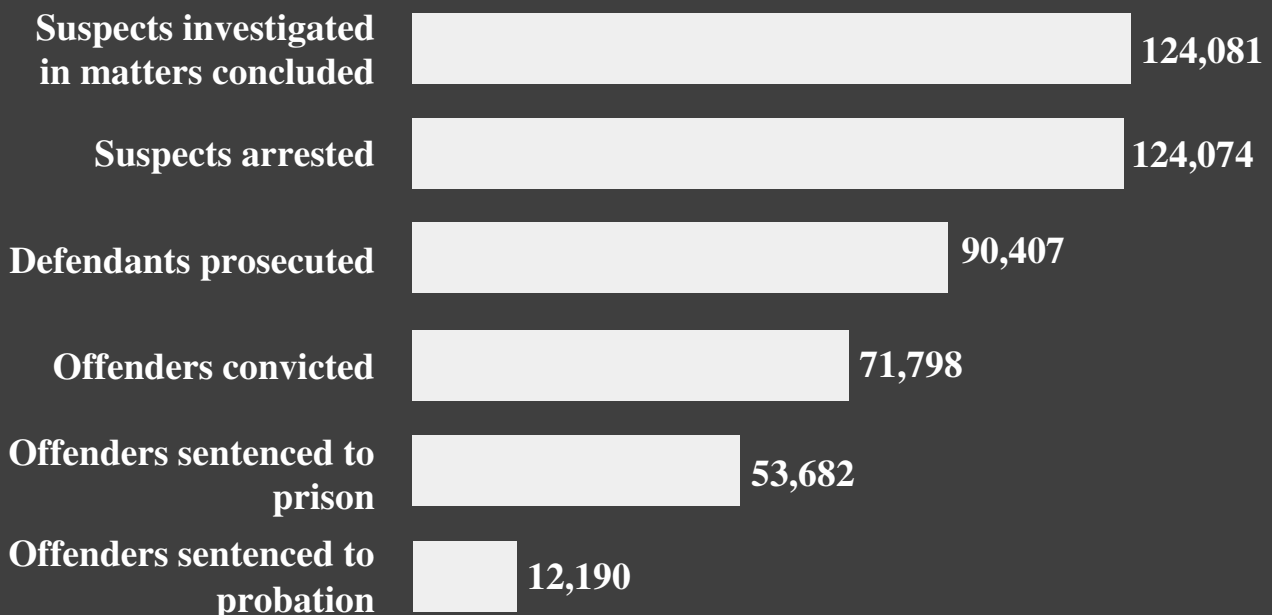




Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 2002

Federal criminal case processing, October 1, 2001-September 30, 2002



A Federal Justice Statistics Program Report

U.S. Department of Justice

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Compendium of Federal Justice Statistics, 2002

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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 between 2001 and 2002, from 121,818 to 124,335. 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 (11%) — and 27% of those investigated were not prosecuted by U.S. attorneys.

The number of defendants prosecuted in Federal courts increased slightly between 2001 and 2002, from 86,728 to 90,407.

The number of offenders under Federal correctional supervision increased 77% between 1990 and 2002. At the end of fiscal year 2002, the number of offenders in Federal prison or on community supervision was 250,398 compared to 141,790 during 1990.

At the end of fiscal year 2002, the number of Federal inmates serving a sentence of imprisonment was 143,031. The number under community supervision was 107,367. Over 70% of those under community supervision were on post-incarceration supervised release (73,229) or parole (3,561).

Arrest

During 2002, 124,074 suspects were arrested by Federal law enforcement agencies for violations of Federal law. Twenty-seven percent of those arrested and booked by the U.S. Marshals Service were for drug offenses, 21% for immigration offenses, 18% for supervision violations, 14% for property offenses, 7% for public-order offenses, 6% for weapon offenses, 4% for violent offenses, and 3% to secure and safeguard a material witness.

About 70% of suspects booked by the U.S. Marshals Service were arrested by Department of Justice agencies, while Treasury Department agencies accounted for 12% of all arrests. Within the Department of Justice, the U.S. Marshals Service made 39%

of the arrests; the Immigration and Naturalization Service, 33%; the Drug Enforcement Administration 14%, and the Federal Bureau of Investigation 13%.

Prosecution

During 2002 U.S. attorneys initiated criminal investigations involving 124,335 suspects, and they concluded their investigations of 124,081 suspects. Thirty-one percent of the suspects were investigated for drug, 22% for property, 19% for public order, 14% for immigration, 9% for weapon, and 5% for violent offenses.

Of the suspects in criminal matters concluded, U.S. attorneys prosecuted 76,314 in U.S. district courts and 14,093 were disposed of before U.S. magistrates. During 2002, U.S. attorneys declined 27% of matters concluded.

Suspects in criminal matters involving immigration or drug offenses were more likely to be prosecuted in a U.S. district court (85% and 77%, respectively) than were suspects involved in weapon (70%), violent (54%), property (54%), or public-order offenses (30%). Suspects involved in property offenses (such as fraud), violent offenses, or public-order offenses were more likely to be declined for prosecution (about 40%) than were suspects investigated for weapon (28%), drug (18%), or immigration (3%) offenses.

Pretrial release

Of 78,060 pretrial cases commenced in 2002, 37% of defendants were released after either an initial or detention hearing, while 62% were detained, and less than 1 % were dismissed.

During 2002, 45% of the 71,572 defendants who terminated pretrial services were released at some time prior to their criminal trial. Defendants charged with property offenses or public-order offenses were more likely to be released prior to trial (79% and

69%, respectively) than were defendants charged with weapon (43%), drug (41%), violent (35%), or immigration (9%) offenses.

The proportion of defendants released prior to their trial decreased from 62% during 1990 to 45% during 2002.

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 a greater number of prior convictions were less likely to be released than those with fewer prior convictions. About 25% of the defendants with a prior violent felony conviction were released before trial, while 61% of defendants with no prior convictions were released. Forty-six percent of defendants with one prior conviction were released, as compared to 37% of defendants having two to four prior convictions and about 28% of defendants having five or more prior convictions.

Eighty-one percent of defendants released prior to trial completed their periods of release without violating the conditions of their release. Nineteen percent of defendants released violated the conditions of their release, and 8% of defendants had their release revoked. Defendants charged with weapon or drug offenses were more likely to commit at least one violation of their conditions of release (31% and 30%, respectively), while defendants charged with weapon or violent offenses were more likely to have their release revoked (13% and 12%, respectively) than were other defendants.

Defendants released during 2002 were more likely to violate the conditions of their pretrial release than those released during 1990. During 2002, 20% of those released at some point prior to trial violated a condition of their release. During 1990, 12% violated their release conditions.

Adjudication

During 2002, 87,727 defendants were charged in Federal courts with a criminal offense, 87% of whom were

charged with felonies. Of the defendants charged with felonies, 40% were prosecuted for drug, 21% for property, 17% for immigration, 11% for weapon, 6% for public-order, and 4% for violent offenses.

The number of defendants charged with a felony immigration offense increased by 14% between 2001 and 2002, from 11,504 to 13,101. The number charged with a felony weapon offense increased by 25%, from 6,495 to 8,104.

Criminal cases were concluded against 80,424 defendants during 2002, 87% of whom had been charged with felonies. The proportion of defendants convicted in the Federal courts increased from 81% during 1990 to 89% during 2002. The proportion of convicted defendants who pleaded guilty increased from 87% during 1990 to 96% during 2002.

About 92% of defendants charged with felonies were convicted. The conviction rate was similar for the major offense categories: 95% of defendants charged with immigration offenses, 92% of both drug and violent defendants, 91% of property defendants, 89% of weapon defendants, and 88% of public-order defendants.

Sentencing

Defendants convicted during 2002 were more likely to be sentenced to prison than those convicted during 1990. During 2002 about 75% of defendants were sentenced to prison compared to 60% of those sentenced during 1990.

Ninety-three percent of felony violent offenders received prison terms, as did 92% of felony weapon offenders, 91% of felony drug offenders, 89% of felony immigration offenders, 66% of felony public-order offenders, and 59% of felony property offenders.

Most serious offense of conviction	Average sentence length
All offenses	57.1 mo
Felonies	58.4
Violent offenses	88.5
Property offenses	25.0
Drug offenses	76.0
Public-order offenses	38.5
Weapon offenses	83.9
Immigration offenses	27.9
Misdemeanors	9.8

The 53,682 offenders sentenced to prison received, on average, 57.1 months of imprisonment. Offenders sentenced for felony violent offenses, felony weapon offenses, and felony drug offenses received longer average prison terms (88.5, 83.9, and 76 months, respectively) than those convicted of felony property, immigration, public-order offenses (25, 27.9, and 38.5 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 2002, the number of appeals received by the U.S. Courts of Appeals remained relatively stable — between about 9,000 and 11,500 annually. However, the proportion of criminal defendants appealing some aspect of their conviction decreased from 21% during 1994 to 16% during 2002.

During 2002, 11,569 criminal appeals were filed, a 3% increase from FY2001 (11,281). 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 11,695 appeals terminated during 2002, 75% (or 8,770) 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 2002, the number of offenders on community supervision increased by 27%, from 84,801 during 1990 to 107,367 during 2002. While nearly equal proportions of offenders were serving terms of probation and post-incarceration supervision (parole or supervised release) during 1990, during 2002, over 71% were serving a term of post-incarceration supervision (68% supervised release and 3% parole) while 28% were on probation.

Most serious offense of conviction	All admissions	All releases	Population at yearend
All offenses	67,877	60,832	143,031
Violent offenses	7.3%	7.7%	9.5%
Property offenses	16.5	18.4	7.1
Drug offenses	42.6	40.6	56.7
Public-order offenses	7.9	8.4	5.6
Weapon offenses	8.3	6.5	9.6
Immigration offenses	17.5	18.3	10.9

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

Drug offenders comprised 12% of offenders on probation, 54% of offenders serving terms of supervised release, and 45% of offenders on parole. Property offenders comprised 38% of offenders on probation, 24% of offenders serving terms of supervised release, and 8% of offenders on parole.

A total of 15,116 offenders terminated probation during 2002. Most of these offenders (80%) completed their terms of probation successfully. Twelve percent of probationers terminating supervision during 2002 committed technical violations; 7% committed new crimes.

A total of 27,678 offenders completed terms of supervised release during 2002. Of these offenders, 62% successfully completed their terms without violating conditions of release; 23% committed technical violations; and 13% committed new crimes.

A total of 1,817 offenders completed terms of parole during 2002. Of these offenders, 58% successfully completed their terms without violating conditions of release; 23% committed technical violations; and 13% committed new crimes.

Prison

Between 1990 and 2002, the number of inmates serving a sentence of imprisonment increased by 151%, from 56,989 during 1990 to 143,031 during 2002.

During 2002, 50,440 prisoners were received by the Bureau of Prisons from U.S. district court commitments. An additional 17,437 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 42% of persons admitted into Federal prison — comprised the largest percentage of persons in prison (57%) at the end of 2002.

During 2002, 44,339 prisoners were released for the first time from Federal prison after commitment by a U.S. district court. Of these, 39,568 were released by standard methods and 4,771 were released by extraordinary means (death, treaty transfer, sentence commutation, or drug treatment). An additional 16,493 prisoners were released from subsequent commitments to Federal prison.

Average time served by Federal offenders increased from 24 months during 1994 to 32 months during 2002. The proportion of the sentence served increased from 65% during 1990 to 91% during 2002.

Violent, weapon, and drug offenders were among those offenders who served the longest prison terms (59 months for violent offenders and 43 months each for weapon and drug offenders).

Average time to first release, standard releases, by offense, October 1, 2001 - September 30, 2002	
<u>Most serious original offense of conviction</u>	<u>Mean time served</u>
All offenses	31.6 mo
Violent offenses	58.8
Property offenses	16.5
Drug offenses	42.9
Public-order offenses	24.8
Weapon offenses	42.9
Immigration offenses	19.2

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, 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 at <<http://fjsrc.urban.org>>.

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

- the universe of cases reported during a given period — some agencies report on those case processing events that *occurred* during a particular period, whereas others report on those events *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. 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 2002 *Compendium*, 17th in a series which includes 1984, 1985, 1986, 1988, 1989, 1990, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, and 2001 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, 2002 (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, 2001 - September 30, 2002. Generally, the tables include both individual and organizational defendants. Organizational defendants are not included in tables describing pretrial release and detention, tables showing defendants sentenced to incarceration, or tables describing offenders under post-conviction community supervision. 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 describes arrests made by Federal law enforcement agencies for violations of Federal law, including the characteristics of arrestees.

Chapter 2 describes decisions made by Federal prosecutors in screening criminal matters and the characteristics of defendants in cases prosecuted or declined for prosecution.

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

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

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

Chapter 7 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.

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

The Glossary 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.

Modifications in the 2002 *Compendium*

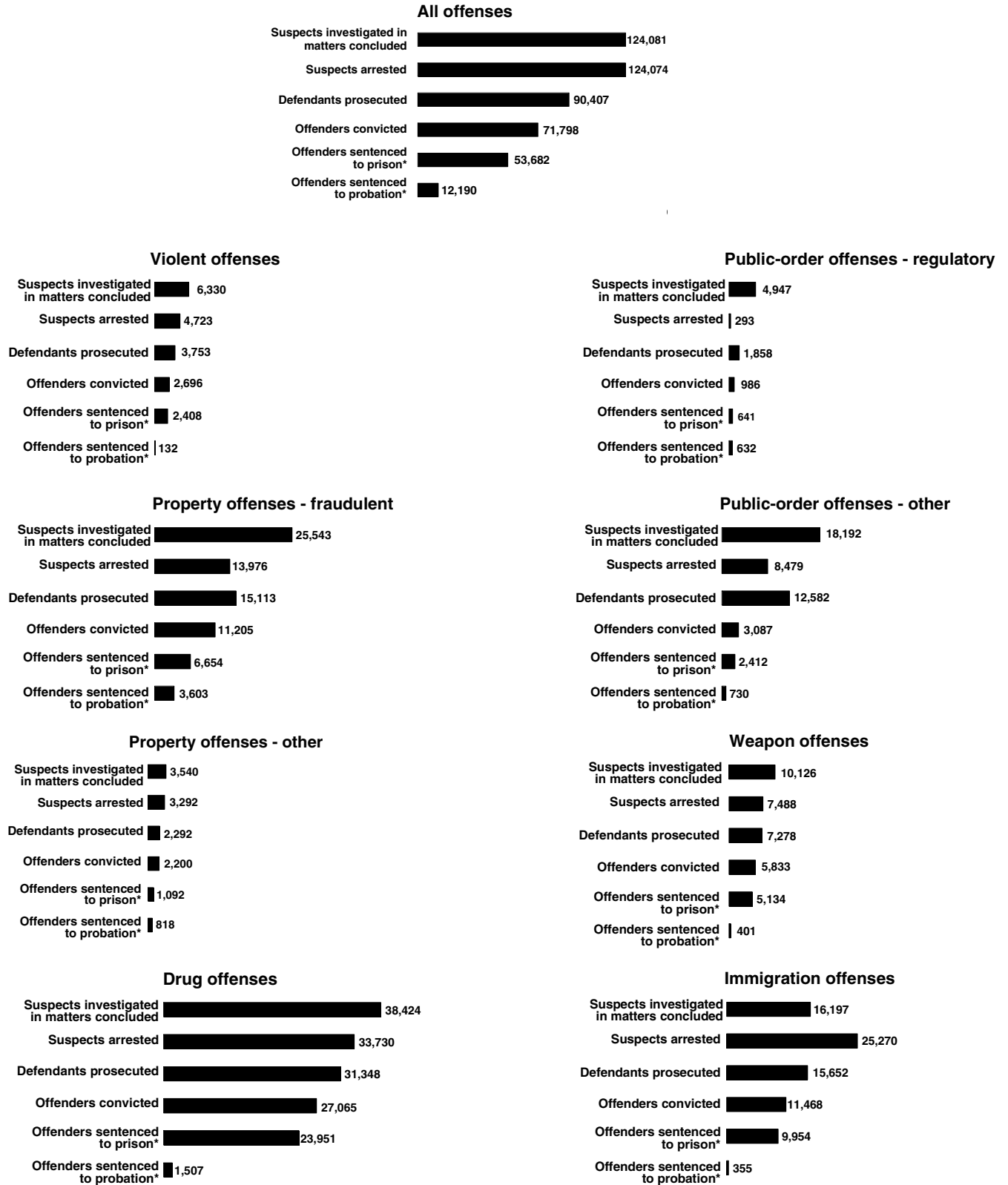
The FY2002 data marked the introduction of two new detailed offense categories: “Wildlife offenses” and “Environmental offenses”. According to the reporting practices of this report, these two detailed offenses are grouped under the major offense category, “Public-order offenses, Other” in the tables. The “Wildlife offenses” category supersedes the “Migratory birds” category that appeared in prior *Compendia* and includes other wildlife-related offenses as well.

Notes to reader

The tables in the *Compendium* were constructed to permit valid comparisons within each table and to allow the reader to compare percentages (but not raw totals) across tables. It should be understood, however, that the total number of subjects/defendants shown in a particular table may not equal the number of subjects/defendants involved in a particular stage of processing, since some records could not be linked and some data sources did not include information on particular data elements classified in a particular table. Data notes indicate the exact universe for individual tables.

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

Federal criminal case processing, October 1, 2001 - September 30, 2002



*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.

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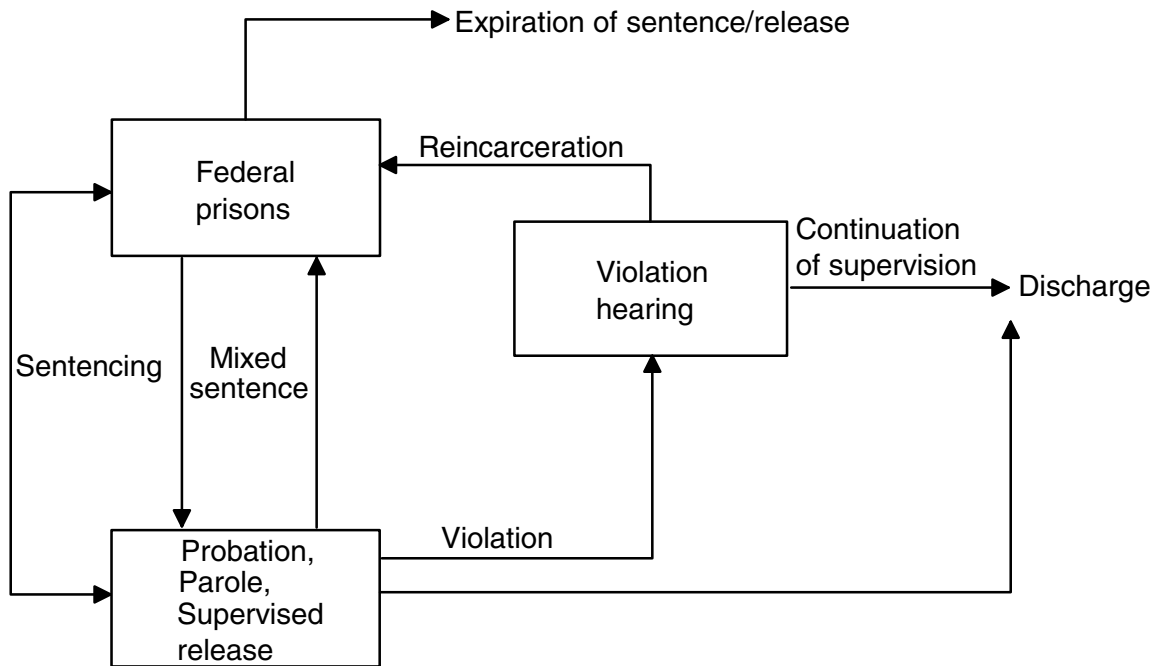
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Chapter 7

Corrections



Federal offenders under supervision (tables 7.1 and 7.2)

As of the end of fiscal year 2002, there were 107,367 offenders under active Federal supervision, of which most (91%) were felons. Seventy-two percent of these offenders received one of two forms of post-incarceration supervision: supervised release (73,229) or parole (3,561). The remainder (30,577) were under probation supervision. Most of the probationer population had been convicted of either a property felony (38%) or some type of misdemeanor offense (31%). Fifty-four percent of offenders under supervised release and 45% of parolees had been convicted of a drug offense. (Table 7.1)

Among the 107,367 offenders under active Federal supervision at the end of fiscal year 2002, 78% were male; 63% were white; 81% were of non-Hispanic origin; 37% were over age 40 (compared to 31% who were between 31 and 40 years of age and 32% who were 30 or younger); 37% had a high school diploma only (compared to 31% who had at least some college and 33% who had less than a high school diploma); and 61% had no known drug history.

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

Probation (table 7.3) — During 2002, 15,116 offenders concluded 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, about 7% committed a new crime (figure 7.1). Most committed technical violations, including drug use (4%) or absconding (3%).

Offenders convicted of violent offenses were less likely than others to successfully complete a term of probation without a violation (figure 7.2). During 2002, 32% of probationers convicted of violent offenses violated their conditions of probation, as did

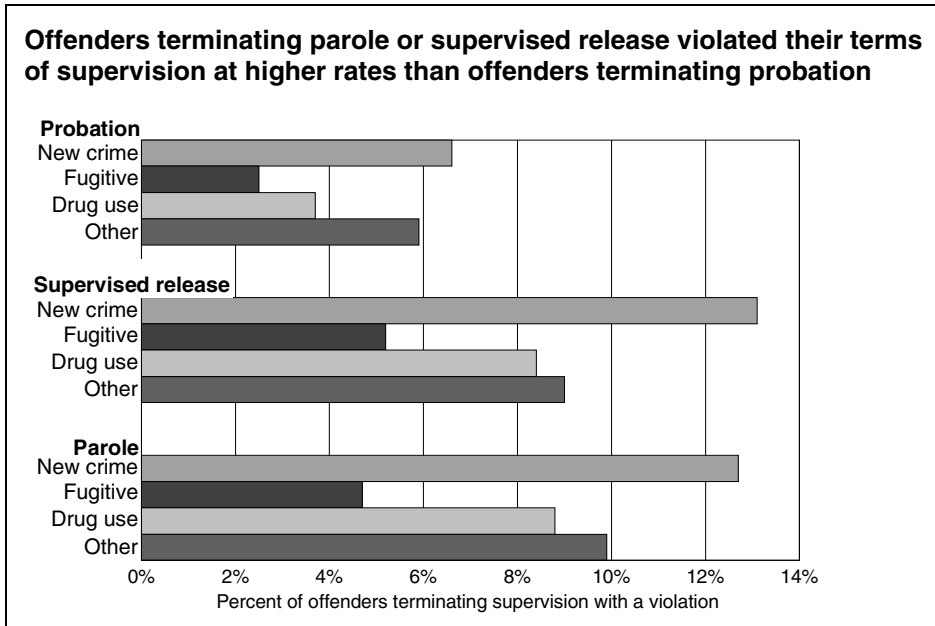


Figure 7.1. Violation rates of offenders terminating probation, supervised release, or parole, by type of violation, October 1, 2001 - September 30, 2002

29% of weapon, 22% of drug, 21% of immigration, and 16% of property offenders. Violent and weapon probationers were also more likely to commit new crimes (12%) than were probationers convicted of weapon (10%), drug (7%), or property (5%) offenses.

Supervised release (table 7.5) — During 2002, 27,678 offenders concluded terms of supervised release. Overall, 62% of them successfully completed their term of supervised release; 23% committed technical violations, such as drug use (8%) or absconding (5%); and 13% of these offenders violated their supervision by committing a new crime. The remaining 2% had their supervision administratively terminated.

Immigration offenders were less likely than others to complete a term of supervised release without a violation. Sixty-four percent of immigration offenders violated conditions of supervised release, while 48% of weapon, 33% of drug, and 29% of property offenders violated supervised release. Immigration offenders were also more likely to commit new crimes (38%) than offenders convicted of violent (17%), weapon (17%), drug (12%), or property (10%) offenses.

Parole (table 7.7) — During 2002, 1,817 offenders concluded terms of parole. Overall, 58% of these offenders successfully completed their term of parole. Thirteen percent of these parolees violated their supervision by committing a new crime; 23% committed technical violations, such as drug use (9%) or absconding (5%); and 7% 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. Forty-nine percent of violent offenders violated conditions of parole, while 34% of public order and property, and 26% of drug offenders violated parole. Violent and property offenders were also more likely to commit new crimes (16%) than offenders convicted of drug or public order (10%) offenses.

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

Probation (table 7.4) — Among offenders whose term of probation was concluded, 72% were male; 67% were white and 84% were of non-Hispanic origin; 35% were less than

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

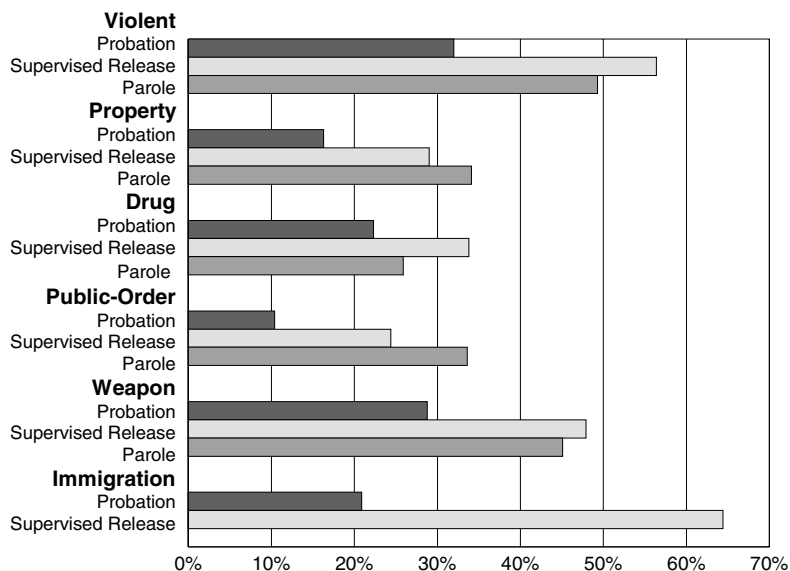


Figure 7.2. Violation rates of offenders completing probation, supervised release, or parole, by category of offense, October 1, 2001 - September 30, 2002

age 31 (compared to 39% over age 40); 26% 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 79% 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 (42%) to violate conditions of supervision than probationers in other age groups — 26% of those ages 21 to 30 and 14% of those over age 30.

Probationers with a history of drug abuse were 5 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 28% violation rate, those whose highest education was a high school diploma had a 18% violation rate, those with some college had a 12% violation rate, and those with a college degree had only a 7% violation rate.

Supervised release (table 7.6) — Among those who concluded a term of supervised release, 84% were male; 63% were white; 79% were of non-Hispanic origin; 26% were less than age 31 (40% were over age 40); 39% had only some high school (35% whose highest education was a high school diploma and 26% had at least some college); and 54% 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 — 54% of those under age 31 violated a condition of their supervision compared to 22% of those over age 40.

Releasees with a history of drug abuse were nearly 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 45% violation rate, those whose highest education was a high school diploma had a 35% violation rate, those with some college had a 25% violation rate, and those with a college degree had a 11% violation rate.

Parole (table 7.8) — Among those who concluded a term of parole, 97% were male; 59% were white; 87% were of non-Hispanic origin; 82% were over age 40; 46% had only some high school (35% whose highest education was a high school diploma and 18% had at least some college); and 53% 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 38% violation rate, those who did not graduate from high school had a 39% violation rate, those with some college had a 26% violation rate, and those with a college degree had a 17% violation rate.

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

The Federal prison population grew by 7,045 persons during fiscal year 2002, increasing from 135,986 sentenced prisoners to 143,031.¹ The greatest growth was among drug, weapons, and immigration offenders. In 2002 the number of drug offenders in prison grew by 4,111, weapon offenders by 1,648, and immigration offenders by 712.

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

During 2002, 44,339 prisoners were released from Federal prison for the first time after serving a sentence imposed by a U.S. district court.² Of these, 39,568 were released by standard means. These standard releases served an average of 31.6 months (table 7.12) in prison — 91% of the sentence imposed, on average (table 7.14).³

The remaining 4,771 first releases were released by extraordinary means: 3,563 were released early due to participation in a drug treatment program; 324 were deported; and 884 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 (84%).

Time served until first release varied by offense: Violent offenders served an average of 58.8 months; drug

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 2002.

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

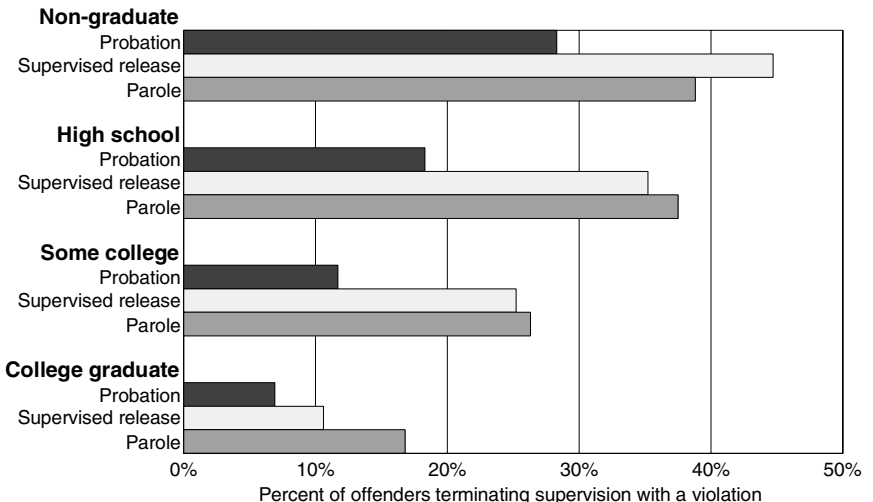


Figure 7.3. Rates of violation of conditions of supervision, by level of education, October 1, 2001 - September 30, 2002

offenders and weapons offenders served an average of 42.9 months; the average number of months served by immigration offenders was 19.2; and property offenders served an average of 16.5 months (figure 7.4). While violent, weapon, and drug offenders served more time before first release, property, immigration, and public-order offenders served more of their sentences than violent and drug offenders (figure 7.4).

Old law offenders — those who committed crimes before implementation of Federal Sentencing Guidelines in November 1987 — that were released in 2002 are not shown separately in any table. Less than 1%, or 265, of all released offenders were old law offenders. New law offenders released during 2002 served, on average, 30.9 months in prison (91% of the sentence imposed). Since the Guidelines became effective as of November

On average, violent and weapon offenders had longer imposed sentences, and served more time than other offenders

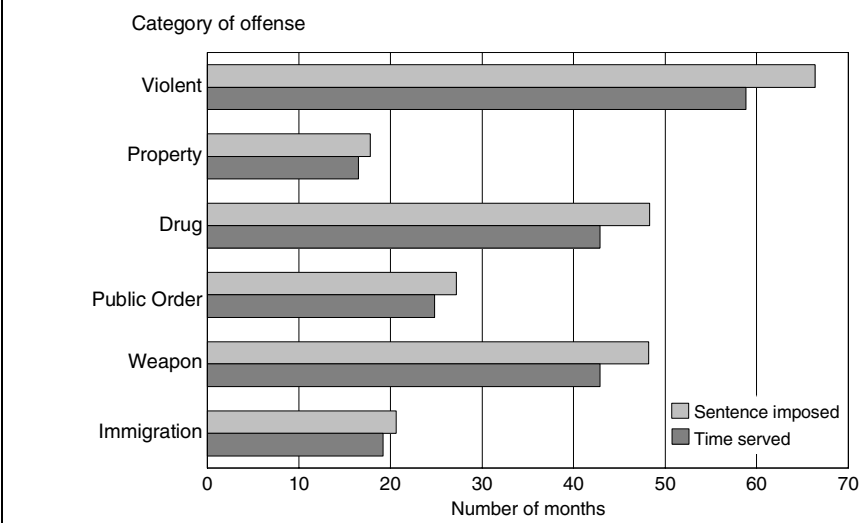


Figure 7.4. Mean lengths of sentence imposed and time served (in months), for offenders released from prison for the first time, by offense, October 1, 2001 - September 30, 2002

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

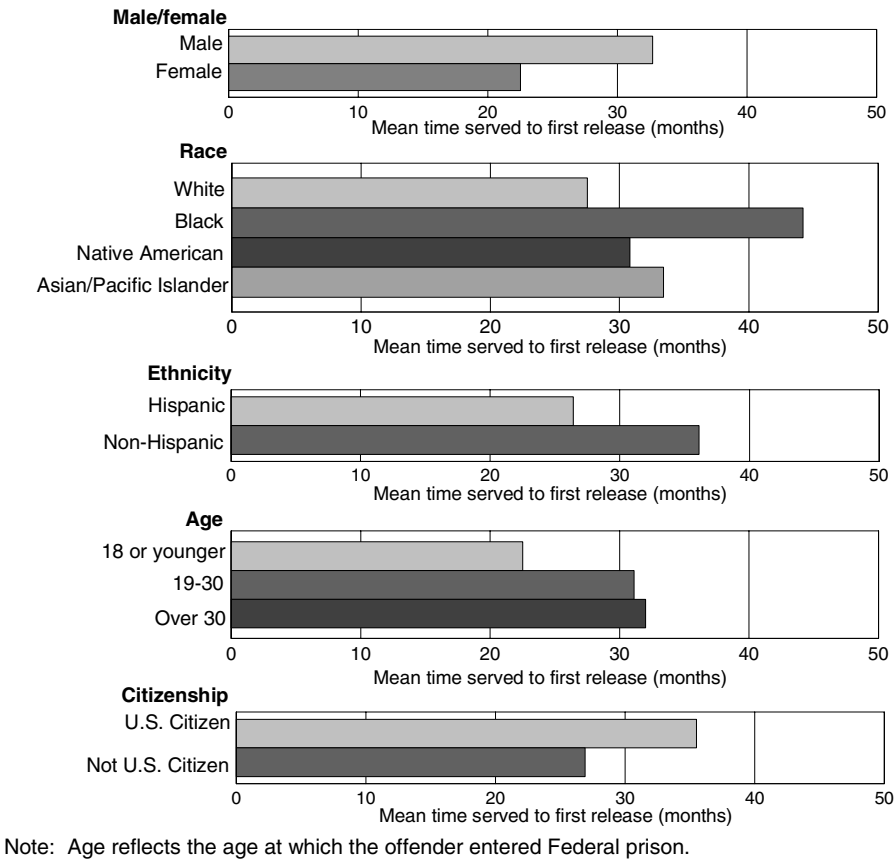


Figure 7.5. Characteristics of first releasees, October 1, 2001 - September 30, 2002

1987, new law offenders sentenced to terms of imprisonment greater than 204 months could not have been released by standard means as of the end of fiscal year 2002.⁴ They could have been released only for extraordinary reasons such as death, commutation, or treaty transfer.⁵

⁴The Federal Sentencing Guidelines allow a prisoner up to 54 days per year for good behavior, so a prisoner sentenced to 191 months in prison in November 1987 could have served 166 months of his or her sentence and been released in 2001.

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

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 2002, 93% were male, 58% were white, 39% were black, 32% were Hispanic, and 72% were U.S. citizens. Fifty-five percent of the year-end population were 31 years of age or older. This portrait of the Federal prison population was similar across offenses, with a few exceptions. Ninety-five percent of immigration offenders were white, 89% were Hispanic and only 4% were U.S. citizens. More than 92% of violent offenders were non-Hispanic and U.S. citizens.

Prisoners released (table 7.15) —

Of prisoners released during 2002, 88% were male, 73% were white, 24% were black, 45% were Hispanic, and 58% were U.S. citizens. Fifty-five percent were age 31 or older. These patterns were most similar for those released for drug offenses, and least similar for offenders released for immigration, weapon, and violent offenses. Ninety-six percent of released immigration offenders were male, 96% were white, 3% were black, 91% were Hispanic and 5% were U.S. citizens.

Time served to first release (table 7.16) —

Of prisoners released by standard methods, males served more time than females (an average of 32.7 months versus 22.5 months); blacks served more time than whites (44.2 months versus 27.5 months); and non-Hispanics served more time than Hispanics (36.1 months versus 26.4 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 an average of 17 months longer than whites, but among property offenders released from prison, whites served the same amount of time as blacks. Black offenders served an average of 57 months for drug offenses, compared to 37 months for white offenders. Among immigration offenders, non-citizens were in prison an average of 5 months longer than U.S. citizens before being released.

Table 7.1. Federal offenders under supervision, by offense, September 30, 2002

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	Number	Percent
All offenses^b	107,367	100.0%	30,577	100.0%	73,229	100.0%	3,561	100.0%
Felonies^c	97,518	90.8%	21,290	69.5%	72,673	99.2%	3,555	99.8%
Violent offenses	6,281	5.9%	527	1.7%	4,518	6.2%	1,236	34.7%
Murder ^d	427	0.4	21	0.1	217	0.3	189	5.3
Negligent manslaughter	9	—	—	—	7	—	2	0.1
Assault	647	0.6	138	0.5	440	0.6	69	1.9
Robbery	4,490	4.2	255	0.8	3,384	4.6	851	23.9
Sexual abuse ^d	460	0.4	97	0.3	324	0.4	39	1.1
Kidnaping	206	0.2	11	—	109	0.1	86	2.4
Threats against the President	42	—	5	—	37	0.1	0	0.0
Property offenses	29,268	27.3%	11,506	37.8%	17,462	23.9%	300	8.4%
Fraudulent	24,439	22.8%	9,310	30.6%	14,983	20.5%	146	4.1%
Embezzlement	3,138	2.9	948	3.1	2,183	3.0	7	0.2
Fraud ^d	18,486	17.2	7,042	23.1	11,324	15.5	120	3.4
Forgery	415	0.4	200	0.7	203	0.3	12	0.3
Counterfeiting	2,400	2.2	1,120	3.7	1,273	1.7	7	0.2
Other	4,829	4.5%	2,196	7.2%	2,479	3.4%	154	4.3%
Burglary	276	0.3	54	0.2	149	0.2	73	2.1
Larceny ^d	3,367	3.1	1,803	5.9	1,524	2.1	40	1.1
Motor vehicle theft	431	0.4	110	0.4	307	0.4	14	0.4
Arson and explosives	329	0.3	61	0.2	254	0.3	14	0.4
Transportation of stolen property	356	0.3	133	0.4	214	0.3	9	0.3
Other property offenses ^d	70	0.1	35	0.1	31	—	4	0.1
Drug offenses	44,980	42.0%	3,850	12.6%	39,536	54.0%	1,594	44.8%
Trafficking	40,414	37.7	3,487	11.5	35,491	48.5	1,436	40.4
Other drug offenses	4,566	4.3	363	1.2	4,045	5.5	158	4.4
Public-order offenses	9,039	8.4%	3,657	12.0%	5,119	7.0%	263	7.4%
Regulatory	2,570	2.4%	1,426	4.7%	1,115	1.5%	29	0.8%
Agriculture	4	—	2	—	2	—	0	0.0
Antitrust	27	—	17	0.1	10	—	0	0.0
Food and drug	95	0.1	72	0.2	23	—	0	0.0
Transportation	98	0.1	62	0.2	33	—	3	0.1
Civil rights	149	0.1	29	0.1	116	0.2	4	0.1
Communications	136	0.1	92	0.3	44	0.1	0	0.0
Custom laws	153	0.1	69	0.2	83	0.1	1	—
Postal laws	130	0.1	81	0.3	48	0.1	1	—
Other regulatory offenses	1,778	1.7	1,002	3.3	756	1.0	20	0.6
Other	6,469	6.0%	2,231	7.3%	4,004	5.5%	234	6.6%
Tax law violations ^d	1,336	1.2	735	2.4	595	0.8	6	0.2
Bribery	386	0.4	201	0.7	182	0.2	3	0.1
Perjury, contempt, and intimidation	334	0.3	140	0.5	185	0.3	9	0.3
National defense	47	—	14	—	17	—	16	0.4
Escape	282	0.3	49	0.2	210	0.3	23	0.6
Racketeering and extortion	2,246	2.1	434	1.4	1,681	2.3	131	3.7
Gambling	164	0.2	79	0.3	85	0.1	0	0.0
Nonviolent sex offenses	1,006	0.9	208	0.7	764	1.0	34	1.0
Obscene material ^d	66	0.1	23	0.1	43	0.1	0	0.0
Wildlife	99	0.1	58	0.2	41	0.1	0	0.0
Environmental	40	—	26	0.1	14	—	0	0.0
All other offenses	463	0.4	264	0.9	187	0.3	12	0.3
Weapon offenses	5,662	5.3%	889	2.9%	4,618	6.3%	155	4.4%
Immigration offenses	2,095	2.0%	727	2.4%	1,364	1.9%	4	0.1%
Misdemeanors^d	9,849	9.2%	9,287	30.5%	556	0.8%	6	0.2%
Fraudulent property offenses	1,104	1.0	1,042	3.4	62	0.1	0	0.0
Larceny	1,187	1.1	1,090	3.6	97	0.1	0	0.0
Drug possession ^d	1,715	1.6	1,589	5.2	122	0.2	4	0.1
Immigration misdemeanors	817	0.8	805	2.6	12	—	0	0.0
Traffic offenses	2,162	2.0	2,077	6.8	85	0.1	0	0.0
Other misdemeanors	2,864	2.7	2,684	8.8	178	0.2	2	0.1

—Less than .05%.

^aSee *Chapter notes*, item 1, p. 107, and "Offense classifications" in *Methodology*, p. 109.

^bTotal includes offenders whose offense category could not be determined; see *Chapter notes*, item 2, p. 107.

^cThere are 193 felony offenders for whom an offense category was unknown or indeterminable. These include 134 offenders under probation, 56 under supervised release, and 3 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, 2002

Offender characteristic	Total offenders under supervision		Probation		Supervised release		Parole	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
All offenders*	107,367	100.0%	30,577	100.0%	73,229	100.0%	3,561	100.0%
Male/female								
Male	83,884	78.2%	20,372	66.7%	60,071	82.1%	3,441	96.8%
Female	23,394	21.8	10,165	33.3	13,117	17.9	112	3.2
Race								
White	66,427	62.6%	20,515	67.9%	44,102	60.7%	1,810	53.7%
Black	34,622	32.6	7,747	25.6	25,391	35.0	1,484	44.0
Native American	2,275	2.1	885	2.9	1,335	1.8	55	1.6
Asian/Pacific Islander	2,862	2.7	1,058	3.5	1,783	2.5	21	0.6
Ethnicity								
Hispanic	20,178	18.9%	5,027	16.6%	14,732	20.3%	419	11.9%
Non-Hispanic	86,374	81.1	25,267	83.4	57,994	79.7	3,113	88.1
Age								
16-18 years	480	0.4%	443	1.5%	37	0.1%	0	0.0%
19-20 years	2,369	2.2	1,468	4.8	900	1.2	1	—
21-30 years	31,696	29.6	9,084	29.8	22,442	30.6	170	4.8
31-40 years	32,713	30.5	8,172	26.8	23,890	32.6	651	18.3
Over 40 years	40,003	37.3	11,304	37.1	25,960	35.5	2,739	76.9
Education								
Less than high school graduate	34,135	32.5%	7,360	24.8%	25,292	35.1%	1,483	43.2%
High school graduate	38,391	36.5	10,593	35.8	26,558	36.8	1,240	36.2
Some college	23,287	22.1	7,678	25.9	15,058	20.9	551	16.1
College graduate	9,327	8.9	3,990	13.5	5,181	7.2	156	4.5
Drug abuse								
No known abuse	65,653	61.1%	23,708	77.5%	39,994	54.6%	1,951	54.8%
Drug history	41,714	38.9	6,869	22.5	33,235	45.4	1,610	45.2

— less than .05%

*Total includes offenders whose characteristics could not be determined.

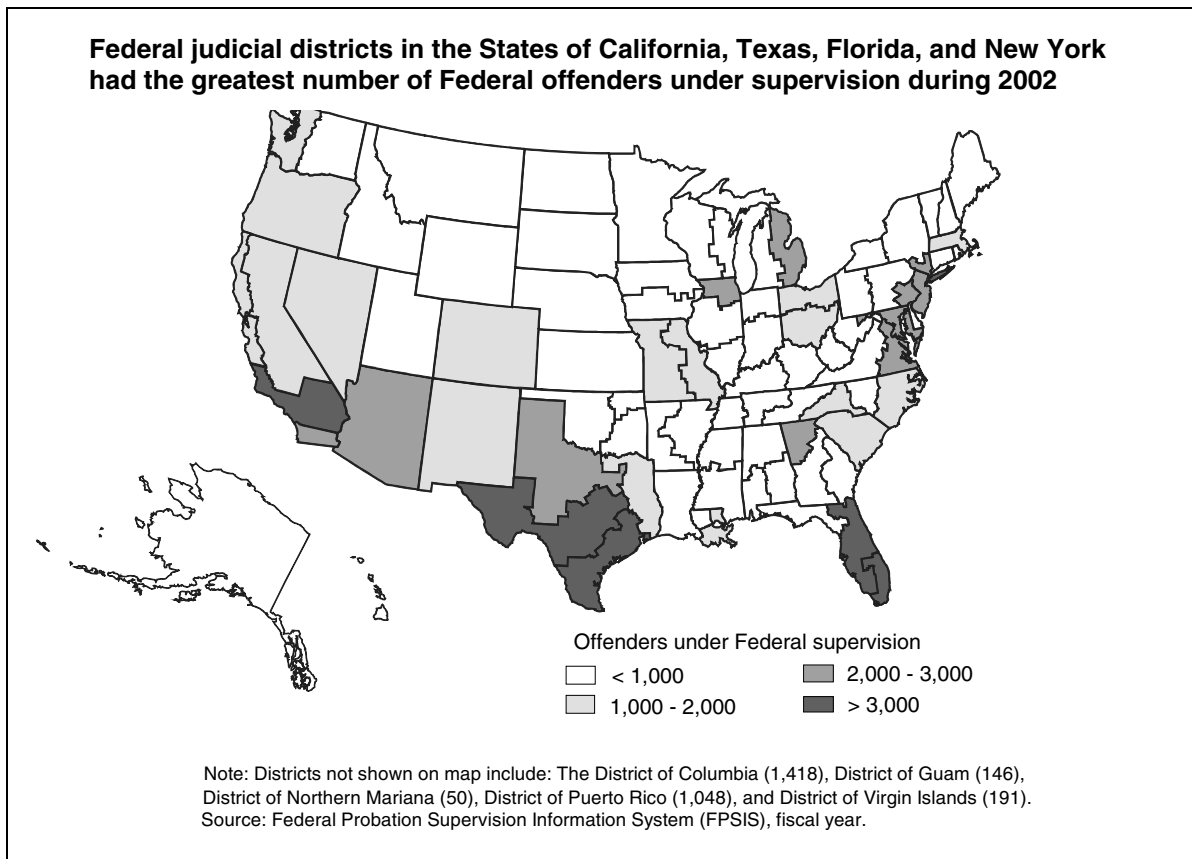


Figure 7.6. Federal offenders under supervision, September 20, 2002, by Federal judicial district

Table 7.3. Outcomes of probation supervision, by offense, October 1, 2001 - September 30, 2002

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	15,116	79.5%	3.7%	2.5%	5.9%	6.6%	1.9%
Felonies	7,733	80.4%	3.7%	2.8%	5.1%	6.0%	2.0%
Violent offenses	266	66.9%	4.5%	7.5%	8.3%	11.7%	1.1%
Murder ^d	17	64.7	5.9	5.9	0.0	23.5	0.0
Negligent manslaughter	0	...	...	...	...	...	...
Assault	98	49.0	6.1	15.3	13.3	15.3	1.0
Robbery	105	85.7	3.8	1.9	1.9	5.7	1.0
Sexual abuse ^d	42	61.9	2.4	4.8	14.3	14.3	2.4
Kidnaping	1	—	—	—	—	—	—
Threats against the President	3	—	—	—	—	—	—
Property offenses	4,146	81.9%	3.4%	2.6%	5.2%	5.1%	1.7%
Fraudulent	3,257	84.2%	3.1%	2.0%	4.6%	4.5%	1.6%
Embezzlement	299	89.3	2.3	1.3	3.3	2.0	1.7
Fraud ^d	2,406	87.0	2.0	1.9	3.7	3.7	1.7
Forgery	119	73.1	6.7	4.2	5.9	7.6	2.5
Counterfeiting	433	67.9	8.8	2.3	10.2	10.2	0.7
Other	889	73.7%	4.8%	4.9%	7.1%	7.3%	2.1%
Burglary	24	29.2	12.5	25.0	25.0	8.3	0.0
Larceny ^d	704	74.4	5.1	4.7	7.1	6.5	2.1
Motor vehicle theft	56	80.4	3.6	1.8	1.8	12.5	0.0
Arson and explosives	32	81.3	0.0	6.3	6.3	6.3	0.0
Transportation and stolen property	57	77.2	3.5	3.5	3.5	7.0	5.3
Other property offenses ^d	16	56.3	0.0	0.0	12.5	25.0	6.3
Drug offenses	1,215	75.3%	6.5%	2.3%	5.8%	7.7%	2.4%
Trafficking	1,086	75.1	6.6	2.1	6.2	7.8	2.1
Possession and other drug offenses	129	76.7	5.4	3.9	3.1	6.2	4.7
Public-order offenses	1,458	87.2%	1.5%	1.9%	3.0%	4.0%	2.4%
Regulatory	578	85.5%	1.7%	2.8%	2.6%	4.7%	2.8%
Agriculture	1	—	—	—	—	—	—
Antitrust	13	100.0	0.0	0.0	0.0	0.0	0.0
Food and drug	20	80.0	0.0	0.0	5.0	0.0	15.0
Transportation	17	100.0	0.0	0.0	0.0	0.0	0.0
Civil rights	15	86.7	0.0	0.0	0.0	0.0	13.3
Communications	34	94.1	0.0	0.0	2.9	2.9	0.0
Custom laws	29	93.1	0.0	3.4	3.4	0.0	0.0
Postal laws	43	81.4	2.3	7.0	2.3	4.7	2.3
Other regulatory offenses	406	83.7	2.2	3.0	2.7	5.9	2.5
Other	880	88.4%	1.4%	1.4%	3.2%	3.5%	2.2%
Tax law violations ^d	289	95.5	0.3	0.3	0.7	1.4	1.7
Bribery	81	88.9	1.2	2.5	1.2	3.7	2.5
Perjury, contempt, and intimidation	55	85.2	0.0	3.7	0.0	5.6	5.6
National defense	6	—	—	—	—	—	—
Escape	26	65.4	3.8	0.0	11.5	15.4	3.8
Racketeering and extortion	167	87.4	1.8	1.8	3.6	3.0	2.4
Gambling	59	96.6	1.7	0.0	0.0	1.7	0.0
Nonviolent sex offenses	60	76.7	0.0	1.7	11.7	8.3	1.7
Obscene material ^d	10	—	—	—	—	—	—
Wildlife	25	96.0	4.0	0.0	0.0	0.0	0.0
Environmental	14	78.6	0.0	0.0	7.1	0.0	14.3
All other offenses	88	76.1	4.5	2.3	9.1	6.8	1.1
Weapon offenses	298	67.8%	5.0%	2.3%	8.4%	13.1%	3.4%
Immigration offenses	283	78.4%	4.2%	5.7%	3.2%	7.8%	0.7%
Misdemeanors^d	7,383	78.5%	3.6%	2.2%	6.7%	7.2%	1.8%
Fraudulent property offense	585	88.2	1.2	1.0	4.4	2.7	2.4
Larceny	808	77.5	5.9	3.3	6.1	5.4	1.7
Drug possession ^d	1,207	75.0	7.6	2.7	6.5	6.6	1.6
Immigration misdemeanors	599	53.1	1.8	3.8	9.7	30.9	0.7
Traffic offenses	2,288	82.0	2.3	1.4	7.1	5.3	1.8
Other misdemeanors	1,896	81.9	2.8	2.3	6.5	4.6	2.0

Note: Offenses for 67 felony offenders could not be classified (*Chapter notes*, 3, p. 107).

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

—Too few cases to obtain statistically reliable data.

^aSee *Chapter notes*, item 1, p. 107, 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, 2001 - September 30, 2002

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	15,116	79.5%	3.7%	2.5%	5.9%	6.6%	1.9%	
Male/female								
Male	10,836	77.8%	3.8%	2.5%	6.3%	7.6%	2.0%	
Female	4,253	83.6	3.4	2.5	4.9	4.1	1.5	
Race								
White	9,980	81.3%	3.3%	2.2%	4.7%	6.5%	1.9%	
Black	3,864	76.0	4.7	2.4	8.0	7.0	1.9	
Native American	485	53.8	5.4	10.1	18.4	10.7	1.6	
Asian/Pacific Islander	492	90.2	1.6	1.8	2.8	2.6	0.8	
Ethnicity								
Hispanic	2,408	74.3%	2.4%	3.2%	5.0%	12.9%	2.1%	
Non-Hispanic	12,556	80.4	3.9	2.3	6.1	5.4	1.8	
Age								
16-18 years	157	47.1%	10.2%	8.3%	15.9%	17.2%	1.3%	
19-20 years	615	59.0	8.1	5.5	12.2	13.2	2.0	
21-30 years	4,465	72.1	5.0	3.5	8.0	9.9	1.5	
31-40 years	4,023	80.4	4.0	2.4	5.9	6.0	1.4	
Over 40 years	5,851	87.5	1.8	1.3	3.4	3.5	2.5	
Education								
Less than high school graduate	3,679	69.6%	5.9%	4.1%	9.1%	9.2%	2.1%	
High school graduate	5,419	80.1	4.0	2.5	6.2	5.7	1.6	
Some college	3,368	86.5	2.2	1.4	3.9	4.3	1.7	
College graduate	1,881	90.9	1.1	0.9	2.8	2.3	2.2	
Drug abuse								
No known abuse	11,894	84.0%	1.8%	1.8%	4.7%	5.8%	1.9%	
Drug history	3,222	62.9	10.3	5.1	10.4	9.5	1.8	

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

^cTotal includes offenders whose characteristics could not be determined.

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

Table 7.5. Outcomes of supervised release, by offense, October 1, 2001 - September 30, 2002

	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	27,678	62.2%	8.4%	5.1%	9.0%	13.1%	2.2%
Felonies	27,067	62.1%	8.4%	5.1%	9.0%	13.1%	2.2%
Violent offenses	2,121	41.4%	12.5%	8.7%	16.7%	17.3%	3.4%
Murder ^d	104	40.4	7.7	22.1	15.4	13.5	1.0
Negligent manslaughter	5	—	—	—	—	—	—
Assault	272	38.2	6.6	12.5	20.2	19.5	2.9
Robbery	1,522	42.4	14.8	7.2	15.1	17.4	3.2
Sexual abuse ^d	166	38.6	7.8	9.6	24.7	14.5	4.8
Kidnaping	31	54.8	—	—	16.1	25.8	3.2
Threats against the President	21	19.0	9.5	9.5	33.3	4.8	23.8
Property offenses	7,195	69.2%	5.5%	4.7%	9.0%	9.8%	1.8%
Fraudulent	5,898	71.7%	4.9%	4.0%	8.4%	9.1%	1.9%
Embezzlement	736	84.0	1.8	2.7	5.8	5.0	0.7
Fraud ^d	4,381	72.6	4.5	3.8	8.2	8.7	2.2
Forgery	109	53.2	8.3	4.6	16.5	17.4	—
Counterfeiting	672	55.5	10.6	7.0	11.2	14.1	1.6
Other	1,297	57.7%	8.2%	7.9%	11.8%	13.0%	1.5%
Burglary	99	34.3	5.1	10.1	23.2	24.2	3.0
Larceny ^d	791	56.0	9.9	8.6	12.3	12.0	1.3
Motor vehicle theft	152	60.5	8.6	6.6	7.9	14.5	2.0
Arson and explosives	116	67.2	3.4	6.0	12.9	8.6	1.7
Transportation and stolen property	119	75.6	4.2	5.0	2.5	11.8	0.8
Other property offenses ^d	20	55.0	5.0	5.0	15.0	20.0	—
Drug offenses	12,320	64.1%	9.6%	4.5%	7.5%	12.3%	2.1%
Trafficking	11,090	63.5	9.8	4.7	7.4	12.4	2.1
Possession and other drug offenses	1,230	69.3	8.0	2.1	7.6	11.0	2.0
Public-order offenses	2,295	73.2%	4.3%	4.0%	6.8%	9.3%	2.4%
Regulatory	654	69.7%	5.2%	6.7%	5.7%	10.1%	2.6%
Agriculture	0	...	...	...	...	...	...
Antitrust	5	—	—	—	—	—	—
Food and drug	16	81.3	12.5	—	—	—	6.3
Transportation	19	89.5	—	—	10.5	—	—
Civil rights	58	77.6	5.2	3.4	1.7	10.3	1.7
Communications	23	87.0	4.3	0.0	4.3	4.3	—
Custom laws	48	58.3	4.2	10.4	6.3	8.3	12.5
Postal laws	20	55.0	5.0	10.0	30.0	—	—
Other regulatory offenses	465	68.2	5.4	7.5	5.2	11.8	1.9
Other	1,641	74.6%	4.0%	2.9%	7.3%	9.0%	2.3%
Tax law violations ^d	351	91.5	0.9	1.4	2.8	2.3	1.1
Bribery	60	91.7	1.7	—	—	5.0	1.7
Perjury, contempt, and intimidation	102	76.5	5.9	—	5.9	9.8	2.0
National defense	11	81.8	—	—	—	9.1	9.1
Escape	179	39.7	10.6	10.1	13.4	23.5	2.8
Racketeering and extortion	564	75.7	4.8	1.8	5.7	8.5	3.5
Gambling	37	91.9	—	2.7	5.4	—	—
Nonviolent sex offenses	195	69.2	1.0	4.1	14.9	9.7	1.0
Obscene material ^d	20	70.0	—	—	15.0	15.0	—
Wildlife	8	—	—	—	—	—	—
Environmental	7	—	—	—	—	—	—
All other offenses	107	63.6	6.5	4.7	11.2	12.1	1.9
Weapon offenses	2,128	49.0%	11.8%	6.2%	11.8%	18.1%	3.1%
Immigration offenses	972	34.1%	7.3%	9.1%	9.8%	38.3%	1.5%
Misdemeanors^d	611	63.2%	8.8%	4.1%	10.8%	10.6%	2.5%
Fraudulent property offense	66	68.2	9.1	1.5	10.6	7.6	3.0
Larceny	114	64.0	8.8	3.5	10.5	11.4	1.8
Drug possession ^d	173	56.6	12.7	5.2	11.0	14.5	—
Immigration misdemeanors	12	75.0	—	8.3	—	16.7	—
Traffic offenses	69	68.1	7.2	1.4	13.0	8.7	1.4
Other misdemeanors	177	64.4	6.2	5.1	10.7	7.9	5.6

Note: Offenses for 36 felony offenders could not be determined; see *Chapter notes*.

—Too few cases to obtain statistically reliable data.

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

^aSee *Chapter notes*, item 1, p. 107, 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, 2001 - September 30, 2002

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	27,678	62.2%	8.4%	5.1%	9.0%	13.1%	2.2%	
Male/female								
Male	23,103	59.9%	8.7%	5.3%	9.5%	14.3%	2.4%	
Female	4,563	73.6	7.1	4.0	6.5	7.2	1.6	
Race								
White	17,331	64.9%	7.8%	5.2%	7.6%	12.3%	2.2%	
Black	8,639	57.3	9.9	4.4	10.9	15.2	2.3	
Native American	781	36.9	8.2	14.5	22.0	16.4	2.0	
Asian/Pacific Islander	715	78.3	6.7	2.7	7.3	3.6	1.4	
Ethnicity								
Hispanic	5,684	56.8%	8.0%	7.6%	8.0%	17.8%	1.8%	
Non-Hispanic	21,824	63.5	8.6	4.5	9.3	11.9	2.3	
Age								
16-18 years	1	—	—	—	—	—	—	
19-20 years	136	16.9	11.8	17.6	21.3	31.6	0.7	
21-30 years	7,146	46.8	11.5	7.8	13.6	18.8	1.5	
31-40 years	9,378	59.8	9.5	5.0	9.2	14.7	1.8	
Over 40 years	11,017	74.7	5.4	3.3	5.7	7.8	3.1	
Education								
Less than high school graduate	10,543	53.0%	10.2%	6.8%	11.0%	16.7%	2.3%	
High school graduate	9,539	62.7	9.4	4.7	8.9	12.2	2.1	
Some college	5,249	72.5	5.8	3.2	7.1	9.2	2.2	
College graduate	1,850	87.2	1.7	1.7	3.7	3.6	2.2	
Drug abuse								
No known abuse	14,902	71.1%	3.8%	3.8%	7.2%	11.7%	2.4%	
Drug history	12,776	51.7	13.8	6.6	11.1	14.7	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.

^cTotal includes offenders whose characteristics could not be determined.

Table 7.7. Outcomes of parole, by offense, October 1, 2001 - September 30, 2002

Most serious offense of conviction ^a	Number of parole terminations	Percent of paroles terminating with—					New crime ^c	Administrative case closures
		No violation	Technical violations ^b					
			Drug use	Fugitive status	Other			
All offenses	1,817	57.5%	8.8%	4.7%	9.9%	12.7%	6.5%	
Felonies	1,807	57.5%	8.9%	4.7%	9.8%	12.7%	6.5%	
Violent offenses	610	43.3%	14.4%	6.7%	11.8%	16.4%	7.4%	
Murder ^d	46	41.3	13.0	4.3	21.7	10.9	8.7	
Assault	33	48.5	3.0	12.1	12.1	18.2	6.1	
Robbery	470	43.8	15.5	6.0	10.9	15.5	8.3	
Sexual abuse ^d	17	47.1	5.9	23.5	11.8	11.8	0.0	
Kidnaping	42	33.3	14.3	7.1	11.9	33.3	0.0	
Property offenses	179	62.0%	2.8%	2.8%	12.3%	16.2%	3.9%	
Fraudulent	97	69.1%	0.0%	1.0%	9.3%	17.5%	3.1%	
Embezzlement	10	—	—	—	—	—	—	
Fraud ^d	78	69.2	0.0	1.3	10.3	15.4	3.8	
Forgery	6	—	—	—	—	—	—	
Counterfeiting	3	—	—	—	—	—	—	
Other	82	53.7%	6.1%	4.9%	15.9%	14.6%	4.9%	
Burglary	28	42.9	3.6	3.6	17.9	25.0	7.1	
Larceny ^d	27	63.0	11.1	3.7	14.8	3.7	3.7	
Motor vehicle theft	10	—	—	—	—	—	—	
Arson and explosives	7	—	—	—	—	—	—	
Transportation and stolen property	9	—	—	—	—	—	—	
Drug offenses	809	67.7%	6.4%	2.7%	6.7%	10.0%	6.4%	
Trafficking	735	68.4	6.3	2.7	6.3	9.9	6.4	
Possession and other drug offenses	74	60.8	8.1	2.7	10.8	10.8	6.8	
Public-order offenses	125	58.4%	5.6%	5.6%	12.8%	9.6%	8.0%	
Regulatory	15	46.7%	13.3%	6.7%	20.0%	6.7%	6.7%	
Other	110	60.0%	4.5%	5.5%	11.8%	10.0%	8.2%	
Escape	19	42.1	10.5	5.3	26.3	5.3	10.5	
Racketeering and extortion	56	66.1	0.0	7.1	1.8	17.9	7.1	
Nonviolent sex offenses	17	47.1	11.8	5.9	29.4	0.0	5.9	
Weapon offenses	82	51.2%	8.5%	12.2%	15.9%	8.5%	3.7%	
Immigration offenses	1	—	—	—	—	—	—	
Misdemeanors^d	10	—	—	—	—	—	—	

—Too few cases to obtain statistically reliable data.

^aSee *Chapter notes*, item 1, p. 107, 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; "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, 2001 - September 30, 2002

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	1,817	57.5%	8.8%	4.7%	9.9%	12.7%	6.5%	
Male/female								
Male	1,756	57.0%	9.1%	4.6%	9.8%	12.9%	6.6%	
Female	57	71.9	1.8	8.8	8.8	5.3	3.5	
Race								
White	1,027	63.8%	7.2%	3.9%	6.0%	12.1%	7.0%	
Black	678	49.1	11.7	5.8	13.3	14.2	6.0	
Native American	31	48.4	3.2	9.7	25.8	12.9	0.0	
Asian/Pacific Islander	10	—	—	—	—	—	—	
Ethnicity								
Hispanic	227	62.1%	11.5%	3.5%	6.2%	12.8%	4.0%	
Non-Hispanic	1,579	56.8	8.5	4.9	10.3	12.6	6.9	
Age								
21-30 years	47	53.2%	8.5%	8.5%	10.6%	14.9%	4.3%	
31-40 years	271	48.7	12.9	4.1	17.3	12.9	4.1	
Over 40 years	1,499	59.2	8.1	4.7	8.5	12.5	7.0	
Education								
Less than high school graduate	824	53.4%	10.2%	5.5%	10.0%	13.2%	7.8%	
High school graduate	624	56.9	9.5	4.3	10.7	13.0	5.6	
Some college	236	67.8	5.5	4.7	5.5	10.6	5.9	
College graduate	89	78.7	0.0	0.0	7.9	9.0	4.5	
Drug abuse								
No known abuse	966	66.1%	4.7%	3.6%	8.4%	11.1%	6.1%	
Drug history	851	47.6	13.5	6.0	11.5	14.5	6.9	

—Too few cases to obtain statistically reliable data.

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

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

^cTotal includes offenders whose characteristics could not be determined.

Table 7.9. Admissions and releases of Federal prisoners, by offense, October 1, 2001 - September 30, 2002

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	Over 1 year	All other	First release	Over 1 year	All other		
		1 year or less	1 year		1 year or less	1 year			
All offenses^b	135,986	9,094	41,346	17,437	9,422	34,917	16,493	143,031	7,045
Violent offenses	13,319	159	2,060	2,638	159	1,851	2,617	13,549	230
Murder/manslaughter ^c	1,235	12	112	153	10	70	181	1,251	16
Assault	926	82	237	505	86	230	479	955	29
Robbery	9,425	45	1,489	1,527	44	1,325	1,532	9,585	160
Sexual abuse ^c	967	15	160	313	13	149	300	993	26
Kidnaping	673	2	43	59	3	63	52	659	-14
Threats against the President	93	3	19	81	3	14	73	106	13
Property offenses	10,072	2,434	4,550	4,080	2,512	4,507	4,017	10,100	28
Fraudulent	7,654	1,997	3,857	2,699	2,061	3,733	2,615	7,798	144
Embezzlement	337	192	145	153	237	163	160	267	-70
Fraud ^c	6,399	1,586	3,267	1,970	1,597	3,168	1,891	6,566	167
Forgery	265	55	74	131	53	80	152	240	-25
Counterfeiting	653	164	371	445	174	322	412	725	72
Other	2,418	437	693	1,381	451	774	1,402	2,302	-116
Burglary	248	18	52	166	19	60	175	230	-18
Larceny ^c	970	277	296	837	299	358	824	899	-71
Motor vehicle theft	246	17	59	84	17	64	100	225	-21
Arson and explosives	211	4	35	43	3	50	42	198	-13
Transportation of stolen property	186	18	71	47	18	69	42	193	7
Other property offenses ^c	557	103	180	204	95	173	219	557	0
Drug offenses	76,941	1,550	21,131	5,800	1,513	17,404	5,453	81,052	4,111
Trafficking	76,416	1,425	21,059	5,470	1,391	17,332	5,051	80,596	4,180
Possession and other drug offenses	525	125	72	330	122	72	402	456	-69
Public-order offenses	7,744	942	2,598	1,719	938	2,430	1,684	7,951	207
Regulatory	1,145	190	560	297	178	506	291	1,217	72
Other	6,599	752	2,038	1,422	760	1,924	1,393	6,734	135
Tax law violations ^c	467	112	181	63	115	246	59	403	-64
Bribery	93	18	19	13	20	46	12	65	-28
Perjury, contempt, and intimidation	106	29	42	22	33	36	19	111	5
National defense	60	3	27	12	1	11	8	82	22
Escape	403	59	98	114	80	133	116	345	-58
Racketeering and extortion	4,287	98	1,141	290	86	1,081	268	4,381	94
Gambling	1	4	1	0	4	0	0	2	1
Liquor offenses	3	2	1	0	0	0	0	6	3
Nonviolent sex offenses	198	4	45	46	4	48	48	193	-5
Obscene material ^c	662	19	408	81	18	222	67	863	201
Traffic offenses	139	340	18	622	329	23	644	123	-16
Wildlife	17	16	3	10	17	9	11	9	-8
Environmental	28	11	6	6	13	11	8	19	-9
All other offenses	135	37	48	143	40	58	133	132	-3
Weapon offenses	12,077	219	3,962	1,359	230	2,421	1,241	13,725	1,648
Immigration offenses	14,859	3,598	6,701	1,407	3,865	5,999	1,130	15,571	712

Note: For further information, see *Chapter notes*, items 4, 5, and 8, p. 107.

^aSee *Chapter notes*, item 4, p. 107, and "Offense classifications" in *Methodology*, p. 109.

^bAn offense category could not be determined for 974 prisoners at the start of fiscal year 2002 and 1,083 prisoners at the end of fiscal year 2002.

^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.

Table 7.10. Characteristics of Federal prison population, by major offense category, September 30, 2002

Offender characteristic	Total prisoners	Percent of Federal prison population serving for ^a —								
		All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses		Weapon offenses	Immigration offenses
				Fraudulent	Other		Regulatory	Other		
All cases^b										
All prisoners	143,031	143,031	13,549	7,798	2,302	81,052	1,217	6,734	13,725	15,571
Male/female										
Male	133,026	93.0%	96.5%	82.3%	90.0%	91.8%	87.3%	92.5%	98.4%	97.8%
Female	10,005	7.0	3.5	17.7	10.0	8.2	12.7	7.5	1.6	2.2
Race										
White	82,767	57.9%	45.3%	64.3%	62.5%	53.6%	71.2%	66.5%	42.4%	95.2%
Black	56,070	39.2	42.5	32.6	30.1	44.9	25.8	27.5	55.1	4.2
Native American	2,302	1.6	10.8	0.4	5.7	0.4	0.4	1.4	1.3	0.1
Asian/Pacific Islander	1,892	1.3	1.3	2.6	1.7	1.1	2.5	4.7	1.2	0.5
Ethnicity										
Hispanic	45,551	31.8%	7.3%	11.9%	8.9%	32.8%	19.3%	17.2%	9.8%	89.4%
Non-Hispanic	97,480	68.2	92.7	88.1	91.1	67.2	80.7	82.8	90.2	10.6
Age										
Under 19 years	604	0.4%	1.7%	0.1%	1.5%	0.2%	0.3%	0.3%	0.6%	0.3%
19-20 years	4,999	3.5	6.1	1.5	5.6	3.4	3.0	2.0	4.7	2.0
21-30 years	59,407	41.5	38.5	25.3	35.1	44.0	30.8	30.3	46.4	42.8
31-40 years	46,616	32.6	32.5	31.9	31.0	31.9	30.8	30.2	30.9	39.6
Over 40 years	31,364	21.9	21.2	41.3	26.8	20.5	35.0	37.3	17.5	15.4
Citizenship										
U.S. citizen	102,473	71.9%	96.5%	84.8%	94.7%	73.7%	85.7%	85.9%	94.6%	3.5%
Not U.S. citizen	40,068	28.1	3.5	15.2	5.3	26.3	14.3	14.1	5.4	96.5
New law cases										
All prisoners	134,541	134,541	10,181	7,363	1,912	78,467	1,078	6,207	13,135	15,336
Male/female										
Male	124,841	92.8%	96.0%	81.9%	89.0%	91.7%	86.2%	92.1%	98.4%	97.8%
Female	9,700	7.2	4.0	18.1	11.0	8.3	13.8	7.9	1.6	2.2
Race										
White	77,633	57.7%	43.3%	64.0%	64.0%	53.2%	70.5%	66.2%	41.7%	95.2%
Black	53,037	39.4	42.7	32.8	28.1	45.4	26.3	27.7	55.7	4.2
Native American	2,057	1.5	12.6	0.4	5.9	0.4	0.5	1.2	1.3	0.1
Asian/Pacific Islander	1,814	1.3	1.4	2.7	2.0	1.1	2.8	5.0	1.2	0.4
Ethnicity										
Hispanic	44,047	32.7%	7.4%	12.1%	9.0%	32.9%	20.1%	17.6%	9.8%	89.4%
Non-Hispanic	90,494	67.3	92.6	87.9	91.0	67.1	79.9	82.4	90.2	10.6
Age										
Under 19 years	549	0.4%	1.9%	0.1%	1.5%	0.2%	0.4%	0.3%	0.6%	0.3%
19-20 years	4,802	3.6	7.1	1.5	6.0	3.5	3.2	2.0	4.8	1.9
21-30 years	56,994	42.4	40.9	25.3	34.7	44.6	31.4	31.0	47.3	42.8
31-40 years	43,653	32.4	32.0	32.1	30.8	31.8	30.0	29.6	30.5	39.6
Over 40 years	28,542	21.2	18.0	41.0	27.0	19.9	35.1	37.0	16.7	15.4
Citizenship										
U.S. citizen	95,053	70.9%	96.4%	84.4%	94.5%	73.5%	84.6%	85.4%	94.6%	3.3%
Not U.S. citizen	39,024	29.1	3.6	15.6	5.5	26.5	15.4	14.6	5.4	96.7

Note: Percentages in this table are based on non-missing characteristics. Total includes 1,083 prisoners whose offense category could not be determined; see *Chapter notes*, items 4-7, p. 107.

^aSee *Chapter notes*, item 4, p. 107, and "Offense classifications" in *Methodology*, p. 109.

^bOf the 143,031 prisoners in BOP facilities, 6% (8,490) were old law offenders.

Table 7.11. Number of first releases from Federal prison, by release method and sentence length, October 1, 2001 - September 30, 2002

Most serious original offense of conviction ^a	Total	Standard ^b	Extraordinary means		
			Drug treatment	Treaty transfer	Other ^c
All cases					
All prisoners^d	44,339	39,568	3,563	324	884
Violent offenses	2,010	1,959	4	0	47
Property offenses	7,019	6,731	203	5	80
Fraudulent	5,794	5,535	183	5	71
Other	1,225	1,196	20	0	9
Drug offenses	18,917	14,897	3,142	303	575
Public-order offenses	3,368	3,092	178	9	89
Regulatory	684	628	30	1	25
Other	2,684	2,464	148	8	64
Weapon offenses	2,651	2,582	16	5	48
Immigration offenses	9,864	9,808	15	2	39
Other offenses^d	510	499	5	0	6
Sentences greater than 1 year					
All prisoners^e	34,917	30,175	3,559	322	861
Violent offenses	1,851	1,801	4	0	46
Property offenses	4,507	4,225	202	5	75
Fraudulent	3,733	3,479	182	5	67
Other	774	746	20	0	8
Drug offenses	17,404	13,396	3,140	302	566
Public-order offenses	2,430	2,158	177	8	87
Regulatory	506	451	30	1	24
Other	1,924	1,707	147	7	63
Weapon offenses	2,421	2,353	16	5	47
Immigration offenses	5,999	5,945	15	2	37

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. 107.

^aSee *Chapter notes*, item 4, p. 107, and "Offense classifications" in *Methodology*, p. 109.

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

^cOther extraordinary releases include escape, death, sentence commutation, and intensive confinement programs.

^dIncludes 305 prisoners for whom offense was not classifiable or not a violation of U.S. Code.

^eIncludes 297 prisoners for whom offense was 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, 2001 - September 30, 2002

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	39,568	31.6 mo	20.9 mo	9,393	5.1 mo	5.0 mo	30,175	39.8 mo	28.7 mo	88.0%
Violent offenses	1,959	58.8 mo	48.8 mo	158	5.8 mo	6.0 mo	1,801	63.5 mo	52.3 mo	87.5%
Murder/manslaughter ^c	79	63.8	35.3	10	6.2	5.5	69	72.2	44.7	87.1
Assault	313	28.4	22.1	86	5.4	5.9	227	37.2	29.9	88.9
Robbery	1,329	65.3	55.1	43	6.4	6.0	1,286	67.3	55.9	87.4
Sexual abuse ^c	160	48.8	31.3	13	6.0	6.0	147	52.6	35.7	87.4
Kidnaping	63	100.5	83.6	3	7.8	6.9	60	105.0	86.2	84.9
Threats against the President	15	22.9	15.7	3	5.8	5.6	12	27.2	25.1	90.4
Property offenses	6,731	16.5 mo	12.0 mo	2,506	5.2 mo	5.0 mo	4,225	23.2 mo	17.4 mo	88.4%
Fraudulent	5,535	15.8 mo	12.0 mo	2,056	5.2 mo	5.0 mo	3,479	22.0 mo	16.2 mo	88.3%
Embezzlement	388	9.6	6.0	237	4.0	4.0	151	18.3	15.5	88.0
Fraud ^c	4,540	16.5	12.2	1,592	5.3	5.0	2,948	22.5	17.4	88.3
Forgery	131	14.7	10.8	53	5.2	5.0	78	21.1	16.6	88.7
Counterfeiting	476	14.4	12.0	174	5.9	5.9	302	19.2	15.7	89.0
Other	1,196	19.8 mo	12.2 mo	450	5.0 mo	5.0 mo	746	28.7 mo	20.1 mo	88.5%
Burglary	77	28.9	17.4	19	6.8	7.1	58	36.2	21.8	86.3
Larceny ^c	641	13.3	10.5	298	5.2	5.0	343	20.4	15.7	89.9
Motor vehicle theft	78	22.9	20.8	17	6.8	6.1	61	27.3	23.5	87.9
Arson and explosives	51	49.8	44.5	3	7.5	8.0	48	52.5	49.9	85.0
Transportation and stolen property	83	24.8	15.7	18	6.8	6.0	65	29.8	20.9	87.7
Other property offenses ^c	266	24.4	15.9	95	3.2	2.9	171	36.2	26.2	87.8
Drug offenses	14,897	42.9 mo	32.2 mo	1,501	6.7 mo	6.9 mo	13,396	47.0 mo	33.9 mo	87.7%
Trafficking	14,715	43.3	32.2	1,380	6.9	7.9	13,335	47.0	34.0	87.6
Possession and other drug offenses	182	13.3	6.0	121	4.3	4.0	61	31.1	13.0	92.5
Public-order offenses	3,092	24.8 mo	16.0 mo	934	4.3 mo	4.0 mo	2,158	33.7 mo	23.6 mo	87.8%
Regulatory	628	19.8 mo	15.0 mo	177	5.8 mo	5.9 mo	451	25.3 mo	18.3 mo	88.4%
Other	2,464	26.1 mo	18.2 mo	757	3.9 mo	4.0 mo	1,707	36.0 mo	26.2 mo	87.7%
Tax law violations ^c	341	15.8	12.0	114	5.7	5.0	227	20.8	16.1	88.1
Bribery	63	18.1	10.7	20	4.8	4.9	43	24.3	15.7	87.4
Perjury, contempt, and intimidation	63	13.4	10.0	33	4.4	4.0	30	23.2	16.3	88.4
National defense	12	36.9	22.2	1	8.0	8.0	11	39.5	23.5	74.8
Escape	209	16.8	12.2	79	5.9	6.0	130	23.4	17.2	90.3
Racketeering and extortion	994	42.9	35.7	86	6.5	6.0	908	46.3	40.1	87.2
Gambling	4	—	—	4	—	—	0	—	—	—
Liquor	0	...	...	0	...	...	0	...	...	...
Nonviolent sex offenses	51	34.4	23.9	4	4.7	4.5	47	36.9	26.2	87.0
Obscene material ^c	234	25.5	23.5	17	5.2	5.0	217	27.1	23.6	87.1
Traffic offenses	352	2.6	0.9	329	1.7	0.5	23	16.4	14.0	93.0
Wildlife	25	8.9	6.0	17	3.8	3.3	8	19.7	12.4	88.9
Environmental	24	10.8	7.0	13	5.2	5.0	11	17.5	14.0	86.9
All other offenses	92	13.5	11.6	40	5.0	4.0	52	20.1	15.6	90.4
Weapon offenses	2,582	42.9 mo	32.2 mo	229	6.3 mo	5.6 mo	2,353	46.4 mo	34.8 mo	88.2%
Immigration offenses	9,808	19.2 mo	15.7 mo	3,863	4.7 mo	4.8 mo	5,945	28.7 mo	26.2 mo	88.7%
Other prisoners^d	499	16.7 mo	12.0 mo	202	4.7 mo	4.9 mo	297	24.9 mo	20.9 mo	88.6%

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. 107.

—Too few cases to obtain statistically reliable data.

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

^aSee *Chapter notes*, item 4, p. 109, and "Offense classifications" in *Methodology*, p. 113.

^bThis column excludes prisoners who left Federal prison by extraordinary means, such as death, sentence commutation, and treaty transfer. The total number of prisoners who left prison due to extraordinary means in fiscal year 2002 was 4,771. See table 7.11.

^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, 2001 - September 30, 2002

Sentence imposed ^a	Number of months served for ^b —								
	All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses		Weapon offenses	Immigration offenses
			Fraudulent	Other		Regulatory	Other		
All releases	31.6 mo	58.8 mo	15.8 mo	19.8 mo	42.9 mo	19.8 mo	26.1 mo	42.9 mo	19.2 mo
1-12 mo ^c	5.1	5.8	5.2	5.0	6.7	5.8	3.9	6.3	4.7
13-24	13.9	14.4	13.8	14.0	13.8	14.3	14.1	14.5	13.9
25-36	24.6	25.8	24.1	24.2	24.6	24.4	24.6	25.1	24.6
37-48	35.7	36.4	34.8	35.3	35.2	32.6	34.8	35.6	36.9
49-60	46.8	47.3	45.5	45.7	46.1	43.7	46.2	47.1	48.1
61-72	55.9	57.4	53.8	55.5	55.8	55.1	54.7	55.3	58.1
73-84	67.2	67.8	67.0	67.5	66.9	—	66.7	67.6	67.8
85-96	76.9	77.1	77.0	76.2	76.5	—	76.4	78.3	77.7
97-108	86.7	87.7	87.3	—	85.9	—	86.4	88.1	85.0
109-120	96.5	98.5	—	—	95.5	—	95.7	98.2	—
121-144	108.7	110.6	109.3	—	108.5	—	108.1	108.2	—
145-180	136.7	140.2	—	—	136.1	—	136.4	138.1	...
181-240 ^d	154.7	153.1	—	—	156.6	...	—	154.4	...
241-300 ^d	156.0	189.3	—	—	144.3	—	—	—	...
Over 300 ^d	197.1	209.8	—	—	187.7	—	—	—	—

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. 107. Of the 39,568 first releases by standard methods, 39,324 were new law and 244 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. 107, 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 2002, new law inmates who were sentenced to more than 204 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.

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, 2001 - September 30, 2002

Sentence imposed ^a	Percent of sentence served for ^b —								
	All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses		Weapon offenses	Immigration offenses
			Fraudulent	Other		Regulatory	Other		
All releases	90.7%	88.6%	92.5%	92.7%	88.8%	90.8%	91.4%	89.0%	93.0%
1-12 mo ^c	99.8	100.9	100.1	100.0	99.8	99.1	99.8	99.2	99.6
13-24	88.7	89.6	88.7	89.6	88.2	89.0	89.0	88.6	88.8
25-36	88.0	88.5	87.4	87.8	87.8	87.6	87.6	88.1	88.5
37-48	87.8	88.4	87.6	88.5	87.5	82.5	87.3	88.1	88.4
49-60	88.1	88.6	86.5	87.6	87.7	85.2	87.5	88.7	88.9
61-72	87.9	88.5	87.2	87.1	87.7	87.5	87.1	87.9	89.2
73-84	88.1	88.4	87.8	88.0	87.9	—	88.1	88.0	88.5
85-96	87.7	88.4	87.8	87.3	87.5	—	87.6	87.7	89.0
97-108	87.7	88.3	87.3	—	87.4	—	87.5	88.0	87.5
109-120	87.5	88.2	—	—	87.2	—	87.7	87.7	—
121-144	87.2	87.4	87.7	—	87.3	—	86.3	86.9	—
145-180	87.5	88.1	—	—	87.3	—	87.7	88.2	...
181-240 ^d	84.1	83.4	—	—	84.5	...	—	85.3	...
241-300 ^d	63.1	—	—	—	59.2	—	—	—	...
Over 300 ^d	52.6	52.7	—	—	53.5	—	—	—	—

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. 107. Of the 39,568 first releases by standard methods, 39,324 were new law and 244 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. 107, 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 2002, new law inmates who were sentenced to more than 204 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.

Table 7.15. Characteristics of first releases from prison, by offense, all releases, October 1, 2001 - September 30, 2002

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		Weapon offenses	Immigration offenses
				Fraudulent	Other		Regulatory	Other		
Number of releases^b	44,339	44,339	2,010	5,794	1,225	18,917	684	2,684	2,651	9,864
Male/female										
Male	39,130	88.4%	92.5%	79.0%	82.4%	86.0%	82.1%	89.0%	97.4%	96.1%
Female	5,149	11.6	7.5	21.0	17.6	14.0	17.9	11.0	2.6	3.9
Race										
White	32,148	72.6%	45.0%	66.9%	64.6%	68.9%	76.6%	72.0%	47.5%	96.1%
Black	10,761	24.3	36.4	29.7	26.4	29.3	19.5	22.8	49.7	3.0
Native American	642	1.4	16.9	0.3	4.7	0.6	1.0	1.3	1.7	0.1
Asian/Pacific Islander	728	1.6	1.7	3.1	4.2	1.2	2.9	3.9	1.2	0.7
Ethnicity										
Hispanic	19,717	44.5%	7.6%	18.3%	13.2%	43.9%	26.2%	15.7%	12.9%	91.4%
Non-Hispanic	24,562	55.5	92.4	81.7	86.8	56.1	73.8	84.3	87.1	8.6
Age										
Less than 19 years	265	0.6%	2.2%	0.2%	0.9%	0.6%	0.6%	0.3%	0.3%	0.7%
19-20 years	2,013	4.5	8.0	1.9	5.0	5.5	4.4	1.8	6.2	3.9
21-30 years	17,774	40.1	41.9	28.0	30.6	43.4	27.5	25.4	45.7	45.6
31-40 years	13,825	31.2	29.4	32.0	30.4	29.7	32.7	29.1	27.5	35.7
Over 40 years	10,402	23.5	18.4	37.8	33.1	20.8	34.8	43.4	20.3	14.2
Citizenship										
U.S. citizen	25,733	58.3%	95.8%	76.9%	90.9%	64.8%	78.6%	86.9%	91.2%	4.9%
Not U.S. citizen	18,389	41.7	4.2	23.1	9.1	35.2	21.4	13.1	8.8	95.1

Note: Totals include prisoners whose offense category could not be determined; see *Chapter notes*, items 4-7, p. 107. Percentages in this table are based on non-missing characteristics.

^aSee *Chapter notes*, item 4, p. 107, and "Offense classifications" in *Methodology*, p. 109.
^bOf the 44,339 total cases, 44,074 (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, 2001 - September 30, 2002

Offender characteristic	Number of prisoners released	Mean time served for ^a —								
		All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses		Weapon offenses	Immigration offenses
				Fraudulent	Other		Regulatory	Other		
All releases^b	39,568	31.6 mo	58.8 mo	15.8 mo	19.8 mo	42.9 mo	19.8 mo	26.1 mo	42.9 mo	19.2 mo
Male/female										
Male	35,060	32.7 mo	60.4 mo	16.8 mo	21.6 mo	44.7 mo	21.2 mo	26.6 mo	43.1 mo	19.5 mo
Female	4,450	22.5	39.5	12.0	11.1	31.1	13.2	18.9	34.0	13.0
Race										
White	29,072	27.5 mo	58.8 mo	15.8 mo	19.8 mo	37.2 mo	19.9 mo	24.3 mo	40.1 mo	18.8 mo
Black	9,173	44.2	68.1	15.7	19.8	57.2	19.4	29.8	45.2	32.9
Native American	606	33.4	40.0	12.7	23.8	25.0	19.0	17.9	42.5	15.4
Asian/Pacific Islander	659	30.8	47.9	15.8	14.9	49.0	19.0	32.1	50.1	22.0
Ethnicity										
Hispanic	18,612	26.4 mo	52.8 mo	13.4 mo	18.2 mo	36.8 mo	17.1 mo	33.4 mo	37.5 mo	18.7 mo
Non-Hispanic	20,898	36.1	59.3	16.3	20.0	48.7	20.8	24.3	43.6	25.2
Age										
Less than 19 years	254	22.5 mo	38.7 mo	17.6 mo	13.8 mo	22.4 mo	16.3 mo	53.4 mo	51.1 mo	7.3 mo
19-20 years	1,809	27.7	46.6	14.1	18.2	31.8	25.6	17.5	44.1	10.6
21-30 years	15,801	31.5	59.7	13.7	20.2	41.2	22.5	27.6	41.5	18.2
31-40 years	12,426	32.6	64.3	15.2	21.6	45.2	19.2	26.7	47.0	21.2
Over 40 years	9,220	31.2	55.6	17.9	18.0	46.7	17.5	24.2	39.4	20.5
Citizenship										
U.S. citizen	21,388	35.5 mo	59.4 mo	16.4 mo	19.5 mo	44.7 mo	20.7 mo	24.6 mo	43.7 mo	14.7 mo
Not U.S. citizen	17,966	26.9	48.8	14.2	22.5	40.4	17.0	33.5	33.9	19.5

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. 107.

^aSee *Chapter notes*, item 4, p. 107, and "Offense classifications" in *Methodology*, p. 109.

^bOf the 44,339 total cases, 44,074 (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, 2002) 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, 2001, through September 30, 2002, 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 2002. Tables 7.11-7.16 include only prisoners committed by U.S. district courts or released by the BOP during fiscal year 2002.

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 2002, 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.
- 6) Tables 7.11-7.16 include only prisoners committed by U.S. district courts and released by the BOP during fiscal year 2002. 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, 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.

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, and so on) 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 2002, 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 the event which occurred during fiscal year 2002 (October 1, 2001, through September 30, 2002). 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 2002 in this *Compendium* have been assembled from source files containing records of 2002 matters concluded which were

entered into the data system during fiscal years 2002 or 2003.

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 gender, race, ethnicity, and prior record information.

Table construction and interpretation

The tables presented report events that occurred during the Federal fiscal year — October 1, 2001 - September 30, 2002. 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 are 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 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

*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.

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 phono records, 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 (that is, excludes offenders who are returned to prison after their first release to supervision).

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(i)).

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)).