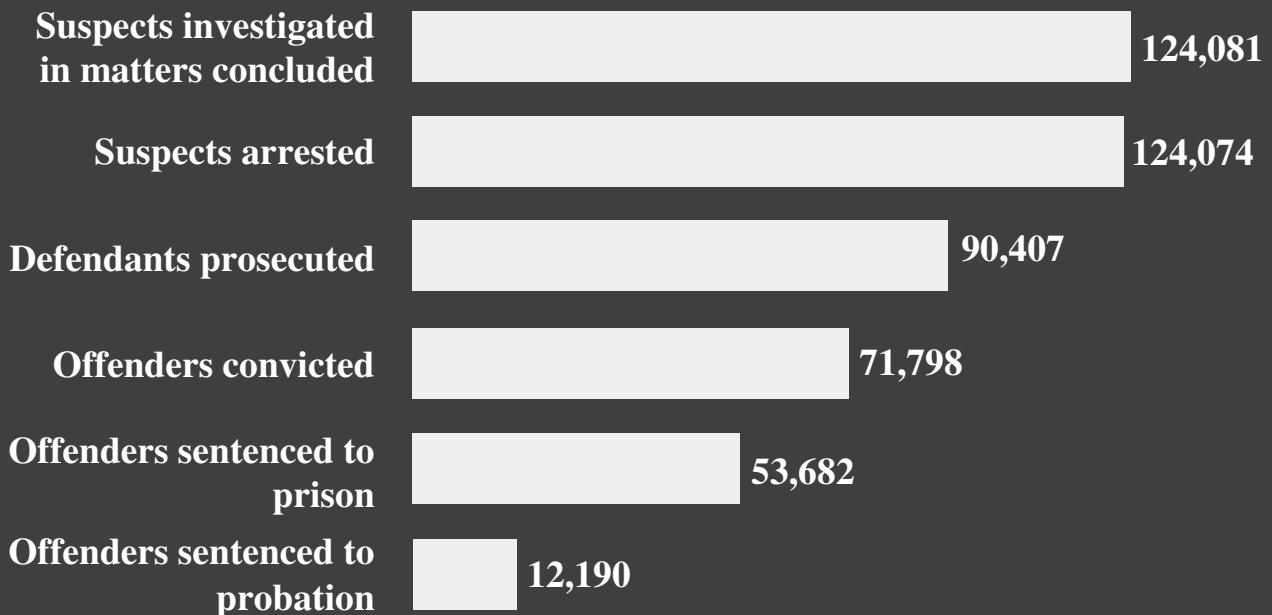




Bureau of Justice Statistics

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

Office of Justice Programs

810 Seventh Street, N.W.

Washington, D.C. 20531

John Ashcroft
Attorney General

Office of Justice Programs

Partnerships for Safer Communities

Deborah J. Daniels
Assistant Attorney General

World Wide Web site:
<http://www.ojp.usdoj.gov>

Bureau of Justice Statistics

Lawrence A. Greenfeld
Director

World Wide Web site:
<http://www.ojp.usdoj.gov/bjs>

For information contact
National Criminal Justice Reference Service
1-800-851-3420



Compendium of Federal Justice Statistics, 2002

September 2004, NCJ 205368

U.S. Department of Justice

Office of Justice Programs
Bureau of Justice Statistics

Lawrence A. Greenfeld
Director, BJS

This Bureau of Justice Statistics Report was prepared by the Urban Institute under the supervision of Steven K. Smith and Mark Motivans of the Bureau of Justice Statistics (BJS). This report was prepared under BJS grant number 98-BJ-CX-K015. Principal staff at the Urban Institute were Laura Winterfield, William Adams, Avi Bhati, Kamala Mallik Kane, Barbara Parthasarathy, Sam Wolf, Christine Arriola, and Yan Yuan. Layout and design were by Mick Schommer. Tom Hester of BJS provided editorial review.

This report is made possible through the cooperation of the following Federal agencies and their staffs: The United States Marshals Service (USMS), the Drug Enforcement Administration (DEA), the Administrative Office of the United States Courts (AOUSC), the Executive Office for U.S. Attorneys (EOUSA), and the Federal Bureau of Prisons (BOP). The staff who provided expert advice about the source records include: Joe Briggs (USMS); Steven Schlesinger and Catherine Whitaker (AOUSC); Barbara Tone, Siobhan Sperin, and Laurie Hamilton (EOUSA); Sue Allison and Nancy Miller (BOP); and Lou Reedt and Christine Kitchens (U.S. Sentencing Commission).

The contents of this document do not necessarily reflect the views or policies of the Bureau of Justice Statistics or the U.S. Department of Justice.

BJS authorizes any person to reproduce, publish, translate, or otherwise use all or any part of the material in this publication; citation to source, however, is appreciated.

An electronic version of this report and the data underlying graphics may be found on the BJS Internet Home Page (<http://www.ojp.usdoj.gov/bjs/>). The BJS-sponsored Federal Justice Statistics Resource Center (FJSRC) Internet Home Page (<http://fjsrc.urban.org>) provides online access to the Federal Justice database. Users may download data from the Federal Justice database for independent analysis or use the online query system to quickly obtain customized statistics.

To order additional copies of this report or CD-ROM's containing the Federal Justice database, call the BJS Clearinghouse at 1-800-851-3420.

Contents

Highlights, 1

Arrest
Prosecution
Pretrial release
Adjudication
Sentencing
Appeals
Corrections

Introduction, 5

Organization of the *Compendium*
Modifications in the 2002 *Compendium*
Notes to reader

System overview, 7

Chapter 1. Arrests for Federal offenses, 11

Arrests by offense categories
Arrests by law enforcement agencies
Arrests by Drug Enforcement Administration agents
Arrests across demographic groups

Tables, 15

Chapter notes, 19

Chapter 2. Prosecution, 21

U.S. attorneys' decisions
Suspects in matters received
Suspects in matters concluded

Tables, 27

Chapter notes, 33

Chapter 3. Pretrial release, 35

Types of pretrial release
Factors relating to release or detention
Pretrial outcomes by offense categories
Pretrial outcomes across demographic groups
Length of pretrial detention

Tables, 41

Chapter notes, 51

Chapter 4. Adjudication, 53

Defendants in criminal cases filed
Defendants in criminal cases terminated
Case processing times
Convictions by U.S. magistrates
Characteristics of convicted defendants

Tables, 57

Chapter notes, 62

Chapter 5. Sentencing, 63

Offenders convicted and sentences imposed
Average prison sentences imposed
Relationship between sentence imposed and mode of conviction
Characteristics of offenders sentenced to prison

Tables, 69

Chapter notes, 75

Chapter 6. Appeals, 77

Appeals filed
Appeals terminated

Tables, 81

Chapter notes, 86

Chapter 7. Corrections, 87

Federal offenders under supervision
Outcomes of offenders completing supervision
Characteristics of offenders completing supervision

Admissions, releases, and standing population of Federal prisoners
Federal prisoners: First releases and time served

Characteristics of Federal prisoners

Tables, 93

Chapter notes, 107

Methodology, 109

The Federal justice database
Table construction and interpretation
Offense classifications
Source agencies for *Compendium* data tables

Glossary, 113

Chapter 1. Arrests for Federal offenses, 15

October 1, 2001 - September 30, 2002

- 1.1. Suspects arrested for Federal offenses, by offense
- 1.2. Suspects arrested for Federal offenses and booked by U.S. Marshals Service, by Federal law enforcement agency
- 1.3. Characteristics of Federal arrestees booked by U.S. Marshals Service
- 1.4. Characteristics of suspects arrested by Drug Enforcement Administration agents, by type of drug
- 1.5. Characteristics of suspects arrested by Drug Enforcement Administration agents, by weapon use at time of arrest

Chapter 2. Prosecution, 27

October 1, 2001 - September 30, 2002

- 2.1. Suspects in matters received by U.S. attorneys, by offense
- 2.2. Disposition of suspects in matters concluded, by offense
- 2.3. Suspects in matters concluded and declined, by investigating agency
- 2.4. Basis for declination of prosecution by U.S. attorneys
- 2.5. Disposition of matters declined for prosecution by U.S. attorneys, by offense
- 2.6. Mean and median processing times from receipt to filing or declination, by offense

Chapter 3. Pretrial release, 41

October 1, 2001 - September 30, 2002

- 3.1. Outcomes of initial and detention hearings
- 3.2. Type of pretrial release, by offense
- 3.3. Form of pretrial detention, by offense
- 3.4. Type of pretrial release, by defendant characteristics
- 3.5. Form of pretrial detention, by defendant characteristics
- 3.6. Pretrial detention hearing outcomes, by offense
- 3.7. Pretrial detention hearing outcomes, by defendant characteristics
- 3.8. Behavior of defendants released prior to trial, by offense

- 3.9. Behavior of defendants released prior to trial, by type of release
- 3.10. Behavior of defendants released prior to trial, by defendant characteristics
- 3.11. Length of pretrial detention, by form of release or detention, and most serious offense charged

Chapter 4. Adjudication, 57

October 1, 2001 - September 30, 2002

- 4.1. Defendants in criminal cases commenced, by offense
- 4.2. Disposition of criminal cases terminated, by offense
- 4.3. Time from filing to disposition of criminal cases terminated
- 4.4. Dispositions by U.S. magistrates
- 4.5. Characteristics of convicted offenders

Chapter 5. Sentencing, 69

October 1, 2001 - September 30, 2002

- 5.1. Sentence types in criminal cases terminated, by offense
- 5.2. Type and length of sentences imposed, by offense
- 5.3. Sentences imposed on convicted offenders, by offense of conviction and method of disposition
- 5.4. Convicted offenders sentenced to incarceration, by offense and offender characteristics
- 5.5. Average incarceration sentence lengths imposed, by offense and offender characteristics
- 5.6. Median incarceration sentence lengths imposed, by offense and offender characteristics

Chapter 6. Appeals, 81

October 1, 2001 - September 30, 2002

- 6.1. Criminal appeals filed, by type of criminal case and offense
- 6.2. Criminal appeals filed and criminal appeals terminated, by offense
- 6.3. Criminal appeals terminated, by type of criminal case and offense
- 6.4. Disposition of criminal appeals terminated on the merits, by offense
- 6.5. Criminal appeals cases terminated on the merits, by nature of offense

Chapter 7. Corrections, 93

October 1, 2001 - September 30, 2002

- 7.1. Federal offenders under supervision, by offense
- 7.2. Characteristics of Federal offenders under supervision, by offense
- 7.3. Outcomes of probation supervision, by offense
- 7.4. Characteristics of offenders terminating probation supervision
- 7.5. Outcomes of supervised release, by offense
- 7.6. Characteristics of offenders terminating supervised release
- 7.7. Outcomes of parole, by offense
- 7.8. Characteristics of offenders terminating parole
- 7.9. Admissions and releases of Federal prisoners, by offense
- 7.10. Characteristics of Federal prison population, by major offense category
- 7.11. Number of first releases from Federal prison, by release method and sentence length
- 7.12. Average time to first release and percent of sentence served, for prisoners released by standard methods
- 7.13. Mean time served to first release, by length of sentence imposed, offense, and type of case, for prisoners released by standard methods
- 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
- 7.15. Characteristics of first releases from prison, by offense, all releases
- 7.16. Mean time served to first release from Federal prison for prisoners released by standard methods, by offense and offender characteristics

Figures

Highlights, 1

October 1, 2001 - September 30, 2002

- Figure H.1. Average length of sentences imposed, by offense
- Figure H.2. Admissions to Federal Bureau of Prisons, releases, and prisoners at yearend, by offense
- Figure H.3. Average time to first release, standard releases, by offense

System overview, 7

October 1, 2001 - September 30, 2002

- Figure S.1. System overview, Federal criminal case processing
- Figure S.2. Federal criminal case processing outcomes

Chapter 1. Arrests for Federal offenses, 11

October 1, 2001 - September 30, 2002

- Figure 1.1. Type of drug involved in drug arrests, by race of arrestee
- Figure 1.2. Type of immigration arrests
- Figure 1.3. Suspects arrested by the DEA, by State of arrest

Chapter 2. Prosecution, 21

October 1, 2001 - September 30, 2002

- Figure 2.1. Suspects in matters concluded: Percentage of suspects that were prosecuted in U.S. district court
- Figure 2.2. Suspects in matters referred, by Federal judicial district

Chapter 3. Pretrial release, 35

October 1, 2001 - September 30, 2002

- Figure 3.1. Percent of defendants released prior to case disposition, by offense category
- Figure 3.2. Detention hearings held, by offense category
- Figure 3.3. Pretrial release rates, by defendant characteristics
- Figure 3.4. Pretrial release violation and revocation rates, for cases terminated

Chapter 4. Adjudication, 53

October 1, 2001 - September 30, 2002

- Figure 4.1. Disposition of cases terminated
- Figure 4.2. Average time from filing to disposition of cases terminated, by offense

Chapter 5. Sentencing, 63

October 1, 2001 - September 30, 2002

- Figure 5.1. Rates of incarceration and probation for offenders convicted and sentenced in cases terminated
- Figure 5.2. Incarceration and probation sentence lengths (in months) of offenders convicted and sentenced in cases terminated
- Figure 5.3. Average prison sentences imposed on defendants convicted at trial or by guilty plea

Chapter 6. Appeals, 77

October 1, 2001 - September 30, 2002

- Figure 6.1. Types of criminal appeal cases
- Figure 6.2. Appeals cases filed, by type of offense
- Figure 6.3. Disposition of criminal appeals terminated

Chapter 7. Corrections, 87

October 1, 2001 - September 30, 2002

- Figure 7.1. Violation rates of offenders terminating probation, supervised release, or parole, by type of violation
- Figure 7.2. Violation rates of offenders completing probation, supervised release, or parole, by category of offense
- Figure 7.3. Rates of violation of conditions of supervision, by level of education
- Figure 7.4. Mean lengths of sentence imposed and time served (in months) for offenders released from prison for the first time
- Figure 7.5. Characteristics of first releases
- Figure 7.6. Federal offenders under supervision, by Federal judicial district

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.

Average length of prison sentences imposed, by offense, October 1, 2001 - September 30, 2002

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.

Admissions to Federal Bureau of Prisons, releases, and prisoners at yearend, by offense, October 1, 2001 - September 30, 2002

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

Most serious original offense of conviction	Mean time served
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*

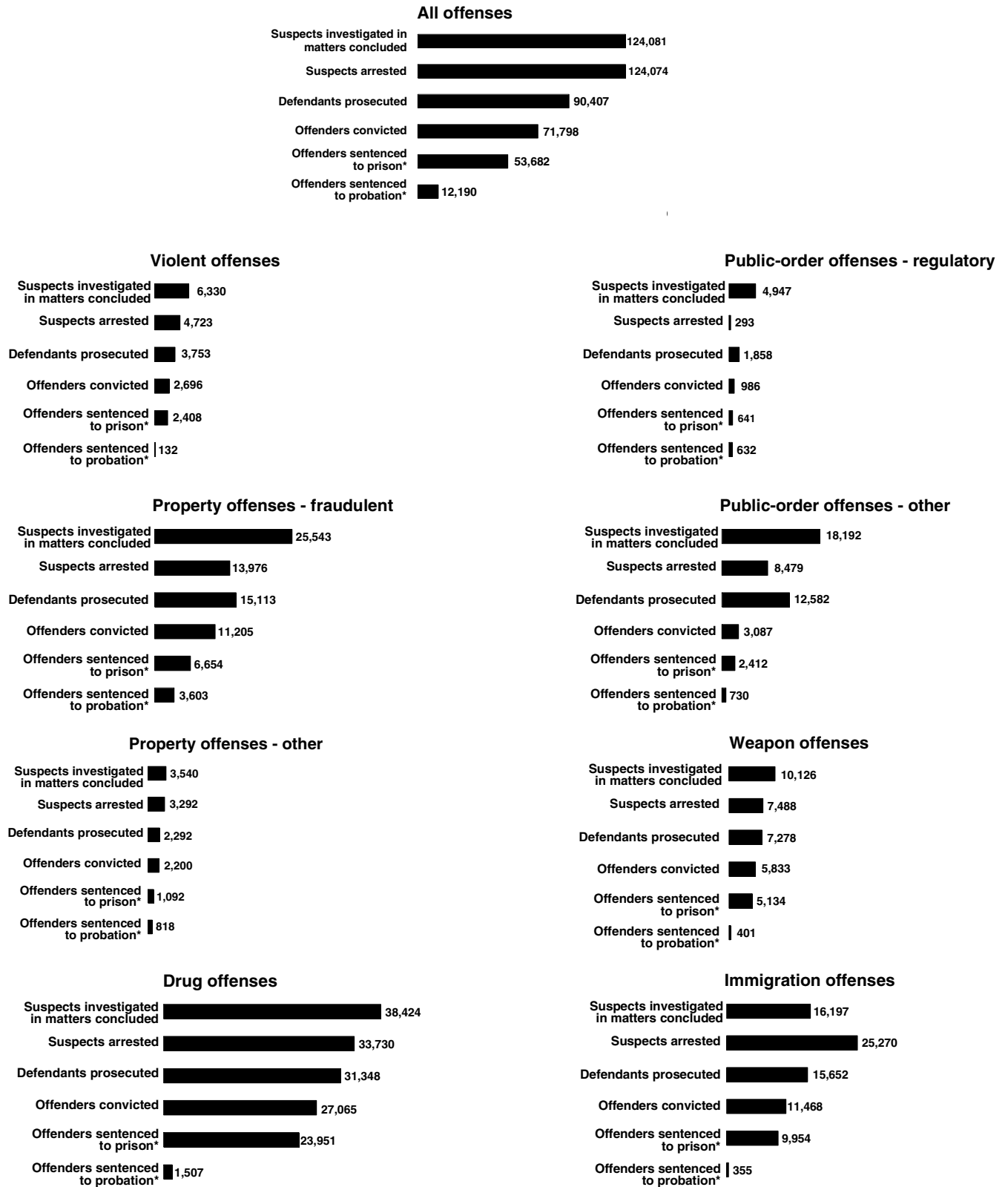
The FY2002 data marked the introduction of two new detailed offense categories: "Wildlife offenses" and "Environmental offenses". According to the reporting practices of this report, these two detailed offenses are grouped under the major offense category, "Public-order offenses, Other" in the tables. 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.

Pretrial release

Discussion	37
-------------------------	-----------

Tables

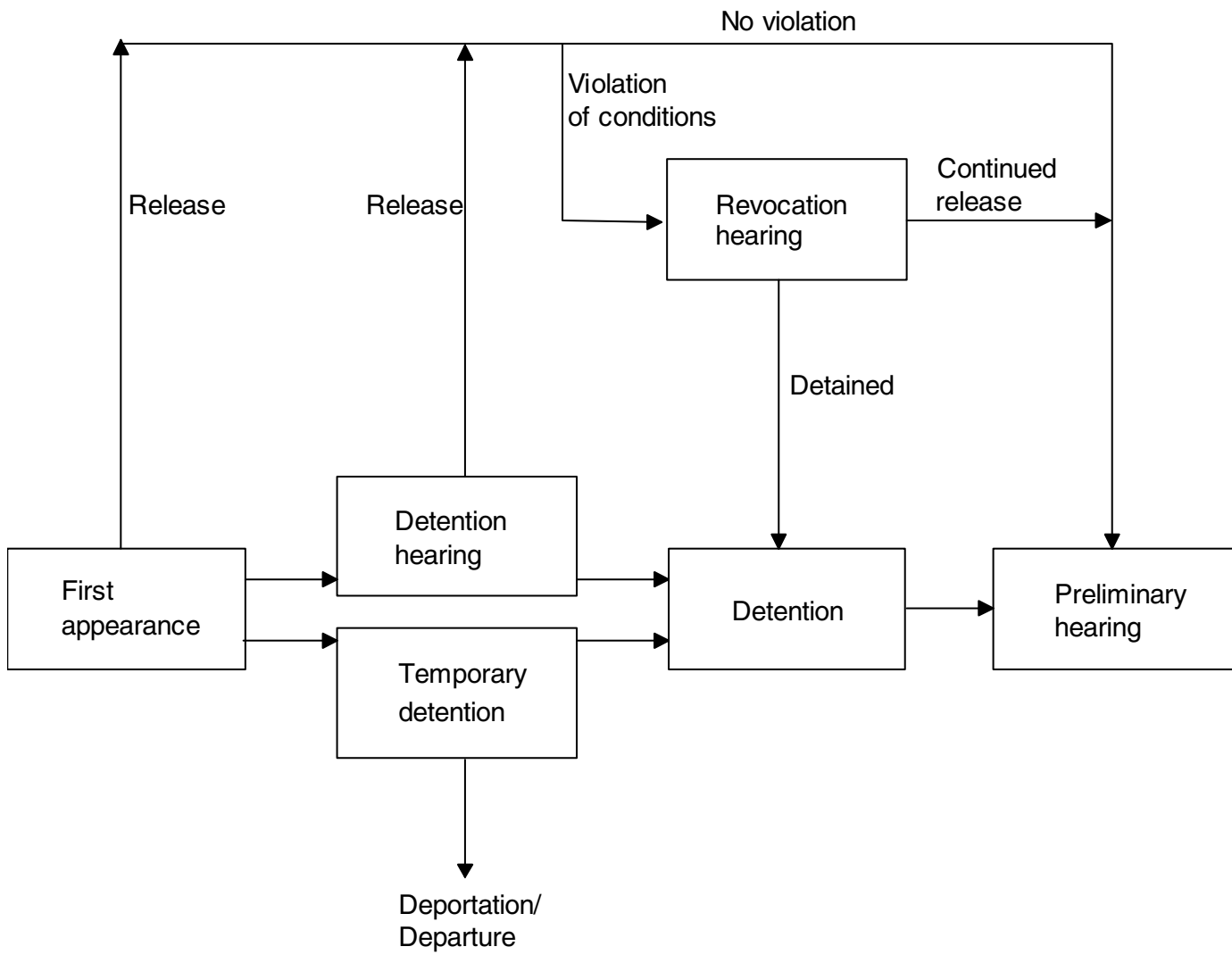
October 1, 2001 - September 30, 2002

3.1. Outcomes of initial hearing and detention hearing for cases commenced, by offense	41
3.2. Type of pretrial release for cases terminated, by offense	42
3.3. Type of pretrial release for cases terminated, by defendant characteristics	43
3.4. Form of pretrial detention for cases terminated, by offense	44
3.5. Form of pretrial detention for cases terminated, by defendant characteristics	45
3.6. Pretrial detention hearing outcomes for cases terminated, by offense	46
3.7. Pretrial detention hearing outcomes for cases terminated, by defendant characteristics	47
3.8. Behavior of defendants released prior to trial for cases terminated, by offense	48
3.9. Behavior of defendants released prior to trial for cases terminated, by type of release	48
3.10. Behavior of defendants released prior to trial for cases terminated, by defendant characteristics	49
3.11. Length of pretrial detention for cases terminated, by form of release or detention, and most serious offense charged	50

Chapter notes	51
----------------------------	-----------

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 for an "initial appearance". 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).

The 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 held to show cause why the defendant should be detained pending adjudication of the charges.

According to the Bail Reform Act of 1984, preventive detention is applicable in 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.

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 nonfinancial 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. These factors are considered at an initial hearing where the defendant may be released, detained, held for a detention hearing, or the case may be continued or dismissed. At the detention hearing, a defendant may be released, given preventive detention, temporarily detained, detained with no bail set or made, or the case may be continued, dismissed, or transferred.

Of the 78,060 defendants whose cases commenced in 2002, 37% (or 28,993) were released after either an initial hearing or a detention hearing, and 62% of defendants were detained (table 3.1).

Of the 71,572 defendants who terminated pretrial services during 2002, 45% (32,140) were released for some period of time prior to trial (table 3.2). Of those released defendants, 81% completed pretrial services without violating the conditions of their release (tables 3.8 and 3.9).

In 2002, 73% (52,515) of defendants terminating pretrial services were detained for some period of time prior to the disposition of their case (table 3.4). This includes those who were detained prior to having a preliminary hearing with the magistrate, at which point they could have been either released or ordered to have a detention hearing. Of the defendants detained, 54% were ordered detained by the court until case disposition.

Pretrial detention hearings were held for 38,764 defendants. Of these, 28,301, or 73%, were ordered detained (table 3.6).

Of the 32,140 defendants released prior to trial, 20% violated a condition of their release (table 3.8). The majority (92%) of these violations were technical violations of the bail conditions. Defendants released on deposit bond were more likely (28%) than other defendants to incur some violation of the conditions of their release

*18 U.S.C. § 3142(e) (1984)

(table 3.9). Conversely, defendants given conditional release violated their release at the lowest rates (less than 1%). Eight percent of all released defendants had their release revoked.

Those charged with violent offenses were detained longer on average (112 days) than defendants charged with other offenses (not shown in a table). Defendants who were never released and were detained by the court were detained longer than were defendants detained for financial conditions (111 days)

Outcomes for pretrial cases commenced

Releases and detentions after the first 2 hearings (table 3.1) — Of the 78,060 cases commenced in 2002, 37% were released after either an initial hearing or a detention hearing, 62% were detained, and less than 1% were dismissed (table 3.1). Seventy-six percent of defendants receiving pretrial release were released after an initial hearing; 73% of detained defendants were detained after a detention hearing. After these two hearings, less than 1% of incoming defendants (279) were awaiting a release decision (not shown in a table).

Of those charged with property offenses, 73% were released, as were 63% of those charged with public-order offenses, 37% of weapon offense defendants, 31% of drug offense defendants, and 28% of violent offense defendants. Only 5% of those charged with immigration offenses were released after these two hearings.

Outcomes for pretrial cases terminated

Releases (table 3.2) — Of cases terminated in 2002, 45% were released. The percent released varied greatly across and within offense categories. Seventy-nine percent of property offenders were released, compared with only 9% of immigration offenders (figure 3.1). Among violent offenders, 22% of those charged with robbery were released compared to 55% of

Of cases terminated, defendants charged with property or public-order offenses were more likely than others to be released prior to trial

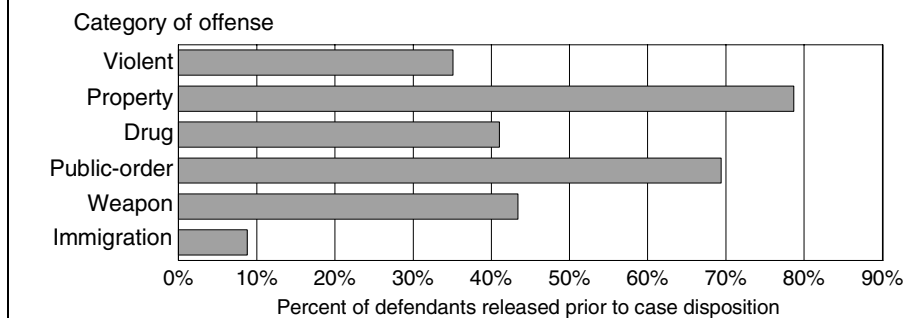


Figure 3.1. Percent of defendants released prior to case disposition, by offense category, October 1, 2001 - September 30, 2002

those charged with sexual abuse and 62% of those charged with assault. Among public-order defendants, 11% of those charged with an escape offense were released compared to 96% of those charged with tax law violations, 92% of traffic defendants, and 69% of nonviolent sex offense defendants. Forty-three percent of those charged with weapon offenses were released, while only 9% of immigration defendants were released.

Forty-one percent of all drug defendants were released. Drug trafficking defendants were less likely to be released than those charged with non-trafficking offenses (40% compared to 56%).

How defendants were released prior to trial varied among offense categories (table 3.2). Within each major offense category except for violent and immigration offenses, the highest percentage of defendants released was through unsecured bond. Thirty-five percent of violent defendants were released of whom 34% were released on unsecured bond and 48% on personal recognizance — compared to 79% of all property defendants released, of whom 55% were released on unsecured bond and 33% on personal recognizance.

Detentions (tables 3.4 and 3.6) — Among the major offense categories, defendants charged with immigration, drug, or violent offenses were the

most likely (98, 84% and 82% respectively) to be detained for some period of time (table 3.4). However, violent defendants were more likely than immigration or drug defendants to be detained by the court (64% versus 59% and 53%). Of those charged with weapons offenses, 78% were detained, with 57% being detained by the court. Public-order and property defendants were less likely to be detained than were other defendants. During 2002, 44% of public-order defendants were detained, with 47% of these detained by the court. Forty percent of defendants charged with property offenses were detained, with 42% of these detained by the court.

Seventy percent of defendants charged with violent offenses had a detention hearing (table 3.6, figure 3.2). This rate varied by offense category: 65% of drug or immigration defendants, 62% of weapons defendants, 31% of those charged with public-order offenses, and 29% of those charged with property offenses were ordered to have a detention hearing.

Once a defendant was ordered to have a detention hearing, the chances of being detained were less variable across offense categories. The highest rate of defendants ordered detained were those charged with immigration offenses (88%). Of the 70% of defendants charged with violent offenses and given a pretrial detention

hearing, 75% were ordered detained. In 2002, 72% of those charged with weapon offenses, 69% of drug offenses, 65% of public-order offenses, and 59% of property offenses were ordered detained following a pretrial hearing.

Violations (tables 3.8 and 3.9) — Of released defendants terminating pre-trial services during 2002, those charged with weapon or drug offenses were more likely than other defendants (31% and 30% compared with 20% overall) to incur at least one violation during the release period (figure 3.4). Among other major offense categories, those charged with public-order offenses were least likely (8%) than others to violate conditions of their release. Those charged with weapon, violent, or drug offenses were more likely than others to have their release revoked (13% of all released weapon defendants, 12% of released violent defendants, and 11% of drug defendants compared with 8% overall). Five percent of released property defendants and released immigration defendants were revoked.

Of the 32,140 defendants released, those on deposit bond were more likely (28%) than other defendants (20% overall) to incur a violation of the conditions of their release (table 3.9). Defendants with the lowest rate of release violations were those given conditional release (1%). This group was also the least likely to have a release revocation. Only 0.2% of defendants on conditional release who committed a violation were revoked.

Pretrial outcomes across demographic groups

Releases (table 3.3) — Females were more likely (72%) than males (40%) to be released during 2002 (figure 3.3). Males were more likely to have a financial condition imposed on them than females (21% versus 13%). Sixty-two percent of all defendants identified as non-Hispanic were released during 2002 compared to 21% of Hispanics. Non-Hispanic releasees were twice as likely as Hispanics to be

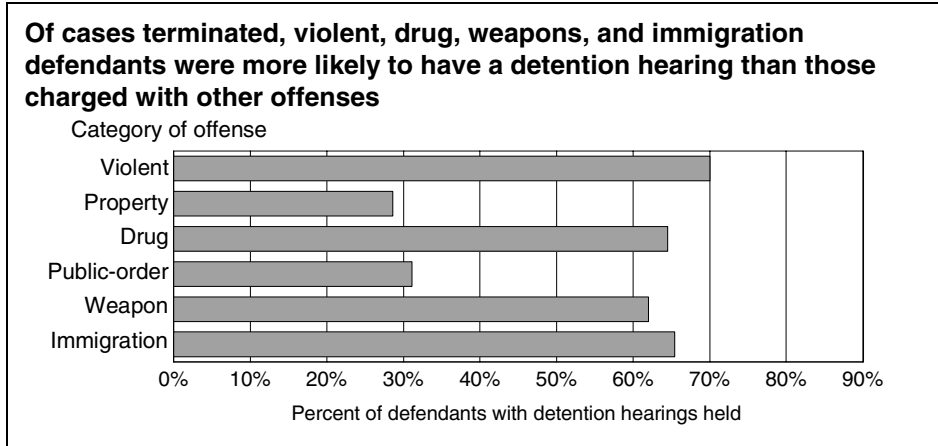


Figure 3.2. Detention hearings held, by offense category, October 1, 2001 - September 30, 2002

released on personal recognizance. Sixty-four percent of Native Americans and 59% of Asian defendants were released compared with 50% of black defendants and 42% of white defendants.

The higher the education level of the defendant, the greater the probability of release. Thirty-nine percent of defendants with less than a high school education were released in 2002, while 79% of those who had completed college were released. Releasees with a college degree, when compared to those with less education, were less likely to receive financial conditions (16% versus 26%) and

more likely to be released on personal recognizance (30% versus 25%) than those who had less education.

Defendants with a history of drug abuse were released less frequently than those defendants with no known drug history (50% versus 59%). 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 3.5 and 3.7) — Males were more likely (78% versus 52%) than females to be detained (table 3.5). Of all detainees, 75% of the men and 56% of the women were detained following a detention hearing

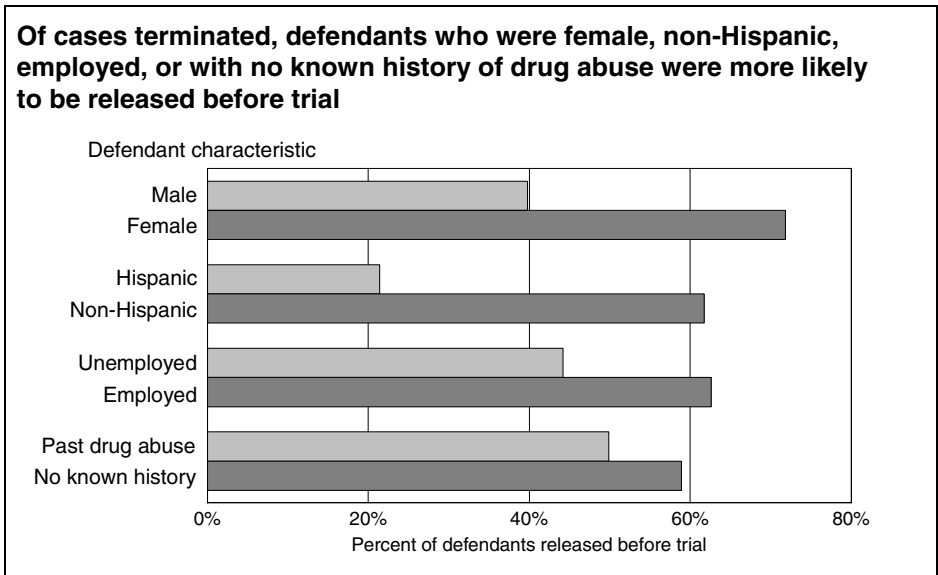


Figure 3.3. Pretrial release rates, by defendant characteristics, October 1, 2001 - September 30, 2002

(table 3.7). Hispanics had a substantially higher probability of being detained (93%) compared with non-Hispanics (60%). Almost all of those charged with an immigration offense (98%) — of which non-citizen Hispanics comprise the majority — were detained (table 3.4).

Younger defendants were more likely than older ones to be detained. Seventy-five percent of defendants between ages 16 and 18 and 74% of defendants ages 19-20 were detained, compared to 60% of those over 40. However, among all defendants detained, the chances of being detained following a detention hearing were similar across all age groups (table 3.7).

Not only were male defendants more likely than female defendants to have a detention hearing (58% versus 36%), they were also more likely (75% versus 56%) to be ordered detained as a result of the hearing (table 3.7).

The likelihood of having a detention hearing increased with the number of prior convictions and severity of the defendant's criminal history. Furthermore, 58% of those with a history of drug abuse had detention hearings as compared to 44% of those without such a past. However, those with a history of drug abuse were as likely to be detained after a hearing.

Violations (table 3.10) — Released males were more likely than females to incur a violation during the pretrial release period (21% versus 16%) and were slightly more likely to have their release revoked. Native Americans were more likely to incur at least one violation than blacks, whites, or Asians (29% versus 22% for blacks, 19% for whites, and 13% for Asians). Native American defendants also were more likely to have their release revoked (17% versus 8% for blacks, 7% for whites, and 5% for Asians).

Defendants without a high school diploma were more likely to have at least one violation than defendants

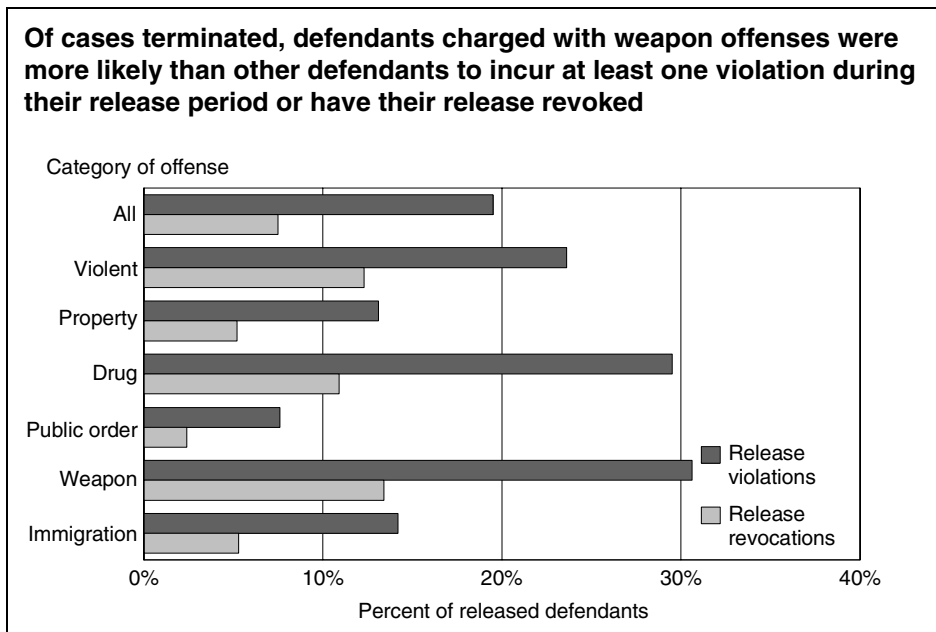


Figure 3.4. Pretrial release violation and revocation rates, for cases that terminated during October 1, 2001 - September 30, 2002, by offense category

with college degrees (28% versus 8%).

Defendants with no prior criminal history were 2 times less likely to have a pretrial release violation than those with a prior conviction. Released defendants with a known drug history were almost 3 times more likely to incur a violation than those with no known drug history and to have their release revoked (15% versus 4%).

Length of pretrial detention (table 3.11)

Among defendants detained for any time prior to case disposition, those charged with violent offenses were detained the longest (an average of 112 days) compared to drug (83 days), weapon (81 days), immigration (64 days), public-order (60 days), or property (46 days), defendants (not shown in a table).

Of defendants released, those released conditionally spent the greatest average number of days detained (61 days) compared to those released on personal recognizance (43 days), unsecured bond (34 days), or financial conditions (29 days). This trend varied

only slightly across all major offense categories — in general, defendants released by conditional means were detained more days than defendants who were released by any other means.

Of defendants not released, those detained by the court were detained longer, on average, than those held on financial conditions (111 days compared with 79 days). This pattern was true across all major offense types.

Table 3.1. Outcomes of initial hearing and detention hearing for cases commenced, by offense, October 1, 2001 - September 30, 2002

Most serious offense charged	All defendants	Percent released	After initial hearing				After detention hearing ^a	
			Released	Detained	Dismissed	Continued/ held	Released	Detained
All offenses^b	78,060	37.1%	22,101	12,825	280	42,854	6,892	35,648
Violent offenses	3,427	28.3%	655	415	20	2,337	315	1,999
Murder ^c	200	21.5	27	24	1	148	16	132
Negligent manslaughter	20	70.0	5	0	0	15	9	6
Assault	840	52.4	341	66	15	418	99	315
Robbery	1,890	15.0	156	284	1	1,449	128	1,307
Sexual abuse ^c	325	51.7	116	15	1	193	52	138
Kidnaping	109	14.7	8	12	2	87	8	78
Threats against the President	43	11.6	2	14	0	27	3	23
Property offenses	14,389	72.7%	9,021	896	35	4,437	1,433	2,955
Fraudulent	11,677	72.9%	7,324	745	11	3,597	1,190	2,368
Embezzlement	1,319	91.7	1,157	30	0	132	53	77
Fraud ^c	8,971	71.0	5,356	573	8	3,034	1,017	1,985
Forgery	154	69.5	96	14	1	43	11	32
Counterfeiting	1,233	66.8	715	128	2	388	109	274
Other	2,712	71.5%	1,697	151	24	840	243	587
Burglary	84	46.4	24	6	2	52	15	37
Larceny ^c	2,064	77.0	1,420	91	20	533	170	357
Motor vehicle theft	148	31.8	38	20	0	90	9	79
Arson and explosives	171	51.5	66	19	0	86	22	63
Transportation of stolen property	148	67.6	86	7	1	54	14	39
Other property offenses ^c	97	78.4	63	8	1	25	13	12
Drug offenses	29,835	31.0%	5,759	4,401	76	19,599	3,498	15,943
Trafficking	27,107	29.1	4,619	4,112	55	18,321	3,268	14,908
Other drug offenses	2,728	50.2	1,140	289	21	1,278	230	1,035
Public-order offenses	8,264	62.8%	4,540	846	108	2,770	649	2,107
Regulatory	2,508	56.1%	1,202	408	29	869	206	662
Agriculture	4	—	3	0	0	1	1	0
Antitrust	9	—	9	0	0	0	0	0
Food and drug	55	94.5	48	2	0	5	4	1
Transportation	125	72.8	70	9	0	46	21	24
Civil rights	45	80.0	32	0	1	12	4	8
Communications	53	86.8	37	1	0	15	9	6
Custom laws	72	52.8	32	15	0	25	6	19
Postal laws	140	85.7	111	3	0	26	9	17
Other regulatory offenses	2,005	50.5	860	378	28	739	152	587
Other	5,756	65.7%	3,338	438	79	1,901	443	1,445
Tax law violations ^c	520	94.2	446	13	1	60	44	16
Bribery	129	82.2	79	6	0	44	27	17
Perjury, contempt, and intimidation	204	63.2	98	23	0	83	31	50
National defense	113	76.1	80	6	1	26	6	20
Escape	753	9.7	47	152	7	547	26	517
Racketeering and extortion	1,059	50.6	398	90	0	571	138	430
Gambling	28	85.7	23	1	0	4	1	3
Liquor offenses	4	—	1	0	0	3	1	2
Nonviolent sex offenses	811	62.8	389	60	1	361	120	238
Obscene material ^c	64	60.9	33	9	0	22	6	16
Traffic offenses	1,309	91.6	1,187	34	54	34	12	22
Wildlife	118	94.1	107	4	0	7	4	3
Environmental	29	100.0	28	0	0	1	1	0
All other offenses ^c	615	72.8	422	40	15	138	26	111
Weapon offenses	6,009	36.5%	1,574	767	9	3,659	619	3,005
Immigration offenses	16,026	5.4%	499	5,487	32	10,008	367	9,606

—Too few cases to obtain statistically reliable data.

^aIncludes only those defendants whose detention hearing was within the fiscal year. There were 35 dismissals and 279 defendants whose release decision was still pending.

^bIncludes 110 defendants with unknown or indeterminable offenses.

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

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	44.9%	19.0%	47.3%	29.1%	4.7%	32,140	71,572
Violent offenses	35.1%	11.2%	34.4%	47.9%	6.5%	1,091	3,104
Murder ^c	31.9	7.7	19.2	69.2	3.8	52	163
Negligent manslaughter	62.5	—	—	—	—	10	16
Assault	61.6	4.8	27.6	57.0	10.7	460	747
Robbery	22.0	20.4	45.2	29.8	4.6	392	1,785
Sexual abuse ^c	55.1	2.8	32.6	63.8	0.7	141	256
Kidnaping	26.3	46.2	30.8	19.2	3.8	26	99
Threats against the President	26.3	—	—	—	—	10	38
Property offenses	78.7%	10.7%	54.7%	32.6%	2.0%	10,838	13,772
Fraudulent	78.5%	11.7%	57.6%	29.5%	1.2%	8,701	11,087
Embezzlement	93.4	3.5	57.4	36.9	2.1	1,262	1,351
Fraud ^c	76.7	13.8	56.6	28.5	1.1	6,282	8,192
Forgery	74.6	7.9	63.5	27.8	0.8	126	169
Counterfeiting	75.0	9.2	63.3	26.7	0.8	1,031	1,375
Other	79.6%	7.0%	42.5%	45.3%	5.1%	2,137	2,685
Burglary	53.3	10.5	29.8	56.1	3.5	57	107
Larceny ^c	84.2	5.1	40.8	48.3	5.8	1,703	2,022
Motor vehicle theft	53.9	23.1	58.7	17.3	1.0	104	193
Arson and explosives	66.9	13.6	53.4	33.0	0.0	103	154
Transportation of stolen property	81.0	17.3	51.0	29.6	2.0	98	121
Other property offenses ^c	81.8	2.8	43.1	45.8	8.3	72	88
Drug offenses	41.0%	29.2%	45.0%	22.5%	3.3%	11,396	27,771
Trafficking	39.6	31.1	47.3	19.5	2.1	10,006	25,286
Other drug offenses	55.9	15.8	28.7	44.0	11.6	1,390	2,485
Public-order offenses	69.4%	12.5%	41.0%	35.5%	11.0%	5,441	7,841
Regulatory	64.9%	14.6%	46.6%	33.8%	5.0%	1,634	2,518
Agriculture	100.0	9.1	9.1	63.6	18.2	11	11
Antitrust	100.0	14.8	48.1	37.0	0.0	27	27
Food and drug	97.7	14.3	50.0	33.3	2.4	42	43
Transportation	80.7	14.8	43.2	38.6	3.4	88	109
Civil rights	84.9	17.7	43.5	38.7	0.0	62	73
Communications	90.3	12.5	55.4	32.1	0.0	56	62
Custom laws	73.4	36.2	44.8	17.2	1.7	58	79
Postal laws	92.6	2.4	50.4	45.6	1.6	125	135
Other regulatory offenses	58.9	14.8	46.5	32.5	6.2	1,165	1,979
Other	71.5%	11.7%	38.6%	36.1%	13.6%	3,807	5,323
Tax law violations ^c	96.0	7.8	55.8	35.0	1.3	523	545
Bribery	81.2	20.0	55.8	22.1	2.1	95	117
Perjury, contempt, and intimidation	72.8	12.7	45.8	41.5	0.0	142	195
National defense	80.2	11.7	23.4	14.3	50.6	77	96
Escape	10.6	4.1	50.0	33.8	12.2	74	699
Racketeering and extortion	63.1	38.8	39.7	20.3	1.1	536	850
Gambling	95.2	16.9	44.1	39.0	0.0	59	62
Liquor offenses	92.6	8.0	16.0	76.0	0.0	25	27
Nonviolent sex offenses	69.3	14.2	53.1	30.2	2.5	473	683
Obscene material ^c	71.8	28.6	67.9	3.6	0.0	28	39
Traffic offenses	92.1	2.2	21.8	42.8	33.2	1,160	1,259
Wildlife	98.4	4.0	38.1	51.6	6.3	126	128
Environmental	100.0	3.0	51.5	39.4	6.1	33	33
All other offenses ^c	77.3	5.9	38.4	45.6	10.1	456	590
Weapon offenses	43.4%	15.7%	52.9%	29.6%	1.8%	2,054	4,729
Immigration offenses	8.8%	37.8%	34.8%	11.3%	16.0%	1,253	14,262

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. 51.

—Too few cases to obtain statistically reliable data.

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

^bIncludes 93 defendants for whom an offense category could not be determined, 67 of whom were released.

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

Defendant characteristic	Percent released	Of defendants released at any time prior to case disposition, percent released on—				Number of defendants	
		Financial ^a	Unsecured bond	Personal recognizance	Conditional release	Released	All defendants
All defendants^b	44.9%	19.0%	47.3%	29.1%	4.7%	32,140	71,572
Male/female							
Male	39.8%	20.9%	45.9%	28.1%	5.0%	23,870	60,049
Female	71.8	13.4	51.5	31.7	3.4	8,205	11,426
Race							
White	42.0%	20.0%	46.7%	28.7%	4.7%	20,948	49,868
Black	50.3	17.7	52.6	25.6	4.2	9,018	17,935
Native American	64.3	4.1	21.7	72.5	1.7	761	1,184
Asian/Pacific Islander	58.6	22.1	42.1	31.8	3.9	949	1,619
Ethnicity							
Hispanic	21.4%	36.7%	40.9%	15.7%	6.7%	6,380	29,790
Non-Hispanic	61.7	14.6	49.1	32.3	3.9	25,499	41,337
Age							
16-18 years	48.9%	16.6%	38.5%	37.7%	7.1%	631	1,290
19-20 years	47.6	15.7	44.6	32.7	7.1	2,049	4,305
21-30 years	38.7	20.8	47.0	27.2	5.1	10,929	28,235
31-40 years	42.1	20.9	46.9	27.8	4.4	8,757	20,812
Over 40 years	57.7	16.2	49.5	30.8	3.5	9,685	16,772
Education							
Less than high school graduate	38.6%	25.5%	47.9%	24.7%	2.0%	8,193	21,245
High school graduate	59.7	18.4	49.8	28.5	3.3	10,423	17,455
Some college	70.9	17.7	51.2	29.1	2.0	7,174	10,112
College graduate	79.2	16.3	51.0	29.6	3.1	3,526	4,453
Marital status							
Never married	50.0%	18.2%	50.1%	28.7%	3.0%	11,159	22,296
Divorced/separated	57.9	17.5	51.9	28.1	2.4	5,702	9,850
Married	59.0	21.9	48.2	27.5	2.4	10,438	17,698
Common law	45.1	26.1	47.2	25.2	1.5	2,250	4,994
Other	15.5	7.3	22.0	42.3	28.4	2,591	16,734
Employment status at arrest							
Unemployed	44.2%	18.4%	50.1%	29.0%	2.5%	10,861	24,597
Employed	62.6	20.6	49.2	27.5	2.6	18,839	30,101
Criminal record							
No convictions ^c	60.7%	17.9%	47.0%	30.5%	4.6%	12,630	20,803
Misdemeanor only	57.4	16.9	46.9	31.9	4.3	6,847	11,924
Felony							
Nonviolent	30.5	20.9	49.5	24.8	4.8	4,905	16,096
Violent	24.8	21.7	43.6	26.9	7.8	2,869	11,558
Number of prior convictions							
1	46.0%	20.2%	48.4%	27.9%	3.5%	5,302	11,533
2 to 4	37.1	19.6	47.8	28.1	4.5	5,999	16,165
5 or more	27.9	16.8	43.9	30.4	8.9	3,320	11,880
Criminal justice status							
Not under supervision	58.1%	18.7%	47.2%	29.7%	4.4%	24,751	42,592
Pretrial release	53.1	18.8	52.0	28.0	1.2	1,453	2,738
Probation	38.5	21.2	48.4	27.1	3.3	1,527	3,971
Parole	18.6	20.3	46.3	22.3	11.1	296	1,588
Court appearance history							
No prior arrests	55.5%	18.0%	46.8%	30.6%	4.6%	12,785	23,028
Failure to appear							
None	41.7	20.5	48.4	27.1	4.0	15,884	38,073
1	34.4	15.5	46.5	31.7	6.3	1,726	5,012
More than 1	32.0	16.0	42.1	33.1	8.7	1,745	5,459
Drug abuse							
No known abuse	58.9%	19.8%	48.8%	28.4%	3.0%	19,260	32,690
Drug history	49.9	19.8	51.4	26.9	1.8	9,044	18,117

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. 51.*

^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.

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	73.4%	2.1%	21.8%	10.9%	53.9%	11.3%	52,515	71,572
Violent offenses	82.1%	0.6%	17.2%	2.3%	64.0%	15.8%	2,549	3,104
Murder ^c	90.2	0.0	15.6	0.7	68.7	15.0	147	163
Negligent manslaughter	75.0	0.0	50.0	8.3	41.7	0.0	12	16
Assault	59.6	0.2	30.6	3.8	53.5	11.9	445	747
Robbery	91.9	0.7	12.1	2.2	67.7	17.3	1,640	1,785
Sexual abuse ^c	70.3	0.6	30.0	1.1	55.0	13.3	180	256
Kidnaping	90.9	1.1	17.8	1.1	64.4	15.6	90	99
Threats against the President	92.1	2.9	17.1	2.9	57.1	20.0	35	38
Property offenses	40.2%	0.7%	41.8%	4.8%	42.3%	10.4%	5,531	13,772
Fraudulent	40.3%	0.7%	41.5%	5.0%	42.7%	10.1%	4,466	11,087
Embezzlement	16.9	0.0	56.1	3.5	32.9	7.5	228	1,351
Fraud ^c	42.4	0.7	39.9	4.9	44.7	9.8	3,472	8,192
Forgery	45.0	3.9	40.8	5.3	39.5	10.5	76	169
Counterfeiting	50.2	0.6	45.1	5.8	36.2	12.3	690	1,375
Other	39.7%	0.8%	42.8%	4.0%	40.7%	11.6%	1,065	2,685
Burglary	74.8	0.0	38.8	5.0	43.8	12.5	80	107
Larceny ^c	33.7	0.1	47.6	5.3	36.3	10.7	681	2,022
Motor vehicle theft	67.9	4.6	23.7	0.8	56.5	14.5	131	193
Arson and explosives	58.4	2.2	33.3	0.0	50.0	14.4	90	154
Transportation of stolen property	41.3	0.0	54.0	0.0	38.0	8.0	50	121
Other property offenses ^c	37.5	0.0	39.4	6.1	39.4	15.2	33	88
Drug offenses	84.1%	1.9%	25.6%	9.5%	53.1%	9.8%	23,346	27,771
Trafficking	86.4	1.6	25.7	9.7	53.6	9.4	21,846	25,286
Other drug offenses	60.4	7.1	25.1	6.4	45.5	15.9	1,500	2,485
Public-order offenses	43.5%	0.9%	28.6%	3.8%	46.7%	20.0%	3,407	7,841
Regulatory	50.2%	0.9%	28.1%	5.0%	41.2%	24.7%	1,265	2,518
Agriculture	18.2	—	—	—	—	—	2	11
Antitrust	55.6	0.0	100.0	0.0	0.0	0.0	15	27
Food and drug	14.0	—	—	—	—	—	6	43
Transportation	40.4	0.0	43.2	4.5	45.5	6.8	44	109
Civil rights	23.3	0.0	41.2	0.0	35.3	23.5	17	73
Communications	30.6	0.0	63.2	10.5	21.1	5.3	19	62
Custom laws	59.5	0.0	51.1	17.0	27.7	4.3	47	79
Postal laws	17.8	0.0	41.7	0.0	50.0	8.3	24	135
Other regulatory offenses	55.1	1.1	24.0	4.7	42.6	27.6	1,091	1,979
Other	40.2%	0.8%	28.8%	3.2%	50.0%	17.2%	2,142	5,323
Tax law violations ^c	16.3	0.0	71.9	6.7	14.6	6.7	89	545
Bribery	35.0	0.0	46.3	9.8	31.7	12.2	41	117
Perjury, contempt, and intimidation	49.2	1.0	41.7	2.1	29.2	26.0	96	195
National defense	29.2	3.6	32.1	3.6	42.9	17.9	28	96
Escape	94.1	1.4	4.9	2.3	67.6	23.9	658	699
Racketeering and extortion	64.2	0.5	33.0	2.9	52.6	11.0	546	850
Gambling	8.1	—	—	—	—	—	5	62
Liquor offenses	70.4	0.0	89.5	0.0	10.5	0.0	19	27
Nonviolent sex offenses	51.7	0.3	37.1	2.3	44.8	15.6	353	683
Obscene material ^c	48.7	0.0	36.8	0.0	52.6	10.5	19	39
Traffic offenses	7.9	2.0	53.5	11.1	18.2	15.2	99	1,259
Wildlife	7.0	—	—	—	—	—	9	128
Environment	9.1	—	—	—	—	—	3	33
All other offenses ^c	30.0	0.6	31.1	2.3	45.2	20.9	177	590
Weapon offenses	77.6%	1.0%	22.2%	3.2%	57.4%	16.1%	3,670	4,729
Immigration offenses	97.9%	3.8%	6.4%	21.0%	59.0%	9.7%	13,966	14,262

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. 51.

—Too few cases to obtain statistically reliable data.

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

^bIncludes 93 defendants for whom an offense category could not be determined, 46 of whom were detained.

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

Table 3.5. Form of pretrial detention for cases terminated, by defendant characteristics, October 1, 2001 - September 30, 2002

Defendant characteristic	Of defendants detained at any time prior to case disposition, percent detained by—						Number of defendants	
	Percent detained	Temporary detention ^a	Held on bail for—		Court	Other detentions	Detained	All defendants
			Part of pre-trial period	All of pre-trial period				
All defendants^b	73.4%	2.1%	21.8%	10.9%	53.9%	11.3%	52,515	71,572
Male/female								
Male	77.6%	2.2%	19.3%	11.1%	55.8%	11.6%	46,578	60,049
Female	51.7	1.3	41.3	9.6	39.3	8.5	5,902	11,426
Race								
White	75.3%	2.4%	20.4%	13.5%	53.1%	10.6%	37,572	49,868
Black	69.7	1.6	24.4	4.7	56.8	12.6	12,494	17,935
Native American	68.2	0.0	39.0	1.6	51.0	8.4	808	1,184
Asian/Pacific Islander	64.3	0.7	29.9	2.6	49.9	17.0	1,041	1,619
Ethnicity								
Hispanic	92.8%	3.3%	13.7%	16.6%	56.9%	9.5%	27,637	29,790
Non-Hispanic	59.6	0.8	30.9	4.6	50.7	13.1	24,634	41,337
Age								
16-18 years	74.9%	1.4%	29.0%	12.2%	50.9%	6.4%	966	1,290
19-20 years	74.3	1.8	26.5	12.4	49.7	9.7	3,197	4,305
21-30 years	79.4	2.2	19.8	10.9	55.6	11.6	22,417	28,235
31-40 years	75.8	2.2	20.4	11.2	54.9	11.3	15,777	20,812
Over 40 years	60.1	2.0	26.2	10.1	50.6	11.2	10,072	16,772
Education								
Less than high school graduate	83.2%	4.2%	22.6%	11.3%	50.1%	11.8%	17,667	21,245
High school graduate	65.2	1.4	33.4	5.4	48.3	11.4	11,389	17,455
Some college	52.9	1.3	39.7	5.2	44.6	9.2	5,350	10,112
College graduate	39.0	1.2	41.3	7.5	39.4	10.6	1,736	4,453
Marital status								
Never married	73.1%	1.8%	27.5%	6.9%	52.3%	11.5%	16,298	22,296
Divorced/separated	65.7	2.4	31.3	7.5	46.7	12.0	6,476	9,850
Married	61.7	3.7	29.4	9.2	46.5	11.2	10,914	17,698
Common law	79.6	4.5	26.5	11.0	47.6	10.4	3,974	4,994
Other	88.8	0.6	4.5	18.0	66.1	10.8	14,853	16,734
Employment status at arrest								
Unemployed	77.9%	2.5%	24.1%	7.3%	51.6%	14.4%	19,149	24,597
Employed	60.4	3.0	33.7	9.2	44.8	9.3	18,173	30,101
Criminal record								
No convictions ^c	58.3%	2.1%	30.0%	14.0%	45.0%	8.9%	12,121	20,803
Misdemeanor only	66.6	1.5	31.5	9.5	47.7	9.8	7,938	11,924
Felony								
Nonviolent	85.0	2.8	15.3	12.1	57.6	12.2	13,676	16,096
Violent	89.5	1.9	12.8	9.1	61.8	14.4	10,341	11,558
Number of prior convictions								
1	73.5%	2.4%	22.9%	11.6%	52.7%	10.3%	8,471	11,533
2 to 4	81.1	2.6	19.1	10.6	56.2	11.5	13,102	16,165
5 or more	87.4	1.6	14.1	9.3	59.9	15.0	10,382	11,880
Criminal justice status								
Not under supervision	63.0%	1.8%	30.1%	12.4%	46.7%	9.0%	26,829	42,592
Pretrial release	73.2	3.6	30.0	3.9	52.3	10.2	2,005	2,738
Probation	81.3	3.6	20.7	17.4	46.5	11.9	3,230	3,971
Parole	93.5	3.4	10.2	13.7	60.1	12.5	1,485	1,588
Court appearance history								
No prior arrests	62.0%	2.1%	26.0%	12.3%	50.8%	8.8%	14,272	23,028
Failure to appear								
None	76.9	2.5	21.1	11.4	53.1	11.9	29,297	38,073
1	83.9	1.1	17.9	8.2	58.7	14.1	4,205	5,012
More than 1	86.8	0.6	16.9	6.2	64.3	12.0	4,741	5,459
Drug abuse								
No known abuse	61.5%	3.0%	29.3%	9.8%	45.9%	11.9%	20,118	32,690
Drug history	77.1	2.0	30.1	6.3	50.3	11.3	13,968	18,117

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. 51.

^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 3.6. Pretrial detention hearing outcomes for cases terminated, by offense, October 1, 2001-September 30, 2002

Most serious offense charged	All defendants	Defendants with pretrial detention hearings			
		Number of defendants Hearings held	Ordered detained	Percent of defendants with hearings held	Of defendants with hearings held, percent ordered detained
All offenses^a	71,572	38,764	28,301	54.2%	73.0%
Violent offenses	3,104	2,174	1,632	70.0%	75.1%
Murder ^b	163	133	101	81.6	75.9
Negligent manslaughter	16	11	5	68.8	45.5
Assault	747	373	238	49.9	63.8
Robbery	1,785	1,393	1,111	78.0	79.8
Sexual abuse ^b	256	161	99	62.9	61.5
Kidnaping	99	75	58	75.8	77.3
Threats against the President	38	28	20	73.7	71.4
Property offenses	13,772	3,942	2,340	28.6%	59.4%
Fraudulent	11,087	3,174	1,907	28.6%	60.1%
Embezzlement	1,351	138	75	10.2	54.3
Fraud ^b	8,192	2,560	1,552	31.3	60.6
Forgery	169	50	30	29.6	60.0
Counterfeiting	1,375	426	250	31.0	58.7
Other	2,685	768	433	28.6%	56.4%
Burglary	107	58	35	54.2	60.3
Larceny ^b	2,022	476	247	23.5	51.9
Motor vehicle theft	193	105	74	54.4	70.5
Arson and explosives	154	72	45	46.8	62.5
Transportation of stolen property	121	36	19	29.8	52.8
Other property offenses ^b	88	21	13	23.9	61.9
Drug offenses	27,771	17,920	12,377	64.5%	69.1%
Trafficking	25,286	16,764	11,697	66.3	69.8
Other drug	2,485	1,156	680	46.5	58.8
Public-order offenses	7,841	2,437	1,589	31.1%	65.2%
Regulatory	2,518	841	520	33.4%	61.8%
Agriculture	11	0	0	0.0	...
Antitrust	27	0	0	0.0	...
Food and drug	43	4	1	9.3	—
Transportation	109	37	20	33.9	54.1
Civil rights	73	10	6	13.7	—
Communications	62	15	4	24.2	26.7
Custom laws	79	26	13	32.9	50.0
Postal laws	135	19	12	14.1	63.2
Other regulatory offenses	1,979	730	464	36.9	63.6
Other	5,323	1,596	1,069	30.0%	67.0%
Tax law violations ^b	545	45	13	8.3	28.9
Bribery	117	23	13	19.7	56.5
Perjury, contempt, and intimidation	195	67	28	34.4	41.8
National defense	96	19	12	19.8	63.2
Escape	699	539	444	77.1	82.4
Racketeering and extortion	850	420	287	49.4	68.3
Gambling	62	4	2	6.5	—
Liquor offenses	27	19	2	70.4	10.5
Nonviolent sex offenses	683	274	158	40.1	57.7
Obscene material ^b	39	15	10	38.5	66.7
Traffic offenses	1,259	36	18	2.9	50.0
Wildlife	128	4	2	3.1	—
Environmental	33	3	0	9.1	—
All other offenses ^b	590	128	80	21.7	62.5
Weapon offenses	4,729	2,934	2,108	62.0%	71.8%
Immigration offenses	14,262	9,328	8,237	65.4%	88.3%

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. 51.

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

^aIncludes 93 defendants for whom an offense category could not be

determined, 29 of whom had pretrial detention hearings.

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

Table 3.7. Pretrial detention hearing outcomes for cases terminated, by defendant characteristics, October 1, 2001 - September 30, 2002

Defendant characteristic	Defendants with pretrial detention hearings				
	All defendant	Number of defendants		Percent of defendants with hearings held	Of defendants with hearings held, percent ordered detained
		Hearings held	Ordered detained		
All defendants^a	71,572	38,764	28,301	54.2%	73.0%
Male/female					
Male	60,049	34,600	25,968	57.6%	75.1%
Female	11,426	4,143	2,317	36.3	55.9
Race					
White	49,868	26,758	19,944	53.7%	74.5%
Black	17,935	9,891	7,087	55.1	71.7
Native American	1,184	702	412	59.3	58.7
Asian/Pacific Islander	1,619	912	519	56.3	56.9
Ethnicity					
Hispanic	29,790	19,589	15,717	65.8%	80.2%
Non-Hispanic	41,337	19,000	12,474	46.0	65.7
Age					
16-18 years	1,290	707	491	54.8%	69.4%
19-20 years	4,305	2,294	1,587	53.3	69.2
21-30 years	28,235	16,651	12,447	59.0	74.8
31-40 years	20,812	11,701	8,648	56.2	73.9
Over 40 years	16,772	7,349	5,086	43.8	69.2
Education					
Less than high school graduate	21,245	12,569	8,848	59.2%	70.4%
High school graduate	17,455	8,652	5,502	49.6	63.6
Some college	10,112	4,028	2,385	39.8	59.2
College graduate	4,453	1,236	684	27.8	55.3
Marital status					
Never married	22,296	12,409	8,516	55.7%	68.6%
Divorced/separated	9,850	4,710	3,024	47.8	64.2
Married	17,698	7,835	5,071	44.3	64.7
Common law	4,994	2,835	1,893	56.8	66.8
Other	16,734	10,975	9,797	65.6	89.3
Employment status at arrest					
Unemployed	24,597	14,272	9,886	58.0%	69.3%
Employed	30,101	13,088	8,132	43.5	62.1
Criminal record					
No convictions ^b	20,803	8,599	5,444	41.3%	63.3%
Misdemeanor only	11,924	5,732	3,781	48.1	66.0
Felony					
Nonviolent	16,096	9,940	7,870	61.8	79.2
Violent	11,558	7,962	6,383	68.9	80.2
Number of prior convictions					
1	11,533	6,135	4,460	53.2%	72.7%
2 to 4	16,165	9,643	7,359	59.7	76.3
5 or more	11,880	7,856	6,215	66.1	79.1
Criminal justice status					
Not under supervision	42,592	19,308	12,532	45.3%	64.9%
Pretrial release	2,738	1,553	1,048	56.7	67.5
Probation	3,971	2,062	1,498	51.9	72.6
Parole	1,588	1,064	893	67.0	83.9
Court appearance history					
No prior arrests	23,028	10,591	7,247	46.0%	68.4%
Failure to appear					
None	38,073	21,090	15,544	55.4	73.7
1	5,012	3,255	2,464	64.9	75.7
More than 1	5,459	3,828	3,046	70.1	79.6
Drug abuse					
No known abuse	32,690	14,427	9,231	44.1%	64.0%
Drug history	18,117	10,435	7,021	57.6	67.3

Note: Percentages in this table are not directly comparable to those in the 1993 and prior compendia; see *Chapter notes*, items 1 and 2, p. 51.

^aIncludes defendants for whom these characteristics are unknown.
^bIncludes only those defendants whose PSA records explicitly showed no prior convictions.

Table 3.8. Behavior of defendants released prior to trial for cases terminated, by offense, October 1, 2001 - September 30, 2002

Most serious offense charged	Percent of released defendants who had—							Number of released defendants
	Violations while on release						Release revoked	
	No violation	At least one violation	Failed to appear	New offense charged		Technical violations of bail conditions		
			Felony	Misdemeanor				
All offenses*	80.5%	19.5%	2.2%	1.9%	1.8%	17.9%	7.5%	32,140
Violent offenses	76.4%	23.6%	1.8%	1.6%	2.4%	22.8%	12.3%	1,091
Property offenses	86.9%	13.1%	1.6%	1.6%	1.2%	11.8%	5.2%	10,838
Fraudulent offenses	87.8	12.2	1.6	1.7	1.0	10.9	4.5	8,701
Other property offenses	83.3	16.7	1.6	1.2	1.7	15.6	8.0	2,137
Drug offenses	70.5%	29.5%	3.3%	2.4%	2.8%	27.3%	10.9%	11,396
Public-order offenses	92.4%	7.6%	0.9%	1.0%	0.7%	6.7%	2.4%	5,441
Regulatory offenses	91.8	8.2	1.0	0.8	0.6	7.6	2.4	1,634
Other public-order offenses	92.7	7.3	0.8	1.1	0.8	6.3	2.4	3,807
Weapon offenses	69.4%	30.6%	2.6%	3.9%	3.0%	28.5%	13.4%	2,054
Immigration offenses	85.8%	14.2%	3.3%	1.4%	1.2%	12.1%	5.3%	1,253

Note: Data describe defendants whose pretrial services were terminated during fiscal year 2002. 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. 51. *Includes 67 defendants for whom an offense category could not be determined.

Table 3.9. Behavior of defendants released prior to trial for cases terminated, by type of release, October 1, 2001 - September 30, 2002

Type of release	Percent of released defendants who had—							Number of released defendants
	Violations while on release						Release revoked	
	No violation	At least one violation	Failed to appear	New offense charged		Technical violations of bail conditions		
			Felony	Misdemeanor				
All releases	80.5%	19.5%	2.2%	1.9%	1.8%	17.9%	7.5%	32,140
Financial release	76.1%	23.9%	3.8%	2.8%	1.9%	21.4%	7.4%	6,098
Deposit bond	71.7	28.3	5.0	2.7	2.4	25.1	7.7	2,692
Collateral bond	80.9	19.1	1.9	2.6	1.7	17.1	6.4	1,662
Corporate surety	78.3	21.7	3.7	3.0	1.3	19.7	7.9	1,744
Unsecured bond	80.2%	19.8%	1.8%	1.5%	1.8%	18.8%	8.4%	9,339
Personal recognizance	80.6%	19.4%	2.0%	2.1%	2.0%	17.7%	7.7%	15,208
Conditional release	99.5%	0.5%	0.2%	0.0%	0.0%	0.4%	0.2%	1,495

Note: Data describe defendants whose pretrial services were terminated during fiscal year 2002. 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. 51.

Table 3.10. Behavior of defendants released prior to trial for cases terminated, by defendant characteristics, October 1, 2001 - September 30, 2002

Defendant characteristic	Percent of released defendants who had—						Release revoked	Number of released defendants
	Violations while on release							
	No violation	At least one violation	Failed to appear	New offense charged		Technical violations of conditions		
			Felony	Misdemeanor				
All defendants^a	80.5%	19.5%	2.2%	1.9%	1.8%	17.9%	7.5%	32,140
Male/female								
Male	79.4%	20.6%	2.3%	2.2%	2.1%	18.8%	8.0%	23,870
Female	83.6	16.4	1.9	1.1	1.1	15.3	6.2	8,205
Race								
White	81.4%	18.6%	2.3%	1.8%	1.7%	17.0%	7.1%	20,948
Black	77.8	22.2	2.0	2.5	2.2	20.4	8.1	9,018
Native American	71.2	28.8	3.2	2.2	3.2	26.9	17.3	761
Asian/Pacific Islander	87.0	13.0	0.9	0.7	0.6	12.2	5.1	949
Ethnicity								
Hispanic	77.4%	22.6%	4.7%	1.9%	1.6%	20.3%	7.0%	6,380
Non-Hispanic	81.2	18.8	1.6	2.0	1.9	17.4	7.7	25,499
Age								
16-18 years	71.8%	28.2%	4.1%	2.5%	3.6%	25.2%	12.2%	631
19-20 years	71.8	28.2	2.9	2.5	3.3	26.0	11.3	2,049
21-30 years	76.2	23.8	2.6	2.5	2.4	21.8	8.9	10,929
31-40 years	80.2	19.8	2.3	1.8	1.7	18.2	7.7	8,757
Over 40 years	87.9	12.1	1.5	1.2	0.8	11.1	4.6	9,685
Education								
Less than high school graduate	72.5%	27.5%	3.5%	2.4%	2.7%	25.2%	11.0%	8,193
High school graduate	77.8	22.2	2.1	2.4	2.0	20.5	8.7	10,423
Some college	83.7	16.3	1.5	1.8	1.5	14.9	5.5	7,174
College graduate	91.7	8.3	1.1	1.1	0.6	7.5	2.8	3,526
Marital status								
Never married	74.0%	26.0%	2.5%	2.8%	2.4%	23.9%	10.2%	11,159
Divorced/separated	78.5	21.5	2.6	2.0	1.8	19.9	8.8	5,702
Married	87.1	12.9	1.7	1.3	1.3	11.7	4.4	10,438
Common law	74.0	26.0	2.8	2.2	2.6	24.2	10.0	2,250
Other	92.0	8.0	1.6	0.3	0.7	7.1	3.3	2,591
Employment status at arrest								
Unemployed	73.7%	26.3%	2.9%	2.7%	2.2%	24.4%	11.3%	10,861
Employed	83.1	16.9	1.8	1.7	1.7	15.4	5.8	18,839
Criminal record								
No convictions ^b	89.4%	10.6%	1.7%	1.0%	0.7%	9.6%	3.1%	12,630
Misdemeanor only	75.3	24.7	2.2	1.8	2.9	23.0	10.3	6,847
Felony								
Nonviolent	73.0	27.0	2.8	3.4	2.2	25.0	11.5	4,905
Violent	69.7	30.3	2.8	4.2	3.7	27.5	13.1	2,869
Number of prior convictions								
1	78.7%	21.3%	2.3%	1.8%	2.2%	19.7%	7.6%	5,302
2 to 4	72.1	27.9	2.5	3.2	2.8	25.8	11.5	5,999
5 or more	67.2	32.8	2.9	3.8	3.9	30.3	16.5	3,320
Criminal justice status								
Not under supervision	83.3%	16.7%	2.0%	1.5%	1.5%	15.3%	5.9%	24,751
Pretrial release	69.6	30.4	2.5	3.8	4.1	27.6	12.9	1,453
Probation	71.3	28.7	3.2	4.1	3.9	26.3	11.4	1,527
Parole	73.0	27.0	2.7	3.7	4.1	24.3	8.8	296
Court appearance history								
No prior arrests	89.4%	10.6%	1.7%	1.0%	0.7%	9.6%	3.1%	12,785
Failure to appear								
None	76.7	23.3	2.4	2.3	2.4	21.4	9.1	15,884
1	67.7	32.3	2.9	3.5	3.4	30.1	14.6	1,726
More than 1	62.5	37.5	3.4	4.2	3.4	35.0	18.5	1,745
Drug abuse								
No known abuse	87.2%	12.8%	2.0%	1.6%	1.4%	11.2%	4.3%	19,260
Drug history	63.7	36.3	2.9	2.9	3.2	34.4	14.9	9,044

Note: Data describe defendants whose pretrial services were terminated during fiscal year 2002. 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. 51.

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

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

Table 3.11. Length of pretrial detention for cases terminated, by form of release or detention, and most serious offense charged, October 1, 2002 - September 30, 2003

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	29.3 days	33.6 days	42.8 days	60.7 days	78.5 days	110.9 days
Violent offenses	38.0 days	43.6 days	50.7 days	44.9 days	140.8 days	157.6 days
Murder ^c	—	—	52.9	—	—	267.3
Negligent manslaughter	...	—	—	...	...	—
Assault	53.9	46.4	58.9	56.3	258.8	172.4
Robbery	34.1	44.1	43.7	35.8	98.4	148.1
Sexual abuse ^c	—	22.1	37.5	—	—	130.7
Kidnaping	62.8	—	—	—	—	139.1
Threats against the President	...	—	—	...	—	206.7
Property offenses	24.7 days	34.6 days	36.5 days	104.3 days	82.2 days	97.0 days
Fraudulent	25.6 days	34.2 days	35.0 days	125.6 days	76.0 days	93.5 days
Embezzlement	34.1	20.8	21.3	0.0	—	97.0
Fraud ^c	26.8	39.1	36.3	140.0	76.8	92.2
Forgery	—	14.5	59.8	—	—	96.0
Counterfeiting	16.0	25.0	34.0	—	79.3	100.4
Other	19.3 days	36.4 days	39.4 days	43.8 days	114.1 days	114.3 days
Burglary	—	17.1	18.5	—	—	112.3
Larceny ^c	18.8	31.9	42.7	52.4	86.0	94.3
Motor vehicle theft	11.9	46.6	51.4	—	—	171.6
Arson and explosives	34.9	87.4	22.8	...	...	152.5
Transportation of stolen property	17.4	23.7	33.8	—	...	47.4
Other property offenses ^c	—	23.7	23.8	—	—	—
Drug offenses	28.6 days	34.0 days	39.5 days	63.8 days	88.2 days	131.2 days
Trafficking	29.2	33.7	39.9	61.6	87.7	130.7
Other drug offenses	20.9	38.2	32.6	114.4	95.9	140.2
Public-order offenses	47.6 days	27.8 days	55.8 days	65.4 days	66.7 days	119.9 days
Regulatory	22.2 days	23.5 days	52.5 days	55.7 days	43.2 days	76.2 days
Other	63.2 days	31.5 days	57.2 days	85.8 days	79.2 days	140.9 days
Tax law violations ^c	5.0	51.6	3.3	—	—	—
Bribery	6.0	2.0	...	—	—	154.5
Perjury, contempt, and intimidation	34.1	22.5	49.5	...	—	87.7
National defense	—	29.0	0.0	0.0	...	220.7
Escape	—	42.4	35.4	—	28.1	57.8
Racketeering and extortion	91.9	48.0	133.6	—	131.4	263.4
Gambling	—	0.0	0.0	...	...	—
Liquor offenses	—	—	4.3	...	...	—
Nonviolent sex offenses	32.9	28.5	28.1	15.8	—	137.3
Obscene material ^c	—	38.0	—	...	...	—
Traffic	2.5	11.6	15.2	0.0	—	22.7
Wildlife	—	2.0	13.0	—	—	...
Environmental	—	0.0	0.0	—	...	...
All other offenses ^c	6.9	6.3	46.3	0.0	—	79.0
Weapon offenses	40.3 days	34.7 days	62.9 days	83.2 days	89.6 days	118.4 days
Immigration offenses	17.0 days	25.4 days	21.6 days	50.5 days	66.5 days	69.0 days

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

^aData describe 71,572 defendants who terminated pretrial services during fiscal year 2002. Data exclude defendants for whom periods of detention could not be determined or were unavailable. For further information, see *Chapter notes*, item 1, p. 51.

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

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

Chapter notes

1) All tables in chapter 3 were created from data in the Pretrial Services Information Act System data base, which is maintained by the Pretrial Services Agency (PSA) within the AOUSC. The data describe pretrial defendants processed by Federal pretrial service agencies within each district. Defendants who received pretrial services through a local, non-Federal agency, such as the District of Columbia, are not included. The data describe 78,060 defendants whose cases commenced and 71,572 defendants who terminated pretrial services during October 1, 2001, through September 30, 2002, and whose cases were filed by complaint, indictment, or information. In these tables, the totals ("all offenses") included records whose offense or other attributes were missing or indeterminable. The percentage distributions were based on non-missing values, and missing values were reported in a separate row or in a footnote.

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

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

The AOUSC citation manual provides probation officers with detailed instructions on how to code drug crimes.

2) In tables 3.1-3.5, 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 3.6 and 3.7, 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.

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	Compendium 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)).