

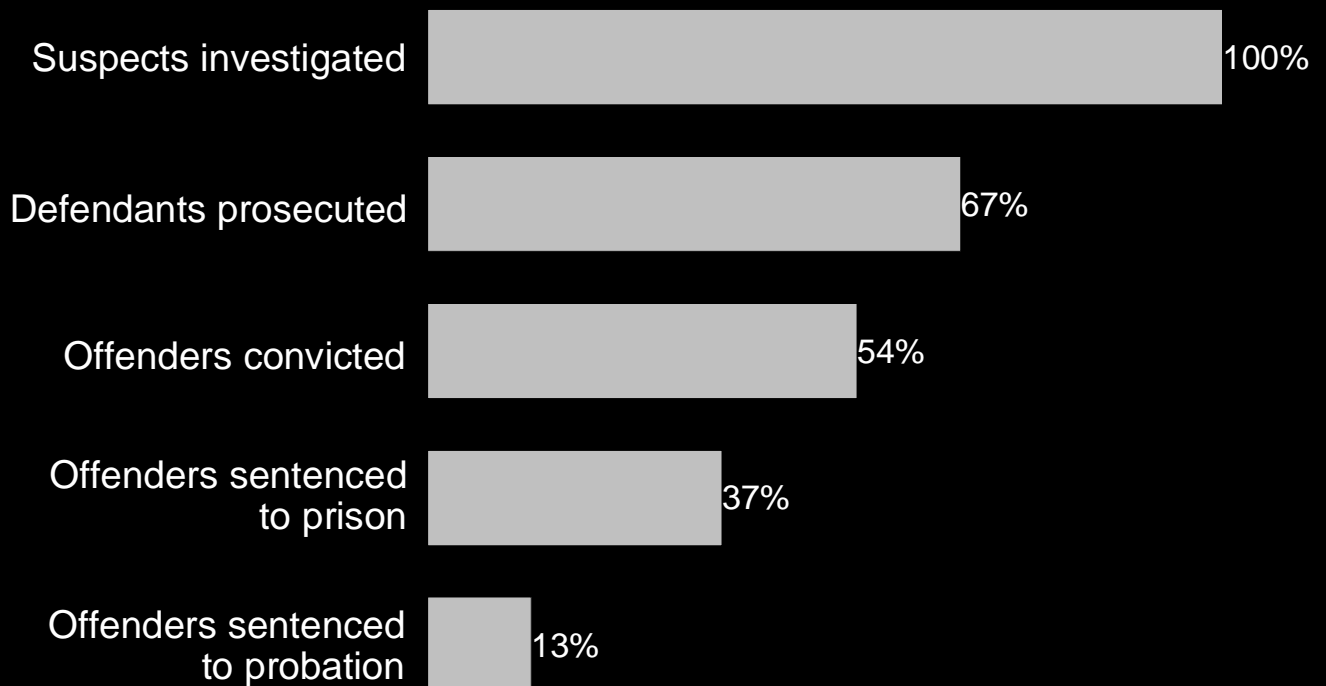


Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1996

Federal criminal case processing in matters concluded by United States attorneys, October 1, 1995 - September 30, 1996

All offenses



U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics



Compendium of Federal Justice Statistics, 1996

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An electronic version of this report and the data analyzed in the report may be found on the Internet at the following address: <http://www.ojp.usdoj.gov/bjs/>

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Highlights

During 1996 nearly 98,000 suspects were investigated by U.S. attorneys for possible violations of the U.S. code, and criminal charges were filed in U.S. district courts against about 65,500 defendants, a third of whom were prosecuted for drug offenses.

The majority (86%) of the 61,434 defendants whose cases were terminated in U.S. district courts during 1996 were convicted. Among those convicted, 68% were sentenced to prison for an average of 61 months. At the end of 1996, the Federal Bureau of Prisons held more than 92,650 prisoners who had been convicted of a Federal offense, an increase of 5% over 1995. Sixty percent of those held by the Bureau of Prisons were convicted and sentenced for drug offenses.

Prosecution

During 1996 U.S. attorneys initiated criminal investigations of 97,776 suspects, and they concluded their investigations of 98,454 suspects. More than 30% of the suspects were investigated for each of three overall offense categories — property, drug, and public-order — while the remaining 7% were investigated for violent offenses.

Of the suspects in criminal matters concluded, U.S. attorneys prosecuted 56,938 in U.S. district courts (58% of all suspects in matters concluded) and declined to prosecute 32,832 suspects (33%), while U.S. magistrates disposed of another 8,684 suspects (9%).

Suspects in criminal matters involving drug or violent offenses were slightly more likely to be prosecuted in a U.S. district court (70% and 62%, respectively) than were the suspects involved in public-order or property offenses (54% and 49%, respectively). Suspects involved in property offenses such as fraud or regulatory public-order offenses were more likely to be declined for prosecution (46% and 66%, respectively) than were the suspects investigated for

drug or violent offenses (23% and 33%, respectively).

Pretrial release

During 1996 about 53% of the 51,063 defendants who terminated pretrial services were released at some time prior to their criminal trial. Defendants charged with property offenses such as embezzlement, fraud, and larceny and those charged with regulatory public-order offenses or tax law violations were more likely to be released prior to trial (between 76% and 95% of these defendants were released) than were defendants charged with violent offenses, drug trafficking, weapons, or immigration offenses (between 13% and 49% of these defendants were released).

Defendants having a prior criminal history of serious or violent crimes were less likely to be released than those without a prior criminal history; defendants with more criminal history were less likely to be released than those with less criminal history.

Twenty-six percent of the defendants with a prior violent felony conviction were released before trial, while 64% of the defendants with no prior convictions were released. Fifty-six percent of defendants with one prior conviction were released, as compared to 43% of defendants having two to four prior convictions and 29% of defendants having five or more prior convictions.

About 84% of the defendants released prior to trial completed their periods of release without violating the conditions of their release. Sixteen percent of defendants released violated the conditions of their release, and about 6% of defendants had their release revoked. Defendants charged with drug and violent offenses were more likely to commit at least one violation of their conditions of release (26% and 21%, respectively) and to have their release revoked (10% each) than were other defendants.

Adjudication

Criminal charges were filed in U.S. district courts against 65,480 defendants during 1996, about 80% of whom were charged with felonies. Of the defendants charged with felonies, 41% were prosecuted for drug trafficking offenses, 27% for property offenses, 25% for public-order offenses, and 7% for violent offenses.

Criminal cases were concluded against 61,434 defendants during 1996, 80% of whom had been charged with felonies. Eighty-six percent (or 53,076) of all defendants were convicted; 83% of these were felony convictions.

Eighty-nine percent of defendants charged with felonies were convicted. This conviction rate was about the same for all major offense categories: 88% of violent offenders, 90% of property offenders, 88% of drug offenders, and 90% of public-order offenders. Most felony convictions were obtained by guilty plea (91%).

Drug defendants comprised 41% of felony convictions; defendants charged with property and public-order offenses comprised 26% and 27%, respectively, of the felony convictions, and defendants charged with violent offenses comprised the remaining 6% of felony convictions.

Sentencing

Of the 53,076 offenders sentenced during 1996, about 69% were incarcerated, another 24% were placed on probation (either alone or with some incarceration), and 7% were ordered to pay a fine.

About 91% of violent felony offenders and 92% of drug trafficking offenders received prison sentences, as did 79% of felony public-order offenders and 59% of felony property offenders.

The 36,373 offenders sentenced to prison received, on average, 61 months of imprisonment, while the 12,644 offenders sentenced to probation received, on average, 33 months of probation. Offenders sentenced

for violent felony offenses and felony drug offenses received longer average prison terms (93 and 85 months, respectively) than those convicted of felony property and public-order offenses (24 and 51 months, respectively).

Average length of sentences imposed, by offense, October 1, 1995 - September 30, 1996

Most serious offense of conviction	Average sentence length
All offenses	61.2 mo
Felonies	64.2
Violent offenses	92.5
Property offenses	23.9
Drug offenses	84.5
Public-order offenses	50.8
Misdemeanors	11.0

Appeals

During 1996 the U.S. Courts of Appeals received 10,889 criminal appeals. Forty-six percent of the appeals filed challenged both the conviction and sentence imposed. Only 4% of appeals were filed by the Government. Of the 10,161 appeals terminated during 1996, 77% (or 7,820) were terminated on the merits. In 86% of the appeals terminated on the merits, the district court ruling was affirmed, at least in part.

Corrections

A total of 17,433 offenders were serving terms of probation supervision that terminated during 1996. Most of these offenders (84%) completed their terms of probation successfully. About 14% of offenders violated their conditions of probation; 4% of probationers committed new crimes.

A total of 19,874 offenders completed terms of parole or supervised release during 1996. Sixty-four percent of these offenders successfully completed their terms without violating conditions of release; 11% committed new crimes; 22% committed technical violations.

Regardless of the type of supervision, offenders convicted of violent offenses were less likely than others to successfully complete a term of supervision.

At the end of 1996, there were 88,189 offenders under supervision. About 52% were under terms of supervised release; another 38% were on probation; and 10% were on parole. Drug offenders comprised 50% of offenders under terms of supervised release, 56% of offenders on parole, and 12% of offenders on probation. Property offenders comprised 40% of the offenders on probation, 28% of offenders serving terms of supervised release, and 12% of offenders on parole.

The Federal prison population increased by 4,676 offenders during 1996 to reach 92,672 persons. During 1996, 35,254 prisoners were received by the Bureau of Prisons from U.S. district court commitments. An additional 12,175 prisoners were returned to Federal prison for violating conditions of probation, parole, or supervised release, or were otherwise admitted to Federal prison from elsewhere than a U.S. district court.

During 1996, 30,251 prisoners were released for the first time from Federal prison after commitment by a U.S. district court. Of these, 28,073 were released by standard methods and 2,178 were released by extraordinary means (death, treaty transfer, sentence commutation, or drug treatment). The standard "first releases" served, on average, 28.2 months before their release, or about 92% of the sentence imposed. Drug offend-

ers served an average of 40 months before first release, while property offenders served an average of 16 months before first release.

Average time to first release, standard releases, by offense, October 1, 1995 - September 30, 1996

Most serious original offense of conviction	Mean time served
All offenses	28.2 mo
Violent offenses	54.3
Property offenses	15.6
Drug offenses	40.3
Public-order offenses	17.2

An additional 12,502 prisoners were released from subsequent commitments to Federal prison.

Drug offenders — who comprised about 41% of persons admitted into Federal prison — comprised the largest percentage of persons in prison (60%) at the end of 1996.

Admissions to Federal Bureau of Prisons, releases, and prisoners at yearend, by offense, October 1, 1995 - September 30, 1996

Most serious offense of conviction	All admissions	All releases	Population at yearend
All offenses	47,429	42,753	92,672
Violent offenses	9.1%	9.8%	12.4%
Property offenses	20.2	22.4	8.4
Drug offenses	40.8	39.1	59.6
Public-order offenses	28.4	27.6	18.6

Introduction

This Bureau of Justice Statistics (BJS) report presents an overview of case processing in the Federal criminal justice system. The data presented are compiled from the BJS Federal Justice Statistics Program (FJSP) database. The FJSP database includes data provided by the Administrative Office of the U.S. Courts, the Executive Office for the U.S. Attorneys, the Federal Bureau of Prisons, and the U.S. Sentencing Commission. The Administrative Office of the U.S. Courts, in addition to providing data describing defendants in cases processed by the Federal judiciary, provides data describing defendants processed by the Federal pretrial services agencies and the Federal probation and supervision service. The data provided by the agencies are archived for public use at the National Archive of Criminal Justice Data (ICPSR 9296).

Each agency reports on those defendants it processed during a given year in an annual statistical report. These agency reports are often incomparable due to the varying methods the agencies use to report case processing activities. As reported by an interagency working group, headed by BJS, the differences in the case processing statistics are attributable, in part, to the differing needs and missions of the agencies. The working group found the following differences in reported statistics:

- the universe of cases reported during a given period — some agencies report on those case processing events that *occurred* during a particular period, whereas others report on those events *re-corded* during a particular period; and
- many of the commonly used case processing statistics — suspect/defendant processed, offense committed, disposition, and sentence imposed — are defined differently across agencies.

BJS, through its Federal Justice Statistics Program, however, has recognized the incomparability of these

annual statistical reports and has attempted to reconcile many of the differences identified by the working group. For instance, by combining databases from several years, BJS is able to report on those cases that actually occurred during the reporting period. Additionally, commonly used case processing statistics are made comparable across stages by applying uniform definitions to data obtained from each agency. Because definitions in the Federal Justice Statistics Program are consistent with those categories in BJS programs describing State defendants convicted, sentenced, or imprisoned, the comparison of Federal and State case processing statistics is facilitated.

The 1996 *Compendium*, 11th in a series which includes 1984, 1985, 1986, 1988, 1989, 1990, 1992, 1993, 1994, and 1995, describes defendants processed at each stage of the Federal justice system — investigation and prosecution by the U.S. attorneys (chapter 1), pretrial release or detention (chapter 2), adjudication in the U.S. district courts (chapter 3), sentencing (chapter 4), appeal of the conviction and/or sentence imposed (chapter 5), and corrections (chapter 6) — for the 12-month period ending September 30, 1996 (the Federal fiscal year). Prior to 1994, the *Compendium* was reported on a calendar-year basis.

The tables presented report events that occurred during the Federal fiscal year — October 1, 1995 - September 30, 1996. Generally, the tables include both individual and organizational defendants. Organizational defendants are not included in tables describing pretrial release and detention or tables showing defendants sentenced to incarceration. Juvenile offenders are included in the reported statistics. Felony and misdemeanor distinctions are provided where possible (see "Offense classifications" in *Methodology*).

Organization of the *Compendium*

Each chapter of the *Compendium* describes a major stage in the processing of criminal suspects and defendants. Each chapter contains *Chapter notes* that describe the universes of data used in the tables and information relevant to the interpretation of individual tables. The *Compendium* contains the following:

Chapter 1. This chapter describes decisions made by Federal prosecutors in screening criminal matters and the characteristics of defendants in cases prosecuted or declined for prosecution.

Chapter 2. This chapter describes the pretrial release and detention practices of the Federal judiciary, including the characteristics of defendants detained or released pending trial.

Chapter 3. This chapter describes actions by the Federal judiciary in adjudicating defendants in cases filed by the U.S. attorneys, including the offense charged and characteristics of defendants convicted.

Chapter 4. This chapter describes the sentences imposed by the Federal judiciary on convicted defendants, including the characteristics of defendants sentenced.

Chapter 5. This chapter describes appeals of criminal convictions and sentences imposed in the Federal courts, including the original offense charged.

Chapter 6. This chapter describes defendants under Federal correctional supervision — probation, parole, and supervised release — including the outcome of the supervision (successful completion or violations), admissions to and releases from Federal prison, and time served by Federal inmates.

Methodology. This section describes the procedures followed in analyzing data and developing tables.

Glossary. This section contains definitions for terms used in the

Compendium. Since many terms used in the text and tables have specialized meanings (either because they refer to Federal law or because of reporting procedures by the Federal agencies supplying the data), readers are encouraged to check the glossary for exact definitions of tabulated data.

Comparing Case Processing Statistics. This document, prepared by an interagency working group tasked to reconcile differences in Federal criminal case processing statistics, identifies and describes the major differences in the way Federal criminal justice agencies collect, tabulate, and report criminal case processing events.

Modifications to the 1996 *Compendium*

The 1996 *Compendium of Federal Justice Statistics* incorporates these changes: For tables based on AOUSC criminal data, carjacking offenses were reclassified, based on title and section, as robberies. This is a departure from AOUSC's classification of carjackings as motor vehicle theft. (See chapter 3, "Chapter notes.")

In the corrections chapter (chapter 6), a table describing the population of Federal offenders under supervision at fiscal yearend was added. Also, a table showing methods of release for Federal inmates released from prison — including both standard and "extraordinary" releases — was added. Extraordinary releases include releases for drug treatment, treaty transfer, sentence commutation, and death.

Notes to reader

The tables in the *Compendium* were constructed to permit valid comparisons within each table and to allow the reader to compare percentages (but not raw totals) across tables. It should be understood, however, that the total number of subjects/defendants shown in a particular table

may not equal the number of subjects/defendants involved in a particular stage of processing, since some records could not be linked and some data sources did not include information on particular data elements classified in a particular table. Data notes indicate the exact universe for individual tables.

The *Compendium* is a statistical presentation of Federal criminal justice information with limited analyses of trends or explanatory factors underlying the statistics. Analyses of Federal justice statistics may be found in special reports and other publications, some of which are cited in the *Compendium*. Assessment of changing patterns in the *Compendium* tabulations may depend on detailed examination of subcategories not shown in the tabulations or may require other sources of information, such as knowledge of legislation or Federal agency procedures.

System overview

Federal criminal case processing, 1996

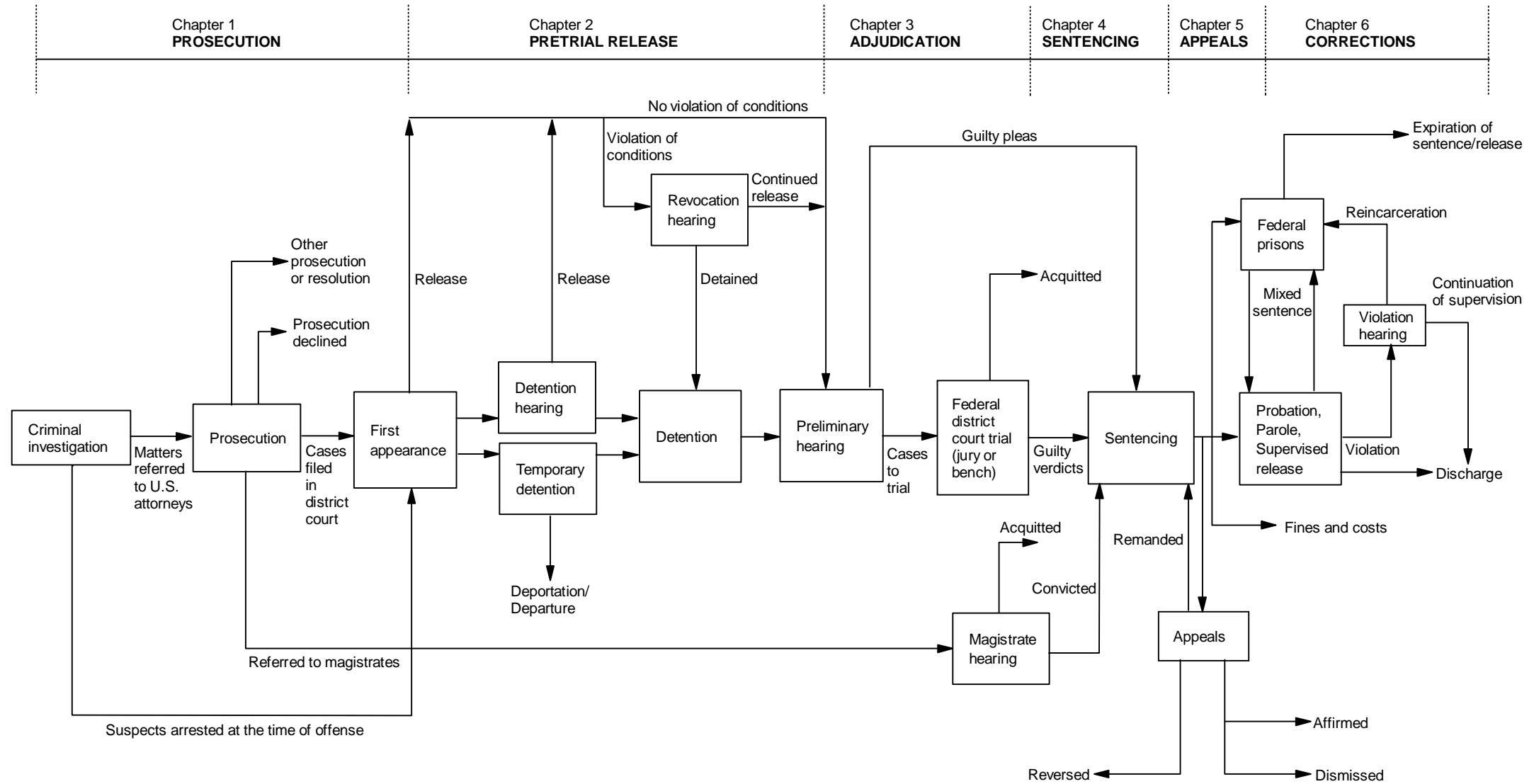
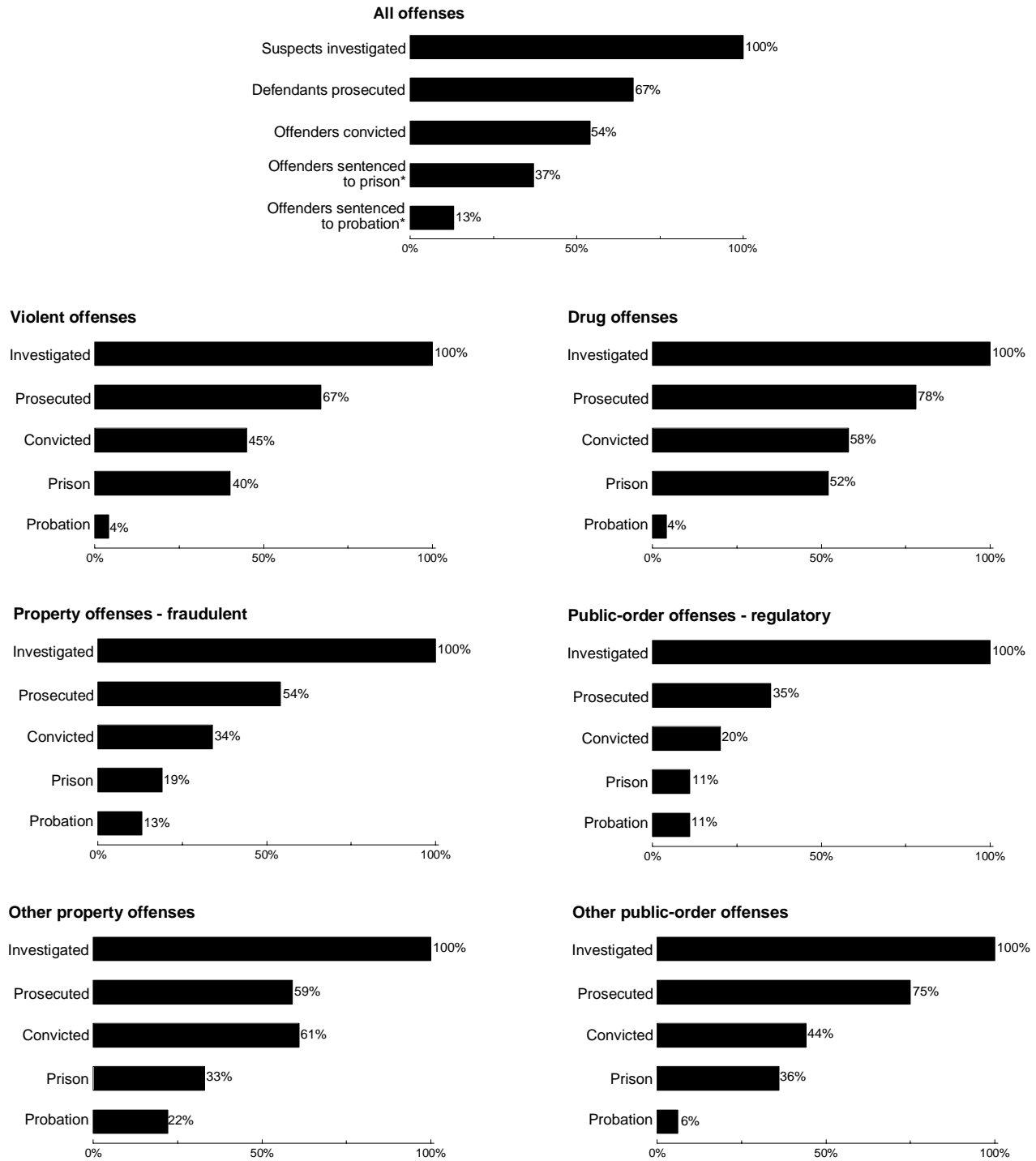


Figure S.1.

Federal criminal case processing in matters concluded by U.S. attorneys, October 1, 1995 - September 30, 1996



Note: See "Figure S.2" in *Methodology*, p. 91

*Prison includes split, life, indeterminate, regular, and youth sentences. Offenders not shown as sentenced to prison or probation were sentenced by magistrates or received a fine-only sentence in Federal court. Probation excludes persons sentenced to prison.

Figure S.2.