000	15,600	6,500	21,200
Forgery	5,000	2,500	11,000	14,500	7,600	29,300
Fraud	5,000	5,000	10,000	13,000	8,300	23,100
Other property	4,500	2,500	5,500	28,900	5,200	56,100
Drug offenses	\$7,500	\$5,000	\$10,000	\$29,100	\$15,600	\$45,100
Trafficking	10,000	5,500	15,000	40,300	26,400	55,100
Other drug	5,000	2,500	10,000	17,500	5,400	33,400
Public-order offenses	\$5,000	\$2,500	\$20,000	\$21,200	\$6,200	\$45,100
Weapons	10,000	5,000	20,000	31,100	7,200	60,100
Driving-related	3,500	2,000	15,000	14,200	5,000	39,200
Other public-order	5,000	2,500	10,000	18,500	7,100	31,300

Note: Data on bail amount were available for 95% of all defendants for whom a bail amount was set. Bail amounts have been rounded to the nearest hundred dollars. Table excludes defendants given nonfinancial release.

Overall, about half (52%) of defendants who were required to post bail to secure release did so. About three-fourths of defendants with a bail set at under \$5,000 (76%) posted the amount needed for release, as did about three-fifths of those with a bail amount of \$5,000 to \$9,999 (61%) (figure 12). In contrast, just 1 in 8 defendants with bail set at \$50,000 or more (12%), and 1 in 4 defendants with a bail amount of \$25,000 to \$49,999 (27%) met the financial conditions required for release.

Among defendants given financial release, the mean bail amount was higher for those released on surety (\$13,300) or property (\$12,800) bond, than for those released on full cash (\$9,200) or deposit (\$8,600) bond. The median bail amount was \$5,000 for all types of financial release bonds except full cash (\$2,500).

Type of release bond	Bail amount	
	Median	Mean
Surety	\$5,000	\$13,300
Deposit	5,000	8,600
Full cash	2,500	9,200
Property	5,000	12,800
Unsecured	\$5,000	\$7,700

Unlike those released on full cash bond, defendants released on deposit bond generally posted 10% of the full bail amount with the court to secure release. However, they remained liable to the court for the full bail amount if they violated the terms of release.

Those released on surety bond paid a similar fee to a bail bond agent, who assumed liability to the court for the full bail amount if the defendant violated the terms of release.

Defendants released on an unsecured bond had a median bail amount of \$5,000 and a mean bail amount of \$7,700. These defendants did not have to post any of this amount, but like those on financial release, they were liable for the full bail amount if they violated the terms of release.

**Probability of release for felony defendants in the 75 largest counties, by bail amount set, 1998**

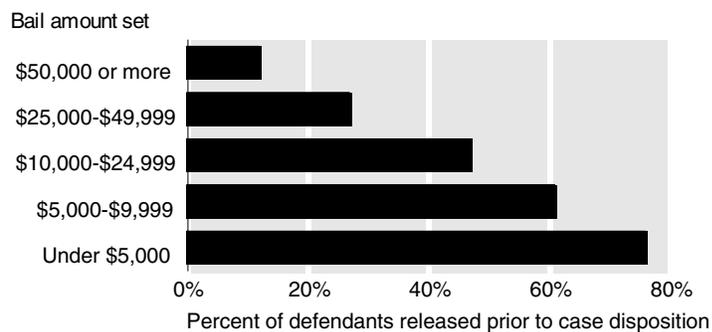


Figure 12

### Time from arrest to release

Among defendants released prior to case disposition, 54% were released within 1 day of arrest, and 80% within 1 week (table 17). Nearly all releases during the 1-year study occurred within a month of arrest (94%).

By general offense category, defendants charged with a violent offense (49%) were the least likely to be released within 1 day of arrest. Slightly more than half of those charged with a

drug (53%), public-order (56%), or property (58%) offense were released this quickly.

By specific offense, murder defendants typically waited the longest to be released. Just 7% of released murder defendants were released within 1 day of arrest, compared to 71% of those charged with fraud and 63% of those charged with larceny/theft. After 1 month, just 32% of murder defendant releases had occurred, compared to nearly all of the releases of other defendants.

**Table 17. Time from arrest to release for felony defendants released before case disposition, by most serious arrest charge, 1998**

Most serious arrest charge	Released felony defendants in the 75 largest counties			
	Number of defendants	Percent who were released within:		
		1 day	1 week	1 month
All offenses	33,878	54%	80%	94%
Violent offenses	6,949	49%	75%	91%
Murder	51	7	28	32
Rape	334	31	61	83
Robbery	1,242	39	67	84
Assault	4,074	53	78	93
Other violent	1,248	55	81	94
Property offenses	10,183	58%	81%	94%
Burglary	2,000	44	75	92
Larceny/theft	3,798	63	83	94
Motor vehicle theft	771	48	69	92
Forgery	1,173	56	83	97
Fraud	1,084	71	83	93
Other property	1,356	63	86	96
Drug offenses	13,449	53%	82%	94%
Trafficking	6,046	50	79	92
Other drug	7,403	55	84	96
Public-order offenses	3,298	56%	82%	95%
Weapons	978	52	78	96
Driving-related	1,354	59	84	95
Other public-order	966	56	83	95

Note: Data on time from arrest to release were available for 97% of all cases. Release data were collected for 1 year.

When differences among types of offense are held constant, defendants released under financial terms generally took longer to secure their release than those who were released under nonfinancial conditions. Among defendants who were released under financial conditions, the amount of time from arrest to pretrial release tended to increase as the bail amount did.

### Criminal history and probability of release

Court decisions about bail and pretrial release are primarily based on the judgment of whether a defendant will appear in court as scheduled and whether there is potential danger to the community from crimes that a defendant may commit if released. Many States have established specific criteria to be considered by the courts when setting release conditions.

The SCPS data illustrate how release rates vary with some of these factors. For example, 71% of the defendants without an active criminal justice status when arrested for the current offense were released prior to case disposition, compared to 42% of those with such a status (table 18). Defendants on parole (18%) or with an open bench warrant (20%) at the time of arrest were the least likely to be released. This compared with 43% of those on probation and 55% of those released pending disposition of a prior case.

Seventy-nine percent of the defendants with no prior arrests were released, compared to 54% of those who had been previously arrested. Among defendants with an arrest record, those who had never missed a court appearance (59%) had a higher probability of being released than those who had failed to appear at least once during a previous case (46%).

About three-fourths of defendants without a prior conviction (77%) were released prior to disposition of the current case, compared to half of those with a conviction record. Among defendants with a conviction record, release rates ranged from 62% for those with a single prior conviction to 39% for those with five or more.

Less than half of the defendants with one or more prior felony convictions (44%) were released prior to disposition of the current case, compared to about three-fifths of those whose prior convictions involved only misdemeanors (62%). Those with a prior conviction for a violent felony (39%) had a lower release rate than those whose most serious prior conviction was for a nonviolent felony (47%).

**Table 18. Percent of felony defendants who were released prior to case disposition, by criminal history, 1998**

Criminal history	Number of defendants	Felony defendants in the 75 largest counties					
		Released prior to case disposition			Detained until case disposition		
		Total released	Financial release	Non-financial release	Total	Held on bail	Denied bail
<b>Criminal justice status</b>							
Any type	15,967	42%	23%	19%	58%	41%	18%
On parole	2,197	18	9	9	82	60	22
On probation	7,535	43	23	20	57	40	16
Open failure to appear warrant	434	20	7	14	80	65	14
On pretrial release*	4,962	55	31	24	45	33	12
None	28,009	71	36	34	29	26	3
<b>Court appearance history</b>							
With prior arrest(s)	33,361	54%	28%	25%	46%	36%	10%
With prior failure to appear	14,510	46	22	24	54	42	12
Made all prior appearances	16,533	59	33	26	41	33	8
No prior arrests	11,692	79	39	39	21	18	3
<b>Number of prior convictions</b>							
With prior conviction(s)	28,376	50%	26%	24%	50%	39%	11%
5 or more	10,114	39	22	17	61	49	12
2-4	10,365	51	27	24	49	37	11
1	6,237	62	31	30	38	29	10
None	17,536	77	39	38	23	19	4
<b>Most serious prior conviction</b>							
Any type of felony	19,634	44%	24%	20%	56%	43%	13%
Violent felony	5,786	39	22	17	61	45	16
Nonviolent felony	13,874	47	25	22	53	42	11
Misdemeanor	8,743	62	31	31	38	31	6

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

\*Includes all defendants who were released prior to case disposition and did not have an open bench warrant for failure-to-appear.

## Conduct of released defendants

Among defendants who were released prior to case disposition, 31% committed some type of misconduct while in a release status (table 19). This may have been in the form of a failure to appear in court, an arrest for a new offense, or some other violation of release conditions that resulted in the revocation of that release by the court.

By original offense category, the proportion of defendants charged with pretrial misconduct was higher for drug defendants (38%) than for defendants charged with a property (29%), public-order (27%), or violent (24%) offense.

By specific arrest offense, rates of pretrial misconduct were highest among defendants charged with drug

trafficking (40%), motor vehicle theft (39%), or robbery (38%). Defendants whose most serious original arrest charge was fraud (12%) had the lowest misconduct rate.

### Failure to appear in court

About three-fourths of the defendants who were released prior to case disposition made all scheduled court appearances (76%). Bench warrants for failing to appear in court were issued for the remaining 24% (table 20).

Released drug defendants (30%) had the highest failure-to-appear rate followed by property defendants (24%). Lower percentages of defendants charged with public-order (18%) or violent (14%) offenses failed to

appear in court as scheduled. Within the violent offense category, failure-to-appear rates were highest for defendants charged with robbery (21%).

Nearly a fourth of the defendants who failed to appear in court, 5% of all defendants, were still fugitives at the end of the 1-year study period. The remainder were returned to the court (either voluntarily or not) before the end of the study.

Defendants released after being charged with a drug offense (7%) were slightly more likely to be a fugitive after 1 year than defendants released after being charged with other offenses. No released murder defendants were in a fugitive status at the end of the 1-year study period.

**Table 19. Released felony defendants committing misconduct, by most serious arrest charge, 1998**

Most serious arrest charge	Released felony defendants in the 75 largest counties	
	Number	Percent with misconduct
All offenses	34,753	31%
Violent offenses	7,103	24%
Murder	55	16
Rape	338	20
Robbery	1,303	38
Assault	4,142	21
Other violent	1,267	20
Property offenses	10,404	29%
Burglary	2,049	35
Larceny/theft	3,855	30
Motor vehicle theft	779	39
Forgery	1,208	31
Fraud	1,105	12
Other property	1,408	28
Drug offenses	13,805	38%
Trafficking	6,165	40
Other drug	7,640	36
Public-order offenses	3,441	27%
Weapons	1,004	27
Driving-related	1,419	26
Other public-order	1,018	28

Note: Types of misconduct included failure to appear in court, rearrest for a new offense, or a technical violation of release conditions that resulted in the revocation of pretrial release. Data were collected for up to 1 year.

**Table 20. Released felony defendants who failed to make a scheduled court appearance, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Percent of released felony defendants in the 75 largest counties who: Made all court appearances	Failed to appear in court		
			Total	Returned to court	Remained a fugitive
All offenses	34,695	76%	24%	18%	5%
Violent offenses	7,090	86%	14%	11%	3%
Murder	55	100	0	0	0
Rape	333	90	10	9	1
Robbery	1,298	79	21	17	4
Assault	4,142	87	13	11	2
Other violent	1,262	90	10	8	2
Property offenses	10,380	76%	24%	18%	5%
Burglary	2,044	74	26	21	5
Larceny/theft	3,846	76	24	19	5
Motor vehicle theft	776	67	33	28	5
Forgery	1,205	75	25	19	6
Fraud	1,105	88	12	8	5
Other property	1,404	80	20	15	5
Drug offenses	13,784	70%	30%	22%	7%
Trafficking	6,165	73	27	20	6
Other drug	7,619	68	32	24	8
Public-order offenses	3,441	82%	18%	14%	4%
Weapons	1,004	84	16	13	3
Driving-related	1,419	80	20	15	5
Other public-order	1,018	81	19	15	4

Note: Data on the court appearance record for the current case were available for 99.8% of cases involving a defendant released prior to case disposition. All defendants who failed to appear in court and were not returned to the court during the 1-year study period are counted as fugitives. Some of these defendants may have been returned to the court at a later date. Detail may not add to total because of rounding.

**Rearrest for a new offense**

Overall, 16% of released defendants were rearrested for a new offense allegedly committed while they awaited disposition of their original case (table 21). Sixty-two percent of these defendants, 10% of all released defendants, were charged with a new felony. Sixty-two percent of the new felony arrests were for the same category of offense as the original charge, and 44% were for the same specific type of offense.

By original arrest charge, released drug trafficking (25%) and robbery (24%) defendants had the highest pretrial rearrest rate. Defendants originally charged with fraud (3%) had the lowest. Defendants released after originally being charged with robbery (15%), drug trafficking (15%), or motor vehicle theft (14%) were the most likely to be rearrested for a new felony while in a release status (figure 13).

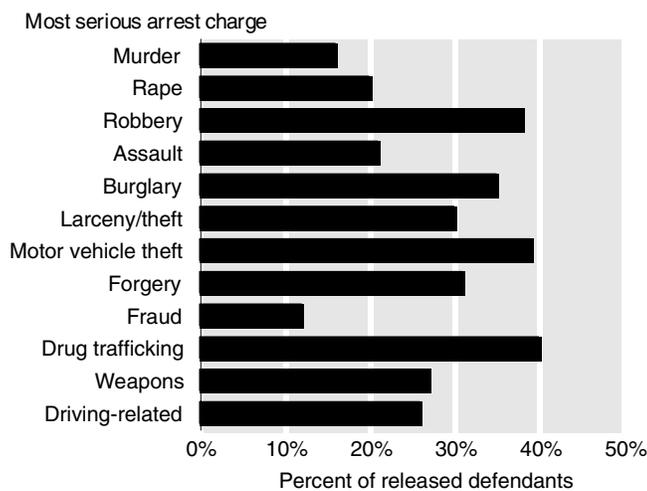
**Table 21. Released felony defendants who were rearrested prior to case disposition, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Percent of released felony defendants in the 75 largest counties				
		Total	Not rearrested	Rearrested		
				Total	Felony	Misde-meanor
All offenses	32,208	100%	84%	16%	10%	6%
Violent offenses	6,740	100%	87%	13%	8%	6%
Murder	55	100	92	8	8	0
Rape	320	100	92	8	7	1
Robbery	1,229	100	76	24	15	9
Assault	3,951	100	89	11	6	5
Other violent	1,186	100	88	12	5	7
Property offenses	9,677	100%	86%	14%	8%	5%
Burglary	1,902	100	83	17	11	6
Larceny/theft	3,651	100	86	14	8	6
Motor vehicle theft	701	100	81	19	14	4
Forgery	1,088	100	90	10	6	5
Fraud	1,024	100	97	3	2	1
Other property	1,311	100	85	15	10	5
Drug offenses	12,546	100%	80%	20%	13%	7%
Trafficking	5,664	100	75	25	15	9
Other drug	6,882	100	84	16	10	6
Public-order offenses	3,245	100%	86%	14%	9%	5%
Weapons	914	100	88	12	7	5
Driving-related	1,370	100	87	13	9	4
Other public-order	962	100	82	18	11	7

Note: Rearrest data were available for 93% of released defendants. Rearrest data were collected for 1 year. Rearrests occurring after the end of this 1-year study period are not included in the table. Information on rearrests occurring in jurisdictions other than the one granting the pretrial release was not always available. Detail may not add to total because of rounding.

**Misconduct prior to case disposition by released felony defendants in the 75 largest counties, 1998**

**Committing any type of misconduct**



**Rearrested for a new felony**

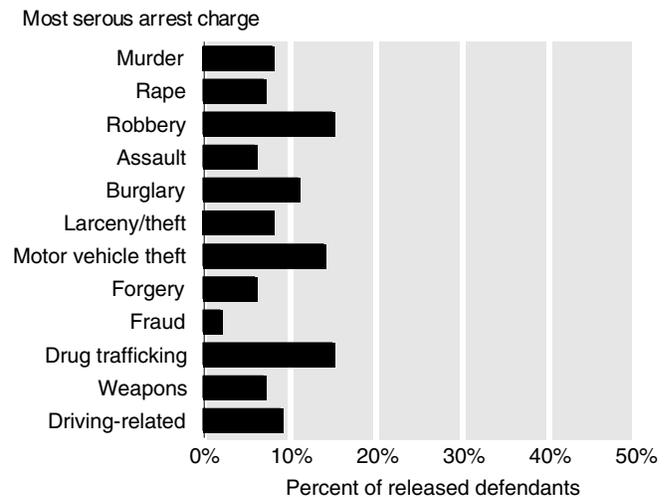


Figure 13

## Adjudication

### Time from arrest to adjudication

For 54% of felony defendants in the 75 largest counties, adjudication of their case occurred within 3 months of arrest, and 75% of cases were adjudicated within 6 months of arrest (table 22). By the end of the 1-year study period, 90% of all cases had been adjudicated.

While the overall median time from arrest to adjudication was 79 days, it was about twice this long for rape defendants (163 days), and was more than a year for murder defendants. Defendants charged with motor vehicle theft had the shortest median time from arrest to adjudication (49 days).

At the end of the 1-year study period, 61% of murder defendants were awaiting adjudication of their case, compared to 20% of rape defendants, and no more than 12% of the defendants in any other offense category.

For each offense other than murder (for which medians could not be calculated), and rape (where the times were about the same), the median time from arrest to adjudication was shorter for detained defendants than for those released pending case disposition (figure 14).

The median time from arrest to adjudication was about 3 months longer for defendants released after being charged with motor vehicle theft, drug trafficking or a driving-related felony than for those detained. The difference was about 2½ months among those charged with forgery or larceny/theft, and about 2 months among those charged with burglary, assault, or fraud.

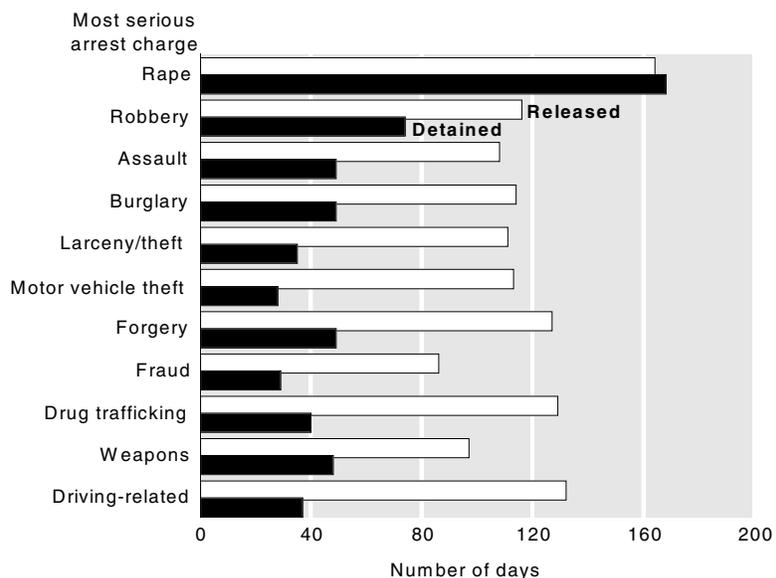
Excluding murder, the longest median time from arrest to adjudication among released defendants was for those charged with rape (163 days), followed by those charged with a driving-related offense (131 days), drug trafficking (128 days), or forgery (126 days). Detained defendants charged with motor vehicle theft (27 days) or fraud (28 days) had the shortest adjudication time.

**Table 22. Time from arrest to adjudication for felony defendants, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Felony defendants in the 75 largest counties					
		Median time	Cumulative percent of cases adjudicated within:				
			1 week	1 month	3 months	6 months	1 year
All offenses	55,988	79 days	10%	29%	54%	75%	90%
Violent offenses	13,490	92 days	8%	27%	50%	73%	89%
Murder	409	--	1	5	14	20	39
Rape	725	163	9	16	32	57	80
Robbery	3,429	89	9	28	51	74	89
Assault	6,873	81	8	30	53	77	92
Other violent	2,054	95	6	21	47	71	91
Property offenses	16,480	76 days	10%	29%	57%	79%	91%
Burglary	4,206	77	8	30	56	79	91
Larceny/theft	5,550	85	10	25	55	78	91
Motor vehicle theft	1,578	49	8	38	65	87	96
Forgery	1,663	94	11	25	49	73	88
Fraud	1,343	70	11	27	59	77	89
Other property	2,139	71	14	30	56	78	89
Drug offenses	20,596	75 days	11%	30%	56%	75%	89%
Trafficking	9,903	79	12	29	53	73	89
Other drug	10,693	69	10	31	58	76	89
Public-order offenses	5,422	78 days	12%	30%	55%	77%	91%
Weapons	1,573	69	6	30	56	77	92
Driving-related	2,060	96	14	28	47	73	88
Other public-order	1,788	62	16	32	61	80	93

Note: Data on time from arrest to adjudication were available for 99% of all cases. The median time from arrest to adjudication includes cases still pending at the end of the study. Knowing the exact times for these cases would not change the medians reported. --The median time from arrest to adjudication for murder defendants extended beyond the 1-year study period and could not be calculated.

**Median time from arrest to adjudication for felony defendants in the 75 largest counties, by pretrial detention-release outcome, 1998**



Note: Murder defendants are excluded because their median time from arrest to adjudication exceeded the 1-year study period, and could not be calculated.

Figure 14

**Table 23. Adjudication outcome for felony defendants, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties										
		Convicted							Not convicted			Other outcome*
		Total convicted	Felony			Misdemeanor			Total	Dis-missed	Ac- quitted	
Total	Plea	Trial	Total	Plea	Trial	Total	Plea	Trial	Total	Dis-missed	Ac- quitted	
All offenses	50,284	68%	52%	50%	2%	15%	15%	1%	28%	27%	1%	4%
Violent offenses	12,067	59%	42%	38%	4%	17%	16%	1%	38%	36%	1%	3%
Murder	158	68	68	42	26	0	0	0	32	30	2	0
Rape	586	66	52	48	4	14	13	1	31	29	2	3
Robbery	3,072	66	53	47	6	12	11	1	31	30	1	3
Assault	6,375	54	34	32	3	20	19	1	42	41	1	4
Other violent	1,875	61	45	42	3	16	14	2	35	33	2	4
Property offenses	14,949	69%	52%	49%	2%	18%	17%	--%	26%	25%	1%	5%
Burglary	3,821	72	58	57	2	14	14	--	24	24	1	3
Larceny/theft	5,049	66	50	48	2	15	15	--	27	26	1	7
Motor vehicle theft	1,511	66	53	50	2	14	13	1	31	31	--	2
Forgery	1,469	75	53	50	2	22	22	--	23	22	--	2
Fraud	1,195	69	48	46	2	22	22	0	19	18	1	12
Other property	1,904	68	41	39	2	27	27	0	30	28	1	2
Drug offenses	18,336	72%	61%	59%	2%	11%	11%	1%	23%	22%	--%	5%
Trafficking	8,811	77	66	64	2	12	10	1	20	19	--	3
Other drug	9,524	67	57	55	1	11	11	--	26	26	--	7
Public-order offenses	4,932	69%	49%	47%	2%	20%	20%	1%	29%	28%	1%	2%
Weapons	1,453	69	57	55	2	12	10	1	28	27	2	3
Driving-related	1,816	73	56	53	2	18	17	1	24	24	--	2
Other public-order	1,662	65	34	32	2	31	31	--	34	32	1	1

Note: Ten percent of all cases were still pending adjudication at the end of the 1-year study period, and are excluded from the table. Data on adjudication outcome were available for 99% of those cases that had been adjudicated. Detail may not add to total because of rounding. --Less than 0.5%. \*Includes diversion and deferred adjudication.

**Adjudication outcome**

Sixty-eight percent of the defendants whose cases were adjudicated within 1 year of arrest were convicted (table 23). A majority of these convictions were for a felony, with 52% of defendants eventually convicted of a felony.

About 6 in 10 defendants charged with a violent offense (59%) were eventually convicted of a felony or a misdemeanor, compared to about 7 in 10 defendants originally charged with a drug (72%), property (69%), or public-order (69%) offense. By specific type of arrest offense, the proportion of defendants convicted ranged from about three-fourths of those charged with drug trafficking (77%), forgery (75%), a driving-related offense (73%), or burglary (72%) to just over half of those charged with assault (54%).

The probability of being convicted of a felony was highest for defendants whose most serious arrest charge was murder (68%) or drug trafficking

(66%). The next highest felony conviction rates were for defendants charged with burglary (58%), a weapons offense (57%), or a driving-related offense (56%). The lowest felony conviction rate was for assault defendants (34%).

In most cases where the defendant was not convicted, it was because the charges against the defendant were dismissed. An estimated 27% of all cases ended in this way, with about two-fifths of dismissals by the prosecutor and three-fifths by the court. Defendants charged with assault (41%) were the most likely to have their case dismissed, and those charged with fraud (18%) or drug trafficking (19%) the least likely.

About 4% of cases had other outcomes such as diversion or deferred adjudication. Defendants charged with fraud (12%) were the most likely to have their case handled in this manner.

Seventy-eight percent of the defendants who were detained until case

disposition were eventually convicted of some offense, compared to 63% of those released pending disposition (table 24). Approximately two-thirds of detained defendants (67%) were convicted of a felony, compared to under half of released defendants (46%).

**Table 24. Adjudication outcome for felony defendants, by detention-release outcome and most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Convicted	
		Total	Felony
<b>Released defendants</b>			
All offenses	29,482	63%	46%
Violent offenses	6,216	50%	30%
Property offenses	8,957	64	45
Drug offenses	11,298	67	56
Public-order offenses	3,011	68	45
<b>Detained defendants</b>			
All offenses	18,812	78%	67%
Violent offenses	5,566	70%	58%
Property offenses	536	80	68
Drug offenses	6,420	83	74
Public-order offenses	1,509	80	67

Adjudication outcome was related to some extent to the number and type of the original arrest charges filed. Seventy-two percent of defendants who were originally charged with more than 1 felony were eventually convicted of some offense, compared to 65% of the defendants who had no additional felony charges (table 25).

Sixty percent of defendants whose original arrest charges included more than one felony were eventually convicted of a felony compared to 48% of those with no additional felony charges. Among the defendants who had no additional felony charges, those who were charged with one or more misdemeanors (36%), were less likely to be convicted of a felony than those who had no additional charges (53%).

Defendants with only one felony charge, but one or more additional misdemeanor charges, were about twice as likely as other defendants to eventually be convicted of a misdemeanor (29%). This almost always was the result of their pleading guilty to a misdemeanor charge instead of the original felony charge.

Overall, about two-thirds of defendants entered a guilty plea at some point, with 50% pleading guilty to a felony, and 15% to a misdemeanor.

Two-thirds or more of defendants charged with drug trafficking (74%), forgery (72%), burglary (71%), a driving-related offense (70%), fraud (67%), or a weapons offense (66%) pleaded guilty to either a felony or a misdemeanor. Murder defendants (42%) had the lowest overall plea rate, with all of these pleas to a felony.

Nearly two-thirds of defendants charged with drug trafficking (64%) pleaded guilty to a felony, as did a majority of those charged with burglary (57%), a weapons offense (55%), or a driving-related offense (53%). Assault defendants (32%) were the least likely to plead guilty to a felony charge.

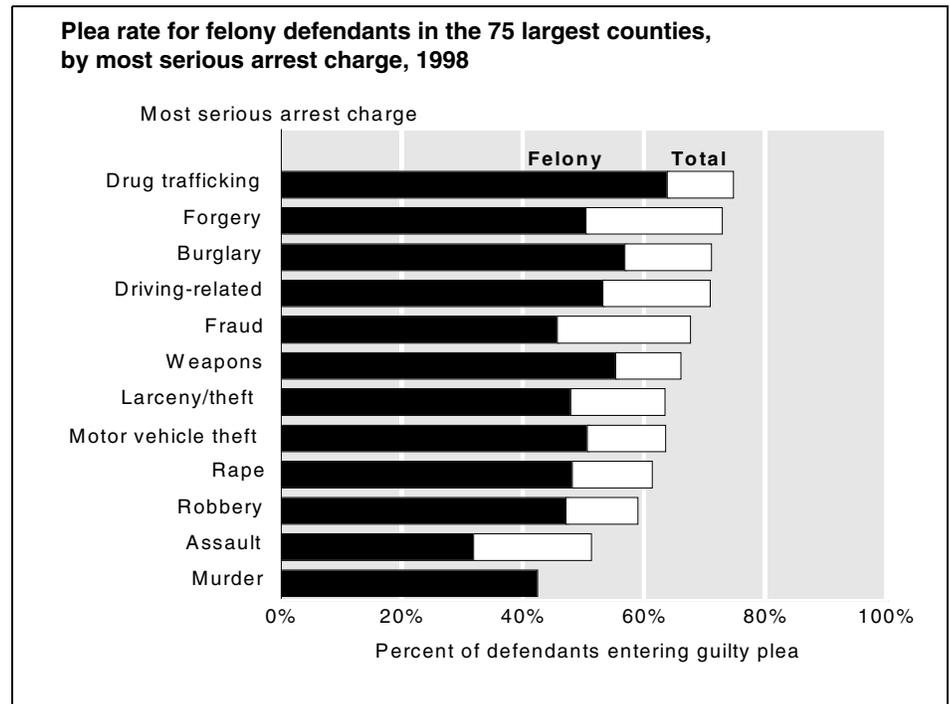


Figure 15

**Table 25. Adjudication outcome for felony defendants, by number and type of arrest charges, 1998**

Additional charges filed	Number of defendants	Percent of felony defendants in the 75 largest counties										
		Convicted						Not convicted				
		Total convicted	Felony		Misdemeanor		Dis-missed		Acquitted	Other outcome*		
		Total	Plea	Trial	Total	Plea	Trial	Total				
Additional felony	18,486	72%	60%	57%	3%	12%	11%	--	25%	24%	1%	3%
No additional felony	31,777	65	48	46	2	18	17	1	30	29	1	5%
Misdemeanor(s) only	9,579	65	36	35	1	29	27	2	30	29	1	5
No additional charges	22,197	65	53	51	2	13	12	--	30	29	1	5

Note: Ten percent of all cases were still pending adjudication at the end of the 1-year study period. Data on adjudication outcome were available for 99% of those cases that had been adjudicated. --Less than 0.5%. \*Includes diversion and deferred adjudication.

An estimated 4% of the cases adjudicated within 1 year went to trial. These trials were divided evenly between bench trials, decided by a judge, and jury trials. An estimated 77% of all trials ended with a guilty verdict, and 23% with an acquittal. Bench trials (83%) were more likely to result in a conviction than jury trials (72%); however, 65% of jury trials resulted in a felony conviction compared to 57% of bench trials.

Type of trial	Percent of trials resulting in a conviction		
	Total	Felony	Misdemeanor
Total	77%	61%	17%
Bench	83	57	26
Jury	72	65	8

Twenty-eight percent of defendants facing murder charges went to trial, compared to no more than 8% of defendants charged with other offenses (figure 16).

Regardless of adjudication method, a majority of convicted defendants were convicted of the same felony offense as the original arrest charge. Among defendants arrested for murder and

later convicted, 74% were convicted of murder (table 26). The corresponding percentages for other violent offenses were as follows: robbery (62%), rape (54%), and assault (51%).

**Trial rates for felony defendants in the 75 largest counties, by most serious arrest charge, 1998**

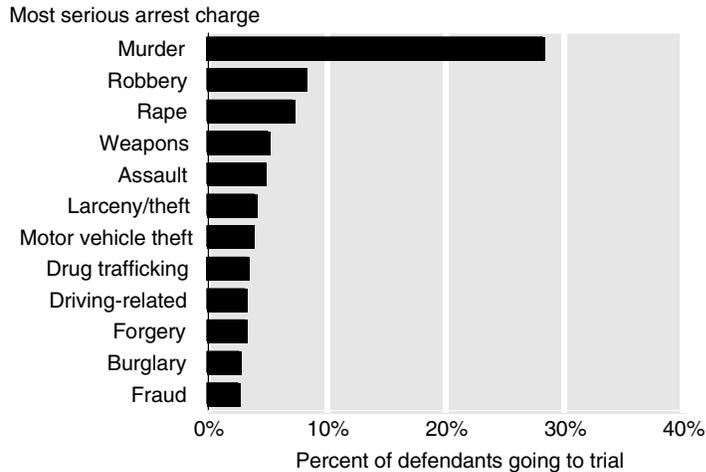


Figure 16

**Table 26. Conviction offense of defendants arrested for a violent offense and subsequently convicted, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties convicted of:									
		Total	Total felony	Violent felony						Non-violent felony	Misdemeanor
				Total violent	Murder	Rape	Robbery	Assault	Other		
Murder	108	100%	100%	88%	<b>74%</b>	0%	3%	2%	8%	12%	0%
Rape	388	100	79	76	0	<b>54</b>	1	8	13	3	21
Robbery	2,016	100	81	67	0	0	<b>62</b>	4	1	14	19
Assault	3,490	100	63	55	0	--	--	<b>51</b>	4	8	37

Note: Data on conviction offense were available for 100% of cases involving defendants who had been convicted. Detail may not add to total because of rounding. --Less than 0.5%.

**Table 27. Conviction offense of defendants arrested for a nonviolent offense and subsequently convicted, by most serious arrest charge, 1998**

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties convicted of:												
		Total felony	Total non-violent	Nonviolent felony								Violent felony	Misdemeanor	
				Burglary	Larceny/theft	Motor vehicle theft	Forgery	Fraud	Drug trafficking	Weapons	Driving-related			Other
Burglary	2,764	80%	80%	<b>64%</b>	9%	1%	1%	--%	--%	--%	0%	5%	--%	20%
Larceny/theft	3,309	76	76	1	<b>69</b>	2	--	1	0	--	--	2	0	24
Motor vehicle theft	1,005	79	79	--	3	<b>67</b>	0	--	1	1	4	4	0	21
Forgery	1,103	70	70	0	4	0	<b>62</b>	2	0	0	--	2	0	30
Fraud	825	69	69	0	6	0	3	<b>56</b>	0	0	--	3	0	31
Drug trafficking	6,787	85	85	0	0	0	0	0	<b>74</b>	--	0	10	--	15
Weapons	1,005	83	81	0	0	--	0	0	0	<b>78</b>	--	3	2	17
Driving-related	1,326	76	72	0	0	0	0	0	0	0	<b>72</b>	--	3	24

Note: Data on conviction offense were available for 100% of cases involving defendants who had been convicted. Detail may not add to total because of rounding. --Less than 0.5%.

Among defendants originally charged with a property offense and later convicted, the percentages whose conviction offense corresponded with their most serious arrest charge were as follows: larceny/theft (69%), motor vehicle theft (67%), burglary (64%), forgery (62%), and fraud (56%).

About three-fourths of defendants convicted after being charged with a weapon offense (78%), drug trafficking (74%), or a driving-related offense (72%) (table 27) were convicted of that same offense.

For most offenses a smaller percentage of defendants were in each felony

conviction offense category than were in the original distribution by arrest charge (tables 1 and 28). The biggest drop was in the violent felony category, which accounted for about 24% of all defendants by arrest charge, but just 13% of them by conviction charge.

Much of this change can be accounted for by the fact that about 12% of all defendants were originally facing felony assault charges, but just 6% of all convictions were for such an offense. Overall, 23% of convicted defendants were convicted at the misdemeanor level, including 37% of those convicted after being originally charged with felony assault.

Given arrest, slightly more than half of defendants whose most serious arrest charge was for drug trafficking (57%), a weapons offense (54%), or a driving-related offense (53%) were eventually convicted of that same offense (figure 17).

This was true for about half of murder defendants, and slightly less than half of the defendants originally charged with forgery (47%), burglary (46%), larceny/theft (45%), or motor vehicle theft (44%). Just 28% of defendants originally facing felony assault charges were eventually convicted of such an offense.

**Table 28. Felony defendants, by conviction offense, 1998**

Most serious conviction offense	Felony defendants in the 75 largest counties	
	Number	Percent
All offenses	33,991	100.0%
All felonies	26,277	77.3%
Violent offenses	4,469	13.1%
Murder	84	0.2
Rape	221	0.7
Robbery	1,261	3.7
Assault	1,938	5.7
Other violent	965	2.8
Property offenses	7,857	23.1%
Burglary	1,980	5.8
Larceny/theft	2,789	8.2
Motor vehicle theft	778	2.3
Forgery	780	2.3
Fraud	556	1.6
Other property	974	2.9
Drug offenses	11,051	32.5%
Trafficking	5,159	15.2
Other drug	5,892	17.3
Public-order offenses	2,751	8.1%
Weapons	940	2.8
Driving-related	1,085	3.2
Other public-order	726	2.1
Other felonies	150	0.4%
Misdemeanors	7,714	22.7%

Note: Data on conviction offense were available for 100% of cases involving defendants who had been convicted.

**Conviction probabilities for felony defendants in the 75 largest counties by most serious arrest charge, 1998**

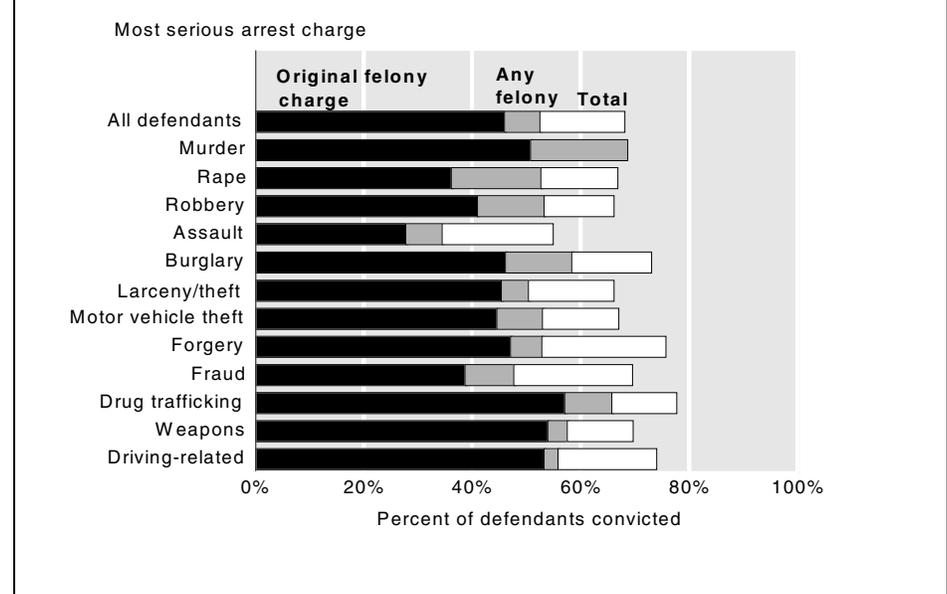


Figure 17

## Case processing statistics

Among the approximately 50,000 cases with a known adjudication outcome that occurred within 1 year of arrest, about 32,500 were disposed by a guilty plea (figure 18). About 3 in 10 pleas occurred within 1 month of arrest and 6 in 10 within 3 months of arrest.

The next most common type of adjudication, dismissal of the charges against the defendant, occurred in about 13,600 cases. Nearly half (46%) of all dismissals occurred within the first month after arrest and 70% within 3 months.

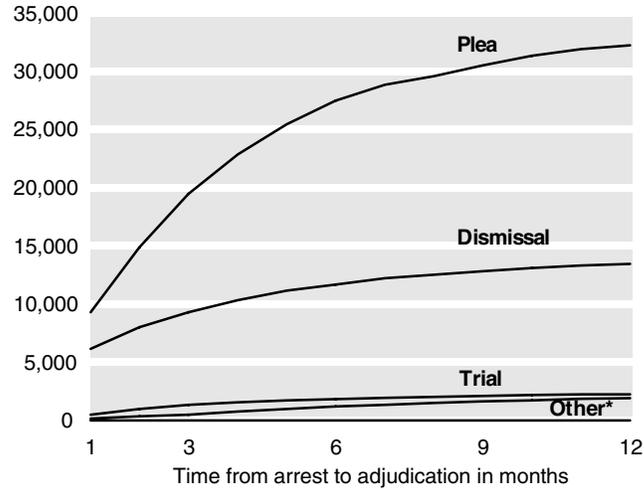
Trials occurred in about 1,900 cases. About 1 in 12 trials were completed within a month of arrest and about 1 in 4 within 3 months of arrest.

Guilty pleas accounted for 96% of the 34,000 convictions obtained within 1 year of arrest (figure 19). This included about 25,100 felony pleas and about 7,300 misdemeanor pleas. Twenty-six percent of the felony pleas occurred within 1 month of arrest, and 59% were obtained within 3 months of arrest. Thirty-six percent of the misdemeanor pleas were obtained with 1 month of arrest, and 66% within 3 months.

Of the approximately 1,500 trial convictions obtained within 1 year, nearly all were for a felony, with about 300 trials resulting in a misdemeanor conviction. About a fourth of all trial convictions occurred within 3 months of arrest, and about two-thirds within 6 months of arrest.

### Method of adjudication of felony cases filed in May 1998 and disposed within 1 year in the 75 largest counties

Cumulative number of cases adjudicated



\*Includes diversion and deferred adjudication.

Figure 18

### Method of conviction of felony cases filed in May 1998 and disposed within 1 year in the 75 largest counties

Cumulative number of convictions

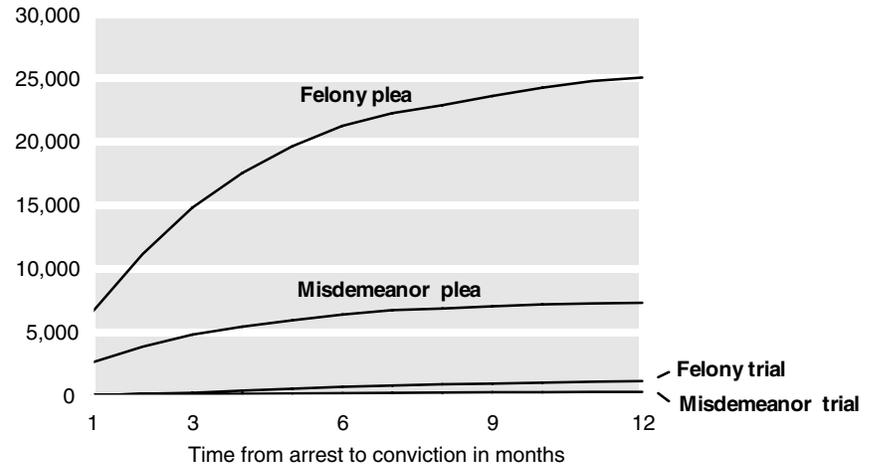


Figure 19

## Sentencing

### Time from conviction to sentencing

About 3 in 5 convicted defendants were sentenced within 1 day of adjudication (table 29). Defendants convicted of a misdemeanor (80%) were more likely to be sentenced this quickly than those convicted of a felony (57%).

Sentencing after a felony conviction was most likely to occur within 1 day if the conviction was for a property (61%) or public-order (60%) offense. Defendants convicted of a violent offense (50%) were the least likely to be sentenced this quickly.

Within the violent offense category, the proportion of convicted defendants sentenced within 1 day ranged from about a third of those convicted of murder to about half of those convicted of other violent felonies. With the exception of drug traffickers (48%), a majority of the defendants in other offense categories were sentenced within a day of conviction.

Seventy-five percent of defendants convicted of a felony received their sentence within 30 days, compared to 85% of those convicted of a misdemeanor. About 9 in 10 defendants were sentenced within 60 days, including 92% of those convicted of a misdemeanor and 89% of those convicted of a felony.

**Table 29. Time from conviction to sentencing for convicted defendants, by most serious conviction offense, 1998**

Most serious conviction offense	Number of defendants	Percent of convicted defendants in the 75 largest counties who were sentenced within:				
		Total	0-1 day	2-30 days	31-60 days	61 days or more
All offenses	30,485	100%	61%	15%	13%	11%
All felonies	25,026	100%	57%	18%	14%	11%
Violent offenses	4,276	100%	50%	17%	19%	13%
Murder	73	100	33	25	21	21
Rape	207	100	50	12	19	19
Robbery	1,204	100	49	16	19	15
Assault	1,867	100	52	18	19	11
Other violent	924	100	49	18	21	12
Property offenses	7,642	100%	61%	17%	13%	9%
Burglary	1,909	100	62	17	14	8
Larceny/theft	2,707	100	65	14	12	8
Motor vehicle theft	769	100	62	23	8	7
Forgery	764	100	57	17	17	9
Fraud	547	100	57	17	17	9
Other property	947	100	54	18	15	13
Drug offenses	10,341	100%	56%	19%	13%	13%
Trafficking	4,832	100	48	20	16	16
Other drug	5,509	100	63	17	10	10
Public-order offenses	2,629	100%	60%	16%	15%	9%
Weapons	900	100	59	17	15	9
Driving-related	1,056	100	61	16	13	11
Other public-order	673	100	58	16	18	8
Misdemeanors	5,459	100%	80%	5%	7%	8%

Note: Data on time from conviction to sentencing were available for 90% of convicted defendants. Total for all felonies includes cases that could not be classified into 1 of the 4 major offense categories. Detail may not add to total because of rounding.

## Type and length of sentence

Sixty-eight percent of convicted defendants were sentenced to incarceration in a State prison or local jail (table 30). Seventy-one percent of defendants convicted of a felony were sentenced to incarceration, compared to 54% of those convicted of a misdemeanor.

About half of incarceration sentences following a felony conviction, 36% of felony sentences overall, were to State prison. Fifteen percent of prison sentences included a probation term to be served after release.

All murder convictions resulted in a prison sentence, as did a majority of robbery (65%) and rape (60%) convictions. Although less than half of defendants convicted of burglary (48%), drug trafficking (42%), felony assault

(40%), or a weapons offense (36%) were sentenced to prison, a prison term was still more likely than a sentence to jail, probation, or fine.

Nearly all incarceration sentences for misdemeanor convictions, 52% of all misdemeanor sentences, were to jail. Two-thirds of jail sentences included a probation term to be served in addition to the jail time. This was much more likely for defendants convicted of a felony (74%) than those convicted of a misdemeanor (42%).

Among defendants who were convicted but not sentenced to incarceration, 98% of those convicted of a felony and 84% of those convicted of a misdemeanor received a probation term. Probation sentences may have included a fine, restitution, community service, treatment, or other conditions.

Overall, 30% of convicted defendants received a sentence to probation without any incarceration. This included 29% of those convicted of a felony and 39% of those convicted of a misdemeanor.

Defendants convicted of fraud (50%) were the most likely to be sentenced to probation. About two-fifths of defendants convicted of forgery (42%), and about a third of those convicted of a non-trafficking drug offense (35%), larceny/theft (34%), or a weapons offense (33%) received a probation term without incarceration.

Two percent of defendants were fined but were not sentenced to a term of incarceration or probation. These fines may have been in addition to other court-ordered conditions.

**Table 30. Most severe type of sentence received by convicted defendants, by most serious conviction offense, 1998**

Most serious conviction offense	Number of defendants	Percent of convicted defendants in the 75 largest counties sentenced to:						
		Total	Incarceration			Nonincarceration		
			Total	Prison	Jail	Total	Probation	Fine
All offenses	29,472	100%	68%	30%	38%	32%	30%	2%
All felonies	24,066	100%	71%	36%	35%	29%	29%	--
Violent offenses	4,089	100%	78%	47%	30%	22%	22%	--
Murder	73	100	100	100	0	0	0	0
Rape	206	100	78	60	18	22	22	0
Robbery	1,117	100	86	65	22	14	14	0
Assault	1,792	100	74	40	34	26	26	--
Other violent	900	100	74	35	40	26	25	1
Property offenses	7,463	100%	66%	34%	33%	34%	33%	1%
Burglary	1,847	100	78	48	30	22	21	--
Larceny/theft	2,652	100	65	30	35	35	34	1
Motor vehicle theft	758	100	80	37	43	20	19	1
Forgery	761	100	57	27	30	43	42	1
Fraud	533	100	50	19	31	50	50	1
Other property	911	100	55	28	27	45	45	--
Drug offenses	9,794	100%	71%	33%	38%	29%	29%	--
Trafficking	4,406	100	78	42	35	22	22	--
Other drug	5,388	100	65	25	40	35	35	--
Public-order offenses	2,582	100%	74%	36%	38%	26%	26%	1%
Weapons	886	100	67	36	31	33	33	--
Driving-related	1,049	100	81	40	41	19	18	1
Other public-order	648	100	72	29	42	28	27	1
Misdemeanors	5,406	100%	54%	2%	52%	46%	39%	7%

Note: Data on type of sentence were available for 87% of convicted defendants. Sixty-six percent of jail sentences and 15% of prison sentences included a probation term. Sentences to incarceration or probation may have included a fine, restitution, community service, treatment, or other court-ordered conditions. Total for all felonies includes cases that could not be classified into 1 of the 4 major offense categories. Detail may not add to total because of rounding. --Less than 0.5%.

Among persons arrested and charged with a felony by the prosecutor, murder defendants had the highest probability of eventually being convicted and sentenced to prison (68%) (figure 20). The next highest probability of an eventual prison sentence was for defendants charged with robbery (39%) or drug trafficking (37%). About a third of defendants originally charged with rape (33%) or burglary (32%) were eventually convicted and sentenced to prison. Defendants originally charged with fraud (15%) were the least likely to eventually be sentenced to prison.

Defendants originally charged with a driving-related offense (31%), or motor vehicle theft (30%) were the most likely to be eventually convicted and receive a jail sentence. No murder defendants were convicted and sentenced to jail.

Half or more of defendants charged with murder (68%), drug trafficking (61%), robbery (57%), a driving-related offense (56%), burglary (55%) motor vehicle theft (53%), or rape (51%) were eventually convicted and sentenced to either prison or jail. Fraud (33%) defendants were the least likely to be eventually convicted and sentenced to some type of incarceration.

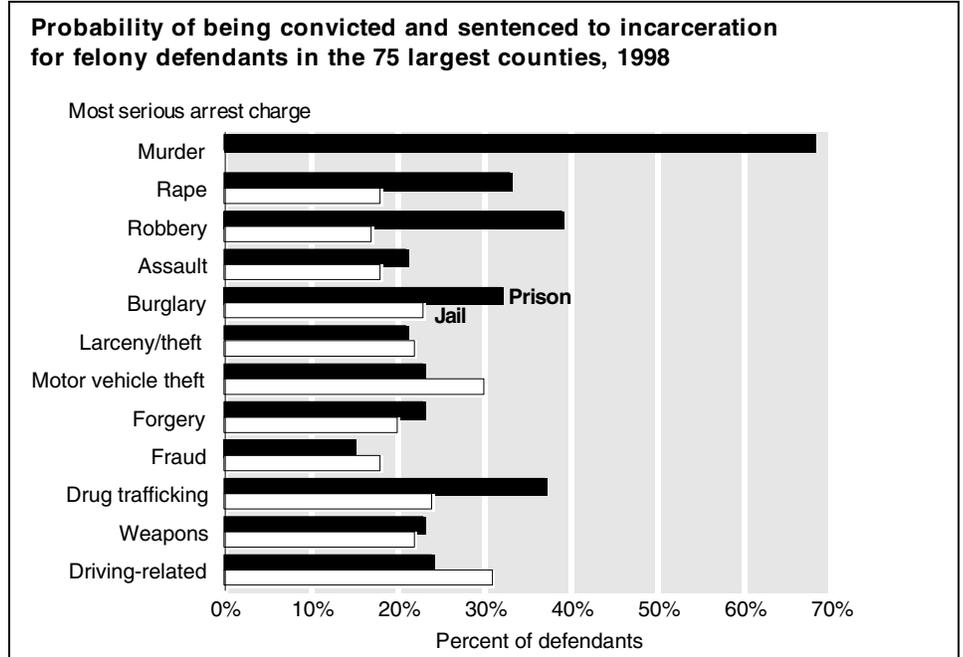


Figure 20

**Median prison sentence received by defendants convicted of a felony in the 75 largest counties, 1998**

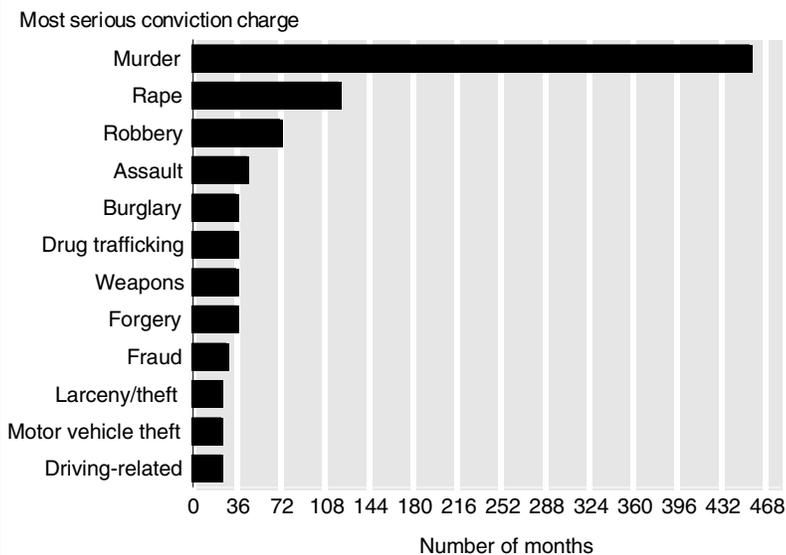


Figure 21

Among defendants convicted of a felony and sentenced to prison, the mean sentence was 58 months and the median was 36 months (table 31). By general conviction offense category, defendants convicted of a violent felony received the longest prison sentences (a mean of 104 months and a median of 60 months), and those convicted of a public-order felony the shortest (a mean of 39 months and a median of 24 months).

By specific conviction offense, murderers received the longest prison terms, a mean of 430 months and a median of 456 months. Next were defendants convicted of rape with a mean prison sentence of 188 months, and a median of 120 months.

Median prison sentences for other felony convictions included 72 months for robbery, 45 months for assault, and 36 months for burglary, drug trafficking, weapons offenses, or forgery (figure 21).

**Table 31. Length of prison sentence received by defendants convicted of a felony, by most serious conviction offense, 1998**

Most serious felony conviction offense	Felony defendants in the 75 largest counties convicted of a felony and sentenced to prison									
	Number of defendants	Number of months		Percent receiving a maximum sentence length in months of:						
		Mean	Median	Total	1-24	25-48	49-72	73-120	Over 120*	Life
All offenses	8,654	58	36	100%	42%	28%	12%	11%	7%	1%
Violent offenses	1,932	104	60	100%	23%	22%	17%	19%	17%	2%
Murder	73	430	456	100	0	6	0	12	68	14
Rape	124	188	120	100	0	6	19	36	36	4
Robbery	718	106	72	100	16	19	21	24	18	2
Assault	709	75	45	100	30	28	14	14	12	2
Other violent	308	55	36	100	36	27	18	13	6	0
Property offenses	2,527	47	28	100%	49%	27%	10%	9%	4%	--
Burglary	889	60	36	100	35	31	16	13	5	1
Larceny/theft	798	39	24	100	65	19	7	7	2	0
Motor vehicle theft	277	36	24	100	55	32	6	5	3	0
Forgery	205	41	36	100	44	34	11	10	2	0
Fraud	102	37	28	100	49	32	9	11	0	0
Other property	255	50	24	100	51	25	7	6	11	0
Drug offenses	3,222	45	32	100%	45%	31%	11%	8%	4%	--
Trafficking	1,853	51	36	100	31	35	17	12	5	0
Other drug	1,369	37	24	100	64	25	3	3	4	1
Public-order offenses	917	39	24	100%	51%	31%	11%	6%	--	1%
Weapons	315	43	36	100	39	45	10	3	1	1
Driving-related	412	36	24	100	56	26	10	7	0	1
Other public-order	190	39	22	100	61	19	12	6	0	1

Note: Data on length of prison sentence were available for 98% of all cases in which a defendant received a prison sentence. Fifteen percent of prison sentences included a probation term and 20% included a fine. Total for all offenses includes cases that could not be classified into 1 of the 4 major offense categories. Detail may not add to total because of rounding. --Less than 0.5%. \*Excludes life sentences.

Fourteen percent of all murder convictions resulted in a life sentence, compared to a maximum of 4% of the defendants convicted of any other offense.

In addition to those receiving life sentences, 68% of the defendants convicted of murder were sentenced to more than 10 years in prison. About 1 in 3 rape convictions, 1 in 6 robbery convictions, and 1 in 8 felony assault convictions resulted in a prison term of more than 10 years.

For defendants convicted of a felony and subsequently sentenced to jail, the mean jail term was 7 months and the median was 6 months (table 32). Misdemeanor convictions resulted in a mean jail term of 6 months and a median of 3 months.

Excluding murder (for which all sentences were to prison), and rape (for which few cases resulted in a jail sentence), defendants sentenced to jail for robbery received the longest average sentence (a mean of 17 months and a median of 10 months).

About two-thirds of all jail sentences were for a period of greater than 3 months. About 3 in 5 jail sentences following convictions for public-order felonies were for more than 3 months compared to about 3 in 4 sentences for other types of felonies.

About 2% of all jail sentences for a felony conviction were for a period greater than 1 year, including 8% of those that followed a conviction for robbery.

**Table 32. Length of jail sentence received by convicted defendants, by most serious conviction offense, 1998**

Most serious conviction offense	Number of defendants	Felony defendants in the 75 largest counties sentenced to jail								
		Number of months		Percent receiving a maximum sentence in months of :						
		Mean	Median	Total	1 or less	2-3	4-6	7-9	10-12	Over 12
All offenses	10,939	7	6	100%	14%	21%	29%	9%	25%	3%
All felonies	8,160	6	5	100%	17%	23%	31%	8%	20%	2%
Violent offenses	1,210	9	6	100%	9%	17%	29%	9%	33%	3%
Robbery	227	17	10	100	0	9	33	6	43	8
Assault	594	7	6	100	8	20	30	14	28	--
Other violent	353	7	6	100	17	18	24	4	34	3
Property offenses	2,410	8	6	100%	7%	20%	28%	11%	28%	5%
Burglary	552	9	9	100	2	17	23	16	37	5
Larceny/theft	909	10	7	100	4	20	25	10	33	6
Motor vehicle theft	323	6	6	100	6	20	44	10	18	2
Forgery	226	5	4	100	19	29	31	5	11	6
Fraud	160	7	6	100	6	19	42	14	15	5
Other property	241	6	5	100	19	21	23	12	23	3
Drug offenses	3,546	7	6	100%	9%	18%	37%	11%	22%	2%
Trafficking	1,439	8	6	100	6	11	41	15	23	3
Other drug	2,108	6	5	100	11	23	35	9	21	1
Public-order offenses	971	6	6	100%	15%	25%	27%	6%	26%	1%
Weapons	270	6	6	100	16	19	32	6	25	1
Driving-related	427	6	6	100	18	20	24	6	32	1
Other public-order	274	5	4	100	9	39	27	6	19	0
Misdemeanors	2,779	6	3	100%	28%	26%	18%	5%	21%	3%

Note: Data on length of jail sentence were available for 98% of all cases in which a defendant received a jail sentence.

Sixty-six percent of jail sentences included a probation term and 25% included a fine.

Detail may not add to total because of rounding.

\*Murder and rape have been excluded from the detail because no murder convictions and few rape convictions resulted in a jail sentence. The total for violent offenses, however, does include these cases.

--Less than 0.5%.

For defendants sentenced to probation without incarceration for a felony, the median sentence length was 36 months, compared to 24 months for a misdemeanor. Two percent of defendants convicted of a felony were given a probation term of greater than 5 years, including 5% of those sentenced for a violent felony.

An estimated 24% of defendants sentenced to probation were also required to pay a fine. Some probation sentences were also supplemented by one or more special court-ordered conditions. For example, 22% of the defendants who received a probation sentence were required to perform a specified number of hours of community service work (table 34).

Nineteen percent of offenders sentenced to probation were required to pay restitution, including 32% of those convicted for a property-related felony. Ten percent of probation sentences included a requirement that the defendant enter a treatment program. Defendants convicted of a drug-related felony (17%) were the most likely to have this requirement.

**Table 33. Length of probation sentence received by convicted defendants, by most serious conviction offense, 1998**

Most serious conviction offense	Number of defendants	Median months	Felony defendants in the 75 largest counties sentenced to probation						
			Percent receiving a sentence in months of :						
			Total	1-12	13-24	25-36	37-48	49-60	Over 60
All offenses	9,026	36	100%	17%	26%	37%	3%	15%	2%
All felonies	6,927	36	100%	12%	27%	36%	3%	19%	2%
Violent offenses	906	36	100	12	22	34	5	22	5
Property offenses	2,458	36	100	13	27	33	4	22	2
Drug offenses	2,845	36	100	10	30	40	3	15	1
Public-order offenses	659	36	100	21	26	30	2	19	2
Misdemeanors	2,099	24	100%	38%	23%	39%	--%	--%	0%

Note: Data on length of probation sentence were available for 100% of all cases in which the most severe type of sentence a defendant received was probation. Twenty-four percent of probation sentences included a fine. Total for felonies includes cases that could not be classified into 1 of the 4 felony offense categories. Detail may not add to total because of rounding.  
 --Less than 0.5%.

**Table 34. Conditions of probation sentence received most often by convicted defendants, by most serious conviction offense, 1998**

Most serious conviction offense	Number of defendants	Felony defendants in the 75 largest counties sentenced to probation		
		Percent whose sentence to probation included:		
		Community service	Restitution	Treatment
All offenses	9,026	22%	19%	10%
All felonies	6,927	23%	20%	11%
Violent offenses	906	21	22	10
Property offenses	2,458	21	32	6
Drug offenses	2,845	27	9	17
Public-order offenses	659	21	14	10
Misdemeanors	2,099	18%	17%	7%

Note: Total for felonies includes cases that could not be classified into 1 of the 4 felony offense categories. A defendant may have received more than one type of probation condition. Not all defendants sentenced to probation received probation conditions. Detail may not add to total because of rounding.  
 --Less than 0.5%.

### Prior record and felony sentencing

For defendants convicted of a felony on their current charge, the probability of receiving a sentence to incarceration was highest if they had multiple prior felony convictions (86%) (table 35). A large majority of defendants with just one prior felony conviction (83%), or with only prior misdemeanor convictions (74%), were also sentenced to incarceration following a felony conviction in the current case. Just over half of those with no prior convictions of any type (55%) received an incarceration sentence for a felony conviction.

Defendants with no prior convictions and whose current conviction was for a public-order (45%) or property (44%) offense were the least likely of all defendants convicted of a felony to be sentenced to incarceration.

A majority (59%) of the defendants with more than one prior felony conviction were sentenced to prison for a new felony conviction. This included 69% of those whose current conviction was for a violent offense.

Forty-five percent of the defendants with a single prior felony conviction were sentenced to prison following a felony conviction in the current case, including 64% of those convicted of a violent felony.

Overall, less than a fourth of defendants without a prior felony conviction received a prison sentence for a felony conviction in the current case. However, 37% of such defendants received a prison sentence when the current conviction was for a violent felony.

Defendants with a prior conviction record consisting solely of misdemeanors who were convicted of a nonviolent felony in the current case were more likely than other defendants to receive a jail sentence (53%).

Defendants with no prior convictions of any kind whose current conviction was for a property (54%) or public-order (53%) offense were the most likely to receive a probation sentence.

**Table 35. Most severe type of sentence received by defendants convicted of a felony, by prior conviction record, 1998**

Prior conviction record and most serious current felony conviction	Number of defendants	Percent of defendants in the 75 largest counties convicted of a felony and sentenced to:						
		Total	Incarceration			Nonincarceration		
			Total	Prison	Jail	Total	Probation	Fine
<b>More than 1 prior felony conviction</b>								
All offenses	6,365	100%	86%	59%	27%	14%	14%	--
Violent offenses	803	100	87	69	18	13	12	--
Property offenses	2,111	100	84	59	25	16	16	--
Drug offenses	2,626	100	85	55	30	15	15	--
Public-order offenses	790	100	91	59	32	9	8	--
<b>1 prior felony conviction</b>								
All offenses	3,833	100%	83%	45%	38%	17%	17%	--%
Violent offenses	560	100	86	64	22	14	14	--
Property offenses	1,077	100	81	45	36	19	19	0
Drug offenses	1,589	100	82	39	43	18	18	0
Public-order offenses	593	100	83	42	41	17	17	0
<b>Prior misdemeanor convictions only</b>								
All offenses	4,352	100%	74%	23%	51%	26%	26%	--
Violent offenses	821	100	81	38	43	19	19	0
Property offenses	1,210	100	71	20	51	29	28	1
Drug offenses	1,868	100	72	19	54	28	27	1
Public-order offenses	421	100	76	24	52	24	24	0
<b>No prior convictions</b>								
All offenses	7,423	100%	55%	20%	35%	45%	44%	1%
Violent offenses	1,637	100	71	37	35	29	29	--
Property offenses	2,493	100	44	13	32	56	54	2
Drug offenses	2,628	100	57	18	39	43	43	--
Public-order offenses	615	100	45	10	35	55	53	2

Note: Data on prior conviction record and type of sentence were available for 84% of all convicted defendants. Sentences to incarceration may have also included a probation term. Sentences to incarceration or probation, may have included a fine, restitution, community service, treatment, or other court-ordered conditions. Fines may have included restitution or community service. Detail may not add to total because of rounding.  
--Less than 0.5%.

Defendants convicted of a violent felony were much more likely to be sentenced to prison than jail or probation if they had at least one prior felony conviction (figure 22). Those without a prior felony conviction were as likely to be sentenced to jail as prison.

Among defendants convicted of a nonviolent felony, prison was the most likely sentence for those with multiple prior felony convictions. However, those with a single prior felony conviction were as likely to be sentenced to jail as prison.

Jail was the most probable sentence for a nonviolent felony among defendants who had a prior conviction record that consisted of only misdemeanors. Probation was the most likely sentence if they had no conviction record at all.

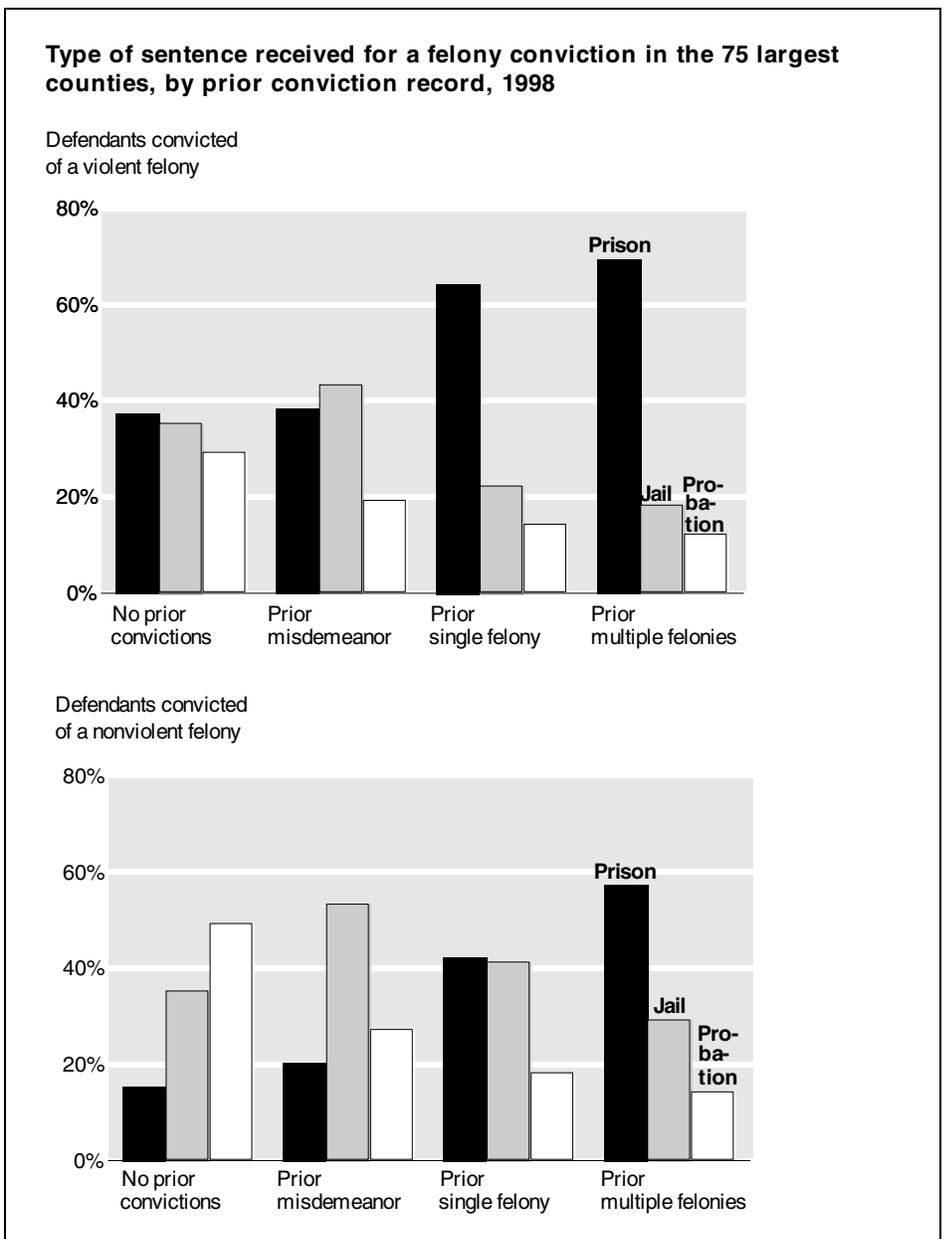


Figure 22

## Methodology

The SCPS sample was designed and selected by U.S. Census Bureau staff. It is a 2-stage stratified sample, with 40 of the 75 most populous counties selected at stage one and a systematic sample of State court felony filings (defendants) within each county selected at stage two. The 40 counties were divided into 4 first-stage strata based on court filing information obtained through a telephone survey. Twelve counties were included in the sample with certainty because of their large number of court filings. The remaining counties were allocated to the three noncertainty strata based on the variance of felony court dispositions.

### SCPS first-stage design

Stratum	Number of counties		Weight
	Sample	Universe	
One	12	12	1.00
Two	9	12	1.33
Three*	9	18	2.00
Four	10	33	3.30

\*Data collection problems caused Fulton County (GA), which had been selected for stratum three in the 1998 SCPS sample, to be dropped from the study. Because this occurred at a date too late to allow for a substitution, the number of counties in stratum three was reduced from nine (as specified in the original design) to eight. This changed the first-stage weight for stratum three counties from 2.00 to 2.25.

The second-stage sampling (filings) was designed to represent all defendants who had felony cases filed with the court during the month of May 1998. The participating jurisdictions provided data for every felony case filed on selected days during that month. Depending on the first-stage stratum in which it had been placed, each jurisdiction provided data for 5, 10, or 20 randomly selected business days' filings in May 1998. Data from jurisdictions that were not required to provide a full month of filings were weighted to represent the full month (see Appendix table A).

### SCPS second-stage design

Stratum	Number of days		Weight
	of filings provided		
One	5		4.0
Two	10		2.0
Three	10		2.0
Four	20		1.0

Data on 15,909 sample felony cases were collected from the 40 sampled jurisdictions. This sample represented 56,606 weighted cases filed during May 1998 in the 75 most populous counties. A small number of cases (31 unweighted, 111 weighted) were omitted from the analysis because they could not be classified into one of the four major crime categories (violent, property, drug, public-order).

This report is based on data collected from the following counties and independent cities: Alabama (Jefferson); Arizona (Maricopa, Pima); California (Alameda, Los Angeles, Orange, Sacramento, San Bernardino, San Francisco, Santa Clara, Ventura); Florida (Broward, Miami-Dade, Hillsborough, Orange); Illinois (Cook, DuPage); Indiana (Marion); Kentucky (Jefferson); Maryland (Baltimore (city)), Montgomery); Michigan (Wayne); Missouri (Jackson, St. Louis); New York (Bronx, Erie, Kings, Monroe, New York, Queens, Suffolk); Ohio (Hamilton); Pennsylvania (Allegheny, Philadelphia); Tennessee (Shelby); Texas (Dallas, Harris); Washington (King); and Wisconsin (Milwaukee).

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

### Race and Hispanic (Latino) origin

Several jurisdictions did not provide complete reporting for defendants' Hispanic origin. As a result, the overall reporting level for race combined with Hispanic origin was 73%, compared to 86% for race alone. Because of this underreporting, the categories of race alone account for more defendants than the categories that include both race and Hispanic origin. A large preponderance of the defendants with a Hispanic origin were white, although the category includes all races.

### Offense categories

Felony offenses were classified into 16 categories for this report. These were further classified into the four major crime categories of violent, property, drug, and public-order. The following listings are a representative summary of the crimes in each category; however, these lists are not meant to be exhaustive. All offenses, except for murder, include attempts and conspiracies to commit. Within the property offense category, the offense categories of motor vehicle theft, forgery, and fraud are new for 1998.

### Violent offenses

*Murder* — Includes homicide, nonnegligent manslaughter, and voluntary homicide. Does not include attempted murder (classified as felony assault), negligent homicide, involuntary homicide, or vehicular manslaughter, which are classified as *other violent offenses*.

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

*Robbery* — Includes the unlawful taking of anything of value by force or threat of force. Armed, unarmed, and aggravated robbery, car-jacking, armed burglary, and armed mugging are included.

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

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

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## Property offenses

*Burglary* — Includes any type of entry into a residence, industry, or business with or without the use of force with the intent to commit a felony or theft. Does not include possession of burglary tools, trespassing, or unlawful entry for which the intent is not known.

*Larceny/theft* — Includes grand theft, grand larceny, and any other felony theft, including burglary from an automobile, theft of rental property, and mail theft. Does not include motor vehicle theft, receiving or buying stolen property, fraud, forgery, or deceit.

*Motor vehicle theft* — Includes auto theft, conversion of an automobile, receiving and transferring an automobile, unauthorized use of a vehicle, possession of a stolen vehicle, larceny or taking of an automobile.

*Forgery* — Includes forging of a driver's license, forging official seals, notes, money orders, credit or access cards or names of such cards or any other documents with fraudulent intent, uttering a forged instrument, counterfeiting, forgery.

*Fraud* — Includes possession and passing of worthless checks or money orders, possession of false documents or identification, embezzlement, obtaining money by false pretenses, credit card fraud, welfare fraud, Medicare fraud, insurance claim fraud, fraud, swindling, stealing a thing of value by deceit, larceny by check.

*Other property offenses* — Includes receiving or buying stolen property, arson, reckless burning, damage to property, criminal mischief, vandalism, criminal trespassing, possession of burglary tools, and unlawful entry.

## Drug offenses

*Drug trafficking* — Includes trafficking, sales, distribution, possession with intent to distribute or sell, manufacturing, and smuggling of controlled substances. Does not include possession of controlled substances.

*Other drug offenses* — Includes possession of controlled substances, prescription violations, possession of drug paraphernalia, and other drug law violations.

## Public-order offenses

*Weapons* — Includes the unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly weapon or accessory.

*Driving-related* — Includes driving under the influence of drugs or alcohol, driving with a suspended or revoked license, and any other felony in the motor vehicle code.

*Other public-order offenses* — Includes flight/escape, parole or probation violations, prison contraband, habitual offender, obstruction of justice, rioting, libel, slander, treason, perjury, prostitution/pandering, bribery, and tax law violations.

## Terms related to pretrial release

*Released defendant* — Includes any defendant who was released from custody prior to the disposition of his or her case by the court. Includes defendants who were detained for some period of time before being released and defendants who were returned to custody after being released because of a violation of the conditions of pretrial release. The terms "on pretrial release" and "released pending disposition" are both used in this report to refer to all released defendants.

*Detained defendant* — Includes any defendant who remained in custody from the time of arrest until the disposition of his or her case by the court. This report also refers to detained defendants as "not released."

*Failure to appear* — Occurs when a court issues a bench warrant for a defendant's arrest because he or she has missed a scheduled court appearance.

## Types of financial release

*Surety bond* — A bail bond company signs a promissory note to the court for the full bail amount and charges the defendant a fee for the service (usually 10% of the full bail amount). If the defendant fails to appear, the bond company is liable to the court for the full bail amount. Frequently the bond company requires collateral from the defendant in addition to the fee.

*Deposit bond* — The defendant deposits a percentage (usually 10%) of the full bail amount with the court. The percentage of the bail is returned after the disposition of the case, but the court often retains a small portion for administrative costs. If the defendant fails to appear in court, he or she is liable to the court for the full amount of the bail.

*Full cash bond* — The defendant posts the full bail amount in cash with the court. If the defendant makes all court appearances, the cash is returned. If the defendant fails to appear in court, the bond is forfeited.

*Property bond* — Involves an agreement made by a defendant as a condition of pretrial release requiring that property valued at the full bail amount be posted as an assurance of his or her appearance in court. If the defendant fails to appear in court, the property is forfeited. Also known as "collateral bond."

## Methodology

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### Types of nonfinancial release

#### *Release on recognizance (ROR)* —

The court releases the defendant on a signed agreement that he or she will appear in court as required. In this report, the ROR category includes citation releases in which arrestees are released pending their first court appearance on a written order issued by law enforcement or jail personnel.

*Unsecured bond* — The defendant pays no money to the court but is liable for the full amount of bail should he or she fail to appear in court.

*Conditional release* — Defendants are released under specified conditions. If monitoring or supervised is required, this usually done by a pretrial services agency. In some cases, such as those involving a third-party custodian or drug monitoring and treatment, another agency may be involved in the supervision of the defendant. Conditional release sometimes includes an unsecured bond.

### Other type of release

*Emergency release* — Defendants are released in response to a court order placing limits on a jail's population.

## Appendix

**Appendix table A. Population, sampling weights, and number of cases, by SCPS jurisdiction, 1998**

County (State)	Population	Sampling weights			Number of cases	
		Filings	County	Total	Unweighted	Weighted
Total					15,878	56,495
Jefferson (AL)	662,000	2	2.25	4.50	317	1,427
Maricopa (AZ)	2,614,000	2	1.33	2.67	855	2,274
Pima (AZ)	779,000	1	3.30	3.30	512	1,690
Alameda (CA)	1,356,000	2	2.25	4.50	248	1,116
Los Angeles (CA)	9,056,000	4	1.00	4.00	1,229	4,916
Orange (CA)	2,606,000	2	1.33	2.67	434	1,154
Sacramento (CA)	1,116,000	2	1.33	2.67	448	1,192
San Bernardino (CA)	1,589,000	2	1.33	2.67	512	1,362
San Francisco (CA)	735,000	2	2.25	4.50	359	1,616
Santa Clara (CA)	1,594,000	2	1.33	2.67	505	1,343
Ventura (CA)	711,000	1	3.30	3.30	226	746
Broward (FL)	1,440,000	2	1.33	2.67	400	1,064
Miami-Dade (FL)	2,106,000	4	1.00	4.00	551	2,204
Hillsborough (FL)	893,000	2	1.33	2.67	420	1,117
Orange (FL)	763,000	2	2.25	4.50	564	2,538
Cook (IL)	5,190,000	4	1.00	4.00	541	2,164
DuPage (IL)	860,000	1	3.30	3.30	118	389
Marion (IN)	815,000	1	3.30	3.30	875	2,888
Jefferson (KY)	671,000	4	1.00	4.00	73	292
Montgomery (MD)	672,000	1	3.30	3.30	180	594
Baltimore (city) (MD)	672,000	2	1.33	2.67	660	1,756
Wayne (MI)	2,137,000	4	1.00	4.00	250	1,000
Jackson (MO)	650,000	1	3.30	3.30	323	1,066
St. Louis (MO)	1,003,000	1	3.30	3.30	329	1,086
Bronx (NY)	1,191,000	4	1.00	4.00	446	1,784
Erie (NY)	953,000	2	2.25	4.50	151	680
Kings (NY)	2,266,000	4	1.00	4.00	530	2,120
Monroe (NY)	720,000	1	3.30	3.30	265	874
New York (NY)	1,533,000	4	1.00	4.00	497	1,988
Queens (NY)	1,973,000	4	1.00	4.00	295	1,180
Suffolk (NY)	1,355,000	1	3.30	3.30	267	881
Hamilton (OH)	856,000	2	2.25	4.50	207	932
Allegheny (PA)	1,293,000	2	1.33	2.67	127	338
Philadelphia (PA)	1,472,000	4	1.00	4.00	364	1,456
Shelby (TN)	864,000	2	2.25	4.50	383	1,724
Dallas (TX)	1,989,000	4	1.00	4.00	229	916
Harris (TX)	3,107,000	4	1.00	4.00	447	1,788
King (WA)	1,618,000	2	2.25	4.50	331	1,490
Milwaukee (WI)	927,000	1	3.30	3.30	410	1,353

Note: In 12 of the 39 counties included in the 1998 SCPS study, prosecutors did not screen out any felony arrests before filing charges. In these counties, the SCPS sample cases are representative of all felony cases received by prosecutors, and any cases subsequently screened out by the prosecutor are included in the SCPS dismissal category. These counties are; Maricopa (AZ); Pima (AZ); Miami-Dade (FL); Hillsborough (FL); Orange (FL); Marion (IN); Jefferson (KY); Montgomery (MD); Baltimore (city) (MD); Monroe (NY); Hamilton (OH); and Philadelphia (PA). In Allegheny (PA) this was true for non-Pittsburgh cases only, and in Shelby (TN) for non-major offenses only. In the remaining 25 SCPS jurisdictions, all felony arrests were reviewed by prosecutors before the decision to file felony charges was made. In these jurisdictions, the SCPS sample cases do not include those in which a person was arrested for a felony but felony charges were not filed. Weights are rounded to second decimal place.

**Appendix table B. Most serious arrest charge of felony defendants, by SCPS jurisdiction, 1996**

County (State)	Percent of felony defendants within categories of most serious arrest charge				
	Total	Violent offenses	Property offenses	Drug offenses	Public-order offenses
Total	100%	24%	29%	37%	10%
Jefferson (AL)	100%	17%	32%	46%	4%
Maricopa (AZ)	100	17	25	47	11
Pima (AZ)	100	25	30	32	13
Alameda (CA)	100	16	32	44	8
Los Angeles (CA)	100	23	24	47	6
Orange (CA)	100	22	28	42	8
Sacramento (CA)	100	38	27	28	7
San Bernardino (CA)	100	30	36	29	5
San Francisco (CA)	100%	15%	16%	65%	4%
Santa Clara (CA)	100	16	18	58	8
Ventura (CA)	100	16	32	42	9
Broward (FL)	100	25	33	36	7
Miami-Dade (FL)	100	32	35	24	9
Hillsborough (FL)	100	33	23	39	5
Orange (FL)	100	25	38	28	9
Cook (IL)	100	11	19	64	6
DuPage (IL)	100%	14%	45%	23%	19%
Marion (IN)	100	21	35	23	21
Jefferson (KY)	100	25	41	34	0
Montgomery (MD)	100	26	61	13	0
Baltimore (city) (MD)	100	25	29	45	1
Wayne (MI)	100	24	30	28	18
Jackson (MO)	100	17	34	42	7
St. Louis (MO)	100	16	53	17	14
Bronx (NY)	100%	22%	16%	53%	9%
Erie (NY)	100	34	36	19	11
Kings (NY)	100	33	24	30	13
Monroe (NY)	100	16	27	32	25
New York (NY)	100	27	19	45	9
Queens (NY)	100	34	35	23	8
Suffolk (NY)	100	15	29	17	39
Hamilton (OH)	100	34	23	34	9
Allegheny (PA)	100%	37%	46%	9%	9%
Philadelphia (PA)	100	38	29	29	4
Shelby (TN)	100	26	36	27	11
Dallas (TX)	100	24	29	35	11
Harris (TX)	100	21	42	32	5
King (WA)	100	25	23	41	11
Milwaukee (WI)	100	27	27	33	13

Note: Detail may not add to 100% because of rounding.

**Appendix table C. Gender and age of felony defendants, by SCPS jurisdiction, 1998**

County (State)	Percent of felony defendants							
	Gender			Age at arrest				
	Total	Male	Female	Total	Under 21	21-29	30-39	40 older
Total	100%	82%	18%	100%	19%	32%	30%	19%
Jefferson (AL)	100%	82%	18%	100%	18%	36%	25%	21%
Maricopa (AZ)	100	83	17	100	18	33	32	18
Pima (AZ)	100	83	17	100	23	31	26	20
Alameda (CA)	100	74	26	100	10	35	29	25
Los Angeles (CA)	100	85	15	100	14	32	33	21
Orange (CA)	100	78	22	100	13	32	35	20
Sacramento (CA)	100	83	17	100	11	33	33	23
San Bernardino (CA)	100	79	21	100	17	31	33	18
San Francisco (CA)	100%	81%	19%	100%	15%	31%	31%	23%
Santa Clara (CA)	100	83	17	100	12	34	36	18
Ventura (CA)	100	73	27	100	13	33	37	16
Broward (FL)	100	80	20	100	18	30	37	16
Miami-Dade (FL)	100	86	14	100	15	33	29	23
Hillsborough (FL)	100	73	27	100	16	29	35	21
Orange (FL)	100	82	18	100	16	35	32	18
Cook (IL)	100	86	14	100	21	31	27	21
DuPage (IL)	100%	77%	23%	100%	19%	44%	21%	15%
Marion (IN)	100	78	22	100	19	37	26	18
Jefferson (KY)	100	82	18	100	19	26	40	15
Montgomery (MD)	100	83	17	100	25	37	17	20
Baltimore (city) (MD)	100	81	19	100	21	30	31	18
Wayne (MI)	100	85	15	100	18	32	28	22
Jackson (MO)	100	80	20	100	24	29	32	16
St. Louis (MO)	100	83	17	100	25	26	32	17
Bronx (NY)	100%	82%	18%	100%	25%	28%	29%	18%
Erie (NY)	100	83	17	100	24	33	25	18
Kings (NY)	100	84	16	100	26	26	30	18
Monroe (NY)	100	82	18	100	22	34	29	15
New York (NY)	100	84	16	100	16	31	31	22
Queens (NY)	100	87	13	100	27	30	27	16
Suffolk (NY)	100	86	14	100	21	28	30	21
Hamilton (OH)	100	81	19	100	19	36	29	16
Allegheny (PA)	100%	79%	21%	100%	20%	25%	34%	22%
Philadelphia (PA)	100	83	17	100	22	31	29	18
Shelby (TN)	100	83	17	100	24	36	28	13
Dallas (TX)	100	80	20	100	17	31	31	21
Harris (TX)	100	70	30	100	20	32	29	19
King (WA)	100	85	15	100	17	31	34	18
Milwaukee (WI)	100	82	18	100	28	36	25	11

Note: Detail may not add to 100% because of rounding.

**Appendix table D. Race and Hispanic origin of felony defendants, by SCPS jurisdiction, 1998**

County (State)	Percent of felony defendants								
	Race				Race and Hispanic origin				
	Total	Black	White	Other	Total	Black, non-Hispanic	White, non-Hispanic	Other, non-Hispanic	Hispanic, any race
Total	100%	57%	41%	2%	100%	45%	27%	2%	26%
Jefferson (AL)	100%	71%	29%	0%	...	...	...	...	...
Maricopa (AZ)	100	22	73	5	100	15	47	3	36
Pima (AZ)	...	...	...	...	100	14	43	4	40
Alameda (CA)	100	71	23	6	100	63	20	3	14
Los Angeles (CA)	...	...	...	...	...	...	...	...	...
Orange (CA)	...	...	...	...	100	8	43	4	45
Sacramento (CA)	100	34	50	16	100	31	47	4	18
San Bernardino (CA)	...	...	...	...	100	21	30	--	49
San Francisco (CA)	100%	46%	50%	4%	100	47	44	2	7
Santa Clara (CA)	...	...	...	...	100	8	25	6	60
Ventura (CA)	...	...	...	...	100	8	42	3	47
Broward (FL)	100	60	40	1	100	59	33	0	8
Miami-Dade (FL)	100	55	45	--	100	52	16	--	32
Hillsborough (FL)	100	45	55	0	100	45	48	0	7
Orange (FL)	100	46	54	0	100	46	47	--	7
Cook (IL)	100	76	23	1	100	78	16	1	6
DuPage (IL)	100%	22%	78%	0%	100	20	69	0	11
Marion (IN)	100	58	42	--	100	99	1	--	0
Jefferson (KY)	100	50	41	9	100	50	40	5	5
Montgomery (MD)	100	60	36	4	...	...	...	...	...
Baltimore (city) (MD)	100	86	13	--	100	87	12	1	1
Wayne (MI)	100	71	28	--	...	...	...	...	...
Jackson (MO)	100	59	39	1	100	58	38	1	2
St. Louis (MO)	100	57	43	1	...	...	...	...	...
Bronx (NY)	100%	56%	43%	1	100	42	4	1	53
Erie (NY)	100	71	29	0	100	69	26	0	5
Kings (NY)	100	67	32	1	100	59	14	1	25
Monroe (NY)	100	75	25	0	...	...	...	...	...
New York (NY)	100	57	41	2	100	45	14	2	39
Queens (NY)	100	57	40	4	100	52	16	4	28
Suffolk (NY)	100	35	63	1	100	34	50	1	14
Hamilton (OH)	100	69	31	0	100	69	30	0	--
Allegheny (PA)	100%	56%	43%	1%	100%	56%	41%	1%	2%
Philadelphia (PA)	100	80	19	1	...	...	...	...	...
Shelby (TN)	100	87	13	0	...	...	...	...	...
Dallas (TX)	100	50	50	1	100	46	37	1	16
Harris (TX)	100	59	39	3	...	...	...	...	...
King (WA)	100	45	48	8	100	42	43	7	7
Milwaukee (WI)	100	72	27	1	100	71	23	1	5

Note: Detail may not add to 100% because of rounding.  
 ...Data were available for less than two-thirds of all cases.  
 --Less than 0.5%.

**Appendix table E. Felony defendants released before or detained until case disposition, by SCPS jurisdiction, 1998**

County (State)	Percent of felony defendants												
	Released before case disposition										Detained until case disposition		
	Financial release						Nonfinancial release						
	Total	Total financial	Surety bond	Deposit bond	Full cash bond	Property bond	Total non-financial	Recognizance*	Condi-tional	Un-secured bond	Total	Held on bail	Denied bail
Total	64%	34%	24%	5%	3%	2%	30%	18%	8%	4%	36%	29%	7%
Jefferson (AL)	81%	69%	34%	0%	2	33%	12%	0%	4%	8%	19%	17%	2%
Maricopa (AZ)	64	13	5	7	1	0	51	34	16	1	36	13	23
Pima (AZ)	72	8	6	0	2	0	64	41	23	0	28	27	1
Alameda (CA)	47	21	17	0	4	0	26	26	0	0	53	26	27
Los Angeles (CA)	37	15	15	0	0	0	22	22	0	0	63	61	2
Orange (CA)	31	12	11	0	1	0	19	19	--	0	69	67	2
Sacramento (CA)	47	31	30	1	0	0	16	15	--	0	53	22	32
San Bernardino (CA)	36	12	12	0	--	0	24	23	1	0	64	60	4
San Francisco (CA)	73%	23%	22%	0%	1%	0%	50%	44%	6%	0%	27%	10%	17%
Santa Clara (CA)	56	25	23	0	1	1	31	7	24	0	44	41	4
Ventura (CA)	63	30	29	0	1	0	33	30	3	0	37	37	--
Broward (FL)	56	46	40	1	5	0	10	3	5	1	44	25	19
Miami-Dade (FL)	56	28	26	0	0	2	28	4	23	0	44	32	12
Hillsborough (FL)	75	61	59	0	3	0	13	13	--	0	25	11	14
Orange (FL)	68	66	61	0	5	0	1	1	1	0	32	29	3
Cook (IL)	75	31	--	29	1	0	44	10	19	16	25	24	1
DuPage (IL)	72%	70%	0%	0%	70%	0%	2%	2%	0%	0%	28%	23%	5%
Marion (IN)	75	45	37	5	2	--	31	24	6	0	25	12	13
Jefferson (KY)	78	21	1	16	3	0	58	52	4	1	22	21	1
Montgomery (MD)	79	30	10	3	2	16	48	31	7	10	21	15	6
Baltimore (city) (MD)	61	29	27	0	0	2	32	19	12	0	39	32	7
Wayne (MI)	74	27	1	24	2	0	47	0	1	46	26	20	6
Jackson (MO)	84	50	39	10	1	--	34	1	0	32	16	16	--
St. Louis (MO)	78	43	7	26	4	5	35	1	0	35	22	19	3
Bronx (NY)	72%	55%	na	na	na	na	18%	18%	0%	0%	28%	27%	1%
Erie (NY)	70	17	4	1	11	1	53	51	0	2	30	29	1
Kings (NY)	82	65	na	na	na	na	17	17	0	0	18	18	0
Monroe (NY)	87	13	0	2	10	0	74	58	17	0	13	7	6
New York (NY)	75	55	na	na	na	na	20	20	0	0	25	24	1
Queens (NY)	81	68	na	na	na	na	13	13	0	0	19	18	1
Suffolk (NY)	79	42	na	na	na	na	37	37	0	0	21	21	0
Hamilton (OH)	63	40	6	28	1	4	24	22	2	0	37	32	5
Allegheny (PA)	71%	42%	1%	20%	20%	1%	29%	26%	3%	0%	29%	28%	1%
Philadelphia (PA)	75	38	0	36	2	0	37	10	15	12	25	19	6
Shelby (TN)	67	53	50	0	3	0	14	1	13	0	33	30	3
Dallas (TX)	47	42	38	0	4	0	5	0	2	3	53	41	12
Harris (TX)	50	48	46	0	2	0	2	--	1	--	50	33	17
King (WA)	62	16	15	1	1	0	46	26	20	0	38	38	0
Milwaukee (WI)	60	20	0	0	20	0	41	20	21	0	40	17	22

Note: Detail may not add to 100% because of rounding.  
 --Less than 0.5%.  
 na - Data on specific type of financial release was not reported by these jurisdictions.

**Appendix table F. Adjudication outcome for felony defendants, by SCPS jurisdiction, 1998**

County (State)	Adjudicated within 1 year	Percent of felony defendants						
		Adjudication outcome						
		Convicted			Not convicted			Other outcome*
Total	Felony	Misde-meanor	Total	Dismissed	Acquitted			
Total	90%	68%	52%	15%	28%	27%	1%	4%
Jefferson (AL)	56%	70%	53%	17%	24%	22%	1%	6%
Maricopa (AZ)	94	46	41	4	54	54	0	1
Pima (AZ)	97	52	49	3	47	45	2	1
Alameda (CA)	91	75	58	17	13	13	0	12
Los Angeles (CA)	95	81	76	5	12	11	1	7
Orange (CA)	94	87	77	11	11	10	--	2
Sacramento (CA)	94	76	53	23	22	22	0	2
San Bernardino (CA)	95	87	73	13	11	11	0	2
San Francisco (CA)	82%	77%	49%	29%	23%	23%	0%	0%
Santa Clara (CA)	91	82	74	8	7	7	--	11
Ventura (CA)	94	87	78	9	13	13	0	0
Broward (FL)	88	68	63	5	21	19	2	11
Miami-Dade (FL)	89	47	43	5	44	43	1	9
Hillsborough (FL)	92	68	61	7	31	30	1	2
Orange (FL)	95	56	47	10	34	32	1	10
Cook (IL)	85	57	54	2	43	42	1	--
DuPage (IL)	82%	95%	95%	0%	5%	3%	2%	0%
Marion (IN)	89	55	43	12	45	44	2	--
Jefferson (KY)	71	44	21	23	52	52	0	4
Montgomery (MD)	89	43	26	17	49	48	1	8
Baltimore (city) (MD)	91	45	28	17	37	35	2	19
Wayne (MI)	90	71	65	6	23	19	4	6
Jackson (MO)	83	82	74	8	17	17	0	1
St. Louis (MO)	93	83	73	10	17	16	1	0
Bronx (NY)	91%	73%	28%	44%	27%	27%	--	0%
Erie (NY)	95	63	17	45	38	38	0	0
Kings (NY)	96	49	16	34	50	50	--	1
Monroe (NY)	95	67	36	31	32	32	--	--
New York (NY)	91	68	35	33	32	31	1	--
Queens (NY)	93	72	25	47	28	27	--	0
Suffolk (NY)	84	83	37	46	14	14	0	3
Hamilton (OH)	99	68	54	14	31	29	2	1
Allegheny (PA)	83%	85%	60%	25%	8%	8%	1%	7%
Philadelphia (PA)	80	50	39	11	47	44	3	3
Shelby (TN)	61	71	43	29	23	23	0	6
Dallas (TX)	91	87	77	10	13	12	1	0
Harris (TX)	98	66	57	9	12	11	--	22
King (WA)	95	90	77	13	10	9	1	0
Milwaukee (WI)	96	85	75	10	14	14	1	--

Note: Detail may not add to 100% because of rounding.  
 --Less than 0.5%.

\*Includes diversion and deferred adjudication.

**Appendix table G. Most severe type of sentence received by defendants convicted of a felony, by SCPS jurisdiction, 1998**

County (State)	Percent of felony defendants					
	Incarceration			Nonincarceration		
	Total	Prison	Jail	Total	Probation	Fine
Total	68%	30%	38%	32%	30%	2%
Jefferson (AL)	63%	56%	6%	37%	34%	3%
Maricopa (AZ)	60	20	40	40	38	1
Pima (AZ)	50	32	18	50	49	1
Alameda (CA)	83	23	60	17	17	0
Los Angeles (CA)	84	46	38	16	16	0
Orange (CA)	88	36	52	12	12	0
Sacramento (CA)	88	30	57	12	12	--
San Bernardino (CA)	83	39	45	17	17	0
San Francisco (CA)	54%	14%	41%	46%	45%	1%
Santa Clara (CA)	88	21	67	12	12	0
Ventura (CA)	93	32	61	7	7	0
Broward (FL)	59	26	32	41	39	3
Miami-Dade (FL)	63	10	53	37	33	4
Hillsborough (FL)	33	18	15	67	67	0
Orange (FL)	52	8	44	48	48	--
Cook (IL)	43	42	2	57	57	0
DuPage (IL)	46%	28%	18%	54%	53%	1%
Marion (IN)	99	49	51	1	1	0
Jefferson (KY)	30	9	22	70	61	9
Montgomery (MD)	89	14	75	11	6	5
Baltimore (city) (MD)	97	59	38	3	3	0
Wayne (MI)	31	14	17	69	69	0
Jackson (MO)	23	22	1	77	76	--
St. Louis (MO)	35	22	13	65	63	2
Bronx (NY)	44%	0%	44%	56%	43%	14%
Erie (NY)	60	15	45	40	40	0
Kings (NY)	64	0	64	36	18	17
Monroe (NY)	60	28	32	40	39	1
New York (NY)	59	0	59	41	35	5
Queens (NY)	40	0	40	60	36	24
Suffolk (NY)	61	12	49	39	33	5
Hamilton (OH)	63	41	22	37	35	2
Allegheny (PA)	38%	11%	27%	62%	62%	0%
Philadelphia (PA)	57	49	8	43	43	0
Shelby (TN)	77	51	25	23	19	4
Dallas (TX)	50	24	26	50	49	1
Harris (TX)	83	31	52	17	14	3
King (WA)	77	30	47	23	21	2
Milwaukee (WI)	72	33	40	28	27	1

Note: Sentences to incarceration may have also included a probation term. Sentences to incarceration or probation may have included a fine, restitution, community service, treatment or other court-ordered condition. Fines included restitution or community service in some instances. Detail may not add to 100% because of rounding.  
 --Less than 0.5%.