



Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1995

Federal criminal case processing, 1995



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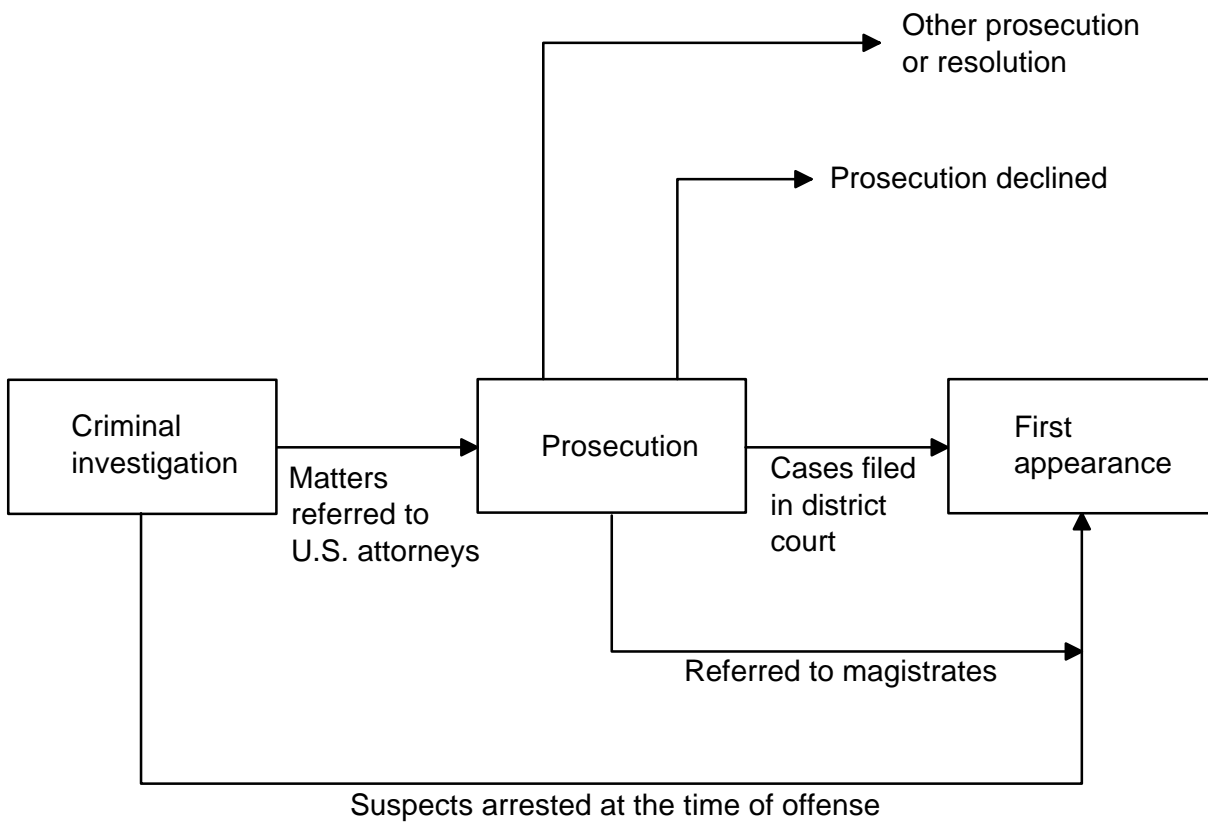
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Prosecution



Federal prosecutions

Federal criminal cases may be brought by the U.S. Attorney's Office, by the Criminal Division of the U.S. Department of Justice, or by other authorized agencies. The 93 U.S. attorneys serve as the chief federal law enforcement officers within their respective districts.

Investigations are most commonly referred to a U.S. attorney by a Federal investigative agency (primarily the Drug Enforcement Administration; the Federal Bureau of Investigation; the Postal Inspection Service; the Bureau of Alcohol, Tobacco, and Firearms; and the Secret Service), by the Criminal Division, or by a State or local investigative agency. Investigations may also be initiated — and cases brought directly — by U.S. attorneys or by the Criminal Division of the U.S. Department of Justice. This chapter reports only on suspects investigated, at least in part, by U.S. attorneys.

U.S. attorneys' decisions

After criminal investigations are initiated and criminal suspects are referred to them, U.S. attorneys may file charges against defendants in a U.S. district court, or they may decline to file these charges for reasons such as weak or insufficient evidence, minimal Federal interest, lack of resources, or lack of Federal offense or criminal intent. Matters that are declined may be referred to another authority for prosecution or be settled through alternative resolution procedures. U.S. attorneys may also file cases before U.S. magistrates, who have the authority to adjudicate misdemeanor offenses (18 U.S.C. § 3401). Because of the relatively less serious nature of these cases and because they are handled by magistrates, U.S. attorneys consider these cases as criminal matters disposed by U.S. magistrates.

The decision to prosecute a suspect in a criminal matter depends upon a number of factors, including the Attorney General's priorities, U.S. attorney priorities and resources, laws governing each type of offense, and

Drug and violent suspects were more likely to be prosecuted than property and public-order suspects

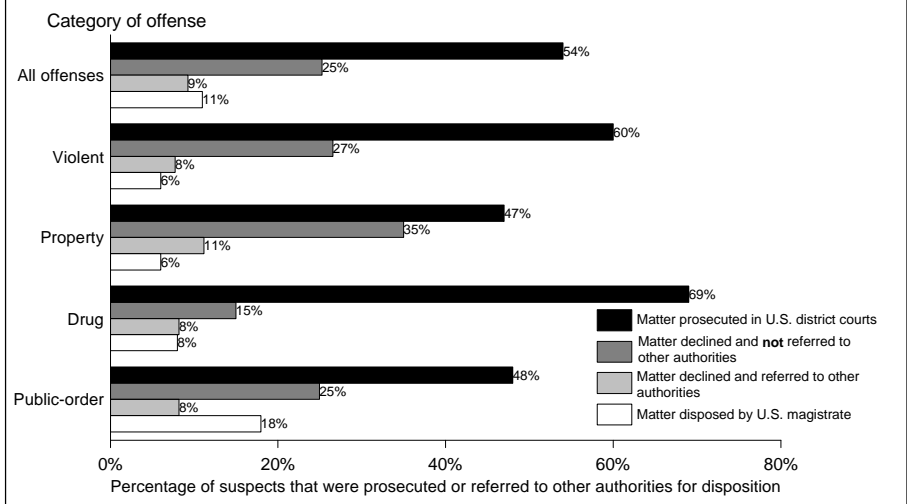


Figure 1.1. Suspects in matters concluded: Percentage of suspects that were prosecuted, declined, referred to other authorities for disposition, or disposed by U.S. magistrate, October 1, 1994–September 30, 1995

the strength of evidence in a case. Nevertheless, suspects are prosecuted at different rates depending upon their offense. During 1995 suspects involved in violent and drug offenses were more likely to be prosecuted before U.S. district court judges than were those involved in property and public-order offenses. Drug offenders were the most likely to be prosecuted (69%) and least likely to be declined for prosecution (23%) (figure 1.1). Suspects in property offenses were the least likely to be prosecuted (47%) and most likely to be declined for prosecution (46%). However, more suspects involved in property offenses had their matters referred to, or handled by, other authorities — including authorities who resolved criminal matters by restitution or by civil or administrative procedures — than did suspects involved in other types of criminal matters.

Suspects in matters received (table 1.1)

During 1995 there were 102,220 suspects in matters received by U.S.

attorneys.¹ Of these suspects, about 32% were investigated for property offenses, 31% for public-order offenses, and 31% for drug offenses. Just under 6% of all suspects were investigated for violent crimes. Relative percentages of offenses reflect criminal activity and Federal investigative, prosecutorial, and statutory priorities. For example, during 1995 priority areas for U.S. attorneys included violent crimes (including firearms prosecutions and violent street gangs), narcotics prosecutions, organized crime, national security, immigration, white collar crime, and civil rights prosecutions.²

Suspects in matters concluded (tables 1.2-1.5)

Upon receiving a matter, a U.S. attorney will either immediately decline it for prosecution or conduct further investigation, which can take from 1 hour to a few years. A matter may then be filed as a criminal case in a U.S. district court, referred to a U.S. magistrate, or declined for prosecution. Of the 102,309 suspects in

¹See *Chapter notes*, item 1, p. 20. The 1995 data are not directly comparable to the 1993 or prior compendia.

²*Statistical Report, United States Attorneys' Offices, Fiscal Year 1995*. U.S. Department of Justice, Executive Office for United States Attorneys, Washington, DC.

criminal matters concluded during 1995, 33% were investigated for property offenses, 31% for drug offenses, 30% for public-order offenses, and 5% for violent offenses (table 1.2). Of the suspects in matters concluded, 54% were prosecuted in U.S. district court, 11% were referred to U.S. magistrates, and 35% were declined for prosecution.³

Suspects prosecuted (table 1.2) — The likelihood that a suspect in a matter was prosecuted varied widely across offense categories during 1995. Those in drug and violent offenses were more likely to be prosecuted than those involved in property and public-order offenses. U.S. attorneys prosecuted approximately 69% of suspects in drug offenses, 60% of those in violent offenses, 47% of those in property offenses, and 48% of those in public-order offenses. Differences in rates of prosecution within specific categories were substantial. For example, among violent offenses, 74% of robbery suspects were prosecuted, while 63% of murder, 45% of rape, and 48% of assault suspects were prosecuted. Among property offenses, suspects investigated for counterfeiting were prosecuted at a higher rate than those involved in fraud (63% compared to 45%), and among suspects in public-order offenses, weapons, immigration, and tax law violators were much more likely to be prosecuted than suspects in bribery offenses (66%, 65%, and 66% versus 36%).

Suspects in matters declined (tables 1.2-1.4) — As with the decision to prosecute a case, the likelihood that a matter was declined for prosecution varied across offense categories. Suspects in matters involving violent offenses were less likely to be declined for prosecution (35%) than those in property offenses (47%) but more likely than those in drug offenses (24%). Suspects in public-

order offenses were only slightly less likely to be declined for prosecution than those involved in violent offenses (34% compared to 35%).

Suspects investigated for immigration offenses were the least likely (6%) to be declined for prosecution. Although matters involving suspects in civil rights cases were declined at high rates, most of them were declined because of weak evidence (29%) or departmental policy (23%), and a number were also declined due to the absence of a Federal offense (9%) and lack of criminal intent (17%) (not shown in a table).

The decision to decline prosecution is based on a number of factors, including the lack of a prosecutable offense, alternative resolution, or case- and suspect-related reasons (table 1.3). Of the 35,896 declinations during 1995, 22% occurred because there was no crime or criminal intent was lacking; 26% occurred because of case-related reasons, mostly due to weak evidence (22%); and 22% occurred for other reasons, such as minimal Federal interest (4%) and U.S. attorney policy (4%).

The U.S. attorneys also reported that 1,901 cases (5%) were declined due to lack of resources, down from 2,314 during 1994. Over half of the

declinations for lack of resources during 1995 were fraud cases, and 13% were drug offenses. Additionally, 139 racketeering and extortion cases, 74 weapons cases, and 88 embezzlement cases were declined due to a lack of resources (not shown in a table).

Not all suspects whose matters are declined for prosecution avoid prosecution. Approximately 21% of the suspects in matters declined for prosecution by U.S. attorneys were referred to another authority for prosecution (table 1.4). An additional 6% were settled through alternative resolution procedures. While suspects involved in property offenses constituted the largest number of suspects who were referred by U.S. attorneys to other authorities for prosecution or resolution (figure 1.1), of the suspects whose matters were declined, those involved in drug offenses were the most likely to be referred to other authorities for prosecution or alternative resolution (figure 1.2). Thirty-five percent of the drug suspects whose matters were declined prosecution by U.S. attorneys were referred for other prosecution or resolution, as were 25% of the public-order, 24% of the property, and 23% of violent offense suspects.

Of matters declined for prosecution, suspects in drug offenses were more likely than others to be referred to other authorities for prosecution or settled through alternative resolution procedures

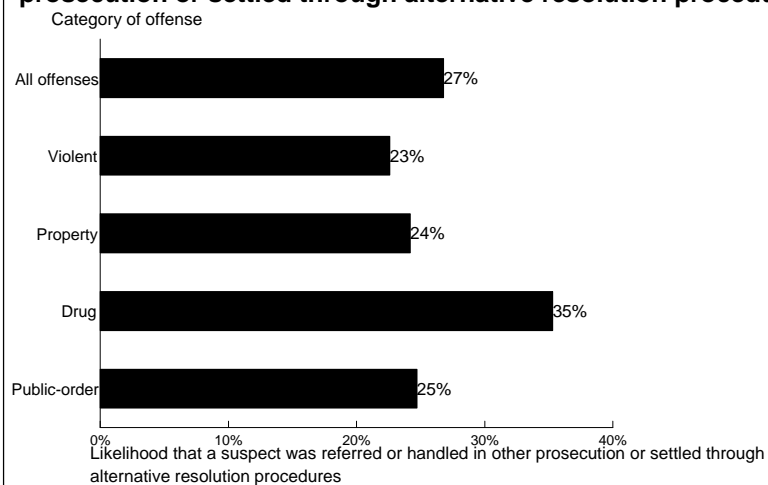


Figure 1.2. Of matters declined, percent referred or handled in other prosecution or settled through alternative resolution procedures, October 1, 1994–September 30, 1995

³The number of suspects in criminal matters concluded is not comparable to the 1993 or prior compendia. See Chapter notes, item 2, p. 20, for details.

Within major offense categories, the likelihood that suspects in matters declined for prosecution also were referred varied among specific offenses. For example, within property offenses, this occurred with 45% of persons involved in burglaries, compared to 22% of suspects in fraud offenses. Within the public-order category, 34% of suspects in weapons offenses were referred to other authorities or settled through alternative procedures, compared to 18% of suspects in racketeering and extortion offenses.

Defendants in cases concluded by U.S. magistrates (table 1.2) — Cases concluded by U.S. magistrates are, by statute, misdemeanors.⁴ Overall, U.S. magistrates disposed of about 11% of all criminal matters originally handled by U.S. attorneys. For most offenses, the likelihood that a U.S. magistrate concluded the matter was also relatively low. Exceptions included suspects in the escape and immigration offense categories. Fifty-seven percent of matters involving escape offenses and 30% of those involving immigration offenses were concluded by U.S. magistrates. Together, these two categories accounted for 38% of the 10,710 matters concluded before U.S. magistrates.

Most of the 3,672 escape violations were against defendants who absconded to avoid prosecution in State courts. These cases are normally dismissed by U.S. magistrates and turned over to the State for prosecution on the original warrant once the suspect is captured. Other types of offenses having comparatively high rates of referral to U.S. magistrates included national defense violations (14%); postal law violations (20%); and conspiracy, aiding and abetting,

traffic, and jurisdictional offenses (36%).

Processing times (table 1.5) — Overall, the average number of months from receipt of a matter to its conclusion by a U.S. attorney as a case filing or declination or its disposal by a U.S. magistrate was 10.5 months, for matters concluded during 1995. However, the time to process matters varied with the outcome of the matter. Matters concluded by U.S. magistrates in which the suspect was convicted took the least amount of time — an average of 2.1 months. Matters ultimately declined for prosecution by U.S. attorneys took the longest amount of time — an average of 18.4 months. Matters prosecuted in U.S. district court generally fell between these extremes. While the average processing time for a conviction by a U.S. magistrate was 2.1 months, at least 50% of these convictions occurred in about 3 days. Similarly, 50% of the matters declined for prosecution were declined in fewer than 13 months.

Overall, suspects in violent and drug offenses were processed more quickly than suspects in other types of offenses. For key decisions, such as whether to file a case or decline a matter for prosecution, violent offenses were concluded more quickly than drug offenses. At an average of 15.8 months, fraudulent property offenses took longer to conclude than other offenses.

⁴At the time that U.S. attorneys receive them, matters may not be classifiable as felonies or misdemeanors. By the time a U.S. magistrate disposes a case — or what the U.S. attorneys call a matter — its offense level has been determined and is, by statute, a misdemeanor.



Table 1.1. Suspects in matters received by U.S. attorneys, by offense, October 1, 1994–September 30, 1995

Most serious offense investigated ^a	Suspects in criminal matters received by U.S. attorneys	
	Number	Percent ^b
All offenses^c	102,220	100%
Violent offenses	5,720	5.7%
Murder/manslaughter ^d	430	0.4
Assault	1,211	1.2
Robbery	2,358	2.3
Rape	620	0.6
Other sex offenses ^d	643	0.6
Kidnaping	319	0.3
Threats against the President	139	0.1
Property offenses	31,759	31.5%
Fraudulent	27,836	27.6%
Embezzlement	4,433	4.4
Fraud ^d	21,518	21.3
Forgery	1,517	1.5
Counterfeiting	368	0.4
Other	3,923	3.9%
Burglary	76	0.1
Larceny ^d	1,742	1.7
Motor vehicle theft	802	0.8
Arson and explosives	792	0.8
Transportation of stolen property	173	0.2
Other property offenses ^d	338	0.3
Drug offenses	31,686	31.4%
Public-order offenses	31,668	31.4%
Regulatory	5,371	5.3%
Agriculture	452	0.4
Antitrust	63	0.1
Food and drug	178	0.2
Transportation	325	0.3
Civil rights	1,698	1.7
Communications	128	0.1
Custom laws	369	0.4
Postal laws	279	0.3
Other regulatory offenses	1,879	1.9
Other	26,297	26.1%
Weapons	5,376	5.3
Immigration offenses	7,256	7.2
Tax law violations ^d	1,348	1.3
Bribery	449	0.4
Perjury, contempt, and intimidation	671	0.7
National defense	296	0.3
Escape	4,067	4.0
Racketeering and extortion	3,610	3.6
Gambling	279	0.3
Liquor offenses	10	—
Obscene material ^d	45	—
Migratory birds	113	0.1
Conspiracy, aiding and abetting, traffic, and jurisdictional	2,509	2.5
All other offenses ^d	268	0.3
Unknown or indeterminable offense	1,387	

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 20.

—Less than .05%.

^aSee *Chapter notes*, item 3, p. 20, and "Offense classifications" in *Methodology*, p. 89.

^bPercentage distribution based on the suspects for whom the offense category could be determined.

^cIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 20.

^dIn this table, "Murder" includes non-negligent manslaughter.

"Other sex offenses" may include some nonviolent offenses.

"Fraud" excludes tax fraud.

"Larceny" excludes transportation of stolen property.

"Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass.

"Tax law violations" includes tax fraud. "Obscene material" denotes the mail or transport thereof.

Table 1.2. Disposition of suspects in matters concluded, by offense, October 1, 1994–September 30, 1995

Most serious offense investigated ^a	Suspects in criminal matters concluded							
	Number				Percent			
	Total	Prosecuted in U.S. district court ^b	Declined	Disposed by U.S. magistrates	Total	Prosecuted in U.S. district court ^b	Declined	Disposed by U.S. magistrates
All offenses^c	102,309	55,703	35,896	10,710	100%	54.4%	35.1%	10.5%
Violent offenses	5,399	3,223	1,881	295	100%	59.7%	34.8%	5.5%
Murder/manslaughter ^d	428	270	140	18	100	63.1	32.7	4.2
Assault	1,212	576	507	129	100	47.5	41.8	10.6
Robbery	2,433	1,793	549	91	100	73.7	22.6	3.7
Rape	568	258	300	10	100	45.4	52.8	1.8
Other sex offenses ^d	320	137	169	14	100	42.8	52.8	4.4
Kidnaping	298	150	126	22	100	50.3	42.3	7.4
Threats against the President	140	39	90	11	100	27.9	64.3	7.9
Property offenses	33,888	15,918	15,927	2,043	100%	47.0%	47.0%	6.0%
Fraudulent	29,861	13,858	14,260	1,743	100%	46.4%	47.8%	5.8%
Embezzlement	4,676	2,302	1,966	408	100	49.2	42.0	8.7
Fraud ^d	23,139	10,424	11,575	1,140	100	45.0	50.0	4.9
Forgery	1,708	918	609	181	100	53.7	35.7	10.6
Counterfeiting	338	214	110	14	100	63.3	32.5	4.1
Other	4,027	2,060	1,667	300	100%	51.2%	41.4%	7.4%
Burglary	78	54	21	3	100	69.2	26.9	3.8
Larceny ^d	1,716	995	558	163	100	58.0	32.5	9.5
Motor vehicle theft	861	401	405	55	100	46.6	47.0	6.4
Arson and explosives	770	378	371	21	100	49.1	48.2	2.7
Transportation of stolen property	157	87	63	7	100	55.4	40.1	4.5
Other property offenses ^d	445	145	249	51	100	32.6	56.0	11.5
Drug offenses	31,261	21,445	7,360	2,456	100%	68.6%	23.5%	7.9%
Public-order offenses	30,861	14,809	10,359	5,693	100%	48.0%	33.6%	18.4%
Regulatory	5,264	1,509	3,531	224	100%	28.7%	67.1%	4.3%
Agriculture	419	234	163	22	100	55.8	38.9	5.3
Antitrust	43	27	16	0	100	62.8	37.2	0
Food and drug	182	106	63	13	100	58.2	34.6	7.1
Transportation	335	120	206	9	100	35.8	61.5	2.7
Civil rights	1,904	96	1,806	2	100	5.0	94.9	0.1
Communications	136	31	99	6	100	22.8	72.8	4.4
Custom laws	360	164	179	17	100	45.6	49.7	4.7
Postal laws	275	147	72	56	100	53.5	26.2	20.4
Other regulatory offenses	1,610	584	927	99	100	36.3	57.6	6.1
Other	25,597	13,300	6,828	5,469	100%	52.0%	26.7%	21.4%
Weapons	5,732	3,758	1,784	190	100	65.6	31.1	3.3
Immigration offenses	6,660	4,305	366	1,989	100	64.6	5.5	29.9
Tax law violations ^d	1,329	881	419	29	100	66.3	31.5	2.2
Bribery	550	196	328	26	100	35.6	59.6	4.7
Perjury, contempt, and intimidation	673	283	343	47	100	42.1	51.0	7.0
National defense	254	123	96	35	100	48.4	37.8	13.8
Escape	3,672	824	754	2,094	100	22.4	20.5	57.0
Racketeering and extortion	3,760	1,591	2,005	164	100	42.3	53.3	4.4
Gambling	344	209	134	1	100	60.8	39.0	0.3
Liquor offenses	11	4	7	0	100	36.4	63.6	0
Obscene material ^d	59	19	40	0	100	32.2	67.8	0
Migratory birds	113	36	51	26	100	31.9	45.1	23.0
Conspiracy, aiding and abetting, traffic, and jurisdictional offenses	2,321	1,037	445	839	100	44.7	19.2	36.1
All other offenses ^d	119	34	56	29	100	28.6	47.1	24.4
Unknown or indeterminable offense	900	308	369	223	100%	34.2%	41.0%	24.8%

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 20.

^aSee *Chapter notes*, item 3, p. 20, and "Offense classifications" in *Methodology*, p. 89.

^bThe suspects included in this column are limited to those whose cases were filed in U.S. district court before U.S. district court judges. These data are not directly comparable to the number in the 1993 or prior compendia, which included appeals cases handled by U.S. attorneys; see *Chapter notes*, item 2, p. 20.

^cIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 20.

^dIn this table, "Murder" includes nonnegligent manslaughter.

"Other sex offenses" may include some nonviolent offenses.

"Fraud" excludes tax fraud.

"Larceny" excludes transportation of stolen property.

"Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass.

"Tax law violations" includes tax fraud.

"Obscene material" denotes the mail or transport thereof.

Table 1.3. Basis for declination of prosecution by U.S. attorneys, October 1, 1994–September 30, 1995

Basis for declination	Suspects in criminal matters declined by U.S. attorneys	
	Number	Percent ^a
Total declinations^b	35,896	100%
No crime	7,773	22.0%
No true bill returned	39	0.1
No Federal offense	3,039	8.6
Lack of criminal intent	4,695	13.3
Referred or handled in other prosecution	7,351	20.8%
Removed	1,167	3.3
Prosecuted on other charges	2,002	5.7
Prosecuted by other authorities	4,182	11.8
Alternative resolution	2,124	6.0%
Restitution	174	0.5
Civil or administrative alternative	913	2.6
Pretrial diversion	1,037	2.9
Suspect-related reasons	933	2.6%
Suspect serving sentence	128	0.4
No known suspect	393	1.1
Suspect a fugitive	95	0.3
Suspect deported	225	0.6
Suspect deported	92	0.3
Case-related reasons	9,322	26.4%
State case	629	1.8
Weak evidence	7,798	22.1
Statute of limitations exceeded	188	0.5
Jurisdiction or venue problems	289	0.8
Witness problems	418	1.2
All other reasons	7,835	22.2%
Minimal Federal interest	1,556	4.4
Petite policy	134	0.4
Lack of resources	1,901	5.4
Financial privacy act	3	—
Tax reform act	1	—
Court policy	7	—
DOJ policy	562	1.6
U.S. attorney policy	1,333	3.8
Agency request	1,857	5.3
Juvenile suspect	73	0.2
Offender's health, age, prior record, or other personal circumstances	124	0.4
Suspect's cooperation	280	0.8
Motion hearings	4	—
Unknown or indeterminable reason	558	

Note: For further information, see *Chapter notes*, items 1 and 2, p. 20.

—Less than .05%

^aPercent based on suspects for whom a basis for declination could be determined.

^bIncludes suspects for whom basis for declination could not be determined; *Chapter notes*, item 4, p.20.

Table 1.4. Disposition of matters declined for prosecution by U.S. attorneys, by offense, October 1, 1994–September 30, 1995

Most serious offense investigated ^a	Number of suspects in declined matters				Percent of suspects in declined matters			
	Total ^b	Referred or handled in other prosecution ^c	Resolved with restitution, civil/administrative procedure, pre-trial diversion	Other	Total ^b	Referred or handled in other prosecution ^c	Resolved with restitution, civil/administrative procedure, pre-trial diversion	Other
All offenses^d	35,896	7,351	2,124	25,863	100%	20.8%	6.0%	73.2%
Violent offenses	1,881	355	63	1,433	100%	19.2%	3.4%	77.4%
Murder/manslaughter ^e	140	18	1	121	100	12.9	0.7	86.4
Assault	507	56	31	415	100	11.2	6.2	82.7
Robbery	549	150	10	384	100	27.6	1.8	70.6
Rape	300	37	6	242	100	13.0	2.1	84.9
Other sex offenses ^e	169	47	12	106	100	28.5	7.3	64.2
Kidnaping	126	42	0	84	100	33.3	0	66.7
Threats against the President	90	5	3	81	100	5.6	3.4	91.0
Property offenses	15,927	2,270	1,514	11,860	100%	14.5%	9.7%	75.8%
Fraudulent	14,260	1,962	1,406	10,658	100%	14.0%	10.0%	76.0%
Embezzlement	1,966	208	394	1,343	100	10.7	20.3	69.0
Fraud ^e	11,575	1,626	913	8,838	100	14.3	8.0	77.7
Forgery	609	96	92	409	100	16.1	15.4	68.5
Counterfeiting	110	32	7	68	100	29.9	6.5	63.6
Other	1,667	308	108	1,202	100%	19.0%	6.7%	74.3%
Burglary	21	7	1	10	100	38.9	5.6	55.6
Larceny ^e	558	92	53	394	100	17.1	9.8	73.1
Motor vehicle theft	405	130	7	257	100	33.0	1.8	65.2
Arson and explosives	371	63	10	289	100	17.4	2.8	79.8
Transportation of stolen property	63	9	0	48	100	15.8	0	84.2
Other property offenses ^e	249	7	37	204	100	2.8	14.9	82.3
Drug offenses	7,360	2,470	97	4,688	100%	34.0%	1.3%	64.6%
Public-order offenses	10,359	2,101	422	7,699	100%	20.6%	4.1%	75.3%
Regulatory	3,531	382	176	2,935	100%	10.9%	5.0%	84.0%
Agriculture	163	43	23	90	100	27.6	14.7	57.7
Antitrust	16	2	0	14	100	12.5	0	87.5
Food and drug	63	13	6	44	100	20.6	9.5	69.8
Transportation	206	27	13	162	100	13.4	6.4	80.2
Civil rights	1,806	81	49	1,665	100	4.5	2.7	92.8
Communications	99	9	10	77	100	9.4	10.4	80.2
Custom laws	179	26	15	134	100	14.9	8.6	76.6
Postal laws	72	8	17	47	100	11.1	23.6	65.3
Other regulatory offenses	927	173	43	702	100	18.8	4.7	76.5
Other	6,828	1,719	246	4,764	100%	25.5%	3.7%	70.8%
Weapons	1,784	570	28	1,150	100	32.6	1.6	65.8
Immigration offenses	366	59	16	280	100	16.6	4.5	78.9
Tax law violations ^e	419	53	11	353	100	12.7	2.6	84.7
Bribery	328	15	30	279	100	4.6	9.3	86.1
Perjury, contempt, and intimidation	343	42	21	273	100	12.5	6.3	81.3
National defense	96	9	6	81	100	9.4	6.3	84.4
Escape	754	488	8	255	100	65.0	1.1	34.0
Racketeering and extortion	2,005	324	35	1,620	100	16.4	1.8	81.9
Gambling	134	33	6	94	100	24.8	4.5	70.7
Liquor offenses	7	0	0	7	100	—	—	—
Obscene material ^e	40	13	2	21	100	36.1	5.6	58.3
Migratory birds	51	5	22	24	100	9.8	43.1	47.1
Conspiracy, aiding and abetting, traffic, and jurisdictional offenses	445	85	60	296	100	19.3	13.6	67.1
All other offenses ^e	56	23	1	31	100	41.8	1.8	56.4
Unknown or indeterminable offense	369	155	28	183	100%	42.3%	7.7%	50.0%

Note: For further information, see *Chapter notes*, items 1 and 2, p. 20.

—Too few cases to obtain statistically reliable data.

^aSee *Chapter notes*, item 3, p. 20, and "Offense classifications" in *Methodology*, p. 89.

^bIncludes 558 suspects for whom reason for declination could not be determined.

^cIncludes suspects in matters removed, prosecuted on other charges, prosecuted by other authorities, complaints filed with other indictments, youthful offenders, and those transferred to State authority.

^dIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 20.

^eIn this table, "Murder" includes nonnegligent manslaughter.

"Other sex offenses" may include some nonviolent offenses.

"Fraud" excludes tax fraud.

"Larceny" excludes transportation of stolen property.

"Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespass.

"Tax law violations" includes tax fraud.

"Obscene material" denotes the mail or transport thereof.

Table 1.5. Mean and median processing times from receipt to filing or declination, by offense, October 1, 1994–September 30, 1995

Most serious offense investigated ^a	Number of months from receipt of matter to decision						
	All suspects	Disposed by U.S. magistrate			Concluded by U.S. attorney		
		Total	Convicted	Not convicted	Total	Prosecuted in U.S. district court ^b	Declined
Mean							
All offenses^c	10.5 mo	8.2 mo	2.1 mo	11.4 mo	10.7 mo	5.7 mo	18.4 mo
Violent offenses	6.9	10.6	2.2	12.3	6.7	3.5	12.2
Property offenses	15.3	11.1	4.2	14.4	15.5	9.2	21.7
Fraudulent offenses ^d	15.8	11.3	4.0	14.9	16.1	9.6	22.2
Other offenses ^e	11.3	9.6	5.4	11.4	11.4	6.4	17.5
Drug offenses	7.1	8.9	2.1	11.3	6.9	3.8	15.9
Public-order offenses	9.3	7.0	1.5	10.8	9.9	5.1	16.5
Regulatory offenses	13.1	10.1	8.7	10.8	13.2	7.9	15.3
Other offenses	8.6	6.9	1.2	10.8	9.0	4.8	17.1
Median							
All offenses^c	3.1 mo	1.0 mo	0.1 mo	1.6 mo	3.6 mo	0.9 mo	13.0 mo
Violent offenses	1.7	1.2	0.4	1.3	1.7	0.8	8.0
Property offenses	8.6	2.1	1.4	3.0	9.2	3.3	16.6
Fraudulent offenses ^d	9.2	2.0	1.2	3.1	9.8	3.7	17.2
Other offenses ^e	5.1	2.5	2.8	1.9	5.3	1.6	13.1
Drug offenses	1.0	0.8	1.0	0.7	1.0	0.7	10.6
Public-order offenses	2.2	0.9	—	2.3	2.8	0.8	11.0
Regulatory offenses	7.6	3.9	2.3	5.3	7.9	1.9	10.2
Other offenses	1.5	0.9	—	2.3	1.9	0.8	11.5
Number of suspects^f	99,571	10,251	3,536	6,715	89,320	53,719	35,601
With unknown or indeterminable offense or processing time	3,638	682	264	418	2,956	2,292	664

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 20.
 —Fewer than 3 days.

^aSee *Chapter notes*, item 3, p.16, and "Offense classifications" in *Methodology*, p. 89.

^bThe suspects included in this column are limited to those whose cases were filed in U.S. district court before U.S. district court judges. These data are not directly comparable to the number in the 1993 or prior compendia, which included appeals cases handled by U.S. attorneys; see *Chapter notes*, item 2, p. 20.

^cIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 20.

^dExcluding tax fraud.

^eIncluding tax fraud.

^fExcludes suspects with insufficient data to determine processing time.

Chapter notes

1) Tables 1.1- 1.5 were created from the Central System data files of the EOUSA. For table 1.1, only records which showed a matter received during fiscal year 1995 were selected. For tables 1.2–1.5, only records which show a matter terminated by reason of declination, disposition by a U.S. magistrate, or filed as a case in U.S. district court from October 1, 1994, through September 30, 1995, were selected. In all of these tables, matters “declined immediately” were excluded.

2) The number of suspects in matters investigated in table 1.1, and the number of suspects in matters concluded in tables 1.2 and 1.5 are not directly comparable to previous compendia counts. In prior years, these statistics included appellants in appeals filed or appeals terminated. In table 1.1 of this Compendium, the number of suspects in matters received is limited to suspects in criminal matters that were filed as cases in U.S. district courts, handled by U.S. magistrates, or declined for prosecution. In the 1993 and prior compendia, the number of suspects in criminal matters received included individuals in those criminal appeals which involved U.S. attorneys. To obtain a number of suspects that is comparable to the statistic reported in the 1993 and prior compendia, add to the data in table 1.1 of this Compendium, the number of appellants in appeals filed which were handled by U.S. attorneys. The table below shows these data for the major offense categories.

Nature of the underlying offense	Number of appellants in appeals filed & handled by U.S. attorneys
All offenses	9,216
Violent offenses	697
Property offenses	1,784
Fraudulent property	1,527
Other property	257
Drug offenses	4,435
Public-order offenses	2,213
Regulatory public order	142
Other public order	2,071

Unknown or indeterminate offenses	87
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In tables 1.2 and 1.5 of this Compendium, the number of suspects in matters concluded also is limited to those suspects whose matters were concluded by a case filing in a U.S. district court, by declination, or by disposition by a U.S. magistrate. In the 1993 and prior compendia, this number included appellants in criminal appeals terminated.

To obtain a number that is comparable to the number reported in these earlier compendia, the number of appellants in appeals terminated and handled by U.S. attorneys needs to be added to the totals in table 1.2. The table below shows the number of appellants in appeals cases terminated during fiscal year 1995.

Nature of the underlying offense	Number of appellants in appeals concluded by U.S. attorneys
All offenses	9,209
Violent offenses	652
Property offenses	1,779
Fraudulent property	1,452
Other property	327
Drug offenses	4,601
Public-order offenses	2,123
Regulatory public order	135
Other public order	1,988
Unknown or indeterminate offenses	54

3) Offenses in the Central System data files are classified by the title and section of the United States Code for the most serious offense investigated, as determined by the assistant U.S. attorney responsible for the matter. For tables in this compendium, these citations were translated into the corresponding four-digit offense codes used by the Administrative Office of the United States Courts (AOUSC). These four-digit codes were then aggregated into the categories shown in the tables. U.S. Code citations often do not permit detailed classification of drug offenses by type of criminal activity involved. A person charged with conspiracy is

classified under the substantive offense alleged (for example, conspiracy to defraud is classified as a fraud) unless the type of conspiracy cannot be determined from the U.S. Code citation. Unclassified conspiracies are included among “conspiracy, aiding and abetting, traffic, and jurisdictional offenses” in tables 1.1, 1.2, 1.4, and 1.5.

The most serious offense investigated is based on the criminal lead charge as determined by the assistant U.S. attorney responsible for the criminal matter.

4) In the tables in this chapter, the “all offenses” row or “total declinations” row (in table 1.3) includes records whose offense category (basis for declination) is missing or indeterminate. The percentage distributions in these tables, however, are based on the number of observations with non-missing offenses (basis for declination) values. The number of missing values are reported either on a separate line or in a footnote.