



Federal criminal cases may result in conviction of the defendant following a plea or trial, acquittal of the defendant after trial, or dismissal of the case. Unless otherwise noted, data describe cases in Federal court and include matters disposed by U.S. magistrates.

Defendants in cases terminated (table 3.1)

Cases were terminated against 64,640 defendants during 1993, 2% more than during 1992. Of these, 79% of the terminations were for felony offenses. Drug defendants comprised 37% of all terminations, felony or misdemeanor, and drug felony defendants comprised 45% of all defendants in felony cases terminated.

Defendants convicted. Of the 64,640 defendants in cases terminated, 53,435 (83%) were convicted. Of those defendants who were convicted, 48,022 (90%) pleaded guilty, and another 347 (1%) pleaded *nolo contendere*.¹ The remaining 5,066 (9%) were convicted at trials, most of which (90%) involved juries.

A total of 11,205 defendants were not convicted. Most of these, 7,741 (87%) had cases against them dismissed. Another 9% were acquitted by a jury, and 4% were acquitted in trials without juries. Of the 6,497 defendants who went to trial, 78% were convicted.

Defendants charged with immigration misdemeanors, food and drug regulatory offenses, robbery, and counterfeiting were convicted at the

highest rates (89% or higher). Conviction rates were below the average of 83% for assault, kidnaping, threats against the President, civil rights violations, perjury, contempt, intimidation of witnesses, and others (each below 76%). Drug defendants were convicted at slightly higher than average rates (85%).

Trial versus guilty pleas. Overall, 91% of all defendants convicted during 1993 pleaded guilty or *nolo contendere*. Generally, the more severe the charge the less likely defendants are to plead guilty or *nolo contendere*. Drug offenses, violent offenses and other felonies on average were below the mean for guilty and nolo pleas. The average rates of guilty and nolo pleas for defendants convicted of murder, kidnaping, arson and explosives offenses, and rape were all below 83%. On the other hand, guilty and nolo pleas for defendants convicted of less serious crimes like property offenses and misdemeanors were above average. Convictions involving misdemeanor drug possession, and felonies like forgery, larceny, and immigration offenses were obtained by guilty plea more than 96% of the time.

Case-processing time (table 3.2)

Title I of the Speedy Trial Act of 1974, as amended, sets time requirements for processing criminal cases in Federal courts. Except for certain listed exclusions, indictment must occur within 30 days of arrest; defendants are guaranteed at least 30 days to prepare for trial; and the Government must be ready for trial within 70 days. The Speedy Trial Act does not specify a time interval from trial to sentencing, and the time limits set by the act exclude several enumerated periods of pretrial procedure such as time spent

awaiting ruling on motions.² As a result, the actual processing time for most defendants can be longer than these limits without violating the provisions of the act.

Overall, felony defendants in cases terminated during 1993 had their cases processed in an average of 15.4 months when cases were dismissed, 11 months when cases went to trial, and 8.4 months when convictions were by plea. Misdemeanors, particularly traffic offenses, were settled most quickly. Robbery, burglary, assault, and larceny charges were also disposed faster than average.

When defendants pled guilty, more serious charges tended to take longer to resolve than less serious charges. Felony drug offenses took over 2 months longer to dispose than all offenses, while all felonies took over a month longer than average. Kidnaping and bribery took significantly longer than average time to dispose, while defendants charged with embezzlement, burglary, and larceny entered guilty pleas earlier than average.

Characteristics of defendants convicted (table 3.3)

Data on offender characteristics are obtained from selected records of sentences imposed, and for 1993 are not directly comparable to similar tabulations in other years. (See *Methodology*, p.73.)

Sex. Across all offense categories, 85% of defendants convicted were male. The proportion of male offenders varied, however, by offense type: 95% of those convicted of violent felonies, and 91% of those convicted of non-regulatory

¹ Plea of *nolo contendere* is a plea in a criminal case which has a similar legal effect as pleading guilty. However, unlike a guilty plea, a plea of *nolo contendere* does not concede guilt or denial of the charges. *Fed. R. Crim. P.* 11(b).

² 18 U.S.C. 3161 *et. seq.*

public-order felonies were men, while 18% of those convicted of misdemeanors and 28% of those convicted of fraudulent property felonies were women.

Race. Overall, 63% of defendants convicted were described as white, 33% as black, and 4% as other, such as American Indian, Alaska Native, Asian, or Pacific Islander. Although the majority of convicted defendants were white, the percent varied by offense category, ranging from 69% for regulatory felonies to 50% for violent felonies. Although non-black minority offenders were 4% of convicted offenders, they represented 13% of offenders convicted of a violent crime.

Ethnicity. Overall, 24% of defendants convicted were Hispanic. Drug felonies (33% Hispanic) and non-regulatory public-order felonies (31% Hispanic, mostly in the category of immigration felonies) involved a higher fraction of Hispanic offenders than other offenses.

Age.³ Thirty-five percent of adult defendants convicted were under 31 years of age. Thirty-two percent of defendants were 31-40 years of age, and 27% were over age 40.

Defendants convicted of white collar felonies were older on average than other defendants; 36% of regulatory felony defendants and 38% of fraudulent property felons were over age 40. Defendants convicted of violent felonies were disproportionately young; 52% of them were age 30 or younger, and 6% were under age 21.

³ Persons under 18 years of age who were sentenced as adults are counted as adults in these tabulations. See data note 7.

Education. Thirty-nine percent of all defendants convicted had less than a high school education. Another 33% had completed high school, 8% were college graduates, and another 20% had attended college but not completed a degree program.

Prior record. Fifty percent of defendants convicted had been previously convicted of at least one prior State or Federal offense. Twenty percent had been previously imprisoned for a term longer than 13 months.

Defendants convicted of violent offenses tended to have more serious criminal records than other defendants: 71% had a prior conviction. Fraudulent property and regulatory offenders had the least serious records: most (64% and 65%, respectively) were first offenders.

Matters concluded by U.S. magistrates (table 3.4)

Of the 11,307 persons brought before U.S. magistrates during 1993, the largest group of these matters (23%) involved immigration law violations. Another 20% were accused of escape.

Overall, 51% of the persons brought before U.S. magistrates were convicted, 2% lower than during 1992, and considerably lower than the rates for 1983-90, which ranged from 62% to 70%. While 92% of defendants who appeared before a U.S. magistrate charged with immigration offenses were convicted, that percentage was much lower for other offenses. Persons who appeared before U.S. magistrates charged with violent offenses avoided conviction 77% of the time, and 57% of accused drug offenders

whose matters were disposed by magistrates were not convicted. Persons brought before U.S. magistrates for escape offenses had the lowest conviction rate of any offense category with more than 10 defendants. However, most of the defendants charged with escape were charged with unlawful flight to avoid prosecution (UFAP) by State court authorities. These matters are dismissed by magistrates when these fugitives are processed in a State court. These UFAP defendants rarely appear before a U.S. magistrate.

Table 3.1. Disposition of cases terminated during 1993, by offense

Most serious offense charged	Percent of all defendants convicted	Number of defendants in terminated cases who were:								
		Convicted					Not convicted			
		Total	Guilty plea	Nolo contendere	Trial		Total	Dismissed ^a	Trial	
				Jury	Non-jury			Jury ^b	Non-jury	
All offenses^c	82.7%	53,435	48,022	347	4,578	488	11,205	9,774	982	449
Felonies	85.3%	43,794	39,034	99	4,514	147	7,533	6,446	958	129
Violent offenses	86.9%	2,980	2,612	14	336	18	451	341	99	11
Murder ^d	78.6	151	109	...	42	...	41	29	12	...
Negligent manslaughter	78.3	18	18	...	...	...	5	4	1	...
Assault	76.3	345	288	7	49	1	107	79	25	3
Robbery	92.5	2,082	1,887	5	178	12	170	127	39	4
Rape	80.2	194	160	...	30	4	48	33	14	1
Other sex offenses ^d	80.2	89	75	2	11	1	22	21	1	...
Kidnaping	64.0	87	63	...	24	...	49	42	4	3
Threats against the President	60.9	14	12	...	2	...	9	6	3	...
Property offenses	86.8%	12,156	11,269	32	825	30	1,848	1,596	208	44
Fraudulent	86.9%	9,518	8,844	25	629	20	1,437	1,231	164	42
Embezzlement	89.1	1,322	1,262	4	55	1	161	144	12	5
Fraud ^d	86.3	7,096	6,537	19	522	18	1,124	953	136	35
Forgery	85.8	508	487	...	20	1	84	77	6	1
Counterfeiting	89.7	592	558	2	32	...	68	57	10	1
Other	86.5%	2,638	2,425	7	196	10	411	365	44	2
Burglary	88.3	182	161	...	20	1	24	19	5	...
Larceny ^d	87.9	1,567	1,503	...	61	3	215	194	20	1
Motor vehicle theft	86.3	430	384	1	45	...	68	59	9	...
Arson and explosives	80.8	147	114	2	30	1	35	29	5	1
Transportation of stolen property	83.4	271	227	4	35	5	54	50	4	...
Other property offenses ^d	73.2	41	36	...	5	...	15	14	1	...
Drug offenses	84.8%	19,342	16,767	32	2,494	49	3,478	3,032	399	47
Trafficking	84.8	19,208	16,644	32	2,483	49	3,455	3,010	398	47
Possession and other drug offenses	85.4	134	123	...	11	...	23	22	1	...
Public-order offenses	84.1%	9,312	8,382	21	859	50	1,756	1,477	252	27
Regulatory	82.8%	1,238	1,117	4	114	3	257	202	49	6
Agriculture	74.5	73	67	...	6	...	25	23	2	...
Antitrust	86.4	89	87	...	2	...	14	11	3	...
Food and drug	93.7	118	108	1	9	...	8	5	3	...
Transportation	86.5	83	71	2	10	...	13	7	6	...
Civil rights	56.6	60	35	...	22	3	46	20	26	...
Communications	88.7	63	60	...	3	...	8	7	...	1
Custom laws	80.5	95	84	...	11	...	23	23	...	...
Postal laws	81.0	47	46	...	1	...	11	9	2	...
Other regulatory offenses	84.8	610	559	1	50	...	109	97	7	5
Other	84.3%	8,074	7,265	17	745	47	1,499	1,275	203	21
Weapons	84.2	3,095	2,667	6	400	22	582	491	84	7
Immigration offenses	88.5	2,271	2,214	5	42	10	294	286	4	4
Tax law violations ^d	89.5	733	668	1	64	...	86	61	21	4
Bribery	82.9	228	204	3	21	...	47	35	12	...
Perjury, contempt, and intimidation	73.8	271	225	...	40	6	96	68	26	2
National defense	83.5	66	57	...	9	...	13	12	1	...
Escape	79.1	432	404	2	23	3	114	107	7	...
Racketeering and extortion	82.5	732	593	...	133	6	155	112	39	4
Gambling	74.4	180	173	...	7	...	62	61	1	...
Obscene material ^d	33.3	17	15	...	2	...	34	28	6	...
Migratory birds	100.	9	9	...	...	...	...	...	...	...
All other felonies ^d	71.4	40	36	...	4	...	16	14	2	...
Misdemeanors^d	72.4%	9,641	8,988	248	64	341	3,672	3,328	24	320
Fraudulent property offense	88.7	1,246	1,235	6	4	1	159	155	2	2
Larceny	68.4	1,362	1,261	59	8	34	629	585	6	38
Drug possession ^d	85.4	1,116	1,102	5	7	2	191	184	3	4
Immigration	90.2	312	308	2	2	...	34	34	...	...
Traffic offenses	65.4	4,117	3,740	144	17	216	2,181	1,934	7	240
Other misdemeanors	75.7	1,488	1,342	32	26	88	478	436	6	36

...No case of this type occurred in the data.
^aIncludes *nolle prosequi*, deferred prosecution, Narcotics Addicts Rehabilitation Act (NARA) Titles I and II, and all dismissals.
^bIncludes mistrials.

^cIncludes 4 felony defendants for whom offense category could not be determined.
^dSee data note 1.
 See also data note 6.

Table 3.2. Time from filing to disposition of cases terminated during 1993

Most serious offense charged	Average time from filing to disposition for defendants in cases resulting in:			
	All outcomes	Dismissal ^a	Guilty plea ^b	Trial ^c
All offenses	8.2 mo	12.1 mo	7.2 mo	9.9 mo
Felonies	9.5 mo	15.4 mo	8.4 mo	11.0 mo
Violent offenses	7.8 mo	13.1 mo	6.9 mo	9.3 mo
Murder ^d	10.8	12.3	10.5	10.5
Negligent manslaughter	7.6	—	7.5	—
Assault	7.5	10.3	6.6	7.7
Robbery	7.0	11.3	6.5	9.2
Rape	8.5	13.6	7.4	8.8
Other sex offenses ^d	10.5	22.1	7.5	10.3
Kidnaping	15.5	22.5	12.8	12.8
Threats against the President	5.9	—	5.5	—
Property offenses	8.4 mo	13.3 mo	7.4 mo	11.9 mo
Fraudulent	8.5 mo	13.9 mo	7.4 mo	12.1 mo
Embezzlement	6.4	9.8	5.7	11.6
Fraud ^d	9.0	14.5	7.8	12.4
Forgery	8.4	18.9	6.8	9.7
Counterfeiting	7.5	8.8	7.2	10.3
Other	8.0 mo	11.2 mo	7.2 mo	11.3 mo
Burglary	7.4	14.5	6.2	9.4
Larceny ^d	7.5	9.9	6.8	14.1
Motor vehicle theft	7.3	5.7	7.5	7.7
Arson and explosives	9.4	10.4	8.8	10.3
Transportation of stolen property	11.8	23.0	9.4	11.9
Other property offenses ^d	7.0	7.6	6.0	—
Drug offenses	10.8 mo	16.5 mo	9.8 mo	10.9 mo
Trafficking	10.8	16.5	9.8	10.9
Possession and other drug offenses	9.0	11.8	7.8	17.9
Public order offenses	8.9 mo	16.0 mo	7.4 mo	11.1 mo
Regulatory	8.7 mo	10.9 mo	7.9 mo	11.2 mo
Agriculture	7.5	7.1	7.0	—
Antitrust	8.0	8.6	8.1	—
Food and drug	9.3	—	8.9	14.3
Transportation	6.4	—	6.4	7.3
Civil rights	9.6	11.5	7.8	10.2
Communications	8.5	—	6.9	—
Custom laws	12.1	20.9	9.4	13.3
Postal laws	6.1	—	6.7	—
Other regulatory offenses	8.7	10.1	8.0	12.9
Other	8.9 mo	16.9 mo	7.3 mo	11.1 mo
Weapons	8.6	11.6	7.9	9.5
Immigration offenses	6.3	27.5	4.2	8.1
Tax law violations ^d	8.6	14.4	7.4	13.5
Bribery	12.6	15.7	11.6	16.1
Perjury, contempt, and intimidation	10.6	11.4	10.4	10.5
National defense	14.1	31.4	9.7	22.1
Escape	12.2	21.6	9.9	13.7
Racketeering and extortion	12.3	20.0	10.4	13.7
Gambling	11.5	13.6	10.6	—
Obscene material ^d	18.6	24.2	13.1	9.6
Migratory birds	5.5	...	5.5	...
All other felonies ^d	5.8	7.4	4.4	10.5
Misdemeanors^d	3.3 mo	5.9 mo	2.4 mo	1.6 mo
Fraudulent property offense	3.6	9.9	2.8	—
Larceny	3.8	6.8	2.5	2.4
Drug possession ^d	4.1	11.2	2.8	10.2
Immigration	3.6	20.6	1.9	—
Traffic offenses	2.3	4.2	1.6	.5
Other misdemeanors	4.9	7.9	4.1	3.5

Note: Interval from filing to disposition includes periods which may be excluded under the Speedy Trial Act of 1974 (18 U.S.C. 3161 *et seq.*). Not directly comparable to data from prior years. Total includes defendants for whom offense category could not be determined. ...No case of this type occurred in the data. —Too few cases to obtain statistically reliable estimates.

^aIncludes *nolle prosequi*, deferred prosecution, Narcotics Addicts Rehabilitation Act (NARA) Titles I and II, and all dismissals.
^bIncludes *nolo contendere*.
^cIncludes mistrials.
^dSee data note 1.
 See also data note 6.

Table 3.3. Characteristics of convicted offenders, 1993

Offender characteristic	Total number of offenders	Percent of defendants convicted of:							
		All offenses ^a	Violent offenses	Property offenses		Drug offenses	Public-order offenses		Misdemeanors
				Fraudulent	Other		Regulatory	Other	
Sex									
Male	35,649	84.8%	94.6%	71.6%	72.4%	88.6%	82.3%	90.8%	82.0%
Female	6,368	15.2	5.4	28.4	27.6	11.4	17.7	9.2	18.0
Race									
White	24,126	63.2%	50.0%	67.8%	62.9%	60.5%	69.0%	67.7%	64.9%
Black	12,611	33.0	37.5	28.3	32.6	37.5	25.5	28.2	27.0
Other	1,449	3.8	12.5	3.8	4.5	2.0	5.5	4.1	8.1
Ethnicity									
Hispanic	10,034	24.1%	6.4%	9.8%	7.8%	33.1%	8.0%	31.1%	... %
Non-Hispanic	31,671	75.9	93.6	90.2	92.2	66.9	92.0	68.9	100
Age									
16-18 years	231	.6%	1.6%	.2%	1.0%	.5%	.2%	.5%	... %
19-20 years	1,755	4.2	8.0	1.5	6.4	4.8	2.7	3.8	11.3
21-30 years	15,046	36.0	42.2	28.5	34.2	39.6	27.0	35.4	37.7
31-40 years	13,452	32.2	29.1	32.1	28.2	33.9	34.4	30.7	22.6
Over 40 years	11,302	27.0	19.2	37.8	30.2	21.1	35.7	29.6	28.3
Citizenship									
U.S. citizen	31,997	78.2%	96.5%	87.0%	93.4%	72.6%	90.1%	69.5%	96.6%
Not U.S. citizen	8,946	21.8	3.5	13.0	6.6	27.4	9.9	30.5	3.4
Education									
Less than high school graduate	15,920	39.2%	40.6%	20.6%	26.5%	47.4%	22.8%	45.3%	18.8%
High school graduate	13,555	33.3	38.8	33.8	42.4	32.2	38.3	29.8	43.8
Some college	7,945	19.5	17.4	29.6	23.9	16.1	26.5	15.9	34.4
College graduate	3,225	7.9	3.3	16.1	7.3	4.3	12.4	9.0	3.1
Criminal record									
No convictions	20,257	50.2%	29.0%	63.8%	55.1%	49.4%	65.1%	41.3%	52.9%
Prior adult convictions ^b									
Never incarcerated	8,897	22.0	19.4	19.8	20.9	26.0	21.2	16.7	23.5
Incarcerated									
13 months or less ^c	3,103	7.7	11.2	5.6	7.7	7.7	5.8	8.9	11.8
More than 13 months	8,107	20.1	40.3	10.8	16.4	16.9	7.9	33.2	11.8

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

^aIncludes defendants for whom offense categories could not be determined.

^bPrior adult convictions are limited to those used in calculating guideline sentences (see *Methodology*, p.73).

^cClassifications of lengths of prior sentences of incarceration differ from previous Federal justice compendia and are not directly comparable to earlier years (see *Methodology*, p.73). See data note 7: Offender characteristics are not comparable with Federal justice compendia prior to 1993.

Table 3.4. Dispositions by U.S. magistrates, by offense, 1993

Most serious offense investigated	Number of defendants in matters concluded			Percent convicted
	Total	Convicted	Not convicted	
All offenses^a	11,307	5,713	5,594	50.5%
Violent offenses^b	293	69	224	23.5%
Murder/manslaughter ^c	5	...	5	...
Assault	165	60	105	36.4
Robbery	82	2	80	2.4
Rape	6	2	4	33.3
Other sex offenses ^c	7	1	6	14.3
Kidnaping	21	4	17	19.0
Threats against the President	7	...	7	...
Property offenses	2,209	1,144	1,065	51.8%
Fraudulent	1,895	984	911	51.9%
Embezzlement	569	313	256	55.0
Fraud ^c	1,089	568	521	52.2
Forgery	222	98	124	44.1
Counterfeiting	15	5	10	33.3
Other	314	160	154	51.0%
Burglary	2	1	1	50.0
Larceny ^c	177	77	100	43.5
Motor vehicle theft	34	5	29	14.7
Arson and explosives	12	2	10	16.7
Transportation of stolen property	...	...	...	...
Other property offenses ^c	89	75	14	84.3
Drug offenses	2,063	890	1,173	43.1%
Public-order offenses	6,676	3,577	3,099	53.6%
Regulatory	229	80	149	34.9%
Agriculture	34	26	8	76.5
Food and drug	18	2	16	11.1
Transportation	4	2	2	50.0
Civil rights	3	2	1	66.7
Communications	2	2	...	100
Custom laws	24	3	21	12.5
Postal laws	68	27	41	39.7
Other regulatory offenses	76	16	60	21.1
Other	6,447	3,497	2,950	54.2%
Weapons	183	21	162	11.5
Immigration offenses	2,568	2,374	194	92.4
Tax law violations ^c	51	48	3	94.1
Bribery	13	2	11	15.4
Perjury, contempt, and intimidation	22	3	19	13.6
National defense	86	66	20	76.7
Escape	2,211	9	2,202	.4
Racketeering and extortion	47	1	46	2.1
Liquor offenses	1	1	...	100
Gambling	...	...	...	...
Obscene material ^c	1	...	1	...
Migratory birds	151	131	20	86.8
Conspiracy, aiding and abetting, traffic, and jurisdictional offenses ^c	1,103	835	268	75.7
All other offenses ^c	10	6	4	60.0
Unknown or indeterminable offense	66	33	33	50.0

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

^cSee data note 1.

^aIncludes suspects for whom offense category could not be determined.

See also data note 3.

^bMay include some nonviolent offenses.