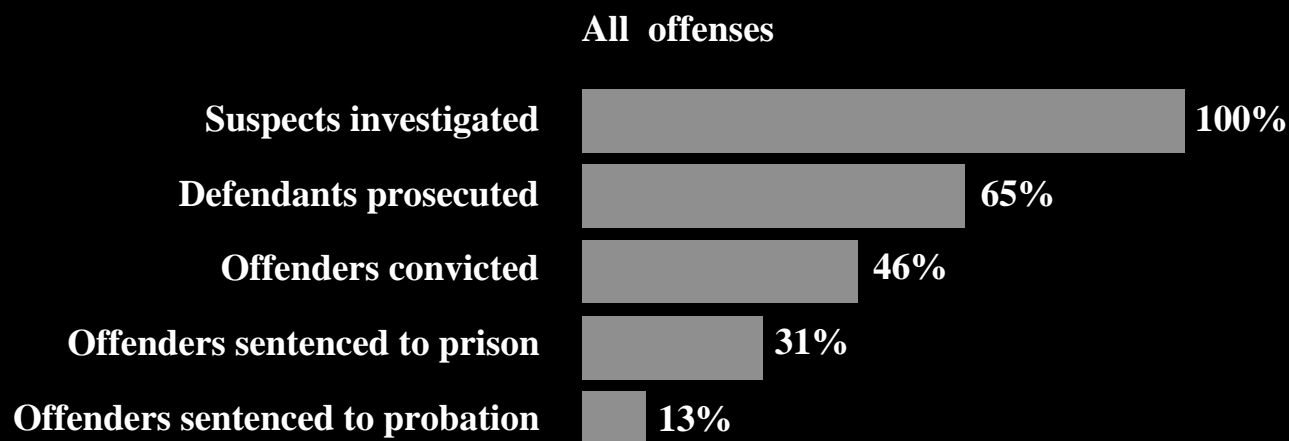




Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1995

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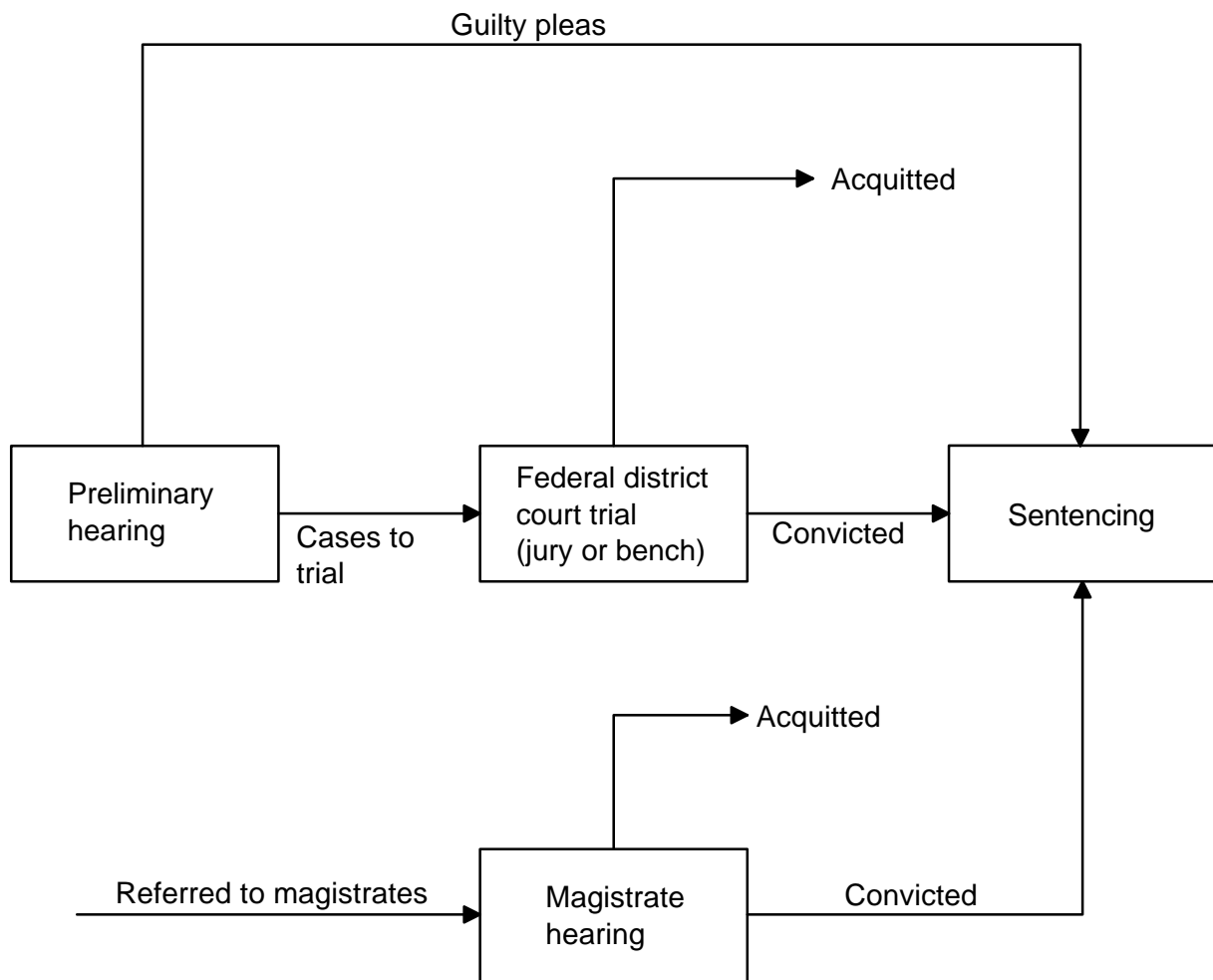
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Chapter notes **46**

Adjudication



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 1995, 63,547 defendants had criminal charges filed against them in U.S. district courts, and 50,483 (79%) of these defendants were charged with felonies. The 20,983 drug felony defendants comprised one-third of all criminal defendants in cases filed and 42% of all felony defendants. Felony property and public-order defendants comprised 22% and 20%, respectively, of all defendants in cases filed. The number of misdemeanor cases filed fell from 14,980 in 1994 to 13,036 in 1995. Approximately 40% of all misdemeanors were charged with traffic violations during 1995.

Defendants in cases terminated (table 3.2)

Cases were terminated against 56,480 defendants during 1995, 44,462 (79%) of whom were felony defendants. During 1995 the 18,189 drug-related felony defendants comprised 32% of all defendants in cases terminated and 41% of all felony defendants.

Over 84% of all defendants were convicted: 87% of felony defendants and 75% of misdemeanor defendants. For major felony offense categories, conviction rates ranged from 86% for drug offenses to 89% 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 70% for the crime of threats against the President to 93% for robbery.

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, which occur infrequently.

Cases of defendants who pleaded guilty were disposed more quickly than those whose cases ultimately were dismissed

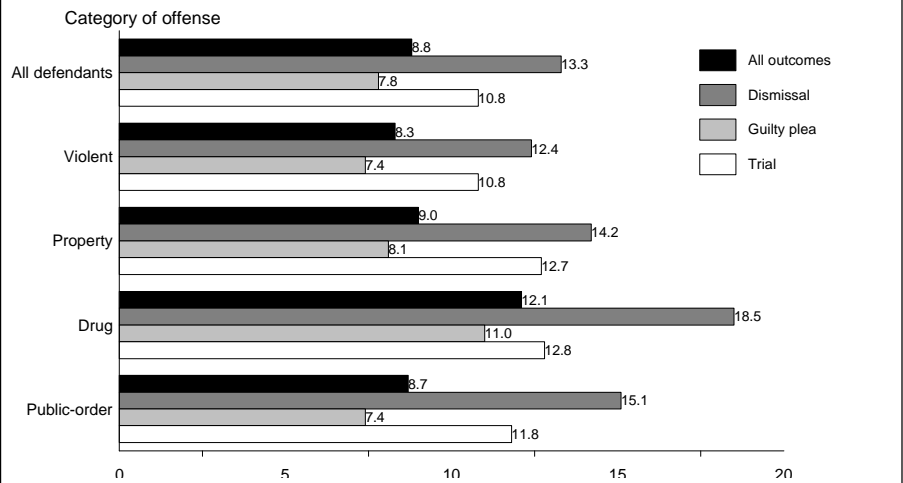


Figure 3.1. Average time from filing to disposition of cases terminating during October 1, 1994–September 30, 1995

Within the public-order category, the conviction rate ranged from 64% for civil rights violations to 91% for tax law violations, 92% for bribery offenses, and 94% for immigration offenses.

Most defendants who were convicted pleaded guilty. Overall, 92% of those convicted pleaded guilty, while only 8% were convicted at trial. For the major offense categories, guilty pleas were registered for 87% of violent offenders, 90% of drug offenders, 92% of public-order offenders, and 94% of property offenders.

During 1995, 4,809 defendants exercised their right to a trial. A higher percentage of violent and drug offenders went to trial than property and public-order offenders. Fourteen percent of violent offenders and 10% of drug offenders went to trial compared to 7% of property and 9% of public-order offenders.

Of defendants who exercised their right to a trial, 3,671 (76%) were convicted either by a jury or bench trial. The felony trial conviction rate was 81%, while the misdemeanor conviction rate was 51%. Among felony offenses, trial conviction rates ranged from 77% for property defendants to 84% for drug defendants. Violent and public-order offenders fell in between, as 79% of defendants in both

categories were convicted at trial.

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,² and the time limits set by the Act exclude several enumerated periods of pretrial procedure such as time spent awaiting rulings on motions.³ Additionally, defendants may waive their rights within the Speedy Trial Act. As a result, the actual processing time for most

²The Sentencing Reform Act of 1984 specifies minimum intervals for the disclosure and objections to the presentence report. See Rule 31, Federal Rules of Criminal Procedure.

³18 U.S.C. § 3161 et. seq.

defendants can be longer than the statutory limits without violating the provisions of the Act.

Overall, the average time for processing defendants was 8.8 months (figure 3.1). Defendants who pleaded guilty were processed faster (7.8 months), on average, than defendants who went to trial (10.8 months). Defendants whose cases were ultimately dismissed took longest to process (13.3 months), on average. Among major felony offense categories, case processing times were similar to the overall pattern, with two exceptions. For those charged with drug felonies other than trafficking, cases disposed of by plea took 7.7 months, on average, to complete, while those cases that went to trial were disposed in 7.0 months, on average. For those charged with escape felonies, cases disposed of by plea took longer to complete than those that went to trial.

completing at least high school represented 61% of all defendants while persons over age 30 represented 59% of defendants, and persons with no known criminal history comprised just under half (49%) of convicted defendants.

Convictions by U.S. magistrates (table 3.4)

During 1995 U.S. magistrates disposed of 10,587 misdemeanor criminal defendants, over 75% of whom were convicted. Traffic violators comprised 45% of the defendants disposed by U.S. magistrates, while misdemeanor property offenses comprised another 29% of U.S. magistrates' cases.

Characteristics of convicted defendants (table 3.5)

Of defendants who were convicted, 85% were men, 64% were white, 31% were black, and 28% were Hispanic. Most were U.S. citizens (75%), had graduated high school or completed some higher education (61%), and had some criminal history (51%).

Among defendants convicted there were over 5 times as many men as women (85% versus 15%); over twice as many whites as blacks (64% versus 31%); and over 2.5 times as many non-Hispanics as Hispanics (72% versus 28%). U.S. citizens comprised 75% of defendants; non-citizens comprised 25%. Persons

Table 3.1. Defendants in cases filed from October 1, 1994–September 30, 1995, by offense

Most serious offense charged	Defendants in cases filed during 1995	
	Number	Percent ^a
All offenses	63,547	100%
Felonies	50,483	79.4%
Violent offenses	2,838	4.5%
Murder ^b	382	0.6
Negligent manslaughter	5	—
Assault	445	0.7
Robbery	1,418	2.2
Rape	270	0.4
Other sex offenses ^b	149	0.2
Kidnaping	133	0.2
Threats against the President	36	0.1
Property offenses	13,837	21.8%
Fraudulent	10,909	17.2%
Embezzlement	1,101	1.7
Fraud ^b	8,502	13.4
Forgery	256	0.4
Counterfeiting	1,050	1.7
Other	2,928	4.6%
Burglary	71	0.1
Larceny ^b	1,580	2.5
Motor vehicle theft	403	0.6
Arson and explosives	310	0.5
Transportation of stolen property	498	0.8
Other property offenses ^b	66	0.1
Drug offenses	20,983	33.0%
Trafficking	20,191	31.8
Possession and other drug offenses	792	1.2
Public-order offenses	12,825	20.2%
Regulatory	1,265	2.0%
Agriculture	98	0.2
Antitrust	51	0.1
Food and drug	34	0.1
Transportation	95	0.1
Civil rights	117	0.2
Communications	26	—
Custom laws	138	0.2
Postal laws	50	0.1
Other regulatory offenses	656	1.0
Other	11,560	18.2%
Weapons	4,212	6.6
Immigration offenses	3,866	6.1
Tax law violations ^b	760	1.2
Bribery	253	0.4
Perjury, contempt, and intimidation	339	0.5
National defense	66	0.1
Escape	658	1.0
Racketeering and extortion	1,282	2.0
Gambling	45	0.1
Obscene material ^b	19	—
Migratory birds	9	—
All other felonies ^b	51	0.1
Misdemeanors^b	13,036	20.5%
Fraudulent property offense	1,407	2.2
Larceny	1,937	3.0
Drug possession ^b	1,555	2.4
Immigration	545	0.9
Traffic offenses	5,230	8.2
Other misdemeanors	2,362	3.7
Unknown or indeterminable offense	28	

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 non-violent 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 from October 1, 1994–September 30, 1995, by offense

Most serious offense charged	Total defendants	Percent of all defendants convicted	Number of defendants in cases terminating during 1995 who were—								
			Convicted				Not convicted				
			Total	Guilty plea	Nolo contendere	Trial	Total	Dismissed	Jury ^a	Trial Non-jury	
All offenses	56,480	84.2%	47,556	43,584	301	3,196	475	8,924	7,786	675	463
Felonies	44,462	86.6%	38,518	35,167	62	3,150	139	5,944	5,167	656	121
Violent offenses	2,864	88.7%	2,541	2,206	8	304	23	323	238	80	5
Murder ^b	541	88.0	476	362	1	104	9	65	36	29	0
Negligent manslaughter	3	—	2	1	0	0	1	1	1	0	0
Assault	464	78.9	366	290	3	70	3	98	74	23	1
Robbery	1,400	93.3	1,306	1,217	1	81	7	94	77	15	2
Rape	239	83.7	200	170	1	28	1	39	27	10	2
Other sex offenses ^b	104	90.4	94	86	2	6	0	10	9	1	0
Kidnaping	86	90.7	78	61	0	15	2	8	8	0	0
Threats against the President	27	70.4	19	19	0	0	0	8	6	2	0
Property offenses	12,426	87.5%	10,873	10,188	24	634	27	1,553	1,352	153	48
Fraudulent	9,817	88.0%	8,641	8,129	20	476	16	1,176	1,020	119	37
Embezzlement	1,095	88.7	971	926	3	41	1	124	110	14	0
Fraud ^b	7,558	87.9	6,646	6,241	15	378	12	912	784	95	33
Forgery	269	85.9	231	220	0	10	1	38	36	2	0
Counterfeiting	895	88.6	793	742	2	47	2	102	90	8	4
Other	2,609	85.6%	2,232	2,059	4	158	11	377	332	34	11
Burglary	97	86.6	84	81	0	2	1	13	10	0	3
Larceny ^b	1,384	86.3	1,194	1,131	4	56	3	190	174	11	5
Motor vehicle theft	396	82.1	325	286	0	35	4	71	62	7	2
Arson and explosives	228	85.5	195	165	0	27	3	33	22	10	1
Transportation of stolen property	439	86.3	379	348	0	31	0	60	56	4	0
Other property offenses ^b	65	84.6	55	48	0	7	0	10	8	2	0
Drug offenses	18,189	85.6%	15,569	14,024	14	1,484	47	2,620	2,334	246	40
Trafficking	17,823	85.5	15,246	13,723	13	1,465	45	2,577	2,300	239	38
Possession and other drug offenses	366	88.3	323	301	1	19	2	43	34	7	2
Public-order offenses	10,983	86.8%	9,535	8,749	16	728	42	1,448	1,243	177	28
Regulatory	1,181	79.8%	942	866	3	67	6	239	195	37	7
Agriculture	57	78.9	45	40	0	5	0	12	12	0	0
Antitrust	49	81.6	40	37	1	2	0	9	0	8	1
Food and drug	38	84.2	32	29	0	3	0	6	5	1	0
Transportation	95	72.6	69	58	0	10	1	26	26	0	0
Civil rights	75	64.0	48	41	0	7	0	27	15	11	1
Communications	35	71.4	25	23	0	2	0	10	7	2	1
Custom laws	108	82.4	89	85	0	2	2	19	18	0	1
Postal laws	43	74.4	32	28	0	4	0	11	10	1	0
Other regulatory offenses	681	82.5	562	525	2	32	3	119	102	14	3
Other	9,802	87.7%	8,593	7,883	13	661	36	1,209	1,048	140	21
Weapons	3,674	84.8	3,116	2,672	5	415	24	558	468	81	9
Immigration offenses	3,211	93.6	3,007	2,960	2	40	5	204	194	10	0
Tax law violations ^b	680	90.7	617	574	3	39	1	63	55	7	1
Bribery	263	92.4	243	216	0	26	1	20	15	3	2
Perjury, contempt, and intimidation	239	79.5	190	161	0	29	0	49	33	13	3
National defense	74	66.2	49	45	0	4	0	25	24	1	0
Escape	624	79.5	496	475	0	18	3	128	125	2	1
Racketeering and extortion	887	84.2	747	659	3	84	1	140	113	23	4
Gambling	86	89.5	77	74	0	3	0	9	9	0	0
Obscene material ^b	18	88.9	16	15	0	1	0	2	2	0	0
Migratory birds	5	—	1	1	0	0	0	4	4	0	0
All other felonies ^b	41	82.9	34	31	0	2	1	7	6	0	1
Misdemeanors^b	11,989	75.2%	9,013	8,392	239	46	336	2,976	2,615	19	342
Fraudulent property offense	1,336	90.3	1,206	1,193	4	8	1	130	126	1	3
Larceny	1,696	70.9	1,202	1,118	33	9	42	494	463	3	28
Drug possession ^b	1,380	84.0	1,159	1,133	2	7	17	221	213	2	6
Immigration	560	93.9	526	523	0	1	2	34	34	0	0
Traffic offenses	4,928	69.6	3,430	3,082	152	9	187	1,498	1,246	7	245
Other misdemeanors	2,089	71.3	1,490	1,343	48	12	87	599	533	6	60
Unknown or indeterminable offense	29	86.2%	25	25	0	0	0	4	4	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 from October 1, 1994–September 30, 1995

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	8.8 mo	13.3 mo	7.8 mo	10.8 mo
Felonies	10.2 mo	16.3 mo	9.0 mo	12.3 mo
Violent offenses	8.3 mo	12.4 mo	7.4 mo	10.8 mo
Murder ^c	10.1	10.2	9.2	12.5
Negligent manslaughter	—	—	—	—
Assault	7.3	9.1	6.8	7.4
Robbery	7.6	17.3	6.7	11.3
Rape	8.4	10.9	7.8	9.1
Other sex offenses ^c	8.9	—	7.6	—
Kidnaping	12.4	—	12.3	14.9
Threats against the President	7.5	6.4	—	—
Property offenses	9.0 mo	14.2 mo	8.1 mo	12.7 mo
Fraudulent	9.1 mo	14.7 mo	8.1 mo	13.2 mo
Embezzlement	7.4	12.4	6.3	14.9
Fraud ^c	9.5	15.2	8.4	13.3
Forgery	9.1	17.2	8.0	8.7
Counterfeiting	7.9	13.1	7.0	11.5
Other	8.9 mo	12.5 mo	8.1 mo	11.3 mo
Burglary	7.7	—	6.7	—
Larceny ^c	8.0	11.6	7.2	12.1
Motor vehicle theft	9.1	9.7	8.9	9.4
Arson and explosives	10.3	20.7	9.1	9.4
Transportation of stolen property	11.4	15.1	10.4	15.7
Other property offenses ^c	8.2	7.5	—	—
Drug offenses	12.1 mo	18.5 mo	11.0 mo	12.8 mo
Trafficking	12.2	18.7	11.1	12.9
Possession and other drug offenses	7.6	7.1	7.7	7.0
Public-order offenses	8.7 mo	15.1 mo	7.4 mo	11.8 mo
Regulatory	10.6 mo	18.2 mo	8.3 mo	14.5 mo
Agriculture	10.9	13.9	8.7	—
Antitrust	8.2	—	6.4	14.3
Food and drug	15.8	—	16.1	—
Transportation	16.3	38.8	6.6	13.7
Civil rights	7.0	7.4	6.8	7.0
Communications	8.1	—	7.3	—
Custom laws	8.9	18.0	7.0	—
Postal laws	9.4	10.5	5.9	—
Other regulatory offenses	10.5	17.2	8.7	15.4
Other	8.4 mo	14.5 mo	7.3 mo	11.4 mo
Weapons	9.4	12.0	8.8	10.7
Immigration offenses	4.1	10.8	3.5	8.8
Tax law violations ^c	9.1	15.6	8.4	10.8
Bribery	9.9	16.5	9.3	11.3
Perjury, contempt, and intimidation	11.1	12.5	10.4	12.7
National defense	21.0	46.0	9.5	—
Escape	13.8	23.3	11.8	9.6
Racketeering and extortion	12.7	16.7	11.5	15.8
Gambling	19.1	—	18.7	—
Obscene material ^c	5.1	4.7	—	—
Migratory birds	—	—	—	—
All other felonies ^c	7.1	8.2	—	—
Misdemeanors^c	3.7 mo	7.7 mo	2.6 mo	2.1 mo
Fraudulent property offense	3.5	9.7	2.7	9.1
Larceny	3.3	4.0	2.9	4.2
Drug possession ^c	3.8	5.3	3.5	5.5
Immigration	1.3	3.5	1.1	—
Traffic offenses	3.9	10.2	1.9	0.7
Other misdemeanors	4.4	6.0	3.9	3.8
Unknown or indeterminable offense	6.0 mo	—	6.5 mo	—

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. Dispositions by U.S. magistrates, October 1, 1994–September 30, 1995

Most serious offense charged	Defendants in criminal cases concluded by U.S. magistrates			
	Total	Convicted	Not convicted	Percent convicted
All offenses^a	10,587	8,022	2,565	75.8%
Violent offenses^b	140	88	52	62.9%
Negligent manslaughter	3	0	3	—
Assault	109	65	44	59.6
Robbery	4	4	0	—
Rape	4	3	1	—
Other sex offenses ^c	18	15	3	83.3
Kidnaping	1	0	1	—
Threats against the President	1	1	0	—
Property offenses	3,026	2,379	647	78.6%
Fraudulent	1,215	1,114	101	91.7%
Embezzlement	257	208	49	80.9
Fraud ^c	845	807	38	95.5
Forgery	108	94	14	87.0
Counterfeiting	5	5	0	—
Other	1,811	1,265	546	69.9%
Burglary	4	4	0	—
Larceny ^c	1,543	1,084	459	70.3
Motor vehicle theft	6	5	1	—
Arson and explosives	8	7	1	—
Transportation of stolen property	1	1	0	—
Other property offenses ^c	249	164	85	65.9
Drug offenses	1,271	1,075	196	84.6%
Possession	1,170	987	183	84.4
Trafficking	100	87	13	87.0
Other drug offenses	1	1	0	—
Public-order offenses	6,149	4,479	1,670	72.8%
Regulatory	480	397	83	82.7%
Agriculture	110	97	13	88.2
Fair labor standards	12	11	1	91.7
Food and drug	12	12	0	100
Motor carrier	1	1	0	—
Other regulatory offenses	345	276	69	80.0
Other	5,669	4,082	1,587	72.0%
Weapons	104	61	43	58.7
Immigration offenses	305	299	6	98.0
Tax law violations ^c	96	96	0	100
Bribery	12	9	3	75.0
National defense	38	38	0	100
Escape	55	32	23	58.2
Racketeering and extortion	5	2	3	—
Gambling	1	1	0	—
Liquor offenses	2	1	1	—
Conspiracy, aiding and abetting, traffic, and jurisdictional offenses	4,733	3,337	1,396	70.5
Migratory birds	3	3	0	100
All other offenses ^c	315	203	112	64.4
Missing or indeterminable offense	1	1	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.

—Too few cases to obtain statistically reliable data.

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

^bMay include some nonviolent offenses.

^cIn 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 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 3.5. Characteristics of convicted offenders, October 1, 1994–September 30, 1995

Offender characteristic	Total number of offenders	Percent of defendants convicted of—							
		All offenses ^a	Violent offenses	Felonies			Public-order offenses	Misdemeanors	
				Property offenses	Drug offenses	Other			
				Fraudulent	Other	Regulatory	Other		
All Offenders^b	47,556	100%	5.6%	20.7%	7.6%	35.2%	3.1%	27.7%	20.7%
Sex									
Male	31,777	85.3%	90.9%	75.2%	76.6%	87.5%	85.2%	92.6%	77.5%
Female	5,492	14.7	9.1	24.8	23.4	12.5	14.8	7.4	22.5
Race									
White	23,159	64.2%	49.7%	67.6%	60.4%	61.1%	78.3%	69.7%	66.0%
Black	11,104	30.8	35.8	26.0	32.9	36.7	15.1	24.9	23.3
Other	1,807	5.0	14.5	6.5	6.7	2.1	6.6	5.4	10.7
Ethnicity									
Hispanic	10,243	27.6%	8.5%	13.8%	9.2%	36.9%	19.7%	36.8%	29.3%
Non-Hispanic	26,819	72.4	91.5	86.2	90.8	63.1	80.3	63.2	70.7
Age									
16-18 years	286	0.8%	2.5%	0.3%	1.7%	0.7%	1.3%	0.7%	2.1%
19-20 years	1,534	4.2	5.8	2.2	7.2	4.9	3.2	3.6	8.0
21-30 years	13,194	36.0	39.8	28.3	32.9	40.6	20.8	37.2	39.2
31-40 years	11,385	31.0	32.8	30.2	28.9	31.9	28.7	30.8	25.8
Over 40 years	10,289	28.0	19.0	39.0	29.3	22.0	46.0	27.7	25.0
Citizenship									
U.S. citizen	27,574	74.9%	94.6%	81.3%	93.4%	72.0%	79.5%	62.2%	69.3%
Not U.S. citizen	9,233	25.1	5.4	18.7	6.6	28.0	20.5	37.8	30.7
Education									
Less than high school graduate	13,712	39.0%	37.7%	21.3%	28.7%	47.2%	24.0%	47.9%	33.7%
High school graduate	11,314	32.2	39.1	31.4	39.2	31.9	31.0	29.3	35.5
Some college	7,176	20.4	19.3	30.4	23.8	17.0	25.2	15.0	20.9
College graduate	2,946	8.4	3.9	16.9	8.3	3.9	19.9	7.7	9.9
Criminal record									
No convictions	17,558	48.8%	32.5%	63.5%	53.1%	47.2%	71.7%	36.3%	66.4%
Prior adult convictions ^c	18,439	51.2	67.5	36.5	46.9	52.8	28.3	63.7	33.6

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.

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

^bIncludes offenders for whom these characteristics could not be determined.

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

- 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, 1994, through September 30, 1995, 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.

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.
- 2) Table 3.5 was created by matching the AOUSC master data files with the U.S. Sentencing Commission (USSC) monitoring system files and the Pretrial Services Agency (PSA) data files. These latter two data files contain information on the characteristics of defendants. The USSC monitoring system files are limited to records of defendants sentenced under the Federal sentencing guidelines only. These include defendants convicted of felonies or Class A misdemeanors. Excluded from the USSC data were defendants convicted only of Class B or C misdemeanors or infractions, defendants whose offenses were committed before November 1, 1987, and juvenile offenders. Juveniles are not subject to guidelines, and they were not included in table 3.5. Some of the defendants excluded from the USSC data files were included in the PSA data. (See Chapter 2 *Chapter notes* for more information on the PSA data.) Table 3.5 indicates the number of records for which relevant data were available. Percentage distributions were based on records with known values of defendant characteristics and offenses.
- 3) Criminal record, as reported in table 3.5, 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