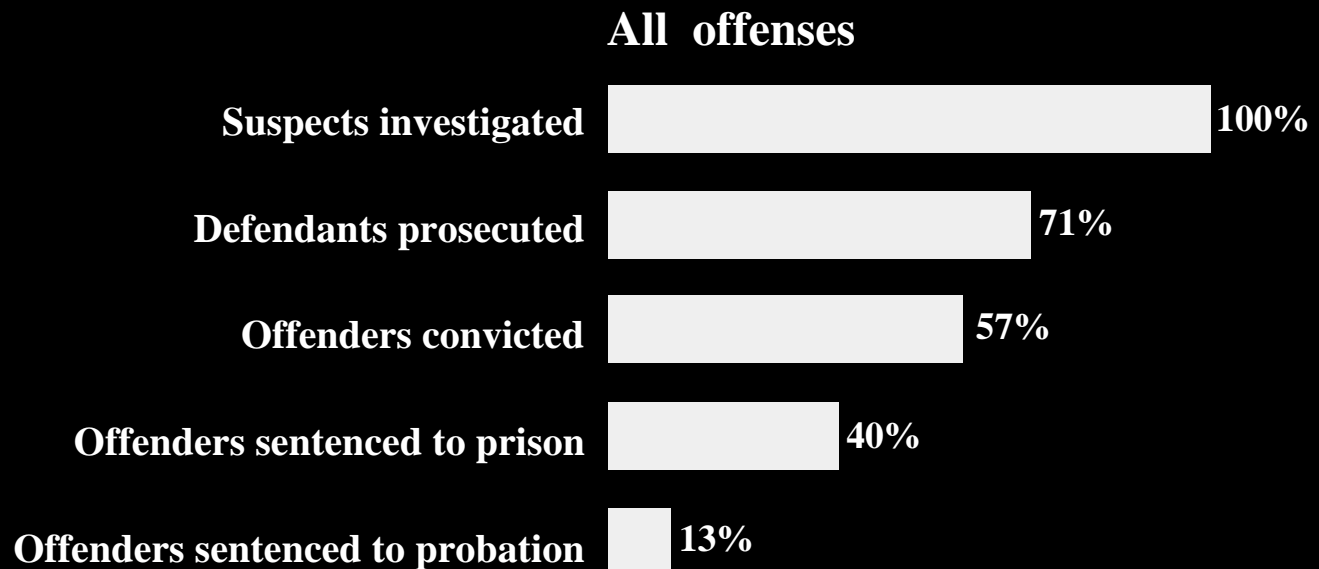




Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1997

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



A Federal Justice Statistics Program Report

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Contents

Highlights, 1

Introduction, 3

Organization of the *Compendium*
Modifications to the 1997 *Compendium*
Notes to reader

System overview, 5

Chapter 1: Prosecution, 9

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

Tables, 15

Chapter notes, 20

Chapter 2: Pretrial release, 21

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, 27

Chapter notes, 36

Chapter 3: Adjudication, 37

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

Tables, 41

Chapter notes, 46

Chapter 4: Sentencing, 47

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

Tables, 53

Chapter notes, 59

Chapter 5: Appeals, 61

Appeals filed

Appeals terminated

Tables, 65

Chapter notes, 70

Chapter 6: Corrections, 71

Supervision

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, 77

Chapter notes, 93

Methodology, 95

The Federal justice database

Table construction and interpretation

Offense classifications

Figure S.2.

Source agencies for *Compendium* data tables

Glossary, 99

Tables

Chapter 1: Prosecution, 15

October 1, 1996 - September 30, 1997

- 1.1. Suspects in matters received by U.S. attorneys, by offense
- 1.2. Disposition of suspects in matters concluded, by offense
- 1.3. Basis for declination of prosecution by U.S. attorneys
- 1.4. Disposition of matters declined for prosecution by U.S. attorneys, by offense
- 1.5. Mean and median processing times from receipt to filing or declination, by offense

Chapter 2: Pretrial release, 27

October 1, 1996 - September 30, 1997

- 2.1. Type of pretrial release, by offense
- 2.2. Type of pretrial release, by defendant characteristics
- 2.3. Form of pretrial detention, by offense
- 2.4. Form of pretrial detention, by defendant characteristics
- 2.5. Pretrial detention hearing outcomes, by offense
- 2.6. Pretrial detention hearing outcomes, by defendant characteristics
- 2.7. Behavior of defendants released prior to trial, by offense
- 2.8. Behavior of defendants released prior to trial, by type of release
- 2.9. Behavior of defendants released prior to trial, by defendant characteristics
- 2.10. Length of pretrial detention, by form of release or detention, and most serious offense charged

Chapter 3: Adjudication, 41

October 1, 1996 - September 30, 1997

- 3.1. Defendants in cases commenced, by offense
- 3.2. Disposition of cases terminated, by offense
- 3.3. Time from filing to disposition of cases terminated
- 3.4. Dispositions by U.S. magistrates
- 3.5. Characteristics of convicted offenders

Chapter 4: Sentencing, 53

October 1, 1996 - September 30, 1997

- 4.1. Sentence types in cases terminated, by offense
- 4.2. Type and length of sentences imposed, by offense
- 4.3. Sentences imposed on convicted offenders, by offense of conviction and method of disposition
- 4.4. Convicted offenders sentenced to incarceration, by offense and offender characteristics
- 4.5. Average incarceration sentence lengths imposed, by offense and offender characteristics
- 4.6. Median incarceration sentence lengths imposed, by offense and offender characteristics

Chapter 5: Appeals, 65

October 1, 1996 - September 30, 1997

- 5.1. Criminal appeals filed, by type of criminal case and offense
- 5.2. Criminal appeals filed and criminal appeals terminated, by offense
- 5.3. Criminal appeals terminated, by type of criminal case and offense
- 5.4. Disposition of criminal appeals terminated on the merits, by offense
- 5.5. Criminal appeals cases terminated on the merits, by nature of offense

Chapter 6: Corrections, 77

October 1, 1996 - September 30, 1997

- 6.1. Federal offenders under supervision, by offense
- 6.2. Characteristics of Federal offenders under supervision, by offense
- 6.3. Outcomes of probation supervision, by offense
- 6.4. Characteristics of offenders terminating probation supervision
- 6.5. Outcomes of supervised release, by offense
- 6.6. Characteristics of offenders terminating supervised release
- 6.7. Outcomes of parole, by offense
- 6.8. Characteristics of offenders terminating parole
- 6.9. Admissions and releases of Federal prisoners, by offense

- 6.10. Characteristics of Federal prison population, by major offense category
- 6.11. Number of first releases from Federal prison, by release method and sentence length
- 6.12. Average time to first release and percent of sentence served, for prisoners released by standard methods
- 6.13. Mean time served to first release, by length of sentence imposed, offense, and type of case, for prisoners released by standard methods
- 6.14. Percent of sentence served to first release, by length of sentence imposed, offense, and type of case, for prisoners released by standard methods
- 6.15. Characteristics of first releases from prison, by offense, all releases
- 6.16. 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, 1996 - September 30, 1997

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

System overview, 5

October 1, 1996 - September 30, 1997

- Figure S.1. System overview, Federal criminal case processing
- Figure S.2. Federal criminal case processing in matters concluded by U.S. attorneys

Chapter 1: Prosecution, 9

October 1, 1996 - September 30, 1997

- Figure 1.1. Suspects in matters concluded: Percentage of suspects that were prosecuted, declined, referred to other authorities for disposition, or disposed by U.S. magistrate
- Figure 1.2. Of suspects in matters declined, percent referred or handled in other prosecutions or settled through alternative resolution

Chapter 2: Pretrial release, 21

October 1, 1996 - September 30, 1997

- Figure 2.1. Percent of defendants released prior to case disposition, by offense category
- Figure 2.2. Percent of defendants released or detained, by offense category
- Figure 2.3. Detention hearings held, by offense category
- Figure 2.4. Pretrial release rates, by defendant characteristics

Chapter 3: Adjudication, 37

October 1, 1996 - September 30, 1997

- Figure 3.1. Disposition of cases terminated
- Figure 3.2. Average time from filing to disposition of cases terminated, by offense

Chapter 4: Sentencing, 47

October 1, 1996 - September 30, 1997

- Figure 4.1. Rates of incarceration and probation for offenders convicted and sentenced in cases that terminated
- Figure 4.2. Incarceration sentence lengths (in months) of offenders convicted and sentenced in cases that terminated
- Figure 4.3. Average sentences imposed on defendants convicted at trial and defendants convicted by guilty plea

Chapter 5: Appeals, 61

October 1, 1996 - September 30, 1997

- Figure 5.1. Types of criminal appeal cases
- Figure 5.2. Appeals cases filed, by type of offense
- Figure 5.3. Disposition of criminal appeals terminated

Chapter 6: Corrections, 71

October 1, 1996 - September 30, 1997

- Figure 6.1. Violation rates of offenders terminating probation, supervised release, or parole, by type of violation
- Figure 6.2. Violation rates of offenders completing probation, supervised release, or parole, by category of offense
- Figure 6.3. Rates of violation of conditions of supervision, by level of education
- Figure 6.4. Mean time to first release (months), by offense
- Figure 6.5. Characteristics of first releasees



Highlights

During 1997 just over 110,000 suspects were investigated by U.S. attorneys for possible violations of the U.S. code, and criminal charges were filed in U.S. district courts against about 70,300 defendants, almost a third of whom were prosecuted for drug offenses.

The majority (87%) of the 64,956 defendants whose cases were terminated in U.S. district courts during 1997 were convicted. Among those convicted, 70% were sentenced to prison for an average of 58.9 months. At the end of 1997, the Federal Bureau of Prisons held more than 98,944 prisoners who had been convicted of a Federal offense, an increase of 7% over 1996. Sixty percent of those held by the Bureau of Prisons were convicted and sentenced for drug offenses.

Prosecution

During 1997 U.S. attorneys initiated criminal investigations of 110,034 suspects, and they concluded their investigations of 99,459 suspects. Thirty-four percent of the suspects were investigated for public-order, 31% for drug, 28% for property, and 7% for violent offenses.

Of the suspects in criminal matters concluded, U.S. attorneys prosecuted 60,383 in U.S. district courts (61% of all suspects in matters concluded) and declined to prosecute 29,069 suspects (29%), while U.S. magistrates disposed of another 10,007 suspects (10%).

Suspects in criminal matters involving drug or violent offenses were slightly more likely to be prosecuted in a U.S. district court (76% and 63%, respectively) than were the suspects involved in public-order or property offenses (54% and 51%, respectively). Suspects involved in property offenses (such as fraud) or regulatory public-order offenses were more likely to be declined for prosecution (43% and 65%, respectively) than were the suspects investigated for drug or violent offenses (18% and 31%, respectively).

Pretrial release

During 1997 about 51% of the 56,041 defendants who terminated pretrial services were released at some time prior to their criminal trial. Defendants charged with property offenses such as embezzlement, fraud, and larceny and those charged with regulatory public-order offenses or tax law violations were more likely to be released prior to trial (between 72% and 95% of these defendants were released) than were defendants charged with violent offenses, drug trafficking, weapons, or immigration offenses (between 11% and 48% of these defendants were released).

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 more criminal history were less likely to be released than those with less criminal history.

Twenty-six percent of the defendants with a prior violent felony conviction were released before trial, while 61% of the defendants with no prior convictions were released. Fifty-four percent of defendants with one prior conviction were released, as compared to 41% of defendants having two to four prior convictions and 29% of defendants having five or more prior convictions.

About 84% of the defendants released prior to trial completed their periods of release without violating the conditions of their release. About 16% of defendants released violated the conditions of their release, and 6% of defendants had their release revoked. Defendants charged with drug and violent offenses were more likely to commit at least one violation of their conditions of release (26% and 18%, respectively) and to have their release revoked (10% and 8%, respectively) than were other defendants.

Adjudication

Criminal charges were filed in U.S. district courts against 69,351 defendants during 1997, about 82% of whom were charged with felonies. Of

the defendants charged with felonies, 41% were prosecuted for drug trafficking offenses, 26% for public-order offenses, 24% for property offenses, and 6% for violent offenses.

Criminal cases were concluded against 64,956 defendants during 1997, 82% of whom had been charged with felonies. Eighty-seven percent (or 56,570) of all defendants were convicted; 84% of these were felony convictions.

Ninety percent of defendants charged with felonies were convicted. This conviction rate was about the same for all major offense categories: 91% of public-order offenders, 90% of violent and property offenders, and 89% of drug offenders. Most felony convictions were obtained by guilty plea (93%).

Drug defendants comprised 42% of felony convictions; both property and public-order defendants comprised 26% of the felony convictions, and defendants charged with violent offenses comprised the remaining 6% of felony convictions.

Sentencing

Of the 56,570 offenders sentenced during 1997, about 70% were incarcerated, another 23% were placed on probation (either alone or with some incarceration), and 6% were ordered to pay a fine.

About 92% of felony drug offenders and 91% of violent felony offenders received prison sentences, as did 81% of felony public-order offenders and 59% of felony property offenders.

The 39,431 offenders sentenced to prison received, on average, 58.9 months of imprisonment, while the 12,801 offenders sentenced to probation received, on average, 33.8 months of probation. Offenders sentenced for violent felony offenses and felony drug offenses received longer average prison terms (85.7 and 80.6 months, respectively) than those convicted of felony property and public-order offenses (24.4 and 47.5 months, respectively).

Average length of sentences imposed, by offense, October 1, 1996 - September 30, 1997

Most serious offense of conviction	Average sentence length
All offenses	58.9 mo
Felonies	61.2
Violent offenses	85.7
Property offenses	24.4
Drug offenses	80.6
Public-order offenses	47.5
Misdemeanors	9.9

21% committed technical violations; and 12% committed new crimes.

A total of 3,859 offenders completed terms of parole during 1997. Of these offenders, 60% successfully completed their terms without violating conditions of release; 23% committed technical violations; and 13% committed new crimes.

Regardless of the type of supervision, violent offenders were less likely than others to successfully complete a term of supervision.

The Federal prison population increased by 6,565 offenders during 1997 to reach 98,944 persons. During 1997, 38,375 prisoners were received by the Bureau of Prisons from U.S. district court commitments. An additional 13,217 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.

During 1997, 31,894 prisoners were released for the first time from Federal prison after commitment by a U.S. district court. Of these, 29,080 were released by standard methods and 2,814 were released by extraordinary means (death, treaty transfer, sentence commutation, or drug treatment). The standard "first releases" served, on average, 28.8 months before their release, or about 91% of the sentence imposed. Drug offenders served an average of 42.5 months before first release, while property offenders served an average of 15.3 months before first release.

Average time to first release, standard releases, by offense, October 1, 1995 - September 30, 1996

Most serious original offense of conviction	Mean time served
All offenses	28.8 mo
Violent offenses	53.8
Property offenses	15.3
Drug offenses	42.5
Public-order offenses	17.9

An additional 13,133 prisoners were released from subsequent commitments to Federal prison.

Drug offenders — who comprised about 42% of persons admitted into Federal prison — comprised the largest percentage of persons in prison (59%) at the end of 1997.

Appeals

During 1997 the U.S. Courts of Appeals received 10,521 criminal appeals. Forty-six percent of the appeals filed challenged both the conviction and sentence imposed. Only 4% of appeals were filed by the Government. Of the 10,466 appeals terminated during 1997, 78% (or 8,178) were terminated on the merits. In 86% of the appeals terminated on the merits, the district court ruling was affirmed, at least in part.

Corrections

At the end of 1997, there were 90,751 offenders under supervision. About 56% were serving terms of supervised release; another 36% were on probation; and 8% were on parole. Drug offenders comprised 52% of offenders under terms of supervised release, 54% of offenders on parole, and 11% of offenders on probation. Property offenders comprised 39% of offenders on probation, 28% of offenders serving terms of supervised release, and 11% of offenders on parole.

A total of 16,748 offenders completed their terms of probation during 1997. Most of these offenders (83%) completed their terms of probation successfully. Ten percent of probationers committed technical violations; 5% committed new crimes.

A total of 17,896 offenders completed terms of supervised release during 1997. Of these offenders, 65% successfully completed their terms without violating conditions of release;

Admissions to Federal Bureau of Prisons, releases, and prisoners at yearend, by offense, October 1, 1995 - September 30, 1996

Most serious offense of conviction	All admissions	All releases	Population at yearend
All offenses	51,592	45,027	98,944
Violent offenses	9.1%	9.6%	11.8%
Property offenses	19.2	21.4	8.2
Drug offenses	41.5	38.9	59.2
Public-order offenses	28.9	29.0	19.4

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 Administrative Office of the U.S. Courts, the Executive Office for the U.S. Attorneys, the Federal Bureau of Prisons, and the 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 located at <http://fjsrc.urban.org>.

Each agency reports on those defendants it processed during a given year in an annual statistical report. These agency reports are often incomparable due to the varying methods the agencies use to report case processing activities. As reported by an inter-agency 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:

- w 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
- w many of the commonly used case processing statistics — suspect/defendant processed, offense committed, disposition, and sentence imposed — are defined differently across agencies.

BJS, through 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. Additionally, 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 1997 *Compendium*, 12th in a series which includes 1984, 1985, 1986, 1988, 1989, 1990, 1992, 1993, 1994, 1995, and 1996 describes defendants processed at each stage of the Federal justice system — investigation and prosecution by the U.S. attorneys (chapter 1), pretrial release or detention (chapter 2), adjudication in the U.S. district courts (chapter 3), sentencing (chapter 4), appeal of the conviction and/or sentence imposed (chapter 5), and corrections (chapter 6) — for the 12-month period ending September 30, 1997 (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, 1996 - September 30, 1997. Generally, the tables include both individual and organizational defendants. Organizational defendants are not included in tables describing pretrial release and detention or tables showing defendants sentenced to incarceration. Juvenile offenders 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. This chapter describes decisions made by Federal prosecutors in screening criminal matters and the characteristics of defendants in cases prosecuted or declined for prosecution.

Chapter 2. This chapter describes the pretrial release and detention practices of the Federal judiciary, including the characteristics of defendants detained or released pending trial.

Chapter 3. This chapter 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 4. This chapter describes the sentences imposed by the Federal judiciary on convicted defendants, including the characteristics of defendants sentenced.

Chapter 5. This chapter describes appeals of criminal convictions and sentences imposed in the Federal courts, including the original offense charged.

Chapter 6. This chapter 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.

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

Glossary. This section 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.

Comparing Case Processing Statistics. This document, prepared by an interagency working group tasked to reconcile differences in Federal criminal case processing statistics, identifies and describes the major differences in the way Federal criminal justice agencies collect, tabulate, and report criminal case processing events.

Modifications to the 1997 Compendium

The corrections chapter (chapter 6) has been substantially reorganized, as some tables were added, and one table was eliminated. Appearing first are two tables describing Federal offenders under supervision; the second of these, displaying characteristics of the federally supervised population, is a new addition. The table showing characteristics of offenders terminating post-incarceration supervision (parole or supervised release) has been divided into two tables: one showing characteristics of offenders terminating supervised release and one showing characteristics of offenders terminating parole.

The table showing supervision outcomes for offenders entering supervision that appeared in previous compendia was deleted. A table showing demographic characteristics of the Federal prison population was added. The incarceration tables were reordered so that the table showing prisoner stocks and flows appears first, followed by the aforementioned new table showing characteristics of the Federal prison population. For the balance of the tables in chapter 6, the order from the previous *Compendium* is retained.

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.

System overview

Federal criminal case processing, 1997

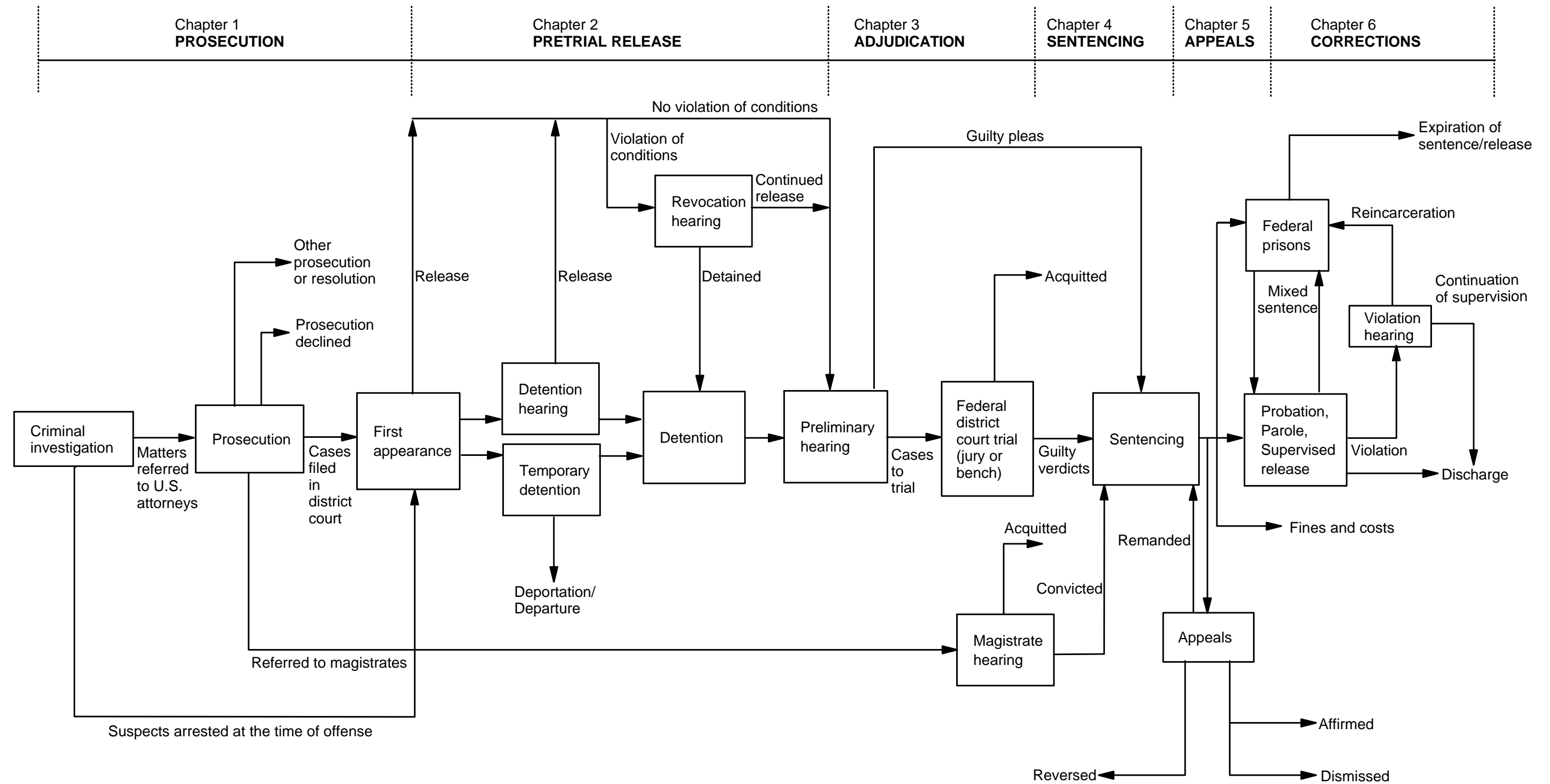
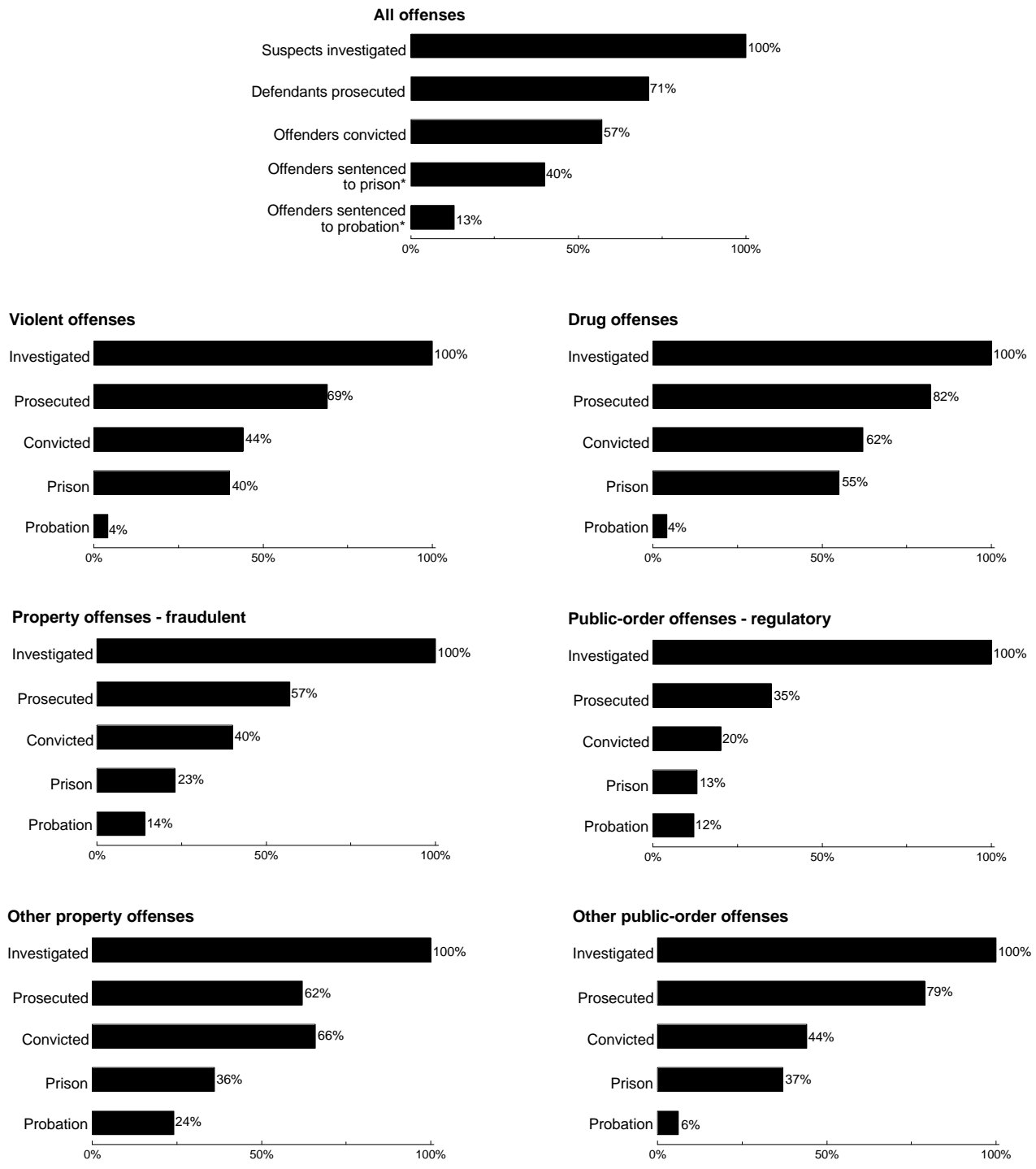


Figure S.1.

**Federal criminal case processing in matters concluded by U.S. attorneys,
October 1, 1996 - September 30, 1997**



Note: See "Figure S.2" in *Methodology*, p. 96-97.

*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.

