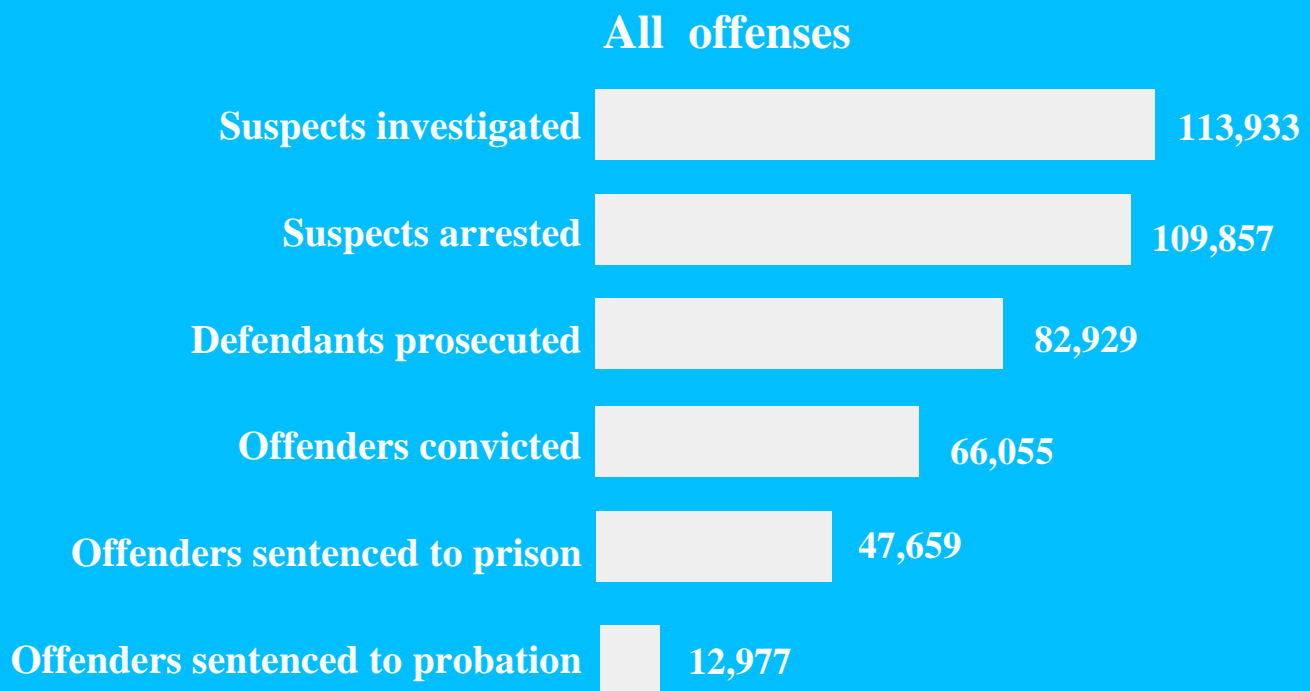




Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1999

Federal criminal case processing, October 1, 1998, through September 30, 1999



A Federal Justice Statistics Program Report

U.S. Department of Justice
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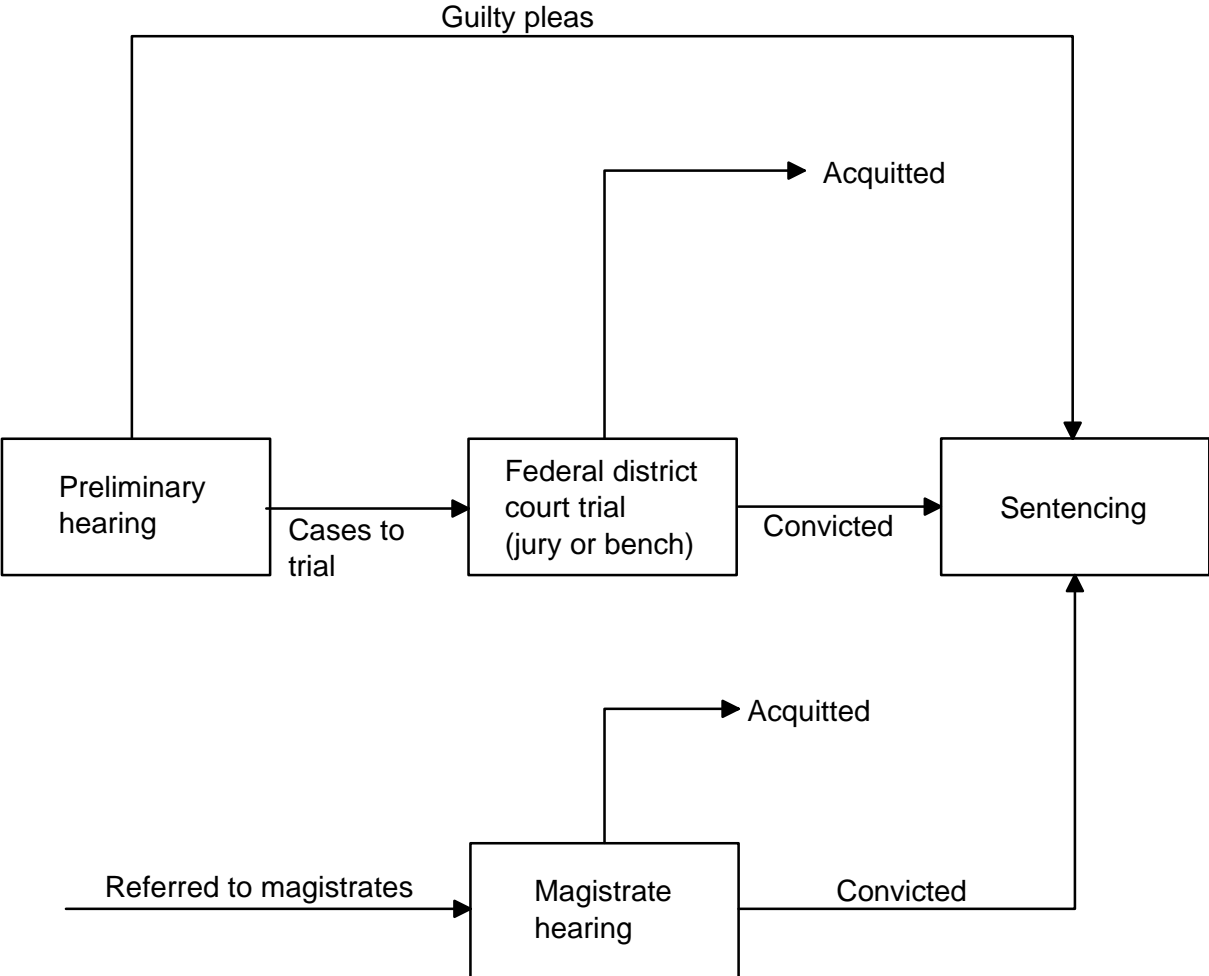
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Chapter 4

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 cases filed (table 4.1)

During 1999, 80,031 defendants had criminal charges filed against them in U.S. district courts, and 67,442 (84%) of those defendants were charged with felonies. The 29,306 drug felony defendants comprised 37% of all criminal defendants in cases filed and 43% of all felony defendants. Felony property and public-order defendants comprised 19% and 26%, respectively, of all defendants in cases filed. The 12,474 misdemeanor defendants constituted 16% of all defendants in cases filed; 40% of those misdemeanor defendants were charged with traffic violations.

Defendants in cases terminated (table 4.2)

Cases were terminated against 75,723 defendants during 1999, 62,839 (91%) of whom were felony defendants. During 1999, the 27,008 drug-related felony defendants comprised nearly 36% of all defendants in cases terminated and 43% of all felony defendants.

Eighty-seven percent of all defendants, 91% of all felony defendants and 71% 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 71% for those found guilty of making threats against the President, to 95% for robbery. Within the public-order category, the conviction rate

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.

ranged from 60% for civil rights violations to 96% for tax law violations and 98% for antitrust offenses.

Most defendants who were convicted pleaded guilty (figure 4.1). Overall, over 94% of those convicted pleaded guilty, while only 5% were convicted at trial. For felony offenses, 95% pleaded guilty to their charges. For the major felony offense categories, guilty pleas were registered for 90% of violent offenders, 95% of drug offenders, and 96% each for public-order and property offenders.

During 1999, 4,352 defendants exercised their right to a trial. A higher percentage of violent offenders went to trial than drug, property, and public-order offenders. Ten percent of violent offenders went to trial as compared with 5% of both property and public-order offenders, and 7% of drug offenders.

Of defendants who exercised their right to a trial, 3,236 (74%) were convicted either by a jury or a bench trial. The felony trial conviction rate was 82%, while the misdemeanor

conviction rate was 44%. Among felony offenses, trial conviction rates ranged from 77% for property defendants to 85% for drug defendants. Violent and public-order offenders fell in between, as about 80% were convicted at trial for each respectively.

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 9.2 months. For felony defendants, the overall processing time average was 9.8 months; for those charged with misdemeanor crimes, the average processing time was 5.8 months. Defendants who pleaded guilty were processed, on average, 4 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.



Figure 4.1. Disposition of cases terminating during October 1, 1998 - September 30, 1999

longest to process (16 months), on average. Among major felony offense categories, case processing times were similar to the overall pattern, except for violent offenses. Defendants convicted of violent offenses took a greater amount of time for trial (13 months), on average, than for dismissal (10.6 months).

Convictions by U.S. magistrates (table 4.4)

During 1999 U.S. magistrates disposed of 12,019 misdemeanor criminal defendants, 71% of whom were convicted. Public-order offenders comprised 58% of the defendants disposed by U.S. magistrates, with property offenders comprising another 29%. Drug offenses comprised a little over 11% of U.S. magistrates' cases.

Characteristics of convicted defendants (table 4.5)

Among defendants convicted, there were over 5 times as many men as women (85% versus 16%); over twice as many whites as blacks (67% versus 28%); and almost twice as many non-Hispanics as Hispanics (61% versus 39%). Most were U.S. citizens (66%), had graduated high school or completed some higher education (55%), and had some criminal history (55%). Persons over the age of 30 represented 55% of defendants.

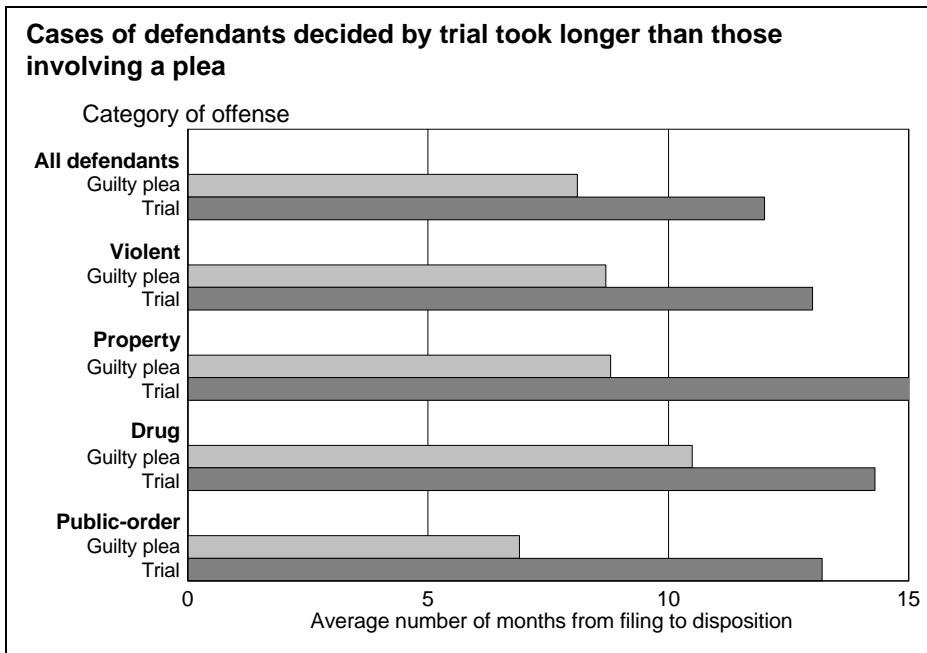


Figure 4.2. Average time from filing to disposition of cases terminating during October 1, 1998 - September 30, 1999, by offense

Table 4.1. Defendants in cases commenced, by offense, October 1, 1998 - September 30, 1999

| Most serious offense charged | Defendants in cases commenced during 1999 | |
|------------------------------------------|-------------------------------------------|----------------------|
| | Number | Percent ^a |
| All offenses | 80,031 | 100% |
| Felonies | 67,442 | 84.3% |
| Violent offenses | 2,976 | 3.7% |
| Murder ^b | 483 | 0.6 |
| Negligent manslaughter | 2 | — |
| Assault | 316 | 0.4 |
| Robbery | 1,642 | 2.1 |
| Sexual abuse ^b | 333 | 0.4 |
| Kidnaping | 183 | 0.2 |
| Threats against the President | 17 | — |
| Property offenses | 14,779 | 18.5% |
| Fraudulent | 12,028 | 15.0% |
| Embezzlement | 1,100 | 1.4 |
| Fraud ^b | 9,158 | 11.4 |
| Forgery | 144 | 0.2 |
| Counterfeiting | 1,626 | 2.0 |
| Other | 2,751 | 3.4% |
| Burglary | 88 | 0.1 |
| Larceny ^b | 1,777 | 2.2 |
| Motor vehicle theft | 201 | 0.3 |
| Arson and explosives | 266 | 0.3 |
| Transportation of stolen property | 353 | 0.4 |
| Other property offenses ^b | 66 | 0.1 |
| Drug offenses | 29,306 | 36.6% |
| Trafficking | 27,296 | 34.1 |
| Possession and other drug offenses | 2,010 | 2.5 |
| Public-order offenses | 20,381 | 25.5% |
| Regulatory | 1,245 | 1.6% |
| Agriculture | 92 | 0.1 |
| Antitrust | 45 | 0.1 |
| Food and drug | 38 | — |
| Transportation | 137 | 0.2 |
| Civil rights | 104 | 0.1 |
| Communications | 19 | — |
| Custom laws | 87 | 0.1 |
| Postal laws | 39 | — |
| Other regulatory offenses | 684 | 0.9 |
| Other | 19,136 | 23.9% |
| Weapons | 4,924 | 6.2 |
| Immigration offenses | 10,550 | 13.2 |
| Tax law violations ^b | 661 | 0.8 |
| Bribery | 186 | 0.2 |
| Perjury, contempt, and intimidation | 317 | 0.4 |
| National defense | 69 | 0.1 |
| Escape | 589 | 0.7 |
| Racketeering and extortion | 997 | 1.2 |
| Gambling | 29 | — |
| Liquor offenses | 3 | — |
| Nonviolent sex offenses | 582 | 0.7 |
| Obscene material ^b | 10 | — |
| Traffic offenses | 27 | — |
| Migratory birds | 1 | — |
| All other felonies ^b | 191 | 0.2 |
| Misdemeanors^b | 12,474 | 15.6% |
| Fraudulent property offenses | 1,376 | 1.7 |
| Larceny | 1,839 | 2.3 |
| Drug possession ^b | 1,381 | 1.7 |
| Immigration | 804 | 1.0 |
| Traffic offenses | 4,974 | 6.2 |
| Other misdemeanors | 2,100 | 2.6 |
| Unknown or indeterminable offense | 115 | |

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 cases terminating from October 1, 1998 - September 30, 1999, by offense

| Most serious offense charged | Total defendants | Percent of all defendants convicted | Number of defendants in cases terminating during 1999 who were— | | | | | | | | |
|------------------------------------------|------------------|-------------------------------------|-----------------------------------------------------------------|-------------|-----------------|-------|-------------------|---------------|-----------|-------|-----|
| | | | Convicted | | | | | Not convicted | | | |
| | | | Total | Guilty plea | Nolo contendere | Trial | | Total | Dismissed | Trial | |
| | | | Jury | Non-jury | | | Jury ^a | Non-jury | | | |
| All offenses | 75,723 | 87.2% | 66,055 | 62,404 | 415 | 2,733 | 503 | 9,668 | 8,552 | 563 | 553 |
| Felonies | 62,839 | 90.5% | 56,865 | 53,973 | 32 | 2,690 | 170 | 5,974 | 5,332 | 547 | 95 |
| Violent offenses | 3,093 | 89.9% | 2,781 | 2,513 | 5 | 238 | 25 | 312 | 243 | 60 | 9 |
| Murder ^b | 461 | 83.1 | 383 | 324 | 0 | 50 | 9 | 78 | 56 | 18 | 4 |
| Assault | 383 | 84.1 | 322 | 291 | 1 | 25 | 5 | 61 | 44 | 15 | 2 |
| Robbery | 1,676 | 94.7 | 1,587 | 1,468 | 4 | 107 | 8 | 89 | 79 | 10 | 0 |
| Sexual abuse ^b | 354 | 87.3 | 309 | 274 | 0 | 32 | 3 | 45 | 32 | 12 | 1 |
| Kidnaping | 191 | 83.8 | 160 | 137 | 0 | 23 | 0 | 31 | 29 | 1 | 1 |
| Threats against the President | 28 | 71.4 | 20 | 19 | 0 | 1 | 0 | 8 | 3 | 4 | 1 |
| Property offenses | 14,055 | 90.4% | 12,712 | 12,144 | 8 | 536 | 24 | 1,343 | 1,183 | 128 | 32 |
| Fraudulent | 11,587 | 90.6% | 10,493 | 10,032 | 7 | 433 | 21 | 1,094 | 962 | 111 | 21 |
| Embezzlement | 1,103 | 91.7 | 1,012 | 981 | 0 | 30 | 1 | 91 | 79 | 6 | 6 |
| Fraud ^b | 8,755 | 90.1 | 7,892 | 7,507 | 7 | 362 | 16 | 863 | 756 | 93 | 14 |
| Forgery | 151 | 90.7 | 137 | 134 | 0 | 3 | 0 | 14 | 13 | 0 | 1 |
| Counterfeiting | 1,578 | 92.0 | 1,452 | 1,410 | 0 | 38 | 4 | 126 | 114 | 12 | 0 |
| Other | 2,468 | 89.9% | 2,219 | 2,112 | 1 | 103 | 3 | 249 | 221 | 17 | 11 |
| Burglary | 84 | 91.7 | 77 | 75 | 0 | 2 | 0 | 7 | 6 | 1 | 0 |
| Larceny ^b | 1,560 | 90.5 | 1,412 | 1,376 | 0 | 36 | 0 | 148 | 134 | 6 | 8 |
| Motor vehicle theft | 158 | 88.6 | 140 | 134 | 0 | 4 | 2 | 18 | 16 | 1 | 1 |
| Arson and explosives | 241 | 88.4 | 213 | 178 | 1 | 33 | 1 | 28 | 20 | 7 | 1 |
| Transportation of stolen property | 370 | 88.9 | 329 | 302 | 0 | 27 | 0 | 41 | 38 | 2 | 1 |
| Other property offenses ^b | 55 | 87.3 | 48 | 47 | 0 | 1 | 0 | 7 | 7 | 0 | 0 |
| Drug offenses | 27,008 | 89.9% | 24,275 | 22,956 | 11 | 1,258 | 50 | 2,733 | 2,502 | 202 | 29 |
| Trafficking | 25,334 | 89.8 | 22,748 | 21,525 | 11 | 1,167 | 45 | 2,586 | 2,367 | 192 | 27 |
| Possession and other drug offenses | 1,674 | 91.2 | 1,527 | 1,431 | 0 | 91 | 5 | 147 | 135 | 10 | 2 |
| Public-order offenses | 18,683 | 91.5% | 17,097 | 16,360 | 8 | 658 | 71 | 1,586 | 1,404 | 157 | 25 |
| Regulatory | 1,306 | 83.7% | 1,093 | 1,032 | 2 | 57 | 2 | 213 | 177 | 32 | 4 |
| Agriculture | 121 | 76.0 | 92 | 85 | 2 | 5 | 0 | 29 | 25 | 4 | 0 |
| Antitrust | 41 | 97.6 | 40 | 33 | 0 | 7 | 0 | 1 | 0 | 1 | 0 |
| Food and drug | 26 | 96.2 | 25 | 25 | 0 | 0 | 0 | 1 | 1 | 0 | 0 |
| Transportation | 92 | 83.7 | 77 | 67 | 0 | 8 | 2 | 15 | 11 | 4 | 0 |
| Civil rights | 126 | 60.3 | 76 | 65 | 0 | 11 | 0 | 50 | 31 | 19 | 0 |
| Communications | 22 | 81.8 | 18 | 17 | 0 | 1 | 0 | 4 | 3 | 0 | 1 |
| Custom laws | 101 | 84.2 | 85 | 84 | 0 | 1 | 0 | 16 | 13 | 1 | 2 |
| Postal laws | 41 | 80.5 | 33 | 32 | 0 | 1 | 0 | 8 | 8 | 0 | 0 |
| Other regulatory offenses | 736 | 87.9 | 647 | 624 | 0 | 23 | 0 | 89 | 85 | 3 | 1 |
| Other | 17,377 | 92.1% | 16,004 | 15,328 | 6 | 601 | 69 | 1,373 | 1,227 | 125 | 21 |
| Weapons | 4,087 | 88.6 | 3,623 | 3,269 | 0 | 327 | 27 | 464 | 394 | 61 | 9 |
| Immigration offenses | 9,759 | 95.4 | 9,306 | 9,215 | 1 | 73 | 17 | 453 | 426 | 23 | 4 |
| Tax law violations ^b | 635 | 95.7 | 608 | 567 | 1 | 39 | 1 | 27 | 23 | 4 | 0 |
| Bribery | 202 | 87.6 | 177 | 170 | 0 | 6 | 1 | 25 | 20 | 5 | 0 |
| Perjury, contempt, and intimidation | 348 | 86.2 | 300 | 260 | 3 | 31 | 6 | 48 | 32 | 14 | 2 |
| National defense | 70 | 68.6 | 48 | 44 | 0 | 4 | 0 | 22 | 22 | 0 | 0 |
| Escape | 585 | 76.1 | 445 | 434 | 1 | 7 | 3 | 140 | 136 | 1 | 3 |
| Racketeering and extortion | 1,099 | 88.7 | 975 | 865 | 0 | 101 | 9 | 124 | 105 | 17 | 2 |
| Gambling | 20 | 90.0 | 18 | 15 | 0 | 3 | 0 | 2 | 2 | 0 | 0 |
| Liquor offenses | 1 | — | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 |
| Nonviolent sex offenses | 432 | 91.0 | 393 | 384 | 0 | 8 | 1 | 39 | 38 | 0 | 1 |
| Obscene material ^b | 13 | 69.2 | 9 | 8 | 0 | 1 | 0 | 4 | 4 | 0 | 0 |
| Traffic offenses | 29 | 93.1 | 27 | 23 | 0 | 1 | 3 | 2 | 2 | 0 | 0 |
| Migratory birds | 1 | — | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All other felonies ^b | 96 | 77.1 | 74 | 73 | 0 | 0 | 1 | 22 | 22 | 0 | 0 |
| Misdemeanors^b | 12,793 | 71.2% | 9,115 | 8,365 | 383 | 40 | 327 | 3,678 | 3,207 | 16 | 455 |
| Fraudulent property offense | 1,418 | 92.1 | 1,306 | 1,296 | 7 | 2 | 1 | 112 | 110 | 1 | 1 |
| Larceny | 1,848 | 59.6 | 1,102 | 1,008 | 52 | 7 | 35 | 746 | 720 | 3 | 23 |
| Drug possession ^b | 1,344 | 74.8 | 1,005 | 971 | 14 | 10 | 10 | 339 | 331 | 1 | 7 |
| Immigration | 794 | 97.4 | 773 | 772 | 1 | 0 | 0 | 21 | 21 | 0 | 0 |
| Traffic offenses | 5,298 | 65.1 | 3,449 | 2,988 | 263 | 4 | 194 | 1,849 | 1,456 | 1 | 392 |
| Other misdemeanors | 2,091 | 70.8 | 1,480 | 1,330 | 46 | 17 | 87 | 611 | 569 | 10 | 32 |
| Unknown or indeterminable offense | 91 | 82.4% | 75 | 66 | 0 | 3 | 6 | 16 | 13 | 0 | 3 |

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 cases terminating from October 1, 1998 - September 30, 1999, by offense

| Most serious offense charged | Average time from filing to disposition for defendants in cases resulting in— | | | |
|------------------------------------------|-------------------------------------------------------------------------------|------------------------|-------------|--------------------|
| | All outcomes | Dismissal ^a | Guilty plea | Trial ^b |
| All offenses | 9.2 mo | 16.0 mo | 8.1 mo | 12.0 mo |
| Felonies | 9.8 mo | 16.6 mo | 8.9 mo | 14.2 mo |
| Violent offenses | 9.3 mo | 10.6 mo | 8.7 mo | 13.0 mo |
| Murder ^c | 11.6 | 11.4 | 10.4 | 16.6 |
| Assault | 8.2 | 11.7 | 7.7 | 8.1 |
| Robbery | 8.3 | 9.1 | 7.9 | 12.7 |
| Sexual abuse ^c | 8.9 | 11.3 | 8.3 | 11.3 |
| Kidnaping | 15.8 | 10.4 | 16.8 | 16.1 |
| Threats against the President | 7.8 | — | 7.5 | — |
| Property offenses | 9.7 mo | 16.0 mo | 8.8 mo | 15.9 mo |
| Fraudulent | 9.7 mo | 15.5 mo | 8.8 mo | 15.9 mo |
| Embezzlement | 7.0 | 9.3 | 6.4 | 15.5 |
| Fraud ^c | 10.4 | 16.6 | 9.4 | 16.3 |
| Forgery | 11.2 | 25.9 | 9.3 | — |
| Counterfeiting | 7.8 | 11.2 | 7.4 | 11.3 |
| Other | 9.9 mo | 18.1 mo | 8.7 mo | 15.9 mo |
| Burglary | 6.4 | — | 6.6 | — |
| Larceny ^c | 8.9 | 15.8 | 8.0 | 15.8 |
| Motor vehicle theft | 9.9 | 15.1 | 9.2 | — |
| Arson and explosives | 12.8 | 14.4 | 11.4 | 17.9 |
| Transportation of stolen property | 13.0 | 32.2 | 10.3 | 15.9 |
| Other property offenses ^c | 8.3 | — | 7.8 | — |
| Drug offenses | 11.4 mo | 18.9 mo | 10.5 mo | 14.3 mo |
| Trafficking | 11.5 | 19.4 | 10.5 | 14.5 |
| Possession and other drug offenses | 10.3 | 10.3 | 10.2 | 12.3 |
| Public-order offenses | 7.8 mo | 14.1 mo | 6.9 mo | 13.2 mo |
| Regulatory | 10.9 mo | 20.3 mo | 9.0 mo | 16.5 mo |
| Agriculture | 9.6 | 12.3 | 8.4 | — |
| Antitrust | 13.8 | ... | 11.1 | — |
| Food and drug | 8.6 | — | 8.7 | — |
| Transportation | 9.3 | 5.3 | 7.1 | — |
| Civil rights | 13.3 | 16.4 | 12.6 | 11.8 |
| Communications | 10.2 | — | 6.0 | — |
| Custom laws | 12.1 | 9.7 | 11.7 | — |
| Postal laws | 5.8 | — | 5.9 | — |
| Other regulatory offenses | 11.0 | 29.5 | 8.6 | 14.6 |
| Other | 7.5 mo | 13.2 mo | 6.8 mo | 12.8 mo |
| Weapons | 9.8 | 11.0 | 9.5 | 11.5 |
| Immigration offenses | 4.5 | 8.9 | 4.2 | 10.3 |
| Tax law violations ^c | 11.9 | 26.6 | 10.9 | 17.1 |
| Bribery | 12.1 | 24.3 | 10.7 | 14.4 |
| Perjury, contempt, and intimidation | 11.2 | 9.5 | 11.2 | 12.5 |
| National defense | 19.2 | 30.6 | 15.5 | — |
| Escape | 15.9 | 31.3 | 12.8 | 12.4 |
| Racketeering and extortion | 16.0 | 18.9 | 15.2 | 18.7 |
| Gambling | 6.8 | — | 7.3 | — |
| Liquor offenses | — | — | ... | ... |
| Nonviolent sex offenses | 8.9 | 11.4 | 8.7 | — |
| Obscene material ^c | 8.1 | — | — | — |
| Traffic offenses | 4.9 | — | 4.7 | — |
| Migratory birds | — | ... | — | ... |
| All other felonies ^c | 6.9 | 5.5 | 7.3 | — |
| Misdemeanors^c | 5.8 mo | 15.1 mo | 2.7 mo | 2.6 mo |
| Fraudulent property offense | 3.3 | 11.4 | 2.6 | — |
| Larceny | 5.1 | 6.3 | 4.3 | 5.6 |
| Drug possession ^c | 5.0 | 8.9 | 3.5 | 9.5 |
| Immigration | 0.6 | 6.1 | 0.4 | ... |
| Traffic offenses | 7.8 | 24.0 | 1.8 | 0.5 |
| Other misdemeanors | 5.4 | 7.8 | 4.1 | 8.6 |
| Unknown or indeterminable offense | 5.6 mo | 5.9 mo | 5.8 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, 1998 - September 30, 1999

| Most serious offense charged | Defendants in criminal cases concluded by U.S. magistrates | | | |
|--------------------------------------------------------------------------|------------------------------------------------------------|-----------|---------------|-------------------|
| | Total | Convicted | Not convicted | Percent convicted |
| All offenses^a | 12,019 | 8,566 | 3,453 | 71.3% |
| Violent offenses^b | 248 | 165 | 83 | 66.5% |
| Murder ^c | 6 | 4 | 2 | — |
| Assault | 230 | 152 | 78 | 66.1 |
| Sexual abuse ^c | 12 | 9 | 3 | 75.0 |
| Property offenses | 3,438 | 2,547 | 891 | 74.1% |
| Fraudulent | 1,462 | 1,360 | 102 | 93.0% |
| Embezzlement | 280 | 254 | 26 | 90.7 |
| Fraud ^c | 1,131 | 1,059 | 72 | 93.6 |
| Forgery | 42 | 38 | 4 | 90.5 |
| Counterfeiting | 9 | 9 | 0 | — |
| Other | 1,976 | 1,187 | 789 | 60.1% |
| Burglary | 10 | 6 | 4 | — |
| Larceny ^c | 1,803 | 1,084 | 719 | 60.1 |
| Motor vehicle theft | 1 | 1 | 0 | — |
| Arson and explosives | 6 | 5 | 1 | — |
| Other property offenses ^c | 156 | 91 | 65 | 58.3 |
| Drug offenses | 1,328 | 996 | 332 | 75.0% |
| Trafficking | 75 | 64 | 11 | 85.3 |
| Possession | 1,251 | 930 | 321 | 74.3 |
| Other drug offenses | 2 | 2 | 0 | — |
| Public-order offenses | 7,004 | 4,858 | 2,146 | 69.4% |
| Regulatory | 516 | 408 | 108 | 79.1% |
| Agriculture | 112 | 97 | 15 | 86.6 |
| Fair labor standards | 25 | 24 | 1 | 96.0 |
| Food and drug | 23 | 23 | 0 | 100 |
| Motor carrier | 2 | 2 | 0 | — |
| Other regulatory offenses | 354 | 262 | 92 | 74.0 |
| Other | 6,488 | 4,450 | 2,038 | 68.6% |
| Weapons | 86 | 46 | 40 | 53.5 |
| Immigration offenses | 547 | 534 | 13 | 97.6 |
| Tax law violations ^c | 77 | 75 | 2 | 97.4 |
| Bribery | 9 | 9 | 0 | — |
| Perjury | 2 | 0 | 2 | — |
| National defense | 26 | 22 | 4 | 84.6 |
| Escape | 51 | 33 | 18 | 64.7 |
| Racketeering and extortion | 4 | 3 | 1 | — |
| Gambling | 5 | 5 | 0 | — |
| Nonviolent sex offenses | 3 | 2 | 1 | — |
| Conspiracy, aiding and abetting, traffic, and jurisdictional offenses | 5,215 | 3,420 | 1,795 | 65.6 |
| Migratory birds | 10 | 9 | 1 | — |
| All other offenses ^c | 453 | 292 | 161 | 64.5 |
| 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; and "All other offenses" includes offenses with unclassifiable offense type.

Table 4.5. Characteristics of convicted offenders, October 1, 1998 - September 30, 1999

| Offender characteristic | Total number of convicted offenders | Percent of convicted offenders | | | | | | | |
|--------------------------------------|-------------------------------------|--------------------------------|------------------|------------|-------|---------------|-----------------------|--------|--------------|
| | | All offenses ^a | Violent offenses | Felonies | | Drug offenses | Public-order offenses | | Misdemeanors |
| | | | | Fraudulent | Other | | Regulatory | Other | |
| All offenders^b | 66,055 | 66,055 | 2,715 | 10,203 | 2,029 | 23,476 | 1,410 | 16,031 | 10,118 |
| Male/female | | | | | | | | | |
| Male | 48,092 | 84.5% | 91.0% | 73.3% | 73.8% | 85.9% | 75.0% | 94.1% | 73.7% |
| Female | 8,844 | 15.5 | 9.0 | 26.7 | 26.2 | 14.1 | 25.0 | 5.9 | 26.3 |
| Race | | | | | | | | | |
| White | 37,566 | 67.4% | 45.8% | 62.8% | 62.5% | 64.5% | 76.2% | 79.0% | 64.7% |
| Black | 15,423 | 27.7 | 33.1 | 31.4 | 30.0 | 33.3 | 18.3 | 17.4 | 24.7 |
| Native American | 959 | 1.7 | 18.4 | 0.9 | 4.0 | 0.7 | 0.9 | 0.8 | 1.9 |
| Asian/Pacific Islander | 1,544 | 2.8 | 2.2 | 4.3 | 3.1 | 1.2 | 4.2 | 2.4 | 8.1 |
| Other | 223 | 0.4 | 0.4 | 0.5 | 0.4 | 0.3 | 0.3 | 0.5 | 0.5 |
| Ethnicity | | | | | | | | | |
| Hispanic | 21,892 | 38.7% | 9.5% | 15.2% | 9.1% | 42.6% | 36.0% | 60.1% | 27.2% |
| Non-Hispanic | 34,642 | 61.3 | 90.5 | 84.8 | 90.9 | 57.4 | 64.0 | 39.9 | 72.8 |
| Age | | | | | | | | | |
| 16-18 years | 459 | 0.8% | 1.6% | 0.1% | 0.5% | 0.9% | 0.9% | 0.6% | 2.3% |
| 19-20 years | 2,695 | 4.9 | 8.9 | 2.7 | 4.8 | 5.3 | 3.9 | 4.3 | 8.4 |
| 21-30 years | 21,531 | 39.3 | 39.2 | 29.0 | 32.1 | 44.5 | 27.7 | 41.0 | 35.6 |
| 31-40 years | 16,556 | 30.2 | 29.0 | 30.6 | 31.5 | 29.6 | 29.8 | 32.2 | 25.8 |
| Over 40 years | 13,548 | 24.7 | 21.2 | 37.5 | 31.2 | 19.7 | 37.6 | 22.0 | 27.8 |
| Citizenship | | | | | | | | | |
| U.S. citizen | 36,975 | 65.7% | 93.9% | 82.6% | 92.8% | 68.7% | 68.2% | 41.5% | 69.0% |
| Not U.S. citizen | 19,267 | 34.3 | 6.1 | 17.4 | 7.2 | 31.3 | 31.8 | 58.5 | 31.0 |
| Education | | | | | | | | | |
| Less than high school graduate | 23,442 | 44.8% | 39.6% | 22.8% | 29.0% | 50.8% | 34.0% | 59.7% | 27.1% |
| High school graduate | 15,746 | 30.1 | 37.7 | 30.5 | 36.3 | 31.1 | 29.4 | 23.4 | 39.0 |
| Some college | 9,632 | 18.4 | 18.7 | 30.0 | 26.8 | 15.4 | 22.2 | 11.9 | 24.3 |
| College graduate | 3,507 | 6.7 | 4.0 | 16.8 | 7.9 | 2.7 | 14.5 | 5.0 | 9.6 |
| Criminal record | | | | | | | | | |
| No convictions | 25,794 | 45.3% | 31.3% | 57.0% | 49.1% | 45.5% | 71.5% | 30.2% | 65.7% |
| Prior adult convictions ^c | 31,186 | 54.7 | 68.7 | 43.0 | 50.9 | 54.5 | 28.5 | 69.8 | 34.3 |

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, 1998, through September 30, 1999, 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.

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.

3) A criminal record, as reported in