



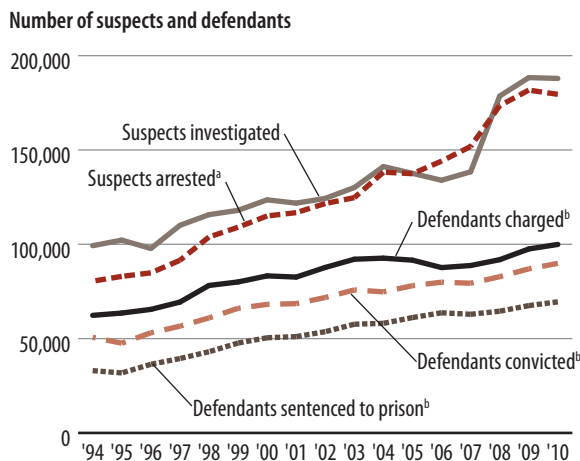
# Federal Justice Statistics, 2010

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The number of suspects arrested for a federal offense declined slightly to 179,489 in fiscal year 2010 after reaching a record 181,726 suspects in 2009. The number of suspects arrested by federal law enforcement more than doubled, from 80,450 in 1994 to 179,489 in 2010 (figure 1). In recent years, federal law enforcement activity has outpaced the later stages of cases processing in U.S. district court (persons charged, convicted, and sentenced to prison). From 2006 to 2010, arrests increased at an annual average rate of 6%, and matters opened by U.S. attorneys (i.e., investigations) increased at an annual average rate of 9%. In comparison, the number of suspects charged in U.S. district court increased at an average annual rate of 3% over this period, while both the number of defendants convicted in U.S. district court (up 3%) and the number of offenders sentenced to prison (up 2%) increased.<sup>1</sup>

<sup>1</sup>The reporting period used throughout this report is the fiscal year, which is from October 1 to September 30. All percent changes in this report are calculated using the average of the annual change between the two reported years.

**FIGURE 1**  
Suspects and defendants processed in the federal justice system, 1994–2010



<sup>a</sup>Excludes D.C. Superior Court arrests.

<sup>b</sup>Represents defendants charged with a felony or Class A misdemeanor offense in U.S. district court.

Sources: Bureau of Justice Statistics, based on data from U.S. Marshals Service, Prisoner Tracking and Justice Detainee Information Systems; Executive Office for U.S. Attorneys, National LIONS data base; Administrative Office of the U.S. Courts, criminal master file, fiscal years 1994–2010.

## HIGHLIGHTS

- Suspects arrested and booked for federal supervision violations increased 91%, from 12,716 arrests in 1994 to 24,344 arrests in 2010 (figure 4).
- Five federal law enforcement agencies referred 77% of suspects prosecuted in U.S. district court in 2010 (table 8).
- In 2010, non-U.S. citizens comprised 47% of suspects charged in U.S. district court (table 10), 26% of offenders in federal prison (table 14), and 5% of offenders on post-conviction supervision (table 16).
- Immigration was the most prevalent offense at arrest (table 2) and investigation (table 6) in 2010.
- Drug offenses were the most prevalent offense among defendants sentenced to prison (table 13), in prison at yearend (figure 14), and on supervised release in the community (figure 18).
- Ninety-one percent of felons charged in U.S. district court in 2010 were disposed of by a guilty plea (table 12).
- In 2010, immigration (88%), violent (86%), and drug trafficking (84%) offenders were more likely to be detained prior to case disposition (table 9).
- At yearend 2010, over 400,000 federal offenders were under some form of correctional control (table 1).
- Fourteen percent of the 59,391 offenders released from federal prison in 2008 returned to federal prison within 3 years of release (table 15).
- Among those offenders who were released from federal prison in 2008 and returned within 3 years, 59% returned for a supervision violation and 39% returned for a new offense (table 15).

## Summary

From 2006 to 2010, growth in the enforcement stage (arrest and investigation) was due largely to increased arrests for illegal entry into the United States. Illegal immigration (46%) was the most common arrest offense in 2010, followed by drug (16%) and supervision violations (14%). From 2006 to 2010, immigration arrests increased at the fastest rate (up 16%), followed by sex (up 10%) and fraud (up 6%) offenses. During this period, material witness arrests (down 8%) declined the most, followed by regulatory (down 6%) and weapons (down 3%) offenses.

The five federal judicial districts along the U.S.-Mexico border (California Southern, Arizona, New Mexico, Texas Western, and Texas Southern) accounted for 56% of all federal arrests in 2010 (map 1), up from 45% of all arrests in 2006 (not shown). In 2010, these five districts also accounted for 50% of suspects investigated by U.S. attorneys, 51% of suspects detained prior to trial, 36% of defendants in cases terminated in U.S. district court, 38% of defendants convicted, and 41% of offenders sentenced to federal prison.

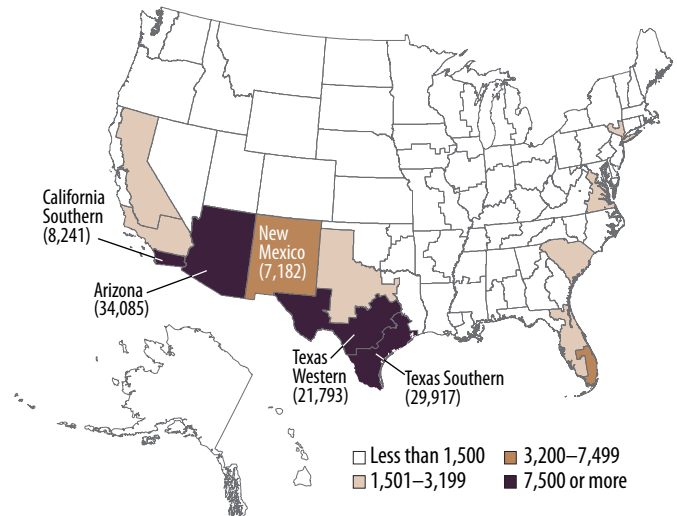
In 2010, about 9 in 10 defendants in cases adjudicated in U.S. district court were convicted. Ninety-one percent of felonies charged in U.S. district court were disposed by a guilty plea. Of defendants convicted, about 8 in 10 received a prison sentence. The median federal prison sentence imposed was 30 months.

At yearend 2010, about 400,000 offenders were under some form of federal correctional control: 46% were confined by the Federal Bureau of Prisons (BOP), 16% were confined in pretrial detention, 32% were on post-conviction supervision in

the community, and 7% were under pretrial supervision in the community (table 1). Over this period, the number of federally sentenced persons in BOP confinement increased by 23,588, and the number of persons supervised in the community increased by 11,864. The number of persons on probation decreased from 26,022 in 2005 to 22,685 in 2010.

### MAP 1

#### Suspects arrested and booked by the U.S. Marshals Service, by federal judicial district, 2010



Note: Not shown on map: Guam/Northern Mariana Islands (174), Puerto Rico (1,499), District of Columbia (2,299), and U.S. Virgin Islands (87).

Source: Bureau of Justice Statistics, based on data from U.S. Marshals Service, Prisoner Tracking and Justice Detainee Information Systems, fiscal year 2010.

**TABLE 1**

#### Federally sentenced offenders in confinement or under community supervision, 2005 and 2010

	2005		2010	
	Number	Percent	Number	Percent
<b>Total</b>	355,932	100%	401,290	100%
<b>In secure confinement</b>	214,726	60.3%	248,220	61.9%
Pretrial detention	52,624	14.8	62,530	15.6
Federal Bureau of Prisons (post-sentencing)*	162,102	45.5	185,690	46.3
<b>In the community</b>	141,206	39.7%	153,070	38.1%
Pretrial release supervision	29,399	8.3	26,516	6.6
Postsentencing supervision	111,807	31.4	126,554	31.5
Supervised release	82,989	23.3	101,839	25.4
Probation	26,022	7.3	22,685	5.7
Parole	2,796	0.8	2,030	0.5

Note: Federal offender populations are shown as of September 30, 2005 and 2010.

\*Federally sentenced inmates in the custody of the Federal Bureau of Prisons. Counts exclude persons in federal prison for D.C. code offenses, military code offenses, treaty transfer cases, and as state boarders. Unsensitized federal offenders are included in the pretrial detention counts.

Sources: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, Office of Probation and Pretrial Services' Federal Probation and Supervision Information System; U.S. Marshals Service, Prisoner Tracking and Justice Detainee Information Systems; and Federal Bureau of Prisons, SENTRY data base, fiscal years 2005 and 2010.

This report describes defendants processed at each stage of the federal justice system—arrest and booking, investigation and prosecution, pretrial detention, adjudication and sentencing in U.S. district court, corrections, and supervision in the community. Data are from the Federal Justice Statistics Program (FJSP). The FJSP collects, standardizes, and reports on administrative data received from six federal justice agencies: the U.S. Marshals Service, Drug Enforcement Administration, Administrative Office of the U.S. Courts, Executive Office for U.S. Attorneys, BOP, and the U.S. Sentencing Commission.

## Arrest and booking

The U.S. Marshal is the primary law enforcement officer for the U.S. Marshals Service, and each of the 94 federal judicial districts has one. Deputy U.S. Marshals oversee tasks involved in taking federal suspects charged with a crime into custody, including booking, processing, and detention, and other tasks including court security fugitive operations, prisoner operations, asset forfeiture, witness protection, and prisoner transportation.<sup>2</sup>

<sup>2</sup>The unit of count for federal arrest data reported in this section is a suspect arrested and booked by the U.S. Marshals Service. The phrase “suspects arrested and booked by the U.S. Marshals Service” is used to describe arrests and bookings where each arrest and booking for an individual suspect occurring in the same year is counted separately.

## In 2010, the U.S. Marshals Service arrested and booked 179,489 suspects for a federal offense

The number of suspects arrested and booked for violations of federal law increased from 144,072 in 2006 to 179,489 in 2010—an average annual increase of 6% per year (table 2). The number of suspects arrested and booked increased each year from 1994 to 2009 and declined from 2009 to 2010. In 2009, 181,726 suspects were arrested and booked. The decrease was due mostly to fewer immigration and drug suspects arrested and booked in 2010 than in 2009 (not shown).

## Immigration offenses comprised nearly half of federal suspects arrested and booked in 2010

In 2010, the U.S. Marshals Service arrested and booked 82,438 immigration suspects. This was an increase of 35,425 additional immigration suspects arrested and booked compared to 2006. Immigration offenses comprised 33% of suspects arrested and booked by the U.S. Marshals Service in 2006 and 46% in 2010. Drug offenses were the second most common offense among suspects arrested and booked by the U.S. Marshals Service in 2010, as 28,850 (16%) drug suspects were arrested and booked. This was down from the 30,229 drug suspects arrested and booked in 2006.

**TABLE 2**  
**Suspects arrested and booked by the U.S. Marshals Service, by offense and federal judicial district at arrest, 2006 and 2010**

	2006		2010		Average annual growth rate, 2006–2010*
	Number	Percent	Number	Percent	
<b>Total suspects arrested</b>	144,072	100%	179,489	100%	5.8%
<b>Offense at arrest</b>					
Violent	3,564	2.5%	3,434	1.9%	-0.8%
Property	14,949	10.4	17,897	10.0	4.8
Fraud	12,654	8.8	15,685	8.8	5.7
Other	2,295	1.6	2,212	1.2	-0.9
Drug	30,229	21.1	28,850	16.1	-1.1
Public order	6,715	4.7	6,554	3.7	-0.6
Regulatory	362	0.3	266	0.2	-6.2
Other	6,353	4.4	6,288	3.5	-0.2
Sex offense	2,129	1.5	3,052	1.7	9.9
Weapons	8,846	6.2	7,921	4.4	-2.7
Immigration	47,013	32.8	82,438	46.1	16.3
Material witness	6,081	4.2	4,271	2.4	-8.1
Supervision violations	23,762	16.6	24,344	13.6	0.6
<b>Federal judicial district of arrest</b>		100%		100%	
U.S.-Mexico border districts	64,545	44.8%	101,218	56.4%	12.4%
Arizona	13,287	9.2	34,085	19.0	27.0
California Southern	5,697	4.0	8,241	4.6	9.9
New Mexico	4,992	3.5	7,182	4.0	10.9
Texas Southern	18,624	12.9	29,917	16.7	15.7
Texas Western	21,945	15.2	21,793	12.1	0.3
Other districts	79,527	55.2	78,271	43.6	-0.4

Note: Offense percentages based on available data. Data on type of offense were missing for 728 arrests in 2010 and 784 arrests in 2006. Suspects arrested more than once in a fiscal year are counted as separate arrests. Excludes D.C. Superior Court arrests.

\*Calculated using each fiscal year count from 2006 to 2010.

Source: Bureau of Justice Statistics, based on data from U.S. Marshals Service, Prisoner Tracking and Justice Detainee Information Systems, fiscal years 2006 and 2010.

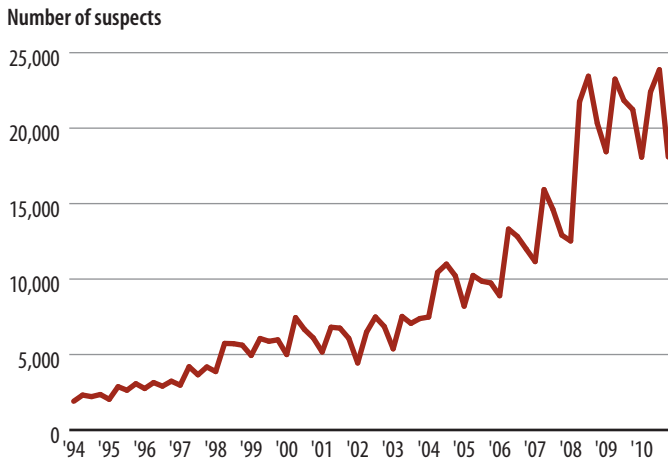
**More than half of federal suspects were arrested and booked in five judicial districts along the U.S.-Mexico border**

In 2010, 101,218 suspects were arrested and booked by the U.S. Marshals in southwest border districts (California Southern, Arizona, New Mexico, Texas Western, and Texas Southern), compared to 78,271 in the remaining 89 districts. The district of Arizona had 19% of total federal arrests in 2010, followed by the Southern District of Texas (17%). From 2006 to 2010, the number of suspects arrested and booked in southwest border districts increased by an annual average of 12%. In comparison, the number of suspects arrested and booked in non-southwest border districts declined by an annual average of less than 1% (from 79,527 in 2006 to 78,271 in 2010).

**Suspects arrested in the federal judicial district of Arizona increased at the fastest rate from 2006 to 2010**

Suspects arrested and booked by the U.S. Marshals service in the district of Arizona increased by an annual average of 27%, from 13,287 in 2006 to 34,085 in 2010. The district of Arizona

**FIGURE 2**  
Suspects arrested and booked by the U.S. Marshals Service for an immigration offense, 1994–2010



Note: Excludes D.C. Superior Court arrests. Shown in quarterly increments. Immigration offenses include illegal entry, illegal reentry, alien smuggling, and visa fraud.

Source: Bureau of Justice Statistics, based on data from U.S. Marshals Service, Prisoner Tracking and Justice Detainee Information Systems, fiscal years 1994–2010.

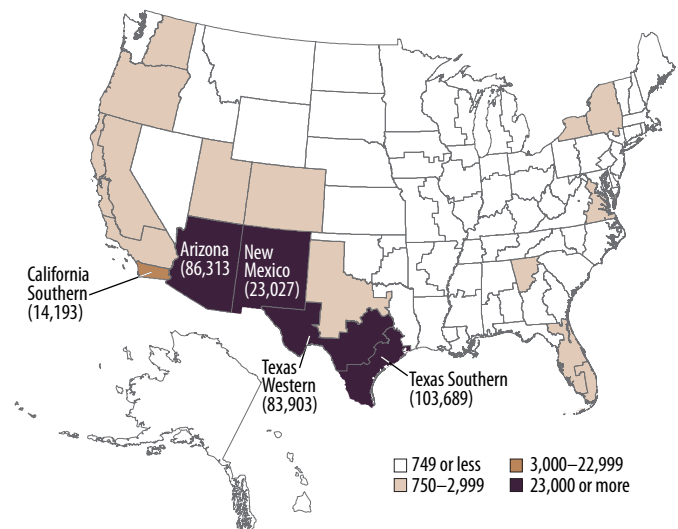
surpassed the Western District of Texas in having the most federal arrests in the United States. The district of Arizona was followed by Texas Southern (16%), the district of New Mexico (11%), and California Southern (10%) as having the fastest growing number of federal arrests from 2006 to 2010.

**From 2006 to 2010, immigration offense increased at the fastest rate**

Immigration offenses increased by an average of 16% from 2006 to 2010, making it the fastest growing offense among suspects arrested and booked by the U.S. Marshals Service. Immigration arrests doubled from 1994 to 1998. Immigration arrests nearly doubled from 1998 to 2004, and doubled from 2004 to 2008 (figure 2).

From 2006 to 2010, the U.S. Marshals Service arrested and booked 346,852 immigration suspects. Ninety percent of immigration suspects over this period were arrested in five judicial districts along the U.S.-Mexico border (map 2).

**MAP 2**  
Suspects arrested and booked by the U.S. Marshals Service for an immigration offense, by federal judicial district of arrest, 2006–2010



Note: Immigration offenses include illegal entry, illegal reentry, alien smuggling, and visa fraud. A total of 346,852 suspects were arrested and booked for an immigration offense from fiscal years 2006 to 2010. Not shown on map: Guam/Northern Mariana Islands (100), Puerto Rico (1,110), District of Columbia (49), and U.S. Virgin Islands (151).

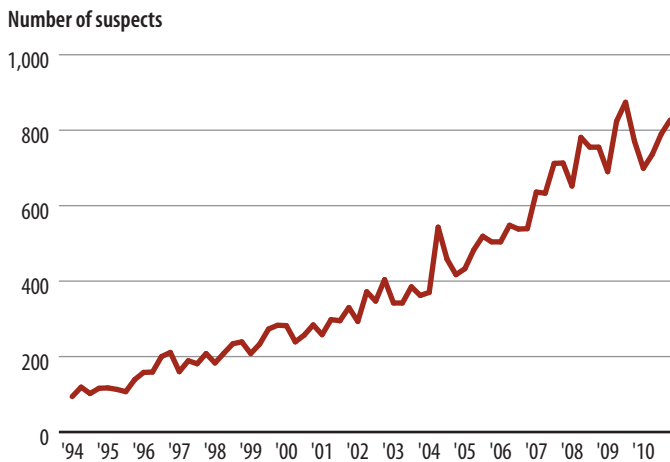
Source: Bureau of Justice Statistics, based on data from U.S. Marshals Service, Prisoner Tracking and Justice Detainee Information Systems, fiscal years 2006–2010.

**Sex offenses were the second fastest growing federal arrest offense from 2006 to 2010**

The number of suspects arrested and booked for a sex offense (e.g., child pornography, sex abuse, and illegal sex transportation) doubled from 1994 to 1998. Suspects arrested for sex offenses doubled again from 1998 to 2004 (figure 3). Sex offenses increased by an annual average of 10%, from 2,129 arrests in 2006 to 3,052 arrests in 2010.

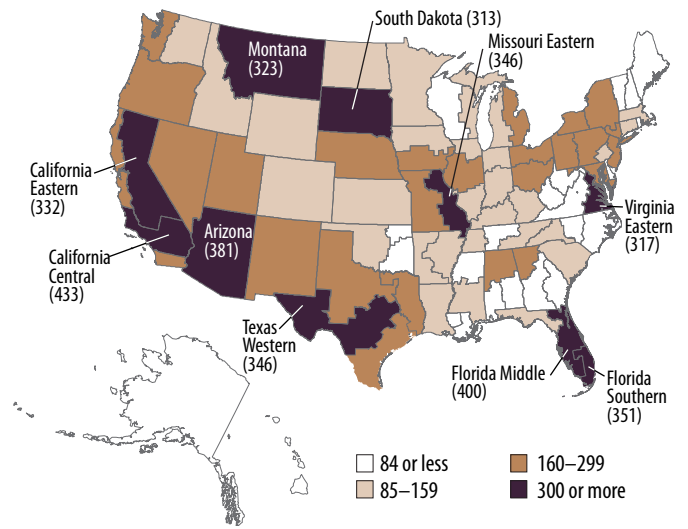
Suspects arrested and booked for a sex offense were relatively dispersed by federal district of arrest. From 2006 to 2010, U.S. Marshals Service arrested and booked 13,959 sex offense suspects. Ten federal districts had more than 300 sex offense arrests from 2006 to 2010 (map 3). During this period, California Central (433) had the most sex offense arrests, followed by Florida Middle (400), the district of Arizona (381) and Florida Southern (351).

**FIGURE 3**  
Suspects arrested and booked by the U.S. Marshals Service for a federal sex offense, 1994–2010



Note: Excludes D.C. Superior Court arrests. Shown in quarterly increments. sex offenses include sex abuse, possession, distribution, and production of child pornography, and illegal sex transportation.  
Source: Bureau of Justice Statistics, based on data from U.S. Marshals Service, Prisoner Tracking and Justice Detainee Information Systems, fiscal years 1994–2010.

**MAP 3**  
Suspects arrested and booked by the U.S. Marshals Service for a federal sex offense, by district of arrest, 2006–2010



Note: Sex offenses include sex abuse, possession, distribution, and production of child pornography, and illegal sex transportation. A total of 13,959 suspects were arrested and booked for a sex offense from fiscal years 2006 to 2010. Not shown on map: Guam/Northern Mariana Islands (13), Puerto Rico (77), District of Columbia (107), and U.S. Virgin Islands (10).

Source: Bureau of Justice Statistics, based on data from U.S. Marshals Service, Prisoner Tracking and Justice Detainee Information Systems, fiscal years 2006–2010.

Recent enforcement initiatives targeting sex offenders include the Department of Justice’s (DOJ) Project Safe Childhood, which was initiated in 2006 to address the expanding use of technology in the sexual exploitation of children. The program coordinates enforcement activities among U.S. attorney offices, the Child Exploitation and Obscenity Section of the Criminal Division in the DOJ, FBI, Department of Homeland Security, and U.S. Postal Inspection Services.

The DOJ’s Office of Juvenile Justice and Juvenile Delinquency Prevention created the Internet Crimes Against Children (ICAC) task force program in 1998 to help state, local, and regional law enforcement agencies acquire the personnel, knowledge, and equipment to investigate sexual crimes against minors. The Adam Walsh Child Protection and Safety Act (AWA) was passed in 2006 and provided the U.S. Marshals Service the mission to investigate registered sex offenders in violation of the Sex Offender Registration and Notification Act and to assist state, local, tribal, and territorial law enforcement with apprehending sex offenders.

In 2008, the Providing Resources, Officers, and Technology to Eradicate Cyber Threats to our Children Act of 2008 (PROTECT Our Children Act) required the DOJ to create a national strategy to combat child exploitation across levels of government and the private sector.



**Supervision violations were the third most common offense among suspects arrested and booked by the U.S. Marshals Service in 2010**

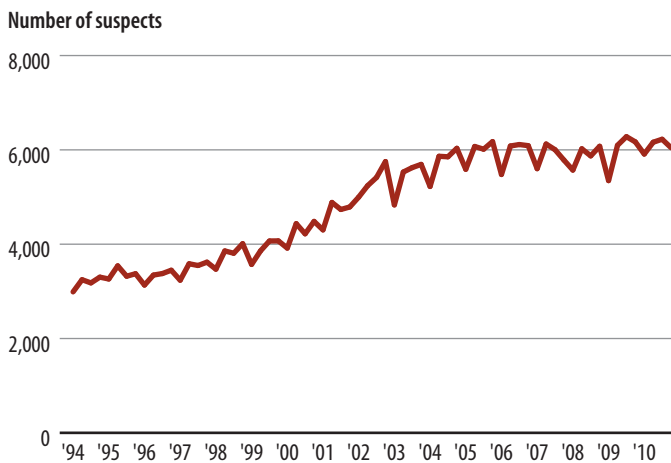
The U.S. Marshals Service arrested and booked 24,344 suspects for supervision violations in 2010. Supervision violations include violations of bail, probation, post-incarceration supervision, and failure to appear. This represented a 4% annual average increase since 1994 (12,716). Since 1994, the sharpest increase in supervision violations occurred from 1998 to 2003 (figure 4). From 2003 to 2010, the number of suspects arrested and booked for supervision violations remained at about 6,000 per quarter.

The Administrative Office of the U.S. Courts oversees the supervision of federal offenders in the community. This includes persons released prior to trial and persons on supervision following conviction. U.S. probation and pretrial offices are located in 93 of the 94 federal judicial districts and federal pretrial and probation officers monitor the compliance of offenders placed on supervision conditions ordered by the court. Violations include commission of a new

federal, state, or local offense or violation of conditions of supervision, such as prohibiting the offender from possessing guns or other weapons, possession or use of illegal drugs, and prohibited contact with victims or witnesses. The court may order additional conditions depending on the offense and the offender, such as requiring that a person in the U.S. illegally be subject to deportation as a condition of release of supervision.

From 2006 to 2010, federal supervision violations comprised more than a quarter of arrests in five districts (map 4). Supervision violations made up 3 in 10 arrests in the district of South Dakota and Illinois Southern from 2006 to 2010. In the districts of Missouri Western, West Virginia Southern, and Massachusetts, supervision violations comprised 27% or more of the total arrests in each district during this period. Federal supervision of offenders in the community varies from district to district, including the district's workload and the number of officers. Federal districts also vary in land area and population concentration among various other characteristics that impact supervision.

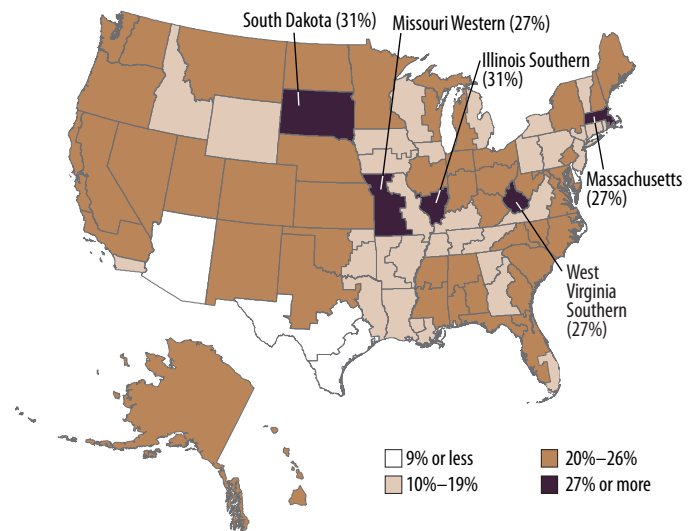
**FIGURE 4**  
Suspects arrested and booked by the U.S. Marshals Service for a federal supervision violation, 1994–2010



Note: Excludes D.C. Superior Court arrests. Shown in quarterly increments. Supervision violations include violations of bail, probation, post-incarceration supervision, and failure to appear.

Source: Bureau of Justice Statistics, based on data from U.S. Marshals Service, Prisoner Tracking and Justice Detainee Information Systems, fiscal years 1994–2010.

**MAP 4**  
Suspect arrested for a federal supervision violation as a percent of the total arrests in a federal judicial district, 2006–2010



Note: Not shown on map: Guam/Northern Mariana Islands (17%), Puerto Rico (9%), District of Columbia (75%), and U.S. Virgin Islands (4%). Supervision violations include violations of bail, probation, postincarceration supervision, and failure to appear. A total of 119,053 suspects were arrested and booked for supervision violations from fiscal years 2006 to 2010.

Source: Bureau of Justice Statistics, based on data from U.S. Marshals Service, Prisoner Tracking and Justice Detainee Information Systems, fiscal years 2006–2010.

## DHS law enforcement agencies made more than half of federal arrests in 2010

Agencies of the Department of Homeland Security (DHS) accounted for 55% of suspects arrested and booked by the U.S. Marshals Service in 2010 (table 3). DHS agencies include Customs Border Protection (CBP), Immigration and Customs Enforcement (ICE), the Secret Service, and others. DOJ agencies made 41% of suspects arrested and booked by the U.S. Marshals Service in 2010. DOJ agencies include the FBI, Drug Enforcement Administration (DEA), Alcohol, Tobacco, Firearms and Explosives (ATF), the U.S. Marshals Service, and others.

## Arrests made by DHS law enforcement agencies increased at the fastest rate from 2006 to 2010

Arrests by DHS agencies increased at an average annual rate of 13% from 2006 to 2010. Arrests made by ICE increased annually by 17%, and those made by the CBP increased by 13%. Arrests by agencies within the DOJ increased annually by 2% from 2006 to 2010, with the FBI arrests increasing by 4% and the U.S. Marshals Service arrests increasing by 2%. Arrests made by ATF declined by 1%.

Differences in the arrest activity of law enforcement agencies relate to the types of arrest offenses. An increase in the number of immigration offenses corresponds to growth in the number of arrests made by the DHS law enforcement agencies that have exclusive jurisdiction over immigration enforcement. Similarly, the 3% average decline in the number of weapons arrests from 2006 to 2010 generally corresponds with the 1% average decline in the number of arrests made by ATF, which has primary investigative responsibility over firearm offenses.

## Arrests made by Interior, Defense, the Federal Judiciary, and other agencies declined from 2006 to 2010

In 2010, 2,780 arrests were made by other law enforcement agencies (including state and local task forces and self-commitments), down from 10,037 arrests in 2006. Arrests made by law enforcement agencies within Interior, Defense, and the Federal Judiciary each declined from 2006 to 2010. Law enforcement agencies from Agriculture, State, Treasury, and the U.S. Postal Service each increased over this period.

**TABLE 3**  
Suspects arrested and booked by the U.S. Marshals Service, by arresting agency, 2006 and 2010

Arresting agency	2006		2010		Average annual growth rate, 2006–2010 <sup>a</sup>
	Number	Percent	Number	Percent	
<b>All agencies</b>	144,072	100%	179,489	100%	5.8%
<b>Justice</b>	67,955	47.2%	73,258	40.9%	2.0%
Alcohol, Tobacco, Firearms, and Explosives	6,399	4.4	6,070	3.4	-1.3
U.S. Marshals Service	39,463	27.4	43,244	24.2	2.4
Drug Enforcement Administration	12,594	8.7	12,619	7.1	0.2
Federal Bureau of Investigation	9,466	6.6	11,118	6.2	4.2
Other <sup>b</sup>	33	--	207	0.1	--
<b>Homeland Security</b>	61,160	42.5%	98,112	54.8%	13.1%
Customs and Border Protection	41,593	28.9	64,314	35.9	13.0
Immigration and Customs Enforcement	17,258	12.0	31,461	17.6	16.5
Secret Service	2,309	1.6	2,117	1.2	-1.6
Other <sup>c</sup>	0	--	220	0.1	--
<b>Interior</b>	1,292	0.9%	1,030	0.6%	-5.1%
<b>Defense</b>	622	0.4%	432	0.2%	-7.4%
<b>Agriculture</b>	193	0.1%	283	0.2%	11.0%
<b>State</b>	346	0.2%	417	0.2%	6.1%
<b>Treasury</b>	709	0.5%	867	0.5%	5.8%
<b>Postal Service</b>	1,102	0.8%	1,342	0.8%	5.1%
<b>Federal Judiciary</b>	656	0.5%	415	0.2%	-10.1%
<b>Other<sup>d</sup></b>	10,037	7.0%	2,780	1.6%	-20.2%

Note: Excludes D.C. Superior Court arrests. In 2010, 553 records were missing information on arresting agency. In 2006, no records were missing arresting agency information.

<sup>a</sup>Calculated using each fiscal year from 2006 to 2010.

<sup>b</sup>Includes U.S. Parole Commission, U.S. Trustees, and other agencies.

<sup>c</sup>Includes citizenship and Immigration Services, Federal Emergency Management Agency, Transportation Security Administration, U.S. Coast Guard and other agencies.

<sup>d</sup>Includes self-surrender, independent agencies (Environmental Protection Agency, Federal Drug Administration, Housing and Urban Development), state and local law enforcement, task forces, and other agencies.

-- Less than 0.05%.

Source: Bureau of Justice Statistics, based on data from U.S. Marshals Service Prisoner Tracking and Justice Detainee Information Systems, fiscal years 2006 and 2010.

## Patterns in DEA drug arrests

In 2010, the number of drug arrests by the DEA increased to its highest level since 2001

Based on data from the Drug Enforcement Administration (DEA), there were 31,169 arrests for drug offenses in 2010.<sup>3</sup> The number of drug arrests by the DEA increased over the 1990s to a peak of 38,886 arrests in 1999, followed by a decline to 26,850 in 2003 and an increase to 29,886 in 2005 (not shown).

Marijuana arrests by the DEA increased at the fastest annual average rate from 2002 to 2010 (6%), followed by opiates (3%) (figure 5). The number of DEA arrests for marijuana coincided with the number of arrests for methamphetamine until 2007, when the number of marijuana arrests increased at a faster rate through 2010.

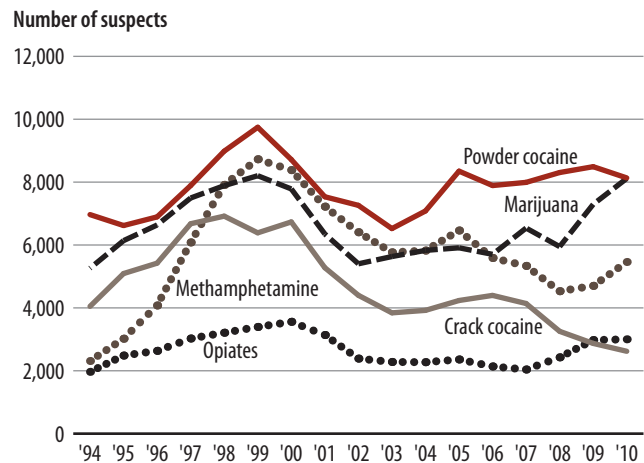
Cocaine was the most common drug type involved in arrests by the DEA in 2010

Suspects arrested for offenses involving cocaine powder (8,134) and crack cocaine (2,620) accounted for 35% of all suspects arrested by the DEA in 2010 (table 4). Twenty-six percent of suspects were arrested for offenses involving

<sup>3</sup>The unit of count for the federal drug arrest data received from the Drug Enforcement Administration reported in this section is a suspect arrested by the Drug Enforcement Administration. The phrase “suspects arrested by the DEA” is used to describe arrests where each arrest for an individual suspect is counted separately. Individual suspects can be arrested and booked by the DEA more than once in a year. The DEA data do not distinguish between arrests which are referred for state versus federal prosecution.

cocaine powder, and 8% were arrested for crack cocaine. The remaining suspects arrested by the DEA in 2010 were for marijuana (8,117), methamphetamine (5,460), opiates (3,001), and other or nondrug offenses (3,837). Marijuana was the second most common drug at arrest by the DEA from 2006 to 2010, compared to methamphetamine from 1998 to 2005.

**FIGURE 5**  
Suspects arrested by the Drug Enforcement Administration, by drug type, 1994–2010



Source: Bureau of Justice Statistics, based on data from Drug Enforcement Administration, Defendant Statistical System, fiscal years 1994–2010.

*Continued on next page.*



## Patterns in DEA drug arrests (continued)

**TABLE 4**  
**Characteristics of suspects arrested by the Drug Enforcement Administration, by type of drug, 2010**

Characteristics	Total arrested		Drug type					Other or nondrug <sup>a</sup>
	Number	Percent	Cocaine powder	Crack cocaine	Marijuana	Methamphetamine	Opiates	
Number of arrestees <sup>b</sup>	31,169	100%	8,134	2,620	8,117	5,460	3,001	3,837
<b>Sex</b>								
Male	26,508	85.2%	88.8%	86.5%	88.8%	80.3%	84.3%	76.6%
Female	4,609	14.8	11.2	13.5	11.2	19.7	15.7	23.4
<b>Race/Hispanic origin</b>								
White <sup>c</sup>	7,636	25.3%	13.8%	8.3%	24.4%	36.4%	18.9%	53.6%
Black/African American <sup>c</sup>	7,018	23.2	25.4	80.4	16.2	2.4	29.2	19.5
Hispanic/Latino	14,814	49.1	60.2	10.7	55.3	58.6	57.6	21.3
American Indian/Alaska Native <sup>c</sup>	145	0.5	0.2	0.2	0.9	0.6	--	0.5
Asian/Native Hawaiian/Other Pacific Islander <sup>c</sup>	590	2.0	0.4	0.4	3.1	2.0	0.3	5.3
<b>Age</b>								
17 or younger	53	0.2%	0.1%	0.2%	0.2%	0.1%	0.4%	0.1%
18–20	1,989	6.4	4.2	5.7	9.4	4.7	8.0	6.4
21–24	4,286	13.8	12.2	14.6	15.2	12.0	15.8	14.9
25–34	12,523	40.4	41.9	45.0	38.1	41.9	38.7	37.9
35–44	7,634	24.6	27.9	22.1	22.6	27.1	22.7	21.5
45–54	3,290	10.6	10.1	9.2	10.4	11.2	10.3	12.6
55–64	1,040	3.4	2.9	2.8	3.5	2.6	3.7	5.2
65 or older	203	0.7	0.6	0.4	0.7	0.4	0.5	1.4
<b>Median age<sup>d</sup></b>		32 yrs.	32 yrs.	31 yrs.	31 yrs.	32 yrs.	31 yrs.	31 yrs.

Note: Data were missing for the following: sex (52), race/Hispanic origin (966), and age (151).

--Less than 0.05%.

<sup>a</sup>Includes pharmaceutical controlled substances, equipment used to manufacture controlled substances, and drug use paraphernalia.

<sup>b</sup>Includes suspects for whom characteristics are not known.

<sup>c</sup>Excludes persons of Hispanic or Latino origin.

<sup>d</sup>Median age is the midpoint or the age at which half of the suspects were older than the median age and half were younger than the median age.

Source: Bureau of Justice Statistics, based on data from Drug Enforcement Administration, Defendant Statistical System, fiscal year 2010.

*Continued on next page.*

## Patterns in DEA drug arrests (continued)

Hispanic suspects comprised nearly half (49%) of suspects arrested by the DEA in 2010

In 2010, about half (49%) of suspects arrested by the DEA were of Hispanic origin, followed by white (25%) and black (23%) suspects. Hispanic suspects were involved in 6 in 10 arrests for cocaine powder (60%) and methamphetamine (59%), and over half of arrests for marijuana (55%) offenses. Over three-quarters (80%) of crack cocaine suspects were black, and over half of other or nondrug suspects were white (54%).

Most suspects arrested by the DEA in 2010 were male

Eighty-five percent of suspects arrested by the DEA were male. Females accounted for 15% of all DEA drug arrests and 20% of all methamphetamine arrests. Half of all suspects arrested by the DEA were age 32 or younger, and the median age was similar across all drug types. Four percent of arrests by the DEA were of suspects over age 55.

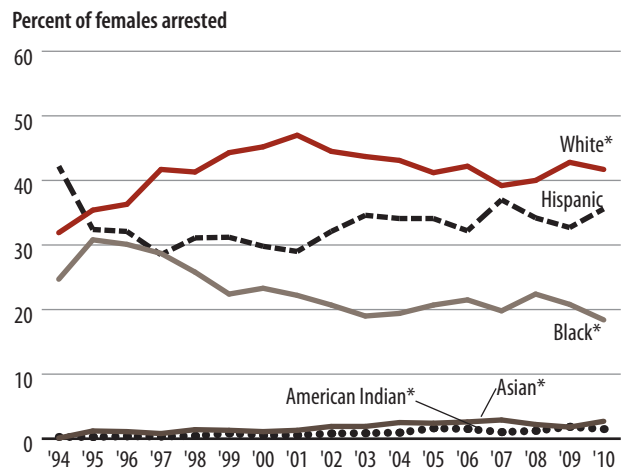
In 2010, most females arrested by the DEA were white, while most males were Hispanic

For both males and females, the Hispanic proportion of DEA arrests dropped in the early 1990s and has increased since then. Among females arrested by the DEA in 2010, 42% were white, 36% were Hispanic, and 18% were black. White females almost always had the greatest share of female DEA arrests. The percentage of black female arrests by the DEA increased from 25% in 1994 to 31% in 1995, and declined to 18% in 2010 (figure 6).

Among males arrested by the DEA in 2010, over half were Hispanic

For the first time since 1994, Hispanics comprised the majority (51%) of male arrests by the DEA in 2010. This represented a gradual growth in the Hispanic share of male arrests (up from 40% in 2000). Black males comprised 24% of arrests of males by the DEA in 2010, and whites comprised 23% of males arrested (figure 7).

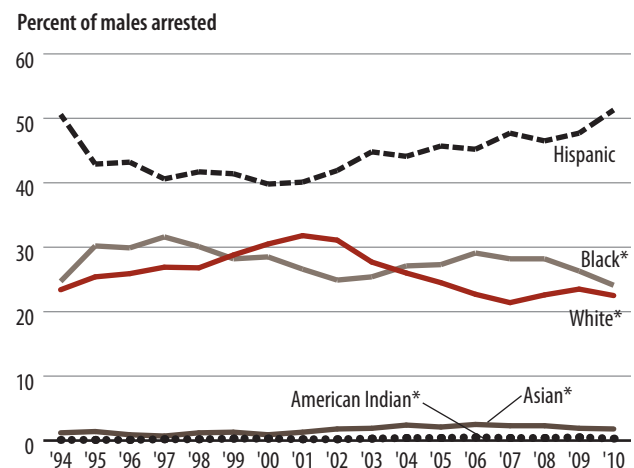
**FIGURE 6**  
Females arrested by the DEA, by race and Hispanic origin, 1994–2010



\*Excludes persons of Hispanic or Latino origin.

Source: Bureau of Justice Statistics, based on data from Drug Enforcement Administration Defendant Statistical System, fiscal years 1994–2010.

**FIGURE 7**  
Males arrested by the DEA, by race and Hispanic origin, 1994–2010



\*Excludes persons of Hispanic or Latino origin.

Source: Bureau of Justice Statistics, based on data from Drug Enforcement Administration, Defendant Statistical System, fiscal years 1994–2010.

## Prosecution

The 93 U.S. attorneys serve as the chief federal law enforcement officers within their respective districts.<sup>4</sup> In 2010, there were 94 headquarter offices and 138 staffed branch offices in the U.S. attorney system. The U.S. attorney, with help from assistant U.S. attorneys and support personnel, are responsible for most of the federal criminal prosecution conducted each year. In 2010, there were 6,075 full time equivalent (FTE) attorneys and 5,799 FTE support staff (*U.S. Attorneys' Annual Statistical Report, Fiscal Year 2010*, available at [http://www.justice.gov/usao/reading\\_room/reports/asr2010/10statrpt.pdf](http://www.justice.gov/usao/reading_room/reports/asr2010/10statrpt.pdf)). Investigations are most commonly referred to a U.S. attorney by a federal law enforcement agency. State and local law enforcement agencies are also sources of criminal referrals to U.S. attorney's offices in their district. U.S. attorneys determine which cases they will prosecute and establish policies and priorities within their federal judicial districts. U.S. attorneys take into account a variety of factors such as DOJ priorities, available resources, state and local priorities, and law enforcement priorities. The national priorities for U.S. attorneys in 2010 included the disruption and prevention of terrorism, drug trafficking, firearms enforcement, corporate fraud, civil rights, crimes against children, and official corruption.

Federal legislation influences the work of federal prosecutors, especially the agencies from which they receive referrals. The Homeland Security Act of 2002 transferred the U.S. Customs Service and the Secret Service from the U.S. Department of Treasury (Treasury) to DHS. Responsibility for the Immigration and Naturalization Service transferred from the DOJ to DHS, and the ATF transferred from the Treasury to the DOJ.

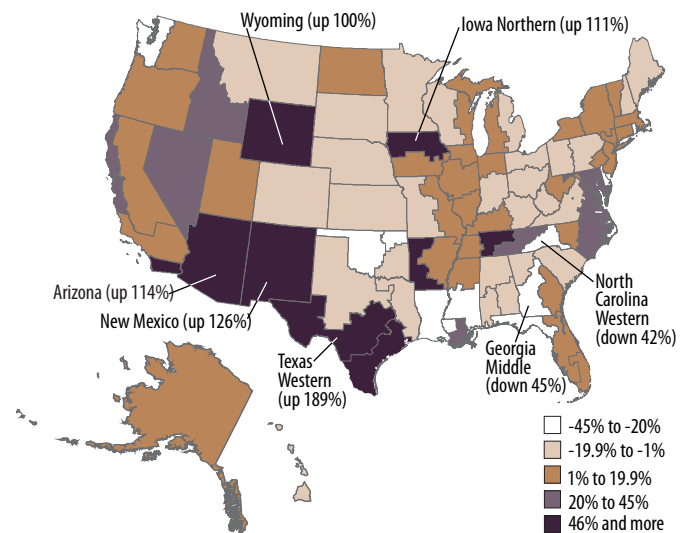
### From 2006 to 2010, criminal referrals to U.S. attorneys increased the fastest in southwest border districts

Between 2006 and 2010, the number of matters concluded by U.S. attorneys increased from 141,130 to 193,021—an annual average percent increase of 9%. The percent change in the number of matters referred to U.S. attorneys from 2005 to 2010 averaged more than 45% per year in nine federal judicial districts (**map 5**). In addition to the five Southwest border

<sup>4</sup>One U.S. attorney serves two districts (Guam and Northern Marianas Islands). This report combines Northern Mariana Islands with Guam for statistical reporting.

**MAP 5**

### Average annual percentage change in the number of matters referred to U.S. attorneys, 2006–2010



Note: Not shown on map: Guam/Northern Mariana Islands (37%), Puerto Rico (25% to 45%), District of Columbia (-3%), and U.S. Virgin Islands (-5%). The average annual growth rate is the sum of the year-to-year percentage change divided by four.

Source: Bureau of Justice Statistics, based on data from Executive Office for U.S. Attorneys, National LIONS database, fiscal years 2006–2010.

districts (California Southern, Arizona, New Mexico, Texas Western and Texas Southern), the districts of Iowa Northern, Wyoming, Missouri Western, and Tennessee Middle, each experienced an average annual increase in referrals of more than 45%. The Western District of North Carolina and the Middle District of Georgia experienced declines in the average annual percent change of referrals by more than 40%.

The reasons for changes in the number of referrals between 2006 and 2010 varied by district, with the exception of districts along the U.S.-Mexico border. The number of districts along the U.S.-Mexico border increased due to greater immigration enforcement (not shown). The growth in Montana was due to an increase in referrals from the National Park Service for regulatory offenses in national parks. The growth in Iowa Northern was due to a 1-year (2008) spike in immigration referrals. In North Carolina Western, the decline in referrals was mostly due to fewer weapons and drug referrals from 2006 to 2010. In Georgia Middle, the decline in referrals was mostly due to fewer drug trafficking referrals from 2006 to 2010.

**In 2010, 54% of suspects in matters concluded by U.S. attorneys had been referred by the Department of Homeland Security**

Eight years after the reorganization of federal law enforcement agencies under the Homeland Security Act of 2002 (Public Law 107-296), DHS agencies referred 54% of all matters concluded by U.S. attorneys in 2010, up from 36% of matters concluded by U.S. attorneys in 2006 (table 5). Law enforcement agencies within the DOJ referred 30% of suspects in matters concluded by U.S. attorneys in 2010, compared to 42% of referrals in 2006 and 57% referrals in 2001. Suspects in matters concluded by U.S. attorneys referred by the Treasury comprised 1% of the all matters concluded in 2010, down from 2% in 2006 and 20% in 2002.

**Immigration and drug charges made up two-thirds of all matters concluded by U.S. attorneys in 2010**

U.S. attorneys concluded 193,021 matters in 2010 (table 6). Forty-five percent of matters concluded by U.S. attorneys in 2010 involved an immigration offense, and 20% involved a drug charge. Overall, the number of matters concluded increased by an annual average of 9% from 2006 to 2010. Among matters concluded by U.S. attorneys during this period, immigration (30%) and sex offenses (9%) increased at the fastest annual rate. The number of weapon offenses decreased by an annual average of 4%, from 12,887 matters concluded in 2006 to 11,040 in 2010.

**Matters concluded in five federal judicial districts along the U.S.-Mexico border increased by 25% from 2006 to 2010**

Half (50%) of matters concluded by U.S. attorneys in 2010 occurred in the five federal judicial districts of California Southern, Arizona, New Mexico, Texas Western and Texas Southern. In comparison, these districts handled about a third (31%) of matters concluded in 2006. The number of matters concluded by U.S. attorneys in all other districts decreased slightly, from 97,202 matters in 2006 to 96,924 matters in 2010.

**TABLE 5**  
**Suspects in matters concluded by U.S. attorneys, by referring authority, 2001, 2006, and 2010**

Department or authority	2001	2006	2010
Total	100%	100%	100%
Justice	56.6%	41.9%	29.5%
Homeland Security	...	35.8	53.8
Treasury	20.2	1.7	1.4
Interior	4.2	1.6	1.4
Defense	3.3	4.1	3.4
Federal/state task forces	3.2	2.9	1.9
Other*	12.5	12.0	8.6
Number of matters concluded	118,321	141,130	193,021

\*Includes U.S. Postal Service, Department of Health and Human Services, Department of Agriculture, Department of Labor, and State Department.  
...Not available, as Homeland Security transition was effective mid-fiscal year 2003 (March).  
Source: Bureau of Justice Statistics, based on data from Executive Office for U.S. Attorneys, National LIONS database, fiscal years 2001, 2006, and 2010.

**TABLE 6**  
**Suspects in matters concluded by U.S. attorneys, by offense type, 2006 and 2010**

	2006		2010		Average annual growth rate, 2006-2010 <sup>a</sup>
	Number	Percent	Number	Percent	
<b>Total</b>	141,130	100%	193,021	100%	8.6%
<b>Lead charge<sup>b</sup></b>					
Violent	4,710	3.4%	4,567	2.4%	-0.7%
Property	25,718	18.4	28,839	15.0	3.0
Fraud	23,067	16.5	26,656	13.9	3.8
Other	2,651	1.9	2,183	1.1	-4.7
Drug	38,499	27.5	37,417	19.5	-0.7
Public order	18,490	13.2	19,727	10.3	1.7
Regulatory	4,769	3.4	5,235	2.7	2.5
Other	13,721	9.8	14,492	7.6	1.4
Sex offense	3,537	2.5	4,862	2.5	8.6
Weapons	12,887	9.2	11,040	5.8	-3.8
Immigration	36,226	25.9	85,545	44.6	30.3
<b>U.S.-Mexico border district<sup>c</sup></b>					
Yes	43,928	31.1%	96,097	49.8%	25.3%
No	97,202	68.9	96,924	50.2	-0.1

<sup>a</sup>Calculated using each fiscal year count from 2006 through 2010. Percentages are based on records with non-missing offense information (1,063 records were missing offense information in 2006, and 1,024 records were missing offense information in 2010).

<sup>b</sup>The substantive charge that is the primary basis of the matter.

<sup>c</sup>Includes the following federal judicial districts: California Southern, Arizona, New Mexico, Texas Western, and Texas Southern.

Source: Bureau of Justice Statistics, based on data from Executive Office for U.S. Attorneys, National LIONS database, fiscal years 2006 and 2010.

### Almost half of suspects in matters concluded in 2010 were prosecuted by U.S. attorneys

Matters involving drug and weapons offenses were the most likely to be prosecuted in 2010. Suspects charged with drug (75%) and weapons (69%) offenses had the highest prosecution rates in 2010, followed by sex (57%), violent (56%), property (50%), and public order (40%) offenses (table 7).

U.S. attorneys may file charges and prosecute defendants in U.S. district court, or they may file charges and prosecute matters before U.S. magistrates, who have the authority to adjudicate misdemeanor offenses (18 U.S.C. § 3401). With the exception of misdemeanor offenses and when a suspect waives their right to a grand jury indictment, the U.S. attorney presents evidence to a grand jury. The grand jury deliberates and decides whether the suspect should be indicted or charged for committing a crime. If the grand jury returns with an indictment, the U.S. attorney will file criminal charges in U.S. district court.

### More than a third of federal matters concluded in 2010 were disposed by U.S. magistrates

Thirty-six percent of matters concluded by U.S. attorneys in 2010 were disposed by U.S. magistrates, while 49% were handled in U.S. districts courts and 16% were declined

for further prosecution. U.S. magistrates disposed 64% of immigration matters, 26% of public order matters, and 15% of fraud matters concluded. In the five U.S.-Mexico border districts, more than half (61%) of matters concluded by U.S. attorneys were disposed by U.S. magistrates, compared to 10% of matters in other districts. Suspects involved in regulatory offenses were most likely to be declined for prosecution (47%), followed by property (36%), violent (34%), and public order (34%) offenses. The U.S. attorney may decline to file charges for reasons such as weak or insufficient evidence, a lack of criminal intent, minimal federal interest, or a lack of resources. Matters that are declined may be referred to other authorities for prosecution or may be settled through alternative resolution procedures.

### The median time to conclude a matter (from receipt to U.S. attorneys' decision) was 19 days

The median days from receipt of a matter to the decision by U.S. attorneys to either prosecute, dispose by U.S. magistrate, or decline was 19 days for all matters concluded in 2010. The median case processing time varied by type of offense with fraud (222 days) and regulatory (214 days) offenses taking the longest to reach a resolution. The median case processing time for immigration (2 days) and drug (29 days) offenses took the shortest time to reach a resolution.

**TABLE 7**  
**Outcome and case processing time of suspects in matters concluded, 2010**

	Total matters concluded		Outcome of matters concluded			Case processing time (median)*			
	Number	Percent	Prosecuted	Disposed by U.S. magistrate	Declined	Total	Prosecuted	Disposed by U.S. magistrate	Declined
<b>Total</b>	193,021	100%	48.5%	35.7%	15.8%	19 days	24 days	0 days	444 days
<b>Lead charge</b>									
Violent	4,567	100%	56.3%	9.8%	33.9%	51 days	24 days	96 days	302 days
Property	28,839	100	49.8	14.7	35.5	217	89	17	537
Fraud	26,656	100	49.6	15.0	35.4	222	95	15	537
Other	2,183	100	52.0	11.5	36.5	155	41	122	520
Drug	37,417	100	75.1	8.4	16.5	29	25	31	511
Public order	19,727	100	39.9	26.2	33.9	106	26	73	450
Regulatory	5,235	100	39.8	13.4	46.8	214	60	108	464
Other	14,492	100	39.9	30.9	29.2	80	16	70	437
Sex offense	4,862	100	57.0	3.8	39.2	140	62	76	338
Weapons	11,040	100	68.9	3.0	28.1	47	27	58	253
Immigration	85,545	100	34.8	64.3	0.9	2	21	0	316
<b>U.S.-Mexico border district</b>									
Yes	96,097	100%	35.7%	61.2%	3.1%	83 days	23 days	0 days	433 days
No	96,924	100	61.0	10.4	28.6	4	28	88	445

Note: There were 1,024 matters that were missing offense type. Southwest border districts include the following federal judicial districts: California Southern, Arizona, New Mexico, Texas Western, and Texas Southern.

\*Median days from receipt of matter to outcome is the midpoint number or the number of days for which half of the suspects were processed more slowly than the median days and half were processed more quickly.

Source: Bureau of Justice Statistics, based on data from Executive Office for U.S. Attorneys, National LIONS database, fiscal year 2010.



### Matters prosecuted in 2010 took a median of 24 days to process (from receipt of matter to U.S. attorneys' decision)

Among offenses prosecuted in 2010, fraud offenses took the longest (a median of 95 days) to reach the prosecution decision. Immigration (21 days) and other public order (16 days) offenses received a prosecution decision in the shortest time.

### In 2010, the median case time was longest for matters that were declined

Matters that were declined for prosecution took a median 444 days, compared with matters that were prosecuted (24 days) and matters that were disposed by U.S. magistrate (0 days). A median of 0 days means that at least half of the matters were disposed by U.S. magistrates on the same day they were opened. Among those that were declined in 2010, property (537 days) and drug (511 days) matters took the longest time to reach declination. Matters that were declined in 2010 in U.S.-Mexico border districts (433 days) took a similar duration other districts (445 days).

### Case processing time decreased from over 3 months in 1994 to about 3 weeks in 2010

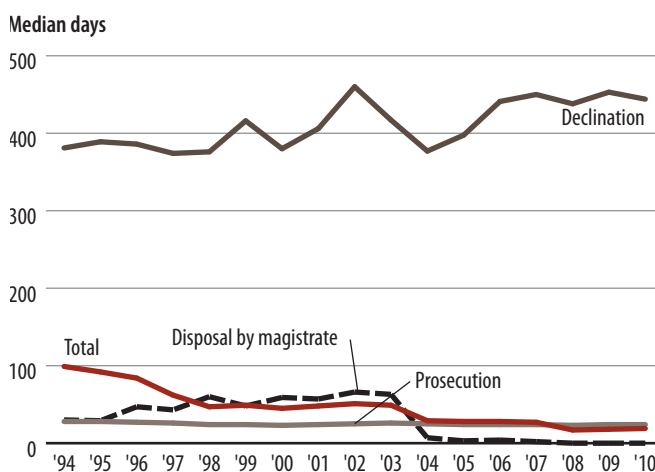
The median time from the receipt of a matter by a U.S. attorney's office to a decision to prosecute, decline, or dispose by U.S. magistrate was 19 days in 2010. This was a decrease from 90 days in 1994. In 2010, the median processing time took far longer for matters that were declined (median of 444 days) than for matters prosecuted (24 days) or disposed by a U.S. magistrate (0 days). The median case processing time for matters prosecuted remained relatively stable, declining slightly from 26 days in 1994 to 24 days in 2010 (figure 8). The case processing time for a matter disposed by magistrate increased from 28 days in 1994 to 66 days in 2002, before dropping sharply to a median of 0 days in 2010. A median of 0 days means that at least half of the matters were concluded on the same day they were opened.

The drop in the total case processing time was due in part to a steady decrease in the number of matters declined, and an increase in the number of immigration matters disposed by U.S. magistrate beginning in 2004. In addition, the increase in immigration enforcement along the U.S.-Mexico border was accompanied by a strategy to expedite case processing by charging first-time illegal entrants with a petty misdemeanor offense. As a result, the average case processing time decreased.

### Five investigative agencies referred 77% of matters concluded in 2010

Seventy-seven percent (149,392) of the 193,021 matters concluded U.S. attorneys in 2010 were referred by five investigative agencies (table 8). The top two agencies were from DHS: CBP (73,488) and ICE (23,653). The other three were from DOJ agencies: FBI (23,132), DEA (17,682), and ATF (11,437).

**FIGURE 8**  
Median days from receipt of matter to disposition, 1994–2010



Note: Median days from receipt of matter to outcome is the midpoint or the number of days for which half of the suspects were processed more slowly than the median days and half were processed more quickly. A median of zero means that half of the suspects were processed on the same day as they were referred.

Source: Bureau of Justice Statistics, based on data from Executive Office for U.S. Attorneys, National LIONS database, fiscal years 1994–2010.

Among these five agencies, prosecution rates in 2010 varied from a high of 80% for suspects referred by ICE and 78% for UCIS, followed by 77% for suspects referred by DEA and 70% for suspects referred by ATF. Twenty-four percent of suspects referred by CBP were prosecuted in U.S. district courts, and 76% of suspects were disposed by U.S. magistrates. The

FBI had a prosecution rate of 56%, and 5% of suspects were disposed by U.S. magistrate. These five agencies differed in the days from receipt of matter to the decision to prosecute. The FBI had an 8-week median case processing time, compared to 3 to 4 weeks for the other four agencies.

**TABLE 8**  
**Outcomes of suspects in matters concluded by Department of Homeland Security and Department of Justice, 2010**

Investigating department/agency	Total suspects in matters concluded		Outcome of matters concluded			Number of suspects prosecuted	Median time to prosecution <sup>a</sup>
	Number	Percent	Prosecuted	Disposed by U.S. magistrate	Declined		
<b>All agencies</b>	193,021	100%	48.4%	35.7%	15.9%	93,494	24 days
<b>Department of Homeland Security</b>	103,891	100%	39.0%	56.8%	4.2%	40,551	22 days
Customs and Border Protection	73,488	100	23.8	76.0	0.3	17,473	22
Immigration and Customs Enforcement	23,653	100	79.8	11.2	9.0	18,871	21
Citizenship and Immigration Services	1,808	100	78.2	16.7	5.1	1,413	24
Secret Service	4,586	100	57.2	4.8	38.1	2,622	62
Joint DHS/state/local task forces	233	100	45.9	3.4	50.6	107	85
Other <sup>b</sup>	123	100	52.8	3.3	43.9	65	142
<b>Department of Justice</b>	59,125	100%	64.7%	5.5%	29.8%	38,247	29 days
Alcohol, Tobacco, Firearms, & Explosives	11,437	100	70.0	2.9	27.1	8,001	30
Joint ATF/state/local task forces	1,304	100	66.7	1.9	31.4	870	45
U.S. Marshals Service	2,100	100	41.2	12.4	46.4	865	22
Joint USMS/state/local task forces	82	100	43.9	13.4	42.7	36	16
Drug Enforcement Administration	17,682	100	77.0	7.2	15.9	13,608	24
Joint DEA/state/local task forces	1,330	100	75.4	4.8	19.8	1,003	26
Federal Bureau of Investigation	23,132	100	55.6	5.2	39.3	12,856	54
Joint FBI/state/local task forces	1,053	100	58.0	2.8	39.2	611	77
Other <sup>c</sup>	1,005	100	39.5	7.4	53.1	397	14

Note: Agency of referral information missing for 101 records.

<sup>a</sup> Median days from receipt of matter to prosecution is the midpoint or the number of days for which half of the suspects were prosecuted more slowly than the median days and half were prosecuted more quickly. A median of zero means that half of the suspects were prosecuted on the same day as they were referred.

<sup>b</sup> Includes Federal Emergency Management Agency, Transportation Security Administration, U.S. Coast Guard and other agencies.

<sup>c</sup> Includes: U.S. Parole Commission, U.S. Trustees, and other agencies.

Source: Bureau of Justice Statistics, based on data from Executive Office for U.S. Attorneys, National LIONS database, fiscal year.

## Pretrial detention, adjudication, and sentencing

The terms for release and detention of defendants facing charges in federal courts are set under Title 18 U.S.C. § 3141. According to the statute, a defendant must be brought before a judicial officer without unnecessary delay upon arrest for an initial appearance. The judicial officer, usually a U.S. magistrate, determines whether the defendant will be released or detained prior to trial. The Bail Reform Act of 1984 requires the court to weigh risk of flight, threat of crime commission, and presumption of innocence in deciding whether to order detention or release of a defendant. According to the act, preventive detention is applicable in instances where the defendant was charged with (1) a crime of violence, (2) an offense with a statutory maximum sentence of life imprisonment or death, (3) a drug offense with a statutory maximum sentence of 10 years or more imprisonment, or (4) any felony offense if the defendant had been convicted on two or more occasions of a previously described offense or a similar state-level offense.

### Immigration defendants were most likely to be detained prior to case disposition

In 2010, more than 3 in 4 defendants (76%) in cases terminated had been detained by the court prior to case disposition (table 9). The defendants most likely to be detained were those charged with immigration (88%), violent (86%), weapons (86%), and drug (84%) offenses. Immigration defendants comprised 39% of all defendants in cases terminated in 2010 and 45% of all defendants detained prior to case disposition. Property (41%) and public order (43%) defendants were less likely than other defendants to be detained. In comparison, 72% of defendants charged with a sex offense were detained prior to case disposition.

**TABLE 9**  
Defendants detained at any time prior to case termination, 2010

	Number of total defendants	Defendants detained	
		Number	Percent
<b>Total</b>	100,622	76,589	76.1%
<b>Offense type</b>			
Violent	2,387	2,054	86.1%
Property	15,257	6,279	41.2
Fraud	12,829	5,477	42.7
Other	2,428	802	33.0
Drug offenses	27,555	23,232	84.3
Public order	5,448	2,332	42.8
Regulatory	1,325	552	41.7
Other	4,123	1,780	43.2
Sex offenses	2,802	2,014	71.9
Weapons	7,176	6,142	85.6
Immigration	39,001	34,127	87.5
<b>Number of prior convictions</b>			
None	40,094	26,769	66.8%
1	15,787	12,292	77.9
2–4	24,561	20,022	81.5
5 or more	20,167	17,496	86.8
<b>Type of prior convictions</b>			
Misdemeanor only	18,727	14,117	75.4%
Felony other	10,105	8,005	79.2
Felony drug	15,018	12,890	85.8
Felony violent	16,665	14,798	88.8
<b>U.S.-Mexico border district</b>			
Yes	46,781	38,930	83.2%
No	53,841	37,659	69.9

Note: Detained defendants included defendants who were detained at any time prior to case termination. There were 996 records missing offense type and 13 records missing prior conviction information. Prior felony convictions were classified where prior violent felonies were counted first, followed by prior drug felonies and prior other felonies. The database does not contain additional details about prior felonies for other offenses.

Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, Probation and Pretrial Services Automated Case Processing System (PACTS), fiscal year 2010.

### The likelihood of being detained prior to case disposition increased with the number of prior convictions

Eighty-seven percent of defendants with five or more prior convictions were detained, compared to 82% of defendants with two to four prior convictions and 78% with one prior conviction. Defendants with no prior convictions (67%) were the least likely to be detained. The likelihood of being detained also increased with the severity of the defendant’s criminal history. Eighty-nine percent of defendants with a prior violent felony conviction were detained by the court, compared to defendants with only prior nonviolent and nondrug felony (79%) or misdemeanor (75%) convictions. Eighty-three percent of defendants charged in districts along the U.S.-Mexico border were detained prior to case disposition in 2010, while the detention rates in other districts averaged 70%.

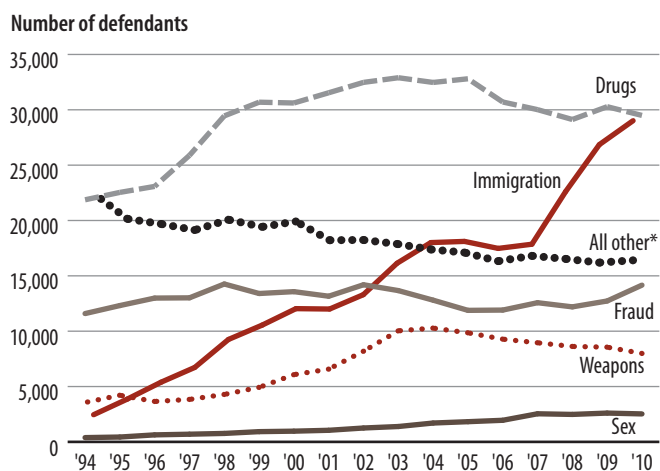
### Immigration offenses nearly equaled the number of drug cases filed in U.S. district court in 2010

Immigration offenses increased from 2,453 cases filed in 1994, to 29,016 in 2010—nearly equaling the number of drug offenses in cases filed in 2010 (29,493). Immigration offenses accounted for 70% of the total increase among all felony cases filed from 1994 to 2010 (figure 9). After increasing from 21,871 cases filed in 1994 to 32,897 cases filed in 2003, drug offenses declined to 29,493 in 2010. Weapons offenses increased from 3,557 cases filed in 1994 to a peak of 10,278 in 2004. Since 2004, the number of weapons cases filed in U.S. district court declined to 7,989 in 2010.

### More than half of defendants charged in U.S. district courts in 2010 were of Hispanic origin

In 2010, most defendants charged in U.S. district court were Hispanic (57%), male (86%), and ages 30 to 34 (19%) (table 10). Defendants age 50 or older comprised 12% of defendants charged. The youngest (age 19 or younger) and oldest defendants (age 65 or older) together comprised 3% of defendants charged in 2010.

**FIGURE 9**  
Defendants in cases filed in U.S. district court, by most serious offense, 1994–2010



\*Includes violent, other property, and public order offenses.

Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, criminal master file, fiscal years 1994–2010.

**TABLE 10****Demographic characteristics of federal defendants charged in U.S. district court, by sex, 2010**

Defendant characteristic	All defendants		Male		Female	
	Number	Percent	Number	Percent	Number	Percent
<b>Total</b>	80,638	100%	69,662	100%	10,897	100%
<b>Race/Hispanic origin</b>						
White*	17,021	21.5%	13,556	19.8%	3,457	32.6%
Black/African American*	14,201	17.9	12,056	17.6	2,135	20.1
Hispanic/Latino	45,333	57.3	40,823	59.6	4,467	42.1
American Indian/Alaska Native*	1,217	1.5	965	1.4	252	2.4
Asian/Native Hawaiian/Other Pacific Islander*	1,138	1.4	865	1.3	273	2.6
Other*	255	0.3	221	0.3	33	0.3
<b>Age</b>						
17 or younger	78	0.1%	74	0.1%	4	--
18–19	955	1.2	817	1.2	137	1.3%
20–24	10,401	12.9	8,914	12.8	1,476	13.6
25–29	14,809	18.4	12,963	18.6	1,831	16.8
30–34	15,498	19.2	13,680	19.7	1,799	16.5
35–39	12,658	15.7	11,090	15.9	1,562	14.3
40–44	9,602	11.9	8,219	11.8	1,375	12.6
45–49	6,813	8.5	5,748	8.3	1,061	9.7
50–54	4,415	5.5	3,681	5.3	731	6.7
55–59	2,642	3.3	2,166	3.1	474	4.4
60–64	1,525	1.9	1,256	1.8	269	2.5
65 or older	1,172	1.5	999	1.4	173	1.6
<b>Median age</b>	34 yrs.	~	34 yrs.	~	35 yrs.	~
<b>Citizenship</b>						
U.S. citizen	42,443	53.4%	34,252	49.9%	8,163	76.1%
Legal alien	3,532	4.5	2,981	4.3	548	5.1
Illegal alien	33,458	42.1	31,411	45.8	2,014	18.8
<b>Country of citizenship</b>						
North America	76,015	97.4%	65,566	97.5%	10,365	96.9%
United States	42,443	54.4	34,252	50.9	8,163	76.3
Mexico	28,295	36.2	26,487	39.4	1,784	16.7
Canada	181	0.2	159	0.2	21	0.2
Caribbean	1,778	2.3	1,587	2.4	190	1.8
Central America	3,318	4.3	3,099	4.6	211	2.0
South America	846	1.1	691	1.0	154	1.4
Asia and Oceania	569	0.7	491	0.7	78	0.7
Europe	363	0.5	302	0.5	61	0.6
Africa	280	0.4	246	0.4	34	0.3

Note: Includes defendants charged with a felony or Class A misdemeanor offense as the most serious charge. Data were missing for the following: sex (79), race/Hispanic origin (1,473), age (73), citizenship (1,205), and nationality (2,585).

\*Excludes persons of Hispanic or Latino origin.

-- Less than 0.05%.

~ Not applicable.

Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, Probation and Pretrial Services Automated Case Tracking System (PACTS), fiscal year 2010.



### Males made up most (86%) of defendants charged in U.S. district court in 2010

Males comprised 86% of defendants charged in federal court in 2010. Most males charged were of Hispanic origin (60%), followed by white (20%) and black or African American (18%). In comparison, most females charged were of Hispanic origin (42%), followed by white (33%) and black or African American (20%). The median age for males (34 years) was similar to females (35 years). Females charged were mostly U.S. citizens (76%), with 5% having legal alien status and 19% having illegal alien status.

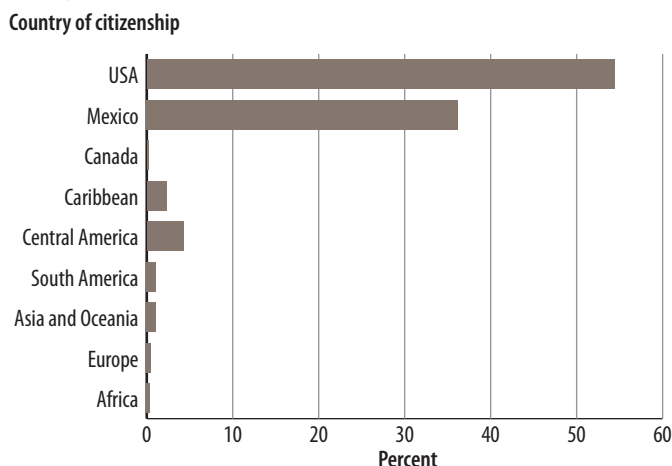
### Non-U.S. citizens comprised nearly half (47%) of defendants charged in U.S. district court in 2010

In 2010, 47% of defendants charged in U.S. district courts were non-U.S. citizens, while 53% were U.S. citizens. Noncitizens charged included persons with legal status (5%) (i.e., permanent residents, persons in possession of a green card, persons with a valid temporary visa, and persons with refugee status) and persons in the country without legal authorization (42%). Thirty-six percent of defendants charged in U.S. district court were from Mexico, followed by persons from Central America (4%), the Caribbean (2%), and South America (1%) (figure 10). Defendants from Asia and Oceania, Europe, and Africa together represented 1% of defendants charged in U.S. district court.

### In 2010, 9 in 10 defendants adjudicated in U.S. district court were convicted

Of the 98,489 defendants adjudicated in 2010, 91% (89,902) were convicted (table 11). Almost all immigration violation defendants (97%) in 2010 were convicted, as were most defendants with weapons (92%) and drug (93%) violations. Of the 89,902 of adjudicated defendants convicted in 2010, most (97%) were convicted following a guilty plea.

**FIGURE 10**  
Country of citizenship of offenders charged in U.S. district court, 2010



Note: Includes defendants charged with a felony or Class A misdemeanor offense as the most serious charge.

Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, Probation and Pretrial Services Automated Case Tracking System (PACTS), fiscal year 2010.

**TABLE 11**  
Disposition and case processing time of defendants in cases terminated in U.S. district court, 2010

Most serious offense at termination	Total cases terminated		Percent convicted			Percent not convicted		
	Number	Percent	Total	Guilty plea	Bench/jury trial	Total	Bench/jury trial	Dismissed
All offenses	98,489	100%	91.3%	88.9%	2.4%	8.7%	0.4%	8.3%
Type of charge								
Felonies	86,043	100%	93.8%	91.3%	2.5%	6.2%	0.4%	5.8%
Violent	2,228	100	91.6	86.5	5.1	8.4	1.6	6.8
Property	12,416	100	92.0	88.5	3.5	8.1	0.7	7.4
Fraud	10,887	100	92.3	88.8	3.5	7.8	0.7	7.1
Other	1,529	100	89.6	86.1	3.5	10.3	0.7	9.6
Drug	27,367	100	92.9	90.2	2.7	7.1	0.3	6.8
Public order	5,063	100	88.7	83.1	5.6	11.4	0.9	10.5
Regulatory	1,003	100	88.7	83.7	5.0	11.4	0.8	10.6
Other	4,060	100	88.7	83.0	5.7	11.4	0.9	10.5
Sex offense	2,559	100	94.8	89.7	5.1	5.2	0.7	4.5
Weapons	8,316	100	92.2	87.6	4.6	7.8	0.9	6.9
Immigration	27,806	100	97.2	96.8	0.4	2.9	0.1	2.8
Misdemeanors	12,446	100	73.8	72.6	1.2	26.2	0.5	25.7
U.S.-Mexico border district								
Yes	35,379	100%	95.9%	95.2%	0.7%	4.1%	0.2%	3.9%
No	63,110	100	88.7	85.4	3.3	11.3	0.6	10.7
Median days from filing to disposition	~	193 days	191 days	188 days	464 days	208 days	237 days	205 days

Note: Offense type was missing for 288 records.

~ Not applicable.

Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, criminal master file, fiscal year 2010.

### 8% of adjudicated defendants were dismissed in 2010

Misdemeanors had the highest percentage of dismissals, (26%) followed by public order (11%) and other property offenses (10%). Violent offenses (7%) and regulatory offenses (6%) had the highest percentage of trials. In 2010, defendants adjudicated in the southwest districts had a higher conviction rate (96%) than defendants in districts not located on the border (89%). Dismissals (205 days) and guilty pleas (188 days) took less time to process than trials ending in conviction (464 days) or ending in acquittal (237 days).

### In 2010, a felony case took a median of 211 days to process from filing to disposition

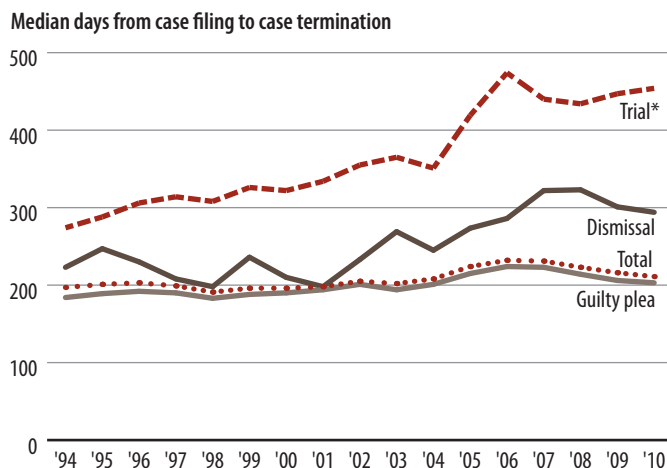
The median case processing time for felonies from case filing to disposition increased from 197 days in 1994 to 211 days in 2010 (figure 11). Guilty pleas comprised 89% of the case outcomes. The overall trend in felony case time is most impacted by guilty pleas, which comprise the bulk of case disposition outcomes. The median case processing time of felony cases terminated by a guilty plea increased by 9 days, from 184 days in 1994 to 203 days in 2010.

### Cases terminated by a bench or jury trial decision took the longest time to process from 1994 to 2010

In 2010, felony cases terminated by a trial took a median of 454 days, a 67% increase from 274 days in 1994. Cases terminated by dismissal took a median of 294 days in 2010, up from 223 days in 1994 or a 32% increase in median case processing time.

The number of cases terminated with a trial declined. For example, the number of defendants who were found guilty following a trial declined by an annual average of 7% from 2006 to 2010, and the number of defendants who were found not guilty at trial decreased by 5%. The number of guilty pleas increased by an average annual rate of 3% from 2006 to 2010, followed by case dismissals (2%) (table 12).

**FIGURE 11**  
Median days from felony case filing to case termination by mode of disposition, 1994–2010



Note: Includes defendants charged with a felony as the most serious charge at case termination. Median days from case filing to disposition is the midpoint or the number of days for which half of the defendants were processed more slowly than the median days and half were processed more quickly.

\*Includes defendants who were convicted and defendants who were not convicted either before a jury or before a judge (bench trial).

Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, criminal master file, fiscal years 1994–2010.

**TABLE 12**  
Disposition and sentence received in cases terminated in U.S. district court, 2006 and 2010

Cases terminated	2006		2010		Average annual growth rate, 2006–2010 <sup>a</sup>
	Number	Percent	Number	Percent	
<b>Total</b>	88,094	100%	98,489	100%	2.8%
<b>Disposition</b>					
Convicted	79,904	90.7%	89,902	91.3%	3.0%
Plea	76,778	87.2	87,567	88.9	3.3
Bench/jury trial	3,126	3.6	2,335	2.4	-6.9
Not convicted	8,190	9.3%	8,587	8.7%	1.4%
Dismissed	7,662	8.7	8,166	8.3	1.8
Bench/jury trial	528	0.6	421	0.4	-5.2
<b>Sentence imposed<sup>b</sup></b>					
Total convicted defendants	79,196	100%	89,902	100%	3.0%
Prison <sup>c</sup>	63,699	80.4	69,494	77.8	2.2
Probation only	9,876	12.5	9,627	10.8	-0.6
Fine only	2,314	2.9	2,758	3.1	4.7
Suspended sentence	3,307	4.2	7,483	8.4	23.4

Note: Percentages are based on available data. Sentence type was missing for 708 records in 2006 and 540 records in 2010.

<sup>a</sup>Calculated using each fiscal year count from 2006 through 2010.

<sup>b</sup>Detail does not include cases missing sentence imposed.

<sup>c</sup>Includes all sentences to incarceration including split sentences.

Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, criminal master file, fiscal years 2006 and 2010.

## 78% of convicted defendants were sentenced to prison in 2010

Of the 89,902 defendants convicted in U.S. district court in 2010, 78% (69,494) were sentenced to prison. This percentage was down from the 80% of convicted defendants who were sentenced to prison in 2006. The number of persons who were sentenced to prison increased from 63,699 in 2006 to 69,494 in 2010, an annual average growth of 2%.

Eleven percent of convicted defendants in 2010 were sentenced to a term of probation only, down from 13% in 2006. Persons sentenced to probation decreased from 9,876 in 2006 to 9,627 in 2010. Three percent of defendants were ordered only to pay a fine in 2010. Persons receiving a fine-only sentence increased from 2,314 in 2006 to 2,758 in 2010. The fastest growing outcome at sentencing from 2006 to 2010 was the suspended sentence, which increased an annual average of 23%. In 2010, about 8% of all convicted defendants received a suspended sentence, up from 4% in 2006.

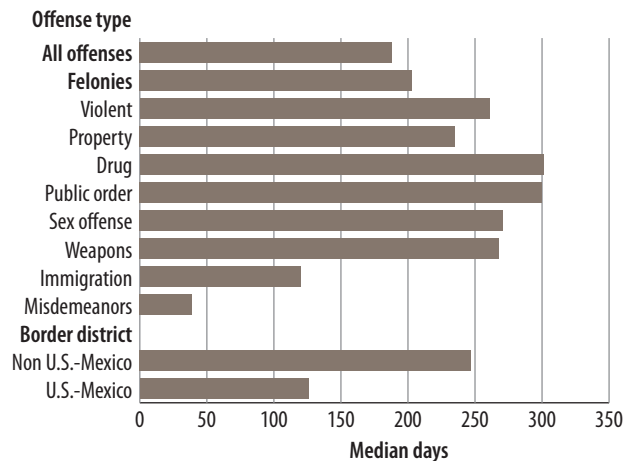
## The percent of felony cases disposed ending in a guilty plea varied by district

In 2010, eight federal districts disposed of felony cases with a guilty plea at least 95% of the time (map 6). This included districts along the southwest border (with the exception of California Southern) and the districts of Wyoming (96%), Illinois Southern (96%), North Carolina Middle (95%), and Louisiana Eastern (95%).

## In 2010, the median time from case filing to guilty plea was about 6 months

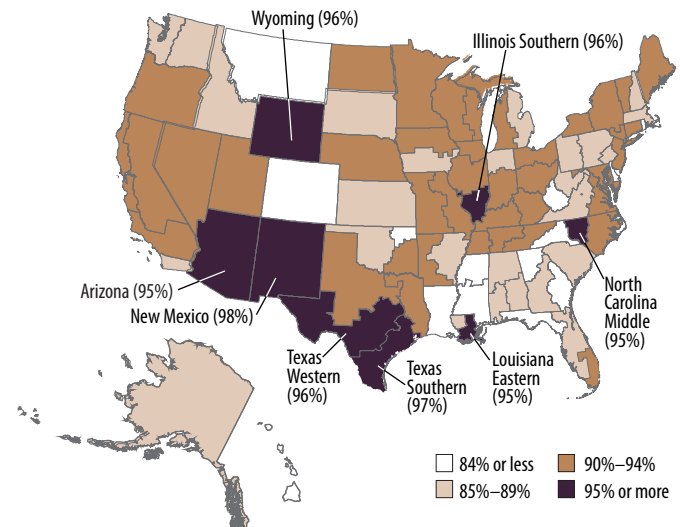
Of the 87,567 defendants in cases terminated in 2010 that ended in a guilty plea, the time from case filing to plea was about 6 months (figure 12). Defendants pleading guilty to a felony drug (301 days) or a felony public order offense (300 days) took the longest to reach disposition, followed by defendants pleading guilty to a felony sex (271 days), felony weapons (268 days), and felony violent offense (261 days). Defendants pleading guilty to a felony immigration offense took 120 days from case filing to case termination. Defendants pleading guilty to a misdemeanor took 39 days, compared with defendants pleading guilty to a felony (203 days). Defendants pleading guilty in districts along the U.S.-Mexico border (126 days) were quicker to reach disposition than defendants pleading guilty in other districts (247 days).

**FIGURE 12**  
Median days from case filing to case termination for guilty pleas, by offense and U.S.-Mexico border district, 2010



Note: U.S.-Mexico border districts include Arizona, California Southern, New Mexico, Texas Western, and Texas Southern. Offense types are the most serious offense at termination. Median days from case filing to disposition for guilty pleas is the midpoint or the number of days for which half of the defendants were processed more slowly than the median days and half were processed more quickly. Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, criminal master file, fiscal year 2010.

**MAP 6**  
Felony cases ending in a guilty plea, by federal judicial district, 2010



Note: Not shown on map: Guam/Northern Mariana Islands (77%), Puerto Rico (87%), District of Columbia (80%), and U.S. Virgin Islands (37%). Percentages represent the share that guilty pleas comprise of total felony cases adjudicated in U.S. district court in each federal judicial district.

Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, criminal master file, fiscal year 2010.

## Defendants convicted of sex offenses were most likely to receive a prison sentence

In 2010, sex offense convictions were most likely to receive a prison sentence (96%), followed by violent (93%) and weapons (92%) offenses (table 13). Defendants convicted of regulatory public order offenses (51%) and other property offenses (49%) were least likely to receive a prison sentence. Defendants convicted in one of the five districts along the U.S.-Mexico border (84%) were more likely to receive a prison sentence than defendants in all other districts (74%).

## Median prison terms declined from 2006 to 2010

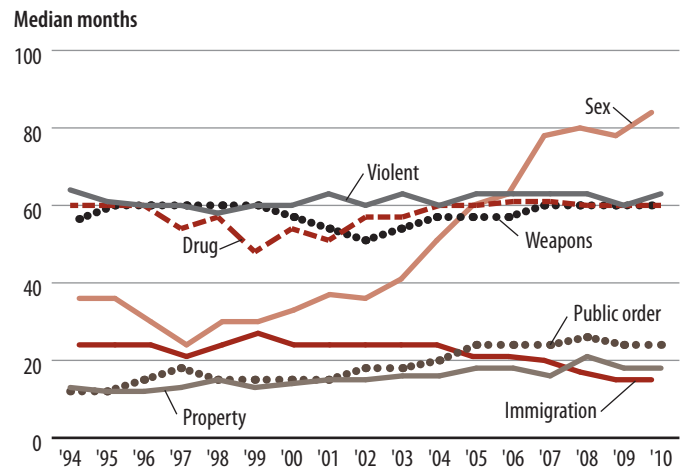
The median prison sentence decreased from 37 months in 2006 to 31 months in 2010. Drug offenders received a median prison sentence of 60 months in 2010, down from 63 months in 2006. Violent offenders received a median of 63 months in prison in 2010, down 64 months in 2006. Weapons offenders received a median sentence of 60 months in 2010, unchanged from 2006. The median prison sentence decreased for immigration offenders, from 21 months in 2006 to 15 months in 2010.

## Median prison sentences for defendants convicted of sex offenses had the greatest increase

Defendants convicted and sentenced to prison for a felony sex offense had the greatest median prison sentence in 2010 (84 months), up from a median term of 36 months in 1994 (figure 13). From 1994 to 2010, the median prison term

imposed on sex offenders increased by annual average of 6%. In comparison, the median prison term imposed for violent, weapons, and drug offenses remained relatively stable over the same period. The median prison term imposed for immigration offenses decreased from 24 months in 1994 to 15 months in 2010.

**FIGURE 13**  
Median prison sentence imposed, by most serious offense at sentencing, 1994–2010



Note: Median prison sentence imposed is the midpoint of the number of months for which half of the defendants were sentenced to shorter sentences than the median sentence and half received longer sentences than the median sentence.

Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, criminal master file, fiscal years 1994–2010.

**TABLE 13**  
Defendants convicted and sentenced to a federal prison term, by type of offense, 2006 and 2010

Most serious offense at termination	Number convicted		Percent sentenced to prison		Median prison term imposed*	
	2006	2010	2006	2010	2006	2010
<b>All offenses</b>	79,904	89,902	80.4%	77.8%	37 mos.	31 mos.
<b>Type of offense</b>						
Felonies	73,009	80,720	86.4%	83.2%	40 mos.	34 mos.
Violent	2,086	2,040	94.7	93.3	64	63
Property	11,303	11,413	61.2	63.3	19	24
Fraud	9,906	10,042	61.8	65.2	20	24
Other	1,397	1,371	57.4	49.0	18	18
Drug	27,361	25,416	93.4	91.0	63	60
Public order	4,752	4,489	68.7	67.1	27	27
Regulatory	805	889	49.8	50.6	18	18
Other	3,974	3,600	72.6	71.1	30	30
Sex offense	1,659	2,426	96.2	96.4	63	84
Weapons	8,831	7,669	93.3	92.0	60	60
Immigration	17,017	27,004	91.0	82.4	21	15
Misdemeanors	6,895	9,182	17.4%	30.0%	3 mos.	3 mos.
<b>U.S.-Mexico border district</b>						
Yes	22,950	33,927	89.6%	83.5%	21 mos.	14 mos.
No	56,954	55,975	76.7	74.3	37	36

Note: Sentence type was missing for 708 records in 2006 and 540 in 2010. U.S.-Mexico border districts include Arizona, California Southern, New Mexico, Texas Western, and Texas Southern.

\*Median prison sentence imposed is the midpoint of the number of months for which half of the defendants were sentenced to shorter sentences than the median sentence and half received longer sentences than the median sentence. Includes sentences of life and death (each coded as 480 months).

Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, criminal master file, fiscal years 2006 and 2010.

## Corrections and post-conviction supervision

### Most persons were incarcerated in federal prison for a drug offense in 2010

Drug offenses were the most prevalent offense type of prisoners in federal prison on September 30, 2010 (**figure 14**). Drug offenders declined from 57% of the prison population in 2001 to 52% in 2010, while weapons offenders increased from 9% of the prison population in 2001 to 16% in 2010. The share of violent offenders in federal prison decreased from 9% in 2001 to 6% in 2010. Immigration offenders comprised 12% of the prison population in 2010, rising slightly from 11% of the prison population in 2001.

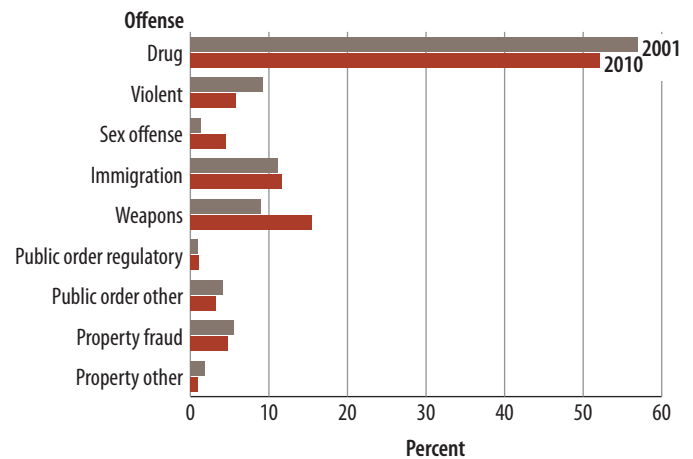
### Males made up 93% of inmates in 2010

The rate of growth from 1994 to 2010 was similar for males and females, averaging about a 3–4% annual increase (**table 14**). The percentage of males (93%) in federal prison on September 30, 2010, was unchanged from the percentage of males in prison on September 30, 1994.

### Federal prisons housed a greater share of older prisoners in 2010

The median age of prisoners was 38 years in 2010, compared to a median age of 36 years in 2001 (**table 14**). The number of prisoners age 65 or older increased from 1,698 prisoners in 2001 to 3,534 prisoners in 2010. Offenders age 60 or older comprised about 4% of the total prison population in 2010. Prisoners age 29 or younger decreased from 37,439 in 1994 to 36,918 in 2010, (down 1%).

**FIGURE 14**  
Federally sentenced prisoners in the custody of the Federal Bureau of Prisons, by offense, 2001 and 2010



Note: Includes prisoners sentenced in U.S. district court and excludes D.C. code offenders, military code offenders, foreign treaty transfers, state boarders, and presentenced offenders. Percentages are based on nonmissing data. Offense type was missing for 956 records in 2001 and 1,181 in 2010.

Source: Bureau of Justice Statistics, based on data from Federal Bureau of Prisons, SENTRY data base, September 30, 2001 and 2010.



**TABLE 14.****Characteristics of federally sentenced offenders in the custody of the Federal Bureau of Prisons, 2001 and 2010**

Offender characteristic	2001		2010		Average annual growth rate, 2001–2010 <sup>a</sup>
	Number	Percent	Number	Percent	
All inmates	135,197	100%	185,690	100%	3.6%
<b>Sex</b>					
Male	125,698	93.0%	173,509	93.4%	3.7%
Female	9,499	7.0	12,181	6.6	2.8
<b>Race/Hispanic origin</b>					
White <sup>b</sup>	37,368	27.6%	51,091	27.5%	3.6%
Black/African American <sup>b</sup>	50,548	37.4	68,180	36.7	3.4
Hispanic/Latino <sup>b</sup>	43,334	32.1	60,268	32.5	3.7
American Indian/Alaska Native <sup>b</sup>	2,131	1.6	3,331	1.8	5.1
Asian/Native Hawaiian/Other Pacific Islander <sup>b</sup>	1,816	1.3	2,820	1.5	5.1
<b>Age at fiscal yearend</b>					
17 or younger	48	--	23	--	-6.4%
18–19	566	0.4%	268	0.1%	-7.6%
20–24	12,077	8.9	9,887	5.3	-2.2
25–29	24,748	18.3	26,740	14.4	0.9
30–34	27,516	20.4	37,391	20.1	3.5
35–39	23,039	17.0	34,924	18.8	4.8
40–44	17,816	13.2	26,543	14.3	4.6
45–49	12,376	9.2	20,093	10.8	5.6
50–54	8,230	6.1	13,673	7.4	5.8
55–59	4,662	3.5	7,895	4.3	6.0
60–64	2,421	1.8	4,719	2.5	7.7
65 or older	1,698	1.3	3,534	1.9	8.5
<b>Median age</b>	36 yrs.		38 yrs.		
<b>Citizenship</b>					
U.S. citizen	95,868	71.1%	138,011	74.4%	4.1%
Non-U.S. citizen	38,884	28.9	47,551	25.6	2.3
<b>Country of citizenship</b>					
North America	127,759	94.9%	180,483	97.3%	3.9%
United States	95,868	71.2%	138,011	74.4%	4.1
Mexico	23,391	17.4	33,600	18.1	4.2
Canada	257	0.2	424	0.2	5.8
Caribbean	6,744	5.0	5,265	2.8	-2.6
Central America	1,499	1.1	3,183	1.7	8.9
South America	4,313	3.2	2,819	1.5	-4.6
Asia and Oceania	1,300	1.0	1,306	0.7	0.1
Europe	663	0.5	428	0.2	-4.4
Africa	557	0.4	361	0.2	-4.6

Note: Includes prisoners sentenced in U.S. district court and excludes D.C. Code offenders, military code offenders, foreign treaty transfers, state boarders, and presentenced offenders. Percentages are based on non-missing data. In 2001, 445 records were missing citizenship and 605 records were missing country of citizenship. In 2010, 130 records were missing citizenship and 293 records were missing country of citizenship. Median age is the midpoint or the age at which half of the prisoners were older than the median age and half were younger than the median age.

-- Less than 0.05%.

<sup>a</sup>Calculated using each fiscal year data from 2001 through 2010.

<sup>b</sup>Excludes persons of Hispanic or Latino origin.

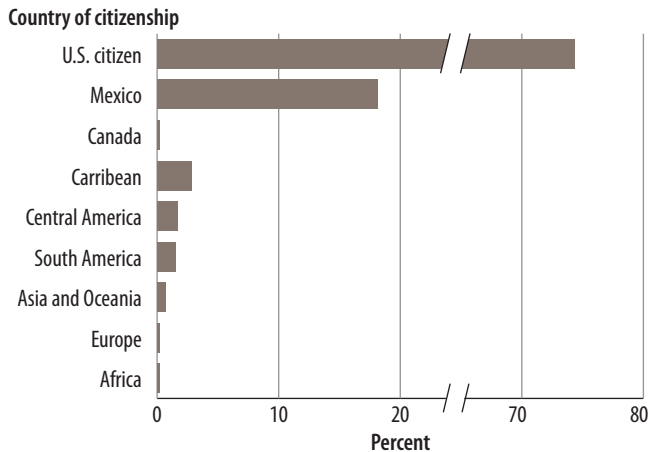
Source: Bureau of Justice Statistics, based on data from Federal Bureau of Prisons, SENTRY data base, September 30, 2001, and 2010.

**The racial profile of the federal prison population showed little change from 2006 to 2010**

In 2010, 37% of the federal prison population was black or African American, 32% was Hispanic, and 28% was white. American Indians and Asians each represented 3% of the prison population. Seventy-four percent of persons in federal prison at fiscal yearend 2010 were U.S. citizens, up from 71% in 2001 (figure 15). Of the 26% non-U.S. citizens in federal prison in 2010, 18% were citizens of Mexico, 3% were citizens

of Caribbean countries, 2% were citizens of Central America, and 2% were citizens of South American countries. Non-U.S. citizens in federal prison at fiscal yearend 2010 with citizenship in a Central American country increased by an annual average of 9% from 2001 to 2010. In comparison, the average annual growth in prisoners who were citizens of Mexico was 4%. Five federal judicial districts (Arizona, Texas Western, Texas Southern, Florida Southern, and Florida Middle) committed 22% of offenders in federal prison at yearend 2010 (map 7).

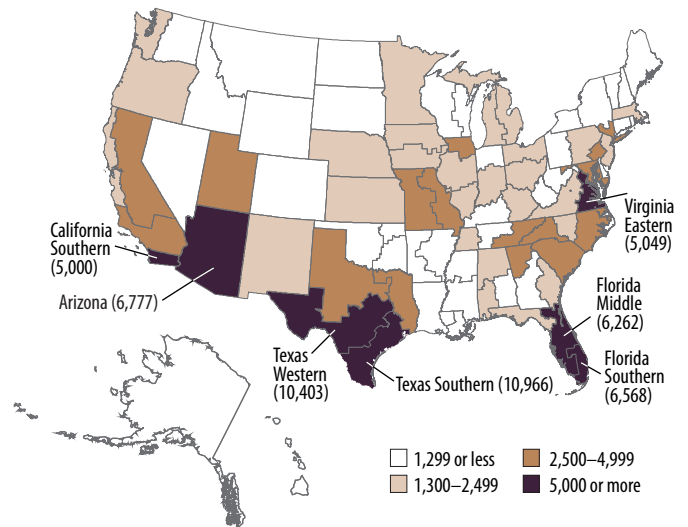
**FIGURE 15**  
**Federally sentenced offenders in the custody of the Federal Bureau of Prisons, by country of citizenship, 2010**



Note: Includes prisoners sentenced in the U.S. district court and excludes D.C. code offenders, military code offenders, foreign treaty transfers, state boarders, and pre-sentenced offenders. Percentages are based on nonmissing data. Country of citizenship missing for 291 records.

Source: Bureau of Justice Statistics, based on data from Federal Bureau of Prisons, SENTRY data base, September 30, 2010.

**MAP 7**  
**Federally sentenced offenders in the custody of the Federal Bureau of Prisons, by federal judicial district of commitment, 2010**



Note: Includes prisoners sentenced in U.S. district court and excludes D.C. code offenders, military code offenders, foreign treaty transfers, state boarders, and presented offenders. Not shown on map: Guam/Northern Mariana Islands (1,183), Puerto Rico (2,152), District of Columbia (1,081), and U.S. Virgin Islands (149). Federally sentenced inmates in the custody of the Federal Bureau of Prisons.

Sources: Bureau of Justice Statistics, based on data from Federal Bureau of Prisons, SENTRY database, 2010.

## Offenders returning to federal prison from 1998 to 2010

14% of offenders released from federal prison in 2008 returned to federal prison within 3 years

Of the 59,391 offenders first released from federal prison in 2008 following a U.S. district court commitment, 14% were readmitted to federal prison within 3 years (figure 16). Four percent of offenders released in 2010 returned to federal prison within 1 year, 10% of offenders released in 2009 returned to federal prison with 2 years, 14% of offenders released in 2008 were returned to federal prison within 3 years, 17% of offenders released in 2007 were returned within 4 years, and, 20% of offenders released in 2006 were returned to federal prison within 5 years. These recidivism percentages do not take into account the recidivism of offenders who after release from federal prison were imprisoned in a state prison for a new offense.

**Supervision violations were the most common reason for return to prison within 3 years**

The most common reason for federal prisoners released in 2008 to return to federal prison within 3 years was violation of conditions of supervision (59%). Returns for a new court commitment or new offense comprised 39% of returns (table 15).

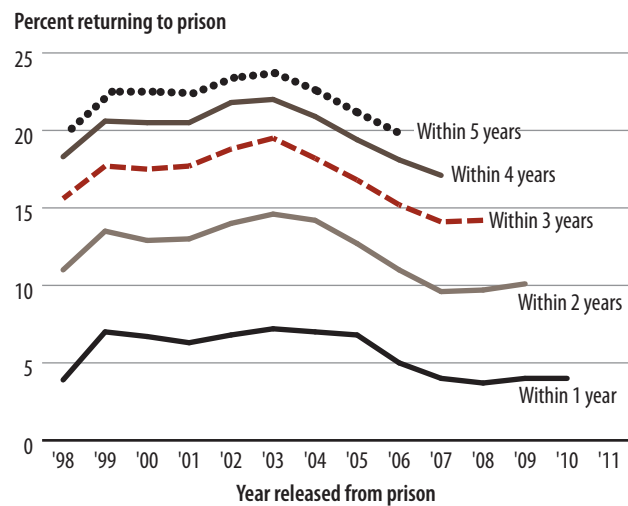
**Return-to-prison rates were highest for younger released offenders**

Offenders between the ages 18 and 24 released in 2008 had a 3-year return-to-prison rate of 20%. Of these returns, 55% was for a supervision violation and 44% was for a new court commitment. Among released prisoners ages 25 to 44, 15% returned to prison within 3 years. Released prisoners ages 45 to 64 had a 9% return to prison rate, followed by 3% for prisoners age 65 or older.

Males had a 15% 3-year return-to-prison rate, compared to 9% for female offenders

Among males who were released from federal prison in 2008 and returned, 58% returned for violations of supervision, and 41% returned for a new court commitment. In comparison, 80% of females returned to prison for supervision, violations, and 19% returned with a new court commitment.

**FIGURE 16**  
Percent of offenders returning to federal prison after release from a U.S. district court commitment, by time to return, 1998–2010



Note: The percentages reflect the share of prisoners returning to federal prison within 1, 2, 3, 4, and 5 years of release from federal prison. Only offenders first released from federal prison are included, or those who served a term of imprisonment resulting from a conviction in U.S. district court. See *Methodology*.

Source: Bureau of Justice Statistics, based on data from Federal Bureau of Prisons, SENTRY data base, fiscal year 1998–2010.

*Continued on next page.*

## Offenders returning to federal prison from 1998 to 2010 (continued)

### Native American prisoners had the highest 3-year return to prison rate among all racial groups

Thirty-nine percent of Native Americans released from federal prison in 2008 returned to federal prison within 3 years. Eighty-seven percent of Native Americans returned

for a violation of supervision, and 13% returned for a new court commitment. Black prisoners had the second highest 3-year return to prison rate (19%), with 82% returned for supervision violations and 14% returned for a new court commitment. Whites had a 13% return rate, Hispanics had a 12% return rate, and Asians had a 6% return rate.

**TABLE 15**  
**Offenders returning to federal prison within 3 years of release from a U.S. district court commitment, 2008**

Characteristic	Number released	Number returned	Percent returning	Percent of offenders returned to federal prison within 3 years of release			
				Total	Reason		
				New offense	Supervision violation	Other	
<b>Total</b>	59,391	8,470	14.3%	100%	39.3%	59.0%	1.7%
<b>Sex</b>							
Male	53,472	7,970	14.9%	100%	40.6%	57.6%	1.7%
Female	5,876	499	8.5%	100%	19.0%	80.0%	1.0%
<b>Race/Hispanic origin</b>							
White*	14,227	1,843	13.0%	100%	16.2%	83.1%	0.7%
Black/African American*	14,004	2,608	18.6%	100%	13.6%	81.6%	4.9%
Hispanic/Latino	29,390	3,644	12.4%	100%	72.0%	27.9%	0.1%
American Indian/Alaska Native*	817	316	38.7%	100%	13.3%	86.7%	0.0%
Asian/Native Hawaiian/Other Pacific Islander*	910	58	6.4%	100%	22.4%	77.6%	0.0%
<b>Age at first release</b>							
17 or younger	14	6	--	--	--	--	--
18 to 24	6,093	1,201	19.7%	100%	44.4%	54.6%	1.0%
25 to 44	40,387	6,164	15.3%	100%	39.4%	58.7%	1.9%
45 to 64	12,007	1,070	8.9%	100%	33.7%	64.9%	1.4%
65 or over	845	28	3.3%	100%	35.7%	64.3%	0.0%
<b>Citizenship</b>							
U.S. citizen	32,140	5,632	17.5%	100%	13.5%	84.0%	2.6%
Non-U.S. citizen	27,143	2,828	10.4%	100%	90.8%	9.2%	--%
Mexico	21,605	2,586	12.0%	100%	91.9%	8.1%	--%
Other	5,538	242	4.4%	100%	79.8%	20.2%	--%
<b>Original offense of conviction</b>							
Violent	1,750	473	27.0%	100%	19.5%	79.7%	0.9%
Property	5,709	745	13.0%	100%	15.9%	84.0%	0.1%
Drug	22,463	2,479	11.0%	100%	20.8%	74.1%	5.1%
Public order	2,814	280	10.0%	100%	17.5%	81.1%	1.4%
Sex offense	720	100	13.9%	100%	12.0%	88.0%	--
Weapons	5,620	1,519	27.0%	100%	14.3%	85.1%	0.6%
Immigration	19,720	2,790	14.1%	100%	83.0%	17.0%	--
<b>District of commitment</b>							
U.S.-Mexico border district	24,000	3,591	15.0%	100%	65.0%	34.8%	0.2%
Non-U.S.-Mexico border district	35,391	4,879	13.8%	100%	20.5%	76.8%	2.8%

Note: Describes offenders returning to federal prison following a release from a U.S. district court commitment. Offenders released following incarceration for supervision violations or CBP/ICE detentions are excluded. Data were missing for the following: sex (43), race/Hispanic origin (43), age at release (45), citizenship (108), and original offense of conviction (595).

\* Excludes persons of Hispanic or Latino origin.

-- Less than 0.05%.

Source: Bureau of Justice Statistics, based on data from Bureau of Prisons, SENTRY data file, fiscal year 2008.

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## Offenders returning to federal prison from 1998 to 2010 (continued)

### Violent and weapons offenders returned to prison at higher rates than other offenders

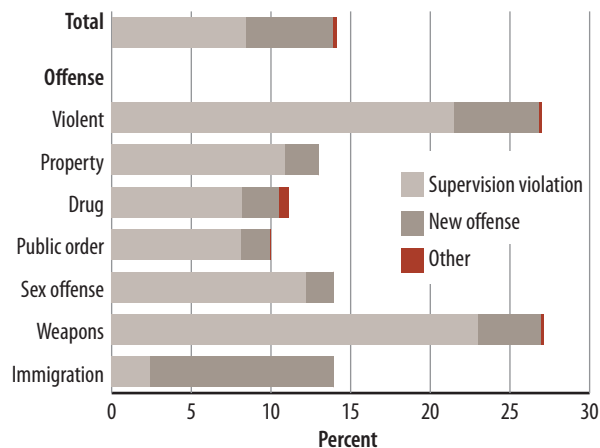
The 3-year return to prison rate was highest for violent and weapons offenders (27% each) (figure 17). Violent (80%) and weapons (85%) offenders were most likely to be returned for supervision violations. Immigration offenders were most likely to be returned for a new offense (83%). As most immigration offenders were deported after serving a federal sentence, most who returned did so for illegally reentering the United States among other new offenses.

### Immigration offenders were most likely to return to federal prison within 3 years of release

Fourteen percent of immigration offenders released in 2008 were returned to federal prison within 3 years of release, representing 33% of all recidivists over the time period. In comparison, 29% of recidivists were drug offenders and 6% were violent offenders. Immigration had the highest percentage of new offenses as a reason for return to federal prison (83%). Seventeen percent of immigration returns were due to supervision violations. Immigration was the most common offense type of returns for new offenses.

The 3-year recidivism rate for drug offenders was 11%. Twenty-one percent of drug offenders were returned for a new offense, and 74% were returned for a supervision violation. Public order offenses had the lowest 3-year return to prison rate (10%). Eighteen percent of public order offenders were returned for a new offense, and 81% were returned for a supervision violation.

**FIGURE 17**  
Percent of offenders returning to federal prison within 3 years of release, by type of offense at release and type of return, 2008



Note: The percentages reflect the share of prisoners returning to federal prison with 3 years following release from federal prison in 2008. Only offenders first released from federal prison in 2008 are included, or those who had served a term of imprisonment resulting from a conviction in U.S. district court. Other reasons for return include D.C. Superior Court arrests and unknown reasons for return.

Source: Bureau of Justice Statistics, based on data from Federal Bureau of Prisons, SENTRY data base, fiscal year 2008.

*Continued on next page.*

## Offenders returning to federal prison from 1998 to 2010 (continued)

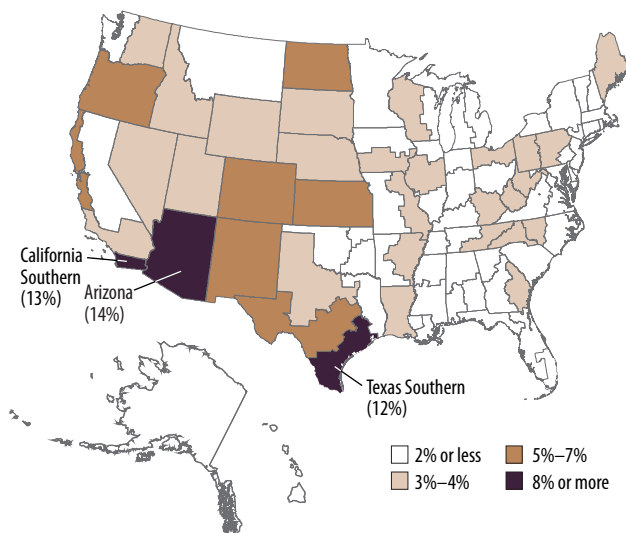
18% of U.S. citizens and 10% of non-U.S. citizens released in 2008 returned to federal prison within 3 years

Non-U.S. citizens had a lower return rate (10%) than U.S. citizens (18%). The lower risk of return for non-U.S. citizens may be a function of differences in how non-U.S. citizen offenders are handled following release. Most non-U.S. citizens are deported immediately after serving a federal prison term. Noncitizens may then be deported or detained pending deportation by ICE. A small share of noncitizens is released to serve terms of federal supervision, so most noncitizens would not be at risk to return to prison for technical violations of supervision. About 9 in 10 noncitizens who returned to prison in a 3-year period following release were recommitted for a new court commitment, and 1 in 10 were returned for a supervision violation.

Districts with the greatest 3-year return to prison rate for new court commitments only were clustered in the west and southwestern U.S.

The districts of California Southern, Arizona, and Texas Southern had 3-year return to prison rates for a new offense between 12% and 14% in 2010 (map 8). In 2010, eight districts had 3-year return to prison rates between 21% and 26% for supervision violations (map 9). Three of these districts are adjacent to one another: Montana, North Dakota, and South Dakota.

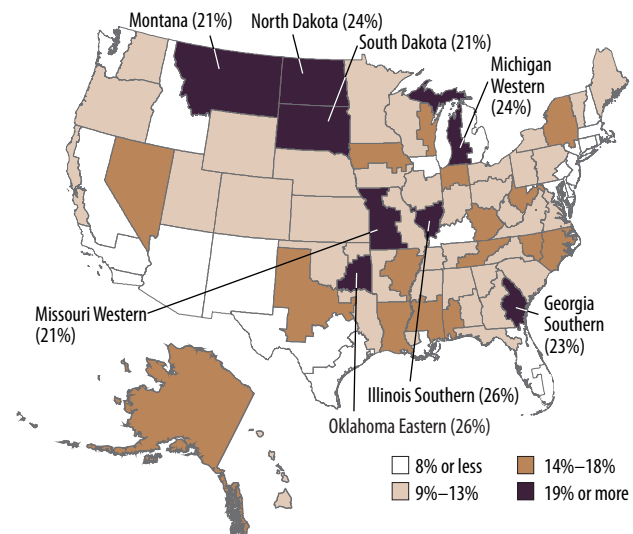
**MAP 8**  
Percent of offenders returning to federal prison within 3 years for a new offense, 2008



Note: Not shown on map: Guam/Northern Mariana Islands (2%), Puerto Rico (2%), District of Columbia (3%), and U.S. Virgin Islands (4%). Percentages represent the share of offenders first released from federal prison in 2008 that returned within 3 years of release for a new offense.

Source: Bureau of Justice Statistics, based on data from Federal Bureau of Prisons, SENTRY database, 2008.

**MAP 9**  
Percent of offenders returning to federal prison within 3 years for a supervision violation, 2008



Note: Not shown on map: Guam/Northern Mariana Islands (3%), Puerto Rico (4%), District of Columbia (6%), and U.S. Virgin Islands (0 returning for supervision violation). Percentages represent the share of offenders first released from federal prison in 2008 that returned within 3 years of release for a supervision violation.

Source: Bureau of Justice Statistics, based on data from Federal Bureau of Prisons, SENTRY database, 2008.



**At fiscal yearend 2010, a total of 126,554 offenders were under active federal post-conviction supervision**

Eighty-two percent of offenders under federal post-conviction supervision received one of two forms of supervision following release from prison: supervised release (101,839) or parole (2,030) (table 16). The remainder (22,685) were on probation supervision, which is a sentence to a term of supervision in the community with and without a confinement sentence. Among

the 126,554 offenders under federal supervision at fiscal yearend 2010, 81% were male and 19% were female. Females comprised 36% of offenders on probation and 3% of offenders on parole supervision. White offenders comprised the largest share on supervision (37%), followed by black (36%) and Hispanic (21%) offenders. Black offenders comprised 38% of offenders on supervised release, and white offenders made up nearly half (49%) of offenders on probation.

**TABLE 16**  
**Characteristics of offenders under post-conviction federal supervision, 2010**

Offender characteristics	Total		Type of supervised release		
	Number	Percent	Supervised release	Probation	Parole
Number of offenders <sup>a</sup>	126,554	100%	101,839	22,685	2,030
<b>Sex</b>					
Male	102,266	81.1%	84.6%	63.7%	97.3%
Female	23,843	18.9	15.4	36.3	2.7
<b>Race/Hispanic origin</b>					
White <sup>b</sup>	46,066	37.0%	34.6%	48.6%	27.4%
Black/African American <sup>b</sup>	45,341	36.4	38.1	26.1	61.0
Hispanic/Latino	26,566	21.3	22.3	17.7	9.2
American Indian/Alaska Native <sup>b</sup>	2,770	2.2	2.1	2.9	1.7
Asian/Native Hawaiian <sup>b</sup>	3,411	2.7	2.6	3.7	0.7
Other Pacific Islander <sup>b</sup>	510	0.4	0.3	1.0	0.1
<b>Age at fiscal yearend</b>					
17 or younger	32	--	--	0.1%	--
18–19	200	0.2%	--	0.7	--
20–24	5,587	4.4	3.4%	9.4	1.2%
25–29	15,336	12.2	11.9	14.1	4.7
30–34	21,686	17.2	18.3	13.4	4.5
35–39	21,605	17.1	18.4	12.2	9.6
40–44	18,560	14.7	15.3	12.2	10.8
45–49	14,865	11.8	11.9	11.2	14.4
50–54	11,293	9.0	8.7	9.4	16.0
55–59	7,651	6.1	5.6	7.4	16.3
60–64	4,977	3.9	3.6	5.0	10.7
65 or older	4,394	3.5	3.0	4.9	11.6
<b>Median age</b>	~	39 yrs.	39 yrs.	40 yrs.	51 yrs.
<b>Citizenship</b>					
U.S. citizen	119,167	95.0%	95.3%	93.5%	97.2%
Legal alien	853	0.7	0.7	0.8	0.3
Illegal alien	5,417	4.3	4.1	5.7	2.5
<b>Country of citizenship</b>					
North America	121,853	99.2%	99.4%	98.6%	99.9%
United States	120,007	97.7	97.9	96.9	99.9
Mexico	522	0.4	0.4	0.7	0.1
Canada	17	--	--	0.1	--
Caribbean	1,153	0.9	1.0	0.6	1.0
Central America	154	0.1	0.1	0.4	--
South America	164	0.1	0.1	0.3	--
Asia and Oceania	493	0.4	0.4	0.7	0.1
Europe	123	0.1	0.1	0.2	--
Africa	154	0.1	0.1	0.3	--

Note: Percentages are based on nonmissing cases. Data were missing for the following: age (368), sex (445), race/Hispanic origin (1,890), citizenship (1,117), and country of citizenship (3,767). Median age is the midpoint or the age at which half of the offenders under supervision were older than the median age and half were younger than the median age.

--Less than 0.05%.

~ Not applicable.

<sup>a</sup>Includes suspects for whom characteristics are not known.

<sup>b</sup>Excludes persons of Hispanic or Latino origin.

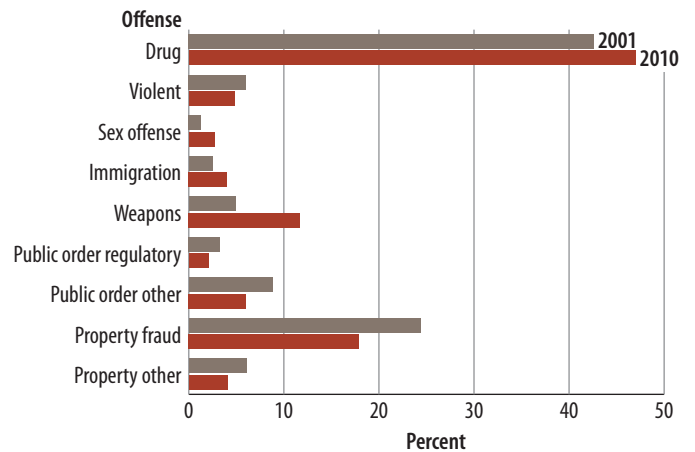
Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, Probation and Pretrial Services Automated Case Tracking System (PACTS), fiscal year 2010.

**5% of persons under federal post-conviction supervised release in the community were non-U.S. citizens**

In 2010, 5% of offenders under federal supervision were non-U.S. citizens. Hispanics comprised 21% of offenders under community supervision, followed by white (37%) and black (36%) offenders. The median age was similar for offenders under supervised release (age 39) and probation (age 40), but higher for persons on parole supervision (age 51).

Drug and property fraud comprised the two most common offenses for offenders under federal supervision in 2001 and in 2010 (figure 18). The percentage of weapons offenders under federal supervision increased from 2001 and 2010, as did drug and immigration offenses.

**FIGURE 18**  
**Offenders under federal supervision, by type of offense, 2001 and 2010**



Note: Percentages are based on nonmissing data. Offense type missing for 374 records in 2010.

Source: Bureau of Justice Statistics, based on data from Administrative Office of the U.S. Courts, Probation and Pretrial Services Automated Case Tracking System (PACTS), fiscal years 2001 and 2010.

## Methodology

### The Federal Justice Statistics Program (FJSP)

This report uses data from the Bureau of Justice Statistics' (BJS) Federal Justice Statistics Program (FJSP). The FJSP was initiated in 1982 to serve as a central resource for information describing the case processing of federal criminal defendants and to meet BJS's statutory mandate to "collect, analyze, and disseminate comprehensive federal justice transaction statistics ... and to provide technical assistance to and work jointly with other federal agencies to improve the availability and quality of federal justice data"—42 U.S.C. 3732 (c) (15).

The FJSP receives administrative data files from six federal criminal justice agencies and standardizes this information to maximize comparability across agencies and within agencies over time. This includes (1) applying, where possible, person–case as the primary unit of count (exceptions include at arrest where the unit of count is the individual suspect, sentencing under federal sentencing guidelines where the unit of count is the sentencing event, and at imprisonment where the unit of count is the inmate); (2) delineating fiscal year (October 1 through September 30) as the period for reported events; (3) applying a uniform offense classification across agencies; and (4) classifying disposition and sentences imposed.

Where more than one offense is charged or adjudicated, the most serious offense at disposition and sentencing is used. Offense seriousness is based on maximum statutory imprisonment term, type of crime, and statutory maximum fine amount. Annual cross-sectional data files are produced

and maintained by and represent the federal criminal case processing stages from arrest and prosecution through pretrial release, adjudication, sentencing, appeals, and corrections.

### FJSP data sources

The U.S. Marshals Service Prisoner Tracking System (PTS) provides information on suspects arrested for federal offenses and booked by the U.S. Marshals Service following an arrest. Suspects may be counted more than once in a fiscal year if they are arrested and booked multiple times during the period. The U.S. Marshals Service uses the PTS to track federal prisoners in Marshals' custody. The U.S. Marshals Service provides data from the Justice Detainee Information System (JDIS). The JDIS consolidates information on prisoners who are in Marshals Service custody or who have a federal arrest warrant issued.

The Executive Office for U.S. Attorneys' National Legal Information Office Network System (LIONS) database contains information on the investigation and prosecution of suspects in criminal matters received and concluded and criminal cases filed and terminated by U.S. attorneys. Suspects may be counted more than once in a fiscal year if they are involved in multiple matters received and concluded during the period. A matter is defined as a referral where an attorney spends one hour or more investigating. The lead charge is used to classify the most serious offense at referral and is defined as the substantive statute that is the primary basis of referral.

The Administrative Office of the U.S. Courts' (AOUSC) criminal master file contains information about the criminal proceedings against defendants whose cases were filed and terminated in U.S. district courts. These data include

Standard Analysis Files in the FJSP		
Stage of federal criminal case process	Data source agency—Data system(s)	Description of data file contents
Arrest and booking Warrants initiated and cleared	U.S. Marshals Service <ul style="list-style-type: none"> <li>▪ Prisoner Tracking System (PTS)</li> <li>▪ Justice Detainee Information System (JDIS)</li> <li>▪ Warrant Information Network (WIN)</li> </ul>	Contains data on warrants initiated or cleared and suspects arrested by federal enforcement agencies for violations of federal law.
Investigation and prosecution	Executive Office for U.S. Attorneys <ul style="list-style-type: none"> <li>▪ Central system file</li> <li>▪ National Legal Information Office Network System (LIONS)</li> </ul>	Contains information on the investigation and prosecution of suspects in criminal matters received and concluded, and criminal cases filed and cases terminated.
Pretrial release/detention	Administrative Office of the U.S. Courts (AOUSC): U.S. Office of Probation and Pretrial Services <ul style="list-style-type: none"> <li>▪ Probation and Pretrial Services Automated Case Tracking System (PACTS)</li> </ul>	Contains data on defendants interviewed, investigated, or supervised by pretrial services. The information covers defendants' pretrial hearings, detentions, and releases from the time they are interviewed through the disposition of their cases in district courts.
Cases filed and terminated in U.S. district court	Administrative Office of the U.S. Courts (AOUSC) <ul style="list-style-type: none"> <li>▪ Criminal Master File</li> </ul>	Contains information about criminal cases from time of filing to termination in U.S. district courts.
Defendants sentenced pursuant to the Sentencing Reform Act of 1984	United States Sentencing Commission (USSC) <ul style="list-style-type: none"> <li>▪ Monitoring Data Base</li> </ul>	Contains information on criminal defendants sentenced pursuant to the provisions of the Sentencing Reform Act of 1984.
Criminal appeals filed and terminated	Administrative Office of the U.S. Courts (AOUSC): U.S. Court of Appeals	Contains information on criminal appeals filed and terminated in U.S. Courts of Appeals.
Probation, parole, and supervised release	Administrative Office of the U.S. Courts (AOUSC): U.S. Office of Probation and Pretrial Services <ul style="list-style-type: none"> <li>▪ Probation and Pretrial Services Automated Case Tracking System (PACTS)</li> </ul>	Contains information about supervision provided by officers for persons placed on probation, parole, or supervised release.
Offenders entering and exiting prison	Bureau of Prisons (BOP) <ul style="list-style-type: none"> <li>▪ SENTRY System</li> </ul>	Contains information covering the time from when offenders enter prison until their release from the jurisdiction of the Bureau of Prisons.

information on cases involving felonies, as well as Class A and B Misdemeanors handled by U.S. district court judges. The most serious filing or terminating offense is the offense charge that yields the greatest maximum statutory penalty. This report also uses AOUSC data from the Probation and Pretrial Services Automated Case Tracking System (PACTS), which contains information on defendants interviewed and supervised by pretrial services. These data are used to describe background characteristics of defendants arraigned and defendants detained prior to case disposition. In addition, post-conviction data from the AOUSC's Federal Probation Supervision Information System (FPSIS) are used to describe immigration offenders under post-conviction supervision in the community.

The Federal Bureau of Prisons' (BOP) SENTRY database contains information on all sentenced offenders admitted into or released from federal prison during a fiscal year, and offenders in federal prison at the end of each fiscal year (September 30). The most serious commitment offense is the offense with the longest sentence length. All percentage changes referred to in this report are calculated using the average of the annual change between the two reported years.

### Returns to federal prison

The number of offenders returning to federal prison is a count of the number of federal prisoners who returned to federal prison after first release from a U.S. district court commitment. Prisoners released from federal prison for the first time between 1994 and 2010 were identified. The BOP's SENTRY database was searched for a subsequent return to federal prison. Prisoners released in 2008 were the most recent cohort that could be tracked for 3 years following release through 2011. In addition, observation windows were included for 1-, 2-, 3-, 4-, and 5-year return rates following first release. The return-to-prison rate increases with the length of the window used to follow-up on prisoners. The unit of analysis is the first release from federal prison, and the return rates are computed based on the number of first releases.

In 2008, there were 70,327 federally sentenced prisoners released from the Bureau of Prisons. About 84% of prisoners released in 2008 (59,391) had been released following a U.S. district court commitment. This cohort of offenders was tracked for 3 years following release to count the number who returned to federal prison, whether for a new offense or a violation of supervision. A second cohort of prisoners released in 2006 was tracked for 5 years.

### Other resources

Detailed data tables are available in *Federal Justice Statistics, 2010 –Statistical Tables* (NCJ 239914). FJSP data are also incorporated into a BJS web query tool that permits users to interactively query the federal data and download the query results as a spreadsheet. This query tool is available on the BJS website. The query tool provides statistics by stage of the federal criminal case process, including law enforcement,

prosecution and courts, and incarceration. Users can currently generate queries for up to three variables from 1998 to 2010. Users can also generate queries by title and section of the U.S. criminal code by processing stage from 1994 to 2010.

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## APPENDIX TABLE 1

### Detail of BJS offense categories

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<b>Violent offenses</b>
Murder
Assault
Robbery
Kidnapping
Threats against the President
<b>Property offenses</b>
Fraudulent
Embezzlement
Fraud
Forgery
Counterfeiting
Other
Burglary
Larceny
Motor vehicle theft
Arson and explosives
Transportation of stolen property
<b>Drug offenses</b>
<b>Public order offenses</b>
Regulatory
Agriculture
Antitrust
Food and drug
Transportation
Civil rights
Communications
Customs laws
Postal laws
Other regulatory offenses
Other
Tax law violations
Bribery
Perjury, contempt, and intimidation
National defense
Escape
Racketeering and extortion
Gambling
Liquor offenses
Traffic offenses
Wildlife
Environmental
Conspiracy, aiding and abetting, and jurisdictional offenses
All other offenses
<b>Sex offenses</b>
Sexual abuse
Child pornography
Illegal transportation
<b>Weapons offenses</b>
<b>Immigration offenses</b>

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The Bureau of Justice Statistics, located in the Office of Justice Programs, U.S. Department of Justice, collects, analyses, and disseminates statistical information on crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government. William J. Sabol is acting director.

This report was written by Mark Motivans, Ph.D. Steven W. Perry verified the report.

Jill Thomas edited the report, and Barbara Quinn produced the report.

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