



Bureau of Justice Statistics Bulletin

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State Court Processing Statistics, 2004

Felony Defendants in Large Urban Counties, 2004

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Overview

In the nation's 75 most populous counties, an estimated 57,497 defendants were charged with a felony offense in 2004. About two-thirds of these felony defendants were charged with a drug or property offense, while 23% had charges for violent offenses such as murder, rape, robbery, or aggravated assault. More than three-fourths of felony defendants had a prior arrest history, with 53% having at least five prior arrest charges. Nearly 60% of felony defendants in the nation's 75 most populous counties were released prior to adjudication and about a third of the released defendants committed some form of pretrial misconduct. About two-thirds of felony defendants were eventually convicted and more than 95% of these convictions occurred through a guilty plea. Nearly three-fourths of defendants convicted of a felony offense were incarcerated in a state prison or local jail.

Other major findings on felony defendants in large urban counties include —

- An estimated 80% of felony defendants were male, and about 40% were non-Hispanic blacks.
- About 40% of felony defendants were on probation or parole or had some other relationship with the criminal justice system at the time of arrest.
- Almost half (46%) of all defendants had been previously convicted of a felony.
- For offenses other than murder, the median case processing time from arrest to adjudication was under 6 months.

More than 1 in 5 felony defendants were convicted and sentenced to prison in 2004

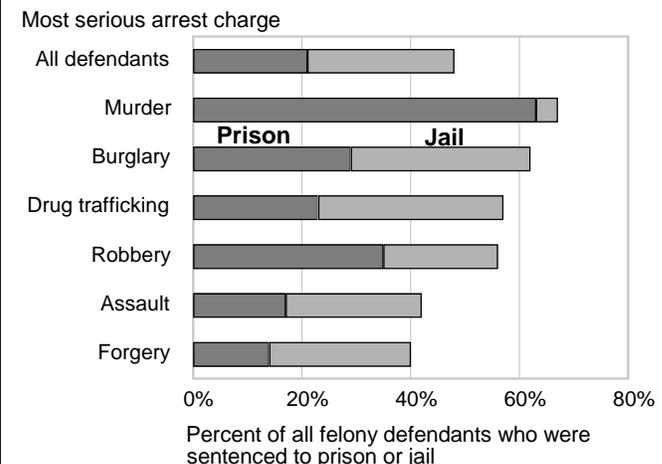


Figure 1

- Defendants convicted of violent felonies received prison sentences averaging about 8 years; non-violent felons were sentenced to about 3 years imprisonment.

These findings are from the 2004 State Court Processing Statistics (SCPS) data collection program. The SCPS program collects data on the demographic characteristics, criminal history, pretrial release, adjudication, and sentencing of felony defendants in a sample of the nation's 75 most populous counties.

Data in this report can be accessed through html tables available on the BJS Website at:
<http://www.ojp.usdoj.gov/bjs/pub/html/fdluc/2004/fdluc04st.htm>.

Two-thirds of felony defendants were charged with a drug or property offense

An estimated 57,497 felony cases were filed in the state courts of the nation's 75 largest counties during May 2004. About a quarter of defendants were charged with a violent offense, usually robbery or assault (figure 2). Less than 1% of defendants were charged with murder (0.6%) or rape (0.9%).

About two-thirds of defendants were charged with a drug (37%) or property offense (31%). About 40% of drug defendants, 15% of defendants overall, were charged with drug trafficking. A majority of property defendants were charged with burglary (8% of all defendants) or larceny (8%). About 10% of defendants were charged with a public-order offense. A majority of these charges were driving-related (3%) or weapons-related (3%) offenses.

Eight out of 10 felony defendants were males

Eighty-two percent of felony defendants were male, including 90% or more of those charged with rape (99%), a weapons offense (96%), murder (92%), robbery (91%), or a driving-related offense (90%). Women accounted for 41% of fraud defendants and about a third of forgery (34%) and larceny/theft (29%) defendants.

Blacks accounted for two-fifths of felony defendants

Non-Hispanic blacks comprised more than half of the defendants charged with robbery (56%), a weapons offense (54%), or drug trafficking (51%) (table 1). Non-Hispanic whites were nearly half of those charged with a driving-related felony (44%). Hispanics comprised almost half of those charged with motor vehicle theft (44%). Half of the defendants were under age 30. Seventeen percent were under age 21, including 40% of those charged with robbery and 30% of those charged with motor vehicle theft. Three percent of defendants were under age 18, including 13% of robbery defendants and 6% of murder defendants.

Nearly 40% of felony defendants had an active criminal justice status at time of arrest

At the time of arrest, 39% of defendants had an active criminal justice status, such as probation (16%), release pending disposition of a prior case (11%), or parole (5%). Forty-five percent of burglary defendants and 51% of motor vehicle theft defendants had an active criminal justice status when arrested.

Most serious arrest charge	Black non-Hispanic	White non-Hispanic	Hispanic, any race	Other non-Hispanic
All offenses	42%	29%	28%	2%
Violent	44	24	30	2
Property	38	33	26	3
Drug	44	27	27	2
Public-order	38	32	27	3

More than a third of felony defendants in the nation's 75 most populous counties charged with drug offenses

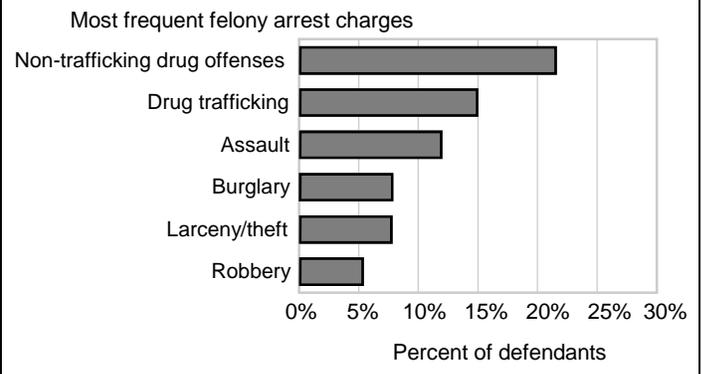


Figure 2

Seventy-eight percent of all defendants had been arrested previously, with 53% having at least five prior arrest charges. Sixty-two percent of defendants had at least one prior conviction, including 46% with one or more felony convictions.

Fifty-seven percent of felony defendants received a pretrial release prior to adjudication

Forty-three percent of all defendants were detained until the court disposed of their case, including 6% who were denied bail. Murder defendants (88%) were the most likely to be detained. A majority of defendants charged with motor vehicle theft (61%), robbery (58%), or burglary (54%) were also detained until case disposition.

Defendants with an active criminal justice status (58%) were considerably more likely to be detained until case disposition than those without such a status (33%). Defendants on parole (83%) were the most likely to be detained.

Defendants were most likely to be released on commercial surety bond (43% of all releases), followed by personal recognizance (25%), conditional release (16%), and deposit bond (9%) (figure 3).

More than a third of released felony defendants committed pretrial misconduct

An estimated 35% of released defendants committed one or more types of pretrial misconduct while in a release status. Among those released, 21% failed to appear in court as scheduled and 21% were arrested for a new offense.

In 2004 half of the cases were adjudicated in 85 days or less

About a quarter of defendants had their case adjudicated within one month of arrest, and over half within three months. At the end of the 1-year study period, 88% of all cases had been adjudicated.

About 60% of defendants were convicted of a felony

Sixty-eight percent of cases adjudicated within one year resulted in a conviction. Fifty-nine percent of defendants were convicted of a felony, and 9% of a misdemeanor. The felony conviction rate was highest for those originally charged with motor vehicle theft (74%), followed by driving-related offenses (73%), murder (70%), burglary (69%), and drug trafficking (67%). Defendants charged with assault (45%) had the lowest felony conviction rate.

Nearly all (97%) convictions obtained during the 1-year study period were the result of a guilty plea. Eighty-seven percent of guilty pleas were to a felony.

Seventy-nine percent of trials resulted in a guilty verdict or judgment, including 82% of bench trials and 76% of jury trials.

Type of trial	Percent of trials resulting in a conviction		
	Total	Felony	Misdemeanor
Total	79%	69%	9%
Bench	82	68	14
Jury	76	70	6

Median prison sentence for violent felony convictions was 4 years

About two-thirds of convicted defendants were sentenced within one day of adjudication. Three-fourths of all sentences for felony convictions were to prison (36%) or jail (40%). Ninety-six percent of those convicted of murder were sentenced to prison. A majority of rape (65%) and robbery (63%) convictions also resulted in prison sentences. Nearly all convicted defendants who did not receive an incarceration sentence were placed on probation.

Fifty-three percent of those with multiple prior felony convictions were sentenced to prison following a felony conviction in the current case, compared to 22% of those with no prior felony or misdemeanor convictions (figure 4).

The mean maximum prison sentence for violent felony convictions was about 8 years and the median was 4 years. For nonviolent felonies the mean was about 3 years and the median 2 years. Murder (about 19 years) and rape (10 years) convictions carried the longest median prison sentences.

Distribution of major felony offense categories was relatively stable

Since 1990, defendants charged with a drug or property offense have comprised about two-thirds of felony cases in the 75 largest counties. From 1990 to 2004 the percentage of felony defendants charged with a violent offense has ranged from 23% to 27% (figure 5). Since 1994, drug defendants have comprised the largest group, ranging from 35% to 37%. Property defendants have accounted for 29% to 31% of defendants during this time.

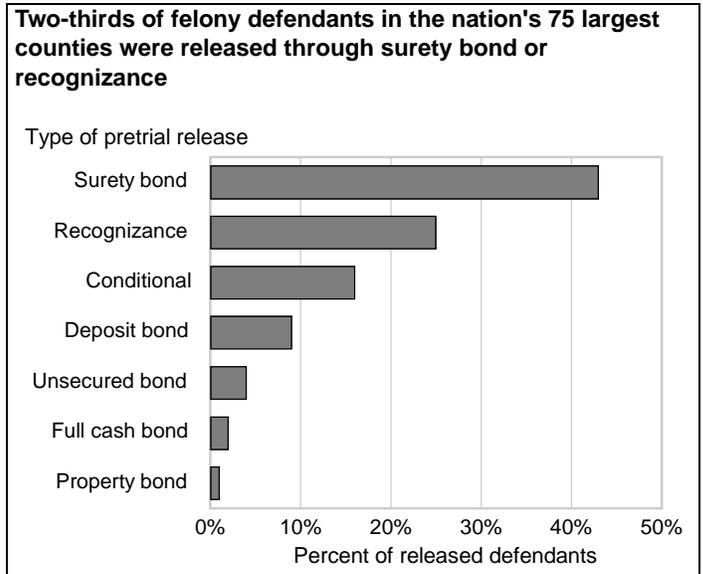


Figure 3

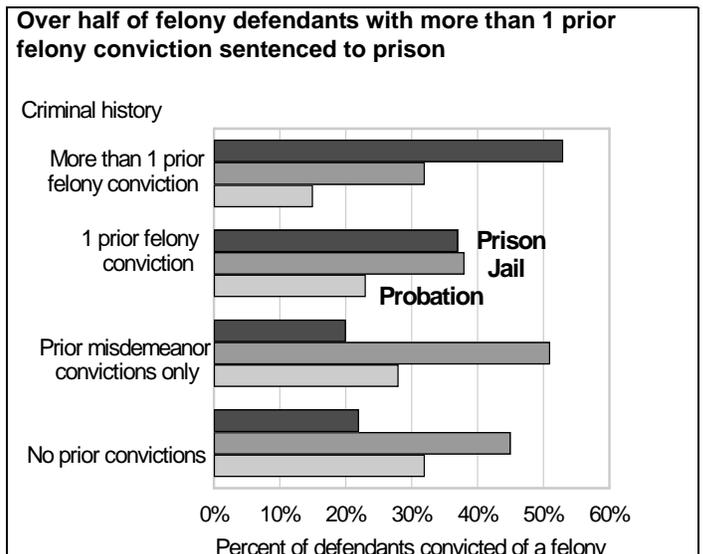


Figure 4

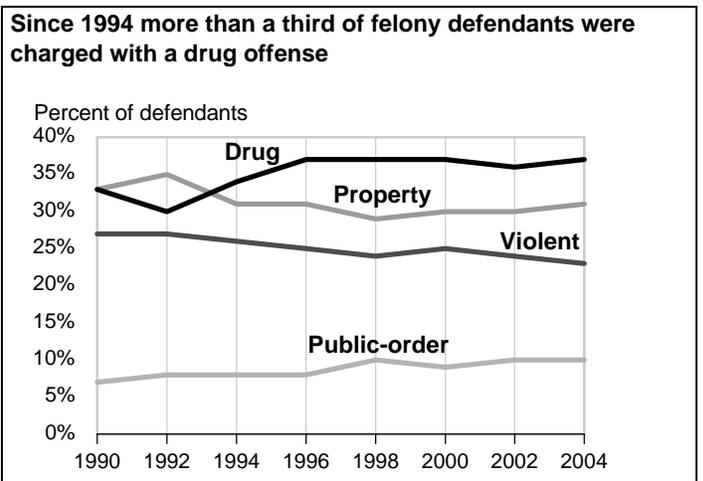


Figure 5



Washington, DC 20531

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Methodology

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 Pre-trial 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 2004 SCPS collected data for 15,761 felony cases filed during May 2004 in 40 large counties. These cases were part of a 2-stage sample that was representative of the estimated 57,497 felony cases filed in the nation's 75 most populous counties during that month. Murder cases were tracked for up to two years and all other cases for up to one year. In 2004 the 75 largest counties accounted for 38% of the U.S. population. According to the Federal Bureau of Investigation's (FBI) 2004 Uniform Crime Reports program, these jurisdictions accounted for 45% of all reported serious violent crimes in the United States, including 43% of murders and non-negligent manslaughters, 34% of rapes, 53% of robberies, and 43% of aggravated assaults.

For additional details about the data collection and analysis, see the expanded *Methodology* on the BJS Website at <http://www.ojp.usdoj.gov/bjs/pub/html/fdluc/2004/fdluc04st.htm>.

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

BJS Bulletins present the first release of findings from permanent data collection programs.

Tracey Kyckelhahn and Thomas H. Cohen wrote this report. Brian Reaves provided statistical review. Catherine Bird edited the report, Tina Dorsey produced it, and Jayne Robinson prepared it for final printing under the supervision of Doris J. James.

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This report in portable document format and in ASCII and its related statistical data and tables are available at the BJS World Wide Web Internet site: <http://www.ojp.usdoj.gov/bjs/abstract/fdluc04.htm>.

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