



# Bureau of Justice Statistics Special Report

NCJRS

## Federal Offenses and Offenders

# Federal Criminal Cases, 1980-87

SEP 7 1987

ACQUISITIONS

Between 1980 and 1987 the number of persons prosecuted in U.S. district courts by U.S. attorneys increased 74%. During the same period the number of persons convicted in U.S. district courts increased 49%, and the number sentenced to prison grew by 71%. Persons charged with drug offenses accounted for much of this increase: Prosecutions for drugs were up 153%; convictions, 161%; and sentences to prison, 177%. By 1987 drug offenses constituted 33% of all prosecutions by U.S. attorneys, 30% of all persons convicted in U.S. district courts, and 43% of all those sentenced to prison by Federal judges.

Other findings from analysis of data from the Federal Justice Statistics Program (FJSP) of the Bureau of Justice Statistics (BJS) include:

- The number of suspects investigated by U.S. attorneys increased 32% between 1980 and 1987. During the entire period U.S. attorneys concluded investigations on 627,000 persons in criminal matters.
- The number of suspects investigated for drug offenses increased 138% between 1980 and 1987, and the number investigated for fraudulent offenses increased 49%.
- The number of persons prosecuted by U.S. attorneys in U.S. district courts grew from 31,218 in 1980 to 54,392 in 1987, an increase of 74%.

### Summary of Federal criminal cases, 1980 and 1987

#### Suspects in matters concluded by U.S. attorneys

	Number		Percent change
	1980	1987	
Total	69,344	91,310	31.7%
Prosecuted in U.S. district court	31,218	54,392	74.2
Referred to U.S. magistrate	15,601	10,747	-31.1
Declined to prosecute	22,525	26,171	16.2

#### Defendants in cases terminated in U.S. district courts

	Number		Percent change
	1980	1987	
Total	39,172	54,625	39.4%
Convicted	29,943	44,518	48.7
Sentenced to prison	13,766	23,579	71.3
Not convicted			
Dismissed	7,713	8,510	10.3
Acquitted	1,516	1,597	5.3

- The percentage of all suspects who were ultimately prosecuted rose from 45% in 1980 to 60% in 1987.
- The number of persons prosecuted for fraudulent offenses by U.S. attorneys rose 115% over the 7 years. Fraud suspects in 1987 were considerably more likely to be prosecuted (54%) than in 1980 (38%).

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The numbers in this report summarize trends in the Federal justice system during this decade and come from a database maintained for the Bureau of Justice Statistics. Based upon individuals rather than cases, the database permits a coherent accounting of each stage in the justice process.

These data show a substantial increase in Federal criminal prosecutions and convictions and particularly reflect the impact of drug cases on the Federal justice system.

This Special Report represents only a summary of a more detailed presentation soon to be published. BJS warmly thanks the Executive Office for U.S. Attorneys and the Administrative Office of the U.S. Courts for providing the source data.

Joseph M. Bessette  
Acting Director

- In 1987, 44,518 persons were convicted in U.S. district courts, compared to 29,943 in 1980.
- More than half of the increase in convictions resulted from an increase in drug convictions. A quarter of the increase was for convictions for fraudulent offenses.

● About 53% of defendants convicted in U.S. district courts received a prison sentence in 1987, compared to 46% in 1980.

● Between 1980 and 1987, the average prison sentence handed down in U.S. district courts increased by 11 months. The increase occurred across a broad range of offenses. Some of the offenses with a greater than average increase were drug trafficking (an increase of 21 months) and weapons offenses (16 months).

#### Suspects and prosecutions in criminal matters investigated by U.S. attorneys

The number of suspects investigated by U.S. attorneys increased 32% between 1980 and 1987, an average annual increase of 4.0% (table 1). Over 91,000 suspects were investigated by U.S. attorneys in 1987. The greatest increases in the number of suspects investigated occurred for drug offenses (138%) and fraudulent offenses (49%).\* The number of suspects investigated for regulatory offenses increased 20% between 1980 and 1987, and the number investigated for violent offenses grew by nearly 16%.

The number of suspects prosecuted by U.S. attorneys rose from 31,218 in 1980 to 54,392 in 1987. The overall increase was 74%, and the average annual rate of increase for the 7 years was 8.3%.

As with suspects investigated by U.S. attorneys, the greatest increases in prosecutions by U.S. attorneys occurred for drugs and fraud. The number of suspects prosecuted for drug offenses increased from 7,003 in 1980 to 17,729 in 1987 — an increase of 153%. The number of suspects prosecuted for fraudulent offenses more than doubled during the same period — from 6,250 to 13,415.

Although the number of suspects whom U.S. attorneys declined to prosecute rose 16% between 1980 and 1987, the proportion of suspects prosecuted increased from 45% in 1980 to 60% in 1987 (table 2).

\*Fraudulent offenses include embezzlement, fraud, forgery, and counterfeiting. Tax fraud is counted as a public-order offense.

#### Sources of data for the Federal Justice Statistics Program

The Federal Justice Statistics Program received the source data for tables 2-4 from the Executive Office for U.S. Attorneys (EOUSA). The data describe suspects in matters concluded in a given year. Matters are investigations that involve 1 or more hours of a U.S. attorney's time. Suspects include alleged felons and misdemeanants. Other Federal prosecutors, such as those in the Criminal Division of the Department of

Justice, do not report their activities through EOUSA, and thus the tables do not include their filings.

The Administrative Office of the U.S. Courts (AO) provided the source data for tables 5-12. The data describe persons against whom a case was concluded in a U.S. district court during the given year. All Federal prosecutions, regardless of the prosecuting agency, are included.

Table 1. Suspects investigated for prosecution, prosecuted, or declined for prosecution by U.S. attorneys, by offense, 1980 and 1987

Most serious offense alleged	Number of suspects whom U.S. attorneys:								
	Investigated for prosecution			Prosecuted in U.S. district courts			Declined for prosecution		
	1980	1987	Percent change	1980	1987	Percent change	1980	1987	Percent change
Total*	69,344	91,310	31.7%	31,218	54,392	74.2%	22,525	26,171	16.2%
Violent offenses	3,861	4,460	15.5	2,382	3,107	30.4	1,126	1,088	-3.4
Property offenses	21,429	28,900	34.9	8,321	15,989	92.2	10,428	10,963	5.1
Fraudulent offenses	16,594	24,765	49.2	6,250	13,415	114.6	8,855	9,760	10.2
Other property	4,835	4,135	-14.5	2,071	2,574	24.3	1,573	1,203	-23.5
Drug offenses	9,546	22,729	138.1	7,003	17,729	153.2	1,827	3,752	105.4
Public-order offenses	32,622	33,606	3.0	12,696	16,673	31.3	8,539	9,768	14.4
Regulatory offenses	6,218	7,488	20.4	1,936	2,867	48.1	2,879	4,207	46.1
Other public-order	26,404	26,118	-1.1	10,760	13,806	28.3	5,660	5,561	-1.7

Note: Suspects are persons investigated in criminal matters by U.S. attorneys. A U.S. attorney investigate a matter for 1 hour or more.  
\*Total for suspects considered for prosecution in 1980 includes 1,884 for whom offenses could not be determined;

the 1987 total includes 1,611 suspects with unknown offenses. Other totals, which are subtotals for the suspect population, may include part of the unknowns. For the number referred to magistrates, see the discussion in the box on page 6.

Every major offense category contributed to the overall increase. In 1987 almost 70% of the suspects in violent crime cases (mostly robberies) investigated by U.S. attorneys were prosecuted in Federal court — up from 62% in 1980. A similar increase occurred in the percentage of suspects in drug cases being prosecuted — from 73% in 1980 to 78% in 1987. A sharp increase occurred in prosecutions of fraudulent offenses. In 1980, 38% of suspects investigated for fraudulent offenses had charges filed against them; by 1987 the percentage prosecuted had risen to 54%.

Of all persons prosecuted, the percentage who were prosecuted for some type of fraudulent offense increased from 21% in 1980 to 25% in 1987; the percentage for persons charged with drug offenses, from

23% to 33% (table 3). By contrast, violent offenses dropped from 8% of all prosecutions in 1980 to 6% in 1987, primarily because of a declining number of robbery prosecutions.

Table 2. Percent of suspects prosecuted by U.S. attorneys in U.S. district courts, by offense, 1980 and 1987

Most serious offense alleged	Of all suspects investigated by U.S. attorneys, the percent who were prosecuted	
	1980	1987
Total	45.0%	59.6%
Violent offenses	61.7	69.7
Property offenses	38.8	55.3
Fraudulent offenses	37.7	54.2
Other property	42.8	62.2
Drug offenses	73.4	78.0
Public-order offenses	38.9	49.3
Regulatory offenses	31.1	38.3
Other public-order	40.8	52.9

### Defendants convicted in U.S. district courts

In 1980, 29,943 defendants were convicted in U.S. district courts (table 4). By 1987 the number had risen to 44,518, an increase of almost 50%. During the same period convictions for drug offenses increased 161% (from 5,135 to 13,423), accounting for over 50% of the total increase in Federal convictions. The larger number of convictions for fraudulent offenses in 1987 made up another fourth of the increase.

The percentage of defendants who were convicted also increased during the period,

**Table 3. Suspects prosecuted by U.S. attorneys in U.S. district courts, by offense, 1980 and 1987**

Most serious offense alleged	Percent of suspects prosecuted by U.S. attorneys	
	1980	1987
All offenses	100.0%	100.0%
<b>Violent offenses</b>	7.8%	5.8%
Murder/nonnegligent manslaughter	.5	.4
Assault	1.4	1.2
Robbery	5.4	3.2
Rape	.1	.2
Other sex offenses	.1	.6
Kidnaping	.3	.1
Threats against the President	.1	.1
<b>Property offenses</b>	27.4%	29.9%
Fraudulent offenses	20.6	25.1
Embezzlement	5.6	6.3
Fraud <sup>a</sup>	10.5	14.9
Forgery	4.4	3.8
Counterfeiting	--	--
Other property	6.8	4.8
Burglary	.2	.2
Larceny	4.4	3.2
Motor vehicle theft	1.3	1.0
Other	.9	.4
<b>Drug offenses</b>	23.0%	33.1%
<b>Public-order offenses</b>	41.8%	31.2%
Regulatory offenses	6.4	5.4
Other public-order	35.4	25.8
Weapons	3.5	4.1
Immigration	9.4	4.3
Tax law violations <sup>b</sup>	2.4	3.1
Other	20.1	14.3
Total number prosecuted	30,402	53,498

Note: Data did not show offense type for 816 suspects in 1980 and for 894 in 1987. They were excluded from the calculations. Detail may not add to total because of rounding.

--Less than .05%.

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

<sup>b</sup>Include tax fraud.

from 76% to 81%, with the conviction rate for drug defendants increasing from 74% to 85%.

	Percent of defendants who were convicted in U.S. district court	
	1980	1987
All offenses	76.4%	81.5%
Violent offenses	79.1	83.4
Property offenses		
Fraudulent offenses	82.3	85.9
Other property	78.4	80.3
Drug offenses	73.5	84.5
Public-order offenses		
Regulatory offenses	73.8	74.4
Other public-order	73.4	76.0

Drug offenses accounted for 17% of all defendants convicted in 1980 and 30% of all defendants convicted in 1987 (table 5).

The number of defendants found guilty of fraudulent offenses increased slightly from 22% to 23% of all convictions. Violent offenses accounted for 7% of all convictions in 1980 and 5% of the convictions in 1987.

**Table 4. Defendants convicted in U.S. district courts, by offense, 1980 and 1987**

Most serious offense at conviction	Number of defendants convicted		Percent change
	1980	1987	
All offenses	29,943	44,518	48.7%
Violent offenses	2,134	2,241	5.0
Property offenses	10,780	14,349	33.1
Fraudulent offenses <sup>a</sup>	6,733	10,443	55.1
Other property	4,047	3,906	-3.5
Drug offenses	5,135	13,423	161.4
Possession	498	2,193	340.4
Trafficking <sup>b</sup>	4,637	11,230	142.2
Public-order offenses	11,893	14,500	21.9
Regulatory offenses	1,828	1,847	1.0
Other public-order	10,065	12,653	25.7

Note: Detail may not add to total because of a small number of defendants for whom offense could not be determined.

<sup>a</sup>Include embezzlement, fraud, forgery, and counterfeiting but exclude tax fraud.

<sup>b</sup>Includes importing, manufacturing, and "other" drug offenses (fewer than 7 defendants in either year).

**Table 5. Defendants convicted in U.S. district courts, by offense, 1980 and 1987**

Most serious offense at conviction	Percent of all defendants convicted in U.S. district courts	
	1980	1987
All offenses	100.0%	100.0%
<b>Violent offenses</b>	7.1%	5.0%
Murder/nonnegligent manslaughter	.4	.2
Negligent manslaughter	--	--
Assault	1.5	1.1
Robbery	4.6	2.8
Rape	.2	.2
Other sex offenses	.1	.5
Kidnaping	.2	.1
Threats against the President	.1	.1
<b>Property offenses</b>	36.0%	32.2%
Fraudulent offenses	22.5	23.5
Embezzlement	5.4	4.3
Fraud <sup>a</sup>	11.0	14.8
Forgery	3.9	3.0
Counterfeiting	2.1	1.3
Other property	13.5	8.8
Burglary	.4	.2
Larceny	10.1	6.9
Motor vehicle theft	1.5	.7
Arson	--	--
Transportation of stolen property	.9	.6
Other	.5	.4
<b>Drug offenses</b>	17.1%	30.2%
Possession	1.7	4.9
Trafficking <sup>b</sup>	15.5	25.2
<b>Public-order offenses</b>	39.7%	32.6%
Regulatory offenses	6.1	4.1
Other public-order	33.6	28.4
Weapons	3.3	3.9
Immigration	7.3	4.8
Tax law violations <sup>c</sup>	4.7	3.1
Racketeering and extortion	1.4	1.1
Other <sup>d</sup>	16.9	15.5
Total number	29,943	44,518

Note: Offenses were not known for a small number of defendants convicted. --Less than .05%.

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

<sup>b</sup>Includes importing, manufacturing, and other.

<sup>c</sup>Include tax fraud.

<sup>d</sup>Includes bribery, perjury, national defense offenses, escape, gambling, liquor offenses, mail offenses, traffic offenses, and other crimes.

For the entire 1980-87 period, U.S. district courts convicted 301,757 defendants (table 6). Nearly 1 in 5 convictions during this time were for drug trafficking. Robbery was the only violent crime to rank among the 10 most numerous convictions for the 8 years together. Between 1980 and 1987 convictions for drug possession and weapons offenses replaced robbery and forgery among the 10 most numerous offenses.

### Offenders sentenced to prison

The number of convicted offenders sentenced to Federal prison increased 71% from 1980 to 1987 (table 7). This increase during the period reflected both a larger number of persons convicted and increased severity in sentencing. In 1980 U.S. district courts sentenced 46% of convicted defendants to prison; in 1987, 53%.

The number of drug offenders sentenced to prison increased from 3,675 in 1980 to 10,196 in 1987, a gain of 177%. By contrast, the number of offenders sentenced to prison for other than drug crimes increased from 10,091 in 1980 to 13,383 in 1987, a growth of 33%. The larger number of drug defendants sentenced to prison accounted for two-thirds of the total increase in persons sentenced to Federal prison, the remaining third being divided mainly among defendants convicted of fraudulent or public-order offenses.

**Table 7. Offenders sentenced to prison in U.S. district courts, by offense, 1980 and 1987**

Most serious offense at conviction	Number of defendants sentenced to prison		Percent change
	1980	1987	
All offenses	13,766	23,579	71.3%
Violent offenses	1,770	1,837	3.8
Property offenses	4,630	6,234	34.6
Fraudulent offenses <sup>a</sup>	2,825	4,610	63.2
Other property	1,805	1,624	-10.0
Drug offenses	3,675	10,196	177.4
Possession	114	609	434.2
Trafficking <sup>b</sup>	3,561	9,587	169.2
Public-order offenses	3,690	5,312	44.0
Regulatory offenses	484	601	24.2
Other public-order	3,206	4,711	46.9

Note: Detail may not add to total because of a small number of defendants for whom offense could not be determined.

<sup>a</sup>Include embezzlement, fraud, forgery, and counterfeiting but exclude tax fraud.

<sup>b</sup>Includes importing and manufacturing. Also includes "other" drug offenses (fewer than 7 defendants in either year).

As with defendants convicted, drug trafficking — which includes drug manufacturing and distribution — constituted the largest single offense category for offenders who received prison sentences in 1987 (table 8).

**Table 6. Ten most numerous offenses of defendants convicted in U.S. district courts, 1980-87**

	Number of defendants convicted		
	1980	1987	Total, 1980-87
All offenses	29,943	44,518	301,757
Ten most numerous	23,506	36,936	239,148
Drug trafficking <sup>a</sup>	4,633	11,224	58,121
Traffic violations	3,590	6,588	39,184
Fraud <sup>b</sup>	3,307	5,328	36,729
Larceny	3,026	3,057	24,260
Immigration	2,200	2,193	19,029
Embezzlement	1,605	2,138	14,632
Tax law violations	1,407	1,918	12,263
Robbery	1,371	1,730	12,185
Other regulatory <sup>c</sup>	1,187	1,386	11,730
Forgery	1,180	1,374	11,015

Note: Offenses were not known for a small number of defendants convicted. Only defendants in cases closed during the specified year were counted.

<sup>a</sup>Includes manufacturing and importing but not "other" drug offenses.

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

<sup>c</sup>Includes all regulatory offenses other than agriculture, antitrust, labor law, food and drug, and motor carrier violations.

**Table 8. Offenders sentenced to prison in U.S. district courts, by offense, 1980 and 1987**

Most serious offense at conviction	Percent of defendants sentenced to prison	
	1980	1987
All offenses	100.0%	100.0%
<b>Violent offenses</b>	12.9%	7.8%
Murder/non-negligent manslaughter	.7	.4
Negligent manslaughter	.1	.1
Assault	1.9	1.2
Robbery	9.1	4.9
Rape	.2	.4
Other sex offenses	.2	.5
Kidnaping	.5	.2
Threats against the President	.1	.1
<b>Property offenses</b>	33.6%	26.4%
Fraudulent offenses	20.5	19.6
Embezzlement	3.3	2.3
Fraud <sup>a</sup>	10.1	13.1
Forgery	4.4	2.6
Counterfeiting	2.7	1.5
Other property	13.1	6.9
Burglary	.6	.3
Larceny	8.6	4.8
Motor vehicle theft	2.3	.9
Arson	--	.1
Transportation of stolen property	1.3	.6
Other	.3	.1
<b>Drug offenses</b>	26.7%	43.2%
Possession	.8	2.6
Trafficking <sup>b</sup>	25.9	40.7
<b>Public-order offenses</b>	26.8%	22.5%
Regulatory offenses	3.5	2.5
Other public-order	23.3	20.0
Weapons offenses	4.2	5.0
Immigration offenses	7.4	5.7
Tax law violations <sup>c</sup>	3.5	2.7
Racketeering and extortion	2.3	1.6
Other <sup>d</sup>	5.9	4.9
Total number sentenced to prison	13,766	23,579

Note: Detail may not add to total because of rounding.

--Less than .05%.

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

<sup>b</sup>Includes importing, manufacturing, and "other" (1 in 1980 and 3 in 1987).

<sup>c</sup>Include tax fraud.

<sup>d</sup>Includes bribery, perjury, national defense offenses, escape, gambling, liquor offenses, mail offenses, traffic offenses, and other crimes.

Drug offenders made up 43% of all those who received a prison sentence in U.S. district court in 1987, compared to 27% of persons sentenced to prison 7 years earlier.

Year	Percent of all defendants sentenced to prison who were convicted of drug offenses
1980	26.7%
1981	28.3
1982	29.4
1983	30.1
1984	33.9
1985	37.7
1986	40.2
1987	43.2

The number of persons sentenced to prison for drug offenses grew steadily between 1980 and 1987, with annual increases ranging between 16% and 20% for all but 2 years and an average annual growth rate of 15.7% (table 9).

The average annual increase in the number of nondrug offenders receiving prison sentences was 4.1%, with declines in 1984 and 1987.

#### Average prison sentences

Between 1980 and 1987 the average sentence for all defendants sentenced to prison increased almost 11 months, from 3 years and 8 months to 4 years and 7 months (table 10).

In both years drug offenders received, on average, more severe sentences than all other offenders except those convicted of murder/nonnegligent manslaughter, robbery, rape, kidnaping, transportation of stolen property, and racketeering. Average prison sentences imposed on drug offenders increased from almost 4 years in 1980 to over 5 1/2 years in 1987. Sentences for persons convicted of racketeering increased from slightly over 5 years

in 1980 to 7 years in 1987. Prison sentences for weapons offenses increased from slightly over 3 years to almost 4 1/2 years; for regulatory offenses, from slightly over 2 years to 3 1/2 years.

#### The relative impact of the increase in drug convictions and prison sentence length on Federal prisons

Between 1980 and 1987 the number of offenders sentenced to prison by U.S. district courts increased by 9,813. Of these additional offenders, nearly two-thirds (6,521) were convicted of drug offenses. During the same period the average prison sentence imposed on drug offenders increased nearly 21 months, while that for nondrug offenders increased 2 months.

As a result of these increases, drug convictions had a proportionally greater impact on the Federal prison population in 1987 than in 1980.

In 1980 Federal judges imposed a total of 50,824 years of prison time on those convicted in U.S. district courts (table 11). About 28% of this total was imposed on drug offenders. In 1987 Federal judges imposed a total of 108,463 years of prison time, of which 53% were imposed on drug offenders. Although few Federal offenders actually serve their entire sentence in prison because of good-time reductions and paroles, these figures give some indication of the relative impact of drug offenders on prison resources.

Overall, prison time imposed on drug offenders increased nearly 300% between 1980 and 1987, compared to a 40% increase in prison time imposed on nondrug offenders. Put another way, about 75% of the increase in total prison time imposed on all Federal offenders between 1980

Table 10. Average sentences of offenders sentenced to prison in U.S. district courts, by offense, 1980 and 1987

Most serious offense at conviction	Mean sentence length for offenders sentenced to prison	
	1980	1987
All offenses	44.3 mos.	55.2 mos.
<b>Violent offenses</b>	125.4 mos.	126.2 mos.
Murder/non-negligent manslaughter	123.4	154.6
Negligent manslaughter	36.6	25.9
Assault	40.7	48.4
Robbery	141.5	148.1
Rape	85.7	114.4
Other sex offenses	39.7	59.5
Kidnaping	262.6	293.9
Threats against the President	39.4	45.0
<b>Property offenses</b>	29.3 mos.	32.5 mos.
Fraudulent offenses	27.1	31.1
Embezzlement	20.1	22.1
Fraud <sup>a</sup>	24.9	32.1
Forgery	32.5	30.6
Counterfeiting	35.0	37.2
Other property	32.9	36.5
Burglary	46.0	59.0
Larceny	29.2	33.8
Motor vehicle theft	38.1	44.3
Arson	34.3	51.7
Transportation of stolen property	47.7	37.3
Other	9.3	11.7
<b>Drug offenses</b>	47.1 mos.	67.8 mos.
Possession	14.7	48.1
Trafficking <sup>b</sup>	48.1	68.1
<b>Public-order offenses</b>	24.0 mos.	33.3 mos.
Regulatory offenses	25.3	42.1
Other public-order	23.8	32.2
Weapons offenses	37.6	53.3
Immigration offenses	13.0	15.2
Tax law violations <sup>c</sup>	13.1	21.1
Racketeering and extortion	62.6	84.4
Other <sup>d</sup>	19.1	19.4
Total number sentenced to prison	13,766	23,579

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

<sup>b</sup>Includes importing and manufacturing.

<sup>c</sup>Include tax fraud.

<sup>d</sup>Includes bribery, perjury, national defense offenses, escape, gambling, liquor offenses, mail offenses, traffic offenses, and other crimes.

Table 9. Defendants who were convicted in U.S. district court and sentenced to prison, by drug and nondrug offenses, 1980-87

Year	All offenders sentenced to prison		Offenders sentenced to prison for nondrug offenses		Offenders sentenced to prison for drug offenses	
	Number	Annual percent change	Number	Annual percent change	Number	Annual percent change
1980	13,766		10,091		3,675	
1981	15,360	11.6%	11,007	9.1%	4,353	18.4%
1982	17,481	13.8	12,343	12.1	5,138	18.0
1983	18,505	5.9	12,940	4.8	5,565	8.3
1984	19,125	3.4	12,638	-2.3	6,487	16.6
1985	20,605	7.7	12,831	1.5	7,774	19.8
1986	23,058	11.9	13,786	7.4	9,272	19.3
1987	23,579	2.3	13,383	-2.9	10,196	10.0

**Table 11. Offenders sentenced to prison, average sentences imposed, and total prison time imposed by U.S. district courts, drug and nondrug offenses, 1980 and 1987**

Most serious offense	1980			1987			Percent change 1980-87 in:		
	Number sentenced to prison	Average sentence imposed	Total prison sentence time*	Number sentenced to prison	Average sentence imposed	Total prison sentence time*	Number sentenced to prison	Average sentence imposed	Total prison sentence time*
Total	13,766	3.692 yrs.	50,824 yrs	23,579	4.600 yrs.	108,463 yrs.	71.3%	24.6%	113.4%
Nondrug offenses	10,091	3.607	36,398	13,383	3.800	50,855	32.6	5.4	39.7
Drug offenses	3,675	3.925	14,424	10,196	5.650	57,607	177.4	43.9	299.4

\*Total prison sentence time is the result of multiplying the number of defendants sentenced to prison by the average sentence imposed. Note, however,

that few Federal offenders actually serve their entire sentence in prison.

and 1987 was accounted for by drug offenders (table 12).

### Methodology

The Executive Office for U.S. Attorneys and the Administrative Office of the U.S. Courts (AO) provided source data for this report.

Classification of offenses into BJS categories depended on AO codes. "Other property offenses" include destruction of property and trespassing. "Racketeering and extortion" offenses include primarily prosecutions under the Racketeer Influenced and Corrupt Organizations (RICO) Act. "Murder" includes nonnegligent homicide but excludes negligent homicide. "Other sex offenses" for the most part refer to violent offenses but may also include some nonviolent offenses. The glossary of the *Compendium of Federal Justice Statistics, 1984* (NCJ-111097) describes

**Table 12. Percent change in total prison time imposed in U.S. district courts, drug and nondrug offenses, 1980-87**

	Total years of prison sentence time			Percent of total change
	1980	1987	Difference 1980-87	
Total	50,824 yrs.	108,463 yrs.	57,639 yrs.	100.0%
Nondrug offenses	36,398	50,855	14,457	25.1
Drug offenses	14,424	57,607	43,183	74.9

Note: Table 12 is derived from table 11. See note on table 11.

completely the U.S. Code titles and sections included in each BJS category.

The offense coding of defendants convicted in U.S. district courts reflects the most serious offense at the time of conviction. Defendants sentenced to incarceration of 4 or more days were counted as having received a prison sentence; the term of imprisonment may have been

served with a period of probation, a fine, or other such conditions. The calculation of mean sentence length was made on the maximum term to be served, considering all consecutive and concurrent sentences; sentences to life in prison and other indeterminate sentences were excluded from calculation of mean sentences but were included in the number sentenced to prison.

### Referral to U.S. magistrates

Whether criminal cases are referred to magistrates depends on several factors, including the individual practice of U.S. court districts and the nature of cases in the districts. For example, U.S. attorneys having many immigration matters may have a higher rate of referrals than other prosecutors. U.S. magistrates' caseloads consist primarily of misdemeanors. Magistrates have available to them court resources for presentence investigations and probation supervision.

Between 1980 and 1987 the percentage of all suspects referred by U.S. attorneys for disposition by magistrates declined from 23% to 12%. The decrease in

number of referrals varied according to offense.

	Referrals to magistrates	
	1980	1987
All offenses	15,601	10,747
Violent offenses	353	265
Property offenses	2,680	1,948
Fraudulent offenses	1,489	1,590
Other property	1,191	358
Drug offenses	716	1,248
Public-order offenses	11,387	7,165
Regulatory offenses	1,403	414
Other public-order	9,984	6,751

Annual figures on defendants who were convicted after referral to magistrates provided no general trend, 1980 to 1987. For all offenses in 1980, magistrates found 59% of the defendants

guilty; in 1987, 65% of defendants were convicted.

Conviction rates for the largest offense categories convicted by magistrates in 1987 varied from 42% to 96%:

	Number of defendants convicted	Percent convicted
All offenses	6,993	65.1%
Immigration	4,186	95.7
Fraud	759	69.1
Conspiracy, aiding and abetting, and jurisdictional matters	552	64.7
Drug offenses	525	42.1
Other regulatory offenses	182	50.8
Embezzlement	149	54.6
Migratory birds	119	78.3

The mean prison sentences differ from those published by the AO. The average "regular" sentence of the AO excludes offenders with split sentences (5 days through 6 months followed by probation) and offenders sentenced under United States Code Title 18, Sections 4205(b)(1) and (b)(2), for whom a judge sets a maximum term but no minimum or a small minimum. Calculations for the AO report are also based on a fiscal year, while data in this report come from the indicated calendar year.

This Bureau of Justice Statistics Special Report is based on data tabulations prepared by Kenneth Carlson, Jan Chaiken, and Lars Holmdahl of Abt Associates Inc. Thomas Hester and Carol G. Kaplan, chief, Federal statistics and information policy branch of BJS, wrote this report. Marilyn Marbrook, publications unit chief, administered report production, assisted by Yvonne Boston, Jeanne Harris, Lynn Rae Bowen, and Jayne Pugh. Marianne Zawitz provided technical assistance.

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The Assistant Attorney General, Office of Justice Programs, coordinates the activities of the following program offices and bureaus: Bureau of Justice Statistics, National Institute of Justice, Bureau of Justice Assistance, Office of Juvenile Justice and Delinquency Prevention, and Office for Victims of Crime.

Appendix table. Number of defendants in U.S. district courts convicted, dismissed, or sentenced to prison, by offense, 1980-87

Most serious offense at case termination	Number of defendants							
	1980	1981	1982	1983	1984	1985	1986	1987
<b>Convicted defendants</b>								
All offenses <sup>a</sup>	29,943	32,007	34,193	37,187	39,065	40,924	43,920	44,518
Violent offenses	2,134	2,264	2,354	2,109	2,210	2,226	2,192	2,241
Property offenses	10,780	11,074	12,781	13,523	13,042	13,274	14,546	14,349
Fraudulent offenses <sup>b</sup>	6,733	7,262	8,792	9,098	8,723	8,958	10,520	10,443
Other property	4,047	3,812	3,989	4,425	4,319	4,316	4,026	3,906
Drug offenses	5,135	5,931	6,979	7,657	8,898	10,289	11,984	13,423
Possession	498	1,035	1,598	1,597	1,808	1,770	1,636	2,193
Trafficking <sup>c</sup>	4,633	4,893	5,377	6,055	7,086	8,517	10,336	11,224
Public-order offenses	11,893	12,688	12,079	13,898	14,911	15,132	15,193	14,500
Regulatory offenses	1,828	2,364	1,813	1,945	2,001	2,167	2,010	1,847
Other public-order	10,065	10,324	10,266	11,953	12,910	12,965	13,183	12,653
<b>Defendants whose cases the court dismissed</b>								
All offenses	7,713	7,470	7,164	7,101	7,824	8,767	8,562	8,510
Violent offenses	468	475	446	332	344	367	393	348
Property offenses	2,117	2,196	2,065	2,158	2,268	2,507	2,292	2,337
Fraudulent offenses <sup>b</sup>	1,254	1,299	1,243	1,354	1,491	1,445	1,421	1,506
Other property	863	897	822	804	777	1,062	871	831
Drug offenses	1,581	1,622	1,493	1,524	1,734	1,977	1,945	2,082
Possession	166	245	353	295	306	477	444	377
Trafficking <sup>c</sup>	1,413	1,377	1,139	1,228	1,427	1,499	1,500	1,704
Public-order offenses	3,547	3,177	3,160	3,087	3,476	3,888	3,904	3,743
Regulatory offenses	406	556	338	333	332	402	421	398
Other public-order	3,141	2,621	2,822	2,754	3,144	3,486	3,483	3,345
<b>Defendants sentenced to prison</b>								
All offenses	13,766	15,360	17,481	18,505	19,125	20,605	23,058	23,579
Violent offenses	1,770	1,961	2,027	1,822	1,840	1,807	1,813	1,837
Property offenses	4,630	4,874	5,834	5,864	5,414	5,612	6,291	6,234
Fraudulent offenses <sup>b</sup>	2,825	3,161	3,873	3,736	3,396	3,696	4,416	4,610
Other property	1,805	1,713	1,961	2,128	2,018	1,916	1,875	1,624
Drug offenses	3,675	4,353	5,138	5,565	6,487	7,774	8,272	10,196
Possession	114	453	718	542	741	762	677	609
Trafficking <sup>c</sup>	3,560	3,899	4,417	5,022	5,743	7,012	8,588	9,584
Public-order offenses	3,690	4,172	4,482	5,254	5,381	5,410	5,682	5,312
Regulatory offenses	484	623	516	581	596	661	688	601
Other public-order	3,206	3,549	3,966	4,673	4,785	4,749	4,994	4,711

<sup>a</sup>Include the following numbers of defendants whose offenses could not be determined: 5 (1984), 128 (1985), and 100 (1986). Exclude defendants with unknown case outcomes: 42 (1985), 128 (1986), and 171 (1987).

<sup>b</sup>Exclude tax fraud, reported as "other public-order."  
<sup>c</sup>Includes importing and manufacturing but excludes a small number of "other" drug offenses shown in the total.

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