



**Bureau of Justice Statistics**

# **Reconciling Federal Criminal Case Processing Statistics**

**A Federal Justice Statistics Program  
Methodology Report**



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**A Federal Criminal Justice Statistics Program  
Methodology Report**

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**U.S. Department of Justice**  
Bureau of Justice Statistics

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This report is the product of the extensive work and analysis of the Interagency Working Group on Federal Criminal Case Processing Statistics. The Working Group was convened in 1995 at the request of the Attorney General to study, identify, and reconcile the differences in official statistics describing the Federal criminal justice system.

The following people have participated in the Working Group: Steven R. Schlesinger, Ph.D., Catherine Whitaker, Ph.D., and Pragati Patrick of the Administrative Office of the U.S. Courts; Louis DeFalaise, Barbara Tone, Eileen Menton, and Vern Bryant of the Executive Office for U.S. Attorneys; Louis Reedt, Elizabeth McGrath, and Susan Katzenelson of the U.S. Sentencing Commission; Julie Samuels and Steven Shandy of the Department of Justice Criminal Division; Gerry Gaes, Ph.D., of the Bureau of Prisons; William Adams, Harvey Meyerson, and Yan Yuan of the Urban Institute, and Jan M. Chaiken, Ph.D. (chair) and Steven K. Smith, Ph.D., of the Bureau of Justice Statistics.

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Federal criminal case processing statistics help to inform and shape Federal criminal justice policy. They reflect the performance of Federal criminal justice agencies, inform debates about law enforcement and sentencing policy, and allocate budgets. Congress uses statistics describing the number of Federal prosecutions to evaluate the Attorney General's law enforcement priorities. The public uses statistics describing the average sentences imposed on Federal offenders to assess Federal sentencing policy. Federal criminal justice agencies routinely use Federal criminal statistics to make plans, develop budget requests, and allocate resources across Federal judicial districts. The Bureau of Prisons uses data describing the flow of offenders through the Federal criminal justice process to develop forecasts of the Federal prison population.

Federal criminal statistics are reported annually by four agencies:

- the Executive Office for U.S. Attorneys
- the Administrative Office of the U.S. Courts
- the U.S. Sentencing Commission
- the Federal Bureau of Prisons.

These agencies, however, often report different numbers of offenders. For example, during 1997 the U.S. attorneys reported that 45,375 defendants were convicted and sentenced while the Federal judiciary reported 55,648 and the U.S. Sentencing Commission reported 48,681. For policymakers, this lack of convergence among seemingly similar statistics reported by these four Federal agencies can be problematic.

At the request of the Attorney General, during 1995, the Executive Office for United States Attorneys, the Administrative Office of United States Courts, the United States Sentencing Commission, the Federal Bureau of Prisons, and the Bureau of Justice Statistics convened a working group — the

interagency working group on Federal criminal case processing statistics (hereafter working group) — to study, identify, and reconcile the differences in the reported statistics. This report summarizes the technical work that underlies the Working Group's conclusions.

The working group, chaired by the Bureau of Justice Statistics, identified four goals:

- to identify and statistically reconcile differences in the manner in which the agencies report criminal case processing statistics;
- to develop definitions of commonly used terminology to explain differences in statistical concepts and reports;
- to determine whether commonly collected information can be shared across agencies; and
- to determine whether a unique defendant/case tracking number can be developed and implemented to track individual defendants through the Federal criminal justice process.

In 1996 the working group issued a report, *Comparing Case Processing Statistics*, that described the primary reasons for the differences in the agencies' reported statistics (see *Appendix*). In this report the working group concluded that the differences are attributable to (1) the differing ways the agencies define defendants in key case processing events, (2) the time periods for reported events, (3) the methods used to classify offenses and case types, and (4) the methods used to classify disposition and sentences imposed. Since its publication, each agency has taken steps to incorporate the report, or its conclusions, into its annual statistical report.

While the agencies may report on similar concepts such as the number of cases filed, the number of defendants in cases, and average sentences imposed, the statistics reported differ

for many legitimate reasons such as those related to defining case-processing events, to the scope of events in the criminal justice system covered, and to the periods for which events are reported. Consequently, the working group concluded that it may be impractical for the agencies to adopt common methods for reporting case processing statistics. Further, given the ability of the Bureau of Justice Statistics to reconcile the reported statistics and to present each agency's statistics in their appropriate context, the working group concluded that it was unnecessary for the agencies to adopt a common reporting methodology.

To reconcile the differences in the reported statistics, the working group concluded that the agencies' data must be reanalyzed to take into account the known sources of disparity. The Working Group set in place a procedure to annually reconcile the agencies' official statistics. The Bureau of Justice Statistics, as part of its Federal Justice Statistics Program, assumed responsibility for reconciling several key, commonly used case processing statistics reported by the various agencies. Following the procedures established for its Federal Justice Statistics Program, the Bureau of Justice Statistics would —

- continue to obtain from each agency annual data extracts as well as any additional extracts needed to identify case processing events during the reporting period
- standardize the data in terms of the reporting period and defendants included, the definitions of defendants, the offense categories, and the disposition and any sanctions imposed
- annually publish by the end of June following the end of the Federal fiscal year a report that details these reconciled statistics.

The working group concluded that despite each agency's reporting differences, it is possible for the agencies

to share commonly collected information. Information such as the specific charges filed against the defendant, dates of key events, and disposition is collected in a similar manner. Provided that the agencies were able to electronically share information, this sharing would minimize discrepancies in the agencies' data and could reduce or eliminate redundant collection.

Finally, the working group concluded that a first step in sharing information across agencies would be for the Federal criminal justice agencies — including Federal law enforcement agencies — to adopt an offender/case tracking number. Such a number would be used to positively identify offender/cases and link records of case processing events across agencies. The methods currently used by BJS to link data, while generating relatively high match rates between agencies, have little utility to the agencies and are fraught with difficulties and possible error. By tracking offenders as they are processed rather than after the fact, an offender/case tracking system would make it possible for the agencies to share information as well as ensure complete and timely updates to Federal criminal history records. In addition, an offender/case tracking system would facilitate future efforts to reconcile case processing statistics.

**Federal criminal justice agencies and their statistics**

Each agency reports workload or case-load statistics describing the volume of cases or defendants handled during a given reporting period. Collectively, the statistical reports of four Federal criminal justice agencies describe the processing of defendants through the Federal criminal justice system. The Executive Office for U.S. Attorneys reports on the workload of U.S. Attorney Offices (table 1). The Administrative Office of U.S. Courts describes the caseload of the Federal judiciary. The U.S. Sentencing Commission reports on sentences imposed pursuant to the Federal sen-

**Table 1. Federal criminal justice agencies and primary area(s) of responsibility**

Administrative agency	Operational agencies	Responsibility
Executive Office for United States Attorneys	United States attorneys offices	Investigating suspects and prosecuting defendants in Federal courts
Administrative Office of the United States Courts	U.S. district courts U.S. appellate courts Pretrial services agencies Federal probation service	Adjudicating defendants charged with Federal crimes, adjudicating Federal criminal appeals, administering pretrial services and supervision service for offenders on probation, parole, and supervised release.
U.S. Sentencing Commission	N/A	Promulgating Federal sentencing guidelines
Federal Bureau of Prisons	Federal correctional institutions and metropolitan detention facilities	Housing defendants sentenced to imprisonment and other criminal justice detainees

tencing guidelines. The Federal Bureau of Prisons reports on Federal prisoners under their jurisdiction. Each report describes distinct but overlapping segments of the Federal criminal justice system.

In its report *United States Attorneys: Annual Statistical Report*, the Executive Office for U.S. Attorneys (hereafter, U.S. attorneys) presents a statistical summary of matters and cases handled by the United States Attorneys from the time they are referred to the U.S. attorneys by an investigative agency, such as the FBI, through disposition and appellate action, where applicable. The U.S. attorneys report on "matters" and criminal cases. A matter is a criminal referral to a U.S. attorney. Matters may be declined immediately, investigated further and subsequently declined, prosecuted before a U.S. magistrate, or referred for prosecution before a U.S. district court judge. A case is a matter involving a felony or Class A misdemeanor that has been referred for prosecution before a U.S. district court judge. The scope of the U.S. attorneys' statistical report is limited to felony and Class A misdemeanor offenses filed before a U.S. district court judge. All other matters such as Class B and C misdemeanor offenses and proceedings before U.S. magistrates are excluded from the U.S. attorneys' counts of cases and defendants in cases.

In its report *Judicial Business of the United States Courts: Annual Report of the Director*, the Administrative Office of U.S. Courts' (hereafter, Federal judiciary) presents a statistical summary of the workload of the Federal judiciary (trial and appellate courts), the Federal pretrial services agencies, and the Federal probation agencies. The Federal judiciary's statistical report includes all proceedings commenced by U.S. district court judges and, in the case of Class A misdemeanors, by U.S. magistrates.

In its report the *Sourcebook of Federal Sentencing Statistics* (formerly *U.S. Sentencing Commission, Annual Report*), the U.S. Sentencing Commission (hereafter, Sentencing Commission) presents statistics describing characteristics of defendants sentenced pursuant to the Federal sentencing guidelines and the application of the guidelines.

In its reports of "Key Indicators," the Federal Bureau of Prisons reports on offenders committed to its custody: those awaiting trial or sentencing, those sentenced to a term of imprisonment, Immigration and Naturalization Service detainees, and boarders from the District of Columbia.

**Primary differences in agency reports of Federal criminal statistics**

Each Federal criminal justice agency reports statistics that reflect their handling of criminal cases and defendants. In theory the statistics reported by each agency should be comparable, but in practice the reported statistics differ across agencies. For instance, for fiscal year 1997, the U.S. attorneys' statistical report showed that the 93 U.S. attorneys filed criminal charges in U.S. district court against 58,906 defendants. By contrast, the Federal judiciary's report showed that criminal cases were commenced against 69,437 defendants (table 2). A difference of 10,531 defendants comparing defendants in cases filed by U.S. attorneys and defendants in cases commenced by the Federal judiciary. Similarly, the U.S. attorneys reported that 45,375 defendants were convicted during 1997, while the Federal judiciary reported 55,648 convictions, and the Sentencing Commission reported 48,681.

In general, the primary differences in reported statistics arise from differences in the scope of the agencies' reports and in the way the agencies define key concepts in case processing. For example, because the U.S. attorneys exclude defendants in cases filed before U.S. magistrates from their counts while the Federal judiciary includes them, the U.S. attorneys consistently report fewer defendants than the Federal judiciary. Similarly, because the Federal judiciary reports on all defendants convicted and sentenced while the Sentencing Commission reports on only those sentenced pursuant to the Federal sentencing guidelines, the sentencing commission has consistently reported fewer defendants sentenced than the Federal judiciary. Other factors that contribute to the disparity include differences in the reporting period, in the methods for classifying offenses and reporting dispositions, and in the sentences imposed.

**Table 2. Comparison of the number of defendants processed as reported by Federal criminal justice agencies, for the Federal fiscal year 1997**

Defendants	Executive Office for U.S. Attorneys	Administrative Office of the U.S. Courts	U.S. Sentencing Commission	Federal Bureau of Prisons
Cases filed/commenced	58,906	69,437	--	--
Cases terminated	51,492	63,148	--	--
Convicted and sentenced	45,375	55,648	48,681	--
Imprisoned	34,044	43,791	38,388	38,293

**Table 3. Scope of coverage of agency statistical reports**

Universe	Executive Office for U.S. Attorneys	Administrative Office of the U.S. Courts	U.S. Sentencing Commission	Federal Bureau of Prisons
<b>Suspects</b>				
Investigated	■			
Declined for prosecution	■			
In matters disposed of by U.S. magistrates and —				
Convicted and sentenced	■	■		■ Imprisoned only
Not convicted	■	■		
<b>Defendants</b>				
In cases filed with U.S. district court judges	■	■		
In cases terminated by U.S. district court judges and —				
Convicted and sentenced	■	■		■ Imprisoned only
Not convicted	■	■		
<b>Offense severity</b>				
Felony	■	■	■	■
Misdemeanor Class A	By U.S. district court judges only	■		■ Imprisoned only
Class B & C		By U.S. district court judges only		Imprisoned only

Note: The Administrative Office of the U.S. Courts reports on Class B and C misdemeanors handled by U.S. magistrate judges in a separate series of tables that are included in their annual report. The U.S. Sentencing Commission reports on only those defendants who were sentenced pursuant to the Federal sentencing guidelines.

*Definitions of case and defendant*

The number of cases and defendants in cases reported by the agencies are based on agency-specific definitions of "case." The definition of case varies according to specific actions taken by the U.S. attorneys and the Federal judiciary and the severity of the offense (table 3).

Both the U.S. attorneys and Federal judiciary report on case initiations and case terminations. While both agencies use the same event(s) to tabulate case terminations (disposition by the court), they differ with regard to case initiations.

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For the U.S. attorneys, a case is initiated when a U.S. attorney files an indictment (or information) before a U.S. district court judge. Proceedings before U.S. magistrates, however, are not considered cases by the U.S. attorneys.

By contrast, for the Federal judiciary, a case is initiated when a U.S. district court judge or magistrate takes an action to initiate or commence proceedings against a defendant. Therefore, while both agencies often use the same terminology to report cases and defendants in cases initiated, the reported statistics are based on different case processing events.

The impact of basing reported statistics on the filing date as opposed to the commencement date can be substantial. During 1996, for instance, about 14% of the 69,700 defendants in cases commenced by the Federal judiciary were filed by the U.S. attorneys at least 1 month prior to commencement. A few (2%) were filed more than a year prior to commencement.

The U.S. attorneys, the Federal judiciary, and the Sentencing Commission — to varying degrees — report on defendants convicted and sentenced in Federal court. While the U.S. attorneys and the Federal judiciary report the sentence imposed on each defendant in each case, the Sentencing Commission reports on the sentence imposed during a sentencing event. Defendants convicted of multiple offenses in multiple cases may have those cases consolidated for sentencing.<sup>1</sup> When two or more cases are consolidated for sentencing, the defendant receives one sentence. During 1997, 2.2% of defendants sentenced were convicted in multiple judicial proceedings but sentenced on one occasion.

<sup>1</sup>See, Fed. R. Crim. P. 20.

Unlike the other agencies, the Federal Bureau of Prisons does not track cases or person/cases (defendants). It tracks the movement of offenders (persons) through the Federal prison system. The Bureau of Prisons' statistics are divorced from the U.S. attorneys' and Federal judiciary's concept of "case."

For example, an offender may be charged in multiple Federal criminal cases concurrently or during a single reporting period. While the U.S. attorneys and the Federal judiciary would count each defendant/case separately, the Bureau of Prisons would count only the person committed to its custody. The Bureau, however, would separately record each sentence imposed.

#### *Reporting and data collection periods*

Each agency uses the Federal fiscal year — the 12-month period ending September 30 — as their official reporting period.<sup>2</sup> Except for the U.S. attorneys, the agencies report on events that occurred during a reporting period. The U.S. attorneys, by contrast, report on events that were posted, or recorded, to their data system during the reporting period.

Because the U.S. attorneys report events posted to their data system, records posted late — the events that occurred during one reporting period but not posted until a later reporting period — can affect reported statistics. Late postings can arise for several reasons: the clerks of courts may not return the indictment to the U.S. attorneys; assistant U.S. attorneys may not complete the paperwork associated with case filings; and efforts to clean up pending cases can cause large increases in the number of records posted during a reporting period; and reporting practices may differ among U.S. attorney offices.

<sup>2</sup>While the Bureau of Prisons produces reports such as its Key Indicators and Monday Morning Highlights for periods covering the Federal fiscal year, the Bureau does not release an annual statistical report of the type released by the other agencies.

As part of a detailed audit of cases processed in four Federal judicial districts (Central California, Southern California, Southern Florida, and Eastern Virginia), the Bureau of Justice Statistics found that nearly a quarter (23.2%) of the records reported by the U.S. attorneys as disposed of during fiscal year 1994 were actually disposed of and reported by the Federal judiciary during fiscal year 1993.

The proportion of records posted late by the U.S. attorneys has been fairly constant over time. Between 1992 and 1996, approximately 6% to 8% of records of defendants in cases filed as reported by the U.S. attorney were posted late. Consequently, the relationship between actual case processing events and events posted has remained relatively stable. For example, during 1992, the U.S. attorneys reported 59,198 defendants in cases filed. A review of 6 years of data by the Bureau of Justice Statistics indicated that 59,070 defendants in cases were actually filed with the Federal judiciary by the U.S. attorneys during 1992. Similar patterns persisted for subsequent years.

Posting lags are not unique to the U.S. attorneys. The Sentencing Commission excludes records of sentencing events that occurred during the reporting period but not received until after the end of its data collection period (approximately 3 months following the end of the reporting period). A relatively small proportion (1% to 2%) of such sentencing events are "reported late" to the Sentencing Commission and excluded from its published statistics.<sup>3</sup>

In addition, because the Sentencing Commission relies on the district courts to submit documentation in hard copy, the Sentencing Commission's reported statistics experience a certain degree of nonreporting by the district courts.

<sup>3</sup>Unlike the U.S. attorneys, the Sentencing Commission does not include these records in reports for subsequent fiscal years or in its public-use datasets.

**Table 4. Categorizing offenses**

	Executive Office for U.S. Attorneys	Administrative Office of the U.S. Courts	U.S. Sentencing Commission	Federal Bureau of Prisons
Number of offense categories	97	254	201	348
Number of categories reported	54	61	41	15
Basis for offense categorization	DOJ law enforcement initiative	Statutory citation Likeness of offenses	Statutory citation Likeness of offenses	Statutory citation Likeness of offenses
Determination of most serious offense	U.S. attorney discretion	Statutory penalties Harm involved <sup>a</sup>	Statutory penalties Harm involved <sup>a</sup>	Sentence imposed Harm involved <sup>a</sup>
Offense category assigned at –	Case-level	Defendant-level <sup>b</sup>	Defendant-level	Defendant-level
Offense reported	Offense investigated	Offense charged Offense adjudicated	Offense of conviction	Offense of conviction

<sup>a</sup>In instances where multiple offenses have the same statutory penalties, the most serious offense is selected according to the particular harm involved – violent, drugs, firearms, property, moral, other.

<sup>b</sup>The Administrative Office reports case-level statistics. The case-level offense is selected using the offense of the first defendant charged in the case.

Beginning in fiscal year 1997, the Sentencing Commission — with the assistance of the Bureau of Justice Statistics — undertook an effort to identify cases for which the district courts failed to submit documentation. The Sentencing Commission identified more than 4,000 cases for which the district courts did not provide court documents during the fiscal year.

#### *Offenses and case type*

A third major source of disparity relates to the methods used to categorize offenses investigated, charged, and/or adjudicated. The Federal code defines hundreds of laws for which persons can be criminally prosecuted. Each agency except for the Bureau of Prisons collects some, if not all, of the statutory offenses for which the defendant was charged and/or adjudicated.

#### *Classifying the case or defendant substantive offense*

The Federal judiciary and Sentencing Commission consolidate and categorize the titles and sections of the criminal code according to likeness of the offenses (table 4). While they generally follow the same method to consolidate and categorize statutory offenses, the categories used are not identical.

The Federal judiciary currently uses 254 offense categories to classify cases and defendants; these offense categories are consolidated into 61 categories for reporting purposes. The offense category is assigned at the defendant level at both commencement and termination of the case. Offenses at commencement represent the offenses charged. By contrast, offenses at termination reflect the offenses for which defendants were adjudicated. The offenses may differ because of additional charges added by the U.S. attorney or the reduction of charges as a result of judicial action or plea or charge bargaining.

Tabulations of cases and defendants commenced use the offense charged; tabulations of cases and defendants terminated and sentenced use the offenses adjudicated. In multidefendant cases, a case-level offense is selected based on the offense of the first defendant charged in a case. Thus, multiple defendants in the same case may appear on different offense lines in reports of the offenses of defendants, and some defendants' offenses will not be used to determine or classify the offense of a case.

The U.S. Sentencing Commission currently uses 201 offense categories; these categories are consolidated into 41 categories for reporting purposes. The Sentencing Commission's cate-

gories are similar to those reported by the judiciary. The offense category is assigned at the defendant-level, and reflects the offense of conviction.

The U.S. attorneys categorize offenses according to Department of Justice and U.S. attorney law enforcement initiatives, in contrast to the other agencies, who categorize offenses more generically. The U.S. attorneys currently use 97 program categories to classify cases and defendants. These program categories are consolidated into 54 categories for reporting purposes. By contrast to the Federal judiciary, program categories are assigned at the case rather than at the defendant level. Consequently, in multidefendant cases, all defendants are assigned the same program category even though their statutory offenses might vary. For example, a case identified as a public corruption case might comprise defendants charged with very different substantive offenses such as embezzlement, soliciting or receiving a gratuity, fraud, and/or tax evasion. In addition, U.S. attorneys do not report separate offenses charged or adjudicated: the program category reported reflects the offense originally investigated by the U.S. attorney.

The Bureau of Prisons does not collect statute-specific offense data. Instead, the offense of conviction is classified



directly into offense categories. For many offenses, however, the Bureau's offense categories closely correspond to a particular statutory offense. For others, the offense categories correspond to an otherwise closely-knit group of offenses. The Bureau's coding scheme contains 348 offense categories. The offense category is assigned at the inmate level and it reflects the offense of conviction.

### Offense hierarchy

For defendants charged with or convicted of more than one offense, the agencies use different methods to identify and report the most significant, or serious, offense. The Federal judiciary and the U.S. Sentencing Commission base the most serious offense on the severity of statutory penalties (imprisonment and fine) associated with the offenses. Defendants charged with multiple violations are classified into a single offense category based on maximum statutory penalties. If two offenses have the same statutory penalties, the most serious offense is chosen by rank-ordering the offenses according to the particular type involved — violent, drugs, firearms, property, moral, and other.<sup>4</sup> For instance, since bank robbery is considered a violent offense, a bank robbery offense with a statutory maximum of 10 years imprisonment would take precedence over a drug offense with the same statutory maximum penalty.

By contrast, the U.S. attorneys' program category is based on an assistant U.S. attorney's assessment of the offenses charged. The program category most accurately describing the overall offense conduct and the law enforcement initiative is selected and used for reporting purposes.

For the Federal Bureau of Prisons, the most serious offense is based on the

<sup>4</sup>In the Federal judiciary's classification of the most serious offense terminated, the hierarchy also includes the method of disposition. This aspect is described in the section *Disposition and Sentence Imposed*.

**Table 5. Drug defendants in criminal cases filed or commenced as reported by the Federal judiciary and U.S. attorneys, 1990-97**

Year	Federal judiciary	U.S. attorneys		
		Total	Drug offenses	Project Triggerlock
1990	22,075	21,937	21,937	--
1991	23,578	23,587	23,587	--
1992	25,033	24,991	22,259	2,732
1993	23,114	22,597	20,953	1,644
1994	21,922	20,399	18,832	1,567
1995	22,929	22,736	21,109	1,627
1996	23,861	22,650	21,525	1,125
1997	25,885	24,356	23,542	814

Notes: Project Triggerlock includes those defendants charged with a weapons offense or another violent offense in conjunction with a drug offense. Project Triggerlock was implemented in April 1992.

Data sources: Executive Office for U.S. Attorneys, *Annual Statistical Report*, annual; Administrative Office of the U.S. Courts, *Judicial Business of the United States Courts*, annual.

offense of conviction carrying the longest sentence imposed by the court.

### Effects on reported statistics: the case of Project Triggerlock

Differences in offense classification methods can affect comparisons of reported statistics across agencies. In addition, changes in a particular agency's classification methods may prevent direct comparisons over time. The use of program categories by the U.S. attorneys substantially affects their case processing statistics.

Prior to 1992, the U.S. attorneys used statutory offense-based categories. During this time, the U.S. attorneys and the Federal judiciary reported approximately equal numbers of drug defendants in cases filed or commenced (table 5). However, beginning in 1992, the U.S. attorneys began to classify defendants according to program categories. At the same time the U.S. attorneys initiated Project Triggerlock.

Project Triggerlock identifies cases in which defendants use a weapon during the commission of a violent or drug offense. Because of the overlap and the U.S. attorney's rules for selecting the most appropriate category, defendants who would have previously been counted as drug defendants were count-

ed as Project Triggerlock defendants under the new system. Consequently, in 1992, the number of drug defendants that U.S. attorneys reported as drug offenders began to diverge from the number reported by the Federal judiciary.

For 1992, the U.S. attorneys reported 22,259 drug defendants while the Federal judiciary reported 25,033. If the Project Triggerlock defendants concurrently charged with a drug offenses had been included, the agencies would have reported more comparable statistics — 24,991 by the U.S. attorneys and 25,033 by the Federal judiciary.

### Disposition and sentence imposed

#### Disposition

Generally, the agencies use similar methods to identify the outcome of the judicial proceeding and the method of adjudication. The categorization of the disposition and the method of adjudication for a defendant follows the same hierarchy across all agencies: conviction takes precedence over acquittal and dismissal; jury trial takes precedence over bench trial; guilty plea takes precedence over nolo contendere.

The agencies vary, however, in their scope of coverage. The U.S. attorneys and the Federal judiciary report on the

disposition of both defendants convicted and not convicted. The Sentencing Commission, on the other hand, reports on only those defendants who were convicted.

In classifying the most serious offense at termination, the Federal judiciary — in addition to considering the hierarchy of the statutory penalties — considers the method of disposition. Offenses resulting in a conviction take precedence over offenses resulting in an acquittal or dismissal. For example, a defendant charged with both a drug trafficking offense (with a statutory maximum penalty of life imprisonment) and a money laundering offense (with a statutory maximum of 20 years imprisonment) would, be classified as a drug defendant in cases filed but a money laundering defendant in cases adjudicated if the defendant was not convicted of the drug offense. By contrast, the U.S. attorneys retain the same program category when tabulating statistics describing cases terminated that was recorded when the matter was initiated.

#### *Sentences imposed*

Each agency records the sentence imposed in a similar manner: the type of sentence imposed (imprisonment, probation, fine and/or restitution), the total months of imprisonment and/or probation imposed, and the total amount of fines and/or restitution to be paid. However, the agencies vary according to the amount of information collected describing the sentence imposed:

- The Federal judiciary collects sentencing information for each of up to five counts of conviction.
- The Sentencing Commission — while it does not disaggregate sentences according to counts of conviction — disaggregates sentences of incarceration into time to be served in Federal prisons, community confinement, intermittent confinement, and home detention, where applicable.

- The Federal Bureau of Prisons distinguishes the prison sentence imposed from the time the defendant is obligated to serve. Some defendants may receive credit toward their sentence for the time they were incarcerated pending adjudication of the charges, their cooperation with prosecutors in the investigation of another, and/or good conduct while incarcerated.

#### **Reconciling published case processing statistics**

Each statistical agency reports data using definitions of case processing events that reflect the mission and workload of a particular agency. Data collection methods and reporting requirements are organized according to agencies' administrative needs and/or legislative mandate. As a result, each agency's statistical reports narrowly describe Federal criminal case processing and are not directly comparable to the statistical reports of the other agencies. When the agencies have modified their data collection and/or reporting methods, the statistics reported may not be comparable with previously published statistics by the same agencies.

While reported statistics may not be comparable, the agencies collect much of the same core information. They all collect the Federal statutes charged and adjudicated, the disposition for each charge recorded, and key case processing dates. These core data can provide the basis for reconciling the reported statistics.

Since 1982 the Bureau of Justice Statistics has recognized the importance of reconciling the differences between agency statistics.<sup>5</sup> By reanalyzing agency data and applying a set of standard definitions to criminal justice system events, units of count (defendants and cases), offense classifications, and reporting periods, the Bureau of

<sup>5</sup>See Bureau of Justice Statistics, *Federal Justice Statistics* (March 1982, NCJ 80814).

Justice Statistics is able to present data that more completely and consistently describes case processing in the entire Federal criminal justice system. As part of its Federal Justice Statistics Program, the Bureau of Justice Statistics re-analyzes the agencies' data using the following method:

- A common unit of count or unit of analysis is used across all statistics. In tables describing the processing of defendants in cases, the unit of analysis adopted was the defendant-case, while in tables describing offenders under correctional supervision, the unit of analysis adopted was the individual offender.
- Person/cases are counted once, so that suspects or defendants in matters or cases opened, disposed, or terminated, by transfer are excluded.
- Events occurring during a reporting period are tabulated. Multiple years of data are used in order to obtain information about case processing events posted late; statistics are reported for the Federal fiscal year.
- Uniform offense classification methods are used: Using the Federal statutes charged and adjudicated, where available, defendants are classified into common offense categories.
- The most serious offense charged — based on statutory maximum penalties — is used to describe defendants in cases commencement and adjudicated.
- Sentences imposed upon defendants are distributed among a most serious offense of conviction— based on the most serious disposition.
- Offenders under Federal supervision or under the jurisdiction of the Bureau of Prisons are classified according to the offense with the single longest sentence.

Using this method the Bureau of Justice Statistics substantially reduced — although not completely eliminated — disparity in the reported case processing statistics.

For example, for fiscal year 1997, the Federal judiciary reported 63,148 defendants in cases terminated; the U.S. attorneys reported 51,492 defendants — a difference of 11,656 defendants in cases terminated (table 2). After reconciling the agencies' 1997 case processing data, the number of defendants in cases terminated was 64,956 using the Federal judiciary's data and 63,765 using the U.S. attorneys (53,758 in cases terminated before U.S. district court judges and 10,007 concluded by U.S. magistrate judges); a difference of 1,191 defendants in cases terminated and a 90% reduction in the disparity in the official statistics (table 6).

The working group agreed that the Bureau of Justice Statistics, as part of its Federal Justice Statistics Program, would annually publish these reconciled statistics. These statistics form the basis of the report: *Federal Criminal Case Processing Statistics*. In this report, statistics describing suspects/defendants processed at key stages of the Federal criminal justice system are tabulated: suspects in matters investigated and concluded, defendants in cases filed and terminated, offenders sentenced and their types and lengths of sentences, offenders under Federal supervision, and offenders entering, released from, or in Federal prison. At each stage the data were disaggregated according to the most serious offense and, where possible, distinctions between felonies and misdemeanor offenses were maintained. (See *Appendix*.)

### Tracking offenders through the Federal criminal justice process

The working group approached the task of reconciling differences in reported statistics primarily by applying standard definitions to key events and concepts in criminal case processing. This method assumes that records of events recorded in one agency's case management system will eventually appear in other systems unless an event is

**Table 6. Reconciled number of defendants in matters or cases terminated in Federal courts, 1997**

Most serious offense charged	Federal judiciary	Cases terminated		
		Total	U.S. attorneys	
			By U.S. district court judges	By U.S. magistrates
Total	64,956	63,765	53,758	10,007
<b>Violent offenses</b>	3,482	3,881	3,529	352
<b>Property offenses</b>	17,521	15,737	13,818	1,919
Fraudulent	12,808	13,634	11,999	1,635
Other	4,713	2,103	1,819	284
<b>Drug offenses</b>	23,528	22,773	20,870	1,903
<b>Public-order</b>	20,361	20,379	14,830	5,549
Regulatory	1,696	1,494	1,228	266
Other	18,665	18,885	13,602	5,283
<b>Missing or indeterminable</b>	64	995	711	284

outside a specific agency's scope of coverage. Another approach used by the working group involved linking records of defendants across agencies and tracking the defendants' progress through the various stages of the Federal criminal justice system.

In a detailed audit of the U.S. attorney, Federal judiciary, and Sentencing Commission data in four judicial districts, BJS was able to demonstrate the degree to which differences in reported statistics were due to differences in definitions, scope of coverage, and cohorts of defendants. Linking records and tracking defendants across agencies and through the criminal justice process are useful methods for reconciling discrepancies in case processing statistics. However, because defendants in the Federal criminal justice system are not assigned unique tracking numbers, it is a very complicated and time consuming process that is often incomplete and sometimes results in mismatches.

Tracking defendants through the criminal justice process, as they are processed, can benefit both the operation of the Federal criminal justice system and the reporting of case processing statistics. By tracking defendants across agencies and sharing information on offenders and offender/cases that is concurrently collected, agencies could eliminate or substantially reduce the amount of duplicative data

collection; and by combining information collected at arrest, such as fingerprints, with the court disposition, the completeness and timeliness of Federal criminal history records maintained by the FBI Criminal Justice Information Service could be substantially improved. In addition, comprehensive information describing the processing of Federal offenders can assist the agencies in forecasting their workload and, in the case of the Bureau of Prisons, the Federal prison population.

Tracking defendants and sharing information across agencies could improve reported statistics by —

- providing real-time updates to each agency's data system as events are recorded by the source agency
- increasing the amount of information available about defendants such as defendant characteristics or changes in the charges levied
- describing the processing of specific cohorts of defendants from investigation through disposition, sentencing, and corrections — imprisonment and/or community supervision.

Despite its advantages, tracking offenders through the Federal criminal justice process is currently not possible. Information describing the processing of Federal offenders is scattered across each agency processing offenders. Each agency collects its own

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information describing offenders processed. Further, because the agencies do not share a common number identifying a particular offender charged in a particular case, it is difficult to link records of offender cases processed by multiple agencies — linking 100% of the records is virtually impossible.

#### *Identifying offenders and offender/cases*

Over the course of an offender's criminal career, he or she may come into contact with the criminal justice system many times. At each arrest, the offender is fingerprinted. The FBI uses fingerprints to positively identify the offender. To each unique set of fingerprints at their first submission, the FBI Criminal Justice Information Service assigns an FBI number. This number is a permanent identifier for the offender each subsequent time his or her fingerprints are submitted. Similarly, the U.S. Marshals Service assigns a U.S. marshals number to identify and track offenders in their custody. The U.S. marshals number is assigned when the offender is first taken into custody. This number is also a permanent identifier used by the service to identify an offender each time he or she is processed.<sup>6</sup>

By contrast, an offender/case represents a combination of the offender and a criminal proceeding involving the offender. While a personal identification number such as the FBI number or U.S. marshals number is adequate for tracking an offender, it is not sufficient for tracking offender/cases. Because offenders may have committed multiple offenses and may face multiple sets of charges, relying on a personal identification number would not permit the tracking of two or more concurrent cases involving a single defendant using only a personal identification number — multiple

<sup>6</sup>The Bureau of Prisons adopts the U.S. marshals number as its register number when the offender enters the Federal prison system following adjudication.

cases involving a particular offender could not be distinguished.

Tracking offender/cases requires the assignment of a unique number to each offender/case. The offender/case tracking number, however, would be linked with the personal identification number. This method is used by many States to track criminal defendants.<sup>7</sup> In the Federal criminal justice system, the identifier most closely approximating an offender/case tracking number is the Federal Judiciary's court docket number. The court docket number is assigned by the Federal judiciary when the case is filed with the clerk of the court by the U.S. attorney. For each case in which a Federal offender is charged, a new court docket number is assigned. (The U.S. attorneys and the U.S. Sentencing Commission, while they have their own internal numbering systems, routinely record the judiciary's court docket number in their data systems.<sup>8</sup>) In multidefendant cases, the defendant number component of the court docket number distinguishes the co-defendants.

#### *Assigning a Federal offender/case tracking number*

Because the Federal judiciary's court docket number is assigned when the offender/case is presented to the Federal judiciary, it cannot be used to track offender/cases prior to the involvement of the judiciary. The offender/case tracking number needs to be assigned when the offender first comes into contact with the Federal criminal justice system — in most cases at the time of arrest, or, alternatively, at booking.

While practices may vary across districts, most Federal offenders are even-

<sup>7</sup>See Bureau of Justice Statistics, *Survey of Criminal History Information Systems, 1997*, NCJ 175041, April 1999.

<sup>8</sup>While the U.S. attorneys and the U.S. Sentencing Commission record the court docket number, the working group identified problems in how this number is recorded by these agencies.

tually booked — photographs made, fingerprints taken and submitted to the FBI for identification, and a criminal history record established.<sup>9</sup>

Defendants who are arrested are booked immediately following arrest either by the arresting agency or the U.S. Marshals Service. For offenders who are not arrested but are summoned to appear following indictment or issuance of criminal information by a U.S. attorney, the U.S. Marshals Service books the offender following the initial court appearance.

If an offender/case tracking number were assigned at booking, each agency subsequently processing the offender would record the tracking number on all documents related to the offender/case. The tracking number, therefore, would follow the offender/case from arrest through disposition and correctional treatment.

Another important consideration relates to ensuring that the offender/case tracking number is linked with the offender's FBI number. Because the FBI number is the key to the offender's criminal history record maintained by the FBI Criminal Justice Information Service, linking the offender/case tracking number with the FBI number is paramount for ensuring that the offender's criminal history record can be easily updated. The FBI number is required for identifying the particular offender in the FBI's criminal history database while the offender-tracking number is required for identifying the particular incident (or offense) on the offender's Record of Arrests and Prosecutions, or RAP sheet.

<sup>9</sup>Pursuant to Federal regulation, criminal history records need not be established when the offender has been charged with nonserious charges such as drunkenness, vagrancy, and trafficking offenses. 28 C.F.R. 20.32(b)

### *Implementing an offender/case tracking system*

The working group identified the Department of Justice's Joint Automated Booking System (JABS) as a feasible vehicle for implementing an offender/case tracking system. JABS was originally conceived as a means to standardize booking procedures for Federal arrestees, to provide Federal law enforcement agencies with a central repository for information — including digitized fingerprints and photographs — to be shared by all Federal law enforcement agencies. The working group concluded that JABS could also serve as the primary conduit for electronically submitting the disposition of criminal charges filed against a defendant to the FBI.<sup>10</sup>

The Bureau of Justice Statistics recognized the potential of JABS to facilitate the implementation of an offender/case tracking system and approached JABS Board of Directors regarding the possibility of expanding the JABS concept to include offender/case tracking.<sup>11</sup> The JABS board agreed that — with the cooperation of the FBI Criminal Justice Information Service, the U.S. attorneys, and the Federal judiciary — JABS could be expanded to track offender/cases. It was further agreed that once an offender's case was adjudicated, JABS could serve as the vehicle for electronically submitting the court disposition to the FBI Criminal Justice Information Service. This electronic submission of the court disposition would ensure that Federal criminal history records are complete and updated in a timely manner — within hours of adjudication.

<sup>10</sup> U.S. Department of Justice, Joint Automated Booking System Concept of Operations (June 1998).

<sup>11</sup> The JABS Board of Directors is comprised of representatives from each Department of Justice law enforcement agency; it is chaired by the Deputy Assistant Attorney General for Information Resource Management.

As an additional benefit, the expansion of JABS could also potentially ease the workload of the Federal criminal justice agencies. By electronically sharing information on offenders that is concurrently collected, redundant data collection can be reduced substantially or eliminated altogether. For example, at booking, the U.S. marshals collect much of the information used by Federal pretrial services officers to prepare pretrial investigation reports. To the extent that this information is currently shared with pretrial services, it is not shared electronically.

### **Recommendations for improving the collection of Federal criminal data**

As part of its effort to reconcile case processing statistics, the working group identified three particular areas where the the Federal criminal justice agencies could improve their data collection techniques. The Working Group concluded that future efforts to reconcile case processing statistics would be greatly facilitated if the agencies would standardize the way in which they capture information describing the court docket number, and the defendant name. The working group concluded that the Federal criminal justice agencies — including Federal law enforcement — should adopt a unique defendant/case tracking number that would be used to track defendants from arrest through adjudication.

#### *Standardization of court docket number*

Currently, the court docket number is the primary data element available to link records across agencies. As established by the Federal judiciary, the court docket number is a 15-digit alpha-numeric field where —

- positions 1 through 4 represent the judicial circuit and district in which the case is processed
- position 5 represents the court location, or office, within the district

- positions 6 and 7 represent the year in which the case was filed with the court
- positions 8 through 12 represent the sequential number of the case within that particular district
- positions 13 through 15 identify an individual defendant within a particular case.

The court docket number, however, is not consistently coded by each of the agencies. The U.S. attorneys and the Bureau of Prisons enter the docket number as a freeform field including extraneous characters such as the judge's or magistrate's initials. According to the U.S. attorneys, individual courts have varying requirements for the presentation of the docket number on court filings. These variations include the incorporation of judges' initials, the letters "CR" (to distinguish criminal and civil filings) or the letter "M" (to identify magistrate judge filings) into the docket number. As a result of the U.S. attorney's compliance with these judicial requirements, the working group observed more than 400 different variations in the court docket numbers recorded in the U.S. attorneys' database. Additionally, the U.S. attorneys do not consistently record the defendant number component of the court docket number.

The U.S. Sentencing Commission generally follows the pattern established by the judiciary. However, in the positions representing the court or office location, the Sentencing Commission records the location of the Federal probation office transmitting the case documents to the Commission. Additionally, the Sentencing Commission does not consistently record the defendant number.

**Recommendation:** The working group recommends that the agencies record the court docket number in the format established by the Federal judiciary. To ensure that the docket number is entered correctly in the field, the agencies might consider recording each com-

ponent in a separate field. Alternatively, the Federal judiciary might consider "bar coding" the docket number on case documents. The bar coded docket number could be scanned by the other agencies thereby ensuring compliance with the established format and the accurate recording of the information. Provided the agencies adopt some measure to ensure that the docket number is recorded in its intended format, future efforts to reconcile case processing statistics by comparing individual records would be greatly simplified.

#### *Standardization of defendant name*

Given the incompleteness of the court docket number in many agencies' databases, the Bureau of Justice Statistics often uses the defendant's name as a proxy for the defendant number part of the court docket number. Despite perceptions that recording a defendant's name is straightforward, there are variations across and within the agencies:

- For the most part, the agencies record the defendant name in the last name/first name/middle name or initial format or they are maintained in separate fields for each part of the name; however, in the U.S. attorney's and Federal judiciary's data, defendant names were recorded in both the last name/first name format and the first name/last name format
- Generational suffixes are not consistently coded
- Hyphenated names — particularly Hispanic surnames — are problematic: some agencies record both parts of hyphenated surnames other agencies record only the first part
- The use of commas and hyphens to separate parts of names is also inconsistent: when using the last name/first name format, some agencies separate the two names with a comma while others do not.

**Recommendation:** The working group recommends that the agencies adopt a

standard format for recording defendant names. The adopted format should include the use of generational suffixes, where applicable, and hyphenated parts of names. Preferably, the agencies should adopt the practice of recording each part of the defendant's name in a separate field.

#### *Adoption of an offender case tracking number*

In an effort to resolve some of the differences in the information collected by the agencies, the working group discussed the need for an universal system to track Federal offenders through the Federal criminal justice process. While the court docket number is an adequate tracking number for criminal defendants within the court system and for users of the court system such as the U.S. attorneys, the docket number has little utility for Federal law enforcement agencies such as the FBI or the Drug Enforcement Administration. Consequently, the working group recommends the adoption of a tracking number that would be used by all Federal agencies involved in the criminal justice process to identify offenders at any stage of the Federal criminal justice process.

The working group identified the Joint Automated Booking System (JABS) project as a viable starting point for implementing the defendant case tracking number recommended by the working group. JABS was conceived as a means to standardize booking procedures for Federal arrestees and to provide a central repository for information — including digitized fingerprints and photographs — describing Federal arrestees, to be shared by all Federal law enforcement agencies. JABS project management, upon the recommendation of the Bureau of Justice Statistics, has agreed to expand the JABS concept to include offender/case tracking.

As a result of this expansion, the benefits of JABS to the Federal criminal justice system will be greatly increased:

- The JABS record will eventually contain complete information on the processing of the offender. The record will cover information from the time of arrest through disposition, including any declinations by the U.S. attorney, and information on sentences imposed and on correctional supervision.

- JABS will serve as the conduit for initiating and updating criminal history records maintained by the FBI's Criminal Justice Information Service, including the electronic submission of fingerprints and court disposition.

The expansion of JABS could also ease the workload of the Federal criminal justice agencies. By electronically sharing information, redundant data collection can be substantially reduced or eliminated. Much of the information used by Federal pretrial services officers to prepare pretrial investigation reports is collected at booking. Any of this information shared by the U.S. marshals with the pretrial services officers is nonelectronic.

**Recommendation:** The working group supports the expansion of the Joint Automated Booking System project to include the U.S. attorneys and the Federal judiciary. The agencies, through JABS, should adopt and incorporate into their existing data systems a new offender/case tracking number that would be used by all Federal criminal justice agencies. To the extent practicable, the tracking number should be bar coded on all relevant documents to reduce the likelihood of key-punch error. Additionally, the agencies should —

- work with JABS to establish a mechanism for electronically sharing concurrently collected data across agencies
- ensure that court dispositions and U.S. attorney declination decisions are electronically transmitted through JABS to the FBI Criminal Justice Information Service.

## Appendix

<b>Summary of statistical concepts operationalized by Federal criminal justice agencies</b>			
<b>Concept</b>	<b>Executive Office for U.S. Attorneys</b>	<b>Administrative Office of the U.S. Courts</b>	<b>United States Sentencing Commission</b>
Universe of cases and scope of coverage	Suspects in matters investigated, declined for prosecution, disposed of by U.S. magistrates, and defendants in cases filed in U.S. district courts. Limited to defendants investigated by Class A misdemeanors or felonies.	All defendants charged with Class A misdemeanor and felonies. Additionally, includes defendants charged with Class B & C misdemeanor who were proceeded against before U.S. district court judges.	All defendants charged with Class A misdemeanor and felonies. Additionally, includes defendants charged with Class B & C misdemeanor who were proceeded against before U.S. district court judges.
Activity reported	Events posted during the reporting period.	Events that occurred during the reporting period	Events that occurred during the reporting period
Unit of count	Each defendant in each matter or case investigated and/or proceeded against before a U.S. district court judge or magistrate.	Each defendant in each case proceeded against before a U.S. district court judge or magistrate.	Each defendant sentenced on a particular date by a U.S. district court judge or magistrate.
Criminal matters	A criminal matter is an investigation handled by a U.S. attorney for at least one hour. Matters are considered concluded when the matter is declined for prosecution, a case is filed in U.S. district court, or the matter is disposed of by a U.S. magistrate.	Not applicable.	Not applicable.
Criminal cases	A criminal case is a proceeding to be adjudicated by a U.S. district court judge for which a significant paper such as an indictment or information has been filed. Cases are considered terminated when proceedings against all defendants in a case are completed.	A criminal case is a proceeding commenced by a U.S. district court judge or magistrate. Cases are considered terminated when proceedings against all defendants in a case are completed.	Not applicable.
Disposition of defendants in cases terminated	The disposition associated with each charge included in the indictment or information is collected. Collected dispositions include: guilty, nolo contendere, acquitted, and dismissed.	A disposition associated with up to five offenses adjudicated is collected. Collected dispositions include: guilty by jury trial, guilty by bench trial, guilty by plea, acquitted, and dismissed.	An overall disposition is collected. Collected dispositions include: guilty by jury trial, guilty by bench trial, guilty by plea.
Sentences imposed	The term of incarceration and/or probation as well as the amount of fine and restitution payable is collected. Time to be served in community correctional facilities (including home detention) as part of sentence to either prison or probation is collected.	The term of imprisonment and/or probation as well as the amount of fine and restitution payable is collected. Information describing confinement within the community as part of a sentence to prison or probation is not collected.	The term of imprisonment imposed as well as the amount of time the defendant is obligated to serve are collected. The amount of time the defendant is obligated to serve reflects adjustments for any time served in jail pending adjudication of the charges and credit for cooperating with prosecutors and/or good conduct.
Offense classifications	A program category is assigned by the U.S. attorney based on the nature of the offenses investigated and the priorities of the U.S. attorney's office or the Department of Justice. The program category may not directly correspond to the "lead charged" identified by the U.S. attorney.	Offense categories are assigned based on the statutory offenses charged and adjudicated. Up to ten offense categories are collected for each defendant: five describing the offenses charged and five describing the offenses adjudicated. Where the defendant was charged with or adjudicated of more than one offense, the most serious reflect the offense with the greatest statutory penalties.	Offense categories are assigned based on the statutory offenses for which the defendant was convicted. Four offense categories are collected for each defendant. Where the defendant was convicted of multiple offenses, the most serious offense reflects the offense with the greatest statutory penalties.
Demographic information	Not collected.	Not collected as part of the criminal docket. Demographic characteristics are collected and maintained by Federal pretrial services and Federal probation.	Collected.

**Summary** (continued)

Concept	Bureau of Prisons	Bureau of Justice Statistics Federal Justice Statistics Program
Universe of cases and scope of coverage	All defendants committed to the custody of the Bureau of Prisons to serve a term of imprisonment.	Suspects in matters investigated, declined for prosecution, disposed of by U.S. magistrates, and defendants in cases filed in U.S. district courts. Generally limited to suspects or defendants investigated for, or charged with, a Class A misdemeanor or a felony. Includes however, defendants charged with Class B & C misdemeanor who were adjudicated by U.S. district court judges.
Activity reported	Events that occurred during the reporting period	Events that occurred during the reporting period
Unit of count	Each defendant committed to the custody of the Bureau of Prisons.	Each defendant in each matter investigated or proceeded against before a U.S. district court judge or magistrate. Counts of inmates reflect movements in or out of Federal prison.
Criminal matters	Not applicable.	A criminal matter is an investigation handled by a U.S. attorney for at least one hour. Matters are considered concluded when the matter is declined for prosecution, a significant paper is filed in U.S. district court, or the matter is disposed of by a U.S. magistrate.
Criminal cases	Not applicable.	Not applicable.
Disposition of defendants in cases terminated	Disposition is not collected.	An overall disposition is reported. Reported dispositions include guilty by jury trial, guilty by bench trial, guilty by plea (including nolo contendere).
Sentences imposed	The term of imprisonment imposed as well as the amount of time the defendant is obligated to serve is collected. The amount of time the defendant is obligated to serve reflects adjustments for any time served in jail pending adjudication of the charges and credit for cooperating with prosecutors and/or good conduct.	The terms of imprisonment and/or probation are reported.
Offense classifications	The offense category is assigned based on the statutory offenses of which the defendant was convicted. Where the defendant was convicted of multiple offenses, the offense reported reflects offense with the greatest single sentence imposed.	The offense category is assigned based on the statutory offenses for which the defendant was charged and/or adjudicated.
Demographic information	Collected.	Demographic characteristics are compiled from files maintained by Federal Pretrial Services, Federal Probation, the U.S. Sentencing Commission, and the Bureau of Prisons. These files are linked with the U.S. attorneys' and criminal docket data.



## Appendix tables

**Appendix table 1. Suspects in matters investigated by U.S. attorneys,  
October 1, 1996 - September 30, 1997**

Most serious offense	Number	Percent
All offenses	110,034	100.0
<b>Violent offenses</b>	7,354	6.7
<b>Property offenses</b>	29,916	27.2
Fraudulent	25,854	23.5
Other	4,062	3.7
<b>Drug offenses</b>	34,027	30.9
<b>Public-order offenses</b>	37,093	33.7
Regulatory	5,423	4.9
Other	31,670	28.8
Weapons	4,870	4.4
Immigration	9,366	8.5
Taxation	1,403	1.3
Other	6,031	14.6
<b>Unknown or indeterminable offenses</b>	6,441	1.5

Data source: Executive Office for the U.S. attorneys, Central System data file.

**Appendix table 2. Disposition of suspects in matters concluded by U.S. attorneys,  
October 1, 1996 - September 30, 1997**

Most serious offense	Total	Percent of suspects	Disposition of suspects		
			Prosecuted before a U.S. district court judge	Concluded by a U.S. magistrate	Declined for prosecution
All offenses	99,459	100.0%	60,383	10,007	29,069
<b>Violent offenses</b>	6,570	6.6	4,153	352	2,065
<b>Property offenses</b>	28,633	28.8	14,544	1,919	12,170
Fraudulent	25,157	25.3	12,663	1,635	10,859
Other	3,476	3.5	1,881	284	1,311
<b>Drug offenses</b>	32,072	32.2	24,400	1,903	5,769
<b>Public-order offenses</b>	30,882	31	16,744	5,549	8,589
Regulatory	4,582	4.6	1,332	266	2,984
Other	26,300	26.4	15,412	5,283	5,605
Weapons	4,646	4.7	3,192	153	1,301
Immigration	8,774	8.8	7,243	1,229	302
Taxation	1,349	1.4	897	37	415
Other	11,531	11.6	4,080	3,864	3,587
<b>Unknown or indeterminable offenses</b>	1,302	1.3	542	284	476

Data source: Executive Office for the U.S. attorneys, Central System data file.

**Appendix table 3. Defendants in cases filed in U.S. district courts, October 1, 1996 - September 30, 1997**

Most serious offense	Number	Percent
All offenses	69,351	100.0%
<b>Felony offenses</b>	57,022	82.3
<b>Violent offenses</b>	3,603	5.2
<b>Property offenses</b>	13,890	20
Fraudulent	11,371	16.4
Other	2,519	3.6
<b>Drug offenses</b>	24,693	35.6
<b>Public-order offenses</b>	14,836	21.4
Regulatory	1,117	1.6
Other	13,719	19.8
Weapons	3,837	5.5
Immigration	6,726	9.7
Taxation	788	1.1
Other	2,368	3.4
<b>Misdemeanor offenses</b>	12,267	17.7
<b>Unknown or indeterminable offenses</b>	62	--

Data source: Administrative Office of the U.S. Courts, Criminal Master file.

**Appendix table 4. Defendants in cases filed in U.S. district courts, October 1, 1996 - September 30, 1997**

Most serious offense	Number	Percent convicted	Convicted			Not convicted		
			Total	Plea	Trial	Total	Dis-missed	Acquitted
All offenses	64,956	87.1	56,570	52,789	3,781	8,368	7,411	975
<b>Felony offenses</b>	53,097	89.8	47,689	47,689	3,339	5,408	4,734	674
<b>Violent offenses</b>	3,241	89.9	2,915	2,628	287	326	248	78
<b>Property offenses</b>	13,725	89.7	12,311	11,581	730	1,414	1,219	195
Fraudulent	11,152	89.8	10,013	9,458	555	139	1,987	152
Other	2,573	89.3	2,298	2,123	175	275	232	43
<b>Drug offenses</b>	22,374	89.3	19,973	18,427	1,546	2,401	2,168	233
<b>Public-order offenses</b>	13,757	90.8	12,490	11,714	776	1,267	1,099	168
Regulatory	1,069	85.7	916	854	62	153	122	31
Other	12,688	91.2	11,574	10,860	714	114	1,977	137
Weapons	3,485	87.6	3,052	2,688	264	433	376	57
Immigration	6,165	95.9	5,912	5,854	58	253	240	13
Taxation	727	93.7	681	633	48	46	34	12
Other	2,311	83.5	1,929	1,685	344	382	327	55
<b>Misdemeanor offenses</b>	11,795	74.8	8,828	8,388	440	2,967	2,667	300
<b>Unknown or indeterminable offenses</b>	64	82.8	53	51	2	11	10	1

Data source: Administrative Office of the U.S. Courts, Criminal Master file.

**Appendix table 5. Sanctions imposed on defendants convicted in U.S. district courts, October 1, 1996 - September 30, 1997**

Most serious offense	Total	Type of sentence				Imprisonment imposed	
		Imprisonment only	Split sentence	Probation only	Fine only	Mean	Median
All offenses	56,570	38,671	755	11,999	3,184	58.9	30
<b>Felony offenses</b>	46,878	37,071	676	7,387	280	61.2	34
<b>Violent offenses</b>	2,876	2,568	51	223	4	85.7	60
<b>Property offenses</b>	12,010	6,955	155	4,275	131	24.4	15
Fraudulent	9,919	5,738	133	3,475	128	22	15
Other	2,091	1,217	22	800	3	35.5	18
<b>Drug offenses</b>	19,115	17,354	283	1,054	39	80.6	57
<b>Public-order offenses</b>	12,877	10,194	187	1,835	106	47.5	24
Regulatory	1,211	590	13	522	56	26.6	15
Other	11,666	9,604	174	1,313	50	48.8	24
Weapons	2,871	2,617	46	182	1	101.8	60
Immigration	6,044	5,166	96	310	12	23	22
Taxation	715	304	13	379	15	20.9	15
Other	2,036	1,517	19	442	12	51.9	30
<b>Misdemeanor offenses</b>	9,636	1,600	79	4,612	2,904	9.9	3
<b>Unknown or indeterminable offenses</b>	56	5	0	47	--	--	--

Data source: Administrative Office of the U.S. Courts, Criminal Master file.

**Appendix table 6. Offenders under Federal community supervision, October 1, 1996 - September 30, 1997**

Most serious offense	Total	Number	Percent	Number	Percent	Number	Percent
All offenses	90,751	32,739	100%	6,872	100%	51,140	100%
<b>Felony offenses</b>	79,804	22,442	68.9	6,864	99.9	50,498	98.9
<b>Violent offenses</b>	5,270	711	2.2	1,690	24.6	2,869	5.6
<b>Property offenses</b>	27,585	12,774	39.2	777	11.3	14,034	27.5
Fraudulent	22,621	10,360	31.8	479	7.0	11,782	23.1
Other	4,964	2,414	7.4	298	4.3	2,252	4.4
<b>Drug offenses</b>	33,743	3,655	11.2	3,723	54.2	26,365	51.7
<b>Public-order offenses</b>	12,942	5,138	15.8	670	9.8	7,134	14.0
Regulatory	2,187	1,278	3.9	49	0.7	860	1.7
Other	10,755	3,860	11.8	621	9.0	6,274	12.3
Weapons	3,908	612	1.9	202	2.9	3,094	6.1
Immigration	1,405	637	2	14	0.2	754	1.5
Taxation	1,890	1,251	3.8	65	0.9	574	1.1
Other	3,552	1,360	4.2	340	5.0	1,852	3.6
<b>Misdemeanor offenses</b>	10,947	10,297	31.6	8	0.1	642	1.3
<b>Unknown or indeterminable offenses</b>	264	164	--	4	--	96	--

Data source: Administrative Office of the U.S. Courts, Federal supervision information system.

**Appendix table 7. Federal prison admissions and releases, October 1, 1996 - September 30, 1997**

	Population at start of year	District court	All other	District court	All other	Population at end of year	Net change
All offenses	92,379	38,375	13,217	31,894	13,133	98,944	6,565
<b>Violent offenses</b>	11,287	2,250	2,430	1,793	2,516	11,658	371
<b>Property offenses</b>	7,876	6,379	3,513	6,050	3,567	8,151	275
Fraudulent	5,907	5,185	2,114	4,833	2,225	6,148	241
Other	1,969	1,194	1,399	1,217	1,342	2,003	34
<b>Drug offenses</b>	54,742	17,021	4,382	13,292	4,243	58,610	6,868
<b>Public-order offenses</b>	17,313	12,280	2,652	10,457	2,591	19,197	1,884
Regulatory	912	699	222	584	236	1,013	101
Other	16,401	11,581	2,430	9,873	2,355	18,184	1,783
Weapons	7,765	2,071	772	1,741	785	8,082	317
Immigration	4,509	6,927	373	6,029	326	5,454	945
Taxation	340	324	115	312	109	358	18
Other	3,787	2,259	1,170	1,791	1,135	4,290	503
<b>Unknown or indeterminable offenses</b>	1,161	445	240	302	216	1,328	167

Note: Represents sentenced prisoners only.

Data source: Federal Bureau of Prisons, SENTRY data file.