

Federal Criminal Case Processing Statistics: *Terms and Definitions*

September 1, 2023

The Federal Criminal Case Processing Statistics (FCCPS) Tool is an interactive webtool that allows practitioners, policy makers, academics, and the general public to investigate and research various aspects about the federal criminal justice system. The FCCPS Tool enables the querying of data on the persons processed in the federal criminal justice system in nine cohorts across three case processing stages: (1) law enforcement, (2) prosecution/courts, and (3) incarceration. Additionally, annual statistics on specific criminal statutes of the United States Code can be queried for five federal court outcomes. This document lists and defines the variables/outcomes available and provides a glossary of key terms used by the Federal Justice Statistics Program (FJSP). The first section of the Terms and Definitions document lists the variables and response options by cohort. **Cohorts are grouped by case processing stage.** The response options are provided in a bulleted list under each variable. Law enforcement is presented first, then prosecution/courts, and finally incarceration. The end section contains a glossary of key terms.

Available Variables/Metrics

Case Processing Stage: Law Enforcement

- **COHORT:** Persons in investigations initiated (EOUSA)
 - **Variable:** *Investigating department, authority:* Executive department or other authority that investigated the matter before it was referred to the U.S. attorney.
 - Dept. of Agriculture
 - Dept. of Commerce
 - Dept. of Defense
 - Dept. of Education
 - Dept. of Energy
 - Dept. of Health and Human Services
 - Dept. of Homeland Security
 - Dept. of Housing and Urban Development
 - Dept. of the Interior
 - Dept. of Justice
 - Dept. of State
 - Dept. of the Treasury
 - Dept. of Transportation
 - Federal/State task force
 - Independent Federal agencies
 - State/Local authorities
 - Other
 - Missing/Unknown
 - **Variable:** *Month the matter was received:* Month of the federal fiscal year during which the matter was opened or received by an assistant U.S. attorney.
 - October
 - November
 - December
 - January
 - February
 - March
 - April
 - May
 - June
 - July
 - August
 - September
 - **Variable:** *Offense category:* The most serious offense alleged in the matter. Offenses are categorized using the primary level (seven categories) of the Bureau of Justice Statistics offense classification.

- Violent offenses
 - Property offenses
 - Drug offenses
 - Public-order offenses
 - Weapon offenses
 - Immigration offenses
 - Other offenses
 - Missing/Unknown
- **Variable: *Offense (detailed)*:** The most serious offense alleged in the matter. Offenses are categorized using the detailed level of the Bureau of Justice Statistics offense classification.
 - Murder
 - Negligent manslaughter
 - Assault
 - Robbery
 - Sexual abuse
 - Kidnapping
 - Threats against the President
 - Fraud
 - Forgery
 - Counterfeiting
 - Embezzlement
 - Burglary
 - Larceny-felony
 - Motor vehicle theft
 - Arson and explosives
 - Transportation of stolen property
 - Other property offenses
 - Drug possession
 - Drug trafficking
 - Other drug offenses
 - Agriculture
 - Antitrust
 - Food and drug
 - Transportation
 - Civil rights
 - Communications
 - Customs laws
 - Postal laws
 - Other regulatory offenses
 - Weapon offenses
 - Immigration felonies
 - Tax law violations
 - Bribery
 - Perjury, contempt, and intimidation
 - National defense
 - Escape
 - Racketeering and extortion
 - Gambling
 - Liquor offenses
 - Other sex offenses
 - Traffic offense
 - Wildlife offense
 - Environmental offenses
 - Conspiracy/aiding and abetting
 - All other offenses
 - Missing/Unknown
- **COHORT: Persons arrested and booked (USMS)**
 - **Variable: *Age*:** Age of person at the time of booking.
 - Less than 18 years
 - 18 – 19 years
 - 20 - 24 years
 - 25 – 29 years
 - 30 – 34 years
 - 35 – 39 years
 - 40 – 44 years
 - 45 – 49 years
 - 50 – 54 years
 - 55 – 59 years
 - 60 – 64 years
 - 65 years or more
 - Unknown
 - **Variable: *U.S. citizenship*:** Indicates whether the person is a U.S. citizen.
 - U.S. citizen
 - Non-U.S. citizen
 - Missing/Unknown
 - **Variable: *Sex*:** Indicates the biological sex of the person.
 - Male
 - Female
 - Missing/Unknown
 - **Variable: *Race*:** Indicates the race of the person.
 - White
 - Black
 - Native American
 - Asian/Pacific Islander

- Other
- Missing/Unknown
- **Variable: Arresting agency (summarized):** The agency responsible for making the arrest. Federal law enforcement agencies are aggregated into their respective departments within the Executive Branch.
 - Department of Agriculture
 - Department of Defense
 - Department of Homeland Security
 - Department of the Interior
 - Department of Justice
 - Department of State
 - Department of the Treasury
 - Federal Judiciary
 - Postal Service
 - Federal/state task force
 - State or local law enforcement
 - Self-report, subpoena
 - Other
 - Missing/Unknown
- **Variable: Arresting agency (detailed):** The agency responsible for making the arrest.
 - Alcohol, Tobacco, Firearms and Explosives
 - Border Patrol (INS)
 - Customs and Border Protection
 - Customs Service
 - Drug Enforcement Administration
 - Federal Bureau of Investigation
 - Federal Judiciary
 - Indian Affairs
 - Immigration and Customs Enforcement
 - Immigration and Naturalization Service
 - Internal Revenue Service
 - Marshals Service
 - Park Police
 - Postal Service
 - Secret Service
 - Federal/state task force
 - State or local law enforcement
 - Self-report, subpoena
 - Other
 - Missing/Unknown
- **Variable: Offense category:** The most serious offense alleged against the person. Offenses are categorized using the primary level (eight categories) of the Bureau of Justice Statistics offense classification.
 - Violent offenses
 - Property offenses
 - Drug offenses
 - Public-order offenses
 - Weapon offenses
 - Immigration offenses
 - Supervision violations
 - Material witness
 - Missing/Unknown
- **Variable: Offense (detailed):** The most serious offense alleged against the person. Offenses are categorized using the detailed level of the Bureau of Justice Statistics offense classification.
 - Murder
 - Negligent manslaughter
 - Assault
 - Robbery
 - Sexual abuse
 - Kidnapping
 - Threatening communication
 - Other violent offenses
 - Embezzlement
 - Fraud
 - Forgery
 - Counterfeiting
 - Burglary
 - Larceny
 - Motor vehicle theft
 - Arson and explosives
 - Transportation of stolen property
 - Other property offenses
 - Drug offense: Hallucinogens
 - Drug offense: Heroin
 - Drug offense: Other opiates
 - Drug offense: Cocaine
 - Drug offense: Synthetic
 - Drug offense: Equipment
 - Drug offense: Marijuana
 - Drug offense: Amphetamine
 - Drug offense: Barbiturates
 - Drug offense: Other

- Antitrust
- Food and drug
- Civil rights
- Other regulatory offenses
- Weapon offenses
- Immigration: Illegal entry
- Immigration: False citizenship
- Immigration: Smuggling
- Immigration: Other
- Tax law violations
- Bribery
- Perjury, contempt, and intimidation
- National defense
- Escape
- Racketeering and extortion
- Gambling
- Child support recovery
- Child support recovery: Alimony
- Child support recovery: Other
- Other sex offenses
- Obstruction of justice
- Traffic
- Conspiracy/aiding and abetting
- Wildlife offenses
- Environmental offenses
- Other public-order offenses
- Bail violation
- Probation violation
- Post-incarceration supervision violation
- Community treatment center (CTC)
- Failure to appear
- Material witness
- Missing/Unknown

- **COHORT: Persons in investigations concluded (EOUSA)**

- **Variable: Investigating department, authority:** Executive department or other authority that investigated the matter before it was referred to the U.S. attorney.

- Dept. of Agriculture
- Dept. of Commerce
- Dept. Of Defense
- Dept. Of Education
- Dept. Of Energy
- Dept. Of Health and Human Services
- Dept. Of Homeland Security
- Dept. Of Housing and Urban Development
- Dept. Of the Interior
- Dept. Of Justice
- Dept. Of Labor
- Dept. Of State
- Dept. Of the Treasury
- Dept. Of Transportation
- Federal/State task force
- Independent Federal agencies
- State/Local authorities
- Other
- Missing/Unknown

- **Variable: Offense category:** The most serious offense alleged in the matter. Offenses are categorized using the primary level (seven categories) of the Bureau of Justice Statistics offense classification.

- Violent offenses
- Property offenses
- Drug offenses
- Public-order offenses
- Weapon offenses
- Immigration offenses
- Other offenses
- Missing/Unknown

- **Variable: Offense (detailed):** The most serious offense alleged in the matter. Offenses are categorized using the detailed level of the Bureau of Justice Statistics offense classification.

- Murder
- Negligent manslaughter
- Assault
- Robbery
- Sexual abuse
- Kidnapping
- Threats against the President
- Fraud
- Forgery
- Counterfeiting
- Embezzlement
- Burglary
- Larceny-felony
- Motor vehicle theft
- Arson and explosives
- Transportation of stolen property
- Other property offenses
- Drug possession

- Drug trafficking
 - Other drug offenses
 - Agriculture
 - Antitrust
 - Food and drug
 - Transportation
 - Civil rights
 - Communications
 - Customs laws
 - Postal laws
 - Other regulatory offenses
 - Weapon offenses
 - Immigration felonies
 - Tax law violations
 - Bribery
 - Perjury, contempt, and intimidation
 - National defense
 - Escape
 - Racketeering and extortion
 - Gambling
 - Liquor offenses
 - Other sex offenses
 - Traffic offense
 - Wildlife offense
 - Environmental offenses
 - Conspiracy/aiding and abetting
 - All other offenses
 - Missing/Unknown
- **Variable:** *Outcome of the matter:* Indicates whether the matter resulted in a case filing.
 - Case filed in U.S. District Court
 - Matter disposed by U.S. Magistrate
 - Matter declined for Federal prosecution
 - Missing/Unknown
 - **Variable:** *Days from filing to disposition:* The number of days between the date the matter was filed and the date it was disposed.
 - Less than 1 day
 - 1 – 5 days
 - 6 – 10 days
 - 11 – 20 days
 - 21 – 30 days
 - 31 – 60 days
 - 61 – 182 days
 - 183 – 365 days
 - 366 – 730 days
 - 731 – 1,095 days
 - 1,096 – 1,825 days
 - More than 1,825 days
 - Missing/Unknown

Case Processing Stage: Prosecution/Courts

- **COHORT:** Persons charged (AOUSC)
 - **Variable:** *Filing judge type:* Indicates whether the case was filed before a U.S. district court judge or a U.S. magistrate.
 - U.S. District Court Judge
 - U.S. Magistrate
 - Missing/Unknown
 - **Variable:** *Type of initial proceeding:* The type of court proceeding where the person first appeared.
 - Indictment
 - Felony information
 - Misdemeanor information
 - Remand from appeals court
 - Petition for removal
 - Reopened case
 - Appeal to District Court
 - Consent to trial by U.S. Magistrate
 - Juvenile proceeding
 - Retrial-mistrial
 - Retrial-remand
 - Violation notice
 - Transfers
 - Missing/Unknown
 - **Variable:** *Felony flag (filing offense):* Indicates whether the most serious filing offense was a felony or misdemeanor.
 - Felony
 - Misdemeanor

- Missing/Unknown
- **Variable: *Filing offense category*:** The most serious filing offense is categorized using the primary level (seven categories) of the Bureau of Justice Statistics offense classification.
 - Violent offenses
 - Property offenses
 - Drug offenses
 - Public-order offenses
 - Weapon offenses
 - Immigration offenses
 - Other offenses
 - Missing/Unknown
- **Variable: *Filing offense (detailed)*:** The most serious filing offense is categorized using the detailed level of the Bureau of Justice Statistics offense classification.
 - Murder
 - Negligent manslaughter
 - Assault
 - Robbery
 - Sexual abuse
 - Kidnapping
 - Threats against the President
 - Fraud
 - Forgery
 - Counterfeiting
 - Burglary
 - Larceny – felony
 - Motor vehicle theft
 - Arson and explosives
 - Transportation of stolen property
 - Embezzlement
 - Other property offenses
 - Drug trafficking
 - Other drug felonies
 - Agriculture
 - Antitrust
 - Food and drug
 - Transportation
 - Civil rights
 - Communications
 - Customs laws
 - Postal laws
 - Other regulatory felonies
 - Weapon offenses
 - Immigration felonies
 - Tax law violations
 - Bribery
 - Perjury, contempt, and intimidation
 - National defense
 - Escape
 - Racketeering and extortion
 - Gambling
 - Other sex offenses
 - Wildlife offenses
 - Environmental offenses
 - Traffic offenses - felony
 - Liquor offenses
 - All other felonies
 - Fraudulent property offenses - misdemeanor
 - Larceny - misdemeanor
 - Drug possession - misdemeanor
 - Immigration - misdemeanor
 - Traffic offenses - misdemeanor
 - Other misdemeanors
 - Missing/Unknown
- **COHORT: Persons in cases closed (AOUSC)**
 - **Variable: *Felony flag (filing offense)*:** Indicates whether the most serious filing offense was a felony or misdemeanor.
 - Felony
 - Misdemeanor
 - Missing/Unknown
 - **Variable: *Felony flag (terminating offense)*:** Indicates whether the most serious terminating offense was a felony or misdemeanor.
 - Felony
 - Misdemeanor
 - Missing/Unknown
 - **Variable: *Filing offense category*:** The most serious filing offense is categorized using the primary level (seven categories) of the Bureau of Justice Statistics offense classification.
 - Violent offenses
 - Property offenses
 - Drug offenses
 - Public-order offenses

- Weapon offenses
 - Immigration offenses
 - Other offenses
 - Missing/Unknown
- **Variable: *Terminating offense category***: The most serious terminating offense is categorized using the primary level (seven categories) of the Bureau of Justice Statistics offense classification.
- Violent offenses
 - Property offenses
 - Drug offenses
 - Public-order offenses
 - Weapon offenses
 - Immigration offenses
 - Other offenses
 - Missing/Unknown
- **Variable: *Filing offense (detailed)***: The most serious filing offense is categorized using the detailed level of the Bureau of Justice Statistics offense classification.
- Murder
 - Negligent manslaughter
 - Assault
 - Robbery
 - Sexual abuse
 - Kidnapping
 - Threats against the President
 - Fraud
 - Forgery
 - Counterfeiting
 - Burglary
 - Larceny – felony
 - Motor vehicle theft
 - Arson and explosives
 - Transportation of stolen property
 - Embezzlement
 - Other property offenses
 - Drug trafficking
 - Other drug felonies
 - Agriculture
 - Antitrust
 - Food and drug
 - Transportation
 - Civil rights
 - Communications
 - Customs laws
 - Postal laws
 - Other regulatory felonies
 - Weapon offenses
 - Immigration felonies
 - Tax law violations
 - Bribery
 - Perjury, contempt, and intimidation
 - National defense
 - Escape
 - Racketeering and extortion
 - Gambling
 - Other sex offenses
 - Wildlife offenses
 - Environmental offenses
 - Traffic offenses - felony
 - Liquor offenses
 - All other felonies
 - Fraudulent property offenses - misdemeanor
 - Larceny - misdemeanor
 - Drug possession - misdemeanor
 - Immigration - misdemeanor
 - Traffic offenses - misdemeanor
 - Other misdemeanors
 - Missing/Unknown
- **Variable: *Terminating offense (detailed)***: The most serious terminating offense is categorized using the detailed level of the Bureau of Justice Statistics offense classification.
- Murder
 - Negligent manslaughter
 - Assault
 - Robbery
 - Sexual abuse
 - Kidnapping
 - Threats against the President
 - Fraud
 - Forgery
 - Counterfeiting
 - Burglary
 - Larceny - felony
 - Motor vehicle theft
 - Arson and explosives
 - Transportation of stolen property
 - Embezzlement
 - Other property offenses
 - Drug trafficking
 - Other drug felonies
 - Agriculture
 - Antitrust
 - Food and drug

- Transportation
 - Civil rights
 - Communications
 - Customs laws
 - Postal laws
 - Other regulatory felonies
 - Weapon offenses
 - Immigration felonies
 - Tax law violations
 - Bribery
 - Perjury, contempt, and intimidation
 - National defense
 - Escape
 - Racketeering and extortion
 - Gambling
 - Other sex offenses
 - Wildlife offenses
 - Environmental offenses
 - Traffic offenses - felony
 - Liquor offenses
 - All other felonies
 - Fraudulent property offenses - misdemeanor
 - Larceny - misdemeanor
 - Drug possession - misdemeanor
 - Immigration - misdemeanor
 - Traffic offenses - misdemeanor
 - Other misdemeanors
 - Missing/Unknown
- **Variable: *Verdict or outcome of trial:*** Verdict or outcome of trial. Cases that did not go to trial are coded as “Not convicted.”
- Convicted
 - Not convicted
 - Missing/Unknown
- **Variable: *Outcome for a person in a case:*** Most serious disposition associated with any charge in the person-case. Selection of the most serious disposition is based on a hierarchy as follows (from most to least serious): Convicted by jury or guilty but insane; Convicted by court or guilty but insane; Convicted on guilty plea; Convicted on nolo contendere plea; Mistrial; Acquitted by jury or not guilty but insane; Acquitted by court.
- Pretrial diversion
 - Dismissal or nolle prosequi
 - Mistrial
 - Acquitted by jury, not guilty but insane
 - Acquitted by court
 - Convicted - plea is guilty
 - Convicted - plea is nolo
 - Convicted by jury or guilty but insane
 - Convicted by court or guilty but insane
 - Other
 - Missing/Unknown
- **Variable: *Terminating judge type:*** Indicates whether case was filed before a U.S. district court judge or a U.S. magistrate.
- Judge
 - Magistrate
 - Missing/Unknown
- **Variable: *Sentence type:*** Type of sentence imposed.
- No sentence
 - Prison, no probation
 - Probation, no prison
 - Prison and probation
 - Fine only
 - Suspended
 - Sentence sealed
 - Guilty, no sentence
 - Missing/Unknown
- **Variable: *Fine ordered:*** Total fines imposed at sentencing for charges for which only a fine was imposed. Restitution and special assessment costs are not included.
- No fine
 - \$1 - \$10
 - \$11 - \$25
 - \$26 - \$50
 - \$51 - \$75
 - \$76 - \$100
 - \$101 - \$200
 - \$201 - \$250
 - \$251 - \$500
 - \$501 - \$1000
 - \$1,001 - \$1,500
 - \$1,501 - \$2,000

- \$2,001 - \$3,000
 - \$3,001 - \$4,000
 - \$4,001 - \$5,000
 - \$5,001 - \$10,000
 - \$10,001 - \$50,000
 - \$50,001 - \$100,000
 - \$100,001 - \$500,000
 - \$500,001 - \$1,000,000
 - Over \$1 million
 - Missing/Unknown
- **Variable: *Months of probation ordered:*** Total length of probation sentence in months for all charges in the case for which the person was convicted.
 - No probation ordered
 - Less than 1 month
 - 1 - 6 months
 - 7 - 12 months
 - 13 - 24 months
 - 25 - 36 months
 - 37 - 48 months
 - 49 - 60 months
 - 61 - 120 months
 - 121 months or more
 - Missing/Unknown
- **Variable: *Prison sentence imposed:*** Total length of prison sentence in months for all charges in the case for which the person was convicted.
 - No prison sentence
 - 1 - 6 months
 - 7 - 10 months
 - 11 - 12 months
 - 13 - 18 months
 - 19 - 24 month
 - 25 - 30 months
 - 31 - 37 months
 - 38 - 59 months
 - 60 - 63 months
 - 64 - 78 months
 - 79 - 105 months
 - 106 - 120 months
 - 121 - 188 months
 - 189 - 359 months
 - 360 months or more
 - Life sentence
 - Death sentence
 - Suspended sentence
 - Other
 - Missing/Unknown
- **COHORT: Persons sentenced (USSC)**
 - **Variable: *Age:*** Age of person at the time of sentencing.
 - Less than 18 years
 - 18 - 19 years
 - 20 - 24 years
 - 25 - 29 years
 - 30 - 34 years
 - 35 - 39 years
 - 40 - 44 years
 - 45 - 49 years
 - 50 - 54 years
 - 55 - 59 years
 - 60 - 64 years
 - 65 years or more
 - Unknown
 - **Variable: *Gender:*** Indicates the biological sex of the person.
 - Male
 - Female
 - Missing/Unknown
 - **Variable: *Race:*** Indicates the race of the person.
 - White
 - Black
 - Native American
 - Asian/Pacific Islander
 - Multi-racial
 - Other
 - Missing/Unknown
 - **Variable: *Ethnicity:*** Indicates whether the person is Hispanic.
 - Hispanic
 - Non-Hispanic
 - Missing/Unknown
 - **Variable: *U.S. citizenship:*** Indicates whether the person is a U.S. citizen.
 - U.S. citizen
 - Documented non-U.S. citizen

- Undocumented non-U.S. citizen
- Non-U.S. citizen, unknown documentation
- Missing/Unknown
- **Variable: *Education level completed*:** Indicates the highest level of education completed by the person.
 - Less than a high school graduate
 - High school graduate
 - Some college
 - College graduate
 - Missing/Unknown
- **Variable: *Offense category*:** The most serious offense for which the person was sentenced. Offenses are categorized using the primary level (seven categories) of the Bureau of Justice Statistics offense classification.
 - Violent offenses
 - Property offenses
 - Drug offenses
 - Public-order offenses
 - Weapon offenses
 - Immigration offenses
 - Other offenses
 - Missing/Unknown
- **Variable: *Offense (detailed)*:** The most serious offense for which the person was sentenced. Offenses are categorized using the detail level of the Bureau of Justice Statistics offense classification.
 - Murder
 - Negligent manslaughter
 - Assault
 - Robbery
 - Sexual abuse
 - Kidnapping
 - Threats against the President
 - Fraud
 - Forgery
 - Counterfeiting
 - Burglary
 - Larceny – felony
 - Motor vehicle theft
 - Arson and explosives
 - Transportation of stolen property
 - Embezzlement
 - Other property offenses
 - Drug trafficking
 - Other drug felonies
 - Agriculture
 - Antitrust
 - Food and drug
 - Transportation
 - Civil rights
 - Communications
 - Customs laws
 - Postal laws
 - Other regulatory felonies
 - Weapon offenses
 - Immigration felonies
 - Tax law violations
 - Bribery
 - Perjury, contempt, and intimidation
 - National defense
 - Escape
 - Racketeering and extortion
 - Gambling
 - Other sex offenses
 - Wildlife offenses
 - Environmental offenses
 - Traffic offenses – felony
 - Liquor offenses
 - All other felonies
 - Fraudulent property offenses – misdemeanor
 - Larceny – misdemeanor
 - Drug possession – misdemeanor
 - Immigration – misdemeanor
 - Traffic offenses – misdemeanor
 - Other misdemeanors
 - Missing/Unknown
- **Variable: *Case disposition*:** The disposition of the person’s case according to the Judgment and Commitment Order and/or the presentencing report.
 - Guilty plea
 - Nolo contendere
 - Jury trial
 - Trial by judge or bench trial
 - Both guilty plea & trial (cases w/ MT1 count)
 - Missing/Unknown

- **Variable:** *Highest base offense level:* From Chapter Two of the Federal Sentencing Guidelines Manual, the guideline computation contributing to the highest base offense level. Each conviction offense is assigned a “base offense level” according to a scale of seriousness contained in the Guidelines Manual. The more serious the offense the higher the offense level. Higher offense levels are associated with higher applicable sentencing ranges, which are, in turn, associated with longer sentences.

- | | |
|--------------------|--------------------|
| ▪ Offense level 1 | ▪ Offense level 23 |
| ▪ Offense level 2 | ▪ Offense level 24 |
| ▪ Offense level 3 | ▪ Offense level 25 |
| ▪ Offense level 4 | ▪ Offense level 26 |
| ▪ Offense level 5 | ▪ Offense level 27 |
| ▪ Offense level 6 | ▪ Offense level 28 |
| ▪ Offense level 7 | ▪ Offense level 29 |
| ▪ Offense level 8 | ▪ Offense level 30 |
| ▪ Offense level 9 | ▪ Offense level 31 |
| ▪ Offense level 10 | ▪ Offense level 32 |
| ▪ Offense level 11 | ▪ Offense level 33 |
| ▪ Offense level 12 | ▪ Offense level 34 |
| ▪ Offense level 13 | ▪ Offense level 35 |
| ▪ Offense level 14 | ▪ Offense level 36 |
| ▪ Offense level 15 | ▪ Offense level 37 |
| ▪ Offense level 16 | ▪ Offense level 38 |
| ▪ Offense level 17 | ▪ Offense level 39 |
| ▪ Offense level 18 | ▪ Offense level 40 |
| ▪ Offense level 19 | ▪ Offense level 41 |
| ▪ Offense level 20 | ▪ Offense level 42 |
| ▪ Offense level 21 | ▪ Offense level 43 |
| ▪ Offense level 22 | ▪ Missing/Unknown |

- **Variable:** *Final offense level:* The person’s final offense level as determined by the court. Higher values of offense level indicate more serious offenses. In rare cases, final offense level may exceed 43. Offense levels in excess of 43 are included in the “Offense level 43” group.

- | | |
|--------------------|--------------------|
| ▪ Offense level 1 | ▪ Offense level 20 |
| ▪ Offense level 2 | ▪ Offense level 21 |
| ▪ Offense level 3 | ▪ Offense level 22 |
| ▪ Offense level 4 | ▪ Offense level 23 |
| ▪ Offense level 5 | ▪ Offense level 24 |
| ▪ Offense level 6 | ▪ Offense level 25 |
| ▪ Offense level 7 | ▪ Offense level 26 |
| ▪ Offense level 8 | ▪ Offense level 27 |
| ▪ Offense level 9 | ▪ Offense level 28 |
| ▪ Offense level 10 | ▪ Offense level 29 |
| ▪ Offense level 11 | ▪ Offense level 30 |
| ▪ Offense level 12 | ▪ Offense level 31 |
| ▪ Offense level 13 | ▪ Offense level 32 |
| ▪ Offense level 14 | ▪ Offense level 33 |
| ▪ Offense level 15 | ▪ Offense level 34 |
| ▪ Offense level 16 | ▪ Offense level 35 |
| ▪ Offense level 17 | ▪ Offense level 36 |
| ▪ Offense level 18 | ▪ Offense level 37 |
| ▪ Offense level 19 | ▪ Offense level 38 |

- Offense level 39
 - Offense level 40
 - Offense level 41
 - Offense level 42
 - Offense level 43
 - Missing/Unknown
- **Variable:** *Criminal history category:* Indicates the person’s final criminal history category (I – VI) as determined by the court. Higher criminal history categories reflect more extensive or serious criminal histories.
- Category I
 - Category II
 - Category III
 - Category IV
 - Category V
 - Category VI
 - Missing/Unknown
- **Variable:** *Sentencing guideline applied:* From Chapter Two of the Federal Sentencing Guidelines Manual
- 2A1.1 – First-Degree Murder
 - 2A1.2 – Second-Degree Murder
 - 2A1.3 - Voluntary Manslaughter
 - 2A1.4 - Involuntary Manslaughter
 - 2A1.5 - Offer or Receipt of Pecuniary Value
 - 2A2.1 - Assault w/Intent to Commit Murder
 - 2A2.2 - Aggravated Assault Planning
 - 2A2.3 - Minor Assault
 - 2A2.4 - Obstructing or Impeding Officers
 - 2A3.1 - Criminal Sexual Abuse
 - 2A3.2 - Criminal Sexual Abuse of a Minor
 - 2A3.3 - Criminal Sexual Abuse of a Ward
 - 2A3.4 - Abusive Sexual Contact
 - 2A3.5 - Failure to register as a sex offender
 - 2A4.1 - Kidnapping- Abduction- Unlawful Restraint
 - 2A4.2 - Demanding or Receiving Ransom Money
 - 2A5.1 - Aircraft Piracy
 - 2A5.2 - Interference with Flight Crew Member
 - 2A5.3 - Commit certain crimes aboard aircraft
 - 2A6.1 - Threatening Communications
 - 2A6.2 - Stalking or Domestic Violence
 - 2B1.1 - Larceny, Embezzlement, and Other Theft
 - 2B1.2 - Receiving/Transportation/Possession of Stolen Property
 - 2B1.3 - Property Damage or Destruction
 - 2B1.4 - Insider Trading
 - 2B1.5 - Theft/Damage/Destruction of Cultural Heritage
 - 2B2.1 - Burglary of Residence or Other Structure
 - 2B2.2 - Burglary of Other Structures
 - 2B2.3 - Trespass
 - 2B3.1 - Robbery
 - 2B3.2 - Extortion by Force
 - 2B3.3 - Blackmail and Similar Forms of Extortion
 - 2B4.1 - Bribery in Procurement of Bank Loan
 - 2B5.1 - Offense Involving Counterfeit Bearer Obligation
 - 2B5.3 - Criminal Infringement of Copyright
 - 2B5.4 - Criminal Infringement of Trademark
 - 2B6.1 - Altering/Removing Motor Vehicle ID Numbers
 - 2C1.1 - Offering/Giving/Soliciting/Receiving Bribe
 - 2C1.2 - Offering/Giving/Soliciting/Receiving Gratuity
 - 2C1.3 - Conflict of Interest
 - 2C1.4 - Pay/Receipt of Unauthorized Compensation
 - 2C1.5 - Payments to Obtain Public Office
 - 2C1.6 - Loan or Gratuity to Bank Examiner
 - 2C1.7 - Fraud Involving Public Officials

- 2C1.8 - Failing to Report Contribution
- 2D1.1 - Unlawful Manufacturing/Importing Controlled Substance
- 2D1.10 - Endangering Life by Manufacture of Controlled Substance
- 2D1.11 - Unlawfully Distributing a Listed Chemical
- 2D1.12 - Unlawful Possession of Prohibited Flask/Equipment
- 2D1.13 - Structuring Chemical Transactions to Evade Requirements
- 2D1.14 - Narco-Terrorism
- 2D1.2 - Drug Offenses Occurring Near Protected Locations
- 2D1.5 - Continuing Criminal Enterprise
- 2D1.6 - Using Communication Facility in Committing Drug Offense
- 2D1.7 - Unlawful Sale/Transportation of Drug Paraphernalia
- 2D1.8 - Renting or Managing a Drug Establishment
- 2D1.9 - Device to Protect Controlled Substance
- 2D2.1 - Unlawful Possession
- 2D2.2 - Acquiring a Controlled Substance by Forgery
- 2D2.3 - Operate a Common Carrier Under the Influence
- 2D3.1 - Using a Registration Number to Manufacture Controlled Substance
- 2D3.2 - Regulatory Offenses Involving Controlled Substance
- 2E1.1 - Conduct Related to Racketeering and Corruption
- 2E1.2 - Travel in Aid of a Racketeering Enterprise
- 2E1.3 - Violent Crime in Aid of Racketeering Activity
- 2E1.4 - Use Commerce Facilities for Murder-for-Hire
- 2E2.1 - Making Extortionate Extension of Credit
- 2E3.1 - Gambling offenses
- 2E4.1 - Condition Related to Contraband Cigarettes
- 2E5.1 - Bribe Affect Employee Welfare/Pension Plan
- 2E5.3 - False Statements Related to Docs Required by ERISA
- 2F1.1 - Fraud and Deceit; Forgery
- 2F1.2 - Insider Trading
- 2G1.1 - Transport for the Purpose of Prostitution
- 2G1.2 - Transport of a Minor for Prostitution
- 2G1.3 - Sex Trafficking of Children
- 2G2.1 - Sexually Exploiting a Minor
- 2G2.2 - Transport Material of Sex Exploitation of Minor
- 2G2.3 - Sell or Buy Children for Pornography
- 2G2.4 - Materials of Minor in Sexual Explicit Conduct
- 2G2.5 - Recordkeeping of Sexual Explicit Materials
- 2G2.6 - Child Exploitation Enterprises
- 2G3.1 - Importing Obscene Matter
- 2G3.2 - Obscene Telephone Communications
- 2H1.1 - Offenses Involving Individual
- 2H1.2 - Conspiracy to Interfere with Civil Rights
- 2H1.3 - Use Force to Deny Rights for Discrimination
- 2H1.4 - Interference with Civil Rights
- 2H1.5 - Other Deprivation of Rights for Discrimination
- 2H2.1 - Obstructing an Election or Registration
- 2H3.1 - Interception of Communications
- 2H3.2 - Manufacturing an Eavesdropping Device
- 2H3.3 - Obstructing Correspondence
- 2H4.1 - Peonage, Involuntary Servitude, Slave Trade
- 2J1.2 - Obstruction of Justice
- 2J1.3 - Perjury or Subornation of Perjury
- 2J1.4 - Impersonation

- 2J1.5 - Failure to Appear by Material Witness
- 2J1.6 - Failure to Appear by Defendant
- 2J1.7 - Commission of Offense While on Release
- 2J1.9 - Payment to Witness
- 2K1.1 - Failure to Report Theft of Explosive Material
- 2K1.3 - Unlawfully Trafficking in Explosives
- 2K1.4 - Arson
- 2K1.5 - Possess Danger Weapons Aboard Aircraft
- 2K1.6 - Licensee Recordkeeping Violation Involving Explosives
- 2K2.1 - Unlawful Receipt Firearms or Ammunition
- 2K2.2 - Unlawful Trafficking/Other Transfer of Firearms
- 2K2.3 - Receiving Firearm with Intent to Commit Other Offense
- 2K2.4 - Use of Firearm/Armor-Piercing Ammunition
- 2K2.5 - Possession of Firearms in Federal Facility
- 2K2.6 - Possess, Purchase, or Own Body Armor
- 2K3.2 - Feloniously Mail Injurious Articles
- 2L1.1 - Smuggling an Unlawful Alien
- 2L1.2 - Unlawfully Entering or Remaining in U.S.
- 2L2.1 - Trafficking in Document for Naturalization
- 2L2.2 - Fraud Acquire Docs for Naturalization
- 2L2.4 - Fraud Acquire or Using U.S. Passport
- 2L2.5 - Fail to Surrender Canceled Naturalization
- 2M1.1 - Treason
- 2M2.1 - Destruction of War Material
- 2M2.3 - Destruction of National Defense Material
- 2M3.1 - Gather National Defense Info to Aid Foreign Govt
- 2M3.2 - Gathering National Defense Information
- 2M3.3 - Transmitting National Defense Information
- 2M3.4 - Losing National Defense Information
- 2M3.5 - Tamper w/ Restricted Data on Atomic Energy
- 2M3.9 - Disclosure of Information Identifying a Covert Agent
- 2M4.1 - Failure to Register Military Service
- 2M5.1 - Evasion of Export Controls
- 2M5.2 - Export of Arms w/o Required Export License
- 2M5.3 - Provide Resources to Foreign Terrorist Org.
- 2M6.1 - Unlawful Acquisition of Nuclear Material
- 2M6.2 - Violate Other Fed Atomic Energy Statutes
- 2N1.1 - Tampering Involving Risk of Death
- 2N1.2 - Provide False Info for Consumer Products
- 2N1.3 - Tampering w/Intent to Injure Business
- 2N2.1 - Violations of Statutes Dealing with Food
- 2N3.1 - Odometer Laws and Regulations
- 2P1.1 - Escape- Instigating or Assisting Escape
- 2P1.2 - Provide or Possess Contraband in Prison
- 2P1.3 - Engage in Riot in Official Detention Facility
- 2Q1.1 - Know Danger of Mishandle Hazard Sub
- 2Q1.2 - Mishandling of Hazardous Substances
- 2Q1.3 - Mishandle Other Environment Pollutants
- 2Q1.4 - Tampering w/Public Water System
- 2Q1.5 - Threaten Tamper w/Public Water System
- 2Q1.6 - Hazard or Injury Device on Federal Lands
- 2Q2.1 - Offenses Involve Fish-/Wildlife/Plants
- 2Q2.2 - Lacey Act: Smuggling Fish/Wildlife/Plants

- 2R1.1 - Bid-Rigging Agreement Among Competitors
 - 2S1.1 - Laundering of Monetary Instruments
 - 2S1.2 - Monetary Transactions in Property from Unlawful Act
 - 2S1.3 - Structure Transactions to Evade Reporting Requirement
 - 2S1.4 - Failure to File Currency/Monetary Instrument Report
 - 2T1.1 - Tax Evasion
 - 2T1.2 - Willful Failure to File/Pay Tax
 - 2T1.3 - Fraud & False Statements - Perjury
 - 2T1.4 - Aiding Tax Fraud Defendant
 - 2T1.5 - Fraudulent Returns, Statements, Docs
 - 2T1.6 - Failing to Collect & Pay Over Tax
 - 2T1.7 - Fail to Deposit Collected Tax in Trust Acct
 - 2T1.8 - Offense Relating to Withholding Statement
 - 2T1.9 - Conspiracy to Impede Tax
 - 2T2.1 - Non-Payment of Taxes
 - 2T2.2 - Regulatory Offenses
 - 2T3.1 - Smuggling
 - 2T3.2 - Receive/Trafficking in Smuggled Property
 - 2X1.1 - Attempt- Solicitation- or Conspiracy
 - 2X2.1 - Aiding and Abetting
 - 2X3.1 - Accessory After the Fact
 - 2X4.1 - Misprision of Felony
 - 2X5.1 - Other Offenses
 - 2X5.2 - Class A Misdemeanors Not Covered by Another Specific Offense Guideline
 - 2X6.1 - Use of Minor in Crime of Violence
 - 2X7.1 - Border Tunnels and Subterranean Passages
 - 2X7.2 - Submersible and Semi-Submersible Vessels
 - 999.99 - Missing/Unknown
- **Variable:** *Primary type of illicit drug seized as evidence:* Indicates the primary type of illicit drug seized as evidence.
- Cocaine
 - Crack Cocaine
 - Heroin
 - Marijuana
 - Methamphetamine
 - Other Opioid
 - Other Drug
- **Variable:** *Type of sentence imposed:* Indicates the type of sentence imposed.
- No prison or probation (fine only)
 - Prison only
 - Prison plus alternative confinement
 - Probation plus alternative confinement
 - Probation only
 - Missing/Unknown
- **Variable:** *Sentence: Prison:* Total months of prison ordered.
- None ordered
 - 1 - 6 months
 - 7 - 10 months
 - 11 - 12 months
 - 13 - 18 months
 - 19 - 24 month
 - 25 - 30 months
 - 31 - 37 months
 - 38 - 59 months
 - 60 - 63 months
 - 64 - 78 months
 - 79 - 105 months
 - 106 - 120 months
 - 121 - 188 months
 - 189 - 359 months
 - 360 months or more
 - Life sentence
 - Death sentence
 - Term not specified
 - Missing/Unknown
- **Variable:** *Sentence: Probation:* Total months of probation ordered.
- None ordered
 - Less than 1 month
 - 1 - 6 months
 - 7 - 12 months
 - 13 - 24 months
 - 25 - 36 months

- 37 - 48 months
 - 49 - 60 months
 - 61 - 120 months
- 121 months or more
 - Term not specified
 - Missing/Unknown
- **Variable: Sentence: Community confinement:** Total term of community confinement ordered.
 - None ordered
 - 1 month
 - 2 months
 - 3 months
 - 4 months
 - 5 months
 - 6 months
 - 7 months
 - 8 months
 - 9 months
 - 10 months
 - 11 months
 - 12 months
 - More than 12 months
 - Term not specified
 - Other
 - Missing/Unknown
- **Variable: Sentence: Community service:** Total hours of community service ordered.
 - None ordered
 - 1 - 25 hours
 - 26 - 50 hours
 - 51 - 75 hours
 - 76 - 100 hours
 - 101 - 150 hours
 - 151 - 200 hours
 - 201 - 250 hours
 - 251 - 500 hours
 - 501 - 1,000 hours
 - More than 1,000 hours
 - Term not specified
 - Missing/Unknown
- **Variable: Sentence: Fine:** The amount of the fine.
 - No fine
 - \$1 - \$10
 - \$11 - \$25
 - \$26 - \$50
 - \$51 - \$75
 - \$76 - \$100
 - \$101 - \$200
 - \$201 - \$250
 - \$251 - \$500
 - \$501 - \$1000
 - \$1,001 - \$1,500
 - \$1,501 - \$2,000
 - \$2,001 - \$3,000
 - \$3,001 - \$4,000
 - \$4,001 - \$5,000
 - \$5,001 - \$10,000
 - \$10,001 - \$50,000
 - \$50,001 - \$100,000
 - \$100,001 - \$500,000
 - \$500,001 - \$1,000,000
 - Over \$1 million
 - Fine amount unspecified
 - Missing/Unknown
- **Variable: Sentence: Home detention:** Total term of home detention ordered. Terms of home detention are converted from days to months.
 - None ordered
 - 1 month
 - 2 months
 - 3 months
 - 4 months
 - 5 months
 - 6 months
 - 7 months
 - 8 months
 - 9 months
 - 10 months
 - 11 months
 - 12 months
 - More than 12 months
 - Term not specified
 - Other
 - Missing/Unknown
- **Variable: Sentence: Intermittent confinement:** Total term of intermittent confinement ordered. Intermittent confinement involves the restriction of the person's liberty at certain times of the day or parts of the week (e.g., night-time or

weekend jail) Terms of intermittent confinement are converted from days to months, rounded to the nearest integer, and assigned to categories. For example, a term of 45 days would be coded as “2 months”, and a term of 400 days would be coded as “More than 12 months.”

- None ordered
- 1 month
- 2 months
- 3 months
- 4 months
- 5 months
- 6 months
- 7 months
- 8 months
- 9 months
- 10 months
- 11 months
- 12 months
- More than 12 months
- Term not specified
- Other
- Missing/Unknown

- **Variable: *Sentence: Supervised release:*** Total months of supervised release ordered. A term of supervised release is a form of post-prison community supervision mandated by the judge at the time of sentencing. While on supervised release, the person’s behavior is monitored by a probation officer.

- None ordered
- 1 - 11 months
- 12 months
- 13 - 23 months
- 24 months
- 25 - 35 months
- 36 months
- 37 - 47 months
- 48 months
- 49 - 59 months
- 60 months
- 61 - 71 months
- 72 months
- 73 - 83 months
- 84 months
- 85 - 95 months
- 96 months
- 97 - 107 months
- 108 months
- 109 - 119 months
- 120 months
- More than 120 months
- Life term
- No term specified
- Missing/Unknown
- Invalid Entry

Case Processing Stage: Incarceration

- **COHORT: Persons entering federal prison (BOP)**

- **Variable: *Sentenced under Sentencing Reform Act?:*** Indicates whether the person was sentenced pursuant to the Sentencing Reform Act (SRA) of 1984.

- Yes, SRA case
- No, Sentences prior to SRA
- Missing/Unknown

- **Variable: *U.S. district court commitment:*** Indicates whether a commitment was ordered by a U.S. district court. An example of other commitment sources includes a commitment on a technical violation.

- U.S. District Court commitment
- Commitment from other source
- Missing/Unknown

- **Variable: *Age at time of commitment:*** Age of the person at the time of commitment to prison.

- Less than 18 years
- 18 - 19 years
- 20 - 24 years
- 25 - 29 years
- 30 - 34 years
- 35 - 39 years
- 40 - 44 years
- 45 - 49 years
- 50 - 54 years
- 55 - 59 years

- 60 - 64 years
 - 65 years or more
- Unknown
- **Variable: Gender:** Indicates the biological sex of the person.
 - Male
 - Female
 - Missing/Unknown
- **Variable: U.S. citizenship:** Indicates whether the person is a U.S. citizen.
 - U.S. citizen
 - Not U.S. citizen
 - Missing/Unknown
- **Variable: Ethnicity:** Indicates whether the person is Hispanic.
 - Hispanic
 - Non-Hispanic
 - Missing/Unknown
- **Variable: Race:** Indicates the race of the person.
 - White
 - Black
 - Native American
 - Asian/Pacific Islander
 - Other
 - Missing/Unknown
- **Variable: Offense category:** The most serious offense for which the person was incarcerated. Offenses are categorized using the primary level (seven categories) of the Bureau of Justice Statistics offense classification.
 - Violent offenses
 - Property offenses
 - Drug offenses
 - Public-order offenses
 - Weapon offenses
 - Immigration offenses
 - Other offenses
 - Missing/Unknown
- **Variable: Offense (detailed):** The most serious offense for which the person was incarcerated. Offenses are categorized using the detailed level of the Bureau of Justice Statistics offense classification.
 - Murder
 - Negligent manslaughter
 - Assault
 - Robbery
 - Sexual abuse
 - Kidnapping
 - Threats against the President
 - Fraud
 - Forgery
 - Counterfeiting
 - Embezzlement
 - Burglary
 - Larceny
 - Motor vehicle theft
 - Arson and explosives
 - Transportation of stolen property
 - Other property offenses
 - Drug trafficking
 - Drug possession
 - Other drug offenses
 - Agriculture
 - Antitrust
 - Food and drug
 - Transportation
 - Civil rights
 - Communications
 - Customs laws
 - Postal laws
 - Other regulatory offenses
 - Weapon offenses
 - Immigration felonies
 - Tax law violations
 - Bribery
 - Perjury, contempt, and intimidation
 - National defense
 - Escape
 - Racketeering and extortion
 - Gambling
 - Other sex offenses
 - Wildlife offenses
 - Environmental offenses
 - Traffic offenses - felony
 - Liquor offenses
 - All other public-order offenses
 - Missing/Unknown

- **Variable:** *Prison term in months:* The duration of the prison term in effect in months. The duration of the prison term is calculated as the difference between the sentence expiration date and the date the sentence began.
 - Less than 1 month
 - 1 - 2 months
 - 3 - 6 months
 - 7 - 12 months
 - 13 - 16 months
 - 17 - 24 months
 - 25 - 30 months
 - 31 - 36 months
 - 37 - 42 months
 - 43 - 48 months
 - 49 - 54 months
 - 55 - 60 months
 - 61 - 120 months
 - 121 - 240 months
 - 241 - 360 months
 - 361 - 480 months
 - 481 months or more
 - Life sentence
 - Death sentence
 - Missing/Unknown
- **COHORT:** Persons in federal prison at year-end (BOP)
 - **Variable:** *Sentenced under Sentencing Reform Act?:* Indicates whether the person was sentenced pursuant to the Sentencing Reform Act (SRA) of 1984.
 - Yes, SRA case
 - No, Sentences prior to SRA
 - Missing/Unknown
 - **Variable:** *Age at fiscal year-end in years:* Age of the person on September 30.
 - Less than 18 years
 - 18 - 19 years
 - 20 - 24 years
 - 25 - 29 years
 - 30 - 34 years
 - 35 - 39 years
 - 40 - 44 years
 - 45 - 49 years
 - 50 - 54 years
 - 55 - 59 years
 - 60 - 64 years
 - 65 years or more
 - Unknown
 - **Variable:** *U.S. district court commitment:* Indicates whether a commitment was ordered by a U.S. district court. An example of other commitment sources includes releases following commitment on a technical violation.
 - U.S. District Court commitment
 - Commitment from other source
 - Missing/Unknown
 - **Variable:** *Gender:* Indicates the biological sex of the person.
 - Male
 - Female
 - Missing/Unknown
 - **Variable:** *U.S. citizenship:* Indicates whether the person is a U.S. citizen.
 - U.S. citizen
 - Not U.S. citizen
 - Missing/Unknown
 - **Variable:** *Ethnicity:* Indicates whether the person is Hispanic.
 - Hispanic
 - Non-Hispanic
 - Missing/Unknown
 - **Variable:** *Race:* Indicates the race of the person.
 - White
 - Black
 - Native American
 - Asian/Pacific Islander
 - Other
 - Missing/Unknown
 - **Variable:** *Offense category:* The most serious offense for which the person was incarcerated. Offenses are categorized using the primary level (seven categories) of the Bureau of Justice Statistics offense classification.

- Violent offenses
 - Property offenses
 - Drug offenses
 - Public-order offenses
 - Weapon offenses
 - Immigration offenses
 - Other offenses
 - Missing/Unknown
- **Variable: *Offense (detailed)*:** The most serious offense for which the person was incarcerated. Offenses are categorized using the detailed level of the Bureau of Justice Statistics offense classification.
 - Murder
 - Negligent manslaughter
 - Assault
 - Robbery
 - Sexual abuse
 - Kidnapping
 - Threats against the President
 - Fraud
 - Forgery
 - Counterfeiting
 - Embezzlement
 - Burglary
 - Larceny
 - Motor vehicle theft
 - Arson and explosives
 - Transportation of stolen property
 - Other property offenses
 - Drug trafficking
 - Drug possession
 - Other drug offenses
 - Agriculture
 - Antitrust
 - Food and drug
 - Transportation
 - Civil rights
 - Communications
 - Customs laws
 - Postal laws
 - Other regulatory offenses
 - Weapon offenses
 - Immigration felonies
 - Tax law violations
 - Bribery
 - Perjury, contempt, and intimidation
 - National defense
 - Escape
 - Racketeering and extortion
 - Gambling
 - Other sex offenses
 - Wildlife offenses
 - Environmental offenses
 - Traffic offenses - felony
 - Liquor offenses
 - All other public-order offenses
 - Missing/Unknown
 - **Variable: *Prison term in months*:** The duration of the prison term in effect in months. The duration of the prison term is calculated as the difference between the sentence expiration date and the date the sentence began.
 - Less than 1 month
 - 1 - 2 months
 - 3 - 6 months
 - 7 - 12 months
 - 13 - 16 months
 - 17 - 24 months
 - 25 - 30 months
 - 31 - 36 months
 - 37 - 42 months
 - 43 - 48 months
 - 49 - 54 months
 - 55 - 60 months
 - 61 - 120 months
 - 121 - 240 months
 - 241 - 360 months
 - 361 - 480 months
 - 481 months or more
 - Life sentence
 - Death sentence
 - Missing/Unknown
- **COHORT: Persons exiting federal prison (BOP)**
 - **Variable: *Sentenced under Sentencing Reform Act?*:** Indicates whether the person was sentenced pursuant to the Sentencing Reform Act (SRA) of 1984.
 - Yes, SRA case
 - No, Sentences prior to SRA
 - Missing/Unknown

- **Variable:** *U.S. district court commitment:* Indicates whether a commitment was ordered by a U.S. district court. An example of other commitment sources includes releases following commitment on a technical violation.
 - U.S. District Court commitment
 - Commitment from other source
 - Missing/Unknown
- **Variable:** *Age at time of release:* Age of the person on the date of release from BOP custody.
 - Less than 18 years
 - 18 - 19 years
 - 20 - 24 years
 - 25 - 29 years
 - 30 - 34 years
 - 35 - 39 years
 - 40 - 44 years
 - 45 - 49 years
 - 50 - 54 years
 - 55 - 59 years
 - 60 - 64 years
 - 65 years or more
 - Unknown
- **Variable:** *Gender:* Indicates the biological sex of the person.
 - Male
 - Female
 - Missing/Unknown
- **Variable:** *U.S. citizenship:* Indicates whether the person is a U.S. citizen.
 - U.S. citizen
 - Not U.S. citizen
 - Missing/Unknown
- **Variable:** *Ethnicity:* Indicates whether the person is Hispanic.
 - Hispanic
 - Non-Hispanic
 - Missing/Unknown
- **Variable:** *Race:* Indicates the race of the person.
 - White
 - Black
 - Native American
 - Asian/Pacific Islander
 - Other
 - Missing/Unknown
- **Variable:** *Offense category:* The most serious offense for which the person was incarcerated. Offenses are categorized using the primary level (seven categories) of the Bureau of Justice Statistics offense classification.
 - Violent offenses
 - Property offenses
 - Drug offenses
 - Public-order offenses
 - Weapon offenses
 - Immigration offenses
 - Other offenses
 - Missing/Unknown
- **Variable:** *Offense (detailed):* The most serious offense for which the person was incarcerated. Offenses are categorized using the detailed level of the Bureau of Justice Statistics offense classification.
 - Murder
 - Negligent manslaughter
 - Assault
 - Robbery
 - Sexual abuse
 - Kidnapping
 - Threats against the President
 - Fraud
 - Forgery
 - Counterfeiting
 - Embezzlement
 - Burglary
 - Larceny
 - Motor vehicle theft
 - Arson and explosives
 - Transportation of stolen property
 - Other property offenses
 - Drug trafficking
 - Drug possession
 - Other drug offenses
 - Agriculture
 - Antitrust

- Food and drug
 - Transportation
 - Civil rights
 - Communications
 - Customs laws
 - Postal laws
 - Other regulatory offenses
 - Weapon offenses
 - Immigration felonies
 - Tax law violations
 - Bribery
 - Perjury, contempt, and intimidation
 - National defense
 - Escape
 - Racketeering and extortion
 - Gambling
 - Other sex offenses
 - Wildlife offenses
 - Environmental offenses
 - Traffic offenses - felony
 - Liquor offenses
 - All other public-order offenses
 - Missing/Unknown
- **Variable:** *Prison term in months:* The duration of the prison term in effect in months. The duration of the prison term is calculated as the difference between the sentence expiration date and the date the sentence began.
- Less than 1 month
 - 1 - 2 months
 - 3 - 6 months
 - 7 - 12 months
 - 13 - 16 months
 - 17 - 24 months
 - 25 - 30 months
 - 31 - 36 months
 - 37 - 42 months
 - 43 - 48 months
 - 49 - 54 months
 - 55 - 60 months
 - 61 - 120 months
 - 121 - 240 months
 - 241 - 360 months
 - 361 - 480 months
 - 481 months or more
 - Life sentence
 - Death sentence
 - Missing/Unknown
- **Variable:** *Actual prison term served:* Length of time that individual spent in BOP custody in months. The duration of the prison term served is calculated as the difference between the release date and the date the sentence began.
- 1 month
 - 2 months
 - 3 - 6 months
 - 7 - 12 months
 - 13 - 16 months
 - 17 - 24 months
 - 25 - 30 months
 - 31 - 36 months
 - 37 - 42 months
 - 43 - 48 months
 - 49 - 54 months
 - 55 - 60 months
 - 61 - 120 months
 - 121 - 240 months
 - 241 - 360 months
 - 361 - 480 months
 - 481 months or more
 - Missing/Unknown
- **Variable:** *Release method:* Indicates the type of release from prison.
- Completed drug program
 - Completed intensive confinement program
 - Civil contempt
 - Death
 - Death sentence
 - Expiration full term
 - Expiration - split sentence
 - Expiration with good time
 - Full-term release (CCCA)
 - Good conduct time release
 - Hospital treatment completed
 - Mandatory parole
 - Full-term release
 - Parole from Par Com or CT
 - Public law - parolee
 - Public law - release
 - Probationer BOP release (CCCA)
 - Probationer CTC release (CCCA)
 - State prisoner removed
 - Study and observation completed
 - Supervised release CCC removed
 - Court order terminating sentence
 - Foreign treaty transfer release

- Foreign treaty transfer (transfer)
- Vacated (commuted)
- Clemency
- Compassionate release
- Time served
- Tribal prisoner removed
- Missing/Unknown

Case Processing Stage: Criminal Code Statistics¹

- **Variable:** *Outcomes for persons in cases closed*
 - Convicted by court or guilty but insane
 - Convicted by jury or guilty but insane
 - Convicted – plea is nolo
 - Convicted – plea is guilty
 - Acquitted by court
 - Acquitted by jury, not guilty but insane
 - Mistrial
 - Dismissal or nolle prosequi
 - Pretrial diversion
 - Other
 - Missing/Unknown
- **Variable:** *Type of sentence for persons convicted*
 - No sentence
 - Prison and probation
 - Prison, no probation
 - Probation, no prison
 - Fine only
 - Suspended
 - Sentence sealed
 - Guilty, no sentence
 - Missing/Unknown
- **Variable:** *Mean prison or probation sentence, or fine amount, for persons convicted*
 - Life Sentences Count
 - Death Sentences Count
 - Prison Determinate Count
 - Prison Determinate Mean (months)
 - Probation Count
 - Probation Mean (months)
 - Fine Only Count
 - Fine Only Mean (\$)

¹ There are two metrics (number of persons in cases filed and number of persons in cases closed) that are not defined above. This is because the statistics generated for these two metrics are total counts and therefore do not have any subdivisions.

Glossary of Key Terms

A

Acquittal—a jury verdict that an individual involved in a criminal case is not guilty, or the finding of a judge that the evidence is insufficient to support a conviction.

Agriculture violation—a violation of federal statutes concerning agriculture and conservation. Federal statutes related to agriculture include the Agricultural Acts (7 U.S.C., except sections on food stamps related to fraud); the Insecticide Act; the Packers and Stockyards Act of 1921; laws concerning plant quarantine and inspection; and laws that protect animals used in research. Federal statutes related to conservation include laws concerning soil and water conservation and wildlife conservation.

Antitrust violation—a violation related to federal antitrust statutes enacted by Congress that protect trade and commerce from unlawful restraints, price fixing, monopolies, and discrimination in pricing or in furnishing services or facilities.

Appeal—a legal proceeding by which a case is brought before a higher court for the review of a judgment or decision of a lower court.

Appeals, U.S. Court of—intermediate appellate courts in the U.S. federal court system that review the final decisions of the district courts within their federal judicial circuits, when challenged. U.S. courts of appeal are higher than the U.S. district courts but lower than the U.S. Supreme Court. There are 13 U.S. courts of appeal in the federal system, representing the 12 judicial circuits and the federal circuit.

Arson—willfully or maliciously setting, or attempting to set, fire to any property within the special maritime and territorial jurisdiction of the U.S. See also, explosives.

Assault—the threat, attempt, or intentional infliction of bodily injury. Assault also includes certain violations of the Fair Housing Act of 1968.

Assault, aggravated—the threat, attempt, or intentional inflicting of bodily injury by means of a deadly or dangerous weapon, with or without actual infliction of any injury. Also, an attack without a weapon resulting in serious injuries. Serious injury includes broken bones, lost teeth, internal injuries, loss of consciousness, and an injury requiring 2 days or more of hospitalization.

Assault, simple—the threat, attempt, or intentional inflicting of minor bodily injury without a weapon. Minor injury includes bruises, black eyes, cuts, scratches, swelling, and an injury requiring less than 2 days of hospitalization.

B

Bail—the temporary release, prior to trial, of a person in exchange for security or money promised for the person's due appearance. Also, can refer to the amount of bond money posted as a financial condition of pretrial release.

Booking—a procedure following an arrest in which information about the arrest and the person is recorded.

Bribery—offering or promising anything of value with the intent to influence a person unlawfully, especially a public official in a position of trust. Also includes soliciting or receiving anything of value in consideration of aiding a person to obtain employment with the federal government. Also, receiving or soliciting any remuneration, directly or indirectly, in cash or any kind, in return for purchasing, ordering, leasing, or recommending purchasing any good, service, or facility.

Burglary—unlawful entry and attempted unlawful entry of any property, with or without force.

C

Career offender—a person who is age 18 or older at the time of the instant offense, if the instant offense of conviction is a felony, and if they have at least two prior felony convictions.

Case—a judicial proceeding for the determination of a controversy between parties wherein rights are enforced or protected, or wrongs are prevented or redressed, or any proceeding that is judicial in nature. A case is a single charging document filed in a court containing one or more charges against one or more persons and constituting the unit of action in court activity following the filing. Charges in two or more charging documents are sometimes combined, or the charges or persons in one charging document are separated, for purposes of adjudication.

Civil rights violation—a violation of civil liberties guaranteed to U.S. citizens by the Constitution and by acts of Congress. These include the Thirteenth and Fourteenth amendments to the Constitution and the Civil Rights Acts enacted after the Civil War and in 1957 and 1964.

Communication violation—a violation covering areas of communication, such as the Communications Act of 1934 (including wiretapping and wire interception). A communication is considered a deliberate interchange of thoughts or opinions between two or more persons.

Commutation of sentence—a change of legal penalty or punishment to a lesser one, such as having a federal criminal sentence reduced by the executive clemency of the President of the U.S.

Complaint—a written statement in which the plaintiff details the claims against the person; or a formal document submitted to the court by a prosecutor, law enforcement

officer, or other person, alleging that a specified person or persons has committed a specified offense or offenses and requesting prosecution.

Concurrent sentence—a sentence, such as a prison term, to be served at the same time as another sentence rather than one after the other. One 3-year sentence and one 5-year sentence, if served concurrently, result in a maximum sentence of 5 years. See also, consecutive sentence.

Conditional release—the release of a person who has not served his or her full sentence and whose freedom is contingent on obeying any combination of restrictions deemed necessary to guarantee the person's appearance at trial or safeguard the community.

Consecutive sentence—a sentence for two or more offenses that follow one after the other. Two 3-year sentences and one 5-year sentence, if served consecutively, result in a maximum sentence of 11 years. See also, concurrent sentence.

Conspiracy—an agreement by two or more persons to commit or to affect the commission of an unlawful act, or to use unlawful means to accomplish an act that is not in itself unlawful; also, any overt act in furtherance of the agreement. A person charged with conspiracy is classified under the alleged substantive offense.

Continuing criminal enterprise—a felony committed as part of a continuing series of violations, which is undertaken by a person, in collaboration with five or more other persons. The person occupies a position of organizer, supervisor, or any other position of management and obtains substantial income or resources from this position.

Conviction—a judgment of guilt against a person in a criminal case. A conviction includes pleas of guilty and nolo contendere and excludes final judgments expunged by pardon, reversed, set aside, or otherwise rendered invalid.

Corporate defendant—a business against whom a lawsuit is filed. The defendant in a case is not an individual person but an entity, a collection of persons, or a business or corporation. Despite not being persons, corporations are recognized by the law to have rights and responsibilities like natural persons.

Counterfeiting—falsely making, forging, or altering obligations with a view to deceive or defraud, by passing the copy or thing forged as original or genuine. Counterfeiting applies to any obligation or security of the U.S., foreign obligation or security, coin or bar stamped at any mint in the U.S., money order issued by the U.S. Postal Service, domestic or foreign stamp, or seal of any department or agency of the U.S. Includes passing, selling, attempting to pass or sell, or bringing into the U.S. any of the above falsely made articles. Also, making, selling, or possessing any plates or stones (or any instrument) used for printing counterfeit obligations or securities of the U.S., foreign obligations or securities, governmental transportation requests, or postal stamps; or knowingly and intentionally trafficking in falsified labels affixed to phone records, motion pictures, or audio-visual works.

Courts—governmental entity authorized to resolve legal issues. Judicial power is vested pursuant to Article III of the Constitution in the following federal courts: the U.S. Supreme Court, the U.S. Court of Appeals for the District of Columbia, and the U.S. District Court for the District of Columbia. See also, Appeals, U.S. Court of, and District court, U.S.

Criminal-history category—a quantification of the person's prior criminal record and the person's propensity to recidivate under the federal sentencing guidelines. Guideline criminal-history categories range from Category I (primarily first-time offenders) to Category VI (career offenders).

Customs-law violation—a violation regarding taxes, which are payable on goods

and merchandise imported or exported. Includes the duties, toll, tribute, or tariff payable on merchandise exported or imported.

D

Dangerous weapon—an instrument capable, under certain circumstances, of causing serious injury or death.

Deadly weapon—an instrument specifically designed to cause serious injury or death.

Declination—a prosecutor's decision not to file a case in a matter received for investigation. Excluded are immediate declinations where a prosecutor spent less than 1 hour on the case.

Defendant—the party against whom a lawsuit is filed.

Departure—a sentence imposed that is outside the applicable guideline sentencing range. A court may depart when it finds an aggravating or mitigating circumstance not adequately taken into consideration by the U.S. Sentencing Commission (USSC) in formulating the guidelines that should result in a sentence different from that described. See also, substantial assistance.

Deportation or treaty transfer—the act of expelling a foreigner from a country, usually to the country of origin, due to the commission of a crime or prior criminal record.

Detainer—a notification sent by a prosecutor, judge, or other official, such as a law enforcement officer, advising a prison official that a person is wanted to answer for criminal charges. The notification requests the person's continued detention or notification of the person's impending release.

Detention—the legally authorized confinement of a person subject to criminal or juvenile court proceedings until the point of commitment to a correctional facility or

until release. Only persons held for 2 days or more are classified as detained.

Dismissal—the decision by a court to terminate adjudication of all outstanding charges in a criminal case or all outstanding charges against a given person in a criminal case, thus terminating the court action in the case and permanently or provisionally terminating court jurisdiction over the person in relation to those charges. Includes nolle prosequi and deferred prosecution.

Disposition—the action by a criminal or juvenile justice agency signifying that a portion of the justice process is complete, and jurisdiction is terminated or transferred to another agency; or signifying that a decision has been reached on one aspect of a case and that a different aspect will come under consideration, requiring a different kind of decision.

District court, U.S.—trial courts with general federal jurisdiction over cases involving federal laws or offenses and actions between citizens of different states.

District of Columbia—the jurisdiction of the U.S. District Court for the District of Columbia. This jurisdiction includes federal offenses prosecuted in U.S. district courts and, except for tables based on data from the Federal Bureau of Prisons (BOP), excludes violations of the District of Columbia Code and cases prosecuted in the District of Columbia Superior Court.

Drug distribution—delivery (other than by administering or dispensing) of a controlled substance. The term “controlled substance” means any drug or other substance, or immediate precursor, included in schedule I, II, III, IV, or V of part B of subchapter I of Chapter 13 (Drug Abuse, Prevention, and Control), Title 21 (Food and Drugs) of the U.S. Code. The term excludes distilled spirits, wine, malt beverages, and tobacco, as those terms are defined or used in subtitle E of the Internal Revenue Code of 1986.

Drug offense—a violation under federal or state laws prohibiting the manufacture, import, export, distribution, or dispensing of a controlled or counterfeit substance, or the possession of a controlled or counterfeit substance with the intent to manufacture, import, export, distribute, or dispense the substance. Drug offenses include using any communication facilities that cause or facilitate a felony under Title 21 of the U.S. Code or furnishing fraudulent or false information concerning prescriptions and any other unspecified drug-related offense. See also, drug distribution, possession, and drug trafficking.

Drug trafficking—knowingly and intentionally importing or exporting any controlled substance in schedule I, II, III, IV, or V (as defined by 21 U.S.C. § 812). Drug trafficking includes manufacturing, distributing, dispensing, selling, or possessing with the intent to manufacture, distribute, or sell a controlled substance or a counterfeit substance. Trafficking also includes exporting any controlled substance in schedules I through V, and the manufacture or distribution of a controlled substance in schedule I or II, for the purposes of unlawful importation. Also includes the making or distributing of any punch, die, plate, stone, or any other instrument designed to reproduce the label on any drug or container or removing or obliterating the label or symbol of any drug or container. Knowingly opening, maintaining, or managing any place for manufacturing, distributing, or using any controlled substance is also considered drug trafficking.

Dual and Successive Prosecution Policy (Petite Policy)—prosecutorial guidelines used to determine whether to bring federal prosecution, based substantially on a person’s repetition of the same act or transactions involved in a prior state or federal proceeding for a person.

E

Embezzlement—the fraudulent appropriation of property by a person to whom such property has been lawfully entrusted. Includes offenses committed by bank officers or employees; officers or employees of the U.S. Postal Service; officers of lending, credit, or insurance institutions; and any officer or employee of a corporation or association engaged in commerce as a common carrier. The fraudulent appropriations of property by court officers of the U.S. courts and officers or employees of the U.S. are also included. Stealing from employment and training funds; stealing from programs that receive federal funds and Indian tribal organizations; and selling, conveying, or disposing of any money, property, records, or thing of value to the U.S. or any department thereof without authority are also included in embezzlement.

Environmental offense—a violation of federal law enacted to protect the environment, such as the Clean Air Act and the Clean Water Act. Environmental protection laws protect the safety and well-being of communities from excessive and unnecessary emissions of environmental pollutants.

Escape—departing or attempting to depart from the custody of a correctional institution; a judicial, correctional, or law enforcement officer; or a hospital where one is committed for drug abuse or drug dependency treatment. Includes knowingly advising, aiding, assisting, or procuring the escape or attempted escape of any person from a correctional facility, an officer, or the above-mentioned hospital; and concealing an escapee. Also includes providing or attempting to provide to a person a prohibited object; or making, possessing, obtaining, or attempting to make or obtain a prohibited object. Instigating, assisting, attempting to cause, or causing any mutiny or riot at any federal penal, detention, or correctional facility; or conveying into any

of these institutions any dangerous instruments are also included.

Exclusion—the rule of evidence that disallows evidence secured by illegal means and in bad faith to be introduced in a criminal trial.

Expiration of sentence—the completion of a prison sentence by standard means. See also, releases from prison.

Explosives violation—a violation of federal law involving the importation, manufacture, distribution, and storage of explosive material. Includes the unlawful receipt, possession, or transportation of explosives without a license, where prohibited by law, or using explosives during the commission of a felony. Also includes violations relating to dealing in stolen explosives, using mail or other forms of communication to threaten an individual with explosives, and possessing explosive materials at an airport. See also, arson.

F

Failure to appear—willful absence from any court appointment.

Felony—a serious crime that involves a potential punishment of one year or more in prison or a crime punishable by death. According to 18 U.S.C. § 3559, felonies are classified based on the maximum imprisonment term authorized by the law describing the offense. The five felony classes—A, B, C, D, and E—include life imprisonment or the maximum penalty of death (Class A felony), 25 years or more (Class B felony), less than 25 years but more than 10 years (Class C felony), less than 10 years but more than 5 years (Class D felony), and less than 5 years but more than one year (Class E felony).

Filing—the initiation of a criminal case in U.S. district court by formal submission to the court of a charging document alleging that one or more named persons have committed one or more specified offenses.

Fine—a monetary penalty imposed as punishment for an offense.

First release—persons released from the BOP for the first time after their commitment by a U.S. district court. Excludes persons returned to prison after their first release to supervision.

Food and drug violation—a violation of the Federal Food, Drug, and Cosmetic Act, including regulations for clean and sanitary movement of animals, adulteration or misbranding of any food or drug, failure to transmit information about prescription drugs, and intent to defraud and distribute adulterated material.

Forgery—the creation or alteration of a document, which if validly executed would constitute a legally binding transaction, with the intent to defraud; or the creation of an art object with intent to misrepresent the identity of the creator. Forgery also includes making, possessing, selling, or printing plates or stones for counterfeiting obligations or securities, and detaching, altering, or defacing any official device, mark, or certificate.

Fraud—unlawfully depriving a person of his or her property or legal rights through intentional misrepresentation of fact or deceit, other than forgery or counterfeiting.

Fraudulent property offense—see property offense, fraudulent.

Fugitive—a person convicted or accused of a crime who hides from law enforcement or escapes custody or flees across jurisdictional lines to avoid arrest or punishment.

G

Gambling offense—the unlawful making, receiving, or wagering on a game of chance or uncertain event, or operating, or promoting or permitting the operation of, an unlawful game of chance or wagering establishment. Also, the federal offense of transporting, manufacturing, selling, possessing, or using any gambling device in

the District of Columbia or any possession of the U.S. or within Indian country, or the special maritime and territorial jurisdiction of the U.S., as defined in 18 U.S.C. § 7.

Federal gambling offenses include transporting gambling devices within the jurisdiction of the U.S., except under the authority of the Federal Trade Commission or under the authority of a state law that provides an exemption from these provisions. Offenses also include transmitting wagering information on interstate or foreign commerce, interstate transporting of wagering paraphernalia, importing or transporting lottery tickets, or mailing lottery tickets or related matter.

Good-time credit—time credited based on a person's good behavior while imprisoned that is applied toward the person's early release. Under the Sentencing Reform Act of 1984, two classes of persons are ineligible to receive good-time credits: (1) misdemeanants serving a term of imprisonment of one year or less; and (2) felons serving life sentences. All other persons receive a flat allocation of 54 days per year of sentence served; credit for a partial year remaining at the end of the sentence is prorated. The annual allotment does not change based on the length of time a person has already spent in federal prison.

Guideline sentencing range—the range of imprisonment length for a person sentenced to a federal institution based on the federal sentencing guideline for the particular level of offense committed and the person's criminal history. The federal sentencing guideline incorporates any minimum terms of imprisonment required by statute and the statutory maximum term of imprisonment, where applicable.

Guilty plea—a plea in response to formal charges, admitting that the person committed the offenses as charged. A guilty plea also includes pleas of nolo contendere.

H

Hispanic—an ethnic category based on classification by the reporting agency. Hispanic persons may be of any race.

Home detention—a form of confinement and supervision used as a substitute either for imprisonment or as a condition of probation. Except for authorized absences, home detention is a measure in which a person is confined by authorities to the person's place of residence and restriction is enforced by appropriate means of surveillance by the probation office. Under the federal sentencing guidelines, home detention may be a substitute for imprisonment on a day-to-day basis for persons with a guideline maximum sentence of less than 16 months of imprisonment.

Homicide—see murder.

I

Immigration offense—a violation involving illegal entry into the U.S., illegally re-entering the U.S. after deportation, willfully failing to deport when so ordered, willfully remaining beyond days allowed on conditional permit, or falsely representing oneself to be a U.S. citizen. Immigration offenses include violations relating to provisions for special agricultural workers and provisions relating to limitations on immigrant status, such as employment. Also includes bringing in or harboring any non-U.S. citizens not duly admitted by an immigration officer.

Incarceration—any sentence of confinement, including prison, jail, or other residential placements.

Indeterminate sentence—a prison sentence with a maximum or minimum term that is not specifically established at the time of sentencing.

Indictment—a formal charge, issued by a grand jury, stating that there is enough evidence to justify a trial against a person

for allegedly committing a crime. Indictment is used primarily for felonies.

Information—a formal charge, issued by a governmental attorney, stating that there is enough evidence to justify a trial against a person for allegedly committing a misdemeanor. Also includes the document filed to initiate trial proceedings at the second step of a felony case.

Infraction—an offense for which the maximum term of imprisonment is 5 days or less, or an offense for which no imprisonment is authorized, according to 18 U.S.C. § 3559.

Initial appearance or hearing—a person's first appearance before a judge or magistrate in a criminal case.

Instant offense—the offense of conviction and all relevant conduct under U.S.S.G. § 1B1.3.

Intermittent sentence—a sentence to periods of confinement interrupted by periods of freedom. Under the federal sentencing guidelines, intermittent confinement may be a substitute for imprisonment for persons with a guideline maximum of less than 16 months of imprisonment. Every 24 hours of intermittent confinement is credited as one day of incarceration.

J

Jail credit—the number of days deducted from a person's sentence for time spent in custody before a prison sentence was imposed.

Jurisdictional offenses—offenses considered to be federal crimes because of the place in which they occurred, such as on an aircraft, or federal land or property. Jurisdictional offenses include certain crimes on Indian reservations, or at sea, that cannot be classified in a more specific substantive category.

Juvenile—a person subject to juvenile court proceedings because a statutorily defined event or condition was alleged to have occurred while their age was below the statutorily specified age limit of original jurisdiction of a juvenile court. Court jurisdiction is determined by age at the time of the event, not at the time of judicial proceedings. The age limit defining the legal categories “juvenile” and “adult” varies among states and also, with respect to specified crimes, within states. The generally applicable age limit within a given state is most often the eighteenth birthday. In statutes establishing the jurisdiction of criminal-trial courts over persons younger than the standard age for specified crimes (usually violent crimes, such as murder or armed robbery), the age limit may be lowered to 16 years or younger. These variations in age are small enough to permit data aggregated on the basis of the state definition of juvenile to be comparable for many purposes. However, each state should note its age limit in statistics for general distribution.

Juvenile delinquency—an act committed by a juvenile for which an adult could be prosecuted in a criminal court but for which a juvenile can be adjudicated in a juvenile court or prosecuted in a court having criminal jurisdiction, if the juvenile court transfers jurisdiction.

K

Kidnapping—unlawfully seizing any person as defined in 18 U.S.C. § 1201 for ransom or reward, except in the case of a minor seized by a parent. Includes receiving, possessing, or disposing of any money or other property delivered as ransom or as a reward in connection with a kidnapping and conspiring to kidnap any person.

L

Labor-law violation—a violation of federal laws governing a broad spectrum of activities relating to labor-management

relations, such as the Fair Labor Standards Act of 1938 and the Taft-Hartley Act.

Larceny—unlawful taking or attempted taking of property, other than a motor vehicle, from the possession of another person or entity, by stealth, without force or deceit, and with intent to permanently deprive the owner of the property. Excludes taking that requires unlawful entry or force or is accomplished by deception.

Liquor violation—a violation of Internal Revenue Service (IRS) laws on liquor and violations of liquor laws not cited under IRS laws. Liquor violations include dispensing or unlawfully possessing intoxicants in Indian country; transporting intoxicating liquors into any state, territory, district, or possession where sale is prohibited; shipping packages containing unmarked and unlabeled intoxicants; and shipping liquor by collect-on-delivery methods. Includes knowingly delivering a liquor shipment to someone other than to whom it has been consigned and violating the Federal Alcohol Administration Act. Includes violations relating to regulation of the manufacture, sale, distribution, transportation, possession, or use of intoxicating liquor. Includes maintaining unlawful drinking places, advertising and soliciting orders for intoxicating liquor, bootlegging, operating a still, furnishing liquor to a minor or intemperate person, using a vehicle for the illegal transportation of liquor, drinking on a train or public conveyance, and all attempts to commit any of the aforementioned acts. Excludes public drunkenness and driving under the influence (DUI).

M

Magistrates (U.S.), federal—judicial officers appointed by judges of federal district courts who have many but not all of the powers of a judge. Magistrates are designated to hear a wide variety of motions and other pretrial matters in both criminal and civil cases. With consent of the parties, magistrates may conduct civil or

misdemeanor criminal trials. Magistrates may not preside over felony trials or over jury selection in felony cases.

Mailing or transportation of obscene materials—a violation of federal law relating to knowingly using the mail for mailing obscene or crime-inciting matter, as defined in 18 U.S.C. § 1461 and 39 U.S.C. § 3001(e). Also includes transporting for sale or distribution, importing, or transporting any obscene matter in interstate or foreign commerce.

Mandatory release—the release of a person after confinement for a period equal to the person’s full sentence, minus any statutory good time. Persons exiting federal prison on mandatory release may still be subject to a period of post-release community supervision.

Mandatory sentence—a sentence that includes a minimum term of imprisonment that the sentencing court is statutorily required to impose barring the government’s motion of substantial assistance.

Mandatory sentencing enhancement—a form of mandatory sentence in which the minimum term of imprisonment is to be imposed consecutive to any other term of imprisonment imposed. Mandatory sentencing enhancements include 18 U.S.C. § 924(c), which provides for a 5-year-to-lifetime enhancement for the use of a firearm during the commission of a crime, and 18 U.S.C. § 844(h), which provides for a 5-year enhancement for the use of firearms or explosives during the commission of a crime. Also included is 18 U.S.C. § 929, which provides for a 5-year enhancement for the use of armor-piercing ammunition during the commission of a crime.

Material witness—a person with significant information about the subject matter of a criminal prosecution necessary to resolve the matter.

Matter—a potential case under review by a U.S. attorney and on which more than one hour is spent.

Matters concluded—matters in which a U.S. attorney has reached a final decision. Specifically includes matters filed as cases, matters declined after investigation, matters referred for disposition by U.S. magistrates, and matters otherwise terminated without reaching court.

Migratory-birds offense—a violation of acts relating to birds that move from one place to another in a season. Includes taking, killing, or possessing migratory birds, or any part, nest, or egg thereof, in violation of federal regulations or the transportation laws of the state, territory, or district from which the bird was taken. Also includes the misuse or non-use of a migratory-bird hunting and conservation stamp.

Misdemeanor—a criminal offense punishable by a jail term not to exceed one year and any offense specifically defined as a misdemeanor by the Administrative Office of the U.S. Courts for the purposes of data collection. According to 18 U.S.C. § 3559, misdemeanors are classified in three letter grades—A, B, and C—based on the maximum terms of imprisonment. Class A denotes an imprisonment term of one year or less but more than 6 months; Class B denotes an imprisonment term of 6 months or less but more than 30 days; and Class C denotes an imprisonment term of 30 days or less but more than 5 days. Misdemeanor includes offenses previously called minor offenses that were reclassified under the Federal Magistrate Act of 1979.

Mistrial—a trial that has been terminated and declared invalid by the court because of some circumstance that creates a substantial and uncorrectable prejudice to the conduct of a fair trial, or that makes it impossible to continue the trial in accordance with prescribed procedures. A trial may be terminated before its normal conclusion because of a procedural error;

statements by a witness, judge, or attorney that prejudice a jury; a deadlock by a jury without reaching a verdict after lengthy deliberation (or a hung jury); or the failure to complete a trial within the time set by the court. When a mistrial is declared, the trial must start again with the selection of a new jury.

Mixed sentence—a sentence requiring the convicted person to serve a term of imprisonment, followed by a term of probation.

Most serious offense—the offense charged that has the greatest potential sentence, or the offense with the greatest imposed sentence.

Motor-carrier violation—a violation of the federal statutes relating to the Motor Carrier Act, which regulates the routes and rates of freight motor carriers and passenger motor carriers in interstate commerce.

Motor vehicle theft—unlawful or attempted taking of a self-propelled road vehicle owned by another person or entity, with the intent to permanently or temporarily deprive the owner of possession. Excludes vehicle parts.

Murder—the unlawful killing of a human being with malice aforethought that was either expressed or implied. This offense covers committing or attempting to commit murder (first or second degree) or voluntary manslaughter.

Murder (criminal willful homicide)—intentionally causing the death of another person without legal justification or causing the death of another while committing or attempting to commit another crime. Includes voluntary manslaughter.

Murder, negligent (involuntary) manslaughter—causing the death of another person with reckless or gross negligence but without intent to cause death, including by reckless or grossly negligent operation of a motor vehicle.

Murder, non-negligent (voluntary) manslaughter—intentionally causing the death of another without legal justification or excuse or causing the death of another while committing or attempting to commit another crime.

N

National defense violation—a violation of national defense laws under the Military Selective Service Act; the Defense Production Act of 1950; the Subversive Activities Control Act; or the Economic Stabilization Act of 1970, which includes price, rent, and wage violations. Includes violations relating to non-U.S. citizen registration and treason, including espionage, sabotage, sedition, and the Smith Act of 1940. Also includes violations relating to energy facilities, curfew and restricted areas, exportation of war materials, trading with an enemy, and illegal use of uniform.

New law—persons convicted and sentenced in federal court pursuant to the Sentencing Reform Act of 1984. See also, old law.

Nolle prosequi—Latin for “we shall no longer prosecute.” The termination of adjudication of a criminal charge by the prosecutor’s decision not to pursue the case, which requires court approval in some jurisdictions.

Nolo contendere—Latin for “I do not wish to contend.” The statement is a person’s plea in a criminal case, indicating that they will not contest the charges, but not admit or deny guilt. A plea of nolo contendere has the same effect as a plea of guilty, as far as the criminal sentence is concerned, but may not be considered an admission of guilt for any other purpose. Nolo contendere is also referred to as a plea of “no contest.”

Non-U.S. citizen—a person who is without U.S. citizenship, including documented non-U.S. citizens—resident non-U.S. citizens, tourists, and refugees or

asylees—and undocumented non-U.S. citizens.

Non-jury trial—a trial in which the judge alone decides factual and legal questions and makes the final judgment.

Not convicted—an acquittal or a setting free by bench or jury trial, mistrial, or dismissal, including nolle prosequi and deferred prosecution.

Not guilty—a person’s formal answer in court to the charge or charges contained in a complaint, information, or indictment, claiming that they did not commit the offense or offenses listed. If the person refuses to plea, the court will enter a plea of not guilty. A verdict of “not guilty” in a criminal trial means that a person was acquitted of the charges.

O

Offense—a violation of U.S. criminal law. Where more than one offense is charged, the offense with the greatest potential penalty is reported.

Offense level—a quantification of the relative seriousness of the offense of conviction and any offense-specific aggravating or mitigating factors. Guideline offense levels range from level 1 (the least serious offense) to level 43 (the most serious offense).

Old law—persons convicted and sentenced pursuant to laws applicable before the Sentencing Reform Act of 1984. See also, new law.

P

Parole—a period of supervision after a person is released from custody and before the end of the federal sentence imposed. The U.S. Parole Commission is empowered to grant, modify, or revoke the parole of all persons convicted of or charged with a federal offense. Pursuant to the Sentencing Reform Act of 1984, parole was abolished, and persons are required to serve the

imposed sentence (minus 54 days per year for good time on sentences greater than one year, but not life imprisonment), followed by a term of supervised release. Due to a decrease in persons sentenced under pre-Sentencing Reform provisions, the number of persons on parole is declining.

Perjury—a false material declaration under oath in any proceeding before or ancillary to any court or grand jury of the U.S. Includes knowingly or willfully giving false evidence or swearing to false statements under oath or by any means procuring or instigating any person to commit perjury. This offense also includes any officers or employees of the government listed under 13 U.S.C. §§ 21-25 who willfully or knowingly furnish, or cause to be furnished, any false information or statements.

Petty offense—a federal misdemeanor punishable by 6 months or less in prison, a Class B misdemeanor, a Class C misdemeanor, or an infraction with fines as specified in 18 U.S.C. § 3571. See also, misdemeanor and infraction.

Plea-bargain—an agreement by the person in a criminal proceeding to plead guilty to a charge in exchange for the prosecution’s cooperation in securing a more lenient sentence or some other mitigation.

Pornographic—that which is of, or pertaining to, obscene or licentious literature. Material is pornographic or obscene if the average person, applying contemporary community standards, would find that the work taken as a whole appeals to the prurient interest; if it depicts sexual conduct in a patently offensive way; or if the work lacks serious literary, artistic, political, or scientific value.

Possession—an offense involving the possession of a controlled substance, acquiring a controlled substance by misrepresentation or fraud, attempting, or conspiring to possess, or simple possession of a controlled substance in schedules I through V, as defined by 21 U.S.C. § 812.

Includes possession of a controlled substance in schedule I or II, or a narcotic drug in schedule III or IV on board a U.S. vessel or vessels within custom waters of the U.S., or by any U.S. citizen on board a vessel. In addition, possessing any punch, die, plate, stone, or any other instrument designed to reproduce the label on any drug or container is an offense under this category. Distributing a small amount of marijuana for no remuneration is treated as simple possession and is included in this offense category.

Postal-law violation—a violation of federal laws governing a broad spectrum of activities pertaining to the U.S. Postal Service.

Presentment—historically, a grand jury's written notice of an offense based on the grand jury's own knowledge or observation. In current usage, this can be a prosecutor's presentation of alleged facts and charges to a court or a grand jury.

Pretrial diversion—an agreement to defer (and possibly drop) prosecution conditioned on the person's good behavior or participation in programs, such as job training, counseling, or education, during a stated period.

Pretrial release—a person's release from custody to the community, for all or part of the time before trial or during prosecution, on the person's promise to appear in court when required. The person may be released on personal recognizance, unsecured bond, or under financial conditions. Pretrial release includes persons released within 2 days after arrest and persons released after posting bail or having release conditions changed at a subsequent hearing.

Pretrial revocation—the decision to detain a person for violating conditions of pretrial release or for committing a new crime while in a pretrial release status.

Probation—a sentence imposed for commission of a crime whereby the convicted person is released into the

community under the supervision of a probation officer in lieu of incarceration. An act of clemency available only to those found eligible by the court, probation offers a chance for reform and rehabilitation for the person. For this purpose, the person must agree to specified standards of conduct. Violation of such standards subjects the person's liberty to revocation.

Procedural termination—a judgment based on the methods and mechanics of the legal process, including all the rules and laws governing that process. Procedural law is distinguished from substantive law, which involves the statutes and legal precedents on which cases are tried and judgments made. See also, administrative case closure and terminated on the merits.

Property offense, fraudulent—a property offense that involves elements of deceit or intentional misrepresentation. These offenses specifically include embezzlement, fraud (excluding tax fraud), forgery, and counterfeiting.

Property offense, non-fraudulent—a violent offense against property, including burglary, larceny, motor vehicle theft, arson, transportation of stolen property, and other property offenses, such as the destruction of property and trespassing.

Property offense, other—an offense that involves the destruction of property moving in interstate or foreign commerce and in the possession of a common or contract carrier. Also includes the malicious destruction of governmental property or injury to U.S. Postal Service property, such as mailboxes or mailbags. Trespassing on timber and governmental lands is also included in this offense category.

Public-order offense, non-regulatory—an offense concerning weapons; immigration; tax-law violations (tax fraud); bribery; perjury; national defense; escape; racketeering and extortion; gambling; liquor; mailing or transporting of obscene materials; traffic; migratory birds; conspiracy, aiding and abetting, and

jurisdictional offenses; and other public-order offenses.

Public-order offense, other—a violation of laws pertaining to bigamy, disorderly conduct on the U.S. Capitol grounds, civil disorder, and travel to incite to riot. Also included in public-order offenses, non-regulatory.

Public-order offense, regulatory—a violation of regulatory laws and regulations in agriculture, antitrust, labor law, food and drug, motor-carrier, and other regulatory offenses that are not specifically listed in the category public-order offenses, non-regulatory.

R

Racketeering and extortion—racketeering is demanding, soliciting, or receiving anything of value from the owner, proprietor, or other person having a financial interest in a business, by means of a threat or promise, either expressed or implied. Extortion is the obtaining of money or property from another person through the wrongful use of force or fear and without the person's consent. This offense code covers using interstate or foreign commerce or any facility in interstate or foreign commerce to aid racketeering enterprises, such as arson, bribery, gambling, liquor, narcotics, prostitution, and extortionate credit transactions. Also includes obtaining property or money from another person (with the person's consent and induced by actual or threatened force, violence, or blackmail) and committing unlawful interference with the person's employment or business. Also includes transmitting, by interstate commerce or through the mail, any threat to injure the property, person, or reputation of the addressee or of another; or kidnapping any person with intent to extort.

Release, extraordinary—unusual methods by which a person exits federal prison, such as death, commutation, or a transfer to another facility.

Release, standard—the usual way by which a person exits federal prison, including full-term sentence expirations, expirations with good time, mandatory releases, and releases to parole.

Remove—transfer from federal court (usually to a state court).

Restitution—a court requirement that an alleged or convicted person pay money or provide services to the victim of the crime or provide services to the community.

Revocation—termination of a probation, parole, or mandatory-release order because of a rule violation or a new offense, which forces the person to begin or to continue serving his or her sentence.

Robbery—the unlawful taking or attempted taking of property that is in the immediate possession of another person, by force or threat of force. Also included is assaulting or putting the life of any person in jeopardy by the use of a dangerous or deadly weapon while committing or attempting to commit such robbery.

Rule 20 transfer—on petition by a person, a transfer of proceedings to the district where the person was arrested. The person may state in writing a wish to plead guilty or nolo contendere, waive trial in the district in which the indictment or information is pending, or consent to the disposition of the case in the district in which the person was arrested.

Rule 40 transfer—on petition by the U.S. attorney, the transfer of proceedings of a person arrested in a district for an alleged offense committed in another district.

S

Sentence—the punishment ordered by a court for a person convicted of a crime. For sentences to incarceration, the maximum time the person may be held in custody is reported. See also, split sentence, mixed sentence, indeterminate sentence, and mandatory sentence.

Sentencing guidelines (federal)—guidelines established by the USSC to be followed by the federal courts in the sentencing of persons convicted of federal offenses. Established pursuant to the Sentencing Reform Act of 1984, the sentencing guidelines prescribe a range of sentences for each class of convicted persons, as determined by categories of offense behavior and person characteristics.

Sexual abuse—Includes all completed and attempted violent sex offenses: aggravated sexual abuse (18 U.S.C. § 2241) and sexual abuse (18 U.S.C. § 2242), defined as causing a person to engage in a sexual act by use of force, threat, or fear; a sexual act with a person who is unconscious, is impaired due to drugs, intoxicants, or other substances, or is otherwise incapable of declining participation; sexual abuse of a minor or ward (18 U.S.C. § 2243); and abusive sexual contact (18 U.S.C. § 2244), in which a person knowingly engages in or causes sexual contact with or by another person without the person's permission, or with a person younger than age 12.

Sex offenses, other—Includes other non-violent sex offenses: sexual exploitation of children and child pornography (18 U.S.C. §§ 2251-2252A); coercing, enticing, or transporting (interstate) an individual (including minors) with the intent and purpose of engaging in prostitution or any sexual activity for which any person can be charged with a criminal offense (18 U.S.C. § 2422); and possession with intent to sell or the sale and distribution of obscene materials (18 U.S.C. §§ 1460-1470). See the National Archive of Criminal Justice Data for a detailed crosswalk for codes used by the USMS, the Administrative Office of the U.S. Courts, the Executive Office for U.S. attorneys, the U.S. Sentencing Commission, and the BOP.

Shock incarceration—an intense confinement program, consisting of a highly regimented schedule that provides the strict discipline, physical training, hard labor,

drill, and ceremony characteristic of military basic training.

Special maritime and territorial jurisdiction—areas of federal jurisdiction outside the jurisdiction of any state, including (1) the high seas, Great Lakes, and connecting waterways; (2) federal lands; and (3) U.S.-owned aircraft in flight over the high seas.

Split sentence—see mixed sentence.

Stale—a case or matter that is too old to support successful prosecution.

Substantial assistance—a form of cooperation with the government in which the person provides the government with information, testimony, or other assistance relating to the criminal activities of other persons in exchange for a sentence reduction. Substantial assistance provides the only mechanism for judges to impose a sentence below a mandatory sentence, applicable by the law that describes the offense.

Supervised release—under the Sentencing Reform Act of 1984, a form of post-imprisonment supervision to be imposed by the court as a part of the sentence of imprisonment at the time of initial sentencing. Unlike parole, a term of supervised release does not replace a portion of the sentence of imprisonment, but rather is an order of supervision in addition to any term of imprisonment imposed by the court (compare also with probation).

T

Tax-law violations—federal tax-fraud offenses include violations of laws within the Internal Revenue Code (26 U.S.C.). Includes income tax evasion and fraud, counterfeiting any stamps with intent to defraud the collection or payment of tax, willfully failing to collect or pay tax, and failure to obey summons to produce any papers concerning taxes. Also includes offenses such as failing to furnish receipts

for employees of tax withheld, failing to furnish information relating to certain trusts, annuity, and bond purchase plans, and putting fraudulent or false statements on tax returns. Violations of excise and wagering tax laws and not obtaining a license for a business that makes a profit from foreign items are also included in this offense category.

Technical violation—failure to comply with any of the conditions of pretrial release, probation, or parole, excluding alleged new criminal activity. Technical violations may result in revocation of a person's release status. Conditions that may be imposed and then violated include remaining within a specified jurisdiction or appearing at specified intervals for drug tests.

Terminated on the merits—a judgment made after consideration of the substantive, as distinguished from procedural, issues in a case. See also, procedural termination.

Termination—at the pretrial services stage, includes execution of sentence, acquittal, dismissal, diversion, or fugitive status; in U.S. district court, includes conviction, acquittal, or dismissal; and at probation or supervised release, includes the removal of a person from supervision either for successful completion of the term of supervision or as the result of a revocation.

Threats against the President—knowingly and willfully depositing in the mail, at any post office, or by any letter carrier a letter, paper, writing, print, or document containing any threat to take the life of or to inflict bodily harm on the President, Vice President, or any other officer in order of succession to the Presidency. Knowingly and willfully making such threats to the above-named persons is included in this offense.

Time served—the portion of a person's-imposed sentence spent in prison (from arrival into BOP jurisdiction until release from prison), plus any jail time served and

credited. For persons serving concurrent sentences, time served may exceed the longest single sentence imposed.

Traffic offense—a violation of statutes relating to the operation, maintenance, use, ownership, licensing, and registration of self-propelled road vehicles, including DUI, hit and run, and violations of law not requiring appearance in court.

Transportation violation—a violation of the federal statutes relating to the Motor Carrier Act, which regulates the routes and rates of freight motor carriers and passenger motor carriers in interstate commerce.

Transportation of stolen property—transporting, selling, or receiving stolen goods, stolen securities, stolen moneys, stolen cattle, fraudulent state-tax stamps, or articles used in counterfeiting, if the above articles or goods involve or constitute interstate or foreign commerce.

Trial conviction—conviction by judge or jury after trial.

True bill—an indictment endorsed by a grand jury as warranting prosecution of the accused.

U

United States—the territory occupied by the 50 states, the District of Columbia, and the outlying territories of Guam, Puerto Rico, the Northern Mariana Islands, and the U.S. Virgin Islands.

U.S. attorney—a lawyer appointed by the President in each judicial district to prosecute and defend cases for the federal government. U.S. attorneys employ a staff of assistant U.S. attorneys who appear as the government's attorneys in individual cases.

V

Violent offenses—threatening, attempting, or using physical force against a person. Includes murder, negligent manslaughter, assault, robbery, sexual

abuse, kidnapping, and threats against the President.

W

Weapons offenses—violations of any provisions of 18 U.S.C. §§ 922 (unlawful acts) and 923 (licensing) with regard to the manufacturing, importing, possessing, receiving, and licensing of firearms and ammunition. Includes manufacturing, selling, possessing, or transporting any switchblade knife; or making, receiving, possessing, or transporting a firearm not registered in the National Firearms Registration Transfer Record within any territory or possession of the U.S., within Indian country, or within the special maritime and territorial jurisdiction of the U.S. Also, engaging in importing,

manufacturing, or dealing in firearms, if not registered with the secretary in the Internal Revenue Service district in which the business is conducted or not having paid a special occupational tax. In addition, this code covers cases wherein a crime of violence or drug trafficking enhanced punishment is handed down when the crime was committed with a deadly weapon.

Wildlife offense—a violation of federal law enacted to protect endangered or threatened species and migratory birds. The Endangered Species Act (16 U.S.C. Chapter 35) makes it unlawful for any person to take, import, sell, or ship endangered or threatened wildlife. Under this code, the Migratory Bird Treaty Act protects migratory birds, and the Lacey Act prohibits the trade of illegally taken fish and wildlife.