



# Federal Justice Statistics 2009 - Statistical Tables

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**T**hese statistical tables describe criminal case processing in the federal justice system, including arrest and booking through sentencing and corrections. These tables present the number of suspects arrested and booked by the U.S. Marshals Service (USMS), 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 Bureau of Justice Statistics' (BJS) 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 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).

## 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, and describing the characteristics of arrestees. The data also describe 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.

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 sentences imposed in the federal courts, including the original offense charged and information on criminal convictions and appeals.

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, including the offense at commitment and demographic characteristics of the offender.

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The *Methodology* and a glossary follow these tables. The tables are part of the Federal Justice Statistics series. For a list of all publications in this series, see the publications page. Additional information is available in the *Federal Justice Statistics, 2009* bulletin.

Source: Federal Justice Statistics Program.

# Section 1: Federal Law Enforcement and Prosecution

## Federal Arrests

**TABLE 1.1**

**Suspects arrested for federal offenses and booked by the U.S. Marshals Service, by offense, October 1, 2008–September 30, 2009**

Most serious offense	Number	Percent
<b>All offenses</b>	183,986	100%
<b>Violent offenses</b>	4,550	2.5%
Murder	336	0.2
Negligent manslaughter	43	--
Assault	1,161	0.6
Robbery	2,252	1.2
Sexual abuse	385	0.2
Kidnapping	145	0.1
Threatening communication	162	0.1
Other violent offenses	66	--
<b>Property offenses</b>	16,315	8.9%
Fraudulent	13,863	7.6%
Embezzlement	569	0.3
Fraud	12,057	6.6
Forgery	189	0.1
Counterfeiting	1,048	0.6
Other	2,452	1.3%
Burglary	173	0.1
Larceny	1,625	0.9
Motor vehicle theft	154	0.1
Arson and explosives	96	0.1
Transportation of stolen property	292	0.2
Other property offenses	112	0.1
<b>Drug offenses</b>	30,928	16.9%
<b>Public-order offenses</b>	9,491	5.2%
Regulatory	291	0.2%
Antitrust	9	--
Food and drug	70	--
Civil rights	68	--
Other regulatory offenses	144	0.1
Other	9,200	5.0%
Tax law violations	1,010	0.6
Bribery	242	0.1
Perjury, contempt, and intimidation	185	0.1
National defense	12	--
Escape	692	0.4
Racketeering and extortion	351	0.2
Gambling	90	--
Obscene material	1,570	0.9
Child Support Recovery	141	0.1
Nonviolent sex offenses	1,253	0.7
Obstruction of justice	498	0.3
Traffic offenses	2,355	1.3
Conspiracy, aiding and abetting, and jurisdictional offenses	53	--
Wildlife	146	0.1
Environmental	162	0.1
All other offenses	440	0.2
<b>Weapon offenses</b>	8,308	4.5%
<b>Immigration offenses</b>	84,749	46.3%
<b>Supervision violations</b>	24,288	13.3%
<b>Material witness</b>	4,583	2.5%

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; obscene material denotes the mail or transport thereof; and all other offenses includes offenses with unclassifiable offense type.

--Less than 0.05%.

Source: U.S. Marshals Service Prisoner Tracking System file, fiscal year 2009.

**TABLE 1.2**

**Suspects arrested for federal offenses and booked by the U.S. Marshals Service, by arresting agency, October 1, 2008–September 30, 2009**

Arresting agency*	Most serious offense at arrest	
	Number	Percent
All agencies	183,986	100%
Department of Agriculture	260	0.1%
Department of Defense	498	0.3%
Department of Homeland Security	99,501	54.1%
Customs and Border Protection	73,385	39.9
Immigration and Customs Enforcement	24,133	13.1
Secret Service	1,982	1.1
Other	1	0.0
Department of the Interior	1,287	0.7%
Bureau of Indian Affairs	157	0.1
U.S. Park Police	107	0.1
Other	1,023	0.6
Department of Justice	68,917	37.5%
Bureau of Alcohol, Tobacco, Firearms and Explosives	6,140	3.3
Drug Enforcement Administration	11,855	6.4
Federal Bureau of Investigation	10,296	5.6
U.S. Marshals Service	40,493	22.0
Other	133	0.1
Department of State	329	0.2%
Department of the Treasury	718	0.4%
Federal Judiciary	568	0.3%
U.S. Postal Service	1,266	0.7%
Other	10,641	5.8%
Self-report, subpoena	2,771	1.5
State and local law enforcement	5,382	2.9
Task force	408	0.2
Other	2,081	1.1

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

\*The arresting agency may be different from the federal agency that initiated the investigation involving the arrestee.

Source: U.S. Marshals Service Prisoner Tracking System file, fiscal year 2009.

**TABLE 1.3**

**Characteristics of federal arrestees booked by the U.S. Marshals Service, October 1, 2008–September 30, 2009**

Arrestee characteristic	Number	Percent
All arrestees	183,986	100%
<b>Sex</b>		
Male	159,842	86.9%
Female	24,142	13.1
<b>Race*</b>		
White	144,929	79.6%
Black/African American	32,872	18.1
American Indian/Alaska Native	2,291	1.3
Asian/Native Hawaiian/Other Pacific Islander	1,883	1.0
<b>Age</b>		
Under 19 years	3,680	2.2%
19–20	9,034	5.5
21–30	64,108	39.1
31–40	50,168	30.6
Over 40	37,143	22.6
<b>Citizenship</b>		
U.S. citizen	71,412	45.8%
Non-U.S. citizen	84,640	54.2

Note: Details may not sum to the total number of arrestees due to missing data.

\*Hispanic or Latino origin not available.

Source: U.S. Marshals Service Prisoner Tracking System file, fiscal year 2009.

**TABLE 1.4****Characteristics of suspects arrested by Drug Enforcement Administration agents, by type of drug, October 1, 2008–September 30, 2009**

Arrestee characteristic	Total number	Arrest percent	Drug type					Other or non drug
			Cocaine powder	Crack cocaine	Marijuana	Methamphetamine	Opiates	
<b>All arrestees</b>	29,896	100%	8,491	2,870	7,294	4,701	2,975	3,565
<b>Sex</b>								
Male	25,561	85.5%	7,585	2,526	6,429	3,765	2,513	2,743
Female	4,331	14.5	905	344	865	934	461	822
<b>Race</b>								
White	20,341	68.9%	5,408	544	5,613	4,344	1,905	2,527
Black/African American	8,361	28.3	2,856	2,302	1,304	134	1,000	765
American Indian/Alaska Native	242	0.8	45	10	116	43	8	20
Asian/Native Hawaiian/Other Pacific Islander	580	2.0	50	6	171	114	18	221
<b>Hispanic origin</b>								
Hispanic/Latino	13,266	45.5%	4,631	336	3,773	2,428	1,469	629
Non-Hispanic/Latino	15,874	54.5	3,708	2,423	3,357	2,196	1,436	2,754
<b>Age</b>								
Under 19 years	465	1.6%	89	48	187	42	55	44
19–20	1,425	4.8	297	176	452	179	157	164
21–30	11,896	39.9	3,179	1,349	2,964	1,832	1,209	1,363
31–40	9,358	31.4	3,050	839	2,116	1,463	848	1,042
Over 40	6,646	22.3	1,838	449	1,552	1,170	692	945

Note: Details may not sum to the total number of arrestees due to missing data.

Source: Drug Enforcement Administration Defendant Statistical System, fiscal year 2009.

**TABLE 1.5**

**Warrants cleared and median time from initiation to clearance, by warrant type, October 1, 2008–September 30, 2009**

Warrant type	Number	Percent	Median days from initiation to clearance
<b>All warrants cleared</b>	225,684	100%	13 days
<b>Federal</b>	86,989	38.5%	14 days
Felony	75,648	33.5%	9 days
Escape	853	0.4	18
Bond violation	5,121	2.3	14
Parole violation	2,317	1.0	37
Probation violation	17,178	7.6	13
DEA related	10,840	4.8	10
Federal agency without arrest power	248	0.1	5
Other federal agency with arrest power	38,043	16.9	7
Other	1,048	0.5	11
Nonfelony	11,341	5.0%	428 days
Traffic	5,717	2.5	453
Misdemeanor	5,624	2.5	395
<b>State or local</b>	138,695	61.5%	13 days

Note: Table includes all warrants handled by the U.S. Marshals Service except those handled by DEA or other federal agencies with arrest power. Analysis based on the group of all warrants cleared during fiscal year 2009.

Source: U.S. Marshals Service Warrant Information Network, fiscal year 2009.

**TABLE 1.6**

**Median time from warrant initiation to clearance, by warrant characteristics, October 1, 2008–September 30, 2009**

Warrants characteristic	Number	Percent	Median days
<b>All warrants cleared</b>	225,684	100%	13 days
<b>By warrant execution type</b>			
Warrants cleared by arrest	191,761	85.0%	9 days
Alcohol, Tobacco, Firearms, and Explosives	3,763	1.7	10
Customs and Border Protection	13	--	146
Drug Enforcement Administration	5,339	2.4	5
Federal Bureau of Investigation	6,263	2.8	5
Immigration and Customs Enforcement	563	0.2	3
U.S. Marshals Service	146,530	64.9	9
Self-surrender	7,731	3.4	14
Other federal	11,670	5.2	5
State/local	9,889	4.4	26
Warrants cleared by other means	33,923	15.0%	190 days
Detainer	11,883	5.3	43
Dismissed	21,973	9.7	462
Other	67	--	2
<b>By offense</b>			
Violent offenses	31,088	13.8%	8 days
Property offenses	31,681	14.1%	12 days
Fraudulent	13,903	6.2	12
Other	17,778	7.9	13
Drug offenses	42,090	18.7%	8 days
Public-order offenses	34,506	15.3%	29 days
Regulatory	1,064	0.5	21
Other	33,442	14.8	29
Weapon offenses	10,549	4.7%	12 days
Immigration offenses	7,442	3.3%	2 days
Supervision violations	67,279	29.9%	21 days
Material witness	569	0.3%	3 days

Note: Analysis based on the group of all warrants cleared during fiscal year 2009. Details may not sum to the total due to missing data.

--Less than 0.05%.

Source: U.S. Marshals Service Warrant Information Network, fiscal year 2009.

## Federal Investigations and Prosecutions

**TABLE 2.1**

**Suspects in matters received by U.S. attorneys, by offense, October 1, 2008–September 30, 2009**

Most serious offense investigated	Number	Percent <sup>a</sup>
<b>All offenses<sup>b</sup></b>	188,341	100%
<b>Violent offenses</b>	5,270	2.8%
Murder	923	0.5
Assault	1,065	0.6
Robbery	1,888	1.0
Sexual abuse	869	0.5
Kidnapping	250	0.1
Threats against the President	275	0.1
<b>Property offenses</b>	26,701	14.3%
Fraudulent	24,473	13.1%
Embezzlement	3,601	1.9
Fraud	19,520	10.4
Forgery	973	0.5
Counterfeiting	379	0.2
Other	2,228	1.2%
Burglary	38	--
Larceny	815	0.4
Motor vehicle theft	393	0.2
Arson and explosives	531	0.3
Transportation of stolen property	53	--
Other property offenses	398	0.2
<b>Drug offenses</b>	35,465	19.0%
<b>Public-order offenses</b>	22,625	12.1%
Regulatory	5,618	3.0%
Agriculture	58	--
Antitrust	33	--
Food and drug	137	0.1
Transportation	221	0.1
Civil rights	763	0.4
Communications	22	--
Custom laws	243	0.1
Postal laws	127	0.1
Other regulatory offenses	4,014	2.1
Other	17,007	9.1%
Tax law violations	1,072	0.6
Bribery	258	0.1
Perjury, contempt, and intimidation	382	0.2
National defense	799	0.4
Escape	1,724	0.9
Racketeering and extortion	3,509	1.9
Non-violent sex offenses	3,840	2.1
Gambling	89	--
Liquor offenses	11	--
Obscene material	49	--
Traffic offenses	142	0.1
Wildlife	446	0.2
Environmental	7	--
Conspiracy, aiding and abetting, and jurisdictional offenses	3,819	2.0
All other offenses	860	0.5
<b>Weapon offenses</b>	11,096	5.9%
<b>Immigration offenses</b>	85,950	45.9%

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.

--Less than 0.05%

<sup>a</sup>Percentages based on 187,107 suspects for whom the offense category was known.

<sup>b</sup>Includes 1,234 suspects for whom an offense category could not be determined.

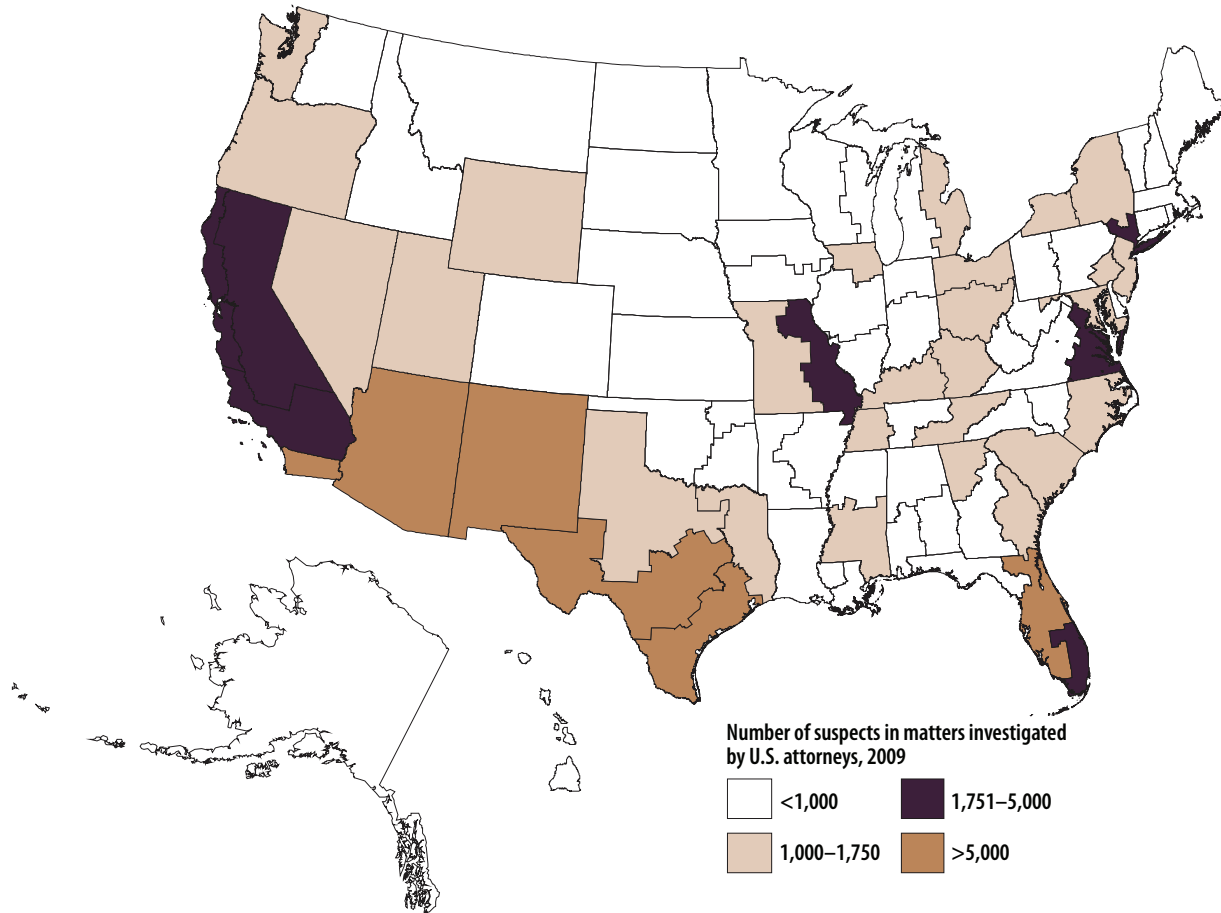
Source: Executive Office for U.S. Attorneys, National LIONS system file, fiscal year 2009.



**MAP 2.1**

**Suspects referred to U.S. attorneys, by federal judicial district, October 1, 2008–September 30, 2009**

- In 2009, five federal districts along the U.S.-Mexico border comprised 50% of all matters referred to U.S. attorneys.



Not shown on map: District of Columbia (1,301), Guam (208), Puerto Rico (1,273), and Virgin Islands (148).  
Source: Executive Office for U.S. Attorneys, National LIONS data, fiscal year 2009.

**TABLE 2.2****Disposition of suspects in matters concluded, by offense, October 1, 2008–September 30, 2009**

Most serious offense investigated	Number	Percent of suspects in criminal matters concluded			
		Total	Prosecuted in U.S. district court	Disposed by U.S. magistrates	Declined
<b>All offenses*</b>	193,234	100%	47.6%	37.0%	15.4%
<b>Violent offenses</b>	5,463	100%	58.1%	7.9%	34.0%
Murder	871	100%	52.5	16.1	31.5
Assault	1,132	100%	51.9	10.7	37.5
Robbery	1,993	100%	75.4	5.5	19.1
Sexual abuse	933	100%	48.3	4.1	47.6
Kidnapping	271	100%	55.4	7.7	36.9
Threats against the President	263	100%	10.3	1.1	88.6
<b>Property offenses</b>	26,161	100%	50.1%	12.8%	37.1%
Fraudulent	23,811	100%	49.9%	13.1%	36.9%
Embezzlement	3,758	100%	48.8	19.7	31.5
Fraud	18,724	100%	49.3	12.4	38.4
Forgery	905	100%	66.0	5.2	28.8
Counterfeiting	424	100%	55.4	5.7	38.9
Other	2,350	100%	52.1%	9.5%	38.3%
Burglary	50	100%	60.0	2.0	38.0
Larceny	907	100%	53.5	13.7	32.9
Motor vehicle theft	466	100%	58.4	3.6	38.0
Arson and explosives	556	100%	41.7	4.3	54.0
Transportation of stolen property	34	100%	47.1	8.8	44.1
Other property offenses	337	100%	56.4	16.3	27.3
<b>Drug offenses</b>	37,721	100%	76.7%	7.9%	15.4%
<b>Public-order offenses</b>	23,067	100%	43.2%	21.4%	35.4%
Regulatory	5,308	100%	37.8%	11.9%	50.3%
Agriculture	51	100%	58.8	3.9	37.3
Antitrust	21	100%	66.7	0.0	33.3
Food and drug	150	100%	43.3	6.7	50.0
Transportation	229	100%	55.0	10.9	34.1
Civil rights	899	100%	13.9	0.7	85.4
Communications	38	100%	31.6	0.0	68.4
Custom laws	247	100%	57.5	14.6	27.9
Postal laws	152	100%	53.3	25.7	21.1
Other regulatory offenses	3,521	100%	40.0	14.6	45.3
Other	17,759	100%	44.8%	24.3%	31.0%
Tax law violations	1,044	100%	59.3	1.6	39.1
Bribery	306	100%	48.4	2.9	48.7
Perjury, contempt, and intimidation	422	100%	36.3	4.7	59.0
National defense	636	100%	28.9	16.2	54.9
Escape	1,937	100%	46.0	28.4	25.6
Racketeering and extortion	3,487	100%	52.3	4.1	43.6
Nonviolent sex offenses	3,995	100%	59.9	4.1	36.0
Gambling	105	100%	43.8	12.4	43.8
Liquor offenses	18	100%	16.7	33.3	50.0
Obscene material	44	100%	68.2	0.0	31.8
Traffic	168	100%	6.0	93.5	0.6
Wildlife	442	100%	39.6	26.5	33.9
Environmental	11	100%	45.5	9.1	45.5
Conspiracy, aiding and abetting, and jurisdictional offenses	4,351	100%	27.5	66.8	5.7
All other offenses	793	100%	34.6	13.4	52.1
<b>Weapon offenses</b>	11,749	100%	69.0%	2.9%	28.1%
<b>Immigration offenses</b>	88,313	100%	31.9%	67.2%	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.

\*Includes 760 suspects for whom an offense category could not be determined: 447 prosecuted in U.S. district court, 128 disposed by U.S. magistrates, and 185 that were declined.

Source: Executive Office for U.S. Attorneys, National LIONS system file, fiscal year 2009.

**TABLE 2.3****Reasons U.S. attorneys declined to prosecute, October 1, 2008–September 30, 2009**

Reason for declination	Suspects in criminal matters declined by U.S. attorneys	
	Number	Percent <sup>a</sup>
<b>Total declinations<sup>b</sup></b>	29,780	100%
<b>No crime</b>	7,783	26.5%
No true bill returned	20	0.1
No federal offense	1,459	5.0
Lack of criminal intent	6,304	21.4
<b>Referred or handled in other prosecution</b>	5,533	18.8%
Removed	1,205	4.1
Prosecuted on other charges	937	3.2
Prosecuted by other authorities	3,391	11.5
<b>Alternative resolution</b>	769	2.6%
Restitution	59	0.2
Civil or administrative alternative	389	1.3
Pretrial diversion	321	1.1
<b>Suspect-related reasons</b>	776	2.6%
Suspect serving sentence	93	0.3
No known suspect	361	1.2
Suspect a fugitive	56	0.2
Suspect deceased	203	0.7
Suspect deported	63	0.2
<b>Case-related reasons</b>	7,939	27.0%
Stale case	461	1.6
Weak evidence	6,813	23.2
Statute of limitations exceeded	161	0.5
Jurisdiction or venue problems	237	0.8
Witness problems	267	0.9
<b>All other reasons</b>	6,594	22.4%
Minimal federal interest	862	2.9
Petite policy	151	0.5
Lack of resources	978	3.3
Department of Justice policy	270	0.9
U.S. attorney policy	622	2.1
Agency request	3,441	11.7
Juvenile suspect	79	0.3
Offender's health, age, prior record, or other personal circumstances	74	0.3
Suspect's cooperation	117	0.4

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

<sup>b</sup>Includes 386 suspects for whom a reason for declination could not be determined.

Source: Executive Office for U.S. Attorneys, National LIONS system file, fiscal year 2009.

## Section 2: Federal Pretrial, Adjudication, Sentencing, and Appeals

### Federal Pretrial

**TABLE 3.1**  
**Defendants released at any time prior to case disposition, by offense charged, October 1, 2008–September 30, 2009**

Most serious offense charged	All defendants	Released defendants	
		Number	Percent
<b>All offenses*</b>	98,748	30,276	30.7%
<b>Violent offenses</b>	3,122	718	23.0%
Murder	285	35	12.3
Negligent manslaughter	3	2	^
Assault	803	335	41.7
Robbery	1,234	165	13.4
Sexual abuse	648	164	25.3
Kidnapping	124	16	12.9
Threats against the President	25	1	4.0
<b>Property offenses</b>	14,904	9,972	66.9%
Fraudulent	12,353	8,104	65.6%
Embezzlement	714	687	96.2
Fraud	10,633	6,778	63.7
Forgery	66	54	81.8
Counterfeiting	940	585	62.2
Other	2,551	1,868	73.2%
Burglary	61	26	42.6
Larceny	1,894	1,503	79.4
Motor vehicle theft	155	47	30.3
Arson and explosives	166	70	42.2
Transportation of stolen property	117	87	74.4
Other property offenses	158	135	85.4
<b>Drug offenses</b>	28,855	8,988	31.1%
Trafficking	23,311	7,141	30.6
Possession and other drug offenses	5,544	1,847	33.3
<b>Public-order offenses</b>	7,955	4,646	58.4%
Regulatory	1,319	812	61.6%
Agriculture	2	2	^
Antitrust	18	18	100.0
Food and drug	49	46	93.9
Transportation	208	107	51.4
Civil rights	76	62	81.6
Communications	30	24	80.0
Custom laws	111	55	49.5
Postal laws	139	125	89.9
Other regulatory offenses	686	373	54.4
Other	6,636	3,834	57.8%
Tax law violations	528	504	95.5
Bribery	158	142	89.9
Perjury, contempt, and intimidation	231	140	60.6
National defense	139	72	51.8
Escape	541	67	12.4
Racketeering and extortion	1,135	340	30.0
Gambling	12	12	100.0
Liquor offenses	10	8	^
Nonviolent sex offenses	2,229	1,168	52.4
Obscene material	33	26	78.8
Traffic offenses	1,039	962	92.6
Wildlife	147	135	91.8
Environmental	38	36	94.7
All other offenses	396	222	56.1

*Continued on next page*

**TABLE 3.1 (continued)****Defendants released at any time prior to case disposition, by offense charged, October 1, 2008–September 30, 2009**

Most serious offense charged	All defendants	Released defendants	
		Number	Percent
Weapon offenses	7,413	1,925	26.0%
Immigration offenses	34,674	2,916	8.4%

Note: Released defendants include some defendants who were detained at some time prior to trial and 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 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 unclassifiable offenses.

^Too few cases to obtain statistically reliable data.

\*Includes 1,825 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 2009.

**TABLE 3.2****Defendants released at any time prior to case disposition, by defendant characteristics, October 1, 2008–September 30, 2009**

Defendant characteristic	All defendants	Released defendants	
		Number	Percent
<b>All defendants<sup>a</sup></b>	94,184	28,114	29.9%
<b>Sex</b>			
Male	81,078	20,616	25.4%
Female	12,977	7,428	57.2
<b>Race</b>			
White	70,577	19,211	27.2%
Black/African American	19,179	6,783	35.4
American Indian/Alaska Native	1,423	585	41.1
Asian/Native Hawaiian/Other Pacific Islander	1,865	1,061	56.9
<b>Hispanic origin</b>			
Hispanic/Latino	51,938	7,530	14.5%
Non-Hispanic/Latino	41,386	20,193	48.8
<b>Age</b>			
Under 19 years	793	286	36.1%
19–20	3,582	1,121	31.3
21–30	34,470	8,595	24.9
31–40	30,020	7,473	24.9
Over 40	25,169	10,564	42.0
<b>Education</b>			
Less than high school graduate	25,810	6,315	24.5%
High school graduate	28,013	14,329	51.2
Some college	265	194	73.2
College graduate	4,680	3,421	73.1
<b>Employment status at arrest</b>			
Unemployed	26,876	7,199	26.8%
Employed	23,399	12,004	51.3
<b>Criminal record</b>			
No conviction or arrest <sup>b</sup>	35,900	15,503	43.2%
Misdemeanor conviction only	17,689	5,849	33.1
Felony conviction			
Nonviolent	23,579	4,299	18.2
Violent	16,878	2,399	14.2
<b>Number of prior convictions</b>			
1	15,103	4,298	28.5%
2 to 4	23,387	5,021	21.5
5 or more	19,656	3,228	16.4
<b>Court appearance history</b>			
No prior arrests	23,955	11,410	47.6%
Failure to appear			
None	54,470	13,215	24.3
1	6,904	1,663	24.1
2 or more	8,717	1,762	20.2
<b>Drug abuse</b>			
No known abuse	22,181	9,397	42.4%
Drug history	52,445	15,720	30.0

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 Pretrial Services Agency (PSA) records explicitly show no prior arrest or conviction.

Source: Administrative Office of the U.S. Courts Pretrial Services Act Information System, fiscal year 2009.

**TABLE 3.3****Behavior of federal defendants released to the community pending trial, by offense, October 1, 2008–September 30, 2009**

Most serious offense charged	Number of released defendants	Percent of released defendants who had—				
		No violation	At least one violation	Failure to appear	Technical violations of bail conditions	Release revoked
<b>All offenses*</b>	28,114	81.9%	18.1%	1.8%	19.4%	14.3%
<b>Violent offenses</b>	594	76.8%	23.2%	2.0%	31.3%	26.6%
<b>Property offenses</b>	9,520	85.7%	14.3%	1.5%	12.9%	9.1%
Fraudulent offenses	7,602	85.7	14.3	1.3	12.8	8.9
Other property offenses	1,918	85.8	14.2	2.0	13.3	10.1
<b>Drug offenses</b>	8,484	73.5%	26.5%	2.6%	30.5%	22.2%
<b>Public-order offenses</b>	4,501	88.7%	11.3%	1.1%	11.2%	7.5%
Regulatory offenses	797	91.0	9.0	1.5	9.3	6.4
Other public-order offenses	3,704	88.2	11.8	1.0	11.6	7.7
<b>Weapon offenses</b>	1,945	66.9%	33.1%	1.2%	33.9%	28.4%
<b>Immigration offenses</b>	2,113	92.3%	7.7%	2.0%	12.8%	9.3%

Note: Data describe defendants whose pretrial services were terminated during fiscal year 2009. Defendants with more than one type of violation appear in more than one column. Not all violations resulted in revocation.

\*Includes 903 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 2009.

## Federal Case Filings and Adjudication

**TABLE 4.1**

**Defendants in criminal cases commenced, by offense, October 1, 2008–September 30, 2009**

Most serious offense charged	Number	Percent
All offenses	97,513	100.0%
Felonies	86,196	88.7%
Violent offenses	2,882	3.0%
Murder	142	0.1
Assault	694	0.7
Robbery	1,251	1.3
Sexual abuse	610	0.6
Kidnapping	160	0.2
Threats against the President	25	--
Property offenses	12,674	13.0%
Fraudulent	10,893	11.2%
Embezzlement	611	0.6
Fraud	9,183	9.4
Forgery	63	0.1
Counterfeiting	1,036	1.1
Other	1,781	1.8%
Burglary	52	0.1
Larceny	1,225	1.3
Motor vehicle theft	51	0.1
Arson and explosives	233	0.2
Transportation of stolen property	141	0.1
Other property offenses	79	0.1
Drug offenses	28,866	29.7%
Trafficking	28,798	29.6
Possession and other drug offenses	68	0.1
Public-order offenses	6,534	6.7%
Regulatory	937	1.0%
Agriculture	1	--
Antitrust	37	--
Food and drug	19	--
Transportation	169	0.2
Civil rights	96	0.1
Communications	53	0.1
Custom laws	65	0.1
Postal laws	39	--
Regulatory offenses	458	0.5
Other	5,597	5.8%
Tax law violations	551	0.6
Bribery	149	0.2
Perjury, contempt, and intimidation	354	0.4
National defense	77	0.1
Escape	567	0.6
Racketeering and extortion	1,594	1.6
Gambling	39	--
Liquor offenses	2	--
Nonviolent sex offenses	1,986	2.0
Obscene material	6	--
Traffic offenses	18	--
Wildlife	66	0.1
Environmental	32	--
All other felonies	156	0.2
Weapon offenses	8,509	8.8%
Immigration offenses	26,731	27.5%

*Continued on next page*



**TABLE 4.1 (continued)****Defendants in criminal cases commenced, by offense, October 1, 2008–September 30, 2009**

<b>Most serious offense charged</b>	<b>Number</b>	<b>Percent</b>
<b>Misdemeanors</b>	11,023	11.3%
Fraudulent property offenses	1,834	1.9
Larceny	1,240	1.3
Drug possession	1,414	1.5
Immigration	125	0.1
Traffic offenses	4,358	4.5
Other misdemeanors	2,052	2.1

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; 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 0.05%.

Source: Administrative Office of the U.S. Courts criminal master file, fiscal year 2009.

**TABLE 4.2**

**Federal criminal case dispositions, by offense, October 1, 2008–September 30, 2009**

Most serious offense charged	Number of defendants in criminal cases terminated during 2009 who were—										
	Convicted							Not convicted			
	Total	Percent convicted	Total	Guilty plea	Nolo contendere	Trial jury	Non-jury	Total	Dismissed	Trial Jury*	Non-jury
<b>All offenses</b>	95,891	90.7%	86,975	84,065	261	2,358	291	8,916	8,425	361	130
<b>Felonies</b>	85,379	93.3%	79,620	77,047	69	2,344	160	5,759	5,341	345	73
Violent offenses	2,747	91.8%	2,521	2,330	4	176	11	226	188	35	3
Murder	160	88.8	142	119	1	20	2	18	14	4	0
Negligent manslaughter	1	^	1	1	0	0	0	0	0	0	0
Assault	629	89.3	562	531	1	30	0	67	56	8	3
Robbery	1,230	95.0	1,169	1,119	1	45	4	61	56	5	0
Sexual abuse	589	89.5	527	456	0	66	5	62	45	17	0
Kidnapping	121	89.3	108	94	0	14	0	13	12	1	0
Threats against the President	17	70.6	12	10	1	1	0	5	5	0	0
Property offenses	12,663	89.9%	11,389	10,979	13	373	24	1,274	1,193	62	19
Fraudulent	10,897	89.9%	9,797	9,426	11	338	22	1,100	1,028	53	19
Embezzlement	608	93.9	571	551	1	17	2	37	36	1	0
Fraud	9,198	89.3	8,210	7,884	7	300	19	988	920	50	18
Forgery	40	87.5	35	34	0	1	0	5	5	0	0
Counterfeiting	1,051	93.3	981	957	3	20	1	70	67	2	1
Other	1,766	90.1%	1,592	1,553	2	35	2	174	165	9	0
Burglary	54	90.7	49	47	0	2	0	5	5	0	0
Larceny	1,172	89.8	1,052	1,034	2	15	1	120	115	5	0
Motor vehicle theft	40	95.0	38	38	0	0	0	2	2	0	0
Arson and explosives	226	88.5	200	192	0	8	0	26	23	3	0
Transportation of stolen property	193	93.8	181	175	0	6	0	12	11	1	0
Other property offenses	81	88.9	72	67	0	4	1	9	9	0	0
Drug offenses	28,813	92.8%	26,729	25,787	24	883	35	2,084	1,971	98	15
Trafficking	28,728	92.8	26,652	25,711	24	882	35	2,076	1,963	98	15
Possession and other drug offenses	85	90.6	77	76	0	1	0	8	8	0	0
Public-order offenses	6,871	89.7%	6,165	5,768	7	375	15	706	622	69	15
Regulatory	909	88.4%	804	755	6	42	1	105	84	18	3
Agriculture	1	^	1	1	0	0	0	0	0	0	0
Antitrust	33	90.9	30	30	0	0	0	3	0	3	0
Food and drug	21	100.0	21	21	0	0	0	0	0	0	0
Transportation	169	91.7	155	138	2	15	0	14	9	3	2
Civil rights	81	72.8	59	49	0	9	1	22	13	8	1
Communications	64	90.6	58	55	0	3	0	6	6	0	0
Custom laws	73	82.2	60	60	0	0	0	13	13	0	0
Postal laws	46	89.1	41	40	1	0	0	5	4	1	0
Other regulatory offenses	421	90.0	379	361	3	15	0	42	39	3	0
Other	5,962	89.9%	5,361	5,013	1	333	14	601	538	51	12
Tax law violations	562	92.0	517	471	0	44	2	45	27	15	3
Bribery	156	91.7	143	135	0	8	0	13	9	4	0
Perjury, contempt, and intimidation	371	84.1	312	262	0	45	5	59	47	10	2
National defense	60	80.0	48	42	0	6	0	12	10	2	0
Escape	684	86.7	593	586	0	6	1	91	91	0	0
Racketeering and extortion	1,840	86.6	1,594	1,448	0	144	2	246	225	16	5
Gambling	62	74.2	46	42	0	4	0	16	16	0	0
Liquor offenses	4	^	4	4	0	0	0	0	0	0	0
Nonviolent sex offenses	1,885	95.6	1,803	1,740	1	58	4	82	78	2	2
Obscene material	23	69.6	16	13	0	3	0	7	7	0	0
Traffic offenses	22	90.9	20	18	0	2	0	2	1	1	0
Wildlife	88	90.9	80	73	0	7	0	8	8	0	0
Environmental	38	86.8	33	32	0	1	0	5	5	0	0
All other felonies	167	91.0	152	147	0	5	0	15	14	1	0

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**TABLE 4.2 (continued)****Federal criminal case dispositions, by offense, October 1, 2008–September 30, 2009**

Most serious offense charged	Number of defendants in criminal cases terminated during 2009 who were—										
	Convicted							Not convicted			
	Total	Percent convicted	Total	Guilty plea	Nolo contendere	Trial jury	Non-jury	Total	Dismissed	Trial Jury*	Non-jury
Weapon offenses	8,806	92.2%	8,119	7,621	7	452	39	687	602	74	11
Immigration offenses	25,479	96.9%	24,697	24,562	14	85	36	782	765	7	10
<b>Misdemeanors</b>	10,237	69.5%	7,117	6,793	192	8	124	3,120	3,054	14	52
Fraudulent property offenses	1,778	97.6	1,735	1,728	4	1	2	43	42	1	0
Larceny	1,229	52.8	649	618	22	2	7	580	571	1	8
Drug possession	1,261	65.9	831	815	9	0	7	430	426	1	3
Immigration offenses	149	89.9	134	132	1	0	1	15	15	0	0
Traffic offenses	3,874	67.2	2,602	2,393	127	3	79	1,272	1,243	1	28
Other misdemeanors	1,946	59.9	1,166	1,107	29	2	28	780	757	10	13

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 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 2009.

**TABLE 4.3****Criminal cases disposed by U.S. magistrates, by offense, October 1, 2008–September 30, 2009**

Most serious offense charged	Total	Convicted	Not convicted	Percent convicted
<b>All offenses</b>	10,039	7,035	3,004	70.1%
<b>Violent offenses*</b>	326	186	140	57.1%
Assault	307	170	137	55.4
Robbery	18	15	3	83.3
Sexual abuse	1	1	0	^
<b>Property offenses</b>	3,151	2,483	668	78.8%
Fraudulent	1,801	1,765	36	98.0%
Embezzlement	71	68	3	95.8
Fraud	1,714	1,685	29	98.3
Forgery	6	3	3	^
Counterfeiting	10	9	1	^
Other	1,350	718	632	53.2%
Burglary	2	2	0	^
Larceny	1,202	634	568	52.7
Motor vehicle theft	1	1	0	^
Arson and explosives	4	3	1	^
Other property offenses	141	78	63	55.3
<b>Drug offenses</b>	1,243	829	414	66.7%
Trafficking	1,118	744	374	66.5
Possession and other drug offenses	123	83	40	67.5
drug offenses	2	2	0	^
<b>Public-order offenses</b>	5,050	3,309	1,741	65.5%
Regulatory	390	271	119	69.5%
Food and drug	19	19	0	100.0
Transportation	20	18	2	90.0
Civil rights	6	5	1	^
Communications	10	10	0	^
Customs laws	6	5	1	^
Postal laws	44	42	2	95.5
Other regulatory offenses	285	172	113	60.4
Other	4,660	3,038	1,622	65.2%
Tax law violations	53	51	2	96.2
Bribery	4	4	0	^
Perjury, contempt, and intimidation	8	7	1	^
National defense	52	23	29	44.2
Escape	47	22	25	46.8
Racketeering and extortion	9	9	0	^
Non-violent sex offenses	2	2	0	^
Wildlife	221	160	61	72.4
Environmental	9	9	0	^
Traffic offenses	3,799	2,556	1,243	67.3
Liquor offenses	9	9	0	^
All other offenses	447	186	261	41.6
<b>Weapon offenses</b>	52	30	22	57.7%
<b>Immigration offenses</b>	24	196	18	91.6%

Note: In this table sexual abuse includes only violent sex offenses; fraud excludes tax fraud; larceny excludes transportation of stolen property; other property offenses excludes fraudulent property offenses and includes destruction of property and trespassing; tax law violations includes tax fraud; and all other offenses includes offenses with an 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 2009.

**TABLE 4.4**  
**Characteristics of convicted federal offenders, October 1,**  
**2008–September 30, 2009**

Offender characteristic	Number	Percent
All offenders*	86,975	100%
<b>Gender</b>		
Male	69,717	87.2%
Female	10,196	12.8
<b>Race</b>		
White	57,736	74.1%
Black/African American	17,087	21.9
American Indian/Alaska Native	1,160	1.5
Asian/Native Hawaiian/Other Pacific Islander	1,652	2.1
Other	290	0.4
<b>Hispanic origin</b>		
Hispanic/Latino	41,236	53.7%
Non-Hispanic/Latino	35,568	46.3
<b>Age</b>		
16–18 years	448	0.6%
19–20	2,907	3.7
21–30	28,630	36.2
31–40	25,303	32
Over 40	21,698	27.5
<b>Citizenship</b>		
U.S. citizen	43,444	54.9%
Non-U.S. citizen	35,629	45.1
<b>Education</b>		
Less than high school graduate	34,433	51.3%
High school graduate	19,001	28.3
Some college	10,068	15
College graduate	3,571	5.3
<b>Criminal record</b>		
No convictions	25,538	33.1%
Prior adult convictions	51,639	66.9

Note: Offender characteristics are not comparable with the 1993 and prior compendia; see Chapter notes, item 2. 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.

## Federal Sentencing

**TABLE 5.1**

**Sentences received by offenders in criminal cases terminated, by offense, October 1, 2008–September 30, 2009**

Most serious offense of conviction	Total offenders sentenced <sup>a</sup>	Total	Percent of offenders convicted and sentenced to—		
			Incarceration <sup>b</sup>	Probation <sup>c</sup>	Fine only
All offenses <sup>d</sup>	86,975	100%	77.6%	10.9%	3.2%
<b>Felonies</b>	78,747	100%	83.1%	8.5%	0.4%
Violent offenses	2,365	100%	93.7%	3.8%	0.1%
Murder	121	100%	95.9	2.5	0.0
Negligent manslaughter	1	100%	^	^	^
Assault	539	100%	87.4	9.1	0.0
Robbery	1,185	100%	96.2	1.2	0.1
Sexual abuse	439	100%	94.1	4.8	0.2
Kidnapping	64	100%	95.3	1.6	0.0
Threats against the President	16	100%	87.5	6.3	0.0
Property offenses	11,138	100%	61.2%	26.6%	0.9%
Fraudulent	9,765	100%	62.8%	24.1%	1.0%
Embezzlement	527	100%	46.9	43.1	0.6
Fraud	8,434	100%	63.9	22.6	1.0
Forgery	29	100%	37.9	55.2	3.4
Counterfeiting	775	100%	63.1	26.8	1.0
Other	1,373	100%	49.7%	44.2%	0.2%
Burglary	37	100%	86.5	13.5	0.0
Larceny	946	100%	38.9	54.4	0.2
Motor vehicle theft	43	100%	74.4	11.6	0.0
Arson and explosives	153	100%	79.7	14.4	0.7
Transportation of stolen property	147	100%	68.7	28.6	0.0
Other property offenses	47	100%	59.6	38.3	0.0
Drug offenses	25,874	100%	90.4%	4.1%	0.3%
Trafficking	25,758	100%	90.5	4.0	0.3
Possession and other drug offenses	116	100%	54.3	27.6	6.0
Public-order offenses	6,459	100%	76.3%	18.5%	0.9%
Regulatory	797	100%	47.4%	41.5%	4.1%
Agriculture	1	100%	^	^	^
Antitrust	30	100%	46.7	3.3	46.7
Food and drug	30	100%	20.0	66.7	10.0
Transportation	145	100%	40.7	49.7	2.1
Civil rights	55	100%	83.6	16.4	0.0
Communications	63	100%	36.5	57.1	0.0
Custom laws	74	100%	58.1	27.0	4.1
Postal laws	39	100%	17.9	79.5	0.0
Other regulatory offenses	360	100%	50.0	39.4	2.5
Other	5,662	100%	80.4%	15.2%	0.5%
Tax law violations	535	100%	68.2	29.5	0.2
Bribery	118	100%	72.9	23.7	0.8
Perjury, contempt, and intimidation	243	100%	70.8	23.5	0.4
National defense	55	100%	70.9	16.4	3.6
Escape	943	100%	65.4	25.0	0.4
Racketeering and extortion	1,577	100%	83.8	11.6	0.4
Gambling	46	100%	41.3	56.5	0.0
Liquor offenses	5	100%	^	^	^
Nonviolent sex offenses	1,871	100%	95.8	2.2	0.2
Obscene material	16	100%	75.0	25.0	0.0
Traffic offenses	20	100%	95.0	5.0	0.0
Wildlife	52	100%	34.6	55.8	7.7
Environmental	33	100%	36.4	48.5	9.1
All other felonies	148	100%	52.0	46.6	0.0

*Continued on next page*

**TABLE 5.1 (continued)****Sentences received by offenders in criminal cases terminated, by offense, October 1, 2008–September 30, 2009**

Most serious offense of conviction	Total offenders sentenced <sup>a</sup>	Total	Percent of offenders convicted and sentenced to—		
			Incarceration <sup>b</sup>	Probation <sup>c</sup>	Fine only
Weapon offenses	8,108	100%	91.0%	5.8%	0.3%
Immigration offenses	24,803	100%	83.4%	3.6%	0.1%
<b>Misdemeanors</b>	7,993	100%	23.6%	35.4%	30.7%
Fraudulent property offenses	1,822	100%	52.0	15.8	1.2
Larceny	691	100%	10.6	61.6	25.9
Drug possession	851	100%	33.3	49.0	9.5
Immigration offenses	472	100%	57.4	16.3	3.6
Traffic offenses	2,658	100%	3.7	33.8	62.0
Other misdemeanors	1,499	100%	14.1	48.3	34.1

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 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 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>All offenses total includes offenders whose sentence could not be determined.

Source: Administrative Office of the U.S. Courts criminal master file, fiscal year 2009.

**TABLE 5.2****Type and length of federal sentences imposed, by offense, October 1, 2008–September 30, 2009**

Most serious offense of conviction	Total <sup>a</sup>	Type of sentence			Average sentence length	
		Incarceration <sup>b</sup>	Probation <sup>c</sup>	Fine only	Incarceration <sup>c</sup>	Probation <sup>c</sup>
<b>All offenses<sup>d</sup></b>	86,975	67,499	9,520	2,747	57.2 mo	35.5 mo
<b>Felonies</b>	78,747	65,410	6,676	289	58.9 mo	42.1 mo
Violent offenses	2,365	2,216	89	2	115.8 mo	76.0 mo
Murder	121	116	3	0	147.9	^
Negligent manslaughter	1	1	0	0	^	...
Assault	539	471	49	0	49.4	38.8
Robbery	1,185	1,140	14	1	97.9	46.3
Sexual abuse	439	413	21	1	230.1	188.0
Kidnapping	64	61	1	0	190.2	^
Threats against the President	16	14	1	0	37.9	^
Property offenses	11,138	6,816	2,962	98	32.2 mo.	40.7 mo.
Fraudulent	9,765	6,133	2,355	95	31.9 mo.	39.9 mo.
Embezzlement	527	247	227	3	21.1	38.8
Fraud	8,434	5,386	1,904	83	32.9	40.1
Forgery	29	11	16	1	18.3	38.3
Counterfeiting	775	489	208	8	25.9	39.2
Other	1,373	683	607	3	35.3 mo.	43.7 mo.
Burglary	37	32	5	0	23.8	^
Larceny	946	368	515	2	17.4	44.2
Motor vehicle theft	43	32	5	0	39.8	^
Arson and explosives	153	122	22	1	96.0	44.6
Transportation of stolen property	147	101	42	0	33.9	41.7
Other property offenses	47	28	18	0	21.0	38.4
Drug offenses	25,874	23,378	1,063	79	83.7 mo.	44.8 mo.
Trafficking	25,758	23,315	1,031	72	83.9	45.2
Possession and other	116	63	32	7	38.3	32.9
Public-order offenses	6,459	4,930	1,192	59	68.6 mo.	39.5 mo.
Regulatory	797	378	331	33	36.0 mo.	34.4 mo.
Agriculture	1	0	0	1	...	...
Antitrust	30	14	1	14	15.6	^
Food and drug	30	6	20	3	^	32.7
Transportation	145	59	72	3	49.5	38.2
Civil rights	55	46	9	0	73.7	^
Communications	63	23	36	0	17.3	35.2
Custom laws	74	43	20	3	30.1	27.8
Postal laws	39	7	31	0	^	30.6
Other regulatory offenses	360	180	142	9	28.9	34.0
Other	5,662	4,552	861	26	71.3 mo.	41.4 mo.
Tax law violations	535	365	158	1	27.3	39.1
Bribery	118	86	28	1	34.6	33.0
Perjury, contempt, and intimidation	243	172	57	1	51.0	40.5
National defense	55	39	9	2	95.0	^
Escape	943	617	236	4	17.8	36.0
Racketeering and extortion	1,577	1,322	183	6	86.2	45.2
Gambling	46	19	26	0	14.5	32.3
Liquor offenses	5	1	4	0	^	^
Nonviolent sex offenses	1,871	1,793	41	4	95.4	79.2
Obscene material	16	12	4	0	40.1	^
Traffic offenses	20	19	1	0	18.3	^
Wildlife	52	18	29	4	16.6	33.1
Environmental	33	12	16	3	15.5	19.1
All other felonies	148	77	69	0	25.7	48.3

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**TABLE 5.2 (continued)****Type and length of federal sentences imposed, by offense, October 1, 2008–September 30, 2009**

Most serious offense of conviction	Total <sup>a</sup>	Type of sentence			Average sentence length	
		Incarceration <sup>b</sup>	Probation <sup>c</sup>	Fine only	Incarceration <sup>c</sup>	Probation <sup>c</sup>
Weapon offenses	8,108	7,380	470	22	87.2 mo.	40.4 mo.
Immigration offenses	24,803	20,690	900	29	21.4 mo.	44.8 mo..
<b>Misdemeanors</b>	7,993	1,884	2,831	2,457	4.7 mo.	19.7 mo.
Fraudulent property offense	1,822	947	288	22	2.6	21.5
Larceny	691	73	426	179	7.4	22.4
Drug possession	851	283	417	81	7.2	17.7
Immigration offenses	472	271	77	17	7.9	24.8
Traffic offenses	2,658	98	899	1,647	3.6	14.6
Other misdemeanors	1,499	212	724	511	6.6	24.2

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<sup>d</sup> includes felonies with unclassifiable offense type; misdemeanors includes misdemeanors, petty offenses, and unknown offense levels; and drug possession includes other drug misdemeanors.

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

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

<sup>b</sup>The sum of individual sentences may exceed the total because split and mixed sentences are counted in incarceration and probation; or the sum may be lower than the total, which includes offenders receiving deportation, suspended sentences, sealed sentences, or imprisonment of 4 days or less.

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

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

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

Source: Administrative Office of the U.S. Courts criminal master file, fiscal year 2009.

**TABLE 5.3**  
**Federal offenders sentenced to incarceration, by offender characteristics, October 1, 2008–September 30, 2009**

Offender characteristic	Number	Percent
<b>All offenders</b>	86,975	77.6%
<b>Sex</b>		
Male	69,717	83.0%
Female	10,196	59.1
<b>Race</b>		
White	57,736	80.7%
Black/African American	17,087	84.5
American Indian/Alaska Native	1,160	79.7
Asian/Native Hawaiian/Other Pacific Islander	1,652	67.9
Other*	290	63.1
<b>Hispanic origin</b>		
Hispanic/Latino	41,236	83.8%
Non-Hispanic/Latino	35,568	78.2
<b>Age</b>		
Under 19 years	448	66.3%
19–20	2,907	75.4
21–30	28,630	80.9
31–40	25,303	82.9
Over 40	21,698	76.4
<b>Citizenship</b>		
U.S. citizen	43,444	79.4%
Non-U.S. citizen	35,629	82.4
<b>Education</b>		
Less than high school graduate	34,433	88.2%
High school graduate	19,001	83.3
Some college	10,068	75.3
College graduate	3,571	69.1
<b>Criminal record</b>		
No convictions	25,538	71.9%
Prior adult convictions	51,639	83.9

Note: 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, 83% of all convicted males were incarcerated. Offender characteristics are not comparable to 1993 and prior compendia.

Source: Administrative Office of the U.S. Courts criminal master file, fiscal year 2009.

\*Includes persons of two or more races.

**TABLE 5.4****Average incarceration sentence length, by offense and offender characteristics, October 1, 2008–September 30, 2009**

Offender characteristic	All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses		Weapon offenses	Immigration offenses	Misdemeanors
			Fraudulent	Other		Regulatory	Other			
<b>All offenders</b>	57.2 mo.	115.8 mo.	31.9 mo.	35.3 mo.	83.7 mo.	36.0 mo.	71.3 mo.	87.2 mo.	21.4 mo.	4.7 mo.
<b>Sex</b>										
Male	58.4 mo.	118.1 mo.	33.3 mo.	38.2 mo.	86.0 mo.	36.3 mo.	74.5 mo.	88.0 mo.	21.8 mo.	5.4 mo.
Female	33.9	85.0	26.7	19.2	50.3	17.2	33.6	60.3	14.0	2.7
<b>Race</b>										
White	45.1 mo.	132.6 mo.	30.9 mo.	33.2 mo.	69.3 mo.	31.3 mo.	73.1 mo.	72.8 mo.	21.2 mo.	4.4 mo.
Black/African American	91.9	117.2	34.4	36.2	108.7	52.5	68.9	99.1	29.1	8.4
American Indian/Alaska Native	60.7	73.5	18.5	28.9	55.0	^	31.8	96.0	16.8	7.1
Asian/Native Hawaiian/Other Pacific Islander	58.6	97.4	28.6	51.8	75.4	29.5	46.8	96.2	20.8	4.5
Other*	50.8	^	22.9	...	74.3	^	56.6	65.3	25.2	^
<b>Hispanic origin</b>										
Hispanic/Latino	37.3 mo.	110.7 mo.	25.8 mo.	21.2 mo.	67.4 mo.	32.7 mo.	59.3 mo.	71.8 mo.	21.4 mo.	4.2 mo.
Non-Hispanic/Latino	79.6	117.2	33.9	36.6	95.3	38.1	74.2	91.5	23.7	6.7
<b>Age</b>										
Under 19 years	17.9 mo.	30.9 mo.	^ mo.	^ mo.	25.5 mo.	^ mo.	^ mo.	60.0 mo.	9.4 mo.	2.8 mo.
19–20	38.0	71.6	18.9	32.0	42.3	^	68.7	79.1	11.3	3.3
21–30	54.5	95.4	26.6	28.9	77.6	37.6	73.6	82.6	18.0	5.3
31–40	58.8	121.6	30.7	46.6	92.5	34.7	69.0	94.1	23.0	4.5
Over 40	58.5	145.8	36.0	29.2	82.7	32.6	70.5	91.5	26.0	5.8
<b>Citizenship</b>										
U.S. citizen	76.5 mo.	116.3 mo.	33.6 mo.	34.5 mo.	88.8 mo.	36.1 mo.	72.7 mo.	89.5 mo.	19.5 mo.	6.9 mo.
Non-U.S. citizen	32.2	105.5	26.0	33.7	65.8	32.2	54.9	65.7	21.5	4.0
<b>Education</b>										
Less than high school graduate	51.1 mo.	102.9 mo.	27.9 mo.	28.9 mo.	78.9 mo.	31.9 mo.	68.8 mo.	86.1 mo.	21.7 mo.	12.1 mo.
High school graduate	74.1	122.0	32.2	39.3	90.5	35.4	76.7	86.9	24.8	9.1
Some college	63.4	122.7	32.6	27.3	75.4	32.2	71.5	87.6	21.8	9.6
College graduate	57.1	141.4	37.3	43.3	72.7	36.9	68.6	100.9	16.7	11.6
<b>Criminal record</b>										
No convictions	47.4 mo.	109.9 mo.	29.7 mo.	24.4 mo.	56.0 mo.	29.0 mo.	66.9 mo.	67.8 mo.	11.3 mo.	9.9 mo.
Prior adult convictions	59.6	117.5	32.8	39.0	99.2	41.4	77.2	88.7	23.2	3.6

Note: Excludes life sentences and indeterminate sentences. Includes prison portion of split or mixed sentences.

^Too few cases to obtain statistically reliable data.

\*Includes persons of two or more races.

Source: Administrative Office of the U.S. Courts criminal master file, fiscal year 2009.

## Federal Appeals

**TABLE 6.1**

**Criminal appeals terminated, by type of criminal case and offense, October 1, 2008–September 30, 2009**

Offense of conviction	Number of criminal appeals terminated						
	Total	Pre-guideline <sup>a</sup>	Total	Conviction only	Sentence only	Sentence and conviction	Other
<b>All offenses<sup>b</sup></b>	13,974	1,638	12,336	867	4,196	6,768	505
<b>Violent offenses</b>	711	74	637	57	147	404	29
Murder	55	10	45	7	13	24	1
Assault	117	16	101	5	15	77	4
Robbery	289	30	259	27	72	152	8
Sexual abuse	201	14	187	14	42	121	10
Kidnapping	43	4	39	3	4	28	4
Threats against the President	6	0	6	1	1	2	2
<b>Property offenses</b>	1,763	226	1,537	125	419	922	71
Fraudulent	1,446	195	1,251	108	345	738	60
Embezzlement	62	6	56	6	10	38	2
Fraud	1,255	176	1,079	90	306	630	53
Forgery	4	1	3	0	1	2	0
Counterfeiting	125	12	113	12	28	68	5
Other	317	31	286	17	74	184	11
Burglary	5	0	5	0	2	3	0
Larceny	192	19	173	10	41	117	5
Motor vehicle theft	27	2	25	0	9	16	0
Arson and explosives	61	8	53	5	17	29	2
Transportation of stolen property	25	2	23	1	4	15	3
Other property offenses	7	0	7	1	1	4	1
<b>Drug offenses</b>	6,300	772	5,528	354	2,379	2,530	265
<b>Public-order offenses</b>	1,229	192	1,037	102	284	607	44
Regulatory	142	19	123	16	32	70	5
Food and drug	2	0	2	0	1	1	0
Transportation	25	3	22	3	9	10	0
Civil rights	35	3	32	5	4	19	4
Custom laws	5	2	3	0	0	3	0
Other regulatory offenses	75	11	64	8	18	37	1
Other	1,087	173	914	86	252	537	39
Tax law violations	108	20	88	6	20	51	11
Bribery	19	5	14	2	2	10	0
Perjury, contempt, and intimidation	83	23	60	9	16	30	5
National defense	29	5	24	5	10	8	1
Escape	62	11	51	5	11	31	4
Racketeering and extortion	258	57	201	14	61	120	6
Gambling	2	0	2	0	0	2	0
Nonviolent sex offenses	445	36	409	36	120	241	12
Obscene material	13	3	10	2	2	6	0
Traffic offenses	16	3	13	3	2	8	0
Wildlife	10	2	8	3	2	3	0
Environmental	6	1	5	1	1	3	0
All other offenses	36	7	29	0	5	24	0
<b>Weapon offenses</b>	1,995	214	1,781	166	465	1,087	63
<b>Immigration offenses</b>	1,526	47	1,479	53	284	1,133	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; and all other offenses includes offenses with unclassifiable offense type.

<sup>a</sup>Defendant was sentenced prior to November 1, 1987, when the federal sentencing guidelines took effect.

<sup>b</sup>Total includes 450 appeals terminated for which an offense category could not be determined.

Source: Administrative Office of the U.S. Courts Court of Appeals, fiscal year 2009.

**TABLE 6.2****Disposition of criminal appeals terminated, by offense, October 1, 2008–September 30, 2009**

Offense of conviction	Total criminal appeals terminated	Criminal appeals terminated on the merits						Other	Procedural terminations
		Total	Percent	Affirmed	Remanded or reversed	Partially affirmed	Dismissed		
<b>All offenses*</b>	13,974	10,450	74.8%	8,198	831	354	1,005	62	3,524
<b>Violent offenses</b>	711	556	78.2%	433	46	29	41	7	155
Murder	55	47	85.5	36	1	6	3	1	8
Assault	117	92	78.6	69	10	5	7	1	25
Robbery	289	209	72.3	156	24	8	20	1	80
Sexual abuse	201	166	82.6	133	10	10	9	4	35
Kidnapping	43	36	83.7	34	0	0	2	0	7
Threats against the President	6	6	^	5	1	0	0	0	0
<b>Property offenses</b>	1,763	1,289	73.1%	977	129	69	107	7	474
Fraudulent	1,446	1,057	73.1%	797	111	55	89	5	389
Embezzlement	62	44	71.0	33	1	3	7	0	18
Fraud	1,255	911	72.6	686	100	50	70	5	344
Forgery	4	2	^	2	0	0	0	0	2
Counterfeiting	125	100	80.0	76	10	2	12	0	25
Other	317	232	73.2%	180	18	14	18	2	85
Burglary	5	4	^	2	0	1	0	1	1
Larceny	192	142	74.0	111	10	7	13	1	50
Motor vehicle theft	27	19	70.4	17	1	0	1	0	8
Arson and explosives	61	47	77.0	36	4	5	2	0	14
Transportation of stolen property	25	15	60.0	9	3	1	2	0	10
Other property offenses	7	5	^	5	0	0	0	0	2
<b>Drug offenses</b>	6,300	4,680	74.3%	3,829	260	128	450	13	1,620
<b>Public-order offenses</b>	1,229	882	71.8%	658	117	50	53	4	347
Regulatory	142	117	82.4%	86	16	12	3	0	25
Food and drug	2	1	^	1	0	0	0	0	1
Transportation	25	16	64.0	13	1	1	1	0	9
Civil rights	35	34	97.1	24	9	1	0	0	1
Custom laws	5	3	^	0	2	1	0	0	2
Other regulatory offenses	75	63	84.0	48	4	9	2	0	12
Other	1,087	765	70.4%	572	101	38	50	4	322
Tax law violations	108	72	66.7	52	10	5	4	1	36
Bribery	19	12	63.2	10	1	0	1	0	7
Perjury, contempt, and intimidation	83	51	61.4	36	4	4	7	0	32
National defense	29	26	89.7	17	6	0	3	0	3
Escape	62	41	66.1	26	12	1	2	0	21
Racketeering and extortion	258	182	70.5	150	16	7	9	0	76
Gambling	2	1	^	1	0	0	0	0	1
Nonviolent sex offenses	445	326	73.3	238	45	19	21	3	119
Obscene material	13	9	69.2	8	1	0	0	0	4
Traffic offenses	16	11	68.8	10	1	0	0	0	5
Wildlife	10	5	^	2	2	1	0	0	5
Environmental	6	1	^	0	0	1	0	0	5
All other offenses	36	28	77.8	22	3	0	3	0	8
<b>Weapon offenses</b>	1,995	1,559	78.1%	1,239	172	49	98	1	436
<b>Immigration offenses</b>	1,526	1,183	77.5%	808	90	23	233	29	343

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 450 appeals terminated for which an offense category could not be determined.

Source: Administrative Office of the U.S. Courts Court of Appeals, fiscal year 2009.

**TABLE 6.3****Criminal appeals cases terminated on the merits, by offense, October 1, 2008–September 30, 2009**

Most serious offense	Total criminal appeal cases terminated	Percent of criminal appeals cases terminated on merits					
		Total	Affirmed	Remanded or reversed	Partially affirmed	Dismissed	Other
<b>All offenses*</b>	10,450	100%	78.4%	8.0%	3.4%	9.6%	0.6%
<b>Violent offenses</b>	556	100%	77.9%	8.3%	5.2%	7.4%	1.3%
Murder	47	100%	76.6	2.1	12.8	6.4	2.1
Assault	92	100%	75.0	10.9	5.4	7.6	1.1
Robbery	209	100%	74.6	11.5	3.8	9.6	0.5
Sexual abuse	166	100%	80.1	6.0	6.0	5.4	2.4
Kidnapping	36	100%	94.4	0.0	0.0	5.6	0.0
Threats against the President	6	100%	^	^	^	^	^
<b>Property offenses</b>	1,289	100%	75.8%	10.0%	5.4%	8.3%	0.5%
Fraudulent	1,057	100%	75.4%	10.5%	5.2%	8.4%	0.5%
Embezzlement	44	100%	75.0	2.3	6.8	15.9	0.0
Fraud	911	100%	75.3	11.0	5.5	7.7	0.5
Forgery	2	100%	^	^	^	^	^
Counterfeiting	100	100%	76.0	10.0	2.0	12.0	0.0
Other	232	100%	77.6%	7.8%	6.0%	7.8%	0.9%
Burglary	4	100%	^	^	^	^	^
Larceny	142	100%	78.2	7.0	4.9	9.2	0.7
Motor vehicle theft	19	100%	89.5	5.3	0.0	5.3	0.0
Arson and explosives	47	100%	76.6	8.5	10.6	4.3	0.0
Transportation of stolen property	15	100%	60.0	20.0	6.7	13.3	0.0
Other property offenses	5	100%	^	^	^	^	^
<b>Drug offenses</b>	4,680	100%	81.8%	5.6%	2.7%	9.6%	0.3%
<b>Public-order offenses</b>	882	100%	74.6%	13.3%	5.7%	6.0%	0.5%
Regulatory	117	100%	73.5%	13.7%	10.3%	2.6%	0.0%
Food and drug	1	100%	^	^	^	^	^
Transportation	16	100%	81.3	6.3	6.3	6.3	0.0
Civil rights	34	100%	70.6	26.5	2.9	0.0	0.0
Custom laws	3	100%	^	^	^	^	^
Other regulatory offenses	63	100%	76.2	6.3	14.3	3.2	0.0
Other	765	100%	74.8%	13.2%	5.0%	6.5%	0.5%
Tax law violations	72	100%	72.2	13.9	6.9	5.6	1.4
Bribery	12	100%	83.3	8.3	0.0	8.3	0.0
Perjury, contempt, and intimidation	51	100%	70.6	7.8	7.8	13.7	0.0
National defense	26	100%	65.4	23.1	0.0	11.5	0.0
Escape	41	100%	63.4	29.3	2.4	4.9	0.0
Racketeering and extortion	182	100%	82.4	8.8	3.8	4.9	0.0
Gambling	1	100%	^	^	^	^	^
Nonviolent sex offenses	326	100%	73.0	13.8	5.8	6.4	0.9
Obscene material	9	100%	^	^	^	^	^
Traffic offenses	11	100%	90.9	9.1	0.0	0.0	0.0
Wildlife	5	100%	^	^	^	^	^
Environmental	1	100%	^	^	^	^	^
All other offenses	28	100%	78.6	10.7	0.0	10.7	0.0
<b>Weapon offenses</b>	1,559	100%	79.5%	11.0%	3.1%	6.3%	0.1%
<b>Immigration offenses</b>	1,183	100%	68.3%	7.6%	1.9%	19.7%	2.5%

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.

\*Total includes 301 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, fiscal year 2009.

## Section 3: Federal Corrections and Supervision

### Federal Supervision, Probation, and Parole

**TABLE 7.1**  
Federal offenders under supervision, by offense, October 1, 2008–September 30, 2009

Most serious offense of conviction	Total offenders under supervision		Type of supervision					
	Number	Percent	Probation		Supervised release		Parole	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>All offenses<sup>a</sup></b>	123,371	100%	22,748	100%	98,465	100%	2,158	100%
<b>Felonies<sup>b</sup></b>	116,444	94.5%	16,596	73.2%	97,696	99.3%	2,152	99.8%
Violent offenses	6,556	5.3%	350	1.5%	5,176	5.3%	1,030	47.8%
Murder	773	0.6	48	0.2	379	0.4	346	16.0
Negligent manslaughter	8	--	1	--	2	--	5	0.2
Assault	818	0.7	123	0.5	579	0.6	116	5.4
Robbery	3,888	3.2	80	0.4	3,405	3.5	403	18.7
Sexual abuse	843	0.7	70	0.3	677	0.7	96	4.5
Kidnapping	173	0.1	8	--	101	0.1	64	3.0
Threats against the President	53	--	20	0.1	33	--	0	0.0
Property offenses	26,260	21.3%	8,825	38.9%	17,257	17.5%	178	8.3%
Fraudulent	22,026	17.9%	6,969	30.7%	15,011	15.3%	46	2.1%
Embezzlement	1,731	1.4	683	3.0	1,045	1.1	3	0.1
Fraud	18,150	14.7	5,601	24.7	12,515	12.7	34	1.6
Forgery	118	0.1	60	0.3	55	0.1	3	0.1
Counterfeiting	2,027	1.6	625	2.8	1,396	1.4	6	0.3
Other	4,234	3.4%	1,856	8.2%	2,246	2.3%	132	6.1%
Burglary	171	0.1	10	--	105	0.1	56	2.6
Larceny	3,111	2.5	1,643	7.2	1,419	1.4	49	2.3
Motor vehicle theft	237	0.2	19	0.1	205	0.2	13	0.6
Arson and explosives	330	0.3	66	0.3	256	0.3	8	0.4
Transportation of stolen property	326	0.3	91	0.4	230	0.2	5	0.2
Other property offenses	59	--	27	0.1	31	--	1	--
Drug offenses	56,247	45.6%	2,643	11.7%	53,057	53.9%	547	25.4%
Trafficking	47,945	38.9	2,278	10.0	45,184	45.9	483	22.4
Possession and other drug offenses	8,302	6.7	365	1.6	7,873	8.0	64	3.0
Public-order offenses	8,647	7.0%	2,682	11.8%	5,765	5.9%	200	9.3%
Regulatory	2,044	1.7%	1,120	4.9%	904	0.9%	20	0.9%
Agriculture	6	--	1	--	4	--	1	--
Antitrust	31	--	24	0.1	7	--	0	0.0
Food and drug	54	--	34	0.1	20	--	0	0.0
Transportation	220	0.2	129	0.6	86	0.1	5	0.2
Civil rights	127	0.1	22	0.1	100	0.1	5	0.2
Communications	104	0.1	69	0.3	35	--	0	0.0
Custom laws	104	0.1	48	0.2	56	0.1	0	0.0
Postal laws	90	0.1	70	0.3	18	--	2	0.1
Other regulatory offenses	1,308	1.1	723	3.2	578	0.6	7	0.3
Other	6,603	5.4%	1,562	6.9%	4,861	4.9%	180	8.3%
Tax law violations	866	0.7	397	1.7	467	0.5	2	0.1
Bribery	258	0.2	96	0.4	162	0.2	0	0.0
Perjury, contempt and intimidation	362	0.3	97	0.4	263	0.3	2	0.1
National defense	125	0.1	45	0.2	74	0.1	6	0.3
Escape	330	0.3	44	0.2	277	0.3	9	0.4
Racketeering and extortion	1,980	1.6	354	1.6	1,580	1.6	46	2.1
Gambling	32	0.0	14	0.1	18	--	0	0.0
Nonviolent sex offenses	2,006	1.6	147	0.6	1,753	1.8	106	4.9
Obscene material	56	--	16	0.1	40	--	0	0.0
Wildlife	83	0.1	64	0.3	19	--	0	0.0
Environmental	62	0.1	43	0.2	19	--	0	0.0
All other offenses	443	0.4	245	1.1	189	0.2	9	0.4

Continued on next page

**TABLE 7.1 (continued)****Federal offenders under supervision, by offense, October 1, 2008–September 30, 2009**

Most serious offense of conviction	Total offenders under supervision		Type of supervision					
	Number	Percent	Probation		Supervised release		Parole	
			Number	Percent	Number	Percent	Number	Percent
Weapon offenses	14,083	11.4%	1,191	5.2%	12,699	12.9%	193	8.9%
Immigration offenses	4,533	3.7%	843	3.7%	3,687	3.7%	3	0.1%
<b>Misdemeanors</b>	6,927	5.6%	6,152	27.1%	769	0.8%	6	0.3%
Fraudulent property offenses	561	0.5	518	2.3	43	--	0	0.0
Larceny	812	0.7	752	3.3	60	0.1	0	0.0
Drug possession	990	0.8	860	3.8	130	0.1	0	0.0
Immigration misdemeanors	222	0.2	210	0.9	12	--	0	0.0
Traffic offenses	2,217	1.8	2,155	9.5	62	0.1	0	0.0
Other misdemeanors	2,125	1.7	1,657	7.3	462	0.5	6	0.3

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; misdemeanors includes misdemeanors, petty offenses, and unknown offense levels; and drug possession includes other drug misdemeanors.

-- Less than 0.05%.

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

<sup>b</sup>An offense category was unknown or could not be determined for 118 felony offenders. These offenders include 62 under probation, 55 under supervised release, and 1 on parole.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS), fiscal year 2009.



**TABLE 7.2**  
**Characteristics of federal offenders under supervision on September 30, 2009**

Offender characteristic	Total offenders under supervision		Probation		Supervised release		Parole	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>All offenders<sup>a</sup></b>	123,371	100%	22,748	100%	98,465	100%	2,158	100%
<b>Sex</b>								
Male	99,414	80.9%	14,268	63.8%	83,051	84.4%	2,095	97.1%
Female	23,511	19.1	8,088	36.2	15,361	15.6	62	2.9
<b>Race</b>								
White	70,209	57.3%	14,362	64.6%	55,050	56.0%	797	37.3%
Black/African American	45,640	37.2	6,086	27.4	38,258	38.9	1,296	60.6
American Indian/Alaska Native	2,769	2.3	673	3.0	2,063	2.1	33	1.5
Asian/Native Hawaiian/Other Pacific Islander	3,476	2.8	929	4.2	2,535	2.6	12	0.6
Other <sup>b</sup>	528	0.4	196	0.9	331	0.3	1	--
<b>Hispanic Origin</b>								
Hispanic/Latino	25,410	20.8%	3,689	16.7%	21,509	22.0%	212	10.0%
Non-Hispanic/Latino	96,544	79.2	18,404	83.3	76,231	78.0	1,909	90.0
<b>Age</b>								
Under 19 years	269	0.2%	221	1.0%	48	--%	0	0.0%
19–20	1,333	1.1	693	3.1	639	0.6	1	--
21–30	30,362	24.7	6,131	27.4	24,060	24.4	171	7.9
31–40	41,683	33.9	5,700	25.5	35,620	36.2	363	16.8
Over 40	49,359	40.1	9,646	43.1	38,090	38.7	1,623	75.2

-- Less than 0.05%.

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

<sup>b</sup>Includes persons of two or more races.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS), fiscal year 2009.

**TABLE 7.3**

**Outcomes of probation supervision, by offense, October 1, 2008–September 30, 2009**

Most serious offense of conviction	Number of probation terminations	Total	Technical violations <sup>a</sup>				Administrative case closures	
			No violation	Drug use	Fugitive status	Other		
All offenses	12,007	100%	81.2%	2.2%	1.0%	4.2%	4.5%	6.9%
<b>Felonies</b>	7,044	100%	81.8%	2.0%	0.9%	4.2%	3.3%	7.8%
Violent offenses	179	100%	54.2%	3.4%	3.4%	19.0%	4.5%	15.6%
Murder	16	100%	37.5	18.8	6.3	6.3	6.3	25.0
Assault	67	100%	59.7	0.0	4.5	25.4	3.0	7.5
Robbery	42	100%	61.9	2.4	4.8	4.8	2.4	23.8
Sexual abuse	41	100%	46.3	2.4	0.0	31.7	7.3	12.2
Kidnapping	5	100%	^	^	^	^	^	^
Threats against the President	8	100%	^	^	^	^	^	^
Property offenses	3,653	100%	85.2%	1.8%	0.7%	4.1%	2.8%	5.5%
Fraudulent	3,043	100%	86.9%	1.5%	0.6%	3.6%	2.5%	4.9%
Embezzlement	246	100%	91.5	0.8	0.8	0.8	0.8	5.3
Fraud	2,500	100%	87.8	1.2	0.5	3.4	2.4	4.7
Forgery	32	100%	78.1	0.0	0.0	9.4	6.3	6.3
Counterfeiting	265	100%	75.1	4.9	1.5	7.9	4.9	5.7
Other	610	100%	76.6%	3.1%	1.0%	6.2%	4.3%	8.9%
Burglary	9	100%	^	^	^	^	^	^
Larceny	508	100%	78.5	2.6	1.2	5.3	3.3	9.1
Motor vehicle theft	6	100%	^	^	^	^	^	^
Arson and explosives	32	100%	62.5	9.4	0.0	6.3	6.3	15.6
Transportation of stolen property	38	100%	78.9	7.9	0.0	7.9	2.6	2.6
Other property offenses	17	100%	70.6	0.0	0.0	5.9	23.5	0.0
Drug offenses	1,233	100%	74.3%	2.5%	0.8%	3.9%	3.9%	14.6%
Trafficking	1,105	100%	73.8	2.5	0.9	4.2	4.1	14.6
Possession and other drug offenses	128	100%	78.9	2.3	0.0	1.6	2.3	14.8
Public-order offenses	1,057	100%	87.8%	1.3%	0.9%	2.5%	2.1%	5.5%
Regulatory	507	100%	89.3%	1.4%	0.6%	3.2%	2.2%	3.4%
Antitrust	8	100%	^	^	^	^	^	^
Food and drug	13	100%	100.0	0.0	0.0	0.0	0.0	0.0
Transportation	49	100%	83.7	4.1	2.0	6.1	2.0	2.0
Civil rights	10	100%	^	^	^	^	^	^
Communications	27	100%	96.3	0.0	0.0	0.0	0.0	3.7
Custom laws	18	100%	94.4	0.0	0.0	0.0	0.0	5.6
Postal laws	28	100%	89.3	3.6	0.0	0.0	7.1	0.0
Other regulatory offenses	354	100%	89.3	1.1	0.6	3.4	2.0	3.7
Other	550	100%	86.4%	1.3%	1.1%	1.8%	2.0%	7.5%
Tax law violations	135	100%	96.3	0.7	0.0	0.7	0.7	1.5
Bribery	45	100%	95.6	0.0	0.0	0.0	0.0	4.4
Perjury, contempt, and intimidation	50	100%	88.0	0.0	2.0	0.0	2.0	8.0
National defense	17	100%	82.4	0.0	0.0	0.0	0.0	17.6
Escape	19	100%	78.9	5.3	0.0	0.0	5.3	10.5
Racketeering and extortion	139	100%	90.6	0.7	0.0	0.7	2.2	5.8
Gambling	8	100%	^	^	^	^	^	^
Nonviolent sex offenses	40	100%	67.5	0.0	0.0	10.0	2.5	20.0
Obscene material	1	100%	^	^	^	^	^	^
Wildlife	17	100%	100.0	0.0	0.0	0.0	0.0	0.0
Environmental	15	100%	93.3	0.0	0.0	0.0	0.0	6.7
All other offenses	64	100%	57.8	6.3	7.8	4.7	6.3	17.2
Weapon offenses	537	100%	75.0%	1.7%	0.7%	5.0%	6.5%	11.0%
Immigration offenses	343	100%	81.0%	3.5%	2.0%	2.3%	4.1%	7.0%

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**TABLE 7.3 (continued)****Outcomes of probation supervision, by offense, October 1, 2008–September 30, 2009**

Most serious offense of conviction	Number of probation terminations	Total	No violation	Technical violations <sup>a</sup>			New crime <sup>b</sup>	Administrative case closures
				Drug use	Fugitive status	Other		
<b>Misdemeanors</b>	4,963	100%	80.3%	2.6%	1.2%	4.1%	6.1%	5.6%
Fraudulent property offense	297	100%	91.6	1.0	1.0	2.0	1.7	2.7
Larceny	496	100%	79.0	3.2	0.8	5.8	5.0	6.0
Drug possession	783	100%	75.9	6.9	1.5	5.2	5.0	5.5
Immigration	226	100%	50.9	0.0	0.9	1.3	40.3	6.6
Traffic offenses	1,943	100%	82.4	1.7	1.4	3.6	5.2	5.7
Other misdemeanors	1,218	100%	83.2	1.8	1.0	4.6	3.4	6.0

Note: Offenses for 42 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 includes other drug misdemeanors.

<sup>a</sup>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 (FPSIS), fiscal year 2009.

**TABLE 7.4****Characteristics of offenders terminating probation supervision, by outcome, October 1, 2008–September 30, 2009**

Offender characteristic	Number of probation terminations	No violation	Technical violations <sup>a</sup>				Administrative case closures
			Drug use	Fugitive status	Other	New crime <sup>b</sup>	
All offenders <sup>c</sup>	12,007	81.2%	2.2%	1.0%	4.2%	4.5%	6.9%
<b>Sex</b>							
Male	8,033	79.4%	2.1%	1.0%	4.4%	5.3%	7.8%
Female	3,840	84.5	2.6	1.0	3.8	2.9	5.2
<b>Race</b>							
White	7,684	82.9%	2.2%	0.9%	3.3%	4.5%	6.2%
Black/African American	3,159	78.3	2.7	1.1	5.2	4.7	8.0
American Indian/Alaska Native	383	60.8	1.8	3.4	19.3	6.8	7.8
Asian/Native Hawaiian/Other Pacific Islander	474	84.6	1.3	0.6	1.9	1.1	10.5
Other <sup>d</sup>	85	88.2	1.2	0.0	2.4	2.4	5.9
<b>Hispanic Origin</b>							
Hispanic/Latino	1,899	78.9%	1.7%	1.7%	3.8%	9.0%	4.8%
Non-Hispanic/Latino	9,772	81.5	2.3	0.9	4.3	3.7	7.3
<b>Age</b>							
Under 19 years	60	46.7%	5.0%	1.7%	21.7%	18.3%	6.7%
19–20	312	59.0	8.0	2.9	14.1	10.9	5.1
21–30	3,189	80.5	3.6	0.7	5.4	5.3	4.5
31–40	2,749	85.7	1.7	0.3	3.6	4.0	4.8
Over 40	4,884	89.0	1.2	0.2	1.8	1.8	6.0

<sup>a</sup>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.

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

<sup>d</sup>Includes persons of two or more races.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS), fiscal year 2009.

**TABLE 7.5****Outcomes of supervised release, by offense, October 1, 2008–September 30, 2009**

Most serious offense of conviction	Number of supervised released terminations	Percent of supervised releases terminating with—					Administrative case closures
		No violation	Technical violations <sup>a</sup>			New crime <sup>b</sup>	
			Drug use	Fugitive status	Other		
<b>All offenses</b>	39,957	58.6%	6.7%	3.1%	9.1%	12.6%	9.9%
<b>Felonies</b>	39,361	58.5%	6.7%	3.1%	9.1%	12.7%	9.9%
Violent offenses	2,627	44.4%	7.2%	5.0%	17.3%	13.5%	12.6%
Murder	198	32.8	6.6	8.6	23.7	15.7	12.6
Negligent manslaughter	1	^	^	^	^	^	^
Assault	374	39.0	3.7	6.7	27.3	13.4	9.9
Robbery	1,641	46.1	9.1	4.1	12.6	14.3	13.8
Sexual abuse	356	44.9	3.7	5.3	25.3	10.1	10.7
Kidnapping	41	68.3	0.0	4.9	12.2	7.3	7.3
Threats against the President	16	56.3	0.0	6.3	31.3	0.0	6.3
Property offenses	7,329	67.1%	4.8%	3.0%	8.8%	8.1%	8.2%
Fraudulent	6,167	69.4%	4.3%	2.5%	7.9%	7.6%	8.4%
Embezzlement	429	83.7	1.9	0.7	4.4	3.7	5.6
Fraud	4,979	70.2	3.9	2.6	7.8	7.0	8.6
Forgery	42	76.2	2.4	0.0	9.5	11.9	0.0
Counterfeiting	717	54.5	8.8	3.1	10.9	13.8	8.9
Other	1,162	55.1%	7.8%	5.6%	13.3%	11.0%	7.1%
Burglary	74	40.5	13.5	8.1	12.2	16.2	9.5
Larceny	714	52.9	7.8	6.7	14.0	11.9	6.6
Motor vehicle theft	117	60.7	8.5	0.9	11.1	12.8	6.0
Arson and explosives	142	57.7	5.6	4.2	15.5	7.7	9.2
Transportation of stolen property	93	69.9	3.2	3.2	8.6	5.4	9.7
Other property offenses	22	63.6	18.2	4.5	13.6	0.0	0.0
Drug offenses	17,366	62.8%	7.0%	2.5%	7.2%	11.2%	9.2%
Trafficking	15,519	63.7	6.9	2.4	7.3	10.9	8.6
Possession and other drug offenses	1,847	54.7	8.1	2.5	6.7	13.6	14.2
Public-order offenses	2,649	73.1%	2.6%	2.3%	7.7%	6.3%	7.9%
Regulatory	469	79.1%	3.2%	1.5%	6.0%	4.1%	6.2%
Agriculture	2	^	^	^	^	^	^
Antitrust	5	^	^	^	^	^	^
Food and drug	14	78.6	0.0	14.3	7.1	0.0	0.0
Transportation	35	65.7	5.7	0.0	14.3	2.9	11.4
Civil rights	46	84.8	2.2	4.3	0.0	4.3	4.3
Communications	6	^	^	^	^	^	^
Custom laws	17	52.9	5.9	0.0	17.6	11.8	11.8
Postal laws	9	^	^	^	^	^	^
Other regulatory offenses	335	81.8	2.7	0.9	5.4	4.2	5.1
Other	2,180	71.8	2.5	2.5	8.1	6.8	8.2
Tax law violations	294	92.5%	0.0%	0.7%	2.7%	1.4%	2.7%
Bribery	69	97.1	0.0	0.0	0.0	0.0	2.9
Perjury, contempt, and intimidation	120	71.7	5.0	4.2	3.3	9.2	6.7
National defense	27	66.7	3.7	0.0	7.4	11.1	11.1
Escape	213	34.7	8.0	10.3	17.8	14.6	14.6
Racketeering and extortion	690	72.9	2.8	2.0	5.8	7.1	9.4
Gambling	8	^	^	^	^	^	^
Nonviolent sex offenses	603	71.3	0.5	1.2	12.3	6.6	8.1
Obscene material	23	69.6	0.0	0.0	4.3	13.0	13.0
Wildlife	11	81.8	0.0	0.0	0.0	9.1	9.1
Environmental	17	100.0	0.0	0.0	0.0	0.0	0.0
All other offenses	105	61.9	8.6	4.8	9.5	6.7	8.6
Weapon offenses	6,323	44.1%	10.3%	3.6%	12.7%	17.5%	11.8%
Immigration offenses	3,030	42.3%	5.0%	4.6%	7.4%	26.7%	14.0%

Continued on next page

**TABLE 7.5 (continued)****Outcomes of supervised release, by offense, October 1, 2008–September 30, 2009**

Most serious offense of conviction	Number of supervised released terminations	Percent of supervised releases terminating with—					Administrative case closures
		No violation	Technical violations <sup>a</sup>			New crime <sup>b</sup>	
			Drug use	Fugitive status	Other		
<b>Misdemeanors</b>	596	69.0%	6.4%	2.2%	7.7%	7.6%	7.2%
Fraudulent property offense	67	83.6	1.5	1.5	7.5	1.5	4.5
Larceny	77	58.4	13.0	2.6	11.7	7.8	6.5
Drug possession	107	64.5	12.1	1.9	10.3	8.4	2.8
Immigration misdemeanors	9	^	^	^	^	^	^
Traffic offenses	104	68.3	4.8	1.0	6.7	13.5	5.8
Other misdemeanors	232	71.1	3.4	2.6	6.0	6.0	10.8

Note: Offenses for 37 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 includes other drug misdemeanors.

<sup>a</sup>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, fiscal year 2009.

**TABLE 7.6****Outcome of offenders terminating supervised release, by offender characteristics, October 1, 2008–September 30, 2009**

Offender characteristic	Number of supervised release terminations	Percent terminating supervised release with—					Administrative case closures
		No violation	Technical violations <sup>a</sup>			New crime <sup>b</sup>	
			Drug use	Fugitive status	Other		
<b>All offenders<sup>c</sup></b>	39,957	58.6%	6.7%	3.1%	9.1%	12.6%	9.9%
<b>Sex</b>							
Male	34,136	56.3%	7.0%	3.2%	9.5%	13.8%	10.4
Female	5,809	72.6	5.1	2.5	6.9	5.6	7.3
<b>Race</b>							
White	23,753	62.2%	6.4%	3.0%	7.7%	11.3%	9.4%
Black/African American	13,856	53.5	7.6	2.8	10.1	15.2	10.9
American Indian/Alaska Native	1,292	37.5	5.9	8.4	26.8	12.7	8.7
Asian/Native Hawaiian/ Other Pacific Islander	876	74.3	3.5	1.1	6.8	5.8	8.3
Other <sup>d</sup>	141	70.9	0.7	2.1	5.0	7.8	13.5
<b>Hispanic Origin</b>							
Hispanic/Latino	9,920	55.0%	6.1%	4.0%	8.1%	15.5%	11.3%
Non-Hispanic/Latino	29,881	59.9	6.9	2.7	9.4	11.6	9.4
<b>Age</b>							
Under 19 years	7	^	^	^	^	^	^
19-20	109	17.4%	12.8%	6.4%	27.5%	22.9%	12.8%
21-30	7,715	50.5	10.4	3.1	14.1	13.6	8.3
31-40	11,582	65.0	7.7	1.7	9.2	10.3	6.2
Over 40	14,083	76.3	5.1	0.9	5.6	5.7	6.4

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

<sup>b</sup>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.

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

<sup>e</sup>Includes persons of two or more races.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS), fiscal year 2009.

**TABLE 7.7**  
**Outcomes of parole, by offense, October 1, 2008–September 30, 2009**

Most serious offense of conviction	Number of parole terminations	No violation	Technical violations <sup>a</sup>			New crime <sup>b</sup>	Administrative case closures
			Drug use	Fugitive status	Other		
<b>All offenses</b>	838	60.5%	3.2%	3.2%	5.1%	9.9%	18.0%
<b>Felonies</b>	834	60.3%	3.2%	3.2%	5.2%	10.0%	18.1%
Violent offenses	332	52.1%	4.8%	3.6%	6.3%	13.6%	19.6%
Murder	50	58.0	4.0	2.0	6.0	14.0	16.0
Assault	39	53.8	7.7	2.6	5.1	15.4	15.4
Robbery	178	44.9	5.6	5.1	5.6	14.6	24.2
Sexual abuse	47	72.3	2.1	0.0	8.5	8.5	8.5
Kidnapping	17	52.9	0.0	5.9	11.8	11.8	17.6
Threats against the President	1	^	^	^	^	^	^
Property offenses	97	63.9%	3.1%	4.1%	2.1%	10.3%	16.5%
Fraudulent	28	60.7%	0.0%	3.6%	0.0%	14.3%	21.4%
Embezzlement	2	^	^	^	^	^	^
Fraud	23	65.2	0.0	0.0	0.0	17.4	17.4
Forgery	1	^	^	^	^	^	^
Counterfeiting	2	^	^	^	^	^	^
Other	69	65.2%	4.3%	4.3%	2.9%	8.7%	14.5%
Burglary	23	52.2	4.3	0.0	8.7	8.7	26.1
Larceny	38	73.7	5.3	5.3	0.0	7.9	7.9
Motor vehicle theft	5	^	^	^	^	^	^
Arson and explosives	1	^	^	^	^	^	^
Transportation of stolen property	2	^	^	^	^	^	^
Drug offenses	243	67.1%	2.1%	2.5%	4.1%	6.6%	17.7%
Trafficking	207	68.6	1.9	2.9	3.4	6.3	16.9
Possession and other drug offenses	36	58.3	2.8	0.0	8.3	8.3	22.2
Public-order offenses	101	76.2%	2.0%	2.0%	4.0%	5.9%	9.9%
Regulatory	3	^	^	^	^	^	^
Other regulatory offenses	3	^	^	^	^	^	^
Other	98	75.5%	2.0%	2.0%	4.1%	6.1%	10.2%
Bribery	1	^	^	^	^	^	^
Perjury, contempt, and intimidation	1	^	^	^	^	^	^
National defense	2	^	^	^	^	^	^
Escape	4	^	^	^	^	^	^
Racketeering and extortion	16	81.3	0.0	0.0	0.0	6.3	12.5
Gambling	1	^	^	^	^	^	^
Nonviolent sex offenses	69	73.9	1.4	2.9	4.3	5.8	11.6
All other offenses	4	^	^	^	^	^	^
Weapon offenses	61	45.9%	1.6%	4.9%	9.8%	9.8%	27.9%
<b>Misdemeanors</b>	4	^	^	^	^	^	^
Larceny	3	^	^	^	^	^	^
Other misdemeanors	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; tax law violations includes tax fraud; misdemeanors includes misdemeanors, petty offenses, and unknown offense levels; and drug possession 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 (FPSIS), fiscal year 2009.



**TABLE 7.8****Characteristics of offenders terminating parole, October 1, 2008–September 30, 2009**

Offender characteristic	Number of parole terminations	Percent terminating parole with—					Administrative case closures
		No violation	Technical violation <sup>a</sup>			New crime <sup>b</sup>	
			Drug use	Fugitive status	Other		
<b>All offenders<sup>c</sup></b>	838	60.5%	3.2%	3.2%	5.1%	9.9%	18.0%
<b>Sex</b>							
Male	818	60.0%	3.3%	3.2%	5.3%	10.0%	18.2%
Female	20	80.0	0.0	5.0	0.0	5.0	10.0
<b>Race</b>							
White	362	69.6%	2.2%	2.8%	3.3%	6.9%	15.2%
Black/African American	452	52.9	4.0	3.8	6.6	12.6	20.1
American Indian/Alaska Native	5	^	^	^	^	^	^
Asian/Native Hawaiian/Other Pacific Islander	12	83.3	0.0	0.0	0.0	0.0	16.7
Other <sup>d</sup>	1	^	^	^	^	^	^
<b>Hispanic Origin</b>							
Hispanic/Latino	75	61.3%	4.0%	5.3%	5.3%	8.0%	16.0%
Non-Hispanic/Latino	748	60.8	3.1	2.9	5.2	10.0	17.9
<b>Age</b>							
Under 19 years	0	^	^	^	^	^	^
19–20	1	^	^	^	^	^	^
21–30	117	82.9%	0.9%	0.9%	1.7%	2.6%	11.1%
31–40	109	79.8	0.9	0.0	2.8	4.6	11.9
Over 40	411	68.9	4.1	1.2	3.6	4.1	18.0

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

<sup>a</sup>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.

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

<sup>d</sup>Includes persons of two or more races.

Source: Administrative Office of the U.S. Courts Federal Probation and Supervision Information System (FPSIS), fiscal year 2009.

## Federal Imprisonment

**TABLE 7.9**

**Admissions and releases of federal prisoners, by offense, October 1, 2008–September 30, 2009**

Most serious original offense of conviction	Population at start of year	Prisoners admitted to district court			First release			Population at end of year	Net population change
		1 year or less	Over 1 year	All other	1 year or less	Over 1 year	All other		
<b>All prisoners</b>	179,704	13,161	51,200	9,975	14,164	44,324	10,279	185,273	5,569
<b>Violent offenses</b>	12,218	90	1,721	1,034	94	1,795	1,200	11,974	-244
Murder/manslaughter	1,414	1	85	86	2	109	88	1,387	-27
Assault	939	44	419	215	60	307	243	1,007	68
Robbery	7,976	28	999	577	25	1,144	680	7,731	-245
Sexual abuse	1,179	15	156	124	6	180	147	1,141	-38
Kidnapping	661	1	49	28	1	44	28	666	5
Threats against the President	49	1	13	4	0	11	14	42	-7
<b>Property offenses</b>	10,850	1,675	4,702	1,713	2,085	4,298	1,807	10,750	-100
Fraudulent	8,959	1,385	4,058	1,203	1,789	3,661	1,298	8,857	-102
Embezzlement	235	55	111	24	60	116	30	219	-16
Fraud	7,996	1,251	3,646	946	1,639	3,217	1,004	7,979	-17
Forgery	112	21	40	35	19	39	49	101	-11
Counterfeiting	616	58	261	198	71	289	215	558	-58
Other	1,891	290	644	510	296	637	509	1,893	2
Burglary	177	5	47	49	15	48	51	164	-13
Larceny	615	199	280	285	201	232	279	667	52
Motor vehicle theft	104	42	32	43	43	30	38	110	6
Arson and explosives	200	0	32	13	0	37	17	191	-9
Transportation of stolen property	123	14	41	19	11	49	16	121	-2
Other property other offenses	672	30	212	101	26	241	108	640	-32
<b>Drug offenses</b>	95,182	976	21,022	3,710	1,108	18,807	3,736	97,239	2,057
Trafficking	94,975	870	20,990	3,613	971	18,777	3,638	97,062	2,087
Possession and drug offenses	207	106	32	97	137	30	98	177	-30
<b>Public-order offenses</b>	12,133	597	4,564	621	655	2,843	635	13,782	1,649
Regulatory	1,618	158	782	121	179	643	134	1,723	105
Other	10,515	439	3,782	500	476	2,200	501	12,059	1,544
Tax law violations	405	89	223	17	85	202	19	428	23
Bribery	69	15	37	1	18	26	1	77	8
Perjury, contempt, and intimidation	100	19	36	17	28	44	15	85	-15
National defense	135	1	31	5	5	28	6	133	-2
Escape	69	51	310	120	58	126	100	266	197
Racketeering and extortion	4,966	72	1,089	129	80	1,052	126	4,998	32
Liquor	3	0	0	1	0	0	1	3	0
Nonviolent sex offenses	267	5	67	16	5	63	22	265	-2
Obscene material	4,299	20	1,922	77	17	596	89	5,616	1,317
Traffic	68	138	11	80	150	9	84	54	-14
Wildlife	4	4	4	2	3	3	2	6	2
Environmental	21	4	9	2	5	9	2	20	-1
All other offenses	109	21	43	33	22	42	34	108	-1
<b>Weapon offenses</b>	27,125	223	6,438	1,883	251	5,497	1,890	28,031	906
<b>Immigration offenses</b>	20,827	9,418	12,298	847	9,783	10,622	851	22,134	1,307

Note: An offense category could not be determined for 1,369 prisoners at the start of fiscal year 2009 and 1,363 prisoners at the end of fiscal year 2009.

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 obscene material denotes the mail or transport thereof.

Source: Federal Bureau of Prisons, SENTRY database, fiscal year 2009.

**TABLE 7.10**  
**Characteristics of the federal prison population,**  
**September 30, 2009**

Offender characteristic	Number	Percent
All prisoners <sup>a</sup>	185,273	100%
<b>Sex</b>		
Male	172,981	93.4%
Female	12,292	6.6
<b>Race</b>		
White	108,500	58.6%
Black/African American	70,577	38.1
American Indian/Alaska Native	3,315	1.8
Asian/Native Hawaiian/Other Pacific Islander	2,881	1.6
<b>Hispanic Origin</b>		
Hispanic/Latino	60,277	32.5%
Non-Hispanic/Latino	124,996	67.5
<b>Age</b>		
Under 19 years	85	--
19–20	1,121	0.6%
21–30	45,495	24.6
31–40	70,427	38.0
Over 40	68,145	36.8
<b>Citizenship</b>		
U.S. citizen	136,328	73.7%
Non-U.S. citizen	48,761	26.3

Note: Table includes only the prison populations for whom characteristics are known.

-- Less than 0.5%.

Source: Federal Bureau of Prisons, SENTRY database, fiscal year 2009.

**TABLE 7.11**

**Average time to first release and percent of sentence served for prisoners released by standard methods, October 1, 2008–September 30, 2009**

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>	53,343	36 mo	23.6 mo	88.0%
<b>Violent offenses</b>	1,840	71.3 mo	53.7 mo	88.3%
Murder/manslaughter	104	113.0	63.9	87.7
Assault	363	34.0	27.1	88.4
Robbery	1,138	79.5	62.7	88.6
Sexual abuse	181	59.5	52.3	87.9
Kidnapping	43	124.4	84.4	83.2
Threats against the President	11	50.3	37.6	86.1
<b>Property offenses</b>	5,938	19.4 mo	13.9 mo	87.7%
Fraudulent	5,042	18.6	13.1	87.6
Embezzlement	167	16.5	12.0	87.4
Fraud	4,481	18.4	13.1	87.6
Forgery	52	19.2	13.0	87.3
Counterfeiting	342	21.1	15.8	88.3
Other	896	24.5	15.7	87.9
Burglary	59	31.3	22.6	87.6
Larceny	412	15.7	10.5	87.8
Motor vehicle theft	72	19.0	8.0	88.2
Arson and explosives	36	62.0	52.2	87.6
Transportation of stolen property	54	26.4	19.2	87.6
Other property offenses	263	32.6	26.2	88.1
<b>Drug offenses</b>	15,719	57.1 mo	44.9 mo	87.9%
Trafficking	15,557	57.6	45.8	87.9
Possession and other drug offenses	162	10.6	3.0	88.1
<b>Public-order offenses</b>	3,230	35.9 mo	23.5 mo	87.6%
Regulatory	755	23.3	18.3	87.6
Other	2,475	39.7	26.1	87.7
Tax law violations	274	16.1	13.1	87.3
Bribery	40	19.2	11.6	87.9
Perjury	69	17.9	13.0	88.0
National defense	33	44.7	43.1	87.6
Escape	175	18.5	13.0	89.0
Racketeering and extortion	999	58.2	41.8	87.5
Nonviolent sex offenses	66	47.0	33.9	87.7
Obscene material	579	41.3	35.8	87.6
Traffic	159	3.3	0.5	^
Wildlife	6	^	^	^
Environmental	13	19.4	10.5	^
All other offenses	62	18.9	14.8	88.5
<b>Weapon offenses</b>	5,645	51.1 mo.	44.4 mo.	88.6%
<b>Immigration offenses</b>	20,344	17.5 mo.	11.3 mo.	88.1%

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; and obscene material denotes the mail or transport thereof.

^Too few cases to obtain statistically reliable data.

<sup>a</sup>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 2009 was 5,145.

<sup>b</sup>Includes 627 prisoners whose offense was unclassifiable or was not a violation of U.S. Code.

Source: Federal Bureau of Prisons, SENTRY database, fiscal year 2009.

**TABLE 7.12****Characteristics of first releases from prison, by offense, all releases, October 1, 2008–September 30, 2009**

Offender characteristic	Total number of released offenders	Percent of released offenders convicted of—								
		All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses		Weapon offenses	Immigration offenses
Number of releases				Fraudulent	Other		Regulatory	Other		
<b>Sex</b>										
Male	52,500	89.8%	92.2%	74.2%	82.0%	87.5%	77.0%	88.6%	97.5%	95.0%
Female	5,940	10.2	7.8	25.8	18.0	12.5	23.0	11.4	2.5	5.0
<b>Race</b>										
White	43,900	75.1%	45.1%	69.6%	68.0%	64.8%	72.3%	74.6%	46.9%	98.0%
Black/African American	12,783	21.9	32.1	26.1	23.7	32.3	23.2	19.0	50.9	1.7
Native American/Alaska Native	814	1.4	21.5	0.6	4.6	0.8	0.5	2.1	1.1	0.1
Asian/Native Hawaiian/Other Pacific Islander	943	1.6	1.2	3.7	3.8	2.1	4.0	4.3	1.1	0.2
<b>Hispanic Origin</b>										
Hispanic/Latino	30,255	51.8%	8.1%	30.1%	13.1%	40.1%	21.3%	17.5%	14.5%	92.1%
Non-Hispanic/Latino	28,185	48.2	91.9	69.9	86.9	59.9	78.7	82.5	85.5	7.9
<b>Age</b>										
Under 19 years	160	0.3%	0.5%	0.4%	0.9%	0.1%	0.0%	0.0%	0.1%	0.5%
19-20	1,051	1.8	1.5	1.6	2.1	1.4	0.9	0.4	0.6	2.9
21-30	17,684	30.3	27.1	25.9	27.8	27.6	21.8	16.9	36.1	35.2
31-40	20,878	35.7	28.5	29.9	27.4	37.4	30.9	26.5	36.1	38.1
Over 40	18,667	31.9	42.4	42.3	41.8	33.5	46.5	56.2	27.3	23.3
<b>Citizenship</b>										
U.S. citizen	30,098	51.6%	94.1%	66.2%	93.2%	70.0%	82.9%	85.6%	91.7%	5.9%
Non-U.S. citizen	28,284	48.4	5.9	33.8	6.8	30.0	17.1	14.4	8.3	94.1

Note: Totals include prisoners whose offense category could not be determined. Percentages are based only on the prison populations for whom characteristics were known. Of the 58,488 total releases, 58,421 (or 99.9%) were new law releases.

Source: Federal Bureau of Prisons, SENTRY database, fiscal year 2009.

# 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 2009 – 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 (AOUSC), United States Sentencing Commission, and Federal Bureau of Prisons (BOP). 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. The data can be downloaded from the Federal Justice Statistics Resource Center at <http://fjsrc.urban.org>.

## Reporting period

Wherever possible, matters or cases have been selected according to the event which occurred during fiscal year 2009 (October 1, 2008, through September 30, 2009). 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 2009 have been assembled from source files containing records of 2009 matters concluded, which were entered into the data system during fiscal years 2008 or 2009.

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 2009. 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, 2009 - 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 2009. 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

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 differed, as 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.
- 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 2009 - 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).

These statistical tables cover the 12-month fiscal period ending September 30, 2009 (or fiscal year 2009). 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*).

The statistical 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.



<b>Data source agency— data files</b>	<b>Description of data files contents</b>	<b>Federal Justice Statistics 2009 Statistical Tables</b>
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 Warrant: Tables 1.5 and 1.6
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 Adjudication: Table 4.4 (defendant characteristics) Sentencing: 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 Sentencing: 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) Sentencing: 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 (forthcoming)
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

offences 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.

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