

Table 2.3. Basis for declination of prosecution by U.S. attorneys, October 1, 2006-September 30, 2007

Basis for declination	Suspects in criminal matters declined by U.S. attorneys	
	Number	Percent ^a
Total declinations^b	29,232	100 %
No crime	7,528	26.2 %
No true bill returned	23	0.1
No federal offense	1,572	5.5
Lack of criminal intent	5,933	20.6
Referred or handled in other prosecution	5,576	19.4 %
Removed	1,263	4.4
Prosecuted on other charges	891	3.1
Prosecuted by other authorities	3,422	11.9
Alternative resolution	893	3.1 %
Restitution	67	0.2
Civil or administrative alternative	442	1.5
Pretrial diversion	384	1.3
Suspect-related reasons	772	2.7 %
Suspect serving sentence	92	0.3
No known suspect	345	1.2
Suspect a fugitive	85	0.3
Suspect deceased	207	0.7
Suspect deported	43	0.1
Case-related reasons	7,541	26.2 %
Stale case	394	1.4
Weak evidence	6,538	22.7
Statute of limitations exceeded	134	0.5
Jurisdiction or venue problems	237	0.8
Witness problems	238	0.8
All other reasons	6,446	22.4 %
Minimal federal interest	852	3
Petite policy	137	0.5
Lack of resources	1,206	4.2
DOJ policy	252	0.9
U.S. attorney policy	762	2.6
Agency request	2,955	10.3
Juvenile suspect	46	0.2
Offender's health, age, prior record, or other personal circumstances	98	0.3
Suspect's cooperation	138	0.5

^aPercent based on suspects for whom a basis for declination could be determined.

^bIncludes 476 suspects for whom basis for declination could not be determined.

Source: Executive Office for U.S. Attorneys, National LIONS system file.