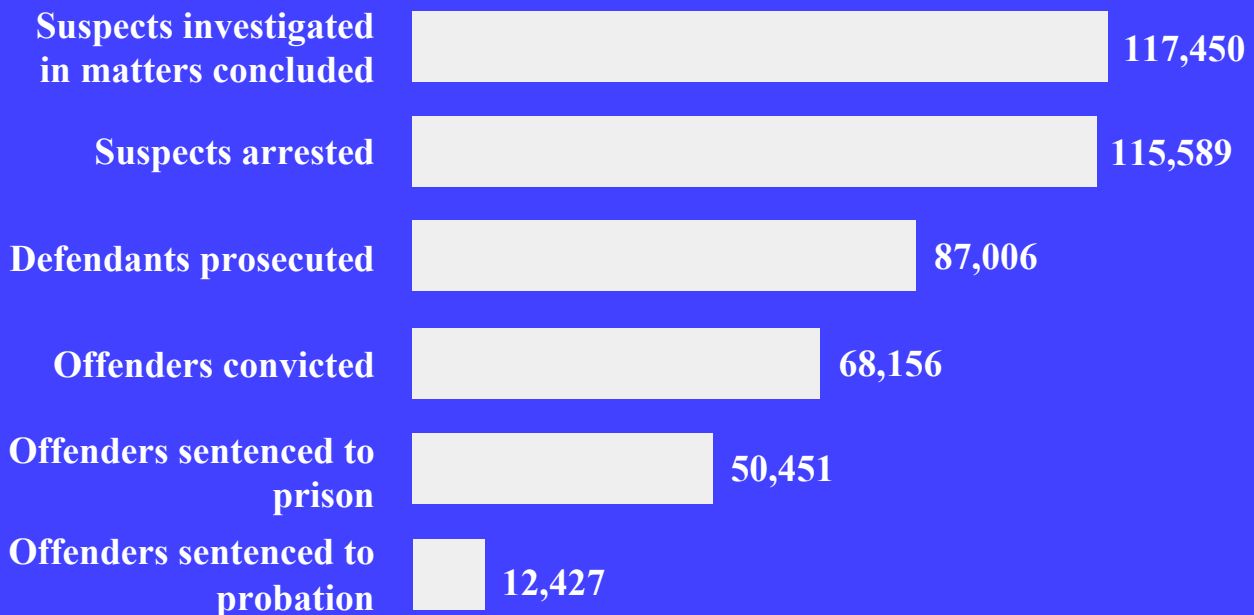




Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 2000

Federal criminal case processing, October 1, 1999-September 30, 2000



A Federal Justice Statistics Program Report

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Office of Justice Programs
Bureau of Justice Statistics



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Highlights

The number of suspects investigated by U.S. attorneys increased by 5% between 1999 and 2000, from 117,994 to 123,559; between 1990 and 1999, the number of investigations increased by 26%. About three-quarters of those for which the investigation was concluded were prosecuted — either before a U.S. district court judge (62%) or before a U.S. magistrate (12%) — and 26% of those investigated were not prosecuted by U.S. attorneys.

The number of defendants prosecuted in Federal courts increased by 4% between 1999 and 2000, from 80,031 to 83,251.

The number of offenders under Federal correctional supervision increased 61% between 1990 and 2000. At the end of fiscal year 2000, the number of offenders under Federal correctional supervision was 228,593 compared to 141,790 during 1990.

At the end of fiscal year 2000, the number of Federal inmates serving a sentence of imprisonment increased by 10,144 to 129,329. The number under community supervision was 99,264. Over two-thirds of those under community supervision were on post-incarceration supervised release (63,800) or parole (4,527).

Arrest

During 2000, 115,574 suspects were arrested by Federal law enforcement agencies for violations of Federal law. Over one-third of all arrests were for public order offenses, 28% for drug offenses, 15% for property offenses, 15% for supervision violations, 4% for violent offenses, and 4% to secure and safeguard a material witness.

About 72% of all arrests for Federal offenses were made by agencies of the Department of Justice, while Treasury Department agencies accounted for 11% of all arrests. Within the Department of Justice, 36% of arrests were made by the U.S. Marshals Service, 33% of arrests were made by the Immigration and Naturalization Service, 15% each were made by the

Federal Bureau of Investigation and the Drug Enforcement Administration.

Prosecution

During 2000 U.S. attorneys initiated criminal investigations involving 123,559 suspects, and they concluded their investigations of 117,450 suspects. Forty percent of the suspects were investigated for public-order, 32% for drug, 23% for property, and about 5% for violent offenses.

The number of suspects investigated for immigration offenses increased between 1999 and 2000, from 15,539 to 16,495.

Of the suspects in criminal matters concluded, U.S. attorneys prosecuted 73,090 in U.S. district courts and 13,916 were disposed of before U.S. magistrates. During 2000, U.S. attorneys declined 26% of matters concluded.

Suspects in criminal matters involving drug or violent offenses were slightly more likely to be prosecuted in a U.S. district court (78% and 60%, respectively) than were the suspects involved in public-order or property offenses (56% and 53%, respectively). Suspects involved in property offenses (such as fraud) or regulatory public-order offenses were more likely to be declined for prosecution (40% and 56%, respectively) than were suspects investigated for drug or violent offenses (17% and 34%, respectively).

Pretrial release

During 2000 about 46% of the 67,903 defendants who terminated pretrial services were released at some time prior to their criminal trial. Defendants charged with property offenses such as embezzlement, forgery, and larceny and those charged with tax law violations were more likely to be released prior to trial (between 80% and 95% of these defendants were released) than were defendants charged with violent offenses, drug trafficking, weapons, or immigration offenses (between 11% and 36% of these defendants were released).

The proportion of defendants released prior to their trial decreased from 62% during 1990 to 46% during 2000. Defendants charged with violent, drug, weapon, or immigration offenses were considerably less likely to be released during 1999 than during 1990. During 1990, 45% of defendants charged with violent offenses, 54% of drug defendants, 63% of weapon defendants, and 30% of immigration defendants were released at some point prior to trial. By contrast, during 2000, 36% of defendants charged with violent offenses, 40% of drug defendants, 47% of weapon defendants, and 11% of immigration 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-five percent of the defendants with a prior violent felony conviction were released before trial, while 58% of defendants with no prior convictions were released. Forty-nine percent of defendants with one prior conviction were released, as compared to 38% of defendants having two to four prior convictions and 27% of defendants having five or more prior convictions.

About 82% of defendants released prior to trial completed their periods of release without violating the conditions of their release. About 18% of defendants released violated the conditions of their release, and 7% 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 (28% and 23%, respectively) and to have their release revoked (10% and 13%, respectively) than were other defendants.

Defendants released during 2000 were more likely to violate the conditions of their pretrial release than those released during 1990. During 2000, 18% of those released at some point prior to trial violated a condition

of their release. During 1990, 12% violated their release conditions.

Adjudication

During 2000, 83,251 defendants were charged in Federal courts with a criminal offense, about 85% of whom were charged with felonies. Of the defendants charged with felonies, 41% were prosecuted for drug trafficking, 33% for public-order, 21% for property, and 4% for violent offenses.

The number of defendants charged with a felony immigration offense increased by 14% between 1999 and 2000, from 10,550 to 12,036. The number charged with a felony drug offense increased by less than 1%, from 29,306 to 29,455.

Criminal cases were concluded against 76,952 defendants during 1999, 85% of whom had been charged with felonies. The proportion of defendants convicted in the Federal courts increased from 81% during 1990 to 87% during 2000. Additionally, the proportion of defendants who pleaded guilty increased from 88% during 1990 to 95% during 2000.

Ninety-two percent of defendants charged with felonies were convicted. The conviction rate was about the same for all major offense categories: 92% of defendants charged with public-order offenses, 91% of property and drug defendants, and 90% of violent defendants.

Sentencing

Defendants convicted during 2000 were more likely to be sentenced to prison than those convicted during 1990. During 2000, 74% of defendants were sentenced to prison compared to 60% of those sentenced during 1990.

About 92% of felony drug offenders and violent offenders received prison sentences during 2000, as did 85% of felony public-order offenders and 60% of felony property offenders.

Average length of sentences imposed, by offense, October 1, 1999 - September 30, 2000

Most serious offense of conviction	Average sentence length
All offenses	56.7 mo
Felonies	58.0
Violent offenses	86.5
Property offenses	24.2
Drug offenses	75.5
Public-order offenses	45.8
Misdemeanors	10.4

The 50,451 offenders sentenced to prison received, on average, 56.7 months of imprisonment. Offenders sentenced for violent felony offenses and felony drug offenses received longer average prison terms (86.5 and 75.5 months, respectively) than those convicted of felony property and public-order offenses (24.2 and 45.8 months, respectively).

While the proportion of defendants sentenced to prison is at an all-time high, average prison sentences have declined from the peak attained during 1992. During 1992 the average prison term imposed was 62.6 months; for violent felony offenders, the average term imposed was 94.8 months; for drug felony offenders, the average term was 84.1 months.

Appeals

Between 1994 and 2000, the number of appeals received by the U.S. Courts of Appeals remained relatively constant — between 9,000 and 11,000 annually. However, the proportion of criminal defendants

appealing some aspect of their conviction decreased from 21% during 1994 to 13% during 2000.

During 2000, 9,162 criminal appeals were filed. Forty-nine percent of the appeals filed challenged both the conviction and sentence imposed. Only 4% of appeals were filed by the Government. Of the 10,580 appeals terminated during 2000, 76% (or 7,996) were terminated on the merits. In 83% of the appeals terminated on the merits, the district court ruling was affirmed, at least in part.

Corrections

Community supervision

Between 1990 and 2000, the number of offenders on community supervision increased by 17%, from 84,801 during 1990 to 99,264 during 2000. While nearly equal proportions of offenders were serving terms of probation and post-incarceration supervision (parole or supervised release) during 1990, during 2000, over two-thirds were serving a term of post-incarceration supervision (64% supervised release and 5% parole) while 31% were on probation. Drug offenders comprised 11% of offenders on probation, 53% of offenders serving terms of supervised release, and 49% of offenders on parole. Property offenders comprised 38% of offenders on probation, 26% of offenders serving terms of supervised release, and 10% of offenders on parole.

A total of 15,186 offenders terminated probation during 2000. Most of these offenders (80%) completed their terms of probation successfully.

Admissions to Federal Bureau of Prisons, releases, and prisoners at yearend, by offense, October 1, 1998 - September 30, 1999

Most serious offense of conviction	All admissions	All releases	Population at yearend
All offenses	63,986	52,472	119,185
Violent offenses	8.1%	8.6%	11.2%
Property offenses	16.5	19.8	7.3
Drug offenses	41.4	39.2	57.4
Public-order offenses	32.3	31.0	22.2

Note: Percentages of offenses do not total to 100% due to offenders whose most serious offense of conviction is unknown or indeterminable.

Eleven percent of probationers terminating supervision during 2000 committed technical violations; 6% committed new crimes.

A total of 22,972 offenders completed terms of supervised release during 2000. Of these offenders, 64% successfully completed their terms without violating conditions of release; 21% committed technical violations; and 13% committed new crimes.

A total of 1,985 offenders completed terms of parole during 2000. Of these offenders, 55% successfully completed their terms without violating conditions of release; 26% committed technical violations; and 14% committed new crimes.

Prison

Between 1990 and 2000, the number of inmates serving a sentence of imprisonment more than doubled, from 56,989 during 1990 to 129,329 during 2000.

During 2000, 49,678 prisoners were received by the Bureau of Prisons from U.S. district court commitments. An additional 15,240 prisoners were returned to Federal prison for violating conditions of probation, parole, or supervised release, or were admitted to Federal prison from elsewhere than a U.S. district court.

Drug offenders — who comprised 41% of persons admitted into Federal prison — comprised the largest percentage of persons in prison (57%) at the end of 2000.

During 2000, 40,720 prisoners were released for the first time from Federal prison after commitment by a U.S. district court. Of these, 36,613 were released by standard methods and 4,107 were released by extraordinary means (death, treaty transfer, sentence commutation, or drug treatment). An additional 15,156 prisoners were released from subsequent commitments to Federal prison.

Time served by Federal offenders increased from 19 months during 1990 to 29 months during 2000. Additionally, the proportion of the sentence

served increased from 65% during 1990 to 87% during 2000.

Violent and drug offenders were among those offenders who served the longest prison terms (54 months and 41 months, respectively).

Average time to first release, standard releases, by offense, October 1, 1999 - September 30, 2000	
Most serious original offense of conviction	Mean time served
All offenses	28.9 mo
Violent offenses	53.8
Property offenses	16.2
Drug offenses	41.1
Public-order offenses	19.9

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 U.S. Marshals Service, Drug Enforcement Administration (DEA), Administrative Office of the U.S. Courts, Executive Office for the U.S. Attorneys, Federal Bureau of Prisons, and 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 BJS Federal Justice Statistics database is archived on CD-ROM, copies of which are available from the BJS Clearinghouse. The data can be downloaded from the Federal Justice Statistics Resource Center located at <http://fjsrc.urban.org>.

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 inter-agency 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 *recorded* 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 FJSP, 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 FJSP 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 2000 *Compendium*, 15th in a series which includes 1984, 1985, 1986, 1988, 1989, 1990, 1992, 1993, 1994, 1995, 1996, 1997, 1998, and 1999 describes defendants processed at each stage of the Federal justice system — arrest by Federal law enforcement agencies (chapter 1), investigation and prosecution by the U.S. attorneys (chapter 2), pretrial release or detention (chapter 3), adjudication in the U.S. district courts (chapter 4), sentencing (chapter 5), appeal of the conviction and/or sentence imposed (chapter 6), and corrections (chapter 7) — for the 12-month period ending September 30, 2000 (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, 1999 - September 30, 2000. 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 charged as adults 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 arrests made by Federal law enforcement agencies for violations of Federal law, including the characteristics of arrestees.

Chapter 2. 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 3. This chapter describes the pretrial release and detention practices of the Federal judiciary, including the characteristics of defendants detained or released pending trial.

Chapter 4. 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 5. This chapter describes the sentences imposed by the Federal judiciary on convicted defendants, including the characteristics of defendants sentenced.

Chapter 6. This chapter describes appeals of criminal convictions and sentences imposed in the Federal courts, including the original offense charged.

Chapter 7. 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. An electronic version of this document may be found on the BJS Internet Home Page
<<http://www.ojp.usdoj.gov/bjs/>>.

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 BJS 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.

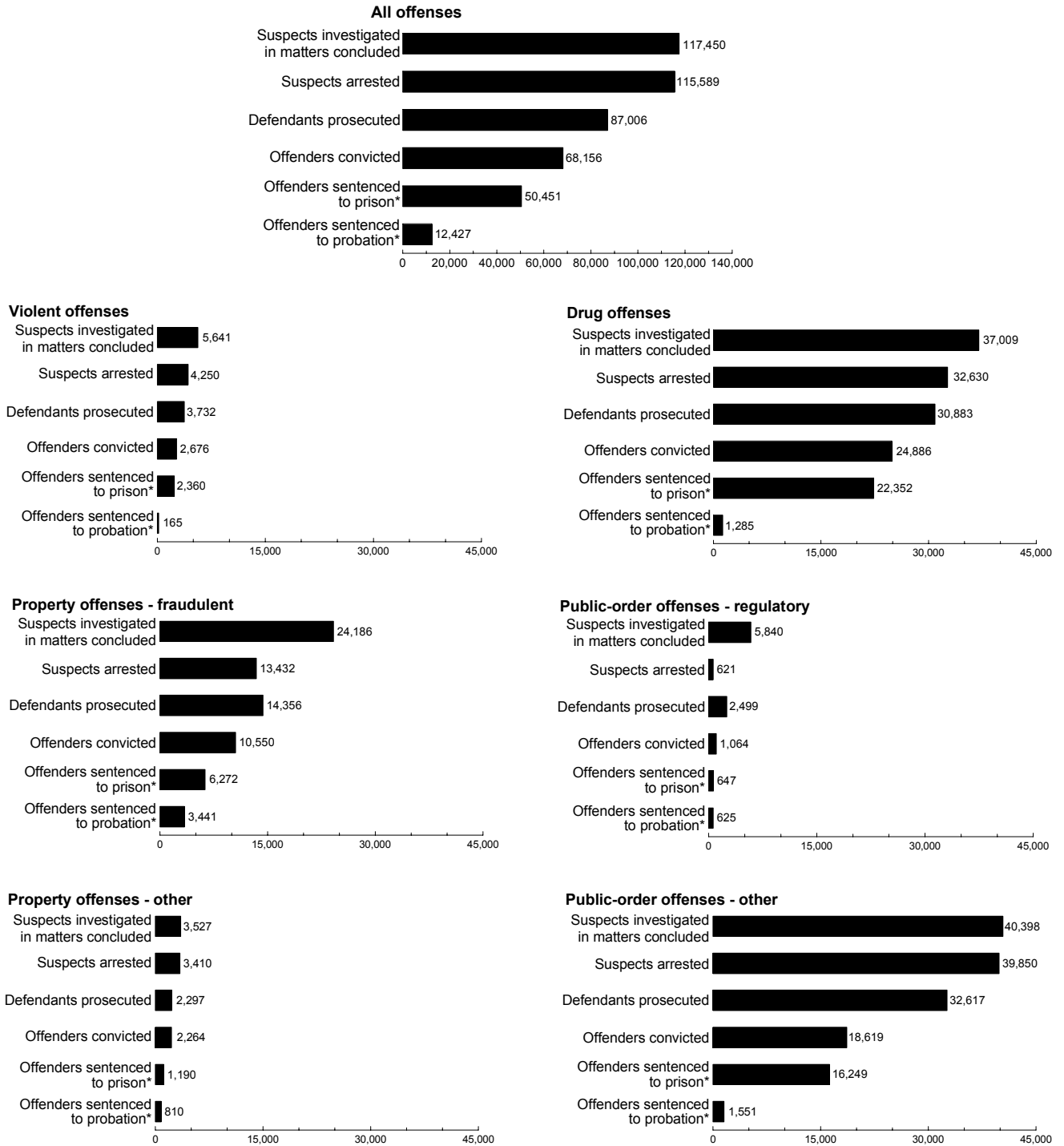
Modifications in the 2000 *Compendium*

Two tables in Chapter 7 (table 7.13 and 7.14) have format changes. In prior years, these tables displayed separate time served statistics for new law releases in a bottom panel of the table, in addition to the time served statistics shown for all releases in a top panel. Since new law releases now comprise 99% of all releases, showing time served statistics for new law releases separately no longer adds meaningful information to this table. Therefore, the bottom panel which had displayed time served statistics for new law releases has been deleted.

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

Federal criminal case processing, October 1, 1999 - September 30, 2000



*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.

Arrests for Federal offenses

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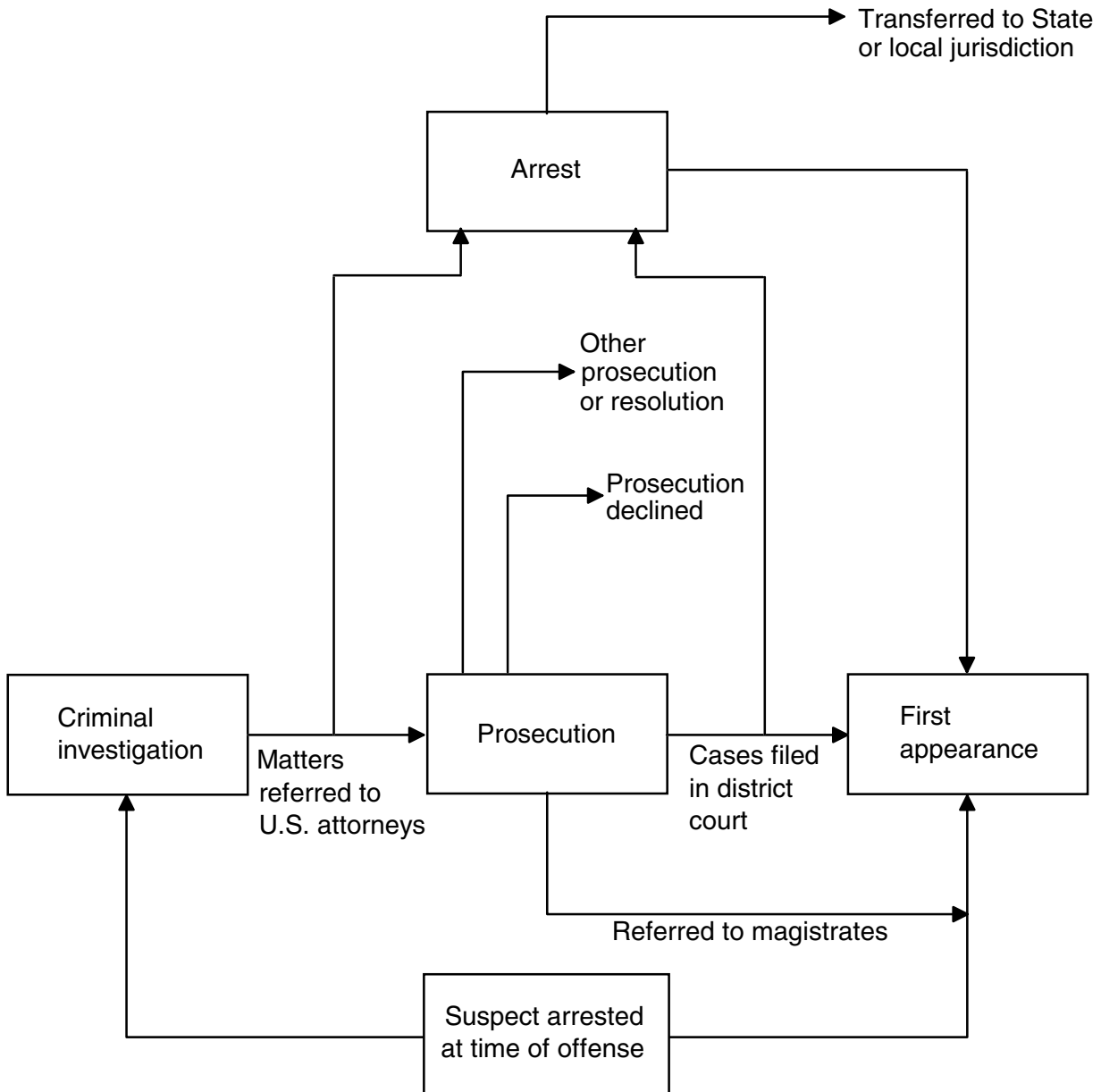
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Chapter 1

Arrests for Federal offenses



Sixty-nine Federal agencies employ full-time personnel empowered to make arrests. As of June 2000, these agencies employed about 88,000 officers.¹ The Department of Justice employed more than half (58%) of all law enforcement officers. The Department of Treasury employed 21% of all officers.

Suspects arrested by Federal agencies are transferred to the custody of the U.S. Marshals Service for processing, transportation, and detention.² During 2000, the U.S. Marshals Service received 115,589 suspects for processing from the Federal law enforcement agencies, including nearly 30,000 suspects arrested by deputy U.S. Marshals, and over 12,000 by the DEA.

Arrests by offense categories (table 1.1)

During 2000, 115,574 suspects were arrested by Federal law enforcement agencies for violations of Federal law. Over one-third of all arrests were for public-order offenses; 28% for drug offenses; 15% for property offenses; 15% for supervision violations; 4% for violent offenses; and 4% to secure and safeguard a material witness.

Thirty-seven percent of drug arrests involved cocaine (crack or powder); 27%, marijuana; 11%, amphetamine (or methamphetamine); 7%, heroin; and the remainder other drugs or drug paraphernalia (figure 1.1).

Almost two-thirds of arrests for public-order offenses were immigration offenses. Most (82%) of these were for illegal entry into the United States; 13% involved alien smuggling; 4% involved false claims of citizenship by entrants to the United States; and 1%

¹Brian A. Reaves and Timothy C. Hart, *Federal Law Enforcement Officers, 2000*, Bureau of Justice Statistics, Washington, DC (NCJ-187231).

²The Federal agency making the arrest may be different from the Federal agency initiating the investigation involving the arrestee. Statistics describing agencies initiating investigations are shown in table 2.3 of chapter 2, "Prosecution."

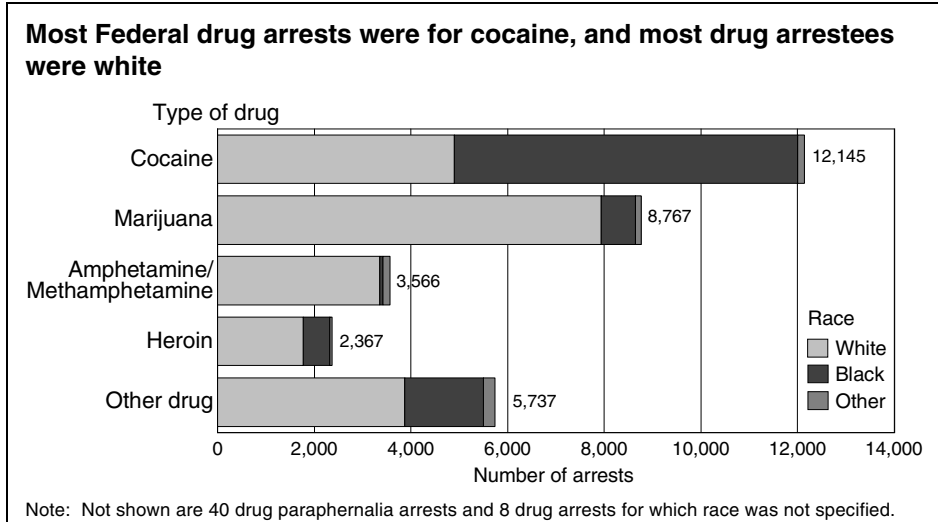


Figure 1.1. Type of drug involved in drug arrests, by race of arrestee, October 1, 1999 - September 30, 2000

involved other immigration violations (figure 1.2).

Arrests by law enforcement agencies (table 1.2)

During 2000, 72% of all arrests for Federal offenses were made by components of the Department of Justice; the Treasury components accounted for 11% of all arrests. In addition, 3% of arrests were made by State and local agencies and 7% of suspects were arrested after voluntarily reporting to the U.S. Marshals following a summons.

Within the Department of Justice, 36% of arrests were made by the U.S. Marshals Service, 26% were made by the Immigration and Naturalization Service, 15% each were made by the FBI and the Drug Enforcement Administration, and less than 1% were

made by other Department of Justice components.

Within the Treasury Department, the U.S. Customs Service made 57% of arrests, the Bureau of Alcohol, Tobacco, and Firearms made 24%, 14% were made by the Secret Service, and the IRS made 5%.

Arrests across demographic groups (table 1.3)

Most (86%) of suspects arrested by Federal law enforcement agencies during 2000 were male. Most (71%) were white and about a quarter were black. Individuals between the ages of 21 and 40 years comprised 70% of all those arrested. More than one-third of those arrested were identified as noncitizens.

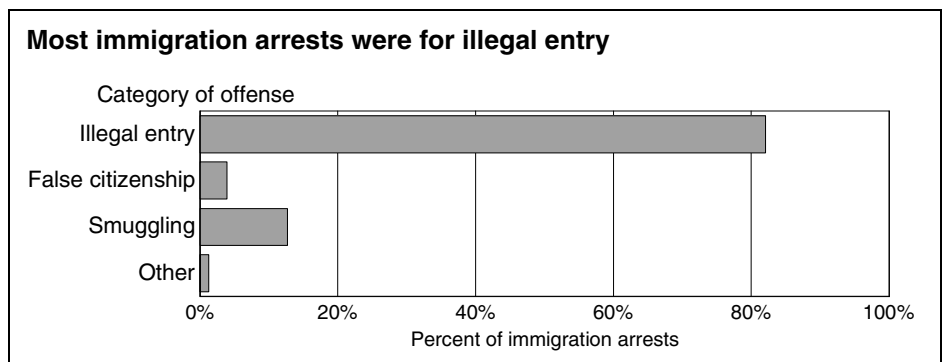


Figure 1.2. Type of immigration arrests, October 1, 1999 - September 30, 2000

Most (67%) suspects arrested for drug offenses were white, while 31% were black. Of those suspects arrested on charges involving cocaine, 40% were white and 59% were black. Of those suspects arrested on charges involving marijuana, 91% were white and 8% were black (figure 1.1).

Arrests by Drug Enforcement Administration agents (tables 1.4-1.5)

During 2000, agents of the Drug Enforcement Administration arrested 38,411 suspects. Although not all of these suspects were booked for violations of Federal law by the U.S. Marshals (see *Chapter notes*). Some of these suspects were referred to U.S. attorneys for a prosecutorial decision; others were referred to a State prosecutor. Suspects arrested by DEA agents were predominantly white (68%) non-Hispanic (62%) male (83%) U.S. citizens (77%). The highest proportion of them were between 21 and 30 years old (43%).

Whites were usually the highest proportion of suspects arrested for all drug types except crack cocaine, for which blacks were the highest proportion.

A little over 4% of all suspects were armed at the time of their arrest. Males were over twice as likely to be armed at arrests as females (4% versus 2%). Non-Hispanics (5%) and U.S. citizens (5%) were more likely to be armed at time of arrest than were Hispanics (3%) and noncitizens (3%).

If armed at arrest, suspects from all demographic subgroups were more likely to be armed with a handgun than any other weapon.

Table 1.1. Suspects arrested for Federal offenses and booked by US Marshals Service, by offense, October 1, 1999-September 30, 2000

Most serious offense	Number	Percent
All offenses	115,589	100%
Violent offenses	4,250	3.7%
Murder*	240	0.2
Negligent manslaughter	37	—
Assault	981	0.8
Robbery	2,449	2.1
Sexual abuse*	218	0.2
Kidnaping	172	0.1
Threatening communication	119	0.1
Other violent offenses	34	—
Property offenses	16,842	14.6%
Fraudulent	13,432	11.6%
Embezzlement	1,118	1.0
Fraud*	10,477	9.1
Forgery	318	0.3
Counterfeiting	1,519	1.3
Other	3,410	3.0%
Burglary	154	0.1
Larceny*	2,075	1.8
Motor vehicle theft	347	0.3
Arson and explosives	122	0.1
Transportation of stolen property	603	0.5
Other property offenses*	109	0.1
Drug offenses	32,630	28.2%
Public-order offenses	40,471	35.0%
Regulatory	621	0.5%
Antitrust	24	—
Food and drug	141	0.1
Civil rights	56	—
Other regulatory offenses	400	0.3
Other	39,850	34.5%
Weapons	5,203	4.5
Immigration	25,205	21.8
Tax law violations*	1,170	1.0
Bribery	381	0.3
Civil rights	285	0.2
National defense	4	—
Escape	631	0.5
Racketeering and extortion	699	0.6
Gambling	202	0.2
Obscene material*	362	0.3
Child Support Recovery	533	0.5
Nonviolent sex offenses	491	0.4
Obstruction of justice	419	0.4
Traffic offenses	1,794	1.6
Conspiracy, aiding and abetting, and jurisdictional offenses	1,640	1.4
All other offenses*	831	0.7
Supervision violations	17,133	14.8%
Material witness	4,203	3.6%
Unknown or indeterminable	60	

—Less than .05%.

*In this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and

trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

Table 1.2. Suspects arrested for Federal offenses and booked by US Marshals Service, by Federal law enforcement agency, October 1, 1999-September 30, 2000

Arresting agency*	Most serious offense at arrest								
	All	Violent	Property		Drug	Public-order		Supervision violations	Material witness
			Fraudulent	Other		Regulatory	Other		
All agencies	115,589	4,250	13,432	3,410	32,630	621	39,850	17,133	4,203
Department of Agriculture	137	2	39	21	31	16	25	3	0
Department of Defense	478	28	36	64	23	1	319	7	0
Department of the Interior	1,111	74	15	54	134	24	669	139	1
Indian Affairs	150	50	3	8	14	0	16	58	1
Park Police	961	24	12	46	120	24	653	81	0
Department of Justice	83,778	3,423	6,156	1,570	21,496	215	32,449	14,259	4,168
Drug Enforcement Administration	12,072	22	34	11	11,693	18	243	28	13
Federal Bureau of Investigation	12,208	2,244	3,359	611	3,832	68	1,950	116	24
Immigration and Naturalization Service	29,602	23	520	13	446	0	24,247	384	3,959
Marshals Service	29,870	1,131	2,243	934	5,521	129	6,002	13,720	172
Other DOJ	26	3	0	1	4	0	7	11	0
Department of State	395	4	350	4	2	0	29	1	4
Department of the Treasury	12,381	91	2,129	198	6,690	37	3,145	70	13
Alcohol, Tobacco, and Firearms	2,937	37	93	64	400	23	2,303	12	4
Customs Service	7,109	18	262	79	6,224	9	464	41	6
Internal Revenue Service	641	1	234	15	48	1	337	3	2
Secret Service	1,694	35	1,540	40	18	4	41	14	1
Federal judiciary	728	17	327	186	37	1	75	85	0
U.S. Postal Service	1,241	22	620	381	74	15	125	4	0
Other	15,340	589	3,760	932	4,143	312	3,014	2,565	17
Self-report, subpoena	8,044	157	2,976	624	986	181	1,582	1,527	7
State and local	3,624	277	140	132	1,604	29	652	784	5
Task force	1,271	11	14	10	1,106	2	106	20	1
All other agencies or undesignated	2,401	144	630	166	447	100	674	234	4

*This table displays data by the arresting Federal agency. The arresting agency may be different from the Federal agency that initiated the investigation involving the arrestee. Statistics describing agencies initiating investigations are shown in table 2.3 of chapter 2, "Prosecution."

Table 1.3. Characteristics of suspects arrested for Federal offenses and booked by US Marshals Service, October 1, 1999-September 30, 2000

Arrestee characteristic	Number arrested	Percent of suspects arrested on—								
		All	Violent	Property		Drug	Public-order		Supervision	Material witness
				Fraudulent	Other		Regulatory	Other		
All arrestees	115,589	100%	3.7%	11.6%	3.0%	28.2%	0.5%	34.5%	14.8%	3.6%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
Male/female										
Male	98,845	85.5%	91.0%	71.7%	74.2%	84.7%	91.1%	90.5%	87.1%	86.0%
Female	16,723	14.5	9.0	28.3	25.8	15.3	8.9	9.5	12.9	14.0
Race										
White	81,845	70.8%	44.4%	63.7%	57.6%	67.0%	86.2%	82.5%	59.4%	94.4%
Black	28,385	24.6	39.5	30.4	33.8	30.9	8.9	13.0	35.4	1.9
Native American	1,848	1.6	13.5	0.5	4.0	0.4	1.9	0.8	3.5	0.2
Asian/Pacific Islander	2,598	2.2	2.0	4.6	3.6	1.1	2.3	2.7	1.1	2.9
Unknown	892	0.8	0.5	0.8	1.0	0.7	0.8	1.0	0.5	0.6
Age										
Under 19 years	2,447	2.1%	5.4%	0.6%	3.3%	2.2%	1.3%	2.1%	0.9%	7.4%
19-20 years	6,867	5.9	10.5	3.2	7.3	6.4	3.6	6.6	2.9	12.3
21-30 years	46,914	40.6	39.8	28.4	33.3	44.3	18.3	43.8	35.8	51.4
31-40 years	33,908	29.4	27.0	30.2	29.5	28.8	24.3	28.7	33.9	21.7
Over 40 years	25,330	21.9	17.3	37.6	26.6	18.3	52.6	18.9	26.5	7.3
Citizenship										
U.S. citizen	64,458	55.8%	85.6%	76.2%	82.0%	63.8%	81.5%	32.2%	78.8%	2.1%
Not U.S. citizen	41,826	36.2	5.8	13.8	8.3	27.8	8.5	60.4	13.7	92.0
Missing/indeterminate	9,305	8.1	8.6	10.1	9.6	8.4	10.0	7.3	7.5	5.9

Table 1.4. Characteristics of suspects arrested by Drug Enforcement Administration agents, by type of drug, October 1, 1999-September 30, 2000

Arrestee characteristic	Total arrested	Percent arrested	Drug type					Other or non-drug
			Cocaine powder	Crack cocaine	Marijuana	Methamphetamine	Opiates	
All arrestees*	38,411	100%	8,718	6,734	7,783	8,382	3,557	3,237
Male/female								
Male	31,606	82.5%	7,419	5,716	6,535	6,583	2,895	2,458
Female	6,686	17.5	1,262	1,001	1,222	1,777	654	770
Race								
White	25,491	67.8%	5,341	1,224	5,965	7,907	2,357	2,697
Black	11,555	30.7	3,058	5,372	1,548	137	1,064	376
Native American	165	0.4	25	19	55	47	7	12
Asian/Pacific Islander	374	1.0	53	31	41	137	24	88
Ethnicity								
Hispanic	14,096	37.9%	4,448	759	3,635	2,761	2,048	445
Non-Hispanic	23,065	62.1	4,037	5,683	3,921	5,361	1,418	2,645
Age								
Under 19 years	282	0.7%	52	70	59	37	34	30
19-20 years	1,949	5.1	334	432	469	335	162	217
21-30 years	16,431	43.0	3,691	3,319	3,417	3,141	1,313	1,550
31-40 years	11,683	30.6	2,820	1,786	2,192	2,921	1,145	819
Over 40 years	7,893	20.6	1,783	1,095	1,614	1,912	884	605
Citizenship								
U.S. citizen	27,800	77.3%	5,626	5,939	5,195	6,169	2,198	2,673
Not U.S. citizen	8,168	22.7	2,489	343	2,130	1,697	1,132	377

*Includes suspects for whom offense or characteristics are unknown. Table 1.4 was derived from the DEA Defendants Statistical System. Only records of arrests made during October 1, 1999, through September 30, 2000, were selected. Some suspects arrested by DEA agents may be transferred to state or local jurisdiction and not the U.S. Marshals Service. Therefore, counts of DEA arrests from table 1.4 will be higher than those reported in table 1.2.

Table 1.5. Characteristics of suspects arrested by Drug Enforcement Administration agents, by weapon use at time of arrest, October 1, 1999-September 30, 2000

Arrestee characteristic	Total arrested	Total armed	Percent armed	If armed, percent with—		
				Handgun	Shotgun or rifle	Other weapon
All arrestees*	38,411	1,548	4.0%	83.8%	22.6%	7.4%
Male/female						
Male	31,606	1,405	4.4%	83.8%	21.9%	7.7%
Female	6,686	137	2.0	83.2	30.7	5.1
Race						
White	25,491	905	3.6%	80.3%	29.4%	8.1%
Black	11,555	597	5.2	89.1	13.1	5.9
Native American	165	8	4.8	62.5	25.0	12.5
Asian/Pacific Islander	374	10	2.7	70.0	0.0	30.0
Ethnicity						
Hispanic	14,096	429	3.0%	81.6%	22.6%	6.1%
Non-Hispanic	23,065	1,056	4.6	84.6	22.3	8.0
Age						
Under 19 years	282	11	3.9%	90.9%	0%	9.1%
19-20 years	1,949	70	3.6	87.1	21.4	7.1
21-30 years	16,431	752	4.6	85.4	19.3	6.4
31-40 years	11,683	413	3.5	80.6	25.7	7.0
Over 40 years	7,893	294	3.7	83.0	27.9	10.9
Citizenship						
U.S. citizen	27,800	1,249	4.5%	84.2%	23.3%	7.4%
Not U.S. citizen	8,168	228	2.8	80.3	20.2	9.2

*Includes suspects for whom offense or characteristics are unknown. Table 1.5 was derived from the DEA Defendants Statistical System. Only records of arrests made during October 1, 1999, through September 30, 2000, were selected. Some suspects arrested by DEA agents may be transferred to state or local jurisdiction and not the U.S. Marshals Service. Therefore, counts of DEA arrests from tables 1.5 will be higher than those reported in table 1.2.

Chapter notes

Tables 1.1-1.3 were derived from the U.S. Marshals Prisoner Tracking System. Only records of arrests made during October 1, 1999, through September 30, 2000, were selected. Information on individual cases, offenses, and detainees were used to construct the tables.

Data were derived from the DEA Defendants Statistical System (tables 1.4-1.5). Only records of arrests made during October 1, 1999, through September 30, 2000, were selected. Some suspects arrested by DEA agents may be transferred to state or local jurisdiction and not the U.S. Marshals Service. Therefore, counts of DEA arrests from tables 1.4-1.5 will be higher than those reported in table 1.2.

Offenses of arrest were classified by the U.S. Marshals into their four-digit offense codes. These were then aggregated into the offense categories shown in the tables. These categories are similar, but may not be directly comparable, to categories used in other tables of this *Compendium*.

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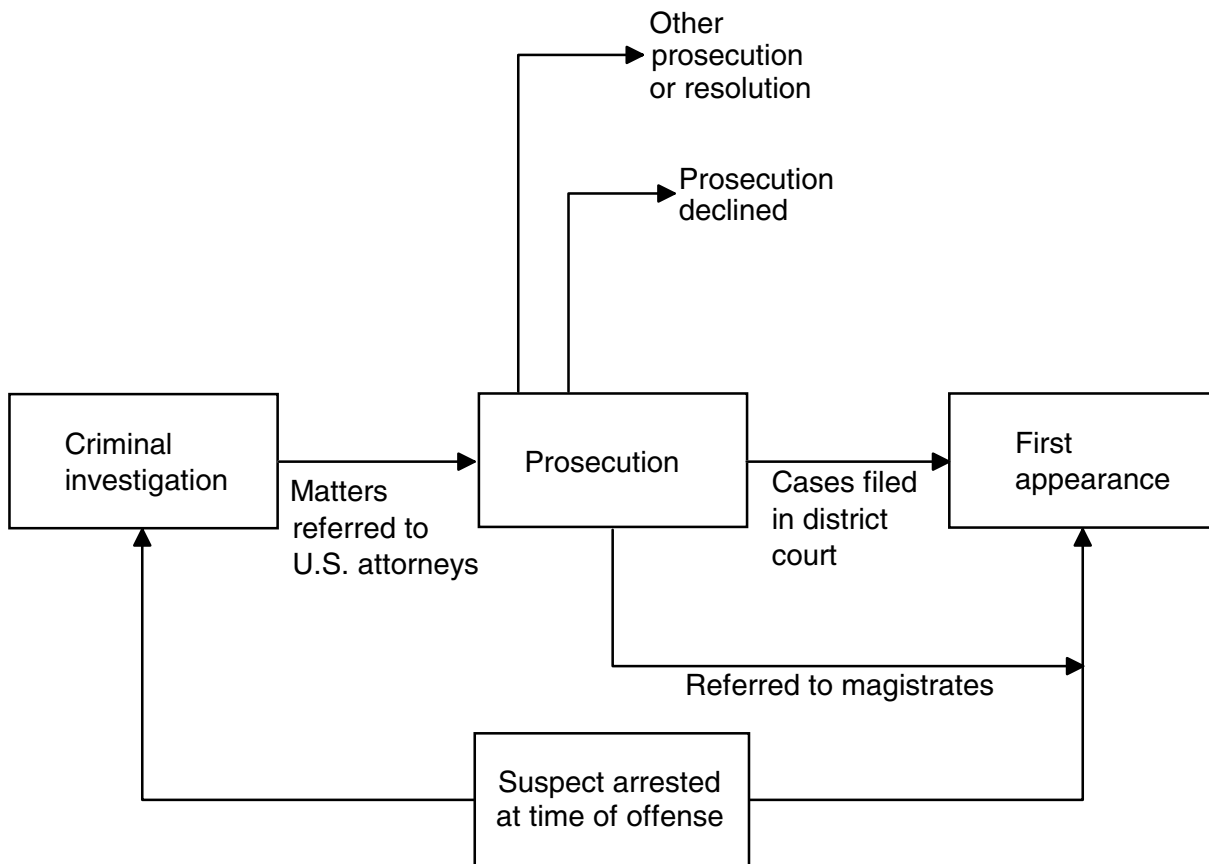
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Chapter 2

Prosecution



Federal criminal cases may be brought by the U.S. Attorney's Office, by the Criminal Division of the U.S. Department of Justice, or by other authorized agencies such as the U.S. Marshals Service. The 93 U.S. attorneys serve as the chief Federal law enforcement officers within their respective districts.

Investigations are most commonly referred to a U.S. attorney by a Federal investigative agency (primarily the Drug Enforcement Administration; the Federal Bureau of Investigation; the Postal Inspection Service; the Bureau of Alcohol, Tobacco, and Firearms; and the Secret Service), by the Criminal Division, or by a State or local investigative agency. Investigations may also be initiated — and cases brought directly — by U.S. attorneys or by the Criminal Division of the U.S. Department of Justice. This chapter reports on suspects whom U.S. attorneys investigated at some time.

U.S. attorneys' decisions

After criminal investigations are initiated and criminal suspects are referred to them, U.S. attorneys may file charges against defendants in a U.S. district court, or they may decline to file these charges for reasons such as weak or insufficient evidence, minimal Federal interest, lack of resources, or lack of criminal intent. Matters that are declined may be referred to another authority for prosecution or be settled through alternative resolution procedures. U.S. attorneys may also file cases before U.S. magistrates, who have the authority to adjudicate misdemeanor offenses (18 U.S.C. § 3401). Because of the relatively less serious nature of these cases, and because they are handled by magistrates, the U.S. attorneys count these cases as criminal matters disposed by U.S. magistrates.

The decision to prosecute a suspect in a criminal matter depends upon many factors, including the Attorney General's priorities, U.S. attorney priorities and resources, laws governing

Drug and violent suspects were more likely than property and public-order suspects to be prosecuted before a district court judge

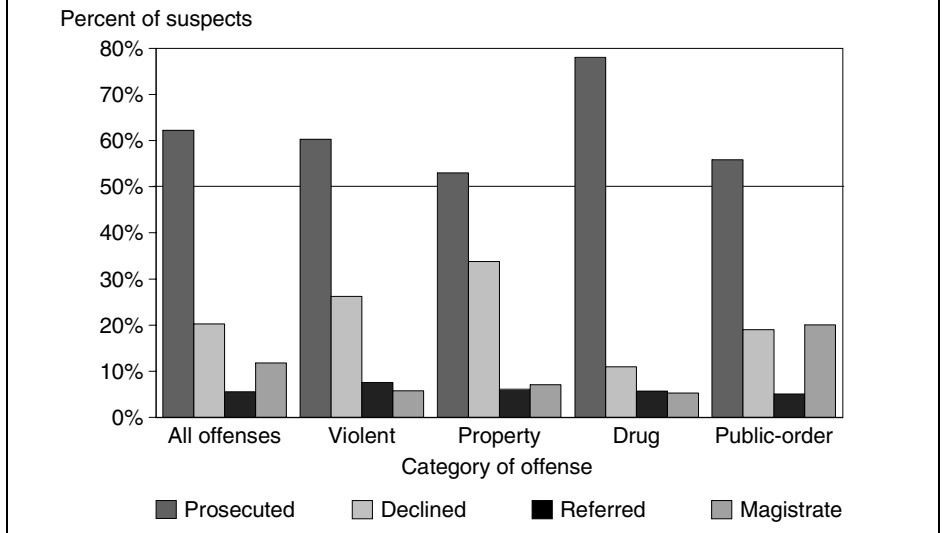


Figure 2.1. Suspects in matters concluded: Percentage of suspects that were prosecuted, declined, referred to other authorities for disposition, or disposed by U.S. magistrate, October 1, 1999 - September 30, 2000

each type of offense, and the strength of evidence in each case.

During 2000, 62% of suspects in all offense categories were prosecuted before a U.S. district court judge, while U.S. magistrates handled an additional 12%. Suspects were prosecuted at different rates depending on their offense. Suspects involved in violent and drug offenses were more likely to be prosecuted before U.S. district court judges than were those involved in property and public-order offenses (figure 2.1). Suspects involved in drug offenses were the most likely (78%) to be prosecuted. Suspects involved in property offenses were the least likely (54%). Moreover, suspects involved in property offenses were more likely to have their matters declined and not referred to other authorities for prosecution (39%) than were suspects involved in other types of criminal matters. Property cases tended to be resolved by other means, including restitution, civil/administrative procedures, and pretrial diversion.

Suspects in matters received (table 2.1)

During 2000 there were 123,559 suspects in new matters received for investigation by U.S. attorneys.¹ Of these suspects, about 40% were investigated for public-order offenses, 32% for drug offenses, and 23% for property offenses. Five percent of all suspects were investigated for violent crimes. Relative percentages of offenses reflect criminal activity as well as Federal investigative, prosecutorial, and statutory priorities. For example, during 2000 priority areas for U.S. attorneys included international crime, international and domestic terrorism, violent crime, narcotics prosecutions, immigrations, organized crime and civil rights prosecutions (with the National Church Arson Task Force), among others.²

¹See *Chapter notes*, item 1, p. 33. The 2000 data are not directly comparable to the 1993 and prior compendia.

²*Statistical Report, United States Attorneys' Offices, Fiscal Year 2000*. U.S. Department of Justice, Executive Office for United States Attorneys, Washington, DC.

Of matters declined for prosecution, suspects in drug offenses were more likely than others to be referred to other authorities for prosecution or to have their case settled through alternative resolution

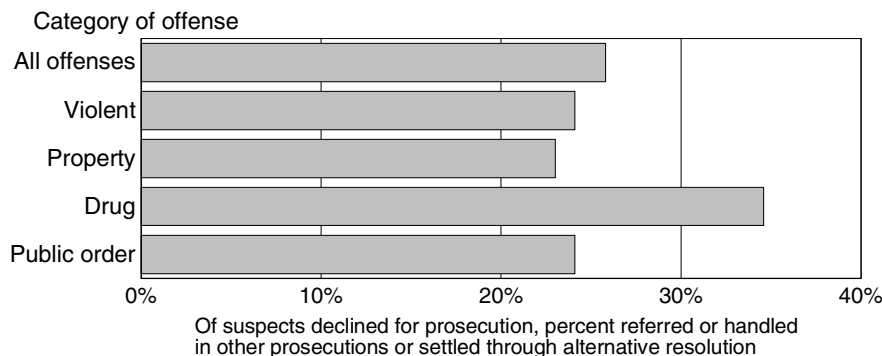


Figure 2.2. Of suspects in matters declined, percent referred or handled in other prosecutions, or settled through alternative resolution, October 1, 1999 - September 30, 2000

Suspects in matters concluded (tables 2.2-2.6)

Upon receiving a matter, a U.S. attorney will either immediately decline it for prosecution or investigate further. Upon conclusion of the investigation, a matter may be filed as a criminal case in a U.S. district court, referred to a U.S. magistrate, or declined for prosecution. Of the 117,450 suspects in criminal matters concluded during 2000, 62% were prosecuted in U.S. district court, 26% were declined for prosecution, and 12% were referred to U.S. magistrates.³

Suspects prosecuted (table 2.2) —

The likelihood of prosecution in U.S. district court varied widely across offense categories. Drug offenders were more likely to be prosecuted than those involved in violent, public-order and property offenses. U.S. attorneys prosecuted approximately 78% of suspects involved in drug offenses, 60% of those in violent offenses, 56% of those in public-order offenses, and 53% of those in property offenses.

Differences in rates of prosecution within major categories were substantial. For example, among violent offenders, 78% of robbery suspects were prosecuted, while 48% of murder and assault, and 40% sexual abuse and kidnaping suspects were prosecuted. Among suspects arrested for property offenses, those investigated for counterfeiting had the highest rate of prosecution (74%), while those investigated for arson and explosives had the lowest rate of prosecution (42%). Among suspects involved in public-order offenses, immigration (83%), national defense (76%), and tax law violators (67%) were much more likely to be prosecuted than suspects in escape (25%) and civil rights (7%) offenses.

Suspects in matters concluded and declined, by investigating agency (table 2.3) —

During 2000, 59% of suspects in matters concluded were investigated by components of the Department of Justice; the Treasury Department investigated 19% of suspects in matters concluded. In addition, independent Federal agencies and State/local agencies investigated 10% of suspects in matters concluded.

Among the investigating agencies, the Central Intelligence Agency (1%), the Immigration and Naturalization

Service (3%) and the National Park Service (7%) had among the lowest declination rates, while the Food and Consumer Service (77%), the Bureau of Indian Affairs (53%), agencies within the Department of Energy (78%), and the Environmental Protection Agency (61%) were among those with the highest declination rates. The declination rate for matters investigated by components of the Department of Justice (27%) was the same as the overall declination rate.

Suspects in matters declined (tables 2.4-2.5) —

Suspects in matters involving violent offenses were less likely to be declined for prosecution (39%) than those involved in property offenses (40%) but more likely than those in drug offenses (17%). Suspects in public-order offenses were slightly less likely to be declined for prosecution than those involved in violent offenses — 24% compared to 39% (table 2.2).

The decision to decline prosecution is based on a number of factors, including the lack of prosecutable offense, alternative resolution, or case- and suspect-related reasons (table 2.4). Of the 30,444 declinations during 2000, 26% occurred because of case-related reasons, mostly due to weak evidence (21%); 23% occurred because there was no crime or criminal intent was lacking; and 23% occurred for other reasons, such as agency requests (7%) and minimal Federal resources (6%).

Not all suspects whose matters were declined for prosecution avoided prosecution. Twenty-two percent of the suspects in matters declined were referred to another authority for prosecution (table 2.5). An additional 4% were settled through alternative resolution procedures. Suspects involved in public-order offenses constituted the largest number of suspects who were referred by U.S. attorneys to other authorities for prosecution or resolution. Of the suspects whose matters were declined those involved in drug offenses were the most likely to be referred to other authorities for prosecution or alternative resolution

³The number of suspects in criminal matters concluded is not comparable to the 1993 and prior compendia. See Chapter notes, item 2, p. 33, for details.

(figure 2.2). Thirty-five percent of the drug suspects whose matters were declined prosecution by U.S. attorneys were referred for other prosecution or resolution, as were 25% of the public-order, 24% of violent and 23% of property offense suspects.

Within major offense categories, the likelihood that suspects in matters declined for prosecution were referred to other authorities for prosecution or alternative resolution varied among specific offenses. Within property offenses, referral occurred with 36% of persons involved in counterfeiting, compared to 15% of suspects in fraud cases. Within public-order offenses, 38% of immigration offenses and 62% of escape suspects were referred to other authorities or had their case settled through alternative procedures, compared to 5% of suspects in civil rights cases.

Defendants in cases concluded by U.S. magistrates (table 2.2) —

Cases concluded by U.S. magistrates are, by statute, misdemeanors.⁴ Overall, U.S. magistrates disposed of 12% of all criminal matters investigated by U.S. attorneys. For most offenses, the likelihood that a U.S. magistrate concluded the matter was also relatively low. The most notable exceptions were escape and traffic, for which 53% and 99% of matters respectively were concluded by U.S. magistrates.

Most of the 2,858 escape violations were against defendants who absconded to avoid prosecution in State courts, the so-called "unlawful flight to avoid prosecution." Upon apprehension of the fugitive, these cases are normally dismissed by U.S. magistrates and turned over to the State for prosecution on the original warrant.

Other types of offenses having comparably high rates of disposal by U.S. magistrates included migratory birds offenses (84%); conspiracy, aiding and abetting, and jurisdictional offenses (82%); and other property violations (71%).

Processing times (table 2.6) — For matters concluded during 2000, the average number of months from receipt of a matter to its conclusion by a U.S. attorney as a case filing or declination or its disposal by a U.S. magistrate was 7.9 months. However, the time to process matters varied with the outcome of the matter. Matters concluded by U.S. magistrates in which the suspect was convicted took the least amount of time — an average of 3.6 months, and at least 50% of these convictions occurred in about 1.6 months. Similarly, 50% of the matters declined for prosecution were declined within 12.6 months.

Overall, suspects in violent and drug offenses were processed more quickly than suspects in other offenses. For key decisions, such as whether to file a case or decline a matter for prosecution, drug offenses were concluded slightly quicker than violent offenses (5.4 months compared to 5.9 months). At an average of 14.3 months, fraudulent property offenses took longer to conclude than other offenses.

⁴At the time that U.S. attorneys receive them, matters may not be classifiable as felonies or misdemeanors. If a U.S. magistrate disposes of a case — or what the U.S. attorneys call a "matter" — its offense level has been determined, by statute, to be a misdemeanor.



Table 2.1. Suspects in matters received by U.S. attorneys, by offense, October 1, 1999 - September 30, 2000

Most serious offense investigated ^a	Suspects in criminal matters received by U.S. attorneys	
	Number	Percent ^b
All offenses^c	123,559	100%
Violent offenses	6,036	4.9%
Murder ^d	539	0.4
Assault	1,432	1.2
Robbery	2,817	2.3
Sexual abuse ^d	841	0.7
Kidnaping	292	0.2
Threats against the President	115	0.1
Property offenses	28,423	23.2%
Fraudulent	24,679	20.1%
Embezzlement	3,844	3.1
Fraud ^d	18,497	15.1
Forgery	1,669	1.4
Counterfeiting	669	0.5
Other	3,744	3.1%
Burglary	66	0.1
Larceny ^d	1,677	1.4
Motor vehicle theft	553	0.5
Arson and explosives	686	0.6
Transportation of stolen property	68	0.1
Other property offenses ^d	694	0.6
Drug offenses	38,959	31.8%
Public-order offenses	49,264	40.2%
Regulatory	5,737	4.7%
Agriculture	359	0.3
Antitrust	67	0.1
Food and drug	185	0.2
Transportation	64	0.1
Civil rights	1,728	1.4
Communications	84	0.1
Custom laws	291	0.2
Postal laws	183	0.1
Other regulatory offenses	2,776	2.3
Other	43,527	35.5%
Weapons	8,589	7.0
Immigration offenses	16,495	13.4
Tax law violations ^d	775	0.6
Bribery	368	0.3
Perjury, contempt, and intimidation	644	0.5
National defense	770	0.6
Escape	3,155	2.6
Racketeering and extortion	3,292	2.7
Gambling	232	0.2
Liquor offenses	8	—
Nonviolent sex offenses	1,434	1.2
Obscene material ^d	21	—
Traffic	397	0.3
Migratory birds	743	0.6
Conspiracy, aiding and abetting, and jurisdictional offenses	4,906	4.0
All other offenses ^d	1,698	1.4
Unknown or indeterminable offense	877	

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 33.

—Less than .05%.

^aSee *Chapter notes*, item 3, p. 33, and "Offense classifications" in *Methodology*, p. 109.

^bPercentage distribution based on the suspects for whom the offense category could be determined.

^cIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 33.

^dIn this table, "Murder" includes non-negligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

Table 2.2. Disposition of suspects in matters concluded, by offense, October 1, 1999 - September 30, 2000

Most serious offense investigated ^a	Suspects in criminal matters concluded							
	Number				Percent			
	Total	Prosecuted in U.S. district court ^b	Declined	Disposed by U.S. magistrates	Total	Prosecuted in U.S. district court ^b	Declined	Disposed by U.S. magistrates
All offenses^c	117,450	73,090	30,444	13,916	100%	62.2%	25.9%	11.8%
Violent offenses	5,641	3,403	1,909	329	100%	60.3%	33.8%	5.8%
Murder ^d	512	245	231	36	100	47.9	45.1	7.0
Assault	1,327	642	538	147	100	48.4	40.5	11.1
Robbery	2,711	2,111	504	96	100	77.9	18.6	3.5
Sexual abuse ^d	696	275	408	13	100	39.5	58.6	1.9
Kidnaping	262	105	133	24	100	40.1	50.8	9.2
Threats against the President	133	25	95	13	100	18.8	71.4	9.8
Property offenses	27,713	14,675	11,060	1,978	100%	53.0%	39.9%	7.1%
Fraudulent	24,186	12,988	9,830	1,368	100%	53.7%	40.6%	5.7%
Embezzlement	3,750	1,903	1,354	493	100	50.7	36.1	13.1
Fraud ^d	18,314	9,611	7,918	785	100	52.5	43.2	4.3
Forgery	1,497	1,012	415	70	100	67.6	27.7	4.7
Counterfeiting	625	462	143	20	100	73.9	22.9	3.2
Other	3,527	1,687	1,230	610	100%	47.8%	34.9%	17.3%
Burglary	49	36	12	1	100	73.5	24.5	2.0
Larceny ^d	1,565	961	464	140	100	61.4	29.6	8.9
Motor vehicle theft	565	278	274	13	100	49.2	48.5	2.3
Arson and explosives	657	273	359	25	100	41.6	54.6	3.8
Transportation of stolen property	90	49	38	3	100	54.4	42.2	3.3
Other property offenses ^d	601	90	83	428	100	15.0	13.8	71.2
Drug offenses	37,009	28,917	6,126	1,966	100%	78.1%	16.6%	5.3%
Public-order offenses	46,238	25,841	11,122	9,275	100%	55.9%	24.1%	20.1%
Regulatory	5,840	1,862	3,341	637	100%	31.9%	57.2%	10.9%
Agriculture	348	166	149	33	100	47.7	42.8	9.5
Antitrust	69	53	16	0	100	76.8	23.2	0
Food and drug	166	90	65	11	100	54.2	39.2	6.6
Transportation	70	39	21	10	100	55.7	30.0	14.3
Civil rights	1,712	124	1,581	7	100	7.2	92.3	0.4
Communications	91	34	56	1	100	37.4	61.5	1.1
Custom laws	344	183	136	25	100	53.2	39.5	7.3
Postal laws	180	86	40	54	100	47.8	22.2	30.0
Other regulatory offenses	2,860	1,087	1,277	496	100	38.0	44.7	17.3
Other	40,398	23,979	7,781	8,638	100%	59.4%	19.3%	21.4%
Weapons	7,753	5,026	2,566	161	100	64.8	33.1	2.1
Immigration offenses	16,110	13,414	497	2,199	100	83.3	3.1	13.6
Tax law violations ^d	941	627	302	12	100	66.6	32.1	1.3
Bribery	344	160	179	5	100	46.5	52.0	1.5
Perjury, contempt, and intimidation	645	259	356	30	100	40.2	55.2	4.7
National defense	725	550	98	77	100	75.9	13.5	10.6
Escape	2,858	716	585	1,557	100	25.1	20.5	54.5
Racketeering and extortion	3,073	1,430	1,569	74	100	46.5	51.1	2.4
Gambling	296	213	82	1	100	72.0	27.7	0.3
Liquor offenses	15	12	3	0	100	80.0	20.0	0
Nonviolent sex offenses	1,238	689	524	25	100	55.7	42.3	2.0
Obscene material ^d	23	7	15	1	100	30.4	65.2	4.3
Traffic	311	0	1	310	100	0	0.3	99.7
Migratory birds	605	68	32	505	100	11.2	5.3	83.5
Conspiracy, aiding and abetting, and jurisdictional offenses	4,331	500	268	3,563	100	11.5	6.2	82.3
All other offenses ^d	1,130	308	704	118	100	27.3	62.3	10.4
Unknown or indeterminable offense	849	254	227	368	100%	29.9%	26.7%	43.3%

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 33.

^aSee *Chapter notes*, item 3, p. 33, and "Offense classifications" in *Methodology*, p. 109.

^bThe suspects included in this column are limited to those whose cases were filed in U.S. district court before U.S. district court judges. These data are not directly comparable to the number in the 1993 or prior compendia, which included appeals cases handled by U.S. attorneys; see *Chapter notes*, item 2, p. 33.

^cIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 33.

^dIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

Table 2.3. Suspects in matters concluded and declined, by investigating agency, October 1, 1999 - September 30, 2000

Department/Agency	Suspects in criminal matters concluded		
	Number concluded	Number Declined	Percent
All agencies*	117,450	30,444	25.9%
Agriculture	850	289	34.0%
Forest Service	493	85	17.2
Food and Consumer Service	27	16	59.3
All other Agriculture	330	188	57.0
Commerce	87	46	52.9%
Defense	3,414	569	16.7%
Army	986	147	14.9
Air Force	565	129	22.8
Navy	1,133	89	7.9
Office of the Inspector General	110	59	53.6
All other Defense	620	145	23.4
District of Columbia	1	1	—
Education	79	37	46.8%
Energy	12	7	58.3%
Federal/State task forces	3,274	664	20.3%
Health and Human Services	1,295	631	48.7%
Food and Drug Administration	185	70	37.8
Office of the Inspector General	219	123	56.2
All other HHS	891	438	49.2
Housing and Urban Development	271	103	38.0%
Interior	5,023	747	14.9%
National Park Service	3,063	103	3.4
Fish and Wildlife Service	1,080	170	15.7
Bureau of Indian Affairs	633	375	59.2
Land Management Bureau	121	32	26.4
All other Interior	126	67	53.2
Justice	68,500	17,338	25.3%
Federal Bureau of Investigation	30,853	12,523	40.6
Drug Enforcement Administration	17,209	2,861	16.6
Immigration and Naturalization	17,812	632	3.5
U.S. Marshals Service	1,579	831	52.6
Bureau of Prisons	77	15	19.5
All other Justice	970	476	49.1
Labor	524	244	46.6%
State Department	755	159	21.1%
Transportation	207	89	43.0%
Federal Aviation Administration	21	5	23.8
All other Transportation	186	84	45.2
Treasury	21,893	5,867	26.8%
Customs Bureau	8,310	973	11.7
Alcohol, Tobacco, and Firearms	7,332	2,650	36.1
Secret Service Bureau	3,701	1,179	31.9
Internal Revenue Service	2,285	982	43.0
All other Treasury	265	83	31.3
Other	11,262	3,653	32.4%
Independent Federal agencies	7,580	2,617	34.5%
U.S. Postal Service	4,065	1,333	32.8
Environmental Protection Agency	469	279	59.5
Social Security Administration	605	209	34.5
U.S. Courts	413	159	38.5
Veterans Administration	441	106	24.0
Small Business Administration	67	44	65.7
Railroad Retirement Board	92	55	59.8
Central Intelligence Agency	141	1	0.7
Other independent Federal agencies	1,287	431	33.5
State/Local agencies	3,682	1,036	28.1%
Unknown	3	0	—

*Includes suspects for whom investigating agency could not be determined.
 —Too few cases to obtain statistically reliable data.

Table 2.4. Basis for declination of prosecution by U.S. attorneys, October 1, 1999 - September 30, 2000

Basis for declination	Suspects in criminal matters declined by U.S. attorneys	
	Number	Percent ^a
Total declinations^b	30,444	100%
No crime	6,782	22.6%
No true bill returned	29	0.1
No Federal offense	1,893	6.3
Lack of criminal intent	4,860	16.2
Referred or handled in other prosecution	6,599	22.0%
Removed	1,865	6.2
Prosecuted on other charges	1,293	4.3
Prosecuted by other authorities	3,436	11.5
Transferred to state authorities	5	—
Alternative resolution	1,252	4.2%
Restitution	102	0.3
Civil or administrative alternative	533	1.8
Pretrial diversion	617	2.1
Suspect-related reasons	776	2.6%
Suspect serving sentence	103	0.3
No known suspect	381	1.3
Suspect a fugitive	53	0.2
Suspect deceased	204	0.7
Suspect deported	35	0.1
Case-related reasons	7,707	25.7%
Stale case	512	1.7
Weak evidence	6,294	21.0
Statute of limitations exceeded	216	0.7
Jurisdiction or venue problems	279	0.9
Witness problems	406	1.4
All other reasons	6,852	22.9%
Minimal Federal interest	1,680	5.6
Petite policy	97	0.3
Lack of resources ^c	998	3.3
DOJ policy	535	1.8
U.S. attorney policy	1,102	3.7
Agency request	2,106	7.0
Juvenile suspect	73	0.2
Offender's health, age, prior record, or other personal circumstances	94	0.3
Suspect's cooperation	167	0.6
Unknown or indeterminable reason	476	

Note: For further information, see *Chapter notes*, items 1 and 2, p. 33.

—Less than .05%

^aPercent based on suspects for whom a basis for declination could be determined.

^bIncludes suspects for whom basis for declination could not be determined; *Chapter notes*, item 4, p. 33.

^cThe 2000 data on declination for lack of resources are not directly comparable to the 1999 data. See *Chapter notes*, item 5, p. 33.

Table 2.5. Disposition of matters declined for prosecution by U.S. attorneys, by offense, October 1, 1999 - September 30, 2000

Most serious offense investigated ^a	Number of suspects in declined matters				Percent of suspects in declined matters			
	Total ^b	Referred or handled in other prosecution ^c	Resolved with restitution, civil/administrative procedure, pre-trial diversion	Other	Total ^b	Referred or handled in other prosecution ^c	Resolved with restitution, civil/administrative procedure, pre-trial diversion	Other
All offenses^d	30,444	6,599	1,252	22,117	100%	22.0%	4.2%	73.8%
Violent offenses	1,909	429	32	1,430	100%	22.7%	1.7%	75.6%
Murder ^e	231	35	4	191	100	15.2	1.7	83.0
Assault	538	88	18	428	100	16.5	3.4	80.1
Robbery	504	198	5	290	100	40.2	1.0	58.8
Sexual abuse ^e	408	55	2	351	100	13.5	0.5	86.0
Kidnaping	133	48	2	81	100	36.6	1.5	61.8
Threats against the President	95	5	1	89	100	5.3	1.1	93.7
Property offenses	11,060	1,696	849	8,462	100%	15.4%	7.7%	76.9%
Fraudulent	9,830	1,464	812	7,523	100%	14.9%	8.3%	76.8%
Embezzlement	1,354	108	260	982	100	8.0	19.3	72.7
Fraud ^e	7,918	1,224	512	6,157	100	15.5	6.5	78.0
Forgery	415	86	35	292	100	20.8	8.5	70.7
Counterfeiting	143	46	5	92	100	32.2	3.5	64.3
Other	1,230	232	37	939	100%	19.2%	3.1%	77.7%
Burglary	12	0	0	12	100	0	0	100
Larceny ^e	464	80	24	349	100	17.7	5.3	77.0
Motor vehicle theft	274	83	3	186	100	30.5	1.1	68.4
Arson and explosives	359	52	2	303	100	14.6	0.6	84.9
Transportation of stolen property	38	2	0	35	100	5.4	0	94.6
Other property offenses ^e	83	15	8	54	100	19.5	10.4	70.1
Drug offenses	6,126	2,100	19	3,888	100%	35.0%	0.3%	64.7%
Public-order offenses	11,122	2,338	340	8,177	100%	21.5%	3.1%	75.3%
Regulatory	3,341	263	173	2,888	100%	7.9%	5.2%	86.9%
Agriculture	149	31	11	106	100	20.9	7.4	71.6
Antitrust	16	0	2	14	100	0	12.5	87.5
Food and drug	65	10	7	48	100	15.4	10.8	73.8
Transportation	21	3	0	18	100	14.3	0	85.7
Civil rights	1,581	59	26	1,495	100	3.7	1.6	94.6
Communications	56	2	0	54	100	3.6	0	96.4
Custom laws	136	12	9	115	100	8.8	6.6	84.6
Postal laws	40	6	7	27	100	15.0	17.5	67.5
Other regulatory offenses	1,277	140	111	1,011	100	11.1	8.8	80.1
Other	7,781	2,075	167	5,289	100%	27.6%	2.2%	70.2%
Weapons	2,566	532	21	2,000	100	20.8	0.8	78.3
Immigration offenses	497	155	15	276	100	34.8	3.4	61.9
Tax law violations ^e	302	35	6	260	100	11.6	2.0	86.4
Bribery	179	19	6	154	100	10.6	3.4	86.0
Perjury, contempt, and intimidation	356	40	27	273	100	11.8	7.9	80.3
National defense	98	9	4	82	100	9.5	4.2	86.3
Escape	585	351	11	214	100	60.9	1.9	37.2
Racketeering and extortion	1,569	263	16	1,263	100	17.1	1.0	81.9
Gambling	82	8	1	73	100	9.8	1.2	89.0
Liquor offenses	3	0	0	3	—	—	—	—
Nonviolent sex offenses	524	141	9	372	100	27.0	1.7	71.3
Obscene material ^e	15	2	0	13	100	13.3	0	86.7
Traffic	1	0	0	1	—	—	—	—
Migratory birds	32	3	15	13	100	9.7	48.4	41.9
Conspiracy, aiding and abetting, and jurisdictional offenses	268	65	23	157	100	26.5	9.4	64.1
All other offenses ^e	704	452	13	135	100	75.3	2.2	22.5
Unknown or indeterminable offense	227	36	12	160	100%	17.3%	5.8%	76.9%

Note: For further information, see *Chapter notes*, items 1 and 2, p. 33.

—Too few cases to obtain statistically reliable data.

^aSee *Chapter notes*, item 3, p. 33, and "Offense classifications" in *Methodology*, p. 109.

^bIncludes 476 suspects for whom reason for declination could not be determined.

^cIncludes suspects in matters removed, prosecuted on other charges, prosecuted by other authorities, complaints filed with other indictments, youthful offenders, and those transferred to State authority.

^dIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 33.

^eIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

Table 2.6. Mean and median processing times from receipt to filing or declination, by offense, October 1, 1999 - September 30, 2000

Most serious offense investigated ^a	Number of months from receipt of matter to decision						
	All suspects	Disposed by U.S. magistrate			Concluded by U.S. attorney		
		Total	Convicted	Not convicted	Total	Prosecuted in U.S. district court ^b	Declined
Mean							
All offenses^c	7.9 mo	6.7 mo	3.6 mo	9.9 mo	8.1 mo	3.9 mo	18.0 mo
Violent offenses	6.0	7.2	5.5	7.9	5.9	2.4	12.1
Property offenses	13.5	8.5	5.7	11.0	13.9	8.1	21.7
Fraudulent offenses ^d	14.0	9.6	6.4	12.2	14.3	8.4	22.0
Other offenses ^e	10.2	6.0	4.3	7.8	11.0	5.3	18.9
Drug offenses	5.5	6.1	5.0	6.3	5.4	2.7	18.3
Public-order offenses	6.8	6.6	3.0	11.6	6.8	3.1	15.3
Regulatory offenses	13.4	8.0	6.7	9.2	14.1	7.7	17.7
Other offenses	5.8	6.5	2.8	11.8	5.6	2.8	14.3
Median							
All offenses^c	1.5 mo	2.0 mo	1.6 mo	2.4 mo	1.4 mo	0.8 mo	12.6 mo
Violent offenses	1.6	3.5	4.2	3.0	1.5	0.8	7.4
Property offenses	7.1	4.1	3.5	5.0	7.7	2.7	17.5
Fraudulent offenses ^d	7.7	4.5	4.0	5.2	8.0	2.9	17.9
Other offenses ^e	4.3	3.6	2.7	4.5	4.8	1.6	14.5
Drug offenses	0.8	1.0	2.4	0.9	0.8	0.6	13.1
Public-order offenses	1.2	1.8	1.3	2.6	1.0	0.7	9.5
Regulatory offenses	8.4	4.9	4.8	5.7	9.2	3.0	13.0
Other offenses	1.0	1.7	1.2	2.5	0.9	0.7	8.2
Number of suspects^f	117,437	13,914	6,982	6,932	103,523	73,080	30,443
With unknown or indeterminable offense or processing time	862	370	157	213	492	264	228

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 33.

^aSee *Chapter notes*, item 3, p. 33, and "Offense classifications" in *Methodology*, p. 109.

^bThe suspects included in this column are limited to those whose cases were filed in U.S. district court before U.S. district court judges. These data are not directly comparable to the number in the 1993 or prior compendia, which included appeals cases handled by U.S. attorneys; see *Chapter notes*, item 2, p. 33.

^cIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 33.

^dExcluding tax fraud.

^eIncluding tax fraud.

^fExcludes suspects with insufficient data to determine processing time.

Chapter notes

1) Tables 2.1-2.6 were created from the Central System data files of the EOUSA. For table 2.1, only records which showed a matter received during 2000 were selected. For tables 2.2-2.6, only records which show a matter terminated by reason of declination, disposition by a U.S. magistrate, or filed as a case in U.S. district court from October 1, 1999, through September 30, 2000, were selected. In all of these tables, matters “declined immediately” — those cases in which the U.S. attorney spent less than 1 hour investigating — were excluded.

2) The number of suspects in matters investigated in table 2.1, and the number of suspects in matters concluded in tables 2.2 and 2.6 are not directly comparable to counts in the 1993 and prior compendia. In those years, these statistics included appellants in appeals filed or appeals terminated. In table 2.1 of this *Compendium* and its corresponding tables in 1994 and subsequent compendia, the number of suspects in matters received is limited to suspects in criminal matters that were filed as cases in U.S. district courts, handled by U.S. magistrates, or declined for prosecution. In the 1993 and prior compendia, the number of suspects in criminal matters received included criminal appeals. To obtain a number of suspects comparable to the statistic reported in the 1993 and prior compendia, add to the data in table 2.1 of this *Compendium*, the number of appellants in appeals that were handled by U.S. attorneys.

In tables 2.2 and 2.6 of this *Compendium* and their corresponding tables in the 1994 and subsequent compendia, the number of suspects in matters concluded also is limited to those suspects whose matters were concluded by a case filing in a U.S. district court, by declination, or by disposition by a U.S. magistrate. In the 1993 and prior compendia, this number included

appellants in criminal appeals terminated.

To obtain a number that is comparable to the number reported in the 1993 and prior compendia, the number of appellants in appeals terminated and handled by U.S. attorneys needs to be added to the totals in table 2.2.

3) Offenses in the Central System data files are classified by the title and section of the United States Code for the most serious offense investigated, as determined by the assistant U.S. attorney responsible for the matter. For tables in this *Compendium*, these citations were translated into the corresponding four-digit offense codes used by the Administrative Office of the United States Courts (AOUSC). These four-digit codes were then aggregated into the categories shown in the tables.

U.S. Code citations often do not permit detailed classification of drug offenses by the type of criminal activity involved. A person charged with conspiracy is classified under the substantive offense alleged (for example, conspiracy to defraud is classified as fraud) unless type of conspiracy cannot be determined from the U.S. Code citation. Unclassified conspiracies are included among “conspiracy, aiding and abetting, traffic, and jurisdictional offenses” in tables 2.1, 2.2, 2.5, and 2.6.

The most serious offense investigated is based on the criminal lead charge as determined by the assistant U.S. attorney responsible for the criminal matter.

4) In the tables in this chapter, the “all offenses” row or “total declinations” row (in table 2.5) includes records whose offense category (basis for declination) is missing or indeterminable. The percentage distributions in these tables, however, are based on the number of observations with nonmissing offenses (basis for declination) values. The number of missing values are

reported either on a separate line or in a footnote.

5) In 2000, additional data for “lack of resources” as a reason for declination were discovered; these cases previously were coded as “unknown or indeterminate” in 1999 and prior years. Therefore, in table 2.4, the apparent increase in “lack of resources” as a declination reason (between 1998-99) is due in large part to this additional information and reclassification of declination reasons from “unknown and indeterminate.”

Pretrial release

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Tables

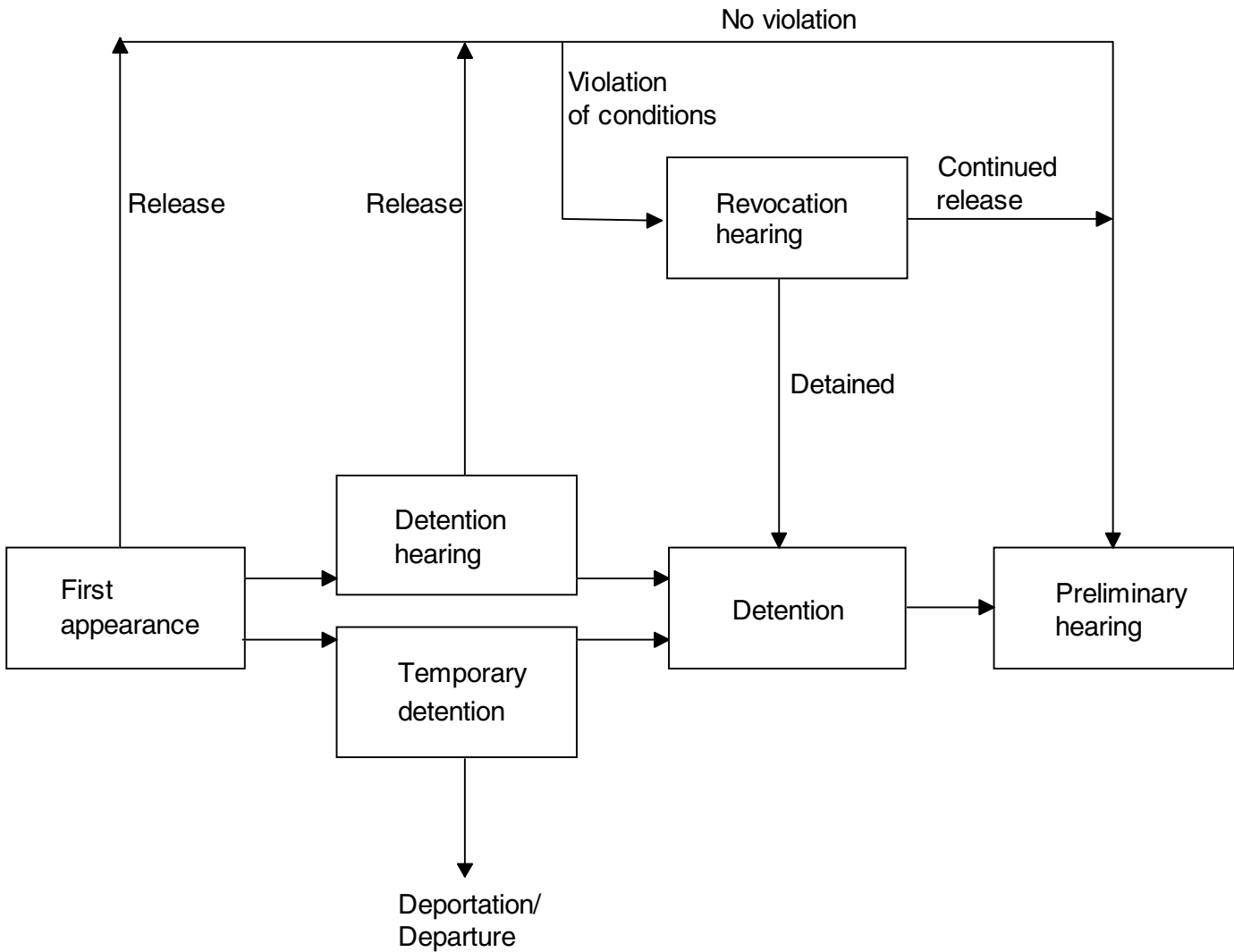
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Chapter 3

Pretrial release



The Bail Reform Act of 1984 (18 U.S.C. § 3141) sets the terms for release and detention of defendants facing charges in Federal courts. At the time defendants first appear before a judicial officer, they may be (1) released on personal recognizance or unsecured bond; (2) released subject to conditions imposed by the court, possibly including traditional bail; (3) temporarily detained without bail (limited to 10 working days) to permit deportation, exclusion, or the revocation of previously granted conditional release; or (4) detained pending the outcome of a detention hearing.*

According to the statute, a defendant must be brought before a judicial officer without "unnecessary delay" upon arrest. The judicial officer, who may be a judge, but is generally a U.S. magistrate, determines whether the defendant will be released or detained prior to trial. If a hearing is required, the release decision may be delayed no longer than 3 days (or 5 days if requested by the defendant).

At the initial appearance a recommendation to detain the defendant is made by the U.S. attorney and/or the pretrial services officer. If the court concurs with the recommendation to detain the defendant, a pretrial detention hearing is scheduled — typically within 1 week of the initial appearance. At the pretrial detention hearing evidence is presented to show cause why the defendant should be detained pending adjudication of the charges.

Recommendations to detain a defendant are limited to those instances where the defendant was charged with (1) a crime of violence, (2) an offense with a statutory maximum sentence of life imprisonment or death, (3) a drug offense with a statutory maximum sentence of 10 years or more imprisonment, or (4) any felony offense if the defendant had been convicted on two or more occasions of an offense described above or a similar State-level offense. Additionally, a detention recommendation may

be made if there is a serious risk that the defendant would flee in an attempt to avoid prosecution or would obstruct justice or intimidate witnesses or jurors.

Types of pretrial release

Defendants may be released without financial conditions according to the following:

Personal recognizance — defendant is released subject to no financial or other conditions.

Unsecured bond — no money is required to be posted before release, but defendant is liable for full bail amount if he or she fails to appear.

Conditional release — any combination of restrictions that are deemed necessary to guarantee the defendant's appearance at trial or the safety of the community. Non-financial conditions commonly place restrictions on the defendant's movements, associations, and/or actions. They may also involve employment or treatment for medical, psychological, or substance abuse conditions.

Defendants may also be released on financial conditions. Financial conditions include (1) deposit bond (the defendant is required to post a percentage of the total bail amount, usually 10%), (2) surety bond (the defendant is released subject to guarantees by a third person that the full amount will be paid), or (3) collateral bond (collateral equal to the full bail amount required to be posted by the defendant before release). Financial conditions may occur in combination with non-financial conditions.

Factors relating to release or detention

In deciding whether to release a defendant and in setting release conditions, the court is directed to consider the nature and circumstances of the offense charges, the weight of evidence against the defendant, the defendant's character, physical and mental condition, family ties, employment, financial resources, length of

residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings.

During 2000, 31,040 defendants were released for some period of time prior to trial (table 3.1). Those defendants released made up 46% of the 67,903 defendants who terminated pretrial services during 2000. Of the defendants released, 82% completed pretrial services without violating the conditions of their release (table 3.8).

In 2000, 48,894 defendants were detained for some period of time prior to the disposition of their case (table 3.3). Those defendants detained comprised about 72% of all defendants who terminated pretrial services during 2000. Included are those who were detained prior to having a preliminary hearing with the magistrate, at which point they could have been either released or ordered to have a detention hearing. Of the defendants detained, 54% were ordered detained by the court until case disposition.

Pretrial detention hearings were held for 35,508 defendants. Of these, 26,325, or 74%, were ordered detained (table 3.5).

Of the 31,040 defendants released prior to trial, 18% violated a condition of their release (table 3.7). The majority (91%) of these violations were technical violations of the bail conditions. Defendants released on deposit bond were more likely (27%) than other defendants to incur some violation of the conditions of their release (table 3.8). Conversely, defendants given conditional release violated their release at the lowest rates (2%). Seven percent of all released defendants had their release revoked.

Pretrial outcomes by offense categories

Releases (table 3.1) — Defendants charged with property offenses were more likely than other defendants to be released prior to criminal trial; in 2000, 80% of the 13,686 property offenders were released (figure 3.1).

*18 U.S.C. § 3142(e) (1984)

The percent released varied greatly across offense categories. Among violent offenders, 23% of those charged with robbery were released compared to 59% of those charged with sexual abuse and 61% of those charged with assault. Among public-order defendants, 11% of those charged with immigration offenses were released compared to 95% of those charged with tax law violations, 67% of nonviolent sex offense defendants, 59% of racketeering defendants, and 47% of those with weapons offenses.

Forty percent of all drug defendants were released. Drug trafficking defendants were less likely to be released than those charged with non-trafficking offenses (39% compared to 55%), but defendants charged with trafficking offenses outnumbered those charged with nontrafficking offenses by more than 10 to 1.

The release types for those defendants who were released prior to trial varied among offense categories (table 3.1). Within each major offense category except violent offenses, the highest percentage of defendants released was on unsecured bond. Of the 36% of released violent defendants, 36% were released on unsecured bond and 49% on personal recognizance compared to 80% of all property defendants released, of whom 54% were released on unsecured bond and 32% on personal recognizance.

Detentions (tables 3.3 and 3.5) — Among the major offense categories, defendants charged with drug or violent offenses were the most likely (84% and 83% respectively) to be detained for some period of time (table 3.3). However, violent defendants were more likely than drug offenders to be detained by the court (61% versus 54%). Property and public-order defendants were less likely to be detained than were drug and violent defendants. During 2000, 78% of public-order defendants were detained, with 56% of these detained by the court. Of public-order defendants, those charged with immigration

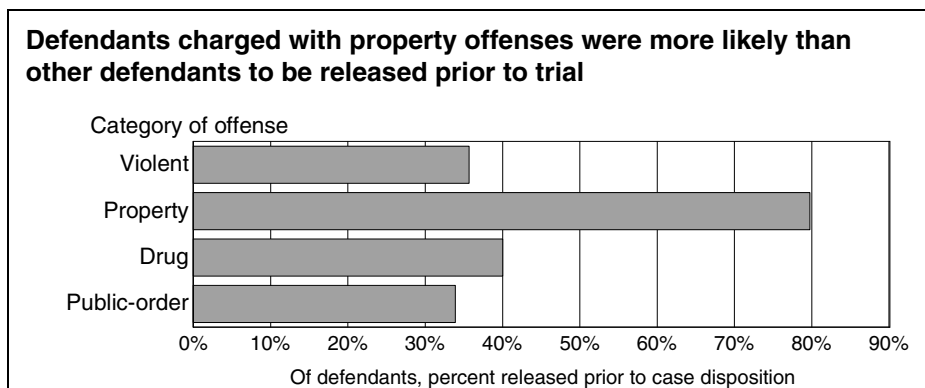


Figure 3.1. Percent of defendants released prior to case disposition, by offense category, October 1, 1999 - September 30, 2000

offenses were the most likely to be detained (97%). In 2000, 36% of defendants charged with property offenses were detained, with 42% of these detained by the court.

For 70% of defendants charged with violent offenses, it was decided at the initial appearance that a detention hearing was warranted (table 3.5, figure 3.2). This rate varied by offense category: 64% of those charged with drug-related offenses, 53% of those charged with public-order offenses, and 24% of those charged with property offenses were ordered to have a detention hearing. Of those charged with violent offenses, the offenders most likely to have a pretrial detention hearing were those charged with kidnapping, robbery, or murder; the least likely to have a pretrial detention hearing were those charged with sexual abuse or assault.

Once a defendant was ordered to have a detention hearing, the chances of being detained were less variable across offense categories (table 3.5). The highest rate of defendants ordered detained were those charged with public-order offenses (82%) - primarily immigration (88%), weapons, and racketeering offenders (71% each). Of the 70% of defendants charged with violent offenses and given a pretrial detention hearing, 72% were ordered detained. In 2000, 71% of those charged with drug offenses and 63% of those charged with property offenses were ordered detained following a pretrial hearing.

Violations (table 3.7) — Of defendants released prior to trial and terminating pretrial services during 2000, those charged with drug offenses were more likely (28%) than other defendants to incur at least one violation during the release period (figure 3.4). Among major offense categories, those charged with property offenses were less likely (12%) than others to violate conditions of their release. Those charged with drug offenses and violent offenses were more likely to have their release revoked (10% of all released drug defendants, 13% of all released violent defendants). Only 5% of released public-order defendants were revoked, as were 4% of released property defendants.

Pretrial outcomes across demographic groups

Releases (table 3.2) — Females were more likely (71%) than males (41%) to be released during 2000 (figure 3.3). Males were more likely to have a financial condition imposed on them than females (20% versus 13%). Sixty-two percent of all defendants identified as non-Hispanic were released during 2000 compared to 23% of Hispanics. Non-Hispanic releasees were twice as likely as Hispanics to be released on personal recognizance. Sixty-three percent of Native Americans were released compared with 51% of black defendants and 43% of white or Asian defendants.

The higher the education level of the defendant, the greater the probability

of release. Thirty-eight percent of defendants with less than a high school education were released in 2000, while 80% of those who had completed college were released. Releasees with a college degree were less likely to receive financial conditions (16%) and more likely to be released on personal recognizance (31%) than those who had less education.

Defendants with a history of drug abuse were released less frequently than those defendants with no known drug history (50% versus 58%). However, among all released defendants, drug abuse history does not appear to have had a major effect on the form of pretrial release.

Detentions (tables 3.4 and 3.6) — Males were more likely (76% versus 51%) than females to be detained (table 3.4). Of all detainees, 55% of the men and 42% of the women were detained following a detention hearing. Hispanics had a substantially higher probability of being detained (92%) compared with non-Hispanics (58%). However, among those detained, Hispanics and non-Hispanics had nearly equal chances of being detained following a detention hearing (56% compared to 52%).

Younger defendants were more likely than older ones to be detained. Seventy-six percent of defendants between the ages of 16-18 and 78% of defendants in their twenties were detained, compared to 56% of those over 40. However, among all defendants detained, the chances of being detained following a detention hearing were similar across all age groups. These patterns were more dramatic with education levels. Those defendants with lower levels of education were more likely to be detained. Eighty-two percent of those who did not graduate from high school were detained versus 38% of college graduates. Of those detained, 54% of defendants without a high school diploma were detained following a detention hearing compared to 41% of college graduates.

Violent and drug defendants were more likely to have a detention hearing than those charged with public-order or property offenses

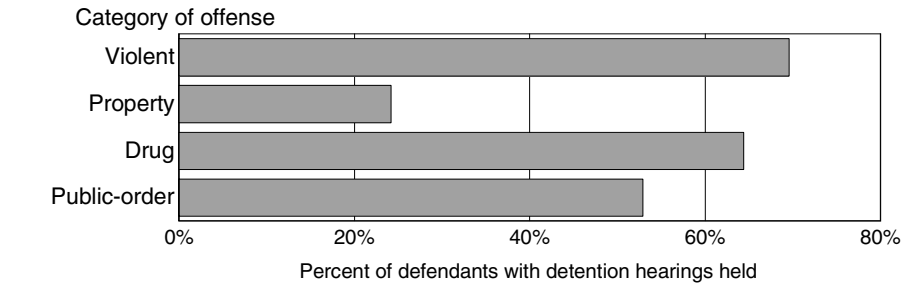


Figure 3.2. Detention hearings held, by offense category, October 1, 1999 - September 30, 2000

Not only were male defendants more likely than female defendants to have a detention hearing (56% versus 35%), they were also more likely (76% versus 61%) to be ordered detained as a result of the hearing (table 3.6).

The likelihood of having a detention hearing increased with the number of prior convictions and severity of the defendant's criminal history. Furthermore, 56% of those with a history of drug abuse had detention hearings as compared to 45% of those without such a past. However, those with a history of drug abuse were as likely to be detained after a hearing.

Violations (table 3.9) — Released males were more likely than females to incur a violation during the pretrial

release period (19% versus 15%) and were slightly more likely to have their release revoked. A higher percentage of blacks incurred at least one violation than did either Native Americans or whites or Asians (23% versus 22% for Native Americans, 17% for whites, and 11% for Asians). Native American defendants were more likely to have their release revoked (14% versus 8% for blacks, 6% for whites and 5% for Asians).

Defendants without a high school diploma had a higher percentage of release violations than did defendants with college degrees (26% versus 8%).

Defendants with no prior criminal history were less likely to have a pretrial

Defendants who were female, non-Hispanic, employed, or with no known history of drug abuse were more likely to be released before trial

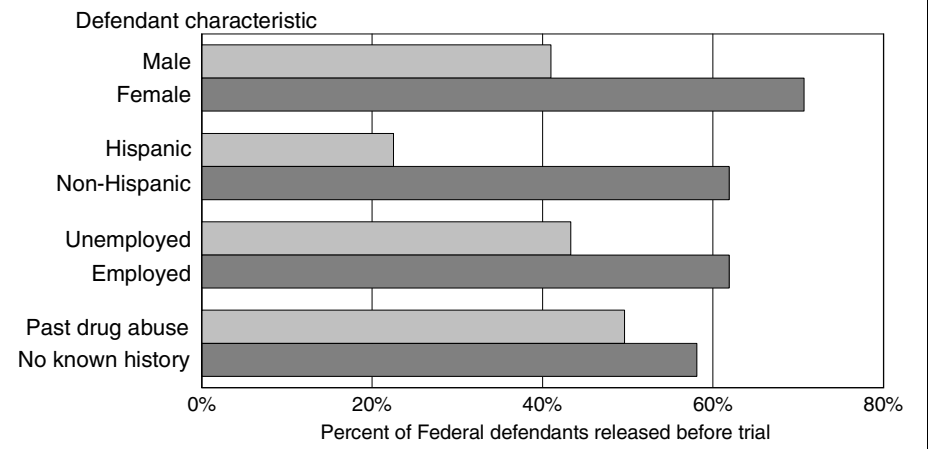


Figure 3.3. Pretrial release rates, by defendant characteristics, October 1, 1999 - September 30, 2000

release violation than those with a prior conviction. Released defendants with a known drug history were nearly 3 times as likely to incur a violation than those with no known drug history. Also, those with a history of drug use were substantially more likely to have their release revoked (14% versus 4%).

Length of pretrial detention (table 3.10)

Among defendants detained for any time prior to case disposition, those charged with violent offenses were detained the longest (an average of 102.7 days) compared to drug (81.9 days), public-order (57.9 days), or property (43.1 days) defendants (not shown in a table).

Of defendants released, those released conditionally spent the greatest average number of days detained (50.9 days) compared to those released on personal recognizance (40.2 days), unsecured bond (32.6 days), or financial conditions (26.3 days). This trend varied only slightly across all major offense categories — in general, defendants released by conditional means were detained more days than defendants who were released by any other means.

Of defendants not released, those detained following a detention hearing were detained longer, on average, than those held on financial conditions (106.3 days compared with 74.6 days). This pattern was true across all major offense types.

Drug defendants were more likely than other defendants to incur at least one violation during their release period, while violent defendants were more likely to have their release revoked

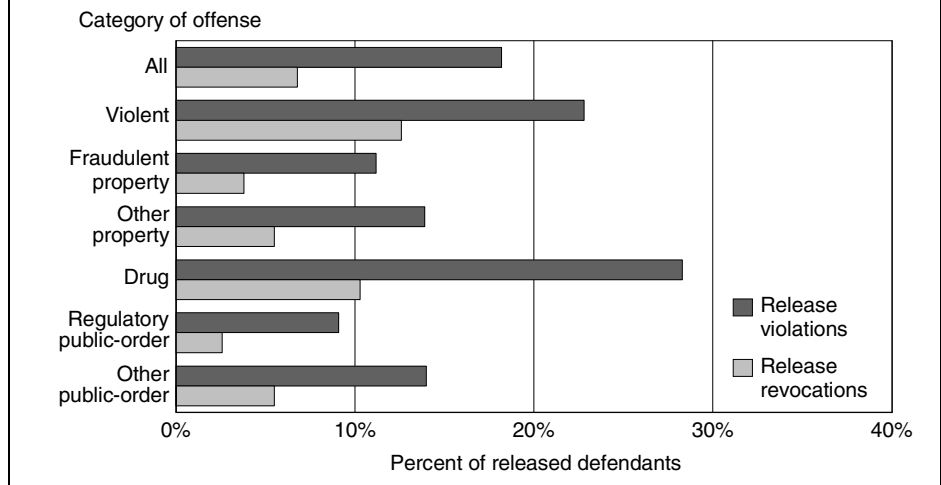


Figure 3.4. Pretrial release violation and revocation rates, for cases that terminated during October 1, 1999 - September 30, 2000, by offense category

Table 3.1. Type of pretrial release, by offense, October 1, 1999 - September 30, 2000

Most serious offense charged	Percent released	Of defendants released at any time prior to case disposition, percent released on—				Number of defendants	
		Financial ^a	Unsecured bond	Personal recognizance	Conditional release	Released	All defendants
All offenses^b	45.7%	18.4%	47.8%	28.0%	5.7%	31,040	67,903
Violent offenses	35.7%	10.2%	36.4%	48.5%	4.8%	1,117	3,133
Murder ^c	33.7	8.1	19.4	69.4	3.2	62	184
Negligent manslaughter	—	—	—	—	—	7	9
Assault	60.6	4.3	30.1	58.4	7.1	462	762
Robbery	22.8	18.1	52.1	26.9	2.9	409	1,792
Sexual abuse ^c	58.9	2.2	20.1	74.1	3.6	139	236
Kidnaping	27.0	33.3	42.4	21.2	3.0	33	122
Threats against the President	17.9	—	—	—	—	5	28
Property offenses	79.8%	9.4%	54.3%	32.4%	3.8%	10,928	13,686
Fraudulent	80.0%	10.3%	57.4%	30.4%	1.9%	8,446	10,555
Embezzlement	94.1	4.1	57.5	36.0	2.4	1,410	1,499
Fraud ^c	78.1	11.8	56.6	29.6	2.0	5,942	7,606
Forgery	76.8	7.9	65.1	25.7	1.3	152	198
Counterfeiting	75.2	10.4	60.6	28.1	0.8	942	1,252
Other	79.3%	6.4%	44.0%	39.3%	10.4%	2,482	3,131
Burglary	60.6	7.5	27.5	60.0	5.0	80	132
Larceny ^c	85.0	4.2	43.0	41.0	11.8	1,955	2,300
Motor vehicle theft	51.8	15.4	62.9	20.3	1.4	143	276
Arson and explosives	58.6	20.0	52.9	24.7	2.4	85	145
Transportation of stolen property	73.0	18.5	48.5	30.8	2.3	130	178
Other property offenses ^c	89.0	9.0	33.7	40.4	16.9	89	100
Drug offenses	40.0%	30.3%	45.3%	20.7%	3.8%	10,585	26,455
Trafficking	38.6	31.5	47.4	18.2	2.9	9,346	24,212
Other drug	55.2	20.7	29.1	40.0	10.3	1,239	2,243
Public-order offenses	33.9%	16.3%	44.5%	28.5%	10.8%	8,312	24,491
Regulatory	68.3%	15.4%	47.8%	32.8%	4.1%	1,654	2,422
Agriculture	91.1	7.8	39.2	42.2	10.8	102	112
Antitrust	100	0	42.9	57.1	0	14	14
Food and drug	96.9	14.5	50.0	30.6	4.8	62	64
Transportation	90.9	10.0	45.0	43.8	1.3	80	88
Civil rights	94.0	12.7	58.2	26.6	2.5	79	84
Communications	83.7	2.8	66.7	30.6	0	36	43
Custom laws	81.7	31.8	41.2	24.7	2.4	85	104
Postal laws	91.0	4.1	64.5	29.8	1.7	121	133
Other regulatory offenses	60.4	17.3	46.0	32.4	4.4	1,075	1,780
Other	30.2%	16.5%	43.7%	27.4%	12.4%	6,658	22,069
Weapons	47.2	16.0	54.0	27.2	2.7	1,675	3,548
Immigration offenses	11.1	30.8	36.6	13.9	18.7	1,499	13,523
Tax law violations ^c	94.9	5.9	53.9	37.9	2.3	614	647
Bribery	69.2	18.1	56.1	23.4	2.3	171	247
Perjury, contempt, and intimidation	69.5	8.9	57.5	30.1	3.4	146	210
National defense	66.7	23.5	47.1	26.5	2.9	34	51
Escape	12.4	10.3	50.0	25.6	14.1	78	631
Racketeering and extortion	58.5	33.9	51.4	14.4	0.4	508	868
Gambling	91.9	15.8	64.9	17.5	1.8	57	62
Liquor offenses	100	14.3	42.9	42.9	0	14	14
Nonviolent sex offenses	66.6	10.7	57.3	30.3	1.7	363	545
Obscene material ^c	72.5	24.3	48.6	27.0	0	37	51
Migratory birds	100	0	48.3	48.3	3.4	29	29
All other offenses ^c	87.2	3.1	24.0	41.2	31.8	1,433	1,643

Note: Released defendants include some defendants who were also detained prior to trial. Total also includes defendants for whom release status data were unavailable. Percentages in these tables are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 50.

—Too few cases to obtain statistically reliable data.

^aIncludes deposit bond, surety bond, and collateral bond.

^bIncludes 138 defendants for whom an offense category could not be determined, 98 of whom were released.

^cIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

Defendant characteristic	Percent released	Of defendants released at any time prior to case disposition, percent released on—				Number of defendants	
		Financial ^a	Unsecured bond	Personal recognizance	Conditional release	Released	All defendants
All defendants^b	45.7%	18.4%	47.8%	28.0%	5.7%	31,040	67,903
Male/female							
Male	41.0%	20.2%	46.5%	27.5%	5.9%	23,475	57,195
Female	70.7	12.9	52.2	29.7	5.3	7,518	10,627
Race							
White	43.2%	19.7%	46.7%	27.8%	5.7%	20,003	46,344
Black	51.2	16.6	54.1	24.3	5.0	8,831	17,233
Native American	63.1	2.9	21.8	70.8	4.4	789	1,251
Asian/Pacific Islander	43.4	22.2	42.4	31.7	3.7	919	2,116
Ethnicity							
Hispanic	22.5%	36.2%	40.6%	14.8%	8.4%	6,262	27,801
Non-Hispanic	61.9	13.9	49.9	31.4	4.8	24,513	39,605
Age							
16-18 years	44.7%	13.3%	37.7%	40.6%	8.4%	616	1,377
19-20 years	44.8	15.6	44.7	28.9	10.8	1,826	4,075
21-30 years	39.0	19.9	48.0	25.3	6.8	10,454	26,797
31-40 years	43.0	20.4	46.7	27.8	5.1	8,530	19,835
Over 40 years	60.8	15.9	50.2	29.9	3.9	9,496	15,622
Education							
Less than high school graduate	38.3%	25.0%	48.3%	24.2%	2.5%	7,942	20,710
High school graduate	60.0	17.5	50.1	28.0	4.4	10,147	16,918
Some college	70.3	17.1	52.2	27.9	2.8	6,757	9,615
College graduate	79.6	16.0	50.1	31.3	2.6	3,338	4,195
Marital status							
Never married	49.4%	17.5%	50.5%	28.1%	3.8%	10,367	20,980
Divorced/separated	57.6	17.4	52.4	27.7	2.6	5,480	9,518
Married	59.6	21.0	48.5	27.1	3.3	10,376	17,395
Common law	43.8	26.9	46.6	24.8	1.6	2,137	4,880
Other	17.7	6.9	26.6	34.4	32.1	2,680	15,130
Employment status at arrest							
Unemployed	43.3%	18.0%	50.1%	28.7%	3.1%	9,745	22,490
Employed	61.9	20.0	49.8	26.8	3.4	18,733	30,271
Criminal record							
No convictions ^c	57.8%	16.7%	46.7%	29.9%	6.7%	12,750	22,057
Misdemeanor only	59.0	17.3	48.5	29.9	4.3	6,241	10,572
Felony							
Nonviolent	32.0	21.1	49.4	24.1	5.4	4,742	14,821
Violent	25.2	20.8	45.1	25.5	8.6	2,648	10,495
Number of prior convictions							
1	48.9%	20.7%	48.2%	26.6%	4.6%	5,372	10,991
2 to 4	37.5	19.4	48.6	26.8	5.3	5,483	14,639
5 or more	27.1	16.6	47.2	28.3	7.9	2,776	10,258
Criminal justice status							
Not under supervision	56.9%	18.1%	47.6%	28.7%	5.6%	24,115	42,404
Pretrial release	51.4	21.6	53.0	23.0	2.4	1,406	2,736
Probation	41.1	21.7	48.4	25.4	4.6	1,558	3,794
Parole	17.9	16.6	39.3	23.2	20.9	349	1,953
Court appearance history							
No prior arrests	54.2%	16.7%	46.6%	29.9%	6.7%	12,911	23,803
Failure to appear							
None	43.3	20.0	49.7	25.6	4.8	15,082	34,864
1	35.2	18.9	44.0	31.1	6.0	1,627	4,625
More than 1	30.8	15.8	43.4	33.8	7.0	1,420	4,611
Drug abuse							
No known abuse	58.1%	19.1%	49.8%	27.5%	3.7%	19,182	33,028
Drug history	49.6	19.6	51.7	26.5	2.2	7,783	15,678

Note: Released defendants include some defendants who were also detained prior to trial. Total also includes defendants for whom release status data were unavailable. Percentages in these tables are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 50.

^aIncludes deposit bond, surety bond, and collateral bond.

^bIncludes defendants for whom characteristics could not be determined.

^cIncludes only those defendants whose PSA records explicitly showed no prior convictions.

Table 3.3. Form of pretrial detention, by offense, October 1, 1999 - September 30, 2000

Most serious offense charged	Of defendants detained at any time prior to case disposition, percent detained by—						Number of defendants	
	Percent detained	Temporary detention ^a	Held on bail for—		Court	Other detentions	Detained	All defendants
			Part of pre-trial period	All of pre-trial period				
All offenses^b	72.0%	2.0%	21.5%	11.9%	53.9%	10.7%	48,894	67,903
Violent offenses	82.6%	0.8%	17.4%	3.8%	61.0%	17.0%	2,587	3,133
Murder ^c	87.0	0	17.5	1.9	66.9	13.8	160	184
Negligent manslaughter	—	—	—	—	—	—	6	9
Assault	63.4	0.4	30.6	6.0	46.4	16.6	483	762
Robbery	90.7	1.0	11.7	3.8	65.5	18.0	1,626	1,792
Sexual abuse ^c	74.2	0	37.7	1.7	46.3	14.3	175	236
Kidnaping	91.0	1.8	12.6	0.9	73.0	11.7	111	122
Threats against the President	92.9	0	7.7	0	65.4	26.9	26	28
Property offenses	35.9%	0.8%	39.3%	5.8%	42.4%	11.6%	4,917	13,686
Fraudulent	35.8%	0.8%	39.2%	6.2%	42.8%	10.9%	3,782	10,555
Embezzlement	14.5	0.5	50.9	7.8	28.9	11.9	218	1,499
Fraud ^c	38.0	0.7	37.9	6.0	44.2	11.1	2,894	7,606
Forgery	43.4	2.3	44.2	4.7	39.5	9.3	86	198
Counterfeiting	46.6	1.4	40.6	6.5	41.4	10.1	584	1,252
Other	36.3%	0.9%	39.6%	4.5%	41.1%	13.9%	1,135	3,131
Burglary	57.6	0	30.3	1.3	52.6	15.8	76	132
Larceny ^c	29.7	0.7	46.7	5.1	37.0	10.4	683	2,300
Motor vehicle theft	63.4	2.3	22.3	4.0	47.4	24.0	175	276
Arson and explosives	64.1	1.1	29.0	2.2	53.8	14.0	93	145
Transportation of stolen property	42.1	0	33.3	4.0	38.7	24.0	75	178
Other property offenses ^c	33.0	0	51.5	9.1	33.3	6.1	33	100
Drug offenses	84.2%	1.8%	24.7%	10.0%	54.2%	9.4%	22,286	26,455
Trafficking	86.2	1.6	24.6	10.2	54.3	9.2	20,881	24,212
Other drug offenses	62.6	3.8	25.8	5.7	52.8	11.9	1,405	2,243
Public-order offenses	77.7%	2.7%	13.7%	17.0%	55.6%	11.0%	19,041	24,491
Regulatory	48.2%	1.3%	30.5%	7.8%	41.5%	18.9%	1,168	2,422
Agriculture	17.9	0	50.0	15.0	35.0	0	20	112
Antitrust	7.1	—	—	—	—	—	1	14
Food and drug	17.2	0	72.7	0	27.3	0	11	64
Transportation	25.0	0	54.5	0	40.9	4.5	22	88
Civil rights	17.9	0	66.7	0	26.7	6.7	15	84
Communications	20.9	—	—	—	—	—	9	43
Custom laws	52.9	0	60.0	5.5	34.5	0	55	104
Postal laws	21.1	0	50.0	7.1	14.3	28.6	28	133
Other regulatory offenses	56.6	1.5	26.5	8.2	43.2	20.6	1,007	1,780
Other	81.0%	2.8%	12.6%	17.6%	56.5%	10.5%	17,873	22,069
Weapons	75.5	1.2	25.4	3.0	53.9	16.5	2,680	3,548
Immigration offenses	96.9	3.4	8.0	22.8	57.7	8.1	13,101	13,523
Tax law violations ^c	14.7	0	62.1	1.1	28.4	8.4	95	647
Bribery	49.8	0.8	35.0	4.1	55.3	4.9	123	247
Perjury, contempt, and intimidation	52.9	0	36.0	1.8	45.9	16.2	111	210
National defense	49.0	0	40.0	8.0	44.0	8.0	25	51
Escape	91.4	1.0	3.8	1.9	65.2	28.1	577	631
Racketeering and extortion	63.7	0.9	26.4	3.4	55.3	13.9	553	868
Gambling	19.4	0	58.3	0	16.7	25.0	12	62
Liquor offenses	14.3	—	—	—	—	—	2	14
Nonviolent sex offenses	51.2	0	33.0	3.9	48.7	14.3	279	545
Obscene material ^c	51.0	0	42.3	15.4	30.8	11.5	26	51
Migratory birds	0	...	...	...	...	...	0	29
All other offenses ^c	17.6	1.0	34.3	7.3	38.8	18.7	289	1,643

Note: Detained defendants include some defendants who were also released prior to trial. Total also includes defendants for whom release status data were unavailable. Percentages in this table are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 50.

—Too few cases to obtain statistically reliable data.
 ...No case of this type occurred in the data.

^aHeld under 18 U.S.C. § 3142 pending deportation, action on prior pretrial release, or probation or parole review.

^bIncludes 138 defendants for whom offense category could not be determined, 63 of whom were detained.

^cIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

Table 3.4. Form of pretrial detention, by defendant characteristics, October 1, 1999 - September 30, 2000

Defendant characteristic	Of defendants detained at any time prior to case disposition, percent detained by—						Number of defendants	
	Percent detained	Temporary detention ^a	Held on bail for—		Court	Other detentions	Detained	All defendants
			Part of pre- trial period	All of pre- trial period				
All defendants^b	72.0%	2.0%	21.5%	11.9%	53.9%	10.7%	48,894	67,903
Male/female								
Male	75.9%	2.1%	19.3%	12.2%	55.4%	11.1%	43,396	57,195
Female	51.4	1.2	39.0	10.1	42.2	7.5	5,458	10,627
Race								
White	73.8%	2.2%	20.3%	15.1%	52.8%	9.5%	34,187	46,344
Black	68.2	1.4	24.3	4.5	57.0	12.8	11,757	17,233
Native American	66.7	0.2	37.6	1.4	48.9	11.9	835	1,251
Asian/Pacific Islander	72.2	0.7	18.1	2.2	62.8	16.2	1,527	2,116
Ethnicity								
Hispanic	92.3%	3.1%	14.4%	18.7%	56.0%	7.8%	25,647	27,801
Non-Hispanic	57.9	0.8	29.5	4.4	51.6	13.7	22,946	39,605
Age								
16-18 years	75.5%	1.1%	25.0%	10.3%	55.9%	7.7%	1,039	1,377
19-20 years	75.4	1.9	24.1	12.0	52.9	9.2	3,071	4,075
21-30 years	78.4	2.2	19.3	12.3	55.8	10.4	21,000	26,797
31-40 years	74.9	2.1	20.9	12.4	53.6	11.0	14,865	19,835
Over 40 years	56.4	1.4	26.6	10.5	49.9	11.5	8,812	15,622
Education								
Less than high school graduate	81.7%	3.4%	21.3%	10.8%	53.9%	10.6%	16,927	20,710
High school graduate	63.4	1.7	32.1	5.6	48.8	11.7	10,731	16,918
Some college	51.5	1.5	37.0	5.9	45.1	10.4	4,954	9,615
College graduate	37.8	0.8	41.2	7.6	40.7	9.7	1,584	4,195
Marital status								
Never married	72.2%	1.9%	26.0%	6.9%	54.0%	11.2%	15,154	20,980
Divorced/separated	64.2	2.2	29.0	7.7	48.4	12.7	6,115	9,518
Married	59.4	2.8	28.5	9.2	49.3	10.2	10,340	17,395
Common law	79.7	3.4	25.5	11.1	50.7	9.2	3,890	4,880
Other	88.5	0.8	6.5	21.9	60.7	10.0	13,395	15,130
Employment status at arrest								
Unemployed	77.2%	2.3%	22.7%	7.2%	53.4%	14.3%	17,363	22,490
Employed	59.3	2.5	31.6	9.1	48.5	8.3	17,942	30,271
Criminal record								
No convictions ^c	59.0%	2.1%	25.9%	13.7%	50.1%	8.2%	13,008	22,057
Misdemeanor only	65.2	1.5	32.5	11.4	46.5	8.1	6,889	10,572
Felony								
Nonviolent	83.3	2.4	15.5	12.7	56.8	12.6	12,349	14,821
Violent	89.2	1.7	13.3	11.1	59.2	14.7	9,363	10,495
Number of prior convictions								
1	71.3%	2.1%	24.7%	12.1%	51.5%	9.6%	7,839	10,991
2 to 4	80.7	2.1	19.2	11.8	55.1	11.8	11,813	14,639
5 or more	87.2	1.7	13.5	11.7	58.2	14.9	8,949	10,258
Criminal justice status								
Not under supervision	62.9%	1.5%	28.0%	12.7%	49.0%	8.8%	26,690	42,404
Pretrial release	72.9	2.7	29.1	5.3	53.7	9.3	1,995	2,736
Probation	79.3	3.8	22.1	17.9	46.5	9.7	3,010	3,794
Parole	93.2	3.4	10.1	21.3	53.6	11.8	1,820	1,953
Court appearance history								
No prior arrests	61.7%	2.2%	23.4%	12.6%	53.5%	8.3%	14,676	23,803
Failure to appear								
None	75.5	2.2	21.7	12.3	52.1	11.8	26,315	34,864
1	84.0	1.0	19.1	10.3	56.9	12.7	3,887	4,625
More than 1	87.1	0.8	16.0	8.8	63.9	10.5	4,016	4,611
Drug abuse								
No known abuse	61.0%	2.5%	27.7%	9.8%	50.0%	10.0%	20,161	33,028
Drug history	75.4	2.0	28.7	6.3	51.5	11.6	11,825	15,678

Note: Detained defendants include defendants who were also released prior to trial. Total also includes defendants for whom release status data were unavailable. Percentages in this table are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 50.

^aHeld under 18 U.S.C. § 3142 pending deportation, action on prior pretrial release, or probation or parole review.

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

^cIncludes only those defendants whose PSA records explicitly showed no prior convictions.

Table 3.5. Pretrial detention hearing outcomes, by offense, October 1, 1998- September 30, 2000

Most serious offense charged	All defendants	Defendants with pretrial detention hearings			
		Number of defendants		Percent of defendants with hearings held	Of defendants with hearings held, percent ordered detained
		Hearings held	Ordered detained		
All offenses^a	67,903	35,508	26,325	52.3%	74.1%
Violent offenses	3,133	2,182	1,578	69.6%	72.3%
Murder ^b	184	143	107	77.7	74.8
Negligent manslaughter	9	5	3	—	—
Assault	762	370	224	48.6	60.5
Robbery	1,792	1,391	1,065	77.6	76.6
Sexual abuse ^b	236	150	81	63.6	54.0
Kidnaping	122	101	81	82.8	80.2
Threats against the President	28	22	17	78.6	77.3
Property offenses	13,686	3,306	2,082	24.2%	63.0%
Fraudulent	10,555	2,553	1,617	24.2%	63.3%
Embezzlement	1,499	122	62	8.1	50.8
Fraud ^b	7,606	2,002	1,279	26.3	63.9
Forgery	198	59	34	29.8	57.6
Counterfeiting	1,252	370	242	29.6	65.4
Other	3,131	753	465	24.0%	61.8%
Burglary	132	61	40	46.2	65.6
Larceny ^b	2,300	418	252	18.2	60.3
Motor vehicle theft	276	134	83	48.6	61.9
Arson and explosives	145	69	50	47.6	72.5
Transportation of stolen property	178	51	29	28.7	56.9
Other property offenses ^b	100	20	11	20.0	55.0
Drug offenses	26,455	17,031	12,062	64.4%	70.8%
Trafficking	24,212	15,908	11,321	65.7	71.2
Other drug	2,243	1,123	741	50.1	66.0
Public-order offenses	24,491	12,954	10,581	52.9%	81.7%
Regulatory	2,422	768	483	31.7%	62.9%
Agriculture	112	11	7	9.8	63.6
Antitrust	14	0	0	0	...
Food and drug	64	9	3	14.1	—
Transportation	88	16	7	18.2	43.8
Civil rights	84	9	4	10.7	—
Communications	43	6	4	14.0	—
Custom laws	104	34	19	32.7	55.9
Postal laws	133	13	4	9.8	30.8
Other regulatory offenses	1,780	670	435	37.6	64.9
Other	22,069	12,186	10,098	55.2%	82.9%
Weapons	3,548	2,049	1,445	57.8	70.5
Immigration offenses	13,523	8,588	7,556	63.5	88.0
Tax law violations ^b	647	46	27	7.1	58.7
Bribery	247	100	68	40.5	68.0
Perjury, contempt, and intimidation	210	94	51	44.8	54.3
National defense	51	19	11	37.3	57.9
Escape	631	447	376	70.8	84.1
Racketeering and extortion	868	429	306	49.4	71.3
Gambling	62	9	2	14.5	—
Liquor offenses	14	0	0	0	...
Nonviolent sex offenses	545	217	136	39.8	62.7
Obscene material ^b	51	14	8	27.5	57.1
Migratory birds	29	0	0	0	...
All other offenses ^b	1,643	174	112	10.6	64.4

Note: Defendants may also be detained for failure to meet bail conditions, or temporarily detained pending action of other agencies. Percentages in this table are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 50.

—Too few cases to obtain statistically reliable data.

...No case of this type occurred in the data.

^aIncludes 138 defendants for whom offense category could not be determined, 35 of whom had pretrial detention hearings.

^bIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

Table 3.6. Pretrial detention hearing outcomes, by defendant characteristics, October 1, 1999 - September 30, 2000

Defendant characteristic	Defendants with pretrial detention hearings				
	All defendants	Number of defendants		Percent of defendants with hearings held	Of defendants with hearings held, percent ordered detained
		Hearings held	Ordered detained		
All defendants^a	67,903	35,508	26,325	52.3%	74.1%
Male/female					
Male	57,195	31,740	24,020	55.5%	75.7%
Female	10,627	3,749	2,295	35.3	61.2
Race					
White	46,344	23,829	18,024	51.4%	75.6%
Black	17,233	9,249	6,697	53.7	72.4
Native American	1,251	726	408	58.0	56.2
Asian/Pacific Islander	2,116	1,339	957	63.3	71.5
Ethnicity					
Hispanic	27,801	17,711	14,364	63.7%	81.1%
Non-Hispanic	39,605	17,599	11,839	44.4	67.3
Age					
16-18 years	1,377	787	581	57.2%	73.8%
19-20 years	4,075	2,193	1,625	53.8	74.1
21-30 years	26,797	15,397	11,699	57.5	76.0
31-40 years	19,835	10,755	7,973	54.2	74.1
Over 40 years	15,622	6,306	4,397	40.4	69.7
Education					
Less than high school graduate	20,710	12,424	9,117	60.0%	73.4%
High school graduate	16,918	8,101	5,238	47.9	64.7
Some college	9,615	3,612	2,235	37.6	61.9
College graduate	4,195	1,107	643	26.4	58.1
Marital status					
Never married	20,980	11,558	8,179	55.1%	70.8%
Divorced/separated	9,518	4,413	2,957	46.4	67.0
Married	17,395	7,530	5,099	43.3	67.7
Common law	4,880	2,847	1,974	58.3	69.3
Other	15,130	9,160	8,116	60.5	88.6
Employment status at arrest					
Unemployed	22,490	12,998	9,267	57.8%	71.3%
Employed	30,271	13,137	8,691	43.4	66.2
Criminal record					
No convictions ^b	22,057	9,247	6,509	41.9%	70.4%
Misdemeanor only	10,572	4,853	3,199	45.9	65.9
Felony					
Nonviolent	14,821	8,870	7,005	59.8	79.0
Violent	10,495	7,032	5,541	67.0	78.8
Number of prior convictions					
1	10,991	5,606	4,033	51.0%	71.9%
2 to 4	14,639	8,574	6,508	58.6	75.9
5 or more	10,258	6,575	5,204	64.1	79.1
Criminal justice status					
Not under supervision	42,404	19,034	13,057	44.9%	68.6%
Pretrial release	2,736	1,498	1,072	54.8	71.6
Probation	3,794	1,914	1,399	50.4	73.1
Parole	1,953	1,160	975	59.4	84.1
Court appearance history					
No prior arrests	23,803	10,735	7,848	45.1%	73.1%
Failure to appear					
None	34,864	18,681	13,701	53.6	73.3
1	4,625	2,908	2,209	62.9	76.0
More than 1	4,611	3,184	2,567	69.1	80.6
Drug abuse					
No known abuse	33,028	14,723	10,079	44.6%	68.5%
Drug history	15,678	8,779	6,082	56.0	69.3

Note: Percentages in this table are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 50.

^aIncludes defendants for whom these characteristics are unknown.

^bIncludes only those defendants whose PSA records explicitly showed no prior convictions.

Most serious offense charged	Percent of released defendants who had—							Number of released defendants
	Violations while on release					Technical violations of bail conditions	Release revoked	
	No violation	At least one violation	Failed to appear	New offense charged				
			Felony	Misdemeanor				
All offenses*	81.8%	18.2%	2.6%	1.7%	1.6%	16.6%	6.8%	31,040
Violent offenses	77.2%	22.8%	1.6%	1.2%	2.0%	21.8%	12.6%	1,117
Property offenses	88.2%	11.8%	1.7%	1.3%	1.0%	10.7%	4.2%	10,928
Fraudulent offenses	88.8	11.2	1.7	1.4	1.0	10.1	3.8	8,446
Other property offenses	86.1	13.9	2.1	1.0	1.3	12.9	5.5	2,482
Drug offenses	71.7%	28.3%	3.8%	2.5%	2.4%	26.2%	10.3%	10,585
Public-order offenses	87.0%	13.0%	2.3%	1.3%	1.3%	11.5%	4.9%	8,312
Regulatory offenses	90.9	9.1	2.4	0.8	0.7	7.9	2.6	1,654
Other public-order offenses	86.0	14.0	2.3	1.5	1.4	12.3	5.5	6,658

Note: Data describe defendants whose pretrial services were terminated during fiscal year 2000. A defendant with more than one type of violation appears in more than one column. A defendant with more than one of the same type of violation appears only once in that column. Therefore, the sum of individual violations exceeds the total. Not all violations resulted in revocation. For further information, see *Chapter notes*, item 1, p. 50.

*Includes 98 defendants for whom offense category could not be determined.

Type of release	Percent of released defendants who had—							Number of released defendants
	Violations while on release					Technical violations of bail conditions	Release revoked	
	No violation	At least one violation	Failed to appear	New offense charged				
			Felony	Misdemeanor				
All releases	81.8%	18.2%	2.6%	1.7%	1.6%	16.6%	6.8%	31,040
Financial release	75.8%	24.2%	4.7%	2.7%	1.9%	21.2%	6.9%	5,706
Deposit bond	73.0	27.0	6.4	2.7	2.4	23.0	6.7	2,674
Collateral bond	79.2	20.8	3.0	2.9	1.5	18.5	7.0	1,571
Corporate surety	77.2	22.8	3.6	2.3	1.6	20.9	7.3	1,461
Unsecured bond	81.8%	18.2%	2.0%	1.2%	1.8%	17.3%	7.5%	8,704
Personal recognizance	82.2%	17.8%	2.4%	1.8%	1.6%	16.2%	7.1%	14,848
Conditional release	98.0%	2.0%	0.3%	0.2%	0.3%	1.7%	0.5%	1,782

Note: Data describe defendants whose pretrial services were terminated during fiscal year 2000. A defendant with more than one type of violation appears in more than one column. A defendant with more than one of the same type of violation appears only once in that column. Therefore, the sum of individual violations exceeds the total. Not all violations resulted in revocation. For further information, see *Chapter notes*, item 1, p. 50.

Table 3.9. Behavior of defendants released prior to trial, by defendant characteristics, October 1, 1999 - September 30, 2000

Defendant characteristic	Percent of released defendants who had—							Release revoked	Number of released defendants
	Violations while on release					Technical violations of bail conditions			
	No violation	At least one violation	Failed to appear	New offense charged					
			Felony	Misdemeanor					
All defendants^a	81.8%	18.2%	2.6%	1.7%	1.6%	16.6%	6.8%	31,040	
Male/female									
Male	80.7%	19.3%	2.6%	1.9%	1.8%	17.6%	7.4%	23,475	
Female	85.4	14.6	2.4	1.1	1.0	13.5	5.1	7,518	
Race									
White	83.5%	16.5%	2.7%	1.4%	1.3%	15.0%	6.1%	20,003	
Black	77.0	23.0	2.4	2.6	2.2	21.2	8.3	8,831	
Native American	77.9	22.1	1.6	1.0	2.8	21.3	13.8	789	
Asian/Pacific Islander	89.0	11.0	1.8	0.9	1.2	9.5	4.5	919	
Ethnicity									
Hispanic	80.9%	19.1%	5.1%	1.6%	1.3%	16.6%	5.7%	6,262	
Non-Hispanic	82.0	18.0	2.0	1.7	1.7	16.7	7.1	24,513	
Age									
16-18 years	76.1%	23.9%	3.6%	2.4%	1.9%	23.1%	10.2%	616	
19-20 years	73.8	26.2	3.0	2.4	3.1	24.6	10.1	1,826	
21-30 years	78.4	21.6	3.0	2.2	2.1	19.7	8.2	10,454	
31-40 years	80.8	19.2	2.8	1.7	1.5	17.4	7.3	8,530	
Over 40 years	88.4	11.6	1.9	0.9	0.8	10.5	3.9	9,496	
Education									
Less than high school graduate	74.0%	26.0%	4.3%	2.1%	2.3%	23.7%	9.9%	7,942	
High school graduate	80.1	19.9	2.3	2.0	1.7	18.4	7.8	10,147	
Some college	84.1	15.9	2.1	1.7	1.6	14.3	5.3	6,757	
College graduate	92.2	7.8	1.3	0.8	0.7	7.1	2.5	3,338	
Marital status									
Never married	75.4%	24.6%	2.9%	2.3%	2.3%	22.9%	9.6%	10,367	
Divorced/separated	79.2	20.8	3.3	1.8	1.9	19.0	7.9	5,480	
Married	88.2	11.8	2.1	1.2	0.9	10.4	3.9	10,376	
Common law	74.2	25.8	3.2	2.4	2.7	23.5	9.9	2,137	
Other	93.5	6.5	1.4	0.6	0.5	6.0	2.5	2,680	
Employment status at arrest									
Unemployed	74.8%	25.2%	3.5%	2.5%	2.1%	23.3%	10.4%	9,745	
Employed	84.1	15.9	2.3	1.5	1.5	14.4	5.4	18,733	
Criminal record									
No convictions ^b	90.6%	9.4%	2.0%	0.8%	0.6%	8.3%	2.9%	12,750	
Misdemeanor only	76.7	23.3	2.6	2.1	2.6	21.5	9.2	6,241	
Felony									
Nonviolent	74.3	25.7	3.2	2.9	1.7	23.8	10.6	4,742	
Violent	68.7	31.3	3.8	3.3	3.5	28.9	13.7	2,648	
Number of prior convictions									
1	79.3%	20.7%	2.4%	2.0%	1.8%	19.1%	7.5%	5,372	
2 to 4	72.9	27.1	3.4	2.7	2.6	25.0	11.1	5,483	
5 or more	67.4	32.6	3.5	3.5	3.5	30.1	15.4	2,776	
Criminal justice status									
Not under supervision	84.6%	15.4%	2.3%	1.4%	1.3%	14.0%	5.3%	24,115	
Pretrial release	68.9	31.1	3.2	3.3	2.8	28.5	12.9	1,406	
Probation	73.6	26.4	3.7	2.8	2.9	24.3	11.3	1,558	
Parole	75.1	24.9	4.9	3.2	2.3	22.6	12.6	349	
Court appearance history									
No prior arrests	90.6%	9.4%	2.0%	0.8%	0.6%	8.3%	2.9%	12,911	
Failure to appear									
None	77.2	22.8	2.7	2.2	2.2	20.9	8.5	15,082	
1	70.4	29.6	4.3	2.7	2.9	27.4	12.8	1,627	
More than 1	64.5	35.5	4.5	3.7	3.2	33.3	16.8	1,420	
Drug abuse									
No known abuse	87.4%	12.6%	2.4%	1.4%	1.3%	11.1%	4.2%	19,182	
Drug history	64.8	35.2	3.4	2.8	2.7	33.3	14.3	7,783	

Note: Data describe defendants whose pretrial services were terminated during fiscal year 2000. A defendant with more than one type of violation appears in more than one column. A defendant with more than one of the same type of violation appears only once in that column. Therefore, the sum of individual violations exceeds the total. Not all violations resulted in revocation. For further information, see *Chapter notes*, item 1, p. 50.

^aIncludes defendants for whom these characteristics could not be determined.

^bIncludes only those defendants whose PSA records explicitly showed no prior convictions.

Table 3.10. Length of pretrial detention, by form of release or detention, and most serious offense charged, October 1, 1999 - September 30, 2000

Most serious offense charged	Among defendants detained for any time prior to case disposition, the average number of days detained ^a					
	Released on—				Not released	
	Financial conditions	Unsecured bond ^b	Personal recognizance	Conditional release	Financial condition	Detained by court
All offenses	26.3 days	32.6 days	40.2 days	50.9 days	74.6 days	106.3 days
Violent offenses	46.8 days	44.6 days	48.9 days	207.8 days	109.0 days	139.3 days
Murder ^c	—	14.2	60.1	—	—	206.4
Negligent manslaughter	...	—	—	...	—	—
Assault	45.7	57.6	28.9	197.7	49.3	123.7
Robbery	43.1	38.9	62.1	186.3	124.4	132.9
Sexual abuse ^c	—	14.3	56.1	—	—	125.9
Kidnaping	65.5	85.0	—	—	—	182.3
Threats against the President	—	...	—	—	...	193.8
Property offenses	24.1 days	38.6 days	30.3 days	56.3 days	64.9 days	87.3 days
Fraudulent	24.8 days	37.3 days	28.5 days	63.4 days	58.2 days	84.5 days
Embezzlement	20.3	50.5	28.4	207.0	45.4	79.8
Fraud ^c	22.7	38.5	29.8	55.9	58.0	86.0
Forgery	4.9	65.6	13.0	—	—	68.4
Counterfeiting	41.4	25.1	26.2	—	40.5	80.1
Other	20.6 days	43.0 days	33.2 days	10.0 days	93.0 days	97.1 days
Burglary	—	7.3	18.2	—	—	71.4
Larceny ^c	13.3	37.2	30.7	1.0	135.2	69.5
Motor vehicle theft	10.0	19.1	94.5	—	—	162.8
Arson and explosives	71.8	128.1	62.9	—	—	125.2
Transportation of stolen property	15.4	22.7	29.7	—	—	127.8
Other property offenses ^c	—	100.0	10.0	0.0	—	—
Drug offenses	27.9 days	30.7 days	43.5 days	46.5 days	84.3 days	128.0 days
Trafficking	28.7	30.9	43.9	46.8	86.0	128.0
Other drug offenses	19.1	26.1	35.3	36.3	55.6	128.3
Public-order offenses	21.2 days	30.6 days	35.9 days	48.4 days	61.6 days	77.4 days
Regulatory	14.4 days	25.6 days	31.7 days	56.0 days	80.8 days	85.2 days
Other	22.5 days	31.3 days	36.5 days	48.2 days	60.3 days	77.1 days
Weapons	30.2	37.5	45.7	101.9	80.3	113.3
Immigration offenses	16.0	19.4	23.0	42.8	57.6	64.2
Tax law violations ^c	22.8	13.3	29.2	0.0	—	40.5
Bribery	29.7	12.8	3.5	—	—	18.6
Perjury, contempt, and intimidation	45.3	7.8	19.7	—	—	155.3
National defense	—	4.3	—	—	—	143.0
Escape	—	63.6	27.7	103.0	31.5	47.8
Racketeering and extortion	34.8	50.0	89.6	—	101.1	223.6
Gambling	—	6.0	—	—	...	—
Liquor offenses	—	—	—	...	...	...
Nonviolent sex offenses	27.0	48.6	35.8	—	—	116.6
Obscene material ^c	—	1.0	—	...	—	—
Migratory birds	...	0.0	0.0	—	...	...
All other offenses ^c	7.3	63.6	14.7	14.0	28.5	74.8

—Too few cases to obtain statistically reliable data.

...No case of this type occurred in the data.

^aData describe 67,903 defendants who terminated pretrial services during fiscal year 2000. Data exclude defendants for whom periods of detention could not be determined or were unavailable. For further information, see *Chapter notes*, item 1, p. 50.

^bIncludes deposit bond, surety bond, and collateral bond.

^cIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

Chapter notes

1) All tables in chapter 3 were created from data in the Pretrial Services Information Act System data base, which is maintained by the Pretrial Services Agency (PSA) within the AOUSC. The data describe pretrial defendants processed by Federal pretrial service agencies within each district. Defendants who received pretrial services through a local, non-Federal agency, such as the District of Columbia, are not included. The data describe 67,903 defendants who terminated pretrial services during October 1, 1999, through September 30, 2000, and whose cases were filed by complaint, indictment, or information. In these tables, the totals (e.g., "all offenses") included records whose offense or other attributes were missing or indeterminable. The percentage distributions were based on nonmissing values, and missing values were reported in a separate row or in a footnote.

Offenses in the PSA are based on the most serious charged offense, as determined by the probation officer responsible for the interview with the defendant. The probation officer classifies the major offense charged into AOUSC four-digit offense codes. For defendants charged with more than one offense on an indictment, the probation officer chooses as the major charged offense the one carrying the most severe penalty or, in the case of two or more charges carrying the same penalty, the one with the highest offense severity. The offense severity level is determined by the AOUSC, which ranks offenses according to the maximum sentence, type of crime, and maximum fine amount. These four-digit codes are then aggregated into the same offense categories as those used in chapter 2.

For drug offenses, the type of drug activity — trafficking or possession — is obtained by the probation officers from their reading of the indictment or other charging documents. The AOUSC citation manual

provides probation officers with detailed instructions on how to code drug crimes.

2) In tables 3.1-3.4, the percentages showing the methods of release or methods of detention were based on the number of defendants released or the number of defendants detained. In tables 3.5 and 3.6, the percentages were based on the number of defendants who had hearings and were ordered detained. This method departs from the 1993 and prior compendia, in which the percentages were based on the number of defendants terminating pretrial services.

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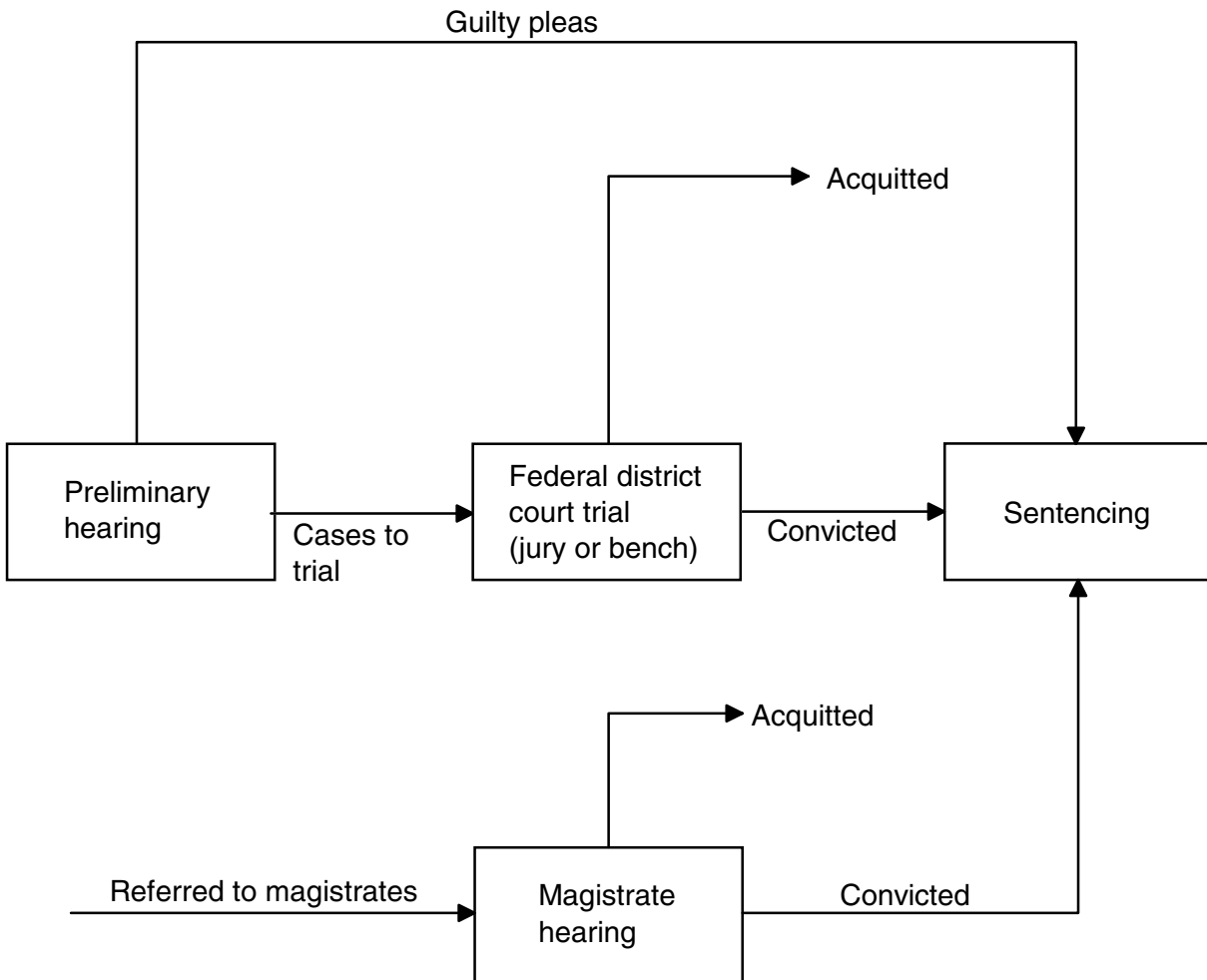
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Chapter 4

Adjudication



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

Defendants in criminal cases filed (table 4.1)

During 2000, 83,251 defendants had criminal charges filed against them in U.S. district courts, and 71,072 (85%) of those defendants were charged with felonies. The 29,455 drug felony defendants comprised 35% of all criminal defendants in cases filed and 41% of all felony defendants. Felony property and public-order defendants comprised 18% and 28%, respectively, of all defendants in cases filed. The 12,104 misdemeanor defendants constituted 15% of all defendants in cases filed; 38% of those misdemeanor defendants were charged with traffic violations.

Defendants in criminal cases terminated (table 4.2)

Cases were terminated against 76,952 defendants during 2000, 65,656 (85%) of whom were felony defendants. During 2000, the 27,274 drug-related felony defendants comprised nearly 35% of all defendants in cases terminated and 42% of all felony defendants.

Eighty-nine percent of all defendants, 92% of all felony defendants and 72% of misdemeanor defendants were convicted. For major felony offense categories, conviction rates remained around 90%. Within major offense categories, however, the conviction rates varied more widely. For example, within the violent offense category, the conviction rates ranged from 0% for those found guilty of negligent manslaughter, to 96% for robbery. Within the public-order

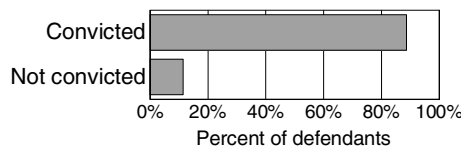
category, the conviction rate ranged from 66% for civil rights violations to 96% for tax law violations and 100% for mail or transport of obscene materials.

Most defendants who were convicted pleaded guilty (figure 4.1). Overall, over 95% of those convicted pleaded guilty, while only 4% were convicted at trial. For felony offenses, 96% pleaded guilty to their charges. For the major felony offense categories, guilty pleas were registered for 93% of violent offenders, 95% of drug offenders, and 96% each for public-order and property offenders.

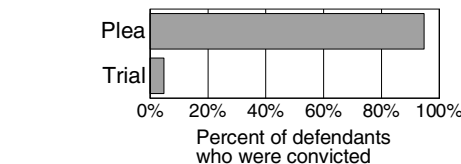
During 2000, 4,344 defendants exercised their right to a trial. A higher percentage of violent offenders went to trial than drug, property, and public-order offenders. Eight percent of violent offenders went to trial as compared with 5% of property and drug offenders, and 4% of public-order offenders.

Of defendants who exercised their right to a trial, 3,071 (74%) were convicted either by a jury or a bench trial.

Most defendants were convicted



Of convicted defendants, most had pleaded guilty



Of defendants who were not convicted, most were dismissed

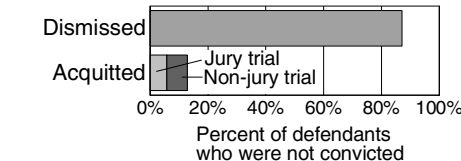


Figure 4.1. Disposition of cases terminating during October 1, 1999 - September 30, 2000

The felony trial conviction rate was 82%, while the misdemeanor conviction rate was 51%. Among felony offenses, trial conviction rates ranged from 80% for violent and public-order defendants to 83% for drug and property defendants.

Case processing times (table 4.3)

The data in table 4.3 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 an 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 defendants can be longer than the statutory limits without violating the provisions of the act.

Overall, the average time for processing defendants was 9.1 months. For felony defendants, the overall processing time average was 9.8 months; for those charged with misdemeanor crimes, the average processing time was 5.5 months. Defendants who pleaded guilty were processed, on average, 2.7 months quicker than defendants who went to trial (figure 4.2). Overall, defendants whose cases were ultimately dismissed took

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.

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.

longest to process (15.5 months), on average. Among major felony offense categories, case processing times were similar to the overall pattern, except when comparing the time until dismissal to the time of trial. Defendants convicted of violent, property and public-order offenses took a greater amount of time for trial (12.7, 17 and 12.5 months respectively), on average, than for dismissal (12.2, 16.4 and 12.5 months respectively).

Convictions by U.S. magistrates (table 4.4)

During 2000 U.S. magistrates disposed of 10,034 misdemeanor criminal defendants, 71% of whom were convicted. Public-order offenders comprised 60% of the defendants disposed by U.S. magistrates, with property offenders comprising another 26%. Drug offenses comprised a little over 10% of U.S. magistrates' cases.

Characteristics of convicted defendants (table 4.5)

Among defendants convicted, there were almost 6 times as many men as women (85% versus 15%); over 4 times as many whites as blacks (77% versus 18%); and 1½ times as many non-Hispanics as Hispanics (60% versus 40%). Most were U.S. citizens (64%), had graduated high school or completed some higher education (54%), and had some criminal history (58%). Persons over the age of 30 represented 55% of defendants.

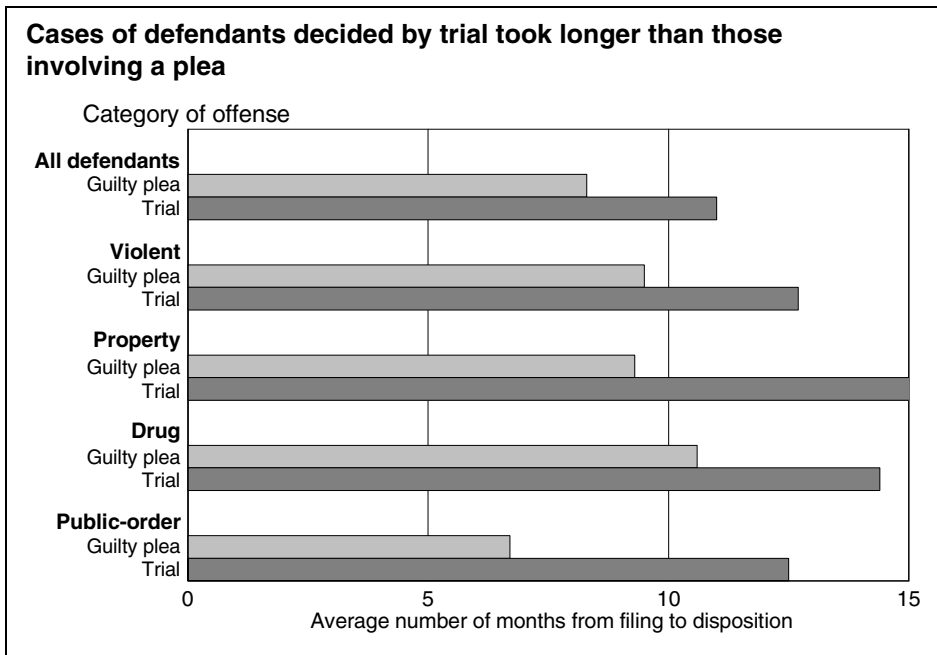


Figure 4.2. Average time from filing to disposition of cases terminating during October 1, 1999 - September 30, 2000, by offense

Table 4.1. Defendants in criminal cases commenced, by offense, October 1, 1999 - September 30, 2000

Most serious offense charged	Defendants in cases commenced during 2000	
	Number	Percent ^a
All offenses	83,251	100%
Felonies	71,072	85.4%
Violent offenses	3,135	3.8%
Murder ^b	450	0.5
Assault	376	0.5
Robbery	1,666	2.0
Sexual abuse ^b	435	0.5
Kidnaping	183	0.2
Threats against the President	25	—
Property offenses	15,237	18.3%
Fraudulent	12,659	15.2%
Embezzlement	1,035	1.2
Fraud ^b	9,873	11.9
Forgery	128	0.2
Counterfeiting	1,623	1.9
Other	2,578	3.1%
Burglary	64	0.1
Larceny ^b	1,658	2.0
Motor vehicle theft	130	0.2
Arson and explosives	283	0.3
Transportation of stolen property	380	0.5
Other property offenses ^b	63	0.1
Drug offenses	29,455	35.4%
Trafficking	27,734	33.3
Possession and other drug offenses	1,721	2.1
Public-order offenses	23,245	27.9%
Regulatory	1,264	1.5%
Agriculture	95	0.1
Antitrust	75	0.1
Food and drug	41	—
Transportation	120	0.1
Civil rights	90	0.1
Communications	53	0.1
Custom laws	110	0.1
Postal laws	37	—
Other regulatory offenses	643	0.8
Other	21,981	26.4%
Weapons	6,073	7.3
Immigration offenses	12,036	14.5
Tax law violations ^b	573	0.7
Bribery	319	0.4
Perjury, contempt, and intimidation	374	0.4
National defense	57	0.1
Escape	603	0.7
Racketeering and extortion	1,043	1.3
Gambling	59	0.1
Liquor offenses	13	—
Nonviolent sex offenses	514	0.6
Obscene material ^b	19	—
Traffic offenses	38	—
Migratory birds	2	—
All other felonies ^b	258	0.3
Misdemeanors^b	12,104	14.5%
Fraudulent property offenses	913	1.1
Larceny	1,794	2.2
Drug possession ^b	1,160	1.4
Immigration	851	1.0
Traffic offenses	4,639	5.6
Other misdemeanors	2,747	3.3
Unknown or indeterminable offense	75	

Note: For further information, see *Chapter notes*, item 1, p. 60.

—Less than .05%.

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

^bIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property

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

Table 4.2. Disposition of criminal cases terminating from October 1, 1999 - September 30, 2000, by offense

Most serious offense charged	Total defendants	Percent of all defendants convicted	Number of defendants in criminal cases terminating during 2000 who were—								
			Convicted					Not convicted			
			Total	Guilty plea	Nolo contendere	Trial		Total	Dismissed	Trial	
			Jury	Non-jury			Jury ^a	Non-jury			
All offenses	76,952	88.6%	68,156	64,558	381	2,568	649	8,796	7,669	503	624
Felonies	65,656	91.5%	60,059	57,370	34	2,528	127	5,597	5,008	491	98
Violent offenses	2,964	90.3%	2,676	2,476	4	189	7	288	238	43	7
Murder ^b	410	84.1	345	297	0	47	1	65	51	13	1
Negligent manslaughter	1	—	0	0	0	0	0	1	1	0	0
Assault	356	80.3	286	262	0	24	0	70	57	10	3
Robbery	1,583	95.6	1,514	1,438	2	71	3	69	59	10	0
Sexual abuse ^b	401	86.5	347	314	2	28	3	54	44	7	3
Kidnaping	198	85.9	170	152	0	18	0	28	26	2	0
Threats against the President	15	93.3	14	13	0	1	0	1	0	1	0
Property offenses	14,080	91.0%	12,814	12,240	8	545	21	1,266	1,152	98	16
Fraudulent	11,590	91.0%	10,550	10,095	7	434	14	1,040	943	83	14
Embezzlement	1,061	92.6	983	949	2	31	1	78	70	7	1
Fraud ^b	8,804	90.6	7,976	7,610	4	351	11	828	743	73	12
Forgery	138	91.3	126	126	0	0	0	12	12	0	0
Counterfeiting	1,587	92.3	1,465	1,410	1	52	2	122	118	3	1
Other	2,490	90.9%	2,264	2,145	1	111	7	226	209	15	2
Burglary	66	87.9	58	57	0	1	0	8	7	1	0
Larceny ^b	1,587	92.6	1,470	1,420	1	44	5	117	112	4	1
Motor vehicle theft	163	92.0	150	135	0	15	0	13	12	1	0
Arson and explosives	238	88.7	211	185	0	26	0	27	18	8	1
Transportation of stolen property	391	86.2	337	313	0	22	2	54	53	1	0
Other property offenses ^b	45	84.4	38	35	0	3	0	7	7	0	0
Drug offenses	27,274	91.2%	24,886	23,736	8	1,106	36	2,388	2,152	203	33
Trafficking	25,579	91.3	23,348	22,296	5	1,014	33	2,231	2,024	177	30
Possession and other drug offenses	1,695	90.7	1,538	1,440	3	92	3	157	128	26	3
Public-order offenses	21,338	92.2%	19,683	18,918	14	688	63	1,655	1,466	147	42
Regulatory	1,229	86.6%	1,064	1,014	0	48	2	165	141	21	3
Agriculture	80	88.8	71	67	0	4	0	9	9	0	0
Antitrust	56	92.9	52	52	0	0	0	4	4	0	0
Food and drug	41	90.2	37	35	0	2	0	4	3	1	0
Transportation	158	82.9	131	126	0	5	0	27	22	2	3
Civil rights	98	66.3	65	54	0	10	1	33	26	7	0
Communications	24	91.7	22	22	0	0	0	2	2	0	0
Custom laws	112	85.7	96	95	0	1	0	16	12	4	0
Postal laws	43	86.0	37	35	0	2	0	6	6	0	0
Other regulatory offenses	617	89.6	553	528	0	24	1	64	57	7	0
Other	20,109	92.6%	18,619	17,904	14	640	61	1,490	1,325	126	39
Weapons	5,049	88.4	4,461	4,086	3	349	23	588	493	76	19
Immigration offenses	11,599	95.9	11,127	11,019	5	77	26	472	449	17	6
Tax law violations ^b	626	95.8	600	549	1	50	0	26	25	1	0
Bribery	194	90.7	176	161	0	15	0	18	13	4	1
Perjury, contempt, and intimidation	329	77.8	256	223	0	29	4	73	58	11	4
National defense	78	80.8	63	55	0	7	1	15	15	0	0
Escape	570	79.3	452	440	0	12	0	118	116	2	0
Racketeering and extortion	918	88.3	811	727	0	82	2	107	85	15	7
Gambling	33	90.9	30	29	0	1	0	3	3	0	0
Liquor offenses	8	—	7	7	0	0	0	1	1	0	0
Nonviolent sex offenses	484	91.9	445	426	2	16	1	39	39	0	0
Obscene material ^b	6	—	6	5	0	1	0	0	0	0	0
Traffic offenses	31	87.1	27	23	0	0	4	4	4	0	0
Migratory birds	1	—	1	1	0	0	0	0	0	0	0
All other felonies ^b	183	85.8	157	153	3	1	0	26	24	0	2
Misdemeanors^b	11,214	71.6%	8,025	7,123	347	36	519	3,189	2,651	12	526
Fraudulent property offense	890	89.6	797	787	2	5	3	93	91	1	1
Larceny	1,694	65.4	1,108	1,016	59	2	31	586	571	3	12
Drug possession ^b	1,107	73.0	808	771	16	3	18	299	290	2	7
Immigration	830	97.1	806	804	2	0	0	24	24	0	0
Traffic offenses	4,446	65.0	2,889	2,391	222	0	276	1,557	1,066	1	490
Other misdemeanors	2,247	72.0	1,617	1,354	46	26	191	630	609	5	16
Unknown or indeterminable offense	82	87.8%	72	65	0	4	3	10	10	0	0

Note: For further information, see *Chapter notes*, item 1, p. 60.

—Too few cases to obtain statistically reliable data.

^aIncludes mistrials.

^bIn this table, "Murder" includes nonnegligent manslaughter; "Fraud" excludes tax fraud; "Sexual abuse" includes only violent sex offenses;

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

Table 4.3. Time from filing to disposition of criminal cases terminating from October 1, 1999 - September 30, 2000, by offense

Most serious offense charged	Average time from filing to disposition for defendants in criminal cases resulting in—			
	All outcomes	Dismissal ^a	Guilty plea	Trial ^b
All offenses	9.1 mo	15.5 mo	8.3 mo	11.0 mo
Felonies	9.8 mo	16.0 mo	9.0 mo	14.3 mo
Violent offenses	10.0 mo	12.2 mo	9.5 mo	12.7 mo
Murder ^c	11.6	15.7	10.4	14.3
Negligent manslaughter	—	—	...	...
Assault	7.9	8.8	7.5	9.2
Robbery	8.9	11.2	8.5	13.9
Sexual abuse ^c	9.8	12.2	9.4	10.7
Kidnaping	19.5	15.0	21.0	13.5
Threats against the President	6.9	...	6.3	—
Property offenses	10.2 mo	16.4 mo	9.3 mo	17.0 mo
Fraudulent	10.3 mo	16.6 mo	9.3 mo	17.6 mo
Embezzlement	7.9	9.7	7.2	22.5
Fraud ^c	10.9	18.1	9.8	17.8
Forgery	10.0	12.8	9.7	...
Counterfeiting	8.7	11.5	8.3	12.2
Other	10.0 mo	15.4 mo	9.2 mo	14.6 mo
Burglary	6.9	—	6.9	—
Larceny ^c	8.9	12.1	8.5	12.6
Motor vehicle theft	11.7	18.6	11.0	12.1
Arson and explosives	11.7	12.2	11.0	15.5
Transportation of stolen property	13.5	24.8	11.2	20.0
Other property offenses ^c	9.7	—	9.1	—
Drug offenses	11.4 mo	18.6 mo	10.6 mo	14.4 mo
Trafficking	11.4	19.1	10.6	14.6
Possession and other drug offenses	11.0	11.6	10.8	12.4
Public-order offenses	7.4 mo	12.5 mo	6.7 mo	12.5 mo
Regulatory	10.8 mo	17.4 mo	9.7 mo	14.3 mo
Agriculture	11.2	—	10.6	—
Antitrust	12.7	—	6.9	...
Food and drug	11.2	—	10.4	—
Transportation	9.1	12.5	8.5	—
Civil rights	13.6	16.3	13.2	11.0
Communications	5.8	—	6.1	...
Custom laws	13.4	26.4	11.1	—
Postal laws	8.4	—	9.1	—
Other regulatory offenses	10.4	14.2	9.6	16.3
Other	7.2 mo	12.0 mo	6.6 mo	12.3 mo
Weapons	9.8	10.7	9.5	11.4
Immigration offenses	4.4	5.9	4.3	8.1
Tax law violations ^c	12.4	24.4	11.7	14.5
Bribery	10.8	16.4	10.0	13.3
Perjury, contempt, and intimidation	12.7	15.6	11.5	14.6
National defense	18.6	??	11.7	—
Escape	13.1	32.6	8.7	15.3
Racketeering and extortion	16.6	18.6	16.1	18.2
Gambling	12.0	—	11.0	—
Liquor offenses	—	—	—	...
Nonviolent sex offenses	7.9	7.6	7.6	15.7
Obscene material ^c	—	...	—	—
Traffic offenses	11.5	—	6.7	—
Migratory birds	—	...	—	...
All other felonies ^c	7.8	5.7	8.1	—
Misdemeanors^c	5.5 mo	14.7 mo	2.9 mo	1.3 mo
Fraudulent property offense	4.6	12.2	3.6	—
Larceny	6.3	10.5	4.2	3.8
Drug possession ^c	5.2	9.2	3.8	5.4
Immigration	0.6	4.4	0.5	...
Traffic offenses	6.4	21.6	2.1	0.3
Other misdemeanors	5.5	10.0	4.1	3.0
Unknown or indeterminable offense	6.8 mo	—	6.7 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. 60.

—Too few cases to obtain statistically reliable data.

...No case of this type occurred in the 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;

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

Table 4.4. Dispositions by U.S. magistrates, October 1, 1999 - September 30, 2000

Most serious offense charged	Defendants in criminal cases concluded by U.S. magistrates			
	Total	Convicted	Not convicted	Percent convicted
All offenses^a	10,034	7,100	2,934	70.8%
Violent offenses^b	305	179	126	58.7%
Murder ^c	3	3	0	—
Assault	290	166	124	57.2
Robbery	1	1	0	—
Sexual abuse ^c	10	8	2	—
Threats against the President	1	1	0	—
Property offenses	2,648	1,957	691	73.9%
Fraudulent	865	785	80	90.8%
Embezzlement	196	172	24	87.8
Fraud ^c	641	588	53	91.7
Forgery	24	21	3	87.5
Counterfeiting	4	4	0	—
Other	1,783	1,172	611	65.7%
Burglary	3	2	1	—
Larceny ^c	1,623	1,069	554	65.9
Motor vehicle theft	2	1	1	—
Arson and explosives	5	5	0	—
Other property offenses ^c	150	95	55	63.3
Drug offenses	1,043	751	292	72.0%
Trafficking	994	723	271	72.7
Possession	47	26	21	55.3
Other drug offenses	2	2	0	—
Public-order offenses	6,037	4,213	1,824	69.8%
Regulatory	460	348	112	75.7%
Agriculture	84	76	8	90.5
Fair labor standards	38	38	0	100
Food and drug	22	19	3	86.4
Other regulatory offenses	316	215	101	68.0
Other	5,577	3,865	1,712	69.3
Weapons	63	32	31	50.8%
Immigration offenses	495	487	8	98.4
Tax law violations ^c	68	67	1	98.5
Bribery	10	10	0	—
National defense	14	11	3	78.6
Escape	50	31	19	62.0
Racketeering and extortion	2	2	0	—
Liquor offenses	2	2	0	—
Nonviolent sex offenses	5	2	3	—
Obscene material ^c	1	0	1	—
Traffic	4,352	2,839	1,513	65.2
Migratory birds	10	9	1	—
All other offenses ^c	505	373	132	73.9
Missing or indeterminable offense	1	0	1	—

Note: Data in this table are not directly comparable to data in the 1993 and prior compendia; see *Chapter notes*, item 1, p. 60.

—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, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

Table 4.5. Characteristics of convicted offenders, October 1, 1999 - September 30, 2000

Offender characteristic	Total number of convicted offenders	Percent of convicted offenders							
		All offenses ^a	Violent offenses	Felonies			Misdemeanors		
				Property offenses	Drug offenses	Public-order offenses			
				Fraudulent	Other	Regulatory	Other		
All offenders^b	68,156	68,156	2,557	10,396	2,058	24,206	1,376	18,530	8,961
Male/female									
Male	51,674	85.4%	92.7%	73.5%	73.7%	86.5%	76.2%	94.3%	74.6%
Female	8,820	14.6	7.3	26.5	26.3	13.5	23.8	5.7	25.4
Race									
White	41,274	76.8%	53.5%	72.3%	73.4%	77.1%	84.2%	84.2%	66.2%
Black	9,421	17.5	22.6	20.8	20.5	20.6	9.1	11.6	17.9
Native American	970	1.8	20.2	1.0	3.2	0.7	1.6	0.9	2.3
Asian/Pacific Islander	1,941	3.6	3.3	5.5	2.6	1.4	4.9	3.1	13.2
Other	134	0.2	0.4	0.3	0.3	0.2	0.2	0.1	0.5
Ethnicity									
Hispanic	24,324	40.3%	10.2%	15.4%	12.3%	44.2%	36.1%	61.0%	22.0%
Non-Hispanic	35,965	59.7	89.8	84.6	87.7	55.8	63.9	39.0	78.0
Age									
16-18 years	442	0.8%	1.9%	0.3%	0.5%	0.8%	0.7%	0.6%	2.2%
19-20 years	2,755	4.8	7.8	3.0	5.4	5.3	3.5	4.0	8.4
21-30 years	22,485	39.2	39.2	29.9	31.2	43.7	26.6	40.8	35.8
31-40 years	17,589	30.6	28.5	29.4	30.0	30.3	31.2	32.9	27.0
Over 40 years	14,133	24.6	22.6	37.5	33.0	19.9	38.0	21.7	26.6
Citizenship									
U.S. citizen	38,276	64.0%	93.3%	81.5%	91.2%	68.6%	68.0%	39.6%	69.9%
Not U.S. citizen	21,524	36.0	6.7	18.5	8.8	31.4	32.0	60.4	30.1
Education									
Less than high school graduate	25,152	45.7%	38.3%	22.7%	29.0%	51.4%	32.5%	60.0%	26.2%
High school graduate	16,770	30.5	39.3	31.3	37.0	31.5	30.3	24.1	40.1
Some college	9,514	17.3	18.2	29.5	25.6	14.5	22.3	10.9	23.5
College graduate	3,624	6.6	4.2	16.5	8.4	2.7	14.9	5.0	10.2
Criminal record									
No convictions	25,375	41.8%	30.4%	56.7%	47.2%	44.6%	66.4%	25.8%	54.9%
Prior adult convictions ^c	35,262	58.2	69.6	43.3	52.8	55.4	33.6	74.2	45.1

Note: Offender characteristics are not comparable with the 1993 and prior compendia; see *Chapter notes*, item 2, p. 60. 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. 60.

Chapter notes

- 1) Tables 4.1-4.4 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 4.1) or cases that terminated in U.S. district court during October 1, 1999, through September 30, 2000, 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.

In this *Compendium*, carjacking offenses are classified as robberies, based on title and section of the U.S. Code. In compendia prior to the 1997 *Compendium*, they were classified as motor vehicle thefts, based on the AOUSC offense classifications.
- 2) Table 4.5 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 charged as adults are included in table 4.5. Some of the defendants excluded from the USSC data files were included in the PSA data. (See Chapter 3 *Chapter notes* for more information on the PSA data.) Table 4.5 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) A criminal record, as reported in table 4.5, is limited to prior adult convictions. For some defendants in this table, it is further limited to the portion 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 includes their entire adult criminal history.

Discussion **63**

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October 1, 1999 – September 30, 2000

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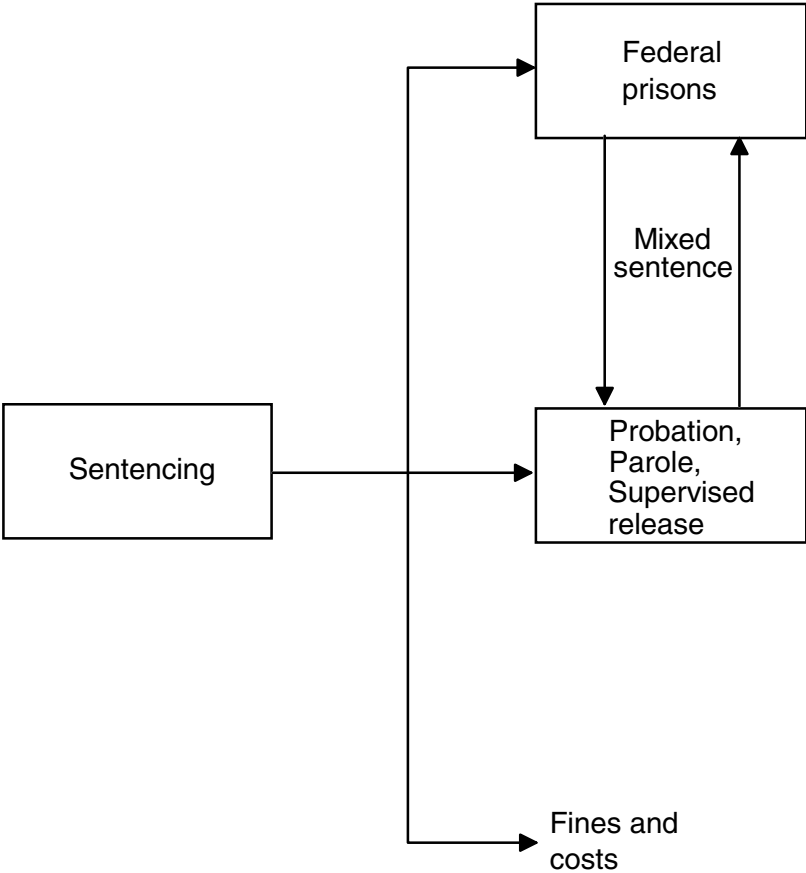
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Chapter notes **73**

Sentencing



Depending upon the type and severity of the offense, convicted offenders may be sentenced to incarceration, probation, a fine, or a combination of sanctions such as a split or mixed sentence (imprisonment as well as a period of probation supervision). (For a definition of mixed sentences, see *Glossary*, p. 116.) The Federal sentencing guidelines require a term of supervised release following any prison sentence of more than 1 year. In addition, courts have the discretion to impose supervised release in any other case.

Except where otherwise indicated, tables in this chapter are based on the most serious offense of conviction. They are not directly comparable with tables in earlier chapters that are based on the most serious offense investigated or most serious offense charged (see "Offense classifications" in *Methodology*, p. 107).

Offenders convicted and sentences imposed (table 5.1)

Of the 68,156 offenders sentenced during 2000, 50,451 (74%) were sentenced to prison; 12,427 (18%) were sentenced to probation; and 2,716 (4%) were ordered to pay only a fine. (Offenders given an intermediate sanction such as intermittent confinement or community confinement that also included probation supervision are counted among offenders given probation.) Of the 50,451 offenders sentenced to prison, 49,070 (97%) were convicted of felonies, and 82% of convicted felons were sentenced to prison. Felony drug and violent offenders were more likely to receive prison sentences (92% each) than were either property (60%) or public-order (85%) offenders (figure 5.1).

Among public-order offenders, persons convicted of weapons (91%), immigration offenses (91%), and escape (92%) were almost as likely to receive prison sentences as were violent and drug offenders.

Among property offenders, persons convicted of arson or the use of explosives (85%) were the most likely to

Defendants convicted of drug and violent felonies had the highest rates of imprisonment, while those convicted of property and public-order offenses had the highest rates of probation

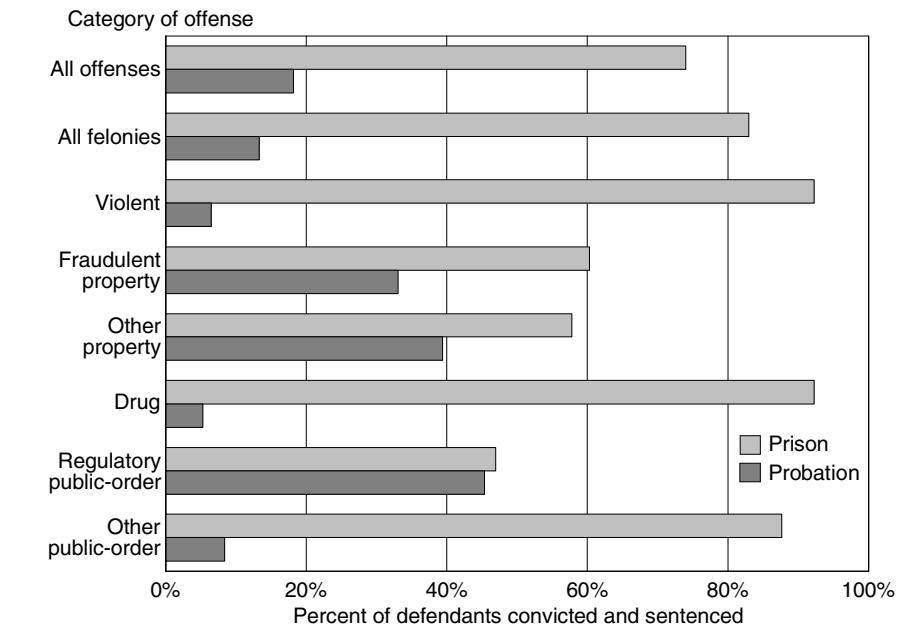


Figure 5.1. Rates of incarceration and probation for offenders convicted and sentenced in cases that terminated during October 1, 1999 - September 30, 2000

receive prison sentences.

Overall, 18% of convicted offenders were sentenced to probation. The percentage of misdemeanants sentenced to probation (50%) was three times that of convicted felons (13%). Among felons, persons convicted of gambling violations were the most likely to be given probation (89%) followed by persons convicted of communication (83%) and postal law (78%) violations.

While less than 1% of all convicted felons were ordered to only pay a fine, 26% of the felons convicted of anti-trust violations and 29% of liquor violation convictions were so ordered. Fines generally were reserved for misdemeanor offenders, 28% of whom received fines.

Average prison sentences imposed (table 5.2)

For all offenders given prison terms, the average term of imprisonment imposed was 56.7 months. Persons

convicted of felonies received an average prison term of 58.0 months.

The average length of prison sentence imposed varied among major felony offense categories (figure 5.2). Property offenders received the shortest sentence, on average, while violent offenders received the longest (24.2 months compared to 86.5 months). Drug offenders received 75.5 months, on average, and public-order offenders received 45.8 months. The average prison term for public-order offenders was primarily attributable to sentences imposed for weapons offenders. The 3,834 weapons offenders sentenced to prison comprised 23% of the 16,896 public-order offenders sent to prison; weapons offenders received an average prison term of 91.4 months, and public-order offenders other than weapons offenders received an average prison term of 32.5 months.

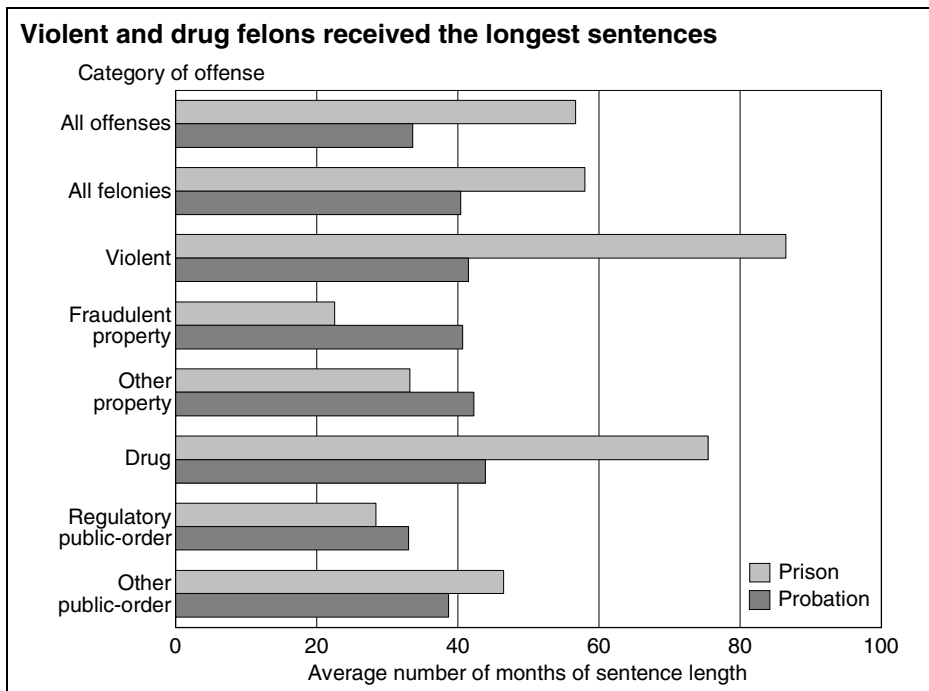


Figure 5.2. Incarceration and probation sentence lengths (in months) of offenders convicted and sentenced in cases that terminated during October 1, 1999 - September 30, 2000

Relationship between sentence imposed and mode of conviction (table 5.3)

Offenders convicted by plea were less likely to receive prison sentences than those convicted at trial. Seventy-four percent of the offenders convicted by guilty plea received some prison time, while 80% of the offenders convicted at trial received prison sentences.

For violent offenders, 92% of those convicted by plea received prison sentences, as did 97% of those convicted at trial. For fraudulent property offenders, 60% of those convicted by plea received prison sentences, compared to 86% of those convicted at trial. And, for regulatory public-order offenders, 46% of those convicted by plea went to prison, but 83% of those convicted at trial did.

The average prison term imposed on defendants convicted at trial was longer than the term imposed on defendants convicted by plea. Defendants convicted at trial received 145.1 months, on average, while those convicted by plea received an average of

52.2 months (figure 5.3). Drug offenders convicted at trial received an average of 189.3 months as compared to the 70.1 months for drug offenders convicted by a guilty plea. Violent offenders who went to trial received an average sentence of 159.7 months as compared to the 80.9 months for those convicted by plea.

Characteristics of offenders sentenced to prison (tables 5.4-5.6)

The majority of persons convicted during 2000 were male (85%), white (77%), non-Hispanic (60%), and U.S. citizens (64%). (Percents were calculated from numbers in table 5.4.) The percentage sentenced to prison was not uniform across all categories of age, race, sex, education, and ethnicity. Similarly, the average sentences imposed were not uniform across these categories (table 5.5). However, conclusions about the effect that characteristics may have had on sentencing cannot be drawn from the aggregate patterns in the data. Such an assessment would require detailed information for each category showing the

presence or absence of factors that are legally intended to affect sentencing, such as offense severity, weapon use, role in the offense, victim injury, dollar loss, and so forth.

One such study of the factors affecting sentencing found that "nearly all of the aggregate differences among sentences for whites, blacks, and Hispanics during 1989-90 can be attributed to characteristics of offenses and offenders that current law and sentencing guidelines establish as legitimate considerations in sentencing decisions."*

Average sentences imposed were longest for males (59.3 months), blacks (83.4 months), non-Hispanics (67.6 months), and U.S. citizens (67.4 months). These longer terms are due in large part because these categories of offenders (males, blacks, non-Hispanics, and U.S. citizens) are more highly concentrated in the offense types (not shown in any table) that also are associated with longer average sentences (table 5.2). In general, within categories of offender characteristics, average prison terms were longer for violent and drug offenses than for property and regulatory public-order offenses. These two offense categories generally are considered to be more serious under the Federal sentencing guidelines than are property and regulatory public-order offenses. As a result, for aggregate tables like the ones presented in this chapter, persons with a certain characteristic may appear to receive more severe sentences on average. The primary reason for the longer averages is the larger number of serious offenses that made up the average sentences.

*Douglas C. McDonald and Kenneth E. Carlson, *Sentencing in the Federal Courts: Does Race Matter?* Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, December 1993 (NCJ145328).

Defendants convicted at trial received longer sentences than those convicted by guilty plea

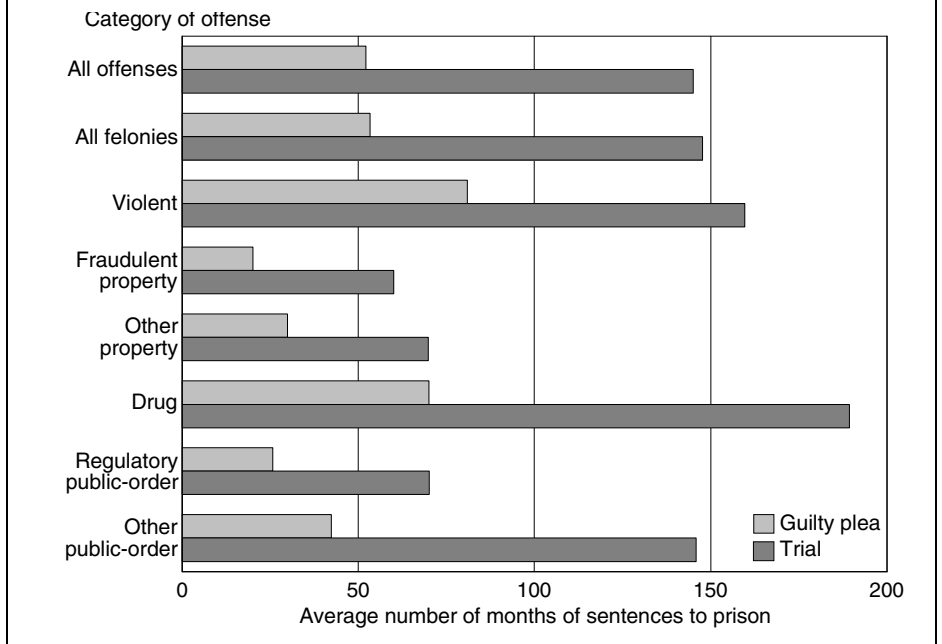


Figure 5.3. Average prison sentences imposed on defendants convicted at trial or by guilty plea, October 1, 1999 - September 30, 2000

Table 5.1. Sentence types in criminal cases terminated, by offense, October 1, 1999 - September 30, 2000

Most serious offense of conviction	Total offenders sentenced ^a	Percent of offenders convicted and sentenced to—			
		Incarceration ^b	Probation ^c	Mixed sentence ^d	Fine (only)
All offenses^e	68,156	74.0%	18.2%	0.7%	4.0%
Felonies	59,123	83.0%	13.3%	0.7%	0.5%
Violent offenses	2,557	92.3%	6.5%	0.6%	0.3%
Murder ^f	283	88.0	11.7	1.4	0.4
Negligent manslaughter	1	—	—	—	—
Assault	253	74.3	19.4	0.4	0.4
Robbery	1,579	97.0	2.8	0.6	0.1
Sexual abuse ^f	311	89.4	9.3	0	0.3
Kidnaping	115	85.2	7.0	0.9	1.7
Threats against the President	15	93.3	6.7	0	0
Property offenses	12,454	59.9%	34.1%	0.7%	1.2%
Fraudulent	10,396	60.3%	33.1%	0.7%	1.3%
Embezzlement	917	55.2	31.3	0.9	3.2
Fraud ^f	8,177	61.2	32.4	0.6	1.2
Forgery	86	47.7	46.5	0	0
Counterfeiting	1,216	59.0	38.2	0.7	0.5
Other	2,058	57.8%	39.4%	0.8%	0.5%
Burglary	57	78.9	21.1	1.8	0
Larceny ^f	1,394	49.4	47.5	0.8	0.4
Motor vehicle theft	139	74.1	23.0	0.7	0.7
Arson and explosives	158	84.8	13.9	0.6	0.6
Transportation of stolen property	272	73.5	24.3	0.7	1.1
Other property offenses ^f	38	50.0	42.1	0	0
Drug offenses	24,206	92.3%	5.3%	0.6%	0.2%
Trafficking	22,275	92.6	5.0	0.6	0.2
Possession and other drug offenses	1,931	89.0	8.8	0.6	0.4
Public-order offenses	19,906	84.9%	10.9%	0.7%	0.5%
Regulatory	1,376	47.0%	45.4%	0.4%	3.8%
Agriculture	44	31.8	56.8	0	6.8
Antitrust	53	24.5	47.2	0	26.4
Food and drug	50	30.0	62.0	0	4.0
Transportation	112	33.0	49.1	0.9	16.1
Civil rights	61	83.6	18.0	4.9	1.6
Communications	18	16.7	83.3	0	0
Custom laws	118	60.2	33.9	0	1.7
Postal laws	41	17.1	78.0	0	0
Other regulatory offenses	879	49.6	44.5	0.2	1.4
Other	18,530	87.7%	8.4%	0.7%	0.3%
Weapons	4,196	91.4	8.9	1.8	0.1
Immigration offenses	11,125	90.5	3.5	0.3	0.1
Tax law violations ^f	655	54.2	44.9	1.7	1.4
Bribery	179	52.0	44.1	1.1	2.8
Perjury, contempt, and intimidation	241	62.7	33.2	1.7	2.9
National defense	49	53.1	34.7	0	10.2
Escape	487	91.8	4.7	0.4	0.6
Racketeering and extortion	951	81.8	14.8	0.6	0.3
Gambling	28	10.7	89.3	0	0
Liquor offenses	7	—	—	—	—
Nonviolent sex offenses	475	90.3	9.9	1.3	0
Obscene material ^f	11	63.6	36.4	0	0
Traffic offenses	28	71.4	32.1	7.1	3.6
Migratory birds	1	—	—	—	—
All other felonies ^f	97	30.9	69.1	2.1	1.0
Misdemeanors^f	8,961	15.1%	50.3%	1.0%	26.8%
Fraudulent property offense	923	22.9	70.1	0.9	3.8
Larceny	1,202	13.9	67.8	0.9	17.9
Drug possession ^f	838	22.4	65.4	0.8	5.8
Immigration	1,084	34.2	15.7	0	2.6
Traffic offenses	2,985	4.9	38.0	1.1	57.4
Other misdemeanors	1,929	14.2	61.6	1.4	18.9
Unknown or indeterminable offense	72	34.7%	65.3%	4.2%	0%

Note: For further information, see *Chapter notes*, item 1, p. 73.
 —Too few cases to obtain statistically reliable data.

^aIncludes offenders receiving incarceration, probation, split or mixed sentences, and fines. Not represented in the percentage columns, but also included in the totals, are offenders receiving deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentences.

^bAll sentences to incarceration, including split, mixed, life, and indeterminate.

^cIncludes offenders with split and mixed sentences.

^dSentences to probation combined with incarceration.

^eTotal includes offenders whose sentence could not be determined and defendants for whom offense category could not be determined.

^fIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 5.2. Type and length of sentences imposed, by offense, October 1, 1999 - September 30, 2000

Most serious offense of conviction	Offenders convicted and sentenced in criminal cases that terminated during fiscal year 2000							
	Total	Number			Sentence length			
		Incarceration ^a	Probation ^b	Fine (only)	Incarceration ^c		Probation ^c	
					Mean	Median	Mean	Median
All offenses	68,156	50,451	12,427	2,716	56.7 mo	33.0 mo	33.6 mo	36.0 mo
Felonies	59,123	49,070	7,877	310	58.0 mo	36.0 mo	40.4 mo	36.0 mo
Violent offenses	2,557	2,360	165	7	86.5 mo	63.0 mo	41.5 mo	36.0 mo
Murder ^d	283	249	33	1	94.2	46.0	41.8	36.0
Negligent manslaughter	1	1	0	0	—	—	...	...
Assault	253	188	49	1	33.0	27.0	31.7	36.0
Robbery	1,579	1,532	45	2	93.0	70.0	41.8	36.0
Sexual abuse ^d	311	278	29	1	84.5	57.0	49.1	53.0
Kidnaping	115	98	8	2	83.3	51.0	—	—
Threats against the President	15	14	1	0	31.6	35.0	—	—
Property offenses	12,454	7,462	4,251	146	24.2 mo	15.0 mo	41.0 mo	36.0 mo
Fraudulent	10,396	6,272	3,441	136	22.5 mo	14.0 mo	40.7 mo	36.0 mo
Embezzlement	917	506	287	29	14.8	7.0	39.6	36.0
Fraud ^d	8,177	5,008	2,649	101	23.5	15.0	41.1	36.0
Forgery	86	41	40	0	19.1	12.0	38.4	36.0
Counterfeiting	1,216	717	465	6	20.8	15.0	39.1	36.0
Other	2,058	1,190	810	10	33.2 mo	18.0 mo	42.3 mo	36.0 mo
Burglary	57	45	12	0	32.6	24.0	36.7	36.0
Larceny ^d	1,394	689	662	5	27.3	14.0	42.5	36.0
Motor vehicle theft	139	103	32	1	28.0	21.0	34.3	36.0
Arson and explosives	158	134	22	1	71.8	51.0	31.6	36.0
Transportation of stolen property	272	200	66	3	33.4	18.0	51.7	48.0
Other property offenses ^d	38	19	16	0	13.6	12.0	30.9	30.0
Drug offenses	24,206	22,352	1,285	51	75.5 mo	55.0 mo	43.9 mo	36.0 mo
Trafficking	22,275	20,633	1,115	43	75.1	51.0	45.3	36.0
Possession and other drug offenses	1,931	1,719	170	8	80.8	60.0	34.7	36.0
Public-order offenses	19,906	16,896	2,176	106	45.8 mo	30.0 mo	37.0 mo	36.0 mo
Regulatory	1,376	647	625	52	28.4 mo	15.0 mo	33.0 mo	36.0 mo
Agriculture	44	14	25	3	13.1	11.5	35.5	36.0
Antitrust	53	13	25	14	13.7	8.0	26.3	12.0
Food and drug	50	15	31	2	19.2	12.0	30.0	36.0
Transportation	112	37	55	18	21.8	10.0	31.7	36.0
Civil rights	61	51	11	1	93.1	27.0	38.2	36.0
Communications	18	3	15	0	—	—	27.7	24.0
Custom laws	118	71	40	2	17.5	10.0	27.7	24.0
Postal laws	41	7	32	0	—	—	30.2	36.0
Other regulatory offenses	879	436	391	12	24.0	15.0	34.4	36.0
Other	18,530	16,249	1,551	54	46.5 mo	30.0 mo	38.7 mo	36.0 mo
Weapons	4,196	3,834	372	3	91.4	57.0	37.5	36.0
Immigration offenses	11,125	10,073	390	15	29.5	24.0	40.3	36.0
Tax law violations ^d	655	355	294	9	18.5	13.0	36.1	36.0
Bribery	179	93	79	5	23.9	15.0	39.9	36.0
Perjury, contempt, and intimidation	241	151	80	7	35.5	21.0	34.3	36.0
National defense	49	26	17	5	32.9	28.5	42.4	36.0
Escape	487	447	23	3	19.2	13.0	33.3	24.0
Racketeering and extortion	951	778	141	3	81.5	57.0	39.4	36.0
Gambling	28	3	25	0	—	—	24.7	24.0
Liquor offenses	7	2	3	2	—	—	—	—
Nonviolent sex offenses	475	429	47	0	47.1	30.0	47.7	60.0
Obscene material ^d	11	7	4	0	—	—	—	—
Traffic offenses	28	20	9	1	19.0	15.5	—	—
Migratory birds	1	1	0	0	—	—	...	...
All other felonies ^d	97	30	67	1	27.2	12.0	49.7	60.0
Misdemeanors^d	8,961	1,356	4,503	2,406	10.4 mo	6.0 mo	21.6 mo	12.0 mo
Fraudulent property offense	923	211	647	35	9.0	4.0	28.4	30.0
Larceny	1,202	167	815	215	8.2	6.0	22.1	12.0
Drug possession ^d	838	188	548	49	24.6	6.0	19.7	12.0
Immigration	1,084	371	170	28	6.0	6.0	23.5	24.0
Traffic offenses	2,985	146	1,134	1,714	9.2	2.0	15.5	12.0
Other misdemeanors	1,929	273	1,189	365	9.5	6.0	24.0	12.0
Unknown or indeterminable offense	72	25	47	0	74.0 mo	51.0 mo	40.4 mo	36.0 mo

Note: Total includes offenders with an indeterminable sentence and defendants with an indeterminable offense category. Total exceeds sum of individual sanctions, as split and mixed sentences are counted in both prison and probation. See *Chapter notes*, item 1, p. 73.
^a—Too few cases to obtain statistically reliable data. ... No cases of this type occurred in the data.
^bAll sentences to incarceration, including split, mixed, life, and indeterminate sentences.
^cIncludes offenders with split and mixed sentences.
^dExcludes sentences of life, death, and indeterminate sentences (1% of all incarcerations).
^eIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 5.3. Sentences imposed on convicted offenders, by offense of conviction and method of disposition, October 1, 1999 - September 30, 2000

Offense of conviction and method of disposition	Number of convicted offenders	Number of offenders convicted and sentenced in criminal cases who received—			Offenders sentenced to some incarceration		
		Incarceration ^a	Probation ^b	Fine (only)	Percent of convicted offenders	Sentence length ^c	
						Mean	Median
All offenses	68,156	50,451	12,427	2,716	74.0%	56.7 mo	33.0 mo
Guilty plea ^d	64,939	47,881	12,149	2,437	73.7	52.2	30.0
Trial	3,217	2,570	278	279	79.9	145.1	87.0
Felonies	59,123	49,070	7,877	310	83.0%	58.0 mo	36.0 mo
Guilty plea	56,477	46,552	7,766	305	82.4	53.4	33.0
Trial	2,646	2,518	111	5	95.2	147.7	92.0
Violent offenses	2,557	2,360	165	7	92.3%	86.5 mo	63.0 mo
Guilty plea	2,354	2,164	161	7	91.9	80.9	60.0
Trial	203	196	4	0	96.6	159.7	120.0
Property offenses							
Fraudulent	10,396	6,272	3,441	136	60.3%	22.5 mo	14.0 mo
Guilty plea	9,962	5,900	3,393	133	59.2	20.1	13.0
Trial	434	372	48	3	85.7	60.1	33.0
Other	2,058	1,190	810	10	57.8%	33.2 mo	18.0 mo
Guilty plea	1,945	1,087	802	10	55.9	29.9	17.5
Trial	113	103	8	0	91.2	69.8	27.0
Drug offenses	24,206	22,352	1,285	51	92.3%	75.5 mo	55.0 mo
Guilty plea	23,063	21,222	1,272	51	92.0	70.0	50.0
Trial	1,143	1,130	13	0	98.9	189.3	151.0
Public-order offenses							
Regulatory	1,376	647	625	52	47.0%	28.4 mo	15.0 mo
Guilty plea	1,330	609	616	51	45.8	25.8	15.0
Trial	46	38	9	1	82.6	70.1	41.0
Other	18,530	16,249	1,551	54	87.7%	46.5 mo	30.0 mo
Guilty plea	17,823	15,570	1,522	53	87.4	42.3	30.0
Trial	707	679	29	1	96.0	145.8	73.0
Misdemeanors	8,961	1,356	4,503	2,406	15.1%	10.4 mo	6.0 mo
Guilty plea ^d	8,398	1,311	4,337	2,132	15.6	10.1	6.0
Trial	563	45	166	274	8.0	17.5	5.0
Unknown or indeterminable offense	72	25	47	0	34.7%	74.0 mo	51.0 mo

Note: Total includes offenders whose sentence could not be determined. Total includes defendants for whom offense category could not be determined. For further information, see *Chapter notes*, item 1, p. 73.

^aAll sentences to incarceration, including split, mixed, life, and indeterminate sentences.

^bIncludes offenders with split and mixed sentences.

^cExcludes sentences of life, death, and indeterminate sentences (1% of all incarceration).

^dIncludes nolo contendere.

Table 5.4. Convicted offenders sentenced to incarceration, by offense and offender characteristics, October 1, 1999 - September 30, 2000

Offender characteristic	Total number of convicted offenders	Percent of convicted offenders sentenced to incarceration in criminal cases terminated during 2000							
		All offenses ^a	Violent offenses	Felonies		Drug offenses	Public-order offenses		Misdemeanors
				Fraudulent	Other		Regulatory	Other	
All offenders^a	68,156	74.0%	92.3%	60.3%	57.8%	92.3%	47.0%	87.7%	15.1%
Male/female									
Male	51,674	82.4%	93.6%	65.4%	65.6%	94.2%	52.6%	89.7%	21.6%
Female	8,820	56.7	81.1	49.3	37.8	81.5	41.4	61.8	10.7
Race									
White	41,274	79.7%	92.3%	61.9%	59.8%	91.4%	48.7%	88.9%	21.5%
Black	9,421	78.8	95.5	55.7	50.4	95.5	57.1	89.5	18.9
Native American	970	69.5	88.1	37.5	63.2	76.2	52.6	73.9	15.7
Asian/Pacific Islander	1,941	48.9	84.6	59.0	54.3	86.7	51.8	59.4	4.0
Other	134	69.4	100	42.9	80.0	93.8	50.0	91.3	10.0
Ethnicity									
Hispanic	24,324	88.1%	91.5%	65.9%	65.0%	94.1%	56.6%	92.1%	35.2%
Non-Hispanic	35,965	72.6	93.0	60.3	57.5	91.3	46.2	81.9	14.5
Age									
16-18 years	442	67.2%	75.0%	52.0%	55.6%	83.5%	75.0%	79.2%	14.3%
19-20 years	2,755	77.9	94.9	51.8	58.3	91.3	57.1	90.4	14.7
21-30 years	22,485	83.5	94.0	59.6	55.5	93.3	56.9	91.6	23.7
31-40 years	17,589	82.1	93.5	63.7	63.4	92.8	48.8	90.2	24.6
Over 40 years	14,133	73.5	92.2	60.1	57.5	91.6	45.2	80.5	19.8
Citizenship									
U.S. citizen	38,276	75.0%	93.4%	59.2%	57.6%	91.3%	46.2%	83.1%	16.9%
Not U.S. citizen	21,524	86.2	86.4	69.3	66.9	95.5	57.4	91.5	24.5
Education									
Less than high school graduate	25,152	87.7%	93.0%	63.8%	63.1%	94.3%	63.6%	91.8%	32.7%
High school graduate	16,770	77.3	94.7	59.8	55.4	92.1	51.9	85.7	16.1
Some college	9,514	70.7	91.3	59.1	57.7	89.4	38.5	81.1	15.0
College graduate	3,624	60.7	85.6	60.2	56.5	83.3	33.3	67.3	13.0
Criminal record									
No convictions	25,375	66.3%	84.6%	51.4%	42.5%	89.1%	43.3%	71.2%	8.1%
Prior adult convictions ^b	35,262	87.5	96.2	73.9	72.5	95.3	62.9	94.0	32.0

Note: Excludes corporations. Includes life sentences and indeterminate sentences. Offenders are classified by the most serious offense of conviction. The percentages in this table report the percent of convicted persons having a particular characteristic who were incarcerated. For example, 82.4% of all convicted males were incarcerated, and 93.6% of males convicted of a violent offense were incarcerated. Offender characteristics are not comparable to the 1993 and prior compendia; see *Chapter notes*, item 2, p. 73.

^aIncludes offenders for whom offense or characteristics are unknown.

^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 73. Classifications of lengths of prior sentences of incarceration differ from the 1993 and prior compendia and are not directly comparable to those earlier years; see *Chapter notes*, item 3, p. 73.

Table 5.5. Average incarceration sentence lengths imposed, by offense and offender characteristics, October 1, 1999 - September 30, 2000

Offender characteristic	Mean sentence length for offenders convicted of—							
	All offenses ^a	Felonies						Misdemeanors
		Violent offenses	Property offenses		Drug offenses	Public-order offenses		
			Fraudulent	Other		Regulatory	Other	
All offenders^a	56.7 mo	86.5 mo	22.5 mo	33.2 mo	75.5 mo	28.4 mo	46.5 mo	10.4 mo
Male/female								
Male	59.3 mo	87.1 mo	23.8 mo	35.2 mo	78.8 mo	29.4 mo	47.1 mo	11.8 mo
Female	34.7	51.4	17.2	22.1	47.3	20.2	26.3	11.1
Race								
White	45.8 mo	80.0 mo	23.1 mo	34.6 mo	59.7 mo	26.1 mo	37.4 mo	11.2 mo
Black	83.4	102.7	20.9	30.9	104.3	24.3	81.1	11.5
Native American	62.4	72.2	16.5	26.5	65.7	24.3	64.0	11.3
Asian/Pacific Islander	45.0	57.2	21.6	24.8	74.9	27.2	46.4	9.2
Other	69.6	107.5	8.3	15.8	92.9	18.0	59.1	2.5
Ethnicity								
Hispanic	43.6 mo	76.0 mo	19.2 mo	34.0 mo	58.8 mo	17.2 mo	32.6 mo	10.3 mo
Non-Hispanic	67.6	85.8	23.0	32.8	88.4	34.8	70.4	13.0
Age								
16-18 years	32.9 mo	61.4 mo	15.2 mo	20.4 mo	29.2 mo	13.0 mo	36.9 mo	8.2 mo
19-20 years	44.9	72.2	17.2	25.5	46.8	16.8	46.6	6.8
21-30 years	59.2	80.3	18.2	34.5	75.5	31.1	46.9	11.7
31-40 years	61.1	92.1	21.5	32.4	81.6	25.8	50.3	15.3
Over 40 years	54.0	88.8	27.2	33.3	72.9	28.9	47.7	13.4
Citizenship								
U.S. citizen	67.4 mo	85.7 mo	23.0 mo	33.1 mo	83.2 mo	34.8 mo	70.4 mo	13.6 mo
Not U.S. citizen	40.6	72.6	20.3	32.2	58.0	15.9	32.2	8.8
Education								
Less than high school graduate	58.0 mo	86.2 mo	20.7 mo	34.4 mo	72.1 mo	20.8 mo	45.8 mo	12.8 mo
High school graduate	65.8	86.1	21.7	29.7	80.4	27.1	64.3	13.2
Some college	56.5	80.8	23.5	32.7	75.2	32.9	59.2	16.4
College graduate	39.9	73.0	26.1	41.9	64.3	53.6	35.9	10.8
Criminal record								
No convictions	41.5 mo	63.9 mo	20.7 mo	30.0 mo	52.6 mo	28.4 mo	29.1 mo	10.9 mo
Prior adult convictions ^b	65.0	92.8	23.9	34.4	92.1	26.3	50.7	11.8

Note: Excludes corporations, life sentences, and indeterminate sentences. Includes prison portion of split or mixed sentences. Offender characteristics are not comparable to the 1993 and prior compendia; see *Chapter notes*, item 2, p. 73.

^aIncludes offenders for whom offense or characteristics are unknown.
^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 73. Classifications of lengths of prior sentences of incarceration differ from the 1993 and prior compendia and are not directly comparable to those earlier years; see *Chapter notes*, item 3, p. 73.

Table 5.6. Median incarceration sentence lengths imposed, by offense and offender characteristics, October 1, 1999 - September 30, 2000

Offender characteristic	Median sentence length for offenders convicted of—							
	All offenses ^a	Felonies						Misdemeanors
		Violent offenses	Property offenses		Drug offenses	Public-order offenses		
			Fraudulent	Other		Regulatory	Other	
All offenders^a	33.0 mo	63.0 mo	14.0 mo	18.0 mo	55.0 mo	15.0 mo	30.0 mo	6.0 mo
Male/female								
Male	37.0 mo	63.0 mo	15.0 mo	18.0 mo	57.0 mo	15.0 mo	30.0 mo	6.0 mo
Female	21.0	37.0	12.0	10.5	33.0	14.0	15.0	4.0
Race								
White	30.0 mo	57.0 mo	15.0 mo	18.0 mo	40.0 mo	13.0 mo	27.0 mo	6.0 mo
Black	60.0	80.0	12.0	16.0	78.0	18.0	52.0	6.0
Native American	33.0	37.0	12.0	19.5	37.0	20.0	24.0	10.5
Asian/Pacific Islander	24.0	46.0	12.0	13.0	57.0	24.0	24.0	6.0
Other	37.0	90.5	7.5	15.0	60.0	18.0	40.5	2.5
Ethnicity								
Hispanic	30.0 mo	51.0 mo	12.0 mo	24.0 mo	37.0 mo	12.0 mo	27.0 mo	6.0 mo
Non-Hispanic	38.0	60.0	15.0	18.0	60.0	18.0	37.0	6.0
Age								
16-18 years	18.0 mo	41.0 mo	15.0 mo	24.0 mo	18.0 mo	16.5 mo	12.0 mo	7.5 mo
19-20 years	26.0	51.0	10.0	17.5	30.0	12.0	21.0	6.0
21-30 years	37.0	57.0	12.0	17.0	57.0	15.0	30.0	6.0
31-40 years	37.0	64.5	15.0	18.0	58.0	15.0	32.0	6.0
Over 40 years	30.0	63.0	15.0	18.0	51.0	15.0	30.0	6.0
Citizenship								
U.S. citizen	39.0 mo	60.0 mo	15.0 mo	18.0 mo	60.0 mo	18.0 mo	37.0 mo	6.0 mo
Not U.S. citizen	30.0	48.0	12.0	22.0	37.0	12.0	27.0	6.0
Education								
Less than high school graduate	37.0 mo	60.0 mo	14.0 mo	18.0 mo	48.0 mo	15.0 mo	30.0 mo	6.0 mo
High school graduate	40.0	60.0	12.0	15.0	60.0	18.0	37.0	6.0
Some college	30.0	58.5	13.0	18.0	57.0	15.0	30.0	6.0
College graduate	24.0	57.0	17.0	26.0	46.0	15.0	20.0	7.0
Criminal record								
No convictions	24.0 mo	40.5 mo	12.0 mo	16.0 mo	37.0 mo	13.0 mo	13.0 mo	5.0 mo
Prior adult convictions ^b	41.0	66.0	16.0	18.0	64.0	18.0	32.0	6.0

Note: Excludes corporations, life sentences, and indeterminate sentences. Includes prison portion of split or mixed sentences. Offender characteristics are not comparable to the 1993 and prior compendia; see *Chapter notes*, item 2, p. 73.

^aIncludes offenders for whom offense or characteristics are unknown.
^bPrior adult convictions are limited; see *Chapter notes*, item 3, p. 73. Classifications of lengths of prior sentences of incarceration differ from the 1993 and prior compendia and are not directly comparable to those earlier years; see *Chapter notes*, item 3, p. 73.

Chapter notes

- 1) Tables 5.1-5.3 were derived from the AOUSC criminal master data files. Only records of defendants sentenced during October 1, 1999, through September 30, 2000, were selected. Offenses shown in these tables — offenses of conviction — are based on the longest actual sentence imposed.
- 2) Tables 5.4-5.6 were created from AOUSC criminal master data files, supplemented with linked data on offender characteristics from two sources: the United States Sentencing Commission (USSC) monitoring system files (which are limited to records of defendants sentenced under the Federal sentencing guidelines); and the Pretrial Services Information Act System database, maintained by the Pretrial Services Agency (PSA). These two supplemental data files contain information on the characteristics of defendants. Table 5.4 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. Means and medians in tables 5.5 and 5.6 were based on the number of records shown in table 5.4.
- 3) Criminal record, as reported in tables 5.4-5.6, is limited to prior adult convictions. For some defendants in these tables, 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 15 years of the current offense and sentences for offenses committed within the United States. For most defendants, the criminal history used to calculate sentencing guideline ranges is the same as their adult criminal history.

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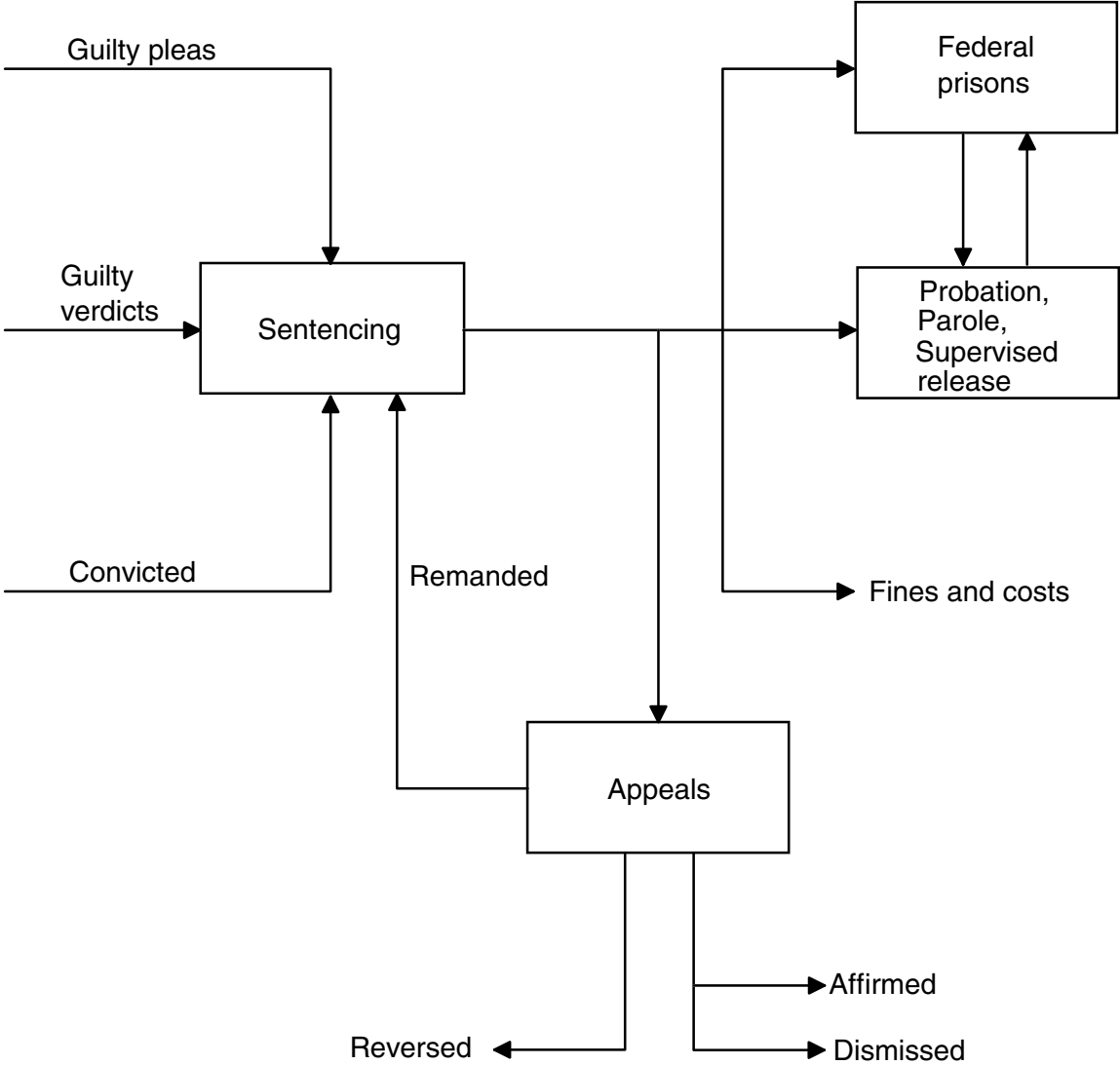
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Chapter 6

Appeals



Prior to implementation of the Sentencing Reform Act of 1984, only criminal convictions could be appealed. However, the Sentencing Reform Act provided for the appellate review of sentences imposed given that the sentence was (1) imposed in violation of the law; (2) imposed as the result of an incorrect sentencing guideline application; (3) outside the recommended guideline sentencing range; or (4) imposed for an offense for which no sentencing guideline exists and is plainly unreasonable. Both the defendant and the Government have the right to appeal an imposed sentence.*

Appeals filed (tables 6.1 and 6.2)

During 2000 the U.S. Court of Appeals received 9,162 criminal appeals. Of all appeals, 4% were filed by the Government (not shown in a table).

Forty-nine percent of appeals filed in 2000 challenged both the conviction and the sentence imposed. About twice as many appeals challenged only the sentence imposed as those that challenged only the conviction (24% versus 11%). Fifteen percent of appeals filed were appeals of convictions for crimes committed before 1987, when the sentencing guidelines took effect (figure 6.1).

The distribution of appeals by type of appeal filed (sentence, conviction, or both) was relatively constant across the major offense categories underlying the appeal. However, 63% of appeals filed for immigration offenses appealed both the sentence and the conviction, compared to 49% for all criminal categories.

Nearly half of all appeals filed (for which the offense is known) were for drug convictions (44%). Appeals for public-order convictions comprised 33% of all appeals filed, property offenses comprised 17%, and the remaining 6% of appeals filed were for violent offenses (figure 6.2).

Nearly half the criminal appeals challenged both the conviction and the sentence imposed

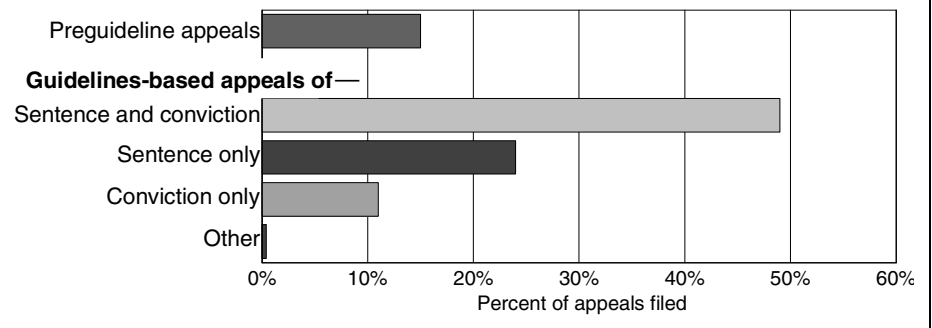


Figure 6.1. Types of criminal appeal cases during October 1, 1999 - September 30, 2000

Appeals terminated (tables 6.2-6.5)

A total of 10,580 appeals terminated during 2000. Of these, 48% were appeals of both the sentence and conviction, 25% were appeals of the sentence only, and 14% were appeals of the conviction only. Fifteen percent were appeals of convictions for offenses sentenced under laws in effect prior to the sentencing guidelines.

In nearly half of all appeals terminated in 2000 (for which the offense is known), drug offense convictions underlie the appeal (46%); the underlying offense in 30% of the appeals was a public-order offense; 18% were property offense appeals; and 6% were appeals for violent offense convictions. For 35% of public-order appeals, the underlying offense of conviction was for weapons. Robbery offenses composed 51% and murder composed 18% of the underlying offenses for appeals of a violent conviction. Sixty-one percent of property

offense appeals were for fraud convictions.

Of the 10,580 appeals terminated during 2000, 76% were terminated on the merits, while the remainder were terminated on procedural grounds (figure 6.3). For appeals based on a conviction, 76% of drug offenses and 78% of public-order offenses were terminated on the merits. Also terminated on the merits were 81% of appeals based on a violent conviction and 72% of appeals based on a property conviction. Within these major offense categories, 82% of appeals based on murder convictions were terminated on the merits, as were 81% of weapons offenses, and 79% of robbery offenses.

In 78% of appeals terminated on the merits, the district court ruling was affirmed. In another 4% it was partially affirmed. Among appeals terminated on merits, 82% of all drug offense appeals were affirmed, as were 81% of

Nearly half of all appeals filed were for drug convictions

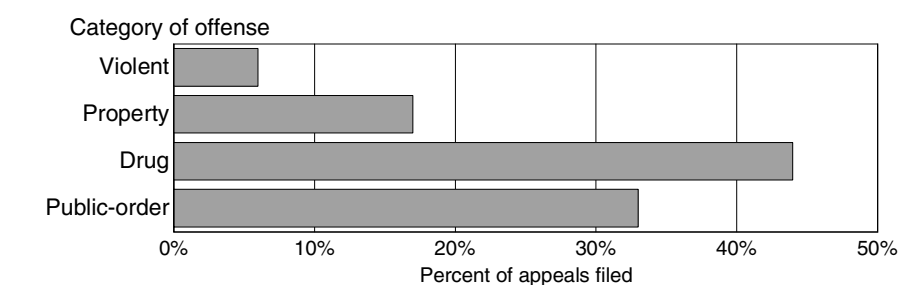


Figure 6.2. Appeals cases filed, by type of offense during October 1, 1999 - September 30, 2000

*18 U.S.C. § 3742

violent offense appeals and 76% of property appeals. Seventy-four percent of public-order offense appeals were affirmed.

District court decisions were reversed or remanded back to the court in 9% of the cases. Property offenses and public-order offenses had the highest rate of reversal or being remanded back to the court (10%). Nine percent of violent offense appeals were reversed or remanded, as were 7% of drug offense appeals.

Overall, appeals were dismissed in 8% of cases. Among major offense categories, the highest dismissal rate was for public-order appeals (11%), with 21% of immigration appeals dismissed.

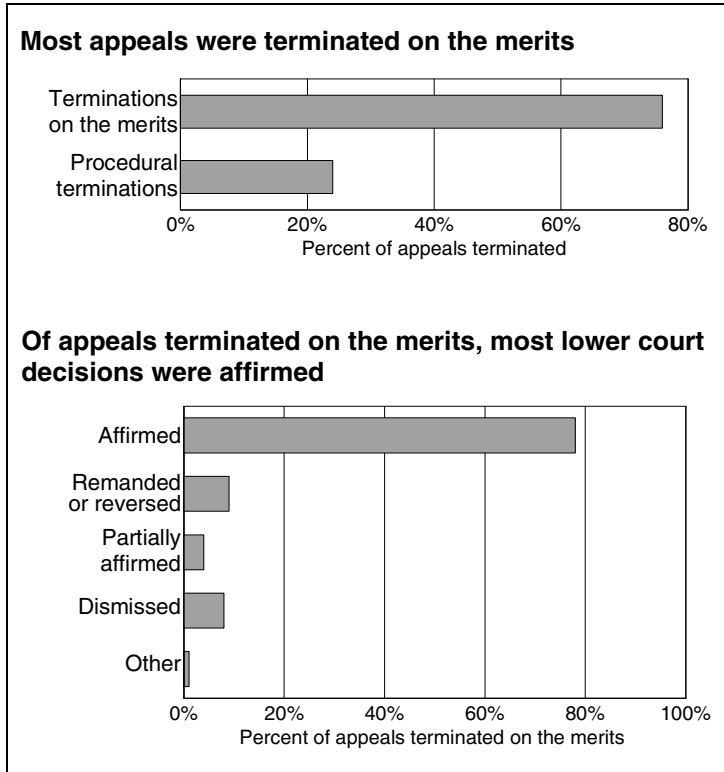


Figure 6.3. Disposition of criminal appeals terminating during October 1, 1999 - September 30, 2000

Table 6.1. Criminal appeals filed, by type of criminal case and offense, October 1, 1999 - September 30, 2000

Offense of conviction	Number of criminal appeals filed						
			Guidelines-based appeals				
	Total	Preguideline	Total	Sentence only	Conviction only	Sentence and conviction	Other
All offenses	9,162	1,385	7,777	2,234	1,048	4,459	36
Violent offenses	490	56	434	126	60	247	1
Murder*	84	19	65	10	17	38	0
Negligent manslaughter	1	0	1	1	0	0	0
Assault	53	5	48	13	5	30	0
Robbery	267	24	243	81	29	132	1
Sexual abuse*	33	2	31	4	4	23	0
Kidnaping	46	4	42	16	4	22	0
Threats against the President	6	2	4	1	1	2	0
Property offenses	1,482	235	1,247	338	192	706	11
Fraudulent	1,164	188	976	271	149	547	9
Embezzlement	71	12	59	16	3	39	1
Fraud*	979	158	821	229	130	454	8
Forgery	11	2	9	2	2	5	0
Counterfeiting	103	16	87	24	14	49	0
Other	318	47	271	67	43	159	2
Burglary	4	0	4	1	0	3	0
Larceny*	154	30	124	32	20	70	2
Motor vehicle theft	60	8	52	14	1	37	0
Arson and explosives	52	4	48	6	9	33	0
Transportation of stolen property	41	4	37	11	13	13	0
Other property offenses*	7	1	6	3	0	3	0
Drug offenses	3,843	564	3,279	977	443	1,849	10
Public-order offenses	2,878	335	2,543	702	316	1,511	14
Regulatory	150	20	130	44	14	70	2
Agriculture	11	1	10	1	2	7	0
Antitrust	1	1	0	0	0	0	0
Food and drug	11	2	9	4	1	4	0
Transportation	12	2	10	4	0	6	0
Civil rights	42	4	38	10	4	24	0
Custom laws	13	1	12	6	1	5	0
Postal laws	4	0	4	2	1	1	0
Other regulatory offenses	56	9	47	17	5	23	2
Other	2,728	315	2,413	658	302	1,441	12
Weapons	872	145	727	185	114	423	5
Immigration offenses	1,179	30	1,149	314	88	744	3
Tax law violations*	85	20	65	14	14	36	1
Bribery	23	4	19	6	1	12	0
Perjury, contempt, and intimidation	89	33	56	14	6	34	2
National defense	17	7	10	3	1	6	0
Escape	61	10	51	19	7	25	0
Racketeering and extortion	266	45	221	60	46	114	1
Gambling	2	1	1	0	0	1	0
Liquor offenses	2	0	2	1	0	1	0
Nonviolent sex offenses	79	8	71	32	10	29	0
Obscene material*	3	0	3	1	1	1	0
Traffic	15	3	12	3	7	2	0
Migratory birds	2	0	2	0	1	1	0
All other offenses*	33	9	24	6	6	12	0
Unknown or indeterminable offense	469	195	274	91	37	146	0

Note: For further information, see *Chapter notes*, p. 84.

*In this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes

fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

Table 6.2. Criminal appeals filed and criminal appeals terminated, by offense, October 1, 1999 - September 30, 2000

Offense of conviction	Criminal appeals filed during 2000		Criminal appeals terminated during 2000	
	Number	Percent	Number	Percent
All offenses	9,162	100%	10,580	100%
Violent offenses	490	5.6%	554	5.5%
Murder ^b	84	1.0	100	1.0
Negligent manslaughter	1	—	1	—
Assault	53	0.6	59	0.6
Robbery	267	3.1	285	2.8
Sexual abuse ^b	33	0.4	49	0.5
Kidnaping	46	0.5	57	0.6
Threats against the President	6	0.1	3	—
Property offenses	1,482	17.0%	1,815	18.0%
Fraudulent	1,164	13.4%	1,362	13.5%
Embezzlement	71	0.8	83	0.8
Fraud ^b	979	11.3	1,115	11.1
Forgery	11	0.1	13	0.1
Counterfeiting	103	1.2	151	1.5
Other	318	3.7%	453	4.5%
Burglary	4	—	6	0.1
Larceny ^b	154	1.8	194	1.9
Motor vehicle theft	60	0.7	104	1.0
Arson and explosives	52	0.6	68	0.7
Transportation of stolen property	41	0.5	68	0.7
Other property offenses ^b	7	0.1	13	0.1
Drug offenses	3,843	44.2%	4,674	46.4%
Public-order offenses	2,878	33.1%	3,027	30.1%
Regulatory	150	1.7%	159	1.6%
Agriculture	11	0.1	12	0.1
Antitrust	1	—	0	0
Food and drug	11	0.1	4	—
Transportation	12	0.1	11	0.1
Civil rights	42	0.5	40	0.4
Communications	0	0	2	—
Custom laws	13	0.1	16	0.2
Postal laws	4	—	5	—
Other regulatory offenses	56	0.6	69	0.7
Other	2,728	31.4%	2,868	28.5%
Weapons	872	10.0	1,050	10.4
Immigration offenses	1,179	13.6	1,020	10.1
Tax law violations ^b	85	1.0	103	1.0
Bribery	23	0.3	23	0.2
Perjury, contempt, and intimidation	89	1.0	99	1.0
National defense	17	0.2	21	0.2
Escape	61	0.7	94	0.9
Racketeering and extortion	266	3.1	296	2.9
Gambling	2	—	10	0.1
Liquor offenses	2	—	0	0
Nonviolent sex offenses	79	0.9	100	1.0
Obscene material ^b	3	—	4	—
Traffic	15	0.2	19	0.2
Migratory birds	2	—	4	—
All other offenses ^b	33	0.4	25	0.2
Unknown or indeterminable offense	469		510	

Note: For further information, see *Chapter notes*, p. 84.

—Less than .05%.

...No case of this type occurred in the data.

^aPercentage distribution based on appeals for which an offense category could be determined.

^bIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of

stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

Table 6.3. Criminal appeals terminated, by type of criminal case and offense, October 1, 1999 - September 30, 2000

Offense of conviction	Number of criminal appeals terminated						
	Total	Preguideline	Guidelines-based appeals				Other
			Total	Sentence only	Conviction only	Sentence and conviction	
All offenses	10,580	1,585	8,995	2,609	1,404	4,954	28
Violent offenses	554	64	490	144	84	260	2
Murder*	100	18	82	14	17	49	2
Negligent manslaughter	1	0	1	1	0	0	0
Assault	59	5	54	13	12	29	0
Robbery	285	27	258	88	39	131	0
Sexual abuse*	49	5	44	9	8	27	0
Kidnaping	57	7	50	19	7	24	0
Threats against the President	3	2	1	0	1	0	0
Property offenses	1,815	280	1,535	416	239	876	4
Fraudulent	1,362	218	1,144	331	181	628	4
Embezzlement	83	13	70	16	12	41	1
Fraud*	1,115	172	943	283	145	512	3
Forgery	13	1	12	3	2	7	0
Counterfeiting	151	32	119	29	22	68	0
Other	453	62	391	85	58	248	0
Burglary	6	0	6	2	1	3	0
Larceny*	194	34	160	38	22	100	0
Motor vehicle theft	104	12	92	19	9	64	0
Arson and explosives	68	10	58	10	8	40	0
Transportation of stolen property	68	4	64	13	14	37	0
Other property offenses*	13	2	11	3	4	4	0
Drug offenses	4,674	646	4,028	1,157	635	2,220	16
Public-order offenses	3,027	355	2,672	774	414	1,478	6
Regulatory	159	31	128	38	16	74	0
Agriculture	12	4	8	3	0	5	0
Food and drug	4	0	4	3	0	1	0
Transportation	11	2	9	3	0	6	0
Civil rights	40	7	33	7	6	20	0
Communications	2	0	2	1	0	1	0
Custom laws	16	2	14	2	5	7	0
Postal laws	5	3	2	1	1	0	0
Other regulatory offenses	69	13	56	18	4	34	0
Other	2,868	324	2,544	736	398	1,404	6
Weapons	1,050	147	903	226	156	518	3
Immigration offenses	1,020	36	984	313	116	554	1
Tax law violations*	103	26	77	22	19	35	1
Bribery	23	4	19	7	3	9	0
Perjury, contempt, and intimidation	99	29	70	15	17	38	0
National defense	21	7	14	3	2	9	0
Escape	94	17	77	28	14	35	0
Racketeering and extortion	296	37	259	67	42	149	1
Gambling	10	3	7	3	0	4	0
Nonviolent sex offenses	100	9	91	40	16	35	0
Obscene material ^b	4	1	3	0	1	2	0
Traffic	19	4	15	6	6	3	0
Migratory birds	4	0	4	0	1	3	0
All other offenses*	25	4	21	6	5	10	0
Unknown or indeterminable offense	510	240	270	118	32	120	0

Note: For further information, see *Chapter notes*, p. 84.

*In this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes

fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; and "All other offenses" includes offenses with unclassifiable offense type.

Table 6.4. Disposition of criminal appeals terminated on the merits, by offense, October 1, 1999 - September 30, 2000

Offense of conviction	Total criminal appeals terminated	Criminal appeals terminated on the merits							Procedural terminations
		Total	Percent	Affirmed	Remanded or reversed	Partially affirmed	Dismissed	Other	
All offenses	10,580	7,996	75.6%	6,265	700	327	652	52	2,584
Violent offenses	554	447	80.7%	363	42	10	31	1	107
Murder*	100	82	82.0	61	10	5	6	0	18
Negligent manslaughter	1	1	—	1	0	0	0	0	0
Assault	59	45	76.3	36	6	3	0	0	14
Robbery	285	226	79.3	189	15	2	19	1	59
Sexual abuse*	49	44	89.8	34	8	0	2	0	5
Kidnaping	57	47	82.5	40	3	0	4	0	10
Threats against the President	3	2	—	2	0	0	0	0	1
Property offenses	1,815	1,305	71.9%	990	131	91	78	15	510
Fraudulent	1,362	949	69.7%	729	91	57	60	12	413
Embezzlement	83	59	71.1	44	8	4	3	0	24
Fraud*	1,115	781	70.0	598	74	50	50	9	334
Forgery	13	10	76.9	8	0	0	0	2	3
Counterfeiting	151	99	65.6	79	9	3	7	1	52
Other	453	356	78.6%	261	40	34	18	3	97
Burglary	6	6	—	4	0	2	0	0	0
Larceny*	194	142	73.2	96	22	14	9	1	52
Motor vehicle theft	104	85	81.7	59	7	13	5	1	19
Arson and explosives	68	57	83.8	51	5	0	0	1	11
Transportation of stolen property	68	58	85.3	46	4	4	4	0	10
Other property offenses*	13	8	61.5	5	2	1	0	0	5
Drug offenses	4,674	3,573	76.4%	2,923	258	133	243	16	1,101
Public-order offenses	3,027	2,351	77.7%	1,744	234	87	268	18	676
Regulatory	159	116	73.0%	85	22	4	5	0	43
Agriculture	12	8	66.7	6	2	0	0	0	4
Food and drug	4	1	—	1	0	0	0	0	3
Transportation	11	10	90.9	8	2	0	0	0	1
Civil rights	40	27	67.5	14	9	2	2	0	13
Communications	2	2	—	2	0	0	0	0	0
Custom laws	16	15	93.8	13	1	1	0	0	1
Postal laws	5	4	—	1	3	0	0	0	1
Other regulatory offenses	69	49	71.0	40	5	1	3	0	20
Other	2,868	2,235	77.9%	1,659	212	83	263	18	633
Weapons	1,050	850	81.0	689	76	32	49	4	200
Immigration offenses	1,020	792	77.6	533	70	14	169	6	228
Tax law violations*	103	64	62.1	52	4	4	2	2	39
Bribery	23	17	73.9	12	1	3	0	1	6
Perjury, contempt, and intimidation	99	62	62.6	47	6	6	3	0	37
National defense	21	13	61.9	12	1	0	0	0	8
Escape	94	68	72.3	42	10	6	9	1	26
Racketeering and extortion	296	238	80.4	177	24	13	23	1	58
Gambling	10	8	—	4	4	0	0	0	2
Nonviolent sex offenses	100	84	84.0	59	15	4	5	1	16
Obscene material*	4	3	—	3	0	0	0	0	1
Traffic	19	19	100	16	0	1	2	0	0
Migratory birds	4	3	—	3	0	0	0	0	1
All other offenses*	25	14	56.0	10	1	0	1	2	11
Unknown or indeterminable offense	510	320	62.7	245	35	6	32	2	190

Note: For further information, see *Chapter notes*, p. 84.

—Too few cases to obtain statistically reliable data.

*In this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent

property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; and "All other offenses" includes offenses with unclassifiable offense type.

Table 6.5. Criminal appeals cases terminated on the merits, by nature of offense, October 1, 1999 - September 30, 2000

Most serious offense	Total	Percent of criminal appeals cases terminated on the merits				
		Affirmed	Remanded or reversed	Partially affirmed	Dismissed	Other
All offenses	7,996	78.4%	8.8%	4.1%	8.2%	0.7%
Violent offenses	447	81.2%	9.4%	2.2%	6.9%	0.2%
Murder*	82	74.4	12.2	6.1	7.3	0
Negligent manslaughter	1	—	—	—	—	—
Assault	45	80.0	13.3	6.7	0	0
Robbery	226	83.6	6.6	0.9	8.4	0.4
Sexual abuse*	44	77.3	18.2	0	4.5	0
Kidnaping	47	85.1	6.4	0	8.5	0
Threats against the President	2	—	—	—	—	—
Property offenses	1,305	75.9%	10.0%	7.0%	6.0%	1.1%
Fraudulent	949	76.8%	9.6%	6.0%	6.3%	1.3%
Embezzlement	59	74.6	13.6	6.8	5.1	0
Fraud*	781	76.6	9.5	6.4	6.4	1.2
Forgery	10	—	—	—	—	—
Counterfeiting	99	79.8	9.1	3.0	7.1	1.0
Other	356	73.3%	11.2%	9.6%	5.1%	0.8%
Burglary	6	—	—	—	—	—
Larceny*	142	67.6	15.5	9.9	6.3	0.7
Motor vehicle theft	85	69.4	8.2	15.3	5.9	1.2
Arson and explosives	57	89.5	8.8	0	0	1.8
Transportation of stolen property	58	79.3	6.9	6.9	6.9	0
Other property offenses*	8	—	—	—	—	—
Drug offenses	3,573	81.8%	7.2%	3.7%	6.8%	0.4%
Public-order offenses	2,351	74.2%	10.0%	3.7%	11.4%	0.8%
Regulatory	116	73.3%	19.0%	3.4%	4.3%	0.0%
Agriculture	8	—	—	—	—	—
Food and drug	1	—	—	—	—	—
Transportation	10	—	—	—	—	—
Civil rights	27	51.9	33.3	7.4	7.4	0
Communications	2	—	—	—	—	—
Custom laws	15	86.7	6.7	6.7	0	0
Postal laws	4	—	—	—	—	—
Other regulatory offenses	49	81.6	10.2	2.0	6.1	0
Other	2,235	74.2%	9.5%	3.7%	11.8%	0.8%
Weapons	850	81.1	8.9	3.8	5.8	0.5
Immigration offenses	792	67.3	8.8	1.8	21.3	0.8
Tax law violations*	64	81.3	6.3	6.3	3.1	3.1
Bribery	17	70.6	5.9	17.6	0	5.9
Perjury, contempt, and intimidation	62	75.8	9.7	9.7	4.8	0
National defense	13	92.3	7.7	0	0	0
Escape	68	61.8	14.7	8.8	13.2	1.5
Racketeering and extortion	238	74.4	10.1	5.5	9.7	0.4
Gambling	8	—	—	—	—	—
Nonviolent sex offenses	84	70.2	17.9	4.8	6.0	1.2
Obscene material*	3	—	—	—	—	—
Traffic	19	84.2	0	5.3	10.5	0
Migratory birds	3	—	—	—	—	—
All other offenses*	14	71.4	7.1	0	7.1	14.3
Unknown or indeterminable offense	320	76.6%	10.9%	1.9%	10.0%	0.6%

Note: For further information, see *Chapter notes*, p. 84.

—Too few cases to obtain statistically reliable data.

*In this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses"

excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; and "All other offenses" includes offenses with unclassifiable offense type.

Chapter notes

Tables in chapter 6 were created from the AOUSC appeals database. Records of appeals filed or terminated during October 1, 1999, through September 30, 2000, were selected. Data include records of 9,162 criminal appeals filed during fiscal year 2000 and 10,580 appeals terminated during the same period.

The unit of analysis in the appeals data is a single case. Most records in the appeals data report on a single appellant. Appeals were classified into the offense categories that represent the underlying offense of conviction. Offenses represent the statutory offense charged against a defendant in a criminal appeal. Offenses were classified by the AOUSC into their four-digit offense codes. These were then aggregated into the offense categories shown in the tables.

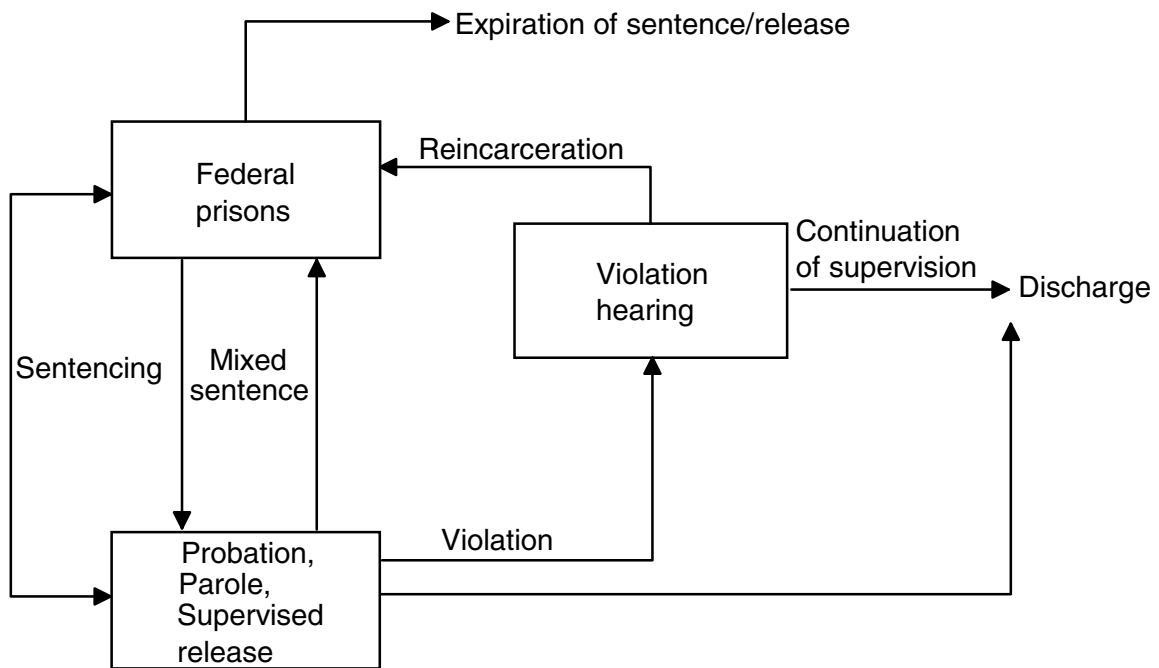
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Chapter 7

Corrections



Federal offenders under supervision (tables 7.1 and 7.2)

As of the end of fiscal year 2000, there were 99,264 offenders under active Federal supervision, of which most (90%) were felons. Sixty-nine percent of these offenders received one of two forms of post-incarceration supervision: supervised release (63,800) or parole (4,527). The remainder (30,937) were under probation supervision. Most of the probationer population had been convicted of either a property felony (38%) or some type of misdemeanor offense (32%). Fifty-three percent of offenders under supervised release and nearly 50% of parolees had been convicted of a drug offense.

Among the 99,264 offenders under active Federal supervision at the end of fiscal year 2000, 79% were male; 64% were white; 83% were of non-Hispanic origin; 38% were over age 40 (compared to 30% who were between 31-40 years of age and 31% who were 30 or younger); 36% had a high school diploma only (compared to 32% who had at least some college and 32% who had less than a high school diploma); and 64% had no known drug history.

Outcomes of offenders completing supervision (tables 7.3, 7.5, and 7.7)

Probation (table 7.3) — During 2000, 15,186 offenders completed one or more terms of active probation. Overall, 80% of offenders successfully completed their term of probation, another 18% violated their conditions of probation, and the remaining 2% were administrative closures. Of offenders terminating probation, 6% committed a new crime (figure 7.1). Most committed technical violations, including drug use (3%) or absconding (2%).

Offenders convicted of violent offenses were less likely than others to successfully complete a term of probation without a violation (figure 7.2). During 2000, 36% of probationers convicted of violent offenses violated their conditions of probation, as did 18% of drug, 15% of property, and

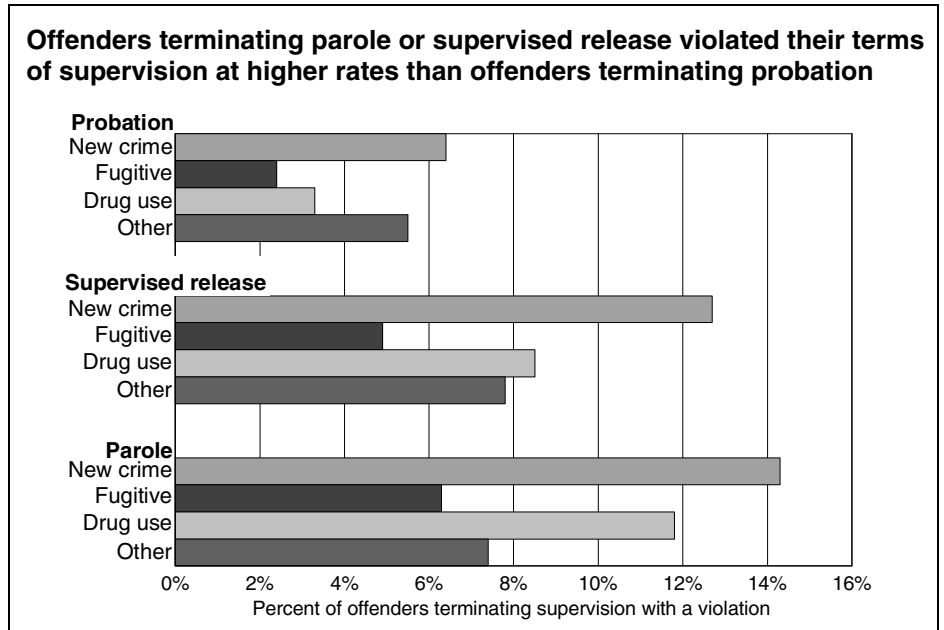


Figure 7.1. Violation rates of offenders terminating probation, supervised release, or parole, by type of violation, October 1, 1999 - September 30, 2000

10% of public-order offenders. Violent offenders were also more likely to commit new crimes (14%) than were probationers convicted of drug (7%), property (5%), and public-order (4%) offenses.

Supervised release (table 7.5) — During 2000, 22,972 offenders completed terms of supervised release. Overall, 64% of them successfully completed their term of supervised release; 21% committed technical violations, such as drug use (9%) or absconding (5%); and almost 13% of these offenders violated their probation supervision by committing a new crime. The remaining 2% had their supervision administratively terminated.

Violent offenders were less likely than others to complete a term of supervised release without a violation. Fifty-six percent of violent offenders violated conditions of supervised release, while 36% of public-order, 32% of drug, and 29% of property offenders violated supervised release. Violent offenders were also more likely to commit new crimes (20%) than offenders convicted of public-order (16%), drug (12%), or property (10%) offenses.

Parole (table 7.7) — During 2000, 1,985 offenders completed terms of parole. Overall, 55% of these offenders successfully completed their term of parole. During 2000, 14% of these offenders violated their supervision by committing a new crime; 26% committed technical violations, such as drug use (12%) or absconding (6%); and 5% completed their parole term through an administrative case closure.

Offenders convicted of violent offenses were less likely than others to complete a term of parole without a violation. Sixty percent of violent offenders violated conditions of parole, while 36% of public-order, 30% of drug, and 28% of property offenders violated parole. Violent offenders were also more likely to commit new crimes (21%) than offenders convicted of drug (12%), property (11%), or public-order (10%) offenses.

Characteristics of offenders completing supervision (tables 7.4, 7.6, and 7.8)

Probation (table 7.4) — Among offenders who completed a term of probation, 73% were male; 68% were white and 86% were of non-Hispanic origin; 33% were less than age 31

Offenders convicted of violent offenses were more likely than others to terminate supervision with a violation

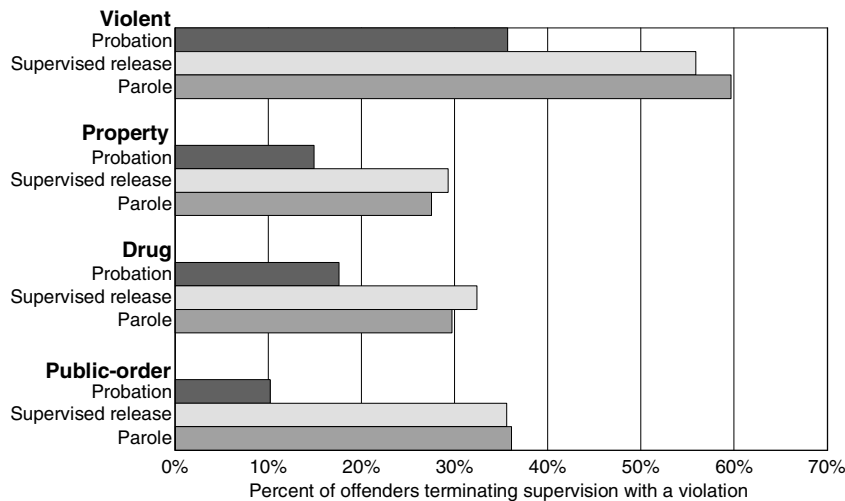


Figure 7.2. Violation rates of offenders completing probation, supervised release, or parole, by category of offense, October 1, 1999 - September 30, 2000

(compared to 21% over age 40); 25% had less than a high school diploma (compared to 38% whose highest education was a high school diploma and 37% who had at least some college education); and 78% had no known drug history.

Younger offenders, those with a history of drug abuse, and those with a lower educational background had higher probabilities of violating the conditions of probation. Offenders ages 16 to 20 were more likely (37%) to violate conditions of supervision than probationers in other age groups — 25% of those ages 21 to 30 and 13% of those over age 30.

Probationers with a history of drug abuse were 8 times more likely to violate probation for drug use than offenders who were not drug abusers. Probationers with known histories of drug abuse were also more likely to violate supervision for other reasons (fugitive status or new crimes) than were other probationers.

Probationers with lower levels of education were more likely to violate the conditions of probation than those with higher levels of education. Those who did not graduate high school had a 25% violation rate, those whose highest education was a high school

diploma had a 18% violation rate, those with some college had a 13% violation rate, and those with a college degree had only a 6% violation rate.

Supervised release (table 7.6) — Among those who completed a term of supervised release, 84% were male; 64% were white; 81% were of non-Hispanic origin; 25% were less than age 31 (41% were over age 40); 38% had only some high school (35% whose highest education was a high school diploma and 27% had at least some college); and 55% had no known drug history.

Younger offenders, those with a history of drug abuse, and those with a lower educational background had higher probabilities of violating the conditions of supervised release. Offenders under age 30 were more likely to violate conditions of supervision than offenders in other age groups — 52% of those under age 31 violated a condition of their supervision compared to 21% of those over age 40.

Releasees with a history of drug abuse were almost 4 times more likely to terminate their supervision for technical violations of drug use as were releasees who were not drug abusers. Releasees with known histories of

drug abuse were also more likely to violate supervision with technical violations or new crimes.

Similarly, releasees with lower levels of education were more likely to violate conditions of supervised release than those with higher levels of education. Those who did not graduate from high school had a 43% violation rate, those whose highest education was a high school diploma had a 34% violation rate, those with some college had a 23% violation rate, and those with a college degree had a 11% violation rate.

Parole (table 7.8) — Among those who completed a term of parole, 96% were male; 62% were white; 87% were of non-Hispanic origin; 83% were over age 40; 46% had only some high school (34% whose highest education was a high school diploma and 16% had at least some college); and 47% had no known drug history.

Offenders with a history of drug abuse and those with a lower educational background had higher probabilities of violating the conditions of parole. Releasees with a history of drug abuse were 3 times more likely to terminate their supervision for technical violations of drug use than were releasees who were not drug abusers. Releasees with known histories of drug abuse were also more likely to violate supervision with technical violations or new crimes.

Releasees with lower levels of education were usually more likely to violate conditions of parole than those with higher levels of education. Those whose highest education was a high school diploma had a 41% violation rate, those who did not graduate from high school had a 44% violation rate, those with some college had a 30% violation rate, and those with a college degree had a 15% violation rate.

Admissions, releases, and standing population of Federal prisoners (table 7.9)

The Federal prison population grew by 9,042 persons during fiscal year

2000, increasing from 120,287 sentenced prisoners to 129,329.¹ The greatest growth was among drug and public-order offenders, particularly immigration and weapons offenses. In 2000 the number of drug offenders in prison grew by 4,389 and the number of immigration offenders increased by 3,008.

Federal prisoners: First releases and time served (tables 7.11-7.14)

During 2000, 40,727 prisoners were released from Federal prison for the first time after serving a sentence imposed by a U.S. district court.² Of these, 36,613 were released by standard means. These standard releases served an average of 28.9 months (table 7.12) in prison — 91% of the sentence imposed, on average (table 7.14).³

The remaining 4,108 first releases were released by extraordinary means: 2,881 were released early due to participation in a drug treatment program; 346 were deported; and 881 were released for other reasons — including commutation, death or completion of an intensive confinement program (table 7.11). Drug offenders made up the majority of those released by extraordinary means (87%).

Time served until first release varied by offense: Violent offenders served an average of 53.8 months; drug offenders served an average of 41.1 months; public-order offenders served an average of 19.9 months; and property offenders served an average of 16.2 months (figure 7.4). During 2000

¹Tables 7.9-7.16 exclude prisoners sentenced by a District of Columbia Superior Court judge for violations of the DC Criminal Code.

²Tables 7.11-7.16 include only prisoners first released by the BOP during 2000.

³Average time to first release is the number of months in Bureau of Prisons facilities minus credits for time spent in jail prior to final disposition or sentencing. Percent of sentence served is the average percentage of each individual prisoner's percent of total sentence obligation served until first release.

Those having lower levels of education were more likely to violate conditions of supervision

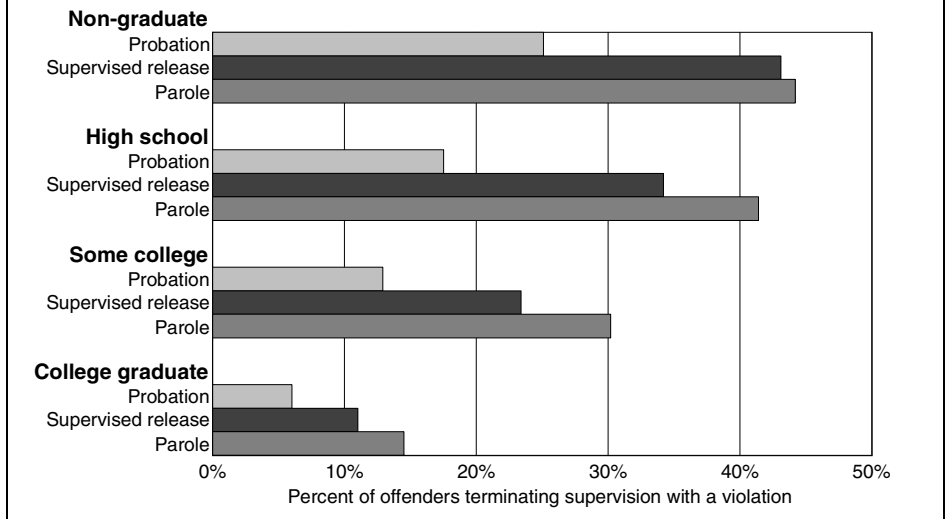


Figure 7.3. Rates of violation of conditions of supervision, by level of education, October 1, 1999 - September 30, 2000

the average time to first release for public-order offenders was influenced heavily by the relatively short time served by immigration offenders. Immigration offenders composed 65% of all released public-order offenders and, on average, served 13.3 months until first release. This was nearly 7 months fewer than the average time served for all public-order offenders (19.9 months). Exclusive of

immigration offenders, public-order offenders served an average of 32.3 months until first release (not shown in a table).

While violent and drug offenders served more time before first release, property and public-order offenders served more of their sentences than violent and drug offenders (figure 7.4).

Old law offenders — those who

On average, violent and drug offenders had longer imposed sentences, and served more time than property and public-order offenders

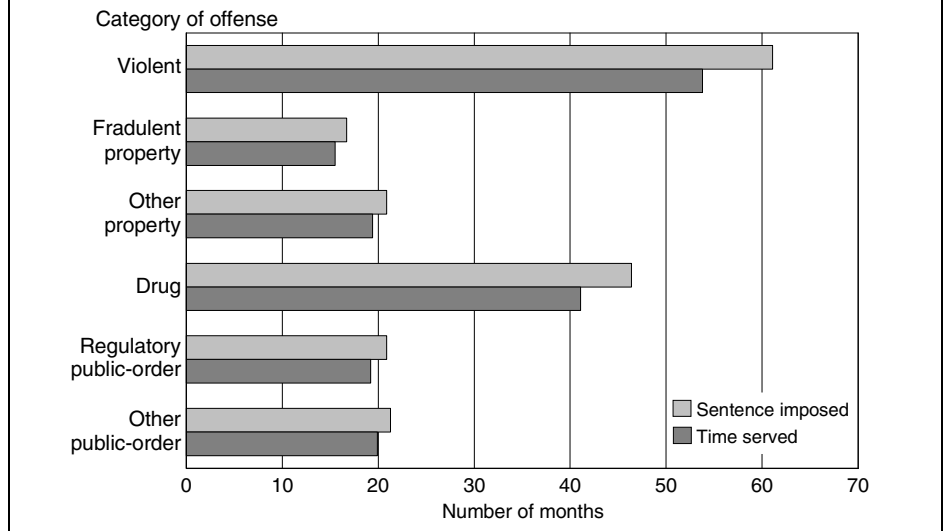
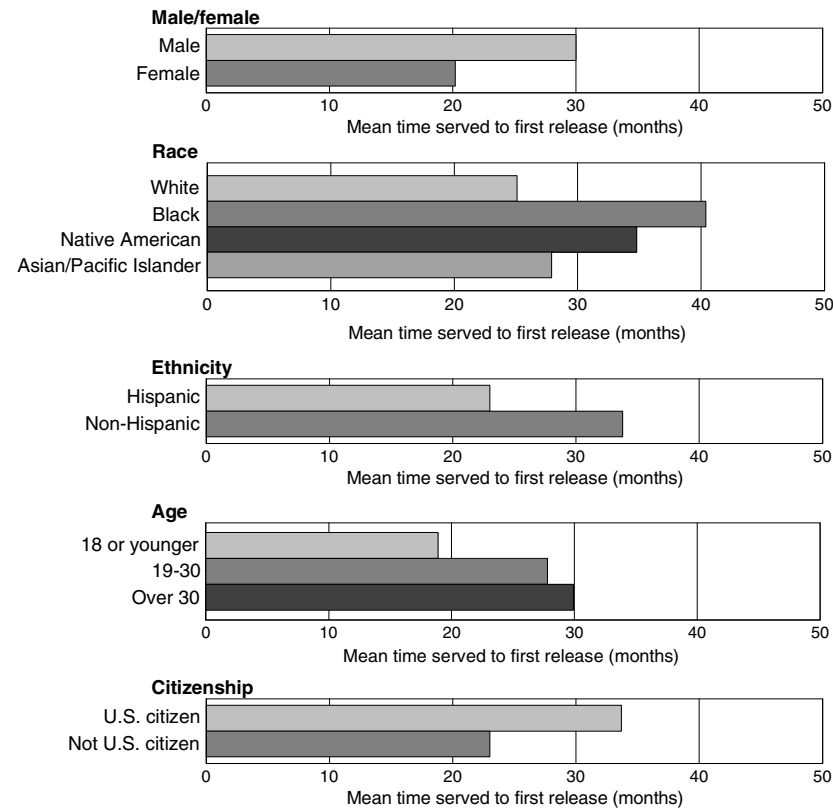


Figure 7.4. Mean lengths of sentence imposed and time served (in months), for offenders released from prison for the first time, by offense, October 1, 1999 - September 30, 2000

Males, blacks, non-Hispanics, older persons, and U.S. citizens served more time before first release



Note: Age reflects the age at which the offender entered Federal prison.

Figure 7.5. Characteristics of first releasees, October 1, 1999 - September 30, 2000

committed crimes before implementation of Federal Sentencing Guidelines in November 1987 — that were released in 2000 are not shown separately in any table. Only 1%, or 455, of released offenders were old law offenders. New law offenders released during 2000 served, on average, 27.9 months in prison (92% of the sentence imposed). Since the Guidelines became effective as of November 1987, new law offenders sentenced to terms of imprisonment greater than 177 months could not have been released by standard means as of the end of fiscal year 2000.⁴ They could have been released for extraordinary

reasons such as death, commutation, or treaty transfer.⁵

Characteristics of Federal prisoners (tables 7.10, 7.15, and 7.16)

Standing population (table 7.10) — Of prisoners in Federal prison at the end of 2000, 93% were male, 58% were white, 39% were black, 31% were Hispanic, and 72% were U.S. citizens. Fifty-four percent of the yearend population were 31 years of age or older. This portrait of the Federal prison population was similar across offenses, except for the ethnicity and citizenship of violent and property offenders. More than 92% of

these offenders were non-Hispanic and U.S. citizens.

Prisoners released (table 7.15) —

Of prisoners released during 2000, 88% were male, 73% were white, 24% were black, 44% were Hispanic, and 58% were U.S. citizens. Fifty-four percent were 31 years of age or older. These patterns were most similar for those released for drug offenses, and least similar for offenders released for violent offenses. Ninety-two percent of released violent offenders were male, 49% were white, 24% were black, 8% were Hispanic and 95% were U.S. citizens.

Time served to first release (table 7.16) —

Of prisoners released by standard methods, males served more time than females (30.0 months versus 20.2 months); blacks served more time than whites (40.4 months versus 25.1 months); and non-Hispanics served more time than Hispanics (33.8 months versus 23.0 months). Older persons served more time than younger (until over age 40), and U.S. citizens served more time than noncitizens (figure 7.5). However, across offenses, the overall pattern does not apply. For example, blacks served more time on average than whites, but among property offenders released from prison, whites served more time than blacks. White offenders served an average of 21.0 months for non-fraudulent property offenses compared to 16.4 months by black offenders. Among violent offenders, Hispanics and non-Hispanics both served about 54 months in prison before being released.

⁴The Federal Sentencing Guidelines allow a prisoner up to 54 days per year for good behavior, so a prisoner sentenced to 177 months in prison in November 1987 could have served 154 months of his or her sentence and been released in 2000.

⁵Prisoners released for extraordinary reasons have been excluded from all time served and percent of sentence served calculations.

Table 7.1. Federal offenders under supervision, by offense, September 30, 2000

Most serious offense of conviction ^a	Total offenders under supervision		Type of supervision					
	Number	Percent	Probation		Supervised release		Parole	
			Number	Percent	Number	Percent	Number	Percent
All offenses^b	99,264	100%	30,937	100%	63,800	100%	4,527	100%
Felonies^c	88,847	89.7%	21,066	68.4%	63,262	99.3%	4,519	99.9%
Violent offenses	5,795	5.9%	642	2.1%	3,819	6.0%	1,334	29.5%
Murder ^d	355	0.4	34	0.1	171	0.3	150	3.3
Negligent manslaughter	10	—	0	0	9	—	1	—
Assault	595	0.6	176	0.6	364	0.6	55	1.2
Robbery	4,200	4.2	317	1.0	2,888	4.5	995	22.0
Sexual abuse ^d	403	0.4	103	0.3	266	0.4	34	0.8
Kidnaping	180	0.2	6	—	76	0.1	98	2.2
Threats against the President	52	0.1	6	—	45	0.1	1	—
Property offenses	28,697	29.0%	11,765	38.2%	16,471	25.8%	461	10.2%
Fraudulent	23,846	24.1%	9,481	30.8%	14,103	22.1%	262	5.8%
Embezzlement	3,343	3.4	1,059	3.4	2,270	3.6	14	0.3
Fraud ^d	17,733	17.9	7,075	23.0	10,441	16.4	217	4.8
Forgery	525	0.5	271	0.9	239	0.4	15	0.3
Counterfeiting	2,245	2.3	1,076	3.5	1,153	1.8	16	0.4
Other	4,851	4.9%	2,284	7.4%	2,368	3.7%	199	4.4%
Burglary	264	0.3	76	0.2	124	0.2	64	1.4
Larceny ^d	3,322	3.4	1,820	5.9	1,422	2.2	80	1.8
Motor vehicle theft	417	0.4	125	0.4	275	0.4	17	0.4
Arson and explosives	344	0.3	67	0.2	252	0.4	25	0.6
Transportation of stolen property	425	0.4	157	0.5	256	0.4	12	0.3
Other property offenses ^d	79	0.1	39	0.1	39	0.1	1	—
Drug offenses	39,616	40.0%	3,414	11.1%	33,992	53.3%	2,210	48.8%
Trafficking	35,362	35.7	3,044	9.9	30,320	47.6	1,998	44.2
Other drug offenses	4,254	4.3	370	1.2	3,672	5.8	212	4.7
Public-order offenses	14,527	14.7%	5,096	16.6%	8,919	14.0%	512	11.3%
Regulatory	2,410	2.4%	1,391	4.5%	987	1.5%	32	0.7%
Agriculture	91	0.1	66	0.2	25	—	0	0
Antitrust	18	—	15	—	3	—	0	0
Food and drug	70	0.1	54	0.2	15	—	1	—
Transportation	82	0.1	46	0.1	33	0.1	3	0.1
Civil rights	148	0.1	31	0.1	112	0.2	5	0.1
Communications	115	0.1	73	0.2	41	0.1	1	—
Custom laws	152	0.2	83	0.3	69	0.1	0	0
Postal laws	134	0.1	89	0.3	43	0.1	2	—
Other regulatory offenses	1,600	1.6	934	3.0	646	1.0	20	0.4
Other	12,117	12.2%	3,705	12.0%	7,932	12.4%	480	10.6%
Weapons	4,517	4.6	692	2.2	3,656	5.7	169	3.7
Immigration offenses	1,535	1.5	674	2.2	856	1.3	5	0.1
Tax law violations ^d	1,587	1.6	936	3.0	631	1.0	20	0.4
Bribery	379	0.4	208	0.7	168	0.3	3	0.1
Perjury, contempt, and intimidation	389	0.4	154	0.5	222	0.3	13	0.3
National defense	55	0.1	25	0.1	16	—	14	0.3
Escape	287	0.3	49	0.2	218	0.3	20	0.4
Racketeering and extortion	1,987	2.0	424	1.4	1,379	2.2	184	4.1
Gambling	236	0.2	137	0.4	98	0.2	1	—
Nonviolent sex offenses	669	0.7	175	0.6	455	0.7	39	0.9
Obscene material ^d	70	0.1	27	0.1	43	0.1	0	0
Migratory birds	6	—	3	—	3	—	0	0
All other offenses	400	0.4	201	0.7	187	0.3	12	0.3
Misdemeanors^d	10,417	10.5%	9,871	32.1%	538	0.8%	8	0.2%
Fraudulent property offenses	1,321	1.3	1,262	4.1	59	0.1	0	0
Larceny	1,371	1.4	1,271	4.1	100	0.2	0	0
Drug possession ^d	1,638	1.7	1,504	4.9	130	0.2	4	0.1
Immigration misdemeanors	665	0.7	655	2.1	10	—	0	0
Traffic offenses	2,306	2.3	2,239	7.3	66	0.1	1	—
Other misdemeanors	3,116	3.1	2,940	9.5	173	0.3	3	0.1

—Less than .05%.

^aSee Chapter notes, item 1, p. 106, and "Offense classifications" in *Methodology*, p. 109.

^bTotal includes offenders whose offense category could not be determined; see Chapter notes, item 2, p. 106.

^cThere are 212 felony offenders for whom an offense category was unknown or indeterminable. This includes 149 offenders under probation, 61 under supervised release, and 2 under parole.

^dIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 7.2. Characteristics of Federal offenders under supervision, September 30, 2000

Offender characteristic	Total offenders under supervision		Type of supervision					
	Number	Percent	Probation		Supervised release		Parole	
			Number	Percent	Number	Percent	Number	Percent
All offenders*	99,264	100%	30,937	100%	63,800	100%	4,527	100%
Male/female								
Male	77,795	78.5%	21,248	68.8%	52,212	81.9%	4,335	95.8%
Female	21,368	21.5	9,640	31.2	11,540	18.1	188	4.2
Race								
White	62,680	63.9%	20,555	67.2%	39,427	62.4%	2,698	61.0%
Black	30,694	31.3	7,985	26.1	21,082	33.4	1,627	36.8
Native American	2,114	2.2	938	3.1	1,107	1.8	69	1.6
Asian/Pacific Islander	2,678	2.7	1,103	3.6	1,549	2.5	26	0.6
Ethnicity								
Hispanic	16,770	17.0%	4,586	14.9%	11,620	18.3%	564	12.5%
Non-Hispanic	81,807	83.0	26,134	85.1	51,738	81.7	3,935	87.5
Age								
16-18 years	498	0.5%	461	1.5%	37	0.1%	0	0%
19-20 years	2,095	2.1	1,301	4.2	794	1.2	0	0
21-30 years	28,442	28.7	9,046	29.4	19,225	30.1	171	3.8
31-40 years	30,175	30.4	8,480	27.5	20,792	32.6	903	20.0
Over 40 years	37,906	38.2	11,503	37.4	22,952	36.0	3,451	76.3
Education								
Less than high school graduate	31,520	32.2%	7,579	25.1%	22,091	35.0%	1,850	41.7%
High school graduate	35,114	35.9	10,594	35.0	22,944	36.3	1,576	35.6
Some college	22,116	22.6	8,015	26.5	13,340	21.1	761	17.2
College graduate	9,112	9.3	4,039	13.4	4,827	7.6	246	5.5
Drug abuse								
No known abuse	63,379	63.8%	24,603	79.5%	36,320	56.9%	2,456	54.3%
Drug history	35,885	36.2	6,334	20.5	27,480	43.1	2,071	45.7

*Includes offenders with unknown characteristics.

Table 7.3. Outcomes of probation supervision, by offense, October 1, 1999 - September 30, 2000

Most serious offense of conviction ^a	Number of probation terminations	Percent of probation supervisions terminating with—					
		No violation	Technical violations ^b			New crime ^c	Administrative case closures
			Drug use	Fugitive status	Other		
All offenses	15,186	80.4%	3.3%	2.4%	5.5%	6.4%	1.9%
Felonies	7,629	82.9%	3.0%	2.2%	4.3%	5.4%	2.2%
Violent offenses	232	61.6%	6.0%	4.7%	10.8%	14.2%	2.6%
Murder ^d	9	—	—	—	—	—	—
Negligent manslaughter	2	—	—	—	—	—	—
Assault	67	55.2	4.5	9.0	9.0	17.9	4.5
Robbery	112	67.9	8.0	1.8	7.1	12.5	2.7
Sexual abuse ^d	37	54.1	2.7	5.4	24.3	13.5	0
Kidnaping	1	—	—	—	—	—	—
Threats against the President	4	—	—	—	—	—	—
Property offenses	4,116	83.2%	3.2%	2.3%	4.2%	5.2%	1.9%
Fraudulent	3,306	84.8%	2.7%	2.2%	3.8%	4.8%	1.7%
Embezzlement	351	88.6	2.3	1.1	4.0	3.7	0.3
Fraud ^d	2,461	86.7	1.7	1.8	3.6	4.3	1.9
Forgery	111	81.1	3.6	5.4	4.5	4.5	0.9
Counterfeiting	383	69.7	9.7	4.7	5.0	8.6	2.3
Other	810	77.0%	5.2%	2.7%	5.6%	7.0%	2.5%
Burglary	27	37.0	18.5	14.8	3.7	22.2	3.7
Larceny ^d	646	78.0	5.1	2.8	5.1	6.2	2.8
Motor vehicle theft	44	84.1	2.3	0	4.5	9.1	0
Arson and explosives	26	80.8	3.8	0	7.7	3.8	3.8
Transportation and stolen property	49	79.6	2.0	0	10.2	8.2	0
Other property offenses ^d	18	72.2	5.6	0	11.1	11.1	0
Drug offenses	1,192	80.4%	3.4%	2.4%	5.0%	6.8%	2.0%
Trafficking	1,030	79.9	3.6	2.4	5.1	6.8	2.1
Possession and other drug offenses	162	83.9	2.5	1.9	3.7	6.8	1.2
Public-order offenses	2,009	87.5%	2.0%	1.4%	3.1%	3.7%	2.3%
Regulatory	563	89.5%	1.6%	1.1%	3.2%	2.8%	1.8%
Agriculture	30	96.7	0	0	0	0	3.3
Antitrust	7	—	—	—	—	—	—
Food and drug	14	100	0	0	0	0	0
Transportation	20	95.0	0	0	0	5.0	0
Civil rights	25	96.0	0	0	4.0	0	0
Communications	27	92.6	0	0	3.7	3.7	0
Custom laws	39	97.4	0	0	0	2.6	0
Postal laws	40	82.5	2.5	2.5	7.5	2.5	2.5
Other regulatory offenses	361	87.3	2.2	1.4	3.6	3.3	2.2
Other	1,446	86.7%	2.1%	1.6%	3.0%	4.0%	2.5%
Weapons	229	72.9	7.0	1.7	7.4	6.1	4.8
Immigration offenses	283	77.0	3.2	3.9	4.6	7.8	3.5
Tax law violations ^d	398	94.7	0	1.0	0.8	1.5	2.0
Bribery	80	93.8	0	2.5	2.5	1.3	0
Perjury, contempt, and intimidation	58	94.8	1.7	0	0	3.4	0
National defense	10	—	—	—	—	—	—
Escape	21	76.2	14.3	0	9.5	0	0
Racketeering and extortion	173	91.9	0.6	0	1.2	3.5	2.9
Gambling	79	96.2	0	1.3	0	1.3	1.3
Nonviolent sex offenses	48	81.3	2.1	0	8.3	8.3	0
Obscene material ^d	9	—	—	—	—	—	—
All other offenses	58	93.1	0	1.7	1.7	3.4	0
Misdemeanors^d	7,557	78.0%	3.6%	2.7%	6.8%	7.4%	1.6%
Fraudulent property offense	683	88.0	2.0	2.2	3.2	2.8	1.8
Larceny	856	81.2	4.1	1.6	7.5	4.3	1.3
Drug possession ^d	1,412	73.4	7.8	2.2	7.7	6.9	2.0
Immigration	417	40.3	2.2	7.9	9.6	39.1	1.0
Traffic offenses	2,427	81.0	2.3	2.3	7.2	6.2	1.0
Other misdemeanors	1,762	80.8	2.8	3.1	5.8	5.2	2.3

Note: Offenses for 80 felony offenders could not be classified. See *Chapter notes*, item 3, p. 106.

—Too few cases to obtain statistically reliable data.

^aSee *Chapter notes*, item 1, p. 106, and "Offense classifications" in *Methodology*, p. 109.

^bSupervision terminated with incarceration or removal to inactive status for violation of supervision conditions other than charges for new offenses.

^cSupervision terminated with incarceration or removal to inactive status after arrest for a "major" or "minor" offense.

^dIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 7.4. Characteristics of offenders terminating probation supervision, October 1, 1999 - September 30, 2000

Offender characteristic	Number of probation terminations	Percent terminating probation with—					New crime ^b	Administrative case closures
		No violation	Technical violations ^a					
			Drug use	Fugitive status	Other			
All offenders^c	15,186	80.4%	3.3%	2.4%	5.5%	6.4%	1.9%	
Male/female								
Male	11,124	78.8%	3.5%	2.5%	6.0%	7.1%	2.1%	
Female	4,027	84.8	2.8	2.2	4.5	4.3	1.5	
Race								
White	10,100	82.2%	2.9%	2.1%	4.5%	6.4%	1.9%	
Black	3,796	76.3	4.5	2.9	8.3	6.6	1.4	
Native American	466	58.6	4.9	7.9	11.2	10.9	6.4	
Asian/Pacific Islander	530	89.4	1.3	1.3	2.8	3.0	2.1	
Ethnicity								
Hispanic	2,045	70.1%	3.4%	4.5%	6.8%	13.2%	2.0%	
Non-Hispanic	12,994	82.0	3.3	2.1	5.3	5.4	1.9	
Age								
16-18 years	186	48.9%	8.6%	8.1%	12.4%	14.0%	8.1%	
19-20 years	596	62.2	7.0	6.4	10.7	11.4	2.2	
21-30 years	4,291	73.2	4.6	3.7	7.7	9.4	1.5	
31-40 years	4,139	81.1	3.6	2.3	5.3	6.2	1.4	
Over 40 years	5,961	88.1	1.6	1.0	3.4	3.6	2.3	
Education								
Less than high school graduate	3,641	72.1%	5.3%	4.7%	8.0%	7.1%	2.8%	
High school graduate	5,441	80.9	3.6	2.3	5.7	5.9	1.6	
Some college	3,614	85.4	2.5	1.2	4.5	4.7	1.7	
College graduate	1,763	92.4	0.5	0.6	2.2	2.7	1.6	
Drug abuse								
No known abuse	11,838	84.7%	1.3%	1.9%	4.8%	5.5%	1.8%	
Drug history	3,348	65.3	10.5	4.5	8.2	9.5	2.2	

^aViolation of supervision conditions other than charges for new offenses.

^cIncludes offenders with unknown characteristics.

^bIncludes both "major" and "minor" offenses.

Table 7.5. Outcomes of supervised release, by offense, October 1, 1999 - September 30, 2000

	Number of supervised release terminations	Percent of supervised releases terminating with—					
		No violation	Technical violations ^b			New crime ^c	Administrative case closures
			Drug use	Fugitive status	Other		
Most serious offense of conviction^a							
All offenses	22,972	63.9%	8.5%	4.9%	7.8%	12.7%	2.1%
Felonies	22,383	63.9%	8.5%	4.8%	7.8%	12.7%	2.1%
Violent offenses	1,737	41.6%	13.2%	8.5%	14.3%	19.9%	2.4%
Murder ^d	67	44.8	7.5	4.5	28.4	13.4	1.5
Negligent manslaughter	4	—	—	—	—	—	—
Assault	228	38.2	10.1	8.3	19.3	21.9	2.2
Robbery	1,269	41.2	15.1	8.4	12.6	20.2	2.5
Sexual abuse ^d	118	48.3	6.8	9.3	16.9	17.8	0.8
Kidnaping	23	65.2	13.0	13.0	0	8.7	0
Threats against the President	28	35.7	0	10.7	21.4	25.0	7.1
Property offenses	6,208	68.8%	6.5%	5.1%	7.8%	9.9%	2.0%
Fraudulent	5,045	71.2%	5.8%	4.6%	7.4%	9.1%	1.9%
Embezzlement	720	84.6	3.3	1.9	5.4	3.5	1.3
Fraud ^d	3,735	71.9	5.5	4.5	7.0	9.1	2.0
Forgery	132	58.3	8.3	5.3	12.1	12.9	3.0
Counterfeiting	458	48.0	11.1	9.2	12.4	17.5	1.7
Other	1,163	58.3%	9.6%	7.4%	9.2%	13.3%	2.2%
Burglary	86	32.6	15.1	15.1	11.6	23.3	2.3
Larceny ^d	717	55.3	10.6	8.5	10.5	13.4	1.7
Motor vehicle theft	120	66.7	5.0	5.8	5.8	13.3	3.3
Arson and explosives	100	63.0	12.0	2.0	11.0	10.0	2.0
Transportation and stolen property	115	80.9	3.5	2.6	1.7	7.8	3.5
Other property offenses ^d	25	68.0	4.0	0	8.0	12.0	8.0
Drug offenses	10,176	65.3%	9.3%	4.2%	6.8%	12.1%	2.3%
Trafficking	9,118	64.5	9.5	4.2	7.1	12.3	2.4
Possession and other drug offenses	1,058	71.5	7.2	3.7	4.8	10.8	2.0
Public-order offenses	4,229	62.6%	7.8%	4.6%	7.7%	15.5%	1.8%
Regulatory	511	75.1%	6.8%	5.3%	4.5%	6.5%	1.8%
Agriculture	15	73.3	0	0	6.7	6.7	13.3
Antitrust	4	—	—	—	—	—	—
Food and drug	7	—	—	—	—	—	—
Transportation	13	69.2	7.7	0	7.7	7.7	7.7
Civil rights	46	78.3	6.5	0	4.3	10.9	0
Communications	18	83.3	0	0	5.6	11.1	0
Custom laws	13	69.2	15.4	0	0	7.7	7.7
Postal laws	25	68.0	12.0	4.0	8.0	8.0	0
Other regulatory offenses	370	75.1	7.0	7.0	4.3	5.1	1.4
Other	3,718	60.9%	7.9%	4.5%	8.1%	16.7%	1.9%
Weapons	1,667	55.7	12.2	4.0	9.8	15.8	2.5
Immigration offenses	616	35.6	5.2	9.4	7.6	41.2	1.0
Tax law violations ^d	328	90.2	1.8	0.9	3.7	1.8	1.5
Bribery	79	87.3	1.3	2.5	3.8	3.8	1.3
Perjury, contempt, and intimidation	106	74.5	4.7	3.8	6.6	8.5	1.9
National defense	10	—	—	—	—	—	—
Escape	164	47.6	13.4	12.2	13.4	12.8	0.6
Racketeering and extortion	479	81.6	4.4	1.5	5.4	5.6	1.5
Gambling	40	87.5	0	0	0	12.5	0
Nonviolent sex offenses	112	75.0	0.9	1.8	7.1	12.5	2.7
Obscene material ^d	16	81.3	0	0	0	18.8	0
Migratory birds	1	—	—	—	—	—	—
All other offenses	100	61.0	4.0	4.0	11.0	17.0	3.0
Misdemeanors^d	589	65.0%	9.2%	5.4%	7.1%	11.7%	1.5%
Fraudulent property offense	64	75.0	6.3	4.7	3.1	7.8	3.1
Larceny	140	57.1	12.9	7.1	10.0	12.1	0.7
Drug possession ^d	134	54.5	10.4	10.4	9.0	12.7	3.0
Immigration	9	—	—	—	—	—	—
Traffic offenses	80	67.5	10.0	1.3	7.5	13.8	0
Other misdemeanors	162	73.5	6.2	2.5	4.9	11.7	1.2

Note: Offenses for 33 felony offenders could not be determined; see *Chapter notes*, item 3, p. 106.

—Too few cases to obtain statistically reliable data.

^aSee *Chapter notes*, item 1, p. 106, and "Offense classifications" in *Methodology*, p. 109.

^bSupervision terminated with incarceration or removal to inactive status for violation of supervision conditions other than charges for new offenses.

^cSupervision terminated with incarceration or removal to inactive status after arrest for a "major" or "minor" offense.

^dIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 7.6. Characteristics of offenders terminating supervised release, October 1, 1999 - September 30, 2000

Offender characteristic	Number of supervised release terminations	Percent terminating supervised release with—					New crime ^b	Administrative case closures
		No violation	Technical violations ^a					
			Drug use	Fugitive status	Other			
All offenders^c	22,972	63.9%	8.5%	4.9%	7.8%	12.7%	2.1%	
Male/female								
Male	19,388	61.8%	8.9%	5.1%	8.2%	13.8%	2.2%	
Female	3,568	75.5	6.6	3.4	6.0	6.9	1.7	
Race								
White	14,682	68.4%	7.4%	4.6%	6.3%	11.1%	2.2%	
Black	6,994	55.4	11.4	4.7	10.2	16.2	2.1	
Native American	552	37.7	6.3	14.3	18.1	21.4	2.2	
Asian/Pacific Islander	543	78.1	5.5	4.6	6.6	4.1	1.1	
Ethnicity								
Hispanic	4,203	57.1%	8.3%	7.6%	7.9%	17.2%	1.8%	
Non-Hispanic	18,593	65.5	8.6	4.2	7.8	11.8	2.2	
Age								
16-18 years	4	—	—	—	—	—	—	
19-20 years	122	26.2	9.8	16.4	23.0	22.1	2.5	
21-30 years	5,632	47.3	11.7	7.8	11.9	19.9	1.5	
31-40 years	7,846	61.3	10.3	5.1	8.0	13.7	1.7	
Over 40 years	9,367	76.7	5.2	2.8	5.0	7.5	2.9	
Education								
Less than high school graduate	8,518	54.7%	11.0%	6.5%	9.4%	16.2%	2.2%	
High school graduate	7,979	63.6	9.2	4.5	7.9	12.6	2.2	
Some college	4,457	74.7	5.6	3.5	6.2	8.1	1.9	
College graduate	1,707	86.9	1.3	1.7	3.8	4.2	2.1	
Drug abuse								
No known abuse	12,537	72.5%	3.8%	3.9%	6.3%	11.4%	2.2%	
Drug history	10,435	53.7	14.2	6.0	9.7	14.4	2.1	

—Too few cases to obtain statistically reliable data.

^aViolation of supervision conditions other than charges for new offenses.

^bIncludes both "major" and "minor" offenses.

^cIncludes offenders with unknown characteristics.

Table 7.7. Outcomes of parole, by offense, October 1, 1999 - September 30, 2000

Most serious offense of conviction ^a	Number of parole terminations	Percent of paroles terminating with—					
		Technical violations ^b				New crime ^c	Administrative case closures
		No violation	Drug use	Fugitive status	Other		
All offenses	1,985	55.3%	11.8%	6.3%	7.4%	14.3%	4.9%
Felonies	1,982	55.3%	11.8%	6.3%	7.4%	14.3%	4.9%
Violent offenses	638	35.6%	20.8%	8.5%	9.9%	20.5%	4.7%
Murder ^d	36	33.3	2.8	8.3	22.2	22.2	11.1
Assault	22	22.7	22.7	22.7	4.5	22.7	4.5
Robbery	524	35.7	22.5	7.6	8.8	20.6	4.8
Sexual abuse ^d	21	38.1	14.3	0	23.8	23.8	0
Kidnaping	33	39.4	18.2	18.2	9.1	15.2	0
Threats against the President	2	—	—	—	—	—	—
Property offenses	218	68.3%	5.5%	5.0%	5.5%	11.5%	4.1%
Fraudulent	130	73.8%	3.1%	3.8%	3.8%	11.5%	3.8%
Embezzlement	14	71.4	0	0	0	28.6	0
Fraud ^d	93	77.4	2.2	3.2	3.2	8.6	5.4
Forgery	15	46.7	13.3	6.7	13.3	20.0	0
Counterfeiting	8	—	—	—	—	—	—
Other	88	60.2%	9.1%	6.8%	8.0%	11.4%	4.5%
Burglary	20	40.0	20.0	15.0	5.0	15.0	5.0
Larceny ^d	34	73.5	8.8	0	5.9	8.8	2.9
Motor vehicle theft	13	38.5	0	23.1	7.7	23.1	7.7
Arson and explosives	10	—	—	—	—	—	—
Transportation and stolen property	9	—	—	—	—	—	—
Other property offenses ^d	2	—	—	—	—	—	—
Drug offenses	924	64.7%	8.0%	4.5%	5.6%	11.6%	5.5%
Trafficking	836	64.6	8.0	4.9	5.9	11.4	5.3
Possession and other drug offenses	88	65.9	8.0	1.1	3.4	13.6	8.0
Public-order offenses	202	60.4%	6.9%	8.9%	9.9%	10.4%	3.5%
Regulatory	11	90.9%	0%	0%	0%	0%	9.1%
Other	191	58.6%	7.3%	9.4%	10.5%	11.0%	3.1%
Weapons	70	47.1	5.7	10.0	15.7	18.6	2.9
Immigration offenses	2	—	—	—	—	—	—
Tax law violations ^d	9	—	—	—	—	—	—
Bribery	1	—	—	—	—	—	—
Perjury, contempt, and intimidation	3	—	—	—	—	—	—
National defense	3	—	—	—	—	—	—
Escape	23	39.1	17.4	21.7	4.3	13.0	4.3
Racketeering and extortion	63	79.4	4.8	0	6.3	4.8	4.8
Nonviolent sex offenses	12	41.7	0	33.3	16.7	8.3	0
All other offenses	5	—	—	—	—	—	—
Misdemeanors^d	3	—	—	—	—	—	—

—Too few cases to obtain statistically reliable data.

^aSee *Chapter notes*, item 1, p. 106, and "Offense classifications" in *Methodology*, p. 109.

^bSupervision terminated with incarceration or removal to inactive status for violation of supervision conditions other than charges for new offenses.

^cSupervision terminated with incarceration or removal to inactive status after arrest for a "major" or "minor" offense.

^dIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; and "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels.

Table 7.8. Characteristics of offenders terminating parole, October 1, 1999 - September 30, 2000

Offender characteristic	Number of parole terminations	Percent terminating parole with—					New crime ^b	Administrative case closures
		No violation	Technical violations ^a					
			Drug use	Fugitive status	Other			
All offenders^c	1,985	55.3%	11.8%	6.3%	7.4%	14.3%	4.9%	
Male/female								
Male	1,905	55.4%	11.7%	6.2%	7.5%	14.5%	4.8%	
Female	78	52.6	15.4	9.0	6.4	9.0	7.7	
Race								
White	1,205	63.9%	7.6%	5.5%	6.2%	11.7%	5.1%	
Black	695	41.4	18.7	7.8	8.3	18.7	5.0	
Native American	32	28.1	12.5	6.3	31.3	18.8	3.1	
Asian/Pacific Islander	12	75.0	0	8.3	8.3	8.3	0	
Ethnicity								
Hispanic	260	63.5%	6.9%	6.5%	5.0%	12.3%	5.8%	
Non-Hispanic	1,713	54.1	12.6	6.2	7.7	14.7	4.7	
Age								
19-20 years	1	—	—	—	—	—	—	
21-30 years	26	34.6	11.5	7.7	15.4	23.1	7.7	
31-40 years	318	47.8	13.2	6.0	10.1	19.8	3.1	
Over 40 years	1,639	57.1	11.5	6.3	6.8	13.1	5.2	
Education								
Less than high school graduate	900	50.2%	14.2%	6.7%	8.4%	14.9%	5.6%	
High school graduate	661	54.5	10.9	6.8	8.0	15.7	4.1	
Some college	315	65.4	8.9	5.1	5.1	11.1	4.4	
College graduate	89	78.7	2.2	3.4	2.2	6.7	6.7	
Drug abuse								
No known abuse	934	66.3%	5.4%	5.1%	6.4%	10.8%	6.0%	
Drug history	1,051	45.6	17.5	7.3	8.3	17.4	3.9	

—Too few cases to obtain statistically reliable data.

^aViolation of supervision conditions other than charges for new offenses.

^bIncludes both "major" and "minor" offenses.

^cIncludes offenders with unknown characteristics.

Table 7.9. Admissions and releases of Federal prisoners, by offense, October 1, 1999 - September 30, 2000

Most serious original offense of conviction ^a	Population at start of year	Prisoners received			Prisoners released			Population at end of year	Net population change
		District court		All other	First release				
		1 year or less	Over 1 year		1 year or less	Over 1 year	All other		
All offenses	120,287	10,633	39,045	15,240	10,514	30,206	15,156	129,329	9,042
Violent offenses	12,993	154	2,029	2,412	157	1,913	2,545	12,973	-20
Murder/manslaughter ^b	1,151	4	99	151	11	86	184	1,124	-27
Assault	868	79	210	429	84	245	404	853	-15
Robbery	9,435	54	1,454	1,489	46	1,355	1,581	9,450	15
Sexual abuse ^b	790	16	190	232	14	157	250	807	17
Kidnaping	663	0	64	44	0	53	55	663	0
Threats against the President	86	1	12	67	2	17	71	76	-10
Property offenses	9,736	2,544	4,278	3,684	2,485	4,158	3,750	9,849	113
Fraudulent	7,312	2,098	3,587	2,391	2,068	3,422	2,401	7,497	185
Embezzlement	327	271	173	150	258	148	152	363	36
Fraud ^b	6,104	1,595	2,981	1,740	1,580	2,882	1,772	6,186	82
Forgery	294	49	81	177	48	74	173	306	12
Counterfeiting	587	183	352	324	182	318	304	642	55
Other	2,424	446	691	1,293	417	736	1,349	2,352	-72
Burglary	272	12	67	182	11	51	191	280	8
Larceny ^b	937	312	288	759	303	297	773	923	-14
Motor vehicle theft	229	21	76	73	17	79	75	228	-1
Arson and explosives	202	6	37	63	2	41	57	208	6
Transportation of stolen property	232	31	78	42	29	95	46	213	-19
Other property offenses ^b	552	64	145	174	55	173	207	500	-52
Drug offenses	69,000	1,287	20,163	4,997	1,246	15,780	5,032	73,389	4,389
Trafficking	68,286	1,167	20,090	4,579	1,118	15,709	4,520	72,775	4,489
Possession and other drug offenses	714	120	73	418	128	71	512	614	-100
Public-order offenses	27,422	6,358	12,185	3,781	6,343	8,077	3,471	31,855	4,433
Regulatory	1,195	212	469	251	213	466	243	1,205	10
Other	26,227	6,146	11,716	3,530	6,130	7,611	3,228	30,650	4,423
Weapons	9,702	157	2,888	987	153	1,942	987	10,652	950
Immigration offenses	10,668	5,240	6,765	1,146	5,211	4,016	916	13,676	3,008
Tax law violations ^b	407	148	235	80	144	167	73	486	79
Bribery	74	33	38	15	27	27	17	89	15
Perjury, contempt, and intimidation	126	25	44	37	30	60	32	110	-16
National defense	57	8	11	8	9	10	9	56	-1
Escape	378	56	102	99	70	141	105	319	-59
Racketeering and extortion	3,995	91	1,225	259	91	993	253	4,233	238
Gambling	1	1	0	0	1	0	0	1	0
Liquor offenses	1	0	1	0	1	1	0	0	-1
Nonviolent sex offenses	168	15	63	44	13	48	37	192	24
Obscene material ^b	345	18	281	38	14	122	33	513	168
Traffic offenses	140	290	17	711	294	36	667	161	21
Migratory birds	15	8	2	12	7	4	10	16	1
All other offenses	150	56	44	94	65	44	89	146	-4
Unknown or indeterminable offenses	1,136	290	390	366	283	278	358	1,263	127

Note: For further information, see *Chapter notes*, items 4, 5, and 8, p. 106.

^aSee *Chapter notes*, item 4, p. 106, and "Offense classifications" in *Methodology*, p. 109.

^bIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes

transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; and "Obscene material" denotes the mail or transport thereof.

Table 7.10. Characteristics of Federal prison population, by major offense category, October 1, 1999 - September 30, 2000

Offender characteristic	Total prisoners	Percent of Federal prison population serving for ^a —						
		All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses	
				Fraudulent	Other		Regulatory	Other
All cases^b								
All prisoners	129,329	129,329	12,973	7,497	2,352	73,389	1,205	30,650
Male/female								
Male	119,984	92.8%	96.0%	83.0%	90.1%	91.6%	88.5%	96.8%
Female	9,345	7.2	4.0	17.0	9.9	8.4	11.5	3.2
Race								
White	75,413	58.3%	46.2%	65.8%	60.2%	53.9%	72.8%	71.2%
Black	49,935	38.6	41.8	30.6	32.1	44.7	23.7	26.2
Native American	2,059	1.6	10.6	0.5	5.7	0.3	0.5	0.8
Asian/Pacific Islander	1,922	1.5	1.4	3.0	2.0	1.1	3.1	1.9
Ethnicity								
Hispanic	40,601	31.4%	7.5%	11.6%	9.2%	32.4%	18.0%	46.7%
Non-Hispanic	88,728	68.6	92.5	88.4	90.8	67.6	82.0	53.3
Age								
Under 19 years	656	0.5%	2.0%	0.1%	1.7%	0.3%	0.2%	0.5%
19-20 years	4,777	3.7	6.2	1.5	5.6	3.6	3.4	3.3
21-30 years	53,514	41.4	39.4	25.6	35.3	43.4	28.4	42.6
31-40 years	41,911	32.4	32.2	31.6	31.5	31.9	31.6	33.9
Over 40 years	28,436	22.0	20.2	41.2	25.9	20.8	36.4	19.8
Citizenship								
U.S. citizen	92,203	71.6%	96.4%	84.7%	93.6%	72.8%	85.8%	51.8%
Not U.S. citizen	36,641	28.4	3.6	15.3	6.4	27.2	14.2	48.2
New law cases								
All prisoners	119,814	119,814	9,590	6,986	1,857	70,367	1,055	29,167
Male/female								
Male	110,905	92.6%	95.5%	82.8%	89.6%	91.5%	87.4%	96.8%
Female	8,909	7.4	4.5	17.2	10.4	8.5	12.6	3.2
Race								
White	69,561	58.1%	44.4%	65.6%	60.5%	53.3%	71.7%	71.1%
Black	46,632	38.9	41.9	30.8	31.0	45.2	24.5	26.2
Native American	1,789	1.5	12.1	0.5	6.0	0.3	0.6	0.8
Asian/Pacific Islander	1,832	1.5	1.6	3.2	2.5	1.1	3.3	1.9
Ethnicity								
Hispanic	38,886	32.5%	7.5%	11.9%	9.4%	32.6%	18.4%	47.7%
Non-Hispanic	80,928	67.5	92.5	88.1	90.6	67.4	81.6	52.3
Age								
Under 19 years	594	0.5%	2.2%	0.1%	1.8%	0.3%	0.2%	0.5%
19-20 years	4,579	3.8	7.3	1.5	6.0	3.7	3.7	3.4
21-30 years	50,810	42.4	42.2	25.7	35.5	44.2	28.5	43.3
31-40 years	38,526	32.2	31.7	31.6	30.3	31.7	31.1	33.8
Over 40 years	25,303	21.1	16.6	41.0	26.3	20.1	36.5	19.1
Citizenship								
U.S. citizen	83,910	70.3%	96.4%	84.2%	93.0%	72.6%	84.4%	50.6%
Not U.S. citizen	35,436	29.7	3.6	15.8	7.0	27.4	15.6	49.4

Note: Percentages in this table are based on nonmissing characteristics. Total includes 1,263 prisoners whose offense category could not be determined; see *Chapter notes*, items 4-7, p. 106.

^bOf the 129,329 prisoners in BOP facilities, 7% (9,483) were old law offenders.

^aSee *Chapter notes*, item 4, p. 106, and "Offense classifications" in *Methodology*, p. 109.

Table 7.11. Number of first releases from Federal prison, by release method and sentence length, October 1, 1999 - September 30, 2000

Most serious original offense of conviction ^a	Total	Standard ^b	Extraordinary means				
			Drug treatment	Treaty transfer	Sentence commutation	Death	Other ^c
All cases							
All prisoners	40,721	36,613	2,881	346	0	0	881
Violent offenses	2,070	2,011	3	2	0	0	54
Property offenses	6,643	6,377	185	4	0	0	77
Fraudulent	5,490	5,262	164	4	0	0	60
Other	1,153	1,115	21	0	0	0	17
Drug offenses	17,026	13,608	2,513	325	0	0	580
Public-order offenses	14,421	14,065	176	13	0	0	167
Regulatory	679	640	22	1	0	0	16
Other	13,742	13,425	154	12	0	0	151
Other prisoners^d	561	552	4	2	0	0	3
Sentences greater than 1 year							
All prisoners	30,207	26,134	2,880	346	0	0	847
Violent offenses	1,913	1,856	3	2	0	0	52
Property offenses	4,158	3,903	185	4	0	0	66
Fraudulent	3,422	3,203	164	4	0	0	51
Other	736	700	21	0	0	0	15
Drug offenses	15,780	12,366	2,512	325	0	0	577
Public-order offenses	8,078	7,740	176	13	0	0	149
Regulatory	466	429	22	1	0	0	14
Other	7,612	7,311	154	12	0	0	135
Other prisoners^d	278	269	4	2	0	0	3

Note: Total includes prisoners whose offense category could not be determined. Methods for calculating average time served and percent of sentence served differ from those used in the 1993 and prior compendia. See *Chapter notes*, items 4-7, p. 106.
^aSee *Chapter notes*, item 4, p. 106, and "Offense classifications" in *Methodology*, p. 109.

^bStandard releases include expirations, mandatory release, and release to parole.

^cOther extraordinary releases include escape and intensive confinement programs.

^dOffense not classifiable or not a violation of U.S. Code.

Table 7.12. Average time to first release and percent of sentence served, for prisoners released by standard methods, October 1, 1999 - September 30, 2000

Most serious original offense of conviction ^a	All offenders			Prisoners with sentences of 1 year or less			Prisoners with sentences over 1 year			
	Number of prisoners released ^b	Mean time served	Median time served	Number of prisoners released ^b	Mean time served	Median time served	Number of prisoners released ^b	Mean time served	Median time served	Percent of sentence served
All prisoners	36,613	28.9 mo	18.3 mo	10,479	5.0 mo	5.0 mo	26,134	38.4 mo	26.2 mo	87.7%
Violent offenses	2,011	53.8 mo	44.3 mo	155	5.9 mo	6.0 mo	1,856	57.8 mo	47.3 mo	87.2%
Murder/manslaughter ^c	94	63.6	40.9	11	6.9	5.2	83	71.1	52.2	84.8
Assault	323	27.1	21.0	82	5.4	6.0	241	34.5	28.7	89.1
Robbery	1,358	59.5	52.2	46	6.4	6.0	1,312	61.4	52.3	87.1
Sexual abuse ^c	166	46.1	28.1	14	6.5	6.5	152	49.7	32.2	88.1
Kidnaping	51	84.7	63.7	0	...	...	51	84.7	63.7	83.6
Threats against the President	19	33.4	35.7	2	—	—	17	36.3	36.5	89.9
Property offenses	6,377	16.2 mo	12.0 mo	2,474	5.2 mo	5.0 mo	3,903	23.1 mo	18.3 mo	88.4%
Fraudulent	5,262	15.5 mo	12.0 mo	2,059	5.1 mo	5.0 mo	3,203	22.1 mo	18.2 mo	88.3%
Embezzlement	399	8.3	5.0	257	3.6	4.0	142	16.8	13.1	88.3
Fraud ^c	4,250	16.3	12.0	1,573	5.2	5.0	2,677	22.9	18.3	88.2
Forgery	121	15.1	12.0	48	5.9	6.0	73	21.1	18.3	88.2
Counterfeiting	492	13.9	12.0	181	6.0	6.0	311	18.5	15.6	88.8
Other	1,115	19.4 mo	12.5 mo	415	5.4 mo	5.0 mo	700	27.7 mo	20.9 mo	88.6%
Burglary	61	25.0	17.4	11	5.8	6.0	50	29.2	20.9	88.8
Larceny ^c	586	12.8	10.0	303	5.4	5.0	283	20.7	15.7	89.6
Motor vehicle theft	91	23.2	16.9	17	6.2	5.0	74	27.1	21.8	88.7
Arson and explosives	43	45.0	32.3	2	—	—	41	46.8	35.6	87.2
Transportation and stolen property	112	20.2	15.7	29	6.2	6.0	83	25.1	18.3	87.6
Other property offenses ^c	222	28.5	26.1	53	4.8	5.0	169	35.9	29.7	87.7
Drug offenses	13,608	41.1 mo	31.3 mo	1,242	6.8 mo	6.0 mo	12,366	44.5 mo	32.3 mo	87.3%
Trafficking	13,417	41.5	31.4	1,114	7.1	7.9	12,303	44.6	32.3	87.3
Possession and other drug offenses	191	13.5	6.0	128	4.0	3.9	63	32.8	16.1	90.9
Public-order offenses	14,065	19.9 mo	12.0 mo	6,325	4.7 mo	4.3 mo	7,740	32.3 mo	23.6 mo	88.1%
Regulatory	640	19.2 mo	13.1 mo	211	5.2 mo	5.0 mo	429	26.0 mo	20.9 mo	88.1%
Other	13,425	19.9 mo	12.0 mo	6,114	4.7 mo	4.2 mo	7,311	32.7 mo	24.0 mo	88.1%
Weapons	2,032	45.1	40.0	152	6.8	6.0	1,880	48.2	43.5	87.8
Immigration offenses	9,185	13.3	6.0	5,200	4.7	4.1	3,985	24.6	21.0	88.6
Tax law violations ^c	301	13.0	10.5	142	5.3	5.0	159	19.8	14.0	87.0
Bribery	53	12.1	10.0	27	4.9	5.0	26	19.6	14.8	88.0
Perjury, contempt, and intimidation	87	17.5	12.0	30	5.8	5.5	57	23.7	19.2	92.7
National defense	16	27.6	10.0	9	—	—	7	—	—	—
Escape	202	16.0	12.2	69	6.5	6.0	133	20.9	16.4	90.1
Racketeering and extortion	907	40.3	31.4	90	5.8	5.0	817	44.1	35.5	86.0
Gambling	1	—	—	1	—	—	0	...	...	...
Liquor offenses	2	—	—	1	—	—	1	—	—	—
Nonviolent sex offenses	58	27.4	21.4	13	2.9	1.9	45	34.4	26.1	87.9
Obscene material ^c	133	21.5	18.3	14	5.0	5.0	119	23.5	18.3	87.2
Traffic offenses	329	3.4	1.5	294	2.1	1.0	35	14.4	12.0	93.8
Migratory birds	11	8.4	6.0	7	—	—	4	—	—	—
All other offenses	108	13.8	8.0	65	4.6	5.9	43	27.7	19.4	88.6
Other prisoners^d	552	12.7 mo	10.0 mo	283	3.7 mo	3.0 mo	269	22.1 mo	17.4 mo	87.8%

Note: Total includes prisoners whose offense category could not be determined. Methods for calculating average time served and percent of sentence served differ from those used in the 1993 and prior compendia. See *Chapter notes*, items 4-7, p. 106.

—Too few cases to obtain statistically reliable data.

...No case of this type occurred in the data.

^aSee *Chapter notes*, item 4, p. 106, and "Offense classifications" in *Methodology*, p. 109.

^bThis column excludes prisoners who left Federal prison by extraordinary means, such as death, sentence commutation, and treaty transfer. The total number of pris-

^cIn this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; and "Obscene material" denotes the mail or transport thereof.

^dOffense not classifiable or not a violation of U.S. Code.

Table 7.13. Mean time served to first release, by length of sentence imposed, offense, and type of case, for prisoners released by standard methods during October 1, 1999 - September 30, 2000

Sentence imposed ^a	Number of months served for ^b —						
	All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses	
			Fraudulent	Other		Regulatory	Other
All releases	28.9 mo	53.8 mo	15.5 mo	19.4 mo	41.1 mo	19.2 mo	19.9 mo
1-12 mo ^c	5.0	5.9	5.1	5.4	6.8	5.2	4.7
13-24	13.8	14.7	13.7	13.8	13.7	14.2	14.0
25-36	24.2	25.6	24.1	24.8	24.3	24.6	23.9
37-48	35.4	35.9	35.4	34.9	35.2	34.8	35.8
49-60	46.1	46.5	46.1	45.9	45.8	46.2	46.5
61-72	55.7	56.8	53.2	55.5	55.9	54.5	55.5
73-84	66.8	67.6	66.9	67.6	66.5	—	67.2
85-96	76.7	78.2	75.4	—	76.1	—	77.6
97-108	86.6	88.0	77.0	—	86.1	—	87.2
109-120	96.9	98.7	—	—	96.0	—	98.3
121-144	107.7	110.2	—	—	107.9	—	104.4
145-180 ^d	130.6	134.0	—	—	130.7	—	128.7
181-240 ^d	118.1	—	—	...	115.3	...	112.2
241-300 ^d	144.6	145.8	—	—	142.9	—	147.2
Over 300 ^d	176.6	183.8	—	—	173.4	...	167.8

Note: Methods for calculating average time served and percent of sentence served differ from those used in the 1993 and prior compendia. See *Chapter notes*, items 4-7, p. 106.

Note: Of the 36,613 first releases by standard methods, 36,174 were new law and 439 were old law.

—Too few cases to obtain statistically reliable data.

...No case of this type occurred within the data.

^aSentence for the single most serious offense.

^bSee *Chapter notes*, item 4, p. 106, and "Offense classifications" in *Methodology*, p. 109.

^cThe interval includes days up through the upper bound and days to upper bound of the previous interval.

^dAs of fiscal year 2000, new law inmates who were sentenced to more than 177 months of imprisonment and were released could only have been released by extraordinary means (such as commutation and death), because the Federal Sentencing Guidelines took effect as of November 1987. See table 7.11, p. 101.

Table 7.14. Percent of sentence served to first release, by length of sentence imposed, offense, and type of case, for prisoners released by standard methods during October 1, 1999 - September 30, 2000

Sentence imposed ^a	Percent of sentence served for ^b —						
	All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses	
			Fraudulent	Other		Regulatory	Other
All releases	91.1%	88.1%	92.8%	92.7%	88.5%	92.0%	93.3%
1-12 mo ^c	99.8	100.6	100.1	99.8	99.8	100	99.6
13-24	88.8	90.2	89.1	90.0	88.3	88.8	89.0
25-36	87.9	88.1	87.5	88.0	87.6	87.5	88.3
37-48	87.7	88.4	87.6	87.4	87.4	87.4	88.0
49-60	87.6	88.0	87.4	87.5	87.6	87.8	87.6
61-72	87.4	87.9	85.6	87.5	87.5	87.4	87.4
73-84	87.5	88.2	86.4	87.9	87.3	—	87.6
85-96	87.4	88.5	86.2	—	87.1	—	87.6
97-108	87.4	88.3	78.7	—	87.5	—	87.4
109-120	87.5	88.5	—	—	87.2	—	87.6
121-144	87.0	87.8	—	—	87.2	—	85.4
145-180 ^d	86.2	88.2	—	—	86.3	—	84.6
181-240 ^d	60.8	—	—	...	60.3	...	58.6
241-300 ^d	59.1	59.9	—	—	58.7	—	59.1
Over 300 ^d	49.0	52.7	—	—	47.0	...	46.5

Note: Methods for calculating average time served and percent of sentence served differ from those used in the 1993 and prior compendia; see *Chapter notes*, items 4-7, p. 106.

Note: Of the 36,613 first releases by standard methods, 36,174 were new law and 439 were old law.

—Too few cases to obtain statistically reliable data.

...No case of this type occurred within the data.

^aSentence for the single most serious offense.

^bSee *Chapter notes*, item 4, p. 106, and "Offense classifications" in *Methodology*, p. 109.

^cThe interval includes days up through the upper bound and days to upper bound of the previous interval.

^dAs of fiscal year 2000 new law inmates who were sentenced to more than 177 months of imprisonment and were released could only have been released by extraordinary means (such as commutation and death), since the Federal Sentencing Guidelines took effect as of November 1987. See table 7.11, p. 101.

Table 7.15. Characteristics of first releases from prison, by offense, all releases, October 1, 1999 - September 30, 2000

Offender characteristic	Total number of released offenders	Percent of released offenders convicted of ^a —						
		All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses	
				Fraudulent	Other		Regulatory	Other
Number of releases^b	40,721	40,721	2,070	5,490	1,153	17,026	679	13,742
Male/female								
Male	35,816	88.1%	92.4%	77.4%	84.8%	86.6%	82.8%	93.9%
Female	4,850	11.9	7.6	22.6	15.2	13.4	17.2	6.1
Race								
White	29,671	73.0%	48.5%	65.2%	61.9%	69.5%	75.3%	84.6%
Black	9,679	23.8	33.0	30.4	31.3	28.9	21.5	13.1
Native American	559	1.4	16.7	0.4	3.6	0.4	0.3	0.5
Asian/Pacific Islander	757	1.9	1.9	4.0	3.3	1.2	2.9	1.7
Ethnicity								
Hispanic	17,856	43.9%	8.2%	13.2%	8.2%	44.2%	20.6%	66.3%
Non-Hispanic	22,810	56.1	91.8	86.8	91.8	55.8	79.4	33.7
Age								
Less than 19 years	323	0.8%	2.6%	0.1%	1.2%	0.5%	0.1%	1.1%
19-20 years	2,026	5.0	7.8	2.3	5.4	5.6	3.8	4.9
21-30 years	16,307	40.1	40.4	27.4	31.1	41.9	29.5	44.6
31-40 years	12,469	30.7	30.5	31.5	32.2	30.5	27.1	30.6
Over 40 years	9,541	23.5	18.7	38.8	30.1	21.4	39.5	18.8
Citizenship								
U.S. citizen	23,518	58.1%	94.7%	81.7%	92.3%	64.2%	78.5%	31.5%
Not U.S. citizen	16,993	41.9	5.3	18.3	7.7	35.8	21.5	68.5

Note: Totals include prisoners whose offense category could not be determined; see *Chapter notes*, items 4-7, p. 106. Percentages in this table are based on nonmissing characteristics.

^aSee *Chapter notes*, item 4, p. 106, and "Offense classifications" in *Methodology*, p. 109.

^bOf the 40,721 total cases, 40,266 (or 99%) were new law cases.

Table 7.16. Mean time served to first release from Federal prison for prisoners released by standard methods, by offense and offender characteristics, October 1, 1999 - September 30, 2000

Offender characteristic	Number of prisoners released	Mean time served for ^a —						
		All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses	
				Fraudulent	Other		Regulatory	Other
All releases^b	36,613	28.9 mo	53.8 mo	15.5 mo	19.4 mo	41.1 mo	19.2 mo	19.9 mo
Male/female								
Male	32,304	30.0 mo	55.7 mo	16.6 mo	21.2 mo	42.6 mo	20.9 mo	20.3 mo
Female	4,260	20.2	31.2	11.5	9.3	30.3	11.0	12.8
Race								
White	26,925	25.1 mo	55.4 mo	15.8 mo	21.0 mo	36.4 mo	19.1 mo	17.0 mo
Black	8,381	40.4	59.1	14.9	16.4	52.4	20.8	38.1
Native American	543	34.8	39.5	14.8	22.3	30.7	4.0	32.6
Asian/Pacific Islander	715	27.9	47.3	14.9	16.2	47.0	11.6	26.1
Ethnicity								
Hispanic	16,808	23.0 mo	55.4 mo	12.9 mo	23.6 mo	35.7 mo	14.7 mo	14.1 mo
Non-Hispanic	19,756	33.8	53.7	15.9	19.0	45.9	20.4	31.8
Age								
Less than 19 years	311	18.9 mo	38.1 mo	8.8 mo	19.0 mo	21.7 mo	13.0 mo	11.8 mo
19-20 years	1,861	25.0	42.5	12.6	19.1	33.3	19.4	14.6
21-30 years	14,716	28.1	55.1	12.9	20.4	39.4	20.6	18.6
31-40 years	11,147	30.5	57.5	15.8	19.7	43.2	20.6	21.8
Over 40 years	8,529	29.1	52.0	17.3	18.1	43.6	17.1	21.9
Citizenship								
U.S. citizen	19,886	33.7 mo	54.0 mo	16.0 mo	19.2 mo	42.8 mo	20.8 mo	32.0 mo
Not U.S. citizen	16,524	23.0	52.5	13.6	23.5	38.7	14.0	14.6

Note: Totals include prisoners whose offense category could not be determined, and exclude prisoners released by extraordinary methods such as commutation and death; see *Chapter notes*, items 4-7, p. 106.
 —Too few cases to obtain statistically reliable data.

^aSee *Chapter notes*, item 4, p. 106, and "Offense classifications" in *Methodology*, p. 109.

^bOf the 36,613 total cases, 36,174 (or 99%) were new law cases.

Chapter notes

1) Offenders were classified according to their most serious offense at conviction. In cases involving multiple offenses, the AOUSC offense severity hierarchy was applied. The most serious offense was the one with the most severe penalty imposed. If equal prison terms were imposed, or there was no imprisonment, the offense with the highest severity code, as determined by the *U.S. Title and Code Criminal Offense Citations Manual*, was selected.

2) Tables 7.1 and 7.2 were created using the probation, parole, and supervision data files of the Federal Probations Supervision Information System (FPSIS), which is maintained by the AOUSC. Yearend pending cases (that is, records with offenders who were under active supervision as of the end of the fiscal year, September 30, 2000) were selected.

Corporate defendants were excluded from table 7.1.

3) Tables 7.3-7.8 were created using the FPSIS data files as well. Only records with one or more terminations of active supervision during October 1, 1999, through September 30, 2000, were selected. Each termination was counted separately. Technical violations and terminations for new crimes are shown only if supervision terminated with incarceration or removal from active supervision for reasons of a violation.

Corporate defendants were excluded from tables 7.3-7.8.

4) Table 7.9-7.16 were created from the Federal Bureau of Prisons (BOP) data files.

Tables 7.9 and 7.10 show sentenced prisoners in the custody of the BOP at the end of fiscal year 2000. Tables 7.11-7.16 include only prisoners committed by U.S. district courts or released by the BOP during fiscal year 2000.

In these tables, a single person may be counted more than once if

that person was committed into, or released from, the BOP more than one time during fiscal year 2000, or if that person appears in more than one column in a table, e.g., commitment and population.

Offense categories in these tables were based on combinations of offense designations used by the BOP. They are similar, but may not be directly comparable, to the categories used in other tables of this *Compendium*. Offenses for some prisoners admitted or released were not able to be classified; these offenders were included in the totals and are shown as "other prisoners" on the last line of tables.

In these tables, offenses were classified according to the offense associated with the longest single sentence actually imposed. Classifications in other tables may have been based on the longest potential sentence allowed by law.

5) Tables 7.9-7.16 distinguish between prisoners committed by U.S. district courts for violations of the U.S. Code and other prisoners. Prisoners released after commitment from U.S. district court are called "first releases." The other admissions and releases include offenders who returned to prison after their first release (such as probation, parole, or supervised release violators), offenders convicted in other courts (such as military courts), and persons admitted to prison as material witnesses or for purposes of treatment, examination, or transfer to another authority. Tables 7.9-7.16 exclude prisoners sentenced by a District of Columbia Superior Court judge for violations of the DC Criminal Code. Offenders who entered or left a prison temporarily — such as for transit to another location, for health care, or to serve a weekend sentence — were not counted as admitted or released. Persons who were detained for deportation by the Immigration and Naturalization Service and who were not criminal

offenders were also not included in the tables.

Table 7.11 distinguishes between standard and extraordinary methods of release from prison. "Standard" releases include the usual methods of exiting from prison, such as full-term sentence expirations, expirations with good time, mandatory releases, and releases to parole. Extraordinary releases are unusual exits from prison, such as death, commutation, and transfer to another facility.

6) Tables 7.11-7.16 include only prisoners committed by U.S. district courts and released by the BOP during fiscal year 2000. Prisoners committed by U.S. district court — but not for a violation of the U.S. Code, or whose offense could not be classified — were included in the total but are not shown separately. Table 7.9, however, shows these prisoners separately. Other prisoners — such as probation and parole violators and prisoners committed by other courts, such as military courts or District of Columbia Superior Court — were excluded from tables 7.11-7.16, as were other persons admitted to Federal prison but not committed from a U.S. district court.

7) In tables 7.11-7.16, time served was calculated for prisoner's arrival into jurisdiction of the BOP until first release from prison, plus any jail time served and credited. The calculation is the same as that currently used by the BOP. Prisoners serving consecutive sentences may have total imposed sentences exceeding the longest single sentence length. Accordingly, time actually served may exceed the longest single imposed sentence. The percent of sentenced served (in tables 7.12 and 7.14) is the average of each individual prisoner's percent of sentence served. Because other publications may include different groups of prisoners, calculate time served differently, or use a different offense classification, data in tables in this *Compendium*

may differ from estimates of time served in previous publications by the BOP or in publications based on other data sources.

Time served, as reported in tables 7.11-7.16 in this *Compendium*, may not be directly comparable to the calculation of time served in the 1993 and prior compendia. The methodology in this report uses additional information to identify prison commitment dates and account for jail credit. In previous reports, jail credits were overestimated in some cases. In addition, time served estimates reported in tables 7.12-7.14 and 7.16 include only prisoners released by standard methods (expirations, mandatory releases, and releases to parole). Prisoners released by extraordinary means (death, commutation, transfer, etc.) are excluded from the time served calculations in these tables.

- 8) Table 7.9 shows all persons admitted to, or released from, the jurisdiction of the BOP during fiscal year 2000, except those prisoners who were committed by a District of Columbia Superior Court judge. Prisoners counted in this column are the same as prisoners included in tables 7.11, 7.12, and 7.13. Table 7.9 shows in separate columns, as well as in the total, prisoners committed by a U.S. district court — but not for a violation of the U.S. code, or whose offense could not be classified. Other columns in table 7.9 include prisoners who were committed by other courts, returned to prison for violation of the conditions of supervision, or were received for examination, treatment, or transfer to another jurisdiction. Offenders who returned to prison for a violation of the conditions of supervision without a new court commitment, were classified according to the offense with the longest single sentence originally imposed at conviction.

The Federal justice database

Source of data

The source of data for all tables in this *Compendium* is the Bureau of Justice Statistics (BJS) Federal justice database. The database is presently constructed from source files provided by the U.S. Marshals Service, the Drug Enforcement Administration, the Executive Office for U.S. Attorneys, the Administrative Office of the U.S. Courts, the United States Sentencing Commission, and the U.S. Bureau of Prisons. 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 pre-trial services agencies and the Federal probation and supervision service. Federal law prohibits the use of these files for any purposes other than research or statistics. A description of the source agency data files is provided in the table at the end of this section.

Some records in the Federal justice database are matched according to a statistically weighted combination of names, other personal identifiers, dates of court appearances, types of offenses, and other relevant information contained in the files. Using the matched data files, it is possible to combine information about two or more stages of the processing of a criminal matter or case, for example from adjudication to probation or parole supervision.

Reporting period

Wherever possible, matters or cases have been selected according to some event which occurred during fiscal year 2000 (October 1, 1999, through September 30, 2000). Some data files provided by source agencies are organized according to a calendar year time frame; these have been combined and divided into fiscal years for purposes of the *Compendium*. Files which are organized by their source agencies according to fiscal year nonetheless include some pertinent records in later years' files. For

example, tabulations of suspects in matters concluded during fiscal year 2000 in this *Compendium* have been assembled from source files containing records of 2000 matters concluded which were entered into the data system during fiscal years 2000 or 2001.

Availability of data items

The availability of particular items of information is affected by the data source. For example, data on prosecutors' decisions prior to court filing are provided for cases investigated by U.S. attorneys but not for those handled by other litigating divisions of the U.S. Department of Justice. Criminal Division cases enter the data base once they are filed in U.S. district court, however.

Many items of social and demographic information come from pre-sentence investigation records, supervision records, or sentencing records, and are available only for arrested defendants who were convicted and/or began serving a sentence involving supervised release. This particularly affects sex, race, ethnicity, and prior record information.

Table construction and interpretation

The tables presented report events that occurred during the Federal fiscal year — October 1, 1999 - September 30, 2000. Generally, the tables include both individual and organizational defendants. Organizational defendants are not included in tables describing defendants under pretrial release and detention, defendants sentenced to incarceration, and offenders under post-conviction supervision. Juvenile offenders are included in the reported statistics.

Unit of analysis

The unit of analysis in chapters 1 through 6 is a combination of a person (or corporation) and a matter or case. For example, if a single person is involved in three different criminal cases during the time period specified in the table, he or she is counted three

times in the tabulation. Similarly, if a single criminal case involves a corporate defendant and four individual defendants, it counts five times in the tabulation. In chapter 7, the unit of analysis for incarceration, probation, parole, or other supervised release is a person entering custody or supervision, or a person leaving custody or supervision. For example, a person convicted in two concurrent cases and committed once to the custody of the Federal Bureau of Prisons in the indicated time period is counted as one admission to a term of incarceration. A person who terminates probation twice in the indicated time period, such as with a violation and again after reinstatement, is counted as two terminations of probation.

Interpretation

The tables in the *Compendium* are constructed to permit the user to make valid comparisons of numbers within each table and to compare percentage rates across tables. The total numbers of subjects in *Compendium* tables that are based on records linked between two files are generally less than the total number of records in either source file. Accordingly, comparisons of absolute numbers across two or more tables in this volume and other data sources are not necessarily valid.

Offense classifications

Procedure

The offense classification procedure used in this *Compendium* is based on the classification system followed by the Administrative Office of the U.S. Courts. Specific offenses combined to form the BJS categories shown in the *Compendium* tables.*

Offense categories for Federal arrestees in chapter 1 are based on the FBI's National Crime Information

*These categories correspond to the Bureau of Justice Statistics crime definitions and, to the extent possible, are organized and presented consistent with BJS publications on State criminal justice systems.

Center (NCIC) offense classifications, which are converted into U.S. Marshals' four-digit offense codes, which, in turn are aggregated into the offense categories shown in the tables.

These categories are similar, but may not be directly comparable to the BJS offense categories used in other chapters of this *Compendium*. For data from the Executive Office for U.S. Attorneys, which include United States Code citations but do not include the Administrative Office of offense classifications, United States Code titles and sections are translated into the Administrative Office classification system and then aggregated into the offense categories used in the tables. Offense categories for prisoners in chapter 7 are based on combinations of offense designations used by the Bureau of Prisons. They are similar to the categories in other chapters and other tables in chapter 7, but may not be directly comparable.

Felony/misdemeanor distinctions

Felony and misdemeanor distinctions are provided where possible. Felony offenses are those with a maximum penalty of more than 1 year in prison. Misdemeanor offenses are those with a maximum penalty of 1 year or less. Felonies and misdemeanors are further classified using the maximum term of imprisonment authorized. Section 3559, U.S. Code, Title 18 classifies offenses according to the following schedule:

Felonies

Class A felony — life imprisonment, or if the maximum penalty is death.

Class B felony — 25 years or more.

Class C felony — less than 25 years but more than 10 years.

Class D felony — less than 10 years but more than 5 years.

Class E felony — less than 5 years but more than 1 year.

Misdemeanors

Class A misdemeanor — 1 year or less but more than 1 month.

Class B misdemeanor — 6 months or less but more than 30 days.

Class C misdemeanor — 30 days or less but more than 5 days.

Infraction — 5 days or less, or if no imprisonment is authorized.

In this *Compendium*, felony and misdemeanor distinctions are provided where the data permit these distinctions. Chapters 1 and 2 do not use this distinction because many suspects cannot be so classified at the arrest and investigation stages in the criminal justice process. Chapter 3 no longer reports this distinction because the Pretrial Services Agency no longer gathers this information. Chapters 4 and 5 distinguish between felony and misdemeanor offenses, as do tables 7.1–7.6. Tables 7.7–7.11 follow the convention of other BJS publications by separately tabulating offenders whose actual imposed sentences are less than or equal to 1 year and those whose actual sentences are greater than 1 year.

Most serious offense selection

Where more than one offense is charged or adjudicated, the most serious offense (the one that may or did result in the most severe sentence) is used to classify offenses. The offense description may change as the criminal justice process proceeds. Tables indicate whether investigated, charged or adjudicated offenses are used. In chapter 2, the most serious offense is based on the criminal lead charge as determined by the assistant U.S. attorney responsible for the criminal proceeding. In chapter 3, the major charged offense is based upon the Administrative Office's offense severity classification system, as determined by the pretrial officer responsible for the case. To select this offense, the officer ranks offenses according to severity based on maximum imprisonment, type of crime, and maximum fines. In chapter 4, the most serious offense charged is the one that has the most severe potential sentence. For chapter 5, conviction offenses are based on statutory maximum penalties. In chapter 6,

offenses are classified by the offense of conviction. In tables 7.1–7.6, the most serious offense of conviction is either the one having the longest sentence imposed or, if equal sentences were imposed or there was no imprisonment, it was the offense carrying the highest severity code as determined by the Administrative Office's offense severity code ranking. In tables 7.7–7.13, prisoners are classified according to the offense which bears the longest single incarceration sentence.

Offense categories

For offense categories in all text tables, the following conditions apply:

“Murder” includes nonnegligent manslaughter.

“Sexual abuse” includes only violent sex offenses.

“Fraud” excludes tax fraud.

“Larceny” excludes transportation of stolen property.

“Other property felonies” 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.

“Drug possession” also includes other drug misdemeanors.

Source agencies for *Compendium* data tables

Data source agency — data files	Description of data files contents	<i>Compendium</i> tables
United States Marshals Service (USMS) — Prisoner Tracking System (PTS)	Contains data on suspects arrested for violations of Federal law, by Federal enforcement agencies. The data include information on characteristics of Federal arrestees.	Arrest: 1.1, 1.2, 1.3
Drug Enforcement Administration (DEA) — Defendant Statistical System	Contains data on suspects arrested by DEA agents, both within and outside the continental U.S. The data include information on characteristics of arrestees, type of drug for which arrested, as well as the type and number of weapons at time of arrest.	Arrest: 1.4, 1.5
Executive Office for U.S. Attorneys (EOUSA) — Central System and Central Charge Files	Contains information on the investigation and prosecution of suspects in criminal matters received and concluded, criminal cases filed and terminated, and criminal appeals filed and handled by U.S. attorneys. The central system files contain defendant-level records about the processing of matters and cases; the central charge files contain the records of the charges filed and disposed in criminal cases. Data are available on matters and cases filed, pending, and terminated.	Prosecution: 2.1, 2.2, 2.3, 2.4, 2.5, 2.6
AOUSC: Pretrial Services Agency (PSA) — Pretrial Services Act Information System	Contains data on defendants interviewed, investigated, or supervised by pretrial services. The information covers defendants' pretrial hearings, detentions, and releases from the time they are interviewed through the disposition of their cases in district court. The data describe pretrial defendants processed by Federal pretrial service agencies within each district. Defendants who received pretrial services through a local, non-Federal agency, such as the District of Columbia, are not included.	Pretrial release: 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10 Adjudication: 4.5 (defendant characteristics) Sentencing: 5.4, 5.5, 5.6 (defendant characteristics)
Administrative Office of the U.S. Courts (AOUSC) — Criminal Termination Files	Contains information about the criminal proceedings against defendants whose cases were filed in U.S. district courts. Includes information on felony defendants, Class A misdemeanants — whether handled by U.S. district court judges or U.S. magistrates — and other misdemeanants provided they were handled by U.S. district court judges. The information in the data files cover criminal proceedings from case filing through disposition and sentencing. Data are available on criminal defendants in cases filed, pending, and terminated.	Adjudication: 4.1, 4.2, 4.3, 4.4, 4.5 Sentencing: 5.1, 5.2, 5.3, 5.4, 5.5, 5.6
United States Sentencing Commission (USSC) — Monitoring Data Base	Contains information on criminal defendants sentenced pursuant to the provisions of the Sentencing Reform Act of 1984. It is estimated that more than 90% of felony defendants in the Federal criminal justice system are sentenced pursuant to the SRA of 1984. Data files are limited to those defendants whose records have been obtained by the U.S. Sentencing Commission.	Adjudication: 4.5 (defendant characteristics) Sentencing: 5.4, 5.5, 5.6 (defendant characteristics)
AOUSC: Court of Appeals	Contains information on criminal appeals filed and terminated in U.S. Courts of Appeals. Records of appeals filed, pending, or terminated include information on the nature of the criminal appeal, the underlying offense, and the disposition of the appeal.	Appeals: 6.1, 6.2, 6.3, 6.4, 6.5
AOUSC — Federal Probation and Supervision Information System (FPSIS)	Contains information about supervisions provided by probation officers for persons placed on probation or supervised release from prison. The files contain records of individuals entering, or currently on supervision, as well as records of offenders terminating supervision.	Corrections: 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8
Bureau of Prisons (BOP): Extract from BOP's online Sentry System	The data extracts contain information on all offenders released from prison over a specific period of time plus information about the offenders in prison when the data extracts are made. The information covers the time that offenders enter prison until their release from the jurisdiction of the Bureau of Prisons. Tables 7.9-7.16 exclude prisoners sentenced by a District of Columbia Superior Court judge for violations of the DC Criminal Code.	Corrections: 7.9, 7.10, 7.11, 7.12, 7.13, 7.14, 7.15, 7.16

Glossary

Acquittal — legal judgment that a criminal defendant has not been proven guilty beyond a reasonable doubt of the charges against him.

Affirmed — in the appellate courts, the decree or order is declared valid and will stand as rendered in the lower court.

Agriculture violations — violations of the Federal statutes on agriculture and conservation: for example, violations of the Agricultural Acts, Insecticide Act, and the Packers and Stockyards Act, 1921; also violations of laws concerning plant quarantine and the handling of animals pertaining to research (7 U.S.C., except sections on food stamps (fraud)); also 16 U.S.C. sections relating generally to violations in operating public parks, such as trespassing for hunting, shooting, and fishing).

Antitrust violations — offenses relating to Federal antitrust statutes, which aim to protect trade and commerce from unlawful restraints, price fixing, monopolies (*for example*, 15 U.S.C. §§ 1, 3, 8, 20, and 70(i)), and discrimination in pricing or in furnishing services or facilities (15 U.S.C. §§ 13(c) and 13(e)).

Appeal — a review by a higher court of a judgment or decision of a lower court.

Appeals, U.S. Court of — an intermediate Federal court, inferior to the U.S. Supreme Court, but higher than the U.S. district court. The function of the U.S. court of appeals is to review the final decisions of the district courts, if challenged. There are 13 courts of appeal in the Federal system representing the 12 judicial circuits and the Federal circuit (28 U.S.C. § 41).

Appellant — the party which takes an appeal from 1 court or jurisdiction to another; opposite of appellee.

Appellee — the party against whom the appeal is taken; opposite of appellant.

Arson — willfully or maliciously setting, or attempting to set, fire to any

property within the special maritime and territorial jurisdiction of the United States as defined in 18 U.S.C. § 7 (18 U.S.C. § 81; and 49A U.S.C. §§ 1804 and 1809). (*See also*, "Explosives.")

Assault — intentionally inflicting or attempting or threatening to inflict bodily injury to another person. Applies to anyone within the special maritime and territorial jurisdiction of the United States as defined in 18 U.S.C. § 7, or to any Government official, foreign official, official guest, internationally protected person, or any officer or employee of the United States designated in 18 U.S.C. § 1114 (*for example*, 16 U.S.C. §§ 1857(e) and 1859; 18 U.S.C. §§ 111(a), 112(b), 113(c)(e), 114, 115(c), 351(d)(e), 372, 373, 1502, 1751(c), 1959, 2118(c), and 2231(a); 21 U.S.C. §§ 461(c), 675(b), and 1041(c); 26 U.S.C. §§ 7212(a)(b); 29 U.S.C. § 1141; 46 U.S.C. § 701; and 49A U.S.C. § 1472(k)); also certain violations of the Fair Housing Act of 1968 (42 U.S.C. §§ 3610 and 3631).

Bail — the sum of money promised as a condition of release, to be paid if a released defendant defaults (18 U.S.C. § 3142(c)).

Bribery — offering or promising anything of value with intent to unlawfully influence a public official in the discharge of official duties. Applies generally to bank employees, officers or employees of the U.S. Government, witnesses, or any common carrier. Includes soliciting or receiving anything of value in consideration of aiding a person to obtain employment in the U.S. Government. Also, receiving or soliciting any remuneration, directly or indirectly, in cash or any kind in return for purchasing, ordering, leasing, or recommending to purchase any good, service, or facility (18 U.S.C. §§ 201(a), 203(a)(b), 204, 207(a)(c), 208, 210, 211, 213, 215, and 663; 21 U.S.C. § 622; 46 U.S.C. § 239(i); and 49 U.S.C. §§ 104, 917(b), and 11904(b)).

Burglary — breaking and entering into another's property with intent to steal within the special maritime and

territorial jurisdiction of the United States, as defined in 18 U.S.C. § 7. Includes breaking and entering into any official bank, credit union, savings and loan institution, post office, vessel or steamboat assigned to the use of mail service, or personal property of the United States; or breaking the seal or lock of any carrier facility containing interstate or foreign shipments of freight or express (18 U.S.C. §§ 2111, 2113(a), and 2115-17).

Career offender — defendants are counted as career offenders if they are at least 18 years old at the time of the instant offense, if the instant offense of conviction is a felony — that is either a crime of violence or a drug crime; and if they have at least two prior felony convictions of either a crime of violence or a drug crime.

Case — in this *Compendium*, a judicial proceeding for the determination of a controversy between parties wherein rights are enforced or protected, or wrongs are prevented or redressed; any proceeding judicial in its nature.

Civil rights — violations of civil liberties such as the personal, natural rights guaranteed and protected by the Constitution. Includes the Civil Rights Acts, such as those enacted after the Civil War, and more recently in 1957 and 1964.

Collateral bond — an agreement made by a defendant as a condition of his or her pretrial release that requires the defendant to post property valued at the full bail amount as an assurance of his or her intention to appear at trial.

Communication — violations covering areas of communication such as the Communications Act of 1934 (including wire tapping and wire interception). A communication is ordinarily considered to be a deliberate interchange of thoughts or opinions between two or more persons.

Community confinement — a form of commitment either as a substitute for Federal imprisonment or as a condition of probation in a community

treatment center, halfway house, restitution center, mental health facility, alcohol or drug rehabilitation center, or other community facility; and participation in gainful employment, employment search efforts, community service, vocational training, treatment, educational programs, or similar facility-approved programs during non-residential hours. Under the Federal sentencing guidelines, community confinement may be a substitute for imprisonment on a day-to-day basis for defendants with a guideline maximum of less than 16 months of imprisonment (*see also*, U.S.S.G. § 5C1.1(e)).

Complaint — a written statement of the essential facts constituting the offense charged, with an offer to prove the fact, so that a prosecution may be instituted. The complaint can be "taken out" by the victim, the police officer, the district attorney, or other interested party.

Concurrent sentence — a sentence imposed which is to be served at the same time as another sentence imposed earlier or during the same proceeding (18 U.S.C. § 3584). (*See also*, "Consecutive sentence.")

Conditional release — in this *Compendium*, at the pretrial stage, a conditional release is release from detention contingent on any combination of restrictions that are deemed necessary to guarantee the defendant's appearance at trial or the safety of the community (*see text in Chapter 2 of this Compendium*.)

Consecutive sentence — a sentence imposed that will follow another sentence imposed earlier or during the same proceeding; opposite of concurrent sentence.

Conspiracy — an agreement by two or more persons to commit or to effect the commission of an unlawful act or to use unlawful means to accomplish an act that is not in itself unlawful; also any overt act in furtherance of the agreement. A person charged with conspiracy is classified under the substantive offense alleged.

Continuing criminal enterprise — a felony committed as part of a continuing series of violations, which is undertaken by a person in concert with five or more other persons with respect to whom such person occupies a position of organizer, a supervisory position, or any other position of management, and from which such person obtains substantial income or resources (21 U.S.C. § 848(c)).

Conviction — the result of a criminal trial which ends in a judgment that the defendant is guilty. The final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere, but does not include a final judgment which has been expunged by pardon, reversed, set aside, or otherwise rendered invalid.

Corporate surety — in this *Compendium*, a surety; one who has entered into a bond to give surety for another; for example, bail bondsman. As a condition of his or her release, the defendant enters into an agreement that requires a third party such as a bail bondsman to promise to pay the full bail amount in the event that the defendant fails to appear. (*See also*, "Surety bond.")

Counterfeiting — falsely making, forging, or altering obligations with a view to deceive or defraud, by passing the copy or thing forged for that which is original or genuine. Applies to obligation or security of the United States, foreign obligation or security, coin or bar stamped at any mint in the United States, money order issued by the Postal Service, domestic or foreign stamp, or seal of any department or agency of the United States. Includes passing, selling, attempting to pass or sell, or bringing into the United States any of the above falsely made articles. Also, making, selling, or possessing any plates or stones (or any other thing or instrument) used for printing counterfeit obligations or securities of the United States, foreign obligations or securities, Government transportation requests, or postal stamp; or knowingly and intentionally trafficking in falsified labels affixed to phonorecords, motion pictures, or audio visual

works (*for example*, 18 U.S.C. §§ 471, 473, 477, 479, 481, 485, 487, 501, 507, 509, 513(b), 2318, and 2320).

Courts — *See* "Appeals, U.S. Court of" and "District court, U.S." Pursuant to Article III of the Constitution, judicial power is vested in the following Federal Courts: The U.S. Supreme Court, the U.S. Court of Appeals for the District of Columbia, and the U.S. district court for the District of Columbia.

Criminal career — the longitudinal sequence of crimes committed by an individual offender.

Criminal history category — under the Federal sentencing guidelines, a quantification of the defendant's prior criminal record and the defendant's propensity to recidivate. Guideline criminal history categories range from Category I (primarily first-time offenders) to Category VI (career criminals).

Custom laws — violations regarding taxes which are payable upon goods and merchandise imported or exported. Includes the duties, toll, tribute, or tariff payable upon merchandise exported or imported.

Deadly or dangerous weapon — an instrument capable of inflicting death or serious bodily injury.

Declination — the decision by a prosecutor not to file a case in a matter received for investigation. In this *Compendium*, immediate declinations (*i.e.*, where less than 1 hour of time is spent on a case) are excluded.

Defendant — the party against whom relief or recovery is sought in an action or suit, or the accused in a criminal case.

Departure — under the Federal sentencing guidelines, the term used to describe a sentence imposed outside the applicable guideline sentencing range. A court may depart when it finds an aggravating or mitigating circumstance of a kind, or to a degree, not adequately taken into consideration by the Sentencing Commission in formulating the guidelines that should result in a sentence different from that

described (18 U.S.C. § 3553(b); U.S.S.G. § 5K2.0). (See also, "Substantial assistance.")

Deposit bond — an agreement made by a defendant as a condition of his or her release that requires the defendant to post a fraction of the bail before he or she is released.

Detention — the legally authorized confinement of persons after arrest, whether before or during prosecution. Only those persons held 2 or more days are classified as detained in this *Compendium*.

Dismissal — termination of a case before trial or other final judgment (including nolle prosequi and deferred prosecution).

Disposition — the decision made on a case brought before a criminal court.

Distribution — delivery (other than by administering or dispensing) of a controlled substance (21 U.S.C. § 802(6)). The term "controlled substance" means any drug or other substance, or immediate precursor, included in schedule I, II, III, IV, or V of part B of subchapter I of Chapter 13 (title 21). The term does not include distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in subtitle E of the Internal Revenue Code of 1986.

District court, U.S. — trial courts with general Federal jurisdiction over cases involving Federal laws or offenses and actions between citizens of different States.

District of Columbia — the jurisdiction of the U.S. district court for the District of Columbia. This *Compendium* includes Federal offenses prosecuted in U.S. district courts, and except for tables based on data from the Bureau of Prisons, excludes violations of the District of Columbia Code and cases prosecuted in the District of Columbia Superior Court.

Drug offenses — offenses under a Federal or State laws prohibiting the manufacture, import, export, distribution, or dispensing of a controlled

substance (or counterfeit substance), or the possession of a controlled substance (or a counterfeit substance) with intent to manufacture, import, export, distribute, or dispense. Also using any communication facilities which causes or facilitates a felony under title 21, or furnishing of fraudulent or false information concerning prescriptions as well as any other unspecified drug-related offense. (See also, "Distribution," "Possession," and "Trafficking.")

Embezzlement — the fraudulent appropriation of property by a person to whom such property has been lawfully entrusted. Includes offenses committed by bank officers or employees; officers or employees of the Postal Service; officers of lending, credit, or insurance institutions; any officer or employee of a corporation or association engaged in commerce as a common carrier; court officers of the U.S. courts; or officers or employees of the United States. Also, stealing from employment and training funds, programs receiving Federal funds, and Indian tribal organizations; or selling, conveying, or disposing of any money, property, records, or thing of value to the United States or any department thereof without authority (for example, 15 U.S.C. § 645(c); 18 U.S.C. §§ 153, 334, 642-57, 665(a)(b), 666(b), 1163, 1709, 1711, 1956, and 1957; 25 U.S.C. § 450(d); 29 U.S.C. § 502(b); and 42 U.S.C. §§ 1760, 2971, and 3220(b)).

Escape — departing or attempting to depart from the custody of a correctional institution; a judicial, correctional, or law enforcement officer; or a hospital where one is committed for drug abuse and drug dependency problems. Knowingly advising, aiding, assisting, or procuring the escape or attempted escape of any person from a correctional facility, an officer, or the above-mentioned hospital as well as concealing an escapee. Providing or attempting to provide to an inmate in prison a prohibited object; or making, possessing, obtaining, or attempting to make or obtain a prohibited object (as defined in 18 U.S.C. §

1791(d)(1)(A)). Instigating, assisting, attempting to cause, or causing any mutiny or riot at any Federal penal, detention, or correctional facility, or conveying into any of these institutions any dangerous instrumentalities (for example, 18 U.S.C. §§ 751(a)(b), 752(a), 753, 755-56, 1071, 1073, 1791(a)(c), (d)(1)(A), 1792, 3146(a)(b)(d), 3147 and 3615; 28 U.S.C. § 1826; 42 U.S.C. §§ 261 and 3425; and 50 U.S.C. § 823).

Explosives — violations of Federal law involving importation, manufacture, distribution, and storage of explosive material. Includes unlawful receipt, possession or transportation of explosives without a license (18 U.S.C. § 842(a)), where prohibited by law (18 U.S.C. § 842(c), or using explosives during commission of a felony (18 U.S.C. § 844(h)). Also includes violations relating to dealing in stolen explosives (18 U.S.C. § 842(h)), using mail or other form of communication to threaten an individual with explosives (18 U.S.C. § 844(e), and possessing explosive materials at an airport (18 U.S.C. § 844(g), and 49A U.S.C. §§ 1804 and 1809). (See also, "Arson" and 18 U.S.C. §§ 842(e)(g)(i)(k); and § 844(b).)

Failure to appear — willful absence from any court appointment.

Felony — a criminal offense punishable by death or imprisonment for a term exceeding 1 year. According to 18 U.S.C. § 3559, felonies are classified into 5 grades based on maximum terms of imprisonment: Class A felony, if the maximum term is life imprisonment, or if the maximum penalty is death; Class B, if 25 years or more; Class C, if less than 25 years, but 10 years or more; Class D, if less than 10 years, but five or more years; and Class E, if less than 5 years, but more than 1.

Filing — the initiation of a criminal case in U.S. district court by formal submission to the court of a charging document alleging that one or more named persons have committed one or more specified offenses. In this

Compendium, each defendant in a case is counted separately, and only the most serious alleged offense is considered.

Financial conditions — monetary conditions upon which release of a defendant before trial is contingent. Includes deposit bond, surety bond, and collateral bond. (See also, "Specific definitions.")

First release — in this *Compendium*, prisoners who are released from the Bureau of Prisons for the first time after their commitment by a U.S. district court (i.e., excludes offenders who are returned to prison after their first release, such as probation, parole, etc.).

Food and drug violations — violations of the Federal Food, Drug, and Cosmetic Act such as regulations for clean and sanitary movement of animals (21 U.S.C. § 134(b)), adulteration or misbranding of any food or drug (21 U.S.C. § 331(a)), failure to transmit information about prescription drugs (21 U.S.C. § 331(o)), and intent to defraud and distribute adulterated material (21 U.S.C. § 676). (See also, 18 U.S.C. § 1365(b); 21 U.S.C. §§ 17, 22, 63, 115, 122, 126, 134(d), 142, 144, 151, 153, 155, 158, 201, 205, 209, 210, 212, 331(b)-(g), 331(i)-(n)(p)(t), 333(a), 458(a), 459, 460(a)-(d), 461(a), 463, 466, 610(a)(c), 611(a), 620, 642, 1037, 1041(a), and 1175.)

Forgery — falsely making or materially altering a document with the intent to defraud. Includes such falsification with intent to pass off as genuine any of the following: U.S. Postal Service money order; postmarking stamp or impression; obligation or security of the United States; foreign obligation, security, or bank note; contractors' bond, bid, or public record; deed; power of attorney; letters patent; seal of a court or any department or agency of the U.S. Government; the signature of a judge or court officer; ships' papers; documents on entry of vessels; customs matters; coin or bar; and so forth. Also includes making, possessing, selling, or printing plates or stones for counterfeiting obligations

or securities, and detaching, altering, or defacing any official, device, mark or certificate (for example, 18 U.S.C. §§ 483, 493, 495, 497, 503, 505, 510(a)(b), and 511; 19 U.S.C. § 1436; and 21 U.S.C. §§ 458(b)(c)).

Fraud — unlawfully depriving a person of his or her property or legal rights through intentional misrepresentation of fact or deceit other than forgery or counterfeiting. Includes violations of statutes pertaining to lending and credit institutions, the Postal Service, interstate wire, radio, television, computer, credit card, veterans benefits, allotments, bankruptcy, marketing agreements, commodity credit, the Securities and Exchange Commission, railroad retirement, unemployment, Social Security, food stamp, false personation, citizenship, passports, conspiracy, and claims and statements, excluding tax fraud. The category excludes fraud involving tax violations that are shown in a separate category under "Public-order, other offenses." (See also, specific offenses in this glossary for citations.)

Fraudulent property offenses — see "Property offenses, fraudulent."

Gambling — the Federal offense of transporting, manufacturing, selling, possessing, or using any gambling device in the District of Columbia or any possession of the United States or within Indian country or the special maritime and territorial jurisdiction of the United States as defined in 18 U.S.C. § 7. Includes transporting gambling devices in the jurisdiction of the United States (except under authority of the Federal Trade Commission or any State that has a law providing for their exemption from these provisions), transmitting wagering information in interstate or foreign commerce, interstate transporting of wagering paraphernalia, importing or transporting lottery tickets, or mailing lottery tickets or related matter (for example, 15 U.S.C. §§ 1173 and 1175; and 18 U.S.C. §§ 1082(a), 1084, 1302, 1956, and 1962).

Good-time — time credited toward early release to an offender for good

behavior in imprisonment. Under the 1984 Sentencing Reform Act, two classes of prisoners are ineligible to receive good-time credits: (1) misdemeanants serving a term of imprisonment of 1 year or less; and (2) felons serving life sentences. All other Federal prisoners receive a flat allocation of 54 days per year of sentence served; credit for a partial year remaining at the end of the sentence is prorated. The annual allotment does not change according to the length of time a Federal inmate already has spent in prison (18 U.S.C. § 3624(b)).

Guideline sentencing range — under the Federal sentencing guidelines, the range of imprisonment corresponding to the applicable guideline offense level and criminal history category. The guideline offense level incorporates any minimum terms of imprisonment required by statute as well as the statutory maximum term of imprisonment, where applicable.

Guilty plea — a plea in response to formal charges admitting that the defendant committed offenses as charged. In this *Compendium*, this category also includes pleas of nolo contendere.

Hispanic — ethnic category based on classification by reporting agency. Hispanic persons may be of any race.

Home detention — a form of confinement and supervision either as a substitute for imprisonment or as a condition of probation that restricts the defendant to his place of residence continuously (except for authorized absences) and enforced by appropriate means of surveillance by the probation office. Under the Federal sentencing guidelines, home detention may be a substitute for imprisonment on a day to day basis for defendants with a guideline maximum sentence of less than 16 months imprisonment. (See also, U.S.S.G. § 5C1.1.)

Homicide — see "Murder."

Immigration offenses — offenses involving illegal entrance into the United States, illegally reentering after being deported, willfully failing to deport

when so ordered, willfully remaining beyond days allowed on conditional permit, or falsely representing oneself to be a citizen of the United States. Includes violations relating to provisions for special agricultural workers and to those relating to limitations on immigrant status (such as employment). Also includes bringing in or harboring any aliens not duly admitted by an immigration officer (*for example*, 8 U.S.C. §§ 1160, 1252(d), 1255, 1282(a), 1286, 1324-25, and 1326(a)).

Incarceration — any sentence of confinement, including prison, jail, and other residential placements.

Indeterminate sentence — a prison sentence whose maximum or minimum term is not specifically established at the time of sentencing (18 U.S.C. §§ 4205(b)(1)(2)).

Indictment — the formal charging of the defendant with a particular crime by a grand jury. In the Federal system, a defendant may waive indictment and be proceeded against through an information. (*See also*, Fed. R. Crim. P. 7(b).)

Information — the formal accusation charging the defendant with a particular crime but brought by the U.S. Attorney rather than by the grand jury.

Infraction — an offense for which the maximum term of imprisonment is 5 days or less, or where no imprisonment is authorized, according to 18 U.S.C. § 3559.

Instant offense — the offense of conviction, and all relevant conduct under U.S.S.G. § 1B1.3.

Intermittent confinement — a form of commitment, in a prison or jail, either as a substitute for imprisonment or as a condition of probation. Under the Federal sentencing guidelines, intermittent confinement may be a substitute for imprisonment (each 24 hours of intermittent confinement is credited as 1 day of incarceration) for defendants with a guideline maximum of less than 16 months imprisonment. (*See also*, U.S.S.G. § 5C1.1.)

Jurisdictional offenses — acts that are Federal crimes because of the place in which they occur (such as on an aircraft, on Federal land or property) and for certain crimes on Indian reservations or at sea, but which cannot be classified in a more specific substantive category.

Juvenile — a person who has not attained the age of 18 years; or for the purposes of a juvenile delinquency hearing, a person who has not attained the age of 21 years (18 U.S.C. § 5031).

Juvenile delinquency — a violation of Federal law committed by a person prior to the age of 18 years which would have been a crime if committed by an adult (18 U.S.C. § 5031).

Kidnaping — unlawfully seizing any person as defined in 18 U.S.C. § 1201 for ransom or reward, except in the case of a minor by a parent. Includes receiving, possessing, or disposing of any money or other property that has been delivered as ransom or reward in connection with a kidnaping as well as conspiring to kidnap. Also, includes kidnaping or attempting to kidnap any Government official, the President of the United States, the President-elect, the Vice President, any foreign official, any official guest, or any internationally protected person. (*See also*, 18 U.S.C. § 351(b); and hostage taking as defined in 18 U.S.C. § 1203.)

Labor law violations — violations of, for example, the Fair Labor Standards Act of 1938 and the Taft-Hartley Act, which govern a broad spectrum of activities relating to labor-management relations (*for example*, 29 U.S.C. §§ 186(a), 461(a), 463, 1021(b), 1022, 1023(b)(d), 1024(a)(c), 1027, 1111(a)(b), 1112(c), 1811, 1816, 1821 and 1851).

Larceny — the act of taking and carrying away any personal property of another with intent to steal or convert it to one's own use or gain. Includes stealing, possessing or illegally selling or disposing of anything of value to the United States or any of its departments or agencies; or stealing from a

bank, the Postal Service, or any interstate or foreign shipments by carrier. Also encompasses receiving or possessing stolen property or pirate property; and stealing or obtaining by fraud any funds, assets, or that belong to, or are entrusted to, the custody of an Indian tribal organization (*for example*, 18 U.S.C. §§ 641, 659, 661-62, 667, 1168(a), 1704, 1707, and 2113(b)). (This offense category excludes the transportation of stolen property.)

Liquor violations — violations of Internal Revenue Service laws on liquor, as well as violations of liquor laws not cited under these laws, such as dispensing or unlawfully possessing intoxicants in Indian country; transporting intoxicating liquors into any State, territory, district, or possession where sale is prohibited; shipping packages containing unmarked and unlabeled intoxicants; shipping liquor by C.O.D.; knowingly delivering a liquor shipment to someone other than to whom it has been consigned; and violating in any way the Federal Alcohol Administration Act (*for example*, 18 U.S.C. §§ 1154, 1156, 1263 and 1265; 26 U.S.C. §§ 5113, 5171(c), 5179, 5214, 5222, 5291, 5301(b), 5601, 5603(a), 5604, 5606, 5608(a), 5661(a), 5662, 5672, 5681(a)(c), 5683, 5685(b) and 5687; and 27 U.S.C. §§ 203, 205(f), 206(b) and 208(a)).

Magistrates (U.S.) (Federal) — judicial officers appointed by judges of Federal district courts having many but not all of the powers of a judge. Magistrates are designated to hear a wide variety of motions and other pre-trial matters in both criminal and civil cases. With consent of the parties, they may conduct civil or misdemeanor criminal trials. Magistrates, however, may not preside over felony trials or over jury selection in felony cases.

Mailing or transportation of obscene materials — a violation of Federal law relating to knowingly using the mail for mailing obscene or crime-inciting matter, as defined in 18 U.S.C. § 1461 and 39 U.S.C. § 3001(e). Also includes transporting

for sale or distribution, importing, or transporting any obscene matter in interstate or foreign commerce. (See also, 18 U.S.C. §§ 1462-63.)

Major offense (while on conditional release) — allegation, arrest, or conviction of a crime for which the minimum sentence is incarceration for over 90 days or greater than 1 year on probation. (See also, *FACTS Statistical Reporting Guide*, Version 1.0, Administrative Office of the U.S. Courts.)

Mandatory sentences — a sentence that includes a minimum term of imprisonment that the sentencing court is statutorily required to impose barring the government's motion of substantial assistance. See, for example, 18 U.S.C. §§ 841 and 960, which provide for mandatory sentences ranging from 5 years imprisonment to life imprisonment depending on the quantity of drugs involved.

Mandatory sentencing enhancement — a form of mandatory sentence in which the minimum term of imprisonment is to be imposed consecutive to any other term of imprisonment imposed. See, for example, 18 U.S.C. § 924(c), which provides for a 5-year to lifetime enhancement for the use of a firearm during the commission of a crime; 18 U.S.C. § 844(h), which provides for a 5-year enhancement for use of firearms or explosives during the commission of a crime; and 18 U.S.C. § 929 which provides for a 5-year enhancement for the use of armor-piercing ammunition during the commission of a crime.

Mandatory release — the release of an inmate from prison after confinement for a time period equal to his or her full sentence minus statutory good-time, if any. Federal prisoners released on mandatory release may still be subject to a period of post-release community supervision.

Matter — in this *Compendium*, a potential case under review by a U.S. attorney on which more than 1 hour is expended.

Matters concluded — in this *Compendium*, matters about which a final decision has been reached by a U.S. attorney. Specifically includes matters filed as cases, matters declined after investigation, matters referred for disposition by U.S. magistrates, and matters otherwise terminated without reaching court.

Migratory birds offenses — violations of acts relating to birds which move from one place to another in season. Includes taking, killing, or possessing migratory birds, or any part, nest, or egg thereof, in violation of Federal regulations or the transportation laws of the State, territory, or district from which the bird was taken. Also, misuse or non-use of a migratory-bird hunting and conservation stamp (for example, 16 U.S.C. §§ 690(g), 701, 703, 704-6, 707(b), 708, 711, and 718(a)(e)(g)).

Minor offense (while on conditional release) — conviction of a crime for which the maximum sentence is incarceration for 90 days or less, probation of 1 year or less, or a fine of \$500 or less. (See also, *FACTS Statistical Reporting Guide*, Version 1.0, Administrative Office of the U.S. Courts.)

Misdemeanor — a criminal offense punishable by a jail term not exceeding 1 year and any offense specifically defined as a misdemeanor by the Administrative Office of the U.S. Courts for the purposes of data collection. According to 18 U.S.C. § 3559, misdemeanors are classified in 3 letter grades, based on the maximum terms of imprisonment: Class A, if 1 year or less, but more than 6 months; Class B, if 6 months or less, but more than 30 days; and Class C, 30 days or less, but more than 5 days. (This category includes offenses previously called minor offenses that were reclassified under the Federal Magistrate Act of 1979.)

Mixed sentence — a sentence requiring the convicted offender to serve a term of imprisonment, followed by a term of probation. Unless otherwise noted, offenders receiving mixed sentences are included in both

incarceration and probation categories.

Most serious offense — in this *Compendium*, the offense with the greatest potential sentence; or with respect to tables describing Federal prisoners, the offense with the greatest imposed sentence (for example, prison data in Chapter 6).

Motor carrier violations — violations of the Federal statutes relating to the Motor Carrier Act, which regulates (routes, rates) of motor carriers of freight and passengers in interstate commerce. The Act is administered by the Interstate Commerce Commission (for example, 15 U.S.C. §§ 1984, 1986, 1988 and 1990; 49 U.S.C. §§ 117(a), 301(f), 303(f), 322(a)(d), 411, 526, 917(f), 1021(b)(f), 11703, 11903(a), 11904, 11907, 11909(a), 11909(c), 11910, 11913, and 11914; and 49A U.S.C. § 120).

Motor vehicle theft — interstate or foreign transporting, receiving, concealing, storing, bartering, selling, or disposing of any stolen motor vehicle or aircraft (for example, 18 U.S.C. §§ 2119, 2313, and 2322; and 49A U.S.C. § 1472(ii)).

Murder — the unlawful killing of a human being with malice aforethought, either express or implied. Nonnegligent manslaughter is the unlawful killing of a human being without malice. This offense covers committing or attempting to commit murder (first or second degree) or voluntary manslaughter within the special maritime and territorial jurisdiction of the United States (18 U.S.C. § 7). Includes killing or attempting to kill any Government official, the President of the United States, the President-elect, the Vice President, any officers and employees of the United States, any foreign officials, any official guests, or any internationally protected persons. As applied to the owner or charterer of any steamboat or vessel, knowingly and willfully causing or allowing fraud, neglect, misconduct, or violation of any law resulting in loss of life (18 U.S.C. §§ 113(a), 115(a),

1111-13, 1115, 1117, 1512(a)(1), 1751(a), and 2332(b)).

National defense violations — violations of the national defense laws on the Military Selective Service Act, the Defense Production Act of 1950, the Economic Stabilization Act of 1970 (which includes prices, rents, and wages), the Subversive Activities Control Act, alien registration, treason (including espionage, sabotage, sedition, and the Smith Act of 1940); also violations relating to energy facilities, curfew and restricted areas, exportation of war materials, trading with an enemy, illegal use of uniform and any other violations of the Federal statutes concerning national defense (*for example*, 8 U.S.C. §§ 1304(e) and 1306(b)(d); 10 U.S.C. §§ 976 and 2408; 18 U.S.C. §§ 703, 705, 711, 713, 792, 794, 797, 799, 953, 961, 965, 967, 970, 1366(a), 1382, 2152, 2153(b), 2154(b), 2155(b), 2156(b), 2382, 2384, 2386, 2388(a)(c), and 2390; 22 U.S.C. §§ 253, 286, 447, 447(c), 450, 455, 612, 614(b)(f), 617, 1178(c), 1182, 1199, 1978(c), 2778(b), 4198, 4202 and 5113(c); 42 U.S.C. §§ 2274(b), 2276, 2278(b) and 2384(b); and 50A U.S.C. §§ 2, 3(a)(c), 16, 167, 210, 322, 324, 326, 328, 421(a)(c), 462, 468(b), 643(a), 781, 783(b)(d), 789, 794, 797, 851, 1152, 1705, 1436(e), 1809(c), 2062, 2071(b), 2073, 2405(a)(b), and 2410(b)).

Negligent manslaughter — causing the death of another, within the special maritime and territorial jurisdiction of the United States as defined in 18 U.S.C. § 7, by wanton or reckless disregard for human life. Also negligent manslaughter of any Government official, the President of the United States, the President-elect, the Vice President, any officers and employees of the United States, any foreign officials, any official guests, or any internationally protected persons. This offense category also includes misconduct, negligence, or inattention to duties by ship officers on a steamboat or vessel resulting in death to any person (18 U.S.C. § 1112).

New law — In this *Compendium* defendants convicted and sentenced pursuant to the Sentencing Reform Act of 1984. (*See also* "Old law.")

Nolo contendere — defendant's plea in a criminal case indicating that he or she will not contest charges, but not admitting or denying guilt.

Non-citizen — a person who is without U.S. citizenship, including legal aliens (*for example*, resident aliens, tourists, and refugees/asylees) and illegal aliens.

Nonviolent sex offenses — transporting, coercing, or enticing any individual (including minors) to go from one place to another in interstate or foreign commerce, in the District of Columbia, or in any territory or possession of the United States with the intent and purpose to engage in prostitution, or any sexual activity for which any person can be charged with a criminal offense (8 U.S.C. § 1328 and 18 U.S.C. §§ 1460, 1466, 2251-52, 2257, 2421 and 2423).

Not convicted — acquittal by bench or jury trial, mistrial, and dismissal (including nolle prosequi and deferred prosecution).

Not guilty — plea entered by the accused to a criminal charge. If the defendant refuses to plead, the court will enter a plea of not guilty. Also the form of a verdict in a criminal trial where the jury acquits the defendant.

Offense — violation of U.S. criminal law. In this *Compendium*, where more than 1 offense is charged, the offense with the greatest potential penalty is reported.

Offense level — under the Federal sentencing guidelines, a quantification of the relative seriousness of the offense of conviction and any offense-specific aggravating or mitigating factors. Guideline offense levels range from level 1 (the least serious offense) to level 43 (the most serious offense).

Old law — in this *Compendium*, defendants convicted and sentenced pursuant to laws applicable before the

Sentencing Reform Act of 1984. (*See also*, "New law.")

Parole — period of supervision after release from custody before the expiration of sentence. The U.S. Parole Commission is empowered to grant, modify or revoke the parole of all Federal offenders. Pursuant to the Sentencing Reform Act of 1984, parole was abolished and defendants are required to serve the imposed sentence (less 54 days per year good-time for sentences greater than 1 year, but not life imprisonment), followed by a term of supervised release. Because of the number of Federal inmates sentenced under pre-Sentencing Reform provisions, parole is being phased out.

Perjury — a false material declaration under oath in any proceeding before or ancillary to any court or grand jury of the United States. Includes knowingly or willfully giving false evidence or swearing to false statements under oath or by any means procuring or instigating any person to commit perjury. This offense also includes any officers and employees of the Government listed under 13 U.S.C. §§ 21-25 who willfully or knowingly furnish, or cause to be furnished, any false information or statement (*for example*, 2 U.S.C. § 192; 13 U.S.C. § 213; 15 U.S.C. § 2614; 18 U.S.C. §§ 401, 402, 1504, 1506, 1508, 1510, 1512(b), 1513, and 1622; 28 U.S.C. § 1866(g); 42 U.S.C. § 5411; 43 U.S.C. § 104; and 49A U.S.C. §§ 1472 (m)(o)).

Personal recognizance — pretrial release condition in which the defendant promises to appear at trial and no financial conditions are required to be met.

Petty offense — a Class B misdemeanor, a Class C misdemeanor, or an infraction with fines as specified in 18 U.S.C. §§ 3571. (*See also*, "Misdemeanor" and "Infraction.")

Plea bargaining — practice whereby a defendant in a criminal proceeding agrees to plead guilty to a charge in exchange for the prosecution's

cooperation in securing a more lenient sentence or some other mitigation.

Pornographic — that which is of or pertaining to obscene literature; obscene, licentious. Material is pornographic or obscene if the average person, applying contemporary community standards, would find that the work taken as a whole appeals to the prurient interest; and if it depicts in a patently offensive way sexual conduct; and if the work taken as a whole lacks serious literary, artistic, political, or scientific value. (See *Milla v. California*, 113 U.S. 15 (1973).)

Possession — offense involving the possession of a controlled substance, acquiring a controlled substance by misrepresentation or fraud, attempting or conspiring to possess, or simple possession of a controlled substance in schedules I-V (as defined by 21 U.S.C. §§ 812). Includes possession of a controlled substance in schedule I or II, or a narcotic drug in schedule III or IV on board a vessel of the United States or vessels within custom waters of the United States, or by any citizen of the United States on board a vessel. Also, possessing any punch, die, plate, stone, or any other thing designed to reproduce the label upon any drug or container is an offense under this category. Distributing a small amount of marijuana for no remuneration is treated as simple possession and, therefore, is included in this offense category (*for example*, 21 U.S.C. §§ 829 (a)(b)(c), 841(a)(b)(d)(g), 842(a)(c), 843(a), 844(a), 846, 955, and 962).

Postal laws — offenses relating to the mail; pertaining to the post office.

Presentence Investigation Report (PSR) — following a presentence investigation, a report to the court prepared by the probation officer before the imposition of sentence, as required by law; unless the court finds that there is information in the record sufficient to enable the meaningful exercise of sentencing authority pursuant to 18 U.S.C. § 3553, and the court explains this finding on the record.

Presentment — an accusation initiated by the grand jury itself, and in effect, an instruction that an indictment be drawn.

Pretrial diversion — an agreement to defer (and possibly drop) prosecution conditioned on the defendant's good behavior and/or participation in programs (such as job training, counseling, education) during a stated period.

Pretrial release — the release of a defendant from custody, for all or part of the time, before or during prosecution. The defendant may be released either on personal recognizance or unsecured bond or on financial conditions. The category includes defendants released within 2 days after arrest and defendants who were initially detained but subsequently released after raising bail or having release conditions changed at a subsequent hearing.

Probation — sentence imposed for commission of a crime whereby the convicted criminal offender is released into the community under the supervision of a probation officer in lieu of incarceration. An act of clemency available only to those found eligible by the court, probation offers a chance for reform and rehabilitation for the defendant. For this purpose, the defendant must agree to specified standards of conduct; violation of such standards subjects his liberty to revocation.

Property offenses, fraudulent — property offenses involving the elements of deceit or intentional misrepresentation. Specifically includes embezzlement, fraud (excluding tax fraud), forgery, and counterfeiting.

Property offenses, non-fraudulent — violent offenses against property: burglary, larceny, motor vehicle theft, arson, transportation of stolen property, and other property offenses (destruction of property and trespassing). These offenses are termed "non-fraudulent" only for the purpose of distinguishing them from

the category "Property offenses, fraudulent," above.

Property offenses, other — offenses that involve the destruction of property moving in interstate or foreign commerce in the possession of a common or contract carrier. Includes the malicious destruction of Government property, or injury to U.S. postal property such as mailboxes or mailbags. Trespassing on timber and Government lands is also included in this category of offenses (*for example*, 2 U.S.C. § 167(c)(g); 15 U.S.C. § 1281; 16 U.S.C. §§ 3, 45(d), 114, 121, 123, 152, 430(q), 433, 470, 478, 481, 551, and 605; 18 U.S.C. §§ 1164, 1361-62, 1364, 1852, 1854, 1856, 1858, 1860, 1863, 1864(c), and 2071(b); 40 U.S.C. §§ 193 (h)(q)(r)(s); 43 U.S.C. § 316; and 47 U.S.C. §§ 13 and 22).

Public-order offenses, non-regulatory — offenses concerning weapons; immigration; tax law violations (tax fraud); bribery; perjury; national defense; escape; racketeering and extortion; gambling; liquor; mailing or transporting of obscene materials; traffic; migratory birds; conspiracy, aiding and abetting, and jurisdictional offenses; and "other public-order offenses." These offenses are termed "non-regulatory" only for the purpose of distinguishing them from the category "Public-order offenses, regulatory" below.

Public-order offenses, other — violations of laws pertaining to bigamy, disorderly conduct on the U.S. Capitol grounds, civil disorder, and travel to incite to riot (*for example*, 18 U.S.C. §§ 228, 231, 1367, and 1385; 40 U.S.C. §§ 193(b)(d)(g)(o)(p); and 47 U.S.C. §§ 223(a)(b)). Included in "Public-order offenses, non-regulatory."

Public-order offenses, regulatory — violations of regulatory laws and regulations in agriculture, antitrust, labor law, food and drug, motor carrier, and other regulatory offenses that are not specifically listed in the category "Public-order offenses, non-regulatory."

Racketeering and extortion — racketeering is demanding, soliciting, or receiving anything of value from the owner, proprietor or other person having a financial interest in a business, by means of a threat or promise, either express or implied. Extortion is the obtaining of money or property from another, without his consent, induced by the wrongful use of force or fear. This offense code covers using interstate or foreign commerce or any facility in interstate or foreign commerce to aid racketeering enterprises such as arson, bribery, gambling, liquor, narcotics, prostitution, and extortionate credit transactions; obtaining property or money from another, with his or her consent induced by actual or threatened force; violence, blackmail, or committing unlawful interference with employment or business; transmitting by interstate commerce or through the mail any threat to injure the property, the person, or the reputation of the addressee or of another; or kidnaping any person with intent to extort. Applies to officers or employees of the United States, or anyone representing himself or herself as such (*for example*, 18 U.S.C. §§ 831, 872, 874, 875(b)(d), 877, 878(b), 892, 894, 1365(d), 1952-53, 1955-60, 1962-63).

Release

Extraordinary release — unusual methods of prisoners exiting prison, such as death, commutation, and transfer to another facility.

Standard release — the usual way prisoners exit prison, including full-term sentence expirations, expirations with good time, mandatory releases, and releases to parole.

Remand — to send back. The act of an appellate court in sending a case back to the lower court for further action.

Remove — transfer from Federal court (usually to a State court).

Restitution — the action of restoring or giving back something to its proper owner, or making reparations to one for loss or injury previously inflicted.

Reversal — the act of an appellate court annulling a judgment of a lower court because of an error.

Revocation — termination of a probation, parole, or mandatory release order because of either a rule violation or a new offense, and forcing the offender to begin or continue serving his or her sentence.

Robbery — taking anything of value from the person or presence of another by force or by intimidation, within the special maritime and territorial jurisdiction of the United States (18 U.S.C. §§ 7). Includes robbery of bank property, U.S. postal property, or personal property of the United States. Also, assaulting or putting the life of any person in jeopardy by the use of a dangerous weapon while committing or attempting to commit such robbery (*for example*, 18 U.S.C. §§ 1661, 1991, 2112, 2113(c) (d), 2114, 2116, and 2118(a)).

Rule 20 transfer — upon petition by a defendant, a transfer of proceedings to the district in which the defendant is arrested, when the defendant is arrested, held, or present in a district other than that in which an indictment or information is pending against him. In this case, the defendant may state in writing a wish to plead guilty or nolo contendere, to waive trial in the district in which the indictment or information is pending, and to consent to the disposition of the case in the district in which the defendant was arrested (Fed. R. Crim. P. 20).

Rule 40 transfer — upon petition by the U.S. attorney, commitment to another district; transfer proceedings of a defendant arrested in a district for an alleged offense committed in the another district (Fed. R. Crim. P. 40).

Sentence — sanction imposed on a convicted offender. For sentences to incarceration, the maximum time the offender may be held in custody is reported. (*See also*, "Split sentence," "Mixed sentence," "Indeterminate sentence," and "Mandatory sentence.")

Sentencing Guidelines (Federal) — guidelines established by the United

States Sentencing Commission to be followed by the Federal courts in the sentencing of those convicted of Federal offenses. Established pursuant to the Sentencing Reform Act of 1984, the sentencing guidelines prescribe a range of sentences for each class of convicted persons as determined by categories of offense behavior and offender characteristics.

Sexual abuse — rape, assault with intent to commit rape, and carnal knowledge of a female under 16 who is not one's wife, within the territorial and special maritime jurisdictions of the United States as defined in 18 U.S.C. § 7 (*for example*, 22D U.S.C. § 2801). Also includes cases of sexual abuse, including of a minor (18 U.S.C. §§ 2241(a) (c), 2242(2)(B), and 2243) and in Federal prisons (18 U.S.C. § 2244(a)).

Shock incarceration — an intense confinement program, consisting of a highly regimented schedule that provides the strict discipline, physical training, hard labor, drill, and ceremony characteristic of military basic training.

Special maritime and territorial jurisdiction — areas of Federal jurisdiction outside the jurisdiction of any State, including (1) the high seas, Great Lakes, and connecting waterways; (2) Federal lands; and (3) U.S.-owned aircraft in flight over the high seas (18 U.S.C. § 7).

Split sentence — *See*, "Mixed sentence."

Stale — the case/matter is too old to support successful prosecution.

Substantial assistance — a form of cooperation with the government in which the defendant provides the government with information, testimony, or other assistance relating to the criminal activities of other persons in exchange for a sentence reduction. Substantial assistance provides the only mechanism for judges to impose a sentence below an applicable mandatory sentence (U.S.S.G. 5K1.1 as codified at 18 U.S.C. § 3553(e)).

Supervised release — under the Sentencing Reform Act of 1984, a form of post-imprisonment supervision to be imposed by the court as a part of the sentence of imprisonment at the time of initial sentencing. Unlike parole, a term of supervised release does not replace a portion of the sentence of imprisonment, but rather is an order of supervision in addition to any term of imprisonment imposed by the court (compare also with probation).

Surety bond — an agreement by the defendant as a condition of his or her release that requires a third party (usually a bail bondsman) to promise to pay the full bail amount in the event that the defendant fails to appear.

Suspect — a person who is under investigation or interrogation as a likely perpetrator of a specific criminal offense.

Tax law violations — tax fraud offenses such as income tax evasion and fraud; counterfeiting any stamps with intent to defraud the collection or payment of tax; willfully failing to collect or pay tax; failure to obey summons to produce any papers concerning taxes; failing to furnish receipts for employees of tax withheld; failing to furnish information relating to certain trusts, annuity, and bond purchase plans; putting fraudulent or false statements on tax returns; and not obtaining a license for a business that makes a profit from foreign items. Also included in this offense category are violations of excise and wagering tax laws and any other laws listed below from the Internal Revenue Service Code (*for example*, 26 U.S.C. §§ 3402, 4412, 5751, 5762(a1), 6047(a)(c), 6331, 6420(e2), 6674, 7121, 7201, 7203(c), 7204, 7206(a)(c), 7208(a)(c), 7210, 7213(b), (d), 7214(b), 7216, 7232, 7513, 7602, and 7604(b)).

Technical violation — failure to comply with any of the conditions of pretrial release, probation, or parole, excluding alleged new criminal activity. May result in revocation of release status. Examples of conditions that

may be imposed and then violated include remaining within a specified jurisdiction or appearing at specified intervals for drug tests.

Termination — at the pretrial services stage: execution of sentence, acquittal, dismissal, diversion, or fugitive status; in the U.S. district court: conviction, acquittal, or dismissal; and at probation or supervised release: the removal of a person from supervision either for successful completion of the term of supervision or as the result of a revocation.

Threats against the President — knowingly and willfully depositing in the mail, at any post office, or by any letter carrier a letter, paper, writing, print, missive, or document containing any threat to take the life of or to inflict bodily harm upon the President, Vice President, or any other officer in order of succession to the Presidency. Knowingly and willfully making such threats in any way to the above-named people (18 U.S.C. § 871).

Traffic offenses — driving while intoxicated, or any moving or parking violations on Federal lands (*for example*, 40 U.S.C. § 212(b)).

Trafficking — knowingly and intentionally importing or exporting any controlled substance in schedule I, II, III, IV, or V (as defined by 21 U.S.C. §§ 812). Includes manufacturing, distributing, dispensing, selling, or possessing with intent to manufacture, distribute, or sell a controlled substance or a counterfeit substance; exporting any controlled substance in schedules I-V; manufacturing or distributing a controlled substance in schedule I or II for purposes of unlawful importation; or making or distributing any punch, die, plate, stone, or any other thing designed to reproduce the label upon any drug or container, or removing or obliterating the label or symbol of any drug or container. Also includes knowingly opening, maintaining or managing any place for the purpose of manufacturing, distributing, or using any controlled substance (*for example*, 19 U.S.C. § 1590; 21 U.S.C. §§ 333(e), 825(a)-(d), 830(a),

841(a)-(b) (d)(e)(g), 842(a), 843(a)(b), 845, 846, 848, 854, 856, 858, 859(a)(b), 860(a), 861(c)(f), 952(a)(b), 953(a)(e), 957, 959, 960(a)(b)(d), 961, 962, and 963; and 46A U.S.C. §§ 1903(g) and (j)).

Transportation — violations of the Federal statutes relating to the Motor Carrier Act, which regulates (routes, rates) motor carriers of freight and passengers in interstate commerce.

Transportation of stolen property — transporting, selling, or receiving stolen goods, stolen securities, stolen moneys, stolen cattle, fraudulent State tax stamps, or articles used in counterfeiting, if the above articles or goods involve or constitute interstate or foreign commerce (18 U.S.C. §§ 2315, 2317).

Trial conviction — conviction by judge or jury after trial.

True bill — an indictment.

United States — includes the outlying territories (Guam, Puerto Rico, Northern Marianas Islands, and the U.S. Virgin Islands) and the territory occupied by the 50 States and the District of Columbia.

U.S. attorneys — all United States attorneys. Prosecutorial data in this *Compendium* come from the Central System and Central Charge Files of the Executive Office for U.S. Attorneys.

Unsecured bond — an agreement by the defendant as a condition of his or her release in which the defendant agrees to pay full bond amount in the event of nonappearance at trial, but is not required to post security as a condition to release.

Violation (of pretrial release, probation, or parole) — allegation of a new crime or a technical violation while on pretrial release, probation, or parole.

Violent offenses — threatening, attempting, or actually using physical force against a person. Includes murder, negligent manslaughter, assault, robbery, sexual abuse, kidnaping, and

threats against the President. (*See also*, specific offenses for citations.)

Weapons violations — violations of any of the provisions of 18 U.S.C. §§ 922 and 923 concerning the manufacturing, importing, possessing, receiving, and licensing of firearms and ammunition. Includes manufacturing, selling, possessing, or transporting (within any territory or possession of the United States, within Indian country, or within the special maritime and territorial jurisdiction of the United States) (18 U.S.C. §§ 7) any switchblade knife; or making, receiving, possessing, or transporting a firearm not registered in the National Firearms Registration Transfer Record. Also, engaging in importing, manufacturing, or dealing in firearms if not registered with the secretary in the Internal Revenue Service District in which the business is conducted or not having paid a special occupational tax. In addition, this code covers cases where in a crime of violence or drug trafficking enhanced punishment is handed down when committed with a deadly weapon (*for example*, 15 U.S.C. § 1242; 18 U.S.C. §§ 922(a)(c)(e) (g)(i)(k)(m)(n)(q), 923, 924(a)(c)(f)(h) and 930; 26 U.S.C. §§ 5801, 5811, 5821, 5841, 5843, 5851, and 5861(b)(d)(h)(j)(l); 40 U.S.C. § 193f(a); and 49A U.S.C. § 1472(q)).