

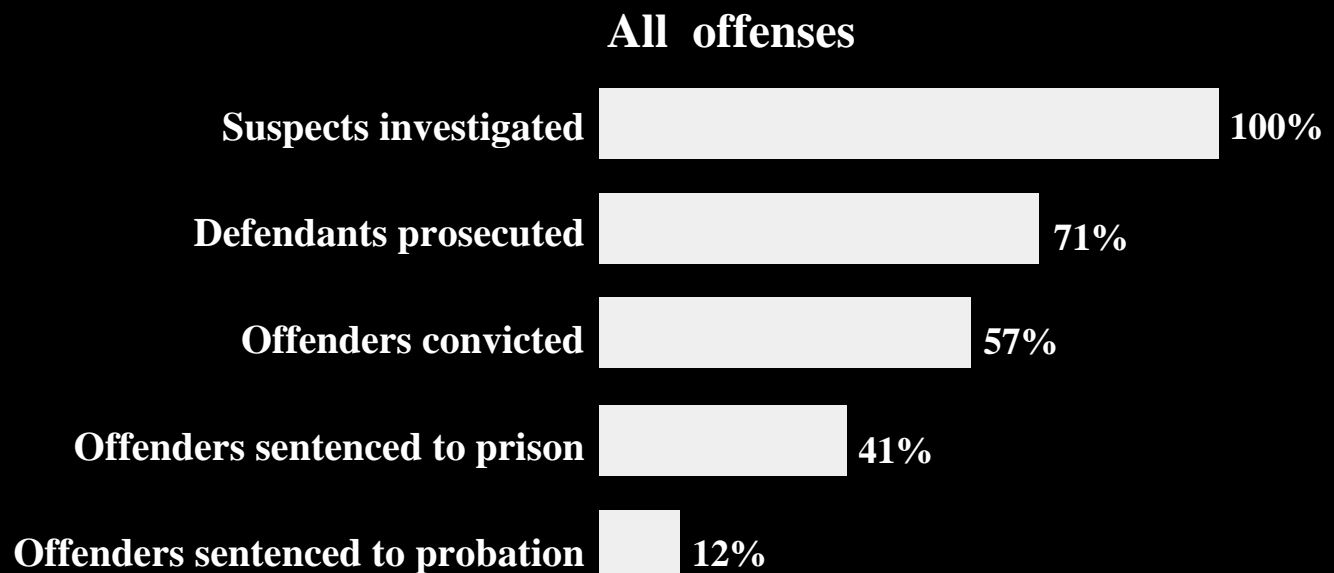


Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1998

Federal criminal case processing in matters concluded by United States attorneys

October 1, 1997, through September 30, 1998



A Federal Justice Statistics Program Report



Compendium of Federal Justice Statistics, 1998

May 2000, NCJ 180258

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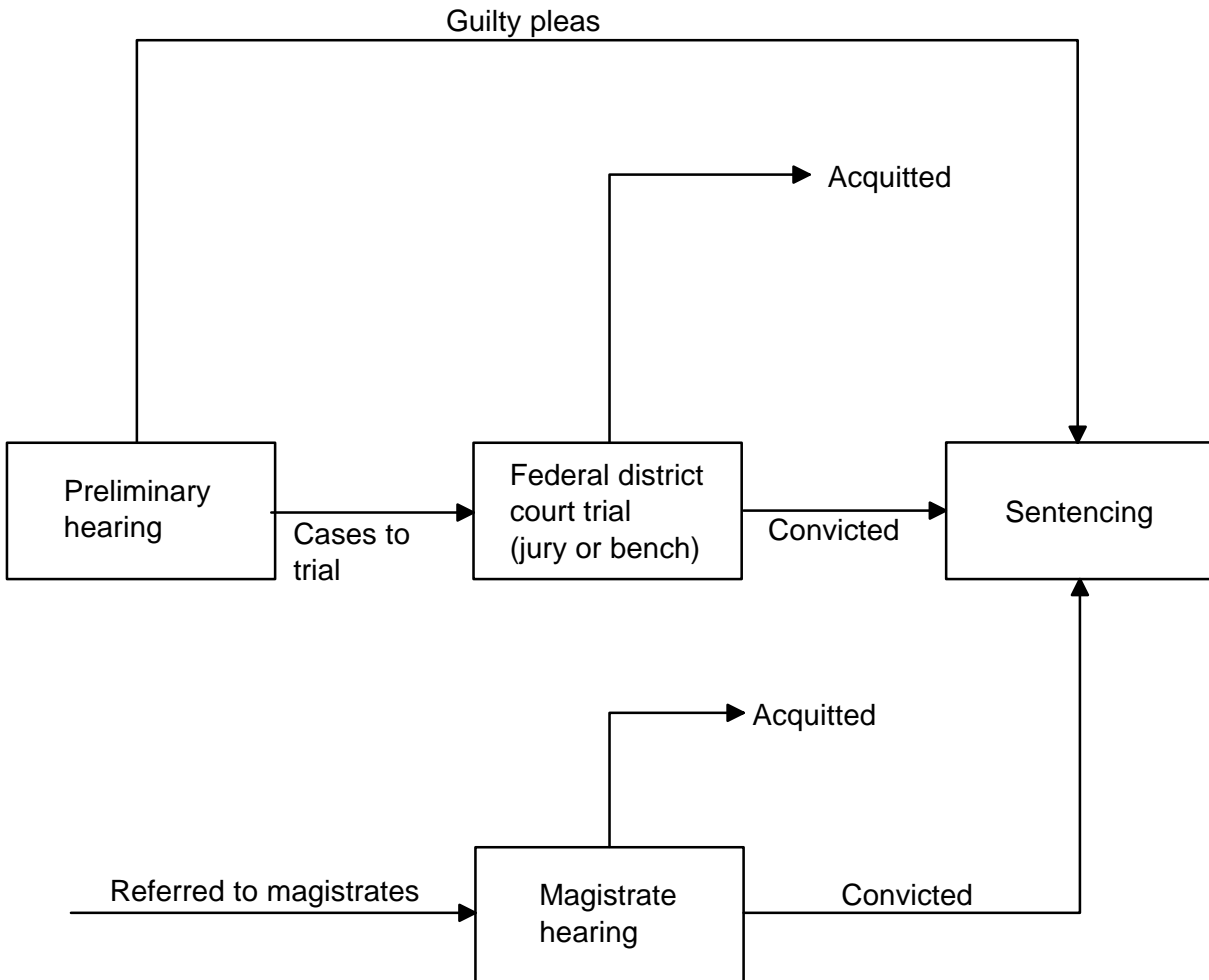
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Chapter 4

Adjudication



Federal criminal cases may result in conviction of the defendant following plea or trial, acquittal of the defendants after trial, or dismissal of the case.¹

Defendants in cases commenced (table 4.1)

During 1998, 78,172 defendants had criminal cases commenced² against them in U.S. district courts, and 64,769 (83%) of those defendants were charged with felonies. The 28,021 felony drug defendants comprised 36% of all criminal defendants in cases filed and 43% of all felony defendants. Felony property and public-order defendants comprised 19% and 23%, respectively, of all defendants in cases filed. The 13,254 misdemeanor defendants constituted 17% of all defendants in cases filed, with 37% of those misdemeanor defendants charged with traffic violations.

Defendants in cases terminated (table 4.2)

Cases were terminated against 69,769 defendants during 1998, 57,054 (82%) of whom were felony defendants. During 1998, the 24,317 drug-related felony defendants comprised nearly 35% of all defendants in cases terminated and 43% of all felony defendants.

Over 87% of all defendants were convicted; 90% of all felony defendants and 75% of misdemeanor defendants. For major felony offense categories, conviction rates hovered around the 90% range. Within major offense categories, however, the conviction rates varied more widely. For example, within the violent offense

category, the conviction rates ranged from 80% for those found guilty of assault, to 96% for robbery. Within the public-order category, the conviction rate ranged from 66% for civil rights violations to 95% for immigration and gambling offenses.

Most defendants who were convicted pleaded guilty. Overall, over 93% of those convicted pleaded guilty, while only 6% were convicted at trial. For felony offenses, 94% pleaded guilty to their charges. For the major felony offense categories, guilty pleas were registered for 92% of violent offenders, 93% of drug offenders, and 95% each for public-order and property offenders.

During 1998, 4,882 defendants exercised their right to a trial. A higher percentage of violent offenders went to trial than drug, property, and public-order offenders. Ten percent of violent offenders went to trial as compared with 6% of both property and public-order offenders, and 7% of drug offenders.

Of defendants who exercised their right to a trial, 3,692 (76%) were convicted either by a jury or a bench trial. The felony trial conviction rate was 83%, while the misdemeanor conviction rate was 50%. Among felony offenses, trial conviction rates ranged from 79% for violent defendants to 86% for drug defendants. Property and public-order offenders fell in between, as 80% were convicted at trial for each respectively.

Case processing times (table 4.3)

The data in table 4.3 cover the interval from the time a case is filed in U.S. district court through sentencing for those convicted as well as the interval from case filing through disposition for those not convicted, or those whose cases are dismissed. Title I of the Speedy Trial Act of 1974, as amended, sets time requirements for processing criminal cases in Federal courts. Except for certain exclusions, indictment must occur within 30 days of arrest; defendants are guaranteed at least 30 days to prepare for trial; and the Government must be ready for trial within 70 days. The Speedy Trial Act does not specify a time interval from trial to sentencing,³ and the time limits set by the Act exclude several enumerated periods of pretrial procedure such as time spent awaiting rulings on motions.⁴ Additionally, defendants may waive their rights within the Speedy Trial Act. As a result, the actual processing time for most defendants can be longer than the statutory limits without violating the provisions of the Act.

Overall, the average time for processing defendants was 8.7 months (figure 4.1). For felony defendants, the overall processing time average was 9.7 months; for those charged



Figure 4.1. Disposition of cases terminating during October 1, 1997 - September 30, 1998

¹Unless otherwise noted, data describe felony and misdemeanor cases in U.S. district courts and include Class A misdemeanors handled by U.S. magistrates. The data also include Class B misdemeanors that are handled by U.S. district court judges, which occur infrequently.

²Cases are commenced on or after the date that charges are filed against defendants.

³The sentencing reform Act of 1984 specifies minimum intervals for the disclosure and objections to the presentence report. See rule 31, Federal Rules of Criminal Procedure)

⁴18 U.S.C. 3161 et. seq.

with misdemeanor crimes, the average processing time was 3.9 months. Defendants who pleaded guilty were processed faster (7.9 months) on average, than defendants who went to trial (11.6 months). Overall, defendants whose cases were ultimately dismissed took longest to process (12.7 months), on average. Among major felony offense categories, however, case processing times were not similar to the overall pattern. Only those convicted of drug offenses took a greater amount of time for dismissal, on average, than those who went to trial.

Convictions by U.S. Magistrates (table 4.4)

During 1998 U.S. magistrates disposed of 11,685 misdemeanor criminal defendants, almost 75% of whom were convicted. Traffic violators comprised 42% of the defendants disposed by U.S. magistrates, with property offenders comprising another 32%. Drug offenses comprised almost 10% of U.S. magistrates' cases.

Characteristics of convicted defendants (table 4.5)

Among defendants convicted, there were over 5 times as many men as women (85% versus 15%); over twice as many whites as blacks (67% versus 28%); and almost twice as many non-Hispanics as Hispanics (63% versus 37%). Most were U.S. citizens (67%), had graduated from high school or completed some higher education (57%), and had some criminal history (54%). Persons over the age of 30 represented 55% of defendants.

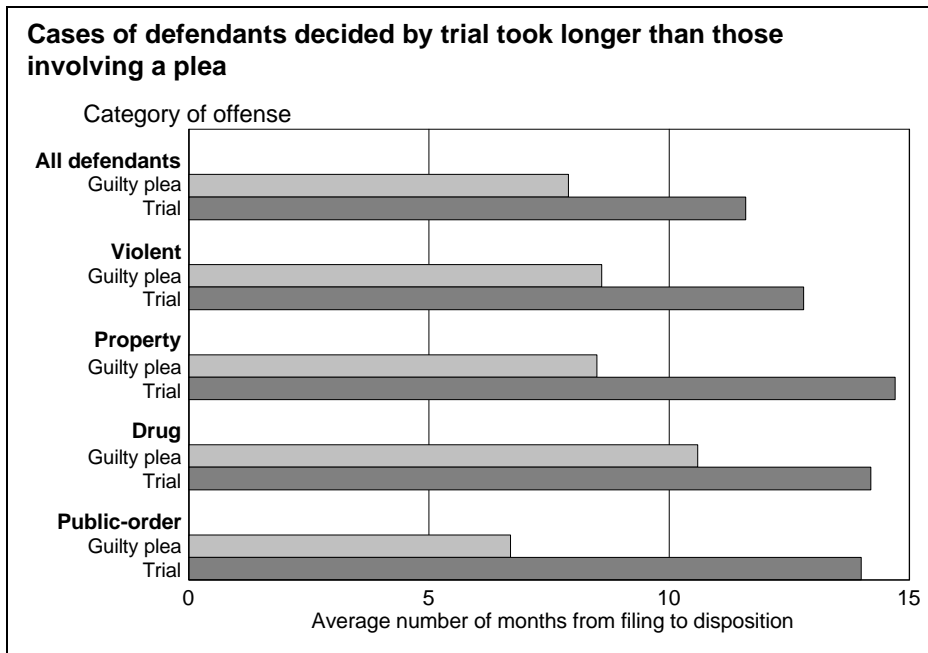


Figure 4.2. Average time from filing to disposition of cases terminating during October 1, 1997 - September 30, 1998, by offense

Table 4.1. Defendants in cases commenced, by offense, October 1, 1997 - September 30, 1998

Most serious offense charged	Defendants in cases commenced during 1998	
	Number	Percent ^a
All offenses	78,172	100%
Felonies	64,769	82.9%
Violent offenses	3,763	4.8%
Murder ^b	469	0.6
Negligent manslaughter	2	—
Assault	428	0.5
Robbery	1,839	2.4
Rape	291	0.4
Other sex offenses ^b	465	0.6
Kidnaping	241	0.3
Threats against the President	28	—
Property offenses	14,955	19.1%
Fraudulent	12,401	15.9%
Embezzlement	1,144	1.5
Fraud ^b	9,463	12.1
Forgery	186	0.2
Counterfeiting	1,608	2.1
Other	2,554	3.3%
Burglary	93	0.1
Larceny ^b	1,563	2.0
Motor vehicle theft	165	0.2
Arson and explosives	268	0.3
Transportation of stolen property	402	0.5
Other property offenses ^b	63	0.1
Drug offenses	28,021	35.8%
Trafficking	26,318	33.7
Possession and other drug offenses	1,703	2.2
Public-order offenses	18,030	23.1%
Regulatory	1,359	1.7%
Agriculture	128	0.2
Antitrust	36	—
Food and drug	37	—
Transportation	119	0.2
Civil rights	140	0.2
Communications	32	—
Custom laws	132	0.2
Postal laws	39	—
Other regulatory offenses	696	0.9
Other	16,671	21.3%
Weapons	4,287	5.5
Immigration offenses	9,254	11.8
Tax law violations ^b	673	0.9
Bribery	224	0.3
Perjury, contempt, and intimidation	392	0.5
National defense	67	0.1
Escape	520	0.7
Racketeering and extortion	1,186	1.5
Gambling	24	—
Obscene material ^b	7	—
Migratory birds	1	—
All other felonies ^b	36	—
Misdemeanors^b	13,254	17.0%
Fraudulent property offense	1,862	2.4
Larceny	2,061	2.6
Drug possession ^b	1,428	1.8
Immigration	705	0.9
Traffic offenses	4,948	6.3
Other misdemeanors	2,250	2.9
Unknown or indeterminable offense	149	

Note: For further information, see *Chapter notes*, item 1, p. 58.

—Less than .05%.

^aPercent distribution based on defendants whose categories could be determined.

^bIn this table, "Murder" includes nonnegligent manslaughter; "Other sex offenses" may include some non-violent offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other

property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 4.2. Disposition of cases terminating from October 1, 1997 - September 30, 1998, by offense

Most serious offense charged	Total defendants	Percent of all defendants convicted	Number of defendants in cases terminating during 1998 who were—									
			Convicted					Not convicted				
			Total	Guilty plea	Nolo contendere	Trial		Total	Dismissed	Trial		
			Jury	Non-jury			Jury ^a	Non-jury				
All offenses	69,769	87.4%	60,958	56,896	370	3,069	623	8,811	7,621	556	634	
Felonies	57,054	90.1%	51,388	48,194	38	3,019	137	5,666	5,014	542	110	
Violent offenses	3,470	90.3%	3,134	2,868	3	245	18	336	267	65	4	
Murder ^b	442	84.2	372	317	0	53	2	70	53	17	0	
Negligent manslaughter	1	—	0	0	0	0	0	1	1	0	0	
Assault	354	79.7	282	250	0	27	5	72	51	19	2	
Robbery	1,795	95.5	1,715	1,614	2	90	9	80	68	11	1	
Rape	273	85.0	232	207	1	23	1	41	30	11	0	
Other sex offenses ^b	409	90.0	368	346	0	21	1	41	36	5	0	
Kidnaping	169	82.8	140	109	0	31	0	29	27	2	0	
Threats against the President	27	92.6	25	25	0	0	0	2	1	0	1	
Property offenses	13,493	90.0%	12,144	11,480	19	624	21	1,349	1,192	117	40	
Fraudulent	10,965	90.0%	9,866	9,380	17	451	18	1,099	978	90	31	
Embezzlement	1,093	91.6	1,001	969	0	30	2	92	83	5	4	
Fraud ^b	8,218	89.5	7,357	6,953	15	376	13	861	759	77	25	
Forgery	196	83.2	163	159	0	4	0	33	33	0	0	
Counterfeiting	1,458	92.2	1,345	1,299	2	41	3	113	103	8	2	
Other	2,528	90.1%	2,278	2,100	2	173	3	250	214	27	9	
Burglary	100	90.0	90	88	0	2	0	10	9	1	0	
Larceny ^b	1,515	91.1	1,380	1,310	1	68	1	135	120	9	6	
Motor vehicle theft	174	88.5	154	134	0	20	0	20	18	2	0	
Arson and explosives	296	87.2	258	210	0	48	0	38	29	7	2	
Transportation of stolen property	377	90.5	341	317	0	22	2	36	30	5	1	
Other property offenses ^b	66	83.3	55	41	1	13	0	11	8	3	0	
Drug offenses	24,317	89.5%	21,754	20,230	8	1,461	55	2,563	2,313	210	40	
Trafficking	22,952	89.4	20,508	19,073	8	1,377	50	2,444	2,210	197	37	
Possession and other drug offenses	1,365	91.3	1,246	1,157	0	84	5	119	103	13	3	
Public-order offenses	15,774	91.0%	14,356	13,616	8	689	43	1,418	1,242	150	26	
Regulatory	1,104	84.9%	937	874	1	61	1	167	145	21	1	
Agriculture	71	77.5	55	55	0	0	0	16	16	0	0	
Antitrust	31	93.5	29	25	0	4	0	2	2	0	0	
Food and drug	23	91.3	21	19	1	1	0	2	2	0	0	
Transportation	121	90.1	109	96	0	13	0	12	10	2	0	
Civil rights	84	65.5	55	42	0	13	0	29	22	7	0	
Communications	35	91.4	32	31	0	1	0	3	2	0	1	
Custom laws	112	82.1	92	90	0	2	0	20	19	1	0	
Postal laws	36	72.2	26	26	0	0	0	10	7	3	0	
Other regulatory offenses	591	87.6	518	490	0	27	1	73	65	8	0	
Other	14,670	91.5%	13,419	12,742	7	628	42	1,251	1,097	129	25	
Weapons	3,901	87.5	3,413	3,047	1	347	18	488	405	72	11	
Immigration offenses	7,863	94.7	7,445	7,378	1	55	11	418	405	8	5	
Tax law violations ^b	732	94.1	689	638	3	46	2	43	37	4	2	
Bribery	225	85.8	193	182	0	11	0	32	17	14	1	
Perjury, contempt, and intimidation	282	85.8	242	199	0	39	4	40	27	12	1	
National defense	64	78.1	50	42	1	7	0	14	13	1	0	
Escape	506	81.4	412	396	0	13	3	94	90	3	1	
Racketeering and extortion	1,004	89.0	894	789	0	104	1	110	93	14	3	
Gambling	39	94.9	37	33	0	4	0	2	2	0	0	
Obscene material ^b	11	72.7	8	8	0	0	0	3	3	0	0	
Migratory birds	4	—	4	4	0	0	0	0	0	0	0	
All other felonies ^b	39	82.1	32	26	1	2	3	7	5	1	1	
Misdemeanors^b	12,611	75.2%	9,484	8,619	332	47	486	3,127	2,591	13	523	
Fraudulent property offense	1,755	94.6	1,660	1,640	14	4	2	95	92	0	3	
Larceny	1,917	63.8	1,224	1,131	46	8	39	693	665	0	28	
Drug possession ^b	1,183	75.6	894	871	5	2	16	289	280	2	7	
Immigration	671	94.9	637	634	0	1	2	34	34	0	0	
Traffic offenses	4,939	70.9	3,500	3,025	227	7	241	1,439	1,003	0	436	
Other misdemeanors	2,146	73.1	1,569	1,318	40	25	186	577	517	11	49	
Unknown or indeterminable offense	104	82.7%	86	83	0	3	0	18	16	1	1	

Note: For further information, see *Chapter notes*, item 1, p. 58.

—Too few cases to obtain statistically reliable data.

^aIncludes mistrials.

^bIn this table, "Murder" includes nonnegligent manslaughter; "Other sex offenses" may include some nonviolent offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property

offenses" excludes fraudulent property offenses, and includes destruction of property and trespass; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 4.3. Time from filing to disposition of cases terminating from October 1, 1997 - September 30, 1998

Most serious offense charged	Average time from filing to disposition for defendants in cases resulting in—			
	All outcomes	Dismissal ^a	Guilty plea	Trial ^b
All offenses	8.7 mo	12.7 mo	7.9 mo	11.6 mo
Felonies	9.7 mo	14.8 mo	8.9 mo	14.1 mo
Violent offenses	9.1 mo	10.0 mo	8.6 mo	12.8 mo
Murder ^c	11.6	11.5	10.7	15.5
Negligent manslaughter	—	—
Assault	7.8	7.8	7.6	8.7
Robbery	8.0	9.2	7.7	12.3
Rape	9.2	13.9	8.4	10.2
Other sex offenses ^c	9.6	10.5	9.3	11.9
Kidnaping	15.0	8.9	15.3	19.1
Threats against the President	7.7	—	8.0	—
Property offenses	9.4 mo	14.0 mo	8.5 mo	14.7 mo
Fraudulent	9.2 mo	13.1 mo	8.5 mo	15.0 mo
Embezzlement	7.2	9.7	6.5	17.5
Fraud ^c	9.7	13.6	8.9	15.3
Forgery	11.3	28.2	8.0	—
Counterfeiting	7.5	7.3	7.4	10.0
Other	10.0 mo	18.3 mo	8.8 mo	13.9 mo
Burglary	8.0	—	6.9	—
Larceny ^c	8.6	13.8	7.9	11.8
Motor vehicle theft	11.9	25.7	9.9	13.7
Arson and explosives	13.1	23.4	10.9	16.1
Transportation of stolen property	13.7	30.6	11.6	19.3
Other property offenses ^c	6.5	—	6.0	8.2
Drug offenses	11.4 mo	16.9 mo	10.6 mo	14.2 mo
Trafficking	11.5	17.1	10.6	14.4
Possession and other drug offenses	10.0	13.8	9.5	12.1
Public-order offenses	7.6 mo	12.7 mo	6.7 mo	14.0 mo
Regulatory	10.7 mo	17.1 mo	9.2 mo	16.2 mo
Agriculture	9.9	8.3	10.4	...
Antitrust	10.9	—	5.4	—
Food and drug	9.9	—	9.2	—
Transportation	10.5	17.6	7.7	24.0
Civil rights	11.3	5.6	13.7	12.6
Communications	6.9	—	6.9	—
Custom laws	10.5	27.3	7.9	—
Postal laws	9.2	—	11.3	—
Other regulatory offenses	11.1	21.8	9.4	16.0
Other	7.3 mo	12.1 mo	6.5 mo	13.7 mo
Weapons	10.1	12.9	9.4	12.7
Immigration offenses	3.9	6.3	3.7	11.2
Tax law violations ^c	10.2	17.0	9.6	12.1
Bribery	10.5	21.9	9.1	12.8
Perjury, contempt, and intimidation	12.2	10.2	11.3	16.2
National defense	17.2	31.6	11.3	—
Escape	14.8	26.8	12.4	17.4
Racketeering and extortion	14.9	17.1	14.2	18.0
Gambling	14.7	—	15.4	—
Obscene material ^c	19.3	—	—	...
Migratory birds	—	...	—	...
All other felonies ^c	6.1	—	6.5	—
Misdemeanors^c	3.9 mo	8.7 mo	2.6 mo	2.8 mo
Fraudulent property offense	2.3	7.0	2.0	—
Larceny	4.3	6.0	3.4	4.1
Drug possession ^c	5.0	8.4	3.9	5.1
Immigration	1.1	11.3	0.5	—
Traffic offenses	3.7	12.3	1.7	0.5
Other misdemeanors	5.3	5.4	4.8	7.9
Unknown or indeterminable offense	5.9 mo	7.4 mo	5.6 mo	—

Note: Interval from filing to disposition includes periods which may be excluded under the Speedy Trial Act of 1974 (18 U.S.C. §3161, et seq.). See *Chapter notes*, item 1, p. 58.

—Too few cases to obtain statistically reliable data.

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

^aIncludes nolle prosequi, deferred prosecution, Narcotics Addicts Rehabilitation Act (NARA) Titles I and II, and all dismissals.

^bIncludes mistrials.

^cIn this table, "Murder" includes nonnegligent manslaughter; "Other sex

offenses" may include some nonviolent offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

Table 4.4. Dispositions by U.S. magistrates, October 1, 1997 - September 30, 1998

Most serious offense charged	Defendants in criminal cases concluded by U.S. magistrates			
	Total	Convicted	Not convicted	Percent convicted
All offenses^a	11,685	8,728	2,957	74.7%
Violent offenses^b	245	174	71	71.0%
Murder ^c	11	8	3	72.7
Assault	206	149	57	72.3
Robbery	5	1	4	—
Rape	11	7	4	63.6
Other sex offenses ^c	12	9	3	75.0
Property offenses	3,753	2,907	846	77.5%
Fraudulent	1,741	1,659	82	95.3%
Embezzlement	224	203	21	90.6
Fraud ^c	1,413	1,357	56	96.0
Forgery	97	93	4	95.9
Counterfeiting	7	6	1	—
Other	2,012	1,248	764	62.0%
Burglary	4	1	3	—
Larceny ^c	1,836	1,169	667	63.7
Motor vehicle theft	1	1	0	—
Arson and explosives	7	7	0	—
Other property offenses ^c	164	70	94	42.7
Drug offenses	1,149	870	279	75.7%
Trafficking	1,079	812	267	75.3
Possession	66	54	12	81.8
Other drug offenses	4	4	0	—
Public-order offenses	6,533	4,773	1,760	73.1%
Regulatory	505	399	106	79.0%
Agriculture	101	80	21	79.2
Fair labor standards	15	13	2	86.7
Food and drug	17	16	1	94.1
Motor carrier	2	2	0	—
Other regulatory offenses	370	288	82	77.8
Other	6,028	4,374	1,654	72.6%
Weapons	85	47	38	55.3
Immigration offenses	498	434	64	87.1
Tax law violations ^c	93	90	3	96.8
Bribery	10	9	1	—
National defense	8	6	2	—
Escape	55	43	12	78.2
Racketeering and extortion	2	2	0	—
Gambling	2	2	0	—
Liquor offenses	2	1	1	—
Conspiracy, aiding and abetting, traffic, and jurisdictional offenses	4,881	3,478	1,403	71.3
Migratory birds	12	11	1	91.7
All other offenses ^c	380	251	129	66.1
Missing or indeterminable offense	5	4	1	—

Note: Data in this table are not directly comparable to data in the 1993 and prior compendia; see *Chapter notes*, item 1, p. 58.

—Too few cases to obtain statistically reliable data.

^aIncludes suspects for whom offense category could not be determined.

^bMay include some nonviolent offenses.

^cIn this table, "Murder" includes nonnegligent manslaughter; "Other sex

offenses" may include some nonviolent offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass; "Tax law violations" includes tax fraud; and "All other offenses" includes offenses with unclassifiable offense type.

Table 4.5. Characteristics of convicted offenders, October 1, 1997 - September 30, 1998

Offender characteristic	Total number of convicted offenders	Percent of convicted offenders								
		All offenses ^a	Violent offenses	Felonies			Drug offenses	Public-order offenses		Misdemeanors
				Fraudulent	Other	Regulatory		Other		
All offenders^b	60,958	60,958	3,134	9,866	2,278	21,754	937	13,419	9,484	
Male/female										
Male	44,900	84.7%	93.5%	73.8%	76.7%	86.5%	74.9%	94.2%	74.8%	
Female	8,082	15.3	6.5	26.2	23.3	13.5	25.1	5.8	25.2	
Race										
White	34,781	67.0%	52.0%	64.5%	65.9%	63.3%	75.6%	78.3%	64.6%	
Black	14,389	27.7	30.2	28.9	27.9	34.3	17.3	17.7	25.2	
Other	2,774	5.3	17.9	6.7	6.2	2.4	7.1	4.0	10.3	
Ethnicity										
Hispanic	19,450	36.9%	8.4%	14.1%	7.9%	42.0%	32.7%	58.6%	31.9%	
Non-Hispanic	33,213	63.1	91.6	85.9	92.1	58.0	67.3	41.4	68.1	
Age										
16-18 years	458	0.9%	1.8%	0.2%	0.9%	0.8%	0.3%	0.9%	2.5%	
19-20 years	2,528	5.0	8.0	2.4	4.9	4.9	3.1	4.9	9.5	
21-30 years	19,663	38.7	36.6	28.8	31.1	43.6	29.9	41.1	36.5	
31-40 years	15,385	30.3	31.5	31.4	30.4	30.4	28.8	30.3	26.7	
Over 40 years	12,810	25.2	22.0	37.2	32.6	20.4	38.0	22.8	24.8	
Citizenship										
U.S. citizen	35,121	67.4%	94.5%	83.4%	91.4%	69.1%	72.7%	42.9%	66.7%	
Not U.S. citizen	16,993	32.6	5.5	16.6	8.6	30.9	27.3	57.1	33.3	
Education										
Less than high school graduate	21,045	43.3%	35.4%	22.0%	30.0%	49.9%	32.4%	59.4%	29.6%	
High school graduate	14,903	30.7	38.0	30.8	36.9	31.7	29.7	23.5	37.6	
Some college	9,098	18.7	20.0	31.1	23.2	15.3	24.2	11.5	23.0	
College graduate	3,536	7.3	6.5	16.1	9.9	3.1	13.8	5.6	9.9	
Criminal record										
No convictions	23,579	46.0%	35.0%	57.9%	47.6%	46.3%	70.4%	29.3%	66.0%	
Prior adult convictions ^c	27,652	54.0	65.0	42.1	52.4	53.7	29.6	70.7	34.0	

Note: Offender characteristics are not comparable with the 1993 and prior compendia; see *Chapter notes*, item 2, p. 58. Offenders are classified by the most serious offense charged.

^aIncludes defendants for whom offense categories could not be determined.

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

^cSee *Chapter notes*, item 3, p. 58.

Chapter notes

- 1) Tables 4.1-4.4 were derived from the Administrative Office of U.S. Courts (AOUSC) criminal master data files. Only records with cases filed in U.S. district court (table 4.1) or cases that terminated in U.S. district court during October 1, 1997, through September 30, 1998, were selected. Offenses were classified according to the most serious offense charged. In the case of multiple offenses, the offense carrying the most severe potential penalty was selected.

In this *Compendium*, carjacking of offenses are classified as robberies, based on title and section of the U.S. Code. In compendia prior to the 1997 *Compendium*, they were classified as motor vehicle thefts, based on the AOUSC offense classifications.
- 2) Table 4.5 was created by matching the AOUSC master data files with the U.S. Sentencing Commission (USSC) monitoring system files and the Pretrial Services Agency (PSA) data files. These latter two data files contain information on the characteristics of defendants. The USSC monitoring system files are limited to records of defendants sentenced under the Federal sentencing guidelines only. These include defendants convicted of felonies or Class A misdemeanors. Excluded from the USSC data were defendants convicted only of Class B or C misdemeanors or infractions, defendants whose offenses were committed before November 1, 1987, and juvenile offenders. Juveniles are not subject to guidelines, and they were not included in table 4.5. Some of the defendants excluded from the USSC data files were included in the PSA data. (See Chapter 3 *Chapter notes* for more information on the PSA data.) Table 4.5 indicates the number of records for which relevant data were available. Percentage distributions were based on records with known values of defendant characteristics and offenses.
- 3) A criminal record, as reported in table 4.5, is limited to prior adult convictions. For some defendants in this table, it is further limited to the portion that is relevant for calculating sentences under the Federal sentencing guidelines. In general, this is limited to sentences imposed within a 15-year period prior to the current offense and offenses committed within the United States. For most defendants, the criminal history used to calculate sentencing guideline ranges includes their entire adult criminal history.