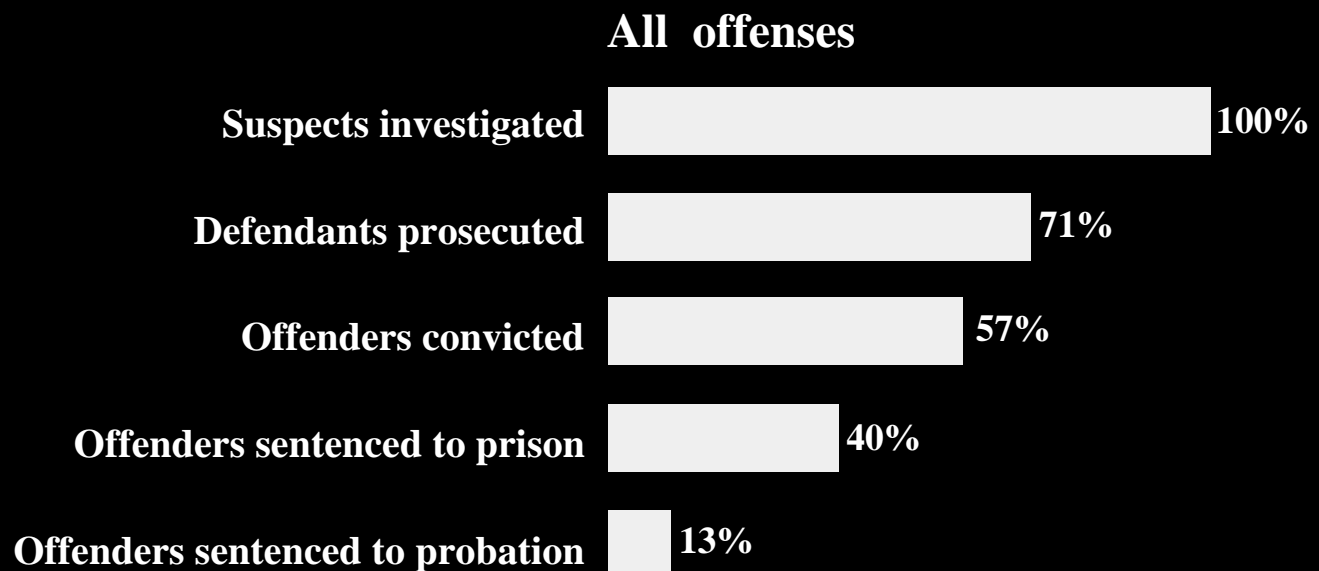




## Bureau of Justice Statistics

# Compendium of Federal Justice Statistics, 1997

**Federal criminal case processing in matters  
concluded by United States attorneys  
October 1, 1996, through September 1997**



**A Federal Justice Statistics Program Report**

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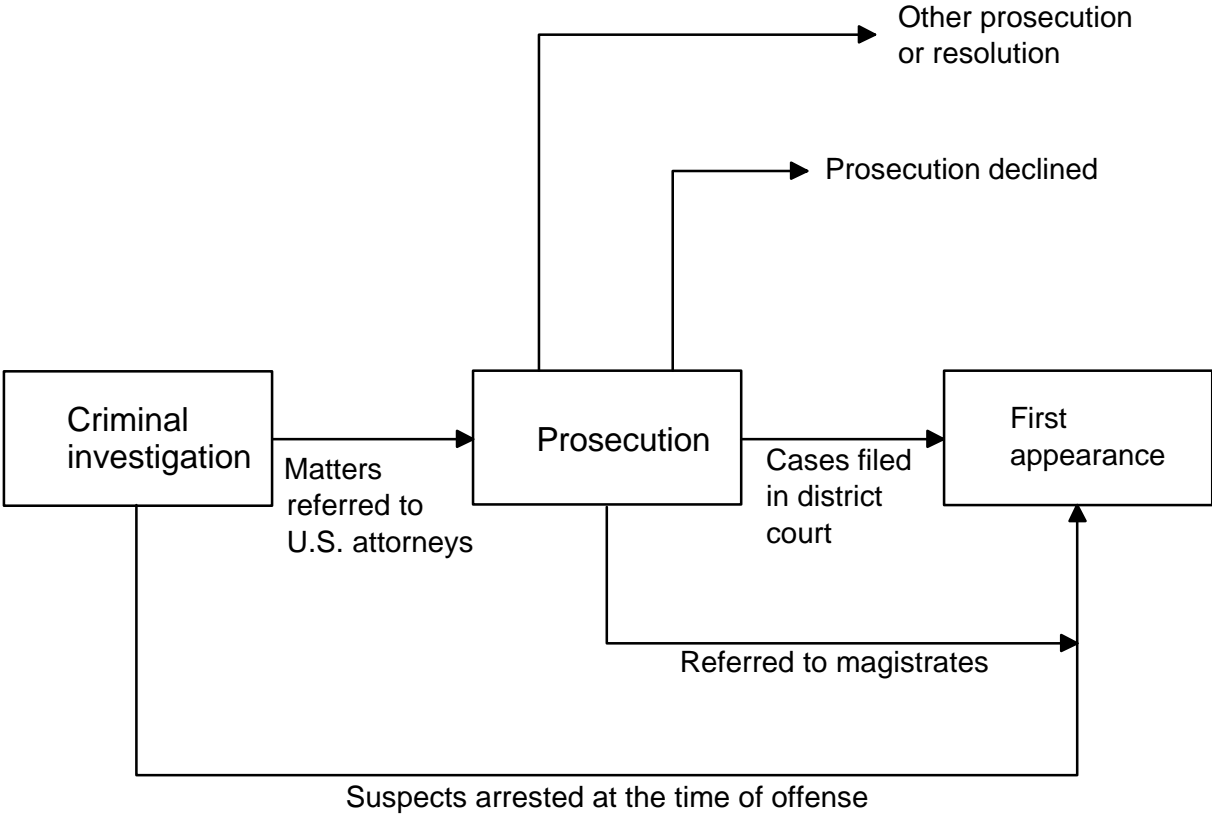
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Chapter 1

**Prosecution**

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

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

### U.S. attorneys' decisions

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

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

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

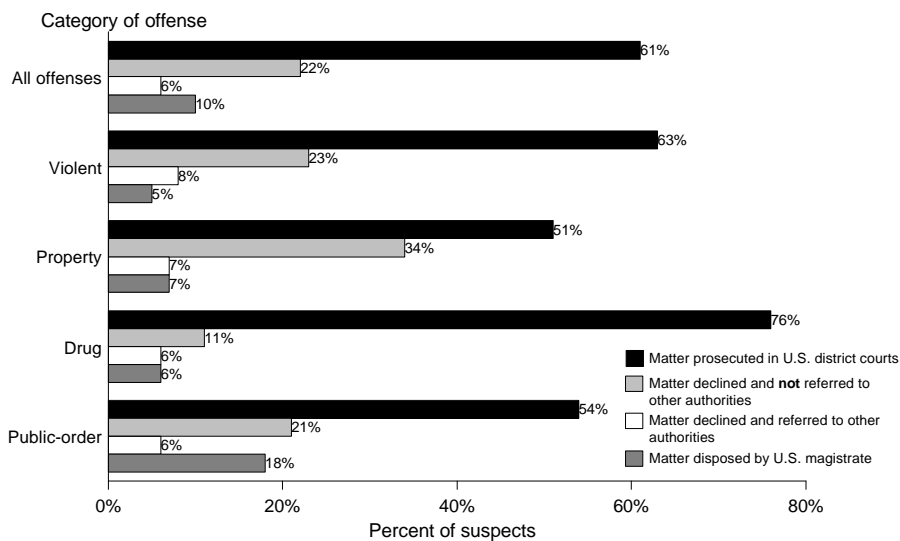


Figure 1.1. Suspects in matters concluded: Percentage of suspects that were prosecuted, declined, referred to other authorities for disposition, or disposed by U.S. magistrate, October 1, 1996 - September 30, 1997

During 1997, 61% of suspects in all offense categories were prosecuted. Suspects were prosecuted at different rates depending on their offense. Suspects involved in violent and drug offenses were more likely to be prosecuted before U.S. district court judges than were those involved in property and public-order offenses (figure 1.1). Suspects involved in drug offenses were the most likely (76%) to be prosecuted. Suspects involved in property offenses were the least likely to be prosecuted (51%). However, suspects involved in property offenses were more likely to have their matter declined and not referred to other authorities for prosecution than were suspects involved in other types of criminal matters (34%). These cases were resolved by other means, including restitution, civil/administrative procedures, and pre-trial diversion.

### Suspects in matters received (table 1.1)

During 1997 there were 110,034 suspects in new matters received for in

vestigation by U.S. attorneys.<sup>1</sup> Of these suspects, about 34% were investigated for public-order offenses, 31% for drug offenses, and 28% for property offenses. Just under 7% of all suspects were investigated for violent crimes. Relative percentages of offenses reflect criminal activity as well as Federal investigative, prosecutorial, and statutory priorities. For example, during 1997 priority areas for U.S. attorneys included international and domestic terrorism, violent crimes (including firearms prosecutions and violent street gangs), narcotics prosecutions, immigration, organized crime, official corruption, labor management offenses, white collar crime, government regulatory offenses, child support recovery, and civil rights prosecutions (including the Church Arson Task Force).<sup>2</sup>

<sup>1</sup>See *Chapter notes*, item 1, p. 20. The 1997 data are not directly comparable to the 1993 and prior compendia.

<sup>2</sup>*Statistical Report, United States Attorneys' Offices, Fiscal Year 1997*. U.S. Department of Justice, Executive Office for United States Attorneys, Washington, DC.

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

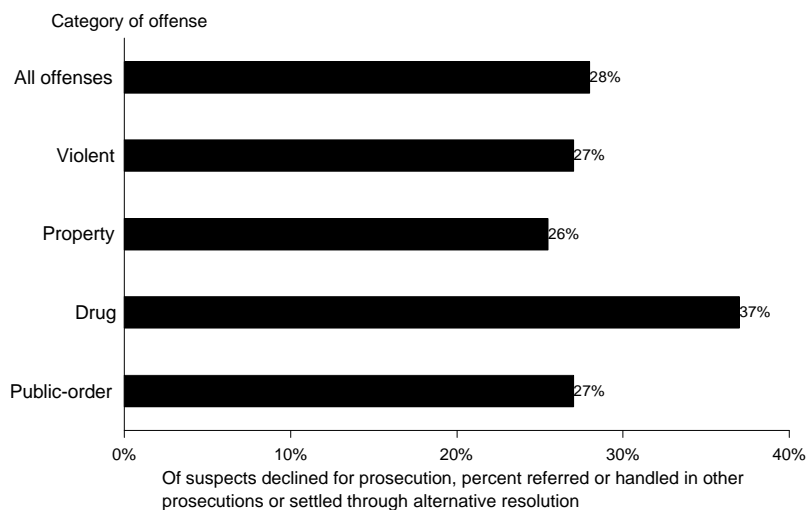


Figure 1.2. Of suspects in matters declined, percent referred or handled in other prosecutions, or settled through alternative resolution, October 1, 1996 - September 30, 1997

**Suspects in matters concluded (tables 1.2-1.5)**

Upon receiving a matter, a U.S. attorney will either immediately decline it for prosecution or investigate further. Upon conclusion of the investigation, a matter may be filed as a criminal case in a U.S. district court, referred to a U.S. magistrate, or declined for prosecution. Of the 99,459 suspects in criminal matters concluded during 1997, 61% were prosecuted in U.S. district court, 29% were declined for prosecution, and 10% were referred to U.S. magistrates.<sup>3</sup>

**Suspects prosecuted (table 1.2)** — The likelihood of prosecution in U.S. district court varied widely across offense categories. Drug and violent offenders were more likely to be prosecuted than those involved in property and public-order offenses. U.S. attorneys prosecuted approximately 76% of suspects involved in drug offenses, 63% of those in violent offenses, 54%

of those in public-order offenses, and 51% of those in property offenses.

Differences in rates of prosecution within major categories were substantial. For example, among violent offenders, 80% of robbery suspects were prosecuted, while 56% of murder, 52% of assault, and 40% of rape suspects were prosecuted. Among property offenders, suspects investigated for counterfeiting were prosecuted at a higher rate than those involved in fraud (70% compared with 49%), and among suspects involved in public-order offenses, immigration (83%), weapons (69%), and tax law violators (67%) were much more likely to be prosecuted than suspects in communications (33%) and civil rights (7%) offenses.

**Suspects in matters declined (tables 1.3-1.4)** — Suspects in matters involving violent offenses were less likely to be declined for prosecution (31%) than those involved in property offenses (43%) but more likely than those in drug offenses (18%). Suspects in public-order offenses were slightly less likely to be declined for prosecution than those involved in vio-

lent offenses (28% compared to 31%).

The decision to decline prosecution is based on a number of factors, including the lack of prosecutable offense, alternative resolution, or case- and suspect-related reasons (table 1.3). Of the 29,069 declinations during 1997, 28% occurred because of case-related reasons, mostly due to weak evidence (24%); 23% occurred because there was no crime or criminal intent was lacking; and 18% occurred for other reasons, such as agency requests (6%) and minimal Federal interest (4%).

Not all suspects whose matters were declined for prosecution avoided prosecution. Twenty-two percent of the suspects in matters declined were referred to another authority for prosecution (table 1.4). An additional 6% were settled through alternative resolution procedures. While suspects involved in property offenses constituted the largest number of suspects who were referred by U.S. attorneys to other authorities for prosecution or resolution, suspects involved in drug offense were the most likely of suspects whose matters were declined to be referred to other authorities for prosecution or alternative resolution (figure 1.2). Thirty-seven percent of the drug suspects whose matters were declined prosecution by U.S. attorneys were referred for other prosecution or resolution, as were 27% of the public-order, 27% of violent, and 26% of the property offense suspects.

Within major offense categories, the likelihood that suspects in matters declined for prosecution were referred to other authorities for prosecution or alternative resolution varied among specific offenses. Within property offenses, referral occurred with 43% of persons involved in motor vehicle theft, compared to 20% of suspects in arson and explosives cases. Within public-order offenses, referral occurred with 33% of weapons suspects were referred to other authorities or had their case settled through alternative procedures, compared to 8% of suspects in civil rights cases.

<sup>3</sup>The number of suspects in criminal matters concluded is not comparable to the 1993 and prior compendia. See *Chapter notes*, item 2, p. 20, for details.

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**Defendants in cases concluded by U.S. magistrates (table 1.2) —**

Cases concluded by U.S. magistrates are, by statute, misdemeanors.<sup>4</sup>

Overall, U.S. magistrates disposed of 10% of all criminal matters investigated by U.S. attorneys. For most offenses, the likelihood that a U.S. magistrate concluded the matter was also relatively low. The most notable exception was escape, for which 58% of matters were concluded by U.S. magistrates. The escape offense category accounted for 17% of all cases concluded by U.S. magistrates.

Most of the 2,933 escape violations were against defendants who absconded to avoid prosecution in State courts, the so-called "unlawful flight to avoid prosecution." Upon apprehension of the fugitive, these cases are normally dismissed by U.S. magistrates and turned over to the State for prosecution on the original warrant.

Other types of offenses having comparably high rates of disposal by U.S. magistrates included postal law violations (25%); conspiracy, aiding and abetting, traffic, and jurisdictional offenses (61%); and other property violations (44%).

**Processing times (table 1.5) —** For matters concluded during 1997, the average number of months from receipt of a matter to its conclusion by a U.S. attorney as a case filing or declination or its disposal by a U.S. magistrate was 9.2 months. However, the time to process matters varied with the outcome of the matter. Matters concluded by U.S. magistrates in which the suspect was convicted took the least amount of time — an average of 3.1 months, and at least 50% of these convictions occurred in about 40 days. Similarly, 50% of the matters declined for prosecution were declined within 12.5 months.

Overall, suspects in violent and drug offenses were processed more quickly than suspects in other offenses. For key decisions, such as whether to file a case or decline a matter for prosecution, violent offenses were concluded more quickly than drug offenses. At an average of 15.2 months, fraudulent property offenses took longer to conclude than other offenses.

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



**Table 1.1. Suspects in matters received by U.S. attorneys, by offense, October 1, 1996 - September 30, 1997**

Most serious offense investigated <sup>a</sup>	Suspects in criminal matters received by U.S. attorneys	
	Number	Percent <sup>b</sup>
<b>All offenses<sup>c</sup></b>	110,034	100%
<b>Violent offenses</b>	7,354	6.8%
Murder/manslaughter <sup>d</sup>	641	0.6
Negligent manslaughter	1	—
Assault	1,252	1.2
Robbery	3,396	3.1
Rape	762	0.7
Other sex offenses <sup>d</sup>	836	0.8
Kidnaping	331	0.3
Threats against the President	135	0.1
<b>Property offenses</b>	29,916	27.6%
<b>Fraudulent</b>	25,854	23.9%
Embezzlement	4,133	3.8
Fraud <sup>d</sup>	19,331	17.8
Forgery	1,849	1.7
Counterfeiting	541	0.5
<b>Other</b>	4,062	3.7%
Burglary	65	0.1
Larceny <sup>d</sup>	1,742	1.6
Motor vehicle theft	792	0.7
Arson and explosives	831	0.8
Transportation of stolen property	181	0.2
Other property offenses <sup>d</sup>	451	0.4
<b>Drug offenses</b>	34,027	31.4%
<b>Public-order offenses</b>	37,093	34.2%
<b>Regulatory</b>	5,423	5.0%
Agriculture	395	0.4
Antitrust	34	—
Food and drug	244	0.2
Transportation	282	0.3
Civil rights	1,783	1.6
Communications	123	0.1
Custom laws	391	0.4
Postal laws	212	0.2
Other regulatory offenses	1,959	1.8
<b>Other</b>	31,670	29.2%
Weapons	4,870	4.5
Immigration offenses	9,366	8.6
Tax law violations <sup>d</sup>	1,403	1.3
Bribery	403	0.4
Perjury, contempt, and intimidation	745	0.7
National defense	358	0.3
Escape	3,438	3.2
Racketeering and extortion	3,483	3.2
Gambling	242	0.2
Liquor offenses	13	—
Obscene material <sup>d</sup>	12	—
Migratory birds	182	0.2
Conspiracy, aiding and abetting, traffic, and jurisdictional	4,582	4.2
All other offenses <sup>d</sup>	2,573	2.4
<b>Unknown or indeterminable offense</b>	1,644	

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 20.

—Less than .05%.

<sup>a</sup>See *Chapter notes*, item 3, p. 20, and "Offense classifications" in *Methodology*, p. 95.

<sup>b</sup>Percentage distribution based on the suspects for whom the offense category could be determined.

<sup>c</sup>Includes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 20.

<sup>d</sup>In this table, "Murder" includes non-negligent 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 1.2. Disposition of suspects in matters concluded, by offense, October 1, 1996 - September 30, 1997**

Most serious offense investigated <sup>a</sup>	Suspects in criminal matters concluded							
	Number				Percent			
	Total	Prosecuted in U.S. district court <sup>b</sup>	Declined	Disposed by U.S. magistrates	Total	Prosecuted in U.S. district court <sup>b</sup>	Declined	Disposed by U.S. magistrates
<b>All offenses<sup>c</sup></b>	99,459	60,383	29,069	10,007	100%	60.7%	29.2%	10.1%
<b>Violent offenses</b>	6,570	4,153	2,065	352	100%	63.2%	31.4%	5.4%
Murder/manslaughter <sup>d</sup>	551	310	204	37	100	56.3	37.0	6.7
Negligent manslaughter	1	1	0	0	—	—	—	—
Assault	1,128	586	394	148	100	52.0	34.9	13.1
Robbery	3,047	2,438	499	110	100	80.0	16.4	3.6
Rape	734	291	435	8	100	39.6	59.3	1.1
Other sex offenses <sup>d</sup>	684	382	288	14	100	55.8	42.1	2.0
Kidnaping	307	115	165	27	100	37.5	53.7	8.8
Threats against the President	118	30	80	8	100	25.4	67.8	6.8
<b>Property offenses</b>	28,633	14,544	12,170	1,919	100%	50.8%	42.5%	6.7%
<b>Fraudulent</b>	25,157	12,663	10,859	1,635	100%	50.3%	43.2%	6.5%
Embezzlement	3,848	1,900	1,480	468	100	49.4	38.5	12.2
Fraud <sup>d</sup>	19,248	9,462	8,818	968	100	49.2	45.8	5.0
Forgery	1,586	970	446	170	100	61.2	28.1	10.7
Counterfeiting	475	331	115	29	100	69.7	24.2	6.1
<b>Other</b>	3,476	1,881	1,311	284	100	54.1	37.7	8.2
Burglary	63	33	27	3	100	52.4	42.9	4.8
Larceny <sup>d</sup>	1,579	927	536	116	100	58.7	33.9	7.3
Motor vehicle theft	669	385	264	20	100	57.5	39.5	3.0
Arson and explosives	706	336	351	19	100	47.6	49.7	2.7
Transportation of stolen property	174	118	54	2	100	67.8	31.0	1.1
Other property offenses <sup>d</sup>	285	82	79	124	100	28.8	27.7	43.5
<b>Drug offenses</b>	32,072	24,400	5,769	1,903	100%	76.1%	18.0%	5.9%
<b>Public-order offenses</b>	30,882	16,744	8,589	5,549	100%	54.2%	27.8%	18.0%
<b>Regulatory</b>	4,582	1,332	2,984	266	100%	29.1%	65.1%	5.8%
Agriculture	296	132	138	26	100	44.6	46.6	8.8
Antitrust	38	19	19	0	100	50.0	50.0	0
Food and drug	203	108	85	10	100	53.2	41.9	4.9
Transportation	335	128	204	3	100	38.2	60.9	0.9
Civil rights	1,684	116	1,566	2	100	6.9	93.0	0.1
Communications	102	34	60	8	100	33.3	58.8	7.8
Custom laws	319	166	133	20	100	52.0	41.7	6.3
Postal laws	194	97	48	49	100	50.0	24.7	25.3
Other regulatory offenses	1,411	532	731	148	100	37.7	51.8	10.5
<b>Other</b>	26,300	15,412	5,605	5,283	100%	58.6%	21.3%	20.1%
Weapons	4,646	3,192	1,301	153	100	68.7	28.0	3.3
Immigration offenses	8,774	7,243	302	1,229	100	82.6	3.4	14.0
Tax law violations <sup>d</sup>	1,349	897	415	37	100	66.5	30.8	2.7
Bribery	432	168	241	23	100	38.9	55.8	5.3
Perjury, contempt, and intimidation	650	249	343	58	100	38.3	52.8	8.9
National defense	355	121	135	99	100	34.1	38.0	27.9
Escape	2,933	634	592	1,707	100	21.6	20.2	58.2
Racketeering and extortion	3,365	1,689	1,577	99	100	50.2	46.9	2.9
Gambling	240	136	100	4	100	56.7	41.7	1.7
Liquor offenses	19	10	8	1	100	52.6	42.1	5.3
Obscene material <sup>d</sup>	17	5	12	0	100	29.4	70.6	0
Migratory birds	103	44	29	30	100	42.7	28.2	29.1
Conspiracy, aiding and abetting, traffic, and jurisdictional offenses	2,759	783	283	1,693	100	28.4	10.3	61.4
All other offenses <sup>d</sup>	658	241	267	150	100	36.6	40.6	22.8
<b>Unknown or indeterminable offense</b>	1,302	542	476	284	100%	41.6%	36.6%	21.8%

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 20.

—Too few cases to obtain statistically reliable data.

<sup>a</sup>See *Chapter notes*, item 3, p. 20, and "Offense classifications" in *Methodology*, p. 95.

<sup>b</sup>The suspects included in this column are limited to those whose cases were filed in U.S. district court before U.S. district court judges. These data are not directly comparable to the number in the 1993 or prior compendia, which included appeals cases handled by U.S. attorneys; see *Chapter notes*, item 2, p. 20.

<sup>c</sup>Includes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 20.

<sup>d</sup>In 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 1.3. Basis for declination of prosecution by U.S. attorneys, October 1, 1996 - September 30, 1997**

Basis for declination	Suspects in criminal matters declined by U.S. attorneys	
	Number	Percent <sup>a</sup>
<b>Total declinations<sup>b</sup></b>	29,069	100%
<b>No crime</b>	6,471	23.0%
No true bill returned	15	0.1
No Federal offense	2,453	8.7
Lack of criminal intent	4,003	14.2
<b>Referred or handled in other prosecution</b>	6,312	22.4%
Removed	1,214	4.3
Prosecuted on other charges	1,481	5.3
Prosecuted by other authorities	3,608	12.8
Complaint combined with other indicators	9	—
<b>Alternative resolution</b>	1,669	5.9%
Restitution	119	0.4
Civil or administrative alternative	780	2.8
Pretrial diversion	770	2.7
<b>Suspect-related reasons</b>	787	2.8%
Suspect serving sentence	115	0.4
No known suspect	378	1.3
Suspect a fugitive	77	0.3
Suspect deceased	189	0.7
Suspect deported	28	0.1
<b>Case-related reasons</b>	7,856	27.9%
Stale case	343	1.2
Weak evidence	6,676	23.7
Statute of limitations exceeded	155	0.5
Jurisdiction or venue problems	279	1.0
Witness problems	403	1.4
<b>All other reasons</b>	5,096	18.1%
Minimal Federal interest	1,030	3.7
Petite policy	66	0.2
Lack of resources	787	2.8
Court policy	1	—
DOJ policy	455	1.6
U.S. attorney policy	821	2.9
Agency request	1,559	5.5
Juvenile suspect	69	0.2
Offender's health, age, prior record, or other personal circumstances	110	0.4
Suspect's cooperation	194	0.7
Motion hearings	4	—
<b>Unknown or indeterminable reason</b>	878	

Note: For further information, see *Chapter notes*, items 1 and 2, p. 20.

—Less than .05%

<sup>a</sup>Percent based on suspects for whom a basis for declination could be determined.

<sup>d</sup>Includes suspects for whom basis for declination could not be determined; *Chapter notes*, item 4, p. 20.

**Table 1.4. Disposition of matters declined for prosecution by U.S. attorneys, by offense, October 1, 1996 - September 30, 1997**

Most serious offense investigated <sup>a</sup>	Number of suspects in declined matters				Percent of suspects in declined matters			
	Total <sup>b</sup>	Referred or handled in other prosecution <sup>c</sup>	Resolved with restitution, civil/administrative procedure, pre-trial diversion	Other	Total <sup>b</sup>	Referred or handled in other prosecution <sup>c</sup>	Resolved with restitution, civil/administrative procedure, pre-trial diversion	Other
<b>All offenses<sup>d</sup></b>	29,069	6,312	1,669	20,210	100%	22.4%	5.9%	71.7%
<b>Violent offenses</b>	2,065	512	35	1,467	100%	25.4%	1.7%	72.8%
Murder/manslaughter <sup>e</sup>	204	40	3	157	100	20.0	1.5	78.5
Negligent manslaughter	0	0	0	0	...	...	...	...
Assault	394	62	14	299	100	16.5	3.7	79.7
Robbery	499	216	3	271	100	44.1	0.6	55.3
Rape	435	56	3	364	100	13.2	0.7	86.1
Other sex offenses <sup>e</sup>	288	76	9	198	100	26.9	3.2	70.0
Kidnaping	165	58	3	103	100	35.4	1.8	62.8
Threats against the President	80	4	0	75	100	5.1	0	94.9
<b>Property offenses</b>	12,170	1,923	1,065	8,773	100%	16.4%	9.1%	74.6%
<b>Fraudulent</b>	10,859	1,587	991	7,914	100%	15.1%	9.4%	75.4%
Embezzlement	1,480	152	257	1,022	100	10.6	18.0	71.4
Fraud <sup>e</sup>	8,818	1,277	682	6,557	100	15.0	8.0	77.0
Forgery	446	113	50	271	100	26.0	11.5	62.4
Counterfeiting	115	45	2	64	100	40.5	1.8	57.7
<b>Other</b>	1,311	336	74	859	100%	26.5%	5.8%	67.7%
Burglary	27	11	1	15	100	40.7	3.7	55.6
Larceny <sup>e</sup>	536	146	48	325	100	28.1	9.2	62.6
Motor vehicle theft	264	96	11	145	100	38.1	4.4	57.5
Arson and explosives	351	64	4	274	100	18.7	1.2	80.1
Transportation of stolen property	54	9	0	44	100	17.0	0	83.0
Other property offenses <sup>e</sup>	79	10	10	56	100	13.2	13.2	73.7
<b>Drug offenses</b>	5,769	1,965	96	3,565	100%	34.9%	1.7%	63.4%
<b>Public-order offenses</b>	8,589	1,819	430	6,071	100%	21.9%	5.2%	73.0%
<b>Regulatory</b>	2,984	358	180	2,398	100%	12.2%	6.1%	81.7%
Agriculture	138	32	25	76	100	24.1	18.8	57.1
Antitrust	19	13	0	6	100	68.4	0	31.6
Food and drug	85	15	18	51	100	17.9	21.4	60.7
Transportation	204	30	20	139	100	15.9	10.6	73.5
Civil rights	1,566	78	51	1,428	100	5.0	3.3	91.7
Communications	60	5	5	49	100	8.5	8.5	83.1
Custom laws	133	24	7	101	100	18.2	5.3	76.5
Postal laws	48	6	14	27	100	12.8	29.8	57.4
Other regulatory offenses	731	155	40	521	100	21.6	5.6	72.8
<b>Other</b>	5,605	1,461	250	3,673	100%	27.1%	4.6%	68.2%
Weapons	1,301	379	26	828	100	30.7	2.1	67.2
Immigration offenses	302	51	19	193	100	19.4	7.2	73.4
Tax law violations <sup>e</sup>	415	71	17	321	100	17.4	4.2	78.5
Bribery	241	24	21	185	100	10.4	9.1	80.4
Perjury, contempt, and	343	39	25	266	100	11.8	7.6	80.6
National defense	135	9	15	106	100	6.9	11.5	81.5
Escape	592	385	17	184	100	65.7	2.9	31.4
Racketeering and extortion	1,577	256	26	1,235	100	16.9	1.7	81.4
Gambling	100	21	5	71	100	21.6	5.2	73.2
Liquor offenses	8	3	0	5	—	—	—	—
Obscene material <sup>e</sup>	12	0	2	9	100	0	18.2	81.8
Migratory birds	29	1	6	18	100	4.0	24.0	72.0
Conspiracy, aiding and abetting, traffic, and jurisdictional offenses	283	59	65	158	100	20.9	23.0	56.0
All other offenses <sup>e</sup>	267	163	6	94	100	62.0	2.3	35.7
<b>Unknown or indeterminable offense</b>	476	93	43	334	100%	19.8%	9.1%	71.1%

Note: For further information, see *Chapter notes*, items 1 and 2, p. 20.

—Too few cases to obtain statistically reliable data.

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

<sup>a</sup>See *Chapter notes*, item 3, p. 20, and "Offense classifications" in *Methodology*, p. 95.

<sup>b</sup>Includes 821 suspects for whom reason for declination could not be determined.

<sup>c</sup>Includes suspects in matters removed, prosecuted on other charges, prosecuted by other authorities, complaints filed with other indictments, youthful offenders, and those transferred to State authority.

<sup>d</sup>Includes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 20.

<sup>e</sup>In 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 1.5. Mean and median processing times from receipt to filing or declination, by offense, October 1, 1996 - September 30, 1997**

Most serious offense investigated <sup>a</sup>	Number of months from receipt of matter to decision						
	All suspects	Disposed by U.S. magistrate			Concluded by U.S. attorney		
		Total	Convicted	Not convicted	Total	Prosecuted in U.S. district court <sup>b</sup>	Declined
<b>Mean</b>							
<b>All offenses<sup>c</sup></b>	9.2 mo	6.5 mo	3.1 mo	8.5 mo	9.4 mo	5.1 mo	18.1 mo
<b>Violent offenses</b>	5.1	4.9	3.3	5.4	5.1	2.7	9.8
<b>Property offenses</b>	14.5	8.0	4.7	9.7	15.0	8.9	22.0
Fraudulent offenses <sup>d</sup>	15.2	8.1	4.7	9.9	15.7	9.5	22.7
Other offenses <sup>e</sup>	9.5	6.9	4.8	8.3	9.8	5.4	16.0
<b>Drug offenses</b>	6.0	4.9	3.5	5.2	6.1	3.7	15.9
<b>Public-order offenses</b>	8.3	6.8	2.6	9.9	8.6	4.5	16.2
Regulatory offenses	13.1	10.2	8.7	11.3	13.2	8.8	15.1
Other offenses	7.4	6.7	2.3	9.8	7.6	4.1	16.8
<b>Median</b>							
<b>All offenses<sup>c</sup></b>	2.1 mo	1.4 mo	1.3 mo	1.6 mo	2.2 mo	0.9 mo	12.5 mo
<b>Violent offenses</b>	1.3	1.5	2.6	1.3	1.3	0.7	6.4
<b>Property offenses</b>	7.7	2.8	2.8	2.8	8.3	2.6	16.9
Fraudulent offenses <sup>d</sup>	8.5	2.9	2.8	3.1	9.1	3.0	17.5
Other offenses <sup>e</sup>	3.4	2.5	3.0	1.9	3.5	1.2	11.0
<b>Drug offenses</b>	0.9	0.7	2.1	0.6	0.9	0.7	11.0
<b>Public-order offenses</b>	1.8	1.5	0.8	2.1	1.8	0.8	10.5
Regulatory offenses	7.9	5.2	5.2	5.2	8.2	2.1	10.9
Other offenses	1.3	1.4	0.7	2.0	1.3	0.7	10.2
<b>Number of suspects<sup>f</sup></b>	96,194	9,713	3,523	6,190	86,481	57,625	28,856
With unknown or indeterminable offense or processing time <sup>g</sup>	4,567	578	274	304	3,989	3,300	689

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 20.

<sup>a</sup>See *Chapter notes*, item 3, p. 20, and "Offense classifications" in *Methodology*, p. 95.

<sup>b</sup>The suspects included in this column are limited to those whose cases were filed in U.S. district court before U.S. district court judges. These data are not directly comparable to the number in the 1993 or prior compendia, which included appeals cases handled by U.S. attorneys; see *Chapter notes*, item 2, p. 20.

<sup>c</sup>Includes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 20.

<sup>d</sup>Excluding tax fraud.

<sup>e</sup>Including tax fraud.

<sup>f</sup>Excludes suspects with insufficient data to determine processing time.

<sup>g</sup>May include some suspects with unknown or indeterminable offenses or processing time.

## Chapter notes

1) Tables 1.1-1.5 were created from the Central System data files of the EOUSA. For table 1.1, only records which showed a matter received during 1997 were selected. For tables 1.2-1.5, only records which show a matter terminated by reason of declination, disposition by a U.S. magistrate, or filed as a case in U.S. district court from October 1, 1996, through September 30, 1997, were selected. In all of these tables, matters “declined immediately” — those cases in which the U.S. attorney spent less than 1 hour investigating — were excluded.

2) The number of suspects in matters investigated in table 1.1, and the number of suspects in matters concluded in tables 1.2 and 1.5 are not directly comparable to counts in the 1993 and prior compendia. In those years, these statistics included appellants in appeals filed or appeals terminated. In table 1.1 of this *Compendium* and the 1994 and subsequent compendia, the number of suspects in matters received is limited to suspects in criminal matters that were filed as cases in U.S. district courts, handled by U.S. magistrates, or declined for prosecution. In the 1993 and prior compendia, the number of suspects in criminal matters received included criminal appeals. To obtain a number of suspects comparable to the statistic reported in the 1993 and prior compendia, add to the data in table 1.1 of this *Compendium*, the number of appellants in appeals that were handled by U.S. attorneys. The table below shows these data for major offense categories.

Nature of the underlying offense	Number of appellants in appeals filed and handled by U.S. attorneys
All offenses	11,698
Violent offenses	1,045
Property offenses	2,206
Fraudulent property	1,839
Other property	367
Drug offenses	5,517
Public-order offenses	2,930
Regulatory public order	200
Other public order	2,730
Unknown or indeterminate offenses	118

In tables 1.2 and 1.5 of this *Compendium* and in the 1994 and subsequent compendia, the number of suspects in matters concluded also is limited to those suspects whose matters were concluded by a case filing in a U.S. district court, by declination, or by disposition by a U.S. magistrate. In the 1993 and prior compendia, this number included appellants in criminal appeals terminated.

To obtain a number that is comparable to the number reported in the 1993 and prior compendia, the number of appellants in appeals terminated and handled by U.S. attorneys needs to be added to the totals in table 1.2. The table below shows the number of appellants in appeals cases terminated during fiscal 1997.

Nature of the underlying offense	Number of appellants in appeals concluded by U.S. attorneys
All offenses	9,209
Violent offenses	719
Property offenses	1,807
Fraudulent property	1,543
Other property	264
Drug offenses	4,408
Public-order offenses	2,275
Regulatory public order	132
Other public order	2,143
Unknown or indeterminate offenses	92

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

U.S. Code citations often do not permit detailed classification of drug offenses by the type of criminal activity involved. A person charged with conspiracy is classified under the substantive offense alleged (for example, conspiracy to defraud is classified as fraud) unless type of conspiracy cannot be determined from the U.S. Code citation. Unclassified conspiracies are included among “conspiracy, aiding and abetting, traffic, and jurisdictional offenses” in tables 1.1, 1.2, 1.4, and 1.5.

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

4) In the tables in this chapter, the “all offenses” row or “total declinations” row (in table 1.3) includes records whose offense category (basis for declination) is missing or indeterminate. The percentage distributions in these tables, however, are based on the number of observations with nonmissing offenses (basis for declination) values. The number of missing values are reported either on a separate line or in a footnote.