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The U.S. Marshals Service arrested and booked 140,200 suspects in 2005, up from 83,324 in 1995. Material witness, immigration, and weapons were the fastest growing arrest offenses during this period. In 2005, immigration (27%) was the most prevalent arrest offense followed by drug (24%) and supervision violations (17%). Five federal judicial districts along the U.S.-Mexico border accounted for 40% of all suspects arrested and booked by the U.S. Marshals Service in 2005.¹

The federal government reorganized key federal law enforcement agencies following the passage of the Homeland Security Act of 2002. Since 2002, the Department of Homeland Security (DHS) has accounted for a growing share of suspects referred for federal prosecution compared to other federal law enforcement agencies. DHS agencies referred 45% of all suspects in 2004 and 2005, compared to 33% referred by the U.S. Department of Justice (DOJ). Referrals by the U.S. Department of Treasury decreased from 20% in 2001 and 2002 to 2% in 2004 and 2005.

The likelihood of being prosecuted, convicted, and sentenced to prison increased from 1995 to 2005. Sixty percent of all suspects in 2005 were prosecuted, up from 54% in 1995. In 2005, 9 in 10 (90%) defendants charged with a federal violation were convicted, up from 84% in 1995 and 79% of defendants convicted were sentenced to prison, up from 67% in 1995. Of the defendants convicted in 2005, 13% were sentenced to probation, down from 24% in 1995.

The number of persons sentenced to federal prison nearly doubled from 1995 to 2005. At yearend 2005, 375,600 persons were under some form of federal supervision—62% in secure confinement and 38% in the community.

The rate of growth (3.6%) in matters concluded by U.S. attorneys from 1995 to 2005 was more than three times greater than the rate of growth in the U.S. resident population (1.1%).

¹Detailed data tables are available in the *Federal Justice Statistics, 2005 - Statistical Tables* on the BJS Website at <<http://www.ojp.usdoj.gov/bjs/pub/html/fjsst/2005/fjs05st.htm>>.

Table 1. Suspects arrested and booked by the U.S. Marshals Service, by offense and federal district at arrest, 1995-2005

	2005	1995	Average annual growth rate, 1995-2005*
Total	140,200	83,324	5.4%
Offense at arrest	100.0%	100.0%	
Violent	3.0%	4.7%	1.4%
Property	10.7	19.5	-0.8
Drug	23.8	28.6	3.4
Weapons	6.9	4.5	10.6
Immigration	27.3	12.7	14.6
Material witness	4.4	1.4	19.6
Public order	6.5	12.4	-1.3
Supervision violations	17.4	16.2	6.1
District of arrest	100.0%	100.0%	
Southwest U.S. border districts	39.6%	23.3%	11.6%
Arizona	9.8	3.9	17.1
California-Southern	3.3	7.3	-1.8
New Mexico	3.4	1.4	15.4
Texas-Southern	12.2	5.1	16.1
Texas-Western	10.9	5.7	13.4
Non-Southwest U.S. border districts	60.4%	76.7%	2.9%

*Calculated using each fiscal year count from 1995 to 2005.
Source: U.S. Marshals Service, Prisoner Tracking System; fiscal year.

Suspects in matters concluded by U.S. attorneys in *larger* federal judicial districts—districts with an average population of more than five million U.S. residents—grew at a faster rate than less populated districts from 1995 to 2005. In 2005, defendants were more likely to be convicted in large districts than in medium or small-size districts. The average prison sentence imposed was lower in larger districts, compared to less populated districts.

The data in this report are from the Federal Justice Statistics Program (FJSP), which includes source files from the Drug Enforcement Administration (DEA), the U.S. Marshals Service (USMS), the Executive Office for the U.S. Attorneys, and the Administrative Office of the U.S. Courts (AOUSC). The reporting period is based on the fiscal year, October 1 to September 30.

Cocaine was the most common drug type involved in arrests by the DEA in 2005

Suspects arrested for cocaine powder and crack cocaine accounted for 42% of all suspects (29,886) arrested by the DEA in 2005 (table 2). Twenty-eight percent of suspects were arrested for cocaine powder; 14% for crack cocaine. The remaining 58% of suspects were arrested for methamphetamine (22%), marijuana (20%), opiates (8%), and other drug-related offenses (9%).

Almost a fifth (19%) of all DEA arrests occurred in five federal judicial districts along the U.S.- Mexico border. Marijuana accounted for 43% of DEA arrests in the Southwest border districts, followed by methamphetamine (22%), cocaine powder (22%), and crack cocaine (4%). The DOJ *Southwest Border Initiative* brings together state and federal law enforcement agencies, including the DEA, to target Mexico-based traffickers involved in organized criminal activity along the Southwest border.

Most suspects arrested by the DEA for drug violations were male (84%). More than a quarter (29%) of male suspects were arrested for cocaine powder, followed by marijuana and methamphetamine (both 21%).

Females accounted for 16% of all DEA drug arrests in 2005 and 1 in 5 of all methamphetamine arrests. More than a quarter (27%) of females arrested by the DEA for drug violations were arrested for methamphetamine, followed by cocaine powder (21%) and marijuana (16%). Half of all suspects arrested by the DEA were age 31 or younger. Crack cocaine suspects—half were age 28 or younger—were somewhat younger by comparison.

Hispanics constituted 44% of arrestees, followed by white (27%) and black (26%) suspects. Hispanics made up more than half of arrests for cocaine powder (56%), opiates (58%), and marijuana (54%). More than three-quarters (77%) of crack cocaine arrestees were black, and half of all methamphetamine suspects were white. In 2005, 27% of suspects arrested by the DEA were non-U.S. citizens.

Non-U.S. citizens accounted for 36% of DEA arrests for marijuana, 33% of DEA arrests for cocaine powder, and 32% of DEA arrests for opiates. Percents shown in this section are based on arrests with known suspect characteristics.

Table 2. Characteristics of suspects arrested by the Drug Enforcement Administration, by type of drug, 2005

	Total arrested	Percent arrested	Drug type					
			Cocaine powder	Crack cocaine	Marijuana	Methamphetamine	Opiates	Other
All arrestees^a	29,886	100.0%	8,349	4,235	5,911	6,461	2,359	2,571
Gender								
Male	25,180	84.3%	7,356	3,650	5,178	5,172	1,920	1,904
Female	4,706	15.7	993	585	733	1,289	439	667
Race/Hispanic origin								
White ^b	7,899	27.1%	1,132	429	1,569	3,154	329	1,286
Black or African American ^b	7,647	26.2	2,330	3,134	935	143	633	472
Hispanic or Latino	12,800	43.9	4,589	492	3,106	2,809	1,347	457
American Indian or Alaska Native ^b	165	0.6	23	10	54	61	1	16
Asian/Native Hawaiian or Other Pacific Islander ^b	632	2.2	58	30	131	173	7	233
Age								
Under 18 years	57	0.2%	15	8	17	10	3	4
18-20	2,086	7.0	422	398	565	411	122	168
21-24	4,745	15.9	1,155	857	1,003	1,006	322	402
25-34	12,354	41.3	3,712	1,859	2,313	2,571	902	997
35-44	6,780	22.7	2,013	721	1,226	1,642	610	568
45-54	2,929	9.8	767	295	566	693	304	304
55 and over	935	3.1	265	97	221	128	96	128
Median age	31yrs.		31yrs.	28yrs.	30yrs.	31yrs.	33yrs.	31yrs.
Citizenship								
U.S. citizen	21,081	73.5%	5,353	3,928	3,615	4,535	1,529	2,121
Non-U.S. citizen	7,603	26.5	2,631	154	2,074	1,683	712	349
Southwest U.S. border district^c								
Yes	5,612	18.8%	1,218	211	2,415	1,241	196	331
No	24,196	81.2	7,113	4,022	3,484	5,191	2,158	2,228

^aIncludes suspects for whom characteristics are not known.

^bExcludes persons of Hispanic or Latino origin.

^cIncludes five federal judicial districts: Southern and Western Districts of Texas, Arizona, New Mexico, and the Southern District of California.

Source: Drug Enforcement Administration Defendant Statistical System, fiscal year.

Immigration was the most prevalent arrest offense; material witness, immigration and weapons offenses increased the most rapidly from 1995 to 2005

In 2005, the U.S. Marshals Service booked 140,200 suspects for violations of federal law, an increase of 68% (or 56,876 suspects) from 1995. Immigration offenses had the greatest net increase from 1995 to 2005. In 2005, 27% of federal bookings were immigration offenses, up from 13% in 1995. Material witness offenses increased by an annual average of 20% from 1995 to 2005. Weapons offenses were 7% of federal bookings in 2005, up from 5% in 1995.

Five judicial districts along U.S.-Mexico border accounted for 40% of all federal arrests in 2005

The 1,954 miles of the U.S.-Mexico border are within the jurisdiction of five federal judicial districts—Southern and Western Districts of Texas, Arizona, New Mexico, and the Southern District of California—and include 22 U.S. counties contiguous to the U.S. border in four states. The Southwest border districts held 8% of the U.S. population and accounted for 40% of all federal arrests in 2005. The Southern District of Texas (43%), which contains three of the top 40 fastest growing metropolitan areas in the U.S. (Laredo, McAllen, and Brownsville), and the Western District of Texas (21%) make up 64% of the length of the U.S.-Mexico border.² Nearly 1 in 4 (23%) of all suspects were arrested and booked by the U.S. Marshals in the Southern and Western Districts of Texas.

Drug and immigration charges constituted more than half of all matters concluded by U.S. attorneys in 2005

U.S. attorneys (93) serving in the 94 federal judicial districts, concluded 143,640 matters in 2005 (table 3). In 2005, more than half of all matters concluded by U.S. attorneys involved either a drug (28%) or an immigration (26%) charge. Immigration offenses grew at an average annual rate of 21% from 1995 to 2005. Property offenses, comprised mostly of fraud, decreased from 1 in 3 matters in 1995 to fewer than 1 in 5 in 2005. The basis for investigation (or lead charge) in nearly half of all matters concluded in 2005 fell under five criminal statutes: Drug-- trafficking, attempt or conspiracy; immigration-- illegal entry or reentry; and unlawful firearms (not shown in table).

²See *Undocumented Immigrants in U.S.-Mexico Border Counties: The Costs of Law Enforcement and Criminal Justice Services* (2007) <<http://www.bordercounties.org>>.

The Department of Homeland Security accounted for 45% of all referrals to U.S. attorneys in 2004 and 2005

The reorganization of key federal law enforcement agencies followed the enactment of the Homeland Security Act of 2002. The Act transferred the U.S. Customs Service and the Secret Service from the U.S. Department of Treasury (Treasury) to the DHS. Responsibility for the Immigration and Naturalization Service transferred from the Department of Justice to DHS and the Bureau of Alcohol, Tobacco, Firearms, and Explosives transferred from the Treasury to the DOJ.

DHS agencies accounted for 45% of all referrals to U.S. attorneys in the two-year period following the reorganization of federal law enforcement agencies under the Homeland Security Act of 2002 (table 4). In 2004 and 2005, law enforcement agencies within the DOJ referred 33% of suspects, compared to 56% in 2001 and 2002. Suspects referred to U.S. attorneys by the Treasury decreased to 2% of total referrals in 2004 and 2005, down from 20% of all referrals in 2001 and 2002.

Table 3. Suspects in matters concluded by U.S. attorneys, by offense type, 2005 and 1995

Lead charge	2005		1995		1995-2005 Average annual growth rate*
	Number	Percent	Number	Percent	
Total	143,640	100.0%	102,309	100.0%	3.6%
Violent	5,485	3.8%	5,399	5.3%	0.6%
Property	25,570	17.9	33,888	33.4	-2.7
Fraud	23,052	16.1	29,861	29.4	-2.4
Other	2,518	1.8	4,027	4.0	-4.4
Drug	40,038	28.0	31,261	30.8	2.6
Public-order	21,583	15.1	18,469	18.2	1.7
Regulatory	5,037	3.5	5,264	5.2	-0.2
Other	16,546	11.6	13,205	13.0	2.5
Weapons	13,689	9.6	5,732	5.7	10.1
Immigration	36,559	25.6	6,660	6.6	21.0

*Calculated using each fiscal year count from 1995 to 2005.
Source: Executive Office for U.S. Attorneys, National LIONS database, fiscal year.

Table 4. Suspects in matters concluded by U.S. attorneys, by referring authority, 2004-2005 and 2001-2002

Department or authority	2004-2005	2001-2002
Total	291,880	243,059
Justice	33.2%	56.3%
Homeland Security	45.2	...
Treasury	1.7	20.1
Interior	1.6	3.9
Defense	3.2	3.6
Federal/state task forces	2.9	3.5
Other*	12.2	12.6

*Other includes U.S. Postal Service, Department of Health and Human Services, Department of Agriculture, Department of Labor, State Department, and others.
...No data available as Homeland Security transition effective mid-fiscal year 2003 (March).
Source: Executive Office for U.S. Attorneys, National LIONS database, fiscal year.

Growth in matters concluded by U.S. attorneys from 1995 to 2005 was greater in more populated districts

In 2005, the population of each of the 94 federal judicial districts varied from a high of 18.3 million persons in the Central District of California to 81,000 persons in the District of the Northern Mariana Islands (not shown in table).

From 1995 to 2005, the average growth rate (3.6%) of matters concluded by U.S. attorneys exceeded the average growth rate (1.1%) of the U.S. resident population overall. As population growth has the effect of increasing the number of large districts (population over 5 million) from 1995 to 2005, the average growth rate uses a fixed district size over this period. The average growth rate of matters concluded in large (6.2%) and medium-size (1.9%) districts was greater than the growth rate of the U.S. resident population served by each during this period. In small districts, the average growth rate was similar (less than 1%) for matters concluded and the resident population. Growth in immigration matters disposed by magistrate in the Southern District of Texas in 2004 and 2005 accounted in part for the increase in large districts (not shown in table).

Sixty percent of federal suspects were prosecuted in 2005, up from 54% of suspects prosecuted in 1995

In 2005, 60% of the 143,640 suspects in matters concluded were prosecuted by U.S. attorneys (table 6). In 1995, 54% of suspects were prosecuted by U.S. attorneys.³ Approximately 20% of all matters were disposed and 21% were declined for prosecution. U.S. magistrate judges disposed

³See *Compendium of Federal Justice Statistics, 1995* available on the BJS Website at <<http://www.ojp.usdoj.gov/bjs/pub/pdf/cfjs95.pdf>>.

Table 5. Suspects in matters concluded by U.S. attorneys by population size of judicial districts, 1995-2005

	Population size of federal judicial districts ^a			
	All districts	Large	Medium	Small
Matters concluded by U.S. attorneys				
1995	102,309	34,523	59,948	7,838
2002	124,081	59,157	56,592	8,332
2005	143,640	79,435	55,606	8,599
Average growth rate in matters concluded ^b	3.6%	6.2%	1.9%	0.6%
U.S. resident population				
Average growth rate in population ^b	1.1%	1.3%	0.9%	0.5%

^aFor each year reported (1995, 2002, and 2005), district size is based on U.S. resident population in that year. The average growth rate in matters concluded by district size is computed by fixing district size by average U.S. resident population (1995-2005) as follows: 19 *large* districts (each with an average population of over 5 million residents), 58 *medium* districts (average population of 1 to 5 million residents), and 16 *small* districts (average population of under 1 million residents).

^bCalculated using each annual count from 1995 to 2005.

Source: Executive Office for U.S. Attorneys, National LIONS database, fiscal year; U.S. Census Bureau County Population Estimates file, calendar year.

half of all immigration matters in 2005. In the five Southwest U.S. border districts, 5% of matters were declined. The remainder were either disposed by U.S. magistrate judges (41%) or prosecuted in federal court (54%). From 1995 to 2005, smaller districts declined to prosecute a greater percentage of matters than larger districts (figure 1).

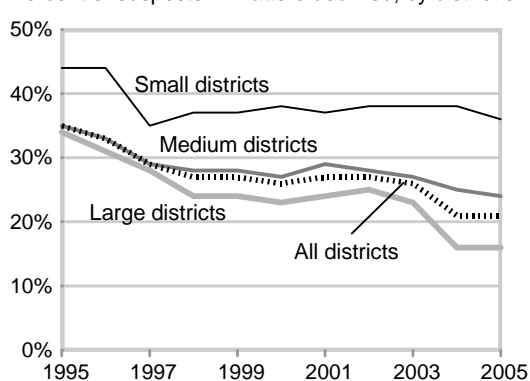
Table 6. Outcome and case processing time of suspects in matters concluded, 2005

	Matters concluded	Outcome of matters concluded		
		Prosecuted	Disposed by U.S. magistrate	Declined
Total	143,640	59.8%	19.5%	20.6%
Violent	5,485	58.2%	8.2%	33.7%
Property	25,570	54.3	7.9	37.8
Fraud	23,052	54.4	7.8	37.8
Other	2,518	53.6	9.3	37.1
Drug	40,038	77.1	9.0	13.9
Public order	21,583	41.3	20.8	37.9
Regulatory	5,037	34.0	9.3	56.7
Other	16,546	43.6	24.3	32.2
Weapons	13,689	70.0	3.3	26.7
Immigration	36,559	52.2	46.3	1.5
Southwest U.S. border district				
Yes	45,398	54.0%	41.0%	5.1%
No	98,242	62.4	9.7	27.9
District size				
Small	8,599	58.8%	5.4%	35.8%
Medium	55,606	65.8	9.0	25.2
Large	79,435	55.6	28.5	16.0
Median time from receipt of matter to outcome	28 days	24 days	3 days	400 days

Source: Executive Office for U.S. Attorneys, National LIONS database, fiscal year.

The percent of matters declined by U.S. attorneys was higher in smaller districts, 1995-2005

Percent of suspects in matters declined, by district size



Source: Executive Office for U.S. Attorneys, National LIONS database, fiscal year.

Figure 1

Drug and weapons suspects were the most likely to be prosecuted in 2005; regulatory suspects were the least likely

Suspects charged with drug (77%) and weapon (70%) offenses had the highest prosecution rates in 2005, followed by violent (58%), property (54%), immigration (52%), and public-order offenses (41%). In 2005, medium-size districts (66%) prosecuted a greater percentage of suspects than small (59%) and large (56%) districts (table 6).

Suspects involved in property or public-order offenses (including regulatory offenses) were most likely to be declined for prosecution (both 38%). In 2005, U.S. attorneys declined to file charges for case-related reasons including weak evidence (27%), referred or handled in other authority for prosecution (21%), and criminal intent not established or not a federal offense (21%). Matters settled through pretrial diversion, restitution and administrative alternatives accounted for about 4% of all matters declined for prosecution in 2005 (not shown in table).

The median time from the receipt of a matter by a U.S. attorney's office to a decision—prosecute, decline, or dismiss—was 28 days in 2005. For matters declined, the time from receipt of the matter to a decision took longer (median of 400 days) than both prosecutions (median of 24 days) and matters disposed by a U.S. magistrate (median of 3 days).

Ninety percent of defendants were convicted in 2005, up from 84% in 1995

Of the 86,680 defendants adjudicated in 2005, 90% were convicted (table 7). Conviction rates varied by type of offense. Almost all (96%) defendants in cases concluded with an immigration violation were convicted, followed by defendants with weapons and drug violations (both 91%). In 2005, adjudicated defendants were either convicted following a guilty plea (86%) or by bench or jury trial (4%) (table 8). About 1 in 10 (9%) adjudicated defendants were dismissed and less than 1% were acquitted. Weapons violations and violent offenses had the highest percent of trials (both 8%). Public order defendants had the highest percent of dismissals (19%).

Defendants adjudicated in the Southwest U.S. border districts in 2005 had a higher conviction rate (95%) than in non-border districts (88%). Large districts (over 5 million U.S. residents) had higher conviction rates than medium (1 to 5 million residents) and small districts (under 1 million residents). In 2005, the median time from case filing to disposition was 6.8 months. Dismissals and guilty pleas took less time to process than trials. Cases concluded by a bench or jury trial decreased by 18% from 4,809 in 1995 to 3,930 in 2005.

Table 7. Disposition and case processing time of defendants in cases concluded in U.S. district court, 2005

	Number of cases concluded	Percent convicted		Percent not convicted	
		Guilty plea	Bench/ jury trial	Bench/ jury trial	Dismissed
All offenses	86,680	86.2%	3.9	0.7	9.3
Violent	3,304	81.5%	6.3	1.9	10.3
Property	14,669	84.1%	3.6	0.6	11.7
Drug	30,129	86.9%	4.2	0.5	8.3
Public order	11,024	75.1%	4.7	1.0	19.3
Weapon	9,853	84.0%	7.0	1.2	7.8
Immigration	17,701	95.5%	0.9	0.1	3.4
Southwest U.S. border district					
Yes	24,200	92.9%	1.6	0.3	5.2
No	62,480	83.5%	4.8	0.8	10.9
District size					
Small	4,989	82.1%	5.9	1.0	11.0
Medium	37,380	85.2%	3.7	0.6	10.5
Large	44,311	87.5%	3.8	0.7	8.1
Median time from filing to disposition					
	6.8 mo.	6.7 mo.	14.3 mo.	7.1 mo.	6.2 mo.

Source: Administrative Office of the U.S. Courts, criminal master file, fiscal year.

Table 8. Verdict, disposition, and sentence received in cases concluded in U.S. district court, 2005 and 1995

	2005		1995	
	Number	Percent	Number	Percent
Total cases concluded	86,680	100.0%	56,480	100.0%
Convicted	78,042	90.0%	47,556	84.2%
Plea	74,681	86.2	43,885	77.7
Trial	3,361	3.9	3,671	6.5
Not convicted	8,638	10.0%	8,924	15.8%
Dismissed	8,069	9.3	7,786	13.8
Trial	569	0.7	1,138	2.0
Sentence imposed^a				
Total	78,042	100.0%	47,556	100.0%
Prison ^b	61,151	79.0	31,805	67.0
Probation only	10,140	13.1	11,602	24.4
Fine only	2,438	3.2	3,242	6.8
Suspended sentence	3,655	4.7	784	1.7

^aDetail does not include cases missing sentence imposed.

^bIncludes all sentences to incarceration including split sentences.

Source: Administrative Office of the U.S. Courts, criminal master file, fiscal year.

Nearly 8 in 10 convicted felons were sentenced to prison in 2005—up from 7 in 10 in 1995

More than three-quarters (79%) of defendants (78,042) convicted in 2005 were sentenced to prison, compared to 67% of convictions in 1995 (table 9). The average prison term imposed in 2005 was 61 months, down from 63 months in 1995. Prison sentences in 2005 for drug offenses were 83 months on average, compared to 96 months for violent offenses and 84 months for weapons offenses.

In 2005, 13% percent of defendants were sentenced to probation, down from 24% in 1995. A smaller percentage of defendants were ordered to pay a fine only (3%) in 2005 than in 1995 (7%).

Felony convictions in federal court increased at a faster rate than in state court from 1996 to 2004

Felony convictions in federal court increased from 4% of the nation's felony convictions in 1996 to 6% in 2004 (table 10). Felony convictions in federal court increased at a faster rate (25% per year) than felony convictions in state court (5% per year) from 1996 to 2004.

In 2004, federal courts handled 20% of all state and federal felony weapons convictions—up from 9% in 1994 (figure 2). Federal courts sentenced 7% of the nation's convicted felons to incarceration in 2004, up from 5% in 1996. In 2004,

felons were more likely to receive an incarceration sentence in federal (85%) than in state (70%) court (not shown in table). Federal courts (61 months) imposed longer sentences on average in 2004, compared to state courts (37 months).

Table 10. Felony defendants convicted in state and federal courts, 2004, 2000, and 1996

	2004	2000	1996	Average annual growth rate, 1996-2004*
Total felony convictions	1,145,467	983,938	1,040,986	5.5%
Federal	5.8%	6.0%	4.1%	25.0
State	94.2	94.0	95.9	4.7
Total sentenced to incarceration	799,093	676,388	718,397	6.1%
Federal	7.1%	7.3%	4.8%	29.0
State	92.9	92.7	95.2	5.0
Mean incarceration sentence				
Federal	61 mo.	58mo.	64mo.	
State	37 mo.	36mo.	38mo.	

*Calculated using each annual count from 1996, 2000, and 2004.

Source: Administrative Office of the U.S. Courts, criminal master file, fiscal year (federal); National Judicial Reporting Program, calendar year (state).

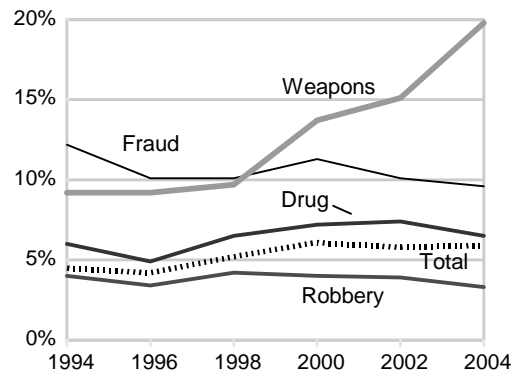
Table 9. Defendants convicted and sentenced to a federal prison term, by type of offense, 2005 and 1995

	Number convicted		Percent sentenced to prison		Mean prison term imposed in months	
	2005	1995	2005	1995	2005	1995
All offenses	78,042	47,556	79.0%	67.1%	61 mo.	63 mo.
Violent	2,900	2,658	86.1	86.6	96	101
Property	12,861	13,484	53.3	50.1	26	26
Fraud	10,459	9,847	56.7	53.2	25	20
Other	2,402	3,367	38.9	41.9	32	45
Drug	27,452	16,728	90.1	86.9	83	83
Public order	8,796	8,538	47.5	31.9	50	27
Regulatory	1,102	1,492	32.3	32.2	31	26
Other	7,694	7,046	49.7	31.9	52	28
Weapons	8,963	3,116	92.2	90.7	84	89
Immigration	17,070	3,007	88.5	90.6	25	23
Southwest U.S. border district						
Yes	22,875	8,143	87.7%	78.4%	35 mo.	40 mo.
No	55,167	39,413	75.4	64.7	74	68
District size						
Small	4,390	3,064	76.2%	67.0%	70 mo.	62 mo.
Medium	33,209	30,076	79.6	65.4	67	60
Large	40,443	14,416	78.9	70.5	55	67

Source: Administrative Office of the U.S. Courts, criminal master file, fiscal year.

Federal courts handled 20% of the nation's felony weapon convictions in 2004—up from 9% in 1994

Percent of all state and federal felony convictions in federal court



Source: Administrative Office of the U.S. Courts, criminal master file, fiscal year. State estimates derived from the National Judicial Reporting Program, calendar year.

Figure 2

During 2005, the U.S. Court of Appeals received 14,644 criminal appeals—a 44% increase from 1995

The number of criminal appeals increased on average 4.1% annually from 1995 to 2005 (table 11). Appeals filed by immigration offenders increased on average 25% per year from 1995 to 2005. About 4 in 10 appeals filed in 2005 were for drug offenses, followed by immigration (17%), weapons (16%), and violent (5%) offenses. In 1995, there were 26 appeals per 100 convictions, compared to 20 per 100 in 2005.

Between 1995 and 2005, the number of convictions outpaced the number of appeals in border districts. In 2005, there were 13 appeals per 100 convictions, compared to 16 per 100 in 1995. Offenders sentenced in the Southwest border districts accounted for 19% of all appeals in 2005, compared to 10% in 1995. Appeals in large districts grew at a faster average growth rate from 1995 to 2005 than in medium and small districts. In each district size, the growth in the number of defendants convicted during this period was greater than the number of appeals filed.

On September 30, 2005, 375,631 persons were under federal supervision—62% in secure confinement and 38% in the community

Of the 375,631 persons under some form of federal supervision in 2005, 3 in 5 (234,425) were in secure confinement, including detention pending trial and imprisonment following imposition of sentence. Eighty percent of persons in secure confinement were serving a prison term following a conviction; 20% of persons in secure confinement were awaiting case disposition (not shown in table).

There were 141,206 persons under supervision in the community in 2005. Offenders sentenced to probation and sentenced offenders who had been released from prison to serve the remainder of their term under post-prison supervision accounted for 79% of persons under community supervision in 2005; defendants released pending trial accounted for 21% (not shown in table).

Methodology

This report uses data from the Federal Justice Statistics Program (FJSP) including source files from the Drug Enforcement Administration, the U.S. Marshals Service, the Executive Office for U.S. Attorneys; and the Administrative Office of the U.S. Courts. The reporting period is based on the fiscal year, October 1 to September 30. For suspects in matters concluded, the lead charge is the basis for investigation. In cases terminated in U.S. district court, the most serious terminating offense is the offense yielding the maximum statutory penalty. This report combines the Districts of Guam and the Northern Mariana Islands as one U.S. attorney is appointed to serve both districts (for a total of 93 districts).

District size is based on a district's annual U.S. resident population for each year displayed in report tables. For computing the *average growth rate* (in tables 5 and 11), district size is based on the average population in that district from 1995 to 2005. Each of the 93 federal districts were classified into *large* (19 districts), *medium* (58 districts), and *small* (16 districts) categories for the purpose of analysis. The average number of authorized federal judgeships per district from 1995 to 2005 coincides with the population classification used in this report as follows:

District size	Number of districts	Average U.S. resident population, 1995-2005	Average number of authorized judgeships, 1995-2005
Small	16	666,583	4
Medium	58	2,434,043	6
Large	19	7,055,208	14

The source for the number of authorized judgeships from 1995-2005 is the Administrative Office of the U.S. Courts, Federal Court Management Statistics (see: <http://www.uscourts.gov/fcmstat/index.html>).

The National Judicial Reporting Program (NJRP) collects data every two years on felony convictions in a nationally representative stratified clustered sample of state courts from 300 counties (see: <http://www.icpsr.umich.edu/NACJD.htm>). Population estimates were derived by aggregating county-level data from the U.S. Census County Estimate File to the judicial district level. Source data were obtained from <http://www.uscensus.gov/popest/counties/> (last accessed on September 1, 2008). Detailed data tables are available in the *Federal Justice Statistics, 2005 - Statistical Tables* on the BJS Website at <http://www.ojp.usdoj.gov/bjs/pub/html/fjsst/2005/fjs05st.htm>.

Table 11. Percent of criminal appeals filed in U.S. district court, 2005 and 1995

	Percent of appeals		Average annual growth rate	Appeals per 100 felony convictions	
	2005	1995		2005	1995
All offenses	14,644	10,162	4.1%	20	26
Violent	5.2%	7.6%	1.5	28	28
Property	14.7	19.3	2.3	19	16
Drug	40.5	49.1	3.2	22	29
Public order	7.2	9.7	2.1	18	26
Weapons	15.7	11.3	9.4	25	33
Immigration	16.6	3.0	25.3	14	9
Southwest U.S. border district					
Yes	19.2%	10.1%	11.2%	13	16
No	80.8	89.9	3.0	24	29
District size					
Small	6.8%	6.8%	3.3%	24	28
Medium	41.6	55.5	3.9	20	25
Large	51.6	37.7	4.5	20	29

*Calculated using each annual count from 1995 to 2005. District size is fixed by average U.S. resident population from 1995 to 2005 for computing the average growth rate by district size: 19 *large* districts (each with an average population of over 5 million residents), 58 *medium* districts (average population of 1 to 5 million residents), and 16 *small* districts (average population of under 1 million residents).

Source: Administrative Office of the U.S. Courts, U.S. Court of Appeals data file and criminal master file, fiscal year.



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This report in portable document format and in ASCII and its related statistical data and tables are available at the BJS World Wide Web Internet site:
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