



Department of Justice



Office of Justice Programs

ADVANCE FOR RELEASE AT 4:00 P.M. EDT
TUESDAY, SEPTEMBER 30, 2008
www.ojp.usdoj.gov/bjs

BUREAU OF JUSTICE STATISTICS
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FEDERAL IMMIGRATION ARRESTS SURPASS DRUG ARRESTS

Post-arrest, drug and weapons offenders most likely to be prosecuted and convicted

WASHINGTON –Immigration and drug arrests comprised more than half of the 140,200 federal suspects arrested and booked by the U.S. Marshals in 2005, the Justice Department's Bureau of Justice Statistics (BJS) announced today. Material witness (20 percent), immigration (15 percent) and weapons (11 percent) arrests increased at the fastest annual rate from 1995 to 2005. In 2005, immigration (27 percent) was the most prevalent arrest offense followed by drug (24 percent) and supervision violations (17 percent).

Forty percent of all suspects arrested by the U.S. Marshals Service were arrested in 1 of 5 federal judicial districts along the U.S.-Mexico border, including Arizona, New Mexico, the Southern and Western Districts of Texas, and the Southern District of California. Nearly 1 in 4 (23 percent) of all suspects arrested in 2005 were arrested in the Southern and Western Districts of Texas.

The federal government reorganized key federal law enforcement agencies following the passage of the Homeland Security Act of 2002. The U.S. Customs Service and Secret Service transferred from the Treasury Department to the Department of Homeland Security; the Bureau of Alcohol, Tobacco, Firearms, and Explosives transferred from the Treasury Department to the Department of Justice; and the Immigration and Naturalization Service moved DOJ to DHS.

In 2004 and 2005, the Department of Homeland Security (DHS) referred nearly half (45 percent) of all suspects handled by U.S. attorneys, compared to 33 percent of suspects referred by Justice agencies. Suspects referred for federal prosecution by the Treasury Department were 2 percent of all suspects referred in 2004 and 2005, down from 20 percent five years earlier.

From 1995 to 2005, the likelihood of being prosecuted, convicted, and sentenced to prison increased. Sixty percent of suspects referred to U.S. attorneys were prosecuted in 2005 (from 54 percent in 1995) Ninety percent of defendants charged with a federal violation were convicted (up from 84 percent in 1995) and 79 percent of defendants convicted in 2005 were sentenced to prison (up from 67 percent in 1995). Thirteen percent of the defendants convicted in 2005 were sentenced to probation (down from 24 percent in 1995).

(MORE)

The average annual growth rate (3.6 percent) in suspects handled by U.S. attorneys from 1995 to 2005 was more than three times greater than the average growth in U.S. resident population (1.1 percent) over this period. Suspects referred in federal judicial districts with an average population of more than five million U.S. residents grew at a faster rate than less populated districts. Suspects handled by U.S. attorneys in districts with an average population of less one million U.S. residents were declined for further prosecution at a higher rate (36 percent) than in more populated districts (20 percent).

Felony convictions in federal court (25 percent) increased at faster rate than in state court (5 percent) from 1996 to 2004. In 2004, 1 in 5 convictions of state and federal weapons felons were handled in federal courts—more than twice the percentage of state and federal weapons felons convicted in federal court in 1994.

The U.S. Court of Appeals received 14,644 filings in 2005—an increase of 44 percent from 1995. About 4 in 10 appeals filed in 2005 were for drug offenses (41 percent), followed by immigration (17 percent), weapons (16 percent) and violent (5 percent) offenses. Appeals filed by immigration offenders increased an average 25 percent per year from 1995 to 2005.

At yearend 2005, 375,600 persons were under some form of federal supervision—62 percent were in secure confinement, including prison and pretrial detention. Thirty-eight percent were under federal supervision in the community, including pretrial release and post-sentencing supervision.

The report, *Federal Justice Statistics, 2005* (NCJ 220383), was written by BJS statistician Mark Motivans. Following publication, the report can be found at <http://www.ojp.usdoj.gov/bjs/abstract/fjs05.htm>.

For additional information about the Bureau of Justice Statistics' statistical reports and programs, please visit the BJS Web site at <http://www.ojp.usdoj.gov/bjs>.

The Office of Justice Programs, headed by Acting Assistant Attorney General Jeffrey L. Sedgwick, provides federal leadership in developing the nation's capacity to prevent and control crime, administer justice, and assist victims. OJP has five component bureaus: the Bureau of Justice Assistance; the Bureau of Justice Statistics; the National Institute of Justice; the Office of Juvenile Justice and Delinquency Prevention; and the Office for Victims of Crime. In addition, OJP has two program offices: the Community Capacity Development Office, which incorporates the Weed and Seed strategy, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART). More information can be found at <http://www.ojp.gov>.

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