



Bureau of Justice Statistics

# Statistical Tables

November 2010, NCJ 231822

## Federal Justice Statistics, 2008—Statistical Tables

These web-only statistical tables serve as a uniform reference on the annual activity, workloads, and outcomes associated with the federal criminal justice system. The data describe federal criminal case processing from arrest to imprisonment in 2008. Data are drawn from the federal agencies participating in the BJS-sponsored Federal Justice Statistics Program (FJSP): Drug Enforcement Administration (DEA), U.S. Marshals Service (USMS), Executive Office for U.S. Attorneys and Administrative Office of the U.S. Courts (AOUSC), U.S. Sentencing Commission (USSC), and the Federal Bureau of Prisons (BOP).

These tables were prepared by the Urban Institute under the supervision of Mark Motivans of the Bureau of Justice Statistics (BJS). They were prepared under BJS grant number 06-BJ-CXK004. Principal staff at the Urban Institute are William Adams, Julie Samuels, Barbara Parthasarathy, Kamala Mallik Kane, KeDeuk Kim, Jessica Kelly, and Sybil Mendonca.

# Federal Justice Statistics 2008 - Statistical Tables NCJ 231822

Federal Justice Statistics, 2008 - Statistical Tables describe criminal case processing in the federal justice system, including arrest and booking through sentencing and corrections. These statistical tables present the number of suspects arrested and booked by the U.S. Marshals Service, suspects in matters investigated and prosecuted by U.S. attorneys, defendants adjudicated and sentenced in U.S. district court, and characteristics of federal prisoners and offenders under federal supervision.

Data are from the BJS-sponsored Federal Justice Statistics Program (FJSP), which collects comprehensive information describing suspects and defendants processed in the federal criminal justice system, and annual data on workload, activities, and outcomes associated with federal criminal cases. The data presented in these tables were collected from the U.S. Marshals Service (USMS), Drug Enforcement Administration (DEA), Executive Office for U.S. Attorneys (EOUSA), Administrative Office of the U.S. Courts (AOUSC), U.S. Sentencing Commission (USSC), and the Federal Bureau of Prisons (BOP).

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**Source: Federal Justice Statistics Reporting Program.**

**See also: Methodology, Glossary**

**Table 1.1. Suspects arrested for federal offenses and booked by U.S. Marshals Service, by offense, October 1, 2007–September 30, 2008**

<b>Most serious offense</b>	<b>Number</b>	<b>Percent</b>
<b>All offenses</b>	175,556	100 %
<b>Violent offenses</b>	4,231	2.4 %
Murder	307	0.2
Negligent manslaughter	31	--
Assault	1,095	0.6
Robbery	2,171	1.2
Sexual abuse	358	0.2
Kidnapping	97	0.1
Threatening communication	118	0.1
Other violent offenses	54	--
<b>Property offenses</b>	15,321	8.8 %
Fraudulent	12,850	7.4 %
Embezzlement	568	0.3
Fraud	11,053	6.3
Forgery	212	0.1
Counterfeiting	1,017	0.6
Other	2,471	1.4 %
Burglary	161	0.1
Larceny	1,584	0.9
Motor vehicle theft	180	0.1
Arson and explosives	118	0.1
Transportation of stolen property	306	0.2
Other property offenses	122	0.1
<b>Drug offenses</b>	29,571	16.9 %
<b>Public-order offenses</b>	9,465	5.4 %
Regulatory	363	0.2 %
Antitrust	13	--
Food and drug	101	0.1
Civil rights	74	--
Other regulatory offenses	175	0.1
Other	9,102	5.2 %
Tax law violations	922	0.5
Bribery	234	0.1
Perjury, contempt, and intimidation	202	0.1
National defense	13	--
Escape	790	0.5
Racketeering and extortion	468	0.3
Gambling	155	0.1
Obscene material	1,456	0.8
Child Support Recovery	142	0.1
Nonviolent sex offenses	1,166	0.7
Obstruction of justice	542	0.3
Traffic offenses	2,209	1.3
Conspiracy, aiding and abetting, and jurisdictional offenses	62	--
Wildlife	111	0.1
Environmental	151	0.1
All other offenses	479	0.3
<b>Weapon offenses</b>	8,426	4.8 %
<b>Immigration offenses</b>	78,037	44.7 %
<b>Supervision violations</b>	23,820	13.6 %
<b>Material witness</b>	5,822	3.3 %

Notes: The data in this table are not directly comparable to the data in 2002 and prior compendia. In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

--Less than 0.5%.

Source: U.S. Marshals Service Prisoner Tracking System file, fiscal year.



**Table 1.2. Suspects arrested for federal offenses and booked by U.S. Marshals Service, by federal law enforcement agency, October 1, 2007–September 30, 2008**

Arresting agency <sup>a</sup>	Most serious offense at arrest	
	All offenses <sup>b</sup>	Percent
<b>All agencies</b>	175,556	100 %
<b>Department of Agriculture</b>	284	0.2 %
<b>Department of Defense</b>	413	0.2 %
<b>Department of Homeland Security</b>	91,854	52.3 %
Customs and Border Protection	68,717	39.1
Immigration and Customs Enforcement	21,338	12.2
Secret Service	1,799	1
<b>Department of the Interior</b>	1,258	0.7 %
Bureau of Indian Affairs	168	0.1
Park Police	210	0.1
Other DOI	880	0.5
<b>Department of Justice</b>	66,874	38.1 %
Bureau of Alcohol, Tobacco, Firearms and Explosives	6,151	3.5
Drug Enforcement Administration	11,196	6.4
Federal Bureau of Investigation	9,931	5.7
Marshals Service	39,509	22.5
Other DOJ	87	0
<b>Department of State</b>	354	0.2
<b>Department of the Treasury</b>	797	0.5 %
<b>Federal judiciary</b>	654	0.4 %
<b>U.S. Postal Service</b>	1,263	0.7 %
<b>Other</b>	11,805	6.7 %
Self-report, subpoena	2,848	1.6
State and local	6,147	3.5
Task force	387	0.2
Other	2,423	1.4

Notes: The Homeland Security Act of 2002 took effect in March 2003, establishing DHS and reorganizing several federal agencies into new or different departments. As a result, counts of arrests and bookings by the Departments of Homeland Security, Justice, and the Treasury are not comparable to 2003 and prior Compendia.

<sup>a</sup>The arresting agency may be different from the federal agency that initiated the investigation involving the arrestee.

<sup>b</sup>Includes 863 suspects for whom an offense category could not be determined.

Source: U.S. Marshals Service Prisoner Tracking System file, fiscal year.

**Table 1.3. Characteristics of federal arrestees booked by the U.S. Marshals Service, October 1, 2007–September 30, 2008**

<b>Arrestee characteristic</b>	<b>Number arrested</b>	<b>Percent arrested</b>
<b>All arrestees</b>	175,556	100 %
<b>Gender</b>		
Male	152,252	86.7 %
Female	23,304	13.3
<b>Race</b>		
White	134,975	78.2 %
Black/African American	33,217	19.2
American Indian/Alaska Native	2,252	1.3
Asian/Native Hawaiian/Other Pacific Islander	2,163	1.3
<b>Age</b>		
Under 19 years	4,546	2.6 %
19-20	10,696	6.1
21-30	70,435	40.1
31-40	51,765	29.5
Over 40	38,045	21.7
<b>Citizenship</b>		
U.S. citizen	72,629	44.1 %
Non U.S. citizen	92,170	55.9

Notes: Summing arrestees on a characteristic may not yield the total number of arrestees because some arrestee records lack information on that characteristic. The data in this table are not directly comparable to the data in 2002 and prior compendia. Suspect ethnicity not available.

Source: U.S. Marshals Service Prisoner Tracking System file, fiscal year.



**Table 1.4. Characteristics of suspects arrested by Drug Enforcement Administration agents, by type of drug, October 1, 2007–September 30, 2008**

Arrestee characteristic	Total arrested	Percent arrested	Drug type					Other or non drug
			Cocaine powder	Crack cocaine	Marijuana	Methamphetamine	Opiates	
<b>All arrestees</b>	27,235	100 %	8,305	4,139	5,949	4,531	2,427	2,769
<b>Gender</b>								
Male	23,060	84.7 %	7,357	3,602	5,210	3,644	2,047	2,022
Female	4,174	15.3	947	537	739	887	380	747
<b>Race</b>								
White	17,932	66.7 %	5,325	753	4,486	4,101	1,574	1,869
Black/African American	8,116	30.2	2,774	3,332	1,146	160	783	632
American Indian/Alaska Native	173	0.6	31	4	69	35	13	14
Asian/Native Hawaiian/Other Pacific Islander	662	2.5	58	14	180	162	16	225
<b>Ethnicity</b>								
Hispanic/Latino	11,830	44.5 %	4,522	430	2,945	2,290	1,306	449
Non Hispanic/Latino	14,780	55.5	3,630	3,600	2,893	2,179	1,057	2,194
<b>Age</b>								
Under 19 years	403	1.5 %	95	107	125	44	42	32
19-20	1,291	4.8	318	267	381	167	103	144
21-30	10,890	40.1	3,260	1,962	2,371	1,763	942	1,044
31-40	8,550	31.5	2,880	1,140	1,694	1,508	767	751
Over 40	6,042	22.2	1,730	663	1,368	1,043	559	795
<b>Citizenship</b>								
U.S. citizen	19,401	74.3 %	5,520	3,904	3,929	2,971	1,596	2,335
Non U.S. citizen	6,728	25.7	2,454	89	1,781	1,358	706	323

Note: Summing arrestees on a characteristic may not yield the total number of arrestees because some arrestee records lack information on that characteristic.

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

**Table 2.1. Suspects in matters received by U.S. attorneys, by offense, October 1, 2007–September 30, 2008**

<b>Most serious offense investigated</b>	<b>Number</b>	<b>Percent<sup>a</sup></b>
<b>All offenses<sup>b</sup></b>	178,570	100 %
<b>Violent offenses</b>	5,356	3.0 %
Murder	912	0.5
Assault	1,125	0.6
Robbery	1,934	1.1
Sexual abuse	960	0.5
Kidnapping	217	0.1
Threats against the President	208	0.1
<b>Property offenses</b>	25,063	14.1 %
Fraudulent	22,811	12.8
Embezzlement	3,488	2.0
Fraud	18,146	10.2
Forgery	768	0.4
Counterfeiting	409	0.2
Other	2,252	1.3
Burglary	38	--
Larceny	881	0.5
Motor vehicle theft	450	0.3
Arson and explosives	538	0.3
Transportation of stolen property	53	--
Other property offenses	292	0.2
<b>Drug offenses</b>	34,529	19.4 %
<b>Public-order offenses</b>	21,977	12.4 %
Regulatory	5,146	2.9
Agriculture	24	--
Antitrust	11	--
Food and drug	135	0.1
Transportation	268	0.2
Civil rights	870	0.5
Communications	32	--
Custom laws	208	0.1
Postal laws	172	0.1
Other regulatory offenses	3,426	1.9
Other	16,831	9.5
Tax law violations	1,015	0.6
Bribery	283	0.2
Perjury, contempt, and intimidation	446	0.3
National defense	899	0.5
Escape	1,729	1.0
Racketeering and extortion	3,261	1.8
Non-violent sex offenses	3,936	2.2
Gambling	85	--
Liquor offenses	44	--
Obscene material	56	--
Traffic offenses	150	0.1
Wildlife	489	0.3
Environmental	14	--
Conspiracy, aiding and abetting, and jurisdictional offenses	3,512	2.0
All other offenses	912	0.5
<b>Weapon offenses</b>	11,631	6.6 %
<b>Immigration offenses</b>	78,986	44.5 %

Note: In this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" exclude fraudulent property offenses and include destruction of property and trespassing; "Tax law violations" include tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

--Less than 0.5%

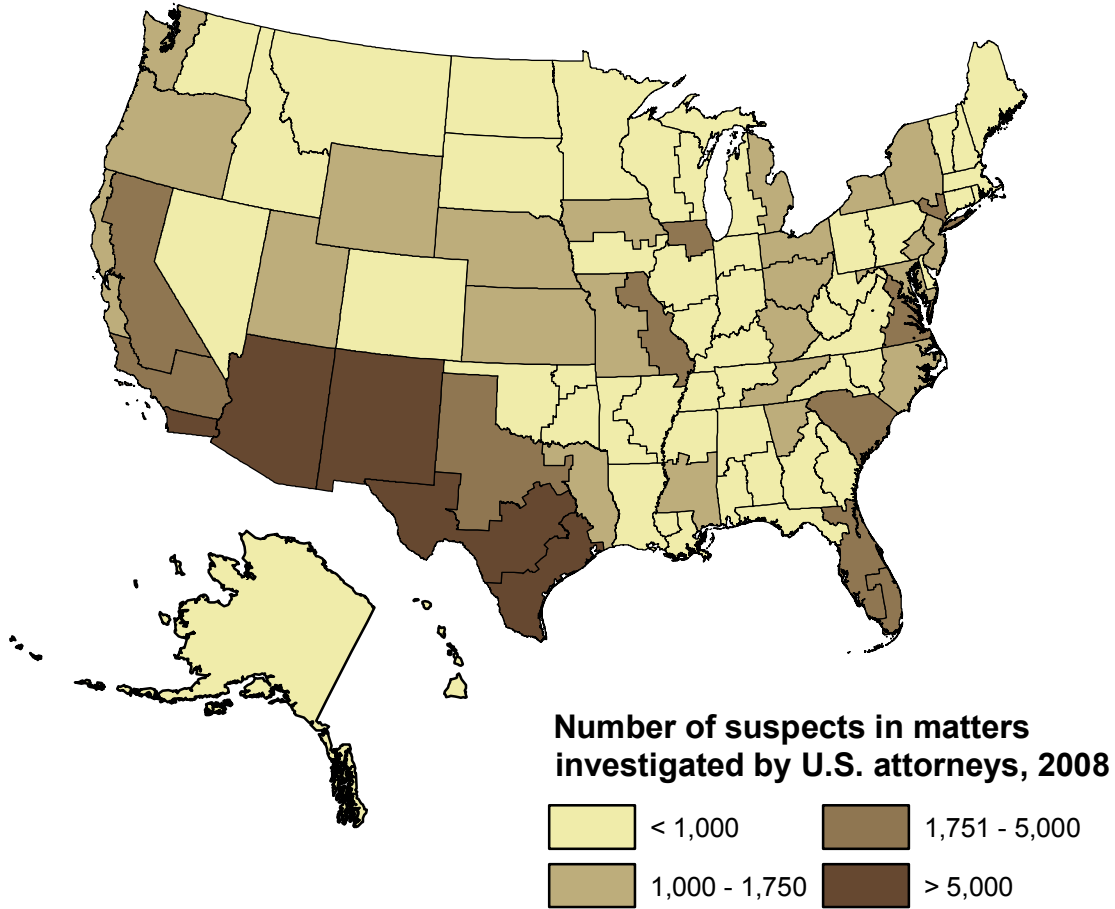
<sup>a</sup>Percentage distribution based on the suspects for whom the offense category could be determined.

<sup>b</sup>Includes 1,028 suspects for whom an offense category could not be determined.

Source: Executive Office for U.S. Attorneys, National LIONS system file.

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**In 2008, five federal districts along the U.S.-Mexico border comprised 47% of all matters referred to U.S. attorneys**



Not shown on map: District of Columbia (1,344), Guam (190), Puerto Rico (1,363), and Virgin Islands (162).  
Source: Executive Office for U.S. Attorneys, National LIONS data, fiscal year.

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**Table 2.2. Disposition of suspects in matters concluded, by offense, October 1, 2007–September 30, 2008**

Most serious offense investigated	Number	Percent of suspects in criminal matters concluded		
		Prosecuted in U.S. district court <sup>a</sup>	Disposed by U.S. magistrates	Declined
<b>All offenses</b> <sup>*</sup>	182,723	48.2 %	36.4 %	15.4 %
<b>Violent offenses</b>	5,371	59.5 %	8.3 %	32.2 %
Murder	870	49.3	15.1	35.6
Assault	1,253	51.2	11.8	37
Robbery	1,966	77.8	6.1	16.2
Sexual abuse	892	53.4	3.4	43.3
Kidnapping	208	45.7	7.7	46.6
Threats against the President	182	13.2	0.5	86.3
<b>Property offenses</b>	25,713	55.6 %	9.4 %	35 %
Fraudulent	23,321	55.6	9.4	35.1
Embezzlement	3,618	48.3	17.9	33.8
Fraud	18,390	56.1	8	35.9
Forgery	836	64.8	6.7	28.5
Counterfeiting	477	71.7	5	23.3
Other	2,392	56.2	9.1	34.7
Burglary	30	80	6.7	13.3
Larceny	1,050	58	12	30
Motor vehicle theft	411	64.5	4.9	30.7
Arson and explosives	567	44.1	3.4	52.6
Transportation of stolen property	53	52.8	5.7	41.5
Other property offenses	281	59.8	17.1	23.1
<b>Drug offenses</b>	36,715	77.3 %	7.7 %	15 %
<b>Public-order offenses</b>	21,967	44.3 %	20.7 %	34.9 %
Regulatory	4,779	36.6	12.2	51.2
Agriculture	66	86.4	1.5	12.1
Antitrust	32	18.8	0	81.3
Food and drug	176	38.1	15.3	46.6
Transportation	236	49.6	10.2	40.3
Civil rights	865	14.8	0.8	84.4
Communications	37	32.4	2.7	64.9
Custom laws	180	54.4	10.6	35
Postal laws	182	62.6	17	20.3
Other regulatory offenses	3,005	38.2	15.7	46
Other	17,188	46.5	23.1	30.4
Tax law violations	984	60.2	2.8	37
Bribery	300	45.7	4.7	49.7
Perjury, contempt, and intimidation	413	39.5	7.3	53.3
National defense	810	27.3	25.8	46.9
Escape	1,931	49.2	31.8	19
Racketeering and extortion	3,299	52.2	3.5	44.3
Nonviolent sex offenses	3,812	59.7	4.8	35.5
Gambling	134	60.4	4.5	35.1
Liquor offenses	42	14.3	76.2	9.5
Obscene material	60	53.3	0	46.7
Traffic	135	16.3	81.5	2.2
Wildlife	566	49.3	26.9	23.9
Environmental	16	43.8	0	56.3
Conspiracy, aiding and abetting, and jurisdictional offenses	3,838	32.7	61.9	5.4
All other offenses	848	29.8	11.1	59.1
<b>Weapon offenses</b>	11,744	69.8 %	3.2 %	27 %
<b>Immigration offenses</b>	80,615	29.8 %	69.2 %	0.9 %

Note: In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassifiable offense type.

<sup>^</sup> Too few cases to obtain statistically reliable data.

<sup>\*</sup> Includes 598 suspects for whom an offense category could not be determined. These include 209 prosecuted in U.S. district court, 146 disposed by U.S. magistrates, and 243 that were declined.

Source: Executive Office for U.S. Attorneys, National LIONS system file

**Table 2.3. Basis for declination of prosecution by U.S. attorneys, October 1, 2007–September 30, 2008**

Basis for declination	Suspects in criminal matters declined by U.S. attorneys	
	Number	Percent <sup>a</sup>
<b>Total declinations<sup>b</sup></b>	28,102	100 %
<b>No crime</b>	6,846	24.8 %
No true bill returned	20	0.1
No federal offense	1,238	4.5
Lack of criminal intent	5,588	20.2
<b>Referred or handled in other prosecution</b>	5,400	19.6 %
Removed	1,279	4.6
Prosecuted on other charges	883	3.2
Prosecuted by other authorities	3,238	11.7
<b>Alternative resolution</b>	847	3.1 %
Restitution	44	0.2
Civil or administrative alternative	405	1.5
Pretrial diversion	398	1.4
<b>Suspect-related reasons</b>	676	2.4 %
Suspect serving sentence	81	0.3
No known suspect	284	1.0
Suspect a fugitive	89	0.3
Suspect deceased	196	0.7
Suspect deported	26	0.1
<b>Case-related reasons</b>	7,365	26.7 %
Stale case	440	1.6
Weak evidence	6,285	22.8
Statute of limitations exceeded	142	0.5
Jurisdiction or venue problems	223	0.8
Witness problems	275	1.0
<b>All other reasons</b>	6,475	23.5 %
Minimal federal interest	862	3.1
Petite policy	153	0.6
Lack of resources	1,109	4.0
DOJ policy	240	0.9
U.S. attorney policy	698	2.5
Agency request	3,148	11.4
Juvenile suspect	61	0.2
Offender's health, age, prior record, or other personal circumstances	80	0.3
Suspect's cooperation	124	0.4

<sup>a</sup>Percent based on suspects for whom a basis for declination could be determined.

<sup>b</sup>Includes 493 suspects for whom basis for declination could not be determined.

Source: Executive Office for U.S. Attorneys, National LIONS system file.

**Table 3.1. Defendants released prior to case disposition, by offense, October 1, 2007–September 30, 2008**

Most serious offense charged	Number of defendants		Percent released
	All defendants	Released	
<b>All offenses*</b>	91,017	25,908	28.5 %
<b>Violent offenses</b>	3,052	671	22.0 %
Murder	277	38	13.7
Negligent manslaughter	3	0	^
Assault	788	320	40.6
Robbery	1,279	151	11.8
Sexual abuse	586	145	24.7
Kidnapping	100	13	13.0
Threats against the President	19	4	21.1
<b>Property offenses</b>	14,864	9,491	63.9 %
Fraudulent	12,116	7,466	61.6
Embezzlement	698	661	94.7
Fraud	10,486	6,259	59.7
Forgery	39	34	87.2
Counterfeiting	893	512	57.3
Other	2,748	2,025	73.7
Burglary	66	33	50.0
Larceny	2,004	1,599	79.8
Motor vehicle theft	195	64	32.8
Arson and explosives	195	111	56.9
Transportation of stolen property	143	105	73.4
Other property offenses	145	113	77.9
<b>Drug offenses</b>	28,728	7,887	27.5
Trafficking	23,872	6,247	26.2
Possession and other drug offenses	4,856	1,640	33.8
<b>Public-order offenses</b>	8,246	4,877	59.1 %
Regulatory	1,282	851	66.4
Agriculture	3	3	^
Antitrust	9	9	^
Food and drug	54	50	92.6
Transportation	164	114	69.5
Civil rights	88	72	81.8
Communications	20	17	85.0
Custom laws	96	53	55.2
Postal laws	131	120	91.6
Other regulatory offenses	717	413	57.6
Other	6,964	4,026	57.8
Tax law violations	491	455	92.7
Bribery	150	121	80.7
Perjury, contempt, and intimidation	240	135	56.3
National defense	163	81	49.7
Escape	611	55	9.0
Racketeering and extortion	1,148	417	36.3
Gambling	5	5	^
Liquor offenses	33	23	69.7
Nonviolent sex offenses	2,133	1,090	51.1
Obscene material	33	23	69.7
Traffic offenses	1,262	1,161	92.0
Wildlife	145	136	93.8
Environmental	20	18	90.0
All other offenses	530	306	57.7
<b>Weapon offenses</b>	7,772	1,942	25.0 %
<b>Immigration offenses</b>	28,062	943	3.4 %

Notes: Released defendants include some defendants who were also detained at some time prior to trial and some defendants for whom release status data were unavailable. Percentages in these tables are not directly comparable to those in 1993 and prior compendia. In this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offense and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; and "All other offenses" includes offenses with unclassified offenses. ^ Too few cases to obtain statistically reliable data.

\*Includes 293 defendants for whom an offense category could not be determined.

Source: Administrative Office of the U.S. Courts Pretrial Services Act Information System, fiscal year.

**Table 3.2. Defendants released prior to case disposition, by defendant characteristics, October 1, 2007–September 30, 2008**

Defendant characteristic	Of defendant released at any time prior to case disposition—		
	Number released	All	Percent released
<b>All defendants<sup>a</sup></b>	26,390	88,552	29.8 %
<b>Gender</b>			
Male	19,211	76,033	25.3 %
Female	7,118	12,425	57.3
<b>Race</b>			
White	16,966	63,586	26.7 %
Black/African American	7,294	20,449	35.7
American Indian/Alaska Native	623	1,463	42.6
Asian/Native Hawaiian/Other Pacific Islander	1,088	2,040	53.3
<b>Ethnicity</b>			
Hispanic/Latino	4,649	43,868	10.6 %
Non Hispanic/Latino	21,419	44,003	48.7
<b>Age</b>			
Under 19 years	195	645	30.2 %
19-20	977	3,369	29.0
21-30	7,921	32,505	24.4
31-40	6,933	27,798	24.9
Over 40	10,309	24,133	42.7
<b>Education</b>			
Less than high school graduate	5,720	25,754	22.2 %
High school graduate	15,218	30,795	49.4
College graduate	3,511	4,886	71.9
<b>Employment status at arrest</b>			
Unemployed	9,150	32,892	27.8 %
Employed	15,898	31,639	50.2
<b>Criminal record</b>			
No conviction or arrest <sup>b</sup>	14,260	33,300	42.8 %
Misdemeanor conviction only	5,732	15,591	36.8
Felony conviction			
Nonviolent	4,158	22,615	18.4
Violent	2,128	16,752	12.7
<b>Number of prior convictions</b>			
1	4,244	13,847	30.6 %
2 to 4	4,870	21,837	22.3
5 or more	2,904	19,274	15.1
<b>Court appearance history</b>			
No prior arrests	10,250	22,593	45.4 %
Failure to appear			
None	12,933	50,578	25.6
1	1,530	6,664	23.0
2 or more	1,565	8,423	18.6
<b>Drug abuse</b>			
No known abuse	10,459	25,105	41.7 %
Drug history	15,931	63,409	25.1

Note: Released defendants include some defendants who were also detained at some time prior to trial and defendants for whom release status data were unavailable. The percentages in this table describe the percent of defendants in pretrial cases terminated that were released, by defendant characteristic. For example, 25% of all males in pretrial cases terminated had been released at some time prior to case disposition.

<sup>a</sup>Includes defendants for whom characteristics could not be determined.

<sup>b</sup>Includes only defendants whose PSA records explicitly show no prior arrest or conviction.

Source: Administrative Office of the U.S. Courts Pretrial Services Act Information System, fiscal year.

**Table 3.3. Behavior of defendants released prior to trial whose cases were terminated, by offense, October 1, 2007–September 30, 2008**

Most serious offense charged	Percent of released defendants who had—					Release revoked	Number of released defendants
	Violations while on release				Technical violations of bail conditions		
	No violation	At least one violation	Failed to appear				
<b>All offenses*</b>	78.9 %	21.1 %	2.2 %		23.0 %	9.2 %	26,390
<b>Violent offenses</b>	75.8 %	24.2 %	1.7 %		30.2 %	16.1 %	726
<b>Property offenses</b>	84.2 %	15.8 %	1.7 %		15.1 %	5.6 %	9,512
Fraudulent offenses	84.2	15.8	1.8		14.8	5.3	7,519
Other property offenses	84.1	15.9	1.3		16.3	6.8	1,993
<b>Drug offenses</b>	70.0 %	30.0 %	3.2 %		34.6 %	13.7 %	8,192
<b>Public-order offenses</b>	88.9 %	11.1 %	1.0 %		10.8 %	3.5 %	4,913
Regulatory offenses	91.0	9.0	1.1		9.6	2.0	909
Other public-order offenses	88.4	11.6	0.9		11.0	3.9	4,004
<b>Weapon offenses</b>	65.2 %	34.8 %	2.5 %		38.6 %	19.9 %	2,045
<b>Immigration offenses</b>	82.0 %	18.0 %	4.8 %		25.8 %	8.6 %	946

Note: Data describe defendants whose pretrial services were terminated during fiscal year 2008. A defendant with more than one type of violation appears in more than one column. A defendant with more than one of the same type of violation appears only once in that column. Therefore, the sum of individual violations exceeds the total. Not all violations resulted in

\*Includes 56 defendants for whom an offense category could not be determined.

Source: Administrative Office of the U.S. Courts Pretrial Services Act Information System, fiscal year.



**Table 4.1. Defendants in criminal cases commenced, by offense, October 1, 2007–September 30, 2008**

Most serious offense charged	Defendants in cases during 2007 commenced	
	Number	Percent
<b>All offenses</b>	91,835	100 %
<b>Felonies</b>	81,891	89.4 %
<b>Violent offenses</b>	2,781	3.0 %
Murder	150	0.2
Negligent manslaughter	1	--
Assault	661	0.7
Robbery	1,269	1.4
Sexual abuse	546	0.6
Kidnapping	139	0.2
Threats against the President	15	--
<b>Property offenses</b>	13,216	14.4 %
Fraudulent	11,429	12.5
Embezzlement	607	0.7
Fraud	9,766	10.7
Forgery	34	--
Counterfeiting	1,022	1.1
Other	1,787	2.0
Burglary	46	0.1
Larceny	1,234	1.3
Motor vehicle theft	40	--
Arson and explosives	210	0.2
Transportation of stolen property	177	0.2
Other property offenses	80	0.1
<b>Drug offenses</b>	27,943	30.5 %
Trafficking	27,846	30.4
Possession and other drug offenses	97	0.1
<b>Public-order offenses</b>	6,943	7.6 %
Regulatory	963	1.1
Agriculture	4	--
Antitrust	29	--
Food and drug	25	--
Transportation	180	0.2
Civil rights	110	0.1
Communications	79	0.1
Custom laws	62	0.1
Postal laws	55	0.1
Other regulatory offenses	419	0.5
Other	5,980	6.5
Tax law violations	556	0.6
Bribery	165	0.2
Perjury, contempt, and intimidation	342	0.4
National defense	68	0.1
Escape	720	0.8
Racketeering and extortion	1,767	1.9
Gambling	95	0.1
Liquor offenses	2	--
Nonviolent sex offenses	1,916	2.1
Obscene material	19	--
Traffic offenses	22	--
Wildlife	76	0.1
Environmental	44	--
All other felonies	188	0.2
<b>Weapon offenses</b>	8,553	9.3 %
<b>Immigration offenses</b>	22,455	24.5 %
<b>Misdemeanors</b>	9,675	10.6 %
Fraudulent property offenses	768	0.8
Larceny	1,499	1.6
Drug possession	1,181	1.3
Immigration	158	0.2
Traffic offenses	3,971	4.3
Other misdemeanors	2,098	2.3

Note: Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.  
 -- Less than 0.5%.

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

**Table 4.2. Disposition of criminal cases terminated, by offense, during October 1, 2007–September 30, 2008**

Most serious offense charged	Number of defendants in criminal cases terminating during 2008 who were—										
	Percent convicted		Convicted					Not convicted			
	Total		Total	Guilty plea	Nolo contendere	Trial		Total	Dismissed	Jury*	Trial
<b>All offenses</b>	91,728	90.3 %	82,823	79,762	422	2,396	243	8,905	8,360	393	152
<b>Felonies</b>	82,433	92.9 %	76,572	74,004	67	2,376	125	5,861	5,394	392	75
<b>Violent offenses</b>	2,852	90.8 %	2,589	2,423	3	152	11	263	218	39	6
Murder	150	84.7	127	113	0	14	0	23	20	2	1
Assault	675	88.3	596	544	0	44	8	79	60	18	1
Robbery	1,324	95.1	1,259	1,211	1	47	0	65	53	11	1
Sexual abuse	554	86.8	481	446	2	30	3	73	64	6	3
Kidnapping	125	86.4	108	94	0	14	0	17	16	1	0
Threats against the President	24	75.0	18	15	0	3	0	6	5	1	0
<b>Property offenses</b>	13,354	91.0 %	12,158	11,731	11	399	17	1,196	1,110	74	12
Fraudulent	11,372	91.2	10,369	10,001	10	344	14	1,003	932	60	11
Embezzlement	555	93.7	520	488	1	30	1	35	32	3	0
Fraud	9,614	90.9	8,742	8,435	9	288	10	872	815	47	10
Forgery	46	91.3	42	40	0	1	1	4	4	0	0
Counterfeiting	1,157	92.0	1,065	1,038	0	25	2	92	81	10	1
Other	1,982	90.3	1,789	1,730	1	55	3	193	178	14	1
Burglary	49	83.7	41	39	0	2	0	8	4	4	0
Larceny	1,376	91.2	1,255	1,226	0	26	3	121	118	3	0
Motor vehicle theft	34	76.5	26	26	0	0	0	8	7	1	0
Arson and explosives	261	88.9	232	214	1	17	0	29	24	5	0
Transportation of stolen property	182	89.6	163	156	0	7	0	19	19	0	0
Other property offenses	80	90.0	72	69	0	3	0	8	6	1	1
<b>Drug offenses</b>	29,250	92.7 %	27,127	26,170	22	899	36	2,123	1,979	119	25
Trafficking	29,143	92.7	27,027	26,072	22	897	36	2,116	1,972	119	25
Possession and other drug offenses	107	93.5	100	98	0	2	0	7	7	0	0
<b>Public-order offenses</b>	6,759	89.4 %	6,042	5,614	4	398	26	717	635	66	16
Regulatory	931	88.0	819	766	1	50	2	112	90	19	3
Agriculture	3	^	3	3	0	0	0	0	0	0	0
Antitrust	32	75.0	24	24	0	0	0	8	6	2	0
Food and drug	12	100.0	12	11	0	1	0	0	0	0	0
Transportation	167	87.4	146	135	1	10	0	21	14	5	2
Civil rights	102	78.4	80	62	0	18	0	22	18	3	1
Communications	96	91.7	88	85	0	1	2	8	6	2	0
Custom laws	49	91.8	45	41	0	4	0	4	4	0	0
Postal laws	43	76.7	33	32	0	1	0	10	10	0	0
Other regulatory offenses	427	90.9	388	373	0	15	0	39	32	7	0
Other	5,828	89.6	5,223	4,848	3	348	24	605	545	47	13
Tax law violations	505	95.2	481	432	0	47	2	24	20	4	0
Bribery	168	92.9	156	143	0	13	0	12	10	2	0
Perjury, contempt, and intimidation	356	78.9	281	238	0	40	3	75	58	13	4
National defense	67	89.6	60	55	0	5	0	7	6	1	0
Escape	682	83.4	569	561	1	6	1	113	113	0	0
Racketeering and extortion	1,964	87.7	1,723	1,541	1	172	9	241	210	24	7
Gambling	96	90.6	87	83	0	4	0	9	9	0	0
Liquor offenses	5	^	3	3	0	0	0	2	2	0	0
Nonviolent sex offenses	1,693	95.0	1,608	1,545	0	54	9	85	82	3	0
Obscene material	21	76.2	16	13	0	3	0	5	5	0	0
Traffic offenses	21	85.7	18	18	0	0	0	3	1	0	2
Wildlife	60	88.3	53	53	0	0	0	7	7	0	0
Environmental	39	89.7	35	32	0	3	0	4	4	0	0
All other felonies	151	88.1	133	131	1	1	0	18	18	0	0
<b>Weapon offenses</b>	8,922	91.8 %	8,186	7,692	11	460	23	736	640	82	14
<b>Immigration offenses</b>	21,296	96.1 %	20,470	20,374	16	68	12	826	812	12	2
<b>Misdemeanors</b>	9,111	67.1 %	6,110	5,621	355	19	115	3,001	2,927	1	73
Fraudulent property offenses	782	89.0	696	691	5	0	0	86	85	0	1
Larceny	1,411	54.2	765	685	63	5	12	646	629	0	17
Drug possession	1,034	64.6	668	652	12	0	4	366	358	0	8
Immigration offenses	161	87.6	141	140	1	0	0	20	20	0	0
Traffic offenses	3,685	67.7	2,493	2,236	190	3	64	1,192	1,161	1	30
Other misdemeanors	2,038	66.1	1,347	1,217	84	11	35	691	674	0	17

Note: In this table, "Murder" includes nonnegligent manslaughter; "Fraud" excludes tax fraud; "Sexual abuse" includes only violent sex offenses; "Larceny" excludes transporting stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

^ Too few cases to obtain statistically reliable data.

\*Includes mistrials.

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

**Table 4.3. Dispositions by U.S. magistrates, October 1, 2007–September 30, 2008**

Most serious offense charged	Defendants in criminal cases concluded by U.S. magistrates			
	Total	Convicted	Not convicted	Percent convicted
<b>All offenses</b>	8,744	5,880	2,864	67.2 %
<b>Violent offenses*</b>	296	203	93	68.6 %
Assault	291	200	91	68.7
Robbery	1	0	1	^
Sexual abuse	4	3	1	^
<b>Property offenses</b>	2,315	1,553	762	67.1 %
Fraudulent	777	731	46	94.1
Embezzlement	53	48	5	90.6
Fraud	691	654	37	94.6
Forgery	17	13	4	76.5
Counterfeiting	16	16	0	100.0
Other	1,538	822	716	53.4
Burglary	2	1	1	^
Larceny	1,387	757	630	54.6
Motor vehicle theft	1	0	1	^
Arson and explosives	4	4	0	^
Other property offenses	144	60	84	41.7
<b>Drug offenses</b>	1,019	656	363	64.4 %
Trafficking	90	45	45	50.0
Possession and other drug offenses	929	611	318	65.8
<b>Public-order offenses</b>	4,898	3,302	1,596	67.4 %
Regulatory	404	262	142	64.9
Agriculture	1	1	0	^
Food and drug	22	19	3	86.4
Transportation	33	29	4	87.9
Civil rights	5	3	2	^
Communications	7	6	1	^
Customs laws	9	9	0	^
Postal laws	33	32	1	97.0
Other regulatory offenses	294	163	131	55.4
Other	4,494	3,040	1,454	67.6
Tax law violations	40	37	3	92.5
Bribery	2	2	0	^
Perjury, contempt, and intimidation	13	9	4	69.2
National defense	9	7	2	^
Escape	43	27	16	62.8
Racketeering and extortion	4	4	0	^
Non-violent sex offenses	1	1	0	^
Wildlife	293	239	54	81.6
Environmental	6	6	0	^
Traffic offenses	3,617	2,446	1,171	67.6
Liquor offenses	28	28	0	100.0
All other offenses	438	234	204	53.4
<b>Weapon offenses</b>	67	38	29	56.7 %
<b>Immigration offenses</b>	146	125	21	85.6 %

Note: In this table "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" exclude fraudulent property offenses and include destruction of property and trespassing; "Tax law violations" include tax fraud; and "All other offenses" include offenses with unclassifiable offense type.

^ Too few cases to obtain statistically reliable data.

\*May include some nonviolent offenses.

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

**Table 4.4. Characteristics of convicted offenders, October 1, 2007–September 30, 2008**

<b>Offender characteristic</b>	<b>Total number of convicted offenders</b>	<b>Percent convicted</b>
<b>All offenders*</b>	82,823	100 %
<b>Gender</b>		
Male	64,941	87.2 %
Female	9,571	12.8
<b>Race</b>		
White	52,577	71.8 %
Black/African American	17,610	24.0
American Indian/Alaska Native	1,109	1.5
Asian/Native Hawaiian/Other Pacific Islander	1,629	2.2
Other	324	0.4
<b>Ethnicity</b>		
Hispanic/Latino	35,441	49.1 %
Non Hispanic/Latino	36,732	50.9
<b>Age</b>		
16-18 years	400	0.5 %
19-20	2,816	3.8
21-30	27,571	37.1
31-40	23,533	31.7
Over 40	20,029	26.9
<b>Citizenship</b>		
U.S. citizen	43,697	58.7 %
Non U.S. citizen	30,741	41.3
<b>Education</b>		
Less than high school graduate	31,921	49.8 %
High school graduate	18,826	29.4
Some college	9,903	15.4
College graduate	3,468	5.4
<b>Criminal record</b>		
No convictions	25,902	35.6 %
Prior adult convictions	46,902	64.4

Note: Offenders are classified by the most serious offense charged.

\*Includes offenders for whom these characteristics could not be determined.

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

**Table 5.1. Sentence types for offenders sentenced in criminal cases terminated, by offense, October 1, 2007–September 30, 2008**

Most serious offense of conviction	Total offenders sentenced <sup>a</sup>	Percent of offenders convicted and sentenced to—		
		Incarceration <sup>b</sup>	Probation <sup>c</sup>	Fine only
<b>All offenses<sup>d</sup></b>	82,823	77.9 %	11.7 %	3.4 %
<b>Felonies</b>	75,832	83.9 %	8.9 %	0.4 %
<b>Violent offenses</b>	2,442	93.4 %	4.5 %	0.1 %
Murder	115	92.2	4.3	0.0
Assault	576	84.7	11.5	0.2
Robbery	1,268	97.2	1.7	0.1
Sexual abuse	381	94.2	3.7	0.3
Kidnapping	82	95.1	2.4	0.0
Threats against the President	20	95.0	0.0	0.0
<b>Property offenses</b>	11,908	61.8 %	27.0 %	0.7 %
Fraudulent	10,371	63.3	24.5	0.7
Embezzlement	490	46.9	40.8	0.8
Fraud	9,023	64.0	23.5	0.7
Forgery	38	50.0	39.5	0.0
Counterfeiting	820	66.1	25.6	0.6
Other	1,537	51.6	43.5	0.6
Burglary	45	82.2	11.1	2.2
Larceny	1,081	40.9	54.1	0.5
Motor vehicle theft	25	84.0	4.0	8.0
Arson and explosives	190	82.6	14.2	0.0
Transportation of stolen property	137	77.4	19.7	0.0
Other property offenses	59	50.8	40.7	1.7
<b>Drug offenses</b>	26,323	91.7 %	3.9 %	0.3 %
Trafficking	26,198	91.8	3.8	0.3
Possession and other drug offenses	125	62.4 %	28.0 %	4.0 %
<b>Public-order offenses</b>	6,434	75.2 %	19.5 %	1.1 %
Regulatory	810	47.3	40.9	4.3
Agriculture	5	^	^	^
Antitrust	25	24.0	32.0	44.0
Food and drug	31	19.4	67.7	6.5
Transportation	140	41.4	47.1	2.9
Civil rights	72	76.4	19.4	1.4
Communications	93	43.0	53.8	1.1
Custom laws	54	51.9	33.3	1.9
Postal laws	32	18.8	78.1	0.0
Other regulatory offenses	358	50.6	35.8	3.9
Other	5,624	79.3	16.4	0.6
Tax law violations	487	65.3	33.5	1.2
Bribery	137	75.2	21.9	0.0
Perjury, contempt, and intimidation	226	72.1	21.7	0.9
National defense	49	75.5	18.4	0.0
Escape	956	64.5	28.5	0.3
Racketeering and extortion	1,766	82.1	11.6	1.0
Gambling	80	33.8	61.3	0.0
Liquor offenses	3	^	^	^
Nonviolent sex offenses	1,683	97.0	1.9	0.2
Obscene material	13	69.2	30.8	0.0
Traffic offenses	16	81.3	18.8	0.0
Wildlife	41	19.5	75.6	0.0
Environmental	38	42.1	44.7	5.3
All other felonies	129	49.6	45.7	0.0
<b>Weapon offenses</b>	8,054	92.0 %	5.5 %	0.3 %
<b>Immigration offenses</b>	20,671	85.0 %	3.4 %	0.2 %
<b>Misdemeanors</b>	6,865	11.8 %	42.8 %	36.7 %
Fraudulent property offenses	789	21.3	34.3	4.1
Larceny	829	7.4	60.1	30.3
Drug possession	635	14.3	67.4	14.2
Immigration offenses	387	51.4	12.7	3.4
Traffic offenses	2,562	3.1	33.8	61.7
Other misdemeanors	1,663	12.7	49.6	33.3

Note: In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offense and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

<sup>a</sup> Too few cases to obtain statistically reliable data.

<sup>b</sup> Includes offenders receiving incarceration, probation, split or mixed sentences, and fines. Not represented in the percentage columns, but included in the totals, are offenders receiving deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentences.

<sup>c</sup> All sentences to incarceration, including split, mixed, life, and indeterminate.

<sup>d</sup> Includes offenders with split and mixed sentences.

<sup>e</sup> Total includes offenders whose sentence could not be determined.

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

**Table 5.2. Type and length of sentences imposed for sentenced offenders, by offense, October 1, 2007–September 30, 2008**

Most serious offense of conviction	Offenders convicted and sentenced in criminal cases that terminated during fiscal year 2008					
	Number				Sentence length	
	Total <sup>a</sup>	Incarceration <sup>b</sup>	Probation <sup>c</sup>	Fine only	Incarceration <sup>d</sup>	Probation <sup>d</sup>
<b>All offenses<sup>e</sup></b>	82,823	64,529	9,686	2,803	60.6 mo	34.4 mo
<b>Felonies</b>	75,832	63,610	6,747	280	61.4 mo	40.6 mo
<b>Violent offenses</b>	2,442	2,282	109	3	110.8 mo	39.3 mo
Murder	115	106	5	0	119.6	^
Assault	576	488	66	1	56.1	35.3
Robbery	1,268	1,232	22	1	100.6	49.1
Sexual abuse	381	359	14	1	203.4	39.8
Kidnapping	82	78	2	0	212.0	^
Threats against the President	20	19	0	0	36.1	...
<b>Property offenses</b>	11,908	7,363	3,211	79	30.8 mo	40.1 mo
Fraudulent	10,371	6,570	2,542	70	30.2	39.6
Embezzlement	490	230	200	4	23.4	38.2
Fraud	9,023	5,779	2,117	61	30.7	39.6
Forgery	38	19	15	0	27.2	44
Counterfeiting	820	542	210	5	27.0	40.3
Other	1,537	793	669	9	35.6	42.3
Burglary	45	37	5	1	25.6	^
Larceny	1,081	442	585	5	21.5	42.8
Motor vehicle theft	25	21	1	2	33.9	^
Arson and explosives	190	157	27	0	81.6	38.7
Transportation of stolen property	137	106	27	0	35.5	38.3
Other property offenses	59	30	24	1	18.9	38.3
<b>Drug offenses</b>	26,323	24,137	1,024	71	85.1 mo	42.9 mo
Trafficking	26,198	24,059	989	66	85.2	43.3
Possession and other	125	78	35	5	49.3	29.8
<b>Public-order offenses</b>	6,434	4,841	1,256	69	68.5 mo	40.1 mo
Regulatory	810	383	331	35	33.2	35.5
Agriculture	5	3	1	1	^	^
Antitrust	25	6	8	11	^	^
Food and drug	31	6	21	2	^	34.3
Transportation	140	58	66	4	39.6	34.5
Civil rights	72	55	14	1	51.6	31.7
Communications	93	40	50	1	22.7	31.7
Custom laws	54	28	18	1	17.9	44.7
Postal laws	32	6	25	0	^	32.2
Other regulatory offenses	358	181	128	14	33.0	37.9
Other	5,624	4,458	925	34	71.6	41.7
Tax law violations	487	318	163	6	27.4	39.2
Bribery	137	103	30	0	28.3	35
Perjury, contempt, and intimidation	226	163	49	2	61.0	40.3
National defense	49	37	9	0	121.0	^
Escape	956	617	272	3	19.6	36.1
Racketeering and extortion	1,766	1,450	204	17	82.7	42.7
Gambling	80	27	49	0	14.6	33.8
Liquor offenses	3	0	3	0	...	^
Nonviolent sex offenses	1,683	1,633	32	4	96.4	112.7
Obscene material	13	9	4	0	^	^
Traffic offenses	16	13	3	0	34.2	^
Wildlife	41	8	31	0	^	41.4
Environmental	38	16	17	2	17.1	26.8
All other felonies	129	64	59	0	34.7	49.3
<b>Weapon offenses</b>	8,054	7,411	441	21	88.2 mo	40.3 mo
<b>Immigration offenses</b>	20,671	17,576	706	37	22.3 mo	41.1 mo
<b>Misdemeanors</b>	6,865	809	2,937	2,521	5.0 mo	20 mo
Fraudulent property offense	789	168	271	32	2.4	30.9
Larceny	829	61	498	251	5.4	20.8
Drug possession	635	91	428	90	6.7	18.4
Immigration offenses	387	199	49	13	4.2	20
Traffic offenses	2,562	79	866	1,582	3.7	13.8
Other misdemeanors	1,663	211	825	553	7.5	23.3

Note: In this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "All other felonies" includes felonies with unclassifiable offense type; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

...Less than 0.5%.

^ No cases of this type occurred in the data.

^ Too few cases to obtain statistically reliable data.

<sup>a</sup>Total may not equal the sum of individual sanctions. The sum may exceed the total because split and mixed sentences are counted in incarceration and probation. Alternatively, the total may exceed the sum as the total includes offenders receiving deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentences.

<sup>b</sup>All sentences to incarceration, including split, mixed, life, and indeterminate sentences.

<sup>c</sup>Includes offenders with split and mixed sentences.

<sup>d</sup>Excludes sentences of life, death, and indeterminate sentences.

<sup>e</sup>Total includes offenders whose sentence could not be determined.

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

**Table 5.3. Convicted offenders sentenced to incarceration, by offender characteristics, October 1, 2007–September 30, 2008**

<b>Offender characteristic</b>	<b>Total number of offenders</b>	<b>Percent of convicted offenders*</b>
<b>All offenders*</b>	82,823	77.9 %
<b>Gender</b>		
Male	64,941	84.4 %
Female	9,571	59.4
<b>Race</b>		
White	52,577	81.5 %
Black/African American	17,610	84.1
American Indian/Alaska Native	1,109	79.5
Asian/Native Hawaiian/Other Pacific Islander	1,629	67.4
Other	324	66.0
<b>Ethnicity</b>		
Hispanic/Latino	35,441	85.4 %
NonHispanic/Latino	36,732	78.2
<b>Age</b>		
Under 19 years	400	73.5 %
19-20	2,816	77.0
21-30	27,571	82.7
31-40	23,533	83.6
Over 40	20,029	76.3
<b>Citizenship</b>		
U.S. citizen	43,697	79.5 %
Non U.S. citizen	30,741	84.4
<b>Education</b>		
Less than high school graduate	31,921	88.3 %
High school graduate	18,826	83.3
Some college	9,903	76.4
College graduate	3,468	68.8
<b>Criminal record</b>		
No convictions	25,902	73.3 %
Prior adult convictions	46,902	85.2

Note: By definition, corporations are excluded from the offender characteristics reported. Offenders serving life sentences and indeterminate sentences are included. Offenders are classified by the most serious offense of conviction. The percentages in this table report the percent of convicted persons having a particular characteristic who were incarcerated. For example, 87% of all convicted males were incarcerated. Offender characteristics are not comparable to 1993 and prior Compendia.

\*Includes corporations and offenders for whom offenses or characteristics are unknown.

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

**Table 5.4. Average incarceration sentence lengths imposed, by offense and offender characteristics, October 1, 2007–September 30, 2008**

Offender characteristic	Mean sentence length for offenders convicted of—									
	All offenses*	Violent offenses	Property offenses		Drug offenses	Public-order offenses			Immigration offenses	Misdemeanors
			Fraudulent	Other		Regulatory	Other	Weapon offenses		
<b>All offenders*</b>	60.6 mo	110.8 mo	30.2 mo	35.6 mo	85.1 mo	33.20 mo	71.6 mo	88.2 mo	22.3 mo	5.0 mo
<b>Gender</b>										
Male	61.9 mo	114.4 mo	31 mo	36.6 mo	87.3 mo	33.20 mo	75.4 mo	89.2 mo	22.9 mo	5.4 mo
Female	37.3	63.7	25.3	21.8	53.2	29.10	31.6	53.8	14.5	4.5
<b>Race</b>										
White	48.2 mo	118.4 mo	28.9 mo	35.8 mo	69.9 mo	31.80 mo	71.7 mo	75.7 mo	22.4 mo	4.9 mo
Black/African American	93.2	117.6	32.9	26.8	110.3	33.60	73.7	99.9	29.5	7.6
American Indian/Alaska Native	64.1	82.3	18.3	27.0	63.2	^	38.5	70.3	15.4	8.2
Asian/Native Hawaiian/ Other Pacific Islander	54.8	80.6	26.1	39.1	70.1	37.60	62.5	77.7	16.2	3.4
Other	62.1	67.2	22.6	^	98.9	^	55.9	84.2	33.4	^
<b>Ethnicity</b>										
Hispanic/Latino	41.2 mo	104.4 mo	23.6 mo	31.4 mo	69.1 mo	36.20 mo	59.8 mo	69.7 mo	22.6 mo	4.0 mo
Non Hispanic/Latino	78.8	111.8	32.1	33.7	96.0	29.90	73.3	91.6	22.2	6.9
<b>Age</b>										
Under 19 years	24.6 mo	87.8 mo	^	^	30.3 mo	^	^	29.0 mo	9.7 mo	^ mo
19-20	41.6	78.1	17.2 mo	24.4 mo	44.8	^	66.1 mo	73.8	12.2	2.6
21-30	58.3	94.1	23.9	34.2	80.0	27.50 mo	70.1	83.7	19.2	5.3
31-40	62.8	116.7	30.5	34.9	93.9	35.00	72.9	97.7	23.9	5.7
Over 40	60.0	132.3	33.2	31.6	83.6	33.80	71.1	91.4	26.3	6.4
<b>Citizenship</b>										
U.S. citizen	77.0 mo	111.5 mo	32.2 mo	33.1 mo	91.1 mo	31.60 mo	71.7 mo	90.2 mo	19.0 mo	7.0 mo
Non U.S. citizen	35.8	96.2	23	36.1	65.6	34.30	68.7	70.6	22.6	3.8
<b>Education</b>										
Less than high school graduate	55.2 mo	105.5 mo	26.8 mo	38.1 mo	79.2 mo	33.20 mo	66.6 mo	85.9 mo	23.8 mo	8.0 mo
High school graduate	75.8	108.1	30.6	33.2	92.3	28.90	74.9	91.0	26.1	7.6
Some college	66.4	115.4	31.9	30.5	80.8	36.20	76.7	83.8	21.3	7.8
College graduate	55.2	141.9	35.5	28.5	67.4	31.80	65.9	98.6	20.9	12.3
<b>Criminal record</b>										
No convictions	46.9 mo	112.6 mo	27.2 mo	31.3 mo	56.1 mo	31.80 mo	66.5 mo	65.2 mo	11.7 mo	9.0 mo
Prior adult convictions	65.2	108.6	31.4	34.7	101.8	34.30	77.7	91.3	24.7	5.1

Note: By definition, corporations are excluded from the offender characteristics reported. Excludes life sentences and indeterminate sentences. Includes prison portion of split or mixed sentences.

^Too few cases to obtain statistically reliable data.

\*Includes corporations and offenders for whom offenses or characteristics are unknown.

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



**Table 6.1. Criminal appeals terminated, by type of criminal case and offense, October 1, 2007–September 30, 2008**

Offense of conviction	Number of criminal appeals terminated						
	Total	Guidelines-based appeals					
		Pre-guideline	Total	Conviction only	Sentence only	Sentence and conviction	Other
<b>All offenses*</b>	13,720	1,516	12,204	991	3,807	7,755	232
<b>Violent offenses</b>	711	90	621	37	162	378	18
Murder	85	16	69	5	15	46	3
Assault	123	14	109	3	27	44	8
Robbery	267	36	231	15	63	175	4
Sexual abuse	178	19	159	12	43	81	2
Kidnapping	49	4	45	2	9	30	1
President	9	1	8	0	5	2	0
<b>Property offenses</b>	1,887	200	1,687	174	526	927	60
Fraudulent	1,554	166	1,388	140	431	777	40
Embezzlement	63	6	57	9	12	36	0
Fraud	1,346	148	1,198	120	377	665	36
Forgery	8	0	8	0	4	4	0
Counterfeiting	137	12	125	11	38	72	4
Other	333	34	299	34	95	150	20
Burglary	5	0	5	2	3	0	0
Larceny	184	18	166	23	55	75	13
Motor vehicle theft	42	6	36	6	12	16	2
Arson and explosives	55	6	49	2	11	33	3
Transportation of stolen property	38	4	34	0	11	21	2
Other property offenses	9	0	9	1	3	5	0
<b>Drug offenses</b>	5,562	675	4,887	408	1,636	2,758	85
<b>Public-order offenses</b>	1,217	163	1,054	99	336	600	19
Regulatory	145	17	128	16	43	68	1
Agriculture	2	0	2	0	0	2	0
Antitrust	2	1	1	0	0	1	0
Food and drug	4	0	4	0	1	3	0
Transportation	21	4	17	3	7	7	0
Civil rights	15	3	12	2	1	9	0
Communications	2	0	2	0	1	1	0
Custom laws	6	1	5	0	2	3	0
Postal laws	4	0	4	1	1	1	1
Other regulatory offenses	89	8	81	10	30	41	0
Other	1,072	146	926	83	293	532	18
Tax law violations	123	24	99	14	19	59	7
Bribery	25	0	25	2	6	17	0
Perjury, contempt, and intimidation	98	12	86	19	25	40	2
National defense	41	10	31	1	11	18	1
Escape	43	3	40	0	16	22	2
Racketeering and extortion	290	64	226	21	71	131	3
Gambling	1	0	1	0	0	1	0
Nonviolent sex offenses	382	26	356	18	130	206	2
Obscene material	11	3	8	0	0	7	1
Traffic offenses	15	2	13	1	6	6	0
Wildlife	9	0	9	5	0	4	0
Environmental	1	0	1	0	0	1	0
All other offenses	33	2	31	2	9	20	0
<b>Weapon offenses</b>	2,039	205	1,834	190	505	1,110	29
<b>Immigration offenses</b>	1,946	52	1,894	68	560	1,265	1

Note: In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; and "All other offenses" includes offenses with unclassifiable offense type.

\*Total includes 358 appeals terminated for which an offense category could not be determined.

Source: Administrative Office of the U.S. Courts Court of Appeals, fiscal year.

**Table 6.2. Disposition of criminal appeals terminated, by offense, October 1, 2007–September 30, 2008**

Offense of conviction	Criminal appeals terminated on the merits								Procedural terminations
	Total appeals terminate	Total	Percent	Affirmed	Remanded or reversed	Partially affirmed	Dismissed	Other	
<b>All offenses</b>	13,720	10,379	75.6 %	7,998	931	399	955	45	3,341
<b>Violent offenses</b>	711	556	78.2 %	460	68	9	37	3	155
Murder	85	65	76.5	54	8	1	2	2	20
Assault	123	96	78.0	84	9	0	8	0	27
Robbery	267	206	77.2	170	24	5	13	0	61
Sexual abuse	178	147	82.6	119	18	3	11	1	31
Kidnapping	49	37	75.5	30	7	0	3	0	12
Threats against the President	9	5	^	3	2	0	0	0	4
<b>Property offenses</b>	1,887	1,352	71.6 %	1,020	154	74	95	9	535
Fraudulent	1,554	1,102	70.9	819	131	68	77	7	452
Embezzlement	63	45	71.4	34	6	3	1	1	18
Fraud	1,346	956	71.0	712	117	58	63	6	390
Forgery	8	5	^	4	0	0	1	0	3
Counterfeiting	137	96	70.1	69	8	7	12	0	41
Other	333	250	75.1	201	23	6	18	2	83
Burglary	5	5	^	5	0	0	0	0	0
Larceny	184	128	69.6	100	15	4	8	1	56
Motor vehicle theft	42	33	78.6	27	3	0	3	0	9
Arson and explosives	55	44	80.0	34	5	2	3	0	11
Transportation of stolen property	38	32	84.2	27	0	0	4	1	6
Other property offenses	9	8	^	8	0	0	0	0	1
<b>Drug offenses</b>	5,562	4,102	73.8 %	3,088	378	174	443	19	1,460
<b>Public-order offenses</b>	1,217	878	72.1 %	659	99	58	60	2	339
Regulatory	145	99	68.3	62	14	18	5	0	46
Agriculture	2	1	^	1	0	0	0	0	1
Antitrust	2	1	^	1	0	0	0	0	1
Food and drug	4	3	^	2	1	0	0	0	1
Transportation	21	16	76.2	12	1	2	1	0	5
Civil rights	15	10	66.7	4	6	0	0	0	5
Communications	2	1	^	1	0	0	0	0	1
Custom laws	6	4	^	4	0	0	0	0	2
Postal laws	4	3	^	1	0	1	1	0	1
Other regulatory offenses	89	60	67.4	36	6	15	3	0	29
Other	1,072	779	72.7	597	85	40	55	2	293
Tax law violations	123	89	72.4	69	12	0	7	1	34
Bribery	25	21	84.0	18	0	3	0	0	4
Perjury, contempt, and intimidation	98	71	72.4	54	7	5	5	0	27
National defense	41	37	90.2	29	1	3	4	0	4
Escape	43	29	67.4	22	5	0	2	0	14
Racketeering and extortion	290	203	70.0	155	20	16	12	0	87
Gambling	1	1	^	1	0	0	0	0	0
Nonviolent sex offenses	382	278	72.8	209	36	11	21	1	104
Obscene material	11	6	54.5	5	0	0	1	0	5
Traffic offenses	15	10	66.7	9	0	0	1	0	5
Wildlife	9	8	^	7	1	0	0	0	1
Environmental	1	0	^	0	0	0	0	0	1
All other offenses	33	26	78.8	19	3	2	2	0	7
<b>Weapon offenses</b>	2,039	1,622	79.5 %	1,303	150	55	111	3	417
<b>Immigration offenses</b>	1,946	1,639	84.2 %	1,288	134	26	183	8	307

Note: In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; and "All other offenses" includes offenses with unclassifiable offense type.

^ Too few cases to obtain statistically reliable data.

\*Total includes 358 appeals terminated for which an offense category could not be determined.

Source: Administrative Office of the U.S. Courts Court of Appeals, fiscal year.

**Table 6.3. Criminal appeals cases terminated on the merits, by offense, October 1, 2007–September 30, 2008**

Most serious offense	Total	Percent of criminal appeals cases terminated on the merits				
		Affirmed	Remanded or reversed	Partially affirmed	Dismissed	Other
<b>All offenses*</b>	10,379	77.1 %	9.5 %	3.8 %	9.2 %	0.4 %
<b>Violent offenses</b>	556	82.7 %	8.5 %	1.6 %	6.7 %	0.5 %
Murder	65	83.1	9.2	1.5	3.1	3.1
Assault	96	87.5	4.2	0.0	8.3	0.0
Robbery	206	82.5	8.7	2.4	6.3	0.0
Sexual abuse	147	81.0	8.8	2.0	7.5	0.7
Kidnapping	37	81.1	10.8	0.0	8.1	0.0
Threats against the President	5	^	^	^	^	^
<b>Property offenses</b>	1,352	75.4 %	11.4 %	1.6 %	7.0 %	0.7 %
Fraudulent	1,102	74.3	11.9	1.5	7.0	0.6
Embezzlement	45	75.6	13.3	0.0	2.2	2.2
Fraud	956	74.5	12.2	2.4	6.6	0.6
Forgery	5	^	^	2.0	^	^
Counterfeiting	96	71.9	8.3	0.0	12.5	0.0
Other	250	80.4	9.2	2.4	7.2	0.8
Burglary	5	^	^	^	^	^
Larceny	128	78.1	11.7	3.1	6.3	0.8
Motor vehicle theft	33	81.8	9.1	0.0	9.1	0.0
Arson and explosives	44	77.3	11.4	4.5	6.8	0.0
Transportation of stolen property	32	84.4	0.0	0.0	12.5	3.1
Other property offenses	8	^	^	^	^	^
<b>Drug offenses</b>	4,102	75.3 %	9.2 %	4.2 %	10.8 %	0.5 %
<b>Public-order offenses</b>	878	75.1 %	11.3 %	6.6 %	6.8 %	0.2 %
Regulatory	99	62.6	14.1	18.2	5.1	0.0
Agriculture	1	^	^	^	^	^
Antitrust	1	^	^	^	^	^
Food and drug	3	^	^	^	^	^
Transportation	16	75.0	6.3	12.5	6.3	0.0
Civil rights	10	^	^	^	^	^
Communications	1	^	^	^	^	^
Custom laws	4	^	^	^	^	^
Postal laws	3	^	^	^	^	^
Other regulatory offenses	60	60.0	10.0	25.0	5.0	0.0
Other	779	76.6	10.9	5.1	7.1	0.3
Tax law violations	89	77.5	13.5	0.0	7.9	1.1
Bribery	21	85.7	0.0	14.3	0.0	0.0
Perjury, contempt, and intimidation	71	76.1	9.9	7.0	7.0	0.0
National defense	37	78.4	2.7	8.1	10.8	0.0
Escape	29	75.9	17.2	0.0	6.9	0.0
Racketeering and extortion	203	76.4	9.9	7.9	5.9	0.0
Gambling	1	^	^	^	^	^
Nonviolent sex offenses	278	75.2	12.9	4.0	7.6	0.4
Obscene material	6	^	^	^	^	^
Traffic offenses	10	^	^	^	^	^
Wildlife	8	^	^	^	^	^
Environmental	0	...	...	...	...	...
All other offenses	26	73.1	11.5	7.7	7.7	0.0
<b>Weapon offenses</b>	1,622	80.3 %	9.2 %	3.4 %	6.8 %	0.2 %
<b>Immigration offenses</b>	1,639	78.6 %	8.2 %	1.6 %	11.2 %	0.5 %

Note: In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; and "All other offenses" includes offenses with unclassifiable offense type.

^ Too few cases to obtain statistically reliable data.

...No cases of this type occurred in the data.

\*Total includes 230 appeals for which an offense category could not be determined that were terminated on the merits.

Source: Administrative Office of the U.S. Courts, Court of Appeals.

**Table 7.1. Federal offenders under supervision, by offense, October 1, 2007–September 30, 2008**

Most serious offense of conviction	Type of supervision							
	Total offenders under supervision		Probation		Supervised release		Parole	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>All offenses<sup>a</sup></b>	120,053	100 %	23,054	100 %	94,703	100 %	2,296	100.1 %
<b>Felonies<sup>b</sup></b>	113,470	94.6 %	17,033	74.1 %	94,145	99.5 %	2,292	99.8 %
<b>Violent offenses</b>	6,599	5.5 %	383	1.7 %	5,163	5.5 %	1,053	45.9 %
Murder	699	0.6	47	0.2	352	0.4	300	13.1
Negligent manslaughter	7	--	1	--	3	--	3	0.1
Assault	799	0.7	134	0.6	540	0.6	125	5.4
Robbery	4,003	3.3	90	0.4	3,462	3.7	451	19.6
Sexual abuse	849	0.7	80	0.3	661	0.7	108	4.7
Kidnapping	190	0.2	9	--	115	0.1	66	2.9
Threats against the President	52	--	22	0.1	30	--	0	0.0
<b>Property offenses</b>	26,669	22.2 %	9,402	40.9 %	17,061	18.0 %	206	9.0 %
Fraudulent	22,488	18.8	7,592	33.0	14,842	15.7	54	2.4
Embezzlement	1,792	1.5	663	2.9	1,128	1.2	1	--
Fraud	18,535	15.5	6,215	27.0	12,274	13.0	46	2.0
Forgery	148	0.1	71	0.3	77	0.1	0	0.0
Counterfeiting	2,013	1.7	643	2.8	1,363	1.4	7	0.3
Other	4,181	3.5	1,810	7.9	2,219	2.3	152	6.6
Burglary	171	0.1	13	0.1	101	0.1	57	2.5
Larceny	3,005	2.5	1,572	6.8	1,367	1.4	66	2.9
Motor vehicle theft	243	0.2	16	0.1	211	0.2	16	0.7
Arson and explosives	351	0.3	76	0.3	267	0.3	8	0.3
Transportation of stolen property	337	0.3	97	0.4	235	0.2	5	0.2
Other property offenses	74	0.1	36	0.2	38	--	0	0.0
<b>Drug offenses</b>	54,217	45.2 %	2,572	11.2 %	51,017	53.9 %	628	27.4 %
Trafficking	47,939	40.0	2,276	9.9	45,107	47.7	556	24.2
Possession and other drug offenses	6,278	5.2	296	1.3	5,910	6.2	72	3.1
<b>Public-order offenses</b>	8,356	7.0 %	2,607	11.3 %	5,524	5.8 %	225	9.8 %
Regulatory	1,978	1.6	1,133	4.9	825	0.9	20	0.9
Agriculture	3	--	0	0.0	3	--	0	0.0
Antitrust	33	--	26	0.1	7	--	0	0.0
Food and drug	61	0.1	33	0.1	28	--	0	0.0
Transportation	197	0.2	124	0.5	70	0.1	3	0.1
Civil rights	129	0.1	24	0.1	100	0.1	5	0.2
Communications	58	--	41	0.2	17	--	0	0.0
Custom laws	79	0.1	44	0.2	35	--	0	0.0
Postal laws	81	0.1	64	0.3	15	--	2	0.1
Other regulatory offenses	1,337	1.1	777	3.4	550	0.6	10	0.4
Other	6,378	5.3	1,474	6.4	4,699	5.0	205	8.9
Tax law violations	875	0.7	373	1.6	500	0.5	2	0.1
Bribery	270	0.2	99	0.4	170	0.2	1	--
Perjury, contempt and intimidation	383	0.3	98	0.4	282	0.3	3	0.1
National defense	98	0.1	39	0.2	54	0.1	5	0.2
Escape	308	0.3	40	0.2	257	0.3	11	0.5
Racketeering and extortion	2,088	1.7	380	1.7	1,650	1.7	58	2.5
Gambling	36	--	14	0.1	21	--	1	--
Nonviolent sex offenses	1,750	1.5	129	0.6	1,507	1.6	114	5.0
Obscene material	54	--	10	--	44	--	0	0.0
Wildlife	80	0.1	57	0.2	23	--	0	0.0
Environmental	35	--	26	0.1	9	--	0	0.0
All other offenses	401	0.3	209	0.9	182	0.2	10	0.4
<b>Weapon offenses</b>	13,279	11.1 %	1,171	5.1 %	11,931	12.6 %	177	7.7 %
<b>Immigration offenses</b>	4,217	3.5 %	821	3.6 %	3,393	3.6 %	3	0.1
<b>Misdemeanors</b>	6,583	5.5 %	6,021	26.2 %	558	0.6 %	4	0.2 %
Fraudulent property offenses	585	0.5	530	2.3	55	0.1	0	0.0
Larceny	856	0.7	797	3.5	57	0.1	2	0.1
Drug possession	928	0.8	837	3.6	91	0.1	0	0.0
Immigration misdemeanors	149	0.1	140	0.6	9	--	0	0.0
Traffic offenses	2,057	1.7	1,982	8.6	75	0.1	0	0.0
Other misdemeanors	2,008	1.7	1,735	7.6	271	0.3	2	0.1

Note: In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

-- Less than 0.5%.

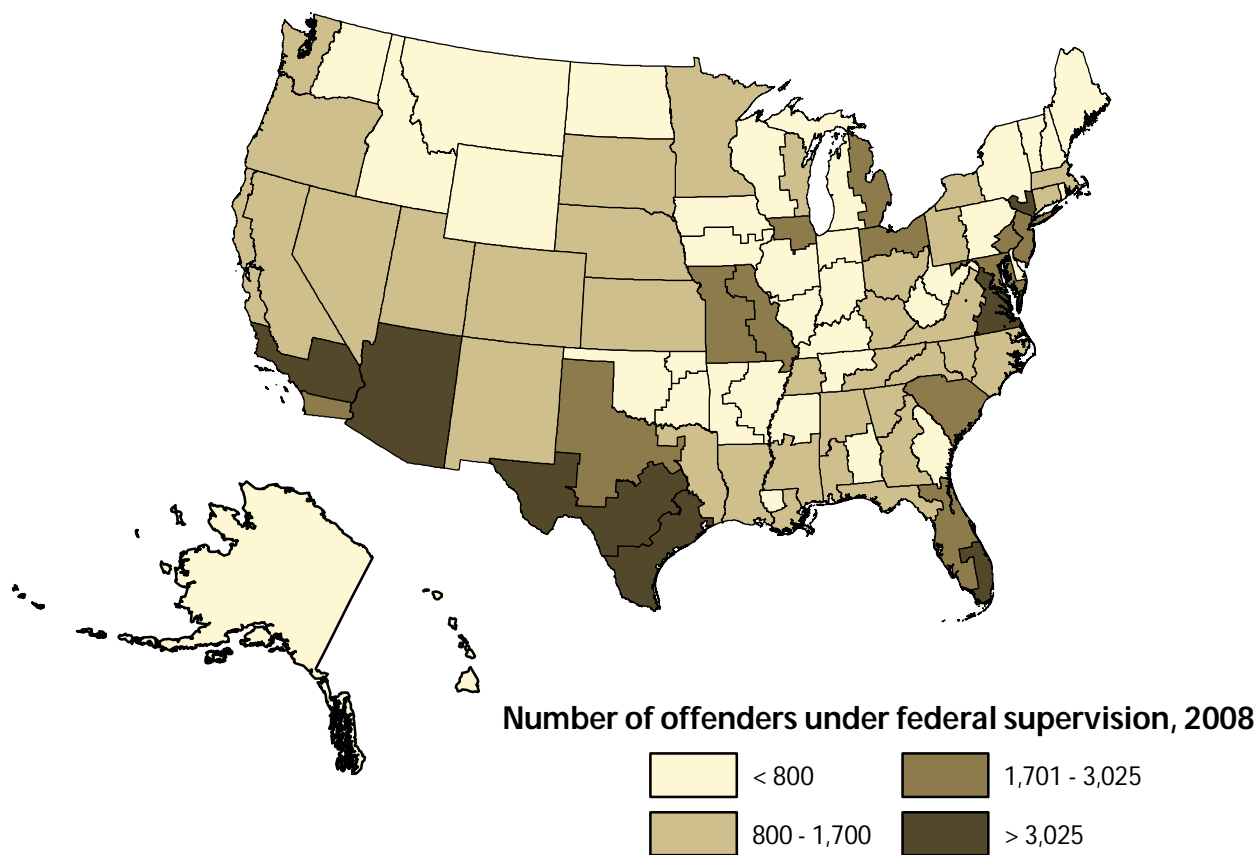
<sup>a</sup>Total includes offenders whose offense category could not be determined.

<sup>b</sup>There are 133 felony offenders for whom an offense category was unknown or indeterminable. These include 77 offenders under probation, and 56 under supervised release.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS).

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## Federal districts in the states of Texas, California, New York, and Florida had the greatest number of offenders under supervision during 2008



Not shown on map: District of Columbia (2,339), Guam (244), Puerto Rico (1,511), and Virgin Islands (199).

Source: Federal Probation Supervision Information System, fiscal year.

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**Table 7.2. Characteristics of federal offenders under supervision, October 1, 2007–September 30, 2008**

Offender characteristic	Total offenders under supervision		Type of supervision					
			Probation		Supervised release		Parole	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>All offenders*</b>	120,053	100 %	23,054	100 %	94,703	100 %	2,296	100 %
<b>Gender</b>								
Male	96,616	80.7 %	14,516	64.0 %	79,862	84.4 %	2,238	97.5 %
Female	23,039	19.3	8,172	36.0	14,809	15.6	58	2.5
<b>Race</b>								
White	68,861	57.7 %	14,453	64.0 %	53,510	56.6 %	898	39.4 %
Black/African American	43,986	36.8	6,330	28.0	36,320	38.4	1,336	58.6
American Indian/Alaska Native	2,707	2.3	696	3.1	1,987	2.1	24	1.1
Asian/Native Hawaiian/Other Pacific Islander	3,340	2.8	911	4.0	2,410	2.5	19	0.8
Other	495	0.4	189	0.8	305	0.3	1	--
<b>Ethnicity</b>								
Hispanic/Latino	24,466	20.6	3,618	16.1	20,613	21.9	235	10.4
Non Hispanic/Latino	94,431	79.4	18,811	83.9	73,591	78.1	2,029	89.6
<b>Age</b>								
Under 19 years	251	0.2 %	221	1.0 %	30	-- %	0	0.0 %
19-20	1,379	1.2	735	3.2	640	0.7	4	0.2
21-30	30,359	25.3	6,151	26.9	24,002	25.3	206	9.0
31-40	40,076	33.4	5,802	25.4	33,885	35.8	389	16.9
Over 40	47,797	39.9	9,960	43.6	36,141	38.2	1,696	73.9

-- Less than 0.5%

\*Total includes offenders whose characteristics could not be determined.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS).

**Table 7.3. Outcomes of probation supervision, by offense, October 1, 2007–September 30, 2008**

Most serious offense of conviction	Number of probation terminations	Percent of probation supervisions terminating with—					Administrative case closures
		Technical violations <sup>a</sup>				New crime <sup>b</sup>	
		No violation	Drug use	Fugitive Status	Other		
<b>All offenses</b>	13,107	79.3 %	2.0 %	0.6 %	3.3 %	3.4 %	11.4 %
<b>Felonies</b>	7,399	79.0 %	1.8 %	0.7 %	3.3 %	2.7 %	12.4 %
<b>Violent offenses</b>	214	55.1 %	2.8 %	2.8 %	10.3 %	5.1 %	23.8 %
Murder	17	52.9	0.0	5.9	0.0	17.6	23.5
Assault	73	61.6	1.4	4.1	11.0	5.5	16.4
Robbery	70	60.0	4.3	0	5.7	4.3	25.7
Sexual abuse	41	46.3	4.9	4.9	22.0	2.4	19.5
Kidnapping	3	^	^	^	^	^	^
Threats against the President	10	^	^	^	^	^	^
<b>Property offenses</b>	3,757	81.8 %	1.8 %	0.7 %	3.5 %	2.7 %	9.4 %
Fraudulent	3,117	82.6	1.7	0.6	3.4	2.6	9.0
Embezzlement	252	89.3	0.0	0.8	2.8	2.0	5.2
Fraud	2,526	83.4	1.5	0.6	3.0	2.5	9.1
Forgery	37	81.1	2.7	0	0.0	0.0	16.2
Counterfeiting	302	71.2	4.0	1.3	7.9	4.6	10.9
Other	640	77.8	2.7	0.9	4.2	3.1	11.3
Burglary	14	64.3	7.1	0	0.0	0.0	28.6
Larceny	525	78.9	2.5	1.1	3.4	2.7	11.4
Motor vehicle theft	12	83.3	0.0	0	0.0	8.3	8.3
Arson and explosives	41	53.7	4.9	0	17.1	9.8	14.6
Transportation of stolen property	39	89.7	2.6	0	5.1	0.0	2.6
Other property offenses	9	^	^	^	^	^	^
<b>Drug offenses</b>	1,317	72.1 %	1.7 %	0.8 %	2.7 %	2.4 %	20.3 %
Trafficking	1,177	71.4	1.6	0.7	2.6	2.4	21.3
Possession and other drug offenses	140	77.9	2.1	1.4	3.6	2.9	12.1
<b>Public-order offenses</b>	1,147	88.0 %	1.0 %	0.1 %	1.7 %	1.7 %	7.5 %
Regulatory	468	86.8	1.7	0	2.6	1.3	7.7
Antitrust	5	^	^	^	^	^	^
Food and drug	17	100.0	0.0	0	0.0	0.0	0.0
Transportation	46	80.4	0.0	0	2.2	0.0	17.4
Civil rights	7	^	^	^	^	^	^
Communications	17	88.2	0.0	0	5.9	0.0	5.9
Custom laws	17	100.0	0.0	0	0.0	0.0	0.0
Postal laws	28	89.3	0.0	0	3.6	3.6	3.6
Other regulatory offenses	331	85.8	2.4	0	2.4	1.5	7.9
Other	679	88.8	0.6	0.1	1.2	1.9	7.4
Tax law violations	173	96.0	0.0	0	0.6	0.0	3.5
Bribery	51	92.2	0.0	0	0.0	2.0	5.9
Perjury, contempt, and intimidation	60	96.7	0.0	0	0.0	0.0	3.3
National defense	19	89.5	5.3	0	0.0	0.0	5.3
Escape	17	64.7	5.9	0	5.9	0.0	23.5
Racketeering and extortion	181	86.7	0.6	0	0.6	2.8	9.4
Gambling	30	96.7	3.3	0	0.0	0.0	0.0
Nonviolent sex offenses	50	74.0	0.0	0	2.0	4.0	20.0
Obscene material	7	^	^	^	^	^	^
Wildlife	30	90.0	0.0	3.3	3.3	0.0	3.3
Environmental	12	100.0	0.0	0	0.0	0.0	0.0
All other offenses	49	71.4	0.0	0	6.1	10.2	12.2
<b>Weapon offenses</b>	558	72.6 %	3.2 %	0.7 %	2.9 %	4.1 %	16.5 %
<b>Immigration offenses</b>	368	72.6 %	1.6 %	1.4 %	4.3 %	2.4 %	17.7 %
<b>Misdemeanors</b>	5,708	79.6 %	2.3 %	0.5 %	3.1 %	4.4 %	10.0 %
Fraudulent property offense	333	90.4	1.2	0	1.2	2.7	4.5
Larceny	541	83.2	1.3	0.7	3.9	3.3	7.6
Drug possession	915	75.1	6.1	0.5	3.4	5.1	9.7
Immigration	239	57.7	2.5	0.4	3.8	23.0	12.6
Traffic offenses	2,326	80.1	1.4	0.5	2.3	3.5	12.3
Other misdemeanors	1,354	81.8	2.1	0.4	4.4	3.0	8.3

Notes: Offenses for 38 felony offenders could not be classified. In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

<sup>a</sup> Too few cases to obtain statistically reliable data.

<sup>b</sup> Supervision terminated with incarceration or removal to inactive status for violation of supervision conditions other than charges for new offenses.

<sup>c</sup> Supervision terminated with incarceration or removal to inactive status after arrest for a "major" or "minor" offense.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS).

**Table 7.4. Characteristics of offenders terminating probation supervision, October 1, 2007–September 30, 2008**

Offender characteristic	Number of probation terminations	Percent terminating probation with—					Administrative case closures
		Technical violations <sup>a</sup>				New crime <sup>b</sup>	
		No violation	Drug use	Fugitive status	Other		
<b>All offenders<sup>c</sup></b>	13,107	79.3 %	2.0 %	0.6 %	3.3 %	3.4 %	11.4 %
<b>Gender</b>							
Male	8,862	77.7 %	2.1 %	0.6 %	3.3 %	3.7 %	12.6 %
Female	4,086	82.3	2.0	0.7	3.2	3.0	8.9
<b>Race</b>							
White	8,413	80.6 %	2.0 %	0.6 %	2.7 %	3.4 %	10.6 %
Black/African American	3,481	76.2	2.6	0.4	4.0	4.0	12.9
American Indian/Alaska Native	423	62.9	2.1	3.3	10.4	4.7	16.5
Asian/Native Hawaiian/Other Pacific Islander	464	85.6	0.2	0.4	1.7	1.5	10.6
Other	98	88.8	0.0	0	2.0	0.0	9.2
<b>Ethnicity</b>							
Hispanic/Latino	2,016	75.6	1.4	0.6	3.0	5.2	14.0
Non Hispanic/Latino	10,746	79.8	2.2	0.6	3.4	3.2	10.8
<b>Age</b>							
Under 19 years	86	43.0 %	8.1 %	8.1 %	16.3 %	8.1 %	16.3 %
19-20	360	56.4	4.4	2.8	10.0	8.3	18.1
21-30	3,926	73.1	2.9	0.7	4.8	5.4	13.1
31-40	3,220	80.4	2.0	0.6	2.5	3.2	11.2
Over 40	5,451	85.1	1.2	0.2	1.9	1.8	9.7

<sup>a</sup>Violation of supervision conditions other than charges for new offenses.

<sup>b</sup>Includes both "major" and "minor" offenses.

<sup>c</sup>Total includes offenders whose characteristics could not be determined.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS).



**Table 7.5. Outcomes of supervised release, by offense, October 1, 2007–September 30, 2008**

Most serious offense of conviction	Number of release terminations	Percent of supervised releases terminating with—					
		Technical violations <sup>a</sup>					Administrative case closures
		No violation	Drug use	Fugitive status	Other	New crime <sup>b</sup>	
<b>All offenses</b>	38,720	55.3 %	5.8 %	1.9 %	7.3 %	8.0 %	21.8 %
<b>Felonies</b>	38,112	55.2 %	5.8 %	1.9 %	7.2 %	8.0 %	21.8 %
Violent offenses	2,655	40.3	6.3	3.8	12.5	10.2	26.8 %
Murder	172	29.7	4.1	3.5	16.3	11.6	34.9
Negligent manslaughter	5	^	^	^	^	^	^
Assault	390	35.6	3.1	4.4	19.5	12.3	25.1
Robbery	1,719	42.4	8.0	3.4	9.8	9.5	26.9
Sexual abuse	312	39.4	2.6	5.8	17.9	10.3	24.0
Kidnapping	29	48.3	6.9	0.0	6.9	10.3	27.6
Threats against the President	28	42.9	3.6	7.1	3.6	17.9	25.0
<b>Property offenses</b>	7,539	62.8 %	4.0 %	2.1 %	7.5 %	6.0 %	17.5 %
Fraudulent	6,274	65.6	3.7	1.7	7.3	5.5	16.2
Embezzlement	449	86.6	1.1	0.2	4.2	2.2	5.6
Fraud	5,035	66.4	3.0	1.5	7.2	5.3	16.6
Forgery	47	55.3	6.4	2.1	10.6	4.3	21.3
Counterfeiting	743	48.0	9.8	4.2	9.6	8.5	19.9
Other	1,265	49.2	5.9	3.8	8.7	8.9	23.6
Burglary	85	30.6	9.4	3.5	14.1	11.8	30.6
Larceny	808	49.4	5.8	3.5	8.4	8.9	24.0
Motor vehicle theft	115	44.3	7.8	3.5	10.4	12.2	21.7
Arson and explosives	136	52.9	5.1	5.9	8.8	7.4	19.9
Transportation of stolen property	97	67.0	1.0	2.1	5.2	5.2	19.6
Other property offenses	24	37.5	12.5	12.5	4.2	4.2	29.2
<b>Drug offenses</b>	17,087	59.8 %	6.1 %	1.4 %	5.8 %	7.3 %	19.7 %
Trafficking	15,390	59.9	6.2	1.4	5.8	7.4	19.4
Possession and other drug offenses	1,697	58.8	5.5	1.1	5.1	7.0	22.5
<b>Public-order offenses</b>	2,610	71.9 %	2.5 %	0.9 %	6.6 %	4.2 %	14.0 %
Regulatory	520	77.3	3.3	0.8	3.1	3.3	12.3
Agriculture	1	^	^	^	^	^	^
Antitrust	4	^	^	^	^	^	^
Food and drug	10	^	^	^	^	^	^
Transportation	36	69.4	2.8	0.0	5.6	2.8	19.4
Civil rights	47	80.9	4.3	0.0	6.4	4.3	4.3
Communications	17	70.6	0.0	0.0	0.0	23.5	5.9
Custom laws	29	65.5	3.4	3.4	3.4	0.0	24.1
Postal laws	14	64.3	14.3	0.0	7.1	7.1	7.1
Other regulatory offenses	362	79.0	2.8	0.8	2.5	2.5	12.4
Other	2,090	70.6	2.2	0.9	7.4	4.4	14.4
Tax law violations	245	94.7	0.0	0.0	0.8	0.4	4.1
Bribery	65	86.2	0.0	0.0	1.5	3.1	9.2
Perjury, contempt, and intimidation	127	66.9	7.1	0.8	3.1	6.3	15.7
National defense	25	72.0	4.0	0.0	4.0	0.0	20.0
Escape	177	37.3	4.0	5.1	12.4	8.5	32.8
Racketeering and extortion	721	73.0	2.6	0.6	5.8	4.9	13.2
Gambling	9	^	^	^	^	^	^
Nonviolent sex offenses	561	67.2	1.2	0.4	13.5	3.6	14.1
Obscene material	26	73.1	0.0	0.0	0.0	7.7	19.2
Wildlife	16	50.0	6.3	0.0	6.3	6.3	31.3
Environmental	8	^	^	^	^	^	^
All other offenses	110	68.2	2.7	2.7	5.5	8.2	12.7
<b>Weapon offenses</b>	5,690	40.5 %	9.0 %	2.3 %	9.5 %	11.0 %	27.7 %
<b>Immigration offenses</b>	2,504	33.3 %	4.4 %	2.9 %	6.3 %	13.4 %	39.7 %
<b>Misdemeanors</b>	608	62.3 %	6.4 %	1.2 %	7.9 %	5.8 %	16.4 %
Fraudulent property offense	58	70.7	1.7	1.7	3.4	0.0	22.4
Larceny	75	48.0	12.0	1.3	14.7	4.0	20.0
Drug possession	158	52.5	13.3	2.5	7.0	8.9	15.8
Immigration misdemeanors	40	92.5	0.0	0.0	5.0	0.0	2.5
Traffic offenses	106	56.6	3.8	0.9	11.3	6.6	20.8
Other misdemeanors	171	71.3	2.3	0.0	5.8	6.4	14.0

Note: Offenses for 27 felony offenders could not be determined. In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof; "Misdemeanors" includes misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

^ Too few cases to obtain statistically reliable data.

<sup>a</sup>Supervision terminated with incarceration or removal to inactive status for violation of supervision conditions other than charges for new offenses.

<sup>b</sup>Supervision terminated with incarceration or removal to inactive status after arrest for a new "major" or "minor" offense.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System.

**Table 7.6. Characteristics of offenders terminating supervised release, October 1, 2007–September 30, 2008**

Offender characteristic	Number of supervised release terminations	Percent terminating supervised release with--					Administrative case closures
		Technical violations <sup>a</sup>					
		No violation	Drug use	Fugitive status	Other	New crime <sup>b</sup>	
<b>All offenders<sup>c</sup></b>	38,720	55.3 %	5.8 %	1.9 %	7.3 %	8.0 %	21.8 %
<b>Gender</b>							
Male	32,641	52.6 %	6.0 %	1.9 %	7.6 %	8.6 %	23.2
Female	6,074	69.8	4.6	1.7	5.5	4.4	14.0
<b>Race</b>							
White	23,006	58.7 %	5.5 %	1.9 %	6.1 %	6.9 %	20.9 %
Black/African American, American Indian/ Alaska Native	13,431	50.9	6.5	1.6	8.4	9.8	22.9
Asian/Native Hawaiian/ Other Pacific Islander	1,315	32.8	4.9	5.9	17.3	11.5	27.7
Other	814	69.4	4.3	0.5	5.9	3.9	16.0
Other	129	62.0	3.1	0.8	3.9	4.7	25.6
<b>Ethnicity</b>							
Hispanic/Latino	9,416	49.0 %	5.5 %	2.1 %	6.1 %	7.8 %	29.6 %
Non Hispanic/Latino	29,201	57.5	5.9	1.8	7.6	8.0	19.2
<b>Age</b>							
Under 19 years	12	0.0 %	8.3 %	0 %	8.3 %	25.0 %	58.3 %
19-20	173	13.9	9.2	5.2	13.9	12.7	45.1
21-30	9,937	39.7	7.8	2.8	10.6	11.1	28.1
31-40	13,512	53.8	6.3	1.8	7.2	8.6	22.4
Over 40	15,085	67.5	4.0	1.3	5.1	5.3	16.7

<sup>a</sup>Violation of supervision conditions other than charges for new offenses.

<sup>b</sup>Includes both "major" and "minor" offenses.

<sup>c</sup>Total includes offenders whose characteristics could not be determined.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS).

**Table 7.7. Outcomes of parole, by offense, October 1, 2007–September 30, 2008**

Most serious offense of conviction	Number of parole terminations	Percent of paroles terminating with—					Administrative case closures
		Technical violations <sup>a</sup>				New crime <sup>b</sup>	
		No violation	Drug use	Fugitive status	Other		
<b>All offenses</b>	994	52.5 %	3.9 %	1.2 %	4.4 %	3.4 %	34.5 %
<b>Felonies</b>	984	52.4 %	4.0 %	1.2 %	4.5 %	3.5 %	34.5 %
<b>Violent offenses</b>	392	43.9 %	5.6 %	2.0 %	4.6 %	4.8 %	39.0 %
Murder	63	46.0	4.8	0.0	4.8	7.9	36.5
Negligent manslaughter	4	^	^	^	^	^	^
Assault	24	50.0	0.0	4.2	0.0	0.0	45.8
Robbery	237	40.1	7.6	2.1	3.4	5.5	41.4
Sexual abuse	45	57.8	0.0	0.0	11.1	2.2	28.9
Kidnapping	18	38.9	5.6	5.6	11.1	0.0	38.9
Threats against the President	1	^	^	^	^	^	^
<b>Property offenses</b>	127	53.5 %	3.1 %	0.0 %	7.1 %	3.9 %	32.3 %
Fraudulent	32	65.6	3.1	0.0	6.3	0.0	25.0
Embezzlement	8	^	^	^	^	^	^
Fraud	18	66.7	0.0	0.0	11.1	0.0	22.2
Forgery	5	^	^	^	^	^	^
Counterfeiting	1	^	^	^	^	^	^
Other	95	49.5	3.2	0.0	7.4	5.3	34.7
Burglary	23	43.5	0.0	0.0	13.0	4.3	39.1
Larceny	52	46.2	3.8	0.0	5.8	7.7	36.5
Motor vehicle theft	10	^	^	^	^	^	^
Arson and explosives	2	^	^	^	^	^	^
Transportation of stolen property	4	^	^	^	^	^	^
Other property offenses	4	^	^	^	^	^	^
<b>Drug offenses</b>	293	62.1 %	2.0 %	0.7 %	2.0 %	1.7 %	31.4 %
Trafficking	258	64.0	1.6	0.4	2.3	1.9	29.8
Possession and other drug offenses	35	48.6	5.7	2.9	0.0	0.0	42.9
<b>Public-order offenses</b>	116	65.5 %	3.4 %	0.9 %	6.9 %	1.7 %	21.6 %
Regulatory	8	^	^	^	^	^	^
Other regulatory offenses	8	^	^	^	^	^	^
Other	108	63.9	3.7	0.9	7.4	1.9	22.2
Tax law violations	1	^	^	^	^	^	^
Perjury, contempt, and intimidation	4	^	^	^	^	^	^
National defense	5	^	^	^	^	^	^
Escape	8	^	^	^	^	^	^
Racketeering and extortion	14	57.1	0.0	0.0	7.1	7.1	28.6
Nonviolent sex offenses	74	68.9	2.7	1.4	8.1	0.0	18.9
Obscene material	1	^	^	^	^	^	^
All other offenses	1	^	^	^	^	^	^
<b>Weapon offenses</b>	53	30.2 %	5.7 %	1.9 %	5.7 %	5.7 %	50.9 %
<b>Immigration offenses</b>	1	^	^	^	^	^	^
<b>Misdemeanors</b>	10	^	^	^	^	^	^

Note: In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Tax law violations" include tax fraud; "Misdemeanors" include misdemeanors, petty offenses, and unknown offense levels; and "Drug possession" also includes other drug misdemeanors.

<sup>a</sup> Too few cases to obtain statistically reliable data.

<sup>b</sup> Supervision terminated with incarceration or removal to inactive status for violation of supervision conditions other than charges for new offenses.

<sup>c</sup> Supervision terminated with incarceration or removal to inactive status after arrest for a new "major" or "minor" offense.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS).

**Table 7.8. Characteristics of offenders terminating parole, October 1, 2007–September 30, 2008**

Offender characteristic	Number of parole terminations	Percent terminating parole with—					Administrative case closures
		Technical violations <sup>a</sup>				New crime <sup>b</sup>	
		No violation	Drug use	Fugitive status	Other		
<b>All offenders<sup>c</sup></b>	994	52.5 %	3.9 %	1.2 %	4.4 %	3.4 %	34.5 %
<b>Gender</b>							
Male	972	51.9 %	4 %	1.2 %	4.5 %	3.5 %	34.9 %
Female	22	81.8	0	0	0	0	18.2
<b>Race</b>							
White	457	65.6 %	2.6 %	1.3 %	4.2 %	2.4 %	23.9 %
Black/African American	492	41.3	4.9	1.2	4.9	4.3	43.5
American Indian/Alaska Native	25	40	4	0	4	8	44
Asian/Native Hawaiian/	8	^	^	^	^	^	^
Other Pacific Islander	4	^	^	^	^	^	^
<b>Ethnicity</b>							
Hispanic/Latino	93	69.9 %	4.3 %	0 %	1.1 %	1.1 %	23.7 %
Non Hispanic/Latino	885	51	3.8	1.4	4.9	3.6	35.4
<b>Age</b>							
Under 19 years	0	^	^	^	^	^	^
19-20	2	^	^	^	^	^	^
21-30	152	74.3 %	1.3 %	1.3	2.6 %	1.3 %	19.1 %
31-40	137	54.7	2.9	1.5 %	8	2.2	30.7
Over 40	703	47.4	4.7	1.1	4.1	4.1	38.5

^ Too few cases to obtain statistically reliable data.

<sup>a</sup>Violation of supervision conditions other than charges for new offenses.

<sup>b</sup>Includes both "major" and "minor" offenses.

<sup>c</sup>Total includes offenders whose characteristics could not be determined.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS).

**Table 7.9. Admissions and releases of federal prisoners, by offense, October 1, 2007–September 30, 2008**

Most serious original offense of conviction	Prisoners admitted				Prisoners released			Population at end of year	Net population change
	Population at start of year	District court			First release				
		1 year or less	Over 1 year	All other	1 year or less	Over 1 year	All other		
<b>All prisoners<sup>a</sup></b>	177,194	12,159	49,509	9,995	13,015	46,406	10,906	178,530	1,336
<b>Violent offenses</b>	12,517	97	1,778	1,096	116	1,802	1,283	12,287	-230
Murder/manslaughter <sup>b</sup>	1,411	4	124	74	5	103	95	1,410	-1
Assault	947	64	342	211	67	290	215	992	45
Robbery	8,280	23	1,048	657	30	1,194	779	8,005	-275
Sexual abuse <sup>b</sup>	1,184	5	175	120	12	156	149	1,167	-17
Kidnaping	642	0	73	23	0	45	28	665	23
Threats against the President	53	1	16	11	2	14	17	48	-5
<b>Property offenses</b>	10,022	1,635	4,872	1,848	1,560	4,149	2,033	10,635	613
Fraudulent	8,051	1,370	4,220	1,340	1,307	3,473	1,416	8,785	734
Embezzlement	241	73	106	43	70	113	49	231	-10
Fraud <sup>b</sup>	7,057	1,199	3,786	1,001	1,115	3,021	1,078	7,829	772
Forgery	115	18	40	49	25	45	46	106	-9
Counterfeiting	638	80	288	247	97	294	243	619	-19
Other	1,971	265	652	508	253	676	617	1,850	-121
Burglary	181	12	46	55	6	52	57	179	-2
Larceny <sup>b</sup>	614	177	266	268	177	224	327	597	-17
Motor vehicle theft	104	23	31	48	17	34	54	101	-3
explosives	203	0	40	23	2	34	30	200	-3
Transportation of stolen property	110	11	50	17	7	45	21	115	5
Other property other offenses <sup>b</sup>	759	42	219	97	44	287	128	658	-101
<b>Drug offenses</b>	95,780	937	21,233	3,616	1,041	21,422	4,093	95,010	-770
Trafficking	95,574	886	21,194	3,517	995	21,379	3,971	94,826	-748
Possession and drug offenses	206	51	39	99	46	43	122	184	-22
<b>Public-order offenses</b>	10,892	624	4,198	643	641	2,725	705	12,286	1,394
Regulator	1,462	160	699	151	160	558	154	1,600	138
Other	9,430	464	3,499	492	481	2,167	551	10,686	1,256
Tax law violations <sup>c</sup>	431	79	228	12	98	208	19	425	-6
Bribery	70	15	40	1	13	39	2	72	2
Perjury, contempt, and intimidation	101	36	42	18	31	53	16	97	-4
National defense	110	4	41	5	2	20	5	133	23
Escape	128	48	240	104	47	116	98	259	131
Racketeering and extortion	4,991	73	1,108	133	71	1,123	162	4,949	-42
Liquor	3	0	0	0	0	0	0	3	0
Nonviolent sex offenses	263	6	52	15	7	44	14	271	8
Obscene material <sup>c</sup>	3,114	13	1,671	79	12	489	79	4,297	1,183
Traffic	92	152	9	85	167	13	109	49	-43
Wildlife	2	4	3	1	2	3	1	4	2
Environmental	13	7	14	0	5	9	0	20	7
All other offenses	112	27	51	39	26	50	46	107	-5
<b>Weapon offenses</b>	25,900	228	6,455	1,812	264	5,356	1,828	26,947	1,047
<b>Immigration offenses</b>	20,731	8,454	10,492	839	9,202	10,548	814	19,952	-779

<sup>a</sup>An offense category could not be determined for 1,352 prisoners at the start of fiscal year 2008 and 1,413 prisoners at the end of fiscal year 2008.

<sup>b</sup>In this table "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property;

"Other property offenses" exclude fraudulent property offenses and include destruction of property and trespassing;

<sup>c</sup>"Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof.

**Table 7.10. Characteristics of federal prison population,  
October 1, 2007–September 30, 2008**

<b>Offender characteristic</b>	<b>Number</b>	<b>Percent</b>
<b>All prisoners<sup>a</sup></b>	178,530	100 %
<b>Gender</b>		
Male	166,542	93.3 %
Female	11,988	6.7
<b>Race</b>		
White	104,106	58.3 %
Black/African American	68,479	38.4
American Indian/Alaska Native	3,204	1.8
Asian/Native Hawaiian/Other Pacific Islander	2,741	1.5
<b>Ethnicity</b>		
Hispanic/Latino	56,565	31.7 %
Non Hispanic/Latino	121,965	68.3
<b>Age</b>		
Under 19 years	98	0.1 %
19-20	1,135	0.6
21-30	45,287	25.4
31-40	67,317	37.7
Over 40	64,963	36.2
<b>Citizenship</b>		
U.S. citizen	131,820	73.9 %
Non U.S. citizen	46,484	26.1

Note: Percentages in this table are based on non-missing characteristics.

**Table 7.11. Average time to first release and percent of sentence served, for prisoners released by standard methods, October 1, 2007–September 30, 2008**

Most serious original offense of conviction	Number of prisoners released <sup>a</sup>	Mean time served	Median time served	Percent of sentence served
<b>All prisoners<sup>b</sup></b>	53,935	38.5 mo	26.1 mo	88.0 %
<b>Violent offenses</b>	1,867	69.8 mo	53.5 mo	88.4 %
Murder/manslaughter	103	81.6	52.3	88.3
Assault	357	34.3	26.2	88.6
Robbery	1,189	80.1	67.9	88.4
Sexual abuse	162	56.3	42.0	88.0
Kidnaping	40	112.3	85.4	87.9
Threats against the President	16	50.1	32.2	88.0
<b>Property offenses</b>	5,323	20.4 mo	15.7 mo	87.8 %
Fraudulent	4,428	19.4	14.9	87.8
Embezzlement	178	14.5	10.5	87.3
Fraud <sup>c</sup>	3,815	19.7	15.6	87.7
Forgery	65	18.4	13.1	94.3
Counterfeiting	370	19.6	15.7	88.2
Other	895	25.4	18.3	88.1
Burglary	56	32.6	27.0	88.2
Larceny	380	15.8	12.0	87.9
Motor vehicle theft	47	35.1	15.7	87.2
Arson and explosives	35	49.8	51.7	88.0
Transportation of stolen property	49	34.8	22.6	88.0
Other property offenses	328	29.9	26.1	88.3
<b>Drug offenses</b>	17,891	61.5 mo	50.4 mo	88.0 %
Trafficking	17,808	61.7	50.5	88.0
Possession and other drug offenses	83	31.8	10.0	88.2
<b>Public-order offenses</b>	3,056	33.8 mo	21.0 mo	87.4 %
Regulatory	674	22.2	15.7	87.4
Other	2,382	37.1	26.1	87.4
Tax law violations	282	15.0	12.0	87.4
Bribery	50	22.2	14.1	85.3
Perjury	82	17.7	11.7	87.4
National defense	19	38.6	26.2	87.8
Escape	155	21.8	15.5	89.3
Racketeering and extortion	1,012	55.7	40.9	87.1
Nonviolent sex offenses	50	41.7	31.8	87.3
Obscene material	467	36.1	32.2	87.6
Traffic	175	3.1	1.0	^
Wildlife	5	^	^	^
Environmental	13	13.8	13.1	^
All other offenses	72	19.9	14.2	87.9
<b>Weapon offenses</b>	5,532	48.1 mo	40.1 mo	88.5 %
<b>Immigration offenses</b>	19,690	17.9 mo	11.3 mo	88.0 %

Note: Methods for calculating average time served and percent of sentence served differ from those used in the 1993 and prior compendia. In this table, "Murder" includes nonnegligent manslaughter; "Sexual abuse" includes only violent sex offenses; "Fraud" excludes tax fraud; "Larceny" excludes transportation of stolen property; "Other property offenses" excludes fraudulent property offenses, and includes destruction of property and trespassing; "Tax law violations" includes tax fraud; "Obscene material" denotes the mail or transport thereof.

^ Too few cases to obtain statistically reliable data.

<sup>a</sup>This column excludes prisoners who left federal prison by extraordinary means, such as death, sentence commutation, and treaty transfer. The total number of prisoners who left prison due to extraordinary means in fiscal year 2008 was 5,486.

<sup>b</sup>"All prisoners" include 576 prisoners whose offense was unclassifiable or not a violation of U.S. Code.

**Table 7.12. Characteristics of first releases from prison, all releases, by offense, October 1, 2007–September 30, 2008**

Offender characteristic	Total number of released offenders	Percent of released offenders convicted of—								
		All offenses	Violent offenses	Property offenses			Public-order offenses			Immigration offenses
				Fraudulent	Other	Drug offenses	Regulatory	Other	Weapon offenses	
<b>Number of releases</b>	59,421	59,421	1,918	4,780	929	22,463	718	2,648	5,620	19,750
<b>Gender</b>										
Male	53,500	90.1 %	92.5 %	75.1 %	82.1 %	87.9 %	74.4 %	88.7 %	97.5 %	95.2 %
Female	5,878	9.9	7.5	24.9	17.9	12.1	25.6	11.3	2.5	4.8
<b>Race</b>										
White	43,030	72.5 %	44.7 %	65.9 %	65.2 %	60.5 %	72.0 %	73.2 %	46.7 %	97.9 %
Black/African American	14,593	24.6	33.1	30.1	26.6	36.8	22.8	20.6	50.7	1.8
Native American/Alaska Native	835	1.4	21.2	0.7	5.1	0.8	1.5	1.5	1.3	0.1
Asian/Native Hawaiian/Other Pacific Islander	920	1.5	1.0	3.3	3.1	1.9	3.6	4.7	1.2	0.2
<b>Ethnicity</b>										
Hispanic/Latino	29,413	49.5 %	7.8 %	18.9 %	10.0 %	38.1 %	21.9 %	18.5 %	14.1 %	91.9 %
Non Hispanic/Latino	29,965	50.5	92.2	81.1	90.0	61.9	78.1	81.5	85.9	8.1
<b>Age</b>										
Under 19 years	137	0.2 %	0.4 %	-- %	1.0 %	0.1 %	0.0 %	-- %	-- %	0.5 %
19-20	1,056	1.8	1.7	0.8	2.7	1.4	1.7	0.2	0.8	3.0
21-30	18,056	30.4	30.2	22.6	30.2	27.9	22.7	17.3	37.7	35.4
31-40	21,402	36.0	29.3	31.2	27.1	38.4	31.6	26.4	34.9	37.7
Over 40	18,725	31.5	38.5	45.4	39.0	32.3	44.0	56.1	26.6	23.4
<b>Citizenship</b>										
U.S. citizen	32,151	54.2 %	95.2 %	78.8 %	94.3 %	71.0 %	83.5 %	85.9 %	92.1 %	6.6 %
Non U.S. citizen	27,162	45.8	4.8	21.2	5.7	29.0	16.5	14.1	7.9	93.4

Note: Totals include prisoners whose offense category could not be determined. Percentages in this table are based on non-missing characteristics. Of the 59,421 total releases, 59,334 (or 99.8%) were new law releases.



## Methodology

**Data sources | Reporting period | Table construction and interpretation | Unit of analysis | Offense classification | Related reading**

### Data sources

The Bureau of Justice Statistics (BJS) Federal Justice Statistics Program (FJSP) database is the data source for *Federal Justice Statistics 2008 – Statistical Tables*. The FJSP is presently constructed from source files provided by the U.S. Marshals Service, Drug Enforcement Administration, Executive Office for U.S. Attorneys, Administrative Office of the U.S. Courts, United States (AOUSC) Sentencing Commission, and Federal Bureau of Prisons. In addition to providing data describing defendants in cases processed by the federal judiciary, the AOUSC provides data describing defendants processed by the federal pretrial services agencies and the federal probation and supervision service. Federal law prohibits the use of these files for any purposes other than research or statistics. A description of the source agency data files is provided in the table at the end of this section.

### Reporting period

Wherever possible, matters or cases have been selected according to the event which occurred during fiscal year 2008 (October 1, 2007, through September 30, 2008). Files, which are organized by their source agencies according to fiscal year, nonetheless include some pertinent records in later years' files. Tabulations of suspects in matters concluded during fiscal year 2008 have been assembled from source files containing records of 2008 matters concluded, which were entered into the data system during fiscal years 2007 or 2008.

The availability of particular items of information is affected by the data source. Data on prosecutors' decisions prior to court filing are provided for cases investigated by U.S. attorneys, but not for those handled by other litigating divisions of the U.S. Department of Justice (DOJ). In comparison, cases handled by the DOJ criminal division enter the database once they are filed in U.S. district court.

### Table construction and interpretation

The tables report events that occurred during fiscal year 2008. Generally the tables include both individual and organizational defendants. Organizational defendants are not included in tables describing defendants sentenced to incarceration, and offenders under post-conviction supervision. Juvenile offenders who are charged as adults are included in the reported statistics.

### Unit of analysis

In federal law enforcement and prosecution (section 1) and federal pretrial, adjudication, sentencing, and appeals (section 2), the unit of analysis is a combination of a person (or corporation) and a matter or case. If the same person is involved in three different criminal cases during the period specified in the table, then the person is counted three times in the tabulation. A single criminal case involving a corporate defendant and four individual defendants is counted five times in the tabulation. In section 3 on federal corrections and supervision, the unit of analysis is a person entering custody or supervision, a person leaving custody or supervision, or a person in custody or supervision at yearend. A person who terminated probation twice in the indicated period is counted as two terminations of probation. For instance, probation might be terminated because of a violation, reinstated, and then terminated again for another violation.

## Interpretation

The tables are constructed to permit the user to make valid comparisons of numbers within each table, and to compare percentage rates across tables. The total numbers of subjects in the tables that are based on records linked between two files are generally less than the total number of records in either source file. Comparisons of absolute numbers across two or more of these tables and other data sources are not necessarily valid.

## Offense classifications

### *Procedure*

The offense classification procedure used in this publication is based on the system followed by the AOUSC. Specific offenses are combined to form the BJS categories shown in the *Federal Justice Statistics, 2008—Statistical Tables*.

Offense categories for federal arrestees are based on the FBI's National Crime Information Center (NCIC) offense classifications, which are converted into U.S. Marshals' four-digit offense codes, and are aggregated into the offense categories shown in the tables. These categories are similar, but may not be directly comparable to the BJS offense categories used in other tables for 2008. For data from the Executive Office for U.S. Attorneys, which include United States Code citations but do not include the AOUSC offense classifications, United States Code titles and sections are translated into the AOUSC classification system and then aggregated into the offense categories used in the tables.

### *Felony/misdemeanor distinctions*

Felony and misdemeanor distinctions are provided where possible. Felony offenses are those with a maximum penalty of more than 1 year in prison. Misdemeanor offenses are those with a maximum penalty of up to 1 year. Felonies and misdemeanors are further classified using the maximum term of imprisonment authorized. Section 3559, U.S. Code, Title 18, classifies offenses according to the following schedule:

### *Felonies*

- **Class A felony** — life imprisonment, or if the maximum penalty is death.
- **Class B felony** — 25 years or more.
- **Class C felony** —less than 25 years but more than 10 years.
- **Class D felony** —less than 10 years but more than 5 years.
- **Class E felony**— less than 5 years but more than 1 year.

### *Misdemeanors*

- **Class A misdemeanor** —1 year or less but more than 1 month.
- **Class B misdemeanor**—6 months or less but more than 30 days.
- **Class C misdemeanor**—30 days or less but more than 5 days.
- **Infraction**—5 days or less, or if no imprisonment is authorized.

Felony and misdemeanor distinctions are provided where the data permit these distinctions. Arrest and prosecution tables do not use this distinction because many suspects cannot be so classified at the arrest and investigation stages in the criminal justice process. This distinction is not made for pretrial release or detention because the Pretrial Services Agency no longer gathers

this information. Adjudication and sentencing tables distinguish between felony and misdemeanor offenses, as do supervision tables.

#### *Most serious offense selection*

Where more than one offense is charged or adjudicated, the most serious offense (the one that may or did result in the most severe sentence) is used to classify offenses. The offense description may change during the criminal justice process. Tables indicate whether investigated, charged, or adjudicated offenses are used. In the prosecution tables, the most serious offense is based on the criminal lead charge as determined by the assistant U.S. attorney responsible for the criminal proceeding. In pretrial tables, the major charged offense is based on the AOUSC's offense severity classification system, as determined by the pretrial officer responsible for the case. To select this offense, the officer ranks offenses according to severity based on maximum imprisonment, type of crime, and maximum fines. In adjudication tables, the most serious offense charged is the one that has the most severe potential sentence. For sentencing tables, conviction offenses are based on statutory maximum penalties. In appeals tables, the offenses are classified by the offense of conviction. In the supervision tables, the most serious offense of conviction is either the one having the longest sentence imposed or, if equal sentences were imposed or there was no imprisonment, the offense carrying the highest severity code as determined by the AOUSC's offense severity code ranking.

#### *Offense categories*

For offense categories in all text tables, the following conditions apply:

- **“Murder”** includes nonnegligent manslaughter.
- **“Sexual abuse”** includes only violent sex offenses.
- **“Fraud”** excludes tax fraud.
- **“Larceny”** excludes transportation of stolen property.
- **“Other property felonies”** 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.
- **“Wildlife”** includes offenses previously included in the “Migratory birds” category.
- **“Environmental”** includes some offenses previously included in the “Agriculture” and “Other Regulatory” categories.
- **“All other offenses”** includes felonies with unknown or unclassifiable offense type.
- **“Misdemeanors”** includes misdemeanors, petty offenses, and unknown offense levels.
- **“Drug possession”** also includes other drug misdemeanors.

## **Additional Information about the Data**

The data presented are compiled from the BJS Federal Justice Statistics Program (FJSP) database. The FJSP database includes data provided by the U.S. Marshals Service, Drug Enforcement Administration, Administrative Office of the U.S. Courts, Executive Office for the U.S. Attorneys, Federal Bureau of Prisons, and U.S. Sentencing Commission. The Administrative Office of the U.S. Courts, in addition to providing data describing defendants in criminal 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 can be downloaded from the Federal Justice Statistics Resource Center at <<http://fjsrc.urban.org>>.

Each agency reports on cases processed during a given year in an annual statistical report. These reports are often not comparable across agencies due to the varying methods used by the agencies to report case processing activities. As reported by an interagency working group headed by BJS, the differences in the case processing statistics are attributable, in part, to the different needs and missions of the agencies. The working group found the following differences in the statistics reported:

- 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 or defendant processed, offense committed, case disposition, and sentence imposed—are defined differently across agencies.

BJS, through its FJSP, has recognized the incomparability of these annual statistical reports and has attempted to reconcile many of the differences identified by the working group. By combining databases from several years, BJS is able to report on those cases that actually occurred during the reporting period. Commonly used case processing statistics are made comparable across stages by applying uniform definitions to data obtained from each agency. Because definitions in the FJSP are consistent with those categories in BJS programs describing state defendants convicted, sentenced, or imprisoned, the comparison of federal and state case processing statistics is facilitated.

*Federal Justice Statistics 2008, Statistical Tables* replaces the *Compendium of Federal Justice Statistics*, published for the years 1984, 1985, 1986, 1988, 1989, 1990, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, and 2004 and describes defendants processed at each stage of the federal justice system. It includes arrests by federal law enforcement agencies, and investigations and prosecutions by U.S. attorneys (section 1), federal pretrial release or detention, adjudication in the U.S. district courts, sentencing, and the appeal of the conviction and/or sentence imposed (section 2), and federal supervision, including probation, parole, and imprisonment (section 3).

*Federal Justice Statistics 2008, Statistical Tables* cover the 12-month fiscal period ending September 30, 2008 (or fiscal year 2008). Generally the tables include both individual and organizational defendants. Organizational defendants are not included in tables showing defendants sentenced to incarceration, or tables describing offenders under post-conviction community supervision. Juvenile offenders charged as adults are included in the reported statistics. Felony and misdemeanor distinctions are provided where possible (see "Offense classifications" in *Methodology*).

## Organization of the *Statistical Tables*

Each section describes a major stage in the processing of criminal suspects and defendants:

Section 1 describes federal law enforcement and prosecution. This includes arrests made by federal law enforcement agencies for violations of federal law, including the characteristics of arrestees. It also describes suspects investigated by U.S. attorneys and decisions made by federal prosecutors in screening criminal matters and the type of offense for which suspects were prosecuted or declined for prosecution. (Data on warrants initiated and cleared by the U.S. Marshals Service are forthcoming.)

Section 2 describes federal pretrial, adjudication, sentencing, and appeals. This includes pretrial release and detention practices of the federal judiciary system, including the characteristics of defendants detained or released pending trial. It also describes actions taken by the federal judiciary in adjudicating defendants in cases filed by the U.S. attorneys and the sentences imposed by the federal judiciary on convicted defendants. This section includes a description of appeals of criminal convictions and sentences imposed in the federal courts, including the original offense charged.

Section 3 describes offenders under federal correctional supervision—probation, parole, and supervised release—including the outcome of the supervision (successful completion or violations). It also describes offenders imprisoned in federal prisons—the offense at commitment and demographic characteristics of the offender.

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

The Glossary contains definitions for terms used in the tables. 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. Therefore, readers are encouraged to check the glossary for exact definitions of tabulated data.

### Notes to Reader

The *Federal Justice Statistics 2008* tables 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/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.

*Federal Justice Statistics 2008* 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 *Federal Justice Statistics 2008*. Assessment of changing patterns in the *Federal Justice Statistics 2008* tabulations may depend on detailed examination of sub-categories not shown in the tabulations or may require other sources of information, such as knowledge of legislation or federal agency procedures.

Data source agency — data files	Description of data files contents	<i>Federal Justice Statistics 2008</i> Statistical Tables
United States Marshals Service (USMS)—Prisoner Tracking System (PTS)—Warrant Information Network	Contains data on suspects arrested for violations of federal law by federal enforcement agencies and data about warrants initiated or cleared. The data include characteristics of federal arrestees.	<b>Arrest:</b> Tables 1.1, 1.2, 1.3 <b>Warrant:</b> <i>Tables 1.5 and 1.6 (forthcoming)</i>
Drug Enforcement Administration (DEA)—Defendant Statistical System (DSS)	Contains data on suspects arrested by DEA agents, both within and outside the continental United States. The data include information on characteristics of arrestees, type of drug for which they were arrested, and the type and number of weapons possessed at time of arrest.	<b>Arrest:</b> Map 1.1 Table 1.4
Executive Office for U.S. Attorneys (EOUSA)—National Legal Information Office Network System (LIONS)	Contains information on the investigation and prosecution of suspects in criminal matters received and concluded, criminal cases filed and terminated, and criminal appeals filed and handled by U.S. attorneys. The central system files contain defendant-level records about the processing of matters and cases; the central charge files contain the records of the charges filed and disposed in criminal cases. Data are available on matters and cases filed, pending, and terminated.	<b>Prosecution:</b> Tables 2.1, 2.2, 2.3 Map 2.1
Administrative Office of the U.S. Courts (AOUSC): Pretrial Services Agency (PSA)—Pretrial Services Act Information System	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 court. The data describe pretrial defendants processed by federal pretrial service agencies within each district. Defendants who received pretrial services through a local, non-federal agency, such as the District of Columbia, are not included.	<b>Pretrial release:</b> Tables 3.1, 3.2, 3.3 <b>Adjudication:</b> Table 4.4 (defendant characteristics) <b>Sentencing:</b> Tables 5.3, 5.4 (defendant characteristics)
Administrative Office of the U.S. Courts (AOUSC)—Criminal Termination Files	Contains information about the criminal proceedings against defendants whose cases were filed in U.S. district courts. Includes information on felony defendants, Class A misdemeanants—whether handled by U.S. district court judges or U.S. magistrates—and other misdemeanants, provided they were handled by U.S. district court judges. The information in the data files covers criminal proceedings from case filing through disposition and sentencing. Data are available on criminal defendants in cases filed, pending, and terminated.	<b>Adjudication:</b> Tables 4.1, 4.2, 4.3, 4.4 <b>Sentencing:</b> Tables 5.1, 5.2, 5.3, 5.4
United States Sentencing Commission (USSC)—Monitoring Data Base	Contains information on criminal defendants sentenced pursuant to the provisions of the Sentencing Reform Act of 1984. Data files are limited to those defendants whose court records have been obtained by the U.S. Sentencing Commission.	<b>Adjudication:</b> Table 4.4 (defendant characteristics) <b>Sentencing:</b> Tables 5.3, 5.4 (defendant characteristics)

AOUSC: Court of Appeals	Contains information on criminal appeals filed and terminated in U.S. Courts of Appeals. Records of appeals filed, pending, or terminated include information on the nature of the criminal appeal, the underlying offense, and the disposition of the appeal.	<b>Appeals:</b> Tables 6.1, 6.2, 6.3
AOUSC—Federal Probation and Supervision Information System (FPSIS)	Contains information about supervision provided by probation officers for persons placed on probation or supervised release from prison. The files contain records of individuals entering or currently on supervision, as well as records of offenders terminating supervision.	<b>Supervision:</b> Tables 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7 7.8 Map 7.1
Federal Bureau of Prisons (BOP): Extract from BOP's Sentry System	The data extracts contain information on all offenders released from prison over a specific period of time plus information about offenders in prison when the data extracts are made. The information covers the time from offenders' admission to prison until their release from the jurisdiction of the Bureau of Prisons.	<b>Corrections:</b> Tables 7.9, 7.10, 7.11, 7.12

## Glossary

A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P | Q | R | S | T | U | V | W | X | Y | Z

### A

**Acquittal**—a legal judgment that determines a defendant is free of a charge of an offense, by reasonable doubt, verdict, sentence, or other legal process.

**Administrative case closure**—terminating or closing a community supervision case for administrative reasons such as an offender's long-term hospitalization, death, deportation, incarceration in an unrelated case, or at the administrative discretion of the Chief Probation Officer.

**Affirmed**—to assert (as a judgment or decree) as valid or confirmed such as in the appellate courts, a decree or order declared valid stands as rendered in the lower court.

**Agriculture violations**—violations of federal statutes concerning agriculture and conservation. Federal statutes related to agriculture include the Agricultural Acts (7 U.S.C., except sections on food stamps related to fraud), Insecticide Act, Packers and Stockyards Act, 1921, laws concerning plant quarantine and inspection, and laws that protect animals used in research. Federal statutes related to conservation include laws concerning soil and water conservation and wildlife conservation.

**Antitrust violations**—offenses related to federal antitrust statutes enacted by Congress that protect trade and commerce from unlawful restraints, price fixing, monopolies, and discrimination in pricing or in furnishing services or facilities.

**Appeal**—a legal proceeding by which a case is brought before a higher court for the review of a judgment or decision of a lower court.

**Appeals, U.S. Court of**—intermediate appellate courts in the United States federal court system that review the final decisions of the district courts within their federal judicial circuits, when challenged. U.S. courts of appeal are higher than the U.S. district courts but lower than the U.S. Supreme Court (or court of last resort). There are 13 U.S. courts of appeal in the federal system, representing the 12 judicial circuits and the federal circuit.

**Appellant**—one who requests that a judicial decision or decree be reviewed by a higher court or by another jurisdiction; opposite of appellee.

**Appellee**—the party against whom an appeal is taken; opposite of appellant.

**Arson**—willfully or maliciously setting, or attempting to set, fire to any property within the special maritime and territorial jurisdiction of the United States. See also, explosives.

**Assault**—the threat of, attempt to, or the intentional infliction of bodily harm against anyone within the special maritime and territorial jurisdiction of the United States or against any government official, foreign official, official guest, internationally protected person, or any officer or employee of the United States. Assault also includes certain violations of the Fair Housing Act of 1968.



## **B**

**Bail**—the temporary release of a defendant in exchange for security or money promised for the defendant's due appearance.

**Booking**—a procedure following an arrest in which information about the arrest and the suspect are recorded.

**Bribery**—offering or promising anything of value with the intent to influence a person unlawfully, especially a public official in a position of trust. This type of bribery generally applies to bank employees, officers or employees of the federal government, witnesses, or any common carrier. Bribery also includes soliciting or receiving anything of value in consideration of aiding a person to obtain employment with the federal government. Also, receiving or soliciting any remuneration, directly or indirectly, in cash or any kind in return for purchasing, ordering, leasing, or recommending purchasing any good, service, or facility.

**Burglary**—breaking and entering into property with the intent to steal within the special maritime and territorial jurisdiction of the United States. Includes breaking and entering into any official bank, credit union, savings and loan institution, post office, vessel or steamboat assigned to the use of mail service, or personal property of the United States; or breaking the seal or lock of any carrier facility containing interstate or foreign shipments of freight.

## C

**Career offender**—defendants are counted as career offenders if they are age 18 or older at the time of the instant offense, if the instant offense of conviction is a felony—that is either a violent crime or a drug crime—and if they have at least two prior felony convictions.

**Case**—With respect to tables describing federal prisoners, a case is considered to be a judicial proceeding for the determination of a controversy between parties wherein rights are enforced or protected, or wrongs are prevented or redressed, or any proceeding judicial in nature.

**Civil rights violations**—violations of civil liberties guaranteed to United States citizens by the Constitution and by acts of Congress. These include the 13<sup>th</sup> and 14<sup>th</sup> amendments to the Constitution and the Civil Rights Acts enacted after the Civil War, and more recently in 1957 and 1964.

**Collateral bond**—an agreement made as a condition of pretrial release that requires the defendant to post property valued at the full bail amount as an assurance of his or her intention to appear at trial.

**Communication violations**—violations covering areas of communication such as the Communications Act of 1934 (including wire-tapping and wire interception). A communication is ordinarily considered a deliberate interchange of thoughts or opinions between two or more persons.

**Community confinement**—community confinement may be imposed as a condition of probation or supervised release. Community confinement means residence in a community treatment center, halfway house, restitution center, mental health facility, alcohol or drug rehabilitation center, or other community facility; and participation in gainful employment, employment search efforts, community service, vocational training, treatment, educational programs, or similar facility-approved programs during nonresidential hours. Under the federal sentencing guidelines, community confinement may be a substitute for imprisonment on a day-to-day basis for defendants with a guideline maximum of less than 16 months of imprisonment.

**Commutation of sentence**—a change of legal penalty or punishment to a lesser one such as having a federal criminal sentence reduced by the executive clemency of the President of the United States.

**Complaint**—a written statement of the essential facts constituting the offense charged, with an offer to prove the fact, so that a prosecution may be instituted. The complaint may be taken out or filed by the victim, the police officer, the district attorney, or other interested party.

**Concurrent sentence**—a sentence such as a prison term to be served at the same time as another sentence or prison term, rather than one after the other. One 3-year sentence and one 5-year sentence, if served concurrently, result in a maximum sentence of five years. See also, consecutive sentence.

**Conditional release**—With respect to tables describing federal prisoners, conditional release refers to a pretrial defendant released from detention to the community contingent upon any combination of restrictions deemed necessary to guarantee the defendant's appearance at trial or to safeguard the community.

**Consecutive sentence**—sentences or prison terms for two or more offenses that follow one after the other. Two 3-year sentences and one 5-year sentence, if served consecutively, result in a maximum sentence of 11 years. See also, concurrent sentence.

**Conspiracy**—an agreement by two or more persons to commit or to effect the commission of an unlawful act or to use unlawful means to accomplish an act that is not in itself unlawful; also any overt act in furtherance of the agreement. A person charged with conspiracy is classified under the alleged substantive offense.

**Continuing criminal enterprise**—a felony committed as part of a continuing series of violations, which is undertaken by a person in concert with five or more other persons with respect to whom such person occupies a position of organizer, a supervisory position, or any other position of management, and from which such person obtains substantial income or resources.

**Conviction**—the final judgment (or verdict) in a criminal trial, which finds the defendant guilty. A conviction includes pleas of guilty and nolo contendere, and excludes final judgments expunged by pardon, reversed, set aside, or otherwise rendered invalid.

**Corporate defendant**—the defendant in a case is an entity, a collection of persons, or a business or corporation, not an individual person.

**Corporate surety**—With respect to tables describing federal prisoners, a surety is one who has entered into a bond (or an agreement) to give surety for another. As a condition of pretrial release, the defendant enters into an agreement that requires a third party such as a bail bondsman to promise to pay the full bail amount in the event that the defendant fails to appear in court. See also, surety bond.

**Counterfeiting**—falsely making, forging, or altering obligations with a view to deceive or defraud, by passing the copy or thing forged for that which is original or genuine. Counterfeiting applies to any obligation or security of the United States, foreign obligation or security, coin or bar stamped at any mint in the United States, money order issued by the United States Postal Service, domestic or foreign stamp, or seal of any department or agency of the United States. Includes passing, selling, attempting to pass or sell, or bringing into the United States any of the above falsely made articles. Also, making, selling, or possessing any plates or stones (or any other thing or instrument) used for printing counterfeit obligations or securities of the United States, foreign obligations or securities, government transportation requests, or postal stamp; or knowingly and intentionally trafficking in falsified labels affixed to phono records, motion pictures, or audio visual works.

**Courts**—judicial power is vested pursuant to Article III of the Constitution in the following federal courts: The U.S. Supreme Court, the U.S. Court of Appeals for the District of Columbia, and the U.S. district court for the District of Columbia. See also, Appeals U.S. Court of, and District court, U.S.

**Criminal career**—the longitudinal sequence of crimes committed by an individual offender.

**Criminal history category**—a quantification of the defendant's prior criminal record and the defendant's propensity to recidivate under the federal sentencing guidelines. Guideline criminal history categories range from Category I (primarily first-time offenders) to Category VI (career offenders).

**Custom laws**—violations regarding taxes which are payable upon goods and merchandise imported or exported. Includes the duties, toll, tribute, or tariff payable upon merchandise exported or imported.

## D

**Deadly or dangerous weapon**—an instrument capable of inflicting death or serious bodily injury.

**Declination**—a prosecutor's decision not to file a case in a matter received for investigation. With respect to tables describing federal prisoners, excluded are immediate declinations where a prosecutor spent less than one hour on the case.

**Defendant**—the party against whom relief or recovery is sought in an action or suit, or the accused party in a criminal case.

**Departure**—under the federal sentencing guidelines, the term used to describe a sentence imposed that is outside the applicable guideline sentencing range. A court may depart when it finds an aggravating or mitigating circumstance of a kind, or to a degree, not adequately taken into consideration by the Sentencing Commission in formulating the guidelines that should result in a sentence different from that described. See also, substantial assistance.

**Deportation or Treaty Transfer**—the act of expelling a foreigner from a country, usually to the country of origin due to the commission of a crime or prior criminal record.

**Deposit bond**—an agreement made by a defendant as a condition of pretrial release that requires the defendant to post a fraction of the bail before he or she is released to the community.

**Detainer**—a notification sent by a prosecutor, judge, or other official, such as a law enforcement officer, advising a prison official that a prisoner is wanted to answer for criminal charges, and to request the prisoner's continued detention or notification of the prisoner's impending release.

**Detention**—the legally authorized confinement of persons after arrest, whether before or during prosecution. With respect to tables describing federal prisoners, only those persons held two or more days are classified as detained.

**Dismissal**—termination of a case before trial or other final judgment, including nolle prosequi and deferred prosecution.

**Disposition**—the decision made on a case brought before a criminal court.

**District court, U.S.**—trial courts with general federal jurisdiction over cases involving federal laws or offenses and actions between citizens of different states.

**District of Columbia**—the jurisdiction of the U.S. district court for the District of Columbia. With respect to tables describing federal prisoners, this jurisdiction includes federal offenses prosecuted in U.S. district courts and, except for tables based on data from the Federal Bureau of Prisons, excludes violations of the District of Columbia Code and cases prosecuted in the District of Columbia Superior Court.

**Drug distribution**—delivery (other than by administering or dispensing) of a controlled substance. The term "controlled substance" means any drug or other substance, or immediate precursor, included in schedule I, II, III, IV, or V of part B of subchapter I of Chapter 13 (Drug Abuse, Prevention, and Control), Title 21 (Food and Drugs). The term does not include distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in subtitle E of the Internal Revenue Code of 1986.

**Drug offenses**—offenses under federal or state laws prohibiting the manufacture, import, export, distribution, or dispensing of a controlled or counterfeit substance, or the possession of a controlled or counterfeit substance with the intent to manufacture, import, export, distribute, or dispense the substance. Drug offenses include using any communication facilities that cause or facilitate a felony under title 21, or furnishing fraudulent or false information concerning prescriptions, as well as any other unspecified drug-related offense. See also, distribution, possession, and drug trafficking.

**Drug trafficking**—knowingly and intentionally importing or exporting any controlled substance in schedule I, II, III, IV, or V (as defined by 21 U.S.C. § 812). Drug trafficking includes manufacturing, distributing, dispensing, selling, or possessing with the intent to manufacture,

distribute, or sell a controlled substance or a counterfeit substance. It also includes exporting any controlled substance in schedules I through V, and the manufacture or distribution of a controlled substance in schedule I or II, for the purposes of unlawful importation. Also includes the making or distributing of any punch, die, plate, stone, or any other thing designed to reproduce the label upon any drug or container, or removing or obliterating the label or symbol of any drug or container. Knowingly opening, maintaining, or managing any place for manufacturing, distributing, or using any controlled substance are also included in drug trafficking.

**Dual and Successive Prosecution Policy (Petite Policy)**—Prosecutorial guidelines used to determine whether to bring a federal prosecution based substantially on a defendant's repetition of the same act(s) or transactions involved in a prior state or federal proceeding for a defendant.

## E

**Embezzlement**—the fraudulent appropriation of property by a person to whom such property has been lawfully entrusted. Includes offenses committed by bank officers or employees, officers or employees of the United States Postal Service, officers of lending, credit, or insurance institutions, and any officer or employee of a corporation or association engaged in commerce as a common carrier. The fraudulent appropriations of property by court officers of the U.S. courts and officers or employees of the United States are also included. Stealing from employment and training funds, stealing from programs receiving federal funds and Indian tribal organizations, and selling, conveying, or disposing of any money, property, records, or thing of value to the United States or any department thereof without authority are also included in embezzlement.

**Environmental offenses**—violations of federal law enacted to protect the environment, such as the Clean Air Act and the Clean Water Act. Environmental protection laws protect the safety and well-being of communities from excessive and unnecessary emission of environmental pollutants.

**Escape**—departing or attempting to depart from the custody of a correctional institution; a judicial, correctional, or law enforcement officer; or a hospital where one is committed for drug abuse or drug dependency treatment. Knowingly advising, aiding, assisting, or procuring the escape or attempted escape of any person from a correctional facility, an officer, or the above-mentioned hospital as well as concealing an escapee. Providing or attempting to provide to an inmate in prison a prohibited object; or making, possessing, obtaining, or attempting to make or obtain a prohibited object. Instigating, assisting, attempting to cause, or causing any mutiny or riot at any federal penal, detention, or correctional facility, or conveying into any of these institutions any dangerous instrumentalities are also included.

**Exclusion**—the rule of evidence that disallows evidence secured by illegal means and in bad faith to be introduced in a criminal trial.

**Expiration of sentence**—the completion of a prison sentence by standard means. See releases from prison.

**Explosives**—violations of federal law involving the importation, manufacture, distribution, and storage of explosive material. Includes the unlawful receipt, possession or transportation of explosives without a license, where prohibited by law, or using explosives during the commission of a felony. Also includes violations relating to dealing in stolen explosives, using mail or other form of communication to threaten an individual with explosives, and possessing explosive materials at an airport. See also, arson.

## F

**Failure to appear**—willful absence from any court appointment.

**Felony**—a crime which involves a potential punishment of 1 year or longer in prison or a crime punishable by death. According to 18 U.S.C. § 3559, felonies are classified based on the maximum imprisonment term authorized by the law describing the offense. The five felony classes—A, B, C, D, and E—include life imprisonment or if the maximum penalty is death (Class A felony), if the maximum penalty is 25 years or more (Class B felony), if the maximum penalty is less than 25 years but more than 10 years (Class C felony), if the maximum penalty is less than 10 years but more than 5 years (Class D felony), and if the maximum penalty is less than 5 years but more than 1 year (Class E felony).

**Filing**—the initiation of a criminal case in U.S. district court by formal submission to the court of a charging document alleging that one or more named persons have committed one or more specified offenses.

**Financial conditions**—monetary conditions upon which the release of a defendant before trial are contingent, including deposit bond, surety bond, and collateral bond. See also the specific definitions for these bond types.

**Fine**—a monetary penalty imposed as punishment for an offense.

**First release**— With respect to federal prisoners, first release refers to prisoners released from the Federal Bureau of Prisons for the first time after their commitment by a U.S. district court, and excludes offenders returned to prison after their first release to supervision.

**Food and drug violations**—violations of the Federal Food, Drug, and Cosmetic Act, including regulations for clean and sanitary movement of animals, adulteration or misbranding of any food or drug, failure to transmit information about prescription drugs, and intent to defraud and distribute adulterated material.

**Forgery**—falsely making or materially altering a document with the intent to defraud. Forgery includes the intent to pass-off as genuine falsified documents such as a United States Postal Service money order, postmarking stamp or impression, obligation or security of the United States, a foreign obligation, security, or bank note. Also included are a contractors' bond, bid, or public record; deed; power of attorney; letters patent; seal of a court or any department or agency of the United States government; the signature of a judge or court officer; ships' papers; documents on entry of vessels; customs matters; or coin or bar. Forgery also includes making, possessing, selling, or printing plates or stones for counterfeiting obligations or securities, and detaching, altering, or defacing any official, device, mark, or certificate.

**Fraud**—unlawfully depriving a person of his or her property or legal rights through intentional misrepresentation of fact or deceit, other than forgery or counterfeiting. Fraud includes violations of statutes pertaining to lending and credit institutions, the United States Postal Service, interstate wire, radio, television, computer, credit card, veteran's benefits, allotments, bankruptcy, marketing agreements, commodity credit, the Securities and Exchange Commission, railroad retirement, unemployment, Social Security, food stamps, false personation, citizenship, passports, conspiracy, and claims and statements. Excludes fraud involving tax violations included in a separate category under public-order, other offenses. See also, specific offenses in this glossary for citations.

**Fraudulent property offenses**—see property offenses, fraudulent.

**Fugitive**—a person convicted or accused of a crime that hides from law enforcement or flees across jurisdictional lines to avoid arrest or punishment.

**Fugitive investigation**—initiated upon receipt of a warrant and typically involves persons who have violated their conditions of probation, parole, or bond release, as well as escaped prisoners. The U.S. Marshals Service has administrative responsibility for all investigations involving federal fugitives.

## G

**Gambling offense**—the federal offense of transporting, manufacturing, selling, possessing, or using any gambling device in the District of Columbia or any possession of the United States or within Indian country or the special maritime and territorial jurisdiction of the United States, as defined in 18 U.S.C. § 7. Federal gambling offenses include transporting gambling devices within the jurisdiction of the United States, except under the authority of the Federal Trade Commission or under the authority of a state law that provides an exemption from these provisions. Offenses also include transmitting wagering information on interstate or foreign commerce, interstate transporting of wagering paraphernalia, importing or transporting lottery tickets, or mailing lottery tickets or related matter.

**Good-time credit**—time credited based on a prisoner's good behavior while imprisoned that is applied toward the prisoner's early release. Under the 1984 Sentencing Reform Act, two classes of prisoners are ineligible to receive good-time credits: (1) misdemeanants serving a term of imprisonment of 1 year or less; and (2) felons serving life sentences. All other federal prisoners receive a flat allocation of 54 days per year of sentence served; credit for a partial year remaining at the end of the sentence is prorated. The annual allotment does not change based on the length of time a federal prisoner has already spent in prison.

**Guideline sentencing range**—the range of imprisonment length for a prisoner sentenced to a federal institution based on the federal sentencing guideline for the particular level of offense committed, and the offender's criminal history. The federal sentencing guideline incorporates any minimum terms of imprisonment required by statute as well as the statutory maximum term of imprisonment, where applicable.

**Guilty plea**—a plea in response to formal charges admitting that the defendant committed the offenses as charged. With respect to tables describing federal prisoners, a guilty plea also includes pleas of nolo contendere.



## H

**Hispanic**—ethnic category based on classification by the reporting agency. Hispanic persons may be of any race.

**Home detention**—a form of confinement and supervision used as a substitute either for imprisonment or as a condition of probation. Except for authorized absences, home detention is a measure in which a person is confined by authorities to his or her place of residence, and restriction is enforced by appropriate means of surveillance by the probation office. Under the federal sentencing guidelines, home detention may be a substitute for imprisonment on a day-to-day basis for defendants with a guideline maximum sentence of less than 16 months of imprisonment.

**Homicides**—see murder.

## I

**Immigration offenses**—offenses involving illegal entry into the United States, illegally reentering the United States after deportation, willfully failing to deport when so ordered, willfully remaining beyond days allowed on conditional permit, or falsely representing oneself to be a United States citizen. Immigration offenses include violations relating to provisions for special agricultural workers and to provisions relating to limitations on immigrant status such as employment. Also includes bringing in or harboring any aliens not duly admitted by an immigration officer.

**Incarceration**—any sentence of confinement, including prison, jail, or other residential placements.

**Indeterminate sentence**—a prison sentence with a maximum or minimum term that was not specifically established at the time of sentencing.

**Indictment**—the formal accusation issued by a grand jury, stating that the defendant is charged with allegedly committing a particular crime. In the federal system, a defendant may waive indictment and be proceeded against through an information.

**Information**—the formal accusation issued by the United States attorney (instead of a grand jury) stating that the defendant is charged with allegedly committing a particular crime.

**Infraction**—an offense for which the maximum term of imprisonment is 5 days or less, or an offense for which no imprisonment is authorized, according to 18 U.S.C. § 3559.

**Initial appearance or hearing**—a criminal defendant's first appearance before a judge or a magistrate.

**Instant offense**—the offense of conviction and all relevant conduct under U.S.S.G § 1B1.3.

**Intermittent confinement**—a form of commitment, in a prison or jail, either as a substitute for imprisonment or as a condition of probation. Under the federal sentencing guidelines, intermittent confinement may be a substitute for imprisonment for defendants with a guideline maximum of less than 16 months of imprisonment. Each 24 hours of intermittent confinement is credited as one day of incarceration.

## J

**Jail credit**—the number of days deducted from an offender's sentence for time spent in custody before a prison sentence was imposed.

**Jurisdictional offenses**—offenses considered to be federal crimes because of the place in which they occurred, such as on an aircraft or on federal land or property. Jurisdictional offenses include certain crimes on Indian reservations or at sea, that cannot be classified in a more specific substantive category.

**Juvenile**—a person who has not attained the age of 18 years; or for the purposes of a juvenile delinquency hearing, a person who has not attained the age of 21 years.

**Juvenile delinquency**—a violation of federal law committed by a person prior to the age of 18 years, which would have been a federal offense had the same crime been committed by an adult.

## **K**

**Kidnapping**—unlawfully seizing any person as defined in 18 U.S.C. § 1201 for ransom or reward, except in the case of a minor seized by a parent. Includes receiving, possessing, or disposing of any money or other property delivered as ransom or as a reward in connection with a kidnapping as well as conspiring to kidnap any person, including any government official, the President of the United States, the President-elect, the Vice President, any foreign official, any official guest, or any internationally protected person.

## L

**Labor law violations**—violations of federal laws governing a broad spectrum of activities relating to labor-management relations such as the Fair Labor Standards Act of 1938 and the Taft-Hartley Act.

**Larceny**—the act of taking and carrying away any personal property of another with the intent to steal or convert it to one's own use or gain. Larceny includes stealing, possessing or illegally selling or disposing of anything of value to the United States or any of its departments or agencies; or stealing from a bank, the United States Postal Service, or any interstate or foreign shipments by carrier. Also encompasses receiving or possessing stolen property or pirate property; and stealing or obtaining by fraud any funds or assets, or that belong to, or are entrusted to, the custody of an Indian tribal organization. Larceny excludes transporting stolen property.

**Liquor violations**—violations of the Internal Revenue Service laws on liquor, as well as violations of liquor laws not cited under these laws. Liquor violations include dispensing or unlawfully possessing intoxicants in Indian country, transporting intoxicating liquors into any state, territory, district, or possession where sale is prohibited, shipping packages containing unmarked and unlabeled intoxicants, and shipping liquor by collect-on-delivery method (C.O.D.). Violations also include knowingly delivering a liquor shipment to someone other than to whom it has been consigned, and violating in any way the Federal Alcohol Administration Act.

## M

**Magistrates (U.S.) (Federal)**—judicial officers appointed by judges of federal district courts who have many but not all of the powers of a judge. Magistrates are designated to hear a wide variety of motions and other pretrial matters in both criminal and civil cases. With consent of the parties, magistrates may conduct civil or misdemeanor criminal trials. Magistrates may not preside over felony trials or over jury selection in felony cases.

**Mailing or transportation of obscene materials**—a violation of federal law relating to knowingly using the mail for mailing obscene or crime-inciting matter, as defined in 18 U.S.C. § 1461 and 39 U.S.C. § 3001(e). Also includes transporting for sale or distribution, importing, or transporting any obscene matter in interstate or foreign commerce.

**Major offense while on conditional release**—allegation, arrest, or conviction of a crime for which the minimum sentence is incarceration for more than 90 days or probation for a period greater than 1 year.

**Mandatory release**—the release of an inmate from prison after confinement for a period equal to the inmate's full sentence minus any statutory good time. Federal prisoners exiting prison on mandatory release may still be subject to a period of post-release community supervision.

**Mandatory sentence**—a sentence that includes a minimum term of imprisonment that the sentencing court is statutorily required to impose barring the government's motion of substantial assistance.

**Mandatory sentencing enhancement**—a form of mandatory sentence in which the minimum term of imprisonment is to be imposed consecutive to any other term of imprisonment imposed. Mandatory sentencing enhancements include 18 U.S.C. § 924(c), which provides for a 5-year to lifetime enhancement for the use of a firearm during the commission of a crime and 18 U.S.C. § 844(h), which provides for a 5-year enhancement for the use of firearms or explosives during the commission of a crime. Also included is 18 U.S.C. § 929, which provides for a 5-year enhancement for the use of armor-piercing ammunition during the commission of a crime.

**Material witness**—a person with significant information about the subject matter of a criminal prosecution necessary to resolve the matter.

**Matter**—With respect to tables describing federal prisoners, matter refers to a potential case under review by a U.S. attorney and on which more than 1 hour is spent.

**Matters concluded**—With respect to tables describing federal prisoners, matters concluded refers to matters in which a U.S. attorney has reached a final decision. Specifically includes matters filed as cases, matters declined after investigation, matters referred for disposition by U.S. magistrates, and matters otherwise terminated without reaching court.

**Migratory birds offenses**—violations of acts relating to birds, which move from one place to another in season. Includes taking, killing, or possessing migratory birds, or any part, nest, or egg thereof, in violation of federal regulations or the transportation laws of the state, territory, or district from which the bird was taken. Also included is the misuse or non-use of a migratory-bird hunting and conservation stamp.

**Minor offense while on conditional release**—conviction of a crime for which the maximum sentence is incarceration for 90 days or less, probation for 1 year or less, or a fine of \$500 or less.

**Misdemeanor**—a criminal offense punishable by a jail term not to exceed 1 year and any offense specifically defined as a misdemeanor by the Administrative Office of the U.S. Courts for the purposes of data collection. According to 18 U.S.C. § 3559, misdemeanors are classified in three letter grades—A, B, and C—based on the maximum terms of imprisonment. Class A denotes an imprisonment term of one year or less, but more than six months; Class B denotes an imprisonment term of six months or less, but more than 30 days; and Class C denotes an imprisonment term of 30 days or less, but more than five days. Misdemeanor includes offenses previously called minor offenses that were reclassified under the Federal Magistrate Act of 1979.

**Mistrial**—the termination of a trial before its normal conclusion because of a procedural error; statements by a witness, judge, or attorney which prejudice a jury; a deadlock by a jury without reaching a verdict after lengthy deliberation (or a hung jury); or the failure to complete a trial within the time set by the court.

**Mixed sentence**—a sentence requiring the convicted offender to serve a term of imprisonment, followed by a term of probation.

**Most serious offense**—the offense charged that has the greatest potential sentence; or with respect to tables describing federal prisoners, the offense with the greatest imposed sentence.

**Motor carrier violations**—violations of the federal statutes relating to the Motor Carrier Act, which regulates the routes and rates of freight motor carriers and passenger motor carriers in interstate commerce. The Interstate Commerce Commission administers the Motor Carrier Act.

**Motor vehicle theft**—interstate or foreign transporting, receiving, concealing, storing, bartering, selling, or disposing of any stolen motor vehicle or aircraft.

**Murder**—the unlawful killing of a human being with malice aforethought that was either expressed or implied. This offense covers committing or attempting to commit murder (first or second degree) or voluntary manslaughter within the special maritime and territorial jurisdiction of the United States. Includes killing or attempting to kill any government official, the President of the United States, the President-elect, the Vice President, any officers and employees of the United States, any foreign officials, any official guests, or any internationally protected persons. As applied to the owner or charterer of any steamboat or vessel, knowingly and willfully causing or allowing fraud, neglect, misconduct, or violation of any law resulting in loss of life. Nonnegligent manslaughter is the unlawful killing of a human being without malice.

## N

**National defense violations**—violations of national defense laws under the Military Selective Service Act, the Defense Production Act of 1950, the Economic Stabilization Act of 1970, which includes prices, rents, and wages, and the Subversive Activities Control Act. Included are violations relating to alien registration and treason, including espionage, sabotage, sedition, and the Smith Act of 1940. Also includes violations relating to energy facilities, curfew and restricted areas, exportation of war materials, trading with an enemy, illegal use of uniform, and any other violations of federal statutes concerning national defense.

**Negligent manslaughter**—causing the death of a person within the special maritime and territorial jurisdiction of the United States, by wanton or reckless disregard for human life. Also negligent manslaughter of any government official, the President of the United States, the President-elect, the Vice President, any officers and employees of the United States, any foreign officials, any official guests, or any internationally protected persons. This offense category also includes misconduct, negligence, or inattention to duties by ship officers on a steamboat or vessel resulting in death to any person.

**New law**—with respect to tables describing federal prisoners, new law refers to federal defendants convicted and sentenced pursuant to the Sentencing Reform Act of 1984. See also, old law.

**Nolle prosequi**— Latin for "we shall no longer prosecute." The statement is an admission by the prosecutor that the charges cannot be proved or that evidence has demonstrated the defendant's innocence.

**Nolo contendere**—Latin for "I do not wish to contend." A defendant's plea in a criminal case indicating that he or she will not contest the charges, but not admitting or denying guilt. Nolo contendere is also referred to as a plea of "no contest."

**Non-citizen**—a person who is without United States citizenship, including legal aliens—resident aliens, tourists, and refugees/asylees—and illegal aliens.

**Non-jury trial**—a trial in which the judge alone decides factual as well as legal questions, and makes the final judgment.

**Nonnegligent manslaughter**—see murder.

**Nonviolent sex offenses**—coercing, or enticing an individual (including minors) in the District of Columbia, or in any territory or possession of the United States, with the intent and purpose of engaging in prostitution, or any sexual activity for which any person can be charged with a criminal offense. Also includes transporting an individual (including minors) from one place to another in interstate or foreign commerce with the intent and purpose of engaging in prostitution, or any sexual activity for which any person can be charged with a criminal offense.

**Not convicted**—an acquittal or setting free by bench or jury trial, mistrial, or dismissal, including nolle prosequi and deferred prosecution.

**Not guilty**—plea entered by the accused to a criminal charge. If the defendant refuses to plead, the court will enter a plea of not guilty. A verdict of "not guilty" in a criminal trial means that a defendant was acquitted of the charges against him or her by the court. .



## O

**Offense**—a violation of United States criminal law. Where more than one offense is charged, the offense with the greatest potential penalty is reported.

**Offense level**—under the federal sentencing guidelines, an offense level is a quantification of the relative seriousness of the offense of conviction and any offense-specific aggravating or mitigating factors. Guideline offense levels range from level 1 (the least serious offense) to level 43 (the most serious offense).

**Old law**—With respect to tables describing federal prisoners, old law refers to defendants convicted and sentenced pursuant to laws applicable before the Sentencing Reform Act of 1984. See also, new law.

## P

**Parole**—a period of supervision after a prisoner is released from custody and before the end of the federal sentence is imposed. The U.S. Parole Commission is empowered to grant, modify, or revoke the parole of all federal offenders. Pursuant to the Sentencing Reform Act of 1984, parole was abolished and defendants are required to serve the imposed sentence (less 54 days per year good-time for sentences greater than 1 year, but not life imprisonment), followed by a term of supervised release. Because of the number of federal inmates sentenced under pre-Sentencing Reform provisions, the number of offenders on parole is declining.

**Perjury**—a false material declaration under oath in any proceeding before or ancillary to any court or grand jury of the United States. Includes knowingly or willfully giving false evidence or swearing to false statements under oath or by any means procuring or instigating any person to commit perjury. This offense also includes any officers or employees of the government listed under 13 U.S.C. §§ 21-25 who willfully or knowingly furnish, or cause to be furnished, any false information or statements.

**Personal recognizance**—a pretrial release condition in which the defendant promises to appear at trial and no financial conditions are imposed.

**Petty offense**—a Class B misdemeanor, a Class C misdemeanor, or an infraction with fines as specified in 18 U.S.C. §§ 3571. See also, misdemeanor and infraction.

**Plea-bargain**—a practice whereby a defendant in a criminal proceeding agrees to plead guilty to a charge in exchange for the prosecution's cooperation in securing a more lenient sentence or some other mitigation.

**Pornographic**—that which is of, or pertaining to, obscene or licentious literature. Material is pornographic or obscene if the average person, applying contemporary community standards, would find that the work taken as a whole appeals to the prurient interest; and if it depicts in a patently offensive way sexual conduct; and if the work taken as a whole lacks serious literary, artistic, political, or scientific value.

**Possession**—an offense involving the possession of a controlled substance, acquiring a controlled substance by misrepresentation or fraud, attempting or conspiring to possess, or simple possession of a controlled substance in schedules I through V, as defined by 21 U.S.C. § 812. Includes possession of a controlled substance in schedule I or II, or a narcotic drug in schedule III or IV onboard a United States vessel or vessels within custom waters of the United States, or by any United States citizen on board a vessel. In addition, possessing any punch, die, plate, stone, or any other thing designed to reproduce the label upon any drug or container is an offense under this category. Distributing a small amount of marijuana for no remuneration is treated as simple possession and is included in this offense category.

**Postal laws**—offenses relating to the mail; pertaining to the United States Postal Service.

**Pre-sentence Investigation Report (PSI) (Federal)**—after conviction and before sentencing, a federal probation officer conducts an investigation mandated by law unless the court finds that there is information in the record sufficient to enable the meaningful exercise of sentencing authority pursuant to 18 U.S.C. § 3553, and the court explains this finding on the record. The PSI is intended to help the sentencing judges and others in the criminal justice system to evaluate the offender by providing a comprehensive background on the offender, which includes a summary of the current offense, prior criminal record, personal and family data, evaluation, and sentencing recommendations.

**Presentment**—an accusation initiated by the grand jury that is in effect, an instruction that an indictment be drawn.

**Pretrial diversion**—an agreement to defer (and possibly drop) prosecution conditioned on the defendant's good behavior and/or participation in programs, such as job training, counseling, or education, during a stated period.

**Pretrial release**—a defendant’s release from custody to the community, for all or part of the time, before trial or during prosecution. The defendant may be released on personal recognizance, unsecured bond or under financial conditions. Pretrial release includes defendants released within 2 days after arrest and defendants who were released after posting bail or having release conditions changed at a subsequent hearing.

**Pretrial revocation**—the decision to detain a defendant for violating conditions of pretrial release or for committing a new crime while in a pretrial release status.

**Preventive detention**—the detention of a defendant awaiting trial for the purpose of preventing further misconduct.

**Probation**—sentence imposed for commission of a crime whereby the convicted criminal offender is released into the community under the supervision of a probation officer in lieu of incarceration. An act of clemency available only to those found eligible by the court, probation offers a chance for reform and rehabilitation for the defendant. For this purpose, the defendant must agree to specified standards of conduct; violation of such standards subjects the offender’s liberty to revocation.

**Procedural termination**—a judgment based on the methods and mechanics of the legal process, including all the rules and laws governing that process. Procedural law is distinguished from substantive law, which involves the statutes and legal precedents upon which cases are tried and judgments made. See also, administrative case closure and terminated on the merits.

**Property offenses, fraudulent**—property offenses that involve elements of deceit or intentional misrepresentation. These offenses specifically include embezzlement, fraud (excluding tax fraud), forgery, and counterfeiting.

**Property offenses, non-fraudulent**—violent offenses against property, including burglary, larceny, motor vehicle theft, arson, transportation of stolen property, and other property offenses, such as the destruction of property and trespassing. These offenses are termed non-fraudulent to distinguish them from the category of property offenses, fraudulent, within the glossary.

**Property offenses, other**—offenses that involve the destruction of property moving in interstate or foreign commerce and in the possession of a common or contract carrier. Also includes the malicious destruction of government property, or injury to United States postal property such as to mailboxes or mailbags. Trespassing on timber and government lands is also included in this offense category.

**Public-order offenses, non-regulatory**—offenses concerning weapons; immigration; tax law violations (tax fraud); bribery; perjury; national defense; escape; racketeering and extortion; gambling; liquor; mailing or transporting of obscene materials; traffic; migratory birds; conspiracy, aiding and abetting, and jurisdictional offenses; and other public-order offenses. These offenses are termed non-regulatory to distinguish them from the category public-order offenses, regulatory within this glossary.

**Public-order offenses, other**—violations of laws pertaining to bigamy, disorderly conduct on the United States Capitol grounds, civil disorder, and travel to incite to riot. Also included in public-order offenses, non-regulatory.

**Public-order offenses, regulatory**—violations of regulatory laws and regulations in agriculture, antitrust, labor law, food and drug, motor carrier, and other regulatory offenses that are not specifically listed in the category public-order offenses, non-regulatory.

## R

**Racketeering and extortion**—racketeering is demanding, soliciting, or receiving anything of value from the owner, proprietor or other person having a financial interest in a business, by means of a threat or promise, either expressed or implied. Extortion is the obtaining of money or property from another without the person's consent and induced by the wrongful use of force or fear. This offense code covers using interstate or foreign commerce or any facility in interstate or foreign commerce to aid racketeering enterprises such as arson, bribery, gambling, liquor, narcotics, prostitution, and extortionate credit transactions. Also included are: obtaining property or money from another (with the person's consent and induced by actual or threatened force, violence, blackmail) or committing unlawful interference with the person's employment or business. Racketeering and extortion includes transmitting by interstate commerce or through the mail any threat to injure the property, the person, or the reputation of the addressee or of another; or kidnapping any person with intent to extort. Applies to officers or employees of the United States, or anyone representing him or herself as such.

**Release - Extraordinary**—unusual methods by which a federal prisoner exits prison, such as death, commutation, or a transfer to another facility.

**Release - Standard**—the usual way by which a federal prisoner exits prison, including full-term sentence expirations, expirations with good time, mandatory releases, and releases to parole.

**Remand**—to send back; the act of an appellate court in returning a case to a lower court for further action.

**Remove**—transfer from federal court (usually to a state court).

**Restitution**—the action of restoring or giving back something to its proper owner or making reparations to one for loss or injury previously inflicted.

**Reversal**—the act of an appellate court annulling a judgment of a lower court because of an error.

**Revocation**—termination of a probation, parole, or a mandatory release order because of a rule violation or a new offense which forces the offender to begin or to continue serving his or her sentence.

**Robbery**—taking anything of value from the person or presence of another by force or by intimidation within the special maritime and territorial jurisdiction of the United States. Includes robbery of bank property, United States postal property, or personal property of the United States. Also included is assaulting or putting the life of any person in jeopardy by the use of a dangerous weapon while committing or attempting to commit such robbery.

**Rule 20 transfer**—upon petition by a defendant, a transfer of proceedings to the district in which the defendant is arrested, when the defendant is arrested, held, or present in a district other than that in which an indictment or information is pending against him. In this case, the defendant may state in writing a wish to plead guilty or nolo contendere, to waive trial in the district in which the indictment or information is pending, and to consent to the disposition of the case in the district in which the defendant was arrested. See also, Federal Rules of Criminal Procedure-Rule 20.

**Rule 40 transfer**—upon petition by the U.S. attorney, commitment to another district; transfer proceedings of a defendant arrested in a district for an alleged offense committed in another district. See also, Federal Rules of Criminal Procedure-Rule 40.

## S

**Sentence**—sanction imposed on a convicted offender. For sentences to incarceration, the maximum time the offender may be held in custody is reported. See also, split sentence, mixed sentence, indeterminate sentence, and mandatory sentence.

**Sentencing Guidelines (Federal)**—guidelines established by the U.S. Sentencing Commission to be followed by the federal courts in the sentencing of those convicted of federal offenses. Established pursuant to the Sentencing Reform Act of 1984, the sentencing guidelines prescribe a range of sentences for each class of convicted persons as determined by categories of offense behavior and offender characteristics.

**Sexual abuse**—rape, assault with intent to commit rape, and carnal knowledge of a female under age 16 who is not one's wife, within the territorial and special maritime jurisdictions of the United States. Also includes cases of sexual abuse, including sexual abuse of a minor and cases of sexual abuse in federal prisons.

**Shock incarceration**—an intense confinement program, consisting of a highly regimented schedule that provides the strict discipline, physical training, hard labor, drill, and ceremony characteristic of military basic training.

**Special maritime and territorial jurisdiction**—areas of federal jurisdiction outside the jurisdiction of any state, including (1) the high seas, Great Lakes, and connecting waterways; (2) federal lands; and (3) United States -owned aircraft in flight over the high seas.

**Split sentence**—See, mixed sentence.

**Stale**—a case or matter that is too old to support successful prosecution.

**Substantial assistance**—a form of cooperation with the government in which the defendant provides the government with information, testimony, or other assistance relating to the criminal activities of other persons in exchange for a sentence reduction. Substantial assistance provides the only mechanism for judges to impose a sentence below a mandatory sentence applicable by the law that describes the offense.

**Supervised release**—under the Sentencing Reform Act of 1984, a form of post-imprisonment supervision to be imposed by the court as a part of the sentence of imprisonment at the time of initial sentencing. Unlike parole, a term of supervised release does not replace a portion of the sentence of imprisonment, but rather is an order of supervision in addition to any term of imprisonment imposed by the court (compare also with probation).

**Surety bond**—an agreement by the defendant as a condition of release that requires a third party (usually a bail bondsman) to promise to pay the full bail amount in the event that the defendant fails to appear in court.

**Suspect**—a person who is under investigation or interrogation as a likely perpetrator of a specific criminal offense.

## T

**Tax law violations**—federal tax fraud offenses include violations of laws within the Internal Revenue Service Code (26 U.S.C.). Included are income tax evasion and fraud, counterfeiting any stamps with intent to defraud the collection or payment of tax, willfully failing to collect or pay tax, and failure to obey summons to produce any papers concerning taxes. Also included are offenses such as failing to furnish receipts for employees of tax withheld, failing to furnish information relating to certain trusts, annuity, and bond purchase plans, and putting fraudulent or false statements on tax returns. Violations of excise and wagering tax laws and not obtaining a license for a business that makes a profit from foreign items are also included in this offense category.

**Technical violation**—failure to comply with any of the conditions of pretrial release, probation, or parole, excluding alleged new criminal activity. Technical violations may result in revocation of an offender's release status. Conditions that may be imposed and then violated include remaining within a specified jurisdiction or appearing at specified intervals for drug tests.

**Terminated on the merits**—a judgment made after consideration of the substantive as distinguished from procedural issues in a case. See also, procedural termination.

**Termination**—at the pretrial services stage: execution of sentence, acquittal, dismissal, diversion, or fugitive status; in the U.S. district court: conviction, acquittal, or dismissal; and at probation or supervised release: the removal of a person from supervision either for successful completion of the term of supervision or as the result of a revocation.

**Threats against the President**—knowingly and willfully depositing in the mail, at any post office, or by any letter carrier a letter, paper, writing, print, missive, or document containing any threat to take the life of or to inflict bodily harm upon the President, Vice President, or any other officer in order of succession to the Presidency. Knowingly and willfully making such threats in any way to the above-named people is included in this offense.

**Time served**—the portion of a prisoner's imposed sentence spent in prison (from arrival into jurisdiction of the Federal Bureau of Prisons until release from prison) plus any jail time served and credited. For prisoners serving concurrent sentences, time served may exceed the longest single sentence imposed.

**Traffic offenses**—driving while intoxicated, or any moving or parking violations on federal lands.

**Transportation violations**—violations of the federal statutes relating to the Motor Carrier Act, which regulates the routes and rates of freight motor carriers and passenger motor carriers in interstate commerce.

**Transportation of stolen property**—transporting, selling, or receiving stolen goods, stolen securities, stolen moneys, stolen cattle, fraudulent state tax stamps, or articles used in counterfeiting, if the above articles or goods involve or constitute interstate or foreign commerce.

**Trial conviction**—conviction by judge or jury after trial.

**True bill**—an indictment.

## U

**United States** — includes the territory occupied by the 50 States and the District of Columbia, and the outlying territories of Guam, Puerto Rico, Northern Marianas Islands, and the U.S. Virgin Islands.

**U.S. attorneys**—all United States attorneys. Prosecutorial data with respect to tables describing federal prisoners are drawn from the Central System and Central Charge Files of the Executive Office for U.S. Attorneys.

**Unsecured bond**—an agreement by the defendant as a condition of pretrial release in which the defendant agrees to pay full bond amount in the event of nonappearance at trial, but is not required to post security as a condition to release.

## V

**Violation of pretrial release, probation, or parole**—allegation of a new crime or a technical violation while on pretrial release, probation, or parole.

**Violent offenses**—threatening, attempting, or actually using physical force against a person. Includes murder, negligent manslaughter, assault, robbery, sexual abuse, kidnapping, and threats against the President. See also, specific offenses for citations.



## **W**

**Warrant**—an order (writ) of a court that directs a law enforcement officer to arrest and bring a person before the judge, such as persons charged with a crime, escaped federal prisoners, or probation, parole, or bond default violators.

**Warrant clearance or execution**—refers to the closing of a fugitive investigation. Warrants can be cleared or executed in many ways, including the arrest or surrender of a fugitive, dismissal by the court, and lodging a detainer against a fugitive in custody. See also, detainer.

**Warrant initiation**—refers to the opening of a fugitive investigation upon receipt of a warrant.

**Weapons violations**—violations of any provisions of 18 U.S.C. §§ 922 (unlawful acts) and 923 (licensing) with regard to the manufacturing, importing, possessing, receiving, and licensing of firearms and ammunition. Includes manufacturing, selling, possessing, or transporting any switchblade knife; or making, receiving, possessing, or transporting a firearm not registered in the National Firearms Registration Transfer Record within any territory or possession of the United States, within Indian country, or within the special maritime and territorial jurisdiction of the United States. Also, engaging in importing, manufacturing, or dealing in firearms if not registered with the secretary in the Internal Revenue Service District in which the business is conducted or not having paid a special occupational tax. In addition, this code covers cases wherein a crime of violence or drug trafficking enhanced punishment is handed down when the crime was committed with a deadly weapon.

**Wildlife offenses**—violations of federal law enacted to protect endangered or threatened species, as well as migratory birds. The Endangered Species Act (16 U.S.C. Conservation) makes it unlawful for any person to take, import, sell or ship endangered or threatened wildlife. Under this code, the Migratory Bird Treaty Act protects migratory birds, and the Lacey Act prohibits the trade of illegally taken fish and wildlife.