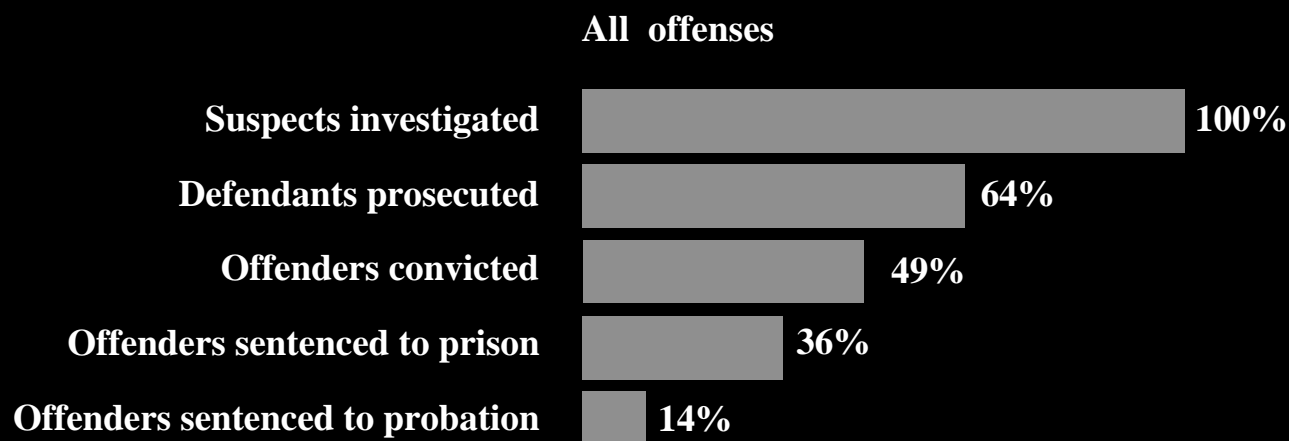




Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1994

Federal criminal case processing, 1994



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Over the past 12 years the increase in the number of drug prosecutions has dramatically changed the size and offense composition of the Federal criminal justice system.

The number of drug defendants in cases terminating in U.S. district courts grew from 8,987 during 1987 to 24,127 during 1993 before declining to 21,584 during 1994. As a percentage of all defendants, drug defendants grew from 21% in 1987 to over 35% during 1994.

Suspects prosecuted

U.S. attorneys investigated 99,251 suspects in criminal matters and concluded investigations against 94,980 suspects during 1994. Of the suspects in criminal matters concluded, 53% were prosecuted in U.S. district court, about 10% were handled by U.S. magistrates, and 36% were declined for prosecution.

The likelihood that a suspect was prosecuted in U.S. district court during 1994 varied across major offense categories, with drug offenses being the most likely to be prosecuted (70%), while public-order and property offenses were the least likely (45% and 46%, respectively).

Similarly, the chances that a suspect was declined for prosecution varied across major offense categories, as well as within these categories. Property offenses were the most likely to be declined (48%) while drug offenses were the least likely (23%). Among public-order offenses, matters involving civil rights offenses were most likely to be declined for prosecution (95%).

Matters were declined for prosecution for a variety of reasons, such as weak evidence (21%) and lack of criminal intent (12%). However, not all suspects whose matters were declined by Federal prosecutors escaped prosecution. More than 25% of the suspects whose matters were declined for Federal prosecution were referred to other authorities for

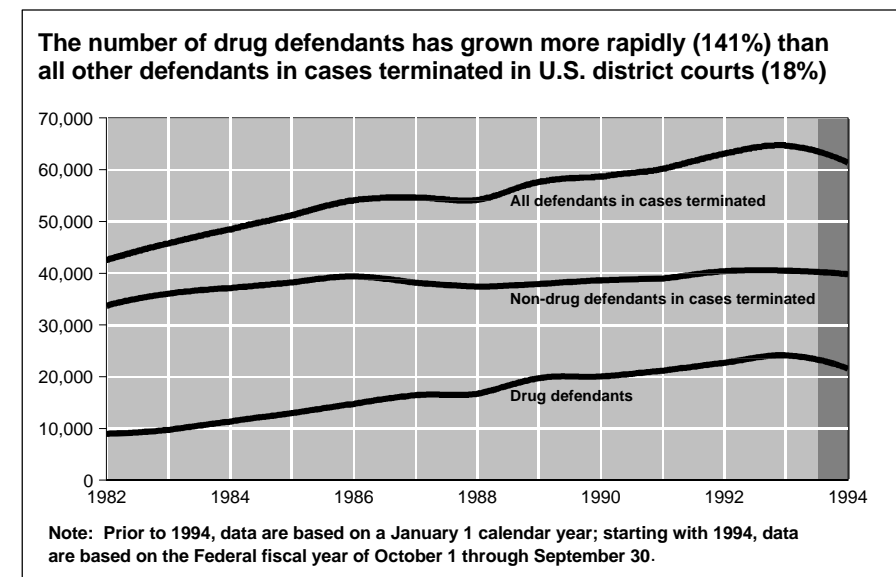


Figure H.1. Total number of defendants, non-drug defendants, and drug defendants in cases terminating in U.S. district courts, 1982–94

prosecution or had their matters resolved by alternative methods.

Pretrial outcomes

During 1994, 27,607 defendants were released prior to trial. This number constitutes more than half of all defendants (45,584) who terminated pretrial services during 1994. Of the defendants released, 15% violated the conditions of their release prior to going to trial and 5% had their release revoked.

The rates of release of defendants and the use of the several types of release varied among offense categories, with property offenders being the most likely to be released (84%) and violent offenders the least (38%). These rates also differed, sometimes quite dramatically, over certain defendant demographic characteristics.

During 1994, 26,299 defendants (58% of all defendants) were detained for all or part of the time prior to the disposition of their criminal case. Defendants charged with violent or drug offenses were more likely to be detained (80% and 74%, respectively) compared to those

charged with property offenses (27%).

Adjudication

Criminal charges were filed in U.S. district court against 62,327 defendants during 1994. More than 75% of the charges were for felony offenses and 33% were for drug offenses. Cases were terminated against 61,404 defendants during 1994, 77% of whom were felony defendants. Of defendants whose cases terminated during 1994, about 85% of felony defendants were convicted, regardless of offense category.

Of convicted offenders, 85% were men, 63% were white, 34% were black, 25% were Hispanic, and 78% were U.S. citizens. Most were over 31 years of age (59%) and the majority had completed high school or higher education (61%). Fewer than half (48%) had no prior convictions. These characteristics, however, varied among the offense types.

Sentencing outcomes

Of the 50,701 offenders sentenced during 1994, the majority (65%)

received a term of imprisonment. The likelihood of imprisonment varied across major offense categories, as did the average length of prison sentences imposed (figure H.3). Violent offenders, on average, received the longest prison term (90 months) while those convicted of property offenses received the shortest average prison sentence (26 months).

Of persons sentenced to prison, 85% were men, 63% were white, 34% were black, 25% were Hispanic, and 78% were U.S. citizens. Lengths of prison terms imposed varied with the offense severity and demographic characteristics, especially race and education.

Likelihood of imprisonment and length of sentence varied across categories

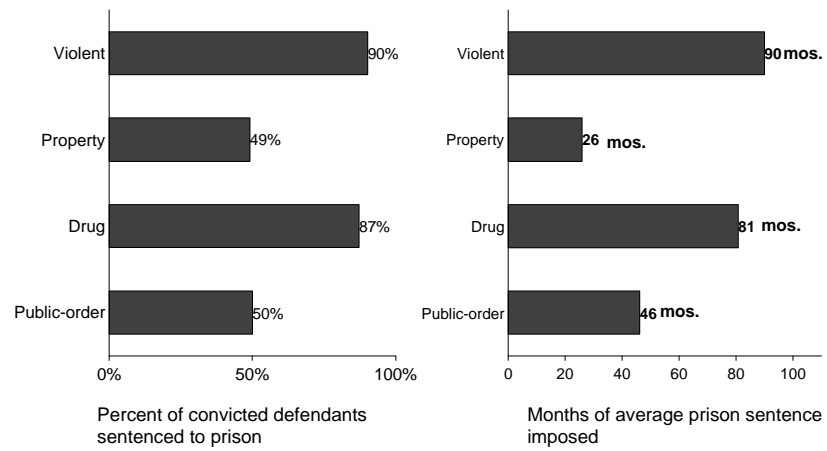


Figure H.2. Percent of convicted defendants sentenced to prison and the average prison sentence imposed in months, by category of offense, 1994

Criminal appeals

The U.S. Court of Appeals received 10,674 criminal appeals during 1994. Of the guidelines-based appeals, more than half (54%) were of both the sentence and conviction. The overall appeal rate varied significantly across offense categories. More than 77% of offenders convicted of murder and about 29% of those convicted of drug offenses filed an appeal. For other offense types, such as counterfeiting and embezzlement, the appeal rates were much lower. During 1994 a total of 11,708 appeals were terminated, of which 9,265 (or 79%) were terminated on the merits. Of the appeals terminated on the merits, the decision of the district court was affirmed, at least in part, in 7,936 (or 86%) cases.

Corrections

During 1994, 20,185 offenders completed 1 or more terms of active probation, and 19,187 offenders completed terms of either parole or supervised release. Offenders completing probation were more likely to conclude their term of supervision without a violation (80%) than offenders completing terms of parole or supervised release (56%). Offenders completing probation were most likely

to be sentenced for a misdemeanor offense (43%) while those completing parole or supervised release were most likely to be sentenced for a drug offense (43%).

During 1994, 28,069 prisoners were released for the first time from the custody of the Federal Bureau of Prisons (BOP) after serving an average of 25 months (89%) of their imposed sentence. An additional 12,264 prisoners were released from subsequent commitments, for a total of 40,333 prisoners released. BOP received 44,341 prisoners into its facilities during 1994. Of the total increase in prisoners (4,008), the largest were drug (2,539) and public-order offenders (1,538). The increase in public-order prisoners is primarily a reflection of an increase in weapons offenders.

This Bureau of Justice Statistics (BJS) report presents an overview of case processing in the Federal criminal justice system. The data presented are compiled from the BJS Federal Justice Statistics Program (FJSP) database. The FJSP database includes data provided by the Administrative Office of the U.S. Courts, the Executive Office for the U.S. Attorneys, the Federal Bureau of Prisons, and the U.S. Sentencing Commission. The Administrative Office of the U.S. Courts, in addition to providing data describing defendants in cases processed by the Federal judiciary, provides data describing defendants processed by the Federal pretrial services agencies and the Federal probation and supervision service. The data provided by the agencies are archived for public use at the National Archive of Criminal Justice Data (ICPSR 9296).

While each agency reports on those defendants it processed during a given year in an annual statistical report and because many of the case processing statistics reported vary across agencies, these annual statistical reports are often incomparable. As reported by an inter-agency working group, headed by BJS, the differences in the case processing statistics are attributable, in part, to the differing needs and missions of the agencies. The working group found that the differences in reported statistics are attributable to:

- the universe of cases reported during a given period — some agencies report on those case processing events that *occurred* during a particular period, whereas others report on those events *recorded* during a particular period; and
- many of the commonly used case processing statistics — suspect/defendant processed, offense committed, disposition, and sentence imposed — are defined differently across agencies.

BJS, through its Federal Justice Statistics Program, however, has recognized the incomparability of these annual statistical reports and has attempted to reconcile many of the differences identified by the working group. For instance, by combining databases from several years, BJS is able to report on those cases that actually occurred during the reporting period. Additionally, commonly used case processing statistics are made comparable across stages by applying uniform definitions to data obtained from each agency. Because the definitions used in the Federal Justice Statistics Program are consistent with those categories used in other BJS programs describing the defendants convicted, sentenced, and imprisoned at the State level, the comparison of Federal and State case processing statistics is facilitated.

The 1994 *Compendium*, ninth in a series which also includes 1984, 1985, 1986, 1988, 1989, 1990, 1992, and 1993, describes defendants processed at each stage of the Federal justice system — investigation and prosecution by the U.S. attorneys (chapter 1), pretrial release or detention (chapter 2), adjudication in the U.S. district courts (chapter 3), sentencing (chapter 4), appeal of the conviction and/or sentence imposed (chapter 5), and corrections (chapter 6) — for the 12-month period ending September 30, 1994 (the Federal fiscal year). Chapter 5 is new to the 1994 *Compendium*; future editions will incorporate additional data as the data become available.

Generally, the tables presented include both individual and organizational defendants. Organizational defendants are not included in tables describing pretrial release and detention or tables showing defendants sentenced to incarceration. Felony and misdemeanor distinctions are provided where possible (see "Table construction and interpretation" in *Methodology*).

Organization of the *Compendium*

Each chapter of the *Compendium* describes a major stage in the processing of criminal suspects and defendants. Each chapter contains *Chapter notes* that describe the universes of data used in the tables and information relevant to the interpretation of individual tables. The contents of the *Compendium* include:

Chapter 1. This chapter describes decisions taken by Federal prosecutors in screening criminal matters and the characteristics of defendants in cases prosecuted or declined for prosecution.

Chapter 2. This chapter describes the pretrial release and detention practices of the Federal judiciary, including the characteristics of defendants detained or released pending trial.

Chapter 3. This chapter describes actions by the Federal judiciary in adjudicating defendants in cases filed by the U.S. attorneys, including the offense charged and characteristics of defendants convicted.

Chapter 4. This chapter describes the sentences imposed by the Federal judiciary on convicted defendants, including the characteristics of defendants sentenced.

Chapter 5. This chapter describes appeals of criminal convictions and sentences imposed in the Federal courts, including the original offense charged.

Chapter 6. This chapter describes defendants under Federal correctional supervision — probation, parole, and supervised release — including the outcome of the supervision (successful completion, any violations, and revocation), admissions to, and releases from Federal prison and time served by Federal inmates.

Methodology. This section describes the procedures followed in analyzing data and developing tables.

Glossary. This section contains definitions for terms used in the *Compendium*. Since many terms used in the text and tables have specialized meanings (either because they refer to Federal law or because of reporting procedures by the Federal agencies supplying the data), readers are encouraged to check the glossary for exact definitions of tabulated data.

Comparing Case Processing Statistics. This document, prepared by an interagency working group tasked to reconcile differences in Federal criminal case processing statistics, identifies and describes the major differences in the way Federal criminal justice agencies collect, tabulate, and report criminal case processing events.

Modifications in the 1994 Compendium

This *Compendium* incorporates a number of modifications designed to improve the understanding of the Federal criminal justice system and to enhance comparability with other Federal criminal justice agencies' annual reports.

The reporting period was changed to reflect the Federal fiscal year — October 1 through September 30. This represents a departure from previous editions of the compendium and other BJS reports. The change to a fiscal year reporting period was made to facilitate the comparability of the compendium with the agencies' annual publications. (All of the agencies whose data are presented in this report publish an annual statistical report describing events occurring or reported, where applicable, between October 1 and September 30.)

In chapter 1, the tables describing defendants investigated and prosecuted by the U.S. attorneys were updated to distinguish between suspects in criminal matters from those in criminal appeals. Therefore, tables describing suspects investigated by the U.S. attorneys are not

directly comparable with prior years' compendia. However, included in the *Chapter notes* are tables describing criminal appeals handled by U.S. attorneys to facilitate that comparison.

In several tables included in chapter 2, the percentages reporting the type of pretrial release and method of pretrial detention were calculated from the base of defendants released or detained, where appropriate, rather than all defendants who terminated pretrial release or detention.

In chapter 3, a table describing defendants in criminal cases filed in U.S. district court was added. Additionally, the table describing defendants in cases handled by U.S. magistrates uses data provided by the Administrative Office of the U.S. Courts rather than the U.S. attorneys. The data provided by the U.S. attorneys includes a substantial number of fugitive criminal defendants whose cases were originally filed before a U.S. magistrate because the defendant crossed State boundaries to evade apprehension. Ultimately, these matters were dismissed by the U.S. attorney, and these defendants were prosecuted in State courts upon their apprehension and extradition.

A chapter on criminal appeals (chapter 5) was added in order to provide more complete coverage of the Federal criminal justice system.

Many of the tables in chapter 6 describing Federal prisoners were expanded to distinguish between defendants sentenced pursuant to the provisions of the Sentencing Reform Act of 1984 ("new law") and the previous sentencing policies ("old law").

Notes to reader

The tables in the *Compendium* were constructed to permit valid comparisons within each table and to allow the reader to compare percentages (but not raw totals) across tables. It should be understood, however, that the total number of subjects or

defendants shown in a particular table may not equal the number of subjects/defendants involved in a particular stage of processing, since some records could not be linked and some data sources did not include information on particular data elements classified in a particular table. Data notes indicate the exact universe for individual tables.

The *Compendium* is a statistical presentation of Federal criminal justice information with limited analyses of trends or explanatory factors underlying the statistics. Analyses of Federal justice statistics may be found in special reports and other publications, some of which are cited in the compendium. Assessment of changing patterns in the compendium tabulations may depend on detailed examination of subcategories not shown in the tabulations or may require other sources of information, such as knowledge of legislation or Federal agency procedures.

System overview

Federal criminal case processing, 1994

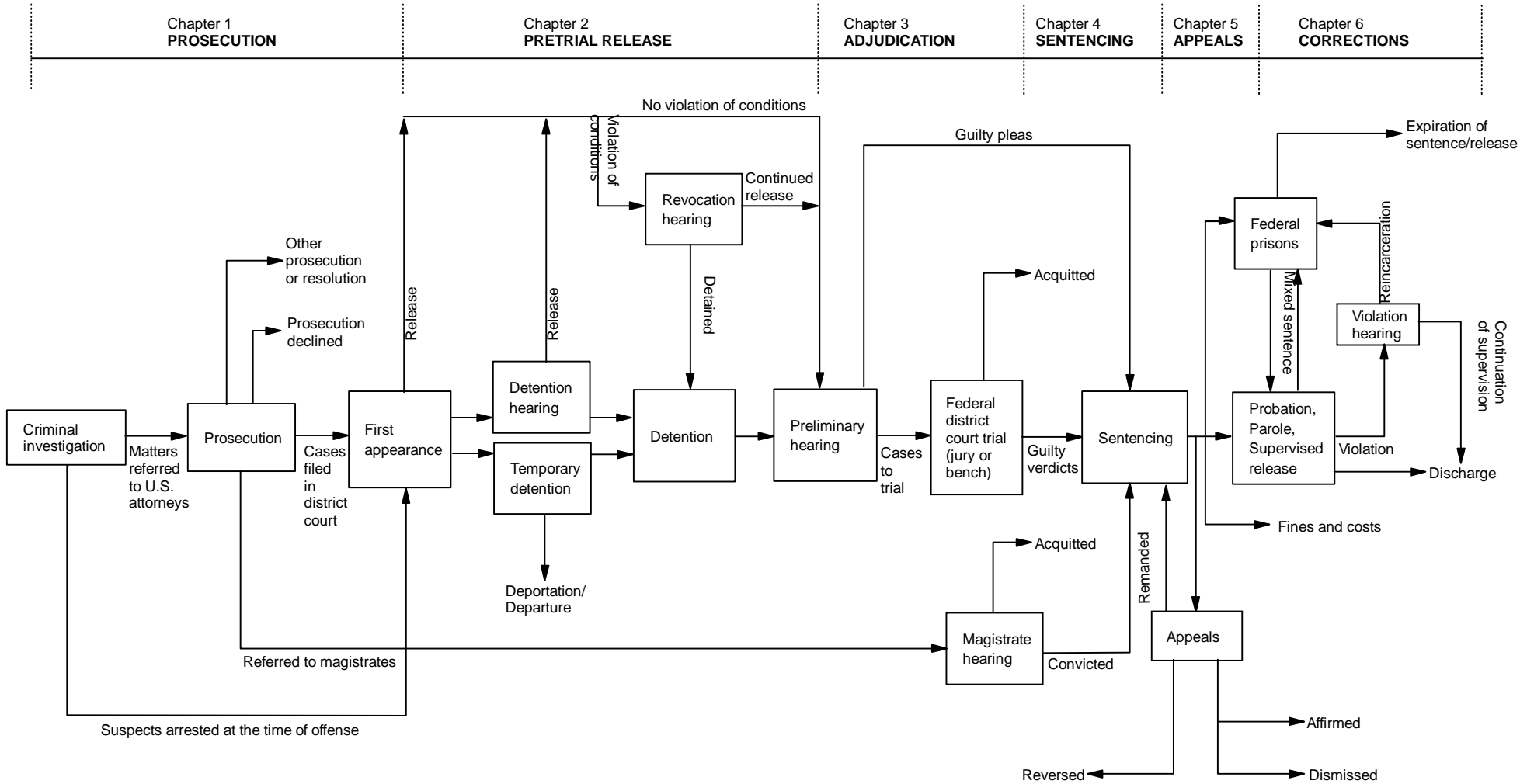
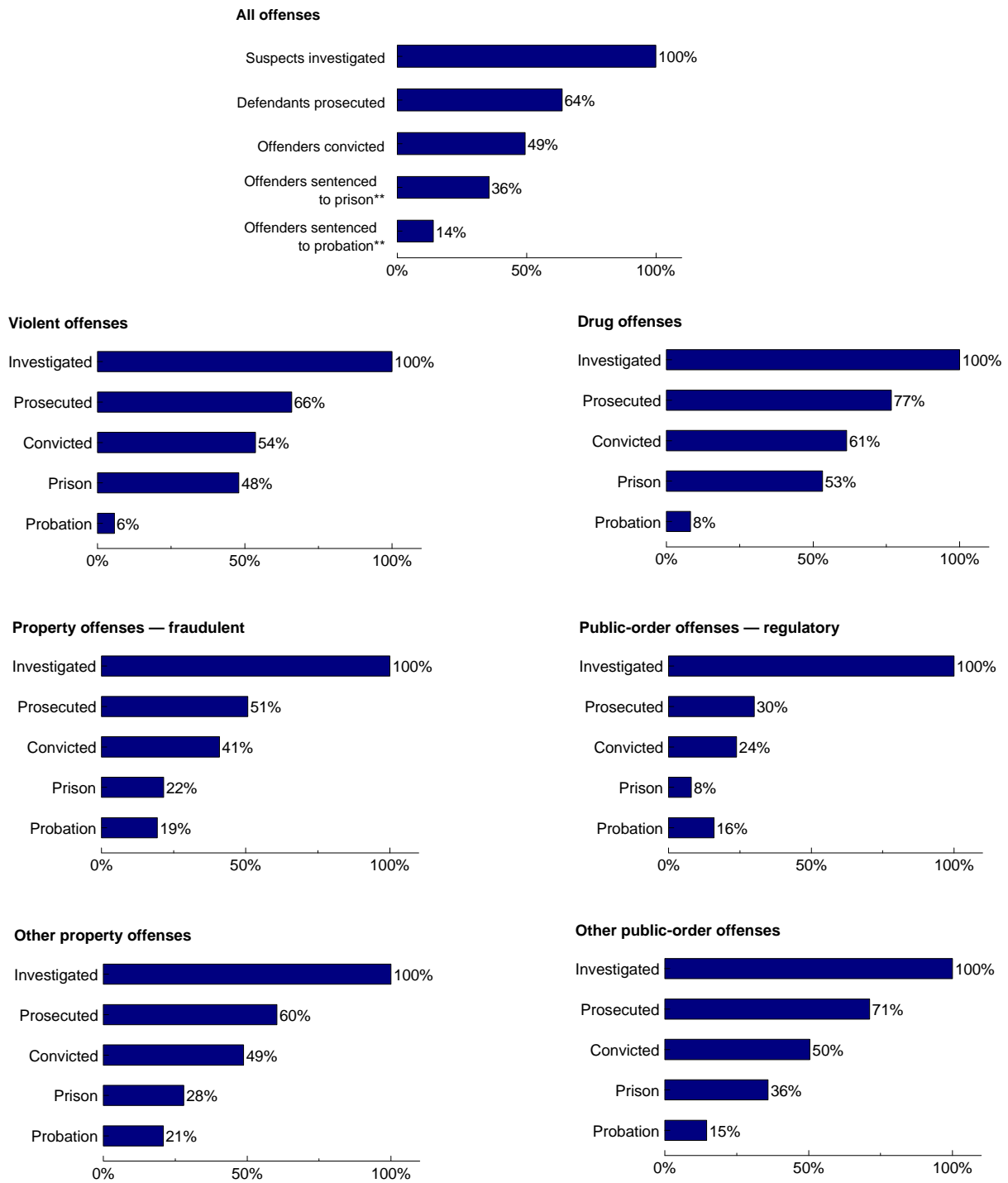


Figure S.1.

Federal criminal case processing, October 1, 1993–September 30, 1994

in matters concluded by U.S. attorneys*



*Note: See "Figure S.2" in methodology, p.89.

**Prison includes split, life, indeterminate, regular, and youth sentences. Offenders not shown as sentenced to prison or probation were sentenced by magistrates or received a fine-only sentence in Federal court. Probation excludes persons sentenced to prison.

Figure S.2.

