



Bureau of Justice Statistics Executive Summary

November 1994, NCJ-151860

Pretrial Release of Felony Defendants, 1992

About 1 in 12 defendants released by State courts absconded before their trials and were still missing a year later, according to a study released on November 21, 1994. (See box.)

About 63% of all felony defendants were released, on bond or otherwise, before court disposition. Among those defendants already on pretrial release when arrested, 56% were released once again.

The percentages of defendants who were released during the 1992 study period were as follows:

Type of felony	Percent released
Murder	24%
Rape	48
Robbery	50
Burglary	51
Drug trafficking	66
Theft	67
Assault	68
Weapons offenses	71
Driving offenses	73

The judicial decision to grant pretrial release was strongly related to the gravity of the offense and the background of the defendant. Six percent of all felony defendants were held without bail, including 40% of the murder defendants. Another 37% of the murder defendants were held because they did not post bail.

Defendants with a prior criminal record or with a history of failing to appear and those on probation or on parole were substantially more likely than other defendants to be detained.

Among the released defendants, 27% had at least one prior felony conviction, including 9% who had a prior conviction for a violent felony.

To get single copies of the Bulletin *Pretrial Release of Felony Defendants, 1992* (NCJ-148818), by Bureau of Justice Statistics Statisticians Brian A. Reaves, Ph.D., and Jacob Perez, Ph.D., contact the BJS Clearinghouse, Box 179, Annapolis Junction, Maryland 20701-0179 (1-800-732-3277; fax 410-792-4358). To receive a fax of the complete 16-page report call (voice) 301-216-1827.

About a third of those released were rearrested on a new charge, failed to appear in court as scheduled, or committed some other violation that resulted in the revocation of their pretrial release.

A bench warrant was issued for the arrest of 1 in 4 released defendants because they failed to appear in court as scheduled.

Among the released defendants who had failed to appear at least once on a previous charge, 38% had a bench warrant issued against them because they failed to appear for trial on the current charge.

Approximately 14% of all released felony defendants were rearrested before trial. Ten percent were rearrested for a new felony. Of the released defendants who had multiple prior convictions, 30% were arrested again.

Case processing progressed more rapidly for detained defendants than for released defendants. The median time from arrest to disposition for detained defendants was 46 days, compared to 118 days for released defendants.

The study tracked a sample representing the estimated 55,246 men and women charged with a felony during May 1992 in the Nation's 75 most populous counties, which accounted for about 37% of the U.S. population and almost 50% of all crimes reported to law enforcement agencies.

Felony defendants released before or detained until case disposition, by the most serious arrest charge, 1992

Most serious arrest charge	Number of defendants	Percent of felony defendants in the 75 largest counties:		
		Total	Released before case disposition	Detained until case disposition
All offenses	51,002	100%	63%	37%
Violent offenses	13,638	100%	58%	42%
Murder	570	100	24	76
Rape	724	100	48	52
Robbery	4,467	100	50	50
Assault	6,509	100	68	32
Other violent	1,368	100	59	41
Property offenses	17,647	100%	63%	37%
Burglary	6,176	100	51	49
Theft	6,434	100	67	33
Other property	5,037	100	71	29
Drug offenses	15,469	100%	68%	32%
Sales/trafficking	8,517	100	66	34
Other drug	6,952	100	71	29
Public-order offenses	4,248	100%	65%	35%
Weapons	1,437	100	71	29
Driving-related	645	100	73	27
Other public-order	2,167	100	58	42

Note: Data on detention/release outcome were available for 92% of all cases. Detail may not add to total because of rounding.
 --Less than 0.5%.

National Pretrial Reporting Program

The Bureau of Justice Statistics (BJS) initiated the biennial National Pretrial Reporting Program (NPRP) in 1988. The NPRP collects detailed information about the criminal history, pretrial processing, adjudication, and sentencing of felony defendants in State courts in large urban counties. The NPRP data do not include Federal defendants.

The 1992 NPRP collected data for about 13,000 felony cases filed in 40 counties during May 1992. These cases were part of a 2-stage sample that was representative of the estimated 55,246 felony cases filed in the Nation's 75 most populous counties during that month. (In 1990, the 75 largest counties accounted for about 37% of the U.S. population and nearly 50% of all crimes reported to law enforcement agencies.) Cases were tracked for up to 1 year.

To receive a copy of the full 16-page report, check this box:

Pretrial Release of Felony Defendants, 1992, NCJ-148818

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