

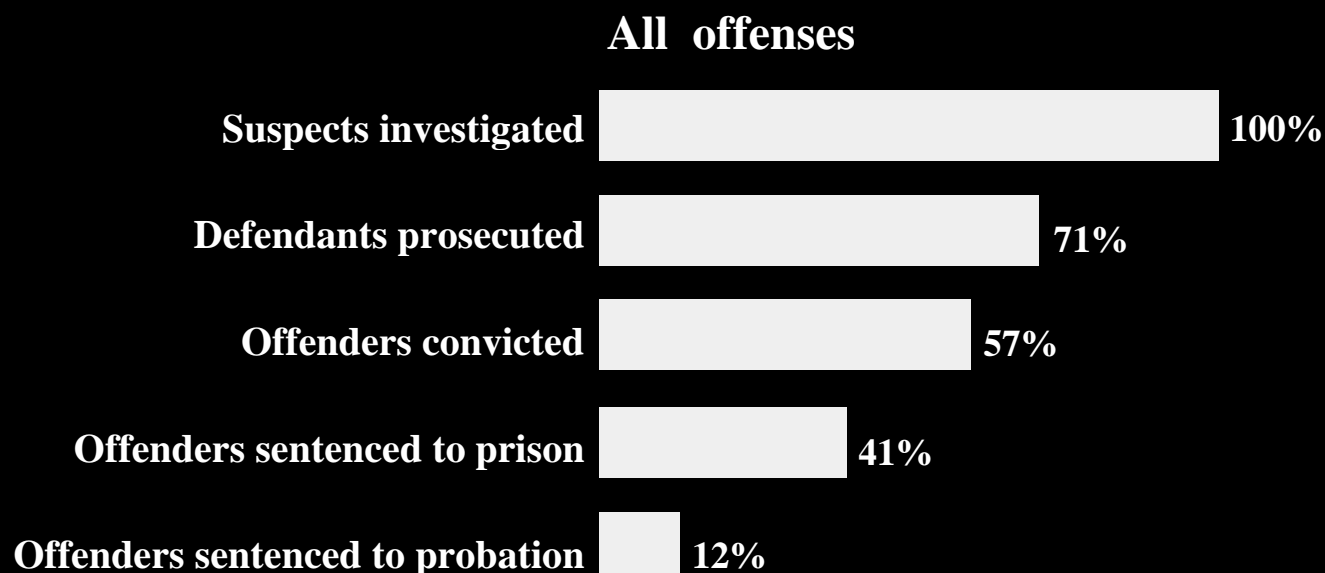


Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1998

Federal criminal case processing in matters concluded by United States attorneys

October 1, 1997, through September 30, 1998



A Federal Justice Statistics Program Report



Compendium of Federal Justice Statistics, 1998

May 2000, NCJ 180258

Pretrial release

Discussion	35
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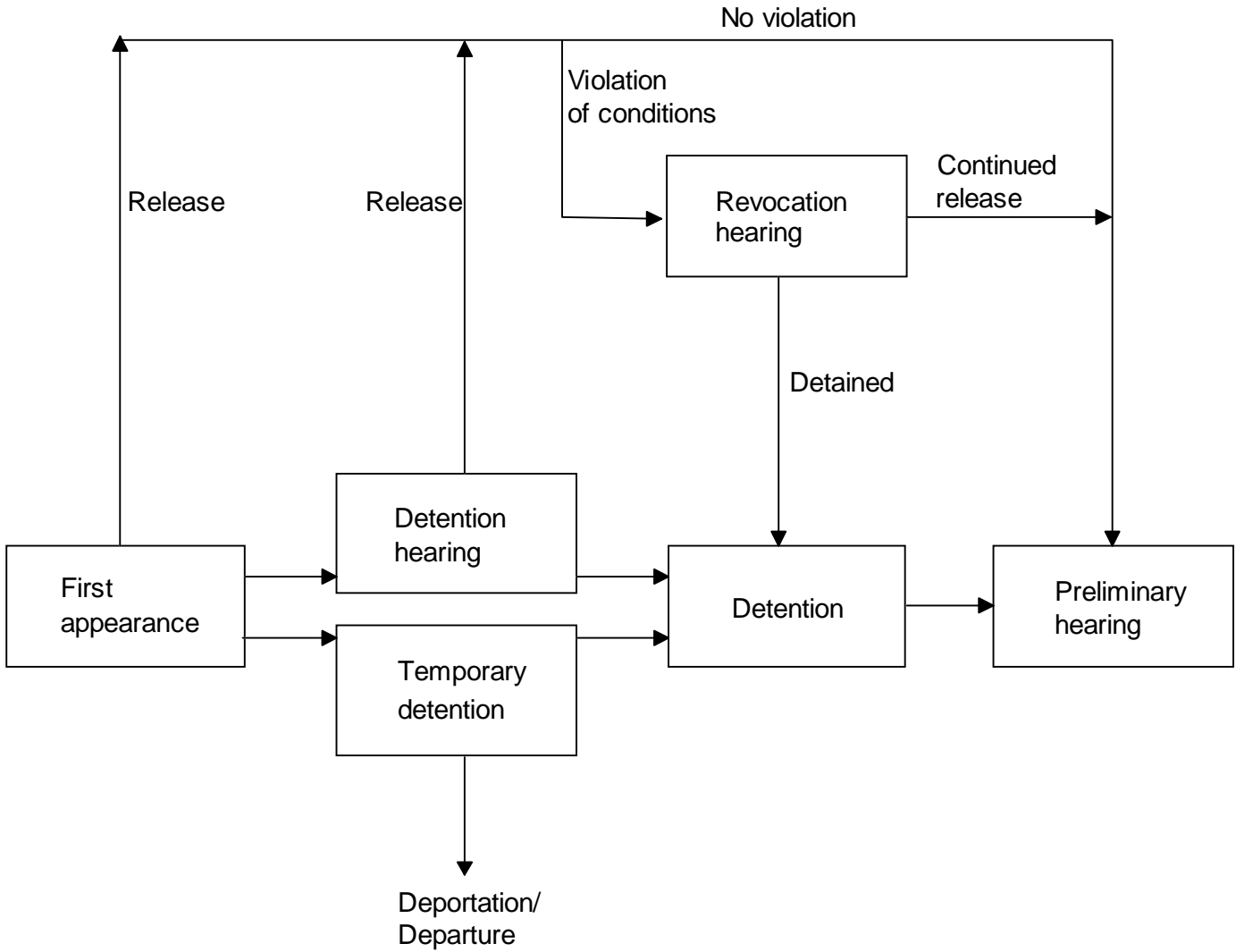
Tables*October 1, 1997 - September 30, 1998*

3.1. Type of pretrial release, by offense	39
3.2. Type of pretrial release, by defendant characteristics	40
3.3. Form of pretrial detention, by offense	41
3.4. Form of pretrial detention, by defendant characteristics	42
3.5. Pretrial detention hearing outcomes, by offense	43
3.6. Pretrial detention hearing outcomes, by defendant characteristics	44
3.7. Behavior of defendants released prior to trial, by offense	45
3.8. Behavior of defendants released prior to trial, by type of release	45
3.9. Behavior of defendants released prior to trial, by defendant characteristics	46
3.10. Length of pretrial detention, by form of release or detention, and most serious offense charged	47

Chapter notes	48
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Chapter 3

Pretrial release



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

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

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

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

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

Types of pretrial release

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

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

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

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

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

Factors relating to release or detention

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

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

During 1998, 26,260 defendants were released for some period of time prior to trial (table 3.1). Those defendants released made up 43% of the 60,950 defendants who terminated pretrial services during 1998. Of the defendants released, 84% completed pretrial services without violating the conditions of their release (table 3.8).

In 1998, 40,669 defendants were detained for some period of time prior to the disposition of their case (table 3.3). Those defendants detained comprised about 67% of all defendants who terminated pretrial services during 1998. Included are those who were detained prior to having a preliminary hearing with the magistrate, at which point they could have been either released or ordered to have a detention hearing. Of the defendants detained, 55% were ordered detained by the court until case disposition.

Pretrial detention hearings were held for 30,204 defendants. Of these, 22,143, or 73%, were ordered detained (table 3.5).

Of the 26,246 defendants released prior to trial, 16% violated a condition of their release (table 3.7). The majority (88%) of these violations were technical violations of the bail conditions. Defendants released on deposit bond were more likely (25%) than other defendants to incur some violation of the conditions of their release (table 3.8). Conversely, defendants given conditional release violated their release at the lowest rates (5%). Five percent of all released defendants had their release revoked.

Pretrial outcomes by offense categories

Releases (table 3.1) — Defendants charged with property offenses were more likely than other defendants to be released prior to criminal trial; in 1998, 77% of the 13,463 property offenders were released (figure 3.1).

*18 U.S.C. § 3142(e) (1984)

However, the percent released varied greatly across offense categories. Among violent offenders, 18% of those charged with robbery were released compared to 55% of those charged with assault and 66% of those charged with sex offenses other than rape. Among public order offenders, 8% of those charged with immigration offenses were released compared to 95% of those charged with tax law violations and 43% of those with weapons offenses.

Property defendants also made up the largest part of those defendants who were released, while drug defendants made up the largest part of those defendants who were detained. Violent defendants composed the smallest part of defendants in both groups.

About 35% of all drug defendants were released. Drug trafficking defendants were less likely to be released than those charged with nontrafficking offenses (33% compared to 53%), but defendants charged with trafficking offenses outnumbered those charged with nontrafficking offenses by more than 9 to 1.

The release types for those defendants who were released prior to trial varied among offense categories (table 3.1). Within each major offense category, the highest percentage of defendants released was on unsecured bond, except for violent defendants. Of the 32% of violent defendants released, 40% were released on unsecured bond and 43% on personal recognizance compared to 77% of all property defendants released, of whom 54% were released on unsecured bond and 34% on personal recognizance.

Detentions (tables 3.3 and 3.5) — Among the major offense categories, defendants charged with drug offenses were the most likely (80%) to be detained for some period of time (table 3.3, figure 3.1). Seventy-seven percent of defendants charged with violent offenses were detained for some period of time. But violent defendants were more likely than drug offenders (62% versus 55%) to be

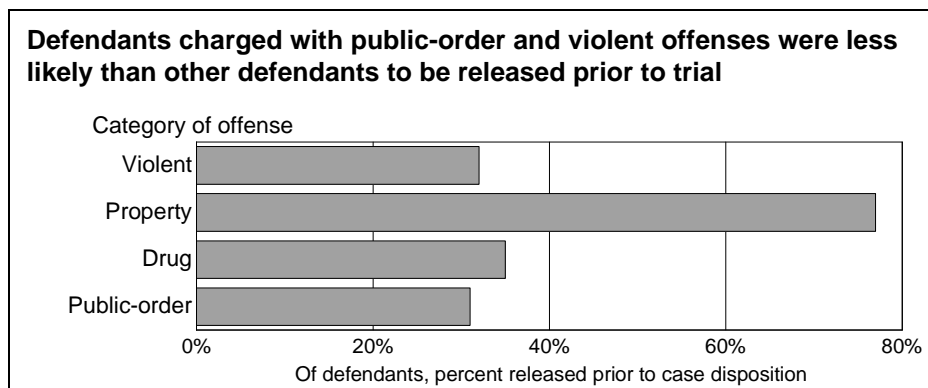


Figure 3.1. Percent of defendants released prior to case disposition, by offense category, October 1, 1997 - September 30, 1998

detained by the court. Property and public-order defendants were less likely to be detained than were drug and violent defendants. During 1998, 74% of public-order defendants were detained. Of public-order defendants, those charged with immigration offenses were the most likely to be detained (96%). In 1998, 30% of defendants charged with property offenses were detained. Of those defendants detained, 56% of public-order and 43% of property defendants were detained by the court.

For 66% of defendants charged with violent offenses, it was decided at the preliminary hearing that a detention hearing was warranted (table 3.5, figure 3.2). This rate varied by offense category: 62% of those charged with drug-related offenses, 50% of those charged with public-order offenses, and 22% of those charged with property offenses were ordered to have a detention hearing. Of those charged with violent offenses, the most likely to have a pretrial detention hearing were those charged with kidnaping, robbery, threats against the President, or murder. The least likely to have a pretrial detention hearing were those charged with sex offenses other than rape and those charged with assault.

Once a defendant was ordered to have a detention hearing, the chances of being detained were less variable across offense categories (table 3.5). The highest rate of defendants ordered detained were those charged with public-order offenses (83%) —

primarily immigration (89%) and weapons offenders (70%). Of the 66% of defendants charged with violent offenses and given a pretrial detention hearing, 73% were ordered detained. In 1998, 70% of those charged with drug offenses and 59% of those charged with property offenses were ordered detained following a pretrial hearing.

Violations (table 3.7) — Of defendants released prior to trial and terminating pretrial services during 1998, those charged with drug offenses were more likely (27%) than other defendants to incur at least one violation during the release period. Among major offense categories, those charged with property offenses were less likely (11%) than others to violate conditions of their release. Those charged with drug offenses and violent offenses were more likely to have their release revoked (10% of all released drug defendants, 9% of all released violent defendants), and public-order defendants were slightly more likely than property defendants to have their release revoked (4% versus 3%).

Pretrial outcomes across demographic groups

Releases (table 3.2) — Females were more likely (68%) than males (38%) to be released during 1998 (figure 3.3). Males were more likely to have a financial condition imposed on them as females (17% versus 11%). Fifty-eight percent of all defendants

identified as non-Hispanic were released during 1998 compared to 19% of Hispanics. Non-Hispanic releasees had more than twice the chance of being released on personal recognizance as Hispanics.

The higher the education level of the defendant, the greater the probability of release. A third (34%) of defendants with less than a high school education were released in 1998, while 75% of those who had completed college were released. Releasees with a college degree were less likely to receive financial conditions (13%) and more likely to be released on personal recognizance (31%) than those who had less education.

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

Detentions (tables 3.4 and 3.6) — Males were more likely (71% versus 44%) than females to be detained (table 3.4). Of all detainees, 56% of the men and 42% of the women were detained following a detention hearing. Hispanics had a substantially higher probability of being detained (nearly 9 out of 10) as compared with non-Hispanics (5 out of 10). Higher detention rates for Hispanics reflects a perceived greater risk of pretrial flight. In a previous BJS report, 70% of Hispanics prosecuted in the Federal courts were identified as noncitizens and 64% lived in the community in which they were arrested for less than 1 year. (Federal Pretrial Release and Detention, BJS Special Report, NCJ 168635.) Additionally, almost all of those charged with an immigration offense -- of which Hispanics comprise the majority -- were detained because of the perceived risk of pretrial flight.

Younger defendants were more likely than older ones to be detained, with the percentage peaking at defendants in their twenties. Seventy-two percent of defendants between the ages of 21

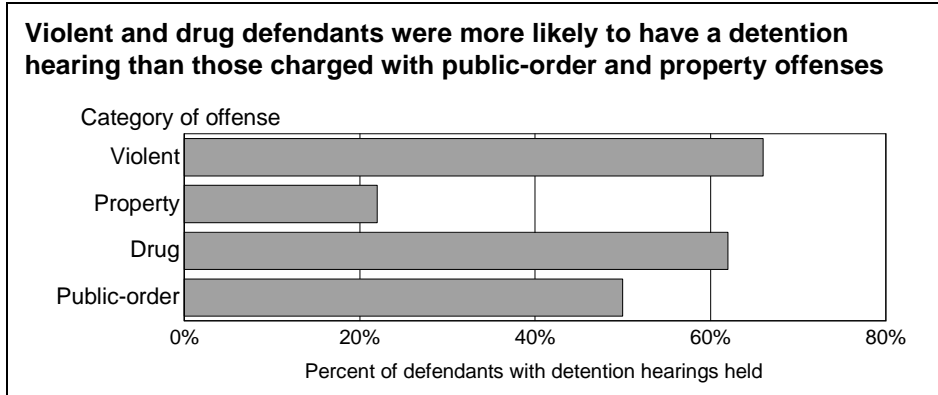


Figure 3.2. Detention hearings held, by offense category, October 1, 1997 - September 30, 1998

and 30 years were detained compared to 70% of defendants between 16 and 18 years and 48% of those over 40. However, among all defendants detained, the chances of being detained following a detention hearing were similar across all age groups. These patterns were more dramatic with education levels. Those defendants with lower levels of education were more likely to be detained. Seventy-seven percent of those who did not graduate from high school were detained versus 34% of college graduates. Of those detained, 54% of defendants without a high school diploma were detained following a detention hearing compared to 48% of college graduates.

Not only were male defendants nearly twice as likely as female defendants to have a detention hearing (53% versus 31%), they were also more likely to be ordered detained as a result of the hearing (table 3.6).

The likelihood of having a detention hearing increased with the number of prior convictions, severity of the defendant's criminal history, and current sentence of supervision. Furthermore, 55% of those with a history of drug abuse had detention hearings as compared to 42% of those without such a past. Those with a history of drug abuse were slightly more likely to be detained.

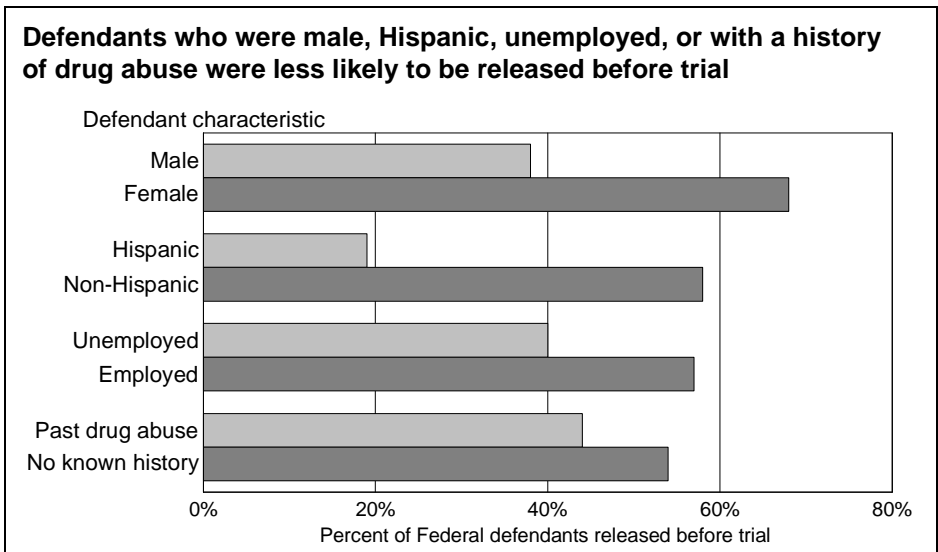


Figure 3.3. Pretrial release rates, by defendant characteristics, October 1, 1997 - September 30, 1998

Violations (table 3.9) — Released males were more likely than females to incur a violation during the pretrial release period (18% versus 13%) and were slightly more likely to have their release revoked. Blacks were more likely to incur a violation than whites (21% versus 14%). Defendants with no prior criminal history were less likely to have a pretrial release violation than those with a prior conviction. Released defendants with a known drug history had more than 3 times the likelihood of incurring a violation than those with no known drug history. Also, those with a history of drug use were substantially more likely to have their release revoked.

Length of pretrial detention (table 3.10)

Among defendants detained for any time prior to case disposition, those charged with drug offenses were detained the longest (an average of 88.7 days) compared to violent defendants (81.2 days), public-order defendants (62.5 days), and property defendants (50.0 days) — not in a table.

Of defendants released, those released on conditional means spent the greatest average number of days detained (65.2 days) compared to those released on personal recognizance (50.1 days), unsecured bond (46.1 days), or financial conditions (35.8 days). This trend varied only slightly across all major offense categories — defendants released on conditional means were detained more days than defendants who were released by any other means.

Of defendants not released, those detained following a detention hearing were detained longer, on average, than those held on financial conditions (105.0 days compared with 77.4 days). Only public order defendants held on financial conditions (74.2 days) were detained longer than those detained by the court (72.0 days).

Table 3.1. Type of pretrial release, by offense, October 1, 1997 - September 30, 1998

Most serious offense charged	Percent released	Of defendants released at any time prior to case disposition, percent released on—				Number of defendants	
		Financial ^a	Unsecured bond	Personal recognizance	Conditional release	Released	All defendants
All offenses^b	43.1%	15.8%	49.6%	30.3%	4.4%	26,246	60,950
Violent offenses	31.9%	10.7%	39.9%	43.0%	6.5%	1,271	3,986
Murder ^c	28.6	9.4	22.6	56.6	11.3	53	185
Negligent manslaughter	—	—	—	—	—	3	8
Assault	54.9	5.6	34.0	51.8	8.6	444	809
Robbery	17.8	19.0	44.3	31.9	4.8	395	2,214
Rape	51.4	5.6	20.6	63.5	10.3	126	245
Other sex offenses ^c	66.1	9.0	55.9	32.4	2.7	222	336
Kidnaping	13.8	14.3	71.4	14.3	0	21	152
Threats against the President	18.9	—	—	—	—	7	37
Property offenses	77.4%	8.6%	53.7%	34.3%	3.4%	10,414	13,463
Fraudulent	77.8%	9.5%	57.6%	30.6%	2.3%	7,948	10,218
Embezzlement	93.5	3.3	56.2	37.1	3.4	1,313	1,405
Fraud ^c	76.5	10.7	56.7	30.3	2.2	5,562	7,273
Forgery	78.3	4.8	66.5	26.4	2.2	227	290
Counterfeiting	67.7	12.6	62.9	23.4	1.1	846	1,250
Other	76.0%	5.5%	41.2%	46.0%	7.2%	2,466	3,245
Burglary	51.3	6.5	32.5	59.7	1.3	77	150
Larceny ^c	81.9	3.9	39.4	48.6	8.1	1,962	2,396
Motor vehicle theft	47.1	13.9	49.2	32.0	4.9	122	259
Arson and explosives	57.5	15.2	52.2	30.4	2.2	92	160
Transportation of stolen property	75.7	16.0	62.6	19.1	2.3	131	173
Other property offenses ^c	76.6	2.4	35.4	53.7	8.5	82	107
Drug offenses	35.1%	28.2%	48.2%	20.0%	3.6%	8,283	23,631
Trafficking	33.2	29.9	50.8	16.2	3.1	7,114	21,409
Other drug	52.6	18.1	32.6	42.7	6.6	1,169	2,222
Public-order offenses	31.3%	12.4%	46.9%	34.5%	6.3%	6,162	19,676
Regulatory	67.5%	11.8%	53.8%	30.9%	3.4%	1,312	1,945
Agriculture	94.9	9.7	54.8	33.3	2.2	93	98
Antitrust	100	0	25.0	58.3	16.7	12	12
Food and drug	98.3	3.4	77.6	19.0	0	58	59
Transportation	76.1	1.9	46.3	50.0	1.9	54	71
Civil rights	93.6	8.2	50.7	35.6	5.5	73	78
Communications	96.4	14.8	64.8	20.4	0	54	56
Custom laws	74.8	29.9	51.9	16.9	1.3	77	103
Postal laws	89.5	3.7	58.8	35.3	2.2	136	152
Other regulatory offenses	57.4	13.4	51.7	30.7	4.2	755	1,316
Other	27.4%	12.5%	45.0%	35.4%	7.1%	4,850	17,731
Weapons	42.5	12.8	55.8	27.7	3.7	1,059	2,490
Immigration offenses	7.7	27.3	37.9	15.5	19.4	847	11,014
Tax law violations ^c	94.7	4.8	56.9	35.4	2.8	703	742
Bribery	89.3	11.9	58.2	26.9	3.0	134	150
Perjury, contempt, and intimidation	66.3	9.4	62.5	26.6	1.6	128	193
National defense	62.2	10.9	37.0	43.5	8.7	46	74
Escape	12.6	18.9	43.2	32.4	5.4	74	589
Racketeering and extortion	54.7	24.0	53.2	21.0	1.7	462	844
Gambling	94.8	4.4	76.9	17.6	1.1	91	96
Liquor offenses	—	—	—	—	—	3	5
Obscene material ^c	78.1	5.3	66.7	28.1	0	57	73
Migratory birds	95.8	0	34.8	65.2	0	23	24
All other offenses ^c	85.1	3.4	24.8	64.1	7.8	1,223	1,437

Note: Released defendants include some defendants who were also detained prior to trial. Total also includes defendants for whom release status data were unavailable. Percentages in these tables are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 48.

—Too few cases to obtain statistically reliable data.

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

^bIncludes 194 defendants for whom an offense category could not be determined, 116 of whom were released.

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

Table 3.2. Type of pretrial release, by offense, October 1, 1997 - September 30, 1998

Most serious offense charged	Percent released	Of defendants released at any time prior to case disposition, percent released on—				Number of defendants	
		Financial ^a	Unsecured bond	Personal recognizance	Conditional release	Released	All defendants
All defendants^b	43.1%	15.8%	49.6%	30.3%	4.4%	26,246	60,950
Male/female							
Male	38.3%	17.4%	49.0%	29.2%	4.4%	19,593	51,163
Female	68.0	10.9	51.5	33.5	4.2	6,611	9,720
Race							
White	40.7%	16.3%	50.1%	29.1%	4.6%	16,709	41,007
Black	47.5	15.6	52.9	28.3	3.2	7,704	16,202
Other	49.0	12.0	31.5	49.6	6.9	1,833	3,741
Ethnicity							
Hispanic	18.5%	32.2%	44.6%	15.7%	7.5%	4,303	23,243
Non-Hispanic	58.3	12.7	51.4	32.4	3.5	21,413	36,733
Age							
16-18 years	43.4%	9.4%	38.7%	43.0%	8.9%	481	1,109
19-20 years	43.5	12.9	47.6	33.6	5.9	1,351	3,107
21-30 years	39.0	18.4	49.5	28.0	4.0	7,954	20,388
31-40 years	44.4	17.9	51.3	27.0	3.9	6,907	15,554
Over 40 years	61.3	13.8	54.3	29.1	2.8	7,823	12,752
Education							
Less than high school graduate	34.0%	20.8%	50.8%	24.5%	3.9%	6,333	18,621
High school graduate	54.7	15.2	51.5	30.0	3.3	8,380	15,326
Some college	65.0	14.4	52.6	30.4	2.6	6,202	9,546
College graduate	74.9	13.3	52.6	31.3	2.8	3,037	4,056
Marital status							
Never married	44.4%	15.5%	51.2%	29.8%	3.6%	8,562	19,301
Divorced/separated	54.2	14.3	54.0	28.8	2.9	4,844	8,931
Married	54.8	17.1	51.1	28.6	3.3	9,078	16,577
Common law	38.1	22.3	48.2	25.9	3.6	1,572	4,128
Other	18.2	10.0	28.8	45.5	15.8	2,190	12,013
Employment status at arrest							
Unemployed	39.6%	16.8%	51.2%	27.8%	4.2%	8,573	21,639
Employed	57.2	15.9	51.3	29.8	3.0	15,768	27,572
Criminal record							
No convictions ^c	53.5%	13.6%	48.3%	33.4%	4.8%	11,489	21,485
Misdemeanor only	52.7	15.0	49.6	31.7	3.6	5,164	9,793
Felony							
Nonviolent	29.7	18.4	53.7	23.5	4.3	3,803	12,788
Violent	21.6	21.6	49.9	23.4	5.2	1,858	8,607
Number of prior convictions							
1	45.5%	16.8%	51.3%	28.6%	3.2%	4,502	9,890
2 to 4	34.0	17.7	52.1	26.3	3.9	4,371	12,853
5 or more	23.1	17.7	48.5	27.1	6.7	1,952	8,445
Criminal justice status							
Not under supervision	49.8%	15.1%	49.3%	31.4%	4.2%	20,766	41,680
Pretrial release	48.1	22.6	50.7	24.8	1.8	1,248	2,593
Probation	37.3	18.6	52.6	26.8	2.0	1,252	3,357
Parole	15.1	19.1	51.1	25.0	4.8	272	1,801
Court appearance history							
No prior arrests	52.3%	13.7%	48.2%	33.3%	4.9%	11,699	22,350
Failure to appear							
None	40.1	17.9	51.2	27.4	3.5	12,379	30,846
1	28.8	14.7	50.1	28.9	6.3	1,184	4,109
More than 1	27.0	14.6	45.8	32.9	6.6	984	3,645
Drug abuse							
No known abuse	54.4%	15.6%	51.4%	29.7%	3.3%	17,441	32,074
Drug history	43.7	17.3	53.3	26.7	2.8	5,942	13,612

Note: Released defendants include some defendants who were also detained prior to trial. Total also includes defendants for whom release status data were unavailable. Percentages in these tables are not directly comparable to those in the 1993 and prior compendia; see Chapter notes, items 1 and 2, p. 48.

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

^bIncludes defendants for whom characteristics could not be determined.

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

Table 3.3. Form of pretrial detention, by offense, October 1, 1997 - September 30, 1998

Most serious offense charged	Of defendants detained at any time prior to case disposition, percent detained by—							Number of defendants	
	Percent detained	Temporary detention ^a	Held on bail for—		Court	Other detentions	Detained	All defendants	
			Part of pre-trial period	All of pre-trial period					
All offenses^b	66.7%	2.4%	11.5%	16.2%	54.5%	15.4%	40,665	60,950	
Violent offenses	77.0%	0.7%	8.0%	5.7%	62.0%	23.6%	3,069	3,986	
Murder ^c	82.2	0	7.9	2.0	61.2	28.9	152	185	
Negligent manslaughter	—	—	—	—	—	—	5	8	
Assault	55.4	0.7	13.4	9.4	49.6	27.0	448	809	
Robbery	90.0	0.9	6.1	5.6	65.4	22.1	1,992	2,214	
Rape	62.4	0	11.8	2.0	57.5	28.8	153	245	
Other sex offenses ^c	42.0	0.7	16.3	4.3	51.1	27.7	141	336	
Kidnaping	94.1	0	4.9	4.9	75.5	14.7	143	152	
Threats against the President	94.6	0	8.6	8.6	54.3	28.6	35	37	
Property offenses	29.9%	1.4%	19.6%	12.7%	43.0%	23.3%	4,023	13,463	
Fraudulent	29.6%	1.4%	20.3%	13.3%	42.9%	22.1%	3,025	10,218	
Embezzlement	10.1	2.8	31.7	9.2	35.2	21.1	142	1,405	
Fraud ^c	31.0	1.1	19.3	13.4	44.5	21.7	2,251	7,273	
Forgery	27.6	1.3	16.3	11.3	36.3	35.0	80	290	
Counterfeiting	44.2	2.0	22.3	14.3	39.3	22.1	552	1,250	
Other	30.8%	1.5%	17.5%	11.0%	43.1%	26.9%	998	3,245	
Burglary	60.0	0	13.3	5.6	50.0	31.1	90	150	
Larceny ^c	23.5	1.4	19.0	14.4	40.1	25.0	563	2,396	
Motor vehicle theft	63.3	2.4	12.8	4.9	47.6	32.3	164	259	
Arson and explosives	60.0	3.1	19.8	7.3	43.8	26.0	96	160	
Transportation of stolen property	34.1	0	25.4	13.6	33.9	27.1	59	173	
Other property offenses ^c	24.3	0	3.8	3.8	73.1	19.2	26	107	
Drug offenses	79.9%	1.6%	14.3%	15.3%	54.6%	14.2%	18,873	23,631	
Trafficking	82.1	1.4	14.3	15.5	55.0	13.9	17,570	21,409	
Other drug offenses	58.6	4.8	15.2	12.8	49.3	18.0	1,303	2,222	
Public-order offenses	74.2%	4.0%	6.4%	20.5%	56.0%	13.0%	14,601	19,676	
Regulatory	40.6%	1.6%	17.2%	11.5%	42.2%	27.5%	790	1,945	
Agriculture	9.2	—	—	—	—	—	9	98	
Antitrust	0	...	...	...	...	...	0	12
Food and drug	1.7	—	—	—	—	—	1	59	
Transportation	28.2	0	15.0	20.0	25.0	40.0	20	71	
Civil rights	11.5	—	—	—	—	—	9	78	
Communications	23.2	0	53.8	0	38.5	7.7	13	56	
Custom laws	37.9	0	23.1	28.2	35.9	12.8	39	103	
Postal laws	16.4	0	24.0	4.0	40.0	32.0	25	152	
Other regulatory offenses	51.2	1.9	15.6	10.7	43.6	28.2	674	1,316	
Other	77.9%	4.2%	5.7%	21.0%	56.8%	12.2%	13,811	17,731	
Weapons	67.6	1.5	11.0	6.5	57.0	23.9	1,683	2,490	
Immigration offenses	96.4	5.0	4.0	25.2	57.3	8.5	10,617	11,014	
Tax law violations ^c	10.0	1.4	44.6	13.5	17.6	23.0	74	742	
Bribery	20.7	0	38.7	12.9	38.7	9.7	31	150	
Perjury, contempt, and intimidation	42.0	1.2	13.6	11.1	44.4	29.6	81	193	
National defense	39.2	0	6.9	31.0	37.9	24.1	29	74	
Escape	90.0	2.5	1.9	3.4	66.0	26.2	530	589	
Racketeering and extortion	57.7	0.2	15.0	8.4	56.5	19.9	487	844	
Gambling	5.2	—	—	—	—	—	5	96	
Liquor offenses	—	—	—	—	—	—	2	5	
Obscene material ^c	28.8	0	23.8	4.8	33.3	38.1	21	73	
Migratory birds	4.2	—	—	—	—	—	1	24	
All other offenses ^c	17.4	2.0	14.8	11.2	40.0	32.0	250	1,437	

Note: Detained defendants include some defendants who were also released prior to trial. Total also includes defendants for whom release status data were unavailable. Percentages in this table are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 48.

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

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

^bIncludes 194 defendants for whom offense category could not be determined, 67 of whom were detained.

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

Table 3.4. Form of pretrial detention, by defendant characteristics, October 1, 1997 - September 30, 1998

Most serious offense charged	Of defendants detained at any time prior to case disposition, percent detained by—						Number of defendants	
	Percent detained	Temporary detention ^a	Held on bail for—		Court	Other detentions	Detained	All defendants
			Part of pre-trial period	All of pre-trial period				
All defendants^b	66.7%	2.4%	11.5%	16.2%	54.5%	15.4%	40,665	60,950
Male/female								
Male	71.1%	2.5%	10.2%	16.2%	55.9%	15.2%	36,386	51,163
Female	43.7	1.3	22.7	16.3	42.3	17.5	4,252	9,720
Race								
White	68.4%	2.7%	10.7%	19.7%	53.8%	13.1%	28,031	41,007
Black	63.5	1.4	13.4	8.5	56.8	19.9	10,290	16,202
Other	62.7	2.9	12.8	7.4	53.0	23.8	2,344	3,741
Ethnicity								
Hispanic	90.3%	3.9%	8.1%	22.6%	56.6%	8.7%	20,998	23,243
Non-Hispanic	52.1	0.8	15.2	9.3	52.6	22.1	19,155	36,733
Age								
16-18 years	70.3%	2.3%	16.2%	14.7%	48.1%	18.7%	780	1,109
19-20 years	68.6	2.2	15.0	17.2	50.4	15.3	2,131	3,107
21-30 years	72.2	3.0	12.0	17.5	51.9	15.7	14,727	20,388
31-40 years	66.5	2.5	12.8	17.4	51.4	15.9	10,351	15,554
Over 40 years	48.0	2.1	14.9	17.6	47.9	17.4	6,123	12,752
Education								
Less than high school graduate	77.2%	4.4%	11.3%	14.7%	54.0%	15.6%	14,376	18,621
High school graduate	57.0	1.5	15.6	11.1	52.1	19.7	8,730	15,326
Some college	46.5	1.3	19.6	12.5	46.2	20.4	4,436	9,546
College graduate	33.6	1.5	18.7	14.5	48.2	17.1	1,361	4,056
Marital status								
Never married	67.2%	2.4%	13.2%	11.7%	54.1%	18.6%	12,970	19,301
Divorced/separated	57.5	2.2	15.7	12.4	50.3	19.4	5,137	8,931
Married	55.0	3.7	13.9	15.7	51.1	15.6	9,112	16,577
Common law	74.7	3.7	12.9	16.0	52.4	14.9	3,085	4,128
Other	86.2	1.0	4.7	24.2	60.7	9.4	10,361	12,013
Employment status at arrest								
Unemployed	72.1%	2.6%	12.3%	10.8%	53.8%	20.4%	15,605	21,639
Employed	53.3	3.1	15.6	16.0	50.2	15.1	14,706	27,572
Criminal record								
No convictions ^c	55.6%	2.0%	13.4%	17.1%	54.9%	12.6%	11,945	21,485
Misdemeanor only	59.8	2.6	16.4	18.6	46.8	15.6	5,857	9,793
Felony								
Nonviolent	78.9	2.6	8.1	17.1	55.9	16.3	10,087	12,788
Violent	86.5	2.1	6.6	12.1	61.1	18.1	7,442	8,607
Number of prior convictions								
1	65.4%	2.6%	13.2%	17.4%	51.3%	15.5%	6,467	9,890
2 to 4	75.8	2.7	9.4	15.2	56.4	16.2	9,743	12,853
5 or more	85.0	1.9	7.0	15.5	57.3	18.4	7,176	8,445
Criminal justice status								
Not under supervision	60.1%	1.7%	13.3%	17.0%	53.8%	14.2%	25,040	41,680
Pretrial release	66.4	1.9	16.4	10.0	53.9	17.8	1,722	2,593
Probation	74.2	4.2	11.7	17.7	52.3	14.1	2,490	3,357
Parole	90.7	3.9	4.7	21.7	57.9	11.9	1,633	1,801
Court appearance history								
No prior arrests	56.7%	2.7%	13.2%	16.9%	54.8%	12.4%	12,682	22,350
Failure to appear								
None	70.1	2.6	11.4	16.4	52.9	16.7	21,610	30,846
1	80.9	1.2	8.5	14.5	57.3	18.4	3,324	4,109
More than 1	83.6	0.8	8.9	13.5	61.4	15.4	3,049	3,645
Drug abuse								
No known abuse	55.7%	3.1%	14.1%	15.6%	50.8%	16.4%	17,874	32,074
Drug history	69.7	2.1	14.9	9.6	53.5	19.9	9,488	13,612

Note: Detained defendants include defendants who were also released prior to trial. Total also includes defendants for whom release status data were unavailable. Percentages in this table are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 48.

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

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

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

Table 3.5. Pretrial detention hearing outcomes, by offense, October 1, 1997- September 30, 1998

Most serious offense charged	All defendants	Defendants with pretrial detention hearings			
		Number of defendants		Percent of defendants with hearings held	Of defendants with hearings held, percent ordered detained
		Hearings held	Ordered detained		
All offenses^a	60,950	30,204	22,143	49.6%	73.3%
Violent offenses	3,986	2,613	1,899	65.6%	72.7%
Murder ^b	185	131	92	70.8	70.2
Negligent manslaughter	8	5	0	—	—
Assault	809	360	221	44.5	61.4
Robbery	2,214	1,701	1,301	76.8	76.5
Rape	245	138	87	56.3	63.0
Other sex offenses ^b	336	117	72	34.8	61.5
Kidnaping	152	134	107	88.2	79.9
Threats against the President	37	27	19	73.0	70.4
Property offenses	13,463	2,917	1,727	21.7%	59.2%
Fraudulent	10,218	2,191	1,296	21.4%	59.2%
Embezzlement	1,405	92	50	6.5	54.3
Fraud ^b	7,273	1,657	1,001	22.8	60.4
Forgery	290	52	29	17.9	55.8
Counterfeiting	1,250	390	216	31.2	55.4
Other	3,245	726	431	22.4%	59.4%
Burglary	150	73	45	48.7	61.6
Larceny ^b	2,396	395	227	16.5	57.5
Motor vehicle theft	259	119	78	45.9	65.5
Arson and explosives	160	80	42	50.0	52.5
Transportation of stolen property	173	35	20	20.2	57.1
Other property offenses ^b	107	24	19	22.4	79.2
Drug offenses	23,631	14,683	10,285	62.1%	70.0%
Trafficking	21,409	13,686	9,644	63.9	70.5
Other drug	2,222	997	641	44.9	64.3
Public-order offenses	19,676	9,915	8,180	50.4%	82.5%
Regulatory	1,945	571	333	29.4%	58.3%
Agriculture	98	7	0	7.1	—
Antitrust	12	0	0	0	...
Food and drug	59	1	0	1.7	—
Transportation	71	18	5	25.4	27.8
Civil rights	78	6	5	7.7	—
Communications	56	9	5	16.1	—
Custom laws	103	24	14	23.3	58.3
Postal laws	152	19	10	12.5	52.6
Other regulatory offenses	1,316	487	294	37.0	60.4
Other	17,731	9,344	7,847	52.7%	84.0%
Weapons	2,490	1,361	958	54.7	70.4
Immigration offenses	11,014	6,807	6,085	61.8	89.4
Tax law violations ^b	742	40	13	5.4	32.5
Bribery	150	22	12	14.7	54.5
Perjury, contempt, and intimidation	193	64	36	33.2	56.3
National defense	74	21	11	28.4	52.4
Escape	589	421	350	71.5	83.1
Racketeering and extortion	844	404	275	47.9	68.1
Gambling	96	5	0	5.2	—
Liquor offenses	5	1	0	—	—
Obscene material ^b	73	17	7	23.3	41.2
Migratory birds	24	1	0	4.2	—
All other offenses ^b	1,437	180	100	12.5	55.6

Note: Defendants may also be detained for failure to meet bail conditions, or temporarily detained pending action of other agencies. Percentages in this table are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 48.

—Too few cases to obtain statistically reliable data.

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

^aIncludes 194 defendants for whom offense category could not be determined, 76 of whom had pretrial detention hearings.

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

Table 3.6. Pretrial detention hearing outcomes, by defendant characteristics, October 1, 1997 - September 30, 1998

Defendant characteristic	Defendants with pretrial detention hearings				
	All defendants	Number of defendants		Percent of defendants with hearings held	Of defendants with hearings held, percent ordered detained
		Hearings held	Ordered detained		
All defendants^a	60,950	30,204	22,143	49.6%	73.3%
Male/female					
Male	51,163	27,130	20,333	53.0%	74.9%
Female	9,720	3,052	1,795	31.4	58.8
Race					
White	41,007	20,010	15,061	48.8%	75.3%
Black	16,202	8,327	5,842	51.4	70.2
Other	3,741	1,867	1,240	49.9	66.4
Ethnicity					
Hispanic	23,243	14,558	11,873	62.6%	81.6%
Non-Hispanic	36,733	15,362	10,061	41.8	65.5
Age					
16-18 years	1,109	586	374	52.8%	63.8%
19-20 years	3,107	1,552	1,072	50.0	69.1
21-30 years	20,388	10,742	7,628	52.7	71.0
31-40 years	15,554	7,578	5,318	48.7	70.2
Over 40 years	12,752	4,517	2,928	35.4	64.8
Education					
Less than high school graduate	18,621	10,711	7,746	57.5%	72.3%
High school graduate	15,326	6,907	4,538	45.1	65.7
Some college	9,546	3,497	2,046	36.6	58.5
College graduate	4,056	1,071	655	26.4	61.2
Marital status					
Never married	19,301	10,197	7,016	52.8%	68.8%
Divorced/separated	8,931	3,898	2,576	43.6	66.1
Married	16,577	6,775	4,651	40.9	68.6
Common law	4,128	2,363	1,615	57.2	68.3
Other	12,013	6,971	6,285	58.0	90.2
Employment status at arrest					
Unemployed	21,639	11,834	8,379	54.7%	70.8%
Employed	27,572	11,327	7,370	41.1	65.1
Criminal record					
No convictions ^b	21,485	9,100	6,549	42.4%	72.0%
Misdemeanor only	9,793	4,224	2,737	43.1	64.8
Felony					
Nonviolent	12,788	7,255	5,630	56.7	77.6
Violent	8,607	5,699	4,543	66.2	79.7
Number of prior convictions					
1	9,890	4,715	3,314	47.7%	70.3%
2 to 4	12,853	7,227	5,490	56.2	76.0
5 or more	8,445	5,236	4,106	62.0	78.4
Criminal justice status					
Not under supervision	41,680	18,962	13,456	45.5%	71.0%
Pretrial release	2,593	1,380	927	53.2	67.2
Probation	3,357	1,745	1,302	52.0	74.6
Parole	1,801	1,125	944	62.5	83.9
Court appearance history					
No prior arrests	22,350	9,573	6,942	42.8%	72.5%
Failure to appear					
None	30,846	15,770	11,427	51.1	72.5
1	4,109	2,503	1,905	60.9	76.1
More than 1	3,645	2,358	1,869	64.7	79.3
Drug abuse					
No known abuse	32,074	13,447	9,060	41.9%	67.4%
Drug history	13,612	7,464	5,071	54.8	67.9

Note: Percentages in this table are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 48.

^aIncludes defendants for whom these characteristics are unknown.

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

Most serious offense charged	Percent of released defendants who had—							Number of released defendants
	Violations while on release					Technical violations of bail conditions	Release revoked	
	No violation	At least one violation	Failed to appear	New offense charged				
			Felony	Misdemeanor				
All offenses*	83.6%	16.4%	2.4%	1.8%	1.6%	14.5%	5.8%	26,246
Violent offenses	82.1%	17.9%	1.9%	1.7%	2.0%	16.1%	9.3%	1,271
Property offenses	89.3%	10.7%	1.8%	1.3%	1.2%	9.3%	3.2%	10,414
Fraudulent offenses	89.8	10.2	1.8	1.2	1.1	8.8	2.9	7,948
Other property offenses	87.7	12.3	1.8	1.7	1.3	11.1	4.1	2,466
Drug offenses	72.9%	27.1%	3.3%	3.0%	2.5%	24.3%	9.9%	8,283
Public-order offenses	88.7%	11.3%	2.1%	1.1%	1.0%	9.7%	3.8%	6,162
Regulatory offenses	91.8	8.2	1.7	0.8	0.9	7.0	2.9	1,312
Other public-order offenses	87.9	12.1	2.2	1.1	1.1	10.4	4.0	4,850

Note: Data describe defendants whose pretrial services were terminated during fiscal year 1998. A defendant with more than one type of violation appears in more than one column. A defendant with more than one of the same type of violation appears only once in that column. Therefore, the sum of individual violations exceeds the total. Not all violations resulted in revocation. For further information, see *Chapter notes*, item 1, p. 48.

*Includes 116 defendants for whom offense category could not be determined.

Most serious offense charged	Percent of released defendants who had—							Number of released defendants
	Violations while on release					Technical violations of bail conditions	Release revoked	
	No violation	At least one violation	Failed to appear	New offense charged				
			Felony	Misdemeanor				
All releases	83.6%	16.4%	2.4%	1.8%	1.6%	14.5%	5.8%	26,246
Financial release	76.6%	23.4%	4.4%	3.0%	2.4%	20.0%	7.1%	4,137
Percentage/cash bond	75.3	24.7	6.2	3.0	2.8	21.1	6.7	1,904
Collateral bond	75.6	24.4	2.8	3.1	2.5	20.9	6.8	1,345
Corporate surety	80.7	19.3	3.0	2.8	1.5	16.2	8.3	888
Unsecured bond	84.5%	15.5%	1.5%	1.4%	1.4%	14.3%	5.1%	7,945
Personal recognizance	84.3%	15.7%	2.4%	1.8%	1.5%	13.7%	6.1%	13,019
Conditional release	95.5%	4.5%	1.0%	0.4%	0.4%	3.6%	1.4%	1,145

Note: Data describe defendants whose pretrial services were terminated during fiscal year 1998. A defendant with more than one type of violation appears in more than one column. A defendant with more than one of the same type of violation appears only once in that column. Therefore, the sum of individual violations exceeds the total. Not all violations resulted in revocation. For further information, see *Chapter notes*, item 1, p. 48.

Table 3.9. Behavior of defendants released prior to trial, by defendant characteristics, October 1, 1997 - September 30, 1998

Defendant characteristic	Percent of released defendants who had—							Release revoked	Number of released defendants
	Violations while on release					Technical violations of bail conditions			
	No violation	At least one violation	Failed to appear	New offense charged					
			Felony	Misdemeanor					
All defendants^a	83.6%	16.4%	2.4%	1.8%	1.6%	14.5%	5.8%	26,246	
Male/female									
Male	82.5%	17.5%	2.5%	2.0%	1.8%	15.4%	6.3%	19,593	
Female	86.8	13.2	2.1	1.1	0.9	11.8	4.3	6,611	
Race									
White	85.7%	14.3%	2.4%	1.4%	1.4%	12.5%	4.8%	16,709	
Black	79.5	20.5	2.4	2.8	1.9	18.4	7.3	7,704	
Other	82.7	17.3	1.6	1.3	2.2	15.9	7.9	1,833	
Ethnicity									
Hispanic	83.2%	16.8%	5.5%	1.3%	1.2%	13.8%	4.5%	4,303	
Non-Hispanic	83.5	16.5	1.8	1.9	1.7	14.8	6.1	21,413	
Age									
16-18 years	72.1%	27.9%	3.3%	3.3%	3.1%	25.2%	12.5%	481	
19-20 years	75.4	24.6	3.0	2.1	2.7	22.3	10.1	1,351	
21-30 years	79.3	20.7	2.9	2.6	2.1	18.2	7.1	7,954	
31-40 years	81.9	18.1	2.8	1.8	1.9	15.8	6.4	6,907	
Over 40 years	90.5	9.5	1.2	1.0	0.7	8.5	3.2	7,823	
Education									
Less than high school graduate	75.9%	24.1%	3.7%	2.6%	2.3%	21.5%	9.2%	6,333	
High school graduate	82.4	17.6	2.1	1.9	1.8	15.8	6.5	8,380	
Some college	86.1	13.9	1.5	1.4	1.3	12.4	4.1	6,202	
College graduate	92.6	7.4	1.4	1.2	0.8	6.1	2.6	3,037	
Marital status									
Never married	77.4%	22.6%	2.8%	2.6%	2.4%	20.5%	8.2%	8,562	
Divorced/separated	82.0	18.0	2.5	1.8	1.7	15.9	6.6	4,844	
Married	90.1	9.9	1.7	1.1	0.8	8.4	3.2	9,078	
Common law	74.9	25.1	2.9	2.9	2.4	22.5	9.2	1,572	
Other	91.1	8.9	2.6	0.8	0.9	6.8	2.7	2,190	
Employment status at arrest									
Unemployed	77.1%	22.9%	3.1%	2.5%	2.1%	20.6%	9.0%	8,573	
Employed	86.2	13.8	1.9	1.5	1.4	12.1	4.4	15,768	
Criminal record									
No convictions ^b	91.6%	8.4%	1.8%	0.7%	0.6%	7.3%	2.2%	11,489	
Misdemeanor only	78.0	22.0	2.6	2.0	2.5	19.7	8.4	5,164	
Felony									
Nonviolent	76.3	23.7	2.9	3.3	2.3	21.2	9.4	3,803	
Violent	68.4	31.6	3.6	4.5	3.7	27.9	13.8	1,858	
Number of prior convictions									
1	81.4%	18.6%	2.4%	1.8%	1.7%	16.5%	6.3%	4,502	
2 to 4	73.3	26.7	3.0	3.4	2.9	23.9	11.0	4,371	
5 or more	68.2	31.8	3.8	4.1	4.1	28.2	14.5	1,952	
Criminal justice status									
Not under supervision	86.4%	13.6%	2.2%	1.3%	1.2%	11.9%	4.4%	20,766	
Pretrial release	71.2	28.8	2.9	5.2	3.0	25.1	12.3	1,248	
Probation	72.4	27.6	3.0	3.9	3.6	24.8	10.4	1,252	
Parole	75.7	24.3	2.6	3.7	2.6	21.3	11.8	272	
Court appearance history									
No prior arrests	91.5%	8.5%	1.8%	0.7%	0.6%	7.4%	2.2%	11,699	
Failure to appear									
None	79.2	20.8	2.4	2.5	2.3	18.5	7.6	12,379	
1	69.0	31.0	4.9	3.2	2.7	27.5	12.5	1,184	
More than 1	64.1	35.9	5.0	4.0	3.3	32.6	16.4	984	
Drug abuse									
No known abuse	89.3%	10.7%	2.0%	1.4%	1.3%	8.9%	3.2%	17,441	
Drug history	65.4	34.6	3.3	3.4	2.7	32.2	13.8	5,942	

Note: Data describe defendants whose pretrial services were terminated during fiscal year 1998. A defendant with more than one type of violation appears in more than one column. A defendant with more than one of the same type of violation appears only once in that column. Therefore, the sum of individual violations exceeds the total. Not all violations resulted in revocation. For further information, see *Chapter notes*, item 1, p. 48.

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

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

Table 3.10. Length of pretrial detention, by form of release or detention, and most serious offense charged, October 1, 1997 - September 30, 1998

Most serious offense charged	Among defendants detained for any time prior to case disposition, the average number of days detained ^a					
	Released on—				Not released	
	Financial conditions	Unsecured bond ^b	Personal recognizance	Conditional release	Financial condition	Detained by court
All offenses	35.8 days	46.1 days	50.1 days	65.2 days	77.4 days	105.0 days
Violent offenses	32.2 days	49.9 days	49.4 days	65.1 days	127.2 days	131.2 days
Murder ^c	—	205.3	38.4	—	—	303.7
Negligent manslaughter	...	—	—	...	...	...
Assault	15.8	29.7	51.4	61.6	59.6	103.4
Robbery	25.3	52.3	40.4	68.8	162.9	118.2
Rape	—	19.6	67.7	57.8	...	157.8
Other sex offenses ^c	49.1	43.0	55.4	...	...	152.6
Kidnaping	—	70.5	—	...	—	172.3
Threats against the President	...	—	—	...	—	129.4
Property offenses	33.2 days	42.6 days	42.4 days	96.1 days	60.0 days	92.7 days
Fraudulent	34.3 days	41.1 days	42.0 days	112.0 days	49.8 days	88.7 days
Embezzlement	24.5	12.6	63.4	...	—	122.6
Fraud ^c	36.2	40.8	42.6	101.6	48.3	87.4
Forgery	54.4	60.5	2.3	—	—	106.5
Counterfeiting	28.1	44.9	39.0	—	57.6	85.5
Other	25.0 days	46.4 days	43.1 days	78.7 days	82.0 days	105.0 days
Burglary	—	91.6	21.8	...	—	63.4
Larceny ^c	13.1	39.1	44.6	91.0	41.9	96.3
Motor vehicle theft	30.5	46.6	19.5	—	—	153.1
Arson and explosives	59.3	46.3	100.8	—	—	125.1
Transportation of stolen property	44.0	43.1	16.3	...	—	70.9
Other property offenses ^c	...	95.5	...	...	...	84.6
Drug offenses	37.7 days	48.4 days	52.5 days	63.4 days	81.8 days	126.8 days
Trafficking	38.8	48.5	53.0	63.6	81.4	127.3
Other drug offenses	26.7	47.0	46.2	61.7	88.5	117.8
Public-order offenses	31.2 days	41.1 days	53.9 days	62.1 days	74.2 days	72.0 days
Regulatory	22.0 days	43.0 days	31.8 days	89.6 days	61.8 days	73.8 days
Other	33.3 days	40.7 days	55.7 days	60.6 days	74.3 days	72.0 days
Weapons	61.8	49.9	47.3	58.0	66.1	123.1
Immigration offenses	17.9	33.4	44.7	62.0	74.7	58.2
Tax law violations ^c	14.3	2.9	18.8	...	...	156.3
Bribery	49.3	35.3	...	—	...	—
Perjury, contempt, and intimidation	12.2	24.1	71.0	...	—	168.1
National defense	—	1.0	55.0	...	—	—
Escape	20.5	36.7	15.3	—	—	45.7
Racketeering and extortion	41.9	51.5	147.2	...	—	195.5
Gambling	...	365.0	...	...	...	...
Liquor offenses	...	...	...	...	...	...
Obscene material ^c	...	32.0	32.0	...	...	—
Migratory birds	...	...	45.0	...	...	...
All other offenses ^c	25.5	39.7	28.6	8.0	42.3	51.0

— Too few cases to obtain statistically reliable data.

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

^aData describe 60,950 defendants who terminated pretrial services during fiscal year 1998. Data exclude defendants for whom periods of detention could not be determined or were unavailable. For further information, see *Chapter notes*, item 1, p. 48.

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

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

Chapter notes

1) All tables in chapter 3 were created from data in the Pretrial Services Information Act System data base, which is maintained by the Pretrial Services Agency (PSA) within the AOUSC. The data describe 60,950 defendants who terminated pretrial services during October 1, 1997, through September 30, 1998, and whose cases were filed by complaint, indictment, or information. In these tables, the totals (e.g., "all offenses") included records whose offense or other attributes were missing or indeterminable. The percentage distributions were based on nonmissing values, and missing values were reported in a separate row or in a footnote.

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

For drug offenses, the type of drug activity — trafficking or possession — is obtained by the probation officers from their reading of the indictment or other charging documents. The AOUSC citation manual provides probation officers with detailed instructions on how to code drug crimes.

2) In tables 3.1–3.4, the percentages showing the methods of release or methods of detention were based on the number of defendants

released or the number of defendants detained. In tables 3.5 and 3.6, the percentages were based on the number of defendants who had hearings and were ordered detained. This method departs from the 1993 and prior compendia, in which the percentages were based on the number of defendants terminating pretrial services.