

## Section 5

### Judicial processing of defendants

This section presents a wide range of statistics on judicial activity for Federal, State, and military courts detailing the judicial processing of adult and juvenile defendants in the United States. The section begins with information on requests for immunity by Federal prosecutors. Court orders for interception of wire, oral, or electronic communications and subsequent arrests and convictions are then presented. Activities of U.S. attorneys follow, including the number of grand jury proceedings, criminal cases handled, and offenses involved.

Activities of the Federal courts are the focus of the next portion of Section 5. Detailed data from the Administrative Office of the United States Courts show criminal cases filed, terminated, and pending in U.S. District Courts, and include trend tables that present these case processing activities over time. Tables also display specific offenses (e.g., weapons and immigration violations, fraud, embezzlement), as well as offense level (e.g., felony, class A misdemeanor).

Information on pretrial detention for Federal defendants follows. Several tables feature information on the number of defendants detained, the length of detention, and detention-related costs incurred by each Federal judicial circuit and district.

The Bureau of Justice Statistics' (BJS) Federal Justice Statistics Program also provides detailed data on the U.S. District Courts, including figures on Federal defendants released or detained prior to trial. Data are displayed by offense type, defendant characteristics, and outcome of pretrial release. Information on the processing of cases in district courts includes the disposition of cases, number of defendants convicted, method of conviction, and type of sentences imposed. Demographic characteristics of defendants sentenced, data on specific offenses, type of disposition, and length of prison sentences also are included in the sentencing data.

Application of U.S. Sentencing Commission guidelines in Federal district courts is the focus of the next segment. These tables enumerate offenders sentenced, offense types, demographic characteristics of defendants (including level of education and status of citizenship), type and length of sentences imposed, fines and restitution ordered, and sentences that depart from the guidelines. Also, a table showing fines and restitution ordered for organizations sentenced in U.S. District Courts is included. A detailed breakdown of defendants charged with and sentenced for violation of Federal drug laws, as

well as convictions resulting from arrests by the Drug Enforcement Administration is among the information presented. Counts of antitrust cases filed, length of civil and criminal trials, and amount of time from filing to final disposition of cases in U.S. District Courts concludes this series of tables.

The National Judicial Reporting Program sponsored by BJS is the source of extensive information on judicial activity in State courts shown in the next group of tables. This dataset provides counts of felony convictions and sentences in State courts by offense type, demographic characteristics of defendants, method of conviction, and the type and length of sentences imposed. Information also is presented on defendants sentenced to additional penalties and the length of time from arrest to sentencing for felony cases.

Next are tables from BJS' State Court Processing Statistics Program, which pertain to the processing of felony defendants in the 75 largest counties in the United States. These data inform those interested in judicial processing in large urban areas. A series of tables focusing on juvenile courts and the processing of juvenile defendants follows. Included is information on the characteristics of juvenile offenders and the outcomes of cases.

Section 5 also includes a trend table with more than 25 years of data for types of prisoner petitions filed in U.S. District Courts by State and Federal prisoners. The number of appeals filed in U.S. Courts of Appeal is presented. Tables on the activities of the U.S. Supreme Court show data on cases filed and types of dispositions. Next is a trend table with 50 years of data on requests for executive clemency. Criminal matters handled by the U.S. Postal Inspection Service, processing of immigration law violators, and cases involving abuse of public office during the last quarter century are the topics of tables that appear at the end of this segment.

Data on activity in U.S. military courts conclude this section. Specifically, these tables detail military courts-martial cases for all branches of the U.S. armed forces. Tables provide trend data on general, special, and summary courts-martial, and type of discharge, for each branch of the U.S. military and the Coast Guard.

Table 5.1

**Requests for immunity by Federal prosecutors to the U.S. Attorney General and witnesses involved in these requests**

By origin of request, fiscal years 1973-2003

Fiscal year	Requests			Witnesses		
	Total number	Criminal Division		Total number	Criminal Division	
		Number	Percent		Number	Percent
1973	1,160	769	66%	2,715	1,598	59%
1974	1,410	1,121	80	3,655	2,055	56
1975	1,632	1,259	77	3,733	2,183	58
1976	1,789	1,361	76	3,923	2,366	60
1977	1,798	1,250	70	4,413	1,969	45
1978	1,445	959	66	2,997	1,403	47
1979	1,596	1,163	73	3,204	1,816	57
1980	1,653	1,207	73	3,530	1,892	54
1981	1,686	1,252	74	3,271	2,032	62
1982	1,836	1,394	76	3,810	2,233	59
1983	1,986	1,425	72	4,226	2,243	53
1984	2,378	1,838	77	4,784	2,858	60
1985	2,451	1,898	77	5,146	3,329	65
1986	2,550	1,948	76	5,013	3,267	65
1987	2,359	1,869	79	4,603	3,249	71
1988	2,359	1,821	77	4,702	3,205	68
1989	2,301	1,807	79	4,495	3,249	72
1990	2,049	1,694	83	3,735	2,905	78
1991	1,953	1,561	80	3,377	2,449	73
1992	1,819	1,417	78	3,242	2,309	71
1993	1,959	1,466	75	3,521	2,393	68
1994	1,717	1,262	74	3,279	2,225	68
1995	1,520	1,182	78	2,776	1,987	72
1996	1,493	1,135	76	2,806	2,066	74
1997	1,502	1,108	74	2,737	1,953	71
1998	1,340	1,017	76	2,300	1,616	70
1999	1,196	908	76	2,059	1,444	70
2000	1,206	955	79	2,164	1,584	73
2001	1,132	929	82	1,986	1,558	78
2002	901	717	80	1,546	1,084	70
2003	913	743	81	1,613	1,175	73

Note: These data reflect requests received from Federal prosecutors under 18 U.S.C. 6001-6005, the statute that governs the granting of use immunity. 18 U.S.C. 6003 requires all Federal prosecuting attorneys to receive authorization from the U.S. Attorney General (or representative) before seeking a court order for witness immunity. It should be noted that in some cases in which the authorization is obtained, the prosecutor may decide not to seek the immunity order from the courts. Therefore, the number of witnesses actually granted immunity is probably lower than the data in the table indicate. It should also be noted that data for 1973 and 1974 include a total of 11 requests and 27 witnesses, and 7 requests and 11 witnesses, respectively, falling under an older statute, 18 U.S.C. 2514, which was repealed. "Criminal Division" includes the Criminal Division of the U.S. Department of Justice and the U.S. attorneys. Other requests, not pertaining to the Criminal Division, come from the remaining divisions of the U.S. Department of Justice (e.g., Antitrust, Tax, Civil Division, Civil Rights, and Environment and Natural Resources), as well as from the other Federal agencies (e.g., Federal Trade Commission, Securities and Exchange Commission, and Department of the Army) and from Congress, all of which may request immunity for witnesses. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Justice, Criminal Division.

Table 5.2

**Court-authorized orders for interception of wire, oral, or electronic communications**

United States, 1969-2003

	Intercept applications authorized	
	Federal	State
1969	33	268
1970	182	414
1971	285	531
1972	206	649
1973	130	734
1974	121	607
1975	108	593
1976	137	549
1977	77	549
1978	81	489
1979	87	466
1980	81	483
1981	106	483
1982	130	448
1983	208	440
1984	289	512
1985	243	541
1986	250	504
1987	236	437
1988	293	445
1989	310	453
1990	324	548
1991	356	500
1992	340	579
1993	450	526
1994	554	600
1995	532	526
1996	581	568
1997	569	617
1998	566	763
1999	601	749
2000	479	711
2001	486	1,005
2002	497	861
2003	578	864

Note: The Director of the Administrative Office of the United States Courts is required, in accordance with provisions of 18 U.S.C. 2519(1), to transmit to Congress a report regarding applications for orders authorizing or approving the interception of wire, oral, or electronic communications. This report is required to contain information about the number of such orders and any extensions granted. Every State and Federal judge is required to file a written report on each application made. This report is required to contain information on the grants and denials, name of applicant, offense under investigation, type and location of device, and duration of authorized intercept. Prosecuting officials who have applied for intercept orders are required to file reports containing information on the cost of the intercepts; the number of days the device was in operation; the total number of intercepts; the number of incriminating intercepts recorded; whether encryption was encountered in the course of the intercept; and the results of the intercepts in terms of the number of arrests, trials, convictions, and motions to suppress evidence obtained through the use of intercepts. Forty-seven jurisdictions (the Federal Government, the District of Columbia, the Virgin Islands, and 44 States) had statutes authorizing the interception of wire, oral, or electronic communications during 2003; 24 of these jurisdictions had court-authorized orders for interception during 2003 (Source, 2003, pp. 6, 7).

Source: Administrative Office of the United States Courts, *Report on Applications for Orders Authorizing or Approving the Interception of Wire or Oral Communications for the Period January 1, 1977 to December 31, 1977* (Washington, DC: Administrative Office of the United States Courts, 1978), p. xvi; Administrative Office of the United States Courts, *Report on Applications for Orders Authorizing or Approving the Interception of Wire, Oral, or Electronic Communications for the Period January 1, 1988 to December 31, 1988* (Washington, DC: USGPO, 1989), p. 19; and Administrative Office of the United States Courts, *1999 Wiretap Report*, p. 32; 2003, p. 32 (Washington, DC: Administrative Office of the United States Courts). Table adapted by SOURCEBOOK staff.

Table 5.3

**Court-authorized orders for interception of wire, oral, or electronic communications**

By most serious offense under investigation, United States, 2003

Offense	Intercept applications authorized		
	Total	Federal	State
All offenses	1,442	578	864
Narcotics	1,104	502	602
Racketeering	96	43	53
Gambling	49	2	47
Homicide and assault	80	1	79
Kidnaping	7	0	7
Loansharking, usury, and extortion	6	5	1
Larceny, theft, and robbery	50	0	50
Bribery	9	1	8
Other	41	24	17

Note: See Note, table 5.2.

Source: Administrative Office of the United States Courts, **2003 Wiretap Report** (Washington, DC: Administrative Office of the United States Courts, 2004), pp. 19-21. Table adapted by SOURCEBOOK staff.

Table 5.4

**Court-authorized orders for interception of wire, oral, or electronic communications**

By jurisdiction, 1997-2003

Jurisdiction	Intercept applications authorized						
	1997	1998	1999	2000	2001	2002	2003
Total	1,186	1,329	1,350	1,190	1,491	1,358	1,442
Federal	569	566	601	479	486	497	578
Alaska	0	0	0	0	0	0	0
Arizona	6	6	8	18	10	7	14
California	28	52	76	88	130	143	188
Colorado	4	1	2	5	2	0	2
Connecticut	8	23	15	4	9	0	4
Delaware	0	1	1	0	0	0	1
District of Columbia	0	0	0	0	0	0	0
Florida	57	44	23	43	51	37	45
Georgia	18	9	11	3	7	4	4
Hawaii	0	1	0	0	0	0	0
Idaho	0	0	1	1	0	0	1
Illinois	17	27	50	41	128	25	23
Indiana	0	0	0	0	0	0	0
Iowa	0	0	0	1	0	0	0
Kansas	0	4	4	1	0	0	0
Louisiana	2	3	0	1	0	1	0
Maine <sup>a</sup>	X	X	X	X	0	0	0
Maryland	27	32	6	31	49	54	25
Massachusetts	2	0	15	5	11	8	16
Minnesota	0	1	6	0	1	0	0
Mississippi	4	4	3	0	6	1	3
Missouri	0	0	0	0	0	0	0
Nebraska	4	2	4	0	2	0	0
Nevada	10	13	9	10	0	4	12
New Hampshire	4	1	9	0	1	0	5
New Jersey	70	84	71	45	99	81	117
New Mexico	1	0	0	4	0	3	0
New York	304	373	343	349	425	404	328
North Carolina	0	0	0	0	0	1	0
North Dakota	0	0	0	0	0	0	0
Ohio	2	2	3	6	2	1	2
Oklahoma	0	1	6	4	2	2	0
Oregon	1	1	1	1	2	0	0
Pennsylvania	42	68	69	43	54	79	52
Rhode Island	2	0	0	0	0	0	0
South Carolina <sup>b</sup>	X	X	X	X	X	0	2
South Dakota	0	0	0	0	0	0	0
Tennessee	0	0	1	1	0	0	10
Texas	0	5	4	0	1	2	4
Utah	0	5	2	3	4	4	4
Virgin Islands	0	0	0	0	0	0	0
Virginia	1	0	6	0	4	0	0
Washington	0	0	0	2	1	0	0
West Virginia	0	0	0	0	0	0	0
Wisconsin	3	0	0	1	4	0	2
Wyoming	0	0	0	0	0	0	0

Note: See Note, table 5.2.

<sup>a</sup>Maine did not have legislation authorizing interception of communications prior to 2001.<sup>b</sup>South Carolina did not have legislation authorizing interception of communications prior to 2002.

Source: Administrative Office of the United States Courts, **1997 Wiretap Report**, pp. 13, 14; **1998**, pp. 13, 14; **1999**, pp. 13, 14; **2000**, pp. 14, 15; **2001**, pp. 14, 15; **2002**, pp. 14, 15; **2003**, pp. 14, 15 (Washington, DC: Administrative Office of the United States Courts). Table constructed by SOURCEBOOK staff.

Table 5.5

**Arrests and convictions resulting from court-authorized orders for interception of wire, oral, or electronic communications**

United States, 1987-2003

Year arrests and convictions reported	Year installed																
	1987 (N=634)	1988 (N=678)	1989 (N=720)	1990 (N=812)	1991 (N=802)	1992 (N=846)	1993 (N=938)	1994 (N=1,100)	1995 (N=1,024)	1996 (N=1,035)	1997 (N=1,094)	1998 (N=1,245)	1999 (N=1,277)	2000 (N=1,139)	2001 (N=1,405)	2002 (N=1,273)	2003 (N=1,367)
<b>1987</b>																	
Arrests	2,226	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Convictions	506	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>1988</b>																	
Arrests	716	2,486	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Convictions	936	543	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>1989</b>																	
Arrests	186	969	2,804	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Convictions	341	1,192	706	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>1990</b>																	
Arrests	54	251	986	2,057	X	X	X	X	X	X	X	X	X	X	X	X	X
Convictions	141	400	823	420	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>1991</b>																	
Arrests	5	106	289	897	2,364	X	X	X	X	X	X	X	X	X	X	X	X
Convictions	23	203	490	550	605	X	X	X	X	X	X	X	X	X	X	X	X
<b>1992</b>																	
Arrests	38	18	120	213	801	2,685	X	X	X	X	X	X	X	X	X	X	X
Convictions	9	66	186	357	827	607	X	X	X	X	X	X	X	X	X	X	X
<b>1993</b>																	
Arrests	19	29	23	83	270	983	2,428	X	X	X	X	X	X	X	X	X	X
Convictions	16	57	111	142	210	895	413	X	X	X	X	X	X	X	X	X	X
<b>1994</b>																	
Arrests	15	0	8	67	155	326	981	2,852	X	X	X	X	X	X	X	X	X
Convictions	11	8	52	111	169	450	912	772	X	X	X	X	X	X	X	X	X
<b>1995</b>																	
Arrests	15	6	8	26	111	67	390	1,165	2,577	X	X	X	X	X	X	X	X
Convictions	12	6	7	81	148	164	538	965	494	X	X	X	X	X	X	X	X
<b>1996</b>																	
Arrests	1	2	7	2	30	40	130	209	1,246	2,464	X	X	X	X	X	X	X
Convictions	1	11	1	2	40	50	233	403	1,112	502	X	X	X	X	X	X	X
<b>1997</b>																	
Arrests	0	0	0	0	35	22	109	79	448	1,069	3,086	X	X	X	X	X	X
Convictions	0	0	2	62	64	1	179	191	740	1,110	542	X	X	X	X	X	X
<b>1998</b>																	
Arrests	0	0	9	9	4	35	70	86	425	402	1,406	3,450	X	X	X	X	X
Convictions	0	0	10	9	8	45	81	163	502	423	1,220	911	X	X	X	X	X
<b>1999</b>																	
Arrests	0	0	1	0	0	20	1	60	40	194	493	1,266	4,372	X	X	X	X
Convictions	0	0	1	0	16	22	2	39	33	205	464	1,214	654	X	X	X	X
<b>2000</b>																	
Arrests	0	0	0	1	0	0	0	1	19	25	176	441	1,600	3,411	X	X	X
Convictions	0	0	0	0	0	0	0	2	29	62	169	596	1,323	736	X	X	X
<b>2001</b>																	
Arrests	0	0	0	0	1	0	1	1	14	37	110	337	428	1,741	3,683	X	X
Convictions	0	0	0	0	1	0	0	5	26	59	87	271	515	1,148	732	X	X
<b>2002</b>																	
Arrests	0	0	0	0	0	20	0	30	28	11	33	114	216	681	1,325	3,060	X
Convictions	0	0	0	0	0	7	0	32	23	9	62	139	235	793	1,316	493	X
<b>2003</b>																	
Arrests	0	0	0	0	0	0	0	1	3	1	19	30	38	142	316	1,067	3,674
Convictions	0	0	0	0	0	0	0	1	4	2	25	23	77	280	572	1,082	843

Note: See Note, table 5.2. Arrests, trials, and convictions resulting from the interceptions of wire, oral, and electronic communication do not always occur within the same year as the implementation of the court order. This table presents arrest and conviction data for the year court-authorized interception began and subsequent years. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

Source: Administrative Office of the United States Courts, *Report on Applications for Orders Authorizing or Approving the Interception of Wire, Oral, or Electronic Communications for the Period January 1, 1992 to December 31, 1992* (Washington, DC: USGPO, 1993), p. 29; and Administrative Office of the United States Courts, *2003 Wiretap Report* (Washington, DC: Administrative Office of the United States Courts, 2004), pp. 32, 38. Table adapted by SOURCEBOOK staff.

Table 5.6

**Grand jury proceedings and criminal cases filed and terminated by U.S. attorneys**

United States, fiscal years 1980-2002

	Grand jury proceedings	Criminal cases <sup>a</sup>	
		Filed	Terminated
1980	16,592	26,086	NA
1981	16,794	25,830	NA
1982	17,064	26,106	NA
1983	17,765	27,462	NA
1984	17,487	27,292	NA
1985	17,094	27,059	NA
1986	20,111	31,012	NA
1987	19,263	31,593	30,547
1988	20,184	33,294	29,582
1989	23,203	34,865	29,322
1990	23,925	36,042	32,204
1991	25,943	38,374	33,834
1992	25,470	35,263	33,161
1993	23,757	36,995	35,809
1994	20,714	33,307	32,231
1995	22,856	36,878	32,829
1996	23,449	38,250	34,882
1997	25,209	39,291	34,634
1998	30,734	47,277	40,746
1999	32,474	50,779	46,423
2000	34,055	52,887	46,308
2001	36,167	53,339	49,834
2002	39,306	56,658	51,436

Note: The U.S. attorney is the highest ranking law enforcement official in each of the 94 Federal judicial districts. Each U.S. attorney, under the direction of the U.S. Attorney General, is responsible for establishing law enforcement priorities, and for carrying out the prosecution and litigation activities within their respective districts. Each U.S. attorney also is the chief litigator representing the United States in civil judicial proceedings in the district. U.S. attorneys direct and supervise the work of the assistant U.S. attorneys and staff of the district's offices.

<sup>a</sup>Includes cases filed and terminated by U.S. attorneys in U.S. District Courts only; excludes filings and terminations in magistrate courts and appellate courts.

Source: U.S. Department of Justice, Executive Office for United States Attorneys, *United States Attorneys' Annual Statistical Report: Fiscal Year 1980*, p. 1; *Fiscal Year 1981*, p. 1; *Fiscal Year 1982*, p. 1; *Fiscal Year 1983*, p. 1; *Fiscal Year 1984*, p. 1; *Fiscal Year 1987*, p. 1; *Fiscal Year 1991*, pp. 8, 10; *Fiscal Year 1997*, p. 95; *Fiscal Year 1998*, p. 102 (Washington, DC: USGPO); U.S. Department of Justice, Executive Office for United States Attorneys, *United States Attorneys' Annual Statistical Report: Fiscal Year 1985*, p. 1; *Fiscal Year 1988*, p. 1; *Fiscal Year 1989*, pp. 1, 18; *Fiscal Year 1990*, p. 1; *Fiscal Year 1992*, p. 49; *Fiscal Year 1993*, p. 45; *Fiscal Year 1994*, p. 45; *Fiscal Year 1995*, p. 45; *Fiscal Year 1996*, p. 67; *Fiscal Year 1999*, pp. 12, 103; *Fiscal Year 2000*, pp. 11, 103; *Fiscal Year 2001*, pp. 11, 102; *Fiscal Year 2002*, pp. 8, 64 (Washington, DC: U.S. Department of Justice). Table adapted by SOURCEBOOK staff.

Table 5.7

**Criminal cases filed and disposed of and number of defendants handled by U.S. attorneys**

By offense type, United States, fiscal year 2002

Offense type	Cases		Defendants		Dispositions				
	Filed <sup>a</sup>	Terminated <sup>b</sup>	Filed <sup>c</sup>	Terminated <sup>d</sup>	Guilty	Not guilty <sup>e</sup>	Dismissed <sup>f</sup>	Rule 20 <sup>g</sup>	Other
Total	56,658	51,436	77,305	70,492	64,182	568	5,092	506	144
Assimilated crimes <sup>h</sup>	484	295	505	308	200	2	102	4	0
Civil rights prosecutions	81	85	115	135	119	9	5	0	2
Government regulatory offenses	1,541	1,663	2,243	2,476	2,168	19	247	34	8
Copyright violations	38	42	54	82	64	0	18	0	0
Counterfeiting	767	814	1,189	1,291	1,175	5	88	17	6
Customs violations:									
Duty	39	60	45	78	57	1	18	2	0
Currency	97	100	128	114	100	0	12	1	1
Energy pricing and related fraud	0	0	0	3	3	0	0	0	0
Environmental offenses	214	243	326	369	319	9	34	6	1
Health and safety violations	17	20	29	36	30	1	5	0	0
Money laundering:									
Narcotics	72	61	106	111	82	0	29	0	0
Other	105	111	152	147	117	2	25	3	0
Trafficking in contraband cigarettes	5	4	8	6	4	0	2	0	0
Other regulatory offenses	187	208	206	239	217	1	16	5	0
Immigration	13,676	12,357	14,705	13,183	12,580	25	563	9	6
Internal security offenses	27	13	28	14	12	0	0	2	0
Interstate theft	182	189	313	357	322	5	25	5	0
Labor management offenses	101	94	123	105	96	1	6	2	0
Corruption:									
Bribery	10	10	10	10	10	0	0	0	0
Pension benefit	33	28	39	30	29	1	0	0	0
Labor racketeering	8	12	20	19	17	0	2	0	0
Other labor offenses	50	44	54	46	40	0	4	2	0
Drug offenses	17,284	16,318	30,014	28,272	25,944	198	1,971	102	57
Organized Crime Drug Enforcement Task Force (OCDETF)	3,044	3,319	8,414	9,233	8,296	59	822	37	19
Non-OCDETF	14,240	12,999	21,600	19,039	17,648	139	1,149	65	38
Dealing	13,993	12,759	21,278	18,753	17,397	138	1,115	65	38
Possession	247	240	322	286	251	1	34	0	0
Official corruption	460	399	668	527	476	7	38	5	1
Federal procurement	32	34	41	46	40	1	3	2	0
Federal program	78	71	117	81	73	0	8	0	0
Federal law enforcement	34	36	44	41	40	1	0	0	0
Other Federal	109	110	131	126	113	2	10	1	0
Local	127	93	226	140	121	3	13	2	1
State	38	30	55	51	49	0	2	0	0
Other official	42	25	54	42	40	0	2	0	0
Organized crime	140	176	336	414	372	3	36	3	0
Terrorism/anti-terrorism	1,046	394	1,112	428	367	1	60	0	0
Theft	1,525	1,521	1,945	1,937	1,748	15	152	19	3
Check/postal	1,103	1,085	1,418	1,376	1,256	6	100	11	3
Motor vehicle theft	53	67	112	142	121	1	15	5	0
Theft of government property	369	369	415	419	371	8	37	3	0
Violent crime	10,070	8,516	11,991	10,142	8,889	184	913	141	15
Violent offenses in Indian country	603	540	660	592	509	19	64	0	0
Non-OCDETF drugs	280	231	477	354	308	3	42	1	0
OCDETF drugs	99	86	191	164	146	3	14	0	1
Organized crime	46	39	130	119	109	6	4	0	0
Other	9,042	7,620	10,533	8,913	7,817	153	789	140	14
Other (non-violent) offenses in Indian country	147	122	182	144	126	3	15	0	0

See notes at end of table.

Table 5.7

**Criminal cases filed and disposed of and number of defendants handled by U.S. attorneys**

By offense type, United States, fiscal year 2002--Continued

Offense type	Cases		Defendants		Dispositions				
	Filed <sup>a</sup>	Terminated <sup>b</sup>	Filed <sup>c</sup>	Terminated <sup>d</sup>	Guilty	Not guilty <sup>e</sup>	Dismissed <sup>f</sup>	Rule 20 <sup>g</sup>	Other
White collar crime	6,252	6,073	8,820	8,395	7,575	64	594	121	41
Advance fee schemes <sup>i</sup>	70	66	97	105	90	1	9	5	0
Fraud against business institutions	603	556	924	871	805	12	39	13	2
Antitrust violations	8	20	16	37	36	0	1	0	0
Bank fraud and embezzlement	2,053	2,083	2,760	2,769	2,550	9	168	40	2
Bankruptcy fraud	146	143	166	164	140	2	16	6	0
Commodities fraud	24	21	32	31	28	0	2	0	1
Computer fraud	142	112	223	164	141	3	11	3	6
Consumer fraud	127	141	183	195	170	1	20	3	1
Federal procurement fraud	83	79	114	111	100	1	8	1	1
Federal program fraud	834	772	1,080	1,001	887	6	99	8	1
Health care fraud	361	379	608	554	478	7	57	7	5
Insurance fraud	106	113	179	156	126	5	20	5	0
Other investment fraud	75	69	110	95	87	0	5	3	0
Securities fraud	260	199	443	374	338	4	21	10	1
Tax fraud	524	558	656	701	653	10	33	5	0
Other fraud	836	762	1,229	1,067	946	3	85	12	21
All other	3,642	3,221	4,205	3,655	3,188	32	365	59	11

Note: See Note, table 5.6.

<sup>a</sup>Includes 494 cases initiated by transfer under Rule 20 (see footnote g).<sup>b</sup>Includes 395 cases terminated by transfer under Rule 20 (see footnote g).<sup>c</sup>Includes 509 defendants initiated by transfer under Rule 20 (see footnote g).<sup>d</sup>Includes 506 defendants terminated by transfer under Rule 20 (see footnote g).<sup>e</sup>Includes 10 verdicts of not guilty by reason of insanity involving 11 defendants.<sup>f</sup>Includes transfers, dismissals other than by court, pretrial diversions, and proceedings suspended indefinitely by court.<sup>g</sup>Rule 20 of the Federal Criminal Rules permits the transfer of a case from one district to another for plea and sentencing. That is, if an offender is arrested in one district on an

indictment or information originating in another district, the offender may plead guilty and be sentenced in the arresting district.

<sup>h</sup>Laws of States adopted for areas within a Federal jurisdiction (18 U.S.C. 13), e.g., driving while intoxicated on a military base.<sup>i</sup>Fraud against businesses or individuals involving the payment of a fee in advance for goods, services, or other things of value.Source: U.S. Department of Justice, Executive Office for United States Attorneys, *United States Attorneys' Annual Statistical Report: Fiscal Year 2002* (Washington, DC: U.S. Department of Justice, 2004), pp. 71, 72. Table adapted by SOURCEBOOK staff.

Table 5.8

**Criminal cases commenced, terminated, and pending, and judgeships authorized in U.S. District Courts**

1982-2003

	Judgeships authorized	Cases commenced <sup>a</sup>			Terminated	Pending <sup>b</sup>
		Number	Cases per judgeship	Drug cases		
1982	515	32,682	63	4,218	31,889	16,659
1983	515	35,872	70	5,094	33,985	18,546
1984	515	36,845	72	5,606	35,494	19,938
1985	575	39,500	69	6,690	37,139	22,299
1986	575	41,490	72	7,893	39,328	24,453
1987	575	43,292	75	8,878	42,287	25,263
1988	575	43,607	76	10,603	41,878	28,776
1989	575	45,792	80	12,342	42,933	32,666
1990	575	46,568	81	11,547	43,296	35,308
1991	649	47,123	73	11,954	43,073	39,562
1992	649	48,366	75	12,833	44,147	34,078
1993	649	46,786	72	12,238	44,800	28,701
1994	649	45,484	70	11,369	45,129	26,328
1995	649	45,788	71	11,520	41,527	28,738
1996	647	47,889	74	12,092	45,499	32,156
1997	647	50,363	78	13,656	46,887	37,237
1998	646	57,691	89	16,281	51,428	40,277
1999	646	59,923	93	17,483	56,511	42,966
2000	655	62,745	96	17,505	58,102	47,677
2001	665	62,708	94	18,425	58,718	49,696
2002	665	67,000	101	19,215	60,991	55,518
2003	680	70,642	104	18,996	65,628	60,532
Percent change 2002 to 2003	2.2%	5.4%	3.0%	-1.1%	7.6%	9.0%

Note: Data for 1982-87 are reported for the 12-month period ending June 30. Beginning in 1988, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Data for criminal cases commenced include transfers with the exception of drug cases, which exclude transfers.<sup>b</sup>Beginning in 1993, pending totals exclude cases in which all defendants were fugitives for more than 1 year.Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1991, p. 90; 1992, p. 66; 1997, p. 20 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2002 Annual Report of the Director*, p. 23; *2003 Annual Report of the Director*, p. 16 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.9

## Criminal cases filed, terminated, and pending in U.S. District Courts

1955-2003

	Pending at beginning of reporting period	Total filed			Pending at end of reporting period		Pending at beginning of reporting period	Total filed			Pending at end of reporting period
		Original proceeding <sup>a</sup>	Received by transfer	Total terminated				Original proceeding <sup>a</sup>	Received by transfer	Total terminated	
1955	10,100	35,310	1,813	38,580	8,643	1980	15,124	27,910	1,022	29,297	14,759
1956	8,643	28,739	1,914	32,053	7,243	1981	14,759	30,353	975	30,221	15,866
1957	7,243	28,120	1,958	29,826	7,495	1982	15,866	31,623	1,059	31,889	16,659
1958	7,495	28,897	1,840	30,781	7,451	1983	16,659	34,681	1,191	33,985	18,546
1959	7,451	28,729	1,924	30,377	7,727	1984	18,587	35,911	934	35,494	19,938
						1985	19,938	38,546	954	37,139	22,299
1960	7,727	28,137	1,691	29,864	7,691	1986	22,299	40,427	1,063	39,333	24,456
1961	7,691	28,460	1,808	29,881	8,078	1987	24,453	42,156	1,136	42,287	25,458
1962	8,078	29,274	1,743	30,013	9,082	1988	25,263	43,503	1,082	42,115	27,733
1963	9,082	29,858	1,888	31,546	9,282	1989	27,722	44,891	1,104	42,810	30,907
1964	9,282	29,944	1,789	31,437	9,578						
1965	9,578	31,569	1,765	32,078	10,834	1990	30,910	47,962	942	44,295	35,519
1966	10,834	29,729	1,765	30,644	11,684	1991	35,021	45,055	680	42,788	37,968
1967	11,684	30,534	1,673	30,350	13,541	1992	39,562	47,472	894	44,147	43,781
1968	13,541	30,714	1,857	31,349	14,763	1993	34,078	45,903	883	44,800	36,064
1969	14,763	33,585	1,828	32,406	17,770	1994	28,701	44,667	806	45,129	29,045
						1995	26,328	45,053	735	41,527	30,589
1970	17,770	38,102	1,857	36,819	20,910	1996	28,738	47,146	743	45,499	31,128
1971	20,910	41,290	1,867	39,582	24,485	1997	32,156	49,655	708	46,887	35,632
1972	24,485	47,043	2,011	48,101	25,438	1998	37,237	57,023	668	51,428	43,500
1973	25,438	40,367	2,067	43,456	24,416	1999	40,277	59,251	672	56,511	43,689
1974	24,416	37,667	2,087	41,526	22,644						
1975	22,644	41,108	2,174	43,515	22,411	2000	42,966	62,152	593	58,102	47,609
1976	22,411	39,147	1,911	43,675	19,794	2001	47,677	62,134	574	58,718	51,667
1977	19,794	40,000	1,589	44,233	17,150	2002	49,696	66,452	548	60,991	55,705
1978	17,150	34,624	1,359	37,286	15,847	2003	55,518	70,092	550	65,628	60,532
1979	15,847	31,536	1,152	33,411	15,124						

Note: Two reporting changes were made during fiscal year 1976. Beginning Oct. 1, 1975, all minor offenses (offenses involving penalties that do not exceed 1 year imprisonment or a fine of more than \$1,000), with the exception of most petty offenses (offenses involving penalties that do not exceed 6 months incarceration and/or a fine of not more than \$500), are included. Minor offenses are generally disposed of by magistrate judges and, in past years, most of these minor offenses would not have been counted in the workload of the district courts. Second, when the Federal Government's motion to dismiss an original indictment or information is granted, the superseding indictment or information does not become a new case as in the years prior to 1976, but remains the same case. (An indictment is the charging document of the grand jury, and an information is the charging document of the U.S. attorney.) Data for 1955-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. These data were taken from the first year they were reported and do not reflect revisions made in subsequent years. Therefore, these data may differ from figures presented in table 5.8.

<sup>a</sup>"Received by transfer" includes defendants transferred by Rule 20, *Federal Rules of Criminal Procedure*, which provides that defendants who (1) are arrested or held in a district other than that in which an indictment or information is pending against them or in which the warrant for their arrest was issued and (2) state in writing that they wish to

plead guilty or nolo contendere, may consent to disposition of the case in the district in which they are arrested or are held, subject to the approval of the U.S. attorney for both districts.

<sup>a</sup>Includes reopens.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1981, p. 94; 1983, pp. 302, 303; 1985, pp. 336, 337; 1986, pp. 232, 233; 1995, pp. 195, 196; 1998, pp. 198, 199; 1999, pp. 192, 193 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director*, 1982, pp. 272, 273; 1984, pp. 310, 311; 1987, pp. 238, 239; 1988, pp. 241, 242; 1989, pp. 239, 240; 1990, pp. 176, 177; 1991, pp. 230, 231; 1992, pp. 232, 233; 1993, pp. AI111, AI112; 1994, Table D-1; 1996, pp. 191, 192; 1997, pp. 184, 185 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2001 Annual Report of the Director*, pp. 181-186; 2002 *Annual Report of the Director*, pp. 181, 182; 2003 *Annual Report of the Director*, pp. 181, 182 (Washington, DC: USGPO). Table constructed by SOURCEBOOK staff.

Table 5.10

**Criminal cases filed in U.S. District Courts**

By offense, fiscal years 1990, 1994-2003

Offense	1990	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Total	47,962	44,678	45,053	47,146	49,655	57,023	59,251	62,152	62,134	66,452	70,092
Miscellaneous general offenses	13,265	12,414	11,114	10,462	10,386	10,856	11,747	12,544	13,190	14,987	16,432
Drunk driving and traffic	8,538	7,080	5,214	5,045	4,974	4,982	5,005	4,679	4,958	5,149	5,084
Weapons and firearms	2,713	3,112	3,621	3,162	3,184	3,641	4,367	5,387	5,845	7,382	9,075
Escape <sup>a</sup>	875	739	697	723	587	564	639	635	582	562	519
Kidnaping	65	68	81	116	99	150	101	111	104	98	124
Bribery	254	283	190	152	168	174	158	145	131	118	101
Extortion, racketeering, and threats	357	509	713	557	572	617	534	557	466	594	479
Gambling and lottery	109	80	26	16	24	22	16	17	6	10	11
Perjury	122	93	85	99	87	126	91	113	137	114	84
Other	232	450	487	592	691	580	836	900	961	960	955
Fraud	7,552	7,098	7,414	7,633	7,874	8,342	7,654	7,788	7,585	8,204	8,092
Drug laws	12,592	11,369	11,520	12,092	13,656	16,281	17,483	17,505	18,425	19,215	18,996
Larceny and theft	3,391	3,337	3,432	3,674	3,299	3,590	3,514	3,414	3,242	3,138	3,103
Forgery and counterfeiting	1,514	1,093	1,001	987	1,156	1,346	1,292	1,203	1,212	1,193	1,078
Embezzlement	2,027	1,575	1,368	1,284	1,172	1,397	1,315	1,200	1,072	1,075	962
Immigration laws	2,390	2,595	3,960	5,526	6,677	9,339	10,641	12,150	11,277	12,576	15,400
Federal statutes	2,325	2,084	2,403	2,317	2,156	2,363	2,241	2,844	2,573	2,384	2,281
Agricultural/conservation acts	276	247	401	313	267	333	277	316	282	232	226
Migratory bird laws	31	39	27	48	22	42	18	52	56	74	126
Civil rights <sup>b</sup>	64	70	73	73	59	77	81	80	76	62	48
Motor Carrier Act	40	11	12	7	8	6	16	5	3	2	3
Antitrust violations	70	43	38	31	34	25	39	43	28	24	11
Food and Drug Act	87	46	55	48	48	47	59	52	70	59	46
Contempt	178	74	69	81	77	80	78	109	158	107	73
National defense laws	106	95	85	62	73	55	68	533	462	147	74
Customs laws	148	88	97	110	97	125	96	97	79	78	72
Postal laws <sup>c</sup>	215	182	202	152	165	152	119	112	135	129	122
Other	1,110	1,189	1,344	1,392	1,306	1,421	1,390	1,445	1,224	1,470	1,480
Robbery	1,379	1,520	1,240	1,365	1,453	1,448	1,295	1,258	1,355	1,292	1,123
Bank	1,323	1,468	1,168	1,291	1,384	1,392	1,250	1,219	1,325	1,239	1,085
Postal	21	35	43	36	29	32	29	25	16	27	20
Other	35	17	29	38	40	24	16	14	14	26	18
Assault <sup>d</sup>	562	563	561	540	527	629	529	665	622	633	811
Motor vehicle theft	243	335	267	232	189	182	189	199	180	152	131
Burglary	104	139	63	65	70	89	72	59	52	44	46
Homicide <sup>d</sup>	176	195	295	344	348	384	383	370	329	370	311
Sex offenses	433	359	412	623	690	777	893	944	1,017	1,187	1,325
Liquor, Internal Revenue	9	2	3	2	2	0	3	9	3	2	1

Note: See Note, table 5.9. These data exclude transfers. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Includes escape from custody, aiding or abetting an escape, failure to appear in court, and bail jumping.

<sup>b</sup>The data for years prior to 2001 include cases removed from State courts under provisions of the Civil Rights Act, 28 U.S.C. 1443.

<sup>c</sup>Includes obstructing mail, mailing nonmailable material, and other postal regulations.

<sup>d</sup>In 2003, a change in coding caused some cases that previously would have been classified as homicide cases to be reported as aggravated assault cases; therefore, the data for 2003 and thereafter are not comparable to previous years.

Source: Administrative Office of the United States Courts, *Annual Report of the Director, 1990*, pp. 184, 185; *1997*, pp. 196-198 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2002 Annual Report of the Director*, pp. 193-195; *2003 Annual Report of the Director*, pp. 193-195 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.11

**Criminal cases filed, terminated, and pending in U.S. District Courts**

By type of offense, circuit, and district, fiscal year 2003

Circuit and district	Pending Oct. 1, 2002				Filed						
	Total	Felony	Class A misdemeanor	Other <sup>a</sup>	Total commenced	Original proceedings				Reopens <sup>b</sup>	Transfers
						Total	Felony	Class A misdemeanor	Other <sup>a</sup>		
Total	55,518	47,172	7,842	504	70,642	69,788	58,670	10,764	354	304	550
District of Columbia	1,120	1,053	65	2	549	547	523	24	0	0	2
First Circuit	1,556	1,503	28	25	1,253	1,235	1,194	27	14	7	11
Maine	149	143	6	0	195	193	185	6	2	0	2
Massachusetts	683	664	12	7	417	409	400	9	0	2	6
New Hampshire	144	142	1	1	215	214	211	2	1	0	1
Rhode Island	210	203	7	0	113	113	112	1	0	0	0
Puerto Rico	370	351	2	17	313	306	286	9	11	5	2
Second Circuit	7,065	6,319	687	59	4,028	3,942	3,746	182	14	42	44
Connecticut	354	342	10	2	305	295	283	11	1	3	7
New York:											
Northern	715	525	190	0	388	377	335	41	1	10	1
Eastern	2,064	1,989	74	1	1,331	1,314	1,281	31	2	4	13
Southern	3,318	2,881	381	56	1,373	1,329	1,273	46	10	25	19
Western	450	422	28	0	478	475	428	47	0	0	3
Vermont	164	160	4	0	153	152	146	6	0	0	1
Third Circuit	3,019	2,751	245	23	2,853	2,798	2,498	291	9	13	42
Delaware	191	164	26	1	141	140	99	41	0	0	1
New Jersey	972	786	180	6	1,038	1,013	792	222	0	6	19
Pennsylvania:											
Eastern	898	886	9	3	696	683	671	7	5	3	10
Middle	386	370	16	0	350	346	332	12	2	0	4
Western	277	270	7	0	382	370	363	7	0	4	8
Virgin Islands	295	275	7	13	246	246	242	2	2	0	0
Fourth Circuit	7,322	4,358	2,800	164	8,689	8,621	4,751	3,757	113	30	38
Maryland	1,864	867	956	41	1,593	1,585	512	1,070	3	1	7
North Carolina:											
Eastern	956	405	522	29	1,179	1,175	509	574	92	2	2
Middle	201	197	3	1	385	382	376	6	0	2	1
Western	478	464	4	10	325	315	296	18	1	5	5
South Carolina	808	777	23	8	863	843	812	27	4	9	11
Virginia:											
Eastern	2,304	970	1,274	60	3,438	3,423	1,373	2,041	9	8	7
Western	422	393	15	14	438	435	423	11	1	0	3
West Virginia:											
Northern	122	121	0	1	195	193	185	5	3	1	1
Southern	167	164	3	0	273	270	265	5	0	2	1
Fifth Circuit	7,221	6,847	286	88	12,607	12,517	11,896	538	83	36	54
Louisiana:											
Eastern	212	208	3	1	393	388	322	64	2	2	3
Middle	184	178	4	2	287	284	247	37	0	0	3
Western	220	168	52	0	412	411	326	83	2	0	1
Mississippi:											
Northern	127	121	5	1	126	121	119	2	0	2	3
Southern	243	228	12	3	388	379	356	16	7	1	8
Texas:											
Northern	902	811	49	42	1,015	997	915	66	16	9	9
Eastern	358	355	2	1	625	615	608	7	0	8	2
Southern	2,917	2,793	93	31	4,849	4,838	4,821	12	5	3	8
Western	2,058	1,985	66	7	4,512	4,484	4,182	251	51	11	17
Sixth Circuit	3,556	3,130	400	26	4,476	4,412	3,806	595	11	14	50
Kentucky:											
Eastern	273	269	4	0	407	396	381	15	0	0	11
Western	471	208	259	4	659	651	228	422	1	0	8
Michigan:											
Eastern	678	657	20	1	698	682	666	14	2	0	16
Western	227	224	2	1	340	337	326	11	0	1	2
Ohio:											
Northern	366	359	5	2	516	516	507	8	1	0	0
Southern	407	378	29	0	432	426	379	46	1	1	5
Tennessee:											
Eastern	347	336	11	0	599	595	556	37	2	2	2
Middle	215	213	2	0	267	255	249	4	2	9	3
Western	572	486	68	18	558	554	514	38	2	1	3

See notes at end of table.

Terminated							Pending Sept. 30, 2003			
Total terminated	Original proceedings						Total	Felony	Class A misdemeanor	Other <sup>a</sup>
	Total	Felony	Class A misdemeanor	Other <sup>a</sup>	Reopens <sup>b</sup>	Transfers				
65,628	64,727	53,476	9,824	1,427	266	635	60,532	51,158	8,832	542
438	437	417	19	1	0	1	1,231	1,157	72	2
1,259	1,238	1,169	35	34	10	11	1,550	1,515	29	6
182	180	167	12	1	0	2	162	159	2	1
360	357	344	9	4	1	2	740	721	16	3
185	180	174	5	1	1	4	174	173	0	1
102	101	100	1	0	1	0	221	214	7	0
430	420	384	8	28	7	3	253	248	4	1
3,690	3,636	3,432	174	30	33	21	7,403	6,633	710	60
314	305	293	12	0	8	1	345	333	9	3
320	317	279	38	0	1	2	783	588	194	1
1,312	1,302	1,257	28	17	8	2	2,083	1,998	84	1
1,199	1,172	1,112	47	13	16	11	3,492	3,055	382	55
425	422	378	44	0	0	3	503	467	36	0
120	118	113	5	0	0	2	197	192	5	0
2,649	2,614	2,334	260	20	6	29	3,223	2,920	281	22
145	144	125	18	1	0	1	187	136	50	1
936	920	706	205	9	4	12	1,074	871	199	4
702	697	681	9	7	0	5	892	883	7	2
270	269	254	14	1	0	1	466	451	14	1
320	311	301	9	1	2	7	339	333	6	0
276	273	267	5	1	0	3	265	246	5	14
7,442	7,342	4,233	2,731	378	24	76	8,569	4,778	3,584	207
1,151	1,148	434	708	6	0	3	2,306	949	1,314	43
937	931	453	342	136	4	2	1,198	459	669	70
370	353	347	6	0	1	16	216	212	3	1
371	360	339	20	1	2	9	432	418	4	10
790	755	693	40	22	10	25	881	846	25	10
2,995	2,973	1,171	1,593	209	7	15	2,747	1,142	1,548	57
376	373	360	13	0	0	3	484	453	16	15
191	189	184	1	4	0	2	126	121	4	1
261	260	252	8	0	0	1	179	178	1	0
11,884	11,799	11,090	536	173	28	57	7,944	7,506	344	94
372	367	303	62	2	1	4	233	222	10	1
146	143	107	36	0	0	3	325	315	8	2
330	319	251	66	2	1	10	302	236	66	0
137	136	129	6	1	1	0	116	113	2	1
386	379	351	22	6	1	6	245	230	10	5
881	863	795	54	14	7	11	1,036	913	76	47
524	516	499	13	4	4	4	459	454	5	0
4,668	4,658	4,571	36	51	2	8	3,098	2,984	83	31
4,440	4,418	4,084	241	93	11	11	2,130	2,039	84	7
4,202	4,137	3,514	602	21	18	47	3,830	3,394	407	29
411	410	394	16	0	0	1	269	265	4	0
674	665	225	432	8	0	9	456	213	238	5
600	592	569	21	2	4	4	776	755	20	1
353	349	326	20	3	1	3	214	210	4	0
551	545	525	16	4	0	6	331	328	2	1
437	431	394	37	0	0	6	402	362	39	1
517	511	474	34	3	1	5	429	416	13	0
189	170	166	4	0	11	8	293	288	3	2
470	464	441	22	1	1	5	660	557	84	19

Table 5.11

**Criminal cases filed, terminated, and pending in U.S. District Courts**

By type of offense, circuit, and district, fiscal year 2003--Continued

Circuit and district	Pending Oct. 1, 2002					Filed					
	Total	Felony	Class A		Total commenced	Original proceedings				Reopens <sup>b</sup>	Transfers
			misdemeanor	Other <sup>a</sup>		Total	Felony	misdemeanor	Other <sup>a</sup>		
Seventh Circuit	2,011	1,911	98	2	2,563	2,533	2,357	168	8	15	15
Illinois:											
Northern	867	847	20	0	884	868	834	34	0	13	3
Central	319	259	60	0	437	434	337	96	1	0	3
Southern	133	130	3	0	302	300	298	1	1	0	2
Indiana:											
Northern	307	302	4	1	322	321	299	20	2	0	1
Southern	132	126	6	0	218	215	207	4	4	0	3
Wisconsin:											
Eastern	184	178	5	1	242	237	227	10	0	2	3
Western	69	69	0	0	158	158	155	3	0	0	0
Eighth Circuit	2,723	2,636	78	9	4,418	4,369	4,151	195	23	11	38
Arkansas:											
Eastern	190	185	5	0	257	256	245	7	4	0	1
Western	93	93	0	0	184	180	175	5	0	0	4
Iowa:											
Northern	310	309	1	0	435	427	423	3	1	5	3
Southern	219	218	1	0	312	310	307	2	1	0	2
Minnesota:											
Minnesota	259	255	3	1	391	388	373	14	1	0	3
Missouri:											
Eastern	408	366	42	0	829	820	705	115	0	2	7
Western	435	421	13	1	680	676	658	16	2	0	4
Nebraska:											
Nebraska	515	507	6	2	723	711	691	17	3	1	11
North Dakota:											
North Dakota	105	96	6	3	227	225	214	5	6	0	2
South Dakota:											
South Dakota	189	186	1	2	380	376	360	11	5	3	1
Ninth Circuit	11,774	9,944	1,771	59	16,040	15,833	13,731	2,037	65	73	134
Alaska:											
Alaska	102	77	24	1	229	226	158	67	1	2	1
Arizona:											
Arizona	2,194	2,127	65	2	4,320	4,300	3,799	497	4	7	13
California:											
Northern	1,157	885	272	0	808	795	649	144	2	4	9
Eastern	1,031	849	168	14	958	940	850	90	0	6	12
Central	1,984	1,899	61	24	1,403	1,346	1,309	23	14	23	34
Southern	1,440	1,403	37	0	3,582	3,545	3,525	17	3	17	20
Hawaii:											
Hawaii	861	281	580	0	616	611	312	299	0	0	5
Idaho:											
Idaho	152	147	4	1	257	254	244	9	1	0	3
Montana:											
Montana	327	279	47	1	466	466	374	83	9	0	0
Nevada:											
Nevada	601	590	8	3	730	723	674	41	8	3	4
Oregon:											
Oregon	584	574	9	1	784	772	760	11	1	2	10
Washington:											
Eastern	378	377	0	1	519	508	495	9	4	7	4
Western	839	336	492	11	1,230	1,214	459	739	16	1	15
Guam:											
Guam	108	105	3	0	112	107	98	7	2	1	4
Northern Marianas:											
Northern Marianas	16	15	1	0	26	26	25	1	0	0	0
Tenth Circuit	3,468	2,724	732	12	6,194	6,128	4,957	1,163	8	27	39
Colorado:											
Colorado	546	359	186	1	680	680	612	68	0	0	0
Kansas:											
Kansas	427	343	84	0	617	610	518	92	0	2	5
New Mexico:											
New Mexico	1,309	1,026	280	3	2,455	2,429	2,360	68	1	5	21
Oklahoma:											
Northern	150	146	3	1	178	174	168	6	0	2	2
Eastern	45	44	1	0	101	101	97	4	0	0	0
Western	226	136	89	1	860	857	219	636	2	0	3
Utah:											
Utah	633	557	75	1	1,075	1,051	788	261	2	17	7
Wyoming:											
Wyoming	132	113	14	5	228	226	195	28	3	1	1
Eleventh Circuit	4,683	3,996	652	35	6,972	6,853	5,060	1,787	6	36	83
Alabama:											
Northern	395	361	33	1	566	560	459	101	0	1	5
Middle	193	127	59	7	258	247	189	57	1	3	8
Southern	238	236	2	0	228	226	223	3	0	0	2
Florida:											
Northern	337	218	118	1	600	585	289	296	0	5	10
Middle	1,054	1,020	25	9	1,249	1,215	1,201	13	1	11	23
Southern	1,163	1,150	9	4	1,641	1,618	1,595	22	1	11	12
Georgia:											
Northern	621	528	83	10	801	784	642	141	1	2	15
Middle	254	185	69	0	1,152	1,143	243	900	0	2	7
Southern	428	171	254	3	477	475	219	254	2	1	1

Note: These data include all felony and class A misdemeanor cases but include only those petty offense cases that have been assigned to district court judges. Pending totals exclude each case in which the defendant has been a fugitive since before Oct. 1, 2002.

Source: Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2003 Annual Report of the Director* (Washington, DC: USGPO, 2004), pp. 181-186.

<sup>a</sup>Primarily petty offenses assigned to a district judge.

<sup>b</sup>Includes appeals from magistrates, reopens, and remands.

Terminated							Pending Sept. 30, 2003			
Total terminated	Original proceedings						Total	Felony	Class A misdemeanor	Other <sup>a</sup>
	Total	Felony	Class A misdemeanor	Other <sup>a</sup>	Reopens <sup>b</sup>	Transfers				
2,407	2,369	2,193	168	8	14	24	2,167	2,052	112	3
855	836	799	36	1	12	7	896	874	22	0
415	412	321	91	0	0	3	341	273	67	1
245	239	235	2	2	2	4	190	188	2	0
334	333	310	21	2	0	1	295	290	4	1
197	192	185	5	2	0	5	153	148	5	0
217	215	203	11	1	0	2	209	198	10	1
144	142	140	2	0	0	2	83	81	2	0
3,795	3,739	3,472	230	37	12	44	3,346	3,258	79	9
207	202	187	11	4	0	5	240	236	4	0
190	188	181	7	0	0	2	87	85	2	0
358	349	344	4	1	2	7	387	384	1	2
297	294	289	2	3	0	3	234	233	1	0
367	362	347	13	2	2	3	283	277	6	0
754	743	624	119	0	2	9	483	440	43	0
526	519	498	21	0	1	6	589	578	8	3
557	551	527	19	5	2	4	681	673	7	1
209	208	176	20	12	1	0	123	119	4	0
330	323	299	14	10	2	5	239	233	3	3
15,599	15,431	12,716	2,332	383	68	100	12,215	10,598	1,544	73
197	185	116	68	1	1	11	134	102	30	2
4,252	4,238	3,696	524	18	9	5	2,262	2,180	79	3
701	693	552	136	5	2	6	1,264	971	293	0
860	844	633	160	51	3	13	1,129	935	181	13
1,462	1,426	1,307	93	26	19	17	1,925	1,849	48	28
3,528	3,511	3,485	23	3	16	1	1,494	1,453	40	1
891	885	207	677	1	0	6	586	384	202	0
225	223	203	15	5	1	1	184	179	4	1
367	364	266	88	10	2	1	426	379	46	1
711	690	642	33	15	6	15	620	600	20	0
735	722	638	19	65	4	9	633	621	12	0
482	476	464	7	5	4	2	415	407	5	3
1,073	1,064	406	481	177	1	8	996	395	581	20
94	89	82	6	1	0	5	126	122	3	1
21	21	19	2	0	0	0	21	21	0	0
5,679	5,496	4,144	1,047	305	19	164	3,983	3,065	907	11
609	585	474	106	5	2	22	617	423	194	0
495	485	437	47	1	5	5	549	421	128	0
2,379	2,261	1,906	69	286	4	114	1,385	1,100	283	2
178	176	169	7	0	0	2	150	144	5	1
76	74	68	5	1	0	2	70	70	0	0
829	827	197	624	6	0	2	257	156	101	0
928	905	739	164	2	8	15	780	600	178	2
185	183	154	25	4	0	2	175	151	18	6
6,584	6,489	4,762	1,690	37	34	61	5,071	4,282	763	26
556	546	450	96	0	1	9	405	364	40	1
221	214	153	47	14	4	3	230	165	63	2
214	213	210	3	0	0	1	252	248	4	0
532	523	230	292	1	3	6	405	283	121	1
1,123	1,102	1,072	25	5	8	13	1,180	1,155	17	8
1,715	1,687	1,645	36	6	12	16	1,089	1,077	11	1
724	717	593	123	1	4	3	698	582	106	10
1,113	1,108	224	882	2	2	3	293	204	89	0
386	379	185	186	8	0	7	519	204	312	3

Table 5.12

**Defendants detained by U.S. District Courts<sup>a</sup>**

By circuit and district, fiscal year 2003

Circuit and district	Number of cases closed	Total detention cost (in dollars)	Before initial hearing			After initial hearing			Post adjudication		
			Number of defendants	Number of days	Cost (in dollars)	Number of defendants	Number of days	Cost (in dollars)	Number of defendants	Number of days	Cost (in dollars)
<b>Total</b>	<b>88,735</b>	<b>\$544,221,384</b>	<b>37,519</b>	<b>79,258</b>	<b>\$4,388,034</b>	<b>52,906</b>	<b>5,027,172</b>	<b>\$282,648,580</b>	<b>37,227</b>	<b>4,577,950</b>	<b>\$257,184,770</b>
<b>First Circuit</b>	<b>2,401</b>	<b>29,063,269</b>	<b>545</b>	<b>1,482</b>	<b>91,057</b>	<b>1,567</b>	<b>309,331</b>	<b>18,854,712</b>	<b>1,153</b>	<b>168,609</b>	<b>10,117,500</b>
Maine	210	1,289,062	64	186	11,293	106	7,919	480,446	104	13,142	797,323
Massachusetts	663	8,983,920	73	150	9,000	433	105,787	6,347,220	295	43,795	2,627,700
New Hampshire	215	1,187,250	3	3	150	109	12,395	619,750	94	11,347	567,350
Rhode Island	137	1,034,350	28	95	4,750	95	7,691	384,550	82	12,901	645,050
Puerto Rico	1,176	16,568,687	377	1,048	65,864	824	175,539	11,022,746	578	87,424	5,480,077
<b>Second Circuit</b>	<b>6,295</b>	<b>69,887,711</b>	<b>1,955</b>	<b>3,736</b>	<b>241,821</b>	<b>3,679</b>	<b>528,875</b>	<b>34,692,547</b>	<b>2,696</b>	<b>553,677</b>	<b>34,953,343</b>
Connecticut	436	4,477,732	30	89	6,052	241	42,982	2,922,776	137	22,778	1,548,904
New York:											
Northern	516	5,742,170	144	351	24,570	360	42,176	2,952,320	204	39,504	2,765,280
Eastern	2,237	24,133,151	924	1,959	125,376	1,507	158,982	10,174,848	1,058	216,928	13,832,927
Southern	2,262	24,529,635	625	914	52,098	1,112	204,167	11,636,913	981	226,881	12,840,624
Western	632	9,487,968	127	253	24,035	339	67,188	6,243,030	217	34,521	3,220,903
Vermont	212	1,517,055	105	170	9,690	120	13,380	762,660	99	13,065	744,705
<b>Third Circuit</b>	<b>3,599</b>	<b>31,371,571</b>	<b>672</b>	<b>2,134</b>	<b>111,994</b>	<b>1,895</b>	<b>293,532</b>	<b>15,239,920</b>	<b>1,410</b>	<b>306,593</b>	<b>16,019,657</b>
Delaware	192	1,244,650	24	54	2,700	101	12,462	623,100	93	12,377	618,850
New Jersey	1,270	8,707,185	297	768	34,560	546	94,838	4,267,710	435	97,887	4,404,915
Pennsylvania:											
Eastern	1,091	13,462,581	79	301	17,122	647	108,166	6,148,166	514	128,758	7,297,293
Middle	427	3,813,521	43	186	10,848	198	27,026	1,577,234	200	38,133	2,225,439
Western	324	1,324,800	26	84	3,360	141	19,578	783,120	117	13,458	538,320
Virgin Islands	295	2,818,834	203	741	43,404	262	31,462	1,840,590	51	15,980	934,840
<b>Fourth Circuit</b>	<b>8,148</b>	<b>41,955,352</b>	<b>1,234</b>	<b>3,106</b>	<b>158,247</b>	<b>4,098</b>	<b>366,957</b>	<b>19,375,388</b>	<b>3,364</b>	<b>432,266</b>	<b>22,421,717</b>
Maryland	714	6,515,082	153	380	23,117	424	66,149	4,018,619	269	40,713	2,473,346
North Carolina:											
Eastern	1,007	3,680,910	62	308	13,860	351	28,946	1,302,570	397	52,544	2,364,480
Middle	352	2,271,979	9	17	998	266	12,030	703,829	245	26,788	1,567,152
Western	685	8,224,045	115	286	17,732	442	63,156	3,910,643	310	69,285	4,295,670
South Carolina	1,423	5,042,730	229	470	16,450	662	65,542	2,293,970	541	78,066	2,732,310
Virginia:											
Eastern	2,512	8,813,796	290	552	34,705	1,203	61,847	3,884,013	854	77,947	4,895,078
Western	677	4,611,499	255	694	32,618	434	44,804	2,105,788	415	52,619	2,473,093
West Virginia:											
Northern	321	1,007,361	46	169	7,267	115	9,742	418,906	146	13,516	581,188
Southern	457	1,787,950	75	230	11,500	201	14,741	737,050	187	20,788	1,039,400
<b>Fifth Circuit</b>	<b>17,044</b>	<b>73,243,450</b>	<b>10,858</b>	<b>21,383</b>	<b>1,054,262</b>	<b>11,060</b>	<b>749,668</b>	<b>36,335,792</b>	<b>7,019</b>	<b>733,090</b>	<b>35,853,396</b>
Louisiana:											
Eastern	484	2,695,320	174	221	9,945	355	28,593	1,286,685	263	31,082	1,398,690
Middle	151	941,399	40	75	4,339	74	8,467	489,397	60	7,745	447,663
Western	384	1,237,488	109	432	12,528	194	30,861	894,969	91	11,379	329,991
Mississippi:											
Northern	185	644,355	32	57	2,565	75	8,320	374,400	62	5,942	267,390
Southern	498	819,740	169	469	9,380	263	21,401	428,020	200	19,117	382,340
Texas:											
Northern	1,801	8,347,578	758	1,562	91,646	1,141	69,432	4,062,065	686	71,687	4,193,867
Eastern	725	3,668,721	165	499	20,459	472	36,377	1,491,457	418	52,605	2,156,805
Southern	7,047	25,188,649	5,171	8,870	443,500	4,074	237,743	11,885,099	2,103	257,201	12,860,050
Western	5,769	29,700,200	4,240	9,198	459,900	4,412	308,474	15,423,700	3,136	276,332	13,816,600
<b>Sixth Circuit</b>	<b>6,214</b>	<b>27,024,600</b>	<b>838</b>	<b>1,842</b>	<b>89,987</b>	<b>3,061</b>	<b>298,168</b>	<b>13,975,735</b>	<b>2,259</b>	<b>273,536</b>	<b>12,958,878</b>
Kentucky:											
Eastern	567	2,087,460	115	216	9,720	297	21,704	976,680	231	24,468	1,101,060
Western	373	1,851,538	82	173	10,207	162	17,508	1,032,972	113	13,701	808,359
Michigan:											
Eastern	1,189	5,093,423	134	261	15,890	463	44,872	2,716,750	269	38,860	2,360,783
Western	526	2,845,645	63	155	8,525	322	17,736	975,480	295	33,848	1,861,640
Ohio:											
Northern	1,006	4,875,050	60	254	12,700	491	59,541	2,977,050	357	37,706	1,885,300
Southern	854	2,120,400	126	280	10,080	330	27,528	991,008	228	31,092	1,119,312
Tennessee:											
Eastern	738	4,556,374	236	457	21,345	460	47,136	2,191,935	419	50,387	2,343,094
Middle	363	1,699,280	8	14	560	210	24,957	998,280	135	17,511	700,440
Western	598	1,895,430	14	32	960	326	37,186	1,115,580	212	25,963	778,890

See notes at end of table.

Table 5.12

**Defendants detained by U.S. District Courts<sup>a</sup>**

By circuit and district, fiscal year 2003--Continued

Circuit and district	Number of cases closed	Total detention cost (in dollars)	Before initial hearing			After initial hearing			Post adjudication		
			Number of defendants	Number of days	Cost (in dollars)	Number of defendants	Number of days	Cost (in dollars)	Number of defendants	Number of days	Cost (in dollars)
Seventh Circuit	3,698	\$30,211,434	1,071	2,608	\$148,668	2,207	300,285	\$17,086,858	1,666	223,138	\$12,975,908
Illinois:											
Northern	1,501	13,455,188	449	644	39,829	842	131,772	8,129,028	592	85,692	5,286,331
Central	403	3,772,020	150	317	19,020	260	26,220	1,573,200	240	36,330	2,179,800
Southern	389	2,600,370	104	285	12,825	277	29,715	1,337,175	253	27,786	1,250,370
Indiana:											
Northern	447	4,659,879	217	829	48,911	288	35,938	2,120,342	237	42,214	2,490,626
Southern	362	1,880,283	47	113	4,708	200	39,396	1,634,985	61	5,797	240,590
Wisconsin:											
Eastern	396	2,915,019	27	79	5,135	234	27,924	1,802,999	164	17,029	1,106,885
Western	200	928,675	77	341	18,240	106	9,320	489,129	119	8,290	421,306
Eighth Circuit	5,222	38,071,286	1,115	2,829	178,212	3,147	281,406	18,001,865	2,458	287,361	19,891,209
Arkansas:											
Eastern	296	696,240	24	57	1,710	109	15,852	475,560	74	7,299	218,970
Western	239	859,800	125	323	9,690	173	14,320	429,600	149	14,017	420,510
Iowa:											
Northern	452	4,618,380	85	285	18,525	276	28,571	1,857,115	311	42,196	2,742,740
Southern	430	4,392,654	24	51	3,417	311	29,325	1,964,775	283	36,186	2,424,462
Minnesota	602	5,652,240	204	487	38,960	334	30,303	2,424,240	265	39,863	3,189,040
Missouri:											
Eastern	875	4,260,155	22	52	3,163	525	39,479	2,398,422	312	30,593	1,858,570
Western	1,034	10,214,199	159	448	44,800	521	40,171	4,017,100	409	61,756	6,152,299
Nebraska	630	5,155,118	191	510	31,197	477	51,550	3,156,413	362	32,133	1,967,508
North Dakota	270	901,950	122	346	17,300	151	10,961	548,050	91	6,732	336,600
South Dakota	394	1,320,550	159	270	9,450	270	20,874	730,590	202	16,586	580,510
Ninth Circuit	22,223	128,665,961	13,618	28,774	1,692,907	13,460	1,173,941	69,985,049	8,938	944,845	56,988,005
Alaska	225	2,267,503	124	762	81,216	129	8,267	880,933	101	12,250	1,305,354
Arizona	7,245	44,686,564	5,976	9,709	563,122	5,680	397,230	23,039,340	3,952	363,519	21,084,102
California:											
Northern	977	9,202,838	23	92	7,084	622	86,299	6,638,353	265	33,213	2,557,401
Eastern	1,024	884,650	671	1,217	60,850	876	126,786	6,339,300	495	49,690	2,484,500
Central	2,425	12,094,023	1,037	2,580	141,900	1,265	121,792	6,698,560	548	95,733	5,253,563
Southern	5,314	17,930,667	4,251	10,769	613,833	2,034	139,021	7,841,895	1,709	166,227	9,474,939
Hawaii	443	7,203,425	211	359	35,587	291	30,603	3,005,295	190	42,458	4,162,543
Idaho	381	1,696,716	194	456	19,152	248	21,444	900,648	185	18,498	776,916
Montana	425	1,933,161	169	462	20,157	245	20,376	886,768	229	23,581	1,026,236
Nevada	900	6,839,530	398	1,077	66,774	515	66,580	4,127,960	409	42,658	2,644,796
Oregon	852	7,330,860	148	353	21,180	625	88,666	5,319,960	303	33,162	1,989,720
Washington:											
Eastern	429	3,052,920	225	366	21,960	349	28,025	1,681,500	218	22,491	1,349,460
Western	1,424	3,931,332	132	439	27,092	496	32,529	2,006,714	269	30,759	1,897,526
Guam	128	1,396,516	57	131	12,804	70	5,591	546,298	51	9,137	837,414
Northern Marianas	31	215,256	2	2	196	15	732	71,525	14	1,469	143,535
Tenth Circuit	6,005	38,065,004	2,980	5,882	366,424	4,417	343,627	20,551,017	2,721	285,682	17,147,563
Colorado	683	3,459,248	140	314	16,328	515	36,301	1,887,652	277	29,909	1,555,268
Kansas	693	4,834,790	178	499	31,563	433	42,112	2,660,409	334	33,878	2,142,818
New Mexico	2,836	21,428,092	2,317	3,764	255,952	2,454	164,976	11,218,368	1,373	146,379	9,953,772
Oklahoma:											
Northern	251	1,057,040	52	123	4,920	160	12,958	518,320	102	13,345	533,800
Eastern	108	356,264	24	57	2,336	60	3,500	143,293	55	5,145	210,635
Western	565	1,502,820	54	185	8,325	180	13,205	594,225	146	20,006	900,270
Utah	589	3,941,650	85	177	8,850	429	53,942	2,697,100	281	24,714	1,235,700
Wyoming	280	1,485,100	130	763	38,150	186	16,633	831,650	153	12,306	615,300
Eleventh Circuit	7,886	36,661,746	2,633	5,482	254,455	4,315	381,382	18,549,697	3,543	369,153	17,857,594
Alabama:											
Northern	526	1,884,050	51	147	7,350	248	13,581	679,050	199	23,953	1,197,650
Middle	145	582,600	51	89	4,450	65	5,799	289,950	49	5,764	288,200
Southern	377	1,101,632	66	244	7,808	214	12,298	393,536	189	21,884	700,288
Florida:											
Northern	440	1,372,217	109	209	7,786	237	13,886	519,343	224	22,596	845,088
Middle	1,853	13,062,673	322	668	39,592	1,223	114,712	6,815,027	968	104,495	6,208,054
Southern	2,651	13,557,282	1,389	2,699	139,948	1,512	135,599	7,018,629	1,240	123,623	6,398,705
Georgia:											
Northern	889	3,312,606	314	624	20,592	513	59,997	1,979,901	360	39,761	1,312,113
Middle	663	912,866	233	463	15,742	136	12,431	422,654	152	13,955	474,470
Southern	342	875,820	98	339	11,187	167	13,079	431,607	162	13,122	433,026

<sup>a</sup>Excludes the District of Columbia and includes transfers.Source: Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2003 Annual Report of the Director* (Washington, DC: USGPO, 2004), pp. 298-300.

Table 5.13

## Federal defendants released or detained prior to trial in U.S. District Courts

By offense, United States, fiscal year 2001

Most serious offense charged	Number of defendants			Percent of defendants released at any time before case disposition					Percent of defendants detained at any time before case disposition					
				All releases	Released on:				All detentions	Held on bail for:				
	Total	Released	Detained		Financial <sup>a</sup>	Unsecured bond	Personal recognizance	Conditional release		Temporary detention <sup>b</sup>	Part of pretrial period	All of pretrial period	Denied bail	Other detentions
All offenses <sup>c</sup>	68,214	31,320	49,199	45.9%	18.2%	47.2%	28.2%	6.3%	72.1%	2.2%	22.0%	11.6%	53.4%	10.8%
Violent offenses	3,225	1,170	2,579	36.3	6.6	36.0	47.9	9.6	80.0	0.7	16.6	3.6	62.8	16.4
Murder, nonnegligent manslaughter	159	48	142	30.2	2.1	22.9	75.0	0.0	89.3	0.7	16.9	2.1	66.2	14.1
Negligent manslaughter	14	11	8	78.6	0.0	0.0	100.0	0.0	57.1	B	B	B	B	B
Assault	820	518	456	63.2	3.5	27.4	51.4	17.8	55.6	0.0	30.3	3.1	51.5	15.1
Robbery	1,845	408	1,677	22.1	11.3	53.2	31.1	4.4	90.9	0.8	11.3	4.3	66.8	16.8
Sexual abuse <sup>d</sup>	253	149	174	58.9	4.7	25.5	69.1	0.7	68.8	0.0	32.8	0.6	53.4	13.2
Kidnaping	100	26	91	26.0	11.5	38.5	46.2	3.8	91.0	3.3	13.2	2.2	60.4	20.9
Threats against the President	34	10	31	29.4	B	B	B	B	91.2	0.0	9.7	0.0	64.5	25.8
Property offenses	13,170	10,322	4,960	78.4	10.2	54.8	33.0	2.0	37.7	0.9	38.6	5.8	41.6	13.0
Fraudulent offenses	10,361	8,120	3,901	78.4	11.1	58.4	29.4	2.0	37.7	1.0	38.6	6.1	41.4	12.9
Embezzlement	1,394	1,292	220	92.7	3.4	55.3	39.3	2.0	15.8	1.4	51.8	7.3	29.5	10.0
Fraud <sup>e</sup>	7,541	5,775	2,998	76.6	13.0	57.6	28.4	1.1	39.8	1.0	36.8	6.1	42.9	13.1
Forgery	208	162	85	77.9	8.6	65.4	25.9	0.0	40.9	0.0	45.9	4.7	37.6	11.8
Counterfeiting	1,218	891	598	73.2	10.2	66.8	22.2	0.8	49.1	0.7	41.6	6.0	38.8	12.9
Other offenses	2,809	2,202	1,059	78.4	7.0	41.7	46.3	5.0	37.7	0.8	38.6	4.6	42.3	13.7
Burglary	127	62	92	48.8	6.5	33.9	59.7	0.0	72.4	0.0	30.4	3.3	44.6	21.7
Larceny <sup>f</sup>	2,103	1,773	652	84.3	6.0	39.7	48.6	5.8	31.0	0.5	45.2	4.9	37.9	11.5
Motor vehicle theft	227	118	149	52.0	15.3	55.1	28.0	1.7	65.6	1.3	22.8	4.7	55.0	16.1
Arson and explosives	122	73	76	59.8	8.2	63.0	28.8	0.0	62.3	3.9	27.6	1.3	53.9	13.2
Transportation of stolen property	145	107	64	73.8	16.8	57.0	26.2	0.0	44.1	0.0	29.7	9.4	45.3	15.6
Other property offenses <sup>g</sup>	85	69	26	81.2	4.3	31.9	58.0	5.8	30.6	0.0	46.2	0.0	30.8	23.1
Drug offenses	26,802	10,968	22,430	40.9	29.3	46.3	20.5	4.0	83.7	2.3	25.2	9.7	53.2	9.5
Trafficking	24,458	9,740	20,864	39.8	30.4	48.2	18.1	3.3	85.3	2.0	25.2	10.1	53.5	9.2
Other	2,344	1,228	1,566	52.4	20.6	31.1	39.3	9.0	66.8	6.9	25.4	4.3	49.4	14.0
Public-order offenses	7,275	5,227	2,960	71.8	11.0	39.3	35.5	14.3	40.7	1.0	28.3	4.7	47.8	18.1
Regulatory offenses	2,286	1,591	1,027	69.6	14.1	46.0	34.7	5.2	44.9	1.6	29.0	7.4	39.8	22.2
Agriculture	106	104	8	98.1	1.9	33.7	52.9	11.5	7.5	B	B	B	B	B
Antitrust	9	9	0	B	B	B	B	B	B	X	X	X	X	X
Food and drug	50	43	16	86.0	16.3	46.5	30.2	7.0	32.0	0.0	50.0	6.3	37.5	6.3
Transportation	68	52	26	76.5	5.8	44.2	46.2	3.8	38.2	0.0	30.8	0.0	69.2	0.0
Civil rights	77	64	21	83.1	10.9	70.3	18.8	0.0	27.3	0.0	23.8	0.0	52.4	23.8
Communications	68	62	14	91.2	8.1	54.8	37.1	0.0	20.6	0.0	42.9	7.1	35.7	14.3
Customs laws	92	71	57	77.2	31.0	49.3	19.7	0.0	62.0	0.0	52.6	12.3	35.1	0.0
Postal laws	149	137	32	91.9	2.2	56.2	36.5	5.1	21.5	0.0	62.5	3.1	21.9	12.5
Other regulatory offenses	1,667	1,049	853	62.9	16.6	43.9	34.1	5.4	51.2	1.9	25.2	7.7	40.0	25.2
Other offenses	4,989	3,636	1,933	72.9	9.6	36.4	35.8	18.2	38.7	0.7	28.0	3.3	52.1	15.9
Tax law violations including tax fraud	533	516	82	96.8	4.8	60.9	33.5	0.8	15.4	0.0	78.0	2.4	14.6	4.9
Bribery	153	129	59	84.3	22.5	45.0	32.6	0.0	38.6	0.0	54.2	3.4	40.7	1.7
Perjury, contempt, intimidation	199	137	105	68.8	13.1	56.2	29.2	1.5	52.8	1.0	36.2	3.8	43.8	15.2
National defense	85	65	29	76.5	15.4	32.3	9.2	43.1	34.1	0.0	24.1	3.4	58.6	13.8
Escape	621	92	573	14.8	19.6	40.2	30.4	9.8	92.3	0.9	6.8	1.7	70.7	19.9
Racketeering and extortion	743	424	480	57.1	34.4	47.4	16.7	1.4	64.6	0.8	24.8	2.7	58.5	13.1
Gambling offenses	45	44	5	97.8	11.4	45.5	43.2	0.0	11.1	B	B	B	B	B
Liquor offenses	7	7	2	B	B	B	B	B	B	B	B	B	B	B
Nonviolent sex offenses	628	467	276	74.4	11.1	45.6	32.1	11.1	43.9	0.4	40.2	4.3	39.5	15.6
Mail or transport of obscene material	57	46	25	80.7	15.2	71.7	10.9	2.2	43.9	0.0	48.0	4.0	36.0	12.0
Traffic offenses	1,223	1,145	110	93.6	1.0	16.9	41.0	41.0	9.0	1.8	47.3	9.1	25.5	16.4
Migratory birds	28	28	3	100.0	0.0	21.4	60.7	17.9	10.7	B	B	B	B	B
All other offenses <sup>h</sup>	667	536	184	80.4	5.0	27.2	51.7	16.0	27.6	0.5	32.6	4.9	39.7	22.3
Weapons offenses	4,214	1,900	3,204	45.1	14.9	53.8	29.5	1.8	76.0	1.3	23.5	2.6	56.8	15.8
Immigration offenses	13,405	1,658	12,998	12.4	30.5	32.6	10.0	26.8	97.0	3.4	9.3	22.4	56.9	8.0

See notes on next page.

Table 5.13

**Federal defendants released or detained prior to trial in U.S. District Courts**

By offense, United States, fiscal year 2001--Continued

Note: These data are from the U.S. Department of Justice, Bureau of Justice Statistics' Federal Justice Statistics Program database. Sources of information include the Executive Office for U.S. Attorneys, the Administrative Office of the United States Courts, the U.S. Sentencing Commission, the U.S. Marshals Service, the Drug Enforcement Administration, and the Federal Bureau of Prisons. The Administrative Office of the United States Courts also maintains data collected by the Federal Pretrial Services Agency (PSA), the U.S. Courts of Appeals, and the Federal probation and supervision service.

Tables presenting pretrial release and detention information were created from the PSA data files. The data describe 68,214 defendants who terminated pretrial services during fiscal year 2001 and whose cases were filed by complaint, indictment, or information.

"Released" defendants includes some defendants who also were detained prior to trial;

"detained" defendants includes some defendants who also were released prior to trial.

Total includes defendants for whom release status data were unavailable. For methodology and definitions of terms, see Appendix 11.

<sup>a</sup>Includes deposit bond, surety bond, and collateral bond.

<sup>b</sup>Held under 18 U.S.C. 3142 pending deportation, action on prior pretrial release, or probation or parole review.

<sup>c</sup>Includes 138 defendants for whom offense category could not be determined, 98 of whom were released, 63 of whom were detained.

<sup>d</sup>Includes only violent sex offenses.

<sup>e</sup>Excludes tax fraud.

<sup>f</sup>Excludes transportation of stolen property.

<sup>g</sup>Excludes fraudulent property offenses; includes destruction of property and trespass.

<sup>h</sup>Includes offenses with unclassifiable offense type.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 2001*. NCJ 201627 (Washington, DC: U.S. Department of Justice, 2003), pp. 42, 44. Table adapted by SOURCEBOOK staff.

Table 5.14

**Federal pretrial detention hearings and defendants ordered detained in U.S. District Courts**

By characteristics, United States, fiscal year 2001

Defendant characteristics	Defendants with pretrial detention hearings				
	Number of defendants	Number of defendants		Of defendants with hearings	
		Hearings held	Ordered detained	Percent of defendants with hearings held	held, percent ordered detained
All defendants <sup>a</sup>	68,214	35,657	26,263	52.3%	73.7%
<b>Sex</b>					
Male	57,385	31,951	24,054	55.7	75.3
Female	10,756	3,687	2,196	34.3	59.6
<b>Race</b>					
White	46,999	24,225	18,246	51.5	75.3
Black	17,576	9,555	6,837	54.4	71.6
Native American	1,272	712	417	56.0	58.6
Asian/Pacific Islander	1,580	849	536	53.7	63.1
<b>Ethnicity</b>					
Hispanic	28,233	17,835	14,422	63.2	80.9
Non-Hispanic	39,542	17,654	11,730	44.6	66.4
<b>Age</b>					
16 to 18 years	1,304	718	511	55.1	71.2
19 to 20 years	4,080	2,106	1,577	51.6	74.9
21 to 30 years	27,549	15,846	11,843	57.5	74.7
31 to 40 years	19,582	10,540	7,920	53.8	75.1
Over 40 years	15,546	6,397	4,383	41.1	68.5
<b>Education</b>					
Less than high school graduate	20,095	11,964	8,607	59.5	71.9
High school graduate	16,663	7,944	5,164	47.7	65.0
Some college	9,902	3,765	2,210	38.0	58.7
College graduate	4,180	1,122	641	26.8	57.1
<b>Marital status</b>					
Never married	21,522	11,652	8,179	54.1	70.2
Divorced/separated	9,442	4,299	2,754	45.5	64.1
Married	16,448	7,117	4,700	43.3	66.0
Common law	4,647	2,670	1,809	57.5	67.8
Other	16,155	9,919	8,821	61.4	88.9
<b>Employment status at arrest</b>					
Unemployed	22,509	12,972	9,175	57.6	70.7
Employed	29,559	12,521	7,989	42.4	63.8
<b>Criminal record</b>					
No convictions <sup>b</sup>	20,132	8,155	5,550	40.5	68.1
Prior conviction					
Misdemeanor only	11,223	5,068	3,303	45.2	65.2
Felony					
Nonviolent	15,150	9,160	7,077	60.5	77.3
Violent	11,062	7,422	5,924	67.1	79.8
Number of prior convictions					
1	11,090	5,544	3,951	50.0	71.3
2 to 4	15,366	8,943	6,715	58.2	75.1
5 or more	10,979	7,163	5,638	65.2	78.7

Note: See Note, table 5.13. For methodology and definitions of terms, see Appendix 11.

<sup>a</sup>Includes defendants for whom these characteristics were unknown.<sup>b</sup>Includes only those defendants whose PSA records explicitly showed no prior convictions.Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 2001*, NCJ 201627 (Washington, DC: U.S. Department of Justice, 2003), p. 47. Table adapted by SOURCEBOOK staff.

Table 5.15

**Federal defendants released or detained prior to trial in U.S. District Courts**

By characteristics, United States, fiscal year 2001

Defendant characteristics	Number of defendants	Defendants released		Defendants detained	
		Number	Percent	Number	Percent
All defendants <sup>a</sup>	68,214	31,320	45.9%	49,199	72.1%
<b>Sex</b>					
Male	57,385	23,568	41.1	43,721	76.2
Female	10,756	7,712	71.7	5,439	50.6
<b>Race</b>					
White	46,999	20,333	43.3	34,770	74.0
Black	17,576	8,843	50.3	12,166	69.2
Native American	1,272	820	64.5	844	66.4
Asian/Pacific Islander	1,580	907	57.4	968	61.3
<b>Ethnicity</b>					
Hispanic	28,233	6,558	23.2	25,953	91.9
Non-Hispanic	39,542	24,523	62.0	23,006	58.2
<b>Age</b>					
16 to 18 years	1,304	605	46.4	1,009	77.4
19 to 20 years	4,080	1,878	46.0	2,993	73.4
21 to 30 years	27,549	10,972	39.8	21,555	78.2
31 to 40 years	19,582	8,444	43.1	14,618	74.7
Over 40 years	15,546	9,329	60.0	8,945	57.5
<b>Education</b>					
Less than high school graduate	20,095	7,821	38.9	16,463	81.9
High school graduate	16,663	10,064	60.4	10,474	62.9
Some college	9,902	7,098	71.7	5,078	51.3
College graduate	4,180	3,331	79.7	1,553	37.2
<b>Marital status</b>					
Never married	21,522	10,893	50.6	15,376	71.4
Divorced/separated	9,442	5,590	59.2	5,989	63.4
Married	16,448	9,940	60.4	9,702	59.0
Common law	4,647	2,065	44.4	3,643	78.4
Other	16,155	2,832	17.5	14,489	89.7
<b>Employment status at arrest</b>					
Unemployed	22,509	9,976	44.3	17,321	77.0
Employed	29,559	18,699	63.3	17,207	58.2
<b>Criminal record</b>					
No convictions <sup>b</sup>	20,132	12,160	60.4	11,570	57.5
Prior conviction					
Misdemeanor only	11,223	6,670	59.4	7,203	64.2
Felony					
Nonviolent	15,150	4,882	32.2	12,725	84.0
Violent	11,062	2,823	25.5	9,890	89.4
Number of prior convictions					
1	11,090	5,415	48.8	7,861	70.9
2 to 4	15,366	5,902	38.4	12,329	80.2
5 or more	10,979	3,058	27.9	9,628	87.7

Note: See Note, table 5.13. "Released" defendants includes some defendants who also were detained prior to trial; "detained" defendants includes some defendants who also were released prior to trial. Total includes defendants for whom release status data were unavailable. For methodology and definitions of terms, see Appendix 11.

<sup>a</sup>Includes defendants for whom these characteristics were unknown.<sup>b</sup>Includes only those defendants whose PSA records explicitly showed no prior convictions.Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 2001*, NCJ 201627 (Washington, DC: U.S. Department of Justice, 2003), pp. 43, 45. Table adapted by SOURCEBOOK staff.

Table 5.16

**Behavior of Federal defendants released prior to trial in U.S. District Courts**

By offense, type of release, and characteristics, United States, fiscal year 2001

Most serious offense charged, type of release, and defendant characteristics	Number of released defendants	Percent of released defendants who had:						
		No violation	At least one	Failed to appear	New offense charged		Technical violations of bail conditions	Release revoked
					Felony	Mis- demeanor		
All defendants <sup>a</sup>	31,320	81.2%	18.8%	2.6%	1.9%	1.9%	17.3%	6.8%
<b>Offense charged</b>								
Violent offenses	1,170	77.0	23.0	2.8	2.1	2.7	22.2	12.6
Property offenses	10,322	87.3	12.7	1.4	1.6	1.4	11.3	4.8
Fraudulent offenses	8,120	88.2	11.8	1.4	1.5	1.3	10.5	4.3
Other offenses	2,202	84.2	15.8	1.5	1.8	1.8	14.4	6.3
Drug offenses	10,968	72.0	28.0	3.9	2.5	2.6	26.1	9.8
Public-order offenses	5,227	91.5	8.5	1.6	0.5	0.9	7.7	2.3
Regulatory offenses	1,591	91.8	8.2	1.0	0.7	1.1	7.5	2.1
Other offenses	3,636	91.4	8.6	1.9	0.4	0.9	7.8	2.4
Weapons offenses	1,900	69.9	30.1	2.5	4.4	3.6	28.2	12.8
Immigration offenses	1,658	86.9	13.1	4.1	1.3	0.8	11.3	3.7
<b>Type of release</b>								
Financial release	5,710	75.5	24.5	4.6	2.7	2.7	21.8	7.1
Unsecured bond	14,795	81.3	18.7	2.3	2.1	1.9	17.2	6.9
Personal recognizance	8,838	81.3	18.7	1.5	1.4	1.8	17.7	8.0
Conditional release	1,977	96.8	3.2	3.1	0.0	0.0	3.2	0.1
<b>Sex</b>								
Male	23,568	80.2	19.8	2.6	2.1	2.1	18.3	7.4
Female	7,712	84.3	15.7	2.3	1.3	1.3	14.5	5.1
<b>Race</b>								
White	20,333	82.8	17.2	2.6	1.6	1.6	15.8	6.1
Black	8,843	76.7	23.3	2.7	2.8	2.5	21.4	8.3
Native American	820	76.2	23.8	1.0	1.8	3.4	22.9	15.6
Asian/Pacific Islander	907	90.0	10.0	0.9	0.4	0.8	9.8	3.7
<b>Ethnicity</b>								
Hispanic	6,558	79.9	20.1	4.8	1.6	1.7	18.1	5.2
Non-Hispanic	24,523	81.5	18.5	2.0	2.0	1.9	17.2	7.3
<b>Age</b>								
16 to 18 years	605	73.2	26.8	3.6	4.1	4.0	24.8	12.1
19 to 20 years	1,878	74.5	25.5	3.1	3.6	2.7	23.9	10.4
21 to 30 years	10,972	77.0	23.0	3.1	2.4	2.6	21.2	8.1
31 to 40 years	8,444	80.7	19.3	2.7	1.7	1.8	17.7	7.2
Over 40 years	9,329	88.4	11.6	1.7	1.0	0.9	10.7	4.0
<b>Education</b>								
Less than high school graduate	7,821	72.4	27.6	4.3	3.0	2.9	25.2	10.4
High school graduate	10,064	79.5	20.5	2.3	2.0	2.1	19.1	7.4
Some college	7,098	84.4	15.6	1.6	1.5	1.5	14.3	5.8
College graduate	3,331	92.0	8.0	0.8	1.0	0.9	7.3	2.5

Note: See Note, table 5.13. Data describe defendants whose pretrial services were terminated in fiscal year 2001. A defendant with more than one type of violation appears in more than one column. A defendant with more than one of the same type of violation appears only once in that column. Therefore, the sum of individual violations exceeds the total. Not all violations resulted in revocation. For methodology and definitions of terms, see Appendix 11.

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

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 2001*, NCJ 201627 (Washington, DC: U.S. Department of Justice, 2003), pp. 48, 49. Table adapted by SOURCEBOOK staff.

Table 5.17

## Disposition of cases terminated in U.S. District Courts

By offense, United States, fiscal year 2001

Most serious offense charged	Total defendants	Percent of all defendants convicted	Number of defendants in cases terminated during 2001 who were:								
			Convicted					Not convicted			
			Total	Guilty plea	Nolo contendere	Trial		Total	Dismissed	Trial	
					Jury	Non-jury			Jury <sup>a</sup>	Non-jury	
All offenses <sup>b</sup>	77,145	88.8%	68,533	64,894	274	2,313	1,052	8,612	7,621	507	484
Felonies	66,112	91.5	60,467	58,039	23	2,272	133	5,645	5,059	496	90
Violent offenses	2,977	90.3	2,687	2,512	2	164	9	290	240	46	4
Murder, nonnegligent manslaughter	404	86.1	348	304	0	40	4	56	47	7	2
Negligent manslaughter	1	B	0	0	0	0	0	1	1	0	0
Assault	316	81.3	257	229	2	25	1	59	46	12	1
Robbery	1,689	94.1	1,590	1,530	0	57	3	99	84	14	1
Sexual abuse <sup>c</sup>	382	88.2	337	311	0	25	1	45	34	11	0
Kidnaping	163	87.1	142	125	0	17	0	21	20	1	0
Threats against the President	22	59.1	13	13	0	0	0	9	8	1	0
Property offenses	13,950	90.6	12,640	12,124	5	491	20	1,310	1,182	108	20
Fraudulent offenses	11,563	90.8	10,498	10,097	5	380	16	1,065	973	75	17
Embezzlement	933	91.6	855	827	0	27	1	78	72	6	0
Fraud <sup>d</sup>	9,028	90.6	8,180	7,837	5	323	15	848	769	64	15
Forgery	107	92.5	99	93	0	6	0	8	6	1	1
Counterfeiting	1,495	91.2	1,364	1,340	0	24	0	131	126	4	1
Other offenses	2,387	89.7	2,142	2,027	0	111	4	245	209	33	3
Burglary	64	84.4	54	52	0	2	0	10	9	1	0
Larceny <sup>e</sup>	1,591	90.8	1,445	1,378	0	63	4	146	126	17	3
Motor vehicle theft	112	90.2	101	96	0	5	0	11	10	1	0
Arson and explosives	239	83.7	200	181	0	19	0	39	29	10	0
Transportation of stolen property	310	89.0	276	254	0	22	0	34	30	4	0
Other property offenses <sup>f</sup>	71	93.0	66	66	0	0	0	5	5	0	0
Drug offenses	28,227	91.6	25,854	24,889	9	922	34	2,373	2,142	198	33
Trafficking	26,501	91.5	24,253	23,353	7	863	30	2,248	2,030	186	32
Possession and other	1,726	92.8	1,601	1,536	2	59	4	125	112	12	1
Public-order offenses	4,402	87.1	3,836	3,586	3	236	11	566	483	67	16
Regulatory offenses	1,166	84.8	989	951	1	35	2	177	145	27	5
Agriculture	109	80.7	88	79	0	8	1	21	18	2	1
Antitrust	34	94.1	32	32	0	0	0	2	2	0	0
Food and drug	48	89.6	43	40	0	3	0	5	5	0	0
Transportation	128	79.7	102	99	0	2	1	26	14	12	0
Civil rights	87	69.0	60	55	0	5	0	27	15	10	2
Communications	62	95.2	59	56	0	3	0	3	3	0	0
Customs laws	70	85.7	60	56	0	4	0	10	9	0	1
Postal laws	44	77.3	34	33	1	0	0	10	10	0	0
Other regulatory offenses	584	87.5	511	501	0	10	0	73	69	3	1
Other offenses	3,236	88.0	2,847	2,635	2	201	9	389	338	40	11
Tax law violations including tax fraud	484	95.5	462	433	1	25	3	22	16	5	1
Bribery	237	89.5	212	201	0	11	0	25	19	4	2
Perjury, contempt, intimidation	334	83.2	278	243	0	35	0	56	44	9	3
National defense	46	93.5	43	35	0	8	0	3	3	0	0
Escape	497	84.5	420	400	1	18	1	77	75	1	1
Racketeering and extortion	827	83.9	694	627	0	66	1	133	113	18	2
Gambling offenses	25	100.0	25	25	0	0	0	0	0	0	0
Liquor offenses	7	B	7	5	0	2	0	0	0	0	0
Nonviolent sex offenses	498	94.2	469	442	0	24	3	29	27	2	0
Mail or transport of obscene material	11	100.0	11	10	0	1	0	0	0	0	0
Traffic offenses	29	89.7	26	22	0	3	1	3	3	0	0
Migratory birds	4	B	4	3	0	1	0	0	0	0	0
Other felonies <sup>g</sup>	237	82.7	196	189	0	7	0	41	38	1	2
Weapons offenses	5,814	90.0	5,231	4,829	3	363	36	583	508	62	13
Immigration offenses	10,742	95.1	10,219	10,099	1	96	23	523	504	15	4
Misdemeanors <sup>h</sup>	10,952	73.0	7,995	6,789	251	38	917	2,957	2,552	11	394

Note: See Note, table 5.13. These data are from the Administrative Office of the United States Courts' master data files. Only records with cases that terminated during fiscal year 2001 were selected. For methodology and definitions of terms, see Appendix 11.

<sup>a</sup>Excludes transportation of stolen property.

<sup>b</sup>Excludes fraudulent property offenses; includes destruction of property and trespass.

<sup>c</sup>Includes felonies with unclassifiable offense type.

<sup>d</sup>Includes misdemeanors, petty offenses, and unknown offense level.

<sup>e</sup>Includes mistrials.

<sup>f</sup>Includes 81 defendants for whom offense category could not be determined, 71 of whom were convicted, 10 of whom were not convicted.

<sup>g</sup>Includes only violent sex offenses.

<sup>h</sup>Excludes tax fraud.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 2001*, NCJ 201627 (Washington, DC: U.S. Department of Justice, 2003), p. 58.

Table 5.18

**Federal defendants convicted in U.S. District Courts**By offense and characteristics, United States, fiscal year 2001<sup>a</sup>

Defendant characteristics	Total number of convicted defendants	Percent of defendants convicted of:									
		All offenses <sup>b</sup>	Violent offenses	Property offenses		Drug offenses	Public-order offenses		Weapons offenses	Immigration offenses	Mis-demeanors
				Fraudulent	Other		Regulatory	Other			
All offenders <sup>c</sup>	68,533	68,533	2,604	10,359	1,990	25,088	1,410	2,937	4,925	10,050	9,100
<b>Sex</b>											
Male	51,535	85.3%	92.9%	74.1%	74.2%	86.1%	76.1%	86.5%	96.6%	94.8%	74.9%
Female	8,898	14.7	7.1	25.9	25.8	13.9	23.9	13.5	3.4	5.2	25.1
<b>Race</b>											
White	40,877	76.6	54.7	71.2	69.5	77.3	83.0	82.5	55.3	95.7	70.0
Black	9,997	18.7	21.6	22.5	20.8	20.5	9.0	10.9	41.6	2.6	21.4
Native American	1,022	1.9	21.0	0.8	5.2	0.8	1.7	1.7	1.7	0.4	2.8
Asian/Pacific Islander	1,322	2.5	2.6	5.0	4.2	1.2	5.6	4.6	1.3	1.1	5.4
Other	138	0.3	0.2	0.5	0.2	0.2	0.6	0.2	0.2	0.2	0.4
<b>Ethnicity</b>											
Hispanic	23,904	39.6	8.6	17.5	11.9	43.9	34.4	16.8	13.5	91.0	23.9
Non-Hispanic	36,482	60.4	91.4	82.5	88.1	56.1	65.6	83.2	86.5	9.0	76.1
<b>Age</b>											
16 to 18 years	421	0.7	1.9	0.1	0.4	0.9	0.1	0.2	0.6	0.5	2.1
19 to 20 years	2,764	4.8	8.7	2.3	4.8	5.4	4.9	1.6	6.4	3.6	7.5
21 to 30 years	22,982	39.6	38.2	29.3	33.9	44.3	26.9	23.5	47.5	43.5	36.6
31 to 40 years	17,404	30.0	29.6	30.4	30.5	29.2	28.8	28.2	26.8	35.9	25.7
Over 40 years	14,408	24.9	21.7	37.9	30.4	20.2	39.3	46.5	18.7	16.5	28.1
<b>Citizenship</b>											
U.S. citizen	39,568	66.5	94.9	81.6	91.2	69.0	70.5	87.1	92.7	9.5	75.9
Not U.S. citizen	19,963	33.5	5.1	18.4	8.8	31.0	29.5	12.9	7.3	90.5	24.1
<b>Education</b>											
Less than high school graduate	24,918	45.0	37.7	20.7	27.3	50.7	33.0	23.8	47.9	80.0	25.5
High school graduate	17,235	31.2	40.1	32.1	38.1	32.0	31.8	33.1	38.6	14.2	38.6
Some college	9,584	17.3	18.8	30.5	25.3	14.7	22.1	23.9	11.7	4.5	24.0
College graduate	3,587	6.5	3.5	16.7	9.3	2.7	13.2	19.3	1.7	1.3	11.9
<b>Criminal record</b>											
No convictions	24,310	40.2	31.0	54.2	44.9	44.5	66.4	53.7	14.3	19.0	47.0
Prior adult convictions <sup>d</sup>	36,162	59.8	69.0	45.8	55.1	55.5	33.6	46.3	85.7	81.0	53.0

Note: See Note, table 5.13. These data were created by matching the Administrative Office of the United States Courts master data files with the U.S. Sentencing Commission monitoring system files (which are limited to defendants sentenced under the Federal sentencing guidelines) and the Federal Pretrial Services Agency's data files. Offenders were classified by the most serious offense charged. For methodology and definitions of terms, see Appendix 1.1.

<sup>c</sup>Includes offenders for whom these characteristics could not be determined.

<sup>d</sup>For some defendants, prior adult convictions are limited to those used in calculating sentences under the Federal sentencing guidelines (see Source, p. 62).

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>Includes defendants for whom offense category could not be determined.

Source: U.S. Department of Justice, Bureau of Justice Statistics, **Compendium of Federal Justice Statistics, 2001**, NCJ 201627 (Washington, DC: U.S. Department of Justice, 2003), p. 61.

Table 5.19

## Sentences imposed in cases terminated in U.S. District Courts

By offense, United States, fiscal year 2001

Most serious conviction offense	Total number of convicted offenders <sup>b</sup>	Percent of convicted offenders sentenced to:			Sentence length (in months)			
		Incarceration <sup>c</sup>	Probation <sup>d</sup>	Fine only	Incarceration <sup>a</sup>		Probation <sup>a</sup>	
					Mean	Median	Mean	Median
All offenses <sup>e</sup>	68,533	74.5%	17.5%	4.1%	56.5	35.0	33.8	36.0
Felonies	59,363	83.4	13.1	0.4	58.0	37.0	40.7	36.0
Violent offenses	2,604	92.1	6.9	0.1	90.8	63.0	41.2	36.0
Murder, nonnegligent manslaughter	280	88.6	8.6	0.4	84.9	46.0	43.3	39.0
Assault	225	76.0	17.8	0.4	37.6	30.0	31.6	36.0
Robbery	1,659	96.4	3.8	0.0	98.3	70.0	43.5	36.0
Sexual abuse <sup>f</sup>	306	89.9	10.1	0.0	87.8	66.5	47.1	53.0
Kidnaping	121	79.3	15.7	0.0	88.2	60.0	41.3	36.0
Threats against the President	13	69.2	23.1	0.0	B	B	B	B
Property offenses	12,349	62.7	31.5	1.0	24.1	15.0	41.2	36.0
Fraudulent offenses	10,359	63.1	30.6	1.1	22.2	15.0	40.7	36.0
Embezzlement	780	59.4	30.4	1.9	16.5	8.0	39.9	36.0
Fraud <sup>g</sup>	8,328	63.9	29.7	1.1	22.9	15.0	41.0	36.0
Forgery	105	55.2	40.0	1.0	19.6	12.0	41.5	36.0
Counterfeiting	1,146	60.9	36.4	0.1	20.5	15.0	39.4	36.0
Other offenses	1,990	60.7	36.2	0.4	34.7	18.0	43.3	36.0
Burglary	59	88.1	6.8	0.0	23.2	19.5	B	B
Larceny <sup>h</sup>	1,393	54.2	41.8	0.5	28.3	18.0	44.4	36.0
Motor vehicle theft	101	77.2	23.8	0.0	26.9	19.5	29.3	33.0
Arson and explosives	159	85.5	13.2	0.0	86.2	48.0	38.0	36.0
Transportation of stolen property	234	69.7	29.1	0.0	33.7	23.0	42.8	36.0
Other property offenses <sup>i</sup>	44	52.3	47.7	0.0	20.1	12.0	38.3	36.0
Drug offenses	25,088	92.0	5.6	0.2	73.8	51.0	42.6	36.0
Trafficking	23,248	92.1	5.4	0.2	73.5	51.0	43.3	36.0
Possession and other	1,840	89.8	8.0	0.4	79.0	60.0	36.6	36.0
Public-order offenses	4,347	61.8	34.9	1.0	39.3	24.0	38.3	36.0
Regulatory offenses	1,410	42.3	51.1	1.8	23.5	15.0	33.9	36.0
Agriculture	67	41.8	55.2	1.5	22.5	13.5	36.0	36.0
Antitrust	28	25.0	67.9	7.1	B	B	40.4	36.0
Food and drug	52	34.6	61.5	1.9	17.7	13.5	37.5	36.0
Transportation	93	26.9	64.5	4.3	14.9	7.0	34.3	36.0
Civil rights	59	83.1	16.9	1.7	60.4	31.0	B	B
Communications	60	18.3	81.7	0.0	7.4	5.0	30.0	24.0
Customs laws	94	54.3	26.6	2.1	16.2	13.0	42.6	24.0
Postal laws	37	13.5	86.5	0.0	B	B	27.2	24.0
Other regulatory offenses	920	43.8	49.6	1.5	21.8	18.0	33.7	36.0
Other offenses	2,937	71.1	27.2	0.6	43.8	27.0	42.3	36.0
Tax law violations including tax fraud	492	56.1	44.3	0.6	21.8	15.0	38.6	36.0
Bribery	219	38.4	58.0	0.9	26.7	14.0	49.8	60.0
Perjury, contempt, intimidation	220	65.9	32.3	0.5	34.1	24.0	34.8	36.0
National defense	31	48.4	32.3	16.1	47.8	35.5	B	B
Escape	451	89.1	8.4	0.2	19.9	12.0	31.2	36.0
Racketeering and extortion	822	78.1	20.1	0.2	74.3	51.0	41.4	36.0
Gambling offenses	8	B	B	B	B	B	B	B
Liquor offenses	5	B	B	B	B	B	B	B
Nonviolent sex offenses	491	85.5	14.3	0.4	45.4	33.0	49.0	48.0
Mail or transport of obscene material	21	76.2	23.8	0.0	47.4	30.0	B	B
Traffic offenses	27	74.1	18.5	3.7	30.0	21.0	B	B
Migratory birds	3	B	B	B	X	X	B	B
Other felonies <sup>j</sup>	147	42.9	53.7	0.0	27.5	15.0	48.7	60.0
Weapons offenses	4,925	92.2	8.3	0.1	86.9	54.0	40.8	36.0
Immigration offenses	10,050	90.2	3.8	0.2	29.2	24.0	39.0	36.0
Misdemeanors <sup>k</sup>	9,100	16.6	45.4	28.4	10.0	6.0	20.6	12.0

Note: See Notes, tables 5.13 and 5.17. Total includes offenders whose offense category or sentence could not be determined. For methodology and definitions of terms, see Appendix 11.

<sup>a</sup>Excludes life, death, and indeterminate sentences. These excluded cases represent 1% of all incarcerations.

<sup>b</sup>Includes offenders receiving incarceration, probation, split or mixed sentences, and fines. Not represented in the percentage columns, but also 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 sentences.

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

<sup>e</sup>Includes offenders whose sentence could not be determined and 70 defendants for whom offense category could not be determined.

<sup>f</sup>Includes only violent sex offenses.

<sup>g</sup>Excludes tax fraud.

<sup>h</sup>Excludes transportation of stolen property.

<sup>i</sup>Excludes fraudulent property offenses; includes destruction of property and trespass.

<sup>j</sup>Includes felonies with unclassifiable offense type.

<sup>k</sup>Includes misdemeanors, petty offenses, and unknown offense level.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 2001*, NCJ 201627 (Washington, DC: U.S. Department of Justice, 2003), pp. 69, 70. Table adapted by SOURCEBOOK staff.

Table 5.20

**Federal offenders sentenced to incarceration in U.S. District Courts**

By offense and characteristics, United States, fiscal year 2001

Offender characteristics	Total number of convicted offenders	Percent of convicted offenders sentenced to incarceration									
		All offenses	Violent offenses	Property offenses		Drug offenses	Public-order offenses		Weapons offenses	Immigration offenses	Mis-demeanors
				Fraudulent	Other		Regulatory	Other			
All offenders <sup>a</sup>	68,533	74.5%	92.1%	63.1%	60.7%	92.0%	42.3%	71.1%	92.2%	90.2%	16.6%
<b>Sex</b>											
Male	51,535	83.0	94.2	67.3	67.6	93.7	48.4	74.3	93.1	91.7	26.6
Female	8,898	59.4	77.4	52.5	39.5	81.9	30.4	53.4	71.4	69.8	15.1
<b>Race</b>											
White	40,877	80.2	92.4	64.4	62.6	91.1	43.3	71.2	88.5	91.5	27.3
Black	9,997	79.2	95.1	59.6	51.9	94.6	41.3	75.9	95.5	77.6	18.9
Native American	1,022	71.7	89.3	40.3	51.2	75.9	55.0	73.2	94.0	54.3	29.4
Asian/Pacific Islander	1,322	57.2	84.6	55.9	58.6	91.8	26.2	60.4	96.0	61.0	5.6
Other	138	64.5	B	57.5	B	89.2	B	B	B	63.6	7.1
<b>Ethnicity</b>											
Hispanic	23,904	87.5	89.9	67.8	68.2	93.6	47.2	66.5	93.1	91.8	46.9
Non-Hispanic	36,482	74.4	93.3	62.5	59.2	90.9	42.1	72.5	92.3	78.0	16.6
<b>Age</b>											
16 to 18 years	421	71.0	81.4	B	B	86.5	B	B	96.3	73.9	16.9
19 to 20 years	2,764	78.2	94.9	50.9	48.3	89.8	53.3	82.9	96.0	83.1	17.4
21 to 30 years	22,982	83.5	94.1	61.6	55.8	92.6	49.4	80.6	94.7	91.0	29.6
31 to 40 years	17,404	82.2	93.0	65.1	64.9	92.8	45.6	73.1	90.9	92.1	31.2
Over 40 years	14,408	73.8	92.3	62.1	62.8	91.1	38.9	65.0	87.1	89.1	20.7
<b>Citizenship</b>											
U.S. citizen	39,568	76.2	93.7	62.1	59.6	90.8	41.4	72.3	92.3	74.2	19.1
Not U.S. citizen	19,963	87.4	79.7	68.2	68.1	95.0	50.4	64.4	94.2	92.4	42.4
<b>Education</b>											
Less than high school graduate	24,918	87.9	92.7	63.8	64.7	94.0	54.8	78.5	94.1	92.3	36.0
High school graduate	17,235	78.4	94.1	61.8	58.3	92.0	39.0	70.8	92.0	86.8	19.0
Some college	9,584	71.2	92.7	63.3	56.3	88.0	40.4	69.0	87.1	74.8	15.4
College graduate	3,587	61.0	87.2	59.8	64.9	82.2	33.5	65.8	87.7	69.8	16.8
<b>Criminal record</b>											
No convictions	24,310	68.5	85.5	54.0	47.6	88.8	37.5	60.5	78.5	73.6	12.0
Prior adult conviction <sup>b</sup>	36,162	87.0	96.4	74.6	70.7	94.7	56.4	84.2	94.7	94.5	34.1

Note: See Notes, tables 5.13 and 5.18. By definition, corporations are excluded from data displaying offender characteristics but included in the data for "all offenders." Offenders are classified by the most serious offense of conviction. Life sentences and indeterminate sentences are included. These percentages reflect the percent of convicted persons having a particular characteristic who were incarcerated. For example, 83% of all convicted males were incarcerated and 94.2% of males convicted of a violent offense were incarcerated. For methodology and definitions of terms, see Appendix 11.

<sup>a</sup>Includes corporations and offenders for whom offense or characteristics were unknown.

<sup>b</sup>For some offenders, prior adult convictions are limited to those used in calculating sentences under the Federal sentencing guidelines (see Source, p. 75).

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 2001*, NCJ 201627 (Washington, DC: U.S. Department of Justice, 2003), p. 72.

Table 5.21

**Mean and median length of sentences imposed on Federal offenders sentenced to incarceration in U.S. District Courts**

By offense and characteristics, United States, fiscal year 2001

(In months)

Offender characteristics	Mean and median sentence length for offenders convicted of:															
	Violent offenses		Property offenses				Drug offenses		Public-order offenses				Weapons offenses		Immigration offenses	
			Fraudulent		Other				Regulatory		Other					
Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median	Mean	Median	
All offenders <sup>a</sup>	90.8	63.0	22.2	15.0	34.7	18.0	73.8	51.0	23.5	15.0	43.8	27.0	86.9	54.0	29.2	24.0
<b>Sex</b>																
Male	90.7	63.0	23.4	15.0	34.8	21.0	77.3	57.0	22.1	15.0	44.5	27.0	86.7	53.0	29.6	26.0
Female	42.5	37.0	16.4	12.0	23.3	14.0	44.7	33.0	18.3	15.0	28.4	18.0	55.4	30.0	19.8	13.0
<b>Race</b>																
White	84.2	63.0	22.3	15.0	34.5	19.0	59.3	40.0	19.9	15.0	41.0	27.0	73.8	46.0	29.0	24.0
Black	108.8	77.0	21.4	15.0	29.9	18.0	102.2	77.0	22.2	21.0	43.4	24.0	86.6	57.0	38.5	41.0
Native American	62.8	37.0	21.9	12.0	23.8	19.5	56.3	30.0	38.7	18.0	35.2	22.5	71.5	60.0	20.7	18.0
Asian/Pacific Islander	70.7	54.0	20.8	13.0	21.3	12.0	75.0	57.0	23.5	18.0	54.8	35.0	228.3	67.5	18.7	12.0
Other	B	B	25.7	16.0	B	B	64.2	38.5	B	B	B	B	B	B	35.4	28.5
<b>Ethnicity</b>																
Hispanic	86.9	63.0	17.1	12.0	30.1	21.0	57.8	37.0	16.1	13.0	46.3	21.0	67.5	44.0	29.4	24.0
Non-Hispanic	88.0	63.0	23.0	15.0	33.3	18.0	85.8	60.0	24.7	18.0	42.2	27.0	88.7	55.0	26.9	21.0
<b>Age</b>																
16 to 18 years	75.5	63.5	B	B	B	B	27.2	18.0	B	B	B	B	86.3	72.0	15.1	12.0
19 to 20 years	76.3	52.0	13.3	12.0	38.0	18.0	44.6	30.0	20.2	19.5	59.2	45.5	69.2	42.0	16.3	12.0
21 to 30 years	82.1	57.0	18.9	13.0	30.3	18.0	73.1	51.0	21.2	18.0	50.8	30.0	83.2	52.0	27.6	24.0
31 to 40 years	97.1	70.0	21.3	15.0	34.5	18.0	79.2	57.0	24.1	15.0	45.5	27.0	95.5	57.0	34.5	30.0
Over 40 years	93.0	66.0	26.4	18.0	33.0	21.0	74.7	55.0	19.4	15.0	36.0	24.0	84.4	46.0	32.8	30.0
<b>Citizenship</b>																
U.S. citizen	87.5	63.0	23.0	15.0	33.2	18.0	81.2	60.0	24.5	18.0	42.4	27.0	86.1	54.0	21.4	18.0
Not U.S. citizen	92.6	57.0	18.7	12.0	30.1	19.0	56.6	37.0	16.2	13.0	47.0	27.0	81.7	36.0	30.1	27.0
<b>Education</b>																
Less than high school graduate	91.4	60.0	21.6	15.0	29.5	18.0	70.0	48.0	20.4	15.0	55.1	30.0	79.5	51.0	31.5	27.0
High school graduate	88.2	64.5	21.6	15.0	33.3	18.0	79.1	60.0	24.4	18.0	42.3	27.0	93.6	57.0	32.7	30.0
Some college	83.2	60.0	21.8	15.0	33.2	18.0	73.2	48.0	22.4	15.0	39.2	27.0	89.6	54.0	26.7	20.5
College graduate	70.8	46.0	27.3	18.0	37.4	27.0	63.5	46.0	18.6	12.0	31.6	24.0	65.4	30.0	23.5	18.0
<b>Criminal record</b>																
No convictions	60.7	41.0	19.8	12.0	33.2	18.0	51.1	37.0	19.2	13.0	39.2	26.0	76.4	34.0	12.8	10.0
Prior adult conviction <sup>b</sup>	98.8	70.0	23.8	16.0	32.7	20.0	90.1	63.0	24.5	18.0	45.8	27.0	87.1	55.0	32.2	30.0

Note: See Notes, tables 5.13 and 5.18. Data exclude offenders sentenced to life sentences and indeterminate sentences; and include prison portion of split or mixed sentences. By definition, corporations are excluded from data displaying offender characteristics but included in the data for "all offenders." For methodology and definitions of terms, see Appendix 11.

<sup>a</sup>Includes corporations and offenders for whom offense category or characteristics were unknown.

<sup>b</sup>For some offenders, prior adult convictions are limited to those used in calculating sentences under the Federal sentencing guidelines (see Source, p. 77).

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 2001*, NCJ 201627 (Washington, DC: U.S. Department of Justice, 2003), pp. 73, 74. Table adapted by SOURCEBOOK staff.

Table 5.22

## Defendants disposed of in U.S. District Courts

By type of disposition, 1945-2003

	Not convicted					Convicted and sentenced			
	Total defendants	Total	Dismissed <sup>a</sup>	Acquitted by		Total	Plea of guilty or nolo contendere	Convicted by	
				Court	Jury			Court	Jury
1945	43,755	7,641	6,462	331	848	36,114	30,817	3,082	2,215
1946	38,872	6,693	5,599	259	835	32,179	27,385	3,250	1,544
1947	38,180	5,592	4,512	279	801	32,588	29,138	2,336	1,114
1948	35,431	4,911	3,990	225	696	30,520	27,833	1,672	1,015
1949	37,318	4,245	3,332	297	616	33,073	30,447	1,628	998
1950	38,835	4,210	3,268	276	666	34,625	31,739	1,731	1,155
1951	42,286	4,096	3,204	309	583	38,190	35,271	1,795	1,124
1952	39,947	3,904	2,947	296	661	36,043	32,734	2,002	1,307
1953	39,234	4,349	3,220	409	720	34,885	31,336	2,207	1,342
1954	44,447	4,903	3,617	501	785	39,544	35,560	2,308	1,678
1955	40,235	5,184	3,832	450	902	35,501	31,148	2,077	1,826
1956	33,216	4,320	3,125	425	770	28,896	25,029	2,227	1,640
1957	31,284	3,544	2,426	348	770	27,740	23,867	2,343	1,530
1958	32,055	3,717	2,606	378	733	28,338	24,256	2,475	1,607
1959	32,125	3,736	2,667	321	748	28,389	24,793	2,089	1,507
1960	31,984	3,828	2,629	340	859	28,156	24,245	2,179	1,732
1961	32,671	4,046	2,887	291	868	28,625	24,830	2,124	1,671
1962	33,110	4,599	3,374	390	835	28,511	24,639	1,997	1,875
1963	34,845	5,042	3,735	544	763	29,803	25,924	2,005	1,874
1964	33,381	4,211	2,936	559	716	29,170	26,273	942	1,955
1965	33,718	4,961	3,789	463	709	28,757	25,923	961	1,873
1966	31,975	4,661	3,570	397	694	27,314	24,127	1,066	2,121
1967	31,535	5,191	4,196	409	586	26,344	23,121	1,040	2,173
1968	31,843	6,169	4,981	484	704	25,674	22,055	1,184	2,435
1969	32,796	5,993	4,867	483	643	26,803	23,138	1,152	2,513
1970	36,356	8,178	6,608	703	867	28,178	24,111	1,290	2,777
1971	44,615	12,512	10,655	687	1,170	32,103	27,544	1,416	3,143
1972	49,516	12,296	10,219	690	1,387	37,220	31,714	1,847	3,659
1973	46,724	11,741	9,757	661	1,323	34,983	29,009	1,873	4,101
1974	48,014	11,784	10,019	508	1,257	36,230	30,660	1,785	3,785
1975	49,212	11,779	10,274	397	1,108	37,433	31,816	1,580	4,037
1976	51,612	11,500	9,752	508	1,240	40,112	34,041	1,587	4,484
1977	53,188	11,732	9,952	598	1,382	41,456	35,323	1,629	4,504
1978	45,922	9,417	7,792	311	1,314	36,505	31,112	1,431	3,962
1979	41,175	8,262	6,791	303	1,168	32,913	27,295	2,006	3,612
1980	36,560	7,962	6,633	283	1,046	28,598	23,111	1,851	3,636
1981	38,127	8,259	6,981	266	1,012	29,868	24,322	1,867	3,679
1982	40,466	8,214	7,051	255	938	32,252	27,392	1,205	3,655
1983	43,329	7,738	6,566	281	891	35,591	30,523	1,286	3,782
1984	44,501	8,397	7,022	327	1,048	36,104	31,461	969	3,674
1985	47,360	8,830	7,484	415	931	38,530	33,823	994	3,713
1986	50,040	9,300	7,894	461	945	40,740	35,448	1,139	4,153
1987	54,168	10,226	8,802	446	978	43,942	38,440	1,371	4,131
1988	52,791	9,889	8,379	453	1,057	42,902	37,514	1,267	4,121
1989	54,643	10,119	8,420	638	1,061	44,524	38,681	1,225	4,618
1990	56,519	9,794	8,193	630	971	46,725	40,452	1,063	5,210
1991	56,747	9,979	8,372	603	1,004	46,768	41,213	699	4,856
1992	59,644	9,384	7,769	560	1,055	50,260	44,632	576	5,052
1993	61,309	9,586	8,284	396	906	51,723	46,541	500	4,682
1994	59,625	9,908	8,669	545	693	49,717	45,429	491	3,797
1995	54,980	8,207	7,112	482	613	46,773	43,103	467	3,203
1996	60,255	7,985	7,083	340	562	52,270	48,196	461	3,613
1997	63,148	7,500	6,607	400	493	55,648	51,918	499	3,231
1998	67,934	8,049	6,968	594	487	59,885	56,256	601	3,028
1999	73,481	8,666	7,649	553	464	64,815	61,626	487	2,702
2000	75,071	8,035	6,992	603	440	67,036	63,863	632	2,541
2001	75,650	7,919	7,017	479	423	67,731	64,402	1,035	2,294
2002	78,835	7,953	7,217	336	400	70,882	68,188	423	2,271
2003	83,530	8,680	7,957	293	430	74,850	72,110	327	2,413

Note: See Note, table 5.9. The District of Columbia is excluded from these data through 1973. The territorial courts of the Virgin Islands, Canal Zone, and Guam are excluded through 1976. Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Beginning in 1991, defendants charged in two or more cases that were terminated during the year are reported only once.

<sup>a</sup>Prior to 2001, these data included defendants who were committed pursuant to 28 U.S.C. 2902 of the Narcotic Addict Rehabilitation Act.

Source: Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts July 1973-June 1974* (Washington, DC: Administrative Office of the United States Courts, 1977), p. H-1; Administrative Office of the United States Courts, *Annual Report of the Director, 1979*, p. 108; *1981*, p. 101, Table 46; *1983*, p. 171; *1985*, p. 180; *1986*, pp. 271-278; *1995*, pp. 225-227; *1998*, pp. 228-230; *1999*, pp. 222-224 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director, 1982*, p. 141; *1987*, pp. 294-304; *1988*, pp. 297-304; *1989*, pp. 295-302; *1990*, pp. 204-207; *1991*, pp. 256, 257, 262, 263; *1992*, pp. 269-272, 276-279; *1993*, Tables D-5, D-7; *1994*, Tables D-5, D-7; *1996*, pp. 221-223; *1997*, pp. 214-216 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director*, pp. 221, 223; *2001 Annual Report of the Director*, pp. 211-213; *2002 Annual Report of the Director*, pp. 211-213; *2003 Annual Report of the Director*, pp. 211-213 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.23

## Defendants sentenced in U.S. District Courts

By type and length of sentence, 1945-2003

	Type of sentence											Average sentence to imprisonment (in months) <sup>f</sup>	Average sentence to probation (in months) <sup>g</sup>
	Imprisonment										Other <sup>e</sup>		
	Total <sup>b</sup>	Regular sentences <sup>a</sup>					Split sentence <sup>c</sup>	Indeterminate <sup>d</sup>	Pro-bation	Fine			
		Total regular	1 through 12 months	13 through 35 months	36 through 60 months	Over 60 months							
1945	17,095	X	10,522	3,634	2,017	922	X	X	14,359	4,660	X	16.5	NA
1946	15,393	X	9,316	3,610	1,809	658	X	X	12,691	4,095	X	18.6	NA
1947	15,146	X	9,033	3,679	1,746	688	X	X	13,318	4,124	X	17.3	NA
1948	13,505	X	8,033	3,329	1,517	626	X	X	14,014	3,001	X	17.6	NA
1949	14,730	X	9,389	3,378	1,392	571	X	X	15,161	3,182	X	15.8	NA
1950	14,998	X	8,910	3,799	1,588	701	X	X	16,603	3,024	X	17.5	NA
1951	15,568	X	9,215	3,758	1,805	790	X	X	19,855	2,767	X	18.1	NA
1952	15,963	X	9,094	3,817	2,072	980	X	X	17,687	2,393	X	19.1	NA
1953	16,355	X	8,969	4,213	2,164	1,009	X	X	15,811	2,719	X	19.4	NA
1954	19,221	X	10,977	4,546	2,487	1,211	X	X	17,517	2,806	X	18.9	NA
1955	17,542	X	8,942	4,584	2,724	1,292	X	X	14,584	2,945	X	21.9	NA
1956	13,576	X	5,681	4,217	2,478	1,200	X	X	12,365	2,955	X	24.9	NA
1957	13,798	X	5,473	4,018	2,635	1,672	X	X	11,434	2,508	X	28.0	NA
1958	14,101	X	5,382	4,029	2,861	1,829	X	X	11,617	2,620	X	28.2	NA
1959	14,350	X	5,024	3,680	3,237	1,849	(c)	X	11,379	2,660	X	29.2	NA
1960	14,170	X	5,024	3,877	3,288	1,981	(c)	X	11,081	2,905	X	29.6	NA
1961	14,462	X	4,057	4,753	3,481	2,171	(c)	X	10,714	2,772	677	31.0	NA
1962	14,042	X	4,088	4,441	3,418	2,095	(c)	X	11,071	2,618	780	32.0	NA
1963	13,639	X	2,949	4,218	3,228	2,076	1,168	X	12,047	2,847	1,270	32.3	NA
1964	13,273	X	2,992	4,085	3,094	1,987	1,115	X	11,634	2,689	1,574	31.9	NA
1965	13,668	X	3,748	3,139	3,262	2,252	1,267	X	10,779	2,477	1,833	33.5	NA
1966	13,282	X	3,549	2,926	3,332	2,092	1,383	X	10,256	2,356	1,420	32.9	NA
1967	13,085	X	3,236	2,837	3,411	2,381	1,220	X	9,435	2,293	1,531	36.5	NA
1968	12,610	X	2,473	2,413	3,568	2,915	1,241	X	9,820	1,816	1,428	42.2	NA
1969	12,847	X	2,771	2,252	3,500	3,012	1,312	X	9,991	1,682	2,283	42.0	NA
1970	12,415	X	2,753	2,253	3,290	2,775	1,344	X	11,387	1,935	2,441	41.1	NA
1971	14,378	X	2,820	2,599	3,326	3,482	2,151	X	13,243	1,789	2,693	42.1	NA
1972	16,832	X	4,450	2,645	3,695	3,569	2,473	X	15,395	2,232	2,761	38.1	NA
1973	17,540	X	3,384	2,912	4,141	4,220	2,883	X	15,026	1,866	551	15.4	NA
1974	17,180	X	3,333	2,880	4,107	3,960	2,900	X	16,623	2,078	349	42.2	NA
1975	17,301	X	3,337	2,825	4,437	4,387	2,315	X	17,913	1,876	343	45.5	NA
1976	18,477	X	3,530	3,096	4,731	4,862	2,258	X	18,208	3,199	228	47.2	NA
1977	19,552	13,772	4,016	2,938	2,953	3,865	3,217	1,604	16,135	5,409	360	34.7	32.8
1978	17,426	12,234	3,284	2,804	2,792	3,354	3,263	1,132	14,525	4,279	285	48.6	32.4
1979	14,580	9,818	2,320	2,344	2,389	2,765	3,234	887	13,459	4,368	506	49.0	32.3
1980	13,191	8,484	2,016	1,936	1,945	2,587	3,012	1,123	11,053	3,916	438	51.9	33.1
1981	13,700	8,906	2,192	1,904	1,906	2,906	3,069	1,232	12,173	3,507	488	55.3	31.7
1982	15,857	10,673	2,202	2,313	2,422	3,736	3,538	1,163	12,723	3,395	277	58.6	32.2
1983	17,886	11,979	2,503	2,671	2,543	4,262	3,973	1,496	14,097	3,220	388	57.2	33.5
1984	17,710	11,828	2,282	2,666	2,628	4,252	4,063	1,482	13,880	3,977	537	58.0	35.0
1985	18,679	12,910	2,285	2,886	2,995	4,744	4,084	1,494	14,404	4,830	617	60.2	35.2
1986	20,261	15,004	2,393	3,251	3,529	5,831	4,397	1,200	15,230	4,232	657	64.6	35.5
1987	23,344	17,556	2,661	3,850	3,942	7,103	4,524	1,257	16,023	4,368	207	65.4	35.2
1988	22,473	17,605	3,070	3,721	3,291	7,523	4,014	848	16,057	4,087	285	66.1	34.0
1989	24,867	21,485	5,057	5,301	3,463	7,664	2,676	706	14,997	4,193	467	58.6	32.9
1990	27,796	25,768	6,701	6,466	3,305	9,296	1,716	312	14,196	4,176	557	59.2	32.7
1991	29,189	28,809	7,896	6,667	5,123	9,123	NA	NA	13,754	3,772	53	69.6	42.7
1992	32,866	31,895	8,281	8,073	5,650	9,891	NA	NA	13,299	3,985	109	65.6	32.3
1993	35,001	33,664	8,493	8,241	6,790	10,140	NA	NA	12,775	3,870	77	63.9	32.1
1994	33,554	32,075	7,856	8,116	6,535	9,568	NA	NA	12,409	3,650	52	64.1	32.3
1995	32,439	31,112	7,806	8,226	5,807	9,273	NA	NA	11,288	2,875	171	66.4	32.5
1996	37,579	35,556	8,597	9,606	6,811	10,542	NA	NA	11,526	2,929	229	61.4	32.3
1997	41,105	38,419	9,086	11,054	7,547	10,732	NA	NA	11,656	2,672	215	58.8	32.7
1998	45,166	42,085	9,750	12,004	8,359	11,972	NA	NA	11,708	2,732	279	58.8	32.7
1999	50,076	46,653	10,667	13,092	9,842	13,052	NA	NA	11,986	2,495	258	57.7	33.1
2000	53,047	49,536	11,306	13,860	10,686	13,684	NA	NA	11,517	2,241	231	56.6	33.0
2001	53,910	50,318	10,953	14,279	11,165	13,921	NA	NA	11,160	2,351	310	56.5	33.0
2002	56,686	52,776	10,965	15,802	11,229	14,780	NA	NA	11,474	2,427	295	56.9	33.5
2003	61,102	56,737	11,628	16,587	12,415	16,107	NA	NA	10,997	2,435	316	58.6	32.2

See notes on next page.

Table 5.23

**Defendants sentenced in U.S. District Courts**

By type and length of sentence, 1945-2003--Continued

Note: See Notes, tables 5.9 and 5.22. Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30.

Prior to 1977, the periods reported for lengths of sentences to imprisonment were 1 year and 1 day and under, over 1 year and 1 day to 3 years, 3 to 5 years, and 5 years and over. Beginning in 1977, the periods reported for lengths of sentences to imprisonment are 1 through 12 months, 13 through 35 months, 36 through 59 months, and 60 months and over. Beginning in 1991, two of the periods reported for lengths of sentences to imprisonment changed. The period 36 through 59 months changed to 36 through 60 months, and the period 60 months and over changed to over 60 months.

<sup>a</sup>Includes sentences of more than 6 months that are to be followed by a term of probation (mixed sentences). Beginning in 1991, includes sentences of at least 1 month that may be followed by a term of probation.

<sup>b</sup>Prior to 1989, total includes Youth Corrections Act and youthful offender sentences not separately enumerated. From 1979-85, total includes Federal Juvenile Delinquency Act sentences not separately enumerated. Beginning in 1991, total includes life sentences, death sentences, and cases with either no sentence, a suspended sentence, a sealed sentence, deportation, or imprisonment of 4 days or less.

<sup>c</sup>A "split sentence" is a sentence on a one-count indictment of 6 months or less in a jail-type institution followed by a term of probation, 18 U.S.C. 3651 approved Aug. 23, 1958 (72 Stat. 834). Included are mixed sentences involving confinement for 6 months or less on one count to be followed by a term of probation on one or more counts. For 1959-62, split sentences were included in prison terms of 1 year and 1 day and under (see Note).

<sup>d</sup>18 U.S.C. 4205B(1) and (2).

<sup>e</sup>From 1945-60, "other" was included with sentences of probation. From 1986-90, "other" included deportation, suspended sentences, imprisonment for 4 days or less, time already served, remitted and suspended fines, and life sentences. Beginning in 1991, "other" includes supervised releases, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.

<sup>f</sup>From 1977-90, split sentences, Youth Corrections Act and youthful offender sentences, and life sentences were not included in computing average sentence. Beginning in 1991, deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, no sentence, life sentences, and death sentences were not included in computing average sentence.

<sup>g</sup>From 1986-90, split sentences, indeterminate sentences, and Youth Corrections Act and youthful offender sentences were not included in computing average sentences. Beginning in 1991, supervised releases, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence were not included in computing the average sentence.

Source: Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts July 1973-June 1974* (Washington, DC: Administrative Office of the United States Courts, 1977), p. H-1; Administrative Office of the United States Courts, *Annual Report of the Director, 1979*, p. 108; *1981*, p. 101, Table 46; *1983*, p. 171; *1985*, p. 180; *1986*, pp. 271-278; *1995*, pp. 228-231; *1998*, pp. 231-234; *1999*, pp. 225-228 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director, 1982*, p. 141; *1987*, pp. 294-304; *1988*, pp. 297-304; *1989*, pp. 295-302; *1990*, pp. 204-207; *1991*, pp. 256, 257, 262, 263; *1992*, pp. 269-272, 276-279; *1993*, Tables D-5, D-7; *1994*, Tables D-5, D-7; *1996*, pp. 224-227; *1997*, pp. 217-220 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director*, pp. 224-227; *2001 Annual Report of the Director*, pp. 214-217; *2002 Annual Report of the Director*, pp. 214-217; *2003 Annual Report of the Director*, pp. 214-217 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.24

**Defendants disposed of in U.S. District Courts**

By offense and type of disposition, fiscal year 2003

Offense	Total defendants	Not convicted				Convicted and sentenced				
		Total	Dismissed	Acquitted by		Total	Plea of guilty	Plea of nolo contendere	Convicted by	
				Court	Jury				Court	Jury
Total	83,530	8,680	7,957	293	430	74,850	71,683	427	327	2,413
<b>GENERAL OFFENSES</b>										
Homicide	247	30	24	1	5	217	192	0	1	24
Murder-first degree	186	27	23	0	4	159	136	0	1	22
Murder-second degree	21	1	0	0	1	20	19	0	0	1
Manslaughter	40	2	1	1	0	38	37	0	0	1
Robbery	1,499	71	59	4	8	1,428	1,366	1	5	56
Bank	1,445	69	57	4	8	1,376	1,317	1	5	53
Postal	28	1	1	0	0	27	25	0	0	2
Other	26	1	1	0	0	25	24	0	0	1
Assault	786	183	168	4	11	603	556	4	13	30
Burglary	53	9	9	0	0	44	41	0	0	3
Bank	0	X	X	X	X	X	X	X	X	X
Postal	15	0	X	X	X	15	13	0	0	2
Interstate shipments	0	X	X	X	X	X	X	X	X	X
Other	38	9	9	0	0	29	28	0	0	1
Larceny and theft	3,211	773	754	9	10	2,438	2,293	60	10	75
Bank	234	10	9	0	1	224	219	1	0	4
Postal	510	28	26	1	1	482	475	1	0	6
Interstate shipments	314	47	44	1	2	267	233	0	0	34
Other U.S. property	1,600	482	472	7	3	1,118	1,037	57	8	16
Transport stolen property	202	27	24	0	3	175	161	0	1	13
Other	351	179	179	0	0	172	168	1	1	2
Embezzlement	1,038	89	81	4	4	949	926	1	1	21
Bank	431	35	33	0	2	396	393	1	0	2
Postal	259	21	19	0	2	238	232	0	0	6
Other	348	33	29	4	0	315	301	0	1	13
Fraud	11,066	860	764	20	76	10,206	9,788	10	16	392
Income tax	470	27	25	0	2	443	413	0	1	29
Lending institution	1,422	98	83	6	9	1,324	1,268	0	2	54
Postal	1,521	163	146	2	15	1,358	1,263	4	4	87
Veterans and allotments	10	1	1	0	0	9	8	1	0	0
Securities and Exchange	145	13	9	1	3	132	112	0	0	20
Social Security	718	123	122	0	1	595	582	1	0	12
False personation	31	3	2	0	1	28	26	0	1	1
Nationality laws	266	21	21	0	0	245	242	0	0	3
Passport fraud	498	30	29	0	1	468	462	0	2	4
False claims and statements	1,901	142	128	4	10	1,759	1,715	1	1	42
Other	4,084	239	198	7	34	3,845	3,697	3	5	140
Motor vehicle theft	176	21	20	0	1	155	136	0	1	18
Forgery and counterfeiting	1,275	138	130	2	6	1,137	1,099	0	1	37
Transport forged securities	0	X	X	X	X	X	X	X	X	X
Postal forgery	0	X	X	X	X	X	X	X	X	X
Other forgery	98	14	13	1	0	84	83	0	0	1
Counterfeiting	1,177	124	117	1	6	1,053	1,016	0	1	36
Sex offenses	1,158	104	90	2	12	1,054	992	0	4	58
Sexual abuse	463	55	43	2	10	408	369	0	2	37
Other	695	49	47	0	2	646	623	0	2	21
Drug laws	29,457	2,471	2,329	18	124	26,986	25,918	43	53	972
Miscellaneous general offenses	15,283	3,000	2,670	210	120	12,283	11,270	297	155	561
Bribery	132	17	13	1	3	115	110	0	0	5
Drunk driving and traffic	4,744	1,653	1,481	172	0	3,091	2,709	273	108	1
Escape <sup>a</sup>	598	82	81	1	0	516	504	1	0	11
Extortion, racketeering, threats	1,122	117	104	10	3	1,005	916	0	1	88
Gambling and lottery	15	2	2	0	0	13	11	0	0	2
Kidnaping	106	26	19	1	6	80	57	0	0	23
Perjury	88	13	12	0	1	75	61	0	0	14
Weapons and firearms	7,612	826	703	19	104	6,786	6,344	3	29	410
Other	866	264	255	6	3	602	558	20	17	7
<b>SPECIAL OFFENSES</b>										
Immigration laws	15,296	496	482	2	12	14,800	14,699	2	25	74
Liquor, Internal Revenue	2	0	X	X	X	2	2	0	0	0
Federal statutes	2,983	435	377	17	41	2,548	2,405	9	42	92
Agricultural/conservation acts	270	81	76	3	2	189	180	1	5	3
Antitrust violations	16	0	X	X	X	16	14	0	0	2
Food and Drug Act	79	8	8	0	0	71	70	0	0	1
Migratory bird laws	167	6	6	0	0	161	158	0	2	1
Motor Carrier Act	1	0	X	X	X	1	1	0	0	0
National defense laws	1	0	X	X	X	1	1	0	0	0
Civil rights	91	32	11	1	20	59	47	0	0	12
Contempt	50	5	5	0	0	45	41	3	1	0
Customs laws	123	19	19	0	0	104	98	0	1	5
Postal laws <sup>b</sup>	167	12	11	1	0	155	154	1	0	0
Other	2,018	272	241	12	19	1,746	1,641	4	33	68

See notes at end of table.

Table 5.24

**Defendants disposed of in U.S. District Courts**

---

By offense and type of disposition, fiscal year 2003--Continued

---

Note: Data include defendants in all felony and class A misdemeanor cases, but include only those petty offense defendants whose cases were assigned to district court judges. Defendants charged in two or more cases that were terminated during the year are reported only once. Data exclude 733 transfers and 1,323 terminations for defendants charged in more than one case during the year.

<sup>a</sup>Includes escape from custody, aiding and abetting an escape, failure to appear in court, and bail jumping.

<sup>b</sup>Includes obstructing mail, mailing nonmailable material, and other postal regulations.

Source: Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2003 Annual Report of the Director* (Washington, DC: USGPO, 2004), pp. 211-213.

Table 5.25

## Defendants sentenced in U.S. District Courts

By offense, and type and length of sentence, fiscal year 2003

Offense	Type of sentence										
	Imprisonment								Life	Death	Other <sup>c</sup>
	Total defendants sentenced	Total imprisonment	Regular sentences <sup>a</sup>								
6 months or less			7 through 12 months	13 through 35 months	36 through 60 months	Over 60 months					
Total	74,850	61,102	6,477	5,151	16,587	12,415	16,107	58.6	241	1	4,123
GENERAL OFFENSES											
Homicide	217	202	10	12	28	31	96	108.6	18	0	7
Murder-first degree	159	150	5	4	12	19	85	134.7	18	0	7
Murder-second degree	20	19	0	1	3	6	9	82.7	0	0	0
Manslaughter	38	33	5	7	13	6	2	24.6	0	0	0
Robbery	1,428	1,388	11	16	118	389	834	106.0	5	0	15
Bank	1,376	1,343	11	14	112	375	814	107.1	5	0	12
Postal	27	22	0	1	2	4	12	83.6	0	0	3
Other	25	23	0	1	4	10	8	58.8	0	0	0
Assault	603	404	81	40	128	73	48	32.7	0	0	34
Burglary	44	40	3	3	19	10	3	29.7	0	0	2
Bank	0	X	X	X	X	X	X	X	X	X	X
Postal	15	15	0	0	8	4	2	33.9	0	0	1
Interstate shipments	0	X	X	X	X	X	X	X	X	X	X
Other	29	25	3	3	11	6	1	27.3	0	0	1
Larceny and theft	2,438	1,065	225	191	341	106	113	29.8	0	0	89
Bank	224	79	18	14	19	15	10	30.8	0	0	3
Postal	482	325	79	74	115	13	4	15.6	0	0	40
Interstate shipments	267	232	17	25	73	47	66	57.8	0	0	4
Other U.S. property	1,118	227	76	46	56	10	7	15.4	0	0	32
Transport stolen property	175	129	15	18	60	15	18	32.2	0	0	3
Other	172	73	20	14	18	6	8	30.4	0	0	7
Embezzlement	949	502	163	65	127	24	16	16.9	0	0	107
Bank	396	289	104	23	64	7	5	13.2	0	0	86
Postal	238	35	17	8	5	1	0	9.9	0	0	4
Other	315	178	42	34	58	16	11	23.1	0	0	17
Fraud	10,206	6,866	1,519	975	2,277	815	341	25.2	0	0	939
Income tax	443	257	65	63	92	24	10	20.0	0	0	3
Lending institution	1,324	1,155	223	134	419	123	76	25.1	0	0	180
Postal	1,358	907	127	129	372	178	77	34.8	0	0	24
Veterans and allotments	9	1	0	1	0	0	0	12.0	0	0	0
Securities and Exchange	132	99	8	4	33	27	20	59.7	0	0	7
Social Security	595	309	99	38	59	14	9	16.8	0	0	90
False personation	28	18	8	3	2	1	0	12.0	0	0	4
Nationality laws	245	229	53	29	91	24	0	15.9	0	0	32
Passport fraud	468	395	97	22	19	9	2	10.0	0	0	246
False claims and statements	1,759	1,205	445	187	308	65	10	14.2	0	0	190
Other	3,845	2,291	394	365	882	350	137	28.4	0	0	163
Motor vehicle theft	155	135	3	10	34	23	51	129.8	9	1	4
Forgery and counterfeiting	1,137	767	114	154	327	87	34	22.3	0	0	51
Transport forged securities	0	X	X	X	X	X	X	X	X	X	X
Postal forgery	0	X	X	X	X	X	X	X	X	X	X
Other forgery	84	39	12	1	15	2	2	19.4	0	0	7
Counterfeiting	1,053	728	102	153	312	85	32	22.4	0	0	44
Sex offenses	1,054	964	22	31	374	234	292	72.7	2	0	9
Sexual abuse	408	367	9	9	90	61	189	113.7	2	0	7
Other	646	597	13	22	284	173	103	48.1	0	0	2
Drug laws	26,986	25,060	1,143	1,489	4,781	5,967	10,557	80.2	157	0	966
Miscellaneous general offenses	12,283	8,312	502	529	2,137	1,988	2,764	71.9	40	0	352
Bribery	115	64	14	13	23	4	2	18.4	0	0	8
Drunk driving and traffic	3,091	325	101	23	20	6	3	10.0	0	0	172
Escape <sup>l</sup>	516	480	97	116	191	52	8	19.6	0	0	16
Extortion, racketeering, threats	1,005	852	51	49	212	219	263	74.5	16	0	42
Gambling and lottery	13	11	3	0	7	0	0	16.6	0	0	1
Kidnaping	80	74	2	5	12	5	42	163.3	5	0	3
Perjury	75	51	10	9	16	11	3	26.8	0	0	2
Weapons and firearms	6,786	6,295	178	286	1,614	1,676	2,437	78.2	19	0	85
Other	602	160	46	28	42	15	6	19.0	0	0	23

See notes at end of table.

Total	Probation				Average sentence in months <sup>d</sup>	Other <sup>e</sup>	Fine only
	6 months or less	7 through 12 months	13 through 35 months	36 months and over			
11,313	532	2,351	2,022	6,092	32.2	316	2,435
15	0	3	3	9	36.6	0	0
9	0	3	2	4	29.3	0	0
1	0	0	0	1	60.0	0	0
5	0	0	1	4	45.0	0	0
40	0	2	4	32	41.3	2	0
33	0	1	4	26	40.2	2	0
5	0	1	0	4	40.8	0	0
2	0	0	0	2	60.0	0	0
172	17	49	37	66	25.8	3	27
4	0	0	0	4	44.8	0	0
X	X	X	X	X	X	X	X
0	X	X	X	X	X	X	X
X	X	X	X	X	X	X	X
4	0	0	0	4	44.8	0	0
1,233	109	261	197	659	32.5	7	140
145	4	12	19	108	40.1	2	0
157	2	14	26	113	36.4	2	0
35	2	7	3	22	34.9	1	0
759	92	197	116	352	30.3	2	132
46	3	3	8	32	42.8	0	0
91	6	28	25	32	25.5	0	8
441	8	57	96	267	34.4	13	6
107	3	16	18	60	31.2	10	0
198	3	28	52	114	32.9	1	5
136	2	13	26	93	38.9	2	1
3,289	62	319	621	2,215	37.9	72	51
186	8	19	38	120	35.0	1	0
168	3	10	20	119	40.4	16	1
446	3	30	52	357	42.5	4	5
8	1	2	1	4	30.4	0	0
32	0	3	3	26	62.5	0	1
283	5	28	53	188	38.2	9	3
10	0	2	5	2	24.0	1	0
16	0	1	3	8	26.3	4	0
73	1	12	19	28	25.7	13	0
531	13	73	130	295	32.4	20	23
1,536	28	139	297	1,068	38.8	4	18
20	0	0	7	13	39.2	0	0
370	6	17	83	258	38.6	6	0
X	X	X	X	X	X	X	X
X	X	X	X	X	X	X	X
45	0	1	7	37	44.1	0	0
325	6	16	76	221	37.8	6	0
88	4	8	3	71	46.3	2	2
40	3	4	3	30	43.8	0	1
48	1	4	0	41	48.3	2	1
1,844	48	384	332	1,017	32.2	63	82
2,101	194	882	309	678	24.3	38	1,870
50	1	6	16	27	35.9	0	1
1,075	130	740	103	88	14.4	14	1,691
35	3	8	9	12	22.0	3	1
150	3	13	32	102	39.0	0	3
2	0	0	0	2	36.0	0	0
6	0	0	3	3	53.0	0	0
24	0	3	8	13	39.5	0	0
485	10	44	103	311	35.9	17	6
274	47	68	35	120	31.0	4	168

Table 5.25

**Defendants sentenced in U.S. District Courts**

By offense, and type and length of sentence, fiscal year 2003--Continued

Offense	Type of sentence										
	Imprisonment								Life	Death	Other <sup>c</sup>
	Total defendants sentenced	Total imprisonment	Regular sentences <sup>a</sup>								
6 months or less			7 through 12 months	13 through 35 months	36 through 60 months	Over 60 months					
<b>SPECIAL OFFENSES</b>											
Immigration laws	14,800	14,231	2,477	1,503	5,551	2,526	834	26.1	1	0	1,339
Liquor, Internal Revenue	2	0	X	X	X	X	X	X	X	X	X
Federal statutes	2,548	1,166	204	133	345	142	124	40.1	9	0	209
Agricultural/conservation acts	189	38	18	2	11	2	2	25.8	0	0	3
Antitrust violations	16	4	2	2	0	0	0	7.0	0	0	0
Food and Drug Act	71	18	4	3	2	1	4	171.9	0	0	4
Migratory bird laws	161	1	1	0	0	0	0	3.0	0	0	0
Motor Carrier Act	1	0	X	X	X	X	X	X	X	X	X
National defense laws	1	0	X	X	X	X	X	X	X	X	X
Civil rights	59	50	3	6	18	9	13	60.1	1	0	0
Contempt	45	26	7	7	3	3	4	39.5	0	0	2
Customs laws	104	76	13	11	22	8	0	19.0	0	0	22
Postal laws <sup>g</sup>	155	20	10	2	0	2	0	9.7	0	0	6
Other	1,746	933	146	100	289	117	101	39.4	8	0	172

Note: See Note, table 5.24.

<sup>a</sup>Includes sentences of at least 1 month that may be followed by a term of probation (mixed sentences).<sup>b</sup>Excludes life sentences, death sentences, deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentence.<sup>c</sup>Includes deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentence.<sup>d</sup>Excludes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.<sup>e</sup>Includes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.<sup>f</sup>Includes escape from custody, aiding or abetting an escape, failure to appear in court, and bail jumping.<sup>g</sup>Includes obstructing mail, mailing nonmailable material, and other postal regulations.Source: Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2003 Annual Report of the Director* (Washington, DC: USGPO, 2004), pp. 214-217.

Probation							
Total	6 months or less	7 through 12 months	13 through 35 months	36 months and over	Average sentence in months <sup>d</sup>	Other <sup>e</sup>	Fine only
566	21	55	82	314	28.8	94	3
2	1	1	0	0	9.0	0	0
1,128	62	313	248	489	28.3	16	254
104	7	26	36	35	26.8	0	47
8	0	3	2	1	15.0	2	4
46	1	14	16	15	24.6	0	7
53	9	27	11	6	15.9	0	107
1	0	0	1	0	24.0	0	0
1	0	1	0	0	12.0	0	0
9	1	0	2	6	36.7	0	0
17	4	5	6	2	19.1	0	2
25	0	6	3	16	33.4	0	3
131	10	42	32	47	24.8	0	4
733	30	189	139	361	30.4	14	80

Table 5.26

**Offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines**

By primary offense, sex, race, and ethnicity, fiscal year 2002

Primary offense	Sex						Race, ethnicity								
	Total cases	Male		Female		Total cases	White			Black		Hispanic <sup>a</sup>		Other <sup>b</sup>	
		Number	Percent	Number	Percent		Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Total	63,779	54,854	86.0%	8,925	14.0%	62,437	19,212	30.8%	15,352	24.6%	25,607	41.0%	2,266	3.6%	
Murder	83	76	91.6	7	8.4	84	29	34.5	15	17.9	10	11.9	30	35.7	
Manslaughter	59	49	83.1	10	16.9	59	4	6.8	2	3.4	2	3.4	51	86.4	
Kidnaping, hostage-taking	66	62	93.9	4	6.1	65	23	35.4	10	15.4	19	29.2	13	20.0	
Sexual abuse	212	207	97.6	5	2.4	210	68	32.4	14	6.7	12	5.7	116	55.2	
Assault	489	440	90.0	49	10.0	466	150	32.2	70	15.0	74	15.9	172	36.9	
Robbery	1,631	1,501	92.0	130	8.0	1,617	713	44.1	759	46.9	123	7.6	22	1.4	
Arson	65	62	95.4	3	4.6	64	43	67.2	9	14.1	3	4.7	9	14.1	
<b>Drug offenses</b>															
Trafficking	25,335	22,013	86.9	3,322	13.1	25,084	6,592	26.3	6,821	27.2	11,107	44.3	564	2.2	
Communication facility	458	365	79.7	93	20.3	455	120	26.4	162	35.6	162	35.6	11	2.4	
Simple possession	583	492	84.4	91	15.6	498	243	48.8	134	26.9	107	21.5	14	2.8	
Firearms	5,173	4,991	96.5	182	3.5	5,107	1,913	37.5	2,459	48.1	613	12.0	122	2.4	
Burglary, breaking and entering	43	42	97.7	1	2.3	43	18	41.9	3	7.0	3	7.0	19	44.2	
Auto theft	162	159	98.1	3	1.9	161	101	62.7	38	23.6	19	11.8	3	1.9	
Larceny	2,236	1,421	63.6	815	36.4	2,130	1,059	49.7	650	30.5	267	12.5	154	7.2	
Fraud	7,086	5,218	73.6	1,868	26.4	6,877	3,333	48.5	2,134	31.0	1,105	16.1	305	4.4	
Embezzlement	732	309	42.2	423	57.8	707	403	57.0	186	26.3	68	9.6	50	7.1	
Forgery, counterfeiting	1,466	1,123	76.6	343	23.4	1,446	590	40.8	597	41.3	220	15.2	39	2.7	
Bribery	168	139	82.7	29	17.3	162	83	51.2	20	12.3	50	30.9	9	5.6	
Tax	622	520	83.6	102	16.4	607	435	71.7	77	12.7	51	8.4	44	7.2	
Money laundering	939	761	81.0	178	19.0	921	414	45.0	150	16.3	312	33.9	45	4.9	
Racketeering, extortion	825	758	91.9	67	8.1	802	337	42.0	224	27.9	184	22.9	57	7.1	
Gambling, lottery	104	90	86.5	14	13.5	103	77	74.8	5	4.9	2	1.9	19	18.4	
Civil rights	93	89	95.7	4	4.3	90	56	62.2	17	18.9	16	17.8	1	1.1	
Immigration	11,673	11,066	94.8	607	5.2	11,549	596	5.2	349	3.0	10,389	90.0	215	1.9	
Pornography, prostitution	664	653	98.3	11	1.7	656	561	85.5	23	3.5	40	6.1	32	4.9	
Prison offenses	317	279	88.0	38	12.0	303	93	30.7	105	34.7	92	30.4	13	4.3	
Administration of justice offenses	1,102	782	71.0	320	29.0	1,062	428	40.3	190	17.9	386	36.3	58	5.5	
Environmental, wildlife	139	129	92.8	10	7.2	129	100	77.5	2	1.6	14	10.9	13	10.1	
National defense	10	10	100.0	0	X	9	2	22.2	2	22.2	5	55.6	0	X	
Antitrust	17	16	94.1	1	5.9	17	14	82.4	2	11.8	0	X	1	5.9	
Food and drug	91	82	90.1	9	9.9	84	53	63.1	5	6.0	20	23.8	6	7.1	
Other	1,136	950	83.6	186	16.4	870	561	64.5	118	13.6	132	15.2	59	6.8	

Note: The sentencing reform provisions of the Comprehensive Crime Control Act, Public Law No. 98-473 (1984), created the U.S. Sentencing Commission. The Commission's primary function is to develop and monitor sentencing policies and practices for the Federal courts. On Apr. 13, 1987, the Commission submitted initial Sentencing Guidelines and Policy Statements to Congress. The guidelines became effective on Nov. 1, 1987, and apply to all offenses committed on or after that date. These data are derived from the U.S. Sentencing Commission's fiscal year 2002 Offender Dataset, which includes information on 64,366 cases sentenced under the Sentencing Reform Act (guideline cases) during fiscal year 2002 (Oct. 1, 2001 through Sept. 30, 2002) for which data were received by the Commission as of Apr. 28, 2004. Given the nature of the data file and reporting requirements, the following types of cases are not included in the data presented here: cases initiated but for which no convictions were obtained, defendants convicted for whom no sentences were yet issued, defendants sentenced but for whom no data were submitted to the Commission, and cases not sentenced under the Sentencing Reform Act (non-guideline cases).

A case or defendant is defined as a single sentencing event for a single defendant (even if multiple indictments or multiple convictions are consolidated for sentencing).

Multiple defendants in a single sentencing event are treated as separate cases. If an individual defendant is sentenced more than once during the fiscal year, each sentencing event is identified as a separate case. (Source, p. A-4.)

Of the 64,366 guideline cases, some were excluded due to missing information. For sex, 587 cases were excluded due to one or both of the following conditions: missing primary offense category, 393; and missing gender information, 327. For race and ethnicity, 1,929 cases were excluded due to one or both of the following conditions: missing primary offense category, 393; and missing race or ethnicity information, 1,860.

Under drug offenses, "communication facility" refers to the use of a device, such as a telephone, in a drug trafficking offense.

<sup>a</sup>Includes both black and white Hispanics.

<sup>b</sup>Includes Native Americans, Alaskan Natives, Asians, and Pacific Islanders.

Source: U.S. Sentencing Commission, *2002 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 2004), pp. 14, 15. Table adapted by SOURCEBOOK staff.

Table 5.27

**Offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines**

By primary offense and age, fiscal year 2002

Primary offense	Total cases	Age												Mean age (in years)		
		Under 21 years		21 to 25 years		26 to 30 years		31 to 35 years		36 to 40 years		41 to 50 years			Over 50 years	
		Number	Percent		Number	Percent										
Total	62,518	3,190	5.1%	11,541	18.5%	12,490	20.0%	10,716	17.1%	8,532	13.6%	10,534	16.8%	5,515	8.8%	34.3
Murder	83	9	10.8	19	22.9	7	8.4	14	16.9	13	15.7	14	16.9	7	8.4	33.6
Manslaughter	59	5	8.5	15	25.4	12	20.3	9	15.3	6	10.2	11	18.6	1	1.7	31.0
Kidnaping, hostage-taking	66	2	3.0	23	34.8	6	9.1	16	24.2	14	21.2	4	6.1	1	1.5	30.6
Sexual abuse	212	17	8.0	37	17.5	35	16.5	26	12.3	39	18.4	36	17.0	22	10.4	34.8
Assault	488	44	9.0	97	19.9	108	22.1	81	16.6	58	11.9	64	13.1	36	7.4	32.7
Robbery	1,628	137	8.4	354	21.7	300	18.4	245	15.0	237	14.6	261	16.0	94	5.8	32.6
Arson	65	6	9.2	10	15.4	10	15.4	10	15.4	5	7.7	16	24.6	8	12.3	35.6
<b>Drug offenses</b>																
Trafficking	25,252	1,564	6.2	5,227	20.7	5,606	22.2	4,407	17.5	3,288	13.0	3,707	14.7	1,453	5.8	32.7
Communication facility	457	19	4.2	64	14.0	117	25.6	88	19.3	59	12.9	77	16.8	33	7.2	34.1
Simple possession	563	81	14.4	149	26.5	103	18.3	69	12.3	56	9.9	77	13.7	28	5.0	30.7
Firearms	5,165	293	5.7	1,299	25.2	1,114	21.6	789	15.3	572	11.1	746	14.4	352	6.8	32.5
Burglary, breaking and entering	43	11	25.6	9	20.9	5	11.6	8	18.6	4	9.3	5	11.6	1	2.3	29.1
Auto theft	162	8	4.9	27	16.7	35	21.6	25	15.4	25	15.4	27	16.7	15	9.3	34.7
Larceny	2,236	173	7.7	363	16.2	307	13.7	332	14.8	302	13.5	441	19.7	318	14.2	36.2
Fraud	6,826	107	1.6	705	10.3	940	13.8	1,109	16.2	994	14.6	1,678	24.6	1,293	18.9	39.5
Embezzlement	730	23	3.2	129	17.7	99	13.6	99	13.6	105	14.4	166	22.7	109	14.9	37.1
Forgery, counterfeiting	1,456	113	7.8	356	24.5	302	20.7	246	16.9	171	11.7	188	12.9	80	5.5	31.7
Bribery	168	2	1.2	8	4.8	11	6.5	24	14.3	26	15.5	46	27.4	51	30.4	43.3
Tax	617	1	0.2	14	2.3	19	3.1	45	7.3	68	11.0	189	30.6	281	45.5	48.9
Money laundering	937	7	0.7	61	6.5	115	12.3	152	16.2	146	15.6	236	25.2	220	23.5	41.4
Racketeering, extortion	823	21	2.6	145	17.6	150	18.2	147	17.9	101	12.3	133	16.2	126	15.3	36.6
Gambling, lottery	102	0	X	1	1.0	6	5.9	8	7.8	9	8.8	31	30.4	47	46.1	49.8
Civil rights	93	2	2.2	12	12.9	18	19.4	18	19.4	19	20.4	15	16.1	9	9.7	35.7
Immigration	10,844	402	3.7	1,906	17.6	2,577	23.8	2,244	20.7	1,738	16.0	1,607	14.8	370	3.4	32.8
Pornography, prostitution	664	11	1.7	70	10.5	81	12.2	96	14.5	107	16.1	163	24.5	136	20.5	40.0
Prison offenses	315	10	3.2	45	14.3	65	20.6	61	19.4	50	15.9	51	16.2	33	10.5	35.1
Administration of justice offenses	1,087	42	3.9	185	17.0	173	15.9	170	15.6	142	13.1	213	19.6	162	14.9	36.6
Environmental, wildlife	136	1	0.7	8	5.9	6	4.4	16	11.8	10	7.4	41	30.1	54	39.7	47.6
National defense	10	0	X	1	10.0	2	20.0	1	10.0	0	X	3	30.0	3	30.0	42.9
Antitrust	17	0	X	0	X	1	5.9	0	X	3	17.6	4	23.5	9	52.9	52.3
Food and drug	90	1	1.1	1	1.1	13	14.4	7	7.8	17	18.9	26	28.9	25	27.8	43.5
Other	1,124	78	6.9	201	17.9	147	13.1	154	13.7	148	13.2	258	23.0	138	12.3	36.1

Note: See Note, table 5.26. Of the 64,366 guideline cases, 1,848 cases were excluded due to one or both of the following conditions: missing primary offense category, 393; and missing date of birth, 1,758.

Source: U.S. Sentencing Commission, *2002 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 2004), p. 16.

Table 5.28

**Offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines**

By primary offense and education level, fiscal year 2002

Primary offense	Total cases	Education level							
		Less than high school graduate		High school graduate		Some college		College graduate	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	58,519	26,856	45.9%	18,049	30.8%	9,906	16.9%	3,708	6.3%
Murder	82	37	45.1	35	42.7	5	6.1	5	6.1
Manslaughter	59	30	50.8	22	37.3	7	11.9	0	X
Kidnaping, hostage-taking	63	35	55.6	21	33.3	6	9.5	1	1.6
Sexual abuse	205	63	30.7	77	37.6	38	18.5	27	13.2
Assault	453	173	38.2	165	36.4	98	21.6	17	3.8
Robbery	1,612	547	33.9	717	44.5	296	18.4	52	3.2
Arson	63	20	31.7	28	44.4	12	19.0	3	4.8
<b>Drug offenses</b>									
Trafficking	24,510	12,412	50.6	7,959	32.5	3,468	14.1	671	2.7
Communication facility	447	213	47.7	157	35.1	65	14.5	12	2.7
Simple possession	450	138	30.7	190	42.2	86	19.1	36	8.0
Firearms	5,071	2,367	46.7	2,027	40.0	598	11.8	79	1.6
Burglary, breaking and entering	43	23	53.5	15	34.9	5	11.6	0	X
Auto theft	159	68	42.8	57	35.8	30	18.9	4	2.5
Larceny	2,052	496	24.2	820	40.0	573	27.9	163	7.9
Fraud	6,480	1,180	18.2	1,877	29.0	2,096	32.3	1,327	20.5
Embezzlement	702	56	8.0	295	42.0	263	37.5	88	12.5
Forgery, counterfeiting	1,439	474	32.9	525	36.5	372	25.9	68	4.7
Bribery	159	22	13.8	29	18.2	53	33.3	55	34.6
Tax	599	73	12.2	138	23.0	164	27.4	224	37.4
Money laundering	900	217	24.1	258	28.7	244	27.1	181	20.1
Racketeering, extortion	795	289	36.4	284	35.7	160	20.1	62	7.8
Gambling, lottery	102	34	33.3	41	40.2	17	16.7	10	9.8
Civil rights	90	19	21.1	33	36.7	23	25.6	15	16.7
Immigration	8,966	7,027	78.4	1,266	14.1	493	5.5	180	2.0
Pornography, prostitution	654	82	12.5	211	32.3	222	33.9	139	21.3
Prison offenses	287	106	36.9	126	43.9	49	17.1	6	2.1
Administration of justice offenses	1,010	383	37.9	312	30.9	205	20.3	110	10.9
Environmental, wildlife	126	35	27.8	40	31.7	28	22.2	23	18.3
National defense	9	2	22.2	2	22.2	2	22.2	3	33.3
Antitrust	17	1	5.9	3	17.6	6	35.3	7	41.2
Food and drug	83	18	21.7	15	18.1	22	26.5	28	33.7
Other	832	216	26.0	304	36.5	200	24.0	112	13.5

Note: See Note, table 5.26. Of the 64,366 guideline cases, 5,847 were excluded due to one or both of the following conditions: missing primary offense category, 393; and missing education information, 5,847.

Source: U.S. Sentencing Commission, **2002 Sourcebook of Federal Sentencing Statistics** (Washington, DC: U.S. Sentencing Commission, 2004), p. 18.

Table 5.29

**Sentences imposed in U.S. District Courts under the U.S. Sentencing Commission guidelines**

By primary offense and type of sentence, fiscal year 2002

Primary offense	Total cases	Imprisonment						Probation					
		Total receiving imprisonment		Prison only		Prison/ community split sentence <sup>a</sup>		Total receiving probation		Probation and confinement		Probation only	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	63,292	54,370	85.9%	52,117	82.3%	2,253	3.6%	8,922	14.1%	3,151	5.0%	5,771	9.1%
Murder	84	83	98.8	82	97.6	1	1.2	1	1.2	0	X	1	1.2
Manslaughter	58	56	96.6	50	86.2	6	10.3	2	3.4	1	1.7	1	1.7
Kidnaping, hostage-taking	65	64	98.5	63	96.9	1	1.5	1	1.5	1	1.5	0	X
Sexual abuse	206	185	89.8	179	86.9	6	2.9	21	10.2	10	4.9	11	5.3
Assault	483	388	80.3	370	76.6	18	3.7	95	19.7	34	7.0	61	12.6
Robbery	1,620	1,596	98.5	1,580	97.5	16	1.0	24	1.5	16	1.0	8	0.5
Arson	64	60	93.8	58	90.6	2	3.1	4	6.3	1	1.6	3	4.7
<b>Drug offenses</b>													
Trafficking	25,209	24,128	95.7	23,568	93.5	560	2.2	1,081	4.3	455	1.8	626	2.5
Communication facility	456	387	84.9	379	83.1	8	1.8	69	15.1	33	7.2	36	7.9
Simple possession	572	193	33.7	187	32.7	6	1.0	379	66.3	26	4.5	353	61.7
Firearms	5,132	4,741	92.4	4,575	89.1	166	3.2	391	7.6	152	3.0	239	4.7
Burglary, breaking and entering	43	37	86.0	31	72.1	6	14.0	6	14.0	2	4.7	4	9.3
Auto theft	161	126	78.3	119	73.9	7	4.3	35	21.7	16	9.9	19	11.8
Larceny	2,206	946	42.9	805	36.5	141	6.4	1,260	57.1	399	18.1	861	39.0
Fraud	7,012	4,779	68.2	4,073	58.1	706	10.1	2,233	31.8	912	13.0	1,321	18.8
Embezzlement	721	394	54.6	274	38.0	120	16.6	327	45.4	98	13.6	229	31.8
Forgery, counterfeiting	1,446	884	61.1	790	54.6	94	6.5	562	38.9	247	17.1	315	21.8
Bribery	165	82	49.7	65	39.4	17	10.3	83	50.3	25	15.2	58	35.2
Tax	618	333	53.9	261	42.2	72	11.7	285	46.1	125	20.2	160	25.9
Money laundering	931	735	78.9	699	75.1	36	3.9	196	21.1	77	8.3	119	12.8
Racketeering, extortion	818	757	92.5	740	90.5	17	2.1	61	7.5	23	2.8	38	4.6
Gambling, lottery	104	31	29.8	22	21.2	9	8.7	73	70.2	32	30.8	41	39.4
Civil rights	89	57	64.0	53	59.6	4	4.5	32	36.0	11	12.4	21	23.6
Immigration	11,616	11,179	96.2	11,093	95.5	86	0.7	437	3.8	120	1.0	317	2.7
Pornography, prostitution	662	608	91.8	598	90.3	10	1.5	54	8.2	28	4.2	26	3.9
Prison offenses	316	290	91.8	278	88.0	12	3.8	26	8.2	11	3.5	15	4.7
Administration of justice offenses	1,088	695	63.9	636	58.5	59	5.4	393	36.1	125	11.5	268	24.6
Environmental, wildlife	133	46	34.6	39	29.3	7	5.3	87	65.4	25	18.8	62	46.6
National defense	10	8	80.0	8	80.0	0	X	2	20.0	0	X	2	20.0
Antitrust	17	9	52.9	8	47.1	1	5.9	8	47.1	6	35.3	2	11.8
Food and drug	89	21	23.6	14	15.7	7	7.9	68	76.4	13	14.6	55	61.8
Other	1,098	472	43.0	420	38.3	52	4.7	626	57.0	127	11.6	499	45.4

Note: See Note, table 5.26. Of the 64,366 guideline cases, 1,074 cases were excluded due to one or more of the following conditions: missing primary offense category, 393; missing sentencing information, 707; and cases in which a defendant received no imprisonment or probation, 301.

<sup>a</sup>A term of imprisonment followed by supervised release with a condition of community confinement, home detention, or intermittent confinement.

Source: U.S. Sentencing Commission, *2002 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 2004), p. 28.

Table 5.30

**Length of sentences to imprisonment imposed in U.S. District Courts for U.S. Sentencing Commission guideline cases**

By type of offense, fiscal years 1997-2002

(In months)

	Violent offenses <sup>a</sup>		Drug offenses <sup>b</sup>		White collar offenses <sup>c</sup>	
	Average length	Median length	Average length	Median length	Average length	Median length
1997	104.7	70	80.7	56	20.2	13
1998	105.7	70	78.0	56	19.2	12
1999	97.9	63	75.0	48	20.4	12
2000	102.0	63	74.3	51	20.5	12
2001	89.5	63	71.6	48	20.8	15
2002	NA	NA	73.6	51	21.5	15

Note: See Note, table 5.26. These data include prison sentences only and exclude any imposition of home detention, community confinement, or intermittent confinement (Source, **2002**, p. A-4). Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Includes murder, manslaughter, kidnaping, sexual abuse, assault, bank robbery, and arson.

<sup>b</sup>Includes drug trafficking, drug communication facilities, and simple possession.

<sup>c</sup>Includes fraud, embezzlement, forgery, counterfeiting, bribery, tax offenses, and money laundering.

Source: U.S. Sentencing Commission, **2001 Sourcebook of Federal Sentencing Statistics**, p. 32; **2002**, p. 32 (Washington, DC: U.S. Sentencing Commission). Table adapted by SOURCEBOOK staff.

Table 5.31

**Length of sentences to imprisonment imposed in U.S. District Courts for U.S. Sentencing Commission guideline cases**

By primary offense, fiscal year 2002

Primary offense	Total cases	Sentences to imprisonment	
		Average length (in months)	Median length (in months)
Total	52,694	55.4	33.0
Murder	82	237.2	180.5
Manslaughter	56	39.6	27.0
Kidnaping, hostage-taking	62	181.5	120.0
Sexual abuse	185	62.0	36.0
Assault	378	39.3	27.0
Robbery	1,589	92.2	71.0
Arson	60	93.0	60.0
<b>Drug offenses</b>			
Trafficking	23,976	74.4	57.0
Communication facility	381	50.9	48.0
Simple possession	164	19.2	6.0
Firearms	4,673	70.8	44.0
Burglary, breaking and entering	37	21.1	16.0
Auto theft	124	60.6	24.0
Larceny	936	15.2	12.0
Fraud	4,498	20.0	15.0
Embezzlement	389	7.8	4.0
Forgery, counterfeiting	876	17.4	14.0
Bribery	78	26.4	13.5
Tax	327	17.3	12.0
Money laundering	729	47.6	33.0
Racketeering, extortion	744	87.8	60.0
Gambling, lottery	30	11.9	10.0
Civil rights	56	42.1	24.0
Immigration	10,254	26.0	24.0
Pornography, prostitution	605	53.3	33.0
Prison offenses	283	18.8	14.0
Administration of justice offenses	666	23.5	15.5
Environmental, wildlife	43	10.6	10.0
National defense	8	149.0	56.5
Antitrust	9	14.3	12.0
Food and drug	21	20.1	12.0
Other	375	20.9	12.0

Note: See Notes, tables 5.26 and 5.30. Of the 64,366 guideline cases, 9,373 cases with 0 months of prison ordered were excluded. In addition, 2,299 cases were excluded due to one or more of the following conditions: missing primary offense category, 384; missing criminal history category, 1,444; and missing or indeterminable sentencing information, 1,051.

Source: U.S. Sentencing Commission, **2002 Sourcebook of Federal Sentencing Statistics** (Washington, DC: U.S. Sentencing Commission, 2004), p. 30.

Table 5.32

**Fines and restitution ordered in U.S. District Courts for U.S. Sentencing Commission guideline cases**

By primary offense, fiscal year 2002

Primary offense	Total cases	No fine or restitution ordered		Restitution ordered/no fine		Fine ordered/no restitution		Both fine and restitution ordered		Amount of payment ordered (dollar amount)			
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Total cases	Mean	Median	Total
Total	62,660	46,219	73.8%	8,210	13.1%	7,435	11.9%	796	1.3%	16,433	\$345,929	\$5,000	\$5,684,656,762
Murder	79	43	54.4	26	32.9	8	10.1	2	2.5	36	3,003,150	6,733	108,113,398
Manslaughter	55	26	47.3	24	43.6	2	3.6	3	5.5	29	5,406	3,201	156,787
Kidnaping, hostage-taking	65	43	66.2	18	27.7	1	1.5	3	4.6	22	27,119	3,466	596,617
Sexual abuse	208	141	67.8	28	13.5	37	17.8	2	1.0	67	6,527	1,200	437,322
Assault	482	344	71.4	85	17.6	47	9.8	6	1.2	138	10,929	1,635	1,508,258
Robbery	1,537	459	29.9	970	63.1	61	4.0	47	3.1	1,078	18,311	5,000	19,739,144
Arson	63	19	30.2	38	60.3	2	3.2	4	6.3	44	319,451	78,852	14,055,857
<b>Drug offenses</b>													
Trafficking	25,212	22,109	87.7	204	0.8	2,858	11.3	41	0.2	3,103	12,303	1,500	38,175,971
Communication facility	456	387	84.9	2	0.4	66	14.5	1	0.2	69	19,997	1,000	1,379,821
Simple possession	585	259	44.3	2	0.3	319	54.5	5	0.9	326	1,031	1,000	336,216
Firearms	5,088	3,999	78.6	248	4.9	824	16.2	17	0.3	1,089	13,302	1,500	14,485,776
Burglary, breaking and entering	38	10	26.3	26	68.4	0	X	2	5.3	28	5,400	1,981	151,208
Auto theft	148	51	34.5	73	49.3	19	12.8	5	3.4	97	54,907	16,000	5,325,975
Larceny	2,144	614	28.6	1,069	49.9	329	15.3	132	6.2	1,528	55,185	7,272	84,323,286
Fraud	6,648	2,212	33.3	3,509	52.8	642	9.7	285	4.3	4,433	698,994	36,452	3,098,638,515
Embezzlement	718	145	20.2	486	67.7	57	7.9	30	4.2	573	70,609	14,860	40,459,061
Forgery, counterfeiting	1,389	626	45.1	565	40.7	147	10.6	51	3.7	762	48,481	2,359	36,942,256
Bribery	165	68	41.2	26	15.8	62	37.6	9	5.5	97	166,030	5,000	16,104,954
Tax	613	234	38.2	111	18.1	235	38.3	33	5.4	379	114,244	10,000	43,298,426
Money laundering	898	538	59.9	187	20.8	160	17.8	13	1.4	360	5,086,647	57,195	1,831,192,869
Racketeering, extortion	791	468	59.2	160	20.2	147	18.6	16	2.0	321	490,806	7,500	157,548,770
Gambling, lottery	104	44	42.3	13	12.5	45	43.3	2	1.9	60	15,544	5,000	932,644
Civil rights	87	48	55.2	21	24.1	12	13.8	6	6.9	39	9,364	2,500	365,199
Immigration	11,632	11,270	96.9	25	0.2	336	2.9	1	(a)	362	14,088	1,000	5,099,969
Pornography, prostitution	661	469	71.0	20	3.0	170	25.7	2	0.3	192	6,682	4,000	1,282,884
Prison offenses	318	279	87.7	3	0.9	35	11.0	1	0.3	39	59,896	500	2,335,961
Administration of justice offenses	1,092	784	71.8	70	6.4	219	20.1	19	1.7	308	280,671	2,000	86,446,737
Environmental, wildlife	138	46	33.3	8	5.8	70	50.7	14	10.1	92	11,258	3,000	1,035,740
National defense	10	8	80.0	1	10.0	1	10.0	0	X	2	X	X	X
Antitrust	17	2	11.8	5	29.4	4	23.5	6	35.3	15	3,997,698	168,000	59,965,464
Food and drug	91	29	31.9	14	15.4	43	47.3	5	5.5	62	18,954	5,000	1,175,117
Other	1,128	445	39.5	173	15.3	477	42.3	33	2.9	683	19,049	700	13,010,679

Note: See Note, table 5.26. Of the 64,366 guideline cases, 1,706 cases were excluded due to one or both of the following conditions: missing primary offense category, 393; and missing information on type of economic sanction for cases in which orders were made, 1,475. A total of 16,433 cases were used to calculate amount of payments ordered. This differs from the 16,441 cases in which fines and/or restitution were ordered due to the exclusion of 8 cases in which the amount of fine and/or restitution was not specified. Fine information includes either fines and/or costs of supervision.

Source: U.S. Sentencing Commission, *2002 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 2004), p. 33.

<sup>a</sup>Less than 0.05%.

Table 5.33

**Fines and restitution ordered for organizations sentenced in U.S. District Courts  
for U.S. Sentencing Commission guideline cases**

By primary offense, fiscal year 2002

Primary offense	Total cases involving organizations <sup>a</sup>		Cases with restitution imposed			Cases with fine imposed		
	Number	Percent	Number	Mean	Median	Number	Mean	Median
Total	252	100.0%	112	\$6,292,650	\$200,000	165	\$2,815,154	\$96,000
Administration of justice: contempt, obstruction, perjury	3	1.2	0	X	X	3	53,333	30,000
Antitrust	23	9.1	9	2,894,240	540,000	15	6,235,067	1,100,000
Archeological damage	1	0.4	1	NA	NA	1	NA	NA
Bribery, gratuity, extortion	5	2.0	3	36,921	40,000	2	NA	NA
Contraband	2	0.8	0	X	X	2	NA	NA
Copyright, trademark	2	0.8	2	NA	NA	1	NA	NA
Drugs	3	1.2	0	X	X	2	NA	NA
<b>Environmental</b>								
Water	33	13.1	8	114,845	67,020	29	625,724	75,000
Air	2	0.8	0	X	X	2	NA	NA
Hazardous, toxic pollutants	10	4.0	2	NA	NA	9	99,611	50,000
Wildlife	2	0.8	1	NA	NA	2	NA	NA
Import and export	10	4.0	3	239,333	33,000	10	130,473	101,113
Food, drugs, agricultural, and consumer products	19	7.5	4	119,167	122,232	19	15,400,537	100,000
Fraud	102	40.5	67	10,064,322	306,742	55	950,463	96,000
Gambling	1	0.4	0	X	X	0	X	X
Immigration, naturalization, passports	2	0.8	0	X	X	2	NA	NA
Larceny, theft, embezzlement	2	0.8	2	NA	NA	1	NA	NA
Money laundering	19	7.5	9	98,031	22,918	4	58,750	60,000
Pornography, prostitution	3	1.2	0	X	X	3	351,667	490,000
Racketeering	5	2.0	1	NA	NA	1	NA	NA
Tax	3	1.2	0	X	X	2	NA	NA

Note: See Note, table 5.26. "Organizations" include corporations, partnerships, associations, joint-stock companies, unions, trusts, pension funds, unincorporated organizations, governments and political subdivisions thereof, and non-profit organizations. (Source, p. A-5). Mean and median dollar values include only cases with reported non-zero fine or restitution amounts. In fiscal year 2002, no fine or restitution was ordered in 21 of the 252 cases involving organizations.

<sup>a</sup>Data for cases receiving either fines or restitution will sum to more than the total because some cases received both fines and restitution.

Source: U.S. Sentencing Commission, *2002 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 2004), p. 96. Table adapted by SOURCEBOOK staff.

Table 5.34

**Mode of conviction in U.S. District Courts for U.S. Sentencing Commission guideline cases**

By primary offense, fiscal year 2002

Primary offense	Total cases	Mode of conviction			
		Plea of guilty		Trial	
		Number	Percent	Number	Percent
Total	63,935	62,084	97.1%	1,851	2.9%
Murder	84	67	79.8	17	20.2
Manslaughter	59	56	94.9	3	5.1
Kidnaping, hostage-taking	64	57	89.1	7	10.9
Sexual abuse	212	202	95.3	10	4.7
Assault	492	450	91.5	42	8.5
Robbery	1,631	1,579	96.8	52	3.2
Arson	64	53	82.8	11	17.2
<b>Drug offenses</b>					
Trafficking	25,361	24,595	97.0	766	3.0
Communication facility	459	458	99.8	1	0.2
Simple possession	592	583	98.5	9	1.5
Firearms	5,173	4,923	95.2	250	4.8
Burglary, breaking and entering	43	41	95.3	2	4.7
Auto theft	162	153	94.4	9	5.6
Larceny	2,250	2,220	98.7	30	1.3
Fraud	7,107	6,880	96.8	227	3.2
Embezzlement	734	729	99.3	5	0.7
Forgery, counterfeiting	1,466	1,449	98.8	17	1.2
Bribery	168	159	94.6	9	5.4
Tax	622	600	96.5	22	3.5
Money laundering	939	870	92.7	69	7.3
Racketeering, extortion	828	769	92.9	59	7.1
Gambling, lottery	104	104	100.0	0	X
Civil rights	93	82	88.2	11	11.8
Immigration	11,730	11,612	99.0	118	1.0
Pornography, prostitution	664	643	96.8	21	3.2
Prison offenses	318	313	98.4	5	1.6
Administration of justice offenses	1,107	1,076	97.2	31	2.8
Environmental, wildlife	140	131	93.6	9	6.4
National defense	10	8	80.0	2	20.0
Antitrust	17	15	88.2	2	11.8
Food and drug	91	91	100.0	0	X
Other	1,151	1,116	97.0	35	3.0

Note: See Note, table 5.26. Of the 64,366 guideline cases, 431 cases were excluded due to one or both of the following conditions: missing primary offense category, 393; and missing information on mode of conviction, 370.

Source: U.S. Sentencing Commission, **2002 Sourcebook of Federal Sentencing Statistics** (Washington, DC: U.S. Sentencing Commission, 2004), p. 24.

Table 5.35

**U.S. citizens and non-U.S. citizens sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines**

By primary offense, fiscal year 2002

Primary offense	Total cases	U.S. citizen		Non-U.S. citizen	
		Number	Percent	Number	Percent
Total	61,634	40,923	66.4%	20,711	33.6%
Murder	82	70	85.4	12	14.6
Manslaughter	59	59	100.0	0	X
Kidnaping, hostage-taking	64	40	62.5	24	37.5
Sexual abuse	209	204	97.6	5	2.4
Assault	458	409	89.3	49	10.7
Robbery	1,620	1,591	98.2	29	1.8
Arson	64	63	98.4	1	1.6
<b>Drug offenses</b>					
Trafficking	24,798	17,292	69.7	7,506	30.3
Communication facility	453	366	80.8	87	19.2
Simple possession	475	442	93.1	33	6.9
Firearms	5,113	4,800	93.9	313	6.1
Burglary, breaking and entering	43	42	97.7	1	2.3
Auto theft	160	142	88.8	18	11.3
Larceny	2,078	1,929	92.8	149	7.2
Fraud	6,703	5,611	83.7	1,092	16.3
Embezzlement	706	689	97.6	17	2.4
Forgery, counterfeiting	1,443	1,281	88.8	162	11.2
Bribery	160	125	78.1	35	21.9
Tax	605	554	91.6	51	8.4
Money laundering	917	668	72.8	249	27.2
Racketeering, extortion	799	683	85.5	116	14.5
Gambling, lottery	102	96	94.1	6	5.9
Civil rights	90	83	92.2	7	7.8
Immigration	11,355	1,028	9.1	10,327	90.9
Pornography, prostitution	657	629	95.7	28	4.3
Prison offenses	291	264	90.7	27	9.3
Administration of justice offenses	1,027	768	74.8	259	25.2
Environmental, wildlife	126	110	87.3	16	12.7
National defense	9	5	55.6	4	44.4
Antitrust	17	16	94.1	1	5.9
Food and drug	85	79	92.9	6	7.1
Other	866	785	90.6	81	9.4

Note: See Note, table 5.26. Of the 64,366 guideline cases, 2,732 cases were excluded due to one or both of the following conditions: missing primary offense category, 393; or missing citizenship information, 2,731.

Source: U.S. Sentencing Commission, **2002 Sourcebook of Federal Sentencing Statistics** (Washington, DC: U.S. Sentencing Commission, 2004), p. 19.

Table 5.36

**Sentences within and departing from U.S. Sentencing Commission guidelines in U.S. District Courts**

By primary offense, fiscal year 2002

Primary offense	Total cases	Downward departures							
		Within guideline range		Substantial assistance departure <sup>a</sup>		Other downward departure		Upward departure	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	58,423	37,968	65.0%	10,170	17.4%	9,828	16.8%	457	0.8%
Murder	76	50	65.8	4	5.3	9	11.8	13	17.1
Manslaughter	57	37	64.9	1	1.8	6	10.5	13	22.8
Kidnaping, hostage-taking	57	33	57.9	4	7.0	12	21.1	8	14.0
Sexual abuse	195	142	72.8	2	1.0	37	19.0	14	7.2
Assault	445	347	78.0	12	2.7	70	15.7	16	3.6
Robbery	1,522	1,051	69.1	227	14.9	220	14.5	24	1.6
Arson	59	38	64.4	14	23.7	4	6.8	3	5.1
<b>Drug offenses</b>									
Trafficking	23,949	13,398	55.9	6,565	27.4	3,932	16.4	54	0.2
Communication facility	421	303	72.0	56	13.3	61	14.5	1	0.2
Simple possession	481	458	95.2	17	3.5	4	0.8	2	0.4
Firearms	4,765	3,511	73.7	581	12.2	602	12.6	71	1.5
Burglary, breaking and entering	42	30	71.4	5	11.9	4	9.5	3	7.1
Auto theft	151	93	61.6	41	27.2	14	9.3	3	2.0
Larceny	2,038	1,745	85.6	151	7.4	126	6.2	16	0.8
Fraud	6,378	4,539	71.2	1,135	17.8	633	9.9	71	1.1
Embezzlement	672	588	87.5	24	3.6	58	8.6	2	0.3
Forgery, counterfeiting	1,363	1,094	80.3	159	11.7	97	7.1	13	1.0
Bribery	148	87	58.8	41	27.7	20	13.5	0	X
Tax	557	352	63.2	107	19.2	95	17.1	3	0.5
Money laundering	852	496	58.2	245	28.8	101	11.9	10	1.2
Racketeering, extortion	744	474	63.7	178	23.9	75	10.1	17	2.3
Gambling, lottery	95	57	60.0	27	28.4	11	11.6	0	X
Civil rights	87	60	69.0	16	18.4	11	12.6	0	X
Immigration	10,399	6,861	66.0	248	2.4	3,236	31.1	54	0.5
Pornography, prostitution	613	442	72.1	34	5.5	117	19.1	20	3.3
Prison offenses	297	229	77.1	19	6.4	46	15.5	3	1.0
Administration of justice offenses	1,010	719	71.2	144	14.3	134	13.3	13	1.3
Environmental, wildlife	121	76	62.8	25	20.7	20	16.5	0	X
National defense	9	6	66.7	1	11.1	2	22.2	0	X
Antitrust	16	5	31.3	9	56.3	2	12.5	0	X
Food and drug	77	55	71.4	10	13.0	11	14.3	1	1.3
Other	727	592	81.4	68	9.4	58	8.0	9	1.2

Note: See Note, table 5.26. A case is determined to involve no departure if the sentence imposed is within the guideline range. If a sentence imposed by the court falls outside the guideline range, the court provides reasons for the departure. (Source, p. A-2.) Of the 64,366 guideline cases, 5,943 cases were excluded due to one or both of the following conditions: missing offense type, 393; or missing/inapplicable departure information, 5,682.

<sup>a</sup>Cases departed downward based on a motion by the Government for a reduced sentence due to the defendant's substantial assistance to authorities.

Source: U.S. Sentencing Commission, *2002 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 2004), p. 56.

Table 5.37

**Defendants charged with violation of drug laws in U.S. District Courts**

By type of disposition, 1945-2003

	Not convicted					Convicted and sentenced			
	Total defendants	Total	Dismissed <sup>a</sup>	Acquitted by		Total	Plea of guilty or nolo contendere	Convicted by	
				Court	Jury			Court	Jury
1945	1,413	228	197	5	26	1,185	1,062	35	88
1946	1,687	349	305	13	31	1,338	1,218	37	83
1947	1,880	210	153	17	40	1,670	1,517	57	96
1948	1,790	308	237	14	57	1,482	1,324	48	110
1949	1,806	208	148	14	46	1,598	1,404	59	135
1950	2,400	264	184	28	52	2,136	1,907	61	168
1951	2,332	304	234	25	45	2,028	1,745	105	178
1952	2,121	252	184	29	39	1,869	1,523	109	237
1953	2,336	333	237	30	66	2,003	1,589	121	293
1954	2,220	310	239	28	43	1,910	1,491	107	312
1955	2,166	363	279	32	52	1,803	1,386	95	322
1956	1,835	314	221	36	57	1,521	1,168	93	260
1957	1,910	256	184	28	44	1,654	1,264	91	299
1958	1,942	301	217	25	59	1,641	1,138	129	374
1959	1,742	364	267	40	57	1,378	1,005	112	261
1960	1,846	340	263	38	39	1,506	1,155	93	258
1961	1,828	313	248	20	45	1,515	1,171	74	270
1962	1,643	240	175	29	36	1,403	1,022	113	268
1963	1,689	283	222	34	27	1,406	1,040	112	254
1964	1,679	271	205	32	34	1,408	1,039	112	257
1965	2,078	323	257	41	25	1,755	1,384	132	239
1966	2,223	349	280	36	33	1,874	1,469	119	286
1967	2,250	428	363	34	31	1,822	1,424	119	279
1968	2,692	563	466	49	48	2,129	1,664	138	327
1969	3,545	836	716	50	70	2,709	2,239	123	347
1970	3,420	959	886	48	45	2,461	2,030	97	334
1971	5,366	2,204	2,080	43	81	3,162	2,682	94	386
1972	6,848	1,600	1,396	52	152	5,248	4,391	228	629
1973	9,983	2,169	1,905	83	181	7,814	6,297	393	1,124
1974	10,989	2,744	2,430	80	234	8,245	6,666	437	1,142
1975	10,901	2,750	2,454	62	234	8,151	6,531	393	1,227
1976	10,762	2,721	2,404	73	244	8,041	6,324	446	1,271
1977	9,741	2,106	1,754	53	299	7,635	5,970	387	1,278
1978	7,860	2,043	1,729	37	277	5,817	4,440	290	1,087
1979	6,609	1,542	1,297	34	211	5,067	3,662	240	1,165
1980	6,343	1,594	1,337	32	225	4,749	3,450	236	1,063
1981	7,008	1,662	1,385	29	248	5,346	3,757	308	1,281
1982	7,981	1,645	1,360	51	234	6,336	4,798	342	1,196
1983	9,164	1,674	1,393	36	245	7,490	5,774	363	1,353
1984	9,191	1,732	1,421	28	283	7,459	5,793	218	1,448
1985	11,208	1,977	1,609	56	312	9,231	7,511	223	1,497
1986	12,934	2,170	1,811	63	296	10,764	8,888	159	1,717
1987	15,130	2,431	2,047	49	335	12,699	10,655	203	1,841
1988	15,750	2,588	2,168	45	375	13,162	11,044	170	1,948
1989	16,834	2,695	2,299	49	347	14,139	11,686	161	2,292
1990	19,271	3,083	2,610	53	420	16,188	13,067	148	2,973
1991	19,227	2,881	2,444	39	398	16,346	13,554	93	2,699
1992	19,168	2,779	2,323	35	421	16,389	13,577	60	2,752
1993	21,543	2,967	2,534	60	373	18,576	16,018	78	2,480
1994	21,441	2,978	2,592	65	321	18,463	16,276	48	2,139
1995	18,502	2,641	2,358	52	231	15,861	14,345	56	1,460
1996	20,957	2,624	2,376	38	210	18,333	16,620	48	1,665
1997	22,276	2,443	2,224	36	183	19,833	18,315	65	1,453
1998	24,141	2,612	2,371	47	194	21,529	20,042	62	1,425
1999	27,023	2,776	2,567	37	172	24,247	22,936	66	1,245
2000	27,220	2,434	2,210	41	183	24,786	23,630	50	1,106
2001	28,238	2,423	2,212	39	172	25,815	24,852	43	920
2002	29,477	2,351	2,167	41	143	27,126	26,132	53	941
2003	29,457	2,471	2,329	18	124	26,986	25,961	53	972

Note: See Notes, tables 5.9 and 5.22. Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30.

<sup>a</sup>From 1968-81 and 1990-2000, defendants who were committed pursuant to 28 U.S.C. 2902 of the Narcotic Addict Rehabilitation Act are included in the dismissed column.

Source: Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts, 1984* (Washington, DC: USGPO, 1986), pp. 42, 43; Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts, 1985* (Washington, DC: Administrative Office of the United States Courts, 1987), pp. 40, 41; Administrative Office of the United States Courts, *Annual Report of the Director, 1997* (Washington, DC: USGPO, 1998), pp. 214-216; Administrative Office of the United States Courts, *Annual Report of the Director, 1998*, pp. 228-230; *1999*, pp. 222-224 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director*, pp. 221-223; *2001 Annual Report of the Director*, pp. 211-213; *2002 Annual Report of the Director*, pp. 211-213; *2003 Annual Report of the Director*, pp. 211-213 (Washington, DC: USGPO); and tables provided to SOURCEBOOK staff by the Administrative Office of the United States Courts. Table adapted by SOURCEBOOK staff.

Table 5.38

## Defendants sentenced for violation of drug laws in U.S. District Courts

By type and length of sentence, 1945-2003

	Type of sentence										Average sentence to imprisonment (in months) <sup>d</sup>	Average sentence to probation (in months) <sup>e</sup>
	Imprisonment								Probation	Fine and other <sup>c</sup>		
	Total	Regular sentences <sup>a</sup>				Life sentences	Other <sup>b</sup>					
		Total regular	1 through 12 months	13 through 35 months	36 through 60 months			Over 60 months				
1945	861	X	308	360	140	53	NA	X	287	37	22.2	NA
1946	949	X	430	377	108	34	NA	X	369	20	18.7	NA
1947	1,128	X	471	452	161	44	NA	X	504	38	19.7	NA
1948	1,048	X	488	408	122	30	NA	X	411	23	18.6	NA
1949	1,187	X	541	451	152	43	NA	X	398	13	18.9	NA
1950	1,654	X	595	736	218	105	NA	X	471	11	21.9	NA
1951	1,659	X	473	671	328	187	NA	X	345	24	27.1	NA
1952	1,551	X	221	652	402	276	NA	X	312	6	35.2	NA
1953	1,586	X	108	789	358	331	NA	X	403	14	38.4	NA
1954	1,483	X	72	681	360	370	NA	X	411	16	41.3	NA
1955	1,457	X	47	648	360	402	NA	X	329	17	43.5	NA
1956	1,258	X	30	511	341	376	NA	X	250	13	45.8	NA
1957	1,432	X	16	326	248	842	NA	X	220	2	66.0	NA
1958	1,351	X	25	167	141	1,018	NA	X	282	8	69.4	NA
1959	1,151	X	43	126	95	887	NA	X	224	3	74.2	NA
1960	1,232	X	33	145	148	906	NA	X	271	3	72.8	NA
1961	1,258	X	42	126	105	985	NA	X	252	5	74.0	NA
1962	1,173	X	38	129	106	900	NA	X	217	13	70.5	NA
1963	1,085	X	39	144	113	789	NA	X	304	17	70.1	NA
1964	1,076	X	28	142	157	749	NA	X	309	23	63.7	NA
1965	1,257	X	53	186	197	821	NA	X	480	18	60.3	NA
1966	1,272	X	85	154	276	757	NA	X	589	13	61.3	NA
1967	1,180	X	83	139	245	713	NA	X	620	22	62.0	NA
1968	1,368	X	93	141	293	841	NA	X	728	33	64.4	NA
1969	1,581	X	110	179	500	892	NA	X	1,110	18	63.7	NA
1970	1,283	X	101	166	276	740	NA	X	1,156	22	64.8	NA
1971	1,834	X	249	300	428	857	NA	X	1,258	70	58.5	NA
1972	3,050	X	882	396	789	983	NA	X	2,068	130	46.4	NA
1973	5,097	X	1,445	744	1,343	1,565	NA	X	2,591	126	45.5	NA
1974	5,125	X	1,547	792	1,390	1,396	NA	X	3,039	81	43.7	NA
1975	4,887	X	1,366	706	1,441	1,374	NA	X	3,209	55	45.3	NA
1976	5,039	X	1,221	790	1,544	1,484	NA	X	2,927	75	47.6	NA
1977	5,223	X	1,505	886	1,366	1,466	NA	X	2,324	88	47.3	NA
1978	4,119	3,605	885	623	956	1,141	NA	514	1,630	68	51.3	38.6
1979	3,641	2,820	369	614	868	969	NA	821	1,379	47	50.8	37.8
1980	3,479	2,547	281	565	792	909	NA	932	1,232	38	54.5	38.7
1981	3,856	2,865	403	578	748	1,136	NA	991	1,371	119	55.5	36.6
1982	4,586	3,516	383	729	966	1,438	NA	1,070	1,617	133	61.4	34.1
1983	5,449	4,150	447	890	1,011	1,802	NA	1,299	1,893	148	63.8	33.7
1984	5,756	4,306	354	845	1,173	1,934	NA	1,450	1,584	119	65.7	43.2
1985	6,786	5,207	411	1,103	1,459	2,234	NA	1,579	2,039	238	64.8	36.2
1986	8,152	6,601	506	1,271	1,808	3,016	NA	1,551	2,353	259	70.0	38.7
1987	9,907	8,188	613	1,491	2,049	4,035	NA	1,719	2,680	112	73.0	39.9
1988	9,983	8,560	708	1,466	1,577	4,809	NA	1,423	3,042	137	78.0	33.4
1989	11,626	10,838	1,270	2,343	1,844	5,381	NA	788	2,358	155	73.8	32.8
1990	13,838	13,462	1,490	3,047	1,801	7,124	NA	376	2,135	215	79.3	32.3
1991	14,382 <sup>f</sup>	14,286	1,687	2,828	3,063	6,708	34	61	1,896	68	95.7	53.4
1992	16,040	15,775	1,810	3,423	3,397	7,145	80	185	2,011	194	87.8	38.7
1993	16,995 <sup>f</sup>	16,639	2,097	3,383	4,128	7,031	186	169	1,943	310	83.2	35.8
1994	15,623	15,130	1,836	3,074	3,798	6,422	238	255	1,908	73	84.3	34.4
1995	14,157	13,734	1,606	2,716	3,311	6,101	150	273	1,597	107	88.7	33.6
1996	18,333	16,684	1,643	3,334	4,025	7,113	197	372	1,534	112	82.5	35.0
1997	18,231 <sup>f</sup>	17,456	1,687	4,166	4,445	7,158	228	546	1,523	79	79.3	34.9
1998	19,809	19,062	2,100	4,443	4,517	8,002	180	567	1,629	91	78.0	34.9
1999	22,443 <sup>f</sup>	21,513	2,670	5,074	5,240	8,529	205	724	1,719	85	74.6	34.2
2000	23,120	22,207	2,523	5,095	5,452	9,137	148	765	1,591	75	75.7	35.1
2001	24,011	23,127	2,780	5,350	5,670	9,327	122	762	1,671	133	73.8	34.5
2002	25,031	23,838	2,825	5,250	5,727	10,036	168	1,025	1,947	148	75.9	33.4
2003	25,060	23,937	2,632	4,781	5,967	10,557	157	966	1,781	145	80.2	32.2

See notes at end of table.

Table 5.38

**Defendants sentenced for violation of drug laws in U.S. District Courts**

By type and length of sentence, 1945-2003--Continued

Note: See Notes, tables 5.9 and 5.22. Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Includes sentences of more than 6 months that are to be followed by a term of probation (mixed sentences). Beginning in 1991, includes sentences of at least 1 month that may be followed by a term of probation.

<sup>b</sup>From 1978-88, "other" includes split sentences, indeterminate sentences, and Youth Corrections Act and youthful offender sentences. In 1989 and 1990, the category includes split sentences and indeterminate sentences. Beginning in 1991, "other" includes deportation, suspended and sealed sentences, imprisonment of 4 days or less, and no sentence.

<sup>c</sup>Includes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.

<sup>d</sup>From 1978-90, split sentences, Youth Corrections Act and youthful offender sentences, and life sentences are not included in computing average sentence. Beginning in 1991, life sentences, death sentences, deportation, suspended and sealed sentences, imprisonment of 4 days or less, and no sentence also are not included in computing average sentence.

<sup>e</sup>From 1986-90, split sentences, indeterminate sentences, and Youth Corrections Act and youthful offender sentences are not included in computing average sentence. Beginning in 1991, supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence also are not included in computing the average sentence.

<sup>f</sup>Includes one death sentence.

Source: Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts, 1984* (Washington, DC: USGPO, 1986), pp. 42, 43; Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts, 1985* (Washington, DC: Administrative Office of the United States Courts, 1987), pp. 40, 41; Administrative Office of the United States Courts, *Annual Report of the Director, 1997* (Washington, DC: USGPO, 1998), pp. 217-220; Administrative Office of the United States Courts, *Annual Report of the Director, 1998*, pp. 231-234; *1999*, pp. 225-227 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director*, pp. 224-227; *2001 Annual Report of the Director*, pp. 214-217; *2002 Annual Report of the Director*, pp. 214-217; *2003 Annual Report of the Director*, pp. 214-217 (Washington, DC: USGPO); and tables provided to SOURCEBOOK staff by the Administrative Office of the United States Courts. Table adapted by SOURCEBOOK staff.

Table 5.39

**Drug offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines**By offender characteristics, mode of conviction, and drug offense, fiscal year 2002<sup>a</sup>

	Total cases		Drug type											
			Powder cocaine		Crack cocaine		Heroin		Marijuana		Methamphetamine <sup>b</sup>		Other	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>Sex</b>														
Male	22,246	86.7%	5,033	85.7%	4,737	91.5%	1,505	82.8%	6,384	86.3%	3,360	85.3%	1,227	84.5%
Female	3,406	13.3	841	14.3	440	8.5	312	17.2	1,010	13.7	578	14.7	225	15.5
<b>Race, ethnicity</b>														
White	6,886	26.9	1,037	17.7	363	7.0	253	14.0	1,904	25.8	2,369	60.2	960	66.3
Black	7,221	28.2	1,815	30.9	4,203	81.4	409	22.6	597	8.1	42	1.1	155	10.7
Hispanic <sup>c</sup>	10,939	42.7	2,938	50.1	542	10.5	1,114	61.7	4,776	64.7	1,327	33.7	242	16.7
Other <sup>d</sup>	563	2.2	77	1.3	58	1.1	30	1.7	110	1.5	196	5.0	92	6.3
<b>Citizenship</b>														
United States	18,104	70.7	3,802	64.8	4,794	92.7	878	48.4	4,465	60.6	3,015	76.6	1,150	79.4
Non-United States	7,499	29.3	2,066	35.2	376	7.3	936	51.6	2,903	39.4	920	23.4	298	20.6
<b>Mode of conviction</b>														
Guilty plea	22,317	97.2	4,967	96.7	4,403	96.2	1,517	97.9	6,730	98.4	3,456	96.6	1,244	98.4
Trial	633	2.8	172	3.3	175	3.8	33	2.1	112	1.6	121	3.4	20	1.6
<b>Drug offenses</b>														
Drug trafficking	24,842	96.8	5,778	98.3	4,936	95.3	1,769	97.3	7,156	96.7	3,835	97.3	1,368	94.2
Protected locations <sup>e</sup>	318	1.2	30	0.5	177	3.4	21	1.2	31	0.4	39	1.0	20	1.4
Continuing criminal enterprise	37	0.1	12	0.2	5	0.1	1	0.1	12	0.2	5	0.1	2	0.1
Communication facility	26	0.1	9	0.2	8	0.2	2	0.1	2	(f)	4	0.1	1	0.1
Rent/manage drug establishment	67	0.3	7	0.1	18	0.3	7	0.4	9	0.1	23	0.6	3	0.2
Possession	376	1.5	39	0.7	34	0.7	18	1.0	191	2.6	36	0.9	58	4.0

Note: See Note, table 5.26. Of the 64,366 guideline cases, 25,920 were sentenced under drug offense guidelines. Some cases are excluded from the table due to missing information.

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>Includes methamphetamine mixture, methamphetamine actual, ICE, and methamphetamine precursors.

<sup>c</sup>Includes both black and white Hispanics.

<sup>d</sup>Includes Native Americans, Alaskan Natives, Asians, and Pacific Islanders.

<sup>e</sup>Offenses occurring at designated protected locations such as near schools or playgrounds.

<sup>f</sup>Less than 0.05%.

Source: U.S. Sentencing Commission, *2002 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 2004), pp. 68-71, 73. Table adapted by SOURCEBOOK staff.

Table 5.40

**Convictions resulting from arrests by the Drug Enforcement Administration**By type of drug, fiscal years 1992-2003<sup>a</sup>

Fiscal year	Type of drug									
	Total		Heroin <sup>b</sup>		Cocaine <sup>c</sup>		Cannabis <sup>d</sup>		Other dangerous drugs <sup>e</sup>	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1992	17,308	100%	1,412	8.2%	9,417	54.4%	3,852	22.3%	2,627	15.2%
1993	18,257	100	2,059	11.3	9,580	52.5	4,014	22.0	2,604	14.3
1994	14,760	100	1,358	9.2	7,617	51.6	3,645	24.7	2,140	14.5
1995	14,102	100	1,363	9.7	7,178	50.9	3,340	23.7	2,221	15.7
1996	15,625	100	1,612	10.3	7,442	47.6	3,844	24.6	2,727	17.5
1997	15,765	100	1,596	10.1	7,206	45.7	3,939	25.0	3,024	19.2
1998	18,696	100	1,705	9.1	8,365	44.7	4,449	23.8	4,177	22.3
1999	21,044	100	2,144	10.2	9,398	44.7	4,236	20.1	5,266	25.0
2000	20,917	100	2,209	10.6	9,362	44.8	3,702	17.7	5,644	27.0
2001	21,180	100	1,849	8.7	8,932	42.2	4,281	20.2	6,118	28.9
2002	19,800	100	1,547	7.8	8,052	40.7	3,945	19.9	6,256	31.6
2003	17,296	100	1,371	7.9	7,344	42.5	3,017	17.4	5,564	32.2

Note: Data are reported for the year in which the conviction occurred and may include convictions resulting from arrests made in prior years. Data for all years are revised by the Source as additional information becomes available.

<sup>d</sup>Includes marijuana, hashish, and hashish oil.

<sup>e</sup>Includes stimulants (e.g., methamphetamine), depressants (e.g., barbiturates), and hallucinogens (e.g., LSD and PCP).

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>Includes morphine, opium, and other opiate-related substances.

<sup>c</sup>Includes crack.

Source: Table adapted by SOURCEBOOK staff from table provided by the U.S. Department of Justice, Drug Enforcement Administration, Defendant Statistical System.

Table 5.41

**Antitrust cases filed in U.S. District Courts**By type of case, 1975-2003<sup>a</sup>

	U.S. Government cases					Private cases	
	Total	U.S. Government cases		Private cases			
		Number	Percent	Number	Percent		
1975	1,467	92	6.3%	1,375	93.7%		
1976	1,574	70	4.4	1,504	95.6		
1977	1,689	78	4.6	1,611	95.4		
1978	1,507	72	4.8	1,435	95.2		
1979	1,312	78	5.9	1,234	94.1		
1980	1,535	78	5.1	1,457	94.9		
1981	1,434	142	9.9	1,292	90.1		
1982	1,148	111	9.7	1,037	90.3		
1983	1,287	95	7.4	1,192	92.6		
1984	1,201	101	8.4	1,100	91.6		
1985	1,142	90	7.9	1,052	92.1		
1986	922	84	9.1	838	90.9		
1987	858	100	11.6	758	88.4		
1988	752	98	13.0	654	87.0		
1989	738	99	13.4	639	86.6		
1990	542	90	16.6	452	83.4		
1991	743	93	12.5	650	87.5		
1992	566	85	15.0	481	84.9		
1993	724	86	11.9	638	88.1		
1994	729	71	9.7	658	90.3		
1995	819	75	9.2	744	90.8		
1996	720	73	10.1	647	89.9		
1997	632	62	9.8	570	90.2		
1998	605	57	9.4	548	90.6		
1999	684	76	11.1	608	88.9		
2000	901	90	10.0	811	90.0		
2001	751	44	5.9	707	94.1		
2002	850	44	5.2	806	94.8		
2003	773	44	5.7	729	94.3		

Note: U.S. Government cases include both civil and criminal filings, and include cases where the Government was a plaintiff or a defendant. Data for 1975-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Data for 1988-91 have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Percents may not add to 100 because of rounding.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1985, p. 156; 1986, pp. 176, 238; 1995, pp. 139, 209; 1998, pp. 143, 212; 1999, pp. 137, 206 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director*, 1984, p. 151; 1987, pp. 178, 257; 1988, pp. 181, 260; 1989, pp. 177, 258; 1990, pp. 137, 187; 1991, pp. 190, 243; 1992, pp. 179, 250; 1993, pp. A1-55, A53; 1994, Tables C-2 and D-2; 1996, pp. 136, 205; 1997, pp. 129, 198 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director*, pp. 136, 205; 2001 *Annual Report of the Director*, pp. 131, 195; 2002 *Annual Report of the Director*, pp. 130, 195; 2003 *Annual Report of the Director*, pp. 127, 195 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.42

## Length of civil and criminal trials completed in U.S. District Courts

By circuit and district, fiscal year 2003

Circuit and district	Total number of trials	Civil trials							Criminal trials						
		Total	1 day	2 days	3 days	4 to 9 days	10 to 19 days	20 days and over	Total	1 day	2 days	3 days	4 to 9 days	10 to 19 days	20 days and over
Total	12,948	5,830	2,408	941	686	1,515	241	39	7,118	3,586	1,196	860	1,221	188	67
District of Columbia	221	62	20	14	3	19	4	2	159	65	14	21	50	5	4
First Circuit	451	267	66	40	37	99	23	2	184	70	25	20	50	13	6
Maine	57	24	9	5	3	4	3	0	33	21	5	4	3	0	0
Massachusetts	198	109	17	17	14	49	11	1	89	28	15	9	27	8	2
New Hampshire	32	14	3	1	3	7	0	0	18	9	3	1	5	0	0
Rhode Island	49	39	12	6	4	16	1	0	10	3	0	2	3	2	0
Puerto Rico	115	81	25	11	13	23	8	1	34	9	2	4	12	3	4
Second Circuit	1,147	641	237	99	63	200	32	10	506	178	51	69	163	27	18
Connecticut	136	93	34	12	10	30	5	2	43	12	3	6	14	4	4
New York:															
Northern	79	45	7	11	6	21	0	0	34	14	2	6	7	4	1
Eastern	354	219	103	27	16	56	13	4	135	43	19	29	33	6	5
Southern	471	247	77	44	25	84	13	4	224	69	21	22	96	11	5
Western	68	22	8	3	5	5	1	0	46	23	4	4	10	2	3
Vermont	39	15	8	2	1	4	0	0	24	17	2	2	3	0	0
Third Circuit	927	548	195	96	67	159	28	3	379	187	48	43	77	16	8
Delaware	91	59	21	7	5	23	3	0	32	23	5	3	1	0	0
New Jersey	168	109	35	20	15	28	9	2	59	19	8	4	15	7	6
Pennsylvania:															
Eastern	249	147	36	33	17	53	8	0	102	18	16	21	40	6	1
Middle	230	127	67	15	16	28	1	0	103	83	9	4	4	2	1
Western	161	97	35	17	13	25	6	1	64	37	9	7	11	0	0
Virgin Islands	28	9	1	4	1	2	1	0	19	7	1	4	6	1	0
Fourth Circuit	1,193	385	203	64	39	69	8	2	808	468	148	84	93	11	4
Maryland	210	75	40	8	10	13	3	1	135	67	18	12	34	3	1
North Carolina:															
Eastern	50	10	2	4	1	3	0	0	40	15	12	2	10	1	0
Middle	88	25	12	3	0	9	1	0	63	30	19	10	4	0	0
Western	76	16	10	0	1	5	0	0	60	21	15	12	12	0	0
South Carolina	203	94	50	9	9	24	2	0	109	61	14	22	8	3	1
Virginia:															
Eastern	351	94	44	25	10	12	2	1	257	195	32	13	13	2	2
Western	102	33	22	6	3	2	0	0	69	40	14	5	9	1	0
West Virginia:															
Northern	31	15	9	5	1	0	0	0	16	3	8	4	0	1	0
Southern	82	23	14	4	4	1	0	0	59	36	16	4	3	0	0
Fifth Circuit	1,905	806	420	141	89	148	8	0	1,099	699	206	102	80	9	3
Louisiana:															
Eastern	151	120	47	35	19	19	0	0	31	19	6	1	3	2	0
Middle	97	38	29	3	4	2	0	0	59	55	2	1	1	0	0
Western	89	49	26	12	7	4	0	0	40	14	14	8	4	0	0
Mississippi:															
Northern	68	39	15	12	4	8	0	0	29	15	7	5	2	0	0
Southern	82	51	23	5	9	14	0	0	31	13	11	1	6	0	0
Texas:															
Northern	318	132	66	21	15	26	4	0	186	153	11	5	16	0	1
Eastern	204	111	60	19	7	23	2	0	93	57	13	16	6	0	1
Southern	604	181	112	21	15	33	0	0	423	278	75	36	27	7	0
Western	292	85	42	13	9	19	2	0	207	95	67	29	15	0	1
Sixth Circuit	1,074	483	192	81	63	125	20	2	591	281	112	80	93	20	5
Kentucky:															
Eastern	76	34	7	4	12	10	1	0	42	22	8	3	6	3	0
Western	98	32	15	7	6	3	1	0	66	45	7	5	7	2	0
Michigan:															
Eastern	161	60	11	13	7	26	3	0	101	28	25	17	26	4	1
Western	100	47	27	6	2	10	2	0	53	25	12	6	10	0	0
Ohio:															
Northern	122	73	30	7	11	21	3	1	49	15	8	6	15	4	1
Southern	138	70	34	6	6	20	4	0	68	38	5	9	11	3	2
Tennessee:															
Eastern	103	46	24	10	4	6	1	1	57	35	8	11	1	1	1
Middle	157	79	32	16	13	14	4	0	78	51	9	10	7	1	0
Western	119	42	12	12	2	15	1	0	77	22	30	13	10	2	0

See notes at end of table.

Table 5.42

## Length of civil and criminal trials completed in U.S. District Courts

By circuit and district, fiscal year 2003--Continued

Circuit and district	Total number of trials	Civil trials							Criminal trials						
		Total	1 day	2 days	3 days	4 to 9 days	10 to 19 days	20 days and over	Total	1 day	2 days	3 days	4 to 9 days	10 to 19 days	20 days and over
Seventh Circuit	765	393	180	71	45	79	17	1	372	176	62	53	68	12	1
Illinois:															
Northern	254	146	41	26	19	47	12	1	108	29	11	21	37	9	1
Central	83	50	24	11	8	7	0	0	33	18	5	6	4	0	0
Southern	77	38	15	10	3	8	2	0	39	23	3	4	9	0	0
Indiana:															
Northern	114	38	20	8	4	6	0	0	76	52	7	10	5	2	0
Southern	150	84	66	8	4	5	1	0	66	35	20	4	6	1	0
Wisconsin:															
Eastern	47	13	3	2	3	4	1	0	34	9	13	8	4	0	0
Western	40	24	11	6	4	2	1	0	16	10	3	0	3	0	0
Eighth Circuit	947	476	205	86	71	99	12	3	471	188	95	85	94	9	0
Arkansas:															
Eastern	135	90	35	19	16	19	1	0	45	24	5	6	9	1	0
Western	52	43	13	14	9	6	1	0	9	3	3	0	3	0	0
Iowa:															
Northern	81	22	10	3	4	4	1	0	59	28	16	8	7	0	0
Southern	100	15	9	2	0	4	0	0	85	58	7	11	9	0	0
Minnesota:															
Northern	86	50	13	5	6	18	6	2	36	3	2	12	14	5	0
Missouri:															
Eastern	138	90	46	16	12	15	0	1	48	14	12	9	13	0	0
Western	110	74	34	17	6	14	3	0	36	9	12	8	6	1	0
Nebraska:															
Northern	128	55	30	6	9	10	0	0	73	28	8	17	19	1	0
South	37	11	4	0	4	3	0	0	26	6	8	6	5	1	0
North Dakota:															
Northern	80	26	11	4	5	6	0	0	54	15	22	8	9	0	0
South Dakota:															
Ninth Circuit	1,832	641	176	98	73	224	59	11	1,191	586	210	127	223	36	9
Alaska:															
Northern	34	13	2	1	2	8	0	0	21	8	2	4	7	0	0
South	189	64	14	11	12	20	6	1	125	52	26	18	24	4	1
California:															
Northern	150	83	17	14	3	32	16	1	67	21	8	4	29	4	1
Eastern	110	39	6	6	3	15	7	2	71	30	17	6	12	4	2
Central	385	204	55	24	26	79	15	5	181	56	25	23	65	11	1
Southern	297	41	13	7	4	12	5	0	256	150	48	28	25	4	1
Hawaii:															
Northern	51	8	1	2	0	4	1	0	43	21	6	3	8	3	2
South	48	14	1	2	2	8	1	0	34	10	6	8	7	3	0
Idaho:															
Northern	125	15	6	5	1	3	0	0	110	64	31	9	6	0	0
South	118	55	19	11	6	15	3	1	63	24	17	13	8	1	0
Oregon:															
Northern	150	45	20	8	7	8	2	0	105	81	12	3	9	0	0
Washington:															
Eastern	94	18	11	2	2	2	1	0	76	55	8	2	9	2	0
Western	69	37	10	4	4	16	2	1	32	12	4	5	11	0	0
Guam:															
Northern	7	4	1	1	1	1	0	0	3	1	0	1	1	0	0
Northern Marianas:															
Northern	5	1	0	0	0	1	0	0	4	1	0	0	2	0	1
Tenth Circuit	925	403	141	60	48	142	10	2	522	324	79	57	51	9	2
Colorado:															
Northern	161	88	18	15	9	44	1	1	73	45	7	8	11	1	1
South	198	67	35	6	4	20	1	1	131	102	8	7	11	2	1
New Mexico:															
Northern	143	51	21	5	13	12	0	0	92	62	15	12	3	0	0
Oklahoma:															
Northern	80	48	17	11	6	13	1	0	32	20	4	4	3	1	0
Eastern	41	16	13	1	1	1	0	0	25	18	3	1	2	1	0
Western	101	68	21	10	10	26	1	0	33	13	6	8	5	1	0
Utah:															
Northern	133	37	11	10	4	10	2	0	96	39	34	14	8	1	0
South	68	28	5	2	1	16	4	0	40	25	2	3	8	2	0
Wyoming:															
Eleventh Circuit	1,561	725	373	91	88	152	20	1	836	364	146	119	179	21	7
Alabama:															
Northern	147	60	30	10	9	9	2	0	87	59	15	7	5	1	0
Middle	89	49	33	7	3	6	0	0	40	19	7	6	8	0	0
Southern	64	11	3	3	2	3	0	0	53	35	12	4	2	0	0
Florida:															
Northern	149	34	20	7	5	2	0	0	115	84	18	6	7	0	0
Middle	373	220	139	15	16	43	7	0	153	45	34	26	41	4	3
Southern	378	171	61	32	19	53	5	1	207	28	29	50	82	14	4
Georgia:															
Northern	231	112	54	10	16	29	3	0	119	59	17	13	28	2	0
Middle	70	44	22	3	12	4	3	0	26	12	6	5	3	0	0
Southern	60	24	11	4	6	3	0	0	36	23	8	2	3	0	0

Note: This table includes trials conducted by district and appellate judges only. Trials conducted by magistrate judges and sentencing hearings are excluded. Includes trials of miscellaneous cases, hearings on temporary restraining orders and preliminary injunctions, hearings on contested motions, and other contested proceedings in which evidence is introduced.

Source: Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2003 Annual Report of the Director* (Washington, DC: USGPO, 2004), pp. 165-167.

Table 5.43

**Median amount of time from filing to disposition of criminal defendants in U.S. District Courts**

By method of disposition, and circuit and district, fiscal year 2003

Circuit and district	Total		Dismissed		Plea of guilty		Court (bench) trial		Jury trial	
	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)
Total	83,530	6.2	7,957	6.8	72,110	6.0	620	2.6	2,843	12.3
District of Columbia	515	10.0	46	8.0	428	10.1	1	B	40	13.6
First Circuit	2,078	11.0	162	12.1	1,795	10.7	31	1.5	90	15.9
Maine	196	6.4	15	9.8	169	6.2	2	B	10	10.5
Massachusetts	556	14.2	25	21.8	493	13.0	8	B	30	15.9
New Hampshire	208	8.4	17	7.1	186	8.5	0	X	5	B
Rhode Island	127	6.3	7	B	113	6.3	0	X	7	B
Puerto Rico	991	12.2	98	13.9	834	12.1	21	1.2	38	17.6
Second Circuit	5,403	10.7	216	12.2	4,901	10.3	16	14.9	270	17.9
Connecticut	439	9.4	41	12.2	375	9.1	2	B	21	18.1
New York:										
Northern	417	8.8	9	B	390	8.4	1	B	17	13.9
Eastern	1,907	10.7	38	19.7	1,798	10.3	4	B	67	16.8
Southern	1,903	11.5	76	11.6	1,677	11.0	7	B	143	18.5
Western	525	9.1	23	25.2	485	8.1	2	B	15	27.7
Vermont	212	11.0	29	4.8	176	11.5	0	X	7	B
Third Circuit	3,408	8.9	358	8.0	2,870	8.6	10	8.8	170	14.7
Delaware	168	8.0	17	6.0	141	7.8	0	X	10	11.6
New Jersey	1,038	7.9	120	3.0	870	7.9	2	B	46	21.2
Pennsylvania:										
Eastern	1,079	10.5	68	37.1	929	10.0	3	B	79	14.7
Middle	371	10.7	29	7.7	326	10.5	0	X	16	17.6
Western	444	7.8	51	5.2	385	8.2	0	X	8	B
Virgin Islands	308	1.6	73	20.2	219	0.4	5	B	11	14.6
Fourth Circuit	9,276	5.8	1,757	3.5	7,043	5.9	129	2.6	347	10.2
Maryland	1,316	5.1	457	2.4	784	6.9	23	3.3	52	14.4
North Carolina:										
Eastern	1,055	6.8	230	25.1	790	6.4	8	B	27	10.7
Middle	392	5.2	27	5.8	335	5.0	1	B	29	6.5
Western	734	14.7	98	27.8	589	13.9	0	X	47	20.4
South Carolina	1,227	8.4	149	8.7	1,044	8.3	3	B	31	10.2
Virginia:										
Eastern	3,295	3.5	716	1.9	2,410	3.8	90	2.0	79	7.2
Western	622	8.3	41	9.3	530	8.2	2	B	49	9.7
West Virginia:										
Northern	288	6.2	19	9.9	257	6.2	1	B	11	9.6
Southern	347	6.0	20	3.2	304	6.0	1	B	22	8.2
Fifth Circuit	15,065	5.1	1,001	5.6	13,714	5.0	47	8.7	303	9.0
Louisiana:										
Eastern	568	6.5	28	5.6	530	6.4	1	B	9	B
Middle	167	5.9	14	1.4	148	6.2	2	B	3	B
Western	449	7.3	60	5.9	370	7.3	0	X	19	11.1
Mississippi:										
Northern	183	6.9	9	B	157	6.4	0	X	17	10.7
Southern	532	6.3	55	12.2	459	6.2	1	B	17	9.1
Texas:										
Northern	1,277	5.8	111	6.3	1,129	5.8	4	B	33	7.7
Eastern	716	7.5	66	5.6	614	7.4	2	B	34	10.6
Southern	5,516	4.5	341	4.4	5,060	4.5	24	8.7	91	8.4
Western	5,657	4.9	317	5.9	5,247	4.8	13	6.9	80	7.8
Sixth Circuit	5,799	7.4	665	7.7	4,870	7.2	25	5.9	239	11.3
Kentucky:										
Eastern	552	6.4	48	6.3	469	6.4	3	B	32	11.0
Western	742	6.1	206	7.2	515	5.9	8	B	13	9.0
Michigan:										
Eastern	860	9.8	110	11.9	689	9.4	3	B	58	13.1
Western	483	6.6	32	9.0	416	6.4	1	B	34	9.8
Ohio:										
Northern	963	6.6	43	9.9	901	6.5	3	B	16	11.3
Southern	568	7.1	26	15.0	521	7.1	3	B	18	12.1
Tennessee:										
Eastern	733	6.3	83	5.2	620	6.4	2	B	28	12.5
Middle	288	10.3	24	7.4	244	10.0	0	X	20	13.7
Western	610	8.8	93	7.6	495	8.7	2	B	20	11.0

See notes at end of table.

Table 5.43

**Median amount of time from filing to disposition of criminal defendants in U.S. District Courts**

By method of disposition, and circuit and district, fiscal year 2003--Continued

Circuit and district	Total		Dismissed		Plea of guilty		Court (bench) trial		Jury trial	
	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)	Number of defendants	Median amount of time <sup>a</sup> (in months)
Seventh Circuit	3,430	8.0	230	9.4	3,020	7.7	11	11.0	169	15.1
Illinois:										
Northern	1,346	9.6	78	22.6	1,205	9.1	1	B	62	19.0
Central	473	7.8	51	3.5	407	7.9	1	B	14	15.4
Southern	384	6.8	22	4.1	355	6.8	0	X	7	B
Indiana:										
Northern	440	8.2	40	13.0	367	7.7	2	B	31	15.4
Southern	296	7.8	20	13.0	251	7.4	2	B	23	12.0
Wisconsin:										
Eastern	307	7.5	10	6.1	272	7.4	2	B	23	10.3
Western	184	5.7	9	B	163	5.6	3	B	9	B
Eighth Circuit	4,925	7.3	282	5.9	4,358	7.2	16	12.0	269	10.8
Arkansas:										
Eastern	290	9.4	26	7.9	245	9.2	0	X	19	19.7
Western	202	5.6	2	B	193	5.5	0	X	7	B
Iowa:										
Northern	442	8.9	18	6.5	381	8.7	1	B	42	13.2
Southern	432	7.8	14	4.6	385	7.7	1	B	32	10.7
Minnesota:	516	7.8	23	7.0	449	7.6	4	B	40	10.7
Missouri:										
Eastern	896	5.9	63	4.5	805	5.9	4	B	24	8.1
Western	735	8.8	31	5.5	677	8.6	3	B	24	15.4
Nebraska:	767	7.7	53	7.3	680	7.6	1	B	33	10.8
North Dakota:	260	5.5	16	5.1	223	5.1	1	B	20	9.1
South Dakota:	385	5.9	36	5.6	320	5.9	1	B	28	8.3
Ninth Circuit	18,564	5.4	1,985	11.8	16,138	5.1	59	4.6	382	14.3
Alaska:	236	5.0	52	2.6	165	5.2	3	B	16	7.7
Arizona:	5,196	4.3	212	8.5	4,950	4.3	5	B	29	14.0
California:										
Northern	876	10.6	111	23.1	717	9.6	9	B	39	22.9
Eastern	1,138	8.2	95	15.3	1,023	7.9	2	B	18	21.0
Central	1,990	9.1	134	10.9	1,770	8.6	5	B	81	20.8
Southern	3,816	3.2	143	3.3	3,631	3.2	3	B	39	9.1
Hawaii:	994	19.5	524	69.8	453	8.2	3	B	14	15.7
Idaho:	329	7.1	42	5.8	268	7.1	0	X	19	9.8
Montana:	473	6.9	107	2.7	326	7.3	6	B	34	10.9
Nevada:	815	7.6	106	13.4	676	7.4	2	B	31	10.0
Oregon:	842	8.5	88	8.9	725	8.2	3	B	26	19.7
Washington:										
Eastern	467	7.3	73	5.4	376	7.5	3	B	15	8.4
Western	1,265	4.7	280	4.6	961	4.7	14	4.6	10	8.8
Guam:	98	10.5	13	3.6	81	11.5	0	X	4	B
Northern Marianas:	29	6.7	5	B	16	5.2	1	B	7	B
Tenth Circuit	6,302	5.0	644	5.2	5,506	4.9	16	8.9	136	13.5
Colorado:	743	7.0	103	5.2	613	7.0	2	B	25	20.1
Kansas:	626	7.5	46	4.9	555	7.5	7	B	18	13.8
New Mexico:	2,534	3.4	137	15.5	2,374	3.3	0	X	23	16.9
Oklahoma:										
Northern	222	8.6	47	39.0	164	7.9	0	X	11	13.1
Eastern	101	4.6	13	1.5	85	4.9	0	X	3	B
Western	820	1.4	148	0.9	646	1.6	2	B	24	9.9
Utah:	1,029	6.1	137	12.3	871	5.7	5	B	16	24.2
Wyoming:	227	5.8	13	5.3	198	5.6	0	X	16	7.4
Eleventh Circuit	8,765	5.9	611	6.8	7,467	5.8	259	0.1	428	10.0
Alabama:										
Northern	651	5.8	105	2.9	500	5.9	12	0.8	34	7.2
Middle	254	6.8	31	5.1	191	6.6	2	B	30	10.2
Southern	342	6.6	15	9.1	301	6.4	3	B	23	7.7
Florida:										
Northern	646	4.8	34	2.0	576	4.7	9	B	27	8.1
Middle	1,650	7.0	54	9.4	1,488	6.8	5	B	103	9.9
Southern	2,546	6.2	101	8.1	2,271	5.9	21	15.2	153	13.5
Georgia:										
Northern	978	7.1	119	18.0	822	6.5	6	B	31	10.9
Middle	1,225	0.1	90	4.4	916	0.1	201	0.1	18	10.8
Southern	473	5.0	62	5.3	402	4.9	0	X	9	B

Note: See Note, table 5.24. The median is the number that marks the point below which and above which 50% of all cases fall.

Source: Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2003 Annual Report of the Director* (Washington, DC: USGPO, 2004), pp. 218-220.

<sup>a</sup>Computed on 10 or more defendants only.

Table 5.44

**Felony convictions in State courts**By offense, United States, 2000<sup>a</sup>

Most serious conviction offense	Felony convictions	
	Number	Percent
All offenses	924,700	100%
Violent offenses	173,200	18.7
Murder, nonnegligent manslaughter <sup>b</sup>	8,600	0.9
Murder	6,400	0.7
Nonnegligent manslaughter	2,100	0.2
Sexual assault, rape	31,500	3.4
Rape	10,600	1.1
Other sexual assault	20,900	2.3
Robbery	36,800	4.0
Armed	10,400	1.1
Unarmed	11,000	1.2
Unspecified	15,300	1.7
Aggravated assault	79,400	8.6
Other violent <sup>c</sup>	17,000	1.8
Property offenses	262,000	28.3
Burglary	79,300	8.6
Residential	10,900	1.2
Nonresidential	16,300	1.8
Unspecified	52,100	5.6
Larceny	100,000	10.8
Motor vehicle theft	11,900	1.3
Other theft <sup>d</sup>	88,100	9.5
Fraud, forgery, embezzlement	82,700	8.9
Fraud, embezzlement	40,500	4.4
Forgery	42,200	4.6
Drug offenses	319,700	34.6
Possession	116,300	12.6
Trafficking	203,400	22.0
Marijuana	25,300	2.7
Other	54,400	5.9
Unspecified	123,700	13.4
Weapons offenses	28,200	3.1
Other offenses <sup>e</sup>	141,600	15.3

Note: These data are from the National Judicial Reporting Program (NJRP), a biennial survey of State felony courts. Data were collected for the U.S. Department of Justice, Bureau of Justice Statistics by the U.S. Census Bureau. The 2000 NJRP survey was based on a sample of 344 counties selected to be nationally representative. The sample included the District of Columbia and at least one county from every State except, by chance, Delaware, Montana, and Wyoming. Only offenses that State penal codes define as felonies are included. Excluded are Federal courts and State or local courts that did not adjudicate adult felony cases. Data specifying the conviction offense were available for the estimated total of 924,700 convicted felons. These data are estimates derived from a sample and therefore are subject to sampling variation.

For survey sampling procedures and definitions of terms, see Appendix 12.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>In a small number of cases where it was unclear whether the offense was murder or manslaughter, the case was classified under nonnegligent manslaughter.

<sup>c</sup>Includes offenses such as negligent manslaughter and kidnaping.

<sup>d</sup>When vehicle theft could not be distinguished from other theft, the case was coded as other theft. This results in a conservative estimate of vehicle thefts.

<sup>e</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 2000*, Bulletin NCJ 198821 (Washington, DC: U.S. Department of Justice, June 2003), p. 2, Table 1.

Table 5.45

**Characteristics of felony offenders convicted in State courts**By offense, United States, 2000<sup>a</sup>

Most serious conviction offense	Percent of convicted felons who were:														
	Total	Sex		Race			Age							Mean (in years)	Median (in years)
		Male	Female	White	Black	Other	Under 20 years	20 to 29 years	30 to 39 years	40 to 49 years	50 to 59 years	60 years and older			
All offenses	100%	83%	17%	54%	44%	2%	8%	39%	30%	18%	4%	1%	32	30	
Violent offenses	100	90	10	53	44	3	10	42	27	15	4	2	31	29	
Murder, nonnegligent manslaughter	100	91	9	43	54	3	9	49	23	13	4	2	30	27	
Sexual assault, rape	100	98	2	68	28	4	7	35	29	18	7	4	34	32	
Rape	100	98	2	64	35	1	8	34	30	17	7	4	34	32	
Other sexual assault	100	98	2	70	25	5	7	35	29	18	7	4	34	32	
Robbery	100	93	7	35	64	1	21	50	20	8	1	(b)	26	23	
Aggravated assault	100	86	14	55	42	3	8	41	29	16	5	1	32	30	
Other violent <sup>c</sup>	100	89	11	67	31	2	7	37	31	19	5	1	33	32	
Property offenses	100	75	25	59	39	2	9	40	30	17	3	1	31	30	
Burglary	100	92	8	62	36	2	17	43	25	13	2	(b)	28	26	
Larceny, motor vehicle theft	100	75	25	58	40	2	8	38	31	18	4	1	32	31	
Motor vehicle theft	100	90	10	63	32	5	13	48	27	10	2	(b)	28	26	
Fraud, forgery, embezzlement	100	59	41	58	40	2	3	39	35	18	4	1	33	32	
Drug offenses	100	83	17	46	53	1	6	40	30	19	4	1	32	31	
Possession	100	81	19	49	50	1	4	34	33	23	5	1	33	33	
Trafficking	100	84	16	44	55	1	6	43	28	18	4	1	31	30	
Weapons offenses	100	95	5	44	54	2	10	47	23	14	4	2	31	28	
Other offenses <sup>d</sup>	100	88	12	66	32	2	6	34	33	20	6	1	33	33	

Note: See Note, table 5.44. Data on sex were available for 712,835 of the estimated total of 924,700 convicted felons; figures on race for 618,843; and figures on age for 765,902. For survey sampling procedures and definitions of terms, see Appendix 12.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 2000*, Bulletin NCJ 198821 (Washington, DC: U.S. Department of Justice, June 2003), p. 6. Table adapted by SOURCEBOOK staff.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Less than 0.5%.

<sup>c</sup>Includes offenses such as negligent manslaughter and kidnapping.

<sup>d</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Table 5.46

**Felony convictions in State courts**By offense and method of conviction, United States, 2000<sup>a</sup>

Most serious conviction offense	Trial							
	Total		Jury		Bench		Guilty plea	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
All offenses	45,700	5%	29,300	3%	16,400	2%	879,200	95%
Violent offenses	19,700	11	15,300	9	4,400	2	153,500	89
Murder, nonnegligent manslaughter	3,600	42	3,200	38	400	4	5,000	58
Sexual assault, rape	3,700	12	3,100	10	600	2	27,800	88
Rape	2,100	19	1,700	16	400	3	8,600	81
Other sexual assault	1,700	8	1,400	7	300	1	19,300	92
Robbery	4,100	11	3,100	8	1,100	3	32,700	89
Aggravated assault	6,800	9	4,700	6	2,100	3	72,600	91
Other violent <sup>b</sup>	1,500	9	1,200	7	300	2	15,500	91
Property offenses	7,000	3	3,700	2	3,300	1	255,000	97
Burglary	2,800	3	1,800	2	1,000	1	76,500	97
Larceny, motor vehicle theft	2,600	3	1,300	2	1,300	1	97,400	97
Motor vehicle theft	300	2	200	1	100	1	11,700	98
Fraud, forgery, embezzlement	1,700	2	700	1	1,100	1	81,100	98
Drug offenses	12,000	4	6,300	2	5,800	2	307,400	96
Possession	3,300	3	1,400	1	1,900	2	112,700	97
Trafficking	8,700	4	4,800	2	3,900	2	194,700	96
Weapons offenses	2,100	7	1,000	3	1,100	4	26,100	93
Other offenses <sup>c</sup>	4,800	3	3,000	2	1,800	1	137,200	97

Note: See Note, table 5.44. Data on type of conviction were available for 558,871 of the estimated total of 924,700 convicted felons. However, figures include estimates for cases missing a designation on method of conviction. For survey sampling procedures and definitions of terms, see Appendix 12.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Includes offenses such as negligent manslaughter and kidnapping.

<sup>c</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 2000*, Bulletin NCJ 198821 (Washington, DC: U.S. Department of Justice, June 2003), p. 8, Table 9; p. 9, Table 10. Table adapted by SOURCEBOOK staff.

Table 5.47

**Felony sentences imposed by State courts**By offense, United States, 2000<sup>a</sup>

Most serious conviction offense	Total	Percent of felons sentenced to:			
		Total	Prison	Jail	Probation
All offenses	100%	68%	40%	28%	32%
Violent offenses	100	78	54	24	22
Murder, nonnegligent manslaughter	100	95	93	2	5
Sexual assault, rape	100	84	64	20	16
Rape	100	90	70	20	10
Other sexual assault	100	80	60	20	20
Robbery	100	89	74	15	11
Aggravated assault	100	71	40	31	29
Other violent <sup>b</sup>	100	71	42	29	29
Property offenses	100	64	37	27	36
Burglary	100	76	52	24	24
Larceny, motor vehicle theft	100	63	33	30	37
Motor vehicle theft	100	73	41	32	27
Fraud, forgery, embezzlement	100	54	29	25	46
Drug offenses	100	67	38	29	33
Possession	100	64	33	31	36
Trafficking	100	69	41	28	31
Weapons offenses	100	70	41	29	30
Other offenses <sup>c</sup>	100	66	32	34	34

Note: See Note, table 5.44. Data on sentence type were available for 919,387 of the estimated total of 924,700 convicted felons. For persons receiving a combination of sentences, the sentence designation came from the most serious penalty imposed—prison being the most serious, followed by jail, then probation. "Prison" includes sentences to death. Felons receiving a sentence other than incarceration or probation are included in "probation." For survey sampling procedures and definitions of terms, see Appendix 12.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Includes offenses such as negligent manslaughter and kidnaping.

<sup>c</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 2000*, Bulletin NCJ 198821 (Washington, DC: U.S. Department of Justice, June 2003), p. 2, Table 2.

Table 5.48

**Mean and median maximum length of felony sentences imposed by State courts**

By offense, United States, 2000

Most serious conviction offense	Maximum sentence length for felons sentenced to:			
	Total	Prison	Jail	Probation
(In months)				
<u>Mean sentence</u>				
All offenses	36	55	6	38
Violent offenses	66	91	7	44
Murder, nonnegligent manslaughter	242	248	18	64
Sexual assault, rape	87	108	8	64
Rape	110	136	8	79
Other sexual assault	73	92	8	61
Robbery	82	94	11	52
Aggravated assault	37	59	6	40
Other violent <sup>a</sup>	33	50	7	36
Property offenses	27	42	6	38
Burglary	39	52	7	41
Larceny, motor vehicle theft	21	34	6	37
Motor vehicle theft	18	27	5	37
Fraud, forgery, embezzlement	21	34	6	37
Drug offenses	30	47	6	36
Possession	20	34	5	33
Trafficking	35	52	7	39
Weapons offenses	25	38	7	36
Other offenses <sup>b</sup>	22	38	6	40
<u>Median sentence</u>				
All offenses	16	36	5	36
Violent offenses	36	60	6	36
Murder, nonnegligent manslaughter	264	291	12	60
Sexual assault, rape	48	70	6	60
Rape	72	96	6	60
Other sexual assault	36	60	6	60
Robbery	60	61	10	48
Aggravated assault	16	36	5	36
Other violent <sup>a</sup>	16	34	5	36
Property offenses	12	27	5	36
Burglary	24	36	6	36
Larceny, motor vehicle theft	12	24	5	36
Motor vehicle theft	12	24	4	36
Fraud, forgery, embezzlement	12	24	4	36
Drug offenses	12	36	5	36
Possession	10	24	3	24
Trafficking	18	36	6	36
Weapons offenses	16	24	6	36
Other offenses <sup>b</sup>	12	24	4	36

Note: See Notes, tables 5.44 and 5.47. Means exclude sentences to death or to life in prison. The median sentence is the sentence length that marks the point below which and above which 50% of all sentence lengths fall. Sentence length data were available for 852,616 convicted felons sentenced to incarceration and probation. For survey sampling procedures and definitions of terms, see Appendix 12.

<sup>a</sup>Includes offenses such as negligent manslaughter and kidnaping.

<sup>b</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 2000*, Bulletin NCJ 198821 (Washington, DC: U.S. Department of Justice, June 2003), p. 4.

Table 5.49

**Felons sentenced to additional penalties by State courts**

By offense and type of penalty, United States, 2000

Most serious conviction offense	Community				
	Fine	Restitution	Treatment <sup>a</sup>	service	Other
All offenses	25%	14%	7%	5%	7%
Violent offenses	20	13	7	4	7
Murder, nonnegligent manslaughter	9	11	3	1	3
Sexual assault, rape	19	11	9	3	8
Rape	14	10	8	2	8
Other sexual assault	22	11	9	4	8
Robbery	13	13	3	3	4
Aggravated assault	22	13	8	6	10
Other violent <sup>b</sup>	36	15	6	5	4
Property offenses	24	26	7	6	7
Burglary	21	24	6	5	6
Larceny, motor vehicle theft	24	25	6	7	9
Motor vehicle theft	19	27	5	5	19
Fraud, forgery, embezzlement	27	31	8	6	7
Drug offenses	27	6	7	6	7
Possession	20	4	12	7	12
Trafficking	31	6	5	5	4
Weapons offenses	19	6	4	5	8
Other offenses <sup>c</sup>	27	10	7	6	9

Note: See Note, table 5.44. Additional penalties are penalties imposed in addition to the primary penalty of jail, prison, or probation. Examples of penalties in the category "other" are community control, house arrest, work release, drug testing, and loss of driver's license. Where the data indicated affirmatively that a particular additional penalty was imposed, the case was coded accordingly. Where the data did not indicate affirmatively or negatively, the case was treated as not having an additional penalty. These procedures provide a conservative estimate of the prevalence of additional penalties. Persons receiving more than one type of additional penalty appear under more than one penalty heading. For survey sampling procedures and definitions of terms, see Appendix 12.

<sup>a</sup>Includes any type of counseling, rehabilitation, treatment, or mental hospital confinement.

<sup>b</sup>Includes offenses such as negligent manslaughter and kidnaping.

<sup>c</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 2000*, Bulletin NCJ 198821 (Washington, DC: U.S. Department of Justice, June 2003), p. 10.

Table 5.50

**Time between arrest and sentencing for felons convicted in State courts**

By offense, United States, 2000

Most serious conviction offense	Median time (in days)	Cumulative percent sentenced within:				
		1 week	1 month	3 months	6 months	1 year
All offenses	153	2%	9%	30%	58%	86%
Violent offenses	186	1	5	22	48	81
Murder, nonnegligent manslaughter	369	(b)	1	3	13	50
Sexual assault, rape	220	1	2	13	39	79
Rape	219	1	3	14	41	78
Other sexual assault	220	1	2	12	37	79
Robbery	197	1	4	19	46	82
Aggravated assault	163	2	8	27	55	84
Other violent <sup>a</sup>	155	2	6	27	57	85
Property offenses	142	2	9	31	62	88
Burglary	145	1	9	30	61	87
Larceny, motor vehicle theft	134	2	11	35	64	88
Motor vehicle theft	90	3	16	50	78	93
Fraud, forgery, embezzlement	153	2	7	27	59	88
Drug offenses	145	2	11	34	59	86
Possession	118	4	18	42	65	89
Trafficking	158	1	8	30	56	85
Weapons offenses	151	1	9	31	58	86
Other offenses <sup>b</sup>	153	2	8	28	58	88

Note: See Note, table 5.44. The median marks the point below which and above which 50% of all cases fall. Data on time to dispose of felonies were available for 434,047 of the estimated total of 924,700 convicted felons. For survey sampling procedures and definitions of terms, see Appendix 12.

<sup>a</sup>Includes offenses such as negligent manslaughter and kidnaping.

<sup>b</sup>Composed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 2000*, Bulletin NCJ 198821 (Washington, DC: U.S. Department of Justice, June 2003), p. 9, Table 11.

Table 5.51

**Arrest offense of felony defendants in the 75 largest counties**United States, 2000<sup>a</sup>

Most serious arrest charge	Felony defendants	
	Number	Percent
All offenses	54,428	100%
Violent offenses	13,546	24.9
Murder	485	0.9
Rape	886	1.6
Robbery	2,930	5.4
Assault	6,607	12.1
Other violent	2,638	4.8
Property offenses	16,083	29.5
Burglary	3,983	7.3
Larceny/theft	4,473	8.2
Motor vehicle theft	1,623	3.0
Forgery	1,819	3.3
Fraud	2,121	3.9
Other property	2,064	3.8
Drug offenses	20,038	36.8
Trafficking	9,360	17.2
Other drug	10,678	19.6
Public-order offenses	4,761	8.7
Weapons	1,418	2.6
Driving-related	1,617	3.0
Other public-order	1,726	3.2

Note: These data were collected by the Pretrial Services Resource Center for the U.S. Department of Justice, Bureau of Justice Statistics as part of the State Court Processing Statistics program. The data are based on 40 of the 75 most populous counties in the United States and a sample of 14,877 felony cases collected from the 40 sampled counties. These cases represent the estimated 54,590 felony cases filed in the 75 counties in May 2000, and the felony defendants involved in these cases. The sample was designed and selected by the U.S. Census Bureau. These data are estimates derived from a sample and therefore are subject to sampling variation.

Data for the specific arrest charge were available for all cases. For methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

<sup>a</sup>Detail may not add to total because of rounding.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 2000*, NCJ 202021 (Washington, DC: U.S. Department of Justice, 2003), p. 2, Table 1.

Table 5.52

**Characteristics of felony defendants in the 75 largest counties**By arrest charge, United States, 2000<sup>a</sup>

Most serious arrest charge	Sex			Race, ethnicity					Age							
	Number of defendants	Male	Female	Number of defendants	White, non-Hispanic	Black, non-Hispanic	Other, non-Hispanic	Hispanic, any race	Number of defendants	Under 18 years	18 to 20 years	21 to 24 years	25 to 29 years	30 to 34 years	35 to 39 years	40 years and older
All offenses	54,337	81%	19%	53,522	30%	45%	2%	23%	54,249	3%	15%	16%	16%	15%	14%	21%
Violent offenses	13,518	85	15	13,362	26	46	2	26	13,487	5	16	18	16	13	13	19
Murder	485	96	4	478	21	50	2	27	485	10	17	18	20	13	10	13
Rape	886	99	1	886	32	40	3	25	886	1	18	16	15	15	14	21
Robbery	2,930	91	9	2,906	14	61	2	23	2,927	13	25	18	14	11	9	10
Assault	6,590	81	19	6,530	27	45	2	26	6,578	3	13	18	16	14	14	21
Other violent	2,627	82	18	2,563	35	33	3	29	2,612	1	12	16	17	13	16	26
Property offenses	16,052	75	25	15,557	34	45	3	18	16,038	3	17	15	17	15	14	19
Burglary	3,979	88	12	3,951	34	40	3	23	3,973	4	22	16	15	13	13	17
Larceny/theft	4,463	74	26	4,425	35	47	3	15	4,466	2	17	14	14	14	15	24
Motor vehicle theft	1,623	88	12	1,604	27	36	5	31	1,619	3	21	20	19	14	13	11
Forgery	1,819	63	37	1,796	42	43	2	14	1,812	2	14	16	19	18	15	17
Fraud	2,108	45	55	1,753	36	48	3	13	2,113	1	5	11	21	21	16	25
Other property	2,060	83	17	2,029	33	52	2	13	2,055	4	21	15	17	13	12	18
Drug offenses	20,022	81	19	19,899	27	47	2	24	19,977	2	14	15	16	15	15	22
Trafficking	9,350	83	17	9,299	21	52	2	25	9,316	3	17	17	17	15	13	18
Other drug	10,672	79	21	10,600	33	42	2	23	10,661	1	10	13	15	16	17	26
Public-order offenses	4,745	90	10	4,704	33	40	3	24	4,747	2	10	16	17	13	17	25
Weapons	1,410	93	7	1,404	17	56	2	25	1,411	5	20	22	19	11	11	12
Driving-related	1,613	92	8	1,594	48	28	3	21	1,613	(b)	4	10	17	14	23	32
Other public-order	1,722	85	15	1,706	32	39	2	27	1,724	1	8	15	16	14	15	30

Note: See Note, table 5.51. Data on sex of defendants were available for 99.8% of all cases; data on race, 98%; and data on age, 99.6%. U.S. Census Bureau data for 2000 indicate that the distribution of the population of the 75 largest counties was 58% white, non-Hispanic; 14% black, non-Hispanic; 9% other race, non-Hispanic; and 19% Hispanics of any race. For methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Less than 0.5%.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 2000*, NCJ 202021 (Washington, DC: U.S. Department of Justice, 2003), p. 4, Table 3 and p. 5, Tables 4 and 5. Table adapted by SOURCEBOOK staff.

Table 5.53

**Prior felony convictions of felony defendants in the 75 largest counties**By arrest charge, United States, 2000<sup>a</sup>

Most serious current arrest charge	Number of defendants	Percent of felony defendants									
		Total	Without prior felony conviction			With prior felony conviction					
			Total	Nonfelony only	No prior convictions	Total	Number of prior felony convictions				
						1	2 to 4	5 to 9	10 or more		
All offenses	52,178	100%	60%	18%	42%	40%	15%	18%	5%	1%	
Violent offenses	13,049	100	67	19	48	33	13	15	4	1	
Murder	473	100	66	13	53	34	16	15	3	0	
Rape	861	100	74	21	53	26	13	8	4	1	
Robbery	2,841	100	60	13	47	40	14	19	6	2	
Assault	6,375	100	67	21	46	33	14	15	4	1	
Other violent	2,499	100	73	20	53	27	12	14	2	0	
Property offenses	15,240	100	61	16	45	39	15	16	6	1	
Burglary	3,816	100	53	18	35	47	17	19	9	2	
Larceny/theft	4,342	100	62	17	45	38	14	17	5	1	
Motor vehicle theft	1,551	100	52	15	37	48	18	20	8	1	
Forgery	1,737	100	66	17	49	34	13	14	5	1	
Fraud	1,884	100	79	14	65	21	10	8	2	1	
Other property	1,910	100	63	18	45	37	14	15	5	2	
Drug offenses	19,315	100	56	18	38	44	16	21	6	1	
Trafficking	9,061	100	56	17	39	44	16	21	5	1	
Other drug	10,254	100	56	20	36	44	17	20	6	1	
Public-order offenses	4,574	100	54	21	33	46	17	23	5	1	
Weapons	1,358	100	57	13	44	43	15	23	5	0	
Driving-related	1,568	100	56	33	23	44	16	22	5	1	
Other public-order	1,649	100	50	16	34	50	19	24	6	1	

Note: See Note, table 5.51. Data on number of prior felony convictions were available for 96% of all cases. For methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 2000*, NCJ 202021 (Washington, DC: U.S. Department of Justice, 2003), p. 13.

<sup>a</sup>Detail may not add to total because of rounding.

Table 5.54

**Felony defendants released before or detained until case disposition in the 75 largest counties**By arrest charge, United States, 2000<sup>a</sup>

Most serious arrest charge	Number of defendants	Percent of felony defendants		
		Total	Released before case disposition	Detained until case disposition
All offenses	52,448	100%	62%	38%
Violent offenses	13,054	100	56	44
Murder	474	100	13	87
Rape	852	100	56	44
Robbery	2,863	100	44	56
Assault	6,333	100	61	39
Other violent	2,533	100	65	35
Property offenses	15,368	100	64	36
Burglary	3,885	100	49	51
Larceny/theft	4,300	100	68	32
Motor vehicle theft	1,598	100	46	54
Forgery	1,714	100	72	28
Fraud	1,956	100	85	15
Other property	1,915	100	71	29
Drug offenses	19,467	100	64	36
Trafficking	9,104	100	62	38
Other drug	10,363	100	66	34
Public-order offenses	4,559	100	66	34
Weapons	1,356	100	70	30
Driving-related	1,577	100	75	25
Other public-order	1,626	100	54	46

Note: See Note, table 5.51. Data on detention/release outcome were available for 96% of all cases. For methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

<sup>a</sup>Detail may not add to total because of rounding.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 2000*, NCJ 202021 (Washington, DC: U.S. Department of Justice, 2003), p. 16, Table 13.

Table 5.55

**Type of pretrial release or detention of felony defendants in the 75 largest counties**By arrest charge, United States, 2000<sup>a</sup>

Most serious arrest charge	Percent of felony defendants											Detained until case disposition	
	Released before case disposition										Emergency release		
	Total financial	Financial release				Nonfinancial release				Held on bail		Denied bail	
	Surety bond	Deposit bond	Full cash bond	Property bond	Total non-financial	Recognizance	Conditional	Unsecured					
All offenses	32%	24%	6%	2%	(b)	30%	16%	8%	6%	(b)	31%	7%	
Violent offenses	36	25	8	2	(b)	19	12	6	2	0%	35	9	
Murder	8	5	2	0	0%	4	3	1	0	0	41	46	
Rape	39	26	7	3	(b)	17	6	5	7	0	36	8	
Robbery	27	14	8	2	1	16	12	4	1	0	45	12	
Assault	40	29	9	2	(b)	20	11	6	2	0	32	7	
Other violent	39	32	4	4	0	26	15	8	1	0	30	5	
Property offenses	29	24	5	1	(b)	34	18	8	8	1	30	5	
Burglary	27	21	6	1	(b)	22	12	5	4	(b)	44	7	
Larceny/theft	32	28	4	1	1	36	19	11	6	(b)	27	5	
Motor vehicle theft	22	20	2	1	0	24	12	9	3	1	45	8	
Forgery	35	30	4	2	(b)	36	17	11	7	(b)	22	7	
Fraud	25	22	4	1	(b)	58	28	6	24	1	12	3	
Other property	31	21	7	2	(b)	39	25	7	7	2	25	3	
Drug offenses	31	22	7	1	(b)	33	16	11	7	(b)	30	5	
Trafficking	36	24	10	1	1	26	14	8	4	(b)	33	5	
Other drug	26	21	4	1	(b)	40	18	13	9	(b)	29	5	
Public-order offenses	38	26	8	2	(b)	28	18	7	4	1	26	8	
Weapons	44	19	18	2	0	25	17	5	6	1	27	3	
Driving-related	45	39	5	1	0	31	18	8	4	1	20	4	
Other public-order	25	19	3	2	(b)	27	19	7	2	(b)	31	16	

Note: See Note, table 5.51. Data on type of pretrial release or detention were available for 87% of all cases. For methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 2000*, NCJ 202021 (Washington, DC: U.S. Department of Justice, 2003), p. 17, Table 14.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Less than 0.5%.

Table 5.56

**Released felony defendants charged with misconduct and rearrested in the 75 largest counties**By arrest charge, United States, 2000<sup>a</sup>

Most serious arrest charge	Felony defendants released prior to case disposition		Failed to appear in court			Percent rearrested		
	Number	Percent charged with misconduct <sup>b</sup>	Total	Returned to court	Remained a fugitive	Total	Felony	Misdemeanor
All offenses	32,606	32%	22%	16%	6%	16%	10%	6%
Violent offenses	7,313	24	13	9	4	14	7	7
Murder	61	12	6	0	6	6	6	0
Rape	481	12	8	7	2	4	1	3
Robbery	1,256	33	17	10	7	21	14	7
Assault	3,856	23	13	10	4	13	6	7
Other violent	1,659	23	12	8	4	14	6	8
Property offenses	9,820	30	21	15	6	15	10	5
Burglary	1,914	32	21	16	5	16	11	6
Larceny/theft	2,935	31	23	16	7	15	10	4
Motor vehicle theft	731	31	21	16	5	15	12	3
Forgery	1,230	33	22	17	4	17	9	7
Fraud	1,659	18	15	11	5	6	3	3
Other property	1,351	37	25	16	9	22	16	6
Drug offenses	12,463	38	27	20	7	19	12	7
Trafficking	5,612	38	26	19	7	21	15	6
Other drug	6,851	38	28	21	7	17	10	7
Public-order offenses	3,010	30	20	15	4	16	9	7
Weapons	946	29	20	15	5	14	8	6
Driving-related	1,185	31	19	14	5	16	9	7
Other public-order	879	31	20	16	4	18	9	9

Note: See Note, table 5.51. Data were collected for up to 1 year; misconduct and rearrests occurring after the end of the 1-year study period are not included in the table. Data on the court appearance record for the current case were available for 99% of cases involving a defendant released prior to case disposition. All defendants who failed to appear in court and were not returned to the court during the 1-year study period are counted as fugitives. Some of these defendants may have been returned to the court at a later date. Rearrest data were available for 97% of released defendants. Information on rearrests occurring in jurisdictions other than the one granting the pretrial release was not always available. For methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Misconduct includes failure to appear in court, rearrest for a new offense, or a technical violation of release conditions that resulted in the revocation of pretrial release.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 2000*, NCJ 202021 (Washington, DC: U.S. Department of Justice, 2003), p. 21, Tables 19 and 20, and p. 22, Table 21. Table adapted by SOURCEBOOK staff.

Table 5.57

**Adjudication outcome for felony defendants in the 75 largest counties**By arrest charge, United States, 2000<sup>a</sup>

Most serious arrest charge	Number of defendants	Percent of felony defendants											Other outcome <sup>b</sup>
		Convicted									Not convicted		
		Total convicted	Felony			Misdemeanor			Total	Dismissed	Acquitted		
		Total	Plea	Trial	Total	Plea	Trial						
All offenses	47,290	64%	52%	49%	3%	12%	12%	(c)	27%	26%	1%	9%	
Violent offenses	11,288	56	42	38	4	14	13	(c)	39	37	2	6	
Murder	256	66	64	31	33	2	2	0%	30	28	2	5	
Rape	675	60	50	47	2	11	10	(c)	35	33	2	5	
Robbery	2,486	58	50	44	6	8	8	(c)	38	35	3	4	
Assault	5,635	52	35	32	3	16	16	1	42	40	2	6	
Other violent	2,237	62	46	43	3	16	16	(c)	32	31	1	6	
Property offenses	14,299	66	50	48	2	15	15	(c)	25	24	(c)	10	
Burglary	3,721	72	59	56	2	13	13	(c)	23	23	(c)	5	
Larceny/theft	3,839	66	49	46	3	17	16	1	24	23	(c)	10	
Motor vehicle theft	1,540	65	56	55	1	9	9	(c)	29	27	1	6	
Forgery	1,604	68	53	52	2	15	15	(c)	24	24	(c)	8	
Fraud	1,797	52	33	33	(c)	20	19	(c)	18	18	0	30	
Other property	1,798	62	45	43	2	17	17	(c)	34	33	1	4	
Drug offenses	17,473	65	58	56	2	7	7	(c)	23	23	(c)	11	
Trafficking	7,902	74	67	63	4	7	7	(c)	21	20	(c)	6	
Other drug	9,571	58	50	49	1	8	8	(c)	26	25	(c)	16	
Public-order offenses	4,229	72	56	53	2	17	17	(c)	22	21	1	5	
Weapons	1,276	69	56	53	3	13	13	0	27	24	3	4	
Driving-related	1,434	86	70	68	2	16	16	(c)	10	10	(c)	4	
Other public-order	1,519	63	42	40	2	21	20	(c)	30	29	1	7	

Note: See Note, table 5.51. Twelve percent of all cases were still pending adjudication at the end of the 1-year study period and are excluded from the table. Data on adjudication outcome were available for 99% of those cases that had been adjudicated. For methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Includes diversion and deferred adjudication.

<sup>c</sup>Less than 0.5%.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 2000*, NCJ 202021 (Washington, DC: U.S. Department of Justice, 2003), p. 24, Table 23.

Table 5.58

**Conviction offense of felony defendants in the 75 largest counties**

United States, 2000

Most serious conviction offense	Felony defendants	
	Number	Percent
All offenses	30,138	100%
All felonies	24,398	81.0
Violent offenses	4,298	14.3
Murder	150	0.5
Rape	234	0.8
Robbery	956	3.2
Assault	1,863	6.2
Other violent	1,095	3.6
Property offenses	7,361	24.4
Burglary	1,787	5.9
Larceny/theft	2,171	7.2
Motor vehicle theft	774	2.6
Forgery	911	3.0
Fraud	603	2.0
Other property	1,117	3.7
Drug offenses	10,118	33.6
Trafficking	4,481	14.8
Other drug	5,637	18.7
Public-order offenses	2,529	8.4
Weapons	789	2.6
Driving-related	1,054	3.5
Other public-order	686	2.3
Other felonies	91	0.3
Misdemeanors <sup>a</sup>	5,740	19.0

Note: See Note, table 5.51. Data on conviction offense were available for 100% of cases involving defendants who had been convicted. For methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

<sup>a</sup>Comprised of defendants with a felony arrest charge who were convicted of a misdemeanor.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 2000*, NCJ 202021 (Washington, DC: U.S. Department of Justice, 2003), p. 27, Table 28.

Table 5.59

**Type of sentence received by convicted defendants in the 75 largest counties**By conviction offense, United States, 2000<sup>a</sup>

Most serious conviction offense	Number of defendants	Percent of convicted defendants sentenced to:						
		Total	Incarceration			Nonincarceration		
			Total	Prison	Jail	Total	Probation	Fine
All offenses	28,810	100%	69%	33%	36%	31%	30%	1%
All felonies	23,385	100	73	40	33	27	27	(b)
Violent offenses	4,042	100	79	49	30	21	21	(b)
Murder	117	100	96	96	0	4	4	0
Rape	222	100	75	56	19	25	25	0
Robbery	874	100	86	73	12	14	14	1
Assault	1,781	100	78	42	36	22	22	(b)
Other violent	1,048	100	72	33	39	28	28	0
Property offenses	7,129	100	71	39	33	29	28	(b)
Burglary	1,737	100	78	49	29	22	22	0
Larceny/theft	2,107	100	69	33	36	31	31	(b)
Motor vehicle theft	760	100	84	51	33	16	16	0
Forgery	886	100	59	31	28	41	40	(b)
Fraud	577	100	65	27	38	35	35	0
Other property	1,062	100	70	37	33	30	29	1
Drug offenses	9,661	100	71	36	34	29	29	(b)
Trafficking	4,177	100	72	42	30	28	28	(b)
Other drug	5,483	100	70	32	38	30	29	1
Public-order offenses	2,433	100	74	44	30	26	26	(b)
Weapons	754	100	72	44	28	28	28	0
Driving-related	1,020	100	76	40	36	24	24	0
Other public-order	659	100	73	48	25	27	27	1
Misdemeanors <sup>c</sup>	5,425	100	53	1	53	47	41	6

Note: See Note, table 5.51. Data on type of sentence were available for 93% of cases involving defendants who had been convicted. Sixty-seven percent of jail sentences and 12% of prison sentences included a probation term. Sentences to incarceration or probation may have included a fine, restitution, community service, treatment, or other court-ordered conditions. Sentences to incarceration that were suspended are included in the probation category. Total for all felonies includes cases that could not be classified into one of the four major offense categories. For methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Less than 0.5%.

<sup>c</sup>Comprised of defendants with a felony arrest charge who were convicted of a misdemeanor.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 2000*, NCJ 202021 (Washington, DC: U.S. Department of Justice, 2003), p. 30.

Table 5.60

**Length of prison sentence received by felony defendants in the 75 largest counties**By conviction offense, United States, 2000<sup>a</sup>

Most serious felony conviction offense	Number of defendants	Felony defendants sentenced to prison								
		Number of months		Percent receiving a maximum sentence length in months of:						
		Mean <sup>b</sup>	Median	Total	1 to 24	25 to 48	49 to 72	73 to 120	Over 120 <sup>b</sup>	Life
All offenses	9,340	55	32	100%	46%	25%	13%	8%	6%	1%
Violent offenses	1,976	99	60	100	22	26	17	16	16	3
Murder	113	282	180	100	0	3	6	24	35	32
Rape	125	146	84	100	9	29	9	23	28	4
Robbery	642	97	60	100	15	21	24	18	21	1
Assault	748	77	48	100	25	31	16	17	9	2
Other violent	348	74	36	100	39	27	14	7	12	2
Property offenses	2,761	41	24	100	56	24	10	6	3	(c)
Burglary	851	56	36	100	42	28	13	10	6	1
Larceny/theft	696	32	24	100	64	22	8	4	2	0
Motor vehicle theft	386	26	24	100	71	19	7	2	0	0
Forgery	278	40	24	100	56	19	14	6	4	0
Fraud	155	37	24	100	60	24	12	0	4	0
Other property	394	38	24	100	56	25	8	9	2	0
Drug offenses	3,512	45	29	100	50	27	14	6	4	(c)
Trafficking	1,771	61	36	100	32	32	20	10	6	(c)
Other drug	1,741	30	24	100	67	21	7	2	1	(c)
Public-order offenses	1,059	39	24	100	54	25	13	6	2	(c)
Weapons	332	42	36	100	44	30	17	10	0	0
Driving-related	413	38	24	100	55	24	11	7	3	0
Other public-order	313	37	24	100	62	22	13	0	3	1

Note: See Note, table 5.51. Data on length of prison sentence were available for 100% of all cases in which a convicted defendant received a prison sentence. Twelve percent of prison sentences included a probation term and 16% included a fine. Table excludes portions of sentences that were suspended. Total for all offenses includes cases that could not be classified into one of the four major offense categories. For methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

<sup>a</sup>Detail may not add to total because of rounding.

<sup>b</sup>Excludes life sentences.

<sup>c</sup>Less than 0.5%.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 2000*, NCJ 202021 (Washington, DC: U.S. Department of Justice, 2003), p. 32, Table 31.

Table 5.61

**Characteristics of juvenile offenders in cases disposed by juvenile courts**By type of offense, United States, 2000<sup>a</sup>

	All offenses (N=1,657,533)	Type of offense			
		Person (N=378,604)	Property (N=678,683)	Drug (N=198,526)	Public-order (N=401,720)
Total	100%	100%	100%	100%	100%
<b>Sex</b>					
Male	75.4	72.5	75.4	83.2	74.1
Female	24.6	27.5	24.6	16.8	25.9
<b>Race</b>					
White	68.6	61.9	69.7	75.4	69.6
Black	28.1	35.1	26.3	22.2	27.3
Other <sup>b</sup>	3.3	3.0	4.0	2.4	3.1
<b>Age at referral to court</b>					
11 years and younger	5.0	7.3	6.3	0.5	2.8
12 years	5.3	7.3	6.0	1.7	4.1
13 years	10.0	12.5	10.9	5.2	8.8
14 years	16.1	17.5	16.8	12.1	15.7
15 years	21.1	20.2	20.8	21.4	22.3
16 years	23.0	19.9	22.0	30.0	24.2
17 years and older	19.4	15.3	17.2	29.0	22.0

Note: These data were collected by the National Center for Juvenile Justice (NCJJ) for the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. The data are gathered from courts with juvenile jurisdiction in participating States. Information reported is based on national estimates of delinquency cases disposed by juvenile courts in the United States during 2000 (N=1,657,533). The final sample included data reported by 1,991 jurisdictions in 35 States covering 71% of the Nation's youth population. These data were derived from a nonprobability sample of courts; therefore statistical confidence in the estimates cannot be determined. A case disposed refers to a definite action having been taken as the result of a referral to juvenile court, i.e., a plan of treatment was selected or initiated. These data files were developed by NCJJ and originally analyzed for the Juvenile Court Statistics series. For methodology, definitions of terms, and offenses within categories, see Appendix 14.

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>Includes persons having origin in any of the original peoples of North America, the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. Nearly all Hispanics were included in the "white" racial category.

Source: A. Stahl, T. Finnegan, and W. Kang, "Easy Access to Juvenile Court Statistics: 1985-2000" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2002. Available: <http://ojjdp.ncjrs.org/ojstatbb/ezajcs/> [Apr. 15, 2003]. Table constructed by SOURCEBOOK staff.

Table 5.62

**Type of offense in cases disposed by juvenile courts**By characteristics of juvenile offenders, United States, 2000<sup>a</sup>

Type of offense	All offenses	Age at referral to court											
		Sex		Race			Age at referral to court						
		Male	Female	White	Black	Other <sup>b</sup>	11 years and younger	12 years	13 years	14 years	15 years	16 years	17 years and older
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Person	22.8	22.0	25.5	20.6	28.5	20.3	33.4	31.4	28.4	24.7	21.9	19.7	18.0
Property	40.9	41.0	40.8	41.6	38.4	48.7	51.7	46.3	44.3	42.7	40.3	39.1	36.4
Drug	12.0	13.2	8.2	13.2	9.5	8.6	1.3	3.7	6.1	9.0	12.2	15.6	18.0
Public-order	24.2	23.8	25.5	24.6	23.6	22.4	13.6	18.5	21.2	23.6	25.7	25.5	27.6

Note: See Note, table 5.61. For methodology, definitions of terms, and offenses within categories, see Appendix 14.

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>Includes persons having origin in any of the original peoples of North America, the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. Nearly all Hispanics were included in the "white" racial category.

Source: A. Stahl, T. Finnegan, and W. Kang, "Easy Access to Juvenile Court Statistics: 1985-2000" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2002. Available: <http://ojjdp.ncjrs.org/ojstatbb/ezajcs/> [Apr. 16, 2003]. Table constructed by SOURCEBOOK staff.

Table 5.63

**Juvenile court case outcomes**

By characteristics of juvenile offenders and type of offense, United States, 2000

	Delinquency cases				Cases adjudicated delinquent				Nonadjudicated cases <sup>a</sup>			
	Detained prior to juvenile court disposition	Petitioned	Adjudicated delinquent	Transferred/ waived to adult court	Placed out of home	Placed on probation	Dismissed	Other <sup>b</sup>	Placed out of home	Placed on probation	Dismissed	Other <sup>b</sup>
Total	19.5%	57.8%	66.2%	0.6%	24.0%	63.1%	2.5%	10.3%	0.7%	27.5%	47.1%	24.7%
<b>Sex</b>												
Male	20.5	60.8	66.9	0.7	25.4	61.9	2.6	10.2	0.9	26.8	48.5	23.9
Female	16.2	48.6	63.8	B	18.7	67.7	2.5	11.1	0.4	29.3	43.3	27.0
<b>Race</b>												
White	17.5	55.1	67.2	0.5	22.8	63.6	2.2	11.4	0.9	29.2	44.1	25.8
Black	23.8	64.5	64.2	0.8	26.9	61.9	3.4	7.8	0.4	24.0	53.2	22.4
Other <sup>c</sup>	23.6	55.3	67.0	B	22.5	64.3	B	12.0	B	19.6	59.5	20.5
<b>Age at referral to court</b>												
11 years and younger	6.9	36.8	56.0	B	10.8	74.2	B	12.1	B	31.0	46.7	22.2
12 years	13.7	48.0	63.9	B	17.3	71.7	B	8.5	B	30.7	45.2	24.0
13 years	16.7	53.3	67.8	B	20.8	68.7	2.1	8.3	B	30.0	45.4	24.3
14 years	19.1	57.8	68.9	B	24.0	65.8	2.1	8.1	0.7	29.0	45.5	24.8
15 years	21.3	60.3	68.7	B	25.0	64.0	2.6	8.5	0.9	27.2	47.1	24.7
16 years	21.6	59.8	66.8	0.7	25.3	61.7	2.6	10.4	0.9	26.9	46.8	25.3
17 years and older	21.5	63.1	62.4	1.7	26.1	55.3	3.1	15.5	1.1	23.3	50.3	25.3
<b>Type of offense</b>												
Person	23.4	60.5	62.6	0.9	25.1	63.5	3.2	8.1	0.6	26.7	52.9	19.7
Property	15.7	54.8	66.9	0.6	22.4	64.9	2.3	10.4	0.6	28.9	42.9	27.6
Drug	19.0	60.6	67.9	B	20.2	62.3	3.3	14.2	B	28.7	43.9	26.6
Public-order	22.3	58.9	67.9	B	27.5	60.2	2.0	10.3	1.0	24.9	50.4	23.7

Note: See Note, table 5.61. For methodology, definitions of terms, and offenses within categories, see Appendix 14.

Source: A. Stahl, T. Finnegan, and W. Kang, "Easy Access to Juvenile Court Statistics: 1985-2000" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2002. Available: <http://ojjdp.ncjrs.org/ojstatbb/ezajcs/> [Apr. 16, 2003]. Table constructed by SOURCEBOOK staff.

<sup>a</sup>Includes petitioned cases that were not adjudicated delinquent and nonpetitioned cases.

<sup>b</sup>Includes dispositions such as fines, restitution, community service, and referrals outside the court for services with minimal or no further court involvement anticipated.

<sup>c</sup>Includes persons having origin in any of the original peoples of North America, the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. Nearly all Hispanics were included in the "white" racial category.

Table 5.64

**Juvenile court case outcomes**

By type of offense and race of juvenile offender, United States, 2000

Type of offense and race of offender	Delinquency cases		Petitioned cases		Cases adjudicated delinquent				Nonadjudicated cases <sup>a</sup>			
	Detained prior to juvenile court disposition	Petitioned	Adjudicated delinquent	Transferred/ waived to adult court	Placed out of home	Placed on probation	Dismissed	Other <sup>b</sup>	Placed out of home	Placed on probation	Dismissed	Other <sup>b</sup>
<b>Person</b>												
White	22.5%	57.6%	63.8%	B	24.6%	64.3%	2.8%	8.3%	0.9%	28.4%	50.0%	20.0%
Black	24.2	65.7	60.6	1.1%	26.1	62.2	3.9	7.8	B	23.7	56.1	18.9
<b>Property</b>												
White	14.1	52.9	67.5	0.6	21.5	65.3	1.9	11.4	0.7	30.1	40.1	28.6
Black	19.7	60.3	65.4	B	24.7	64.2	3.4	7.6	B	26.2	47.9	24.9
<b>Drug</b>												
White	15.0	55.7	69.3	B	16.2	64.4	2.9	16.5	B	30.7	39.7	28.7
Black	32.2	77.6	64.2	B	30.9	56.3	B	8.4	B	19.8	57.9	18.0
<b>Public-order</b>												
White	20.3	56.5	68.4	B	26.9	59.9	1.8	11.3	1.2	26.7	47.8	24.1
Black	26.8	64.8	66.9	B	29.3	60.5	2.6	7.6	B	21.2	54.9	23.0

Note: See Note, table 5.61. For methodology, definitions of terms, and offenses within categories, see Appendix 14.

Source: A. Stahl, T. Finnegan, and W. Kang, "Easy Access to Juvenile Court Statistics: 1985-2000" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2002. Available: <http://ojjdp.ncjrs.org/ojstatbb/ezajcs/> [Apr. 29, 2003]. Table constructed by SOURCEBOOK staff.

<sup>a</sup>Includes petitioned cases that were not adjudicated delinquent and nonpetitioned cases.

<sup>b</sup>Includes dispositions such as fines, restitution, community service, and referrals outside the court for services with minimal or no further court involvement anticipated.

Table 5.65

## Petitions filed in U.S. District Courts by Federal and State prisoners

By type of petition, 1977-2003

	Petitions by Federal prisoners							Petitions by State prisoners				
	Total	Total	Motions to vacate sentence	Habeas corpus	Mandamus, etc.	Civil rights	Prison conditions	Total	Habeas corpus	Mandamus, etc.	Civil rights	Prison conditions
1977	19,537	4,691	1,921	1,745	542	483	NA	14,846	6,866	228	7,752	NA
1978	21,924	4,955	1,924	1,851	544	636	NA	16,969	7,033	206	9,730	NA
1979	23,001	4,499	1,907	1,664	340	588	NA	18,502	7,123	184	11,195	NA
1980	23,287	3,713	1,322	1,465	323	603	NA	19,574	7,031	146	12,397	NA
1981	27,711	4,104	1,248	1,680	342	834	NA	23,607	7,790	178	15,639	NA
1982	29,303	4,328	1,186	1,927	381	834	NA	24,975	8,059	175	16,741	NA
1983	30,775	4,354	1,311	1,914	339	790	NA	26,421	8,532	202	17,687	NA
1984	31,107	4,526	1,427	1,905	372	822	NA	26,581	8,349	198	18,034	NA
1985	33,468	6,262	1,527	3,405	373	957	NA	27,206	8,534	181	18,491	NA
1986	33,765	4,432	1,556	1,679	427	770	NA	29,333	9,045	216	20,072	NA
1987	37,316	4,519	1,669	1,812	313	725	NA	32,797 <sup>a</sup>	9,542	276	22,972	NA
1988	38,839	5,130	2,071	1,867	330	862	NA	33,709	9,880	270	23,559	NA
1989	41,481	5,577	2,526	1,818	315	918	NA	35,904	10,554	311	25,039	NA
1990	42,630	6,611	2,970	1,967	525	1,149	NA	36,019	10,823	353	24,843	NA
1991	42,462	6,817	3,328	2,112	378	999	NA	35,645	10,331	268	25,046	NA
1992	48,423	6,997	3,983	1,507	597	910	NA	41,426	11,299	481	29,646	NA
1993	53,451	8,456	5,379	1,467	695	915	NA	44,995	11,587	390	33,018	NA
1994	57,940	7,700	4,628	1,441	491	1,140	NA	50,240	11,918	397	37,925	NA
1995	63,550	8,951	5,988	1,343	510	1,110	NA	54,599	13,632	398	40,569	NA
1996	68,235	13,095	9,729	1,703	444	1,219	NA	55,140	14,726	418	39,996	NA
1997	62,966	14,952	11,675	1,902	401	974	NA	48,014	19,956	397	27,661	NA
1998	54,715	9,937	6,287	2,321	346	641	342	44,778	18,838	461	13,115	12,364
1999	56,603	10,859	5,752	3,590	555	642	320	45,744	20,493	513	13,441	11,291
2000	58,257	11,880	6,341	3,870	628	736	305	46,377	21,349	564	13,415	11,049
2001	58,805	14,619	8,644	4,440	516	732	287	44,186	20,446	641	12,703	10,396
2002	55,295	12,190	6,107	4,483	554	771	275	43,105	19,616	571	13,268	9,650
2003	54,378	11,981	5,832	4,341	551	982	275	42,397	18,872	609	13,708	9,108
Percent change 2002 to 2003	-1.7%	-1.7%	-4.5%	-3.2%	-0.5%	27.4%	0%	-1.6%	-3.8%	6.7%	3.3%	-5.6%

Note: Petitions by Federal prisoners are suits brought against the Federal Government. Petitions by State prisoners are those petitions in which the State or its representative(s) is (are) named as the defendant(s). "Habeas corpus" is a writ utilized to bring a party before a court. In this case, the government must ensure that an individual's imprisonment conforms with the law. "Mandamus" is a writ issued by a superior court to an inferior court or to a public official, directing that a specified action be taken. Prisoners file mandamus petitions in order to compel a government official to perform a duty owed to the prisoner. "Civil rights" petitions are a means to seek relief from constitutional deprivations. Data for 1977-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Includes 7 motions to vacate sentence.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1985, p. 149; 1986, p. 176; 1995, p. 139; 1998, p. 143; 1999, p. 137 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director*, 1987, p. 179; 1988, p. 182; 1989, p. 178; 1990, p. 138; 1991, p. 191; 1992, p. 179; 1993, p. A1-55; 1994, Table C-2; 1996, p. 136; 1997, p. 129 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director*, p. 136; 2001 *Annual Report of the Director*, p. 131; 2002 *Annual Report of the Director*, p. 130; 2003 *Annual Report of the Director*, p. 127 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.66

**Appeals commenced, terminated, and pending, and judgeships authorized in U.S. Courts of Appeals**

1982-2003

	Appeals commenced				
	Number	Cases per three-judge panel	Terminated	Pending	Judge- ships authorized
1982	27,946	635	27,984	21,510	132
1983	29,630	673	28,660	22,480	132
1984	31,490	716	31,185	22,785	132
1985	33,360	642	31,387	24,758	156
1986	34,292	659	33,774	25,276	156
1987	35,176	676	34,444	26,008	156
1988	38,239	737	36,213	28,273	156
1989	39,900	767	37,509	30,614	156
1990	40,858	786	38,790	32,299	156
1991	43,027	773	41,640	33,428	167
1992	47,013	845	44,373	35,799	167
1993	50,224	902	47,790	38,156	167
1994	48,322	868	49,184	37,269	167
1995	50,072	899	49,805	37,310	167
1996	51,991	934	50,413	38,774	167
1997	52,319	940	51,194	39,846	167
1998	53,805	967	52,002	41,666	167
1999	54,693	983	54,088	42,225	167
2000	54,697	983	56,512	40,261	167
2001	57,464	1,032	57,422	39,996	167
2002	57,555	1,034	56,586	40,149	167
2003	60,847	1,093	56,396	44,600	167
Percent change					
2002 to 2003	5.7%	5.7%	-0.3%	11.1%	0%

Note: These data include criminal and civil appeals from U.S. District Courts, bankruptcy appeals, appeals from administrative agencies, and original proceedings. Three-judge panels represent full panels and hear appeal arguments. Data on the number of judges and cases filed in the Federal Circuit are excluded. Data for 1982-87 are reported for the 12-month period ending June 30. Beginning in 1988, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1992, p. 57, Table 1; 1997, p. 14, Table 1 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2002 Annual Report of the Director*, p. 16, Table 1; 2003 *Annual Report of the Director*, p. 14, Table 1 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.67

**Appeals from U.S. District Courts filed in U.S. Courts of Appeals**

By nature of suit or offense, 1980, 1985, 1990-2003

Nature of suit or offense	1980	1985	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
<b>Total cases</b>	19,259	28,560	36,609	37,410	41,543	44,236	42,983	44,365	47,026	45,935	48,057	46,931	46,487	47,327	47,068	46,358
<b>Total civil cases</b>	14,854	23,571	27,116	27,461	30,328	32,374	32,309	34,203	36,137	35,414	37,522	36,680	35,780	36,046	35,499	34,390
<b>U.S. cases</b>	4,654	6,744	6,626	6,663	7,137	7,858	7,533	7,919	8,750	8,986	9,816	9,221	8,695	9,705	9,424	8,589
U.S. plaintiff	869	914	935	991	1,012	985	923	809	728	557	638	634	608	495	466	377
Contract actions	99	99	146	116	165	196	126	95	89	55	50	62	108	62	45	27
Real property actions	101	111	88	98	81	134	102	62	63	37	43	50	29	26	19	23
Civil rights	62	68	121	100	89	53	83	78	80	71	98	64	62	49	57	48
Labor laws	68	68	62	68	59	44	49	37	26	23	25	23	22	25	27	11
All other <sup>a</sup>	539	568	518	609	618	558	563	537	470	371	422	435	387	333	318	268
U.S. defendant	3,785	5,830	5,691	5,672	6,125	6,873	6,610	7,110	8,022	8,429	9,178	8,587	8,087	9,210	8,958	8,212
Contract actions	179	141	133	159	206	232	180	139	131	90	107	106	73	58	68	65
Real property actions	63	77	82	107	91	114	99	97	110	64	74	56	72	57	61	44
Tort actions	324	404	381	384	396	369	376	356	463	350	293	276	273	472	243	256
Civil rights	454	720	693	744	796	899	873	898	948	898	963	990	895	848	876	874
Prisoner petitions:																
Motions to vacate sentence	450	551	1,112	1,154	1,467	1,818	1,774	2,215	3,078	3,870	4,066	3,356	2,671	3,470	3,368	2,907
Habeas corpus <sup>b</sup>	302	531	488	506	432	421	430	462	451	492	677	1,034	1,398	1,612	1,621	1,328
Prisoner civil rights	159	288	408	389	406	416	506	555	624	434	302	303	336	358	384	384
Prison conditions	NA	85 <sup>c</sup>	152	154	169	189	186	189								
Other prisoner petitions	96	140	253	289	239	247	229	225	293	302	327	364	381	509	506	542
Social Security laws	627	1,188	926	686	683	846	861	925	815	699	862	904	845	710	777	714
Tax suits	197	448	313	332	360	320	306	270	219	248	276	243	189	139	131	167
Environmental matters	NA	102	93	96	99	101	105	110	133	138	113	121	116	127	144	126
Freedom of Information Act	NA	130	93	98	136	142	98	81	94	106	109	78	78	76	65	58
All other <sup>d</sup>	934	1,110	716	728	814	948	773	777	663	653	857	602	591	585	528	558
<b>Private cases</b>	10,200	16,827	20,490	20,798	23,191	24,516	24,776	26,284	27,387	26,428	27,706	27,459	27,085	26,341	26,075	25,801
Federal question	7,728	12,910	16,370	16,668	18,795	19,930	20,824	22,496	23,533	22,630	24,250	24,076	23,885	23,122	23,003	22,640
Contract actions	252	586	561	628	737	631	768	578	642	553	606	633	513	564	445	453
Tort actions	497	749	737	742	750	783	744	813	686	687	666	901	589	641	638	600
Civil rights	2,145	3,648	3,915	3,844	4,339	5,030	5,638	6,001	6,242	6,923	7,405	7,052	6,995	6,393	6,515	5,843
Antitrust	343	310	214	190	162	197	197	164	160	166	169	146	106	121	102	117
Prisoner petitions:																
Habeas corpus <sup>b</sup>	1,020	2,172	3,170	3,391	3,725	3,612	3,642	3,927	4,423	4,475	6,054	6,782	7,234	7,145	7,115	7,304
Prisoner civil rights	1,578	2,772	4,413	4,655	5,396	6,044	6,385	7,528	8,053	5,358	3,814	2,925	2,681	2,585	2,729	2,761
Prison conditions	NA	1,103 <sup>c</sup>	1,937	2,178	2,295	2,366	2,269	2,180								
Other prisoner petitions	70	78	53	70	71	104	78	69	70	68	92	93	87	109	94	96
Labor laws	417	1,009	1,085	1,079	1,195	1,181	1,179	1,276	1,190	1,160	1,303	1,185	1,108	1,043	969	1,039
Copyright, patent, and trademark	270	275	349	306	377	394	401	443	447	450	491	465	504	497	485	492
Securities, commodities, exchange	NA	290	417	352	428	323	242	224	242	200	177	196	223	212	197	216
Constitutionality of State statutes	NA	104	96	100	117	87	106	123	96	133	129	121	133	99	110	98
All other	1,136	917	1,360	1,311	1,498	1,544	1,444	1,350	1,282	1,354	1,407	1,399	1,417	1,347	1,335	1,441
Diversity of citizenship	2,427	3,878	4,099	4,088	4,333	4,551	3,898	3,753	3,833	3,776	3,443	3,366	3,190	3,210	3,055	3,153
Contract actions	1,362	2,192	2,413	2,419	2,450	2,398	2,292	2,183	2,235	2,259	2,019	1,958	1,969	1,974	1,997	2,060
Tort actions	996	1,538	1,488	1,415	1,663	1,957	1,410	1,414	1,445	1,379	1,296	1,274	1,099	1,111	937	944
All other <sup>e</sup>	69	148	198	254	220	196	196	156	153	138	128	134	122	125	121	149
General local jurisdiction	45	39	21	42	63	35	54	35	21	22	13	17	10	9	17	8
Contract actions	10	NA	8	10	16	8	13	8	2	7	0	6	0	1	1	3
Tort actions	14	NA	3	18	14	14	21	11	3	4	6	7	6	5	3	0
Prisoner petitions	7	NA	1	0	2	0	0	0	4	1	1	2	0	0	0	0
All other <sup>e</sup>	14	NA	9	14	31	13	20	16	12	10	6	2	4	3	13	5
<b>Total criminal cases</b>	4,405	4,989	9,493	9,949	11,215	11,862	10,674	10,162	10,889	10,521	10,535	10,251	10,707	11,281	11,569	11,968
Homicide	52	49	81	66	79	83	126	114	142	140	119	118	97	90	121	79
Assault	NA	67	97	86	80	116	103	103	80	89	79	71	60	49	61	79
Robbery and burglary	310	300	400	463	547	596	528	353	289	305	319	268	312	318	295	269
Larceny and theft	244	242	267	225	238	262	302	250	278	275	269	221	237	241	211	235
Embezzlement and fraud	826	912	1,221	1,387	1,522	1,561	1,426	1,294	1,581	1,526	1,403	1,276	1,339	1,292	1,331	1,418
Motor vehicle theft	64	55	35	38	49	64	135	92	112	76	94	93	70	58	54	54
Drug offenses	1,369	2,063	5,658	5,570	5,936	5,900	5,104	4,499	5,099	4,750	4,845	4,513	4,450	4,529	4,688	4,562
Extortion, racketeering, and threats	251	263	119	136	167	157	150	122	204	218	163	205	201	149	158	167
Firearms, weapons	175	229	526	715	1,092	1,237	1,139	1,034	1,183	1,135	982	1,070	1,035	1,266	1,386	1,681
Forgery and counterfeiting	214	157	172	128	152	132	127	132	140	143	158	153	130	117	164	147
Immigration	NA	64	140	144	209	226	263	277	353	417	693	934	1,357	1,654	1,679	1,821
All other <sup>f</sup>	900	588	777	991	1,144	1,528	1,271	1,892	1,428	1,447	1,411	1,329	1,419	1,518	1,421	1,456

See notes on next page.

Table 5.67

**Appeals from U.S. District Courts filed in U.S. Courts of Appeals**

By nature of suit or offense, 1980, 1985, 1990-2003--Continued

Note: See Note, table 5.65. These data exclude bankruptcy appeals, appeals from administrative agencies, and original proceedings, and therefore will differ from figures presented in table 5.66. "Private cases" brought in U.S. District Courts include suits wherein litigation is between States and/or private citizens. "Prisoner petitions" included in this category are those filed by State prisoners naming a State or its representative(s) as the defendant(s). "Diversity of citizenship" refers to lawsuits between residents of different States. Since 1987, totals include reopened, remanded, and reinstated appeals as well as original appeals. Data for 1980 and 1985-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30.

<sup>a</sup>Includes tort actions; forfeiture and penalty; securities, commodities, and exchange; and tax suits.

<sup>b</sup>Includes death sentence cases.

<sup>c</sup>Collection of data for this category began on Jan. 1, 1997; therefore reported data are for 9 months.

<sup>d</sup>Includes labor suits.

<sup>e</sup>Includes real property actions.

<sup>f</sup>Includes sex offenses, bribery, gambling, lottery, kidnaping, escape, perjury, drunk driving/traffic, other miscellaneous general offenses, and Federal statutes such as agricultural acts and antitrust violations.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1980, pp. 366-369; 1985, p. 118; 1995, pp. 122-126; 1998, pp. 126-130; 1999, pp. 120-124 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director*, 1990, pp. 130-132; 1991, pp. 183, 184; 1992, pp. 166-170; 1993, pp. A1-38--A1-42; 1994, Table B-7; 1996, pp. 119-123; 1997, pp. 112-116 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2000 Annual Report of the Director*, pp. 114-118; *2001 Annual Report of the Director*, pp. 110-114; *2002 Annual Report of the Director*, pp. 109-113; *2003 Annual Report of the Director*, pp. 106-110 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.68

**Activities of the U.S. Supreme Court**

At conclusion of the October term, 1976-2002

October term	Argued during term	Disposed of by full opinions	Disposed of by per curiam opinions	Set for reargument	Granted review this term	Reviewed and decided without oral argument	Total available for argument at outset of following term
1976	176	154	22	0	169	207	88
1977	172	153	8	9	162	129	75
1978	168	153	8	8	163	110	79
1979	156	143	12	1	154	128	78
1980	154	144	8	2	183	130	102
1981	184	169	10	4	210	134	126
1982	183	174	6	3	179	135	113
1983	184	174	6	4	149	86	80
1984	175	159	11	5	185	82	87
1985	172	161	10	1	187	103	101
1986	175	164	10	1	167	113	91
1987	167	151	9	7	180	95	105
1988	170	156	12	2	147	110	81
1989	146	143	3	0	122	80	57
1990	125	121	4	0	141	115	70
1991	127	120	3	4	120	77	66
1992	116	111	4	0	97	113	46
1993	99	93	6	0	99	70	40
1994	94	91	3	0	93	69	39
1995	90	87	3	0	105	120	52
1996	90	87	3	0	87	82	48
1997 <sup>a</sup>	96	93	1	0	90	51	41
1998 <sup>a</sup>	90	84	4	2	81	59	30
1999	83	79	2	1	92	54	37
2000	86	83	4	0	99	127	49
2001	88	85	3	0	88	72	47
2002	84	79	5	0	91	66	40

Note: "Per curiam" refers to disposition of a case by the Court that is not accompanied by a full opinion. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Includes two dismissed cases.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1981, p. A-1; 1986, p. 135 (Washington, DC: Administrative Office of the United States Courts); Administrative Office of the United States Courts, *Annual Report of the Director*, 1991, p. 161; 1996, p. 82 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2002 Annual Report of the Director*, p. 72; *2003 Annual Report of the Director*, p. 69 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.69

## Cases filed, disposed of, and pending in the U.S. Supreme Court

By method of filing, at conclusion of the October term, 1976-2002

October term	Total	Method of filing			October term	Total	Method of filing		
		Original	Paid	In forma pauperis			Original	Paid	In forma pauperis
<u>1976</u>					<u>1990</u>				
Cases on docket	4,730	8	2,324	2,398	Cases on docket	6,316	14	2,351	3,951
Disposed of	3,918	2	1,852	2,064	Disposed of	5,481	3	2,042	3,436
Remaining on docket	812	6	472	334	Remaining on docket	835	11	309	515
<u>1977</u>					<u>1991</u>				
Cases on docket	4,704	14	2,341	2,349	Cases on docket	6,770	12	2,451	4,307
Disposed of	3,867	3	1,911	1,953	Disposed of	5,894	1	2,125	3,768
Remaining on docket	837	11	430	396	Remaining on docket	876	11	326	539
<u>1978</u>					<u>1992</u>				
Cases on docket	4,731	17	2,383	2,331	Cases on docket	7,245	12	2,441	4,792
Disposed of	4,017	0	2,021	1,996	Disposed of	6,402	1	2,140	4,261
Remaining on docket	714	17	362	335	Remaining on docket	843	11	301	531
<u>1979</u>					<u>1993</u>				
Cases on docket	4,781	23	2,509	2,249	Cases on docket	7,786	12	2,442	5,332
Disposed of	3,889	1	2,050	1,838	Disposed of	6,721	1	2,099	4,621
Remaining on docket	892	22	459	411	Remaining on docket	1,065	11	343	711
<u>1980</u>					<u>1994</u>				
Cases on docket	5,144	24	2,749	2,371	Cases on docket	8,100	11	2,515	5,574
Disposed of	4,196	7	2,222	1,950	Disposed of	7,170	2	2,185	4,983
Remaining on docket	948	17	527	421	Remaining on docket	930	9	330	591
<u>1981</u>					<u>1995</u>				
Cases on docket	5,311	22	2,935	2,354	Cases on docket	7,565	11	2,456	5,098
Disposed of	4,433	6	2,390	2,037	Disposed of	6,649	5	2,130	4,514
Remaining on docket	878	16	545	317	Remaining on docket	916	6	326	584
<u>1982</u>					<u>1996</u>				
Cases on docket	5,079	17	2,170	2,352	Cases on docket	7,602	7	2,430	5,165
Disposed of	4,201	3	2,190	2,008	Disposed of	6,739	2	2,124	4,613
Remaining on docket	878	14	520	344	Remaining on docket	863	5	306	552
<u>1983</u>					<u>1997</u>				
Cases on docket	5,100	18	2,688	2,394	Cases on docket	7,692	7	2,432	5,253
Disposed of	4,140	7	2,148	1,985	Disposed of	6,759	1	2,142	4,616
Remaining on docket	960	11	540	409	Remaining on docket	933	6	290	637
<u>1984</u>					<u>1998</u>				
Cases on docket	5,006	15	2,575	2,416	Cases on docket	8,083	7	2,387	5,689
Disposed of	4,261	8	2,175	2,078	Disposed of	7,045	2	2,092	4,951
Remaining on docket	745	7	400	338	Remaining on docket	1,038	5	295	738
<u>1985</u>					<u>1999</u>				
Cases on docket	5,158	10	2,571	2,577	Cases on docket	8,445	8	2,413	6,024
Disposed of	4,275	2	2,095	2,178	Disposed of	7,369	0	2,096	5,273
Remaining on docket	883	8	476	399	Remaining on docket	1,076	8	317	751
<u>1986</u>					<u>2000</u>				
Cases on docket	5,134	12	2,547	2,575	Cases on docket	8,965	9	2,305	6,651
Disposed of	4,360	1	2,105	2,254	Disposed of	7,762	2	2,024	5,736
Remaining on docket	774	11	442	321	Remaining on docket	1,203	7	281	915
<u>1987</u>					<u>2001</u>				
Cases on docket	5,268	16	2,577	2,675	Cases on docket	9,176	8	2,210	6,958
Disposed of	4,387	5	2,131	2,251	Disposed of	8,072	1	1,932	6,139
Remaining on docket	881	11	446	424	Remaining on docket	1,104	7	278	819
<u>1988</u>					<u>2002</u>				
Cases on docket	5,657	14	2,587	3,056	Cases on docket	9,406	7	2,190	7,209
Disposed of	4,911	2	2,271	2,638	Disposed of	8,388	1	1,899	6,488
Remaining on docket	746	12	316	418	Remaining on docket	1,018	6	291	721
<u>1989</u>									
Cases on docket	5,746	14	2,416	3,316					
Disposed of	4,989	2	2,096	2,891					
Remaining on docket	757	12	320	425					

Note: "Original" refers to those cases that were on the Supreme Court docket previously and were disposed of, but that subsequently were reinstated. For all cases other than "original" ones, a docket filing fee must be "paid." If the petitioner is indigent, the docket filing fee is waived and the case is filed "in forma pauperis."

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1981, p. A-1; 1986, p. 135 (Washington, DC: Administrative Office of the United States Courts); *Annual Report of the Director*, 1991, p. 161; 1996, p. 82 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2002 Annual Report of the Director*, p. 72; *2003 Annual Report of the Director*, p. 69 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.70

**Petitions for review on writ of certiorari to the U.S. Supreme Court filed, terminated, and pending**

By circuit and nature of proceeding, fiscal year 2003

Circuit and nature of proceeding	Pending		Terminated			Pending Sept. 30, 2003	Circuit and nature of proceeding	Pending		Terminated			Pending Sept. 30, 2003
	Oct. 1, 2002	Filed	Granted	Denied	Dis-missed			Oct. 1, 2002	Filed	Granted	Denied	Dis-missed	
Total	3,262	6,671	115	6,526	28	3,264	Sixth Circuit	194	543	9	496	5	227
Criminal	927	2,454	20	2,487	3	871	Criminal	42	147	0	135	0	54
U.S. civil	603	1,175	23	1,182	5	568	U.S. civil	25	87	0	80	1	31
Private civil	1,645	2,949	61	2,777	20	1,736	Private civil	124	300	8	272	4	140
Administrative appeals	87	93	11	80	0	89	Administrative appeals	3	9	1	9	0	2
District of Columbia	42	87	1	78	4	46	Seventh Circuit	122	433	4	407	1	143
Criminal	7	11	0	9	0	9	Criminal	40	124	0	120	0	44
U.S. civil	23	47	1	48	1	20	U.S. civil	34	142	2	120	1	53
Private civil	6	16	0	12	3	7	Private civil	48	163	2	164	0	45
Administrative appeals	6	13	0	9	0	10	Administrative appeals	0	4	0	3	0	1
First Circuit	91	69	8	88	0	64	Eighth Circuit	147	365	5	383	0	124
Criminal	24	24	3	26	0	19	Criminal	26	107	1	98	0	34
U.S. civil	19	13	3	20	0	9	U.S. civil	37	71	1	86	0	21
Private civil	47	31	2	41	0	35	Private civil	77	180	0	195	0	62
Administrative appeals	1	1	0	1	0	1	Administrative appeals	7	7	3	4	0	7
Second Circuit	478	295	5	327	1	440	Ninth Circuit	954	1,273	30	1,158	0	1,039
Criminal	130	84	1	97	1	115	Criminal	245	472	1	481	0	235
U.S. civil	70	42	1	45	0	66	U.S. civil	160	132	4	130	0	158
Private civil	273	167	3	184	0	253	Private civil	495	645	19	524	0	597
Administrative appeals	5	2	0	1	0	6	Administrative appeals	54	24	6	23	0	49
Third Circuit	165	426	4	429	2	156	Tenth Circuit	147	318	5	317	0	143
Criminal	40	125	0	129	0	36	Criminal	40	101	1	101	0	39
U.S. civil	30	86	2	86	1	27	U.S. civil	41	65	4	81	0	21
Private civil	92	210	2	209	1	90	Private civil	66	149	0	132	0	83
Administrative appeals	3	5	0	5	0	3	Administrative appeals	0	3	0	3	0	0
Fourth Circuit	213	782	21	763	5	206	Eleventh Circuit	320	777	12	823	7	255
Criminal	53	321	9	321	1	43	Criminal	105	262	1	286	0	80
U.S. civil	56	202	2	192	0	64	U.S. civil	82	195	2	217	1	57
Private civil	100	247	9	235	4	99	Private civil	131	310	9	315	6	111
Administrative appeals	4	12	1	15	0	0	Administrative appeals	2	10	0	5	0	7
Fifth Circuit	389	1,303	11	1,257	3	421							
Criminal	175	676	3	684	1	163							
U.S. civil	26	93	1	77	0	41							
Private civil	186	531	7	494	2	214							
Administrative appeals	2	3	0	2	0	3							

Note: "Writ of certiorari" is an order by the appellate court that is used when the court has discretion on whether to hear an appeal. If the appellate court grants the writ, it has the effect of ordering the lower court to certify the record and send it up to the higher court, which will then hear the appeal. "U.S. civil" filings involve suits against the Federal Government brought in U.S. District Courts. "Private civil" filings involve suits wherein litigation is between States and/or private citizens. "Administrative appeals" include applications for enforcement or petitions for review of orders of an administrative board or agency. Data for the U.S. Court of Appeals for the Federal circuit are not included in the above table. For a list of U.S. District Courts in each circuit, see table 5.11.

Source: Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2003 Annual Report of the Director* (Washington, DC: USGPO, 2004), pp. 79-81.

Table 5.71

## U.S. Supreme Court cases argued and decided on merits

At conclusion of the October term, 1982-2002

October term	Argued						Decided on merits <sup>a</sup>					
	Total	Government participating	Government as petitioner or appellant <sup>b</sup>	Government as respondent or appellee <sup>b</sup>	Government as amicus <sup>c</sup>	Government not participating	Total	Government participating	Decided in favor of Government's position <sup>b</sup>	Decided against Government's position <sup>b</sup>	Not classifiable as for or against <sup>b</sup>	Government not participating
<b>Number</b>												
1982	183	131	44	44	43	52	283	172	115	50	7	111
1983	184	118	46	33	39	66	262	150	124	23	3	112
1984	175	114	37	34	43	61	236	146	113	30	3	90
1985	171	106	39	24	43	65	275	139	99	35	5	136
1986	175	104	27	32	45	71	282	140	98	36	6	142
1987	167	106	36	34	36	61	251	135	82	38	15	116
1988	170	91	25	25	41	79	265	122	86	25	11	143
1989	146	89	26	23	40	57	224	108	67	39	2	116
1990	125	77	10	32	35	48	232	107	74	31	2	125
1991	123	84	26	17	41	39	183	103	76	22	5	80
1992	116	88	24	23	41	28	206	126	84	36	6	80
1993	99	70	11	20	39	29	157	97	56	37	4	60
1994	94	64	21	16	27	30	146	84	48	33	3	62
1995	90	68	13	28	27	22	189	129	50	70 <sup>d</sup>	9	60
1996	90	68	18	19	31	22	160	103	72	21	10	57
1997	96	70	13	26	31	26	146	83	55	26	2	63
1998	90	76	13	26	37	14	143	94	63	25	6	49
1999	81	58	12	21	25	23	131	77	43	33	1	54
2000	87	67	14	20	33	20	201	151	42	105 <sup>e</sup>	4	50
2001	88	75	21	21	33	13	158	92	71	21	0	66
2002	84	71	10	15	46	13	147	89 <sup>f</sup>	71	16	2	58
<b>Percent</b>												
1982	100%	72%	34%	34%	33%	28%	100%	61%	67%	29%	4%	39%
1983	100	64	39	28	33	36	100	57	83	15	2	43
1984	100	65	32	30	38	35	100	62	77	21	2	38
1985	100	62	37	23	41	38	100	51	71	25	4	49
1986	100	59	26	31	43	41	100	50	70	26	4	50
1987	100	63	34	32	34	37	100	54	61	28	11	46
1988	100	54	27	27	45	46	100	46	70	20	9	54
1989	100	61	29	26	45	39	100	48	62	36	2	52
1990	100	62	13	42	45	38	100	46	69	29	2	54
1991	100	68	31	20	49	32	100	56	74	21	5	44
1992	100	76	27	26	47	24	100	61	67	29	5	39
1993	100	71	16	29	56	29	100	62	58	38	4	38
1994	100	68	33	25	42	32	100	58	57	39	4	42
1995	100	76	19	41	40	24	100	68	39	54	7	32
1996	100	75	26	28	45	24	100	64	70	20	10	36
1997	100	73	19	37	44	27	100	57	66	31	2	43
1998	100	84	17	34	49	16	100	66	67	27	6	34
1999	100	72	15	26	31	28	100	59	33	25	1	41
2000	100	77	16	23	38	23	100	75	28	69	1	25
2001	100	85	28	28	44	15	100	58	77	23	0	42
2002	100	85	14	21	65	15	100	61	80	18	2	39

Note: These data represent actions taken during the annual terms of the U.S. Supreme Court. "Amicus" refers to a party who is not involved directly in the suit, but who demonstrates an interest in the case by filing a supportive brief. "Decided on merits" refers to a reassessment and resolution of the substantive issues presented in the case, and does not involve active participation of the litigants through the filing of written and oral arguments. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Includes cases in which the Government filed briefs as amicus curiae but did not participate in the argument.

<sup>d</sup>Includes 43 cases that were vacated and remanded for further consideration.

<sup>e</sup>Includes 66 cases that were vacated and remanded for further consideration.

<sup>f</sup>Includes 17 cases that were vacated and remanded and 1 case that was remanded for further consideration.

<sup>a</sup>Includes cases summarily affirmed, reversed, or vacated on the In Forma Pauperis Docket.

<sup>b</sup>Percent is based on the total cases in which the Government participated.

Source: Table adapted from tables provided to SOURCEBOOK staff by the U.S. Department of Justice, Office of the Solicitor General.

Table 5.72

**Executive clemency applications for Federal offenses received, disposed of, and pending in the Office of the U.S. Pardon Attorney**

Fiscal years 1953-2003

Fiscal year	Pending		Granted		Denied
	from previous fiscal year	Received	Pardons	Commutations	
1953	543 <sup>a</sup>	599	97	8	356
1954	681	461	55	7	348
1955	732	662	59	4	684
1956	647	585	192	9	568
1957	463	585	232	4	443
1958	369	406	98	6	302
1959	369	434	117	2	286
1960	398	437	149	5	244
1961	437 <sup>a</sup>	481	226	18	266
1962	408	595	166	16	315
1963	506	592	133	45	233
1964	687 <sup>a</sup>	921	315	73	437
1965	783	1,008	195	80	569
1966	947	865	364	81	726
1967	641	863	222	23	520
1968	739	749	13	3	415
1969	1,057 <sup>a</sup>	724	0	0	505
1970	1,276	459	82	14	698
1971	941	454	157	16	648
1972	574	516	235	20	410
1973	425	485	202	5	341
1974	362	426	187	8	337
1975	256	610	147	9	325
1976	385	742	106	11	442
1977	568 <sup>a</sup>	738	129	8	301
1978	868	641	162	3	836
1979	508	710	143	10	448
1980	617	523	155	11	498
1981	474 <sup>a</sup>	547	76	7	259
1982	679	462	83	3	547
1983	508	447	91	2	306
1984	556	447	37	5	326
1985	635	407	32	3	279
1986	728	362	55	0	290
1987	745	410	23	0	311
1988	824	384	38	0	497
1989	673 <sup>a</sup>	373	41	1	392
1990	616	354	0	0	289
1991	681	318	29	0	681
1992	289	379	0	0	192
1993	476 <sup>a</sup>	868	36	2	251
1994	1,048	808	0	0	785
1995	1,071	612	53	3	588
1996	1,039	512	0	0	371
1997	1,174	685	0	0	555
1998	1,304	608	21	0	378
1999	1,512	1,009	34	14	601
2000 <sup>b</sup>	1,872	1,388	70	6	1,027
2001 <sup>c</sup>	2,153 <sup>a</sup>	1,828	218	40	483
2002	3,310	1,248	0	0	2,278
2003	2,281	1,023	7	0	1,050

Note: Article II, Section 2 of the U.S. Constitution authorizes the President to grant executive clemency for Federal criminal offenses. The U.S. Pardon Attorney, in consultation with the Attorney General's office, receives and reviews all petitions for executive clemency, initiates the necessary investigations, and prepares the recommendations of the Attorney General to the President. Clemency may be a reprieve, remission of fine or restitution, commutation, or pardon. A "pardon," which is generally considered only after sentence completion, restores basic civil rights and may aid in the reinstatement of professional or trade licenses that may have been lost as a result of the conviction. A "commutation" is a reduction of sentence. Commutations include remission of fines. Petitions denied also include those that are closed administratively. Cases in which multiple forms of relief were granted are counted in only one category. The figures presented in this table do not include clemency actions on draft resisters, or military deserters and absentees during the Vietnam war era. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>In inaugural years, these figures are for the outgoing Administration.

<sup>b</sup>In addition to the six commutations, President Clinton granted one reprieve of an execution date during fiscal year 2000.

<sup>c</sup>In addition to the 40 commutations, President Clinton granted 1 reprieve of an execution date during fiscal year 2001.

Source: U.S. Department of Justice, Office of the Pardon Attorney [Online]. Available: [http://www.usdoj.gov/pardon/actions\\_administration.htm](http://www.usdoj.gov/pardon/actions_administration.htm) [July 6, 2004]; and data provided by the U.S. Department of Justice, Office of the Pardon Attorney. Table adapted by SOURCEBOOK staff.

Table 5.73

**Arrests and convictions handled by the U.S. Postal Inspection Service**

Fiscal years 1981-2003

Fiscal year	Total		Mail fraud	
	Arrests	Convictions	Arrests	Convictions
1981	5,358	5,410	1,100	1,046
1982	5,658	4,783	1,026	966
1983	6,254	5,019	1,194	938
1984	6,426	5,095	1,272	1,042
1985	7,115	5,570	1,142	887
1986	8,620	6,608	1,435	1,131
1987	9,006	7,732	1,304	1,206
1988	10,470	8,114	1,488	1,015
1989	11,502	9,479	1,543	1,225
1990	12,060	9,614	1,699	1,486
1991	13,513	10,320	1,772	1,297
1992	14,578	11,359	1,904	1,582
1993	14,263	12,428	1,965	1,900
1994	11,514	10,588	1,730	1,571
1995	10,920	10,038	1,538	1,473
1996	10,540	9,097	1,547	1,342
1997	10,668	10,013	1,545	1,533
1998	10,095	9,642	1,396	1,533
1999	10,395	9,337	1,523	1,370
2000	11,356	9,393	1,633	1,377
2001	11,873	9,914	1,691	1,477
2002	10,828	9,588	1,634	1,453
2003	11,161	9,783	1,453	1,387

Note: The U.S. Postal Inspection Service is the law enforcement agency of the U.S. Postal Service. Responsibilities include enforcing over 200 statutes related to crime against the mail, the Postal Service, Postal Service employees, and customers. The Office of Inspector General (OIG), established in 1996, is an independent agency within the Postal Service. The OIG's main responsibilities are to prevent and detect fraud, waste, program abuse and mismanagement; promote efficiency of operations; and conduct investigations of revenue and cost containment issues. The Postal Inspection Service continues to be primarily concerned with the security and integrity of the mail, postal employees, and their environments; and conducts investigations relating to these responsibilities. Data for 1997 to 2000 include the activities of both the Postal Inspection Service and the OIG.

Arrests and convictions include joint investigations with other Federal law enforcement agencies. Convictions reported in a given year may be the result of arrests made during a previous year.

Source: U.S. Postal Service, U.S. Postal Inspection Service, *Semiannual Report, April 1 - September 30, 1991*, p. 55; *April 1 - September 30, 1992*, p. 65; *April 1 - September 30, 1993*, p. 60; *April 1 - September 30, 1994*, p. 63; *April 1 - September 30, 1995*, p. 47; *April 1 - September 30, 1996*, p. 56 (Washington, DC: U.S. Postal Inspection Service); U.S. Postal Service, Office of Inspector General, *Semiannual Report, April 1 - September 30, 1997*, p. 63; *April 1, 1998 - September 30, 1998*, pp. 100, 101; *October 1, 1998 - March 31, 1999*, p. 104; *April 1, 1999 - September 30, 1999*, p. 118; *October 1, 1999 - March 31, 2000*, p. 138; *April 1 - September 30, 2000*, p. 115 (Washington, DC: U.S. Postal Service); U.S. Postal Inspection Service, *2001 Annual Report of Investigations of the United States Postal Inspection Service*, p. 58; *2002*, p. 62; *2003*, p. 75 (Washington, DC: U.S. Postal Inspection Service); and data provided by the U.S. Postal Service, U.S. Postal Inspection Service. Table constructed by SOURCEBOOK staff.

Table 5.74

**Arrests and convictions handled by the U.S. Postal Inspection Service**

By type of offense, fiscal year 2003

Type of offense	Arrests	Convictions
Total	11,161	9,783
<u>Internal crime</u>		
Narcotics	31	29
Miscellaneous	87	57
<u>External crime</u>		
Burglary	128	115
Robbery	61	70
Assault	356	274
Miscellaneous	448	351
<u>Prohibited mailings</u>		
Pornography/obscenity	320	289
Controlled substances	1,378	1,180
Bombs, threats, hoaxes, and explosive devices	99	82
Miscellaneous	128	125
<u>Revenue and Asset Protection Program</u>		
Financial and expenditure investigations	285	271
Workers' Compensation fraud	50	43
Revenue investigations	68	54
Mail fraud	1,453	1,387
Mail theft	6,269	5,456

Note: See Note, table 5.73. Internal crimes are those involving employees of the U.S. Postal Service and external crimes are those committed by individuals or groups outside the organization. Narcotics cases include both employees and non-employees selling narcotics on postal property. Miscellaneous internal crimes include theft of postal property and sabotage of equipment. Assault includes threats and assaults against on-duty postal employees. Miscellaneous external crimes include counterfeit and contraband postage, money order offenses, vandalism, and arson. Pornography/obscenity includes mailing of child pornography, obscenity, or sexually-oriented advertisements. Controlled substances include narcotics, steroids, drug-related proceeds, and drug paraphernalia. Miscellaneous prohibited mailings include hazardous material, firearms and weapons, intoxicants, extortion, and false documents.

The Revenue and Asset Protection Program (RAPP) was established in 1995 and combines portions of the audit and criminal investigation activities. The objective of RAPP is to give priority to the protection of postal revenue and assets. Activities include reviewing internal controls, examining unfavorable trends and significant variations in activity, and pursuing information received through financial audits, customer complaints, and anonymous tips.

Source: U.S. Postal Inspection Service, *2003 Annual Report of Investigations of the United States Postal Inspection Service* (Washington, DC: U.S. Postal Inspection Service, 2004), p. 75. Table adapted by SOURCEBOOK staff.

Table 5.75

**Prosecutions for violations of U.S. immigration and naturalization laws**

By type of case and disposition, and aggregate fines and imprisonment imposed, fiscal years 1990, 1993-2003

Type of case and disposition	1990	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Total, all cases	20,079	18,731	14,854	17,035	16,115	19,180	23,826	22,491	22,926	24,316	23,852	24,917
Dismissals <sup>a</sup>	7,310	6,806	4,558	4,836	3,886	2,972	2,281	1,962	2,079	3,169	2,694	2,382
Acquittals	50	240	86	124	108	24	65	58	96	92	114	57
Convictions	12,719	11,685	10,210	12,075	12,121	16,184	21,480	20,471	20,751	21,055	21,044	22,478
Aggregate fines imposed	\$2,935,664	\$2,613,297	\$101,503,303	\$955,054	\$1,131,709	\$760,209	\$776,622	\$1,275,604	\$4,795,872	\$12,498,608	\$2,171,518	\$1,066,176
Aggregate imprisonment (in years)	5,749	6,621	7,513	7,161	6,947	11,353	12,030	14,843	19,003	17,863	16,804	19,643
Immigration cases, total	19,351	15,566	13,068	15,337	14,223	17,807	22,857	21,588	22,071	23,374	23,221	24,152
Dismissals <sup>a</sup>	6,788	5,232	3,814	4,133	3,102	2,566	2,029	1,783	1,983	2,989	2,628	2,286
Acquittals	48	145	74	94	107	22	60	52	81	88	108	46
Convictions	12,515	10,189	9,180	11,110	11,014	15,219	20,768	19,753	20,007	20,297	20,485	21,820
Aggregate fines imposed	\$2,872,279	\$2,242,129	\$316,163	\$609,480	\$959,214	\$310,893	\$437,547	\$692,477	\$3,677,297	\$468,718	\$707,224	\$941,950
Aggregate imprisonment (in years)	5,642	3,873	3,716	5,234	5,436	8,059	10,455	12,922	16,109	14,786	15,613	17,773
Naturalization cases, total	728	695	506	328	176	212	171	206	211	196	171	155
Dismissals <sup>a</sup>	522	326	336	210	43	(b)	42	33	(b)	28	22	(b)
Acquittals	2	82	10	5	0	(b)	0	0	(b)	0	3	(b)
Convictions	204	287	160	113	133	164	129	173	181	168	146	137
Aggregate fines imposed	\$63,385	\$9,660	\$7,080	\$13,695	\$3,195	\$11,579	\$7,870	\$10,575	\$74,545	\$26,025	\$7,550	\$1,650
Aggregate imprisonment (in years)	107	94	36	52	64	77	116	180	101	121	104	118
Other cases, total	NA	2,470	1,280	1,370	1,716	1,161	798	697	644	746	460	610
Dismissals <sup>a</sup>	NA	1,248	408	493	741	(b)	210	146	67	152	44	79
Acquittals	NA	13	2	25	1	(b)	5	6	14	4	3	10
Convictions	NA	1,209	870	852	974	801	583	545	563	590	413	521
Aggregate fines imposed	NA	\$361,508	\$101,180,060	\$331,879	\$169,300	\$437,737	\$331,205	\$572,552	\$1,044,030	\$12,003,865	\$1,456,744	\$122,576
Aggregate imprisonment (in years)	NA	2,654	3,761	1,875	1,447	3,217	1,459	1,741	2,793	2,956	1,087	1,752

Note: Violations of nationality laws include false representations as citizens of the United States, false statements and procurement of citizenship or naturalization unlawfully, and reproduction of citizenship and naturalization papers. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Dismissed or otherwise closed.

<sup>b</sup>Beginning with the 1997 data, in order to protect the identity of individuals the Source has suppressed the value in any cell with a count of one or two and associated cells that would reveal such a count through calculation.

Source: U.S. Department of Justice, Immigration and Naturalization Service, **2000 Statistical Yearbook of the Immigration and Naturalization Service**, p. 265 [Online]. Available: <http://uscis.gov/graphics/shared/aboutus/statistics/Yearbook2000.pdf> [Oct. 7, 2004]; **2001 Statistical Yearbook of the Immigration and Naturalization Service**, p. 269 [Online]. Available: <http://uscis.gov/graphics/shared/aboutus/statistics/Yearbook2001.pdf> [Oct. 7, 2004]; U.S. Department of Homeland Security, Office of Immigration Statistics, **2003 Yearbook of Immigration Statistics**, p. 180 [Online]. Available: <http://uscis.gov/graphics/shared/aboutus/statistics/2003yearbook.pdf> [Oct. 7, 2004]; and data provided by the U.S. Department of Justice, Immigration and Naturalization Service. Table adapted by SOURCEBOOK staff.

Table 5.76

**Convictions for violations of U.S. immigration and naturalization laws**

By offense, fiscal years 1990-2003

Offense	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Total	12,529	11,509	9,865	11,685	10,210	12,075	12,121	16,184	21,480	20,471	20,751	21,055	21,042	22,478
Violations of immigration laws	12,325	11,392	9,766	10,189	9,180	11,110	11,014	15,219	20,768	19,753	20,007	20,297	20,483	21,820
Illegal entry of aliens	8,162	7,214	6,341	7,179	6,607	7,430	6,361	9,723	15,050	13,515	12,733	13,378	13,371	14,199
Reentries of deported aliens	444	547	477	767	803	1,475	2,331	2,859	3,149	3,623	4,759	4,315	4,699	4,938
Bringing in, transporting, harboring illegal aliens	1,431	1,498	977	1,008	731	758	1,295	1,182	1,103	1,403	1,700	1,680	1,691	1,612
Fraud and false statements to obtain or confer immigration benefits	NA	NA	NA	132	58	45	28	63	41	36	31	98	119	270
Fraud, forgery, misuse of visas, alien registration, and other documents	289	318	306	83	32	301	254	203	322	366	362	327	196	253
Fraud, forgery, misuse of identification documents	NA	NA	NA	936	918	1,032	681	1,127	1,032	765	363	432	367	390
Fraud and false statements or entries	83	68	109	NA										
Alien registration or alien address violations	135	93	39	6	12	NA								
Producing, transferring, possessing, stealing, using, or selling false identification documents	597	602	497	NA										
Conspiracy to defraud the United States	615	252	121	38	8	NA	12	10	18	8	(a)	(a)	5	6
Employing unauthorized aliens, peonage, false attestations for employment	NA	NA	NA	40	11	52	48	48	48	24	49	(a)	25	72
Other immigration violations	569	334	401	0	0	17	4	4	5	13	(a)	47	10	80
Violations of naturalization laws	204	117	99	287	160	113	133	164	129	173	181	168	146	137
False representation as citizen of the United States	137	69	59	221	130	76	101	105	81	99	93	129	98	101
False statements and procurement of citizenship or naturalization unlawfully	60	36	37	3	2	NA								
Reproduction and sale of citizenship and naturalization papers	7	12	3	NA										
Fraud, forgery, misuse of citizen naturalization papers	NA	NA	NA	2	3	9	14	22	16	(a)	3	4	7	6
Fraud, forgery, misuse of U.S. passports	NA	NA	NA	61	25	28	18	37	32	42	85	35	41	30
Other naturalization violations	NA	NA	NA	0	0	0	0	0	0	(a)	0	0	0	0
Other violations	NA	NA	NA	1,209	870	852	974	801	583	545	563	590	413	521
Racketeering	NA	NA	NA	692	467	443	662	342	313	263	199	185	122	173
Money laundering and financial fraud	NA	NA	NA	20	11	15	3	(a)	25	3	29	10	17	(a)
Weapons trafficking, unlawful possession	NA	NA	NA	46	44	32	16	29	27	39	64	84	105	67
Drug trafficking	NA	466	498	358	292	272	222	378	146	186	175	226	126	158
Obstructing justice	NA	NA	NA	68	42	46	29	26	33	15	39	57	37	35
Alien prostitution	NA	NA	NA	0	1	5	13	(a)	7	3	4	6	(a)	(a)
Other violations	NA	NA	NA	25	13	39	29	21	32	36	53	22	(a)	63

Note: Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Beginning with the 1997 data, in order to protect the identity of individuals the Source has suppressed the value in any cell with a count of one or two and associated cells that would reveal such a count through calculation.

Source: U.S. Department of Justice, Immigration and Naturalization Service, **2000 Statistical Yearbook of the Immigration and Naturalization Service**, p. 266 [Online]. Available: <http://uscis.gov/graphics/shared/aboutus/statistics/Yearbook2000.pdf> [Oct. 7, 2004]; **2001 Statistical Yearbook of the Immigration and Naturalization Service**, p. 270 [Online]. Available: <http://uscis.gov/graphics/shared/aboutus/statistics/Yearbook2001.pdf> [Oct. 7, 2004]; U.S. Department of Homeland Security, Office of Immigration Statistics, **2002 Yearbook of Immigration Statistics**, p. 210 [Online]. Available: <http://uscis.gov/graphics/shared/aboutus/statistics/Yearbook2002.pdf> [Oct. 7, 2004]; **2003 Yearbook of Immigration Statistics**, p. 181 [Online]. Available: <http://uscis.gov/graphics/shared/aboutus/statistics/2003yearbook.pdf> [Oct. 7, 2004]; and data provided by the U.S. Department of Justice, Immigration and Naturalization Service. Table adapted by SOURCEBOOK staff.

Table 5.77

**Immigration offenders investigated, charged in U.S. District Courts, and admitted to Federal prison**

United States, 1985-2000

	Immigration offenders		
	Investigated	Charged	Admitted to Federal prison
1985	7,239	6,744	NA
1986	8,858	8,237	7,440
1987	7,424	6,677	6,571
1988	7,255	6,818	5,170
1989	7,854	7,493	5,870
1990	8,784	8,313	7,488
1991	7,854	6,632	6,228
1992	6,470	5,904	5,108
1993	5,934	5,390	5,036
1994	5,526	5,006	5,514
1995	7,256	6,294	5,873
1996	7,122	6,605	6,252
1997	9,366	8,472	7,300
1998	14,144	12,879	9,762
1999	15,539	14,729	11,857
2000	16,495	15,613	13,151

Note: These data are from the U.S. Department of Justice, Bureau of Justice Statistics' (BJS) Federal Justice Statistics Program, a database comprised of information from various Federal agencies. Immigration offenses are defined according to the BJS filing offense classification procedure followed by the Administrative Office of the United States Courts. The category is composed largely of the following offense types: smuggling, transporting, and harboring aliens; unlawful entry and reentry of aliens; and misuse of visa and other documents. (Source, p. 8.) The data presented are for offenders for whom an immigration offense was the most serious offense.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Immigration Offenders in the Federal Criminal Justice System, 2000*, Special Report NCJ 191745 (Washington, DC: U.S. Department of Justice, August 2002), p. 10, Appendix for figure 4.

Table 5.78

**Nationality of suspects in matters referred to U.S. attorneys for immigration offenses**

United States, 2000

Geographic region and nationality	Immigration offenses					
	Number	Unlawful entry or reentry			Smuggling	Misuse of visas/other
		Total	Improper entry	Reentry by removed alien		
Total <sup>a</sup>	16,495	74.9%	24.4%	50.5%	20.2%	4.9%
U.S. citizen	1,110	29.8	13.3	16.5	64.3	6.0
Mexico	9,425	86.6	23.7	62.9	10.8	2.6
Other countries <sup>b</sup>	1,817	82.9	45.5	37.4	9.7	7.5
<u>Asia and Oceania</u>						
China	433	93.1	92.4	0.7	5.1	1.9
Other	165	60.6	35.8	24.9	28.5	10.9
<u>Central America</u>						
Honduras	223	91.9	31.8	60.1	3.6	4.5
El Salvador	113	92.0	40.7	51.3	6.2	1.8
Guatemala	67	77.6	22.4	55.2	1.5	20.9
Other	25	92.0	32.0	60.0	4.0	4.0
<u>Caribbean</u>						
Dominican Republic	190	89.0	13.2	75.8	4.7	6.3
Other	198	85.4	40.4	45.0	9.1	5.6
Europe	134	73.1	29.9	43.3	16.4	10.5
<u>South America</u>						
Colombia	55	70.9	7.3	63.6	10.9	18.2
Other	56	73.2	21.4	51.8	10.7	16.1
Not indicated on arrest record	2,835	78.1	25.5	52.6	13.4	8.5

Note: See Note, table 5.77.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Immigration Offenders in the Federal Criminal Justice System, 2000*, Special Report NCJ 191745 (Washington, DC: U.S. Department of Justice, August 2002), p. 2, Table 2.

<sup>a</sup>Includes 1,308 suspects for whom an investigation record could not be matched with an arrest record to ascertain nationality.

<sup>b</sup>Includes 158 suspects from other countries not listed.

Table 5.79

**Persons indicted, awaiting trial on December 31, and convicted of offenses involving abuse of public office**

By level of government, 1973-2002

	Elected or appointed official														
	Total			Federal			State			Local			Others involved		
	In- dicted	Awaiting trial on Dec. 31	Con- victed	In- dicted	Awaiting trial on Dec. 31	Con- victed	In- dicted	Awaiting trial on Dec. 31	Con- victed	In- dicted	Awaiting trial on Dec. 31	Con- victed	In- dicted	Awaiting trial on Dec. 31	Con- victed
Total	28,419	7,997	24,605	12,165	2,262	10,788	2,292	824	1,924	6,825	2,361	5,634	7,137	2,550	6,259
1973	191	18	144	60	2	48	19	0	17	85	2	64	27	14	15
1974	305	5	213	59	1	51	36	0	23	130	4	87	80	0	52
1975	294	27	211	53	5	43	36	5	18	139	15	94	66	2	56
1976	391	199	260	111	1	101	59	30	35	194	98	100	27	70	24
1977	535	210	440	129	32	94	50	33	38	157	62	164	199	83	144
1978	530	205	418	133	42	91	55	20	56	171	72	127	171	71	144
1979	579	178	419	114	21	102	56	29	31	211	63	151	198	65	135
1980	727	213	602	123	16	131	72	28	51	247	82	168	285	87	252
1981	808	231	730	198	23	159	87	36	66	244	102	211	279	70	294
1982	813	186	671	158	38	147	49	18	43	257	58	232	349	72	249
1983	1,076	222	972	460 <sup>a</sup>	58	424	81	26	65	270	61	226	265	77	257
1984	931	269	934	408	77	429	58	21	52	203	74	196	262	97	257
1985	1,157	256	997	563	90	470	79	20	66	248	49	221	267	97	240
1986	1,208	246	1,026	596	83	523	88	24	71	232	55	207	292	84	225
1987	1,276	368	1,081	651	118	545	102	26	76	246	89	204	277	135	256
1988	1,274	288	1,067	629	86	529	66	14	69	276	79	229	303	109	240
1989	1,348	375	1,149	695	126	610	71	18	54	269	122	201	313	109	284
1990	1,176	300	1,084	615	103	583	96	28	79	257	98	225	208	71	197
1991	1,452	346	1,194	803	149	665	115	42	77	242	88	180	292	67	272
1992	1,189	380	1,081	624	139	532	81	24	92	232	91	211	252	126	246
1993	1,371	403	1,362	627	133	595	113	39	133	309	132	272	322	99	362
1994	1,165	332	969	571	124	488	99	17	97	248	96	202	247	95	182
1995	1,051	323	878	527	120	438	61	23	61	236	89	191	227	91	188
1996	984	244	902	456	64	459	109	40	83	219	60	190	200	80	170
1997	1,057	327	853	459	83	392	51	20	49	255	118	169	292	106	243
1998	1,174	340	1,014	442	85	414	91	37	58	277	90	264	364	128	278
1999	1,134	329	1,065	480	101	460	115	44	80	237	95	219	302	89	306
2000	1,000	327	938	441	92	422	92	37	91	211	89	183	256	109	242
2001	1,087	437	920	502	131	414	95	75	61	224	110	184	266	121	261
2002	1,136	413	1,011	478	119	429	110	50	132	299	118	262	249	126	188

Note: Questionnaires are sent annually to the U.S. attorneys' offices in each of the Federal judicial districts eliciting data concerning indictments and convictions during the year as well as prosecutions awaiting trial on December 31 of each year. Response rates for the 94 Federal judicial districts are consistently high, yielding an average response rate of 97%. These data cover persons elected or appointed to office and career (staff) government employees; "others involved" include individuals who hold no official position, but who participated in an offense aimed at corrupting another's public office. "Abuse of public office" includes offenses such as fraud, extortion, bribery, conflict of interest, election ballot fraud, and campaign finance offenses. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>The 1983 figures were reviewed to attempt to identify the reason for the substantial increase in prosecutions of Federal officials. The explanation appeared to be two-fold: there had been a greater focus on Federal corruption nationwide, and there appeared to have been more consistent reporting of lower-level employees who abused their office, cases that may have been overlooked in the past. For reference, the U.S. attorneys' offices were told: "For purposes of this questionnaire, a public corruption case includes any case involving abuse of office by a public employee. We are not excluding low-level employees or minor crimes, but rather focusing on the job-relatedness of the offense and whether the offense involves abuse of the public trust placed in the employee."

Source: U.S. Department of Justice, Criminal Division, "Report to Congress on the Activities and Operations of the Public Integrity Section for 1991," pp. 28, 29; "1992," pp. 36, 37; "1999," pp. 38, 39; "2002," pp. 37, 38. Washington, DC: U.S. Department of Justice. (Mimeographed.) Table adapted by SOURCEBOOK staff.

Table 5.80

**U.S. Army personnel tried in general, special, and summary courts-martial, and discharges approved**

By conviction status, United States, fiscal years 1997-2003

Fiscal year	Type of courts-martial									Discharges approved		
	General			Special <sup>a</sup>			Summary			Dishonorable	Dismissal	Bad conduct <sup>b</sup>
	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted			
1997	741	701	40	325	279	46	396	381	15	152	26	546
1998	685	639	46	287	261	26	489	464	25	138	14	554
1999	737	692	45	432	409	23	487	459	28	142	15	614
2000	731	653	78	393	318	75 <sup>c</sup>	666	638	28	123	26	610
2001	770	739	31	357	333	24 <sup>c</sup>	672	645	27	67	11	454
2002	788	757	31	602	582	20	858	793	65	106	19	426
2003	689	657	32	665	651	14	858	812	46	115	16	629

Note: Courts-martial have exclusive jurisdiction over military offenses and acts or omissions that violate local criminal law, foreign or domestic, for any persons subject to the Uniform Code of Military Justice (UCMJ). The data presented are for violations of the UCMJ, including acts violating civilian criminal codes that were tried by courts-martial. "General courts-martial" consist of a military judge and not less than five members (jurors), or by request of the accused, the case may be heard by a military judge alone. General courts-martial have jurisdiction to try any person subject to the UCMJ and adjudge any punishment authorized in the Rules for Courts-Martial (RCM) including the death penalty. "Special courts-martial" consist of not less than three members and also may include a military judge. Special courts-martial have jurisdiction to try persons for noncapital offenses and adjudge any punishment except death, dishonorable discharge, dismissal, confinement for more than 1 year, hard labor without confinement for more than 3 months, forfeiture of pay exceeding two-thirds pay per month, or forfeiture exceeding 1 year. "Summary courts-martial" consist of one commissioned officer and the maximum penalty that can be adjudged is confinement for 30 days, forfeiture of two-thirds of 1 month's pay, and reduction to the lowest pay grade.

A "dishonorable discharge" may be adjudged only by general courts-martial and applies to enlisted persons and noncommissioned warrant officers convicted of offenses usually recognized in civilian jurisdictions as felonies, or offenses of a military nature requiring severe punishment. A "dismissal" may be adjudged only by general courts-martial and applies to commissioned officers, warrant officers, cadets, and midshipmen. A "bad-conduct discharge" (BCD) applies only to enlisted persons and may be adjudged by general or special courts-martial. It is less severe than a dishonorable discharge and is designed as punishment for bad conduct, rather than for serious offenses of a military or civilian nature. A BCD also can be applied to persons convicted repeatedly of minor offenses and whose punitive separation appears necessary by the courts-martial. (Source: Joint Service Committee on Military Justice, *Manual for Courts-Martial United States*, 2002 Edition [Online]. Available: <http://www.usapa.army.mil/pdffiles/mcm2002.pdf>.)

<sup>a</sup>Includes BCD and non-BCD special courts-martial.

<sup>b</sup>Includes bad conduct discharges adjudged by both general and special courts-martial.

<sup>c</sup>Acquittals also include cases withdrawn or dismissed after arraignment.

Source: U.S. Court of Appeals for the Armed Forces, *Annual Reports* [Online]. Available: <http://www.armfor.uscourts.gov/Annual.htm> [May 26, 2004]. Table constructed by SOURCEBOOK staff.

Table 5.81

**U.S. Navy and Marine Corps personnel tried in general, special, and summary courts-martial, and discharges approved**

By conviction status, United States, fiscal years 1997-2003

Fiscal year	Type of courts-martial									Discharges approved	
	General			Special <sup>a</sup>			Summary			Dishonorable	Bad conduct <sup>b</sup>
	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted		
1997	548	511	37	2,698	2,586	112	1,631	1,589	42	205	1,976
1998	470	459	11	2,322	2,309	13	1,783	1,762	21	173	1,857
1999	349	317	31	2,102	2,009	93	1,565	1,529	36	114	1,698
2000	428	398	30	2,381	2,298	83	1,883	1,802	81	98	1,659
2001	481	454	27	2,264	2,222	42	2,103	2,074	29	114	1,823
2002	499	481	18	2,188	2,144	44	2,098	2,078	20	164	1,819
2003	315	291	24	1,854	1,815	39	1,990	1,955	35	99	1,596

Note: See Note, table 5.80.

<sup>a</sup>Includes only BCD; the Navy and Marine Corps did not convene non-BCD special courts-martial.

<sup>b</sup>Includes bad conduct discharges adjudged by both general and special courts-martial.

Source: U.S. Court of Appeals for the Armed Forces, *Annual Reports* [Online]. Available: <http://www.armfor.uscourts.gov/Annual.htm> [May 26, 2004]. Table constructed by SOURCEBOOK staff.

Table 5.82

**U.S. Air Force personnel tried in general, special, and summary courts-martial, and discharges approved**

By conviction status, United States, fiscal years 1997-2003

Fiscal year	Type of courts-martial									Discharges approved	
	General			Special <sup>a</sup>			Summary			Dishonorable	Bad conduct <sup>b</sup>
	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted		
1997	527	489	38	405	380	25	70	69	1	87	461
1998	442	411	31	304	288	16	76	73	3	44	322
1999	421	396	25	333	313	20	91	90	1	52	338
2000	438	404	34	320	306	14	139	135	4	36	395
2001	490	463	27	340	318	22	126	125	1	43	443
2002	564	534	30	384	351	19	119	118	1	61	540
2003	351	329	22	471	441	30	101	100	1	85 <sup>c</sup>	466

Note: See Note, table 5.80.

Source: U.S. Court of Appeals for the Armed Forces, **Annual Reports** [Online]. Available: <http://www.armfor.uscourts.gov/Annual.htm> [May 26, 2004]. Table constructed by SOURCEBOOK staff.<sup>a</sup>Includes both BCD and non-BCD special courts-martial for fiscal year 1997; beginning in fiscal year 1998, the Air Force no longer convenes non-BCD special courts-martial.<sup>b</sup>Includes bad conduct discharges adjudged by both general and special courts-martial.<sup>c</sup>Includes 28 officer dismissals.

Table 5.83

**U.S. Coast Guard personnel tried in general, special, and summary courts-martial, and discharges approved**

By conviction status, United States, fiscal years 1997-2003

Fiscal year	Type of courts-martial									Discharges approved	
	General			Special <sup>a</sup>			Summary			Dishonorable	Bad conduct <sup>b</sup>
	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted	Tried	Convicted	Acquitted		
1997	6	6	0	9	9	0	10	10	0	2	7
1998	18	17	1	21	20	--	8	8	0	3	12
1999	6	6	0	17	17	0	3	3	0	6	22
2000	10	9	1	23	23	0	11	10	1	2	14
2001	15	15	0	17	17	0	18	18	0	3	16
2002	4	4	0	23	23	0	11	11	0	2	19
2003	8	8	0	18	18	0	20	20	0	1	17

Note: See Note, table 5.80.

Source: U.S. Court of Appeals for the Armed Forces, **Annual Reports** [Online]. Available: <http://www.armfor.uscourts.gov/Annual.htm> [May 26, 2004]. Table constructed by SOURCEBOOK staff.<sup>a</sup>Includes only BCD special courts-martial; the Coast Guard did not convene non-BCD special courts-martial.<sup>b</sup>Includes bad conduct discharges adjudged by both general and special courts-martial.

Page 476 intentionally blank.