Bulletin

Federal Justice Statistics, 2015-2016

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This report describes persons processed by the federal criminal justice system. Data are from the Federal Justice Statistics Program (FJSP). The FJSP collects, standardizes, and reports on administrative data received from six federal justice agencies: the U.S. Marshals Service, Drug Enforcement Administration, Executive Office for U.S. Attorneys, Administrative Office of the U.S. Courts, U.S. Sentencing Commission, and Federal Bureau of Prisons.

From fiscal year (FY) 2015 to FY 2016, federal arrests decreased by 1%, from 153,478 arrests to 151,460 **(figure 1)**.[1] The number of defendants sentenced to federal prison decreased by 3%, from 56,018 in FY 2015 to 54,274 in FY 2016.

Of the nearly 380,000 persons under federal correctional control on September 30, 2016 (fiscal year-end), 59% were in secure confinement and 41% were under community

[1]In this report, data are for the fiscal year, which is from October 1 to September 30.

FIGURE 1

Suspects and defendants processed in the federal justice system, FY 1994–2016

Number
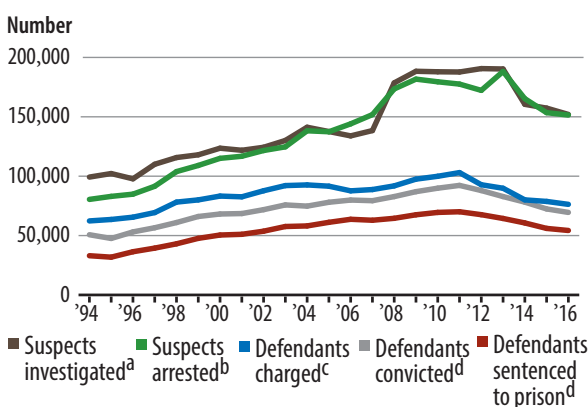
[a]Suspects in matters investigated by U.S. attorneys.
[b]Suspects arrested by federal law enforcement. Excludes D.C. Superior Court arrests.
[c]Defendants charged with a felony or Class A misdemeanor offense in U.S. district court. Defendants charged in more than one case are counted separately.
[d]Defendants in cases terminated with a felony or Class A misdemeanor offense in U.S. district court.
Source: Bureau of Justice Statistics, based on data from the U.S. Marshals Service, Justice Detainee Information System; Executive Office for U.S. Attorneys, National Legal Information Office Network System database; and Administrative Office of the U.S. Courts, Criminal Master File, fiscal years 1994–2016.

HIGHLIGHTS

- A total of 151,460 arrests were made by federal law enforcement agencies in fiscal year (FY) 2016.

- More than half (58%) of all federal arrests in FY 2016 took place in the five federal judicial districts along the U.S.-Mexico border, up from 45% in FY 2006.

- In FY 2016, the five federal judicial districts along the U.S.-Mexico border accounted for 52% of all suspects investigated and 41% of all offenders who were sentenced to federal prison.

- Forty-five percent of federal arrests in FY 2016 involved an immigration offense as the most serious arrest offense.

- In FY 2016, 41% of defendants charged in all U.S. district courts were not U.S. citizens: 30% were Mexican citizens, 5% were from Central America, and 6% were citizens of other foreign nations.

- In FY 2016, 59% of defendants charged in U.S. district courts were U.S. citizens, 5% were legal aliens, and 36% were illegal aliens.

- From FY 2006 to FY 2016, Drug Enforcement Administration arrests for heroin or other opioids increased 154%.

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TABLE 1
Offenders in federal confinement or under federal supervision in the community, FY 2006, FY 2015, and FY 2016

	FY 2006		FY 2015		FY 2016	
	Number	Percent	Number	Percent	Number	Percent
Total	365,496	100%	392,212	100%	379,908	100%
Secure confinement	224,661	61.5%	236,512	60.3%	222,964	58.7%
Pre-trial detention	56,236	15.4	53,449	13.6	52,586	13.8
Federal Bureau of Prisons (post-sentencing)*	168,425	46.1	183,063	46.7	170,378	44.8
Community	140,835	38.5%	155,700	39.7%	156,944	41.3%
Pre-trial release supervision	28,218	7.7	22,778	5.8	22,035	5.8
Post-sentencing supervision	112,617	30.8	132,922	33.9	134,909	35.5
Supervised release	85,317	23.3	112,567	28.7	115,843	30.5
Probation	24,879	6.8	19,126	4.9	17,938	4.7
Parole	2,421	0.7	1,229	0.3	1,128	0.3

Note: Federal offender populations are shown as of September 30, 2006, 2015, and 2016. Details may not sum to totals due to rounding.

*Federally sentenced prisoners in the custody of the Federal Bureau of Prisons (BOP). Counts exclude persons in federal prison for District of Columbia code offenses, military code offenses, treaty transfer cases, and as state boarders. Unsentenced federal offenders in the BOP are counted in pre-trial detention counts.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services, Probation and Pretrial Services Automated Case Tracking System; U.S. Marshals Service, Justice Detainee Information System; and Federal Bureau of Prisons, SENTRY database, fiscal year-end 2006, 2015, and 2016.

Definitions of major offense categories

Violent—Includes murder, non-negligent or negligent manslaughter, aggravated or simple assault, sex abuse, robbery, kidnapping, and threats against the president.

Property—Includes fraudulent and other types of property offenses.

    Fraudulent property—Includes embezzlement, fraud (including tax fraud), forgery, and counterfeiting.

    Other property—Includes burglary, larceny, motor-vehicle theft, arson, transportation of stolen property, and other property offenses, such as destruction of property and trespassing.

Drug—Includes the manufacture, import, export, distribution, or dispensing of a controlled substance (or a counterfeit substance), or the possession of a controlled substance (or a counterfeit substance) with intent to manufacture or distribute.

Public order—Includes regulatory and other types of offenses.

    Regulatory public order—Includes violation of agriculture, antitrust, labor, food and drug, motor carrier, and other federal regulations.

Other public order—Includes non-regulatory violations concerning tax law (tax fraud), bribery, perjury, national defense, escape, racketeering and extortion, gambling, liquor, mailing or transporting obscene materials, traffic, migratory birds, conspiracy, aiding and abetting, jurisdiction, and other offenses.

Weapons—Includes violations of any of the provisions of 18 U.S.C. §§ 922-923 concerning the manufacturing, importing, possessing, receiving, and licensing of firearms and ammunition.

Immigration—Includes offenses involving illegal entrance into the United States, illegally reentering after being deported, willfully failing to leave when so ordered, or bringing in or harboring any aliens not admitted by an immigration officer.

Supervision violations—Includes violation of bail, violation of pre-trial or post-sentencing supervision in the community (probation), and failure to appear.

supervision (table 1). This represents a decrease from fiscal year-end 2015, when 392,212 persons were under federal correctional control (60% in secure confinement and 40% on supervision in the community).

Arrest and booking

In 2016, federal law enforcement agencies made 151,460 arrests for a federal offense

Nearly 8 in 10 (77%, or 115,881) federal arrests in 2016 were for immigration, drug, or supervision violations.

In 2016, immigration (45%) was the most common federal arrest offense, followed by drug offenses and supervision violations (16% each) (table 2).

Arrests for violations of federal law decreased by 1% from 2015 to 2016. Property arrests declined by 11% over the year. Immigration (4%) and drug (less than 1%) arrests also declined from 2015 to 2016. However, there was an 8% increase in the number of suspects arrested for weapons offenses from 2015 to 2016. Supervision violations also increased 6% during the year.

TABLE 2
Federal arrests, by most serious offense and federal district, FY 2015 and FY 2016

	FY 2015		FY 2016		Percent change, 2015–2016
	Number	Percent	Number	Percent	
Total arrests	153,478	100%	151,460	100%	-1.3%
Most serious offense at arrest					
Violent	3,437	2.2%	3,463	2.3%	0.8%
Property	12,207	8.0	10,913	7.2	-10.6
Fraud	10,372	6.8	9,213	6.1	-11.2
Other	1,835	1.2	1,700	1.1	-7.4
Drug	23,655	15.4	23,566	15.6	-0.4
Public order	7,894	5.1	7,599	5.0	-3.7
Regulatory	288	0.2	276	0.2	-4.2
Other	7,606	5.0	7,323	4.8	-3.7
Weapons	7,420	4.8	8,008	5.3	7.9
Immigration	71,119	46.3	68,315	45.1	-3.9
Material witness	4,894	3.2	5,594	3.7	14.3
Supervision violations	22,715	14.8	24,000	15.8	5.7
Federal judicial district					
U.S.–Mexico border district	90,135	58.7%	88,448	58.4%	-1.9%
Arizona	24,967	16.3	21,702	14.3	-13.1
California Southern	6,373	4.2	6,562	4.3	3.0
New Mexico	5,540	3.6	6,215	4.1	12.2
Texas Southern	32,083	20.9	29,759	19.6	-7.2
Texas Western	21,172	13.8	24,210	16.0	14.3
Other	63,343	41.3	63,012	41.6	-0.5

Note: Suspects with more than one arrest are counted separately. Most serious arrest is determined by the deputy U.S. Marshal at booking. Federal district is the location of the federal court where booking takes place. Offense information was missing for 137 records in 2015 and for 2 records in 2016. Details may not sum to totals due to rounding.
Source: Bureau of Justice Statistics, based on data from the U.S. Marshals Service, Justice Detainee Information Systems, fiscal years 2015 and 2016.

More than half of arrests in 2016 were in the five federal judicial districts along the U.S.-Mexico border

The five federal judicial districts along the U.S.-Mexico border (California Southern, Arizona, New Mexico, Texas Western, and Texas Southern) accounted for 58% of all federal arrests in 2016, up from 45% in 2006 (see *Federal Justice Statistics, 2010,* NCJ 239913, BJS web, December 2013) (map 1). Federal law enforcement agencies made the most arrests in the Texas Southern federal judicial district (29,759), followed by Texas Western (24,210) and Arizona (21,702).

The U.S. district court in Tucson, Arizona, processed the most federal arrests (16,799). The U.S. district court in Laredo, Texas (Texas Southern), processed the second most arrests in 2016 (14,475). Immigration offenses were the most common arrests in each of the five districts along the U.S.-Mexico border in 2016.

In 2016, nearly 2 in 3 (64%) suspects arrested in the five districts were disposed as misdemeanants by U.S. magistrates (see table 4). In contrast, fewer than 1 in 10 (8.6%) federal arrestees in the remaining districts were disposed as misdemeanants. Growth in the proportion of federal arrestees in the five districts from 2006 to 2016 is the result of increased criminal enforcement of immigration. Under *Operation Streamline*, a federal zero-tolerance prosecutorial initiative which began in 2005, offenders caught making their first illegal entry are charged with a misdemeanor.[2]

Among those non-U.S.-Mexico-border districts that had the most arrests, the greatest numbers of arrests were for drug offenses (New York Southern, Texas Northern, and Florida Middle), property offenses (Florida Southern), and supervision violations (District of Columbia).

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[2]Rosenblum, M. R. (2013). *Border security: Immigration enforcement between ports of entry* (Report No. R42138). Washington, DC: Congressional Research Service. Retrieved from https://securityassistance.org/sites/default/files/R42138.pdf

MAP 1
Number of federal arrests, by federal judicial district, FY 2016
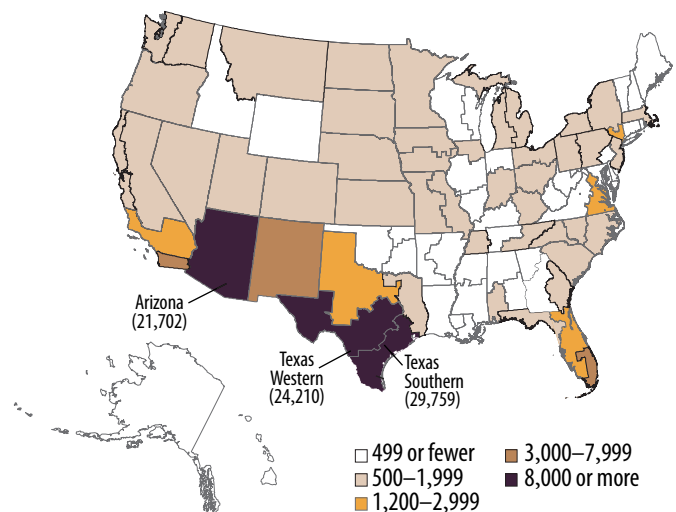
Note: A total of 151,460 suspects were arrested for a federal offense from October 1, 2015, to September 30, 2016. Not shown: Guam (140), Puerto Rico (1,689), District of Columbia (1,936), and U.S. Virgin Islands (129).
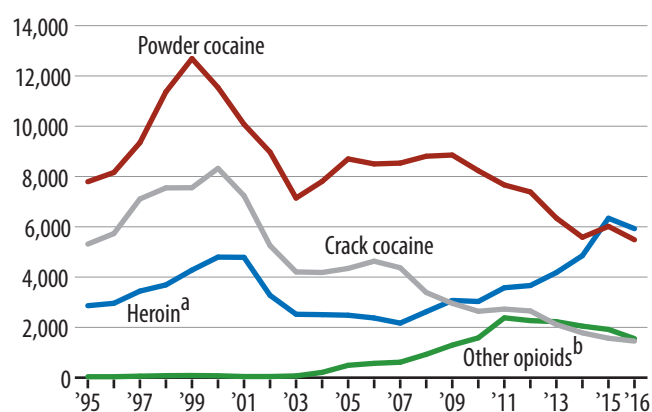
Source: Bureau of Justice Statistics, based on data from the U.S. Marshals Service, Justice Detainee Information System, fiscal year 2016.

Arrests by the Drug Enforcement Administration

Created in 1973, the Drug Enforcement Administration (DEA) enforces the controlled-substances laws and regulations of the United States. This includes investigating major drug offenders at the national and international levels. The DEA coordinates with foreign governments and federal, state, local, and tribal agencies. It has 220 offices in the United States and 91 offices in 70 countries (see https://www.dea.gov/docs/DEAFactSheet_AUG2017.pdf).[3]

[3]The phrase "suspects arrested by the DEA" is used to describe arrests where each arrest for an individual suspect is counted separately. Individual suspects can be arrested by the DEA more than once in one year. DEA data do not distinguish between arrests that are referred for either state or federal prosecution.

The DEA reported 29,486 drug arrests in 2016, down from 31,593 in 2015. From 2006 to 2016, the annual average number of arrests by the DEA for other opioids (up 13% per year) increased the most of any drug category, followed by arrests for heroin (up 10%), and methamphetamine (up 4%) **(figures 2 and 3)**. During the same period, arrests for crack cocaine declined by an annual average of 11%, arrests for powder cocaine declined by 4%, and arrests for marijuana declined by 3%.

During 2016, the DEA made 7,479 drug arrests for heroin or opioid offenses, which represented 25% of the total drug arrests (29,486). This was a 154% increase in arrests made by the DEA for heroin and other opioids in 2006.

FIGURE 2
Federal and state arrests by the Drug Enforcement Administration, by powder cocaine, crack cocaine, heroin, and other opioids, FY 1995–2016

Note: The unit of count is an arrest by the Drug Enforcement Agency (DEA). Each arrest for an individual is counted separately. Includes state and federal arrests made by the DEA.

aIncludes heroin, morphine, and opium base.

bOpioids refer to synthetic compounds that emulate the effects of natural compounds found in the opium poppy. Synthetic opioids are commonly available by prescription but can also be manufactured in labs.

Source: Bureau of Justice Statistics, based on data from the Drug Enforcement Administration, Defendant Statistical System, fiscal years 1995–2016.

FIGURE 3
Federal and state arrests by the Drug Enforcement Administration, by marijuana, methamphetamine, and other non-opioids, FY 1995–2016
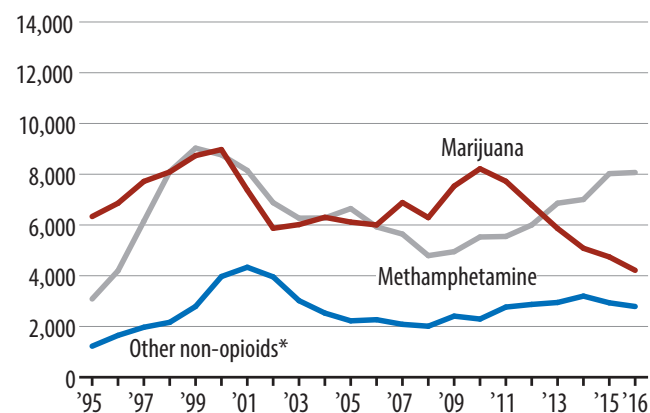
Note: The unit of count is an arrest by the Drug Enforcement Agency (DEA). Each arrest for an individual is counted separately. Includes state and federal arrests made by the DEA.

*Includes non-opioid pharmaceutical controlled substances, other depressants, sedatives, ephedrine, pseudoephedrine, hallucinogens, synthetic cannabinoids, other steroids, equipment to manufacture controlled substances, and drug-use paraphernalia.

Source: Bureau of Justice Statistics, based on data from the Drug Enforcement Administration, Defendant Statistical System, fiscal years 1995–2016.

Investigation and prosecution

Investigations are most commonly referred to a U.S. attorney by a federal law enforcement agency, but are also referred by a state or local investigative agency. U.S. attorneys determine which cases they will prosecute and establish policies and priorities within their federal judicial districts. They use a variety of factors, such as available resources and priorities of the Department of Justice (DOJ) and state and local law enforcement.

In 2016, the majority of suspects were referred by the Department of Homeland Security

Ninety-three U.S. attorneys serve as the chief federal law enforcement officer within their respective districts.[4] Department of Homeland Security (DHS) agencies referred 53% of all suspects in matters received by U.S. attorneys in 2016, down from 58% in 2014 and 54% in 2015 (table 3).[5] Law enforcement agencies within DOJ referred 30% of suspects in matters referred to U.S. attorneys in 2016, compared to 28% in 2015 and 25% in 2014. In 2016, the Department of the Treasury referred 1% of all suspects, down from 2% in 2006.

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[4]One U.S. attorney serves two districts (Guam and Northern Mariana Islands). In this section, "matters concluded" reflect the prosecutor's decision to (1) prosecute the matter as a case in U.S. district court, (2) refer the matter for disposal by a U.S. magistrate, or (3) decline the matter, resulting in no further action.

[5]As of November 25, 2002, the Homeland Security Act of 2002 transferred the U.S. Customs Service and the Secret Service from the U.S. Department of the Treasury (Treasury) to the Department of Homeland Security (DHS). Responsibility for the Immigration and Naturalization Service was transferred from the Department of Justice (DOJ) to DHS, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives was transferred from Treasury to DOJ.

TABLE 3
Suspects in matters opened by U.S. attorneys, by referring authority, FY 2006, FY 2014, FY 2015, and FY 2016

Department or authority	FY 2006	FY 2014	FY 2015	FY 2016
Justice	31.3%	25.3%	28.2%	29.7%
Homeland Security	46.8	58.0	53.6	52.6
Treasury	1.7	1.7	1.6	1.3
Interior	1.6	1.6	1.9	2.0
Defense	3.7	2.2	2.5	2.0
Federal/state task forces	2.8	1.8	2.0	2.0
Other*	12.2	9.4	10.2	10.4
Number of suspects	133,935	160,505	157,313	151,994

Note: Department or authority is the entity making the referral for criminal action to the U.S. attorneys' offices. Percentages are based on records with non-missing referring authority information (268 records were missing the referring authority in 2006, 236 records in 2014, 71 records in 2015, and 41 records in 2016). The unit of count is a suspect in a matter referred to U.S. attorneys. Suspects in more than one matter are counted separately. A matter is opened when a federal prosecutor spends one hour or more investigating. Details may not sum to totals due to rounding.
*Includes departments of Agriculture, Commerce, Education, Energy, Health and Human Services, Labor, State, and Transportation; and state and local authorities.
Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office Network System database, fiscal years 2006, 2014, 2015, and 2016.

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 file cases before U.S. magistrates, who have the authority to adjudicate misdemeanor offenses (18 U.S.C. § 3401).

46% of suspects in matters concluded in 2016 were prosecuted in U.S. district court

Suspects charged with weapons (74%) and drug (71%) offenses had the highest prosecution rates in 2016, followed by those with violent (59%), property (51%), and public-order (44%) offenses (table 4). Thirty-seven percent of matters concluded by U.S. attorneys in 2016 were disposed of by U.S. magistrates. Offenses that were most likely to be disposed of by U.S. magistrates included immigration (69%) and public-order (17%) offenses.

Prosecutors may also decide to decline to prosecute a matter. The decision to decline a federal prosecution is based on a number of factors, including the lack of a prosecutable offense, an alternative resolution, or case- and suspect-related reasons. Suspects involved in regulatory offenses were most likely to have their matter declined for prosecution (51%), followed by fraud (43%) and other public-order offenses (37%).

TABLE 4
Outcome and case processing time of suspects in matters concluded, FY 2016

	Outcome				Prosecutor decision/case-processing time (median)[a]			
	Number of suspects in matters concluded	Prosecuted in U.S. district court	Disposed of by U.S. magistrate	Declined to prosecute	Total	Decision to prosecute in U.S. district court	Decision to dispose of by U.S. magistrate	Decision to decline matter
Total	155,615	46.4%	37.2%	16.4%	20 days	25 days	0 days	517 days
Lead charge[b]								
Violent	4,746	59.1%	8.6%	32.3%	70 days	28 days	117 days	341 days
Property	20,382	50.5	7.7	41.9	336	136	112	659
Fraud	17,962	50.1	6.7	43.2	371	172	135	674
Other	2,420	53.5	14.6	31.9	90	23	79	526
Drug	31,346	70.7	12.2	17.2	34	27	24	549
Public order	18,539	43.8	16.9	39.3	146	36	92	461
Regulatory	3,732	34.9	14.6	50.5	231	43	86	540
Other	14,807	46.0	17.5	36.5	132	35	93	429
Weapons	10,316	74.4	3.7	21.9	36	26	83	256
Immigration	70,237	30.2	69.2	0.7	1	21	0	631
Federal judicial district								
U.S.–Mexico border	81,131	33.6%	63.5%	2.9%	3 days	23 days	0 days	469 days
Arizona	19,720	24.9	71.5	3.6	0	26	0	477
California Southern	5,014	68.9	27.4	3.8	26	26	17	650
New Mexico	6,393	83.8	11.1	5.0	16	12	51	484
Texas Southern	26,794	26.2	71.6	2.2	0	20	0	488
Texas Western	23,210	28.2	69.6	2.2	3	23	1	386
Other	74,484	60.3	8.6	31.1	116	34	117	522

Note: The unit of count is a suspect in a matter referred to U.S. attorneys. Suspects investigated in more than one matter are counted separately. Lead charge was missing for 49 matters. Details may not sum to totals due to rounding.

[a]Prosecutor case-processing time reflects the time from receipt of a matter to the prosecutor's decision to prosecute as a case in U.S. district court, refer for disposal by a U.S. magistrate, or decline the matter, resulting in no further action. The median is the midpoint of processing time. A median of zero means that half of the suspects received a disposition on the same day as the matter was referred.

[b]Lead charge is the substantive statute that is the primary basis for referral. It is most often the charge with the greatest potential sentence, but not always.

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office Network System database, fiscal year 2016.

Case filing and adjudication

The majority of defendants charged in U.S. district courts in 2016 were of Hispanic origin

Defendants of Hispanic origin made up more than half (56%) of defendants charged in U.S. federal district courts. Nearly two-thirds (64%) of defendants charged were ages 25 to 44. Defendants age 50 or older made up 14% of defendants charged. The youngest (age 19 or younger) and oldest (age 65 or older) defendants together made up 3% of defendants charged in 2016 (table 5). In FY 2016, 41% of defendants charged in U.S. district courts were not U.S. citizens. Mexican citizens made up 30% of all defendants charged in federal district court and 74% of non-U.S. citizens charged.

TABLE 5
Demographic characteristics of defendants charged in U.S. federal district court, by sex of defendant, FY 2016

Defendant characteristic	All defendants		Male		Female	
	Number	Percent	Number	Percent	Number	Percent
Total	63,593	100%	54,546	100%	8,843	100%
Race/Hispanic origin[a]						
White	12,493	20.9%	9,844	19.2%	2,645	32.0%
Black/African American	11,844	19.8	10,228	19.9	1,608	19.4
Hispanic/Latino	33,248	55.7	29,675	57.8	3,558	43.0
American Indian/Alaska Native	1,329	2.2	1,026	2.0	303	3.7
Asian/Native Hawaiian/Other Pacific Islander	774	1.3	610	1.2	163	2.0
Age						
17 or younger	34	0.1%	32	0.1%	2	--
18–19	707	1.1	604	1.1	103	1.2%
20–24	7,546	11.9	6,392	11.7	1,151	13.0
25–29	10,951	17.2	9,455	17.3	1,491	16.9
30–34	11,517	18.1	10,094	18.5	1,419	16.0
35–39	10,495	16.5	9,179	16.8	1,305	14.8
40–44	7,763	12.2	6,712	12.3	1,039	11.8
45–49	5,592	8.8	4,748	8.7	840	9.5
50–54	3,751	5.9	3,159	5.8	586	6.6
55–59	2,408	3.8	1,997	3.7	408	4.6
60–64	1,392	2.2	1,123	2.1	268	3.0
65 or older	1,274	2.0	1,044	1.9	230	2.6
Median	35 yrs.		35 yrs.		35 yrs.	
Citizenship						
U.S. citizen	37,086	59.1%	30,064	55.7%	6,993	80.4%
Legal alien	3,180	5.1	2,690	5.0	489	5.6
Illegal alien	22,479	35.8	21,246	39.3	1,217	14.0
Country/region of citizenship						
North America	60,763	97.1%	52,210	97.0%	8,507	97.7%
United States	37,086	59.3	30,064	55.9	6,993	80.3
Mexico	18,917	30.2	17,721	32.9	1,180	13.6
Canada	104	0.2	81	0.2	23	0.3
Caribbean Islands[b]	1,349	2.2	1,226	2.3	123	1.4
Central America[b]	3,307	5.3	3,118	5.8	188	2.2
South America[b]	975	1.6	877	1.6	98	1.1
Asia and Oceania[b]	350	0.6	308	0.6	42	0.5
Europe[b]	296	0.5	252	0.5	44	0.5
Africa[b]	188	0.3	171	0.3	17	0.2

Note: The unit of count is a defendant in a case filed in U.S. district court. Defendants in more than one case filing are counted separately. Includes defendants charged in U.S. district court with a felony or Class A or B misdemeanor offense as the most serious charge. Data were missing for the following: sex (204), race/Hispanic origin (3,905), age (163), citizenship (848), and country/region of citizenship (1,021). Details may not sum to totals due to rounding.
--Less than 0.05%.
[a]Excludes persons of Hispanic/Latino origin, unless specified. Race/Hispanic origin are self-reported by the defendant during the pre-trial interview. Information collected for one race and one Hispanic origin category.
[b]Countries aggregated by region.
Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services, Probation and Pretrial Services Automated Case Tracking System, fiscal year 2016.

Most defendants charged in U.S. federal district court in 2016 were male

In 2016, 54,546 (86%) male and 8,843 (14%) female defendants were charged in U.S. federal district court. Most males charged were of Hispanic origin (58%), followed by black (20%) and white (19%) males. Both males and females had a median age of 35. Most females charged were of Hispanic origin (43%), followed by white (32%) and black (19%) females.

Males charged were split between U.S. (56%) and non-U.S. (44%) citizens. Eighty percent of females charged were U.S. citizens, and 20% were non-U.S. citizens. Among males, the most common countries or regions of citizenship apart from the United States included Mexico (33%), Central America (6%), the Caribbean (2%), and South America (2%). Among females, the most common countries or regions included Mexico (14%), Central America (2%), the Caribbean (1%), and South America (1%).

9 in 10 defendants adjudicated in U.S. district court in 2016 were convicted

Of the 76,639 defendants whose cases were terminated in U.S. district courts in 2016, 91% were convicted (table 6). More than 9 in 10 defendants charged with immigration (98%), weapons (94%), drug (92%), property (92%), and violent (91%) offenses were convicted. In 2016, 89% of defendants were convicted following a guilty plea, and 2% of convicted defendants received a bench or jury trial. Defendants adjudicated in the five federal judicial districts along the U.S.-Mexico border had a higher conviction rate (96%) than defendants in non-border districts (88%).

Non-conviction rates among major offenses ranged from 3% (immigration) to 14% (regulatory offenses). Most non-convictions were cases that were dismissed or were otherwise ended by the judge or prosecutor. In 2016, dismissals (427 days), non-conviction after trial (274 days), and guilty pleas (213 days) took less time to process from case filing to disposition than trials ending in conviction (547 days).

TABLE 6
Disposition and case-processing time of defendants in cases terminated in U.S. district court, FY 2016

Most serious offense at termination	Total cases terminated	Convicted			Not convicted		
		Total	Guilty plea	Bench/jury trial	Total	Bench/jury trial	Dismissed
All offenses	76,639	90.7%	88.7%	2.0%	9.3%	0.4%	8.9%
Type of charge							
Felony	67,996	93.7%	91.5%	2.2%	6.3%	0.4%	5.9%
Violent	2,474	91.2	84.2	7.0	8.8	1.1	7.7
Property	9,685	91.6	88.2	3.5	8.4	0.8	7.6
Fraud	8,304	92.3	88.7	3.6	7.7	0.8	7.0
Other	1,381	87.6	84.9	2.6	12.5	1.2	11.3
Drug	22,024	92.3	90.3	2.0	7.7	0.3	7.4
Public order	7,016	91.3	87.6	3.7	8.7	0.7	7.9
Regulatory	834	86.2	82.9	3.4	13.8	2.9	10.9
Other	6,182	92.0	88.2	3.8	8.0	0.5	7.5
Weapons	7,020	93.7	90.4	3.2	6.3	0.6	5.8
Immigration	19,777	97.5	97.3	0.3	2.5	0.1	2.4
Misdemeanor	8,643	66.6	65.9	0.7	33.4	0.3	33.1
Federal judicial district							
U.S.–Mexico border	27,834	95.9%	95.3%	0.6%	4.1%	0.1%	4.0%
Arizona	5,926	96.7	96.3	0.4	3.3	0.1	3.2
California Southern	3,541	87.3	85.9	1.4	12.7	0.3	12.4
New Mexico	5,148	97.2	97.1	0.1	2.8	0.1	2.7
Texas Southern	6,641	97.4	96.8	0.6	2.6	0.1	2.5
Texas Western	6,578	97.2	96.4	0.8	2.8	0.1	2.7
Other	48,805	87.7	84.9	2.8	12.3	0.6	11.8
Median days from filing to disposition*	214 days	213 days	213 days	547 days	397 days	274 days	427 days

Note: Includes information on felony defendants, Class A misdemeanants—whether handled by U.S. district court judges or U.S. magistrates—and other misdemeanants provided they were handled by U.S. district court judges. Most serious offense at termination is determined by court personnel as the offense with the greatest statutory-maximum sentence. The unit of count is a defendant in a case terminated in U.S. district court. Defendants terminated in more than one case are counted separately. The median is the midpoint when processing time is sorted from slowest to fastest. A median of 214 days means that half of the defendants received a disposition in fewer than 214 days and half of the defendants received a disposition in more than 214 days. Details may not sum to totals due to rounding.

*Includes the interval from the time a case is filed in U.S. district court through sentencing for those convicted and the interval from case filing through disposition for those not convicted or those whose cases were dismissed.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Criminal Master File, fiscal year 2016.

Sentencing

3 in 4 convicted defendants were sentenced to prison in 2016

Of the 69,487 defendants convicted in U.S. district court in 2016, more than three-quarters (78%) were sentenced to prison **(table 7)**. The remainder received sentences of probation only (10%), fine only (2%), or a suspended sentence (9%). Felons with the highest likelihood of receiving a prison term were those convicted of violent (93%), weapons (92%), and drug (89%) offenses. More than a third (36%) of persons convicted of a misdemeanor received a prison sentence in 2016.

Defendants sentenced to prison in 2016 received a median prison sentence of 30 months

Offenders sentenced for felony violent offenses received a median prison sentence of 81 months, followed by felony drug (60 months) and felony weapons offenses (51 months). Offenders sentenced for felony immigration offenses received a median sentence of 12 months. Defendants convicted and sentenced to prison in the five southwest-border districts received a median sentence of 15 months, compared to a median of 51 months in other districts. This was due primarily to the higher percentage of immigration cases in the southwest districts.

In 2016, the median probation sentence for each type of felony offense was 36 months, with the exception of 37 months for violent offenses. Probation sentences for misdemeanors had a median length of 12 months.

TABLE 7
Type and length of sentence imposed for convicted offenders, by offense and district, FY 2016

Most serious offense at case termination	Number convicted	Type of sentence				Median sentence length	
		Prison*	Probation only	Fine only	Suspended sentence	Prison	Probation
All offenses	69,487	78.4%	10.2%	2.1%	9.4%	30 mos.	36 mos.
Type of offense							
Felony	63,734	82.3%	8.0%	0.4%	9.4%	33 mos.	36 mos.
Violent	2,256	93.1	3.4	0.2	3.3	81	37
Property	8,872	63.5	24.3	0.9	11.3	24	36
Fraud	7,663	65.9	21.3	1.0	11.8	24	36
Other	1,209	48.2	43.2	0.7	8.0	21	36
Drug	20,338	89.3	4.4	0.2	6.0	60	36
Public order	6,407	78.3	14.4	0.9	6.5	51	36
Regulatory	719	53.0	32.6	3.4	11.0	24	36
Other	5,688	81.5	12.1	0.5	6.0	57	36
Weapons	6,575	91.5	4.3	0.1	4.1	51	36
Immigration	19,286	80.3	4.0	0.2	15.5	12	36
Misdemeanor	5,753	36.4	33.9	20.7	9.1	6	12
Federal judicial district							
U.S.–Mexico border	26,689	84.4%	5.3%	0.3%	10.0%	15 mos.	36 mos.
Arizona	5,729	83.8	5.8	0.1	10.3	13	36
California Southern	3,092	81.2	5.1	0.1	13.6	24	60
New Mexico	5,006	98.1	1.7	--	0.2	2	24
Texas Southern	6,467	90.8	3.0	0.1	6.2	24	36
Texas Western	6,395	69.3	10.2	1.1	19.4	21	36
Other	42,798	74.7	13.2	3.2	9.0	51	36

Note: The unit of count is a defendant in a case terminated with a conviction and sentence in U.S. district court. Defendants convicted and sentenced in more than one case are counted separately. The most serious offense is determined by court personnel as the offense with the greatest statutory maximum sentence. The median prison term is the midpoint of prison terms imposed. For example, a median of 30 months means that half of the defendants received a prison term of fewer than 30 months and half of the defendants received a prison term of more than 30 months. Sentence type was missing for 296 records in 2016. Details may not sum to totals due to rounding.
--Less than 0.05%.
*Includes sentences to incarceration such as mixed (a prison term followed by a probation term) and life sentences.
Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Criminal Master File, fiscal year 2016.

Federal prison

Drug offenders made up nearly half of prisoners in federal prison at fiscal year-end 2016

Prisoners with a drug offense as their most serious commitment offense made up 48% of the Federal Bureau of Prisons population in 2016, down from 55% in 2006 (figure 4). Weapons offenders increased from 14% in 2006 to 17% in 2016. Violent offenders decreased from 7% in 2006 to 6% in 2016, and immigration offenders decreased from 12% in 2006 to 9% in 2016.

FIGURE 4
Percent of prisoners in the custody of the Federal Bureau of Prisons, by most serious commitment offense, Fiscal Year-end 2006 and 2016
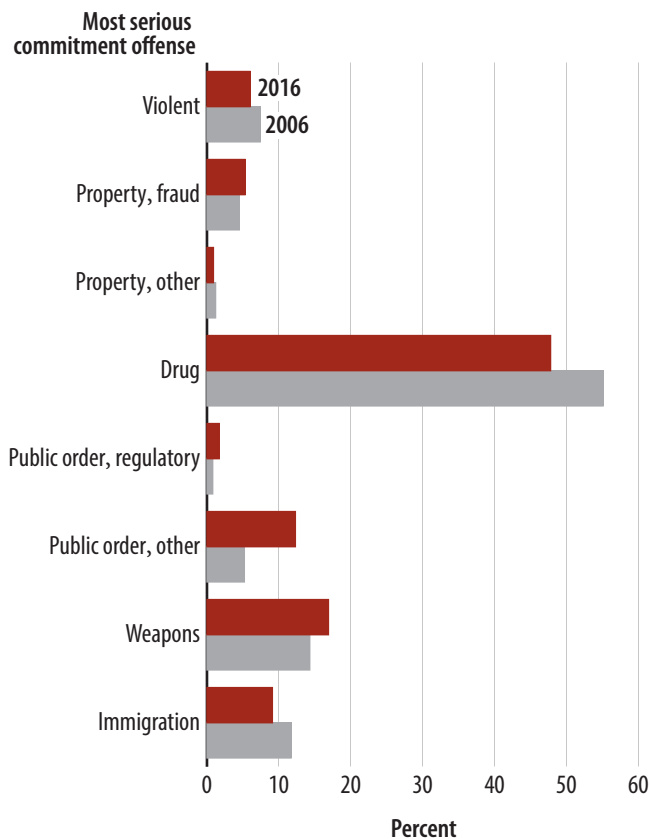
Note: Based on the offense with the longest sentence. The unit of count is the individual, federally sentenced prisoner in the custody of the Federal Bureau of Prisons on September 30, 2006 and 2016. Includes prisoners sentenced in U.S. district court and excludes District of Columbia code offenders, military code offenders, foreign treaty transfers, state boarders, and pre-sentenced offenders. See *Methodology* for universe of prisoners in federal prison. Percentages are based on non-missing data. Most serious commitment offense was missing for 1,393 records in 2006 and for 880 records in 2016.

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal year-end 2006 and 2016.

1 in 5 federal prisoners at fiscal year-end 2016 had been committed by federal courts in four judicial districts

At fiscal year-end 2016, a fifth (20%) of prisoners in federal prison were committed from four districts: Texas Southern (11,686), Texas Western (9,010), Arizona (6,400), and Florida Southern (6,197) (map 2). Three states (Texas, California, and Florida) committed 31% of prisoners in federal prison at fiscal year-end 2016.

MAP 2
Federally sentenced offenders in the custody of the Federal Bureau of Prisons, by judicial district of commitment, Fiscal Year-end 2016
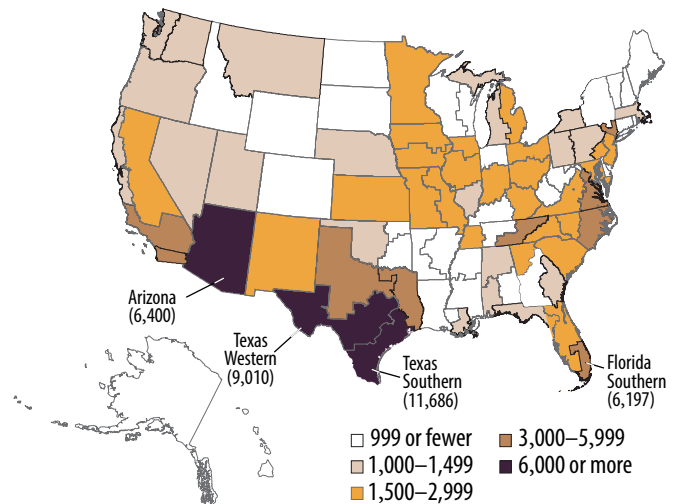
Note: The Federal Bureau of Prisons (BOP) had custody of 170,378 federally sentenced offenders on September 30, 2016. District-of-commitment data were missing for two records. The unit of count is the individual federally sentenced prisoner in the custody of the BOP. Includes prisoners sentenced in U.S. district court and excludes District of Columbia code offenders, military code offenders, foreign treaty transfers, state boarders, and pre-sentenced offenders. The map shows the number of persons in the BOP's custody by the federal judicial district in which they received their sentence to the BOP. Not shown: Guam (99), Puerto Rico (3,817), District of Columbia (915), and U.S. Virgin Islands (143).

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal year-end 2016.

The type of commitment offense varied by race and Hispanic origin of federal prisoners at year-end 2016

Drug offenses were the most common commitment offense for Hispanic, black, and white federal prisoners at year-end 2016. Hispanic prisoners made up the greatest number of drug (31,468) and immigration (14,754) commitment offenses (figure 5). Black prisoners had the largest number of weapons (16,409) and violent (3,714) offenses. White defendants made up the largest number of public-order (14,255) offenses, the second-largest number of weapons (6,972) offenses, and the third-largest number of drug (17,624) offenses. The most common offenses for American Indians/Alaskan Natives included violent (2,014), drug (542), and weapons offenses (412).

FIGURE 5

Race/Hispanic origin of federally sentenced offenders in the custody of the Federal Bureau of Prisons, by most serious commitment offense, Fiscal Year-end 2016
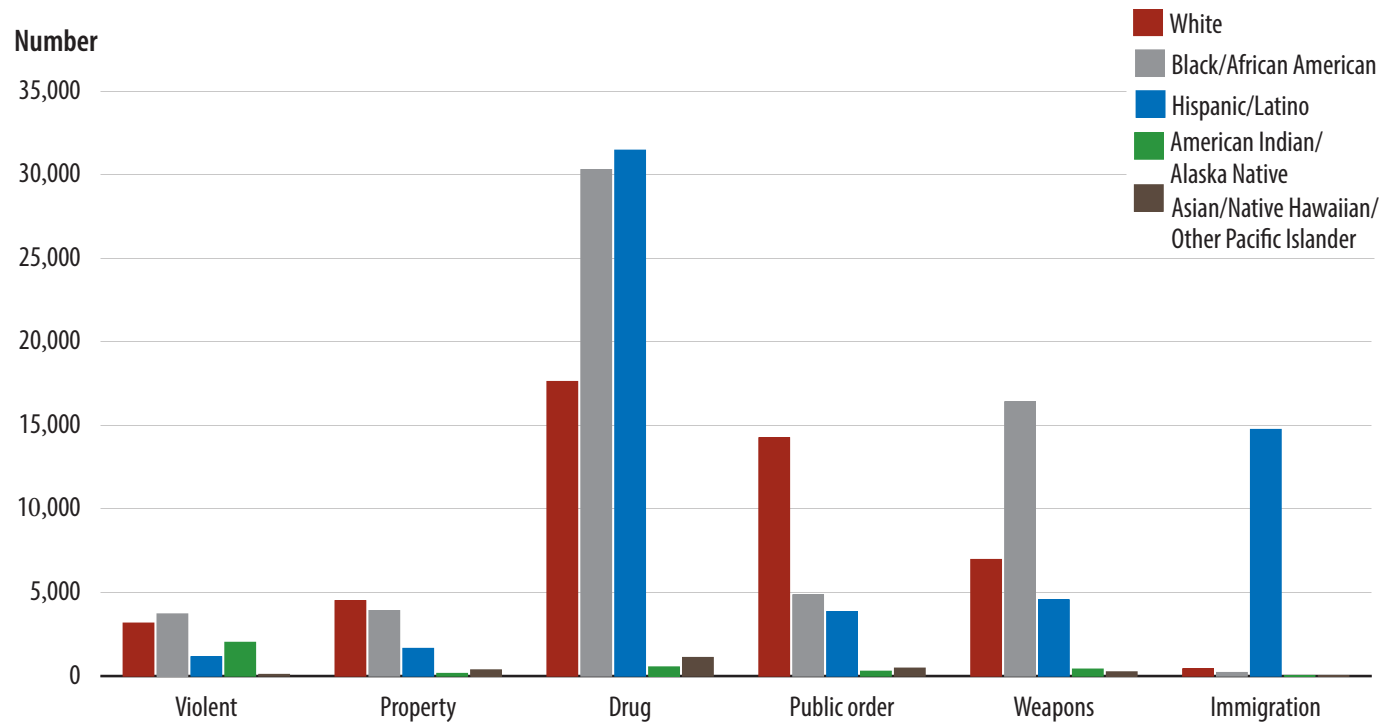
Note: Based on the offense with the longest sentence. The unit of count is the individual, federally sentenced prisoner in the custody of the Federal Bureau of Prisons on September 30, 2016. Includes prisoners sentenced in U.S. district court and excludes District of Columbia code offenders, military code offenders, foreign treaty transfers, state boarders, and pre-sentenced offenders. See *Methodology* for universe of prisoners in federal prison. Percentages are based on non-missing data. Most serious commitment offense was missing for 880 records in 2016.

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal year-end 2016.

The number of prisoners age 65 or older more than doubled from 2006 to 2016

The median age of prisoners was 40 years in 2016, compared to 39 in 2006 (table 8). The number of prisoners age 65 or older more than doubled, from 2,498 prisoners in 2006 to 5,028 in 2016. Offenders age 60 or older made up about 6% of the total prison population in 2016, compared to 4% in 2006.

TABLE 8
Demographic characteristics of federally sentenced offenders in the custody of the Federal Bureau of Prisons, Fiscal Year-end 2006, 2015, and 2016

Offender characteristic	2006		2015		2016		Average annual growth rate, 2006–2016[a]
	Number	Percent	Number	Percent	Number	Percent	
All prisoners	168,425	100%	183,063	100%	170,378	100%	0.2%
Sex							
Male	157,239	93.4%	170,842	93.3%	158,976	93.3%	0.2%
Female	11,186	6.6	12,221	6.7	11,402	6.7	0.3
Race/Hispanic origin[b]							
White	47,065	27.9%	50,005	27.3%	47,395	27.8%	0.1%
Black/African American	62,448	37.1	64,025	35.0	59,605	35.0	-0.4
Hispanic/Latino	53,461	31.7	63,010	34.4	57,608	33.8	0.9
American Indian/Alaska Native	2,960	1.8	3,460	1.9	3,443	2.0	1.5
Asian/Native Hawaiian/Other Pacific Islander	2,491	1.5	2,563	1.4	2,327	1.4	-0.6
Age							
17 or younger	27	0.0%	9	--	2	--	--
18–19	361	0.2	235	0.1%	246	0.1%	-2.5%
20–24	10,992	6.5	7,575	4.1	6,708	3.9	-4.7
25–29	28,687	17.0	21,080	11.5	19,163	11.2	-3.9
30–34	34,330	20.4	31,732	17.3	28,372	16.7	-1.8
35–39	30,429	18.1	35,006	19.1	32,817	19.3	0.8
40–44	23,459	13.9	29,399	16.1	27,561	16.2	1.7
45–49	17,115	10.2	21,728	11.9	20,740	12.2	2.0
50–54	10,633	6.3	15,599	8.5	14,653	8.6	3.3
55–59	6,560	3.9	9,931	5.4	9,645	5.7	4.0
60–64	3,333	2.0	5,709	3.1	5,442	3.2	5.1
65 or older	2,498	1.5	5,060	2.8	5,028	3.0	7.3
Median	39 yrs.		39 yrs.		40 yrs.		
Citizenship							
U.S. citizen	123,366	73.4%	140,547	76.8%	133,104	78.1%	0.8%
Non-U.S. citizen	44,629	26.6	42,483	23.2	37,242	21.9	-1.6
Country/region of citizenship							
North America	162,134	96.6%	178,899	97.7%	166,417	97.8%	0.3%
United States	123,366	73.5	140,547	74.2	133,104	78.2	0.8
Mexico	29,895	17.8	30,119	18.8	26,038	15.3	-1.1
Canada	335	0.2	299	0.2	236	0.1	-3.0
Caribbean Islands[c]	6,159	3.7	4,088	2.4	3,545	2.1	-5.3
Central America[c]	2,379	1.4	3,846	2.2	3,494	2.1	4.3
South America[c]	3,435	2.0	2,073	1.2	2,037	1.2	-5.1
Asia and Oceania[c]	1,367	0.8	1,095	0.6	997	0.6	-3.0
Europe[c]	474	0.3	440	0.2	425	0.2	-1.0
Africa[c]	448	0.3	373	0.2	327	0.2	-2.8

Note: Includes prisoners sentenced in U.S. district court and excludes District of Columbia code offenders, military code offenders, foreign treaty transfers, state boarders, and pre-sentenced offenders. Citizenship data were missing in 2006 (430), 2015 (33), and 2016 (32). Country/region of citizenship data were missing in 2006 (567), 2015 (183), and 2016 (175). Details may not sum to totals due to rounding.
--Less than 0.05%.
[a]Calculated using each fiscal-year count from 2006 through 2016.
[b]Excludes persons of Hispanic/Latino origin, unless specified. Race/Hispanic origin are self-reported by the defendant during the pre-sentence interview. Information collected for one race and one Hispanic origin category.
[c]Countries aggregated by region.
Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal year-end 2006, 2015, and 2016.

Males accounted for 93% of BOP prisoners in 2016

Males made up 93% of federal prisoners in 2016, and females accounted for 7%. The average annual rate of growth from 2006 to 2016 was similar for males and females (up less than 1%). In 2016, 35% of the federal prison population was black, 34% was Hispanic, and 28% was white. American Indians and Alaska Natives (2%) and Asians (1%) made up the remainder of the prison population. American Indians and Alaska Natives had the greatest average annual increase from 2006 to 2016 (up 2%).

In 2016, more than 1 in 5 federally sentenced prisoners in the BOP were non-U.S. citizens

The proportion of non-U.S. citizens in federal prison decreased from 27% in 2006 to 22% in 2016. In 2016, 15% of federally sentenced prisoners were citizens of Mexico, followed by countries in the Caribbean (2%), Central America (2%), and South America (1%). Prisoners with citizenship in a Central American country increased by an average of 4% annually from 2006 to 2016, while prisoners who were citizens of Caribbean and South American countries declined by an annual average of 5%.

Federal supervision in the community

The U.S. Probation and Pretrial Services, a component of the Administrative Office of the U.S. Courts, oversees the supervision of federal offenders in the community. Federal probation officers monitor offender compliance to court-ordered conditions of supervision. This section includes defendants sentenced to a term of probation (with no prison time served) and defendants sentenced to a term of supervision (to be served upon release from prison). Defendants under pre-trial supervision are not included in this section.

Most (87%) offenders were under federal supervision following release from prison

Eighty-seven percent of offenders under federal community supervision in 2016 received one of two forms of supervision following release from prison: supervised release (115,843) or parole (1,128) **(table 9)**. The remainder (17,938) were on probation supervision, a sentence to a term of supervision in the community. Of the 134,909 offenders under federal supervision at fiscal year-end 2016, 83% were male and 17% were female.

Black (47,168) and white (46,198) offenders made up 71% of persons under federal supervision in the community at fiscal year-end 2016. The median age was the same for offenders on supervised release or probation (age 41) and higher for persons on parole supervision (age 54). Seven percent of persons under supervised release in the community in 2016 were non-U.S. citizens.

The number of persons on supervision in the community increased from 113,263 in 2006 to 134,909 in 2016. Drug offenders made up a growing share of persons under federal supervision in the community, from 45% in 2006 to 49% in 2016 **(figure 6)**. The percentage of property fraud offenders under supervision decreased from 21% in 2006 to 16% in 2016. Weapons offenders increased from 10% in 2006 to 13% in 2016.

FIGURE 6

Offenders under federal supervision in the community, by type of commitment offense, Fiscal Year-end 2006 and 2016
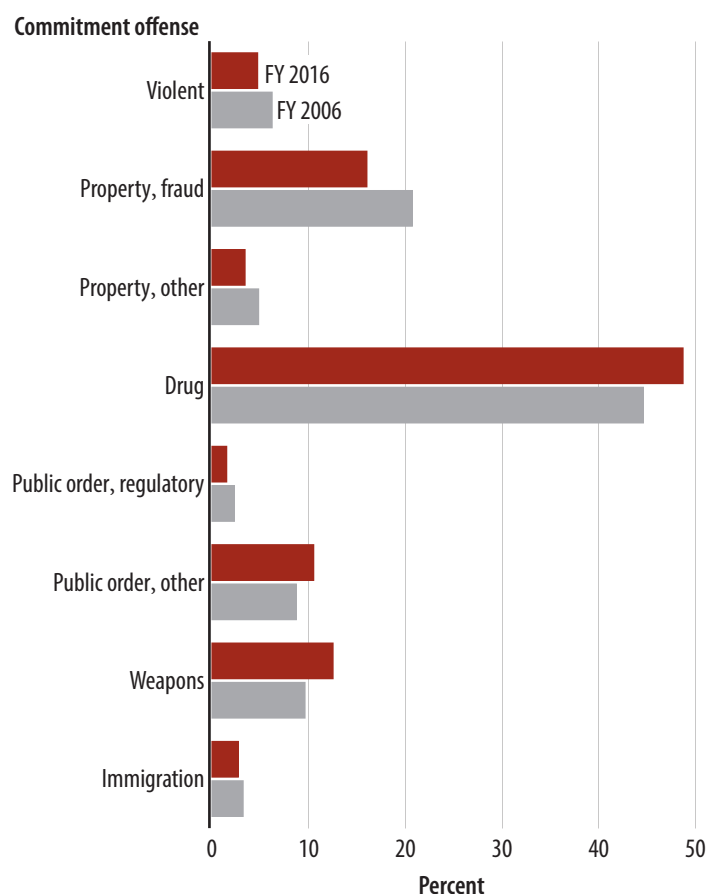
Note: Percentages are based on non-missing data. Offense type missing for 172 records in 2016 and for 191 in 2006.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services, Probation and Pretrial Services Automated Case Tracking System, fiscal year-end 2006 and 2016.

TABLE 9
Demographic characteristics of offenders under post-sentencing federal supervision, FY 2016

Offender demographic characteristic	Total Number	Total Percent	Probation Number	Probation Percent	Supervised release Number	Supervised release Percent	Parole Number	Parole Percent
Total	134,909	100%	17,938	100%	115,843	100%	1,128	100%
Sex								
Male	111,347	82.7%	11,102	62.8%	99,140	85.6%	1105	98.0%
Female	23,304	17.3	6,580	37.2	16,701	14.4	23	2.0
Race/Hispanic origin[a]								
White	46,198	35.1%	7,794	45.8%	38,058	33.5%	346	32.5%
Black/African American	47,168	35.8	4,611	27.1	41,986	36.9	571	53.6
Hispanic/Latino	32,223	24.4	3,383	19.9	28,719	25.3	121	11.4
American Indian/Alaska Native	2,846	2.2	444	2.6	2,382	2.1	20	1.9
Asian/Native Hawaiian/Other Pacific Islander	3,389	2.6	777	4.6	2,604	2.3	8	0.8
Age								
17 or younger	22	--	21	0.1%	1	--	0	^
18–19	113	0.1%	90	0.5	23	--	0	^
20–24	3,734	2.8	1,213	6.9	2,514	2.2%	7	0.6%
25–29	13,015	9.7	2,224	12.6	10,739	9.3	52	4.6
30–34	19,251	14.3	2,279	12.9	16,899	14.6	73	6.5
35–39	23,597	17.5	2,222	12.6	21,311	18.4	64	5.7
40–44	21,073	15.7	2,005	11.3	18,965	16.4	103	9.1
45–49	17,346	12.9	1,927	10.9	15,310	13.2	109	9.7
50–54	13,245	9.8	1,776	10.0	11,313	9.8	156	13.8
55–59	9,840	7.3	1,467	8.3	8,215	7.1	158	14.0
60–64	6,325	4.7	1,065	6.0	5,103	4.4	157	13.9
65 or older	7,095	5.3	1,399	7.9	5,448	4.7	248	22.0
Median		41 yrs.		41 yrs.		41 yrs.		54 yrs.
Citizenship								
U.S. citizen	124,662	93.2%	15,620	88.9%	108,015	93.8%	1,027	95.6%
Legal alien	4,567	3.4	1,008	5.7	3,551	3.1	8	0.7
Illegal alien	4,580	3.4	951	5.4	3,590	3.1	39	3.6
Country/region of citizenship								
North America	132,697	99.0%	17,216	97.7%	114,394	99.2%	1,087	99.5%
United States	130,089	97.0	16,747	95.0	112,278	97.3	1,064	97.4
Mexico	863	0.6	202	1.2	656	0.6	5	0.5
Canada	43	--	28	0.2	15	--	0	--
Caribbean Islands[b]	1,497	1.1	162	0.9	1,318	1.1	17	1.6
Central America[b]	205	0.2	77	0.4	127	0.1	1	0.1
South America[b]	195	0.2	58	0.3	133	0.1	4	0.4
Asia and Oceania[b]	704	0.5	219	1.2	483	0.4	2	0.2
Europe[b]	242	0.2	79	0.5	163	0.1	0	--
Africa[b]	245	0.2	57	0.3	188	0.2	0	--

Note: Details may not sum to totals due to rounding. Includes suspects for whom characteristics were unknown. The unit of count is an individual offender under federal supervision on September 30, 2016. Percentages are based on non-missing data. Citizenship and country/region of citizenship differ due to missing data. Data were missing for the following: age (253), sex (258), race/Hispanic origin (3,085), citizenship (1,100), and country/region of citizenship (826).
--Less than 0.05%.
^Estimate based on 10 or fewer cases.
[a]Excludes persons of Hispanic/Latino origin, unless specified. Race and Hispanic origin are self-reported by the defendant during the pre-sentence interview. Information collected for one race and one Hispanic origin category.
[b]Countries aggregated by region.
Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services, Probation and Pretrial Services Automated Case Tracking System, fiscal year-end 2016.

Methodology

This report uses data from the Federal Justice Statistics Program (FJSP), a collection from the Bureau of Justice Statistics (BJS). The FJSP receives administrative data files from six federal criminal justice agencies. Data represent the federal criminal case processing stages from arrest to imprisonment. BJS standardizes this information to maximize comparability across and within agencies over time. This includes—

- counting each appearance of an individual in the data during a fiscal year (October 1 through September 30), whether it be for a criminal arrest, matter, case, or imprisonment stay
- delineating fiscal year as the period for reported events
- applying a uniform offense classification across agencies
- classifying disposition and sentences imposed.

FJSP data sources

U.S. Marshals Service: The Justice Detainee Information System provides information on suspects arrested for federal offenses. Suspects may be counted more than once in a fiscal year if they are arrested multiple times during the period. This report uses most serious arrest offense as classified by the deputy U.S. Marshal at the time of booking. Each of the 94 federal judicial districts in the United States have a U.S. Marshal. Deputy U.S. Marshals take federal suspects who have been charged with a crime into custody, which includes booking, processing, and detaining suspects. They also oversee court security and coordinate prisoner transportation, among other duties.

Drug Enforcement Administration (DEA): The Defendant Statistical System contains data on suspects arrested by DEA agents within the U.S. The data include information on characteristics of arrestees and the type of drug for which they were arrested. Suspects may be counted more than once in a fiscal year if they are arrested multiple times by the DEA during this period.

Executive Office for U.S. Attorneys: The Legal Information Office Network System database contains information on the investigation and prosecution of suspects in criminal matters received and concluded and criminal cases filed and terminated by U.S. attorneys. Suspects may be counted more than once in a fiscal year if they are involved in multiple matters received

and concluded during the period. A matter is defined as a referral in which an attorney spends one hour or more investigating. The lead charge is used to classify the most serious offense at referral and is defined as the substantive statute that is the primary basis of referral.

Administrative Office of the U.S. Courts (AOUSC): The Criminal Master File contains information about the criminal proceedings against defendants whose cases were filed and terminated in U.S. district courts. It includes information on felony defendants, Class A misdemeanants—whether handled by U.S. district court judges or U.S. magistrates—and other misdemeanants provided they were handled by U.S. district court judges.[6]

Offenses are based on the most serious charged offense, as determined by the probation officer responsible for interviewing the defendant. The probation officer classifies the offense charged into AOUSC four-digit offense codes, which are maintained and updated by the AOUSC. For defendants charged with more than one offense on an indictment, the probation officer chooses as the charged offense the one carrying the most severe penalty or, in the case of two or more charges carrying the same penalty, the one with the highest offense severity. The offense severity level is determined by the AOUSC, which ranks offenses according to the maximum sentence, type of crime, and maximum fine amount. These four-digit codes are then aggregated into the primary offense charges used for this report.

This report also uses AOUSC data from the Probation and Pretrial Services Automated Case Tracking System (PACTS), which contains information on defendants interviewed and supervised by pre-trial services. These data are used to describe background characteristics of defendants arraigned. Post-sentencing data from PACTS are used to describe persons under post-sentencing supervision in the community.

U.S. Sentencing Commission: The Monitoring Database contains information on criminal defendants sentenced pursuant to the provisions of the Sentencing Reform Act of 1984. Data files are limited to those defendants whose court records have been obtained by the U.S. Sentencing Commission. These data do not appear in this bulletin.

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[6]A felony is classified as an offense for which the maximum term of imprisonment is more than one year in prison. Offenses classified as misdemeanors include those for which the maximum term of imprisonment is less than one year in prison. Class A misdemeanors include offenses for which the maximum term of imprisonment is one year or less but more than 6 months in prison. Class B misdemeanors include offenses for which the maximum term of imprisonment is 6 months or less but more than 30 days in prison.

Federal Bureau of Prisons (BOP): The SENTRY database contains information on all federally sentenced offenders admitted into or released from federal prison during a fiscal year and offenders in federal prison at the end of each fiscal year (September 30). The prisoner count reported by the FJSP differs from what is reported by the BOP although data are from the same source (SENTRY). For example, the BOP reports 192,170 prisoners as of September 30, 2016.[7] The FJSP starts with data extracted from SENTRY that differs slightly (down 506) from this total (191,664). Of the 191,664 records, 15,759 records were dropped because the prisoner was not designated at an assigned BOP custodial facility. The excluded records included designations to community confinement, home confinement, hospital, Immigration and Customs Enforcement detention, material witness, and pre-sentence admission. Next, 439 records were excluded due to missing commitment offense, and 4,529 prisoners were dropped as they were sentenced by the District of Columbia Superior Court. Finally, 559 prisoner records were dropped because the prisoner was a state boarder, a treaty transfer, or serving a sentence from a military court commitment. Of the 191,664 prisoners reported by the BOP in custody on September 30, 2016, a total of 170,378 (89% of the total population) met the criteria as federally sentenced prisoners **(figure 7)**.

[7]See www.bop.gov/about/statistics/population_statistics.jsp.

Other resources

Detailed data tables will be available in *Federal Justice Statistics, 2015 - Statistical Tables* (NCJ 251771) and *Federal Justice Statistics, 2016 - Statistical Tables* (NCJ 251772), forthcoming in 2019 on BJS web. FJSP data are available in the Federal Criminal Case Processing Statistics Tool, an interactive BJS web tool that permits users to query the federal data and download the results as a spreadsheet. This tool is available on the BJS website. It provides statistics by stage of the federal criminal case process, including law enforcement, prosecution and courts, and incarceration. Users can generate queries using data for the years 1998 to 2016. Users can also generate queries by title and section of the U.S. criminal code.

FIGURE 7

Universe of prisoners held under the Federal Bureau of Prisons' jurisdiction and federally sentenced prisoners in the bureau's custody, Fiscal Year-end 2016
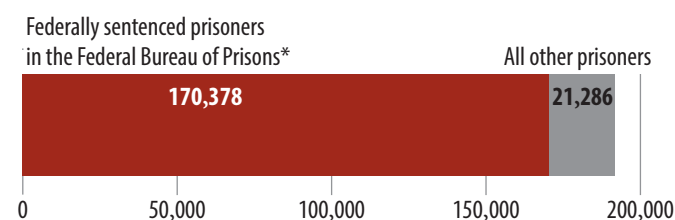
Note: Excludes records missing commitment offense; prisoners committed by D.C. Superior Court; prisoners housed as state boarders, treaty transfers, or from military court commitment; and prisoners designated to community confinement, home confinement, pre-sentence detention, hospital, and Immigration and Customs Enforcement detention.

*Includes federally sentenced prisoners held in private facilities.

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal year-end 2016.

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