



Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1994

Federal criminal case processing, 1994



Discussion **39**

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October 1, 1993 - September 30, 1994

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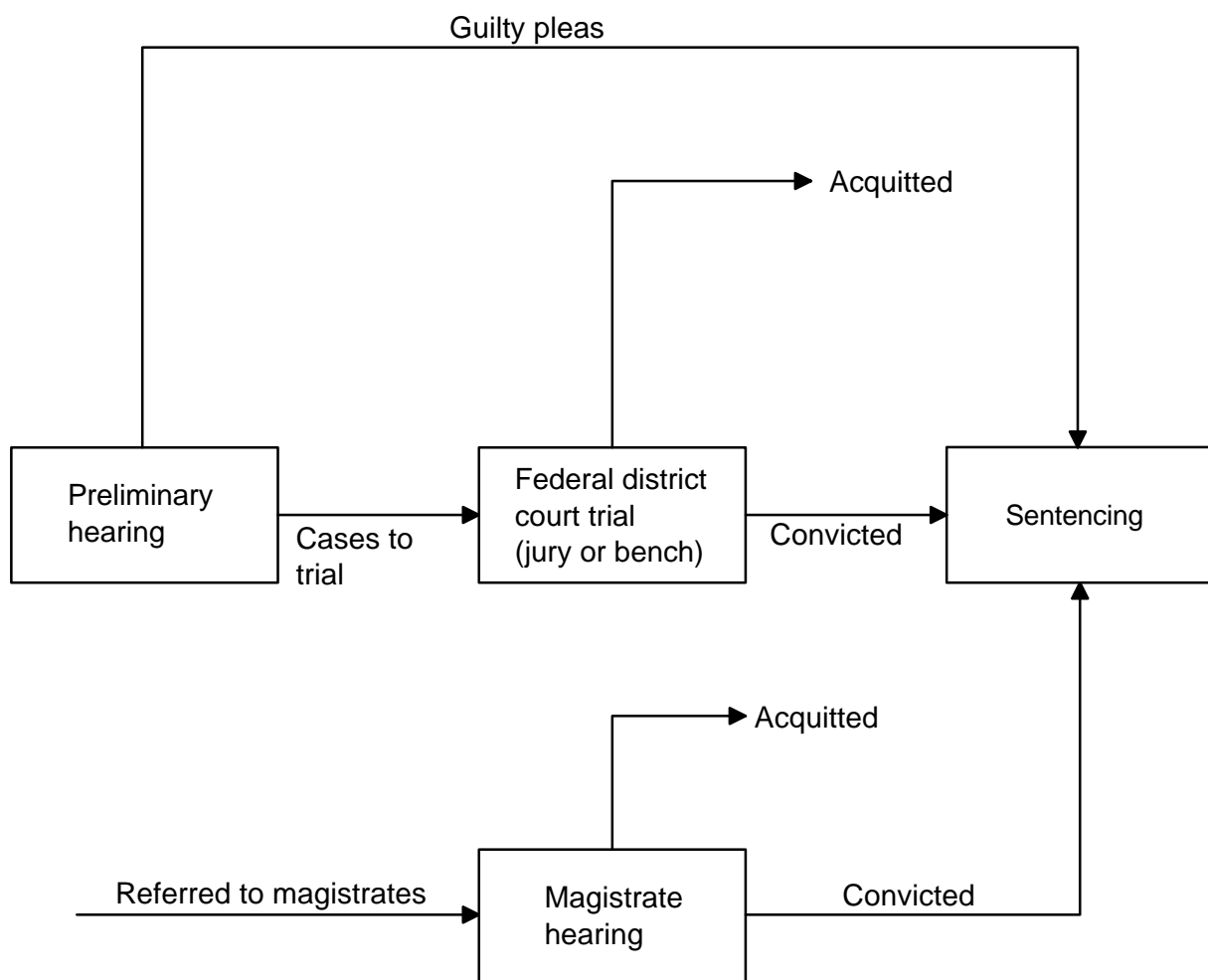
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Chapter notes **46**



Federal criminal cases may result in conviction of the defendant following plea or trial, acquittal of the defendant after trial, or dismissal of the case.¹

Defendants in cases filed (table 3.1)

During 1994, 62,327 defendants had criminal charges filed against them in U.S. district courts, and more than 47,341 (76%) of these defendants were charged with felonies. The 20,052 drug trafficking defendants comprised almost one-third of all criminal defendants and 43% of all felony defendants. Felony property and public-order defendants comprised 21% and 17%, respectively, of all defendants in cases filed. Half the 14,980 misdemeanants were charged with traffic violations.

Defendants in cases terminated (table 3.2)

Cases were terminated against 61,404 defendants during 1994, 47,292 (77%) of whom were felony defendants. The 20,056 drug trafficking defendants comprised 33% of all defendants in cases terminated and 42% of all felony defendants.

Almost 83% of all defendants were convicted; the conviction rate for felony defendants (86%) was higher than for misdemeanants (70%). For major felony offense categories, conviction rates ranged from 85% for public-order offenses to 88% for violent offenses. Within major offense categories, however, the conviction rates varied more widely. For example, within the violent offense category, the conviction rate ranged from 94% for robbery to 74% for assault. Within the public-order category, conviction rates ranged from 51% for obscene materials violations to 92% for immigration and tax offenses to 96%

¹Unless otherwise noted, data describe felony and misdemeanor cases in U.S. district courts and include Class A misdemeanors handled by U.S. magistrates. The data also include Class B misdemeanors that are handled by U.S. district court judges. These types of cases occur infrequently.

for transportation offenses.

Most defendants who were convicted pleaded guilty. Overall, 91% of those convicted pleaded guilty while only 9% were convicted at trial. For the major offense categories, between 88% and 93% of defendants pleaded guilty (for drug offenses and property offenses, respectively).

Of the 5,689 defendants who exercised their right to a trial, 4,352 (77%) were convicted either by a jury or bench trial. Drug and violent offenders were more likely to go to trial than were property and public-order defendants. Drug defendants, for example, comprised 42% of all defendants adjudicated at trial, but they comprised 33% of all defendants in cases terminated. By contrast, property defendants comprised 16% of all defendants adjudicated at trial and 22% of all defendants in cases terminated.

Of those adjudicated at trial, the felony conviction rate was 82% while the misdemeanor conviction rate was 43%. Among felony offenses, conviction rates ranged from 85% for drug defendants to 78% for public-order defendants. Conviction rates of violent (81%) and property (80%) offenders fell between these extremes.

Case processing times (table 3.3)

The data in table 3.3 cover the interval from the time a case is filed in U.S. district court through sentencing for those convicted as well as the interval from case filing through disposition for those not convicted, or those whose cases are dismissed. Title I of the Speedy Trial Act of 1974, as amended, sets time requirements for processing criminal cases in Federal courts. Except for certain exclusions, indictment must occur within 30 days of arrest; defendants are guaranteed at least 30 days to prepare for trial; and the Government must be ready for trial within 70 days. The Speedy Trial Act does not specify a time interval from trial to sentencing, and the time limits set by the Act exclude several enumerated periods of pretrial procedure such as

time spent awaiting rulings on motions.² Additionally, defendants may waive their rights within the Speedy Trial Act. As a result, the actual processing time for most defendants can be longer than these limits without violating the provisions of the Act.

Overall, the average time for processing defendants was 8.6 months. Defendants who pleaded guilty were processed faster (7.4 months) than defendants who went to trial (10 months). Defendants whose cases were ultimately dismissed took longest to process (13.4 months). Among major offense categories, case processing times were similar to the overall pattern. However, for violent offenses, this pattern occasionally changed. For example, cases of murder defendants disposed of by a guilty plea took almost 1 month longer to dispose than those whose cases were disposed of at trial (10.7 compared to 9.8 months). Similarly, for rape defendants, cases disposed of by plea took 7.2 months, on average, to complete, while rape defendants who went to trial had their cases disposed in 6.6 months, on average.

Characteristics of convicted defendants (table 3.4)

Of defendants who were convicted, 85% were men, 63% were white, 34% were black, and 25% were Hispanic. Most were U.S. citizens (78%), had graduated high school or completed some higher education (61%), and had some criminal history (52%).

Among defendants convicted there were over 5 times as many men as women (85% compared to 15%), almost twice as many whites as blacks (63% compared to 34%), and 3 times as many non-Hispanics as Hispanics (75% compared to 25%). U.S. citizens comprised 78% of defendants while non-citizens comprised 22%. Persons completing at least high school represented 61% of all defendants while persons over age 30

²18 U.S.C. § 3161 et. seq.

represented 59% of defendants, and persons with no known criminal history comprised just over half (52%) of convicted defendants.

**Convictions by U.S. magistrates
(table 3.5)**

During 1994 U.S. magistrates disposed of 12,976 misdemeanor criminal defendants, over 70% of whom were convicted. Traffic violators comprised 54% of the defendants disposed by U.S. magistrates, while misdemeanor property offenses comprised another 24% of U.S. magistrates' cases.

Table 3.1. Defendants in cases filed during October 1, 1993–September 30, 1994, by offense

Most serious offense charged	Defendants in cases filed during 1994	
	Number	Percent ^a
All offenses	62,327	100 %
Felonies	47,341	76.0%
Violent offenses	3,222	5.2%
Murder ^b	473	0.8
Negligent manslaughter	10	—
Assault	481	0.8
Robbery	1,733	2.8
Rape	260	0.4
Other sex offenses ^b	99	0.2
Kidnaping	134	0.2
Threats against the President	32	0.1
Property offenses	13,155	21.1%
Fraudulent	10,301	16.5%
Embezzlement	1,202	1.9
Fraud ^b	7,708	12.4
Forgery	514	0.8
Counterfeiting	877	1.4
Other	2,854	4.6%
Burglary	147	0.2
Larceny	1,561	2.5
Motor vehicle theft	502	0.8
Arson and explosives	201	0.3
Transportation of stolen property	375	0.6
Other property offenses ^b	68	0.1
Drug offenses	20,275	32.5%
Trafficking	20,052	32.2
Possession and other drug offenses	223	0.4
Public-order offenses	10,689	17.1%
Regulatory	1,256	2.0%
Agriculture	65	0.1
Antitrust	89	0.1
Food and drug	38	0.1
Transportation	67	0.1
Civil rights	92	0.1
Communications	49	0.1
Custom laws	117	0.2
Postal laws	32	0.1
Other regulatory offenses	707	1.1
Other	9,433	15.1%
Weapons	3,557	5.7
Immigration offenses	2,453	3.9
Tax law violations ^b	787	1.3
Bribery	367	0.6
Perjury, contempt, and intimidation	314	0.5
National defense	88	0.1
Escape	714	1.1
Racketeering and extortion	936	1.5
Gambling	138	0.2
Obscene material ^b	27	—
Migratory birds	8	—
All other felonies ^b	44	0.1
Misdemeanors^b	14,980	24.0%
Fraudulent property offense	1,290	2.1
Larceny	2,064	3.3
Drug possession ^b	1,596	2.6
Immigration	472	0.8
Traffic offenses	7,356	11.8
Other misdemeanors	2,202	3.5
Unknown or indeterminable offense	6	

Note: For further information, see *Chapter notes*, item 1, p. 46.

—Less than .05%.

^aPercent distribution based on defendants whose categories could be determined.

^bIn this table, "Murder" includes nonnegligent manslaughter; "Other sex offenses" may include some nonviolent offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses,

and includes destruction of property and trespass; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unknown or unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 3.2. Disposition of cases terminating during October 1, 1993–September 30, 1994, by offense

Most serious offense charged	Total defendants	Percent of all defendants convicted	Number of defendants in cases terminating during 1994 who were								
			Convicted					Not convicted			
			Total	Guilty plea	Nolo contendere	Trial		Total	Dismissed	Trial	
					Jury	Non-jury			Jury ^a	Non-jury	
All offenses	61,404	82.6%	50,701	45,958	391	3,857	495	10,703	9,366	782	555
Felonies	47,292	86.2%	40,765	36,736	97	3,799	133	6,527	5,659	756	112
Violent offenses	3,227	87.9%	2,836	2,508	12	299	17	391	316	63	12
Murder ^b	264	79.9	211	156	1	51	3	53	36	16	1
Negligent manslaughter	27	88.9	24	20	0	4	0	3	3	0	0
Assault	444	74.1	329	269	7	50	3	115	98	11	6
Robbery	2,033	94.0	1,912	1,750	4	150	8	121	105	16	0
Rape	230	79.6	183	166	0	0	2	47	33	14	0
Other sex offenses ^b	97	77.3	75	68	0	7	0	22	22	0	0
Kidnaping	108	77.8	84	62	0	21	1	24	15	4	5
Threats against the President	24	75.0	18	17	0	1	0	6	4	2	0
Property offenses	13,182	87.3%	11,504	10,722	42	713	27	1,678	1,493	161	24
Fraudulent	10,193	87.7%	8,936	8,378	35	501	22	1,257	1,118	116	23
Embezzlement	1,261	89.6	1,130	1,072	10	44	4	131	118	12	1
Fraud ^b	7,545	87.3	6,590	6,134	21	418	17	955	845	92	18
Forgery	611	85.6	523	505	1	16	1	88	78	6	4
Counterfeiting	776	89.3	693	667	3	23	0	83	77	6	0
Other	2,989	85.9%	2,568	2,344	7	212	5	421	375	45	1
Burglary	157	84.7	133	128	0	5	0	24	23	1	0
Larceny ^b	1,716	87.2	1,496	1,405	1	87	3	220	195	25	0
Motor vehicle theft	463	88.3	409	358	0	50	1	54	47	6	1
Arson and explosives	227	85.5	194	165	2	27	0	33	26	7	0
Transportation of stolen property	372	77.2	287	246	4	37	0	85	79	6	0
Other property offenses ^b	54	90.7	49	42	0	6	1	5	5	0	0
Drug offenses	20,219	85.9%	17,367	15,323	12	1,990	42	2,852	2,482	331	39
Trafficking	20,056	86.0	17,239	15,206	11	1,980	42	2,817	2,448	330	39
Possession and other drug offenses	163	78.5	128	117	1	10	0	35	34	1	0
Public-order offenses	10,664	84.9%	9,058	8,183	31	797	47	1,606	1,368	201	37
Regulatory	1,383	81.3%	1,125	1,019	10	95	1	258	208	41	9
Agriculture	76	73.7	56	46	0	10	0	20	15	5	0
Antitrust	98	82.7	81	71	5	5	0	17	9	8	0
Food and drug	67	91.0	61	56	0	5	0	6	3	3	0
Transportation	69	95.7	66	57	0	9	0	3	0	3	0
Civil rights	84	73.8	62	49	0	13	0	22	14	7	1
Communications	58	91.4	53	45	0	8	0	5	2	0	3
Custom laws	92	87.0	80	75	0	5	0	12	11	1	0
Postal laws	36	77.8	28	27	0	1	0	8	8	0	0
Other regulatory offenses	803	79.5	638	593	5	39	1	165	146	14	5
Other	9,281	85.5%	7,933	7,164	21	702	46	1,348	1,160	160	28
Weapons	3,673	85.2	3,131	2,710	3	397	21	542	448	85	9
Immigration offenses	2,371	92.2	2,185	2,129	5	38	13	186	181	3	2
Tax law violations ^b	741	92.2	683	631	4	47	1	58	47	8	3
Bribery	298	87.2	260	235	3	22	0	38	28	7	3
Perjury, contempt, and intimidation	350	71.4	250	202	1	42	5	100	77	23	0
National defense	67	61.2	41	40	0	1	0	26	26	0	0
Escape	592	75.8	449	421	2	26	0	143	135	7	1
Racketeering and extortion	854	83.1	710	581	1	123	5	144	113	23	8
Gambling	227	67.4	153	146	2	5	0	74	69	3	2
Obscene material ^b	51	51.0	26	26	0	0	0	25	25	0	0
Migratory birds	7	85.7	6	6	0	0	0	1	1	0	0
All other felonies ^b	50	78.0	39	37	0	1	1	11	10	1	0
Misdemeanors^b	14,111	70.4%	9,935	9,221	294	58	362	4,176	3,707	26	443
Fraudulent property offense	1,241	90.9	1,128	1,110	10	6	2	113	106	5	2
Larceny	1,926	69.4	1,337	1,246	50	8	33	589	549	4	36
Drug possession ^b	1,365	83.9	1,145	1,120	5	10	10	220	212	0	8
Immigration	420	96.4	405	405	0	0	0	15	15	0	0
Traffic offenses	7,182	61.4	4,411	4,003	180	10	218	2,771	2,407	4	360
Other misdemeanors	1,977	76.3	1,509	1,337	49	24	99	468	418	13	37
Unknown or indeterminable offense	1	100 %	1	1	0	0	0	0	0	0	0

Note: For further information, see *Chapter notes*, item 1, p. 46.

—Too few cases to obtain statistically reliable data.

^aIncludes mistrials.

^bIn this table, "Murder" includes nonnegligent manslaughter; "Other sex offenses" may include some nonviolent offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property

offenses" excludes fraudulent property offenses, and includes destruction of property and trespass; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unknown or unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 3.3. Time from filing to disposition of cases terminating during October 1, 1993–September 30, 1994

Most serious offense charged	Average time from filing to disposition for defendants in cases resulting in			
	All outcomes	Dismissal ^a	Guilty plea	Trial ^b
All offenses	8.6 mo	13.4 mo	7.4 mo	10.0 mo
Felonies	9.8 mo	15.1 mo	8.7 mo	11.6 mo
Violent offenses	7.8 mo	11.5 mo	7.1 mo	9.8 mo
Murder ^c	10.6	12.2	10.7	9.8
Negligent manslaughter	9.1	—	9.8	—
Assault	7.7	9.9	6.3	10.2
Robbery	7.2	12.0	6.7	10.0
Rape	7.2	7.9	7.2	6.6
Other sex offenses ^c	10.4	17.1	8.5	—
Kidnaping	12.2	—	11.1	11.5
Threats against the President	7.0	—	7.4	—
Property offenses	8.4 mo	12.9 mo	7.4 mo	12.0 mo
Fraudulent	8.3 mo	12.9 mo	7.4 mo	12.5 mo
Embezzlement	6.7	10.6	6.0	11.0
Fraud ^c	8.8	13.5	7.8	12.8
Forgery	7.7	13.8	6	8.2
Counterfeiting	7.3	9.8	6.7	14.3
Other	8.5 mo	13.0 mo	7.6 mo	10.8 mo
Burglary	7.8	16.2	6.2	—
Larceny ^c	8.1	13.9	7.1	11.4
Motor vehicle theft	8.0	10.2	7.8	7.4
Arson and explosives	10.4	13.0	9.8	11.3
Transportation of stolen property	10.5	12.2	9.3	14.2
Other property offenses ^c	6.2	—	6.7	—
Drug offenses	11.4 mo	17.3 mo	10.4 mo	11.8 mo
Trafficking	11.4	17.1	10.4	11.8
Possession and other drug offenses	12.1	30.6	7.7	7.7
Public-order offenses	9.0 mo	14.5 mo	7.8 mo	11.2 mo
Regulatory	9.6 mo	13.6 mo	8.4 mo	12.7 mo
Agriculture	8.1	10.9	7.1	8.1
Antitrust	5.8	—	5.2	10.3
Food and drug	11.3	—	11.1	—
Transportation	7.5	—	6.8	11.0
Civil rights	10.6	12.7	9.6	11.6
Communications	10.7	—	8.6	10.7
Custom laws	9.6	13.2	8.8	—
Postal laws	7.9	—	5.6	—
Other regulatory offenses	10.2	14.4	8.8	14.2
Other	8.9 mo	14.7 mo	7.7 mo	11.0 mo
Weapons	9.1	12.4	8.4	9.8
Immigration offenses	4.9	12.4	4.3	7.8
Tax law violations ^c	9.0	20.1	7.7	13.9
Bribery	9.8	13.6	8.8	14.0
Perjury, contempt, and intimidation	11.6	15.6	10.6	10.4
National defense	10.8	11.0	10.7	—
Escape	11.5	20.7	9.2	8.5
Racketeering and extortion	14.1	17.3	13.3	14.9
Gambling	14.3	15.9	13.5	15.7
Obscene material ^c	15.6	24.1	7.4	—
Migratory birds	—	—	—	—
All other felonies ^c	5.1	9.5	4.1	—
Misdemeanors^c	4.5 mo	11.0 mo	2.3 mo	1.4 mo
Fraudulent property offense	3.6	9.3	3.0	7.6
Larceny	3.5	5.7	2.6	2.7
Drug possession ^c	4.1	9.3	3.1	6.5
Immigration	1.2	7.4	1.0	—
Traffic offenses	5.3	13.0	1.5	0.4
Other misdemeanors	4.4	7.3	3.8	3.0

Note: Interval from filing to disposition includes periods which may be excluded under the Speedy Trial Act of 1974 (18 U.S.C. §3161, et seq.). See *Chapter notes*, item 1, p. 46.

—Too few cases to obtain statistically reliable data.

^aIncludes nolle prosequi, deferred prosecution, Narcotics Addicts Rehabilitation Act (NARA) Titles I and II, and all dismissals.

^bIncludes mistrials.

^cIn this table, "Murder" includes nonnegligent manslaughter; "Other sex offenses" may include some nonviolent offenses; "Fraud" excludes tax

fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unknown or unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 3.4. Characteristics of convicted offenders, October 1, 1993—September 30, 1994

Offender characteristic	Total number of offenders	Percent of defendants convicted of							
		All offenses ^a	Violent offenses	Felonies		Drug offenses	Public-order offenses		Misdemeanors
				Fraudulent	Other		Regulatory	Other	
Sex									
Male	34,291	84.6%	94.9%	72.1%	72.0%	88.2%	80.8%	90.5%	81.7%
Female	6,230	15.4	5.1	27.9	28.0	11.8	19.2	9.5	18.3
Race									
White	23,439	62.5%	48.3%	67.8%	61.5%	59.9%	67.8%	66.8%	53.6%
Black	12,597	33.6	42.0	27.7	34.2	38.0	25.7	28.9	37.5
Other	1,467	3.9	9.7	4.4	4.3	2.1	6.5	4.3	8.9
Ethnicity									
Hispanic	9,889	24.6%	6.3%	9.7%	8.3%	34.8%	8.7%	31.8%	1.8%
Non-Hispanic	30,284	75.4	93.7	90.3	91.7	65.2	91.3	68.2	98.2
Age									
16-18 years	251	0.6%	2.0%	0.1%	1.3%	0.6%	0.2%	0.5%	6.3%
19-20 years	1,663	4.1	8.8	1.7	6.2	4.6	3.3	3.4	11.1
21-30 years	14,572	36.2	41.5	28.1	34.0	40.7	27.4	35.3	44.4
31-40 years	12,556	31.2	28.7	31.4	27.4	32.6	30.2	30.6	25.4
Over 40 years	11,159	27.8	19.1	38.7	31.1	21.5	38.8	30.2	12.7
Citizenship									
U.S. citizen	30,782	77.6%	96.5%	86.8%	92.7%	72.2%	89.2%	67.6%	97.7%
Not U.S. citizen	8,862	22.4	3.5	13.2	7.3	27.8	10.8	32.4	2.3
Education									
Less than high school graduate	15,261	38.9%	39.3%	19.7%	25.9%	47.5%	25.2%	45.7%	30.4%
High school graduate	13,062	33.3	40.3	33.9	41.5	32.1	36.9	29.8	45.7
Some college	7,794	19.9	17.1	30.0	25.4	16.3	26.8	15.7	21.7
College graduate	3,076	7.8	3.4	16.3	7.2	4.1	11.1	8.8	2.2
Criminal record									
No convictions	18,889	48.2%	27.4%	61.8%	56.5%	47.1%	64.4%	39.6%	50.0%
Prior adult convictions ^b									
Never incarcerated	8,770	22.4	19.1	20.5	23.2	26.8	22.1	15.8	35.0
Incarcerated									
13 months or less	3,173	8.1	12.5	5.4	6.7	8.2	5.3	9.7	10.0
More than 13 months	8,334	21.3	41.0	12.2	13.6	17.8	8.2	34.9	5.0

Note: Data in this table are not directly comparable to data in the 1993 and prior compendia; see *Chapter notes*, item 1, p. 46.

^aIncludes offenders for whom offense category could not be determined.

^bSee *Chapter notes*, item 3, p.46.

Table 3.5. Dispositions by U.S. magistrates, October 1, 1993—September 30, 1994

Most serious offense charged	Defendants in criminal cases concluded by U.S. magistrates			
	Total	Convicted	Not convicted	Percent convicted
All offenses^a	12,976	9,133	3,843	70.4%
Violent offenses	109	70	39	64.2%
Murder/manslaughter	1	1	0	—
Assault	94	58	36	61.7
Robbery	2	1	1	—
Rape	2	1	1	—
Other sex offenses ^b	9	8	1	—
Threats against the President	1	1	0	—
Property offenses	3,061	2,367	694	77.3%
Fraudulent	1,103	1,014	89	91.9%
Embezzlement	321	294	27	91.6
Fraud ^b	662	621	41	93.8
Forgery	115	95	20	82.6
Counterfeiting	5	4	1	—
Other	1,958	1,353	605	69.1%
Burglary	7	4	3	—
Larceny ^b	1,821	1,264	557	69.4
Motor vehicle theft	5	1	4	—
Arson and explosives	5	5	0	—
Transportation of stolen property	1	1	0	—
Other property offenses ^b	119	78	41	65.5
Drug offenses	1,356	1,168	188	86.1%
Trafficking	1,213	1,036	177	85.4
Possession	139	131	8	—
Other drug offenses	4	1	3	—
Public-order offenses	8,450	5,528	2,922	65.4%
Regulatory	391	333	58	85.2%
Agriculture	94	78	16	83.0
Fair labor standards	12	12	0	100
Food and drug	24	24	0	100
Other regulatory offenses	261	219	42	83.9
Other	8,059	5,195	2,864	64.5%
Weapons	154	95	59	61.7
Immigration offenses	289	279	10	—
Tax law violations ^b	136	136	0	—
Bribery	10	10	0	—
National defense	39	34	5	—
Escape	26	20	6	—
Racketeering and extortion	9	6	3	—
Obscene material ^b	1	1	0	—
Conspiracy, aiding and abetting, traffic, and jurisdictional offenses	7,024	4,359	2,665	62.1
Migratory birds	9	9	0	—
All other offenses ^b	362	246	116	68.0

Note: Offender characteristics are not comparable with the 1993 and prior compendia; see *Chapter notes*, item 2, p. 46. Offenders are classified by the most serious offense charged.

—Too few cases to obtain statistically reliable data.

^aIncludes defendants for whom offense categories could not be determined.

^bIn this table, "Other sex offenses" may include some nonviolent offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other offenses" includes offenses with unknown or unclassifiable offense type.

- 1) Tables 3.1-3.4 were derived from the Administrative Office of U.S. Courts (AOUSC) criminal master data files. Only records with cases filed in U.S. district court (table 3.1) or cases that terminated in U.S. district court during October 1, 1993, through September 30, 1994, were selected. Offenses were classified according to the most serious offense charged. In the case of multiple offenses, the offense carrying the most severe potential penalty was selected.
- 2) Table 3.4 was derived from the USSC monitoring system files, which are limited to records of defendants sentenced under the Federal sentencing guidelines.
- 3) Criminal record, as reported in table 3.4, is limited to prior adult convictions. For some defendants in this table, it is further limited to the portion of their criminal record that is relevant for calculating sentences under the Federal sentencing guidelines. In general, this is limited to sentences imposed within a 15-year period prior to the current offense and offenses committed within the United States. For most defendants, the criminal history used to calculate sentencing guideline ranges is tantamount to their entire adult criminal history.