



# Time Served in State Prison, 2016

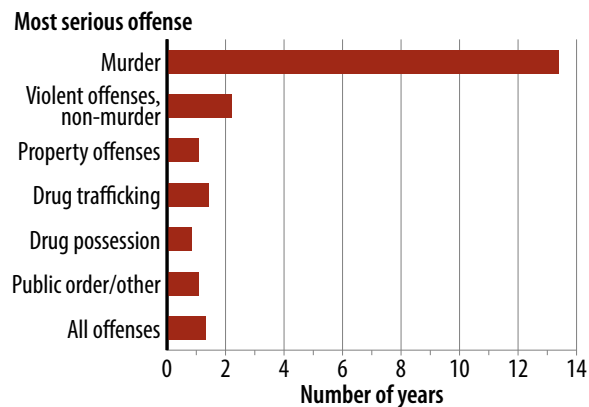
Danielle Kaeble, *BJS Statistician*

**M**ost violent offenders (57%) released from state prison in 2016 served less than three years in prison before their initial release. About 1 in 25 violent offenders (3.6%) served 20 years or more before their initial release. These findings are based on prisoner records from the Bureau of Justice Statistics' National Corrections Reporting Program (NCRP), which collects records on prison admissions and releases.

All statistics in this report are based on state prisoners' first release after serving time for a given offense. They exclude persons who had been released after serving time for an offense, returned to prison for violating community supervision, and then were released again.

The average time served by state prisoners released in 2016, from their date of initial admission to their date of initial release, was 2.6 years. The median amount of time served (the middle value in the range of time served, with 50% of offenders serving more and 50% serving less) was 1.3 years ([figure 1](#)).

**FIGURE 1**  
Median time served in state prison before initial release, by most serious offense, 2016



Note: Initial release does not refer to first-time offenders but to offenders' first release from a given sentence (whether they are first-time offenders or not), as opposed to a re-release after a subsequent parole violation. Statistics are based on 44 states, and data exclude state prisoners with sentences of one year or less; those with missing values for most serious offense or calculated time served; those released by transfer, appeal, or detainer; and those who escaped. Data include 2,755 deaths in 2016. See table 1 for detail and description of offenses. Source: Bureau of Justice Statistics, National Corrections Reporting Program, 2016.

## HIGHLIGHTS

- The average time served by state prisoners released in 2016, from initial admission to initial release, was 2.6 years, and the median time served was 1.3 years.
- Persons released from state prison in 2016 served an average of 46% of their maximum sentence length before their initial release.
- State prisoners initially released in 2016 served an average of 62% of their sentence if they were serving time for rape or sexual assault, and 38% if serving time for drug possession.
- Persons serving less than one year in state prison represented 40% of first releases in 2016.
- Persons sentenced for murder or non-negligent manslaughter served an average of 15 years in state prison before their initial release.
- Ninety-six percent of violent offenders released in 2016, including 70% of those sentenced for murder or non-negligent manslaughter, served less than 20 years before initial release.
- About three-quarters of violent offenders released from state prison in 2016 served at least one year before initial release.
- Roughly 1 in 5 persons released in 2016 after being sentenced for rape or sexual assault served 10 or more years before initial release.
- On average, persons serving time for property, drug, or public-order offenses served less than two years before initial release.
- Most offenders (59%) released from state prison in 2016 after serving time for drug possession served less than one year before their initial release.

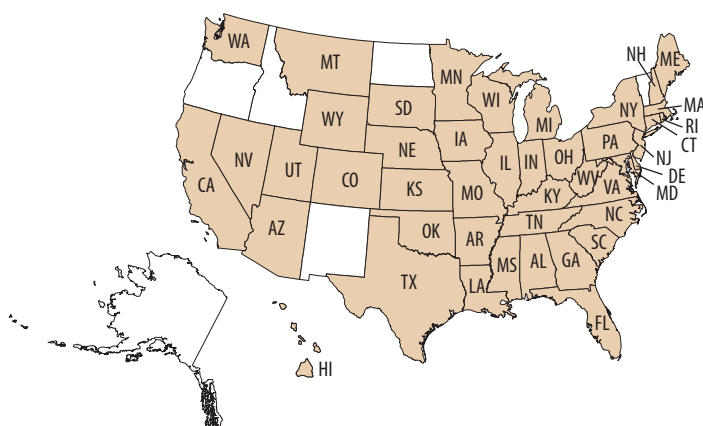
By offense type, the median time served was 13.4 years for murder, 2.2 years for violent crimes excluding murder, 17 months for drug trafficking, and 10 months for drug possession.

This report is based on NCRP data from 44 states. In 2016, these states were responsible for 97% of all persons released from state prisons nationwide (**map 1**). Annually administered by the Bureau of Justice Statistics, the NCRP obtains individual-level records from state departments of corrections on prisoners entering and leaving prison custody or community supervision.

**Violent offenders served 4.7 years in state prison on average, compared to less than 2 years for other offenders**

State prisoners released in 2016 after serving time for a violent offense spent an average of 4.7 years in prison before their initial release. Violent offenders made up 29% of all initial releases that year (**table 1**). Among non-violent offenses, persons released from state prison in 2016 after serving time for weapons offenses (24 months) served five months longer on average than those released for other public-order offenses (19 months). Persons sentenced for drug trafficking spent an average of 26 months in state prison before initial release, which was five months longer than the average time served for property offenses (21 months).

**MAP 1**  
**States included in analysis of time served, 2016**



Source: Bureau of Justice Statistics, National Corrections Reporting Program, 2016.

Eight percent of initial releases from state prison in 2016 were persons sentenced to more than one year for possession of drugs. On average, these offenders spent 15 months in state prison, and their median time served was 10 months.

**TABLE 1**  
**Time served in state prison before first release, by most serious offense, 2016**

Most serious offense	Percent of total releases	Time served in prison <sup>a</sup>	
		Median <sup>b</sup>	Mean
All offenses	100%	1.3 yrs.	2.6 yrs.
<b>Violent</b>	28.7%	2.4 yrs.	4.7 yrs.
Murder <sup>c</sup>	1.9	13.4	15.0
Negligent manslaughter	0.7	4.0	5.2
Rape/sexual assault	5.0	4.2	6.2
Robbery	7.4	3.2	4.7
Assault <sup>d</sup>	11.0	1.4	2.5
Other violent <sup>e</sup>	2.6	1.6	3.1
<b>Property</b>	27.4%	13 mos.	21 mos.
Burglary	11.4	17	26
Larceny-theft	7.2	11	17
Motor vehicle theft	1.3	12	17
Fraud <sup>f</sup>	4.0	11	17
Other property <sup>g</sup>	3.5	12	19
<b>Drug</b>	24.4%	14 mos.	22 mos.
Possession	7.6	10	15
Trafficking	9.3	17	26
Other drug <sup>h</sup>	7.4	14	23
<b>Public order</b>	18.7%	13 mos.	20 mos.
Weapons	5.5	16	24
Other public order <sup>i</sup>	13.3	12	19
<b>Other/unspecified</b>	0.8%	13 mos.	27 mos.
<b>Number of releases</b>		377,839	~

Note: Details may not sum to totals due to rounding. First release does not refer to first-time offenders but to offenders' first release from a given sentence (whether they are first-time offenders or not), as opposed to a re-release after a subsequent parole violation. Statistics are based on 44 states, and data exclude state prisoners with sentences of one year or less; those with missing values for most serious offense or calculated time served; those released by transfer, appeal, or detainer; and those who escaped. Data include 2,755 deaths in 2016.

~Not applicable.

<sup>a</sup>Excludes time served in jail.

<sup>b</sup>The statistical median represents the value at which 50% of the values are larger and 50% are smaller in a sequence of numbers.

<sup>c</sup>Includes non-negligent manslaughter.

<sup>d</sup>Includes 72.2% aggravated assault, 21.4% simple assault, and 6.4% assault on a public safety officer.

<sup>e</sup>Includes kidnapping, blackmail, extortion, hit and run with injury, and other unknown violent offenses.

<sup>f</sup>Includes forgery and embezzlement.

<sup>g</sup>Includes arson, receiving and trafficking of stolen property, destruction of property, trespassing, and other unknown property offenses.

<sup>h</sup>Includes forging prescriptions, possession of drug paraphernalia, and other unspecified offenses.

<sup>i</sup>Includes DUIs/DWIs; court offenses; commercialized vice, morals, and decency offenses; liquor law violations; and other public-order offenses.

Source: Bureau of Justice Statistics, National Corrections Reporting Program, 2016.

## More than 7 in 10 violent offenders released in 2016 served less than five years in state prison

Persons serving less than one year in state prison represented 40% of first releases in 2016 (table 2). Almost a fifth (18%) of persons served less than six months. More than 7 in 10 of violent offenders (72%) served less than five years in state prison before their initial release, and nearly 9 in 10 violent offenders (88%) served less than 10 years. About a quarter (24%) of offenders released after being sentenced for rape or sexual assault served between 5 and 10 years before initial release; most (57%) served shorter terms than that.

Less than 7% of persons released in 2016 after serving time for property, drug, or public-order offenses served five years or longer in state prison before their initial release. Three percent of those sentenced for drug possession served five years or more. About four-fifths (81%) of persons released in 2016 who served 10 years or longer before their initial release were in prison for a violent offense (not shown in table). Ninety-nine percent of offenders served less than 20 years before initial release, including 70% of those sentenced for murder or non-negligent manslaughter.

**TABLE 2**  
Percent of prisoners who served a given length of time before first release, by most serious offense, 2016

Most serious offense	<6 months <sup>a</sup>	<1 year <sup>b</sup>	<2 years	<3 years	<5 years	<10 years	<20 years	20 years or longer
<b>All offenses</b>	18.1%	39.5%	64.5%	76.8%	87.4%	95.5%	98.8%	1.2%
<b>Violent</b>	10.8%	24.3%	44.3%	56.7%	71.8%	87.7%	96.4%	3.6%
Murder <sup>c</sup>	2.4	3.8	7.7	11.8	20.0	39.6	69.6	30.4
Negligent manslaughter	6.6	13.2	26.9	39.0	60.2	87.1	99.1	0.9
Rape/sexual assault	5.8	12.8	27.0	39.1	57.2	81.3	96.0	4.0
Robbery	6.9	15.7	33.7	48.0	68.0	89.4	98.2	1.8
Assault	16.0	37.1	63.4	75.8	88.0	96.5	99.4	0.6
Other violent <sup>d</sup>	16.9	34.9	59.1	71.8	83.3	94.0	98.2	1.8
<b>Property</b>	20.7%	45.6%	72.9%	84.9%	94.3%	98.8%	99.8%	0.2%
Burglary	15.8	35.9	63.4	78.3	91.5	98.1	99.7	0.3
Larceny-theft	24.7	54.1	80.8	90.3	96.6	99.4	99.8	0.2
Motor vehicle theft	21.6	51.4	80.7	91.2	97.3	99.4	99.8	0.2
Fraud <sup>e</sup>	23.6	51.8	79.8	90.1	96.7	99.5	99.9	0.1
Other property <sup>f</sup>	25.4	50.8	76.8	87.2	94.9	99.0	99.8	0.2
<b>Drug</b>	21.1%	45.0%	72.0%	84.4%	93.4%	98.8%	99.9%	0.1%
Possession	28.5	58.6	84.2	92.6	97.4	99.5	99.9	0.1
Trafficking	15.3	35.3	63.5	79.0	91.1	98.4	99.8	0.2
Other drug <sup>g</sup>	20.7	43.3	70.1	82.6	92.3	98.6	99.9	0.1
<b>Public order</b>	21.6%	46.7%	74.0%	85.7%	94.3%	99.0%	99.9%	0.1%
Weapons	17.1	38.5	66.6	81.6	93.1	98.6	99.9	0.1
Other public order <sup>h</sup>	23.6	49.9	76.6	86.9	94.5	99.0	99.9	0.1
<b>Other/unspecified</b>	25.1%	45.9%	68.2%	78.6%	88.2%	96.7%	99.6%	0.4%

Note: Categories overlap (e.g., <1 year includes <6 months). First release does not refer to first-time offenders but to offenders' first release from a given sentence (whether they are first-time offenders or not), as opposed to a re-release after a subsequent parole violation. Statistics are based on 44 states, and data exclude state prisoners with sentences of one year or less; those with missing values for most serious offense or calculated time served; those released by transfer, appeal, or detainer; and those who escaped. Data include 2,755 deaths in 2016.

<sup>a</sup>Deaths accounted for 6.9% of murder "releases," 1.8% of manslaughter "releases," and 2.1% of rape/sexual assault "releases" in under 6 months in 2016. Deaths made up under 0.5% of all other offense categories.

<sup>b</sup>Deaths accounted for 7.9% of murder "releases," 0.9% of manslaughter "releases," and 2.0% of rape/sexual assault "releases" in under 1 year in 2016. Deaths made up under 0.4% of all other offense categories.

<sup>c</sup>Includes non-negligent manslaughter.

<sup>d</sup>Includes kidnapping, blackmail, extortion, hit and run with injury, and other unknown violent offenses.

<sup>e</sup>Includes forgery and embezzlement.

<sup>f</sup>Includes arson, receiving and trafficking of stolen property, destruction of property, trespassing, and other unknown property offenses.

<sup>g</sup>Includes forging prescriptions, possession of drug paraphernalia, and other unspecified offenses.

<sup>h</sup>Includes DUIs/DWIs; court offenses; commercialized vice, morals, and decency offenses; liquor law violations; and other public-order offenses.

Source: Bureau of Justice Statistics, National Corrections Reporting Program, 2016.

**Persons released after serving time for rape or sexual assault (62%) served the highest percentage of their sentence**

Persons released from state prisons in 2016 served an average of 46% of their maximum sentence length before their first release (table 3). The average sentence length for persons released for murder or non-negligent manslaughter in 2016 was more than three times the average sentence length of other violent offenses and more than five times the average sentence length of any non-violent offenses. Among broader categories, the percentage of maximum sentence that prisoners served was highest for violent offenses (54%) and lowest for drug (41%) and other unspecified (36%) offenses. For offenders first released from state prison in 2016, the average sentence length for drug offenses was 4.0 years for possession and 6.7 years for trafficking, and the average time served was 15 months for possession and 26 months for trafficking.

Persons released for the first time after being imprisoned for rape or sexual assault served the highest percentage of their maximum sentence length (62%), while those released after serving time for drug possession served an average of 38% of their sentence—lowest aside from other/unspecified offenses. Offenders sentenced for murder or non-negligent manslaughter served an average of 57% of their maximum sentence length before being released, and those imprisoned for negligent manslaughter or robbery served an average of 58% of their sentences.

**TABLE 3**  
Average sentence length and percent of sentence served before first release, by most serious offense, 2016

Most serious offense	Average sentence length <sup>a</sup>	Percent of sentence served
<b>All offenses</b>	6.4 yrs.	45.5%
<b>Violent</b>	10.2 yrs.	53.7%
Murder <sup>b</sup>	40.6	57.2
Negligent manslaughter	10.1	58.4
Rape/sexual assault	12.2	61.9
Robbery	9.0	57.7
Assault	5.6	47.9
Other violent <sup>c</sup>	7.2	47.0
<b>Property</b>	4.8 yrs.	42.4%
Burglary	5.8	43.1
Larceny-theft	3.7	43.7
Motor vehicle theft	4.0	41.5
Fraud <sup>d</sup>	4.4	39.9
Other property <sup>e</sup>	4.5	40.5
<b>Drug</b>	5.3 yrs.	40.6%
Possession	4.0	37.5
Trafficking	6.7	40.9
Other drug <sup>f</sup>	4.9	43.2
<b>Public order</b>	4.2 yrs.	44.5%
Weapons	4.6	46.6
Other public order <sup>g</sup>	4.0	43.6
<b>Other/unspecified</b>	7.7 yrs.	35.5%
<b>Number of releases</b>	375,739	~

Note: First release does not refer to first-time offenders but to offenders' first release from a given sentence (whether they are first-time offenders or not), as opposed to a re-release after a subsequent parole violation. Statistics are based on 44 states, and data exclude state prisoners with sentences of one year or less; those with missing values for most serious offense or calculated time served; those released by transfer, appeal, or detainee; and those who escaped. Data include 2,755 deaths in 2016.

~Not applicable.

<sup>a</sup>Average sentence length excludes time in jail and reflects the total maximum sentence that prisoners received. Sentences of more than 100 years, including life and death sentences, are set to a maximum sentence of 100 years. Average percentage of sentence served is the percentage of the maximum sentence served before first release. In cases of death, percentage of sentence served equals 100%. Including life sentences, death sentences, and deaths has little effect on offenses apart from murder. If these were excluded it would make the average sentence for murder 20.2 years and the percent of time served for murder 64.6%.

<sup>b</sup>Includes non-negligent manslaughter.

<sup>c</sup>Includes kidnapping, blackmail, extortion, hit and run with injury, and other unknown violent offenses.

<sup>d</sup>Includes forgery and embezzlement.

<sup>e</sup>Includes arson, receiving and trafficking of stolen property, destruction of property, trespassing, and other unknown property offenses.

<sup>f</sup>Includes forging prescriptions, possession of drug paraphernalia, and other unspecified offenses.

<sup>g</sup>Includes DUIs/DWIs; court offenses; commercialized vice, morals, and decency offenses; liquor law violations; and other public-order offenses.

Source: Bureau of Justice Statistics, National Corrections Reporting Program, 2016.

**Persons sentenced for murder or rape/sexual assault made up about half (49%) of all deaths in state prisons in 2016**

In 2016, 2,755 prisoners died while awaiting their initial release, and they were counted among “first releases” in 2016 (table 4). This statistic is based on data from 38 states where type of release was available for 2016 (map 2). Causes of death included natural causes, suicide, homicide, legally imposed execution, and injury

**TABLE 4**  
**Deaths among state prisoners awaiting their first release, by most serious offense, 2016**

Most serious offense	Percent	Number
<b>All offenses</b>	100%	2,755
<b>Violent</b>	68.3%	1,883
Murder <sup>a</sup>	25.0	689
Negligent manslaughter	1.4	39
Rape/sexual assault	24.0	660
Robbery	7.4	205
Assault	7.4	205
Other violent <sup>b</sup>	3.1	85
<b>Property</b>	12.0%	330
Burglary	5.7	157
Larceny-theft	2.7	74
Motor vehicle theft	0.2	6
Fraud <sup>c</sup>	1.6	44
Other property <sup>d</sup>	1.8	49
<b>Drug</b>	9.0%	247
Possession	1.3	35
Trafficking	4.3	119
Other drug <sup>e</sup>	3.4	93
<b>Public order</b>	9.8%	271
Weapons	2.2	60
Other public order <sup>f</sup>	7.7	211
<b>Other/unspecified</b>	0.9%	24

Note: Details may not sum to totals due to rounding. Counts may differ from those published elsewhere due to non-reporting states. First release does not refer to first-time offenders but to offenders’ first release after a given sentence (whether they are first-time offenders or not), as opposed to a re-release after a subsequent parole violation. Statistics are based on state prisoners who were released for the first time from their sentence in 38 states, and data exclude state prisoners with sentences of one year or less.

<sup>a</sup>Includes non-negligent manslaughter.

<sup>b</sup>Includes kidnapping, blackmail, extortion, hit and run with injury, and other unknown violent offenses.

<sup>c</sup>Includes forgery and embezzlement.

<sup>d</sup>Includes arson, receiving and trafficking of stolen property, destruction of property, trespassing, and other unknown property offenses.

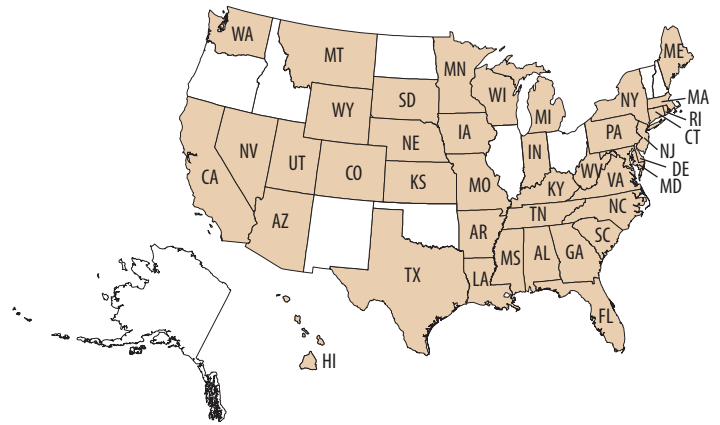
<sup>e</sup>Includes forging prescriptions, possession of drug paraphernalia, and other unspecified offenses.

<sup>f</sup>Includes DUIs/DWIs; court offenses; commercialized vice, morals, and decency offenses; liquor law violations; and other public-order offenses.

Source: Bureau of Justice Statistics, National Corrections Reporting Program, 2016.

resulting in death. Violent offenders serving time in state prison made up 68% of the total deaths in 2016 among prisoners awaiting their first release. Persons sentenced for murder or rape/sexual assault offenses made up about half (49%) of all deaths in state prisons in 2016 among those awaiting their first release. Almost a tenth (9.4%) of persons sentenced for murder whose time-served ended in 2016 died while serving their sentence (not shown in table).

**MAP 2**  
**States with prisoner deaths included in current analysis, 2016**



Note: Excludes the District of Columbia. Number of states included differs from other tables in the report due to availability of type of prison release in release records.

Source: Bureau of Justice Statistics, National Corrections Reporting Program, 2016.

## Methodology

The National Corrections Reporting Program (NCRP), administered by the Bureau of Justice Statistics (BJS), is an annual voluntary data collection of administrative records on individual prisoners submitted by state departments of corrections. Since its inception in 1983, the NCRP has collected records for each prison admission, prison release, and exit from post-custody community supervision programs. Starting in 1999, BJS requested that states submit an additional file that included the administrative records of all prisoners under the custody of state prisons on December 31 of each year. In 2013, BJS began requesting that states provide entries to post-custody community supervision in addition to exits. The U.S. Census Bureau served as the data collection agent for the NCRP from 1983 to 2009, at which point BJS opened a competitive solicitation and awarded data collection responsibilities to Abt Associates, Inc. For calendar year 2016, a total of 47 states had submitted at least one type of record: prison admissions (44 states), prison releases (46), year-end population (46), entries to post-custody community supervision (31), and exits from post-custody community supervision (28).

The current analysis includes data from the NCRP prison-release records, which include one record for each release of a sentenced offender from a state's prison system. Data elements collected include offender demographic, offense, and sentencing characteristics, and the dates and types of admission to, and release from, state prison. Data include prisoners under the immediate control of state authorities, regardless of the jurisdiction in which they were originally sentenced.

### Reporting on time served and percentage of sentenced served

First release of an offender is defined by the type of admission to prison for that period of imprisonment. If the admission was coded by the state as a court commitment—either through a new sentence, imposition of a suspended sentence, or revocation of probation—the release of that offender was considered to be the first release. Admissions to prison due to community supervision violations were considered to be subsequent releases.

Data in this report included NCRP release records for 2016 from 44 states. New Mexico, North Dakota, and Oregon did not submit any NCRP data for 2016. Vermont did not submit prison release records. Alaska and Idaho could not distinguish between admission types. In addition, admission types were not reported in Virginia's 2016 NCRP release file. Based on data reported to the 2016 National Prisoners Statistics (NPS) program; however, BJS estimated that all of Virginia's offenders entered on new court commitments.

All analyses were limited to prisoners sentenced to more than one year who were admitted to state prison on new court commitments. New court commitments made up 416,735 of the releases reported to the NCRP from the 44 states included in the analysis. All analyses excluded (1) records that indicated the offender had previously been released from the current sentence and (2) release records where the type of admission was a transfer within the state prison system or was the return of a prisoner who escaped or was absent without leave. There are 377,839 releases included in tables 1 and 2. This number excludes reported releases with missing values for most serious offense or calculated time served. There are 375,739 releases included in table 3. In addition to excluding releases with missing values for most serious offense or calculated time served, this number also excludes releases with a missing value for maximum sentence.

Maximum sentence length refers to the greatest amount of time a person can spend in prison based on the sentence imposed by a court. It includes consecutive sentences imposed by a court for multiple offenses, but does not measure the time actually served in prison. The analyses include prisoners who were released in 2016 and sentenced to life, life without parole, life plus additional years, and death. For purposes of calculating percentage of time served, BJS assigned a 100-year maximum value to sentences of more than 100 years, life, or death. In statistical tables previously published by BJS or percentages of time served, offenders with life or death sentences and releases due to death were excluded from calculations. Including these has little effect on offenses apart from murder. If these were excluded these would make the average sentence for murder 20.2 years a, the average time served for murder 11.2 years, and the percent of time served for murder 64.6% so previous estimates are not directly comparable with the current analysis.



The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels. BJS collects, analyzes, and disseminates reliable statistics on crime and justice systems in the United States, supports improvements to state and local criminal justice information systems, and participates with national and international organizations to develop and recommend national standards for justice statistics. Jeffrey H. Anderson is the director.

This report was written by Danielle Kaeble. Mary Cowhig and Stephanie Mueller verified the report.

Caitlin Scoville and Jill Thomas edited the report. Tina Dorsey produced the report.

November 2018, NCJ 252205



NCJ252205

Office of Justice Programs  
Building Solutions • Supporting Communities • Advancing Justice  
[www.ojp.gov](http://www.ojp.gov)