

**Sentence/Expected Time to Serve by Crime
Before and After Truth-in-Sentencing
FY1993-1995 vs. FY2001 - 2003 Admissions**

In the 1995 Crime Bill, the South Carolina Legislature passed Truth-in-Sentencing (TIS) provisions designating most violent offenses and certain specific crimes to be "no parole" offenses. Convicted offenders, having committed these crimes on or after January 1, 1996, have to serve 85% of their sentences, followed by 2 years of community supervision. In FY 1993-1995, all admissions were non-TIS, while for FY2001-2003, 90% of admissions were sentenced under TIS statute (the 10% admissions excluded in this analysis were parole revocators and/or inmates who had committed their crimes before 1/1/1996).

This chart compares sentences and expected time to serve before and after TIS became effective, for offenses which involved significant numbers of offenders, and excluding murder and drug offenses. On an average, after TIS statute was implemented, sentence lengths by crime declined by a range of 5 to 54 months (percentage decline ranges from 2% to 33%). However, TIS inmates are expected to serve more time for the same crime because they have to serve 85% of the sentences (instead of a prevailing average of about 55% of sentence for non-TIS maxout release). In this chart, offenses are sorted by their increase in expected time to serve (in months): 1st degree burglars are expected to experience the greatest increase in time to serve under TIS - 64 months (51% increase in time to serve after TIS).

Average Sentence/Expected Time to Serve for Select Non-Drug Offenses

Offense	FY 1993, FY 1994 & FY 1995			FY 2001, FY 2002 & FY 2003			Change in Sentence Length (Months)	Percentage Change in Sentence Length	Change in Time to Serve (months)	Percentage Change in Time to Serve
	# of Inmates	Average Sentence (Months) ¹	Expected Time to Serve (55%)	# of Inmates	Average Sentence (Months) ¹	Expected Time to Serve (85%)				
Burglary-1st Degree	205	228	125	205	223	189	-5	-2%	64	+ 51%
Manslaughter/Voluntary Manslaughter ²	436	240	132	231	217	184	-23	-10%	52	+ 40%
Criminal Sexual Conduct with Minor (1st Degree)	86	181	99	109	175	149	-6	-3%	49	+ 50%
Kidnapping	91	241	132	134	206	175	-35	-14%	43	+ 32%
Criminal Sexual Conduct 1st Degree	133	266	146	47	221	188	-45	-17%	42	+ 28%
Arson-2nd Degree	77	78	43	57	90	77	12	16%	34	+ 79%
Assault & Battery with Intent to Kill	292	131	72	270	122	104	-9	-7%	32	+ 44%
Armed Robbery	494	227	125	565	180	153	-47	-21%	28	+ 23%
Criminal Sexual Conduct with Minor (2nd Degree)	142	108	59	223	99	84	-9	-8%	25	+ 42%
Criminal Sexual Conduct 2nd Degree	81	121	67	34	102	86	-20	-16%	20	+ 30%
Felony DUI-Death Results	19	165	91	70	123	105	-42	-25%	14	+ 15%
Attempted Armed Robbery	47	162	89	112	108	92	-54	-33%	3	+ 3%

¹ Average sentence excludes Life or Death sentences.

² FY 1993-95 Admissions were convicted for Manslaughter, while FY 2001-03 Admissions were convicted for Voluntary Manslaughter.

**Sentence/Expected Time to Serve by Crime
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FY1993 - 1995 vs. FY2001 - 2003 Admissions**

This chart presents some sentence and time to serve data by offense, pertaining to drug crimes, in FY 1993-1995 and FY2001-2003. However, the data cannot be used to determine the extent to which sentences and expected time to serve have changed, for the same crime before and after the passage of TIS requirements. Before the passage of the 1995 Crime Bill, the South Carolina Department of Corrections used more generalized crime codes for drug offenses. Since the 1995 Crime Bill contains specific statutory references in the context of "no parole offenses", SCDC introduced new detailed drug crime codes, such as manufacture/distribution of crack-2nd offense, and 3rd/subsequent offense. Such cases, however, could not be identified before FY1996 since they would have been coded under a more encompassing category.

Average Sentence/Expected Time to Serve for Select Drug Offenses

Offense	FY 1993, FY 1994 & FY 1995 Admissions			FY 2001, FY 2002 & FY 2003 Admissions		
	# of Inmates	Average Sentence (Months) ¹	Expected Time to Serve (55%)	# of Inmates	Average Sentence (Months) ¹	Expected Time to Serve (85%)
Crack Distribution in Proximity of School	2	78	43	104	94	80
Manufacture/Distribution of Crack-2nd Offense	-	-	-	348	79	67
Manufacture/Distribution of Crack-3rd Subs.	-	-	-	156	121	103
Manufacture/Possession Drugs Schedule-3rd Subs.	-	-	-	53	86	73
Manufacture/Dist./Possess. Narcotics Schedule-2nd Subs.	-	-	-	45	80	68
Trafficking in Cocaine	301	146	80	119	156	133
Trafficking in Crack Cocaine	69	144	79	168	156	133
Trafficking in Marijuana	82	92	50	20	116	99

Murder

In FY 1993-1995, 251 of 267 (94%) murder convictions received life sentences, and the remaining 16 received death sentences. However, in FY 2001-2003, only 103 out of 241 (43%) received life sentences, and 14 murderers were placed on deathrow. For the remaining 124 (51% of murder convictions), their average sentence was 33.6 years.