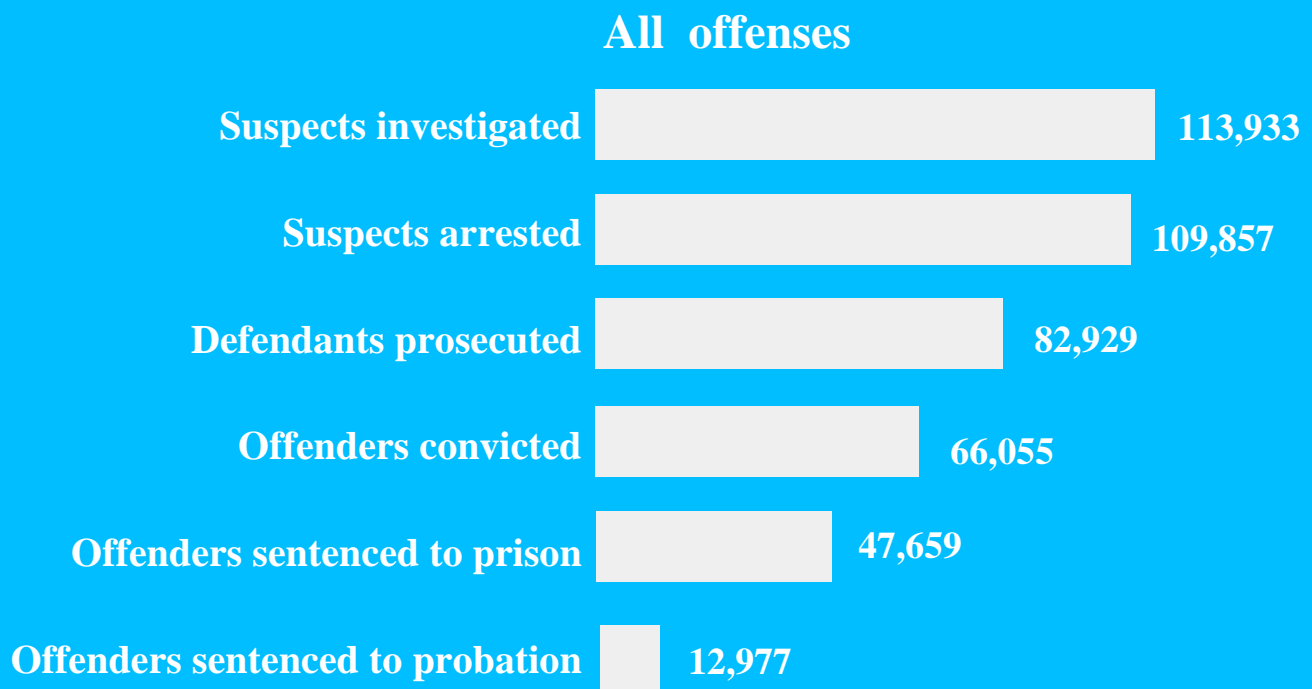




Bureau of Justice Statistics

Compendium of Federal Justice Statistics, 1999

Federal criminal case processing, October 1, 1998, through September 30, 1999



A Federal Justice Statistics Program Report

**U.S. Department of Justice
Office of Justice Programs**
810 Seventh Street, N.W.
Washington, D.C. 20531

John Ashcroft
Attorney General

Office of Justice Programs
World Wide Web site:
<http://www.ojp.usdoj.gov>

Bureau of Justice Statistics
World Wide Web site:
<http://www.ojp.usdoj.gov/bjs/>

For information contact:
BJS Clearinghouse
1-800-732-3277



Compendium of Federal Justice Statistics, 1999

April 2001, NCJ 186179

Discussion 23

Tables

October 1, 1998 – September 30, 1999

2.1. Suspects in matters received by U.S. attorneys, by offense 27

2.2. Disposition of suspects in matters concluded, by offense 28

2.3. Suspects in matters concluded and declined, by investigating agency 29

2.4. Basis for declination of prosecution by U.S. attorneys 30

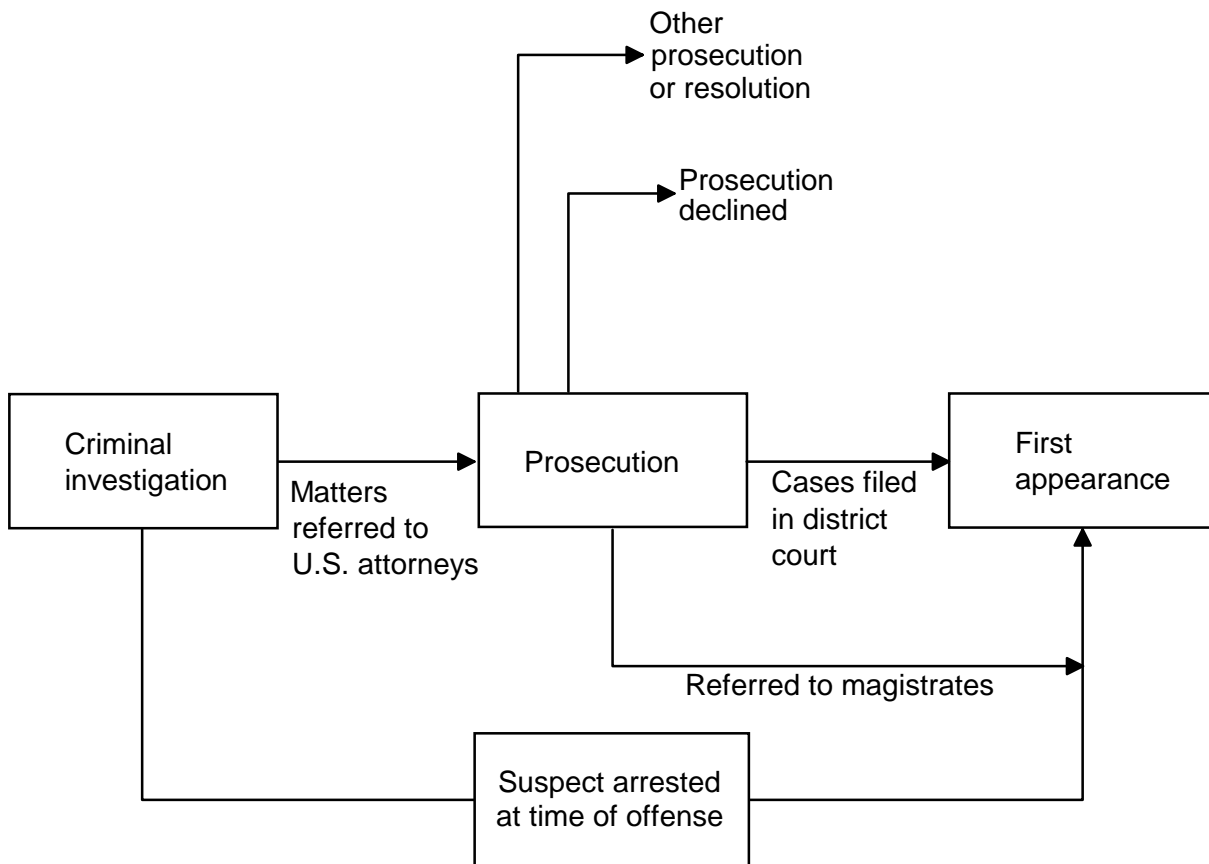
2.5. Disposition of matters declined for prosecution by U.S. attorneys, by offense 31

2.6. Mean and median processing times from receipt to filing or declination, by offense 32

Chapter notes 33

Chapter 2

Prosecution



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

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

U.S. attorneys' decisions

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

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

Drug and violent suspects were more likely than property and public-order suspects to be prosecuted before a district court judge

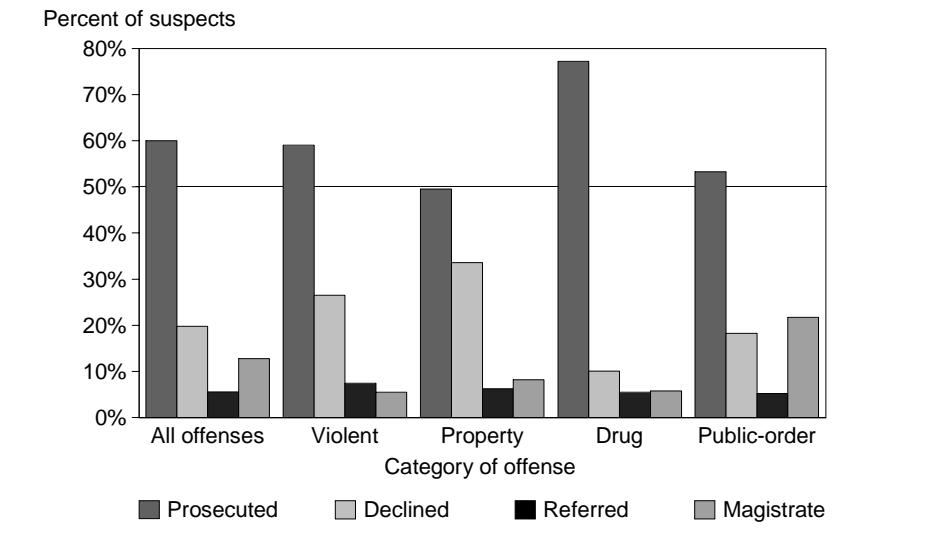


Figure 2.1. Suspects in matters concluded: Percentage of suspects that were prosecuted, declined, referred to other authorities for disposition, or disposed by U.S. magistrate, October 1, 1998 - September 30, 1999

each type of offense, and the strength of evidence in each case.

During 1999, 60% of suspects in all offense categories were prosecuted before U.S. district court judges, while an additional 13% were handled by U.S. magistrates. Suspects were prosecuted at different rates depending on their offense. Suspects involved in violent and drug offenses were more likely to be prosecuted before U.S. district court judges than were those involved in property and public-order offenses (figure 2.1). Suspects involved in drug offenses were the most likely (77%) to be prosecuted. Suspects involved in property offenses were the least likely to be prosecuted (50%). However, suspects involved in property offenses were more likely to have their matters declined and not referred to other authorities for prosecution (34%) than were suspects involved in other types of criminal matters. These cases were resolved by other means, including restitution, civil/administrative procedures, and pretrial diversion.

Suspects in matters received (table 2.1)

During 1999 there were 117,994 suspects in new matters received for investigation by U.S. attorneys.¹ Of these suspects, 39% were investigated for public-order offenses, 32% for drug offenses, and 24% for property offenses. Five percent of all suspects were investigated for violent crimes. Relative percentages of offenses reflect criminal activity as well as Federal investigative, prosecutorial, and statutory priorities. For example, during 1999 priority areas for U.S. attorneys included drug and violent crimes (including firearms prosecutions), international terrorism, white collar crimes, and prosecution of those responsible for hate crimes and attacks on houses of worship (with the National Church Arson Task Force).²

¹See *Chapter notes*, item 1, p. 33. The 1999 data are not directly comparable to the 1993 and prior compendia.

²*Statistical Report, United States Attorneys' Offices, Fiscal Year 1999*. U.S. Department of Justice, Executive Office for United States Attorneys, Washington, DC.

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

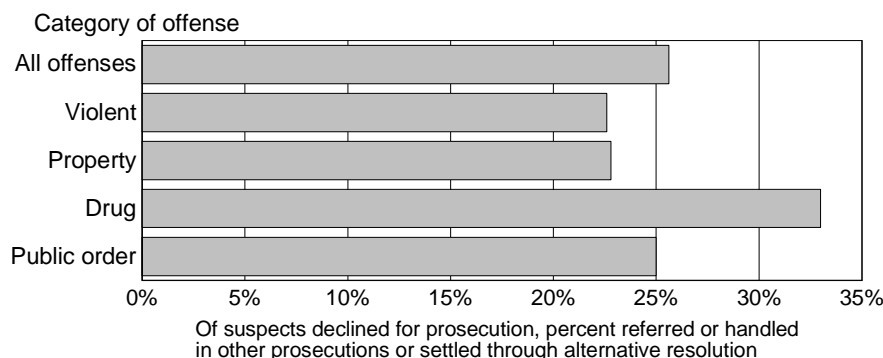


Figure 2.2. Of suspects in matters declined, percent referred or handled in other prosecutions, or settled through alternative resolution, October 1, 1998 - September 30, 1999

Suspects in matters concluded (tables 2.2-2.6)

Upon receiving a matter, a U.S. attorney will either immediately decline it for prosecution or investigate further. Upon conclusion of the investigation, a matter may be filed as a criminal case in a U.S. district court, referred to a U.S. magistrate, or declined for prosecution. Of the 113,933 suspects in criminal matters concluded during 1999, 60% were prosecuted in U.S. district court, 27% were declined for prosecution, and 13% were referred to U.S. magistrates.³

Suspects prosecuted (table 2.2) —

The likelihood of prosecution in U.S. district court varied widely across offense categories. Drug and violent offenders were more likely to be prosecuted than those involved in property and public-order offenses. U.S. attorneys prosecuted approximately 77% of suspects involved in drug offenses, 60% of those in violent offenses, 53% of those in public-order offenses, and 50% of those in property offenses.

Differences in rates of prosecution within major categories were substantial. For example, among violent offenders, 75% of robbery suspects were prosecuted, while 58% of murder, 44% of assault, and 43% sexual abuse suspects were prosecuted. Among property offenders, suspects investigated for counterfeiting were prosecuted at a higher rate than those involved in fraud (73% compared with 48%), and among suspects involved in public-order offenses, immigration (78%), weapon (70%), and tax law violation suspects (62%) were much more likely to be prosecuted than suspects in escape (24%) and civil rights (7%) offenses.

Suspects in matters concluded and declined, by investigating agency (table 2.3) —

During 1999, 59% of suspects in matters concluded were investigated by components of the Department of Justice; the Treasury Department investigated 19% of suspects in matters concluded. In addition, 10% of suspects in matters concluded were investigated by independent Federal agencies and State/local agencies (not shown in a table).

Among the investigating agencies, the Central Intelligence Agency (1%), the Immigration and Naturalization Service (3%) and the National Park

Service (7%) had among the lowest declination rates, while the Office of the Inspector General (54%), the Indian Affairs Bureau (53%), and the Environmental Protection Agency (61%) were among those with the highest declination rates. The declination rate for matters investigated by components of the Department of Justice (27%) was the same as the overall declination rate.

Suspects in matters declined (tables 2.4-2.5) —

Suspects in matters involving violent offenses were less likely to be declined for prosecution (35%) than those involved in property offenses (42%) but more likely than those in drug offenses (17%). Suspects in public-order offenses were slightly less likely to be declined for prosecution than those involved in violent offenses — 25% compared to 35% (table 2.2).

The decision to decline prosecution is based on a number of factors, including the lack of prosecutable offense, alternative resolution, or case- and suspect-related reasons (table 2.4). Of the 31,004 declinations during 1999, 26% occurred because of case-related reasons, mostly due to weak evidence (21%); 22% occurred because there was no crime or criminal intent was lacking; and 23% occurred for other reasons, such as agency requests (6%) and lack of resources (4%).

Not all suspects whose matters were declined for prosecution avoided prosecution. Twenty-two percent of the suspects in matters declined were referred to another authority for prosecution (table 2.5). An additional 5% were settled through alternative resolution procedures. Suspects involved in property offenses constituted the largest number of suspects who were referred by U.S. attorneys to other authorities for prosecution or resolution. Of the suspects whose matters were declined, those involved in drug offenses were the most likely to be referred to other authorities for prosecution or alternative resolution (figure 2.2). Thirty-six percent of the drug suspects whose matters were

³The number of suspects in criminal matters concluded is not comparable to the 1993 and prior compendia. See *Chapter notes*, item 2, p. 33, for details.

declined prosecution by U.S. attorneys were referred for other prosecution or resolution, as were 27% of the public-order, 24% of violent and property offense suspects.

Within major offense categories, the likelihood that suspects in matters declined for prosecution were referred to other authorities for prosecution or alternative resolution varied among specific offenses. Within property offenses, referral occurred with 37% of persons involved in counterfeiting, compared to 15% of suspects in arson and explosives cases. Within public-order offenses, 47% of agriculture suspects and 62% of escape suspects were referred to other authorities or had their case settled through alternative procedures, compared to 6% of suspects in civil rights cases.

Defendants in cases concluded by U.S. magistrates (table 2.2) —

Cases concluded by U.S. magistrates are, by statute, misdemeanors.⁴ Overall, U.S. magistrates disposed of 13% of all criminal matters investigated by U.S. attorneys. For most offenses, the likelihood that a U.S. magistrate concluded the matter was also relatively low. The most notable exception was escape, for which 53% of matters were concluded by U.S. magistrates. The escape offense category accounted for 10% of all cases concluded by U.S. magistrates.

Most of the 2,829 escape violations were against defendants who absconded to avoid prosecution in State courts, the so-called "unlawful flight to avoid prosecution." Upon apprehension of the fugitive, these cases are normally dismissed by U.S. magistrates and turned over to the State for prosecution on the original warrant.

Other types of offenses having comparably high rates of disposal by U.S.

magistrates included migratory birds offenses (86%); conspiracy, aiding and abetting, traffic, and jurisdictional offenses (79%); and other property violations (68%).

Processing times (table 2.6) — For matters concluded during 1999, the average number of months from receipt of a matter to its conclusion by a U.S. attorney as a case filing or declination or its disposal by a U.S. magistrate was 8.3 months. However, the time to process matters varied with the outcome of the matter. Matters concluded by U.S. magistrates in which the suspect was convicted took the least amount of time — an average of 3.0 months, and at least 50% of these convictions occurred in about 30 days. Similarly, 50% of the matters declined for prosecution were declined within 13.8 months.

Overall, suspects in violent and drug offenses were processed more quickly than suspects in other offenses. For key decisions, such as whether to file a case or decline a matter for prosecution, drug offenses were concluded slightly quicker than violent offenses (5.6 months compared to 6.3 months). At an average of 15.0 months, fraudulent property offenses took longer to conclude than other offenses.

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



Table 2.1. Suspects in matters received by U.S. attorneys, by offense, October 1, 1998 - September 30, 1999

Most serious offense investigated ^a	Suspects in criminal matters received by U.S. attorneys	
	Number	Percent ^b
All offenses^c	117,994	100%
Violent offenses	5,768	5.0%
Murder ^d	547	0.5
Negligent manslaughter	3	—
Assault	1,276	1.1
Robbery	2,816	2.4
Sexual abuse ^d	698	0.6
Kidnaping	280	0.2
Threats against the President	148	0.1
Property offenses	28,011	24.1%
Fraudulent	24,200	20.8%
Embezzlement	4,071	3.5
Fraud ^d	17,759	15.3
Forgery	1,716	1.5
Counterfeiting	654	0.6
Other	3,811	3.3%
Burglary	42	—
Larceny ^d	1,646	1.4
Motor vehicle theft	618	0.5
Arson and explosives	613	0.5
Transportation of stolen property	100	0.1
Other property offenses ^d	792	0.7
Drug offenses	37,313	32.0%
Public-order offenses	45,337	38.9%
Regulatory	6,332	5.4%
Agriculture	345	0.3
Antitrust	72	0.1
Food and drug	238	0.2
Transportation	97	0.1
Civil rights	1,745	1.5
Communications	100	0.1
Custom laws	291	0.2
Postal laws	212	0.2
Other regulatory offenses	3,232	2.8
Other	39,005	33.5%
Weapons	6,982	6.0
Immigration offenses	15,539	13.3
Tax law violations ^d	982	0.8
Bribery	340	0.3
Perjury, contempt, and intimidation	620	0.5
National defense	308	0.3
Escape	3,082	2.6
Racketeering and extortion	3,533	3.0
Gambling	211	0.2
Liquor offenses	21	—
Nonviolent sex offenses	1,308	1.1
Obscene material ^d	20	—
Migratory birds	721	0.6
Conspiracy, aiding and abetting, traffic, and jurisdictional	4,468	3.8
All other offenses ^d	870	0.7
Unknown or indeterminable offense	1,565	

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 33.

—Less than .05%.

^aSee *Chapter notes*, item 3, p. 33, and "Offense classifications" in *Methodology*, p. 109.

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

^cIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 33.

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

Table 2.2. Disposition of suspects in matters concluded, by offense, October 1, 1998 - September 30, 1999

Most serious offense investigated ^a	Suspects in criminal matters concluded							
	Number				Percent			
	Total	Prosecuted in U.S. district court ^b	Declined	Disposed by U.S. magistrates	Total	Prosecuted in U.S. district court ^b	Declined	Disposed by U.S. magistrates
All offenses^c	113,933	68,384	31,004	14,545	100%	60.0%	27.2%	12.8%
Violent offenses	5,631	3,327	1,996	308	100%	59.1%	35.4%	5.5%
Murder ^d	491	285	184	22	100	58.0	37.5	4.5
Negligent manslaughter	3	1	2	0	—	—	—	—
Assault	1,282	568	565	149	100	44.3	44.1	11.6
Robbery	2,734	2,045	586	103	100	74.8	21.4	3.8
Sexual abuse ^d	701	300	395	6	100	42.8	56.3	0.9
Kidnaping	256	106	129	21	100	41.4	50.4	8.2
Threats against the President	164	22	135	7	100	13.4	82.3	4.3
Property offenses	28,314	14,032	11,961	2,321	100%	49.6%	42.2%	8.2%
Fraudulent	24,575	12,319	10,578	1,678	100%	50.1%	43.0%	6.8%
Embezzlement	3,936	1,967	1,420	549	100	50.0	36.1	13.9
Fraud ^d	18,300	8,811	8,481	1,008	100	48.1	46.3	5.5
Forgery	1,720	1,091	523	106	100	63.4	30.4	6.2
Counterfeiting	619	450	154	15	100	72.7	24.9	2.4
Other	3,739	1,713	1,383	643	100%	45.8%	37.0%	17.2%
Burglary	44	30	14	0	100	68.2	31.8	0
Larceny ^d	1,611	933	533	145	100	57.9	33.1	9.0
Motor vehicle theft	697	374	307	16	100	53.7	44.0	2.3
Arson and explosives	623	227	381	15	100	36.4	61.2	2.4
Transportation of stolen property	81	42	36	3	100	51.9	44.4	3.7
Other property offenses ^d	683	107	112	464	100	15.7	16.4	67.9
Drug offenses	36,765	28,372	6,261	2,132	100%	77.2%	17.0%	5.8%
Public-order offenses	42,026	22,419	10,488	9,119	100%	53.3%	25.0%	21.7%
Regulatory	5,698	1,648	3,605	445	100%	28.9%	63.3%	7.8%
Agriculture	372	136	172	64	100	36.6	46.2	17.2
Antitrust	30	21	9	0	100	70.0	30.0	0
Food and drug	194	89	92	13	100	45.9	47.4	6.7
Transportation	108	52	47	9	100	48.1	43.5	8.3
Civil rights	1,705	119	1,583	3	100	7.0	92.8	0.2
Communications	105	20	85	0	100	19.0	81.0	0
Custom laws	325	148	161	16	100	45.5	49.5	4.9
Postal laws	205	105	43	57	100	51.2	21.0	27.8
Other regulatory offenses	2,654	958	1,413	283	100	36.1	53.2	10.7
Other	36,328	20,771	6,883	8,674	100%	57.2%	18.9%	23.9%
Weapons	5,919	4,149	1,660	110	100	70.1	28.0	1.9
Immigration offenses	15,201	11,794	472	2,935	100	77.6	3.1	19.3
Tax law violations ^d	1,193	737	421	35	100	61.8	35.3	2.9
Bribery	360	146	198	16	100	40.6	55.0	4.4
Perjury, contempt, and intimidation	624	227	363	34	100	36.4	58.2	5.4
National defense	275	77	119	79	100	28.0	43.3	28.7
Escape	2,829	688	637	1,504	100	24.3	22.5	53.2
Racketeering and extortion	3,224	1,528	1,620	76	100	47.4	50.2	2.4
Gambling	190	107	82	1	100	56.3	43.2	0.5
Liquor offenses	19	8	11	0	100	42.1	57.9	0
Nonviolent sex offenses	1,062	604	436	22	100	56.9	41.1	2.1
Obscene material ^d	25	3	21	1	100	12.0	84.0	4.0
Migratory birds	688	65	34	589	100	9.4	4.9	85.6
Conspiracy, aiding and abetting, traffic, and jurisdictional offenses	3,952	508	307	3,137	100	12.9	7.8	79.4
All other offenses ^d	767	130	502	135	100	16.9	65.4	17.6
Unknown or indeterminable offense	1,197	234	298	665	100%	19.5%	24.9%	55.6%

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 33.

—Too few cases to obtain statistically reliable data.

^aSee *Chapter notes*, item 3, p. 33, and "Offense classifications" in *Methodology*, p. 109.

^bThe suspects included in this column are limited to those whose cases were filed in U.S. district court before U.S. district court judges. These data are not directly comparable to the number in the 1993 or prior compendia, which included appeals cases handled by U.S. attorneys; see *Chapter notes*, item 2, p. 33.

^cIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 33.

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

Table 2.3. Suspects in matters concluded and declined, by investigating agency, October 1, 1998 - September 30, 1999

Department/Agency	Suspects in criminal matters concluded		
	Number concluded	Number Declined	Percent
All agencies*	113,933	31,004	27.2%
Agriculture	1,060	327	30.8%
Forest Service	587	103	17.5
Food and Consumer Service	26	20	76.9
All other Agriculture	447	204	45.6
Commerce	67	29	43.3%
Defense	3,227	680	21.1%
Army	1,197	185	15.5
Air Force	658	142	21.6
Navy	685	131	19.1
Office of the Inspector General	98	39	39.8
All other Defense	589	183	31.1
Education	55	28	50.9%
Energy	23	18	78.3%
Federal/State task forces	2,803	555	19.8%
Health and Human Services	1,096	559	51.0%
Food and Drug Administration	224	82	36.6
Office of the Inspector General	177	96	54.2
All other HHS	695	381	54.8
Housing and Urban Development	274	100	36.5%
Interior	4,686	825	17.6%
National Park Service	2,646	194	7.3
Fish and Wildlife Service	1,109	191	17.2
Indian Affairs Bureau	667	350	52.5
Land Management Bureau	143	30	21.0
All other Interior	121	60	49.6
Justice	66,803	18,170	27.2%
Federal Bureau of Investigation	30,474	13,108	43.0
Drug Enforcement Administration	16,667	3,049	18.3
Immigration and Naturalization	16,884	570	3.4
U.S. Marshals Service	1,620	820	50.6
Bureau of Prisons	45	25	55.6
All other Justice	1,113	598	53.7
Labor	442	238	53.8%
State Department	660	167	25.3%
Transportation	215	116	54.0%
Federal Aviation Administration	45	38	84.4
All other Transportation	170	78	45.9
Treasury	21,526	5,524	25.7%
Customs Bureau	8,854	1,056	11.9
Alcohol, Tobacco, and Firearms	5,631	1,789	31.8
Secret Service Bureau	4,190	1,456	34.7
Internal Revenue Service	2,750	1,186	43.1
All other Treasury	101	37	36.6
Other	10,973	3,660	33.4%
Independent Federal agencies	7,456	2,687	36.0%
U.S. Postal Service	4,112	1,421	34.6
Environmental Protection Agency	434	263	60.6
Social Security Administration	557	210	37.7
U.S. Courts	529	170	32.1
Veterans Administration	307	88	28.7
Small Business Administration	54	31	57.4
Railroad Retirement Board	97	50	51.5
Central Intelligence Agency	151	1	0.7
Other independent Federal agencies	1,215	453	37.3
State/Local agencies	3,517	973	27.7%
Unknown	23	8	34.8%

*Includes suspects for whom investigating agency could not be determined.

Table 2.4. Basis for declination of prosecution by U.S. attorneys, October 1, 1998 - September 30, 1999

Basis for declination	Suspects in criminal matters declined by U.S. attorneys	
	Number	Percent ^a
Total declinations^b	31,004	100%
No crime	6,571	21.7%
No true bill returned	35	0.1
No Federal offense	1,732	5.7
Lack of criminal intent	4,804	15.8
Referred or handled in other prosecution	6,408	21.1%
Removed	1,683	5.5
Prosecuted on other charges	1,297	4.3
Prosecuted by other authorities	3,428	11.3
Alternative resolution	1,524	5.0%
Restitution	102	0.3
Civil or administrative alternative	665	2.2
Pretrial diversion	757	2.5
Suspect-related reasons	883	2.9%
Suspect serving sentence	123	0.4
No known suspect	419	1.4
Suspect a fugitive	82	0.3
Suspect deceased	207	0.7
Suspect deported	52	0.2
Case-related reasons	7,915	26.1%
Stale case	582	1.9
Weak evidence	6,460	21.3
Statute of limitations exceeded	161	0.5
Jurisdiction or venue problems	315	1.0
Witness problems	397	1.3
All other reasons	7,027	23.2%
Minimal Federal interest	1,294	4.3
Petite policy	78	0.3
Lack of resources ^c	1,327	4.4
DOJ policy	625	2.1
U.S. attorney policy	1,401	4.6
Agency request	1,912	6.3
Juvenile suspect	86	0.3
Offender's health, age, prior record, or other personal circumstances	125	0.4
Suspect's cooperation	179	0.6
Unknown or indeterminable reason	676	

Note: For further information, see *Chapter notes*, items 1 and 2, p. 33.

—Less than .05%

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

^bIncludes suspects for whom basis for declination could not be determined; *Chapter notes*, item 4, p. 33.

^cThe 1999 data on declination for lack of resources are not directly comparable to the 1998 data. See *Chapter notes*, item 5, p. 33.

Table 2.5. Disposition of matters declined for prosecution by U.S. attorneys, by offense, October 1, 1998 - September 30, 1999

Most serious offense investigated ^a	Number of suspects in declined matters				Percent of suspects in declined matters			
	Total ^b	Referred or handled in other prosecution ^c	Resolved with restitution, civil/administrative procedure, pre-trial diversion	Other	Total ^b	Referred or handled in other prosecution ^c	Resolved with restitution, civil/administrative procedure, pre-trial diversion	Other
All offenses^d	31,004	6,408	1,524	21,069	100%	22.1%	5.3%	72.6%
Violent offenses	1,996	414	37	1,453	100%	21.7%	1.9%	76.3%
Murder ^e	184	21	3	157	100	11.6	1.7	86.7
Negligent manslaughter	2	0	0	2	—	—	—	—
Assault	565	102	19	427	100	18.6	3.5	77.9
Robbery	586	206	2	334	100	38.0	0.4	61.6
Sexual abuse ^e	395	36	7	339	100	9.4	1.8	88.7
Kidnaping	129	42	1	79	100	34.4	0.8	64.8
Threats against the President	135	7	5	115	100	5.5	3.9	90.6
Property offenses	11,961	1,745	987	8,517	100%	15.5%	8.8%	75.7%
Fraudulent	10,578	1,480	909	7,546	100%	14.9%	9.1%	76.0%
Embezzlement	1,420	135	262	953	100	10.0	19.4	70.6
Fraud ^e	8,481	1,207	563	6,167	100	15.2	7.1	77.7
Forgery	523	84	82	332	100	16.9	16.5	66.7
Counterfeiting	154	54	2	94	100	36.0	1.3	62.7
Other	1,383	265	78	971	100%	20.2%	5.9%	73.9%
Burglary	14	2	0	11	100	15.4	0	84.6
Larceny ^e	533	112	33	349	100	22.7	6.7	70.6
Motor vehicle theft	307	80	20	203	100	26.4	6.6	67.0
Arson and explosives	381	45	8	313	100	12.3	2.2	85.5
Transportation of stolen property	36	6	1	28	100	17.1	2.9	80.0
Other property offenses ^e	112	20	16	67	100	19.4	15.5	65.0
Drug offenses	6,261	2,026	38	3,683	100%	35.3%	0.7%	64.1%
Public-order offenses	10,488	2,186	439	7,228	100%	22.2%	4.5%	73.4%
Regulatory	3,605	463	182	2,817	100%	13.4%	5.3%	81.4%
Agriculture	172	50	28	89	100	29.9	16.8	53.3
Antitrust	9	3	0	3	—	—	—	—
Food and drug	92	16	17	51	100	19.0	20.2	60.7
Transportation	47	19	2	26	100	40.4	4.3	55.3
Civil rights	1,583	67	31	1,470	100	4.3	2.0	93.8
Communications	85	9	5	67	100	11.1	6.2	82.7
Custom laws	161	26	5	126	100	16.6	3.2	80.3
Postal laws	43	3	11	23	100	8.1	29.7	62.2
Other regulatory offenses	1,413	270	83	962	100	20.5	6.3	73.2
Other	6,883	1,723	257	4,411	100%	27.0%	4.0%	69.0%
Weapons	1,660	436	97	1,051	100	27.5	6.1	66.4
Immigration offenses	472	95	24	315	100	21.9	5.5	72.6
Tax law violations ^e	421	41	6	364	100	10.0	1.5	88.6
Bribery	198	12	8	169	100	6.3	4.2	89.4
Perjury, contempt, and intimidation	363	43	18	284	100	12.5	5.2	82.3
National defense	119	12	2	93	100	11.2	1.9	86.9
Escape	637	367	11	235	100	59.9	1.8	38.3
Racketeering and extortion	1,620	227	20	1,286	100	14.8	1.3	83.9
Gambling	82	20	1	51	100	27.8	1.4	70.8
Liquor offenses	11	0	0	11	100	0	0	100
Nonviolent sex offenses	436	118	13	298	100	27.5	3.0	69.5
Obscene material ^e	21	3	1	17	100	14.3	4.8	81.0
Migratory birds	34	2	17	14	100	6.1	51.5	42.4
Conspiracy, aiding and abetting, traffic, and jurisdictional offenses	307	63	32	170	100	23.8	12.1	64.2
All other offenses ^e	502	284	7	53	100	82.6	2.0	15.4
Unknown or indeterminable offense	298	37	23	188	100%	14.9%	9.3%	75.8%

Note: For further information, see *Chapter notes*, items 1 and 2, p. 33.

—Too few cases to obtain statistically reliable data.

^aSee *Chapter notes*, item 3, p. 33, and "Offense classifications" in *Methodology*, p. 109.

^bIncludes 2,003 suspects for whom reason for declination could not be determined.

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

^dIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 33.

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

Table 2.6. Mean and median processing times from receipt to filing or declination, by offense, October 1, 1998 - September 30, 1999

Most serious offense investigated ^a	Number of months from receipt of matter to decision						
	All suspects	Disposed by U.S. magistrate			Concluded by U.S. attorney		
		Total	Convicted	Not convicted	Total	Prosecuted in U.S. district court ^b	Declined
Mean							
All offenses^c	8.3 mo	6.1 mo	3.0 mo	9.9 mo	8.7 mo	3.8 mo	19.3 mo
Violent offenses	6.4	7.7	5.3	8.8	6.3	2.5	12.8
Property offenses	14.0	7.8	4.2	12.3	14.6	7.7	22.8
Fraudulent offenses ^d	14.5	8.4	4.4	13.0	15.0	8.0	23.1
Other offenses ^e	11.0	5.9	3.8	9.8	12.0	5.4	20.2
Drug offenses	5.7	7.2	3.6	8.2	5.6	2.7	18.7
Public-order offenses	7.0	5.4	2.5	10.4	7.5	3.1	16.9
Regulatory offenses	12.8	7.9	7.8	8.0	13.3	6.8	16.2
Other offenses	6.1	5.3	2.2	10.5	6.4	2.8	17.3
Median							
All offenses^c	1.6 mo	1.6 mo	1.0 mo	2.4 mo	1.7 mo	0.8 mo	13.8 mo
Violent offenses	1.6	3.3	4.5	2.9	1.4	0.7	7.7
Property offenses	7.4	3.0	1.9	4.4	8.1	2.8	17.6
Fraudulent offenses ^d	8.0	3.5	1.7	5.1	8.6	3.0	18.1
Other offenses ^e	4.3	2.3	2.1	2.8	5.2	1.6	14.7
Drug offenses	0.8	1.2	1.5	1.1	0.8	0.7	13.5
Public-order offenses	1.2	1.3	0.8	2.5	1.2	0.7	10.9
Regulatory offenses	7.8	4.4	4.6	4.0	8.2	1.9	11.7
Other offenses	0.9	1.2	0.8	2.4	0.9	0.7	10.4
Number of suspects^f	113,931	14,545	8,067	6,478	99,386	68,382	31,004
With unknown or indeterminable offense or processing time	1,197	665	466	199	532	236	298

Note: The data in this table are not directly comparable to data in the 1993 or prior compendia; see *Chapter notes*, items 1 and 2, p. 33.

^aSee *Chapter notes*, item 3, p. 33, and "Offense classifications" in *Methodology*, p. 109.

^bThe suspects included in this column are limited to those whose cases were filed in U.S. district court before U.S. district court judges. These data are not directly comparable to the number in the 1993 or prior compendia, which included appeals cases handled by U.S. attorneys; see *Chapter notes*, item 2, p. 33.

^cIncludes suspects for whom offense category could not be determined; see *Chapter notes*, item 4, p. 33.

^dExcluding tax fraud.

^eIncluding tax fraud.

^fExcludes suspects with insufficient data to determine processing time.

Chapter notes

1) Tables 2.1-2.6 were created from the Central System data files of the EOUSA. For table 2.1, only records which showed a matter received during 1999 were selected. For tables 2.2-2.6, only records which show a matter terminated by reason of declination, disposition by a U.S. magistrate, or filed as a case in U.S. district court from October 1, 1998, through September 30, 1999, were selected. In all of these tables, matters “declined immediately” — those cases in which the U.S. attorney spent less than 1 hour investigating — were excluded.

2) The number of suspects in matters investigated in table 2.1, and the number of suspects in matters concluded in tables 2.2 and 2.6 are not directly comparable to counts in the 1993 and prior compendia. In those years, these statistics included appellants in appeals filed or appeals terminated. In table 2.1 of this *Compendium* and its corresponding tables in 1994 and subsequent compendia, the number of suspects in matters received is limited to suspects in criminal matters that were filed as cases in U.S. district courts, handled by U.S. magistrates, or declined for prosecution. In the 1993 and prior compendia, the number of suspects in criminal matters received included criminal appeals. To obtain a number of suspects comparable to the statistic reported in the 1993 and prior compendia, add to the data in table 2.1 of this *Compendium*, the number of appellants in appeals that were handled by U.S. attorneys.

In tables 2.2 and 2.6 of this *Compendium* and their corresponding tables in the 1994 and subsequent compendia, the number of suspects in matters concluded also is limited to those suspects whose matters were concluded by a case filing in a U.S. district court, by declination, or by disposition by a U.S. magistrate. In the 1993 and prior compendia, this number included

appellants in criminal appeals terminated.

To obtain a number that is comparable to the number reported in the 1993 and prior compendia, the number of appellants in appeals terminated and handled by U.S. attorneys needs to be added to the totals in table 2.2.

3) Offenses in the Central System data files are classified by the title and section of the United States Code for the most serious offense investigated, as determined by the assistant U.S. attorney responsible for the matter. For tables in this *Compendium*, these citations were translated into the corresponding four-digit offense codes used by the Administrative Office of the United States Courts (AOUSC). These four-digit codes were then aggregated into the categories shown in the tables.

U.S. Code citations often do not permit detailed classification of drug offenses by the type of criminal activity involved. A person charged with conspiracy is classified under the substantive offense alleged (for example, conspiracy to defraud is classified as fraud) unless type of conspiracy cannot be determined from the U.S. Code citation. Unclassified conspiracies are included among “conspiracy, aiding and abetting, traffic, and jurisdictional offenses” in tables 2.1, 2.2, 2.5, and 2.6.

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

4) In the tables in this chapter, the “all offenses” row or “total declinations” row (in table 2.5) includes records whose offense category (basis for declination) is missing or indeterminable. The percentage distributions in these tables, however, are based on the number of observations with nonmissing offenses (basis for declination) values. The number of missing values are

reported either on a separate line or in a footnote.

5) In 1999, additional data for “lack of resources” as a reason for declination were discovered; these cases previously were coded as “unknown or indeterminate” in 1998 and prior years. Therefore, in table 2.4, the apparent increase in “lack of resources” as a declination reason (between 1998-99) is due in large part to this additional information and reclassification of declination reasons from “unknown and indeterminate.”